



Supplementary Planning Guidance Note

No.02 Space Around Dwellings

Adopted by Flintshire
County Council on 17th
January 2017



Purpose

It is Flintshire County Council's intention to prepare and keep up to date a series of Supplementary Planning Guidance (SPG) Notes which will provide detailed guidance on a range of development issues and topics. The purposes of these Notes are:

- To assist the public and their agents in preparing planning proposals and to guide them in discussions with officers prior to the submission of planning applications,
- To guide officers in handling, and officers and councillors in deciding, planning applications, and
- To assist Inspectors in the determination of appeals

The overall aim is to improve the quality of new development and facilitate a consistent and transparent approach to decision making.

Planning policies: the Flintshire context

The Development Plan

Under planning legislation, the planning policies for each area should be set out formally in the Development Plan. Flintshire County Council, as the Local Planning Authority (LPA), has a legal duty to prepare and keep up to date a development plan for the County, and the Flintshire Unitary Development Plan was adopted in 2011. The UDP provides broad policies together with allocations of land for all the main uses such as housing, employment and retailing, and will help to shape the future of Flintshire in a physical and environmental sense as well as influencing it in economic and social terms. The Plan therefore seeks:

- To help the Council make rational and consistent decisions on planning applications by providing a policy framework consistent with national policy and
- To guide development to appropriate locations over the period up to 2015.

The need for Supplementary Planning Guidance

Despite the Plan containing policies with which the Council can make consistent and transparent decisions on development proposals, it cannot in itself give all the detailed advice needed by officers and prospective applicants to guide proposals at the local level, such as house extensions or conversions of agricultural buildings. The Council's intention is to prepare a range of Supplementary Planning Guidance notes (SPG) to support the UDP by providing more detailed guidance on a range of topics and issues to help the interpretation and implementation of the policies and proposals in the UDP. The review of the Local Planning Guidance Notes will be undertaken on a phased basis and details of the available SPG's can be found on the Council's website. Where there is a need to refer to another SPG this will be clearly referenced. These SPG Notes are freely available from Planning Services, Directorate of Environment, County Hall, Mold, Flintshire CH7 6NF (telephone 01352 703228), at the Planning Services reception at County Hall and can be downloaded from the Planning Web pages www.flintshire.gov.uk/planning

The status of Supplementary Planning Guidance

Supplementary planning guidance can be taken into account as a material consideration in the decision making process. The National Assembly will give substantial weight to SPG which derives out of and is consistent with the development plan. In accordance with National Assembly advice the Council's suite of SPG's has been the subject of public consultation and Council resolution. The draft of this SPG was approved for public consultation on 26.07.13 (Council Minute no.17). The SPG was the subject of a public consultation exercise between 18.12.15 and 12.02.16. The 4 comments submitted to the Council have been taken into account and where appropriate amendments have been incorporated into this final draft which was approved by the Council on 17th January 2017 (Council Minute no.8) for use as a material consideration in determining planning applications and appeals. A summary of the representations and the Council's response is set out in Appendix 2. Further minor amendments have been made to the note as a result of an ombudsman decision. The separation distances themselves have not changed, but they have been re-written as guidelines rather than minimum or absolute standards. On this basis further public consultation was not considered necessary.

This document should therefore be afforded considerable weight as a material planning consideration.

No.02 Space Around Dwellings

This note gives guidance in relation to space around dwellings. **It applies to proposals for the construction of new houses and the conversion of non residential buildings to dwellings.** The note constitutes a material consideration when the Council is determining relevant planning applications.

1 - Background

1.1 - It is important in the national context to make the most efficient use of land and this is reflected in Flintshire's planning policies. Equally, however, residents and their neighbours are entitled to a reasonable degree of space, privacy and daylight around their homes. This LPG Note sets out the guidelines which Flintshire County Council considers necessary to protect the residential amenity of the occupiers of new developments and the residents of existing properties affected by nearby new proposals. These are guidelines which relate to all dwellings of up to two storeys. Proposals for taller buildings, or for dwellings where outdoor amenity space is provided on a communal basis, will be considered on their merits but due regard will be given to the spirit of these guidelines in order to achieve satisfactory living conditions.

2 - Policy

2.1 - When considering applications for new housing Planning Policy Wales 2016 (Paragraph 9.3.4) states that "local planning authorities should ensure that the proposed development does not damage an area's character and amenity". The Council's approach is set out in the UDP Policy HSG8e, which states that new housing will be permitted where the density of development "makes adequate provision for privacy and space about dwellings" (amongst other considerations). The full policy wording is set out in Appendix 1. This LPG Note provides guidance on how this can be achieved.

3 - Distances between dwellings

3.1 - To allow a satisfactory degree of privacy and daylight, adequate separation distances between buildings are required. Higher separation distances are needed between windows lighting habitable rooms, that is living rooms, bedrooms, studies and dining-kitchens. (Halls, landings, passageways, kitchens and utility rooms are not counted as habitable rooms for this purpose.) On sloping ground, where the possibility of overlooking is increased, a greater distance is required.

- In cases where the windows of two facing habitable rooms (that is, main - front or rear - elevations) where direct overlooking is possible a guideline of 22 metres should be applied (See Fig 1).
- In cases where a window in a habitable room facing the flank wall (or side elevation) of an adjacent house which is higher than the top of the window a guideline of 12 metres from the wall should be applied (See Fig 2).
- On sloping ground, for every 1 metre difference in height, the above guidelines are increased by 2 metres. (Fig 3)
- Where adjacent dwellings both have flank walls without windows of habitable rooms, a guideline of 2 metres should be applied (Fig 4).

Fig 1. Facing habitable rooms.

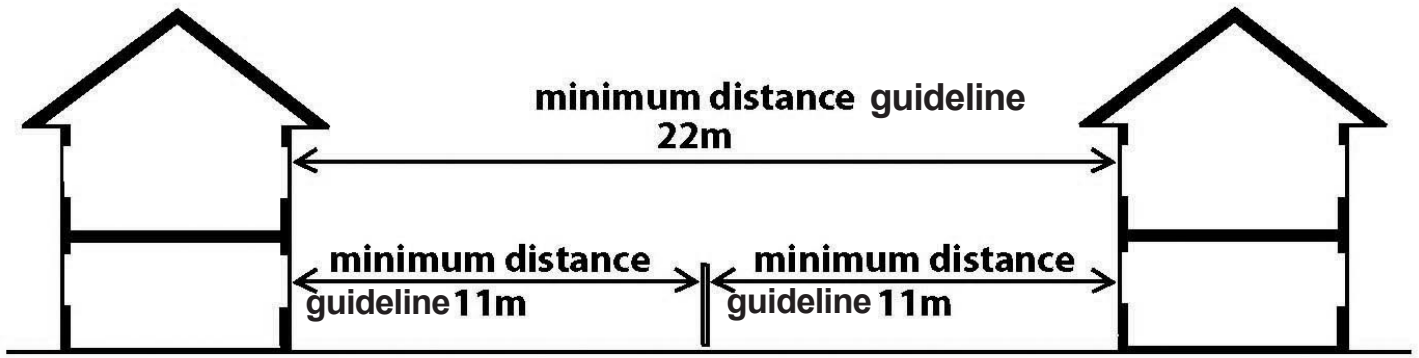
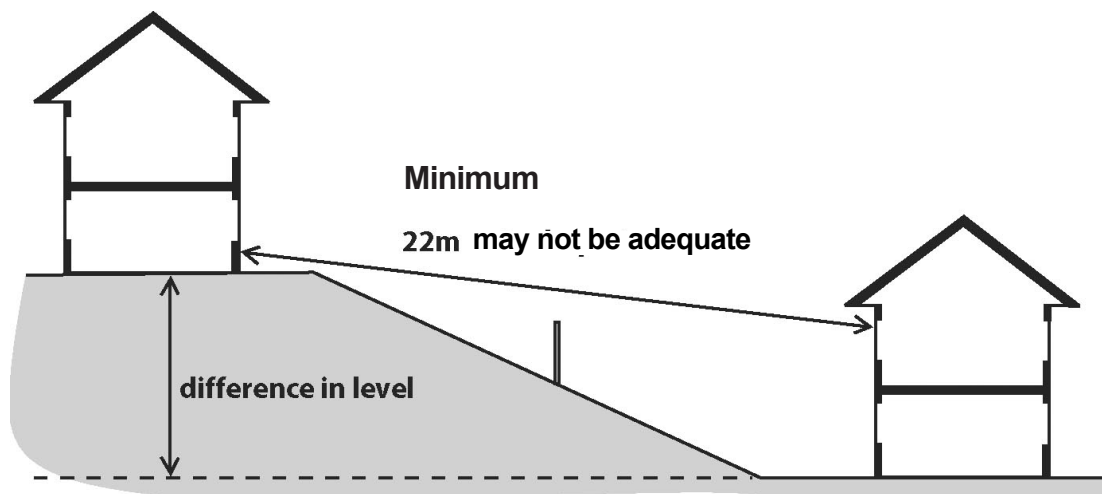


Fig 2 A habitable room facing a flank wall



Fig 3 Facing habitable rooms on sloping ground



» (For every 1m added in height as a guideline, an extra 2m is added in distance)

3.2 - In order to enable proper consideration of these matters, submitted plans should indicate the finished floor levels of the building and the levels and positions of adjacent existing properties indicating any facing windows. All submitted plans should be detailed and accurate to enable a robust assessment of each proposal in the light of these guidelines.

- On corner plots adjoining road junctions and prominent from two streets, the width of any proposed extension should not exceed half the width of the existing frontage of the property, nor should it exceed half the width of the garden/plot between the property and the adjacent highway. Where the curtilage is large enough, dwellings on corner plots should also have at least 4 metres between their flank wall and the back edge of the highway footway, unless the scheme and locality are of special character. In cases of doubt, the Council will be seeking to avoid detriment to the amenity of the area. (See Fig 4)

4 - Private garden space for dwellings

4.1 - Garden space is important for quiet enjoyment, children's playspace, drying clothes, and so forth. It will normally be provided at the rear of the property for privacy, helped by appropriate screening from public gaze by suitably-sized walls, fences or hedges. Front gardens do not normally count towards the following standards. (Some existing properties have non-existent or very limited rear/side gardens. In these circumstances, the front garden must be regarded in a different light.) The proportions should be reasonable to allow for play and leisure, rather than being excessively long and narrow, for example.

- For single bedroom dwellings a guideline of 30 square metres should be applied, rising to a guideline of 70 square metres for a three or more bedroom dwelling. (Fig 4)

4.2 - It is acknowledged that larger plots could allow residents to grow more of their own food, and compost some domestic waste, thus making the development more sustainable. When considering the provision garden areas they should be:

- Of a usable shape.
- Well-related to the dwelling itself, so that children can be supervised, for instance.

Designed so as to avoid overlooking and allow privacy.

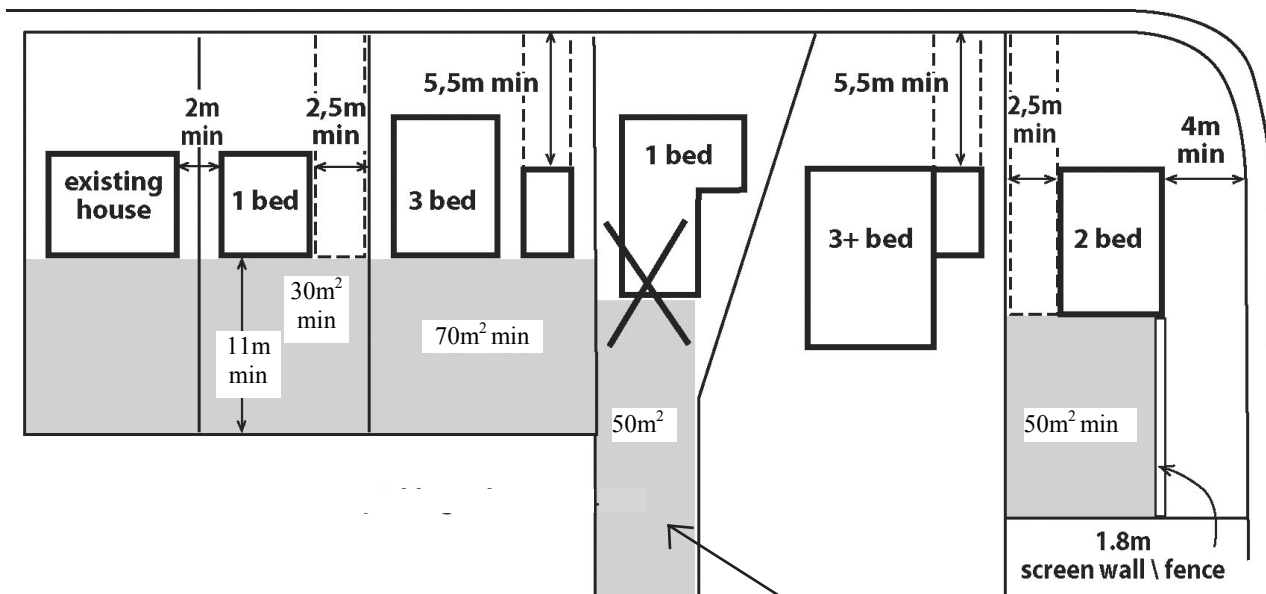
For an average, or larger, sized dwelling, a plot depth of 11 metres is a reasonable guideline (Figure 4).

4.3 - These guidelines may be varied downwards where a higher density of development is considered desirable for particular reasons such as in a town centre development or to create variety within a large scheme. Exceptions may also be made in the case of older terraced properties where basic amenities such as kitchens or bathrooms, which are wanted and cannot be provided satisfactorily within the existing dwelling, can only be accommodated by accepting a lower space standard. Generally though, the Council will seek to apply these guidelines in any new housing layout. In some instances, the removal of permitted development rights for extensions would be a condition of the permission to safeguard these standards and residential amenity.

4.4 - Where these guidelines cannot be met reasonably, measures to reduce overlooking such as by the erection of screen walls or fences should form part of the scheme, properly thought-out, and incorporated in it.

4.5 - Existing good examples of boundaries, be they walls, hedges, railings or gates, should be retained and properly maintained, especially in conservation areas.

Fig 4 Garden and driveway distances



Undesirable subdivision of an existing plot

5 - Driveways and car parking

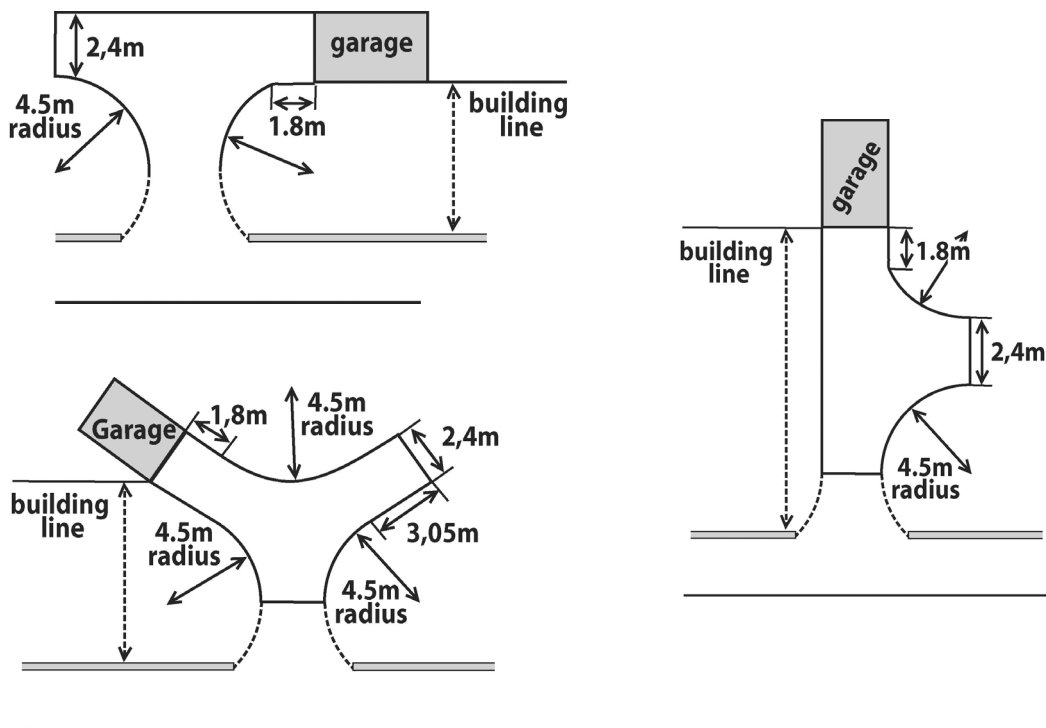
5.1 - It is important in the interests of safety that vehicles parked on residential driveways do not encroach on to the pavement or road. Therefore,

- New driveways should be at least 5.5 metres in length. (Figure 4)
- Garages should be set far enough back from the road to enable the garage door to be opened and closed whilst a car is parked in the driveway.

In addition,

- Driveways should be no steeper than 1 in 10.
- At least 2.5 metres width should be provided on driveways between house walls and site boundaries, to enable proper opening and closing of car doors. (Figure 4)
- Planning permission is needed to construct a vehicular or pedestrian access into a residential curtilage from a trunk or other classified road. The main considerations when judging such proposals are highway safety and visual aspects.
- To avoid vehicles having to reverse into trunk or other busy classified roads, a vehicle turning space should be provided within the curtilage with the aim of meeting the dimensions shown in Figure 5.
- On other roads which are not busy with traffic, this standard should be relaxed for visual/amenity reasons, to avoid an excess of hard surfaces.
- To avoid or minimise the visual impression of concrete or tarmac, suitable planting and/or the use of suitable different flooring materials, such as grass-crete, should be included in the proposals.

Fig 5 Vehicle turning spaces in residential curtilages fronting on to classified roads. Three possible layouts are illustrated for different configurations of site



5.2 - The number of car parking spaces required for each type of dwelling is given in LPG Note 11 Parking Standards. Where it is proposed that existing parking spaces are to be lost because of an extension, and this would create safety or congestion problems, replacement spaces must be provided, or the proposal will be considered unacceptable.

Appendix 1: Key UDP Policy

HSG8 Density of Development

New housing development will be permitted where the density of development:

- a. makes the most efficient use of available land;
- b. reflects the characteristics of the site and surrounding area;
- c. helps to meet the needs of Flintshire residents for a range of house types;
- d. uses high quality design principles to maximise the density of development without compromising the quality of the living environment provided; and
- e. makes adequate provision for privacy and space about dwellings.