

Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ
Tel: 01824 706800 Fax: 01824 706709

Heading:

REFERENCE NO. 01/2014/1390/PF
51 MYTTON PARK,
DENBIGH



Application Site

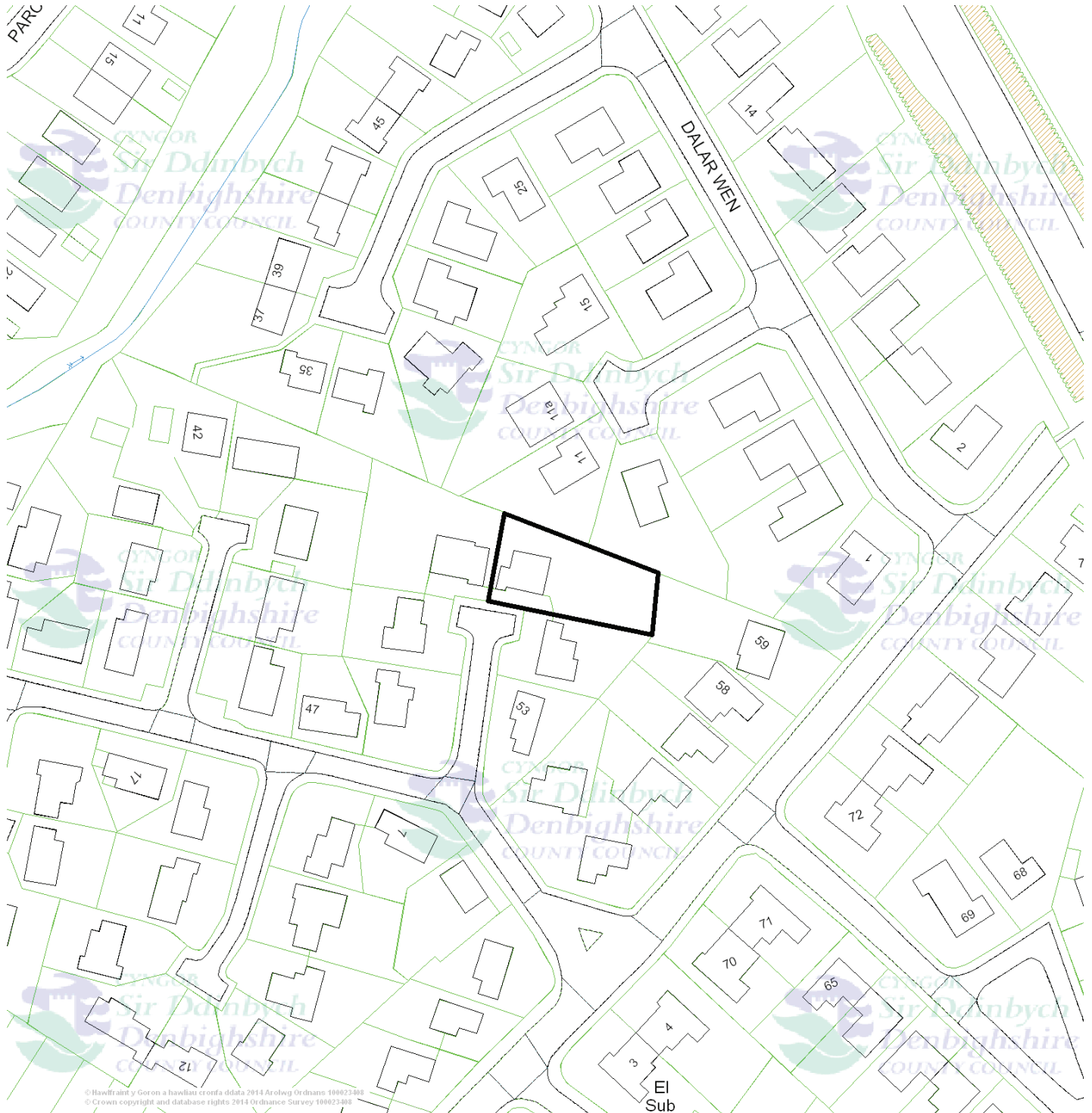


Date 29/1/2015

Scale 1/1250

Centre = 306492 E 366509 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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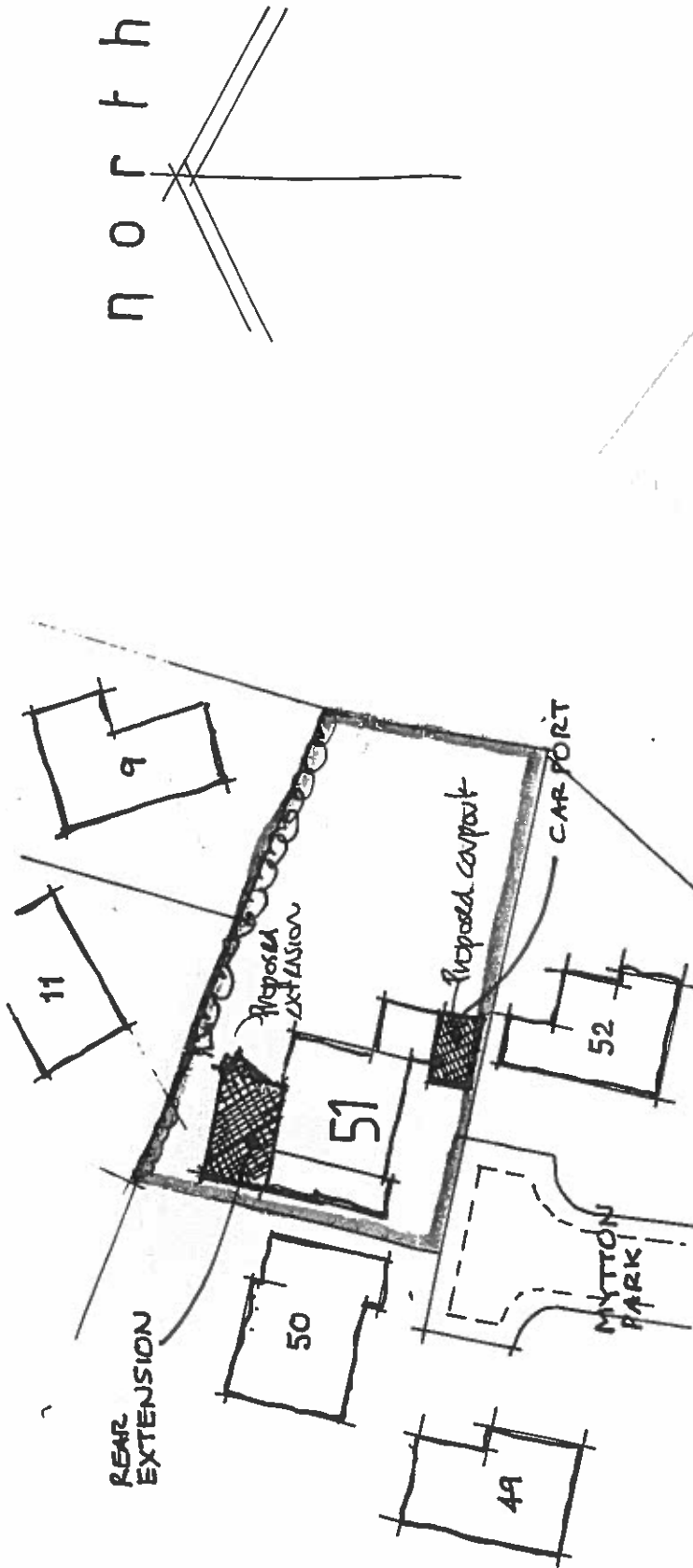
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W 01

LOCATION PLAN 1:2500

DALAR
WEN PROPERTIES

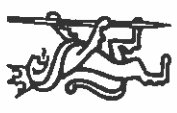


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BLOCK PLAN 1:500

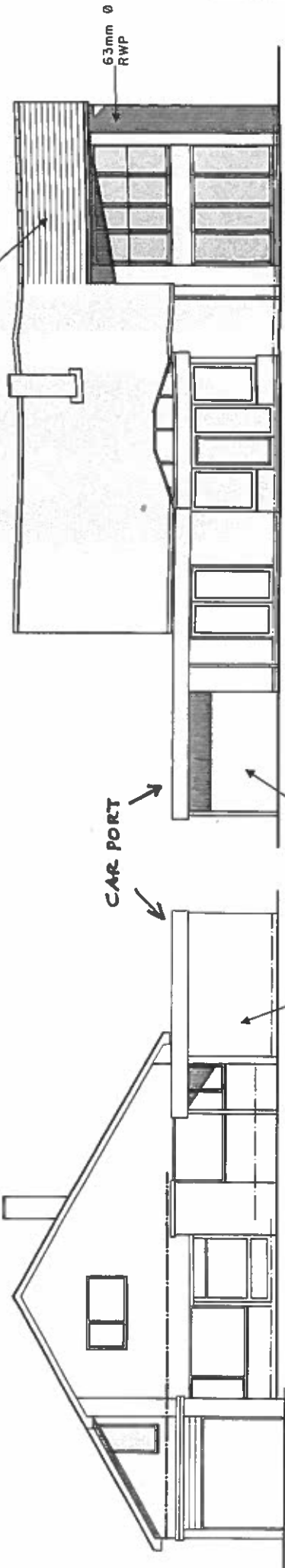
PROPOSED
BLOCK PLAN
01 2014/1390/PF

 <p>WYNN ROGERS Chartered Surveyors THE HOLLIES VALE STREET DENBIGH Tel: (01745) 812100 Fax: (01745) 816331</p>	<p>PROJECT 51 MYTTON PARK, TREWEN / DENBIGH</p>	<p>DRAWN <i>B</i></p>	<p>PROJECT No. 2285</p>
	<p>DRAWING TITLE block / location plan</p>	<p>SCALE 1:500 / 1:2500</p>	<p>DATE Sept 14</p>
<p>CLIENT</p>		<p>PRINT</p>	<p>REV</p>

01-2014-11390/P1

NOTES:
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR THE PREPARATION OF MANUFACTURING DRAWINGS. DO NOT SCALE FROM DRAWING. ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO WYNN ROGERS CIVIL ENGINEERS BY TELEPHONE.

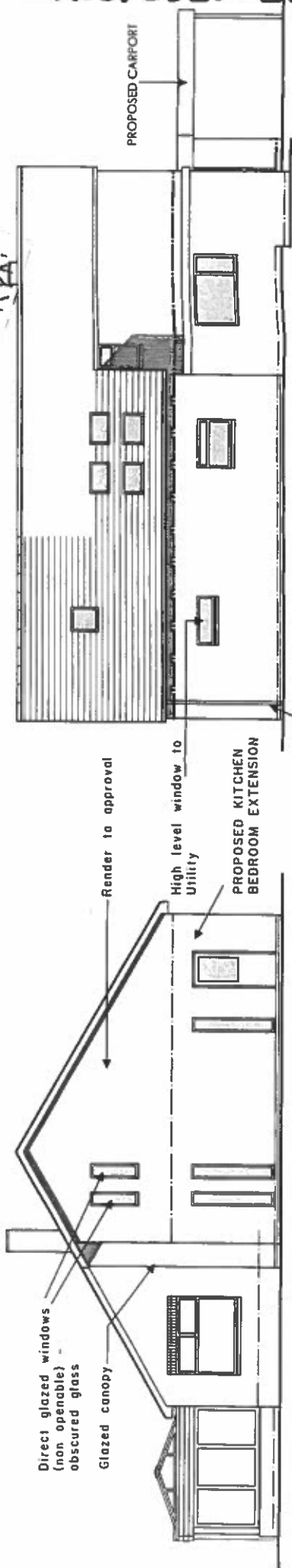
PROPOSED ELEVATIONS



FRONT ELEVATION

REAR EXTENSION

SIDE ELEVATION



REAR ELEVATION

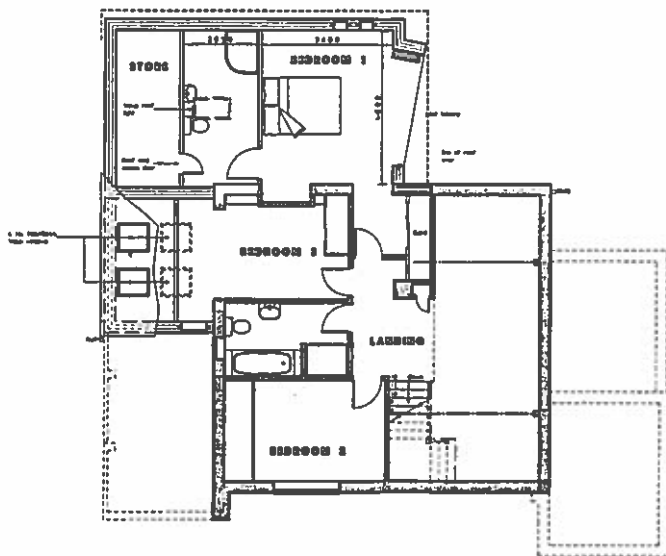
SIDE ELEVATION

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WYNN ROGERS
 CHARTERED BUILDING SURVEYORS
 The Hollies, Vole Street, Derbyshire
 Tel: 01743 812101 Fax: 01743 816331
 E-mail: consult@wynnrogers.co.uk

RICS
 51 Mylton Park, Trewen
 Derbyshire
 Evaluations as Proposed

PROJECT No. 2205
 DRAWN BY: mdc
 SCALE: 1:100
 DATE: Aug 2014
 DRAWN BY: A3
 CLIENT: Mr & Mrs John & Saff Cameron



FIRST FLOOR PLAN 1:100

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WYNN ROGERS
 CIVIL ENGINEER

CHALLENGED BUILDING SURVEYORS

100 HOLLIS WALK STREET, SUITE 100, NEWTON, MASSACHUSETTS 02459

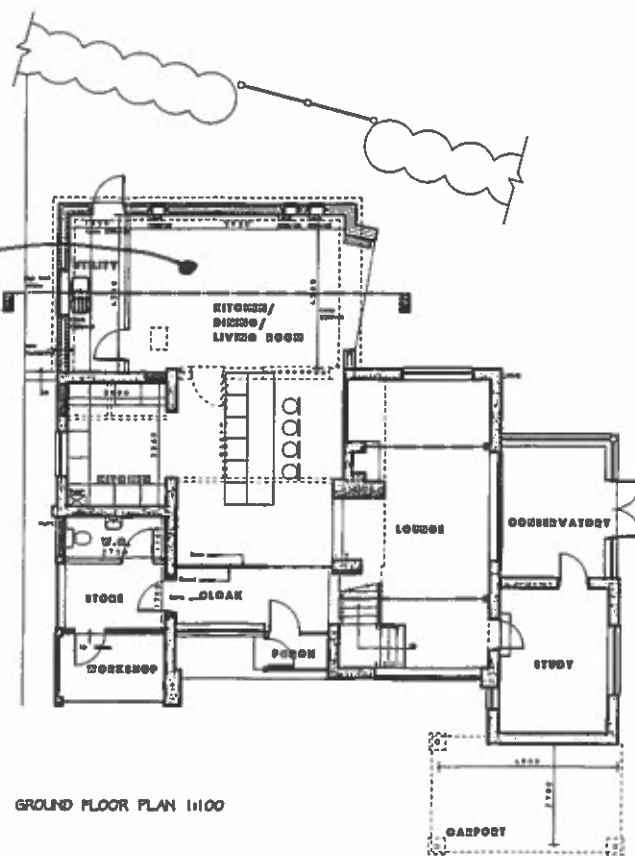
Phone: 617.552.1234
 Fax: 617.552.1235
 Email: wynn@wrogers.com

Scale: 1/8" = 1'-0"

Sheet: 1 of 2



REAR
 EXTENSION



GROUND FLOOR PLAN 1:100

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. ALL WALLS ARE 12" THICK UNLESS OTHERWISE NOTED.
 3. ALL FLOORS ARE TO BE FINISHED WITH 3/4" CONCRETE ON 4" GRANULAR FILL OVER 6" COMPACTED SUBGRADE UNLESS OTHERWISE NOTED.

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WYNN ROGERS
 CIVIL ENGINEER

CHALLENGED BUILDING SURVEYORS

100 HOLLIS WALK STREET, SUITE 100, NEWTON, MASSACHUSETTS 02459

Phone: 617.552.1234
 Fax: 617.552.1235
 Email: wynn@wrogers.com

Scale: 1/8" = 1'-0"

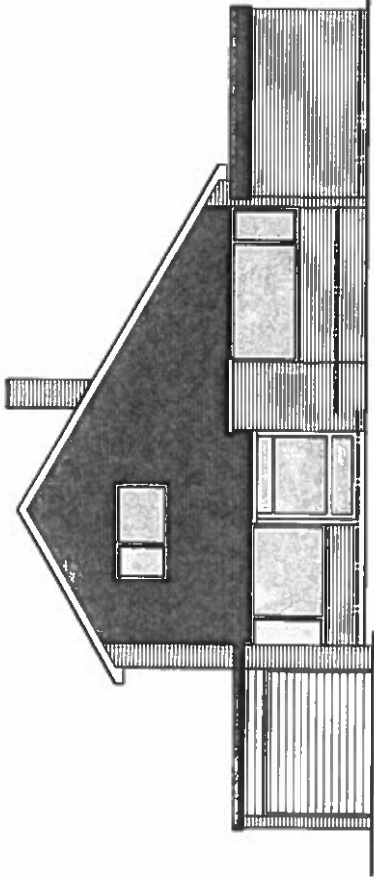
Sheet: 2 of 2

01.2014/1390/PF

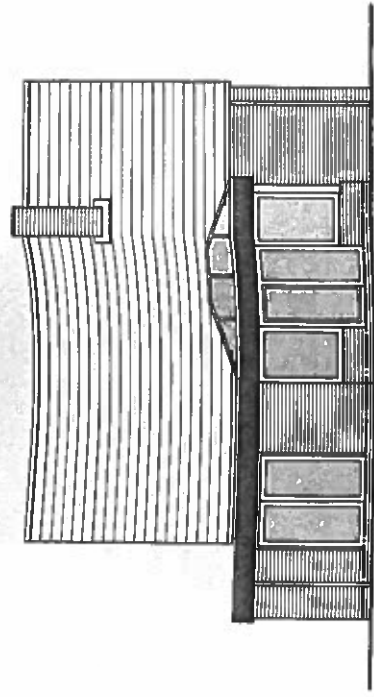
EXISTING ELEVATIONS

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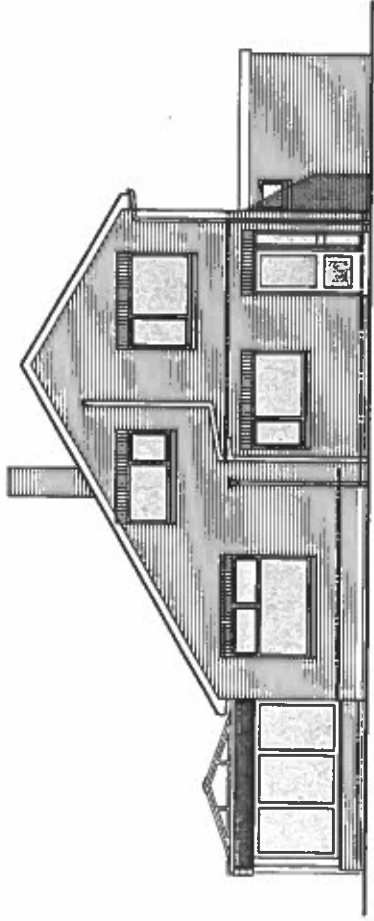


FRONT ELEVATION

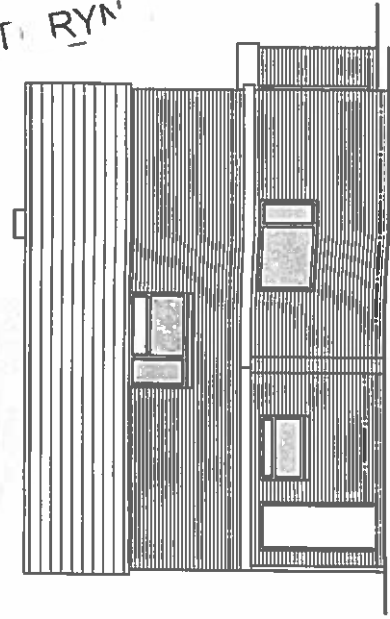


SIDE ELEVATION

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REAR ELEVATION



SIDE ELEVATION



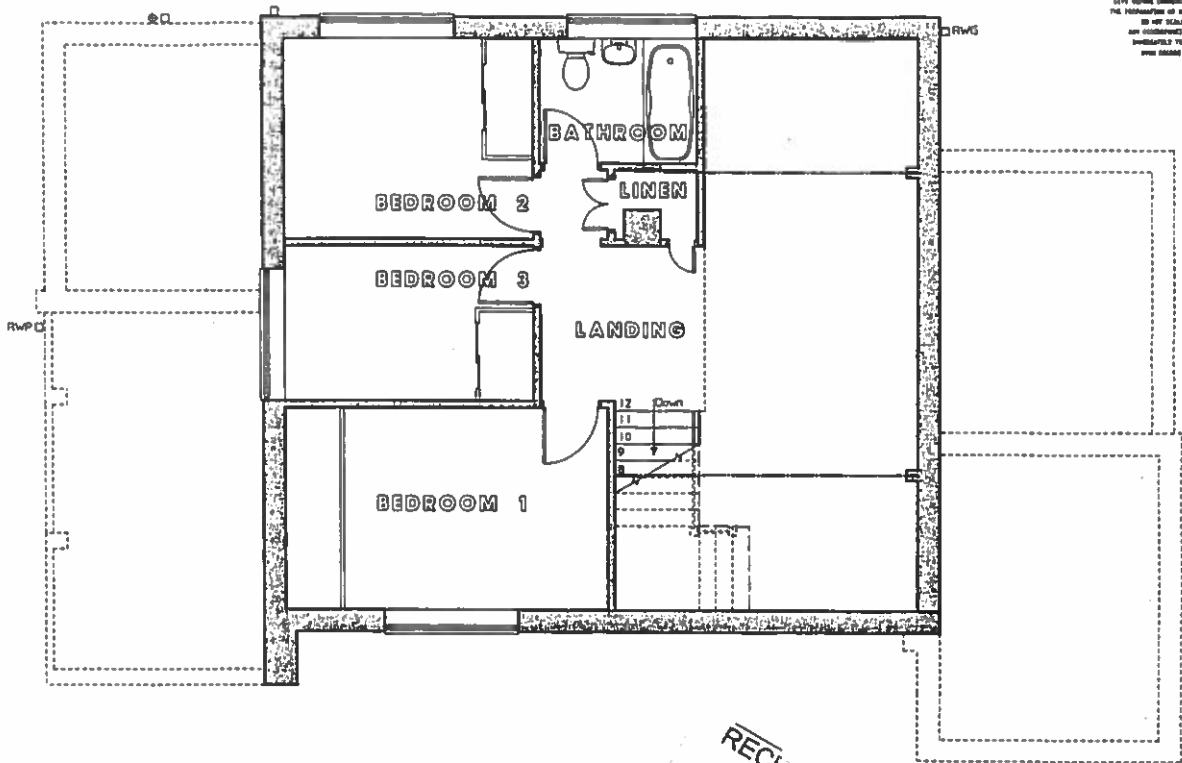
WYNN ROGERS
CHARTERED BUILDING SURVEYORS
115, Westgate Street, Bridgwater,
Somerset, TA8 1JG
Tel: 01742 812021 Fax: 01742 812031
Email: conrad@wynnrogers.co.uk

PROJECT No.	2285	SCALE	AS SHOWN
DRAWN	mdc	SHEET	3
SCALE	1:100	DATE	Aug 2014
			PROJECT A3

PROJECT
51 Mylton Park, Trewen
Denbigh
Wales LL65 2JL
Elevations as Existing
CLIENT
Mr & Mrs John & Safi Cameron

EXISTING FLOOR PLANS

01 2014/11596/PF



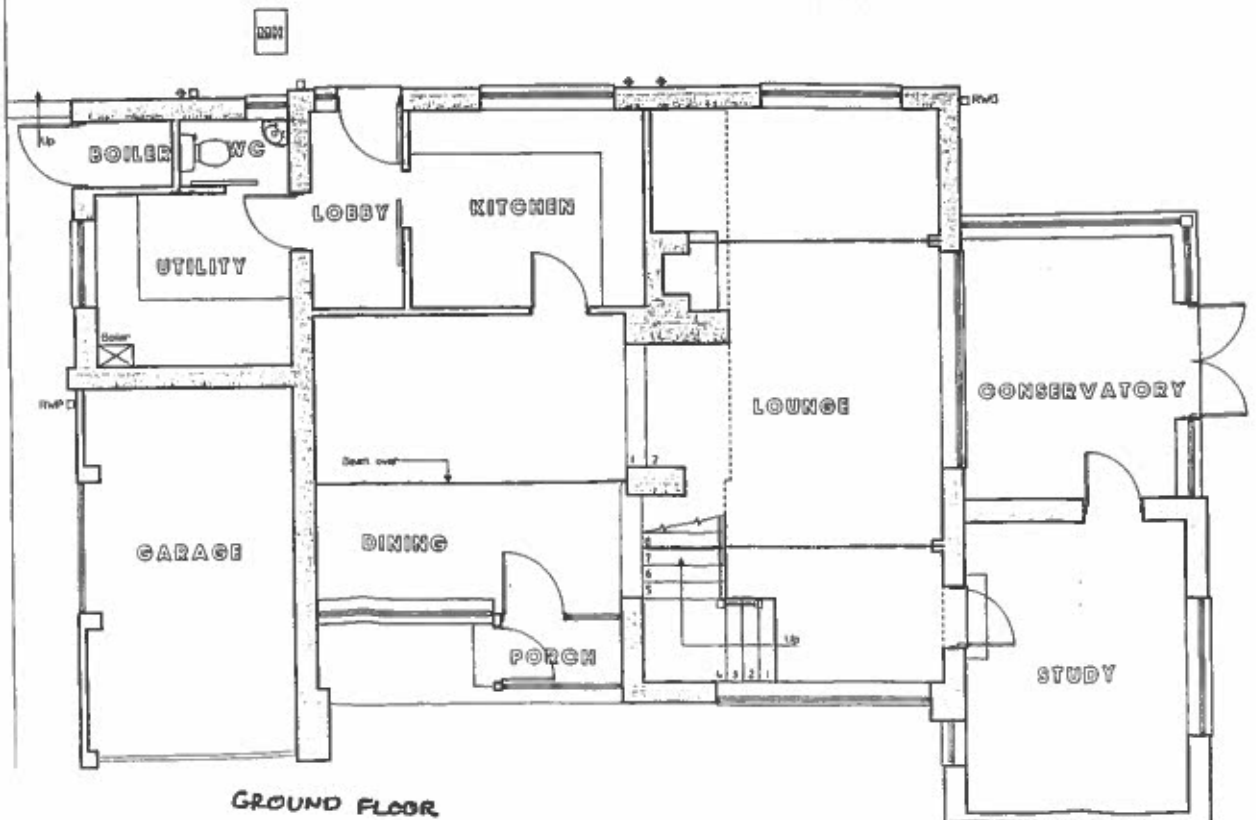
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WYNN ROGERS & RICS
 CHARTERED BUILDING SURVEYORS
 The Hub, 11th Street, Derriford
 Tel: 01742 812000 Fax: 01742 812001
 E-mail: wynn@wynnrogers.co.uk

Project: 51 Mylton Park, Trewan
 Drawing: Derriford
 Description: First floor plan
 Date: AS EXISTING
 Drawn: W & Mrs John & Sall Cameron
 Scale: 1:50
 Date: Aug 2014
 Sheet: A3



WARD : Denbigh Lower

WARD MEMBER(S): Cllr Ray Bartley
Cllr Richard Davies

APPLICATION NO: 01/2014/1390/ PF

PROPOSAL: Erection of extensions and alterations to dwelling

LOCATION: 51 Mytton Park Denbigh

APPLICANT: Mr John Cameron

CONSTRAINTS: None

PUBLICITY UNDERTAKEN: Site Notice – No
Press Notice – No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Member request for referral to Committee

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL “The town council does not wish to raise any objection to the application.”

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Freda Evans - 11 Dalar Wen, Denbigh (o)J. A. Lewis, 3, Dalar Wen, Denbigh (O)C. Jones, Hafan Glyd, 9, Dalar Wen, Denbigh (O)

Summary of planning based representations in objection:

Residential amenity:

- Adverse impact on privacy of neighbours garden due to overlooking from first floor windows.
- Adverse impact on privacy of neighbouring dwellings due to overlooking from first floor windows.
- Most properties are single storey and do not overlook neighbours – respectful, private environment would be spoilt.
- Changes to scheme do not previous overcome concerns.
- Noise levels would be increased as property would be overlooking neighbours.

Visual amenity:

- Scale of extension is out of character with surrounding properties.

EXPIRY DATE OF APPLICATION: 05/02/2015

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for a two storey side and rear extension, a single storey car port extension to the front elevation and alterations to the existing dwelling.
- 1.1.2 The application is a re-submission of a previously refused scheme. The proposal consists of:
- First floor pitched roof side extension above existing flat roof single storey side extension. Windows are proposed at ground floor and first floor levels in the side

elevation and 4 no. roof lights are proposed in the pitched roof to serve first floor rooms.

- Two storey rear extension. The ridge height would be the same as the existing dwelling at a height of 6.6m. It would project 4.5m from the existing rear elevation and would be 8.1m wide.
- Windows are proposed at ground and first floor levels. Specifically, at first floor level, 2 no. slim vertical windows are proposed in the rear elevation, which the plans show would be non opening and obscurely glazed. To the side elevation of the extension, floor to ceiling bi-fold windows and a Juliet balcony are also proposed. These windows would be angled slightly so the line of sight is directed into the garden area of the dwelling.
- Car port extension to the front of the existing dwelling. This would be 2.9m wide and 5.2m long.

1.1.3 The internal floorspace would be reconfigured as a result of the development.

1.1.4 Members are referred to the plans at the front of the report.

1.2 Description of site and surroundings

1.2.1 The site is an existing detached dwelling within a housing estate and has neighbours to both the side and rear, and shares a boundary with 6 neighbouring dwellings.

1.2.2 The neighbouring dwelling to the side is also a two storey detached dwelling, properties to the rear are detached bungalows.

1.2.3 Windows already exist in the rear elevation at ground and first floor level.

1.3 Relevant planning constraints/considerations

1.3.1 The site is within the Denbigh development boundary as defined by the Local Development Plan.

1.4 Relevant planning history

1.4.1 A previous application was refused on grounds of an adverse impact on residential amenity in November 2014 as it was considered to have an unacceptable adverse impact on neighbouring properties creating a potential for overlooking and loss of privacy.

1.4.2 The current proposal is an amended scheme and the amendments consist of replacing 2 no. slim vertical windows with non-opening obscurely glazed windows, and the bi-fold doors and Juliet balcony at first floor level have been repositioned so they are set at an angle to the wall.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 None.

2. **DETAILS OF PLANNING HISTORY:**

2.1 01/2014/1169. Erection of extension and alterations to dwelling. Refused 28/11/2014. The reason for refusal was:

“It is the opinion of the Local Planning Authority that the proposed bedroom 1 windows at first floor level in the two storey rear extension would have an unacceptable adverse impact on the residential amenity of neighbouring properties creating a potential for overlooking and loss of privacy. Therefore the proposal is considered to be in conflict with criteria vi) of Policy RD1 of the Denbighshire County Council Local Development Plan, and advice contained in the Extensions to Dwellings SPG, Householder Development Design Guide SPG and Planning Policy Wales Edition 7.”

3. **RELEVANT POLICIES AND GUIDANCE:**

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD 1 - Sustainable Development and Good Standard Design

Policy RD 3 - Extensions and Alterations to Dwellings

3.2 Supplementary Planning Guidance

Extensions to Dwellings SPG
Householder Development Design Guide SPG
Residential Space Standards SPG

3.3 Government Policy / Guidance
Planning Policy Wales Edition 7 July 2014

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 2014 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual Amenity
- 4.1.3 Residential Amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle
Policy RD 3 advises that the extension or alterations to existing dwellings will be supported subject to compliance with detailed criteria. Extensions and alterations to existing dwellings are therefore considered acceptable in principle.

4.2.2 Visual Amenity
PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings. Criteria i) of Policy RD 3 the scale and form of the proposed extension or alteration is subordinate to the original dwelling, or the dwelling as it was 20 years before the planning application is made. Criteria ii) of Policy RD 3 requires that a proposals are sympathetic in design, scale, massing and materials to the character and appearance of the existing building.

The neighbouring property to the west (No. 50 Mytton Park) is a similar house type to No. 51 Mytton Park and a first floor side extension has already been built above the garage. The proposed first floor extension above the garage of No. 51 would therefore appear to mirror that of the neighbouring property and would not look out of keeping. The proposed car port would be forward of the principal elevation, however as the dwelling is in a corner plot at the end of a cul de sac, the proposed carport would be parallel to the driveway and garage of 52 Mytton Park, and in Officers opinion would therefore also not appear to be out-of-keeping with the area.

The existing dwelling is of brick construction, however the proposed extensions would be rendered. No details of the render finish is provided, and therefore a condition would need to be applied requiring the prior approval of the finish.

Having regard to the design, siting, scale, massing and materials of the proposed extension, in relation to the character and appearance of the dwelling itself, the

locality and landscape, it is considered that the proposals would comply with the requirements of the policies listed above, and would therefore not have an unacceptable impact on visual amenity.

4.2.3 Residential Amenity

Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself. Test iii) of Policy RD 3 requires that a proposal does not represent an overdevelopment of the site, to ensure that sufficient external amenity space is retained. The Extensions to Dwellings SPG states that no more than 75% of a residential property should be covered by buildings. The Residential Space Standards SPG specifies that 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

As noted, the application is a revised scheme following a refusal of planning permission.

Objections have been received from neighbours raising residential amenity concerns.

Having regard to the relevant standards, the proposal would ensure sufficient amenity space remains to serve the property as more than 40m² of private external amenity space would be retained and less than 75% of the site would be covered by buildings as a result of the proposed development.

The Proposed first floor side extension and two storey rear extension would be approximately 1.5m from the boundary with 50 Mytton Park (2-storey) to the side and approximately 2.5m at its closest point from the boundary with 11 Dalar Wen (single storey bungalow) to the rear. The proposed first floor balcony windows in the rear extension would also look towards the rear boundary of 9 Dalar Wen (single storey bungalow), with the rear extension being approximately 10m from the boundary with that property. The rear boundary of No.51 is lined with a wooden fence, hedges and shrubs.

In relation to No. 50 Mytton Park:

No. 50 has a two storey side extension with a high level window at first floor level. Along the side elevation of the proposed rear extension there would be windows at ground floor level in the same position as existing windows and a new high level window is proposed to serve a utility area.

At first floor level, the side extension has been designed to mirror the sloping roof of the existing dwelling and the eaves height in the proposed side elevation would be 2.9m. 5 no. roof lights are proposed in the newly formed roof pitch to serve rooms at first floor level.

Officers consider there would be no unacceptable overlooking impact to No. 50 Mytton Park.

50 Mytton Park has a rear first floor window in its side extension. It is not considered the proposed extension would not cause any unacceptable overshadowing of this property.

It is considered the proposal would not have an unacceptable adverse impact on the amenity of No. 50 Mytton Park.

In relation to Dalar Wen properties:

Objections have been received from No. 3, 9 and 11 Dalar Wen which raise concerns relating to overlooking into windows of the dwellings and also overlooking of private gardens.

No. 51 shares a rear boundary with 9 and 11 Dalar Wen.

In the context of these properties, it is important to note that there are already windows at first floor level in the rear elevation of No. 51 Mytton Park, and there is

already a degree of overlooking into the private gardens of neighbours to the rear. The applicant has submitted photographs with the application showing the existing view from these windows to demonstrate this point.

The site shares a rear boundary with 11 and 9 Dalar Wen with the garden of No. 51 being at an angle to the bottom of the gardens of these properties. The corner of the rear extension would be approximately 2.5m from the rear boundary with 11 Dalar Wen and 10m from the boundary with 9 Dalar Wen. Windows are proposed at first floor level in the rear extension and the Householder Development Design Guide SPG advises that 2-storey extensions with habitable windows should be at least 7.5m from a boundary.

In the north facing elevation of the rear extension, slim vertical windows are proposed at ground and first floor level which would serve habitable rooms. The plans now show these 2 no. slim vertical windows at first floor level would be non-opening and obscurely glazed, which Officers consider is sufficient mitigation to ensure there would be no overlooking from these windows, and therefore the impact on the neighbours privacy would be negligible.

In the east facing elevation of the proposed rear extension bi-fold doors and a Juliet balcony are proposed at first floor level to serve a bedroom. The scheme has been amended so the bi-fold doors and Juliet balcony are now oriented so they face into the garden of No.51 in an effort to limit any impact on the privacy of neighbours.

The Householder Development Design Guide SPG suggests a distance of 21m should be sought where windows of one property directly face windows in a neighbouring property. The centre of the bi-fold window would be just over 20m from the rear elevation of 9 Dalar Wen, which has main room windows facing towards No. 51. Due to the proposed orientation of the first floor bi-fold doors and Juliet balcony, it is not considered there would be any direct overlooking into neighbours windows from the extension.

The Householder Development Design Guide SPG states that, where direct overlooking of a lounge, dining room, bedroom or kitchen can be avoided by the positioning of the windows, then the distance can be a minimum of 18m, which Officers consider is an appropriate minimum distance to apply in this instance as a result of the re-orientation of the window.

At it's closest point, the proposed bi-fold windows would be approx. 19m from the rear elevation of 9 Dalar Wen, and therefore the proposal would comply with the guidance contained in the SPG above.

In relation to overlooking of private rear garden areas from the first floor bedroom window in the proposed extension, it would be Officers opinion that, due to the separation distances between the window and the garden boundaries and the orientation of the bi-fold window, the extent of overlooking as a result of the development would be no worse than that which occurs from existing first floor windows in the rear elevation of No. 51.

In conclusion, Officers consider the amendments to the scheme would reduce the impact on residential amenity of occupiers of neighbouring properties.

Having regard to the scale, location and design of the proposed development, it is considered that the proposals would not have an unacceptable impact on residential amenity. The proposals are therefore considered to be in basic compliance with the policies and guidance listed above.

5. SUMMARY AND CONCLUSIONS:

5.1 The scheme was previously refused due to concerns regarding the adverse impact on the residential amenity of neighbours, in particular the potential for overlooking.

- 5.2 The current proposal has incorporated minor amendments to the previously refused scheme to help address the reason for refusal.
- 5.3 The plans now show the 2 no. first floor slim vertical windows in bedroom 1 in the extended rear elevation would be non-opening and obscurely glazed, which would limit the impact on the residential amenity of 11 Dalar Wen.
- 5.4 The orientation of the first floor window serving bedroom 1 with bi-fold doors and Juliet balcony has been amended so the window now faces more directly into the garden area of No. 51 and no longer faces a rear window of 9 Dalar Wen. The proposed window, at it's closest point, would be 19m from the rear elevation of 9 Dalar Wen, which is in accordance with the guidance contained in the Householder Development Design Guide for windows in a back to back situation where the direct overlooking can be avoided by the positioning of the windows.
- 5.5 The proposal is therefore considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. The materials and finishes of the external surfaces of the roof of the development hereby permitted shall be of the same texture, type and colour as those on the roof of the existing buildings.
3. Prior to the commencement of the application of any render, a sample panel of the type of render it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority : and the render to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.
4. The two first floor vertical windows shown on the proposed rear elevation plan which face the residential curtilage of 11 Dalar Wen shall be non-opening windows fitted within obscure glazing. The windows shall be retained as non opening and obscurely glazed windows unless otherwise agreed in writing by the local planning authority.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interests of visual amenity.
4. For the avoidance of doubt and in the interests of protecting residential amenity.

NOTES TO APPLICANT:

WELSH WATER Note to Applicant:

Dwr Cymru Welsh Water have advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes of Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal they request you contact their Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.