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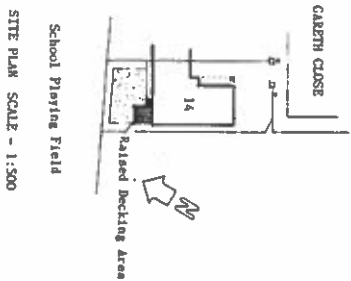
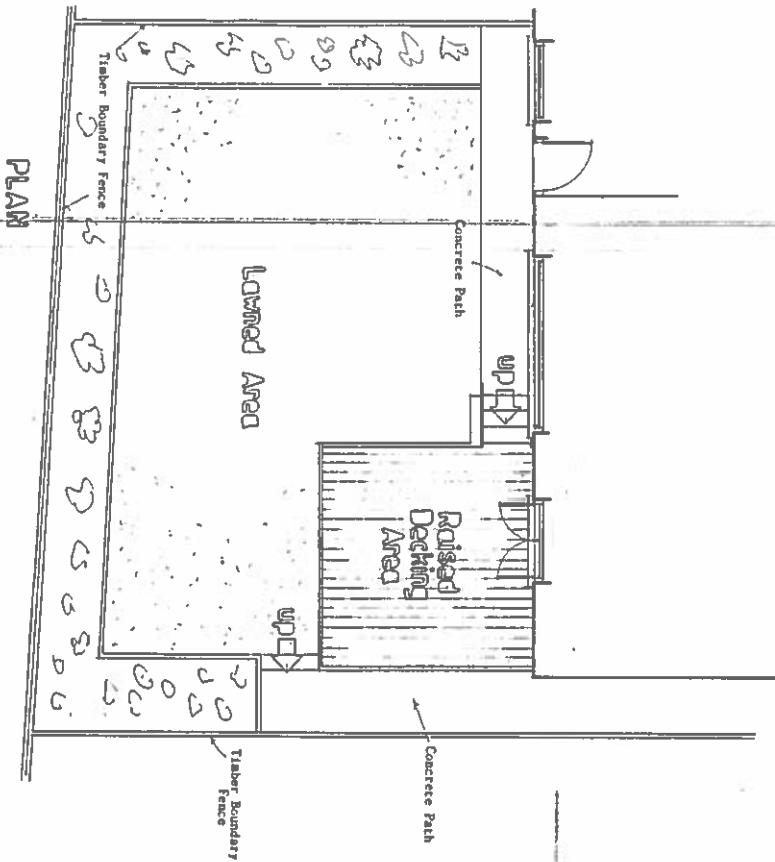
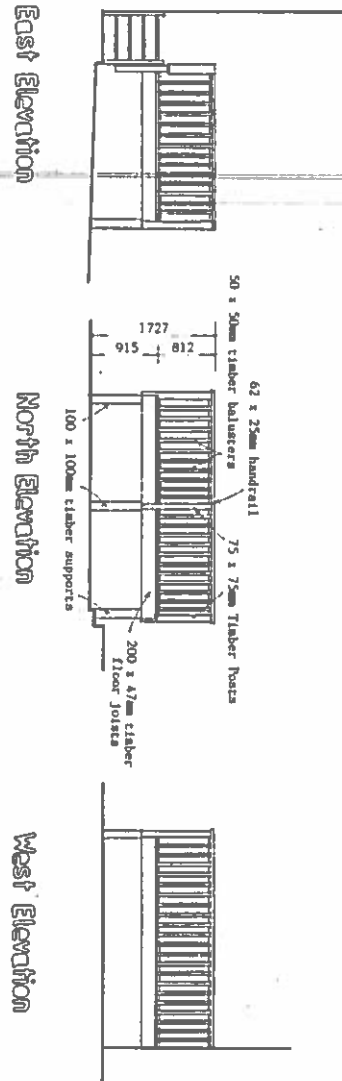
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Denbighshire Boundary
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PROPOSED SITE PLAN + ELEVATIONS



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PROPOSED RAISED DECKING AREA AT REAR OF 14 GARETH CLOSE, RHYL.
SCALE - 1:50

452016/0201/PC

PLAN No. 21671/FEB/16

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WARD : Rhyl South

WARD MEMBER(S): Cllr Jeanette Chamberlain Jones (c)
Cllr Cheryl Williams (c)

APPLICATION NO: 45/2016/0201/ PC

PROPOSAL: Retention of raised decking area at rear

LOCATION: 14 Gareth Close Rhyl

APPLICANT: Mr Andrew Brett

CONSTRAINTS: Article 4 Direction

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

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

- Recommendation to grant / approve – Town Council objection

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

“Objection on the grounds of loss of amenity to adjoining property owners being overlooked by the decking area.”

RESPONSE TO PUBLICITY: None.

EXPIRY DATE OF APPLICATION: 24/04/2015

REASONS FOR DELAY IN DECISION:

- Awaiting Committee determination.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Planning permission is sought for retrospective permission for alterations at 14 Gareth Close in Rhyl.
- 1.1.2 The alterations comprise of the installation of a raised decking area at the rear of the dwelling.
- 1.1.3 The decking area is a timber structure measuring 3 metres by 3.2 metres. It is 0.9 metre in height above ground level. It is surrounded by railings which measure a further 0.8 metres in height.
- 1.1.4 The decking is accessed off french doors at the rear of the dwelling.
- 1.1.5 The proposal is illustrated on the plans at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The semi-detached bungalow is sited at the end of a cul de sac of similar properties, which are staggered various distances from the road frontage.

1.2.2 The rear of the site is bounded by the grounds of Ysgol Mair.

1.2.3 The dwelling is located in a primarily residential area located to the south of Rhyl town centre.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Rhyl.

1.4 Relevant planning history

1.4.1 None.

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 None.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

Policy RD 1 – Sustainable Development and Good Standard of Design

Policy RD 3 – Extensions and alterations to dwellings

3.2 Supplementary Planning Guidance

SPG Extensions to Dwellings

SPG Householder Development Design Guide

3.3 Government Policy / Guidance

Planning Policy Wales Edition 8

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 8, 2016 (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

The principle of extensions and alterations to existing dwellings is generally acceptable in terms of current policies, subject to consideration of detailing and impacts. Policy RD 3 permits extensions and alterations subject to the acceptability of

scale and form; design and materials; the impact upon character, appearance, and amenity standards of the dwelling and its immediate locality; and whether the proposal represents overdevelopment of the site. Policy RD1 contains tests requiring development not to have an unacceptable impact on the amenity and appearance of the locality. Extensions SPG offer basic advice on the principles to be adopted when designing domestic extensions and related developments. The assessment of impacts is set out in the following sections.

4.2.2 Visual amenity

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 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 application proposes to retain a decking area to the rear of the dwelling.

Owing to the scale and appearance of the decking and to its location to the rear of the dwelling it is considered that the proposal would comply with tests i) and ii) of Policy RD 3 and advice within the supplementary planning guidance.

4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

The application proposes a decking area to the rear of the dwelling. It is set off the boundary with the attached house by 6 metres and from the boundary from the house to the east by 1 metre. The decking is 0.9 metres off the ground level within the garden and is surrounded by a timber railing of 0.8 metre in height. There is a boundary fence of at least 1 metres surrounding the garden of the dwelling. To the rear of the site is the playing field of the adjacent school. Concerns have been raised by the Town Council relating to overlooking of neighbouring properties from the decking area.

Officers acknowledge the concerns of the Town Council relating to the impacts of the decking on the amenity of the adjacent occupiers, in particular the attached dwelling at no. 16 Gareth Close however it is noted that the outlook across the rear of the dwellings in the existing garden areas is already very open. Officers accept that the decking area facilitates overlook the garden areas of neighbouring gardens from an elevated position, however this could be mitigated by the installation of screens to the sides of the decking area. This would reduce the amount of overlooking to the sides and retain the outlook to the rear. As there is a solution to the concerns raised by the Town Councils, Officers consider that it would be difficult to refuse the application on amenity grounds. Therefore subject to the imposition of a condition relating to screening the proposal is considered to comply with test iii) of Policy RD 3.

5. SUMMARY AND CONCLUSIONS:

5.1 It is the opinion of Officers that the proposal complies with the relevant planning policies and with respect to the comments of the Town Council, Officers do not consider there are grounds to justify a refusal of permission in this instance subject to the imposition of a condition.

RECOMMENDATION: GRANT- subject to the following conditions:-

RECOMMENDATION: GRANT- subject to the following condition:-

1. Within one month of the date of this permission privacy screening for the east and west sides of the raised decking area hereby approved shall be installed. The privacy screening shall be opaque and at least 1.8 metres in height. The screening details shall be submitted to and approved by the Local Planning Authority prior to their installation. The privacy screening shall be retained and maintained as approved as long as the raised decking area is in use.

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

1. In the interests of the amenity of the adjacent occupiers.

NOTES TO APPLICANT:

None