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43/2017/1212

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Printed on: 27/2/2018 at 9:28 AM



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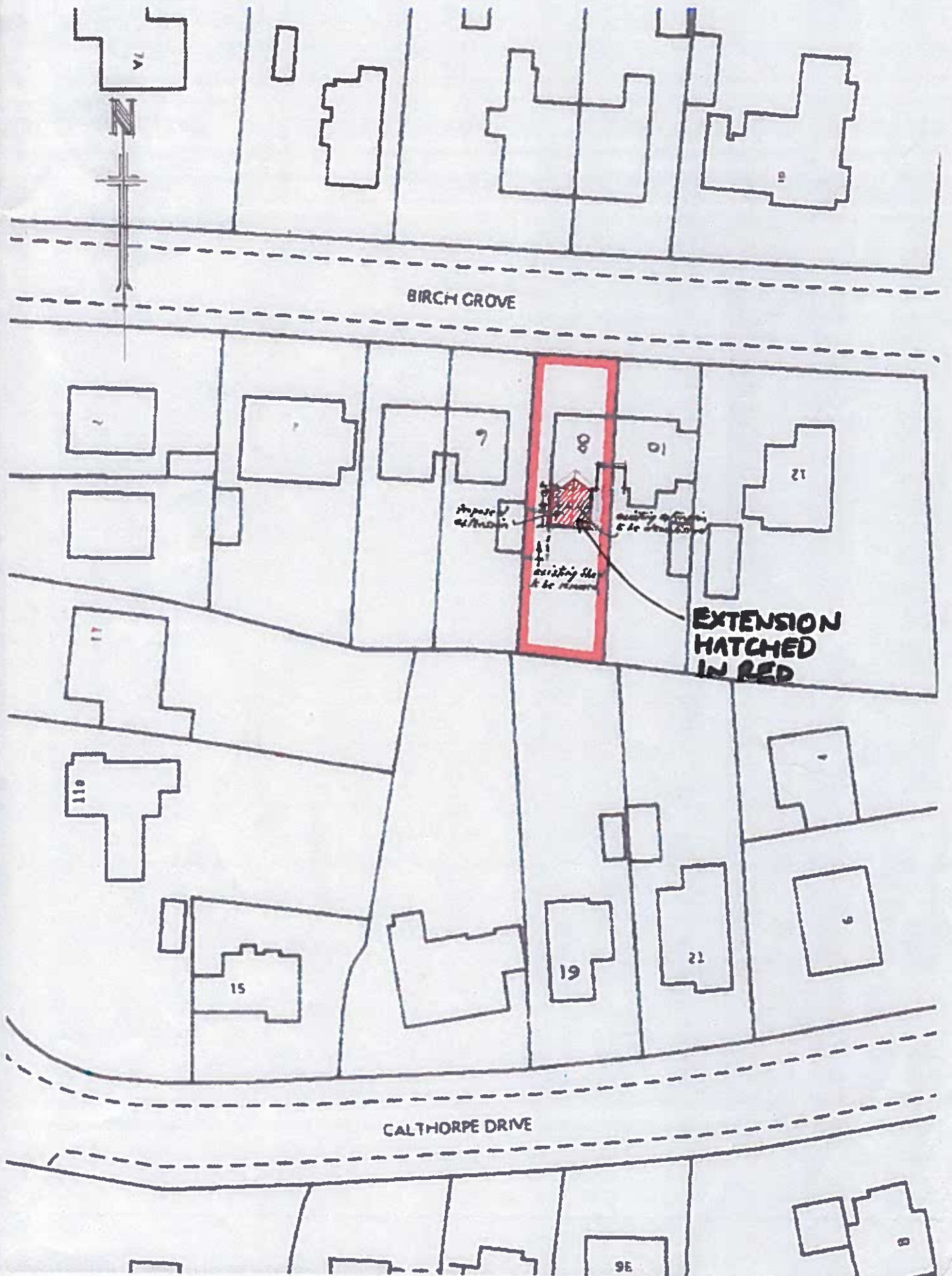


# BLOCK PLAN

BLOCK PLAN -

Scale :- 1/500<sup>th</sup>

Dwg No- 02.

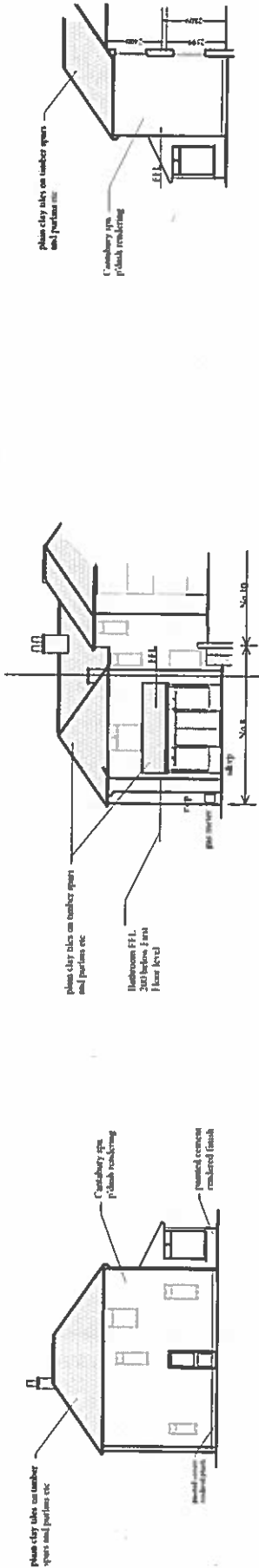








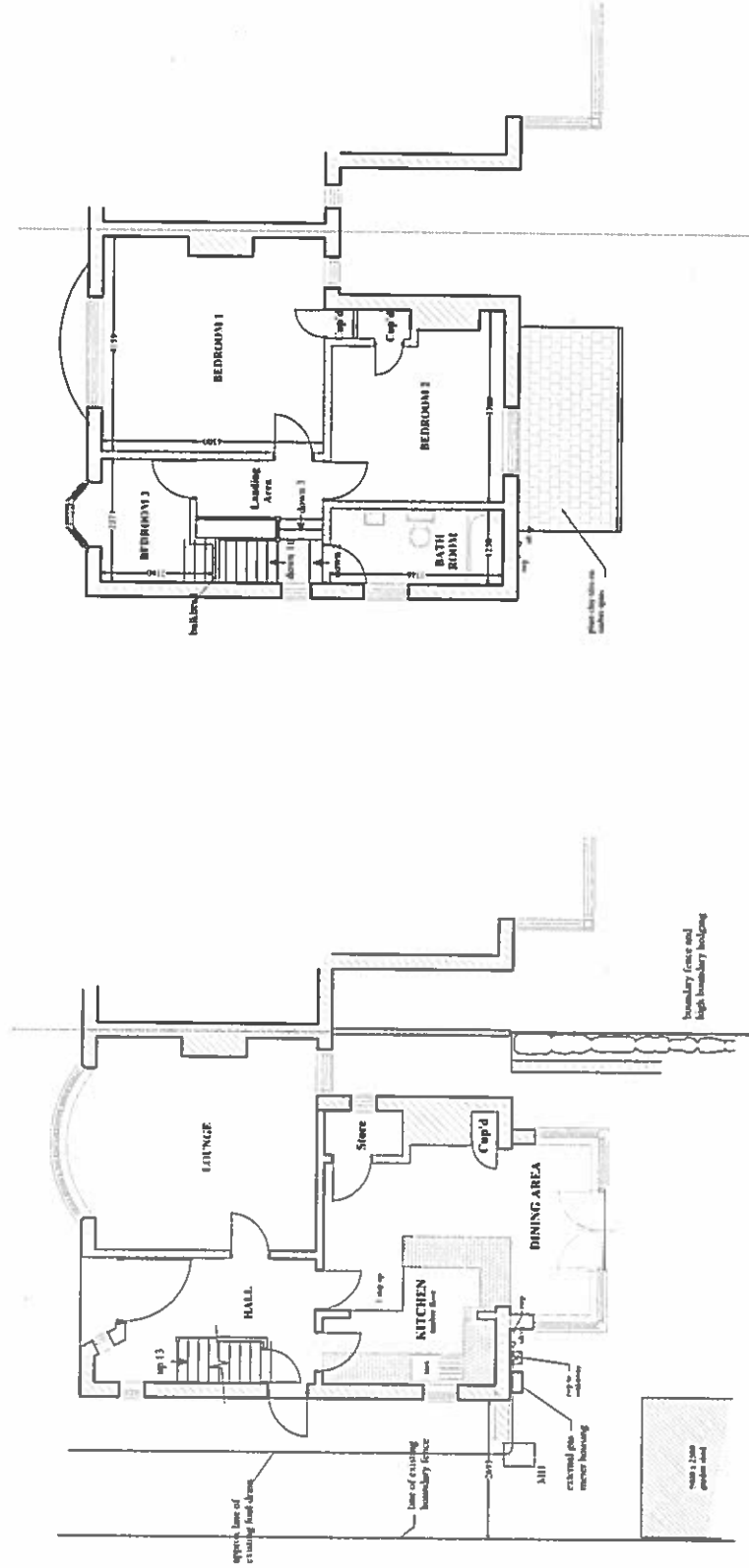
# EXISTING FLOOR & ELEVATION PLANS



EXISTING SIDE ELEVATION TO No 6 BIRCH GROVE

EXISTING REAR ELEVATION TO No 19 CAMBRIAN DRIVE

EXISTING SIDE ELEVATION TO No 10 BIRCH GROVE



EXISTING GROUND FLOOR

EXISTING FIRST FLOOR

PROPOSED EXTENSION AT REAR OF No 8, BIRCH GROVE, PRESTATYN. LL19 9RH  
 FOR MR J. REEVE. PLANS AND DETAILS AS EXISTING  
 Scales :- 1:50 1:100.





**WARD :** Prestatyn Central

**WARD MEMBER(S):** Cllr Hugh Irving  
Cllr Tina Jones (c)

**APPLICATION NO:** 43/2017/1212/ PF

**PROPOSAL:** Erection of first floor extension to rear of dwelling

**LOCATION:** 8 Birch Grove Prestatyn

**APPLICANT:** Mr Jason Reeve

**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 / Community Council objection

**CONSULTATION RESPONSES:**

PRESTATYN TOWN COUNCIL-

“Objection - neighbours concerned about adverse impact upon their property.  
Overintensification of building on site”.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:  
Steven Joyce, 6, Birch Grove, Prestatyn  
Stephen R Jones, 10, Birch Grove, Prestatyn

Summary of planning based representations in objection:

Residential Amenity

Overshadowing and blocking sunlight to rear of adjacent properties and gardens  
Overshadowing due to the incline of the land and towering over property below

Visual Amenity

Out of keeping with the character of the area

Drainage

Drainage and flooding issues as there is a watercourse running below houses  
Loss of privacy, location of windows proposed on side elevations

**EXPIRY DATE OF APPLICATION:** 28/02/2018

**EXTENSION OF TIME AGREED?** 16/3/2018

## REASONS FOR DELAY IN DECISION:

- Awaiting consideration by Committee

## PLANNING ASSESSMENT:

### 1. THE PROPOSAL:

#### 1.1 Summary of proposals

- 1.1.1 The proposal is for the erection of a two storey extension to the rear of the dwelling at 8 Birch Grove, Prestatyn.
- 1.1.2 The proposed two storey extension would project out by 4m, would be 6.1m wide and would have a pitched roof.
- 1.1.3 The proposal involves the addition of a larger kitchen and dining area to the ground floor and the existing kitchen would become a utility room. The first floor would involve the addition of a new bedroom with en-suite bathroom. The existing bathroom would be relocated to the front of the property replacing a small bedroom. There would be a new dressing room/ corridor leading to the new master bedroom (Bedroom 2).
- 1.1.4 The proposed plans of the side elevation of the extension facing No.6 show a window on the first floor and a window and patio doors with obscured glass on the ground floor. The proposed plans of the side elevation facing No.10 shows an additional window onto the first floor of the existing dwelling. The rear elevation plans show the addition of two large windows on the first floor and ground floor.
- 1.1.5 The external wall materials would match those on the existing dwelling.
- 1.1.6 The plans showing the proposals are at the front of the report.

#### 1.2 Description of site and surroundings

- 1.2.1 The site is located within a residential area of Prestatyn.
- 1.2.2 The property is an existing semi-detached dwelling.
- 1.2.3 The area is characterised by large detached and semi-detached dwellings with large rear gardens.

#### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the Prestatyn Development Boundary as shown in the Local Development Plan.

#### 1.4 Relevant planning history

- 1.4.1 An application seeking a Lawful Development Certificate for a proposed single storey extension to the rear of the dwelling was refused in 2015 due to it being greater than 4m in depth. The application was amended and a Lawful Development Certificate for the erection of a single storey extension to the rear of the dwelling was granted. This simply recognises that the particular proposal for a single storey extension is 'permitted development' and can be carried out without the need for planning permission.

#### 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 43/2015/0264. Lawful Development Certificate for a proposed single storey extension to rear of dwelling. Refused to Certify (greater than 4m in depth) on 15/04/2015.

2.2 43/2015/0498. Lawful Development Certificate for a proposed single storey extension to rear of dwelling certified under delegated powers on 2/7/2015

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD1** – Sustainable development and good standard design

**Policy RD3** – Extensions and alterations to existing dwellings

### 3.2 Supplementary Planning Guidance

SPG Residential Development

SPG Residential Space Standards

### 3.3 Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

Development Control Manual

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 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 3.1.3). It advises that material considerations '... must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability' (Section 3.1.4).

The Development Management Manual 2016 states that material considerations 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 (Section 9.4).

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

4.1.4 Drainage

Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy RD 3 relates specifically to the extension and alteration of existing dwellings, and states that these will be supported subject to compliance with detailed criteria.

Policy RD1 supports development proposals within development boundaries providing a range of impact tests are met.

The Residential Development SPG offers basic advice on the principles to be adopted when designing domestic extensions and related developments. The principle of appropriate extensions and alterations to existing dwellings is therefore acceptable. The assessment of the specific impacts of the development proposed is set out in the following sections.

#### 4.2.2 Visual Amenity

Criteria i) of Policy RD 3 requires the scale and form of the proposed extension or alteration to be 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 proposal is sympathetic in design, scale, massing and materials to the character and appearance of the existing building.

Criteria iii) of Policy RD3 requires that a proposal does not represent an overdevelopment of the site.

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 vi) of Policy RD1 requires that development proposals do not affect the amenity of local residents and land users and provide satisfactory amenity standards itself.

The impact of the proposals on visual amenity is therefore a basic test in the policies of the development plan.

Representations on the visual amenity impacts have been made by a private individual, suggesting that the proposal is out of keeping with the character of the area.

As noted, the proposal is for the erection of a 2 storey pitched roof rear extension. It would project out into the rear garden by 4m, be 6.1m wide, have an eaves height of 2.4m and a ridge height of 3.5m. A 13.5m garden depth would remain.

In Officers' opinion, the design of the extension is in keeping with the original dwelling and the adjacent properties on that side of Birch Grove. The external wall and roof materials of the extension are proposed to be the same as the existing dwelling.

The extension would not be visible from the front of the property and therefore would have a limited impact on the character of the area.

Whilst the scale of the extension would appear subordinate to the original dwelling, it would be clearly visible from the back gardens of the dwellings off Calthorpe Drive. Nevertheless, there would be a 39m separation distance between the rear wall of the proposed extension and the rear wall of No.19 Calthorpe Drive which suggests that there would be limited visual amenity impact to these properties.

Having regard to the visual amenity representations, the proposed extension is to the rear of the property where it is not considered that it would have a detrimental impact on the character of the area.

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 and the locality, it is considered the proposal would have a limited impact on visual amenity.

#### 4.2.4 Residential Amenity

Criteria iii) of Policy RD 3 requires that a proposal does not represent an overdevelopment of the site.

Criteria 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.

The Residential Development SPG states that no more than 75% of a residential property should be covered by buildings.

The Residential Space Standards SPG specifies that 40m<sup>2</sup> of private external amenity space should be provided as a minimum standard for residential dwellings.

Prestatyn Town Council has raised concerns around the 'overintensification' of the building on the site. Representations on the residential amenity impacts have also been made on behalf of the neighbouring properties, raising concerns regarding the overshadowing and blocking of sunlight to adjacent properties and gardens, particularly No.6 which is at a lower level to the application site. Privacy issues have been raised regarding the location of windows proposed on the side elevations.

In relation to overintensification matters, the Residential Development SPG states that no more than 75% of a residential property should be covered by buildings. The existing house and shed (to be demolished) cover some 56sqm of the property and the proposed extension and removal of the shed would result in some 61sqm coverage which equates to about 22% of the total area of this residential plot. This is just a 2% increase compared to the original percentage of the property covered by buildings, and in Officers' view does not represent an overdevelopment of the plot.

Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents. The guidance on acceptable distances between a rear extension and a property opposite is 21m in the Residential Development SPG. The proposed extension would have a separation distance of approximately 39m with No.19 Calthorpe Drive opposite, therefore there would be limited residential amenity impact to this property as the result of the proposal.

Regarding the comments received from local residents regarding overshadowing, it is likely that sunlight at the rear of No.6 would be reduced for a period of time during the morning, however the proposal is unlikely to cause an obstruction to sunlight during the afternoon/evening.

In relation to No.10, it is likely that the afternoon/evening sunlight may be limited at the rear of the property which is a negative factor, but the majority of the garden and summer houses which are south facing would not appear likely to be affected.

The proposed extension may reduce the amount of sunlight into the small side kitchen window of No.6. This is the only window into the kitchen and a degree of harm would arise to the amenity of the residents. No.6 is set at a much lower level to No.8, the extension would also reduce light into the existing conservatory, particularly during the morning.

The proposed en-suite window on the first floor side elevation would face towards an obscure glazed bathroom window at No.6. It would also create potential for overlooking the garden and conservatory of No.6 and down into the kitchen window, unless it is glazed in obscure glass. Any permission could be conditioned to oblige obscure glazing.

The application proposes the addition of a window and obscure glazed patio doors on the ground floor side elevation facing No.6. It is uncommon for patio doors to be glazed, however this may be a response to the fact that this door would be close to the boundary fence of No.6 and raises overlooking issues. The existing boundary fence is just above 1m high which would mean that overlooking into the kitchen and conservatory could be an issue unless addressed by additional boundary screening.

There is a proposed first floor window to be installed in the existing elevation facing No.10 where a new bedroom would be located. This would be the only window serving this new room. There is a slight overlooking issue from this window into an existing side first floor window to the rear of the No.10 and also into the small window set back in the rear wall of No.10. It would be possible to address this matter through a condition obliging revised details of the window to be submitted for approval.

The above review of the residential amenity impacts of the proposed extension suggests there will be localised effects, including degrees of loss of sunlight and potential for overlooking, unless measures can be taken to address specific issues. Whether these impacts are sufficient to justify a refusal recommendation is however, difficult to conclude as the imposition of planning conditions has to be viewed as a positive means of limiting adverse impact.

#### 4.2.4 Drainage

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration.

Comments are raised by objectors regarding flooding and drainage issues and there is reference to issues regarding the diversion of surface water run off from No.10 down hill into the garden at No.6 Birch Grove.

In noting the drainage issue, in Officer's opinion it is possible to address concerns through the implementation of a suitably worded condition requiring relevant details to demonstrate the extension will not give rise to unacceptable problems.

#### Other matters

##### Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The principles of sustainability are promoted in the Local Development Plan and its policies and are taken into account in the consideration of development proposals. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs.

It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.



## **5. SUMMARY AND CONCLUSIONS:**

5.1 The application raises a number of residential amenity impact issues.

5.2 Taking all the matters into account, Officers' conclusions are that the scope to address impacts through the imposition of planning conditions would provide a reasonable degree of mitigation and that a refusal of permission would be difficult to sustain.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th March 2023.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
  - (i) Existing Elevations & Floor Plan (Drawing No. 03a) received 4 January 2018
  - (ii) Proposed Elevations & Floor Plan (Drawing No. 04) received 4 January 2018
  - (iii) Block Plan (Drawing No. 2) received 15 December 2017
  - (iv) Location Plan (Drawing No. 1) received 15 December 2017
3. The second floor window to the side elevation serving Bedroom 3 and facing No.10 shall not be shown as on the submitted plans but should be in accordance with such alternative detail as may be submitted to and approved in writing by the Local Planning Authority. The development should be carried out strictly in accordance with the details approved under this condition.
4. The proposed window serving the en-suite room off Bedroom 2 shall be glazed in obscured glass at all times.
5. The extension hereby permitted shall not be brought into use until the written approval of the Local Planning Authority has been obtained to the detailing of a suitable screen fence of 1.8m in height along the boundary between the site and No.6 Birch Grove; and the fence has been erected. The fence shall be retained at all times.
6. No development shall take place until a fully detailed scheme of surface water drainage in connection with the development has been submitted to, and approved by, the Local Planning Authority. The approved scheme shall be implemented in conjunction with the development.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. For the avoidance of doubt and in the interests of protecting residential amenity.
4. In the interests of residential amenity.
5. In the interests of residential amenity.
6. In the interests of the management of surface water.

## **NOTES TO APPLICANT:**

DWR CYMRU 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.