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21/2018/0166

Scale: 1:1250

Printed on: 29/3/2018 at 14:17 PM



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PROPOSED SITE LAYOUT

CONTRACT
PROJECT: 12 Blyn Arlo Avenue
CLIENT: [illegible]
DATE: [illegible]
SCALE: 1:250
DRAWN BY: [illegible]
CHECKED BY: [illegible]

Rev: Description: Date:
1: Proposed Site Plan 12/02/19

12 Blyn Arlo Avenue,
Llanerres
Proposed Site Plan

Scale: A2: 1:250
Emboss: RAL
Classified by: MOH

Project: Drawing: Revision:
Number: 5538 PL08 X

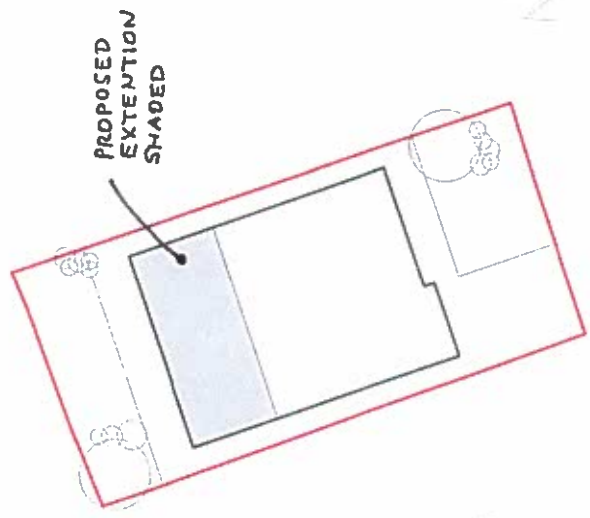
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8

OPEN

16 14

Proposed - Site Plan
Scale: 1:250

PROPOSED ELEVATIONS

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- 2. FLOOR PLAN
- 3. SECTION
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- 7. FINISH SCHEDULE
- 8. LIGHTING SCHEDULE
- 9. MECHANICAL SCHEDULE
- 10. ELECTRICAL SCHEDULE
- 11. PAINT SCHEDULE
- 12. FURNITURE SCHEDULE
- 13. LANDSCAPE PLAN
- 14. UTILITY PLAN
- 15. CONSTRUCTION DETAILS

Rev: Description: Date:

1. Initial Design 20/10/17

2. Client Approval 20/01/18

3. Planning Fee 16/02/18

Project Title:
**12 Bryn Arfo Avenue,
 Llanferres**
 Drawing File name:
Proposed Elevations

Scale: 1:100
 Drawn by: RAL
 Checked by: MOH

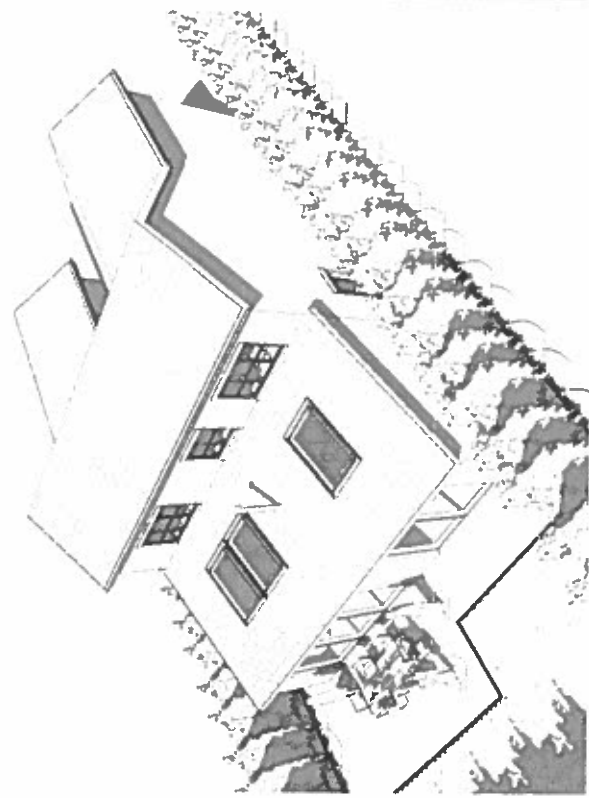
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 Drawing Number: PL02
 Revision: B

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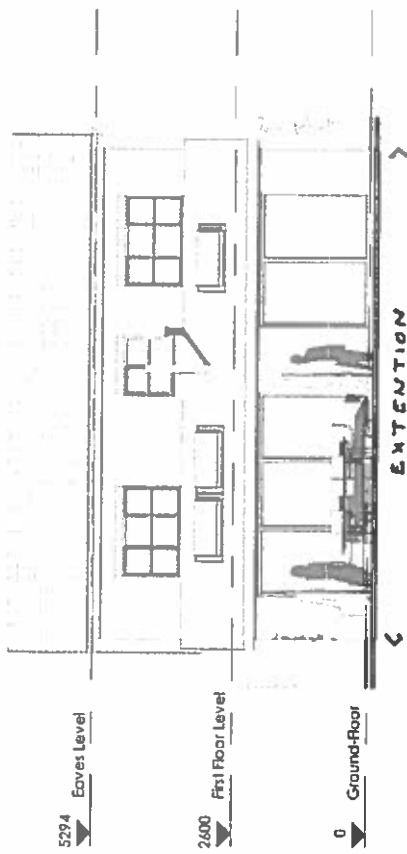
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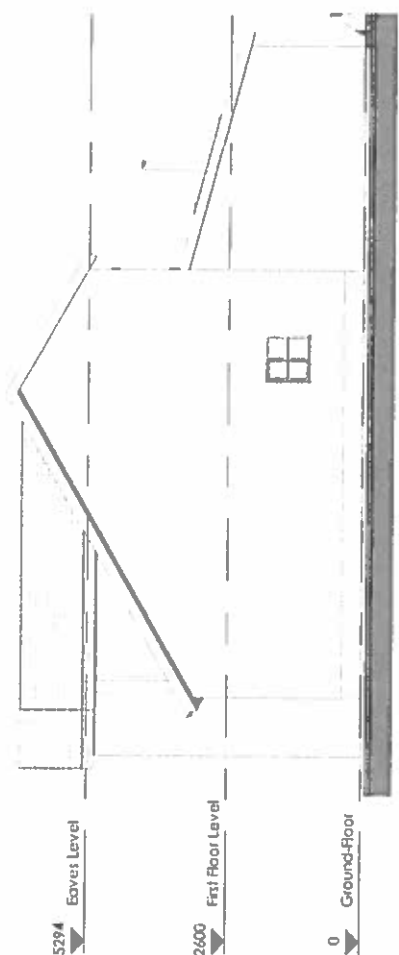
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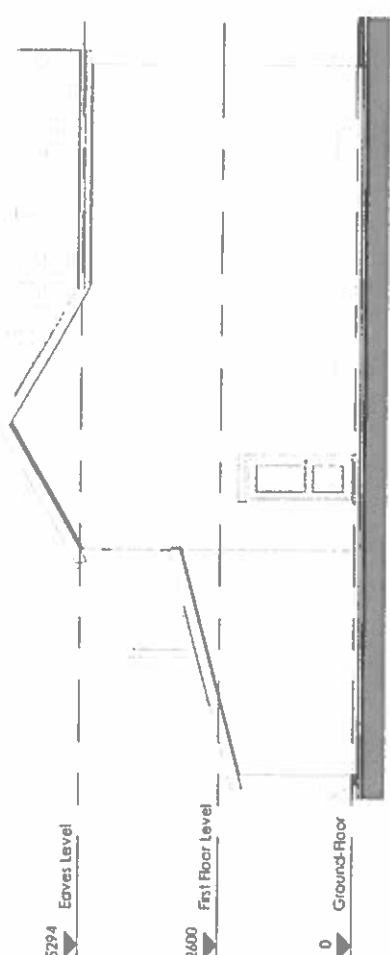
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 Scale: 1:100



Proposed - Rear Elevation
 Scale: 1:100



Proposed - Side Elevation 01
 Scale: 1:100



Proposed - Side Elevation 02
 Scale: 1:100

PROPOSED FLOOR PLAN

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9. EXTERIOR ELEVATION
10. EXTERIOR ELEVATION

Rev.	Description	Date
A	Client Approval	20.01.18
B	Final Approval	16.02.18

Site Name: **12 Bryn Arlo Avenue, Uanferres**
 Drawing Title: **Proposed Plans & Visuals**
 Scale: **1:50**
 Drawn by: **RAL**
 Checked by: **MOH**

Project Number: **5538**
 Drawing Number: **PL01**
 Revision: **B**

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Proposed - Ground Floor Plan
 Scale: 1 : 50

EXISTING ELEVATION

PROJECT
 12 Bryn Arfo Avenue,
 Uanferres
 Drawing Full name
 Existing Elevations

Rev. **Description** **Date**
 1. First Issue 20.10.17
 2. Planning Act 14.07.18

Scale: AJ 1:100
Drawn by: LOJ
Checked by: RAL

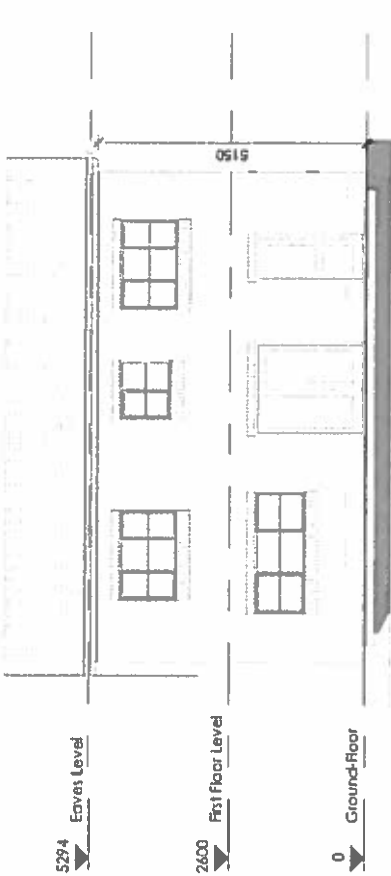
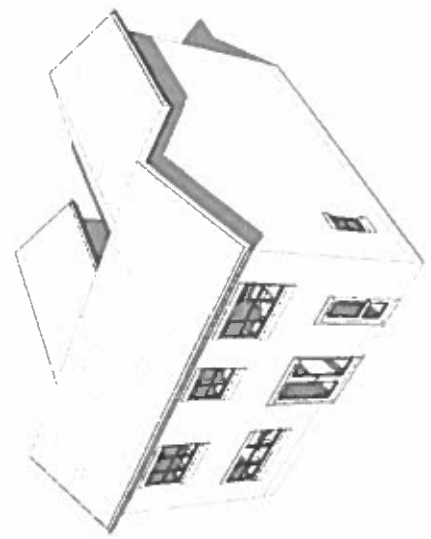
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Drawn by LOJ
Checked by RAL
Project A

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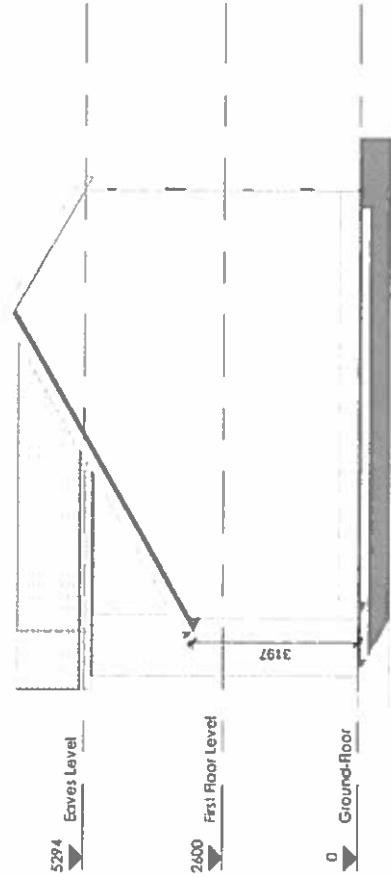
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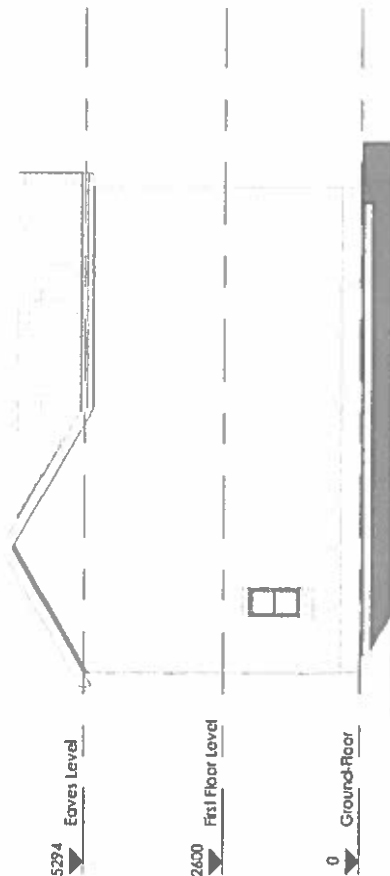
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Existing - Rear Elevation
 Scale: 1 : 100



Existing - Side Elevation 01
 Scale: 1 : 100



Existing - Side Elevation 02
 Scale: 1 : 100

Existing - External Visual
 Scale:

EXISTING FLOOR PLAN

CLIENT

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Rev: Description: Date:
X: Final Date: 20/10/17
A: Approved Date: 24/03/18

Project Title:
12 Bryn Arfo Avenue,
Llanerres
Drawing Reference:
Existing Plans

Scale: 1:50
Drawn by: LOJ
Checked by: RAL

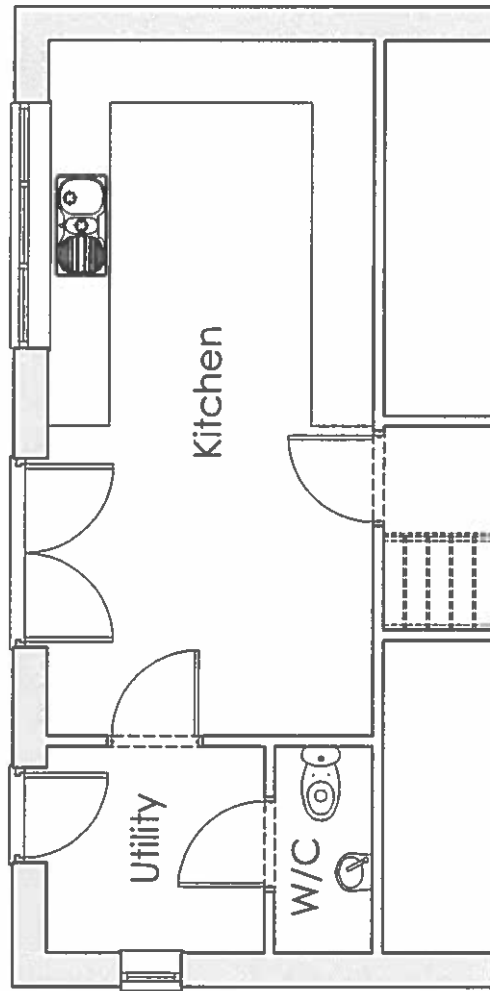
Project Number: 5538
Drawing Number: EX01
Revision: A

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Existing - Ground Floor Plan
Scale: 1:50

WARD : Llanarmon Yn Ial / Llandegla

WARD MEMBER: Councillor Martyn Holland

APPLICATION NO: 21/2018/0166/ PF

PROPOSAL: Erection of single storey rear extension

LOCATION: 12 Bryn Artro Avenue Llanferres Mold

APPLICANT: MrsS Harris

CONSTRAINTS: AONB

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
- Member request for referral to Committee

CONSULTATION RESPONSES:

LLANFERRES COMMUNITY COUNCIL

"The Community Council has discussed the above-mentioned application and would make the following comment to the proposals:

Llanferres Community Council have concerns regarding the BRE daylight 45&25 degree test regarding this extension and request that accurate measurements be taken to establish whether they apply. If the extension does comply with the requirements of the test then the council has no objection to the application. We would, however, bring to the planning officers attention, the chimney from the solid fuel burner which seems to contravene building regulations.

We would like to complain about the quality of the planning documents, especially as seen on the website. We consider them totally inadequate with no meaningful measurements and difficult to understand."

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT COMMITTEE**

"The Joint Committee has no objection to the proposed extension subject to the roof and wall facing materials matching the existing."

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mrs E Cook, 10 Bryn Atro, Tafarn y Gelyn Cllr B Barton, Glan Alyn, Llanferres Road
Mrs R Johnson, 14 Bryn Artro, Tafarn Y Gelyn

Summary of planning based representations in objection:

Accuracy of plans.

Concern that plans do not accurately plot positioning of neighbouring properties - No's 10 and 12 are in line with each other. Nos 14 and 16 are also in line with each other lying almost one

metre back from the rear from no 12. This has a major implication when utilising the 45 degree guide. The distance between 10 and 12 is 1.8 metres, not the 2 metres shown on these plans.

Impact on residential amenity of neighbours

Due to proximity to neighbouring properties and projection of extension, it would fail 45 degree guide and therefore would have detrimental impact on neighbours in terms of loss of light / maintaining sunlight and daylight (Proposed extension will be 0.9 metres from 10 Bryn Arthro Avenue and 1.0 metre from 14 Bryn Arthro Avenue, this will effectively block the sunlight and daylight to 40-50% of each rear garden); affect outlook and would have an overbearing impact on neighbouring properties.

Loss of Garden Space / proximity to garden boundary

Back gardens are shallow - SPG advises sufficient private garden space should be retained to provide amenity for dwelling and to ensure enough space is kept between neighbouring properties to avoid cramped form of development. SPG recommends a minimum garden depth of 6m is retained – this would not be achieved.

Design

Not subordinate in scale; out of keeping with neighbouring properties.

EXPIRY DATE OF APPLICATION: 16/04/2018

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 a single storey lean to extension to the rear of an existing two storey detached dwelling, to provide additional living accommodation.
- 1.1.2 The extension would run the width of the dwelling (8.3 metres) and project 4.1 metres out from the rear elevation. It would have a lean-to roof with an eaves height of 2.1 metres, rising to 3.5 metres where it meets the main rear wall of the dwelling.
- 1.1.3 The application form states the roof would be tiled and walls would have a rendered finish.
- 1.1.4 Roof lights are proposed in the roof and full height windows / doors would be installed in the rear elevation, looking out into the rear garden. No windows or doors are proposed in the side elevations.
- 1.1.5 The side elevations of the extension would be approximately 1m from the property boundary on either side. The rear elevation would be some 5.5m from the rear garden boundary.
- 1.1.6 The proposal includes a chimney flue which would project 1.2m above the plane of the roof pitch.
- 1.1.7 Plans of the proposed extension are provided at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The site is occupied by an existing modern detached two-storey dwelling, which is one of eight detached dwellings fronting the northern side of Bryn Arthro Avenue, which is within the hamlet of Tafarn y Gelyn. The dwellings have been erected over time as replacements for older timber built chalets.
- 1.2.2 There are dwellings on either side of the application site, with No. 10 to the east and No. 12 to the west. Wooden fences demark the side boundaries with each property,

and to the rear of the site are open fields.

- 1.2.3 The rear gardens of all the Bryn Artro dwellings are relatively shallow, as can be noted from the location plans at the front of the report. The existing rear elevation of the dwelling is approximately 9 metres from the rear garden boundary.

1.3 Relevant planning constraints/considerations

1.3.1 The site is outside of any development boundary as defined in the Local Development Plan.

1.3.2 The site is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.

1.4 Relevant planning history

1.4.1 Permission for a replacement dwelling on the plot was granted in 2005.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 The Community Council and private individuals have raised concerns regarding the accuracy of the submitted plans. Officers have checked the plans against the Council's mapping system and consider the plans to be accurate. For the avoidance of doubt, measurements referred to in this report have been measured against the submitted plans and the Council's mapping system.

1.6.2 It is to be noted that permitted development rights have not been removed or restricted at the application site, and therefore standard rights to extend in accordance with national legislation apply.

1.6.3 In respect of the proposed extension, the relevance of the above is that if the projection of the extension was reduced by 0.1m/ 10cm (approximately 4 inches) so that it would project no more than 4m from the rear elevation, it would fall within householder permitted development rights.

1.6.4 A chimney flue is also proposed to be included which would project 1.2m above the lean to roof. As the site is within the AONB, permitted development rights would not extend to the flue, and accordingly planning permission would be required for this element of the proposal.

2. DETAILS OF PLANNING HISTORY:

2.1 21/2004/1247. Demolition of existing 2-bed bungalow and erection of replacement two-storey dwelling. Granted 04/03/2005

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 RD3 – Extensions and alterations to existing dwellings

Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

SPG Residential Development

SPG Residential Space Standards

SPG Parking Standards in New Development

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 / impact on AONB
- 4.1.3 Residential amenity

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. 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.

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The AONB Joint Committee has raised no objection to the proposal subject to wall and roof materials matching the existing dwelling. However the Community Council and private individuals have raised concerns regarding the scale, design and appearance of the extension. Concerns have also been raised that the proposal would not be subordinate in scale and it would represent overdevelopment of the plot.

The impact of the proposals on visual amenity and on the character and appearance of the AONB are therefore key considerations.

The existing dwelling is a modern two-storey detached dwelling and the proposal is for a single storey lean to extension to the rear which would project some 4.1m from

the rear elevation of the existing dwelling. The application documents indicate the roof would be tiled and walls would have a rendered finish. The existing dwelling is a modern house with rendered walls and a tiled pitched roof and Officers are of the opinion that the extension proposed would be in keeping with the existing dwelling and conditions could be applied to control the external finishes to be applied to the extension in the interests of visual amenity.

The proposal also includes a chimney flue for a wood burning stove to be installed which would project some 1.2m from the plain of the roof pitch. Whilst flues of the scale proposed would normally fall within householder permitted development rights, as the site is within the AONB, permitted development rights for chimneys and flues are restricted and therefore planning permission is required. Officers however do not consider the flue proposed is of a scale that would detrimentally impact on visual amenity, the character and appearance of the statutory landscape, or on the character of the existing dwelling.

With regards to the scale of the development, notwithstanding concerns raised by the Community Council and private individuals, Officers consider the extension would be subordinate in scale and form. Whilst the rear garden area is relatively shallow, the rear elevation of the proposed extension would be some 5.5m from the rear boundary and therefore garden space would be retained to the rear, and there is also a parking / garden area to the front of the dwelling. Accordingly, due to the scale of the extension, it is not considered that the proposal would represent overdevelopment of the plot.

Notwithstanding the concerns raised by the Community Council and private individuals, Officers would conclude that 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, the proposals would not have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

4.2.3 Residential Amenity

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

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 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

Representations on the residential amenity impacts have been made by the Community Council and private individuals including neighbours.

Concerns focus on the impact on the proposal on neighbours in terms of overshadowing of neighbouring properties and gardens, effect on outlook of neighbouring properties and overbearing impact. Concern has also been raised regarding the loss of garden and failure to maintain a setback distance of 6m from the extension and the rear garden boundary. Objections have made reference to the 45 / 25 degree rule and guidance in the Council's Supplementary Planning Guidance.

In noting reference to the '25 degree guide' in the Residential Development Supplementary Guidance, this is guidance applicable to situations where the rear of properties face one another. This is not applicable in this instance as there are no properties backing on to the proposed extension.

Consideration of the concerns raised are set out below:

Overshadowing and the 45 degree test.

With respect to rear extensions, the Residential Development SPG advises that one of the main issues involved with rear extensions is the need to protect the amenities

of occupiers of dwellings immediately adjoining a proposed extension, in terms of protecting privacy, maintaining sunlight and daylight and maintaining a reasonable outlook.

The Supplementary Guidance provides a tool to help assess whether a proposal would have adverse impact on adjoining property in terms of overshadowing habitable windows in neighbouring properties. This is referred to as the '45 degree guide'.

The basis of the 45 degree guide is to project an imaginary line from the centre of the nearest ground floor window of any habitable room in an adjoining property, horizontally at a 45 degree angle. The guidance suggests that no part of the proposed development should cross this line. The guidance is worded to contain an element of flexibility and requires consideration of matters such as the direction of sunlight and shadow fall predicted from the new development.

Objectors to the application consider the proposal would fail the 45 degree guide.

In this case, in acknowledging the concerns expressed, the proposal is for a lean to single storey extension, and based on Officers assessment of the location of windows in the rear elevations of adjacent property and the position of the proposed extension, there would appear to be no obvious conflict with the 45 degree guide. The rear elevations of these properties are orientated to face to the north west and in Officers' opinion having regard to the detailing of the extension; it would not give rise to unreasonable loss of sunlight / overshadowing in respect to the neighbouring occupiers.

Loss of garden space:

Objectors have also raised concerns that a 6m set back between the extension and the rear garden boundary would not be achieved. Officers understand this 6m set back distance was contained as guidance in an old SPG which has since been superseded by the Residential Development SPG. The up-to-date SPG states that sufficient private garden space should be left after any extensions have been built to firstly, provide private play and amenity space and secondly, to ensure that enough space is kept between neighbouring properties so as to prevent a cramped, overcrowded feel to the area. It no longer advises a minimum garden depth be retained.

Officers would acknowledge that the rear elevation of the extension would be approximately 5.5m from the rear garden boundary. The Residential Space Standards SPG states that a minimum of 40 square metres of garden area / outdoor amenity space should be provided to serve an individual dwelling. In this case, in excess of 60 square metres of rear garden space would be retained and therefore Officers consider sufficient garden area would be retained within in the site.

With regards to whether the proposal would represent a cramped or overcrowded feel to the area, Officers would note that the extension is relatively low profile and would be set back some 1m from the side boundaries and would not result in the built development being brought any closer to neighbouring properties, and therefore Officers do not consider the proposal to be a cramped form of development.

Overbearing impact

Guidance indicates overbearing impact on a neighbouring property should be prevented, particularly if there are windows in the side elevation of an adjacent house that the extension projects towards. Whilst it is not always possible to achieve in all instances, a 1 metre gap should be retained wherever practical between an extension and the site boundary.

In this case, the proposed extension would be set back 1m from the side boundary with neighbouring properties. The proposal is also a single storey extension which

has a relatively low profile, and Officers do not consider the proposal would give rise to an overbearing impact on neighbouring properties that would warrant a refusal of planning permission on these grounds.

Privacy / overlooking

The proposal is for a single storey extension and no windows are proposed on either side elevations. Officers are therefore satisfied the proposal would not result in any overlooking of neighbours or impinge on their privacy.

Flue

A chimney flue is proposed in the roof. Officers do not consider the flue is of a scale which would adversely impact on residential visual amenity of neighbouring properties or have an overbearing impact.

All new domestic wood and solid fuel burning appliances and flues would need to comply with the Building Regulations and therefore Officers are satisfied the potential emissions from the flue would be satisfactorily controlled through other regulatory regimes.

Notwithstanding the concerns raised by the Community Council and private individuals, Officers consider that having regard to the scale, location and design of the proposed development, the proposals would not have an unacceptable impact on residential amenity, and would therefore be in general compliance with the tests of the policies referred to.

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 Officers consider the fall-back position is of relevance in this instance. As stated in paragraph 1.6.2 above, if the projection of the extension was reduced by 0.1m/10cm (approximately 4 inches) the proposal would fall within permitted development rights and could therefore be built within the need for planning permission.
- 5.2 Notwithstanding the concerns raised by the Community Council and private individuals, having regard to the detailing of the proposals, the potential impacts on the locality, and the particular tests of the relevant policies, the proposal is 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 18th April 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 (Drawing No. EX02 Revision A) received 19 February 2018
 - (ii) Proposed Elevations (Drawing No. PL02 Revision B) received 19 February 2018
 - (iii) Existing Ground Floor Plan (Drawing No. EX01 Revision A) received 19 February 2018
 - (iv) Proposed Ground Floor Plan (Drawing No. PL01 Revision B) received 19 February 2018
 - (v) External View 1 (Drawing No. PL03 Revision C) received 19 February 2018
 - (vi) External View 2 (Drawing No. PL04 Revision C) received 19 February 2018
 - (vii) Internal View 1 (Drawing No. PL05 Revision B) received 19 February 2018
 - (viii) Internal View 2 (Drawing No. PL06 Revision B) received 19 February 2018
 - (ix) Internal View 3 (Drawing No. PL07 Revision B) received 19 February 2018
 - (x) Existing Site & Location Plan (Drawing No. EX03 Revision X) received 19 February 2018
 - (xi) Proposed Site Plan (Drawing No. PL08 Revision X) received 19 February 2018
3. The materials and finishes of the external surfaces of the walls and roofs of the extension hereby permitted shall be of the same texture, type and colour as those on external walls and roofs of the existing building.

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. In the interests of visual amenity and to conserve the character and appearance of the AONB.