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41/2018/0199

Scale: 1:1250

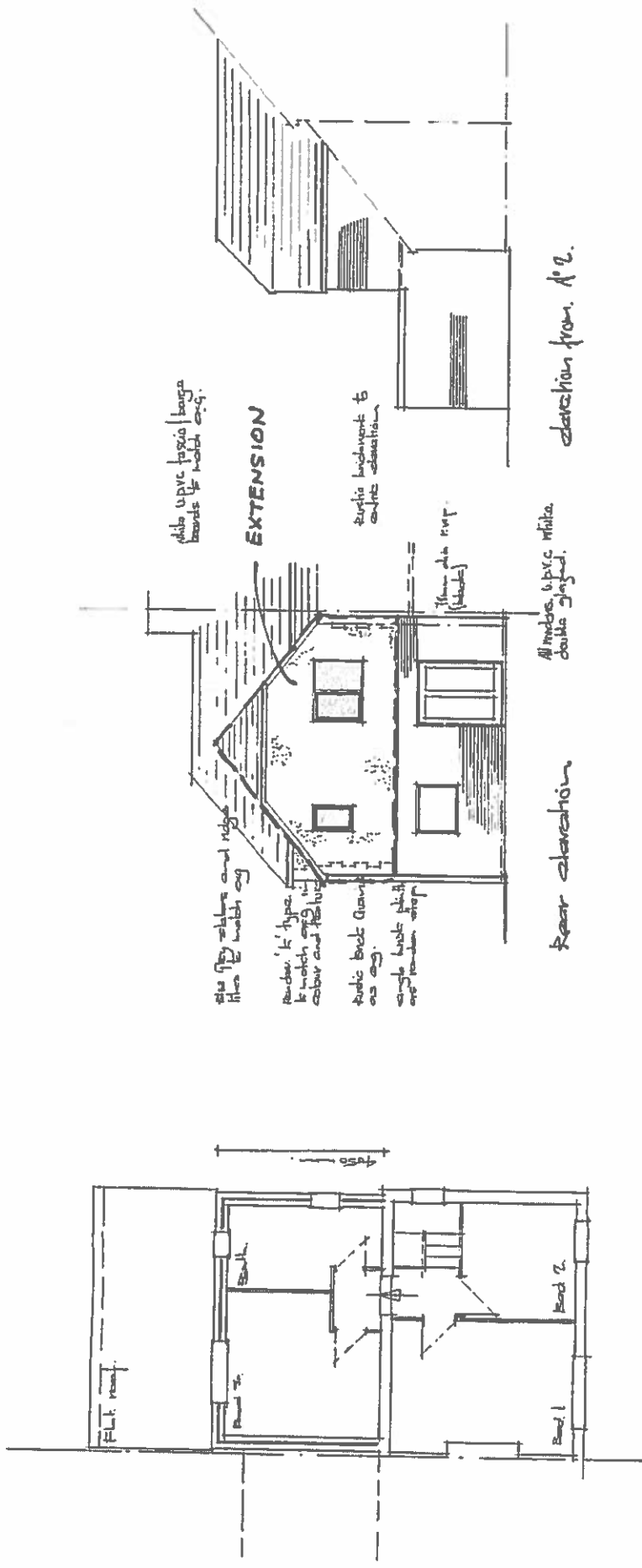
Printed on: 6/6/2018 at 14:55 PM



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PROPOSED EXTENSION



first floor plan.

shale upvc fascia boards to match ext.

EXTENSION

rustic brickwork to entire extension

elevation from N.E.

shale upvc fascia boards to match ext.

Render: 'k' type. to match ext. colour and texture

Rustic brick Quoins as ext.

single brick pick over render step

Rear elevation

All meters upvc mitre double glazed.

EXTENSION HIGHLIGHTER

Large tiles to match ext. floor/gray tiles to match ext.

Rustic brick Quoins

'k' render to match ext. in color and texture

brick pick single as render step.

for.

Mr. Mrs + Rowlands.

1 Fernan Terrace.

Boathavi

23 April 2010

Fernan A. (first floor extension area removed)

description.

proposed first floor extension ext.

1 Fernan Terrace.

Boathavi

scale

1:100

18/10/02A

drawn

MM

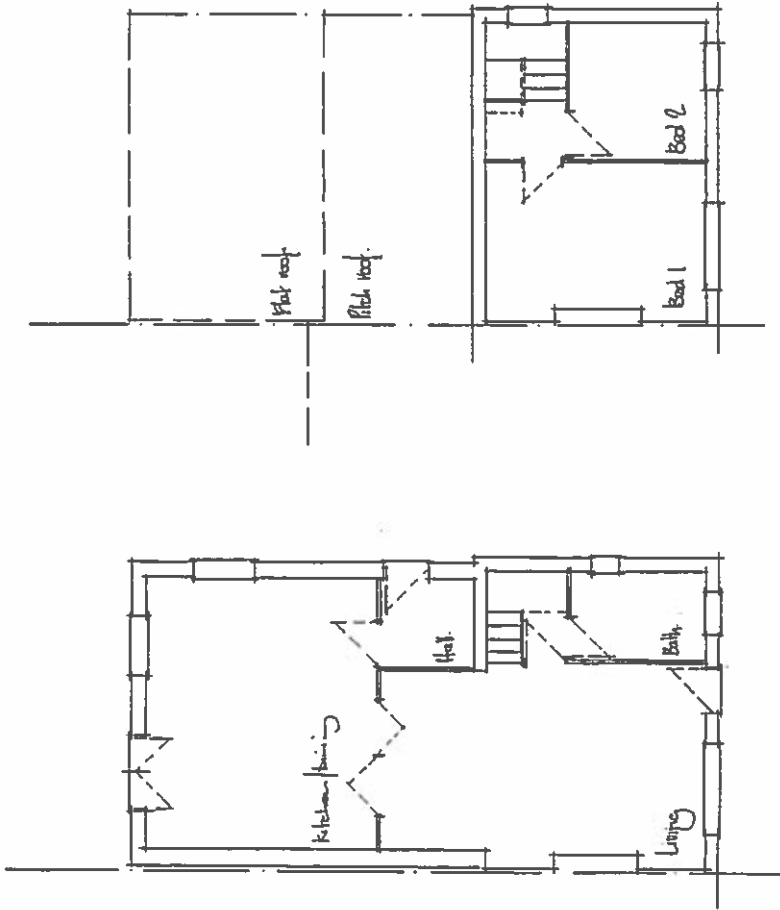
75mm ruf (black)

1.5m ruf (black)

side elevation

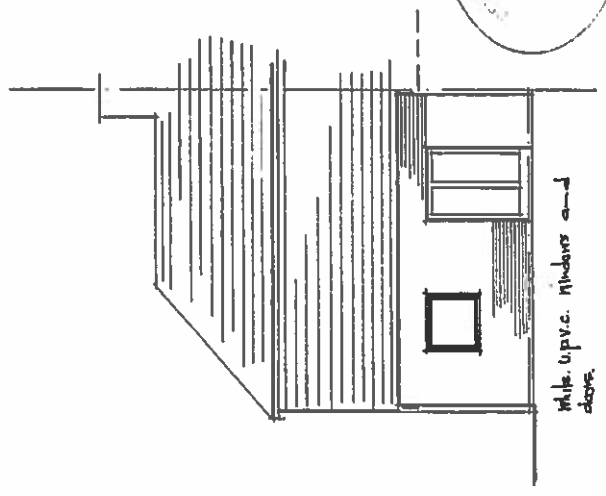


PLANS AS EXISTING



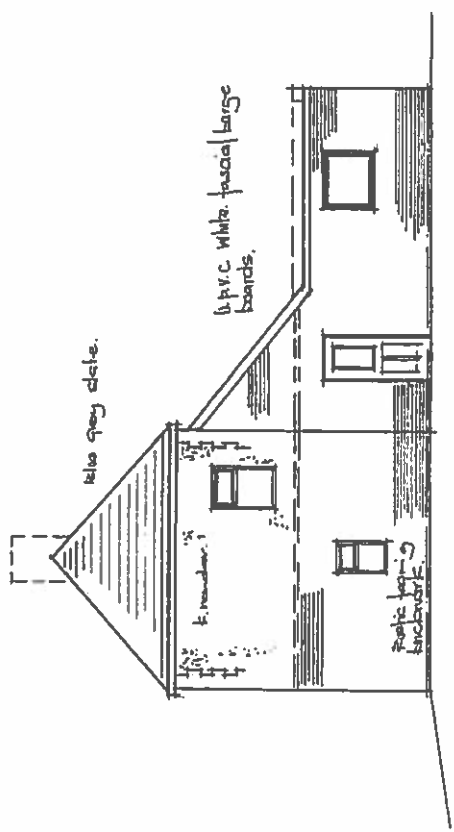
Ground floor.

First floor.



White upvc. windows and doors.

Front elevation



Side elevation

scale 1:100  
 DWG. N° 1910.01  
 DRAWN MRS

description  
 Existing plan/alterations  
 of 1 terraced terrace  
 Bostani

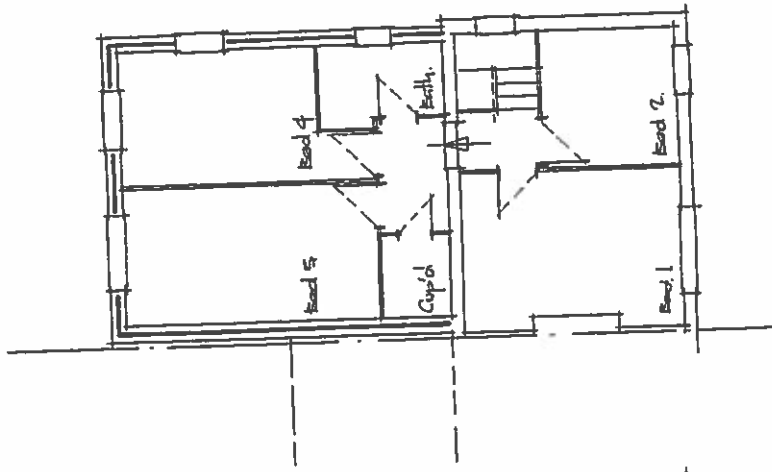
For  
 Mr Mrs T Kourlants.  
 1 terraced terrace.  
 Bostani



ORIGINAL PROPOSALS  
FOR EXTENSION

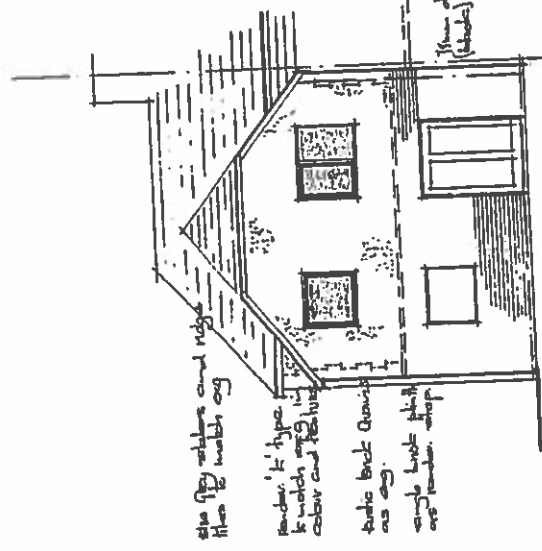


scale 1:100  
 Proj. N° 1816.02  
 drawn: RM



N°1

First floor plan.



Rear elevation

White upric fascia boards to match eaves.  
 Rustic bedwork to match extension.  
 75 mm R.N.F. (black)

All windows upric with double glazing.

extension from N°2.

ORIGINAL EXTENT  
OF EXTENSION

Ridge tiles to match eaves.  
 Blue/grey slates to match eaves.

Rustic brick Quoins

R-render to match eaves in colour and texture.

Brick plinth single as for powder stop.

for Mr. Mrs T Rowlands  
 1 terrace terrace.  
 Bodhani

description.  
 proposed first floor extension out.  
 1 terrace terrace.  
 Bodhani





**WARD :** Bodfari

**WARD MEMBER:** Councillor Christine Marston (c )

**APPLICATION NO:** 41/2018/0199/ PF

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

**LOCATION:** 1 Derwen Terrace Bodfari Denbigh

**APPLICANT:** Mr & MrsT Rowlands

**CONSTRAINTS:** AONB

**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:**

BODFARI COMMUNITY COUNCIL

Comments on original scheme:

"Bodfari Community Council recommend refusal on the grounds that the proposal is not in keeping with the rest of the terrace and would have an excessive impact of overshadowing on the neighbouring property."

Comments on revised scheme:

"With regard to the revised planning application 41/2018/0199 for 1 Derwen Terrace, Bodfari Community Council resolved to reserve judgement on the plans, noting that the neighbour still has objections, but would recommend that:

A condition should be applied to limit building work to reasonable weekday working hours  
A full independent structural survey should be commissioned for the neighbouring property."

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

Comments on original scheme:

"It is noted that although quite a large extension, the design respects the appearance of the existing dwelling and seeks to be subservient by reducing the roof ridge height below that of the existing building. In this context, the Joint Committee has no observations to make on the application."

Comments on revised scheme:

"The Joint Committee welcomes the reduction in size of the proposed extension and has nothing further to add to their previous comments."

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Mrs Jacqueline Evans, 2 Derwen Terrace, Bodfari

Summary of planning based representations in objection:

On original scheme:

The extension would unacceptably overshadow the neighbouring property and garden area and due to the size of the extension, would have an overbearing impact when viewed from that property.

Due to the size of the extension originally proposed, it would be out of character with the row of houses along Derwen Terrace.

Comments on revised scheme:

Acknowledges the reduction in size of extension, but still considers the revised scheme would overshadow the garden area, obstruct view from the kitchen and reduce the light / overshadow the property.

**EXPIRY DATE OF APPLICATION: 23/04/2018**

**REASONS FOR DELAY IN DECISION (where applicable):**

- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The proposal is for a first floor extension above an existing ground floor extension to the rear of the dwelling, to provide an additional bedroom and an upstairs bathroom.
- 1.1.2 The first floor extension would project 4 metres out from the rear elevation of the dwelling, and would be 6 metres wide, i.e. the same width as the existing single storey extension. It would have a hipped, pitched roof.
- 1.1.3 Windows are proposed in the rear elevation and a small bathroom window is proposed in the south east facing side elevation. No windows are proposed in the north west side elevation which faces towards the neighbouring property, No.2 Derwen Terrace.
- 1.1.4 The plans have been revised since the original submission in February 2018. These earlier plans proposed the first floor extension to project out from the rear of the main dwelling by 7 metres.
- 1.1.5 The originally submitted plans and the revised plans are included at the front of the report.

**1.2 Description of site and surroundings**

- 1.2.1 The site is located on the outskirts of Bodfari, to the north-west of the village centre. No 1 is the end dwelling of a group of 6 semi-detached houses along a minor road running west off the B5429 past the village school. .
- 1.2.2 There is an existing flat roof single storey extension to the rear of the property which is adjacent to the boundary with the neighbouring property.
- 1.2.3 The adjoining dwelling (No. 2) has a ground floor kitchen window in the rear elevation. There are no first floor windows in the rear elevation of the neighbouring property.
- 1.2.4 To the north and east the site is bounded by open fields and the minor road which runs along the southern boundary.

**1.3 Relevant planning constraints/considerations**

- 1.3.1 The site is within the Bodfari development boundary as defined in the Local Development Plan and is also within the Clwydian Range and Dee Valley

Area of Outstanding Natural Beauty (AONB).

1.4 Relevant planning history

1.4.1 The existing single storey extension was granted permission in 2015.

1.5 Developments/changes since the original submission

1.5.1 The scheme originally submitted was for a first floor extension above the full length of the existing single storey extensions at the rear of the property.

1.5.2 The scheme was revised to address concerns raised by the Community Council and neighbours. Revised plans were submitted which reduced the size of the first floor extension.

1.5.3 The revised plans have been subject to re-consultation.

1.6 Other relevant background information

1.6.1 In noting the Community Council's request for a structural survey of the neighbouring property, building works would need to comply with Building Regulations and therefore relevant structural requirements of the proposed extension would be dealt under this separate legislative regime.

**2. DETAILS OF PLANNING HISTORY:**

2.1 41/2015/0972. Erection of a single storey extension to the rear of the dwelling. Granted 28/10/2015

**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

**Policy VOE2** - Area of Outstanding Natural Beauty and Area of Outstanding Beauty

3.2 Supplementary Planning Guidance

SPG Residential Development

SPG Residential Space Standards

SPG Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

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 Area of Outstanding Natural Beauty
- 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. 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 / Impact on Area of Outstanding Natural Beauty

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.

Planning 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 recently adopted AONB SPG provides further guidance with respect to proposals in the AONB.

The AONB Advisory Committee have raised no objection. The occupier of the neighbouring dwelling raised concerns on visual amenity grounds on the original scheme.

As noted, the proposal is for a first floor extension above an existing single storey extension and would have a hipped, pitched roof. Walls are proposed to have a rendered finish with brick quoins to match existing dwelling. The plans have been revised to reduce the size of the extension.

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 adjoining property, locality and landscape, it is considered 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.

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.

Both the Community Council and the occupier of the neighbouring property have raised objections to the original scheme on residential amenity grounds. The Community Council has not raised an objection to the revised scheme, but has instead 'reserved judgement'. The neighbour has acknowledged the reduction in size of the extension, but still considers the revised scheme would overshadow their garden area and property, and in particular would overshadow and obstruct view from their kitchen window.

The only window in the rear elevation of the neighbouring property is the ground floor kitchen window. There are no first floor windows in the rear elevation.

The existing flat roof single storey extension on No.1 has a height of 2.5m and projects beyond the rear wall of the neighbouring property, No 2.

The proposal is for a first floor extension above the single storey extension. This would project some 4m out from the rear elevation of the dwelling, and would be less than 1 metre forward of the neighbour's existing single storey lean-to which contains the kitchen window.

The Residential Development SPG advises 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 SPG refers to a '45 degree guide' which provides a tool to help assess the impact of rear extensions on neighbouring properties.

If the 45 degree guide is applicable to a proposed first floor extension, as the extension is less than 1m forward of the neighbour's kitchen window, there would be no conflict with the guide. It is not considered its presence would give rise to an unacceptable level of overshadowing of the neighbour's kitchen window to warrant a recommendation of refusal of planning permission on residential amenity grounds.

The neighbour is also concerned the extension would overshadow the private rear garden. In this respect, it is possible that the first floor extension proposed may cast a shadow over a section of the neighbour's garden during certain times of the day or year, however it is to be noted that the rear gardens of both No. 1 and No.2 extend in excess of 30 metres beyond the rear of the dwellings, which is material to the assessment of harm to residential amenity. The extension is only likely to impact on a small section of the total garden area, and therefore it is difficult to conclude the level of impact would be unacceptable as there would be a large section of remaining garden unaffected by the development proposed.

The proposed extension does not include a window in the side elevation facing towards the neighbouring property. A condition can be attached to prohibit the creation of any new window openings in the side elevation in the future.

In respecting the concerns of the occupier of the neighbouring property, having regard to the scale, location and design of the proposed development, it is not considered that the proposals would have an unacceptable adverse impact on residential amenity on the neighbouring property, 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 The Community Council and the occupier of the neighbouring property have raised concerns regarding the impact of the proposed first floor extension on the residential amenity of the neighbouring property in terms of overshadowing and affecting outlook.

5.2 Having regard to the detailing of the revised proposals, the potential impacts on the locality, and the particular tests of the relevant policies, the application 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 20th June 2018.
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 Floor Plans and Elevations (Drawing No. 1810.01) - Received 27 February 2018
  - (ii) Proposed Floor Plans and Elevations (Drawing No. 1810.02A) - Received 23 April 2018
  - (iii) Location and Site Plans (Drawing No. 1810.03A) - Received 30 April 2018
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows additional to those shown on the approved plans shall be inserted at any time in the extension hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.
4. The materials and finishes of the external surfaces of the walls and roofs of the building hereby permitted shall be of the same texture, type and colour as those on external walls and roofs of the existing dwelling.

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. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interest of residential amenity.
4. In the interests of visual amenity.

### **NOTES TO APPLICANT:**

None