

43/2019/0359

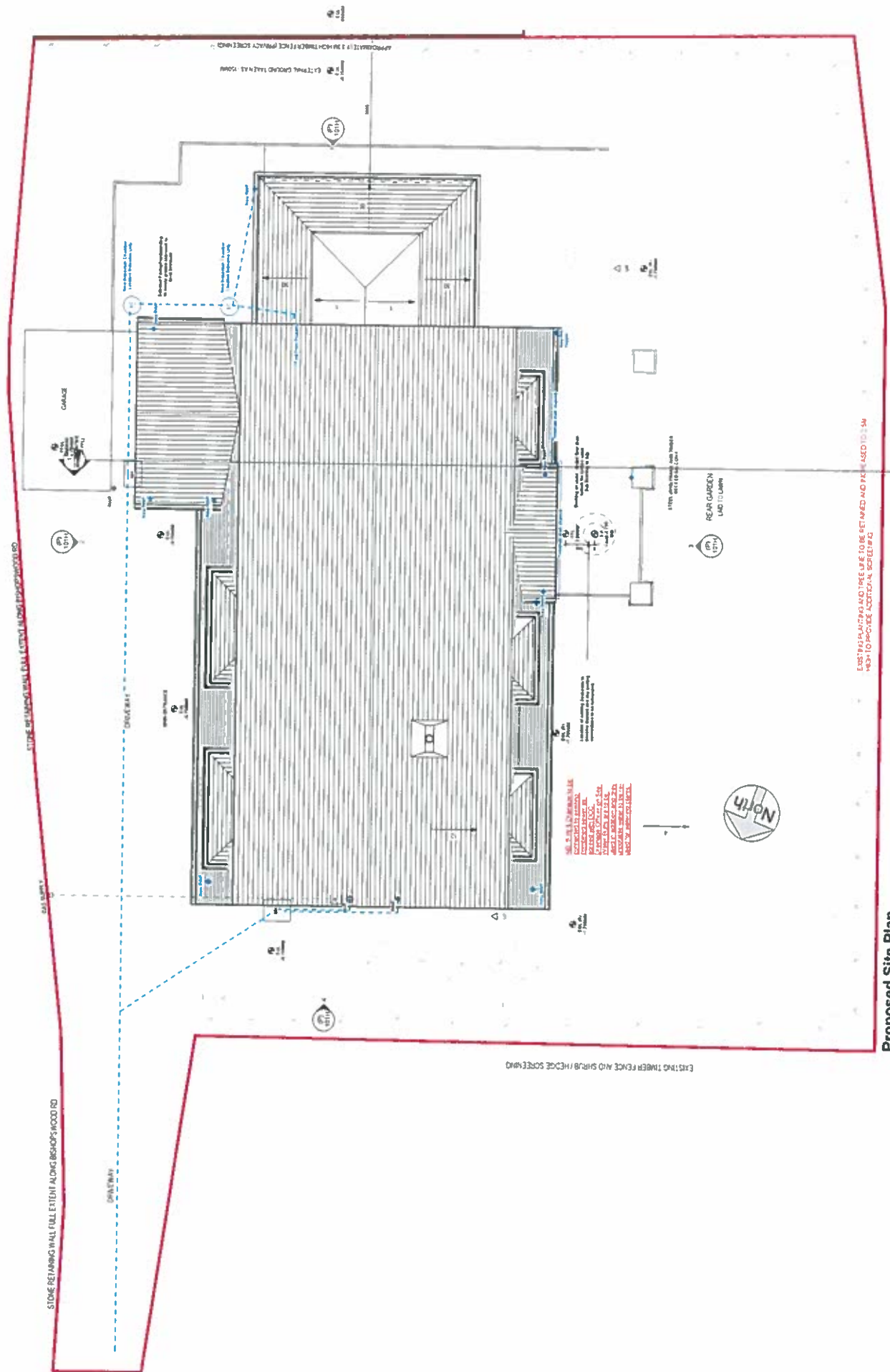
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DETAILED LAYOUT PLAN



STONE RETAINING WALL FULL LENGTH ALONG BISHOPS WOOD RD

DRIVEWAY

STONE RETAINING WALL FULL LENGTH ALONG BISHOPS WOOD RD

DRIVEWAY

GARAGE

REAR GARDEN
LAND TO LAWN

NOTE: ALL EXISTING WALLS TO BE DEMOLISHED AND REBUILT TO MATCH PROPOSED DESIGN. ALL EXISTING FENCES TO BE REBUILT TO MATCH PROPOSED DESIGN. ALL EXISTING DRIVEWAYS TO BE REBUILT TO MATCH PROPOSED DESIGN. ALL EXISTING PATIOS TO BE REBUILT TO MATCH PROPOSED DESIGN.

EXISTING TIMBER FENCE AND SHED / HEDGE SCREENING

EXISTING DRIVEWAY

EXISTING DRIVEWAY

EXISTING DRIVEWAY

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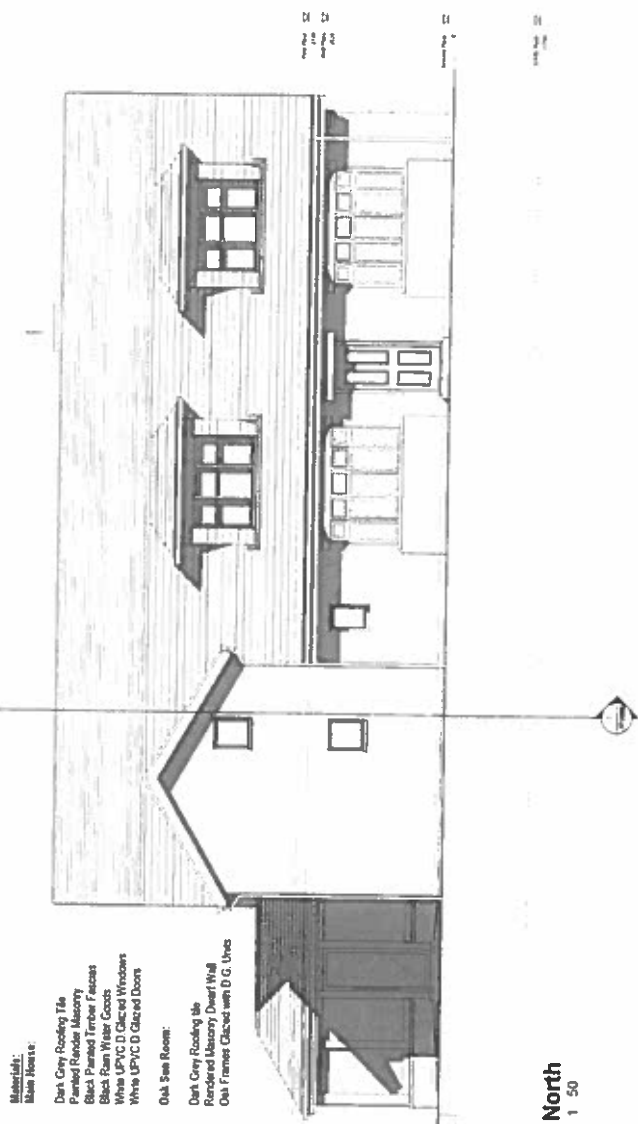
Proposed Site Plan
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Woodbine, Bishopscourt Rd, LL19 9PL

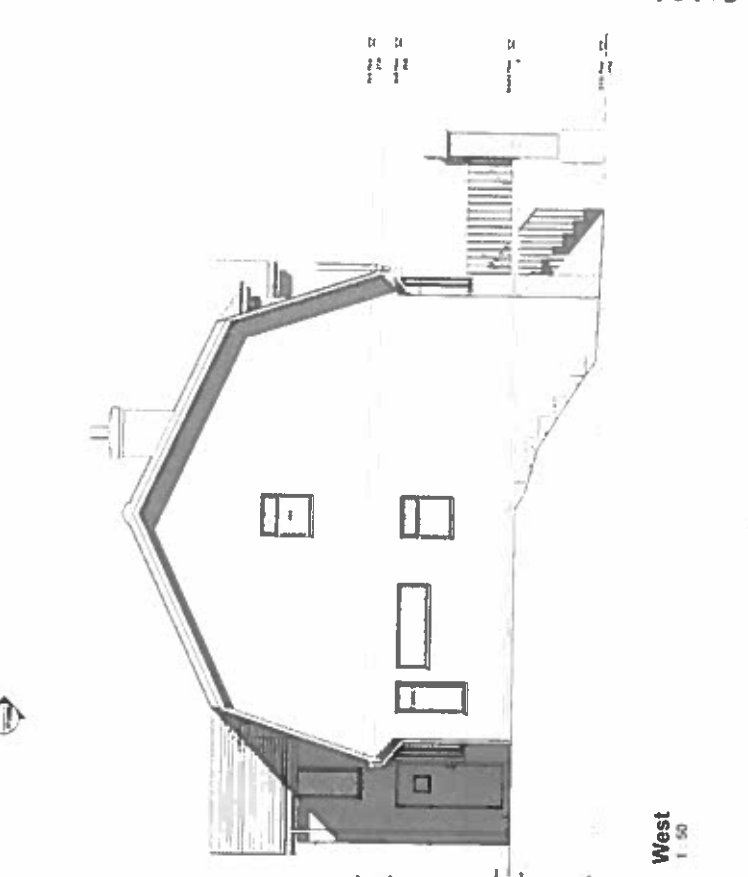
PROPOSED ELEVATIONS - WOODLEA REV H

PROPOSED ELEVATIONS

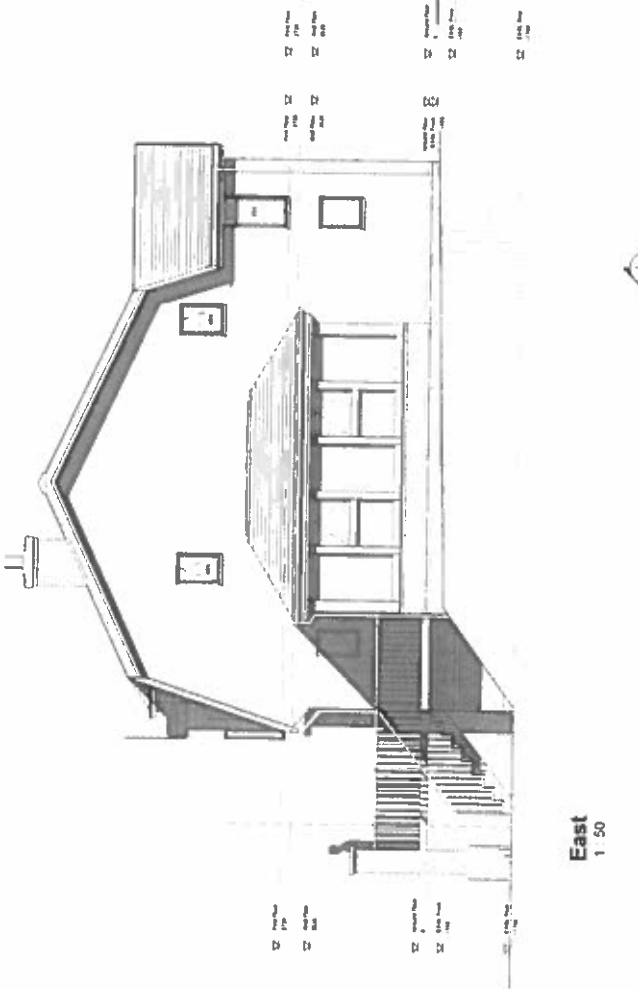


North
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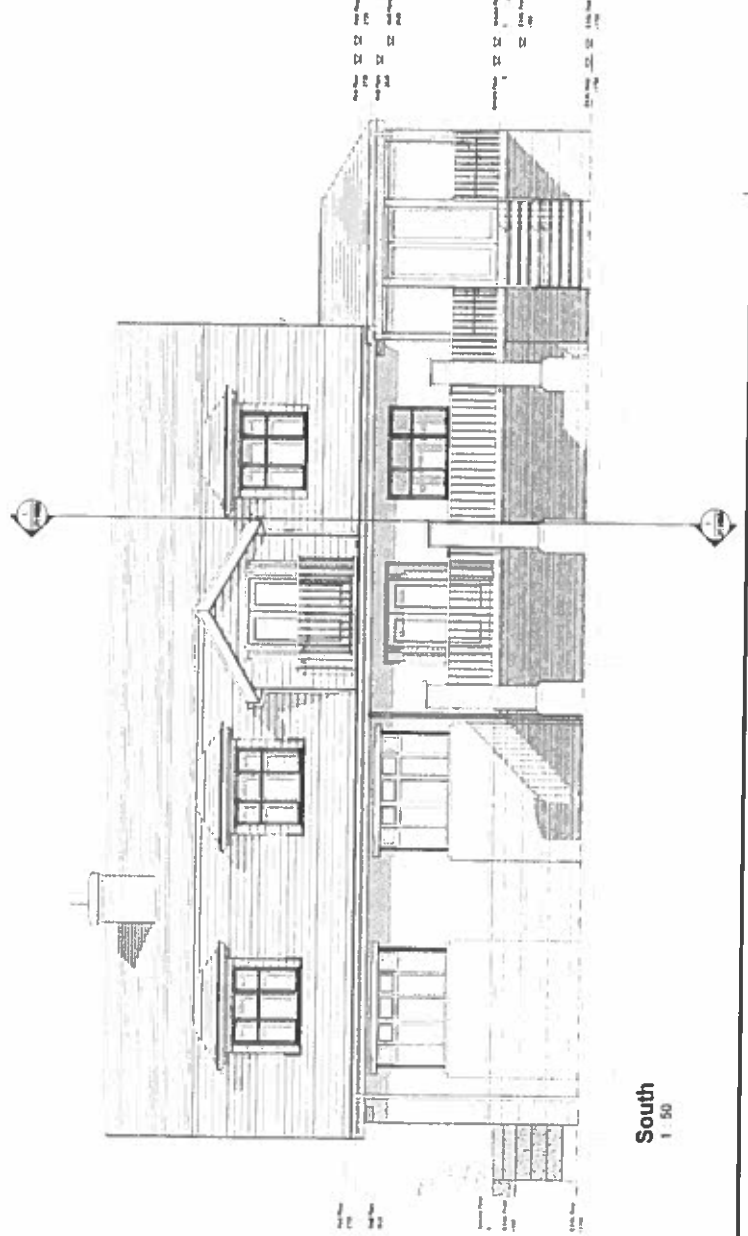
- Materials:**
Main House:
- Dark Grey Roofing Tile
 - Fairfaced Rendered Masonry
 - Black Painted Timber Fascias
 - Black UPVC Gable Ends
 - White UPVC Cladded Windows
 - White UPVC Cladded Doors
- Oak Side Room:**
- Dark Grey Roofing Tile
 - Rendered Masonry Dwarf Wall
 - Oak Frames Cladded with D.G. Units



West
1/50

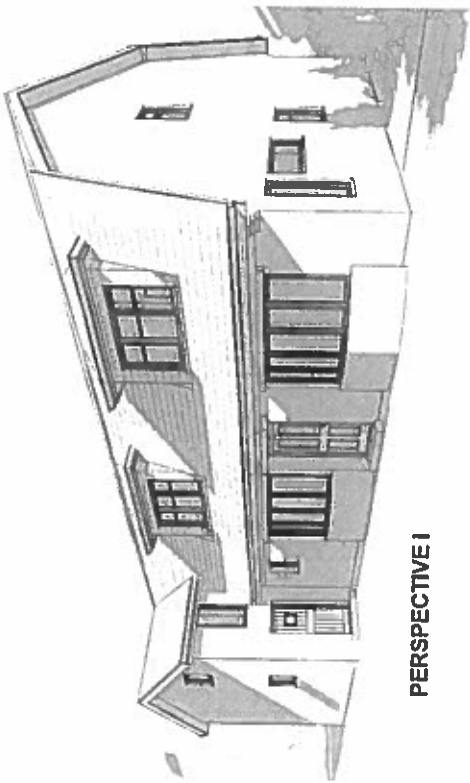


East
1/50

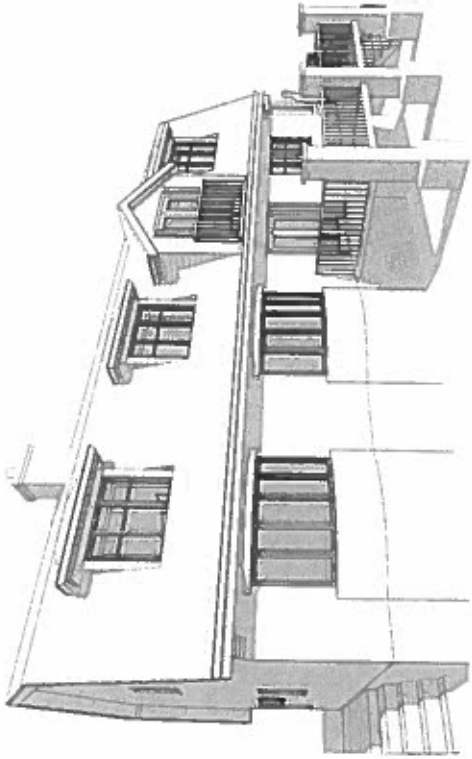


South
1/50

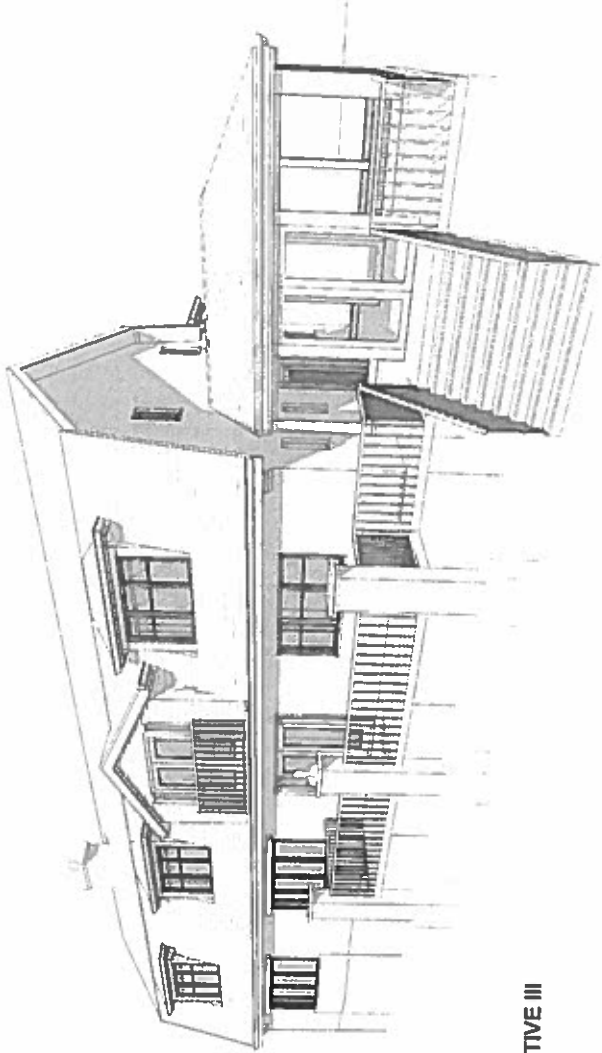
SKETCH PERSPECTIVES



PERSPECTIVE I



PERSPECTIVE II



PERSPECTIVE III

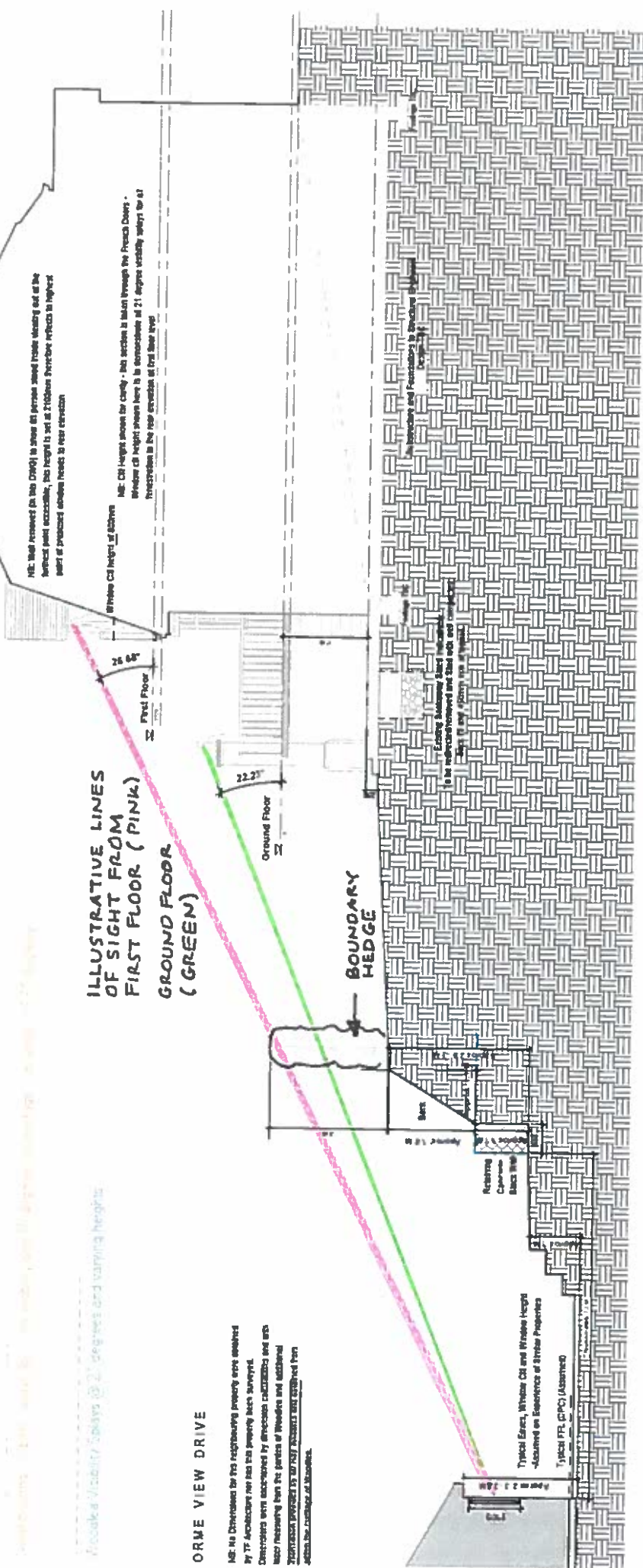
TF ARCHITECTURE
Innovative|Affordable|Architecture

PERSPECTIVE DRAWINGS

Typical Site Section X-X' (Centreline of Site)

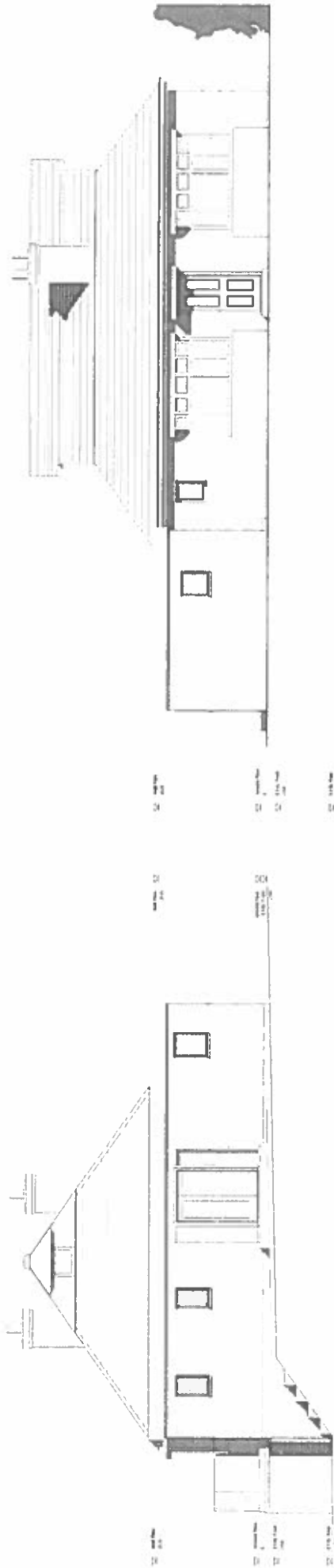
This Sectional DWG aims to demonstrate the relationship between Woodlea and 13 Orme View Drive

HE: As noted on DWG (P1) (X) Existing Tree/Shrub Hedgeline is to be allowed to grow to 2.5 meters high and will be cut/trimmed no lower than 2.5m in height in perpetuity or for as long as the terraces exist;

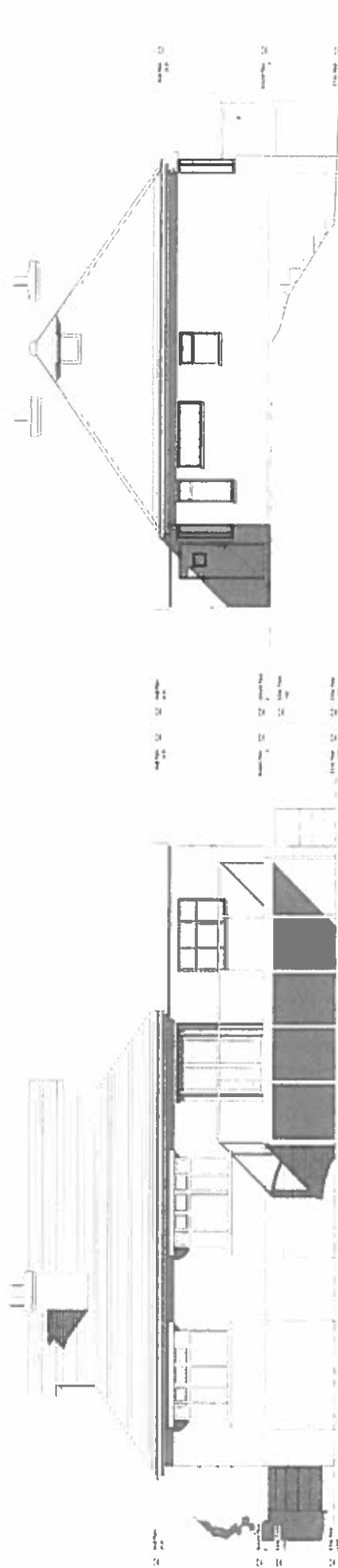


ORME VIEW DRIVE

HE: As shown to the neighbouring property area owned by YF Architects for the property back surveyed. Dimensions were measured by drone/camera and are also measured from the garden of Woodlea and additional dimensions provided by YF Architects and verified from other the drawings of Woodlea.



East
1/50



South
1/50



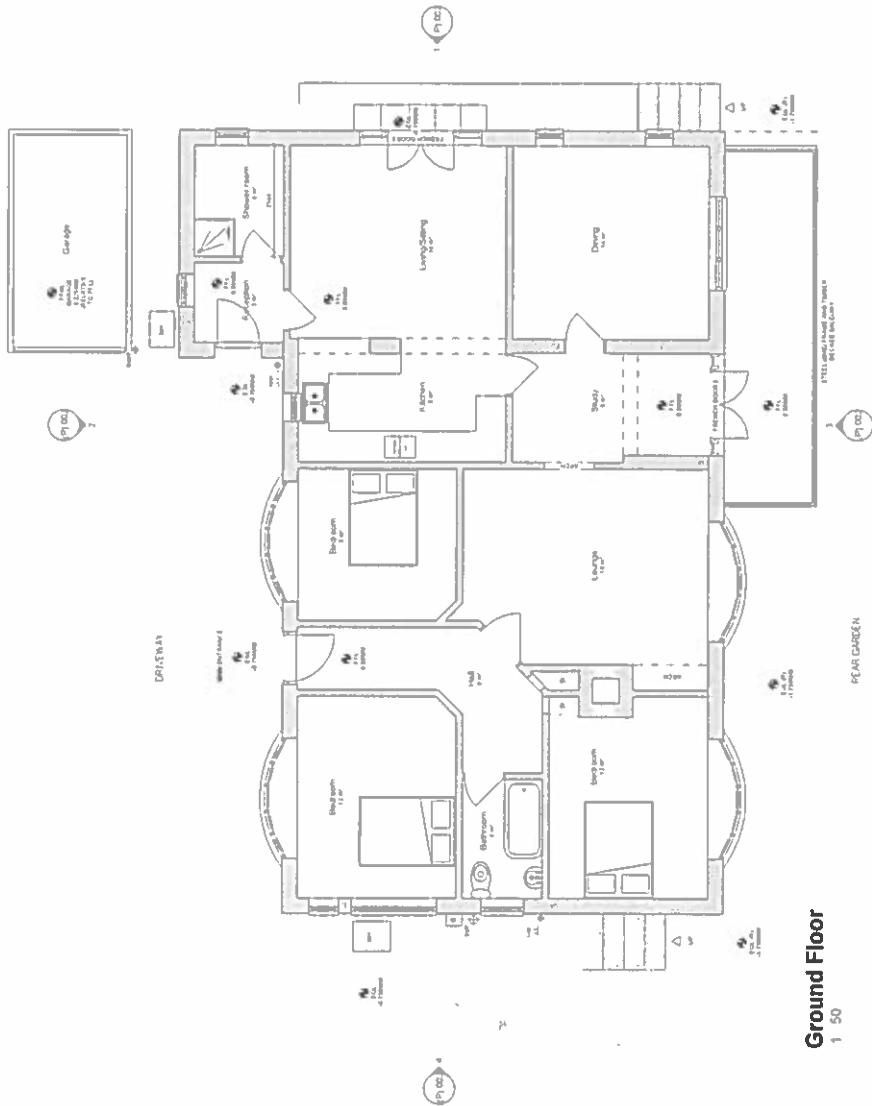
North
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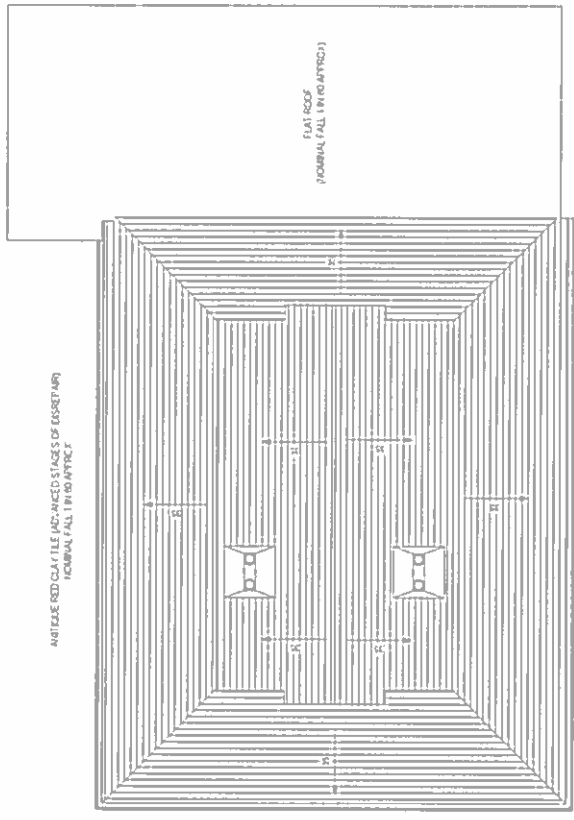
West
1/50

EXISTING GENERAL ARRANGEMENTS

EXISTING FLOOR PLANS



Ground Floor
1/50



Roof Plan
1/50

WARD : Prestatyn Central

WARD MEMBERS: Cllr Hugh Irving
Cllr Tina Jones (c)

APPLICATION NO: 43/2019/0359/ PF

PROPOSAL: Erection of extensions and alterations to dwelling

LOCATION: Woodlea, Bishopswood Road Prestatyn

APPLICANT: Mr & Mrs Williams

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 – 4 or more objections received

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL-
“ No objection”.

NATURAL RESOURCES WALES-

No objections but note that there are bats present in the vicinity of the application site and the development represents a lower risk for bats. Consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Biodiversity Officer

- No objection but recommends conditions are attached around the provision of roosting for bats and birds within the new building, in line with the recommendations in the Ecology Report and that any external lighting proposed is designed to avoid negative impacts on bats in order to ensure that there are no negative impacts on protected species or the nature conservation value of the site.

Drainage Officer

- No comments on the current application but advised in relation to the same drainage arrangements proposed in the previous application (ref. 43/2018/0850) that these reduce the risk of surface water run-off affecting neighbouring lower properties and enables the re-use of water.

RESPONSE TO PUBLICITY:

- In relation to the originally submitted proposals
In objection
Representations received from:

Geoffrey Davies 11 Orme View Drive, Prestatyn
T. Pyke, 15, Orme View Drive, Prestatyn

Mrs. S. A. Ward, 10, Orme View Drive, Prestatyn
Mr & Mrs Sutton, 13 Ormes View Drive, Prestatyn

Summary of planning based representations in objection:

Visual Amenity

Not in keeping with the character of the surrounding area. The application site and property adjacent are of identical design and blend into the landscape, the extensions would be extremely intrusive.

Residential amenity

The height and patio area will reduce privacy into rear gardens and windows of properties on Orme View Drive.

Overshadowing and overbearing impact on properties / already elevated property

Overlooking into the rear bedroom windows of properties on Orme View Drive from the proposed ground and first floor windows.

Loss of light by virtue of its size/scale and separation distance of 18.9m (SPG states 21m in back to back situation) and elevated position.

Accuracy of plans relating to the cross section and potential for overlooking.

The proposed 2m high fence and hedge would be insufficient to screen any views gained from the proposed extensions and balconies.

The hedge would not provide sufficient screening during autumn and winter months.

The fence and hedge would be overbearing and result in a loss of light.

The use of conditions to control the hedge screen does not meet the tests in Circular 016/2014.

Ecology

No ecology report has been submitted (at time of objection) and request the previous reason for refusal on ecology grounds is upheld.

Drainage

Concerns regarding surface water run off and issues with Bishopswood Road collapsing in the past.

Other issues:

Retaining wall structure already has cracks and questions extra weight of extensions, safety concerns.

The fence and hedge would be unstable due to its proximity to the existing wall which is already unstable.

In support

No representations received.

- In relation to amended plans received in September 2019.

In objection

Representations received from:

D. H. Smith, 8 Orme View Drive, Prestatyn

Mr.T. Pyke, 15, Orme View Drive, Prestatyn

J. and F. Sumner, 9, Orme View Drive, Prestatyn

Mrs B. Hannen, 7 Orme View Drive, Prestatyn

Mr E. and Mrs G. Sutton, 13 Ormes View Drive, Prestatyn

Mrs S. E. Ward, 10 Orme View Drive, Prestatyn

Mr G. Davies, 11 Orme View Drive, Prestatyn

Summary of planning based representations in objection:

Most of the responses indicate the previously submitted comments still stand with regard to the amended plans on the application.

Residential amenity

Acknowledge that a precedent exists in the area for 2 storey dwellings but the close proximity of residents on Orme View Drive to the application site would result in intrusive and overbearing impacts.

The addition of a first floor to an already elevated property will cause overlooking and an overbearing impact on the amenity of neighbouring properties.

Over intensification of the plot.

Loss of privacy and overshadowing of woodland to the rear.

Loss of amenity by virtue of its size/scale and separation distance of 18.9m (SPG states 21m in back to back situation) and elevated position.

Loss of light not fully considered.

Concerns with the hedge height being too high for an elevated plot.

Concerns that the hedge grown to 2.5m would block sunlight from a south easterly direction and cause overshadowing to the rear of the property and rear garden.

Other issues:

Concerns with instability of the land with the extra weight of the extension where there has been landslip in the area previously.

The existing hedge is being pushed over by the new conifer hedge planted causing instability of the retaining bank.

Concerns regarding the lack of engineering conclusion in respect of the sub-water flow

EXPIRY DATE OF APPLICATION: 18/06/2019

EXTENSION OF TIME AGREED? Yes, 16/10/2019

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- re-consultations / further publicity necessary on additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks permission for the erection of a first floor extension over an existing single storey dwelling, the erection of a single storey side extension and a replacement ground floor balcony with new terrace.
- 1.1.2 It follows a previous refusal of permission for extensions in January 2019, and seeks to address the issues arising on that application.
- 1.1.3 The first floor extension would contain a master suite lounge and entertainment area, master bedroom with en suite and walk-in wardrobe, a further bedroom and separate bathroom and linen storage. The existing ground floor layout is not proposed to be altered significantly other than a staircase to the first floor in place of the existing reception and shower room.
- 1.1.4 The first floor extension would raise the roof height above the existing ridge by some 1.6m. The new roof would be in the form of a gambrel style including two dormer windows to the front of the property and three dormer windows to the rear (a gambrel roof is normally a symmetrical two-sided roof with two slopes on each side). There would be a small projecting gable over the proposed Juliet balcony feature serving the first floor lounge. The extension above the existing single storey side extension would have a pitched roof with a height of 5.9m and an eaves height of 4.4m.
- 1.1.5 The proposed ground floor oak framed sun room would have a hipped roof with a height of 3.6m and an eaves height of 2.6m. It would measure 4.1m x 5.6m and would

have patio doors to the rear which would open onto the ground floor terrace, and an entrance door to the front is also proposed. Windows are proposed to the front, rear and side elevations.

- 1.1.6 The rear terrace balcony on the ground floor is proposed to project to the rear by 3m and would be 6.7m wide across the dwelling, joining up with the terrace serving the sun room. A staircase is proposed down to the garden area from the sun room and there would be a staircase to the side of the terrace. The terrace would be supported by 3 pillars from the lower garden level.
- 1.1.7 The majority of external materials proposed are to match those on the existing dwelling, however the red clay roof tile covering is to be changed to grey roof tiles.
- 1.1.8 The plans have been revised in September 2019, eliminating reference to a screen fence on the boundary with 13 Orme View Drive, and confirming the introduction of a conifer hedge within the garden of the dwelling to provide screening between the properties. The plans indicate the conifer hedge is to be retained at a minimum height of 2.5m from garden level.
- 1.1.9 The detailing can be best appreciated from the plans at the front of the report, which include a sectional plan illustrating the relationship between the proposed extended dwelling and the property immediately to the west at 13 Orme View Drive.

1.2 Description of site and surroundings

- 1.2.1 The application site is located on the outskirts of Prestatyn at Bishopswood Road, which is on rising ground with protected woodland behind. This area is characterised by a mix of large detached bungalows and houses with gardens to the front and rear.
- 1.2.2 The existing dwelling is a detached dormer style bungalow.
- 1.2.3 The site slopes down on the western side to the rear of the dwellings on Orme View Drive. There is extensive shrub growth along the rear boundary and scattered trees along the side boundaries.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Prestatyn as defined in the Local Development Plan.
- 1.3.2 To the rear of the site is an area of Prestatyn Hillside that is designated as a blanket Tree Protection Order (TPO) area, a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) and Area of Outstanding Natural Beauty (AONB).

1.4 Relevant planning history

- 1.4.1 A proposal to extend the dwelling was refused under delegated powers in January 2019. The grounds of refusal were based on the overlooking potential in relation to the property on lower ground to the west (on Orme View Drive) and the adequacy of ecological information.
- 1.4.2 The current application includes revisions to the proposals and information which seeks to address both reasons for refusal.

1.5 Developments/changes since the original submission

- 1.5.1 An Ecological Report (Bat Emergence Surveys) was submitted in July 2019.
- 1.5.2 As noted, the plans have been revised in September 2019, removing the previously proposed rear fence and including reference to a recently planted conifer hedge to be grown and retained at 2.5m.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 2/PRE/340/81 Erection of a detached garage, GRANTED on 11/08/1981

2.2 2/PRE/0266/87/P Retention of Boundary Fence, GRANTED on 20/10/1987

2.3 43/2018/0850 Erection of extensions and alterations to dwelling, REFUSED under delegated powers on 18/01/2019.

Reasons for refusal:

1. *It is the opinion of the Local Planning Authority that the proposed extension would have an unacceptable impact upon the residential amenity of the neighbouring property at 13 Orme View Drive, due to the potential for overlooking into the rear windows and rear private amenity space from the first floor bedroom, lounge and entertainment room windows in the proposed first floor extension. The proposal is therefore considered to be in conflict with test vi) of Policy RD 1 of the Denbighshire Local Development Plan and paragraphs 6.42 and 6.43 of the Residential Development Supplementary Planning Guidance Note.*
2. *It is the opinion of the Local Planning Authority that insufficient information has been provided to justify why the site was considered to have low potential for bats and the low level of survey which has been undertaken. In the absence of a further bat emergence survey, it is therefore considered the proposal has not satisfactorily demonstrated the proposal would not have a detrimental impact on protected bat species, and is contrary to Policy VOE 5 in the Local Development Plan and to the advice and guidance contained in the Conservation and Enhancement of Biodiversity Supplementary Planning Guidance Note and Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009).*

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 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

Policy VOE5- Conservation of Natural Resources

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Space Standards

Government Policy / Guidance

Planning Policy Wales Edition 10 December 2018

Development Control Manual (2016)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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.

The DMM further 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 DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 and impact on the Area of Outstanding Natural Beauty
- 4.1.3 Residential amenity
- 4.1.4 Ecology

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 and impact on the 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.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

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.

This reflects Planning Policy Wales 10 that which requires planning authorities should give great weight to conserving and enhancing the natural beauty of AONBs, and should have regard to the wildlife, cultural heritage and social and economic well-being of the areas. The special qualities of designated areas should be given weight in the development management process. Proposals in AONBs must be carefully assessed to ensure that their effects on those features which the designation is intended to protect are acceptable. The contribution that development makes to the sustainable management of the designated area must be considered.

Representations on the visual amenity impacts have been received, expressing concern that the design and scale of the proposals are not in keeping with the style and design of the adjacent identical dwelling.

As noted earlier in the report, the proposal is for the erection of a first floor extension to the dwelling including provision of dormers, a roof replacement, a ground floor terrace platform, supported by 3 pillars, and the erection of a single storey pitched roof oak framed sun room to the side.

Local Development Plan Policy requires extensions to be subordinate to and to respect the character of the original dwelling, its setting and the general area. In respecting comments raised, in relation to the scheme now before the Committee, Officers consider that the amendment to the roof design in this current scheme from a previously proposed Dutch gable roof to a gambrel roof design is generally respectful of the character of the existing dwelling. The dark colour of the proposed grey roof tiles would be sympathetic to the woodland backdrop and it is considered the proposals would have a limited visual impact on the Prestatyn Hillside. Whilst it is noted that two nearby properties, Woodlea and Grafton both have a Dutch gable style roof, there are a variety of roof and dwelling forms on Bishopswood Road. It is not considered the proposal would result in significant harm to the visual amenity of the area or the AONB.

The Residential Development SPG states that roof extensions and bulky dormers will rarely be acceptable as they affect the character, appearance and amenity of an area to a greater degree than other forms of extensions. In this case, there are 2 dormer windows proposed to the front elevation and 3 proposed on the rear elevation. In noting the guidance, Officers consider the scale, design and location of these proposed dormers to be in keeping with the style of the proposed roof.

The replacement terrace balcony at ground floor level is not considered to raise visual amenity issues. The terrace is proposed to extend along the rear, in front of the proposed side sun room extension. There are many properties in this area with balconies which make use of the topography of the land and views, therefore this is considered acceptable from a visual amenity perspective.

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 character of development in the area, 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 Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned,

and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration. The impact of the proposals on visual amenity is therefore a basic test in the policies of the development plan.

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.

There are objections raised on the residential amenity impacts, including from residents of properties at a lower level on Orme View Drive. The comments are focused around overbearing impact, the loss of privacy and level of overlooking it is considered may be brought about by the proposed terrace and windows on the first floor extension. The objections suggest that the proposed screen hedge retained to 2.5m in height is inadequate and would not mitigate against overlooking and would cause further loss of light and overshadowing impacts in an already elevated position.

Members will appreciate from viewing the plans that the proposal involves a first floor extension including the installation of dormer windows to the front and rear, and a roof replacement and single storey sun room to the side. The existing terrace is proposed to be replaced with a terrace which connects across the rear of the property to the proposed oak framed sun room on the side elevation. Of relevance to the relationship with the Orme View Drive properties, at first floor level, there are 4 proposed new windows facing west (towards the direction of Orme View Drive) – one serving the proposed master suite (bedroom), and 3 serving the proposed Master Suite Lounge and Entertainment room. One of the latter windows is a full length double door opening into the room, with a Juliet style balcony.

The Residential Development SPG states, if habitable rooms such as bedrooms, living rooms, studies or kitchens are proposed on the first floor or above, care should be taken to avoid direct overlooking from windows and balconies particularly where the extension is close to the boundary. In this case, there is approximately 18m from the rear elevation of Woodlea and rear elevation of 13 Orme View Drive below, but with a significant difference in levels, with Woodlea approximately 6m higher at ground floor level than the ground floor of 13 Orme View Drive.

The first floor bedroom and Lounge/Entertainment room windows would create a potential for a degree of overlooking of the rear amenity space and rear windows of 13 Orme View Drive. The illustrative plans provided assist consideration of the relationship between the properties. Officers have had regard to the illustrative plans and have visited the rear garden and rear bedrooms of No. 13 Orme View Drive to observe the relationship between the properties. Photographs have been taken by the case officer from the rear of No 13, looking out towards Woodlea (at a site visit in August 2019), and are reproduced below. These illustrate the presence of the conifers and an indication of the height they are proposed to be grown to and maintained at.

Assessment of the detailing on the plans and site observation indicates a limited potential for overlooking down to the rear of 13 Orme View Drive should an occupier be stood right up to the proposed first floor lounge window and Juliet balcony. In the normal use of this room, occupiers would not be able to see into the rear garden or windows of No. 13 due to the screening impact of the recently planted conifer trees. Having regard to the comments made about the distance between the properties not meeting the SPG guidance of 21m, Officers would not conclude the proposals involve an unacceptable level of overlooking, given the screening impact of the conifers. It is also of note that the area is already characterised by properties at different levels and

that there is a degree of overlooking from dwellings on higher ground down to those located below them.

Officers' accept there are residential amenity impacts to address here, but retaining the conifer hedge height to 2.5m would help to minimise the potential for overlooking to a degree that would not justify a recommendation for refusal of permission.

Photograph 1

This is taken from ground floor level of the dwelling at Woodlea. It shows the conifers have currently reached a height of approximately 2m, and have not filled out at the top as they are not fully mature yet. The orange line represents an approximate height of 2.5 metres which is the proposed height they are intended to be maintained at, as indicated on the revised plans.



Photograph 2

Views from the rear bedroom window of 13 Orme View Drive facing up to Woodlea, showing an approximation of the proposed height of the conifer hedge at 2.5m (orange line).



Photograph 3
View from the rear kitchen window of 13 Orme View Drive facing up towards Woodlea, showing the approximate height of the conifer hedge at 2.5m (orange line).



With regard to comments received in relation to loss of light and overshadowing, it is not considered that raising the hedge screen to 2.5m would lead to such a significant degree of overshadowing to merit refusal of permission, given the distances between the dwelling and the hedge.

Overall, 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, and would therefore be in general compliance with the tests of the policies referred to.

4.2.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

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 biodiversity / ecological impacts of a development proposal are a material consideration.

This reflects policy and guidance in Planning Policy Wales, TAN 5 and Council's Conservation and Enhancement of Biodiversity SPG, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

TAN5 6.2.2 states "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present. However, the level of likelihood that should trigger a requirement for developers to undertake surveys should be low where there is a possibility that European protected species might be present."

TAN5 6.3.7 states "It is clearly essential that planning permission is not granted without the planning authority having satisfied itself that the proposed development either would not impact adversely on any European protected species on the site or that, in its opinion, all three tests for the eventual grant of a regulation 44 licence are likely to be satisfied. To do otherwise would be to risk breaching the requirements of the Habitats Directive and regulation 3(4). It would also present the very real danger that the developer of the site would be unable to make practical use of the planning permission which had been granted, because no regulation 44 licence would be forthcoming."

The proposal involves a first floor extension which would involve the removal of the entire roof of the existing dwelling to facilitate the development, hence raising a potential for disturbing protected species.

The previous application (ref. 43/2018/0850) was supported by a Protected Species Survey which reported the findings of a day-time building survey of the building, highlighting there was low potential for bats to be present in the building, and recommended further surveys be undertaken. Officers did not consider the survey and information submitted was adequate to assess the ecological impacts of the development, and permission was refused on this basis.

A bat emergence survey Ecology Report has been submitted with this current application, indicating there is no evidence of bats using the building. Consultees have raised no objections subject to conditions being attached to ensure provision for roosting for bats and birds within the new development, in line with the recommendations in the Ecology Report, and controls over any external lighting proposed to avoid negative impacts on protected species or the nature conservation

value of the site. Officers consider that the imposition of conditions would be reasonable in order to enhance and protect the ecological interests of the area.

Other matters

Drainage issues

In relation to concerns regarding surface water run-off, it is not considered the proposals to extend an existing dwelling will give rise to additional impacts on the drainage of the area. The Drainage Officer has previously advised that the drainage arrangements would reduce the risk of surface water run-off affecting neighbouring lower properties.

Ground stability issues

There are representations expressing concerns over the stability of the land with the extra weight of the extension, with reference to a landslip in the area previously; and it is indicated the existing hedge is being pushed over by the new conifer hedge, threatening the stability of the retaining bank between properties.

In respecting the points raised, the structural stability of the 'extended' dwelling at Woodlea is a matter for consideration at Building Regulation stage, where strict requirements apply to foundation design and assessment of ground conditions. Hedge planting is not development requiring planning permission. Issues of hedges overhanging neighbouring land and the condition of boundary walls are essentially civil matters for resolution between the parties.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 Having regard to the detailing of the proposals, the potential impacts on the locality, and the particular tests of the relevant policies, on balance, the application is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT subject to the following condition(s) :-

1. The development to which this permission relates shall be begun no later than INSERT DATE

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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. 19006(P)002) received 15 April 2019
 - (ii) Existing ground floor plan and roof plan (Drawing No. 19006(P)001) received 15 April 2019
 - (iii) Proposed elevations (Drawing No. 17012(P)101H) received 2 September 2019

(iv) Proposed floor plans (Drawing No. 17012(P)100K) received 2 September 2019
(v) Proposed roof plan (Drawing No. 17012(P)103B) received 2 September 2019
(vi) Site Section X-X (Drawing No. 17012(P)106B) received 2 September 2019
(vii) Proposed street/plot plan (Drawing No. 17012(P)107C) received 2 September 2019
(viii) Existing site plan (Drawing No. 17012(P)004A) received 15 April 2019
(ix) Proposed site plan (Drawing No. 17012(P)102L) received 2 September 2019
(x) Location plan (Drawing No. 17012(P)104) received 2 September 2019
(xi) Bat Emergence Surveys (Document ref. 062019/BES/RW) received 3 July 2019
(xii) Sketch Perspectives (Drawing No. 17012 PL105) received 2 September 2019
Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

3. The conifer hedge planted along the length of the shared boundary with No. 13 Orme View Drive shall be retained at a height between 2.5m and 2.8m when fully mature at all times.
Reason: In the interests of residential amenity.
4. Provision for roosting bats and nesting birds shall be made in line with recommendations made in section 7 of the Ecological Report (Document Reference: 2507712 received on 03/07/2019).
Reason: In the interests of conserving the conservation value of the site
5. No external lighting shall be permitted on the dwelling unless the written approval of the Local Planning Authority has been obtained to details of the proposals, which shall be designed to avoid negative impacts on nocturnal wildlife and the character of the AONB. The approved measures shall be implemented in full and retained at all times thereafter.
Reason: In the interests of nocturnal wildlife and protection of the character of the AONB.