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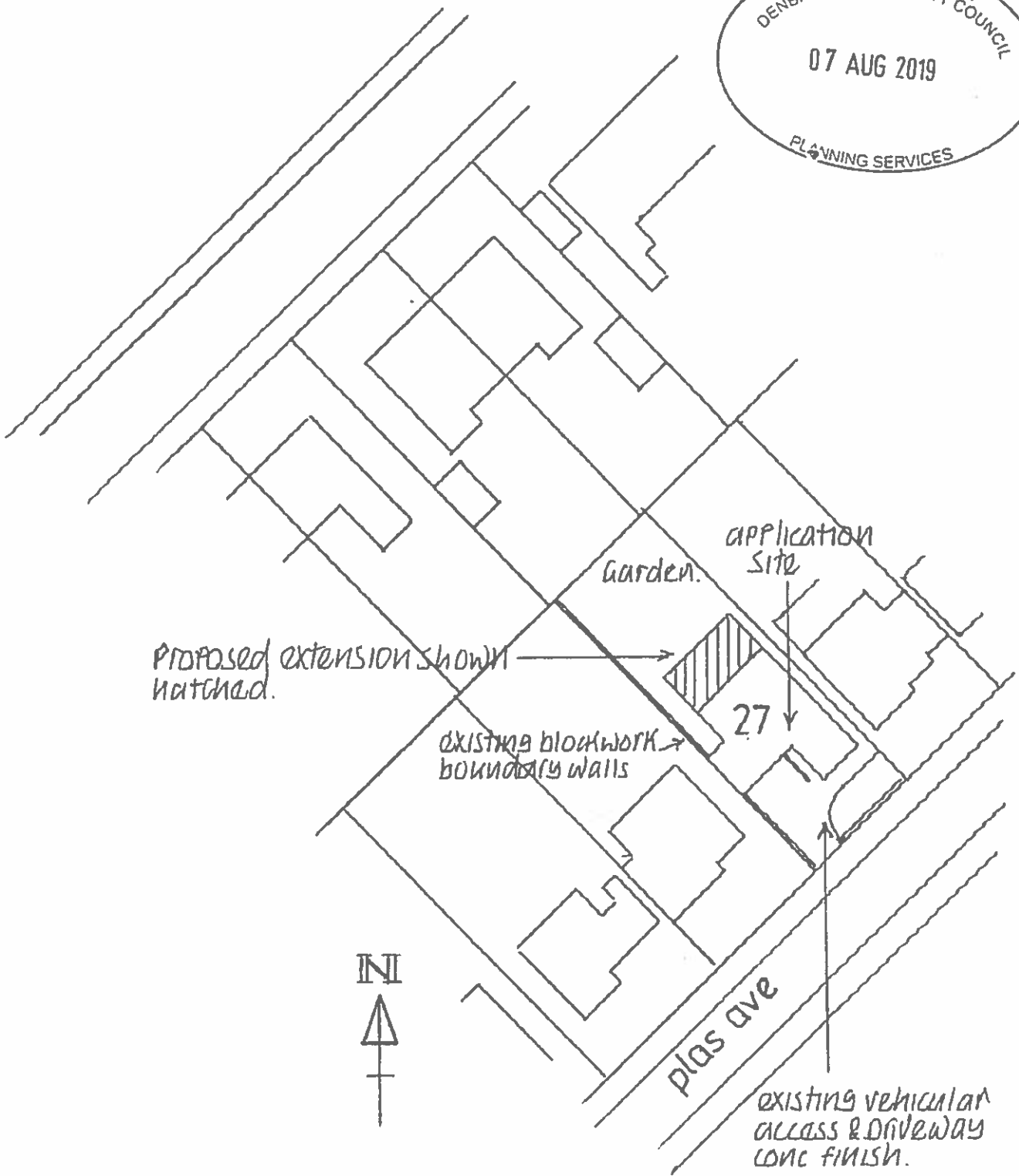
43/2019/0697

Scale: 1:1250

Printed on: 20/9/2019 at 10:42 AM



PROPOSED SITE PLAN



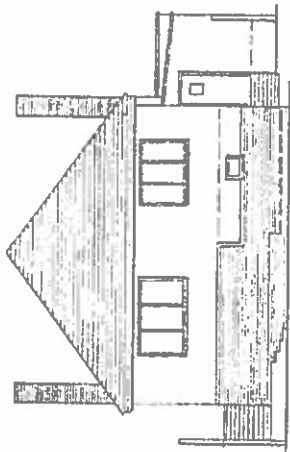
SITE PLAN - 27 PLAS AVE - DG5 - 1:500

PROPOSED

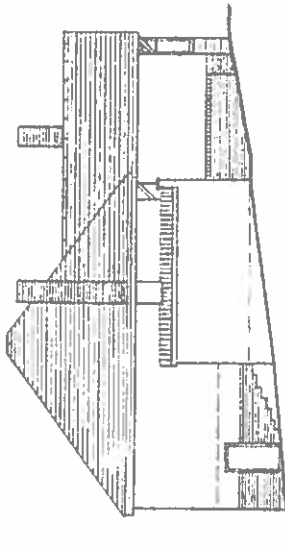


EXISTING & PROPOSED ELEVATIONS

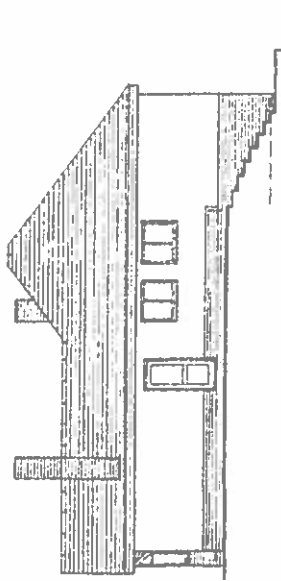
07 AUG 2010



NORTH WEST



SOUTH WEST



NORTH EAST

← EXISTING  
PROPOSED →

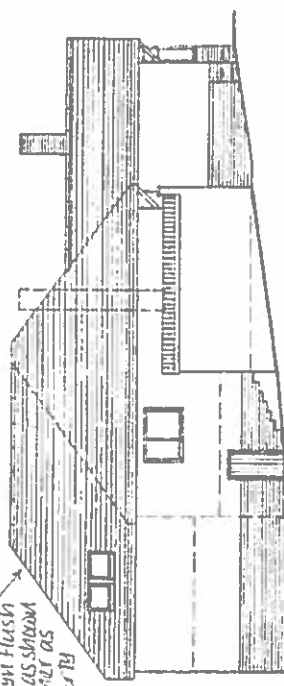
27 PLAS AVE PRESTATYN - DG 3 - 1:50

*Proposed External Finishes*

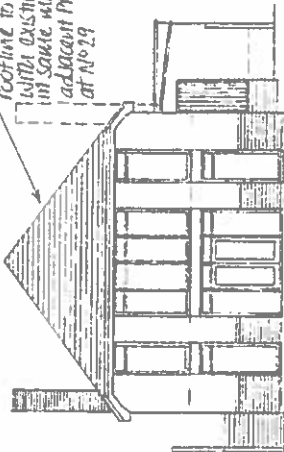
Roof - Concrete tiled sashole. Flange tiles to match existing. Glean UPVC rainwater gables & fascias etc to match existing.

Walls - textured render to match existing. New & existing walls to be finished (where colour facing brick flints to match existing).

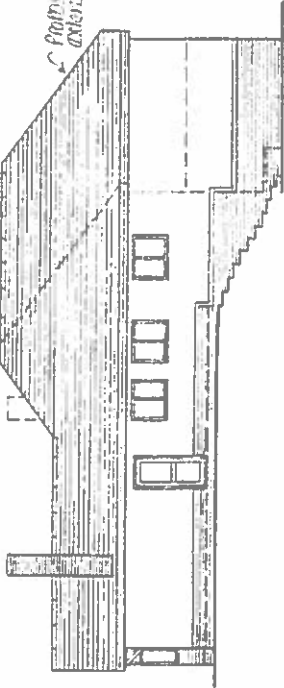
DOORS & WINDOWS - White or grey uPVC or powder coated aluminium to client choice of finish including replacement of existing units to ensure detailing consistent appearance.



SOUTH WEST



NORTH WEST



NORTH EAST

Proposed extension, note roofing to align flush with existing as shown in same manner as adjacent Property at No 29

Proposed extension















**WARD :** Prestatyn East

**WARD MEMBERS:** Cllr Anton Sampson  
Cllr Julian Thompson-Hill (c)

**APPLICATION NO:** 43/2019/0697/ PF

**PROPOSAL:** Erection of extension and alterations to dwelling

**LOCATION:** 27 Plas Avenue, Prestatyn

**APPLICANT:** Mrs Carla Jones

**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
- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**PRESTATYN TOWN COUNCIL**

“Objection; Loss of neighbour’s privacy. Over-intensification of building on site. Potential building nuisance to neighbours. Overlooking of other properties and excessive use of glazing. Proposed build out of character with neighbourhood. Change to living accommodation with bedrooms on ground floor will exacerbate overlooking of neighbour’s property.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Stuart Williams, 34 Clwyd Avenue, Prestatyn

Donald Stewart, 36 Clwyd Avenue, Prestatyn  
Mr Paul Kane, 32 Clwyd Avenue, Prestatyn  
Robert Coard, 30, Clwyd Avenue, Prestatyn

Summary of planning based representations in objection:

Residential amenity

-Overlooking/ Loss of privacy from the extension to the dwellings on Clwyd Avenue to the rear.

Overdevelopment

-The extension is an overdevelopment owing to its size.

**EXPIRY DATE OF APPLICATION: Extension of time to 10/10/2019**

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

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

1.1.1 The application is seeking planning permission for the erection of a rear extension on the dwelling.

- 1.1.2 As a consequence of site levels, the front of the existing dwelling is single storey, and as the land falls to the rear, there are rooms at on two levels, with stores below the main living rooms. The extension is proposed across the rear of the dwelling and would be of 2 storey height, project out 4.3 metres from the existing rear wall, with a pitched hip roof with a maximum height of 7.8 metres.
- 1.1.3 The plans show full height glazing on the rear elevation (with French doors on the ground floor). Two velux rooflights are also proposed on the south west roof.
- 1.1.4 Internally the extension would comprise of a master bedroom with en suite on the lower floor, with a kitchen and diner on the first floor.
- 1.1.5 The extension is proposed to be finished externally in materials to match the original dwelling, i.e. rendered walls and a tiled roof.
- 1.1.6 The details can best be appreciated from the plans at the front of the report.

## 1.2 Description of site and surroundings

- 1.2.1 No. 27 Plas Avenue is a detached split level dwelling located in a residential area of Prestatyn to the east of the town centre.
- 1.2.2 To the front there is a small garden and parking area, with a large garden area sloping down to the north at the rear.
- 1.2.3 The rear and side gardens are bounded by part brick and stone screen walls of varying heights up to approximately 1.8 metres.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of Prestatyn as defined in the Local Development Plan.

## 1.4 Relevant planning history

- 1.4.1 There is no planning history on the site.

## 1.5 Developments/changes since the original submission

- 1.5.1 None.

## 1.6 Other relevant background information

- 1.6.1 The Agent has reviewed the objections to the application and has put forward a rebuttal to the points raised in the form of an 'Additional Information' uploaded onto the Council's website.
- 1.6.2 In relation to the points of the objection he states:
  - **Overlooking between windows of habitable rooms - privacy**  
Separation distances are in line with SPG Guidance. The distance from the proposed extension to the rear boundary is in excess of 12m and therefore affords reasonable privacy.  
Bedrooms and living rooms are all considered to be 'habitable rooms'.
  - **Overshadowing and overbearing appearance**  
The proposed extension is no higher than the existing property and follows the same theme as extensions to other properties on Plas Avenue which have been extended. No 27 is set slightly deeper into the plot than the other two, but the separation distance from the proposed extension is in excess of 12m to their rear boundary and therefore could not constitute over-bearing or cause overshadowing of the neighbours garden.
  - **Length of extension projecting from the rear elevation and amount of additional space**

The proposal therefore doesn't constitute overdevelopment or over intensification of use (calculations provided).

- Considerate construction in terms of noise and working times  
Could be addressed by an appropriate planning condition imposed to protect the neighbors from any noise nuisance at inappropriate times
- Extent of glazing to the upper level of the proposed extension and character issue  
This does not affect the street scene at all and is not out of character with the general design of properties when viewed from the street. However the Applicant would be willing to reduce the amount of glazing at the upper floor level, if the planning officer feels that this would be warranted.

## 2. DETAILS OF PLANNING HISTORY:

2.1 None.

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 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

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

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

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.

Representations on the visual amenity impacts have been made by the Town Council.

The proposal is for an extension which would contain rooms on two floors at the rear of the dwelling. The ridge line of the roof would continue that of the existing dwelling. The extension would project 4.3m out to the rear of the dwelling.

With regards to the scale of the development, Officers consider the extension would be subordinate in scale and form to the original dwelling. There would be over 130 square metres of amenity space to the rear of the dwelling remaining (as well as open areas accommodating garden and parking to the front), therefore it is not considered the proposal would represent overdevelopment of the plot.

In relation to the design of the extension, this is of modern detailing with relatively large areas of glazing at the rear. The ridge line of the existing dwelling is carried through into the extension, and external materials are proposed to match those on the dwelling. There are a mix of building styles in the area and dwellings which have been extended similarly. It is not considered the design would be inappropriate in this context.

Officers 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 and to the locality, it 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 Space Standards SPG specifies that 40m<sup>2</sup> of private external amenity space should be provided as a minimum standard for residential dwellings. The Residential Development SPG provides detailed guidance on principles to be applied to consideration of applications involving extensions to dwellings.

Representations on the residential amenity impacts have been made by neighbouring occupiers in properties to the rear of the dwelling. The concerns focus on the impact of the proposal in terms of overlooking, effect on outlook from neighbouring properties and overbearing impact. In response to the detailed matters arising:-

The proposal relates to a two storey rear extension. It would be sited 12 metres off the boundary to the north (No.34 Clwyd Avenue). There are windows proposed on the rear elevation of the extension serving a bedroom on the ground floor and a kitchen diner on the upper floor. Owing to the sloping nature of the land to the north of the site the garden of the dwelling to the rear is at a lower level than Plas Avenue. The wall to wall separation distance between the rear wall of the extension and the rear wall of No. 34 Clwyd Avenue is more than 25 metres when measured on the submitted plans.

The Residential Space Standards SPG states that a minimum size for garden areas / outdoor amenity space should be provided to serve an individual dwelling and does not set minimum garden depths, etc. In relation to 'overdevelopment' of residential curtilages, Section 6.18 of the Residential Development SPG advises that as a rule of thumb, no more than 75% of the site should be covered, leaving at least 40 square metres of amenity space for a small dwelling, or 70 square metres for a larger dwelling.

In this case, the dwelling has a large rear curtilage of over 130 sq metres. Officers would not consider the extension involves overdevelopment of the plot, as there is adequate amenity space remaining.

Section 6.2 of the Residential Development SPG advises that any projection beyond the rear wall of an existing dwelling which is on / close to a party / boundary wall should not be more than 4 metres for a semi-detached / detached dwelling; and proposals which exceed this will generally be considered unacceptable unless it can be demonstrated that adequate amenity standards can be preserved through design detailing. In this case, whilst the extension projects 4.3 metres out from the rear wall, the adjacent dwelling to the west is some 4.5m from the extension and there is an extension on the house to the east which the extension only projects 3 metres further out to the rear.

Whilst concerns have been raised by neighbours over potential overlooking from the proposed ground and first floor windows of the extension, Officers consider it would



be difficult to resist the proposal on this ground. The Supplementary Guidance recommends where a proposed window to a lounge, dining room, bedroom or kitchen will directly face a similar window or a neighbouring property the distance between them should be at least 21 metres in a back to back situation. It goes on to say if buildings are at different heights, these minimum distances may need to be increased to maintain adequate privacy. The relevant wall to wall separation distance as mentioned is over 25 metres in this instance and there is intervening screening along the boundary comprising of a wall to no. 34 Clwyd Avenue as well as some landscaping and established trees in the neighbouring gardens breaking views to the adjacent dwellings. In Officers' view, the proposals are not in conflict with the guidance.

In respecting the representations, having regard to the scale, location and design of the proposed development in relation to the site layout and relationship to adjacent dwellings 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.

#### 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 With respect to the comments of the Town Council and third parties Officers have considered the application under the relevant extensions policy and consider it meets the detailed tests. It is therefore recommend for grant.

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

1. The development to which this permission relates shall be begun no later than INSERT DATE
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 and proposed elevations (Drawing No. 3) received 7 August 2019
  - (ii) Existing floor plans (Drawing No. 1) received 7 August 2019
  - (iii) Proposed floor plans (Drawing No. 2) received 7 August 2019
  - (iv) Existing site plan (Drawing No. 4) received 7 August 2019
  - (v) Proposed site plan (Drawing No. 5) received 7 August 2019
  - (vi) Location plan received 7 August 2019

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.