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01/2019/0752

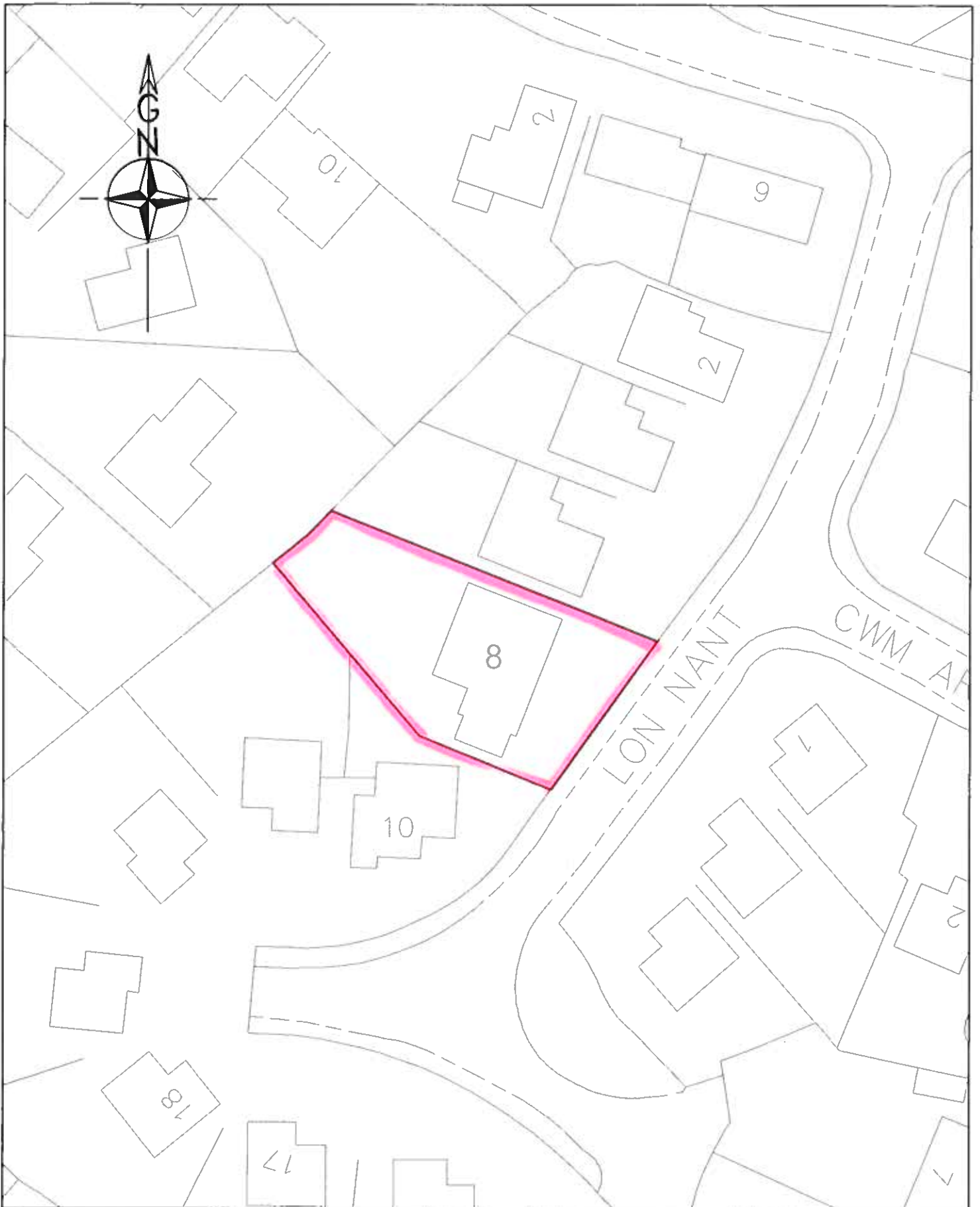
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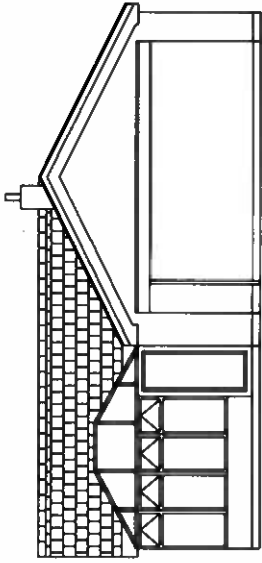




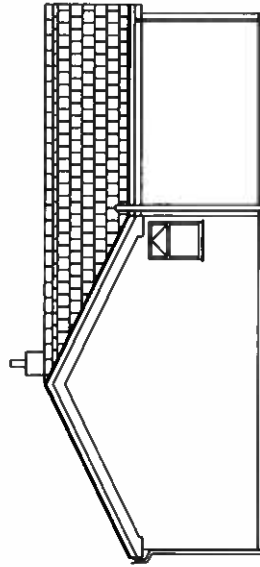
**PROPERTY**  
**8 Lon Nant**  
**Denbigh**  
**LL16 4BE**

<b>JOB NUMBER</b> 19-001 <b>DRAWING SCALE</b> 1:500 @A4 <b>DESIGNER'S ONLY RESPONSIBILITY</b> SJ0665 <b>DRAWN BY</b> S Brookes	<b>AMENDMENTS</b>		<b>SCHEME</b>
	A Original	07/08/19	
			<b>DRAWING TITLE</b>
			<b>LOCATION PLAN</b>
<b>NO.</b> 1 OF 4	<b>AMENDMENT NUMBER</b> Issue	<b>DATE ANY DATE</b> 07/08/19	<b>DRAWING NUMBER</b> 19-001

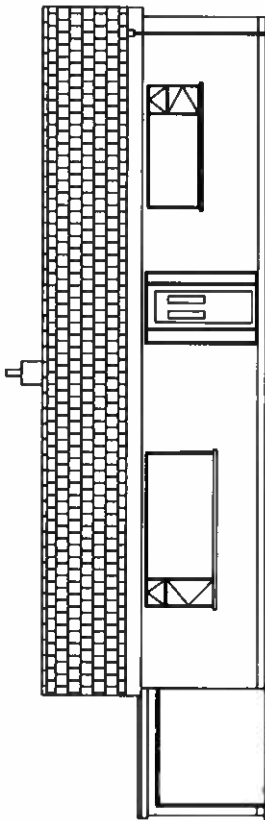




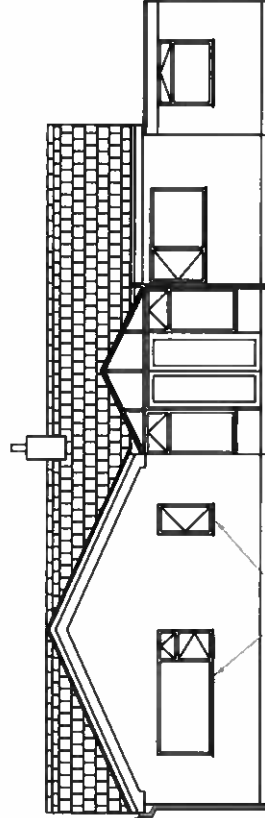
EXISTING SIDE ELEVATION (SOUTH)



EXISTING SIDE ELEVATION (NORTH)



EXISTING FRONT ELEVATION (EAST)



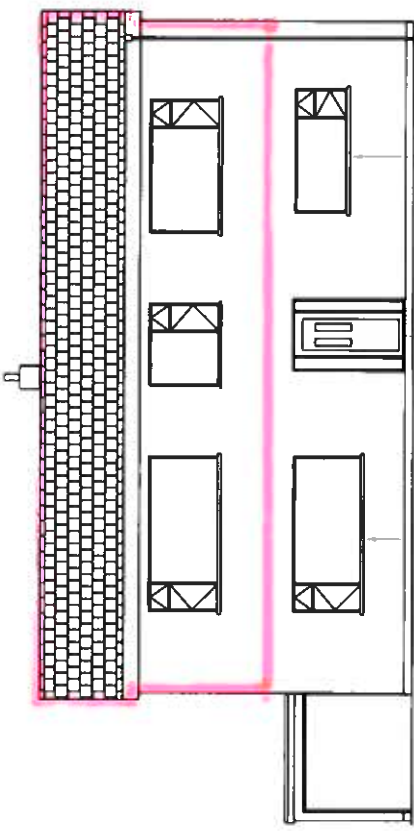
EXISTING REAR ELEVATION (WEST)

JOB NUMBER <b>19-001</b>	DATE <b>07/08/19</b>	CLIENT <b>Mr &amp; Mrs R Jones</b>	PROJECT NAME <b>EXTENSION OF 8 LON NANT</b>
DRAWING SCALES <b>1:100 @A3</b>	ISSUE <b>Issue</b>	ADDRESS <b>8 Lon Nant Denbigh Denbighshire LL16 4BE</b>	DRAWING TITLE <b>EXISTING ELEVATIONS</b>
NATIONAL GRID REFERENCE <b>SJ0655</b>	LAST TEST DATE <b>07/08/19</b>		
DRAWN BY <b>S Brookes</b>	DRAWING STATUS <b>2 OF 4</b>		
DATE <b>19-001</b>			



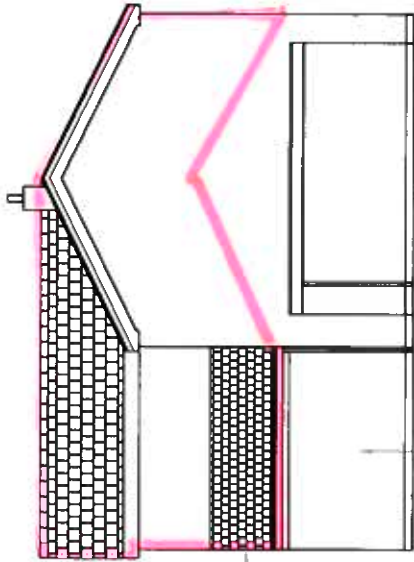


PROPOSED ELEVATION PLANS



Original windows to ground floor  
 Front door to be replaced and offset to left  
 Original windows to ground floor

PROPOSED FRONT ELEVATION (EAST)

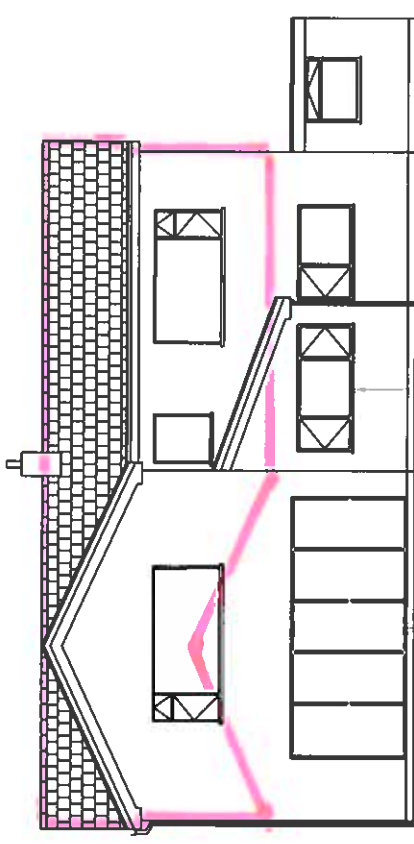


Ground floor roof tiles to match first floor roof tiles

Conservatory wall and doorway bricked up

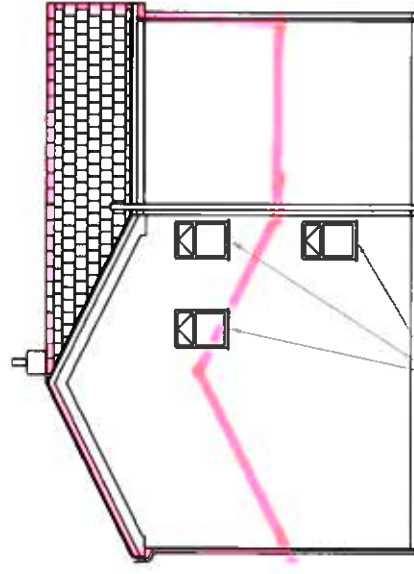
PROPOSED SIDE ELEVATION (SOUTH)

APPROXIMATE PROFILE OF 'EXTENSION' HIGHLIGHTED IN RED



Conservatory wall bricked up  
 New window put in place

PROPOSED REAR ELEVATION (WEST)



Frosted glass to side elevation windows

PROPOSED REAR ELEVATION (NORTH)

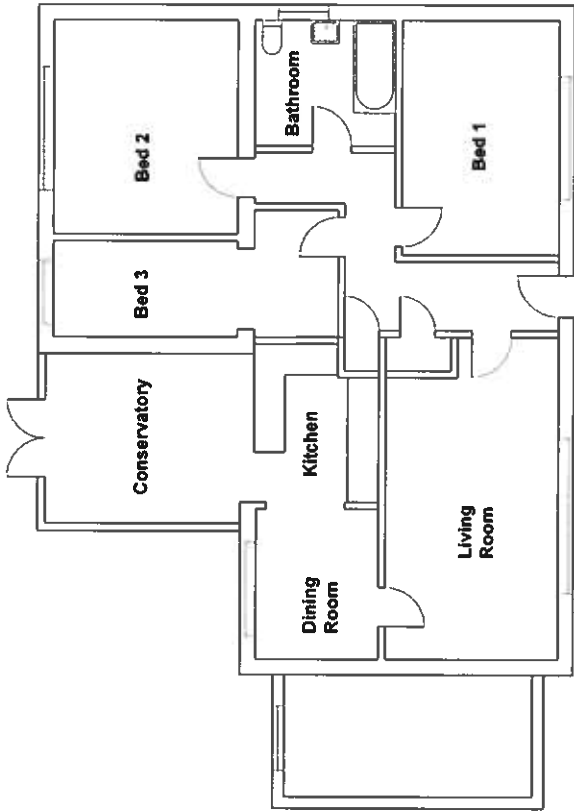
<p>19-001</p> <p>1:100 @A3</p> <p>SJ0655</p> <p>S BROOKES</p> <p>3 OF 4</p>	<p>Original Drawing</p> <p>07/06/19</p> <p>07/06/19</p> <p>Issue</p>	<p>Mr &amp; Mrs R. Jones</p> <p>8 Lon Nant                  Denbigh                  Denbighshire                  LL16 4BE</p>	<p>EXTENSION OF                  8 LON NANT</p> <p>PROPOSED ELEVATIONS</p>	<p>NOTES</p> <ol style="list-style-type: none"> <li>Facing brickwork to match existing</li> <li>Pitch of roof to match existing</li> <li>Roof tiles to be in keeping with original tiles</li> </ol>
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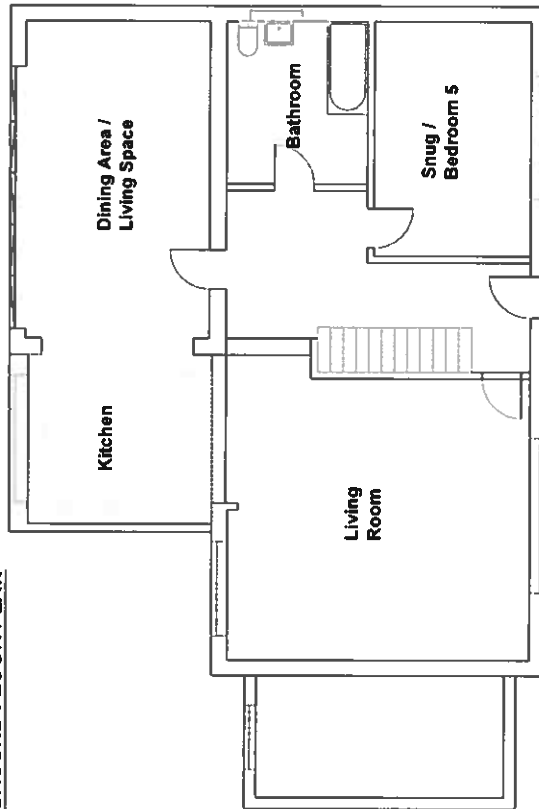


EXISTING AND PROPOSED ELEVATION PLANS

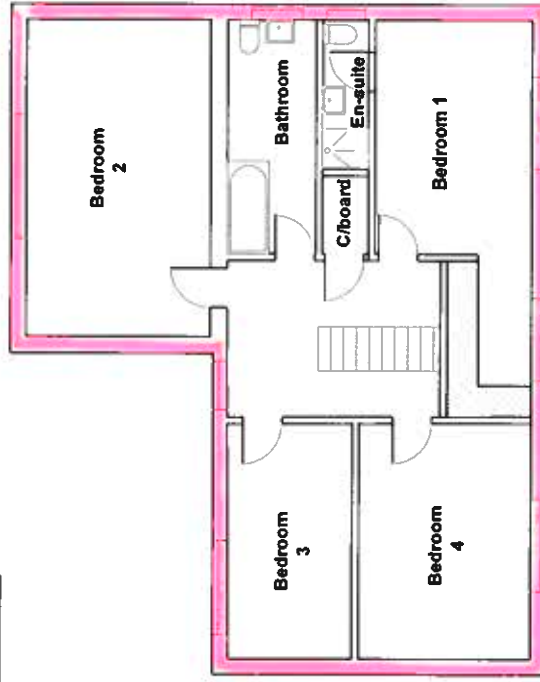
EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



19-001	Original Drawing	07/08/19
1:100 @A3		
SJ0655		
SB		
4 OF 4	ISSUE	07/08/19

Mr & Mrs R. Jones  
 8 Lon Nant  
 Denbigh  
 Denbighshire  
 LL16 4BE

EXTENSION OF  
 8 LON NANT

EXISTING ELEVATIONS

19-002



**WARD :** Denbigh Lower

**WARD MEMBERS:** Cllr Mark Young (c )  
Cllr Rhys Thomas

**APPLICATION NO:** 01/2019/0752/ PF

**PROPOSAL:** Proposed erection of extension and alterations to dwelling

**LOCATION:** 8 Lon Nant Denbigh

**APPLICANT:** Mrs Anna Jones

**CONSTRAINTS:** None

**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

**C CONSULTATION RESPONSES:**

DENBIGH TOWN COUNCIL

"No objections were raised.

The town councillors would like it noted that the extension will have an impact on no 10. Is there sufficient light to no 10? Will there be an impact on the adjoining property?"

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

D & K Berry, 10 Lon Nant Denbigh (O)

Summary of planning based representations in objection:

Residential amenity:

- Neighbouring property, No. 10 is a triangular plot. Only private garden area is small back garden, which is already overshadowed by No.12 (other neighbouring property)
- Privacy and overlooking - Bedroom 3 would be 2.7m from garden boundary at closest and 7.2m at farthest – extension would result in overlooking.
- Overbearing impact - Proposal would result in garden feeling as if it's surrounded on each side and will create an oppressive feeling.
- Would limit light to garden
- Due to the above, proposal would spoil neighbour's enjoyment of their house and garden, and therefore their wellbeing and contrary to Residential Development SPG.

Visual amenity:

- Converting a bungalow into a two-storey house would not be subordinate in scale and form to existing dwelling, contrary to RD3 and Residential Development SPG.

**EXPIRY DATE OF APPLICATION: 27/10/2019**

**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 proposal is for alterations and extensions to an existing single storey detached dwelling to create a two-storey house, through raising the height of the roof to facilitate the formation of first floor accommodation.
- 1.1.2 A single storey lean-to extension is also proposed to replace an existing conservatory extension to the rear.
- 1.1.3 The existing dwelling is a detached bungalow with a pitched roof which has an eaves height of 2.3m and a ridge height of 4.1m. Accommodation comprises 3 bedrooms, bathroom, living room, kitchen / diner, conservatory and an attached flat roof garage.
- 1.1.4 The dwelling as proposed would have an eaves height of 5.1m and a ridge height of 6.9m. The proposed accommodation would comprise living room, kitchen, dining area, bathroom and snug / bedroom at ground floor, with a further 4 bedrooms, ensuite and bathroom at first floor. The attached garage would be retained as existing.
- 1.1.5 The plans showing the details are reproduced at the front of the report.

#### 1.2 Description of site and surroundings

- 1.2.1 The existing dwelling is a detached bungalow which is situated on a cul de sac on a residential housing estate at Lon Nant in Denbigh.
- 1.2.2 There is a mix of single storey and two-storey housing along the cul de sac, with the property being one of row of bungalows, with the neighbour to the north (No. 6 Lon Nant) being another bungalow, and the neighbour to the south-west (No. 10 Lon Nant) being a two-storey detached property.
- 1.2.3 No 6 and No 8 Lon Nant are 'side to side' dwellings with aligned front and rear elevations, whereas No. 10 occupies a triangular shaped plot on the road as it bends into the cul de sac turning head, meaning this property is orientated at an angle to No. 6. Whilst there is garden area to the side and rear of No. 10, the only private area of garden is a small triangular shaped area which abuts the curtilage of the application site.
- 1.2.4 The rear garden of the application site abuts the curtilage of two further properties; No. 12 Lon Nant and No. 9 Blaen Wern.

#### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of Denbigh in the LDP.

#### 1.4 Relevant planning history

- 1.4.1 The section's record include reference to an application for a certificate of lawfulness application in 2017, relating to an extension to the property.

#### 1.5 Developments/changes since the original submission

- 1.5.1 None.

#### 1.6 Other relevant background information

- 1.6.1 None.

### **2. DETAILS OF PLANNING HISTORY:**

- 2.1 01/2017/0585. Lawful development certificate for a proposed extension and alterations to dwelling. Refuse to Certify 07/08/2017.

### 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, subject to the assessment of the specific impacts of the development proposed which 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.

Public representations on the visual amenity impacts have been made raising concerns over the scale and form of the extension.

The existing dwelling is a detached bungalow situated on a 1970s housing estate, and whilst it is one of a row of bungalows in this part of the estate, it is to be noted there is a mix of detached bungalows and two-storey dwellings along the Lon Nant cul de sac, and accordingly it is not considered the proposal would be out of keeping with the character and appearance of the locality, and as such there would be no obvious conflict with Policy RD1i).

However, it is relevant that Policy RD3 obliges proposals for extensions to be subordinate in scale and form to the original dwelling, and be sympathetic in design, scale, massing and materials to the character and appearance of the existing building.

Having regard to the nature and scale of the proposal, which is to convert a modest sized bungalow into a large 4/5 bed two-storey dwelling, which would result in the internal floor space being close to doubled and the eaves height and ridge height being increased some 2.8m, this would undoubtedly alter the character and appearance of the dwelling, in conflict with Policy RD3 tests i) and ii).

Overall, whilst acknowledging there is conflict with Policy RD3, Officers consider that due weight should be given to the fact the existing dwelling is a modest 1970's estate bungalow which has limited architectural merit and that the estate in which it is located comprises a mix of housing types. In this context, it is not considered converting the bungalow into a two storey dwelling would be out of keeping with the locality. Therefore whilst the proposal could not be considered to be subordinate or sympathetic to the existing dwelling in scale and form, it is not concluded the proposals would give rise to any unacceptable adverse impacts on visual amenity.

#### 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 and 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.

Public representations on the residential amenity impacts have been made which raise objection on grounds of privacy and overlooking, overbearing impact and loss of light to a neighbouring property.

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. The SPG recommends first floor bedroom windows should be set back some 7.5m from a boundary to avoid unacceptable overlooking of neighbouring gardens, and 21m from windows in neighbouring properties in a back to back situation.

Owing to the siting and separation distances, Officers do not consider the proposal would adversely impact on the neighbours to the rear (12 Lon Nant and No. 9 Blaen Wern).

**In terms of the impact on the amenity of No. 6 Lon Nant**, this is a bungalow with its rear elevation broadly in line with the rear elevation of No. 8, and therefore the introduction of first floor accommodation would not cause any unacceptable overshadowing of windows in the rear elevation of this neighbouring property.

No. 6 has habitable windows in the side elevation facing towards the side elevation of No. 8, meaning the introduction of a first floor on No 8 may restrict light into these windows, however planning policies do not explicitly seek to protect outlook or light penetration of windows in a side elevation.

There would be no new overlooking of habitable windows as a result of the proposed development.

The introduction of first floor windows in the rear elevation of the enlarged property proposed would introduce a level of overlooking towards the neighbour's rear garden area which does not currently exist. However the properties are side by side neighbours, which is a typical arrangement in housing estates, and as such the additional level of overlooking of the garden area is not considered likely to give rise to a level of harm which would warrant a refusal.

The garden to No. 6 has a depth of approximately 13m, and whilst the proposal would increase the scale, form and massing of No 8, having regard to the size of the garden and the relationship with the application site, Officers do not consider it would result in an unacceptable overbearing or oppressive impact when viewed from the garden area of No. 6.

Officers would therefore conclude the proposal would not unacceptably impact on the amenity of occupiers of No. 6 Lon Nant.

**In terms of the impact on amenity of No. 10 Lon Nant**, this is a two-storey property which occupies a triangular shaped plot fronting the cul de sac turning head. Whilst there is garden area to the side and rear of the property, the only private area of garden is a small triangular shaped rear garden which abuts the curtilage of the application site.

Representations have been received in objection to the proposal due to adverse impacts on the residential amenity of No. 10 Lon Nant on grounds of overlooking, loss of light and overbearing impact when viewed from the rear garden.

No 10 is oriented at an angle to No. 8 such that rear windows in this property face towards the side elevation and rear garden area of No. 8.

Due to orientation of windows, Officers do not consider there would be any unacceptable overlooking of habitable windows as a result of the first floor extension.

The extension would introduce a first floor window which, based on Officers' calculations would be approximately 5m away at its closest point from the side boundary with the neighbouring property. Whilst this is less than the recommended 7.5m set back suggested in the Residential Development SPG, it is of note that the 7.5m set back typically applies to a back to back situations, and if a direct line of sight



is taken from the window, it would be some 11m from the boundary, therefore having regard to the orientation of first floor windows in relation to the neighbour's garden, Officers do not consider the proposal would result in an unacceptable level of overlooking of the neighbour's garden.

The objections also raise concerns relating to overbearing impact on the grounds that the proposed first floor extension, in combination with the existing lean-to extension to the rear of No. 12 Lon Nant, would result in the back garden to No. 10 feeling as if it is surrounded on each side and will create an oppressive feeling in the garden.

Having regard to the shape and limited size of the rear garden to No. 10, it is considered the introduction of first floor accommodation to No. 8 would detrimentally affect the outlook from this garden area and would create a feeling of being 'hemmed in' by surrounding built development, and would have an overbearing impact, which would be detrimental to the amenity currently enjoyed by occupiers of the neighbouring property.

It is therefore Officers' opinion that the proposed first floor extension would result in an overbearing impact when viewed from the rear garden area of No. 10 Lon Nant, which would be detrimental to the residential amenity of the neighbouring property, contrary to the Policy RD1 vi) and the advice and guidance contained in the Residential Development SPG.

#### 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 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 Government's 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, the proposal is considered likely to give rise to an overbearing impact on the neighbouring property, and is therefore recommended for refusal.

#### **RECOMMENDATION: REFUSE-** for the following reason:-

1. It is the opinion of the local planning authority that the proposal would result in an overbearing impact when viewed from the rear garden area of the neighbouring property, No.10 Lon Nant, which would be detrimental to the residential amenity currently afforded to the occupants of that property, contrary to Denbighshire Local Development Plan Policy RD1 vi) and the advice and guidance contained in the Residential Development Supplementary Planning Guidance Note.