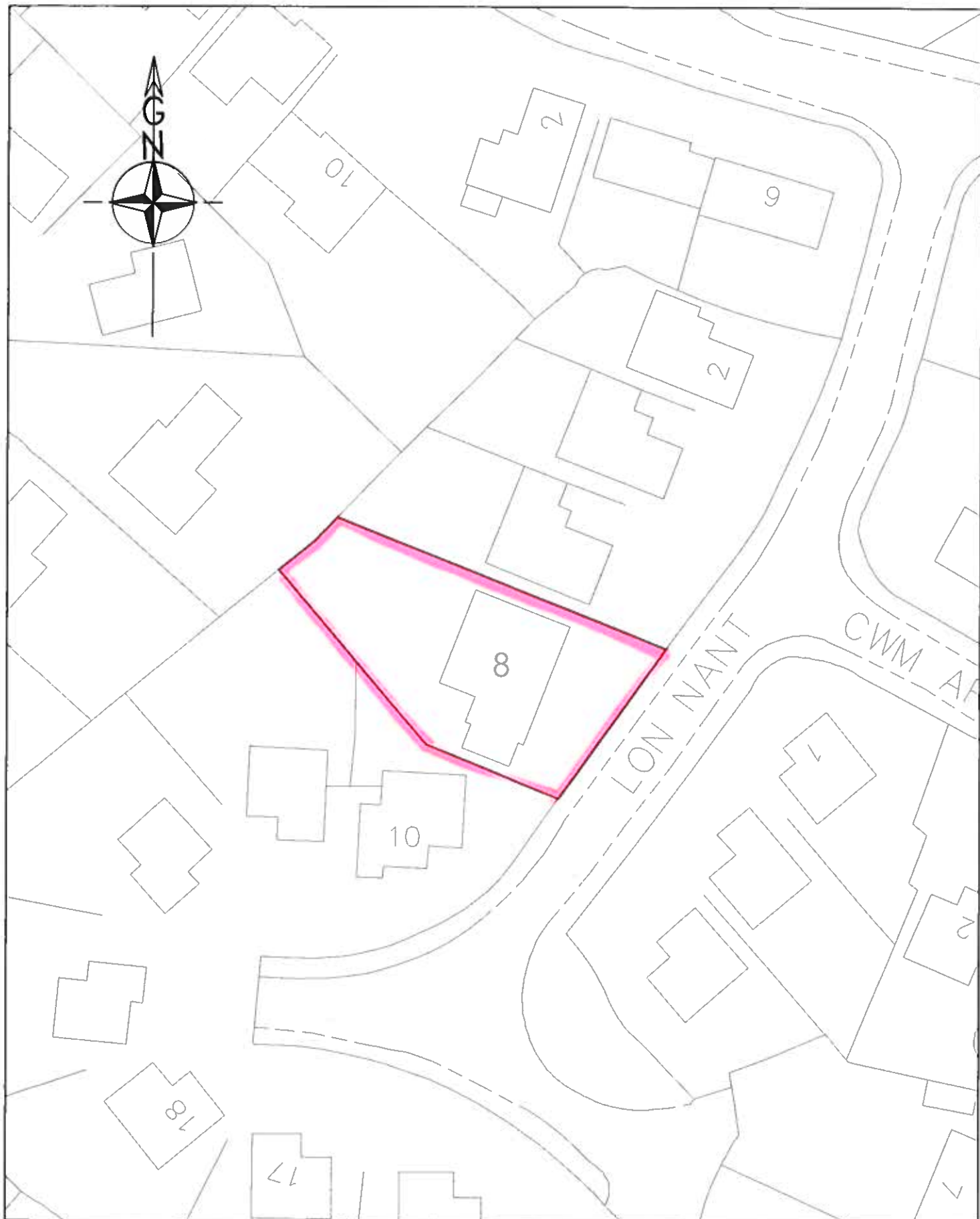


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01/2019/0752

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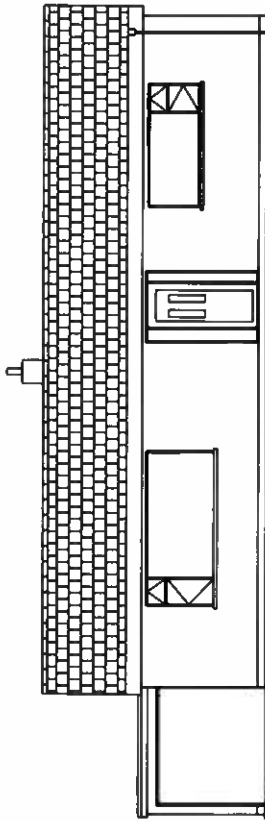
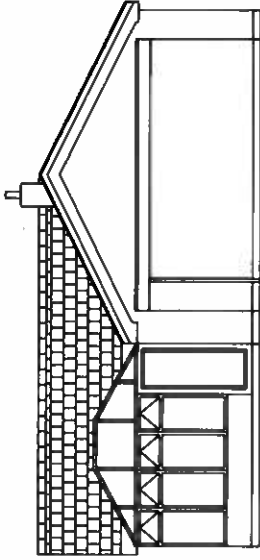
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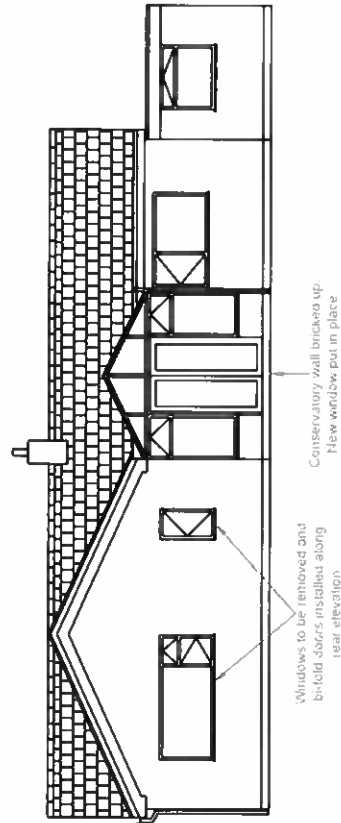
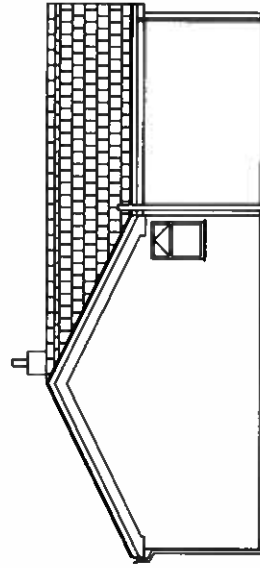
PROPERTY
8 Lon Nant
Denbigh
LL16 4BE

JOB NUMBER 19-001 DRAWING SCALE 1:500 @A4 APPROVAL AND ENDORSEMENT SJ0665 DRAWN BY S Brookes PAGE 1 OF 4	AMENDMENTS		SCHEME
	A	Original	07/08/19
	DRAWING DESIGN		DRAWING TITLE
	Issue		EXTENSION AT 8 LON LANT, DENBIGH
	LAY OUT DATE		LOCATION PLAN
	07/08/19		DRAWING NUMBER
			19-001

EXISTING FRONT ELEVATION (EAST)



EXISTING REAR ELEVATION (WEST)



19-001 1:100 @A3 S J0655 S Brooks	A Original Drawing 07/08/19	Mr & Mrs R Jones 8 Lon Nant Denbigh Denbighshire LL16 4BE	EXTENSION OF 8 LON NANT EXISTING ELEVATIONS
	2 OF 4 ISSUE 8 07/08/19	19-001	

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

Original windows to ground floor

Conservatory wall bricked up. New window put in place

PROPOSED REAR ELEVATION (WEST)

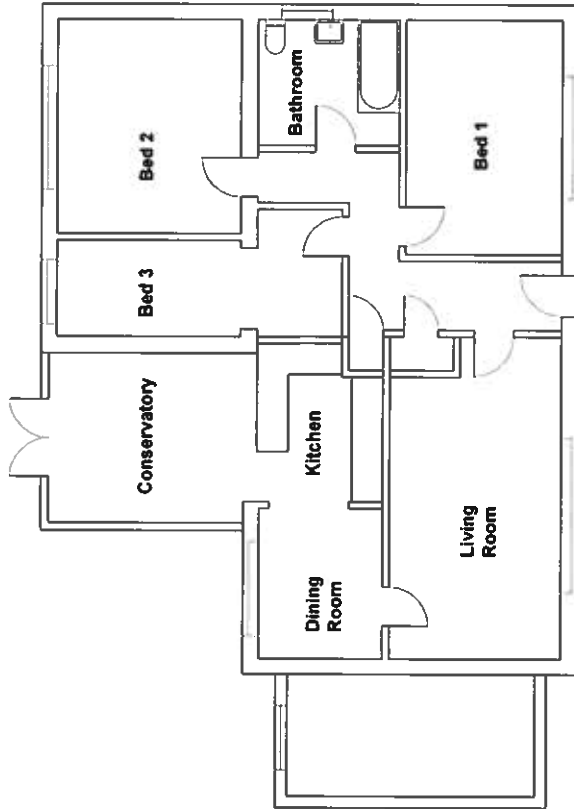
Frosted glass to side elevation windows

PROPOSED REAR ELEVATION (NORTH)

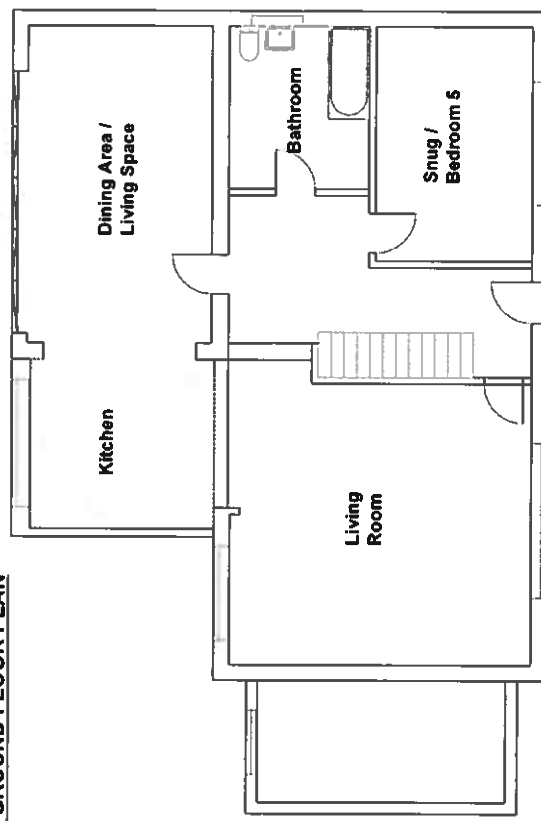
JOB NUMBER 19-001	DRAWING SCALE 1:100 @A3	DRAWING DATE 07/08/19	DRAWING BY S BROOKES	ISSUED BY ISSUE	CLIENT Mr & Mrs R Jones	ADDRESS 8 Lon Nant Denbigh Denbighshire LL16 4BE	EXTENSION OF 8 LON NANT	NOTES 1. Facing brickwork to match existing 2. Pitch of roof to match existing 3. Roof tiles to be in keeping with original tiles	19-001

EXISTING AND PROPOSED ELEVATION PLANS

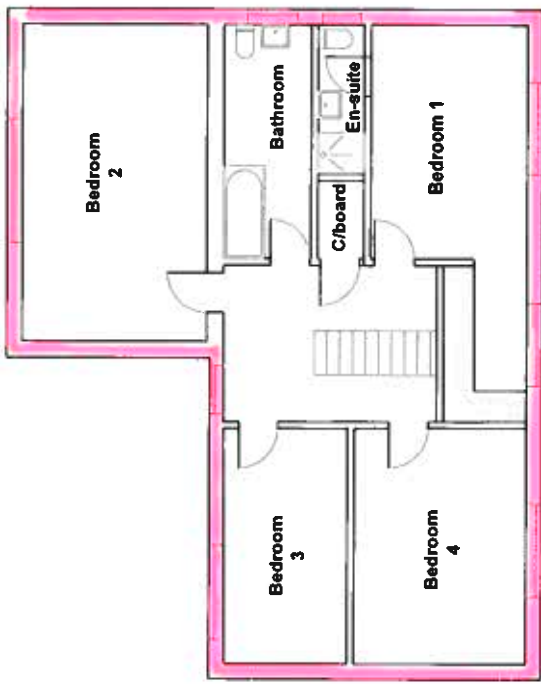
EXISTING GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED FLOOR PLAN

19-001		Mr & Mrs R Jones		EXTENSION OF 8 LON NANT		19-002	
1:100 @A3		8 Lon Nant Denbigh Denbighshire LL16 4BE		EXISTING ELEVATIONS			
SJ0655							
SB							
4 OF 4		Issue					
07/08/19							

WARD : Denbigh Lower

WARD MEMBERS: Councillors Mark Young (c) and 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

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

Summary of planning based representations in objection:

- Original comments:

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 close to the shared garden boundary – extension would result in overlooking of neighbouring property which would not be mitigated by boundary treatment.
- 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.

- Late representations reported to November Planning Committee:

Background Information

In relation to applicant's claim that that 10 Lon Nant have no privacy to the front and side garden, whilst raising the height of the hedge to a level that would provide privacy from the houses opposite, it would cut off light from garden and living room window and would not be in keeping with the neighbouring properties.

The document notes that the extensions to no 10 and 12 overlook the garden of number 8 however since these were extensions to existing 2-storey houses they did not substantially change anything as far as No. 8 is concerned and, in particular, the extension to No. 10, did not affect "the privacy of 8 Lon Nant" and as such set "a precedent for acceptability". Indeed the claim that the application is of "this type of two-storey rear extension" is not valid as the proposal involves turning a bungalow into a two-storey house and not extending an existing two-storey house.

Privacy and overlooking

Accept figures in original objection were incorrect, however the separation distance of 4.5m is still substantially less than the 7.5m adequate separation distance in the SPG. Also suggest that a 45° viewing angle is very conservative. Someone in Bedroom 3 would have a viewing angle of about 60° overlooking our entire rear garden. The fence would not substantially mitigate this.

Overbearing Impact

Whilst the application does conform to the requirements in SPG with reference to windows and distance to boundary, still maintain that the drawings provided with original objection clearly show the overbearing impact the extension will have on the garden.

Right to light

Have not claimed that the proposed extension affects the light in the house therefore the references to the 45° and 25° rules are not relevant.

Subordinate Scale and form

Reference to other applications which have been granted elsewhere are materially different cases to the proposal, and therefore not relevant to the current application.

SPG states that "the extension should not dominate your house and be positioned to the side or rear." The applicants seem to have read this as stating "the extension should not be positioned to the side or rear." The examples given obviously show that in fact it means "the extension should be positioned to the side or rear." The Welsh version of the guidelines also makes this absolutely clear. This extension does not conform to that guideline.

In terms of floor area we leave it to the planning officers to decide whether it's legitimate to include the garage and conservatory in the calculation.

Objection Sketches

All relevant dimensions i.e. height and position of the houses and fence in the original objection were taken from the submitted plans and our house plans and believe them to be as accurate as possible given the scale of the plans.

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 Consideration of the application was deferred at the November meeting of the Committee to enable a Site Inspection panel to visit the site and surroundings to assess the detailing of the proposals. The notes of the Site panel will be included in the late information sheets for the December meeting.

- 1.1.2 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.
- 1.1.3 A single storey lean-to extension is also proposed to replace an existing conservatory extension to the rear.
- 1.1.4 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.
- 1.1.5 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.
- 1.1.6 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 The applicant submitted an additional statement prior to the November Committee which put forward counter arguments to the objections received to the application. The summary from the Late Information sheets is below:

Privacy and overlooking

The Objector states that the privacy to the rear garden will be negatively affected by the proposed development.

- No windows on the proposal will directly overlook 10 Lon Nant.
- The nearest proposed window is located 5.1m from the boundary with 10 Lon Nant, which is greater than the 2.7m stated in the objection.
- A 7.5m separation distance suggested to prevent overlooking demonstrates that the garden of 10 Lon Nant would be obliquely overlooked by the proposed development.

- 10 Lon Nant and 12 Lon Nant have previously had extensions approved and constructed that directly overlook the property and gardens of 8 Lon Nant. This sets a precedence and refusing on these grounds would be unfair.

Overbearing impact

- The proposed extension does not increase the footprint of the existing building
- There are no windows to the south elevation of 8 Lon Nant
- The proposed extension is between 4m and 6m from the boundary on the southern extent, with the garage (which will not be extended), more than 1m from the boundary.
- 12 Lon Nant has been permitted to complete a two-story extension that abuts the boundary and has ground floor window to the side elevation directly onto the rear garden of 10 Lon Nant. This sets a precedence in this area.

Right to light

The Objector suggests the light to the rear of the property would be negatively affected. Applying the guidance (45 and 25 degree guides), the sight line from ground floor windows does not intersect with the proposed development. The light at 10 Lon Nant will therefore not be affected by the proposed development.

Subordinate scale and form

- Similar types of extensions, in similar areas have been previously approved.
- The present floor area of 8 Lon Nant is 138sq.m with the proposed extension providing additional floor space of 111sq.m, which is subordinate to the original building.
- The proposal is similar to scale and form, with two-storey properties located to the south, east and west of 8 Lon Nant.
- The proposed extension has the same x and y proportions to the existing building, with the roof pitch matching the existing and exterior finishes to match existing.

Conclusion

It is considered that the proposed development will not have any impact upon the neighbour's amenity. It is therefore considered that the proposed development should be approved.

Applicants have established connections to the local area and wish to remain at the property in the long-term, subject to the necessary improvements.

1.6 Other relevant background information

- 1.6.1 The application was originally referred to Committee at the request of Councillor Mark Young to test the impact on amenity due to the amount of two-storey properties already located in this area.

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 4th 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.

Objections have been raised to the visual amenity impacts, including 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 also 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 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 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

There are objections in relation to the residential amenity impacts 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.

The relationship with nearby properties is somewhat complex, particularly at the rear of No 8 Lon Nant, as may be seen from the plans at the front of the report. These relationships have been assessed in detail:

- 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 limit 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 a first floor window in bedroom 2 on the rear elevation of the enlarged property proposed would introduce a potential for overlooking of the rear garden area of No.6, which does not currently exist. However, it is relevant that the rear walls of Nos 6 and 8 run along a similar building line and rear elevation windows face out directly out onto their respective gardens, which is a typical scenario within developments of 2 storey dwellings in housing estates, and as such the additional potential for overlooking of the garden area of No. 6 is not considered likely to be any worse than in a situation where adjoining 2 storey detached and semi detached dwellings have rear bedroom windows looking out onto rear gardens and give rise to an inevitable level of overlooking. In this instance it is not considered the rear bedroom window in bedroom 2 would 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.

Members will note the representations in objection to the proposal on grounds of adverse impacts on the residential amenity of No. 10 Lon Nant, in respect of overlooking, loss of light and overbearing impact when viewed from the rear garden.

It can be seen from the plans at the front of the report that No 10 is orientated at an angle to No. 8 such that rear windows in No 10, including those at first floor level, face towards the side elevation and rear garden area of No. 8.

Due to the respective location and orientation of the proposed first floor windows at the rear of the extension proposed for No 8, Officers do not consider there would be any unacceptable overlooking of habitable windows of No.10 as a result of the proposals.

The extension would introduce a first floor bedroom window which, based on Officers' calculations would be approximately 5m away at its closest point from the side / rear boundary with No.10, which as noted at the rear of the properties runs at an angle relative both properties, narrowing the width of the rear garden of No.8. The orientation of the window and the location of the private rear garden area of No.10 are such that this does create an additional potential for overlooking of that rear garden, albeit the garden of No.10 would only be visible at an angle from the bedroom window, i.e. the garden of No.10 is not directly in front of the bedroom 2 window. This unusual relationship obliges some care to be taken in interpreting the guidance in the Residential Development SPG on distances from windows to boundaries, but in officers opinion given the relationships between the properties, the already confined nature of the area at the rear of the dwellings and the existing levels of overlooking experienced in the rear garden of No.8 from first floor windows at the rear of No. 10, it is considered the potential for overlooking from the new rear bedroom window at No. 8 into the rear garden of No. 10 would not be so significant as to justify a refusal recommendation.

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 of No. 10 feeling as if it is surrounded on each side and would 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 a first floor to No. 8 would have a detrimental effect on 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 relevant planning considerations, it is considered the extension is likely to result in an overbearing impact on the neighbouring property, and is therefore recommended for refusal.

RECOMMENDATION: REFUSE TO GRANT PERMISSION 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.