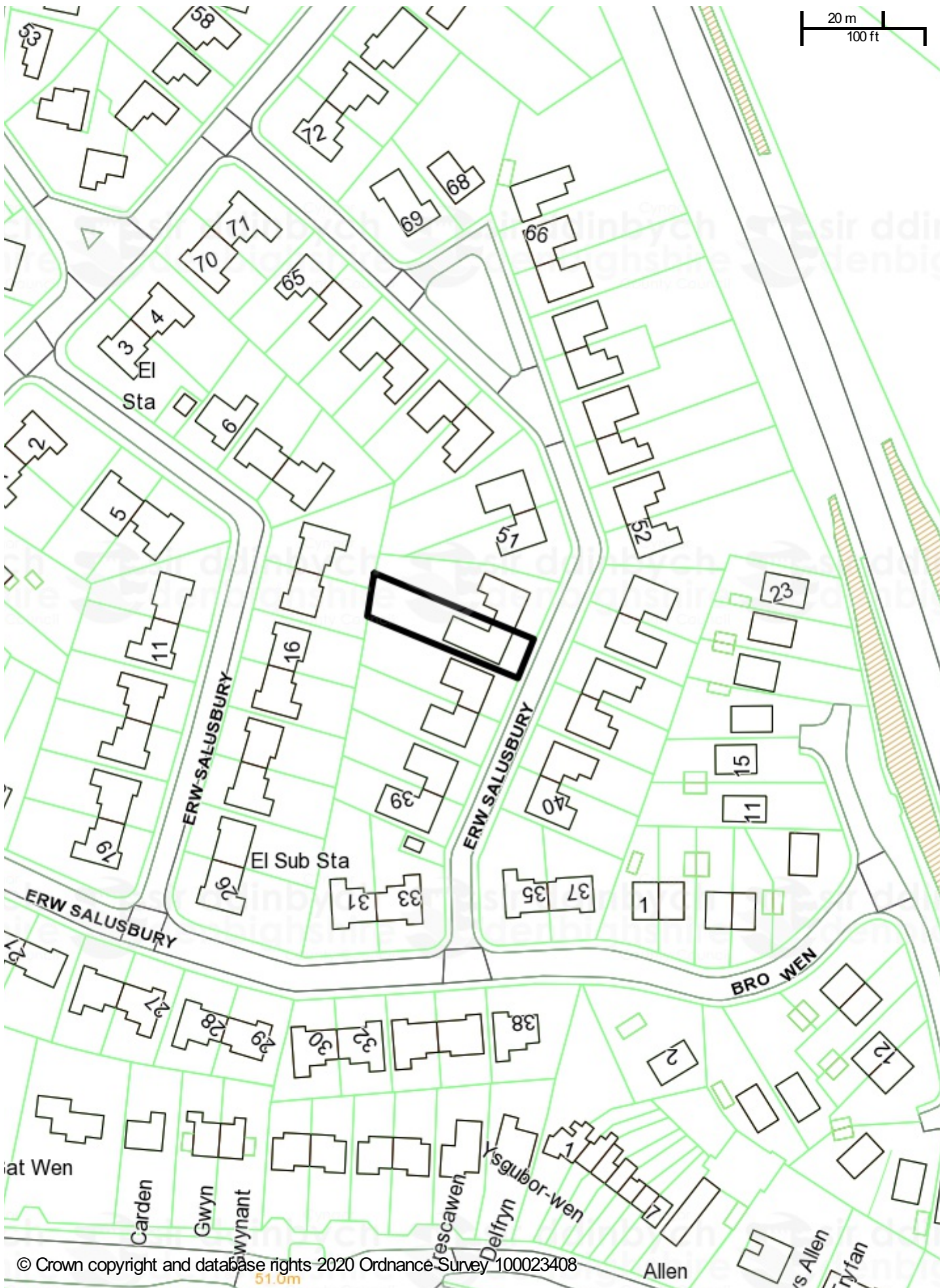


20 m  
100 ft



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01/2020/0808

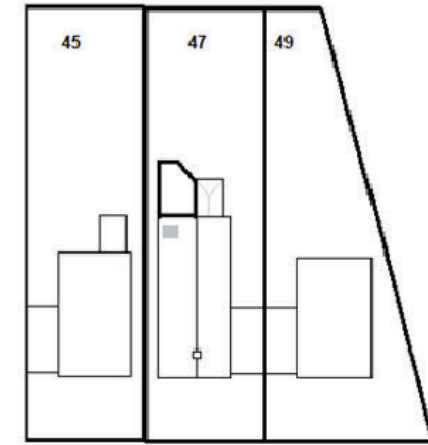
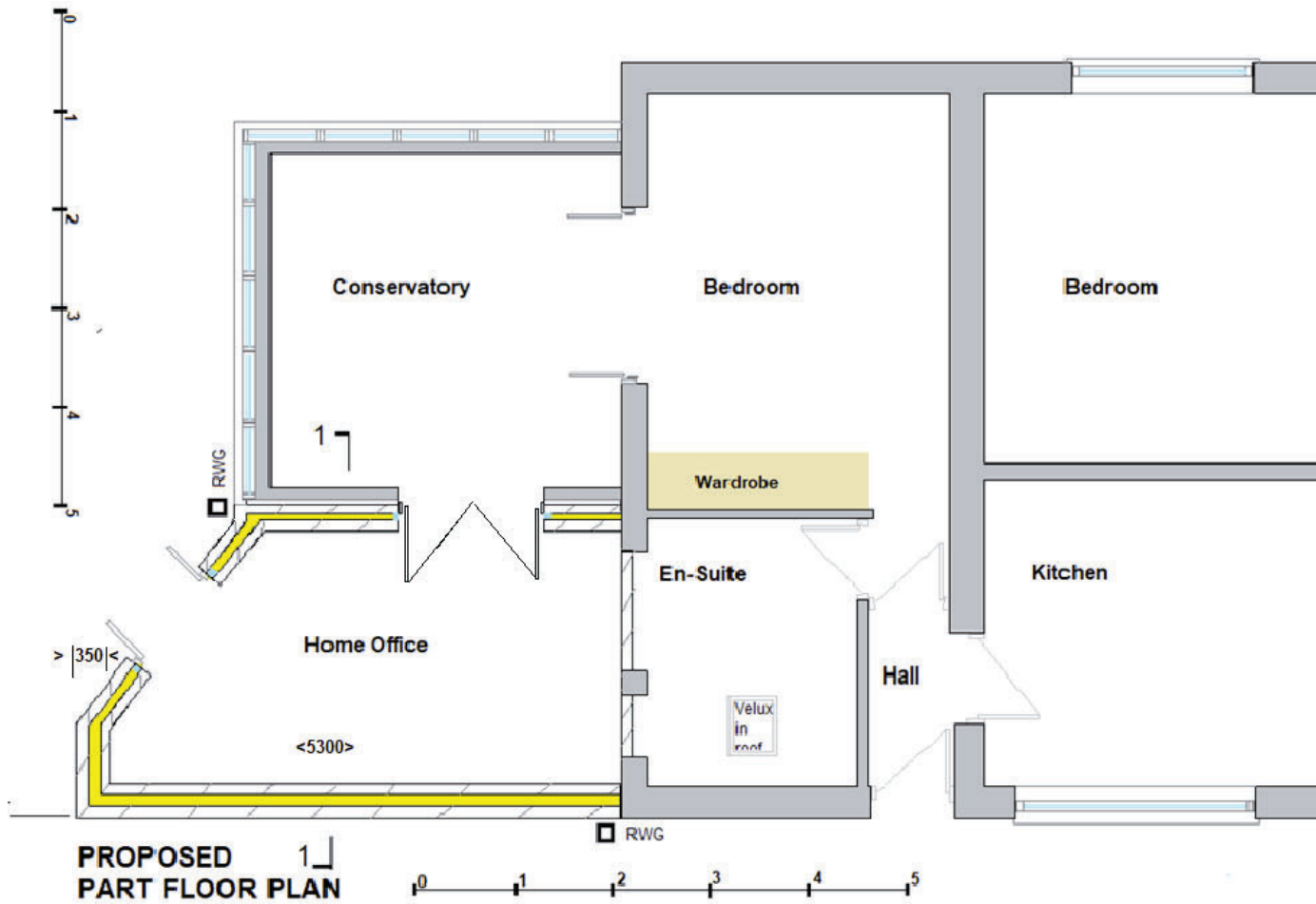
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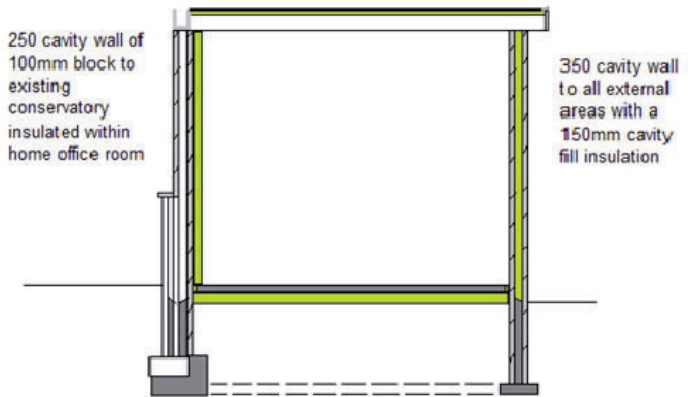
© Denbighshire County Council





PROPOSED BLOCK  
PLAN 1 : 500

250 cavity wall of  
100mm block to  
existing  
conservatory  
insulated within  
home office room



SECTION

**Owen's Design & Consultancy**  
Chartered Building Surveyor  
Architectural and Structural Design Consultants

47 Erw Salisbury, Denbigh

Scale as shown

Ref **2064-02**





## Eitem Agenda 5 / Agenda Item 5





## Eitem Agenda 5 / Agenda Item 5







## Eitem Agenda 5 / Agenda Item 5





**WARD :** Denbigh Lower

**WARD MEMBER(S):** Cllr Mark Young (c)  
Cllr Rhys Thomas

**APPLICATION NO:** 01/2020/0808/ PF

**PROPOSAL:** Erection of a single storey flat roof extension to rear of dwelling

**LOCATION:** 47 Erw Salusbury Denbigh LL16 3HN

**APPLICANT:** Mr Mark Evans

**CONSTRAINTS:** None

**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 – Town / Community Council objection

**CONSULTATION RESPONSES:**

DENBIGH TOWN COUNCIL – Objections.

There were concerns as to the actual size of the extension in addition to the existing extension made. This will have an impact on neighbouring properties – light and being overlooked. The extension is also not in keeping with other properties in the location

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Mr. & Mrs. R. Ian Roberts, Bryn Rhydd, 45, Erw Salusbury, Denbigh

Summary of planning based representations in objection:

1. Dwelling already extended previously. Proposed extension would significantly increase original footprint of dwelling.
2. Adverse impact on residential amenity of neighbouring property – would be ‘boxed in’
3. Considers plans inaccurately plotted neighbouring property.

**EXPIRY DATE OF APPLICATION: 22/12/2020**

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

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

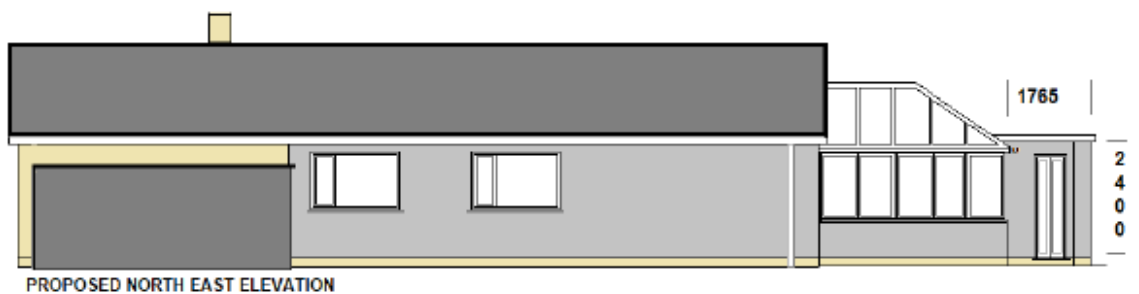
**1. THE PROPOSAL:**

1.1 Summary of proposals

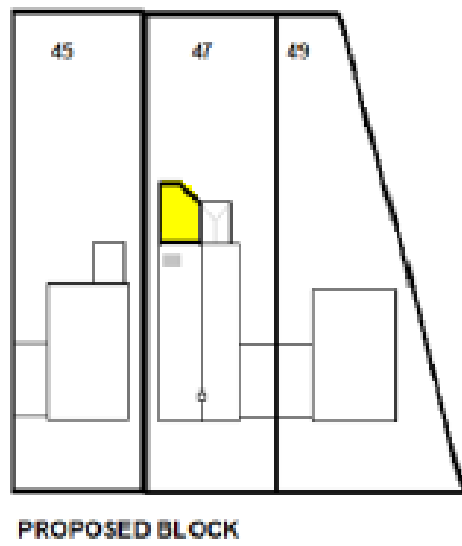
- 1.1.1 The proposal is for a single storey flat roof extension to the rear of the dwelling.
- 1.1.2 The extension would project some 5.6 metres from the rear elevation and would have a height of approximately 2.6 metres about ground level. The extension would be located to the side of an existing conservatory.

1.1.3 Walls would be rendered and no windows are proposed in the side elevation facing towards the neighbouring property.

1.1.4 Proposed elevations are shown below:



1.1.5 Proposed site plan showing relationship of proposed extension to surrounding buildings (extension marked in yellow):



## 1.2 Description of site and surroundings

1.2.1 The dwelling is a bungalow which is situated in on a housing estate in Denbigh. The property has previously been extended to the rear. There is also a conservatory located to the rear of the property.

1.2.2 Properties along Erw Salusbury are mainly bungalows, which includes the neighbouring property to the south, 45 Erw Salusbury. The neighbouring property also has a conservatory to the rear and the side boundary between the two properties is marked by timber fencing and an established hedge.



1.2.3 Photos of the site:



1.2.4 Photos of the shared boundary with the neighbour:



1.3 Relevant planning constraints/considerations  
1.3.1 Within Denbigh development boundary.

1.4 Relevant planning history  
1.4.1 None.

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 N/A

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

### 3.1 Local Policy/Guidance

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

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Residential Development

### 3.2 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.

Representations on the visual amenity impacts have been made by a member of the public and have raised concerns that the extension would significantly increase the footprint of the original dwelling.

Whilst the dwelling appears to have been previously extended to the rear and benefits from a conservatory, having regard to the design, siting, scale, massing and materials of the proposed extension, in relation to the character and appearance of the dwelling itself, the locality and landscape, it is considered the proposals would not represent overdevelopment of the site and nor would it have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

#### 4.2.3 Residential Amenity

Criteria iii) of Policy RD 3 requires that a proposal does not represent an overdevelopment of the site.

Criteria vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself.

The Residential Development SPG states that no more than 75% of a residential property should be covered by buildings. The Residential Space Standards SPG specifies that 40m<sup>2</sup> of private external amenity space should be provided as a minimum standard for residential dwellings.

Representations on the residential amenity impacts have been made by members of the public, which raised concerns regarding the impact of the proposed extension on the residential amenity of the neighbouring property to the north, No. 45.

The proposal is for a flat roof single storey extension which would project some 5.6m out from the rear elevation of the dwelling.

The Residential Development SPG advises one of the main issues involved with rear extensions is the need to protect the amenities of occupiers of dwellings immediately adjoining a proposed extension in terms of protecting privacy, maintaining sunlight and daylight and maintaining a reasonable outlook. The SPG refers to a '45 degree guide' which provides a tool to help assess the impact of rear extensions on neighbouring properties.

The 45 degree guide is applicable in this instance and it would appear that the 45 degree line from the windows in the rear elevation of the neighbouring property would be breached by the proposed extension. However, due regard also has to be had to the scale and form of the extension and the boundary treatments.

In this case, the extension proposed has a flat roof which would be only 2.6m in height, and having regard to the presence of timber fencing and the established hedge which marks the boundaries between the two properties, Officers do not consider the proposal would give rise to an unacceptable level of overshadowing of the neighbour's rear windows, conservatory or garden area which would warrant a recommendation of refusal of planning permission on residential amenity grounds, and nor would it be of a scale which would give rise to an overbearing impact on the neighbouring property.

The proposed extension also does not include any window or doors in the side elevation facing towards the neighbouring property.

In respecting the concerns of the occupier of the neighbouring property, having regard to the scale, location and design of the proposed development, it is not considered that the proposals would have an unacceptable adverse impact on residential amenity on the neighbouring property, and would therefore be in general compliance with the tests of the policies referred to.

#### Other matters

##### Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has 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, the application is considered to be acceptable and is recommended for grant.

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

1. The development to which this permission relates shall be begun no later than 13 January 2026



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. 2064-03) received 6 November 2020
  - (ii) Existing floor and site plan (Drawing No. 2064-01) received 6 November 2020
  - (iii) Proposed floor and site plan (Drawing No. 2064-02) received 6 November 2020
  - (iv) Location plan received 15 October 2020
  - (v) Aerial photograph and site plan (Drawing No. 2064-04) received 7 December 2020

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.