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**47/2021/0257**



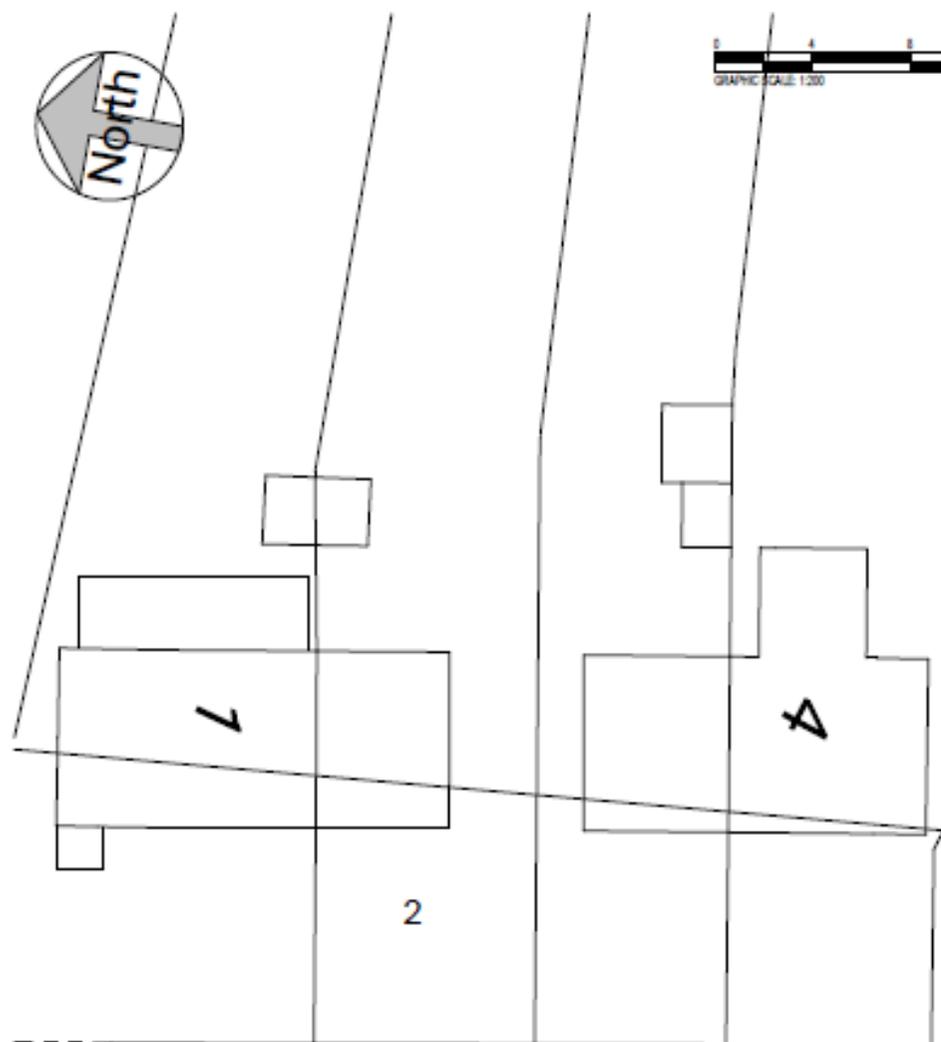
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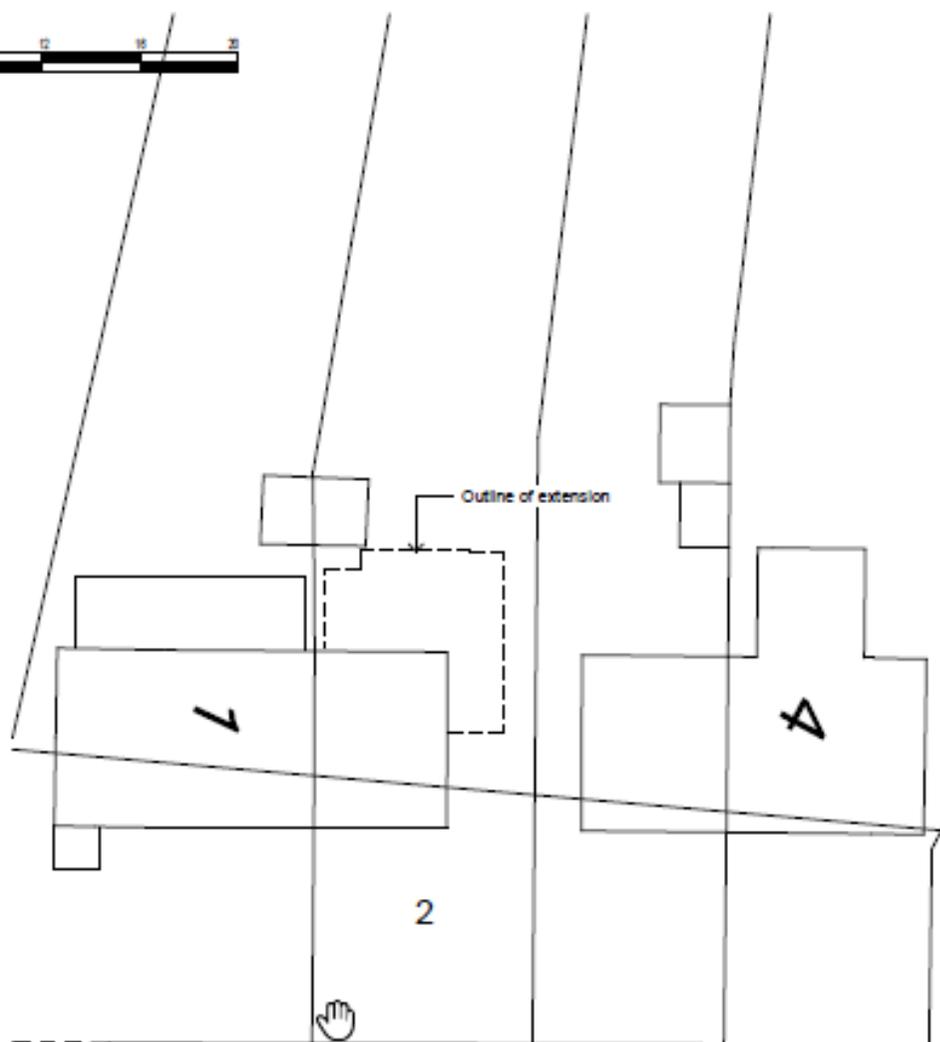
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**Existing Site Plan**

1 : 200



**Proposed Site Plan**

1 : 200

No.	Description	Date



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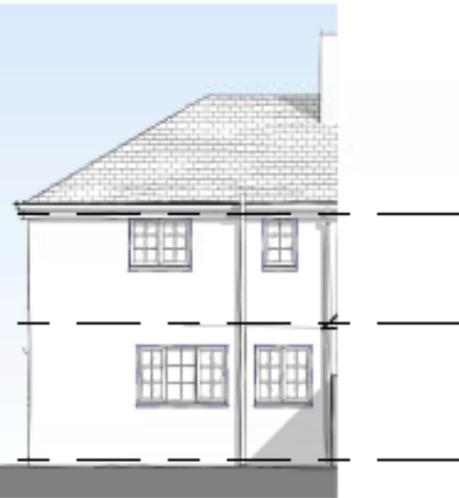
PROJECT	2 Byn Ibod, Waen, St Asaph, Denbighshire LL17 0DY		
SHEET	Existing And Proposed Site Plans		

CLIENT	Mr & Mrs Pattison		
Date	1.20	Project number	2247
Drawn by	Author	Scale (to A3)	1 : 200
		DRAWING NUMBER	P204
		REV	



# Existing Elevations

- Level 3 - Roof Plan  
4870
- Level 2 - First Floor Plan  
2730
- Level 1 Ground Floor Plan  
0



**East Elevation**  
1 : 100



**Rear View**



**Front View**

- Level 3 - Roof Plan  
4870
- Level 2 - First Floor Plan  
2730
- Level 1 Ground Floor Plan  
0



**West Elevation**  
1 : 100

- Level 3 - Roof Plan  
4870
- Level 2 - First Floor Plan  
2730
- Level 1 Ground Floor Plan  
0



**South Elevation**  
1 : 100



No.	Description	Date



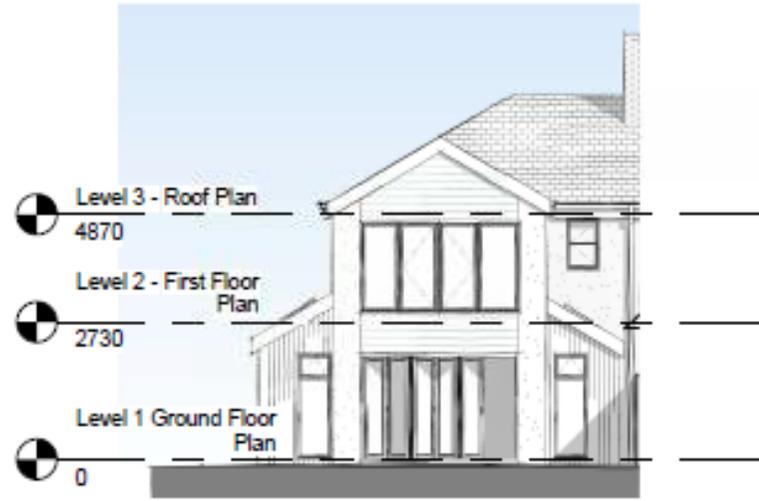
designer

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PROJECT 4 Slyn Ibood, Waen, St Asaph, Denbighshire LL17 0DY		CLIENT <b>Mr &amp; Mrs Pattison</b>	
SHEET <b>Existing Elevations</b>		Date 30.11.20	Project number 2247
		Drawn by: GC	Scale (to A3) 1 : 100
			DRAWING NUMBER P102
			REV



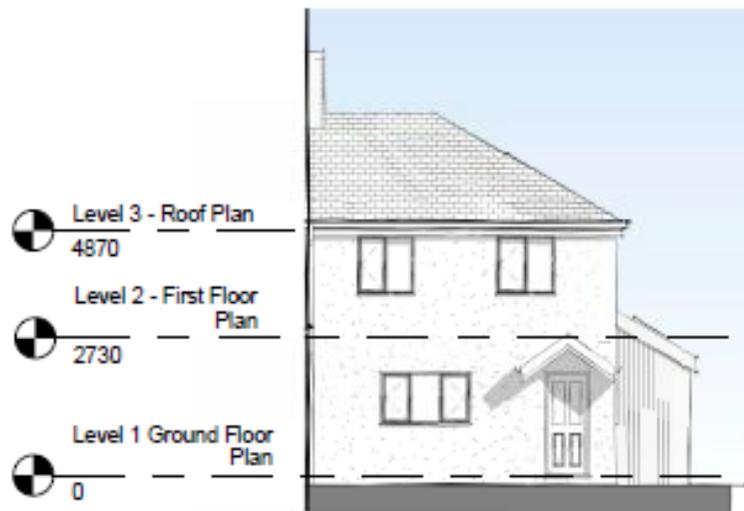
# Proposed Elevations



Rear View



Front View



1 : 100

tion



	<p>Glenn Cavill Ltd - Architectural Designer www.glenncavill.com</p> <p>GENERAL NOTE: This drawing is for planning purposes only and not for construction. Any discrepancies should be highlighted and reported accordingly. Full copyright is to Glenn Cavill Ltd and any use by a third party should be via prior written agreement with Glenn Cavill Ltd.</p>	PROJECT	CLIENT		
		2 Byn Ibod, Waen, St Asaph, Denbighshire LL17 0DY	Mr & Mrs Pattison		
SHEET	Proposed Elevations	Date	Project number	Scale (@ A3)	
		30.11.20	2247	1 : 100	
		Drawn by: GC	DRAWING NUMBER	REV	
			P202		





Front of property





Rear of property and adjoining property





Rear of property and adjoining property





Rear of property and other neighbouring property



**WARD :** Tremeirchion

**WARD MEMBER(S):** Cllr Christine Marston (c)

**APPLICATION NO:** 47/2021/0257/ PF

**PROPOSAL:** Erection of rear two storey extension with adjoining single storey extension

**LOCATION:** 2 Bryn Ibod Waen St Asaph

**APPLICANT:** Pattison

**CONSTRAINTS:** N/A

**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:**

TREMEIRCHION, CWM & WAEN COMMUNITY COUNCIL

Our Council has considered this application.

It wishes to object to the proposal on the grounds:

- i) That what is proposed is so large that it will significantly block natural light falling on the neighbouring property.
- ii) One large patio style window in the application will overlook the neighbours' property significantly compromising their privacy.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

John Piper, 1 Bryn Ibod, Waen

Summary of planning based representations in objection:

- Adverse impact on amenity of neighbouring property due to overshadowing and overbearing impact.
- Extension would be built over the existing main sewer.
- Overdevelopment as it is far bigger than the current existing property.
- Would affect party wall with neighbouring property.

**EXPIRY DATE OF APPLICATION: 17/05/2021**

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

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

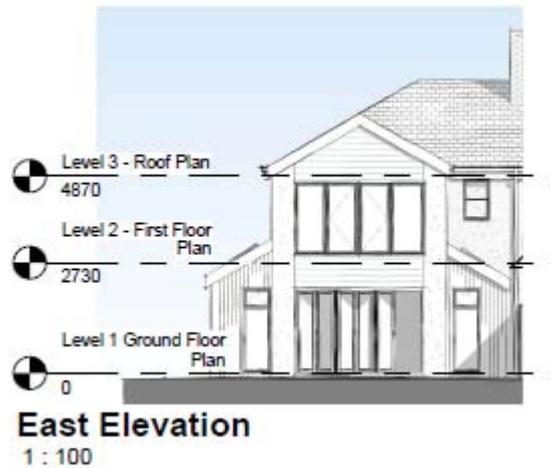
1.1 Summary of proposals

- 1.1.1 The proposal is for the erection of a two storey extension to the rear of the property, with single storey lean-to extension either side, as shown on the proposed plans.

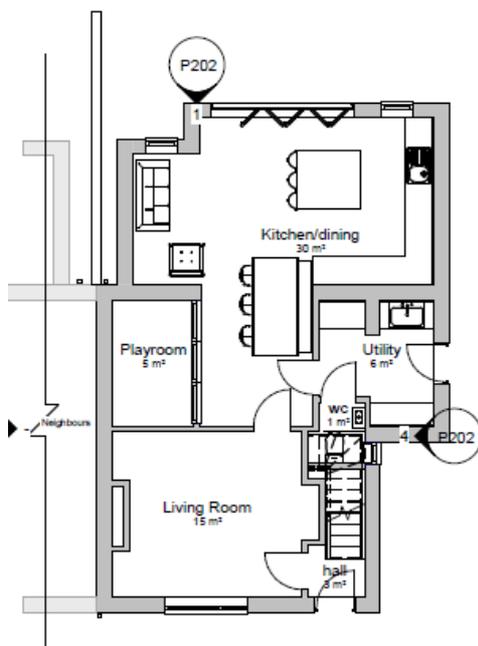
1.1.2 Members will note this item was deferred from the previous Committee (June) for a Site Panel to take place. The details of the Site Panel meeting will be reported on the late representation sheets.

1.1.3 The extension would project 4 metres from the rear elevation, and would accommodate a kitchen / diner and utility room at ground floor level and a bedroom above.

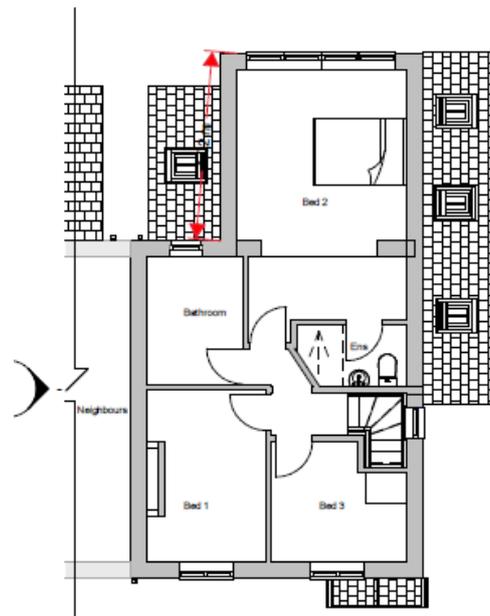
Proposed rear elevation:



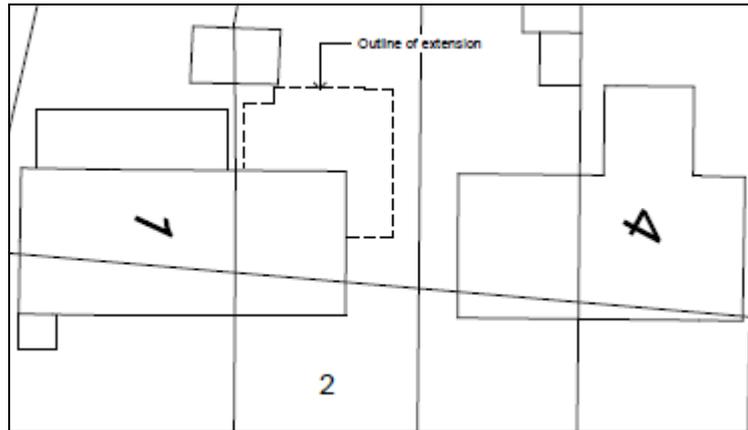
Proposed ground floor plan:



Proposed first floor plan:



Proposed site plan:



Proposed size plan (annotated by Officers)



## 1.2 Description of site and surroundings

- 1.2.1 The site is a semi-detached property which forms part of a small row of properties facing the public highway, which is located in an open countryside location.
- 1.2.2 There are neighbouring properties to either side, and the adjoining property has a single storey extension to the rear.
- 1.2.3 The boundary with the adjoining neighbour is marked with a brick wall and timber fence, and there is an outhouse in the rear garden which is attached to similar outhouse in the neighbour's garden.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies in an open countryside location.

1.4 Relevant planning history

1.4.1 None of relevance.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 Public representations have noted the extension would be built over a mains sewer.

1.6.2 Members are advised that mains sewer infrastructure is protected under separate water industry legislation, and accordingly the applicant would need to obtain formal, separate consent from Dwr Cymru Welsh Water to build over their assets.

1.6.3 Members are reminded that planning decisions should not duplicate control under other legislation. However, should planning permission be granted, a note to applicant is proposed to be included on the decision notice to advise the applicant of the separate legislative requirements. In Officers opinion, the presence of mains sewers within the site is not a material planning consideration in the determination of this application.

**2. DETAILS OF PLANNING HISTORY:**

2.1 None of relevance.

**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 RD3** – Extensions and alterations to existing dwellings

**Policy ASA3** – Parking standards

Supplementary Planning Guidance:

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Space Standards

3.2 Government Policy / Guidance

Planning Policy Wales Edition 11 February 2021

Development Control Manual (2016)

Future Wales – The National Plan 2040

3.3 Other material considerations

**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 11 (February 2021) 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.

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.

The visual amenity and landscape impacts of development should be regarded as a potential material consideration.

A public representation has raised concerns that the proposal would represent overdevelopment of the site.

Whilst respecting the concerns raised, Officers consider the proposed extension would be subordinate in scale to the original dwelling, and would also be sympathetic in design, scale, massing and materials. The property has a large rear garden, and having regard to the scale and footprint, it is not considered to represent overdevelopment of the plot.

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 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.

The residential amenity impacts of development should therefore be regarded as a potential material consideration.

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.

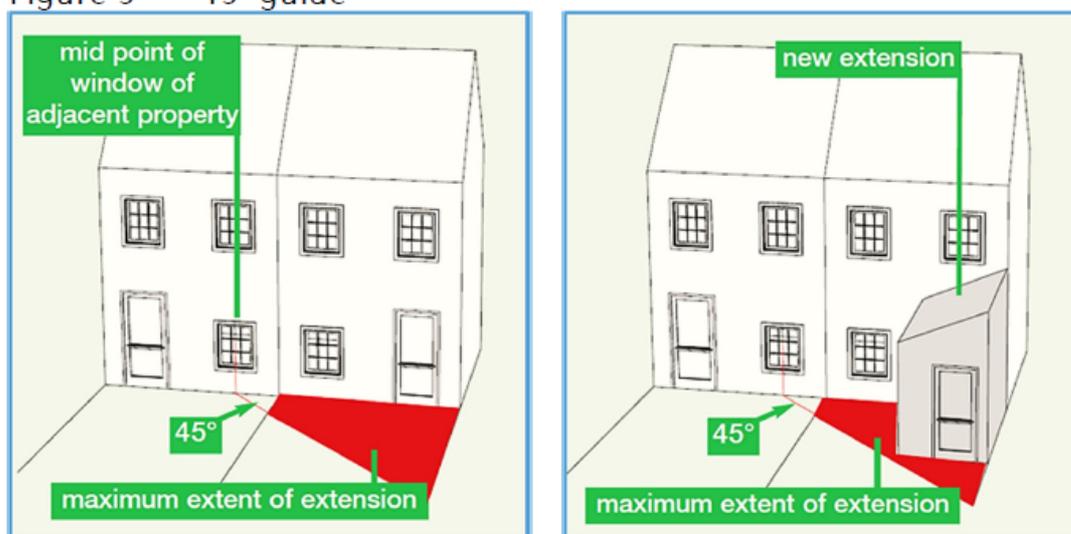
Representations on the residential amenity impacts have been made by the Community Council residential neighbour on grounds of overbearing impacts and overshadowing on neighbouring property.

The proposal is for a two storey extension with single storey lean two extensions either side. The two storey element is stepped in from the boundary with the neighbouring property by approximately 1.9 metres.

The Residential development SPG offers useful guidance for the consideration of impacts of extensions on adjoining properties and the 45° guide is a useful tool for assessing potential for overshadowing to occur.

45° guide: An imaginary line is horizontally drawn at 45° from the centre of the nearest ground floor window of any habitable room in an adjoining property. No part of the proposed development should cross this line. This rule contains an element of flexibility; considering the direction of sunlight and shadow fall predicted from the new development.

Figure 5 45° guide



Both neighbouring properties (1 and 3 Bod Ibod) have ground and first floor windows in the rear elevations, however it should be noted that the adjoining property, No 1 has a lean to extension to the rear.

In applying the 45 degree guide referred to in the Residential Development SPG, Officers conclude that the sight lines from ground floor windows in the rear elevation of neighbouring properties would not breach the 45 degree line, and accordingly the extension would not unduly overshadow windows.

It is also of note that all properties have long, deep rear gardens and therefore the extension would not unacceptably overshadow neighbouring properties.

Whilst large windows are proposed in the rear elevation, Officers would note that there is already a line of sight from existing first floor windows towards neighbouring gardens, and the level of additional overlooking which may arise would not warrant a refusal of planning permission.

Having regard to the scale, form and design, Officers do not consider the proposal would give rise to unacceptable overbearing impact on either neighbour.

Concerns have been raised informally (i.e. not through written representation) that the proposal would be an overdevelopment of the site.

The Residential Development Supplementary Planning Guidance Note (SPG) at 3.18 advises that, overdevelopment occurs when a substantial part of the residential amenity space is taken over by buildings including extensions. As a rule of thumb, no more than 75% of the site should be covered, leaving at least 40sqm of amenity space for a small dwelling (or 70 sqm for a larger dwelling).

Factually, the existing internal floor space is approximately 71.5 square metres. The proposed extension would provide approximately an additional 40 square metres, which equates to around a 55% increase in floor area.

In terms of the size of the extension within the site, members are advised that the house is situated in a large plot, approximately 500 square metres in size. If the extension were to be built, then the amount of development on the site (including the house, existing outbuildings and the proposed extension) would take up less than 25% of the total site area and a substantial rear garden area which well exceeds the minimum amenity space standards set out in the SPG would remain. In Officers opinion, the proposal does not represent an overdevelopment of the site.

Therefore, 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.

#### 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 14<sup>th</sup> July 2026

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 floor plan (drawing number P101) received 18 March 2021
- (ii) Existing elevations plan (drawing number P102) received 18 March 2021
- (iii) Proposed floor plan (drawing number P201) received 18 March 2021
- (iv) Proposed elevations plan (drawing number P202) received 18 March 2021
- (v) Location plan (drawing number P203) received 18 March 2021
- (vi) Existing and Proposed site plan (drawing number P204) received 18 March 2021

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.