

43/2022/0377



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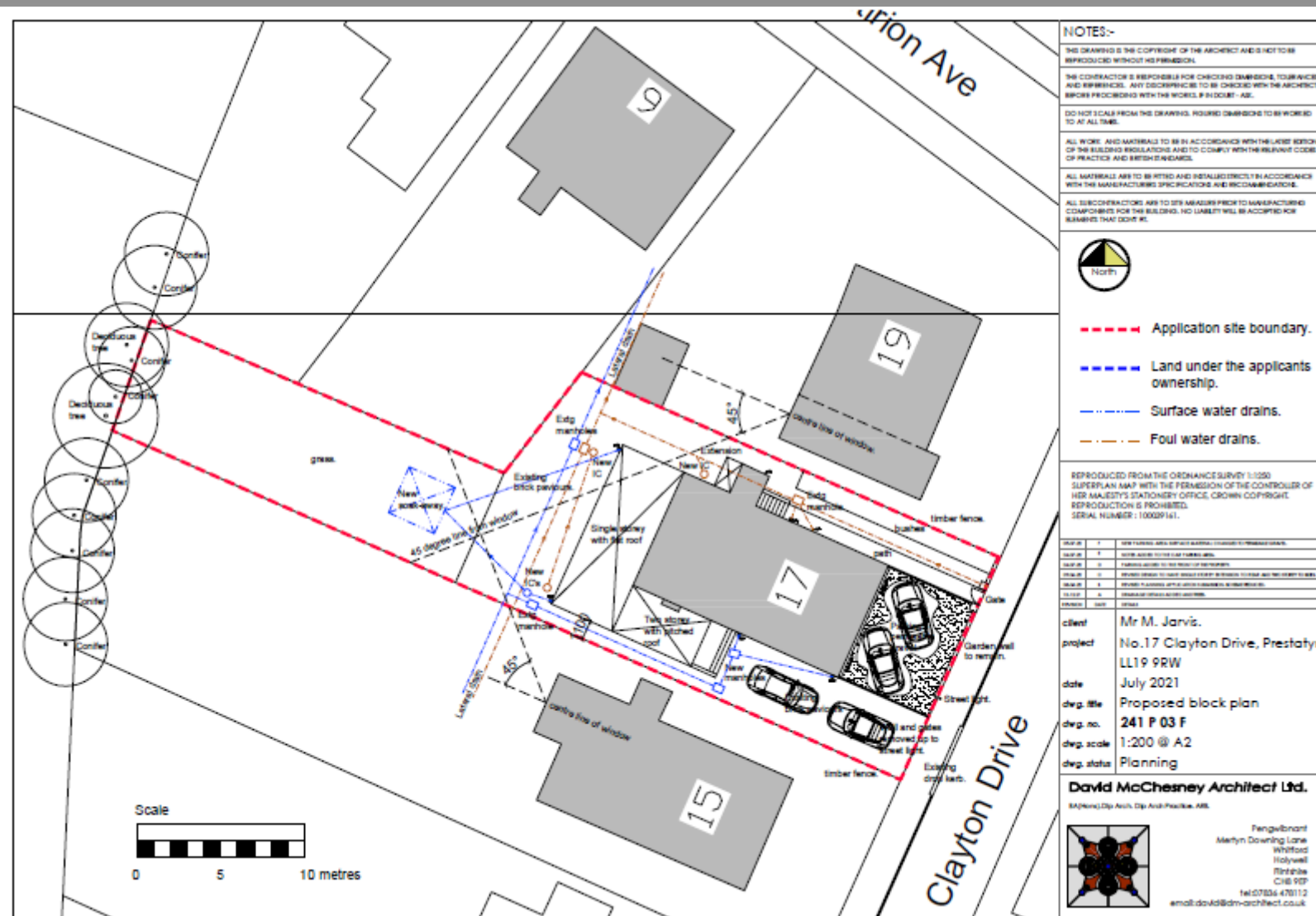
Front of dwelling



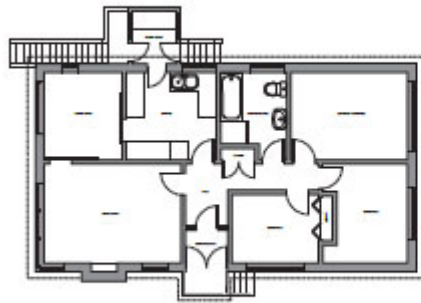
Rear of dwelling



View north



Proposed site plan



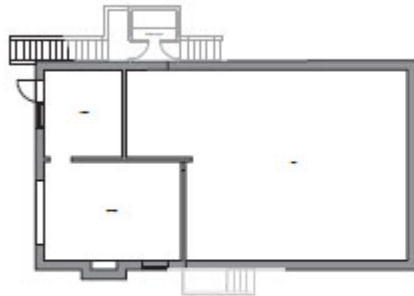
GROUND FLOOR



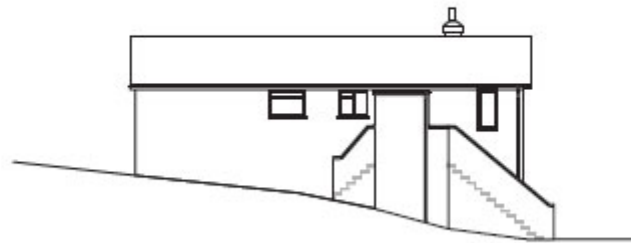
NORTH ELEVATION



WEST ELEVATION



LOWER GROUND FLOOR

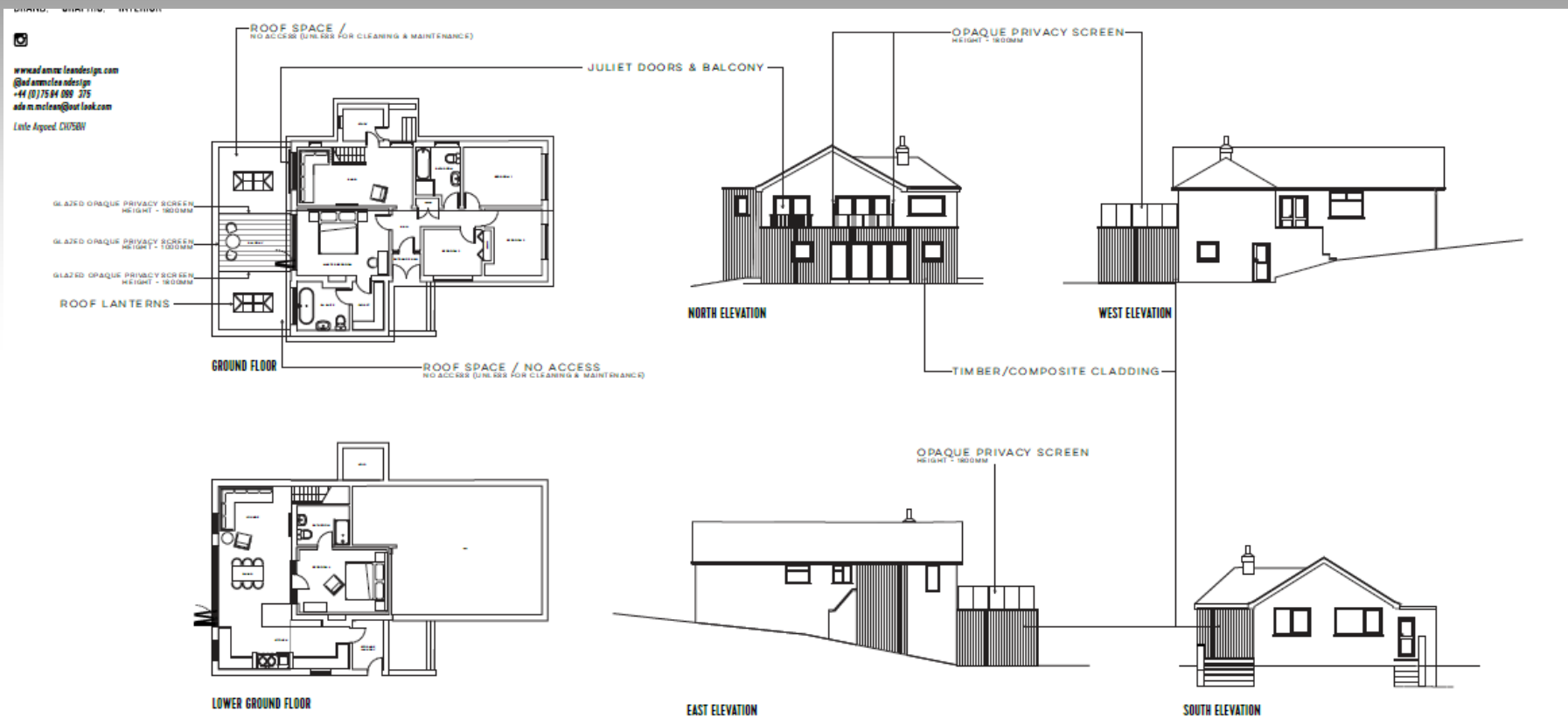


EAST ELEVATION



SOUTH ELEVATION

Existing elevations



Proposed elevations

WARD : Prestatyn Central

WARD MEMBER(S): Cllr Jon Harland (c)
Cllr Hugh Irving

APPLICATION NO: 43/2022/0377/ PF

PROPOSAL: Erection of single storey rear extension. Alterations and extension of roof including the formation of first floor rear balcony. Alterations to fenestrations and associated works

LOCATION: 17 Clayton Drive Prestatyn

APPLICANT: Mr Mark Jarvis

CONSTRAINTS: Article 4 Direction

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:

PRESTATYN TOWN COUNCIL
"No Objections, No Observations"

DWR CYMRU / WELSH WATER
No objection, condition no surface water connection to mains.

RE-CONSULTATION RESPONSES (to amended plans)

PRESTATYN TOWN COUNCIL
"No Objections, No Observations"

DWR CYMRU / WELSH WATER
No objection.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Traffic, Parking and Road Safety:
- Highways Officer
No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:
Philip & Joanne Lewis, 19 Clayton Drive, Rhyl
Keith Rowlands, 22 Clayton Drive, Prestatyn

Summary of planning based representations in objection:
Residential amenity issues- loss of light, overbearing impact, overdevelopment
Visual amenity- development out of keeping with dwelling/locality
Highways impact- proposal would contribute to parking issues in area

EXPIRY DATE OF APPLICATION: 21/06/2022

EXTENSION OF TIME AGREED: 07/09/2022

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

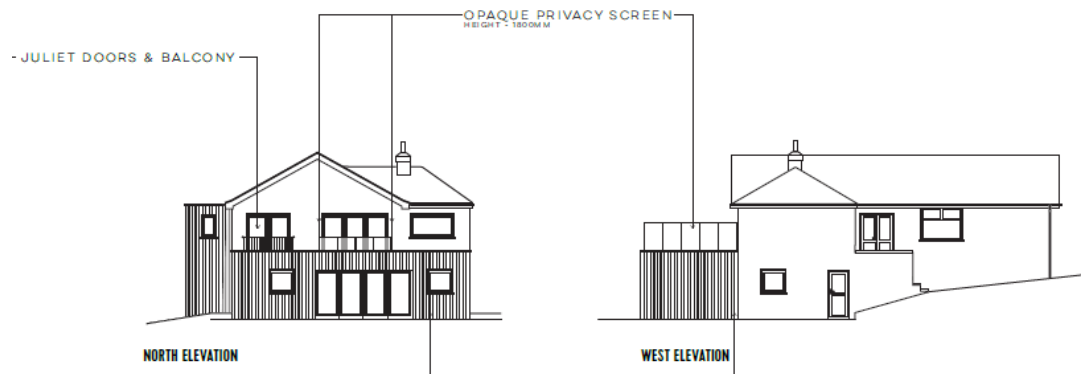
1. THE PROPOSAL:

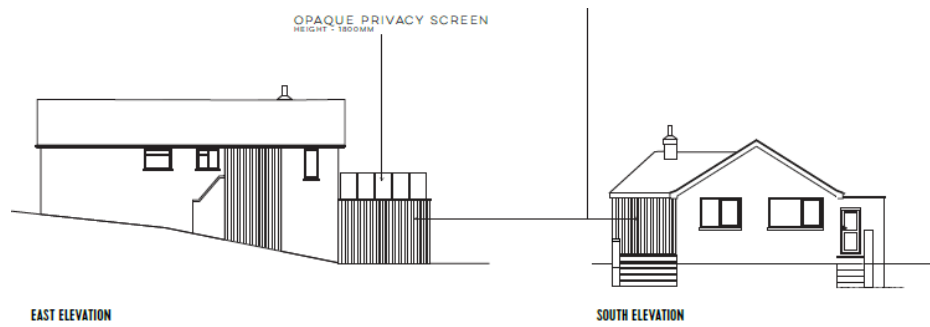
1.1 Summary of proposals

- 1.1.1 The application proposes the erection of single storey rear extension, incorporating first floor balcony, and alterations to the roof and windows of no. 17 Clayton Drive in Prestatyn.
- 1.1.2 The single storey extension would project 4 metres from the rear of the dwelling, (lower ground floor owing to split levels on the site). It would run across its width and wrap around to the southern side of the dwelling where it would link to the upper ground floor level. The extension would comprise of ground floor living accommodation with kitchen and utility facilities. On the upper floor it would compose of a wc and new entrance area. The extensions and alterations would also facilitate the remodelling of the existing accommodation within the dwelling, resulting in a four bed dwelling with the living accommodation on the lower ground floor.
- 1.1.3 The extension would have a flat roof with a 3 metre wide balcony/terrace over the central part of the roof, bounded by opaque glazed screening 1.8 metres to the sides and 1 metre to the rear. There would also be lantern lights on the roof to serve the extension. Bifold doors are proposed to the rear.
- 1.1.4 The existing stairwell to the north of the dwelling would also be remodelled and a small office created on the upper ground floor level.
- 1.1.5 The extension would be finished in render and composite cladding and the windows would be powder coated aluminium.
- 1.1.6 The site layout plan also shows works proposed to the front of the site to accommodate access to improved off street parking for the dwelling (4 spaces). The layout plan also shows drainage arrangements and soakaway for the development.

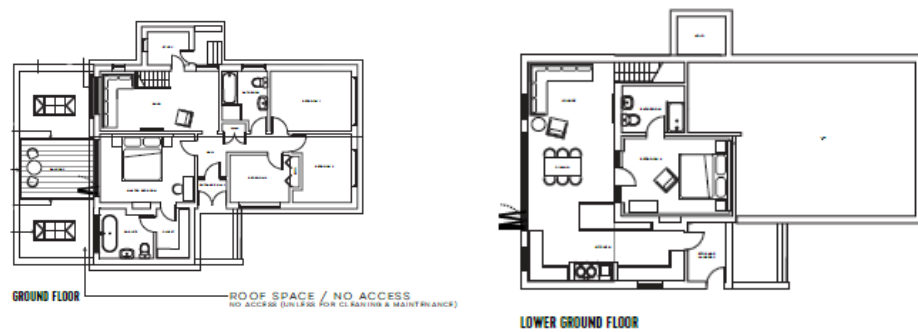
Proposed plans –

Elevations * (not to scale)

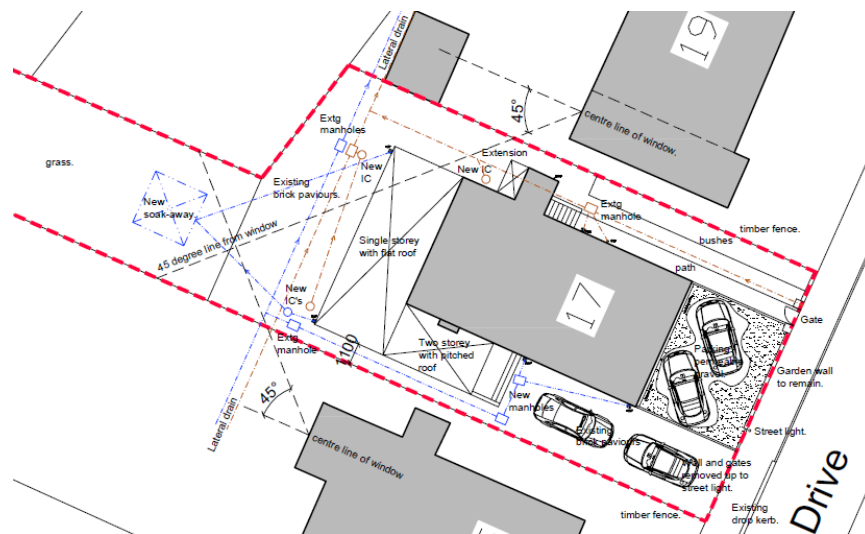




Floor plans * (not to scale)



Site plan* (not to scale)



1.2 Description of site and surroundings

- 1.2.1 No. 17 is located on Clayton Drive in Upper Prestatyn. It is a split level dwelling which appears to be a bungalow from the front, as the land slopes to the rear of the site. It is a detached property set between a dormer bungalow and a bungalow of a similar scale.
- 1.2.2 The site slopes to the rear and extends on a slight dog leg for some 30 metres (abutting the end of the rear gardens on Bryntirion Drive to the north. The immediate boundaries (alongside the dwelling) to the north and south are bounded by the side gardens of no. 15 to the south and no. 19 to the north. These boundaries are demarked by timber fencing. Both adjacent dwellings are also split level properties.
- 1.2.3 Photos of front and rear of dwelling.



1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Prestatyn.

1.4 Relevant planning history

- 1.4.1 Planning permission for a two storey extension at the dwelling was withdrawn in early 2022, owing to concerns raised by Officers, this application is a resubmission of that application.

1.5 Developments/changes since the original submission

- 1.5.1 The original plans were amended since the original submission and additional information provided in the form of a site layout plan to demonstrate the parking arrangements proposed for the site.

1.6 Other relevant background information

- 1.6.1 Cllr Irving has requested that the application be considered at Committee to enable wider scrutiny of the scheme given concerns raised by neighbours.

2. DETAILS OF PLANNING HISTORY:

2.1 43/2021/0992/ PF Erection of two storey rear extension and garage with roof terrace.
Withdrawn 08/02/2022

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy RD3 – Extensions and alterations to existing dwellings

Policy VOE5 – Conservation of natural resources

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Space Standards

Government Policy / Guidance

Planning Policy Wales Edition 11 February 2021

Development Control Manual (2016)

Future Wales – The National Plan 2040

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.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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
- 4.1.4 Ecology
- 4.1.5 Highways (including access and parking)

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 adjacent occupier.

The proposal involves a rear and side extension. The rear extension would be single storey and the side extension two storey. Combined the extensions would be subordinate in footprint to the original dwelling. The extension to the rear would only be single storey and the side extensions and alterations would both have lower ridge lines than the original dwelling.

The flat roof design and materials including composite cladding and glazed screens proposed are contemporary. Officers note the existing dwelling is of no particular architectural merit, and there is no established pattern of development or distinct architectural style in surrounding dwellings. Hence it is considered that the extensions and palette of materials can be accommodated without detriment to the wider area.

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.

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 Development SPG states that no more than 75% of a residential property should be covered by buildings. The Residential Space Standards SPG specifies that 40m² 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 adjacent occupiers at no. 19. Concerns relate to the extension being overbearing and loss of light and outlook from the rear garden of no. 19. The balcony is also a concern.

The proposal is for a single storey rear extension and alterations on both sides of the dwelling. The existing dwelling is set some 3 metres from the boundary with no. 19 and over 3 metres from the boundary with no. 15.

The single storey extension would project 4 metres from the rear of no. 17. Although no. 19 has a much smaller garden than its neighbours to the south on Clayton Drive, and if permitted the extension would be a visible feature along most of that boundary/from the rear garden of no. 19. Officers note that the extension would be set off the boundary by 3 metres, which is considered to be a reasonable distance. Given the depth of projection and single storey nature of the extension it would be difficult for Officers to argue that the impacts on no. 19 would be so significant to warrant refusal of planning permission for the extension. Furthermore Officers note that the fall-back position would be a similar scale extension, i.e. 4 metres allowable under permitted development albeit without the balcony above.

The alterations comprising of the side extension (study area) to the north are primarily within the footprint of the existing stairwell, therefore it is considered that the impacts of this element of the development on no. 19 would be negligible. In terms of the impact on no. 15 to the south, the extension at the side would be two storey, however this extension would be in line with the existing side of no. 15 and 1

metre would be retained to the boundary. It is not considered that the side extension would impact negatively on the occupiers of no. 15.

Turning to the balcony, this has been designed to be within the central area of the roof, it would be contained with 1.8m side screens (5 ft. 10 inches), with a 1 metre screen to the front. Given the 1.8 metre screens to the side, the outlook would be funnelled in a westerly direction over the rear curtilage of no. 17 and beyond. For this reason is unlikely that the neighbours would be significantly impacted by the balcony and a condition can be attached to ensure that the balcony would not be expanded or extended without further consideration.

Regarding the issue of overdevelopment, no. 17 is a detached dwelling with a curtilage extending some 30 metres to the rear. Officers consider there to be ample amenity and circulation space available to accommodate what would be a four bedroom dwelling. The proposal is not considered to represent an overdevelopment of the site.

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.

4.2.4 Highways Access/Parking

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require consideration of the impact of development on the local highway network.

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 highway impacts of development should therefore be regarded as a potential material consideration.

Representations on the highways impacts of the development and parking implications have been made by a neighbour.

The proposal would result in the creation of a four bedroom dwelling. The existing dwelling is a three bedroom dwelling. The parking arrangements shown on the layout will facilitate the parking of 4 cars. The parking standards advise that 3 spaces would be required for an equivalent size dwelling. The Highways Officer has been consulted and advised verbally that there is no objection to the scheme.

Having regard to the scale, location and layout of the proposed development, it is considered that the proposals would not have an unacceptable impact on highways safety. It would therefore be in general compliance with the tests of the policies referred to.

4.2.5 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2) and current legislation.

A preliminary protected Species Survey has been submitted in support of the application and notes no significant findings for bats or birds. Biodiversity

enhancement is suggested and shown on the plans in the Survey (Section 8 and 9). Given the nature of the site, and the fact that the mitigation/enhancement is shown and can be conditioned and as such is considered unlikely to result in a detrimental impact on ecological interests.

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 7th September 2027
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) Location Plan (Drawing No. 241 P 01 A) - Received 20 April 2022
 - (ii) Existing Block Plan (Drawing No. 241 P 02 B) - Received 20 April 2022
 - (iii) Existing Plans and Elevations - Received 20 April 2022
 - (iv) Proposed Block Plan (Drawing No. 241 P 03 F) - Received 5 July 2022
 - (v) Proposed Plans and Elevations - Received 10 June 2022
3. The development hereby approved shall be carried out in strict accordance with the biodiversity enhancement measures set out in Section 8 and 9 of the approved Preliminary Protected Species Assessment (Protected Species Survey dated 19 October 2021) including the installation of the bat box and swallow terrace nest box in appropriate locations on the dwelling.
4. The use of the roof of the extension as a balcony area shall be as shown on the plans only, the balcony area shall not be extended without the further grant of planning permission.

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.
3. In order to maintain and enhance biodiversity.
4. In the interests of amenity of adjacent occupiers.