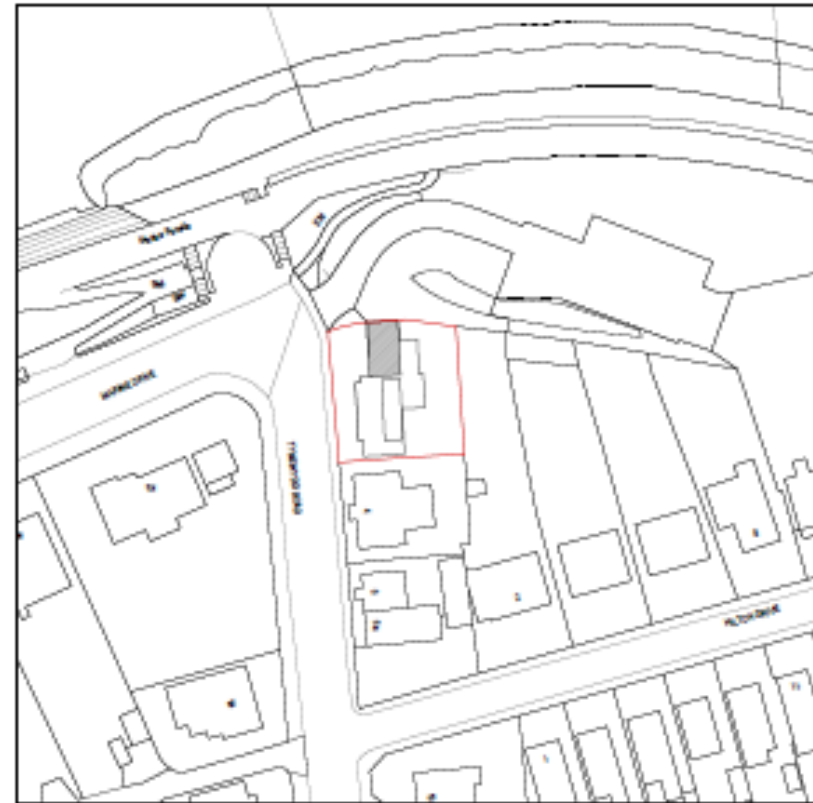




Existing Block Plan

Scale 1:500

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Proposed Block Plan

Scale 1:500

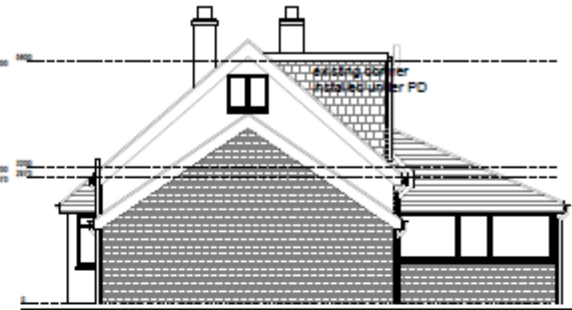
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Location and site plan



Existing West Elevation
Scale 1:50



Existing South Elevation
Scale 1:50

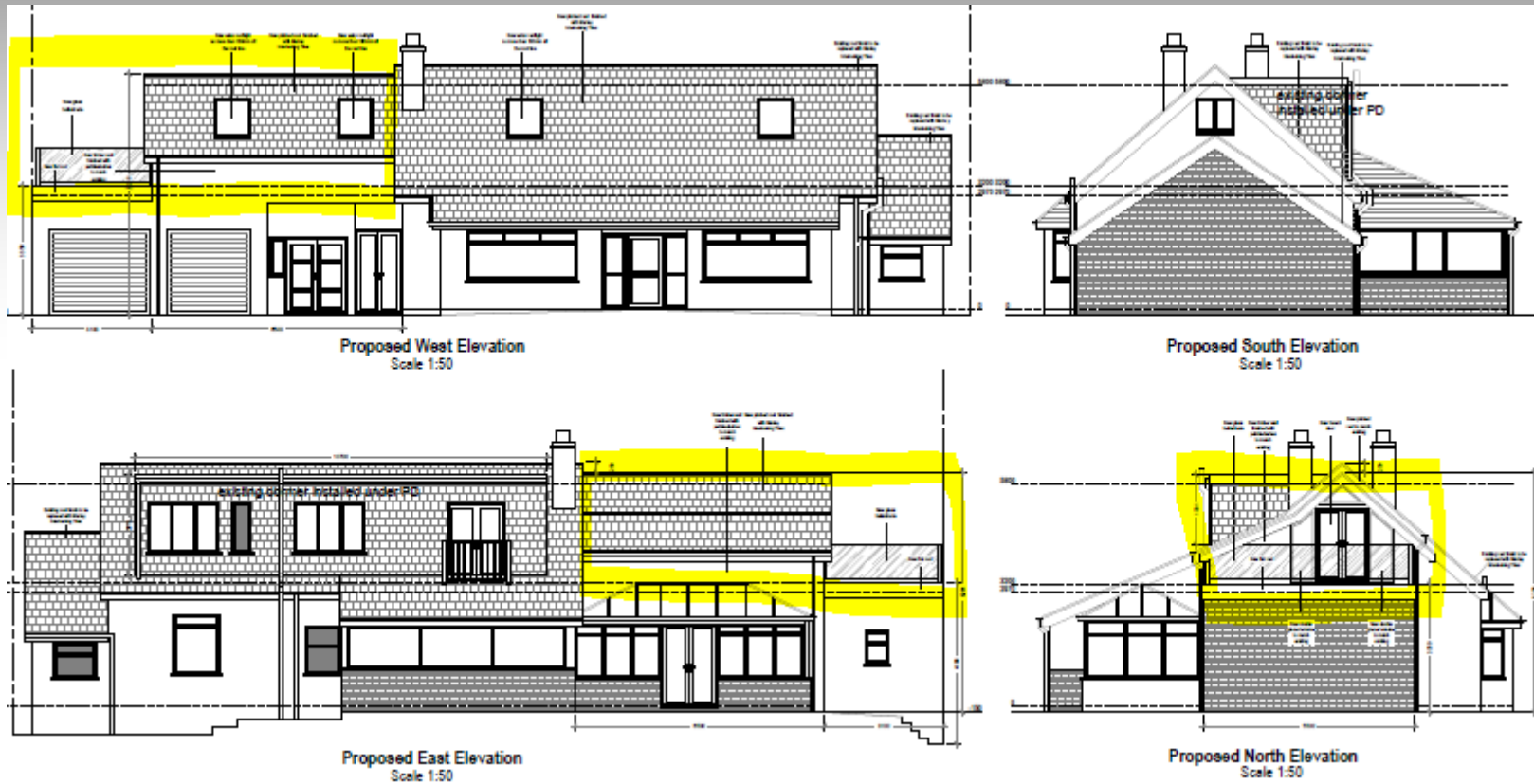


Existing East Elevation
Scale 1:50



Existing North Elevation
Scale 1:50

Existing Elevations



Proposed Elevations (area of work highlighted)



Front view



Rear of site on right, and rear of dwellings along
Hilton Drive

WARD : Rhyl East

WARD MEMBER(S): Cllr Barry Mellor

APPLICATION NO: 45/2022/0543/ PF

PROPOSAL: Codi estyniad llawr cyntaf dros y garej bresennol, ffurfio balconi wrth ochr yr annedd a gwaith cysylltiedig / Erection of first floor extension over existing garage, formation of balcony to side of dwelling and associated works

LOCATION: 2 Tynewydd Road Rhyl

APPLICANT: Paul and Marie Downes

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

- Recommendation to grant / approve – 4 or more objections received

REASON FOR DELEGATED DECISION
Scheme of Delegation Part 1, Section 1.1

CONSULTATION RESPONSES:
RHYL TOWN COUNCIL
No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:
Frank Corwen, 4 Tynewydd Road, Rhyl
Joe Nolan, 3 Hilton Drive, Rhyl
David Lewis, 5 Hilton Drive, Rhyl
R Stoddard, 6 Hilton Drive, Rhyl
Amanda Marten, 2 Hilton Drive, Rhyl
Sally Knott, 8 Hilton Drive, Rhyl
Joyce Whitby, 1 Hilton Drive, Rhyl

Summary of planning based representations in objection:
Residential amenity- loss of privacy, overbearing impact on neighbours, overdevelopment
Visual amenity- proposal not in keeping with surroundings

In support

Representations received from:
T Hindmars, 33 Marine Drive, Rhyl
Gary Davies, 26 Molineaux Road, Rhyl
Vincent Buckingham, 41 Dyserth Road, Rhyl
Claire Roberts, 34 Knowles Avenue, Rhyl
Jennifer Roberts, 33 Marine Drive, Rhyl
Brian Jones, 32 Marine Drive, Rhyl
Paul Farelly, 38 Tynewydd Road, Rhyl
Margaret Wardley, 2A Garford Road, Rhyl
Paul Griffiths, 43 Marine Drive, Rhyl

Summary of planning based representations in support:
Visual amenity- proposal will be an improvement on the existing, results in the positive renewal/refurbishment of an existing dwelling in a prominent location in Rhyl.

EXPIRY DATE OF APPLICATION: 08/09/2022

EOT AGREED: 05/10/2022

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

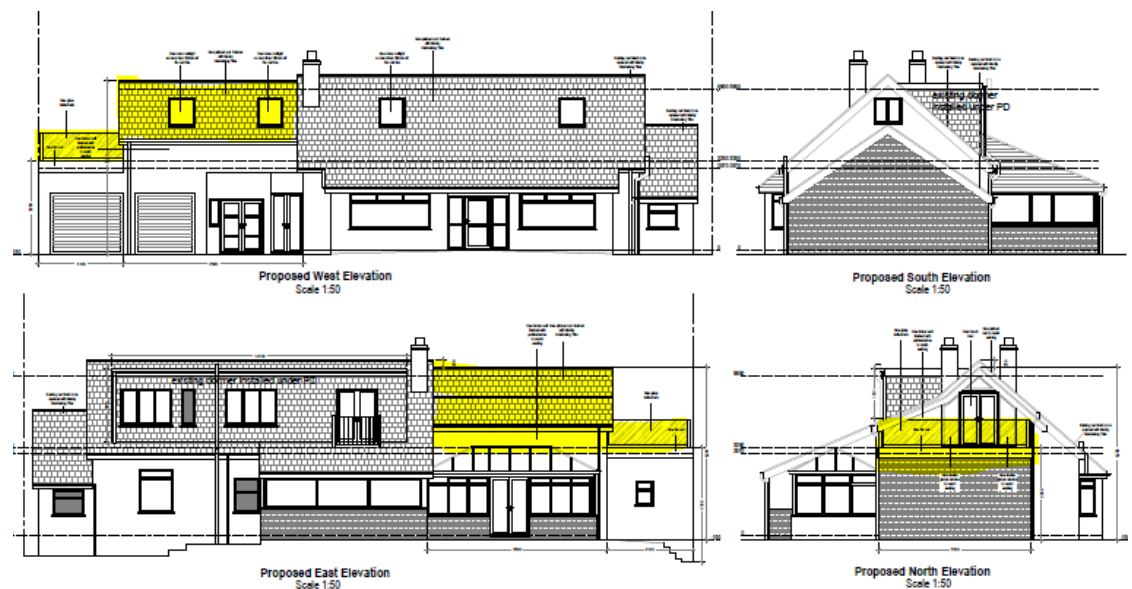
1.1 Summary of proposals

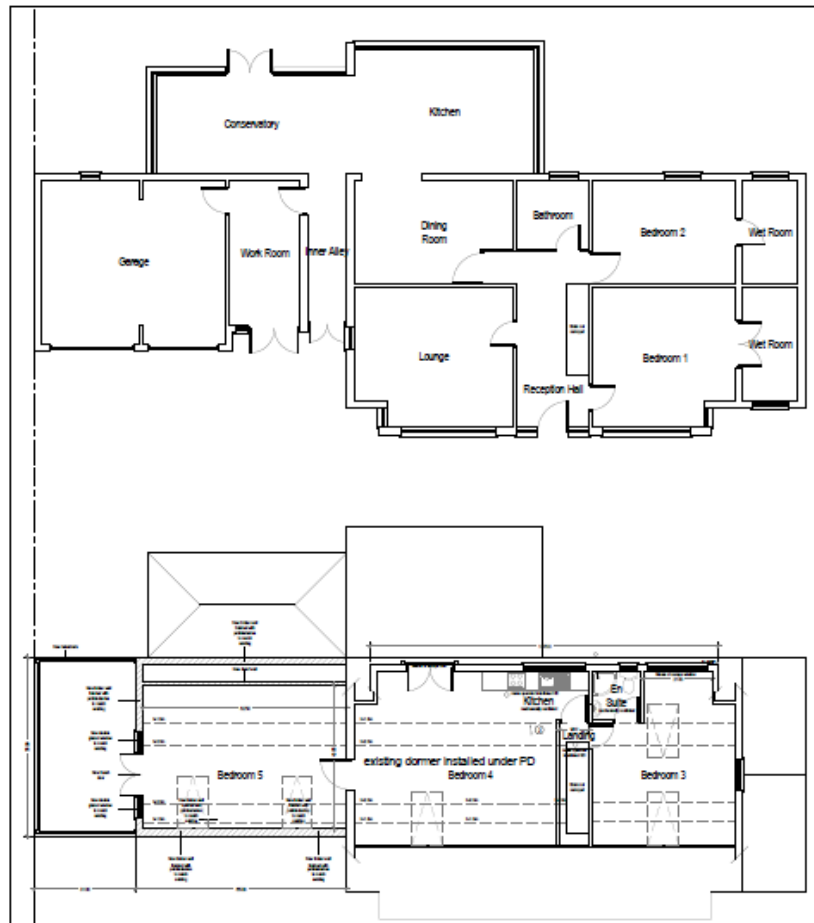
1.1.1 The application proposes alterations and extensions at no. 2 Ty Newydd Road in Rhyl.

1.1.2 It is proposed to erect a first floor extension over the existing garage on the northern side of the dwelling to facilitate the addition of a bedroom. The extension would measure 6.5 metres in length by 5.5 metres in depth. Over the northern end of the garage there would be a balcony to side of dwelling (accessed from the bedroom). The balcony would measure 3.1 metres in length by the same depth as the extension 5.5 metres. Other works include some internal remodelling of accommodation, re-roofing the dwelling and installation of rooflights.

1.1.3 Works are ongoing on the site, and began with the installation of a dormer to the rear of the dwelling which is *not* for consideration as this allowed under Permitted Development rules.

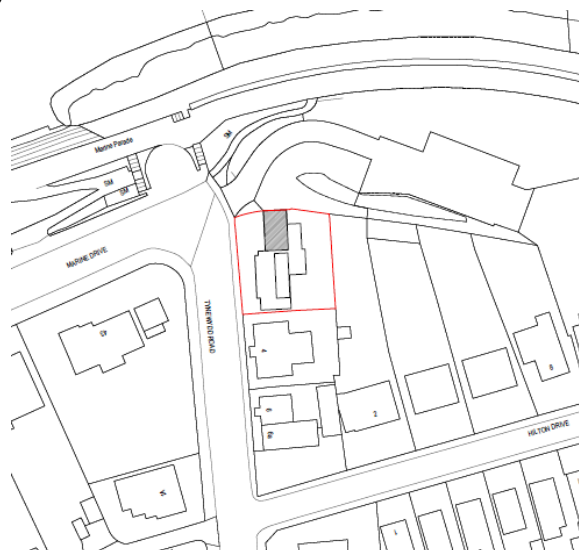
See plans extract, elevations with highlight and floorplans *(not to scale)





1.2 Description of site and surroundings

- 1.2.1 The bungalow is located on the northern end of Ty Newydd Road in Rhyl, adjoining the junction with Marine Drive/ East Parade. It is a relatively simple property with an attached double garage on the end.
- 1.2.2 The site is slightly elevated owing to its location on the corner of Ty Newydd Road. The rear/east of the site is lower and abuts the side boundary of no. 2 Hilton Drive, with the south of the site bounding the neighbouring property at no. 4 Ty Newydd Road. To the north the site is abutted by the entrance to Splash Point Apartments and the Coast Path Footway/Cycleway with Liverpool Bay/The Irish Sea beyond. See site plan snip*



Officer photos of front and rear original dwelling



1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Rhyl.

1.4 Relevant planning history

1.4.1 Planning permission was granted in 2012 for the erection of a conservatory on the rear of the dwelling.

1.4.2 As mentioned about the dormer installed on the rear of the dwelling was the subject of a compliance investigation and it was decided that the dormer benefitted from permitted development so no further action was taken.

1.5 Developments/changes since the original submission

1.5.1 Since the original submission the plans were amended on the advice of Officers. The above mentioned PD dormer was shown on the existing plans and a feature window proposed on the front was removed to ensure a policy compliant proposal.

1.6 Other relevant background information

1.6.1 The application was supported by a Bat and Bird Survey.

2. DETAILS OF PLANNING HISTORY:

2.1 45/2012/0060 Erection of conservatory at rear of dwelling. Granted 10/02/2012

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
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.

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 neighbouring occupiers, both in objection and in support.

The proposal involves a side extension over an existing garage comprising of a bedroom with a balcony over the northern end. Other alterations are purposed to modernise the bungalow including reroofing and installation of velux windows. The side extension would introduce another story over the existing garage which is set back from the frontage of the bungalow. The ridgeline of the extension would also be set down from the ridge height of the original bungalow. The extension would be subordinate in footprint and scale to the original dwelling.

The materials include brick and pebble dash with new marley roof tiles and glazed screens on the balcony. 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. It is also noted that several surrounding dwellings have balconies and other alterations to their roofs (including glazed first floor conservatory structures on Hilton Drive and similar glazed balustrades on the dwelling opposite on East Parade/ Ty Newydd Road). Hence it is considered that the extension and palette of materials can be accommodated without any 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 neighbouring occupiers. Representations based on amenity impacts largely relate to the installation of the dormer window which as mentioned above is not the subject of this application.

The proposal is for a first floor extension over an existing garage on the northern side of the dwelling. The extension would accommodate a bedroom with roof lights to the front and French doors to a balcony on the side (facing the north/ towards the Sea). The balcony would be surrounded by glazed balustrade railings, approximately 1 metre in height.

As the balcony would be on the northern side of the dwelling it is likely that that views would be more likely to be taken seawards the rather than in a southerly direction. However the outlook to the east and south should also be considered. Views to the rear of no. 2 to the east would be towards Splash Point and over the ends of the gardens of the dwellings on Hilton Drive which are on a lower level to No. 2. Interrupting the view to the south, towards the rear elevations of these properties somewhat would also be the roof of the existing conservatory on the rear of no. 2. Given the distance from the proposed balcony to the actual rear elevations of the dwellings on Hilton Drive is over 35 metres it would also be at an angle, it would be difficult to argue that there would be significant enough an impact on the amenity of these occupiers by virtue of overlooking or overbearing effects to warrant refusal. The fact that the development, i.e. the extension and balcony, would be seen from these properties is not a valid planning ground n to resist this application.

Regarding the issue of overdevelopment, No. 2 is a detached dwelling with a curtilage extending some 10 metres to the rear over a width of 20 metres. 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 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. Given the nature of the site and survey details it 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 5th October 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) Existing & Proposed Site and Location Plans (Drawing No. 22-1210 D01 Rev 2) - Received 8 August 2022
 - (ii) Existing Floor Plans (Drawing No. 22-1210 D02 Rev 1) - Received 8 August 2022
 - (iii) Existing Elevations (Drawing No. 22-1210 D03 Rev 1) - Received 8 August 2022
 - (iv) Proposed Floor Plans (Drawing No. 22-1210 D04 Rev 1) - Received 8 August 2022
 - (v) Proposed Elevations (Drawing No. 22-1210 D05 Rev 1) - Received 8 August 2022

(vi) Preliminary Roost Assessment (Dated 24/06/22) - Received 1 July 2022

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.