

## 188 Rhyl Coast Road, Rhyl

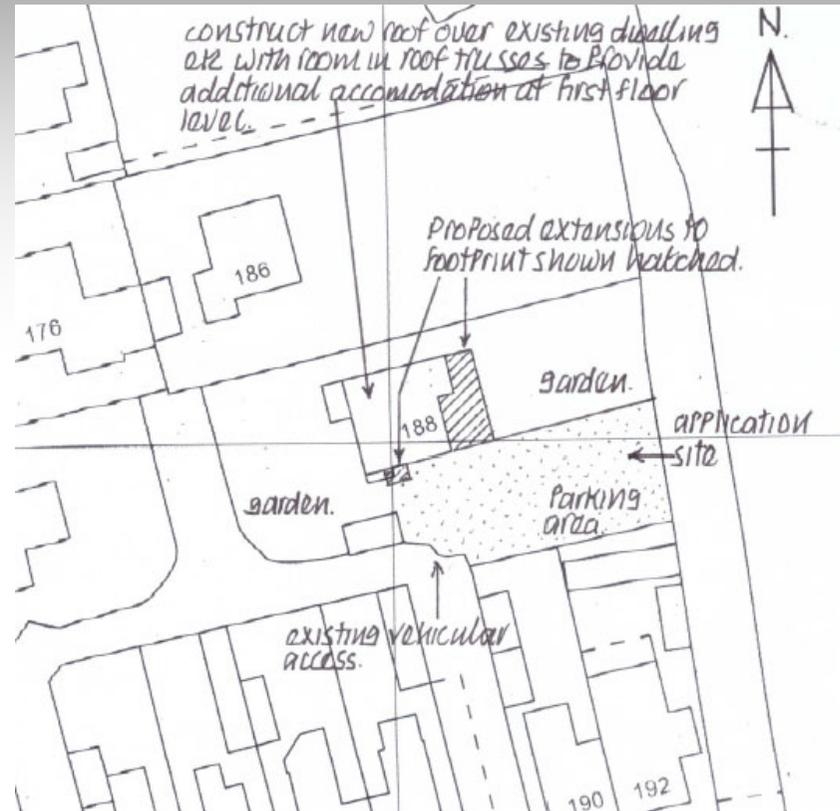
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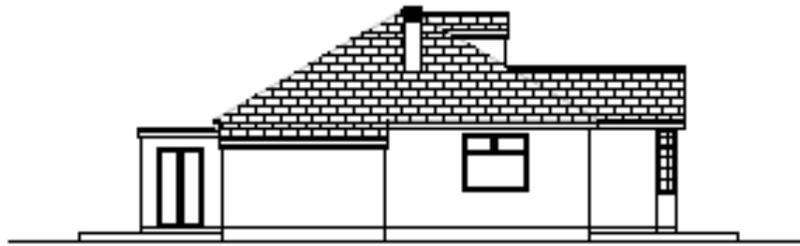
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Existing and proposed site plans

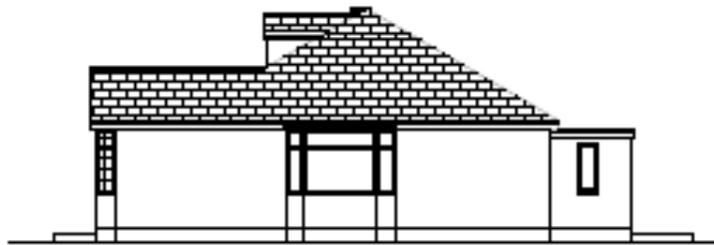




SOUTH



EAST



NORTH



WEST

Existing elevations



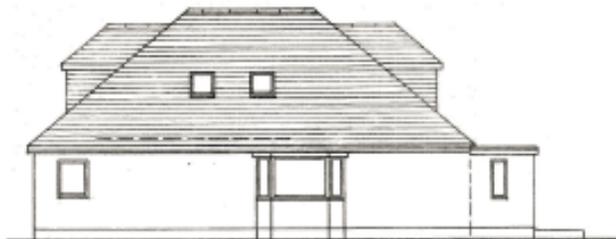


**SOUTH**

Porch structure to be chunky oak or similar natural finish timber corner posts with feature timber truss over to have slightly recessed render panels.



**EAST**



**NORTH**



**WEST**

Proposed external finishes

Roof Remove existing roof and form new roof over existing property and extension with steeper room in roof trusses to provide additional accommodation at first floor level.  
 tile new roof with grey marley ebbw Vale double plain interlocking cone tiles.  
 white UPVC fascias and bargeboards etc.  
walls cream coloured render with black plinths to match existing  
Doors and windows white UPVC double glazed units to match existing  
 corner chases grey UPVC cladding board to match colour of roof tiles.

# Proposed elevations





Side elevation of dwelling looking south





Rear of dwelling looking north east





Dwellings to the south of the site





View down access track towards the site from Rhyl  
Coast Road



**WARD :** Rhyl East

**WARD MEMBER(S):** Cllr Barry Mellor

**APPLICATION NO:** 45/2022/0730/ PF

**PROPOSAL:** Erection of extension and formation of new roof to provide additional accommodation at first floor level (resubmission)

**LOCATION:** 188 Rhyl Coast Road Rhyl

**APPLICANT:** Mr Gary Hughes

**CONSTRAINTS:** C1 Flood Zone

**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:**

RHYL TOWN COUNCIL  
No objection

**RESPONSE TO PUBLICITY:**

No representations received.

**EXPIRY DATE OF APPLICATION: 06/10/2022 EOT 09/01/2023**

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

- awaiting consideration by Committee

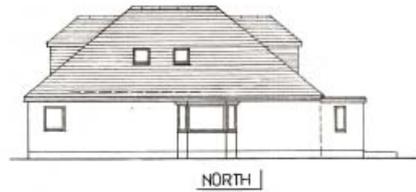
**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

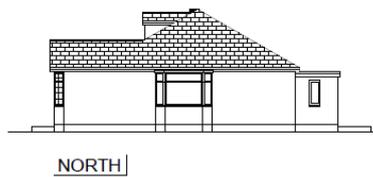
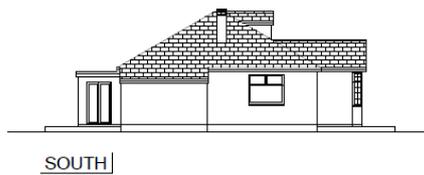
1.1 Summary of proposals

- 1.1.1 The application proposes extensions and alterations at 188 Rhyl Coast Road. The proposal facilitates the provision of additional accommodation at first floor level at the dwelling.
- 1.1.2 The dwelling would be extended to the east by approximately 4 metres, with the roof form altered above to create first floor accommodation. The ridgeline would be increased in height by 1.25 metres. The dwelling would be re-orientated resulting in the main elevation facing south with a new porch area framing the entrance.
- 1.1.3 See snips of existing and proposed elevations (not to scale) below:

Proposed extensions and alterations:



**Existing dwelling:**



- 1.1.4 The proposal would result in the enlargement of an additional bedroom at first floor level and internal remodelling of the dwelling.

**1.2 Description of site and surroundings**

- 1.2.1 The site is located off a private drive (serving 4 dwellings) to the north of Rhyl Coast Road. Although there are variations in scale and form of dwellings in the wider area, no. 188 and the neighbouring dwellings are characterised by their low eaves under a distinctive hipped, red-tiled roof.
- 1.2.2 The east of the site is bounded to the east by the driveway to Rhyl Golf Club.  
See photo snip \* No.188 Photo taken from Rhyl Golf Club access Road



### 1.3 Relevant planning constraints/considerations

1.3.1 The dwelling is located within the development boundary.

### 1.4 Relevant planning history

1.4.1 The application is a resubmission of an application refused by the Council (under Delegated Powers) in February 2022. That decision was appealed and that appeal dismissed by PEDW. The refused scheme involved alterations to the roof and remodelling.

Refused scheme shown in the snip below:



1.4.2 The main differences between the resubmission and the original scheme is the introduction of a hipped roof and dormers to reduce the mass of the roof, reducing the overall height and simplifying the glazing on the east elevation.

### 1.5 Developments/changes since the original submission

1.5.1 The Agent was invited to amend the design to a more policy compliant scheme however in discussions with the Applicant they considered that the re-submission was a substantial improvement on the previous application and declined the offer to amend it further.

### 1.6 Other relevant background information

1.6.1 As the roof alteration are proposed the application is supported by a protected species report.

## 2. **DETAILS OF PLANNING HISTORY:**

2.1 45/2021/1055 Erection of extension and formation of new roof to provide additional accommodation at first floor level. Refused for the following reason:

1. "It is the opinion of the Local Planning Authority that the proposal would not be subordinate to the original dwelling. The cumulative impact of the alterations would change the character of the bungalow significantly. The resulting development would be visually intrusive and would cause unacceptable harm to the character and appearance of the original dwelling and streetscene, particularly when viewed from the East. The proposed development is therefore contrary to Policy RD1 and RD3 of the Denbighshire Local Development Plan and advice in Supplementary Planning Guidance Notes Extensions and Householder Development Design Guide."

Appeal Ref: CAS-01885-Z0F5C2 Appeal dismissed 27/07/2022. Inspector's conclusions: "I conclude that due to its increased height, bulk and altered roof form the proposal would harm the character and appearance of the area, contrary to LDP Policies RD 1 and RD 3 and the advice within the SPG."

### **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

#### **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

**Policy VOE5** – Conservation of natural resources

Supplementary Planning Guidance

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. In relation to proposed extensions, it says that they should not dominate the house and that the roof pitch should match the principal building.

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.

There are no representations raising visual amenity issues.

Alterations and extensions are proposed to the bungalow to create a larger first floor bedroom with en suite, and enlarge the ground floor rooms. The alterations comprise of re-roofing and raising the ridge height by 1.25 metres and extending along the east side of the dwelling by approximately 4 metres. The dwelling would be re-orientated with the front elevation facing south.

In the previous application and appeal, it was considered that the increase to the height of the roof and its bulk and form would not represent a subordinate alteration to the existing dwelling. This application still proposes an increase in height of 1.25 metres and a change to the overall form of the roof (albeit with hips and gables to the

west and east). The increase in roof height and substantial alterations to the dwelling would not be subordinate to or in keeping with the original dwelling. Officers maintain that raising the ridge and changing its form would still be at odds with the character and appearance of the original dwelling contrary to extensions policy.

No. 188 is located behind the main road frontage of the Coast Road off a private road shared with 3 other dwellings. Whilst not protected, the dwelling certainly has some character, particularly when viewed in the context of the adjacent dwelling (see photo snip above at para. 1.2.2). The site is prominent when viewed from the east from the Golf Club Access and when approaching Rhyl with views along the A548 Rhyl Coast Road (owing to the open nature of the land to the east/Golf Club).

The raised ridge height and mass of the roof would appear out of keeping with the adjacent dwellings which are of a similar height to the original dwelling. And the cumulative impact of the alterations and extensions would give the dwelling undue prominence when viewed from the east where it and the adjacent dwellings site relatively unobtrusively in the flat landscape, and from the Promenade and Golf Club access off Rhyl Coast Road.

Planning policy permits extensions that are subordinate to the original dwelling. SPG supplements this by saying that extensions should be subservient to the original dwelling. Streetscene and character impacts are also policy considerations of RD1 and RD3. Clearly the extension and alterations to the dwelling result in a development that fails to meet these policy tests.

#### 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.

There are no representations raising residential amenity issues.

The proposed extension would be to the east of the dwelling, with new first floor habitable room glazing facing the golf course rather than adjacent occupiers.

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 (PPW 11) Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Planning Policy Wales (PPW 11) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (Section 6.4.5). PPW also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

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

Future Wales – The National Plan 2040 (2021) advises that *'In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment'*. It is therefore recommended that these are included and form part of any planning application.

The proposal is supported by a Bat and Bird Survey and concludes that there was no evidence of protected species on the site. Reasonable Avoidance Measures (RAMs) are recommended within the report and concludes that provided the recommended mitigation and enhancement measures are undertaken, there should be a net gain in biodiversity, no net loss of roosting or nesting sites nor any danger of harm to any species.

Subject to the imposition of an appropriately worded condition, it is considered that the proposals are in line with the advice contained in PPW 11 and would provide enhancement measures to increase the biodiversity opportunities at the site

#### 4.2.5 Other matters

The Agent has referenced the precedent set by redeveloped property at No. 3 Brynhedydd Bay in justifying the scheme. It is noted that this is on a different street, where other two storey dwellings form part of its immediate context. Furthermore this application is considered on its own merits.

The Agent has also mentioned flood betterment as a reason for the extensions and alterations. As with the previous application and appeal it is considered that climate resilience of the intended build would not outweigh the policy conflicts.

#### 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 It is the opinion of Officers that the application is unacceptable as it fails to comply with the relevant policies, therefore it is recommended for refusal.

**RECOMMENDATION: REFUSE-** for the following reason:-

1. It is the opinion of the Local Planning Authority that the proposal would not be subordinate to the original dwelling. The cumulative impact of the alterations would change the character of the bungalow significantly. The resulting development would be visually intrusive and would cause unacceptable harm to the character and appearance of the original dwelling and streetscene. The proposed development is therefore contrary to Policy RD1 (i) and RD3 (i) and (ii) of the Denbighshire Local Development Plan and advice in Supplementary Planning Guidance Notes Extensions and Householder Development Design Guide.