

ITEM NO: 6

WARD NO: St Asaph East

APPLICATION NO: 46/2011/0998/ PC

PROPOSAL: Retention of conservatory, alterations to kitchen roof at rear and re-rendering of front of dwelling

LOCATION: Rosfryn 9 Chester Street St. Asaph

APPLICANT: Mr R A Bill

CONSTRAINTS: Conservation Area

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Retrospective application recommended for refusal, and enforcement action recommended

CONSULTATION RESPONSES:
ST ASAPH CITY COUNCIL
'No objection'

RESPONSE TO PUBLICITY:

In objection

Representations received from:

D. Lewis-Jones C/O Bethlehem Unedig, 9, Ffordd Cae Canol, Trefnant

Summary of planning based representations:

Impact on amenity - Loss of light and ventilation due to window of adjoining property being blocked off

Scale of development - Extension covering full extent of rear of the property will cause issues with maintenance of adjoining property

EXPIRY DATE OF APPLICATION: 29/01/2012

REASONS FOR DELAY IN DECISION (where applicable):

- protracted negotiations

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The proposal is for the retention of single storey extensions to the rear of an existing residential property, and cement rendering undertaken on the front of the property.

1.1.2 The extensions cover virtually the entire yard area of the rear of the property. A narrow strip of external space measuring 0.5m x 5m has been retained between the extension and the eastern boundary, but this external area can not be accessed as there is no door in the conservatory on this elevation.

The proposals are shown on the plans at the front of the report.

1.2 Description of site and surroundings

1.2.1 The property is an end terrace residential property. The locality has a mix of residential and commercial uses.

1.2.2 The site is bounded by residential properties to the side, and a chapel to the rear.

1.3 Relevant planning constraints/considerations

1.3.1 The property is within the development boundary of St Asaph and St Asaph Conservation Area.

1.4 Relevant planning history

1.4.1 A complaint was received in July 2011 in relation to unauthorised development and was subsequently investigated by Compliance Officers. An application submitted following investigation and confirmation that the development required planning permission.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 Unsuccessful attempts to secure alterations have been made, without success, which have led to significant delay in progressing matters.

2. DETAILS OF PLANNING HISTORY:

2.1 None.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

Policy GEN 1 - Development within development boundaries

Policy GEN6 - Development control requirements

Policy CON5 - Development within Conservation Area

Policy HSG 12 - Extensions to dwellings

SUPPLEMENTARY PLANNING GUIDANCE

SPG Note 1 - Extensions to dwellings

SPG Note 7 - Residential Space Standards

SPG Note 13 - Conservation Areas

SPG Note 24 - Householder development design guide

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

4.1.1 Principle

4.1.2 Detailed design and impacts

4.1.3 Impact on Conservation Area

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of extending existing dwellings is acceptable in relation to policies HSG 12 and GEN 6 of the Unitary Development Plan (UDP). Supplementary Planning Guidance (SPG) 1 and 24 give more specific guidance on what is acceptable and provides examples of best practice. HSG 12 permits extensions to a dwelling subject to tests. These tests require an

assessment of the acceptability of; scale and form; design and materials; the impact on the character, appearance and amenity standards of the dwelling and its immediate locality; and whether the proposal represents overdevelopment of the site. The assessment of these impacts is set out in the following section. GEN 6 contains a wide range of general development control requirements that all development proposals need to comply with. The purpose of this general policy is to help ensure that proposed development is of a high standard and has minimal adverse impacts on an area.

4.2.2 Detailed design and impacts

- *Scale and form*

The proposed development involves a modest sized single storey extension to the rear of the property. It is therefore considered that the proposals are acceptable in terms of impact on the scale and form of the existing dwelling.

- *Design and materials*

It is considered that the proposed design and selection of materials are acceptable in relation to the existing dwelling and the surrounding area and would therefore be acceptable in terms of this test.

- *Impact on character, appearance and amenity standards of the locality*

The rear extension covers the majority of the rear yard of the property. It extends across the full width of the property and up to the rear wall of the neighbouring chapel. The rear wall of the chapel contains a window serving a toilet. The construction of the extension has led to a loss of light and ventilation from this window. It is considered that this has an unacceptable impact on the amenity of the users of the neighbouring chapel, and for that reason the development is considered unacceptable in terms of the impact on the amenity standards of the locality.

- *Overdevelopment of the site*

SPG 7 states that residential dwellings should be served by a minimum of 40m² of outdoor amenity space unless exceptional circumstances dictate otherwise. The proposal leaves the dwelling without any accessible outdoor amenity space. It is not considered that there are any exceptional circumstances that justify this. It is therefore considered that the proposals represent an overdevelopment of the site and are therefore unacceptable.

4.2.3 Impact on Conservation Area

Policy CON 5 requires that development conserves or enhances the character or appearance of Conservation Areas.

The development is to the rear of the property and is not visible from any public vantage points.

Due to the location of the development it is considered the impact on the Conservation Area is neutral and therefore acceptable in relation to Policy CON 5.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposal is considered to have an unacceptable impact on the amenity of users of neighbouring properties and the property itself and is therefore recommended for refusal.

RECOMMENDATION: REFUSE - for the following reason:-

1. It is the opinion of the Local Planning Authority that the extensions, by virtue of their scale and location have an unacceptable impact on the amenity of the users of the adjoining chapel, and on the occupiers of the dwelling itself, due to the loss of virtually all the outdoor amenity space. The proposal fails to meet the tests of Policy GEN 6 (v), tests ii) and iii) of Policy HSG 12, and advice contained in Supplementary Planning Guidance Notes 1, 7 and 24.

NOTES TO APPLICANT:

None