

REFERENCE: P/22/102/FUL

APPLICANT: Mr J Phillips: 7 Acacia Avenue, Porthcawl CF36 5BJ

LOCATION: 7 Acacia Avenue, Porthcawl CF36 5BJ

PROPOSAL: Remove conservatory; construct two storey side extension; single storey rear extension

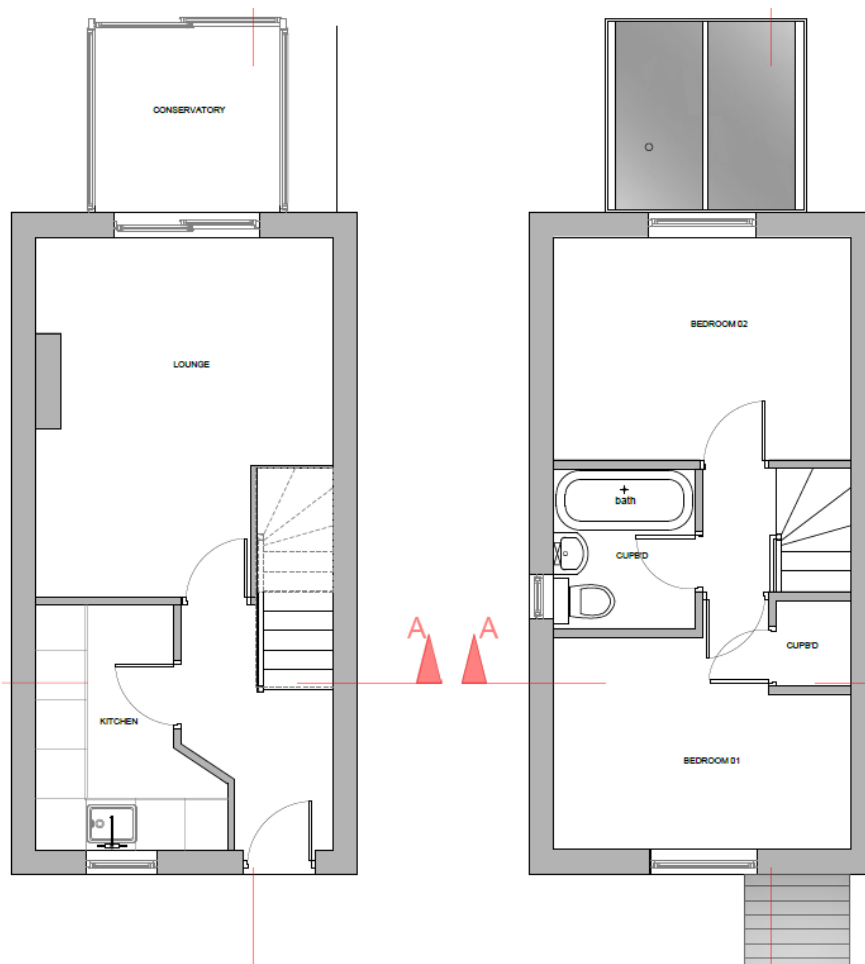
RECEIVED: 14 February 2022

DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks full planning permission for a two storey side extension and a single storey rear extension at 7 Acacia Avenue, Porthcawl.

An existing conservatory at the rear of the property is to be removed with a single storey lean-to extension to be constructed in its place. The rear extension will include glazed bi-fold doors on its side elevation, facing south-west, with a window to the rear elevation alongside three roof lights above.

The proposed lean-to extension measures 4m in width, projecting from the rear elevation of the property by 2.6m. It measures 2.3m in height to its eaves and 3.3m to its ridge.



Existing Floor Plans – Ground and First Floor

The side extension would provide a larger kitchen and dining area at ground floor level, alongside a walk-in-wardrobe and en-suite for each of the existing bedrooms at first floor level.



Proposed Floor Plans – Ground and First Floor

At both ground and first floor level new openings (windows/doors) are proposed facing the front and the rear of the side extension with none included in its side elevation. The rear-facing window at first floor level of the side extension is to be obscurely glazed.

The side extension proposed is set back by 1.4m from the front elevation of the property with its ridge height sitting approximately 1.1m below the ridge of the main roof of the house. It is proposed to measure 3.3m in width and 6.6m in length. The side extension is to have an asymmetrical roof with the eaves on the north-western end of the roof sitting 800mm below its eaves on the opposing elevation. A gable dormer is to sit within the roof on the rear elevation with its sills at main eaves level.

A car parking plan has been submitted which shows that, following development, two off-street car parking spaces will be retained at the site.

SITE DESCRIPTION

The application site lies within the Main Settlement of Porthcawl, as defined by Policy PLA1 of the adopted Local Development Plan (2013). The site comprises a two-storey end-of-terrace property situated on the northern side of Acacia Avenue from where access to the site is gained.

The dwelling is attached to 6 Acacia Avenue on its north-eastern boundary while the driveways of the application site and 8 Acacia Avenue separate the site from this neighbouring dwelling to the south.

The application site backs onto the rear gardens of Bryneglwys Gardens to the west which are situated at a lower level than the properties on Acacia Avenue.



Google Street View image of the site

The property is finished in a combination of brickwork and lightly coloured render with brown roof tiles and brown UPVC windows and doors. The site sits within a street where the properties are relatively uniform in terms of their scale and general appearance.

Off-street car parking for the site is available at the side of the house adjacent to the rear garden.

RELEVANT HISTORY

Application ref.	Description	Decision	Date
P/21/722/FUL	Remove existing conservatory, new two storey side and rear extensions with interlocking single storey extension	Refused	08/10/2021

PUBLICITY

Neighbours have been notified of the receipt of the application. The period allowed for response to the original consultations/publicity expired on 17th March 2022. Following the receipt of amended plans, neighbours were re-consulted on 8th April 2022.

CONSULTATION RESPONSES

Cllr Watts – This application is fundamentally the same as the previous application P/21/722/FUL which was refused in October 2021. I therefore object on the same grounds as given for the earlier application. *(N.B. Comments received prior to the submission of amended plans for the application).*

Land Drainage – No objection.

Porthcawl Town Council – No objection.

REPRESENTATIONS RECEIVED

A number of objections were received from the tenants/owners of neighbouring properties, the addresses of which are listed below:

- 41 Bryneglwys Gardens
- 42 Bryneglwys Gardens

- 43 Bryneglwys Gardens
- 5 Acacia Avenue
- 6 Acacia Avenue
- 8 Acacia Avenue

The material Planning objections raised in these consultation responses included the following:

- Loss of light / overshadowing of neighbouring properties;
- Limited parking in the street;
- Not in-keeping with neighbouring properties;
- Overbearing impact on neighbours to the rear;
- Impact on privacy of neighbouring residents;
- Restricts access to neighbouring driveway / garage.

RESPONSE TO REPRESENTATIONS RECEIVED

The objections offered by neighbouring residents and summarised above are material in the consideration of the application and are addressed in the appraisal section of the report. This includes material Planning considerations relating to issues such as highways, the impact of the proposals on neighbouring amenity and the visual impact of the development.

RELEVANT POLICIES

The relevant policies of the Local Development Plan and supplementary planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA11	Parking Standards

Supplementary Planning Guidance 02	Householder Development
Supplementary Planning Guidance 17	Parking Standards

In the determination of a planning application regard should also be given to the local requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Future Wales – The National Plan 2040
Planning Policy Wales Edition 11
Planning Policy Wales Technical Advice Note (TAN) 12 - Design

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs (Section 5).

The well-being goals identified in the act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language

- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of the proposed development.

THE SOCIO ECONOMIC DUTY

The Socio Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came in to force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

APPRAISAL

This application is referred to Committee to consider the objections raised by neighbouring properties.

An appraisal of the proposals in the context of the relevant material considerations is provided below.

The main issues for consideration in the determination of this application are the impact of the proposal on the character and appearance of the existing dwelling and street scene, the impact on residential amenity and highway safety.

DESIGN

Policy SP2 of the Local Development Plan (2013) states that *all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. Design should be of the highest quality possible, and should be appropriate in scale, size and prominence.*

Note 11 of SPG02 states that *'The form, materials, and details of extensions and alterations should match or harmonise with those of the existing house'*.



Photos of neighbouring properties

The design proposed is of a reasonable quality, reflecting some of the design features of the adjacent/nearby properties, specifically the small feature gables in the front and rear elevations. The submitted plans confirm that the extension would be finished using materials to match the existing property. The detailing showed on plan, including the position and design of the windows, as well as the facing brick plinths below them also reflect the details of the existing house and neighbouring properties. The extension reflects the character of its surroundings and would not look out of place in this location.



Note 12 of SPG02 stipulates that *an extension should be in scale with the existing dwelling*. The ridge height of the extension is set lower than the existing ridge height of the main roof while the extension is set back from the front elevation of the property. These design features help to break up the mass of the building and ensure that the two storey element of the extension remain subservient to the main house.

The footprint of the extension has been reduced so that it better relates to the plot and ensures that the property retains adequate garden space to the rear. The extension will be set off from the western boundary of the site by approximately 2.4m while being 1.75m from its southern boundary.

Whilst there is an increase in footprint compared to the existing conservatory, the lean-to extension proposed at the rear of the property raises no concerns in terms of its scale or its form and is considered to be an appropriate addition.

The proposal is considered to be acceptable in terms of its size, scale and prominence in accord with criterion (2) of Policy SP2 of the Local Development Plan (2013) and is therefore deemed to be acceptable from a visual amenity perspective.

NEIGHBOUR AMENITY

Planning Policy Wales (Edition 11, February 2021) states at paragraph 2.7 that *placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people*.

Note 1 of SPG02 stipulates that *No extension should unreasonably dominate the outlook of an adjoining property*. SPG02 refers at Note 2 to overshadowing and states that *No extension should unreasonably overshadow adjoining property*.

The two storey side extension proposed will bring the corner of the house to within 2.4m of the western boundary of the application site at an eaves height of approximately 3.7m. The eaves of the extension will be 1.7m taller than the fence which forms the boundary of the site.



Photograph of the application site from 41 Bryneglwys Gardens

Revised plans have been submitted during the course of the application which have sought to reduce the impact of the extension on the neighbouring dwellings. The side extension has been reduced in scale, both in terms of its width and its height as compared to the original proposal. At the rear, both the eaves and the ridge of the side extension will sit below the respective heights of the eaves and ridge of the main roof. These alterations have effectively minimised the potential impact of the extension on the adjacent properties and retains private amenity space for the host property.



Photograph taken from 41 Bryneglwys Gardens

At its closest point, the side extension will be situated approximately 15m from the nearest

windows on the rear elevation of 42 Bryneglwys Gardens. Despite the difference in levels between the two properties, this distance is considered to be ample to ensure that the extension does not dominate the outlook from the neighbouring property.

Due to its proximity to the shared boundary between the application site and 42 Bryneglwys Gardens, the extension may result in some overshadowing of the neighbouring garden, however, due to the orientation of the two properties, this will be limited to the early morning. As such, the extension will not limit the function/usefulness of the neighbouring garden by restricting the sunlight received to it throughout the day. Its impact is considered to be acceptable in this regard.

The single storey lean-to extension proposed at the rear of the property measures 3.3m in height at its tallest point with its eaves measuring 2.3m in height. It will be built within close proximity to the boundary of the site with 6 Acacia Avenue. Given the scale and the form of the rear extension, its impact on the adjoining property will be limited. It will not overshadow the garden of the property to an extent that would warrant its refusal and will not impact the light received to the ground floor window at the rear of no. 6.

Note 6 of SPG02 states that *An extension should respect the privacy of neighbouring houses*. Paragraph 4.6.2 of the SPG goes on to advise that *the minimum distance between directly facing habitable room windows in adjacent properties should normally be 21 metres*.

Further to this, Paragraph 4.6.3 states that *Two-storey extensions to the rear of houses can affect privacy if first-floor habitable room windows overlook the backs of adjacent properties. To reduce the loss of privacy it is recommended that the minimum distance from the new habitable room window to the boundary should be 10.5 metres*. Reductions to these distances may be acceptable where either the overlooking window is permanently obscurely glazed and fixed.

The new rear-facing window at first floor level of the side extension will be situated approximately 4.5m from the boundary of the site with 41 Bryneglwys Gardens and 11.5m from no. 40 when measured in a straight line. In order to minimise the impact of the extension on the privacy of neighbouring residents, the window is to be obscurely glazed. A condition will be included on any permission ensuring that the window is both obscurely glazed and non-opening in perpetuity. Subject to this, the proposal is considered to be acceptable in terms of its impact on the privacy of neighbouring occupiers.

The development is therefore considered to be compliant with Notes 1, 2 and 6 of SPG02 and no concerns are raised in respect of neighbour amenity.

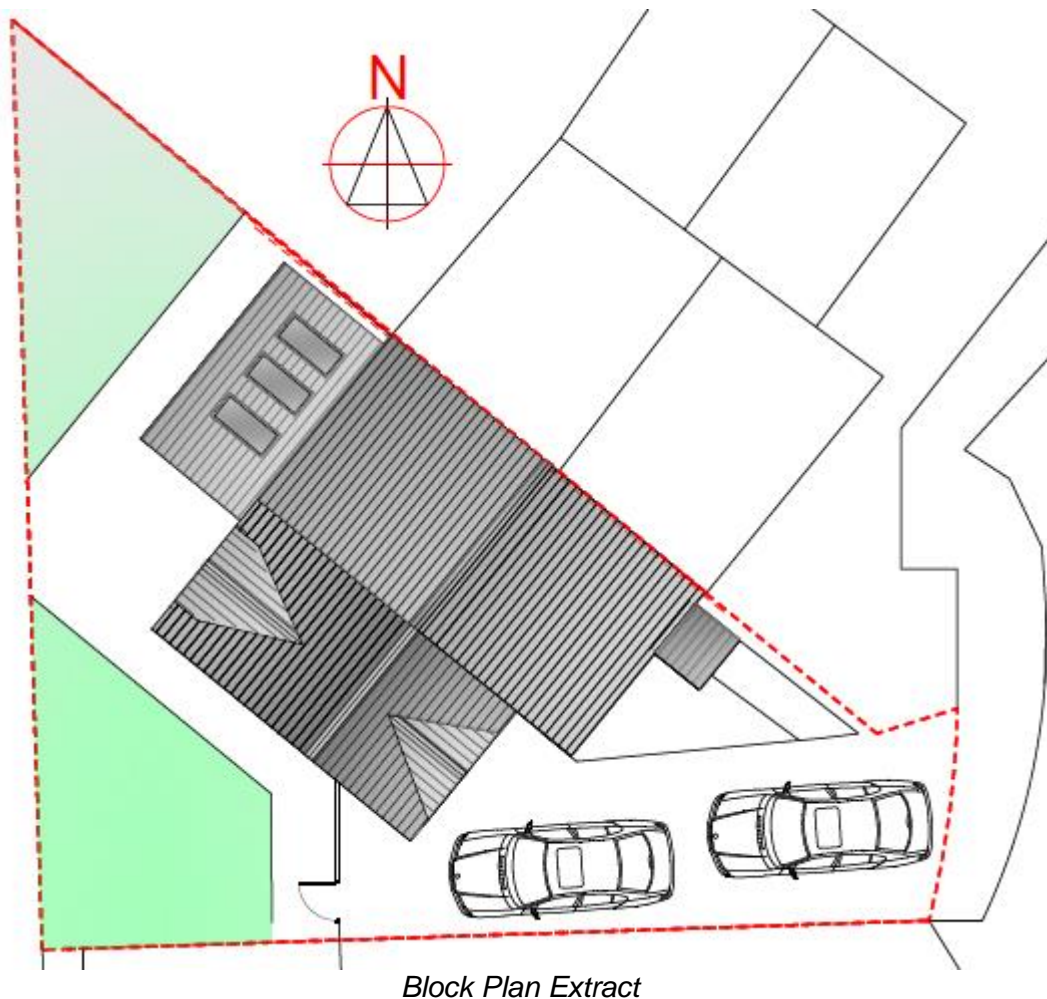
HIGHWAYS

Policy PLA11 of the adopted Local Development Plan (2013) stipulates that all development will be required to provide appropriate levels of parking in accordance with the adopted parking standards.

Note 9 of SPG02 states that *off-street parking should be available to meet the County Borough Council's guidelines for a dwelling of the size after extension* and stipulates that the parking requirement for houses equates to 1 space per bedroom up to a maximum of 3 spaces. Each space must be 4.8m x 2.6m to accommodate a car parking space unless it is within a garage. Supplementary Planning Guidance Note 17 Parking Standards (SPG17) stipulates that *garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m*.

The number of bedrooms within the property will not be impacted by the proposed

development, remaining at two. In order to satisfy the criteria outlined above a total of two off-street car parking spaces should be provided at the site.



The site plan submitted shows two off-street parking spaces which are to be retained on the existing driveway at the front of the property. The driveway is of an adequate size to accommodate the two parking spaces in line with the measurements required by the Council's Parking Standards. Despite concerns that the development would restrict the use of the adjacent driveway to the south, the block plan confirms that no encroachment onto neighbouring property will be required.

The proposed extension can be accommodated alongside adequate off-street parking provision and as such, the proposals are considered to be acceptable with regards to Highway Safety.

CONCLUSION

The proposed development is considered to be appropriate in terms of size, scale and prominence in accord with Policy SP2 of the Local Development Plan (2013). It does not impact the existing levels of privacy or amenity afforded to neighbouring properties and is acceptable from a highway safety perspective. The concerns of the neighbouring residents are acknowledged however, they do not outweigh the other material Planning consideration and the application recommended for approval.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans:
 - Proposed Plans and Elevations (received 12th May 2022).

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. The materials to be used in the construction of the external surfaces of the approved extension shall match those used in the existing building.

Reason: To secure the maximum degree of unity between existing and proposed development so as to enhance and protect the visual amenity of the area.

3. The rear-facing window serving the walk-in-wardrobe to Bedroom 02 as shown on drawing ref. 034-(99)100-B (received 12 May 2022) shall be fitted with fixed pane obscure glazing to a minimum of Level 5 on the Pilkington index of obscurity. The window shall be fitted prior to the beneficial use of the extension hereby approved commencing and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None