

RECOMMENDATION : GRANT WITH CONDITIONS

REFERENCE: P/15/194/FUL

APPLICANT: MR S EMERY
AEL Y DON TY FRY ROAD CEFN CRIBWR

LOCATION: AEL Y DON TY FRY ROAD CEFN CRIBWR

PROPOSAL: SINGLE STOREY REAR EXTENSION & DOUBLE TWO STOREY DOMESTIC GARAGE, STORE, STUDY & GYM IN REAR GARDEN (AMENDED DESC)

RECEIVED: 24th March 2015

SITE INSPECTED: 14th April 2015

APPLICATION/SITE DESCRIPTION

The application site consists of a two-storey semi-detached property situated within a large plot of Ty Fry Road, Cefn Cribwr.

The application seeks consent to demolish an existing single-storey extension and construct a larger single-storey extension to the side/rear of property. The proposal also seeks consent to construct a two-storey detached outbuilding in the garden.

The single-storey extension would have an L-shaped configuration. The rear element would measure 6m x 10m, whilst the element which wraps around the side of the property would measure 3.4m x 2.3m. The extension would have a flat roof, reaching 2.6m from ground level.

The proposed outbuilding would also have an L-shaped configuration. The largest section would measure 10m x 6m and would be finished with a Dutch-style hipped roof, reaching maximum heights of 3.5m (eaves) and 5.9m (ridge).

Extending from this element would be a smaller structure, measuring 4m x 4m which would be finished with a hipped roof, reaching maximum heights of 3.5m (eaves) and 5.2m (ridge).

RELEVANT HISTORY

None.

PUBLICITY

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 6 July 2015.

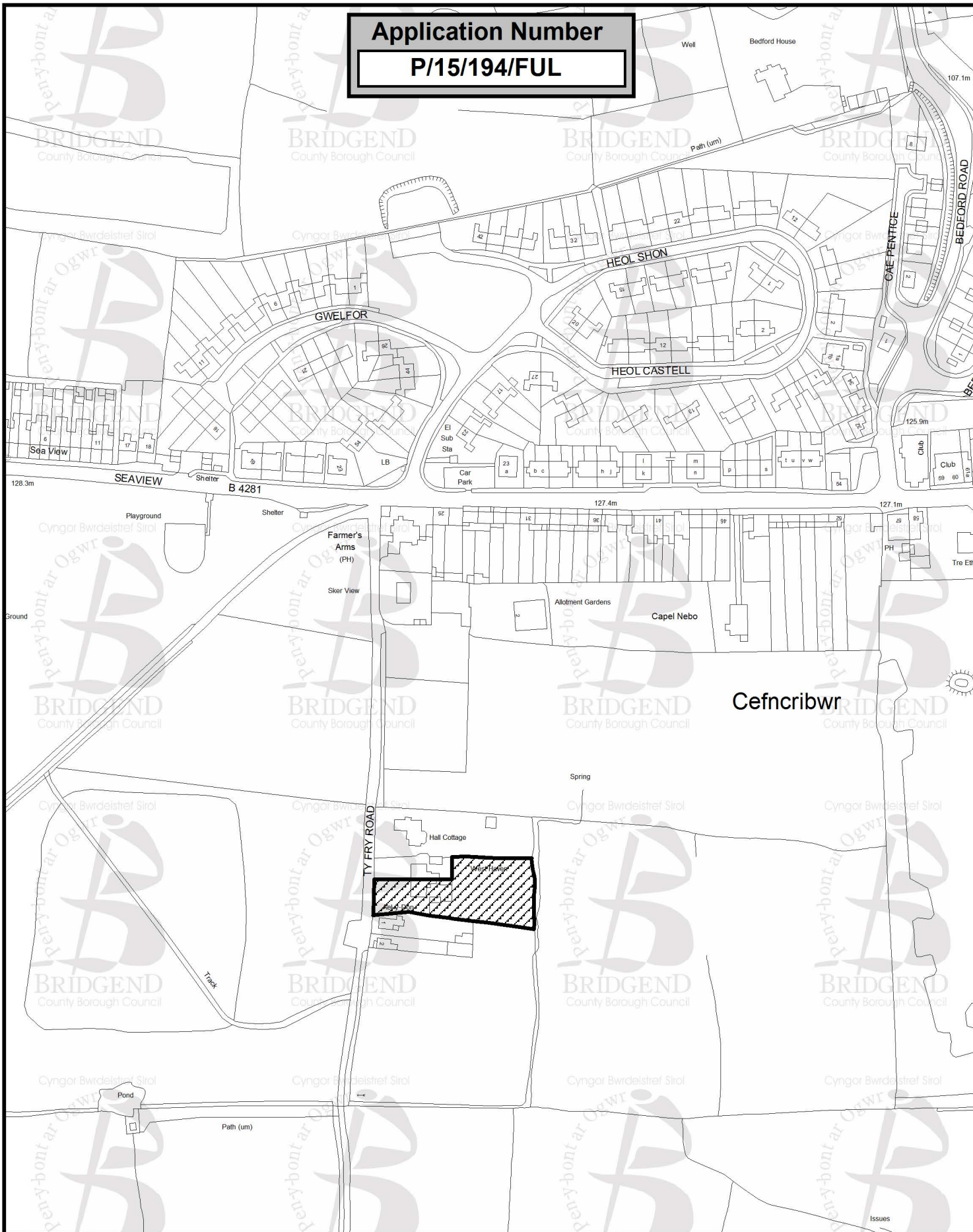
NEGOTIATIONS

The agent was requested to:

1. Relocate the position of the proposed outbuilding
2. Clarify the dimensions of the proposed outbuilding from the boundary with the adjacent property
3. Provide further details on the design and appearance of the proposed outbuilding
4. Label the rooms of the proposed single-storey extension and outbuilding

Application Number

P/15/194/FUL



Scale 1:2,500

Date Issued:
15/07/2015

Development-Mapping
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O:/Drive/Plandraw/new MI layouts/
Committee DC Plan

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Cyngor Bwrdeistref Sirol



5. Clarify the domestic use of the proposed outbuilding
6. Amend the description on the forms to accurately reflect the proposed development

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 25th March 2015

Councillor H J David

Considers that the application can be determined by Officer delegated power. The Councillor had also received correspondence from the occupier of 3 Ty Fry Road in connection with this planning application and forwarded it to the Department.

Head Of Street Scene (Highways)

No objections to the proposal.

Group Manager Public Protection

No objections to the proposal subject to an advisory note.

REPRESENTATIONS RECEIVED

Georgia & Alex Davidson, West Haven

Objects to the proposal but does not wish to speak at Committee:

1. Inaccurate description of the development
2. No consultation made by the applicant prior to the submission of the application
3. Future use of the outbuilding as a separate dwelling

Mrs Beth Baker, 3 Ty-Fry Road

Objects to the proposal but does not request to speak at Committee:

1. Future uses of the outbuilding, including a separate dwelling and commercial
2. Excessive scale of the outbuilding and detrimental to visual amenity
3. Loss of privacy to neighbouring properties
4. Loss of light/overshadowing
5. Overdominate
6. No consultation made by the applicant prior to the submission of the application
7. Adverse noise
8. Inaccurate numbering of neighbouring properties and extent of gardens is misleading
9. Highway safety
10. Loss of view
11. Loss of trees/vegetation
12. Development setting a precedent

Mrs Kay Ricketts, Hall Cottage

Objects to the proposal but does not request to speak at Committee:

1. Future uses of the outbuilding, including a separate dwelling and commercial
2. Excessive scale of the outbuilding and detrimental to visual amenity
3. Loss of privacy
4. Highway safety
5. Inaccurate description of the development
6. No consultation made by the applicant prior to the submission of the application

W Davies, 2 Ty-Fry Road

Objects to the proposal but does not request to speak at Committee:

1. Inaccurate description of the development
2. Inaccurate numbering of properties
3. Drainage
4. Future use of the outbuilding as separate dwelling

COMMENTS ON REPRESENTATIONS RECEIVED

In response to the objections received:

1. Excessive scale of the outbuilding and detrimental to visual amenity - refer to 'appraisal' section of the report.
2. Highway safety - refer to 'appraisal' section of the report.
3. Loss of privacy to neighbouring properties - refer to 'appraisal' section of the report
4. Loss of light/overshadowing - refer to 'appraisal' section of the report.
5. Overdominate - refer to 'appraisal' section of the report.
6. Loss of trees/vegetation - refer to 'appraisal' section of the report.
7. Loss of view is not a material planning consideration and, as such, cannot be considered during the determination of the application. Notwithstanding the above, it is considered that this scheme would not unreasonably affect the outlook of neighbouring properties.
8. Setting a precedent is not in itself a reason to refuse planning permission. The application has been assessed on its own merits and, in this particular case, it is considered that the proposed two-storey outbuilding satisfies the relevant planning policies and guidelines.
9. The agent has completed householder application forms, submitted a supporting statement to clarify that the outbuilding would only be used for domestic purposes in connection with the main dwelling and has amended the description to that effect on the application forms. The scheme is, therefore, assessed on that basis. The use of the building as a separate dwelling or for commercial purposes would require separate planning consent (change of use). Such a scheme would be assessed on its own merits, in context to the planning policies and guidelines applicable at the time of submission.
10. There is no compulsory requirement for an applicant to discuss proposals with the neighbours prior to submitting a planning application. However, all properties which adjoin the curtilage of the application property have been formally consulted as part of the determination of this application.
11. The description on the application forms has been amended to accurately reflect the proposal. All neighbouring properties were re-consulted with the amended description.
12. Any unreasonable levels of noise from construction or when occupying any part of the development, will be investigated by the Public Protection Department of the Council and controlled under separate legislation.
13. The submitted location/block plan has been taken from maps produced by Ordnance Survey

and it appears that this company has inaccurately numbered the properties. Notwithstanding the above, the application site and its relationship with neighbouring properties and their gardens have been identified on the plans to enable the scheme to be reasonably assessed.

APPRAISAL

The application is referred to Committee due to three neighbour objections being received from local residents.

The application site is located outside any designated settlement boundary and, as such, it is considered to be within the countryside.

The bulk of the proposed single-storey extension would be hidden behind the host property and, as such, it would not be significantly visible from public positions. The element which extends around the side elevation would be visible from the nearest public position being Ty Fry Road.

The extension would have a scale that is greater than 25% of the original dwellinghouse which is recommended under Note 13 of SPG02. However, due to its single-storey scale and, its limited public visibility and also being set-back approximately 23m from the road, it is considered that this element of the scheme would publicly appear modest in scale and clearly subordinate to the host dwelling. It is, therefore, considered that this element of the scheme would not have any significant adverse effect on the visual amenities of the area or the character and appearance of the wider countryside.

Notwithstanding the above, it is considered necessary to impose a condition for the external finishes to be agreed since such details have not been specified on the submitted plans. This element of the scheme is considered to satisfy Policy ENV1 of the BLDP and Note 13 of SPG02 which concerns with the scale, design and appearance of extensions to dwellings in the countryside.

The proposed single-storey extension would be built up to the boundary with the adjoining property, West Haven. It was noted during the site visit that this neighbouring property has constructed a long single-storey extension adjacent to the boundary. The application site has an existing extension and outbuilding already adjacent to the extension of West Haven. The applicant has signed Certificate B and served Notice on this neighbour. Both extensions would be positioned side-by-side and it is not considered that the proposed extension would generate any overriding residential amenity issues, especially with regards to light, dominance, outlook and privacy.

The plans indicate that there would be no access provided onto the roof of the proposed extension. Notwithstanding the above, it is considered prudent, in the interests of privacy, to impose a condition so that the roof of the proposed extension cannot be used as a balcony.

The proposed single-storey extension would be situated on existing hardstanding and, as such, would not generate any significant additional surface water.

The application also seeks consent for a detached outbuilding in the garden of the property. This would be two-storeys in scale and would provide additional floorspace for a domestic garage, storage, a private gym and a study.

The plans have been amended to include a degree of design detailing and it is not considered that it would have such an adverse effect on the visual amenities of the area so as to warrant refusal. Furthermore, since the outbuilding would be located behind the application property and approximately 39m from the nearest public position, namely Ty Fry Road, it would be deemed subordinate to the host dwelling and would not represent an obtrusive or incongruous element in the street-scene.

In addition to the above, the neighbouring property, 2 Ty Fry Road, is a two-storey property and has a long, two-storey rear wing. Since it is positioned significantly forwards of the application property, the attention of the viewer from Ty Fry Road is drawn to that property and not to the proposed outbuilding, which would only be particularly visible from directly in-front of the application site.

Having regard to the above and subject to a condition for the external finishes of the proposed outbuilding to be agreed, it is not considered that this element of the scheme would have such an adverse effect on the visual amenities of the area so as to warrant refusal and, subsequently, satisfies Policy SP2 of the adopted Bridgend Local Development Plan (BLDP) and Note 23 of Supplementary Planning Guidance 2: Householder Development (SPG02).

The proposed outbuilding would, at its nearest, be positioned 1.5m from the boundary with the neighbouring property, 2 Ty Fry Road. It is also acknowledged that No.2 is located on a lower level to the application site which would increase the height of the proposed building when viewed from the rear garden of No.2. The structure would be adjacent to the end of the garden of No.2, which contains outbuildings and typical garden structures. It is acknowledged that the outbuilding would dominate part of the lower garden of No.2, however, this neighbouring property also benefits from a long rear garden and, as such, its overall level of outdoor amenity would not be so adversely affected as to warrant refusal.

Due to the set-back nature of the proposed outbuilding and that No.2 benefits from a long rear garden, there would be a distance of approximately 15m from the outbuilding to the nearest element of No.2, being a conservatory. The side elevation of the proposed outbuilding would have a blank wall, thereby ensuring that privacy standards are maintained.

There would be windows positioned on other elevations of the outbuilding, however, these would only allow limited and indirect views towards No.2 and its amenity space. Additionally, the outbuilding would be to the north of the garden of No.2 and north-east of the neighbouring property, and, as such, would not result in any significant loss of light.

Having regard to the above, it is not considered that this proposal would result in such unreasonable loss of amenity to the occupier of No.2 so as to warrant refusal, with particular regards to light, dominance, outlook and privacy.

The application site adjoins two other properties, namely 'West Haven' and 'Hall Cottage'. The outbuilding would be of sufficient distance from the boundaries with these properties and the scheme would comply with the guidelines within SPG02 with particular regards to light, dominance and outlook and privacy.

The proposal is likely to involve the felling of a small number of trees, however, they are not considered to have such public amenity value as to warrant protection.

The outbuilding would be predominantly situated on grass/vegetation. Given the footprint of this structure and its proximity to a neighbouring property which is at a slightly lower level, it is considered prudent to impose a condition for the method of discharging surface water drainage to be agreed. Subject to this condition, it is not considered that the scheme would have any significant adverse effect on drainage, flooding or the amenities of neighbouring properties.

The Group Manager Transportation and Engineering (Highways) has no objections to the proposal. It is, therefore, considered that the scheme would not have any significant adverse effect on highway/pedestrian safety.

The proposal complies with Policies ENV1 and SP2 of the Local Development Plan and SPG02 and is considered acceptable.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy, ecology/biodiversity, drainage, highway safety, or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

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:

1407-02 Rev.A - Proposed plans and elevations (received 2 July 2015)

1407-03 Rev.B - Proposed garage plans and elevations (received 13 July 2015)

Location/Block Plan (received 3 July 2015)

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

2 Notwithstanding the requirements of condition 1, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the extension and outbuilding hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

3 Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing roof/yard (surface) water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the beneficial use of the development hereby approved.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

4 There shall be no means of access onto the flat roof of the single-storey extension, hereby approved, and the roof of this structure shall not be used at any time as a balcony.

Reason: In the interests of privacy and amenities.

5 Notwithstanding the submitted plans, there shall be no first floor openings inserted on the southern (side) elevation serving the gymnasium, or on the western (front) elevation serving the study, contained within the outbuilding hereby approved.

Reason: In the interests of privacy and residential amenities.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. This application is recommended for approval because the development complies with

Council policy and guidelines and does not adversely affect privacy, ecology/biodiversity, drainage, highway safety, or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

b. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be brought to the attention of the Public Protection Department of the Council.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None