

REFERENCE: P/16/553/FUL

APPLICANT: Mr T Bevan: 45 Minffrwd Road, Pencoed CF35 6SD

LOCATION: 48 Minffrwd Road, Pencoed CF35 6SD

PROPOSAL: Ground floor rear extension (kitchen, dining, utility, bedroom), first floor dormer to provide access to sun deck/balcony

RECEIVED: 13 July 2016

SITE INSPECTED: 13 July 2016

APPLICATION/SITE DESCRIPTION

This detached bungalow is located at the northern end of Minffrwd Road.

The proposal involves:-

- the demolition of the existing kitchen and dining room (4.3m x 5.4m) and its replacement with a flat roof open plan kitchen/dining room (5.3m x 6.5m x 2.7m) with a centrally located roof lantern;
- the conversion of the existing bedroom into a bathroom and a wet room;
- a single storey flat roof bedroom extension (3.0m x 4.0m x 2.7m);
- the creation of a first floor in the current roof space to access a pitched roof dormer (3.5m x 2m with a maximum height of 2.8m) with a door opening;
- a first floor sun deck (2.5m x 5.3m) enclosed on 3 sides by 1.3m high glazed panels accessed via the new dormer.

Proposed materials of construction are clay tiles to match the existing roof, natural larch tongue and groove panelling on the walls of the dormer and plain render on the ground floor extension.

RELEVANT HISTORY

None

PUBLICITY

Neighbours have been notified of the receipt of the application.
The period allowed for response to consultations/publicity expired on 10 August 2016.

CONSULTATION RESPONSES

None

REPRESENTATIONS RECEIVED

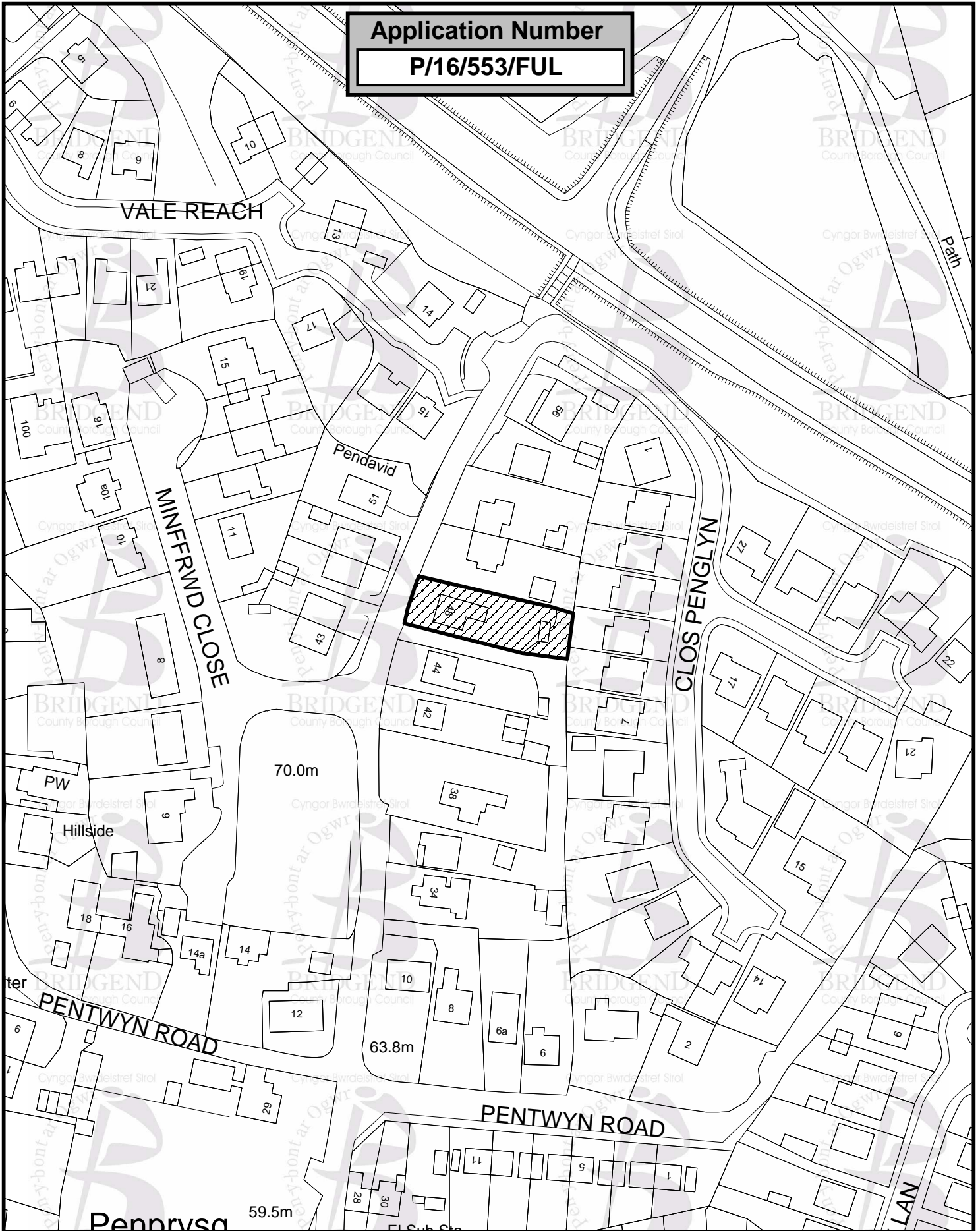
Barbara A Jones of 49 Minffrwd Road supports the proposal.

Charles D Sedgebeer of 50 Minffrwd Road does not object to the single storey extension but objects to the first floor sun deck for reasons of loss of privacy.

Dave & Julia Godin of 5 Clos Penglyn consider the elevated platform will be directly level to and opposite their bedroom window.

Application Number

P/16/553/FUL



Scale 1:1,250

Date Issued:
24/08/2016

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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They consider this will provide a clear view directly into their garden to the detriment of the health, wellbeing and security of their disabled daughter.

The property was bought as it was not overlooked nor overlooked other property and the development will impact on their use of their home and garden and potential sale value.

Mr & Mrs H Sterio of 6 Clos Penglyn objects to the proposal on grounds of loss of privacy and overlooking of the garden/patio, with direct view into their dining room, kitchen, utility room and 2 bedrooms.

They also believe there could be noise disturbance from the use of the sun deck and that the size and appearance is unsightly.

COMMENTS ON REPRESENTATIONS RECEIVED

Whilst 5 and 6 Clos Penglyn back onto 48 Minffrwd Road there is a group of mature trees, protected by TPO (1988) OBC No 12, which forms a partial screen between the properties.

In addition, there is 24m - 25m between the proposed sun deck and the boundaries of 5 and 6 Clos Penglyn and 32.5m - 34.5m between the sun deck and the properties. As such, the proposal complies with guidance in respect of distances for privacy and overlooking.

The impact in respect of 50 Minffrwd Road will be assessed in the Appraisal.

APPRAISAL

The application is referred to Committee as 3 objections to the proposal have been received.

The assessment of this application will consider Policy SP2 of the Local Development Plan (LDP) and Supplementary Guidance (SPG) 02: Householder Development.

The proposal involves:-

- the demolition of the existing kitchen and dining room and its replacement with a flat roof open plan kitchen/dining room with a centrally located roof lantern;
- the conversion of the existing bedroom into a bathroom and a wet room;
- a single storey flat roof bedroom extension;
- the creation of a first floor in the current roof space to access a pitched roof dormer with a door opening;
- a first floor sun deck enclosed on 3 sides by glazed panels accessed via the new dormer.

The proposed kitchen/dining room extension will project 1.8m further outwards than the existing single-storey element and the new bedroom will project 3.9m from the existing rear wall. Both elements will be finished with a flat roof.

The proposed single storey extensions would not be significantly visible from public positions since they would be enclosed by the host property, neighbouring properties and private gardens and it is considered that it would not have any significant adverse effect on the visual amenities of the area nor would they have any significant adverse effect on the neighbouring properties.

The proposal also involves the construction of a dormer to facilitate access on to a sun deck which projects 2.5m from the roof of the dwelling and, in this respect Note 6 of SPG 02 is relevant.

A sense of privacy within the house and a freedom from overlooking in at least a part of the garden are aspects of residential amenity and a minimum distance between directly facing habitable room windows in adjacent properties should normally be 21 metres. This is achieved by the proposal as it relates to 5 and 6 Clos Penglyn, as indicated above (Comments on Representations Received), and is not applicable in respect of 50 Minffrwd Road.

Notwithstanding the above and whilst few rear gardens are entirely private, some features can create a sense of unreasonable overlooking in neighbouring property. Balconies often cause the greatest difficulty and, as such, a balcony should be located or screened to prevent or minimise overlooking. This is the situation affecting the occupier of 50 Minffrwd Road who has enjoyed privacy and no overlooking as the current dwelling is single storey. Whilst the construction of the dormer alone would be permitted development, the addition of the sun deck requires planning permission and falls to be controlled under planning legislation.

It is considered that the sun deck will result in the overlooking of the garden area of No 50 and the loss of privacy, however, this can be controlled by condition. The application indicates that 1.3m high balustrades will be erected around all sides of the sun deck but, to respect the privacy of the adjoining properties, it is considered that the height of the side elements should be increased to a minimum of 1.7m and should either be obscurely glazed panels or solid screens.

There would be an adequate amount of amenity space left to serve the property and the development does not affect the provision of off-street parking.

CONCLUSION

Notwithstanding the objections received this application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy 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 approved plan PL02.

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

2. Notwithstanding condition 1, prior to the beneficial use of the balcony hereby approved commencing, a 1.7m high solid screen or a 1.7m high panel obscurely glazed to Level 5 of the Pilkington scale shall be erected along the northern and southern ends of the balcony. The screening shall thereafter be retained in perpetuity.

Reason: In the interests of residential amenity

* THE FOLLOWING IS AN ADVISORY NOTE NOT A CONDITION

Notwithstanding the objections received this application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

**MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None