

, I just wanted to re-iterate the point I was trying to make regarding classing the bottom tier (beige area) as a raised amenity space, as per the House Extension and Domestic Outbuildings SPG. I thought I'd put the concerns I raised with yourself in writing and ask that it be uploaded to the planning application documents on the NCC website, in case it does end up going to the committee to decide.

We discussed the fact the original application (24/0810) was refused based on Point 5.5 Raised amenity spaces (decks, balconies, patios and roof terraces) of the above SPG, as you felt the work carried out met the criteria of the below point:

5.5.1 In common with any other extension, a raised amenity space should relate sympathetically to the existing building and the streetscape by virtue of its size, design and materials. A raised amenity space that substantially reduces natural light, perceived space or privacy in neighbouring habitable rooms or back gardens will not be acceptable.

Firstly, I don't think the supplementary guidance actually applies to the work we have carried out, as it's specifically design for House extensions and domestic outbuildings; neither of which we have built. Point 1.3 "What is the purpose of this SPG?" states:

1.3.1 i) To ensure that house extensions and domestic outbuildings do not cause substantial harm to neighbours living conditions.

- no house extension or domestic outbuilding has been developed.

If somehow it is deemed that this guidance can be applied to our application, I don't believe '5.5 Raised amenity spaces' can be used as a basis for refusal for the below reasons:

Initial bottom tier (beige patio)

This tier cannot be deemed a 'raised amenity space', as although it is 1.4 metres high, the whole of this retaining structure is existing. We have not raised the height, except for the depth of a patio slab, which as you confirmed earlier on, this increase is marginal. The Welsh Government Technical Guidance, Permitted development for householders states the following:

1.1 For the purpose of Part 1 (Part 1 of Schedule 2 to the Town and Country Planning Order 1995) –

"raised" in relation to a platform means a platform with a height greater than 30 centimetres

The height of this tier has not at any point been increased by more than 30 centimetres, so doesn't meet the definition of "raised" and therefore cannot be deemed a "raised amenity space" as per the SPG quoted.

Point 5.5 specifically states that the raised amenity space that substantially reduces privacy will not be accepted – which is what was used in the conclusion of the original report, which stated the “raised tiers substantially reduces privacy to 3 Pontymason Close’s garden”. The work carried out on this tier has not **‘substantially’** reduced privacy into the no.3, as confirmed by yourself in the report with the below quote:

8.3 “When assessing the views afforded to no.3 Pontymason Close, it should be noted, views could be afforded from this tier prior to works into 3 Pontymason’s garden.”

Laying patio slabs on an already existing ground level, is a permitted development under Class F:

Permitted development

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

Top/second tier (astro turf)

I am in agreement that a marginal area of this tier has been increased above 300mm, however I don’t agree that the top tier meets the criteria to be refused under point 5.5 of House Extension and Domestic Outbuildings SPG.

Point 5.5 Raised amenity spaces (decks, balconies, patios and roof terraces), specifies what it covers in the title; decks, balconies, patios and roof terraces – the second tier does not hold decking, isn’t a balcony, does not contain a patio and certainly isn’t a roof terrace. This tier is simply ground covered in astro turf.

Only 13.5% of this tier has been raised above 300mm and due to the sloping nature of the gardens and the fact no.4 is built on ground a metre higher than no.3, there has always been an element of overlooking from any point in the garden. We don’t believe the small area of this terrace (13.5%) that was raised above 300mm can be deemed to ‘substantially’ reduce privacy into no.3.