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Tel: 01824 706800 Fax: 01824 706709

Heading:

28/2013/1444/PF
Bryn y Garn
Henllan

4



Application Site

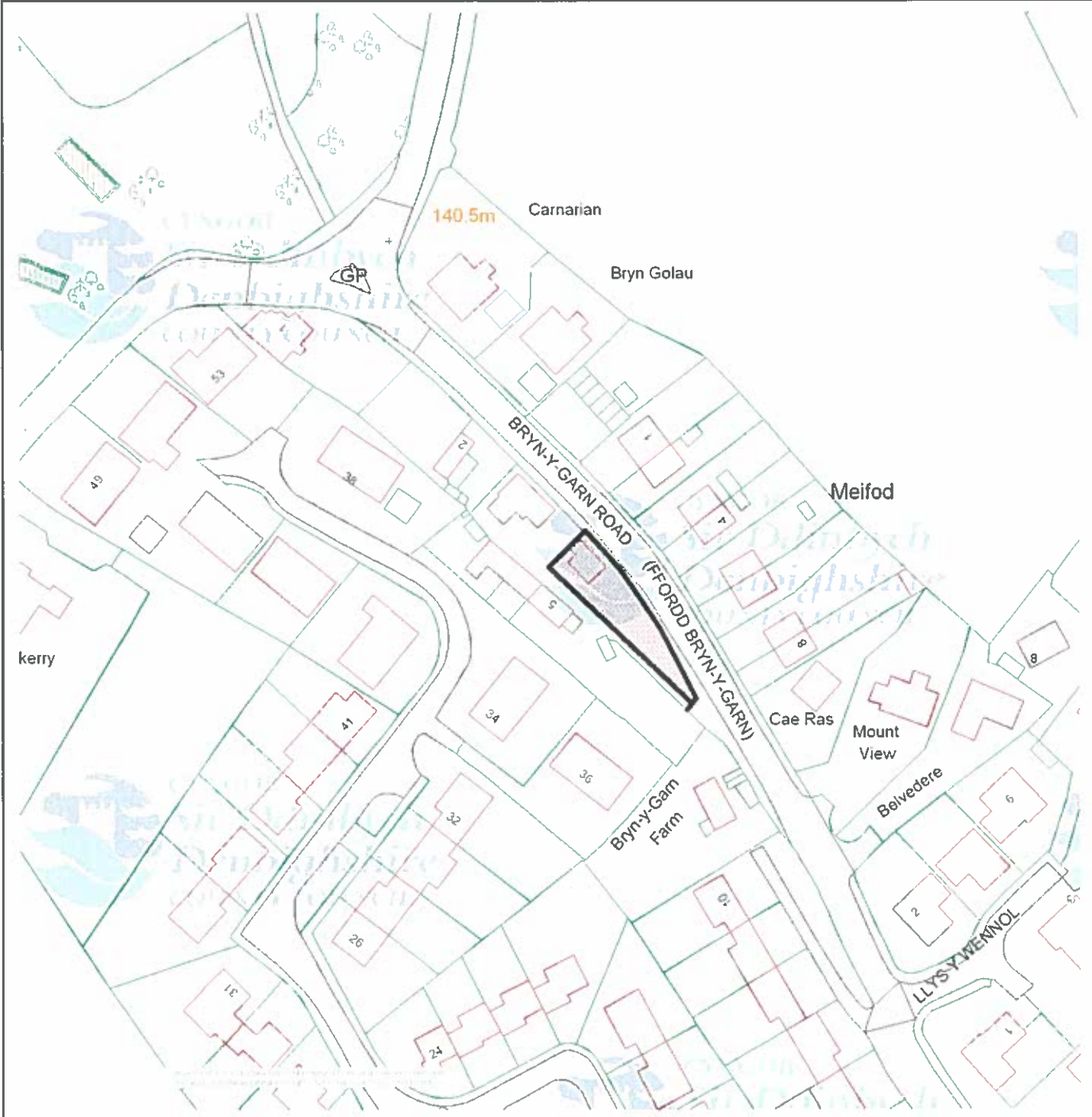


Date 3/2/2014

Scale 1/1250

Centre = 302672 E 368468 N

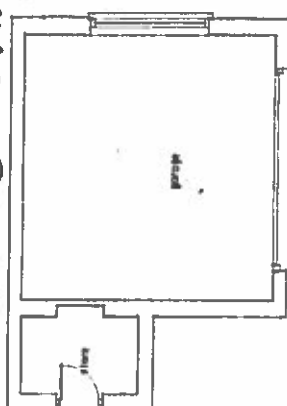
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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© Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings Denbighshire County Council 100023408 2011

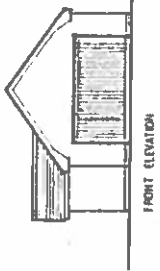
Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrthdy.
© Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil Cyngor Sir Ddinbych 100023408 2011

EXISTING PLANS

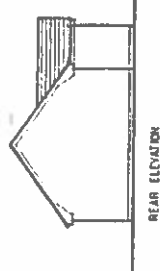


FLOOR PLAN AS EXISTING

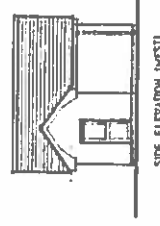
ELEVATIONS AS EXISTING 1/8" = 1'-0"



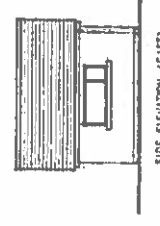
FRONT ELEVATION



REAR ELEVATION

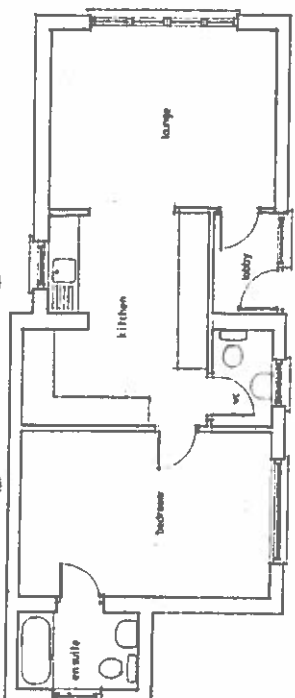


SIDE ELEVATION (WEST)

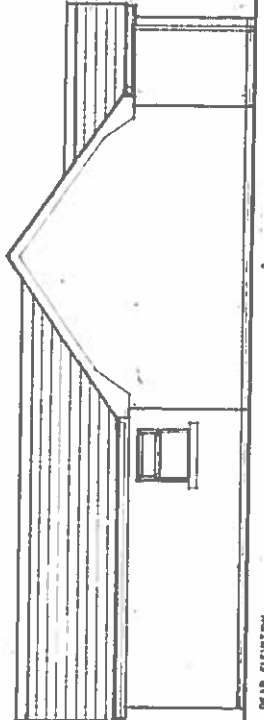


SIDE ELEVATION (EAST)

PROPOSED PLANS

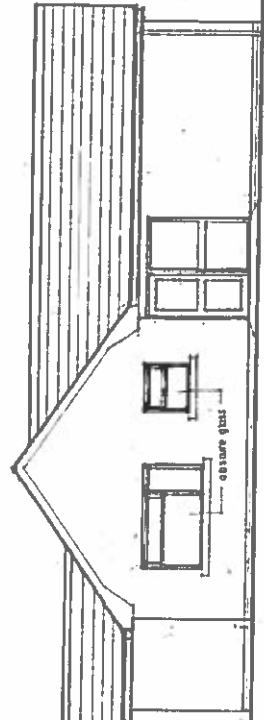


FLOOR PLAN AS PROPOSED



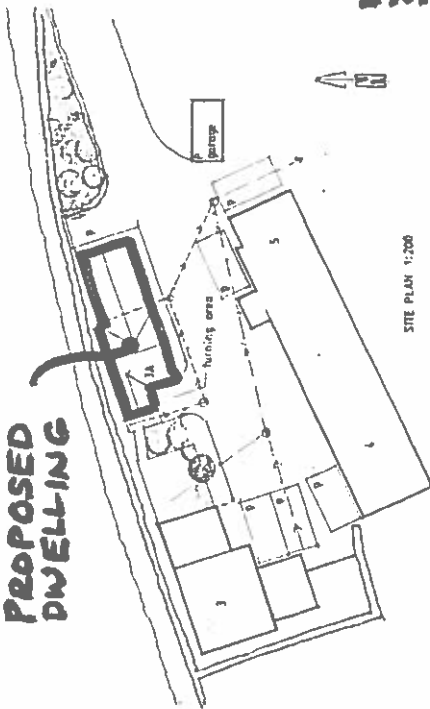
REAR ELEVATION

ELEVATIONS AS PROPOSED



FRONT ELEVATION

PROPOSED DWELLING



SITE PLAN 1/8" = 1'-0"

EXISTING & PROPOSED PLANS



LOCATION PLAN 1/8" = 1'-0"

3A Bryn y Garn Road, Henllys L116 5AN
 CONVERSION AND EXTENSION OF GARAGE TO FORM A NEW DWELLING
 PLAN NO DC/B/D/14 SCALE 1/8" ON AS NOTED

Dennis Jones
 Architect
 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

ITEM NO: 4
WARD NO: Denbigh Upper / Henllan
WARD MEMBER(S): Councillor Colin Hughes & Geraint Lloyd Williams
APPLICATION NO: 28/2013/1444/ PF
PROPOSAL: Erection of pitched-roof extension to existing double garage and change of use to form a single-storey dwelling
LOCATION: 3 Ffordd Bryn Y Garn Henllan Denbigh
APPLICANT: Mr Ian Cliffe
CONSTRAINTS:
PUBLICITY UNDERTAKEN: Site Notice - NoPress Notice - NoNeighbour letters - Yes

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

- Member request for referral to Committee

CONSULTATION RESPONSES:

HENLLAN COMMUNITY COUNCIL

"Henllan Community Council objects to the above Planning Application for the following reasons:-

1. The Council does not think that it is a suitable dwelling/living space.
2. The Council does not feel that having frosted glass bedroom windows is appropriate given that the house backs onto a stone wall.
3. The dwelling is too close to the house opposite"

DWR CYMRU / WELSH WATER

No objection, standard notes apply relating to sewer confections and surface water.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

No objection subject to condition relating to the setting out of the parking bays.

RESPONSE TO PUBLICITY:

None.

EXPIRY DATE OF APPLICATION: 09/01/14

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes the change of use and extension of a garage to form a dwelling off Ffordd Bryn Y Garn in Henllan.
- 1.1.2 The extension is proposed on the eastern side of the existing garage and would add approximately twice its existing footprint. The resulting dwelling would comprise of a lounge, kitchen, wc, lobby/entrance hall and a bedroom with en suite, with a floor area of some 68 sq metres.
- 1.1.3 The plans do not show a specific private amenity area to be provided for the dwelling, although the 'red line' includes an area of landscaping along the entrance and a turning head within the application site.
- 1.1.4 The existing parking arrangement is also proposed to be reorganised to accommodate an additional parking space.

1.2 Description of site and surroundings

- 1.2.1 The site comprises a garage and part of the curtilage of No. 3 Ffordd Bryn Y Garn.
- 1.2.2 Located on the southern side of Ffordd Bryn Y Garn in Henllan, the group of dwellings which the garage is part is sited at a lower level than the road.
- 1.2.3 There are three dwellings in the group, accessed from the east off a sloping driveway. They range in age and design from the fairly modern dwelling at no. 3, to an extended traditional semi-detached unit at no. 4 and no. 5.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of the village.

1.4 Relevant planning history

- 1.4.1 A similar application was submitted in 2013, this application was refused under delegated powers on grounds that it would be a cramped form of development with inadequate amenity space and parking arrangements.
- 1.4.2 The main change between this application and the previous refusal is the site layout, as this application aims to address concerns over parking capacity.
- 1.4.3 Prior to this, the last application on the site was for the dwelling at No. 3 Bryn Y Garn. The site plan appeared to show some form of 'lean to' outbuilding in the area where the garage has been built. The remainder of the site was part of the parking (2 cars) and landscaped gardens of the dwelling.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 28/2013/0815

Erection of pitched-roof extension to existing double garage and change of use to form a single-storey dwelling. Refused under delegated powers for the following reasons:

- 1. "It is the opinion of the Local Planning Authority that the proposal would result in an unacceptable form of development, which would be cramped and would not afford adequate levels of amenity for the proposed and adjacent occupiers. The proposal would

be contrary to Test i) and vi) of Policy RD 1 of the Local Development Plan, advice contained in SPG No. 7 and Chapter 9 of Planning Policy Wales.

2. It is the opinion of the Local Planning Authority that the plans provided fail to demonstrate how parking and turning for the existing and proposed dwelling would be accommodated on the site, contrary to viii) of policy RD1 of the Local Development Plan and advice contained in SPG No. 21."

28/2006/0033

Demolition of existing dwelling and outbuilding, erection of 1 no. replacement dwelling and outbuilding and alterations to existing vehicular access. Granted under delegated powers on the 09/06/2006.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 - Sustainable development and good standard design
Policy BSC7 - Houses in multiple occupation and self contained flats
Policy BSC11 - Recreation and open space
Policy ASA 3 - Parking Standards

3.1 Supplementary Planning Guidance

Supplementary Planning Guidance Note No. 7 Residential Space Standards

3.2 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012
Technical Advice Notes

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main policy in the LDP which is relevant to the principle of housing development is policy BSC1, which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries. Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria. Policy RD1 sets out general tests to be applied to all developments within development boundaries. This policy

contains criteria which require proposals for new development to have adequate regard for the visual amenity of an area, amenity of neighbours etc. Development which would result in a harmful impact on the character and appearance of a site and its surroundings by virtue of inappropriate design should be resisted. Of some relevance is policy BSC 7, the Council's detailed policy relating to Houses in Multiple Occupation & Self Contained Flats.

In relation to the principle of 'change of use', Officers have taken into account the current planning policies and guidance. The planning history of the site is also noted. Whilst there is a desire to site new residential development within development boundaries, and a need to make the most efficient use of land within these areas, considering the detailed impacts set out below it is the opinion of officers that the proposal is not acceptable.

4.2.2 Visual amenity

Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

The proposal involves doubling the size of an existing garage to facilitate conversion to a dwelling. The design and materials appear to reflect those on the existing garage. Concerns have been raised by the Community Council over the site layout.

Whilst the level of detail on the site layout plan is limited, the density of development on the site would appear cramped. The lack of private amenity space and necessity for parking for an additional dwelling would result in potential conflicts between occupiers using the open area between the buildings for amenity use and those accessing it to park vehicles. This may result in the site having an untidy and overdeveloped appearance. It is considered that the proposal fails to comply with planning policy in terms of respecting the visual amenity of the area.

4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc. Policy BSC 7 and SPG 7 also require amenity issues to be considered for proposals to subdivide properties in to self contained flats.

The proposal would create a one bedroom house. The accommodation would measure roughly 68 sq metres in floor area and provide a bedroom with en suite, a kitchen, lounge, a bathroom and lobby area at the entrance. The bedroom would have an obscure glazed window, as would the en suite and wc. There would be one window in the kitchen which would open to the boundary wall and the lounge would have 4 panel French style doors. The dwelling would be sited within 9 metres of the dwellings to the west and south, both are two storey dwellings with first floor windows facing the application site. Concerns have been raised by the Community Council over the amenity impacts of the proposal.

For 1 bedroom dwelling units, SPG 7 requires a minimum floorspace of 50 sq m, which the proposal exceeds. The minimum space standards given for living rooms

and bedrooms are also met. However taking into account the range of points listed below Officers are concerned about the layout of the unit. There would only be one window to serve the bedroom and it would be obscured glazed. The access to the bedroom would be directly from the kitchen. The window to the kitchen would have an outlook to a 4m high wall. There would be limited utility space within the unit. Finally the plans do not show provision of a useable amenity space, clothes drying areas or bin stores for the proposed dwelling, and the DAS acknowledges the minimum standards for these facilities would not be met. Considering these issues it is not considered that the proposal would provide for adequate amenity standard for the potential occupiers. Furthermore an additional concern of Officers in relation to amenity standards it that if permitted the conversion of the garage attached to no. 3 Bryn Y Garn would result in a loss of amenity space for this dwelling, as only approximately 45 sq metres of garden area would remain for the 3 bedroom dwelling.

Turning to the relationship of the proposal to adjacent dwellings in the group, it is noted that the dwelling is proposed to be developed in the curtilage of a recently completed site, and it comprises of its garage and area around it which was intended to be used for parking and landscaping. The front elevation of no. 3 faces the garage and owing to the proximity of the dwelling to the rear contains most of its windows and a fully glazed conservatory. The siting would lead to direct overlooking from ground and first floor windows over the site elevation of the proposed dwelling, and whilst the windows in this elevation would be obscure glazed the close proximity of this relationship and the limited outlook that no. 3 would be left with is a concern. Opposite the proposed dwelling (to the south) the dwellings at no. 4 and 5 have ground and first floor windows facing the side of the garage. These windows would be a maximum of 9 metres to the proposed dwelling. Officers consider the close proximity of existing windows and limited separation distances unacceptable as they would fail to meet guidance and standard separation distances which require 21 metres of separation where properties back or front each other and 14 metres where there is a back to side arrangement.

For the above reasons it is not considered that a suitable level of amenity would be afforded to existing residents or future occupiers of the proposed dwelling, and the dwelling at no. 3 Bryn Y Garn, and therefore the proposal does not comply with Policy RD1, BSC 7 and SPG 7.

4.2.4 Highways (including access and parking)

Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8).

As existing the site comprises garaging and parking for the dwelling at no. 3 Bryn Y Garn. The plans show a parking layout for the remainder of the site, although it is noted that not all of the site is under the control of the Applicant. There are no objections raised in relation to highway safety and the impact the proposal would have on the local highway network. The Highways Officer has no objections to the proposal and there are no concerns in respect of the adequacy of the local highway network.

Despite Officers concerns it is not considered that there are any strong highway grounds to refuse permission.

5. SUMMARY AND CONCLUSIONS:

- 5.1 It is the opinion of Officers that the proposal is not acceptable on grounds relating to residential amenity and visual amenity. Whilst acknowledging the Agent's point that the proposal would suit the needs of his client and would result in the creation of an additional

dwelling unit within the development boundary, where the Council promotes development, these factors do not outweigh Officers concerns. For reasons set out above it is not considered that the proposal meets the relevant policy tests, therefore it is recommended for refusal.

RECOMMENDATION: REFUSE- for the following reasons:-

1. It is the opinion of the Local Planning Authority that the proposal would result in an unacceptable form of development, which would appear cramped and would not afford adequate levels of privacy and amenity for proposed and adjacent occupiers. The proposal would be contrary to Test i) and vi) of Policy RD 1 of the Denbighshire Local Development Plan, advice contained in SPG No. 7 Residential Space Standards and Chapter 9 of Planning Policy Wales (2012).

NOTES TO APPLICANT:

None