

Heading:

REFERENCE NO. 46/2014/0438/PF
7 DEANS WALK
ST ASAPH

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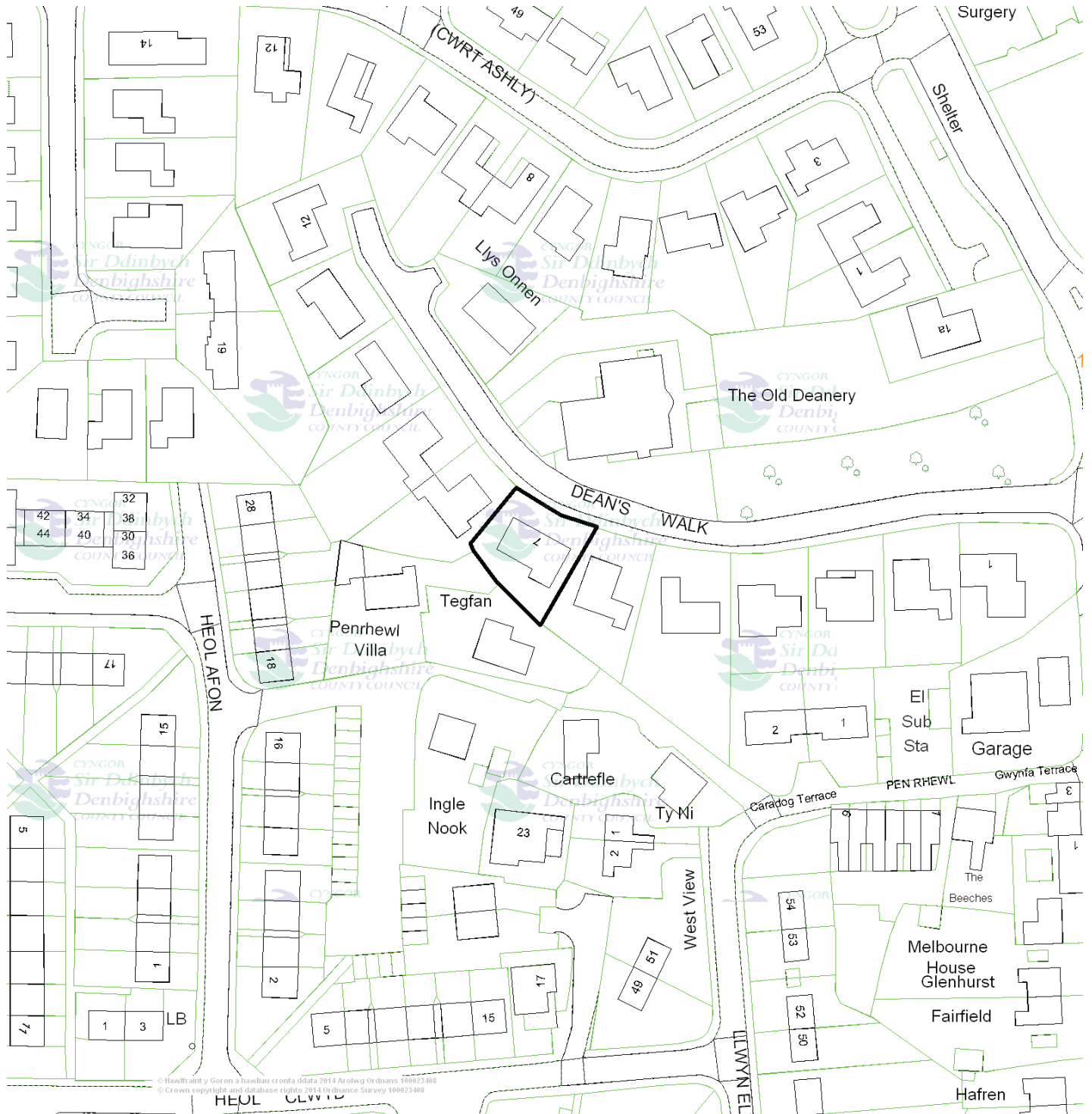
 Application Site



Date 3/6/2014
Centre = 303333 E 374182 N

Scale 1/1250

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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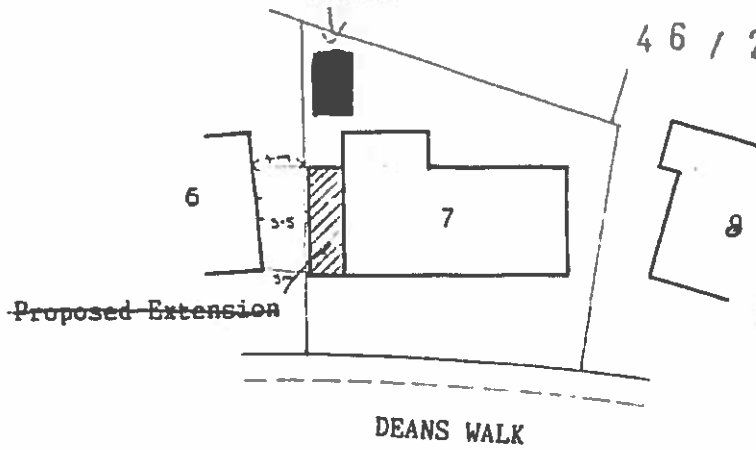
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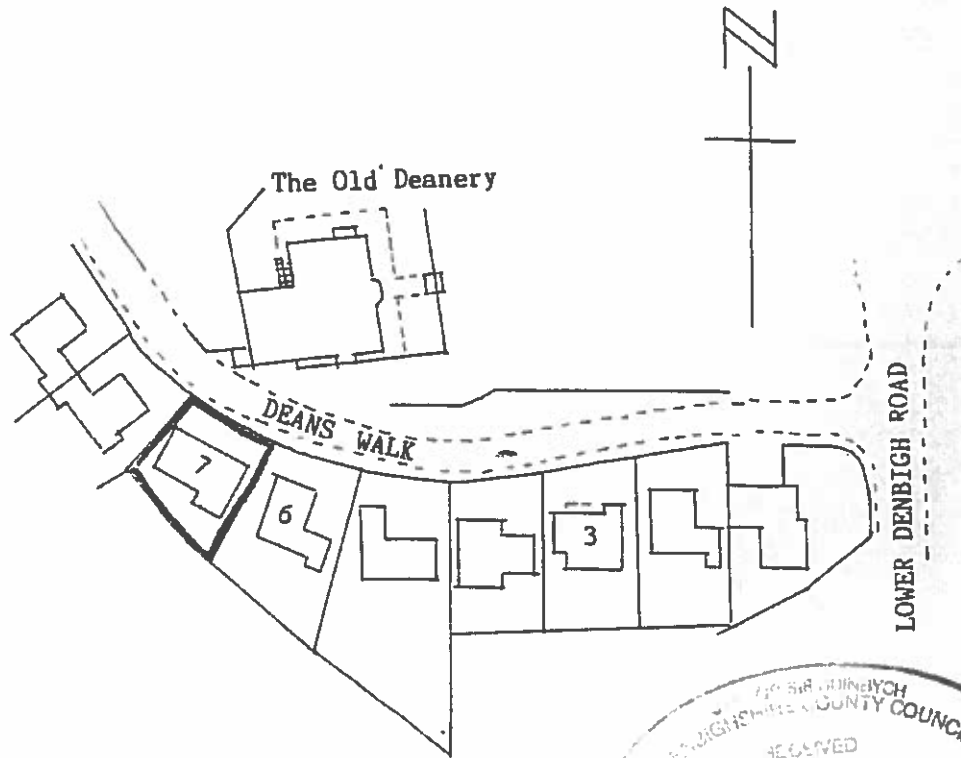
SITE PLAN

46 / 2014 / 0438 / P C



CYNGOR SIR DDINBYCH
DENBIGHSHIRE COUNTY COUNCIL
RECEIVED
21 JUL 2007

SITE PLAN SCALE - 1:500



LOCATION PLAN SCALE - 1:1250

CYNGOR SIR DDINBYCH
DENBIGHSHIRE COUNTY COUNCIL
RECEIVED
14 APR 2014

PLAN No. 2112/1/JUL/07

BRIAN E. ROBINSON, ABEng, MWOBO,
Planning & Design Services,
32 Clwyd Avenue, Rhuddlan,
Rhyl, Denbighshire. LL18 2UW.

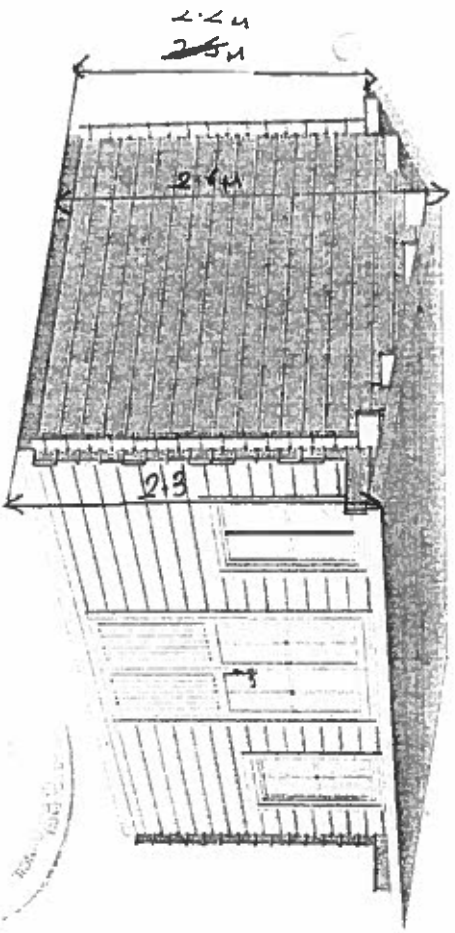
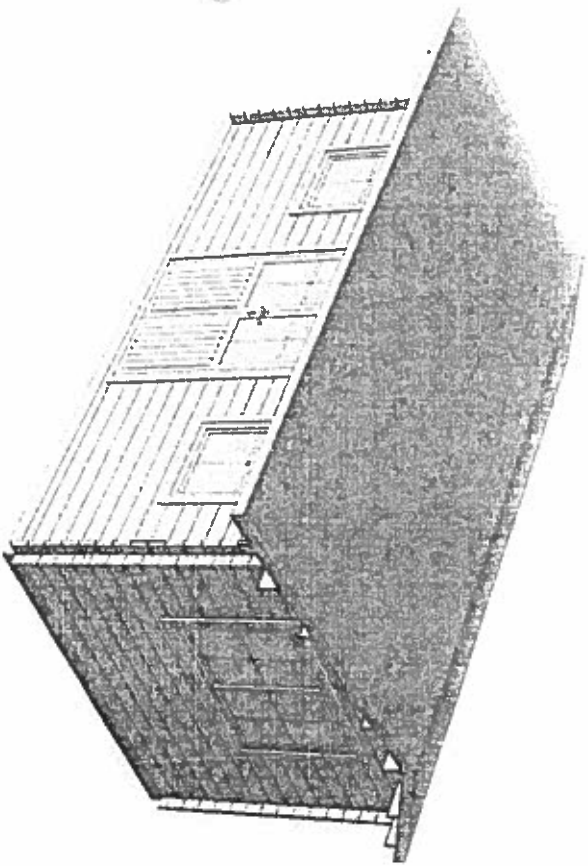
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A Member of the Guild of Master Craftsmen.

ELEVATIONS

NIDA S33 NIP

46 / 2014 / 0438 / P C

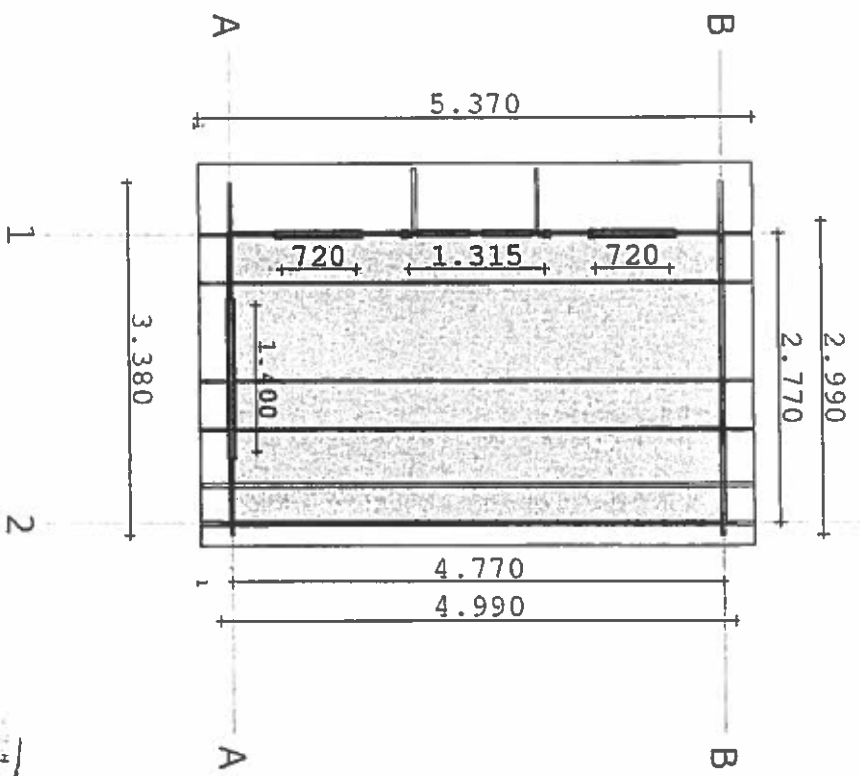


14 APR 2014

FLOOR PLAN

NIDA S33 NIP

46 / 2014 / 0438 / P C



14 APR 2014

ITEM NO: 5
WARD NO: St Asaph West
WARD MEMBER(S): Cllr Cowie
APPLICATION NO: 46/2014/0438/ PC
PROPOSAL: Retention of garden storage shed (retrospective application)
LOCATION: 7 Deans Walk St Asaph
APPLICANT: MrMartin Bill
CONSTRAINTS: None
PUBLICITY UNDERTAKEN: Site Notice - NoPress Notice - NoNeighbour letters - Yes

REASON APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Member request for referral to Committee
- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:
CITY OF ST ASAPH TOWN COUNCIL
Comments awaited .

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mrs K McCormack, Tegfan, Penrhewl, St Asaph;
Mark Damrell and Ceri Evans, 6 Dean's Walk, St Asaph;
Mrs Lorna Mills, Penrhewll Villa, Penrhewl, St Asaph.

Summary of planning based representations in objection:

Visual / residential amenity

The structure is overly large for the size of garden in which it is placed / it is very close to the side and rear boundaries / the south facing window in the structure looks over the boundary wall into facing bedroom windows / it is used for domestic purposes and not for storage as suggested;

Drainage

The roof over the shed causes water to run off into the adjacent garden

EXPIRY DATE OF APPLICATION: 08/06/2014

REASONS FOR DELAY IN DECISION: Committee decision required.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks retrospective consent to retain a wooden log cabin type outbuilding which has been erected within the rear garden of the dwelling at 7 Deans Walk. The application forms refer to the proposal to be for a garden storage shed.
- 1.1.2 The cabin has a footprint of 3.0 metres by 4.8 metres with the roof overhanging to each side and therefore covering a larger area of 3.4 metres by 5.4 metres.
- 1.1.3 The structure has a pitched roof up to a height of 2.6 metres at the ridge with an eaves height of 2.3 metres to one side and 2.2 metres to the other due to a slightly off-centre pitch in the roof over the cabin. The outbuilding has a set of doors and two windows in the western side looking out over the applicant's own garden, and a further window in the southern end which directly looks out at the residential property immediately to the south (Tegfan).
- 1.1.4 The siting of the cabin is such that it immediately abuts the rear (south) and side (east) boundaries and is set within 0.5 metres of the rear elevation of the main bungalow. The structure is finished in a natural log design with a sloping green felt roof over.

1.2 Description of site and surroundings

- 1.2.1 The subject property is a detached bungalow set within a run of similar properties along the southern side of Dean's Walk in St Asaph, with the facing property to the other side of the road being The Old Deanery Nursing Home.
- 1.2.2 The bungalow has a relatively short rear garden depth of around 7 metres and a width of 20 metres, with its side and rear boundaries formed by walls of around 1.5 metres in height. The properties to the rear of the site are also bungalows with the nearest (Tegfan) having its front elevation facing the site and set around 5 metres off the rear boundary of the application site. The front (north) elevation of Tegfan contains the front door along with two habitable room windows.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site stands within the development boundary in an area without any specific designation in the Local Development Plan.

1.4 Relevant planning history

- 1.4.1 The only history at the site relates to the addition of a single-storey extension to the eastern side of the property which was granted in 2007.

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 46/2007/0949 - Erection of single-storey pitched-roof extension at side of dwelling: Granted 04/09/2007.

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 RD3 – Extensions and alterations to existing dwellings

3.1 Supplementary Planning Guidance

SPG 1 – Extensions to Dwellings

SPG 7 – Residential Space Standards

SPG 8 – Access for All

SPG 24 – Householder Development Design Guide

3.2 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014

4 **MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6, February 2014 (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

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of siting outbuildings in connection with existing dwellings is generally acceptable in terms of current policies, subject to consideration of detailing and impacts. Policy RD 3 relates specifically to alterations to dwellings and permits such work subject to the acceptability of scale and form; design and materials; the impact upon character, appearance, and amenity standards of the dwelling and its immediate locality; and whether the proposal represents overdevelopment of the site. SPG 1 and SPG 24 offer basic advice on the principles to be adopted when designing domestic developments. The assessment of impacts is set out in the following sections.

4.2.2 Visual 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 are matters relevant to the visual impact of development; test (iv) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (v) 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. SPG 1 and SPG 24 provide further advice on the extension and alteration of residential properties.

As the structure is set within the rear garden of the subject property, it is not visible when viewed from the north along Dean's Walk. The uppermost section of the cabin is visible when looking at the site from the south along Penrhewl, but only to a minor extent due to the boundary wall with only the roof, the rear window and part of the gable end of the outbuilding being seen.

On this basis, it is not considered that the retention of the outbuilding would result in any substantial harm to the visual amenity of the area on which a refusal of permission could be justified, and the scheme is therefore in accordance with Policy RD 1 along with the advice of the SPGs.

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.

The comments made by the adjacent occupiers whose properties are immediately to the side (east) and to the rear (south) are noted. In respect of the height of the outbuilding, the ridge is limited to 2.6 metres and the structure is not therefore adjudged to have an overbearing impact despite its proximity to the side and rear boundaries.

In Officers' opinion, the rear facing window in the cabin has a detrimental impact on the privacy and amenity of the occupiers to the rear at Tegfan who have two principal windows and their front doors facing this boundary due to the unusual juxtaposition of the properties. However, rather than seeking to refuse permission it is considered more appropriate to impose a condition which requires the removal of the southern facing window in the outbuilding to eliminate any detrimental impact on residential amenity to the adjacent occupiers to the south.

The other comments offered by the objectors relating to the use of the outbuilding are noted. Respectfully, it is not considered reasonable for a local planning authority to impose a condition on the use of a building within the curtilage of a dwellinghouse, to preclude use for normal domestic purposes in connection with that dwelling. If the use by the occupiers goes beyond normal domestic activity then this would be an enforcement matter, and if there is an issue with noise then this would need to be referred to the Public Protection section to determine whether there is a statutory nuisance to address.

It is not considered that the development represents an overdevelopment of the site, having regard to the remaining space around the dwelling and shed.

The question of water discharging from the roof into the neighbour's property is one that can be drawn to the applicant's attention by a suitably worded note to the applicant.

Having regard to the above, the scheme is considered to comply with the requirements of Policy RD 1 subject to the suggested condition requiring the removal of the rear facing window.

5 SUMMARY AND CONCLUSIONS:

5.1 In acknowledging the comments of neighbours, the retention of the building is considered acceptable and the application is recommended to be granted subject to the removal of the rear window.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. The materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.
2. The window fitted in the south facing elevation of the outbuilding shall be removed entirely and replaced with wooden planks to match the remainder of the existing south facing gable of the structure within 3 months of the date of this consent, and thereafter no additional windows shall be fitted into the outbuilding.

The reasons for the conditions are:-

1. In the interests of visual amenity.
2. In the interests of the residential amenity and privacy of adjacent occupiers

NOTES TO APPLICANT:

Dwr Cymru Welsh Water have advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes of Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal they request you contact their Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

You are advised to ensure any roof water discharging from the building does not run onto adjacent property.