

Heading:

REFERENCE NO. 18/2014/1133/PS

GOLDEN LION INN

LLANDYRNOG

Graham Boase
 Head of Planning & Public Protection
 Denbighshire County Council
 Caledfryn
 Smithfield Road
 Denbigh
 Denbighshire LL16 3RJ

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Application Site

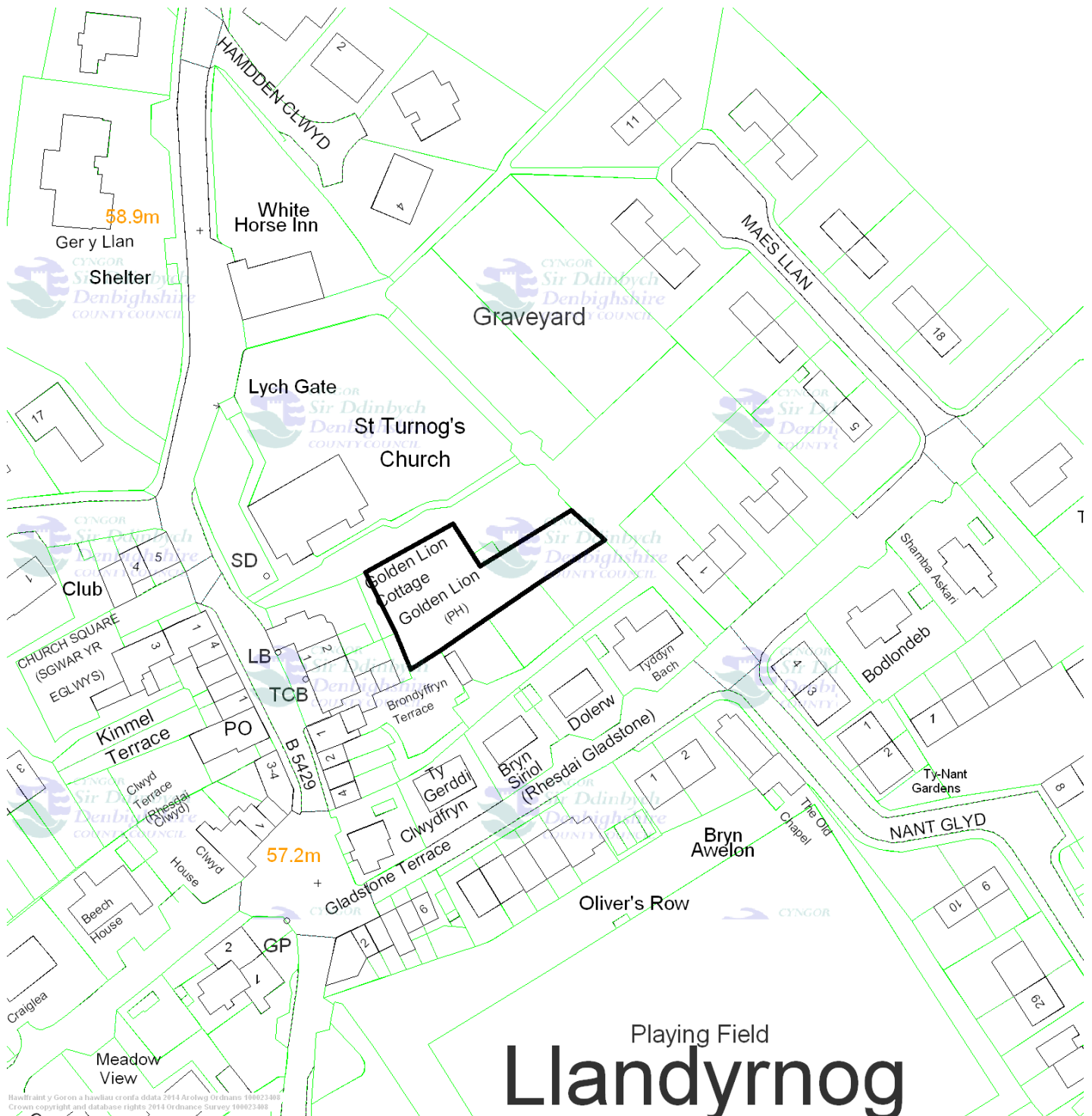


Date 24/11/2014

Scale 1/1250

Centre = 310835 E 365089 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.



Playing Field
Llandyrnog

Hawffraint y Goron a hawlfraint cerbydau didata 2014 Ar olwg Ordnance Survey 100023408
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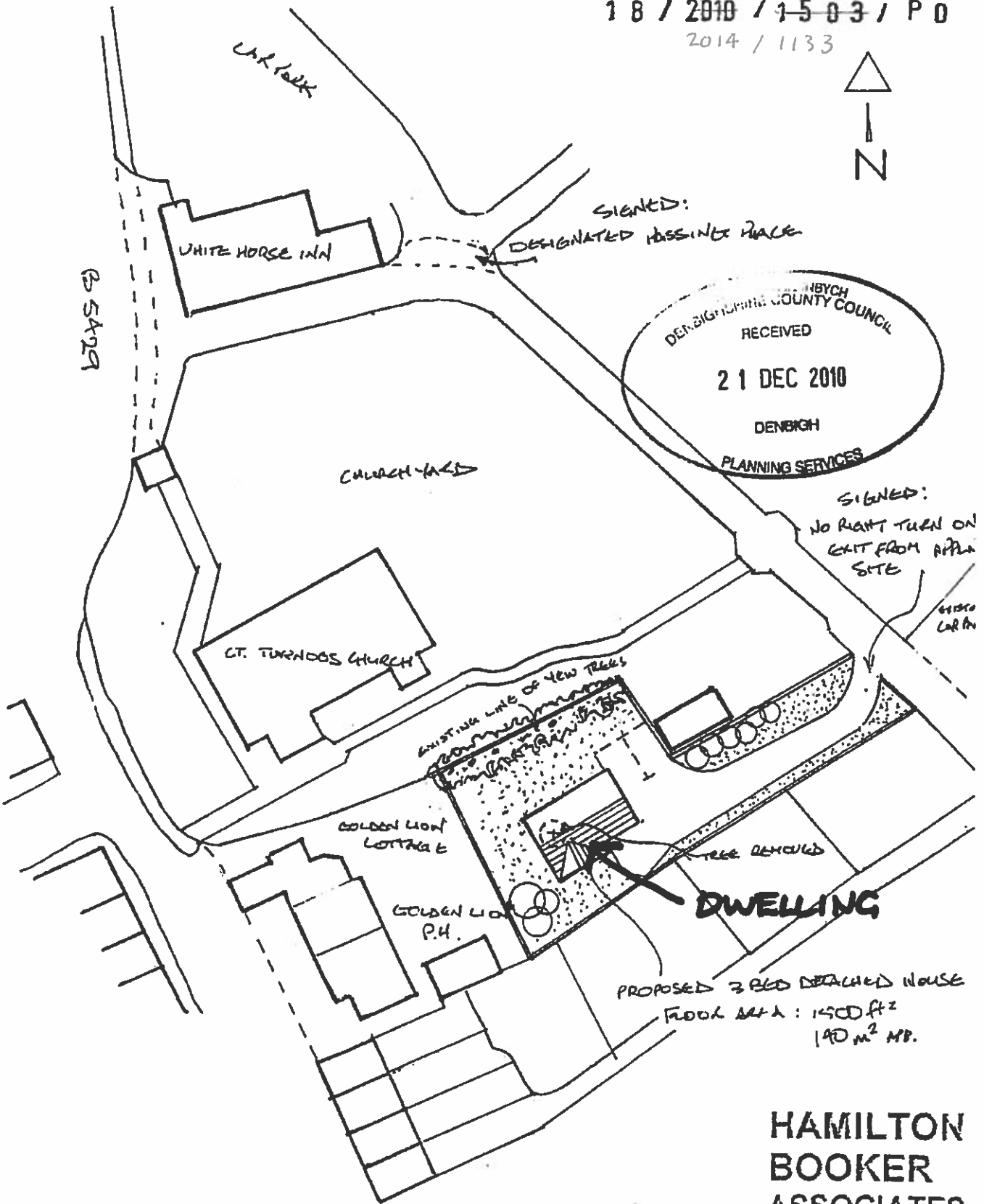
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SITE PLAN

18 / 2010 / 1503 / P0

2014 / 1133



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DENBIGH COUNTY COUNCIL
21 DEC 2010
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Job Title LAND TO THE REAR OF GOLDEN LION P.H. LAND DRNG.	Drawing SITE LAYOUT	Job No. 64107	Stage	Drawn 1A
Scale 1:500	Date NOV 10	Revisions		

WARD : Llandyrnog

WARD MEMBER(S): Cllr Merfyn Parry (c)

APPLICATION NO: 18/2014/1133/ PS

PROPOSAL: Removal of condition no's 6, 7 and 8 of outline planning permission code no. 18/2010/1503 relating to Code for Sustainable Homes requirements

LOCATION: Land rear of Golden Lion Inn Llandyrnog Denbigh

APPLICANT: Mr Merfyn Parry

CONSTRAINTS: PROW

PUBLICITY UNDERTAKEN: Site Notice – No
Press Notice – No
Neighbour letters - Yes

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

- Application submitted on behalf of County Councillor

CONSULTATION RESPONSES:

LLANDYRNOG COMMUNITY COUNCIL: awaiting response

RESPONSE TO PUBLICITY:

None received.

EXPIRY DATE OF APPLICATION: 11/12/14

REASONS FOR DELAY IN DECISION (where applicable):

N/A

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is to remove planning conditions 6, 7 and 8 attached to planning permission 18/2010/1503/PO which related to an outline consent for a single dwelling on land to the rear of The Golden Lion in Llandyrnog.
- 1.1.2 Conditions 6,7,8 required the relevant Code for Sustainable Homes / BREEAM levels to be achieved in connection with the development.
- 1.1.3 The application has been submitted following the publication of Planning Policy Wales Edition 7 and the cancellation of TAN 22, which removed the requirement for planning consents to incorporate sustainability code standards.

1.2 Description of site and surroundings

- 1.2.1 The site is located on land to the rear of the public house, the Golden Lion. The application refers to the existing use of land being a car-park and storage area.
- 1.2.2 It is a flat site, bounded to the north by a row of Yew Trees in the grounds of the adjacent St Turnogs Church. To the west is the rear of the public house and attached

Golden Lion Cottage. South of the application site are the garden areas of the adjacent terrace of dwellings.

1.2.3 The site is accessed from a narrow track which runs from the B5429 road at the White Horse Inn and links to the Llangwyfan Road adjacent to Brondyffryn Terrace to the south.

1.2.4 The development has not yet been started..

1.3 Relevant planning constraints/considerations

1.3.1 The site is within the development boundary of Llandyrnog, as defined in the Local Development Plan.

1.4 Relevant planning history

1.4.1 Outline planning permission was granted in October 2011 for a single dwelling, and the subsequent reserved matters were approved in September 2012.

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 18/2010/1503/PO – Development of 0.08ha of land by the erection of a detached two-storey dwelling house(outline application including access and layout). GRANTED by planning committee 21/10/11

2.2 18/2012/0885/PR - Details of appearance, landscaping and scale of dwelling submitted in accordance with Condition No. 1 of Outline Planning Permission Code No. 18/2010/1503. APPROVED 19/9/12

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

3.1 Supplementary Planning Guidance
None

3.2 Government Policy / Guidance
Planning Policy Wales Edition 7 July 2014

TAN 12: Design July 2014

3.3 Other material considerations:

Welsh Government Chief Planning Officer Letter 31/07/2014 introducing the changes to Planning Policy Wales and guidance on sustainable buildings dated 31 July 2014.

Welsh Government CL-03-14 Planning for Sustainable Buildings – clarification on the national Planning for Sustainable Buildings policy letter dated 05 June 2014

The opinion of Max Hampton, Welsh Government Planning Manager on planning applications of this nature received 29/10/2014: “I do not believe it is possible to link the Building Regulations and Development Management processes as they are two separate regulatory functions and, given this, we accept that during this transitional period there may be some instances where development proposals will have the CfSH requirement removed and not have to comply with the 2014 Building Regulations.”

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 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 of sustainable code standards

4.2 In relation to the main planning considerations:

4.2.1 Principle of sustainable code standards

Background:

Conditions 6, 7 and 8 were imposed at the time in accordance with the guidance contained in the now cancelled TAN 22 and in the former section 4.12 of Planning Policy Wales.

Changes to Part L (relating to energy efficiency) of the Building Regulations came into force at the end of July 2014.

The national planning policy requirements for sustainable building standards were removed from Planning Policy Wales and TAN 22: Planning for Sustainable Buildings was cancelled as it was considered that the Building Regulations 2014 would adequately address the energy and carbon performance of buildings, and therefore this is no longer a planning consideration.

Current policy context:

Planning Policy Wales Edition 7 paragraph 4.3.1 clearly states tackling climate change by reducing the greenhouse gas emissions that cause climate change and ensuring that places are resilient to the consequences of climate change; is one of the key principles which underpins the Welsh Government's approach to planning policy for sustainable development which all those involved in the planning system are expect to adhere to.

Para 4.4.3 states planning policy, decisions and proposals should play an appropriate role to facilitate sustainable building standards (including zero carbon) that seek to minimise the sustainability and environmental impacts of buildings (Section 4.12).

Para 4.12.2 states Development proposals should mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition. The overall aspiration is to secure zero carbon buildings while continuing to promote a range of low and zero carbon (LZC) technologies as a means to achieve this.

TAN 12 (July 2014) 5.4.7 states the level of carbon reduction expected will be determined by the minimum required by Building Regulations (Part L). The contribution and mix that each of these low and zero carbon design solutions provides will be dependent on the design approach taken.

TAN 12 Appendix 3 (Sources and Further Information) lists Welsh Government (2014) Building Regulations – Part L (Conservation of Fuel and Power). For the purposes of TAN 12 5.4.7, Building Regulations (Part L) is taken to mean Building Regulations (Part L)

Assessment:

With regards to this scheme, a Building Regulations application has not yet been made. Therefore the development will have to proceed in line with the Building Regulations 2014.

Building Regulations 2014 Part L extend the energy efficiency requirements for all new domestic buildings to have an 8% reduction in greenhouse-gas emissions from 2010 Building Regulations levels.

This scheme is therefore required to achieve the higher energy efficiency standards prescribed in Building Regulations 2014.

5. SUMMARY AND CONCLUSIONS:

5.1 The removal of conditions 6, 7 and 8 is considered acceptable as the dwelling will need to be built to the Building Regulations 2014 and the updated energy efficiency requirements.

RECOMMENDATION: - GRANT

No conditions imposed.

NOTES TO APPLICANT:

None