

Heading:

REFERENCE NO. 41/2014/0757/PF

YEW TREE

BODFARI

Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
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Tel: 01824 706800 Fax: 01824 706709

 Application Site

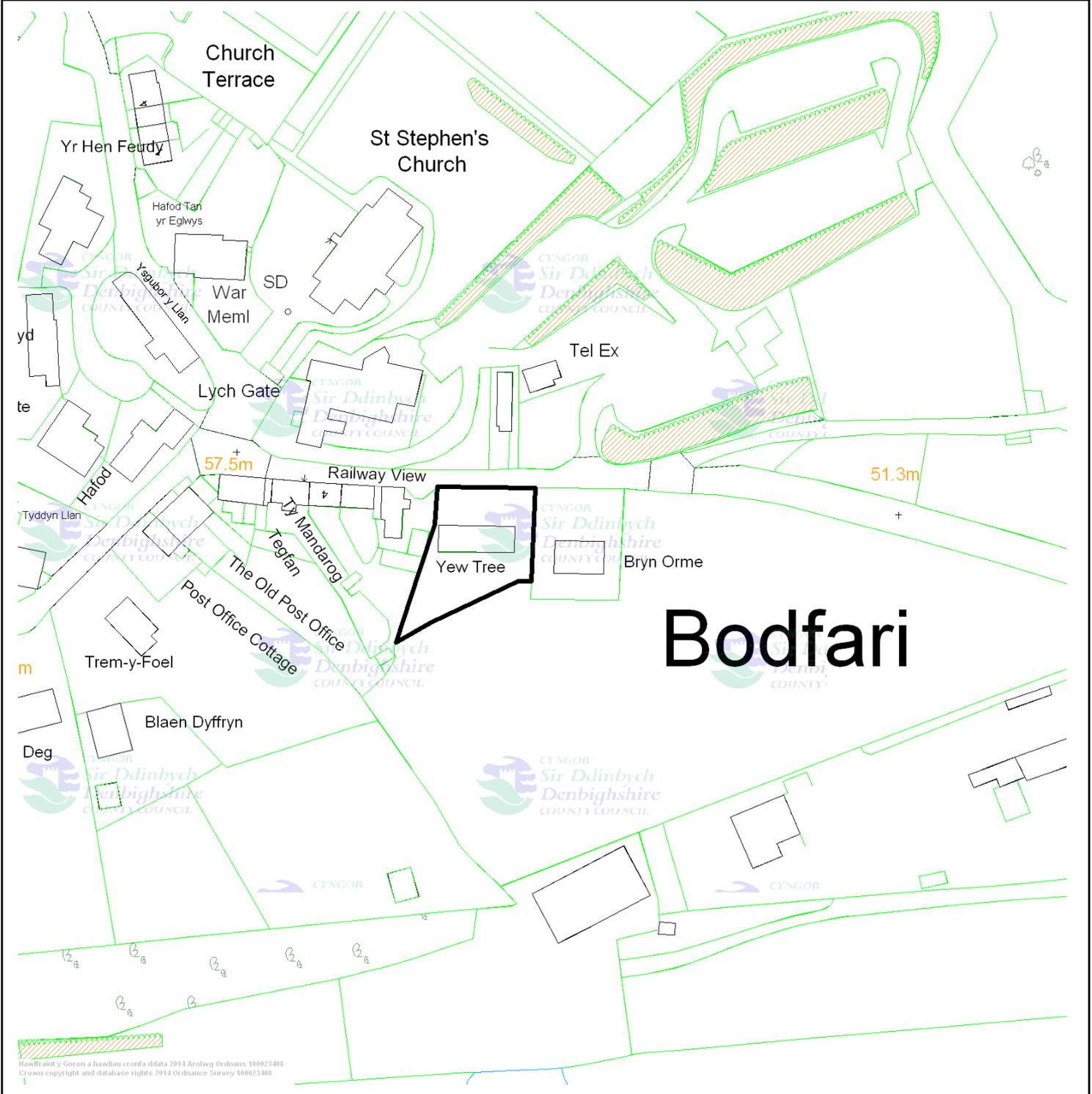


Date 26/11/2014

Scale 1/1250

Centre = 309295 E 370051 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.



YEW TREE COTTAGE DG 2

Rev A 6.9.14 Revised Design

Proposed External finishes

Roof

Natural blue mineral slate with charcoal grey ridge tiles.
Black upe cast iron stone rainwater goods on black painted fascia and bargeboards etc.

Walls

Old stock tumbled brick/reclaimed brick - rustic blend.

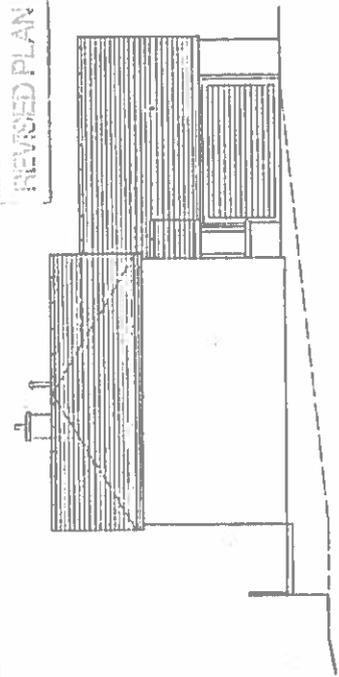
Doors and windows etc.

To be timber construction with satin grey paint finish or similar to LA approval. Front door to be oiled natural oak finish.

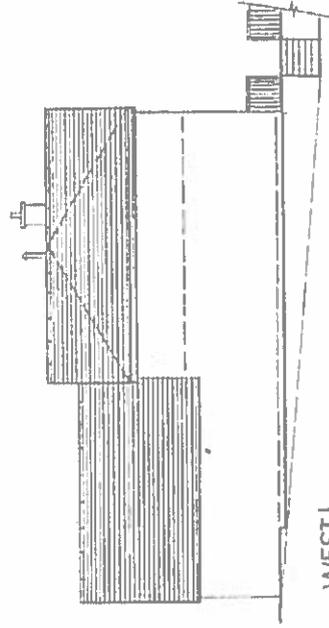
Window cills to be yellow sandstone colour Plecst concrete.

Open fire

Natural finish oiled oak frame on facing brick plinth - finishes as described above.

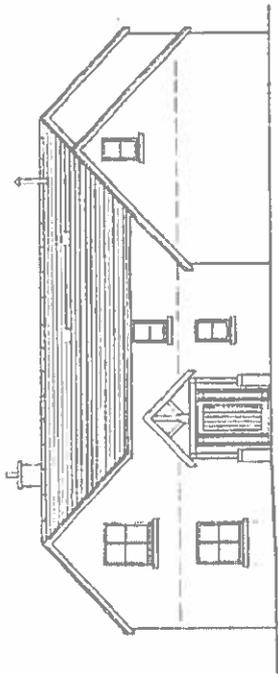


EAST

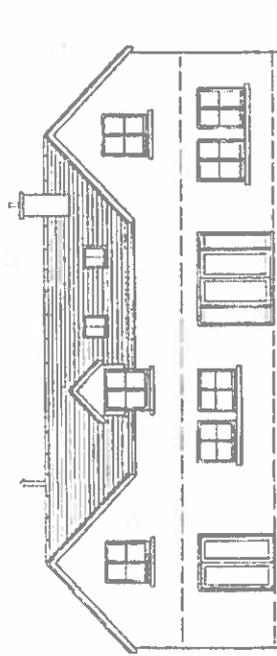


WEST

1:100



NORTH

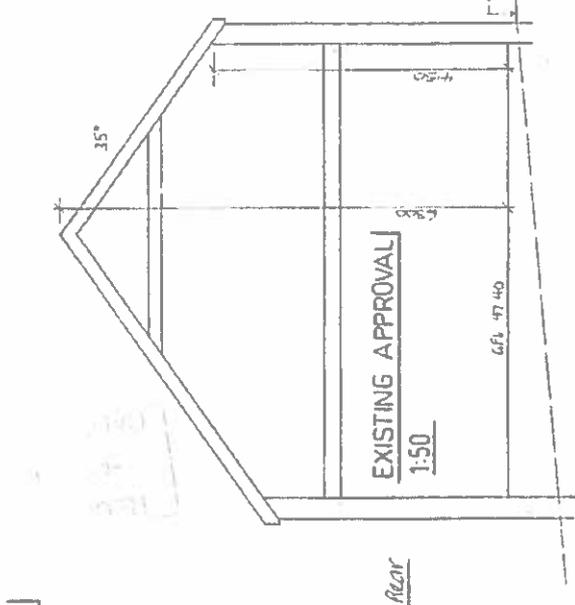


SOUTH

YEW TREE COTTAGE - DG 2

ELEVATIONS
41/2014/0757

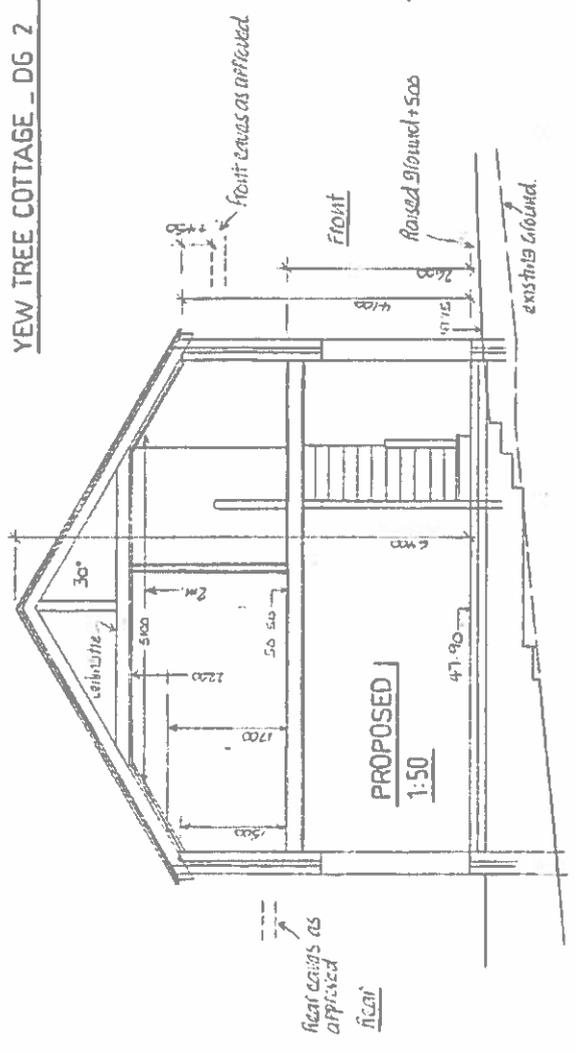
Comparison of design heights.
Existing Section through main body of building as approved illustrates scale of building.
Proposed section illustrates ground level raised to allow improved access from highway.
Scale of proposed building now raised ground level is shown lower to roof eaves level and ridge level only increased by 100mm.



Front

EXISTING APPROVAL
1:50

Rear



Rear eaves as indicated
Rear

PROPOSED
1:50

Front

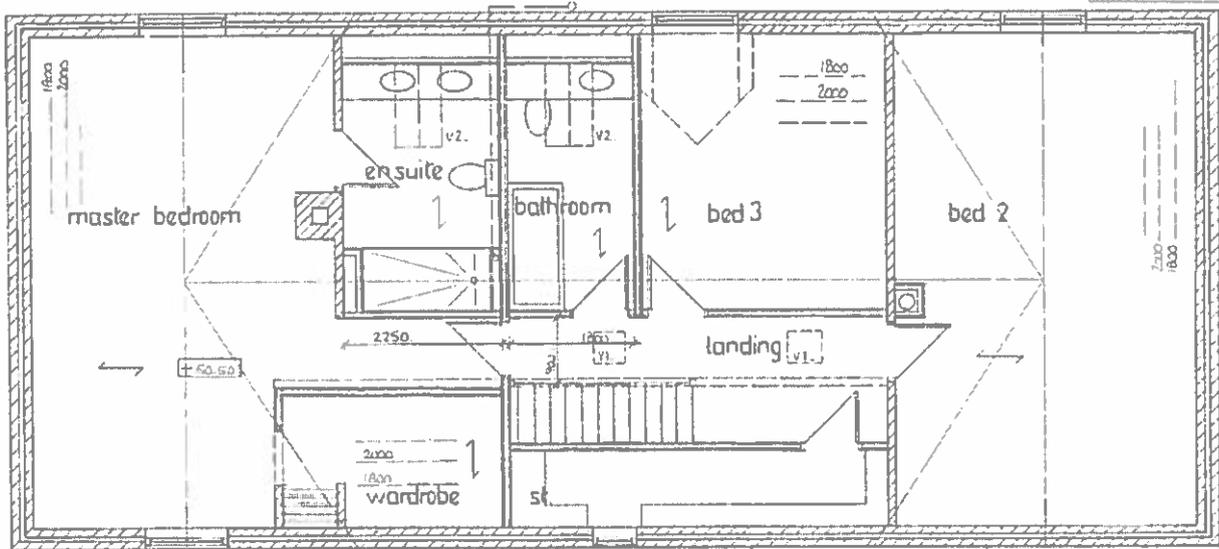
Raised ground + 500

existing ground

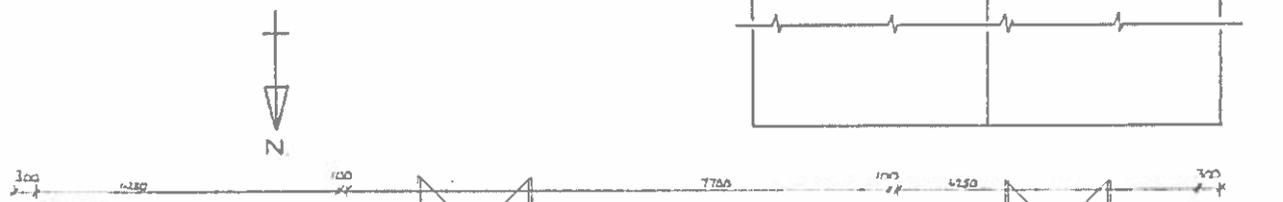
FLOOR PLANS

4/2014/0757

REVISED PLAN



FIRST FLOOR



GROUND FLOOR

- v1. Velux flush fit sun tunnel unit
- v2. 600x1100 velux black low profile conservation style rooflights.

YEW TREE COTTAGE_DG1_1:50

PROPOSED



WARD : Tremeirchion

WARD MEMBER(S): Cllr Barbara Smith

APPLICATION NO: 41/2014/0757/ PF

PROPOSAL: Erection of replacement two-storey dwelling and garage
(Amendment to previously approved scheme under ref no.
41/2013/1498/PF)

LOCATION: Yew Tree Bodfari Denbigh

APPLICANT: Mr Richard Talbot

CONSTRAINTS: Conservation Area
AONB

**PUBLICITY
UNDERTAKEN:** Site Notice – Yes
Press Notice – Yes
Neighbour letters - Yes

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

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

BODFARI COMMUNITY COUNCIL

“It was RESOLVED that the planning committee be recommended to refuse this amendment as the community council had already expressed concerns regarding the height of the original proposal and the amendment sought to extend it still further.”

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE**

“The JAC supports the revised elevational and roof treatments which better reflect the character of the Conservation Area. The reduction in the proposed decked area is also welcome, although further details of the design and appearance of this feature are required to ensure that it will complement the Conservation Area.” (AONB Management Plan Policy PCP1)”

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Head of Highways and Infrastructure**

- Highways Officer

No objection subject to condition requiring parking within the site.

Conservation Architect

No objection.

RESPONSE TO PUBLICITY:

None.

EXPIRY DATE OF APPLICATION: 21/08/2014

REASONS FOR DELAY IN DECISION (where applicable):

- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks planning permission for the demolition of an existing single storey dwelling and the erection of a replacement dwelling at Yew Tree Cottage in the village of Bodfari.
- 1.1.2 The existing access would be retained and the replacement dwelling would be sited on the footprint of the existing dwelling, albeit with an attached garage projecting to the front.
- 1.1.3 A two storey dwelling is proposed. It would have two gable features to the front elevation and a porch. The dwelling would comprise of three bedrooms and living accommodation. The floorspace would be approximately 290sq metres.
- 1.1.4 Owing to the sloping nature of the site, the proposed plan shows a raised decking area to the rear of the dwelling to allow level access from the back door.
- 1.1.5 Members are referred to the basic plans at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The site is located on the southern side of the approach road to the village of Bodfari from the A541.
- 1.2.2 Yew Tree Cottage a small single storey chalet style dwelling which is in a state of disrepair.
- 1.2.3 Yew Tree Cottage occupies a roughly triangular shaped site between the dwellings of Fairholme to the west and Bryn Orme to the east. Fairholme is a large two storey dwelling with the front elevation orientated west and Bryn Orme is of similar style and siting to Yew Tree Cottage. To the south of the site the land level falls and is abutted by open agricultural land.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the Development Boundary of Bodfari as defined by the Local Development Plan. It is within a designated Conservation Area and the AONB.

1.4 Relevant planning history

- 1.4.1 Planning permission for a replacement dwelling was granted in 2013 and prior to that in 2008 and 2007.

1.5 Developments/changes since the original submission

- 1.5.1 The original application submitted in August 2014 was amended following concerns raised in consultations.
- 1.5.2 The main difference between the original plans and the plans currently being considered are the scale of the dwelling, the fenestration pattern and the scale of the decking to the rear.

1.6 Other relevant background information

- 1.6.1 Conservation Area Consent was granted for the demolition of Yew Tree Cottage when the previous application was considered in 2013.

2. DETAILS OF PLANNING HISTORY:

2.1 41/2007/0130/PF Demolition of existing single storey dwelling and erection of two-storey dwelling with detached garage with store over. Granted by Planning Committee 18/04/2007

2.2 41/2008/0597/PF Demolition of existing single storey dwelling and erection of two-storey dwelling with detached garage with store over. Granted under delegated powers 15/12/2008

2.3 41/2013/1498/PF Demolition of existing single-storey dwelling and erection of two-storey dwelling and garage (renewal of planning permission code no. 41/2008/0597) Granted under delegated powers 20/01/2014

2.4 41/2013/1562/CA Application for Conservation Area Consent for demolition of existing single-storey dwelling. Granted under delegated powers 20/01/2014

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 BSC1 – Growth Strategy for Denbighshire

Policy VOE 1 – Key Areas of importance

Policy VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy VOE5 – Conservation of natural resources

Policy ASA 1 – New transport infrastructure

3.1 Supplementary Planning Guidance

Residential space standards

Residential development design guide

3.2 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

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

4.1.2 Visual amenity

4.1.3 Residential amenity

4.1.4 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

4.1.5 Impact on Conservation Area including setting

4.1.6 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

In relation to the principle of the development, the relevant planning policy context in the Local Development Plan is Policy BSC 1 which sets out the basic growth strategy for Denbighshire and makes provision for new housing development, including within settlements like Bodfari which are defined as Villages. Policy RD1 relates to development proposals within development boundaries and sets out tests to ensure that development proposals do not have an unacceptable impact on the amenity and appearance of the area.

There is an existing dwelling on the site and it is located within the development boundary of Bodfari Village. The dwelling has had the benefit of planning permission for replacement in the past, therefore the principle of development is considered acceptable subject to an assessment of impacts, as set out below.

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 (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.

A two storey dwelling with an attached single storey garage to the front is proposed to replace the poor quality chalet on the site. It is a relatively simple design, with a porch and two gables to the front. The fenestration pattern proposed is fairly uniform with larger openings to the rear. The materials would be traditional, with brick walls, slate roof and timber doors and windows. The proposed dwelling would have an overall height of 6.5 metres, this would be 0.5 metre higher than the overall height of the dwelling previously approved. The Community Council have expressed concerns over the height of the proposal.

Officers consider the visual impacts of the proposal to be acceptable. With respect to the comments of the Community Council the overall height of the proposed dwelling has been reduced in the amended plans. The design of the dwelling with the gables to the front would appear smaller in scale to the previously approved dwelling which had gables to both sides. There is a distinct mix of development in the locality with varying heights and styles. It is considered that the proposal raises no conflict with the relevant visual amenity policies.

4.2.3 Residential amenity

Policy RD 1 contains general considerations to be given to the impacts of development. Among these considerations is the impact on the residential amenity of the area. There is a general requirement for development proposals to not result in a loss of amenity for neighbouring dwellings by virtue of overlooking, increased activity, and disturbance. Adequate standards of amenity for the proposed development itself should also be provided. Supplementary planning guidance note 7 advises that a minimum amount of amenity space for a dwelling is 40 square metres.

The dwelling would be sited on a similar footprint to the existing chalet on the site. It would be over 3 metres from the boundary to the chalet to the east and over 2 metres from the boundary to the two storey dwelling to the west. There are no side windows proposed in the dwelling. The area to the rear of the dwelling measures over 200 square metres and according to the plans would be partially decked, lawned and an area set aside for raised beds.

Owing to the design and scale of the proposed dwelling and the distances to the adjacent dwellings, it is considered that the proposal would not impact unacceptably on the amenity of adjacent occupiers. Adequate space is provided within the

proposed dwelling and the level of amenity space more than meets policy requirements. It is not considered that there would be any significant residential amenity conflicts.

4.2.4 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The site on which there is a dwelling at present is located within the development boundary of Bodfari. The AONB JAC have raised no objection to the proposal.

Having regard to the location and scale of the development, it is not considered that the proposal would have any adverse impact on the wider AONB landscape.

4.2.5 Impact on Conservation Area including setting

Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. Planning Policy Wales (Section 6), stresses the importance of protecting the historic environment, and in relation to Conservation Areas, to ensure they are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls. The basic objective is therefore to preserve or enhance the character and appearance of a Conservation Area, or its setting.

The two storey dwelling would replace a poor quality chalet structure. The fairly simple dwelling would be finished in traditional materials. The Conservation Officer raises no objection to the proposed development.

Having regard to the existing form of development and the proposed design of the dwelling, it is considered that the proposal would not harm the character and appearance of the Conservation Area, and would be in keeping with planning policy.

4.2.6 Highways including access and parking

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations 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. The acceptability of means of access is therefore a standard test on most planning applications. 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.

The application proposes use of the existing access and off road parking. The site is located within a village within walking distance to the local shops and facilities, and a bus stop. The Head of Highways has raised no objection.

It is not considered that the proposal conflicts with the highways considerations of Policy RD1.

5. SUMMARY AND CONCLUSIONS:

5.1 With respect to the Community Councils reservations, the proposal is considered to comply with policy and it is therefore Officers recommendation that permission be granted.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. **PRE-COMMENCEMENT CONDITION**
Prior to the commencement of the development, the written approval of the Local Planning

Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.

3. **PRE-COMMENCEMENT CONDITION**

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

(a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;

(c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment and details of the decking.

4. Facilities shall be provided and retained within the site for the loading/ unloading, parking and turning of vehicles in accordance with the approved plan and which shall be completed prior to the development being brought into use.

5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
4. To provide for the loading/ unloading, parking and turning of vehicles and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.