



© Crown copyright and database rights 2015 Ordnance Survey 100023408.

REFERENCE NO. 15/2015/0629

Scale: 1:1250

Printed on: 1/9/2015 at 16:40 PM

Denbighshire Boundary

~ DCC



© Denbighshire County Council

WARD : Llanarmon Yn Ial / Llandegla

WARD MEMBER(S): Cllr Martyn Holland

APPLICATION NO: 15/2015/0629/ PF

PROPOSAL: Erection of replacement detached garage

LOCATION: Glan Llyn Eryrys Mold

APPLICANT: Mr Mathew Jones

CONSTRAINTS: AONB

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

CONSULTATION RESPONSES:

Llanarmon Yn Ial COMMUNITY COUNCIL:

“15/2015/0629 the community council thought this was a very big garage and did not understand the reason for cavity walls. They felt it would be too easy to convert into a residential dwelling. Not supported.”

Following re-consultation the following comments were provided:

“It was felt the actual size would have an impact, this was the main concern 'too big' caused the main and most objections - then being so big it could be converted into a dwelling.”

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUSTANDING NATURAL BEAUTY PARTNERSHIP

“The Partnership has no objection to the application subject to the external finish matching the existing dwelling. The Partnership would also recommend that the natural stone frontage boundary wall should be restored as part of the development.”

RESPONSE TO PUBLICITY: None

EXPIRY DATE OF APPLICATION: 06/08/15

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 proposals are for a 7.5m x 6.8m garage. The height of the garage is proposed to be 5m to the ridgeline and 2.4m to the eaves.
- 1.1.2 The proposed materials reflect the associated dwelling. The front elevation is proposed to be stone with rendered rear and side walls and a slate roof. The development is to be set back from the front elevation (excluding the porch) by 0.2m and is sited 3.4m from the side elevation. At its closest point it is located 0.9m from the boundary of the neighbouring property.

1.1.3 The garage is proposed to be single storey and the plans indicate a single garage space with no subdivisions.

1.2 Description of site and surroundings

1.2.1 The site is located within the village of Eryrys. The property is of a traditional stone design typical of the area and is located in the village centre. The size of the plot is approximately 733m².

1.2.2 Immediately adjacent properties within the centre of Eryrys are of similar traditional stone and render design. Detached single story garages feature in the village, the nearest being two properties down from the application site.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the Development Boundary as defined by the Local Development Plan and within the Vale of Clwyd and Dee Valley Area of Outstanding Natural Beauty (AONB).

1.4 Relevant planning history

1.4.1 None

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 Planning code: 25/6172 - Renovation Of Existing Dwelling And Construction Of New Septic Tank Glan Llyn, Eryrys, Nr. Mold - Granted 1983-04-19

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD 1 - Sustainable Development and Good Standard Design

Policy RD 3 - Extensions and Alterations to Dwellings

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

3.2 Supplementary Planning Guidance

Extensions to Dwellings

Householder Development Design Guide

3.3 Government Policy / Guidance

Planning Policy Wales Edition 7 (PPW)

3.4 Other material considerations

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 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy RD 3 advises that the extension or alterations to existing dwellings will be supported subject to compliance with detailed criteria. Extensions and alterations to existing dwellings are therefore considered acceptable in principle.

4.2.2 Visual amenity

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings. Criteria i) of Policy RD 3 the scale and form of the proposed extension or alteration is subordinate to the original dwelling, or the dwelling as it was 20 years before the planning application is made. Criteria ii) of Policy RD 3 requires that a proposals are sympathetic in design, scale, massing and materials to the character and appearance of the existing building. SPG 24 requires that outbuildings/garages must be smaller in scale and subservient to the associated dwelling and should not normally be located to the front of existing dwelling.

Concerns have been raised by the Community Council over the scale of the development. The proposal is for a single storey garage which covers approximately 51m². The existing two storey dwelling covers a footprint of approximately 60m². The garage has been set back from the front of the existing dwelling. The proposed materials match the associated dwelling and adjacent developments. A detached garage has previously been developed on the same street frontage.

Having regard to the proposed garage being single storey and covering 9m² less than the two storey dwelling, it is considered that the proposed garage would be subordinate and secondary to the main dwelling. The proposals are therefore considered acceptable in relation to scale. Having regard to the location, design, siting, scale, massing and materials of the proposed development, in relation to the character and appearance of the dwelling itself, the locality and landscape, it is considered that the proposals would comply with the requirements of the policies listed above, and would therefore have an acceptable impact on visual amenity.

4.2.3 Residential amenity

Paragraph 3.1.7 of PPW states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. It is also advised that the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties. Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself. Test iii) of Policy RD 3 requires that a proposal does not represent an overdevelopment of the site, to ensure that sufficient external amenity space is retained. SPG 1 states that no more than 75% of a residential

property should be covered by buildings and that of a site is covered by 40m² of amenity space is provided. SPG 7 specifies that 40m² of private external amenity space should be provided as a minimum standard for residential dwellings. SPG 24 requires that an outbuilding/garage should not be located as to unacceptably overshadow neighbouring gardens.

The garage is sited 0.9m at its closest point to the boundary with neighbouring property 'Ty Ni'. Development on the side of Ty Ni already directly abuts the boundary with Glan Llyn. No windows are proposed to the side or rear elevations.

Having regard to location of the proposed garage it is not considered that the garage would unacceptably overshadow the neighbouring property. Having regard to the scale, location and design of the proposed development, it is considered that the proposals would not have an unacceptable impact on residential amenity. The proposals therefore comply with the policies and guidance listed above.

4.2.4 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

Policy VOE 2 requires that development must not cause unacceptable harm to the character and appearance of the AONB.

Representations were received from the AONB Partnership who have no objections, but suggested that the natural stone frontage boundary wall should be restored as part of the development.

Having regard to the suggestion of the AONB Partnership It is deemed unreasonable to condition the recommendation as it goes over and above what is reasonably necessary for the development to be deemed acceptable. The proposal is within the development boundary of Eryrys and is surrounded by development on all four sides; therefore it is considered that the development would not have a detrimental impact on the AONB.

4.2.5 Other matters

As a result of the scale of the development the Community Council is concerned that the garage could be converted into a separate residential dwelling. The conversion of the garage to a separate residential dwelling would require further planning permission and is therefore not relevant to this application.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposal complies with planning policies and is therefore recommended for grant.

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. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission.
 - (i) Proposed front and side elevation received 12 June 2015
 - (ii) Proposed side and rear elevation received 12 June 2015
 - (iii) Proposed floor plan received 12 June 2015
 - (iv) Proposed section received 12 June 2015
 - (v) Block and location plan received 12 June 2015

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.

NOTES TO APPLICANT:

WELSH WATER Note 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.