

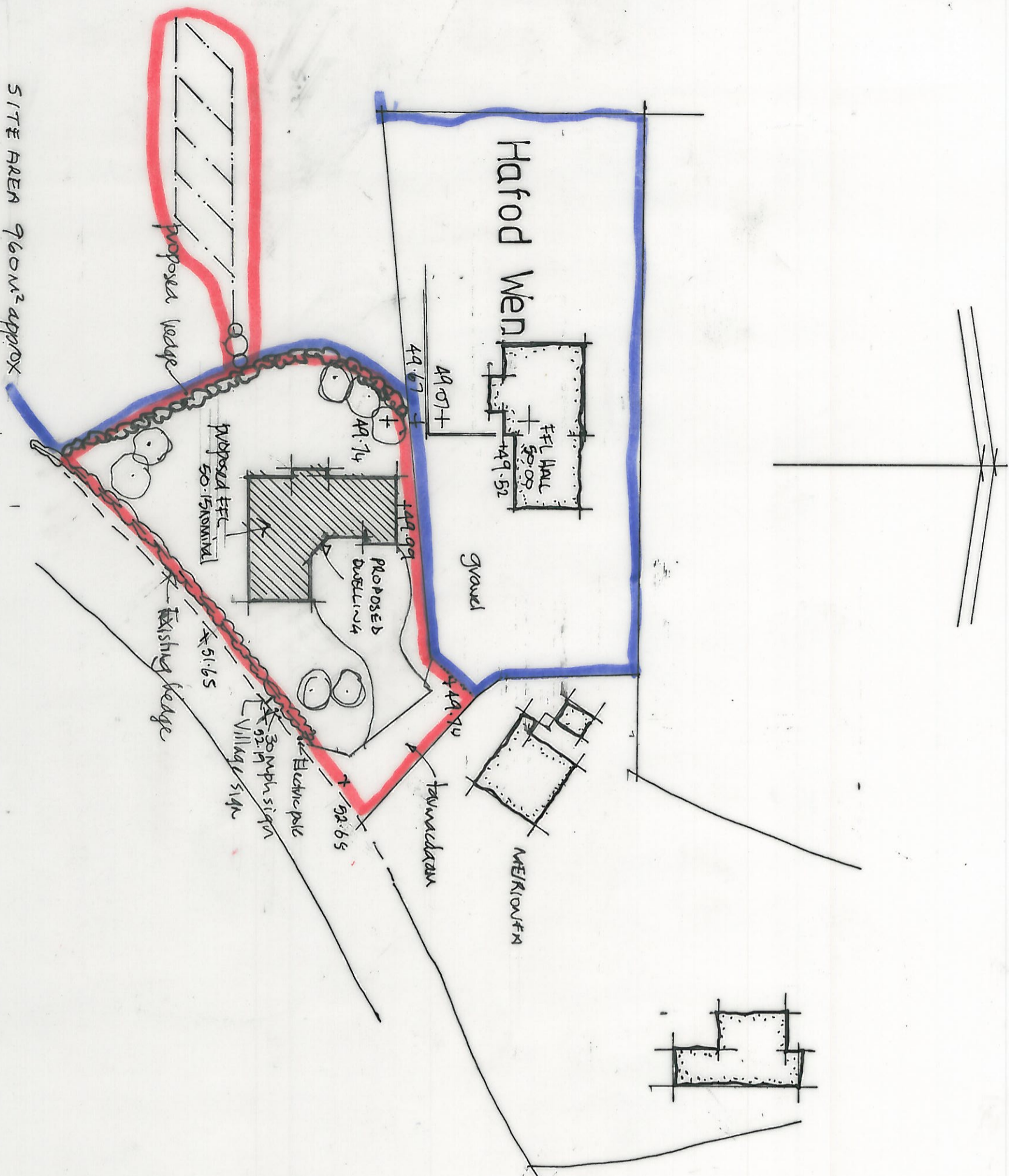
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08/2015/0792

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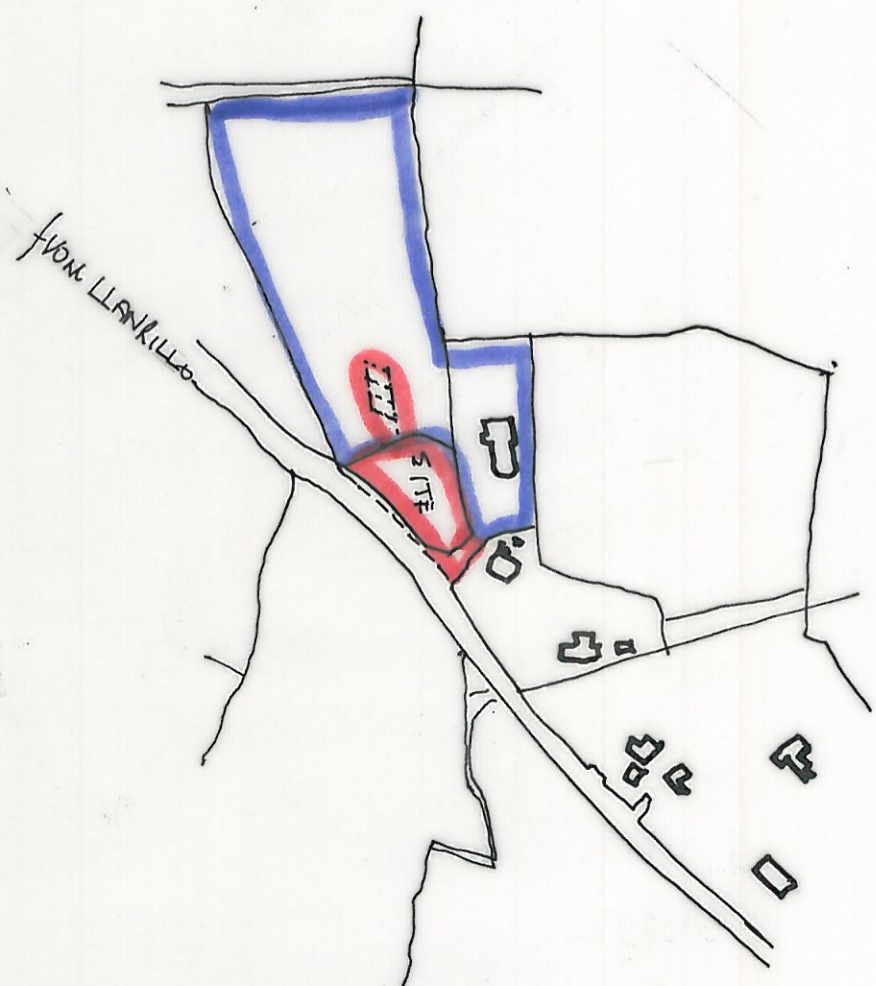
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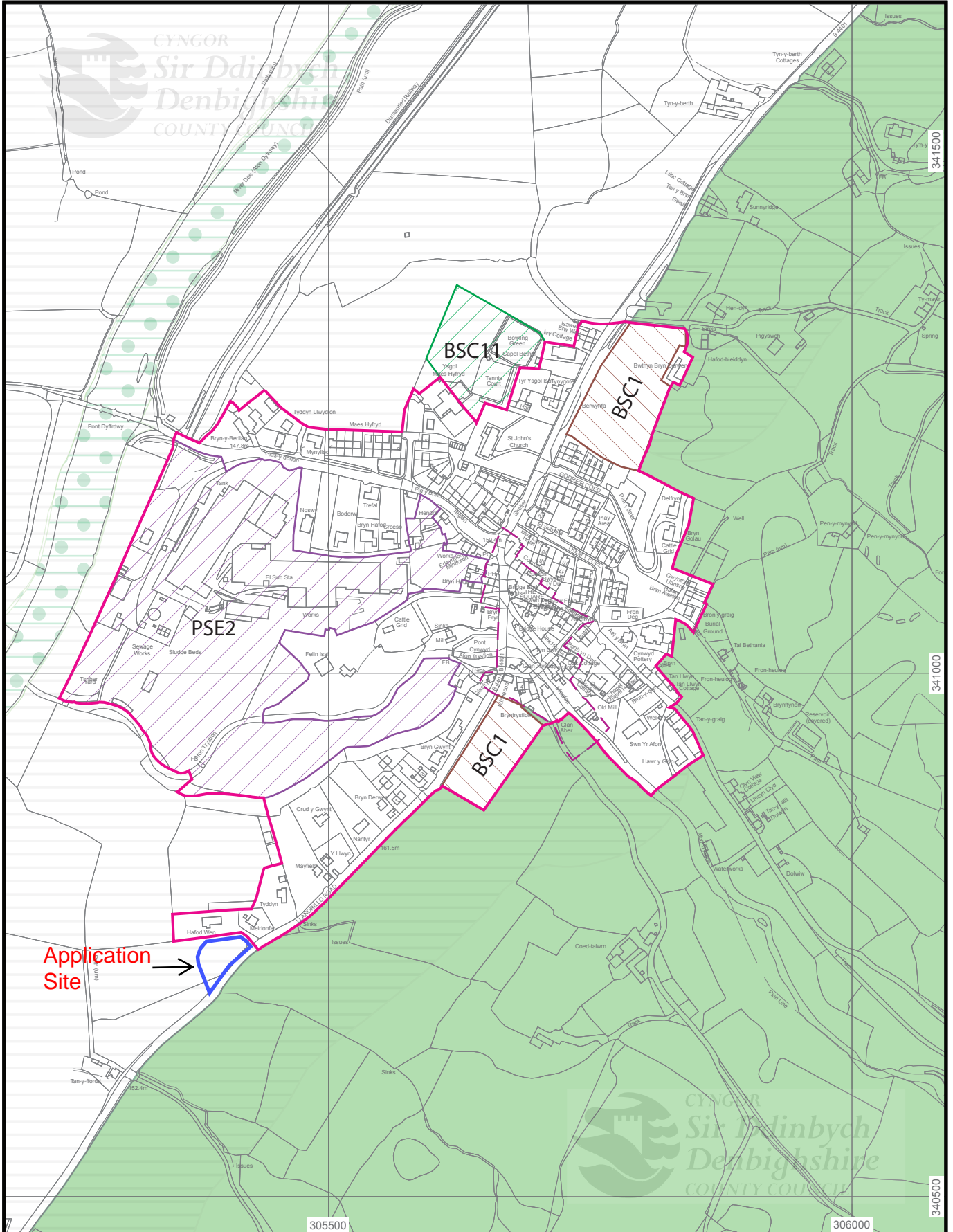
SITE AREA 9600M² approx

BLOCK PLAN 1:500



LOCATION PLAN 1:2500

MAP 08A - PENTREF CYNWYD VILLAGE



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WARD : Llandrillo

WARD MEMBER(S): Cllr Cefyn Williams

APPLICATION NO: 08/2015/0792/ PO

PROPOSAL: Development of 0.09ha of land by the erection of 1 dwelling
(outline application with all matters reserved)

LOCATION: Land adjoining Hafod Wen Cynwyd Corwen

APPLICANT: MrsH Roberts

CONSTRAINTS: None

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

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

- Member request for referral to Committee (Councillor Cefyn Williams)

CONSULTATION RESPONSES:

CYNWYD COMMUNITY COUNCIL

No comments received at the time of this report.

RESPONSE TO PUBLICITY: None.

EXPIRY DATE OF APPLICATION: 04/10/2015

REASONS FOR DELAY IN DECISION: Awaiting Committee meeting

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application is submitted in outline form for the erection of one dwelling in a plot of land currently forming the eastern corner of an open field.
- 1.1.2 The submission indicates a dwelling with an L-shaped footprint taking its access off the current driveway for the house of Hafod Wen to the north.
- 1.1.3 The scale of the property is indicated as being around 8 metres to the ridge height for a two-storey house and 5.5 metres for a dormer type bungalow.

1.2 Description of site and surroundings

- 1.2.1 The site is open in nature and forms part of a larger field to the north which is under the ownership of Hafod Wen.
- 1.2.2 The land is bounded by the driveway for the house to the east, by the road to the south, by the front garden area of Hafod Wen to the north and by open fields to the west.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site stands outside of the development boundary in an area without any specific designation in the Local Development Plan. With the Area of Outstanding Beauty (AOB) to the opposite (south) side of the road.

1.4 Relevant planning history

- 1.4.1 None for the field, but the house gained consent to extend its curtilage and alter its access in 2002.

1.5 Developments/changes since the original submission

- 1.5.1 A supporting planning statement was submitted on 12 October 2015 in response to the case officer requests for additional information relating to the issue of local connections affordable housing as set out in the SPG and LDP Policies for sites outside of the development boundary.

- 1.5.2 Whilst the statement includes a variety of details, it unfortunately does not directly respond to this request and instead seeks to focus on the merits of the childminding business run by the applicant rather than a direct need for the dwelling as proposed. The statement also seeks to justify the development on the basis of it representing a rural enterprise dwelling, again not therefore responding the issue of a local connections affordable unit.

1.6 Other relevant background information

- 1.6.1 The site is also accompanied by a Design and Access Statement which suggests that the site lends itself to residential development as it abuts the development boundary to the north. It is further suggested that a site at Bryn Hyrfryd in Denbigh is comparable as this is adjacent to the development boundary but was granted permission ref 01/2014/1283. On reviewing this decision, it is considered by the case officer that it is not comparable given that the site in Denbigh has built development/major roads to all sides and is in an accessible location on the edge of the large settlement of Denbigh, whereas the subject site is open to the remainder of the field and in a more rural location facing the AOB.

2. **DETAILS OF PLANNING HISTORY:**

- 2.1 08/2002/0163 – Change of use of agricultural land to form extension to existing domestic curtilage, alterations to existing vehicular access and formation of driveway: Granted 24/07/2002.

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)

Policy BSC6 – Local connections affordable housing in hamlets

Policy BSC8 – Rural exception sites

Policy BSC9 – Local connections affordable housing within small groups or clusters

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

Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance

SPG 7 – Residential Space Standards

SPG 8 – Access for All

SPG 21 – Parking

SPG – Affordable Housing

3.2 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

Technical Advice Note 6 – Planning for Sustainable Rural Communities

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 Highways (including access and parking)
- 4.1.5 Area of Outstanding Beauty
- 4.1.6 Loss of agricultural land

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application site lies outside of the development boundary and accordingly its development for housing is limited to it being in compliance with Policies BSC6, BSC8 or BSC9 of the Local Development Plan or as a Rural Enterprise Dwelling in accordance with the definitions contained within Technical Advice Note 6. However, as proposed dwelling is not proposed to be a local connections affordable unit and has not demonstrated compliance with the tests set out in Technical Advice Note 6 the proposal is considered unacceptable in principle.

4.2.2 Visual amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to 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 impact of a development on visual amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which 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 considered that the site could be developed appropriately in respect of having an acceptable design and layout which would not be harmful to visual amenity.

4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to 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 as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which 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. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

It is adjudged that the development of an appropriately designed and sited dwelling at the site could be accommodated without having an adverse impact on the adjacent occupiers.

4.2.4 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. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The addition of one house as proposed off the existing access to Hafod Wen is not considered to represent any harm to highway safety as it can be laid out to include adequate parking and turning facilities.

5 SUMMARY AND CONCLUSIONS:

5.1 The application is unacceptable in principle and is therefore recommended for refusal.
3.1

4. SUMMARY AND CONCLUSIONS:

4.1 Start typing here

RECOMMENDATION: REFUSE- for the following reasons:-

The reason is :-

1. The application site lies outside of the development boundary and accordingly its development for housing is limited to it being in compliance with Policies BSC6, BSC8 or BSC9 of the Denbighshire Local Development Plan or for a Rural Enterprise Dwelling as defined in Technical Advice Note 6. However, as the proposed dwelling is not proposed to be a local connections affordable unit and the information submitted has not demonstrated compliance with Technical Advice Note 6 to be considered as a Rural Enterprise Dwelling, the development does not comply with any of these policies and such the development proposed is unacceptable in principle as it is contrary to the Denbighshire Local Development Plan and the advice of Planning Policy Wales Edition 7.
2. The development would result in the loss of an area of 0.09 hectares of land from the existing field. This loss of agricultural land is not considered to be justified to facilitate the development and accordingly the proposal is unacceptable as it is contrary to Paragraph 4.10.1 of Planning Policy Wales 7.

NOTES TO APPLICANT:

None