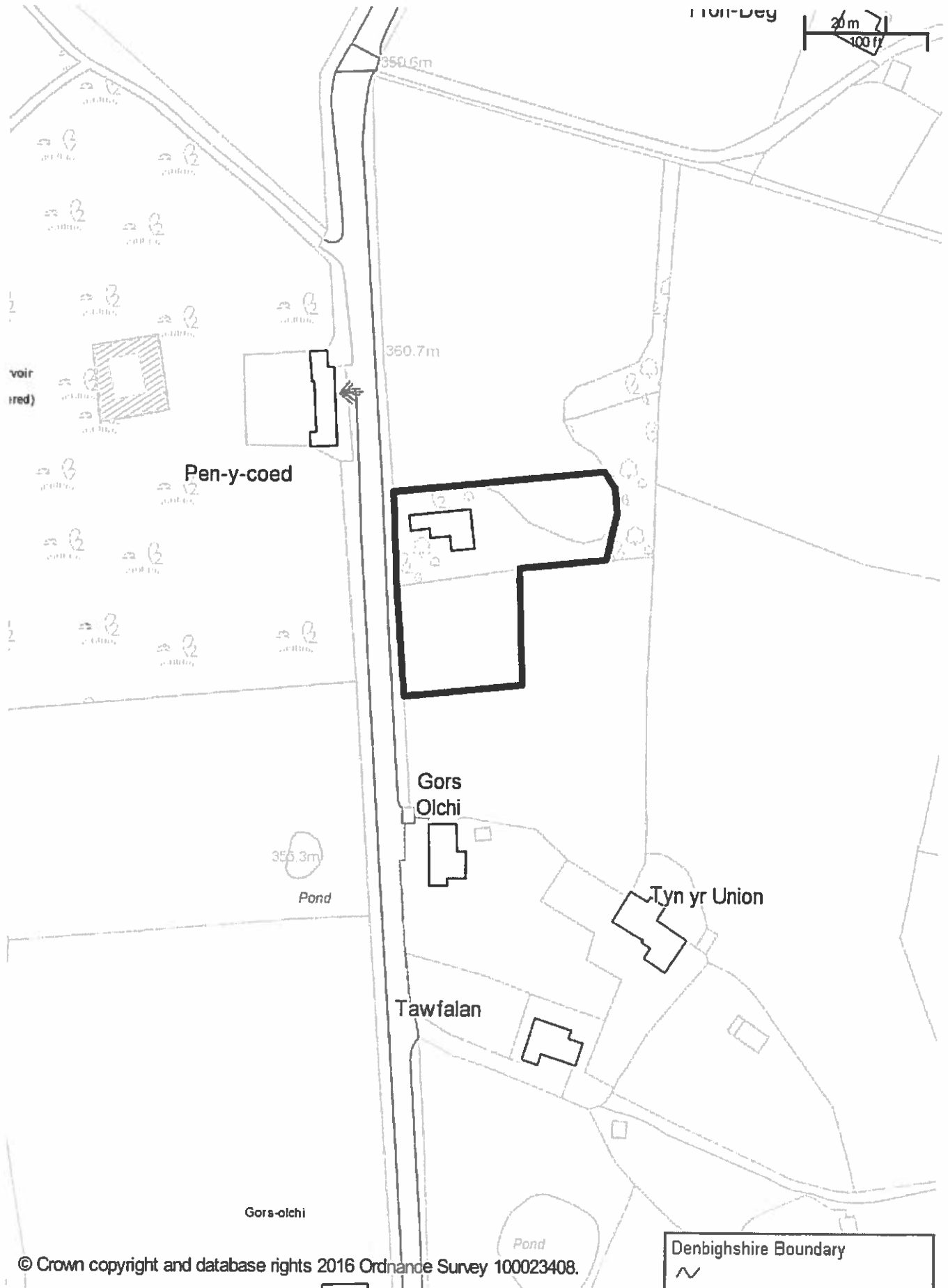


11011-Deg



350.6m

350.7m

355.3m

Pond

Pond

Gors-olchi

voir
(red)

Pen-y-coed

Gors
Olchi

Tyn yr Union

Tawfalan

Denbighshire Boundary



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15/2016/0009

Scale: 1:1250

Printed on: 3/5/2016 at 13:33 PM



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EXISTING PLAN & ELEVATIONS

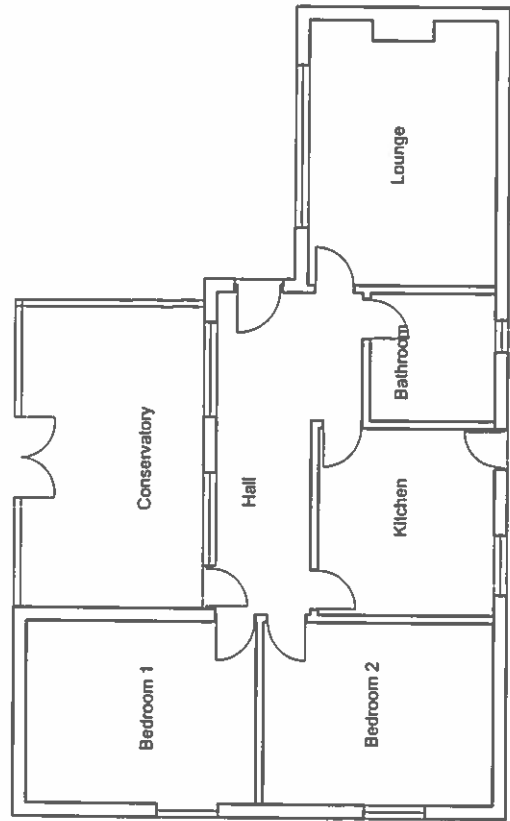
REPLACEMENT DWELLING @ PEN Y COED
 ERYRYS FOR SHARON ROBINSON



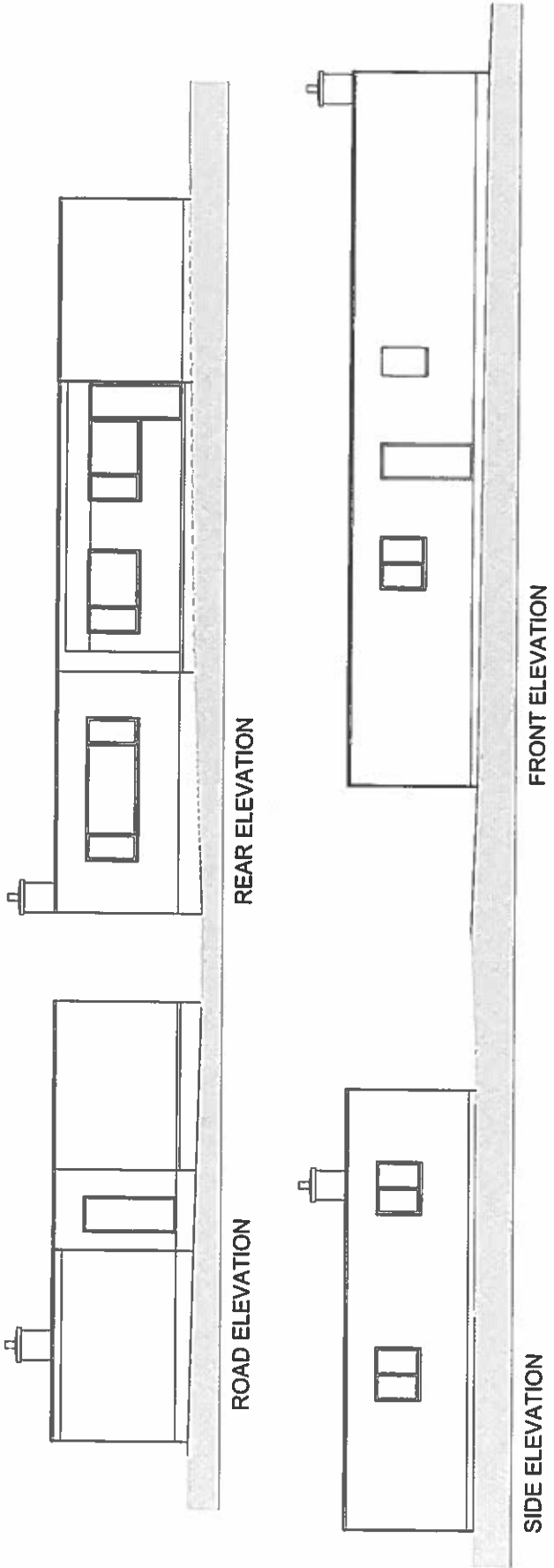
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DWC No:	004	DATE:	07-2015	REV:	-
SCALE:	1/100	Email: brian.lewis-architecture@hotmail.co.uk			

Brian Lewis MCIAA
 Architectural Services
 10 Parc Y Llan, Llanfair DC,
 Ruŷin, Denbighshire, LL15 2YL
 Tel. 01824 704725

PROJECT & CLIENT



EXISTING PLAN



ROAD ELEVATION

REAR ELEVATION

SIDE ELEVATION

FRONT ELEVATION

PROPOSED ELEVATIONS

REPLACEMENT DWELLING @ PEN Y COED
ERRYRS FOR SHARON ROBINSON



Chartered Institute of
Architectural Technologists

DWG. TITLE:
PROPOSED ELEVATIONS

DWG. No: 003
DATE: 07-2015
REV: C
SCALE: 1/100

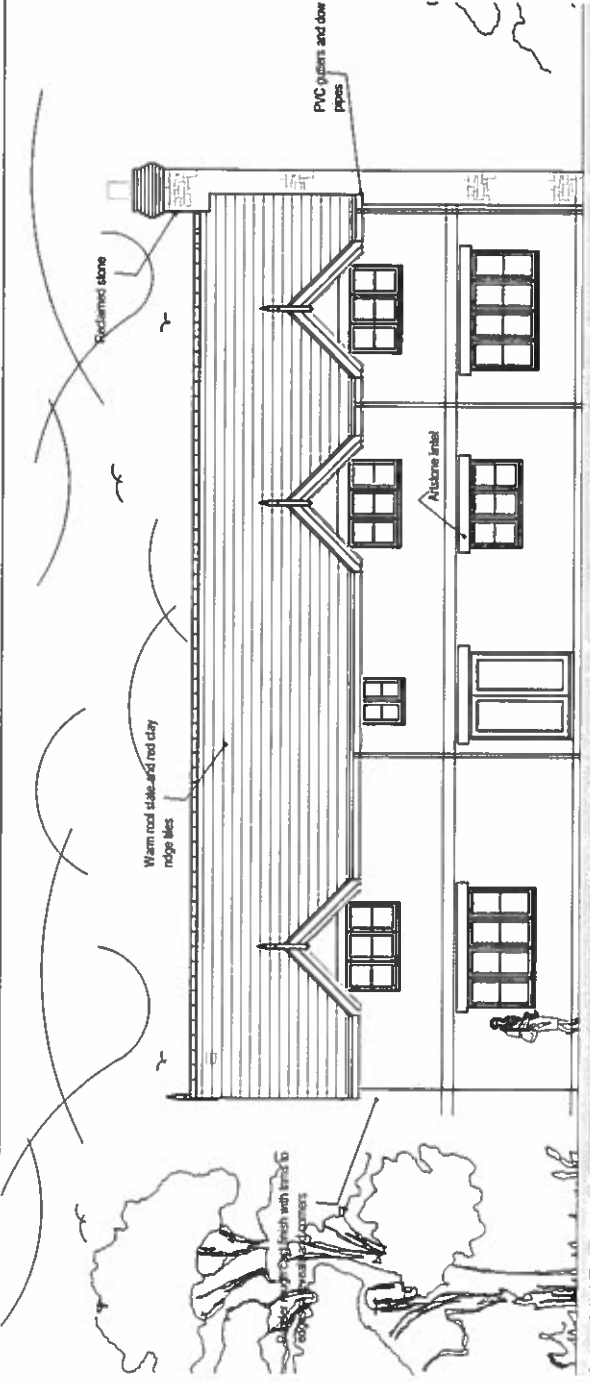
Brian Lewis MCIAT
Architectural Services
10 Parc Y Llan, Lanfair DC,
Ruthin, Denbighshire, LL15 2YL
Tel. 01824 704725
Email: brian.lewis-architecture@hotmail.co.uk

PROJECT & CLIENT

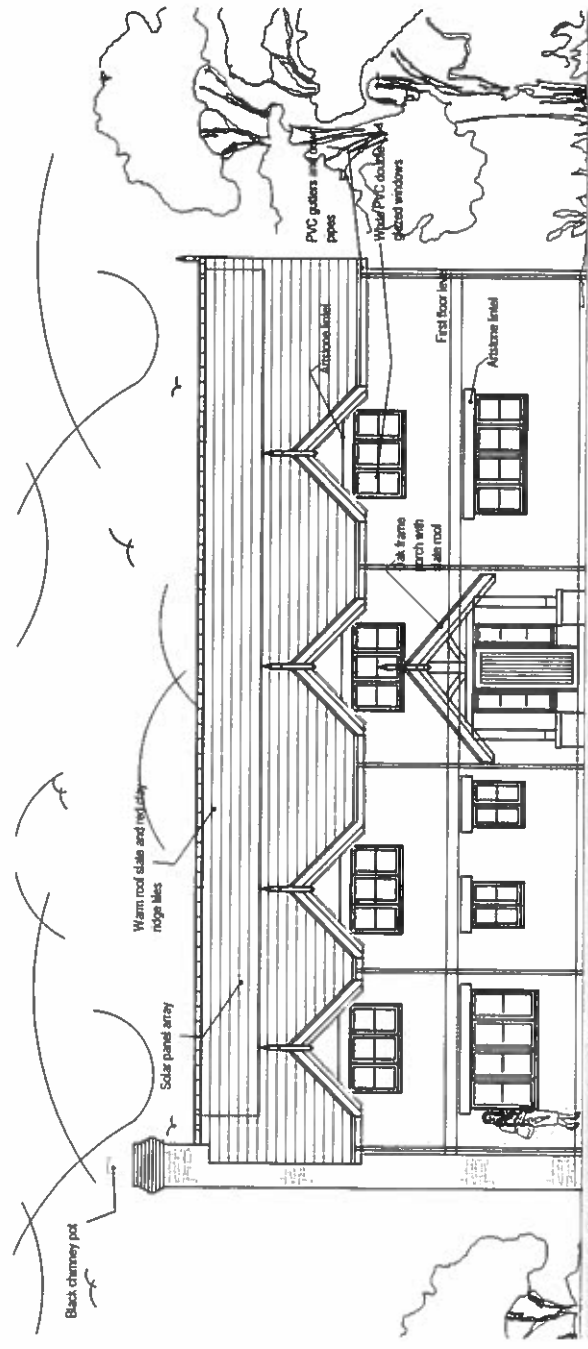
10/03/16 Rev.C
After discussion with Planning officer :-
Floor plan area reduced, ridge height reduced
Brick arches over openings changed to stone lintels
Dwelling relocated and rotated to face road on site



REAR ELEVATION



FRONT ELEVATION



PROPOSED FLOOR PLANS

REPLACEMENT DWELLING @ PEN Y COED
 ERYRYS FOR SHARON ROBINSON

Chartered Institute of
 Architectural Technologists



DWG. TITLE:
 FLOOR PLANS

DWG. No.: 001
 DATE: 07-2015
 REV: G
 SCALE: 1/100
 Email: brian.lewis-architecture@hotmail.co.uk
 Tel: 01824 704725
 Ruthin, Denbighshire, LL15 2YL
 10 Parc y Lan, Llanfair DC.

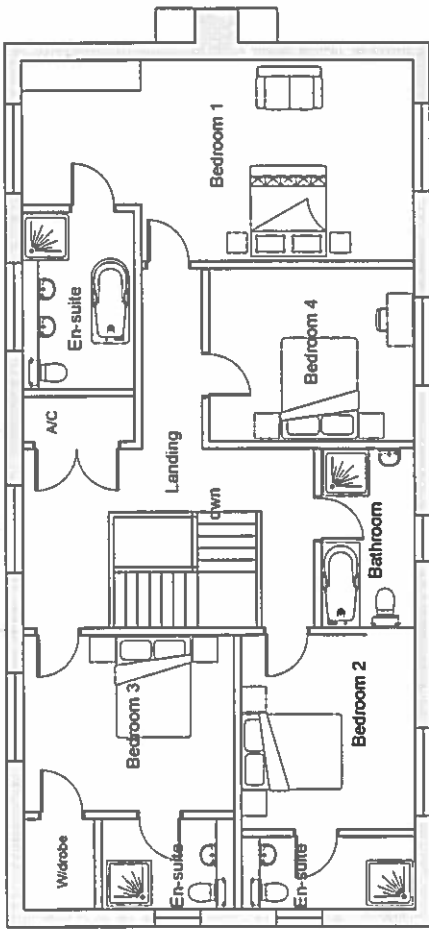
Brian Lewis MCIAT
 Architectural Services

PROJECT & CLIENT

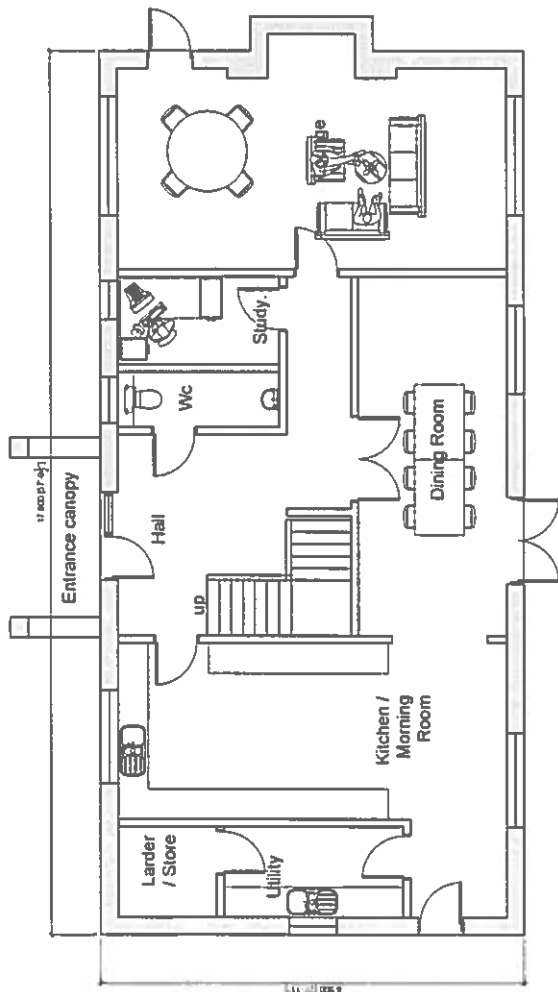
10/03/16 Rev. G
 After discussion with Planning officer :-
 Floor plan area reduced, ridge height reduced
 Brick arches over openings changed to stone lintels
 Dwelling relocated and rotated to face road on site



FIRST FLOOR PLAN



GROUND FLOOR PLAN



SITE PLAN

REPLACEMENT DWELLING @ PEN Y COED
ERRAYS FOR SHARON ROBINSON



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Architectural Technologists

DWG No: 005

DATE: 07-2015

REV: B

SCALE: 1/1250

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Ruġin, Denbighshire, LL15 2YL
Tel. 01824 704725
Email. brian.lewis-architecture@hotmail.co.uk

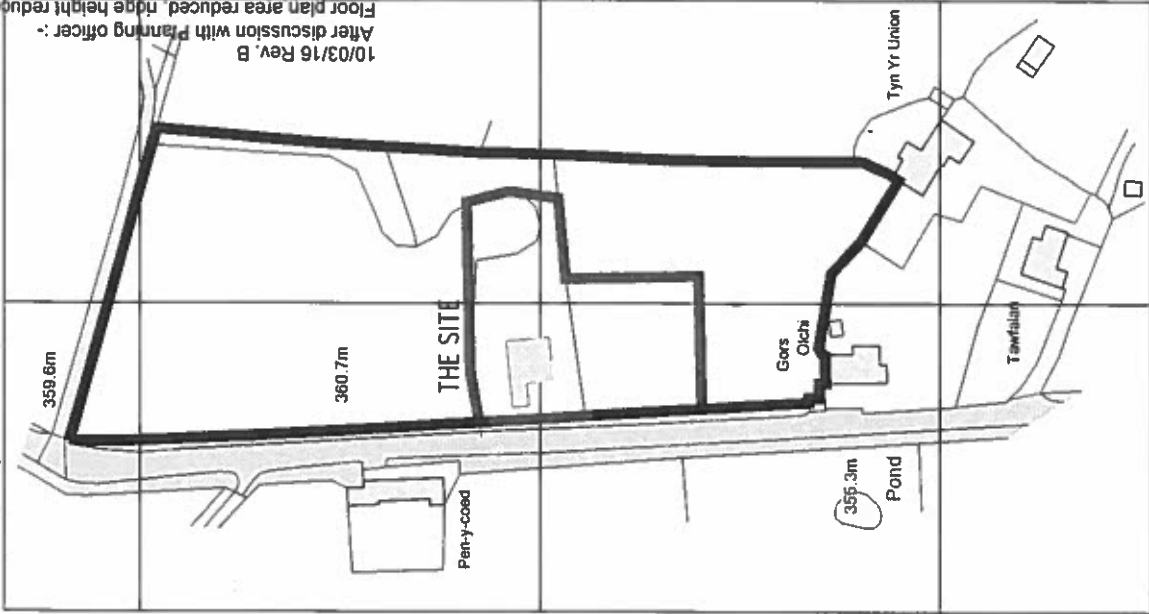
Brian Lewis MCIAT
Architectural Services

SITE AND LOCATION PLAN
DWG. TITLE:

PROJECT & CLIENT

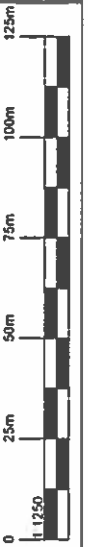
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10/03/16 Rev. B
Floor plan area reduced, ridge height reduced
Brick arches over openings changed to stone lintels
Dwelling relocated and rotated to face road on site

AS EXISTING

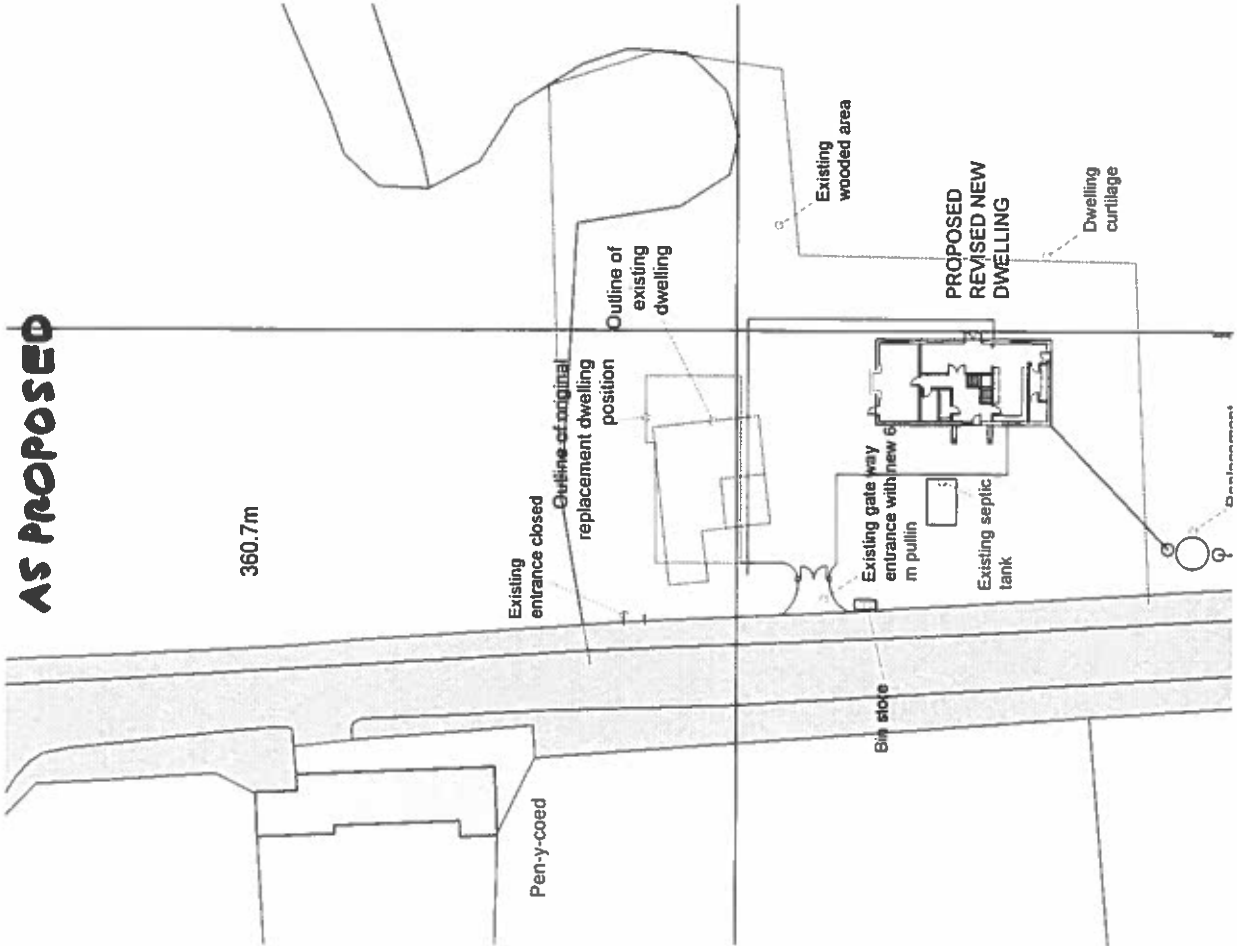


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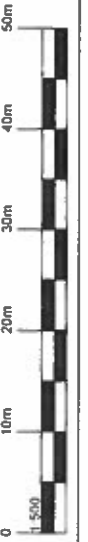
EXISTING LOCATION PLAN
SCALE 1/1250



AS PROPOSED



PROPOSED SITE PLAN
SCALE 1/500



WARD : Llanarmon yn Ial

WARD MEMBER(S): Cllr Martyn Holland

APPLICATION NO: 15/2016/0009/PF

PROPOSAL: Erection of replacement dwelling

LOCATION: Pen Y Coed Eryrys Mold

APPLICANT: Mrs Sharon Robinson

CONSTRAINTS: AONB

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

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

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

CONSULTATION RESPONSES:

LLANARMON YN IAL COMMUNITY COUNCIL:

Response to initial consultation:

“Council felt the development was more than 50% bigger than original dwelling, and it contravened the regulations of not allowing gable end facing developments on the road side – as other properties have had to adhere to only 100 yards away. This site was originally two fields, and then hedges and boundaries were removed to form one site for development, before planning permission was asked for. This means the plot is now far bigger than the foot-print of the original plot. Not Supported.”

Response to re-consultation:

“Following our council meeting last 14th April, Llanarmon yn Ial Community Council, voted that they do not support the planning application 15/2016/0009 erection of replacement dwelling at Pen y Coed. Reasons given were:

The house has now been moved. This site was two fields - then just before planning was applied for all the hedges were ripped out to make one bit field- is this allowed? The new house is far bigger than 50% of the old - which has been demolished - before planning was even applied for. The good soil has already been scrapped away from a good growing field to now be a building site. The septic tank is too close to the road.”

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

““The committee accepts that following the grant of a certificate of lawfulness for the existing dwelling there is no objection in principle to replacing this substandard single-storey structure with a new dwelling or to the modestly defined residential curtilage. However, the committee is concerned about the scale, siting and design of the currently proposed replacement, which will have a much greater visual impact than the existing building. To mitigate impact the committee would suggest that a 1½ storey structure would be more appropriate in this setting. In addition, re-siting the dwelling further to the south would lower the ground floor level thus reducing the skyline impact on views from the both the north and south of the site. This would require a condition requiring demolition of the existing structure prior to occupation of the new dwelling.

The design and appearance could be further improved if the most prominent elevations were wholly faced in traditionally finished natural local stone in addition to the proposed stone chimney feature. Landscaping will also be important in mitigating impact, and the committee would suggest that a landscaping scheme incorporating the planting of new hedgerow boundaries with traditional native local species and gapping up existing hedges should be conditioned. This could include selective planting of indigenous native trees in the new hedgerow boundaries. Details of the treatment of the new access are also required, and the committee would suggest that any access splay walls should be traditionally finished natural local stone.

It is noted that no garage or other outbuildings are currently proposed, and the committee would recommend that a condition restricting permitted development rights should be imposed to control potential future overdevelopment of the site.”

NATURAL RESOURCES WALES

No objections, provided the measures detailed in the submitted ecological report are adhered to, there is unlikely to be an adverse impact upon the nearby SSSI, protected species or the environment.

DWR CYMRU / WELSH WATER

No objections

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer:

No objections subject to the imposition of conditions relating to the creation of the access and the laying out of the parking and turning area.

Ecologist

No objections, provided the suggested best practice mitigation measures relating to biodiversity are incorporated.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Darren Pollard, Y Nyth, Bryn Awelon, Eryrys

Summary of planning based representations in objection:

Scale of proposals excessive. Orientation of dwelling is not acceptable.

Other comment

Representations received from:

Martin Boyett - Ty'n-yr-Union, Eryrys

Summary of planning based representations in support:

No objections, but brings attention to the presence of toads in the area.

EXPIRY DATE OF APPLICATION:

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- 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 Full planning permission is sought for the erection of a replacement dwelling at Pen Y Coed, Eryrys.
- 1.1.2 The proposed dwelling would have a footprint of 17metres by 8 metres. The dwelling would be two storey with a ridge height of 7.5 metres. It is proposed to incorporate dormers to the front and rear elevations, and solar panels to the front elevation. The front elevation would feature an open oak porch with pitched roof.
- 1.1.3 The external walls would be finished with rough cast render, and the roof would be slate with red clay ridge tiles. Windows would be white upvc double glazing, and water goods would be upvc.
- 1.1.4 The proposed dwelling would be located approximately 10 metres south of the existing dwelling (which is to be demolished) and 40 metres north of the neighbouring dwelling, Gors Olchi. It would be set back from the highway by 17 metres.

1.2 Description of site and surroundings

- 1.2.1 The site is located in open countryside, approximately 800 metres north of Eryrys on an unclassified road.
- 1.2.2 The dwelling proposed to be demolished is located at the northern end of the site, set back from the highway by approximately 4 metres. It is single storey in design, with a flat roof and a footprint of approximately 120m². The dwelling is in a state of structural disrepair.
- 1.2.3 Existing development in the area is predominantly residential, and well dispersed along the road.
- 1.2.4 The site is generally flat along the roadside, with the rear of the site starting to gently rise up. The site was, until recently, grazing land, with overgrown scrub in some parts. However, the applicants have begun some site clearance.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.
- 1.3.2 To the west of the site, the land is designated as a Site of Special Scientific Interest (SSSI).

1.4 Relevant planning history

- 1.4.1 The use of the existing building as a dwelling was confirmed through the granting of a certificate of lawfulness for the existing use in 2014.

1.5 Developments/changes since the original submission

- 1.5.1 Following the initial objection of the Community Council, and the comments of the AONB Committee, the applicants have amended the site layout to locate the dwelling nearer existing development, and they have re-orientated the siting to face the dwelling onto the road, and reduced the scale of the proposal.

1.6 Other relevant background information

1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 15/2014/1228/LE – Application for Certificate of Lawfulness for existing use as a dwelling.
GRANTED 15/12/2014

3. RELEVANT POLICIES AND GUIDANCE:

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

Policy RD4 – Replacement of existing dwellings
Policy VOE1 - Key areas of importance
Policy VOE2 – Area of Outstanding Natural Beauty
Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance
SPG 7 – Residential Space Standards

3.2 Government Policy / Guidance
Planning Policy Wales Edition 8 January 2016

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 8, 2016 (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 Use of building
- 4.1.3 Failings of existing dwelling: structural soundness/existing design/energy efficiency
- 4.1.4 Visual amenity/Impact upon AONB
- 4.1.5 Residential amenity
- 4.1.6 Highways (including access and parking)
- 4.1.7 Ecology

4.2 In relation to the main planning considerations:

- 4.2.1 Principle
The scheme is for a replacement dwelling in the open countryside. LDP Policy RD4, Replacement of existing dwellings, allows for such replacements where it can be demonstrated that i) the building has legal use rights as a dwelling; and ii) the dwelling is not of local historical importance or makes a valuable contribution to the character of an area; and iii) the dwelling is structurally unsound, of a poor design, and inefficient in terms of energy and water.

It is considered that a proposal of this nature would be acceptable in principle subject to assessment of its impacts and compliance with the specific criteria of Policy RD4. These are set out in the following paragraphs.

4.2.2 Use of building

The dwelling has not been lived in for a number of years, since the last occupant passed away. However, with regard to the 4 tests of abandonment, there is no evidence of a change of use, the building still has services and is in reasonable functional condition, there is no evidence of the intention to suggest the use has ceased. Based on these considerations, a certificate of Lawfulness for the existing use of the building as a dwelling was granted in 2014. The proposal therefore complies with test i) of Policy RD 4.

4.2.3 Failings of existing dwelling: structural soundness/existing design/energy efficiency

Policy RD 4 requires proposals for replacement dwellings to demonstrate that the existing dwelling is structurally unsound, of poor design, and inefficient in terms of energy consumption etc.

The current application includes a structural report which identifies a number of failings within the existing structure. A case has been constructed to suggest that the work required to correct the failings identified in the structural report would be tantamount to demolition and rebuild. In addition the application includes information on the quality of the shell of the dwelling in terms of energy efficiency. It concludes that the dwelling as currently stands is largely inefficient in terms of energy and water given the lack of insulation and cavity walls etc. The submitted design and access statement also details the functional and design shortcomings of the existing.

On the basis of the submitted details, and in the absence of any clear contradictory reports it is considered that the dwelling is sufficiently unsound, limited in design and inefficient in terms of water and energy to justify its demolition and replacement.

4.2.4 Visual Amenity (including assessment of existing dwelling)

Policy RD4 allows the replacement of dwellings in the open countryside where the existing dwelling does not make a valuable contribution to the character of the area and is not of local historical importance. As the site is within an Area of Outstanding Natural Beauty (AONB), policy VOE 2 is also of relevance. Policy VOE 2 seeks to protect the AONB from development that would unacceptably harm the character and appearance of the landscape and the reasons for the designation as an AONB.

The proposed dwelling would have a footprint of 17metres by 8 metres. The dwelling would be two storey with a ridge height of 7.5 metres. It is proposed to incorporate dormers to the front and rear elevations, and solar panels to the front elevation. The front elevation would feature an open oak porch with pitched roof. The external walls of the dwelling would be finished with rough cast render, and the roof would be slate with red clay ridge tiles. Windows would be white upvc double glazing, and water goods would be upvc.

The existing building is of an unusual low single storey flat roof design. It is not considered that the existing building makes a valuable contribution to the character of the area, is not of local historical importance and is of a poor design.

The comments of the Community Council relating to the increase in scale and size of the replacement dwelling are respectfully acknowledged. The AONB committee have not raised an objection, although some recommendations were made in the initial response, including re-siting the dwelling to achieve a lower floor level. Some of these recommendations have been incorporated.

In considering the overall size and scale of the proposed dwelling, it is relevant that Policy RD 4 does not include criteria which requires replacement dwelling proposals to be similar in size, scale or appearance to the existing dwelling. Proposals for

replacement dwellings should therefore be assessed on whether the proposed design / detailing in itself would be harmful to the character and appearance of the area.

Having regard to the character of other development within the vicinity and the comments of the AONB committee, it is not considered that the proposal would appear out of character with the area, or detrimental to the Area of Outstanding Natural Beauty. The development would be further assimilated into the area through a scheme of suitable landscaping. It is considered reasonable to condition the submission and implementation of a landscaping plan. The proposed replacement is not considered likely to result in harm to the visual amenity of the area and is unlikely to undermine the intentions of the AONB designation. In Officers opinion, the proposal complies with adopted planning policies relating to visual amenity and replacement dwellings.

4.2.5 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.

The site is in an isolated location with no immediate neighbours. The dwelling would be set within a large curtilage. The internal space of the dwelling more than adequately meets the requirements of SPG 7 (residential space standards).

In terms of residential amenity impacts, it is considered the proposal is acceptable.

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

The proposal utilises a new access and the closing of the original access, and includes parking and turning areas within the site. Accordingly, there are no objections from the Highway Officers. The proposal is considered acceptable in terms of highway impacts and access.

4.2.7 Biodiversity / Ecology / Nature Conservation

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

The site has been surveyed for the presence of protected species, including bats, badgers and newts. No evidence of any protected species was found. It has therefore been recommended in the biodiversity report that the development may proceed following best practice. NRW and the Council's biodiversity officer have not raised objection to the proposal.

It is considered that the proposal meets the requirements of VOE 1 and TAN 5.

5. SUMMARY AND CONCLUSIONS:

5.1 It is considered with respect to the comments on the application that it complies with current planning policy, and merits support.

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**
The access shall be laid out and constructed as shown on the approved plan and completed to the satisfaction of the Local Planning Authority before any works commence on site.
4. **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.
 - (f) proposed positions and designs of Great Crested Newt refugia.
5. 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.
6. 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 reasons for the conditions 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. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
4. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.

5. 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.
6. 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.
Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).