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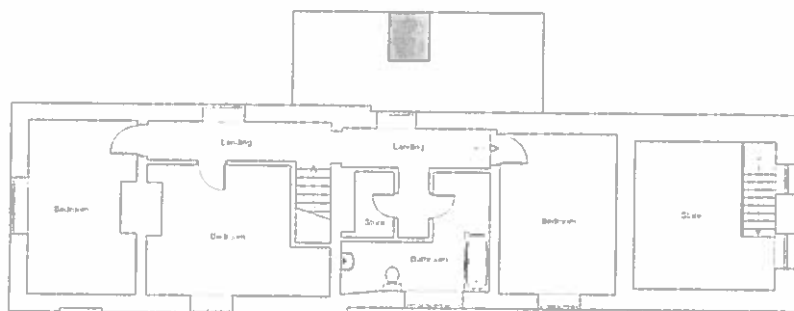
**EXISTING
DWELLING**



Tyn Y Celyn, Llanbedr Dyffryn Chwyd, Ruthin.

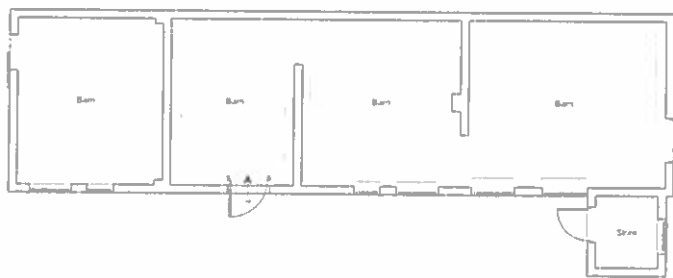


EXISTING DWELLING - FLOOR PLANS



Existing First Floor Plan

	Project	Proposed Replacement Dwelling	Existing Survey Drawings
	Address	171 F. Celyn, Llanberis, Gwynedd LL 51 3H	
	Client	Mr & Mrs B Evans	
	Scale	Scale 1:100 @A1	
Drawing - 1x/24/05/02			



Hand Parking Area



Existing Ground Floor Plan

	Project	Proposed Replacement Dwelling	Existing Survey Drawings
	Address	171 F. Celyn, Llanberis, Gwynedd LL 51 3H	
	Client	Mr & Mrs B Evans	
	Scale	Scale 1:100 @A1	
Drawing - 1x/24/05/02			

PROPOSED DWELLING

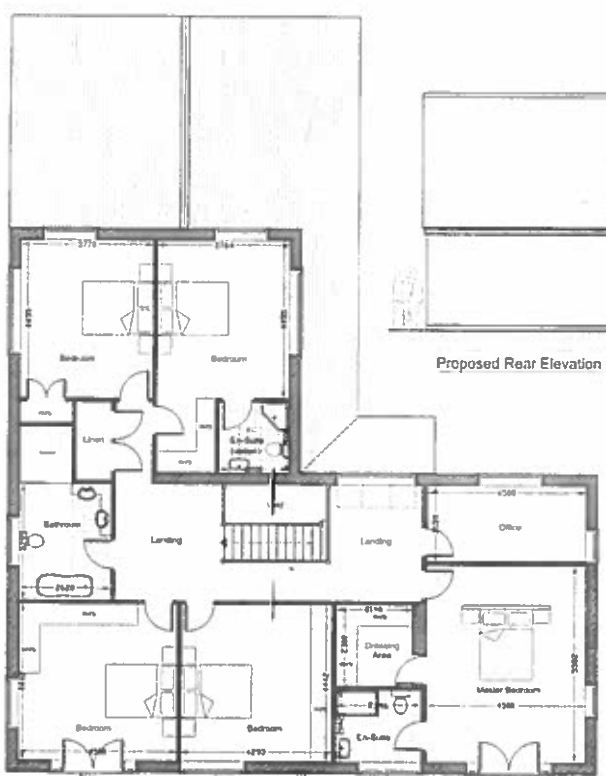


Proposed Front Elevation



Proposed Side Elevation

	Project	Proposed Replacement Dwelling	Planning Drawings
	Address	Tŷ T Celyn, Llanberris DC, Deirdegru 11, S151	
	Client	Mr & Mrs E Lewis	
	Scale	Scale 1:100 @A3	Drawing - 1 of 2 (04/13)



Proposed First Floor Plan



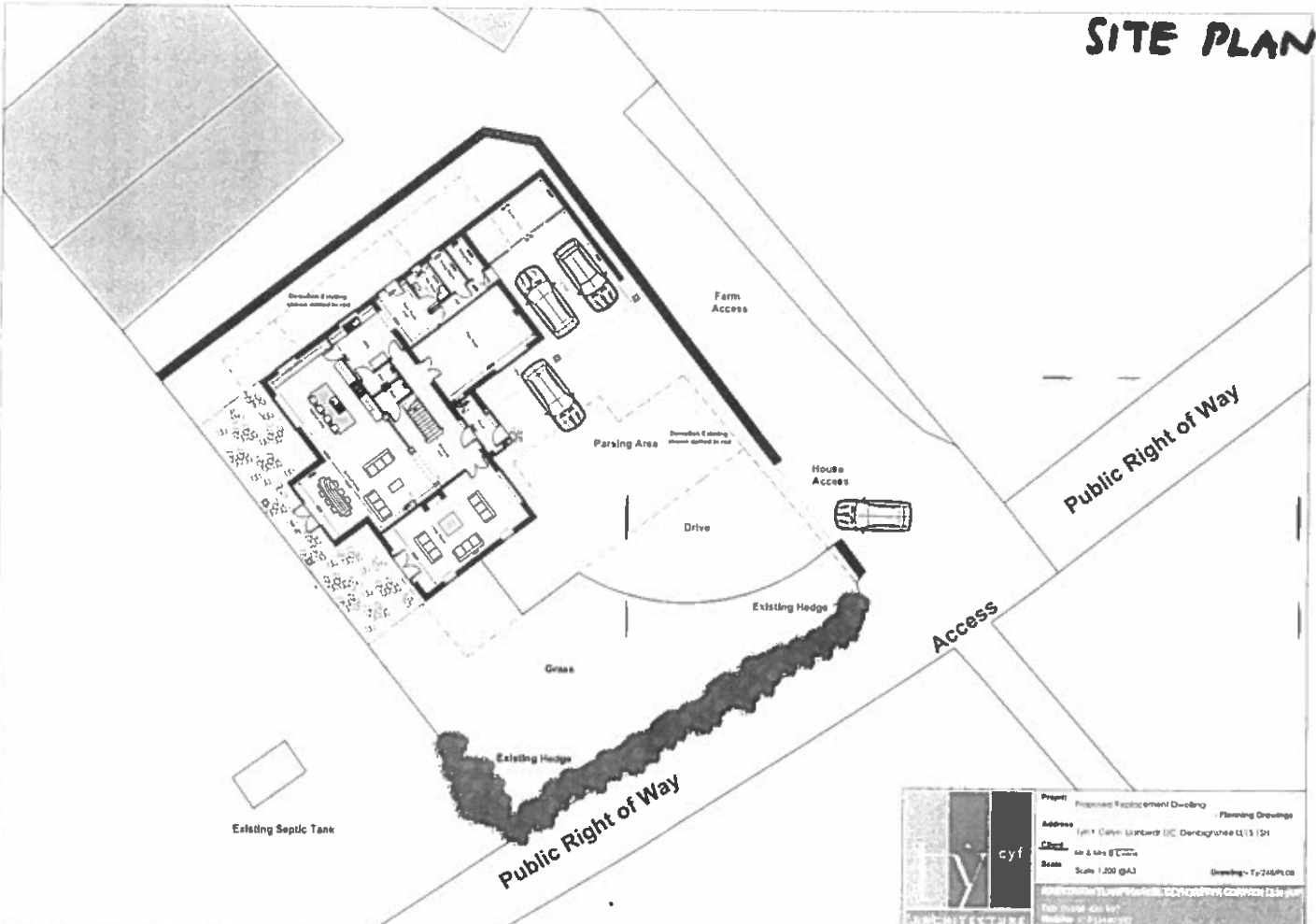
Proposed Rear Elevation

	Project	Proposed Replacement Dwelling	Planning Drawings
	Address	Tŷ T Celyn, Llanberris DC, Deirdegru 11, S151	
	Client	Mr & Mrs E Lewis	
	Scale	Scale 1:100 @A3	Drawing - 1 of 2 (04/13)



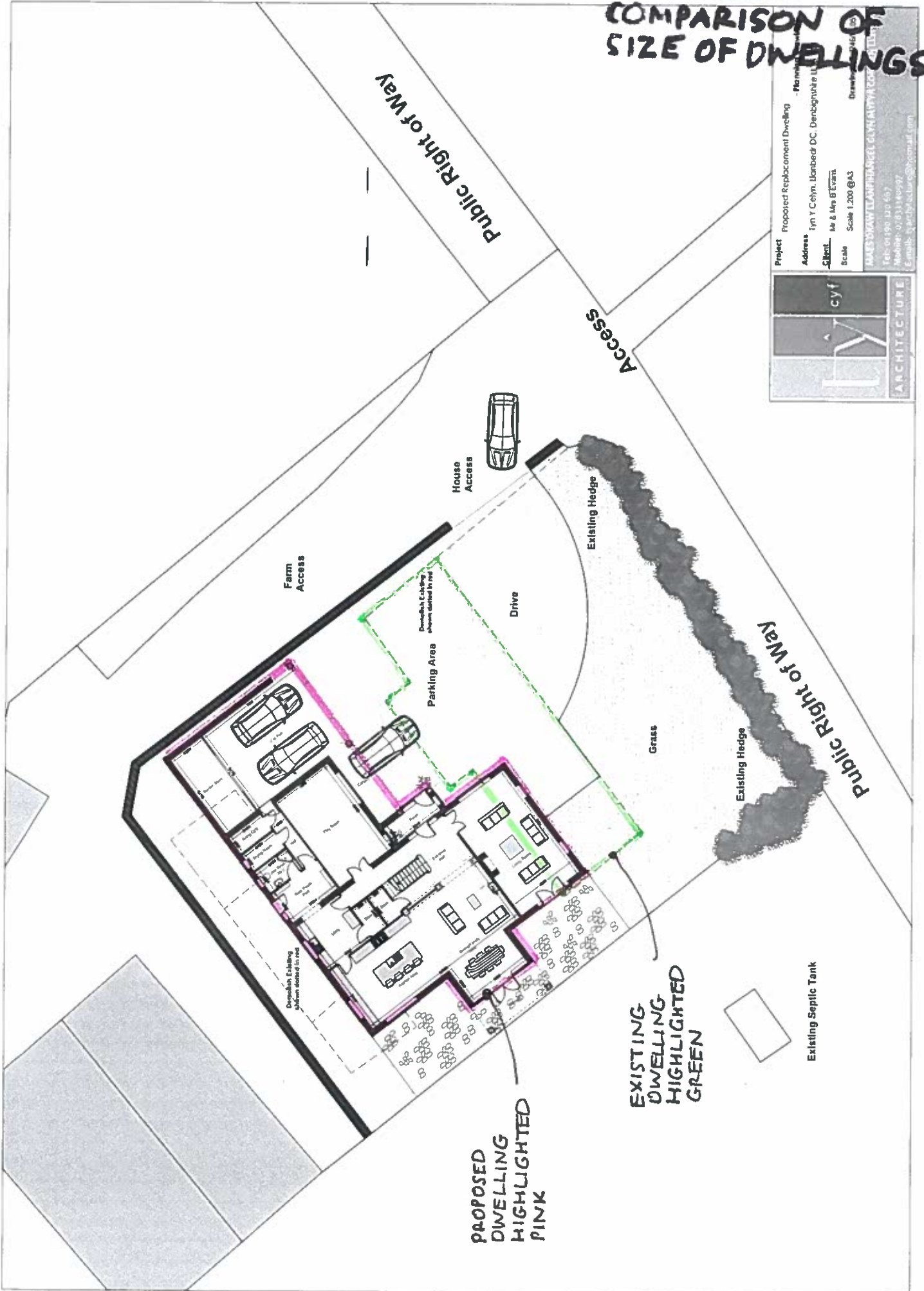
	Project: Proposed Replacement Dwelling	Planning Drawings
	Address: 1st & 2nd Streets, Derry, Co. Londonderry	
	Client: Mr & Mrs B. Evans	
	Scale: 1:100 @A1	Drawing: T-246P1-1

SITE PLAN



	Project: Proposed Replacement Dwelling	Planning Drawings
	Address: 1st & 2nd Streets, Derry, Co. Londonderry	
	Client: Mr & Mrs B. Evans	
	Scale: 1:200 @A1	Drawing: T-246P1-2

SITE PLAN - COMPARISON OF SIZE OF DWELLINGS



Project	Proposed Replacement Dwelling
Address	17m T. Celyn, Llanbedd DC, Denbighshire, LL41 2JG
Client	Mr & Mrs Evans
Scale	Scale 1:200 @ A3
Drawn	DAVID SWAIN
Checked	DAVID SWAIN
Date	10/01/2018
File No	170118
Mobile	0783340997
Email	ty@architecturespace.com



ARCHITECTURE

WARD : Llanbedr D.C.

WARD MEMBER: Councillor Huw O. Williams

APPLICATION NO: 16/2017/0628/ PF

PROPOSAL: Demolition of existing dwelling and outbuildings and erection of a replacement dwelling

LOCATION: Tyn Y Celyn Llanbedr Dyffryn Clwyd Ruthin

APPLICANT: Mr & Mrs Berwyn Evans

CONSTRAINTS: PROW

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

CONSULTATION RESPONSES:

LLANBEDR DC COMMUNITY COUNCIL
"Noobjections"

NATURAL RESOURCES WALES

The bat report submitted in support of the application has identified the site supports the brown long eared bat and the common pipistrelle bat. It concludes the proposal is likely to adversely impact on bats present at the site. NRW recommend planning permission should only be granted if planning conditions are applied to ensure the proposal does not adversely impact on the favourable conservation status of the protected bat species.

CLWYD POWYS ARCHAEOLOGICAL TRUST

The farm buildings proposed for demolition are not currently recorded within the Historic Environment Record, but appear on the first edition OS mapping, the c.1840 tithe map and the Ordnance Surveyors mapping of 1819 and are therefore at least 200 years old. From the photographs submitted with the application the structure appears to be an original stone farmhouse which is typical of the local vernacular for agricultural buildings and adds character to the historic landscape. The buildings are of at least local architectural and historic importance. The issues identified in the structural reports are relatively minor and capable of being addressed by a sympathetic developer with an appropriate renovation. The ground floor damp can be tackled with a damp proof course and the failed lintels have already been replaced. The walls are robust and the roof is in good condition. We would wish to see this farmhouse retained and renovated, perhaps with appropriate extensions which retain the façade and character of the farmhouse range. The older outbuildings could also usefully be renovated and converted.

Should permission be granted, CPAT recommend a Level 3 (Historic England guidance) assessment of the buildings is required and a written scheme of investigation should be submitted and approved before they commence any works on-site.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

- Highways Officer
No objection.
- Footpaths Officer
Comments awaited
- Ecologist
Happy with the ecological reports carried out. Based on presence of protected species found on site (two species of bats and nesting birds), recommend planning conditions be applied should the application be granted in the interests of protecting ecological interests.

RESPONSE TO PUBLICITY:

In support

Representations received from:
Patricia Vickers, Greystones, Llanbedr DC

Summary of planning based representations in support:

- Demolition of existing dwelling will allow for more suitable family accommodation.
- Replacement dwelling would be attractive and in keeping with the area.

EXPIRY DATE OF APPLICATION: 15/08/2017

EXTENSION OF TIME AGREED? 13/09/2017

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 proposal is for the demolition of the existing two storey traditional stone farmhouse and detached stone and brick outbuilding and the erection of a replacement dwelling.
- 1.1.2 The replacement dwelling is a detached two-storey detached property with integral double carport.
- 1.1.3 The respective detailing of the existing stone dwelling and the proposed replacement can best be appreciated from the plans at the front of the report.
- 1.1.4 The existing 3 bedroom dwelling dates back to the 1800's and measured from the floor plans has a ground floor footprint of some 130 sq. metres and a total floor area of some 245 sq. metres, including a store section on its north east end.
- 1.1.5 The proposed dwelling would have a ground floor footprint of some 270 sq. metres (including the car port) and a total floor area of some 455 sq. metres. It would contain:
 - At ground floor level - an entrance hall, living room, kitchen / dining room, utility, playroom, rear porch with wet room, drying room and airing cupboard and an integral double garage with garden store to the rear.
 - At first floor level - an office, master bedroom with en-suite and dressing room, four further bedrooms and a bathroom.
- 1.1.6 The application is supported by a Building Condition Report, a Report of the Condition of the Structure, and a Bat and Nesting Bird Survey Report.

1.2 Description of site and surroundings

- 1.2.1 The site is currently occupied by a traditional stone farmhouse and stone outbuilding located within open countryside some 2.3km to the north-west of Llanbedr Dyffryn Clwyd.
- 1.2.2 The existing two storey traditional stone farmhouse comprises of the original house which dates back to the mid 1800s, and a two storey extension which it is understood was added in the late 1800s.
- 1.2.3 The outbuilding is a stone and brick barn to the north west of the dwelling, and there are other farm buildings which are of steel frame construction with sheet metal cladding further to the north west.
- 1.2.4 The site is some 350m from the nearest public highway, and is accessed via a track designated as a Public Right of Way.
- 1.2.5 The site is set away from other residential properties, with the closest neighbours being Greystones 200m to the east and Tyddyn Tlodion 280m to the south-east.
- 1.3 Relevant planning constraints/considerations
 - 1.3.1 The site is outside of any development boundaries defined by the Local Development Plan, and is therefore considered to be in open countryside.
 - 1.3.2 The site is within the Vale of Clwyd Historic Landscape.
 - 1.3.3 The track along which the site is accessed is a Public Right of Way
- 1.4 Relevant planning history
 - 1.4.1 There is a record of a planning permission and prior approval application for agricultural buildings at Tyn y Celyn.
- 1.5 Developments/changes since the original submission
 - 1.5.1 Revised proposed elevation plans were submitted on 8 August 2017, which included changes to the proposed external wall treatments. The revised elevation plans have removed previously proposed sections of brickwork on the external walls. Walls are proposed to be finished in local stone and render.
- 1.6 Other relevant background information
 - 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

- 2.1 26/13809. Erection of Agricultural Building. Granted 18/11/1993
- 2.2 16/2008/0732. Demolitions of existing dutch barn and erection of extension to existing agricultural building (Prior Approval Application). Determined that Prior Approval Not Required 04/08/2008.

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 RD4 – Replacement of existing dwellings

Policy VOE1 - Key areas of importance

Policy VOE5 – Conservation of natural resources

Policy ASA3 – Parking standards

- 3.2 Supplementary Planning Guidance

Archaeology SPG

Conservation and Enhancement of Biodiversity SPG

Residential Development SPG

Parking requirements in New Developments SPG

Residential Development SPG

Residential Space Standards SPG

3.3 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Note 5: Nature Conservation and Planning (2009)

Technical Advice Note 24: The Historic Environment (2017)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations 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 (DMM section 9.4).

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 Ecology
- 4.1.5 Highways (including access and parking)

Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

LDP Policy RD4 allows for the replacement of an existing dwelling outside of settlement boundaries where it can be demonstrated that:

- i) The building has legal use rights as a dwelling; and
- ii) The dwelling is not local historical importance or makes a valuable contribution to the character of an area; and
- iii) The dwelling is structurally unsound, of poor design and inefficient in terms of energy and water.

Each of the policy tests are addressed separately below:

RD4i) – legal use as a dwelling

The existing dwelling is clearly habitable and is currently occupied. The proposal would comply with criterion i).

RD4ii) - architectural / historic merit of existing dwelling

The site is within the Vale of Clwyd Historic Landscape. LDP Policy VOE1 seeks to protect Historic Landscapes from development that would adversely affect them and Planning Policy Wales 9, Chapter 6.2.1 states it is important that the historic environment is protected, managed and conserved, including the need to conserve areas on the register of historic landscapes in Wales.

The information provided with the application indicates the farmhouse dates back to the mid 1800's and the Clwyd-Powys Archaeological Trust (CPAT), in their

consultation response note the farmhouse appears on the first edition OS mapping, the c.1840 tithe map and the Ordnance Surveyors mapping of 1819 and is therefore at least 200 years old.

CPAT consider the original stone farmhouse, which is typical of the local vernacular for agricultural buildings, adds character to the historic landscape, and that the existing buildings proposed to be demolished are of at least local architectural and historic importance.

From the information provided, CPAT consider the issues identified in the structural reports are relatively minor and capable of being addressed by an appropriate renovation, and could be sympathetically extended to provide additional living accommodation. CPAT would wish to see this farmhouse retained and renovated.

In light of CPATs comments, there is a question as to whether the proposal would comply with RD4ii), as the building is considered to be of local historical importance and makes a contribution to the character of the area.

RD4iii) – condition of existing dwelling

The application is supported by a Building Condition Report and a Report of the Condition of the Structure.

The Building Condition Report prepared by a building Surveyor includes a schedule of remedial / refurbishment works necessary to rectify deficiencies in the building, however due to what are referred to as prohibitive costs, it advises a replacement dwelling is a more cost effective solution.

The Report of the Condition of Structure prepared by a Structural Engineer considers the buildings are affected by foundation movement; walls / floors do not have adequate resistance to damp penetration and ventilation is inadequate; external walls are not weatherproof; roof timbers are not protected by felt or insulated; and slates on the roof need re-laying. The report concludes that the property needs extensive works to upgrade to the current standards of Part L of the Building Regulations, and the optimum course of action would be to replace the existing building.

RD4iii) requires the existing dwelling to be structurally unsound, of poor design and inefficient in terms of energy and water.

The structural information does not establish that the dwelling is structurally unsound. It does not appear to be beyond repair or incapable of being adapted / extended as part of a development scheme, albeit extensive work is necessary to bring it up to modern building standards.

By virtue of its age and solid stone construction, the existing building is clearly energy inefficient. Again this could be improved at expense. Officers would note however, much of the works proposed are refurbishment works rather than remedial works (new kitchens, bathrooms etc.), and the structural repairs that are required are not significant (e.g. new damp proofing, re-pointing walls, re-plastering, re-laying roof slates etc.).

In concluding on this test, it is acknowledged that it may be more cost effective to the applicant to demolish and replace rather than refurbish and extend the property to meet the applicant's needs, but it would be difficult to argue the buildings are 'structurally unsound'. There is therefore considered to be conflict with test iii.

Conclusion on principle of development

Policy RD4 supports the replacement of an existing dwelling outside of settlement boundaries only where proposals comply with three policy criteria. Having regard to CPAT's views, Officers would consider the existing dwelling is of local historical importance and makes a valuable contribution to the character of the historic landscape area, and fails to comply with RD4ii). The proposal also does not fully

comply with RD4iii) as it is not apparent that the dwelling is 'structurally unsound'. Failure to comply with two of the basic tests of RD4 suggests the proposed replacement dwelling proposal is therefore not acceptable in principle.

4.2.2 Visual amenity

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. Para 4.11.9 confirms that the visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations.

With respect to development in the countryside, Planning Policy Wales 4.7.8 states new development in the open countryside must continue to be strictly controlled and all new development should respect the character of the surrounding area and should be of appropriate scale and design.

Policy RD4 of the Local Development Plan does not require proposals for replacement dwellings to be of a similar scale and design to the existing property, so proposals for replacement dwellings have to be assessed on their own merits.

The assessment of the impact of the loss of the existing farmhouse and outbuilding on the visual amenity of the local area has been considered in section 4.2.1, and therefore this section deals with the impacts of the proposed replacement dwelling on the visual amenity of the area:

The site is within a rural location within the Vale of Clwyd Historic Landscape adjacent to a public right of way and set away from other residential properties. There are a number of substantial detached properties in this area, with a mix of building styles.

The dwelling proposed is a substantial 5 bedroom detached dwelling with an integral double carport, which is considerably larger in scale and massing than the existing farmhouse and outbuilding it seeks to replace.

It is to be noted that the footprint of the proposed replacement dwelling is over twice the size of the existing dwelling it seeks to replace. The existing dwelling is a traditional two storey stone cottage of simple and attractive form, similar to the outbuilding to be removed. The proposed replacement dwelling has a noticeably higher ridgeline than the dwelling it seeks to replace (8 metres compared with 6.3 metres), and the overall scale and massing of the replacement dwelling is also significantly greater than the building it seeks to replace, especially when viewed from the front and rear elevation. These will be apparent from the plans at the front of the report.

It is unfortunate in Officers' opinion that attempts have not been made to incorporate the original dwelling into a scheme, and that its design features have not been respected in the design of the replacement.

The revised proposed elevation plans at least show the dwelling proposed would be finished with a mix of reclaimed stone to be applied to the walls on the front and side elevations, with render to be applied to the rear elevation and part of the side elevation. The roof would be clad with Welsh slate, and oak piers are proposed to be installed to support the porch and carport, which to a point are sympathetic to more traditional developments in the area.

Unfortunately the detailing of the proposed dwelling, including its fenestration and shallow roof pitches pay little heed to traditional design features in the area or those of the original dwelling. There are a mix of window styles and proportions and the rear elevation in particular is poorly detailed. The result is a dwelling of conflicting styles

and in officers' view represents a missed opportunity to achieve a development of distinction in this location, incorporating and / or respecting the original dwelling.

4.2.3 Residential amenity

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The residential amenity impacts of a development proposal are a material consideration.

The occupants of the closest neighbouring property have written to confirm they are supportive of the scheme.

The proposed replacement dwelling would comply with the Council's Residential Space Standards SPG and would provide a satisfactory standard of accommodation. Having regard to the separation distances between the site and the nearest neighbouring property, the proposal would not adversely impact on amenity of other residential properties in the vicinity of the site.

Officers would conclude the proposed development would not give rise to any adverse impacts on residential amenity.

4.2.4 Ecology

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.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The biodiversity / ecological impacts of a development proposal are a material consideration.

This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and Conservation and Enhancement of Biodiversity SPG.

The application is supported by a Bat and Nesting Birds Survey Report, which identified three bat roosts within the farmhouse. Surveys observed four different bat species active on, or nearby, which represents moderate bat activity in the area, and two species of bat (brown long eared bat and common pipistrelle) were observed entering and emerging from the farmhouse. No bats were observed entered or emerging from the outbuilding. Swallows were also found to be occupying the farmhouse and the outbuilding during the survey.

Based on the findings of survey, the Council's Ecology Officer and Natural Resources Wales (NRW) have both recommended a series of planning conditions be applied to ensure the proposal does not have an adverse impact on protected species or their habitat. Conditions proposed require further details to be submitted for approval in relation to bat avoidance, mitigation and compensation measures; a light spillage scheme; a post construction monitoring and surveillance scheme; and the provision of bird nesting boxes.

Bats species are protected by European and domestic law and nesting birds are also protected by domestic law and as such it is a criminal offence to disturb bat habitat or nesting birds, and a European Protected Species (EPS) Licence from Natural Resources Wales is required before any works being undertaken. As bats and nesting birds are protected under separate wildlife legislation, and Officers consider it is unnecessary to apply planning conditions which duplicate other regulatory controls such as applying a condition requiring an EPS licence to be obtained. However, should planning permission be granted, Officers would recommend an appropriately

worded Note to Applicant is attached to the Decision Notice to bring the applicant's attention to the additional requirements under separate wildlife legislation.

Having regard to the conclusions of the Bat and Nesting Bird Survey Report and the advice of the Council's Ecology Officer and NRW, Officers consider that, subject to the application of relevant planning conditions and an appropriately worded Note to Applicant, the proposal would not result in an adverse impact on ecological interests or result in a detrimental impact on the favourable conservation status of protected species.

4.2.5 Highways (including access and parking)

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decision (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The highway impacts of a development proposal are a material consideration. 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 site is accessed via a track leading from the public highway some 350m to the north east. The proposed site plan shows sufficient onsite parking and turning space to serve the development and Highways Officers have raised no objection.

The track which leads to the site is a Public Right of Way. The proposed siting of the replacement dwelling would not interrupt the Public Right of Way, however this would need to be safeguarded during the construction phase. Separate Highways legislation provides protection to safeguard Public Rights of Way and to this end it would not be necessary to apply planning conditions, however should planning permission be granted, an appropriately worded Note to Applicant is advised to bring this to the attention of the applicant.

Having regard to the above, Officers would conclude the proposal would not adversely impact on highway interests.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 LDP Policy RD4 sets out the policy context for replacement dwellings. The policy supports the replacement of an existing dwelling outside of settlement boundaries only where proposals can comply with three tests.

5.2 Having regard to CPAT's views, Officers would consider the existing dwelling is of local historical importance and makes a valuable contribution to the character of the historic landscape area, and that the proposal fails to comply with RD4ii).

5.3 The proposal also does not fully comply with RD4iii) as it is not obvious that the existing dwelling is 'structurally unsound'.

5.4 There is consequently conflict with key tests of the replacement dwellings policy.

5.5 Having regard to the scale, design and appearance of the replacement dwelling proposed, Officers also have reservations over the suitability of the development in terms of visual amenity.

RECOMMENDATION: REFUSE- for the following reason:-

The reason is:-

1. It is the opinion of the Local Planning Authority that the proposals are in conflict with key tests of the Council's policy in relation to replacement dwellings, in that the existing dwelling is a 19th century stone farmhouse typical of the local vernacular for agricultural buildings, is considered to be of local historical importance and makes a valuable contribution to the character of the Historic Landscape of the Vale of Clwyd; and it is not structurally unsound. The conflicts with Local Development Plan policy RD4 ii) and iii) are considered to be compounded by the scale and detailing of the proposed replacement dwelling which would appear inappropriate in this open countryside location, and in the context of the existing dwelling, and would result in material harm to visual amenity, which is a material consideration on an application as identified in Planning Policy Wales 9, sections 3.1.4 and 4.11.9.

NOTES TO APPLICANT:

None