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08/2017/0896

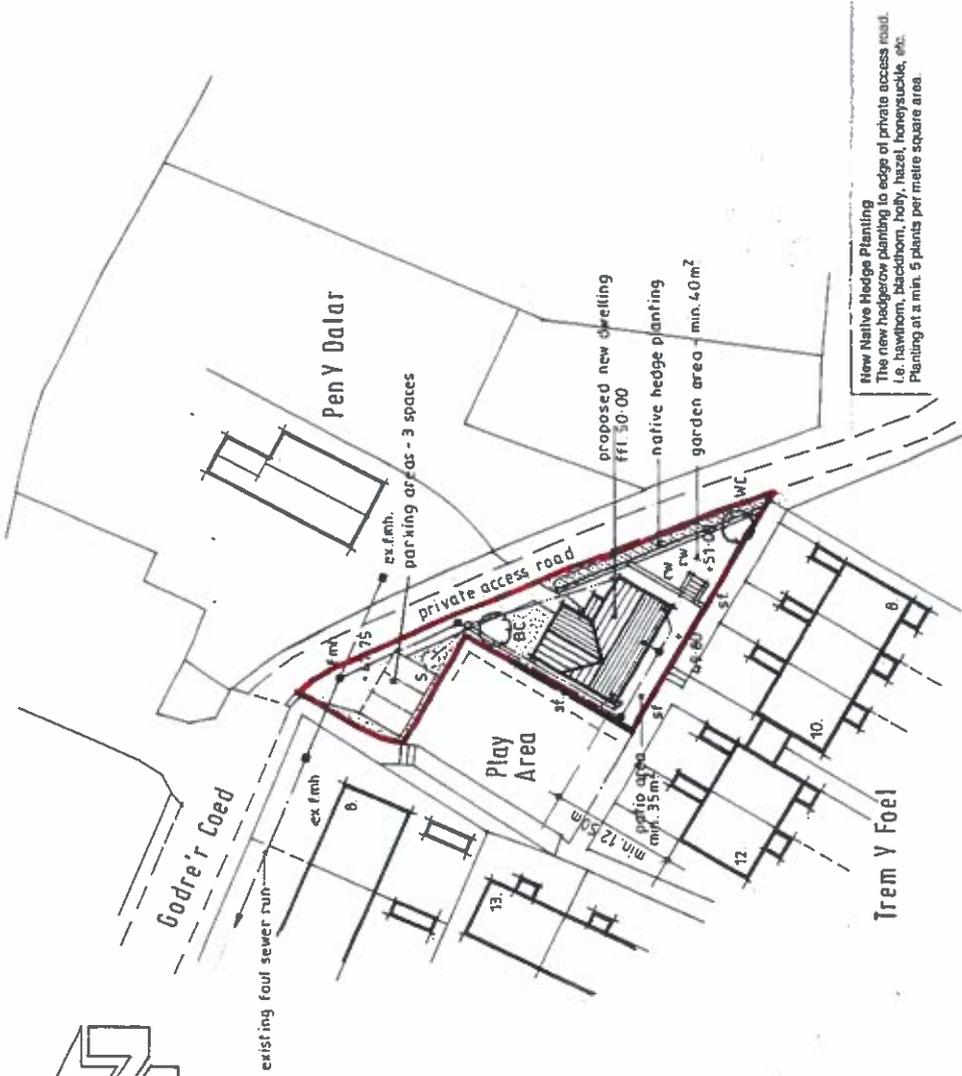
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Printed on: 24/11/2017 at 13:17 PM



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Rev A - 01/11/17  
Revised site layout/landscaping details.

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**MATISCHOK & ROSS**  
architectural services

Project title  
**Land at PEN Y DALAR, CYNWYD, CORWEN.**

drawing title  
**Existing & Proposed Site Plans**

Project no.  
0729

drawing no.  
1

revision  
A

date  
31-07-17

scale  
1:500

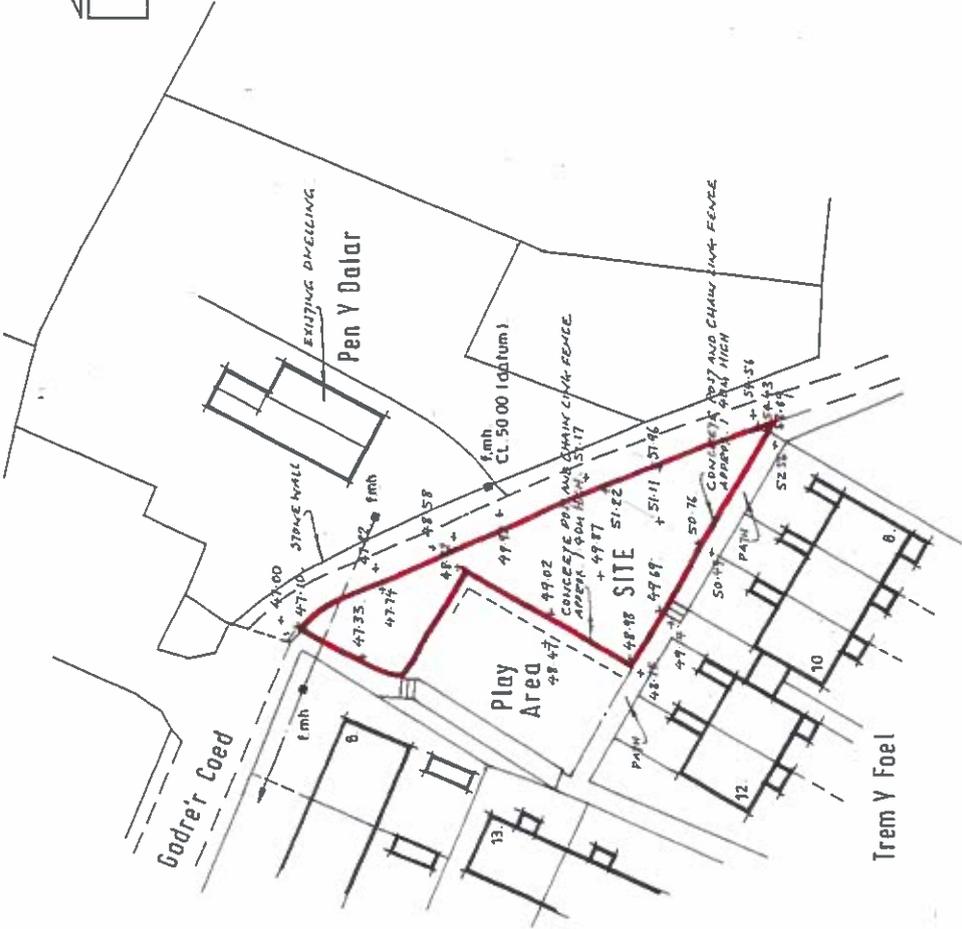
drawn by  
PM

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**PROPOSED SITE LAYOUT PLAN**  
1:500

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

The proposed new parking areas to serve the proposed dwelling to be finished in tarmac, brick pavers, or other approved hard standing surface finish, to client's specification and approval.  
The vehicular access to have a maximum gradient of 1 in 20, and the new parking and turning areas to have a maximum gradient of 1 in 40.  
A parking area to the front of the dwelling and adjacent to the main front entrance door to be provided for disabled parking and approval, e.g. tarmac, brick pavers, other approved surface finish.  
The new disabled parking area to have a maximum fall and cross-fall gradient of 1 in 20.  
A level access approach is to be provided from the car parking space to the main principal entrance door with a gradient not steeper than 1 in 20. The path to the principal front entrance door is to be a min. 1.20m wide.  
A level platform is to be provided outside the main principal entrance door with min. dimensions of 1.20m x 1.20m for level access to the dwelling.  
A level access threshold strip to be provided across the main principal entrance doors.

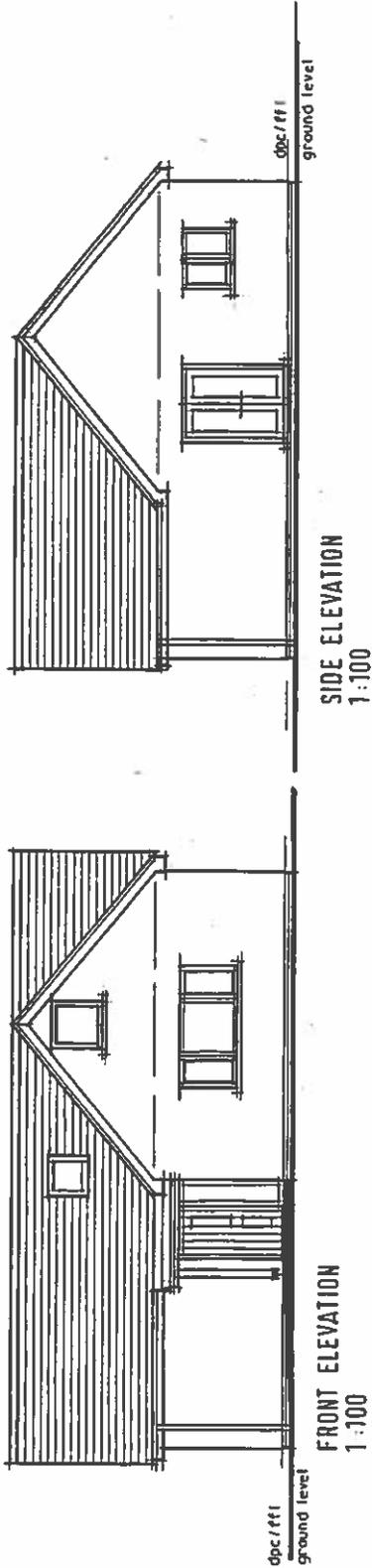


**EXISTING SITE LAYOUT PLAN**  
1:500

- 100mm dia. foul drainage runs - min. fall to pipes to be 1 in 40.
  - 100mm dia. surface water drainage runs - min. fall to pipes to be 1 in 60.
  - S Soakaway Construction
  - Turfed/Seeded Grassed Areas.
- Tree Planting**  
Native tree planting to be 3.0m to 3.6m tall and to be sited a min. 6m from any buildings.  
WC - Wild Cherry.

New paths and patio areas to be finished in stone/slate flags to client's specification and approval.  
All existing fences, walls and hedgerows to site boundaries to be retained, where indicated on plans.  
A new concrete post & vertical boarded timber fence to be erected to the boundaries to enclose the private amenity space around the new dwelling, and where shown on plan (indicated 'sf' on plan) - min. 1800mm high.  
Retaining walls to be constructed on site, and where shown on plans (indicated 'rw' on plan) - max. 1200mm high. Walls to be constructed from solid block with render facing to match proposed dwelling.





FRONT ELEVATION  
1:100

SIDE ELEVATION  
1:100

**External Materials**  
 Roof :- New reconstructed slate roof tiles - grey. Redland Cambrian or Marley Element Melbourn.  
 Velux roof windows installed using a flush recessed type flashing.  
 Walls :- Painted or smooth self-coloured render finish - colour to client's approval.  
 Facing brick pith below render level.  
 Windows & Doors :- Coloured upvc or aluminium windows and external doors.  
 Fascia & Barge Boards :- Coloured upvc fascia, barge or soffit boards.  
 Rainwater Goods :- Coloured upvc gutters and down pipes.

Rev B - 01/11/17  
 Revised dwelling type details.  
 Rev A - 11/10/17.  
 Omit window to first floor bathoom & add roof window

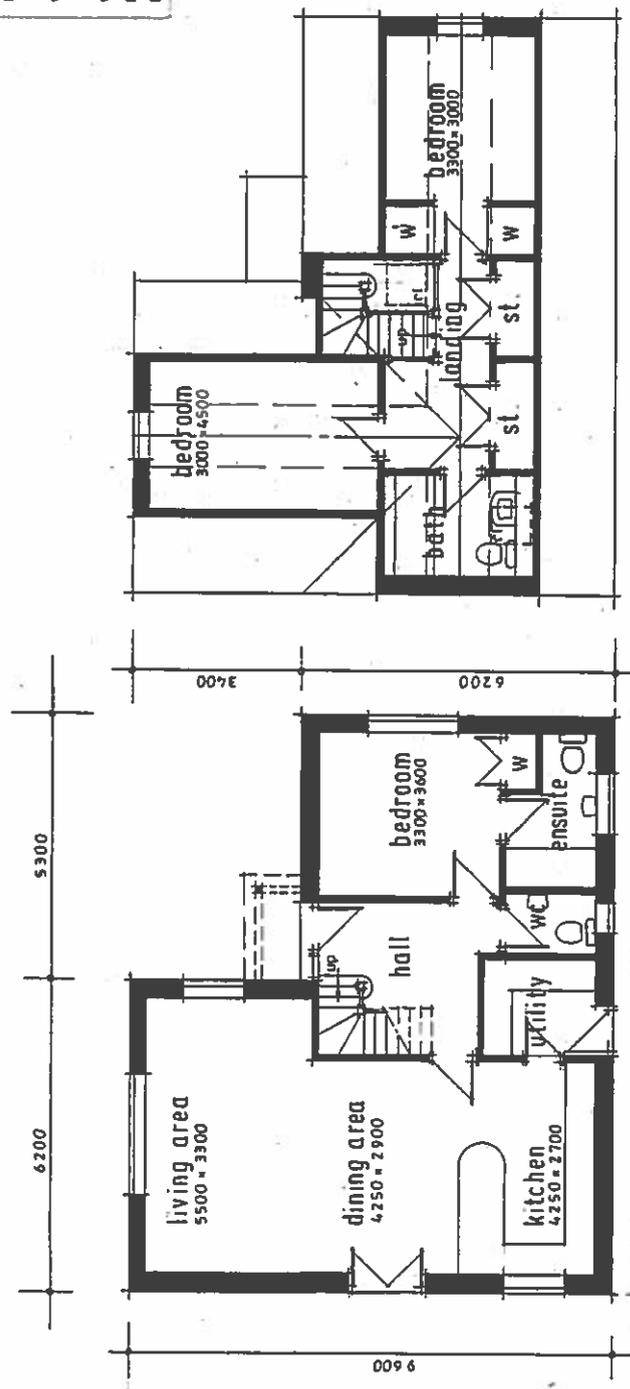
**MATISCHOK & ROSS**  
 architectural services

Project title  
**Land at PEN Y DALAR, CYNWYD, CORWEN.**

Drawing title  
**Proposed Floor Plans & Elevations**

project no.	0729	revision	B
drawing no.	2	drawn by	PM
date	31-07-17	scale	1:100

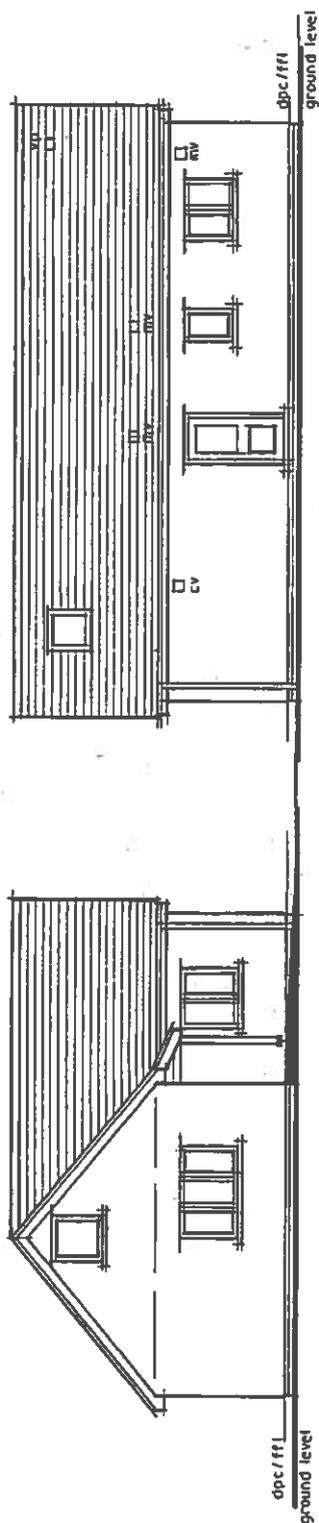
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GROUND FLOOR LAYOUT PLAN  
1:100

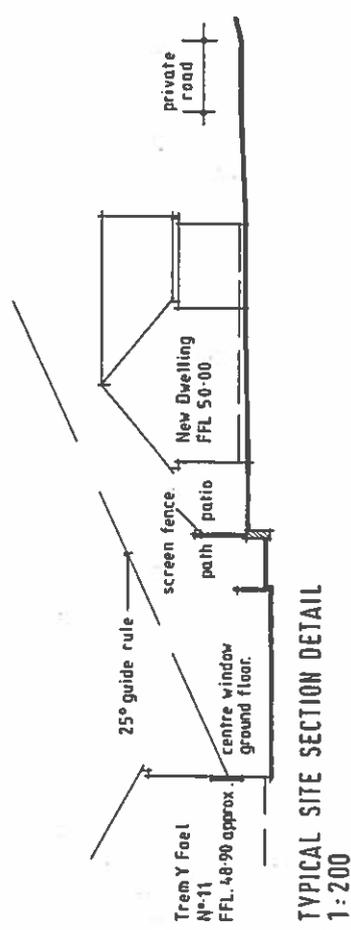
FIRST FLOOR LAYOUT PLAN  
1:100





REAR ELEVATION  
1:100

SIDE ELEVATION  
1:100



TYPICAL SITE SECTION DETAIL  
1:200

Rev. B - 01/11/17:  
Amended dwelling type details & site section detail added.  
Rev. A - 11/10/17:  
Roof window added to rear elevation roof slope.

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**MATISCHOK & ROSS**  
architectural services

Project title:  
Land at PEN Y DALAR, CYNWYD, CORWEN.

Drawing title:  
Proposed Elevations.

Project no.	0729	Drawing no.	3	revision	B
Date	08:09:17	Scale	1:100	drawn by	PM

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**WARD :** Llandrillo

**WARD MEMBER:** Cllr Rhodri Mabon ap Gwynfor

**APPLICATION NO:** 08/2017/0896/ PF

**PROPOSAL:** Erection of 1no. dwelling and associated works

**LOCATION:** Land at (Part garden of) Pen Y Dalar Godrer Coed Cynwyd Corwen

**APPLICANT:** Mrs Gwyneth Ellis

**CONSTRAINTS:** None

**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 – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**CYNWYD COMMUNITY COUNCIL:**

“The above committee met on 7th November 2017 and discussed the above application. Local residents have reservations about the application,

- too close to the playing field at Trem Y Foel
- Inappropriate for the same reason and that it was felt that we need to protect the children at all cost.

The committee are rejecting this planning proposal”

**DWR CYMRU / WELSH WATER**

No response received

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

- Highways Officer  
Formal response awaited

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Ms Rachel Belton, 10 Trem y Foel Mrs Gwen E Wynne, 8 Maeshyfyrd, Cynwyd Mrs S Bodden, 15 Trem y Foel, Cynwyd P E & J A Williams, 3 Maeshyfyrd, Cynwyd J Williams, 7 Godrer Coed, Cynwyd Debra Degory, 6 Godrer Coed, Cynwyd A J & G Jones, 5 Godrer Coed, Cynwyd Roy and Tracey Davies, 11 Trem y Foel, Cynwyd Helen Wynne, 2 Godrer Coed, Cynwyd Robert Jones, 8 Trem y Foed, Cynwyd Erika Jones, 8 Trem y Foel, Cynwyd Robert Alun Jones, 8 Trem y Foel, Cynwyd Llion Jones, 5 Trem y Foel, Cynwyd Tracey Davies, 11 Trem y Foel, Cynwyd

Summary of planning based representations in objection:

- Detrimental impact on the residential amenity of neighbouring dwellings by way of loss of light/overshadowing.
- Detrimental impact on child safety as a result of the proposed dwellings proximity to the playground
- Impact on highway safety

**EXPIRY DATE OF APPLICATION: 09/11/2017**

**EXTENSION OF TIME AGREED TO 15/12/17**

**REASONS FOR DELAY IN DECISION (where applicable):**

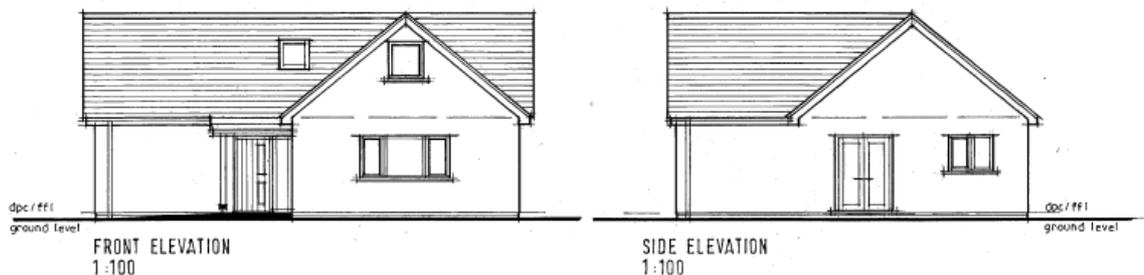
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

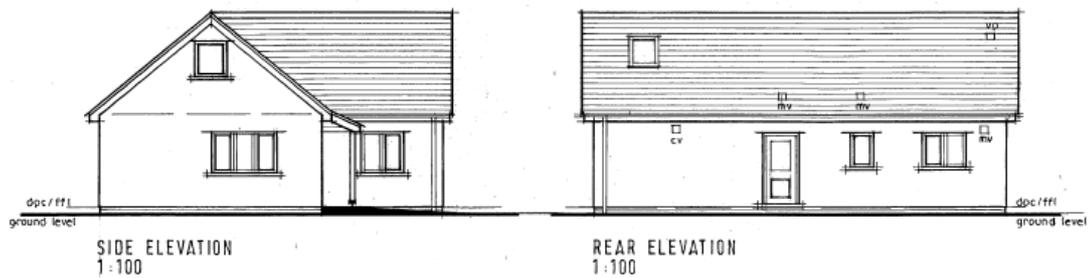
**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for the erection of a dormer bungalow on a plot within the development boundary of Cynwyd.
- 1.1.2 The dwelling would have a ridge height of 5.5 metres, and an eaves height of 2.5 metres.
- 1.1.3 Materials would be slate for the roof and render for the walls,
- 1.1.4 Parking would be provided on an area of land to the northern part of the main site, with a private garden area to the south of the dwelling. The garden area would be approximately 70 square metres.
- 1.1.5 The application proposes to regrade the slope to lower the finished floor level of the dwelling. Landscaping to the boundaries would be a combination of fencing, walling and planting.
- 1.1.6 The proposed details of the dwelling, as revised are below (not to scale in this reproduction):





1.1.7 The site plan is at the front of the report and shows the relationship with surrounding development.

### 1.2 Description of site and surroundings

1.2.1 The main part of the site is triangular in shape and slopes up from north to south. It is bound to the east by a private road. Immediately to the north west is a children's playground, beyond which are the rear elevations of dwellings on Godre Coed. To the south of the site are the dwellings on Trem Y Coed.

1.2.2 Existing development in the area is typically two storey terraced housing.

### 1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Cynwyd, as defined by the Local Development Plan.

### 1.4 Relevant planning history

1.4.1 There is no planning history on the site relevant to this application.

### 1.5 Developments/changes since the original submission

1.5.1 The height of the dwelling and the overall footprint has been reduced since the original submission.

1.5.2 Additional sectional plans have also been submitted to demonstrate the relationship between the proposed dwellings and the dwelling on Trem Y Coed.

### 1.6 Other relevant background information

1.6.1 None

## 2. **DETAILS OF PLANNING HISTORY:**

2.1 None

## 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy RD 1 – Sustainable development and good standard design

Policy BSC 3 – Securing infrastructure contributions from development

Policy BSC 11 – Recreation and open space

Policy ASA 3 – Parking Standards

3.2 Supplementary Planning Guidance

Residential Space Standards

Residential Development Guide

Parking requirements

3.3 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual May 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 2017 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 Impact on Amenity
- 4.1.3 Highways (including access and parking)
- 4.1.4 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle:

The main policy in the LDP which is relevant to the principle of housing development is BSC1, which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries. Cynwyd is a village in the settlement hierarchy in the LDP.

Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria. The proposals would therefore be acceptable in terms of the general principles of these policies.

It is to be noted that the dwelling would be located within the village development boundary,

Accordingly, the development of the land in this location for residential purposes is considered acceptable. The acceptability of the particular development is subject to compliance with the general development control criteria as set out in Policy RD 1, and is reviewed below.

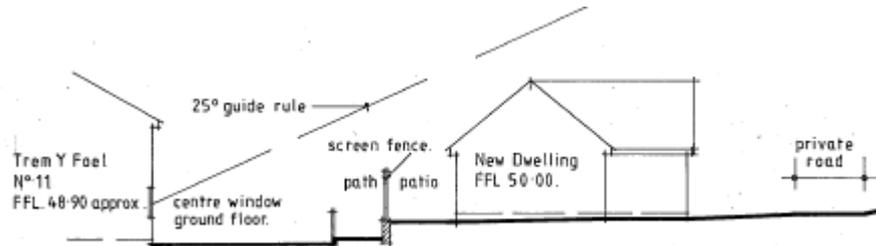
4.2.2 Impact upon residential amenity:

Policy RD 1 sets specific tests to be applied to amenity impacts of development. Proposals for development should comply with these tests. The Residential SPG offers guidance on site layout to ensure the impact on residential amenity is acceptable. Space standards are suggested in SPG Space Standards.

There are representations from local residents expressing concerns at the detrimental impact on the residential amenity of neighbouring dwellings by way of loss of light/overshadowing.

The plans show how the dwelling would relate to the dwellings to the rear on Trem Y coed. They show that there would be a separation distance of 12 metres between dwellings on Trem Y coed and the nearest walls of the proposed dwelling, and 19 metres between the dwellings on Godre Coed and the proposed dwelling. The dwelling footprint is 11.5metres by 9.6metres, parking for two vehicles and a garden area of approximately 70 square metres.

The site section reproduced below shows the height of the proposed building in relation to the properties on Trem Y Coed.



In respect of the above, having regard to policy RD 1 and relevant SPG's, the siting, orientation, internal space, external space and window positions are not considered likely to result in harm to the residential amenity of the area. The distance between the rear of the proposed dwelling and the rear of the dwellings on Trem Y Coed is considered acceptable as the ground floor windows would be screened by a fence, and there are no habitable room windows at first floor level on the rear elevation. It is not considered that the dwelling would result in an unacceptable loss of light, overshadowing or loss of privacy to neighbouring dwellings. The proposed dwelling provides an adequate amount of amenity for the future occupants in terms of room size and garden area.

#### 4.2.3 Impact on visual amenity:

Policy RD 1 contains general considerations to be given to the impacts of development. Among these considerations is the impact on the visual amenity of the area. There is a general requirement for development proposals to respect the site and surroundings by virtue of siting, scale, form, character, materials and spaces in and around buildings. Public views into and out of townscapes and across the open countryside should be respected.

The proposed dwelling would be 5.5 metres in height, 11 metres wide and 9 metres deep. It would feature a pitched roof, with front facing gable. The roof would be clad in slate, and the external walls would be rendered. Parking would be located to the northern part of the site, and residential amenity space provided immediately to the south. Landscaping to the road boundary and rear boundary has been suggested. Site levels would be lowered by around 2 metres at the southern end, meaning the garden would be lower than the adjacent road. Existing development in the area is characterised by 2 storey terraced houses of brick construction.

It is considered that the scale and form of the dwelling are in keeping with the character of the area. The choice of materials is considered acceptable in this location, and the layout of the site would not appear at odds with the surrounding area. The proposal is therefore considered to be acceptable in terms of visual amenity and its impact upon the character of the area, and is in accordance with Policy RD 1 in terms of visual amenity.

#### 4.2.4 Access and impact upon highway safety:

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local

highway network 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.

There are representations expressing concern over the highway impacts of the development.

The proposal is for an access from a private road and parking for two vehicles. The Highway Officer has indicated there are no objections to the proposal.

On the basis of the information submitted, it is considered that the access is suitable and that the additional usage of it resulting from one additional dwelling is not likely to result in a harmful impact to the safe and free flow of traffic on the highway. In respect of the proposed access and the impact upon highway safety, it is considered that the proposal complies with Policy RD1 and Policy ASA 3.

#### 4.2.5 Open Space:

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

The proposal is for 1 dwelling. SPG Recreation Public Open Space states that a financial contribution will be required on sites of less than 30 dwellings, where the specific number of dwelling proposed is known. Welsh Government Circular 016/2014 states that commitments on behalf of the developer involving transfers of land or payments to be made to the local planning authority should be secured through a section 106 legal agreement and not planning condition. In this instance a section 106 agreement would be required to secure £1237.22 towards the improvement/provision of public recreational open space in the community.

The application is acceptable in terms of meeting the public open space requirement subject to the applicant entering into a planning section 106 legal agreement to secure the commuted sum contribution towards public open space.

#### Other matters

Comments have been received from members of the public and the Community Council that the dwelling is too close to the children's playground. It has been suggested that the development would have an adverse impact upon the safety of children using this playground.

In respecting the comments, it is noted that there is only a ground floor window in the proposed dwelling facing towards the play area, and this would be screened from the play area by a boundary fence, preventing any possibility of overlooking the play area. Given the detailing of the development and the relationship with the play area, it is not considered that concerns over the presence of a dwelling here are reasonable grounds for resisting the grant of permission.

#### 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 The site is within the development boundary of Cynwyd, as defined in the Local Development Plan. This establishes the Council's acceptance of the principle of the development.

5.2 The report sets out the main planning issues which appear relevant to the consideration of the application. There are concerns raised over residential amenity and child safety. However, in Officers opinion there is insufficient substance to these concerns to warrant a refusal, and the proposal is considered acceptable in planning policy terms.

5.3 It is therefore recommended that Members resolve to grant permission subject to:

1. Completion of a Section 106 Obligation to secure open space contributions as detailed in the report.

2. The precise wording of the Section 106 would be a matter for the legal officer to finalise. In the event of failure to complete the Section 106 agreement within 12 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

### **RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 13th December 2022.
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 Floor Plans and Elevations (Drawing No. 2 Rev. B) - Received 1 November 2017
  - (ii) Proposed Elevations (Drawing No. 3 Rev. B) - Received 1 November 2017
  - (iii) Existing and Proposed Site Plans (Drawing No. 1 Rev. A) - Received 1 November 2017
  - (iv) Location Plan - Received 13 September 2017
3. All planting, seeding, turfing, comprised in the details of landscaping on the proposed site layout plan (no. 0729 dwg no1 revA) shall be carried out in the first planting and seeding seasons following the completion of the dwelling 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.
4. Facilities shall be provided and retained within the site for the parking of vehicles in accordance with the approved plan, and shall be completed prior to the first occupation of the dwelling. The parking spaces shall remain available at all times thereafter for use in connection with the dwelling.
5. **PRE COMMENCEMENT CONDITION**  
No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the details of all the boundary treatment, to include plans and drawings indicating the positions, design, materials and type of treatment along all site boundaries, including walls, fences, and any other means of enclosure. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation of the dwelling and shall be retained in perpetuity.
6. **PRE COMMENCEMENT CONDITION**

Notwithstanding the submitted details, no development shall commence until the finished floor level of the dwelling and finished ground levels have been agreed in writing with the Local Planning Authority, and the development shall be carried out in strict accordance with the approved details.

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. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure a satisfactory standard of development, in the interests of visual amenity.
4. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
5. In the interest of visual and residential amenity.
6. In the interest of visual and residential amenity.