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21/2017/0957

Scale: 1:1250

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SITE PLAN

- 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
- Soakaway Construction
- Turfed/Seeded Grassed Areas.

New paths and patio areas to be finished in stone/slate flags to client's specification and approval.

A new concrete post & vertical boarded timber fence to be erected to the site side boundaries to enclose the private amenity space around the new dwelling, and where shown on plan. Min. screen fence height to be 1800mm high.

A new brick boundary wall with brick piers and a vertical boarded timber infill panel fence above wall to be erected to the front boundary - see detail.

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 brick pavers, to client's specification and approval.

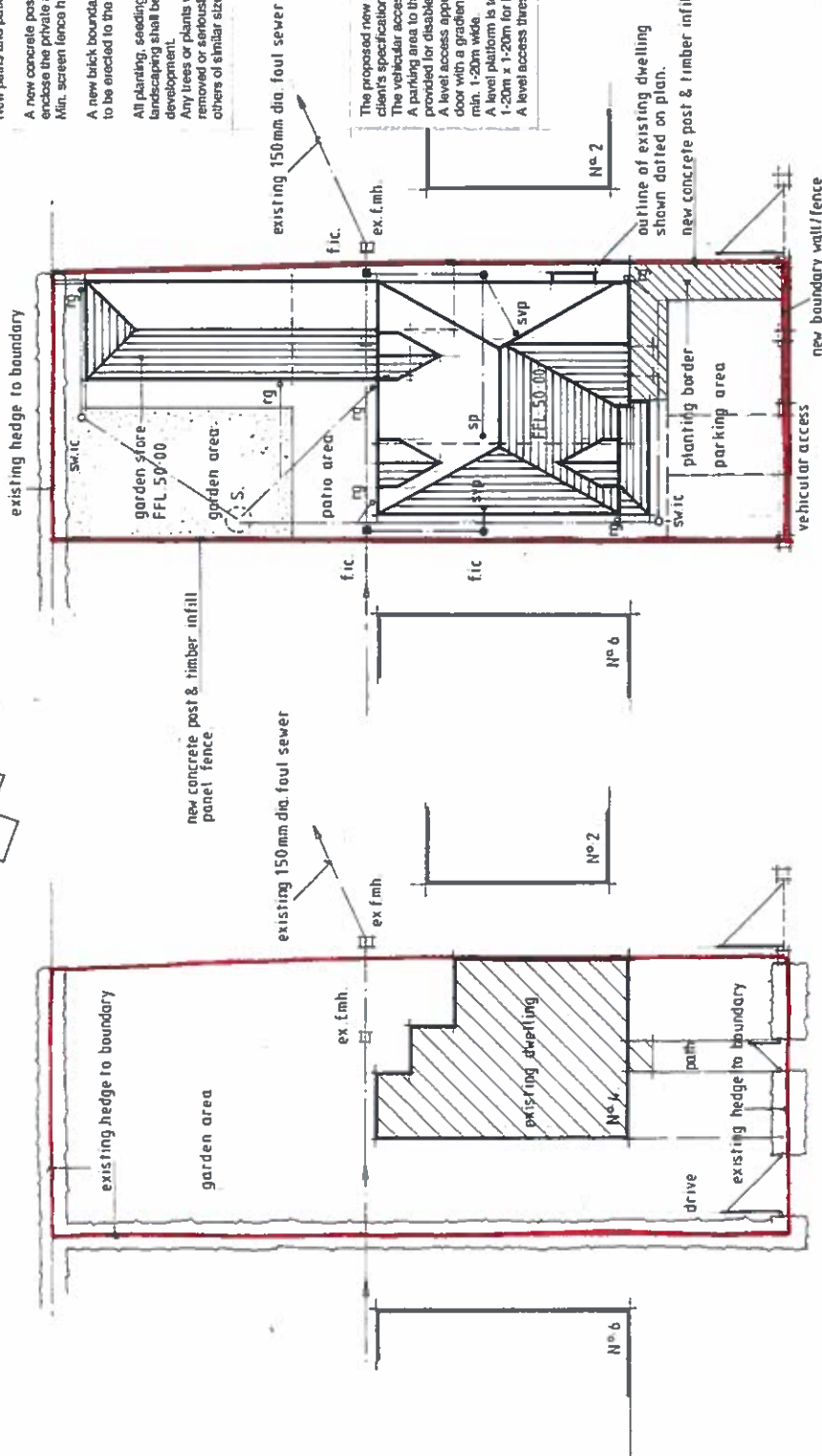
The vehicular access/parking area to have a maximum gradient of 1 in 20.

A parking area to the front of the dwelling and adjacent to the main front entrance door to be provided for disabled parking and for access to the dwelling and to be surfaced with brick pavers.

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 min. 1.20m wide.

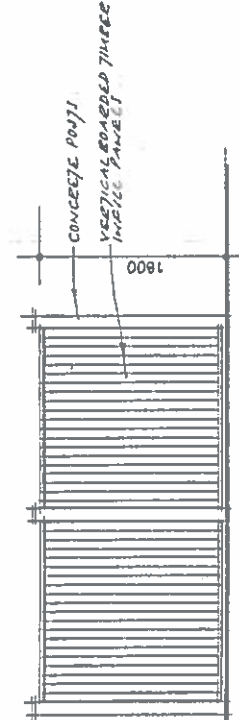
A level platform is to be provided outside the main principal entrance door with min. dimensions of 1.20m x 1.20m for level access to the dwelling.

A level access threshold strip to be provided across the main principal entrance doors.

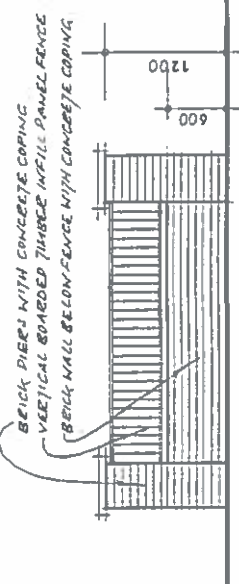


PROPOSED SITE LAYOUT PLAN
1:200

EXISTING SITE LAYOUT PLAN
1:200



SCREEN FENCE DETAIL
1:50



FRONT BOUNDARY WALL DETAIL
1:50

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MATISCHOK & ROSS
architectural services

project title
No 4, BRYN ARTRO AVENUE, LLANFERRES

drawing title
Existing & Proposed Site Plans.

project no.
0735

drawing no.
1

revision

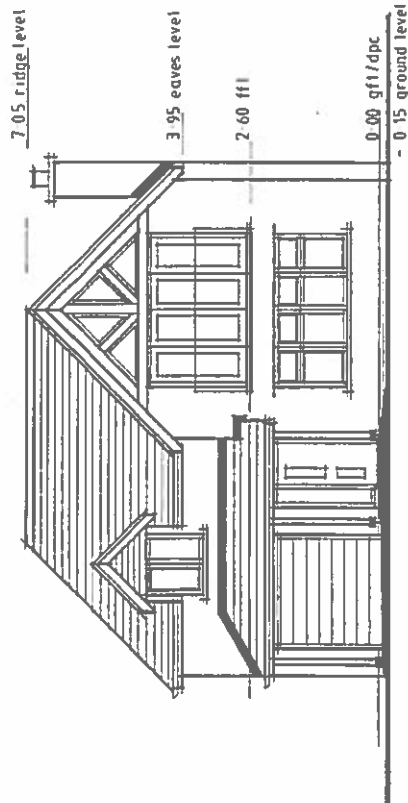
date
27-09-17

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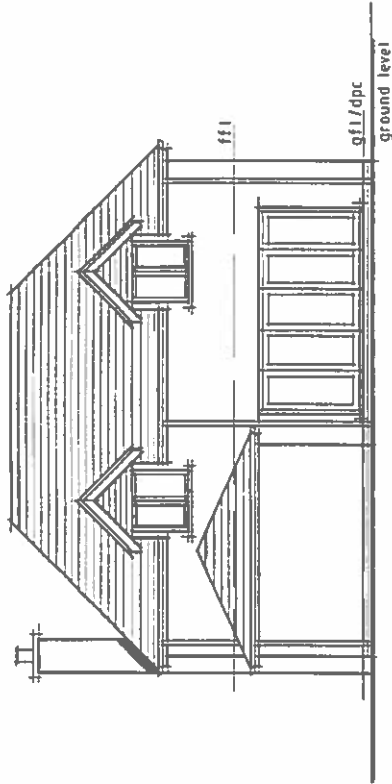
drawn by
PM

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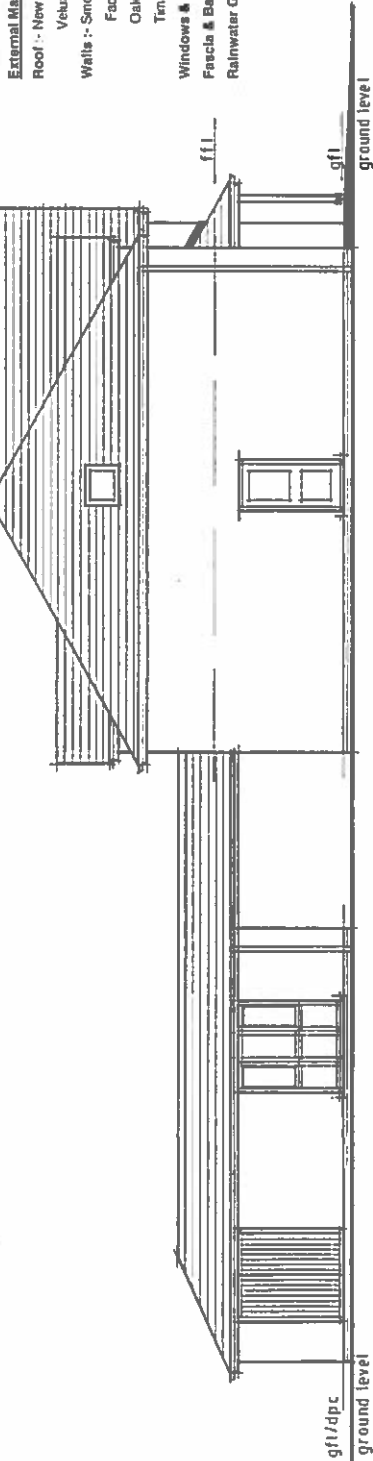
ELEVATION PLANS



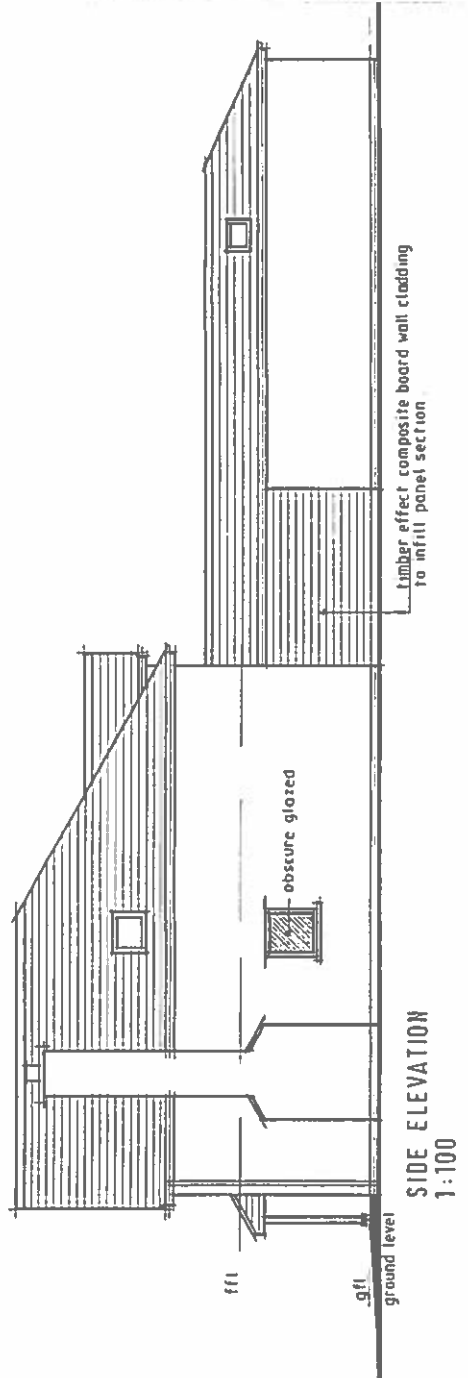
FRONT ELEVATION
1:100



REAR ELEVATION



SIDE ELEVATION
1:100



SIDE ELEVATION
1:100

External Materials

- Roof : New reconstituted slate roof tiles - grey. Redland Cambrian or Marley Elernit Mebbourn
- Velux roof windows installed using a flush recessed type flashing.
- Walls : Smooth self-coloured render finish - colour to client's approval.
- Facing brick plinth below render level.
- Oak posts/beams to covered entrance area and oak framing to front gable section detail.
- Timber effect composite board wall cladding to rear single-storey building section.
- Windows & Doors : Light oak timber effect upvc windows and external doors.
- Fascia & Barge Boards : Light oak timber effect upvc fascia, barge or soffit boards.
- Rainwater Goods : Brown upvc gutters and down pipes

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M & R **MATISCHOK & ROSS**
architectural services

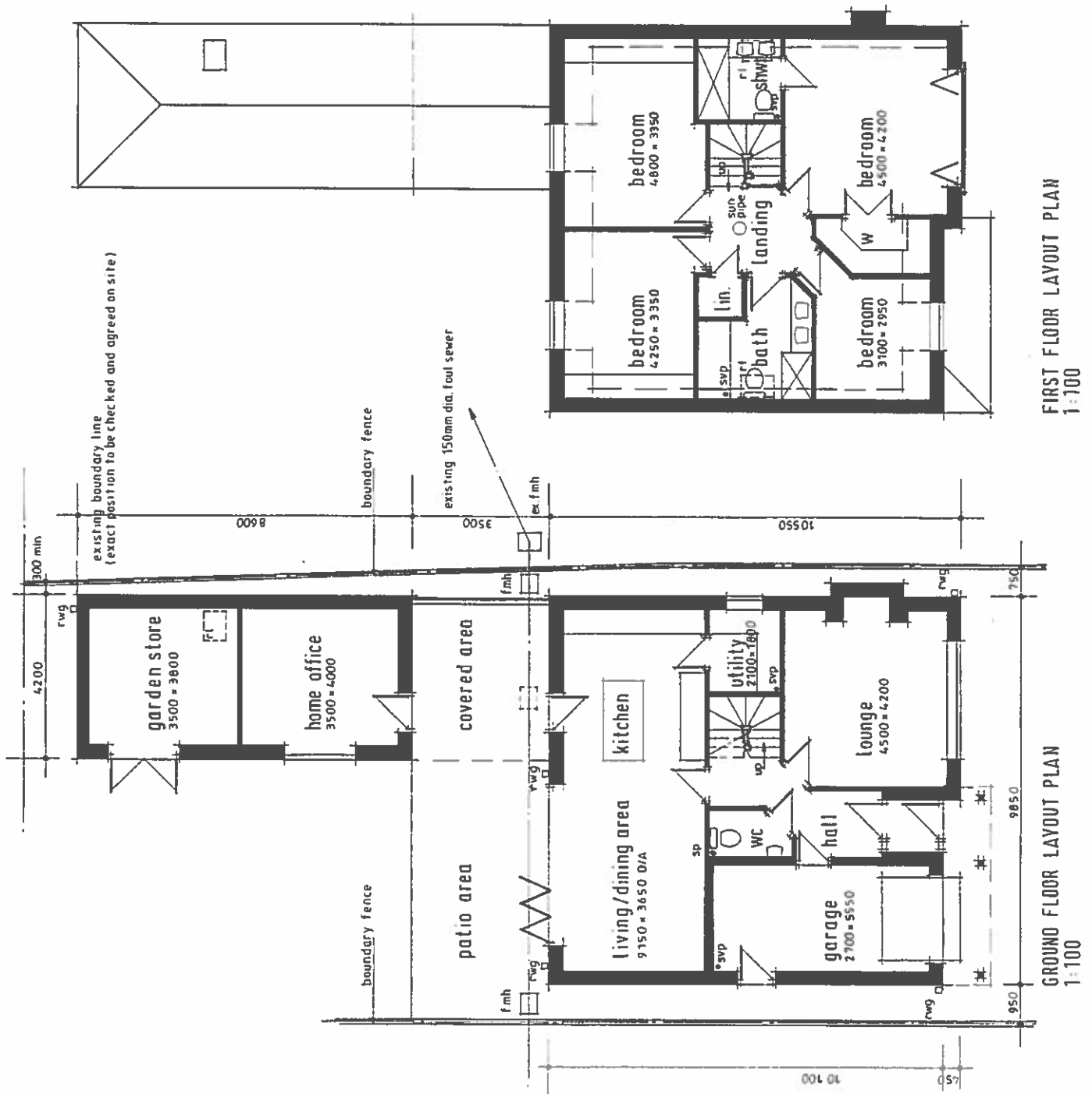
Project title
No 4, BRVN ARTRO AVENUE, LLANFERRES.

Drawing title
Proposed Elevations

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|-------------|----------|-------------|-------|----------|----|
| Project no. | 0735 | Drawing no. | 3 | Revision | |
| Date | 26-09-17 | Scale | 1:100 | Drawn by | PM |

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FLOOR PLANS



FIRST FLOOR LAYOUT PLAN
1:100

GROUND FLOOR LAYOUT PLAN
1:100

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M.A.R. **MATISCHOK & ROSS**
architectural services

project title
No 4, BRYN ARTRO AVENUE, LLANFERRES

drawing title
Proposed Floor Plans

| | | | | |
|-------------|----------|-------------|-------|----------|
| project no. | 0735 | drawing no. | 2 | revision |
| date | 27-09-17 | scale | 1:100 | drawn by |
| | | | | PM |

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WARD : Llanarmon yn Ial / Llandegla

WARD MEMBER(S): Councillor Martyn Holland

APPLICATION NO: 21/2017/0957/ PF

PROPOSAL: Erection of replacement dwelling

LOCATION: 4 Bryn Artro Avenue Llanferres Mold

APPLICANT: MrJon Hall

CONSTRAINTS:

PUBLICITY Site Notice - No

UNDERTAKEN: 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
- Referral by Local member

CONSULTATION RESPONSES:

LLANFERRES COMMUNITY COUNCIL:

“The Community Council has discussed the above-mentioned second application and has the following comment to the proposals. The proposal does not meet the one metre preference requirement in the residential boundary SPG.”

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

““This is the last of the existing sub-standard dwellings on Bryn Artro Avenue to be replaced, and the Joint Committee has no objection in principle to its replacement. Subject to confirmation that the overall height does not exceed that of the adjoining dwellings, the design and appearance of the replacement dwelling is consistent with the existing street scene. However, the committee would recommend that the roof should be natural blue/grey slate in place of the specified reconstituted slate tiles. The intention to retain the existing hedge along the rear boundary is welcomed, but the proposed brick frontage wall is considered inappropriate in this location. The committee would favour traditionally finished natural local stone or a native boundary hedge to help integrate the development into its rural setting. In addition, the 1.8m high concrete post and timber panel fence should not project beyond the front building line.”

DWR CYMRU / WELSH WATER:
No objections

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Biodiversity Officer
No objections

RESPONSE TO PUBLICITY: None received

EXPIRY DATE OF APPLICATION: 06/12/2017

EXTENSION OF TIME AGREED TO 15/12/17

REASONS FOR DELAY IN DECISION (where applicable):

- 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 4 Bryn Artro, Llanferres.
- 1.1.2 The proposed 4 bedroom dwelling would have a footprint of 9.8 metres by 10 metres, with a rear single storey outrigger measuring 4.2m by 8.6m. The dwelling would be two storeys with a ridge height of 7 metres.
- 1.1.3 The external walls would be finished with render, and the roof would be slate. Windows would be white upvc double glazing, and water goods would be upvc.
- 1.1.4 The proposed dwelling would be on the site of the existing dwelling.
- 1.1.5 The plans showing the details of the dwelling are included at the front of the report and help illustrate the relationship with adjacent properties at Bryn Artro Avenue.

1.2 Description of site and surroundings

- 1.2.1 The site is located within a row of dwellings in Tafarn y Gelyn. The majority of these have been constructed in recent years as replacement dwellings for older timber framed bungalows.
- 1.2.2 The dwelling proposed to be demolished is the last remaining timber framed, timber clad bungalow. It is set back from the highway by approximately 5 metres, and its easternmost wall sits immediately on the boundary with No 2 Bryn Artro Avenue. The dwelling is in a poor condition.
- 1.2.3 Existing development in the area is predominantly residential.
- 1.2.4 Levels are generally flat.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.

1.4 Relevant planning history

- 1.4.1 Consent was granted earlier in 2017 for the replacement of the existing dwelling with a two storey dwelling. The current application is proposing a dwelling of a different design.

1.5 Developments/changes since the original submission

- 1.5.1 None

1.6 Other relevant background information

- 1.6.1 None

2. DETAILS OF PLANNING HISTORY:

- 2.1 21/2017/0045/PF – erection of a replacement dwelling. Granted at planning committee 14/6/17

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 VOE2 – Area of Outstanding Natural Beauty

Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

SPG – Residential Space Standards

3.3 Government Policy / Guidance

Planning Policy Wales Edition 9 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 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/Impact upon AONB

4.1.3 Residential amenity

4.1.4 Highways (including access and parking)

4.1.5 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.

In terms of the tests of RD4:

i) Use of building

Although the property has been empty for a number of years, there is no evidence to suggest that the use of the building as a dwelling has been abandoned, and no objections have been raised in relation to the use. It is therefore considered that the existing structure has lawful use rights as a dwelling.

- ii) Is the dwelling is of local historical importance / does it make a valuable contribution to the character of the area. There is no evidence that the timber bungalow is of local historical importance and its condition is such that it cannot be said to make a valuable contribution to the character of the area.
- iii) Structural soundness/existing design/energy efficiency
From an inspection of the building, it is clear that it is falling into a state of disrepair, and it is considered to be of poor design in terms of internal space, and is inefficient in terms of energy and water.

The grant of permission in June 2017 for a replacement dwelling indicated the Council's acceptance that the tests of Policy RD4 were met. The current application raises no new issues of principle, hence it is suggested the determination is dependent on consideration of the local impacts of the proposal. These are set out in the following paragraphs.

4.2.2 Visual Amenity including impact on AONB

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 AONB Committee have not raised an objection to the proposal.

The proposed dwelling would have a footprint of 10 metres by 9.5 metres. It would be two storeys with a ridge height of 7 metres. The external walls of the dwelling would be finished with render, and the roof would be slate. Windows would be white upvc double glazing, and water goods would be upvc.

The existing building is of a single storey pitched roof design. Although not unattractive, it is not considered that it makes a valuable contribution to the character of the area, and is not of local historical importance.

In considering the detailing of the proposal, Policy RD 4 does not include criteria requiring replacement dwellings 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 would be harmful to the character and appearance of the area. Having regard to other development within the vicinity, including a mix of styles in the replacement dwellings along Bryn Artro Avenue, it is not considered that the proposal would appear out of character with the area, or detrimental to the Area of Outstanding Natural Beauty. In Officers' opinion, the proposal is acceptable in terms of its impact on visual amenity.

4.2.3 Residential Amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 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. The impact of a development on residential amenity is therefore a relevant test on planning applications.

Concern has been raised by the Community Council about the distance between the proposed dwelling and the eastern boundary with No 2 Bryn Artro Avenue. They state that ...'The proposal does not meet the one metre preference requirement in the residential boundary SPG.'

As annotated on the plans, the 2 storey part of the proposed dwelling is some 750mm from the boundary at the front (nearest to the dwelling at No 2). The gap to the boundary narrows gradually to 300mm at the north eastern corner of the single storey store at the northern end of the plot.

In terms of detail, it is relevant to note that the dwelling will be one of 8 in row of dwellings. The main room windows are located in the front and rear elevations, with the only side window being proposed serving a utility room and being obscure glazed. The floor area of the dwelling is approximately 180 metres square, with a rear garden well in excess of 40 square metres.

With respect to the concerns raised in relation to the distance of the dwelling to the eastern boundary, SPG Residential Development suggests that a 1 metre gap should be considered between dwellings and site boundaries. However, it acknowledges that this is not always achievable. The key consideration in relation to this is whether there is an overbearing or other unacceptable impact as a result of the proximity. In this instance, although the distance to the boundary is between 750mm and 300mm, on the eastern side, the wall to wall distance between the proposed dwelling and the dwelling at No 2 would be approximately 4 metres. It is not considered that this relationship between the proposed dwelling and 2 would be unacceptably overbearing.

The distance between the proposed dwelling and the western boundary is indicated at 950mm. The wall to wall distance to the side of the dwelling at No 6 scales off the layout plan at 4 metres. These are considered acceptable distances, and would not give rise to overbearing impacts.

In relation to the impact upon the privacy of neighbours, given the orientation and location of windows, it is not considered that the proposal would result in an unacceptable loss of amenity for occupiers. There is adequate internal and external space for future occupants in the replacement dwelling.

Overall, in terms of residential amenity it is considered the proposal is acceptable.

4.2.4 Highways (including access and parking).

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 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. 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.

There are no highway objections to the proposals, which involve use of an existing access, and provision of parking and turning areas within the site.

The proposal is considered acceptable in terms of highway impacts and access and parking.

4.2.5 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 Biodiversity Officer raises no objections. The site has been surveyed for the presence of protected species, including bats. No evidence of any species was found. It has therefore been recommended in the biodiversity report that the development may proceed following best practice.

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

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 In Officers' opinion the proposal complies with adopted planning policies relating to replacement dwellings. It is therefore recommended that permission be granted.

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 Elevations (Drawing No. 3) received 2 October 2017
 - (ii) Proposed Floor Plan (Drawing No. 2) received 2 October 2017
 - (iii) Existing & Proposed Site Plan (Drawing No. 1) received 2 October 2017
 - (iv) Location Plan received 2 October 2017
3. **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 wall and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.
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.
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 shall be completed prior to the first occupation of the dwelling. The arrangements shall be retained at all times thereafter.
 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 occupation 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.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
3. In the interests of visual amenity.
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.