

© Crown copyright and database rights 2017 Ordnance Survey 100023408.

44/2018/0028

Scale: 1:1250

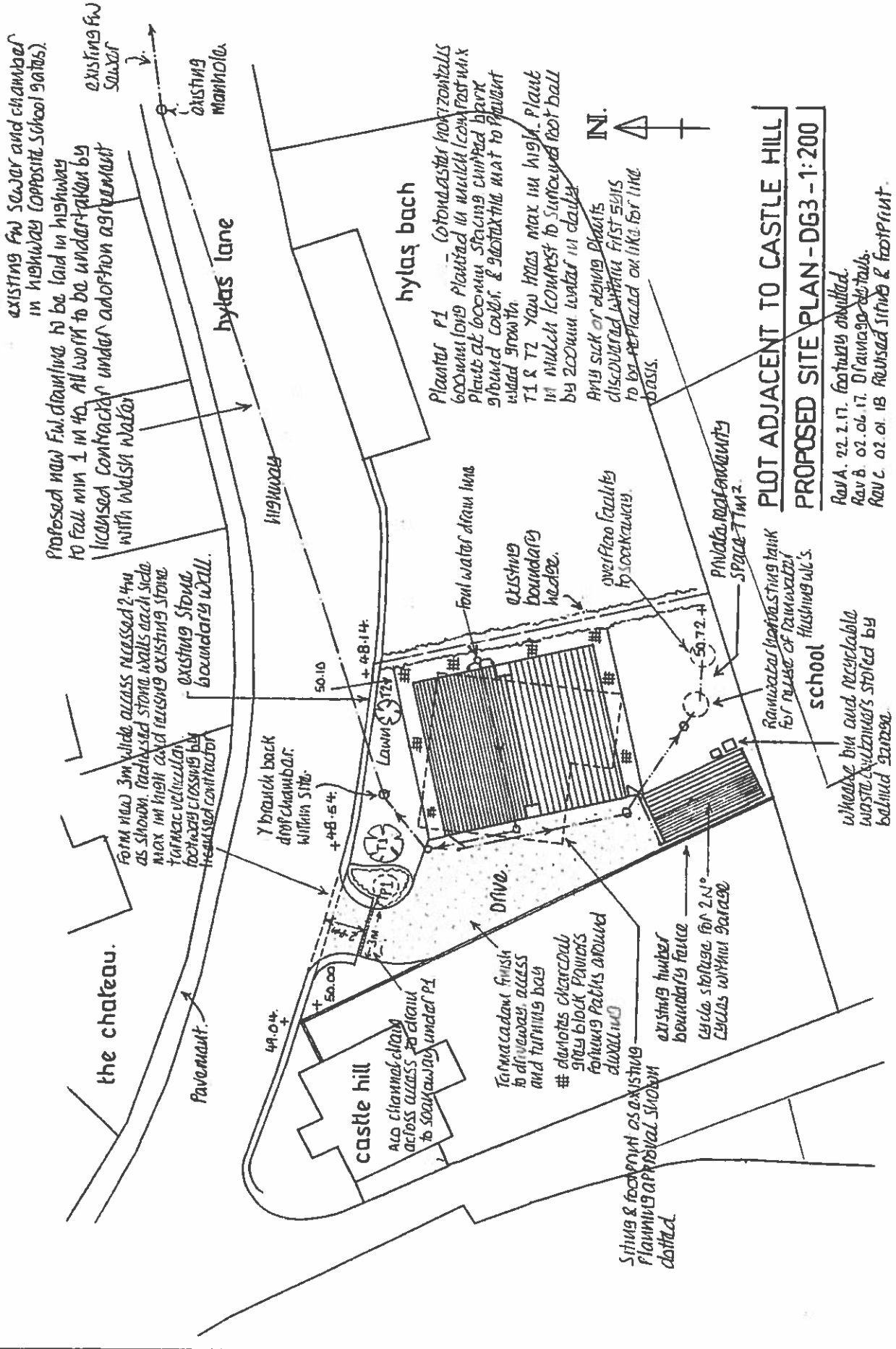
Printed on: 27/2/2018 at 9:36 AM



© Denbighshire County Council



# PROPOSED SITE PLAN



**PLOT ADJACENT TO CASTLE HILL**  
**PROPOSED SITE PLAN - DG3 - 1:200**

Rev A. 22.2.17. Footings omitted.  
 Rev B. 02.06.17. Drainage details.  
 Rev C. 02.01.18. Revised siting & footprint.

Siting & footprint as existing  
 planning approval shown  
 dated

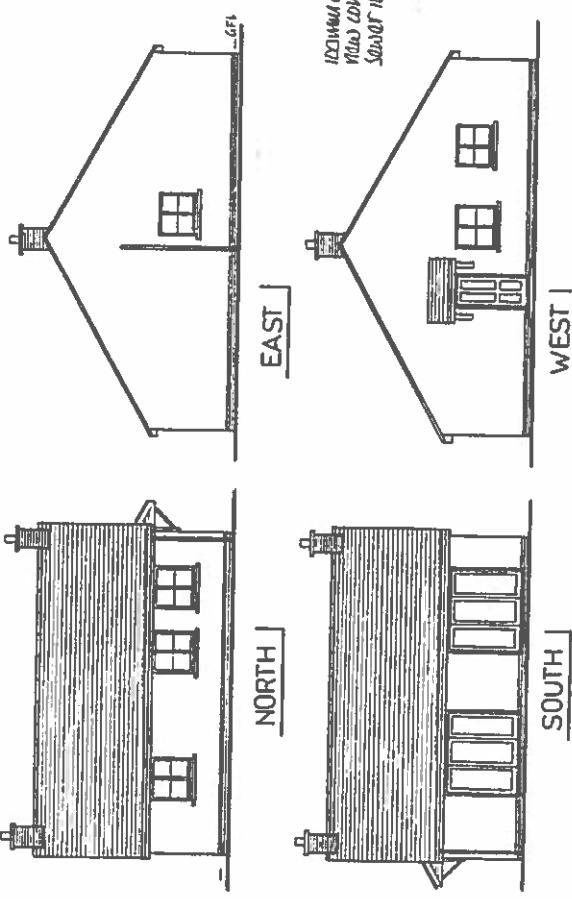


# PROPOSED FLOOR & ELEVATION PLANS

PLOT ADJACENT TO CASTLE HILL RHUDDLAN - DG 1 - 1:50+1:100

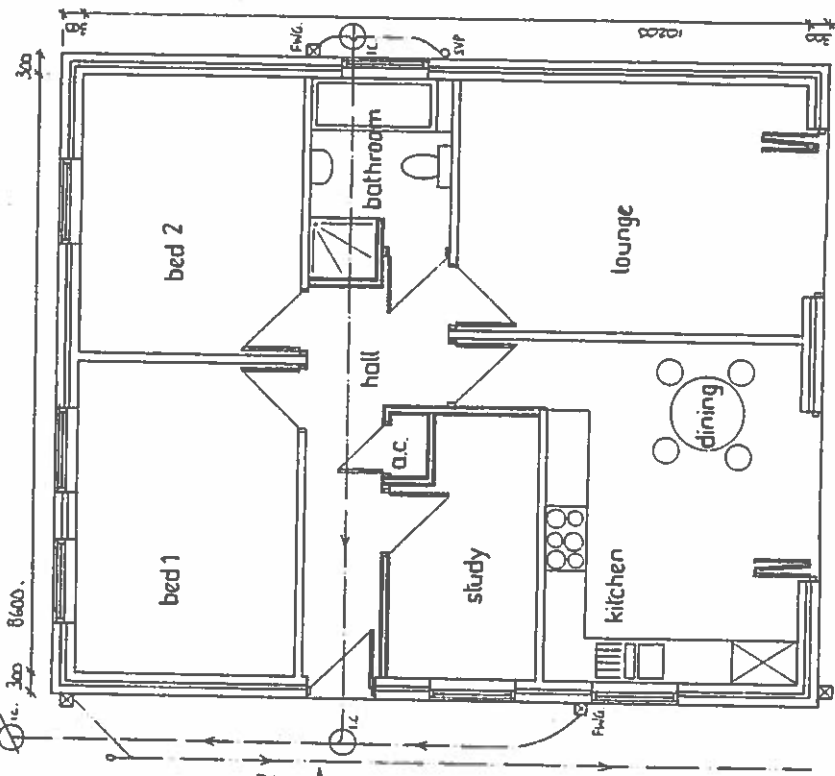
**PROPOSED**

Proposed External finishes.  
 Roofs Natural blue mineral slate with charcoal grey ridge tiles.  
 Black powder coated seamless aluminium deepflow gutters and matching rainwater pipes. Fascia boards to be treated hubber with satin ebony woodstain finish.  
 Walls White. Loft white tower cast render with black brick engineering brick plinth painted in black mortar chimney stacks to be matching facing brickwork formed with brick slips on hubber framework.  
 Doors and windows etc. constructed from natural hubber, treated and painted white. window cill units to be 50mm thick natural blue mineral stone slabs.



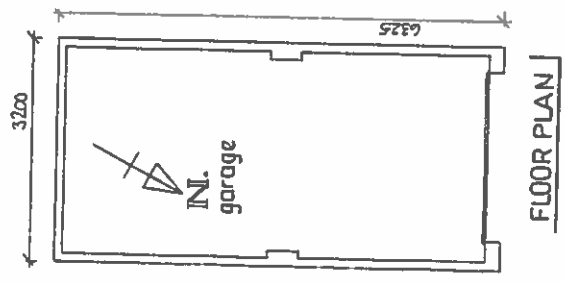
100mm dia F.p. drain to new connection to Public Sewer in Highway

100mm dia S.W. drain to rainwater harvesting tank in rear garden for reuse of rainwater. Limited back into abutments for flushing toilets etc.



Gross internal floor area 87.72m<sup>2</sup>

FLOOR PLAN

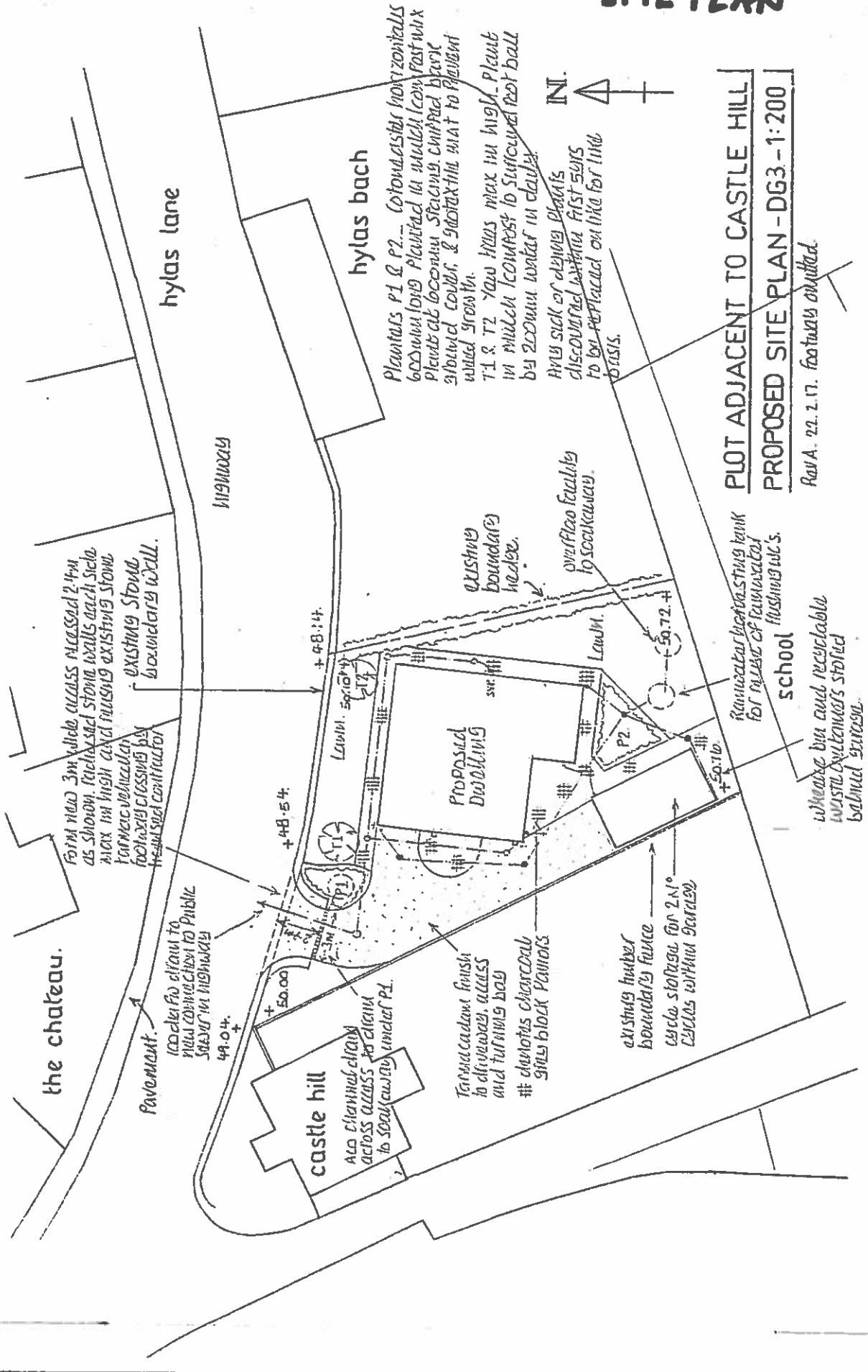


FLOOR PLAN



MARCH 2017  
PERMISSION

SITE PLAN



Plants P1 & P2... Cotyledon horizontal  
600mm long planted in mulch (compost with  
plants to become spacing chipfall before  
sifted cover, & substrate mat to prevent  
weed growth.  
T1 & T2 700mm high in high. Plants  
in mulch (compost to surface) feet ball  
by 200mm water in daily  
any sick or dying plants  
discarded within first 5 days  
to be replaced on site for till  
basis.

PLLOT ADJACENT TO CASTLE HILL  
PROPOSED SITE PLAN - DG3 - 1:200

Rev A. 22.2.17. features omitted.

the chateau.

hulas lane

hulas bach

castle hill

school

Proposed Dwelling

existing timber  
boundary fence  
cycle storage for 2x1°  
cycles without gates

Tennis court finish  
to driveway, access  
and turning bay  
# decorative charcoal  
grey block pavements

Form idea 3m wide access across massed 2.1m  
as shown. Retain wall stone walls each side  
along the high axial running existing stone  
former vegetation for access crossing by  
metal street contractor

Iced area drain to  
public sewer in highway

existing  
boundary  
hedge.

overflow facilities  
to soakaway.

Ramp to be built for use of wheelchair

school bus and recyclable  
waste containers stored  
behind garage.





201710072107

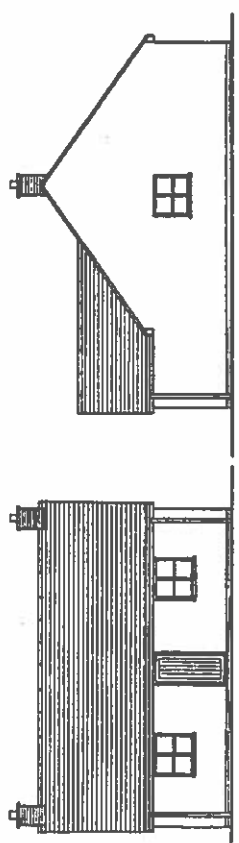
**PLOT ADJACENT TO CASTLE HILL, RHUDDLAN-DG1**

PROPOSED - 1:50+1:100

**Proposed External Finishes**

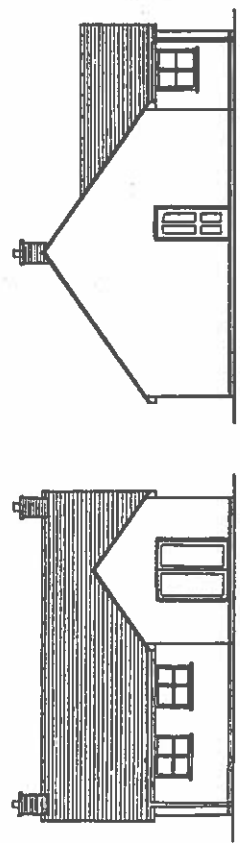
- Roof: Natural blue mineral slates with charcoal grey ridge tiles. Black powder coated seamless aluminium gutters and downpipes. Grey white painted treated timber fascias etc.
- Walls: White leek coast render with fawn brick plinth.
- Floors: All windows white painted treated softwood units

24 JAN 2017



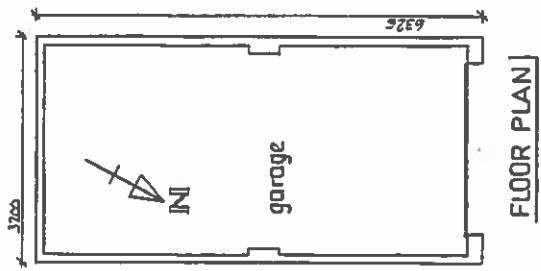
NORTH

EAST

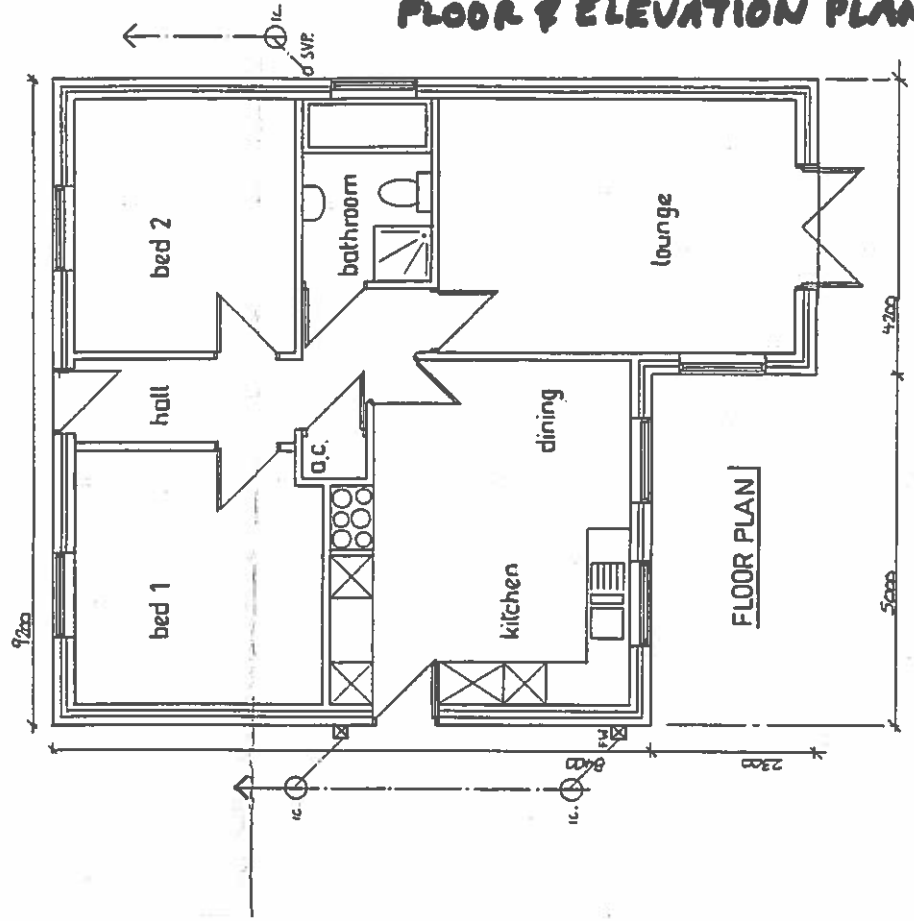


SOUTH

WEST



FLOOR PLAN



FLOOR PLAN

**MARCH 2017  
PERMISSION  
FLOOR & ELEVATION PLANS**



**WARD :** Rhuddlan

**WARD MEMBERS:** Cllr Ann Davies ( c )  
Cllr Arwel Roberts

**APPLICATION NO:** 44/2018/0028/ PF

**PROPOSAL:** Erection of 1 no. dwelling with detached garage and construction of a new vehicular access (amended details to previously approved under planning permission reference 44/2017/0072)

**LOCATION:** Land adjacent to Castle Hill Hylas Lane Rhuddlan Rhyl

**APPLICANT:** Mr Tom Gallagher

**CONSTRAINTS:** Conservation Area

**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:**

RHUDDLAN TOWN COUNCIL  
"No objection "

DWR CYMRU / WELSH WATER  
No objection subject to standard notes

CLWYD POWYS ARCHAEOLOGICAL TRUST  
No objection subject to conditions.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
- Highways Officer  
No objection.

**RESPONSE TO PUBLICITY:**  
None.

**EXPIRY DATE OF APPLICATION: 11/03/2018**

**EXTENSION OF TIME AGREED? 16/03/2018**

**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 detached single-storey dwelling on land adjacent to the dwelling Castle Hill, Hylas Lane in Rhuddlan.
- 1.1.2 The application proposes amendments to plans of a dwelling granted planning permission at Committee in March 2017. The application proposes a slight re-siting of the dwelling and 'squaring off' of the footprint of the house.
- 1.1.3 The dwelling would have a roughly square footprint of 9.2 metres by 10.8 metres and a ridge height of 5.5 metres with eaves of 2.6 metres above ground level.
- 1.1.4 The dwelling would comprise of two bedrooms, a study, bathroom, lounge, hall and kitchen/dining room. Windows are proposed on all elevations with the primary room windows facing to the front and rear of the site.
- 1.1.5 In addition to the dwelling, the scheme proposes a single detached garage in the rear south west corner of the plot, with a footprint of 6.3 metres by 3.2 metres, with a pitched roof and materials to match the house.
- 1.1.6 The development requires the creation of a new access point onto the road, involving the removal of a 5 metre wide section of stone wall fronting Hylas Lane.
- 1.1.7 The plans show the drainage layout and landscaping details, which are in line with the previous approval also. Foul drainage would be connected to the existing public sewer and surface water would be dealt with on site, facilitated by the installation of a rainwater harvesting tank and soakaway system.
- 1.1.8 The proposed siting of the dwelling and garage is shown in the plans at the front of the report, alongside the approved plans from the previous consent for a dwelling and garage in 2017.

## 1.2 Description of site and surroundings

- 1.2.1 The site is a vacant open parcel of land separated from the dwellings on each side by a fence (bordering Castle Hill to the west) and by a hedge (bordering Hylas Bach to the east). The site has been cleared in anticipation of the commencement of the development.
- 1.2.2 The land levels of the site rise up from the road to the south of the site. The front boundary is formed by a stone wall which is a feature of roads around the Castle. The rear (south) of the site backs onto the Ysgol y Castell playing fields.
- 1.2.3 The dwellings opposite the site are modern detached bungalows and houses typically formed from brick with tiled roofs, with the houses to each side of the site being more traditional with the use of stonework or white painted / rendered walls.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of Rhuddlan as shown in the Local Development Plan, and is within a Conservation Area.

## 1.4 Relevant planning history

- 1.4.1 As mentioned above the site has the benefit of a planning permission in March 2017. This application seeks consent for basic amendments to this scheme.
- 1.4.2 Prior to this application there has been a consent in February 2012 for a detached dwelling and garage.

## 1.5 Developments/changes since the original submission

- 1.5.1 None.

## 1.6 Other relevant background information

- 1.6.1 Cllr Ann Davies has requested the application be considered at Committee to ensure the conditions attached to the consent are reviewed by Members.

## 2. DETAILS OF PLANNING HISTORY:

- 2.1 44/2011/1326 - Erection of a single storey dwelling and construction of a new vehicular access (site area 0.04ha): Granted 15/02/2012.
- 2.2 44/2014/1270 - Details of landscaping submitted in accordance with Condition 2 of planning permission Code No. 44/2011/1326/PF: Granted 18/11/2014.
- 2.3 44/2005/1021 - Development of 0.04 ha of land by erection of single dwelling and detached garage and construction of new vehicular access (outline application): Refused 13/10/2005 on the basis of impact on the Conservation Area and harm to the amenity of adjacent occupiers, but subsequently allowed at appeal on 10/07/2006 with the Inspector concluding that provided the proposed dwelling is single-storey in height, it would not have an adverse impact upon the amenities enjoyed by neighbouring residents and would not detract from character of the Conservation Area.
- 2.4 44/2008/1261 - Details of siting, design and external appearance of the building, access thereto and landscaping, submitted in accordance with condition no.1 of outline planning permission code no. 44/2005/1021/PO: Refused 16/11/2009. Reason - submitted design and details of the dwelling are unacceptable and would adversely impact upon the character and appearance of the Rhuddlan Conservation Area.
- 2.5 44/2007/1250 - Details of siting, design and external appearance of the building, access thereto and landscaping, submitted in accordance with condition no.1 outline planning permission code no. 44/2005/1021/PO: Refused 10/01/2008. Reason - design and appearance of the proposed dwelling and the associated driveway and access works proposed would neither retain nor enhance the character and appearance of the conservation area or the adjacent Listed Building.
- 2.6 44/2017/0072/PF Erection of 1 no. dwelling with detached garage and construction of a new vehicular access. Granted 15/03/2017 by Planning Committee.

## 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 RD1** – Sustainable development and good standard design
  - Policy BSC1** – Growth Strategy for Denbighshire
  - Policy BSC3** – Securing Infrastructure Contributions from Development
  - Policy BSC4** – Affordable Housing
  - Policy BSC11** – Recreation and Open Space
  - Policy VOE1** – Key Areas of Importance
  - Policy ASA3** – Parking standards

Supplementary Planning Guidance

- SPG – Access for All
- SPG – Residential Space Standards
- SPG – Residential Development Design Guidance
- SPG – Residential Development
- SPG – Parking Requirements in New Developments
- SPG – Planning Obligations
- SPG – Conservation Areas

### 3.2 Government Policy / Guidance

- Planning Policy Wales (Edition 9) November 2016
- Development Control Manual November 2016

Other material considerations

#### 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 and impact on the Conservation Area
- 4.1.3 Residential amenity
- 4.1.4 Highways (including access and parking)
- 4.1.5 Archaeology
- 4.1.6 Open Space

#### Other matters

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 in towns is BSC1 which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries. Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria.

The site is located within the development boundary of Rhuddlan in the LDP. The principle of the development of a dwelling in such a location would be acceptable in general policy terms. The detailed impacts are considered below.

##### 4.2.2 Visual amenity and impact on the Conservation Area

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 also be respected

Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. Planning Policy Wales (Section 6) stresses the importance of protecting the historic environment, and in relation to Conservation Areas, to ensure they are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls. The basic objective is therefore to preserve or enhance the character and appearance of a Conservation Area, or its setting. The SPG provides further guidance on the subject.

The detailing of the proposed dwelling and garage remain very much the same as the 2017 approval, as can be seen on the plans at the front of the report. However to be consistent with the approach adopted to the previous proposal, given the location close to the stone dwelling at Castle Hill and the Castle itself, it is suggested that use of stonework would be appropriate and that a condition be attached requiring the approval of the details of external wall materials.

It is therefore concluded that the development complies with Policy RD 1 in regard to visual appearance and the scheme does not detract from the character and appearance of the Conservation Area, and that it is in accord with the guidance set out in the SPG.

#### 4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc. The Residential Space Standards SPG sets out the minimum internal floor space and garden areas required for new dwellings and advice is provided within the Residential Development SPG on siting generally.

The proposed dwelling and garage are single-storey and located in a very similar position to that of a previous approval at the site, with the fence along the side boundary to Castle Hill and the hedge to the other side boundary to Hylas Bach both being shown as retained on the proposed layout plan.

As the scheme is very similar to previous proposals at the site, it is concluded that the scheme as proposed is acceptable in terms of residential amenity considerations, including the requirements of Policy RD 1 and the SPGs relating to residential developments. It is recommended that a condition removing permitted development rights be attached to ensure that the longer-term privacy of the nearby residents is protected.

#### 4.2.4 Highways (including access and parking)

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.

The plans show access would be from Hylas Lane. The access arrangements have been approved in 2017 and prior to this in previous approvals. An area is shown to the side of the dwelling which could be utilised for parking.

Highways Officers have not objected to the proposal, therefore Officers would consider the proposal would not give rise to unacceptable adverse impacts on highway safety.

#### 4.2.5 Archaeology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment

of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development.

CPAT have advised that the site is located close to an area of archaeological significance at Rhuddlan Castle.

A condition is proposed to ensure any items of archaeological significance on the site are preserved and/or recorded. Subject to the imposition of a watching brief condition it is considered that the proposal is acceptable in terms of the relevant archaeological policies.

#### 4.2.6 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 specifies that all housing developments should make adequate provision for recreation and open space. All such schemes put increased demand on existing open spaces and facilities and therefore the policy applies to all developments including single dwellings. At the time of this report being prepared, for single dwellings the payment of a commuted sum of £1237.22 was required.

The development is therefore considered to be able to comply with the requirements of Policies BSC 3 and BSC 11 via a suitable condition.

#### 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 The application seeks planning permission for some basic changes to the previously approved scheme. The changes are considered wholly acceptable under the relevant policies and unlike previous proposals on this site there are no objections to the scheme. As such the application is considered acceptable and recommended for grant.

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

1. The development to which this permission relates shall be begun no later than 14th March 2023.
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 and floor plan (Drawing No. 1) received 15 January 2018
  - (ii) Existing site plan (Drawing No. 2 Rev A) received 15 January 2018
  - (iii) Proposed site plan (Drawing No. 3 Rev C) received 15 January 2018
  - (iv) Location plan received 15 January 2018



3. Notwithstanding the approved plans, no works shall be permitted to commence on the external walls or roofs of the dwelling until the written approval of the Local Planning Authority has been obtained to the material to be used thereon, and shall include for the use of natural stone and slate to match that used on the adjoining dwelling Castle Hill. The development shall be carried out in accordance with the approved details.
4. Prior to the commencement of work thereon, the written approval of the Local Planning Authority shall be obtained in respect of the detailing of the rainwater goods and window materials to be used for the development hereby permitted and no materials other than those approved shall be used.
5. The access shall be laid in accordance with the approved plan and completed to the satisfaction of the Local Planning Authority before any works commence on site, and facilities shall be provided and retained within the site for the loading/ unloading, parking and turning of vehicles in accordance with the approved plan prior to the dwelling being first occupied.
6. The dwelling shall not be occupied until the written approval of the Local Planning Authority has been obtained to the details of a full landscaping scheme.
7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the dwelling. Any trees or plants which within a period of 5 years from the completion 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, unless the local planning authority gives written approval to any variation.
8. The hedge along the eastern side boundary to Hylas Bach shall be retained in its entirety, and all trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
9. Notwithstanding the provisions of all Classes of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out without approval in writing of the Local Planning Authority.
10. No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The archaeological programme of work will be undertaken and completed in accordance with the relevant Standards and Guidance laid down by the Chartered Institute for Archaeologists. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: markwalters@cpat.org.uk Tel: 01938 553670). After approval by the Local Planning Authority, a copy of the report and resulting archive should also be sent to the Historic Environment Record Officer, Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record.
11. The dwelling hereby approved shall not be occupied until the written approval of the Local Planning Authority has been obtained to the arrangements for compliance with the Council's policies and Supplementary Planning Guidance in relation to the provision of Open Space.

The reasons for the conditions 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. In the interest of visual amenity and to ensure that the facing materials for the dwelling are sympathetic to the adjacent property at Castle Hill.
4. In the interests of the visual amenity of the Conservation Area.

5. 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.
6. In the interests of landscape and visual amenity.
7. In the interests of visual and residential amenity.
8. In the interests of visual amenity.
9. In the interests of residential and visual amenity.
10. In the interest of preservation of archaeological remains.
11. In the interest of compliance with adopted open space policies.