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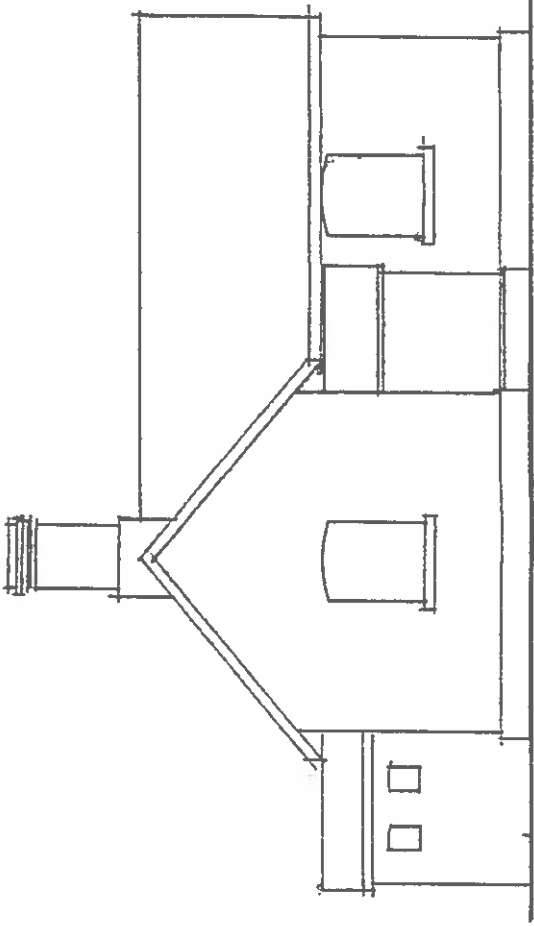
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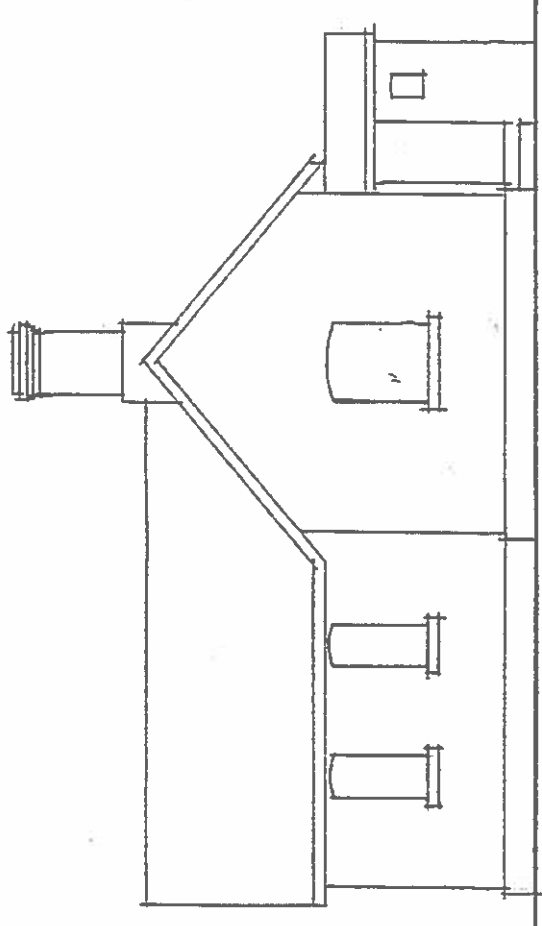


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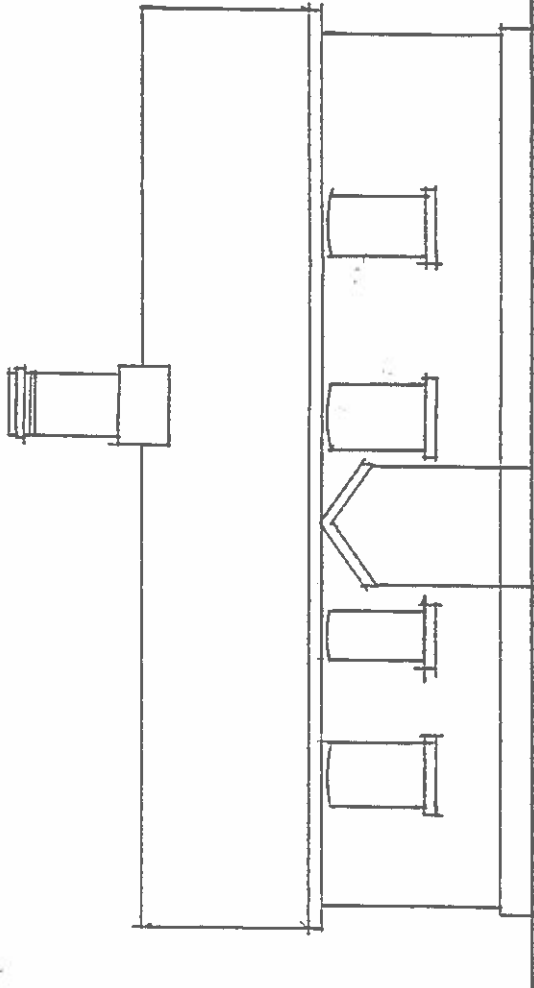
ELEVATIONS OF
EXISTING DWELLING



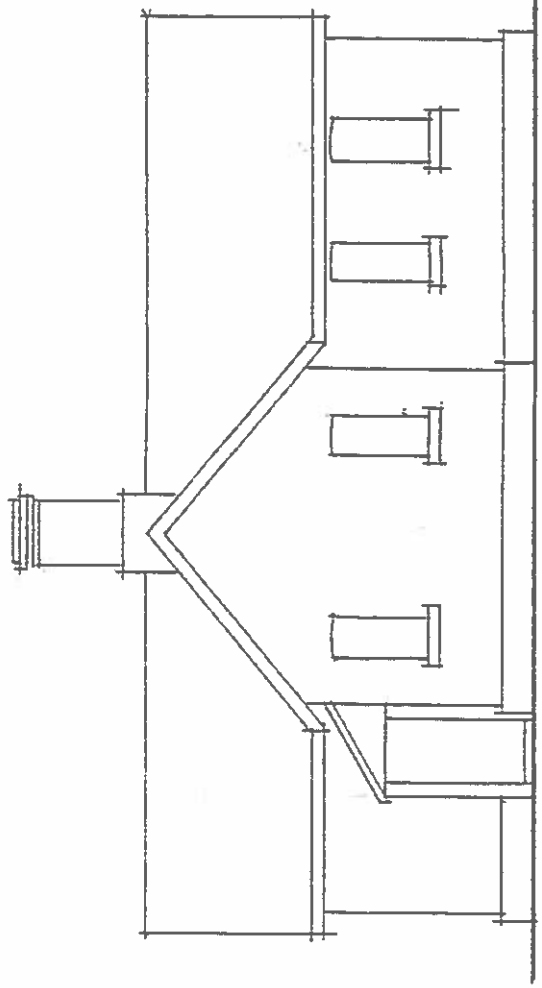
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

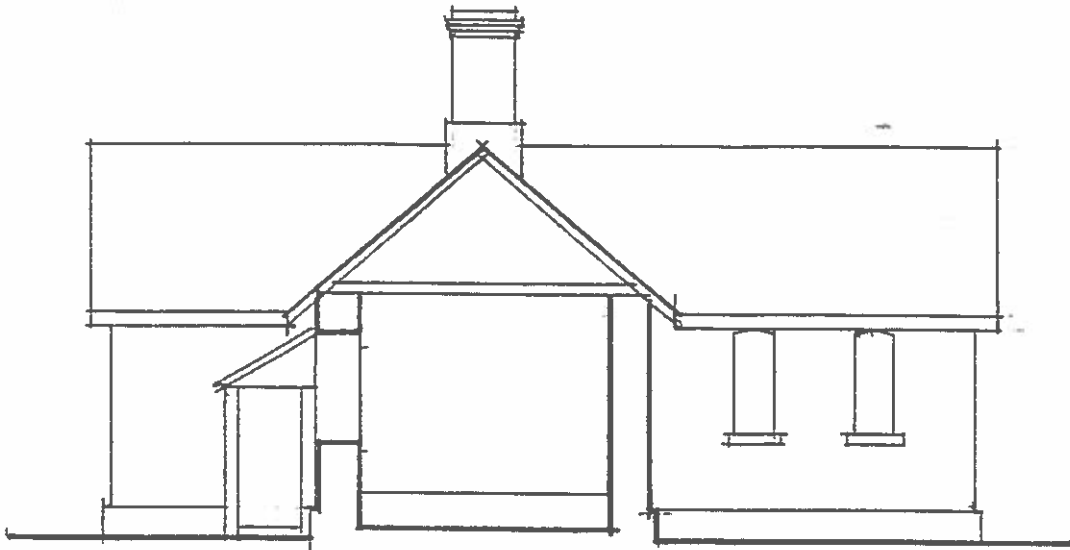


SOUTH ELEVATION

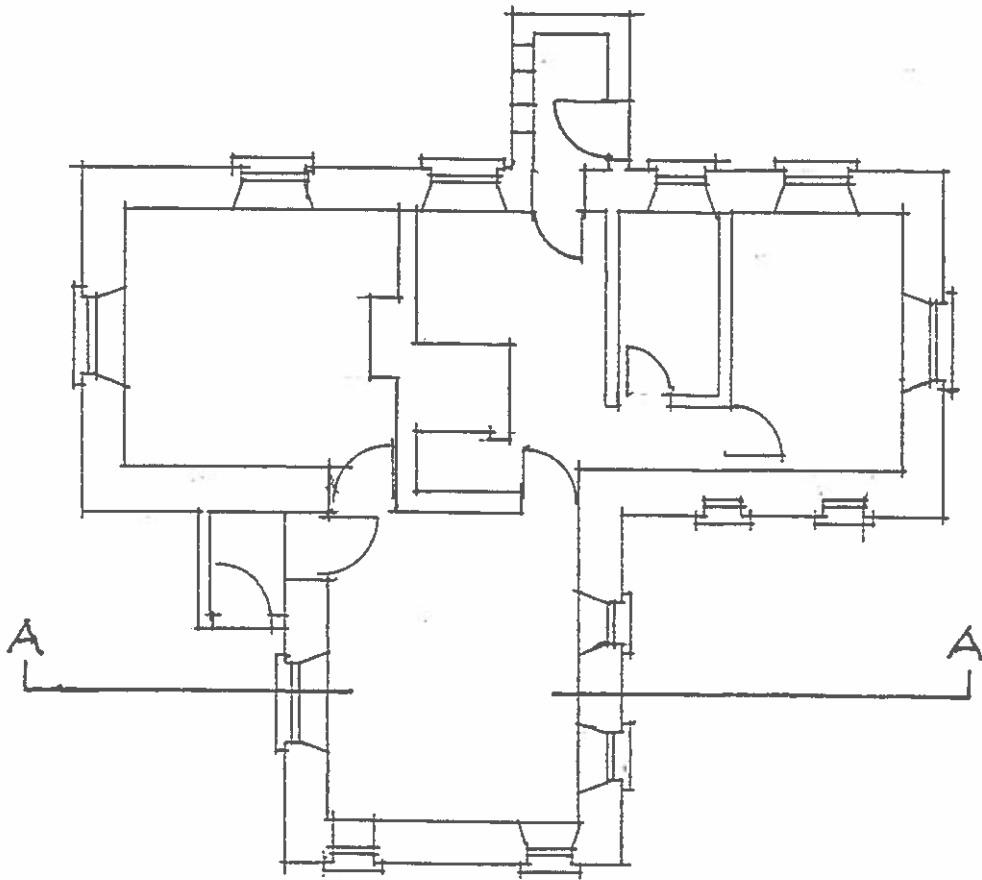
YSTRAD ISA COTTAGE
ELEVATIONS SCALE: 1:100



YSTRAD ISA COTTAGE
FLOOR PLAN & SECTION
SCALE 1:100



SECTION A-A



PLAN

WARD : Denbigh Lower

WARD MEMBERS: Cllr Mark Young (c)
Cllr Rhys Thomas

APPLICATION NO: 01/2018/0262/ PF

PROPOSAL: Demolition of existing dwelling, erection of replacement dwelling, erection of garage and change of use of land to extend domestic curtilage

LOCATION: Ystrad Isa Cottage Ystrad Road Ystrad Denbigh LL16 4RL

APPLICANT: Mr & Mrs Cheshire

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:

DENBIGH TOWN COUNCIL

"No objections. The town councillors would like it noted that the details received from Mark Walters, Development Control Archaeologist at Clwyd-Powys Trust in relation to level 4 standard should be adhered to. Also the standard of the new works should be of a high standard in keeping with the locality."

NATURAL RESOURCES WALES

Supporting ecological report confirms the presence of protected bat species at the site and therefore planning permission should only be granted if planning conditions are applied.:

Condition 1: EPS Bats: The implementation of bat avoidance, mitigation and compensation measures described within the bat report

Condition 2: EPS Bats: No development shall take place until an external / internal Light Spillage Scheme is submitted to and approved to the satisfaction of the LPA and implemented as agreed.

Condition 3: EPS Bats: The submission and implementation of a post construction monitoring and surveillance scheme.

Condition 4: EPS Bats: The Submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA.

CLWYD POWYS ARCHAEOLOGICAL TRUST

The demolition will directly impact a stone and brick cottage dating to 1898 which is not currently recorded on the Historic Environment Record. The cottage has estate style façades and a T-shaped layout which, according to the applicant, are mirrored by a similar nearby cottage property at Llwyn Bach. The cottage was probably linked to the former Ystrad Hall and may have housed estate workers although any direct connection remains unproven.

The cottage would appear to be of at least local architectural interest and contributes to the character of the area.

The costs of renovation and repair to modern standards given in the structural inspection report seem to be appropriate given the nature of the original building requirements at the time of construction and subsequent decay after the property was last used. The structural inspection report does not provide any overriding evidence that the building is not capable of being renovated and rendered habitable once more.

As the property does retain local historical importance and contributes to the character of the area as an example of an estate style property of the late 19th century CPAT find that the demolition proposals are contrary to Local Development Plan Policy RD4 (ii) relating to replacement dwellings in rural locations. The council should therefore consider refusal of the application and encourage the developer to renovate and extend the existing cottage.

Should the planning committee be minded to grant permission for development the building must be fully recorded to a Historic England equivalent (H.E., Understanding Historic Buildings, 2016) Level 4 standard via a suitable condition.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Highways Officer
No objection.

Conservation Officer

This cottage dating from 1898 although not listed does have local historical importance as it contributes to the character of the area and rural setting. The building is nicely designed and appears to be an estate cottage similar to some other properties in the area possibly linked to Ystrad Hall in the past and is also in close proximity to the listed Ystrad Isa

Referring to Local Planning Policy RD 4 (ii) – Replacement of existing dwellings states that; 'Proposals for the replacement of an existing dwelling outside settlement boundaries will only be supported where it can be demonstrated that:'

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

In response to the above criteria in respect of Ystrad Isa Cottage;

- i) The building does have legal use of rights as a dwelling
- ii) The building is of local historical importance and makes a valuable contribution to the character of the area
- iii) Viewed externally the building appears in very good structural condition even though it appears to have suffered from neglect and lack of maintenance for many years. The building is of good quality design with a good use of local materials. A building of this age will be inefficient in terms of energy efficiency but as with any other building that needs renovation it can be quite easily brought up to the standards to comply with Building Regulations. Cannot comment on the water situation but the previous habitants appear to have managed well enough with the water supply for nearly 120 years.

This building demonstrates it does not comply with two of the items set out in the criteria above (ii & iii) and it would be directly against DCC Planning Policy should it be demolished. The cottage should be renovated and internally can be opened up if required to satisfy modern living needs with a well-designed extension added to provide the extra floor space required.

For the reasons outlined above, object to this application

Ecologist

Recommends that the following conditions are attached to ensure that there are no negative impacts on protected species or the nature conservation value of the site:

- 1) Prior to the demolition of the current existing dwelling, a replacement bat roost to the design given in the "Bat House – Garage" drawing (Document Reference: 2212773, received on 12-04-18) should be constructed.
- 2) The development shall be carried out in strict accordance with the recommendations set out in the Bat Mitigation Strategy (Document Reference: 2212775, received on 12-04-18), and section 6 of the Protected Species Survey Report (Document Reference: 2224864 received on 01-05-18) in respect of bat avoidance, mitigation and compensations measures.
- 3) An external lighting/internal light spillage scheme, designed to avoid negative impacts on bats, should be submitted and agreed in writing to the satisfaction of the LPA.
- 4) A post construction monitoring and surveillance scheme must be submitted and approved in writing by the LPA and NRW. The approved measures shall be implemented in full.

RESPONSE TO PUBLICITY:

In objection

Representations received from:
J R Thomas, Ystrad Isa, Denbigh

Summary of planning based representations in objection:

Comments on existing dwelling:

Considers the existing house is not a beautiful building and windows would prevent inhabitants from enjoying view, but it is a link to the past – style is apparent at Llwyn Bach where similar cottage has been recently renovated and at Yr Hen Efail, Y Glyn.
It would appear to be part of the original Ystrad Hall estate.
It would be a shame to see the cottage disappear.

In support

Representations received from:
P R Goodwill, Ystrad Kumar, Ystrad, Denbigh
J M Jones, Ty Gwyn, Ystrad Denbigh
Sandra Archdale, Ystrad Farm, Denbigh
Fiona Reece, Penystrad, Ystrad Road, Denbigh
Rachel G Hughes, Brook House farm, Denbigh
Gaynor Rowlandson, Ystrad Hall, Denbigh
Olwen and Berwyn Roberts, Felin Ganol, Ystrad

Summary of planning based representations in support:

Comments on existing dwelling:

Existing cottage is in a dilapidated state / has lain uncared for / not of any merit / only option for 21st century is to knock it down and start again.
Very little of existing dwelling is seen from Ystrad Road

Comments on proposed dwelling:

New property would blend well into surrounding countryside / Proposing to re-using stone and slates of old house in new house which would be visually pleasing.
Scheme would transform overgrown garden will enhance the plot

Observations neither in objection or support:

Representations received from:
Cllr Rhys Thomas

Summary of planning based observations:

Point of clarification regarding the Heritage Impact Statement submitted with the application: - section 3.3.4 states Ystrad Isa Cottage lies "some half a kilometre north of the listed Ystrad Isa house " however it lies 130m from Ystrad Isa, and somewhat closer to the outbuildings within its curtilage.

EXPIRY DATE OF APPLICATION: 06/06/2018

REASONS FOR DELAY IN DECISION:

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the demolition of an existing single storey stone cottage and the erection of a two storey detached replacement dwelling.
- 1.1.2 In terms of the detail, the replacement dwelling is shown as a two-storey property in a form of H shape with two gables projecting from both the principal (west) and rear (east) elevation with an external chimney stack to the side (south).
- 1.1.3 The replacement dwelling would have stone facing walls, a pitched slate roof with ground and first floor windows in each elevation. Windows in the one of the rear gables would be full height windows and doors with a Juliet balcony at first floor.
- 1.1.4 A detached bat house / garage building is proposed within the garden area which would have a pitched slate roof and walls clad in green oak weatherboarding.
- 1.1.5 A new vehicular access and driveway is also proposed.
- 1.1.6 New native hedgerow planting is proposed along the site boundary.
- 1.1.7 The application is supported by Planning Statement, Heritage Impact Statement, a Structural Inspection Report, a Protected Species Survey and a Bat Mitigation Strategy.
- 1.1.8 Details of the existing dwelling and the proposed dwelling are at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The site is currently occupied by a traditional late nineteenth century estate cottage (dated 1898 on the building) which is constructed of local limestone with brick quoins and brick edged window and door openings, with a natural slate pitched roof.
- 1.2.2 The site is accessed along a private road leading from the Ffordd Ystrad to the west of the site and is approximately 1.5km to the south-east of Denbigh town centre.
- 1.2.3 The nearest residential neighbour is Grade II Listed Ystrad Isa, approximately 130m to the south-west.
- 1.2.4 There are further residential neighbours approximately 150m to the west (Ty Gwyn Felin Ganol)

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in an open countryside location outside of any development boundaries defined in the Local Development Plan. It is within a mineral safeguarded area (sand and gravel).

- 1.3.2 The Grade II Listed Ystrad Isa is 130m to the south-west.
- 1.3.3 The site is within the Vale of Clwyd Landscape of Outstanding Historic Interest.
- 1.3.4 A public right of way (footpath) runs along the site boundary.

1.4 Relevant planning history

- 1.4.1 There is no known planning history at the site.

1.5 Developments/changes since the original submission

- 1.5.1 A Protected Species Survey has been submitted during the course of the application.

1.6 Other relevant background information

- 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

- 2.1 N/A

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)

3.4 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
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Highways (including access and parking)
- 4.1.6 Built Heritage / Impact on Listed Building

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 of 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 has been occupied until very recent times. There is no dispute that the proposal would comply with criterion i).

RD4ii) – local historic importance 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.

A Heritage Impact Assessment has been submitted with the application which confirms the existing Ystrad Isa Cottage is a late nineteenth century estate cottage, dated 1898 on the building. It is single storey T shaped plan constructed of local limestone with brick quoin detailing. The cottage was constructed as part of the now partly demolished Ystrad Hall.

The Heritage Impact Assessment includes an assessment of the existing dwelling against four core Conservation Principles contained in Cadw guidance, and concludes the existing dwelling offers some low contribution to the Heritage Asset.

It goes on to state that 'It would be wrong to claim that Ystrad Isa Cottage does not make any contribution to the Heritage Asset but it would be equally wrong to overstate that contribution. Any interest lies in its being a small relatively unaltered estate cottage of the late 19th Century. This interest may be threatened by extensions necessary for its re-use..'. It concludes that 'Ystrad Isa Cottage has some qualities and Heritage Value but these are clearly not sufficient to merit statutory protection..'

The justification to policy RD4 states the Council is committed to retaining buildings of character or merit in the countryside. The relevant policy test contained in Policy RD 4 does not require the existing building to be nationally or regionally important or worthy of statutory protection, but rather that the dwelling is '*not of local historical importance or makes a valuable contribution to the character of the area*'.

The key test therefore is whether or not the existing building is of local historical importance, and not whether it merits statutory protection.

The Clwyd Powys Archaeological Trust (CPAT) have objected to the demolition of the existing dwelling on the basis that the building does retain local historical importance

and contributes to the character of the area as an example of an estate style property of the late 19th century.

The Council's Conservation Officer considers the building is of local historical importance and makes a valuable contribution to the character of the area and has therefore objected to the proposed demolition.

Officers' conclusions on the wording of the test ii) of RD4, on the basis of CPAT's response and the views of the Council's Conservation Officer, is that the farmhouse is of local historical importance and that it does make a valuable contribution to the character of the area. The proposal is therefore considered to be in conflict with test ii).

RD4iii) – condition of existing dwelling

The application is supported by a Structural Inspection Report of the existing building.

The Structural Inspection Report sets out the costs to fully renovate the existing dwelling to modern habitable standards, including external and internal works, and works to the garden area, which comes to around £118,000.

It concludes the main load bearing walls are generally of sound construction, but the property is dilapidated due to lack of maintenance and modernisation over a period of years, and therefore due to the scale of works required are of significant significance to question its economic viability.

The existing building is also stated to be inefficient in terms of its energy use due to uninsulated solid walls and solid floors and small room sizes, and there is limited opportunity to improve the thermal performance of the existing building.

The Structural inspection Report does not contend that Ystrad Isa Cottage is incapable of repair, but that the cost of repair and refurbishment would make such a re-use economically unviable.

CPAT consider that the costs of renovation and repair to modern standards given in the structural inspection report seem to be appropriate given the nature of the original building requirements at the time of construction and subsequent decay after the property was last used. The structural inspection report does not provide any overriding evidence that the building is not capable of being renovated and rendered habitable once more.

The Council's Conservation Officer, who is a qualified building surveyor, has commented that viewed externally the building appears in very good structural condition even though it appears to have suffered from neglect and lack of maintenance for many years. The building is of good quality design with a good use of local materials. A building of this age will be inefficient in terms of energy efficiency but as with any other building that needs renovation it can be quite easily brought up to the standards to comply with Building Regulations.

The Conservation Officer therefore does not consider the existing dwelling is 'structurally unsound' and has therefore objected to the proposal.

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

Respectfully, 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 likely to be energy inefficient. Again this could be improved at expense. Officers would note

however, much of the works required are refurbishment works rather than essential remedial works (replacement windows, new kitchens and bathroom, new heating and re-wire, re-plastering, internal decoration, laying paving and patio in the garden area etc.), and the structural repairs required are not essential works requiring immediate action, but rather 'long term solutions' (e.g. re-slate the roof, damp course and flue liners to chimney stack, some repointing of external walls, etc.).

The building is over 100 years old and is of solid wall construction, however there are measures that could be carried out to improve the thermal performance of the building which are outlined in the Structure Inspection Report. Officers would acknowledge that it would not be as energy efficient as a modern new build dwelling.

The existing cottage could be renovated and internally can be opened up if required to satisfy modern living needs, and there is also scope for a well-designed extension to provide the extra floor space required.

In concluding on this test and having regard to the professional views of the Council's Conservation Officer, 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 his needs, but it would be difficult to argue the existing dwelling is 'structurally unsound'. There is therefore considered to be fundamental conflict with test iii).

Conclusion on principle of development

Policy RD4 supports the replacement of an existing dwelling outside settlement boundaries only where proposals comply with all three policy criteria.

The Policy RD4 Justification states the Council is committed to retaining buildings of character or merit in the countryside.

Having regard to the views of CPAT and the Council's Conservation Officer, Officers would consider the existing dwelling could be considered be of local historical importance and makes a valuable contribution to the character of the local area, and the proposal therefore fails to comply with RD4 ii). The proposal also does not fully comply with RD4 iii) as it is not demonstrated 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 cottage 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:

No objections have been received in relation to the design and appearance of the replacement dwelling, and a number of representations received from private individuals have expressed support for the scheme.

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 large detached properties in this area, with a mix of building styles.

Whilst the existing cottage is accessed via a private road, ground levels slope away to the west, and the existing dwelling is visible on higher ground in views from Ffordd Ystrad to the west.

The dwelling proposed is a substantial two storey detached dwelling with projecting gable walls to the front (west) and rear (east) elevations. A prominent chimney is proposed to the side (south) elevation. Walls would be stone faced, which the Heritage Impact Statement indicates would be recovered local limestone and the roof would be natural slate.

It is noted that the footprint of the proposed replacement dwelling is approximately double that of the dwelling it seeks to replace. The existing dwelling is a traditional single storey estate cottage with stone walls and brick quoins and detailing around window openings. The replacement dwelling is two storey with a much higher ridge line than the dwelling it seeks to replace (5 metres compared to 7 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 along the public footpath, and the dwelling would be more visually dominant in views from along Ffordd Ystrad, and from neighbouring properties.

The Heritage Impact Assessment states the gables in the proposed dwelling are of similar proportions to those on the neighbouring Grade II Listed building, Ystrad Isa.

Officers consider that due to the scale and massing, the proposed replacement dwelling would be a much more dominant and imposing structure than the existing dwelling, which would be visible in public views from along the public right of way network and from Ffordd Ystrad to the west, however it is acknowledged that Policy RD4 does not require proposals for replacement dwellings to be of a similar scale and design to the existing property. The proposed replacement dwelling is seeking to utilise local building materials and would be proportionate in scale and form to other dwellings along Ffordd Ystrad.

Notwithstanding the issues raised in section 4.2.1 above, Officers would consider the proposed replacement dwelling to be in general compliance with the policies listed above, however due to the setting in open countryside and proximity to the neighbouring Listed Building, Officers would consider it necessary to apply planning conditions to require the exact type and detailing of wall and roof materials to be controlled in the interests of visual amenity.

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 and no representations have been received raising issues on residential amenity grounds.

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.

Natural Resources Wales and the Council's Ecologist have both recommended a suite of planning conditions be applied to ensure the proposal would not have a detrimental impact on the favourable conservation status of European protected bat species which have been found to be roosting at the application site.

A Protected Species Survey and a Bat Mitigation Strategy have been submitted with the application.

Three bat surveys have been conducted and five Brown Long-eared bats, a single common Pipistrelle bat and a single Soprano Pipistrelle bat were observed emerging / re-entering the existing building.

The Protected Species Report and the Bat Mitigation Strategy propose a number of Reasonable Avoidance, Mitigation and Compensation Measures with respect to bats, which includes the provision of a bat house / garage building which is proposed to provide an alternative bat roost on site, and which would need to be completed before any demolition work commences.

Given that the existing dwelling is occupied by roosting bats, Officers consider the proposal would have a direct, detrimental impact on protected bat species and therefore Officers consider the conditions recommended by both Natural Resources Wales and the Ecology Officer are both necessary and reasonable should planning permission be granted.

A Derogation Licence from Natural Resources will also be required and a detailed informative could be added included on the Decision Notice to inform the applicant of the statutory requirements under separate wildlife legislation.

4.2.5 Highways (including access and parking)

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

Highways Officers have raised no objection to the scheme.

The site is accessed from a long a private road leading from Ffordd Ystrad to the west. A new vehicular access is proposed to serve the site and a bat house / garage is proposed within the curtilage.

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

4.2.6 Built Heritage / Impact on Listed Buildings

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

PPW 6.1 refers specifically to the need to ensure the character of historic buildings is safeguarded from alterations, extensions, or demolition that would compromise their special architectural and historic interest.; and 6.5.11 indicates that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, and any features of special architectural or historic interest which it possesses.

The existing dwelling is some 130m from the neighbouring Grade II Listed Ystrad Isa, with a number of outbuildings within its curtilage being closer still and therefore the impact of the proposed replacement dwelling on the setting of the neighbouring listed building is material.

Ystrad Isa was Listed for its special interest as an early C18 regional house with sympathetic early C19 and early C20 additions and alterations, retaining good original external and internal character. It is referred to as an ambitious brick farmhouse of c1700 with early C19 alterations. The house was given a sympathetic Arts and Crafts restoration in the early C20.

The Heritage Impact Assessment submitted with the application considers the impact on the proposal on Ystrad Isa. It states that the existing cottage does not have a close relationship with the Listed Building, and that Ystrad Isa 'turns its back' on the site. It concludes that the proposed replacement dwelling would have little impact on the setting of the neighbouring Listed Building and also notes there are other similar scale dwellings within 500 metres of the Listed Building.

Officers would also be of the opinion that, due to the separation distance between Ystrad Isa and the application site, the proposed replacement dwelling would not have a detrimental impact on the setting of the Listed building.

As set out in section 4.2.1, CPAT and the Council's Conservation Officer consider the existing dwelling is of local historical importance. Officers would be of a similar view.

CPAT have advised that should planning permission be granted, a planning condition should be imposed to require the existing building to be fully recorded prior to demolition to ensure a public report of the building can be recorded on the Historic Environment Record.

Given the age of the building and the connection with the Ystrad Hall estate, Officers consider it would be reasonable to require the existing building to be recorded in accordance with CPAT's recommendation, and therefore Officers would recommend a condition to this effect is applied should planning permission be granted.

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 Local Development Plan Policy RD4 sets out the policy context for replacement dwellings.

The policy supports the replacement of an existing dwelling outside settlement boundaries only where proposals can comply with three tests.

5.2 Ystrad Isa Cottage is a late nineteenth century stone and brick estate cottage, dated 1898, and was constructed as part of the now partly demolished Ystrad Hall.

5.3 The Justification to Policy RD4 states the Council is committed to retaining buildings of character or merit in the countryside and Officers would stress that the relevant policy test contained in Policy RD 4 does not require the existing building to be nationally or regionally important or worthy of statutory protection, but rather that the dwelling is 'not of local historical importance or makes a valuable contribution to the character of the area'.

5.4 Having regard to CPAT's views and the professional opinion of the Council's Conservation Officer, Officers consider the existing dwelling is of local historical importance and makes a valuable contribution to the character of the local area, and that the proposal fails to comply with policy RD4 ii).

5.5 The proposal also does not fully comply with RD4 iii) as it is not demonstrated that the existing dwelling is 'structurally unsound'.

5.6 On the basis of the information in front of the Council, Officers conclusion is that there are fundamental conflicts with key tests of the replacement dwellings policy, which seeks to retain structurally sound buildings of local historic importance which make a valuable contribution to the character of the area. The recommendation is therefore to refuse permission.

RECOMMENDATION: REFUSE- for the following reason:-

1. It is the opinion of the Local Planning Authority that the proposals are in conflict with the Council's policy in relation to replacement dwellings, in that the existing dwelling is a late Victorian stone and brick estate cottage (dated 1898 on the building) which was constructed as part of the former Ystrad Hall estate. The existing cottage is considered to be of local historical importance and makes a valuable contribution to the character of the local area; and it is not structurally unsound. The proposals are therefore considered to be in conflict with key tests of Local Development Plan policy RD4 ii) and iii), which reflects the Council's commitment to retaining buildings of character or merit in the countryside.

NOTES TO APPLICANT:

None

