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22/2018/0358

Scale: 1:1250

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PROPOSED SITE PLAN

312300m

312400r

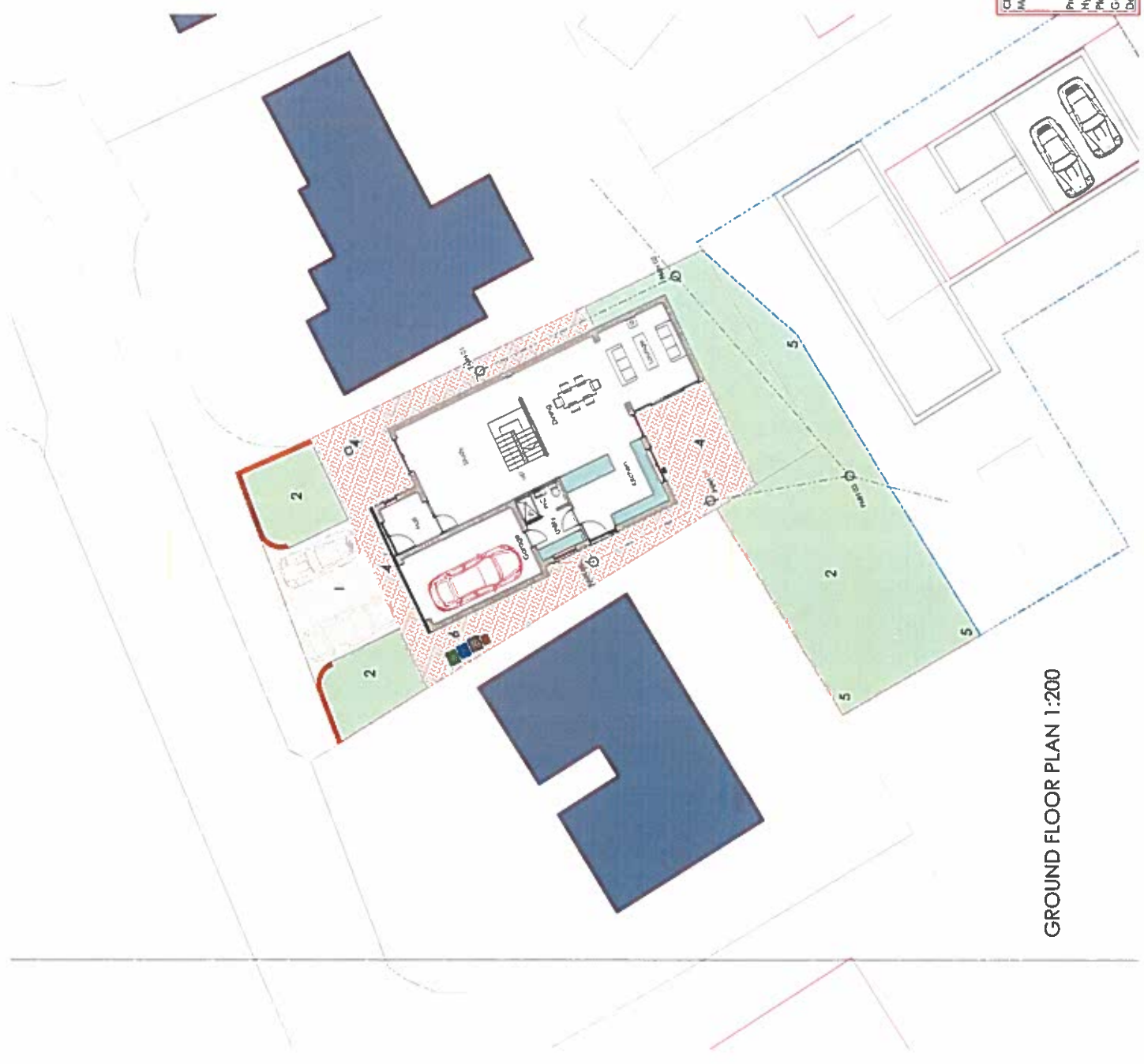


312300m

312400r

- LEGEND**
- 1 Tarmac Drive
 - 2 Grass
 - 3 Stone Planter
 - 4 Marshall's Concrete Setts
 - 5 Flower Boarders
 - 6 Bin Store

SITE LAYOUT 1:1250



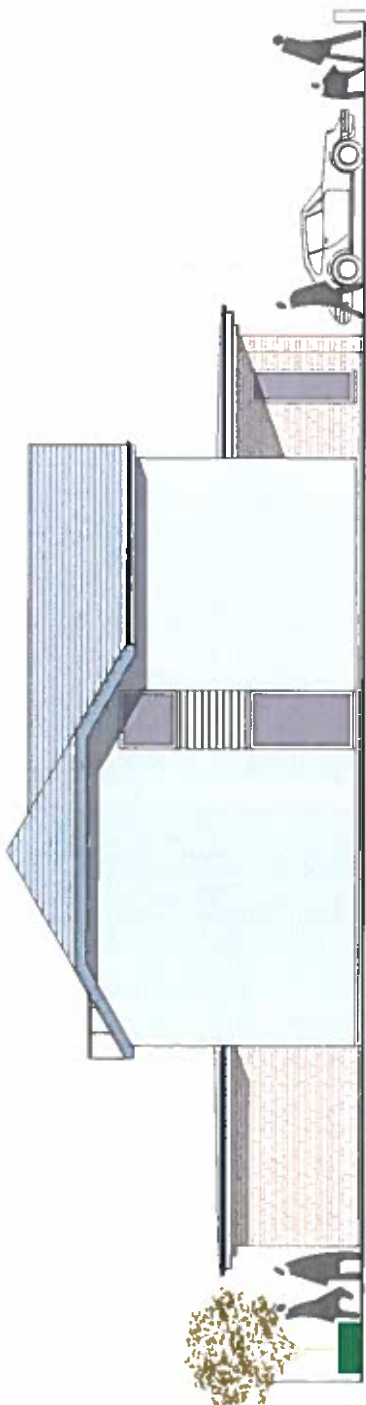
Client: Mr Mike Turner	Drawing Title: Site Layout	Project No: SC-2017-135	Scale: 1:200 @ A3
Project: Hydrade Plot B1 Golfur Dentons Lane LL15 1JF	Project No: SC-2017-135	Date: Sept 2017	Scale: 1:200 @ A3
	Rev: AA	Drawn: SC	
	Dwg No: A-004		
		Stephen Charles L15 1JF The Studio 200 Dentons Lane L15 1JF 01534 811111	

GROUND FLOOR PLAN 1:200

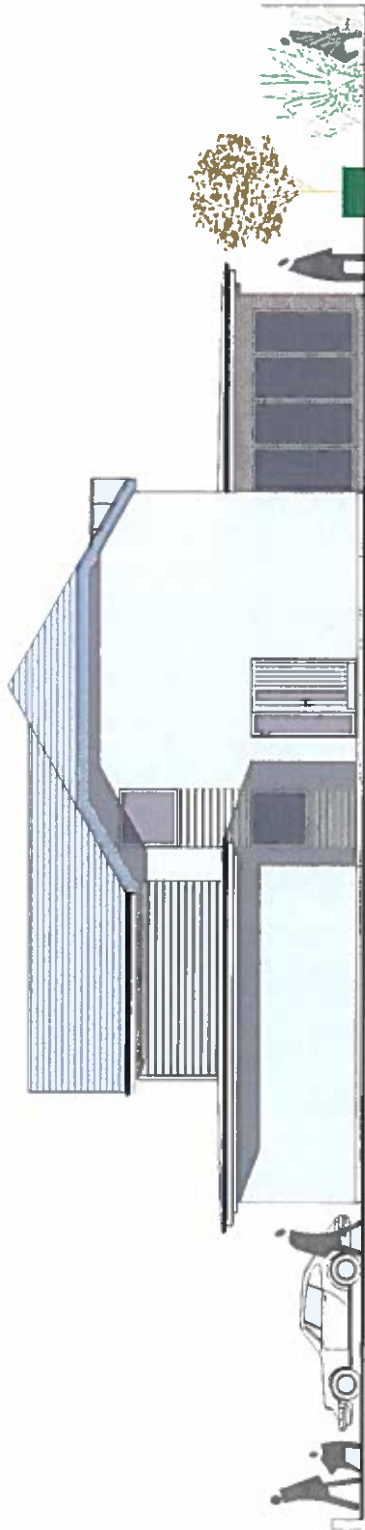


SITE LAYOUT 1:1250

- LEGEND
- 1 Velux Rooflight
 - 2 Manley Modern Tiles
 - 3 Polymer Render
 - 4 PPC Aluminium Windows
 - 5 Hardwood Doors
 - 6 Blue Engineering Brick
 - 7 Coarse squared, random Stone
 - 8 Western Red Cedar Cladding
 - 9 Single ply Membrane
 - 10 Grey PVCu fascia's and soffit panels



PROPOSED EAST ELEVATION 1:100



PROPOSED WEST ELEVATION 1:100

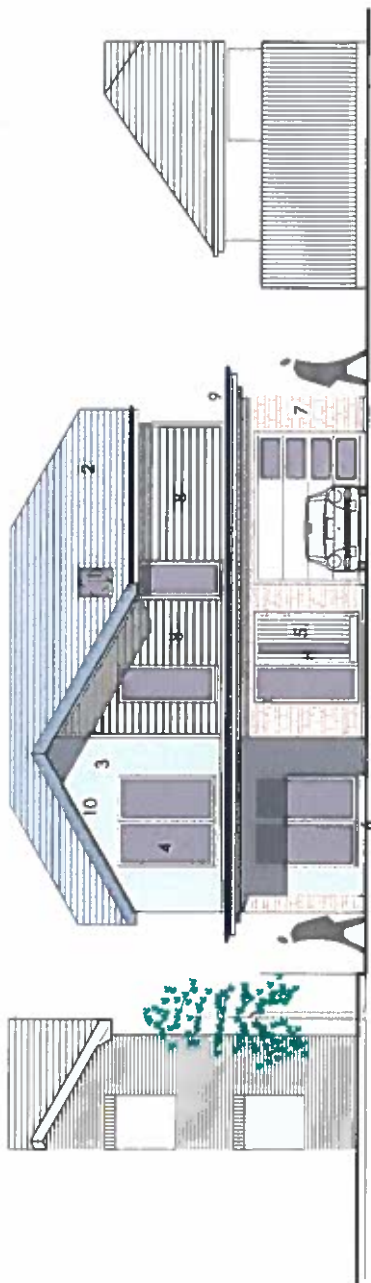
Client: Mr Mike Turner	Drawing Title: Proposed East and West Elevations	Drawn: S.C	Date: Sept 2017
Project: Hybridge Plot B1 Gellifor Denbshire LL15 1SF	Project No: SC2017-115	Scale: 1:100 @ A3	
	Rev: A.A		
	Draw No: A-0006		
		Stephen Charles Architect The Studios 100-102 100-102 100-102	

PROPOSED ELEVATIONS

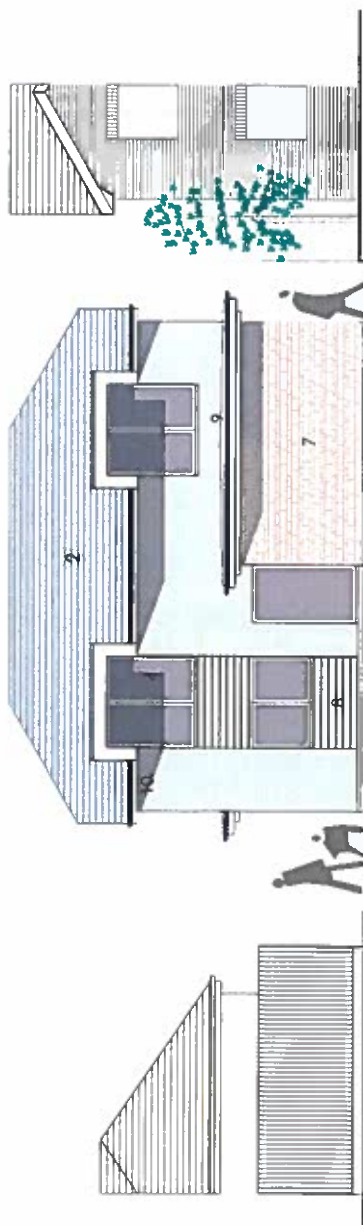


SITE LAYOUT 1:1250

- LEGEND**
- 1 Velux Rooflight
 - 2 Marley Modern Tiles
 - 3 Polymer Render
 - 4 PPC Aluminium Windows
 - 5 Hardwood Doors
 - 6 Blue Engineering Brick
 - 7 Coarse squared, random Stone
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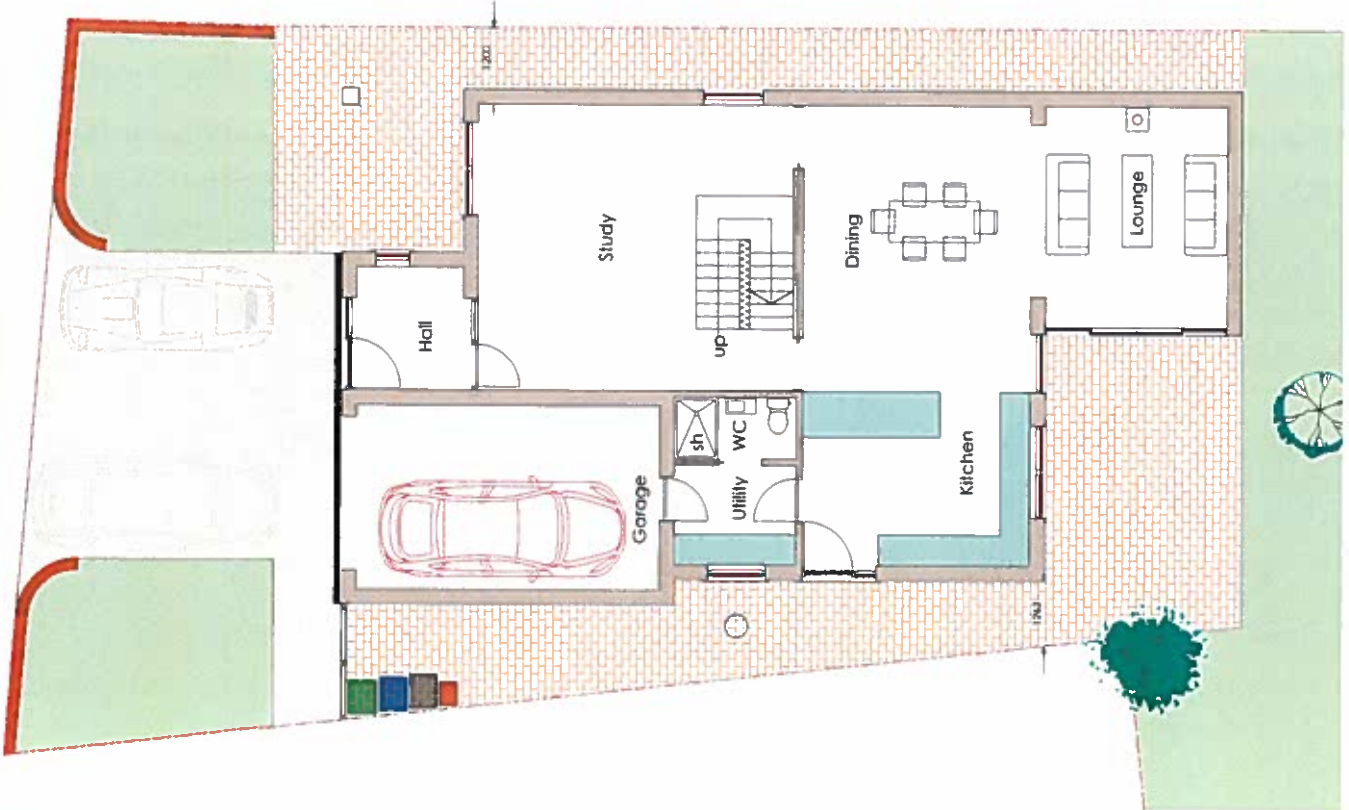
PROPOSED NORTH ELEVATION 1:100



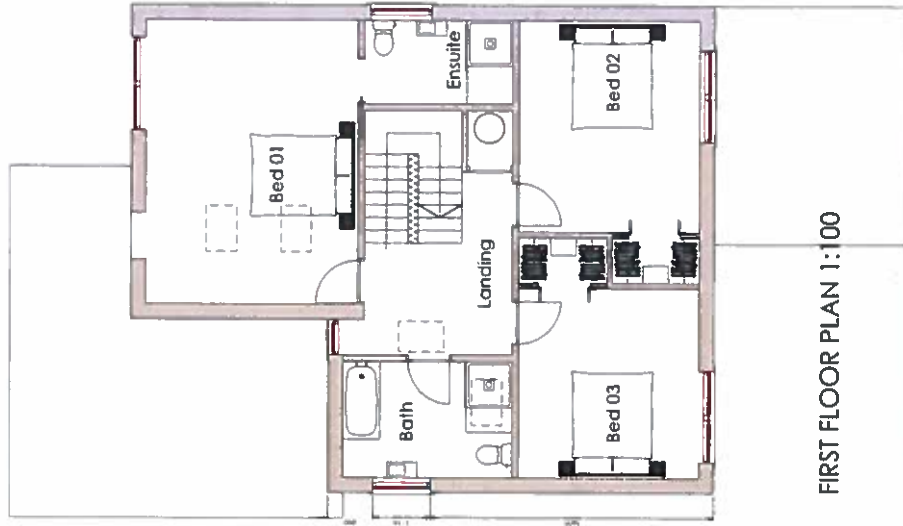
PROPOSED SOUTH ELEVATION 1:100

Client: Mr Mike Turner	Drawing Title: Proposed North and South Elevations	Dwg No: A-005	Stephen Charles Architects The Studio 110-112 High Street Barnstaple, Devon PL4 8PP
Project: Hyvildre Plot B1	Project No: SC2017-135	Rev: AA	Scale: 1:100 @ A3
Cellfor Denbshire (L13 13F)	Drawn: SC	Date: Sept 2017	

PROPOSED FLOOR PLANS



GROUND FLOOR PLAN 1:100



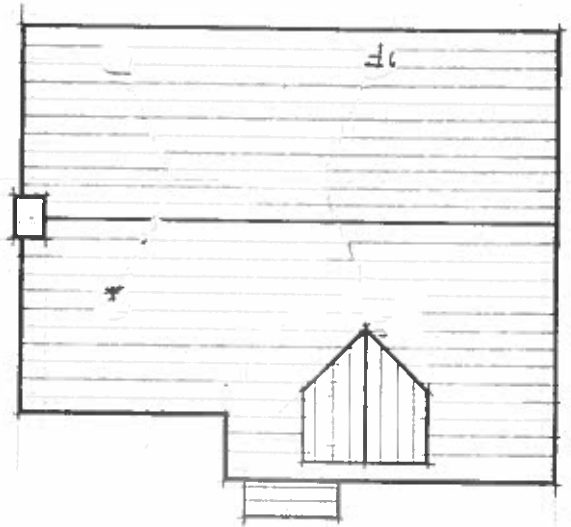
FIRST FLOOR PLAN 1:100

Client: Mr Mike Turner	Drawing Title: Floor Plans	Project No: SC2017-135	Date: Sept 2017	Client: Stephen Charles Architect The Studio 100-102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000
Project: Hylyndale Plot B1 Golfers Denboshare LL15 1JF	Project No: SC2017-135	Rev: AA	Scale: 1:100 & A3	SCA
Client: Mr Mike Turner	Drawing Title: Floor Plans	Project No: SC2017-135	Date: Sept 2017	Client: Stephen Charles Architect The Studio 100-102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000
Client: Mr Mike Turner	Drawing Title: Floor Plans	Project No: SC2017-135	Date: Sept 2017	Client: Stephen Charles Architect The Studio 100-102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

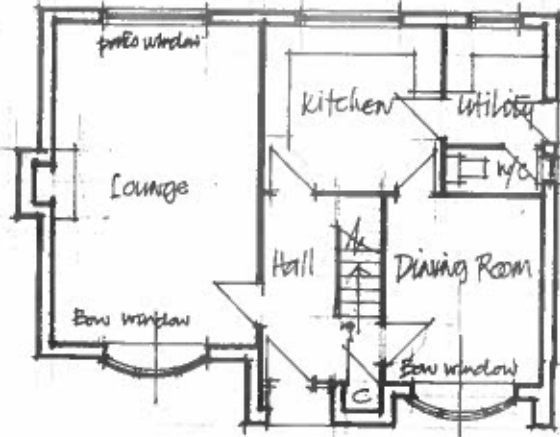
1986 CONSENT
FRONT ELEVATION &
FLOOR PLANS



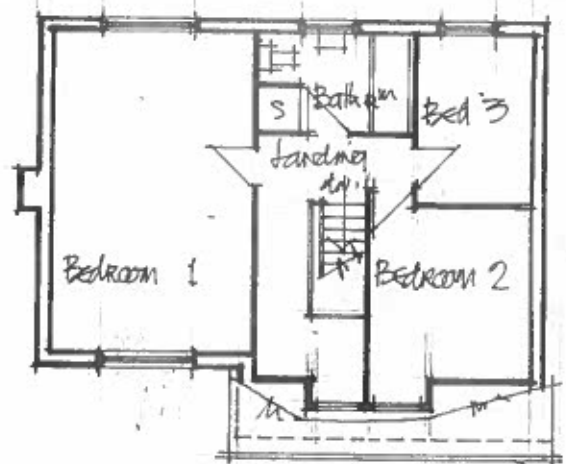
FRONT ELEVATION.



ROOF PLAN



GROUND FLOOR PLAN

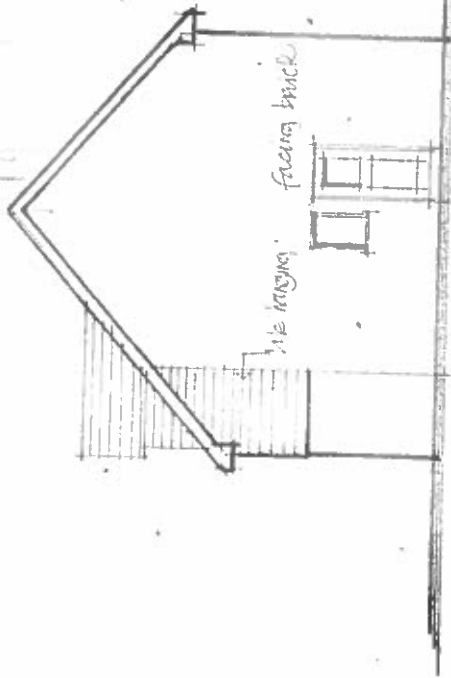


FIRST FLOOR PLAN

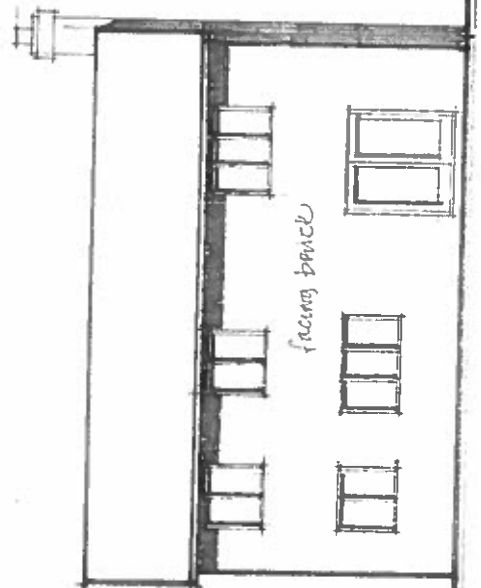
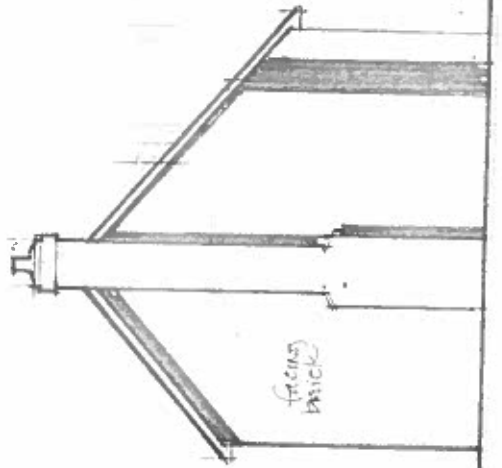
1986 CONSENT
- ELEVATIONS

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all dimensions taken in preference to scaled,
measurements to be checked on site.

notes



SIDE ELEVATION



WARD : Llanbedr Dyffryn Clwyd / Llangynhafal

WARD MEMBER: Councillor Huw O. Williams

APPLICATION NO: 22/2018/0358/ PF

PROPOSAL: Erection of a detached dwelling and associated works

LOCATION: Land adjoining Hyfrydle Gellifor Ruthin LL15 1SF

APPLICANT: Mr Mike Turner

CONSTRAINTS: None

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

LLANGYNHAFAL COMMUNITY COUNCIL

"The above application was discussed at a meeting of the Community Council this week when members were made aware that property owners on both sides of the site had written to express concern regarding certain aspects of the proposed development and it was understood that these concerns had also been submitted directly to the Planning Authority.

The Community Council considered the application and the submitted concerns and wish to put forward the following comments:-

- (i) - Given the narrowness of the plot, careful consideration needs to be given to the size and design of the property to ensure that the new development is in keeping with the properties on either side and surrounding area.
- (ii) The new development should not adversely affect the next door properties right to light.
- (iii) Careful consideration needs to be given to the positioning of windows in the new property to ensure existing windows in the next door properties are not being overlooked."

DWR CYMRU / WELSH WATER

Request that Conditions and Advisory Notes are included within the any consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection to the application subject to a condition being applied to ensure facilities for parking of vehicles is provided and retained in accordance with approved plans prior to the development first coming into use.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Nigel Bosley, Hyfrydle, Gellifor
Shaun Darlington, Cae Bach, Tan y Foel, Gellifor

Summary of planning based representations in objection:

Impact on residential amenity

- Two storey sections are set back from front and rear building line of neighbouring properties - will unacceptably restrict light / overshadow neighbouring properties and gardens / contravenes the 45 degree rule and lead to neighbours loss of enjoyment of property.
- Windows in side elevations would overlook windows in side elevations of neighbouring properties and neighbours gardens, impacting on neighbours privacy.
- Affects outlook from ground floor bedroom window in side elevation of neighbouring property (Hyfrydle)
- Proposed dwelling would overlook and surround the adjoining bungalow.

Visual amenity / layout / design

- Over development of the plot / Too big for plot
- Too large for a 3-bedroom dwelling / too many rooms.
- Insufficient space between neighbouring properties.
- Single storey garage butting out is out of character – should be integrated into house.
- Not in line with neighbouring properties.
- Out of character with rest of Tan y Foel and general visible area / Not in keeping with neighbouring properties/ windows in front elevation are out of keeping within neighbouring properties.

Highway safety / Parking

- Insufficient parking
- Road is dangerously narrow and cannot accommodate on-road parking.
- Neighbouring properties block sight lines for vehicles exiting the site which is a danger to other drivers.
- Road leads to school so heavy traffic at key hours.

Inaccuracies / errors on plans

- Roof lights shown on the floor plans but not elevation plans.

Planning history

- Site was originally part of a previous scheme built out in the 1990s and scheme should keep in context of the other houses that were built.

EXPIRY DATE OF APPLICATION: 04/06/2018

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

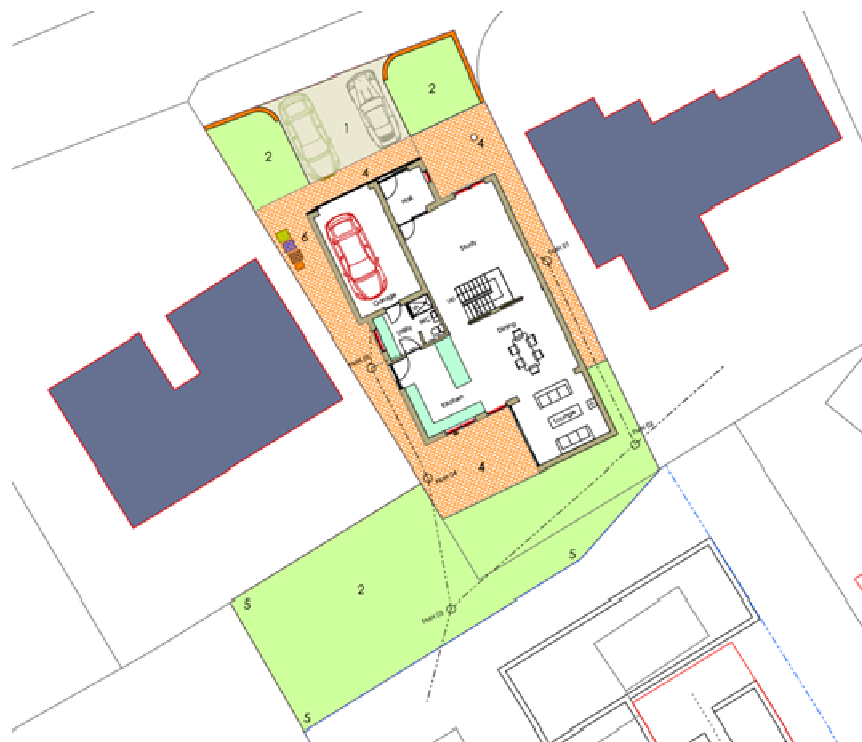
PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application for full planning permission for a dwelling and is a revised scheme following a previous refusal of permission in December 2017.
- 1.1.2 The proposal is for a detached dwelling and associated works comprising:
At ground floor level : a hall, leading to an open plan study, dining, kitchen and lounge area with centre stairway with a utility area off the kitchen and an integral garage
At first floor level : three bedrooms (one en-suite) and bathroom.
- 1.1.3 The dwelling proposed is a two storey property with a hipped pitched roof, with a two storey gable to the front and flat roof single storey elements to the front and rear. It would have a ridge height of 6.8m and flat roof elements have a height of 2.8m
- 1.1.4 The building at its widest point has a width of 9.8m, and a depth of 17.2m incorporating the single storey elements to the front and rear. The two storey section of the proposed dwelling has a depth of 11.2m.

- 1.1.5 Walls would have a mixed finish; single storey elements would have stone facing walls; the two storey section of the dwelling would have rendered walls with Cedar wood cladding.
- 1.1.6 In relation to the two storey neighbouring property to the east (2 Tan y Foel), the side elevation of the proposed dwelling would be 1m from the side boundary and 2.4m from the side elevation this neighbouring property.
- 1.1.7 In relation to the single storey neighbouring property to the west (Hyfrydle), the side elevation of the proposed dwelling would be 1.2m from the side boundary and 3m from the side elevation of this neighbouring property.
- 1.1.8 The relationship with the neighbouring properties is illustrated on the extract from the front elevation plans and the site layout plan below:



- 1.1.9 The site access would be formed off the public highway and the proposed elevation plans show a low level wall along the front boundary approximately 1m in height.

1.1.10 A parking area is proposed to the front of the dwelling which would accommodate two parking spaces, and the integral garage would provide a further parking space, which is a total of three parking spaces.

1.1.11 The site extends to the rear of the neighbouring property to the west, as will be seen from the plans, and a lawned garden area is proposed in this section of the site.

1.2 Description of site and surroundings

1.2.1 The site is a vacant plot along the highway leading from Peniarth to Plas Coch Bach Junction in Gellifor, and is positioned between Hyfrydle - a single storey detached bungalow to the west and 2 Tan y Foel - a modern two-storey detached dwelling to the east. The proposed rear garden area for the dwelling abuts the garden area of to the Saronfa and Derwen Deg residential properties to the south-west, which are along Lon yr Ysgol.

1.2.2 To the rear of the site is non-domestic garage / workshop building which is referred as 'rear of Hen Bost' on the Council's mapping system and is accessed from Lon yr Ysgol to the rear. This building is shown to be within the control of the applicant on the site plan.

1.2.3 There is an allocated housing site on the opposite side of the highway.

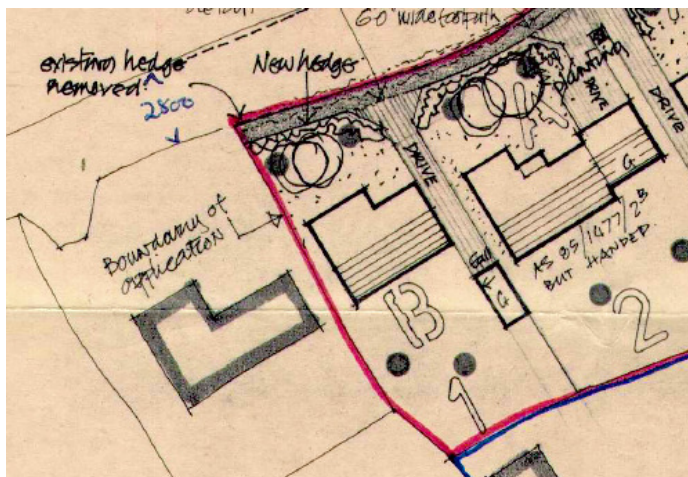
1.3 Relevant planning constraints/considerations

1.3.1 The site is unannotated land within the development boundary of Gellifor village as shown in the Local Development Plan.

1.4 Relevant planning history

1.4.1 There was a consent for six houses granted in 1986 on the site and on adjoining land. Five of the six consented dwellings were built out, with the application site remaining undeveloped. This permission remains extant, and therefore a two storey detached dwelling could be built here under this extant permission. The site is plot 1 / House type B on the approved plans:

1.4.2 The approved layout plan for the 1986 permission is below:



1.4.3 A previous application for a detached dwelling was refused in December 2017, on grounds of the detailing, impact on adjacent property, and inadequacy of parking .

1.4.4 An Outline planning application for a residential development on the housing allocation on the opposite side of the road is currently pending determination.

1.5 Developments/changes since the original submission

1.5.1 The applicant has provided a supporting statement addressing the points raised in public representations to the application This is summarised as follows:

1. 1980s permission was for a two-storey dwelling;
2. Plans are accurate and to scale;
3. Bungalow lies to the west and south and therefore the new development cannot overshadow or take light due to position of sun;
4. Proposed dwelling would be rendered, which would reflect light towards bungalow;
5. Proposed dwelling would shelter bungalow from prevailing bad weather;
6. Bungalow already has 2.4m panelled fence along length of its shared boundary with the proposed development;
7. The proposed development has been sited so that it projects beyond the rear of the bungalow to prevent overlooking from the rear windows to help protect privacy of neighbouring properties;
8. Upstairs bathroom windows would be obscure glass;
9. House to north-west has a 2m fence along its shared boundary along with 3.5m of conifer hedge surrounding its rear garden, and applicant does not consider the development would detrimentally effect this property;
10. The proposal is sympathetic with neighbouring properties and the design is drawn from Gellifor's eclectic architectural mix.

1.6 Other relevant background information

1.6.1 None.

2. **DETAILS OF PLANNING HISTORY:**

2.1 33/7700. Erection of 3 detached houses and 3 detached bungalows and access. Land to rear of Post Office, Gellifor. Granted 23/05/1986. The application site formed plot 1 of this permission. Plots 2 – 6 were built out and therefore this permission remains extant. The consent was for a two storey dwelling on the plot (house type B).

2.2 22/2017/1016. Erection of a detached dwelling and associated works. Refused 13/12/2017 for the following reasons:

1. *It is the opinion of the Local Planning Authority that due to the design, height, scale and form of the dwelling proposed, it would be out of character with the appearance of the neighbouring properties, and in particular it would appear to dominate the neighbouring single storey bungalow to the west. Due to the siting, scale and massing of the dwelling proposed and the proximity to the side elevations of neighbouring properties, it would also represent a cramped visual appearance in close proximity to the site frontage. It is considered the development would therefore be harmful to the visual amenity of the area and would detract from the character and appearance of the locality, contrary to Denbighshire Local Development Plan Policy RD1, and the advice and guidance contained in the Residential Development Supplementary Planning Guidance Note and Planning Policy Wales (Edition 9).*

2. *It is the opinion of the Local Planning Authority that due to the siting, design, scale and form of the dwelling proposed it would cause a substantial degree of harm to the occupiers of Hyfrydle to the west and 2 Tan y Foel to the east by way of its overbearing impact, and due to unacceptable overshadowing of private rear gardens and windows in the side and rear elevations of those neighbouring properties, resulting in an unacceptable loss of residential amenity contrary to Denbighshire Local Development Plan Policy RD 1 and the advice and guidance contained in the Residential Development Supplementary Planning Guidance Note and Planning Policy Wales (Edition 9).*

3. *It is the opinion of the Local Planning Authority that insufficient on site parking space has been provided, and the proposal is therefore contrary to Denbighshire Local Development Plan Policy ASA3 and the advice and guidance contained in the Parking Requirements in New Developments Supplementary Planning Guidance Note.*

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 RD1 – Sustainable development and good standard design

Policy BSC3 – Securing infrastructure contributions from Development
Policy BSC11 – Recreation and open space
Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

Parking Requirements in New Developments SPG
Open Space SPG
Planning Obligations 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

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 Landscape
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)
- 4.1.7 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main policy in the Local Development Plan which is relevant to the principle of housing development in towns and villages 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.

As the site is within the development boundary of Gellifor as defined in the Local Development Plan, the principle of the development proposed would be acceptable in terms of BSC1. The determination of the application should therefore rest on assessment of the local impacts of the proposal, which are reviewed in the following sections of the report.

With reference to the Development Plan and housing need, it is to be noted that at the time of drafting this report, the latest Joint Housing Land Availability Study (JHLAS) notes that Denbighshire has a 1.79 year supply of available housing land against a minimum National requirement of five years. This shortage and the positive contribution which the proposal would make to improving supply are also material considerations in respect of determining the application.

4.2.2 Visual 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 are matters relevant to the visual impact of development;

test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside;

test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines;

and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context..

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 visual amenity impacts of a development proposal are a material consideration.

The Council's SPG on Residential Development states that sufficient private garden space should be left after any development to ensure that enough space is kept between neighbouring properties so as to prevent a cramped, overcrowded feel to the area.

Representations received from neighbours and the Community Council raise visual amenity concerns. These focus on the size of the dwelling in relation to the narrow plot size and on the overall design and appearance of the dwelling in relation to the character and appearance of neighbouring properties and the general area.

As noted, the dwelling proposed is a two-storey property with a pitched hipped roof with flat roof single storey elements to the front and rear. Walls are proposed to have a mix of stone, render and wood cladding finishes and large window openings are proposed in the front and rear elevations.

The two neighbouring properties to the east are both two-storey modern detached dwellings with brick facing walls built in the early 1990s. The dwelling to the west is a single storey bungalow with rendered walls, with further two-storey dwellings further along the lane to the west.

The proposed dwelling would be set back from the side boundary by at least 1 metre on either side, and whilst the property proposed is larger than the previously approved house type which formed part of the 1986 extant consent, Officers do not consider the proposal would represent overdevelopment of the plot, nor would it result in a cramped, overcrowded feel to the area.

Whilst the dwelling proposed is not of the same style as the adjoining dwellings and would have a more contemporary appearance, there is a mix of housing types and styles in this area, with irregular gaps between properties. In this context, Officers consider the proposal would not be out of keeping with the character and appearance of the local area.

Having regard to the design, siting, scale, massing and materials of the proposed dwelling, in relation to the character and appearance of adjoining properties and surrounding area, Officers consider the proposals would not have an unacceptable

impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

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..

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.

Paragraph 7.92 of the SPG on Residential Development requires new development to pay due regard to the residential amenity standards set out for householder development in Section 6. Paragraph 6.41 states that new built houses should not overlook neighbouring houses or gardens, with at least 21 metres being achieved between habitable room windows and at least 15 metres separation between a wall with no habitable room windows and a wall with habitable room windows.

Representations received from neighbours and the Community Council have raised concerns relating to unacceptable overlooking and loss of privacy; overshadowing of neighbouring properties and gardens; and an overbearing impact.

Whilst first floor windows are proposed in both side elevations facing towards neighbouring properties, these would serve bathrooms and conditions could be imposed to ensure these windows are obscurely glazed and non-openable below a certain height in the interests of protecting the amenity of neighbours.

Concerns have also been raised regarding the potential to convert the loft, and there is some discrepancy over the number of proposed roof lights with the elevation plans showing only 1 roof light in the front elevation whereas the floor plans appear to show 3 roof lights. For the avoidance of doubt, a condition could be imposed to restrict window openings to only those shown on the elevation plans and for any additional window openings to require the consent of the local planning authority.

Due to the set-back distance between the proposed dwelling and the side boundaries, Officers do not consider there would be an unacceptable overlooking from the first floor windows in the rear elevation.

Subject to the imposition of necessary conditions to control window openings, Officers do not consider the proposal would result in any unacceptable overlooking of neighbouring dwellings.

The dwelling proposed at its deepest point has a length of some 17.2m and is set back within the site, and as a result it would project beyond the line of the rear elevation walls of the neighbouring properties.

In relation to the two storey neighbouring property to the east (2 Tan y Foel), the side elevation of the proposed dwelling would be 1m from the side boundary and 2.4m from the side elevation this neighbouring property.

In relation to the single storey neighbouring property to the west (Hyfrydle), the side elevation of the proposed dwelling would be 1.2m from the side boundary and 3m from the side elevation of this neighbouring property.

The introduction of a two storey dwelling at the application site would inevitably impact on the outlook of the two neighbouring properties, and in particular the bungalow to the west. However due to the setback distance from the boundary and the existing boundary treatments, Officers do not consider the dwelling would impact on the outlook of neighbouring properties to the extent that it could be considered to be overbearing. In respect of potential overshadowing and overbearing impacts, having regard to the fact this is a development plot, it is not considered with regard to the detailing of the scheme and existing site features, that a refusal recommendation would be merited on these grounds.

Whilst accepting issues are finely balanced, Officers do not consider the development would be unacceptable on residential amenity grounds. However, due to the relationship with the neighbouring properties and the size of the plot, Officers consider it would be reasonable to restrict permitted development rights in this instance to ensure control over future extensions and developments in the garden area.

4.2.4 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding.

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 drainage / flooding impacts of a development proposal are a material consideration.

Dwr Cymru have raised no objection to the proposal but have requested a condition is applied to prevent any surface water drainage discharging into the public sewerage network.

The application form indicates that foul water drainage will be disposed of by connection to the main sewer, and surface water would discharge to soakaways.

Subject to the imposition of conditions, Officers are satisfied the proposal would not have adverse impacts on drainage.

4.2.5 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require 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.

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 highway impacts of a development proposal are a material consideration.

Representations have been received raising concerns relating to highway safety due to the road being used for school traffic, the narrowness of the lane and restricted visibility.

Highways Officers have raised no objection to the proposal, subject to a condition requiring the on site parking to be completed before the development is first brought into use and retained as such.

As noted, the development is proposing to widen and reposition a vehicular access to the highway and provides space for two cars on the driveway and a further space in the proposed garage.

Having regard to the views of Highway Officers, Officers would therefore be of the view that the proposal would not give rise to an unacceptable impact on highway safety.

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.

Table 4 in the Open Space SPG (adopted March 2017) sets out thresholds for on-site provision and financial contributions. It specifies that for schemes of 1 – 30 dwellings, open space obligations should be met through financial contributions rather than onsite provision, however 5.4.9 of the SPG does state that the thresholds are indicative, and onsite provision for sites of less than 30 will be considered on their merits.

It is considered that the proposal would be acceptable in relation to open space policy subject to the requisite contribution being secured. It is considered that this could be done through an appropriately worded condition.

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 proposal is for a large three-bedroom dwelling with a contemporary appearance. Officers do not consider the proposal would represent overdevelopment of the plot, and due to the mix of housing styles along the road frontage, it is not concluded that the design and appearance of the dwelling would have an unacceptable impact on the character and appearance of the locality.
- 5.2 Officers acknowledge the proposal would have an impact on neighbouring properties as it would alter the outlook from windows in the side elevations. However it is not concluded that the impacts on outlook and any potential overshadowing are so significant to justify refusal .

5.3 Conditions are proposed to control windows in the side elevations and due to the relationship with the neighbouring properties and the size of the plot, Officers consider it would be reasonable to restrict permitted development rights in this instance as any future alterations or additions to the dwelling.

5.4 Notwithstanding concerns raised regarding highway safety, having regard to the views of the Council's Highway Officer, Officers do not consider the proposal would adversely impact on highway safety subject to a condition requiring the parking and turning space to be completed before the development first comes into use.

5.5 On balance, Officers do not consider the proposal would give rise to unacceptable impacts on visual amenity, residential amenity or highway safety and it is therefore recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 20th June 2018
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 north and south elevations (Drawing No. A-005 Rev. AA) received 10 April 2018
 - (ii) Proposed east and west elevations (Drawing No. A-006 Rev. AA) received 10 April 2018
 - (iii) Proposed floor plans (Drawing No. A-003 Rev. AA) received 10 April 2018
 - (iv) Floor and roof plans (Drawing No. A-002 Rev. AA) received 10 April 2018
 - (v) Site layout plan (Drawing No. A-004 Rev. AA) received 10 April 2018
 - (vi) Location plan (Drawing No. A-001 Rev. AA) received 10 April 2018
3. Notwithstanding the approved plans, the first floor windows in the east and west side elevations shall not be as shown but shall be obscurely glazed and non-opening below 1.7m above internal finished floor levels, and no windows additional to those shown on the approved elevation plans (Drawing No. A-006 Rev. AA) shall be inserted at any time in the side elevations of development hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.
4. 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
5. Facilities shall be provided and retained within the site for the parking of vehicles in accordance with the approved plan and shall be completed prior to the dwelling being brought into use
6. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
7. 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 interests of residential amenity.
4. In the interests of residential and visual amenity
5. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety
6. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

7. In the interest of compliance with adopted open space policies.

NOTES TO APPLICANT:

HIGHWAY NOTE:

Please be advised that separate consent will be required under Section 184 of the highways Act 1980 for the widening of the existing access. Please contact Gail McEvoy, Highway Engineer to discuss:

Email:gail.mcevoy@denbighshire.gov.uk / Tel: 01824 706882

The following matters are also drawn to your attention as Advisory Notes.

- (i) Highway Supplementary Notes Nos. 1,3,4,5 & 10
- (ii) New Roads and Street Works Act 1991-Part N Form
- (iii) Highways Act 1980 Section 184 Consent to Construct/Alter a Vehicular Crossing over a verge.

DWR CYMRU / WELSH WATER NOTE:

Please be advised that you may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

Some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. Under the Water Industry Act 1991 Dwr Cymru / Welsh Water has rights of access to its apparatus at all times.