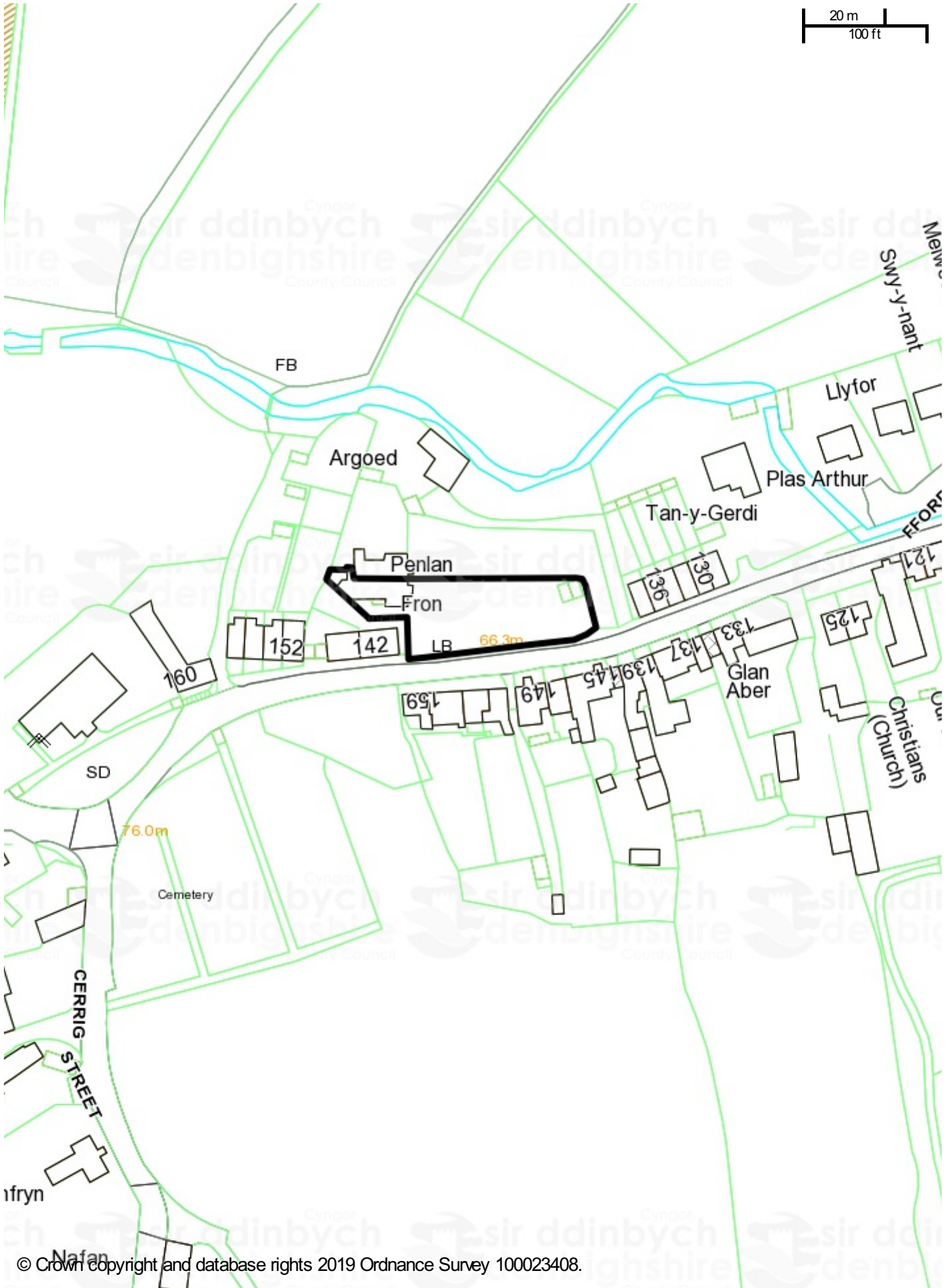


20 m  
100 ft



© Crown copyright and database rights 2019 Ordnance Survey 100023408.

02/2018/1108

Scale: 1:1250

Printed on: 13/8/2019 at 14:33 PM



© Denbighshire County Council



# PROPOSED SITE PLAN

PROJECT NO. 1502  
 DATE 15/01/2015  
 DRAWN BY: J. SMITH  
 CHECKED BY: J. SMITH  
 PROJECT NAME: PROPOSED SITE PLAN  
 CLIENT: Y Fron, Ruthlin

REV. DESCRIPTION DATE

REV.	DESCRIPTION	DATE
1	Issue for Planning	15/01/2015
2	Final Design	15/01/2015
3	Final Design	15/01/2015
4	Final Design	15/01/2015
5	Final Design	15/01/2015
6	Final Design	15/01/2015
7	Final Design	15/01/2015



Y Fron, Ruthlin

Proposed Site Plan

1:250  
 RAL  
 MOH

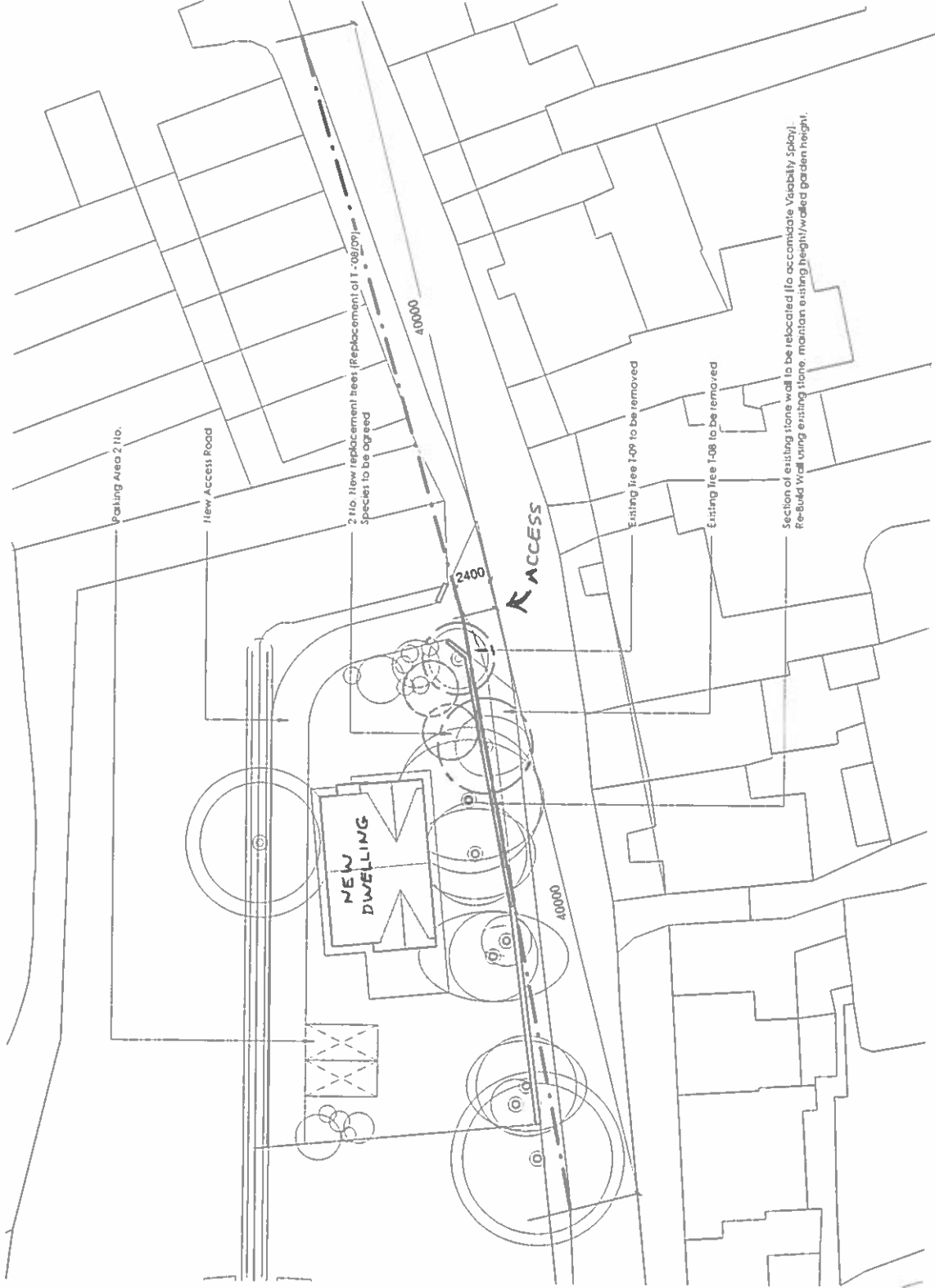
5681 SK01 E



Leighton House  
 1502, 1503, 1504, 1505  
 1506, 1507, 1508, 1509  
 1510, 1511, 1512, 1513  
 1514, 1515, 1516, 1517  
 1518, 1519, 1520, 1521  
 1522, 1523, 1524, 1525

High Guide  
 1502, 1503, 1504, 1505  
 1506, 1507, 1508, 1509  
 1510, 1511, 1512, 1513  
 1514, 1515, 1516, 1517  
 1518, 1519, 1520, 1521  
 1522, 1523, 1524, 1525

1502, 1503, 1504, 1505  
 1506, 1507, 1508, 1509  
 1510, 1511, 1512, 1513  
 1514, 1515, 1516, 1517  
 1518, 1519, 1520, 1521  
 1522, 1523, 1524, 1525

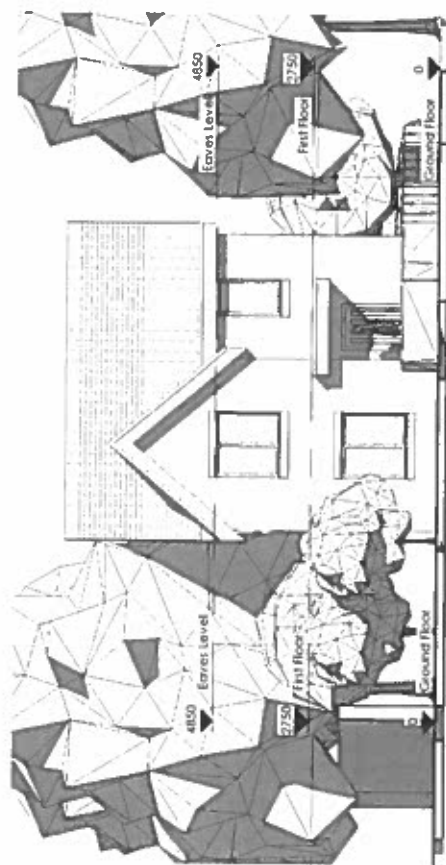


**Proposed - Proposed Site Plan**

Scale: 1:250

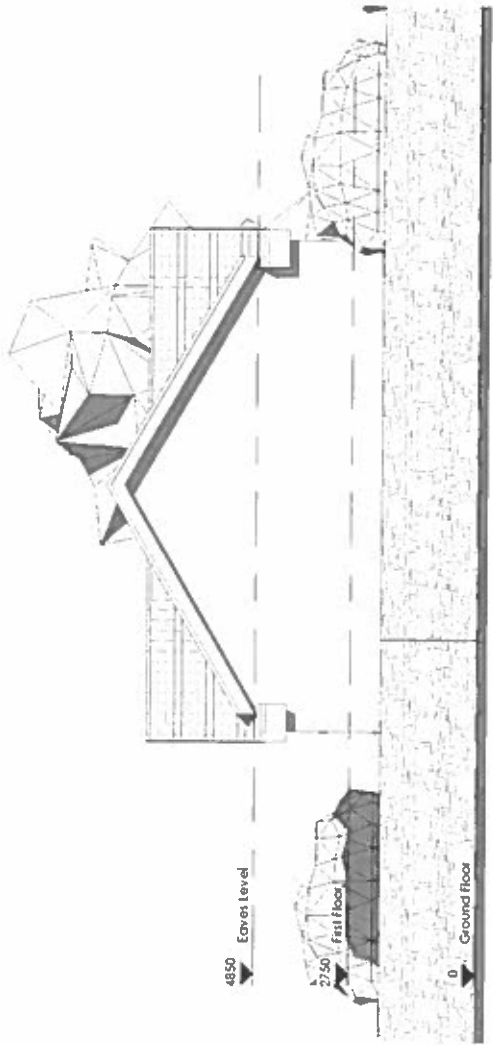


# PROPOSED ELEVATIONS



**Proposed Front Elevation**

Scale: 1 : 100



**Proposed Side Elevation A**

Scale: 1 : 100

**GENERAL NOTES**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE LOCAL ORDINANCES.  
 2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.  
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 4. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.  
 5. ALL WORK SHALL BE SUBJECT TO THE ARCHITECT'S GENERAL CONDITIONS OF CONTRACT.

Rev.	Description	Date
1	Final Elevation	08/11/2023
2	Client Changes	08/11/2023
3	Final Elevation	08/11/2023
4	Client Changes	08/11/2023
5	Final Elevation	08/11/2023



Architect  
**Y Fron Ruthin**  
 Design Reference  
**Proposed Elevations**  
 Scale: A3  
 Drawn By: **RAL**  
 Checked By: **MOH**

Project Number: **5681**  
 Drawing Number: **SK03**  
 Revision: **D**



**Laughton Maize**  
 2100 California Street  
 San Francisco, CA 94115  
 Phone: 415.774.1111  
 Email: laughton@maize.com  
**Head Studio**  
 1000 Market Street  
 San Francisco, CA 94102  
 Phone: 415.774.1111  
 Email: head@maize.com



# PROPOSED ELEVATIONS

**GENERAL NOTES**

1. ALL WORK TO BE ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011.
2. ALL WORK TO BE ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011.
3. ALL WORK TO BE ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011.
4. ALL WORK TO BE ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011.
5. ALL WORK TO BE ACCORDANCE WITH THE CURRENT EDITIONS OF THE NATIONAL BUILDING REGULATIONS 2011.

Rev.	Description	Date
1	Initial	01/10/18
2	Client Approval	20/10/18
3	Client Approval	20/10/18
4	Client Approval	20/10/18
5	Final Approval	20/10/18
6	Final Approval	20/10/18



**Working Title:**  
Y Fron, Ruthin

**Working Discipline:**  
Proposed Elevations

**Scale:** A3 1 : 100  
**Drawn By:** RAL  
**Checked by:** MOH

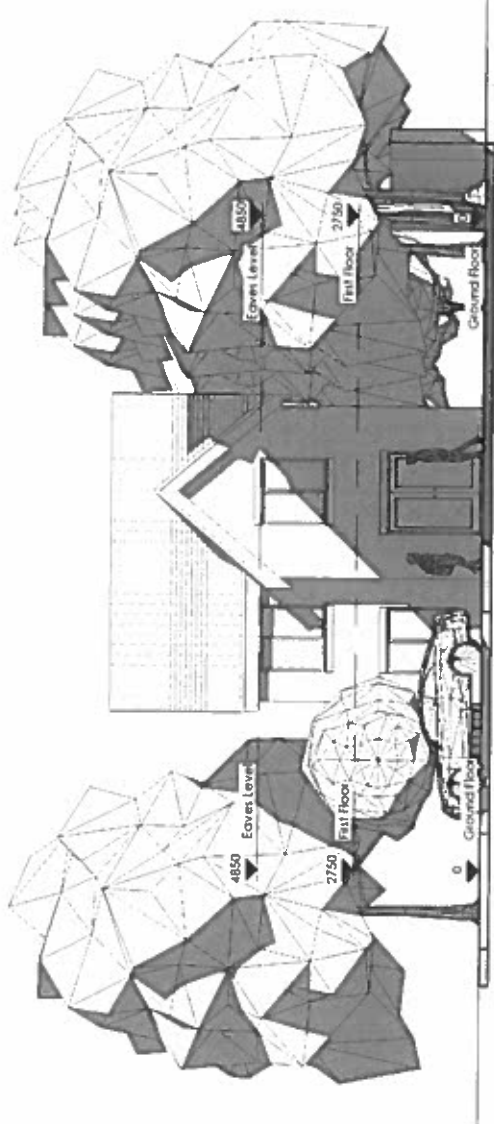
**Project Number:** 5681  
**Drawing Number:** SK04  
**Revision:** D

**d2 architects**

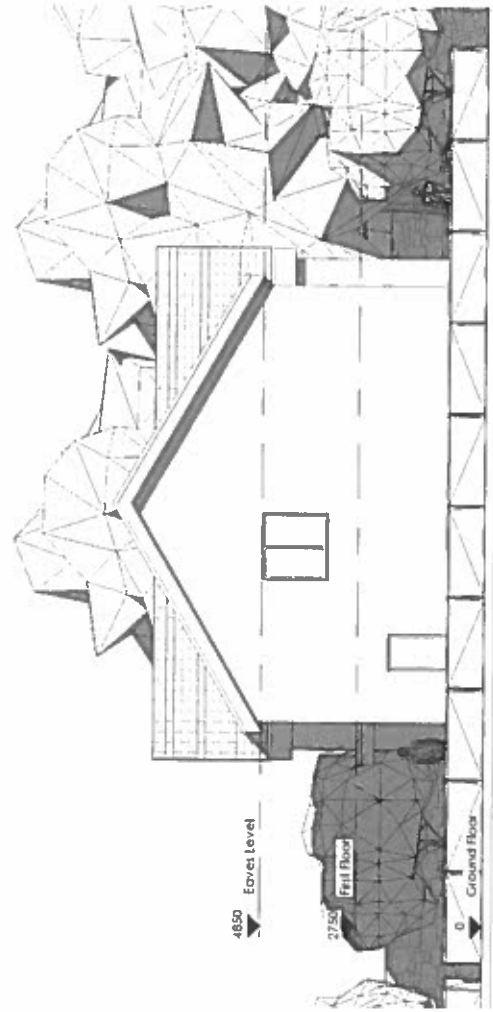
**Singleton House**  
11 Church Street, Ruthin, Denbighshire, LL19 2JF

**Media Studio**  
Ffordle, Ruthin, Denbighshire, LL19 2JF

Tel: 01344 275 247 / 01873 23397  
Fax: 01344 275 248 / 01873 23397  
Email: info@singletonhouse.co.uk



**Proposed Rear Elevation**  
Scale: 1 : 100



**Proposed Side Elevation B**  
Scale: 1 : 100





# PROPOSED FLOOR PLAN

SENTINEL  
 10000 100th Ave S  
 Suite 100  
 Greenwood, CO 80120  
 Phone: 303.440.1100  
 Fax: 303.440.1101  
 Email: info@sentinel.com

PROJECT: 5681  
 DATE: 08/12/11

NO. Description Date  
 1. 10000 100th Ave S 08/12/11  
 2. 10000 100th Ave S 08/12/11  
 3. 10000 100th Ave S 08/12/11  
 4. 10000 100th Ave S 08/12/11



Prepared by  
**Y Fron, Ruthin**

Scale  
**Proposed Floor Plans**

Scale: 1:100  
 RAL  
 MOH

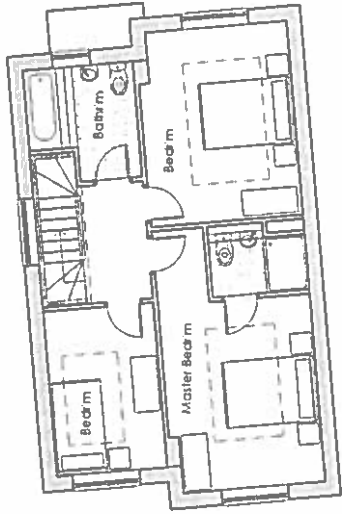
Project: 5681  
 Date: 08/12/11  
**5681 SK02 D**



Stoughton House  
 10000 100th Ave S  
 Greenwood, CO 80120

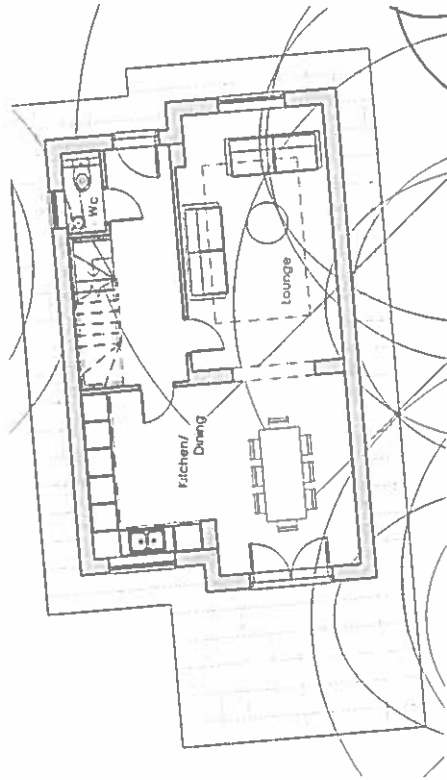
Mark Studio  
 10000 100th Ave S  
 Greenwood, CO 80120

10000 100th Ave S  
 Greenwood, CO 80120



**Proposed - First Floor Plan**

Scale: 1 : 100



**Proposed - Ground Floor Plan**

Scale: 1 : 100







**WARD :** Ruthin

**WARD MEMBERS:** Cllr Emrys Wynne (c )  
Cllr Bobby Feeley  
Cllr Huw Hilditch – Roberts.

**APPLICATION NO:** 02/2018/1108/ PF

**PROPOSAL:** Erection of a detached dwelling and alterations to existing vehicular access

**LOCATION:** Land at (Part garden of) Y Fron, Mwrog Street Ruthin LL15 1LG

**APPLICANT:** Mr Justin Astbury

**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**

- Recommendation to grant / approve – 4 or more objections received

**CONSULTATION RESPONSES:**

RUTHIN TOWN COUNCIL:  
"No objections"

DWR CYMRU/WELSH WATER:  
No objection

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Highways Officer  
No objection

Conservation Officer  
No objection to the application, considers it important that existing trees are protected, replacement trees are provided and alterations to the wall are carried out to match the existing wall.

Ecologist  
No objections, replacement tree planting should be secured by a planning condition to ensure no net loss of trees on the site.

**RESPONSE TO PUBLICITY:**

In objection  
Representations received from:  
N. Patel, 150, Mwrog Street, Ruthin  
Lynette Hughes, Cartrefle,  
149 Mwrog Street, Ruthin

Catrin Phillips, Penlan, Mwrog Street, Rhuthun  
Roger Goldsworthy, 10 Sea View Terrace, Aberdyfi  
Frieda Buhler, Nannau, 137 Mwrog Street, Ruthin

Summary of planning based representations in objection:

Impact on Residential Amenity:

Concern is raised that the proposal would result in a loss of privacy for neighbouring residents

Impact on Highway Safety:

The increased use of the access in this location where the highway is narrow would result in a loss of highway safety.

Impact on Conservation Area:

The design of the dwelling and its siting within the plot would harm the character of the Conservation Area.

In support

Representations received from:

Owner/Occupier, Tan Rhiw, 158 Mwrog Street, Ruthin

Summary of planning based representations in support:

The proposal would improve the safety of pedestrians on the adjacent footpath

**EXPIRY DATE OF APPLICATION: 06/09/2019**

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application seeks full planning permission to erect a detached dwelling on part of the curtilage of the dwelling, Y Fron with alterations to the existing vehicular access.
- 1.1.2 The plans are submitted following a refusal of permission in 2018 based on the design detailing and residential amenity impacts of the dwelling then proposed, and a dismissed planning appeal, and seek to address the grounds on which these refusals were based.
- 1.1.3 The proposed dwelling would be accessed from a widened access on Mwrog Street which would also serve the existing dwelling Y Fron. An existing outbuilding to the front of the site is shown to be demolished to allow for the improvements to the access and to enable a parking area to be created.
- 1.1.4 The stone boundary wall to the site would be rebuilt further back in the site to allow improved visibility splays. To accommodate this, a number of trees are to be removed with replacement planting proposed following construction work.
- 1.1.5 The dwelling proposed is a two storey dwelling consisting of a kitchen/dining area, living room and WC with 3 bedrooms and a bathroom at first floor level.
- 1.1.6 Externally the dwelling would be designed to gable onto Mwrog Street, with its main windows on the elevations at 90 degrees to the street. It is proposed to construct the property with rendered walls and a slate roof.
- 1.1.7 The detailing of the dwelling is shown in the plans at the front of this report.

## 1.2 Description of site and surroundings

- 1.2.1 The site lies to the front of Y Fron and is part of the garden area of the property. A row of terraced houses stands to the south and to the east. To the west of the site the properties are semi-detached. With the exception of Y Fron, Penlan and Argoed (which is set back from the road) the dwellings mainly front on to Mwrog Street.
- 1.2.2 There is an existing stone boundary wall along the frontage of the site with a number of trees just inside the boundary.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Ruthin and is located within a Conservation Area as designated in the Local Development Plan.

## 1.4 Relevant planning history

- 1.4.1 A previous planning application for a similarly dwelling on this plot was refused planning permission in 2018. The basis of this decision was that the proposal would have a detrimental impact on the character of the Conservation Area, and would not provide an adequate amount of amenity for the occupants of the proposed dwelling.
- 1.4.2 The decision was subsequently appealed. In dismissing the appeal, the Inspector considered all issues that had been raised. The Inspector considered that whilst the design of the dwelling itself was acceptable, the reduction/loss of the stone boundary wall would have a detrimental impact on the Conservation Area. With regard to the amenity concerns of local residents, the Inspector considered that the proposal would not adversely impact upon the neighbouring properties, and would provide sufficient amenity for future occupants.
- 1.4.3 Having regard to the Inspector's decision, it is clear that the only ground for refusal that was accepted by the Inspector was that relating to the loss of the stone boundary wall. The proposal was acceptable in all other respects.
- 1.4.4 This current scheme has been amended having regard to the appeal decision and specific comments of the Planning Inspector. The proposal is that the boundary wall would be rebuilt to the same height as existing, but set back within the site so as to allow for adequate visibility for vehicles leaving the site onto the public highway.

## 1.5 Developments/changes since the original submission

- 1.5.1 The plans for the dwelling and access have been amended to address concerns raised in relation to the loss of trees.

## 1.6 Other relevant background information

- 1.6.1 None.

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

- 2.1 02/2018/0343/PF - Erection of a detached dwelling and alterations to existing vehicular access. REFUSED under delegated powers on 18<sup>th</sup> September, 2018 for the following reasons:-

*It is the opinion of the Local Planning Authority that the proposal does not respect the site and surroundings by virtue of its siting and design and would therefore have an adverse impact upon the visual amenity of the area and fail to enhance or preserve the character of the Conservation Area. As such the proposal is in conflict with criteria i) and ii) of Policy RD 1 and Policy VOE 1 in Local Development Plan, advice as contained in the Residential Development and Conservation Areas SPG's and Planning Policy Wales (Edition 9) 2016.*

*It is the opinion of the Local Planning Authority that the proposal would not provide a sufficient degree of residential amenity for the proposed dwelling as a result of the location of a driveway along the sites rear boundary serving an unrelated dwelling, and the reduction in the height of the front boundary wall. The result being that there would be an unacceptable level of disturbance to the proposed dwelling by vehicular movements to the rear, and a lack of privacy in the garden area. The proposal is therefore in conflict with criteria vi) of Policy RD1, advice as contained in the Residential Development SPG and Planning Policy Wales (Edition 9) 2016.*

APPEAL reference APP/R6830/A/18/3213259 was submitted 22<sup>nd</sup> October, 2018.

Appeal DISMISSED on basis that the reduction in height of the boundary wall would be detrimental to the character of the Conservation Area.

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

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
**Policy RD1** – Sustainable development and good standard design  
**Policy BSC3** – Securing infrastructure contributions from development  
**Policy BSC11** – Recreation and open space  
**Policy VOE1** – Key areas of importance  
**Policy ASA3** – Parking standards

#### 3.1 Supplementary Planning Guidance

SPG – Residential Space Standards  
SPG – Access for All  
SPG – Parking  
SPG - Residential Development  
SPG – Residential Development Design Guide  
SPG – Conservation Areas

#### 3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018  
Development Control Manual November 2016  
Technical Advice Note 12: Design  
Technical Advice Note 18: Transport  
Technical Advice Note 24: The Historic Environment

### **4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 Highways (including access and parking)
- 4.1.5 Impact on the Conservation Area
- 4.1.6 Recreation and open space
- 4.1.7 Other matters

#### 4.2 In relation to the main planning considerations:

##### 4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages. It encourages provision of a range of house sizes, types and tenure to reflect local need and demand and the Local Housing market assessment.

The site is located within the development boundary of Ruthin which is defined as a Lower Growth Town in the Local Development Plan.

The principle of housing development is therefore considered acceptable and Officers would suggest the acceptability of the particular proposals therefore has to rest on assessment of the local impacts, which are reviewed within the following sections of the report.

##### 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.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration. The area is characterised by smaller dwellings – older terraces to the front of the site, modern detached dwellings to the east etc. All have fairly standard roof pitches and there is a general theme of symmetry and rhythm within the street scene. Materials are a combination of render, natural stone, slate roofs and tile roofs.

There are local representations raising concerns in relation to the impact of the proposal on the character of the area.

The detailing of the dwelling is similar to that submitted in the previous application, which was refused in part due to the perceived harm to the visual amenity of the area. However, in the consideration of the Appeal, the Planning Inspector concluded that the design of the dwelling was acceptable, but that the loss/reduction of the boundary wall would have a detrimental impact on the visual amenity of the area. The current scheme proposes the rebuilding of the boundary wall further back in the site, thereby overcoming the concern of the Inspector.

In Officers opinion, based on the plans submitted and the comments of the Planning Inspector, having regard to the siting, form, design and detailing of the proposal, in relation to the character of development in the locality, the proposed design would respect the site and surroundings and is in accord with criteria i) of Policy RD 1. Planning conditions are suggested to ensure the detailing of the materials and landscaping of the site are appropriate.

#### 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 Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

There are local representations raising concerns that the proposal would result in a loss of privacy for neighbouring residents.

With regard to the relationship of the proposed dwelling to existing residential properties, the Residential Development SPG advises a minimum separation distance of 21 metres where dwellings front and back onto each other, and 15m where the side of a dwelling faces the front of another dwelling. The submitted plans indicate that these minimum distances are achieved. With regards to over-looking of private amenity space (gardens), it is advised that first floor bedroom windows should be 7.5 metres from the boundary. The submitted plans indicate that these minimum distances are achieved.

Adopted guidance in the Residential Space Standards SPG advises that dwellings should have a minimum of 40sqm private amenity space. The proposal indicates a rear garden in excess of 80sqm.

Whilst the comments of the local objectors are noted, it is not considered that the dwelling will cause significant harm by way of an overbearing impact or loss of privacy on existing properties which would justify a refusal of planning permission. Concerns regarding loss of views are respected, but this is not a planning consideration that can be accorded weight.

It should also be noted that the previous refusal featured similar separation distances and amenity areas to what is now proposed. The Planning Inspector concluded that the proposal would not have an unacceptable adverse impact upon residential amenity.

In Officers' opinion, based on the plans submitted and the comments of the Planning Inspector, having regard to the siting, form, design and detailing of the proposed dwelling in relation to the impact upon residential amenity, the proposal would not have any unacceptable impacts.

#### 4.2.4 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. The Parking Standards in New Developments SPG sets out the maximum parking standards for new development. These policies reflect general principles set out in Planning Policy Wales (PPW 10) and TAN 18 – Transport, in support of sustainable development.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

There are local presentations raising concerns that the increased use of the access in this location, where the highway is narrow would result in an adverse impact on highway safety.

The proposal is to alter the existing access point onto Mwrog Street which currently serves the existing dwelling. The proposal includes a widened and improved access to allow for it to serve the existing and proposed dwelling and involves the removal and re-building of a large section of the front boundary wall set further back to allow adequate visibility in each direction. Car parking and turning space is available within the site for the proposed dwelling.

The Highways Officer has raised no objection and considers the proposal to be acceptable in highway safety terms.

The scheme is therefore considered acceptable and in accordance with Policies RD 1 and ASA 3.

#### 4.2.5 Impact on the Conservation Area

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.

Planning Policy Wales (PPW 10) Chapter 6 'Distinctive and Natural Places' states there should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting.

There are local representations raising concerns that the proposal would result in an adverse impact on the character of the area and Conservation Area.

The area is characterised by smaller dwellings, some older terraces and modern detached dwellings to the east. All of the properties have relatively standard roof pitches and there is a general theme of symmetry and rhythm within the street scene. Materials are a combination of render, natural stone, slate roofs and tile roofs.

The proposal is similar to the design submitted for the previous application which was refused in part due to the perceived harm to the visual amenity and character of the Conservation Area. However, in the consideration of the Appeal, the Planning Inspector concluded that the design of the dwelling was acceptable, but that the

loss/reduction of the boundary wall would have a detrimental impact on the visual amenity of the area. The current scheme proposes the rebuilding of the boundary wall further back in the site to allow for adequate visibility splays, thereby overcoming the concern of the Inspector.

In Officers' opinion, based on the plans submitted and the comments of the Planning Inspector, having regard to the siting, form, design and detailing of the proposal, in relation to the character of the Conservation Area, the proposed detailing would respect the character of the Conservation Area. A planning condition is suggested to ensure the final detailing of the external materials is appropriate.

#### 4.2.6 Recreation and 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 new 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.

An Open Space Assessment and Audit Report has been completed by the Council and provides the evidence base for Policy BSC 11. The report assesses the quantity, quality and accessibility of existing open spaces in the County on a community area basis with some additional information on an electoral ward basis.

In relation to the application, the assessment shows the Maes Hafod children's play area to be the closest equipped play area to the application site, this has been identified as currently being of low quality and any commuted sum funds generated from this development could contribute to improvements at this site which would be of direct benefit to the future residents of the property.

On the basis of the evidence within the Open Space Assessment and Audit Report, it is considered that the proposal should make a financial contribution to mitigate the increased usage on the existing open space and play equipment within the area.

The proposal is considered acceptable in relation to Policy BSC 11 subject to the requisite contribution being secured through an appropriate agreement.

#### 4.2.7 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 principle of the proposal is considered to be in accordance with planning policy and the localised impacts are considered to be acceptable, subject to appropriate conditions being attached to any permission.
- 5.2 The proposal has been amended to take into account the conclusions of the Planning Inspector who dismissed the appeal against the refusal of permission in 2018, and as such, the harm to the Conservation Area is considered to have been mitigated.
- 5.3 The recommendation is subject to the completion of an agreement in accordance with Section 106 of the Planning Act to secure the relevant Open Space contribution of £1237.22. The Certificate of Decision on the application would only be released on completion of the agreement, and in the event of this not being completed within a period of 6 months from the date of this Committee, the application would be re-presented to Committee for reconsideration against the Council's Policies and Guidance in place at that time.

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

1. The development to which this permission relates shall be begun no later than .....insert DATE 2024
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 soakaway received 13 November 2018
  - (ii) Proposed front and side elevations (Drawing No. SK03D) received 8 May 2019
  - (iii) Proposed rear and side elevations (Drawing No. SK04D) received 8 May 2019
  - (iv) Proposed floor plans (Drawing No. SK02D) received 8 May 2019
  - (v) Sketch image (Drawing No. SK05D) received 8 May 2019
  - (vi) Image 1 (Drawing No. SK06D) received 8 May 2019
  - (vii) Image 2 (Drawing No. SK07D) received 8 May 2019
  - (viii) Image 3 (Drawing No. SK08D) received 8 May 2019
  - (ix) Image 4 (Drawing No. SK09D) received 8 May 2019
  - (x) Proposed site plan (Drawing No. SK01E) received 8 May 2019
  - (xi) Existing and proposed street elevations (Drawing No. PL08C) received 28 November 2018
  - (xii) Existing site plan (Drawing No. EX02) received 28 November 2018
  - (xii) Location plan (Drawing No. EX01) received 28 November 2018
  - (xiii) Tree Constraints Plan (Drawing No. 12/4/19 Rev. 3) received 8 May 2019
3. No development shall be permitted to commence on the external faces of the walls or roofs of any buildings until the written approval of the Local Planning Authority has been obtained to the details of all the materials and finishes it is proposed to use thereon, including, where relevant, the texture, type and colour of the finish.
4. The dwelling shall not be occupied until the written approval of the Local Planning Authority has been obtained to details of a full landscaping scheme including details of all hard surfaces, boundary treatments and detailed planting specifications. The approved details shall be implemented in full no later than 6 months following the first occupation of the dwelling.
5. The access shall be laid out and constructed in accordance with the approved plans before the dwelling is first occupied and shall be retained at all times thereafter.
6. The developer shall ensure that a suitably qualified archaeological contractor is present during the undertaking of any ground works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief must meet

the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs. The Local Planning Authority will be informed in writing, at least two weeks prior to the commencement of the development, of the name of the said archaeological contractor. 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.

7. No trees within the site shown as being retained shall be lopped, topped, or felled without the written approval of the Local Planning Authority.

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 character of the Conservation Area.
4. To ensure a satisfactory standard of development and to protect the visual amenity of the area.
5. To ensure the formation of a safe and satisfactory access in the interest of highway safety.
6. To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the consented development.
7. In the interest of visual amenity and character of the area.

#### **NOTES TO APPLICANT:**

Dwr Cymru Welsh Water Advisory Note

##### **ASSET PROTECTION**

The proposed development site is crossed by a public sewer with its approximate position being marked on the attached Statutory Public Sewer Record. Under Section 159 of the Water Industry Act 1991, Dwr Cymru Welsh Water has rights of access to its apparatus at all times, and as such would require an easement of 3m either side of the centreline of this pipe. Should the proposed development be located within the protection zones of the sewer crossings, there would be a requirement to divert the public sewer, which can be applied for under Section 185 of the Water Industry Act 1991.

##### **SEWERAGE**

We note the developer proposes to dispose of foul flows from the proposed development via the public sewerage system and discharge surface water run-off into a soakaway system. Dwr Cymru Welsh Water consider these drainage arrangements to be acceptable in principle. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

The applicant 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](http://www.dwrcymru.com).

The applicant is also advised that some public sewers and lateral drains may not be recorded on DCWW's 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. In order to assist DCWW in

dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

If you have any queries please contact 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)