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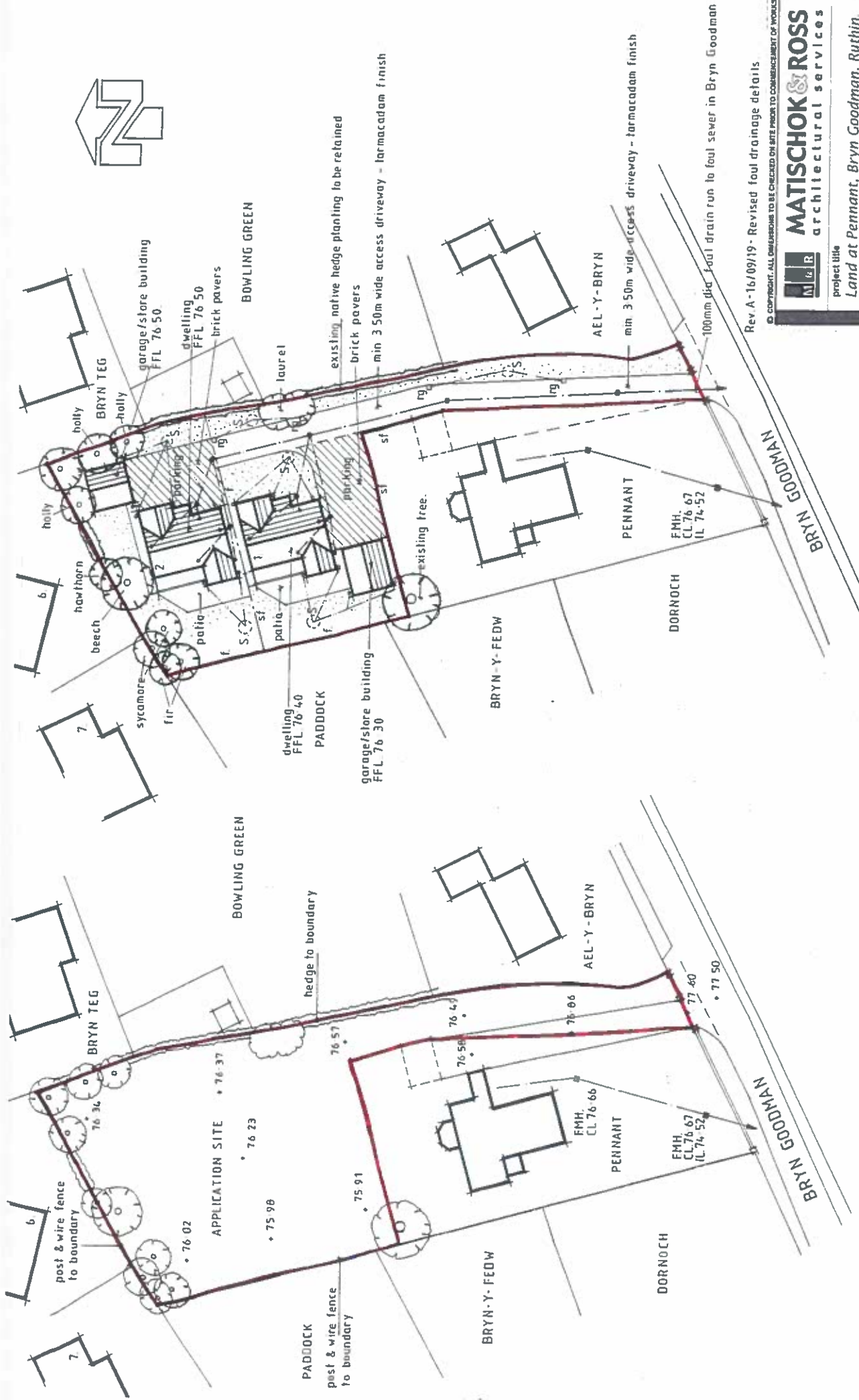
Printed on: 23/9/2019 at 16:05 PM



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# EXISTING & PROPOSED SITE PLANS



**EXISTING SITE LAYOUT PLAN**  
1:500

**PROPOSED SITE LAYOUT PLAN**  
1:500

- 100mm dia foul drain run
  - 100mm dia surface water drain run
  - S Soakaway construction
- For General Landscaping & External Work details and specifications - see drawing no 0822/6

Rev A-16/09/19 - Revised foul drainage details  
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**MATISCHOK & ROSS**  
architectural services

project title  
**Land at Pennant, Bryn Goodman, Ruthin**

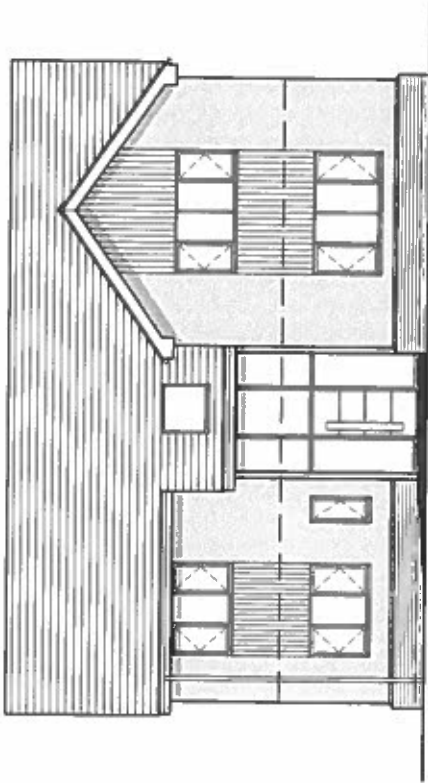
drawing title  
**Existing & Proposed Site Layout Plans.**

project no.	drawing no.	revision
0822	1	A
date	scale	drawn by
12/07/2019	1:500	P M

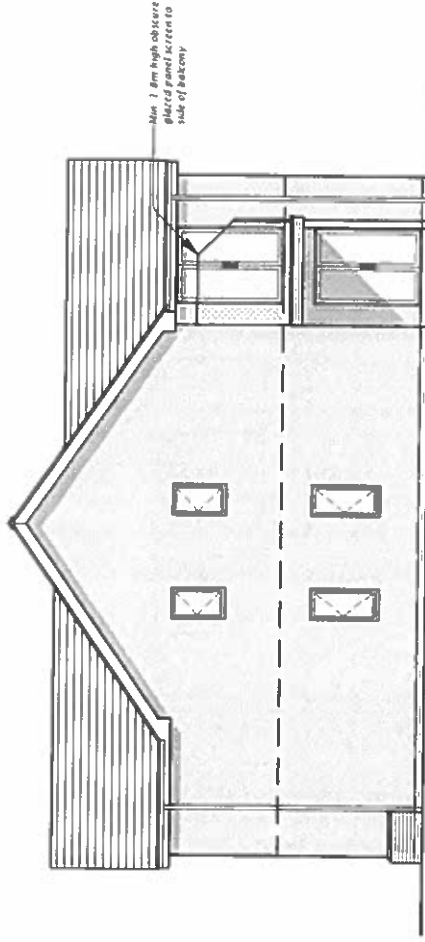
Birch House, Hen Lon Parcwr, Ruthin, Denbighshire, LL15 1NA  
t 01824 705 222 e 01824 707 171  
m mail@matischokross.co.uk w www.matischokross.co.uk



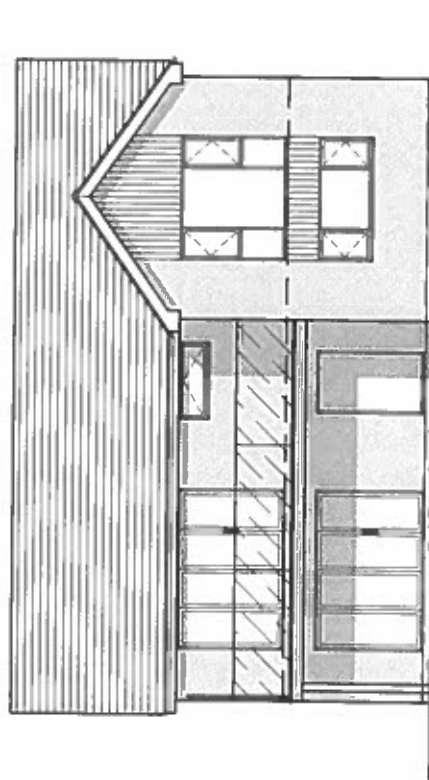
# PROPOSED ELEVATIONS



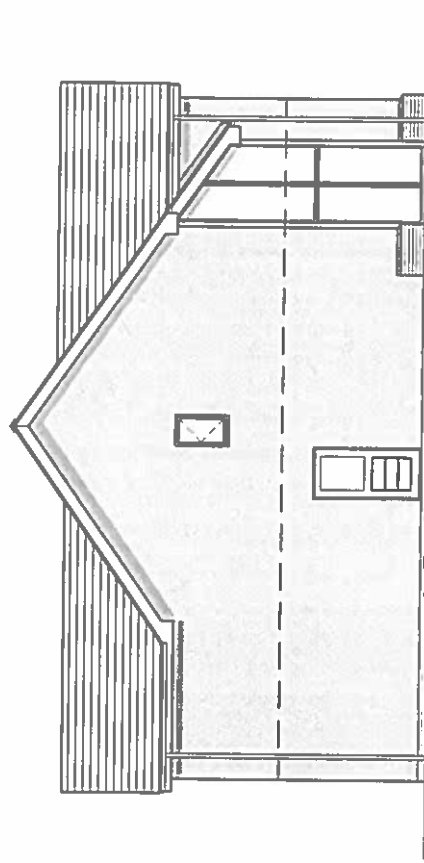
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

External Materials - all to Local Authority approval

Roof - New or second hand natural mineral slates (blue/grey) or New Redland Cambrian re-constituted slates.

Walls - Smooth self-coloured render (finish to Rend or other approved) with facing brickwork plinth.


Vertical boarded natural timber cladding or fibre cement/composite boarded cladding where shown with glass balustrade/guarding to balcony.

Rainwater Goods - Dark grey upvc or Lindab galvanneal gutters and down pipes.

Windows & External Doors/Frames - Dark grey aluminium/upvc windows & doors.

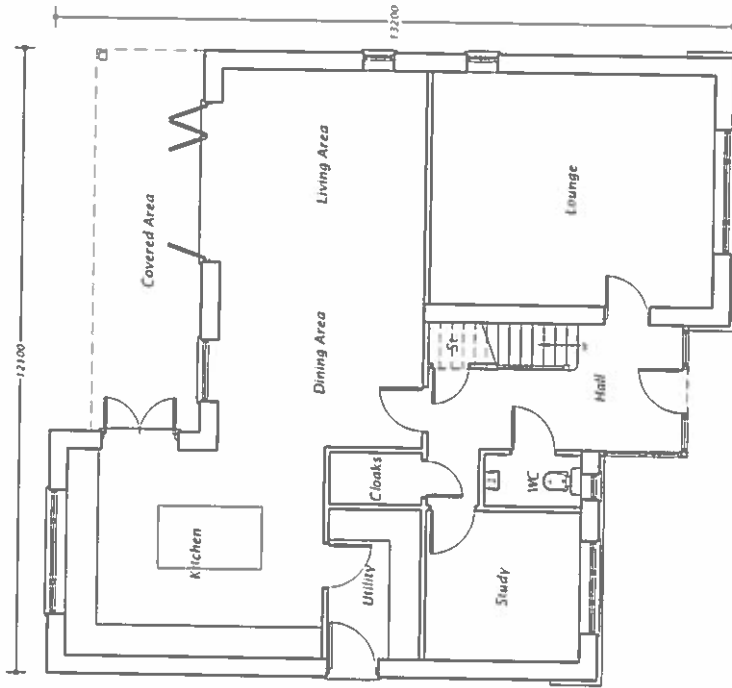
Fascia, Soffit & Barge Boards - Dark grey upvc fascia's, barge boards & sloping soffit boards.

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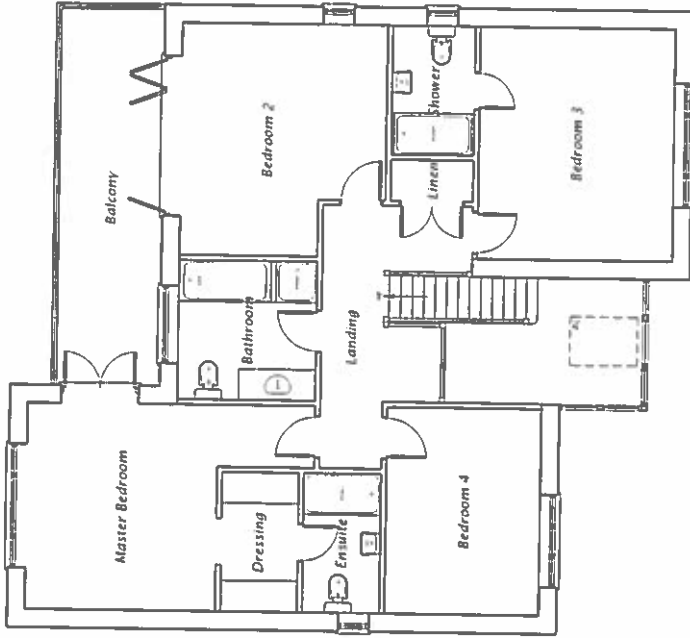
 <b>MATISCHOK &amp; ROSS</b> architectural services		
project title <b>Land at Pennant, Bryn Goodman, Ruthin.</b>		
drawing title <b>Proposed Elevations.</b>		
project no. <b>0822</b>	drawing no. <b>3</b>	revision
date <b>11/07/2019</b>	scale <b>1:100</b>	drawn by <b>SR</b>
Birch House, Hen Lon Parerw, Ruthin, Denbighshire, LL16 1NA t 01824 705 222 & 01824 707 171 e mail@matischokross.co.uk w www.matischokross.co.uk		



PROPOSED FLOOR PLANS



Ground Floor Layout Plan



First Floor Layout Plan

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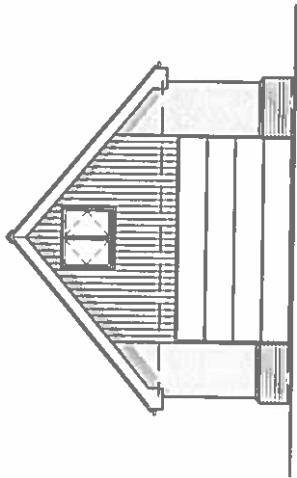
**MATISCHOK & ROSS**  
architectural services

project title	Land at Pennant, Bryn Goodman, Ruthin.		
drawing title	Proposed Floor Layout Plans		
project no.	0822	drawing no.	2
date	10/07/2019	revision	
		scale	1:100
		drawn by	SR
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t 01824 705 222 f 01824 707 171			
e mail@matischokross.co.uk w www.matischokross.co.uk			

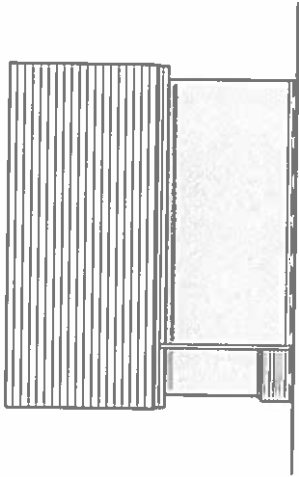




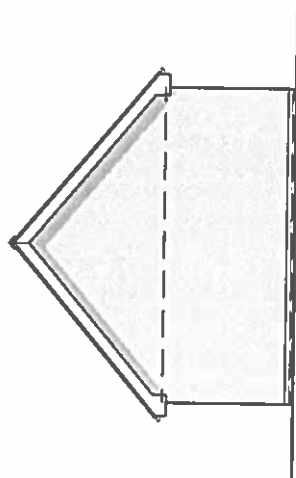
# PROPOSED GARAGES



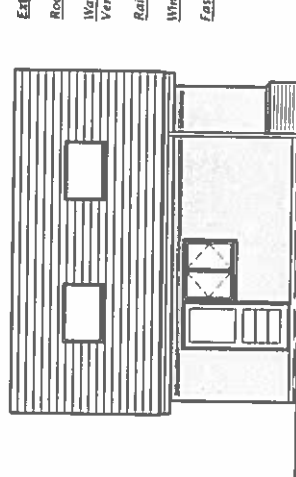
Front Elevation



Side Elevation

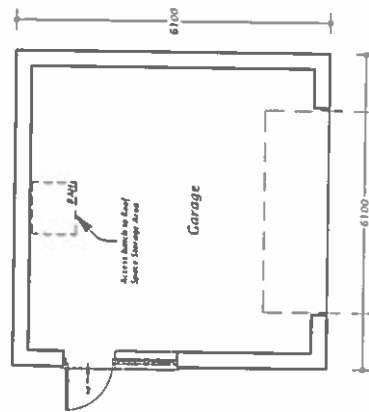


Rear Elevation

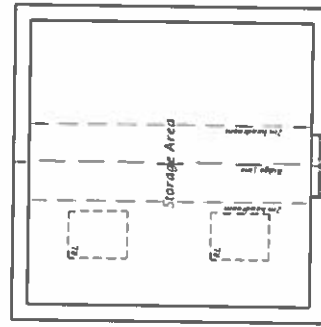


Side Elevation

**External Materials** - all to Local Authority approval  
**Roof** - New or second hand natural mineral slates (blue/grey) or New Redland Cambrian re constituted slates.  
**Walls** - Smooth self-coloured render finish (K Rend or other approved) with facing brickwork plinth.  
**Vertical boarded natural timber cladding or fibre cement/composite boarded cladding where shown.**  
**Rainwater Goods** - Dark grey upvc or Lindab galvanised gutters and down pipes  
**Windows & External Doors/Frames** - Dark grey aluminium/upvc windows & doors.  
**Fascia, Soffit & Barge Boards** - Dark grey upvc fascia's, barge boards & sloping soffit boards.



Ground Floor Layout Plan



Roof Space Plan

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<b>MATISCHOK &amp; ROSS</b> architectural services	
project title	Land at Pennant, Bryn Goodman, Ruthin.
drawing title	Proposed Garage - Plot 2.
project no.	0822
drawing no.	5
revision	
date	31/07/2019
scale	1:100
drawn by	S R
Birch House, Hen Lon Parwr, Ruthin, Denbighshire, LL16 1NA t 01824 705 222 f 01824 707 171 e mail@matischokross.co.uk w www.matischokross.co.uk	



**WARD :** Ruthin

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

**APPLICATION NO:** 02/2019/0680/ PF

**PROPOSAL:** Erection of 2 No. dwellings, 2 detached garages, construction of a new vehicular access and associated works

**LOCATION:** Land at (Part garden of) Pennant, Bryn Goodman, Ruthin LL15 1EL

**APPLICANT:** Mr Gareth Turner Turner, Cuthill & Williams

**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 – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

RUTHIN TOWN COUNCIL

“Two detached dwellings and two detached garages on the site represents overdevelopment of the site.”

DWR CYMRU / WELSH WATER

No objection.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Highways Officer –

No objections received.

Drainage Engineer –

No objections received.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Dr B Algar, 8 Maes Hyfryd, Ruthin

Gillian Jones, Pennant, Bryn Goodman Ruthin

Dr Walker, Dornoch, Bryn Goodman, Ruthin

Ruthin Bowling Club, c/o Hunters Lodge, Bryn Goodman, Ruthin

Jo Powell, Bryn Eryl, Bryn Goodman, Ruthin

Summary of planning based representations in objection:  
Residential Amenity-  
Two storey dwelling would have an overbearing impact on neighbours.

Visual Amenity-  
Proposal for two storey dwellings would be out of keeping with the area and would result in an overdevelopment of the site.  
Boundary treatment to bowling club boundary needs to be tidied up.

Drainage –  
The proposed drainage crosses 3<sup>rd</sup> party land to which access will not be granted.

**EXPIRY DATE OF APPLICATION: 30/09/2019**

**EXTENSION OF TIME AGREED: 11/10/19**

**REASONS FOR DELAY IN DECISION (where applicable):**

- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application seeks full planning permission for the development of 0.17ha of land by the erection of 2 dwellings at Pennant, Bryn Goodman, Ruthin.
- 1.1.2 The plans submitted with the application show two detached dwellings sited within part of the current rear curtilage of the existing bungalow. The dwellings would be two storey in height, and would be constructed of rendered block walls and some softwood cladding. The roofs would be clad in slate.
- 1.1.3 Each dwelling would have a detached garage with ancillary storey above. The garages would be constructed of the same materials as the dwellings.
- 1.1.4 The dwellings would be orientated to face in a north easterly direction, facing the adjacent bowling green. Parking and turning for cars would be located to the side of dwelling number 1, and the front of dwelling number 2. Mature trees to the boundaries of the site are shown as being retained. Boundaries are to be the existing hedgerows that will be improved/supplemented where necessary.
- 1.1.5 Drainage is shown as soakaways within the site for surface water, and foul drainage would be connected to the mains system, located in Bryn Goodman.
- 1.1.6 Access is proposed to the site from the existing access off Bryn Goodman.
- 1.1.7 The details can be seen on the plans at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The site lies to the rear/side of Pennant and is part of the large rear garden area of the existing dwelling.
- 1.2.2 The site recently been cleared of vegetation, with a number of mature trees along the boundaries.

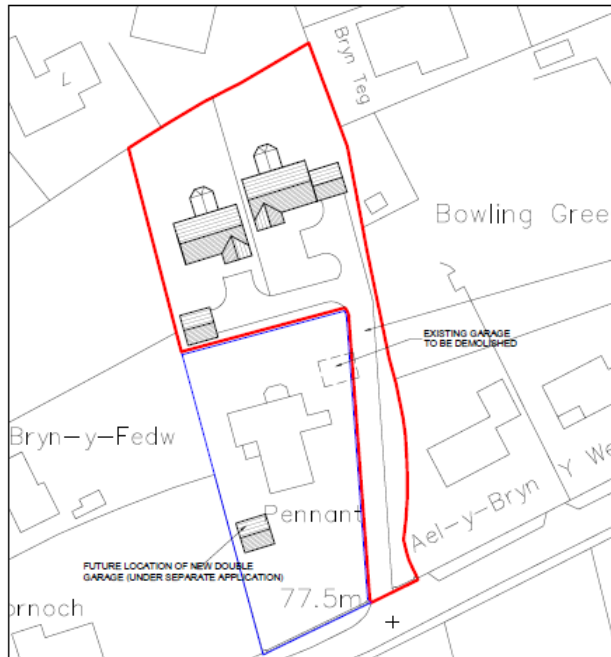
1.3 Relevant planning constraints/considerations

1.3.1 None.

#### 1.4 Relevant planning history

1.4.1 In March 2019, outline planning permission was granted for 2 dwellings on this site. The indicative drawings showed two 2 storey dwellings orientated to face a south easterly direction. The scale of the dwellings proposed was broadly similar to what is now proposed.

1.4.2 The plan below shows the illustrative layout as approved under the outline permission:



#### 1.5 Developments/changes since the original submission

1.5.1 The layout of the drainage has been changed to ensure it does not cross 3<sup>rd</sup> party land.

#### 1.6 Other relevant background information

1.6.1 None

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

2.1 02/2018/1090/PO - Development of 0.17 ha of land by the erection of 2 no. detached dwellings (outline application - all matters reserved). GRANTED at planning committee 27/3/19

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

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD1** – Sustainable development and good standard design

**Policy BSC3** – Securing infrastructure contributions from development

**Policy BSC11** – Recreation and open space

**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

### 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

### 3.3 Other material considerations

## 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 Recreation and open space
- 4.1.6 Drainage

#### Other matters

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

#### 4.2.1 Principle

The main policy in the Local Development Plan (LDP) which is relevant to the principle of housing development in towns is BSC1 which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries.

Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria. The proposals would therefore be acceptable in terms of the general principles of these policies.

The principle of the development of 2 dwellings has been accepted by the Council with the grant of outline planning permission in March 2019.

The detailed impacts of the proposals for the two dwellings are reviewed in the following paragraphs 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 (iv) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (v) 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.

There are individual representations raising concerns over visual amenity impacts, on the basis that a proposal for two storey dwellings would be out of keeping with the area and would result in an overdevelopment of the site.

The site is 0.17ha in extent. Policy RD1 requires residential development to be at a density of 35dph, unless local circumstances dictate otherwise. If the site was developed to meet the density referred to, this would translate into 5.95 dwellings. The proposal is for 2 dwellings, which was consented at outline stage as this is in line with the characteristics of residential development in the vicinity of the site.

Each dwelling would have in excess of the minimum required private garden space as detailed in SPG Residential Space standards. With regard to the scale of the proposals being overbearing and out of character, Officers would draw members' attention to the change in levels across the site, the distance of the dwellings from Bryn Goodman, and the existing character of development in the area. The finished floor levels of the dwellings would be approximately 1 metre lower than the level of Bryn Goodman, the nearest dwelling would be 55m from Bryn Goodman and there is a wide range of dwellings in terms of scale and separation distances in the area.

In respect of the above, it is considered that the proposal to develop the site by way of two dwellings is unlikely to have a detrimental impact upon the visual amenity of the area and it is not considered the proposal is in conflict with general development control requirements as specified in policy RD 1.

#### 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. Supplementary Planning Guidance Note Residential Development offers guidance as to what separation distances between dwellings, windows, amenity spaces etc. are considered acceptable.

Concerns have been raised by the Town Council and neighbours over the residential amenity impacts of the development, suggesting two storey dwellings would have an overbearing impact on neighbours, and that the size and scale would make the site too cramped.

The site area is 0.17 hectare. The current plans show the dwellings would have minimum garden depths of around 11 metres respectively with a considerable amount of space to the front and sides of the houses. With regard to the impact on neighbours, in terms of 'side to back' window to window distances, SPG Residential Development advises a minimum of 15 metres separation between dwellings. The submitted plans indicate that a minimum distance of 15 metres would be achieved between the dwellings to the north (on Maes Hyfryd) and the existing dwelling to the south (Pennant), and on this basis it is not considered that the proposal would result in an unacceptable loss of privacy for adjacent dwellings.

In officers' opinion the dwellings could be accommodated on this site without resulting in an overdevelopment or cramping of development. Given the size of the site it is considered that the proposal to develop for two dwellings is unlikely to have a detrimental impact upon the amenity of the area and it is concluded the proposal complies with general development control requirements in policy RD 1.

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

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The development would utilise the existing access point onto Bryn Goodman which currently serves the existing dwelling. The Highway Officer raises no objection to the proposal. This is the access arrangement as indicated in the outline consent.

It is considered that the access in this location is adequate to serve two additional dwellings, and that the scheme is in accordance with Policies RD 1 and ASA 3.

#### 4.2.5 Recreation and open space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

The proposal is for two dwellings, and in line with SPG Open Space, open space provision should be contributed to by way of a commuted sum payment. The current calculation for 2 dwellings is £2474.43.

Welsh Government Circular 016/2014, 'The Use of Planning Conditions in Development Management', states that commitments on behalf of the developer involving transfers of land or payments to be made to the local planning authority are more appropriately required through a planning obligation and should not be required in a condition. This is expanded on in Welsh Office Circular 13/97.

The applicant is prepared to enter into a legal agreement with the Local Authority to pay a commuted sum of £2474.43 at a reasonable trigger point in the development process. It is suggested that this money be paid prior to the occupation of the first dwelling.

It is officers' opinion therefore that subjection to a legal agreement being entered into, the proposal is acceptable in terms of the provision for open space.

#### 4.2.6 Drainage

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 Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

Natural Resources Wales and Dwr Cymru Welsh Water have not raised any objections to the proposal subject to the inclusion of suitable conditions being imposed if planning permission is granted. The Council Drainage engineer has not raised an objection, but would like the applicant to be made aware of the requirement



for the consent of the SuDS Approval Body (SAB) in relation to surface water drainage, prior to the commencement of development.

It is proposed to connect to the mains foul sewer, whilst surface water would be dealt with by soakaways, as per the previously approved application. Infiltration tests have been submitted which demonstrate the ground conditions are suitable for soakaways.

Given the comments of the technical consultees, it is considered reasonable to conclude that an acceptable drainage scheme can be achieved on the site. The proposals have been revised to show the proposed foul drain would run along the access driveway and not third party land. The proposals are therefore considered acceptable in relation to drainage.

#### 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 considered to comply with adopted planning policy, and is in support of general development strategies of the Local Development Plan.

3.2 It is therefore recommended that planning permission be granted subject to the following conditions and the completion of a section 106 agreement with the Local Authority to secure the payment of £2474.43 to provide additional public open space in the community. The sum should be paid prior to the occupation of the first dwelling. The planning permission would only be released on completion of the Section 106 Agreement. Failure to complete the Agreement within 12 months of the date of the Committee meeting would oblige the application to be reported back to Committee and reconsidered against 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) Tree Survey - Received 2 August 2019
  - (ii) General Landscaping and External Works Details (Drawing No. 6) - Received 2 August 2019
  - (iii) Existing and Proposed Site Layout Plans (Drawing No. 1 rev.A) - Received 16 September 2019
  - (iv) Proposed Floor Layout Plans (Drawing No. 2) - Received 2 August 2019
  - (v) Proposed Elevations (Drawing No. 3) - Received 2 August 2019

- (vi) Proposed Garage - Plot 1 (Drawing No. 4) - Received 2 August 2019  
(vii) Proposed Garage - Plot 2 (Drawing No. 5) - Received 2 August 2019  
(viii) Location Plan (Drawing No. 0822/LP) - Received 2 August 2019  
(ix) Foul and Surface Water Drainage Assessment (Drawing No. 0822/DA) - Received 2 August 2019
3. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
  4. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
  5. **PRE-COMMENCEMENT CONDITION**  
Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.
  6. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan, and shall be completed prior to the proposed development being brought into use.

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. To ensure a satisfactory standard of development, in the interests of visual amenity.
4. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
5. In the interests of visual amenity.
6. 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.