

REPORT BY THE HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTRYSIDE SERVICE

REPORT SEEKING A RESOLUTION ON THE PLANNING CONDITIONS TO BE ATTACHED TO PLANNING PERMISSION 25/2018/1216

Alterations and rear extension to existing building, demolition of curtilage structure, erection of ancillary building, retention of log cabin (for temporary period), boundary fencing and gates, and provision of on-site parking and turning area.

Bwlch Du, Nantglyn, Denbigh

1. PURPOSE OF REPORT

- 1.1. To seek a resolution from Members on the planning conditions to be attached to the Certificate of Decision for planning application ref: 25/2018/1216, in connection with which Planning Committee resolved to grant permission at the 15th January 2020 meeting.

2. BACKGROUND

- 2.1. The Bwlch Du planning application was originally considered at the September 2019 Committee when it was resolved to grant permission. The application was reported back to Committee in January following receipt of notice of a potential legal challenge to the lawfulness of the decision. The Committee vote to grant permission at the January meeting was 12 votes in favour and 2 against. The minutes of this meeting are in Item 4 of this Agenda.
- 2.2. The merits of the application are not for consideration at this point. Following the vote on the planning application in January, Members resolved that Officers should report back to Committee with a draft list of conditions to be included on the Certificate of Decision, for consideration and ratification by Members.
- 2.3. Section 3 of the report sets out a schedule of planning conditions which Officers believe would be reasonable and necessary to attach to a planning permission having regard to the consultation responses, the nature and location of the proposed development, and the identified material planning considerations which were summarised in the Officer Committee Report (as considered in September 2019 and January 2020). The list of conditions has been drafted to ensure consistency with the conditions drafted for the separate Certificate of Decision on the listed building application relating to the alterations and extension to Bwlch Du (application 25/2018/1217).
- 2.4. The drafted Certificate of Decision on the Listed Building Consent application (Code no. 25/2018/1217/LB) is included as Appendix 1, and the Officer report on the planning application (25/2018/1216/PF) is attached as Appendix 2 to this report, for reference.

3. DRAFT PLANNING CONDITIONS

3.1. **The recommended Conditions for inclusion on the Certificate of Decision for 25/2018/1216 are:**

- 1) The developments involving works of alteration and extension to Bwlch Du, the erection of the ancillary building, and the demolition works on the former barn shall be begun no later than 12th February 2025.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 2) The developments 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) Existing floor plan (Drawing No. 1) received 28 December 2018
 - (ii) South elevation as existing (Drawing No. 2) received 28 December 2018
 - (iii) North elevation as existing (Drawing No. 3) received 28 December 2018
 - (iv) West and East elevation as existing (Drawing No. 4) received 28 December 2018
 - (v) Roofplan as existing (Drawing No. 5) received 28 December 2018
 - (vi) 3D view as existing (Drawing No. 6) received 28 December 2018
 - (vii) Ruined structure adjacent to house (Drawing No. 7) received 28 December 2018
 - (viii) Floor plan as proposed (Drawing No. 10v2) received 8 April 2019
 - (ix) South elevation as proposed (Drawing No. 13v2) received 8 April 2019
 - (x) North elevation as proposed (Drawing No. 14v2) received 8 April 2019
 - (xi) West and East elevations as proposed (Drawing No. 15v2) received 8 April 2019
 - (xii) Roof plan as proposed (Drawing No. 16v2) received 8 April 2019
 - (xiii) Section through proposed extension (Drawing No. 17v2) received 8 April 2019
 - (xiv) Log cabin as existing (Drawing No. 8) received 28 December 2018
 - (xv) Treatment of existing fireplaces (Drawing No. 11v2) received 8 April 2019
 - (xvi) Replacement sash windows as proposed (Drawing No. 12v2) received 8 April 2019
 - (xvii) Rendered images of proposed extension (Drawing No. 20v2) received 8 April 2019
 - (xviii) Rendered images of proposed extension (Drawing No. 21v2) received 8 April 2019
 - (xix) Rendered images of proposed ancillary building (Drawing No. 22v2) received 8 April 2019
 - (xx) Photographs of kennels and existing temporary shed (Drawing No. 23) received 8 April 2019
 - (xxi) Interior photographs of Bwlch Du and details of repairs and alterations (Drawing No. 24v2) received 8 April 2019
 - (xxii) Indicative surface and foul water drainage plan (Drawing No. 25v2) received 8 April 2019
 - (xxiii) New ancillary storage building as proposed (Drawing No. 18 V2) received 16 January 2019
 - (xxiv) General arrangement of buildings, landscaping and amenity areas (Drawing No. 19v2) received 8 April 2019
 - (xxv) Outbuilding – Existing Plan / Elevations, (Dwg No: PJH/12/2019/01) received 3 September 2019
 - (xxvi) Outbuilding – Proposed Plan / Elevations, (Dwg No: PJH/12/2019/02) received 3 September 2019
 - (xxvii) Block/site plan received 16 January 2019
 - (xxxiii) Location plan received 16 January 2019

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

- 3) No work shall be permitted to commence on the area proposed within the site for the parking and turning of vehicles until the written approval of the Local Planning

Authority has been obtained to the proposed surfacing material. The parking and turning area shall be laid out in accordance with the details as approved and shall be completed within 12 months of date of this permission. The parking and access arrangements shall be retained as approved at all times.

Reason: In the interests of visual amenity, and to ensure provision of off road parking in connection with the dwelling, in the interests of highway safety.

- 4) No works of construction shall be permitted on the external faces of the walls of the extension to Bwlch Du or on the new ancillary storage building until the written approval of the Local Planning Authority has been obtained to samples of the stonework and mortar mix to be used, and to the detailing of the cills. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity, and to ensure the materials and detailing are appropriate and respect the character and appearance of the listed building.

- 5) No works of construction shall be permitted on the roof of the proposed extension or the re-roofing of Bwlch Du until the written approval of the Local Planning Authority has been obtained to samples of the roofing sheets showing their profile and the proposed external colour finish, and to the ridge and eaves detailing. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure the materials are appropriate and respect the character and appearance of the listed building.

- 6) The development hereby approved shall be undertaken in accordance with the proposed mitigation, compensation and enhancement set out in the submitted ecological assessment (Clwydian Ecology Protected Species Survey dated 14 April 2019), and none of the approved alterations to the main building or works on the construction of the extension and the ancillary building and the parking and turning area shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to:
- a) A report or method statement detailing Reptile avoidance, mitigation and compensation measures, and
 - b) Plans showing the detailed proposals for the incorporation of features suitable for use by roosting bats and nesting birds within the structure of Bwlch Du and the proposed extension, in line with recommendations made in section 8 of the Bat Survey Report (document reference: 2462751 received: 23/04/19).
- The approved measures shall be implemented in full.

Reason: In the interest of protecting ecological interests.

- 7) The log cabin shall be used solely as living accommodation ancillary to the Bwlch Du dwellinghouse, and shall be removed from the site within:
- a) 6 months of the Bwlch Du dwellinghouse being occupied subsequent to the completion of the works hereby approved for its alteration and extension; or
 - b) 5 years of the date of this permission,
- whichever is the sooner.
- The land on which the log cabin is sited shall be restored to its previous condition within 3 months of the removal of the cabin.

Reason: The need for temporary living accommodation on the site exists solely to provide opportunity to complete the works on the alteration and extension of the listed building; and to ensure the removal of the log cabin in the interests of visual amenity and the setting of the listed building.

- 8) The proposals for the treatment of the former barn structure shall be completed in accordance with the details on plan reference RJH/12/2019/02 no later than 12 months from the completion of the works of alteration and extension on the Bwlch Du dwellinghouse.

Reason: In the interests of visual amenity and the setting of the listed building.

- 9) No trees within the site shall be lopped, topped or removed without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity.

4. RECOMMENDATION

That Members resolve to GRANT planning permission subject to the above conditions.