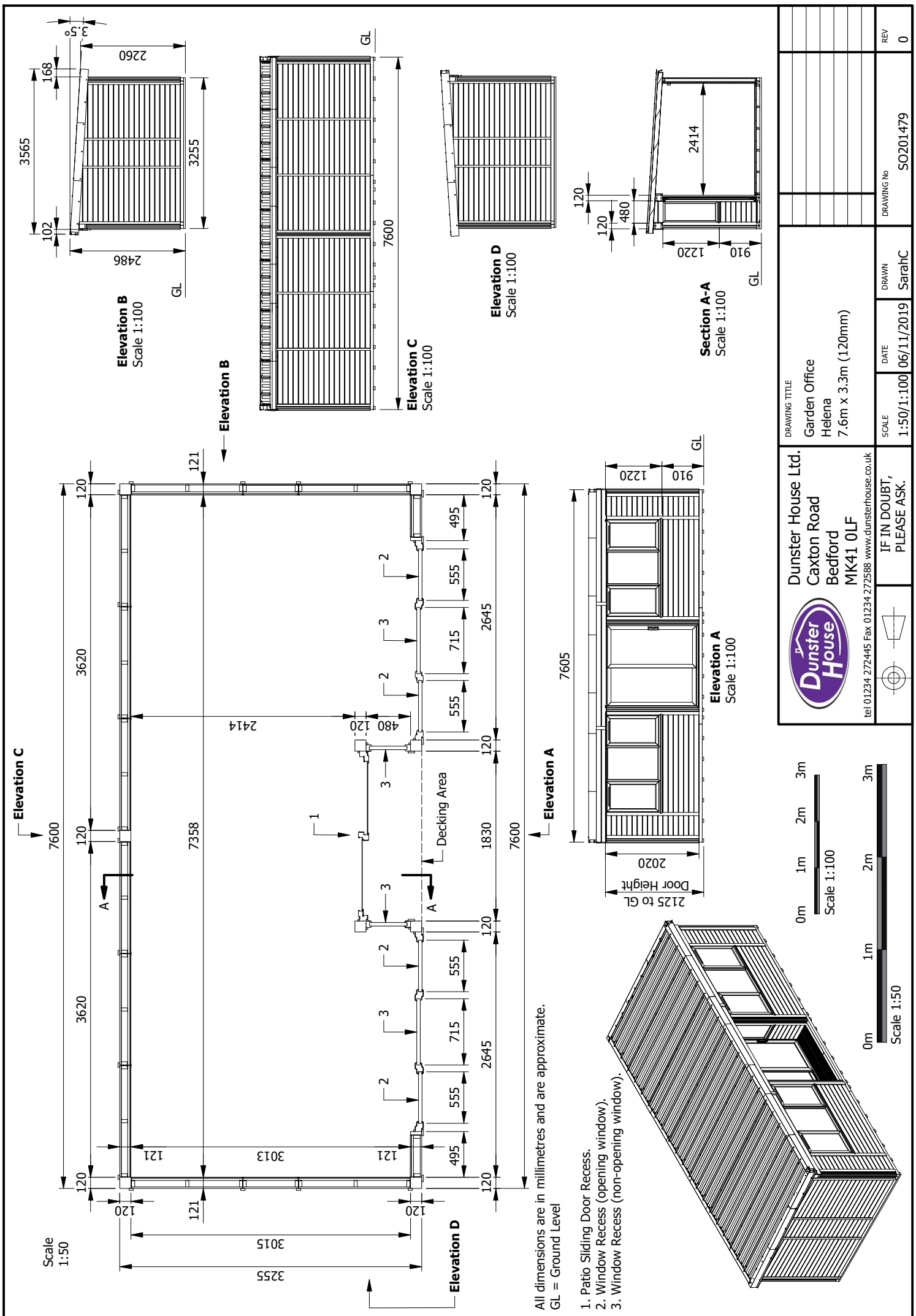


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20/2020/0530

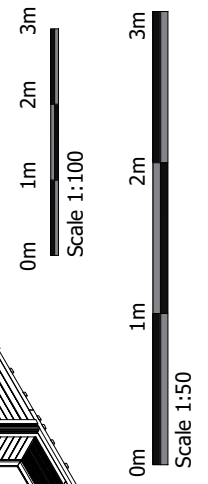
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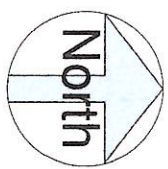
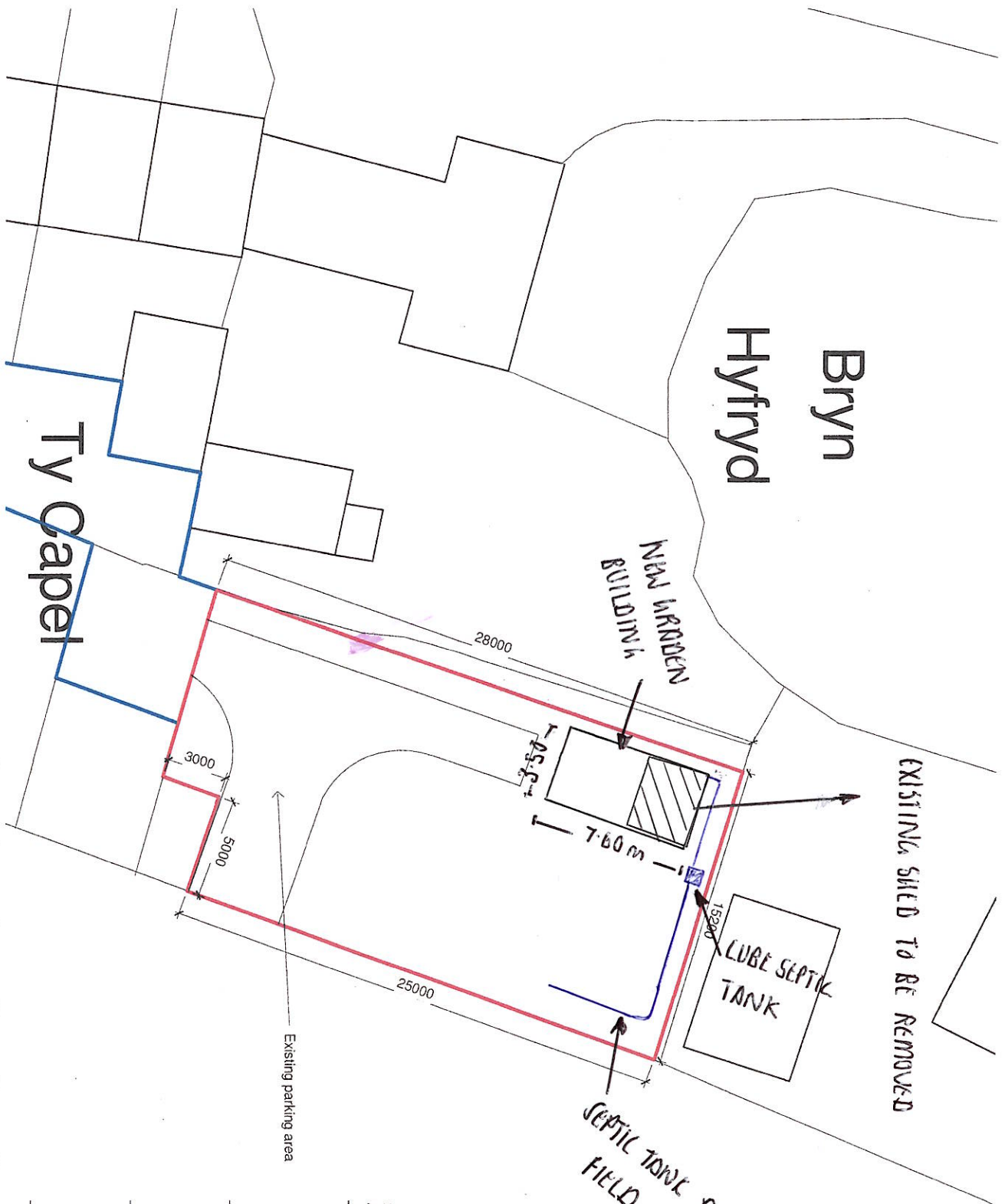


All dimensions are in millimetres and are approximate.
 GL = Ground Level

- 1. Patio Sliding Door Recess.
- 2. Window Recess (opening window).
- 3. Window Recess (non-opening window).



	Dunster House Ltd. Caxton Road Bedford MK41 0LF tel: 01234 272445 Fax: 01234 272588 www.dunsterhouse.co.uk		DRAWING TITLE Garden Office Helena 7.6m x 3.3m (120mm)	SCALE 1:50/1:100	DATE 06/11/2019	DRAWN SarahC	DRAWING No SO201479	REV 0
	IF IN DOUBT, PLEASE ASK.							



Rev	Description	Drawn	Check	Date
B	Site boundary corrected	KS	JB	27.04.20
A	Parking area added:	KS	JB	22.04.20

Greenspace Architects Ltd.
 The Old Town Hall
 The Square, Eilemre
 Shropshire, SY12 0EP
 Tel: 01691 623889
 e-mail: greenspace@greenspacearchitects.co.uk
 web: www.greenspacearchitects.co.uk

Project
 Land at Graigadwywnt, Ruthin
 DATED 25-7-2020

Title
 Existing Site Plan + PROPOSED LANDSCAPE

Scale @ A3
 1 : 1:200
 Drawn By: GE
 Checked By: KS
 Date: 01.11.19

Job No. 19-11
 Sheet No. A002
 Drawing Number 19-11 A002
 Rev. B

Existing Site Plan
 1 : 200

C:\Greenspace Architects\19-11 Graigadwywnt, Ruthin\19-11 Planning v3.rvt









WARD : Llanfair Dyffryn Clwyd / Gwyddelwern

WARD MEMBER: Cllr Hugh Evans

APPLICATION NO: 20/2020/0530/PF

PROPOSAL: Erection of a garden room and installation of a septic tank

LOCATION: Graig Cottage Graigadwywynt Ruthiin LL15 2TG

APPLICANT: MissTanya Reaich

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

CONSULTATION RESPONSES:

LLANFAIR D C COMMUNITY COUNCIL

"Llanfair D C Community Council supports the application subject to a query re the garden room if fitted with utilities such as domestic appliances, W/C etc. would there be a need to ensure compliance with building regulations"

NATURAL RESOURCES WALES – no comments, not within NRW's remit.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Philip Roberts, Gwynfa, Graigadwywynt

Raymond Doctor, Bryn Hyfryd, Graigadwywynt

Letter from Graigadwywynt residents:

- Mr & Mrs Doctor, Bryn Hyfryd, Graigadwywynt
- Mr P Roberts, Gwynfa (The Chapel), Graigadwywynt
- Mrs Yuen Ling Carey-Hughes, Penrhiw
- Mrs Jane Faulkner, 1 Ty Capel
- Mr Gethin Turner, 2 Ty Capel

Summary of planning based representations in objection:

Principle: - Queries why toilet & new septic tank is needed for a garden room given proximity to house / Concern raised that building may be used as a habitable dwelling by virtue of septic tank, water and electricity supplies to the development.

Ecology impacts: - Close to woodland and protected species (badgers) in the area

Visual amenity: - Out of keeping with area - area is mainly limestone cottages and houses.

Traffic / parking: - More vehicles using shared private drive / increased wear and tear on the shared private lane / Parking arrangements not accurate

Accuracy of application: - Applicant is not a resident of Graigadwywynt / Existing shed not shown on plans.

EXPIRY DATE OF APPLICATION: 24/09/2020

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for a garden room on a parcel of residential land to be used in association with the residential use of Graig Cottage.
- 1.1.2 The garden room would measure 7.6m by 3.3m with a shallow pitch roof with a height of 2.5m at the front and 2.3m to the rear. The floor area is 25sq.m.
- 1.1.3 The floor plan provided shows the garden room would comprise an office / sitting area with W/C and kitchen sink.
- 1.1.4 In correspondence with Officers, the applicant has stated that the garden room would be used as an office / working space for family members who share caring responsibility for elderly parent who resides at Graig Cottage.
- 1.1.5 A W/C and sink / utility unit for making hot drinks are proposed for convenience, and a new septic tank is proposed serve the garden room.

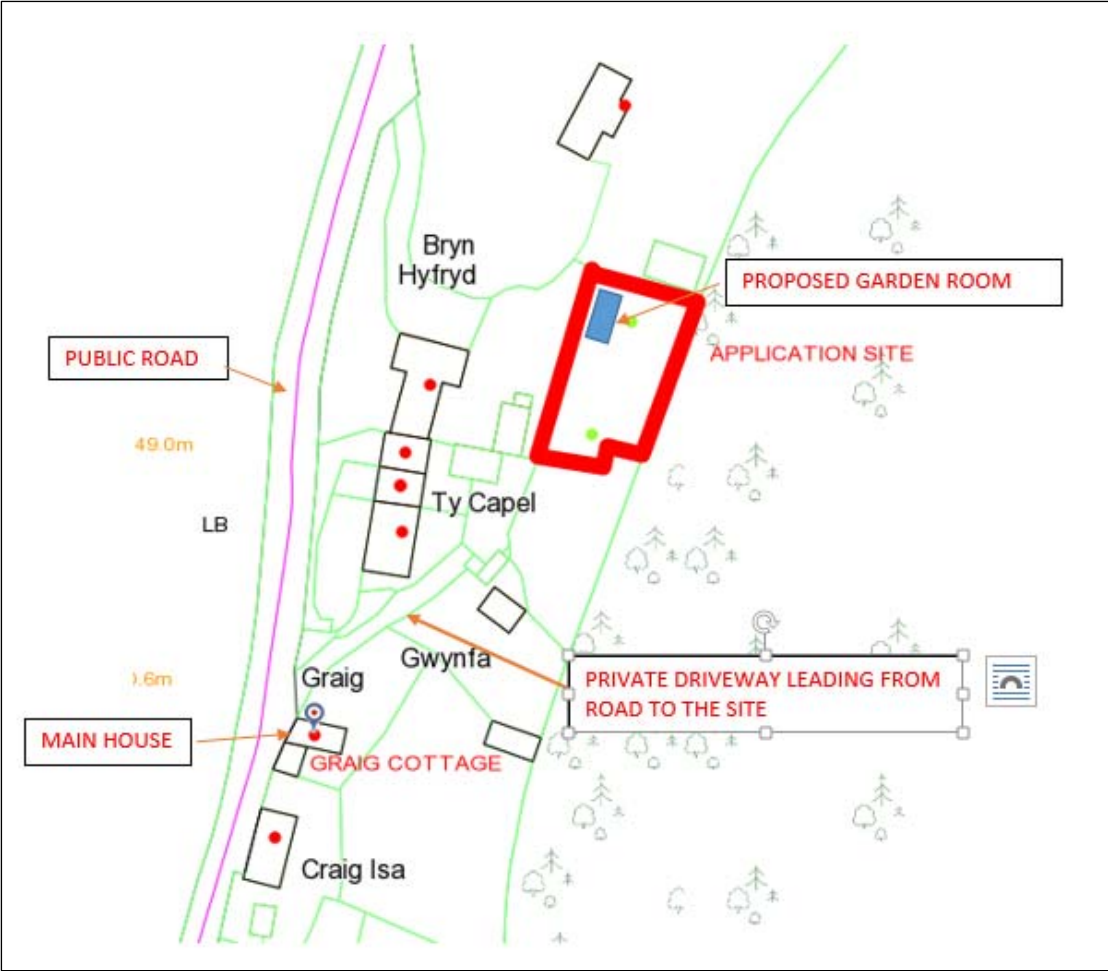
1.2 Description of site and surroundings

- 1.2.1 The site is a parcel of residential land situated behind Bryn Hydryd which is accessed along a shared private driveway which runs behind a small row of houses which front the minor road.
- 1.2.2 Graig Cottage is located approximately 50m to the south-east next to the junction between the highway and the private driveway.
- 1.2.3 There site is boundary by residential garden to the north, south and west. There is an outbuilding in the garden to the north and a garage in the parcel of residential garden to the south.
- 1.2.4 There is a small shed at the application site, and a touring caravan is currently stationed on the land as shown on the photo below:





1.2.5 The plan below shows the relationship with the main house and surrounding dwellings:



1.3 Relevant planning constraints/considerations

1.3.1 The site is within an open countryside location outside of any defined development boundary.

1.4 Relevant planning history

1.4.1 Planning permission was granted for change of use of land from agricultural use to for extension to the residential curtilage of cottage in 2005, however consented plans show the garden would form an extension to 1 & 2 Chapel House (following consent for the subdivision of Chapel House into two dwellings) and not Graig Cottage. Conditions were imposed on this application removing permitted development rights for outbuildings, however no conditions were imposed to tie the land to 1 & 2 Chapel House.

1.4.2 A planning application for the erection of an affordable dwelling on the site was submitted in early 2020, however the application was subsequently withdrawn in July 2020.

1.5 Developments/changes since the original submission

1.5.1 Floor plans have been provided and neighbours have been re-consulted.

1.6 Other relevant background information

1.6.1 Objections have stated that the applicant does not reside at Graig Cottage. However the application form states the applicant's address to be Graig Cottage and ownership certificates have been completed to certify that the site is within the ownership of the applicant. In the absence of any evidence to the contrary, Officers consider the application has to be determined in good faith based on the information presented with the application.

2. DETAILS OF PLANNING HISTORY:

2.1 20/2004/0825. Development of land for residential purposes and installation of septic tank (outline application). Refused 27/07/2004

2.2 20/2005/1038. Change of use of part of field from agricultural use to form extension to residential garden area to cottage. Granted 14/10/2005 (condition imposed to removed permitted development rights for outbuildings).

2.3 20/2020/0335. Erection of 1 affordable dwelling, installation of new septic tank and associated works. Withdrawn 13/07/2020

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD3 – Extensions and alterations to existing dwellings

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Space Standards

3.2 Government Policy / Guidance

Planning Policy Wales Edition 10 December 2018
Development Control Manual (2016)

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)

Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy RD 3 relates specifically to the extension and alteration of existing dwellings, and states that these will be supported subject to compliance with detailed criteria. The Residential Development SPG offers basic advice on the principles to be adopted when designing domestic extensions and related developments.

Representations on the principle of the proposal have been raised by members of the public.

Whilst a previous application for a dwelling on this site was submitted and subsequently withdrawn earlier this year, the current application is for garden room and the application needs to be assessed on its own merits.

Floor plans have been provided which show the garden room would be used as a home office with a small W/C and kitchen sink / utility unit and with a floor area of 25sq.m would fall well short of the minimum space standards for a one bedroom unit.

Whilst the parcel of land is not adjacent to the curtilage of the main house, it has legal consent to be used as residential garden, and whilst it was originally proposed to be garden to serve 1 & 2 Ty Chapel, no conditions were imposed on the 2004 consent which required it to be retained within the curtilage of these properties so there is no restrictions in place preventing it being used as residential land ancillary to Graig Cottage, and the application form certifies the land is within the ownership of the applicant.

Officers would also note there is adjoining parcels of residential land which along the private shared driveway which are separate from the dwellings.

Officers would also note there are garages and outbuildings in the adjoining parcels of land.

The proposal is therefore considered to be acceptable in principle, however for the avoidance of doubt, conditions are proposed to be imposed to ensure the building is

used for purposes ancillary to Graig Cottage and shall not at any time be permitted to be occupied as a separate unit of accommodation or for any commercial use.

The assessment of the specific impacts of the development proposed is set out in the following sections.

4.2.2 Visual Amenity

Criteria i) of Policy RD 3 requires the scale and form of the proposed extension or alteration to be subordinate to the original dwelling, or the dwelling as it was 20 years before the planning application is made.

Criteria ii) of Policy RD 3 requires that a proposal is sympathetic in design, scale, massing and materials to the character and appearance of the existing building.

Criteria iii) of Policy RD3 requires that a proposal does not represent an overdevelopment of the site.

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.

Representations on the visual amenity impacts have been made by members of the public.

The proposal is for garden room which would be positioned in the corner of the plot, and would be close to a large breeze block outbuilding in the adjoining garden.

Having regard to the design, siting, scale, massing and materials of the proposed extension, in relation to the character and appearance of the dwelling itself, the locality and landscape, it is considered 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

Criteria iii) of Policy RD 3 requires that a proposal does not represent an overdevelopment of the site.

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. The impact of the proposals on visual amenity is therefore a basic test in the policies of the development plan.

The Residential Development SPG states that no more than 75% of a residential property should be covered by buildings.

The Residential Space Standards SPG specifies that 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

No representations have been received on residential amenity grounds.

Having regard to the scale, location and design of the proposed development, it is considered that the proposals would not have an unacceptable impact on residential

amenity, and would therefore be in general compliance with the tests of the policies referred to.

4.2.4 Highways (including access and parking)

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.

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 (PPW) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

Representations have been received from members of the public on traffic and access grounds.

Whilst comments have been made regarding the increased wear and tear on the shared driveway, such issues would be civil rather than planning matters.

The site is accessed via a shared private driveway and has an existing vehicular access and space for vehicles to be parked on site.

The proposal is put forward as a residential garden room to be used as ancillary accommodation to Graig Cottage, and therefore Officers do not consider the proposal would result in any additional traffic movements to and from the site.

Having regard to the nature and scale of the proposal, it is not adjudged that the proposal would adversely impact on highway safety.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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.

Climate change

Members are reminded that the Council declared a climate change and ecological emergency which included a commitment to make the authority net carbon zero by 2030, enhance biodiversity across the county and call on the Welsh and UK governments to provide assistance and resources to enable the Council to reduce greenhouse gas emissions. Having regard to recent case law, Members are advised that the local declaration now forming part of

the Council's decision making is a material planning consideration, and has been taken into account in assessing this application.

5. SUMMARY AND CONCLUSIONS:

5.1 Having regard to the detailing of the proposals, the potential impacts on the locality, and the particular tests of the relevant policies, the application is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 11th November 2025
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) Location plan received 31 July 2020
 - (ii) Proposed garden room details received 29 July 2020
 - (iii) Proposed site plan received 29 July 2020
 - (iv) Septic tank details received 29 July 2020
 - (v) Proposed floor plan received 6 October 2020
3. The garden room building hereby approved shall be used solely for purposes ancillary to the residential use of the dwelling known as Graig Cottage and shall not at any time be occupied as a separate residential unit or used for any commercial purposes.

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. For the avoidance of doubt and in the interests of residential and visual amenity and control of development in the open countryside.