

20/2021/0637

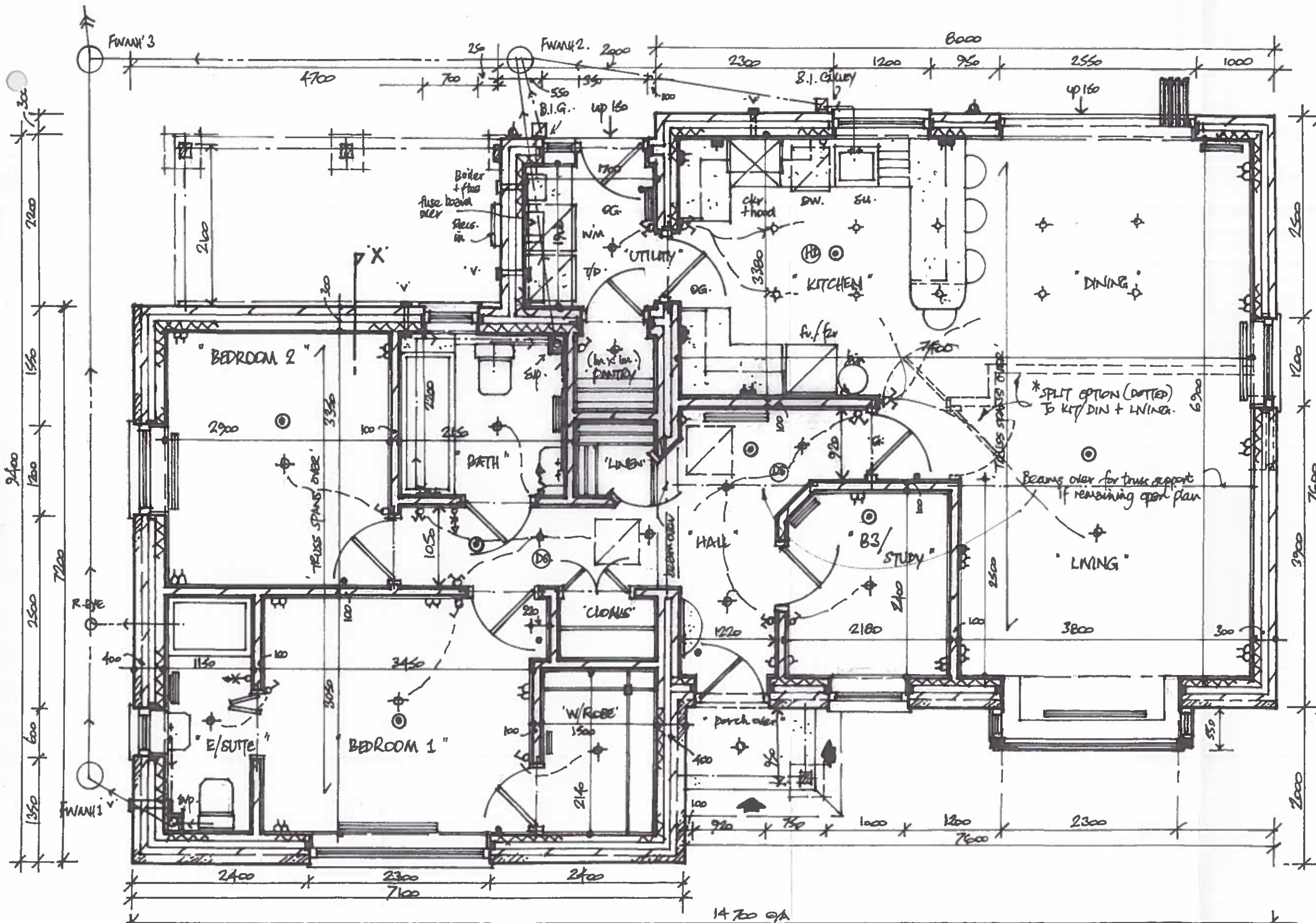


N Graddfa / Scale: 1:1250

Canol / Centre: 313150, 355307

Dyddiad / Date: 2021-09-20 08:27:31

© Hawlfraint y Goron a hawliau cronfa ddata 2021 Arolwg Ordnans 100023408 © Crown copyright and database rights 2021 Ordnance Survey 100023408

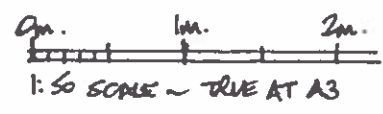


- LEGEND**
- ⊙ CEILING LIGHT
 - ⊙ DITTO - RECESSED
 - ⊙ EXTERNAL LIGHT
 - ⊙ LIGHT SWITCH POINT
 - ⊙ DITTO - FULL CORP.
 - ⊙ ELEC. SHOWER OPTION
 - ⊙ FUSE SOCKET POINTS
 - ⊙ DITTO - DADO HEIGHT
 - ⊙ ELEC. COOKER POINT
 - ⊙ MECHANICAL VENT
 - ⊙ SMOKE DETECTOR
 - ⊙ HEAT DETECTOR
 - ⊙ OBTURE GLAZED DOOR
 - ⊙ GLAZED DOOR
 - ⊙ SUGGESTED RAD. LOC'N.
 - ⊙ SPRINKLER OUTLETS

- 4 MAY 2018

FLOOR PLAN LAYOUT 1:50

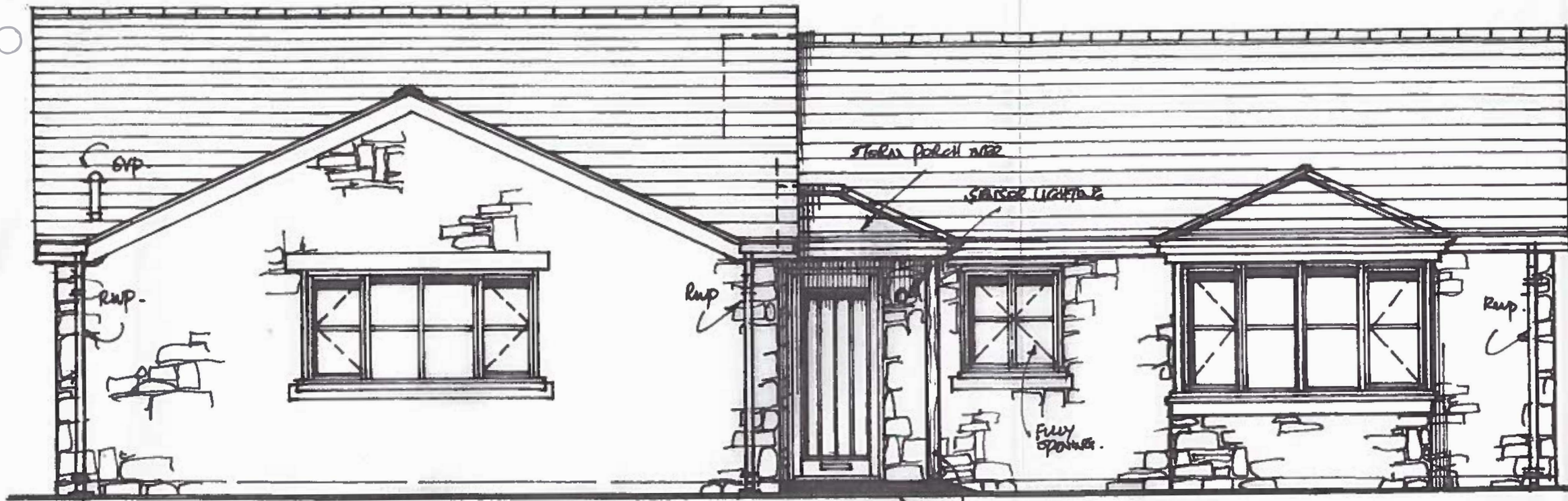
PREVIOUSLY APPROVED - 20/2018/0448



PROPOSED DWELLING DETAILS, LAND AT "CLOVER BANK", LLANFAIR DYFFRYN CLWYD, NR. RUTHIN., LLIS 2EN.

DATE: APRIL 18 · DWG. No: 18/24/1 OF 4 · REVISIONS:

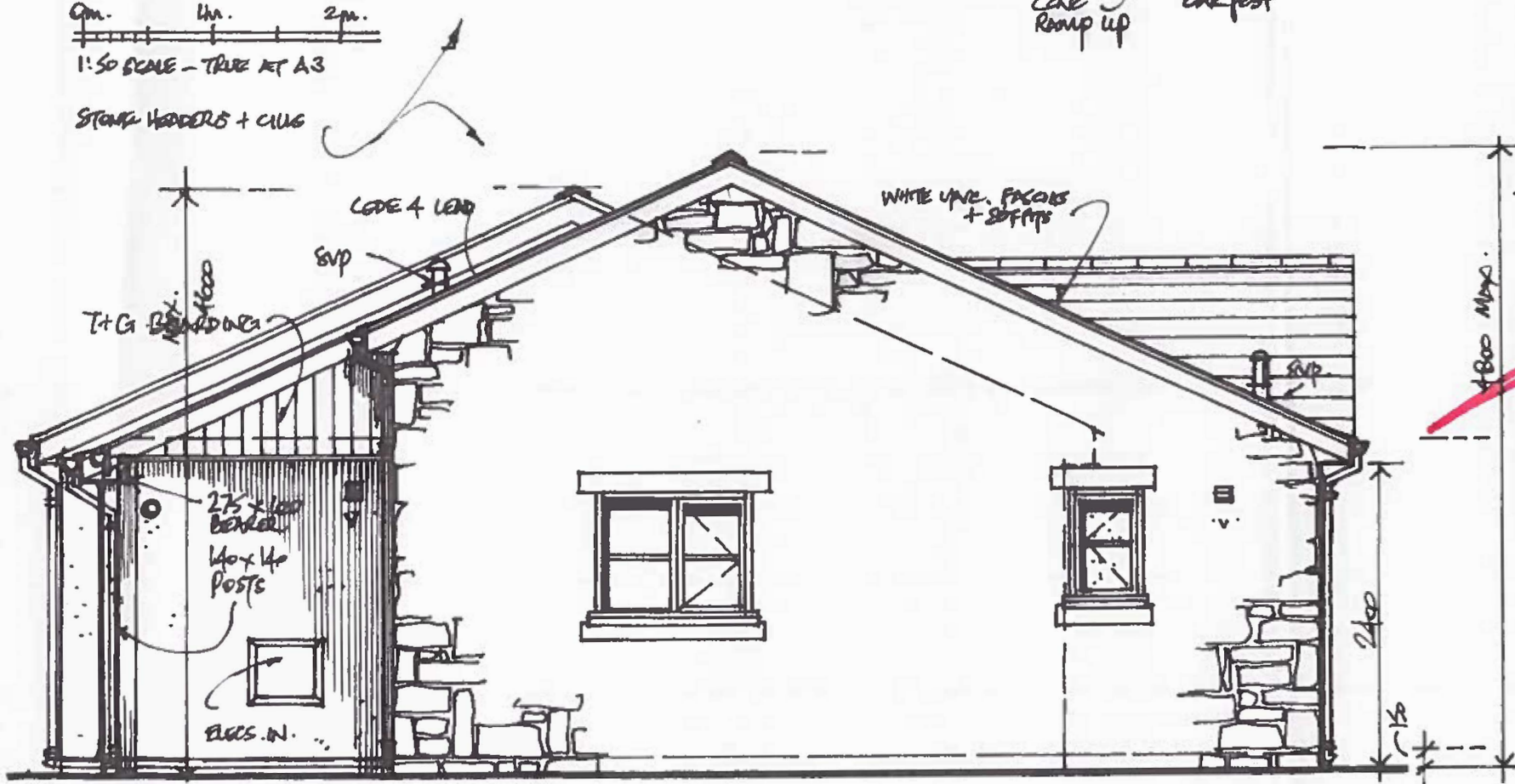
PREVIOUSLY APPROVED - 20/2018/0448



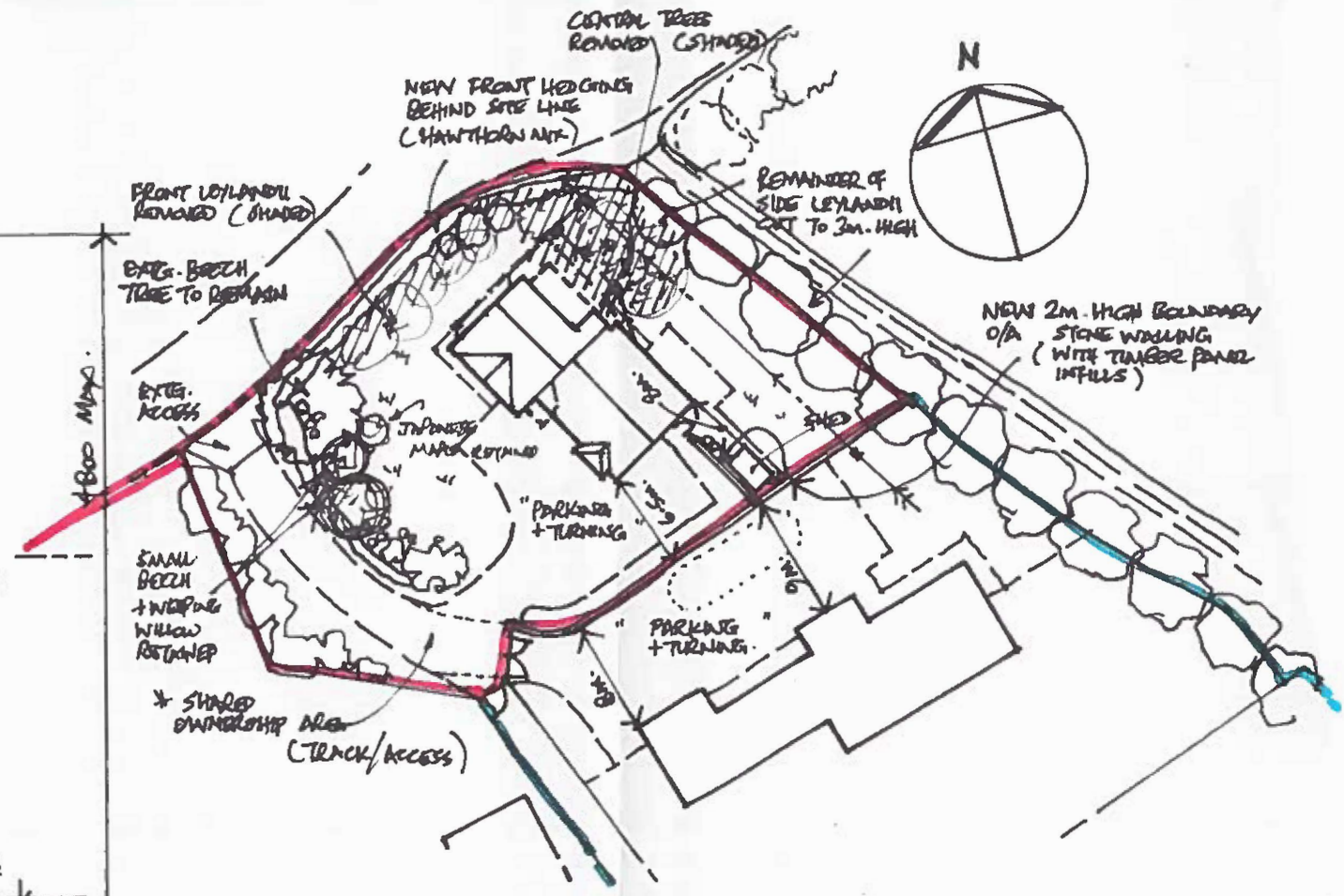
FRONT (S.WEST) 1:50

- 4 MAY 2018

PROPOSED SITE PLAN 1:50

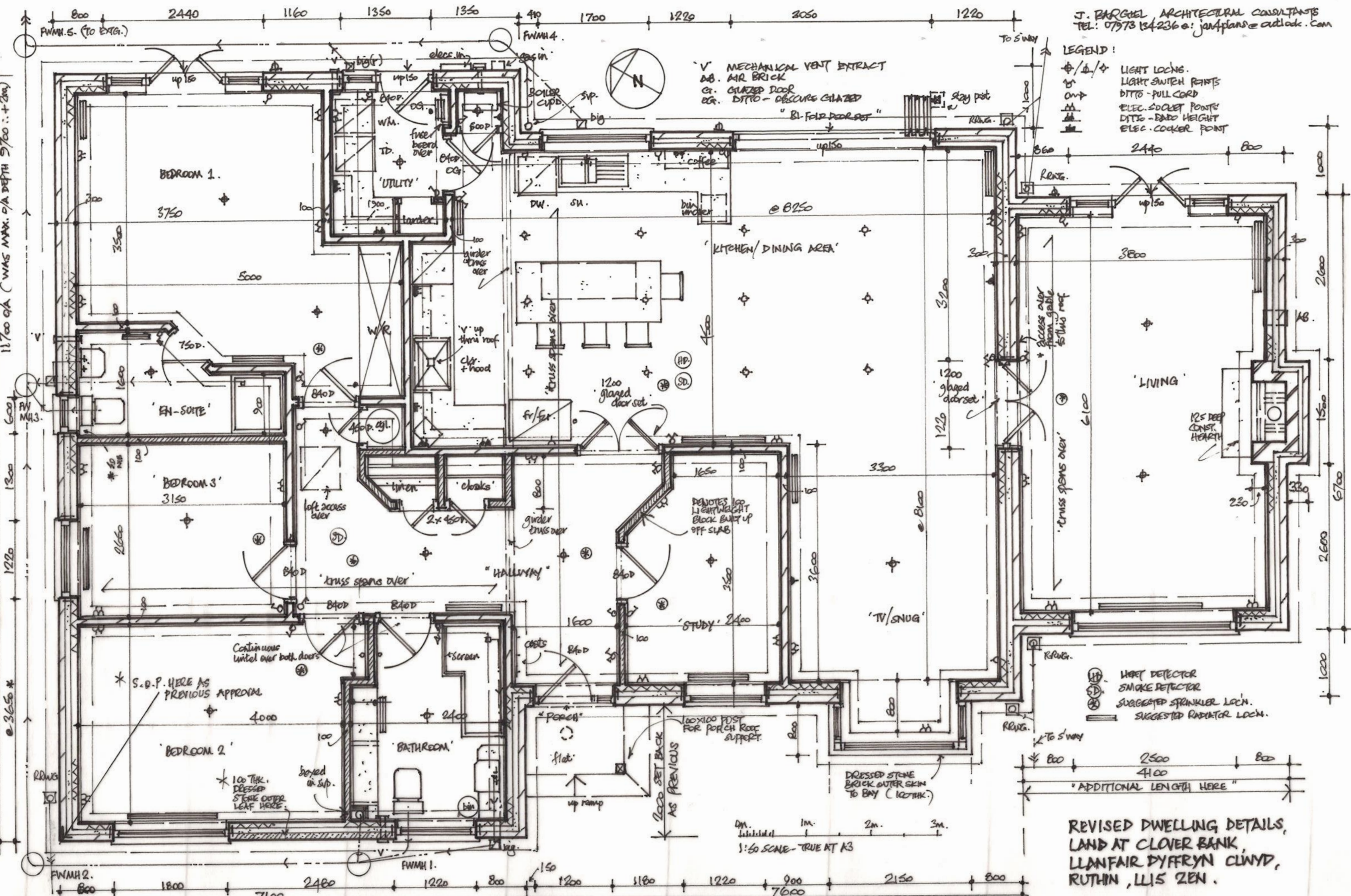


SIDE TO ROAD (N.WEST) 1:50



PROPOSED DWELLING DETAILS, LAND AT "CLOVER BANK", LLANFAIR DYFFRYN CLWYD, NR. RUTHIN., LLIS 2EN.

DATE: APRIL 18, DWG. NO: 18/24/2014, REVISIONS:



- LEGEND:**
- ⊕/⊕/⊕ LIGHT LOCNS.
 - ⊕ LIGHT SWITCH POINTS
 - ⊕ DITTO - PULL CORD
 - ⊕ ELEC. SOCKET POINTS
 - ⊕ DITTO - HAND HEIGHT
 - ⊕ ELEC. COOKER POINT

- ⊕ WIRE DETECTOR
- ⊕ SMOKE DETECTOR
- ⊕ SUGGESTED SPRINKLER LOCN.
- ⊕ SUGGESTED RADIATOR LOCN.

V MECHANICAL VENT EXTRACT
 AB. AIR BRICK
 G. GLAZED DOOR
 EG. DITTO - OBSCURE GLAZED
 "BI-FOLD DOOR SET"

800 2500 800
 4100
 "ADDITIONAL LENGTH HERE"

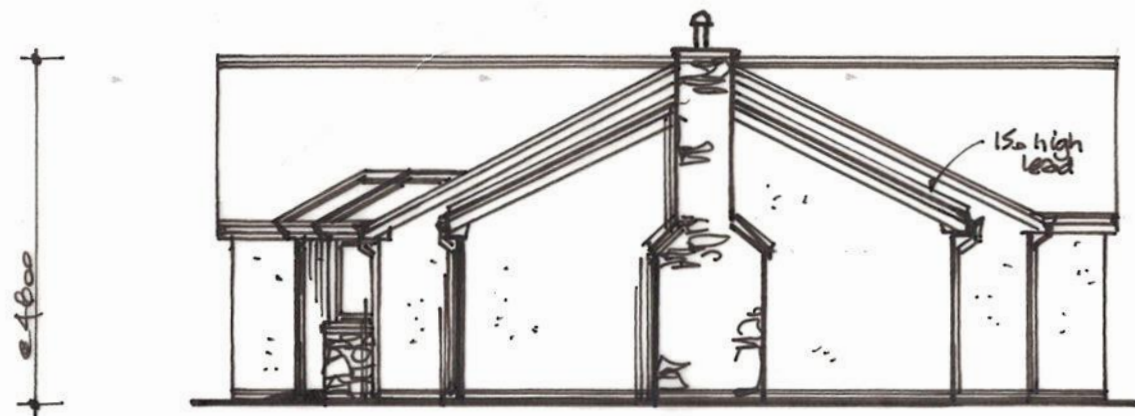
1:50 SCALE - TRUE AT A3

REVISED DWELLING DETAILS,
 LAND AT CLOVER BANK,
 LLANFAIR DYFFRYN CLWYD,
 RUTHIN, LLIS ZEN.

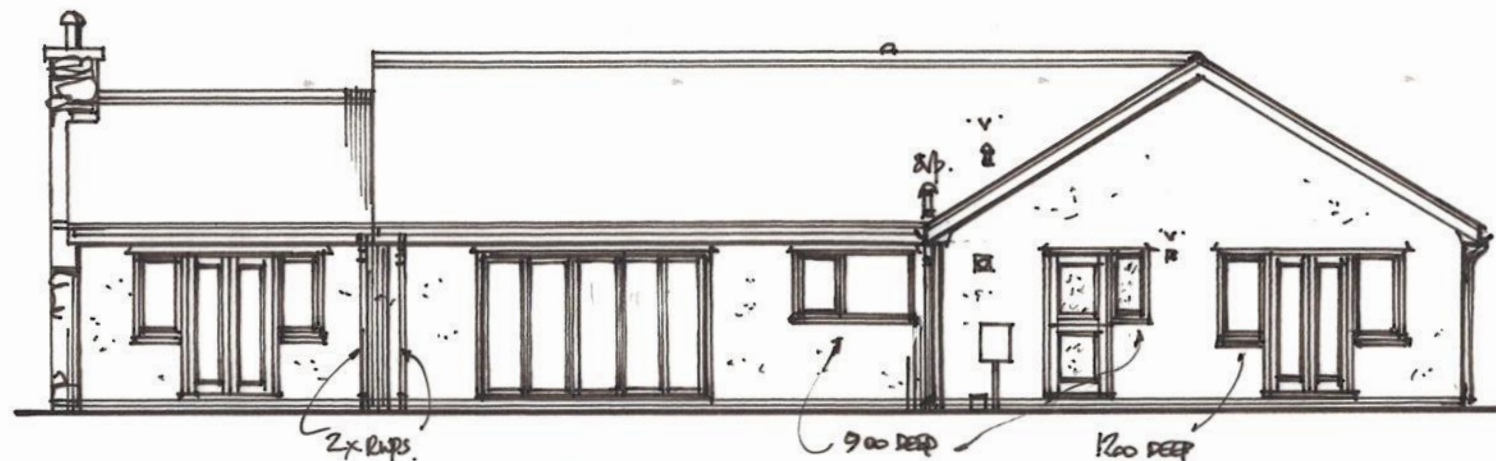
DWG. NO: 21/23/2
 REVISIONS:

PLAN LAYOUT 1:50

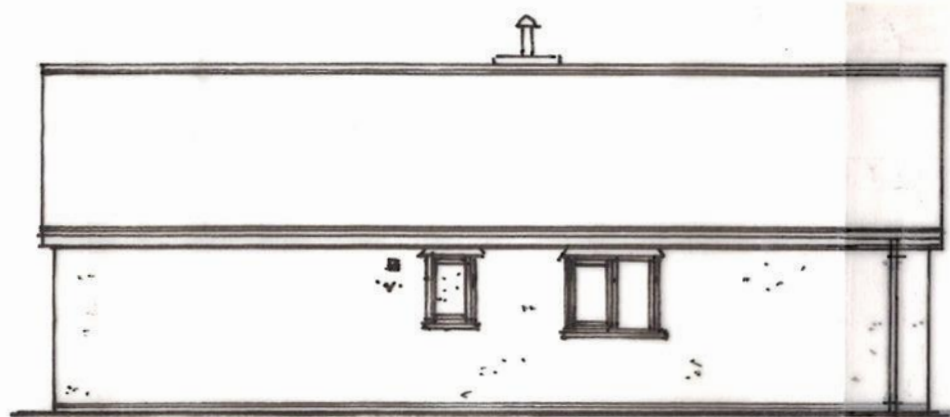
CURRENT PROPOSAL 20/2021/0637



SIDE TO CLOVER BANK 1:100



REAR 1:100

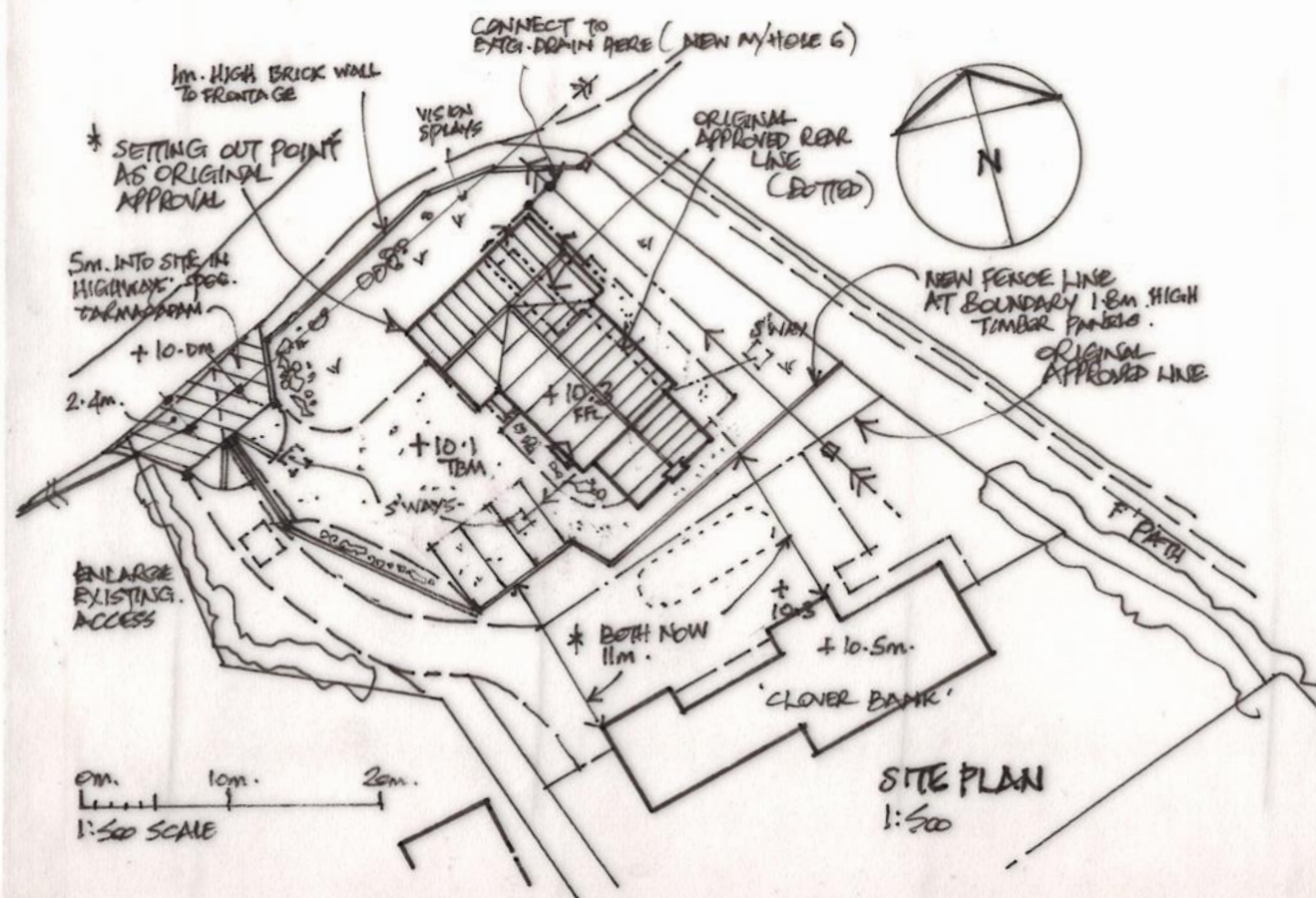


SIDE TO ROAD 1:100



FRONT 1:100

0m. 1m. 2m. 3m. 5m.
1:100 SCALE



SITE PLAN
1:500

CURRENT PROPOSAL

20/2021/0637

DWG. No: 21/23/1
REVISIONS:

REVISED DWELLING DETAILS,
LAND AT "CLOVER BANK",
LLANFAIR DYFFRYN CLWYD,
RUTHIN, LLIS 2EN.

Eitem Agenda 5 / Agenda Item 5



The Site

Eitem Agenda 5 / Agenda Item 5



Clover Bank dwelling and access

Eitem Agenda 5 / Agenda Item 5



View along visibility splay to the east

Eitem Agenda 5 / Agenda Item 5



View along visibility splay to the west

Eitem Agenda 5 / Agenda Item 5



Development opposite site

Eitem Agenda 5 / Agenda Item 5



Development to west of site – showing panel fences and a ‘l-shaped’ pattern of development.

WARD : Llanfair Dyffryn Clwyd / Gwyddelwern

WARD MEMBER(S): Cllr Hugh Evans

APPLICATION NO: 20/2021/0637/PS

PROPOSAL: Variation of condition 2 of planning permission code 20/2018/0448 to vary the list of approved plans to allow amended design and access details

LOCATION: Land At Clover Bank Llanfair Dyffryn Clwyd Ruthin

APPLICANT: Mrs Ann Hughes

CONSTRAINTS: PROW

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

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

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

REASON FOR DELEGATED DECISION
Scheme of Delegation Part 1, Section 1.1

CONSULTATION RESPONSES:

LLANFAIR DC COMMUNITY COUNCIL:

"I am writing concerning the above application which was put before the Community Council on 12 July 2021. Members have expressed the following concerns –

1. Status of planning application

The Llanfair DC Community Council notes the significant material changes proposed in the revised submission which include the building arrangement, the driveway, and the landscaping of the site. The Community Council recognises that the LPA has discretion but would respectfully suggest that the application should not be considered as a variation to a consent but be treated as a new application. This would allow the applicant to present a fully detailed proposal which could then be considered. Allowing the application to be considered as a variation perpetuates and encourages the on-going submission of revised arrangements which have been seen over the past three years. The Community Council has concern about the standard of the submitted documents which provide annotations and details which are difficult to understand and to read and on which to form an opinion. On this basis as well as further concerns expressed below the Community Council would request that the current application be refused and that a full new application be required with a clear presentation of the proposals.

2. Flooding impact

The proposed larger-sized bungalow would increase in the footprint of the revised proposal as compared with the original proposal. Further, the revised driveway layout would result in an increase in hard impervious surface area. Both these effects will lead to increased surface water run-off. This will lead to potential flooding issues from the site:

i] Locally the site experiences flooding inundation under high storm conditions such as experienced during Storm Christoph in January 2021.

ii] The site drainage arrangements show connection to the existing drains. Downstream of the site at Eyarth there is a flooding problem which Denbighshire County Council's Flood Risk Manager is currently considering. The development would exacerbate the flooding problem.

iii] Further down the catchment there are also investigations to address flooding problems such as those faced in Ruthin because of Storm Christoph.

The Community Council has concern based on experience from recent rainfall events that the development will lead to both local and neighbouring flooding problems being exacerbated.

3. Impact of the building

The Community Council considers the proposal to represent overdevelopment of the site. There would be little ground remaining for residents to use as garden space. This is contrary to the Denbighshire Supplementary Planning Guidance for developments and goes against providing sufficient space to ensure the wellbeing of future generations.

The Community Council considers that immediate vicinity of Bron Y Clwyd has the contextual setting of buildings that are set back from the road, and which enjoy the benefit from front gardens. The proposed building would be forward of notional building line. It would be out of character with development in the immediate area and would be incongruous with the street scene.

The proximity of new bungalow would be closer (circa 11m) to the existing Clover Bank than would have been the case with the previously approved proposal (circa 15.5m). The new proposal shows erection of fencing within the site to delineate properties. This is now proposed as timber fence 1.8m high as compared with stone wall as proposed previously.

4. Trees and biodiversity impact

The Community Council has registered its concern that the applicant has removed trees and shrubs which were proposed to be retained on the site and which form a condition attached to the granting of planning consent. This also goes against the Community Council's biodiversity action plan under which we are seeking to develop wildlife corridors across the area. This also contradicts the intention set out in the original planning application which stated that an Arboriculture Method statement would be required for the site which would be signed and agreed by all parties. The Drawing JB/EH/17/40/2 also stated that all tree works would be carried out by a fully insured and qualified tree work contractor working to standards recommended by BS3998:2010 taking due care regarding wildlife as had been identified in the protected species report of 27 April 2018. The approach seen when the trees were removed was far from this standard with little evidence of any care for the trees which were removed. The Community Council has raised this concern previously and has received limited suggestion for rectification. The Community Council has concern about the willingness of the LPA to use its enforcement powers in relation to felling of trees and granting of licences by itself and with NRW.

5. Housing need

The Community Council would advise that Denbighshire County Council undertook a housing needs survey in Spring 2021. This identified the need for smaller more affordable housing in the area. The proposed variation would result in a larger property which would have higher cost, be less affordable and would be contrary to the local housing need.

6. Planning consultation

The Community Council has expressed its disappointment with the way the applications for this site have been handled, particularly regarding statutory consultation by the Local Planning Authority. The Local Planning Authority has provided an explanation that it deemed the original application 20/2018/0448 should be granted consent but was then required to put this decision on hold whilst the applicant submitted two further applications for the site which were denied permission. The applicant, having been advised by the Local Planning Authority of its decision, settled for the original scheme, and signed the legal agreement which allowed the Authority to issue the decision. This was made in accordance with the scheme of delegation. The process has taken three years and the Community Council is disappointed that it was not further consulted in relation to the original proposal where it would have been able to raise further

*concerns that had arisen and as described above. The site has been left in a poor state during this time creating an eyesore in the village.
Given the concerns presented above, the Community Council would submit that the application should be refused."*

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Traffic, Parking and Road Safety:
No objections

Flood Risk Engineer:
Confirms that SAB approval will be required as the development is over 100square metres.

RESPONSE TO PUBLICITY:

In objection

Representations received from:
Steve Whipp, Pen Yr Ardd, Llanfair DC

Summary of planning based representations in objection:
Echoes the response of the Community Council. Raises concern that the amendments should not be dealt with as a variation of condition but as a completely new application.

In support

No representations received.

EXPIRY DATE OF APPLICATION: 17/08/2021

EXTENSION OF TIME AGREED: 6/10/2021

REASONS FOR DELAY IN DECISION: Timing of receipt of responses

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

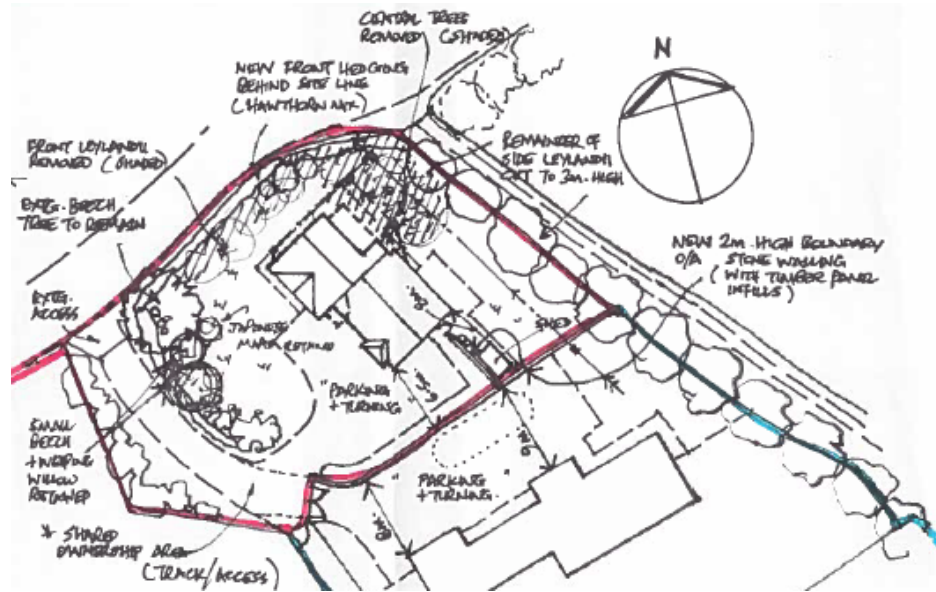
1.1.1 A Variation of Condition 2 on planning permission Ref 20/2018/0448 /PF is sought in order to permit amendments to the access arrangements and amend the design of the proposed dwelling.

1.1.2 The access would be in the same location as the existing and previously approved, but would be widened by approximately 4 metres to allow for the driveway to be split into two separate driveways – one to serve the existing dwelling, Clover Bank, and the other to serve the proposed dwelling. It is also proposed to amend the design of the dwelling, increasing its size by approximately 60 square metres.

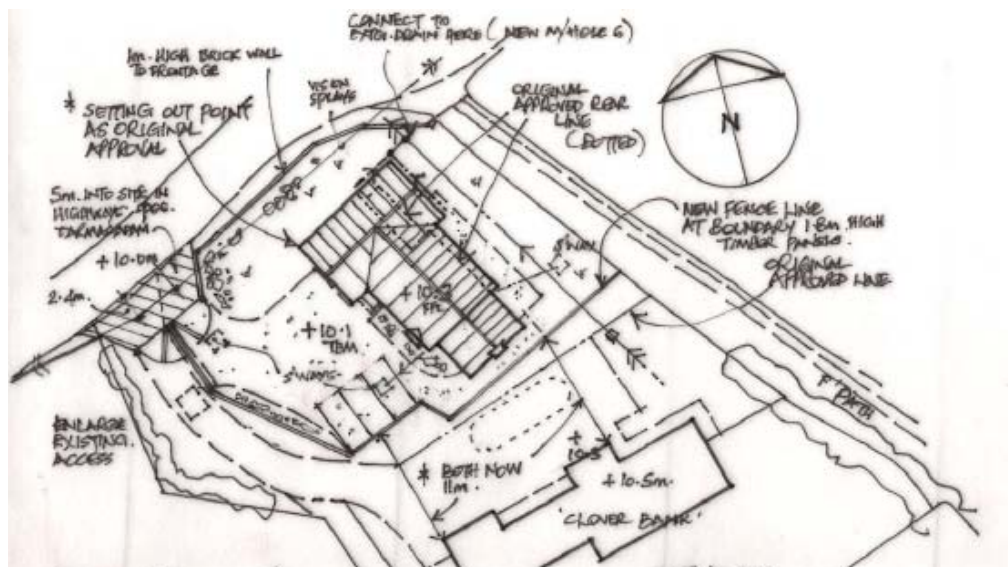
1.1.3 The previous scheme provided for a 2 bedroom bungalow, whilst the proposed amendments would allow for a 3 bedroom bungalow to be erected.

1.1.4 Site plans and elevations of the approved scheme alongside the proposed plans have been provided below :-

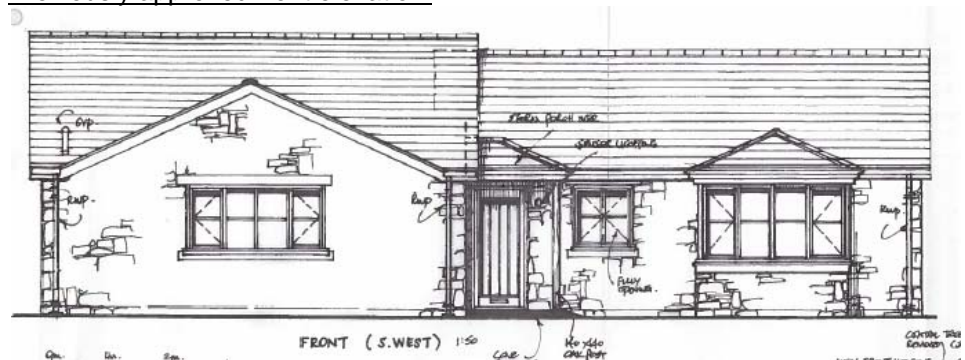
Previously approved scheme layout:



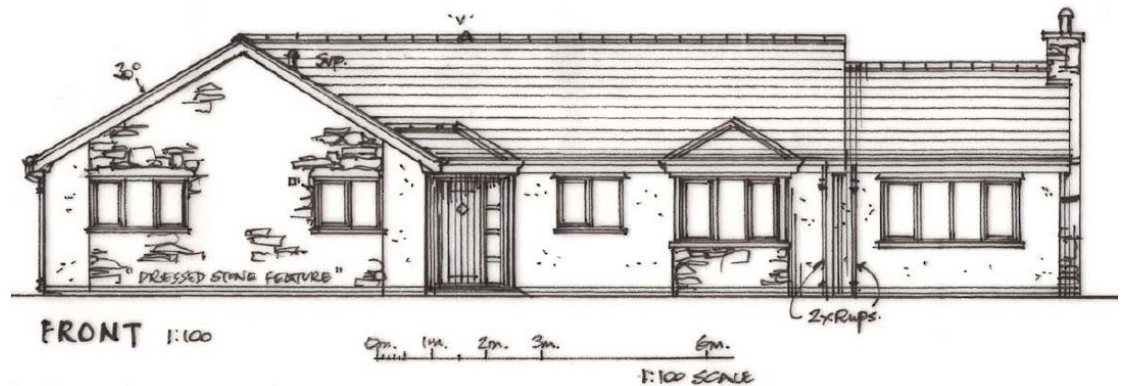
Proposed site layout:



Previously approved front elevation:



Proposed front elevation:



1.2 Description of site and surroundings

1.2.1 The site is located within the village of Llanfair Dyffryn Clwyd adjacent to the new school. It is currently part of the garden area for the dwelling Clover Bank. The site has recently been cleared, including the removal of a mature beech tree.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Llanfair Dyffryn Clwyd as defined in the LDP.

1.4 Relevant planning history

1.4.1 The original scheme provided 2 bedrooms, lounge, diner, kitchen, study and wc's.

1.4.2 The proposed layout showed the mature beech tree to the front elevation as being retained. However, whilst the legal agreement for the original permission was being dealt with, the site was cleared including the felling of the mature beech tree.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 20/2018/0448/PF – Erection of a detached bungalow. GRANTED 15/3/21

3. RELEVANT POLICIES AND GUIDANCE:

3.1 Local Policy/Guidance

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD 1 – Sustainable development and good standard design

Policy BSC 3 – Securing infrastructure contributions from development

Policy BSC 11 – Recreation and open space

Policy ASA 3 – Parking Standards

Supplementary Planning Guidance

SPG Residential Space Standards

SPG Residential Development Guide
SPG Parking requirements

3.2 Government Policy / Guidance

Planning Policy Wales Edition 11 (February 2021)
Future Wales – The National Plan 2040
Development Control Manual November 2016
Technical Advice Notes
Circulars

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 11 (February 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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:

- 3.1.1 Principle
- 3.1.2 Visual amenity
- 3.1.3 Residential amenity
- 3.1.4 Impact on trees

- 3.1.5 Drainage (including flooding)
- 3.1.6 Highways (including access and parking)
- 3.1.7 Open Space

3.2 In relation to the main planning considerations:

3.2.1 Principle

The application is made under Section 73 of the Town and County planning Act 1990 (the 1990 Act).

Section 73 allows applications to be made for planning permission without complying with conditions previously imposed on an extant planning permission, or to amend the proposed development by varying a condition. Where a Section 73 application is granted, its effect is to grant a new planning permission.

Section 73 applications can be broadly separated into three different application types, based on their intended purpose. These are to:

- extend the time limit of an existing permission (commonly referred to as a 'renewal' application)
- allow 'minor material amendments' to planning permissions
- allow the variation or removal of any other condition attached to a planning permission.

This application is to amend the list of plans and documents attached to condition 2 of planning permission 20/2018/0448/PF to allow for minor amendments to the approved scheme.

It is noted that the Community Council have raised concerns that this is for a larger bungalow and that the Housing Needs Assessment indicates a need for smaller dwellings. Factually, the existing permission allows for a 2 bedroom bungalow, whilst the current proposal is for a 3 bedroom bungalow. In Officers opinion, given the 'windfall' nature of the site, it is not considered that a 3 bedroom bungalow would represent a conflict with the housing needs assessment, and that to resist the proposal on this basis would not be defensible at appeal. To resist a single 3 bedroom dwelling on grounds of need would suggest that the county does not need any 3 bedroom dwellings.

Officers therefore consider that given the history of the site and the position within the development boundary, that the proposal is acceptable in principle.

3.2.2 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.

Concerns relating to the loss of mature planting, and proposed site landscaping of the site and the impact on the character of the area have been raised

The proposed amendment would result in a hipped side elevation facing the road, whilst the front elevation would be approximately 4metres wider than previously approved. The ridge height of the dwelling would be approximately the same as previously approved. The detailing of the proposed dwelling is broadly similar to that

as previously approved. A previously approved stone boundary wall has been replaced with a timber fence.

With regard to the detailing, scale and form of the proposed dwelling and what has been previously approved on site, it is Officers opinion that the current proposal would not result in an impact on the character or visual amenity of the area that is dissimilar to that previously approved. Noting the concerns of the Community Council in regard to the landscaping of the site, Officers consider that the loss of the mature beech tree is regrettable, but that it is possible to require a replacement through the imposition of a suitably worded planning condition. It is further noted that panel fencing and development forward of the building line is seen elsewhere in the locality – noticeably to the front of the dwelling ‘Bridles’, some 40 metres to the west of the site.

It is therefore considered that the proposal is acceptable in terms of its impact upon visual amenity, subject to additional/revised planning conditions being imposed to further agree site boundary treatments and to secure the replacement of the lost mature beech tree.

3.2.3 Residential amenity

Policy RD 1 sets specific tests to be applied to amenity impacts of development. Proposals for development should comply with these tests. The Residential SPG offers guidance on site layout to ensure the impact on residential amenity is acceptable. Space standards are suggested in SPG Space Standards.

Representations have been raised expressing concern about the proximity of the proposed dwelling to the neighbouring dwelling Clover Bank, and the amount of amenity space available to the proposed dwelling.

The proposed dwelling would feature a single storey, blank side elevation facing towards the front of Clover Bank at a distance of approximately 11.5 metres. The garden area for the proposed dwelling would exceed 140 square metres.

SPG Residential Space Standards advises dwellings should have a minimum of 40 square metres of private garden area. The proposal clearly exceed this. In terms of separation distances, SPG Residential Development advises that where a wall containing windows of a lounge, dining room, bedroom or kitchen overlooks a wall with no windows on an adjacent property the distance should be a minimum of 15 metres. However, it is noted that this is in relation to two storey development. In this instance the proposal is for a single storey development, and that a boundary fence/wall would be erected between the two properties and therefore Officers consider that 11.5 metres would not be unacceptable.

In respect of the above, having regard to Policy RD 1 and relevant SPG’s, the siting, orientation, internal space, external space and window positions are not considered likely to result in harm to the residential amenity of the area. The distance between the proposed dwelling and neighbouring properties is considered acceptable, given the single storey nature of both the proposal and the neighbouring dwelling. The amenity of Clover Bank would be protected by the proposed screen wall/fence. The proposed dwelling provides an adequate amount of amenity for the future occupants in terms of room size and garden area.

3.2.4 Impact on Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment.

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests

that permission should not be granted where proposals are likely to cause significant harm to such interests.

This reflects policy and guidance in Planning Policy Wales (PPW 11) Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Planning Policy Wales (PPW 11) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (Section 6.4.5). PPW also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

Concern has been raised regarding the impact of the site clearance upon the biodiversity of the area.

It is noted that the site has been cleared relatively recently, and that as a former ornamental garden, the site was limited in terms of its biodiversity value. However, it is possible to improve this situation by requiring the developer of the site to include a raft of ecological enhancement features into the development. Such enhancements can be secured through the imposition of a suitably worded planning condition. On this basis, and given the history and former use of the site, it is not considered that the proposal would have such an adverse impact on biodiversity as to warrant refusing permission.

3.2.5 Drainage (including flooding)

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

Planning Policy Wales confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration.

Planning Policy Wales (PPW 11) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

Planning Policy Wales (PPW 11) Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed. TAN 15 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event

Concern has been raised that the increase in amount of hardstanding now proposed would result in surface water flooding problems off site.

It is noted that the proposed dwelling has a footprint exceeding 100 square metres. It is therefore a legal requirement that the developer must have SAB approval prior to work commencing on site.

In Officers opinion, given the scale of the proposal, and the legal requirement for the surface water drainage system to be approved by the Sustainable Drainage Approval Body, it is unlikely that the proposal would result in off-site flooding. The proposal is therefore considered acceptable in this regard.

3.2.6 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.

No representations have been made in relation to the proposals impact upon the highway. The Highway Officer raises no objection to the proposal.

On the basis of the information submitted, it is considered that the access is suitable and that the additional usage of it resulting from one additional dwelling is not likely to result in a harmful impact to the safe and free flow of traffic on the highway. In respect of the proposed access and the impact upon highway safety, it is considered that the proposal complies with Policy RD1 and Policy ASA 3.

3.2.7 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.

A legal agreement to secure a commuted sum for open space contribution has already been signed, and is therefore not a consideration for this application.

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.

5. SUMMARY AND CONCLUSIONS:

5.1 The revised scheme is considered acceptable.

5.2 It is not considered there have been any material changes to planning policy or circumstances since the original grant of consent which justify refusing to permit an additional period of time to submit reserved matters details / to commence the development.

5.3 With respect to the representations received, it is considered that the loss of the mature beech tree can be mitigated through the imposition of a planning condition.

RECOMMENDATION: APPROVE- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 15th March 2026.
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) Revised Proposed Floor Plans (Drawing No. 21/23/2) - Received 17 June 2021
 - (ii) Revised Proposed Site and Elevation Plans (Drawing No. 21/23/1) - Received 17 June 2021
3. Facilities shall be provided and retained within the site for the parking of vehicles in accordance with the approved plan, and shall be completed prior to the first occupation of the dwelling. The parking spaces shall remain available at all times thereafter for use in connection with the dwelling.
4. **PRE COMMENCEMENT CONDITION**

No development shall take place until the written approval of the Local Planning Authority has been obtained to a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

 - (a) All existing trees (including spread and species), hedgerows and other vegetation on the land, identifying those to be retained, and measures for their protection in the course of development;
 - (b) Proposed new trees (to include one standard common beech tree), hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of implementing the planting;
 - (c) Proposed materials to be used on any driveway(s), paths and other hard surfaced areas;
 - (d) Proposed earthworks, grading and mounding of land and changes in levels, retaining structures, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform, and water features;
 - (e) Design and location of biodiversity enhancement features;
 - (f) Proposed positions, design, materials and type of boundary treatment, including screen walls and fences, and the timing of implementing the treatment; and

(g) The timing of the carrying out of the planting, landscaping, erection of screen walls and fences relative to the different elements of the development.

5. All planting, seeding or turfing, biodiversity enhancement features, screen walling and fencing, and boundary treatment comprised in the approved details of landscaping shall be completed strictly in accordance with the timescale set out therein. Any trees or plants which within a period of 5 years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All screen walls and fences shall be maintained and retained as approved unless the Local Planning Authority gives written approval to any variation.

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 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.
4. In the interest of visual and residential amenity.
5. In the interest of visual and residential amenity.