

**46/2021/0727**



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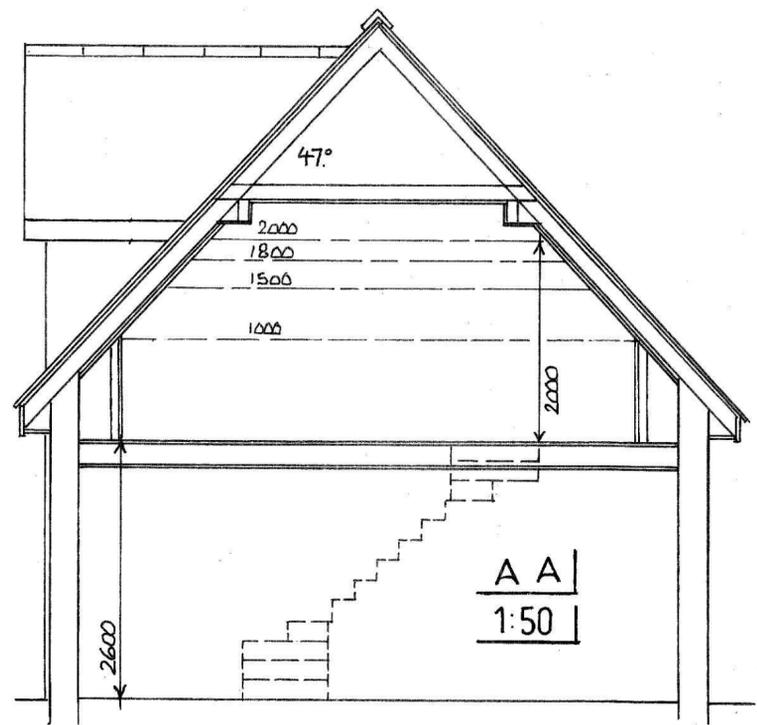
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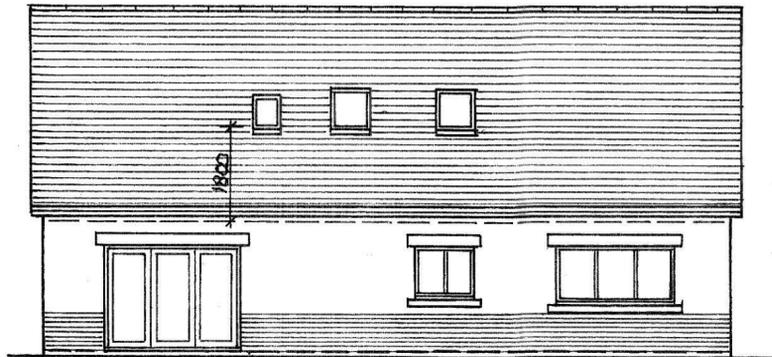
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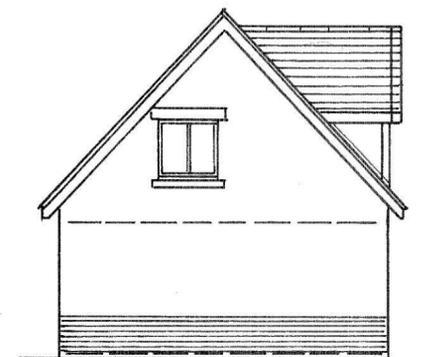
- PLOT ADJACENT TO THE CROFT,  
 DG 1 - 1:100+1:50 @ A2



Natural finish oak  
 Plank detailing to  
 dormers as shown.



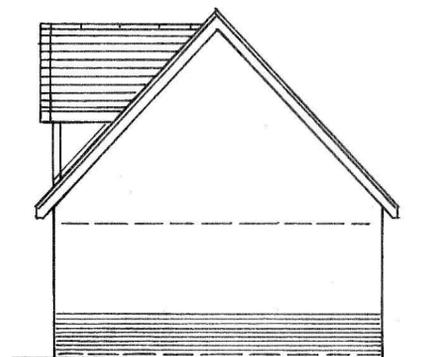
NORTH WEST



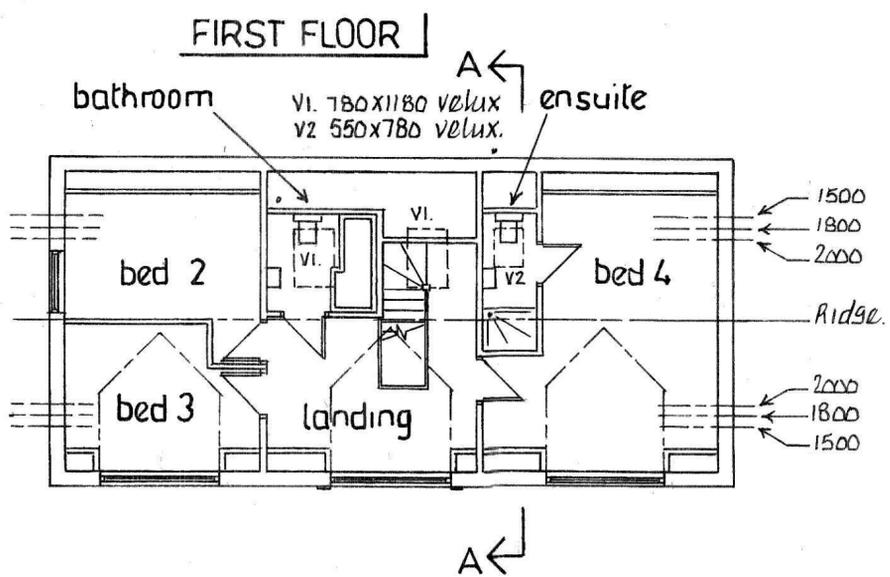
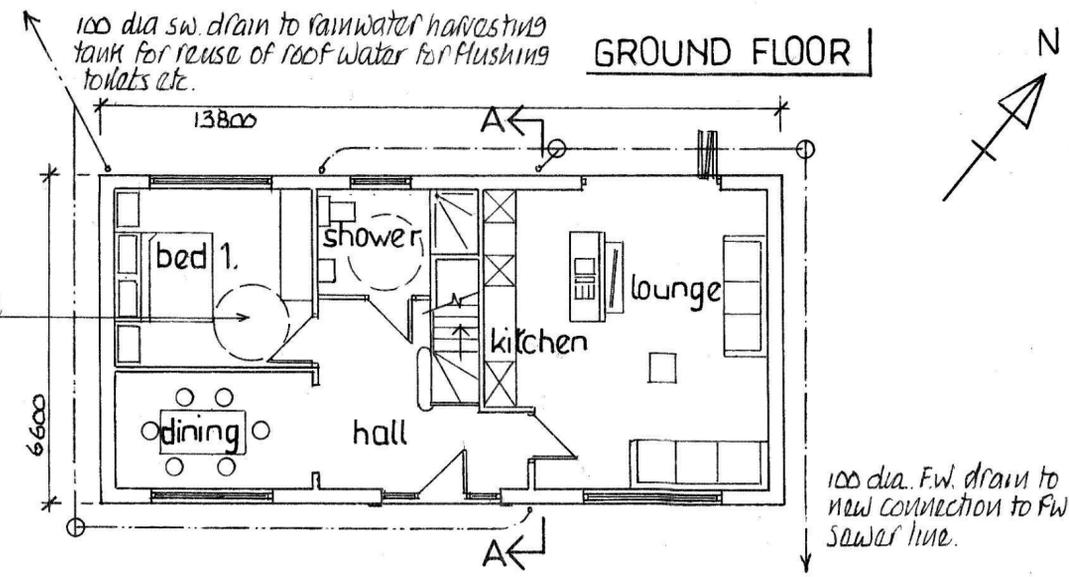
SOUTH WEST



SOUTH EAST

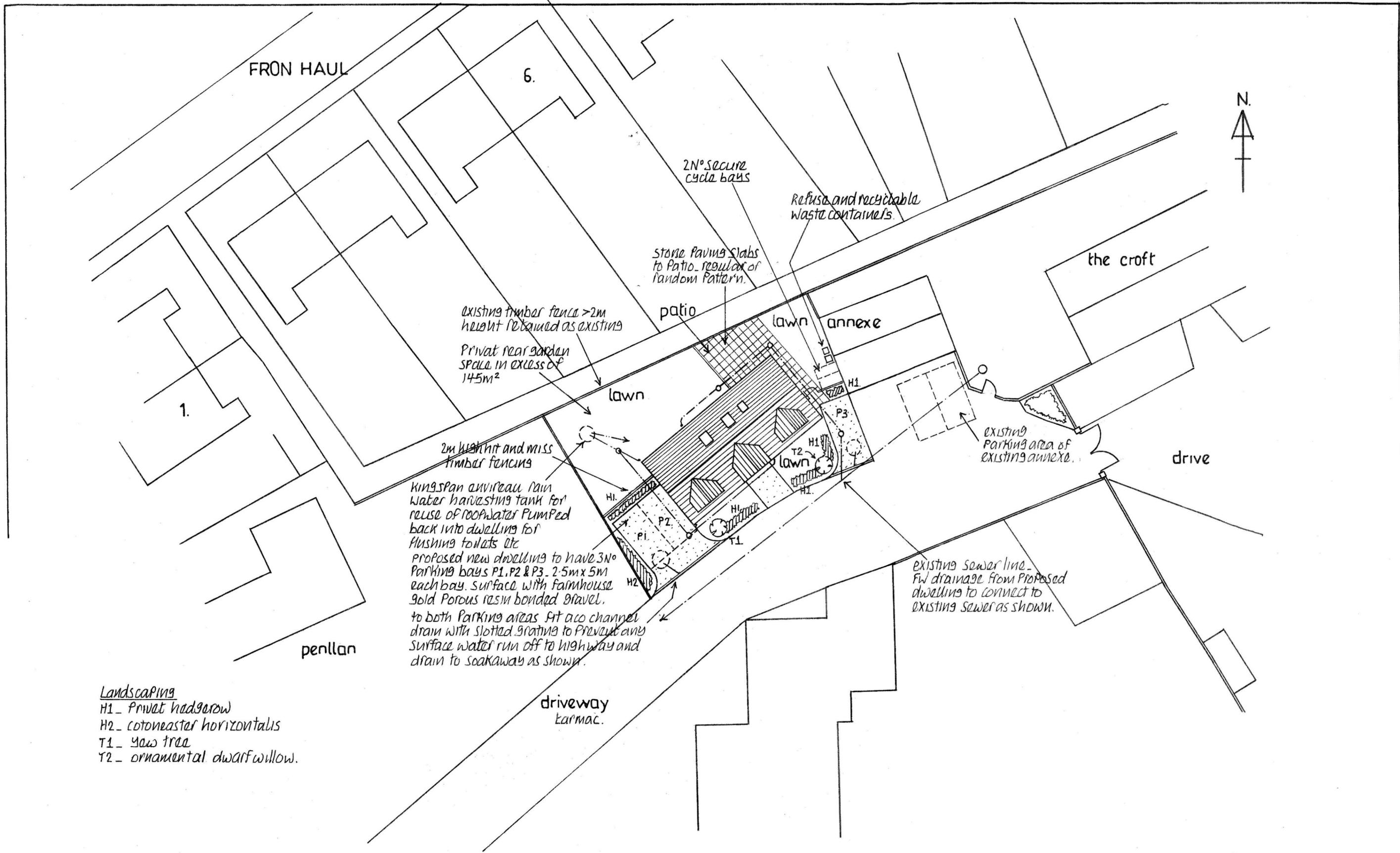


NORTH EAST



Proposed external finishes  
 Roof: manley duo ademere grey interlocking cone tiles, grey UPVC rainwater goods and white UPVC fascias and bargeboards etc.  
 Walls: Ivory coloured render and facing brick Plinth.  
 Doors and windows: Grey UPVC or Powder coated aluminium double glazed units





- Landscaping  
 H1 - Privat hedgesrow  
 H2 - cotoneaster horizontalis  
 T1 - Yew tree  
 T2 - ornamental dwarfwillow.

PLOT ADJACENT TO THE CROFT,  
 SITE PLAN- PROPOSED - DG3  
 1:200 @ A2



## Eitem Agenda 8 / Agenda Item 8



View of site



## Eitem Agenda 8 / Agenda Item 8



View of site  
showing  
existing  
annexe /  
garage  
building to  
side of site



## Eitem Agenda 8 / Agenda Item 8



View of site showing annexe / garage and side elevation of  
The Croft dwelling



## Eitem Agenda 8 / Agenda Item 8



View showing neighbouring property



## Eitem Agenda 8 / Agenda Item 8



View along private road showing house on opposite side  
of road



## Eitem Agenda 8 / Agenda Item 8



View along private road



## Eitem Agenda 8 / Agenda Item 8



Private road junction with highway



**WARD :** St Asaph East

**WARD MEMBER(S):** Cllr Andrew Thomas

**APPLICATION NO:** 46/2021/0727/ PF

**PROPOSAL:** Erection of 1 no. detached dwelling and associated works

**LOCATION:** Land at (Part garden of) The Croft Upper Denbigh Road St. Asaph LL17 0RW

**APPLICANT:** Mr Russell Reeve

**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 – Town / Community Council objection

**CONSULTATION RESPONSES:**

ST ASAPH CITY COUNCIL – The Council object to this application for the following reasons:

- Over-intensification.
- Highways issues re: access.

DWR CYMRU / WELSH WATER – No objection, subject to conditions to prevent surface water / land drainage discharging to the public sewers/

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Traffic, Parking and Road Safety  
-Highways Officer

The existing private lane from the A525 to the development site is adequate in width to provide two-way vehicle movement and given the wide verge/footway allows ample visibility splays in both directions and for pedestrian movement on the street. I do not consider this small scale development of one house would give rise to any highway related issues and therefore have no objection.

**RESPONSE TO PUBLICITY:** None.

**EXPIRY DATE OF APPLICATION: 06/09/2021**

**EXTENSION OF TIME AGREED: 10/11/21**

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The proposal is for the erection of a two-storey detached dwelling on an area of lawned garden within the curtilage of The Croft, to the side of an existing detached annexe building.
- 1.1.2 The dwelling proposed is two storey, with dormer windows to the front elevation, and roof lights to serve first floor accommodation to the rear.
- 1.1.3 Three parking spaces are proposed off the private road to the front and side of the dwelling proposed.

1.1.4 A garden area is proposed to the side and rear.

1.2 Other relevant information/supporting documents in the application

1.2.1 The application is supported by a Justification Statement.

1.3 Description of site and surroundings

1.3.1 The site is a triangular section of lawned garden, within the curtilage of The Croft situated along Solar Court private road, which provides access to three detached residential properties.

1.3.2 The main dwelling is situated behind a high wall to the east of the annexe, with the annexe and application site remaining within the curtilage of The Croft, but outside of the high wall

1.3.3 The private road runs along the southern boundary, where this is no footway and the lawn extends up to the edge of the road.

1.3.4 The plot is adjacent to a detached dormer annexe building to the east.

1.3.5 To the rear (north) the boundary abuts rear gardens of properties along Fron Haul and is marked by timber fencing.

1.3.6 To the west is the neighbouring property, Penllan.

1.3.7 Photos:

Photos of application site:





Photo partial site, annexe and main dwelling to east of annexe behind high wall:



View along private road showing access to Penllan, with site and annexe beyond:



View along private road with Solar Court in foreground, and annexe in distance:



1.4 Relevant planning constraints/considerations

1.4.1 Within St. Asaph development boundary.

1.5 Relevant planning history

1.5.1 Previous householder application granted in 2014 for formation of annexe, triple of garage and alterations and extension to the main house. Annexe was propose to provide accommodation for a dependent relative.

1.6 Developments/changes since the original submission

1.6.1 None.

1.7 Other relevant background information

1.7.1 None.

**2. DETAILS OF PLANNING HISTORY:**

2.1 46/2011/0656. Retention of wall over 2 metres in height (retrospective application). Granted 28/09/2011

2.2 46/2014/1385. Erection of single storey extension to side of dwelling and erection of pitched roof over existing flat roof to provide en-suite; conversion and extension of existing garage to form annexe accommodation; erection of new triple garage with guest accommodation above and alterations to boundary wall and access. Granted 06/02/2015.

**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 4<sup>th</sup> June 2013)

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

**Policy BSC1** – Growth Strategy for Denbighshire

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

**Policy BSC11** – Recreation and open space

**Policy ASA3** – Parking standards

**Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Recreational Public Open Space

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note: Residential Space Standards

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

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:

- 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 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle

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

The site is located within the development boundary of St Asaph.

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

4.2.2 Visual amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (iv) 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.

PPW at 3.9 advises the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.

The Residential Development SPG at 6.45 advises sufficient private garden space should be left to ensure that enough space is kept between neighbouring properties so as to prevent a cramped, overcrowded feel to the area.

The City Council have raised an objection to the proposal on visual amenity grounds and consider the proposal is over-intensification.

The proposal involves the development of a lawned garden area to the side of an existing detached annexe, which is to the west of the main house and curtilage, and is situated along a private road.

The Croft, and the two other properties served by the private road are large detached properties set within large plots.

The plot is triangular, and the rear elevation of the dwelling proposed would be 3.5m at the closest point, and 6.3m at its furthest point away from the fence along the rear boundary.

No boundary treatments are proposed between the annexe and the dwelling proposed. The side elevation would be between 3m at the closest point, and 4.6m at the furthest point, from the side elevation of the annexe. Parking space 3 would abut parking to the front of the annexe.

The side elevation (west) would be 5m at the closest point, and 6.1m at the furthest point from the boundary with Penllan to the west, with parking space 1 and 2 occupying the land to the side of the dwelling.

No boundary treatments are proposed to the front of the dwelling owing to the vehicular access requirements and proximity of the front elevation to the private road.

The plot depth is shallow, and the dwelling would appear close to the existing annexe and to the private road to the front.

Whilst officers have reservations regarding the scale and layout of the proposal, it has to be acknowledged that the Council's residential space standards and parking requirements can be accommodated within the site, and that the site is situated along a private road with irregular patterns of development and that the dwelling proposed would not be clearly visible in public views.

Accordingly, whilst the layout appears cramped in plan form, Officers do not consider the development proposed would give rise to harm to the character or visual amenity of the surrounding area, and accordingly a refusal on grounds of cramped form of development is not considered to be justified in this instance.

However, owing to the limited plot size and scale of the dwelling proposed, Officers do consider it necessary to remove permitted development rights to prevent overdevelopment of the plot.

#### 4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of

development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc..

The 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 40m<sup>2</sup> of private external amenity space should be provided as a minimum standard for residential dwellings.

No representations have been received on residential amenity grounds.

The proposal is a four bedroom dwelling which would meet the Council's floor space standards, and more than 40m<sup>2</sup> of outdoor amenity space is provided within the site.

The proposal would therefore meet the Residential Space Standards laid out in the SPG,

There are residential neighbours to the side and rear.

First floor dormers are proposed to the front elevation which would face towards the side elevation of Solar Court.

The rear elevation would be between 3.5m to 6.3m from the rear boundary which abuts rear gardens of properties along Fron Haul.

Roof lights are proposed in the rear roof pitch to serve first floor accommodation, which would protect amenity of neighbours to the rear.

A habitable first floor window is proposed in the south west elevation which would face towards the residential curtilage of Penllan, however it would be in excess of 21m from the side elevation of Penllan.

The proposal would not therefore unacceptably impact on amenity of residential neighbours, however conditions would be required to control windows to ensure no additional first floor windows are installed, and owing to the small plot size, permitted developments rights would also need to be removed to prevent overdevelopment of the plot and to ensure sufficient amenity and parking space is retained.

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

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require consideration of the impact of development on the local highway network.

Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments

These policies reflect general principles set out in Planning Policy Wales (PPW 11) and TAN 18 – Transport, in support of sustainable development.

The City Council has raised an objection to the proposal on highway grounds owing to the access arrangement.

Highways Officers have advised the existing private lane is adequate in width to provide two-way vehicle movement and given the wide verge/footway allows ample

visibility splays in both directions and for pedestrian movement on the street, and owing to the scale of the development, have raised no objection to the proposal.

The proposal would be served by an existing private lane, and 3 parking spaces are proposed, which meets the maximum standards set out in the above.

Notwithstanding the concerns of the City Council, having regard to the advice of Highway Officers, Officers do not consider the proposal would give rise to unacceptable impacts on highway safety.

#### 4.2.5 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 specifies that all new housing developments should make adequate provision for recreation and open space. All such schemes put increased demand on existing open spaces and facilities and therefore the policy applies to all developments including single dwellings.

Table 4 in the Open Space SPG (adopted March 2017) sets out thresholds for on-site provision and financial contributions. It specifies that for schemes of 1 – 30 dwellings, open space obligations should be met through financial contributions rather than onsite provision, however 5.4.9 of the SPG does state that the thresholds are indicative, and onsite provision for sites of less than 30 will be considered on their merits.

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

In relation to the application, the assessment shows that there is a deficiency in open space provision within St Asaph.

The proposal is for a 4 bedroom dwelling in a central location within St. Asaph and therefore it is reasonable to assume future occupiers would use open space provision.

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

The proposal is considered acceptable in relation to open space policy subject to the requisite contribution being secured through an appropriate agreement.

#### 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 Subject to the necessary financial contribution towards open space provision being secured through an appropriate agreement and conditional controls being applied, the proposal is considered to be acceptable and recommended for grant.

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

1. The development to which this permission relates shall be begun no later than 10th November 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) Proposed elevations and floor plans (Drawing No. 1) received 13 July 2021
  - (ii) Existing site plan (Drawing No. 2) received 13 July 2021
  - (iii) Proposed site plan (Drawing No. 3) received 13 July 2021
  - (iv) Location plan received 13 July 2021
  - (v) Landscaping proposals received 13 July 2021
  - (vi) Rainwater harvesting information received 13 July 2021
  - (vii) Justification Statement received 13 July 2021
3. Notwithstanding the provisions of all Classes of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out without approval in writing of the Local Planning Authority.
4. No first windows additional to those shown on the approved plans shall be inserted at any time in the dwelling hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

### The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interests of residential and visual amenity.
4. In the interest of residential amenity.