

**15/2021/0681**



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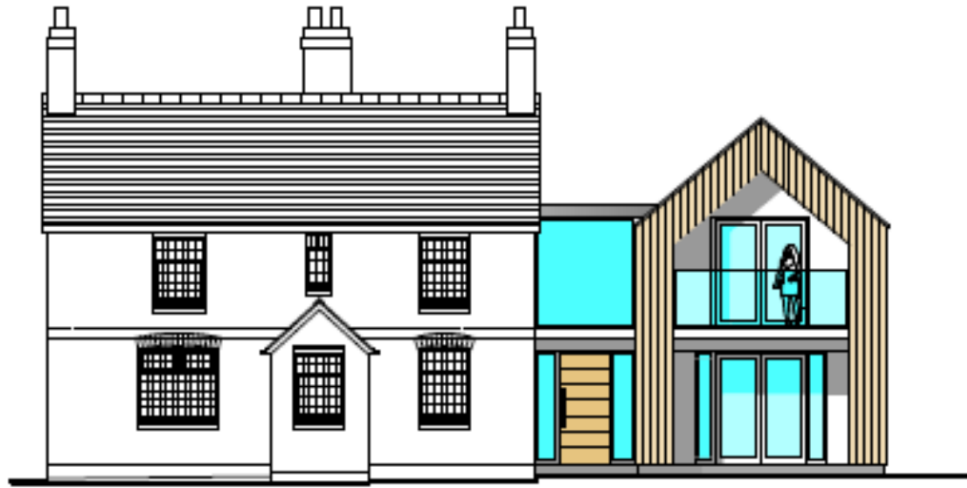






View from B5430 - seen in context of farm buildings





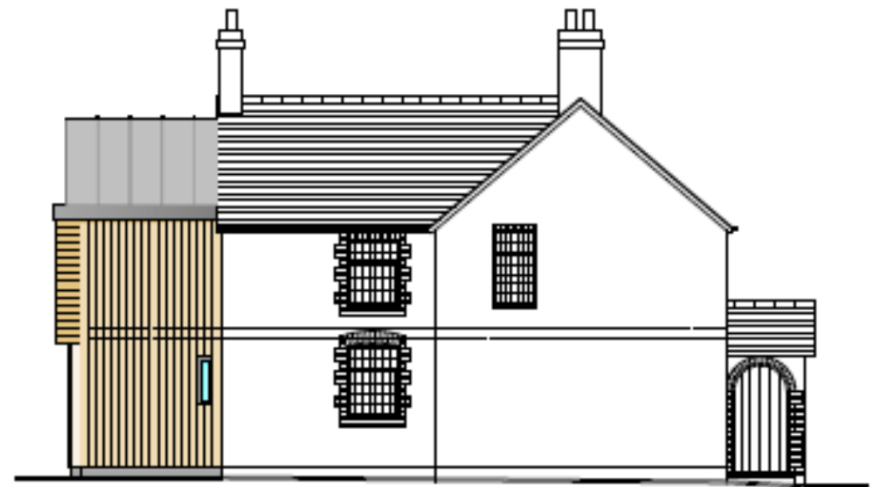
North East Elevation



North West Elevation

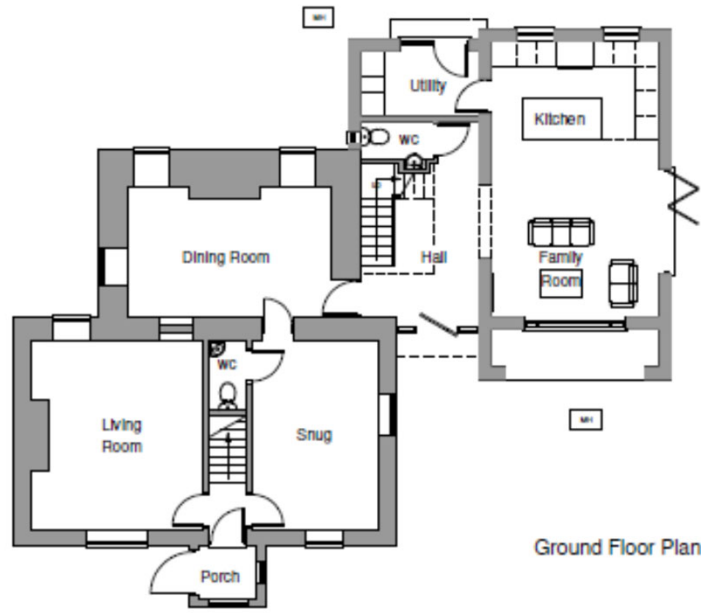


South West Elevation

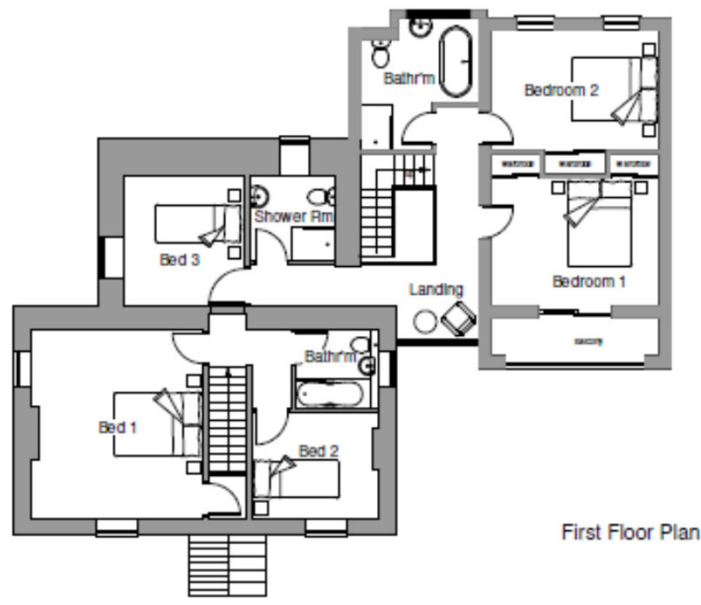


South East Elevation





Ground Floor Plan



First Floor Plan











**WARD :** Llanarmon Yn Ial / Llandegla

**WARD MEMBER(S):** Cllr Martyn Holland

**APPLICATION NO:** 15/2021/0681/ PF

**PROPOSAL:** Erection of proposed extension to provide annexe accommodation

**LOCATION:** Graianrhyd Farm House, Llanarmon yn Ial, Mold

**APPLICANT:** Ms L Arden

**CONSTRAINTS:** Phosphorus Sensitive SAC

**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:**

**LLANARMON YN IAL COMMUNITY COUNCIL**

"The design of the new annexe was felt not to be in-keeping with the character of the old Farm House; not being sympathetic and too large. This is not just an annexe, it was felt to be more of a completely separate dwelling to provide separate accommodation. Not supported at this stage."

**NATURAL RESOURCES WALES**

NRW have confirmed that it does not raise an objection to the proposal, subject to a planning condition being imposed requiring the submission and approval of a Conservation Plan prior to the commencement of development. IN relation to the potential impact on the Phosphate Sensitive SAC Catchment Area, NRW further advises that it does not consider that a potential change in the number of inhabitants of the property should in itself justify the triggering of likely significant effects on a European Site, unless there is a material change of use connected to or arising from the change in occupancy or if the use resulting from the change in occupancy cannot be said to be incidental to the enjoyment of the dwelling house - this will be a planning judgment for the authority to make.

**County Ecologist**

Does not raise an objection to the proposal, subject to relevant conditions being imposed relating to the enhancement of biodiversity.

**RESPONSE TO PUBLICITY:**

In objection:

None.

In support

Representations received from:

Ceris Jones, Llys Castan, Graianrhyd Road, Llanarmon yn Ial

Summary of comments received:

The planned accommodation will not have a negative effect on the locality and will ensure that a young family remains in the area.

**EXPIRY DATE OF APPLICATION: 12/01/2022**

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

- timing of receipt of representations
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

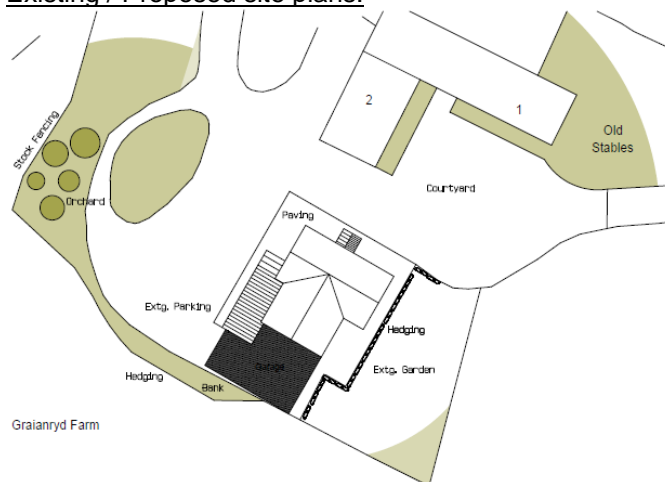
**1. THE PROPOSAL:**

1.1 Summary of proposals

1.1.1 The proposed development is for the demolition of an existing side and rear extension and its replacement with a two storey side extension connected via a glazed link. The existing extensions consist of a lean to extension on the side and a wooden cladded structure to the rear of the lean to and main property.

1.1.2 The proposed development would introduce a two storey extension that would be linked to the main dwelling via a glazed link. The proposed glazed link would be in line with the rear wall of the dwelling and parallel to the rear protruding gable. This is where the existing side extension is positioned. This would be set back 4 metres from the front of the dwelling.

1.1.3 Existing / Proposed site plans:



1.1.4 Existing elevation plans:



1.1.5 Proposed elevation plans:



1.1.6 The proposed materials aren't specified within the application but appear to be horizontal timber cladding with a raised seam roof.

1.1.7 In terms of the additional floorspace provided by the proposed extension, it seeks at ground floor to create a replacement kitchen within the proposed extension with an open plan family room. The existing kitchen would become a snug and utility room relocated into the rear of the link. At first floor, the proposals would create two additional bedrooms.

1.1.8 The side extension (20sqm) and rear extension (44sqm) to be demolished would be replaced by the two storey extension that would be 100sqm.

1.1.9 Existing Floor Plans / Proposed Floor Plans



## 1.2 Description of site and surroundings

1.2.1 The application site consists of the dwelling Graianrhyd Farm House. The property is adjacent to another property (previous conversion of farm buildings), and sits within the wider farm complex with large agricultural buildings to the north. The topography raises steeply to the south and west of the dwelling. There is a pond to the west of the site. The site is accessed via a private access road which leads from the village of Graianrhyd.

## 1.3 Relevant planning constraints/considerations

1.3.1 The application site is located within the open countryside. The site is within the Phosphate Sensitive catchment area that covers the tributary rivers and their catchments that flow into the River Dee and Bala Lake Special Area of Conservation.

## 1.4 Relevant planning history

1.4.1 None.

1.5 Developments/changes since the original submission

1.5.1 The scheme was amended to reduce the ridge height of the proposed extension to make the scale smaller and more subordinate. The width of the side extension was reduced by some 750mm. In addition a side projection at first floor was removed to simplify the design to be more in keeping and reflective of a barn structure.

1.6 Other relevant background information

1.6.1 The application is accompanied by a Protected Species Survey.

**2. DETAILS OF PLANNING HISTORY:**

2.1 None.

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

**Local Policy/Guidance**

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

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

**Policy RD3** – Extensions and alterations to existing dwellings

**Policy VOE5** – Conservation of Natural Resources

**Policy ASA3** – Parking standards

**Supplementary Planning Guidance:**

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Space Standards

**Government Policy / Guidance**

Planning Policy Wales Edition 11 February 2021

Development Control Manual (2016)

Future Wales – The National Plan 2040

**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 Ecology
- 4.1.5 Drainage

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of extensions to existing dwellings is generally acceptable in terms of current policies, subject to consideration of detailing and impacts. Local Development Plan Policy RD 3 relates specifically to extensions to dwellings and permits extensions subject to meeting the following criteria:

- The scale and form should be subordinate to the original dwelling, or the dwelling as it was 20 years before the application was made;
- The design, scale, massing and materials should be sympathetic to the character and appearance of the existing building;
- The proposal does not represent an overdevelopment of the site

The Residential Development SPG offers basic advice on the principles to be adopted when designing domestic extensions and related developments.

The principle of appropriate extensions and alterations to existing dwellings is therefore acceptable. The assessment of the specific impacts of the development proposed is set out in the following sections.

The Community Council raised concerns with the scale of the dwelling and the possibility of this being used as a standalone dwelling. Officers consider as the property would maintain shared facilities such as the new kitchen and therefore that this is not tantamount to the creation of a new dwelling in the open countryside. It is considered unlikely that this could be used as a separate dwelling given the relationship between the existing dwelling and the proposed extension. Nonetheless, a condition could be included on any consent to add additional control/ assurance of this. In any event, if granted consent would be given for the extension to be used as an annexe to the main dwelling. Further permission would therefore be required to use the extension as a separate dwelling.

It is therefore considered that the proposed extension is acceptable in principle, subject to an assessment of the impacts.

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.

The Community Council consider that the design of the new annexe was felt not to be in-keeping with the character of the old Farm House; not sympathetic and too large.

The proposal is for the demolition of an existing side extension and rear garage and its replacement with a two storey side extension connected via a glazed link. The existing extensions consist of a lean to extension on the side and a wooden clad garage structure to the rear of the lean to and main property. The existing extensions that are to be removed are poor quality and at odds with the main original dwelling.

The design concept of the proposed extension was discussed with the architects who advised that they had considered all other options to achieve the required extension. However, due to the random brick materials, orientation and design of the existing dwelling, and the slope to the rear, it was considered that they would not be able to practically achieve a traditional styled extension. Other options would reduce the amenity of the remainder of the existing dwelling. It would not be possible to accurately match the existing materials. Therefore, the most suitable option was considered to be to design the glazed link to show a degree of separation from the main part of the dwelling/rear protruding gable and the proposed extension. In terms of materials, the architects advised that they have sought to use materials that would integrate with the wider site and setting and reflect a barn style addition.

The proposed development would introduce a large two storey extension that would be linked via a glazed link to the main dwelling. The proposed glazed link would be in line with the rear wall/ protruding gable, where the existing extension is positioned, so would be set back significantly from the front of the dwelling. The glazed link would provide a degree of separation from the main part of the dwelling/rear protruding gable and the proposed extension, which uses materials that would integrate with the wider site and setting and not inaccurately mirror the existing dwellings materials.

From being set back and having a lower ridge than the main part of the dwelling and rear protruding gable of the dwelling, this would give the proposed extension a subordinate appearance to the main part of the dwelling.

Although the materials would be different to the main dwelling, in this instance, given the appearance of the main dwelling and inability to replicate this, or to integrate an appropriate extension, it is considered that this design, that incorporates materials from the wider farm site, is considered to be an acceptable option. The simplicity of the building and design and set back from the main dwelling, gives it a subservient appearance.

Overall, although Officers do agree that this is a large extension, consider that the scale is subordinate as required by the policy and that the rationale behind the design is appropriate and in keeping with the wider character of the site.

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

There were no representations on residential amenity impacts.

The proposal would replace existing extensions, and therefore the garden area that serves the dwelling would remain large. The car parking and turning area would remain sufficient to serve the property.

The proposed extensions look past the adjacent dwelling over the tracks and farm rather than towards any windows or amenity areas. Therefore, there would not be an impact upon the neighbouring resident's amenity.

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 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).

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 ecological impacts of development should therefore be regarded as a potential material consideration.

The application is supported by an Ecological Appraisal and Bat Mitigation Proposal. The surveys identified two bat roosts within the building, a Long-Eared bat day roost in the main roof on the North-West side and a Common Pipistrelle bat maternity roost in the main roof on the South-East side but also using the lean-to roof materials. The proposed works would include demolition of the lean-to in order to accommodate the new extension.

The Protected Species report advises that it is not anticipated that the proposed works would have any impact upon Favourable Conservation Status of the species due to the low numbers of bats, a common species, and because the works will not impact the main roosts in the building roof. Only the roost in the lean-to will be destroyed and this can be mitigated to ensure bat habitats are enhanced.

Given the presence of protected species, the works can only be carried out under a European Protected Species (EPS) License from NRW.

In considering the grant of planning permission the LPA must consider whether the disturbance of the protected species is required for the purpose of *“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance of the environment.”*

This proposal, being for improvements to an existing dwelling, is considered to accord with social and economic justifications – it will improve the quality of housing stock in a rural area, and provide work for local trades people. Further, if carried out correctly the works could secure the longer term future of the habitat.

Having regard to the nature of the proposal, it is not considered that there is a satisfactory alternative to the works proposed, as alternative designs that provide similar floor space are likely to conflict with Householder Extension policy and guidance, and the dwelling is limited by steep ground to the rear.

NRW advised that a Conservation Plan condition must be attached to any consent. This has been included in the proposed list of conditions. A 'Note to Applicant' informing them of the requirement to obtain an EPS Licence is also proposed.

It is noted that adequate mitigation methods have been proposed and no objections to these have been raised by the County Ecologist or NRW. It is therefore considered that if the development was permitted, it would not be detrimental to the maintenance of the population species concerned.

#### 4.2.5 Drainage

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 drainage and flood risk impacts of development should therefore be regarded as a potential 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'.

The proposed extension would connect into the existing drainage system.

The site is located within the Phosphate Sensitive SAC Catchment Area. The proposed development proposes two additional bedrooms, which is to serve the existing family (daughter and child) as part of the existing dwelling.

Natural Resources Wales were consulted on the application and advised that; *"We note the application, as submitted, proposes a granny annexe. We do not consider that a potential change in the number of inhabitants of the property should in itself justify the triggering of likely significant effects on a European Site, unless there is a material change of use connected to or arising from the change in occupancy or if the use resulting from the change in occupancy cannot be said to be incidental to the enjoyment of the dwelling house - this will be a planning judgment for your authority to make. You may wish to consider whether this development proposal would result in the creation of independent living accommodation, a separate planning unit and/or whether the use no longer can be said to be ancillary to the main residence. Ultimately, it is a matter for you, as Competent Authority, to satisfy yourselves that the proposed development will not result in a significant effect on the SAC. Therefore, should your Authority conclude that the proposal is likely to have a significant effect on the River Dee and Bala Lake SAC, please consult us on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended)".*

On this basis, as the proposed extensions would be incidental to the enjoyment of the dwelling house, using the same main shared facilities such as kitchen, there is not a separate planning unit being created. The scale of the extensions of two bedrooms are similar scale to standard extensions, and therefore it is considered that the proposal can be screened out as not having a likely significant effect in terms of increased occupancy.

#### 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 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 9th March 2027
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) Existing floor and elevations plan (drawing number S01) received 2 July 2021
  - (ii) Proposed floor and elevations plan (drawing number P01 Rev G) received 12 January 2022
  - (iii) Location plan (drawing number L01) received 2 July 2021
  - (iv) Existing Site plan (drawing number L03) received 18 November 2021
  - (v) Proposed Site Plan (drawing number L02) received 18 November 2021
  - (vi) Ecological Appraisal V1, Ava Ecology, Dated 04/10/2021 - received 18 November 2021
  - (vii) Bat Mitigation Proposal - received 18 November 2021
3. The accommodation hereby approved shall be used solely for purposes ancillary to the residential use of the dwelling known as Graianrhyd Farm House and shall not at any time be occupied as a separate residential unit.
4. Prior to the application of any external materials full details of the windows, doors, glazed link, wall and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details
5. **PRE-COMMENCEMENT CONDITION**

No development shall commence until a Bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall build upon the principles outlined in the approved Bat and Bird Report and include:

  - a) Submission of details concerning bat mitigation and compensation measures including plans.
  - b) Details of timing, phasing and duration of construction activities and conservation measures.
  - c) Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development.
  - d) Actions to be taken in the event that previously unidentified species of bat are found.
  - e) Ecological Compliance Audit, including key performance indicators.
  - f) Details of persons responsible for implementing the works.
  - g) Post-construction monitoring and record dissemination for a period of not less than 5 years.
  - h) Further details and implementation proposals for the outlined external lighting scheme together with a plan illustrating predicted bat emergence and dispersal from bat compensation features and associated bat access points.

The development shall then be carried out strictly in accordance with the approved details.
6. **PRE COMMENCEMENT**

No development shall be permitted to commence until the details of the provision for nesting birds has been submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and specification of these features which shall be determined by a suitably qualified ecologist and shown on appropriate plans. The development shall proceed in strict accordance with the approved plan and details.

7. No new external/ internal lighting shall be permitted to be installed or operated, including emergency / security lighting, until the written approval of the Local Planning Authority has been obtained to the details thereof to include light spillage details which should be designed to avoid negative impacts on bats. The scheme shall be carried out strictly in accordance with the approved details.
8. **PRE-COMMENCEMENT CONDITION**  
A detailed landscaping scheme designed to deliver a net benefit for biodiversity, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development. The scheme shall include a species list for the new planting, and only feature species of known benefit to wildlife. No species listed on schedule 9 of the Wildlife and Countryside Act (1981), as amended, or species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) should be included in the planting list. The development shall proceed strictly in accordance with those details as approved. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.

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.
4. In the interest of visual amenity.
5. To protect and conserve the favourable conservation status of protected bat species.
6. To protect the favourable conservation status of protected bird species.
7. To ensure the favourable conservation status of protected bat species.
8. In the interests of nature conservation.