



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Denbigh
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:
02/2012/0241/PF
Garden at Llys Deri
Bryn Goodman, Ruthin

 Application Site



Date 16/5/2012
Centre = 312920 E 358599 N

Scale 1/2500

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.

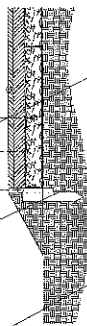


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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi
© Hawlfraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawlfraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.

DRIVEWAY SUB-BASE (TREE-ROOT PROTECTION)
 Driveway to be sited 2M away from the outer edge of the tree. Using a no-dig method the top soil can be removed by hand tools within the RPA. Construct the driveway with 150mm Geoweb on Geotextile membrane bed in place with pegs and edging boards in filled with non fines aggregate. This type of construction will prevent root compaction and allow aeration and rain fall to penetrate the sub soil.

Perimeter: 201/50mm Terracotta in 100mm
 Reseal: 1200 Geotextile
 Separation: 100mm
 Protection: 40/70 clean angular stone
 Timber edging boards with
 timber pegs retained.



GEOTEXTILE ROAD
 CONSTRUCTION DETAIL
 Scale: 1:20

GWH Tennis

2

11

TYDENM

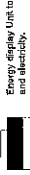
ON
 EREN
 MILL

ACCESS

Meriden
 Bryn Cooman
 Hill

CSH Legend:

ENE 3:



Energy display Unit to demonstrate the use of primary fuel consumption and electricity.

ENE 4:



Drying Space Provision - Required just of heated subfloor.

ENE 5:



Dual Space & Security Lighting

ENE 8:



2.20m x 1.50m panels sited to comply with CSH Design Quality guidance. Panels to be set in concrete base with reinforcement bar installed and related to provide looking area for per 2 bikes.

Inset Paintment Marked Dead Load to BS 9651, 1, 2007

WAS 1: External Requirement



3 No External House Hold Waste Bins.

WAS 1: Internal Requirements



3 No Internal House Hold Waste Bins. Bins to comprise a minimum of 30 Liter waste space.

WAT 2: Water Butts



1 No/Water Butt Per House Hold with approx. 150 liter capacity on a concrete base.

WAT 3: Compost Bin



1 No. Compost Bin Per House hold with approx. 300 liter capacity on a concrete base.

HEA 3: Private Space



Provide a minimum of 5m heated standing Private Space

Level Thresholds:

Provide Level Thresholds to the front and rear external doors to comply with the CSH.

**PROPOSED
 SITE PLAN**

The Contractor is responsible for the construction of the proposed site plan. Where all items to be covered are not shown on the plan, the Contractor shall make arrangements to be made for the covered items to be covered.

This drawing is copyright © JIG, 2018

Author	JIG
Drawn	JIG
Checked	JIG
Scale	1:100
Date	10/10/18
Project Name	Proposed Site Plan
Client	Mr & Mrs Wilson
Proposed Site Plan	
Scale	1:100
Date	10/10/18
Drawn	JIG
Checked	JIG
Scale	1:100
Date	10/10/18

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Project: Proposed Site Plan, 10/10/18
 Drawn: JIG
 Checked: JIG
 Scale: 1:100
 Date: 10/10/18

Important:
 F.F.L.T.B.M = Finished Floor Level Temporary Bench Mark
 Levels relate to a Temporary Bench Mark set at the site.

Tennis
Courts

El

**PREVIOUSLY
APPROVED
SITE PLAN
MAY 2011**

ACCESS

ACCESS

Meriden

Meriden

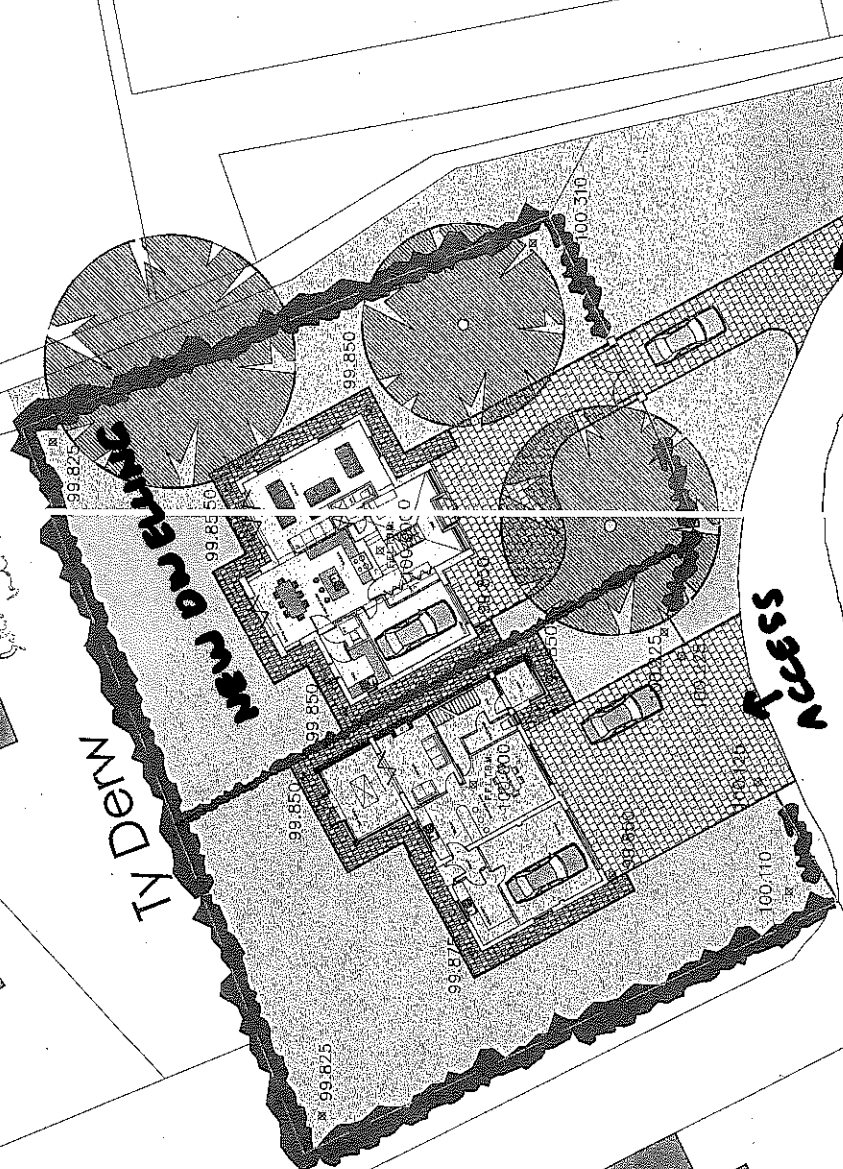
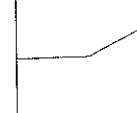
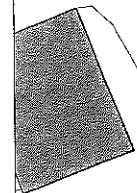
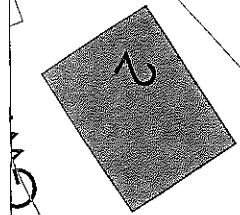
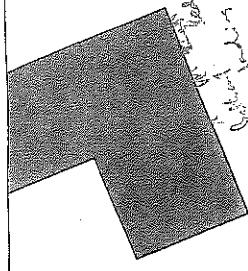
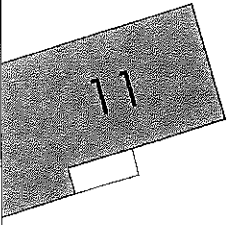
Important:

F.F.L.B.M = Finished Floor Level Temporary Bench Mark
Levels relate to a Temporary Bench Mark set at the site.

RECEIVED
22 FEB 2011

The Client(s) is/are hereby notified that this drawing is the property of the architect and shall remain the property of the architect. It is to be used only for the purpose for which it is prepared. It is not to be used for any other purpose without the written consent of the architect. Any use of this drawing for any other purpose without the written consent of the architect is prohibited.

Project No.	100-310
Sheet No.	100-310-1
Date	10/20/11
Scale	1/8" = 1'-0"
Author	Mr. & Mrs. Wilson
Checker	Mr. & Mrs. Wilson
Proposed Site Plan	100-310-1
By/Date/Scale	10/20/11 1/8" = 1'-0"
Drawn	10/20/11
Checked	10/20/11
Scale	1/8" = 1'-0"



ITEM NO: 1

WARD NO: Ruthin

APPLICATION NO: 02/2012/0241/ PF

PROPOSAL: Alterations to vehicular access previously granted under Code No. 02/2011/0167 to serve existing dwelling and proposed new dwelling

LOCATION: Land at (Part garden of) Llys Deri Bryn Goodman Ruthin

APPLICANT: Mr R Wilson

CONSTRAINTS: PROW
PD Removed

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

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

- Recommendation to grant / approve – 4 or more objections received

CONSULTATION RESPONSES:
RUTHIN TOWN COUNCIL
"No objections."

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

HEAD OF HIGHWAYS AND INFRASTRUCTURE:
No objection subject to conditions.

RESPONSE TO PUBLICITY:

Letters of representation received from:
Mr. P. H. Helm, Hunters Lodge, Bryn Goodman, Ruthin
R. C. Greening, Meriden, Bryn Goodman, Ruthin
Mr. & Mrs. Aiyar, Oaklea, Bryn Goodman, Ruthin
Ruthin Bowling Club, c/o Bryn Goodman, Ruthin

Summary of planning based representations:

- Impact on highway safety, in terms of additional vehicular movements.
- Loss of residential amenity as a result of proximity to Llys Deri.
- Harm to visual amenity through potential harm to trees and hedgerow.

EXPIRY DATE OF APPLICATION: 02/05/2012

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Permission is sought for alterations to an existing vehicular access to allow the access to serve both an existing dwelling and a dwelling which is currently under construction on Bryn Goodman, Ruthin.
- 1.1.2 The works involved include the widening of the existing access, and an amended layout for the parking and turning area of the new dwelling. (see the plans at the front of the report).

1.2 Description of site and surroundings

- 1.2.1 The site is located within a residential area within Ruthin. It is located at the top of Bryn Goodman, an un-adopted highway which links Greenfield Road and Rhos Street (A494).
- 1.2.2 The site is bound by an established beech hedge, and there are a number of mature trees present.
- 1.2.3 The area is characterised by a range of dwelling types and accesses.

1.3 Relevant planning constraints/considerations

- 1.3.1 None

1.4 Relevant planning history

- 1.4.1 Permission was granted in May 2011 for a new dwelling to be erected adjacent to Llys Deri. That scheme proposed the access to be separate from the existing access to Llys Deri, by creating a new access across land not in the ownership of the applicant (see the plan at the front of this report).
- 1.4.2 Subsequent to the grant of that permission, it is understood the applicant and the land owner have not been able to reach an agreement as to a right of access across that land, and so the applicant has submitted this current application to gain access from Llys Deri's existing access.

1.5 Developments/changes since the original submission

- 1.5.1 The current scheme originally proposed a gated entrance to the new dwelling, and a more angular approach off Bryn Goodman. In the scheme that is now being considered, the gate has been removed, and the drive-way layout amended to make vehicular movements easier.

1.6 Other relevant background information

- 1.6.1 It would appear that the application has been submitted to overcome land ownership issues, which are not matters of relevance to the determination. The application should be considered on the planning issues listed under section 4 of this report.
- 1.6.2 Some concerns have been raised by residents that construction of the dwelling is under way. Members are advised that this is at the developers own risk prior to the determination of this application. The existing access is being used to enable the works to continue. This arrangement is not considered to be a breach of planning control.

2. DETAILS OF PLANNING HISTORY:

2.1 02/2011/0167/PF – Refurbishment, alterations and construction of new vehicular access to Llys Deri, and the erection of 1 no. detached two storey dwelling within the garden area. Granted under delegated powers 16th May 2012

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

Policy GEN 1 – Development Within Development Boundaries

Policy GEN 6 – Development Control Requirements

Policy TRA 6 – Impact of New Development on Traffic Flows

Policy ENV 7 – Landscape / Townscape Features

3.2 Supplementary Planning Guidance

None

3.3 GOVERNMENT GUIDANCE

Technical Advice Note 18 – Transport

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

4.1.1 Principle

4.1.2 Impact upon visual amenity

4.1.3 Highway safety

4.1.4 Impact upon residential amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the defined development boundary of Ruthin where the general principle of development is acceptable (Policy GEN 1), and it benefits from an extant planning permission for a dwelling. The overall principle of development is therefore not questioned. The acceptability of the proposal should be considered on the basis of its impacts upon the amenity of the area and highway safety, as detailed below.

4.2.2 Impact upon visual amenity

Policy GEN 6 contains general criteria which aim to ensure proposals for new development respect the character and appearance of the area within which it is located. Proposals which do not meet the criteria should be resisted. In this instance, given the presence of several mature trees, and established beech hedge, Policy ENV 7 is also of relevance. Policy ENV 7 seeks to retain features such as trees which are of substantive value to townscape character. Development which would harm such features should be resisted unless adequate mitigation measures are proposed.

The site is located within a residential street which features many vehicular accesses onto it. Notable features which add value to the appearance of the area are the mature trees and beech hedge along the boundary of the site. The scheme proposes to retain these features. The hard standing for the driveway would be located 2 metres from the outer edge of the tree stems, and constructed using geotextile road construction method, (a method which is intended to prevent root compaction and help ensure the longevity of the trees). Additional planting is proposed to the front of the existing dwelling.

It is considered that the proposal will have limited impact upon the appearance of the existing access. The retention of the mature trees is welcomed and the method of protection adequate. The additional planting

would add additional value to the appearance of the site and surrounding area. Subject to planning conditions requiring the prior approval of surface materials, protection of the trees, and landscaping, the proposal is considered to comply with Policies ENV 7 and GEN 6 in terms of the impact upon visual amenity.

4.2.3 Highway Safety

Policy GEN 6 and TRA 6 contain criteria which control the impact of new development on the safe and free flow of traffic on the highway. Proposals for development where it can be demonstrated there would be a significant loss of highway safety should be resisted.

The proposal would utilise an existing entrance onto the highway which currently serves one dwelling. The access would be widened slightly, to improve maneuverability into and out of the site. When exiting the site it is estimated that there would be a visibility distance of approximately 45metres to the left, and in excess of 70 metres to the right. The proposal has been examined by the Head of Highways and Infrastructure, and no objection has been raised. It is noted that the application is solely for the relocation of the access, and that the principle of additional vehicular movements on Bryn Goodman has already been agreed with the granting of the previous permission.

Notwithstanding the fact that the entrance already exists, consideration has to be given to the adequacy of the access in terms of visibility for its use by two dwellings. Technical Advice Note 18 advises on stopping distances at certain speeds. Given the condition of the road (broken, uneven, un-surfaced in parts), the residential character of the area, and the presence of a right angle bend, it is considered that typical vehicular speeds would not, (and could not) exceed 20mph, in relation to which Table A, Annexe B of TAN 18 indicates that the required stopping distance is approximately 45 metres at 20mph. It is considered that the proposal meets these requirements. With regard to the advice in TAN 18, and in the absence of an objection from the Head of Highways and Infrastructure, the proposal is considered to comply with Policies GEN 6 and TRA 6 and would not have a detrimental impact upon highway safety.

4.2.4 Impact upon Residential Amenity

Criteria v) of Policy GEN 6 seeks to protect the amenity of residents from adverse impacts which may arise from development, such as, increased activity, disturbance and noise, for example. The Local Planning Authority should try to resist proposals which result in a loss of residential amenity.

The proposed access to the new dwelling would, at its closest, be 3.5 metres from the porch of the existing dwelling, Llys Deri. An area of approximately 2 metres in front of the porch is proposed to be a planting bed. The driveway would not pass directly in front of any principal windows of Llys Deri.

The increase in the amount of vehicular traffic generated by the additional dwelling is not considered likely to result in adverse impact upon the amenity of residents of Llys Deri. The distance between the porch and the drive, with planting between, is considered adequate to protect the privacy of the occupants of Llys Deri. It is further noted that the owners of Llys Deri are also the applicants, and it is unlikely that they would want to undertake a form of development that would significantly reduce the marketability of either of their properties. It is considered that the proposal would not have an adverse impact upon the amenity of local residents, and therefore complies with criterion v) of GEN 6.

5. SUMMARY AND CONCLUSIONS:

5.1 With regard to the above considerations, and with respect to the concerns outlined, it is concluded that the proposal would have a limited impact upon the character and amenity of the area. It is therefore recommended that planning permission is granted.

RECOMMENDATION: GRANT - subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Facilities shall be provided and retained within each dwelling for the parking of vehicles in accordance with the approved plan and shall be completed prior to the proposed development being brought into use.
3. Full details of the vehicular footway crossings shall be submitted to and approved in writing by the Highway Authority before the commencement of any site works and the accesses shall be completed in accordance with the approved plans before they are brought into use.
4. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.
5. A full planting scheme of new trees, hedgerows, shrubs or vegetation including species, numbers and location shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of this permission, and that scheme shall be implemented in full prior to the occupation of the new dwelling.
6. Any of the plants, shrubs or trees comprised in the planting scheme which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.
7. Details of the materials to be used for the driveway surface shall be approved in writing by the Local Planning Authority prior to the laying of the new drive way surface, and the development shall only proceed in accordance with those details.
8. No gates shall be erected within the access/turning/parking areas hereby approved other than with the prior written approval of the Local Planning Authority as to the detailing.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To provide for the parking of vehicles clear of the highway in the interest of traffic safety.
3. To ensure the formation of a safe and satisfactory access in the interests of highway safety.
4. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
5. In the interest of amenity.
6. In the interest of amenity.
7. In the interest of visual amenity.
8. In the interest of highway safety and residential amenity.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991). Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980.