



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Tel: 01824 706800 Fax: 01824 706709

Heading:

REFERENCE NO. 22/2012/0366/PO
Eirianfa, Gellifor
Ruthin

13



Application Site

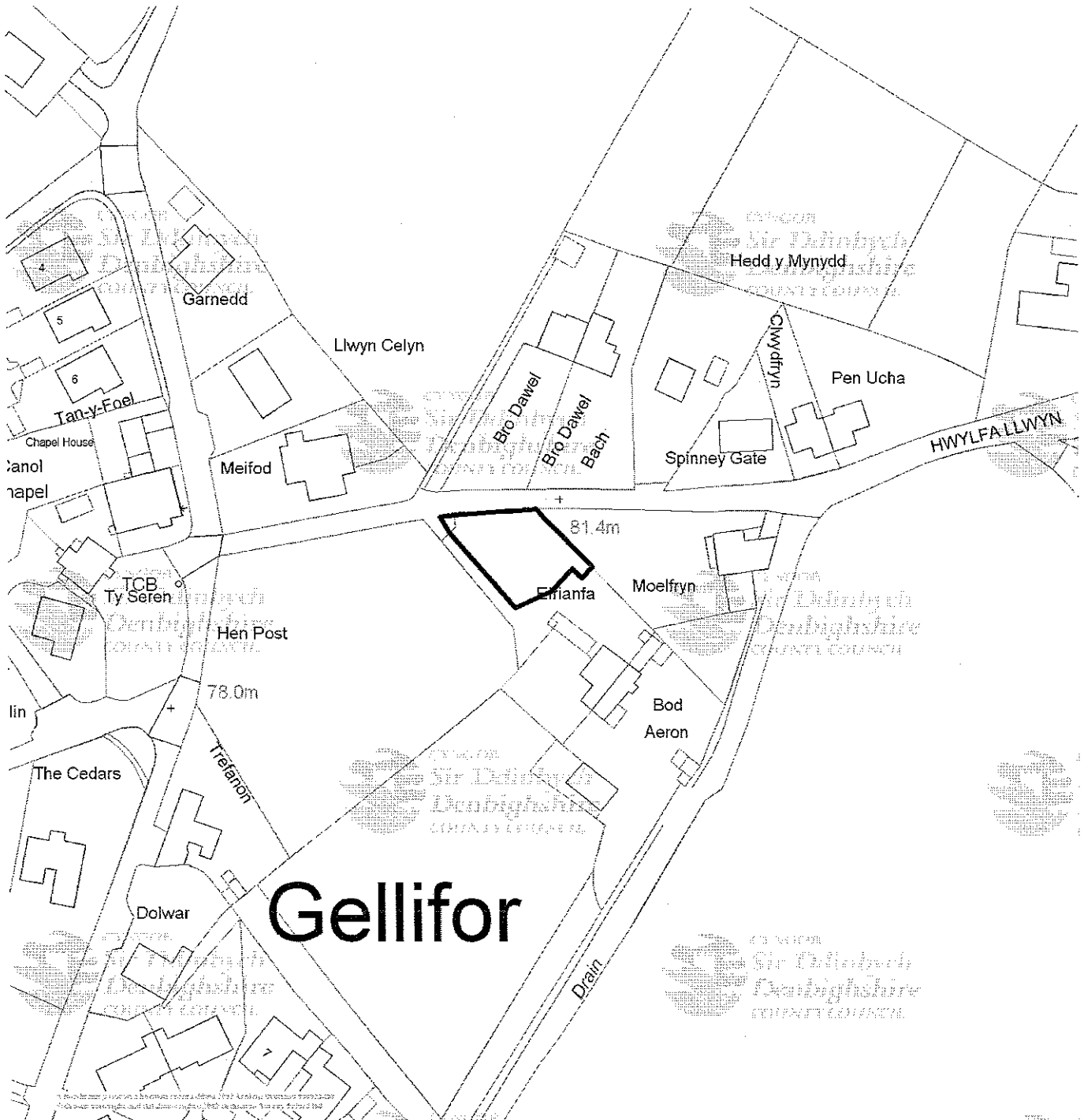


Date 22/8/2012

Scale 1/1250

Centre = 312482 E 362546 N

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.



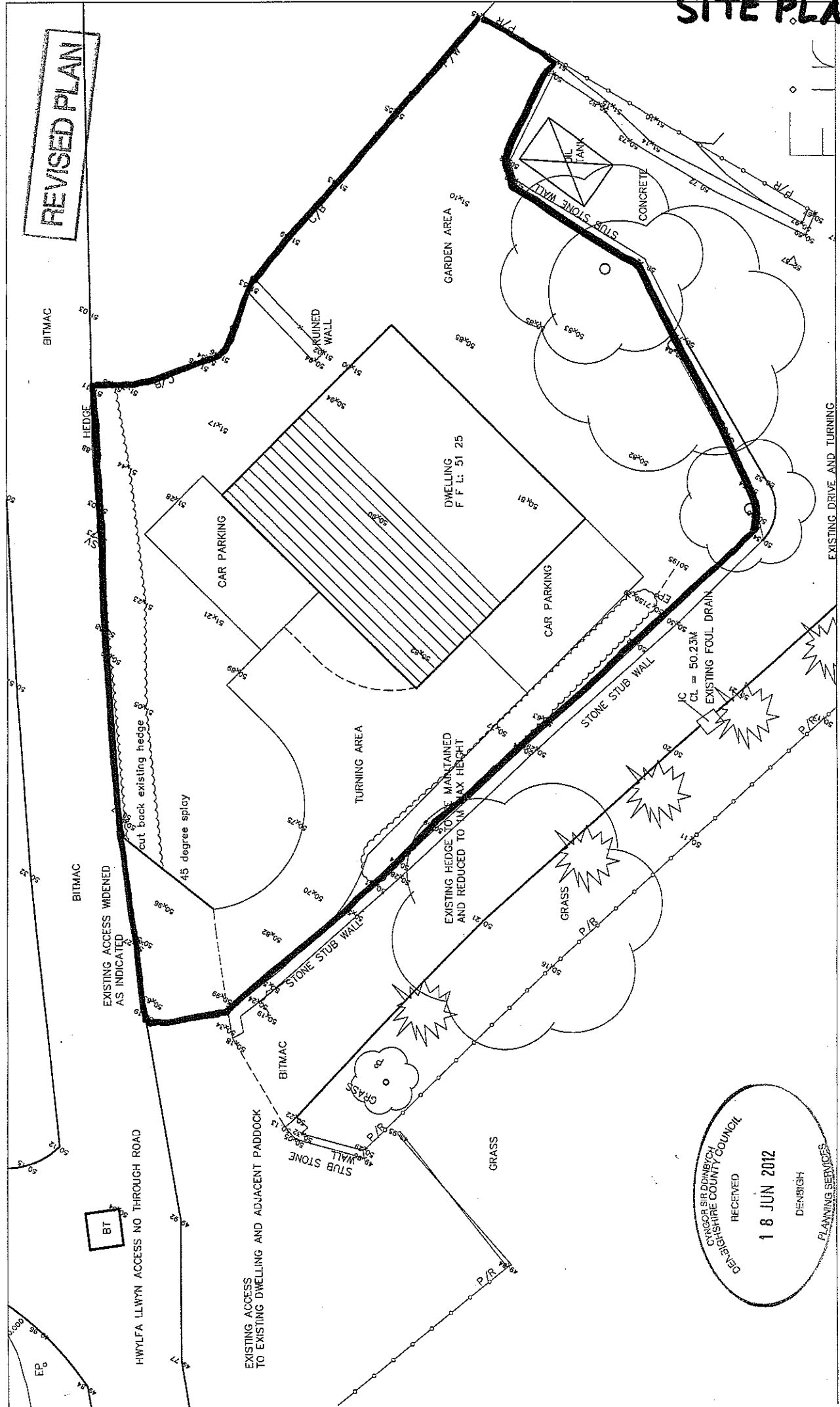
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22 / 2012 / 0366 / P0

SITE PLAN

REVISED PLAN



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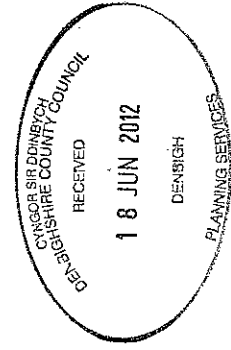
Parry Davies Architects.

EIRIANFA GELLIFOR

BLOCK PLAN

Chartered Architects.

PROJECT TITLE	DATE	SCALE	DRWN	CHK
EIRIANFA GELLIFOR	Feb 2012	1:1000&3	BSG	
DRWG. TITLE	DRWG. NOS			
BLOCK PLAN	11.5352/B1			A



Barclays Buildings, High Street, St Asaph, LL17 0RF

Tel: 01745 585517 Fax: 01745 582162. E-mail: PDPArchitects@aol.com

ITEM NO: 13

WARD NO: Llanbedr Dyffryn Clwyd / Llangynhafal

APPLICATION NO: 22/2012/0366/ PO

PROPOSAL: Development of 0.03ha of land by the erection of 1 no. dwelling (outline application including access)

LOCATION: Land at (Part garden of) Eirianfa Gellifor Ruthin

APPLICANT: Ms R Jarvis

CONSTRAINTS: PROW

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

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

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

CONSULTATION RESPONSES:

LLANGYNHAFAL COMMUNITY COUNCIL:

"Members were not in favour of developing part of the garden at Eirianfa as this was considered to be an over development of the site which already accommodates a five bedroom house. Also, access was via a very narrow lane, not suited to increased traffic resulting from the proposed erection of a further 4 bedroom house.

The views of the Community Council are as outlined above. However, in the event of planning being granted by the County Council, the Community Council would urge that a much smaller building than currently proposed be erected on the site."

DWR CYMRU:

No objections, requests standard advisory notes and conditions to ensure drainage arrangements are satisfactory.

ENVIRONMENT AGENCY:

No objections

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

HEAD OF HIGHWAYS AND INFRASTRUCTURE:

No objections subject to conditions

FOOTPATH OFFICER:

No objections subject to advisory note to ensure protection of nearby footpaths

PUBLIC PROTECTION:

No objections

RESPONSE TO PUBLICITY:

In objection

Representations received from:

G. & M. Brier, Bro Dawel, Gellifor
Mr. & Mrs. J.C.W. Williams, Moelfryn, Gellifor (C)

Summary of planning based representations:

- Detrimental impact on character of the area
- Unsuitable access due to narrowness of lane
- Impact on amenity of neighbouring properties through loss of light and overlooking

EXPIRY DATE OF APPLICATION: 04/06/2012

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Outline planning permission including approval of the access is sought for the development of 0.03ha of land by way of 1 dwelling.
- 1.1.2 Plans submitted show the proposed alterations to the existing access, which include widening it; the removal of approximately 5m of hedgerow to create visibility splays, and laying a bituminous surface.
- 1.1.3 Indicative plans show how the site might be laid out, suggesting a dwelling footprint of approximately 7.5metres by 6.5metres, parking and turning for two vehicles and a garden area of approximately 150sqm.

1.2 Description of site and surroundings

- 1.2.1 The site is currently an overgrown part of the garden area serving Eirianfa. The site boundaries to the north and west are defined by hedgerows and dense foliage.
- 1.2.2 The site is accessed off an existing right of way (a bridleway known as Hwylfa Llwyn which currently serves approximately 9 dwellings and is located to the north of the site. A driveway runs along the western edge of the site, which leads to Eirianfa.
- 1.2.3 There is a wide range of dwelling types in the area.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of the village of Gellifor.

1.4 Relevant planning history

1.4.1 None.

1.5 Developments/changes since the original submission

1.5.1 The access arrangements have been altered in order to address the initial comments of the Highway Officer.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 None

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

3.2 GOVERNMENT POLICY GUIDANCE

Planning Policy Wales 2011

TAN 12 - Design

TAN 22 – Sustainable development

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 amenity

4.1.3 Access and impact upon highway safety

4.2 In relation to the main planning considerations:

4.2.1 Principle:

Policy GEN 1, Development Within Development Boundaries steers development towards sites within development boundaries. The site is located within the development boundary of Gellifor and as such the development of the land for residential purposes is considered acceptable, subject to compliance with the general development control criteria as set out in Policy GEN 6.

4.2.2 Impact upon amenity:

Policy GEN 6 sets specific tests to be applied to amenity of impacts of development. Proposals for development should comply with these tests.

Indicative plans show how a dwelling might be accommodated on the site with amenity space, parking and turning. The nearest dwelling to the site boundary is Eirianfa, approximately 20 metres away, then Moelfryn approximately 30 metres away, and then the dwellings on the opposite side of the lane approximately 40 metres from the site boundaries. The character of the area is mixed in design terms and boundaries are typically defined by mature planting.

In the absence of detailed plans a full assessment cannot be made on the impact on the amenity of adjacent occupiers, however on the basis of the indicative layout and site plan, it is considered that a dwelling could be accommodated on the site without significant harm to residential amenity given the separation distances which are possible. With regard to the comments of the Community Council, it is suggested that the size of the building footprint is to be considered at the reserved matters stage. However, it is clear from the indicative plans which suggest a building footprint measuring 7.5metres by 6.5metres, parking and turning for two vehicles and a garden area of approximately 150sqm, that a dwelling could be accommodated on this site without resulting in overdevelopment. The existing dwelling Eirianfa would retain a garden area in excess of 1000sqm, which is considered sufficient space for the occupiers. In addition it is noted that the agent has also confirmed willingness to accept a condition limiting the height of the dwelling to 1.5 storey to further assist in reducing the impacts of the proposed dwelling.

In respect of the above, it is considered that the proposal to develop the site by way of one dwelling is unlikely to have a detrimental impact upon the amenity of the area and the proposal complies with general development control requirements as specified in policy GEN 6.

4.2.3 Access and impact upon highway safety:

Policy TRA 6 and GEN 6 contain criteria which seek to resist development that would harm the safe and free flow of traffic on the highway.

The current proposal provides parking and turning for two vehicles. The site is accessed off an existing right of way which currently serves approximately 9 dwellings. There are objections from the Community Council and neighbours on access grounds. The Highway Officer has not raised an objection to the proposal.

With respect to the comments of the Community Council, and on the basis of the information submitted, it is considered that the proposed access alterations are satisfactory and that the additional usage of the right of way 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 TRA 6 and GEN 6.

5. SUMMARY AND CONCLUSIONS:

5.1 With respect to the objections raised, the proposal is considered acceptable under the relevant planning policies and it is therefore recommended that planning permission be granted.

RECOMMENDATION: GRANT - subject to the following conditions:-

1. Approval of the details of the appearance of the building(s), landscaping, scale, layout and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. All planting, seeding, turfing, fencing, walling or other treatment comprised in the

approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling and any trees or plants which, within a period of five years 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.

5. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

6. **PRE-COMMENCEMENT CONDITION**

Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.

7. Construction of the dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010.

8. The dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.

9. Prior to the occupation of the dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010.

10. The proposed dwelling shall not exceed 1.5 storeys in height

11. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan, and shall be completed prior to the proposed development being brought into use.

12. The access to the site shall be laid out and constructed in accordance with the approved plan to the written approval of the Local Planning Authority before the development is brought into use.

13. The surface of the proposed access shall be paved with a bituminous material for a distance of 5.0m behind the highway boundary and the whole of the access frontage adjacent to the highway shall be reinforced with bull nose kerbs to the Highway Authority's approval.

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 comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. To ensure a satisfactory standard of development, in the interests of visual amenity.
5. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
6. In the interests of visual amenity.

7. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
8. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
9. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
10. In the interest of protecting the amenity of the area.
11. 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.
12. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
13. To ensure the formation of a safe and satisfactory access.

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).