



**CYNGOR**  
**Sir Ddinbych**  
**Denbighshire**  
**COUNTY COUNCIL**

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Tel: 01824 706800 Fax: 01824 706709

Heading:

24/2013/0750  
Cil y Graig  
Rhewl, Ruthin

8



Application Site

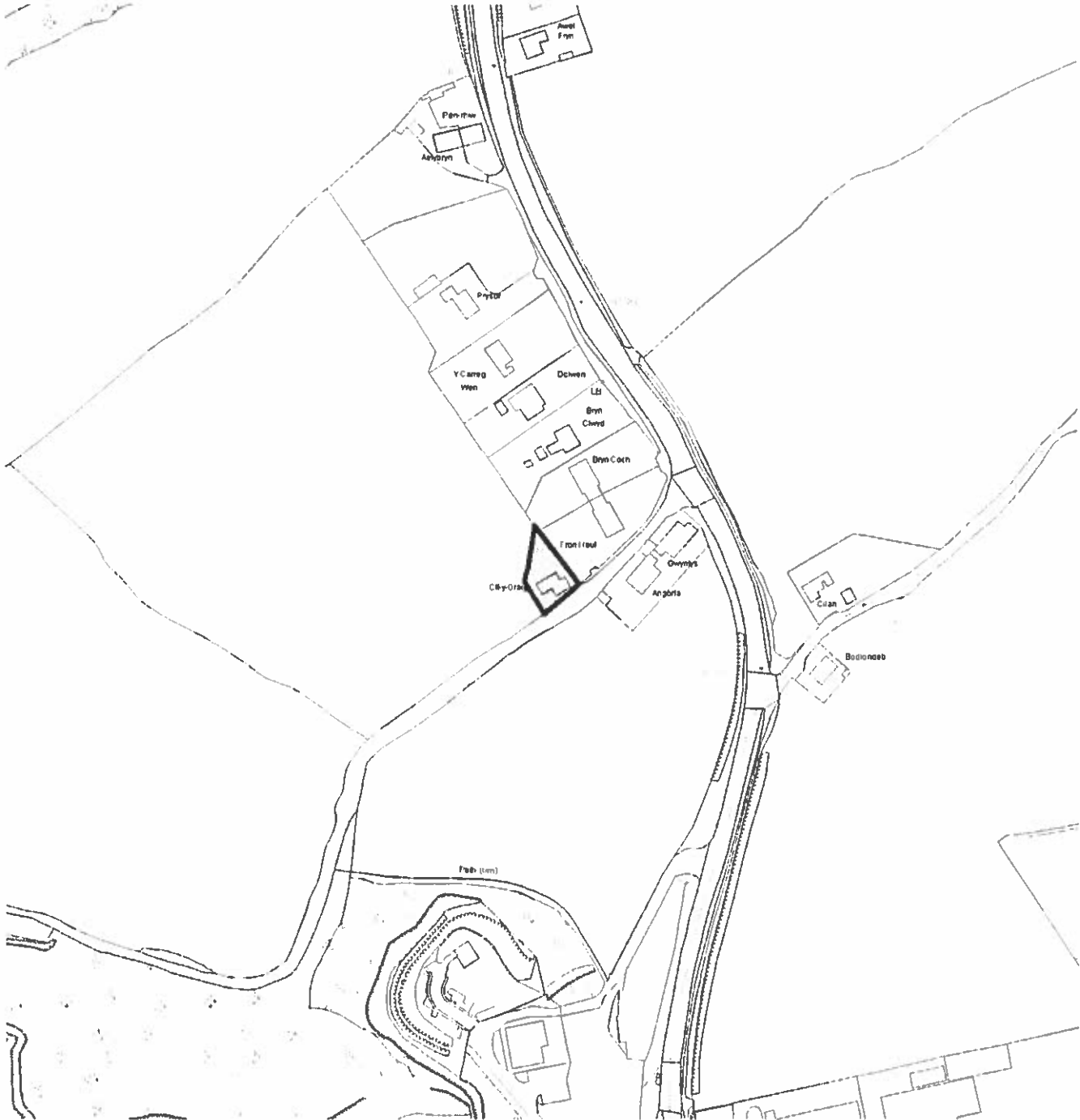


Date 29/8/2013

Scale 1/2500

Centre = 311093 E 359591 N

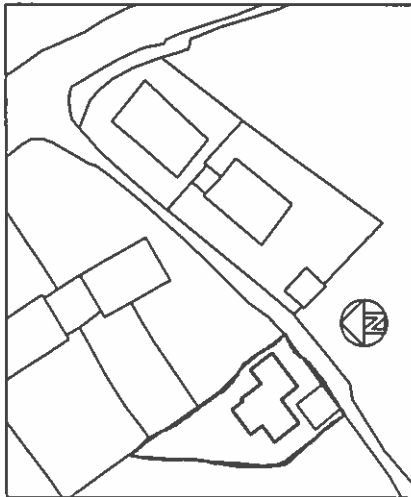
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



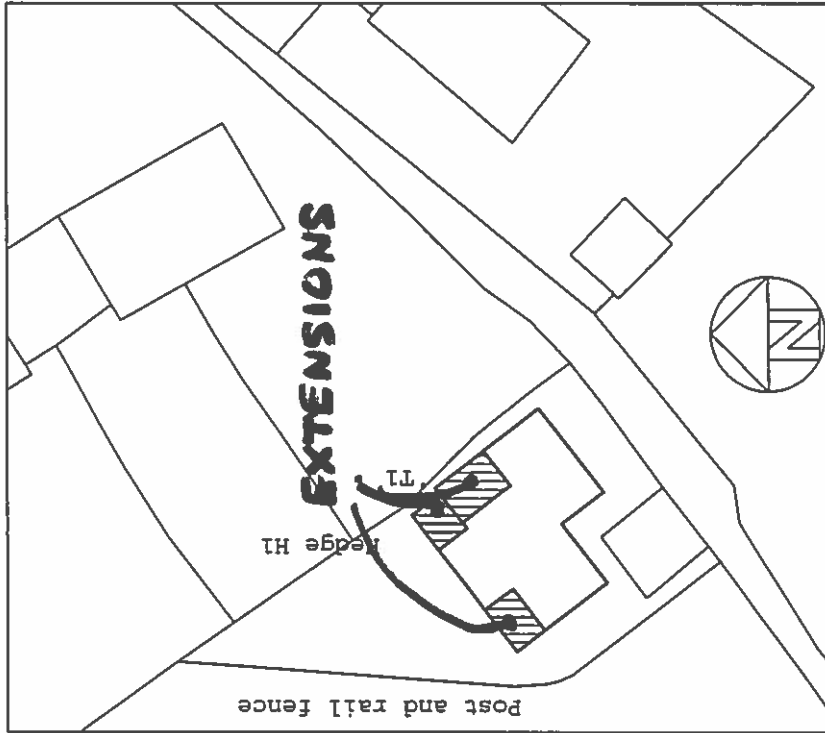
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© Hawffraint y Goron Mae atgynhychu heb ganiatâd yn tom hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408 2011

# BLOCK PLAN



Location Plan 1:1250



Block Plan 1:500

<h1>SDD+B</h1>	Stephen Dixon, Builders, Church, The Phe Et Aeph, Llanrhay, LL17 8LU		Location + Block Plan
	SD Pensemaeth + Adeiladu SD Design + Build		GRADDF / SCALE VAR
	CYMILLUN JOB: A Smith, Cil Y Graig, Rhewl, LL15 2TR		DYDDIAD / DATE 11.05.13
		DYDDIAD / DRAWN BY: SMD	RHEF DYLLUNAD / DRAWING NO. 041.01

# ELEVATIONS

**EXISTING**



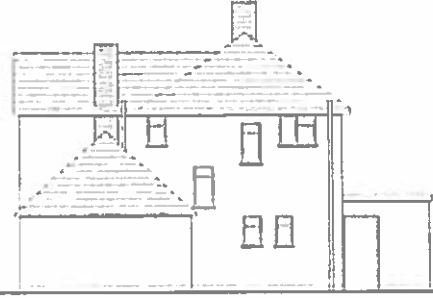
SE Elevation



SW Elevation



NW Elevation



NE Elevation

<b>SDD+B</b> <small>SHAPING DESIGN &amp; BUILD</small> SD Planning & Consultancy SD Design & Build	<b>CHALLENGE</b> A SMITH CIL-Y-GRAIG RHEWL, DENBIGHSHIRE	<b>REF CHALLENGE No</b> 841	<b>EXISTING ELEVATIONS</b> CIL-Y-GRAIG	<b>SCALE</b> 1:100 <b>DATE</b> SMD	<b>DATE</b> 11.05.2013 <b>REF</b> 04.1.04
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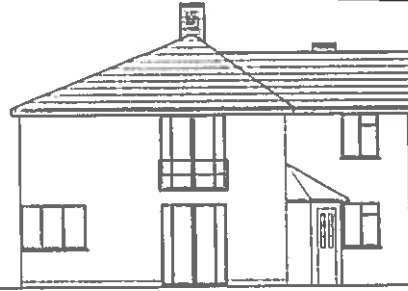
**PROPOSED**  
24 / 2013 / 0750 / P F

**REVISED PLAN**



SE Elevation

Tiles to match existing  
Render to match existing

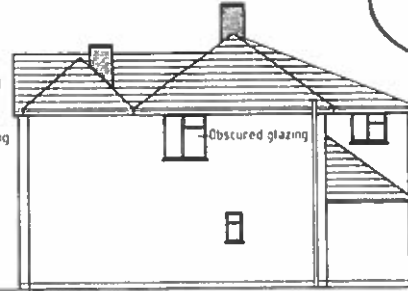


SW Elevation



NW Elevation

Tiles to match existing  
Render to match existing



NE Elevation



<b>SDD+B</b> <small>SHAPING DESIGN &amp; BUILD</small> SD Planning & Consultancy SD Design & Build	<b>CHALLENGE</b> A SMITH CIL-Y-GRAIG RHEWL, DENBIGHSHIRE	<b>REF CHALLENGE No</b> 841	<b>PROPOSED ELEVATIONS</b> CIL-Y-GRAIG	<b>SCALE</b> 1:100 <b>DATE</b> SMD	<b>DATE</b> 18.07.2013 <b>REF</b> 04.1.04
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Rev 18.07.13 Office set back

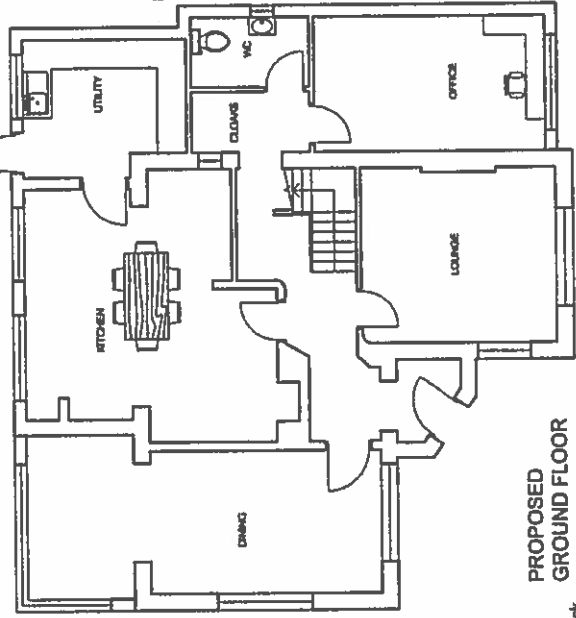
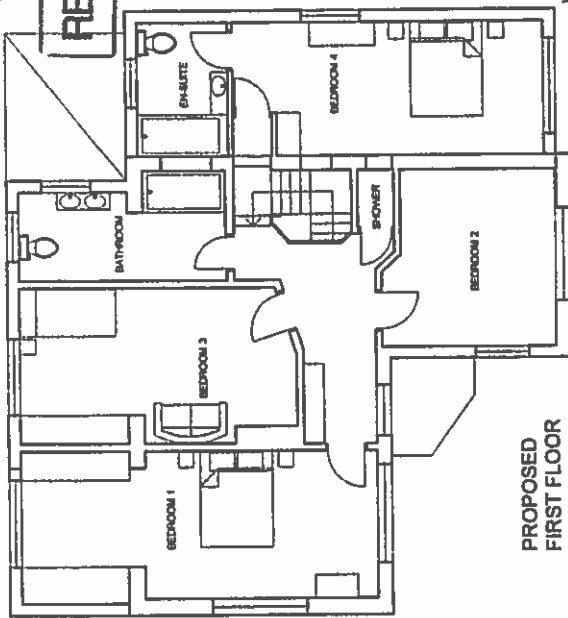
# FLOOR PLANS

24 / 2013 / 0750 / PF

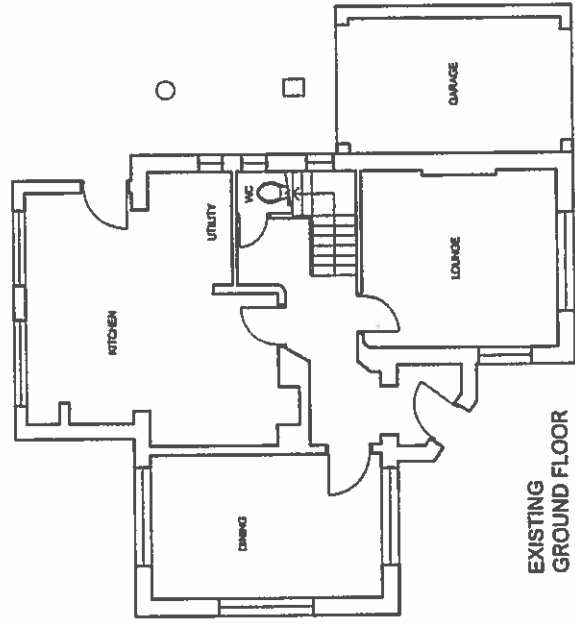
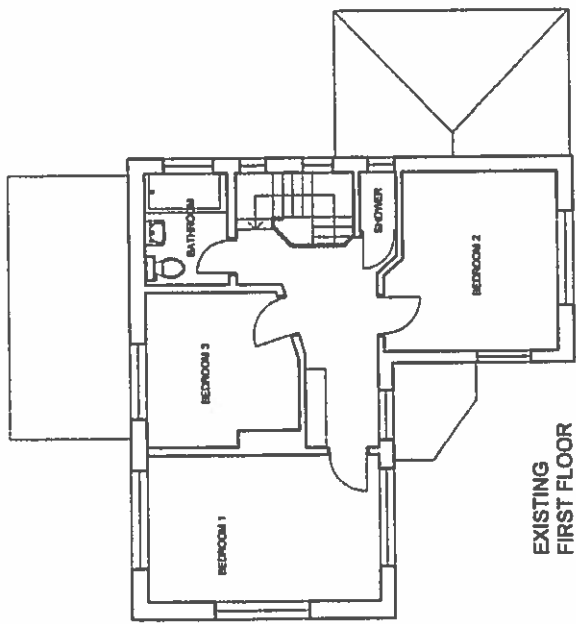
**REVISED PLAN**

RECEIVED  
19 JUL 2013  
DENBIGH  
PLANNING SERVICES

**PROPOSED**



**EXISTING**



Rev 18.07.13 Office set back.

<b>SDD+B</b> <small>SD Penrynmarc'h a adeiladu                  SD Design + Build</small>	CHALLENGER <b>A. SMITH                  CIL-Y-GRIG                  RHEWL, DENBIGHSHIRE</b>	CHALLENGER 841	EXISTING + PROPOSED PLANS	DYLUNADWRANG DYLUNADWRANG	GRADEFASCIALE 1:100 DYLUNADWRANG SMD	OTODDODATE 18.07.2013 DYLUNADWRANG 04.1.02
	Rev 18.07.13 Office set back.					

**ITEM NO:** 8  
**WARD NO:** Llandyrnog  
**APPLICATION NO:** Councillor Merfyn Parry  
 24/2013/0750/ PF  
**PROPOSAL:** Erection of extensions to existing dwelling  
**LOCATION:** Cil Y Graig Rhewl Ruthin  
**APPLICANT:** Mr Alun Smith  
**CONSTRAINTS:**  
**PUBLICITY** Site Notice - No  
**UNDERTAKEN:** 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
- Member request for referral to Committee

**CONSULTATION RESPONSES:**  
 LLANYNYS COMMUNITY COUNCIL  
 No objection.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

N. Price & P. Jones, Bryn Clwyd, Rhewl (O)  
 Mr & Mrs D M Bryan & K Bryan, Fron Haul, Rhewl (O)  
 R. W. Jackson, Bryn Coch, Rhewl (O)  
 Miss C. Roberts, Angorfa, Rhewl (O)  
 I. Edwards, Pen y Graig Farm, Rhewl (O)

Summary of planning based representations in objection:

Highways/Access

Query over how development would be implemented without obstructing road/ Highway safety, access onto A525 has limited visibility / Parking, loss of garage results in loss of parking space

Visual amenity

Overdevelopment, extensions out of scale with surroundings

Residential amenity

Overlooking would result in loss of privacy for adjacent occupiers from side windows of extension and loss of light / Proximity of development to side boundary/hedge / Loss of views for adjacent occupiers.

Other matters

Boundary dispute between occupiers of Cil Y Graig and Bryn Coch / Impact on utilities, extension would put increased demand on electricity, water, drainage, septic tank and soakaway.

**EXPIRY DATE OF APPLICATION:** 13/08/13

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

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

## **1. THE PROPOSAL:**

### **1.1 Summary of proposals**

- 1.1.1 Planning permission is sought for the erection of extensions to the dwelling Cil Y Graig in Rhewl. The application comprises of three elements, a rear and side extension, linked via a single storey extension.
- 1.1.2 The two storey side extension would replace the existing garage on the north eastern elevation. It would project 3 metres from the side of the dwelling, and run along the depth of the dwelling, 7 metres. The extension would comprise of an office and WC, with a bedroom and en suite on the first floor.
- 1.1.3 A two storey rear extension is proposed over the existing rear flat roof kitchen, and a small extension to the dining room. The extension would provide of an extension to the dining room, and extensions to two first floor bedrooms and a bathroom above, measuring some 8.7 metres by 2.5 metres at first floor level.
- 1.1.4 A single storey infill section is proposed on the north eastern side, set in from the side of the two storey side extension, comprising a utility area, measuring some 3.3 metres by 3 metres.
- 1.1.5 The proposals are illustrated on the plans at the front of the report.

### **1.2 Description of site and surroundings**

- 1.2.1 The two storey 1950's detached dwelling is located off a bridleway (with access rights) on the western side of the A525 between Rhewl and Ruthin. It is finished in roughcast render with a tiled roof.
- 1.2.2 It is a relatively flat site with a stone boundary wall to the front, a hedge to the eastern side and stock proof fencing to the west.
- 1.2.3 There are a mix of dwelling types to the east of the site fronting the A525, two of which share their rear boundary with the site. The north and east boundaries abut agricultural land.

### **1.3 Relevant planning constraints/considerations**

- 1.3.1 The site is located in the open countryside, outside of any development boundary.

### **1.4 Relevant planning history**

- 1.4.1 Planning permission was granted for extensions to the dwelling in 2009. The extensions comprised of a two storey 'granny flat' to the western side of the dwelling, a single storey side extension behind the garage and a single storey rear extension abutting the kitchen area.
- 1.4.2 A subsequent application was made for an extension on the eastern side of the dwelling in 2009. Despite the description which read 'extension in lieu of previous application', legal advice was sought, which revealed that the application could not be determined until the Applicant agreed to enter into a legal agreement to rescind the previous planning permission. This did not happen and hence the application was refused in 2011.

### **1.5 Developments/changes since the original submission**

- 1.5.1 The application has been amended slightly on the advice of Officers. The side extension has been set back from the frontage and the side window is now proposed to be obscure glazed.

### **1.6 Other relevant background information**

- 1.6.1 None.

## **2. DETAILS OF PLANNING HISTORY:**

- 2.1 Planning Ref 24/2008/1212 Erection of two storey pitched roof extension to side, single storey extension to rear and conversion of garage to playroom. GRANTED under delegated powers on 22/04/09.
- 2.2 Planning Ref 24/2009/1217 Demolition of existing garage and erection of two storey pitched roof extension to side in lieu of previous application granted under Code no. 24/2008/1212 REFUSED under delegated powers on 22/03/11 for the following reason: It is the opinion of the Local Planning Authority that the proposal in conjunction with the previously approved extension, would appear unacceptably over dominant

and out of character with the dwelling by virtue of scale and design. The proposal is therefore contrary to criteria i) and iii) of Policy HSG 12 of the adopted Denbighshire Unitary Development Plan.

### 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

Policy RD 3 – Extensions and alterations to dwellings

#### 3.2 Supplementary Planning Guidance

SPG 1 – Extensions to Dwellings

SPG 7 – Residential Space Standards

SPG 24 – Householder Development Design Guide

#### 3.3 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Note 12 – Design (2009)

#### 3.4 Other material considerations

None.

### 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW 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., and that these 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 (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the 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 Other matters

#### 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. Policy RD 3 relates specifically to extensions to dwellings and permits extensions subject to the acceptability of scale and form; design and materials; the impact upon character, appearance, and amenity standards of the dwelling and its immediate locality; and whether the proposal represents overdevelopment of the site. SPG 1 and SPG 24 offer basic advice on the principles to be adopted when designing domestic extensions and related developments. The assessment of impacts is set out in the following sections.

##### 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 proposals are sympathetic in design, scale, massing and materials to the character and appearance of the existing building.

The application proposes extensions to the side and rear of the dwelling which would have a footprint of approximately 42 sq metres. The existing dwelling has a footprint of over 72 sq metres. The north eastern side extension would be set back from the front of the dwelling and the ridge line

to the front would be set down from the main ridge height. There is a mix of dwellings in the group, including brick bungalows, and dormer style and two storey dwellings. The plans show an Ash tree on the boundary to be removed, and the hedge is proposed to be retained. Concerns have been raised in representations over the extension representing an over development of the site, over the scale of the extensions, and the proximity to the hedge.

In Officers opinion the extension would clearly be subordinate to the original dwelling and the scale and massing takes into account its design and form, reflecting its features and materials. There is a distinct mix of development in the vicinity of the site. The tree proposed to be removed is located in close proximity to the dwelling which the Applicant has advised could pose a risk to it in the future. It is also noted that this tree is not formally protected in any way. The application form states the hedge would be retained, and it is accepted that this is possible. Hence it is considered that the proposal would comply with tests i) and ii) of Policy RD 3 and advice within the supplementary planning guidance.

#### 4.2.3 Residential amenity

Test iii) of Policy RD 3 seeks to ensure that proposals to extend dwellings do not harm the amenity of the dwelling by way of overdevelopment of the site. Planning Policy Wales 3.1.4 refers to the impact on the neighbourhood as a material consideration, the impact of a development on residential amenity is therefore a relevant test on planning applications.

Over 100 sq metres of amenity space would remain if the extension was permitted. The side of the extension would be sited in line with the eastern boundary, not on the boundary and the single storey rear section would be set back 0.4 metres from the side elevation. Windows are proposed to serve the side extension at ground and first floor level and the plans show the first floor bedroom window to be obscure glazed. The other two side windows would serve WC's. Rear windows are proposed in the ground and first floor. These windows would serve bedrooms and a WC at first floor level and living areas on the ground floor. As described above, the dwellings to the east share rear boundaries with the site, and have garden depths of approximately 20 metres. Concerns have been raised in representations that there would be overlooking and loss of privacy as a result of the extensions.

It is to be noted that there would be over the recommended 40 sq metres amenity space remaining for the proposed occupiers of the dwelling should the extensions be permitted. Considering the distances to the dwellings to the east and the siting and orientation of the extension in relation to neighbouring gardens, the extension would not result in a loss of light for adjacent occupiers. There would be over 20 metres separation distance between the proposed extension and the rear elevation of the dwelling immediately east of the site, Fron Haul. This level of separation more than meets the recommended back to side separation distances of 14 metres set out in supplementary planning guidance. Whilst there are side windows in the eastern side elevation, the bedroom window would be obscure glazed and the remaining windows serve WC's which are also likely to be obscure glazed. As a concern has been raised relating to the side windows, a condition can be attached to ensure all of the eastern side windows are retained and maintained as obscure glazing in the future. Finally, considering the orientation and distances to the dwellings to the north-east there would be not be direct overlooking or any greater overlooking of rear gardens than existing as a result of the windows on the rear elevation of the extensions. The proposal is therefore considered to comply with test iii) of Policy RD 3 and separation distance advice within supplementary planning guidance.

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

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include means of access. The acceptability of means of access is therefore a standard test on most planning applications.

The application proposes additional living accommodation and one bedroom. The site layout to the front of the dwelling would not be altered; there is currently parking available for 3 cars in this area. The road serving the site is classified as a bridleway, which the applicant has right of access over. Concerns have been raised over parking and access issues in the general area as a result of the development.

There are existing dwellings being served off the bridleway and junction onto the A525 at present, hence the access arrangements are established and could not be altered, regardless of whether neighbours consider the junction to be sufficient or not. Considering the application only proposes



one additional bedroom and there are three parking spaces available at the dwelling, Officers do not consider it could be resisted for this reason. If obstructions occur on the bridleway this would be a rights of way matter. The proposal would not conflict with the access tests of Planning Policy Wales.

**4.3 Other matters**

A number of matters raised in the representations, including the loss of view which has been raised by a number of parties, are not considered to be material planning considerations but have been listed above. There is an ongoing boundary dispute between the occupiers of the adjacent dwelling and the Applicants which is also not considered material to the planning decision.

**5. SUMMARY AND CONCLUSIONS:**

5.1 The dwelling has had planning permission for substantial extensions in 2009 to which no objections were received. Whilst a subsequent extension was refused, this was for reasons relating to cumulative impact with previous extensions. This latter proposal involved an extension on the western side of the dwelling of a similar detail to this proposal and this application was not the subject of any objections.

5.2 With respect to the representation, Officers do not consider there are grounds to justify a refusal of permission in this instance.

**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. The materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.
3. All of the windows on the north east elevation shall be obscure glazed and shall be retained as obscure glazed thereafter.
4. Notwithstanding the provisions 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 windows additional to those shown on the approved plans shall be inserted at any time in the extension hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

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. In the interests of visual amenity.
3. In the interest of the amenity of the adjacent occupiers.
4. To maintain a reasonable standard of privacy in adjoining dwellings and gardens in the interests of amenity

**NOTES TO APPLICANT:**

**WELSH WATER Note to Applicant:**

Dwr Cymru Welsh Water have advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes of Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal they request you contact their Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

