

41-2023-0798



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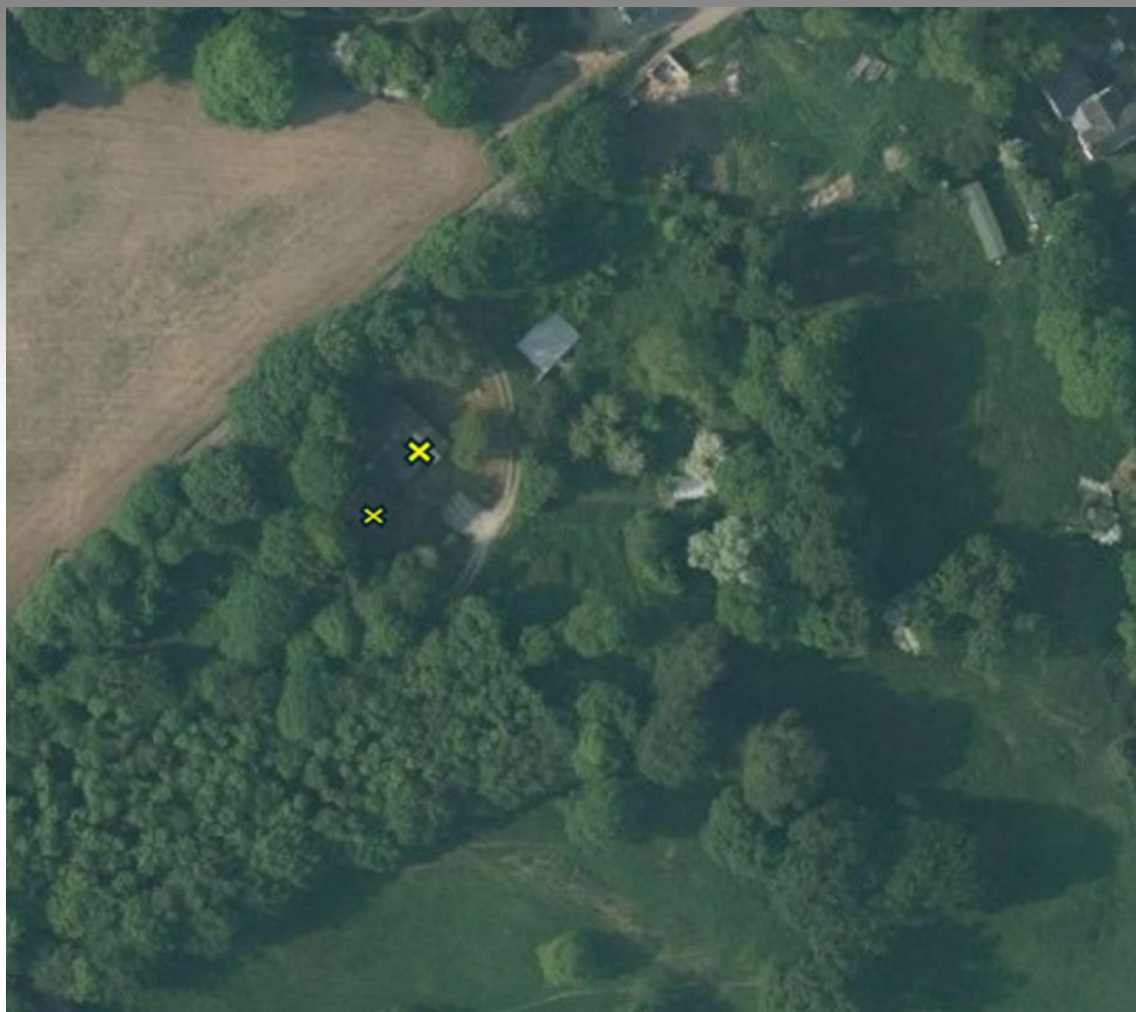
47/2023/0798/PF

Erection of extensions and alterations to existing dwelling including the erection of a replacement detached garage and associated works

Manninagh, Bodfari



Location plan

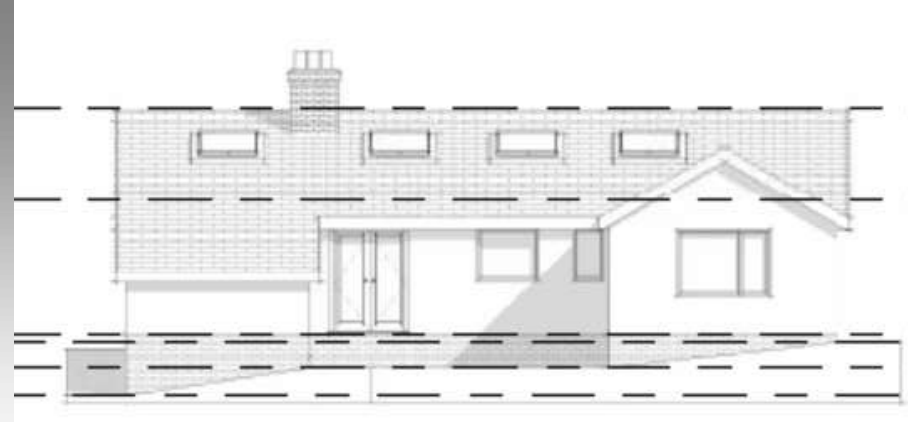


Aerial view
(dwelling and garage annotated)



Existing - Front Elevation

Scale: 1 : 100



Existing - Rear Elevation

Scale: 1 : 100



Existing - Side Elevation A



Existing - Side Elevation B

Existing Elevations



Proposed - Front Elevation

Scale: 1 : 100



Proposed - Rear Elevation

Scale: 1 : 100

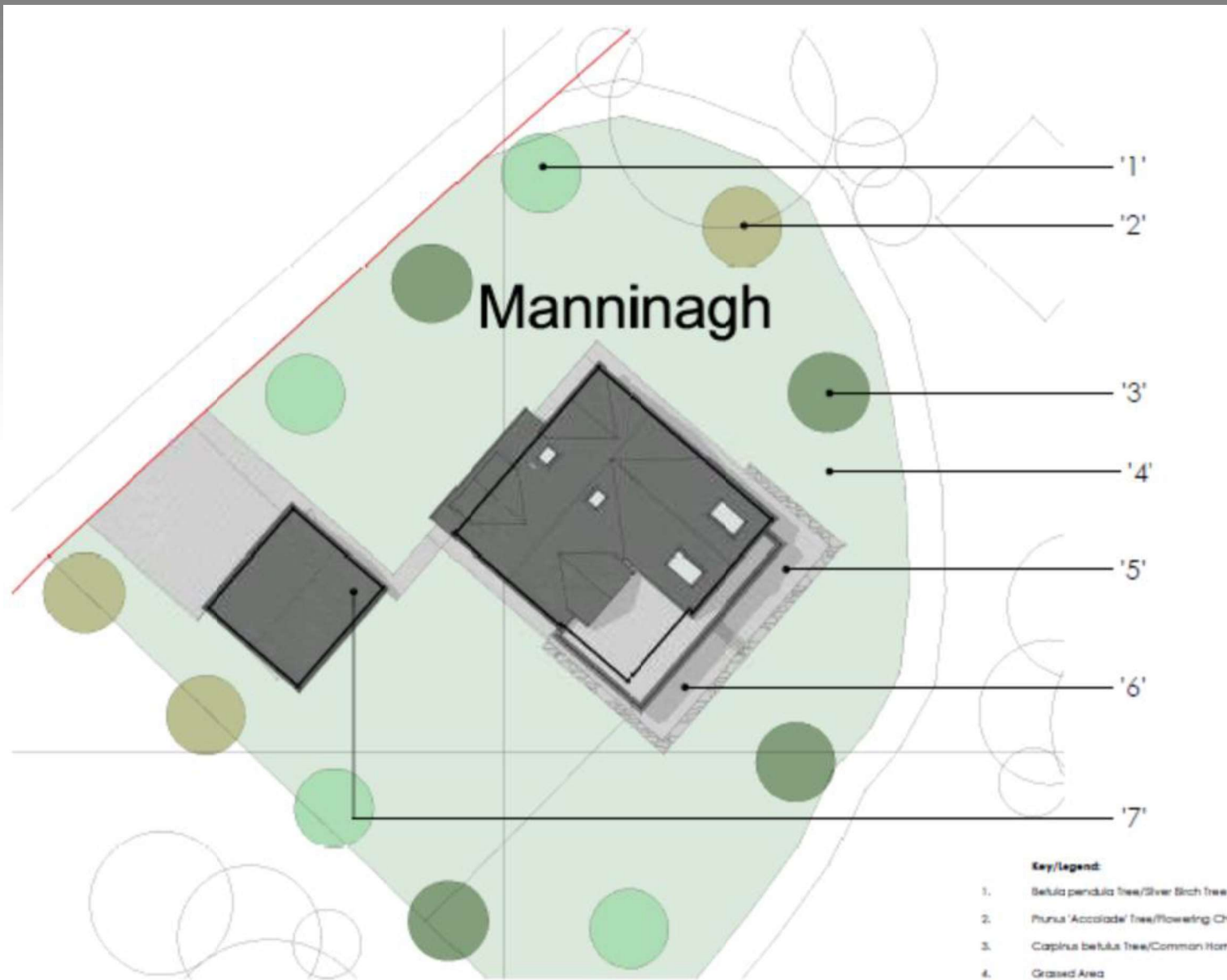


Proposed - Side Elevation A



Proposed - Side Elevation B

Proposed Elevations



Manninagh

'1'
'2'
'3'
'4'
'5'
'6'
'7'

Key/Legend:

- 1. Betula pendula Tree/Silver Birch tree
- 2. Prunus 'Accolade' Tree/Flowering Cherry
- 3. Corylus betulus tree/Common Hornbeam
- 4. Grassed Area
- 5. High level paved dining area
- 6. Low level paved seating area
- 7. Garage

Proposed - Site Plan
Scale: 1 : 250



Site photographs



View from Maes y Graig road

WARD : Tremeirchion

WARD MEMBER(S): Councillor Robert Chris Evans (C)

APPLICATION NO: 41/2023/0798/ PF

PROPOSAL: Erection of extensions and alterations to existing dwelling including the erection of a replacement detached garage and associated works

LOCATION: Manninagh, Bodfari, Denbigh, LL16 4DS

APPLICANT: Mr C Deacon

CONSTRAINTS: PROW / AONB

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 – Community Council objection

CONSULTATION RESPONSES:

BODFARI COMMUNITY COUNCIL

“Scale and height of the house and garage are excessive and would be visually obtrusive in the landscape given its elevated position.

- *Design is inappropriate for the local vernacular and a mismatch of traditional and contemporary styles and of poor architectural merit*
- *Detailing and extent of glazing needs reviewing - excessive glazing is also unlikely to meet Part L*
- *No ecological / bat assessment provided*
- *The number of trees that will be pruned/removed to facilitate this build are also of concern. The replacement dwelling at Manninagh would also be more visible if these trees are removed so needs to be in keeping with its surrounding area.*

Therefore, Bodfari Community Council object to this pre-planning application.”

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE**

“In response to comments made at the pre-application stage it would appear that the application has now been submitted as a replacement dwelling, presumably as the policy criteria is considered to be less onerous or restrictive. However, the impact upon the AONB remains the same. The Joint Committee would not support this proposal. The proposed scale and height of both the dwelling and garage are excessive and would, be visually intrusive within the landscape, given its elevated position. Despite the removal of the hipped roof, and the use of more recessive facing materials the replacement dwelling would remain a conspicuous and incongruous feature in the landscape, by virtue of its scale and design. There are also a number of trees close by which would need to be removed or significantly pruned back to accommodate the development. This will further increase the visual impact, having a detrimental impact upon the character and appearance of the AONB. Whilst there are no objections in principle to a replacement dwelling as it satisfies the general criteria of LDP Policy RD4, the SPG states that applications for the erection of a new dwelling on the site of a former dwelling outside the development boundary will be treated as an application for a new dwelling. In that regard the current proposal should not be supported as it remains contrary to LDP Policy RD1 and VOE2. The main concern relates to the scale and design and the impact this will

have. The design is a mismatch of a traditional form of dwelling with modern finishes and extensive glazing, the pattern of which presents an awkward relationship with the traditional shell of the building.

It appears as total mismatch of traditional and contemporary styles which does not work. However, the Joint Committee would not be opposed to a modern design, provided the scale and height of both the proposed dwelling and garage are reduced and the proposed development sits more comfortably within the landscape”

NATURAL RESOURCES WALES

No objections

DWR CYMRU / WELSH WATER

No objections

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Traffic, Parking and Road Safety:

Highways Officer

No objections

Footpaths Officer

No objections

Ecology Officer

Additional information requested in relation to tree loss and reference to pond removal required clarification

KEY RE - CONSULTATION AND FINAL CONSULTATION RESPONSES

BODFARI COMMUNITY COUNCIL

“1. The revised plans do not address the original concerns that the scale and height of the house and garage are excessive and would be visually obtrusive in the landscape given its elevated position and prominence on the hillside. We would prefer that the house re-development remains as a single storey building, or that the total height of the proposed building remains within 20% of that of the original building outline.

2. With regard to the replacement garage, no height dimensions are given in either the original or revised plans, so that no judgement can be made as to the changes in plans. We cannot therefore make a judgement on this basis.

3. Ecological / bat assessment is now provided. No further comments on this aspect.

4. The number of trees that will be pruned/removed to facilitate this build are also of concern. We seek assurance that the number of trees to be felled during development are kept to an absolute minimum. The revised plans do not provide these assurances.

Therefore, Bodfari Community Council continues to object to this planning application”.

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE**

“The amended plans represent a significant improvement upon the original submission and have effectively overcome our previous concerns with regards to the scale and design of the replacement dwelling. However, the Joint Committee still have concerns with regards to the size of the detached triple garage and would request its reduction to a double garage. Subject to this amendment and the imposition of conditions to remove permitted development rights, the submission of a hard and soft landscaping scheme to include boundary treatment, a lighting scheme and use of materials, the Joint Committee are supportive of the amended application”

Final Comments

"The Joint Committee welcome the reduction in the size of the garage which addresses our previous concerns with regards to the scale of the building. Subject to the imposition of conditions to remove permitted development rights, the submission of a hard and soft landscaping scheme to include boundary treatment, a lighting scheme and use of materials, the Joint Committee are supportive of the amended application."

DENBIGHSHIRE COUNTY COUNCIL CONSULTTEES

Ecology Officer

No objection subject to the inclusion of standard conditions

RESPONSE TO PUBLICITY:

In objection

Representations received from:

1. Anthony and Julie Johnson, Gwenallt, Mold Road, Bodfari
2. Martin Shutt, Chapel Cottage, Mold Road, Bodfari
3. Julie Burnage, Ty Nant Helygen, Bodfari

Summary of planning based representations in objection:

Visual amenity and impact on the AONB: -

A large two storey building in this situation would be an imposing structure; would be highly visible from across the valley; inappropriate to have such a large dwelling in an AONB; prominent location on hillside requires this development to remain single storey as is at present; concerns that trees would need to be removed to facilitate and result in it being more visible and therefore have an even greater detrimental effect.

In support:

1. Lisa Southwick, 11 Maes Y Graig, Bodfari

Summary of planning based representations in support:

It will look lovely, got amazing views.

EXPIRY DATE OF APPLICATION: 12/03/2025

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Planning permission is sought for the erection of extensions and alterations to the existing dwelling at Manninagh, Bodfari including the erection of a replacement detached garage and associated works.
- 1.1.2 The proposal seeks to extend the ground floor to the rear to provide a snug/day room and a kitchen diner, increase the roof height of the existing dwelling to create residential accommodation at first floor level and includes extensive re-modelling with the introduction of gabled dormer features and balconies.
- 1.1.3 Materials are shown to be stone with white render and larch cladding with a slate roof. The windows and doors are shown to be grey aluminium.
- 1.1.4 The existing detached flat roof garage would also be demolished and replaced with a detached pitched roof double garage, in the same location and shown to be constructed of white render, larch cladding and a slate roof to match the proposed materials on the main dwelling.

1.2 Other relevant information/supporting documents in the application

1.2.1 Ecological Surveys and Green Infrastructure Statement submitted.

1.3 Description of site and surroundings

1.3.1 Manninagh is a single storey detached dwelling located in a rural location beyond the village of Bodfari.

1.3.2 The dwelling has a cream coloured render and older images show that it previously had a brown tiled roof, but the tiles have now been removed with the roofing felt now exposed.

1.3.3 The property is located in an elevated position above Mold Road and occupies a large residential curtilage with a detached garage and other outbuildings including a static caravan and a large lean-to storage building, all of which are located within the residential curtilage of Manninagh.

1.3.4 The site is accessed off Maes y Graig Road and is very well screened by mature trees and woodlands on all boundaries.

1.3.5 There are no other residential properties near the property, the closest property is 'Tan y Fallen' located approximately 80m further along Maes y Graig Road to the north east which a large, recently extended 2 storey dwelling. Other dwellings further along the road are all 2 storey dwellings.

1.4 Relevant planning constraints/considerations

1.4.1 The dwelling is located in the open countryside beyond any development boundaries.

1.4.2 The site is located in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

1.5 Relevant planning history

1.5.1 None

1.6 Developments/changes since the original submission

1.6.1 The applicant appointed a new agent/architect.

1.6.2 The description of the application has been clarified and amended to reference extensions and alterations to the existing dwelling and not a replacement dwelling.

1.6.3 The plans have been amended in response to Officer/AONB Officer feedback in relation to the scale and design of the dwelling, and include a reduction to the size of the proposed replacement garage which was originally a triple garage.

1.6.4 Additional ecology information has also been submitted and clarity provided that no trees will be removed or affected by the proposals.

1.7 Other relevant background information

1.7.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD3 – Extensions and alterations to existing dwellings

Policy VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

Supplementary Planning Guidance Note: Planning for Dark Skies – SPG for lighting in the [Clwydian Range and Dee Valley Area of Outstanding Natural Beauty](#)

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: Trees & Landscaping

Government Policy / Guidance

Planning Policy Wales (Edition 12, 2024)

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes

TAN 12 Design (2016)

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 12, 2024) 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 12) 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 including impact on AONB
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

- 4.2.1 Principle
Policy RD 3 relates specifically to the extension and alteration of existing dwellings, and states that these will be supported subject to compliance with detailed criteria.

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.

- 4.2.2 Visual amenity including impact on AONB
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.

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB, and indicates that development should be resisted where it would cause unacceptable harm to the character and appearance of the AONB landscape and the reasons for designation.

This reflects guidance in Planning Policy Wales (Edition 12, 2024) which requires planning authorities to give great weight to conserving and enhancing the natural beauty of AONBs, and should have regard to the wildlife, cultural heritage and social and economic well-being of the areas. The special qualities of designated areas should be given weight in the development management process. Proposals in AONBs must be carefully assessed to ensure that their effects on those features which the designation is intended to protect are acceptable. The contribution that development makes to the sustainable management of the designated area must be considered.

Supplementary Planning Guidance (SPG) has been developed – ‘The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB)’ along with a specific SPG for lighting in the AONB - ‘Planning for Dark Skies’. The SPG’s provide guidance and advice on design and lighting principles which should be followed to assist new development proposals in the area.

Representations on the visual amenity impacts have been made by the Community Council and some local residents who feel the extensions and alterations including

the replacement garage would be intrusive and out of keeping with the area, which is within the AONB.

The proposal seeks to extend the ground floor to the rear to provide a snug/day room and a kitchen diner, increase the roof height of the existing dwelling to create residential accommodation at first floor level and includes extensive re-modelling with the introduction of gabled dormer features and balconies. External materials will be amended to include some stone, render and larch cladding.

The existing detached flat roof garage would also be demolished and replaced with a detached pitched roof double garage, in the same location with materials shown to match those proposed on the main dwelling.

The property is located in a secluded hillside location surrounded by mature trees and woodlands on all boundaries so is very well screened and hidden from all viewpoints.

The AONB Officer has raised no objection to the amended plans for the dwelling and replacement garage and considers the amendments to the scale and design overcome their original concerns. Subject to the imposition of conditions to remove permitted development rights, the submission of a hard and soft landscaping scheme to include boundary treatment, a lighting scheme and specifications of external materials, the AONB Officer raises no objections to the proposal and considers that there would be no adverse visual impact on the AONB landscape.

The replacement garage has been reduced from a triple garage to a double garage with a ridge height of approximately 5.6m. The replacement garage has been designed in scale and appearance to match the main dwelling and would be sited in the same location as the original garage, at the front side of the dwelling. The current garage is of poor design and appearance. The proposed replacement garage would be subordinate to the main dwelling and would be sympathetic in scale, design and materials to the main dwelling and surrounding area.

Whilst the introduction of a first floor with the gabled features proposed would not be strictly subordinate to the original dwelling, the existing dwelling is an unremarkable property and in need of renovation. The extension and alterations are considered to be sympathetic in terms of design and overall materials which would result in a high quality development. The dwelling is in an isolated position, standing on its own with the closest property some 80m away. All other residential properties along Maes y Graig Road are 2 storey and whilst it is acknowledged that the overall scale of the property would be increased as a result of the proposals, it is located in such a secluded location and is so well screened by mature trees/woodlands that it would not cause any visual harm and cannot be seen from any surrounding viewpoints.

Subject to the imposition of conditions (and as suggested by the AONB Officer) it is not considered that the proposal would have an unacceptable impact on visual amenity or impact negatively on the character of the AONB.

The proposal is for extensions and alterations to an existing dwelling including a replacement garage, no trees would be removed or affected by any element of the proposal. Additional landscaping is proposed as part of the proposals which are broadly outlined on the proposed site plan and in the submitted reports, however a condition is suggested to agree final details and specifications of new planting, external hard surface details and boundary treatments. A condition is also suggested to ensure trees are adequately protected during site works.

Having regard to the design, siting, scale, massing and materials of the proposed extensions, alterations and replacement garage, in relation to the character and appearance of the original dwelling, the locality and AONB landscape, it is considered the proposals would not have an unacceptable impact on visual amenity or on the

character and appearance of the AONB 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 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

There are no representations raising residential amenity issues.

The proposal seeks to extend the ground floor to the rear to provide a snug/day room and a kitchen diner, increase the roof height of the existing dwelling to create residential accommodation at first floor level and includes extensive re-modelling with the introduction of gabled dormer features and balconies.

The existing detached flat roof garage would also be demolished and replaced with a detached pitched roof double garage, in the same location with materials shown to match those proposed on the main dwelling.

The dwelling is located in a secluded location along a narrow lane (Maes y Graig Road) above the village of Bodfari. The nearest residential property to the dwelling is located some 80m away at a higher elevation on the hillside and separated by a road and woodland. It is not considered that the proposed extensions and alterations would raise any unacceptable residential amenity impacts such as overlooking or privacy issues. It is considered the proposals would be acceptable in terms of residential amenity impacts.

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

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 (Edition 12, 2024). Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG 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 12) sets out that “*planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems*” (Section 6.4.5).

Planning Policy Wales (PPW 12) 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).

PPW 12 includes policies relating to green infrastructure, net benefits for biodiversity and the Step-Wise Approach, protection for Sites of Special Scientific Interest (SSSI) and Trees and Woodlands.

- *Green Infrastructure*

A strong emphasis on taking a proactive approach to green infrastructure covering cross boundary considerations, identifying key outputs of green infrastructure assessments and the submission of proportionate green infrastructure statements with planning applications.

- *Net Benefit for Biodiversity and the Step-wise Approach*

Clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. A number of factors will affect the implementation of the step-wise approach, pre-emptive site clearance works should not be undertaken however if this does occur its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place and a net benefit for biodiversity must be achieved from that point.

- *Protection for Sites of Special Scientific Interest (SSSI)*

Protection is strengthened with increased clarity on the position for site management and exemptions for minor development necessary to maintain a ‘living landscape.

- *Trees and Woodlands*

A closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right trees in the right place.

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.

Future Wales – The National Plan 2040 (2021) Policy 9 advises that 'In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment'. It is therefore recommended that these are included and form part of any planning application.

The proposal is supported by ecology surveys and a Green Infrastructure Statement. Reasonable Avoidance Measures (RAMs) are recommended within the report and concludes that provided the recommended mitigation and enhancement measures are undertaken, there should be a net gain in biodiversity, no net loss of roosting or nesting sites nor any danger of harm to any species.

Subject to the imposition of appropriately worded conditions, it is considered that the proposals are in line with the advice contained in PPW 12 and would provide enhancement measures to increase the biodiversity opportunities at the site.

4.2.5 Highways (including access and parking)

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

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. These policies reflect general principles set out in Planning Policy Wales (PPW 12) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

There are no representations raising highway concerns.

The proposal relates to extensions and alterations to an existing dwelling along with the erection of a replacement garage. There are no amendments proposed to the existing vehicular access with no impacts on the off street parking provision currently available and therefore no objections have been raised by the Highway Officer.

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.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. A public authority must, in the exercise of its functions, have due regard to advancing equality.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposals are considered acceptable with no adverse local impacts.

RECOMMENDATION: - GRANT - subject to the following conditions:

1. The development to which this permission relates shall be begun no later than 12th March 2030
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 Location Plan (Drawing No. EX01) - Received 17 December 2024 (ii) Existing Floor Plans (Drawing No. EX02) - Received 18 November 2024 (iii) Existing Elevations (Drawing No. EX03) - Received 18 November 2024 (iv) Existing Elevations (Drawing No. EX04) - Received 18 November 2024 (v) Proposed Site Plan (Drawing No. 6589 PL01 Rev D Rev C) - Received 17 January 2025 (vi) Proposed Ground Floor Plan (Drawing No. SK02 Rev) - Received 18 November 2024 (vii) Proposed First Floor Plan (Drawing No. SK03 Rev B) - Received 18 November 2024 (ix) Proposed Elevations (Drawing No. SK04 Rev C) - Received 18 November 2024 (x) Proposed Elevations (Drawing No. SK05 Rev B) - Received 18 November 2024 (xi) Proposed Garage (Drawing No. 6589 PL06 Rev c) - Received 17 January 2025 (v) Bat and Nesting Bird Assessment including Green Infrastructure Statement (Ver 1, PJ Ecological Solutions dated December 2023) - Received 7 December 2023 (vi) Ecology Addendum Report (Clwydian Ecology dated 10/10/2024) Received 17 January 2025
3. Prior to the application of any external materials full details of all wall, roof, window, door and balcony 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.
4. The development shall be carried out strictly in accordance with the measures set out in Appendix 1 of the approved Bat and Nesting Bird Assessment (P J Ecological Solutions, December 2023)
5. If works have not commenced by April 2026, an updated assessment of the sites for protected species including bats shall be submitted to and approved in writing by the Local Planning Authority
6. No development shall be permitted to commence until a scheme for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a minimum of a small orchard of 12 fruiting trees, a reinstated pond, and 1no. Vivara Pro Miramare WoodStone Bat Box, as detailed in Section 5 of the approved Bat and Nesting Bird Assessment (PJ Ecological Solutions, December 2023). Full details shall be provided on the locations and specifications of each feature and shown on appropriate plans and shall include a timeframe for their implementation. The development shall be carried out strictly in accordance with the approved details and shall be implemented in full prior to the occupation of the extension.
7. No new external/internal lighting shall be installed unless a detailed lighting plan is submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid negative impacts on nocturnal wildlife in accordance with the Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 08/23 Bats and Artificial Lighting at Night. The lighting shall be implanted as approved and maintained thereafter.
8. Within three months of the commencement of development, a detailed scheme of hard and soft landscaping for the site, designed to deliver a net benefit for biodiversity shall be

submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (a) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting and only feature species of known benefit to wildlife;
- (b) proposed materials to be used on the driveway(s), paths and other hard surfaced areas and timing of implementation;
- (c) proposed positions, design, materials and type of boundary treatment, and;
- (d) timing of implementation of the approved landscaping scheme

9. All existing trees and hedges as shown on the approved plans and documents shall be retained (including the standing dead trunk) and shall be protected during site clearance and throughout the course of the development by a fence one metre from the outermost limit of the root protection area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations). 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.
10. 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

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 interest of visual amenity
4. To maintain the favourable conservation status of protected species
5. To maintain the favourable conservation status of protected species.
6. In order to maintain and enhance biodiversity
7. To maintain the favourable conservation status of protected bat species
8. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
9. In the interest of visual amenity and enhancing the biodiversity of the area.
10. In the interests of residential and visual amenity