

**PLANNING COMMITTEE  
MEETING - 25th July 2001  
Agenda Item: 2**

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED  
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE  
PLANNING AND COMPENSATION ACT 1991  
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)  
ACT 1990  
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

**A REPORT BY THE HEAD OF PLANNING SERVICES**

**DATE OF SITE VISITS**

**1. PURPOSE OF REPORT**

- 1.1** To advise Members of the likely date of any Site Visits requested by the Planning Committee.

**2. DATE OF THE SITE VISITS**

- 2.1** In consultation with Legal and Administration, it has been decided that the **Wednesday 1st August 2001** is most suitable. This date has been provisionally booked.
- 2.2** You are advised, therefore that any site visits arranged today will take place **On Wednesday 1st August 2001 (times to be advised).**

**3. MEMBERSHIP OF THE SITE VISIT PANEL**

- 3.1** This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

**4. RECOMMENDATION**

- 4.1** That Members agree to the Site Visits being held on **Wednesday 1st August 2001**

**ENFORCEMENT MATTERS**

ENF/133/00/S - Siting of twin unit caravan and use as permanent family residence

ENF/236/00/S - Operating a business from home

ENF/2001/0005 - Installation of roller shutters to shop front

ENF/2001/0004 - Installation of roller shutters to shop front

Copies available from the Head of Planning Services

**SPECIAL REPORT**

**BURLEY HILL, MAESHAFN**

**A REPORT BY THE HEAD OF PLANNING SERVICES**

**1. PURPOSE OF REPORT**

1.1 To arrange a site visit to inspect the quarry and its surroundings.

**2. BACKGROUND**

2.1 In late 1999 Tilcon (the former quarry operator) submitted a planning application to extend the quarry.

2.2 Further revisions were made in 2000/2001. As a result of consultations and having regard to representations received, the current quarry operator, Tarmac, has amended the proposal.

2.3 A further round of consultations has been carried out. Officers are aiming to report the application to Planning Committee in September, but this is by no means certain.

2.4 Tarmac are anxious to have an early decision.

**3. ASSESSMENT**

3.1 Officers are of the view that Members should visit the quarry and its surroundings before considering the planning application.

3.2 The purpose of the visit will be to assist Members in appraising the proposal on receipt of the officer's report and recommendation.

3.3 The visit will adhere to the procedures adopted for site inspection panels.

3.4 All members of the Planning Committee should be invited.

**4. RECOMMENDATION**

4.1 **That a site visit be arranged.**

4.2 **That all members of the Planning Committee be invited.**

**NOTE : *The preferred date/time, at the time of going to press, is 10am Tuesday 21 August***

**DENBIGHSHIRE COUNTY COUNCIL  
PLANNING COMMITTEE  
25TH JULY 2001  
AGENDA ITEM NO. 6**

**SUPPLEMENTARY PLANNING GUIDANCE**

**1. INTRODUCTION**

1.1 The Committee will recall that the preparation of the Unitary Development Plan (UDP) was accompanied by a comprehensive series of 24 Topic Based Supplementary Planning Guidance (SPG) Notes. This report seeks to further progress 5 of these SPG Notes towards approval by the Council. This report is concerned with the following SPG's:

- Extensions to dwellings
- Shopfronts
- Children's daycare
- Retail kiosks
- Private hire (taxi) vehicles

1.2 These SPG's were reported to and discussed by the Unitary Development Plan Panel on 4th July 2001 and following that a number of minor amendments have been made. Following queries raised at the Panel, Officers have i) met the Under 8's unit within Social Services to discuss the Childrens Day-Care SPG and made minor amendments ii) added additional guidance to section A) of the Extensions to Dwellings SPG regarding the scale and form of extensions

**2. BACKGROUND**

2.1 The National Assembly for Wales provides advice on Supplementary Planning Guidance in Unitary Development Plans Wales (Feb 2001). The guidance states:

*'Authorities should consider the use of SPG as a means of setting out more detailed guidance on the way in which the policies of a UDP will be applied in particular circumstances or areas. SPG does not form part of the plan.... SPG itself must be consistent with national planning guidance, as well as the policies set out in the adopted plan. It should be clearly cross-referenced to the relevant plan policy or proposal which it supplements, issued separately from the plan, made publicly available and its status made clear.....'*

*SPG may be taken into account as a material planning consideration. The National Assembly will give substantial weight in making decisions on matters that come before it to SPG which derives out of and is consistent with the development plan and has been prepared in a proper manner. SPG should be prepared in consultation with the general public, businesses, and other interested parties and their views should be taken into account before it is finalised. It should then be the subject of a Council resolution to adopt it as supplementary guidance. On adoption a statement of the consultation undertaken, the representations received and the authority's response to those representations should be made available with the SPG, either in an annex or in a separate document.....'*

- 2.2 The SPG series prepared for the County has been cross referenced to the UDP where relevant. It accompanied the UDP at both its Draft and Deposit public consultation stages and has been widely circulated. Consideration was given to representations on the SPG during Draft consultation stage and amendments made. Representations on the SPG at Deposit stage will be considered in the report below. Having regard to the small number of SPG's being progressed, the small number of representations received and the general introduction each SPG (which includes broad details of public consultation), it is not considered necessary to prepare a statement of consultation until the majority of the SPG's are progressed at a later date.
- 2.3 In many cases, it is not possible to progress the SPG's any further as the relevant UDP policy has been objected to. However, there are a handful of SPG's where it is possible to progress towards adoption by the Council.

### **3. GENERAL INTRODUCTION TO EACH SPG**

- 3.1 It is intended that the SPG's will, when all finalised, be available both in a bound book format and in separate leaflet format. It is therefore important that each note is self contained. The general introduction set out in the SPG series at the Deposit consultation stage has been updated and amended, as set out in Appendix 1 (attached).

### **4. FORMAT OF SPG'S**

- 4.1 The SPG's could be presented in a variety of formats such as A5 leaflets (similar to the existing Planning Services leaflets), A4 sheets and leaflets or narrow leaflets (similar to tourism leaflets). However, in order to accommodate illustrations and to be fully bilingual it is considered that an A4 format would be preferable. This has the added advantage that it can be either available singly in a loose leaf format or can be available together either in a bound book or a ring binder (additional SPG's can be added as they are prepared). Examples will be available at the meeting.
- 4.2 It is also intended to place the SPG's on the Planning Services web site.

### **5. CONSIDERATION OF REPRESENTATIONS**

- 5.1 Only a handful of representations were submitted when the SPG series accompanied the UDP at its Deposit consultation stage. The representations relevant to the SPG's which are the subject of this report are set out in the table in Appendix 2 (attached). This table also contains the suggested response to each representation along with any amendments to be made.

### **6. PROPOSED AMENDMENTS TO SPG's**

- 6.1 The SPG's have been reconsidered in the light of:
- representations (above)
  - revised planning guidance
  - the passage of time (first prepared 2-3 years ago)
  - perusal of other examples
  - the need felt by Officers to improve the 'guidance' offered in each note

6.2 In order to highlight the suggested amendments to each SPG, any text proposed to be deleted is shown as ~~strikethrough~~ and any new text is shown as **bold**. Suggested revisions to the illustrations will be distributed at the meeting. The SPG's are attached to this report as Appendices as follows and will be considered in turn:

- Appendix 3 Extensions to dwellings
- Appendix 4 Shopfronts
- Appendix 5 Children's daycare
- Appendix 6 Retail kiosks
- Appendix 7 Private hire (taxi) vehicles

6.3 Members should note it has not been possible to fully cross reference the above SPG's to other SPG's as the majority cannot be progressed until receipt and consideration of the Inspector's Report. Rather than include cross references to other SPG's which have yet to be approved by the Council, it is proposed to remove all such cross references to avoid confusion to the public and other users of the documents. When the remainder of the SPG's are progressed it will be a relatively simple task to review the above 5 notes and undertake minor amendments to enable full cross referencing.

## **7. PROGRAMME FOR ADOPTION**

7.1 Following consideration by and approval by this Committee and Full Council, any amendments will be made to the documents which will then be translated, illustrations prepared and reformatted into A4 leaflet form.

## **8. CONCLUSION**

8.1 The amendments proposed represent a considerable improvement on the draft SPG notes in terms of guidance and advice offered. They will assist all parties involved in the submission of and determination of relevant development proposals.

## **9. RECOMMENDATIONS**

9.1 That the Committee:

- (i) approves the content of the amended SPG's
- (ii) approves an A4 format for the SPG's
- (iii) adopts the amended SPG's as a material planning consideration for development control purposes

## INTRODUCTION

This note is one of a series of Supplementary Planning Guidance amplifying the development plan policies in a clear and concise format with the aim of improving the design and quality of new development. The notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist Officers in handling and Members in determining planning applications.

## STATUS & STAGES IN PREPARATION

These ~~Council's~~ series of supplementary planning guidance ~~notes~~ **is are** not part of the adopted development plan. However, they have been the subject both of a formal Council resolution and public consultation, **having accompanied the Council's Unitary Development Plan at both Draft and Deposit public consultation stages**. The ~~Secretary of State~~ **National Assembly** for Wales has confirmed that this supplementary planning guidance note can be treated as a material planning consideration when local planning authorities, Welsh Office Planning Inspectors and the ~~Secretary of State~~ **National Assembly** for Wales decide on planning applications and appeals.

~~Until the Denbighshire County Council Unitary Development Plan is adopted, it will not constitute the Development Plan. Where no objections are lodged to the policies and proposals of the Deposit UDP then considerable weight can be attached to those policies and proposals. SPGs will be used as a material planning consideration but their weight will depend on circumstances, particularly whether or not there are any unresolved objections made to the UDP or SPG.~~

These notes have been prepared in accordance with guidance contained in Planning Guidance (Wales), Planning Policy; Unitary Development Plans (Wales); Technical Advice Notes.

## STAGES IN PREPARATION

~~Following public consultation alongside the Draft UDP in March / April 1998, the SPGs have been revised in the light of representations received and further consideration by Officers and Members. The revised SPGs are the subject of further public consultation alongside the public 'deposit' period of the UDP, but will not be placed on public deposit themselves.~~

~~All written representations made regarding the SPGs will be reported to the Council along with any recommendation for changes to be made in individual SPGs before being adopted by the Council. However, it must be noted that many of the SPGs are related to policies in the draft UDP. Therefore, only where no objections have been lodged to a related UDP policy at a deposit stage will a SPG be used by the Council as a material planning consideration.~~



**DCC - TOPIC BASED SUPPLEMENTARY PLANNING GUIDANCE  
REPRESENTATIONS SUBMITTED AT DEPOSIT STAGE**

<b>SPG No. &amp; TITLE</b>	<b>REPRESENTOR</b>	<b>REPRESENTATION</b>	<b>RESPONSE &amp; RECOMMENDATION</b>
5 Extensions to dwellings	Council for British Archaeology	The phrase <i>'the pointing of stonework should also reflect that used on the original dwelling'</i> does not take into account that so many masonry buildings have long since lost the original pointing. The requirements should be more specific since bad pointing, particularly using cement mortar has damaged the external fabric in the past and present. Expert professional advice should be sought when repointing masonry buildings.	Agreed. The sentence is to be amended to include <i>'brickwork'</i> as the use of an appropriate mortar is an issue in both brick and stone dwellings. A follow up sentence is to be added <i>'It may be useful to have regard to other dwellings in the locality if the dwelling has been altered from its original appearance. In the case of listed buildings and buildings in conservation areas, expert advice should be sought as the use of materials and choice of mortar will affect the character and appearance of the dwelling'</i> .
12 Shopfronts	★		
19 Children's daycare	Denbighshire Access Group	Under the 'Access and Parking' section a cross reference to SPG 8 should be given as people with disabilities also have children	Agreed. The guidance in the 'Access and Parking' section is to be amended by adding <i>'Where Building Regulation approval is required then it will be necessary to comply with part 'M' of the Building Regulations which deal with access for people with disabilities. In other cases, the Council would still encourage measures to ensure that the building is accessible to persons with disabilities, mothers with pushchairs, the elderly etc. Such measures may be beneficial in terms of increased business'</i> .
22 Retail kiosks	★		

<p>23 Private hire (taxi) vehicles</p>	<p>Denbighshire Access Group</p>	<p>Access for disabled people should be made at offices.</p>	<p>Agreed. A new section is to be added: '<i>Where Building Regulation approval is required then it will be necessary to comply with part 'M' of the Building Regulations which deal with access for people with disabilities. In other cases, the Council would still encourage measures to ensure that office accommodation and waiting rooms etc are accessible to persons with disabilities, mothers with pushchairs, the elderly etc. Such measures may be beneficial in terms of increased business</i>'.</p>
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🗑️ No representations were received on these SPG's

## APPENDIX 3

### DENBIGHSHIRE COUNTY COUNCIL

## SUPPLEMENTARY PLANNING GUIDANCE NOTE NO. 5

# EXTENSIONS TO DWELLINGS

### BACKGROUND

It is understandable and legitimate for householders to want to improve and extend their properties. **This may take the form of brick / stone built extensions or conservatories to provide additional living space or to provide garage space.** Most extensions are reasonable and acceptable, and where **planning permission is required it will usually be obtained** planning permission. However, some extensions may have an adverse impact on the area by virtue of their size, scale, aspect, design, materials and locality. **Whether or not planning permission is required this guidance note will help bring about quality development which will be of benefit to all.**

The purpose of this SPG is to provide additional guidance in order to;

- illustrate the criteria **and considerations** which will be applied **taken into account** by the Council in assessing proposals for extensions to dwelling units.
- provide advice on planning and designing domestic extensions in a way which will enhance the appearance and value of the dwelling.
- maintain the character and amenity of the neighborhood.

The primary aim of the Local Planning Authority, in this case Denbighshire County Council, is to

- protect the public interest.
- reconcile the needs of individuals with the broader community interest.
- provide well **built** designed and sympathetically **designed built** extensions or additions.
- maintain the individual character and amenity of residential areas throughout the County.

To maintain good neighbour relations the LPA recommends that any householder intending to extend their property informs and discusses their intentions with their neighbours affected by the development. **It is the responsibility of the applicant / householder / agent to ensure that any extension / solid wall / means of enclosure is constructed on land under their ownership, and that there is no encroachment of foundations or overhanging of guttering (refer to the Party Wall etc Act 1996 Ch. 40 - details of which are available at Planning Services Offices). This is both courteous and can avoid problems at a later date. On all planning applications consultations will be undertaken with neighbours likely to be affected by the proposal.**

The erection of an extension to a dwelling can requires a sensitive and sympathetic approach, often requiring the service of a qualified architect. **However, it is worth noting that good design need not necessarily be more expensive. Furthermore, good design will add value to a dwelling and any increase in costs due to materials etc can usually be more than recouped at a later date both in terms of resale value and lower maintenance costs.**

~~It is the responsibility of the applicant / householder / agent to ensure that any extension / solid wall means of enclosure is constructed on land under their ownership, and that there is no encroachment of foundations or overhanging of guttering occurs (refer to the Party Wall etc Act 1996 Ch. 40).~~

## PLANNING POLICY

The Council's approach to the extension of dwelling houses is contained in Policy HSG 12 of the Council's Unitary Development plan (UDP). This policy is reproduced in full below: Whilst reference should be made to the relevant development plan and the UDP, the broad thrust of policy is that extensions to dwellings will be permitted provided that:

- A) the scale of development is subsidiary (i.e. smaller than) and sympathetic to that of the original dwelling;
- B) use of materials, the siting, design are sympathetic to the character of the dwelling and its surrounding;
- C) amenity standards are protected for existing and proposed development, avoiding overpowering/overshadowing.

### **THE EXTENSION OR ALTERATION OF EXISTING DWELLINGS WILL BE PERMITTED PROVIDED THAT:**

- i) THE SCALE AND FORM ARE SUBORDINATE TO THE ORIGINAL DWELLING;**
- ii) THE DESIGN AND MATERIALS ARE SYMPATHETIC TO THE CHARACTER, APPEARANCE AND BUILDING STYLES OF THE EXISTING DWELLING AND THE SURROUNDING AREA;**
- iii) THE PROPOSAL RESPECTS THE CHARACTER, APPEARANCE AND AMENITY STANDARDS OF THE DWELLING AND ITS IMMEDIATE LOCALITY;**
- iv) THE PROPOSAL DOES NOT REPRESENT AN OVER DEVELOPMENT OF THE SITE.**

### **'Urban' and 'Rural' Extensions:**

Denbighshire comprises a mix of both 'urban' and 'rural' environments, throughout which the demand and need for housing and related developments varies considerably. For the purposes of this guidance note, urban environment includes those residential properties located within areas defined within the development boundary in the Denbighshire County Council Unitary Development Plan. A copy of this Development Plan is available for general public reference at the offices of the Planning Department in Ruthin and Prestatyn.

The same general principles will apply for both 'urban' and 'rural' extensions. An extension should be carefully designed and sympathetic in character and appearance to the original building and neighbourhood whether it is located in a rural or high density 'urban' street

For examples of good and poor ways of extending, see Figure 1.

### **Sensitive Areas**

The same general principles will apply across the County whether in urban or rural areas. In all cases an extension should be carefully designed and sympathetic in character and appearance to the original building and neighbourhood whether it is located in a rural landscape or high density 'urban' street. However, special considerations will need to be applied to dwellings in sensitive areas such as Conservation Areas, the Area of Outstanding Natural Beauty (AONB), the Area of Outstanding Beauty (AOB), Local Landscape Areas and green barriers. Houses set within corner plots may also require careful consideration.

Special consideration will also need to be given to buildings listed as being of architectural or historic interest. Any alterations or extensions which affect the character or appearance of a

listed building will require listed building consent as well as planning permission. Prior discussion with the Councils Conservation Officers is advisable.

Separate guidance notes may be produced for particularly sensitive areas in the future.

### **GUIDANCE ON HOW TO EXTEND**

When planning permission is required, there are three important points to consider:

The three key considerations are set out below:

A) **Scale and Form** of extension

The size, height and proportion of any proposed new extension should take into account the **size**, form and style of the original dwelling. It is the Local Planning Authority's view that in ~~the main~~ **general** any new extension should be subsidiary **or subordinate** in terms of overall floor areas, size, height and proportion to that of the original dwelling. ~~It is recognised that many properties, especially in rural areas, older dwellings are not large in terms of overall size, and therefore have only limited floorspace. Proposals to extend these dwellings may involve adding floorspace in excess of that comprising of the original dwelling.~~

**This will be particularly important in the case of small rural properties with limited floorspace where proposals may come forward for large extensions which could dwarf the original. It would be easy to impose a % figure for the increase in floorspace represented by an extension but this represents an 'artificial' method of assessing a proposal. However, it would be difficult to design an extension which came close to doubling (or more) the floorspace which appeared subsidiary to or in harmony with the original house. Key considerations are whether the house is in the countryside or in a built up area, whether the extension is on a front, side or rear elevation and whether or not it is publicly visible. A design solution which is acceptable in one case may not be appropriate in another case and each case must therefore be looked at based on its individual characteristics.**

The key objective is to ensure that the extension is in harmony with and complementary to the existing dwelling rather than an extension appearing as having been merely 'tacked - on'. There are a number of ways of looking at how an extension can relate to the original in terms of 'form' which are set out in Fig 1.

(i) **'Continuation'**

This is the simplest form where the extension continues the building line and roof of the dwelling. It is usually only successful where the extension is relatively small compared with the original dwelling. Careful design of windows and doors and choice of materials will be necessary to ensure that the extension respects the original house and that the 'join' between old and new is not untidy.

(ii) **'Reflection'**

It is possible to extend a dwelling to 'reflect' the original character of the house. This is usually done by adopting the same form as the original but either at a smaller scale or set back for the original in terms of height (roofline) and building line. This enables a better integration of old and new materials.

(iii) **'Separation'**

In some cases it may be preferable to separate the extension from the original by means of a link such as a porch, hallway or gallery feature. It is often used where the original house has a distinctive character or features which would be difficult to 'continue' or 'reflect'.

~~In some circumstances, a more substantial proportional increase in overall floor area to provide a habitable standard of accommodation can be supported, if the design is of a sufficiently high standard and there is adequate space within the existing site boundary to accommodate the proposal.~~

The Authority wishes to avoid over development of residential curtilages. This occurs when a substantial part of the residential amenity space is taken over by buildings including extensions. As a rule of thumb, no more than 75% of the site should be covered, leaving at least 40sqm of amenity space **for a small dwelling (or 70 sqm for a larger dwelling)**, a 1m wide circulation strip around the building and the retention of **sufficient** on-site parking.

**B) Uses of Materials, siting and design.**

The use of materials for both external walls and the roof of an extension should reflect **blend with** and be sympathetic to that used on the original dwelling in terms of type, texture, and colour. The pointing of stonework **or brickwork** should also reflect that used on the original **dwelling stonework**. **It may be useful to have regard to other dwellings in the locality if the dwelling has been altered from its original appearance. In the case of listed buildings or those in conservation areas expert advice should be sought as the choice of materials and mortar will affect the character and appearance of the dwelling.** Further information on the use of materials for development in Conservation Areas and on Listed Buildings are outlined in other Supplementary Guidance Notes.

The character and style of extensions, are affected by the design of the roof, wall and window detailing and should ensure that the overall effect is in sympathy with, and does not adversely affect, the architectural balance of the existing dwelling or adversely affect the street scene. It may be that **by** setting back an extension from the front wall of an older house, it is possible to provide for a significantly improved scheme, aiding the character of the original and the extension to be highlighted. The main point is to enhance and not necessarily copy or imitate. The relationship of windows to wall space should reflect the traditional balance. Details of ridges, eaves, gutters / downpipes should also be incorporated and illustrated appropriately. ~~(See Figures 2 and 3 for examples of good and poor ways of extending.)~~ Pitched roofs are the most acceptable solution to extensions visible from a number of vantage points. However, in certain situations, for example an extension to the rear of a property, a flat roof may be acceptable.

Care must be taken in the positioning **and design / treatment** of windows overlooking adjoining properties and garden areas, so as not to unacceptably reduce neighbours privacy. Generally walls of extensions should not contain any windows at first floor level where that wall is close to the boundary, unless the window is of obscured glazing. **However, obscure glass should only be used in non-habitable rooms such as halls, landings and bathrooms and not in main habitable rooms.** There should also be no loss of privacy due to ground floor windows on extensions or porches.

**Windows on an extension should have regard to the windows on the existing house in terms of size, type, material, finish, and design. Some dwellings have windows with a vertical emphasis whilst others have a horizontal emphasis. In older properties timber casements or sash windows will be appropriate. In addition to the visual appearance of windows it is also necessary to have regards to energy efficiency and the possibility of providing a means of escape in the event of a fire.**

**C) Site boundaries, landscaping - Garden Space and Parking Areas**

Extensions or alterations ~~will~~ **may** need to be enhanced by landscaping and site boundary treatment that is in keeping with the dwelling and its surroundings. Modern ground surface materials such as tarmac and concrete which may be acceptable ~~in urban areas~~ **for modern dwellings** are often out of keeping with the character and setting of rural **older** dwellings. **In such cases**, cobbles, stone setts or blocks, or suitable gravel surfacing should be used ~~or~~ where appropriate. Local natural materials, such as stone walling, can provide a more appropriate sense of enclosure, and soft landscaping of boundaries should consist of individual indigenous trees and shrubs in preference to alien and inappropriate species, such as fast growing conifers. **Traditional hedgerows may be appropriate in rural areas.**

In addition to the provision of planting and landscaping measures undertaken as part of an extension it is also necessary to consider the effect of the extension of existing landscape features. The most obvious of these will be where an extension either necessitates the removal of a tree or is located too close to a tree so as to cause damage to the extension and subsequent removal of the tree.

Sufficient private garden space should be left after any extensions have been built to accommodate **firstly, provide private play and amenity space** various domestic or leisure pursuits and **secondly**, to ensure that enough space is kept between neighbouring properties so as to prevent a cramped, overcrowded feel to the area. The Local Planning Authority would advise that wall to wall distances between properties which back or front onto each other should not be significantly less than 21 metres. **Where a property fronts or backs onto the side of a dwelling, the separation distance should be 14m.** These ~~21 metres~~ **guidelines** applies mainly to two storey extensions whereby principal windows at first floor level can cause overlooking on to dwellings at the rear or front - leading to a loss of amenity. ~~The 21 metre rule may not always apply to~~ **In the case of** single storey extensions whereby amenity can be protected by appropriate boundary screening **and ensuring the retention of a minimum garden depth of 6m.** The principle of the ~~21 metre rule~~ **aim in all cases** is to protect amenity **and privacy and avoid over-development.**

~~Extensions should not take up a substantial proportion of a rear or front garden area as this would lead to a significant loss in amenity area and a reduction in the spacing required between dwellings.~~ The requirement for proper parking and turning arrangements has also to be taken into account, especially with regard to a side extension which may reduce the amount of space available for off-street parking.

**Examples of good and poor ways of extending dwellings are illustrated in Figs 2, 3 & 4.**

## SUGGESTIONS TO FOLLOW ON SPECIFIC FORMS OF EXTENSIONS

### **Front extensions.**

These extensions should not normally project excessively in front of the existing building. ~~although~~ **However**, in certain situations front extensions may be acceptable where they repeat existing detailing and are appropriate in a given context: **patterns of development or examples in the locality. A common front extension is the addition of a porch as illustrated in Figure 5.** ~~It~~ **Substantial front extensions** may be justifiable where the development replicates or follows the existing design of the building and that the building **which** is set back sufficiently from the road **and would not have a harmful effect on neighbouring properties.**

### **Side extensions**

The main issue here is preventing a terracing effect i.e. prevent extensions at the side of detached and semi-detached houses from joining up with neighbouring houses to create a continuous terrace effect. (See Figure 6.) **In general, flat roofed extensions which are poorly related to the dwelling should be avoided by having a pitched roof.**

### **Rear extensions**

One of the main issues involved with rear extensions is the need to protect the amenities of occupiers of dwellings immediately adjoining the proposed extension **in terms of protecting privacy, maintaining sunlight and daylight and maintaining a reasonable outlook.** **The effects of an extension on an adjoining property are set out in Fig 7.** With this in mind the guidance to adhere to is **what is commonly known as** the 45 degree rule **guide**, as illustrated in Figure 6 **8** (~~This 45 degree rule which~~ can also be applied to front extensions). **This is commonly used by local planning authorities. A 45 degree line drawn from the midpoint of a sill of a principal window on an adjacent of adjoining house. If an extension would 'extend' beyond that line then it would be likely to have a detrimental impact in terms of loss of light. The impact of the height of an extension can be assessed by drawing a line upwards at a degree of 25 degrees.**

Particular attention will be paid to protecting privacy, maintaining sunlight and daylight and maintaining a reasonable outlook. Following on from the 45 degree rule, The following indicative criteria **considerations** will therefore **also** be applied:- (See Figure 6.) **in terms of the projection depth and height of the extension.**

#### **(i) Projection depth.**

Any projection beyond the rear wall of the existing dwelling which is on/close to a party/boundary wall should not be more than:-

- 3 metres in depth, for a terrace house
- 4 metres for a semi-detached/detached dwelling.

Any greater depth required, should be within an angle at 45° **degree** from the 3 metre or 4 metre dimension on the boundary.

#### **(ii) Height**

The Local Planning Authority would encourage the ~~provision~~ **use** of a pitched roof extension, **For a single storey extension** the height should not exceed 4 metres above existing ground level ~~for a single storey extension~~. **If the original dwelling is single storey then the extension should not be higher.**

~~Two storey extensions to terraced housing will generally not be acceptable as one or both of adjoining properties will be affected. The same general rule will be applied to semi-detached properties.~~

Figure 7 illustrates the problems / issues of accommodating 2 storey extensions to dwellings.

Proposals which exceed the above mentioned criteria will be generally considered unacceptable unless it can be demonstrated that adequate amenity standards can be preserved through design detailing.

#### **Attic / Roof Extensions**

A popular way of achieving additional living space is to utilise the roofspace of a house. The suitability of such a course of action will to a large extent depend upon the size, height and construction of the roof and the layout of the house. If there is insufficient room on a landing to provide stairs, then it would be necessary to utilise an existing bedroom to provide stair access. In this scenario a loft conversion may not have the desired effect of increasing the number of bedrooms. If there is sufficient height in the roofspace to allow for standing then light may be secured through rooflights, particularly the flush fitting conservation type. Where there is insufficient standing room, a loft conversion can only practicably be undertaken through alterations to the roof in the form of bulky dormers. Such roof extensions will rarely be acceptable as they affect the character, appearance, and amenity of an area to a greater degree than other forms of extensions. In some cases small gables may be acceptable provided that they are a feature in the locality.

#### **Granny Flat Extensions / Annexes**

An option for families who wish to look after elderly or sick relatives within the family home, yet retain a degree of independence is the construction of a granny flat or annex. This could take the form of an extension to the house or the conversion of a garage. These should form part of the same 'planning unit' ie share the same access, parking area and garden. Careful attention will be paid to the layout, design and physical relationship between the house and flat. The Council will wish to avoid the creation of two separate dwellings and will attach conditions to any planning permission to prevent this occurring.

### **SPECIFIC ISSUES IN RELATION TO EXTENSIONS**



### Is planning permission required ?

Some minor extensions and alterations to dwellings may not require planning permission **and would be classed as 'permitted development'**. To find out whether planning permission is required, details of the proposals should be submitted with a form supplied by the Local Planning Authority. Properties located within an "Area of Outstanding Natural Beauty" or a defined "Conservation Area" have different guidelines as to what requires planning permission and the type of development likely to be approved. If you wish to undertake extensions and alterations to a listed building, Listed Building Consent will probably be necessary. Further advice on developments within Conservation Areas and Listed Buildings can be obtained in the Council's other supplementary Guidance notes.

Further guidance on the requirement of planning permission is contained in a pamphlet titled "Householders Guide to Planning Permission" a copy of which is available free of charge at the planning offices.

### The removal of permitted development rights.

In granting planning permission for a new dwelling, "permitted development rights" may have been removed by the imposition of a specific planning condition. ~~Subsequently,~~ **This means that** certain types of alterations, e.g. domestic garages, extensions, roof-lights, dormer windows, which would normally be "permitted development" require planning permission. The removal of the "permitted development rights" is intended to protect the character of a building and to control development which, through a series of small changes, could adversely affect the character of the building and locality, **particularly in sensitive areas**. This also serves to safeguard the privacy and amenity of adjacent residential properties. Any applications for extensions which would normally be 'permitted' development need to be viewed with particular care.

### Building Regulations

You are advised not to commence building works until clarification has been obtained in writing from the Local Planning Authority on the need for planning permission etc. or not. **Whilst an extension might not require planning permission it is highly likely to require** ~~Separate Building Regulations Consent may also be required and~~ Checks should be made with **both Planning and Building Control Officers in either the Planning Services North (Prestatyn) or South (Ruthin) offices (depending on the location of the property in the north or south of the County) to establish the position.** ~~the Planning Department to ascertain this point.~~

### SUMMARY

This guidance is an indication of what the Local Planning Authority consider to be necessary considerations for domestic extensions which will assist prior to, and in the course of submitting a planning application. The guidance notes are advisory only but should be generally applicable in most cases. They are not rigid or inflexible. The degree of flexibility, if it is possible to exercise, will depend on the particular circumstances that apply and the Local Planning Authority is happy to encourage discussions of suitable alternative approaches.

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The Building Control North and South Area Teams can also be contacted at the above.

DENBIGHSHIRE COUNTY COUNCIL

SUPPLEMENTARY PLANNING GUIDANCE NOTE No. 12

SHOP FRONTS

BACKGROUND

~~For the purpose of this guide a shop includes non retail premises such as amusement arcades, betting offices, building societies, cafes, dry cleaners, estate agents, hairdressers, laundrettes, restaurants and travel agents as well as the more usual retail premises, and any other facade designed to look like a shop.~~

It is generally accepted that shop fronts make a very important contribution to the overall character of our town **and district shopping** centres. **They enable shops and other commercial premises to present their goods and services. The town and district shopping centres in Denbighshire consist of a variety of styles which have evolved over time and contributed to the unique character of each.**

Occasionally shop fronts will be part of a proposed new building and will be the subject of an application for the normal planning permission. In determining such an application, this authority will take account of the relationship of the shop front to the building as a whole and to its neighbours. It is not the intention of this authority to be over prescriptive or to stifle innovative design but the success of an application for planning permission will depend in part on how well a new building **or shopfront** fits with the overall street scene.

~~The major issue addressed in this guidance however is the design of shop fronts for existing buildings whether they be alterations of existing shop fronts or new shop fronts for buildings presently in another use.~~

Over the recent past there has been a very significant deterioration in the quality of shop front design. All too often there has been a misguided presumption that the shop front can be viewed independently of the overall building design or with its neighbours. **The major issue addressed in this guidance however is the design of shop fronts for existing buildings whether they be alterations of existing shop fronts or new shop fronts for buildings presently in another use.** This leaflet will offer guidance on the various elements that go some way towards good practice in shop front design.

**Shopfronts are usually accompanied by advertisements, whether in the form of fascia signs or projecting / hanging signs. In considering the design and materials it is necessary to have regard to the type of advertisement as the two will go 'hand in hand'.**

**N.B. For the purpose of this guide a shop includes non retail premises such as amusement arcades, betting offices, building societies, cafes, dry cleaners, estate agents, hairdressers, laundrettes, restaurants and travel agents as well as the more usual retail premises, and any other facade designed to look like a shop.**

POLICY

**There is no formal development plan policy relating to shopfronts. However, the broad thrust of the policy Council's approach** is to provide well designed shop fronts to match particular local circumstances, which vary across the County. ~~These include modern shopping centres and frontages, traditional and historic shopping~~

centres. **This note is primarily concerned with the traditional shopfronts found in many of the County's town and village centres although the guidance will also be generally applicable to shopfronts in modern shopping precincts.** The Council acknowledges the commercial needs of businesses to 'open up' their premises to make them more inviting to customers;. However, limits and control are needed, especially where **as most of the town and village centres will contain listed buildings and conservation areas** traditional of historic buildings are affected. In these cases, particular regard needs to be taken to ensure that the essential character and integrity of the building is maintained and enhanced. Commercial centres need to compete; one of the best ways in which to do this is to retain their **local** distinctive character and ambience by retaining their particular architecture and not allowing this to be damaged or diluted **by uniform company styles.**

## HISTORY

Shops as we understand them today are largely a product of the 19th and 20th Centuries. Most of the more successful designs date from the Georgian Victorian or Edwardian periods **and are extremely high quality.** Early shops had simply an enlarged window in the ground floor, an entrance door and some sort of sign. The development of the traditional shop front was an attempt to fulfil a number of requirements:

- ^ to provide a large display area;
- ^ to advertise the business;
- ^ to provide adequate security;
- ^ to protect the wares from the elements;
- ^ to draw customers to the premises.

The lifting of excise duty on glass in 1845 and improvement in materials and building technology allowed shop fronts to be designed often across the whole width of a property thereby providing large display areas. The provision of a recessed entrance door was not only more inviting for customers but again allowed for the window display to be extended.

The display would often be laid out on a platform behind the window, the height of which would be determined by the nature of the wares on display. Larger items which did not require close inspection and which were difficult to lift would be displayed at a low level perhaps no more than 100mm above ground level. Smaller items or perhaps perishable goods that required closer inspection would be displayed at a higher level. This would affect the external appearance of the shop by determining the height of the "stall riser", that area between the window sill and the ground level.

Most traditional shop fronts are of what could be broadly termed classical design. This is a particularly appropriate way of allowing the often heavy appearance of the first and second floors to be carried visually by the fascia and pilasters. In reality the loads were taken by steel and or iron beams and columns.

Blinds were often necessary to protect the display from sunlight. The most attractive and appropriate type are those that retract neatly above the fascia box. Signage was often confined to either hanging signs projecting from the front face of the building or on the fascia board. Invariably it would be hand painted.

It should be remembered that the design of shop fronts has always been influenced by fashion and the prevailing architectural trend of the time. It is therefore not uncommon for an older building to have a later shop front of a differing architectural style but which is within complete harmony with the building. Shop fronts need not necessarily reflect the original age or style of buildings but their design should take account of the building its neighbours, and the character of the area as a whole.

## FEATURES OF A TRADITIONAL SHOPFRONT

The most effective way of explaining the main elements which make up a traditional shopfront is by means of the illustration below / overleaf etc. The elements are also described in turn .

### Stallrisers

These provide the base of the shopfront, both physically and visually and can reduce the chance of breakage or damage to the glass. They can also be reinforced internally to provide added security, particularly from ram-raiding. Stall risers should usually be of the same material and finish as the rest of the shopfront or should be sympathetic to it and the building. Examples will include painted timber panels, stone or render.

### Pilasters and Consoles

These provide a strong edge to the shopfront and help define the shopfront itself and the relationship to the building above. They also provide a feature separating the shopfront from adjoining shopfronts. Pilasters may be fairly plain, or incorporate decorative features (consoles).

### Fascias and Cornice

The top of the shopfront has traditionally incorporated a fascia. The depth of the fascia, as a rule of thumb, should be no more than a one fifth of the dimension from its top down to the pavement. Fascias can be flat to the shopfront or they can be angled so that any signage can be read easily. A cornice can be a purely decorative above the fascia or can be used to hide retractable blinds or roller shutters.

### Shop Windows and Doors

These fit into the frame or surround, provided by the stall risers, pilasters and fascia. They should provide a balanced appearance taking into account the shopfront and the positioning of windows at first floor level. Dividing up the shop windows with glazing bars will add strength to the shopfront and minimise the size of each pane of glass. It improves the appearance of the shop and reduces the cost of replacing any broken glass. Glazing bars are normally vertical but they can also be horizontal towards the top of the windows. The use of toughened or safety glass can be used to provide additional strength and security.

The positioning of the door will again need to be sympathetic to the 'balance of the shopfront and building above. Doors may be central or at the end of a shopfront. They may either be flush with the shopfront or recessed to provide shelter and increase the window display.

## DESIGNING / ALTERING TRADITIONAL SHOP FRONTS

**Caution Care** is advised when designing shop fronts. Each case has to be looked at individually and full account should be taken of the factors which will affect the design both functional and visual. However a fairly typical shop front is illustrated in Figure 1 with the various elements identified. This design should not be followed slavishly and is shown for indicative purposes only.

In designing **or altering** traditional shop fronts care must be taken in using appropriate details relevant to the overall concept. There is a trend to look at shop front design very much as a two dimensional process. This can result in unsatisfactory detailing and the finished shop front can look very much like a parody of the genuine article. A number of examples are given but it is not possible within the scope of this leaflet to cover this fully. References are given at the end of the leaflet which should be of assistance.

**Particular care needs will be required in proposals where two or more shops or 'retail units' are combined to form a single shop. The use of a continuous fascia across several shopfronts**

can be unattractive and visually dominant. Ways should be devised of visually linking the units together to ensure a common theme for the shop concerned, perhaps through matching shopfronts separated by pilasters.

Care should also be taken when using sheet materials and applied mouldings in an attempt to represent framed panelling. This is rarely satisfactory. **It should be noted that many shopfronts will be within town or district shopping centres many of which are designated as conservation areas. Others may well be part of listed buildings. In both cases, particular care will needed to ensure a satisfactory shopfront which is in keeping with the building and locality.**

## MATERIALS AND FINISHES

The majority of traditional shop fronts were constructed in softwood and painted. **However, as** ~~Because many of the softwoods that are easily available now are~~ **can be** of poor quality there is a tendency to use tropical hardwoods instead. ~~Because of their natural oils these~~ **Such** hardwoods are often difficult to paint ~~because of their natural oils~~ **The and the** result is either a poor quality paint finish or a non traditional appearance. **Consideration should be given to the use of microporous paints which allow the timber to 'breath' thus reducing flaking.** (~~the ethical issues associated with these timbers should also be taken into account.~~) The result is either a poor quality paint finish or a non traditional appearance. If good quality softwoods ~~eg Douglas Fir or European Larch~~ are not available an acceptable alternative is a pressure treated softwood which significantly extends its life. It can be painted in the normal way on completion.

The normal finish for ~~traditional~~ shop fronts is paint. Occasionally a varnish may be appropriate particularly where a high quality timber has been used such as Welsh Oak **although this can prevent the timber breathing. A more suitable alternative is 'Danish' or 'Teak' oil.** Almost invariably a stain finish is not acceptable. ~~Consideration should be given to the use of microporous paints which allow the timber to 'breath' thus reducing flaking. They also have the advantage of not being high gloss.~~ **In all cases, care will be needed in the both the choice and application of finish to ensure a high quality and durable appearance.**

Great care should be taken in choosing colours. Try to avoid the temptation to choose bright colours in order to attract more attention. If all shops are brightly coloured there is no benefit individually and the overall effect is gaudy. Most of the major paint suppliers now produce ranges of colours appropriate to particular periods. These tend to be far more muted and subtle.

## BLINDS OR CANOPIES

Many traditional shop fronts had some method of screening displays from direct sunlight, **providing shelter** ~~by either a fixed canopy or a retractable blind.~~ They also have the advantage of **and** allowing window shopping in wet weather.

Fixed canopies of the traditional type constructed of cast iron and glass have a very major impact on the street scene. Where original they should be retained but new canopies where there is no tradition for there use would have to be very carefully considered. Traditional retractable blinds should also be retained **where they are an existing feature.** New blinds of this type are also to be encouraged subject to satisfactory compliance with safety requirements for pedestrians and vehicular traffic. **An illustration is given in Figure 2. Blinds should fit within and not obscure pilasters (where they are a feature of the shopfront). The housing for the blind, when fully retracted, should be hidden within the a cornice or at least below the fascia. The blinds themselves should be of a canvas material rather than shiny plastics.**

'Dutch' blinds **which have a curved or bulbous shape** are not traditional to Denbighshire and are rarely satisfactory additions to our towns and villages.

New blinds or canopies may require planning permission and/or advertisement consent. **Planning Officers of this department** will be able to advise on individual cases.

## SECURITY

Security in the High Street is an increasingly important issue. It is required to combat three separate elements, theft, vandalism and ram raiding. Measures to make shops secure are not new. Early shops would have been secured with demountable wooden shutters held in place with iron bars. In the mid 19th century wooden or metal roller shutters became common and were integrated in the shop front design.

In designing a new shop front all aspects of security including items like burglar alarms should be an integral part of the design to avoid a "tacked on" effect. Traditional shop fronts with smaller paned glass, transoms, mullions and stall risers can be more difficult to break into than the large areas of unrelieved glazing (and smaller panes are easier and cheaper to replace). Stall risers can be substantial concrete structures (disguised externally) and glazing bars can be reinforced with metal "T" sections.

However **Often** a shutter is **necessary** ~~often required particularly~~ **as it is a requirement of** by insurance companies **or because of the nature and location of the business**. If this is the case an internal lattice grill **or shutter will be the preferred option**. ~~located behind the glazing is preferred.~~ **Depending on the nature and value of goods on display in the shopfront it may be possible to locate a lattice shutter behind the window display particularly in those areas where CCTV is in operation. Lattice designs will enable night time window shopping, internal inspection by the police and contribute to an attractive night time environment.**

A solid shutter is not recommended by the police as it does not allow the internal space to be viewed. External solid roller shutters are by far the worst option. They obscure architectural detail and invite graffiti and **which** contributes to the overall portrayal of decline. If so their design should be integrated as far as possible into the shop front, it should be perforated to allow views into the shop and the colour should be appropriate to the building and area as a whole. **As a general rule, all external shutters will require planning permission whereas internal systems do not.**

Glass is an important consideration in the security issue. There are really only two types of glass that properly combine safety with security, laminated or toughened glass. Of the two laminated glass is more difficult to break through and probably provides most security. **The type of glass used will also be important in preventing injury as a result of an accident.**

## PERMISSIONS

- Planning permission is required where any work constitutes "development". **such as** ~~the~~ renewal and alteration of a shop front ~~would normally require planning permission~~. Minor alterations or the repair of shopfronts would not **require planning consent provided that works are carried out on a like for like basis**.
- If a building is listed then any alteration internally or externally would require listed building consent. It would be necessary to demonstrate that any work is not detrimental to the character of the building. This consent is in addition to any planning permission that may be necessary.
- If a building is within a Conservation Area it was necessary, until recently, to obtain Conservation Area consent for the partial demolition of a building including shop fronts. **Following A a recent High Court decision has affected this legislation this is no longer the case. Nevertheless, B** before proceeding with any demolition within a Conservation Area it is advisable to seek advice from this department.
- The legislation relating to advertisements is complicated. Before carrying out any work associated with shop advertisements it is worth checking with this department about obtaining permission.

- Building Regulations approval may be necessary for certain works associated with shop fronts. Again it is worth checking with this department before carrying out any work.

## DISABLED PERSONS ACCESS FOR PEOPLE WITH DISABILITIES

Where Building Regulation approval is required then it will be necessary to comply with part "M" of the Building Regulations which deal with disabled person access. Building Regulation approval would be necessary where for example a new shop is being created in a building which was formally used for a different purpose. Where a new shop front is simply replacing an existing one Building Regulation approval may not be necessary. However this Authority would encourage the provision of access for ~~the disabled~~ **people with disabilities** where it was reasonably possible to provide it. (**See SPG on disabled access.**) In some instances the provision of disabled access may detract from the character of a listed building. For advice on overcoming these difficulties it is worth having discussions with ~~the Conservation Section and the Access Officers~~ **from Planning Services.** of this department.

## REPAIR OR RENEWAL

Where a traditional shop front is still in place it is advisable to consider refurbishment **on a like for like basis** rather than renewal. ~~Of course~~ **P**lanning permission and building regulation approval would not be required plus ~~this~~ it can often be cheaper and ~~can~~ result in a better design. Sometimes the original shop front has been hidden behind a later alteration which simply needs to be removed. If a traditional shop front has deteriorated beyond repair take note of the design and details and try to reproduce it as far as possible.

## GRANTS

Grants may be available particularly for listed buildings or where a shop lies within a Town Scheme area or a Housing Renewal area. Information can be obtained from the Conservation Section of this department **or Regeneration Services.**~~the Housing Renewal Section of the Department of Housing and Environmental Services.~~

## MODERN BUILDINGS / INDOOR SHOPPING PRECINCTS AND PARADES

There will be instances where more 'modern' shopfronts in terms of design and materials may be acceptable provided that the end result is high quality. Examples will include the White Rose Centre in Rhyl. The Council will still seek to ensure a shopfront is in keeping with the building and adjoining shopfronts. The principles contained in this note will still provide useful guidance.

## SUMMARY OF KEY ADVICE

- **Seek advice from the Council's Conservation Section**
- Relate a shop front design to the building as a whole, its neighbours and the character of the area.
- When designing a traditional shop front ~~ensure the design is historically correct~~ **look at similar traditional shopfronts and pay attention to detail.**
- Take care in choosing the right materials finishes and colour.
- ~~Avoid non~~ **Use only** traditional blinds.



- **The shopfront should be designed bearing in mind the intended advertisements as the two should be in harmony**
- Take account of security needs but don't let security dominate the design.
- Check what permissions are required **before ordering materials or commencing work.**
- Wherever possible **The design should** cater for disabled people **with disabilities.**
- Repair traditional shop fronts if possible.

### Further Information

Shop fronts and advertisements in historic towns and Book of details and good practice in shop front design. (English Historic Towns Forum), Shop front security report (British Retail Consortium), Modern Practical Joinery (G Ellis).

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DENBIGHSHIRE COUNTY COUNCIL

SUPPLEMENTARY PLANNING GUIDANCE NOTE NO. 19

CHILDREN'S DAY-CARE

BACKGROUND

Many thousands of children are cared for on a daily basis by people other than their relatives, and the number of individuals and groups catering for this demand is ever increasing. There are a variety of day care options ranging from the day nursery, pre-school play group and Mudiad Ysgolian Meithrin, to the childminder caring for children in the home situation. In addition, early evening care may be specifically provided for after school provision.

PLANNING POLICY

This guidance note deals with the requirements for planning permission for day nurseries and childminding. Applications for planning permission for children's day care will be considered against the Development Plan Policy, normal planning considerations and in the interests of safeguarding residential character, amenity and highway safety.

~~The development of day nurseries is covered by Policy CF1 of the UDP. This allows the development of community facilities such as clinics, doctors surgeries and day nurseries, subject to a set of criteria. Policy GEN 7 also applies to this, and any, development, listing general development control criteria.~~

**The Council's approach to the development of children's day care facilities is contained in Policy HSG 12 of the Council's Unitary Development plan (UDP) which provides guidance on 'community facilities' generally. This policy is reproduced in full below:**

**Community Facilities - General  
Policy CF 1**

**NEW AND IMPROVED COMMUNITY FACILITIES WILL BE PERMITTED PROVIDED THAT:**

- i) THEY ARE LOCATED SO AS TO SERVE THE LOCAL POPULATION;**
- ii) THEY ARE ACCESSIBLE TO NON-CAR USERS;**
- iii) WHEREVER POSSIBLE THEY SHOULD BE WITHIN DEVELOPMENT BOUNDARIES AND RE-USE EXISTING VACANT OR UNDERUSED BUILDINGS.**

The general thrust of the **Council's planning** policy looks to ~~development~~ **children's day care facilities** normally being located suitably to serve the local population, ~~to being~~ **being** accessible by a choice of means of transport, and being within development boundaries as far as possible, preferably involving the use of existing buildings. Proposals should not be situated in such a location as to cause disturbance to surrounding uses, particularly within residential areas, and should not pose any danger to highway safety, especially to the safety of the children themselves.

In liaison with the Social Services Department, the Council does not want to be too prescriptive and inflexible about this type of development, and these advice in this document is purely for guidance purposes.

It should be noted that the granting of planning permission carries with it no presumption or guarantee that premises will be registered by Social Services. Applicants are strongly advised to liaise with the Under 8's unit within the Council's Social Services Department when considering making an application. Issues relating to registration are covered by separate legislation and administered by the County Council's Social Services Department.

## TYPES OF CHILDCARE

Set out below are the two predominant types of childcare; **day nurseries** and **childminding**. The following considerations should be taken into account when making a planning application;

### Day nurseries DAY NURSERIES

- Day nurseries are generally privately owned, caring for children of all ages for more than four hours per day. Day nurseries are normally open all year round, except Bank Holidays, and varying opening times from 7am to 7pm. Some facilities may offer an extended service for children of school age, but not **normally** any overnight accommodation **unless ancillary to the use of the building for day care. Any substantial overnight care element could be treated as a class C2 Residential Institution for which different criteria may apply.**
- The preferred location for this type of development would be close to a residential area to facilitate easy access from surrounding residents. Other locations may be within a mixed residential / commercial area, ~~or~~ **an** areas with a concentration of C2 (schools, colleges, nursing homes etc) or D1 uses (clinics, health centres etc) **or the edge of a town or district shopping centre** ie at or near to places of work. **Another suitable location would be within employment or business parks although this would exclude areas with heavy or polluting industry.** ~~Areas to avoid would be those such as heavy industrial areas, sites along roads with heavy traffic flow, and polluted areas.~~
- Suitable properties could **be** those previously in a community / institutional type use, although it is accepted that these types of buildings may be hard to find.
- Other suitable buildings would be large detached properties with spacious gardens.
- Properties deemed unsuitable would be those such as a semi detached or terraced properties in high density residential areas, due to noise disturbance levels as well as access and parking provision.
- **Consideration will also be given to suitably located and designed new buildings within development boundaries.**

The main criteria that are taken into account in determining an application for planning permission are:-

- **A suitable location**

**A key consideration is the location of the facility in terms of potential users. It should be accessible to both residential areas and to places of work and be convenient for the needs of both car and non car users. This can help to combine or reduce car journeys which in itself will help to create a safer and cleaner environment. The overall character of the area should be one which provides a suitable and pleasant environment for children particularly in terms of safety and security.**

- **A suitable site / building**

**The site or a building and its curtilage must also be suitable to provide a safe and secure environment. The size and internal layout of the building must allow for the separation and close supervision of children. It must provide suitable indoor and outdoor play space, a safe and convenient access and**

parking, and not harm the amenity of the surrounding area. These considerations are set out in further detail below.

- ~~The effect of increased noise and activity~~ **provision of adequate outdoor playspace.**

An essential requirement for a day nursery is provision for outdoor play, which is required to incorporate a hard surface area and a grassed area. The **amount and** location of play areas requires great consideration as this is where problems may arise.

**There is no prescribed provision in planning terms for the amount of playspace for a day nursery. By comparison, new residential development would require a minimum of 40 sq m for a small house and 70 sq m for a larger house. Bearing in mind the likely intensive use made of playspace attached to day nurseries these figures would be an absolute minimum. The amount and type of playspace may limit the number of children that can be accommodated. As a rough guide, Social Services require approximately 2.8 sq m of indoor playspace per child and it is considered that this could also be applied to outdoor playspace.**

Wherever possible play areas should be located away from ~~with regard to~~ adjoining residential properties **so as** to avoid noise or physical nuisance. Where this is unavoidable specific areas within the garden should be designated for play, and the number of children playing outside at any one time restricted. **The play areas should be located, designed and equipped so as to allow children to play safely and securely.** Such areas will normally require separation from the parking and access to the site; **and** additional fencing or planting may also be required.

**NOTE FOR COUNCILLOR'S INFORMATION**

*From a planning viewpoint it is considered that playspace should be provided on site rather than on nearby parks or open space unless in very exceptional circumstances such as a house next to a local park. However, even in such a case it may not be possible to guarantee that such a facility may continue to be available for use as playspace. It may also be difficult to ensure that children (under 8's) are properly supervised and contained, particularly where a much larger open space exists.*

*It is noted that Social Services may permit children to be taken regularly to local parks or playgrounds, or the equivalent, provided that proper arrangements are in place. However, Social Services may be better placed to monitor and enforce such practices. It remains the view of Planning Officers that playspcae should be provided on site.*

- **The effect on the character and appearance of an area**

**This may take the form of physical changes or impacts on amenity.**

**In terms of physical changes**, where a property is located in a predominately residential area, every effort should be made to retain front boundary walls, hedge and garden areas to maintain the residential character and appearance of the area. The **hard** resurfacing of an entire front garden and removal of boundary walls and hedges **to provide off street parking** would generally not be acceptable. **In some cases it will be possible to provide parking / drop off points within the curtilage without harming its appearance either as a result of existing planting and features or through additional landscaping.**

In terms of impacts on the amenity of the locality the nature and intensity of the day nursery needs to be compared with adjoining uses. A day nursery can be associated with considerable levels of noise and activity including the dropping off and picking up of children, service vehicles and noise from children playing outside. This may be harmful to the character of an area if it is predominantly a quiet residential or office area.

- **Access and parking**

**The facility should provide a safe vehicular and pedestrian access.** Parking space is required within the site for staff cars, visitors and wherever feasible parents' cars. Where a day nursery is proposed on a busy highway, provision for the dropping off and collection of children off the highway is essential, together with parking areas for parents who wish to stay longer if required (~~applicants should refer to SPG Note 3 on parking standards for more detailed guidance~~). **In such cases a one way in and out system with parking bays may be advantageous where vehicles can enter and leave the site in forward gear, without the need for reversing.** Particular regard ought to ~~should~~ be paid to the potential increase, and hence danger, in the **accommodating large** numbers of cars arriving/departing during a **short period of time when traffic hours levels are at their peak.**

Provision should also be made to accommodate service vehicles likely to visit the facility such as refuse disposal, catering supplies etc.

- **Access for People with disabilities**

Where Building Regulation approval is required then it will be necessary to comply with part 'M' of the Building Regulations which deal with access for people with disabilities. In other cases, the Council would still encourage measures to ensure that the building is accessible to persons with disabilities, mothers with pushchairs, the elderly etc. Such measures may be beneficial in terms of increased business. Regard should be had to the Disability Discrimination Act.

### Size of buildings, extensions and intensification

Particular care needs to be exercised where the original building/use is extended / intensified which may lead to over-intensification of use and over-development of the site.

Adequate space about the building needs to be retained, paying regard to avoid over bearing (un-neighbourliness) on adjoining properties and excessive parking / manoeuvring space in relation to play/amenity space.

- **Footprint** - (i.e. site coverage by area) of the development should, as a rule of thumb, be in the order of  $\frac{1}{3}$  building,  $\frac{1}{3}$  parking access and servicing, and a minimum  $\frac{1}{3}$  amenity and play area.
- **Plot ratio** - The total floor area, including upper floors, extensions, outbuildings, temporary buildings etc., of the building in relation to the total site area should be no more than 67%. This is equivalent to a 2 storey buildings covering  $\frac{1}{3}$  of the site i.e.  $2 \times \frac{1}{3} = \frac{2}{3}$  (67%).

With reference to ~~SPG 1 – Standards for New Residential Development~~, there is a minimum requirement for outdoor / garden space of 40 sqm for a small property, and 70 sqm for a larger property. With regard to this type of development, these figures represent an absolute minimum.

Figures 1 and 2 show suitably proportioned sites for this type of development, showing access, parking & servicing, building, and amenity area, at approximately  $\frac{1}{3}$

of the site area each. Figure 3 shows an unsuitable arrangement with insufficient amenity and parking and access space for the size of building, i.e. the building takes up too much of the site.

- In addition to the above, provision may be required for extraction facilities for cooking fumes from a kitchen catering for large numbers of children. Extraction flues should be sympathetically sited, if possible at the rear or sides of properties.

### Childminding **CHILDMINDING**

- Childminders are people who are registered with the Social Services Department, to mind children under the age of 8 years, in the minder's own home. This can range from a couple of hours in the morning or afternoon, to all day. **Prospective applicants are advised to contact The Under 8's Unit to establish the number of children allowable.**
- Previously, childminding has not been an area where planning permission has been required in that a childminder could only be registered for up to 4 children in the home. There may now be the prospect of a childminder with a registered helper taking up to 10 children under the age of 8 years every weekday.
- As a general guide, the use of a house or property for the minding of **no more than 6** children [included in that figure would be any of the minders own children **and / or grandchildren** (under the age of 5 **8** years)], will not generally require an application for planning permission for a change of use.
- The number of children being minded at any one time in a property is dependent on the size of the building and garden as each child must have a minimum of **approximately 2.8** sq. metres **each** of the rooms allocated for the childminding **both indoor and outdoor playspace.**
- As with applications for day nursery use, the main considerations are the adequacy of car parking and the effect on the highway and also noise and disturbance to neighbouring property. Because of the limited numbers involved, it may not always be feasible to provide off street parking facilities; the Council's requirements will be dependent on the size of the business involved (further advice is available in **SPG Note 3**).
- In addition, garden areas, which may be small reflecting the limited nature of the business, should be laid out in such a way that there is a designated play area, sited as far as possible to avoid nuisance to any adjoining residential property. Applications will be considered with regard to the criteria as above, although the extent to which they are enforced will depend on the scale of the proposal and the number of children to be catered for.

### Planning conditions

- In granting planning permission for the use of a property for a childminder or day nursery, planning conditions may be attached to restrict or control the use in some way. These could be to limit the hours of operation, car parking, areas in the rear garden where play equipment is permitted **or the number of children allowed outside at any one time.** In addition, a condition may restrict the use of the property to a day nursery only (Class D1, Town and Country Planning (Use classes Order) Order 1987, to reflect the particular nature of the use.
- The number of children to be cared for is covered by registration, but account may be taken of the numbers of children involved in assessing the (over) intensification of use.

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The Under 8s Officer

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Oxford Road  
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LL30 1DN

## APPENDIX 6

### DENBIGHSHIRE COUNTY COUNCIL

#### SUPPLEMENTARY PLANNING GUIDANCE NOTE No. 22

### RETAIL KIOSKS

#### BACKGROUND

Kiosks are generally seen as ‘cheap and cheerful’, unsatisfactory and undesirable forms of permanent forecourt trading development as they can result in the street scene having a cluttered appearance, and are often poorly maintained to the detriment of the character and appearance of the street scene.

It is recognised however, that kiosks are a traditional method of seasonal retailing at seaside resorts, with Rhyl Promenade and West Parade in particular providing a number of examples.

#### POLICY

While there is a general presumption against the development of kiosks, **although** under certain circumstances new kiosks and replacement kiosks may be considered appropriate in areas used intensively at ground floor level for amusements, cafes and tourist related shops. **Policy RET-24 17 and TSM 19 17** of the Council's Unitary Development Plan identify such areas where **provides guidance on** kiosk development may be appropriate. **The policy is set out below:**

***The siting of new and the retention of existing retail kiosks will be permitted within the entertainment zone (policy TSM 17) and in exceptional circumstances elsewhere provided that:***

- i) they form an integral part of other tourist attractions / facilities***
- ii) the proposal is of an appropriate scale and of high quality in terms of size, design and use of materials.***

**The boundary of the entertainment zone (policy TSM 17) where kiosks are appropriate is indicated on the attached plan.** While kiosks on Rhyl Promenade and West Parade exist outside of the area identified by Policy RET 24, **17 and TSM 17** the policies represents a phased reduction in the areas where kiosks may be allowed, reflecting the core of the traditional family entertainment area. Wherever possible sale areas should be contained within the main building and not in the open on the forecourt or within kiosks.



Kiosks outside of the area identified by Policy RET 24 **17** are **unlikely** to be **refused acceptable** unless specific justification can be presented which show exceptional circumstances.

## **CRITERIA:**

### **GENERAL**

Any application for the erection **or replacement** of a kiosk should seek to achieve a high standard of **design and** development and should include as much detail as possible including the materials and colours to be used. Persons wishing to erect kiosks are advised to arrange a pre-application enquiry meeting with a Planning Officer prior to preparing drawings, and certainly before submitting an application. Prior consultation will ensure that each individual case can be commented on constructively by officers before formal submission **and avoid the applicant wasting time and money.**

### **LOCATION**

Any kiosk on the forecourt of premises should be sited to ensure that the serving hatch is sufficiently located away from the back edge of the footway so as to ensure that customers do not block the pavement. As an approximate guide this setback should be no less than 1 metre and if circumstances allow this distance should be ~~the maximum~~ **as large as** possible. This will ensure that some forecourt area is retained which should be kept free of any obstructions, such as small 'A' board **advertisement** signs so that customers can ~~utilise~~ **use** the private forecourt and not the public footpathway., ~~this should allow for the safe and free flow of p~~**Pedestrians should then be able to move freely and safely** along the footway without **being** forced onto the highway.

**Similarly, any free standing kiosks such as on Rhyl Promenade must have regard to the need to ensure the unobstructed movement of pedestrians, cyclists, service vehicles and the emergency services.**

### **SIZE AND DESIGN**

The acceptable dimensions of any kiosk will be considered against the background of the space available and the size and design of any other kiosks in the surrounding area. **Regard should be had to the following considerations:**

- The base of the kiosk should be constructed of brick or stone. **The upper section of the kiosk should be predominantly glazed in a stainless steel or anodised aluminium or hardwood frame or other approved durable framing material.** It may be necessary for samples of material to be submitted for formal approval in which case this should be submitted for consideration as part of any application.

~~The upper section of the kiosk should be predominantly glazed in a stainless steel or anodised aluminium or hardwood frame or other approved durable framing material.~~

- The roof of the kiosk should be of a profile in **sympathy keeping** with the building and setting in which it is to be located. A flat roof kiosk is likely to be acceptable if located under the canopy of the main building.
- Fascia boards and signs should form an integral part of the application and be clearly indicated at the time of submission, in order that the visual impact of the whole structure can be assessed.
- Signage should not over dominate the structure and should be in proportion with the size of the kiosk and have regard to existing signs in the vicinity. If any signs are to be illuminated, then they may require separate Advert Consent and you are advised to discuss the need for separate Advert Consent. ~~prior to submitting any application.~~
- Any protection to be provided to the upper section of the kiosk by way of roller shutter or similar shutters should be detailed as part of the application. Solid roller shutters and projecting boxes housing the shutters should always be avoided.

## **HOURS OF OPERATION**

It is often necessary to limit the opening hours of kiosks to minimise disturbance to the surrounding community and to ensure the hours do not exceed the established business hours in the vicinity. Each application will be determined on its own merits, but generally it is accepted that any permitted kiosk is likely to be located in a busy commercial/tourist area and any condition imposed restricted the hours of operation will reflect the opening hours of surrounding premises.

It is always useful if as part of any application you give an indication of your intended hours of operation.

## **USES**

Any application should clearly describe the proposed use of the kiosk. In general kiosks will be considered to be a retail shop. If it is intended to sell hot food from the kiosk then this must be clearly stated in the application.

If it is intended to change the use of an existing kiosk from general retail to the sale of hot food then a change of use application will be required.

## **BUILDING REGULATIONS**

Applicants are reminded that a separate application for consent under the Building Regulations is also likely to be required.

## PUBLIC HEALTH

All kiosks will be required to comply with the current Public Health legislation and other licensing requirements.

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## APPENDIX 7

### DENBIGHSHIRE COUNTY COUNCIL

#### SUPPLEMENTARY PLANNING GUIDANCE NOTE No. 7

### PRIVATE HIRE (TAXI) VEHICLES

#### BACKGROUND

The demand **for** and number of taxis has increased significantly over the last decade. They provide an essential service **particularly where bus services have declined in recent years and in encouraging town centre uses in the evening.**, but **However**, their establishment **location** and operation can lead to land use planning problems with regard to parking, access and servicing requirements, ~~for some operations, and the location of the control centre with regard to having a blank frontage and potentially 24-hour activity.~~ **Some control centres are located in residential areas and this can have an effect on residential amenity from noise, particularly where there is 24hr activity. In shopping areas they can affect retail activity by creating a 'dead' frontage.**

A **One of the** problems ~~of~~ **in** formulating a policy for the location of private hire (taxi) operations **centres** lies in their diversity. Firms may vary in size from one car to a large fleet. They may operate from a ~~large house or small office~~ **commercial premises**. Radio cars may only need to return to base for repairs (and even those may be carried out at an independent garage), whereas other operators may prefer their vehicles to return to base for new instructions, cashing-up, rest periods etc. Two main types of office may be identified: **non-operational** and **operational** offices.

#### NON-OPERATIONAL TAXI OFFICES

- Non-operational **taxi** offices are offices whose vehicles are directed by radio and do not operate from or visit the office. Only employing one or two persons, this minor office use would be acceptable in most areas, including ones which are predominantly residential, provided that the design of the radio mast and equipment is acceptable in visual and operating terms.
- In locations where additional vehicle movements would be undesirable, a condition will normally be attached to any permission to ensure that vehicles do not operate from or visit the office.

#### OPERATIONAL TAXI OFFICES

- Operational offices are offices from which vehicles operate and where a public waiting room and drivers' accommodation **rest facilities** **is are** normally provided. The location of these offices should be determined by reference to three factors; the highway network, the site and the character of the area.

## POLICY

Although there is no individual **development plan** policy for the County relating to the development of private hire premises, applications for development will be judged against policies relating to retail / commercial development, in particular **RET2 Retail/Commercial Centres, RET7 Principal Shopping Frontages in Town Centres: Non A1 uses, RET 8 Town and District Centres : Non A1 uses**. The broad thrust of these policies is to maintain and enhance the vitality and viability of Denbighshire's existing retail facilities **town and district shopping centres**. Development that is viewed as potentially harming to the **viability and vitality and viability** by, for example, reducing the number of A1 retail premises in identified streets or areas, or having a cumulative **adverse** effect of too many non-A1 retail uses in an identified area, **or adversely affecting the character of an area** will not be permitted.

**It should be stressed that the need for planning consent or building regulations is quite separate from the need for an operator's licence.**

## **LOCATIONAL CRITERIA**

### **CHARACTER OF THE AREA LOCATIONAL CRITERIA**

#### **A) TOWN CENTRES**

- In town centres, ~~slightly different considerations apply~~, and it will rarely be possible to find a site with sufficient car parking. However, a reliance on on-street parking will disadvantage shoppers and other town centre visitors who will expect a conveniently located taxi office.
- One of the main considerations in town centres is the effect the proposal has on the vitality and viability of these areas.
- Proposals will not be supported in principal/main shopping frontages or streets subject to traffic management proposals.
- Proposals will only be supported where there is unlikely to be an adverse effect upon vehicular movement (e.g. not on busy thoroughfares or near junctions) or upon car parking (e.g site on single yellow lines may be favoured).
- Proposals for operational offices in upper floors of commercial premises will not be supported. However, non-operational offices with non demand for parking or servicing may be well be suited to upper floor usage.

#### **B) DISTRICT SHOPPING CENTRES**

- In district shopping centres, cars will not be allowed to operate from an office unless the full provision of off-street parking spaces can be made on or near the site to accommodate all vehicles likely to operate at any one time. This would avoid congestion or nuisance to residents in nearby streets, or the use of public **or other** parking spaces, which would disadvantage other users.

#### **C) CHARACTER OF THE AREA RESIDENTIAL AND OTHER AREAS**

- Certain facets of private hire operators may make them incompatible with residential uses. These problems can occur even when the scale of the operation is very small.
- The main problems include:
  - ^ frequent vehicle movements
  - ^ noise
  - ^ unsociable hours of operation
  - ^ radio interference
- The Council therefore requires that an office which has more than one vehicle operating from it should not be located in a residential area.
- In areas of mixed use which include a residential element, the position will be more difficult to determine. ~~In both residential and mixed use areas the Council may grant temporary permission, (e.g for one year) to enable the effects of the operations to be monitored.~~
- Appropriate locations for private hire operators may include small employment areas, mixed commercial areas, or the fringes of town and district centres as well as the upper floors of commercial premises if used as **non operational** offices only and not operational uses. All of these locations **will be** subject to environmental, amenity and parking considerations.

## **THE HIGHWAY NETWORK**

- The road on which the office is located and, where appropriate, any link to the nearest classified road should be of a standard (in terms of geometry and construction) adequate to cater for the number of vehicles trading from or visiting the site. This is to ensure that the operations do not interfere with the free flow of traffic or create unsafe conditions for vehicular and pedestrian movements in the area.

## **SITE CONSIDERATIONS**

### **PARKING**

#### **A) — PARKING**

- The site should have adequate off-street parking places available in the ownership of the applicant. This must be sufficient to accommodate the total numbers of vehicles likely to be visiting that address at any one time;
- Off-street parking sites should ideally be large enough to allow any manoeuvring to avoid situations where vehicles would reverse off the site into adjacent roads creating a potential hazard to other traffic and pedestrians;
- It may be appropriate to impose a condition on a planning permission restricting the number of vehicles visiting the site at any one time.

#### **B) — MAINTENANCE OF VEHICLES**

## **MAINTENANCE OF VEHICLES**

- Where a private hire firm intends to carry out maintenance to its vehicles, this should be done off-street. In residential areas only routine maintenance of one vehicle should be permitted equivalent to that normally associated with residential areas.

## **ACCESS FOR PEOPLE WITH DISABILITIES**

Where Building Regulation approval is required then it will be necessary to comply with part 'M' of the Building Regulations which deal with access for people with disabilities. In other cases, the Council would still encourage measures to ensure that office accommodation and waiting rooms etc are accessible to persons with disabilities, mothers with pushchairs, the elderly etc. Such measures may be beneficial in terms of increased business. Regard should also be had to the Disability Discrimination Act.

## **CONDITIONS ATTACHED TO PLANNING PERMISSION**

In granting planning permission the Council may seek to impose certain conditions in order to control the nature of the business in the interests of amenity and highway safety. Non operational centres will be restricted so that they are not used as an operational centre visited by the public. In certain circumstances, taxis may be restricted from returning to base during certain hours of the day. In the case of operational booking offices restrictions may be placed on the hours of operation. The use of intercom systems may also be restricted.

The Council may also grant temporary planning permission (eg for one year) to enable the effects of the operations to be monitored.

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## SPECIAL REPORT

# REGIONAL PLANNING GUIDANCE FOR NORTH WALES

### A REPORT BY THE HEAD OF PLANNING SERVICES

#### 1. PURPOSE OF REPORT

- 1.1 To approve the Regional Planning Guidance for North Wales (RPGNW).

#### 2. BACKGROUND

- 2.1 The National Assembly for Wales (NAfW) encourages joint working between local planning authorities. Local planning authorities are encouraged to prepare strategic planning statements for their regions.
- 2.2 There are four regional groupings in Wales. The North Wales group includes seven local planning authorities - Anglesey, Conwy, Denbighshire, Flintshire, Gwynedd, Wrexham and Snowdonia National Park.
- 2.3 North Wales Planning Officers meet on a regular basis. Two or three times each year, officers meet up with their Chairs/Vice Chairs - North Wales Planning Group.
- 2.4 In 1997 the North Wales Group agreed to work together to prepare Regional Planning Guidance for North Wales. Each authority approved a draft for consultation. In February 1999 consultations were carried out with interested parties/organisations. A report of consultations was prepared and the original draft revised to take account of responses received.

#### 3. CURRENT POSITION

- 3.1 The current version 'RPGNW July 2001 Adopted' has been approved by a recent meeting of the North Wales Planning Group. Each local planning authority has agreed to consider the document and to approve as the adopted version.

#### 4. STATUS

- 4.1 The RPGNW is not part of the development plan i.e. it does not have the same status as the Unitary Development Plan (UDP).
- 4.2 The RPGNW covers the period 1996-2011.
- 4.3 The Adopted RPGNW will be a material planning consideration and local planning authorities will be expected to have regard to it in preparing their UDPs and in making decisions on planning applications.

#### 5. RECOMMENDATION

- 5.1 That Regional Planning Guidance for North Wales be approved as Supplementary Planning Guidance.

**SPECIAL REPORT - FOR INFORMATION**

**NATIONAL SPATIAL PLANNING FRAMEWORK FOR  
WALES**

**A REPORT BY THE HEAD OF PLANNING SERVICES**

**1. PURPOSE OF REPORT**

- 1.1 A report for information concerning a National Assembly for Wales (NAfW) initiative.

**2. BACKGROUND**

- 2.1 Better Wales, the strategic plan of the NAfW includes a commitment to prepare a National Spatial Planning Framework for Wales (NSPF) by March 2003.
- 2.2 The NSPF will have the status of National Planning Policy and support other Assembly initiatives by providing a long term spatial strategy for community well-being in Wales.
- 2.3 The NAfW commissioned ECCTEC Research and Consultancy and Cardiff University to undertake research. The study recommended that NAfW prepared a NSPF modelled on the European Union spatial planning programmes.

**3. CURRENT POSITION**

- 3.1 The NAfW have set up a Project Board and a Networking Group to progress matters.
- 3.2 The Project Board and Networking Group include a wide cross-section of interests in Wales.

**4. WHAT IS NATIONAL SPATIAL PLANNING FRAMEWORK?**

- 4.1 There is some uncertainty as to what the final product will look like.
- 4.2 The basic idea is to map the effects of all national and strategic policies.
- 4.3 From the mapping exercises it may be possible to identify the drivers of change and then to change policy to remove obstacles or constraints.
- 4.4 Planning is seen as key to the NPSF because inevitably the needs and demands of society require some form of development and the development and use of land must pass through the planning system.

- 4.5 The NPSF will probably consider several issues. A preliminary list is appended in Appendix A.

**5. IMPLICATIONS TO DENBIGHSHIRE?**

- 5.1 Difficult to be precise at this stage. The concept is in its infancy.
- 5.2 Probably a more European approach to planning. A more national approach to strategic planning. A better understanding of regional issues. Possibly a better idea of what needs to be done to overcome barriers to prosperity on a regional and national level. Impact on emerging UDPs and review of existing UDPs.
- 5.3 This report is for information.

## FRAMEWORK ISSUES

The following preliminary list of issues which the framework could address have been identified from the conclusions of the methodology research and meetings with partner organisations, including the Key Challenges event and the first meeting of the Spatial Planning Network:

- securing sustainable growth while protecting and enhancing the environment;
- spatial balance between different regions and areas within Wales, often in close proximity, which presently show greatly differing patterns of economic well being, deprivation, accessibility, population change;
- broad measures of provision for economic and housing development to support balanced growth which spreads economic well being and supports successful communities;
- identifies strategic locations of economic opportunity such as gateway locations, strategic sites and centres of academic and specialist or technical excellence;
- identifies factors which may be/are necessary to support, or which inhibit the achievement of balanced growth and set out responses to them. Factors needed for support are likely to include infrastructure, telecommunications, energy and water supplies while inhibiting factors may include land form, land instability and flood risk;
- address distinct urban and rural issues and their interface. Urban issues include regeneration and making best use of existing settlements to accommodate growth while rural issues will include securing viable and diverse rural economies and the role of market towns;
- reflects and makes best use of existing transport systems, while identifying necessary and sustainable improvements for long distance links, improved gateways and accessibility and removal of bottlenecks;
- reflects local distinctiveness, such as concentrated or dispersed settlements;
- supports the diverse cultures of Wales including linguistic patterns;
- supports the protection of statutorily designated areas and of the countryside, the conservation of landscapes, historic sites and natural habitats, the undeveloped coast, the protection of the best and most versatile agricultural land and conservation of the urban environment;
- safeguards non-renewable resources such as minerals; and
- considers implications of climate change

**SPECIAL PLANNING REPORT**

**NATIONAL ASSEMBLY CONSULTATION PAPER**  
**REVIEW OF CALL IN PROCEDURES**  
**REPORT BY HEAD OF PLANNING SERVICES**

**1. PURPOSE OF REPORT:**

1.1 To agree the Council's response to the consultation paper.

**2. BACKGROUND:**

2.1 The National Assembly of Wales (NAfW) has the discretionary powers to call in for its own determination any application for planning consent submitted to a Local Planning Authority (LPA).

The power to call-in applications is used exceptionally and only in cases which raise issues of more than local importance.

2.2 Last year an application by Windjen for a windfarm near Llyn Brenig was called in by NAfW following a resolution by the Planning Committee to grant consent.

2.3 The generally held view is that:-

(i) the call-in procedures and criteria are not clearly understood;

(ii) applications are called in at any time, sometimes after a Planning Committee has made its decision and this has been a cause of concern.

**3. THE CONSULTATION:**

3.1 The NAfW is seeking views on changes the NAfW proposes to the way in which it handles call-in requests and planning applications refused to the Assembly under the current regulations and directions.

3.2 A copy of the proposed call-in procedures and criteria are appended at Appendix 1.

3.3 Comments are required by the 2nd August.

#### **4. PROPOSED COMMENTS:**

4.1 Comments on the proposed new procedures are appended in Appendix 2.

4.2 The basic call-in criteria have not changed. However, the examples given of the types of proposals which could be called-in is welcomed. The greater clarity should make the call-in system more transparent.

#### **5. RECOMMENDATION:**

5.1 That comments set out in para 4.2 above and in Appendix 2 form the basis of our response to the National Assembly for Wales

## RESPONSES TO CALL-IN PROCEDURES

14. **Proposal:**
- a. review of the existing Direction is undertaken with a view to issuing a National Assembly for Wales Direction incorporating the currently separate Shopping and Departure Directions; and
  - b. the 21 day consideration period begins from the day the notification letter is received by the Assembly.

*Agreed*

16. **Proposal:**
- In order to provide the additional information required, help to reduce subsequent correspondence and provide a more open service to the public responses to letters are re-drafted to include a reference to:
- a. the procedures to be followed by the National Assembly in processing requests; and
  - b. the criteria used in considering a request.

*NAfW should produce a simple explanatory leaflet in plain Welsh/English to explain the call-in procedures.*

18. **Proposal:**
- Letters in response to a call-in request should contain the address National Assembly for Wales Internet site upon which Planning Division post a weekly list of applications under consideration see also para 49 below.

*Agreed*

20. **Proposal:**
- Letters responding to a call in request contain a paragraph stating requests for call-in received less than 5 days before the committee be processed as far as possible, but that there is a risk that the LPA may issue before the appropriate consultation process has been completed.

*Agreed*

22. **Proposal:**

Where time allows, the LPA is formally notified by letter following the informal notification by telephone, that a request to call-in an application has been received by the Assembly and is being considered, and requesting a copy of the Committee report as early as possible. The letter should draw attention to the Assembly's web-site address for the case-tracking information available (see paragraph 18).

*Committee reports cannot be released more than 3 working days prior to Planning Committee. This implies that the call-in in most cases will not take place until at least 3 working days prior to the Planning Committee. The NAfW should in their letter specify what information they need to decide whether to call-in the application. It is the practice of waiting to see the Committee report on the outcome of the Committee decision which concerns us. Issues of national importance should be identified at an early stage. The critical test should be whether the planning application raises issues of national significance. The likely outcome fails this test.*



*Waiting for the decision before deciding whether to call-in should not be necessary if NAFW have all the issues in front of them.*

**26. Proposal:**

**A paragraph is included in the formal notification to LPAs asking the local planning authority to provide the Assembly with their commit (draft or final) as soon as it is available in advance of the statutory days to enable the Assembly to issue a decision as early as possible.**

*See also 22 above.*

*Committee reports are issued 3 working days before Committee. The Council does not consider that the NAFW should obtain an advance copy. It would not be appropriate to issue draft reports.*

**28. The Assembly requests key information from the local planning authority that it considers necessary in order to make an informed decision, as it receives the call-in request. Once the information has been received, and the Assembly is satisfied no further information is required, consideration of call-in will be made.**

*Agreed*

**30. Proposal:**

- 1. The letter responding to a call-in request includes:
  - a. the criteria used in considering applications; and**
  - b. a brief explanation of the procedures followed by the Assembly copy of a flow diagram charting the call-in system.****
- 2. The updated call-in criteria are posted on the Assembly Planning web-site as soon as possible; and**
- 3. System flow charts are posted on the Assembly Planning web-site, with a brief narrative explanation.**

*Agreed. See also 16 above.*

**32. Proposal:**

**The notification letter to LPAs highlights the need to provide any maps/site plans etc., relevant to the planning application.**

**Consultations.**

*Presumably most consultees will have received all relevant planning application details at consultation stage. Why the need to provide plans again?*

**35. Proposal:**

- a. the consultation minute issued to the consultee should contain the address of the National Assembly Internet site with reference to the weekly list issued and the system documentation;**
- b. consultees should be informed by e-mail of the call-in decision each case; and**
- c. a copy of this report should be provided to all consultees.**

*Agreed.*

**38. Your views are sought on this and possible other alternatives to issuing an Article 14 Direction in cases where more time is required in which to consider a call-in request.**

**Calling in a Planning Application**  
**Call-in letter to the Local Planning Authority**

*Liaison should taken place with the LPA to find out about key Committee dates so that Article 14 does not unavoidably prevent determination on a subsequent Committee date. The difficulty with precluding deletion at a Committee date is that some LPAs do and could use other decision making powers e.g Council or Committee to determine the application*

**40. Proposal:**

- a. an arrangement is made with the local planning authority for planning officer to stay and receive the decision fax when it is sent out of hours or when the Committee Meeting is in progress or about to begin; and
- b. the call-in decision letter contains a contact name and number of the case officer in the Planning Inspectorate and Planning Division

*This is not always practical.*

**42. Proposal:**

**More detailed reasons are provided for the decision taken to call in application to reduce the volume of post-decision correspondence and improve the openness of the decision-making process.**

*Strongly agree. All call-in decision letters should set out clearly the reasons why the application has been called in and which were the key criteria.*

**45. Proposal:**

**Progress update letters are sent to all parties eight weeks after receipt of the Rule 6 (10) Statement from the Inspectorate and every eight weeks thereafter, if necessary, to improve communication between the parties.**

*Agreed*

49. 1. As an interim measure the weekly list on the Internet site of applications under consideration by the National Assembly is expanded to include relevant Planning Inspectorate, Planning Division Decision Branch Planning Decision Committee procedures.
2. Copies of all call-in decision letters, decision letters for called-in applications (S77) and recovered appeals (S78) are posted on the web-site.

*Agreed*

## ITEM FOR INFORMATION NAMING AND NUMBERING OF NEW DEVELOPMENTS

### 1. PURPOSE OF REPORT:

- 1.1 To advise Members of new developments which have recently been named and numbered by Planning Services.

### 2. NEW DEVELOPMENTS:

- 2.1 Listed below are the new developments

- (a) **Adjacent to the Llindir Inn, Henllan**  
Named: Lon Las, Henllan, Denbigh, LL16 5BF  
(Plot and house numbers the same).
- (b) **Site of former Bod Glanmor and Bod Cledwyn, Denbigh**  
Named: Maes Mathonwy, Denbigh  
(Plots and unit number the same).
- (c) **Site 10 Parc Alafowlia, Denbigh**  
Named Lon Ceiriog, Denbigh, LL16 3JP  
(Numbering schedule attached).
- (d) **Phase 2 at Bryn Glas, Ruthin**  
Named Cae Castan, Ruthin  
(Plot and house numbers the same)
- (e) **Adjacent to Glanrafon, Llandyrnog, Denbigh**  
Named Maes Turnog, Llandyrnog  
(Plot and house numbers the same).

### 3. RECOMMENDATION:

- 3.1 This item is for information only.