

To: Chair and Members of the Planning Committee

Date: 16 January 2014

Direct Dial: 01824 712568

e-mail: dcc\_admin@denbighshire.gov.uk

Dear Councillor

You are invited to attend a meeting of the **PLANNING COMMITTEE** to be held at **9.30 am** on **WEDNESDAY, 22 JANUARY 2014** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN LL15 1YN**.

Yours sincerely

G Williams  
Head of Legal and Democratic Services

## AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **URGENT MATTERS AS AGREED BY THE CHAIR**
- 4 **MINUTES** (Pages 7 - 12)
- 5 **APPLICATIONS FOR PERMISSION FOR DEVELOPMENT** (Pages 13 - 70)
- 6 **DRAFT SUPPLEMENTARY PLANNING GUIDANCE: PARKING REQUIREMENTS** (Pages 71 - 102)

To consider the Supplementary Planning Guidance report attached.

**7 DRAFT SUPPLEMENTARY PLANNING GUIDANCE: CONVERSION OF RURAL BUILDINGS** (Pages 103 - 120)

To consider the Supplementary Planning Guidance report attached

**8 DRAFT PLANNING (WALES) BILL AND POSITIVE PLANNING CONSULTATION** (Pages 121 - 124)

To consider the report which outlines the main implications of changes proposed to the planning system by Welsh Government and offer comments to be included in the Council's response to the consultation.

**9 NORTH WALES WIND FARMS CONNECTIONS MAJOR INFRASTRUCTURE PROJECT - UPDATE REPORT** (Pages 125 - 128)

Report to update Members on the current status of North Wales Wind Farms Connections Project, and seek a resolution to the extent to which the Council should participate in the planning process for this project.

**10 PLANNING APPEAL DECISION - APPLICATION NO. 21/2013/0797/PF - ERW LAS, PANT DU ROAD ERYRYS -** (Pages 129 - 134)

Report for information only by the Head of Planning and Public Protection.

**MEMBERSHIP**

**Councillors**

Ian Armstrong  
Joan Butterfield  
Jeanette Chamberlain-Jones  
Bill Cowie  
James Davies  
Meirick Davies  
Richard Davies  
Stuart Davies  
Peter Duffy  
Peter Evans  
Carys Guy  
Huw Hilditch-Roberts  
Colin Hughes  
Rhys Hughes  
Alice Jones

Pat Jones  
Margaret McCarroll  
Win Mullen-James  
Bob Murray  
Peter Owen  
Dewi Owens  
Merfyn Parry  
Arwel Roberts  
David Simmons  
Bill Tasker  
Julian Thompson-Hill  
Joe Welch  
Cefyn Williams  
Cheryl Williams  
Huw Williams

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## **WELCOME TO DENBIGHSHIRE COUNTY COUNCIL'S PLANNING COMMITTEE**

### **HOW THE MEETING WILL BE CONDUCTED**

Unless the Chair of the Committee advises to the contrary, the order in which the main items will be taken will follow the agenda set out at the front of this report.

#### **General introduction**

The Chair will open the meeting at 9.30am and welcome everyone to the Planning Committee.

The Chair will ask if there are any apologies for absence and declarations of interest.

The Chair will invite Officers to make a brief introduction to matters relevant to the meeting.

Officers will outline as appropriate items which will be subject to public speaking, requests for deferral, withdrawals, special reports, and any Part 2 items where the press and public may be excluded. Reference will be made to additional information circulated in the Council Chamber prior to the start of the meeting, including the late representations/amendments summary sheets ('Blue Sheets') and any supplementary or revised plans relating to items for consideration.

The Blue Sheets contain important information, including a summary of material received in relation to items on the agenda between the completion of the main reports and the day before the meeting. The sheets also set out the proposed running order on planning applications, to take account of public speaking requests.

In relation to the running order of items, any Members seeking to bring forward consideration of an item will be expected to make such a request immediately following the Officer's introduction. Any such request must be made as a formal proposal and will be subject to a vote.

The Planning Committee consists of 30 elected Members. In accordance with protocol, 15 Members must be present at the start of a debate on an item to constitute quorum and to allow a vote to be taken.

County Council Members who are not elected onto Planning Committee may attend the meeting and speak on an item, but are not able to make a proposal to grant or refuse, or to vote.

### **CONSIDERING PLANNING APPLICATIONS**

#### **The sequence to be followed**

The Chair will announce the item which is to be dealt with next. In relation to planning applications, reference will be made to the application number, the location and basis of the proposal, the relevant local Members for the area, and the Officer recommendation.

If any Member is minded to propose deferral of an item, including to allow for the site to be visited by a Site Inspection Panel, the request should be made, with the planning reason for deferral, before any public speaking or debate on that item.

If there are public speakers on an item, the Chair will invite them to address the Committee. Where there are speakers against and for a proposal, the speaker against will be asked to go first. The Chair will remind speakers they have a maximum of 3 minutes to address the Committee. Public speaking is subject to a separate protocol.

Where relevant, the Chair will offer the opportunity for Members to read any late information on an item on the 'Blue Sheets' before proceeding.

Prior to any debate, the Chair may invite Officers to provide a brief introduction to an item where this is considered to be worthwhile in view of the nature of the application.

There are display screens in the Council Chamber which are used to show photographs, or plans submitted with applications. The photographs are taken by Officers to give Members a general impression of a site and its surroundings, and are not intended to present a case for or against a proposal.

The Chair will announce that the item is open for debate and offer Members opportunity to speak and to make propositions on the item.

If any application has been subject to a Site Inspection Panel prior to the Committee, the Chair will normally invite those Members who attended, including the Local Member, to speak first.

On all other applications, the Chair will permit the Local Member(s) to speak first, should he/she/they wish to do so.

Members are normally limited to a maximum of five minutes speaking time, and the Chair will conduct the debate in accordance with Standing Orders.

Once a Member has spoken, he/she should not speak again unless seeking clarification of points arising in debate, and then only once all other Members have had the opportunity to speak, and with the agreement of the Chair.

At the conclusion of Members debate, the Chair will ask Officers to respond as appropriate to questions and points raised, including advice on any resolution in conflict with the recommendation.

Prior to proceeding to the vote, the Chair will invite or seek clarification of propositions and seconders for propositions for or against the Officer recommendation, or any other resolutions including amendments to propositions. Where a proposition is made contrary to the Officer recommendation, the Chair will seek clarification of the planning reason (s) for that proposition, in order that this may be recorded in the Minutes of the meeting. The Chair may request comment from the Legal and Planning Officer on the validity of the stated reason(s).

The Chair will announce when the debate is closed, and that voting is to follow.

## **The voting procedure**

Before requesting Members to vote, the Chair will announce what resolutions have been made, and how the vote is to proceed. If necessary, further clarification may be sought of amendments, new or additional conditions and reasons for refusal, so there is no ambiguity over what the Committee is voting for or against.

If any Member requests a Recorded Vote, this must be dealt with first in accordance with Standing Orders. The Chair and Officers will clarify the procedure to be followed. The names of each voting Member will be called out and each Member will announce whether their vote is to grant, to refuse, or to abstain. Officers will announce the outcome of the vote on the item.

If a vote is to proceed in the normal manner via the electronic voting system, the Chair will ask Officers to set up the voting screen(s) in the Chamber, and when requested, Members must record their votes by pressing the appropriate button (see following sheet).

Members have 10 seconds to record their votes once the voting screen is displayed, unless advised otherwise by Officers.

On failure of the electronic voting system, the vote may be conducted by a show of hands. The Chair and Officers will clarify the procedure to be followed.

On conclusion of the vote, the Chair will announce the decision on the item.

Where the formal resolution of the Committee is contrary to Officer recommendation, the Chair will request Members to agree the process through which planning conditions or reasons for refusal are to be drafted, in order to release the Decision Certificate (e.g. delegating authority to the Planning Officer, to the Planning Officer in liaison with Local Members, or by referral back to Planning Committee for ratification).

# PLANNING COMMITTEE

## VOTING PROCEDURE

Members are reminded of the procedure when casting their vote. The Chair or Officers will clarify the procedure to be followed as necessary.

Once the display screens in the Chamber have been cleared in preparation for the vote and the voting screen appears, Councillors have 10 seconds to record their vote as follows:

On the voting keyboard press the

<b>+</b>	To <b>GRANT</b> Planning Permission
<b>-</b>	To <b>REFUSE</b> Planning Permission
<b>0</b>	to <b>ABSTAIN</b> from voting

Or in the case of Enforcement items:

<b>+</b>	To <b>AUTHORISE</b> Enforcement Action
<b>-</b>	To <b>REFUSE TO AUTHORISE</b> Enforcement Action
<b>0</b>	to <b>ABSTAIN</b> from voting

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## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 11<sup>th</sup> December 2013 at 9.30am.

### PRESENT

Councillors, J.R. Bartley (observer), W L Cowie, J.M. Davies, M Ll. Davies, S.A. Davies, H Hilditch-Roberts, T.R. Hughes., E.A. Jones , H. LL. Jones (local member) P M Jones, W M Mullen-James (Chair) , R M Murray, . D Owens, T M Parry, A Roberts , D Simmons, J Thompson-Hill , J S Welch, C H Williams, C L Williams and H O Williams

### ALSO PRESENT

Head of Planning and Public Protection (Graham Boase), Development Control Manager (Paul Mead), Principal Solicitor (Planning and Highways) (Susan Cordiner), Team Leader (Support) (Gwen Butler), Customer Services Officer (Judith Williams) and Translator (Catrin Gilkes).  
Martha Savage (Minerals Planning Officer) attended part of the meeting

#### 1 APOLOGIES

Apologies for absence were received from Councillors I W Armstrong J A Butterfield, J Chamberlain-Jones ,P. Duffy, R J Davies, P A. Evans, C. L. Guy, M McCarroll, P W Owen, , and W.N. Tasker

#### 2 DECLARATIONS OF INTEREST

None

#### 3 URGENT ITEMS: None

#### 4 MINUTES OF THE MEETING HELD ON 13<sup>th</sup> November 2013.

Agreed as a true record: subject to the inclusion of comments made by Councillor M. Lloyd Davies regarding the proposed staircase at 23 Marine Drive Rhyl which he had felt would be more acceptable if placed centrally.

#### 5 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Head of Planning, and Public Protection (previously circulated) was submitted enumerating applications submitted and requiring determination by the Committee.

*RESOLVED that:-*

- (a) *the recommendations of the Officers, as contained within the report submitted, be confirmed and planning consents or refusals as the case may be, be issued as appropriate under the Town and Country Planning Act 1990, Town and Country Planning (General Permitted Development) Order 1995, Planning and Compensation Act 1991, Town and Country Planning Advert Regulations 1991 and/or Planning (Listed Buildings and Conservation Areas) Act 1990 to the proposals comprising the following applications subject to the conditions enumerated in the schedule submitted:-*

**Application No: 05/2012/0756/PO**

**Location:** Land adjacent to Maes y Glyn Glyndyfrdwy Corwen

**Description:** Development of 0.37 ha of land for residential purposes and construction of a new vehicular access (outline application including access)

An additional plan showing the LDP allocation site at New Inn was circulated. Further policy clarification was also supplied in the addendum report.

Councillor Huw Jones had made the request for a committee decision in order to examine the issues around the potential for this land to flood and the way the LDP allocation has been made. Councillor Jones was fearful of the survival of the village if this site was not developed and queried the advice that the site is at risk of flooding.

Other Councillors agreed, those with local knowledge expressing the view that the allocated LDP site at New Inn has been known to flood but the application site has not, and the recommendation was “knee – jerk” reaction to recent events of flooding in the County. They felt that as this application site had permission for development in the past (although now lapsed), it should be granted

Councillor Rhys Hughes proposed that permission be GRANTED. This was seconded by Councillor Dewi Owens

Officers advised that Natural Resources Wales had originally raised objection to this application on the grounds that the site was within a high risk flood zone. However, the site is outside the current LDP development boundary. The issue of the suitability of sites in this area for housing was fully explored through the LDP process. Officers also suggested that if both this site and the site allocated in the LDP were developed there would be an over supply of housing in the village which would put strain on the facilities available.

**ON BEING PUT TO THE VOTE:**

**5 voted to GRANT**

**14 voted to REFUSE**

**0 Abstained**

**PERMISSION WAS THEREFORE REFUSED**



**Application No:43/2013/1236/PF**

**Location: St. Marys Bishopswood Road Prestatyn**

**Description: Construction of garden retaining wall and access steps to form raised garden/patio terrace at rear of dwelling (partly in retrospect)**

Councillor Bob Murray proposed that permission be GRANTED  
Councillor J Thompson Hill seconded this proposal and made a request on behalf of the local member that landscaping conditions be strengthened and requested that a requirement for replacement trees be included.

Officers to consult with the local member with regard to the exact wording of the conditions

**On being put to the VOTE:**

**19 voted to GRANT  
0 voted to REFUSE  
0 Abstained**

**PERMISSION WAS THEREFORE GRANTED**

Subject to the following revised Condition 1:

Any existing trees within the application site shall be protected during the proposed works by fencing erected a minimum of 1m from the trunk. Any trees within the application site which are damaged or die during construction works shall be replaced by suitable specimens to be agreed in writing by the LPA.

**Application No: 43/2013/1353/PF**

**Location: 55 Pendre Avenue Prestatyn**

**Description: Erection of a single storey extension to rear of dwelling**

It was reported that the previous planning application for a rear extension at this property (which Members refused at Committee contrary to Officer Recommendation) has been ALLOWED on appeal. The appeal decision, received on 10<sup>th</sup> December 2013 was circulated separately

**Public Speakers:**

**Ms Tina Gray (Applicant) spoke in favour**

Ms Gray spoke of her wish to address previous objections made by her neighbours and as a result of discussions with planning officers had revised the original proposal. The extension will now be smaller than originally proposed and Ms Gray hoped this would be acceptable to all concerned

Councillor James Davies referred to the difficulties surrounding this application and the topography of the site . He suggested that although the appeal has been allowed the proposal before committee today, for a smaller extension, would be more acceptable. Councillor J Thompson Hill requested that conditions imposed by the Appeal Inspector, (relating to matching materials), be included.

Councillor Bill Cowie proposed permission be GRANTED. This was seconded by Councillor M. Lloyd Davies

**ON BEING PUT TO THE VOTE:**

**18 voted to GRANT**

**1 voted to REFUSE**

**0 Abstained**

**PERMISSION WAS THEREFORE GRANTED**

Subject to the following additional condition:

The materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.

**ITEM 6  
PLANNING APPEAL**

**IMPORTATION OF INERT WASTE MATERIALS FOR RECYCLING AND USE IN  
RESTORATION OF QUARRY WORKINGS**

**MAES Y DROELL QUARRY, GRAIANRHYD ROAD, LLANARMON YN IAL**

**APPLICATION NO. 15/2011/0692/PF**

Ms Martha Savage (Minerals Planning Officer) was in attendance for this item.

Submitted: report requesting Members' consideration of matters arising from legal and specialist highway consultant opinion on the reasons for refusal of the above application, which will be the subject of a public inquiry.

The report seeks a steer from Members on the Council's stance given the changes to local policy and national policy since the refusal decision in February 2013.

Officers explained the background to this item, stating that as policy has changed from the Unitary Development Plan to the Local Development Plan it had been necessary to review the reasons for refusal. In consultation with the case barrister it is proposed to include "need" as a reason for refusal.

As a result of the changes it has been agreed to postpone the appeal hearing to allow the appellants time to review their case.

In answer to questions officers advised that it was now policy to encourage reuse of inert waste on site rather than transport it to facilities such as that proposed at Maes y Droell. If the waste was not inert then it would not be allowed on this site, but would need to go to a specialist to be treated. It would therefore be an argument that this site is not needed.

There was a further issue with a proposal to change the access arrangements and this should also be raised at the appeal if details are submitted.

Councillor Martyn Holland will represent Committee at the Appeal and is being kept up to date by Officers.

Councillor D Simmonds proposed that the recommendation be accepted  
This was seconded by Councillor Cheryl Williams

On being put to the vote  
19 voted to accept the proposal  
0 Voted not to accept  
There were no abstentions.

**RESOLVED THEREFORE:**

- 1.1. That in light of the changes to national and local policy, the principle of a recycling facility in this location and the need for the disposal element of the proposal forms part of the Council's case in the Council's submissions to the forthcoming inquiry.
- 1.2. That the First reason for refusal, save insofar as it pertains to the second reason for refusal, is not pursued by the Council.

P/em/gwen/commitem

- 1.3. That delegated authority is given to the Head of Planning and Public Protection, and the Development Control Manager to determine whether or not the second reason for refusal is pursued by the Council, should the appellants submit any revision to the access plans. In the absence of any acceptable access details being provided the Second reason for refusal should be maintained.
- 1.4. That the third reason for refusal is pursued in particular in relation to the impact that the new access will have on the residential amenity of occupiers of properties in the vicinity of the site.
- 1.5. That the absence of need be raised as a freestanding concern upon which the appeal could properly be dismissed.
- 1.6. The views of the independent highway consultant appointed by the Council to review the case are drawn to the attention of the inquiry.

### **MEMBER TRAINING**

Members were reminded of their obligation to training on Planning matters and were advised that they would be welcome to attend any of the future training events that had been arranged:

3<sup>rd</sup> February 2014 - 6.30 pm Caledfryn Denbigh (Town and Community Council event)

4<sup>th</sup> March 2014 – 10 am -venue to be confirmed (Town and Community Council event)

23<sup>rd</sup> April 2014 – 6.30 pm – Caledfryn Denbigh (Town and Community Council event)

In order to fulfil their training needs Members could also attend Planning Surgeries, Appeals or LDP events and would gain credit for attending 8 or more Planning Committees

**The meeting closed at 10-45 am**

**DENBIGHSHIRE COUNTY COUNCIL  
PLANNING COMMITTEE 22<sup>nd</sup> JANUARY 2014  
INDEX OF PLANNING APPLICATIONS**

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3	07/2013/1233/PF	<b>Rhos Isa Llandrillo Corwen</b> Erection of replacement two-storey dwelling with detached garage/workshop and alterations to existing vehicular access	47
4	43/2013/1305/PF	<b>Outbuildings at Tyn Y Wal Ffordd Penrhwyfya Meliden Prestatyn</b> Conversion of redundant outbuilding to form 1 no. dwelling. Formation of pitched roof over existing workshop	59

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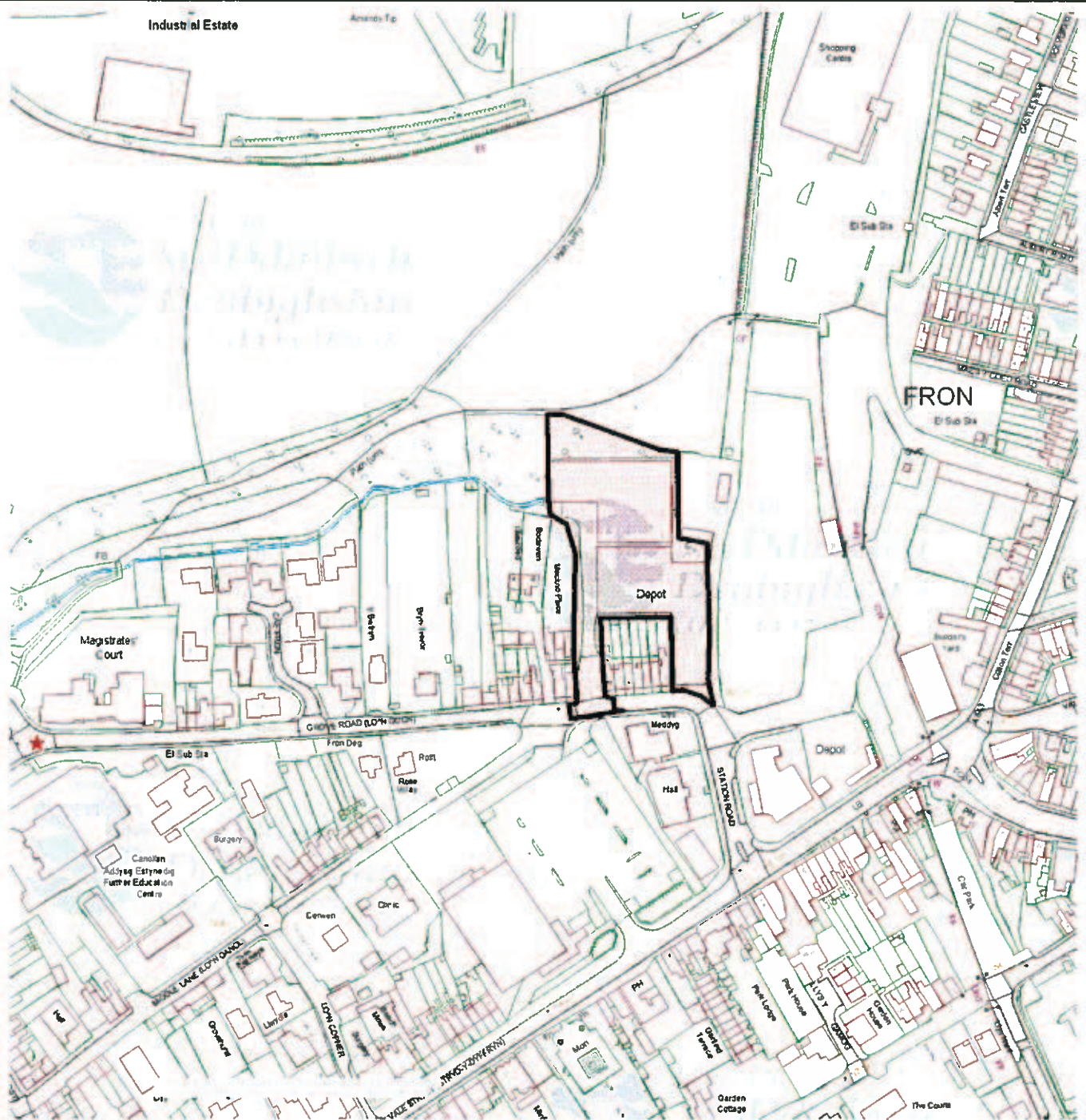
Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ  
Tel: 01824 706800 Fax: 01824 706709

Heading  
01/2012/1607/PO  
Former Wool Depot  
Grove Road Denbigh

 Application Site

Date 6/1/2014 Scale 1/2500  
Centre = 305606 E 366544 N

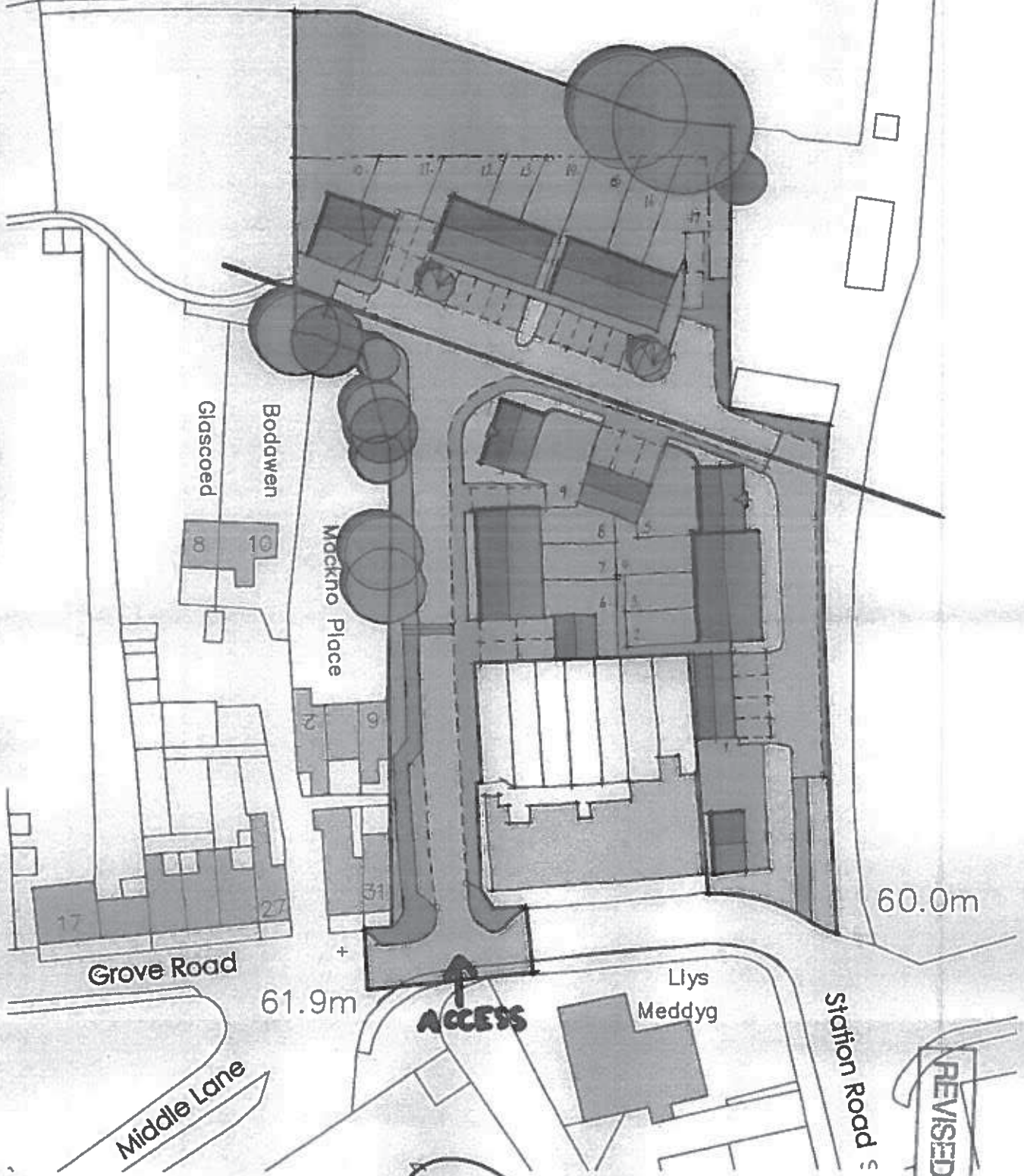
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



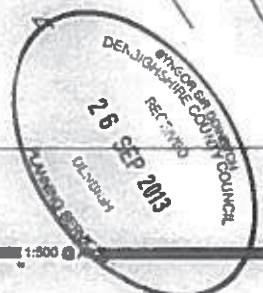
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council 100023408 2011

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

# ILLUSTRATIVE SITE LAYOUT



12-036 401 date 24.08.13  
**ORIGIN3**  
 Town & Country Planning  
 17 Warrington Road  
 Chester, Cheshire  
 CH1 9PS  
 www.origin3.co.uk  
 info@origin3.co.uk



**REVISED PLAN**

Grove Road, Denbigh  
**Illustrative Site Layout**  
 LXB Retail Properties Plc

01 / 2012 / 16071 / P0





**EXTANT PLANNING PERMISSION**  
**- STATION YARD SITE** 01/ 2007/ 1 4 4 4 / P F

- KEY**
- SITE BOUNDARY
  - STONE & CONCRETE RETAINING WALL
  - PROPOSED LEVELS
  - EXISTING LEVELS
  - MAIN PEDESTRIAN ROUTE

**REVISED PLAN**

CYNGOR SIR DDINBYCH  
 DERBIGHSHIRE COUNTY COUNCIL  
 RECEIVED  
 - 1 AUG 2008  
 PLANNING SERVICES

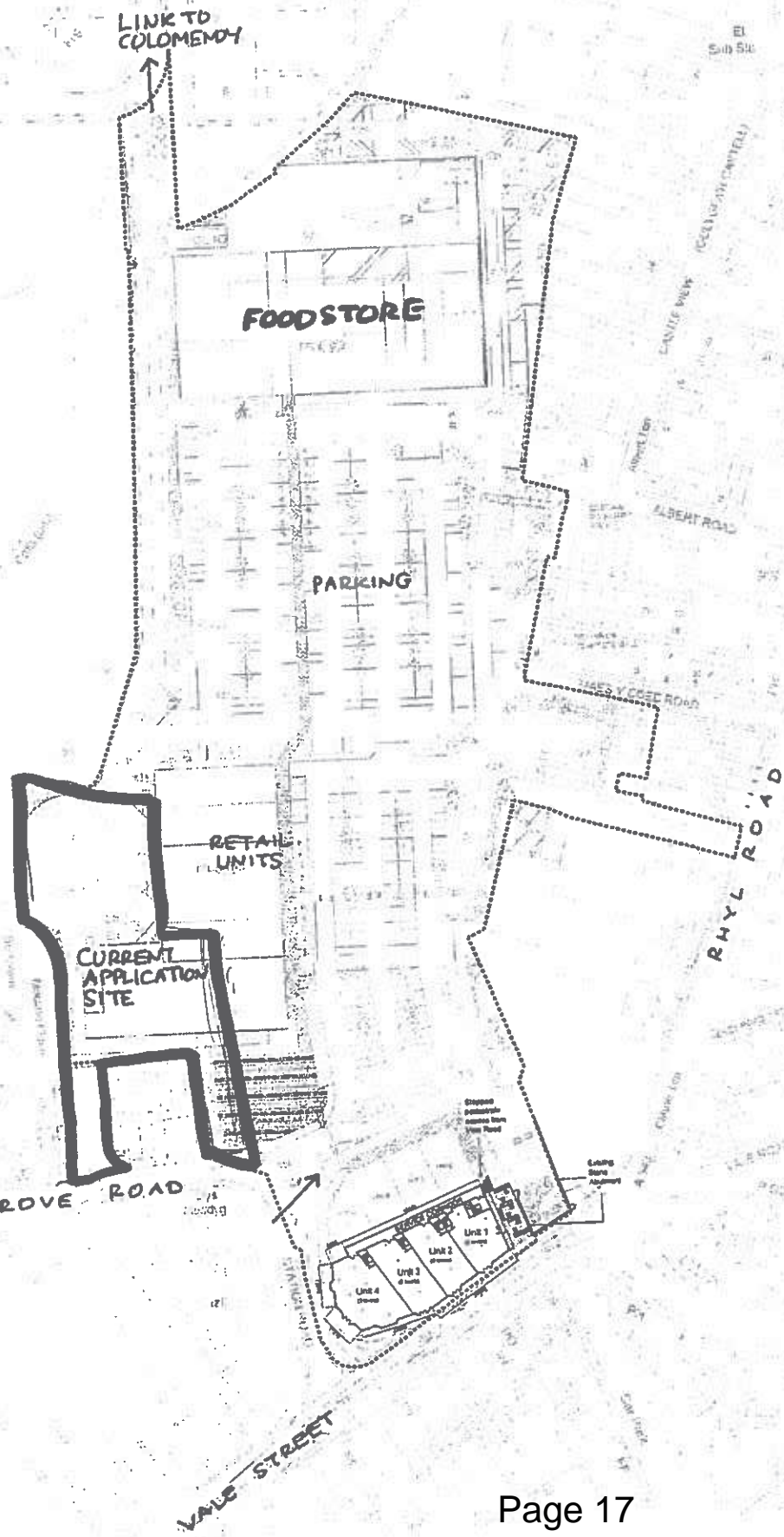
LEACH BROSSE HALEP  
 ARCHITECTS

**DENBIGH**

**PROPOSED SITE PLAN  
 LOWER LEVEL**

Drawn By: JCF      Auth By: JCB      Date: 21.07.08  
 Dwg No: 6495 L10736 1:500/D40      Rev: 1

LEACH BROSSE HALEP  
 ARCHITECTS  
 10-12 THE SQUARE, DENBIGH, NORTH WALES, LL15 1JG  
 TEL: 01752 233031      FAX: 01752 233732  
 www.leachbrosse.com



**ITEM NO:** 1  
**WARD NO:** Denbigh Central  
**WARD MEMBER(S):** Councillor Gwyneth Kensler  
**APPLICATION NO:** 01/2012/1607/ PO  
**PROPOSAL:** Development of 0.6 ha of land for residential purposes (outline application including access)  
**LOCATION:** Former Wool Depot Grove Road Denbigh  
**APPLICANT:** MrC EvansLXB RP (Denbigh) Ltd  
**CONSTRAINTS:** C2 Flood Zone  
**PUBLICITY UNDERTAKEN:** Site Notice - YesPress Notice - YesNeighbour letters - Yes  
(The application has been advertised as a Departure from the Local Development Plan)

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

- Recommendation to grant / approve – Departure from Development plan

**CONSULTATION RESPONSES:**

**DENBIGH TOWN COUNCIL**  
"No objection"

**NATURAL RESOURCES WALES**

No objection subject to the inclusion of conditions relating to floor levels, treatment of surface water, debris screen/culvert.

**DWR CYMRU / WELSH WATER**

No objection subject to the inclusion of conditions relating to separation of foul and surface water, and protection of the public sewer crossing the site.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**  
Head of Highways and Infrastructure

- Highways Officer

No objection subject to the inclusion of conditions requiring approval of highway details and construction stage arrangements.

Conservation Architect

No objection

Ecologist

No objection

Housing and Community Development Service

No objection. There is demand for affordable housing units within the area and 10% should be provided in accordance with the LDP Policy.

Economic and Business Development Manager

No objection

## RESPONSE TO PUBLICITY:

### In objection

Representations received from:  
Mr J. Lovegrove 45, Grove Rd, Denbigh  
Mrs L. Lovegrove, 45, Grove Road, Denbigh

### Summary of planning based representations in objection:

Support the general philosophy and intended housing design however have concerns that there may be a risk of flooding; that the development will affect parking on Grove Road.

### In support

Representations received from:  
S. Lloyd, 5, Bro Wen, Denbigh  
O. Roberts, 4, Machno Place, Denbigh

### Summary of planning based representations in support:

The site has vastly improved since the demolition of the Wool Depot, an appropriately designed housing development would provide huge benefits to the site and the surrounding area.

### General Comments – neither object or support

Mrs. N. A. Davies, 18, Cheriton Avenue, Wirral  
Mrs. E. W. Brine, St. Crispins, 14, Severn Quay, Severnside South

Comments regarding the accuracy of the plans.

## EXPIRY DATE OF APPLICATION:12/2/2013

## REASONS FOR DELAY IN DECISION

- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

## PLANNING ASSESSMENT:

### 1. THE PROPOSAL:

#### 1.1 Summary of proposals

- 1.1.1 The application seeks outline planning permission for residential development of 0.6 hectares of land, with only means of access included for consideration. All other matters are reserved for future approval.
- 1.1.2 The site is located within the town's development boundary in the Local Development Plan and lies immediately to the north of existing dwellings on Grove Road.
- 1.1.3 The application documents include an illustrative layout plan showing ideas for a development of 17 dwellings, accessed from an existing access which is located in between 31 and 33 Grove Road.
- 1.1.4 The supporting document includes a Planning, Design and Access Statement, Sustainability Statement, Transport Report, Tree Quality Survey and Development Implications, Statement of Community Involvement, a Phase 2 Geo-environmental Site Investigation, Flood Consequences Assessment and a Hydrology & Modelling Report  
The main points of relevance to the proposals in the supporting documents are:

#### In the Planning, Design, and Access Statement:

- The application site is part of the Station Yard retail allocation (Policy PSE 7) within the adopted Local Development Plan (LDP). Clearly the proposal results in some conflict with the adopted LDP, however residential use is considered

acceptable as redevelopment of this small section of the site will not prevent the wider site coming forward and could help stimulate development locally; in relation to 'piecemeal' development, the indicative layout has incorporated an access road that runs up to the east of the site boundary and could be extended in future to allow access to the wider allocated retail site. The site is located to the rear of existing residential properties, this part of the site does not enjoy a road-frontage and could cause amenity concerns for nearby residents. The site is disconnected from the main retail allocation and its loss would therefore have little impact on the ability of the wider site to meet the retail demands of the town.

- Conflict with Policy PSE7 must be balanced against other material considerations which includes social, community and economic benefits of housing and investment into and redevelopment of a brownfield site.
- 10% Affordable housing provision is offered in accordance with Policy BSC 4
- Provision of open space will be made in accordance with Policy BSC 11
- There are no other planning policy conflicts

The other documents confirm:

- a Code for Sustainable Homes Level 3 (plus 1 credit under ENE 1) could be achieved.
- The existing access with significant enhancements that address concerns about visibility and pedestrian provision is acceptable for the site and the traffic generated by the development would be less than what was generated by the Wool Depot.
- A detailed hydraulic modelling study and Flood Consequences Assessment conclude that the potential adverse consequences of a flooding event on the site will have a low impact and a low risk and that any exceptional or unexpected flood event can be managed to satisfactorily reduce its adverse effects.

1.2 Description of site and surroundings

1.2.1 The application site comprises 0.6ha of land in central Denbigh formerly the site of the Wool Depot. The site has been cleared of all previous development in connection with the Wool Depot. The site is relatively level.

1.2.2 To the south and west of the site is residential development, to the north are open fields protected as open space and to the east is Station Yard which is predominantly vacant. Access to the site is off Grove Road, between nos 31 and 33.

1.2.3 The site is bounded by high timber fencing.

1.3 Relevant planning constraints/considerations

1.3.1 The application site is located within the development boundary of Denbigh and allocated as a retail site within the Local Development Plan (as there was a valid planning consent for a foodstore and general retail development at the time of preparing the plan).

1.3.2 The site is located within a C2 Flood Zone as defined in the Development Advice Maps that accompany TAN 15: Development and Flood Risk.

1.3.3 The site is adjacent to the Denbigh Conservation Area.

1.4 Relevant planning history

1.4.1 The application site forms part of the larger Station Yard site, granted planning permission in 2009 for redevelopment by way of a mixed use scheme comprising 11,212 sq.m (gross internal area) of Class A1 retail floorspace, 504 sq.m (gross internal area) of Class A3 retail floorspace, public open space, internal roads and footways, associated car parking spaces, associated ancillary facilities and comprehensive hard and soft landscaping.

It is understood the Wool Depot buildings were demolished in 2012.

### 1.5 Developments/changes since the original submission

1.5.1 An updated Flood Consequences Assessment has been submitted along with a Hydrology and Modelling Report. A revised 'indicative' layout plan has been submitted along with an updated Design and Access Statement to reflect the adoption of the LDP in June 2013.

### 1.6 Other relevant background information

1.6.1 The Development Advice Maps within TAN 15 show the site to be predominantly within a C2 floodzone. The maps have not been updated to reflect the the Denbigh Flood Risk Management Scheme.

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

2.1 01/2007/1444/PF Redevelopment of site by way of mixed use development comprising 11,212 sq.m (gross internal area) of Class A1 retail floorspace, 504 sq.m (gross internal area) of Class A3 retail floorspace, public open space, internal roads and footways, associated car parking spaces, associated ancillary facilities and comprehensive hard and soft landscaping  
GRANTED 24<sup>th</sup> June, 2009.

01/2012/0272/DA Prior notification for the proposed demolition of 4 no. warehouse buildings  
GRANTED 26<sup>th</sup> March, 2012

## **3. RELEVANT POLICIES AND GUIDANCE:**

3.1 The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
**Policy RD1** – Sustainable development and good standard design  
**Policy BSC1** – Growth Strategy for Denbighshire  
**Policy BSC4** – Affordable Housing  
**Policy BSC11** – Recreation and open space  
**Policy PSE6** – Retail economy  
**Policy PSE7** – Proposals for new retail development  
**Policy ASA3** – Parking standards

### **3.2 Supplementary Planning Guidance**

Supplementary Planning Guidance Note 4: Recreational Public Open Space  
Supplementary Planning Guidance Note 22 Affordable Housing in New Developments  
Supplementary Planning Guidance Note 25: Residential Development Design Guide

#### Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012  
TAN 12: Design (2009)  
TAN 15: Development & Flood Risk (2004)  
TAN 22: Planning for Sustainable Buildings (2010)

## **4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Loss of land for retail development
- 4.1.3 Visual amenity
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Flooding
- 4.1.7 Highways (including access and parking)
- 4.1.8 Affordable Housing
- 4.1.9 Open Space
- 4.1.10 Sustainability including codes and water management
- 4.1.11 Contaminated land

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application involves residential development on an allocated retail area within the development boundary of Denbigh as identified in the adopted Local Development Plan. It obliges consideration of a range of planning policies and guidance which apply to the principles of development on land allocated for retail use and the provision of housing, as well as the policies relating to the assessment of localised impact of such development. The weighing up of the merits of the proposals involves due consideration of the socio-economic arguments in the context of the scheme being redevelopment of previously developed land within the development boundary of a town.

The main policies in the Local Development Plan which are relevant to the principle of the development are:

Policy BSC 1, which sets out the basic housing growth strategy for the County.

Policy PSE 7 which allocates land for new retail development and includes Station Yard because of an extant planning permission for food and non-food retail.

The LDP policies referred to above are in general conformity with the approach to development in Planning Policy Wales. Planning Policy Wales also contains a preference for the re-use of land which meets with the definition of 'previously developed land', in preference to greenfield sites.

Taking all the 'in principle' policies into account, it would be Officers' view that the proposal to redevelop the site for residential purposes does pose a potential conflict with policy as it involves the loss of part of an identified retail site, which needs to be weighed in the consideration of the merits of the application. The main issues are discussed in the following sections of the report.

4.2.2 Loss of land for retail development

Policy PSE 7 of the Local Development Plan allocates land for retail development and specifically Station Yard in Denbigh because of an extant planning permission for food and non-food retail. The planning permission was granted in June 2009 (expires June 2014) for the redevelopment of the site, which includes the application site, for a mixed use development comprising 11,212 sq.m (gross internal area) of Class A1 retail floorspace, 504 sq.m (gross internal area) of Class A3 retail floorspace, public open space, internal roads and footways, associated car parking spaces, associated ancillary facilities and comprehensive hard and soft landscaping.

The Economic and Business Development Manager has not expressed concerns over the loss of this small part of the larger retail site. The application site is on the edge of the overall site adjacent to existing residential properties and to allow residential development of this site would not prevent the wider site coming forward

(albeit that this could not then be developed in accordance with the 2009 permission). Potentially, developing this site may stimulate further development in the area.

Policy PSE 7 designates the site for retail purposes. The introduction of residential use is therefore in conflict with the policy. The retail allocation in the LDP was made on the basis of the planning permission for the redevelopment of the Station Yard site. This current proposal would result in the loss of 0.6ha of an overall retail site area of over 4.85ha. The application site is on the edge of the overall site, with the land taking up part of an area approved for a block of retail units with a rear delivery and service yard, please see plan at the front of this report showing the approved scheme for retail development.

Whilst the main permission for the foodstore and retail development remains in place until June 2014, it is understood that the scheme is unlikely to be implemented as a significant part of the site subject to the 2009 permission is in separate ownership.

The current applicant, LXB Properties, have been party to the discussions relating to the development of the wider redevelopment scheme for the site since 2009, however for a number of reasons the site has not come forward and therefore they have developed a standalone application for the Wool Depot site.

In terms of the retail allocation, it is not considered that the redevelopment of this small section of the site, which is on the edge of the larger site with a separate access would prevent a revised retail development coming forward on the larger site. The indicative layout has incorporated an access road to the east of the site that could be utilized in future however this would need further consideration in the context of consideration of a new scheme for the site.

In terms of the general character of the area, the former Wool Depot site is located in very close proximity to residential properties and it is considered that residential use is far more in keeping with the character of the area.

Officers' conclusion on the loss of 0.6 hectares of allocated retail land is that the proposal would not prevent a development of the Station yard site.

#### 4.2.3 Visual amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

There are no objections to the proposal based on potential visual impacts of the development.

No details of layout, house types etc have been submitted for consideration given this application seeks only outline planning permission, with access being the sole detail on which approval is being sought. Officers conclude therefore that it is not possible to assess detailed visual impacts given the application seeks outline permission with all matters, other than means of access, reserved for later approval.

#### 4.2.4 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact

on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

There are no local concerns expressed over potential for loss of privacy from new development on the site.

Whilst the application contains an illustrative layout indicating a possible format for a development of 17 dwellings, there are no elevation details or floor plans to allow assessment of the impact on adjacent properties. A detailed application would require careful consideration to address impacts on adjacent properties and the visual amenities of the area. Officers conclude therefore that it is not possible to assess detailed amenity impacts at this stage given the application seeks only outline planning permission with all matters, other than means of access, reserved for later approval

#### 4.2.5 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

There are no objections expressed over the potential impact on habitat as a result of development.

The only consideration regarding wildlife is for any works to trees or removal of vegetation which should be undertaken outside of the bird breeding season. If any trees support bats, an assessment should be undertaken before any works are undertaken.

#### 4.2.6 Flooding

Planning Policy Wales Section 13.2 identifies flood risk as a material planning consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed. The development advice maps of the site show most of the site to be located within a C2 flood zone, which is an area of the floodplain without significant flood defence. It should be noted that the development advice maps have not been updated to consider the benefit afforded by the Denbigh Flood Risk Management Scheme Works undertaken recently for Denbighshire County Council.

The TAN advises that the C2 classification should be used to indicate that only less vulnerable development should be considered subject to application of justification tests, including acceptability of the consequences and highly vulnerable development such as residential development should not be considered in this zone. However there are exceptions which allow development in a flood zone, if it can be demonstrated that the location is necessary to assist, or be part of, a local authority regeneration initiative or strategy to sustain an existing settlement; or the location is necessary to contribute to key employment objectives supported by the Local Planning Authority to sustain an existing settlement. In order for a development to be considered as an exception, the site must also meet the definition of previously developed land, as per the Planning Policy Wales definition. The most relevant elements of this definition are that previously developed land includes land which is or



was occupied by a permanent structure and associated fixed surface infrastructure (excluding agricultural or forestry buildings) and land where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings. Finally a Flood Consequence Assessment (FCA) is required to be submitted to support the application for the exception, to explore the potential consequences of a flooding event for the particular type of development proposed.

The proposed development has been the subject of prolonged discussions with NRW and a Flood Consequence Assessment along with a Hydrology and Modelling Report has been submitted in support of the proposal.

NRW have ultimately raised no objections to residential development of the site subject to the inclusion of conditions relating to finished floor levels, the construction details of a replacement debris screen at the culvert inlet and also requiring the submission of a surface water drainage regulation system.

It is Officers opinion in relation to the exception tests that the development is 'justified', the site is previously developed land located within the development boundary of Denbigh and would assist the local authority's strategy to sustain an existing settlement by providing new housing. The Flood Consequences and Hydrology and Modelling Report submitted in support of the application demonstrate that the risks of flooding can be acceptably managed and NRW have not raised an objection to the proposal subject to conditions. It is therefore considered that the proposal represents an acceptable form of development which meets the relevant tests in TAN 15.

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

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

Residents have made comments regarding the loss of parking for the residents of 33 to 45 Grove Road, who utilise an area of land at the bottom of Grove Road in the ownership of the applicant, in an area where the Wool Depot building was previously located. The proposal is to utilise the existing vehicular access off Grove Road which is located in between 2 residential properties. The access is shown to be improved with visibility splays achieved in both directions. The highway officer raises no objections subject to inclusion of conditions including further details of the access and highway improvements, street lighting, drainage, signage, internal estate road along with details of the site compound location, traffic management scheme, vehicle washing facilities and details of the operation and management of construction vehicles.

The indicative layout does include parking bays to the west of the access road as parking for residents, however the loss of the area currently used by residents, which is privately owned land does not raise any highway concerns locally. Having due regard to the historic use of the site, the nature of the local road network and the response of the Highway Officer it is not considered there are any significant highway concerns likely to arise from the proposal.

#### 4.2.8 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing either on site on developments of 10 or more residential units or by way of a financial contribution on development of less than 10 residential units is

Officers' view is that it would be reasonable to deal with contaminated land matters through the imposition of planning conditions.

**5. SUMMARY AND CONCLUSIONS:**

5.1 In Officers' opinion there are no fundamental concerns over residential use of the site. The proposed use is considered to be in keeping with the character of the area.

5.2 It is not considered that the proposal, to develop a small part of the approved retail development, would prejudice that site's ability to bring forward retail development.

5.3 In accordance with Welsh Government Circular 07/12, the Local Planning Authority are required to notify Welsh Government of an intention to Grant Planning Permission for highly vulnerable development of more than 10 dwellings due to the sites location within a C2 floodzone. The Local Planning Authority must not grant planning permission until the expiry of the period of 21 days beginning with the date which the Welsh Ministers tell the Authority in writing is the date upon which they received the notification: hence the recommendation is subject to referral to Welsh Government and confirmation that permission may be granted.

**RECOMMENDATION: - GRANT** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
5. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailed mechanism for the provision of affordable housing as part of the development, in accordance with the Council's Policies and Supplementary Planning Guidance, has been submitted to and approved in writing by the Local Planning Authority.
6. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailed arrangements for the provision for amenity and open space within the site in accordance with the Council's policies and guidance.
7. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010.
8. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.
9. Prior to the occupation of each of the dwellings hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes.
10. Works to trees/vegetation should be undertaken outside the bird breeding season and of any trees are found to support bats, an assessment should undertaken before works proceed.
11. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailed layout, design, means of traffic calming, street

lighting, signing, drainage and construction of the internal estate road, access improvements and the associated highway. The development shall be constructed in accordance with such approved details.

12. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to the site compound location, traffic management scheme, vehicle wheel washing facilities, hours and days of operation and the management and operation of construction vehicles. The development shall be constructed in accordance with such approved details.

13. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be agreed with the Local Planning Authority, and shall be completed prior to the proposed development being brought into use.

14. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme to ensure that Finished Floor Levels are set no lower than the corresponding modelled 1 in 100 year (including an allowance for climate change and a 100% blockage of the culvert) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall also provide details of the proposed ground levels and details of the flood exceedance routes that will be required through the site and beyond, directly to the east of, and south east, of the application area. The development shall be constructed in accordance with such approved details.

15. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme for the construction of a replacement debris screen at the culvert inlet (built in accordance with best practice guidance) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include warning signage to inform residents of the importance of maintaining access to the culvert inlet so that clearance of the screen can be undertaken if and when required. The development shall be constructed in accordance with such approved details.

16. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme for the implementation of a surface water drainage regulation system has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall also include details of the land drainage system that is proposed to intercept surface water from the northern escarpment. The development shall be constructed in accordance with such approved details.

17. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a scheme for the adoption and/or management of the culvert inlet trash screen and the culverted watercourse passing beneath the site. The development shall be constructed in accordance with such approved details.

18. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a remediation strategy that includes the components listed below to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- a. all previous uses.
- b. potential contaminants associated with those uses
- c. a conceptual model of the site indicating sources, pathways and receptors.
- d. potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

19. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a verification report demonstrating completion of works set

out in the approved remediation strategy and the effectiveness of the remediation. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

20. No development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained for a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The application is for outline permission with details of means of access only.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. To ensure a satisfactory standard of development, in the interests of visual amenity.
5. In the interest of compliance with adopted affordable housing policies.
6. In the interest of compliance with adopted open space policies.
7. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
8. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
9. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
10. In the interests of nature conservation.
11. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
12. In the interest of the free and safe movement of traffic on the adjacent highway and in the interests of highway safety.
13. To provide for the loading, unloading and parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
14. To reduce the risk of flooding to the development and future occupants.
15. To reduce the risk of flooding to the development and future occupants.
16. To prevent flooding by ensuring the satisfactory storage of, and disposal of, surface water.
17. To ensure the long term management of the watercourse and associated infrastructure.
18. The controlled waters at this site are of high environmental sensitivity due to the sites being on a principal aquifer and contamination is known at the site from the previous land uses.
19. To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
20. To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
21. Unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

**NOTES TO APPLICANT:**

Please find attached response and Advisory Notes from Dwr Cymru Welsh Water.

Your attention is drawn to the following:

- (i) Highway Supplementary Notes Nos. 1,3,4,5,6,7,8,9 & 10.
- (ii) New Roads and Street Works Act 1991-Part N Form.
- (iii) Denbighshire County Council Specification for Road Construction.
- (iv) Denbighshire County Council General Notes for Highway Lighting Installations.
- (v) Denbighshire County Councils General Requirement for Traffic Signs and Road Markings.

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

Graham Boase  
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Denbighshire County Council  
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Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:  
01/2013/0899/PF  
Lleweni Hall  
Denbigh

2

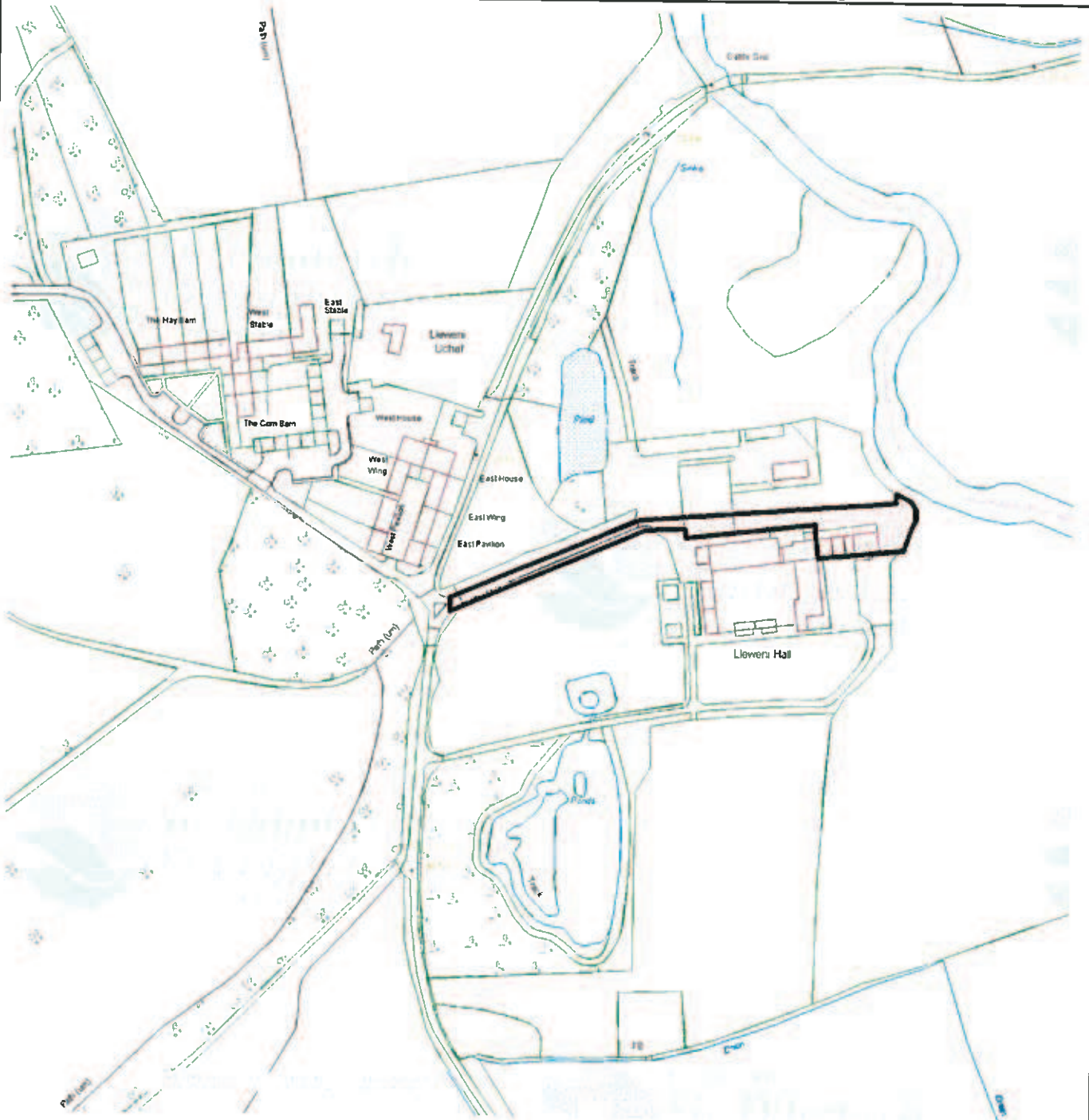
 Application Site



Date 6/1/2014  
Centre = 308079 E 368522 N

Scale 1/2500

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



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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrau Ei Mawrhydi  
© Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain i gortyniad neu achys sifil. Cyngor Sir Ddinbych 100023408. 2011

# SITE PLAN



Based on GIS information, University of Utah 1/14/05

## Legend

- coverage of new dwelling
- new landscaped garden/terrace area for new dwelling
- permeable gravel paving with trench curbs on compact stone fill over geotextile fabric and subgrade
- existing handstands
- new four drainage units
- new surface water drainage curb
- new native tree species planting
- existing trees (approx location)
- existing ground level
- proposed ground level
- FFL
- finished ground floor level of new dwelling
- finished ground floor level of existing buildings

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**Site and Block Plan**

Project: **Alterations to Liemard Hall**

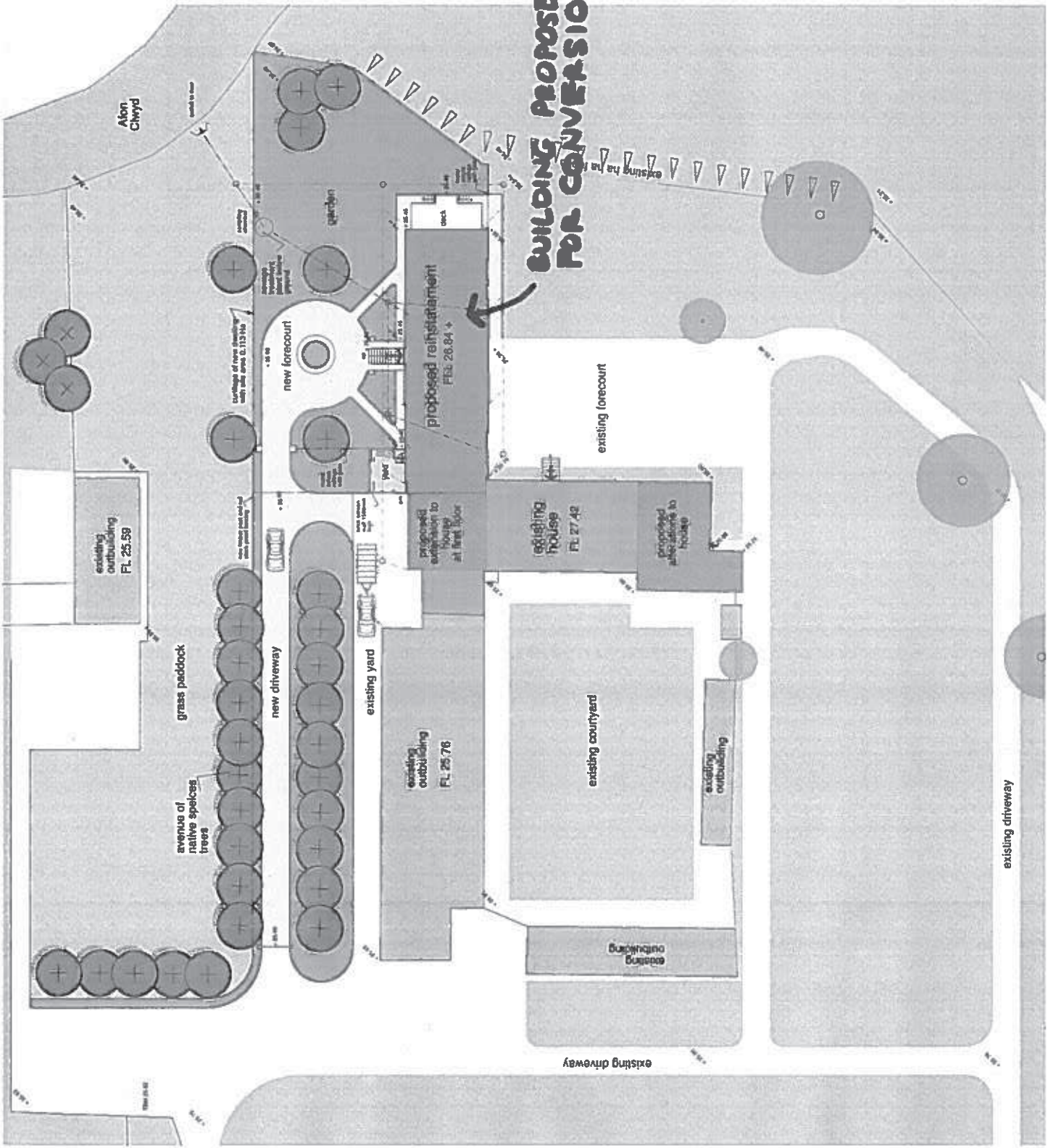
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Date: 11/28/05

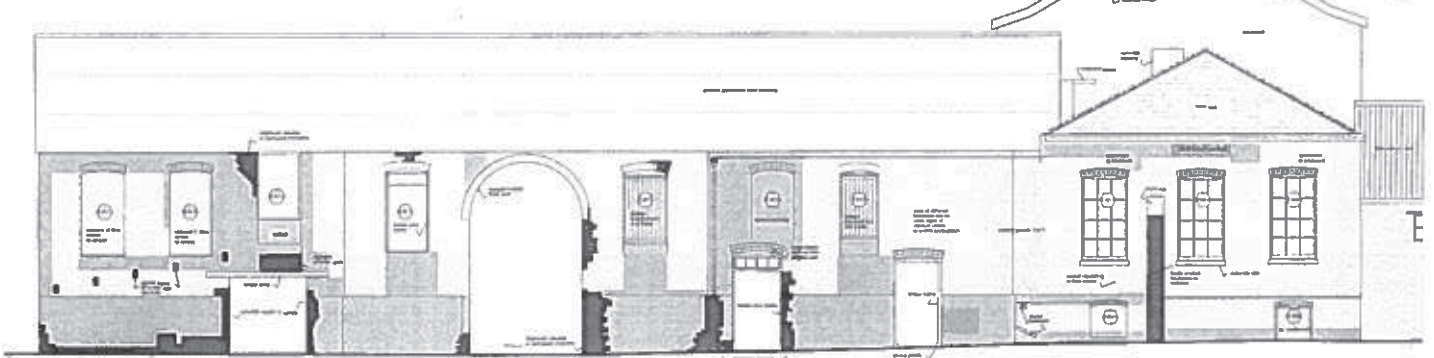
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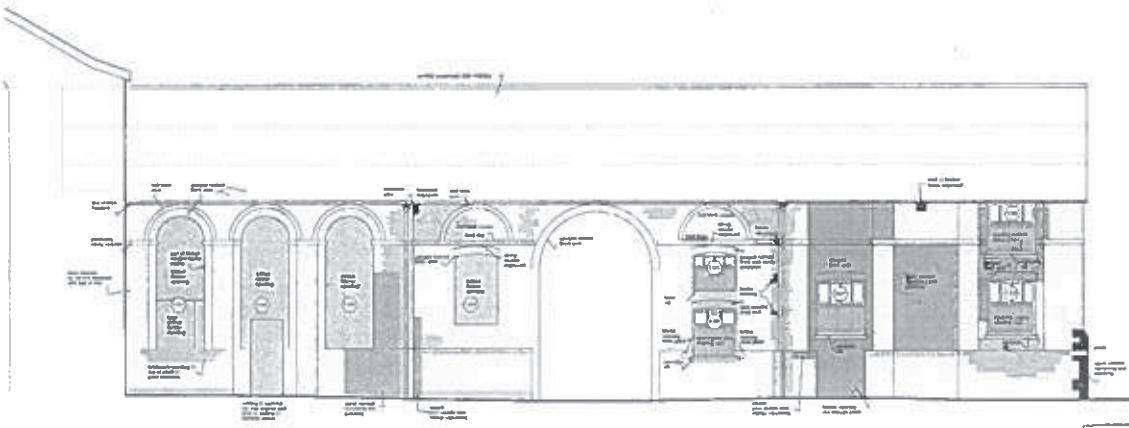




# EXISTING ELEVATIONS



EXISTING NORTH ELEVATION



EXISTING SOUTH ELEVATION

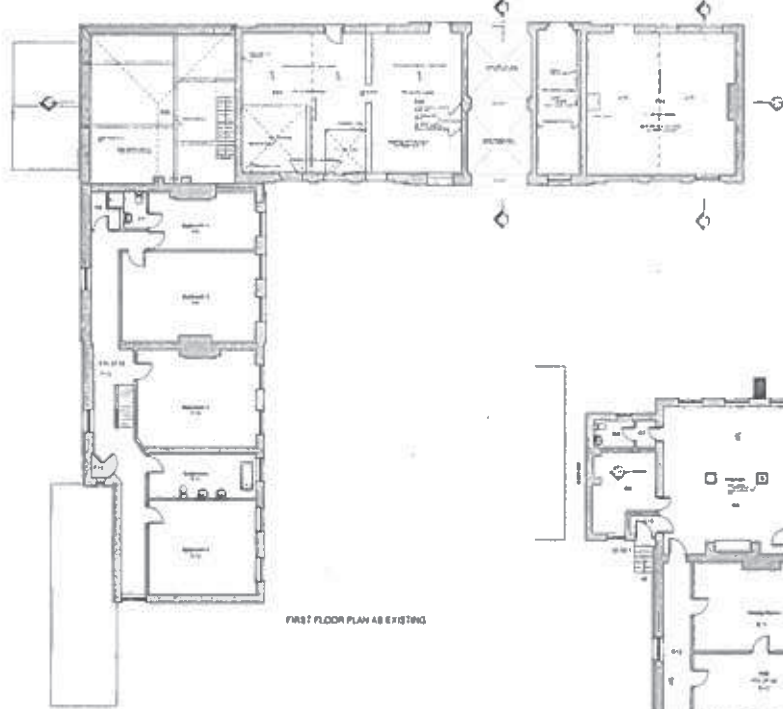
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■ Area of masonry replacement - masonry to be replaced with brick  
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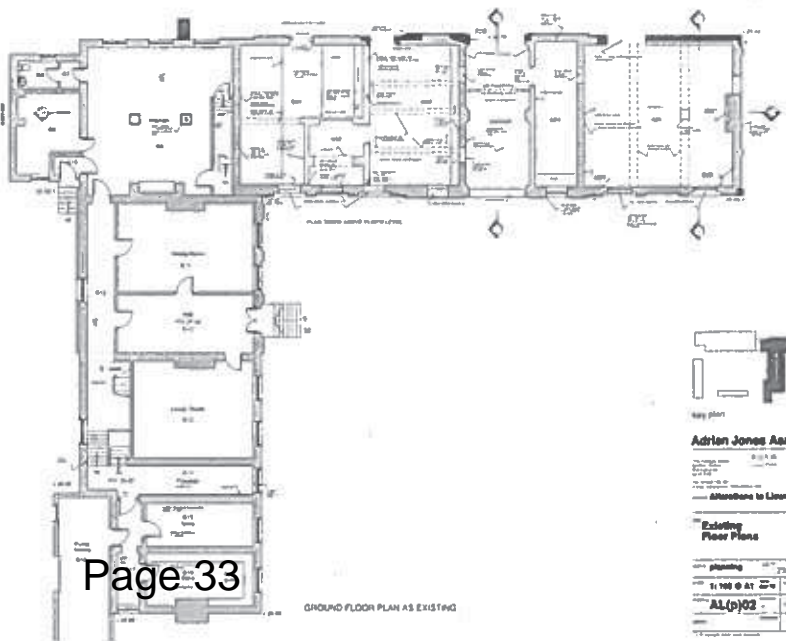
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**Existing North and South Elevations showing proposed repairs**  
 planning 7/2005  
 1:100 @ A1  
 AL(p)04

# EXISTING FLOOR PLANS



FIRST FLOOR PLAN AS EXISTING



GROUND FLOOR PLAN AS EXISTING

■ 2007.7.26  
 ■ 2007.7.26  
 ■ 2007.7.26

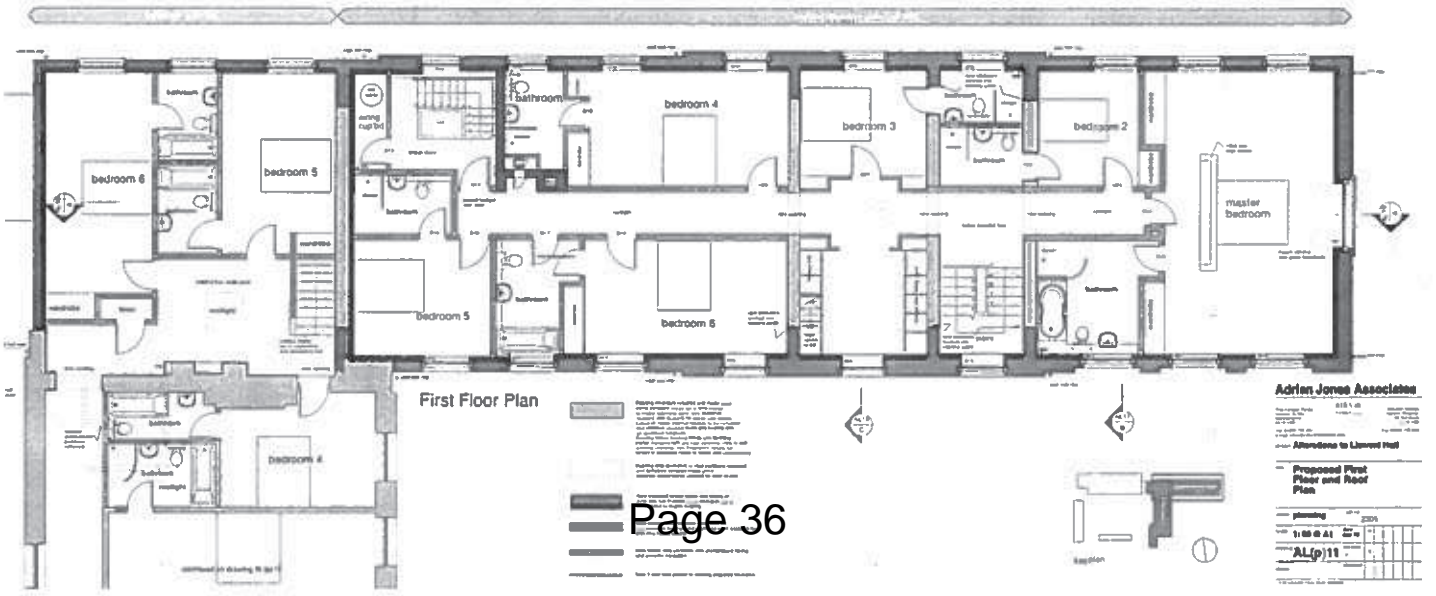
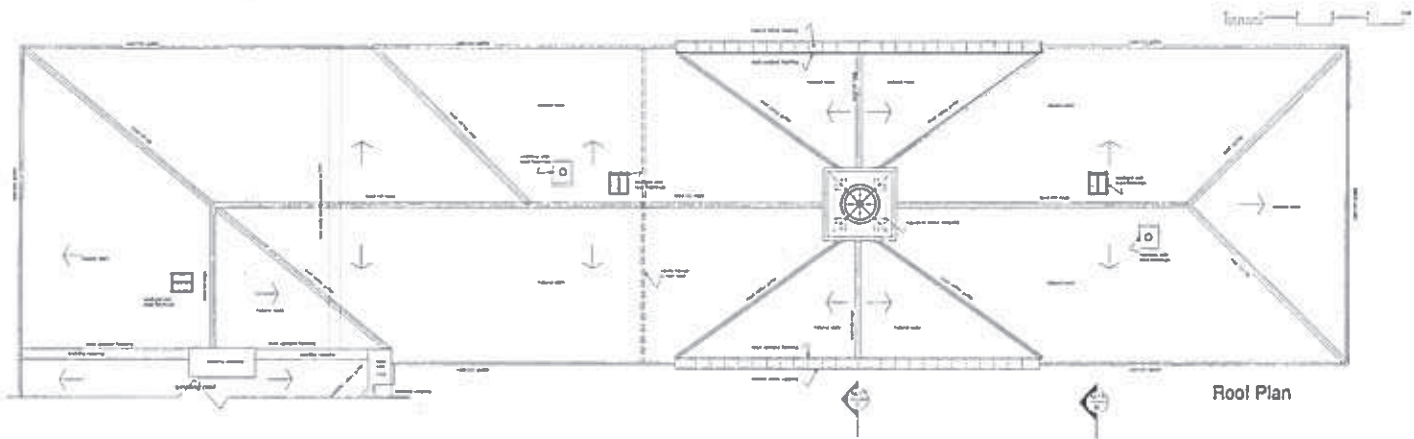
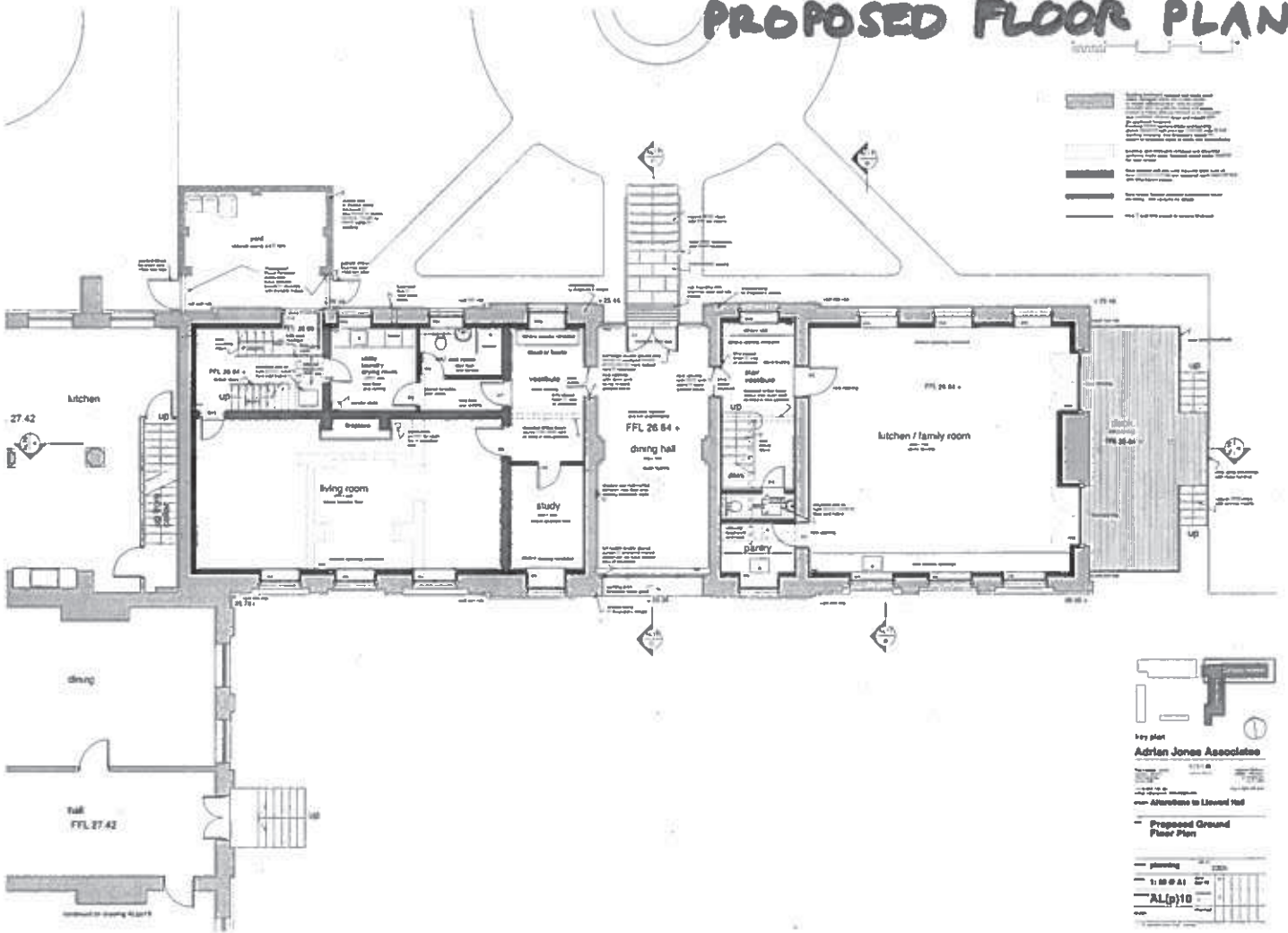
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**Existing Floor Plans**  
 planning 7/2005  
 1:100 @ A1  
 AL(p)03





# PROPOSED FLOOR PLANS



**ITEM NO:** 2  
**WARD NO:** Denbigh Lower  
**WARD MEMBER(S):** Councillors Ray Bartley & Richard Davies  
**APPLICATION NO:** 01/2013/0899/ PF  
**PROPOSAL:** Conversion and extension of stable wing to form 1 no. dwelling and installation of a package treatment plant  
**LOCATION:** Lleweni Hall Denbigh  
**APPLICANT:** Mr & Mrs J & C Kissane  
**CONSTRAINTS:** C2 Flood Zone  
B Flood Zone  
PROW  
Listed Building  
**PUBLICITY UNDERTAKEN:** Site Notice - No Press Notice - No Neighbour letters - Yes

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

- DC Manager discretion

**CONSULTATION RESPONSES:**

DENBIGH TOWN COUNCIL:  
"No objection"

NATURAL RESOURCES WALES  
No objection, subject to conditions relating to finished floor levels of the proposed dwelling.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Biodiversity Officer  
No objection.

Conservation Officer  
In relation to the detailing, believes the proposals are extremely well considered and will allow the Grade II\* building to be safeguarded for generations to come.

Head of Highways and Infrastructure  
- Highways Officer  
No objection.  
- Rights of Way Officer  
No objection.

Valuation and Estates Manager  
Considers the costings put forward by the Agent to be realistic, and that to convert the building for affordable housing purposes is not economically viable.

**RESPONSE TO PUBLICITY:**

Representation received:  
Mr Witter, Lleweni Airfield

Summary of representations:  
Access issues, concerns over right of way conflicts.

**EXPIRY DATE OF APPLICATION: 09/09/2013**

**REASONS FOR DELAY IN DECISION:**

- timing of receipt of representations
- additional information required from applicant

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 Full planning permission is sought for the conversion of an outbuilding attached to the Grade II\* Listed Building at Lleweni Hall, referred to as the 'North Wing'.
- 1.1.2 The conversion involves substantial alterations to reinstate the original form of the wing. The alterations include re-positioning of the first floor, roof, and original fenestration pattern of the building as well as reinstatement of the original cupola. In basic terms what is proposed is the addition of a first floor to the outbuilding to match the overall height of the attached Hall. Members can see the proposed alterations on the plans at the front of the report.
- 1.1.3 The scheme of conversion would create a dwelling with 6 bedrooms, each with ensuite facilities, a kitchen, dining room, living room, utility and study.
- 1.1.4 The gross internal floor space of the proposed dwelling would be approximately 440 sqm. The site area is 0.113 ha.
- 1.1.5 Externally the yard to the north and north east of the building would be used as a forecourt and grassed garden area. Access would be via a driveway from the existing yard to the west of the complex.
- 1.1.6 The supporting documents include a Design, Access and Justification Statement, a Flood Consequence Assessment, Structural Report and Protected Species Survey.

**1.2 Description of site and surroundings**

- 1.2.1 The site is located in the open countryside to the north east of Denbigh. The site is bounded by agricultural land and the river Clwyd to the east of the site.
- 1.2.2 The Lleweni complex contains a number of historic buildings. Lleweni Hall is a Grade II\* listed building comprising of the hall, the attached outbuilding to which this application relates and three farm ranges. To the west of the main hall, is the Carriage Yard, which is Grade II\* listed in its own right and was converted into dwellings some 10 years ago.
- 1.2.3 The North Wing is a brick built building with a corrugated roof which the Agent advises is close to collapse, which can be seen by propping and a crash deck that have been erected to mitigate the danger from potential collapse.
- 1.2.4 It is believed that the last use of the building was for storage ancillary to the dwelling in the main hall. The former agricultural or stable use ceased 10 years ago.

**1.3 Relevant planning constraints/considerations**

- 1.3.1 The site is located in the open countryside outside any development boundary in the Local Development Plan. It is also located in a C2 flood zone as defined by the

## Development Advice Maps of TAN 15.

### 1.4 Relevant planning history

- 1.4.1 A corresponding listed building application has been submitted for consideration of the changes to the listed building.

### 1.5 Developments/changes since the original submission

- 1.5.1 The application was originally submitted in July 2013. However, on the advice of the Conservation Officer, amended plans were sought to address an issue with fenestration detailing on the east elevation.
- 1.5.2 Officers also requested additional information to address planning policy issues in the Design and Access Statement.

### 1.6 Other relevant background information

- 1.6.1 In support of the case, the Agent has done a significant amount of research into the history of the North Wing. With photographic evidence, he proves that the reinstatement work would restore the building to its original form which was lost in the 1920's.

## 2. DETAILS OF PLANNING HISTORY:

- 2.1 None

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

- Policy PSE 4 – Re-use and adaptation of rural buildings in open countryside
- Policy VOE 1 – Key areas of importance
- Policy VOE 4 – Enabling Development
- Policy BSC 3 – Securing infrastructure contributions from development
- Policy BSC 11 – Recreation and open space

### 3.2 Supplementary Planning Guidance

- SPG 4 – Open Space Requirements in New Developments
- SPG 7 – Residential Space Standards
- SPG 16 – Conversion of Rural Buildings
- SPG 18 – Species Protection and Nature Conservation

### 3.3 Government Policy / Guidance

- Planning Policy Wales Edition 5 November 2012
- Technical Advice Note 5 – Nature conservation and planning (2009)
- Technical Advice Note 12 – Design (2009)
- Technical Advice Note 15 – Development and Floodrisk

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Highways (including access and parking)
- 4.1.6 Employment Use Test
- 4.1.7 Affordable Housing
- 4.1.8 Enabling Development
- 4.1.9 Open Space
- 4.1.10 Floodrisk

4.2 In relation to the main planning considerations:

4.2.1 Principle

The proposal is for the conversion of an outbuilding in the open countryside to a dwelling. Local Development Plan Policy PSE 4 Re-use and adaptation of rural buildings in open countryside allows for such conversions where the scheme of conversion makes a positive contribution to the landscape, any architectural features of merit are retained, it is demonstrated that an employment use is not viable, and the resulting dwelling is affordable for local needs. It is considered that a proposal of this nature would be acceptable in principle subject to assessment of its impacts and compliance with the specific criteria of Policy PSE 4. These are set out in the following paragraphs.

4.2.2 Visual amenity/AONB

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is repeated in Policy PSE 4 which requires conversion schemes to make a positive contribution to the landscape. Policy VOE 1 acknowledges the importance of sites of built heritage and supports development which would maintain and enhance these.

The application proposes substantial alterations to a Grade II\* listed building, most notably the reinstatement of the original floors, which would necessitate the increase in overall height of the current building to match that of the existing hall. A number of alterations are proposed to the openings on all elevations. The Conservation Officer considers that the scheme of conversion is sympathetic to the character and historic significance of the building.

With regard to the specific detailing of the scheme of conversion it is considered that the detailing would enhance the appearance of the Grade II\* listed building, and the proposal offers opportunities to assimilate and improve what is a building in poor condition into the landscape and complex of historic buildings. The proposal is considered acceptable regarding its impact upon visual amenity and the listed buildings.

4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. Further guidance on the acceptability of a



proposal in terms of the amenity it would provide for occupants is contained in Supplementary Planning Guidance Note 7, Residential Space Standards.

The nearest dwelling to the site is the attached Hall. Other dwellings in the area are located in the carriage yard conversions to the west of the site. The principal windows of the proposed dwelling would face north, south and east. Internally the rooms would range in size from 9sqm (smallest bedroom) to 60sqm (kitchen family). The living room would be 43sqm. In total the conversion would provide a gross internal floor area of approximately 440sqm and 6 bedrooms. Externally there would be in excess of 700sqm of garden/parking area.

With regard to the requirements of SPG 7 it is considered that the proposal clearly exceeds the minimum space standards and it is considered that the scheme of conversion would provide adequate amenity for future occupants. It is also considered that given the orientation of the building, its siting in relation to the attached and neighbouring dwellings, the use of the building as a dwelling would not result in harm to the residential amenity of occupiers of nearby properties.

#### 4.2.4 Ecology

Policy VOE 1 seeks to ensure that wildlife and bio-diversity are not negatively affected as a result of development.

A Bat and Bird survey has been submitted with the application. The survey found no evidence of bats in the building proposed to be converted although bats were present in the main house. No birds were found to be nesting in the building. NRW and the Biodiversity Officer have asked for the recommendations of the ecological survey to be conditioned if permission is granted.

In the absence of any protected species it is considered that the ecological impacts of the proposal are acceptable. It is considered prudent however to attach a note to applicant to advise that all contractors follow the code of best practice.

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

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The proposal would utilise an existing access and no alterations are proposed. The submitted site layout shows a large area allocated for parking and turning. The County Council's Highway Engineer has not raised an objection to the proposal. Concerns have been raised by an adjacent landowner over rights of way and the access arrangements.

With respect to the comments raised by the adjacent landowner these are civil issues outside the remit of the planning process. It is considered that the proposal is acceptable in terms of its impact upon highway safety, and sufficient parking and turning space can be accommodated within the site.

#### 4.2.6 Employment Test

Policy PSE 4 permits conversions of rural buildings to dwelling houses where it is demonstrated that there are no viable alternative employment uses.

The application is accompanied by a statement from the Agent which refers to policy PSE 4 and the requirement for a marketing test. Employment uses for the building has been deemed as 'not feasible' because of the costs of stabilising, repairing and converting the building to a standard required for a listed building. The Agent also states that the access arrangements would not be suitable for commercial uses. The County Council's Valuation and Estates Manager has confirmed that there is a low demand for commercial uses in this type of location.

Given the statement of the Agent, and in the absence of any evidence to the contrary, and the fact that this is a Grade II\* listed building in disrepair within a group of listed buildings, it is considered that the building is unlikely to be attractive for, or to come forward as a commercial unit. It is therefore not considered the failure to meet the employment use test is a reasonable ground for refusal.

#### 4.2.7 Affordable Housing

Policy PSE 4 states that where it is accepted that there is no commercial use viable for a rural building it may be converted to a dwelling, but that dwelling must be affordable for local needs.

The requirement for the dwelling to be affordable for local needs has been put to the Agent. The Agent has responded with a detailed argument on the basis of the costs of repairing and converting the listed building would make it an unviable project if the dwelling had to be made available for local affordable needs. The Agent has suggested that the total cost of conversion would be in the order of £490,000. An approximate price guide for the purchase of an affordable four bedroom dwelling in this area is £161,000. The Agent's figures have been examined by the County Council's Valuation and Estates Manager who has concluded that they are not unrealistic estimations and reflect a reasonable purchase price of the building.

The application raises difficult issues in relation to LDP Policy PSE 4. It is acknowledged that there is a clear need for affordable housing across the whole of the County, as evidenced in deliberations at the recent Local Development Plan Inquiry. Policy PSE 4 has the intention of addressing the shortfall of affordable housing in rural areas. However, it is inevitable that the application of this policy must be flexible, and based on the merits of each individual application. The financial details submitted in this application clearly show conversion and sale or rent of the listed building for local affordable needs would not be commercially viable. It is therefore considered in this instance that the building is unlikely to come forward as an affordable unit for viability reasons and a high risk that the building would therefore remain empty, and become a problem site within the AONB. In Officers opinion it would be unreasonable in this instance to insist on provision of an affordable unit.

#### 4.2.8 Enabling Development

Policy VOE 4 states that enabling development may be permitted as a way of resolving the status of heritage assets designated at 'at risk' provided a number of criteria are met. The most relevant of these is that the enabling development must not harm the setting of the heritage asset, the proposal avoids detrimental fragmentation of the heritage asset and the proposal will secure the future of the asset.

This policy has been referred to by the Agent in the supporting documentation; the structural report confirms that the building is close to being a dangerous structure and if left it will suffer collapse. The Agent also advises that without intervention the collapse of the North Wing may impact on the main hall. A CADW grant was sought for the work but was turned down, therefore the only viable means of funding the works required for reinstate the building to a sustainably sound condition is by the proposed development. The Conservation Officer has advised that the building is not classified as 'at risk', however as the stable formed part of the Lleweni Listing it may not have been considered on its own right, rather as part of the Hall which would not have been 'at risk'. In her view the proposal is a viable and necessary development for the preservation a building in a precarious state.

Enabling development is classified as development that would be unacceptable in planning terms but for the fact that it would bring heritage and public benefits sufficient to justify it being carried out and which would not be otherwise achieved. Financial viability of a scheme is a key issue where there is a heritage asset at risk. Is it typical to allow new building in order to general funds to repair the heritage asset. Strictly speaking policy VOE 4 would not be of direct relevance to this proposal as the heritage asset is not designated as 'at risk' and there are policies applicable to the reuse of rural buildings in the open countryside. However Officers have to take into account the fact that the building is a heritage asset that would benefit from the proposed development.

#### 4.2.9 Open Space

Local Development Plan Policy BSC 3 seeks to secure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

As the current application seeks the creation of an additional unit it is considered appropriate to require the relevant Open Space to be provided. The open space requirement can be subject to the imposition of a suitably worded planning condition to secure the relevant provision.

#### 4.2.10 Floodrisk

Planning Policy Wales Section 13.2 identifies flood risk as a material planning consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed. The development advice maps of the site show the site located within a C2 flood zone, which is an area of the floodplain without significant flood defence. The TAN advises that the C2 classification should be used to indicate that only less vulnerable development should be considered subject to application of justification tests, including acceptability of the consequences, highly vulnerable such as residential development should not be considered in this zone. However there are exceptions which allow development in the flood zone, if it can be demonstrated that the location is necessary to assist, or be part of, a local authority regeneration initiative or strategy to sustain an existing settlement; or the location is necessary to contribute to key employment objectives supported by the Local Planning Authority to sustain an existing settlement. In order for a development to be considered as an exception, the site must also meet the definition of previously developed land, as per the Planning Policy Wales definition. The most relevant elements of this definition are that previously developed land includes land which is or was occupied by a permanent structure and associated fixed surface infrastructure (excluding agricultural or forestry buildings) and land where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings. Finally a Flood Consequence Assessment (FCA) is required to be submitted to support the application for the exception, to explore the potential consequences of a flooding event for the particular type of development proposed.

It is Officers opinion in relation to the exception tests that the development may be 'justified' as it would protect a heritage asset. The application relates to an existing building, used in connection with the attached dwelling. Natural Resources Wales Officers have considered the submitted FCA. They have not objected to the proposal, however they have suggested a condition relating to floor levels be attached and notes to Applicant be included in the decision. Officers must take the advice of the Environment Agency in relation to flooding issues, and in this instance this demonstrates that the proposal complies with TAN 15 in terms of flood risk.

#### 4 SUMMARY AND CONCLUSIONS:

5.1 The report attempts to highlight the specific issues arising with regard to Policy PSE 4. It acknowledges the basis of the policy, but that there are other material considerations relating to this application which must be taken into account alongside the need to provide affordable dwellings in the open countryside.

5.2 In this case, the arguments of viability cannot be ignored and such arguments strongly indicate that if the Local Planning Authority were to insist on the dwelling being for affordable local needs only, the scheme would not proceed, and the Grade II\* building would ultimately be likely to suffer collapse.

5.3 There is a need to balance the need to provide affordable housing and the need to preserve the character of Listed Buildings, particularly Grade II\* Buildings which make up only 6% of Listed Buildings in Wales. In this instance, with a high possibility of the building not coming forward as an affordable dwelling it is considered reasonable to grant permission in the interest of avoiding future harm to the character of the Listed Building.

#### RECOMMENDATION: GRANT - subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No development shall be permitted to commence until the mechanism for meeting the requirements of the Local Planning Authority's policy for provision of recreational open space in conjunction with the development has been agreed in writing by the Local Planning Authority.
3. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Consequence Assessment (FCA) Brian Killingworth Ltd, 163/13, and the mitigation measures detailed within the FCA. In particular the finished floor levels should be set no lower than 26.84m above Ordnance Datum (AOD), the proposed driveway levels shall be set no lower than 25.60m above Ordnance Datum (AOD), and the mitigation measures shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interest of providing public open space.
3. To reduce the risk of flooding to the proposed development and future occupants and to ensure safe access and egress from and to the site.

#### NOTES TO APPLICANT:

You are advised that the Local Planning Authority has granted this permission solely on the basis that the proposal involves the conversion of the building to a dwelling, to be carried out strictly in accordance with the approved plans. Any alteration or demolition work deviating from that shown on the approved plans, unless agreed by the Local Planning Authority, involving the rebuilding of part or all of the outbuilding will invalidate the planning permission.

#### Biodiversity

The Biodiversity Officer had advised your attention should be drawn to the following:

The Biodiversity Officer had advised your attention should be drawn to the recommendations within the ecological report which should be followed. Namely:

1. Maintenance of the basement area to the kitchen as winter hibernation roost and introduction of bat boxes

2. The general precautionary recommendations during the conversion phase are followed
3. The bat friendly conversion suggestions are considered and introduced where appropriate

#### Flood Defence Consent

Please be advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of Natural Resources Wales is required for any works or structures located in, under, over or within 7 metres of the bank top of the River Clwyd, designated "main river".

#### Environment Management

The private treatment plant and reed bed associated with this development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from Natural Resources Wales, unless an exemption applies. The applicant is advised to contact Natural Resources Wales for further advice and to discuss the issues likely to be raised. You should be aware that a permit may not be granted. Additional guidance on 'Environmental Permitting' can be accessed: <http://www.environment-agency.gov.uk/business/sectors/32320.aspx>.

#### Listed Building Consent

You are hereby reminded that the works to which this permission relates also require Listed Building Consent and that it does not necessarily follow that such Consent will be granted. It is a criminal offence for demolition works or other operations affecting the character of a listed building (including internal alterations) to be carried out until Listed Building Consent has also been granted.

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

Graham Boase  
 Head of Planning & Public Protection  
 Denbighshire County Council  
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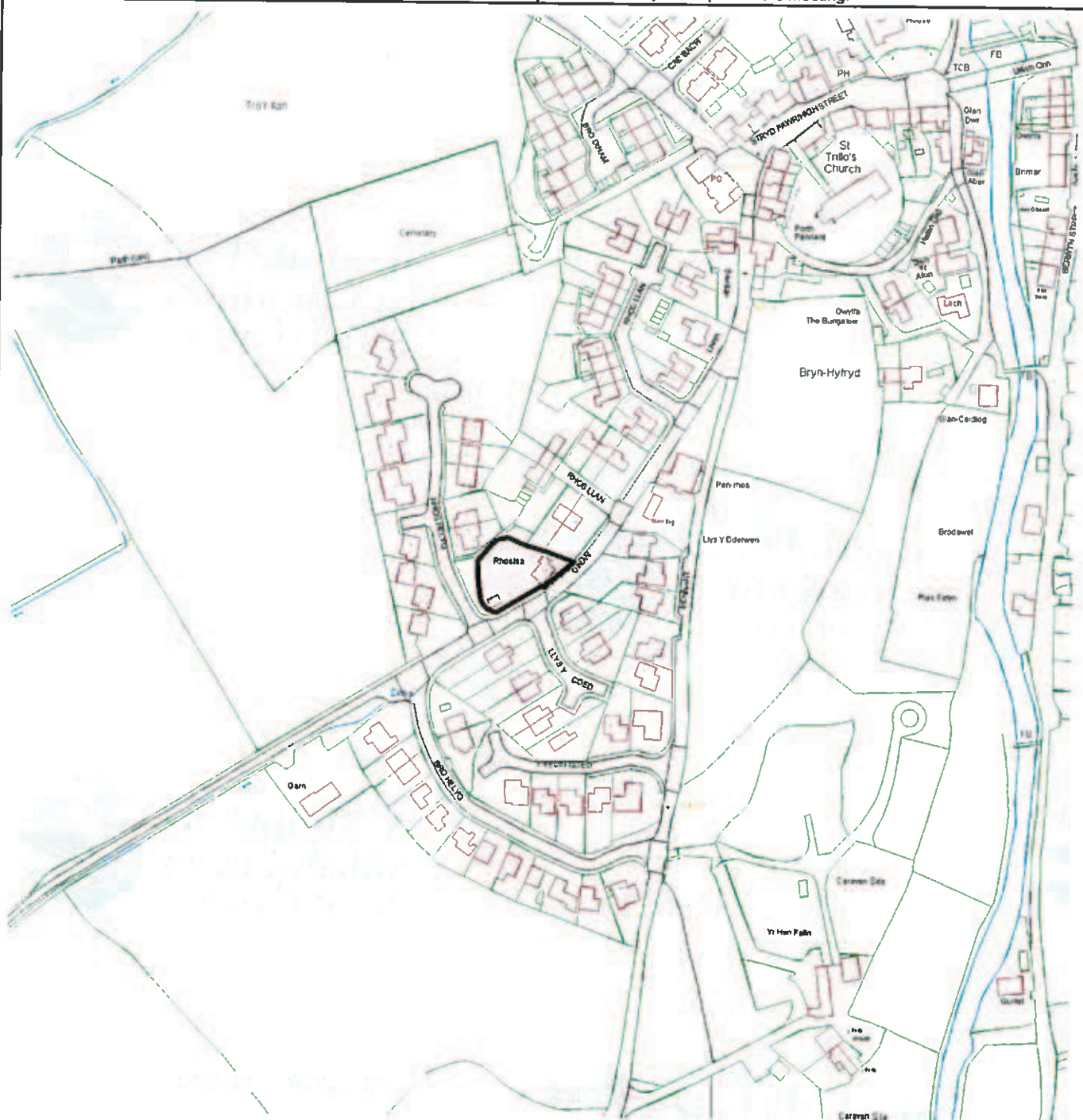
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 07/2013/1233/PF  
 Rhos Isa  
 Llandrillo

 Application Site



Date 6/1/2014 Scale 1/2500  
 Centre = 303297 E 336908 N

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



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**CYNGOR**  
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**COUNTY COUNCIL**

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Heading  
 07/2013/1233/PF  
 Rhos Isa  
 Llandrillo

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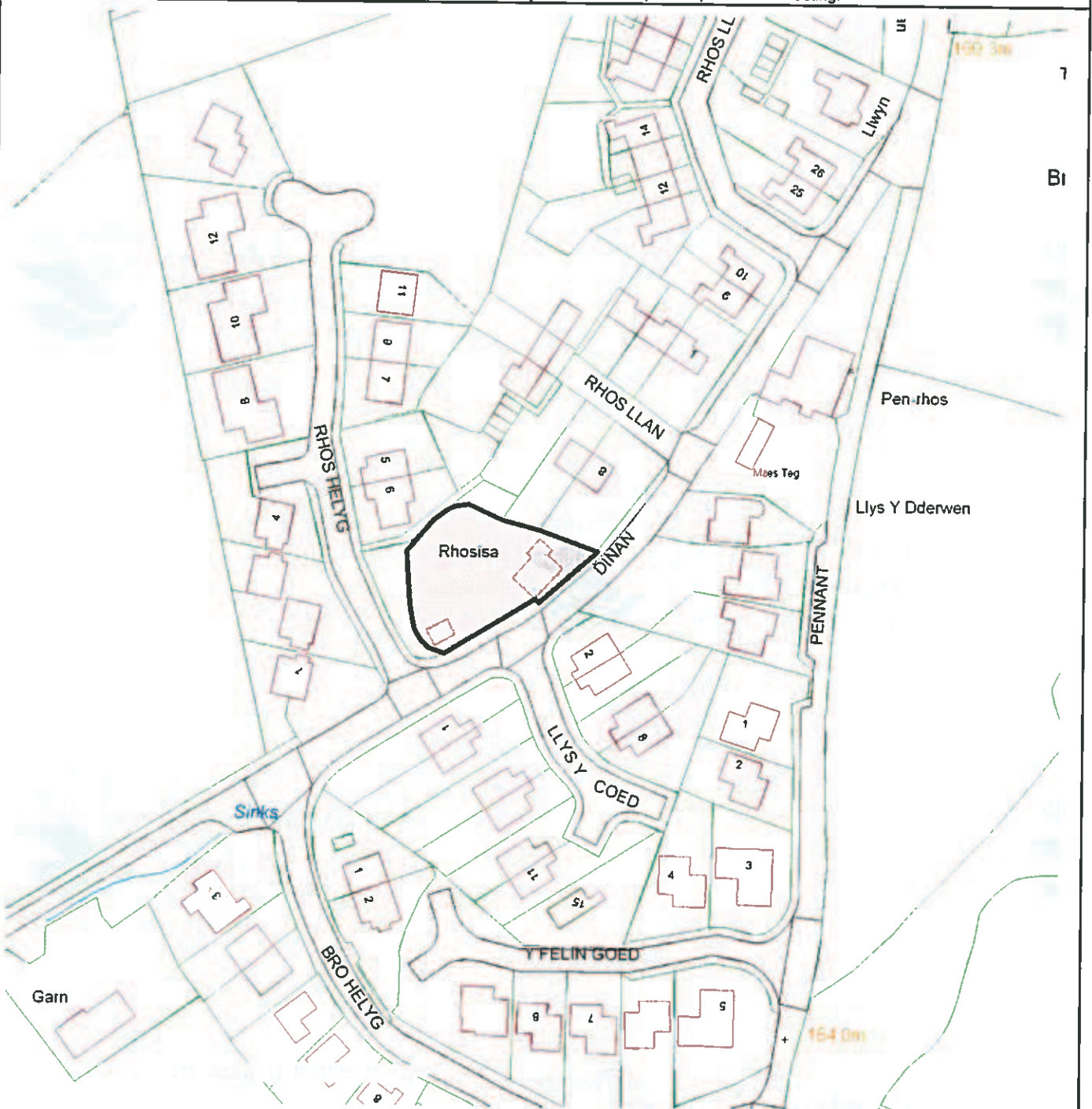
 Application Site



Date 6/1/2014  
 Centre = 303297 E 336908 N

Scale 1/1250

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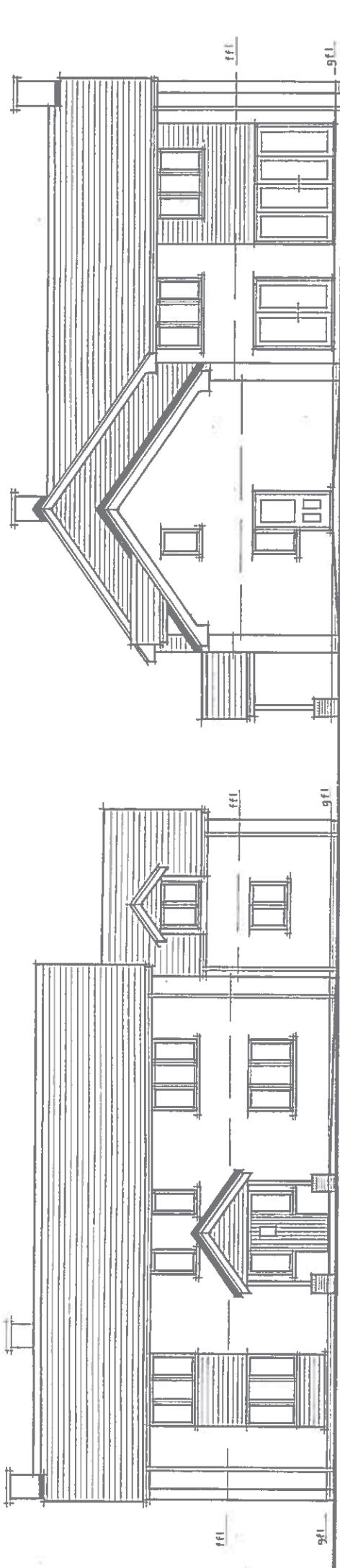


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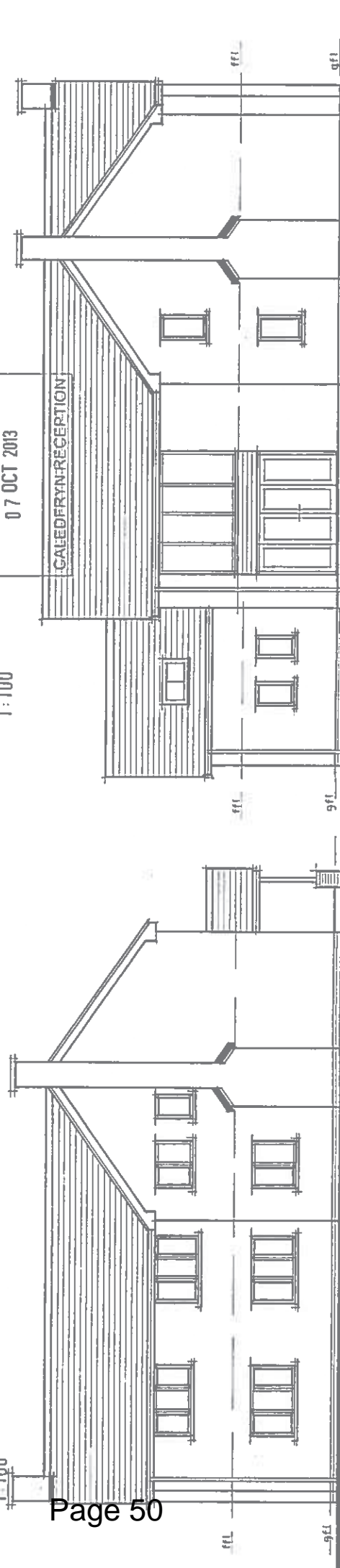




FRONT ELEVATION  
1:100

SIDE ELEVATION  
1:100

RECEIVED  
07 OCT 2013



SIDE ELEVATION  
1:100

REAR ELEVATION  
1:100

**EXTERNAL MATERIALS**

Roof - New or second-hand natural blue/gray mineral slates.

Walls - Smooth self-coloured render finish.

Horizontal cedar board timber cladding where shown on elevations.

Windows/External Doors - White upvc or colour coated aluminium windows and external doors

Fascia & Barge Boards - White upvc fascia & barge boards.

Rainwater Goods - White upvc gutters and down pipes

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**M J R** **MATISCHOK & ROSS**  
architectural services

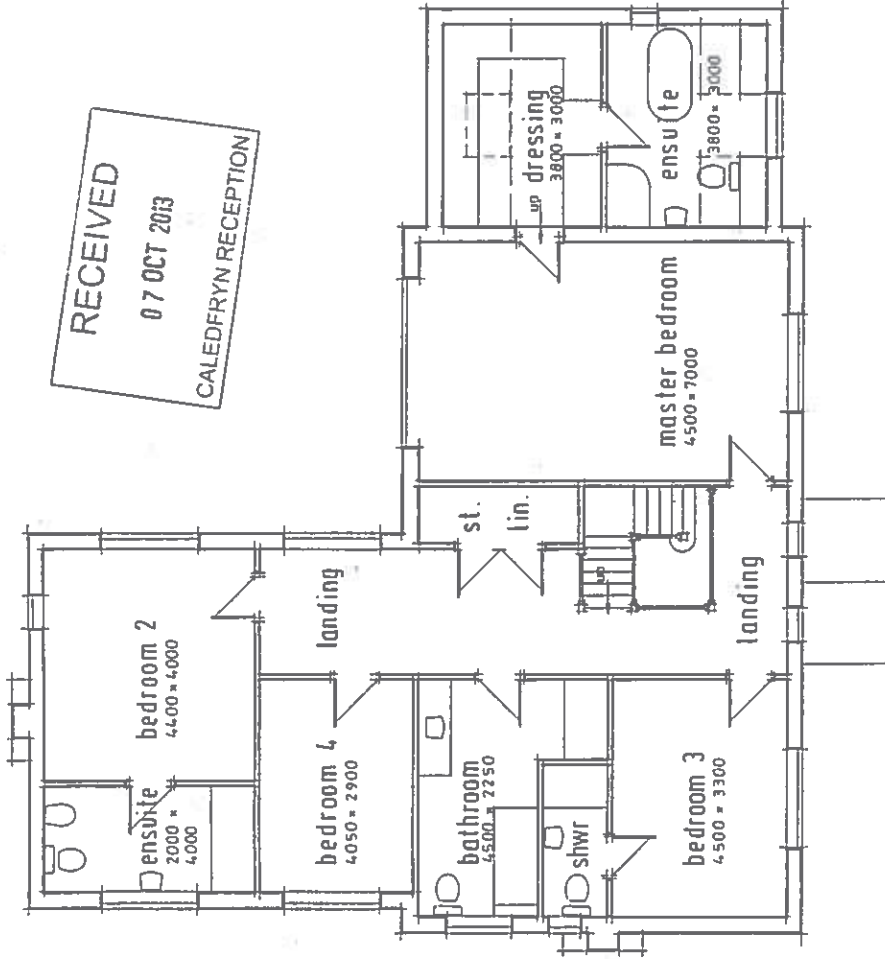
Project title  
RHOSISA, LLANDRILLO, CORWEN

Drawing title  
Proposed Elevations.

Project no.	0531	drawing no.	6	revision	
Date	18.09.13	scale	1:100	drawn by	PM

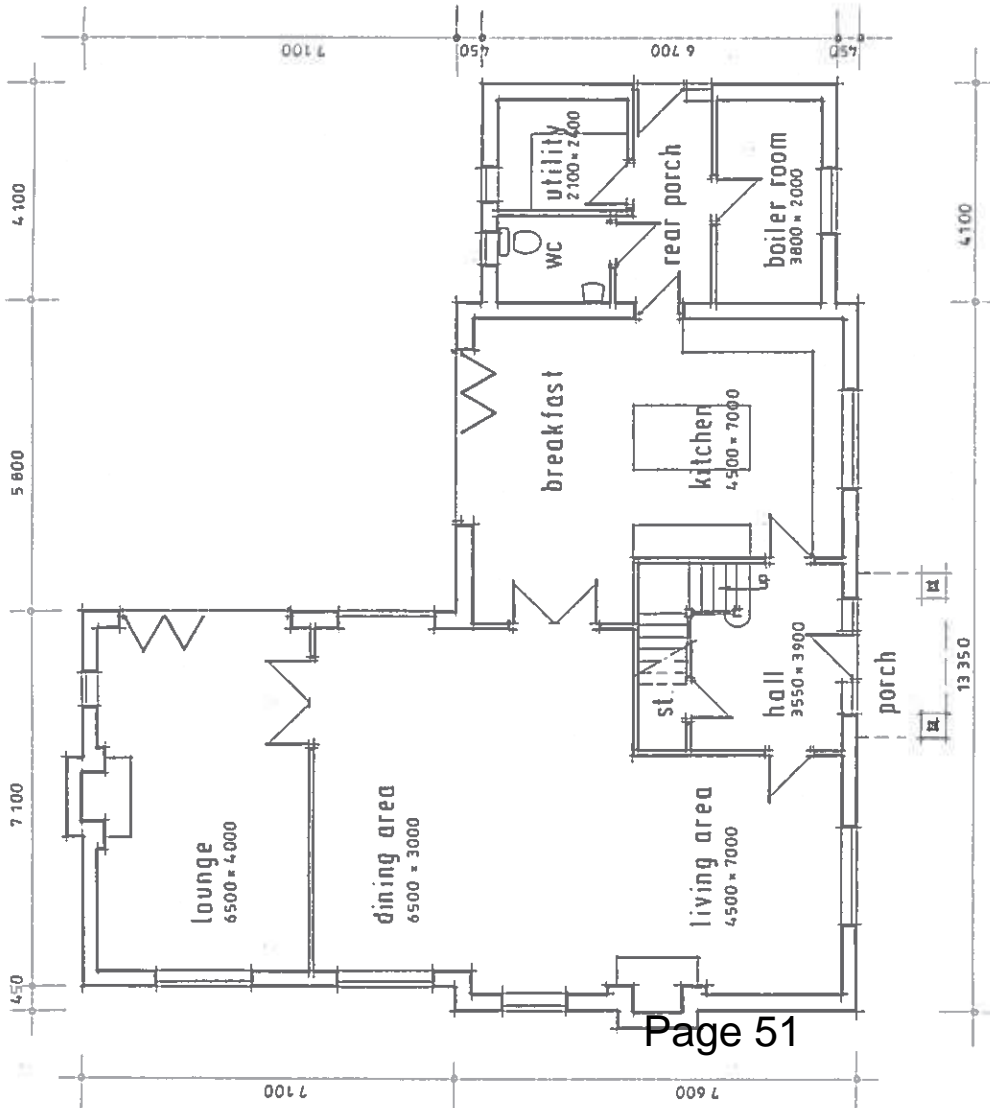
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t 01824705222 & 01824707171  
e mail@matischokross.co.uk web www.matischokross.co.uk

RECEIVED  
07 OCT 2013  
CALEDRYN RECEPTION



FIRST FLOOR LAYOUT PLAN  
1:100

TOTAL FLOOR AREA = 317m<sup>2</sup>



GROUND FLOOR LAYOUT PLAN  
1:100

FLOOR PLANS

**MATISCHOK & ROSS**  
architectural services

project title: RHOSISA, LLANDRILLO, CORWEN  
drawing title: Proposed Floor Plans

project no.	0531	revision	3
date	18-09-13	scale	1:100
drawn by	PM		

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**ITEM NO:** 3  
**WARD NO:** Llandrillo  
**WARD MEMBER(S):** Councillor Cefyn Williams  
**APPLICATION NO:** 07/2013/1233/ PF  
**PROPOSAL:** Erection of replacement two-storey dwelling with detached garage/workshop and alterations to existing vehicular access  
**LOCATION:** Rhos Isa Llandrillo Corwen  
**APPLICANT:** MrD S Williams  
**CONSTRAINTS:**  
**PUBLICITY UNDERTAKEN:** Site Notice - NoPress Notice - NoNeighbour letters - Yes

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

- Referral by Head of Planning / Development Control Manager

**CONSULTATION RESPONSES:**

LLANDRILLO COMMUNITY COUNCIL:  
"No objections"

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Head of Highways and Infrastructure:

- Highways Officer:  
No objections subject to conditions relating to the creation of the access and the provision of parking and turning spaces.

Ecologist:  
No objections

**RESPONSE TO PUBLICITY:**

None received

**EXPIRY DATE OF APPLICATION:**

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

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The application seeks full planning permission for the erection of a replacement dwelling, and alterations to an access on land adjacent to existing housing developments at Llys Y Coed, Rhos Llan and Rhos Helyg in Llandrillo.
- 1.1.2 A two storey dwelling is proposed in the form of an 'L' shape, set back from the road frontage, with the parking and turning to the front. The proposed dwelling comprises 4 bedrooms and associated living areas, and a detached garage.
- 1.1.3 Materials proposed are a mix of cedar cladding and rendered walls with slate roof and upvc doors and windows.
- 1.1.4 The detailing of the proposal, the former dwelling and the site layout can be seen in the plans at the front of this report.

## 1.2 Description of site and surroundings

- 1.2.1 The application site is located to the west of Llandrillo. The site is accessed off the existing Dinan public road.
- 1.2.2 The site has been occupied by a two storey dwelling which has been demolished. It is on the corner of Dinan and Rhos Helyg.
- 1.2.3 The site is bound by hedges, and there are a number of mature trees within the site.
- 1.2.4 The surrounding area is characterised by residential development. The existing dwellings are a mix of sizes and types.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of Llandrillo, as shown on the proposals map in the Local Development Plan.

## 1.4 Relevant planning history

- 1.4.1 Permission was granted in 2012 under the then relevant Unitary Development Plan for the redevelopment of this site by way of two dwellings. The permission has not been implemented.

## 1.5 Developments/changes since the original submission

- 1.5.1 None

## 1.6 Other relevant background information

- 1.6.1 None

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

- 2.1 07/2012/1109 – Demolition of derelict detached two storey dwelling and erection of 1 detached two storey dwelling and 1 detached single storey dwelling and alterations to existing access, GRANTED under delegated powers

## 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

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

Policy RD 1 – Sustainable development and good standard design

Policy BSC 1 – Growth strategy for Denbighshire

Policy BSC 3 – Securing infrastructure contributions from development

Policy BSC 11 – Recreation and open space

Policy VOE 5 – Conservation of natural resources

### 3.2 Supplementary Planning Guidance

SPG 4 – Open space requirements in new development

SPG 6 – Trees and development

SPG 7 – Residential space standards  
SPG 18 – Nature conservation and species protection  
SPG 25 – Residential development design guide

### 3.3 GOVERNMENT POLICY / GUIDANCE

Planning Policy Wales Edition 5 November 2012  
Technical Advice Note 5 – Nature Conservation and Planning (2009)  
Technical Advice Note 12 – Design (2009)  
Technical Advice Note 18 – Transport (2007)  
Technical Advice Note 22 – Sustainable Buildings (2010)

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

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

- 4.1.1 Principle
- 4.1.2 Density of development
- 4.1.3 Visual amenity
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Recreation and open space
- 4.1.7 Highways (including access and parking)
- 4.1.8 Sustainability including codes and water management

### 4.2 In relation to the main planning considerations:

#### 4.2.1 Principle:

In relation to the principle of the development, the relevant planning policy context in the Local Development Plan is Policy BSC 1 which sets out the basic growth strategy for Denbighshire and makes provision for new housing development, including within settlements like Llandrillo which are defined as villages. Policy RD1 relates to development proposals within development boundaries and sets out tests to ensure that development proposals do not have an unacceptable impact on the amenity and appearance of the area.

The site being considered is within the development boundary of Llandrillo, and therefore the principle of development is considered acceptable subject to an assessment of impacts as set out below.

#### 4.2.2 Density of development:

Policy RD 1 states that development should make the most efficient use of land by achieving a minimum density of development of 35 dwellings per hectare, unless local circumstances dictate a lower density. Policy RD 1 also requires development to respect the character of the surrounding area.

The site measures approximately 0.09ha, and based on the indicative density could accommodate 3 dwellings. The surrounding area is developed by way of dwellings, most occupying plots smaller than the application site.

In Officers' view, it is considered that to develop a site of this size, in this location with three dwellings would not be possible due to highway constraints. The sites planning history does indicate that it would be possible to develop the site by way of two dwellings. However, given the history of the site (a single dwelling), it is not considered reasonable to insist on development achieving an equivalent density figure of 35 dwellings per hectare and the proposal is therefore considered acceptable on the basis of a 1:1 replacement.

#### 4.2.3 Visual amenity:

Policy RD 1 contains general considerations to be given to the impacts of development. Among these considerations is the impact on the visual amenity of the area. There is a general requirement for development proposals to respect the site and surroundings by virtue of siting, scale, form, character, materials and spaces in and around buildings. Public views into and out of townscapes and across the open countryside should be respected.

The proposed two storey dwelling would be sited within an area characterised by spacious development, and two storey dwellings. The dwelling would be constructed with cedar cladding, render and slate roof. Within the surrounding area there is a wide range of building materials evident. The proposed dwelling would be set back from the highway with parking and turning area located to the front, replicating the general form of development within the locality.

It is considered that the scale and form of the dwelling are in keeping with the character of the area. The choice of materials is considered acceptable in this location, and the layout of the site would not appear at odds with the surrounding area. Within the scheme there is scope for suitable landscaping to help assimilate the development into the character of the area. The proposal is therefore considered to be acceptable in terms of visual amenity and its impact upon the character of the area, and is in accordance with Policy RD 1 in terms of visual amenity.

#### 4.2.4 Residential amenity:

Policy RD 1 contains general considerations to be given to the impacts of development. Among these considerations is the impact on the residential amenity of the area. There is a general requirement for development proposals to not result in a loss of amenity for neighbouring dwellings by virtue of overlooking, increased activity, and disturbance. Adequate standards of amenity for the proposed development itself should also be provided. Supplementary Planning Guidance Note 7 advises that the minimum amount of amenity space for a dwelling is 40 square metres.

The nearest dwellings to the proposed dwelling are those on Rhos Helyg and Rhos Llan, some 20 metres to the north and east of the site. There are no dwellings directly opposite the site, and none to the south. The proposed dwelling would have a garden area in excess of 100 square metres.

Given the separation distances involved, and the location of windows, it is not considered that the proposed dwelling would result in a loss of amenity for surrounding properties. With in excess of 100 square metres of garden space, the proposed dwelling would have sufficient amenity space for future occupants. In terms of residential amenity the proposed dwelling is considered acceptable and in accordance with the relevant planning policies and guidance.

#### 4.2.5 Ecology:

There is a general requirement in Policy RD 1 for development proposals to protect the natural environment. This is expanded on in Policy VOE 1 and VOE 5. Guidance

is offered in Supplementary Planning Guidance Note 18, Nature Conservation and Species Protection.

Within the site and along the boundaries are a number of mature trees. These trees have the potential to be host to protected species and other wildlife. They are also landscape features in their own right. The proposal seeks to remove a number of them to allow for the development. The site has been surveyed for protected species, and an arboriculture report has been submitted. No objections have been lodged from Natural Resources Wales, or the County Council Biodiversity Officer.

It is accepted that some trees will need to be removed from the site if the development is to proceed. There is scope to assess the site further to retain some trees, and to replant new ones as mitigation for the lost trees. The applicant has agreed to the imposition of planning conditions to secure this. In terms of wildlife, the advice of the County Council Biodiversity Officer is that the proposal is acceptable provided the recommendations in the ecological report are followed. The proposal is therefore considered acceptable in terms of biodiversity; subject to the imposition of relevant conditions.

#### 4.2.6 Recreation and open space:

Policy BSC 3 seeks to secure, where relevant, infrastructure contributions from development. Policy BSC 11 requires all new residential development to provide a contribution to recreation and open space either on site, or by the provision of a commuted sum.

The proposal is for a single dwelling. Almost immediately to the rear of the site is an area designated as public open/recreation space. The applicant has agreed to pay a commuted sum in the region of £2660 towards the provision of improved facilities, and the ongoing maintenance of the recreation space in Llandrillo.

It is considered that in this instance the provision of a commuted sum is preferable to the option of on site provision, given that the proposal is for a single dwelling. It is therefore considered that the proposal is in accordance with Policy BSC 3 and Policy BSC 11, subject to a condition to secure the mechanism by which the commuted sum would be secured.

#### 4.2.7 Highways (including access and parking):

Policy RD 1 and Technical Advice Note 18, contain criteria that seek to ensure development proposals do not have an adverse impact on highway safety.

The proposal involves alterations to an existing access onto the highway. A parking and turning area is located to the front of the dwelling, along with a garage. No objections have been received from the Highway Officer.

With regard to the requirements of Policy RD 1 and TAN 18, it is considered that the proposal is acceptable, and would not have an adverse impact upon the highway infrastructure.

#### 4.2.8 Sustainability, including codes and water management:

Guidance in TAN 12 Design and TAN 22 Sustainable Buildings has introduced an obligation on applicants to demonstrate the approach to a range of design considerations, including how inclusive design and standards of environmental sustainability are to be achieved.

In the case of this submission, the Sustainability Code requirements of Planning Policy Wales, TAN 12 and 22 are considered to have been satisfactorily addressed. The Code for Sustainable Homes Pre Assessment Report indicates that it should be possible to achieve the required number of credits under 'Ene1 - Dwelling Emission Rate' and attain a Code Level 3 type for the development. In line with the advice contained in TAN 22, suitably worded conditions can be included to ensure the



development is carried out in accordance with the requirements of Sustainability Code guidance.

## **5. SUMMARY AND CONCLUSIONS:**

5.1 The proposal is considered to comply with policy, subject to conditions, and it is therefore recommended that permission be granted.

### **RECOMMENDATION: GRANT - subject to the following conditions:-**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

#### **2. PRE-COMMENCEMENT CONDITION**

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

#### **3. PRE-COMMENCEMENT CONDITION**

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

(a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;

(c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment.

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

5. Full details of the vehicular footway crossing shall be submitted to and approved in writing by the Local Planning Authority before the commence of any site works and the access shall be completed in accordance with the approved plans before it is brought into use.

6. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.

7. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

#### **8. PRE-COMMENCEMENT CONDITION**

No development shall take place until the mechanism for securing the provision of Recreation and Open space has been agreed in writing with the Local Planning Authority.

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

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

11. Prior to the occupation of the dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has

been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
4. To provide for the loading/ unloading, parking and turning of vehicles and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
5. To ensure the formation of a safe and satisfactory access in the interests of highway safety.
6. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
7. To ensure a satisfactory standard of development, in the interests of visual amenity.
8. In the interest of providing public open space.
9. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
10. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
11. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.

**NOTES TO APPLICANT:**

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



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

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

43/2013/1305/PF

Tyn y Wal Outbuildings

Ffordd Penrhwyfya, Meliden

4



Application Site

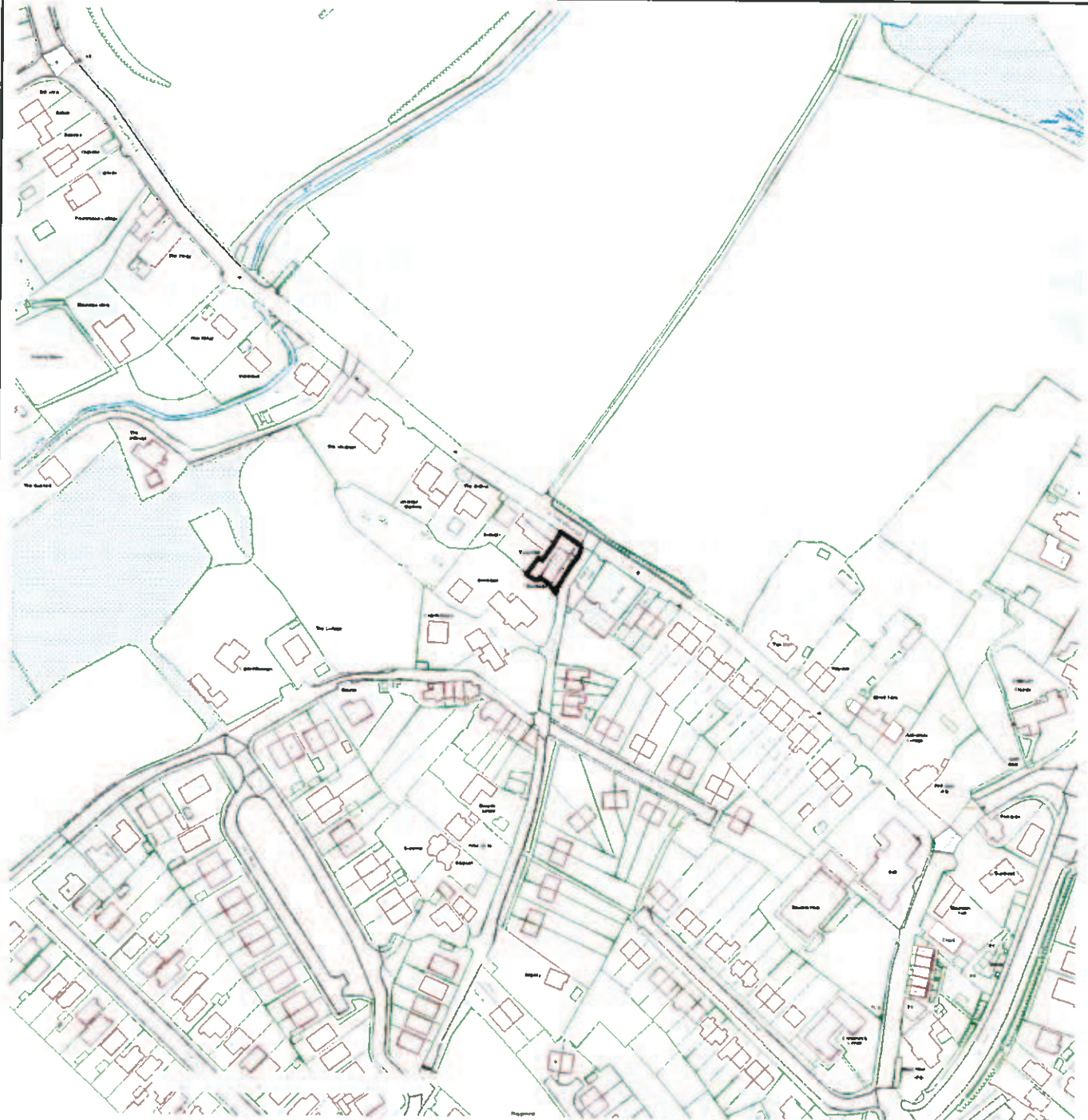


Date 6/1/2014

Scale 1/2500

Centre = 306075 E 381161 N

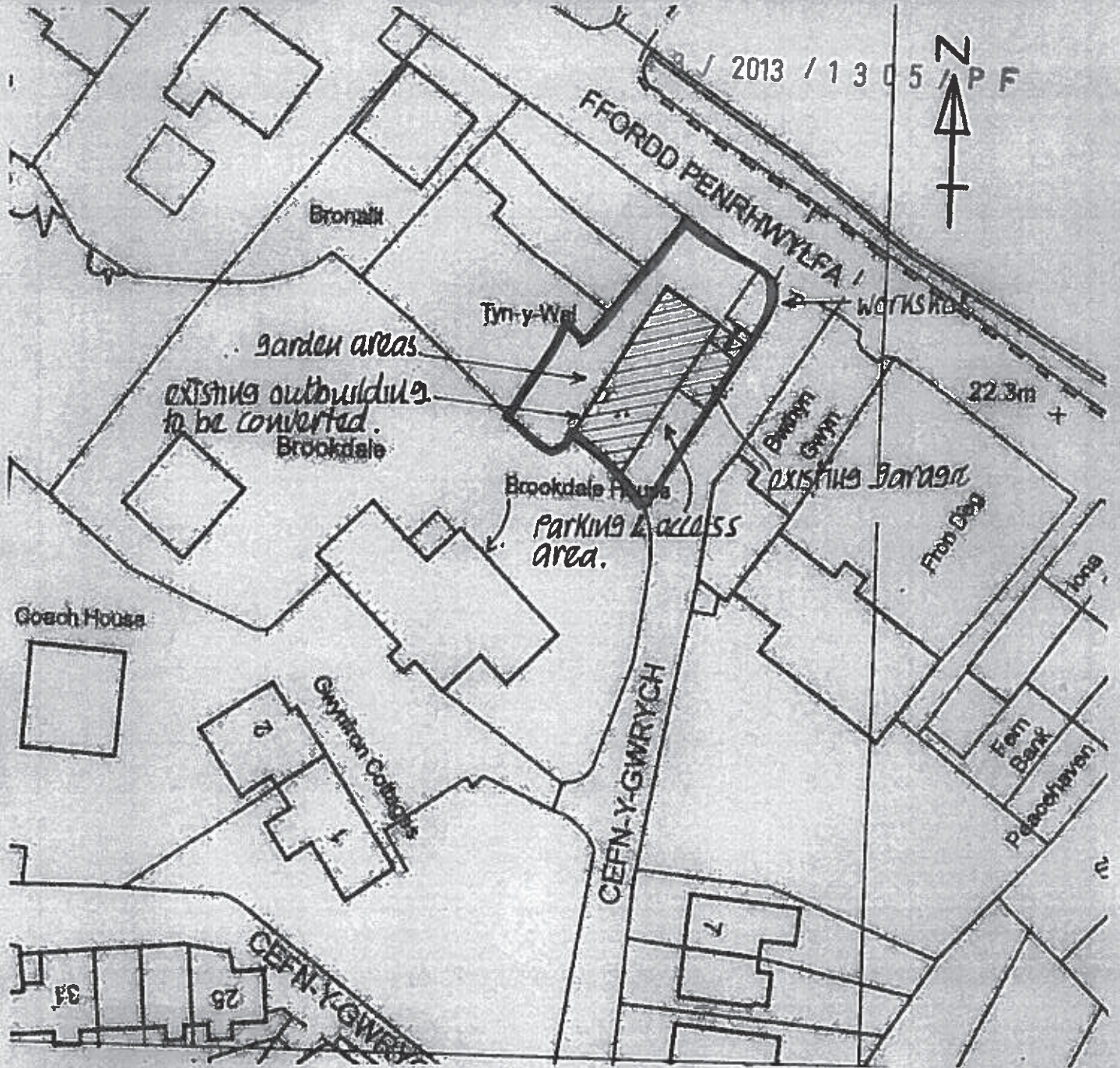
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council 100023408. 2011

Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar enw Rheolwr Llysoedd Fawrhydi © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain i broseciwn neu broseciwn sifil. Cyngor Sir Ddinbych. 100023408. 2011

# SITE PLAN



Outbuilding Conversion

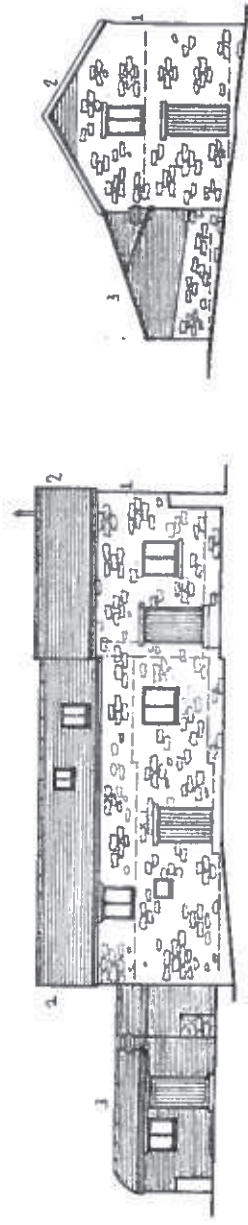
Site Plan. DAB. 1:500.

Proposed

# PROPOSED ELEVATIONS

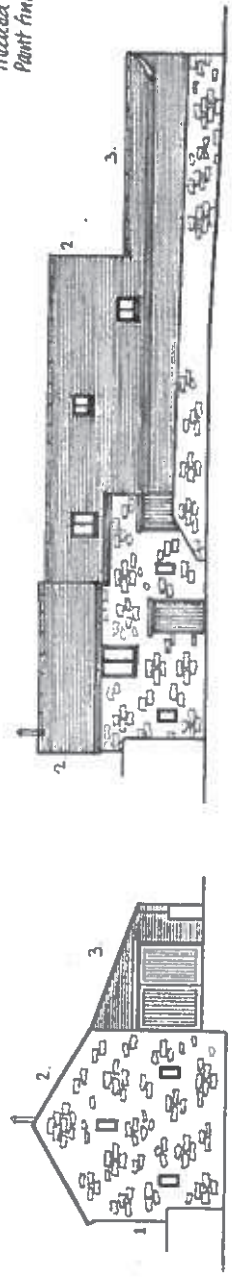
NOTES

1. Carefully take down existing portions of structurally defective stone walls as shown on Plan  
Rebuild raising existing stonework externally and point in lime mortar  
Reconstruct existing brickwork at peak of front elevation gable as shown raising oriental bricks and point in lime mortar
2. Remove existing roof covering and structures which are inadequate. Form new traditional rafted and Parim roof structures with natural blue mineral slate covering.
3. Remove existing iron roofs and structure to existing gables and add timber etc. form new roofs with traditional roof structure finished with natural blue mineral slate.  
Stonework & brickwork pointing  
All existing masonry (& reconstructed areas) to be flush pointed in lime mortar  
Roofs  
Natural blue mineral slate with flush charcoal grey ridge tiles  
Roofwater Gables to be black coated aluminium fascias to be treated timber  
Painted black  
Doors & windows  
bracketed timber units with cream satin  
Paint finish



FRONT

SIDE



REAR

SIDE

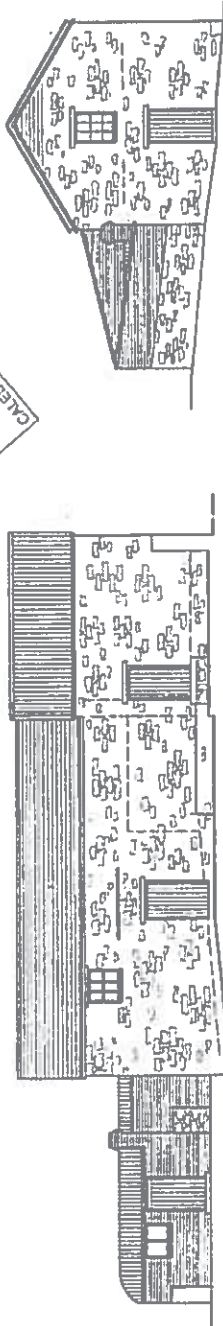
TYN Y WAL DG11 1:50

PROPOSED

for A 6 13 13 DRS & WINDERS etc.

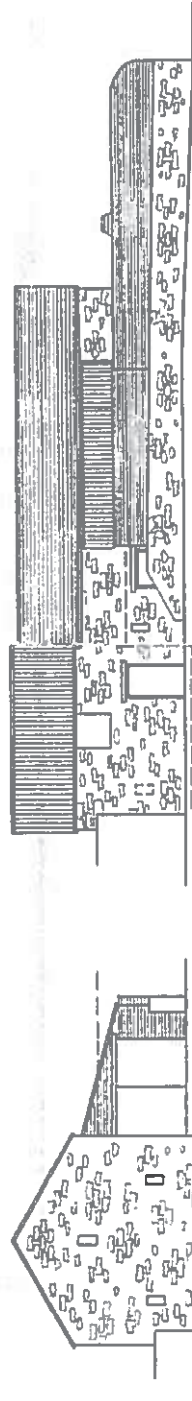


RECEIVED  
11 OCT 2013  
GAEFRYNN RECEPTION



FRONT

SIDE



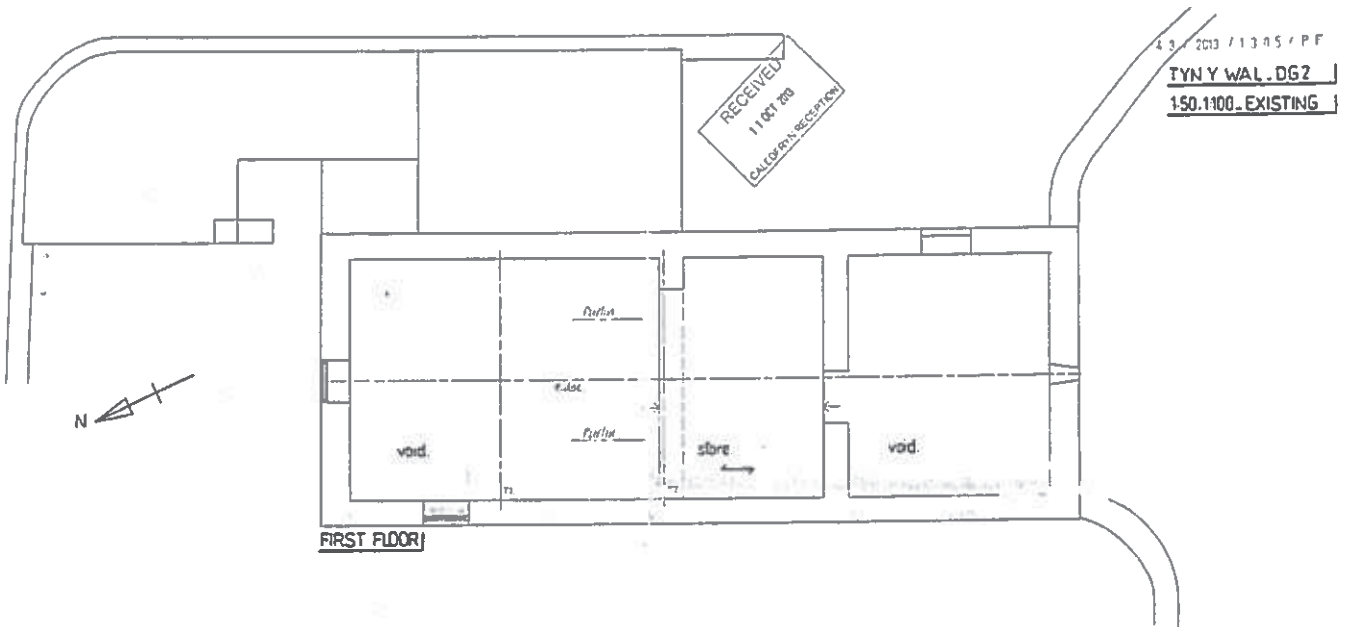
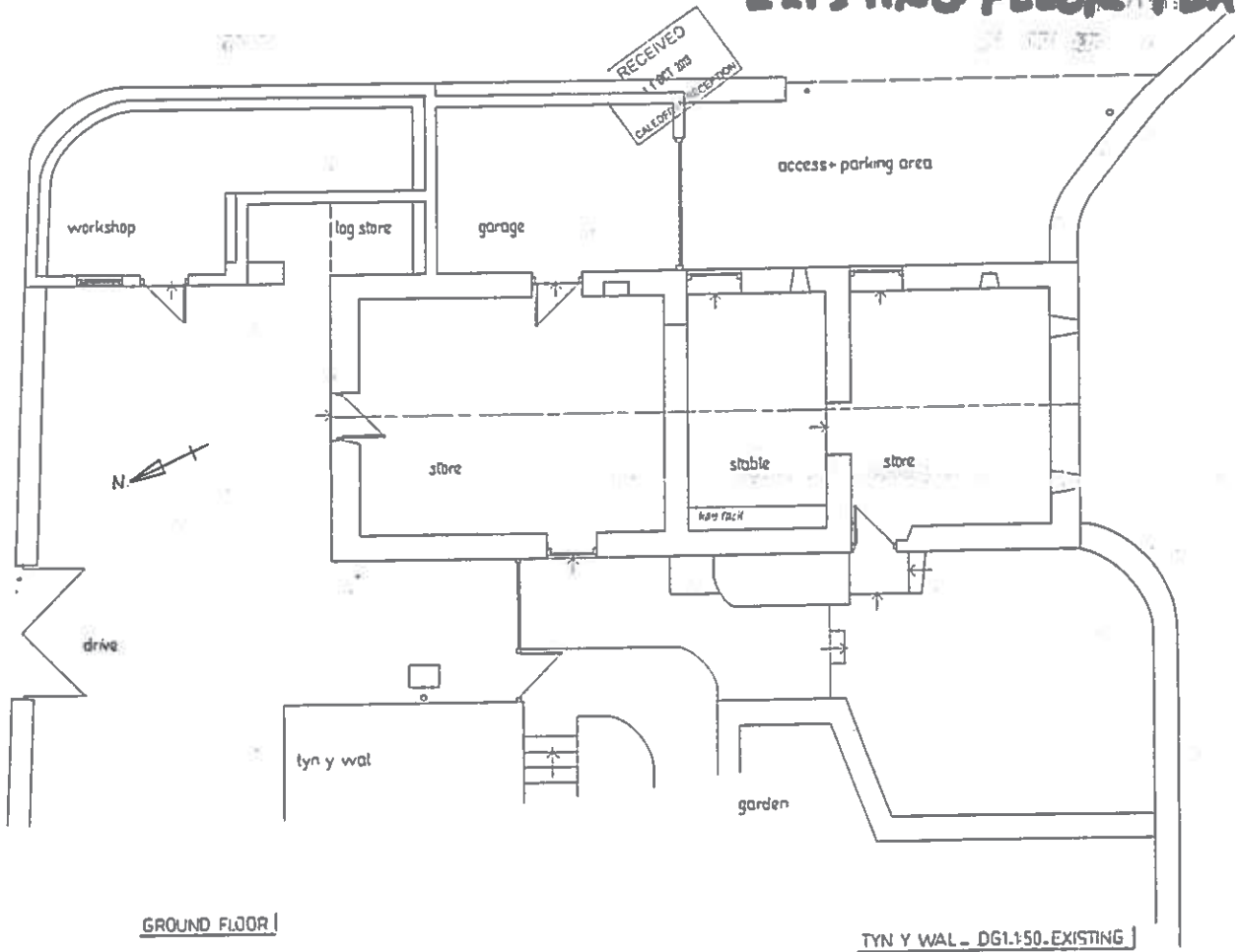
REAR

SIDE

# EXISTING ELEVATIONS

TYN Y WAL\_D63\_1:100 - EXISTING

# EXISTING FLOOR PLANS





**ITEM NO:** 4  
**WARD NO:** Prestatyn Meliden  
**WARD MEMBER(S):** Councillor Peter Evans  
**APPLICATION NO:** 43/2013/1305/ PF  
**PROPOSAL:** Conversion of redundant outbuilding to form 1 no. dwelling.  
Formation of pitched roof over existing workshop  
**LOCATION:** Outbuildings at Tyn Y Wal Ffordd Penrhwyfya Meliden Prestatyn  
**APPLICANT:** MrDarren Cooper  
**CONSTRAINTS:** Tree Preservation OrderConservation Area  
**PUBLICITY UNDERTAKEN:** Site Notice - YesPress Notice - YesNeighbour letters - Yes

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

- Recommendation to grant – 4 or more objections received

**CONSULTATION RESPONSES:**

PRESTAYN TOWN COUNCIL  
'No objection'

CLWYD POWYS ARCHAEOLOGICAL TRUST  
Recommend photographic survey condition

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Head of Highways and Infrastructure  
Highways Officer  
No objection subject to condition requiring completion of parking and turning

Biodiversity Officer  
No objection subject to recommendations of the submitted ecology report being followed

Conservation Architect  
No objection subject to acceptable colour of window frames which can be secured by condition

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:  
S. M. Elmusrati, Bronallt, Ffordd Penrhwyfya, Meliden  
S. Johnson, 2, Gwynfron Cottages, Cefn y Gwrych, Meliden  
M. Rendell, Brookdale House, Cefn y Gwrych, Meliden  
C. Muirhead & G. Roberts, 1, Gwynfron Cottages, Cefn y Gwrych, Meliden

Summary of planning based representations in objection:  
Visual impact - Impact on Conservation Area  
Highways impact - lack of parking provision and poor access arrangements  
Residential Amenity - over development of the site, overlooking

**EXPIRY DATE OF APPLICATION: 05/12/2013**

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

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

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The proposal is for the conversion of an existing outbuilding into a 3 bedroom dwelling.

**1.2 Description of site and surroundings**

- 1.2.1 The existing outbuilding is a stone walled former agricultural building, located on a corner plot on Ffordd Penrhwylfa, Meliden.

- 1.2.2 It is currently used as an amenity building for the adjacent dwelling, Tyn y Wal.

**1.3 Relevant planning constraints/considerations**

- 1.3.1 The site lies within the Meliden (Ffordd Penrhwylfa) Conservation Area and the development boundary, of Meliden as defined in the Local Development Plan proposals map.

**1.4 Relevant planning history**

- 1.4.1 An application for conversion of the outbuilding to 2no. dwellings was previously refused in September 2013 under delegated powers due to failure to meet required space standards and the negative impact of the physical alterations required on the character of the outbuilding and the wider conservation area.

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

- 1.5.1 Plans have been altered to reflect the initial recommendations of the Conservation Officer.

**1.6 Other relevant background information**

- 1.6.1 None

**2. DETAILS OF PLANNING HISTORY:**

- 2.1 43/2013/0635 - Change of use of outbuilding to form 2no. residential dwellings - REFUSED  
24/09/2013

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

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

- Policy BSC 1 - Growth Strategy for Denbighshire
- Policy RD 1 - Sustainable Development and Good Standard Design
- Policy BSC 11 - Recreation and Open Space
- Policy ASA 3 - Parking Standards

**3.2 Supplementary Planning Guidance**

- SPG 7 - Residential Space Standards
- SPG 13 - Conservation Areas

**3.3 Government Policy / Guidance**

- Planning Policy Wales Edition 5 November 2012
- Technical Advice Note 12 - Design

**3.4 Other Material Considerations**

- Meliden (Ffordd Penrhwylfa) Conservation Area Appraisal

#### 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Highways (including access and parking)
- 4.1.6 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle

The proposal is for alterations to an existing building within a development boundary, on land which is not subject to any specific designation is acceptable in principle, in support of the basic growth strategy for the Council in Policy BSC 1 of the Local Development Plan.

4.2.2 Visual amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. Planning Policy Wales (Section 6), stresses the importance of protecting the historic environment, and in relation to Conservation Areas, to ensure they are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls. The basic objective is therefore to preserve or enhance the character and appearance of a Conservation Area, or its setting.

The Meliden (Ffordd Penrhwyfa) Conservation Area Appraisal notes that the Conservation Area is of rural nature and has very rural appearance. Single storey farm outbuildings are noted as features of the Conservation Area. The appraisal notes that the view looking to the south up Ffordd Penrhwyfa to Ffordd Talargoch is of a pleasant country road. The existing outbuilding appears on a historic map dating to 1874. The outbuilding is pictured as an example of a Conservation Area building within the appraisal. The proposals have been altered in line with the recommendations of the Conservation Officer. The Conservation Officer has no objection to the revised scheme subject to acceptable window frame colours.

It is considered that the current scheme of alterations respects the character and appearance of the existing building. The proposals are therefore considered to have an acceptable impact in relation to the character and appearance of the conservation area. Having regard to the above it is not considered that the proposals would have an unacceptable visual impact.

#### 4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc. SPG 7 requires that 40m<sup>2</sup> of private external amenity space is provided as a minimum for residential properties.

The proposed development would exceed the minimum space standards set out in SPG 7 for a single.

As the minimum standards of SPG 7 are exceeded it is considered that the proposal would have an acceptable impact on the amenity of the proposed dwelling. Having regard to the above it is considered that the proposals would not have an unacceptable impact on residential amenity.

#### 4.2.4 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

A protected species survey has been submitted and the Biodiversity Officer has raised no objections subject to the recommendations being followed.

The proposals are therefore considered acceptable in relation to impact on ecology subject to condition.

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

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The Highways Officer considers that the proposed parking and access arrangements are acceptable having regard to existing facilities.

It is therefore considered that the proposals would have an acceptable highways impact.

#### 4.2.6 Open Space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

The proposal includes the creation of one new residential unit.

It is considered that the proposal would be acceptable in relation to open space subject to the requisite contributions being secured. It is considered that this could be done through an appropriately worded condition.

**5. SUMMARY AND CONCLUSIONS:**

5.1 It is considered that the proposals would not have unacceptable impacts and it is therefore recommended for grant

**RECCOMENDATION: GRANT** - subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Notwithstanding the provisions of all Class(es) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out without approval in writing of the Local Planning Authority.
3. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the local planning authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. tel: 01938 553670.
4. All development will take place in accordance with the recommendations set out within the submitted protected species survey unless otherwise agreed in writing by the Local Planning Authority.
5. Notwithstanding the submitted plans, details of the proposed window frame colour shall be submitted and approved in writing by the Local Planning Authority. The colour approved shall be applied prior to the development being brought into use and shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.
6. The development shall not begin until arrangements for the provision of Open Space as part of the development, in accordance with the Council's Policies and Supplementary Planning Guidance, has been submitted to and approved in writing by the Local Planning Authority.
7. Parking and turning facilities hereby approved shall be implemented prior to the first occupation of the dwelling, and shall be retained as such at all times unless otherwise agreed in writing by the Local Planning Authority.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of residential and visual amenity.
3. In the interests of investigation and recording of historic/listed buildings.
4. In the interest of preserving the conservation status of protected species.
5. In the interest of preserving the character and appearance of the conservation area.
6. In the interest of compliance with adopted open space policies.
7. In the interest of the safe and free flow of traffic.

**NOTES TO APPLICANT:**

Condition No. 3 of this permission requires the carrying out of a photographic survey. The applicant is expected to pay for and complete the photographic survey. Professional photographers may be used where access to a camera or technical difficulties are encountered but the applicant should be aware that this will significantly increase the cost of the survey.

Photographs should be taken using a digital camera with a minimum resolution of 4 megapixels and preferably 8 megapixels or more.

Photographs should be taken at the highest jpeg resolution setting available on the camera (usually Fine or Super Fine). The saved photographs must be copied onto a good quality branded CD or DVD disk in the jpeg/jpg file format.

Note: Digital photographs presented on normal paper or photographic paper will not be accepted as they are not archivally stable in the long term.

The use of a standard flashgun is recommended indoors to light the interior views.

If available a measured scale should be placed within each but this is not essential.

Photographs should be taken of all exterior and interior wall elevations which are affected by the development together with photographs of interior roof detail where this is altered. Features of particular interest (e.g. obvious differences in wall makeup, windows and doors whether blocked up or not, fireplaces, timber framing, stairwells, cellars) should also be fully photographed.

The applicant should indicate where the views taken are positioned on an architect's floor plan of the building. Location reference numbers on the plan/s should utilise the digital photo numbers from the camera for cross reference purposes.

The applicant must check the photos at the application site to ensure there are no blurred or poorly lit images. If some images are blurred, please increase the speed at which the exposures are taken (1/125 is a good minimum) and re-take the images. If images are poorly lit please check your flash is working and/or increase the aperture. Setting the camera ISO at 200 or 400 will also allow higher shutter speeds to be used in dimly lit locations.

The photographs should then be sent to: Mark Walters, Development Control Section, Clwyd-Powys Archaeological Trust, 7A Church Street, Welshpool, Powys, SY21 7DL (Tel: 01938 553670). CPAT will confirm receipt of your photographs and inform the planning authority that the condition has been satisfied.

**Report To:** Planning Committee

**Date of Meeting:** 22nd January 2014

**Lead Member / Officer:** Cllr David Smith, Public Realm / Angela Loftus,  
Planning & Public Protection Policy Manager

**Report Author:** Karsten Brußk, Planning Officer

**Title:** Draft Supplementary Planning Guidance: Parking Requirements

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## **1. What is the report about?**

- 1.1 This report accompanies the Draft Denbighshire Local Development Plan 2006 – 2021 (LDP) Supplementary Planning Guidance Note (SPG): Parking Requirements which, if adopted, will be used in the determination of planning applications.

## **2. What is the reason for making this report?**

- 2.1 The purpose of this report is to seek Members' approval to consult on the draft SPG: Parking Requirements, which sets out draft new parking standards to be applied in the County. Once adopted, this will replace the existing SPG 21: Parking Requirements in New Developments, and will provide further up to date guidance for developers, Officers and Members.

## **3. What are the Recommendations?**

- 3.1 That Members approve the draft SPG document 'Parking Requirements' (attached as Appendix 1) as a basis for public consultation.

## **4. Report details.**

- 4.1 The Council's SPG notes are not part of the adopted development plan. Welsh Government (WG) has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPGs can be treated as a material planning consideration when LPAs, Planning Inspectors and Welsh Government determine planning applications and appeals.
- 4.2 When the Denbighshire Local Development Plan 2006 -2021 was adopted in June 2013, the Council also resolved to carry forward all adopted SPGs for use as planning guidance in relation to the LDP, pending a full review. It was

agreed that a review of each SPG would be carried out as soon as practicable following Plan adoption.

- 4.3 The parking standards have been updated to reflect Welsh Government and Council policy on transportation and land use planning. National and local planning policy is contained in Planning Policy Wales (Edition 5 – November 2012), Technical Advice Note (TAN) 18: Transport (2007) and the Denbighshire Local Development Plan 2006 – 2021 (LDP), adopted June 2013. The SPG supplements LDP policy ASA3 by providing further detail on parking requirements.
- 4.4 In Denbighshire, parking standards are laid out for three principle parking zones that reflect differing requirements for individual car-based trips in the County's urban and rural areas, availability of public transport services and infrastructure provision.
- 4.5 There is a new approach in calculating parking requirements, i.e. they are split into two categories: operational and non-operational. The first category refers to sufficient spaces to allow for parking the maximum number and size of vehicles likely to serve the development at any one time. Non-operational requirement means that the parking space is occupied by vehicles not necessarily used for the operation of the premises, e.g. staff, clients or visitors.
- 4.6 The document stresses that maximum parking standards will be applied throughout the County to reduce the over-reliance on the car. Their purpose is to minimise individual car-based trips and to promote sustainable transport means.
- 4.7 Parking standards include the provision of spaces for cycles, motorcycles, lorries, buses and cars. The document emphasises the additional requirements to be provided for disabled motorists.
- 4.8 If approved by Members, the public consultation period on the draft SPG would be a minimum of 8 weeks. All feedback received will be reported back to Planning Committee with a final SPG for adoption. A workshop session was held with the LDP Steering Group in November 2013 and a summary of the main issues raised is attached as Appendix 3.

## **5. How does the decision contribute to the Corporate Priorities?**

- 5.1 Corporate Priorities 2012 – 17. The SPG will contribute positively to the following corporate priorities:
  - Modernising the Council to deliver efficiencies and improve services for our customers by ensuring that planning guidance documents are up to date

## **6. What will it cost and how will it affect other services?**



6.1 Approving the draft SPG document to be subject of a consultation exercise with statutory bodies and the public is not anticipated to create any additional costs.

**7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

7.1 The Equality Impact Assessment screening exercise concluded that a (full) EqIA is not required. The completed EqIA template is attached to this report as Appendix II.

**8. What consultations have been carried out with Scrutiny and others?**

8.1 No formal consultation has been carried out yet but officers from the Planning Policy, Development Control and the Highways section were involved in drafting the SPG document. A workshop session was held with members of the LDP Steering Group in November 2013.

**9. Chief Finance Officer Statement**

9.1 Any costs associated with the guidance should be contained within existing budgets and therefore there are no obvious financial implications contained in the report.

**10. What risks are there and is there anything we can do to reduce them?**

10.1 In the absence of up-to-date guidance there is a risk the Council will be unable to provide accurate planning advice to its customers.

**11. Power to make the Decision**

11.1 Planning & Compulsory Purchase Act 2004.

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**DRAFT Supplementary Planning Guidance Note:  
Parking Requirements in New Developments (November 2013)**

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## **1 Introduction**

- 1.1 This note is one of a series of Supplementary Planning Guidance notes (SPGs) amplifying the development plan with the aim of improving the process, design and quality of new development. The notes are intended to offer more detailed guidance which will assist members of the public, Members of the Council, and officers in discussions prior to the submission of planning applications and assist officers and Members in determining planning applications.

## **2 Status and stages in preparation**

- 2.1 The Council's SPG notes are not part of the adopted development plan. The Welsh Government has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPGs can be treated as a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals. This SPG document was formally approved for consultation by Denbighshire County Council's Planning Committee on XXXX.
- 2.2 This note has been prepared in accordance with guidance contained in Planning Policy Wales Edition 5 (November 2012), Technical Advice Note (TAN) 18: Transport, and Local Development Plans Wales (Welsh Government 2005).

## **3 Background**

- 3.1 The availability of car parking is a key element in managing car use and a major influence on the choice of transport. Car parking can take up large amounts of space in developments thereby reducing densities. Poor design and layout of parking areas can make it more difficult to provide effective walking, cycling, and public transport links.
- 3.2 Welsh Government (WG) is committed to implementing the principles of sustainable development in planning policies and, hence, into new developments with high quality design. Local planning authorities are advised to ensure new developments include facilities to promote sustainable transport. Applicants should be aware that new developments must make provision for the safe cycles parking. A series of standards have been adopted for different types of development (see Section 8).
- 3.3 The parking standards are based on the following factors:
- A recognition that the availability of parking influences choice of means of transport;
  - The need to reduce reliance on the motor car and promote other means of travel;
  - Making the best use of the existing transport network; and
  - The need to promote regeneration and investment in Denbighshire.
- 3.4 Where major developments are proposed (for example, a large industrial unit,

office complex or housing scheme) car parking provision should be reduced, and the development should incorporate measures to further reduce reliance upon travel by car. Such measures should be detailed within the Travel Plan, produced by the applicant. Travel Plans propose measures that promote environmentally friendly forms of travel in preference to the car. To encourage cycling, measures could include financial incentives for cyclists and the provision of facilities such as showering and changing areas.

- 3.5 The parking standards laid out in this document were prepared on the basis of the following documents:
- County Surveyors' Society (Wales) (CSS Wales): Wales Parking Standards (2008); The document was produced on behalf all 22 Welsh Unitary Authorities and the four Welsh regional transport consortia: Sewta, SWWITCH, Taith and TraCC;
  - Department for Transport: Inclusive Mobility (2005); and
  - Denbighshire County Council Supplementary Planning Guidance Note 21: Parking Requirements in New Developments (2004), a document that supplemented Unitary Development Plan policy TRA9 'Parking & Service Provision'.

#### 4 Planning Policy

- 4.1 The parking standards have been updated to reflect WG and Council policy on transportation and land use planning. National and local planning policy is contained in Planning Policy Wales (Edition 5 – November 2012), Technical Advice Note (TAN) 18: Transport (2007) and the Denbighshire Local Development Plan 2006 – 2021 (LDP), adopted June 2013.
- 4.2 In line with national policy, justification of LDP policy ASA3 states *“Maximum parking standards will be applied throughout the County to reduce the over-reliance on the car. Their purpose is to minimise individual car-based trips and to promote sustainable transport means.”* This SPG supplements LDP policy ASA3 in laying out the parking standards to be applied in Denbighshire.
- 4.3 It should be noted that the following car parking standards are maximum standards for each land use category. Where the maximum is not provided the developer will be required to show the scale, i.e. frequency and length, of the journeys to the site and, if parking demands exceed proposed parking provision, how the resulting shortfall will be catered for.
- 4.4 Additional guidance on parking principles for West Rhyl can be found in LDP Supplementary Planning Guidance Note (SPG) 03: West Rhyl, and further guidance on specific requirements for disabled people is laid out in SPG 08: 'Access for all'. Applicants should also refer to WG Technical Advice Note 12: Design (2009) and The Chartered Institution of Highways & Transportation: Manual for Streets 2 (2010) for guidance on best practise with regard to layout and design.

## **5 Parking Standards**

### **5.1 Parking Standards apply throughout the County with the following exceptions:**

- Where the implementation of these standards would cause road safety or congestion problems additional provision will be required.
- There may be occasions when a particular development does not justify the levels of parking indicated. The Authority may give consideration to a variation in standards relating to the nature of development, a lower level of car ownership in urban areas and those well serviced by public transport. In these circumstances, a fully reasoned assessment of the parking provision proposed (covering areas such as existing public transport or parking provision) will be the subject of negotiation with the Council.
- Variations may be allowed in the light of local circumstances (e.g. the availability and existing capacity of nearby parking and public transport). Each planning application will be assessed on their own merits according to the size, nature, location, density, employment and traffic generation characteristics of the proposed development. Planning policies which seek to maintain the town centre and other areas designated as main centres for development activity in the County are also relevant considerations. In certain circumstances, e.g. Conservation Areas, modifications of the standards may be allowed in order to preserve built / natural environmental conditions.
- Innovative car free housing schemes will be considered on their merits.

### **5.2 In assessing the parking requirements for a particular development, the Council will need to take into account a number of factors in relation to the development and its location. These are listed below. However it should be noted that some of these factors are outside direct planning control, e.g.:**

- a) accessibility to and the service provided by the public transport system;
- b) the availability of private buses or the extent of car pooling;
- c) the relative proportions of full time / part time / local catchment of labour;
- d) accessibility by walking and cycling; and
- f) accessibility to and the availability of public and/ or private car parking space in the vicinity.

### **5.3 The full operational standard will normally be expected together with the non-operational standard for employees' vehicles and in certain cases for visitors. (Definition of individual terms and notes can be found in Appendix 1). Where possible, developers will be required to provide all the parking space within the curtilage of the site. Section 106 Agreements may be negotiated with developers and these can include a number of measures to mitigate the potential impact of development and to address concerns.**

### **5.4 Major developments will have implications on existing travel patterns in an**

area. Locating retail, housing, education facilities and health services can cause change to travel directions, travel frequencies and the choice of means of transport. A Transport Assessment for a proposed development should assist in predicting implications and identifying measures to counteract the likelihood of negative impacts. Like non-motorised user audits, the conclusions and recommendations of a transport assessment should be incorporated into the development proposal. Information with regard to transport assessment requirements and process can be found in Technical Advice Note (TAN) 18: Transport, Appendix D.

## **6 Parking Zones**

- 6.01 The parking standards are laid out for two principle parking zones that reflect differing requirements for individual car-based trips in the County's urban and rural areas, availability of public transport services and infrastructure provision.
- 6.02 The following two principal zones were defined with regard to the spatial strategy as laid out in the Denbighshire Local Development Plan 2006 – 2021 (LDP) [Denbighshire LDP (2013), Chapter 5 'Denbighshire's Local Development Plan Strategy', p.11]. Their spatial demarcation is based on development boundaries (LDP policy RD1) or areas of search (LDP policy BSC6) as shown on the LDP proposals maps.
- 6.03 Every development proposal has to be determined on its own merit including local circumstances such as, public transport and existing parking provisions. LDP policy ASA3 wording already reflects this approach. However, if applicants wish to deviate from the parking standards as set out in this document, because the transport assessment indicates so, they are expected to fully justify their approach in the Design and Access Statement.
- 6.04 At the time of writing, Denbighshire County Council is reviewing its parking and enforcement policy which will consider factors such as the availability and pricing of off-street car parking spaces, on-street parking restrictions and enforcement strategy. Once ratified or adopted, those results and findings may be used to inform the determination of parking requirements for individual developments.
- 6.05 Parking standards for disabled people are laid out in section 7, and for cycle and motorcycle spaces can be found in section 8 and 9 respectively.

### **6.1 Parking Zone 1**

- 6.11 Parking Zone1 includes the towns of Rhyl, Prestatyn, St Asaph, Denbigh, Ruthin, Corwen, Llangollen, Rhyddlan, Bodelwyddan, and the City of St Asaph. Every settlement in this category is delineated by a development boundary (LDP policy RD1) which is shown as a red outline on the LDP proposals maps. In addition, employment land at St Asaph Business Park is included in this zone.

6.12 In Denbighshire, these towns and the City of St Asaph are regarded by local people as their destination for most activities which are not met within their own settlement. The area has a full range of retail activity, doctor's surgery and many commercial businesses, all within walking distance. Built density is high with little private car parking.

6.13 Notes to individual types of development can be found in Appendix 2.

<b>Residential: New build &amp; Conversion</b>			
Type of Development	Residents		Visitors
<b>General Purpose - Houses and Apartments</b>			
Houses	1 space per bedroom (maximum requirement 3 spaces)		1 space per 5 units
Apartments	1 space per bedroom (maximum requirement 3 spaces)		1 space per 5 units
House conversions to bedsits, or self-contained apartments	1 space per bedroom (maximum requirement 3 spaces)		1 space per 5 units
House conversions to residential hostel	1 space per resident staff 1 space per 3 non-resident staff		Nil
<b>Special Purpose Housing</b>			
Self-contained elderly persons dwellings (not wardened)	1 space per 2 – 4 units		1 space per 4 units
Self-contained elderly persons dwellings (wardened)	1 space per 4 units 1 space for warden 1 space per 2 ancillary staff		1 space per 4 units
Purpose built student accommodation under College/ University control	1 space per 25 beds for servicing, wardens and drop-off areas		1 space per 10 beds (for students &/ or visitors)
Residential childrens'/ homes for elderly persons/ nursing homes	1 space per resident staff 1 space per 3 non-resident staff		1 space per 4 units
<b>Offices – Use Class B1 Business, Class A2 Financial &amp; Professional Services</b>			
Type of Development	Requirement	Type of Development	Requirement
Offices (< 1000m <sup>2</sup> )	1 space per 35m <sup>2</sup>	Offices (> 1000m <sup>2</sup> )	1 space per 60m <sup>2</sup>
<b>Shops (including Supermarkets &amp; Superstores)</b>			
Type of Development	Operational	Non-operational	
Shops (< 200m <sup>2</sup> )	1 commercial vehicle space	1 space per 60m <sup>2</sup>	
Shops and small supermarkets (201m <sup>2</sup> - 1,000m <sup>2</sup> )	2 commercial vehicle space	1 space per 40m <sup>2</sup>	
Shops and small supermarkets (1,001m <sup>2</sup> - 2,000m <sup>2</sup> )	3 commercial vehicle space	1 space per 40m <sup>2</sup>	
Supermarkets & Superstores (predominantly food) (> 2,000 m <sup>2</sup> )	3 commercial vehicle space	1 space per 14m <sup>2</sup>	



<b>Retail Warehousing and Garages</b>					
Type of Development	Operational	Non-operational			
Retail Warehousing (non-food) (non-DIY) (> 1,000m <sup>2</sup> )	3 commercial vehicles spaces	1 space per 30m <sup>2</sup>			
Retail Warehousing (DIY & Garden Centres) (> 1,000m <sup>2</sup> )	3 commercial vehicles spaces	1 space per 20m <sup>2</sup>			
Builders Merchants (Trade & Retail)	3 commercial vehicles spaces	1 space per 80m <sup>2</sup> & 10% of GFA			
Cash & Carry Warehousing (Trade Only) (> 1,000m <sup>2</sup> )	3 commercial vehicles spaces	1 space per 50m <sup>2</sup>			
Open Air Markets & Car Boot Sales	1 space per stall pitch	1 space per 30m <sup>2</sup> of gross stall pitch area including pedestrian circulation area			
Garages	1 car/ lorry space per each car/ lorry service bay	2 car/ lorry spaces per each service bay			
Service Stations (exhausts, MoT, tyres etc.)	1 lorry space & 20% of GFA	2 car/ lorry spaces per each service bay			
Petrol Filling Stations	1 space for petrol tanker	4 spaces for ancillary use (eg automatic car wash)			
Car Sales Premises	1 space per car transporter	1 space per 50m <sup>2</sup> of retail area (internal & external)			
Motorcycle Sales Premises	1 commercial vehicle space	1 space per 50m <sup>2</sup> of retail area (internal & external)			
Driving Schools, Private Hire / Vehicle Hire, Licensed Taxis	1.25 spaces per vehicle operated	1 space per 3 auxiliary staff			
<b>Industry and Industrial Warehousing (including Use Classes B2 &amp; B8)</b>					
Type of Development	Operational	Non-operational			
Small Industry (< 100m <sup>2</sup> )	1 van space	1 space			
Small Industry (< 235m <sup>2</sup> )	1 van space	2 spaces			
Industry	see Annotation*	1 space per 120m <sup>2</sup>			
High Technical Industry	see Annotation*	1 space per 35m <sup>2</sup>			
Industrial Warehouse	see Annotation*	1 space per 140m <sup>2</sup>			
Storage Warehouse	1 commercial space per 500m <sup>2</sup>	Nil			
Distribution Centre (< 1,000m <sup>2</sup> )	35% of GFA	1 space per 120m <sup>2</sup>			
Distribution Centre (> 1,000m <sup>2</sup> )	25% of GFA	1 space per 120m <sup>2</sup>			
Annotation* - Operational requirements:					
GFA (m <sup>2</sup> )	Minimum (m <sup>2</sup> )	GFA (m <sup>2</sup> )	Minimum (m <sup>2</sup> )	GFA (m <sup>2</sup> )	Minimum (m <sup>2</sup> )
100	70	500	100	1,001	150
250	85	1,000	150	2,000	200
Above 2,000m <sup>2</sup> GFA, the required minimum operational area should be taken as 10% of GFA.					
<b>Places of Entertainment</b>					
Type of Development	Operational			Non-operational	
Children's Play Centres	1 space per 3 members of staff			1 space per 20 m <sup>2</sup> play area	

Type of Development	Operational	Non-operational
Assembly Halls (Commercial) e.g. Bingo Hall	1 commercial vehicle space	1 space per 8m <sup>2</sup>
Assembly Halls (Social) e.g. Unlicensed Club, Community Centres	1 commercial vehicle space	1 space per 15m <sup>2</sup>
Cinemas, Theatres & Conference Centres	1 commercial vehicle space	1 space per 5 seats
<b>Hotels and Restaurants</b>		
Type of Development	Operational	Non-operational
Hotels	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per bedroom
Public Houses & Licensed Clubs	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per 5m <sup>2</sup> of public area including servery
Restaurants	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per 7m <sup>2</sup> of dining area
Cafes & Drive-Thru Restaurants (see Annotation*)	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per 14m <sup>2</sup> of dining area (or part thereof)
Hot Food Takeaways	1 commercial vehicle space	1 space for non-resident staff & adequate on-street parking for customers nearby
Transport Cafes	1 commercial vehicle space	1 space per 3 non-resident staff & 1 commercial vehicle space per 2 seats

Annotation\* - Restaurants including drive through facilities for ordering and collecting food by car must have an internal segregated access for this purpose and be provided with a minimum of 6 waiting spaces.

<b>Community Facilities</b>		
Type of Development	Operational	Non-operational
Hospitals*	Essential vehicles as required	2.5 spaces per bed
Health Centres & Surgeries	1 space per practitioner	1 space per 3 ancillary staff & 3 spaces per practitioner
Churches & Places of Worship	1 commercial vehicle space	1 space per 10 seats or 1 space per 8m <sup>2</sup> of praying floorspace
Chapels of Rest	3 commercial vehicle spaces	as per Churches etc.
Funeral Homes	3 commercial vehicle spaces	1 space per 2 members of staff
Public Leisure Centres	1 commercial vehicle space	1 space per 2 facility users & 1 space per 3 spectators
Fitness Clubs, Leisure Clubs & Sports Clubs**	1 commercial vehicle space	1 space per 2 facility users
Marinas	1 car and trailer space	1 space per berth
Libraries	1 commercial vehicle space	1 space per 45m <sup>2</sup>

\* - This level of provision would be appropriate for acute and neighbourhood District Hospitals. For other types of hospitals a lower level of provision may be acceptable.

\*\* - Clubhouse bar and restaurant facilities must always be separately assessed

<b>Educational Establishment</b>		
Type of Development	Operational	Non-operational
Day Nurseries & Creches (new build property)	1 commercial vehicle space	1 space per 2 full time staff
Day Nurseries & Creches (converted property)	Included in non-operational requirement	1 space per 2 full time staff
Nursery/ Infants/ Primary School	1 commercial vehicle space	1 space per each member of teaching staff & 3 visitor spaces, Bus parking as required
Secondary Schools	1 commercial vehicle space	1 space per each member of teaching staff, 1 space per 2 ancillary staff, 1 space per 20 students of age 17 and 3 visitor spaces, Bus parking as required
Colleges of Higher/ Further Education	1 commercial vehicle space	1 space per each member of teaching staff, 1 space per 2 ancillary staff, 1 space per 8 students and 5 visitor spaces.

## 6.2 Parking Zone 2

6.21 Parking Zone 2 includes all settlements in the rural countryside of Denbighshire, i.e. villages, hamlets and individual buildings in the open countryside. Except buildings in the open countryside, these settlements are either delineated by a development boundary (LDP policy RD1) or an area of search (LDP policy BSC6) on the LDP proposals maps.

6.22 These settlements may have a small number of local facilities within walking facilities. Motorised travel is required for most journeys. Public services are less than hourly and then only to one local centre. There is no shortage of land for parking provision within the site but the adjacent highway system offers limited opportunities to park cars.

6.23 Notes to individual types of development can be found in Appendix 2.

<b>Residential: New build &amp; Conversion</b>			
Type of Development	Residents	Visitors	
- as defined per Parking Zone 1 -			
<b>Offices – Use Class B1 Business, Class A2 Financial &amp; Professional Services</b>			
Development	Requirement	Development	Requirement
Offices (< 1000m <sup>2</sup> )	1 space per 25m <sup>2</sup>	Offices (> 1000m <sup>2</sup> )	1 space per 40m <sup>2</sup>
<b>Shops (including Supermarkets &amp; Superstores)</b>			
Type of Development	Operational		Non-operational
Shops (< 200m <sup>2</sup> )	1 commercial vehicle space		1 space per 60m <sup>2</sup>
Shops and small supermarkets (201m <sup>2</sup> - 1,000m <sup>2</sup> )	2 commercial vehicle space		1 space per 20m <sup>2</sup>

<b>Retail Warehousing and Garages</b>		
Type of Development	Operational	Non-operational
Builders Merchants (Trade & Retail)	3 commercial vehicles spaces	1 space per 80m <sup>2</sup> & 10% of GFA
Open Air Markets & Car Boot Sales	1 space per stall pitch	1 space per 30m <sup>2</sup> of gross stall pitch area including pedestrian circulation area
Garages	1 car/ lorry space per each car/ lorry service bay	2 car/ lorry spaces per each service bay
Service Stations (exhausts, MoT, tyres etc.)	1 lorry space & 20% of GFA	2 car/ lorry spaces per each service bay
Petrol Filling Stations	1 space for petrol tanker	4 spaces for ancillary use (eg automatic car wash)
Car Sales Premises	1 space per car transporter	1 space per 50m <sup>2</sup> of retail area (internal & external)
Motorcycle Sales Premises	1 commercial vehicle space	1 space per 50m <sup>2</sup> of retail area (internal & external)
Driving Schools, Private Hire / Vehicle Hire, Licensed Taxis	1.25 spaces per vehicle operated	1 space per 3 auxiliary staff

**Industry and Industrial Warehousing (including Use Classes B2 & B8)**

Type of Development	Operational	Non-operational
Small Industry (< 100m <sup>2</sup> )	1 van space	1 space
Small Industry (< 235m <sup>2</sup> )	1 van space	2 spaces
Industry	see Annotation*	1 space per 120m <sup>2</sup>
Industrial Warehouse	see Annotation*	1 space per 140m <sup>2</sup>
Storage Warehouse	1 commercial space per 500m <sup>2</sup>	Nil

Annotation\* - Operational requirements:

GFA (m <sup>2</sup> )	Minimum (m <sup>2</sup> )	GFA (m <sup>2</sup> )	Minimum (m <sup>2</sup> )	GFA (m <sup>2</sup> )	Minimum (m <sup>2</sup> )
100	70	500	100	1,001	150
250	85	1,000	150	2,000	200

Above 2,000m<sup>2</sup> GFA, the required minimum operational area should be taken as 10% of GFA.

**Places of Entertainment**

Type of Development	Operational	Non-operational
Children's Play Centres	1 space per 2 members of staff	1 space per 15 m <sup>2</sup> play area
Assembly Halls (Commercial) e.g. Bingo Hall	1 commercial vehicle space	1 space per 8m <sup>2</sup>
Assembly Halls (Social) e.g. Unlicensed Club, Community Centres	1 commercial vehicle space	1 space per 10m <sup>2</sup>

**Hotels and Restaurants**

Type of Development	Operational	Non-operational
Hotels	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per bedroom
Public Houses & Licensed Clubs	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per 3m <sup>2</sup> of public area including servery

Type of Development	Operational	Non-operational
Restaurants	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per 7m <sup>2</sup> of dining area
Cafes & Drive-Thru Restaurants (see Annotation*)	1 commercial vehicle space	1 space per 3 non-resident staff & 1 space per 14m <sup>2</sup> of dining area
Hot Food Takeaways	1 commercial vehicle space	1 space for non-resident staff & adequate on-street parking for customers nearby
Transport Cafes	1 commercial vehicle space	1 space per 3 non-resident staff & 1 commercial vehicle space per 2 seats

Annotation\* - Restaurants including drive through facilities for ordering and collecting food by car must have an internal segregated access for this purpose and be provided with a minimum of 6 waiting spaces.

<b>Community Facilities</b>		
Type of Development	Operational	Non-operational
- as defined per Parking Zone 1 -		
<b>Educational Establishment</b>		
Type of Development	Operational	Non-operational
Day Nurseries & Creches (new build property)	1 commercial vehicle space	1 space per 2 full time staff
Day Nurseries & Creches (converted property)	Included in non-operational requirement	1 space per 2 full time staff
Nursery/ Infants/ Primary School	1 commercial vehicle space	1 space per each member of teaching staff, 1 space per 2 ancillary staff & 3 visitor spaces
Secondary Schools	1 commercial vehicle space	1 space per each member of teaching staff, 1 space per 2 ancillary staff, 1 space per 10 students of age 17 and 3 visitor spaces, Bus parking as required
Colleges of Higher/ Further Education	1 commercial vehicle space	1 space per each member of teaching staff, 1 space per 2 ancillary staff, 1 space per 5 students and 5 visitor spaces.

## 7 Access for disabled people

7.1 The Equality Act 2010 protects people from discrimination in the workplace and in the wider society. All new public buildings are now required to be accessible to and have facilities for disabled people. The requirements of the Act do also apply to a wide range of buildings, including offices, shops, sport centres, church halls and education facilities. Additional information and guidance can be found in the document 'Inclusive Mobility' which was published by the Department of Transport in 2005.

7.2 Developers must give due consideration to the following aspects, which are considered important to disabled person.

- A. The signing of pedestrian routes - having established the most convenient location for parking the vehicles of disabled persons, it is essential that a clear system of sign posting to the appropriate access catering for disabled persons should be devised and, implemented by the developer.
- B. The gradient of any ramp should be as slight as possible. The use of the term 'maximum gradient 1 in 12' should not be construed as being acceptable to disabled persons, except where it is absolutely unavoidable. Developers should consider very carefully the relative levels of parking spaces and finished floor levels at an early stage in their planning, so that a level or near level pathway (preferably less than 5% gradient) can be maintained between the two, if at all possible.
- C. The difficulty caused to disabled persons in gaining entrance into a building is covered by the documents but the delay in opening doors etc., can cause considerable discomfort and therefore the developer should consider providing a canopy over entrances designed for the use of disabled persons.

7.3 It is recommended that appropriately positioned parking places, preferably within 50 metres of the facility served by the car park and which are adequate in size and number, shall be provided for people with disabilities.

7.4 The recommended proportions of spaces for Blue Badge holders:

- For car parks associated with existing employment premises:  
2% of the total car park capacity, with a minimum of one space.
- For car parks associated with new employment premises:  
5% of the total car park capacity should be designated (to include both employees and visitors)
- For car parks associated with shopping areas, leisure or recreational facilities and places open to the general public;  
A minimum of one space for each employee who is a disabled motorist plus 6% of the total car park capacity for visiting disabled motorists.
- For car park associated with railway stations;  
A minimum of one space for each railway employee who is a disabled motorists plus:
  - for a car park with fewer than 20 spaces, one disabled space
  - for a car park of 20 to 60 spaces, two disabled spaces
  - for a car park of 61 to 200 spaces, three disabled spaces
  - for a car park with more than 200 spaces, 4% of capacity plus

four disabled spaces.

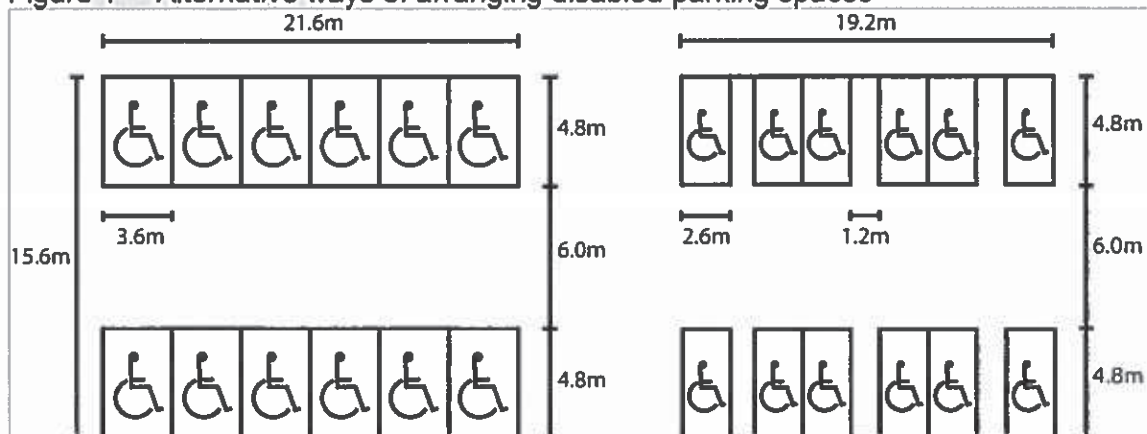
## 7.5 Notes relating to disabled motorists parking standards

- If only 1 space is required as part of the total operational or non-operational parking provision, the layout must conform to the requirements for disabled motorists parking (see Appendix 3).
- The number of parking spaces required for employees who are disabled motorist is included in the total number of non-operational parking requirements. However, a single parking space must be provided if stipulated by the number of disabled employees.
- If developers are not required to provide any non-operational parking at all, the Council will encourage them to provide a setting-down point for disabled people on firm and level ground, close to the main entrance to the building.

7.6 Disabled persons parking bays in off-street locations should be marked out with yellow lines and a yellow wheelchair symbol within the parking space. A sign, or if appropriate signs should be provided at the entrance to the car park to direct disabled motorists to designated parking spaces which, if the car park is not under cover, should also have raised signs at the head of the reserved bays. Signs inside the car park should show the most convenient way to the facilities served by the car park, with an approximate distance to those facilities. The marking out should comply with British Standard BS8300:2001 'Design of buildings and their approaches to meet the needs of disabled people – Code of Practice'.

7.7 On street disabled parking bays should be indicated by signs and marked out in full compliance with the Traffic Signs Regulations and General Directions (1994). Each bay should have a raised sign at the head of the bay to ensure that if snow or fallen leaves obscure the road marking, the purpose of the bay is still apparent.

Figure 1 Alternative ways of arranging disabled parking spaces



## 8 Cycle parking standards

- 8.1 Cycle parking should be located in a safe, secure and convenient location. Care should also be taken to ensure that cycle parking facilities are not located where they may obstruct pedestrians, disabled persons and particularly people with sight problems. Appropriate signing should always be provided to indicate the location of short term cycle parking.
- 8.2 For reasons of security, cycle parking facilities should be located in areas that are visible and therefore allow for informal surveillance. In certain instances this could need to be supplemented through the introduction of CCTV or other security means.
- 8.3 The design of cycle parking facilities. Sheffield stands (n-shaped steel bars set into the ground) are best suited for short stay parking. These should be:
- 750mm high, 700mm long and at least 250 mm into the ground;
  - spaced a minimum of 800mm apart;
  - polyester powder coated, coloured to match existing street furniture or buildings, (or else painted in black); and
  - be protected from the elements by a wall, shelter or canopy.
- 8.4 Hitching rings or hoops affixed to walls and buildings can also be used where space is limited and where Sheffield stands cannot be accommodated. These should be positioned at 1.8m intervals and 750mm above ground level.
- 8.5 All residential developments should be accessible by cycles and cycle storage should be a factor of dwelling design. In appropriate circumstances, convenient communal facilities may be provided. Guidance on this subject is available within Manual for Streets.
- 8.6 Small clusters of cycle parking facilities are preferable to large, central parking compounds. All stands should be located so as not to obstruct or endanger pedestrians, particularly visually impaired or partially sighted pedestrians and wheelchair users. Bollards painted with contrasting stripes may be required to give additional protection in this respect. Cycle parking areas may also need to be surrounded by tactile markings.
- 8.7 Cycle parking facilities should not damage the area's townscape or landscape. In Conservation Areas and Listed Buildings, special attention should be paid to the siting, design and materials used for the parking facilities. Measures which detract from the character or setting of a Listed Building or which damage the character of Conservation Areas will be resisted.
- 8.8 Further guidance on the design of cycle parking is available in the Department for Transport Traffic Advisory Leaflet 5/02 'Key Elements of Cycle Parking' and in Sustrans Information Sheet FF37 'Cycle Parking'.
- 8.9 For the application of the following standards, it is assumed that the typical dimension of a bicycle is 1.8m x 0.6m. There is no differentiation between



different parking zones. A minimum of 1 space should be provided in all classes.

#### 8.10 Minimum Cycle Parking Standards

Land Use Type	Number Of Spaces Required
<b>Shops</b>	
Small convenience shops	1 per 100m <sup>2</sup> (or part thereof)
Food supermarkets	1 per 150m <sup>2</sup> (or part thereof)
Non-food retail	1 per 200m <sup>2</sup> (or part thereof)
Banks, building societies, betting shops	1 per 60m <sup>2</sup> (or part thereof)
Food and drink outlets	1 per 60m <sup>2</sup> (or part thereof)
<b>Industrial Uses</b>	
Administrative offices, research and development uses	1 per 350m <sup>2</sup> (or part thereof)
General industrial uses	1 per 500m <sup>2</sup> (or part thereof)
Storage and distribution uses	1 per 1,000m <sup>2</sup> (or part thereof)
<b>Residential Uses</b>	
Hotels and guest houses	1 per 10 guest beds
Residential care homes, nursing homes and hospitals	1 per 10 employees
Residential schools, residential colleges and residential training centres	1 per 10 staff & 1 per 5 students
Dwellings	No prescribed standard. However, secure and convenient communal cycle parking areas may be required in appropriate circumstances (e.g. higher density developments with limited, or no car parking)
<b>Community Uses</b>	
Primary and secondary schools	4 per classroom
Sixth form and FE Colleagues	1 per 35m <sup>2</sup>
Medical and health centres	2 per consulting room
<b>Leisure Uses</b>	
Art galleries, museums and libraries	1 per 150m <sup>2</sup>
Cinemas, leisure centres, bingo halls, concert halls	1 per 75m <sup>2</sup>

### 9 Motorcycle parking standards

9.1 Motorcycle parking should be located in a safe, secure and convenient location where other vehicles cannot encroach or obstruct the motorcycle parking area.

9.2 Motorcycles are prone to theft. For reasons of security, motorcycle parking facilities should be located in areas that are visible and therefore allow for informal surveillance. Surrounding high walls or shrubbery should be avoided as they could provide cover for thieves. In certain instances the introduction of CCTV or other security means could be necessary. In particular these facilities should be located where other larger vehicles, such as vans, could not be used to steal the motorcycles.

- 9.3 Robust anchor points must be provided to lock the motor cycles to, but the design of the anchor points must be such that they are able to accommodate a wide range of motorcycle wheel sizes, but without affording easy leverage for bolt croppers or other equipment used for the purposes of theft. Care must also be taken to ensure that locking facilities do not present a trip hazard to pedestrians, disabled persons and particularly people with sight problems.
- 9.4 Covered motorcycle parking would clearly be of benefit to riders, particularly for long term parking, as would the supply of convenient litter bins as riders have little space for carrying surplus articles. It is also important to consider the supply of lockers for storage of riders' protective clothing and helmets.
- 9.5 Motorcycle length and width dimensions are generally reduced when parked, as the front wheel will be turned to a locked position. The effective length and width vary between about 1600mm to 2300mm (length) and 650mm to 900mm (width). A bay size of 2.8m x 1.3m is recommended.
- 9.6 A further consideration is that of disabled riders. It is suggested that provision be made for disabled riders by way of special marked-out bays of increased size. Any rider experiencing reduced mobility and strength will benefit from extra room to position themselves to the side of their bike when manoeuvring or mounting. As the rider population ages, stiffness and reduced range of movement will make this a common issue.
- 9.7 Motorcycle parking bays should not be surfaced with bitumen based material as it can soften in hot weather, causing the stand of the motorcycle to sink and the bike to topple. Concrete surfaces should avoid this problem. Further guidance is available in Manual for Streets.
- 9.8 There is no differentiation between different parking zones with regard to motorcycle parking requirements in new developments. If there is no requirement for the provision for car parking than motorcycle parking spaces will not be required either.

Type of development	Motorcycle Parking Provision
All classes of development	5% of provision for car parking

## 10 Landscaping

- 10.1 Planting should be used in car parks to relieve the monotony of areas of paving: to define or screen parking bays, and to provide visual features. Landscaping is seen as an integrated part of the design of parking areas and not as an after thought. Grass, ground cover plants, shrubs and trees used in car parks should be pollution resistant varieties, and in the case of trees should not be a type liable to heavy leaf fall, fruit dropping or branch shedding. Particularly to be avoided are most varieties of lime, maiden hair and horse chestnut. Care should be taken that planting does not obscure sight lines at junctions or remove any degree of natural surveillance.
- 10.2 Plant selection should reflect local character and vegetation and draw on

native as well as the more ornamental of exotic species. Ultimate height and spread should be considered in relation to nearby structures. Plant selection must exclude those species of plant that harbour litter.

- 10.3 A useful guide for species choice is available on a web site compiled by the Horticultural Trades Association in consultation with the Landscape Institute at [www.plantspec.org.uk](http://www.plantspec.org.uk).
- 10.4 In some circumstances, hard landscaping may be more appropriate, e.g. concrete blocks, bricks, paving slabs, cobbles. There is a wide variety of surfacing materials available, which can be used for car parks. The choice of which one to use in a specific situation will depend on the intensity of use expected, the desired appearance and the amount of money available for laying and maintenance.
- 10.5 The design and landscaping of car parks should take into account the guidance contained within the assessment guidelines of the Park Mark safer parking initiative of the Association of Chief Police Officers as well as the more general requirements of Planning Policy Wales Technical Advice Note12: Design (TAN12).

## 11 **Contacts / Sources**

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CSS Wales - County Surveyors' Society Wales: Wales Parking Standards 2008

Denbighshire Local Development Plan 2006 – 2021, LDP theme: Achieving Sustainable Accessibility, adopted 2013

Denbighshire Unitary Development Plan 1996 – 2011, Supplementary Planning Guidance Note 21: Parking Requirements in New Developments, 2004

Department for Transport: Inclusive Mobility (2005)

Welsh Government, Planning Policy Wales (Edition 5), November 2012

## Appendices

DRAFT

## Appendix 1 - Definitions

- A1.1 *Operational Parking Space* - Sufficient space to allow the maximum number and size of vehicles likely to serve the development at any one time and to manoeuvre with ease and stand for loading and unloading without inconvenience to vehicles and pedestrians on the public highway or to other users of the site.
- A1.2 *Non-Operational Parking Space* - The space occupied by vehicles not necessarily used for the operation of the premises.
- A1.3 *Residential Parking Space* - Includes space required for residents and space for cars of people visiting the residents.
- A1.4 *GROSS Floor Area* - The standards that are related to floor areas are GROSS floor area, i.e. including external walls, except where the text stipulates otherwise in respect of public houses, restaurants, cafes and places of worship.
- A1.5 *Extension or Development of Existing Buildings* – Any development carried out within the framework of the General Permitted Development Order is not subject to the parking requirements set out in this document. However, any parking displaced must be relocated.
- A1.6 *Public Transport Accessibility* - Public transport provision has the potential to reduce use of the car and where appropriate the level of this provision should be enhanced by planning gain through the planning process at the expense of developers.
- A1.7 *Employment Density* - The standards have been assessed on density norms (retail 19.5 m<sup>2</sup> per employee; industrial 35 - 45m<sup>2</sup> employee, office 16.5m<sup>2</sup> per employee). Variations in density may be treated on their merits.
- A1.8 *Land Use* - for the purpose of applying the parking standards the following table outlines the land uses specified within the Town and Country Planning (Use Classes) Order 1987 and subsequent amendments.
- A1.9 Certain uses within this document do not fall within any specific Use Class and therefore must be dealt with separately (see sui generis) e.g. open air markets. The absence of parking standards for a particular land use does not mean that no parking provision will be required.
- A1.10 Table 1 lists examples of types of developments with regard to the 'Town and Country Planning (Use Classes) Order 1987 (as amended)' classification.

Table A1: Examples of land uses per category in Town and Country Planning (Use Classes) Order 1987 (as amended)

Use Classes in 1987 Order	Land Uses in Parking Guidelines
Class A1: Shops	Shops; Supermarkets and Superstores; Retail Warehousing (Cash and Carry)
Class A2: Financial & Professional Services	Offices (only in cases where premises are provided principally for visiting members of the public)
Class A3: Food & Drink	Restaurants; Public Houses; Cafes; Transport; Licensed Clubs
Class B1: Business	Offices (other than in A2 above) / Light Industry
Class B2: General Industrial	Industry
Class B8: Storage or Distribution	Wholesale Warehousing
Class C1: Hotels & Hostels	Hotels
Class C2: Residential Institutions	Homes for the Elderly, Children, etc; Nursing Homes; Hospitals
Class C3: Dwelling houses	General Purpose Houses & Flats; Sheltered Accommodation
Class D1: Non-Residential Institutions	Health Centres; Surgeries; Churches; Schools; Colleges of Higher & Further Education; Libraries etc.
Class D2: Assembly and Leisure	Leisure Centres; Sports Clubs; Bingo Halls

- A1.11 The Standards have not been defined in terms of the 1987 Use Classes Order as this would lead to wide ranges of recommended provision, e.g. Class B1 business encompasses some office uses and industry. A standard anticipating this inter-changeability would be very wide and therefore, standards are only given for specific land use concerned e.g. office or industrial use.
- A1.12 In view of the inter-changeability of uses it may be necessary to impose restrictions on development within these wider classes in order to reflect car-parking requirements.
- A1.13 In addition, the Council reserves the right to treat all planning applications on their merits according to the size, nature, location, density, employment and traffic generation characteristics of the proposed development and its impact on the local and regional highway network.
- A1.14 The acceptance of a submitted travel plan by the local authority may require the preparation of a Section 106 Agreement to ensure continual compliance with the contents of the travel plan.

## **Appendix 2 - Notes relating to parking standards**

### **Notes relating to Residential parking standards**

- A2.1 Curtilage parking and garages should be provided as the most secure parking option wherever possible, preferably located alongside the dwelling. Remote garage blocks must be avoided. Garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m. If disabled access is required, these dimensions must be increased to 6m x 3.8m.
- A2.2 For developments where clear evidence has been supplied that car ownership levels will be lower than normal, a more flexible approach to numbers of parking spaces may be taken. Acceptable evidence of this would be a contractual arrangement with tenants to secure low car ownership levels.
- A2.3 In respect of residential homes for the elderly and nursing homes, sufficient operational space must be provided close to the building to enable ambulance access and egress in a forward gear.
- A2.4 Visitor parking must be designed as an integral part of any development where it is required and must take into account the needs of the disabled.

### **Notes relating to Offices parking standards**

- A2.5 Any office development carried out within the framework of the General Permitted Development Order is not subject to the parking requirements set out in this document. However, any parking displaced must be relocated.
- A2.6 Consideration may be given to a relaxation of the parking requirements in shopping areas for the change of use at ground floor level of premises from Use Class A1 (shops) to Use Class A2 (Financial & Professional Services).

### **Notes relating to Shops parking standards**

- A2.7 Although 'retail parks' may have shared parking, such developments will still require similar levels of parking to single stores, because of the longer duration of parking. Where existing premises are used for the establishment of a stall type market, the applicant shall identify a location for the provision of visitor parking.
- A2.8 Any development referring to shops and carried out within the framework of the General Permitted Development Order is not subject to the parking requirements set out in this document. However, any parking displaced must be relocated.
- A2.9 The non-operational standard includes employees parking. In addition to the operational parking requirements for servicing purposes, sufficient additional space must always be provided to allow servicing vehicles to both enter and leave the curtilage of the store servicing area in a forward gear.

### **Notes relating to Retail Warehouses and Garages parking standards**

A2.10 The range of trip generation and parking demand at retail warehouses varies to a considerable extent. The parking requirements of the most common types of store can be classified in broad bands. This is reflected by the tabulated requirements.

Highest requirement -	DIY stores
Mid-range requirements -	Electrical/ gas appliance, flat pack furniture stores
Lowest requirements -	Assembled furniture/ carpet stores, household and leisure goods stores

A2.11 Although 'retail parks' may have shared parking, such developments will still require similar levels of parking to single stores, because of the longer duration of parking.

A2.12 Where existing premises are used for the establishment of a stall type market, the applicant shall identify a location for the provision of visitor parking. The non-operational standard includes employees parking. Relaxation may be given to the parking requirements at fast service centres, e.g. tyres, exhausts. MOT etc. Where car sales premises include external display areas, additional parking space will be required.

A2.13 In addition to the operational parking requirements for servicing purposes, sufficient additional space must always be provided to allow servicing vehicles to both enter and leave the curtilage of the premises' servicing area in a forward gear.

A2.14 Convenience stores located at petrol filling stations will attract customers who do not also purchase petrol and will therefore require parking space. The additional requirement for this must be assessed as for a small shop.

### **Notes relating to Industry / Industrial Warehousing parking standards**

A2.15 Vehicles should be able to enter and leave the site in forward gear. Relaxation permitted for operational space when special servicing arrangements are made. Visitor parking is included in non-operational parking.

A2.16 Any industrial warehousing development carried out within the framework of the General Permitted Development Order is not subject to the parking requirements set out in this document. However, any parking displaced must be relocated.

A2.17 Industries of a highly technical nature are companies specialising in technical innovation usually microprocessor based. If the premises are to be used as a distribution depot, adequate space must also be provided to accommodate commercial vehicles that are likely to be parked overnight.



### **Notes relating to Places of Entertainment parking standards**

- A2.18 In addition to the operational parking requirements for servicing purposes, sufficient additional space must always be provided to allow servicing vehicles to both enter and leave the curtilage of the premises' servicing area in a forward gear.

### **Notes relating to Hotels and Restaurants parking standards**

- A2.19 Facilities for non-residents should be assessed by applying the appropriate category. An allowance should be applied where facilities are to be shared. The range in the parking requirements between zones allows for the distinction between 'country' public houses and 'suburban' public houses which are likely to have a higher proportion of walk-in trade.
- A2.20 Any hotel or restaurant development carried out within the framework of the General Permitted Development Order is not subject to the parking requirements set out in this document. However, any parking displaced must be relocated.
- A2.21 The non-operational requirement for restaurants and cafes in established shopping areas may be relaxed if it can be shown that they are 'incidental' to the shopping area or where such restaurants are used largely in the evening when adequate parking exists in the vicinity. However, adequate parking for staff must be provided at the rear. (This does not apply to transport cafes).
- A2.22 In addition to the operational parking requirements for servicing purposes, sufficient additional space must always be provided to allow servicing vehicles to both enter and leave the curtilage of the premises' servicing area in a forward gear.

### **Notes relating to Community Facilities parking standards**

- A2.23 This range is intended to reflect different catchment areas of churches and places of worship. One serving a local area would require a lower provision than one serving a wide area.
- A2.24 Consideration must be given to the provision of a coach parking area where appropriate, and to cycle and motorcycle parking. In addition to the operational parking requirements for servicing purposes, sufficient additional space must always be provided to allow servicing vehicles to both enter and leave the curtilage of the premises' servicing area, where provided, in a forward gear.
- A2.25 Practitioner to include doctor, dentist, nurse, health visitors etc.

### **Notes relating to Educational Establishments parking standards**

- A2.26 In addition to the non-operational parking an area must be provided for the picking up and setting down of school children. In the case of Day Nurseries

in converted properties the availability of adequate kerbside capacity (i.e. unrestricted parking) should be taken account of. This should be assessed when the nursery is at full capacity. Where part-time staff is employed they should be aggregated to their full time equivalents.

A2.27 Experience has shown that a minimum of 15 car spaces will be required for most other types of schools. Exceptions to this may be specialised (e.g. religious or Welsh) secondary schools with a large catchment area where a reduced number may be adequate, or larger schools in each category where a substantial increase (up to 50) may be desirable. With regard to buses, sufficient off street spaces should be provided for all services that the operator of the new school anticipates running for pupils, with the exception of passing service buses.

A2.28 The parking area should include a facility for vehicles to turn without reversing. In exceptional circumstances a circulation/turning area remote from pupil circulation areas would be acceptable.

A2.29 Definitions of schools for the purposes of these standards:

Nursery	- pre school age groups 3 – 5 often in converted residential property
Infants	- formal schools ages 3 to 7
Primary	- schools for children in the range 5 or 7 to 11
Secondary	- age range 11 to 18

Colleges of Higher and Further Education – includes sixth form colleagues

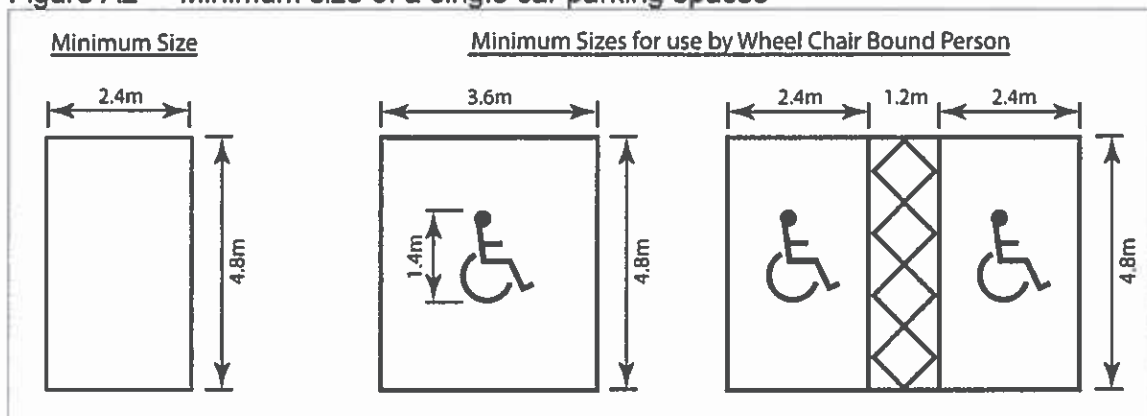
A2.30 Appropriate provision must be provided for parental drop off/pick up of children as dictated by local circumstances and any school travel plan. Drop off areas must be located so that the safety of pupils walking or cycling to school is not jeopardised.

### Appendix 3 - Layout of parking areas

A3.1 Figure 2, below, displays the minimum size for a single car parking space with additional requirements for wheel chair bound people.

A3.2 Disabled Driver's Vehicles – The standard dimensions of car parking spaces are 4.8m x 3.6m. This allows transfer from vehicle to wheelchair. With certain layouts standard bays can be used but additional provision must be made for the disabled to transfer to wheelchairs. Access to the rear must be provided.

Figure A2 Minimum size of a single car parking spaces



A3.3 Figures 3 a/ b illustrate alternative ways of arranging 12 car parking spaces. The first figure (3a) shows layout standards in accordance to the minimum car parking space size of 4.8m x 2.4m, whereas the measures in the second figure (3b) are based on a standard car parking space of 4.8m x 2.6m.

Figure A3a Alternative ways of arranging 12 car parking spaces in accordance to the minimum car parking space size of 4.8m x 2.4m

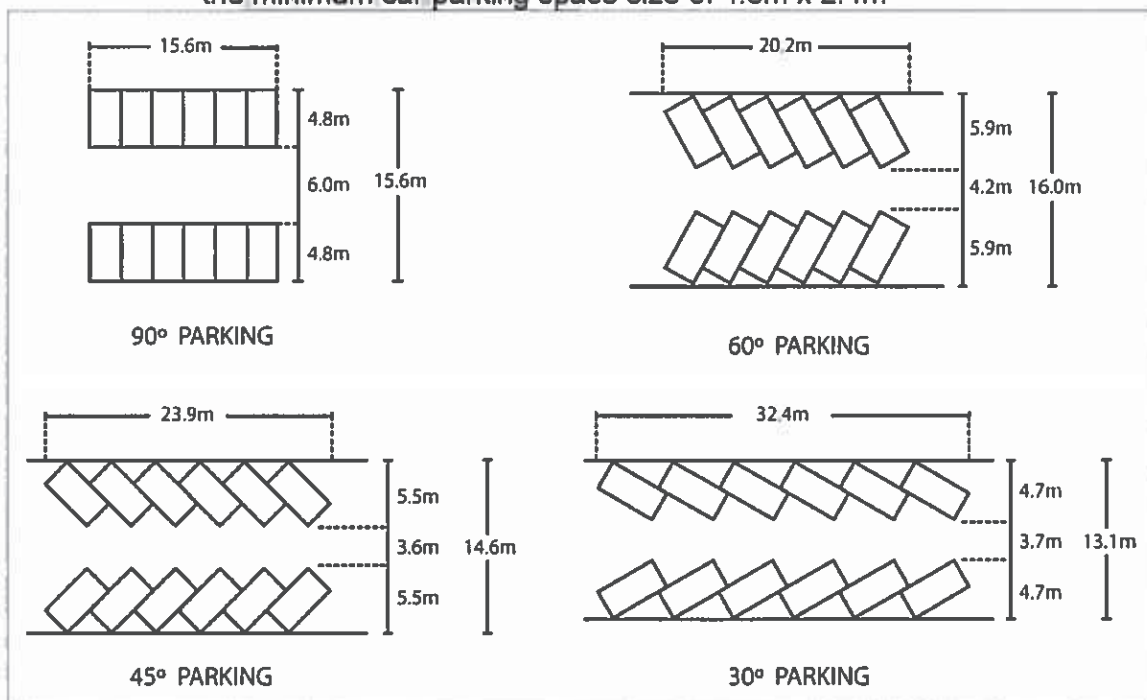
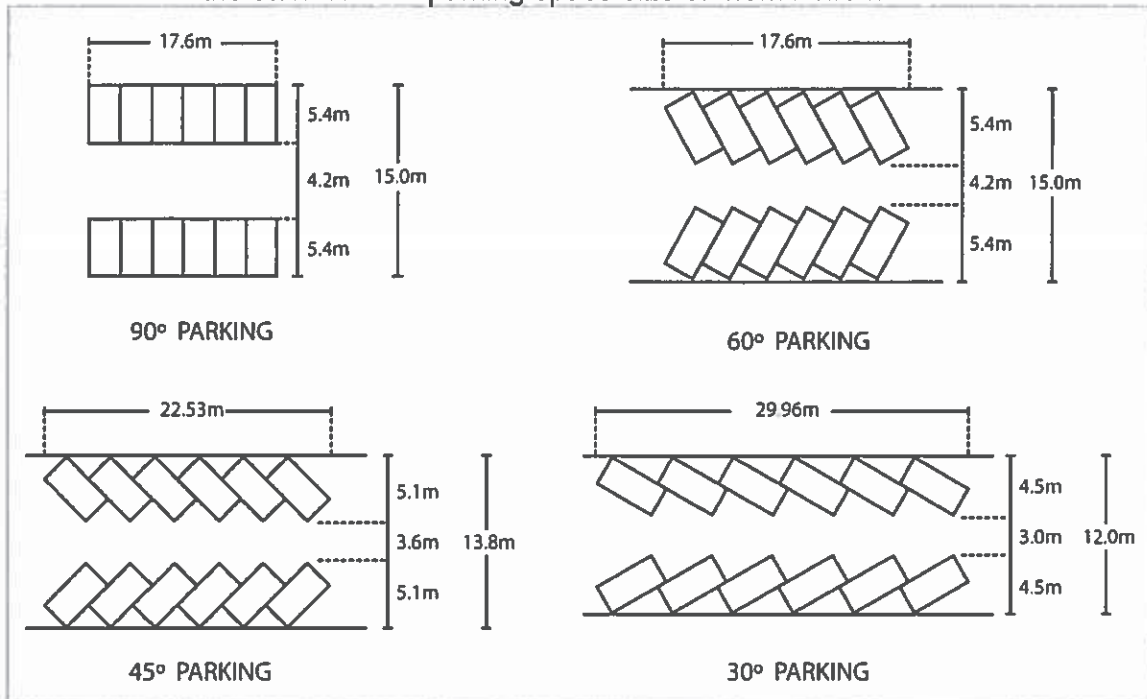
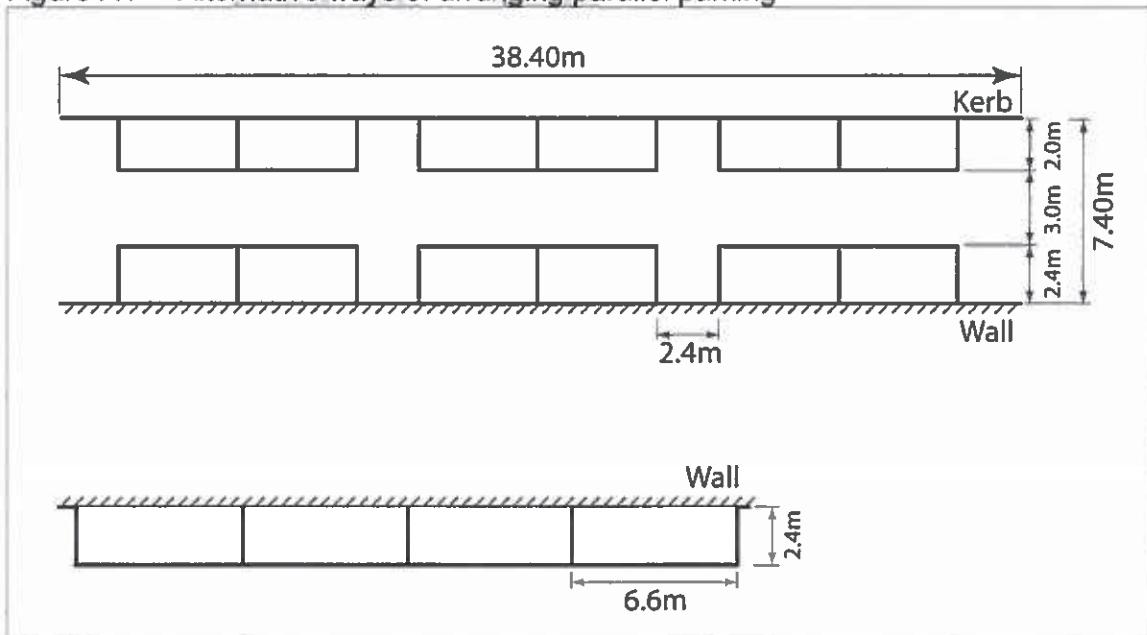


Figure A3b Alternative ways of arranging 12 car parking spaces in accordance to the standard car parking space size of 4.8m x 2.6m



A3.4 Parking arrangements along public roads have to take into consideration the minimum circulation aisle width of 3.0m for single way traffic and 5.0m on road accommodating two-way traffic.

Figure A4 Alternative ways of arranging parallel parking



A3.5 Vehicle Bays - The bay must be of sufficient size and be located so that the vehicle can be manoeuvred within the site, e.g. the 12m rigid lorry requires an absolute minimum of 105m<sup>2</sup> to allow it to leave a site in forward gear. Further details of good design practice can be found in appropriate Highway

Authority Design Standards or 'Designing for Deliveries', Freight Transport Association 1998.

A3.6

Articulated* (goods) vehicles	16.50m x 2.55m
Articulated low loader vehicles	18.00m x 2.55m
Rigid vehicles	12.00m x 2.55m
Buses and Coaches (two axes)	13.50m x 2.55m
Buses and Coaches (three axes)	15.00m x 2.55m
Buses and Coaches (Articulated)	18.75m x 2.55m
Refrigerated vehicles maximum allowed is 2.65m.	

\* - Road Traffic Act 1988: "articulate goods vehicle' means a motor vehicle which is so constructed that a trailer designed to carry goods may by partial superimposition be attached to it in such a manner as to cause a substantial part of the weight of the trailer to be borne by the motor vehicle..."

DRAFT

### Appendix 3

#### MATTERS RAISED BY COUNCILLORS AT THE LDP STEERING GROUP MEETING (NOVEMBER 2013)

<b>Matters raised</b>	<b>Response</b>
Clarification was sought whether parking spaces for disabled people are in addition to the parking spaces listed under 'operational' / 'non-operational' and 'residents' / 'visitors'.	Paragraph 7.4 and 7.5 set out that all parking spaces for disabled parking are calculated as part of the total car park capacity.
Members suggested changing the document layout from presenting parking standards by land use to parking standards by parking zone in order to make the document more reader friendly.	This proposal has been implemented and the document layout has been amended accordingly. (see section 6)
Clarification was sought with regard to the use of the terms 'Lower Growth Town' and 'Bodelwyddan' in parking zone 2.	Initial parking zones 1 and 2 have been merged into parking zone 1, and the term 'Lower Growth Town' (LGW) deleted. Instead of using the term LGW, paragraph 6.11 lists all settlements by name that are subject to parking standards laid out for parking zone 1.
In general, Members raised concerns about parking arrangements / conditions within the town centre of Rhyl	The Council is currently in the process of reviewing its parking and enforcement policy which will consider factors such as the availability and pricing of off-street car parking spaces, on-street parking restrictions and enforcement strategy. Once ratified or adopted, those results and findings may be used to inform the determination of parking requirements for individual developments.

**Report To:** Planning Committee

**Date of Meeting:** 22<sup>nd</sup> January 2014

**Lead Member / Officer:** Cllr David Smith, Public Realm  
Angela Loftus, Planning & Public Protection Policy  
Manager

**Report Author:** Lara Griffiths, Planning Officer

**Title:** Conversion of Rural Buildings Supplementary Planning Guidance –  
Consultation draft

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**1. What is the report about?**

- 1.1. This report accompanies a draft Supplementary Planning Guidance (SPG) document on conversion of rural buildings which, if adopted, will be used in the determination of planning applications.

**2. What is the reason for making this report?**

- 2.1. Following the adoption of the Denbighshire Local Development Plan (LDP), an updated SPG on conversion of rural buildings is required in order to provide further guidance for developers, Officers and Members. A draft SPG for public consultation is attached to this report.

**3. What are the recommendations?**

- 3.1. That Members agree the draft SPG on conversion of rural buildings as a basis for public consultation.

**4. Report details**

- 4.1. Following the adoption of the LDP on 4th June 2013, Council agreed to carry forward the existing series of SPGs, including SPG 16 – Conversion of Rural Buildings. However, given the significant differences between the previous Unitary Development Plan (UDP) and LDP policies relating to conversion of rural buildings, the introduction of the requirement for affordable housing, and the need for further guidance, it is necessary to produce an updated SPG on this topic. When adopted, the SPG will be a material planning consideration when assessing planning applications.
- 4.2. The SPG supplements the LDP policies on conversion of buildings from agricultural, commercial or community uses (mainly policies PSE 4, PSE 10 and BSC 12) by providing further detail on what uses may be acceptable for converted buildings, details of the marketing tests required and design guidance.

4.3. The public consultation period would be a minimum of 8 weeks and is anticipated to start in the last week of January 2014. All City, Town and Community Councils will be consulted along with people registered on the LDP database. Hard copies of documents will be available in all libraries and one stop shops as well as on the Denbigshire web site. The results of the consultation will be reported back to Planning Committee with a final SPG for adoption.

**5. How does the decision contribute to the Corporate Priorities?**

5.1. *Corporate Priorities 2012-17.* The SPG will contribute positively to the following proposed corporate priority:

- Developing the local economy – Providing further guidance on the LDP policy requirements will significantly contribute towards securing and delivering rural employment opportunities throughout the County.

**6. What will it cost and how will it affect other services?**

6.1. Agreeing the SPG for consultation is not anticipated to create any additional cost.

**7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

7.1 An EqIA is not considered necessary for this decision. The principle of converting rural buildings has been established through adoption of the LDP. The SPG provides further guidance on this. The LDP underwent a full EqIA in May 2011.

**8. What consultations have been carried out with Scrutiny and others?**

8.1 No formal consultation has been carried out, but internal consultation has been carried out with the LDP Members Steering Group, officers in the Development Control Section, County Conservation Officer, County Ecologist and Corporate Equalities Officer and amendments made. The Members Steering Group raised some concerns regarding the LDP policy which restricts conversions to employment, commercial or community uses or on failing to secure such a use affordable housing to meet local needs. The SPG does not provide an opportunity to change this policy and following a benchmarking exercise against other north Wales councils with up to date, adopted development plans it is clear that this policy is consistent with all of these north Wales authorities (Flintshire, Conwy, Gwynedd and Snowdonia). Concern was also raised that the 12 month marketing test was too long, it is again confirmed that this is consistent with other north Wales authorities who have published guidance on this. I would suggest that the 12 month test remains in the consultation draft of the SPG with the opportunity to amend if necessary following the results of the consultation exercise.



**9. Chief Finance Officer Statement**

9.1 Any costs associated with the guidance should be contained within existing budgets and therefore there are no obvious financial implications contained in the report.

**10. What risks are there and is there anything we can do to reduce them?**

10.1 In the absence of up-to-date guidance there is a risk the Council will be unable to effectively operate the LDP policy. This would result in a failure to secure employment, commercial or community uses for rural buildings or additional affordable housing in rural areas. The current conversion of rural buildings SPG relates to the previous UDP policy, which is significantly different to the LDP policy, and therefore cannot be relied upon to provide sufficient planning guidance in the long-term. The adoption of a new conversions of rural buildings SPG has been identified as a priority by the LDP Members Steering Group.

**11. Power to make the Decision**

11.1 Planning & Compulsory Purchase Act (2004).



# **Draft Supplementary Planning Guidance – Re-use and Adaptation of Rural Buildings**

**November 2013**

## **1. Introduction**

- 1.1 This note is one of a series of Supplementary Planning Guidance notes (SPGs) amplifying the development plan policies in a clear and concise format with the aim of improving the process, design and quality of new development. The notes are intended to offer broad guidance which will assist members of the public, Members of the Council, and officers in discussions prior to the submission of planning applications and assist officers and Members in determining planning applications.
- 1.2 The purpose of SPGs is to:
- Supplement or elaborate on adopted LDP policies
  - Take account of national guidance.

## **2. Status and stages in preparation**

- 2.1 The Council's SPG notes are not part of the adopted development plan. The Welsh Government has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals. This SPG document was formally approved for consultation by Denbighshire County Council's Planning Committee on XXXX.
- 2.2 These notes have been prepared in accordance with guidance contained in Planning Policy Wales (November 2012); Local Development Plans Wales (December 2005); Technical Advice Note 6 – Planning for Sustainable Rural Communities (July 2010).
- 2.3 This SPG provides further advice and guidance on the Council's commitment to safeguarding rural buildings for uses that contribute positively to the rural economy. It supplements adopted Denbighshire LDP policy PSE 4 ('Re-use and adaptation of rural buildings in open countryside).

## **3. Background**

- 3.1 Denbighshire has a wealth of stone built barns and other traditional rural buildings which make a contribution to the distinctiveness of the local landscape and the current and future economic needs of rural areas. National and local policies support re-use of rural buildings for purposes that contribute to the local economy and the principles of sustainable development.

3.2 Changes in farming practices and the decline of rural services have resulted in many older rural buildings becoming economically redundant or ill suited for their original purposes. As a result many owners need to look for new economic uses for their buildings. There is demand to convert rural buildings to residential accommodation, however, national and local planning policy presumes against the conversion of buildings to residential use where such buildings may suitably be reused for business purposes. This SPG confirms the Council's commitment to safeguarding rural buildings for purposes that contribute to the rural economy.

#### 4. Policy Considerations

##### **National Policy**

4.1 National planning guidance is contained within **Planning Policy Wales (PPW) 2012**, as updated, which stresses the need to balance the protection and enhancement of the countryside with economic, social and recreational needs. PPW supports a positive approach to the conversion of rural buildings for business re-use.

4.2 **Technical Advice Note 6 (TAN 6) Planning for Sustainable Rural Communities (July 2010)**, states that the primary consideration when assessing planning applications for the conversion of rural buildings should be whether the nature and extent of use proposed is acceptable in planning terms. It should not normally be necessary to consider whether a building is needed any longer for its present agricultural or other purposes. However, local planning authorities should investigate the history of use where there is reasonable cause to believe that an attempt has been made to abuse the planning system by constructing new rural buildings with the benefit of permitted development rights with the intention of early conversion to another use.

4.3 TAN6 <http://wales.gov.uk/docs/desh/policy/100722tan6en.pdf> generally prefers business re-use over residential re-use (paras 3.5 and 3.6 refer):

*'(3.5) The conversion of buildings which are currently in industrial or commercial use to dwellings may have an adverse impact on the local economy... (3.6) Whilst residential conversions have a minimal impact on the rural economy, conversions to holiday use can contribute more and may reduce pressure to use other houses in the area for holiday use.'*

4.4 The TAN also emphasises that conversion proposals must respect landscape and local building styles and materials. Where a proposed re-use of a building may have a significant adverse effect on the visual amenity of a locality the local planning authority if minded to grant planning permission may impose conditions to secure improvement in the external appearance of the building.

## Local Policy

- 4.5 The Denbighshire Local Development Plan (2006-2021) adopted 2013 sets the local planning policy context for the County.
- 4.6 Local Development Plan Policy **PSE 4 Reuse and adaptation of rural buildings in open countryside** confirms that consistent with national policy, re-use of rural buildings for economic purposes will be supported. Policy PSE 4 goes on to state that where an employment use has been demonstrated to be unviable that residential conversion to meet local affordable needs may be considered. Evidence indicates that there is a significant need for affordable housing across Denbighshire which will continue for some time. Extending the opportunity for residential conversions in the countryside for affordable housing to meet local needs provides a housing source to help meet this identified need in our rural communities. See PPW 2012 para 9.2.22
- 4.7 **Policy PSE 10 – Local Shops and Services**, states that the loss of local shops and services will be resisted unless it has been demonstrated that a continued commercial use is not viable, including a marketing period and examination of financial records.
- 4.8 **Policy BSC 12 – Community Facilities**, states that change of use from a community facility can be refused unless it has been demonstrated that the potential for continued use as a community facility is un-viable or unsuitable.

## 5 Buildings that may be suitable for conversion

- 5.1 Some rural buildings play an important role in the landscape of Denbighshire. Proposals to convert such buildings in a sensitive and well-designed manner could have a positive effect on the environment and ensure that these historic/traditional buildings are restored and serve a practical purpose into the future. As a result of their importance, conversion is recommended. Nevertheless converting a building should not lead to a loss of a facility or community service (i.e. public house, village shop etc), unless firm proof is received by the Council proving that the property has been marketed on sale and for rent at a reasonable price for a period of 12 months, which conforms with the principles of policies PSE 4, PSE 10 and BSC12 in the Local Development Plan. Buildings which could be converted for an economic, tourism or affordable housing use following it's unsuccessful marketing for sale and for rent for their current use, include:-
- agricultural buildings
  - chapels/churches
  - mills
  - public houses
  - old schools

- post offices/shops
- vestries

NB This list is not exhaustive

### 5.2 Buildings that are unlikely to be suitable for conversion

There are some buildings/structures that are not suitable for conversion, such as the ones which are:-

- Fragile in structure
- Ruins, i.e. with substantial sections of the walls missing or that it is in such a ruined state that only the remains of the original building can be seen, see 5.3 below
- Temporary buildings
- In an area at risk of flooding.
- Too small in size see LDP SPG 1 Residential Space Standards
- In such remote and isolated locations which would result in unsustainable development.

### 5.3 Necessary Structural Elements

With regard to the structure and size of the building, the application will need to comply with the following criteria before it can be granted planning permission:-

- The structure of the walls needs to be visible and strong up to the level of the eaves.
- There must be obvious openings for doors or windows which can be used.
- The appropriate steps have been taken to ensure that the condition of the walls of the building and the roof (where it exists) are safeguarded.
- The present building must be of an adequate floor area, i.e. at least 50m<sup>2</sup>.
- Should the conversion work mean carrying out work to restore the roof, then it should not be necessary to re-build more than 10% of the total wall area. Should it be unnecessary to carry out work to restore the roof, then it would be acceptable for it to be necessary to re-build 20% of the total wall area.

## 6. The Employment/Marketing Test

- 6.1 Denbighshire County Council is committed to the retention and creation of local employment, rural services and community facilities. The Local Planning Authority, in accordance with policies PSE 4, PSE 10 and BSC12 in the Local Development Plan and national planning guidance, will not allow conversion of such buildings to residential uses for local needs affordable housing, unless sufficient and reasonable attempts have been made to secure a business, commercial or community use for the building depending on previous use.

- 6.2 Sufficient and reasonable attempts at securing a business use for a rural building will require a “marketing exercise”. It is difficult to be prescriptive about the definition of the marketing exercise as each case will be different. However the planning authority will expect a marketing exercise as a minimum to comprise:
- bi-monthly advertisement in a regional newspaper
  - advertising with a commercial property agent;
  - notifying other organisations who may have an interest in promoting the site.
- 6.3 The marketing exercise should last a minimum of 12 months. The planning authority will determine at its own discretion what timescale is “sufficient and reasonable”, following an assessment of the merits of each individual case. The example cited below is an example of the general requirements that the planning authority would expect:
- The rural building must be *actively* advertised for employment uses for a continuous period of at least 12 months starting from the date of the first advert;
  - The rural building should be *actively* marketed through a recognised and independent commercial property agent and should cover the *North Wales, Cheshire and Merseyside* area.
  - The rural building should be advertised for employment uses in an advert in a regional newspaper on a bi-monthly basis during the marketing period;
  - The applicant must, at the start of the marketing period, notify the availability of the land/buildings for employment uses to the following (please contact the planning authority for relevant contact names):
    - (a) Denbighshire County Council's Economic and Business Development unit;
    - (b) Welsh Government, Business Wales; and
    - (c) Any relevant local business associations or interest groups.ie local chambers of trade, tourism associations and local Federation of Small Business groups etc.
  - The Local Planning Authority will require evidence of the extent of the marketing including copies of all adverts (with dates), when and for how long the advert was in the agent's window, websites etc;
  - The relevant contact name at the commercial property agent must also be provided in order for the Local Planning Authority to discuss the extent of their marketing along with details of the marketing particulars. Details of any queries received with regard to the property must be reported back to the planning authority.
  - At the end of the marketing period, the planning authority will require a report setting out the enquiries received, including any firm offers (conditional or unconditional) – with evidence where

necessary - and the commercial property agent's view as to the commercial viability of the site.

6.4 The Local Planning Authority must be satisfied that genuine attempts have been made to both:

- Actively market the property;
- Market the property at a reasonable price for employment, commercial or community uses.

6.5 The Local Planning Authority will require evidence of the marketing exercise to accompany the submission of any planning application for residential conversion.

## **7. Conversion to residential use for local needs affordable housing**

7.1 Residential conversions in the countryside can have a detrimental effect upon the rural character of the landscape and the local economy as well as encouraging unsustainable private car use.

7.2 Re-use of an existing rural building may be acceptable where it has been satisfactorily demonstrated that an economic, commercial or community use is unviable and that it will meet an identified local need for affordable housing. Occupants must have a strong local connection to the Community Council area, in accordance with the Council's Local Connections Policy (see Affordable Housing SPG) and also have a financial need for an affordable dwelling. Applicants will be required to provide evidence in support of the proposed occupant's local connection and financial eligibility. Further guidance on affordable housing can be found in LDP SPG X Affordable Housing.

## **8. Other Planning Considerations**

8.1 In addition to the guidance set out above, there will be further criteria which must be taken into consideration when determining a planning application for conversion. Some of the criteria will relate to residential affordable housing conversions only and others will refer to both residential and employment, commercial or community use conversions. Where conversion to affordable housing to meet local needs is proposed, the scheme should meet the requirements of LDP SPG 1 Residential Space Standards.

8.2 In all instances the objective is to ensure that buildings to be converted are adapted sympathetically having regard to their surroundings. In the case of traditional buildings, the scheme of conversion should ensure that the original character of the building is retained.

### **8.3 Quality/Condition of Building**

Buildings should be of permanent and substantial construction and should not be so derelict that they could only be brought back into use by substantial rebuilding, tantamount to the erection of a new building.



8.4 In order to establish the condition and physical suitability of a building, an independent structural engineer's report will be required. This should clearly demonstrate the structural capability of the building to accommodate the scheme proposed and be submitted with the planning application. This will benefit both the Council and applicant since if a building collapses during alteration the planning permission may not be able to be implemented.

#### 8.5 **Quality of Conversion**

Once the suitability of a building for conversion is established, then the actual details of the scheme need to be assessed. The following considerations are put forward as generally reflecting good practice. There may be individual buildings wherein the guidance may not be appropriate depending on its unique character, design, materials and construction. In such cases advice should be sought from appropriate Council officers.

##### **(a) Extension/alteration**

Generally, the building should be capable of conversion without the need for extensions and alterations. The roof line should not be altered or raised and dormers will almost always be inappropriate, unless they are traditional to other buildings in the locality.

##### **(b) Internal sub-division**

By the nature of their intended purposes, many buildings are open plan internally. It is inevitable, particularly for residential uses, that internal sub-division is necessary e.g. to separate kitchen, bathroom and living space or to separate office space/storage. Internal sub-division should be kept to a minimum so as to respect the internal features, space or roof structures.

##### **(c) Elevational changes**

###### **(i) Windows and Doors:**

A difficulty experienced in conversion schemes is to enable sufficient natural light into a building, without the creation of a considerable amount of new openings (fenestration) which would seriously damage its existing character. Wherever possible, existing openings should be retained and new openings should be kept to a minimum. Where new windows and doors are unavoidable, they should be sympathetic in design, proportions and materials. The use of UPVC will generally be unacceptable and all external timber should be painted rather than stained. Additional light may be achieved by the glazing of ventilation slits and sparing use on less visible roof lines of flush fitting conservation roof lights.

###### **(ii) Details:**

Existing features such as fixed machinery, arches, lintels ventilation slits etc., should be retained and incorporated into the scheme. Where openings need to be blocked up a sympathetic material should be used

and recessed to emphasise the original opening. The use of timber boarding or glass may be appropriate for large openings with glazing helping to ensure sufficient natural light is available. The introduction of chimney stacks and modern or over-ornate details should be avoided. External rainwater goods should be kept to a minimum and be black finished cast-iron or aluminium.

(iii) External materials:

Existing stone/brickwork should be repointed using traditional lime based mortars and methods, and roof slates/tiles should be repaired and re-used wherever possible. In instances where new materials are necessary, these should match the existing in terms of size, colour, texture etc. Only when the existing building features rendering and/or paint/whitewash will this form of treatment be appropriate.

### **External Areas**

Notwithstanding the quality of the actual conversion scheme, considerable care must be taken with the external surroundings. The creation of a residential curtilage, boundary treatment and the introduction of residential and domestic features and materials can have a damaging effect on the character of the building and its surroundings. Bin stores etc should be sensitively located.

#### **(a) Curtilages**

The curtilage of a rural building should generally remain open and uncluttered. Where there is scope for private areas in residential conversions these should be screened with hedging and walls of old brick or stone and should follow existing natural or manmade boundaries such as hedge lines or farmyard boundary walls. The treatment of boundaries should reflect the building's rural character with simple post and rail fences stone / brick walls and timber gates being acceptable. The planning application should include plans clearly defining the extent of the curtilage areas and showing detailed boundary treatments.

In residential conversions, conservatories, pools, sheds, interwoven fences and ornate entrances etc., may detract from the character of the building and its setting. The incorporation of agricultural land into a building's curtilage constitutes a change of use and will require planning permission but will normally be discouraged.

#### **(b) Surfaces**

Modern ground surface materials such as tarmac and concrete are sometimes out of keeping with the character of traditional rural buildings, although there are instances when tarmac may be suitable. Wherever possible, existing stone sets, cobbles or other suitable/sympathetic materials should be retained or re-used and supplemented where necessary.

**(c) Landscaping**

Generally, hard landscaping will be appropriate to courtyards and soft landscaping appropriate elsewhere. Existing landscape features should be retained where possible. Planning applications should be accompanied by a fully detailed landscaping scheme.

**(d) Parking**

Parking should be in accordance with the Local Planning Authority's guidelines. Careful consideration should be given to the sensitive siting and design of car parking, in both employment and residential schemes.

Wherever possible in a residential conversion scheme, garaged cars should be incorporated within the conversion scheme, especially in buildings with former loading bays and barn doors.

**(e) Services**

Particular care needs to be given to services which can have a damaging visual effect. LP gas tanks, septic tanks etc. should be sensitively sited and well screened so as to be unobtrusive whilst electricity control boxes, alarm boxes, satellite dishes and flues etc., should be positioned on less prominent elevations.

**(f) Storage**

Some employment conversion schemes may need space for the storage of goods and materials. As with car parking, careful consideration should be given to the siting and screening of any storage areas, ensuring that there is a minimal impact upon the building and its surroundings by utilising screening through existing or new walls or through landscaping measures.

**(g) Access for Disabled People**

An inclusive design approach is recommended to incorporate facilities for disabled people in compliance with the Equalities Act 2010. Access should be in accordance with the Local Planning Authority's guidelines, Access Strategy and Approved document Part M of Building Regulations 2010.

**8.6 Amenity/Setting of Other Buildings**

The relationship of the conversion scheme to other buildings needs to be assessed. Often there will be dwellings nearby and both these and the conversion scheme must take account of privacy and overlooking issues. Agricultural or other operations, either on the site or nearby must not result in inadequate amenity standards.

**8.7 Wildlife**

Some buildings may contain roosts for bats, owls and other nesting birds which are protected by the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife & Countryside Act 1981 (as amended). It is illegal to kill, injure or take most wild birds

and to take damage or destroy the nest of any wild bird whilst it is in use or being built. Some species, such as the barn owl, receive further protection under the Act. In such cases, the applicant will need to undertake a pre-determination survey and Natural Resources Wales (NRW) will be consulted on the results of the survey and mitigation required. Local Development Plan policy VOE 5 Conservation of Natural Resources should be considered. Applicants are advised to contact the County Ecologist for advice and refer to any other guidance on nature conservation and planning. It is an offence to kill, injure or disturb any bat and to damage, destroy or obstruct access to any place a bat uses for shelter or protection, even if bats are not present at the time. An offence can be committed even if the actions were unintentional. Steps can be taken in the detailed designs of roofs to provide suitable habitats and access for bats and birds and these will need to be incorporated within any scheme where the presence of these species is evident or likely.

#### **8.8 Listed Buildings and Conversion Areas**

Some buildings may be listed as being of special architectural or historic interest or may fall within the curtilage of a listed building. Others may fall within conservation areas. In both cases conversions will require very careful consideration to ensure that the character, appearance and features of the buildings are retained. Where developments are being proposed under policy VOE 4 Enabling development the special circumstances which warrant consideration under this policy may override the requirements of Policies BSC 12, PSE 4 and PSE 10 and this SPG guidance. A separate application for listed building consent will be required where works are proposed to a listed building or building within the curtilage of a listed building.

#### **8.9 Removal of Permitted Development Rights**

In granting planning permission for residential conversions permitted development rights will be removed by the imposition of a planning condition. All subsequent alterations i.e. garages, extensions, outbuildings, sheds, alterations to the roof etc., which would normally be permitted development, will require specific planning permission. This is to avoid the loss of the building's character through a series of small changes which cumulatively have an adverse effect.

### **9. Contacts**

Planning & Public Protection Policy Team

Tel: 01824 706916

Email: [ldp@denbighshire.gov.uk](mailto:ldp@denbighshire.gov.uk)

Development Control & Compliance Team

Tel: 01824 706727

Email: [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk)

Conversion of Rural Buildings  
Supplementary Planning Guidance  
consultation draft  
22/01/2014

Equality Impact Assessment

# Conversion of Rural Buildings Supplementary Planning Guidance - consultation draft

Contact: Angela Loftus

Updated: 22.01.14

## 1. What type of proposal / decision is being assessed?

A new or revised policy

## 2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

The proposal is to carry out a public consultation on a new Supplementary Planning Guidance (SPG) on conversion of rural buildings.

## 3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

No	The proposal is to to carry out public consultation on new planning guidance relating to conversion of rural buildings. The content of the SPG does not set policy but merely provides additional explanation and information for Members, Officers and developers in applying the policy. The LDP, including the requirement to consider the conversion of rural buildings. underwent a full EqlA in 2009.
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## 4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken

*(Please refer to section 1 in the toolkit for guidance)*

The Denbighshire Local Development Plan (LDP) is the overarching policy document under which all SPG sit and this underwent an EqlA in 2009.

- 5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**  
*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

No

- 6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

No

- 7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

No	Not required
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- 8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

No	Not required
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Action(s)	Owner	By when?

**9. Declaration**

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

<b>Review Date:</b>	03 2014
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Name of Lead Officer for Equality Impact Assessment	Date
Angela Loftus	22.01.14

**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**

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**Report To:** Planning Committee

**Date of Meeting:** January 22<sup>nd</sup> 2014

**Lead Member / Officer:** Angela Loftus (Planning & Public Protection Policy Manager)

**Report Author:** Bryn Bowker (Planning & Public Protection Policy Officer)

**Title:** Draft Planning (Wales) Bill and Positive Planning consultation.

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**1. What is the report about?**

1.1. To make Members aware of the Welsh Government's consultation on a Draft Planning Bill and supplementary document entitled 'Positive Planning'. The consultation closes on February 26<sup>th</sup> 2014. The documents can be viewed via the Welsh Government website or can be forwarded on request.

**2. What is the reason for making this report?**

2.1. To outline what officers consider will be the main implications of changes proposed to the planning system by Welsh Government.

**3. What are the Recommendations?**

3.2. That Members acknowledge the content of the report and outline any comments that they would like to include in the Council's response to the Draft Planning Bill and Positive Planning consultation.

**4. Report details.**

4.1. The Draft Planning Bill and Positive Planning consultation document was first published by the Welsh Government on December 4<sup>th</sup> following a number of independent reviews of the planning system. In broad terms, the consultation paper seeks to modernise the planning system and identifies a need for a culture change, which involves a change in attitude away from regulating development towards encouraging and supporting appropriate development that supports national, local and community objectives.

4.2. The proposals are grouped into the following four themes: supporting culture change, active stewardship, improving collaboration, and improving local delivery. For ease of reference, the key changes proposed to the planning system are outlined below under each respective theme:

4.3. ***Supporting culture change*** by:

- Forming a national Planning Advisory and Improvement Service that would identify and disseminate good practice; assist in sharing expertise & resources across planning authorities; identify, promote and target training requirements for officers and members; provide targeted specialist advice & mentoring, and publicise, disseminate & educate about Welsh Government planning initiatives.
- Developing a competency framework that would set two complementary frameworks for planning practitioners and elected representatives that would set out the skills, knowledge and behaviours considered necessary to ensure that planning becomes a positive enabling activity.

4.4. Under the ***active stewardship*** theme it is proposed to:

- Publish a National Development Framework which will replace the Wales Spatial Plan. The National Development Framework would identify key locations across Wales which could accommodate change and infrastructure investment, set the framework for Strategic Development Plans (explained further below) and Local Development Plans, maximise benefits from funding streams, and set the context for Welsh Ministers to make decisions on Developments of National Significance (explained further below).
- Establish a new category of development for the largest infrastructure planning applications (developments of national significance) with these types of applications being determined by the Welsh Ministers or any person (s) appointed by them. Welsh Government will also lead on mandatory pre-application advice for developments of national significance, and local planning authorities would have a duty to provide a pre-application response on request. When the formal planning application is submitted, the local planning authority would have to compile a Local Impact Report for Welsh Ministers.
- Changes to the planning application appeal process to require appellants to submit their full statement of case when an appeal is made; introduce a draft Statement of Common Ground for appeals conducted by hearing or inquiry; removing the right to appeal before an Inspector; provide Inspectors with the power to determine how the appeal is handled, and enable award of costs to be sought for appeals dealt with by written representations.

4.5. Under the ***improving collaboration*** theme it is proposed to:

- Update the legal framework to enable Welsh Ministers to establish joint planning boards that would incorporate local planning authorities for two or more areas. The consultation documents notes that this joint planning board would perform LPA functions such as the preparation of a LDP and the collection of the Community Infrastructure Levy.
- Establish a system of Strategic Development Plans for three areas in Wales which are: Cardiff, Swansea, and the A55 Corridor. These three areas have been identified on the basis that they are areas where there are matters greater than local significance. For these areas, the Strategic Development Plan will cover strategic issues such as housing, employment, transport, gypsy and traveller provision, and minerals and waste. The consultation document explains that when there is an area with no Strategic Development Plan

coverage, a much more slimmer in content LDP (produced in conformity with the relevant Strategic Development Plan, the National Development Framework, and Planning Policy Wales) will be required.

4.6. To ***improve local delivery*** it is proposed to:

- Define what constitutes a good local planning service, and establish the need for local planning authorities to produce an Annual Performance Report that would quantitatively and qualitatively assess service delivery against a common performance framework.
- Refine the Local Development Plan system and promote collaboration between local planning authorities and town and community councils to produce Place Plans that would ensure development reflects local distinctiveness and would also identify priorities for community investment for the Community Investment Levy. These Place Plans would be adopted as Supplementary Planning Guidance.
- Frontload the planning application process by introducing a legal duty for local planning authorities to provide a pre application service when requested. Two charging options are proposed in the paper which includes either issuing an outright charge for all pre-application requests, or only charging for pre-application services if the initial request leads to a planning application.
- The Reform Bill also seeks to make changes to planning committees across Wales by producing a national scheme of delegation, and by outlining the relevant procedure for committee which includes stipulating the minimum and maximum number of committee members (a minimum of 11 members and a maximum of 21)
- Other changes proposed under the *local delivery* theme include; a review of application fees; removing the requirement to submit a design and access statement with a planning application; introducing temporary enforcement stop notices to the planning enforcement process; making decision notices 'living documents' with the onus on the developer to notify authority when development has commenced; prohibiting applications to register land as a town and village green when that land has entered the planning system; removing the debate of whether a use is acceptable in principle for LDP allocated sites at the planning application stage (either by introducing a new type of planning consent, or by ensuring such proposals are determined under delegated powers); introducing a statutory duty on consultees to provide substantive and timely responses to consultation requests, and providing the option for applicants to submit planning applications directly to Welsh Ministers when the determining local planning authority are consistently performing poorly against a range of indicators.

5. **How does the decision contribute to the Corporate Priorities?**

- 5.1. At this stage the documents produced by Welsh Government are for consultation only, however the changes proposed by Welsh Government to the Welsh planning system, if implemented, could contribute to the following Corporate Priorities:
- *Developing the Local Economy* by making the determination of planning application more efficient and timely, and stimulate economic growth by allocating Strategic Development Areas across the country.
  - *Clean and tidy streets* by enhancing the planning enforcement process.
  - *Modernising the council to deliver efficiencies and improve services for our customers* by making the determination of planning application more efficient and timely, and by simplifying the planning appeal and LDP process.
- 6. What will it cost and how will it affect other services?**
- 6.1. The 'Positive Planning' consultation document (Chapter 7 page 91) outlines the potential financial benefits for Welsh Government, local planning authorities, and developers. An internal officers' workshop has been arranged to ensure that all affected services are able to inform the Council's response to the consultation.
- 7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**
- 7.1. This report relates to consultation documents produced by Welsh Government, and therefore it is considered that an EqIA is not required.
- 8. What consultations have been carried out with Scrutiny and others?**
- 8.1. An internal officers' workshop has been arranged to ensure that all affected services are able to inform the Council's response to the consultation.
- 9. Chief Finance Officer Statement**
- 9.1. Submitting a response to the consultation on behalf of the Council would not incur any costs. In the long term, financial implications could occur for the Council should the proposed changes to the Planning System be implemented by Welsh Government. As noted earlier in the report, the Positive Planning consultation document outlines the main financial implications for local planning authorities.
- 10. What risks are there and is there anything we can do to reduce them?**
- 10.1. There is a risk that by not responding the opportunity for the Council to influence changes proposed by Welsh Government would be lost.
- 11. Power to make the Decision**  
N/A.

PLANNING COMMITTEE  
22 JANUARY 2014

## INFORMATION ITEM

REPORT BY THE HEAD OF PLANNING, REGENERATION AND REGULATORY SERVICES

## NORTH WALES WIND FARMS CONNECTIONS MAJOR INFRASTRUCTURE PROJECT

### UPDATE REPORT

#### 1. PURPOSE OF REPORT

1.1 Members will recall previous reports focusing on major infrastructure projects in Denbighshire.

1.2 This report seeks to update Members on the current status of the North Wales Wind Farms Connections project, and to seek a resolution regarding the extent to which the Council should participate in the planning process for this project.

#### 2. BACKGROUND

2.1 Major infrastructure projects are large scale developments which require a type of consent known as 'development consent' under procedures governed by the Planning Act 2008. This includes onshore windfarms with a generation capacity over 50 megawatts (MW) and new high voltage overhead electricity power lines at or above 132,000 volts (132kV).

2.2 Applications for development consent are submitted to the Planning Inspectorate, who appoint an Examining Authority (either an individual Inspector or a panel of Inspectors) to examine the application. The Examining Authority will make a recommendation to the Secretary of State, who will decide whether or not to grant development consent.

2.3 The local authority is a statutory consultee on major infrastructure projects and has an important role to play should they choose to engage in the planning process; the Council, at Communities Scrutiny Committee (July 2012), has previously committed to fully engage in the planning process for major infrastructure projects within or directly affected the County.

2.4 The Council does not receive a planning fee for engaging in the planning process for major infrastructure projects; however significant officer time and resources, include procuring external consultants, will be required to fully respond to pre-application consultation and participate in the Examination process.

2.5 The Council has entered into legal agreements (e.g. Planning Performance Agreements) to cover the cost associated with other major infrastructure projects in the County and Welsh Government funding has also been drawn down in relation to windfarm developments within the Strategic Search Area.

#### 3. NORTH WALES WIND FARM CONNECTIONS PROJECT

3.1 The North Wales Wind Farms Connections project is for a new 132kV overhead line connection which is required to connect the new windfarm developments in the Clocaenog Forest Strategic Search Area (SSA) to the electricity network. Scottish Power Manweb (SPM), who owns the electricity distribution licence for Merseyside, Cheshire and North & Mid Wales, is the applicant.

3.2 The project affects both Denbighshire and Conwy.

3.3 The proposed overhead line will start at a new collection substation at Clocaenog Forest (which will collect the power generated by the new wind farms) and continue to a terminal pole near Sinan (to the south of Glascoed Road, in Cefn Meiriadog). From the terminal pole, the connection will then

continue underground to connect into the national transmission network at the existing St Asaph substation. Only the 132kV overhead lines will form part of the proposed application for a development consent order and be the subject of public consultation.

3.4 Early consultation materials have indicated the overhead line will mostly take the form of double wood poles, with some steel towers being required. Please see Appendix 1 for more information.

3.5 The application is currently in the pre-application stage. A consultation draft of the Statement of Community Consultation (SoCC) has been submitted to both Denbighshire County Council and Conwy County Borough Council and the Councils have until Friday 7<sup>th</sup> February to submit comments. Officers have delegated powers to comment on the draft SoCC, however a copy of the draft document has been circulated to relevant Ward Councillors for comment and a hard copy has been placed in the Members room.

3.6 SPM has previously carried out two stages of non-statutory pre-application public consultation; Stage 1 focused on the three route corridor options for the overhead power line and Stage 2 focused on the preferred route corridor for the overhead power line.

3.7 The draft SoCC specifically relates to Stage 3 of the pre-application consultation, which constitutes as the statutory pre-application public consultation in accordance with Section 42 and Section 47 of the Planning Act 2008. The statutory pre-application consultation will run from 3 March 2014 to 13 April 2014. (Please note, as part of the Council's consultation response to the draft SoCC, the Council will be requesting the timescales are altered / extended to fit with our Committee cycle as the Council's formal response to the statutory pre-application consultation will need to be reported to and endorsed by Planning Committee.)

3.8 The draft SoCC does not indicate when SPM intend to submit the application for development consent to the Planning Inspectorate; however Officers consider that SPM will be keen to progress the application in order to fulfill the grid connection agreements they have in place with the SSA windfarm developers.

#### **4. RESOURCE IMPLICATIONS**

4.1 Significant officer time and resources may need to be allocated to the project during the pre-application consultation and during the Examination stage in order to assess local impacts.

4.2 The landscape and visual impact of the proposal is likely to be a key planning consideration; the Council may therefore need to procure external landscape consultancy services to help assess the local impacts of the proposal.

4.3 The Council has not entered into a legal agreement with the developer in respect to this project and overhead power line projects may not be eligible for Welsh Government funding. The costs incurred by the Council in response to this project may not therefore be recoverable.

4.4 The project affects both Denbighshire and Conwy, so there may be the opportunity to work in collaboration with Conwy County Borough Council and share officer resources.

4.5 Whilst notwithstanding the resolution at Communities Scrutiny Committee in July 2012 to fully engage in the planning process for major infrastructure projects, a steer from Members is requested with regards to the level of resource the Council should dedicate to respond to the forthcoming statutory pre-application consultation.

#### **5. RECOMMENDATIONS**

5.1 Members are requested to note the key dates identified in Section 3 of this report.

5.2 A resolution is sought on the level of resource the Council should dedicate to response to this project.

**GRAHAM H. BOASE    HEAD OF PLANNING, REGENERATION AND REGULATORY SERVICE**

# NORTH WALES WIND FARMS CONNECTION PROJECT



## How will the connection be made?



### Double Wood Poles

- Double wood poles average 15m in height and are spaced on average 100m apart.
- The poles carry three cables with an additional earth wire. The conductors are supported on a steel structure which sits on top of the double wood poles.
- This method of connection offers the greatest potential for sensitive routeing, in hilly, small scale landscapes.



### Steel Towers – L4

- L4 towers average 26m in height and are spaced on average 180m apart. The tower is slender in profile with a narrow base (4m x 4m). The towers can either be single circuit, carrying a 132kV line on one side, or double circuit, carrying two 132kV lines, one on either side.
- Steel towers offer less scope for sensitive routeing and are more suited to expansive, relatively flat landscapes. Their longer spans make them useful for crossing steep sided valleys which would be too steep for wood poles.



### Underground Cables

- The trench for an underground cable is approximately 1.5m wide. In agricultural land the overall working width would be approximately 15-20m. Cables can be laid in ducts in roads or across agricultural fields.
- Undergrounding may be appropriate where there are serious concerns about the potential adverse landscape and visual effects of an overhead line.

## The decision making process



The route corridors we are presenting in this exhibition allow for the connection to be made by overhead lines, underground cables or a combination of the two. The farmland through which we need to build is considered more suited to wood poles than steel towers. Steel towers may be considered in selected locations for example crossing steep sided river valleys. small scale landscapes.

- Being taller, steel towers are more visually intrusive and more likely to be seen on the skyline
- Steel towers are more urban in appearance
- Wood poles are more flexible for routeing and can provide a better landscape 'fit' with existing features
- Steel towers can be used to span steep sided valleys

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## INFORMATION REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

### PLANNING APPEAL DECISION

#### ERECTION OF PITCHED ROOF DORMER STYLE EXTENSION AT REAR AND CONSERVATORY AT SIDE OF DWELLING

ERW LAS, PANT DU ROAD, ERYRYS  
APPLICATION NO. 21/2013/0797/PF

#### 1. PURPOSE OF REPORT

- 1.1 This report attaches, for Members information, an appeal decision from the Planning Inspectorate relating to the Council's refusal of planning permission for the above development.
- 1.2 The item is presented to Members as the appeal decision raises important matters of interpretation of the Local Development Plan policy relating to extensions to dwellings, and there are a number of conclusions in the appeal Inspector's decision letter which are material to Members and Officers considerations of similar proposals in the County.

#### 2. BACKGROUND

- 2.1 The planning appeal arose from the decision to refuse the application to extend a private dwelling in open countryside. The decision was made under Officers delegated powers in August 2013. The reason for refusal was as follows:

*1. It is the opinion of the Local Planning Authority that the proposed extension would not be subordinate to the original dwelling; as the proposal combined with the previous extension would double the footprint of the original dwelling, contrary to test i) of Policy RD3 Extensions and Alterations to Dwellings of the Local Development Plan and advice contained in SPG1 Extensions to Dwellings.*

#### LOCAL DEVELOPMENT PLAN POLICY RD3

- 2.2 For information, the main policy of the LDP relating to extensions to dwellings states as follows:

*The extension or alteration of existing dwellings will be supported providing the following criteria are met:*

- i) the scale and form of the proposed alteration or extension is subordinate to the original dwelling, or the dwelling as it was 20 years before the planning application to extend is made; and*
- ii) the proposal is sympathetic in design, scale, massing and materials to the character and appearance of the existing building; and*
- iii) the proposal does not represent an overdevelopment of the site.*

2.3 The application was submitted in June 2013, after the formal adoption of the Local Development Plan, hence it was considered by Officers in accordance with the above policy.

2.4 Relevant sections of the Case Officer's summary of the proposals and the reasons for concluding the development was contrary to policy RD3 are set out below. This formed the main case to the Planning Inspectorate on the appeal lodged against refusal:

*The original dwelling (pre 2010 extension) had a footprint of approximately 70m sq.*

*The dwelling has been extended in 2010, when approximately 48m sq was added on to the southern side.*

*The main extension would add over 6m in width and 9m to the depth of the dwelling, thus an overall footprint increase of over 54m sq. This extension would be two storey, although this would be achieved by excavation rather than increasing the ridge height. The conservatory would add another 9m sq to the footprint. It is noted that the extension permitted in 2010 would have resulted in the dwelling becoming a 4 bedroom house, with a large lounge and kitchen area. The submitted 'existing' plans appear to be at odds with the previously approved plans, showing 1 bedroom less.*

*Test i) of planning policy RD3 specifically states that the extension must be subordinate in scale to the original dwelling. It is noted that the original dwelling was a simple bungalow, measuring roughly 70m sq. The 2010 and proposed addition to the bungalow would have a footprint extension of over 100sq m. The original frontage would be doubled and an additional storey added.*

*It is considered that the proposals would not comply with the requirements of the policies, and would not therefore have an acceptable impact on visual amenity.*

2.5 The Officer conclusion on the application was therefore that the proposal to more than double the footprint of the pre 2010 dwelling was contrary to test i) of Policy RD3, as this could not reasonably be regarded as subordinate to the original dwelling. It was not considered there were conflicts with the other tests of the policy relating to design, scale and massing, or overdevelopment of the site.

### 3. POINTS OF INTEREST FROM THE APPEAL DECISION.

- 3.1 Initially it is relevant to note that the Planning Inspector identified the main planning issue to be the effect of the development on the character and appearance of the host property and the surrounding area.
- 3.2 The Inspector was aware that the proposal would effectively double the footprint of the original dwelling, and that the Council had refused the permission on the basis that this failed the test in Policy RD3 of the LDP, requiring extensions to be subordinate to the original dwelling.
- 3.3 However, the Inspector took a broader view of the policy having regard to the detailing of the development, concluding the design features of the main extension would be sufficiently sympathetic to the dwelling to ensure that it would be 'visually subordinate', thereby minimising its visual impact. He noted the extension would by virtue of its siting be largely unseen from the public highway, and would be screened in part by

woodland, ensuring the design features would not appear discordant. He assessed the conservatory separately, referring to its more modest scale, and concluded this would remain subservient to the dwelling and would not cause material harm.

- 3.4 The Inspector's summing up is interesting in that it highlights the conclusion that the development would be sufficiently sympathetic in design terms to ensure that it would be visually subordinate and would not cause material harm to the character of the host property and surrounding area; and he consequently determined there was no conflict with policy or the advice in the Council's Supplementary Guidance on extensions.
- 3.5 The appeal decision suggests the Planning Inspectorate do not consider it reasonable to base refusal of permission on a narrow interpretation of what may be 'subordinate' in terms of extensions to existing dwellings. Whilst Officers had, in this instance, attached significance to actual / proportional increases in footprint / floorspace in assessing the issue of subordinate development, it is clear that the Inspector in this case took a wider perspective. The Inspector attached greater weight to the overall design and visual impact considerations, and whether the resulting development would be visually subordinate, and acceptable in terms of effect on the character and appearance of the dwelling and the surrounding area. It is significant that in allowing the appeal, the Inspector actually concluded there was no conflict with Policy RD3.

#### 4. RECOMMENDATION

- 4.1 That the Planning Committee notes the information report.

**GRAHAM H. BOASE**

**HEAD OF PLANNING & PUBLIC PROTECTION**



## Penderfyniad ar yr Apêl

## Appeal Decision

Ymweliad â safle a wnaed ar 26/11/13

Site visit made on 26/11/13

gan **Richard E. Jenkins BA (Hons) MSc MRTPI**

by **Richard E. Jenkins BA (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

an Inspector appointed by the Welsh Ministers

Dyddiad: **04/12/13**

Date: **04/12/13**

**Appeal Ref: APP/R6830/A/13/2206179**

**Site address: Erw Las, Pant Du Road, Eryrys, Mold, CH7 4DD**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Elsie Sheldon against the decision of Denbighshire County Council.
- The application Ref 21/2013/0797/PF, dated 24 June 2013, was refused by notice dated 19 August 2013.
- The development proposed is the erection of pitched-roof dormer-style extension at rear and conservatory at side of dwelling.

### Decision

1. The appeal is allowed and planning permission is granted for the erection of a pitched roof dormer style extension at rear and conservatory at side of dwelling at Erw Las, Pant Du Road, Eryrys, Mold, CH7 4DD in accordance with the terms of the application, Ref 21/2013/0797/PF, dated 24 June 2013, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than five years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

### Procedural Matter

2. I have taken the description of development from the Council's Notice of Decision as it provides a more concise and accurate description of the development proposed.

### Main Issue

3. This is the effect of the proposed development on the character and appearance of the host property and surrounding area.

### Reasons

4. The appeal property comprises a single storey dwelling in a countryside location to the north east of Eryrys. The property is set back at right angles to the road, with the southern tip of its curtilage forming an access onto the highway. The appeal proposal

would erect a split level extension to the northern elevation, with a more modest conservatory to the western elevation.

5. The proposed extensions, in combination with a previous extension granted planning permission in 2010, would effectively double the footprint of the original dwelling. For this reason the Council consider the proposal to fail the test in policy RD3 of the adopted Local Development Plan (LDP) 2013, which, amongst other things, requires extensions to be subordinate to the original dwelling.
6. However, whilst the property struggles in its definition of the principal elevation, the split level extension would effectively be located to the rear of the property, at least when viewed from the public highway. This extension would also be set back from the western elevation, set down from the ridge height of the existing building and would comprise materials to match those on the host property. In this respect, whilst I acknowledge the incremental increase in floor space, including the substantial increase proposed in this appeal, I consider that the proposed design features would be sufficiently sympathetic to the host property to ensure that it would be visually subordinate, thereby minimising its visual impact.
7. I acknowledge that the proposed gable feature would extend beyond the rear building line to the east. I also acknowledge that the proposed dormer is not a typical feature of the property. However, by virtue of their siting, both features would be largely unseen from the public highway and would be well screened to the north by a small area of woodland. Notwithstanding this, the proposed gable would mirror the existing gable to the south and any easterly views of the proposed dormer would be set against the backdrop of the pitched roof. For these reasons I do not consider that the proposed features would appear dominant or discordant.
8. Finally, whilst the proposed conservatory would be visible from the public highway, its more modest scale and lean to roof would ensure that it would remain subservient to the host property. As such I do not consider it would cause material harm.
9. For these reasons I conclude that the proposed development would be sufficiently sympathetic in design terms to ensure that it would be visually subordinate and would not, therefore, cause material harm to the character and appearance of the host property and surrounding area. As such I find no conflict with Policy RD3 of the LDP (2013) or the advice contained within the Council's Supplementary Planning Guidance relating to Extensions to Dwellings.
10. For these reasons, and having regard to all matters raised, I conclude that the appeal should be allowed.

*Richard E. Jenkins*

INSPECTOR