

To: Members of the Planning Committee Date: 5 November 2018

Direct Dial: 01824 712589

e-mail: democratic@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, 14 NOVEMBER 2018** in **THE COUNCIL CHAMBER, COUNTY HALL, RUTHIN.**

Yours sincerely

G Williams
Head of Legal, HR and Democratic Services

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST (Pages 9 - 10)

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 MINUTES (Pages 11 - 18)

To confirm the accuracy of the minutes of the Planning Committee meeting held on the 17 October 2018 (copy attached).

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 -9) -

5 APPLICATION NO. 16/2018/0659/ PR - LON CAE GLAS, LLANBEDR DYFFRYN CLWYD, RUTHIN (Pages 19 - 46)

To consider an application for details of appearance, landscaping, layout and scale of 1 dwelling submitted in accordance with condition number 1 of outline permission code 16/2017/1074 (reserved matters application); parking and turning scheme and details of foul and surface water drainage submitted in accordance with condition 7 and 11 of outline permission code 16/2017/1074 at Land at (Part garden of) Cae Glas, Lon Cae Glas, Llanbedr Dyffryn Clwyd, Ruthin (copy attached).

6 APPLICATION NO. 40/2018/0151/ PF - THE REAL PETFOOD COMPANY, UNIT 2, ROYAL WELCH AVENUE, BODELWYDDAN, RHYL (Pages 47 - 70)

To consider an application for the erection of 1 No. freestanding 35 metre high and 2m diameter free standing chimney stack sited to the north of factory at The Real Petfood Company, Unit 2, Royal Welch Avenue Bodelwyddan, Rhyl (copy attached).

7 APPLICATION NO. 40/2017/1133/ PF - THE REAL PETFOOD COMPANY, UNIT 2, ROYAL WELCH AVENUE, BODELWYDDAN, RHYL (Pages 71 - 86)

To consider an application for the erection of extension to existing factory to provide additional office accommodation at The Real Petfood Company, Unit 2, Royal Welch Avenue, Bodelwyddan, Rhyl (copy attached).

8 APPLICATION NO. 45/2018/0341/ PF - DERWEN HOUSE, FFORDD DERWEN, RHYL (Pages 87 - 102)

To consider an application for the siting of storage containers at Derwen House, Ffordd Derwen, Rhyl, LL18 2LS (copy attached).

9 APPLICATION NO. 45/2018/0822/ PF - 41-42 EAST PARADE, RHYL (Pages 103 - 126)

To consider an application for the construction of 41 housing association apartments for local residents over 55 years of age together with new and altered vehicular and pedestrian accesses, associated parking provision, and related works at 41-42 East Parade, Rhyl, LL18 3AW (copy attached).

MEMBERSHIP

Councillors

Joe Welch (Chair)

Alan James (Vice-Chair)

Ellie Chard

Bob Murray

Ann Davies

Merfyn Parry

Meirick Davies

Pete Prendergast

Peter Evans

Andrew Thomas

Brian Jones

Tony Thomas

Huw Jones

Julian Thompson-Hill

Tina Jones

Emrys Wynne

Gwyneth Kensler

Mark Young

Christine Marston

COPIES TO:

All Councillors for information

Press and Libraries

Town and Community Councils

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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 21 elected Members. In accordance with protocol, 11 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

ELECTRONIC VOTING PROCEDURE

Members are reminded of the procedure when using the electronic voting system to cast their vote.

Unless otherwise advised by the Chair or Officers, 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:

When voting on **applications**, on the voting keyboard, press

- 1** - to **GRANT / APPROVE** the application
- 2** – to **ABSTAIN** from voting on the application
- 3** – to **REFUSE** the application

When voting on **special reports and enforcement items**, on the voting keyboard, press

- 1** - to **ACCEPT THE OFFICER RECOMMENDATION**
- 2** - to **ABSTAIN** from voting on the recommendation
- 3** - to **NOT ACCEPT THE OFFICER RECOMMENDATION**

In the event of problems with the electronic voting system, the Chair or Officers will advise on the procedures to be followed.

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LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, (<i>name</i>)	<input type="text"/>
a *member/co-opted member of <i>(*please delete as appropriate)</i>	Denbighshire County Council
CONFIRM that I have declared a *personal / personal and prejudicial interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:- <i>(*please delete as appropriate)</i>	
Date of Disclosure:	<input type="text"/>
Committee (<i>please specify</i>):	<input type="text"/>
Agenda Item No.	<input type="text"/>
Subject Matter:	<input type="text"/>
Nature of Interest: <i>(See the note below)*</i>	<input type="text"/>
Signed	<input type="text"/>
Date	<input type="text"/>

*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin on Wednesday, 17 October 2018 at 9.30 am.

PRESENT

Councillors Ellie Chard, Meirick Davies, Brian Jones, Huw Jones, Christine Marston, Bob Murray, Merfyn Parry, Pete Prendergast, Andrew Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

Local Members – Councillors Mabon ap Gwynfor, Martyn Holland and Graham Timms.

ALSO PRESENT

Team Leader – Places Team (SC); Development Control Manager (PM); Principal Planning Officer (IW); Senior Engineer – Highways (MP); Strategic Planning & Housing Manager (AL); Strategic Planning Officer (KB); Local Housing Strategy & Development Officer (JA); and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Ann Davies, Peter Evans, Alan James, Tina Jones, Gwyneth Kensler and Tony Thomas

2 DECLARATIONS OF INTEREST

None.

3 URGENT MATTERS AS AGREED BY THE CHAIR

None.

4 MINUTES

The minutes of the Planning Committee held on 17 October 2018 were submitted.

RESOLVED that the minutes of the meeting held on 17 October 2018 be approved as a correct record.

5 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 - 8 AND 11 - 12)

Applications received requiring determination by the committee were submitted together with associated documentation. Reference was also made to late supplementary information (blue sheets) received since publication of the agenda which related to particular applications. In order to accommodate public speaking requests it was agreed to vary the agenda order of applications accordingly.

6 APPLICATION NO. 21/2018/0293/PF - 16 RECTORY LANE, LLANFERRES, MOLD

An application was submitted for the demolition of porch and erection of an attached garage (amended scheme) at 16 Rectory Lane, Llanferres, Mold.

Public Speaker –

Mr B. Barton (**Against**) – raised concerns regarding the impact of the proposals on the access and egress from No. 18 Rectory Lane. He also referred to comments in the Officer report to the September Committee.

General Debate – Councillor Emrys Wynn spoke on behalf of Councillor Gwyneth Kensler who was unable to attend the meeting but had attended a Site Visit which had taken place on Friday 12 October 2018. Councillor Kensler had confirmed that in her view, there was no reason to object to the application.

It was confirmed that the site visit had proven extremely useful as officers from the technical team had also been in attendance.

The Local Member, Councillor Martyn Holland expressed concern regarding controls over the constructional detailing/stability of retaining walls close to the boundaries of the adjacent properties. The Principal Planning Officer responded by confirming Building Control Officers had advised approval under Building Regulations would be required in relation to the detailing of the retaining wall. As the retaining wall in front of the garage was shown as a continuation of the garage building it was understood that this would also be subject to assessment as part of a Building Regulations application.

It was also confirmed that a special note to the applicant, if permission were to be granted, would be attached to emphasise the need to follow appropriate procedures in relation to the design and approval processes concerning the retaining wall elements of the proposals.

Proposal - Councillor Alan James proposed the officer recommendation to grant the application, seconded by Councillor Bob Murray.

VOTE:

GRANT – 13

ABSTAIN – 0

REFUSE – 1

RESOLVED that permission be **GRANTED** in accordance with officer recommendation as detailed within the report.

7 APPLICATION NO. 47/2018/0411/PF - NEW INN COTTAGE, TREMEIRCHION, ST. ASAPH

An application was received for the demolition of cottage and erection of a replacement dwelling and detached garage together with the siting of a temporary

static caravan and associated enclosure at New Inn Cottage, Tremeirchion, St. Asaph.

Public Speaker –

Mr Edward Hughes (**for**) – explained the application had been submitted for the demolition of the existing cottage and to build a family home fit for the future. He intended recycling as much of the materials from the old cottage as possible. Locally sourced materials would be used as would local trades people. He confirmed he had worked with officers of Denbighshire County Council, outside agencies and the local community to ensure the application would be acceptable to everyone.

General Debate - it was confirmed that the site visit had proven exceptionally useful due to the fact the exterior of the old cottage looked in a relatively good condition but once inside the property it was clear it was in a dilapidated state and not structurally sound. It would prove difficult to improve the current building at a reasonable cost.

The applicants had worked hard with the Planning Department and had taken into consideration the advice given. The proposed dwelling would provide a modern, energy efficient family home.

Officers confirmed that due to the age of the existing cottage, a complete photographic record would be taken for posterity.

Members were informed that an additional condition would be included if the application were to be granted:

“9. The residential caravan shall be removed from the site no later than one month from the first occupation of the replacement dwelling.

Reason: In the interests of visual amenity and as the accommodation is only required for the construction phase of the development.”

Proposal – Councillor Christine Marston proposed the officer recommendation to grant the application, seconded by Councillor Julian Thompson-Hill.

VOTE:

GRANT – 13

ABSTAIN – 0

REFUSE – 1

RESOLVED that the application be **GRANTED** in accordance with the officer recommendations as detailed within the report.

8 APPLICATION NO. 03/2018/0531/PF - PRINCE OF WALES, REGENT STREET, LLANGOLLEN

An application was submitted for the conversion and alterations to residential accommodation above the public house to form 2 no. self-contained flats at Prince of Wales, Regent Street, Llangollen.

Local Member, Councillor Graham Timms expressed his support for the application as the type of housing proposed was in much need in the area.

Proposal - Councillor Huw Jones proposed the officer recommendation to grant the application, seconded by Councillor Julian Thompson-Hill.

VOTE:

GRANT – 14

ABSTAIN – 0

REFUSE – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report.

9 APPLICATION NO. 21/2018/0601/PF - HYFRYDLE, MAESHAFN, MOLD

An application was submitted for the erection of extensions to dwelling and demolition of garage to provide off road parking at Hyfrydle, Maeshafn, Mold.

Local Member, Councillor Martyn Holland expressed his support for the application as the property required updating to meet modern living standards.

Proposal - Councillor Julian Thompson-Hill proposed the officer recommendation to grant the application, seconded by Councillor Brian Jones.

VOTE:

GRANT – 14

ABSTAIN – 0

REFUSE – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report.

10 NORTH WALES CONNECTION PROJECT

The report was submitted to provide background information in relation to the National Grid proposals to run a grid connection from the proposed Wylfa nuclear power station to a substation at Pentir, near Bangor.

It outlined the basis of the proposals and the procedural steps involved in the examination of the application by the Planning Inspectorate, which included notification to Denbighshire County Council as an authority with a shared

administrative boundary with Gwynedd, one of the Counties in which the development would take place.

Following discussion, members agreed Denbighshire County Council should not engage further in the Examination stage of the North Wales Connection project.

Proposal – by Councillor Huw Jones to agree to the officer recommendation as set out in the report, seconded by Councillor Bob Murray.

VOTE:

AGREE WITH OFFICER RECOMMENDATION – 14

REFUSE AND GO AGAINST OFFICER RECOMMENDATION – 0

RESOLVED that the Committee agree to Officers notifying the Planning Inspectorate that Denbighshire County Council do not wish to engage further in the Examination stage of the North Wales Connection project.

11 DENBIGHSHIRE LOCAL DEVELOPMENT PLAN 2006 - 2021: DRAFT ANNUAL MONITORING REPORT 2018

A report was submitted by the Strategic Planning Officer to inform members of the content of the Local Development Plan (LDP) Annual Monitoring Report 2018.

Proposal – Councillor Alan James proposed to note the contents of the report, seconded by Councillor Ellie Chard.

Unanimous show of hands in agreement.

RESOLVED that Members note the contents of the LDP Annual Monitoring Report 2018, Appendix 1.

At this juncture (10.25 a.m.) there was a 20 minute break.

The meeting reconvened at 10.45 a.m.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following items of business on the grounds it would involve the likely disclosure of exempt information as defined in paragraph 14 of Part 4 of Schedule 12A of the Act.

12 APPLICATION NO. 07/2018/0243/OB - 11 RHOS HELYG, LLANDRILLO

An application was submitted for Deed of Variation to remove 11 Rhos Helyg from Section 106 Obligation relating to affordable housing provision in connection with planning permission 07/2004/0805 at 11 Rhos Helyg, Llandrillo, Corwen.

Public Speaker –

Mr Sion Roberts (**for**) – explained the situation had been ongoing for two years. He had advertised the property for sale in the Free Press and also on his facebook page but was unable to sell the property. He stressed the property was no longer suitable as a family home. The Community Council were in support of the family but Mr Roberts felt he was unable to move on unless the S106 Obligation was removed.

General Debate – the application related to a legal agreement which was attached to the planning permission for the Rhos Helyg development in 2005. 11 Rhos Helyg was one of three affordable dwellings. Within the report, officers outlined the tests which needed to be applied in order to determine the application, which centred on whether the legal agreement continued to serve a useful planning purpose.

The Local Member, Councillor Mabon ap Gwynfor spoke in favour of removing the Section 106. He supported the applicant, as when the property was first purchased, Mr Roberts' circumstances were different, but he now had a young family. He stressed the point that the family wanted to remain within the community in a property more suitable for their needs. Officers had, in the past, offered Mr Roberts advice on marketing the property which possibly could have been more effective. The property had been built to social landlords sizing, which was an adequate two bedroomed bungalow but was now too small for Mr Roberts' growing family.

Members raised questions in relation to the application of policy and guidance, the process concerning removal of obligations, and general principles behind securing and retaining affordable dwellings. Officers provided factual responses to assist consideration of the issues.

Proposal – Councillor Julian Thompson-Hill proposed to refuse in accordance with the officer recommendation, seconded by Councillor Brian Jones.

VOTE:

APPROVE TO REMOVE THE SECTION 106 – 0

ABSTAIN – 3

REFUSE TO REMOVE THE SECTION 106 – 11

RESOLVED that the Local Planning Authority **REFUSE** to discharge the Section 106 Obligation in relation to No. 11 Rhos Helyg, Llandrillo.

13 APPLICATION NO. 07/2018/0901/OB - LAND AT RHOS HELYG, LLANDRILLO

An application was submitted for Deed of Variation to remove 11 Rhos Helyg from Section 106 Obligation relating to affordable housing provision in connection with planning permission 07/2004/0805, in return for a commuted sum of £10,000 – Land at Rhos Helyg, Llandrillo, Corwen.

Public Speaker –

Mr Sion Roberts (**for**) - explained he had offered £10,000 to discharge the Section 106 Agreement, but Denbighshire County Council asked for a sum of £36,000. Mr Roberts explained he could not afford such a large amount. He emphasised he wanted to move on with his family to a home which was more suitable.

General Debate the application related to a legal agreement which was attached to the planning permission for the Rhos Helyg development in 2005. 11 Rhos Helyg was one of three affordable dwellings. Within the report, officers outlined the tests which needed to be applied in order to determine the application, which centred on whether the legal agreement continued to serve a useful planning purpose and whether a commuted sum in the amount served that purpose equally well.

Local Member, Councillor Mabon ap Gwynfor expressed his support for the applicant and stated that, in his opinion, £10,000 was a suitable offer, and whether provision of a commuted sum of £10,000 served that purpose equally well.

At this juncture, Councillor Emrys Wynne proposed that the item be deferred to enable Mr Roberts and the Council to discuss further what commuted sum would be acceptable for the matter to move on. There were no seconders to Councillor Wynne's proposal and, therefore, the deferral was not put to the vote.

Members raised questions in relation to the calculation of commuted sum figures, and Officers provided factual responses to assist consideration of the issues.

Proposal – Councillor Brian Jones proposed to refuse in accordance with the officer recommendation, seconded by Councillor Christine Marston.

VOTE:

AGREE TO ACCEPT THE COMMUTED SUM – 3

ABSTAIN – 1

REFUSE TO ACCEPT THE COMMUTED SUM – 10

RESOLVED that the Local Planning Authority **REFUSE** to modify the Section 106 Obligation by removing 11 Rhos Helyg from the agreement on payment of a commuted sum of £10,000.

The meeting concluded at 11.30 a.m.

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Agenda Item 5

WARD : Llanbedr Dyffryn Clwyd / Llangynhafal

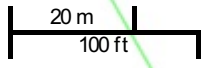
WARD MEMBER: Councillor Huw O. Williams

APPLICATION NO: 16/2018/0659/ PR

PROPOSAL: Details of appearance, landscaping, layout and scale of 1 dwelling submitted in accordance with condition number 1 of outline permission code 16/2017/1074 (reserved matters application); parking and turning scheme and details of foul and surface water drainage submitted in accordance with condition 7 and 11 of outline permission code 16/2017/1074

LOCATION: Land at (Part garden of) Cae Glas Lon Cae Glas Llanbedr Dyffryn Clwyd Ruthin

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ffryn-Clwyd

wood

E GLAS

Haul-y-Gwynt
Hafod Las
Hazel Ridge



Yr Hen Gor

110.0m

122.5m

Cwm-y-Gwanwyn
Delafon
Nanteos
Quarry Woods

Y.BRYN

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16/2018/0659

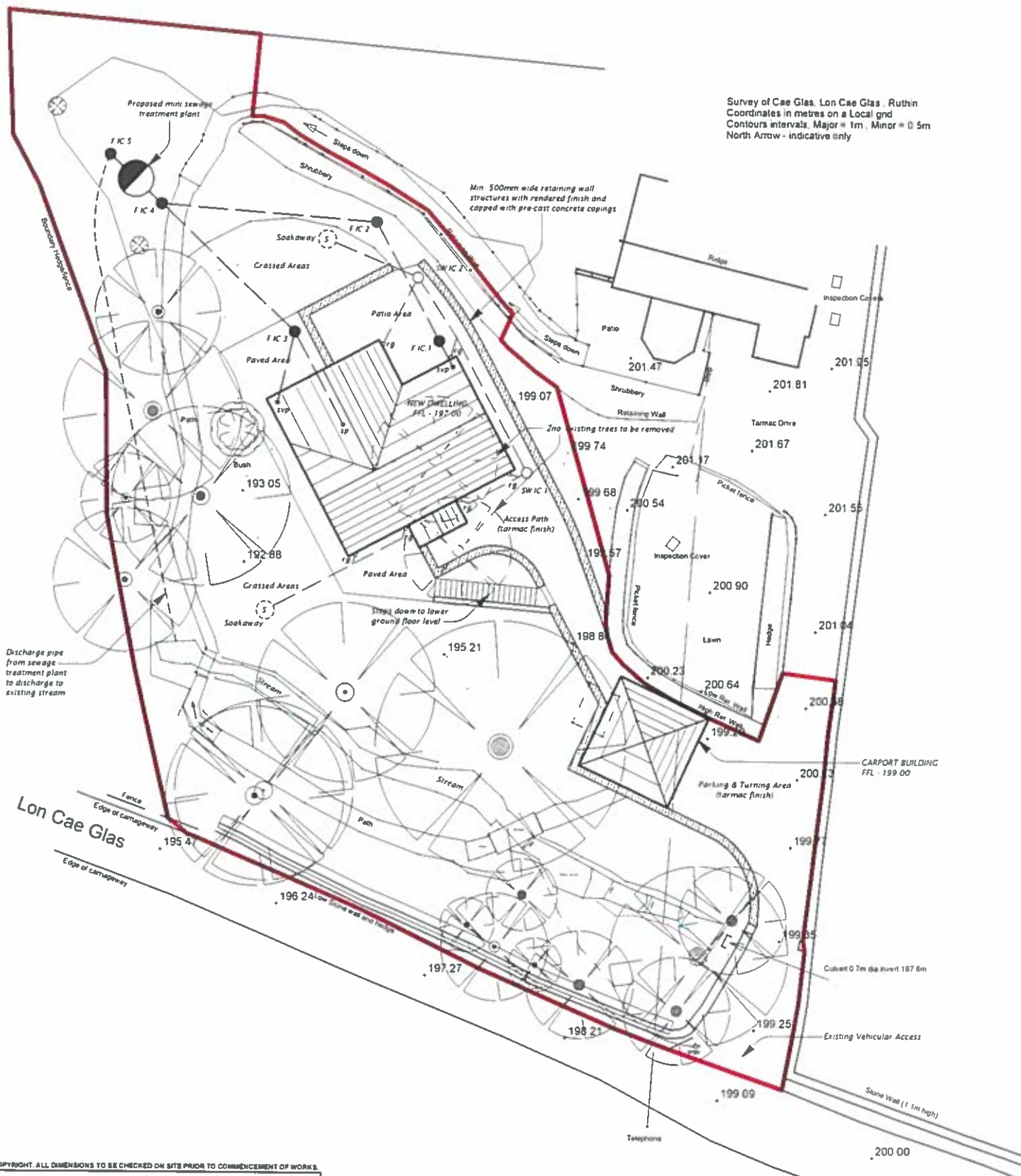
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PROPOSED SITE PLAN

Survey of Cae Glas, Lon Cae Glas, Ruthin
 Coordinates in metres on a Local grid
 Contours intervals: Major = 1m, Minor = 0.5m
 North Arrow - indicative only



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MATISCHOK & ROSS
 architectural services

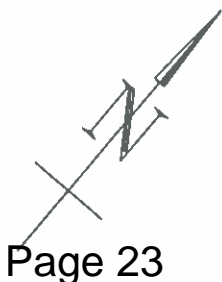
project title
 Plot at Cae Glas, Lon Cae Glas, Llanbedr D.C.

drawing title
 Proposed Site Plan.

project no.	drawing no.	revision
0762	4	
date	scale	drawn by
03/07/2018	1:200	SR

Birch House, Hen Lon Parcwr, Ruthin, Denbighshire, LL16 1NA
 ☎ 01824 705 222 ☎ 01824 707 171

✉ mail@matischokross.co.uk 🌐 www.matischokross.co.uk

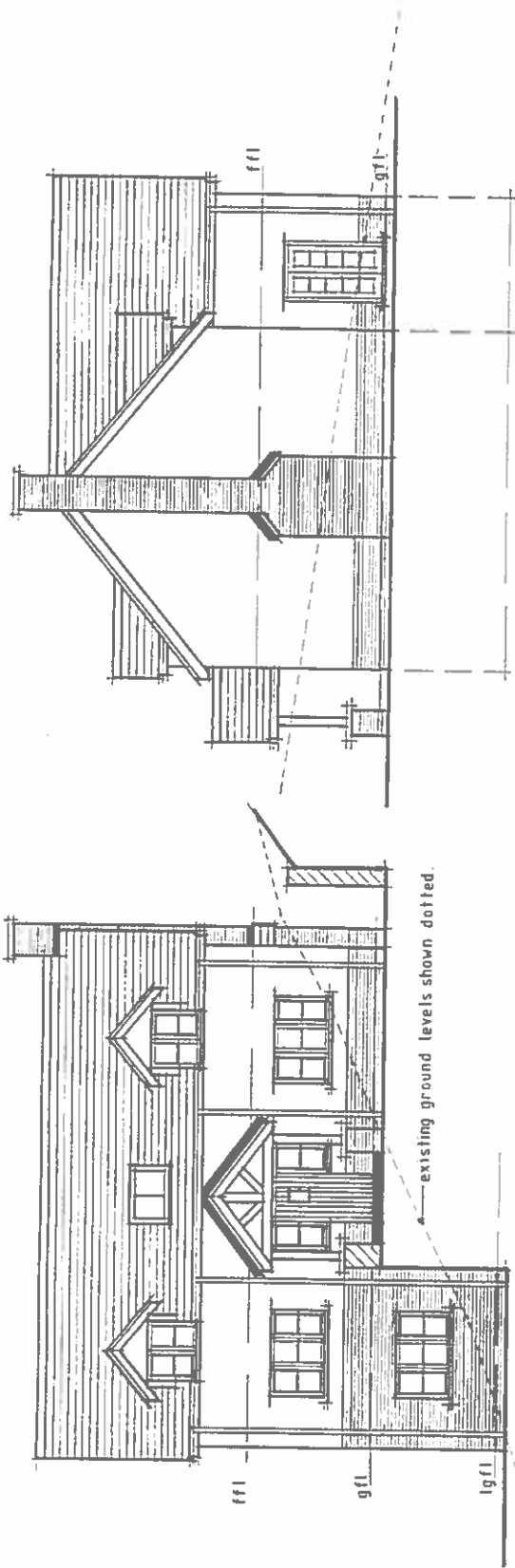


PROPOSED ELEVATIONS

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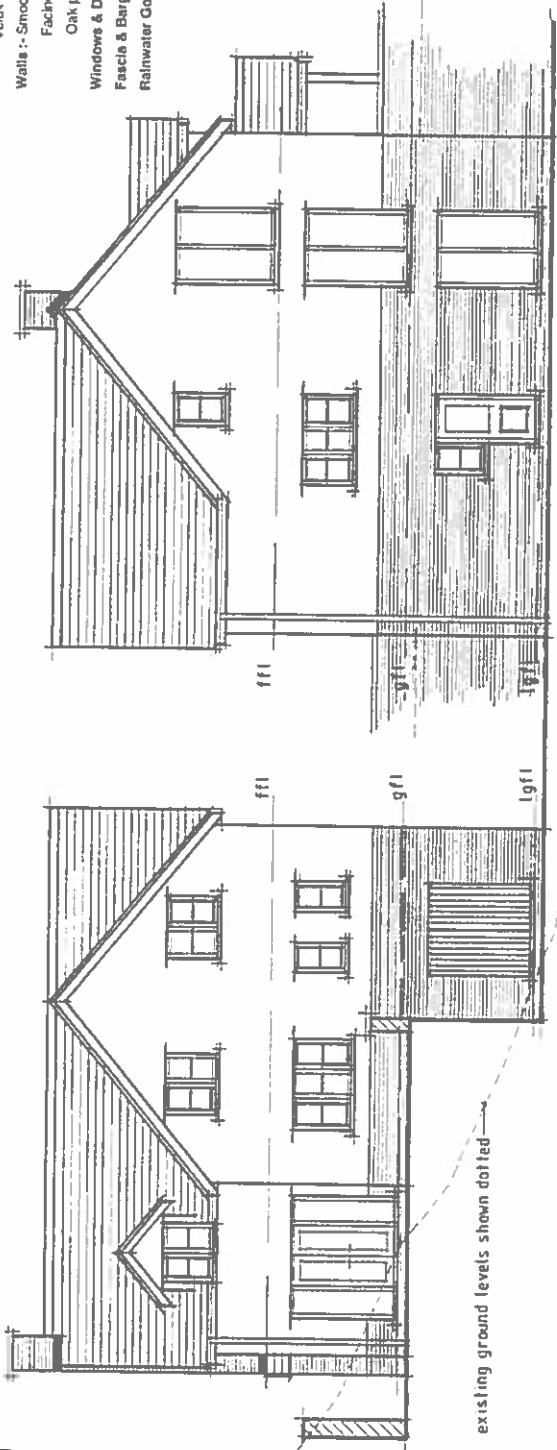
project title Plot of Cae Glas, Llanbedr D.C., Ruthin	
drawing title Proposed Elevations.	
project no. 0762	revision 3
date 20.06.18	scale 1:100
drawn by PM	
Birch House, Iffn Lon Parcwr, Ruthin, Denbighshire, LL15 1NA t: 01824 705 222 e: 01824 707 171 e: rnell@matischokross.co.uk w: www.matischokross.co.uk	



FRONT ELEVATION
1:100

SIDE ELEVATION
1:100

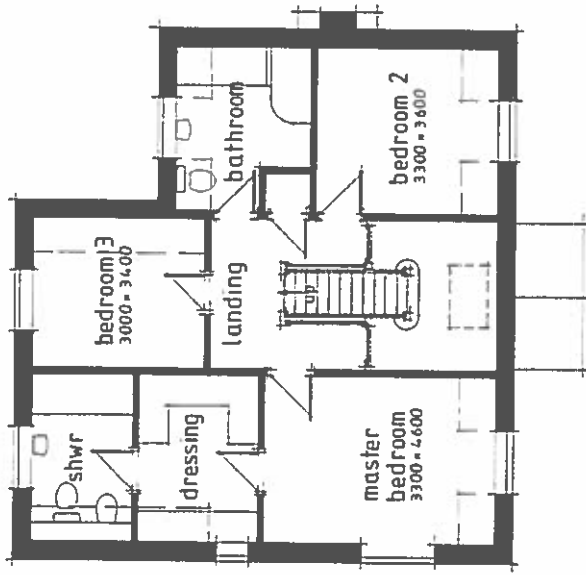
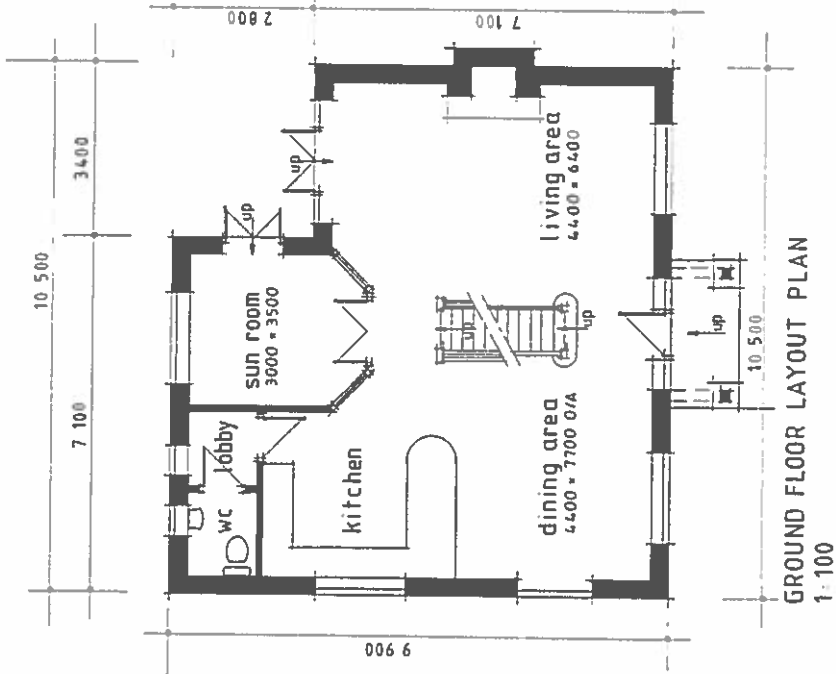
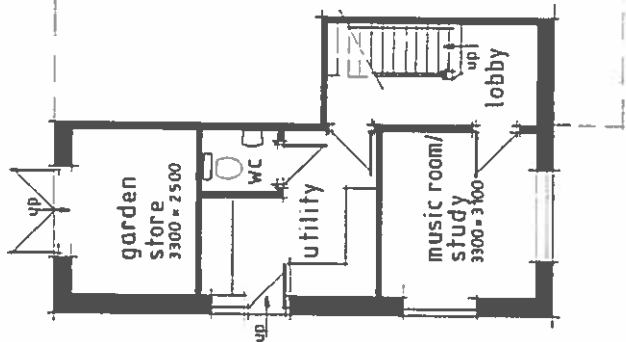
External Materials
 Roof : Marley Riverside Blue/Black Slates or similar approved.
 Velux roof windows installed using a flush recessed type flashing.
 Walls : Smooth self-coloured render finish - colour to client's approval.
 Facing brick plinth below render level and to lower ground floor areas.
 Oak posts/beams to covered entrance area and oak framing to front gable section detail.
 Windows & Doors : Coloured upvc/aluminium windows and external doors.
 Fascia & Barge Boards : Coloured upvc gutters and down pipes.
 Rainwater Goods : Coloured upvc gutters and down pipes.



REAR ELEVATION
1:100

SIDE ELEVATION
1:100

PROPOSED FLOOR PLANS

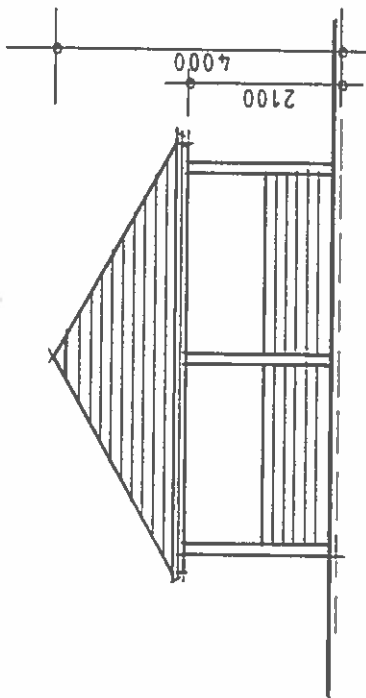


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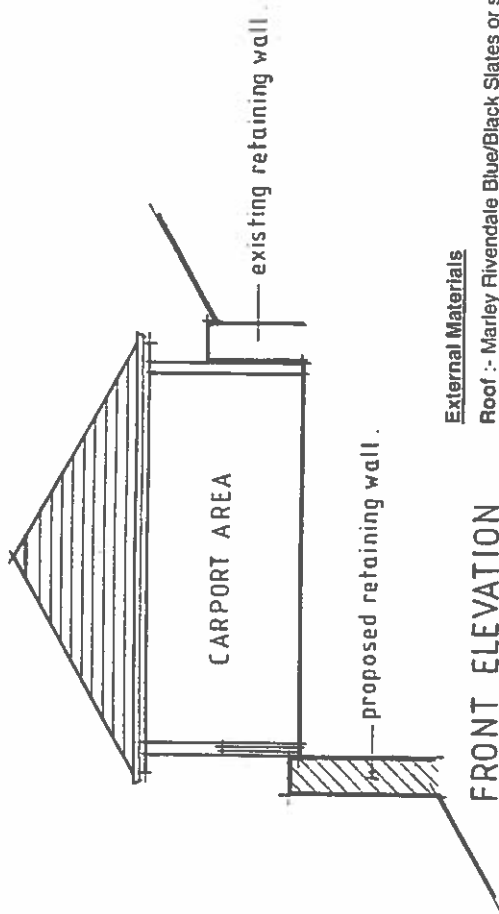
M J R **MATISCHOK & ROSS**
architectural services

Project title	Plot at Cae Glas, Llanbedr D.C., Ruthin.		
drawing title	Proposed Floor Plan		
Project no.	0762	drawing no.	2
date	20-06-18	revision	
		scale	1:100
		drawn by	PM
Birch House, Hen Lan Parcw, Ruthin, Denbighshire, LL15 1NA t: 01824 705 222 e: 01824 707 171 ex: mail@matischokross.co.uk w: www.matischokross.co.uk			

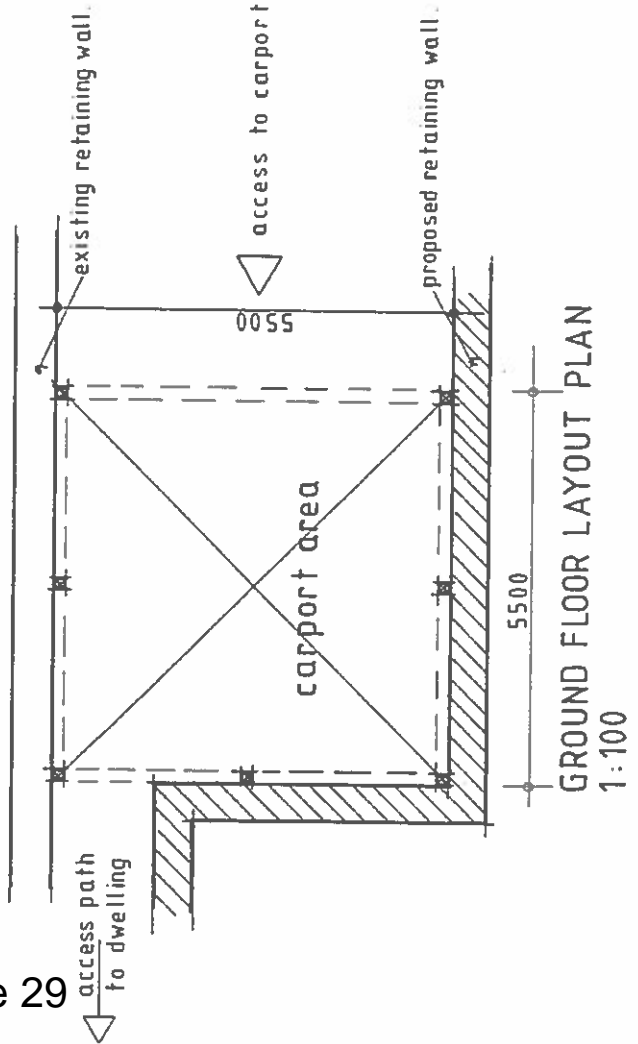
CAR PORT DETAILS



SIDE ELEVATION
1:100



FRONT ELEVATION
1:100



GROUND FLOOR LAYOUT PLAN
1:100

External Materials

Roof :- Marley Rivendale Blue/Black Slates or similar approved.

Walls :- Oak posts/beams to Carport area.

Fascia & Barge Boards :- Coloured upvc fascias, barge boards and soffit boards.

Rainwater Goods :- Coloured upvc gutters and down pipes.

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MATISCHOK & ROSS
architectural services

project title

Plot at Cae Glas, Lon Cae Glas, Llanbedr D.C.

drawing title

Carport Details.

project no.

0762

drawing no.

6

revision

date

05/07/2018

scale

1:100

drawn by

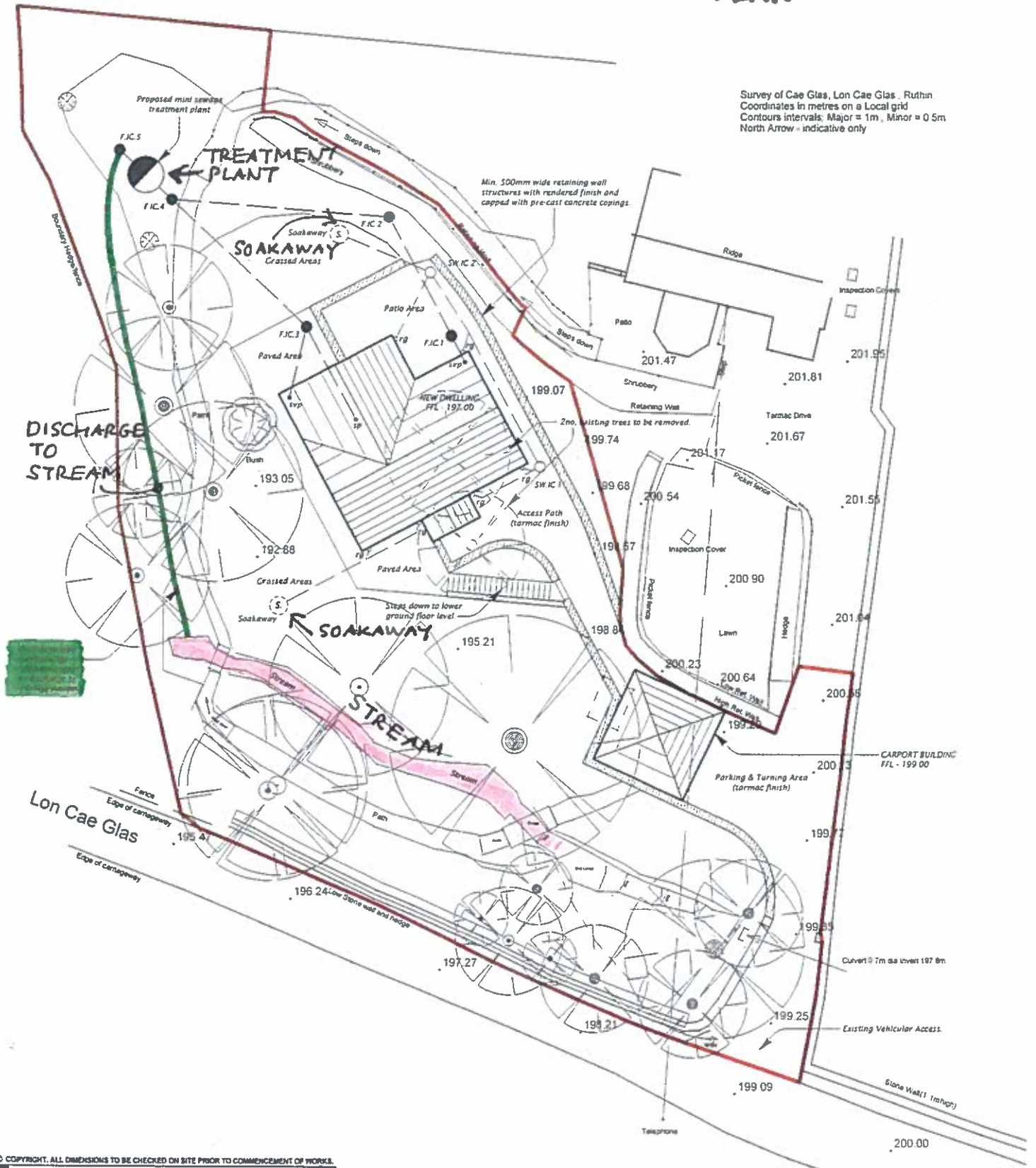
PM

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DRAINAGE PLAN

Survey of Cae Glas, Lon Cae Glas, Ruthin
 Coordinates in metres on a Local grid
 Contours intervals: Major = 1m, Minor = 0.5m
 North Arrow - indicative only



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 MATISCHOK & ROSS architectural services		
project title Plot at Cae Glas, Lon Cae Glas, Llanbedr D.C.		
drawing title Proposed Site Plan		
project no. 0762	drawing no. 4	revision
date 03/07/2018	scale 1:200	drawn by SR
Birch House, Hen Lon Parcwr, Ruthin, Denbighshire, LL15 1NA ☎ 01824 705 222 ☎ 01824 707 171 ✉ mail@matischokross.co.uk 🌐 www.matischokross.co.uk		



WARD : Llanbedr Dyffryn Clwyd / Llangynhafal

WARD MEMBER: Councillor Huw O. Williams

APPLICATION NO: 16/2018/0659/ PR

PROPOSAL: Details of appearance, landscaping, layout and scale of 1 dwelling submitted in accordance with condition number 1 of outline permission code 16/2017/1074 (reserved matters application); parking and turning scheme and details of foul and surface water drainage submitted in accordance with condition 7 and 11 of outline permission code 16/2017/1074

LOCATION: Land at (Part garden of) Cae Glas Lon Cae Glas Llanbedr Dyffryn Clwyd Ruthin

APPLICANT: Mr & Mrs Vivien & Irene Sutherland

CONSTRAINTS: AONB

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

CONSULTATION RESPONSES:

LLANBEDR D. C COMMUNITY COUNCIL –

“Llanbedr Dyffryn Clwyd Community Council has the following observations to the above planning application and plans:-

1. Concerns regarding the waste discharge which may be contaminated.
2. Highway safety issues regarding the vehicle access which should be addressed.”

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

Comments on original submission:

“The Joint Committee has no objection to the overall design and landscaping but would recommend that the retaining walls and proposed brick faced plinth and lower ground floor walls should be faced in traditionally finished natural local stone to match the existing frontage walls. In addition, the roof should be covered in natural blue/grey slate and not fibre cement tiles as specified.”

Re-consultation comments:

“The Joint Committee notes the additional information relating to parking, turning and drainage arrangements and has no further comments to add to those made earlier on the appearance, layout and landscaping details.”

NATURAL RESOURCES WALES

Comments on original submission:

No objection to the discharge of Condition 1.

Re-consultation comments:

NRW did not request the imposition of the associated Conditions, and as such will not be providing comments on the application.

DWR CYMRU / WELSH WATER

Note that foul flows are to be disposed of via a private treatment plant, hence defer to Natural Resources Wales and or the Local Authority Building control Department / Approved Building Inspector .

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

Comments on original submission:

The Applicant has now complied with condition number 1 of outline permission code 16/2017/1074 (reserved matters application)

Re-consultation comments:

In response to concerns raised in public representations:

There was a condition imposed on the original application for parking and turning within the site. Whilst this has not been submitted for approval, there has been an indicative layout submitted for the discharge of condition No 1 and we would consider that this would be adequate for the proposed new dwelling.

In terms of the concerns in relation to construction traffic it is not normal practice for highways to include a condition for the construction management plan, given the small scale development for 1 dwelling. It is up to the contractor to manage site safety which would include using appropriate sized vehicles given the nature of the site and surrounding highway network, which is not a unique situation in developing sites in rural locations as a County such as ours.

On receipt of revised plans, Highways Officers have confirmed they are satisfied Condition No 7 has been met.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mr and Mrs Herbertson, Quarry Woods, Lon Cae Glas Llanbedr

Mr Paul Wright, 15 Grosvenor Street, Chester

Kailey Jones, Oakwood, Lon Cae Glas, Llanbedr

Summary of planning based representations in objection:

Drainage:

Concern that as site is on sloping ground, the package treatment plant would be at a higher ground level than the house to the west / section plans are required to demonstrate the proposed drainage system is workable/ concern regarding the validity of the percolation tests bearing in mind that they have been carried out during one of the driest periods for many years / the water table is extremely high with water seeping through the bank / concern in periods of high rainfall ground seepage would mean neighbouring properties would become contaminated with waste water.

Parking and turning arrangements:

Object to the parking and turning area / condition 7 relates to all vehicles and not just cars / Application does not make provision for the parking and turning of large construction vehicles or delivery vehicles (e.g. tankers for the delivery of oil and large vehicles for the removal of waste) / condition 7 has been complied with / Proposal would be harmful to highway safety / Turning circle now proposed appears to be smaller than the turning area shown on the outline plans /Boundary fence between existing dwelling and neighbour to east has already been damaged by inappropriately sized vehicles trying to gain access to the existing dwelling / Lon Cae Glas is a single track lane which is described by the Local Authority as 'Not Suitable for Motor Vehicles' / Council's duty to ensure decision does not contravene public safety and does not result in damage to private property /Highway Officers have not evidenced why they consider condition 7 has been met.

EXPIRY DATE OF APPLICATION: 06/09/2018

EXTENSION OF TIME AGREED? 14/11/2018

REASONS FOR DELAY IN DECISION (where applicable):

- re-consultations / further publicity necessary on amended plans and / or additional information
- Awaiting consideration at committee.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

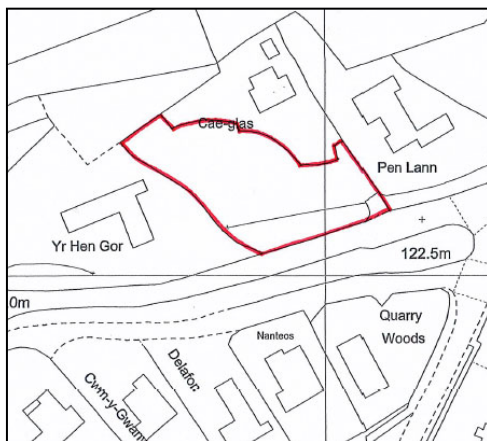
- 1.1.1 This is an application seeking approval of the details of appearance, landscaping, layout and scale of a proposed dwelling, submitted in accordance with Condition 1 of outline planning permission ref 16/2017/1074, and details of the foul drainage and parking and turning arrangements as required by conditions 7 and 11 of the permission.
- 1.1.2 Outline planning permission was granted in March 2018 for the development of a dwelling and the installation of a new septic tank on the site. The application was made in outline and sought approval of the access, with matters of appearance, landscaping, layout and scale reserved for further approval. Conditions were attached requiring approval of matters such as drainage and parking and turning arrangements.
- 1.1.3 The current application was originally submitted for approval of the 'reserved matters' of appearance, landscaping, layout and scale of the dwelling. Following receipt of representations, details of the parking and turning area and foul water and surface water drainage arrangements have been submitted, in accordance with conditions 7 and 11 attached to the outline planning permission.
- 1.1.4 The proposed dwelling is a split level 2/3 storey pitched roof detached house with a chimney stack to the side, and covered porch to the front. Internal accommodation comprises of music room / study, utility and garden store at lower ground floor level; kitchen, dining and living area with sunroom and W/C at ground floor; and three bedrooms (one en-suite with separate dressing room) and bathroom at first floor level.
- 1.1.5 Walls are proposed to be finished in a smooth self-coloured render with a facing brick plinth below render level and at lower ground floor level. The roof would be clad in Marley Riverdale black / blue slates or similar.
- 1.1.6 A detached double car port is proposed between the dwelling and the driveway leading to the site entrance, with a parking and turning area.
- 1.1.7 The submission confirms existing fences and hedgerows to the site boundaries are to be retained and a new timber post & wire netting fence is to be erected as a new plot boundary. New retaining walls are to be faced with blockwork with a rendered finish to match the main dwelling.
- 1.1.8 A Tree survey plan was submitted with the outline application and conditions were imposed with respect to tree works at outline stage. The landscaping details confirm retained trees will be protected during construction by erection of 1m high timber chestnut paling fence erected 1m outside the outermost limits of the branch spread.
- 1.1.9 The access and driveway would be surfaced with tarmac
- 1.1.10 Surface water is proposed to discharge to soakways and percolation test results have been provided to demonstrate ground conditions are suitable for soakaways.

1.1.11 A package sewerage treatment plant is proposed for foul drainage, and would be sited to the rear of the dwelling. This would discharge to a watercourse (stream) which crosses through the site.

1.1.12 The layout and details of the dwelling, access / turning, and drainage arrangements can be appreciated from the plans at the front of the report.

1.2 Description of site and surroundings

1.2.1 The site is located to the north of Lon Cae Glas with the existing Cae Glas dwelling to the north east with further houses to the west and east. Houses are also located across the road to the south as shown on the location plan extract and aerial view shown below:



1.2.2 The site is on sloping ground, with the land dropping from east to west.

1.2.3 The site was previously a garden area associated with the Cae Glas dwelling, being a mix of grassed area and a variety of trees of differing age and species; some of which are to be removed to facilitate the development.

1.2.4 A small stream runs through the site.

1.3 Relevant planning constraints/considerations

1.3.1 The site is within the development boundary as shown in the Local Development Plan, and is within the AONB.

1.4 Relevant planning history

1.4.1 Outline planning permission was granted in March 2018 for the development of 0.13ha of land by the erection of a dwelling and installation of a new septic tank (outline application including access). The conditions relevant to this application are:
Condition 1

Approval of the details of the appearance of the building, landscaping, scale and layout (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Condition 7

Facilities shall be provided and retained with the site for the parking and turning of vehicles for Cae Glas and the new dwelling with a scheme to be agreed with the Local Planning Authority and which shall be completed before the development is brought into use.

Reason: In the interests of highway safety

Condition 11

No development shall take place until a fully detailed scheme of foul drainage and surface water drainage has been submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be completed before the occupation of the dwelling and thereafter retained and maintained.

Reason: In the interest of the management of flood risk and drainage.

1.5 Developments/changes since the original submission

- 1.5.1 Following representations from neighbours, the applicant was invited to submit additional information with the application to secure discharge of conditions 7 and 11 attached to the outline consent alongside the reserved matters application.
- 1.5.2 On receipt of additional information, the description of the development was changed in agreement with the agent and reconsultation was carried out on the application.
- 1.5.3 The agent has submitted additional information with respect to the proposed parking and turning area and drainage arrangements during the course of the application in response to concerns raised by consultees. This is summarised below:

Foul Drainage Disposal.

The foul drainage will discharge to a mini sewage treatment plant to the location shown on site.

The cover level of the tank will be set at approximately 193.50.

The outlet from the sewage treatment plant will discharge via a gravity piped system to the watercourse passing through the development site.

The outlet into the stream will be at a level of approximately 191.50 – so a gravity piped system from the outlet on the tank to the outlet to the stream will be achievable on this site.

The water from the sewage treatment plant will be clean treated water and acceptable for discharge into the existing water course.

There is no risk of contamination from the sewage treatment plant to any neighbouring properties.

Access, Parking & Turning on Site

The Highway Authority have confirmed that the proposed details for access, parking and turning of vehicles on site, in association with the development proposals for one new dwelling, is acceptable and that they have no objections to the scheme proposals.

The proposed heating system for the new dwelling will be an air source heat pump system and not an oil fired boiler and, as such, there will be no requirement for access by an oil delivery tanker.

The tanker for emptying the sewage treatment plant would reverse the short distance up the drive, park up on the parking area and use a pumped pipe system to empty the tank – this would be required very occasionally for this 3 bed roomed property – maybe once every 18 months to 2 years?

Any other delivery lorries would probably reverse up the drive from the road (wouldn't need to turn around on site) and this is only a short distance of 15m to 20m maximum.

This is what happens for the majority of the neighbouring properties - very few neighbouring properties along Lon Cae Glas have turning facilities on site for larger delivery lorries.

1.6 Other relevant background information

- 1.6.1 Representations received include concerns regarding damage caused to a boundary fence as a result of large vehicles accessing the existing dwelling at Cae Glas. Respectfully, this is a civil matter and is not a material planning consideration.

2. DETAILS OF PLANNING HISTORY:

2.1 16/2017/1074. Development of 0.13ha of land by the erection of a dwelling and installation of a new septic tank (outline application including access). Granted 28/03/2018. The relevant planning conditions attached to the outline permission are referred to in section 1.4.1 of the report.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC1 – Growth Strategy for Denbighshire

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

Policy ASA3 – Parking standards

Supplementary Planning Guidance

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

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note: Residential Space Standards

Supplementary Planning Guidance Note: Trees & Landscaping

Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Note 12: Design

Technical Advice Note 18: Transport

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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 Appearance

4.1.3 Landscaping

4.1.4 Layout

4.1.5 Scale

4.1.6 Parking and turning area details (approval of condition 7)

4.1.7 Drainage details (approval of condition 11)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of

locations, concentrating development within development boundaries of cities, towns and villages, and it states developers will be expected to provide a range of house sizes, types and tenure.

The site is located within the development boundary of Llanbedr Dyffryn Clwyd and has the benefit of outline planning permission. The principle of residential development has therefore been established, and is not for deliberation at this stage.

The outline permission is for the erection of a dwelling and the installation of a new septic tank, with details of access.

The principle of the installation of a septic tank in the location shown on the approved site location plan has also been established through the grant of planning permission, and the site access detailing has also been approved through the grant of outline permission, and is likewise not for deliberation at this stage.

The application is for the approval of reserved matters is seeking approval of appearance, landscaping, layout and scale, which are considered in detail below, along with the details of the parking and turning area and foul and surface water drainage to satisfy conditions 7 and 11 attached to the outline planning permission.

Officers would note that the grant of outline planning permission established the principle of a septic tank as a suitable mode of foul water drainage and it was also accepted that the site was capable of providing a satisfactory parking and turning area

Matters relating to the approval of conditions 7 and 11 are set out in sections 4.2.6 and 4.2.7 below.

4.2.2 Appearance

“Appearance” means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

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.

The Community Council and private individuals have not commented with respect to the appearance of the proposed dwelling. The AONB Advisory Committee has no objection to the overall design and landscaping but recommend that the retaining walls and proposed brick faced plinth and lower ground floor walls should be faced in traditionally finished natural local stone to match the existing frontage walls, and the roof should be covered in natural blue/grey slate and not fibre cement tiles as specified.

The site is located within the Llanbedr DC development boundary where there is a mix of housing styles and design.

Boundary treatments to existing properties along Lon Cae Glas are also a mix of hedgerows, wooden fencing, brick, rendered and stone walls. The boundary with the highway is formed by a low stone wall and hedge, and the proposed site plan shows the existing boundary treatment would be retained.

The proposed dwelling is on undulating ground and a number of trees within the site are proposed to be retained. The dwelling would be set back within the site and would be largely obscured from public views. Neighbouring properties have rendered walls with cement tiles rather than slate to the roof. Further along Lon Cae Glas is a relatively modern housing estate which is made up of dwellings with a mix of brick and render facing walls.

Having regard to the design of the dwelling proposed in relation to surrounding dwellings in the locality, Officers do not consider it would be reasonable to refuse the application on grounds of the proposed materials. The details proposed in relation to the dwellings are considered acceptable and in keeping with surrounding development.

It is therefore considered that the appearance of the development would be respectful of the location.

4.2.3 Landscaping

“Landscaping” in relation to a site or any part of a site for which outline planning permission has been granted to, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes:

- (a) screening by fences, walls or other means;
- (b) the planting of trees hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the layout out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features.

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.

The Community Council and private individuals have not raised comments with respect to the landscaping. The AONB Advisory Committee have commented on the proposed hard landscaping and consider the retaining walls should be stone facing to match the existing wall along the road frontage.

A Tree Protection Plan and Tree Condition Survey were approved at outline stage and conditions were imposed to ensure all trees and hedges to be retained as part of the development are safeguarded during construction. The proposed site plan submitted with the current reserved matters application shows existing trees to be retained and the Landscaping Statement confirms measures to be put in place to safeguard trees.

The existing boundary along the road frontage will be retained as existing. The new retaining wall will be block and render with concrete coping. Hard surfacing will be tarmac on paths and the driveway, and flags to patio areas around the house.

Notwithstanding the comments of the AONB Advisory Committee, Officers consider the proposed finish to the retaining wall would be acceptable given that the site is located within the development boundary and that a number of dwellings in the

locality of the site have rendered boundary walls rather than stone.

All hard and soft landscaping details proposed are considered acceptable and appropriate for the area to soften the visual appearance of the development, to protect the amenities of existing residents and provide a sufficient level of amenity for future occupants of the dwellings proposed.

It is therefore considered that the landscaping of the development would be respectful of the location.

4.2.4 Layout

“Layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to building and spaces outside the development.

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 (vii) 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.

The Community Council and private individuals have raised concerns regarding the proposed parking and turning space and the drainage arrangements. The parking and turning area does form part of the consideration of layout, and therefore this is considered in this section, and in section 4.2.6 below.

With respect to parking and turning, private individuals have raised concerns that the site does not make adequate provision for larger vehicles, such as construction and delivery vehicles to park and turn within the site.

The site area of the proposed residential development is approximately 0.13ha which equates to approximately 10 dwellings per hectare. The 35 dwellings per hectare referred to in Policy RD 1 is a minimum and there is no maximum suggested. However, the outline consent was for a single dwelling, and having regard to the topography of the site and the density of existing housing within Llanbedr DC, the density is considered to be acceptable in this instance.

The dwelling proposed exceeds the minimum floorspace standards contained within SPG guidance and a private rear garden space in excess of 40 square metres is provided, in compliance with SPG guidance.

In relation to spacing and separation distances in between proposed dwellings and existing dwellings, the development proposals meet or exceed the standards set out within SPG guidance.

The layout of the site has been carefully considered in the context of surrounding development and the dwelling has been sited in a way to respect the pattern of development in the area.

With respect to the parking and turning area, the proposal includes a carport with further parking and turning space in front.

Highways Officers are satisfied proposed parking and turning arrangements are acceptable, and have raised no objection to the proposed layout.

Officers consider the proposed layout makes adequate provision for the parking and turning of domestic vehicles, and notwithstanding concerns raised by private individuals, Officers consider that, having regard to the nature and scale of the development, it would be unreasonable to refuse to approve the layout details at this stage due to the fact that the layout does not make provision for the parking and turning of construction and delivery vehicles.

It is therefore considered that the layout of the development would be respectful of the location.

4.2.5 Scale

“Scale” means the height, width and length of each building proposed within the development in relation to its surroundings.

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.

No comments have been received with respect to scale.

The footprint of the dwelling proposed is similar to that shown on the indicative plan submitted at outline scale.

In relation to surrounding development, overall it is considered that the submitted detail demonstrates an acceptable scale of development which in Officers' view is in keeping with the area.

It is therefore considered that the scale of the development would be respectful of the location.

4.2.6 Parking and turning area details (approval of condition 7)

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.

It is to be noted that access was approved at outline stage. Highways Officers raised no objection to the outline application and were satisfied that adequate parking and turning space could be achieved. Condition 7 was attached to the permission to ensure final parking and turning arrangements were submitted for approval prior to the development first coming into use. No conditions were imposed with respect to construction phase or to control construction traffic.

Whilst the parking and turning area currently proposed differs from the indicative arrangements shown on the proposed site plan at outline stage, the provision of a double carport with further parking space to the front, and turning space within the existing driveway is considered acceptable and would meet the Council's Parking Requirements in New Developments SPG, and ensure cars exiting the site can do so in forward gear rather than reversing on to the highway. Accordingly, Highway Officers have raised no objection to the proposed parking and turning area.

Private individuals responding to the application have queried the use of the word 'vehicles' in condition 7. Officers' interpretation is that the condition relates to arrangements for the safe access and manoeuvring of cars associated with Cae Glas and the development site, and not larger vehicles.

Highways Officers are satisfied proposed parking and turning arrangements are acceptable, and have raised no objection to the proposed layout, or to the discharge of condition 7.

Highway Officers have provided advice with respect to concerns raised in public representations and have suggested in relation to the construction traffic that it is not normal practice to include conditions requiring submission of a construction management plan in relation to small scale developments for single dwellings. It is the responsibility of a contractor to manage a site safely which would include using appropriately sized construction vehicles having regard to the nature of the site and surrounding highway network - which is not a unique situation in developing sites in rural locations in the County.

The agent has confirmed the dwelling would be powered by heat pumps rather than oil central heating and therefore oil deliveries would not be required, and the proposed sewage treatment plant would need emptying very infrequently, and that delivery vehicles / lorries would likely reverse on to the driveway and park on the dedicated parking and turning area.

Officers accept that Lon Cae Glas is a narrow lane, and that large vehicles may need to reverse up the driveway to access the site rather than being able to turn within the site, however Officers would note that this is the case with a number of dwellings in Llanbedr DC and indeed across the County as very few dwellings have sufficient areas of hardstanding within the curtilage to enable lorries to turn within a site. So whilst accepting condition 7 does require details of parking and turning of vehicles and does not just specify cars only, Officers nevertheless consider the condition seeks to control details of typical domestic vehicles that would access and egress the site on a regular basis, and not every scale of vehicle that could conceivably visit the site at some point.

Notwithstanding the views of private individuals on the application, having regard to the nature and scale of the development and the professional opinion of Highways Officers, the parking is considered to be acceptable with sufficient turning space provided within the site for the access and manoeuvring of typical domestic vehicles. On this basis, Officers consider it would be wholly unreasonable to refuse to approve the condition purely on the basis that insufficient turning space has been provided within the site for larger vehicles such as HGVs or delivery trucks which may very infrequently visit the site once the development first comes into use. Officers therefore consider the details submitted are sufficient to approve and discharge condition 7.

4.2.7 Drainage details (approval of condition 11)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration

The outline planning permission established the principle of a septic tank as a suitable mode of foul water drainage. The outline planning application form indicated surface water would be dealt with by soakaways, and the proposed site plan approved at outline stage showed an indicative location of the septic tank and soakaways.

However, as full drainage details were not provided at outline stage, condition 11 was imposed which required a fully detailed scheme of foul drainage and surface water drainage to be submitted and approved in writing by the local planning authority prior to the commencement of development.

Natural Resources Wales raised no objection to the application at outline stage, and as they did not request the drainage condition was imposed, they have declined to comment on the approval of condition 11.

Private individuals have raised concerns regarding the proposed drainage, as the site is on sloping ground and proposed package treatment plant would be at a higher ground level to the house to the west, and therefore question whether the proposed foul water drainage is workable, and if it would result in contaminated water affecting neighbouring properties. Concern has also been raised regarding the height of the water table, and that percolation tests have been carried out during one of the driest periods and therefore may not be reflective of "normal" conditions.

A new private sewage treatment plant is proposed for the site which would discharge to a watercourse (stream) which runs through the site, and surface water is proposed to discharge to soakaway. Percolation test results have been submitted to demonstrate the ground conditions are acceptable and an appropriate means of surface water disposal.

Details of the proposed sewage treatment plant were submitted with the application, and additional information has been provided which confirms the outlet from the sewage treatment plant will discharge via a gravity piped system to the watercourse passing through the development site and that the water from the sewage treatment plant will be clean treated water and acceptable for discharge into the existing water course, and therefore there is no risk of contamination from the sewage treatment plant to any neighbouring properties.

The detailing of sewage treatment plants are subject to approval / registration processes outside land use planning controls, which provide additional safeguards as to their acceptability:

- Private sewage treatment / disposal facilities must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. The supporting information submitted with the application confirms the proposed sewage treatment plant is compliant with BS 6297 and it will require periodic emptying.
- It is a legal requirement for all septic tanks or package sewage treatment plants discharging to a stream to be registered with Natural Resources Wales (NRW). At outline stage, NRW also advised that a Permit or Exemption from NRW would also be required to discharge anything apart from uncontaminated surface water to a watercourse / ditch and that any necessary Permit must be obtained prior to works starting on site.

In conclusion, Officers consider there are no reasonable grounds to resist the proposals for the drainage detailing.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The

recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 The access, appearance, landscaping, layout and scale of the dwellings are considered acceptable.

5.2 Notwithstanding concerns raised by the Community Council and private individuals, Officers are satisfied the parking and turning area, and proposed drainage arrangements are acceptable.

Officers therefore recommend the reserved matters and condition 7 and 11 are approved.

RECOMMENDATION: APPROVE- subject to the following conditions:-

1. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
 - (i) Survey Plan (Drawing No. 1) - Received 5 July 2018
 - (ii) General Landscaping and External Works Details (Drawing No. 5) - Received 5 July 2018
 - (iii) Proposed Site Plan (Drawing No. 4) - Received 5 July 2018
 - (iv) Proposed Floor Plan (Drawing No. 2) - Received 5 July 2018
 - (v) Proposed Elevations (Drawing No. 3) - Received 5 July 2018
 - (vi) Carport Details (Drawing No. 6) - Received 5 July 2018
 - (vii) Location Plan - Received 5 July 2018
 - (viii) Proposed Sewage Treatment Plant Product Specification - Received 13 July 2018
 - (ix) Proposed soakaway percolation test results (Drawing No. PM/0762) - Received 12 September 2018
 - (x) Proposed foul water drainage site plan (Drawing No. 4) - Received 12 September 2018

The reasons for the conditions are:-

1. For the avoidance of doubt and to ensure a satisfactory standard of development.

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Agenda Item 6

WARD : Bodelwyddan

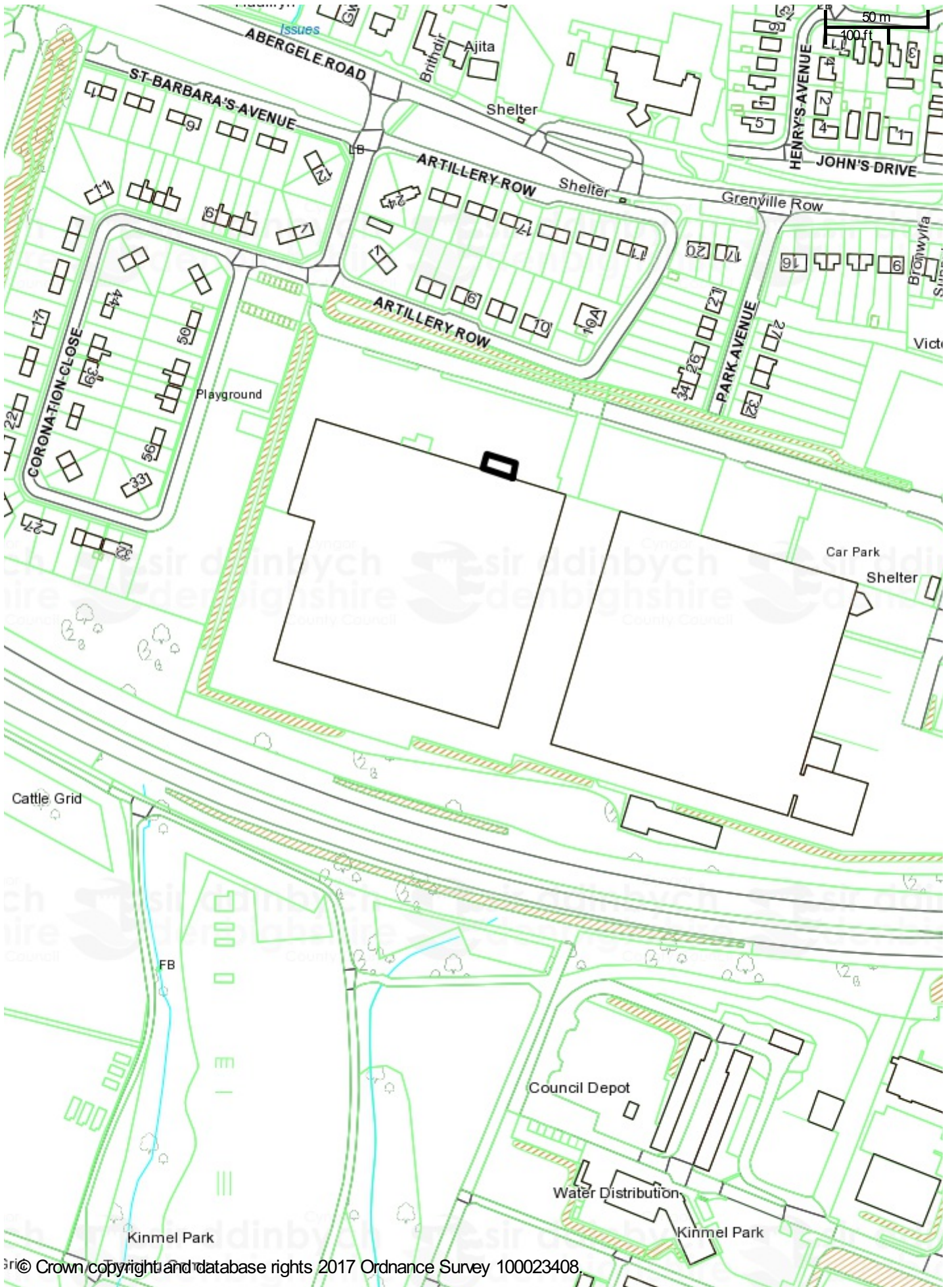
WARD MEMBERS: Councillor Richard Mainon

APPLICATION NO: 40/2018/0151/ PF

PROPOSAL: Erection of 1 No. freestanding 35 metre high and 2m diameter free standing chimney stack sited to the north of factory

LOCATION: The Real Petfood Company Unit 2 Royal Welch Avenue
Bodelwyddan Rhyl

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40/2018/0151

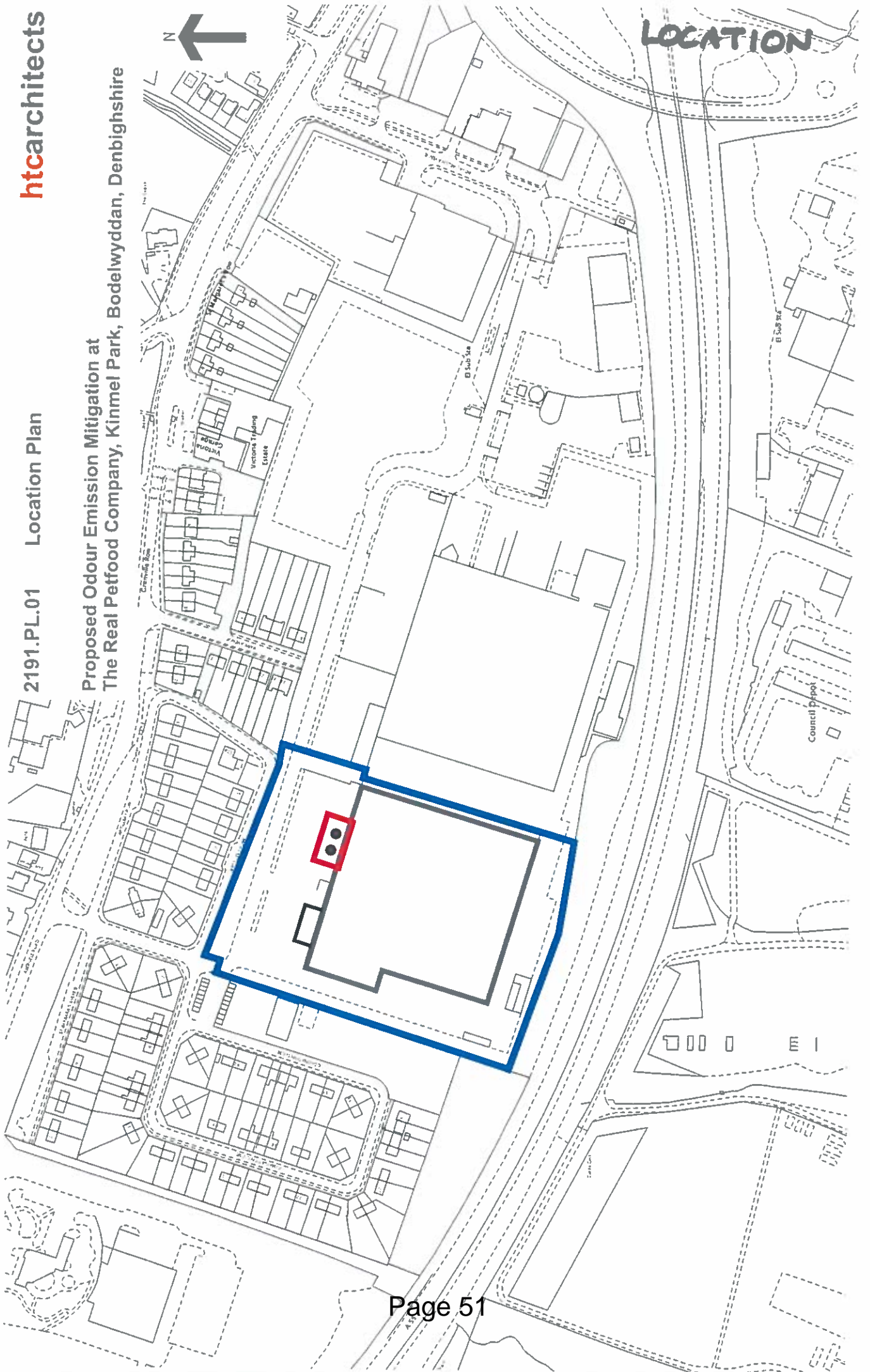
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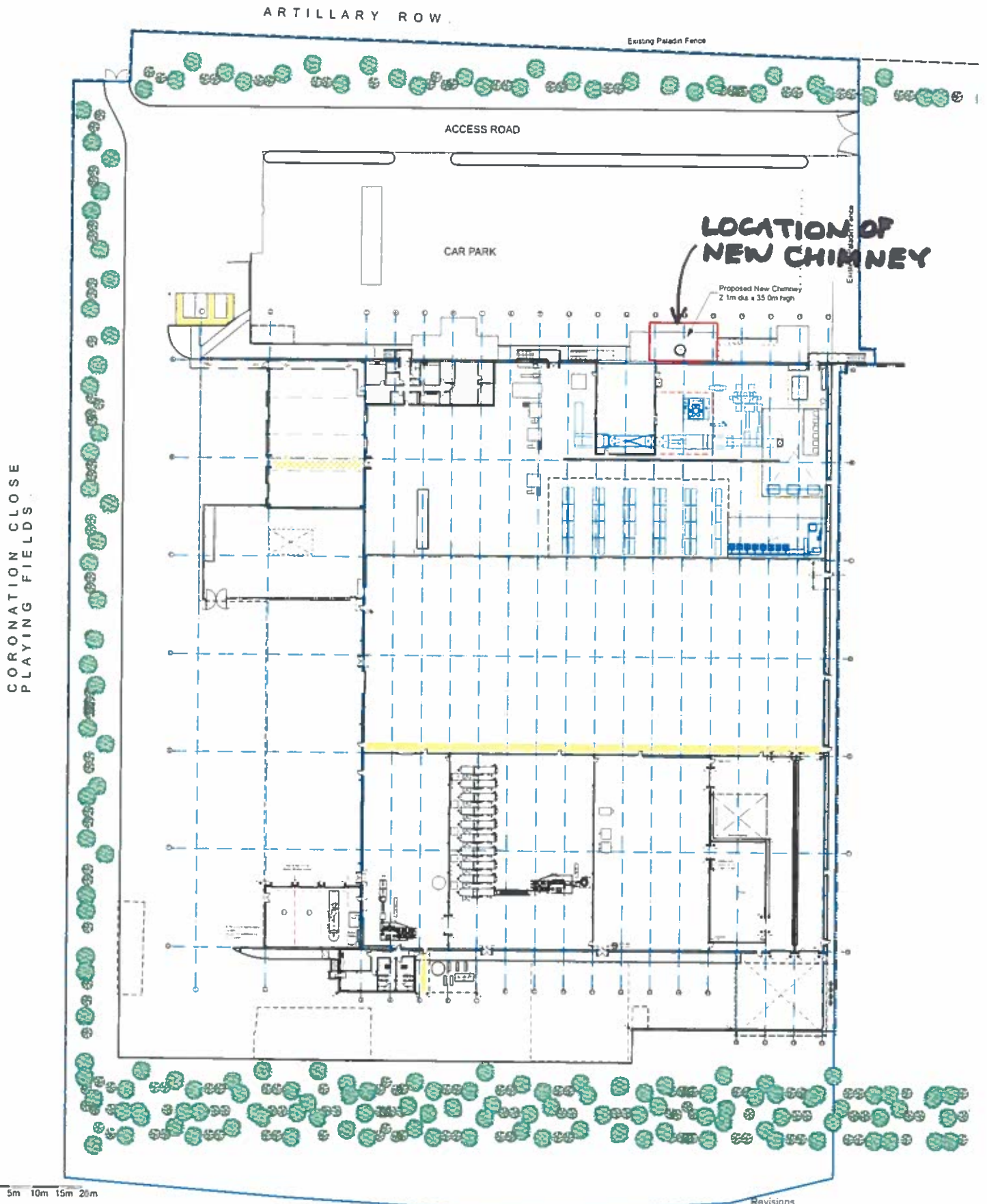
Proposed Odour Emission Mitigation at
The Real Petfood Company, Kinmel Park, Bodelwyddan, Denbighshire



LOCATION



BLOCK PLAN



Project
PROPOSED CHIMNEYS
 The Real Petfood Company at
 Unit 2, Kinmel Park
 Location
BLOCK PLAN
 Drawn by: tjc
 Scale: 1:500 @ A2
 Date: Feb 18
 Property no: 2191.PL.02
 Revision: A

A 5 5 EXPRESSWAY

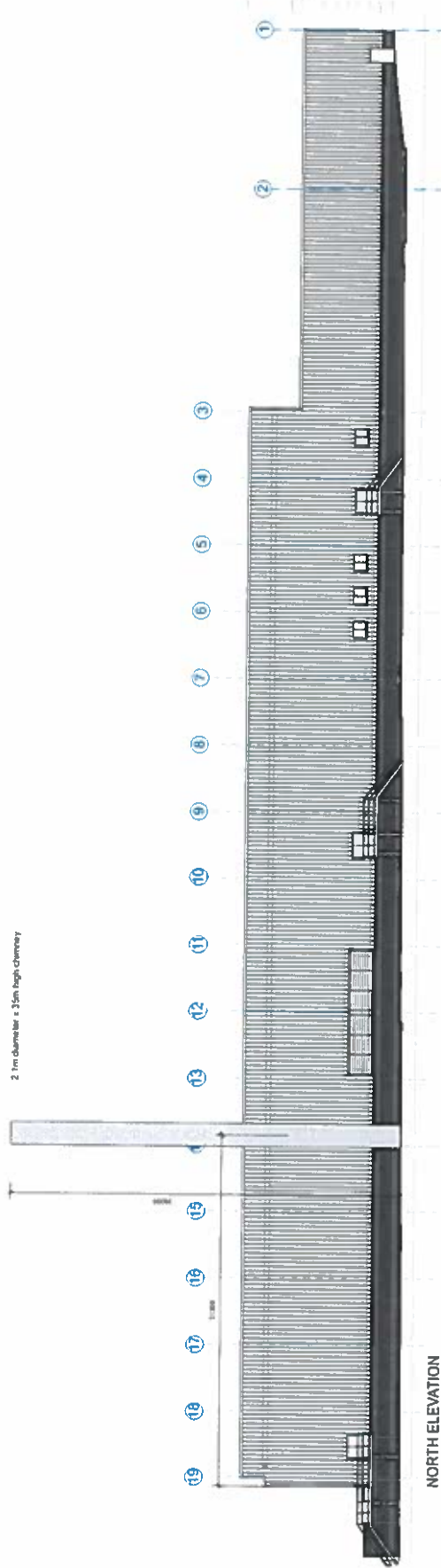
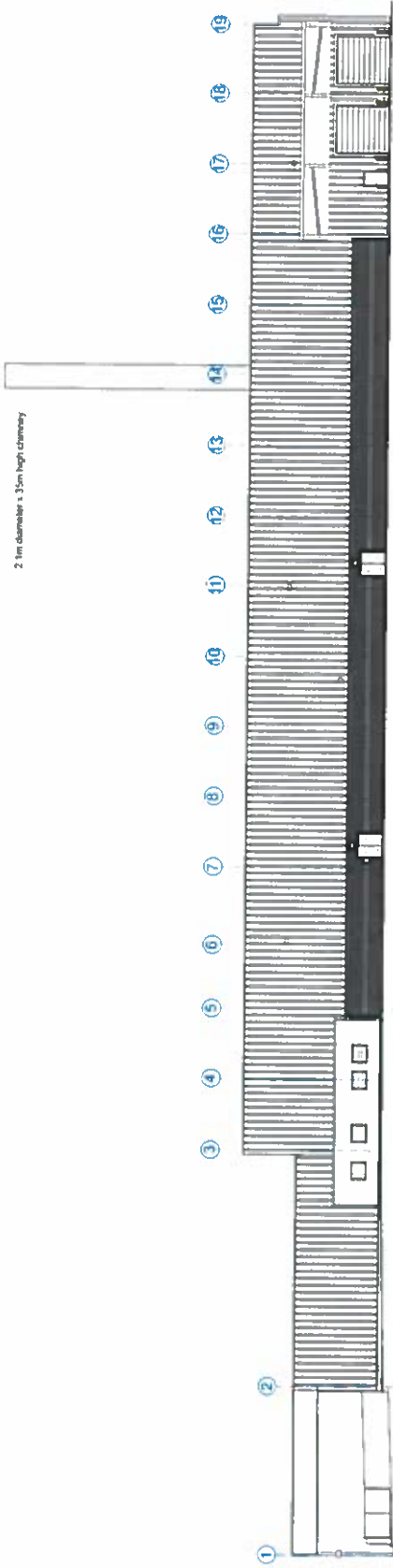
Revisions
 A. 25.06.18 One chimney omitted. Reduced in height to 35.0m

htcarchitects

York Place Studio
 8 Britannia Street
 Leeds, LS1 2DZ
 T: 0113 244 3457
 E: info@htcarchitects.co.uk
 www.htcarchitects.co.uk



ELEVATION PLANS



Revisions
A. Complete exterior and interior elevations to 2D.

htarchitects
100 Pine Street | 01133 244 3437
6th Floor, Suite 600 | info@htarchitects.com.au
Sydney, NSW 2000 | www.htarchitects.com.au

Proposed

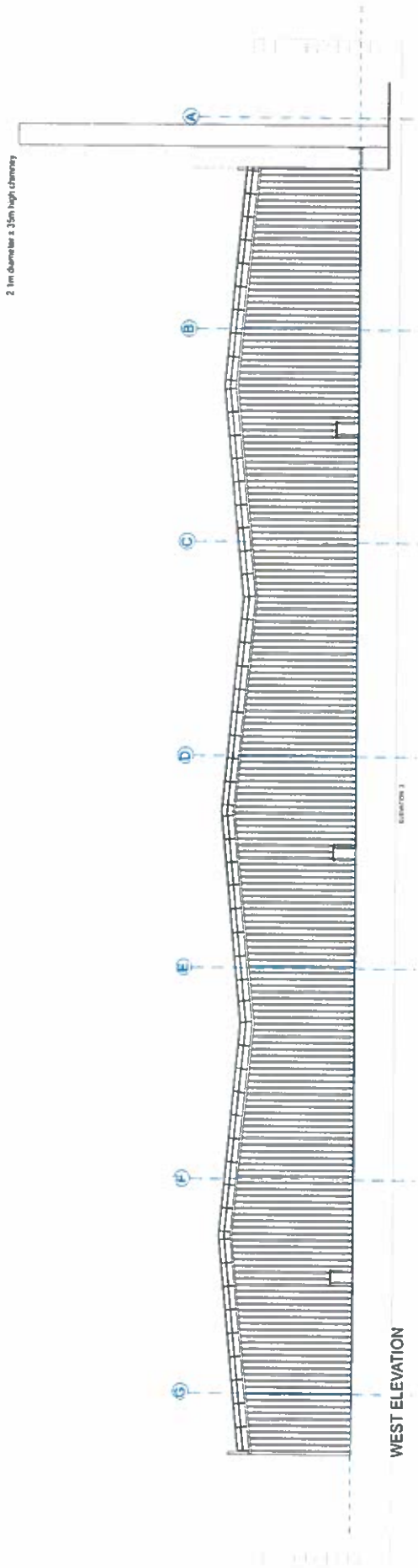
PROPOSED CHIMNEYS
The Real Food Company at
Level 2, Terminal Park

NORTH and SOUTH Elevations

Scale: 1:50
Date: 1/2024 A1
Sheet: 2/05/16
Drawing: 2181_P1_01
Author: A

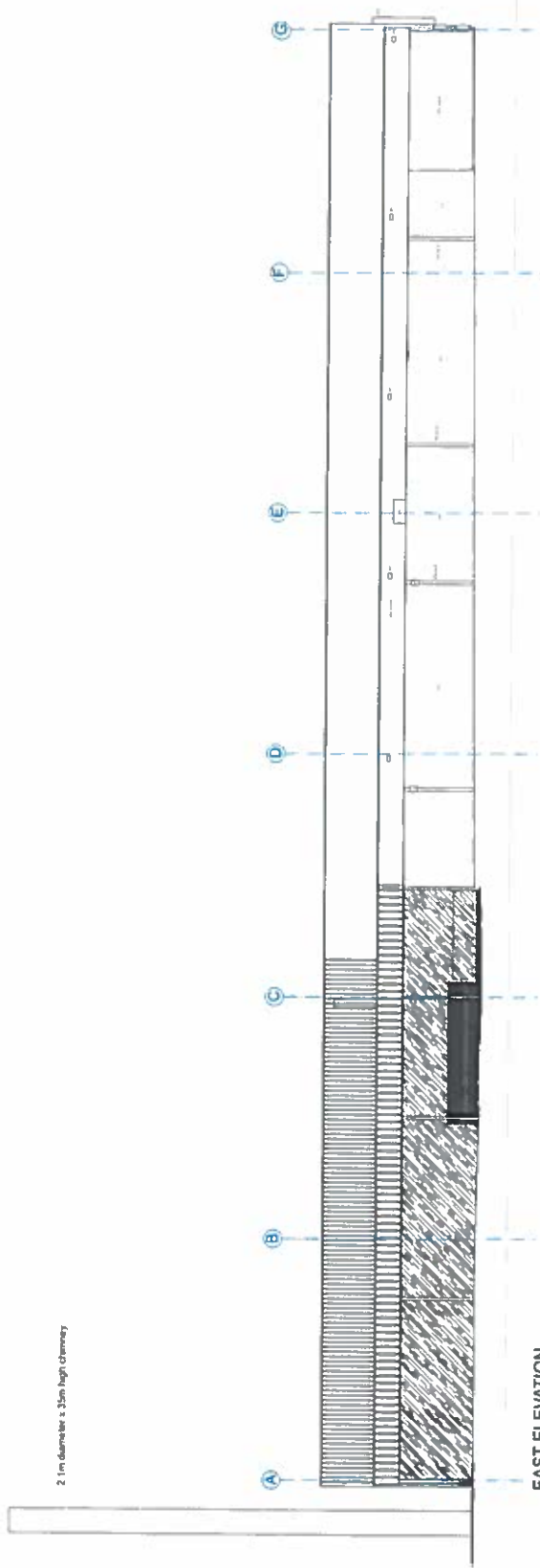
ELEVATION PLANS

2.1m diameter x 35m high chimney



WEST ELEVATION

2.1m diameter x 35m high chimney



EAST ELEVATION

Revisions
A. One chimney exhaust height reduced to 35m

htarchitects
The Real Pastoral Company at
Unit 2, Formosa Park
1. 8113 144 3417
2. 08 8392 4200
3. www.htarchitects.com.au

Perforad

PROPOSED CHIMNEY'S
The Real Pastoral Company at
Unit 2, Formosa Park

EAST and WEST Elevations

Scale: 1:200 @ A1
Date: Feb-2018
Drawing No: 2181 Pt. 04
Sheet: A

WARD : Bodelwyddan

WARD MEMBERS: Councillor Richard Mainon

APPLICATION NO: 40/2018/0151/ PF

PROPOSAL: Erection of 1 No. freestanding 35 metre high and 2m diameter free standing chimney stack sited to the north of factory

LOCATION: The Real Petfood Company Unit 2 Royal Welch Avenue Bodelwyddan Rhyl

APPLICANT: Mr G Wheeler, The Real Petfood Company

CONSTRAINTS: Within 67m Of Trunk Road

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received

CONSULTATION RESPONSES:

BODELWYDDAN TOWN COUNCIL (response to consultation on amended scheme)

"The Town Council are objecting to this application.

The residents of Bodelwyddan should not be compelled to choose between being affected by an obnoxious smell that prevents them having full enjoyment of their property or the visual impact of a 35m Chimney to alleviate the problem.

The Town Council are objecting to this application on the following grounds:-

Visual Impact.

The 35m Chimney will detrimentally affect the residents who live nearby and those who live further away in the village and surrounding area as no matter how well disguise the chimney will be it will still be noticeable on the skyline from anywhere in Bodelwyddan.

Should planning permission be granted by Denbighshire County Council, the Town council would like the following conditions imposed on the planning permission to protect the residents of Bodelwyddan.

- Condition on Planning permission that the best available technique for odour removal be used by the company.*
- On complaint of odour by residents of Bodelwyddan Production is stopped.*
- No further factory expansion unless additional abatement systems for odour are in place first.*
- The colour, size and height of chimney must follow heritage guidance.*
- The Visual impact of the chimney is to be mitigated and reduced by appropriate planting, where possible, by following the guidance of Countryside services team*

AIRBUS

No aerodrome safety objection.

NATIONAL AIR TRAFFIC SERVICES

No safeguarding objection to the scheme.

NATURAL RESOURCES WALES

No objection.

CADW

Having carefully considered the information provided with this planning application, we have no objections to the impact of the proposed development on the registered historic parks and gardens Bodelwyddan Castle (Grade II) and Kinnel Park (Grade II*).

A Heritage Impact Assessment has been submitted in support of this application. This work has been prepared in accordance with Welsh Government advice and concluded that the impact on the settings of the two registered historic parks and gardens will be negligible/very slight. We concur with the results of this assessment.

CLWYD POWYS ARCHAEOLOGICAL TRUST

Accept findings of the LVIA and Heritage Assessment submitted in support of the application which state that the visual impact of the development is acceptable.

WELSH GOVERNMENT DEPARTMENT FOR ECONOMY & INFRASTRUCTURE (Highways)

No objection.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection

Pollution Control Officer Public Protection

No objection subject to conditions. As a stack of 35 metres is required to deal with existing odour emissions from the factory (including fitting abatement plant). This is evidenced in the report produced by Martin Cranfield Associates Ltd. This report concludes;

- The question then needs to be asked as to what the minimum achievable stack height can be when assessed against a fully abated option. Here a consideration of dispersion of residual odour from abatement plant needs to be considered, along with bypass options for emergencies, breakdown and other unplanned abatement plant failure conditions.
- Should abatement plant be fitted to meet the current odorous emissions, and meet the 95% high odour concentration and 85% low odour concentration emission reduction standard within the BAT guidance notes, a residual odour of approximately 15,000 ouE/m³ will need to be dispersed, (17,000 ouE/m³ for likely emission in 5 years' time) and this will require a suitable stack. To avoid aerodynamic downwash the Environment Agency would normally recommend a stack 2.5 times the nearest building height (this would be approximately 28 to 32 metres dependent on location.)
- Therefore it should be noted that even with abatement of all sources, a stack of similar height to that proposed by the applicant will be required to ensure odours are suitably dispersed.
- Should the applicant be able to satisfy the authority that treatment of the low odour volume sources is beyond BAT, and therefore that treatment for the high odour low volume sources combined with dispersal from a stack should be regarded as BAT for this installation, then the options become simplified:-
- A 35 metre stack dealing with the existing odour emissions (3 metres above the minimum height where all emissions are abated), or
- 5.4.2 A 40 metre stack dealing with predicted future odour emissions. (8 metres above the minimum height where all emissions are abated.)
- 5.5 The option of retrospectively adding an additional 5 metres to a 35 metre stack should also be examined.

Ecologist

No objection

Consultant Landscape Architects

Landscape Architects (Gillespie's) concluded that the proposed stack development could be accommodated without resulting in major adverse effects on landscape character or visual amenity.

RESPONSE TO PUBLICITY:

In objection

Representations received in objection from:
Nigel Burke, 12 Artillery Row, Bodelwyddan
David Winder, 4 Artillery Row, Bodelwyddan
Arfon Jones Hughes, 20 Grenville Row, Bodelwyddan
Graham Bloxsome, 4 Clos Dinas Bran, Bodelwyddan
Katie Leonard, 31 Park Avenue, Bodelwyddan
Patricia Chapman, 33 Park Avenue, Bodelwyddan
David Patel, 31 Park Avenue, Bodelwyddan
Ian & Jacqueline Smith, Gwelfryn, Bodelwyddan
James Chapman, 33, Park Avenue, Bodelwyddan
Anthony Ma, 32 Park Avenue, Bodelwyddan
Sara Hennigan, 2 Artillery Row, Bodelwyddan
Richard Mainon, 46 Ffordd Parc Castell, Bodelwyddan
Sandra & Paul Berry, 16 Artillery Row, Bodelwyddan
Jayne Davies, 19 Artillery Row, Bodelwyddan
Kirstie Jones, 1 Johns Drive, Bodelwyddan
Justin Jones, 1 Johns Drive, Bodelwyddan
Jaime Ashton, 3 Terfyn Cottages, Bodelwyddan
Mrs G Hunt, 30 Maes Stanley, Bodelwyddan
Julie Hilton, 22 Stanley Park, Bodelwyddan
Diane Whitmore, 22 Maes Stanley, Bodelwyddan
Emma Stait, 11a Maes Owen, Bodelwyddan
Jackie Storey, 6 Artillery Row, Bodelwyddan
Victoria Bannister, 12 Artillery Row, Bodelwyddan
Lee Groves, 6 Artillery Row, Bodelwyddan
Bethany Roberts, 7 Coronation Close, Bodelwyddan
Nicola Thomas, 1 Rhodfa Flint, Bodelwyddan
Moya Allen, 104 Ffordd Parc Castell, Bodelwyddan
Sharon Lock, 8 Hillcrest Court, Bodelwyddan
Claire Roberts, 26 Ceri Avenue, Prestatyn
Andrew Crabtree, 41 Clwyd Avenue, Rhuddlan
Ann & John Dickson, 5 Henrys Avenue, Bodelwyddan
Beverly Davies, 7 Maes Stanley, Bodelwyddan
Chiara Taylor, 22 Bryn Dedwydd, Bodelwyddan
Daniel Davies, 41 Maes Owen, Bodelwyddan
Darren Jones, 5 St Barbara's Avenue, Bodelwyddan
Emma De Maria, 5 St Barbara's Avenue, Bodelwyddan
Evelyn Crabtree, 41 Clwyd Avenue, Rhuddlan
Gwyn Davies, 41 Maes Owen, Bodelwyddan
Jayne Smith, 14 Clos Deganwy, Bodelwyddan
Margaret Humes, 43 Morfa View, Bodelwyddan
Mike Allen, Ajita, Abergele Road, Bodelwyddan
Sarah Roberts, 8 Artillery Row, Bodelwyddan
Susan Bunn, 90 Ffordd Parc Castell, Bodelwyddan
Debbie Davies, 41 Maes Owen, Bodelwyddan
Stacey Allen, Ajita, Abergele Rd
Barbara Davies, 9, Coronation Close, Bodelwyddan
Keiran Hennigan, 2, Artillery Row, Bodelwyddan
Pauline & Alan Cummings, 36, Maes Stanley, Bodelwyddan
Patricia Chapman, 33 Park Avenue, Bodelwyddan
Tersa Sweetman, 22 Artillery Row, Bodelwyddan
Kelly Foulkes, 17 Artillery Row, Bodelwyddan
Louise Fazackerley, 18 Grenville Row, Bodelwyddan

Michelle Davies, 7 Artillery Row, Bodelwyddan
Tony Hockridge, 55 Coronation Close, Bodelwyddan
Anthony Ma, 32 Park Avenue, Bodelwyddan
Jayne Davies, 19 Artillery Row, Bodelwyddan
Maggie Lai, 32 Park Avenue Bodelwyddan
Colin Baxter 24 Canolblas Avenue Bodelwyddan
Rick Parr, 25 Coronation Close, Bodelwyddan
Jacqueline Smith, Gwelfryn, Abergele Road, Bodelwyddan

Summary of planning based representations in objection:

Original submission was deficient in detail relating to visual impact and odour.

Principle- if stack is permitted use will continue, a pet food processing factory it is not appropriate in a village setting and so close to residential uses. Factory should be relocated to a non-residential area.

Odour- It is not clear if the stack will be sufficient to control the odour at the current levels of production.

Odour- Filtration technology should be installed within the building rather than a 35 metre stack.

Odour- Patients in the hospital can smell the odour.

Residential amenity- Residents cannot enjoy their homes and gardens owing to the odour.

Visual impact- Proposal would have a detrimental impact on the character of area.

Visual impact- Proposal would have a detrimental impact on nearby historic assets- Marble Church, Bodelwyddan Castle, Kinmel Estate.

Visual impact- Proposal would have a detrimental impact on the AONB.

Visual impact- Proposal would impact negatively of perception of the area from visitors.

Precedent- If stack is permitted further applications could come forward.

In support

Representations received in support from:

Martin Hill, Sunnybank, Bodelwyddan

Summary of planning based representations in support:

Proposed stack will be a solution to the ongoing odour problem.

EXPIRY DATE OF APPLICATION: 25/04/2018

EXTENSION OF TIME AGREED? 16th November

REASONS FOR DELAY IN DECISION (where applicable):

- 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 application proposes the erection of a chimney stack at the Real Petfood Factory on Royal Welch Avenue in Bodelwyddan, and is proposed for emission dispersion purposes as part of an odour abatement strategy in connection with the Pet Food production processes.
- 1.1.2 The free-standing stack would be sited adjacent to the northern elevation of the factory. This would be a 35 metre high chimney stack with a 2.1 metre diameter. The stack would extend some 25.8 metres above the roofline of the existing factory building.
- 1.1.3 The stack would be constructed of steel and would be finished with a pale grey, non-reflective coating.

- 1.1.4 Additional screening is proposed on the existing landscape bund to the north of the factory in the form of tree planting.
- 1.1.5 Members are referred to the plans at the front of the report to assist consideration of the details.
- 1.1.6 The application under consideration includes the following supporting information:
1. Planning Statement (and Addendum Factsheet prepared June 2018)
The planning statement refers to the history of the site, provides details of the operation, and advises that the proposal will result in a substantial investment being made by the Applicants to address the odour issue. The Real Pet Food Company currently employ 70 people and aspire to increase this to 100 in the near future.
 2. Odour Measurements and Mitigation Report prepared by ADAS (Feb 2018)
This report used sampling and emission measurements to provide inputs for odour dispersion modelling to be undertaken by RSK to assess the odour impact of the new production facility at Bodelwyddan, and to then use the resulting modelling outputs to identify suitable odour mitigation options. This review set out possible odour abatement and mitigation technologies to odour controls based on a technology review and additional odour modelling. It must be noted that this report was based on the original proposal with two 40 metre chimneys.
 3. Odour Dispersion Modelling Assessment prepared by ADAS (April 2018 dated 22nd June 2018)
This report outlines the method which has been used to assess the potential odour impacts and has recommended mitigation which could be implemented to reduce any identified odour effects. This report used five years meteorological data to characterise dispersion based on a larger modelled dataset. The report concluded that a single stack of 35 metres in combination with odour abatement of the over extraction air could provide a comparable level of off-site odour control to the two 40 metre stacks.
 4. Landscape and Visual Impact Assessment prepared by Smeeden Foreman (September 2018)
The LVIA identifies landscape and visual effects that are likely to result from changes arising from the proposed development, and assesses their overall significance in the context of receptor (landscape and visual) sensitivity. The LVIA established a baseline, and identified 16 viewpoints to demonstrate the extent of visibility of the proposed chimney from a range of locations within a defined study area. Mitigation referred to within the report includes additional planting along the bund surrounding the site, and control over the finish of the stack. The Landscape and Visual Impact Appraisal concludes that the proposed chimney development could be accommodated without resulting in major adverse effects on landscape character or visual amenity.
 5. Cultural Heritage Impact Assessment prepared by Mel Morris Conservation (September 2018) This details the heritage assets that are potentially affected to those within the viewpoints as follows: Bodelwyddan Castle (RPG), Bodelwyddan Castle (LB), Kinmel Park (RPG), Kinmel Hall (LB), The Church of St. Margaret - the Marble Church (LB) and Rhuddlan Castle. It concludes that the visual impact on the significance of designated assets and their settings is generally low with impacts predicted to be largely slight or negligible. The only minor impact for the parkland as a whole at Kinmel Hall is reduced to a negligible impact in terms of the setting of Kinmel Hall itself.

- 1.1.7 A separate environmental permit application is also required for the use. The Real Petfood Company has an Environmental Permit issued by Public Protection. The permit is based on statutory guidance issued by the Welsh Government, Process Guidance Note 6/24(13) Statutory guidance for pet food manufacturing. The environmental permit is responsible for controlling emissions into the atmosphere and the monitoring requirements. However it is important to make clear that the planning application process and the environmental permit applications are separate and their outcomes are independent of one another.

1.2 Description of site and surroundings

- 1.2.1 The Real Petfood Company is an established industrial use operating within one of 2 industrial units located between the A55 North Wales Expressway (to the south) and Artillery Row (to the north). The unit was created as part of the subdivision of the former Hotpoint factory, and was the subject of a planning permission in 2014.
- 1.2.2 There is a residential area to the north west of the site. A small play area and Coronation Close bound the western side of the site. Artillery Row and Park Avenue bounds the northern side and access track, as will be seen from the plans at the front of the report.
- 1.2.3 The industrial unit is located towards the southern boundary of the site and its parking area is between the building and the northern boundary. The main access road into the site is Royal Welch Avenue, off Abergele Road, which serves a number of businesses in this employment area, and runs into the site between the parking area and a long established landscaped mound within the site, running parallel with Artillery Row and Park Avenue.
- 1.2.4 The existing factory unit is a substantial building, as Members can appreciate from the plans. The rear elevation facing north towards its car park and Artillery Row is some 120m long, the majority of which is in excess of 14m in height, with a section on the north end stepping down to between 8m and 9m height.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of Bodelwyddan and within an allocated employment site on the proposals map in the Local Development Plan.

1.4 Relevant planning history

- 1.4.1 As the historic use of the main factory building was for B2 General Industrial purposes (Hotpoint manufacturing plant) the actual use of the site by the Real Pet Food Company, as a B2 General Industrial use, did not require a change of use planning application. In 2014 a planning application was received and approved for the physical sub-division of the main factory building but this did not require an assessment of the proposed use of the building by the Real Pet Food Company.
- 1.4.2 An application was made to extend the office accommodation within the Real Pet Food part of the factory in December 2017. Members resolved to defer this application pending the resolution of complaints relating to odour. As this application proposes to address the odour issue, the office extension application is also included on the Agenda for consideration, immediately after this item.

1.5 Developments/changes since the original submission

- 1.5.1 The original application proposed the erection of two 40 metre dispersion stacks (of 1.37m diameter), with no abatement of emissions. It was envisaged that one 40 metre stack would be constructed as soon as practicable to mitigate emissions from current production, and a second 40 metre stack could be added in future to mitigate emissions from any future expansion in production.
- 1.5.2 Following the initial consultation responses, the scheme was amended. The revised scheme is designed to address odour issues and is based on an abatement system,

fitted on the oven steam exhaust flues, comprising quenching, scrubbing and finally carbon filtering followed finally by a dispersion of all residual odours via the 35 metre chimney.

- 1.5.3 Additional information has been sought to address concerns raised through the process. The additional information has included an Updated Odour Assessment, Landscape and Visual Assessment and a Heritage Impact Assessment.

1.6 Other relevant background information

1.6.1 The Real Pet Food Factory have occupied the site since April 2017. The company moved to the site from Flint where they occupied a smaller factory. The company produce a range of pet food snacks and treats, specialising in baked semi moist treats and premium biscuit products.

1.6.2 The company became aware of complaints received regarding odour at the site via the Councils Public Protection Officers in May 2017. Following this the company commenced odour monitoring and modelling to ascertain how the problem could be addressed. Over the proceeding months the decision was taken to submit the planning application for the two 40 metre stacks in February 2018. The report details how the application changed from the two stacks to the single 35 metre scheme.

2. DETAILS OF PLANNING HISTORY:

2.1 40/2017/1133 Erection of extension to existing factory to provide additional office accommodation. Under consideration.

2.2 40/2014/0666 Part demolition and refurbishment of existing industrial unit to create two separate employment units. Granted under delegated powers 22/07/2014

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy PSE2 – Land for employment uses

Policy PSE3 – Protection of employment land and buildings

Policy VOE 1- Key areas of importance

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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/Odour
- 4.1.4 Ecology

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application involves development at an established industrial unit on an allocated employment site within the development boundary of Bodelwyddan as identified in the adopted Local Development Plan.

The policy in the Local Development Plan which is relevant to the principle of employment development is Policy PSE 2. This policy relates to employment sites on the LDP proposal maps and supports employment development in use classes B1, B2 and B8. The policy reflects one of the LDP's key objectives to provide employment opportunities within the County.

The principle of development in support / expansion of employment uses is in accord with the LDP and the approach to development in Planning Policy Wales, supporting sustainable economic development.

It is relevant to record that the building is being lawfully operated as a B2 industrial use. Hence in respecting the comments of the Community Council and objectors, the suitability of this use within the building for the production of pet food is not for consideration as part of this application.

The applicants are arguing the stack is required to facilitate the continued operation of the use. The planning issues to address in this instance are considered to be the localised impacts of the 35 metre high chimney stack and are reviewed in the following sections of the report.

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; 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. Policy VOE 1 applies to Key Areas of Importance and requires development proposals to maintain and, wherever possible, enhance these areas for their characteristics, local distinctiveness, and value to local communities in Denbighshire, including local areas designated or identified because of their natural landscape or biodiversity value. Key Areas of Importance are stated in the policy as statutory designated sites for nature conservation, areas designated or identified because of their natural landscape or biodiversity value; sites of built heritage; and Historic Landscape, Parks and Gardens.

There are representations raising concerns over the landscape and visual impact of the proposal from Bodelwyddan Town Council and neighbours. These raise concerns over the impact on historic assets, the Marble church and Bodelwyddan conservation area, the local skyline and residential properties.

CPAT and CADW who originally expressed concerns over the detailing of the application and supporting documents have withdrawn their objections to the scheme and consider the supporting documents adequate.

The application is accompanied by a detailed Landscape and Visual Assessment and Heritage Impact Assessment. The Council engaged Consultants, Gillespies, to review this document and offer conclusions on the visual impact issues. Both reports produced recognise the statutory and non-statutory designations of Bodelwyddan village and Conservation Area including the Grade II* listed St Margaret's Church, Bodelwyddan Castle and Historic Park and Garden and the Scheduled Monument, Kinmel Park and Hall and Kinmel Park and Historic Garden, Rhuddlan Scheduled Ancient Monument and the Grade I listed Rhuddlan Castle and provide an appraisal of impacts. The wider study area for the landscape appraisal also encompassed land northeast of Abergele, St George and the Cefn Meiriadog, and across the coastal plain to Kinmel Bay and Rhyl, and to Dyserth and Meliden on the edge of the Clwydian Range and Dee Valley AONB. Sixteen individual important viewpoints were identified to consider the proposal from. The LVIA and Gillespie's report concluded that the proposed stack development could be accommodated without resulting in major adverse effects on landscape character or visual amenity.

Officers have assessed the information in the application, the representations on the issue and the characteristics of the area have been observed from site inspection. Having regard to the basis of the responses, the conclusions of CPAT, CADW and the Council's Landscape Consultants are considered to be of some significance in the formulation of the Officer recommendation. It is not suggested in any of the consultation responses that the stack will have no landscape and visual impacts, but what is in question is whether the development would have a significantly harmful effect to justify refusal of permission. In Officers opinion, on the basis of the consultation responses and the considerations above, it is not concluded that the extent of changes are of such magnitude to merit a negative recommendation.

4.2.3 Residential Amenity/ Odour

Local Development Plan Policy RD 1 test vi) requires that development does not unacceptably affect the amenity of local residents, other land and property users or characteristics of the locality by virtue of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution etc., and provides satisfactory amenity standards itself.

PPW Chapter 13.12.1 '*The potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission.*' The impact upon health and amenity and pollution upon the surrounding environment are therefore material considerations regarding this planning application.

There are representations from neighbours raising concerns over odour, and the adequacy of the proposal to deal with the odour from the use. The Town Council suggest best available technology be used to control odour.

In terms of residential amenity considerations, the fundamental issue is the acceptability of the proposals for the management of odour from the site, as the stack is proposed as a means of mitigating smells arising from the pet food production process.

In considering this application, the Public Protection Officers have reviewed the submissions in relation to odour issues. They have engaged the services of a Specialist Odour Consultant to assess the submitted documentation and to provide advice on the appropriateness of the abatement technology and the stack detail proposed.

The Consultant's detailed review provides a thorough appraisal of the issues relevant to assessment of odour and provides a clear recommendation that there is no reason to refuse permission on grounds of odour, provided that a condition is imposed as stipulated by the Public Protection Officer to cover the precise specification of the stack and abatement proposed.

Hence in fully respecting the basis of local concerns, having due regard to the detailed responses from specialist consultees Officers' conclusion is that the proposals offer an acceptable technical solution to an acknowledged residential amenity problem in the locality.

4.2.4 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 Conservation and Enhancement of Biodiversity, 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.

The Council's Ecologist has been consulted on the application and has raised no objection to the scheme.

Given the existing nature of the site, and the detailing of the proposal, it is considered unlikely to result in a detrimental impact on ecological interests.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The application proposes a new chimney stack as part of a scheme to address an ongoing odour issue arising from the pet food production process at an established factory unit. This is a matter which has concerned local residents for a considerable period of time.
- 5.2 There are local concerns over the potential impact of the development, in particular on the setting of the Marble Church, the Castle, and the conservation area.
- 5.3 The main land use planning issues relating to the proposal are considered to be the visual impact of the stack and the residential amenity impacts concerning the odour issues.
- 5.4 Advice from Specialist consultees suggests a 35 metre stack at the factory unit will have some landscape and visual impacts, but the significance of these has to be weighed against

the benefits of the proposed stack in terms of alleviating odour issues on the site, and the continued operation of an established business.

5.5 In Officers' opinion, the application does not raise significant policy concerns, and on the basis of the technical responses on the landscape / visual and odour considerations, it is recommended permission should be granted.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th November 2023
2. The development hereby permitted shall be carried out in accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Odour Sampling and Analysis - Received 25 June 2018
 - (ii) Planning Statement (Drawing No. 2191/DAS) - Received 16 February 2018
 - (iii) Visual Impact Assessment (Drawing No. Rev 3) - Received 28 September 2018
 - (iv) Block Plan (Drawing No. 2191.PL.02A) - Received 25 June 2018
 - (v) North and South Elevations (Drawing No. 2191.PL.03A) - Received 25 June 2018
 - (vi) East and West Elevations (Drawing No. 2191.PL.04A) - Received 25 June 2018
 - (vii) Location Plan - Received 16 February 2018
 - (viii) Supporting Statement - Received 25 June 2018
 - (ix) Heritage Impact Assessment - Received 28 September 2018
3. Prior to commencement of development, full details of the specification of the exhaust stack (including cowl design and minimum efflux velocity of the odours exiting the stack) and all abatement plant shall be submitted to and approved in writing by the Local Planning Authority. The termination of the duct must not be fitted with any plate, cap, cowl or similar device. A cone may be fitted at the termination to increase efflux velocity. The minimum efflux velocity of emissions exiting the stack shall be 15m/s. All flues must discharge vertically upwards. The development shall be implemented and maintained in accordance with the approved details.
4. Notwithstanding the approved plans and details the precise colour of the stack shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and maintained in accordance with the approved details.
5. Full details of the landscape enhancement on the north and west boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping details shall include a planting plans, timing schedule and maintenance programme. The landscaping shall be completed in the first planting season following the implementation of the planning permission.
6. All planting comprised in the approved details of landscaping shall be completed strictly in accordance with the timescale set out therein. Any trees or plants which within a period of 5 years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or of the area.
4. In the interests of visual amenity.
5. In the interests of visual amenity.
6. In the interests of visual amenity.

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Agenda Item 7

WARD : Bodelwyddan

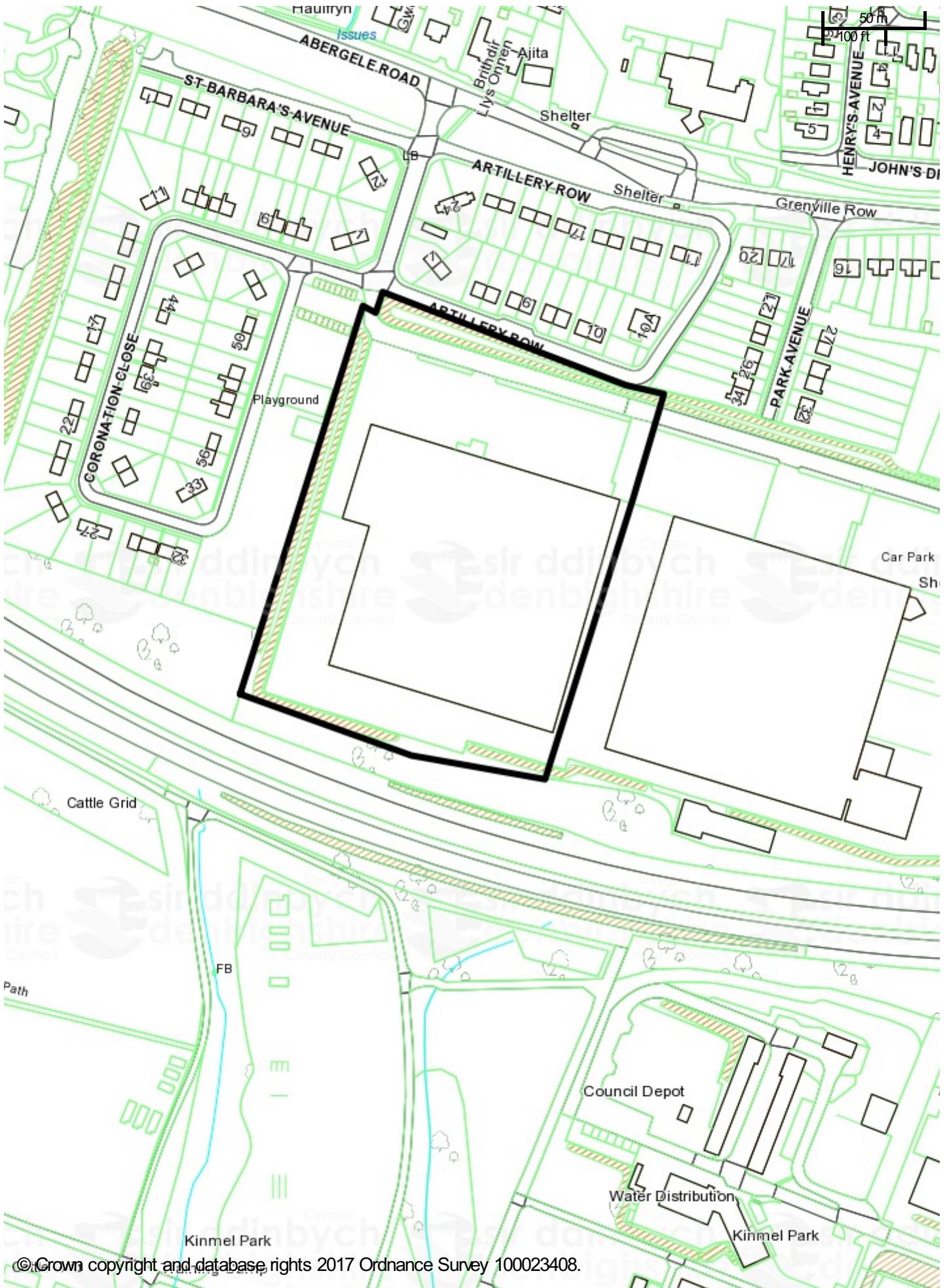
WARD MEMBER: Cllr Richard Mainon

APPLICATION NO: 40/2017/1133/ PF

PROPOSAL: Erection of extension to existing factory to provide additional office accommodation

LOCATION: Real Petfood Company Unit 2 Royal Welch Avenue
Bodelwyddan Rhyl

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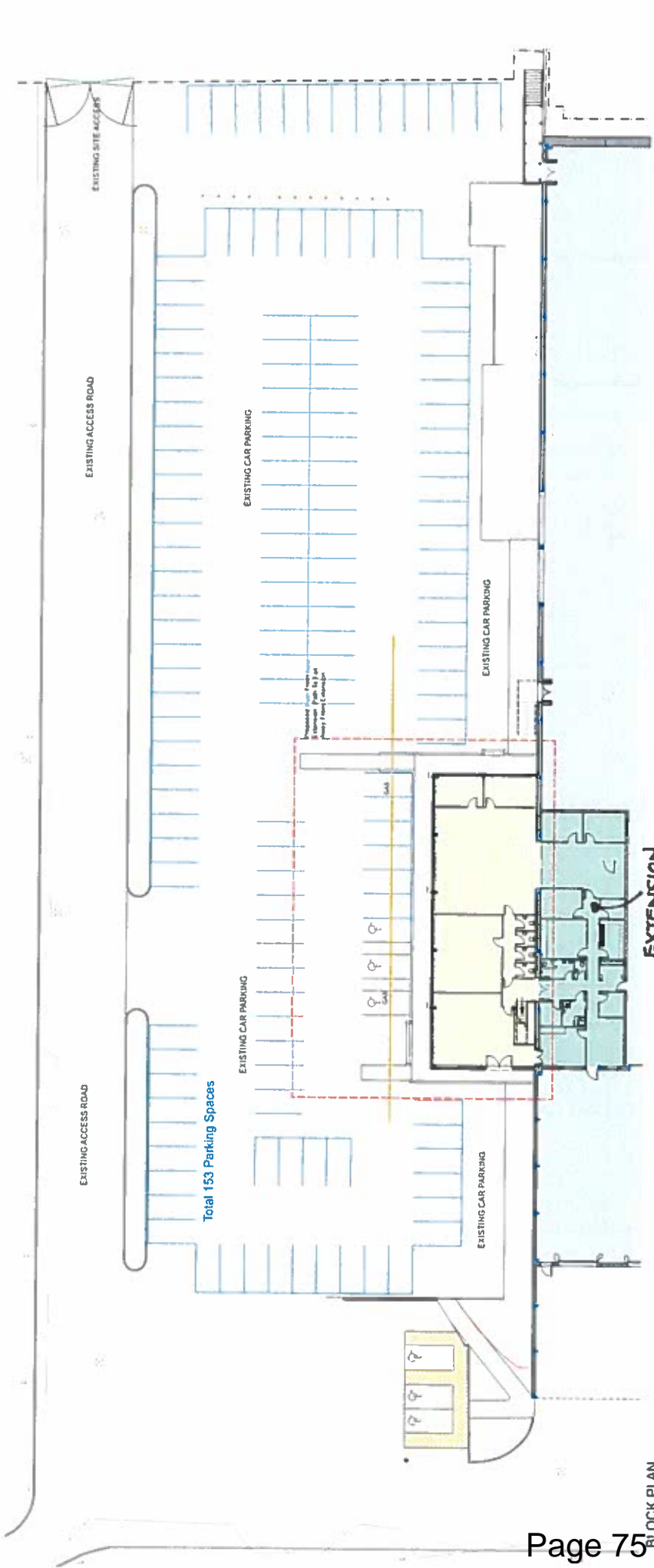
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40/2017/1133

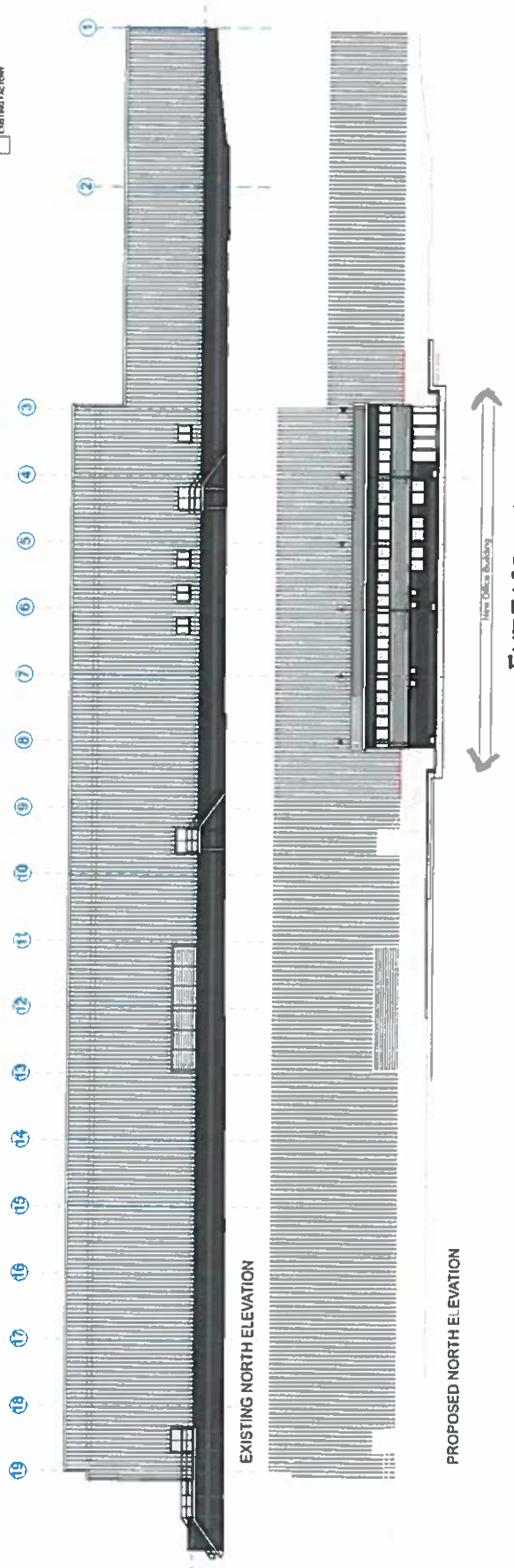
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<p>11-2217-01 Planning Exhibit Submission h a r c h it e c t s 19731 16th Ave SE Kent, WA 98032 (206) 875-1300 www.haarchitects.com</p>	
client	The Real Peifood Company Unit 2, Kinnel Park
project	Extension of Existing Office Facilities
drawing title	Context Elevations Block Plan of Site
date	11.10.2017
stage	Planning
scale	1:200 @ A1
drawn	MBN checked JC
plotted	A1000 aug 16 P110 rev. A



PROPOSED 2 STOREY EXTENSION
 EXISTING BUILDING REFINISHMENT
 EXISTING FACILITY



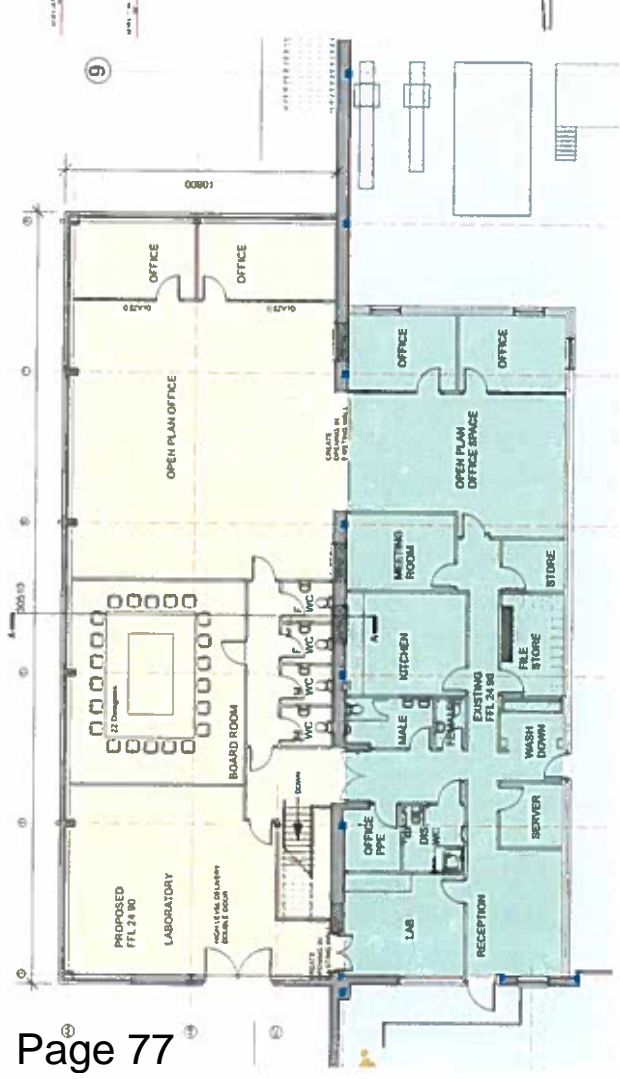
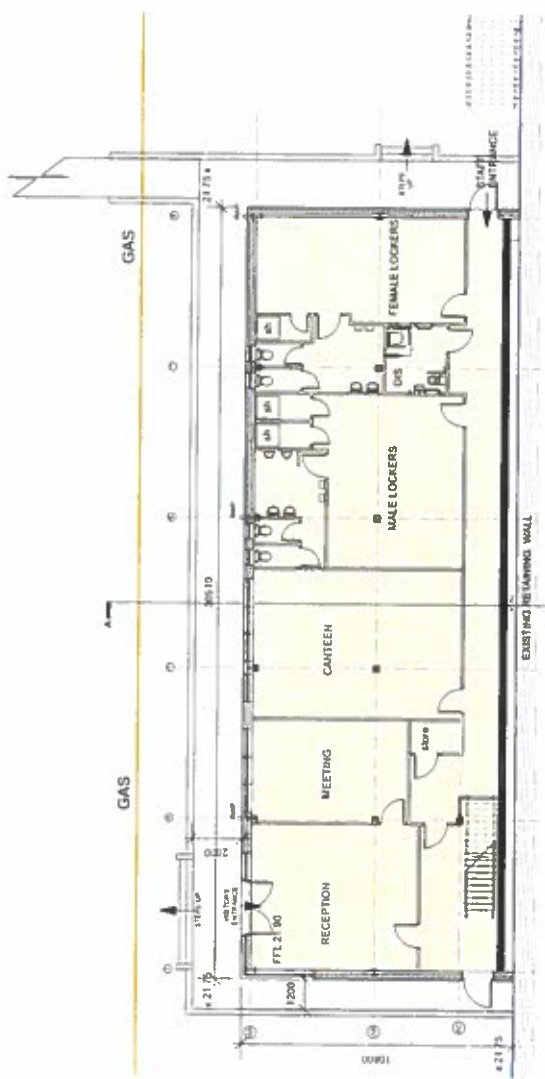
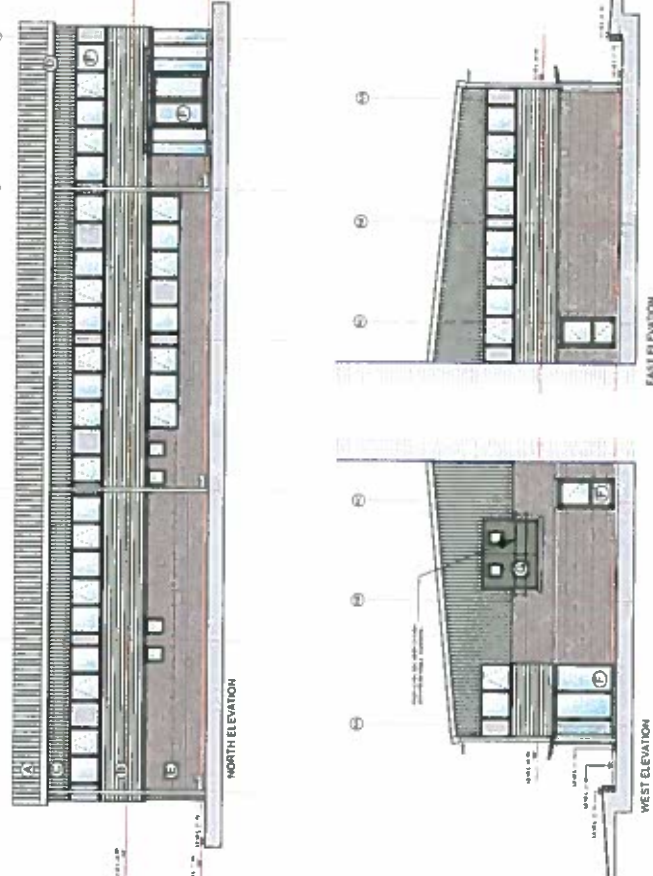
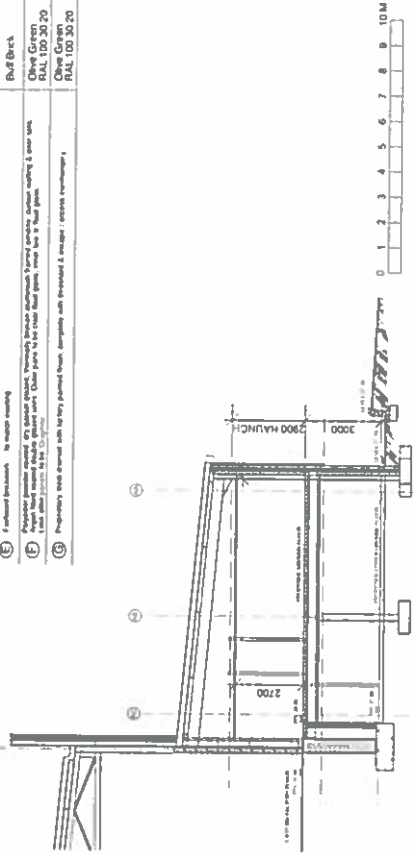
PROPOSED ELEVATIONS & FLOOR PLANS

LEGEND

- A External glazing dependent upon method of coating system employing either a self-cleaning polymer based or non-polymeric system.
- B Internal glazing dependent upon method of coating system employing either a self-cleaning polymer based or non-polymeric system.
- C Vertical and factory coated, galvanized steel panelling with or without a system employing a system in metal insulation. Vertical panelling may include a system employing a system in metal insulation.
- D Extruded polystyrene insulation, covered in factory painted mineral wool, matching mineral wool insulation, aluminium and polypropylene.
- E 4' unadorned aluminium, in range matching.
- F Proposed window profile, 2' x 6' double glazed, primarily bronze, aluminium framed window, double glazing & steel frame. (Note: window profile to be confirmed).
- G Proprietary steel element with factory painted finish, compatible with proposed aluminium & window & access mechanisms.

COLOUR

- Accordant Green RAL 100 60 20
- Accordant Green RAL 100 60 20
- Accordant Green RAL 100 60 20
- Accordant Green RAL 100 60 20
- Accordant Green RAL 100 60 20
- Blue Brick
- Blue Brick
- Blue Brick
- Blue Brick
- Blue Brick



Client: The Real Petfood Company
Unit 2, Naimel Park

Project: Extension of Existing Office Facilities

Phase: Planning

Date: 11.10.2017

Scale: 1:100 @ A1

Author: MBN

Checked: TC

Job No: A1008 Rev 04 P100 Rev C

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GROSS INTERNAL FLOOR AREAS

- LOWER GROUND FLOOR - 290 m² (3100 ft²)
- GROUND FLOOR - 310 m² (3300 ft²)
- EXISTING WELFARE FACILITIES - 228 m² (2450 ft²)

PROPOSED 2 STOREY EXTENSION

EXISTING WELFARE FACILITIES

EXISTING FACTORY

PROPOSED LOWER GROUND FLOOR

PROPOSED GROUND FLOOR

WARD : Bodelwyddan

WARD MEMBER: Cllr Richard Mainon

APPLICATION NO: 40/2017/1133/ PF

PROPOSAL: Erection of extension to existing factory to provide additional office accommodation

LOCATION: Real Petfood Company Unit 2 Royal Welch Avenue
Bodelwyddan Rhyl

APPLICANT: Mr G Wheeler

CONSTRAINTS: Within 67m Of Trunk Road

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

- Member request for referral to Committee

CONSULTATION RESPONSES:

BODELWYDDAN TOWN COUNCIL

“ The Town Council, in respect of the above application, would like to query that there is no current existing outstanding restriction for further development on the car park. “

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Highway Officer

- No objection. The case officer has advised that there is adequate parking provision for the development

RESPONSE TO PUBLICITY:

Representations received from:
Graham Bloxsome, 4, Clos Dinas Bran, Bodelwyddan

Summary of planning based representations:
Residential amenity concerns
Before any permission for expansion is granted, the current issue with unpleasant smells from the factory should be resolved.

EXPIRY DATE OF APPLICATION: 31/01/2018

EXTENSION OF TIME AGREED to 16/02/2018

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Consideration of this application was deferred at the February 2018 meeting of the Committee pending progress on proposals for an odour management system in connection with the factory use. That matter is now the subject of a separate application, being dealt with under application 40/2018/0151 which immediately precedes this item on Committee.
- 1.1.2 The application proposes the erection of a 2 storey lean to extension on the north side of an existing factory building, to increase the existing office accommodation, along with refurbishment of existing welfare / office accommodation within the body of the existing building.
- 1.1.3 The building is occupied by the Real Pet Food Company, and has a current floorspace of over 12,000 square metres.
- 1.1.4 The footprint of the proposed extension is shown on the submitted plans as 10.8m by 30.5m, and would therefore create approximately 660 square metres floorspace. The height of the extension would be some 8 metres above ground level, set against the 14 metres height of the existing factory building.
- 1.1.5 The office extension would be located on part of the footprint of substantial silos which were used in connection with the former Hotpoint use, and which were removed as part of the subdivision of the factory following the grant of planning permission in 2014.
- 1.1.6 The Lower ground floor of the extension would incorporate a reception and meeting room, a canteen, and male and female locker rooms. The Ground floor would contain three office areas, a boardroom, laboratory, and toilets.
- 1.1.7 The main external materials proposed for the extension are fairfaced bricks at the lower ground floor level (to match the existing brickwork plinth on the factory building) and Moorland Green coloured profiled cladding sheets on the upper level.
- 1.1.8 There are levels differences between the current internal floors of the building and the land immediately to the north which would mean the lower floor of the extension would be set at least in part slightly below the existing ground level.
- 1.1.9 The Design and Access statement with the application states....” the Real Petfood Company is a specialist in the innovation and manufacture of high quality pet food, specialising in baked semi moist treats and super premium biscuit products” It advises that the Company currently employs 60 full time staff , with the current expansion set to increase staff numbers to 100 in the near future.
- 1.1.10 Its description of the proposals is as follows:

“The layout of the extension is to ease the current flow of staff and visitors in to the building by creating separate access to the building. The current entrance brings both staff and visitors into the facility through the same entrance.
The visitor entrance will lead to a welcoming reception area and seating with an adjacent meeting room.
The new staff entrance leads on to the larger modern welfare facilities that in turn lead in to the working area of the unit. Access for both staff and visitors to the factory floor is from a stair well behind the proposed reception area. This also leads to the laboratory and the newly created office space. The first floor will primarily be used by the companies staff. The current car parking is located to the north of the site and both visitors and staff will find the approach to the offices more user friendly.”

- 1.1.11 The applicant's agent has submitted an illustrative site layout plan showing the site is capable of accommodating approximately 153 parking spaces. The plan is at the front of the report.

1.1 Description of site and surroundings

- 1.1.1 The Real Petfood Company building is one of 2 industrial units located between the A55 North Wales Expressway (to the south) and Artillery Row (to the north). It was created as part of the subdivision of the former Hotpoint factory, and was granted planning permission in 2014.
- 1.1.2 There is established residential development on Coronation Close on the western boundary of the site, and Artillery Row and Park Avenue to the north.
- 1.1.3 The main factory unit is located towards the southern boundary of the site and its main parking area is between the building and the northern boundary with Artillery Row. The main access road into the site is Royal Welch Avenue, off Abergele Road, which serves a number of businesses in this employment area, and runs into the site between the parking area and a long established landscaped mound within the site, running parallel with Artillery Row.
- 1.1.4 The existing factory is a substantial building, as will be appreciated from the plans at the front of the report. The rear elevation facing north towards its car park and Artillery Row is some 120m long, the majority of which is in excess of 14m in height, with a section on the north end stepping down to between 8m and 9m height.
- 1.1.5 The factory car park has been marked out previously by the former users and the agent advises it still retains markings for some 120 car spaces (along with areas dedicated to storage and large vehicle parking which are no longer relevant to the mode of operation of the Real Pet Food Company).

1.2 Relevant planning constraints/considerations

- 1.2.1 The site is within the development boundary of Bodelwyddan and an allocated employment site on the proposals map in the Local Development Plan.

1.3 Relevant planning history

- 1.3.1 The main application of relevance is the one granted permission at Committee in July 2014 for the subdivision of the former Hotpoint factory into two employment units. The only condition attached to this permission which is of relevance to issues arising on the current application was No.4, which required the proposed arrangements for the loading, unloading, parking, and turning of vehicles to be made available prior to the units being brought into use and being retained thereafter.

1.4 Developments/changes since the original submission

- 1.4.1 None.

1.5 Other relevant background information

- 1.5.1 The application has been referred to Committee at the request of the local member to allow for consideration of the proximity of the extension to the neighbouring residential dwellings and encroachment onto the car parking area, the latter being a matter raised by the Town Council.
- 1.5.2 The applicant's agent has advised that the company are not aware of any legal restrictions on use of the parking area.
- 1.5.3 In relation to the concerns over odours from the existing factory use, the applicant's agent has asked that the following information be conveyed to Members:

“This extension is simply to improve and extend the management facilities of the factory and will in turn create more employment opportunities within the company.

Whilst it is clear that there have been issues raised by the local community relating to odours from the factory, provision of this office extension has zero impact on the Odour issue. The office extension is about creating more employment opportunities. The Real Petfood Company already employs some 70 persons in the factory – far exceeding our initial plans – and expects this to rise in the next 12-18 months to in excess of 100 persons.

As a local employer, The Real PetFood Company is committed to overcoming the odour concerns that from time to time arise, weather dependent. We are taking robust action to alleviate the situation. To this end we have taken the following steps towards making a detailed planning application to address the issues:

1. Appointed an Air Quality Specialist to design a system to dissipate the odours, thereby reducing the issue.
A suitable system has now been designed.
2. Appointed an Urban / Landscape designer, to ensure that the visual impact of the above system is acceptable.
Survey work is currently underway.
3. Appointed HTC Architects to lodge a planning application on completion of the above.

This work is now well progressed and we anticipate a Planning Application being made in the near term. “

2. DETAILS OF PLANNING HISTORY:

2.1 40/2014/0666

Part demolition and refurbishment of existing industrial unit to create two separate employment units - Former Hotpoint Site.

GRANTED at Committee 22/07/2014

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy PSE2 – Land for employment uses

Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

Parking Requirements in new developments

3.3 Government Policy / Guidance

Planning Policy Wales Edition 9, 2016

Development Control Manual November 2016

Technical Advice Notes

TAN 12: Design

TAN 22: Sustainable Buildings

TAN 23: Economic Development

3.4 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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

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

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Highways/parking/access

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application involves an extension to an established factory unit on an allocated employment site within the development boundary of Bodelwyddan as identified in the adopted Local Development Plan.

The policy in the Local Development Plan which is relevant to the principle of employment development is Policy PSE 2, which relates to employment sites on the LDP's proposals maps and supports employment development in use classes B1, B2 and B8. The policy reflects one of the LDP's key objectives, to provide employment opportunities within the County.

The principle of development in support / expansion of employment uses is in accord with the LDP and the approach to development in Planning Policy Wales, supporting sustainable economic development. The prospect of additional jobs arising from the development and future expansion of the business is a positive factor to be weighed in an application of this nature.

The issues to address in this instance are considered to be the local impacts of the particular proposals, and are reviewed in the following sections of the report.

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; 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 consultation responses raising concerns over the visual impacts of the proposed office extension.

The plans at the front of the report show the details of the proposed office extension. This would project out from the largely 'blank' north facing elevation of what is a substantial factory building, and whilst it would have a width of 30m, this would

appear a relatively minor feature set against the bulk of the existing main building which is over 120m long. The nearest dwellings at Artillery Row would be over 60m from the extension, and as a consequence of the mounding / planting along the northern boundary of the site, public views of the extension would be limited. The scale of the extension and the proposed use of external materials would be wholly in keeping with the existing development. The extension would, if anything introduce more visual interest to the northern side of a development which is relatively featureless.

It is not considered that the proposal would result in any adverse impact on visual amenity.

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.

There is a single representation raising concerns over smells arising from the existing factory use, suggesting this should be resolved before any expansion is allowed.

In respecting the basis of the representation over the incidence of smells arising from the existing use, Officers would strongly recommend against this being considered as a matter of relevance to the determination of the application in front of the Council. The Committee has to determine whether an office extension, which would have no direct impact on industrial processes, is acceptable. Public Protection Officers have been investigating complaints over emissions from the factory and the applicant's agent has provided a clear statement (reproduced in paragraph 1.5.3) that plans are in preparation for specific measures to address issues of local concern. The merits of proposals to address emissions issues would have to be considered as part of any separate planning application which may follow. Action can be taken under separate legislation in connection with nuisance from emissions, where this is justified.

In relation to other impacts on residential amenity from the proposed office extension, Officers believe the distances between the proposed building and dwellings (nearest would be 60m from the extension), in addition to the presence of intervening planting, mean there would be no unacceptable effects on occupiers. There are no representations received raising issues over the proximity of the office extension to existing dwellings.

4.2.4 Highways /access /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 Town Council have asked whether ...'there is no current existing outstanding restriction for further development on the car park.' The Highway Officer has no objections to the application.

In relation to the Town Council's comments, the only relevant 'planning' restrictions which may apply to the erection of an extension taking up a small section of the car park area are the conditions of the 2014 permission to subdivide the original factory

into two units, and whether the loss of parking spaces as the result of the extension would reduce the number of spaces to a point where there would be inadequate provision to accommodate the factory use.

In respect of:

- a) The 2014 planning permission – this required the provision of the parking arrangements proposed before the bringing into use of the units, but did not restrict further development on the car park. It is suggested the current application has to be determined on its own merits, with due consideration to the potential impacts on the parking situation.
- b) The loss of parking spaces as a consequence of the office extension – as described previously, the extension is at least in part on the footprint of an area occupied previously by a number of silos used in connection with the Hotpoint factory. The loss of parking spaces would be negligible. The applicant's agent has provided a plan confirming a layout can still accommodate 153 parking spaces, accounting for the office extension.
- c) The Real Pet Food Company operates on a shift system, hence even if the anticipated expansion to 100 staff were to take place, demand for parking spaces would be spread over a 24 hour period.

The Highways Officer has raised no objection to the proposal, and it is Officers' opinion that there would be no highway or parking issues arising from the development.

Officers' conclusions based on the above are that there is comfortably adequate space for the parking of vehicles to service the factory and the office extension which is the subject of the application.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 In respecting the matters raised by the Town Council and the private individual, Officers do not consider there are reasonable grounds for opposing the application. Issues relating to emissions from the existing factory are under separate investigation and are considered to be matters for resolution outside the current application.
- 5.2 The proposal is for relatively modest additional office accommodation in connection with an established employment use, representing investment in the business and a prospect for further job creation, in line with the Council's basic economic aspirations and objectives.
- 5.3 Officers consider the application merits support, hence the recommendation is to grant permission.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th February 2023.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Context elevations, block plan of site (Drawing No. P110) received 28 November 2017
 - (ii) Proposed floor and elevations (Drawing No. P100 Rev. C) received 28 November 2017
 - (iii) Location plan received 7 December 2017
 - (iv) Car park layout plan (Drawing A100B - 110A) received 22 January 2018

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.

Agenda Item 8

WARD : Rhyl South

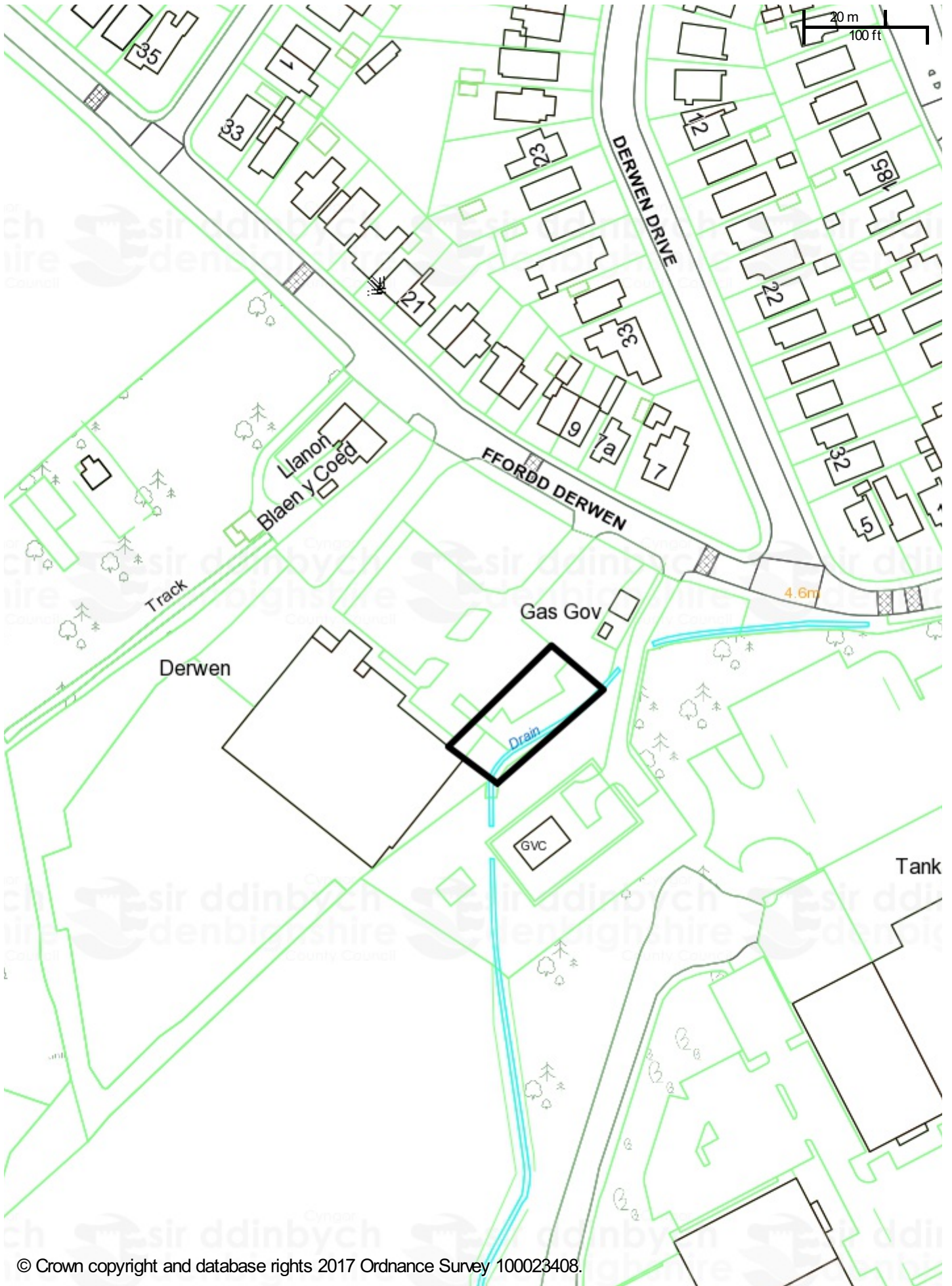
WARD MEMBERS: Cllr Ellie Chard (c)
Cllr Jeanette Chamberlain-Jones

APPLICATION NO: 45/2018/0341/ PF

PROPOSAL: Siting of storage containers

LOCATION: Derwen House Ffordd Derwen Rhyl LL18 2LS

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45/2018/0341

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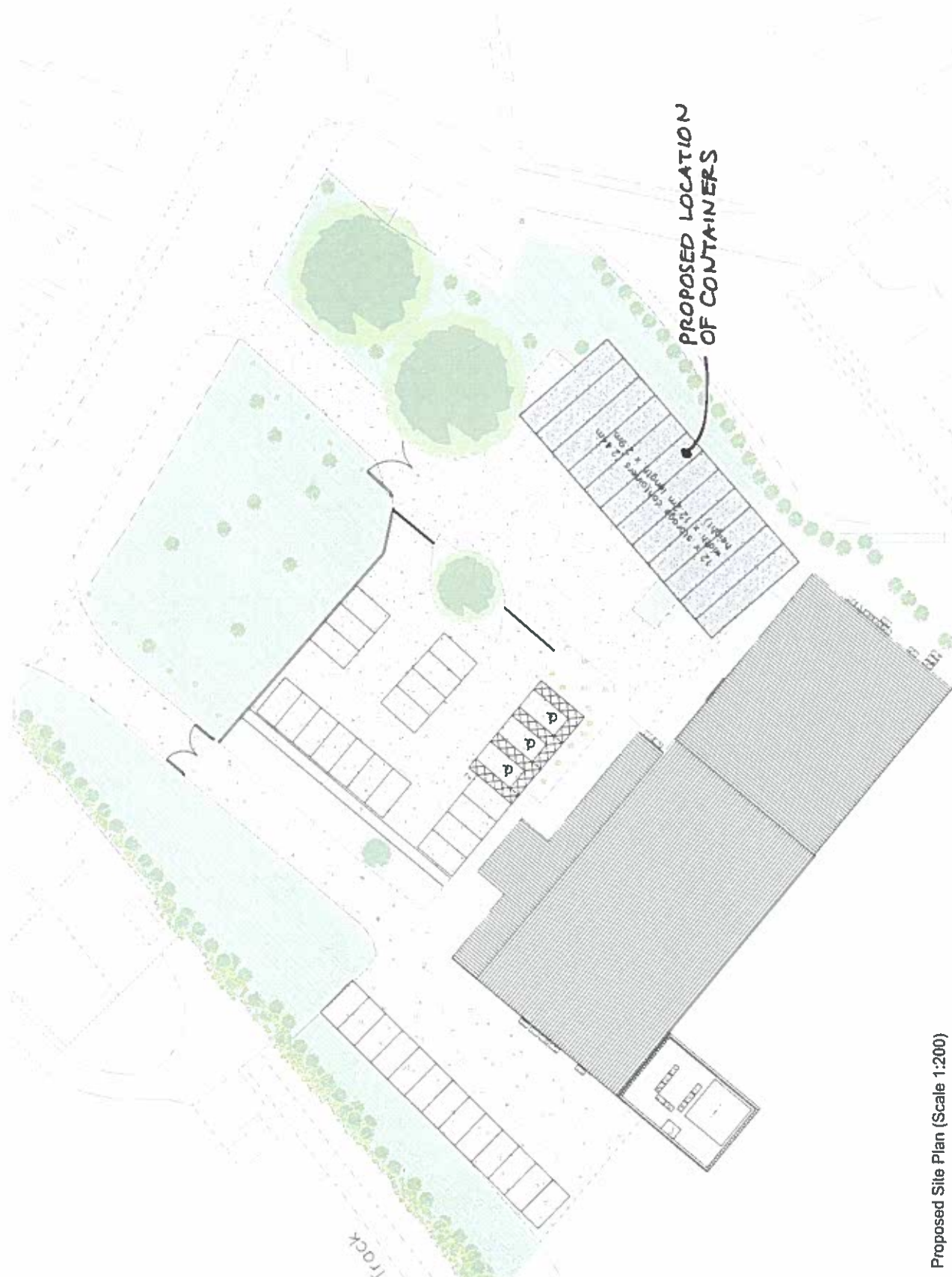
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PROPOSED SITE PLAN

SK01A

1. This site plan is prepared in accordance with the provisions of the Planning Act, 1967 and the Planning Regulations, 1973. It is submitted for the purpose of obtaining a planning permission for the proposed development. The site plan is prepared on the basis of the information provided by the applicant and the site visit conducted by the architect. The architect does not accept any liability for the accuracy of the information provided or the correctness of the site plan. The site plan is prepared on the basis of the information provided by the applicant and the site visit conducted by the architect. The architect does not accept any liability for the accuracy of the information provided or the correctness of the site plan.

Project No.	SK01B
Client	SK01B
Architect	J P ARCHITECTS
Scale	1:200
Date	10/10/2024
Author	J P
Checker	J P
Project Manager	J P
Project Site No.	
Project Name	
Project Address	
Project Postcode	
Project Phone	
Project Email	
Project Website	
Project Social Media	
Project Other	



Proposed Site Plan (Scale 1:200)

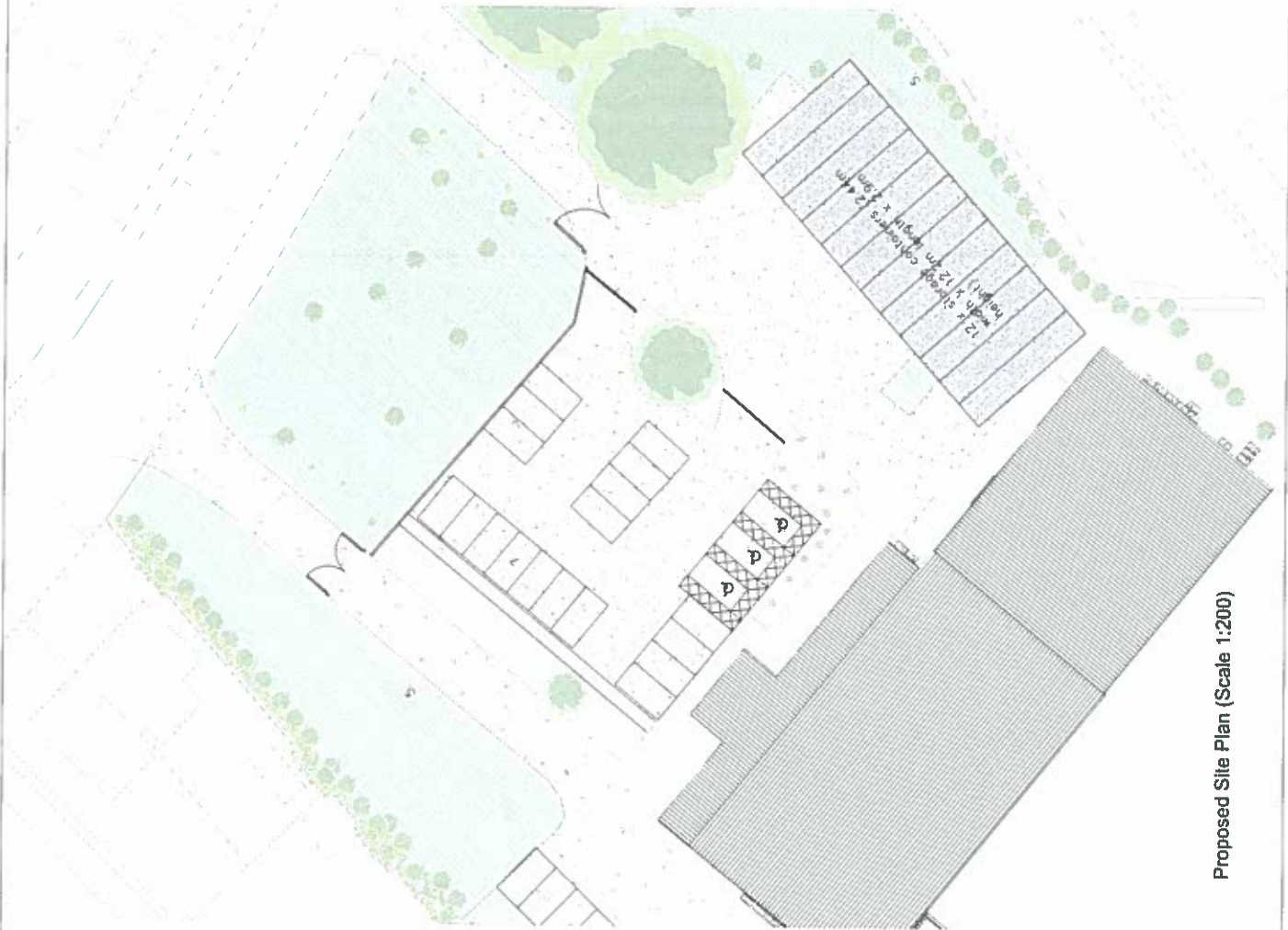
DETAILS OF CONTAINERS

P01 REV B

Architects
 1000 West 10th Street, Suite 100
 Anchorage, Alaska 99501
 Phone: (907) 562-1234
 Fax: (907) 562-1235
 Email: info@architects.com
 Website: www.architects.com
 The information on this drawing is the property of the Architect. It is to be used only for the project and site identified herein. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Architect.

P01 REV B

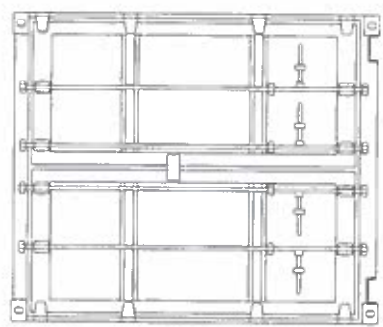
Project Name	124 2nd St Containers
Client	124 2nd St Containers
Architect	J P ARCHITECTS
Scale	1:200
Date	10/15/2023
Sheet No.	01



Proposed Site Plan (Scale 1:200)



Proposed Front Elevation (Scale 1:100)



Proposed Single Unit Front Elevation (Scale 1:20)



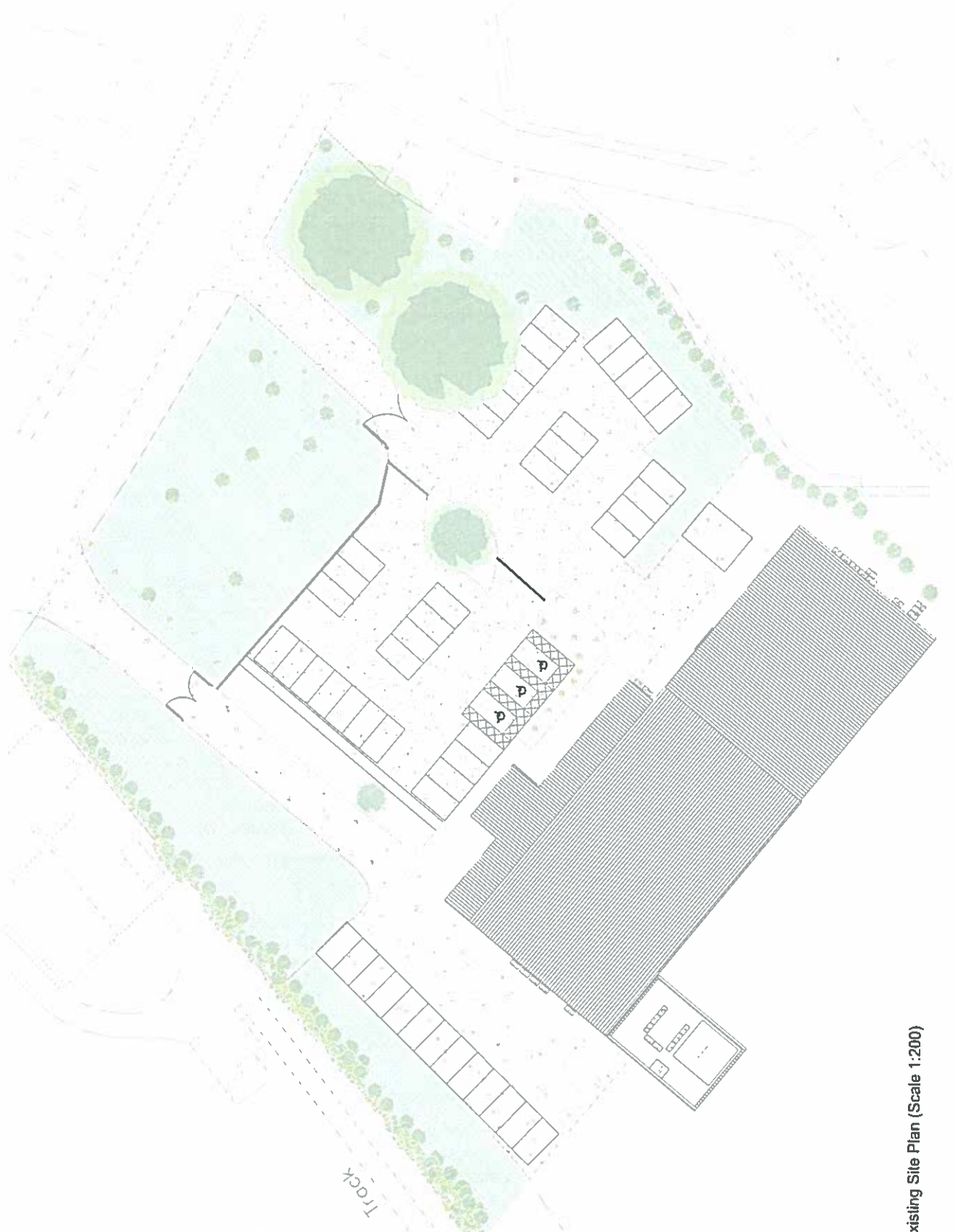
Proposed Side Elevation (Scale 1:100)

EXISTING SITE PLAN

SK01

The information on this drawing is the property of J.P. Architects and is to be used only for the project and site identified on the title block. It is not to be used for any other project or site without the written consent of J.P. Architects. The information on this drawing is not to be used for any other purpose without the written consent of J.P. Architects. The information on this drawing is not to be used for any other purpose without the written consent of J.P. Architects.

Project No.	SK01
Client	J.P. ARCHITECTS
Architect	J.P. ARCHITECTS
Scale	1:200
Date	
Sheet No.	
Total Sheets	
Project Name	
Project Address	
Project City	
Project State	
Project Zip	
Project Phone	
Project Fax	
Project Email	
Project Website	



Existing Site Plan (Scale 1:200)

WARD : Rhyl South

WARD MEMBERS: Cllr Ellie Chard (c)
Cllr Jeanette Chamberlain-Jones

APPLICATION NO: 45/2018/0341/ PF

PROPOSAL: Siting of storage containers

LOCATION: Derwen House Ffordd Derwen Rhyl LL18 2LS

APPLICANT: Mr Sparks

CONSTRAINTS: C1 Flood Zone
Tree Preservation Order

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

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

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

“Objection. The Town Council considers that the proposed development will result in

- Over intensification of the site
- Loss of car parking spaces for the business resulting in on street parking in adjoining roads
- Represent a negative visual impact for residents of Ffordd Derwen in the vicinity of the site
- Concerns over additional large vehicles entering and leaving the site and impact on highway safety

In the event that the Local Planning Authority grant permission for the development a condition is requested to limit the hours of operation to protect the residential amenities of neighbouring properties on Ffordd Derwen”.

NATURAL RESOURCES WALES

No objection.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection.

RESPONSE TO PUBLICITY: None.

EXPIRY DATE OF APPLICATION: 09/10/2018

EXTENSION OF TIME AGREED? 16/11/2018

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes the use of part of the car park at Derwen House off Ffordd Derwen in Rhyl for the siting of storage containers in connection with the use of adjoining buildings.
- 1.1.2 The containers would be used by the business which is operating out of the office space within Derwen House.
- 1.1.3 Twelve storage containers are proposed to be sited on the existing hardstanding on the north eastern section of the carpark (in front of Derwen House). The containers would be sited in a row, and each would measure 2.4 metres in width by 12.2 metres in length, with an overall height of 2.9 metres.
- 1.1.4 The applicants occupy the office accommodation within Derwen House in connection with a Leisure/Arcade business. The Agent has advised that the containers are proposed to be used to store 'arcade consumables' such as prizes for gaming activities i.e. bingo prizes, soft toys etc.
- 1.1.5 The location of the containers relative to the buildings and parking areas can be appreciated from the plan at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The site is located to the front of the former Vanguard/Sanlam offices on Ffordd Derwen, Rhyl now known as Derwen House.
- 1.2.2 The site is served by two existing access points directly off Ffordd Derwen. There is parking within the site for 21 vehicles in the main carpark with an additional 18 spaces on the area proposed to be used for containers.
- 1.2.3 The wider site has historically been used as a cash and carry and more recently for offices and small scale industry. It is understood to have been originally a creamery. There is a storage business 'Me and Him Storage' operating to the rear of the application site.
- 1.2.4 The site has mature trees to the north western and south western boundaries which are protected by a TPO.
- 1.2.5 Opposite the site there is a row of dwellings which front the highway Ffordd Derwen. Behind these dwellings the area is predominantly residential.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhyl, as defined by the Local Development Plan.
- 1.3.2 It is an allocated employment site.
- 1.3.3 The site is located within the C2 floodzone defined by the development advice maps of TAN 15.

1.4 Relevant planning history

- 1.4.1 There is no recent planning history on the site. 'Me and Him Storage' was granted planning permission to operate on the adjacent site by Planning Committee in March 2012.

1.5 Developments/changes since the original submission

1.5.1 Clarification over the impact of the proposals on parking arrangements has been sought from the Agent since the application was submitted.

1.6 Other relevant background information

1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 No recent history on this part of the site.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy PSE2 – Land for employment uses

Policy VOE5 – Conservation of natural resources

Policy ASA3 – Parking standards

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Note 15 Development and Flood Risk

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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 Drainage (including flooding)

4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application involves development on an allocated employment site within the development boundary of Rhyl as identified in the adopted Local Development Plan.

The policy in the Local Development Plan which is relevant to the principle of employment development is Policy PSE 2. This policy relates to employment sites on

the LDP proposal maps and supports employment development in use classes B1 offices, B2 industrial uses and B8 storage. The policy reflects one of the LDP's key objectives to provide employment opportunities within the County.

The principle of development in support / expansion of employment uses is in accord with the LDP and the approach to development in Planning Policy Wales, supporting sustainable economic development.

It is relevant to record that the building is used for office accommodation by the Applicants (this is not part of the application as it would not require planning permission). The B8 storage use is required to complement the business. The Agents state that using containers on the adjacent storage site would not be feasible and Officers have no evidence to counter this claim.

The principle of the use is considered acceptable, hence the planning issues to address in this instance are considered to be the localised impacts of the use of land for the siting of the storage containers, and are reviewed in the following sections of the report.

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; 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.

Concerns have been raised by the Town Council over the visual impact of the development.

The storage containers are proposed to be sited to the front of the office building on an existing hardstanding. They would be sited in a row and would be coloured green.

In noting the comments of the Town Council, the area proposed for the containers is well screened from public view points by existing mature trees (some of which are covered by a TPO). There is no intention to remove landscaping or open up the site to wider view. Having regard to the location of the development, existing boundary treatments and the scale of the proposed containers and distance to the dwellings (some 80 metres on the opposite side of Ffordd Derwen), it is considered that the proposals will have a limited impact on the surrounding landscape and townscape.

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..

The Town Council have suggested a condition should be imposed if a permission is granted to limit the hours of operation to protect the residential amenities of neighbouring properties on Ffordd Derwen.

The site has an extant permission for light industrial and office use. The closest residential property is approximately 80m away from the proposed storage area. The

hours of operation have been specified and are day time only and in connection with the office use.

Given the nature of the existing use, the employment allocation and the scale of the proposal it is not considered that the siting of the storage containers raises significant policy issues in relation to residential amenity. With respect to the Town Council's comments, it is not considered necessary to impose restrictions on the hours of use of the containers.

4.2.4 Drainage (including flooding)

The site lies entirely within Zone C1 as defined by Welsh Government's Development Advice Map (DAM) as referred to under TAN15: Development & Flood Risk. C1 zones are areas of the floodplain which are developed and served by significant infrastructure, including flood defences. In C1 zones development can take place subject to application of justification test, including acceptability of consequences.

Owing to the location of the site within a C1 zone a Flood Consequences Assessment (FCA) was submitted in support of the application. NRW were consulted on the application and reviewed the FCA. Based on the nature of the use it is considered acceptable. Therefore there are not considered to be any flood risk grounds to resist the proposal.

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).

Concerns have been raised by the Town Council over the access arrangements. Highways Officers have reviewed the scheme, and given the history, potential uses and scale of the proposed use have raised no objection to the scheme.

The proposed development would utilise an existing access off Ffordd Derwen. The access to the site is approximately 180 metres from the A525. The stretch of road between the site access and the A525 is subject to traffic calming measures. The plans show two access points off Ffordd Derwen to the site. Parking is proposed for 21 cars to the front of the offices.

It is considered that the layout as proposed provides adequate provision within the site for parking and servicing. It is also considered that the levels of traffic generated by the proposal would not have an unacceptable impact in relation to the capacity of the surrounding road network. Highways Officers have not objected to the proposal, therefore Officers would consider the proposal would not give rise to unacceptable adverse impacts on highway safety.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It

is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 Whilst noting the concerns of the Town Council, it is the opinion of Officers that given the employment designation and the existing uses on the site, that the proposal will not have an unacceptable impact in relation to residential amenity, highways safety and other relevant policy tests. It is therefore recommended that permission be granted.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th November 2023
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Existing Site Plan (Drawing No. P01) - Received 9 August 2018
 - (ii) Proposed Site Plan (Drawing No. SK01) - Received 9 August 2018
 - (iii) Proposed Site Plan (Drawing No. P01) - Received 9 August 2018
 - (iv) Location Plan (Drawing No. PXREF) - Received 8 April 2018
 - (v) Tree Condition Survey (Drawing No. 042018/TCS/PHH) - Received 8 April 2018
 - (vi) Tree Survey Plan - Received 8 April 2018
 - (vii) Flood Consequences Assessment - Received 15 August 2018
 - (viii) Flood Risk Activity Permit (Number FRA/AB/YEAR/0057) - Received 7 August 2018
3. The facilities for the parking and turning of vehicles within the site shall be completed in accordance with the approved plan before the development / use to which they relate is first brought into use, and shall be retained as approved at all times thereafter.
4. None of the trees or hedgerows shown on the approved plans shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any retained 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, no later than the next planting season.
5. Should the use of the site by the Applicants (HBL Leisure) cease for a period in excess of six months, the storage containers and all equipment/development associated with them shall be removed from the land within six months of the cessation of the use, and the land shall be restored to a parking area, unless the written approval of the Local Planning Authority has been obtained to an alternative detail.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure the development is served by a safe and satisfactory access and parking/turning facilities, and in the interests of the free and safe movement of traffic on the adjacent highway.
4. In the interests of visual and residential amenity.
5. In the interest of visual amenity.

Agenda Item 9

WARD : Rhyl East

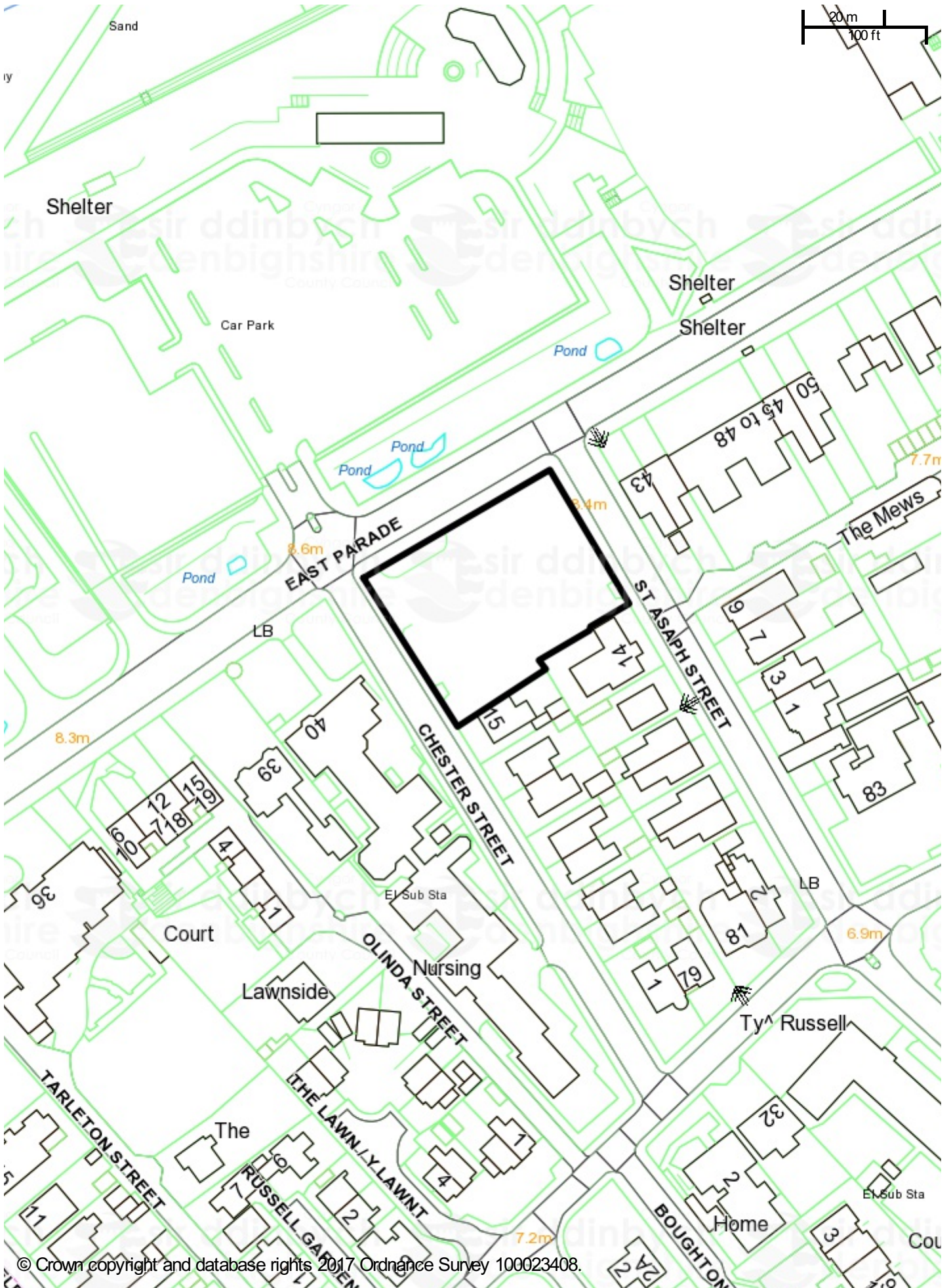
WARD MEMBER(S): Cllr Tony Thomas (c)
Cllr Barry Mellor

APPLICATION NO: 45/2018/0822/ PF

PROPOSAL: Construction of 41 housing association apartments for local residents over 55 years of age together with new and altered vehicular and pedestrian accesses, associated parking provision, and related works

LOCATION: 41-42 East Parade Rhyl LL18 3AW

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45/2018/0822

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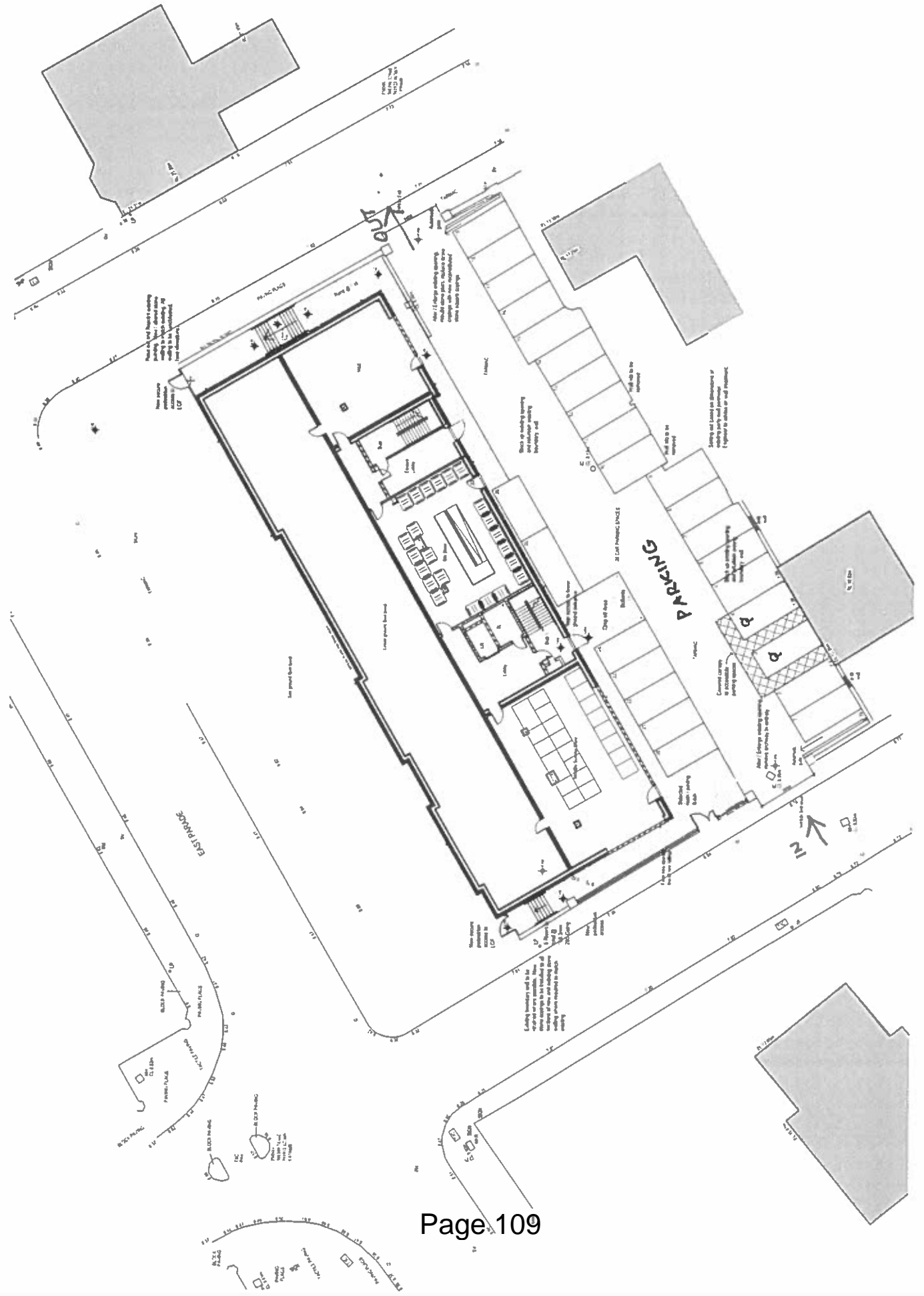
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GROUND FLOOR LEVEL

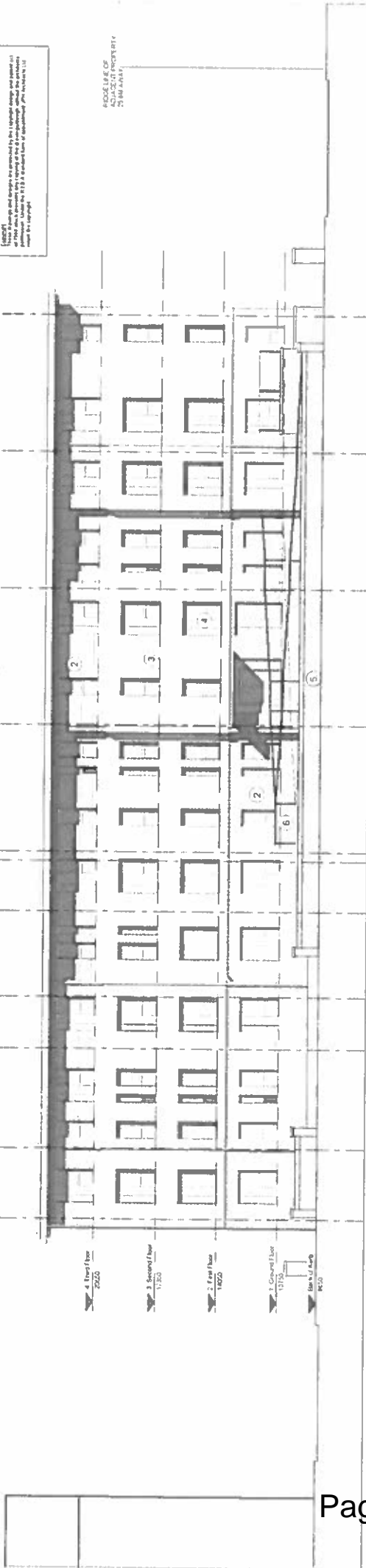
EAST PARADE ACCESS/PARKING



SITE PLAN/ LOWER GROUND FLOOR LEVEL

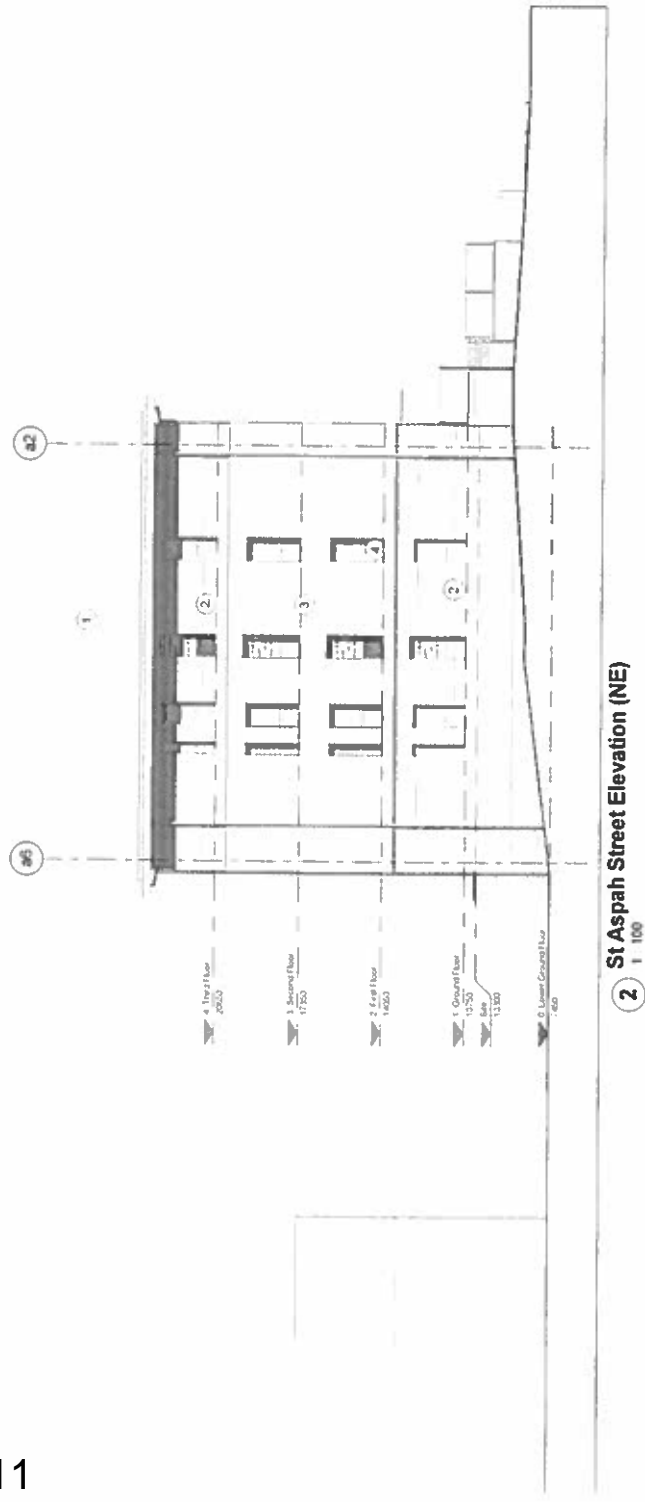


- 1. Wall & Slat Floor w/ Aluminum Cols. Steel per spec 2000
- 2. Selected Brick
- 3. Selected Brick (North Tower) for L-shaped tower
- 4. Powder Coated Aluminum LRVAC, window and door with glass. In tower, railing grilles, insulated panels, street lights and aluminum handrails inside tower.
- 5. A/C units and air conditioning are to be installed on the roof above G.L. Metal panels for tower (concrete main) are to be on concrete main boundary wall.
- 6. Selected Glass and UV rating.
- 7. Mechanical work to provide ventilations, ductwork, ceiling installation etc.



1 East Parade Elevation (NW)

1/100



2 St Aspah Street Elevation (NE)

1/100

Drawings No BR 020

The architect has no responsibility for any dimensions indicated by the client that do not comply with the requirements of the Local Government (Planning and Building) Act 1992 and the provisions of the Building Code of Australia. The architect has no responsibility for any dimensions indicated by the client that do not comply with the requirements of the Local Government (Planning and Building) Act 1992 and the provisions of the Building Code of Australia. The architect has no responsibility for any dimensions indicated by the client that do not comply with the requirements of the Local Government (Planning and Building) Act 1992 and the provisions of the Building Code of Australia.

PROPOSED ELEVATIONS

PROPOSED ELEVATIONS

1:100 (1/2)	1:100 (1/2)	1:100 (1/2)	1:100 (1/2)	1:100 (1/2)	1:100 (1/2)
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27:100 (1/54)	27:100 (1/54)	27:100 (1/54)	27:100 (1/54)	27:100 (1/54)	27:100 (1/54)
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TENDER

BR 020

J P

ARCHITECTS

PROPOSED ELEVATIONS

BR 021

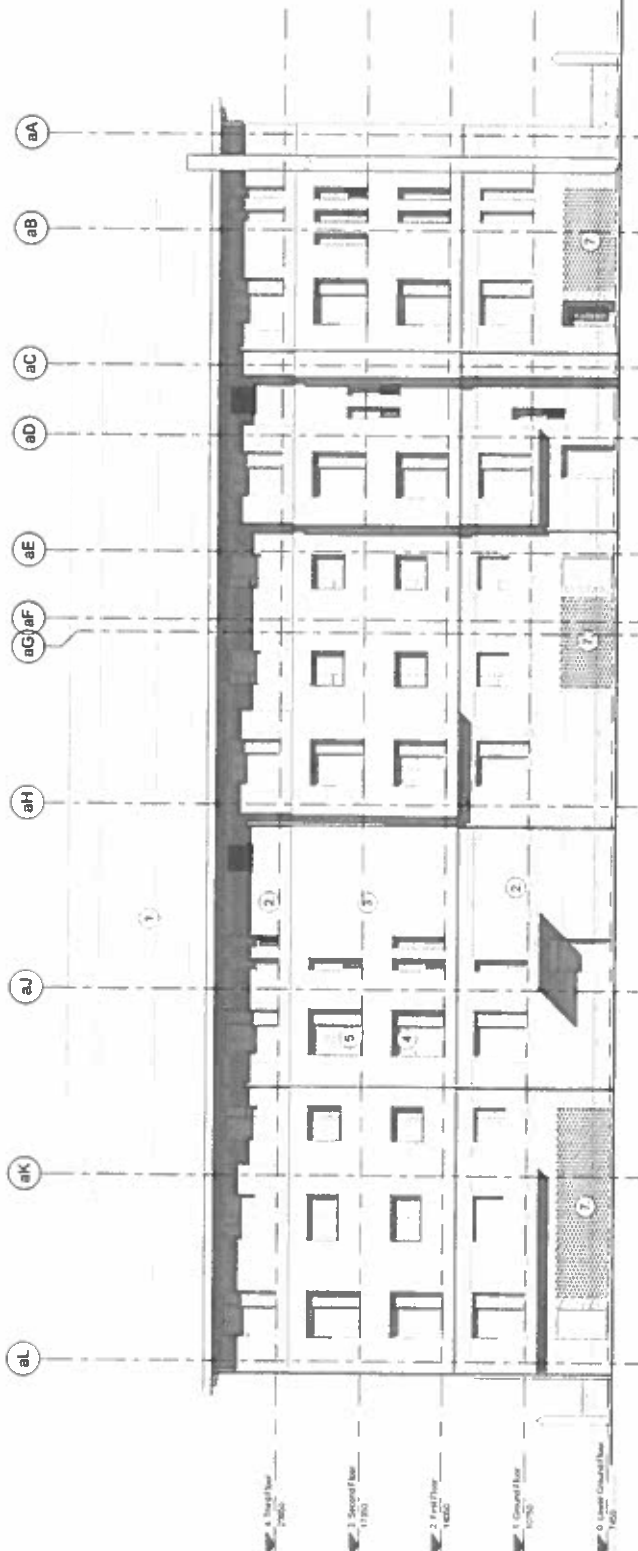
The architect warrants that the drawings are complete and correct for the purposes intended by the drawings. The architect does not warrant that the drawings are complete and correct for any other purpose. The architect shall not be held responsible for any errors or omissions in the drawings or for any consequences arising therefrom. The architect shall not be held responsible for any errors or omissions in the drawings or for any consequences arising therefrom. The architect shall not be held responsible for any errors or omissions in the drawings or for any consequences arising therefrom.

- Notes:**
1. Insulated Glass Unit with Argon Gas - Show low water profile.
 2. Suspended Ceiling.
 3. Radiant Floor Heating.
 4. Concrete Slab on Grade.
 5. Mechanical Equipment.
 6. Electrical Equipment.
 7. Fire Protection.
 8. Other.

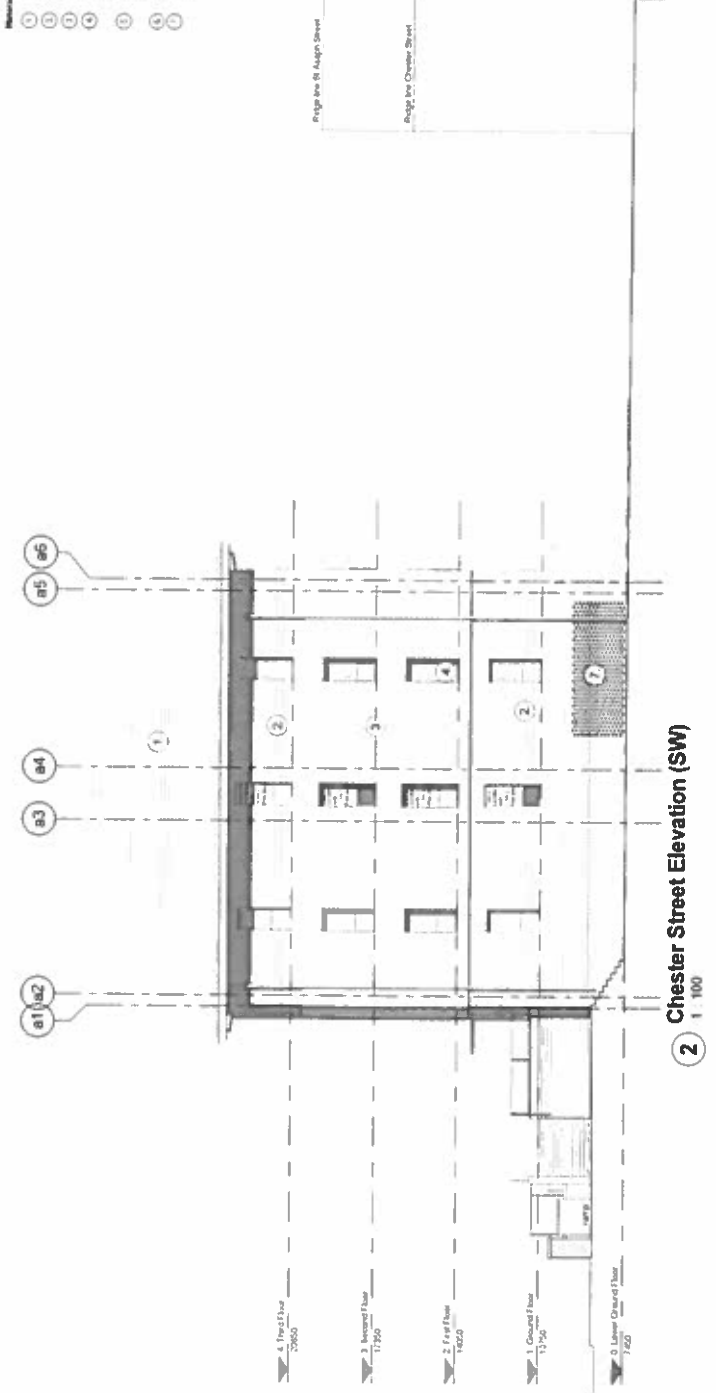
PROJECT NO.	BR 021	REV.	D
CLIENT	Wiles and West	PROJECT NAME	41-42 East Parale
ARCHITECT	J.P. Architects	LOCATION	South Elevations
DATE	11/11/17	SCALE	As Shown
DRAWN BY	J.P.	CHECKED BY	J.P.
PROJECT NO.	BR 021	PROJECT NAME	41-42 East Parale
CLIENT	Wiles and West	LOCATION	South Elevations
ARCHITECT	J.P. Architects	DATE	11/11/17
DRAWN BY	J.P.	CHECKED BY	J.P.

J.P. ARCHITECTS

6000 West 12th Avenue, Suite 100, Denver, CO 80202
 Phone: (303) 733-3000
 Fax: (303) 733-3001
 www.jparchitects.com



1 Rear Elevation (SE)
1/100



2 Chester Street Elevation (SW)
1/100

WARD : Rhyl East

WARD MEMBER(S): Cllr Tony Thomas (c)
Cllr Barry Mellor

APPLICATION NO: 45/2018/0822/ PF

PROPOSAL: Construction of 41 housing association apartments for local residents over 55 years of age together with new and altered vehicular and pedestrian accesses, associated parking provision, and related works

LOCATION: 41-42 East Parade Rhyl LL18 3AW

APPLICANT: Wales & West Housing Association

CONSTRAINTS: Listed Building Article 4 Direction

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

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

- Recommendation to grant / approve – 4 or more objections received

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL
"No objection"

NATURAL RESOURCES WALES
No objection

DWR CYMRU / WELSH WATER
No objection

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer
Formal response awaited

Pollution Control Officer
No objection

Flood Risk Manager
No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Pauline Wadcock, 23 Maes Hedydd, Rhyl

John Hickerton, 83 Russell Road, Rhyl

Mr & Mrs J Massey, 3 Chester Street, Rhyl David Roberts, 13 Chester Street, Rhyl

Summary of planning based representations in objection:

Design: Queries how appropriate the design is in the area; the building is not very appealing and has no character

Highway safety / parking

Not enough parking space; questions the access/egress arrangements proposed; Concerns about the likely increase in traffic and deterioration in highway safety that will be caused by the additional 41 (minimum) residents and their visitors as Russell Road, Chester Street and St Asaph Street already suffer from congestion / likely increase in traffic will add to concerns/ concerns over highway safety including for pedestrians / emergency access required; streets already used for overspill parking for nearby home, offices and businesses/ all limits amount of spaces for residents and their visitors / limited provision for parking and visitor parking within the site / no guarantee that car parking spaces will be available for residents or visitors in the longer term.

Drainage

Want assurances that there will be no impact to the current residents with regard to both sewage and water supply services.

Ground stability

No assessment of risk to nearby property from works involved in ground retaining structures

Other matters

Concerns over statements within the submission relating to the proposed accommodation being for over 55's being too vague, with no certainty.

Would like restrictions placing on the construction works to protect amenities of local residents during construction.

EXPIRY DATE OF APPLICATION: 15/11/2018 (Extension of time agreed)

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 This is a full planning application proposing the construction of 41 housing association apartments for local residents over 55 years of age, together with new and altered vehicular and pedestrian accesses, associated parking provision, and related works.

1.1.2 The site has been cleared of all previous development and has been vacant since demolition works in 2016. The main elements of the proposal are:

- The erection of a single 4 storey block of 41 apartments with storage areas and servicing at lower ground floor level with entrance and lift.
- The building would be set back from Marine Drive by approximately 10m and comprise a rectangular building with a footprint measuring approximately 49m wide by 17m deep.
- The roof of the apartment block would be hipped with an eaves height of approximately 16m and a ridge height of approximately 21m.
- The building would be constructed using bricks and coloured fibre cement board with dark grey aluminium windows and would have a natural slate roof.
- The 41 apartments would provide a mix of 34no. 1 bed units and 7 no. 2 bed units located over 4 floors of accommodation for local residents of over 55 years of age. The units have been designed to meet Welsh Government Design Quality Requirements (DQR).
- Each floor can be accessed by stairs or lift with a large lobby and seating area at ground floor level.
- A vehicular access off Marine Drive is proposed with parking provision for 6 cars to the front of the building.

- A ramped access is proposed to the front of the building leading to the main ground floor entrance lobby, with landscaped areas proposed around the ramp and front entrance.
- A vehicular access is also proposed off Chester Street with egress of St Asaph Street.
- Provision of a parking area to the rear of with 26 car parking spaces, including 2 for disabled persons.
- Storage for bikes and mobility scooters along with bin and general storage areas are proposed at lower ground floor level.
- Making good of boundary walls and garden areas, with additional hard and soft landscaping.

The main plans and illustrations are attached at the front of the report and included below is an illustration of the elevation when viewed from East Parade, taken from the Design and Access Statement:-



1.2 Description of site and surroundings

1.2.1 The site is now vacant and overgrown with vegetation. The Grange Hotel used to occupy the site until demolition works were completed in 2016.

1.2.2 The site is located on the south side of East Parade, one of the main east-west seafront roads in Rhyl. It lies to the west of the Pavilion Theatre, immediately opposite one of main car parks serving that facility. It is bound on the east side by St Asaph Street, and by Chester Street on the west side.

1.2.3 Historically, vehicular access into the site has been possible from entrances off East Parade, Chester Street and St Asaph Street, with other pedestrian entrances on these roads.

1.2.4 There are parking restrictions along East Parade on both sides of the road, with 'Pay & Display' in operation along the northern side of East Parade. On street parking is available on both sides of Chester Street and St Asaph Street with restrictions only in place in close proximity to the junctions with East Parade and Russell Road.

1.2.5 Ground levels fall down from the East Parade direction towards the properties fronting Chester Street and St Asaph Street.

- 1.2.6 The predominant land use in the locality is residential, but there are a range of other uses in the area such as hotels, residential/nursing homes, the Pavilion Theatre and '1891' bar/restaurant along with the newly constructed Marston's public House and Travelodge adjacent to the Pavilion Theatre. The Royal Alexandra hospital is also located approximately 300m further east along East Parade.
- 1.2.7 Building styles in the locality vary considerably. There are 4.5 storey units immediately to the east at No's 43-50 East Parade; a 3 storey unit immediately to the west (Bradshaw Manor), 4 storey flats at Glendower Court; and mainly traditional 2 storey houses adjoining the southern boundary along both Chester Street and St Asaph Street. The Pavilion Theatre approximately 100m to the north east along East Parade has been modernised in recent years with new, modern development further west.
- 1.2.8 The boundary between the site and the immediately adjoining dwellings on St. Asaph Street and Chester Street is defined by a mix of stone and brick walls of varying height.

1.3 Relevant planning constraints/considerations

1.3.1 The site is within the development boundary of Rhyl on the proposals map of the Local Development Plan.

1.3.2 Within the Plan, the site has no specific use designation. The area to the north side of East Parade (not including the site) is part of a Coastal Tourism Protection Zone, subject to Policy PSE 13 of the Plan, which does not support proposals which would result in the loss of tourism facilities.

1.4 Relevant planning history

1.4.1 Planning permission was granted in 2015 for the demolition of The Grange and redevelopment of 44 apartments. The planning permission gave 2 years to commence works and whilst demolition works were undertaken, not all pre-commencement conditions had been satisfied and the development works did not proceed. The 2015 planning permission has therefore lapsed.

Listed Building Consent for the demolition works and redevelopment was granted in 2015.

1.5 Developments/changes since the original submission

1.5.1 Additional information relating to the size of the residential units and drainage details have been provided.

1.6 Other relevant background information

1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 45/2014/0388/PF Demolition of easterly villa and westerly annex, and redevelopment of land by the construction of 44 apartments to include 21 on-site parking spaces, restoration and alteration of the existing boundary walls and associated works.

RESOLUTION TO GRANT by Planning Committee on 10th December, 2014. Section 106 agreement completed and Planning Permission GRANTED on 25th September, 2015. (Legal agreement related to demolition works and commuted sums for open space and affordable housing based on an agreed clawback mechanism accepting a suitable developer profit and identifying a clear trigger point for payment)

45/2014/0389/LB Demolition of easterly villa and westerly annex, and redevelopment of land by the construction of 44 apartments to include 21 on-site parking spaces, restoration and alteration of the existing boundary walls and associated works (Listed Building application) GRANTED by CADW dated 9th January, 2015.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC2 – Brownfield development priority

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy VOE6 – Water management

Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance

Supplementary Planning Guidance: Recreational Public Open Space

Supplementary Planning Guidance: Affordable Housing in New Developments

Supplementary Planning Guidance: Residential Development Design Guide

Supplementary Planning Guidance: Residential Space Standards

Supplementary Planning Guidance: Trees and Landscaping

Supplementary Planning Guidance: Parking Requirements in New Development

3.2 Government Policy / Guidance

Planning Policy Wales Edition 9, 2016

TAN 2: Planning and Affordable Housing (2006)

TAN 12: Design (2009)

TAN 18: Transport (2007)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4). Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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 Density

4.1.3 Visual amenity

4.1.4 Residential amenity

4.1.5 Drainage (including flooding)

4.1.6 Highways (including access and parking)

4.1.7 Affordable Housing

4.1.8 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages. It encourages provision of a range of house sizes, types and tenure to reflect

local need and demand and the Local Housing market assessment.

The site is located within the development boundary of Rhyl, which is designated as a Lower Growth Town in the adopted Local Development Plan.

Although the site is not allocated for a specific use, the principle of developing 'brownfield' land within a development boundary as a 'windfall' site involving provision of affordable 1 and 2 bed units for local residents over 55 would be consistent with the intentions of the Development Plan, and would contribute to achieving housing need targets. Officers would suggest the acceptability of the particular proposals therefore has to rest on the local impacts, which are reviewed the following sections of the report.

4.2.2 Density of Development

Policy RD1 test ii) states that a minimum density of 35 dwellings per hectare (d/ha) should be achieved in order to ensure the most efficient use of land, and that these minimum standards should be achieved unless there are local circumstances that dictate a lower density.

The site area in this instance is indicated as 0.22 hectares. The proposal is for the erection of 41 apartments, which represents a density of around 186 d/ha. With regard to the density figure in Policy RD1, Officers in the Strategic Planning & Housing section have advised that this guideline is intended to refer to the development of dwelling houses and not apartments / flats, which will inevitably be built in urban areas at densities well in excess of the 35 per hectare figure.

Having regard to the nature of the development, its location not far from the town centre and proximity to services and public transport, Officers consider this density can be accommodated without unacceptable impacts, and would not be out of character with the nature of existing development and the locality. Having regard to the above and the fact there has been an approved scheme for 44 apartments in 2015, it is considered that the density of development proposed is acceptable.

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 some local representations expressing reservations relating to the design of the building and whether it is appropriate for the area.

The proposed building would be set back from East Parade by approximately 10m with a small parking area for 6 cars accessed immediately off the vehicular access which leads to the main entrance to the apartments and a ramped access. In relation to the siting of the building in relation to its boundaries and with adjacent dwellings (see the plans at the front of the report) it is not considered that it would appear out of keeping or cramped up against existing development. There is reasonable space proposed within the site for access and parking, servicing, and landscaped areas around the building.

The building proposed is 4 storey in height facing East Parade, 5 storeys at the rear,

and it is proposed to construct the building using bricks and coloured fibre cement boards with a hipped slate roof. It is relevant to note that the area along the seafront in Rhyl is characterised by a relatively high density of development compared with the more traditional housing estates behind, and it is suggested that the proposed scheme would not be inappropriate in this context.

Looking at the wider context, it is relevant to consider that there are examples of substantial buildings of 'non-traditional' character nearby at the Pavilion, Glendower Court (4 storey flat roof apartments) and there is a distinctly modern approach being adopted in the new developments along the promenade. The proposed building would not be considered out of character with development within the area which comprises of such a mix of property styles and designs of differing forms and materials.

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.

No representations have been received raising any residential amenity concerns.

In Officers' opinion, the residential amenity issues arising from the development are mainly from the potential for overlooking / loss of privacy from upper floor apartments in the rear elevation facing towards the side elevations and rear gardens of the nearest properties on Chester Street and St Asaph Street. The main rear wall of the apartments would be approximately 14m at the closest point, to 20m at the furthest point from the side elevations of the nearest dwellings. It is considered that whilst there would be a potential for overlooking into rear garden areas of existing properties from the upper floor units, it is not considered that the degree of harm is sufficient to justify a refusal of permission in this instance, given the relationship and detailing of the existing dwellings and the proposed development.

In relation to the floorspace of the proposed 1 and 2 bed apartments, whilst the size of the apartments fall marginally short of the adopted floor space standards in the Residential Space Standards SPG, it is noted that there are communal storage spaces within the building for buggy and wheelchair stores which would normally require space within each unit. Furthermore the units have been developed in line with Welsh Government housing design quality standards, and for this type of shared access development allowing for larger floor areas may impact on the funding available. In terms of the amenity standards of potential occupiers, the level of amenity afforded both internally and externally to the potential occupiers is considered acceptable.

4.2.5 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material 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.

Whilst the application site is close to areas shown at risk of flooding in the Development Advice Maps accompanying TAN 15 – Development and Flood Risk, the site itself is not within a flood risk area and Natural Resources Wales have confirmed they have no objections. Dwr Cymru Welsh Water (DCWW) have raised no

objection to the drainage proposals. An individual objector has expressed concern over the absence of foul and surface water drainage details with the application, however, upon request this has been submitted with the application.

DCWW have reviewed the proposed drainage layout plan, it is noted that the proposal is for foul flows to be discharged at two points, one to the 300mm diameter combined public sewer located in St Asaph Street and the other to the 300mm diameter combined public sewer located in Chester Street. In relation to the surface water, it is proposed to discharge surface water runoff from the proposed development into a soakaway system. DCWW consider these drainage arrangements to be acceptable. DCWW also note that it is proposed to divert the existing sewer which crosses the site and this would be subject to an application to divert the public sewer, which can be applied for under Section 185 of the Water Industry Act.

On the basis that the site is not within a Flood Zone, there are no flood risk issues to consider here. Drainage plans have been submitted with the application and no objections have been raised by DCWW. Building Regulations will also be required and the development would need to adhere to current standards in designing and connecting into the existing drainage network.

4.2.6 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.

There are representations from local residents concerning the general highway impacts which comment in detail on existing conditions for parking in the vicinity. There are also concerns that there is not enough car parking space being provided with the development.

The Highway Officer has assessed the application and the information submitted and not raised any concerns to the proposal in respect of impact on the local highway network, access and egress arrangements and parking provision.

The plans show proposals for an access off Marine Drive with 6 car parking spaces and also an 'in and out' access arrangement off Chester Street and St Asaph Street, with a further 26 car parking spaces to the rear.

In noting the various concerns here, it is significant that the Highway Officer has no objections to the proposal and has no concerns in respect of the adequacy of the local highway network. The Highway Officer has pointed to the previous use of the site as a hotel, and considers with respect to the parking situation that it is not unreasonable to support the application having due regard to this use, the availability of permit parking on East Parade and nearby car parks, the proximity to the town centre and accessibility to public transport.

It is not considered in the context of the Highway Officer's comments, and with respect to objections raised, that there are strong highway grounds to refuse permission here.

4.2.9 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, provision of affordable housing in connection with housing developments.

The Council's Housing Strategy Officer has confirmed the proposal has been drawn up in partnership with Denbighshire County Council, and the development will support Denbighshire's Corporate Plan priority of *Housing – Everyone is supported to live in homes that meet their needs* and contributes to Denbighshire's Housing Strategy 2016-2021 of delivering affordable, quality accommodation to meet the residents of Denbighshire's changing housing needs. Research confirms that sheltered housing is no longer popular, with people living longer in retirement and having very varied support needs. This development will enable the transition of low to medium support needs as it can adapt to residents changing health conditions. These dwellings will be built to Lifetimes Homes standards and will support residents to maintain their independence for longer.

The SARTH waiting list for September 2018 has 116 applicants over the age of 50, (Band 1 & 2 – housing need with a local connection) who have been assessed as having an accommodation need. This represents 34.6% of the SARTH waiting list for this area. The Rhyl East ward has a larger older population profile of 29%, than the rest of Rhyl and Denbighshire as a whole 20% & 21% respectively. The development is supported by Welsh Government's 'Land for Housing' scheme and strategically supported through by the Council through the allocation of Social Housing Grant, alongside Wales & West's own development finance. All the units will be rented at social housing rates.

In Officers' view, the proposal is considered acceptable.

4.2.10 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 specifies that all housing developments should make adequate provision for recreation and open space. All such schemes put increased demand on existing open spaces and facilities and therefore the policy applies to all developments including single dwellings.

Table 4 in the Open Space SPG (adopted March 2017) sets out thresholds for on-site provision and financial contributions. It specifies that for schemes of over 30 dwellings provision should be met through on-site provision of children's quipped play space and children's informal space.

The SPG also specifies that developments comprising of sheltered, extra care, elderly housing and other specialist forms of development where children will not be resident will not be expected to provide children's play space, however alternative open space should be provided on site for residents and this could include gardens, sitting areas, etc.

The submission refers to the accessible location of the site and its proximity to the promenade and beach.

There is no on-site open space included in the development proposal and in accordance with SPG guidance, housing for older persons will not be expected to provide Children's play space. However a financial contribution towards the provision of off-site community recreational open space will be required in line with Policy BSC 11. The development is for 34 no. 1 bed units and 7no. 2 bed units, and it is considered that the predominance of 1 bed units justifies a reduction in the calculation for commuted sums. The contribution calculated is based on the likely total number of residents divided by the average household size of 2.3 persons per unit and totals £10,726.46.

The applicant has agreed to this contribution, which would be secured by a legal

agreement and at the time of writing this report an agreement was being drafted.

The development is therefore considered to be able to comply with the requirements of Policies BSC 3 and BSC 11 via a suitable condition.

4.2.11 Education

Objective 12 of Chapter 4 of the Local Development Plan identifies that the Plan will ensure that an adequate level of community infrastructure (including schools) will be provided alongside new developments. Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development.

The Planning Obligations SPG states that Education contributions will be sought from proposed developments which comprise of 5 or more dwellings, or a site area of 0.2 hectares or more, that have the potential to increase demand on local schools.

The proposed development is for 41 housing association apartments for local residents over 55 years of age and due to the nature of the development there will be no increased demand on local schools and therefore there are no education contributions required.

4.3 Other matters

Ground stability

Concerns expressed by a neighbour over the stability of the land at construction stage and potential impacts on adjacent property are to be respected, but there are separate legislative safeguards under the Building Regulations to ensure safe building practice is followed. Ground conditions in this area are not known to be inherently unstable.

5. SUMMARY AND CONCLUSIONS:

5.1 The principle of residential development is acceptable in this location, the proposed development will redevelop a prominent, derelict site within the development boundary for affordable housing to meet an identified need in Rhyl.

5.2 It is not considered that there would be any adverse localised impacts in relation to visual or residential amenity and in highway and drainage terms the proposal is acceptable.

5.3 It is therefore recommended that permission be granted subject to:-

1. Completion of a legal agreement to secure the open space contribution of £10,726.46.

The precise wording of the legal agreement would be a matter for the legal officer to finalise. In the event of failure to complete the agreement within 12 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

The Certificate of Decision would not be released until the completion of the legal agreement.

2. Compliance with the following Conditions:

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th November 2023
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:

- (i) Existing elevations (Drawing No. EX01) received 22 August 2018
 - (ii) Proposed north elevations (Drawing No. BR020 Rev. D) received 22 August 2018
 - (iii) Proposed south elevations (Drawing No. BR021 Rev. D) received 22 August 2018
 - (iv) Proposed lower ground floor plan (Drawing No. BR001 Rev. C) received 22 August 2018
 - (v) Proposed ground floor plan (Drawing No. BR002 Rev. B) received 22 August 2018
 - (vi) Proposed first floor plan (Drawing No. BR003 Rev. B) received 22 August 2018
 - (vii) Proposed second floor plan (Drawing No. BR004 Rev. B) received 22 August 2018
 - (viii) Proposed third floor plan (Drawing No. BR005 Rev. C) received 22 August 2018
 - (ix) Proposed drainage layout (Drawing No. 16288/501 Rev. P4) received 22 August 2018
 - (x) External lighting layout (Drawing No. 17086/E14 Rev. P1) received 22 August 2018
 - (xi) Proposed boundary treatments (Drawing No. P10 Rev. B) received 22 August 2018
 - (xii) Existing site plan (Drawing No. EX02) received 22 August 2018
 - (xiii) Ground floor site plan (Drawing No. SP01 A) received 22 August 2018
 - (xiv) Lower ground site plan (Drawing No. SP00 D) received 22 August 2018
 - (xv) Proposed Drainage Layout (Drawing No. 16288/501 Rev T1) received 2nd October 2018.
 - (xvi) Location plan (Drawing No. P00) received 22 August 2018
3. No external lighting shall be installed without the formal written approval of the Local Planning Authority to the detailing of the proposed lighting, including emergency/security lighting. The details shall include the design of the lighting and associated columns / means of fixture to buildings, their position, height, the means and intensity of illumination, hooding, the extent of lumination and the anticipated spread of light and the hours of operation of the lights. The approved scheme shall be implemented strictly in accordance with the approved details
4. No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement .The Statement shall provide details of:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - h) the hours of site works and deliveries.

The approved Statement shall be adhered to throughout the construction period.

5. Prior to the development hereby permitted being brought into use a full hard and soft landscaping scheme including final details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with such approved details and completed prior to the occupation of any of the units hereby approved.
6. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion 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, unless otherwise agreed in writing
7. Prior to the application of any external materials full details of the wall and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
8. No piling or any other foundation work using penetrative methods shall be permitted other than with the prior written consent of the Local Planning Authority to the detailing thereof.
9. The car parking spaces shall be laid out and completed in accordance with the approved plan prior to the occupation of any of the apartments hereby permitted and shall therefore be retained for parking purposes at all times.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interest of visual and residential amenity.
4. To ensure suitable arrangements are in place to control construction stage works, in the interests of residential amenity and highway safety.
5. In the interests of visual amenity.
6. In the interest of landscape and visual amenity.
7. In the interest of visual amenity
8. In the interest of visual amenity
9. In the interest of highway safety

NOTES TO APPLICANT:

Dwr Cymru Welsh water Advisory Note

Please note that the applicant has not obtained approval under Section 104 of the Water Industry Act 1991 for the formal adoption of drainage. The drainage proposal will be subject to Welsh Minister design and Sewers for Adoption (7th Edition) standards. It is a mandatory requirement for the applicant to obtain Section 104 approval for the laying of adoptable drainage. Should the proposal alter as a result of the Section 104 process, the applicant will be responsible for notifying the Local Planning Authority.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrwymru.com

Notification of Commencement of Development and Display of Site Notice

The Development Management Procedure (Wales) (Amendment) Order 2016 places a duty on you to notify the Local Planning Authority of the commencement of development and to display a notice on site. You must complete and return a 'Notification of initiation of development' form and display a site notice (please find blank forms/notice attached). Further information relating to the requirements is available on the Planning pages at www.denbighshire.gov.uk or www.gov.wales/topics/planning.