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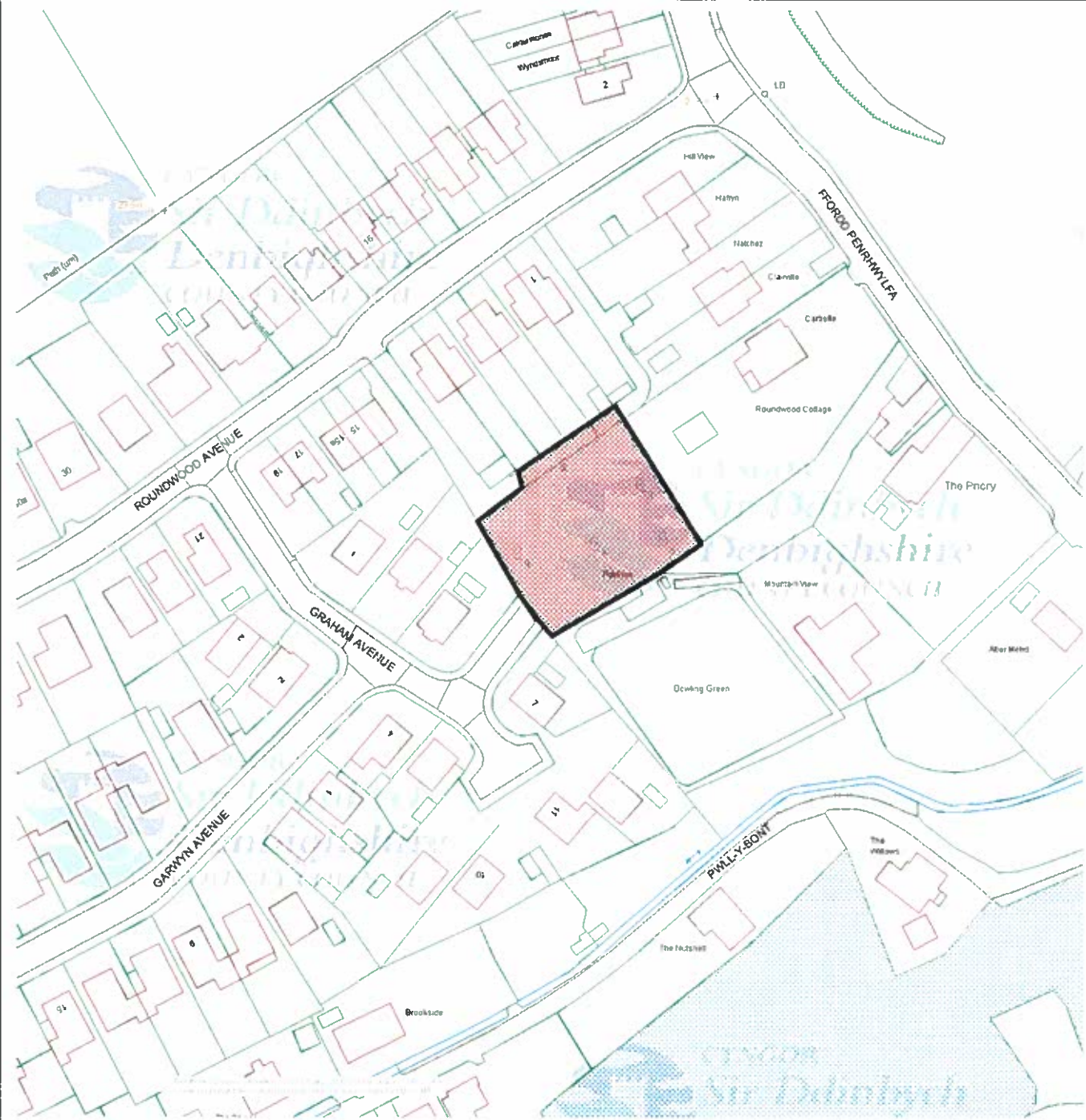
 Application Site



Date 4/3/2014 Scale 1/1250  
Centre = 305820 E 381278 N

Tel: 01824 706800 Fax: 01824 706709

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



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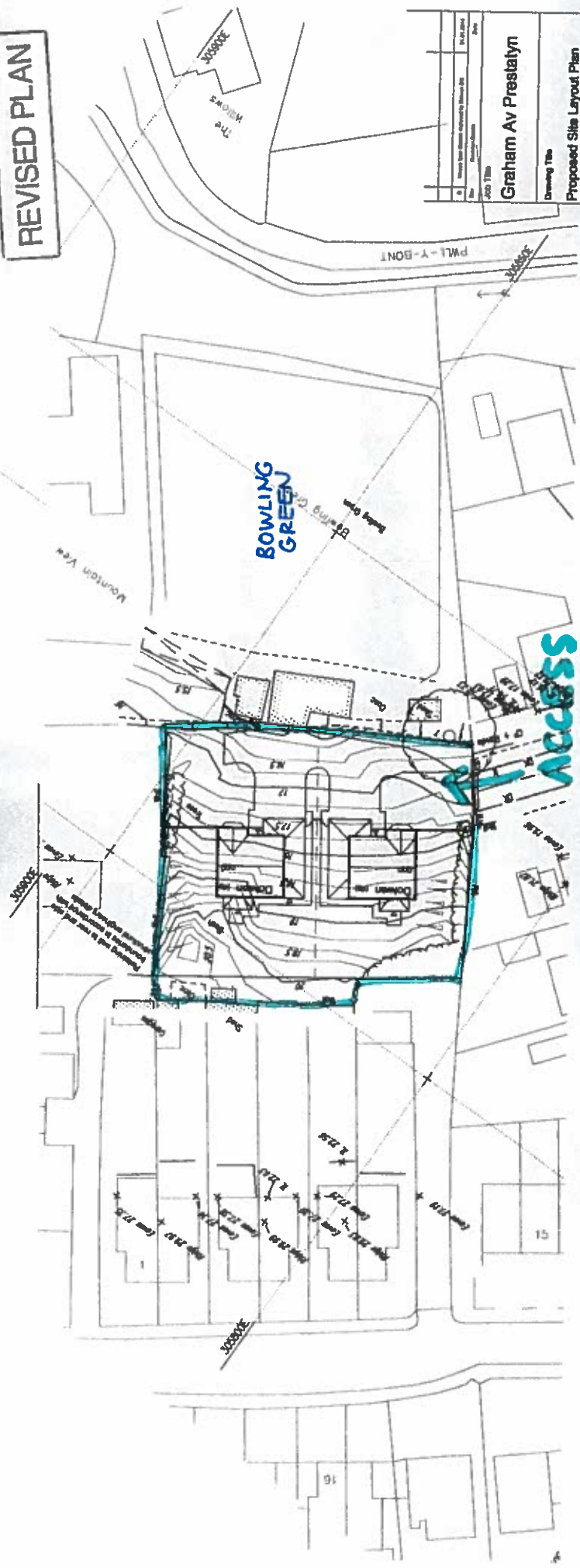
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© Hawffraint y Goron Mae atgynhyrchu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil Cyngor Sir Ddinbych 100023408 2011.

43 / 2013 / 1352 / P F

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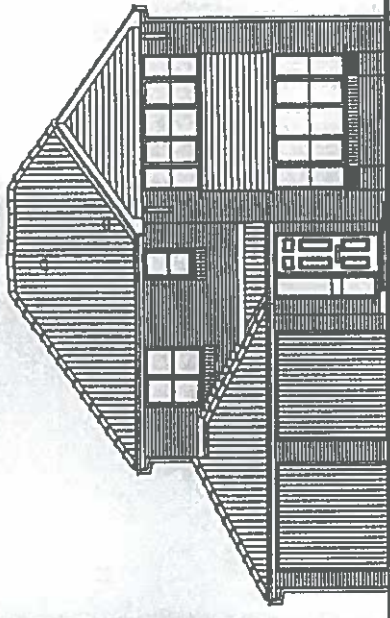
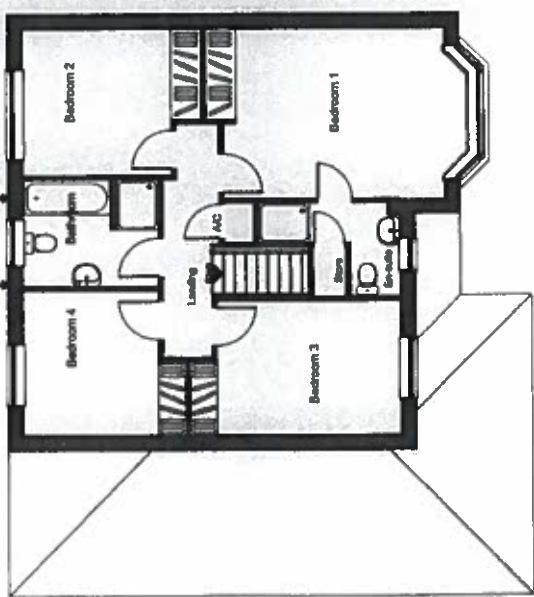
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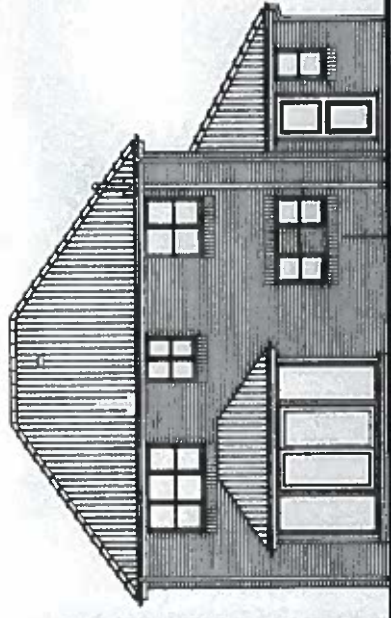
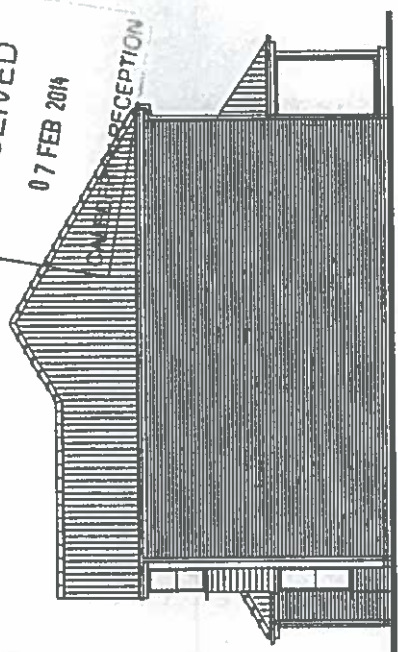
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| <p><b>Graham Av Prestalyn</b></p> <p>Drawing Title<br/>Proposed Site Layout Plan<br/>Showing Two Plots</p>  |                          |
| <p><b>ANWYL</b><br/>Anwyl Construction Company Ltd</p> <p>Anwyl Construction Company Ltd<br/>Anwyl House, 100, The Arcade,<br/>Preston, Lancashire, PR1 4PH,<br/>United Kingdom.<br/>Tel: 01773 328200    Email: anwyl@anwyl.co.uk<br/>Fax: 01773 328200    www.anwyl.co.uk</p> |                          |
| <p>Scale<br/>1:500</p>  | <p>Date<br/>19/02/13</p> |
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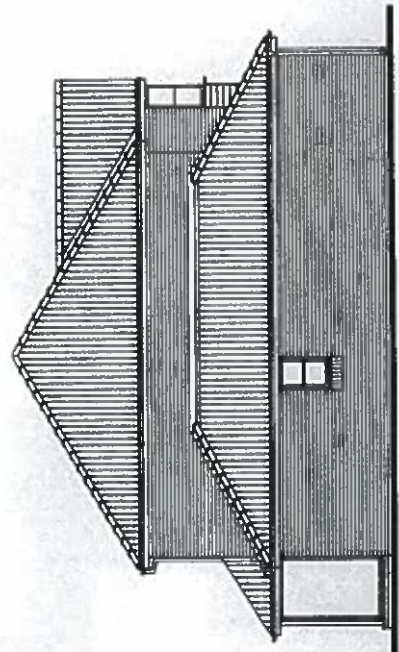
REVISED PLAN



Proposed Side Elevation



Proposed Side Elevation



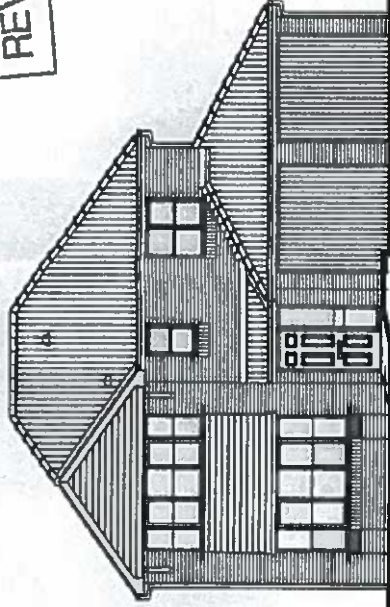
**ANWYL**  
 Anwyl Construction Company Ltd  
 1-100 A3, 07.06.11

# The Dolwen dg

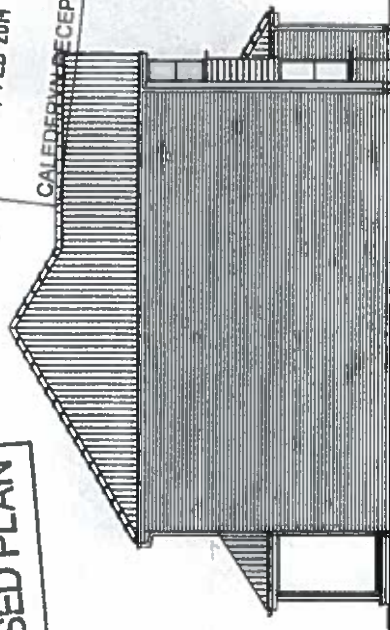
Proposed Ground Floor layout

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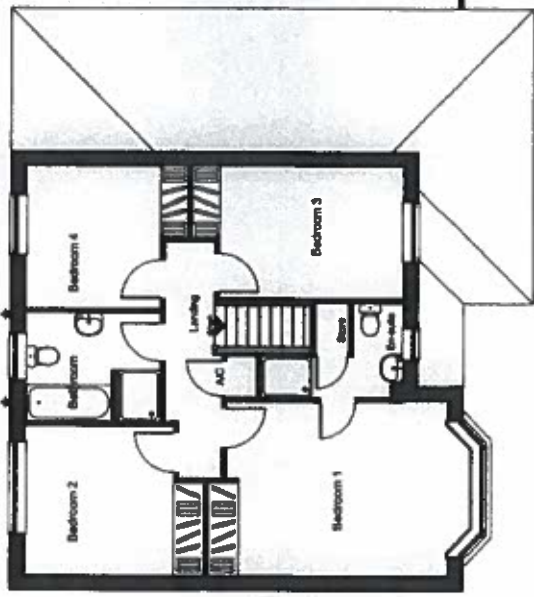
REVISED PLAN



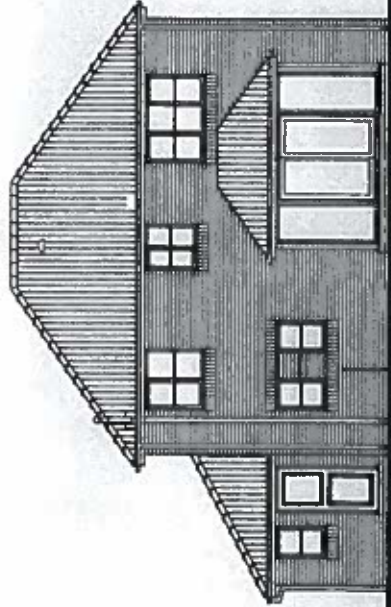
Proposed Front Elevation



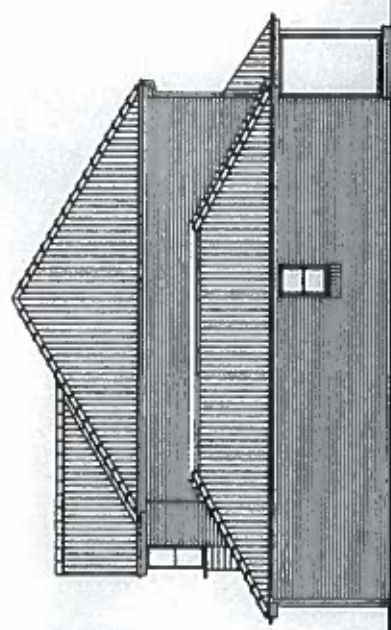
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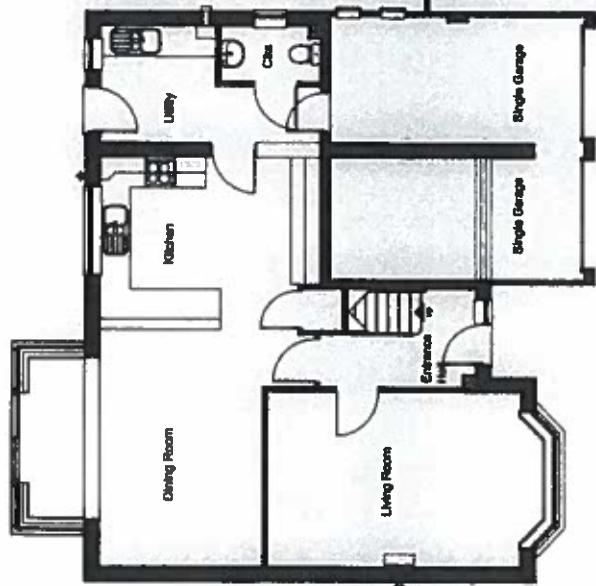
Proposed First Floor layout



Proposed Rear Elevation



Proposed Side Elevation



Proposed Ground Floor layout

ANWYL  
Anwyl Construction Company Ltd  
1-100 A3, 13.11.07

# The Dolwen dg

**ITEM NO:** 3  
**WARD NO:** Prestatyn Meliden  
**WARD MEMBER(S):** Councillor Peter Evans  
**APPLICATION NO:** 43/2013/1352/ PF  
**PROPOSAL:** Erection of 2 no. detached dwellings and construction of a new vehicular access  
**LOCATION:** Land off Graham Avenue Meliden Prestatyn  
**APPLICANT:** T Anwyl & Son  
**CONSTRAINTS:**  
**PUBLICITY UNDERTAKEN:** Site Notice - NoPress Notice - NoNeighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**PRESTATYN TOWN COUNCIL**  
"Objection, poor highway access/egress".

**DWR CYMRU WELSH WATER**  
No objection.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**  
Conservation Architect  
No objection

Biodiversity Officer  
No objection

Highways Officer  
No objection subject to the inclusion of conditions requiring details of the connection to the highway and to ensure that parking and turning facilities are retained within the site.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:  
Mr. J. Perry, 7, Graham Avenue, Meliden  
E. & J. Evans, Cartrefle, Ffordd Penrhwylyfa, Meliden  
Ian Gibbons, Claiville, Ffordd Penrhwylyfa, Meliden  
D. Ashton, 4, Graham Avenue, Meliden

Design detailing

Scale/detailing would dominate area/steep roof pitch and high ridge line/levels not clear/planting and boundary detail not clear.

Access and highways

Inadequate width of approach road/need construction stage controls.

Residential amenity

Potential loss of privacy/need to consider relationship with nearby dwellings.

**EXPIRY DATE OF APPLICATION: 11/2/2014**

**REASONS FOR DELAY IN DECISION:**

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

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The proposal seeks full planning permission for the erection of 2 no. detached dwellings and construction of a new vehicular access on land at Graham Avenue, Meliden.
- 1.1.2 The application proposes the erection of 2 detached two storey dwellings with integral double garages. The floor space of each property would be approx 127sq m, providing a living room, dining room, kitchen and utility room at ground floor level with 4 bedrooms and bathroom at first floor level. Each property would be provided with substantial private amenity areas.
- 1.1.3 It intended to form a single vehicular access at the end of Graham Avenue to serve both dwellings. The plans are attached at the front of the reports.
- 1.1.4 It is proposed to remove some existing trees and vegetation but also to retain large areas of landscaping around the periphery of the site and supplement it with new soft landscaping.

**1.2 Description of site and surroundings**

- 1.2.1 The application site comprises a rectangular area of land measuring 0.12ha, within the settlement of Meliden. To the northern, eastern and western boundaries of the site are existing residential properties on Roundwood Avenue, Ffordd Penrhwyfa and Graham Avenue, which comprise a mixture of both single and 2 storey units. To the southern boundary there is a bowling green and clubhouse.
- 1.2.2 The site slopes generally down from North to South.

**1.3 Relevant planning constraints/considerations**

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

**1.4 Relevant planning history**

- 1.4.1 The site had outline planning permission for residential development granted in October 2010. An additional 2 years to commence the development was approved in October 2013, which means the outline permission remains extant.

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

- 1.5.1 The proposal has been amended from 3 units to 2, with a number of changes made to the details of the dwellings.

**1.6 Other relevant background information**

- 1.6.1 None.

## 2. DETAILS OF PLANNING HISTORY:

43/2010/1056/PO\_Development of 0.12ha of land by erection of 3no. dwellings and construction of new vehicular access (outline application – All matters reserved) GRANTED at Planning Committee 27<sup>th</sup> October 2010.

43/2013/0954/PS Variation of condition no. 3 of outline planning permission code no. 43/2010/1056 to extend the time period by a further two years to obtain approval of reserved matters APPROVED at Planning Committee 16<sup>th</sup> October, 2013.

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
Policy RD 1 Sustainable Development and Good Standard Design  
Policy BSC 1 Growth Strategy for Denbighshire  
Policy BSC 4 Affordable Housing  
Policy BSC 11 Recreation and Open Space  
Policy ASA 3 Parking Standards

### 3.1 Supplementary Planning Guidance

Supplementary Planning Guidance 2: Landscaping in New Developments  
Supplementary Planning Guidance 4: Recreational Open Space  
Supplementary Planning Guidance 6: Trees and Development  
Supplementary Planning Guidance 21: Parking Standards

### 3.2 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Notes

TAN 12 Design

TAN 22 Planning for Sustainable Buildings

## 4. MAIN PLANNING CONSIDERATIONS:

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

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

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

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage
- 4.1.6 Highways (including access and parking)
- 4.1.7 Open Space
- 4.1.8 Sustainability codes and water management

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 identified development boundaries. Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria.

The site is located within the development boundary of Meliden in the adopted Local Development Plan where the principle of residential development is considered acceptable. Residential development has also been previously accepted by the granting of outline planning permission.

#### 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 objections from local residents to the proposal based on potential visual impacts of the development and impact on the character of the area as the properties on Graham Avenue are single storey. The external materials on the dwellings are indicated as facing bricks with tiled roofs, to the Council's approval. It is proposed to remove 3 trees, an Ash, Elder and Sycamore and replace with higher quality specimens. The large areas of shrubs/vegetation will be cut back where necessary and supplemented with additional landscaping.

Given the loss of trees involved to accommodate the development would be minimal, that aspect of the proposal is considered acceptable, and the replacement and additional planting when established will contribute positively to improving the quality of the development. Whilst the dwellings on Graham Avenue are single storey, the site is surrounded by 2 storey dwellings on Roundwood Avenue and Ffordd Penrhwylyfa and it is therefore considered that given the sloping nature of the site and its location within an area of mixed designs using a variety of different materials, the design and layout of the development would be respectful of the location. Controls over the choice of external materials will help ensure the built form is in keeping with surrounding development.

#### 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 are some concerns expressed over potential for loss of privacy from the new development on the site.

Having regard to the revised layout and the detailing of dwellings relative to nearby development, Officers opinion is that there would be no adverse impacts on the amenities of occupiers of existing or proposed dwellings.

#### 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 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

There are no objections expressed over the potential impact on wildlife as a result of development. The Council's Biodiversity Officer has raised no objection subject to the implementation of the measures detailed in the ecological survey.

Officers' conclusion is that it would be in order to protect ecological interests through the inclusion of a condition ensuring the development is undertaken in accordance with the recommendations within the ecological report.

#### 4.2.5 Drainage

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding.

There are no representations relating to the drainage implications of the development. The applicant has not provided any specific drainage details for approval but Dwr Cymru / Welsh Water has raised no objection to the proposal subject to standard advisory notes being included.

In Officers' opinion, the consultation responses suggest there are no reasonable drainage grounds to oppose the development of the application site.

#### 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 concerns expressed by the Prestatyn Town Council and local residents over the standard of the highway access/aggress.

It is not considered, with respect to objections raised, that there are any strong highway grounds to refuse permission here. The Highways Officer has raised no objection subject to conditions requiring further details of the connection to the highway and the retention of parking and turning area within the site. Previous permissions have clearly indicated the main access to the site is to an acceptable standard, the site still having a valid outline planning consent granted by a variation at Committee in October 2013.

#### 4.2.7 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 requires new developments to provide open space in accordance with the County's minimum standard of 2.4 hectares per 1000 population. It states that open space should always be provided on site, and that commuted sums will only be acceptable where it is demonstrated that development would not be financially viable should the full requirement be provided onsite, or where it is impractical to provide the full

requirement on site. Where there is no identified shortfall of open space in an area, the option of a commuted sum payment may be appropriate to mitigate impact on existing open space and equipment.

Due to the scale of the development it would not be practical to provide public open space on the site and therefore the applicant has agreed to comply with the Council's policy by paying the required commuted sum. In Officers' opinion the proposal to provide a commuted sum is consistent with the requirements of Policy BSC11 of the Local Development Plan, and a condition would be required to secure it.

#### 4.2.8 Sustainability codes and water management

Sustainable development is a key part of the Local Development Plan Strategy, and has been applied to the land use policies and allocations in the Plan. Planning Policy Wales (Section 4.12) sets out Welsh Government's drive to ensure that development proposals mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use, and eventual demolition, and outlines the requirement to move towards more sustainable and zero carbon buildings in Wales through application of specific standards for construction. The Sustainability Code requirements are referred to in TAN 22 Sustainable Buildings, which confirms the obligation on applicants to demonstrate that building(s) can meet specific standards of construction and carbon emission levels.

In the case of this submission, the application is accompanied by a Code for Sustainable Homes Pre-Assessment report which demonstrates that the requirements of TAN 12 and TAN 22 can be satisfactorily addressed. Suitably worded conditions can be attached to ensure development is carried out in accordance with the requirements of the Sustainability Code.

## 5. SUMMARY AND CONCLUSIONS:

5.1 The site has a valid outline planning consent and is located within the development boundary of Meliden within the adopted Denbighshire Local Development Plan. This establishes the acceptability of the principle of the development.

5.2 The detailing of the 2 dwellings is considered acceptable, with due respect to the concerns of the Town Council and objectors.

### RECOMMENDATION: GRANT- for the following reasons:-

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

#### 2. PRE-COMMENCEMENT CONDITION

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

3. No works shall commence on site until full details of the detailed design, drainage and construction of the proposed vehicular access has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved plans before the development it is brought into use.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (As Amended) (or any order revoking and re-enacting that order with or without modification) no windows additional to those shown on the approved plans shall be inserted at any time in the extension hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

5. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor

within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

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

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

8. The development shall proceed in accordance with the recommendations contained within the Ecological Survey undertaken by Ecological Design Consultants dated September 2013.

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

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

11. Prior to the occupation of each dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010.

12. No development shall take place until the mechanism for compliance with the Council's policy and guidance on Recreation and Open space has been agreed in writing with the Local Planning Authority.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
4. In the interests of residential amenity.
5. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
6. To ensure a satisfactory standard of development, in the interests of visual amenity.
7. To provide for the loading, unloading and parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
8. In the interests of nature conservation.
9. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
10. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
11. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
12. In order to comply with the policy and guidance of the Local Planning Authority in relation to the provision of open space in conjunction with new development.

#### **NOTES TO APPLICANT:**

Your attention is drawn to the attached Dwr Cymru Welsh Water response.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).