

Heading:

REFERENCE NO. 43/2014/0205/PF  
105-107 HIGH STREET  
PRESTATYN

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

Tel: 01824 706800 Fax: 01824 706709

 Application Site

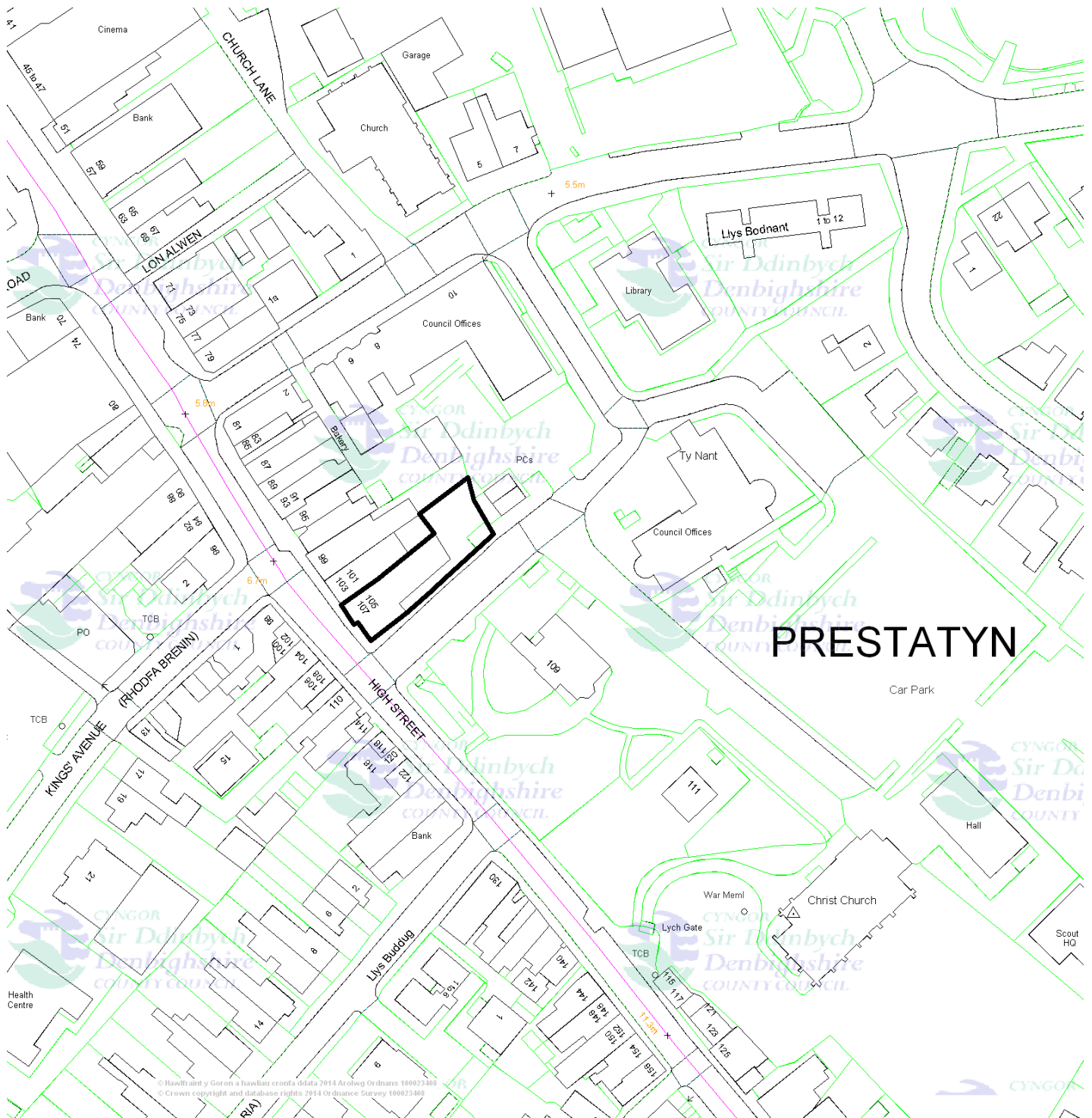


Date 27/8/2014

Scale 1/1250

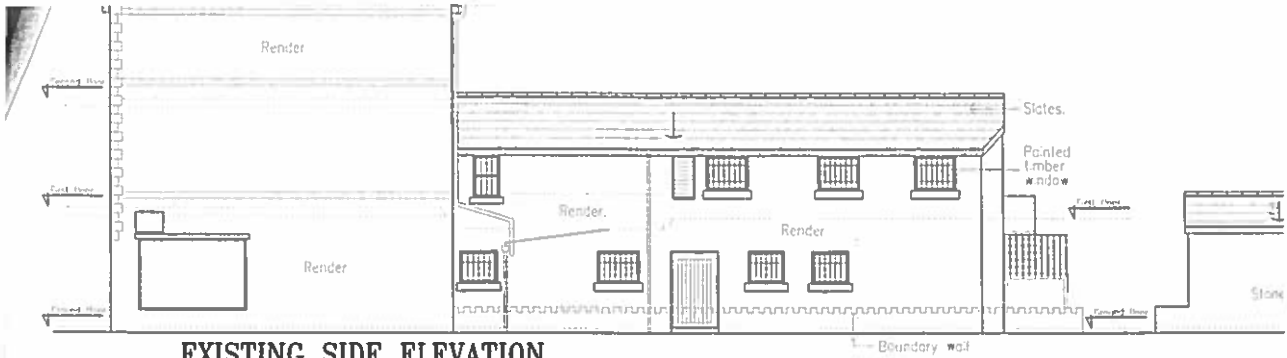
Centre = 306659 E 382863 N

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



PRESTATYN

# EXISTING ELEVATIONS

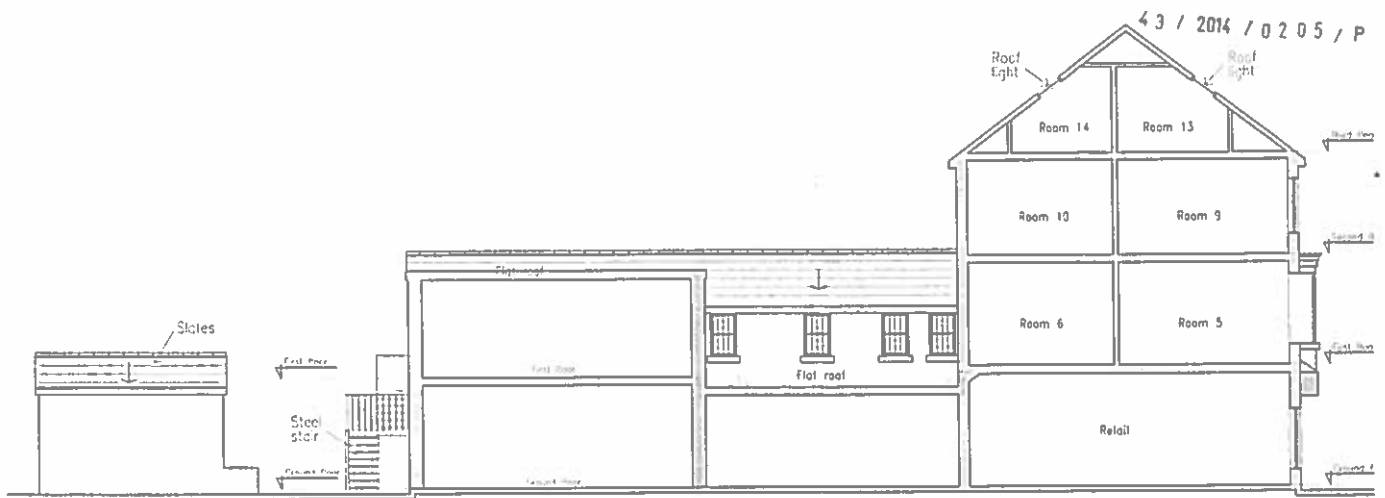


**EXISTING SIDE ELEVATION**

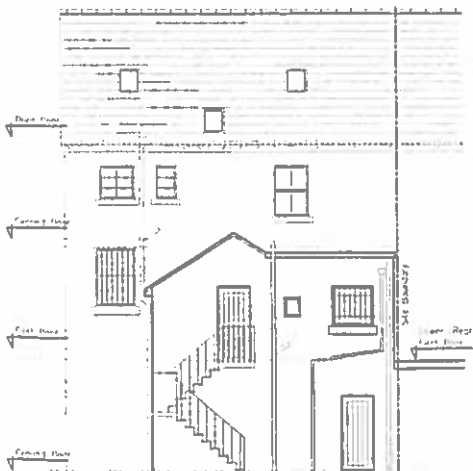


**EXISTING FRONT ELEVATION**

<p><b>PETER DARLINGTON ARCHITECTS INTERIOR DESIGNERS</b></p> <p>26 Bryn Street, North Wales          Tel: 01942 317790 Fax: 01942 317795          Mobile: 0796 220690          E-mail: peter.darlington@peterd.co.uk</p>	Project	105 - Prestatyn
	Drawn by	M.M.
	Scale	1:100



**EXISTING SECTIONAL ELEVATION**



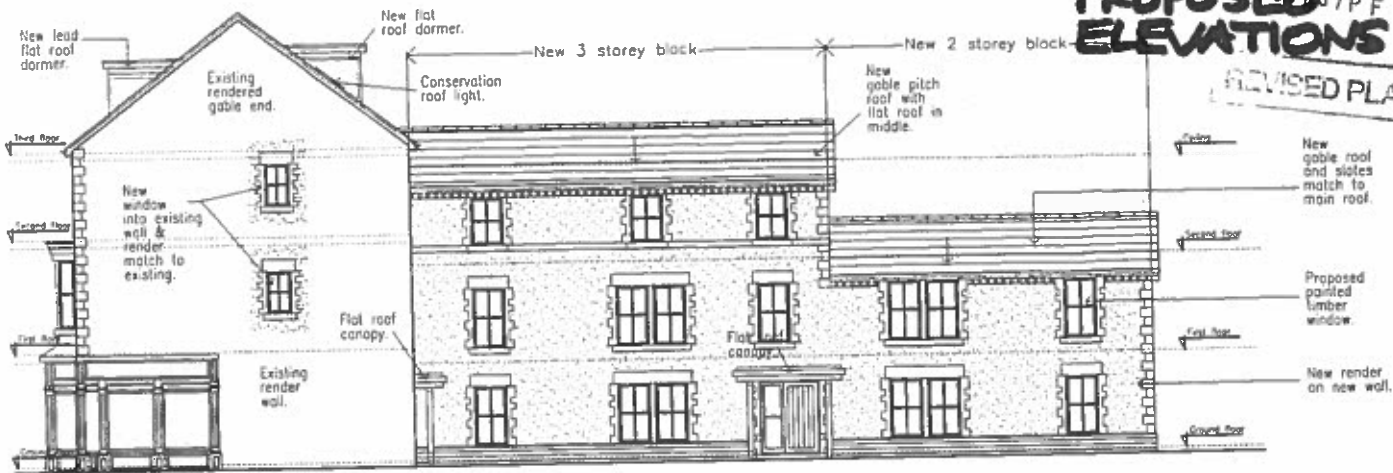
**EXISTING REAR ELEVATION**

43 / 2014 / 0205 / P

26 FEB 2014

<p><b>PETER DARLINGTON ARCHITECTS INTERIOR DESIGNERS</b></p> <p>26 Bryn Street, North Wales          Tel: 01942 317790 Fax: 01942 317795          Mobile: 0796 220690          E-mail: peter.darlington@peterd.co.uk</p>	Project	105 - 107, High Street Prestatyn North Wales
	Drawn by	M.M.
	Scale	1:100

REVISED PLAN



PROPOSED SIDE ELEVATION



PROPOSED FRONT ELEVATION

- Rev-D Front of buildings floor lowered & pitch roof dormer added to rear. 22-7-14
- Rev-C Gable roof added to rear. 22-7-14
- Rev-B Window re-positioned to staircase & bay window added. 22-5-14
- Rev-A Scheme revised as per Conservation officer's comment. 13-5-14

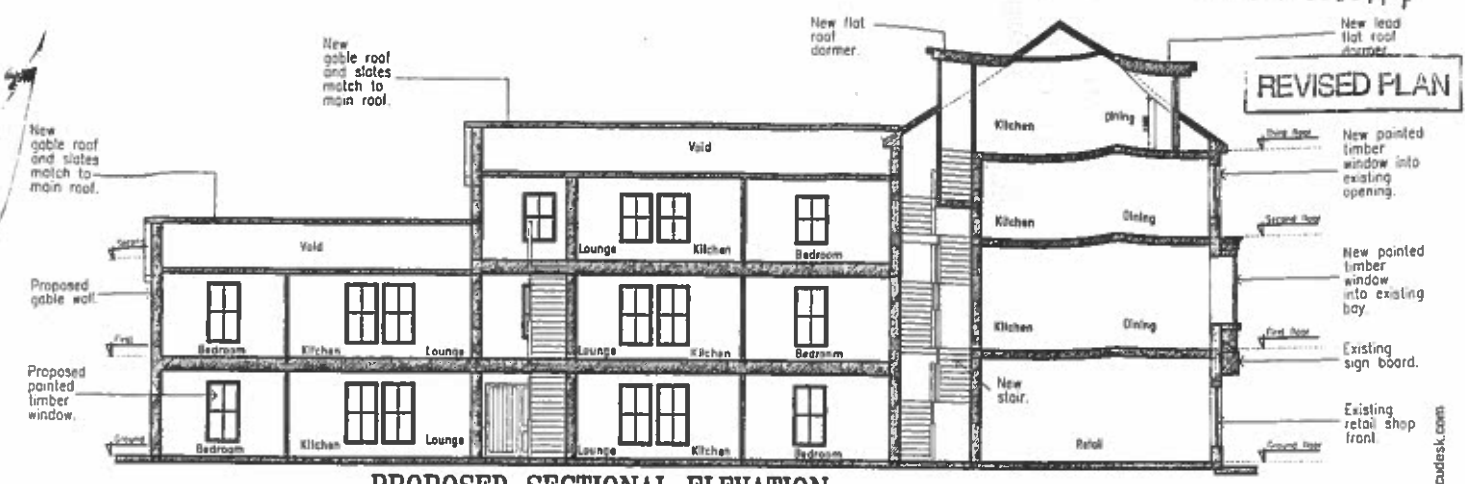
Rev-E Dormer roof amended to rear. 24-7-14



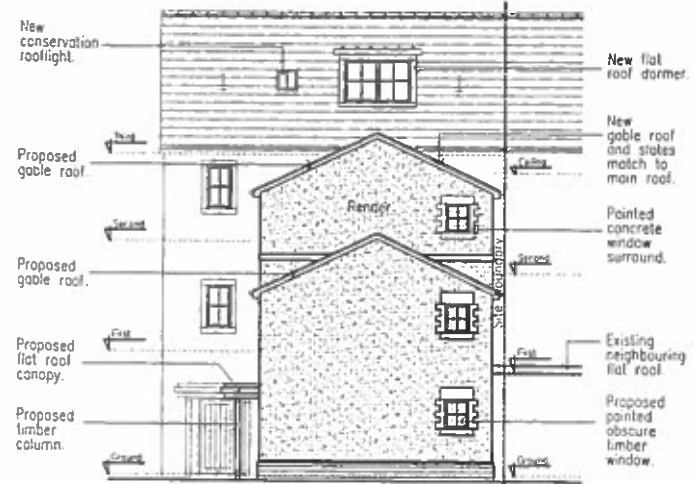
		105-107, High Street Prestatyn North Wales
Proposed Front and Side Elevation.		Date: 24/07/14
Project No: 3036/PL/06	Scale: 1:100	Date: Jan '14

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REVISED PLAN



PROPOSED SECTIONAL ELEVATION



PROPOSED REAR ELEVATION

- Rev-D Front of buildings floor lowered & pitch roof dormer added to rear. 22-7-14
- Rev-C Ground and second floor lowered. 22-7-14
- Rev-B Gable roof added to rear. 22-7-14
- Rev-A Scheme revised as per Conservation officer's comment. 13-5-14

Rev-E Flat roof dormer amended to rear. 24-7-14

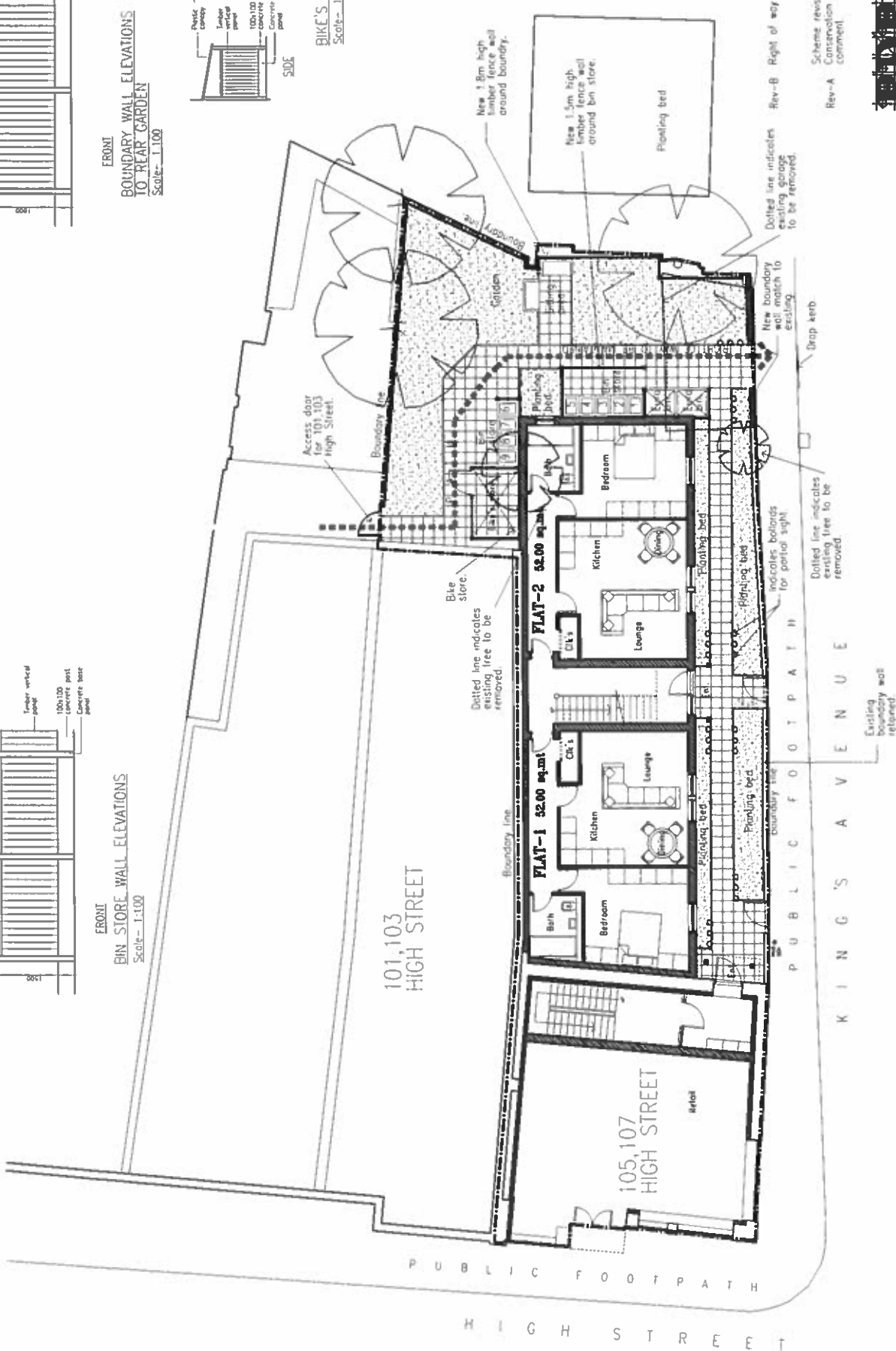
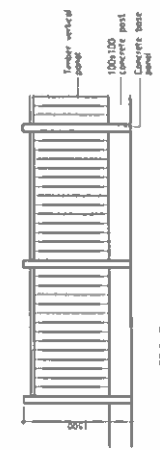
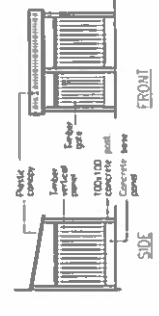
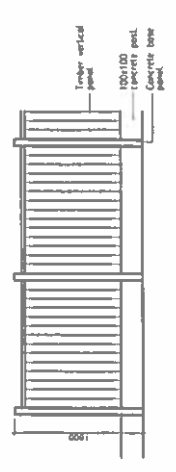


		105-107, High Street Prestatyn North Wales
Proposed Rear and Sectional elevation.		Date: 24/07/14
Project No: 3036/PL/06	Scale: 1:100	Date: Jan '14

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# SITE PLAN + GROUND FLOOR LAYOUT

DocuDesk.com - Trial: http://www.docuDesk.com

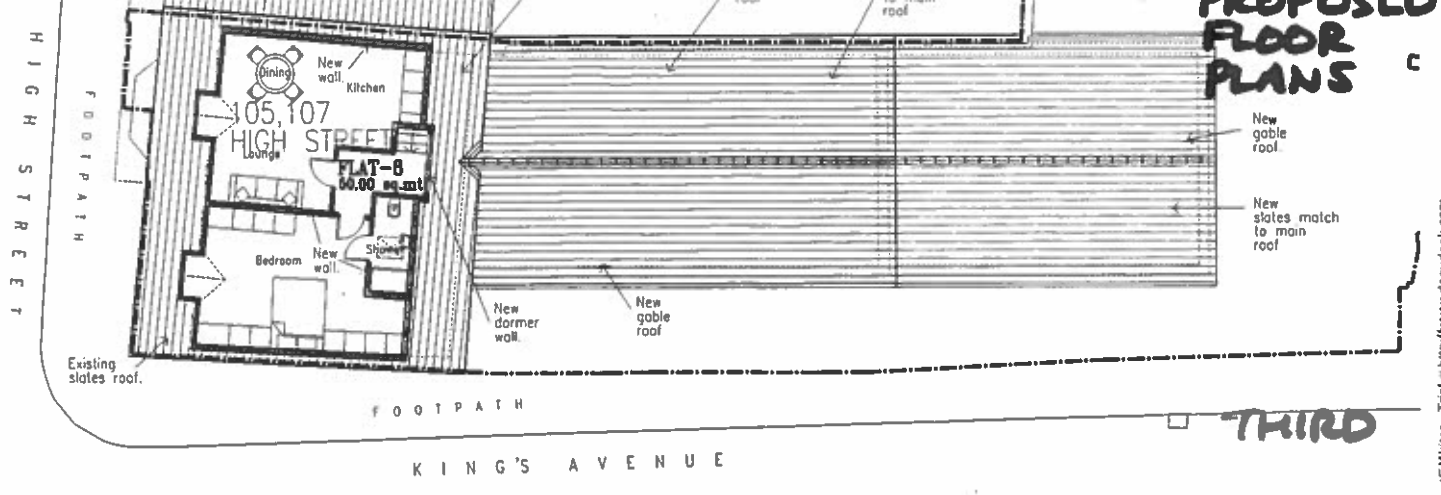


22-7-1  
13-5-1  
Scheme revised as per  
Conservation officer's  
comment

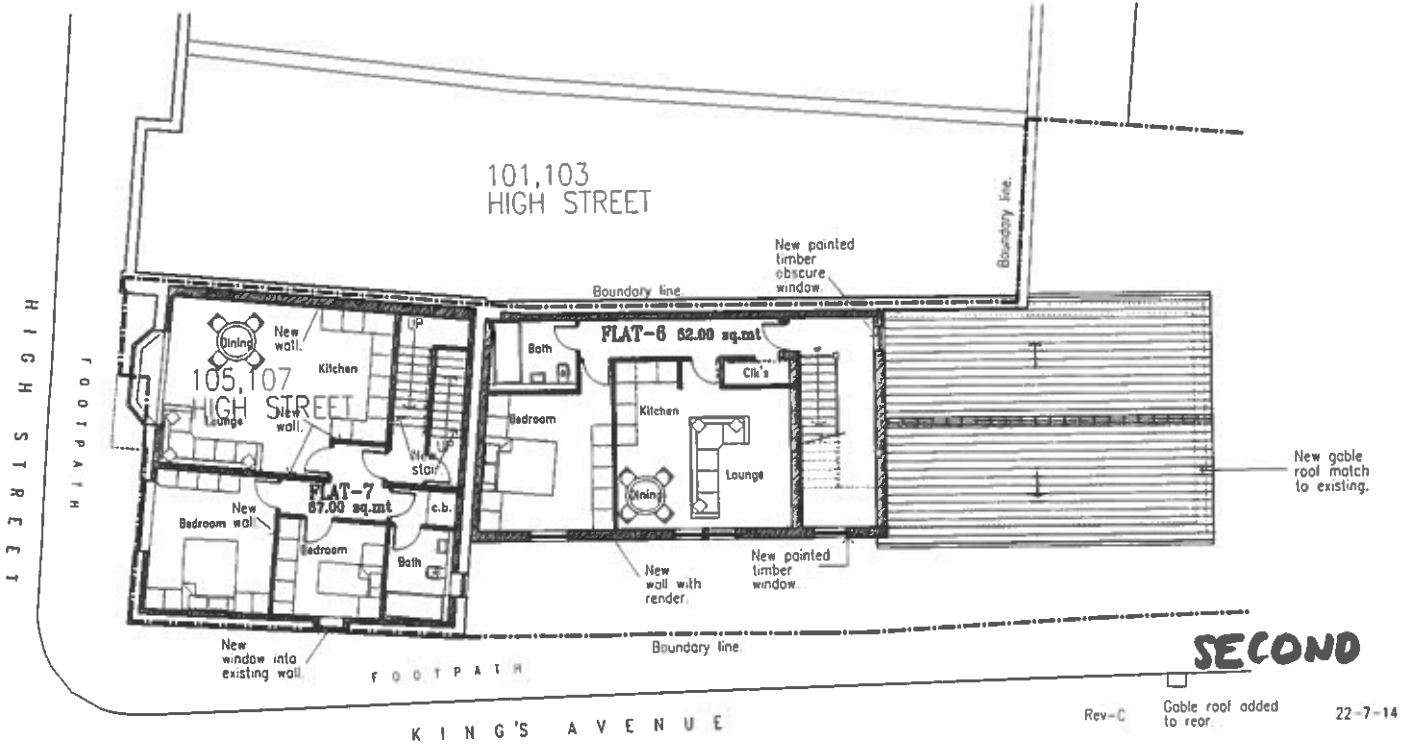
PETER DICKINSON ARCHITECTS 11 North Street, North Wales Tel: 01492 521111 Fax: 01492 521112 Email: peter@peterdickinson.co.uk	
Proposed Site Plan 2006/PL/07	Rev B Date: 09/08 Author: M.M. Scale: 1:100 A4-14

## PROPOSED SITE PLAN

SCALE: 1:100

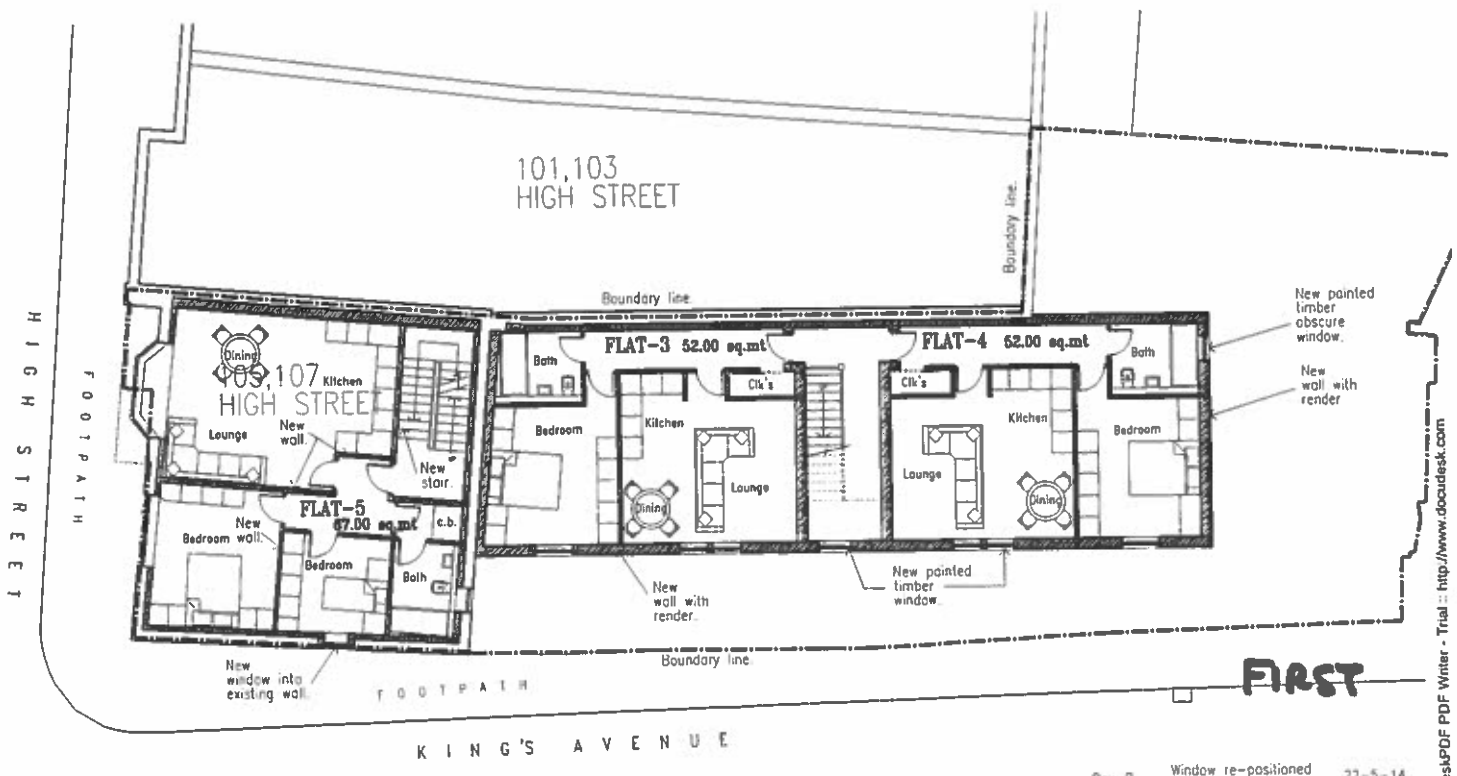


IF Winter - Trial :: http://www.docuDesk.com



Rev-C Gable roof added to rear. 22-7-14

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Rev-B Window re-positioned to staircase. 22-5-14

with deskPDF PDF Writer - Trial :: http://www.docuDesk.com

**ITEM NO:** 2

**WARD NO:** Prestatyn East

**WARD MEMBER(S):** Cllr James Davies  
Cllr Julian Thompson-Hill

**APPLICATION NO:** 43/2014/0205/ PF

**PROPOSAL:** Conversion of upper floors over existing retail unit to form 3 no. flats, demolition of two storey rear outrigger building and erection of extension to rear to form 5 no. 1 bed flats and associated works

**LOCATION:** 105-107 High Street Prestatyn

**APPLICANT:** JBZ Peels Ltd.

**CONSTRAINTS:** Conservation Area

**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 – Town Council objection

**CONSULTATION RESPONSES:**

**PRESTATYN TOWN COUNCIL**

“Objection, Loss of historic character associated with buildings. Over intensification and lack of adequate on site parking. Potential loss of retail/ employment opportunity.”

**WELSH WATER/ DWR CYMRU**

No objection, subject to standard notes to applicant

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES**

Biodiversity Officer

No objection

Conservation Officer

No objection, subject to conditions relating to material details.

Highways Officer

No objection

Housing Officer

No objection. Current figures show a demand for one bedroom accommodation in Prestatyn.

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Alyson Evans, 109 High Street, Prestatyn

Farhar Khan, 4 Abbots Way, Newcastle under Lyme

Emma Heath, 99B High Street, Prestatyn  
Gary Alexander, 14 Lon Eirlys, Prestatyn  
Chris Parry, Hillside House, Prestatyn

Summary of planning based representations in objection:

Overdevelopment of the site

Highways issues- lack of parking

Flats not appropriate for Prestatyn- no need for 1 bed units

Visual amenity- scale of development would have a negative impact on the Conservation area

Access issues to adjacent properties- rights of way concerns

Other matters:

Accuracy of submission- no applicant name on form

**EXPIRY DATE OF APPLICATION: 06/05/2014**

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

- timing of receipt of representations
- delay in receipt of key consultation response(s)

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application proposes the part redevelopment of no. 105-107 High Street in Prestatyn. The front section of the existing building is proposed to be retained, and the existing two storey rear outrigger is proposed to be demolished and replaced. The demolition element of the scheme is the subject of a separate Conservation Area Consent application which is the next item on the agenda for Committee.
- 1.1.2 The ground floor retail unit would be retained and the upper floors of the remaining original building converted into 3 one bedroom self contained flats. There would be 5 additional flats created in the new three and two storey rear extension.
- 1.1.3 The proposed extension has been designed to reflect the character of the existing building with similar fenestration patterns and materials. Two flat roof dormers are proposed on the original building, on the front and rear elevations, and a new traditional shopfront is proposed to be installed.
- 1.1.4 The proposal would create in total 8 one bedroom self contained flats. The internal floor space of the flats would range between 50 sq m to 67 sq m. The flats would be accessed from the Kings Avenue side of the building, rather than from the High Street.
- 1.1.5 Externally, an existing outbuilding to the rear of the site would be removed to accommodate an amenity area measuring approximately 95 sq metres. A bin and bike storage area would be located in a rear yard which would be shared with the commercial premises on the ground floor. The boundary wall to Kings Avenue would be retained and three pedestrian gates would be created to access the flats and right of way to the rear of adjoining properties.

1.2 Description of site and surroundings

- 1.2.1 The site comprises of a ground floor retail premises, formally occupied by the Blockbuster video shop on the southern end of a terrace of property fronting High Street in Prestatyn. The upper floors and the outrigger have previously been used in conjunction with the ground floor use. There is a stone outbuilding in the rear curtilage.

1.2.2 As it is on the end of the terrace, the building on the site fronts High Street and Kings Avenue. To the rear of the site (eastern side) are the Kings Avenue public conveniences. Further along Kings Avenue is the former Council Offices at Ty Nant.

1.2.3 The site is located in the town centre of Prestatyn. The locality is characterised by a wide range of uses, primarily retail with some residential uses above.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary, Prestatyn Conservation Area and designated Town Centre.

1.4 Relevant planning history

1.4.1 None.

1.5 Developments/changes since the original submission

1.5.1 The original scheme has been amended on the advice of Officers to ensure the development meets the floorspace requirements of current Supplementary Planning Guidance. This resulted in the number of flats being reduced from 9 flats to 8.

1.5.2 The Conservation Officer has also requested some amendments which were mainly related to the detailing and design of the external appearance of the scheme.

1.6 Other relevant background information

1.6.1 None

**2. DETAILS OF PLANNING HISTORY:**

2.1 None.

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

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

**Policy RD1** – Sustainable development and good standard design

**Policy BSC7** – Houses in multiple occupation and self contained flats

**Policy BSC11** – Recreation and open space

**Policy PSE8** – Development within town centres

**Policy VOE 1** – Key areas of importance

**Policy ASA3** – Parking standards

3.1 Supplementary Planning Guidance  
SPG7 – Residential Space Standards

3.2 Government Policy / Guidance  
Planning Policy Wales Edition 7

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, (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 Open Space
- 4.1.5 Highways (including access and parking)
- 4.1.6 Affordable Housing

4.2 Other matters

4.3 In relation to the main planning considerations:

4.3.1 Principle

The site is located within the development boundary of Prestatyn where new residential development will, in principle, be supported provided that it meets the criteria of other policies in the Local Development Plan and material planning considerations. Policy BSC 7 is the detailed policy relating to Houses in Multiple Occupation & Self Contained Flats. The policy states that the sub-division of existing premises to self contained flats will be permitted provided that all the following criteria are met: i) the property is suitable for conversion to the number and type of flats proposed without unacceptably affecting the character, appearance and amenity standards of the locality (including cumulative effects of such proposals); and ii) the proposal conforms to the Council's approved space and amenity standards.

SPG Note No. 7 relates to 'Residential Space Standards'. This Note is one of a series of Supplementary Planning Guidance Notes (SPGs), amplifying the development plan policies and other issues with the aim of improving the design and quality in new developments. It sets basic internal floor and external space standards for new development and conversions.

Chapter 9 of Planning Policy Wales (PPW) sets out Welsh Government's objectives in relation to housing. PPW encourages higher densities on easily accessible sites, where appropriate, but highlights the importance of good design to ensure a high quality environment. The need for 'barrier free housing' is also highlighted and the use of Lifetime Homes Standards is advocated.

Chapter 5 of Technical Advice Note 12: Design highlights the importance of good design in relation to quality of life and also the importance of inclusive design.

In considering the of principle of change of use, Officers have taken into account the latest planning policies and guidance. It is considered that the relevant policies and guidance do not preclude the change of use to one bedroom flats in the area, particularly where the relevant floor space standards have been met as these space standards have been set to define 'quality accommodation'. The application is considered acceptable in principle, and the detailed impacts of this application to develop the site are considered below.

4.3.2 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. Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. Planning Policy Wales (Section 6), stresses the importance of protecting the historic environment, and in relation to Conservation Areas, to ensure they are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls. The basic objective is therefore to preserve or enhance the character and appearance of a Conservation Area, or its setting.

The application proposes redevelopment of 105-107 High Street. The main changes are proposed to the rear of the High Street frontage, off Kings Avenue. An existing two storey outrigger is proposed to be replaced with a three and two storey extension. The extensions have been designed to take into account the character and appearance of the existing building and the Conservation area. Prestatyn Town Council has advised that they are concerned that the proposal would result in the loss of historic character associated with building but the Conservation Officer has raised no objection to the proposal.

Having regard to fact the High Street frontage would remain almost as existing and the rear extension has been sensitively designed it is not considered that the proposal could be resisted on visual amenity grounds. The Agent has amended the scheme on the advice of the Conservation Officer and has taken into account the Conservation Area designation in designing the scheme. Subbet to control over the details such as materials and fenestration it is considered that the proposals would have an acceptable visual impact and would not detract from the character or appearance of the Conservation Area. The proposals are therefore in accordance with the policy requirements set out above.

#### 4.3.3 Residential amenity

Policy RD1 sets specific tests to be applied to amenity impacts of development. Policy BSC 7 and SPG 7 also require amenity issues to be considered for proposals to subdivide properties in to self-contained flats.

In relation to the scale and mass of the proposal in relation to the existing building, it is noted that it projects some 5.5 metres more to the rear than the existing building. There are no windows proposed in all elevations except the northern elevation which abuts neighbouring properties to the north. The flats range in internal floor space from 50 sq metres to 67 sq metres. To the rear of the building it is proposed to provide a bin store area and external drying area, and a garden and sitting area measuring 95 sq metres. The Town Council have raised concerns relating to 'over intensification'.

Considering the scale of the development and fenestration detailing it is not considered it would have a significantly greater impact on the amenity of the adjacent occupiers than the existing arrangement. In terms of the amenity of potential occupiers, for 1 bed units, SPG 7 requires a minimum floorspace of 50 sq m, which the proposal exceeds. The minimum space standards given for living rooms and bedrooms are also exceeded. The plans indicate the provision of amenity space to the rear, the level of amenity afforded is considered acceptable. The concerns of the Town Council in relation to the over intensification of the use of the site are duly noted. Although the scheme fails to meet the external amenity space requirement of 130 sq metres by 35 sq metres, it is not considered that this would be unacceptable having regard to the quality of the space provided, the town centre location and access to recreational facilities in the locality.

It is considered that a suitable level of amenity would be afforded to future occupiers of the flats and therefore the proposal complies with Policy RD1, BSC 7 and SPG 7.

#### 4.3.4 Open Space

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

The proposal includes the creation of 8 no. new residential units.

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

4.3.5 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development. SPG 21 sets a maximum requirement for parking to be 1.5 spaces per 1 bed dwelling. This is a maximum requirement and mitigating circumstances such as access to off site parking and provision of public transport will be taken into account.

There is no parking for the existing commercial use and no parking for the proposed flats. Restricted on street parking is available on the High Street and Kings Avenue. The site is located within a town centre within walking distance to local shops and facilities, and a bus and train station. The Head of Highways has raised no objection. Concerns have however been raised by the Town Council over the lack of parking.

Whilst it is noted that there is no on-site parking for the use, the town centre location has to be considered, as must the fact the building has no parking as existing. It is the opinion of Officers that it would be difficult to resist the proposal for parking reasons alone particularly where planning policies are in place to reduce reliance on the private car and promote sustainable means of transport. As such it is not considered that the proposal conflicts with the highways considerations of Policy RD1.

4.3.6 Affordable Housing

Policy BSC3 of the local development plan sets the basic requirement for development to contribute where relevant to the provision of infrastructure including affordable housing, in line with Policy BSC4. Policy BSC4 relates specifically to affordable housing, and requires that all developments of three or more residential units provide a minimum of 10% affordable housing either onsite on developments of 10 or more units, or by way of a financial contribution on developments of less than 10 units.

The proposal is for the creation of 8 no. residential units, which would generate the need for an affordable housing contribution in accordance with Policy BSC 4. The Housing Officer has considered the proposal and raises no objection to the scheme on the basis that current housing data shows a demand in the area for one bedroom accommodation and affordable housing.

Having regard to the above it is considered that the proposals would be acceptable in relation to affordable housing contribution subject to the requisite contributions being secured. It is considered that this could be done through an appropriately worded condition.

4.3.7 Other matters:

The accuracy of the forms has been questioned in representations. In Officers opinion the form has been completed satisfactorily and the relevant certificates submitted. In the absence of evidence to back up the objectors claims that the forms are incorrect the Council must accept the Agents claims of ownership.

Concerns have been raised by adjacent occupiers of the over rights of way at the rear of the property. The Agent is aware that a right of way to the adjacent properties to the north exists and has shown the right of way on the site layout plan. If the proposed arrangement is not in accordance with the deeds of the adjacent properties then this matter should be pursued by the relevant parties with the Agent, as this matter is governed by civil law and is not a material planning consideration.

## 5. SUMMARY AND CONCLUSIONS:

5.1 In conclusion the proposal is considered acceptable under the relevant policies and therefore recommended for grant.

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

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. PRE-COMMENCEMENT The development shall not begin until arrangements for the provision of Open Space as part of the development, in accordance with the Council's Policies and Supplementary Planning Guidance, has been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out strictly in accordance with the approved arrangements.
3. PRE-COMMENCEMENT The development shall not begin until arrangements for the provision of Affordable Housing as part of the development, in accordance with the Council's Policies and Supplementary Planning Guidance, has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out strictly in accordance with the approved arrangements.
4. Notwithstanding the approved plans, no development shall be permitted to commence until the formal approval of the Local Planning Authority has been obtained for full section details of the windows and doors including their position in the wall, doors, canopy, rooflights and shop-front. The windows shall not to have visible trickle vents and shall be painted to an agreed colour and should not be flush to the elevation. The approved windows and doors shall be installed as approved and maintained as such thereafter.
5. Notwithstanding the approved plans all rainwater goods shall be cast aluminium and shall be maintained as such thereafter.
6. Notwithstanding the approved plans the rooflight shall be top hung, with vertical glazing bar and flush to roof and shall be maintained as such thereafter.
7. There shall be no bell cast render used on the building.
8. Notwithstanding the approved plans, no development shall be permitted to commence until the formal approval of the Local Planning Authority has been obtained for the external materials to be used for the walls and roof materials, and boundary wall and mortar details. The development shall be carried out strictly in accordance with the approved details.
9. The development shall be carried out in accordance with the protected species and mitigation measures submitted to the Local Planning Authority on the 16th July 2014.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interest of compliance with adopted open space policies.o ensure a satisfactory standard of development for future residents.
3. In the interest of compliance with adopted affordable housing policies.
4. In the interest of visual amenity and to protect the character and appearance of the Conservation Area.
5. In the interest of visual amenity and to protect the character and appearance of the Conservation Area.

6. In the interest of visual amenity and to protect the character and appearance of the Conservation Area.
7. In the interest of visual amenity and to protect the character and appearance of the Conservation Area.
8. In the interest of visual amenity and to protect the character and appearance of the Conservation Area.
9. In the interests of the protection of biodiversity interests on the site.

**NOTES TO APPLICANT:**

WELSH WATER Note to Applicant:

Dwr Cymru Welsh Water have advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes of Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal they request you contact their Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.