

Heading:

REFERENCE NO. 45/2014/0746/PF
FRONFRAITH, 1 BOUGHTON AVE
RHYL

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

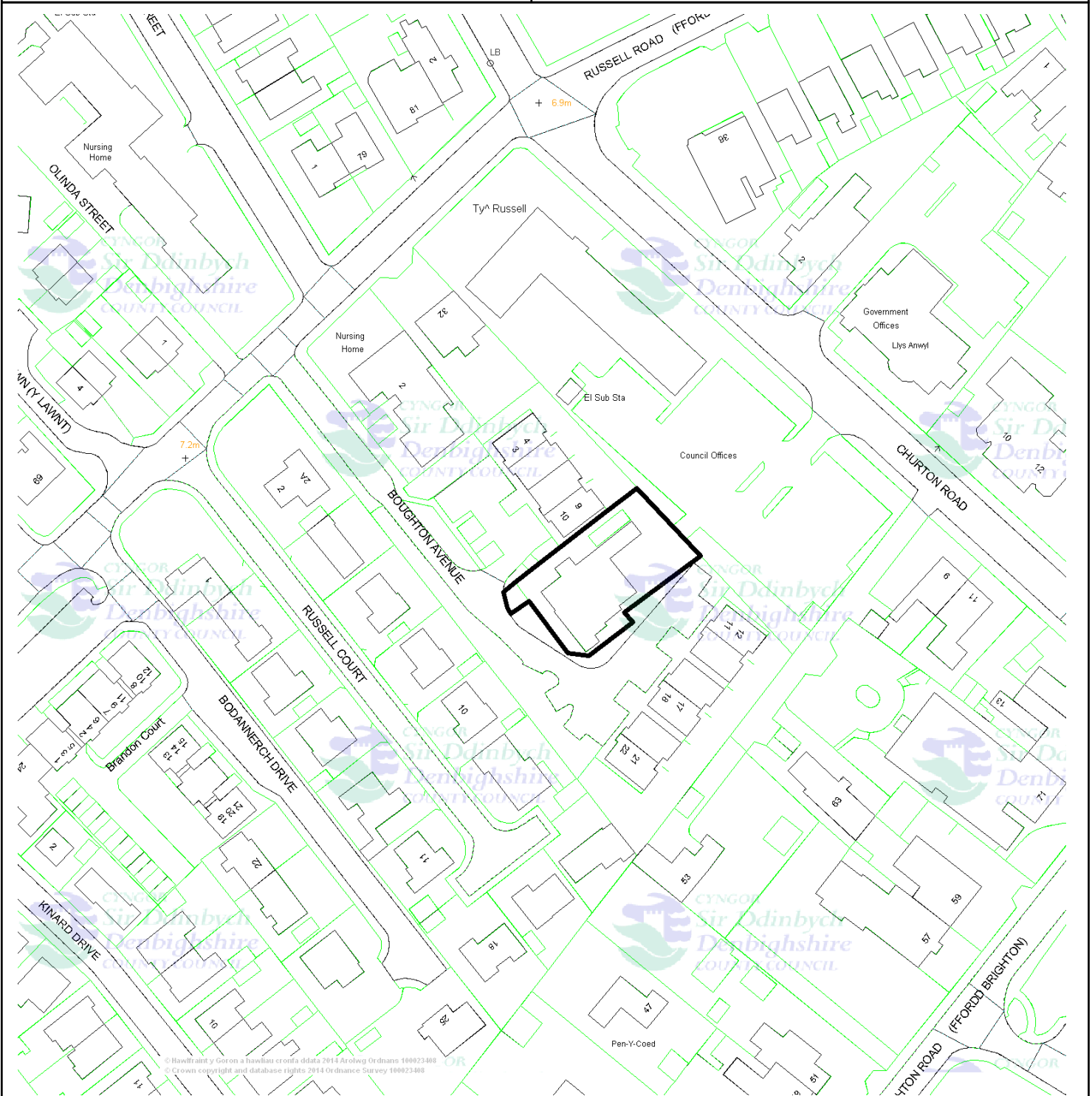
 Application Site



Date 26/8/2014
Centre = 301245 E 381730 N

Scale 1/1250

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

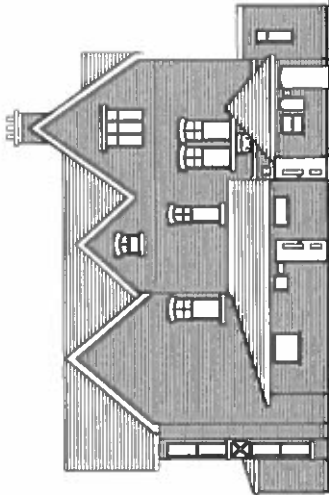


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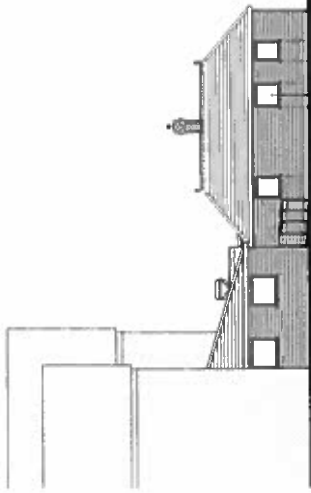
Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.

P02

Drawings are submitted for your information only. The Architect is not responsible for any construction details or building code compliance. The Architect is not responsible for any structural, electrical, mechanical, plumbing, or fire protection details. The Architect is not responsible for any site work or landscaping. The Architect is not responsible for any utility work. The Architect is not responsible for any other work not specifically mentioned in these drawings. The Architect is not responsible for any errors or omissions in these drawings. The Architect is not responsible for any delays or cancellations. The Architect is not responsible for any other matters not specifically mentioned in these drawings.



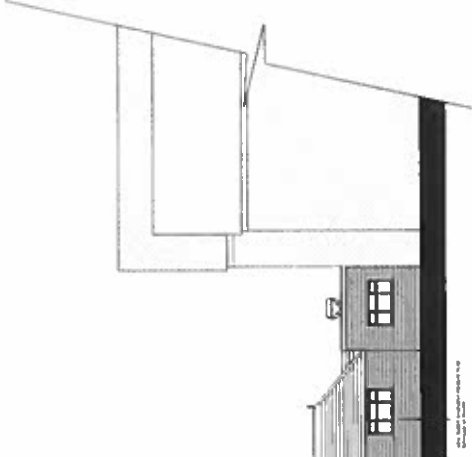
PROPOSED REAR ELEVATION
(Scale 1:100)



PROPOSED SIDE ELEVATION
(Scale 1:100)



PROPOSED SIDE ELEVATION
(Scale 1:100)



AS PROPOSED ELEVATIONS

FOR PLANNING PURPOSES ONLY

DATE	REVISION DESCRIPTION	BY	TF	CHK

P02

Drawings for
Project: Fremont Apartments
Client: J P ARCHITECTS
Project Title: Reconfiguration & Alteration
Scale: 1/8" = 1'-0"
Project No.: 11
Drawings Title: P02



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 San Francisco, CA 94133
 Tel: 415.774.2000
 Fax: 415.774.2001
 www.jparchitects.com

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P01 REV B

CONTRACT NO. P01 REV B

The owner warrants that the information contained in this application is true and correct to the best of their knowledge and belief. The architect shall be held responsible for the accuracy of the information submitted. The architect shall not be held responsible for any inaccuracies or omissions in the information submitted by the owner or any other party. The architect shall not be held responsible for any inaccuracies or omissions in the information submitted by the owner or any other party.

NOTES:

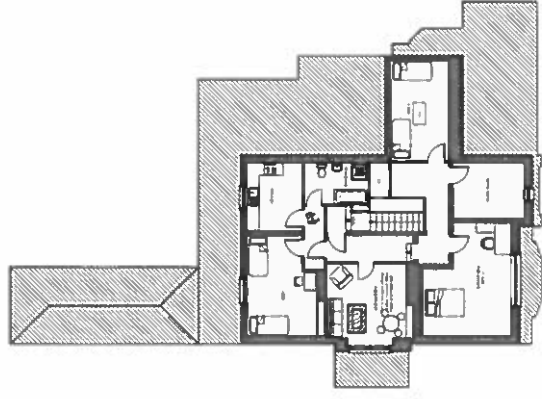
1. The architect shall be held responsible for the accuracy of the information submitted.

2. The architect shall not be held responsible for any inaccuracies or omissions in the information submitted by the owner or any other party.

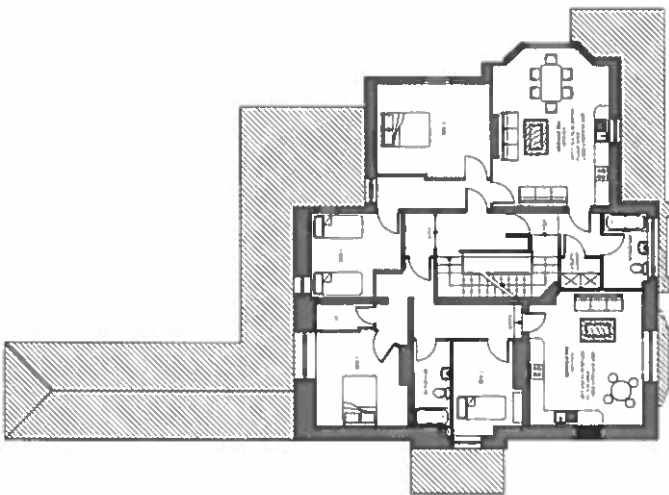
3. The architect shall not be held responsible for any inaccuracies or omissions in the information submitted by the owner or any other party.

4. The architect shall not be held responsible for any inaccuracies or omissions in the information submitted by the owner or any other party.

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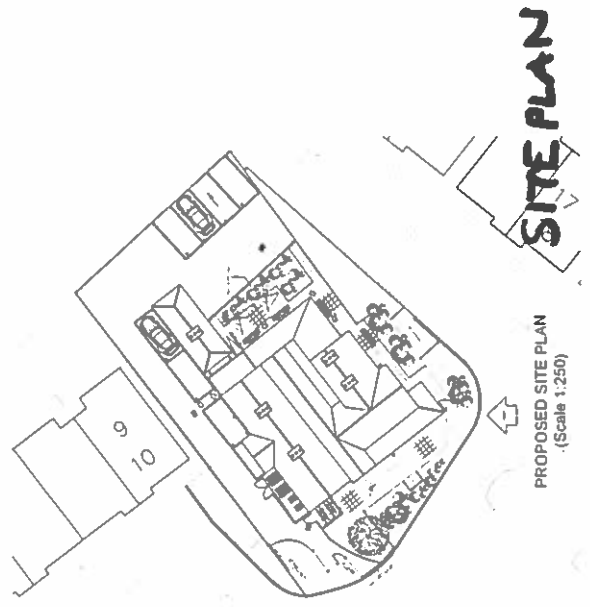
PROPOSED SECOND FLOOR PLAN (Scale 1:100)



PROPOSED FIRST FLOOR PLAN (Scale 1:100)



PROPOSED GROUND FLOOR PLAN (Scale 1:100)



PROPOSED SITE PLAN (Scale 1:250)

AS PROPOSED FLOOR PLANS

FOR PLANNING PURPOSES ONLY

NO.	DATE	DESCRIPTION
1	01/15/2011	PRELIMINARY
2	02/10/2011	REVISED
3	03/05/2011	REVISED
4	04/01/2011	REVISED
5	05/01/2011	REVISED
6	06/01/2011	REVISED
7	07/01/2011	REVISED
8	08/01/2011	REVISED
9	09/01/2011	REVISED
10	10/01/2011	REVISED
11	11/01/2011	REVISED
12	12/01/2011	REVISED

P01 REV B

Project: Freshfield Apartments

Architect: J.P. ARCHITECTS

Scale: 1/8" = 1'-0"

Date: 01/15/2011

Sheet: 1 of 1

Project Location: [Address]

Project Description: [Description]

Project No.: [Number]

Sheet No.: [Number]

Client: [Name]

Contract No.: [Number]

Project Manager: [Name]

Architect: [Name]

Architect License No.: [Number]

Architect Registration State: [State]

Architect Registration No.: [Number]

Architect Registration State: [State]

Architect Registration No.: [Number]

ITEM NO: 7

WARD NO: Rhyl East

WARD MEMBER(S): Cllr Barry Mellor
Cllr David Simmons

APPLICATION NO: 45/2014/0746/ PF

PROPOSAL: Change of use of offices to form 6 no. residential apartments

LOCATION: Fronfraith 1 Boughton Avenue Rhyl

APPLICANT: Mr Abdul Ahmed Habitat Creations

CONSTRAINTS: 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 – 4 or more objections received

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL
"No objection"

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

Notes a shortfall in relation to current parking standards, but has no objection due to proximity of public car parks and the availability of public transport. Recommend cycle storage is required.

Housing Officer
High demand for housing in the locality

RESPONSE TO PUBLICITY:

In objection

Representations received from:

K F Cooper, 15 Boughton Avenue, Rhyl
D. Casement, 6 Russell Court, Rhyl
S. Jones, 2 Russell Court, Rhyl
Mr & Mrs Myers, 12 Russell Court, Rhyl
Vanessa W. Byrne, Trem y Ser, 19 Bryn Colwyn, Colwyn Bay
R & J Williams, 8 Russell Court, Rhyl
W. Jones, 11 Boughton Avenue, Rhyl
Mrs R W Benson, 10 Russell Court, Rhyl
Mr & Mrs H Clarke, 16 Boughton Avenue Rhyl
K F Cooper, 15 Boughton Avenue, Rhyl

Summary of planning based representations in objection:

Highways impact - lack of parking provision leading to indiscriminate on road parking

Residential amenity - increased activity leading to increased disturbance from noise and passing traffic

EXPIRY DATE OF APPLICATION: 14/08/2014

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 This application, and the one following on the agenda involve separate proposals to change the use of the former council offices at Fronfraith.
- 1.1.2 This application is for the conversion of the existing B2 office building to form 6no. self contained flats. The following report deals with the proposal to use the property as a C2 residential institution.
- 1.1.3 It is proposed to create 2no. 3 bedroom units, 3no. 2 bedroom units and 1no. 1 bedroom unit. The 3 bed units would provide 118 m² and 84 m² of internal floorspace. The 2no. bed units would provide 72 m² and 69 m² of internal floorspace. The 1 bed unit would provide 58 m² of internal floorspace.
- 1.1.4 Minor external alterations are proposed to the property which include the addition of 3no. ground floor windows to the rear elevation.

1.2 Description of site and surroundings

- 1.2.1 The existing property is located on a residential cul-de-sac. The site adjoins the car park of Denbighshire County Council offices at Russell House.
- 1.2.2 The site would be accessed from Broughton Avenue via an existing access which is a cul-de-sac.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhyl.
- 1.3.2 There are a number of trees in the locality that are subject to Tree Preservation Orders.

1.4 Relevant planning history

- 1.4.1 The property was formerly in use as a residential care home. Permission was granted for the change of use of the property from a C2 residential institution to B1 offices in 2001.

1.5 Developments/changes since the original submission

- 1.5.1 Internal arrangements have been changed to ensure all units meet adopted space standards.

1.6 Other relevant background information

- 1.6.1 None

2. DETAILS OF PLANNING HISTORY:

- 2.1 Change of use from C2 residential institution to B1 offices GRANTED 29/03/2001.

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 BSC7 – Houses in multiple occupation and self contained flats

Policy BSC11 – Recreation and open space

Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance SPG7 – Residential Space Standards

3.2 Government Policy / Guidance Planning Policy Wales Edition 7 July 2014

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, 2014 (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 In relation to the main planning considerations:

- 4.2.1 Principle

The site is located within the development boundary of Rhyl 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 PSE 1 relates specifically to the North Wales Coast Strategic Regeneration Area. The policy seeks to compliment the various regeneration initiatives in the area, and in relation to housing development advises that in this area the Council will support proposals which provide new family accommodation. 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 subject to compliance with detailed criteria.

The proposals are for the creation of self contained flats and are therefore considered acceptable in principle. The specific impacts are addressed in the following sections.

- 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.

It is considered that the proposed alterations would have a minimal visual impact in relation to the building itself and the locality. It is therefore considered that the proposals would comply with the requirements of the policies listed above, and would have an acceptable impact on visual amenity.

4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc. SPG 7 states that the minimum floor space required for 3 bed units should be 80 m², 2 bed units it should be 65m² and for 1 bed units it should be 50m². SPG 7 also states that a minimum of 50 m² of external amenity space should be provided for flats with an additional 10 m² for each additional unit.

Policy BSC 7 states that proposals for conversion to self contained flats will be acceptable provided that 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 the proposal conforms to the Council's approved space and amenity standards. The reasoned justification in relation to this policy states that self-contained flats can help to address the needs of those wanting to purchase or rent small units of accommodation, as well as providing a relatively affordable housing option for those wishing to purchase their first property. Whilst the creation of such flats helps to meet housing need, in some instances their provision can be detrimental to the amenity of existing residential areas. In addition, areas with high levels of flats are often associated with low levels of owner occupation, which in some instances can lead to lower standards of maintenance and associated environmental degradation issues. It is therefore important that the development of such dwellings is strictly controlled.

The proposed development would comply with the space standards as set out in SPG 7. The 3 bed units would provide 118 m² and 84 m² of internal floorspace. The 2no. bed units would provide 72 m² and 69 m² of internal floorspace. The 1 bed unit would provide 58 m² of internal floorspace.

As the development meets the required standards set out in SPG 7 it is considered that the proposed development would provide an acceptable level of amenity for proposed occupiers. Having regard to the policy considerations outlined above and to the character of uses in the locality and the nature of the existing use, it is not considered that the proposed development would have an unacceptable impact on the amenity standards of local residents, by way of unreasonable noise and disturbance. In respecting the concerns expressed, the property has been used previously as a residential home and offices, with associated levels of activity.

4.2.4 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 6no. new residential units.

Realistically, provision on site of open space would not be possible and it is therefore considered that a commuted sum payment in lieu would be an acceptable option. 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.

4.2.5 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development. SPG 21 sets a maximum requirement for parking to be 3 car spaces for 3 bed units, 2 car spaces per 2 bed units and 1.5 spaces per 1 bed unit. 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.

The Highways Officer advises that the proposals do not meet the maximum standards but raises no objection due to the proximity to car parks where annual passes can be purchased, and the accessibility of public transport. The Highways Officers also advise that cycle storage should be provided.

Having regard to the location of the proposed development it is not considered that there is justification for maximum parking standards to be imposed. It is therefore considered that the proposals would not have an unacceptable impact in relation to parking provision. It is also considered that the proposed development would not have an unacceptable impact on the local highway network having regard to the access arrangements and the capacity of the local highway network. It is considered that cycle storage can be secured by condition.

4.2.6 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 6no. residential units, which would generate the need for an affordable housing contribution in accordance with Policy BSC 4.

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.

Other Matters

Various consultation responses have made reference to restricting the occupancy of flats to residents over the age of 55. Officers advice is that there is no justifiable/material planning reason to impose such a restriction in relation to the use of this property.

5. SUMMARY AND CONCLUSIONS:

The proposed units of accommodation meet adopted space standards and although maximum parking standards are not met it is considered that this is acceptable having regard to the location. The proposals are 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 CONDITION**
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 proceed in accordance with the approved arrangements
3. 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 proceed in accordance with the approved arrangements
4. Prior to the commencement of the use hereby permitted, details of proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The storage details approved shall be completed prior to the commencement of the use and retained 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. In the interest of compliance with adopted open space policies.
3. In the interest of compliance with adopted affordable housing policies
4. In the interest of the provision of adequate cycle storage in accordance with adopted standards.