

Heading:

REFERENCE NO. 01/2013/1599/PF & 01/2013/1601/LB
27-29 HIGH STREET
DENBIGH

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

Tel: 01824 706800 Fax: 01824 706709

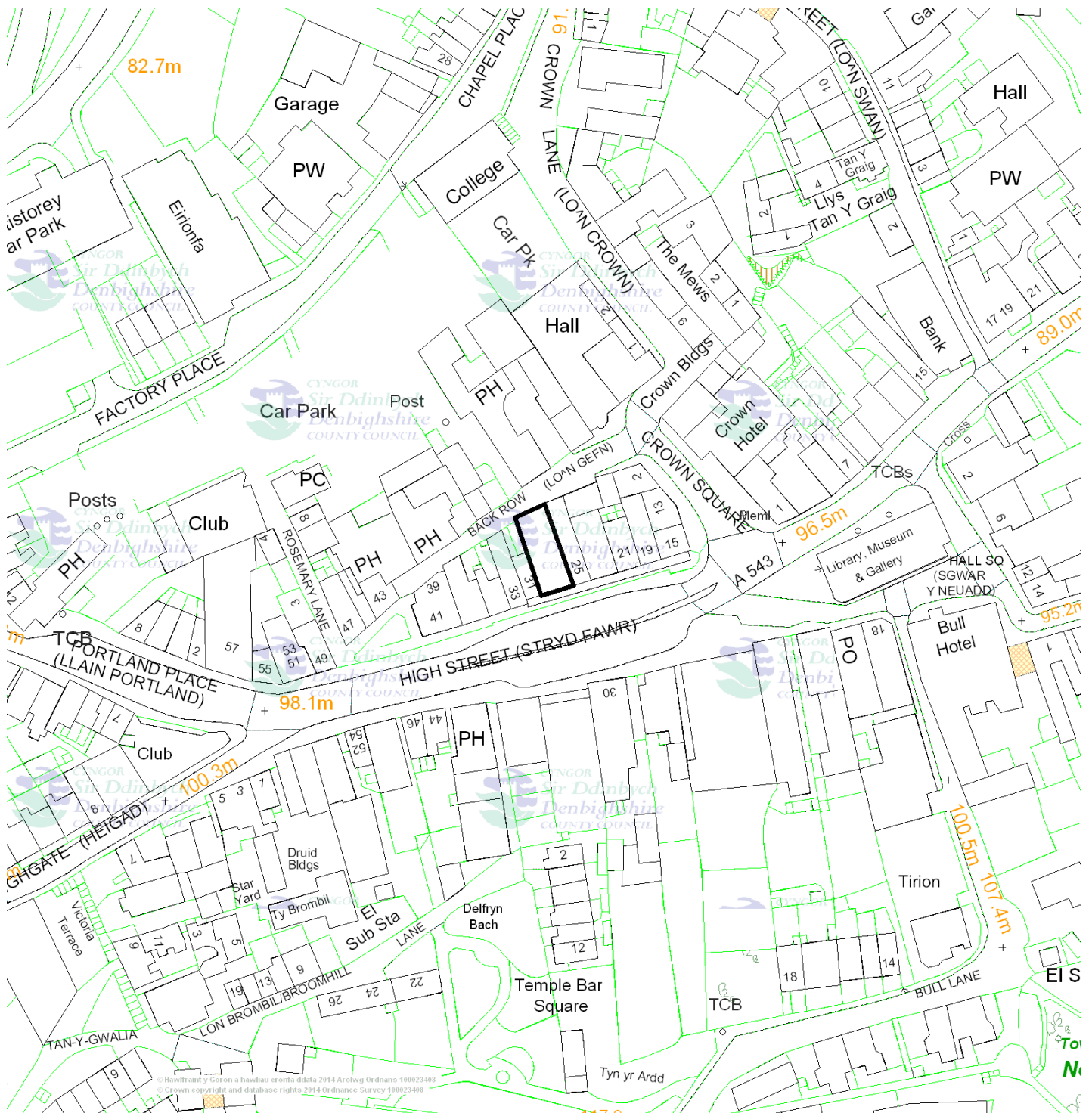
 Application Site



Date 5/1/2015
Centre = 305220 E 366109 N

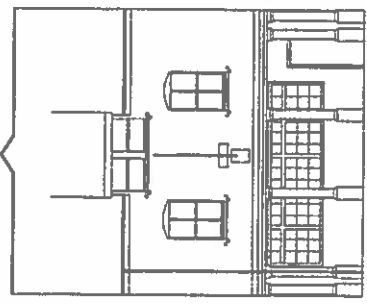
Scale 1/1250

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.

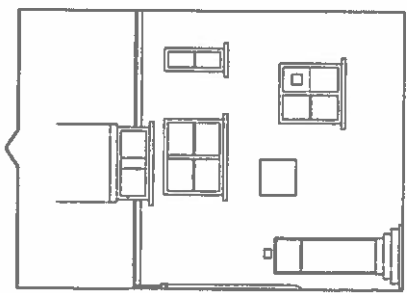


EXISTING FLOOR & ELEVATION PLANS

FRONT AND REAR ELEVATIONS AS EXISTING AND AS PROPOSED (NO CHANGES INVOLVED)

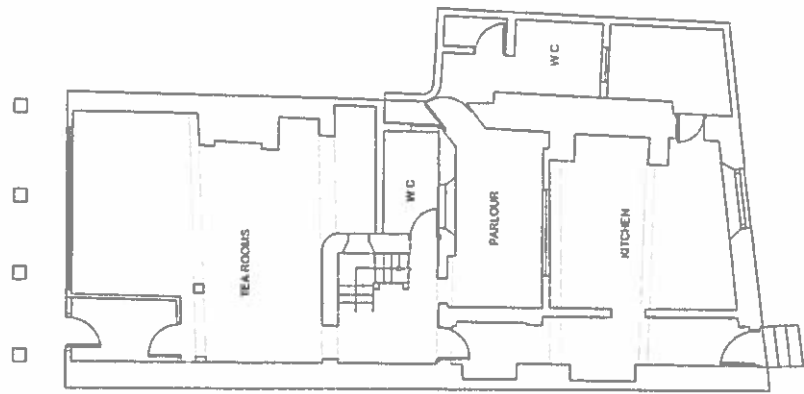


FRONT ELEVATION

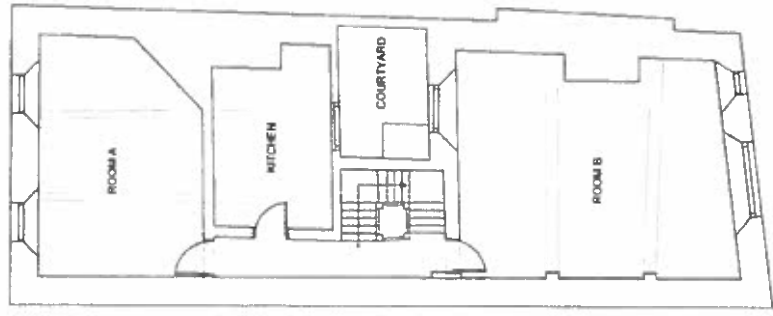


REAR ELEVATION

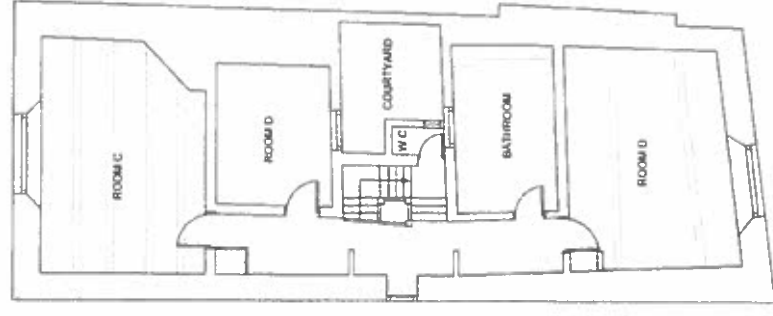
FLOOR PLANS AS EXISTING



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Project DENBIGH HIGH STREET

Drawing SURVEY DRAWINGS

Job Number 411	Drawing Number 01	Revision
Scale 1:100@A2	Date 03/12/2013	Drawn FH

Note: Do not scale from this drawing. All dimensions to be checked and verified on site. Report any discrepancies to the Architect. This drawing is the copyright of Garry Litherwood Associates Limited and may not be reproduced without the written consent of Garry Litherwood Associates Limited. © 2013 Garry Litherwood Associates Limited.

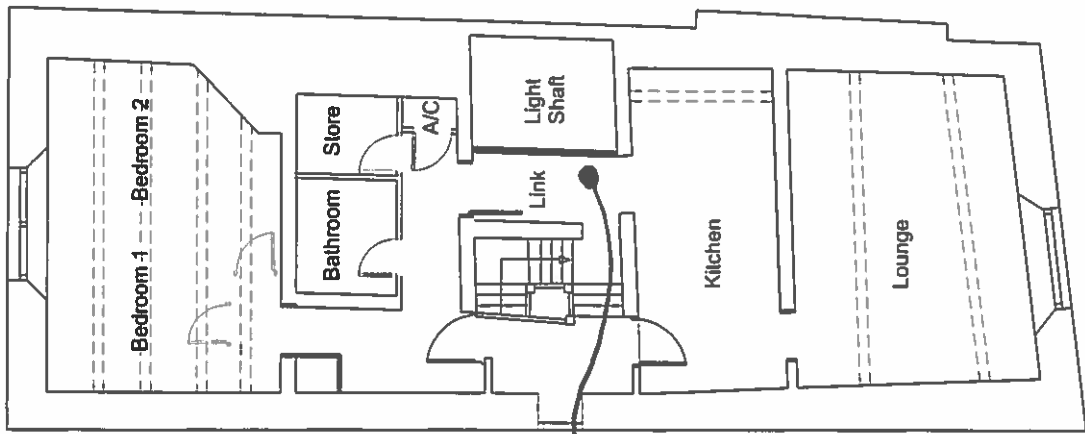
Garry Litherwood Associates Limited
 The Old Barn
 50 Westgate Road
 Wallasey CH45 8LG
 T: 0151 013 3151
 F: 0151 013 3152

PROPOSED FLOOR PLANS

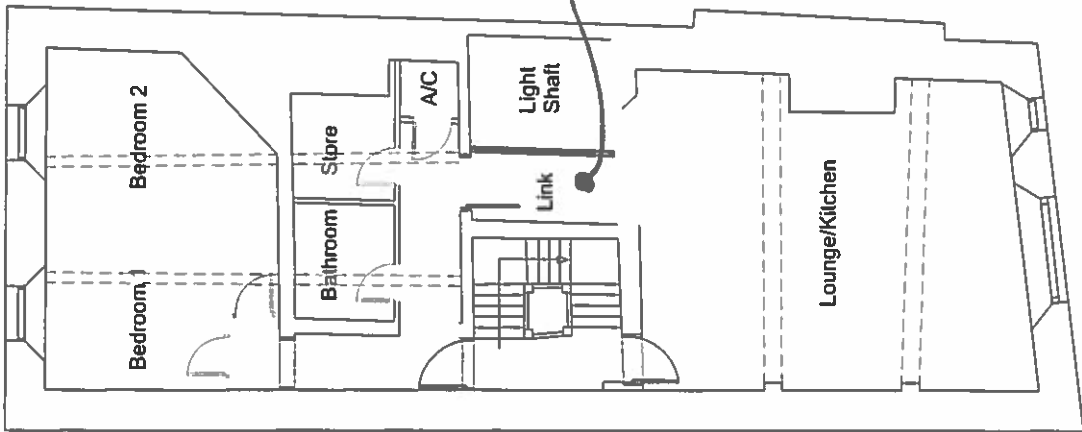
Job Reference: 411	Issue Date: 01/08/2014	Scale: 1:100 @ A3
Client: MHC LIMITED	Project Name: Planning	Drawn By: FH
Project: FLOOR PLANS FOR PLANNING	Drawn Date: 006	Issue Date: 01/08/2014
Project: THE FORUM, HIGH STREET, DENBIGH	Client: MHC LIMITED	Scale: 1:100 @ A3

Do not scale from this drawing. All dimensions to be checked and verified on site. Report any discrepancies to the Architect. This drawing is the copyright of Gary Unwinwood Associates (Ltd) and may not be used without the written permission of Gary Unwinwood Associates (Ltd).

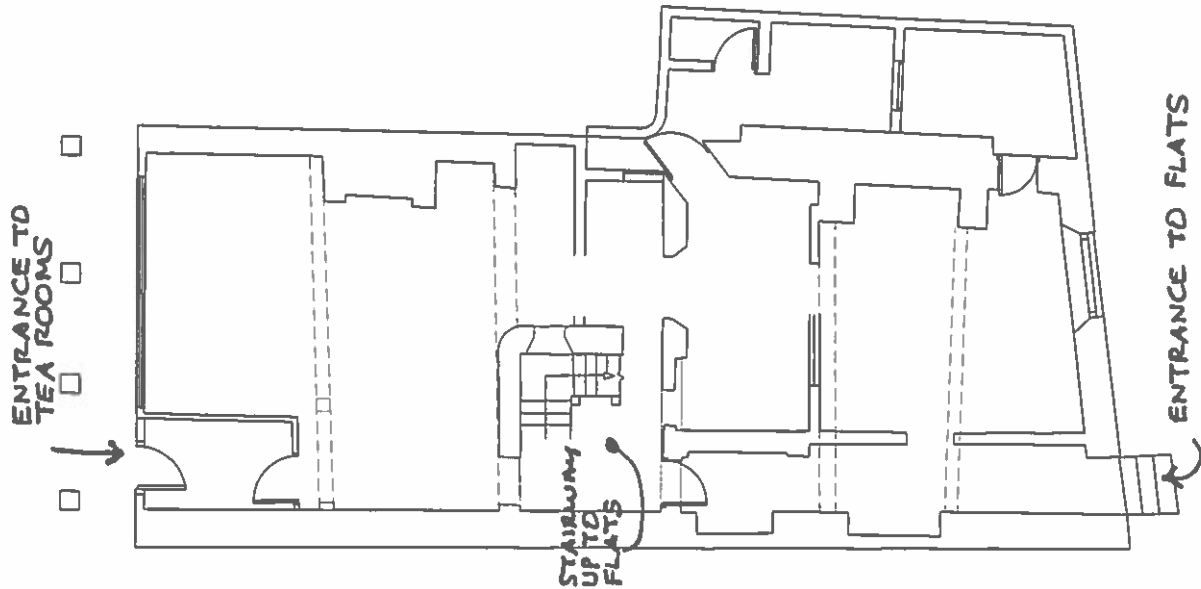
© 2014 Gary Unwinwood Associates (Ltd)



SECOND FLOOR



FIRST FLOOR



GROUND FLOOR

NEW LINK CORRIDOR AT 1st & 2nd FLOOR

WARD NO: Denbigh Central

WARD MEMBER(S): Cllr Gwyneth Kensler

APPLICATION NO: 01/2013/1599/ PF

PROPOSAL: Conversion of first and second floors to form 2 no. self-contained flats

LOCATION: The Forum 27-29 High Street Denbigh

APPLICANT: Mr John Felton, The Old Palace (Chester) Ltd.

CONSTRAINTS: Article 4 Direction
Listed Building

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

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Reported back to planning committee following request for deferral and site panel. Application was originally reported to Committee due to a Town Council objection and a recommendation to grant. The Town Council have subsequently removed the objection.

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL

“Denbigh Town Council at its meeting last night further discussed the planning application for The Forum, 27-29 High Street. I am instructed to inform you that the town council does not wish to object to the application. However, whilst not objecting, the council would wish to raise concern as to the lack of a fire escape from the proposed accommodation on the first and second floors of the premises.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure
Highways Officer
No objection

Conservation Architect

No objection following submission of amended scheme and submission of additional justification of alterations.

RESPONSE TO PUBLICITY: None

EXPIRY DATE OF APPLICATION: 04/03/2014

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- Deferral at previous Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Consideration of the application and the accompanying listed building consent application were deferred at the December 2014 meeting of the Committee to seek

clarification of the detailing of the proposals, including the means of access to the proposed flats, and to allow for a site inspection panel to visit the site. The notes of the site panel visit are included on the late information sheets.

- 1.1.2 The proposal is for the conversion of the upper floors of an existing property to form 2 self-contained flats.
- 1.1.3 A 4m x 2.5m infill two storey extension is proposed to provide a link corridor for both flats.
- 1.1.4 Both units would be 2 bedroom flats. Both flats would have approximately 95m² of internal floorspace.
- 1.1.5 Various internal alterations are proposed to facilitate the conversions including blocking up of existing openings, forming new door openings and hanging new doors within existing openings.
- 1.1.6 Access to the flats would be from Back Row via a rear entrance.

1.2 Description of site and surroundings

- 1.2.1 The application property is a three storey building located on the High Street of Denbigh. The ground floor has most recently been used as a tearoom and is currently vacant.
- 1.2.2 The second floor of the flat has previously been used as a residential flat.

1.3 Relevant planning constraints/considerations

- 1.3.1 The application property is a grade II listed building.
- 1.3.2 The site is located within the town centre and development boundary of Denbigh as defined in the Local Development Plan.
- 1.3.3 The site is within the Denbigh Conservation Area.

1.4 Relevant planning history

- 1.4.1 None.

1.5 Developments/changes since the original submission

- 1.5.1 The scheme has been altered from 4no. self contained flats to 2no. self contained flats.
- 1.5.2 The link corridor was added to the proposals to facilitate the change from 4 units to 2 units.
- 1.5.3 Additional justification for physical alterations have been submitted following discussions with the conservation officer.
- 1.5.4 In relation to the detailing of the proposed plans Officers would advise that the level of detail provided is considered to be acceptable by the Conservation Officer following the submission of amended plans and additional historical information and justification.
- 1.5.5 An assessment of compliance with Building Regulations has been submitted as part of the supporting information. In relation to members concern relating to the means of escape the submitted supporting information advises that satisfactory means of escape can be achieved through the use of existing access to the rear and blocking up of existing door openings to the ground floor commercial premises.

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 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 PSE8 – Development within town centres

Policy VOE1 – 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 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, July 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

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 the assessment of detailed criteria.

The Town Council originally raised concerns over the impact of the proposals on the viability of the commercial use of the ground floor.

The concerns of the Town Council are duly noted, however it is not considered that the potential impact on the commercial use of the ground floor would be a sufficient reason to resist the proposals. The proposals are therefore not considered to be unacceptable in principle.

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. 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.

Having regard to the above and the detailing of the scheme, 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.

4.2.3 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 65m² will be the minimum required floor space for 2 bed residential units.

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.

In terms of the size of the units, both of the proposed flats exceed the internal floor space standards set out in SPG 7.

In Officers opinion there are no issues of impact on the amenity of any nearby residential areas, and there are a relatively small number of flats in the town centre so the proposals would not add to any problems of low owner occupation. It is suggested that proposals are acceptable in relation to Policy BSC 7.

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 is would lead to the net gain of 1 residential unit.

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 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.

The Highways Officer has raised no objection.

As the site is in a town centre location with good access to public transport and access to on street parking and car parks, it is considered acceptable without on site parking spaces.

4.2.6 Other Matters

The detailed impact of the proposals on the character and appearance of the listed building are subject of a separate application for listed building consent (01/2013/1601/LB).

5. SUMMARY AND CONCLUSIONS:

It is considered that the proposals would be acceptable in relation to the relevant policy tests and are therefore recommended for grant.

RECCOMENDATION: GRANT - subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. None of the flats hereby approved shall be occupied until the written approval of the Local Planning Authority has been obtained to the arrangements for compliance with the Council's policies and Supplementary Planning Guidance in relation to the provision of Open Space - in the interest of compliance with adopted open space policies

NOTES TO APPLICANT:

None