

Heading:

REFERENCE NO. 01/2014/0063/PF

3A, 3, 5 LENTEN POOL

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

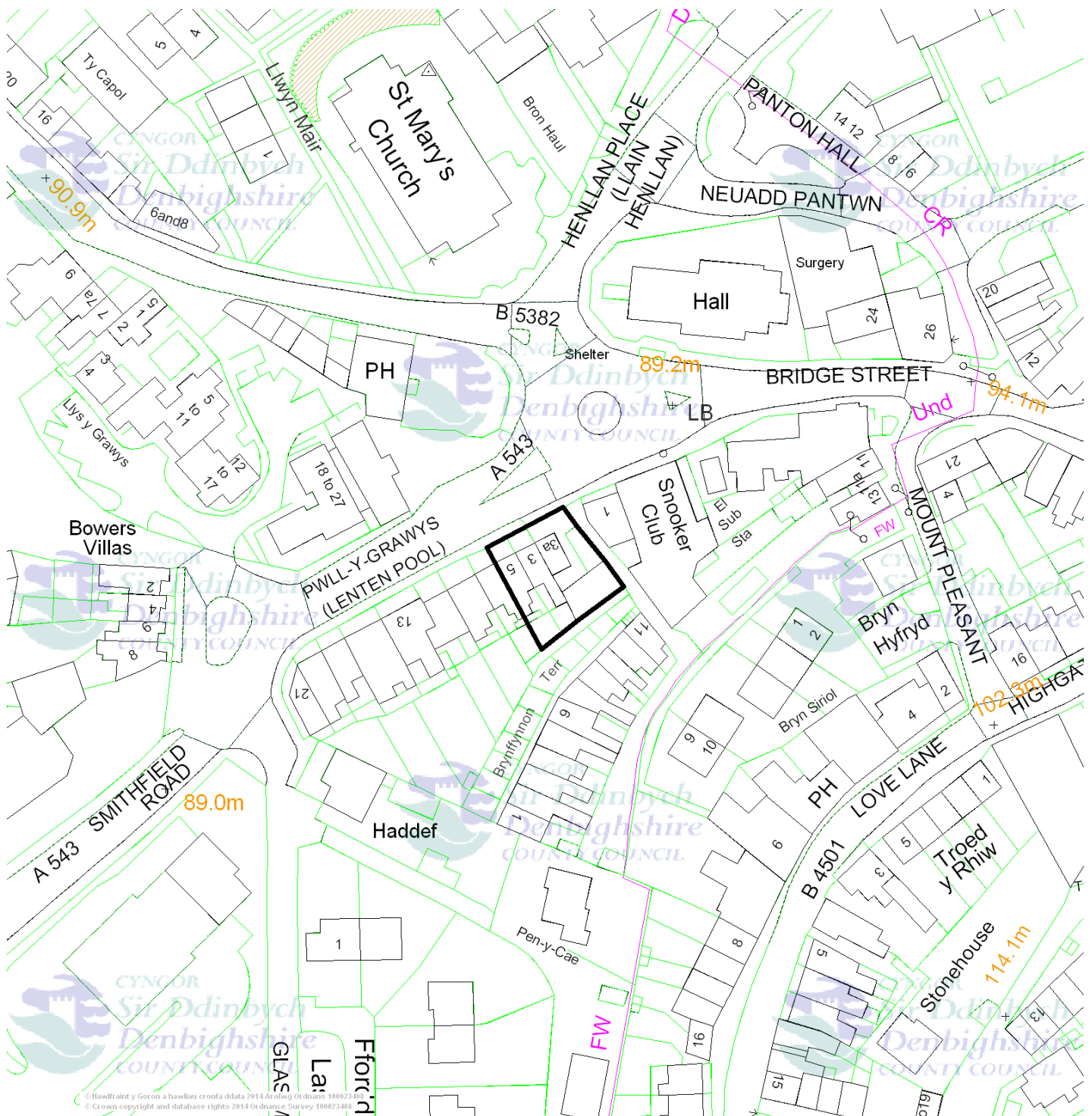


Date 30/3/2015

Scale 1/1064

Centre = 305013 E 366063 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.



PROPOSED GROUND FLOOR PLAN



By Room Name Legend

- Bathroom
- Bedroom
- Kitchen
- Lobby
- Lounge
- Lounge/Kitchen

Revision Details:

Notes:
 1. This drawing is for information only. It is not to be used for construction without the approval of the architect.
 2. The architect is not responsible for any errors or omissions in this drawing.
 3. The architect is not responsible for any errors or omissions in this drawing.
 4. The architect is not responsible for any errors or omissions in this drawing.
 5. The architect is not responsible for any errors or omissions in this drawing.

Drawing: **GROUND FLOOR AREAS**
 Project: **MORTIMER HOUSE**
 Client: **MHC**

Job Reference:	405	Revision:	
Drawing Reference:	D100	Drawn By:	GU
Date:	10/03/14	Project Status:	DESIGN
Scale:	1 : 50		

PROPOSED FIRST FLOOR PLAN



By Room Name Legend

- Bathroom
- Bedroom
- Lobby
- Lounge/Kitchen
- Staff Bathroom
- Staff Office

Notes:
 1. This drawing is for information only. It is not to be used for construction without the approval of the architect.
 2. The architect is not responsible for the accuracy of the information provided in this drawing.
 3. The architect is not responsible for the accuracy of the information provided in this drawing.
 4. The architect is not responsible for the accuracy of the information provided in this drawing.
 5. The architect is not responsible for the accuracy of the information provided in this drawing.
 6. The architect is not responsible for the accuracy of the information provided in this drawing.
 7. The architect is not responsible for the accuracy of the information provided in this drawing.
 8. The architect is not responsible for the accuracy of the information provided in this drawing.
 9. The architect is not responsible for the accuracy of the information provided in this drawing.
 10. The architect is not responsible for the accuracy of the information provided in this drawing.
 © 2014 Gary Underwood Associates Limited

Revision Details:

Drawing: **FIRST FLOOR AREAS**
 Project: **MORTIMER HOUSE**
 Client: **MHC**

Job Reference:	405	Drawing Reference:	D101	Revision:	
Scale:	1 : 50	Date:	10/03/14	Drawn By:	GU
				Project Status:	DESIGN

WARD NO: Denbigh Upper / Henllan

WARD MEMBER(S): Cllr Colin Hughes
Cllr Geraint Lloyd-Williams

APPLICATION NO: 01/2014/0063/PF

PROPOSAL: Conversion and alterations to existing dwellings and commercial unit to a Class C2 Residential Care Home

LOCATION: 3A, 3, 5 Lenten Pool Denbigh

APPLICANT: Mr John Felt on behalf of MHC Limited

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:

DENBIGH TOWN COUNCIL

'When the original application came before the town council on the 10th February 2014 a decision was made that the town council wished to object to the proposed conversion and alterations to these properties. The objection being based on the grounds of over intensification of this type of development in the Lenten Pool area of Denbigh

The town council, having considered the amended plans, would wish to reiterate its objection to the proposed conversion and alterations to these properties on the same grounds as outlined in February 2014.'

DWR CYMRU / WELSH WATER

No objection. Suggest installation of grease trap be required by condition.

CARE AND SOCIAL SERVICES INSPECTORATE WALES

'In principle CSSIW consider that the design and layout indicated in these plans, involving as it does flats providing individual accommodation, provides personal space far in excess of that expected by the relevant Standards for existing homes (13.4 sq m). As a result we would not see the size of the two bedrooms referred to above as a barrier to registration.

I note that there is some query as to whether CSSIW finds 'the scheme as submitted acceptable'. I have already indicated 'I can confirm that in principle the design and layout of the premises as individual flats (as described in our meeting) would not prevent registration as a care home.' I can confirm that this is a reference to the overall proposal to accommodate up to 7 people in individual flats (based on the plans seen on 11 November 2014) as a care home with a registered manager and care staff.'

RESPONSE TO PUBLICITY: None

EXPIRY DATE OF APPLICATION: 23/03/2014

REASONS FOR DELAY IN DECISION:

- additional information required from applicant

- protracted negotiations resulting in amended plans
- re-consultations necessary on amended plans

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the change of use of a commercial property (hardware store) and 2 residential properties into a single residential care home (use class C2).
- 1.1.2 The supporting documents indicate the proposals would provide accommodation in 7 apartments and for a resident member of staff.
- 1.1.3 Some relatively minor external alterations are also proposed including a new staircase to the rear, an extended area of railings and alterations to existing openings.

1.2 Description of site and surroundings

- 1.2.1 The properties lie within the town of Denbigh. The site lies under 100m from the designated town centre.
- 1.2.2 The properties form part of a terrace. The remainder of the terrace is in residential use. The neighbouring property immediately to the east has a permitted use to operate as a restaurant.
- 1.2.3 Within Lintern Pool there is currently one other property which falls within the C2 use class.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the development boundary of Denbigh and 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 number of bedrooms has been reduced from 9 to 7.

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 BSC3 – Securing infrastructure contributions from Development

Policy BSC11 – Recreation and open space

Policy BSC12 – Community facilities

Policy ASA3 – Parking standards

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, 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 Highways (including access and parking)

4.2 In relation to the main planning considerations:

- 4.2.1 Principle
Policy RD 1 - Sustainable development and good standard design steers development towards sites within development boundaries.

The site lies within the development boundary as defined by the Local Development Plan. The existing properties are not protected by any specific planning policy designations.

Having regard to the above it is considered that the proposals are acceptable in principle.

The Town Council's concerns in relation to the over concentration of similar uses in the locality are duly noted. However it is evident from planning records that there is only 1 C2 use already within Lintern Pool and it is not considered that there are planning policy grounds that place a restriction on the concentration of Class C2 Residential Institutions. Therefore it is respectfully suggested that overconcentration would not be a sound reason to resist the application.

- 4.2.2 Visual amenity
PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings. 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 design, siting, scale, massing and materials of the proposed alterations associated with the change of use, it is considered that the proposals would have an acceptable impact on the site and surroundings and therefore comply with the requirements of the policies listed above. It is suggested there would be no unacceptable impact on visual amenity.

- 4.2.3 Residential amenity
Policy RD 1 sets specific tests to be applied to amenity impacts of development. Proposals for development should comply with these tests. Planning Policy Wales

3.1.4 refers to 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 as potentially material considerations. The impact of a development on residential amenity is therefore considered to be a relevant test on planning applications.

Having regard to the scale, location and design of the proposed use in relation to the existing site and neighbouring properties, it is considered that the proposals would have an acceptable impact on residential amenity. The proposals therefore comply with the policies and guidance listed above.

4.2.4 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.

Having regard to the existing uses, proximity to the town centre and the availability of on street parking in relation to the proposed use it is not considered that the proposals would be unacceptable in relation to parking provision. It is therefore considered that proposals would not have an unacceptable impact on the local highway network.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposal is considered to be in accord with planning policies and is 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.

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.