

Draft Site Development Brief

Rhuddlan Triangle

Main Document



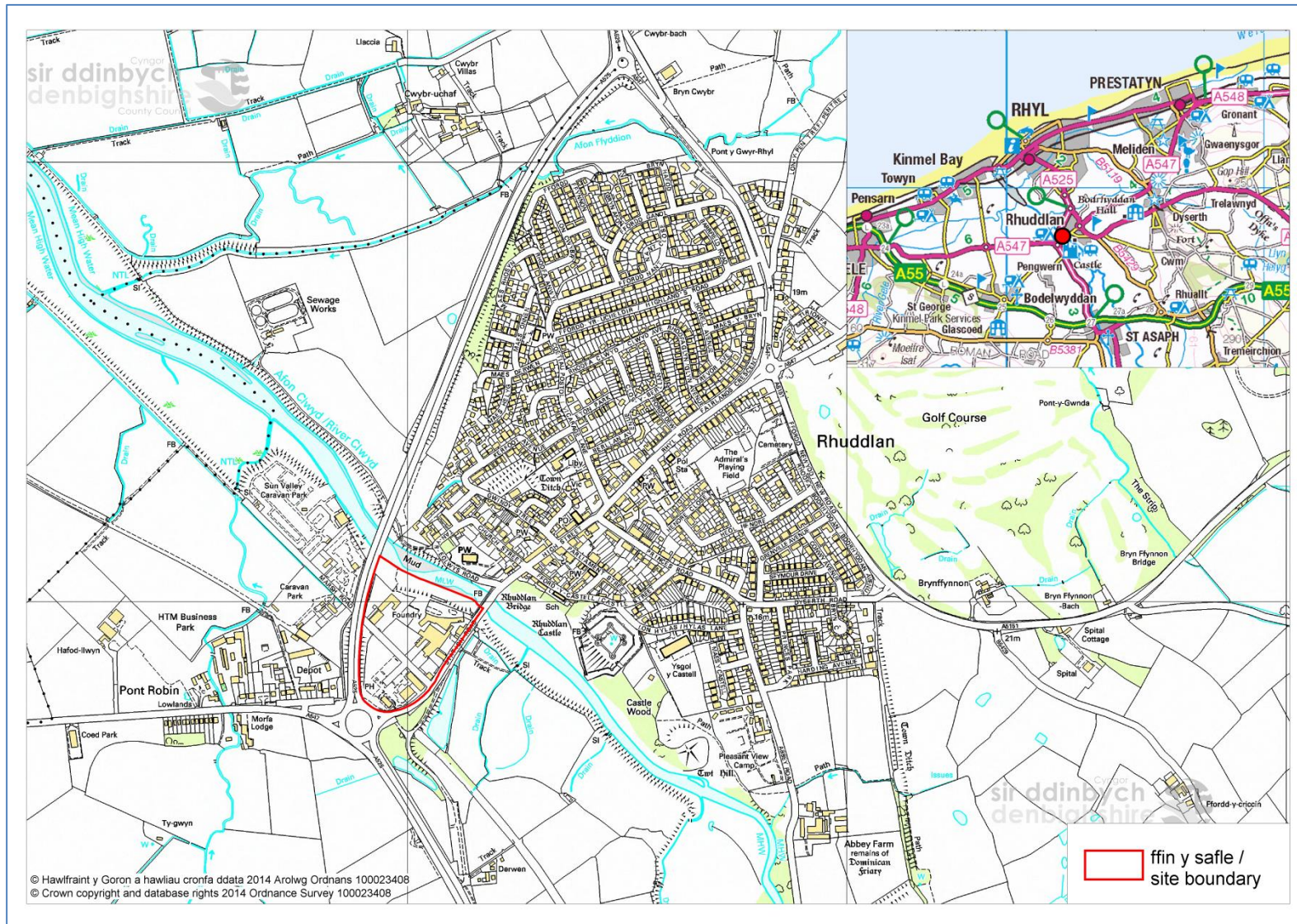
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Strategic Planning and Housing
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Cover Photo: 'Rhuddlan Triangle' (Aerial View, 2009)

Figure 1: Location of 'Rhuddlan Triangle'



1. Introduction

- 1.1 This site development brief is one of a series of Supplementary Planning Guidance notes amplifying Denbighshire Local Development Plan 2006 – 2021 (LDP) policies or principles of development for individual site allocations in a format which aims to guide the process, design and quality of new development. These notes are intended to offer detailed guidance to assist members of the public, Members of the Council, potential developers and Officers in discussions prior to the submission of and, consequently, in determination of future planning applications.

2. Document Status and Stages in Preparation

- 2.1 ~~This site development brief was formally approved for public consultation by Denbighshire County Council's Planning Committee on 12th November 2014. This SPG was formally adopted by Denbighshire County Council's Planning Committee on 15th April 2015.~~

- 2.2 The Council's Supplementary Planning Guidance notes (SPGs) are not part of the adopted local development plan. The Welsh Government (WG) has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPGs can be treated as a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals.

- 2.3 This document has been prepared in accordance with planning policy contained in Planning Policy Wales (Edition 7), guidance documents provided by Welsh Government and advice received from Natural Resources Wales (NRW) on flood risk matters.

3. Site Location and Description

- 3.1 Rhuddlan is a small town located at a strategic crossing point over the river

Clwyd which provides access to the main coastal strip including the seaside towns of Prestatyn and Rhyl. It is located about 4km to the north of the A55 trunk road, a principle transport corridor in North Wales, and is linked by a dual carriageway section of the A525. (see Figure 1) There are approximately 4,400 people living in Rhuddlan. The town has been identified as a lower growth town in the Denbighshire Local Development Plan 2006 – 2021 (LDP) settlement hierarchy in relation to proposed additional housing over the lifetime of the Plan.

3.2 The southern edge of the town, which is in an elevated position above the river Clwyd and overlooking the site in question, is defined by St. Mary's Church (Listed Building: Grade II*), Rhuddlan Bridge (Listed Building: Grade II*, Scheduled Ancient Monument) and the Castle (Listed Building: Grade I, Scheduled Ancient Monument); all of which are located within the Conservation Area. There is an area of mixed residential, commercial and industrial development to the west of town along Abergele Road (A547).

3.3 Photo 1 View over the site towards St Mary's Church (left), Rhuddlan Bridge (centre) and the Castle (right)



3.4 The term 'Rhuddlan Triangle' refers to about 4.5ha of land that is located south-west of the river Clwyd, between the historic town centre of Rhuddlan

and the roundabout junction of A525 and A547. It is bounded by the river Clwyd to the north-east, by Station Road (A547) linking the roundabout junction with the town centre in the east, and by the A525 dual carriageway leading from the roundabout junction into Rhyl (known as Rhuddlan Bypass) to the west.

- 3.5 Photo 2 View from St Mary's Church over the river Clwyd and the site towards the A525 and A547 roundabout junction with Rhuddlan Bypass rising to the right.



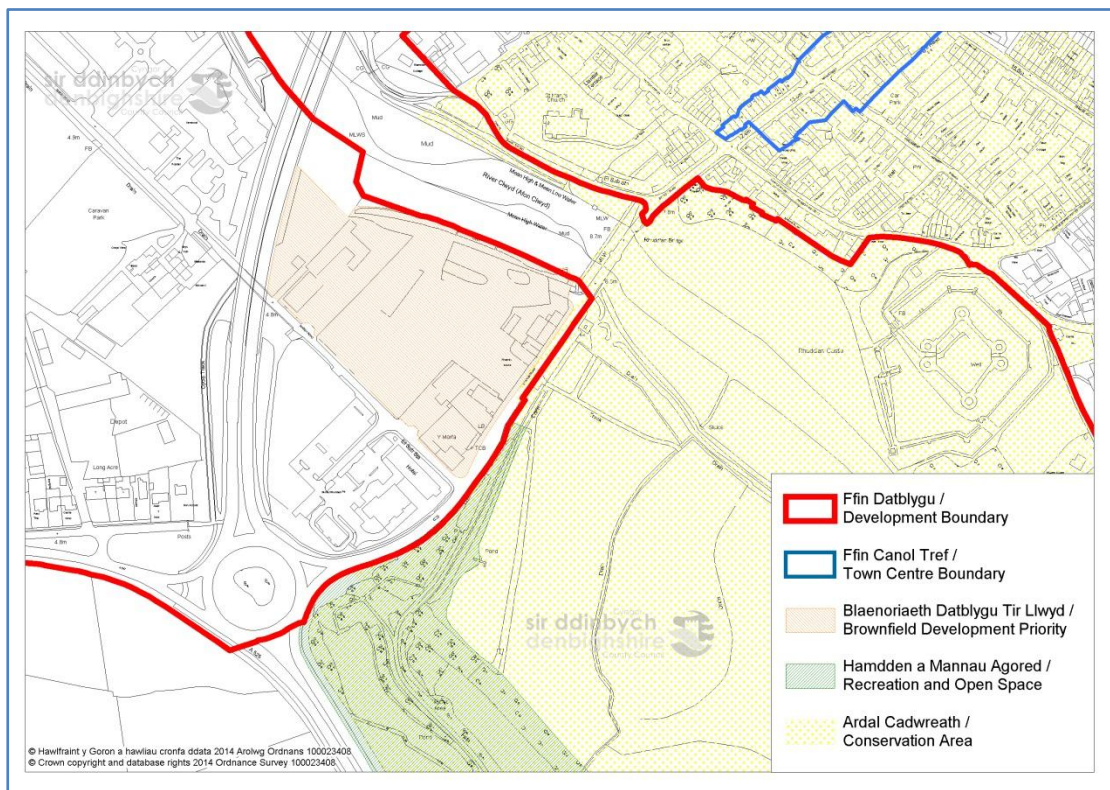
- 3.6 Marsh Road bisects the site; running parallel to the river Clwyd and providing the only access off Station Road to a number of commercial premises on site, a **several** caravan parks and individual residential premises located on adjacent land. There are frequent bus services along Station Road throughout the day, providing links to Rhyl Station (about 4km), Prestatyn Station (about 7.5km), Ysbyty Glan Clwyd in Bodelwyddan (about 3km) and all larger settlements in the Vale of Clwyd.
- 3.7 This is a key gateway site into town which is highly visible from the A525, St Mary's Church and Rhuddlan Castle. Large parts of it are a mixture of undeveloped and derelict land. The Council would like to see land back into economic use, improve the visual appearance of the site and raise the

attractiveness of the place for potential new businesses.

4. Planning Policy

4.1 Figure 2 shows local policies which may be a consideration in determining planning applications for the site. Please refer to the LDP Proposals Map for Rhuddlan and the LDP Key Map to obtain an overview of planning policies relevant to the wider area.

4.2 Figure 2 Local policies relevant to development on site



4.3 Planning Policy Wales (Edition 7), paragraph 2.1.2, states that planning applications have to be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Denbighshire's Local Development Plan 2006 – 2021 (LDP) was adopted in June 2013, and contains local policies applicable to development proposals coming forward for 'Rhuddlan Triangle'.

4.4 Material considerations are issues subjects that may be relevant to the

decision such as capacity of physical infrastructure (e.g. in the public drainage or water systems), noise or disturbance resulting from use, highways capacity, nature conservation and biodiversity objectives, **the historic environment**, flood risk, previous appeal decisions and planning inquiry reports, or research work carried out to support planning proposals.

4.5 (1) LDP Policy RD 1 – Development Boundary: The site is located within the development boundary of Rhuddlan, i.e. a wide range of land uses could be considered suitable subject to detailed policy criteria addressing sustainable development and good standard design. However, due to flood risk considerations (see Chapter 5) ~~and recent events~~, the Council is unlikely to support applications for development classed as ‘highly vulnerable’ in Welsh Government – Technical Advice Note 15: Development and Flood Risk, e. g. residential premises.

4.6 Development proposals should aim to raise the standards of design in terms of the built environment and in securing the best environment through landscape design. That means applicants ~~may want~~ **have** to consider the following matters (that are by no means exhaustive): built height and scale, density of development, elevation of buildings, implementation of Sustainable Urban Drainage Systems (SUDS), provision of green landscape ~~features~~ **mitigation measures** and built material sympathetic to the surrounding area.

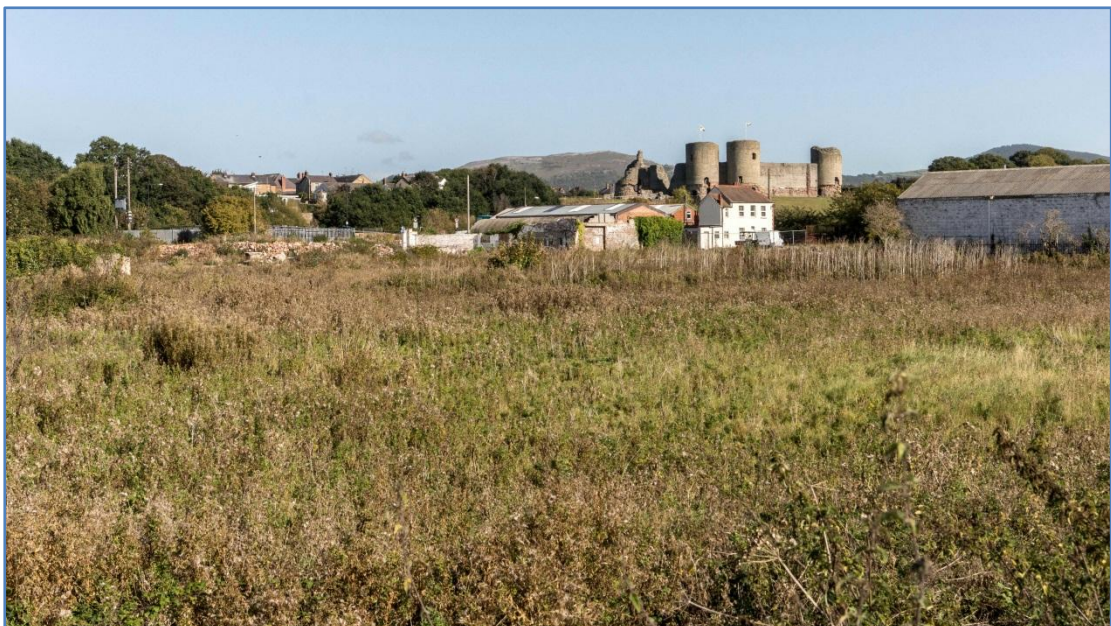
4.7 (2) LDP Policy BSC2 – Brownfield Development Priority: Land between Marsh Road and the river Clwyd has been designated as ‘brownfield development priority’ area in recognition of the potential to contribute towards economic growth and sustainable regeneration of Rhuddlan. The Council acknowledges that not all previously developed sites are suitable for every proposal due to possible contamination, flood risk, or nature conservation objectives. Any planning application for development on this site should be accompanied by information demonstrating how individual proposals contribute towards regeneration, (economic) diversification, and support actions ~~underlying~~ **and objectives set out in the Council’s ‘Economic &**

Community Ambition Strategy 2013 - 2023' and the 'Vision for Rhuddlan' as set out in 'Rhuddlan Town Plan 2012 – 2020: Looking Forward Together'.

4.8 (3) LDP Policy VOE 1 – Conservation Area: Rhuddlan's Conservation Area borders to the north, north-east and east; comprising of a strict defined building line and large areas of open grazing land offering extensive views from the site towards the Castle, Clwyd Range, and into the Vale of Clwyd. It is essential that any development proposals pay regard to the character and setting of the conservation area, listed buildings and monuments; particularly to potential adverse effects on the setting of Rhuddlan Castle (Listed Building: Grade I) and, St Mary's Church and Rhuddlan Bridge (both a Listed Building: Grade II*).

4.9 Appraising the local context will become essential in identifying and understanding the historic development pattern and distinctive patterns of townscape. Such an exercise could include (this is by no means exhaustive): density of building blocks, development types and architectural vocabulary; building, roof and street lines; key and secondary views; important open spaces; and roof lines and chimneys.

4.10 Photo 3 View over land designated as brownfield development priority towards the town (centre) and Rhuddlan Castle (right)



- 4.11 It is important to assess the character of the area; especially if there have been developments in the past that have not responded to the local context. This should be seen as an opportunity to enhance the area rather than maintain a poor status quo. Applicants may wish to discuss proposals with the Council's Conservation Officers or Welsh Government body '~~CADW~~' '**Cadw**' prior to submitting a planning application.
- 4.12 (4) Town Centre Boundary / **Retail Development** – LDP Policy PSE 8 / PSE 9: Rhuddlan's town centre is about 500m to the north-east, and comprises predominantly of a hotel, a hairdresser, a restaurant, a hot food takeaway, and a small proportion of traditional high street uses such as an optician, a pharmacy, a newsagent and two small supermarkets. LDP Policy PSE 8 applies to development within town centre boundaries as shown on the LDP Proposals Maps. ~~and~~ LDP Policy PSE 9 refers to development in an out of town centre location but within development boundaries. Since the site is not located in a designated town centre, policy criteria as defined in PSE 9 ~~are~~ **will principally be** applicable to proposed retail development at Rhuddlan Triangle. The policy states that proposals for small scale retail uses will be permitted provided that they: (1) are less than 500sqm gross area; (2) serve the local area; (3) do not form part of an industrial estate; and (4) do not jeopardise the viability and vitality of town or district centres. Should the size of any retail **proposed** exceed 500sqm gross area, criteria outlined in Planning Policy Wales (Edition 7) ~~paragraph 10.3.11~~ alongside guidance in Technical Advice Note 4: Retailing and Town Centres (1996) ~~would~~ **may** apply. **Applicants must (1) demonstrate need, (2) apply a sequential test for justifying the location, and (3) provide a strong case for supporting local regeneration and economic development initiatives.**
- 4.13 Denbighshire Retail Study – Retail Capacity (2013) indicates that there is no need for additional convenience (e.g. food supermarket) and comparison (e.g. DIY store, electronics) retail in the north of the County, and indeed across the entire County. Should LDP housing allocations be delivered and the tourism industry continues to grow at current levels, a modest increased

need for convenience retail would be required which would be met by existing planning permissions. Should population projections be accurate then a modest need for comparison retail would be required which would be met by increasing the trade efficiency of Rhyl Town Centre and the retail allocation at Queens Market, Rhyl. ~~Land at Rhuddlan Triangle already benefits from an approved but unimplemented planning permission for several retail units offering comparison goods. Therefore, any retail related development proposal exceeding the thresholds laid out in LDP Policy VOE 9 must meet national policy outlined in section 4.12 (above) and; (1) demonstrate need, (2) apply a sequential test for justifying the location, and (3) provide a strong case for supporting local regeneration and economic development initiatives.~~

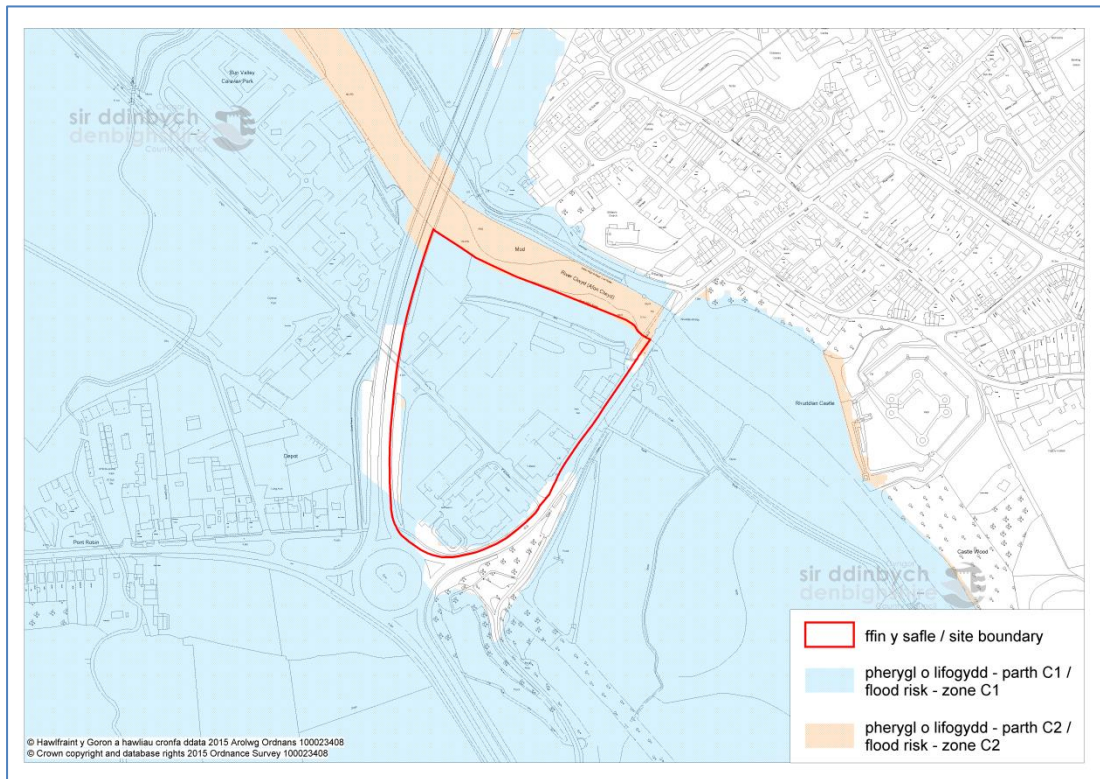
- 4.14 (5) LDP Policy BSC11 – Recreation and Open Space: Whilst no land is designated for recreation and open space on site, Denbighshire Countryside Services created with support of the local community a well-used local nature reserve on adjacent land and the North Wales long-distance walking and cycle path passes by on the opposite river bank. There is an opportunity to enhance the recreation offer by providing tourism-related services, incorporating outstanding views towards Rhuddlan Castle and the Clwydian Ranges, creation of a green link between the town centre, the local nature reserve and other settlements along the Coast and the Vale of Clwyd.

5. Flood Risk

- 5.1 The site lies within Flood Risk Zone C1 of Welsh Government's Development Advice Map referred to in Technical Advice Note (TAN) 15: Development and Flood Risk. Zone C1 denotes areas of floodplain which are developed and served by significant infrastructure, including various types of flood defences. Consequently, development may take place but will be subject to application of justification tests and acceptability of consequences for particular types. Detailed information on justification tests and acceptability criteria can be found in WG TAN15: Development and Flood Risk, paragraphs 6 - 7 and

Appendix 1.

5.2 Figure 3 Flood Risk Zones covering Rhuddlan Triangle (March 2015)



5.3 With regard to flood risk, types of development can broadly be categorised as (1) Emergency Services (e.g. hospitals, fire station), (2) Highly Vulnerable Development (e.g. public buildings, all residential premises), and (3) Less Vulnerable Development (e.g. general industrial, retail, car parks). Whilst national planning guidance does not prohibit highly vulnerable development in Zone C1, development proposals must comply with the criteria set out in TAN15, and any advice from Natural Resources Wales (NRW) would be treated as a material consideration.

5.4 Due to several flooding incidents over the last two years (e.g. November 2012, December 2013) and the installation of individual flood defence schemes, Denbighshire County Council commissioned JBA Consulting with the production of a 'Denbighshire Strategic Flood Consequence Assessment – Update' (uSFCA) . The final report was published in July 2014, and e-copies can be obtained from the authority's website

(www.denbighshire.gov.uk/ldp). Prior to above mentioned events, no flooding has been observed on site since 1966.

5.5 Photo 4 View along the bank of the river Clwyd towards Rhuddlan Bridge



5.6 The uSFCA 2014 describes potential scenarios of flood incidents from different sources for Rhuddlan Triangle, and assesses technically derived data for different types of development in line with TAN15 criteria for flood event tolerance conditions. ~~The main source of flood risk is from the river Clwyd (fluvial flooding) but this does not exclude potential tidal flooding from the Clwyd estuary and any risk posed by breach of flood defences.~~ **The site is at risk from both tidal sources and fluvial sources.** (Source: uSFCA, p. 56) Significant issues have been highlighted with regard to acceptable flood event criteria (e.g. depth of flooding, maximum speed of inundation of area) for emergency services and residential (habitable rooms) developments.

5.7 Both the uSFCA and Natural Resources Wales (NRW) (responding to previous planning enquiries) highlight the necessity to submit a Flood Consequence Assessment (FCA) with any proposal seeking planning approval on this site. Developers must be able to demonstrate that the risks to, and arising from, the development can be managed over the anticipated lifetime of the development.

5.8 ~~Raising individual land levels on site to accommodate highly vulnerable development, e.g. emergency services and residential premises, is not an acceptable option to address the maximum of depth of flooding due to the potential to displace flood waters and cause adverse flood risk impacts on adjoining landowners. (See TAN 15 paragraph A1.15)~~ Raising individual land levels on site may be put forward for both 'Less Vulnerable' and 'Highly Vulnerable' development to achieve compliance with TAN 15 part A1.14. NRW confirms that some land level modification may be put forward to reduce the flood risks and consequences of flooding at the site, but careful consideration of third party impacts would be necessary (see TAN15, paragraph A1.12); as would a scheme for compensatory flood storage, should off-site flood impacts be identified.

5.9 Potential developers should be aware that under the terms of the Water Resource Act 1991 (as amended) and the Land Drainage Byelaws the consent of Natural Resources Wales will additionally be required for any works, or structures located in, under, over or within 7 metres of the bank top (or landward toe of the raised flood defences) of the River Clwyd, designated "main river". The organization will use legislative powers to ensure that any future development layouts will not compromise its ability to access the watercourse (and flood defence assets) nor undertake improvement works in the future.

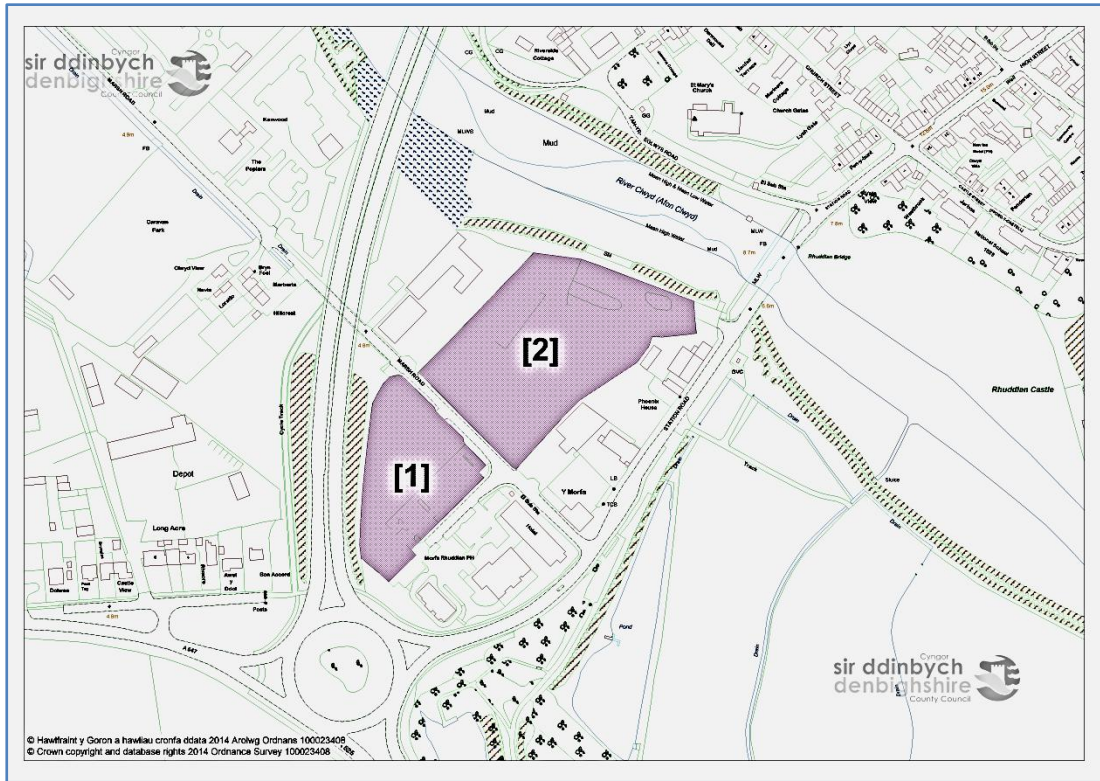
6. Key areas for future development

6.1 This chapter focusses on two areas where the Council would expect development to a high quality design standard, turn into a kind of anchor-development on site and, hence, will attract further businesses. (see Figure 4, ~~p. 14~~) Site boundaries shown are indicative only, and do not represent ownership or planning consent. The Council does not own any of the land but will assist in discussing development proposals.

6.2 Opportunities may arise for redevelopment of other parcels of land within the

site or along the frontage of Station Road. Proposals for redevelopment, conversions and design improvements to advance attractiveness and appearance would be encouraged.

6.3 Figure 4 Key areas for future development



6.4 Area 1: The area is about 0.7ha hectares. and benefits from planning consent for retail development, comprising the erection of two buildings containing 6 units of about 2,600 sq. m. in total. Outline planning permission for a mixed use scheme was approved in 1997 and renewed in 2000, covering the entire site south of Marsh Road with proposals for a hotel, a restaurant and an element of retail. After full planning was granted for the erection of a restaurant, hotel, drive-thru fast food unit and non-food retail in 2005, applicants have successfully sought amendments to the retail element but did not implement the permission.

6.5 The present planning permission is due to expire in November 2014, unless development starts on site. The Council would be prepared like to discuss similar schemes within the adopted policy framework and with advice

~~provided by Natural Resources Wales on flood risk (see Chapter 4 and 5).~~
The last planning permission expired in November 2014. The Council would like to see similar schemes in place but does not object to alternative forms of land use that comply with national and local policy, satisfy flood risk criteria and contribute to the economic regeneration of the area. For example, applicants may want to consider tourism-related facilities that cater for people cycle or walk along the river Clwyd, staying on the adjacent caravan sites or exploring sights in the Vale of Clwyd.

- 6.6 Photo 5 View from the A525 and A547 roundabout junction over Area 1 with St Mary's Church in the background



- 6.7 Area 2: This area measures about 1.4ha, and does not benefit from an extant planning permission. Parcels of land are owned by different parties which means that cooperation between landowners would be required if they wish to pursue a large or single development.

- 6.8 Having previously been occupied by economic enterprises, for example a foundry and a laundry, the Council would welcome a small industrial estate with some starter units on site, bringing employment opportunities for people living in the vicinity. However, this proposal is without any prejudice against other types of land use. **Similar to Area 1 (see paragraph 6.5), there are**

plenty of opportunities to enhance the existing offer of community and leisure facilities, outdoor activities and tourism or commercial enterprises for the local community. Applicants are encouraged to lay out how their proposals will support the development strategy for the North Wales Coast Strategic Regeneration Area, actions identified in the Rhuddlan Town Plan, or other documents aiming at improving living standards for residents along the coast.

6.9 Photo 6 View over Area 2 towards St Mary's Church



7. Access and Movement

7.1 Vehicular access should be gained from the A547, using Marsh Road as the main artery road to several properties on site. Existing provision requires access to residential properties, businesses and a caravan park further along Marsh Road, and any development will be required to maintain a route throughout the construction period and consider the possibility of re-routing at times if necessary.

7.2 The Council has imposed a temporary weight restriction on Rhuddlan Bridge by introducing single file traffic. Essential works are required to upgrade the listed structure for coping with increased traffic and weight of vehicles passing over the river Clwyd on a daily basis. This means, land uses

requiring frequent movement of heavy goods and vehicles should be aware that entering Station Road from the town centre may not be an option.

7.3 Photo 7 View along Marsh Road from T-junction with Station Road
(September 2014)



7.4 Proposals should provide for safe conditions for pedestrians and cyclists within and to / from the site. There may be the need to carry out road and pavement improvement works, depending on the nature of individual proposals and the potential increase of traffic generated by the development. The Council may require a Transport Assessment to assess site access arrangements and potential road improvement works; survey works, methodology and outcomes should be discussed with the Council's Highway department in view of implementation. **The Council could seek financial contributions from applicants if improvement work is required to mitigate any adverse effects on the local road network.**

7.5 In September 2014, the Council was carrying out feasibility studies with regards to constructing a pavement from the Sun Valley Caravan Park along Marsh Road towards the T-junction with Station Road. The principle aim is to improve road safety and the visitor experience for members of the public commuting along this route. Initial recommendations include further surveys

to be carried out into origin-destination movements to specify need, and, accordingly, make use of Section 278 agreements of the Highways Act 1980 that would require the inclusion of pavement provision as part of future development proposals.

7.6 Photo 8 View along Marsh Road towards Station Road (September 2014)



8. Further Considerations

8.1 *Contamination:* Developers are advised to investigate potential ground contamination on land north of Marsh Road due to craftsmanship activities linked to a foundry previously located there.

8.2 *Nature Conservation:* ~~Development proposals have to respect biodiversity and nature conservation objectives. Works in close proximity to the riverbank, including enhancements, should avoid any changes to the water quantity and water quality of the river Clwyd. The river joins the Liverpool Bay at the Clwyd Estuary just about two miles to the north, which is designated as a Special Protection Area and affords protection under the Habitats Directive.~~ NRW has records of Bats (Chiroptera), Otters (*Lutra Lutra*), Great Crested Newts (*Triturus cristatus*) and Red Kite (*Falco subbuteo*) within 1km of the Rhuddlan Triangle. Any planning application will need to provide sufficient

information, through appropriate surveys and assessments, to enable the local authority to determine whether the proposal is likely to be detrimental to the maintenance of the Favourable Conservation Status (FCS) of the affected population (or colony) of protected species.

8.3 The site is located adjacent to the river Clwyd that links with several international and national protected sites. Any development proposal will need to include details of working methods and pollution prevention measures that will ensure that the work does not impact on the adjacent watercourse, i.e. water quality and water quantity, and the features of the protected sites.

8.4 *Drainage:* Previous planning applications for development proposals (e.g. Harvey's – planning application ref.: 44/2014/0101) and the first feasibility study into installing a pavement along Marsh Road (see paragraph 7.5) highlight problems with drainage on site owing to a lack of gullies. Surface water primarily discharges into drains and culverts along Marsh Road. Therefore, development proposals have to incorporate drainage solutions, and should avoid increasing the amount of surface water run-off from the application site.

8.5 *Environmental Impact Assessment (EIA):* ~~Developers are advised to check with their proposal falls into either of the categories contained in Appendix 1 or Appendix 2 to the EIA Directive (85/337/EEC). Should this be the case, planning applications should be accompanied by an Environmental Impact Assessment (EIA).~~ Applicants are advised to establish whether their planning proposal falls under the regulations of the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 1999, and, therefore, could be classed as 'EIA development'. The purpose of an EIA is to establish whether development is likely to cause significant effects on the environment and what type of mitigation measures may be required to reduce them.

8.6 All proposals that are of a description mentioned in Schedule 1 of the regulations have to be subject to an EIA, whereas proposals that are of a description mentioned in Schedule 2 of the regulations do not necessarily have to be subject to an EIA depending on the outcome of the EIA screening exercise. Further information on the process can be found in Welsh Office Circular 11/99 ('Environmental Impact Assessment (EIA)') or obtained from the Planning / 'Development Management' section.

9. Contacts

9.1	Denbighshire County Council Planning and Public Protection Development Management Caledfryn Smithfield Road Denbigh LL16 3RJ Tel.: 01824 706727 Email: planning@denbighshire.gov.uk	Denbighshire County Council Planning and Public Protection Development Planning & Policy Caledfryn Smithfield Road Denbigh LL16 3RJ Tel.: 01824 706727 Email: ldp@denbighshire.gov.uk
9.2	Denbighshire County Council Housing and Community Development Economic and Business Development Caledfryn Smithfield Road Denbigh LL16 3RJ Tel.: 01824 706860 Email: econ.dev@denbighshire.gov.uk	Denbighshire County Council Highways & Environmental Services Highways and Transportation Department Caledfryn Smithfield Road Denbigh LL16 3RJ Tel.: 01824 706882 Email: highways@denbighshire.gov.uk

10. Sources / Literature

Denbighshire County Council, Denbighshire Local Development Plan 2006 – 2021, adopted June 2013

Denbighshire County Council, Retail Capacity Study 2013, , document available online from DCC website

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