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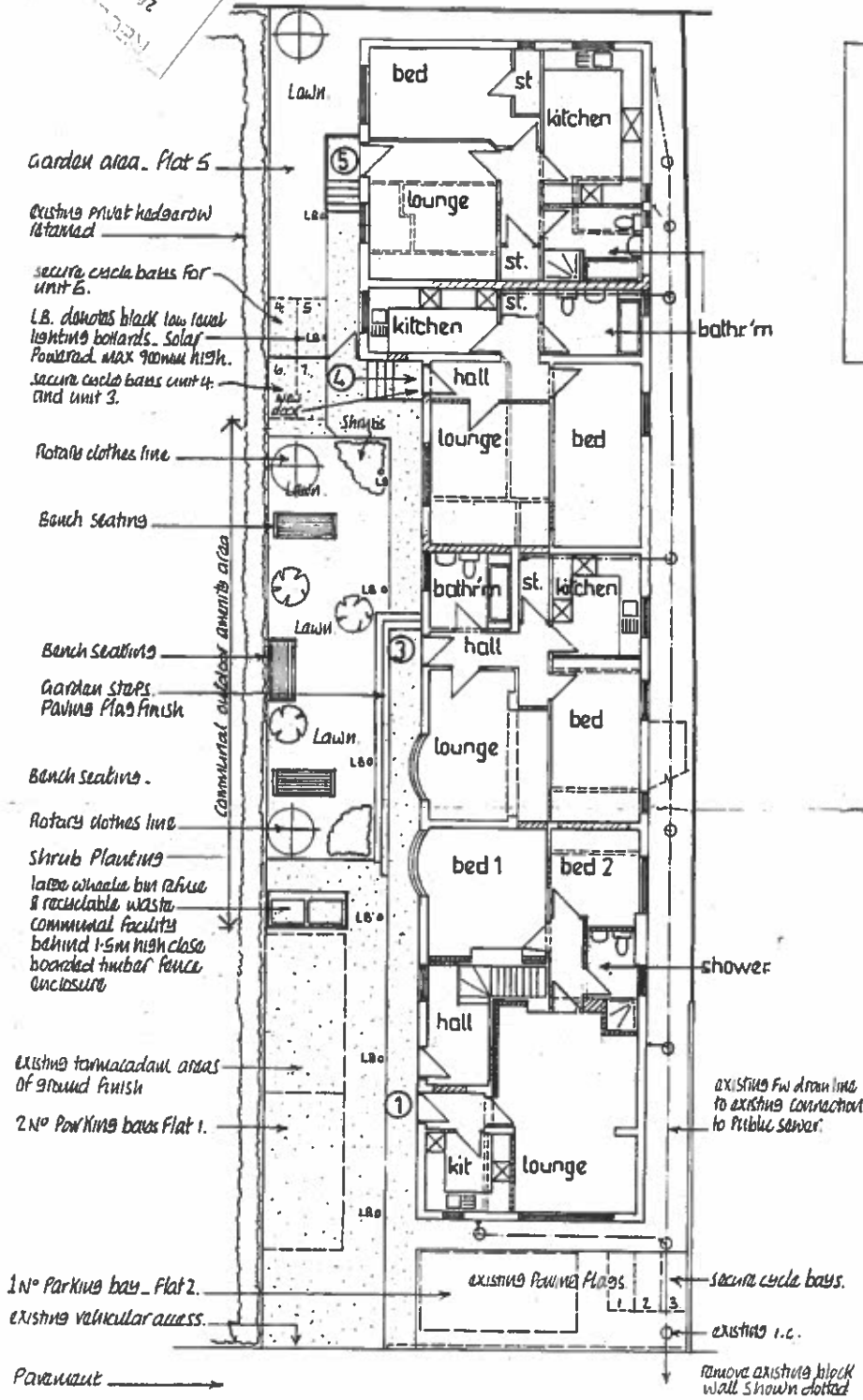
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Denbighshire Boundary	~
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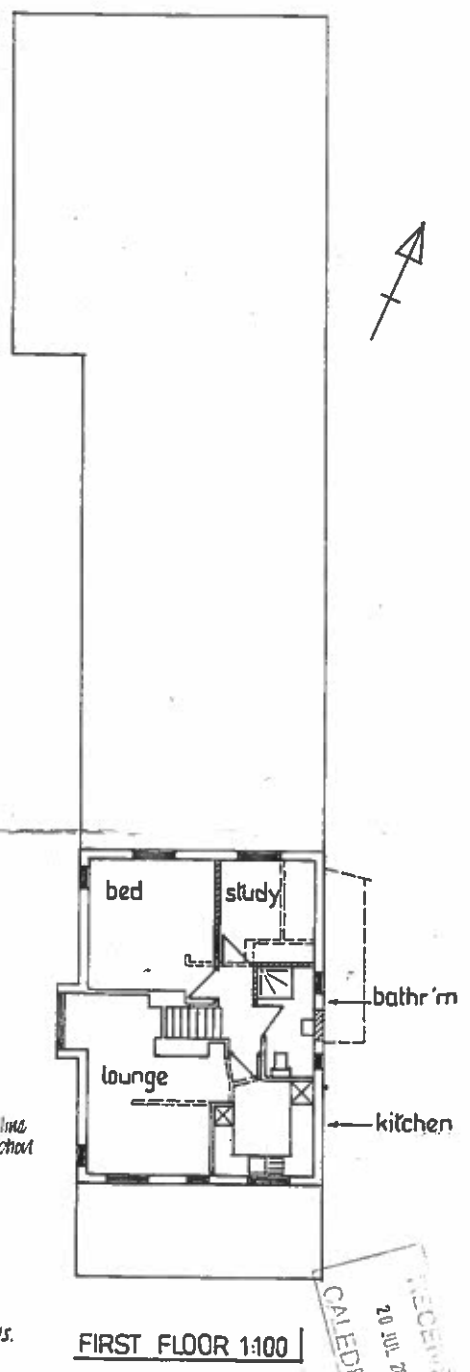


Schedule of Gross Internal Areas.

Flat 1	2 bed	- 66m <sup>2</sup>
Flat 2	1 bed	- 63m <sup>2</sup>
Unit 3	1 bed	- 52.5m <sup>2</sup>
Unit 4	1 bed	- 53.5m <sup>2</sup>
Unit 5	1 bed	- 57.4m <sup>2</sup>



GROUND FLOOR 1:100



Rev. A. 15.7.15 revised design of layout of flats etc.

HIGHCROFT DG 3  
PROPOSED

RECEIVED  
20 JUL 2015  
CALLED FROM

on road parking available.



**WARD :** Prestatyn East

**WARD MEMBER(S):** Cllr Thompson-Hill (c)  
Cllr Anton Sampson

**APPLICATION NO:** 43/2015/0112/ PF

**PROPOSAL:** Change of use of former Nursing/Residential Care Home into 5 self-contained dwellings

**LOCATION:** Highcroft Residential Care Home 49 Highbury Avenue  
Prestatyn

**APPLICANT:** Mr Norman Duff

**CONSTRAINTS:** Article 4 Direction

**PUBLICITY UNDERTAKEN:** Site Notice – Yes  
Press Notice – No  
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant with 4 individual objections received

**CONSULTATION RESPONSES:**

**PRESTATYN TOWN COUNCIL**

No objection to original consultation, awaiting response to re-consultation at time of writing this report.

**NATURAL RESOURCES WALES**

No objection.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES  
HEAD OF HIGHWAYS AND INFRASTRUCTURE**

No objection.

**HOUSING STRATEGY OFFICER**

No objection, there is an identified need in the area for one and two bedroom dwellings.

**RESPONSE TO PUBLICITY:**

Representations received from:

Janet Davies, 56 Highbury Avenue, Prestatyn  
Mr. M. Holmes - 47 Highbury Avenue, Prestatyn  
Peter King, 60 Highbury Avenue, Prestatyn  
J. Lewis, 54, Highbury Avenue, Prestatyn

In objection:

Summary of representations:

Highways issues- lack of parking causing on street parking, obstruction of driveways/highway.  
Management of flats- concerns over supervision of tenants and waste management.

**EXPIRY DATE OF APPLICATION: 30/03/2015**

**REASONS FOR DELAY IN DECISION:**

- re-consultations and further publicity necessary on amended plans and additional information

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application seeks planning permission for the change of use of a care home at no. 49 Highbury Avenue in Prestatyn to 5 self-contained flats. The existing use of the property is a nursing/residential care home, although it has not operated for 3 years.
- 1.1.2 It is proposed to have four flats on the ground floor and one flat on the first floor of the property. Four of the flats would contain one bedroom and living accommodation, and one flat would contain two bedrooms and living accommodation.
- 1.1.3 The flats would be accessed individually from the side of the property. The plans indicate that an area to the western side of the property would be used for an amenity and clothes drying area with space for a communal bin store also included.
- 1.1.4 Parking is proposed for three cars on the site. Bicycle storage is proposed for each flat.
- 1.1.5 Minor external alterations are proposed to facilitate the conversion, namely alterations to the existing window arrangement (see the plans at the front of the report).

1.2 Description of site and surroundings

- 1.2.1 The site is located on the northern side of Highbury Avenue in Prestatyn. Highbury Avenue runs parallel to the A548 Marine Road. To the north of the site is Pontins Holiday Camp.
- 1.2.2 No. 49 is a two storey property with a substantial single storey flat roof extension running to almost the end of the rear garden area.
- 1.2.3 The adjacent properties in this primarily residential area are mainly detached single dwellings.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Prestatyn.
- 1.3.2 The area is classed as a C1 flood zone according to the development advice maps of TAN 15.

1.4 Relevant planning history

- 1.4.1 The use of the property as a care home was granted planning permission in the late 1970's. Since the original change of use there have been applications to extend care home. The most recent application was in 2005.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The original plans were amended on the advice of Officers to meet the minimum space standards and improve the quality of accommodation in the flats.

## 2. DETAILS OF PLANNING HISTORY:

2.1 None of relevance to this application.

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE LOCAL DEVELOPMENT PLAN (adopted 4<sup>th</sup> June 2013)

**Policy RD 1** - Sustainable Development and Good Standard Design

**Policy BSC 3** - Securing Infrastructure Contributions from Development

**Policy BSC 7** - Houses in Multiple Occupation and Self-Contained Flats

**Policy BSC3** – Securing infrastructure contributions from Development

**Policy BSC4** – Affordable Housing

**Policy BSC11** – Recreation and open space

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance Note: Recreational Public Open Space

Supplementary Planning Guidance Note: Affordable Housing in New Developments

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note Residential Space Standards

3.3 GOVERNMENT POLICY GUIDANCE

TAN 12 Design

TAN 15 Development and Flood Risk

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, 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 Impact on residential amenity

4.1.3 Impact on visual amenity

4.1.4 Highways safety

4.1.5 Floodrisk

4.1.6 Affordable Housing

4.1.7 Open Space

In relation to the main planning considerations:

4.1.8 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 'Residential Space Standards' 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.

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 principle of change of use Officers have taken into account the latest planning policies and guidance. There is no policy in the Local Development plan to preclude the change of use of a former care home to a residential use, therefore the principle of the proposal is considered acceptable subject to an assessment of the detailed impacts below.

#### 4.1.9 Impact on residential 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 touch on the potential for impact on residential amenity; 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. Policy BSC 7 and SPG Residential Space Standards also require amenity issues to be considered for proposals to subdivide properties into self-contained flats.

The internal floor area of the proposed one bedroom flats would range between 52 to 62 square metres. The two bedroom flat would measure 66 sq metres. It is proposed to provide a communal amenity area to the side of the property, with drying space and a bin store area. Externally the window arrangement would remain as existing, albeit with some openings increased in size.

For 1 bed units, SPG 7 requires a minimum floorspace of 50 square metres, which the proposals exceed, for 2 bedroom units 65 square metres is required. The minimum space standards given for living rooms and bedrooms are also exceeded in each unit. The plans indicate the provision of external amenity space. Officers consider that the level of amenity that would be afforded to proposed future occupiers is not unacceptable. In terms of the impact on adjacent occupiers it is noted that the care-home operation comprised of 12 bedrooms with approximately 6 staff, it is the opinion of Officers that the proposed residential use would not have significantly greater impacts on neighbours by virtue of noise and disturbance than the previous use. It is therefore considered that the proposals would be acceptable in relation to residential amenity therefore complies with the policies and guidance listed above.

#### 4.1.10 Impact on 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.



The proposal involves minor external alterations to the external window details and the internal arrangements of the property.

There would be no adverse impact on visual amenity or on the character and appearance of the area as a result of the proposed change of use to five flats, therefore it is not considered that the proposal conflicts with criteria i) of Policy RD1 and paragraph 4.11.9 of PPW.

#### 4.1.11 Highways safety

Policy RD1 requires consideration of access, parking and highway safety issues.

There was limited parking for the former care home. Three parking spaces are proposed for the proposed flats. On-street parking is available on Highbury Avenue. The site is located close to Prestatyn town centre and is within walking distance of local shops and is located close to the train station and bus stops. The Head of Highways has raised no objection to the limited parking proposed. Objections have been received raising highways issues. The Design and Access Statement states that the use of the property as a nursing home could generate up to 20 vehicle movements per day.

Having regard to the nature of the existing permitted use and the location of the site, it is not considered that the lack of on site parking would warrant refusal of planning permission. It is therefore considered that the proposal would not have an unacceptable impact on highways safety and therefore complies with the highways considerations of Policy RD1.

#### 4.1.12 Floodrisk

TAN 15 is the Welsh Assembly's planning guidance note relating to flood risk. The aim of TAN 15 is to direct new development away from those areas which are at high risk of flooding, and to only permit development in high risk areas which can be justified on the basis of the tests outlined in the TAN.

The site is located within a C1 flood zone, described as "areas of the floodplain which are developed and served by significant infrastructure, including flood defences." As a result of the location of the site in this area a limited FCA was included in the DAS and considered by Natural Resources Wales. This outlined the potential flood risks at the site and set out a series of flood resilient and resistant measures to provide a means of reducing the potential impacts of flooding. NRW considered this information and advised that it raised no objection to the development, given its limited scale and the existing lawful use of the site.

The proposal complies with policy TAN 15 in terms of flood risk and is therefore considered acceptable in relation to flood risk.

#### 4.1.13 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing by way of a financial contribution on development of less than 10 residential units is provided.

The applicant has stated that the Council's Affordable Housing requirement of 10% would be provided. The Council's Housing officer has advised there is demand in the locality for affordable housing, and accepts the proposed provision of a commuted sum payment.

The provision of affordable housing is a policy requirement. In accordance with policy, it is now accepted practice to use a 'standard' form of planning condition, as worded by the Planning Inspectorate on appeal decisions in recent years, to cover the mechanism for provision of affordable housing. Officers suggest this approach to be appropriate in this instance and the proposal is therefore acceptable in relation to

affordable housing subject to compliance with this condition.

#### 4.1.14 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 5 no. new residential units, no public open space is proposed to be accommodated on site.

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.

### 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. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
  - (i) Existing Elevations (Dwg. No. 2) received 3 February 2015
  - (ii) Proposed Elevations (Dwg. No. 4 revision A) received 20 July 2015
  - (iii) Existing Floor Plan (Dwg. No. 1) received 3 February 2015
  - (iv) Proposed Floor Plan (Dwg. No. 3 revision A) received 20 July 2015
  - (v) Existing Site Plan (Dwg. No. 5) received 3 February 2015
  - (vi) Location Plan received 3 February 2015
3. None of the flats hereby permitted shall be occupied until provision has been made within the site for the amenity areas, bin store and drying area, in accordance with the details approved by the Local Planning Authority.
4. The development shall be carried out strictly in accordance with the Flood Risk Section of the Design and Access Statement submitted to the Local Planning Authority on 3rd February 2015.
5. 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.
6. **PRE-COMMENCEMENT CONDITION**  
The development shall not begin until arrangements for the delivery of affordable housing, in accordance with the Council's Policies and guidance, has been submitted to and approved in writing by the Local Planning Authority.

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. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure the units are serviced by adequate storage and drying facilities in the interests of visual and residential amenity.
4. In the interest of reducing the potential impacts of flooding.
5. In the interest of compliance with adopted open space policies.
6. In order to ensure suitable arrangements for affordable housing in accordance with planning policies.

**NOTES TO APPLICANT:**

None