

**Report To:** Planning Committee

**Date of Meeting:** 17<sup>th</sup> February 2016

**Lead Member / Officer:** Cllr David Smith, Public Realm,  
Angela Loftus, Strategic Planning & Housing Manager

**Report Author:** Lara Griffiths, Senior Planning Officer

**Title:** Site Development Brief: Cae Ffyddion, Dyserth –  
Adoption of final document

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**1. What is the report about?**

- 1.1 This report summarises responses from the 13 week public consultation on the draft Site Development Brief: Cae Ffyddion, Dyserth and proposes a number of changes to the Development Brief in response to comments received. This report is accompanied by a number of appendices:

Appendix 1 - Draft Site Development Brief with changes shown

Appendix 2 - Consultation Report – Council’s response to representations received

Appendix 3 – Equality Impact Assessment

**2. What is the reason for making this report?**

- 2.1 The purpose of this report is to inform Members of comments received in response to the public consultation on the draft Site Development Brief for Cae Ffyddion, Dyserth and to seek Members’ approval of the Development Brief with proposed changes. If approved, the Site Development Brief will be used to assist in the determination of any planning applications on the site.

**3. What are the Recommendations?**

- 3.1 That Members adopt the proposed Site Development Brief for Cae Ffyddion, Dyserth attached as Appendix 1, with recommended changes, for the determination of planning applications and planning appeals.

**4. Report details.**

- 4.1 If adopted, the site development brief is one of a series of Supplementary Planning Guidance notes (SPGs) 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.

- 4.2 The Council's SPG notes are not part of the adopted development plan. 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.
- 4.3 The site outlined in the development brief is currently owned by the County Council. However, the site, is no longer required by the County Council and has been declared surplus to requirements. The Council has agreed to dispose of the site. The development brief, once formally adopted, will form the basis for the determination of any future planning applications on the site. The aim of the brief is to provide guidance on potential issues that developers will need to take into account, locally relevant design guidance on the site and to ensure the Council's requirements for development on this site are achieved.
- 4.4 Members approved the draft document for public consultation at Planning Committee on 15<sup>th</sup> July 2015 and it was subject to public consultation for 13 weeks up to 30<sup>th</sup> October 2015. The consultation included press releases, information on the Council's website and an email or letter to all people on the LDP database, including City, Town and Community Councils; County Councillors; adjacent local authorities, statutory consultees; local, regional and national organisations with an interest in the LDP; agents /developers, registered social landlords; statutory consultees (eg NRW, WG); relevant landowners and others with an interest in the site, and members of the public, informing them of the consultation details, drop-in events at Dyserth Community Hall, Paterson Hall and Maes Esgob Community centre and how to respond.
- 4.5 Copies of the draft document and comment forms were made available on the Council's website, in Public Libraries and the Council's 'One Stop Shops'.
- 4.6 In addition, all households and businesses in Dyserth and the surrounding area received a leaflet containing all necessary consultation details and advertising the drop-in events via the Dyserth Times. Three drop-in sessions were held in Dyserth Community Hall on 5<sup>th</sup> August 2015, 10<sup>th</sup> October 2015 and on 13<sup>th</sup> October 2015. Sessions were also held in Paterson Hall on 8<sup>th</sup> August 2015 and Maes Esgob Community centre on 14<sup>th</sup> September 2015 21<sup>st</sup>. Over 85 people attended the events and attendees had the opportunity to put comments on maps of the site. At the events, Officers from different departments were present to talk to the public, provide further information and advice on site-specific queries.
- 4.7 A total of 174 written comments were received from 35 individuals and organisations, largely local residents. In addition 122 comments were placed on the maps at the drop- in sessions and noted by officers in attendance at the drop in sessions. Representations included comments from Natural Resources Wales, Campaign for the Protection of Rural Wales, Dyserth Community Council, AONB JAC and Don't Destroy Dyserth local campaign group. All comments received have been logged, acknowledged and scanned. Original

comments are available to view from the Strategic Planning & Housing Team in Caledfryn. The key issues raised are summarised and summaries of each comment received together with individual responses are set out in the Consultation Report attached as Appendix 2.

- 4.8 A number of amendments are proposed in response to the representations received. These are shown as **highlighted** or ~~struckthrough~~ text in the Development Brief attached in Appendix I.
- 4.9 The main changes proposed include: widening of the scope of the transport assessment required; additional text relating to archaeological and landscape requirements; increased emphasis on potential impacts on the AONB and the requirement for a construction plan following the grant of any planning permission.
- 4.10 The proposed changes are intended to provide greater clarification regarding the Council's requirements for development on the site and reflect comments received following public consultation. Key issues arising from the consultation were reported back to the Local Development Plan Members Steering Group on 26<sup>th</sup> January 2016. Members discussed highway implications, flood risk and capacity of the local infrastructure. The Steering Group recommended the document to be submitted to Planning Committee for adoption.
- 4.11 There have been no representations on the Strategic Environmental Assessment (SEA) – screening document.

## **5. How does the decision contribute to the Corporate Priorities?**

- 5.1 The SPG will positively contribute to the following Corporate Priorities as set by Denbighshire County Council:
- *Modernising the Council* to deliver efficiencies and improve services for our customers by ensuring that up to date planning guidance is provided for bringing land forward for development on this site
  - *Developing the Local Economy* by providing the framework for the potential delivery of land for new housing development and through stimulating growth in the local construction industry.
  - *Clean and tidy streets* by ensuring that a well-designed development scheme is delivered, which incorporates open space, routes for pedestrian access, together with arrangements for future maintenance.
  - *Ensuring access to good quality housing* by providing the framework for the delivery of new housing development, including a proportion of affordable housing.

## **6. What will it cost and how will it affect other services?**

- 6.1 This report seeks approval for adoption and at this stage it is not anticipated to create any additional costs.

6.2 Once adopted, the SPG will be of benefit for several Council departments. For example, the Property Team in any future land sales, and negotiation with interested parties. It will also assist the Development Management team as they will have additional information on acceptable types of development in planning terms and potential site constraints.

**7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

7.1 The conclusion of the EqIA-screening is that an Equality Impact Assessment is not required for the draft Site Development Brief, including the proposed document amendments, see Appendix 3I.

7.2 Members received a first EqIA-screening opinion with the report to planning committee on 15<sup>th</sup> July 2015 when Officers sought approval for public consultation with key stakeholders and members of the public. It was concluded that a full EqIA was not required at that stage. The proposed document amendments, which are of editorial and factual character, do not warrant a full assessment.

**8. What consultations have been carried out with Scrutiny and others?**

8.1 Throughout the document preparation process, Planning Officers worked jointly on the content of the draft Site Development Brief with colleagues from Highways, Economic and Business Development, Development Management, and Property. The local Member for Dyserth was kept informed about progress throughout.

8.2 Members of the LDP Steering Group discussed the content of the draft document prior to public consultation in Spring 2014, and they discussed matters raised in representations received in January 2016.

8.4 Proposals for the site development brief were also presented to Members of the Elwy Member Area Group in January 2015. Officers attended Dyserth Community Council on 14<sup>th</sup> September 2015 to discuss the development brief and the consultation.

**9. Chief Finance Officer Statement**

9.1 It is not anticipated that adopting the Site Development Brief will create any additional costs but if any arise these must be contained within existing Departmental budgets.

**10. What risks are there and is there anything we can do to reduce them?**

10.1 The Site Development Brief sets out a clear vision for future development of the site. Without clear guidance in place for the site there is a risk that a high quality sustainable development, with the appropriate mix of uses and

community benefits would not be achieved and residents' significant input into the Brief not reflected.

- 10.2 Taking no action, i.e. having no planning guidance in place for interested parties, would not be consistent with the Council's ambition to provide local communities with jobs and homes and an attractive built and natural environment to live in and do business.

## **11. Power to make the Decision**

- 11.1 Planning & Compulsory Purchase Act (2004).

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