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43/2016/0512/PF

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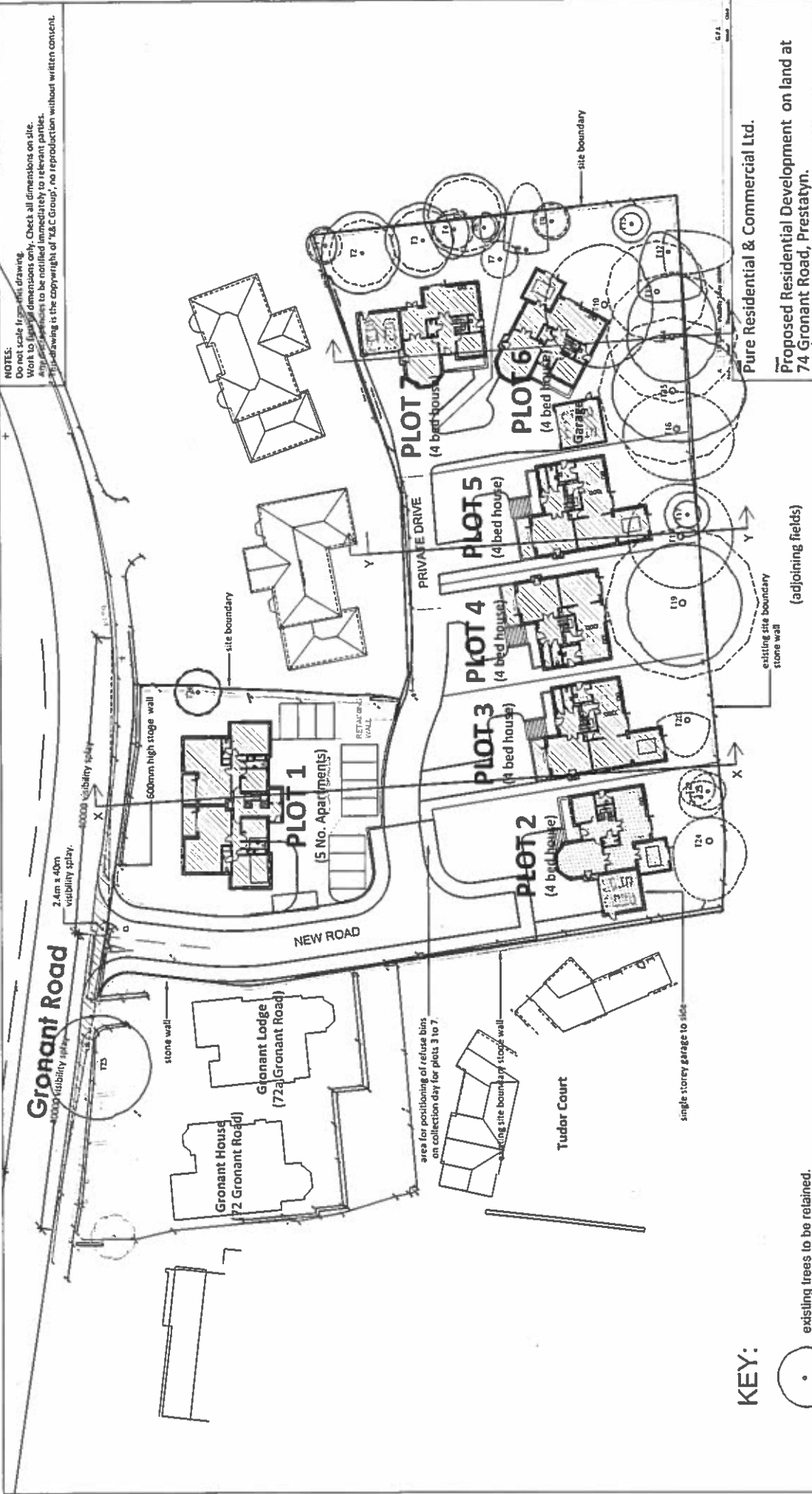
Printed on: 21/12/2016 at 14:10 PM






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PROPOSED LAYOUT

NOTES:
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KEY:

-  existing trees to be retained.
-  existing trees to be removed.
-  root protection area (RPA) of existing retained trees.

Pure Residential & Commercial Ltd.

Proposed Residential Development on land at
 74 Granton Road, Prestatyn.

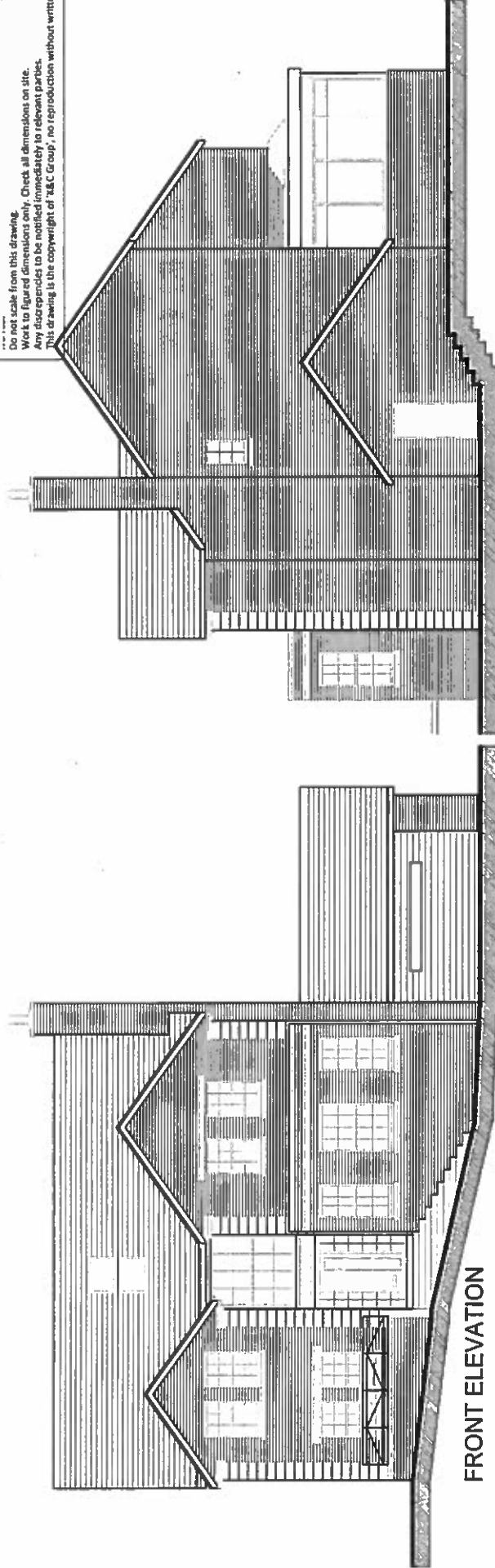
PROPOSED SITE PLAN.

Plot No.	1300 @ A3	Scale	1:500	Drawn	22/07/15	Checked	22/07/15	Project	PRC 004 / L(9)01	Sheet	F
New Vision House 1000 Granton Road Granton Road St. Asaph Denbighshire LL17 0UP T: 01141 431616 E: info@newvisionresidential.co.uk W: www.newvisionresidential.co.uk											



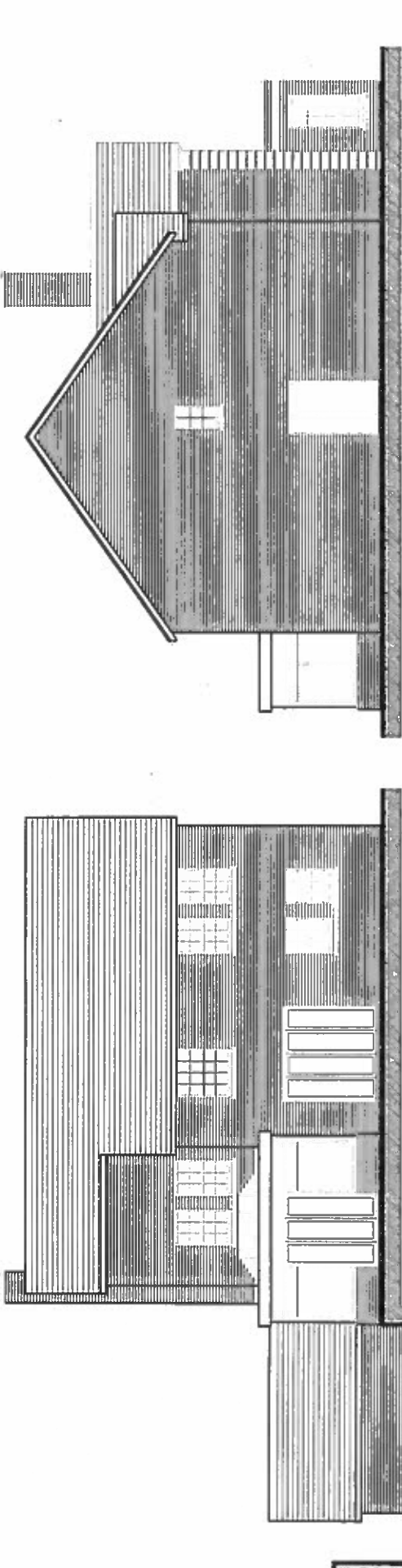
F	22/07/15	Amendments to plans 1, 2 & 3 to address LP's comments.	6/21
E	16/12/14	Final site layout plan, post 1st planning approval. SPA's included.	6/21
D	25/02/15	Visibility study submitted for planning (ECC). Highway works required.	6/21
C	24/02/15	Visibility study completed for ECC approval.	6/21
B	20/02/15	Design proposals.	6/21

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FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

Pure Residential & Commercial Ltd.

Proposed Residential Development on land at
 74 Gronant Road, Prestatyn.

Plot 2 - 4 Bedroom House
 Elevations

PRC 004 / L(2)04

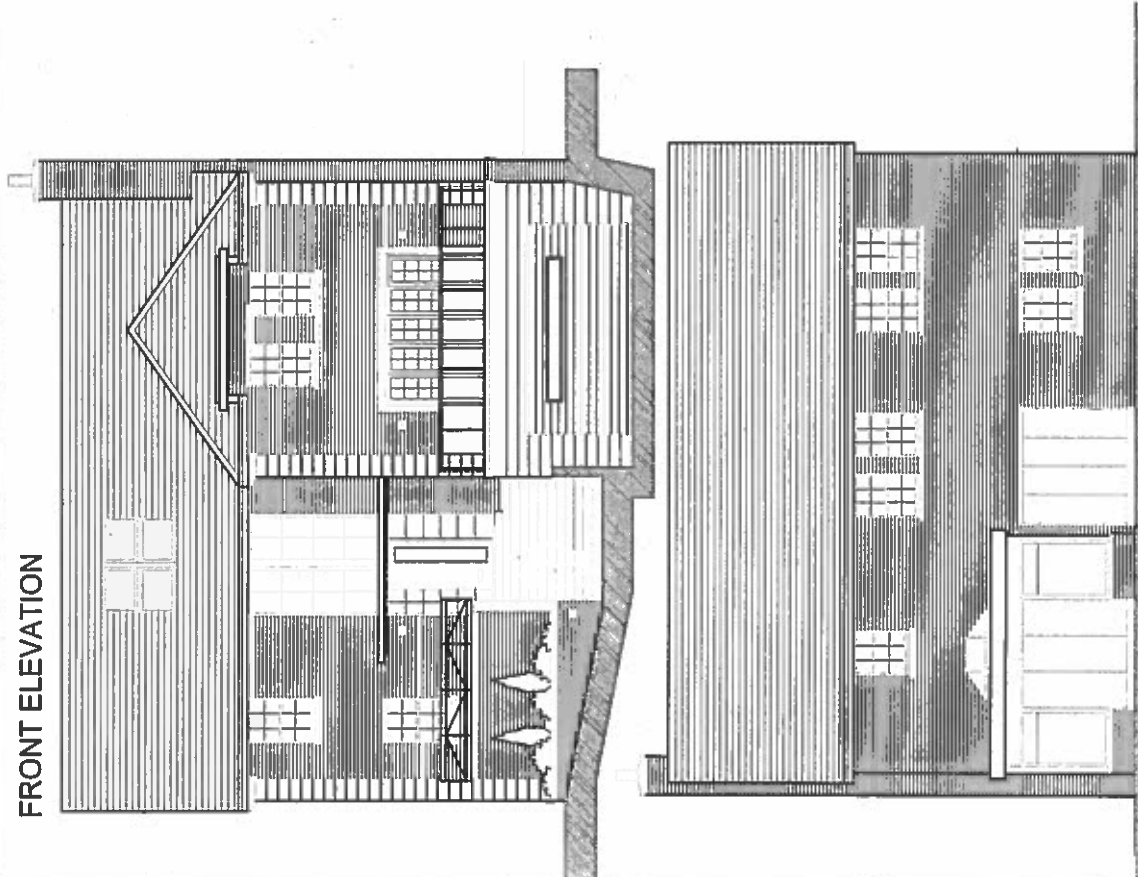
1/20/2015

A

New Vision House
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 Garswood Road
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 LL17 0LP
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 E: enquiries@newvision.co.uk
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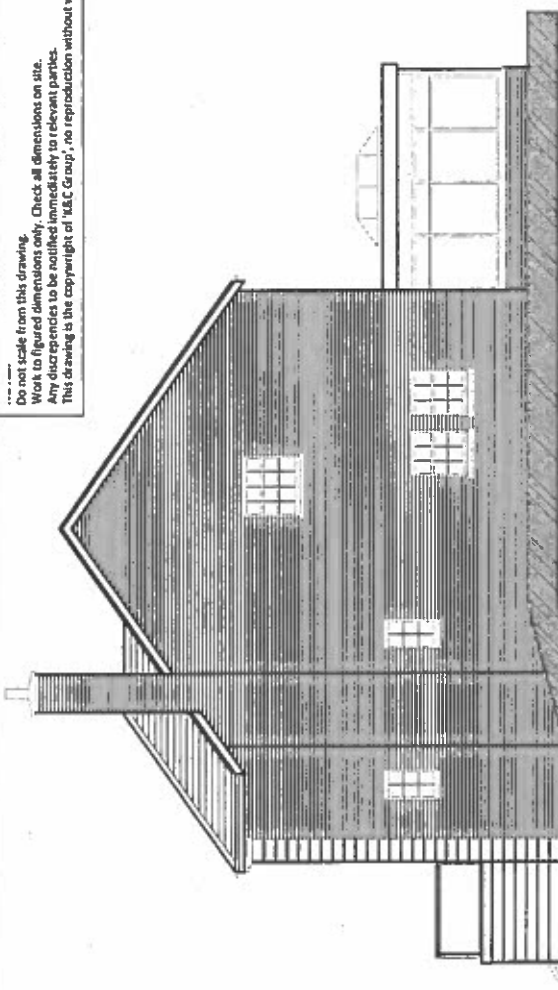


FRONT ELEVATION

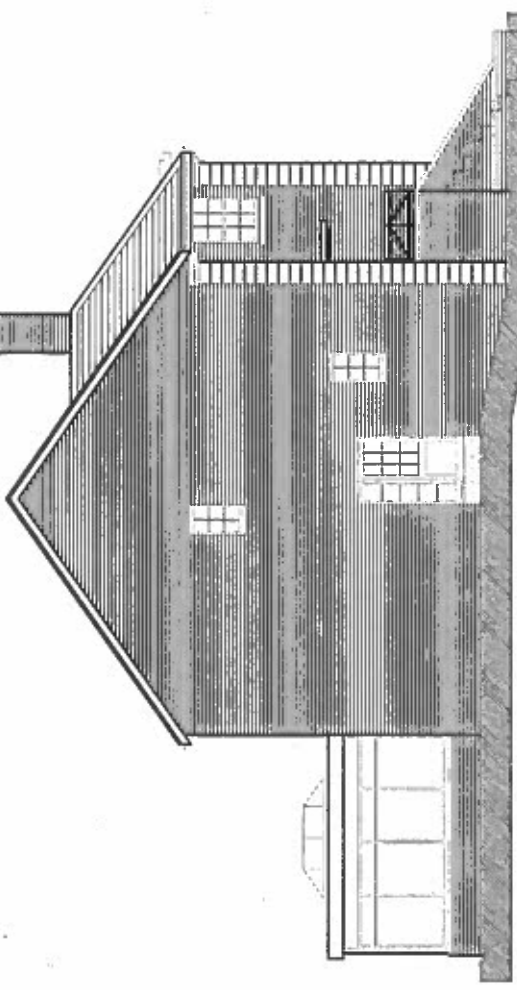


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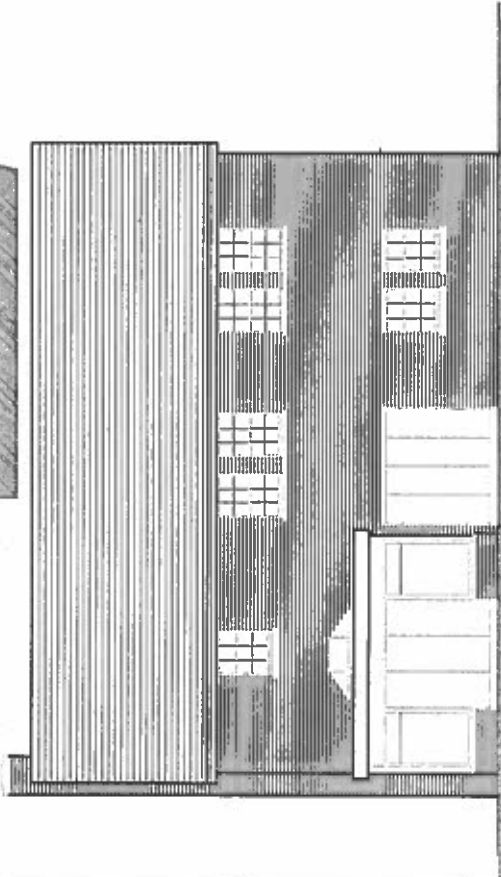
SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION



Pure Residential & Commercial Ltd.

Proposed Residential Development on land at 74 Gronant Road, Prestatyn.

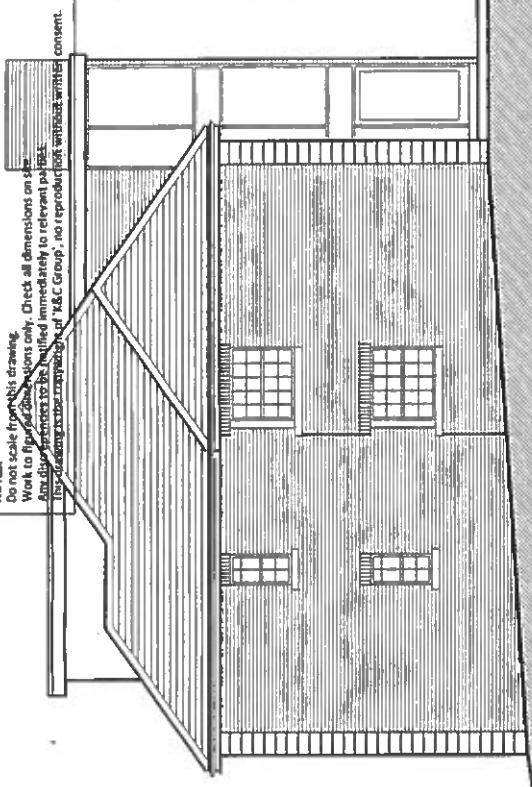
PLOT 3 & 5 - 4 BEDROOM HOUSE ELEVATIONS

Plot No	PRC 004 / L(2)06	Revision	A
Date	12/01/15	Author	

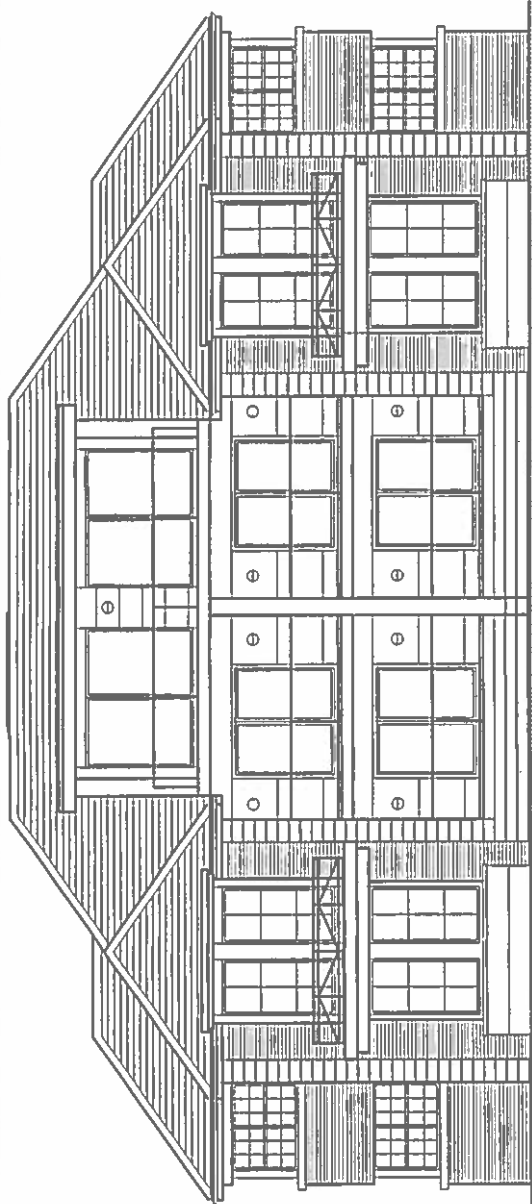
New Vision House
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PURE

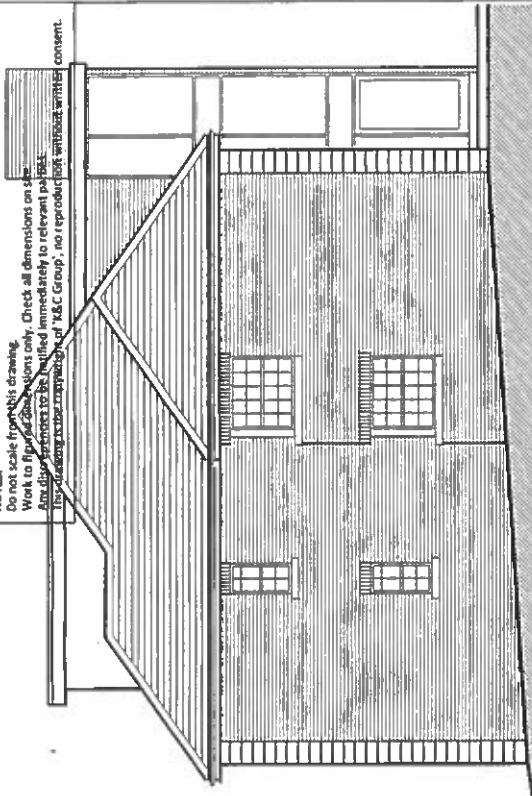
APARTMENTS



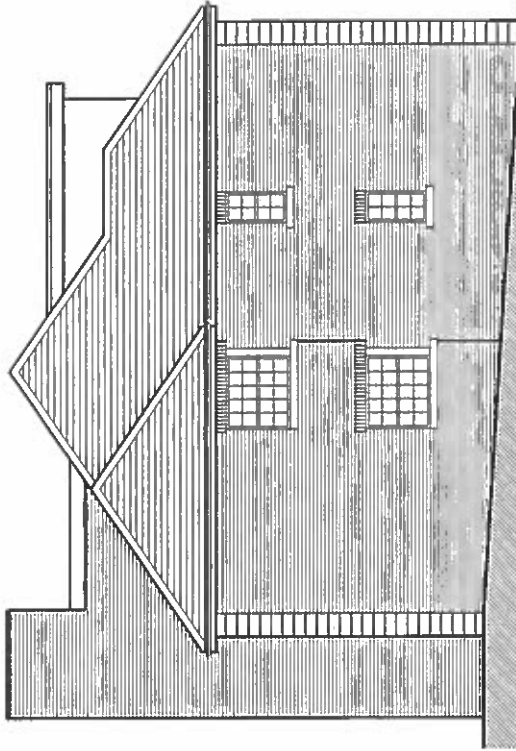
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

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Pure Residential & Commercial Ltd.
 Proposed Residential Development on land at
 74 Gronant Road, Prestatyn.

PLOT 1 - APARTMENTS
 ELEVATIONS

PRC 004 / L(2)02

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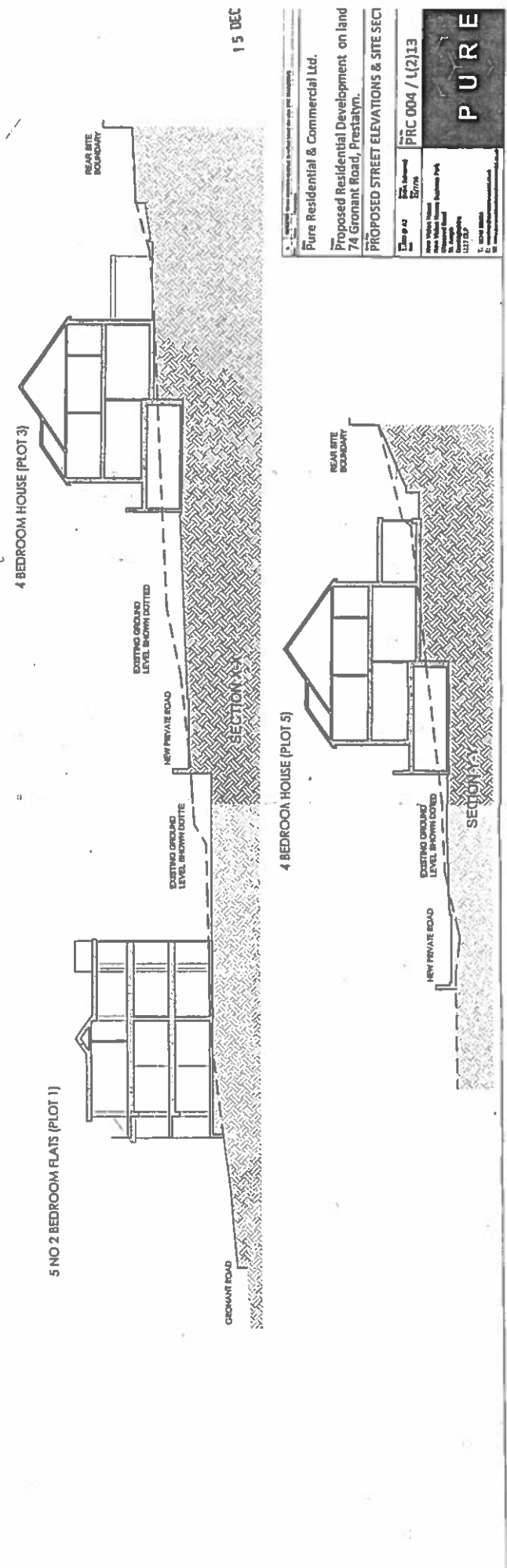
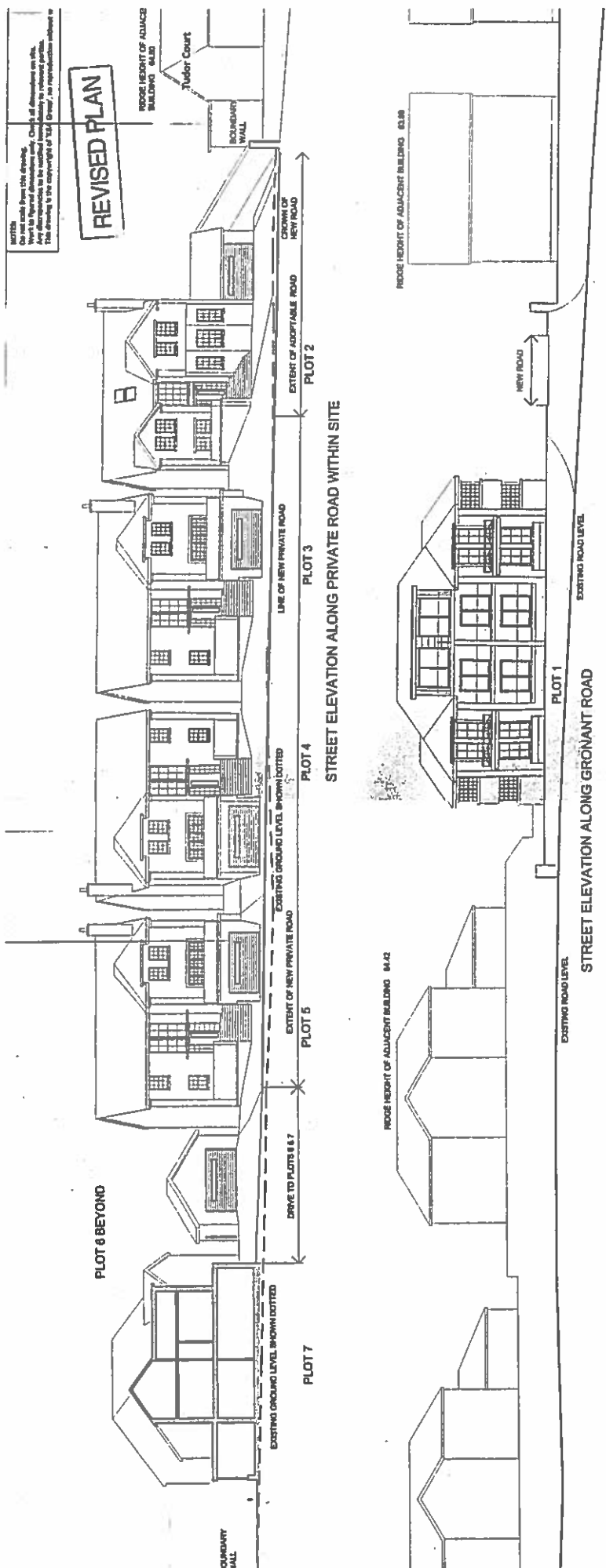
1:100 @ A3
 (B/A scheme)
 15/7/16



0 10 20 50mm NATURAL SCALE

ORIGINAL DRAWING SIZE 420 x 297 (A3)

STREET ELEVATION



Pure Residential & Commercial Ltd.	
Proposed Residential Development on land 74 Gronant Road, Prestatyn.	
PROPOSED STREET ELEVATIONS & SITE SECT	
Scale 1:200	Scale 1:200
Drawn by: J.S. Brown	Checked by: J.S. Brown
Project Name: Pure Residential & Commercial Ltd.	Project No: PRC 004 / L(2)13
Client: Pure Residential & Commercial Ltd.	Project Location: 74 Gronant Road, Prestatyn
Project No: PRC 004 / L(2)13	Project Date: 15 DEC



WARD : Prestatyn East

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

APPLICATION NO: 43/2016/0512/ PF

PROPOSAL: Erection of 5 no. apartments, 6 no. detached dwellings and associated works

LOCATION: 74 Gronant Road Prestatyn

APPLICANT: M rG Owen Pure Residential And Commercial Ltd.

CONSTRAINTS: Tree Preservation OrderCouncillorNameArticle 4 Direction

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 / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

“Objection - Over intensification, loss of trees, increased traffic”.

NATURAL RESOURCES WALES

No objection subject to the inclusion of conditions requiring the submission, agreement and implementation of a bat friendly external lighting site plan and a Biosecurity Risk Assessment.

DWR CYMRU / WELSH WATER

No objection subject to the inclusion of a condition requiring the submission of further drainage details.

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY

JOINT ADVISORY COMMITTEE

“The Joint Committee notes the additional arboricultural information supplied with the application but remains concerned that the scale and siting of the dwellings on plots 2-7 impacts excessively on the existing trees, including some which are in good condition. Should permission be granted, additional landscaping comprising native local species will be required to supplement the existing tree screen and to help integrate the development into its transitional location between town and country.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

No objection subject to the inclusion of standard conditions including the requirement for a Construction Management Plan.

Ecologist
No objection

Tree Specialist
No objection subject to conditions requiring an updated Arboricultural Method Statement and a landscaping details.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

E A Goodacre, 4 Tudor Court, Prestatyn Gary Blythin, 12 Parc Aberconwy, Prestatyn Kerry Evans, 10 Parc Aberconwy, Prestatyn James Pisani, 11 Parc Aberconwy, Prestatyn Dewi Jones, 109 Gronant Road, Prestatyn Caroline Jones, 93 Gronant Road, Prestatyn Paul James Stead, 102 Gronant Road, Prestatyn John and Myra Ablett, 89 Gronant Road, Prestatyn Margaret Bain, 95 Gronant Road, Prestatyn John and Eirlys Williams, 99 Gronant Road, Prestatyn Mrs Evans, 12 Parc Aberconwy, Prestatyn Wendy Butler, 25 Oakhill Drive, Prestatyn Mr & Mrs C S Carpenter, 87A Gronant Road, Prestatyn Martyn Jones, Gronant Road, Prestatyn Mr Roberts, Parc Aberconwy

Summary of planning based representations in objection:

Visual Amenity:

Development is out of character and scale with the area; apartments are close to the road and will not fit in sympathetically with the area and adjacent properties; removal of trees would adversely impact on the area;

Residential Amenity:

Development would block out light of nearby properties; properties fronting Gronant Road will look directly into properties on the opposite side of Gronant Road;

Highways:

Increase in traffic along Gronant Road; the properties do not have enough car parking which will result in cars parking on the road causing difficulties on Gronant Road; the access is close to fairly blind corners;

Wildlife and trees:

Badger activity in the area the site should be surveyed; properties to the rear are too close to the trees;

EXPIRY DATE OF APPLICATION: 16/11/2016 (Extension of time agreed)

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for the development of 0.52 hectares of land by the erection of 11 dwellings, consisting of 5 apartments and 6 detached dwellings with associated works at 74, Gronant Road in Prestatyn.
- 1.1.2 The application documents show the proposals for:
 - The erection of an apartment block of five 2 bed units fronting Gronant Road with car parking area to the rear
 - The erection of six 4 bed detached dwellings to the rear of the site with car parking facilities

- Alterations to an existing access off Gronant Road

The site layout plan and street scene plan is attached at the front of the report.

- 1.1.3 The application is accompanied by supporting documents which include:
- A Planning, Design and Access Statement
 - An Ecological Assessment
 - An Arboricultural Impact Assessment which includes a Tree survey, a Tree constraints plan, an Arboricultural method statement and a Tree protection plan

The main points of relevance to the proposals in the supporting documents are: –

Planning, Design and Access Statement:

- The application site is located within the development boundary for Prestatyn and comprises previously developed land; the principle of residential development on the site should not be an issue.
- There is a serious housing land shortage in Denbighshire which adds weight to the need to bring forward sites such as the application site as soon as possible.
- In the course of the preparation of the application proposals, close regard has been paid to the requirements of the relevant policies of the LDP which have informed the design of the layout.
- The proposal will deliver an attractive development of eleven new dwellings, making use of a vacant site and generally making a positive contribution to the appearance of the area.

Ecological Assessment:

- Confirms that no evidence of protected species or species of local or national importance has been identified within the survey areas. The site recorded no evidence of Badger setts, tracks, latrines or foraging by Badgers within the development boundary

Arboricultural Impact Assessment:

- It is the conclusion of this report that the overall quality and longevity of the amenity contribution provided for by the trees and groups of trees within and adjacent to the site will not be adversely affected as a result of the local planning authority consenting to the proposed development. It is considered that any issues raised in this report, or beyond the scope of it can be dealt with by planning conditions.
- A total of 27 individual trees and one hedge were surveyed.
- The total number of trees to be removed to facilitate the development is 13 individual trees with ivy removal and crown lifts proposed to a number of other trees.
- The ratio of trees removed to trees replanted should not necessarily be 1:1. Instead, the ratio should take into consideration the available space for tree growth and development in order to ensure the trees are physically suited to the site at maturity. A specification for and notation relating to the precise alignment of replacement trees will be contained in the landscape proposals.

1.2 Description of site and surroundings

- 1.2.1 The application site consists of 0.52 hectares of land which is overgrown and vacant following the demolition of the dwelling 74 Gronant Road some years ago. The site slopes upwards from Gronant Road.
- 1.2.2 To the north, the site has a road frontage with Gronant Road with a stone boundary wall and an existing vehicular access point.
- 1.2.3 On the opposite side of Gronant Road to the north are a number of residential properties, with large detached residential properties located to the east and west fronting Gronant Road. To the south of the site is an open field, located outside the

development boundary of Prestatyn.

- 1.2.4 The boundaries of the site are defined by stone walls and hedging with a number of trees located primarily to the eastern and southern boundary of the site.

1.1 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Prestatyn. It has no specific land use allocation in the Local Development Plan.

- 1.1.1 The application site itself is outside the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) but the rear boundary of the site is the boundary with the AONB.

1.2 Relevant planning history

- 1.2.1 Planning permission was granted in 2005 for the erection of 7 large detached properties, 2 properties fronting Gronant Road with 5 properties to the rear.

1.3 Developments/changes since the original submission

- 1.3.1 An Arboricultural Impact Assessment and Ecological Assessment has been submitted following issues raised at the initial consultation stage. An amended site layout plan and house type details has also been submitted.

2. DETAILS OF PLANNING HISTORY:

43/2004/0973/PF Demolition of existing dwelling and erection of 7 No. dwellings and garages and construction of new vehicular access with new roadway GRANTED 26th January 2005

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 BSC1 – Growth Strategy for Denbighshire

Policy BSC4 – Affordable Housing

Policy BSC11 – Recreation and open space

Policy BSC12 – Community facilities

Policy VOE 2 – Areas of Outstanding Natural Beauty/Areas of Outstanding Beauty

Policy VOE 5 - Conservation of natural resources

Policy ASA 3 - Parking Standards

Supplementary Planning Guidance

SPG Recreational Public Open Space

SPG Residential Space Standards

SPG Landscaping New Developments

SPG Trees and Landscaping

SPG Affordable Housing in New Developments

SPG Residential Development Design Guide

SPG Nature Conservation and Species Protection

Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

TAN 1 Joint Housing Land Availability Studies (2006)

TAN 5 Nature Conservation and Planning (2009)

TAN 12: Design (2016)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9 (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 3.1.3). 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.

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.

The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Density of development
- 4.1.3 Visual amenity including loss of trees
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)
- 4.1.8 Affordable Housing
- 4.1.9 Open Space
- 4.1.10 Area of Outstanding Natural Beauty/Area of Outstanding Beauty
- 4.1.11 Other matters

1.1 In relation to the main planning considerations:

- 4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages. Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria.

The site is located within the development boundary of Prestatyn, which is designated as a town in the adopted Local Development Plan.

The proposed development would provide 11 dwellings and would contribute to providing housing that has been identified as required in the County. The principle of residential development in this location is consistent with the Council's adopted plan, and this is now a significant consideration in relation to the application. Given this background, Officers would respectfully suggest the acceptability of the particular proposals therefore should rest on the specific local impact assessments detailed in the following sections of the report.

- 4.2.2 Density of Development

Local Development Plan Policy RD1 test ii) seeks to ensure the most efficient use of land by achieving densities of a minimum of 35 dwellings per hectare, unless there are local circumstances that dictate a lower density.

The Town Council has raised concerns in relation to the proposals being over intensification of the site.

Applying the density figure of 35dph referred to in Policy RD1 to the site area of 0.52 ha would give a total of 18 dwellings. As 11 dwellings are proposed, which would represent a density of 21 dwellings per hectare, this is well below the figure in the

policy and in Officers' opinion does not represent over intensification of development.

As stated above, Policy RD 1 seeks to ensure the most efficient use of land by achieving densities of a minimum of 35 dwellings per hectare, unless there are local circumstances that dictate a lower density. In this instance, it is Officers opinion that there are local circumstances that suggest a lower density would be acceptable, including from observation that existing properties are of a lower density, and include many larger properties set in spacious grounds. In addition, the shape and topography of the site and number of trees also impose constraints on the amount of development which can be accommodated on the site. Consequently, Officers do not believe the proposed density is inappropriate for the site or that there is conflict with test ii) of policy RD 1.

4.2.3 Visual amenity including loss of trees

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.

There are objections to the proposal based on potential visual impacts arising from the development, primarily in relation to the apartment block fronting Gronant Road which it is suggested will not be sympathetic and will be over dominant when compared to neighbouring development, and also in relation to the loss of trees.

In relation to the visual impact of the proposed dwellings, a street scene plan has been provided with the application which illustrates how the development will appear in relation to surrounding development.

The property at No. 76 is set back further from the highway than the property at No.72, and is orientated at an angle as Gronant Road begins to curve. The proposed apartment block has been sited so that it is line with No 72, but set further forward than No. 76. The siting of the block has been chosen having regard to a number of factors - the sloping levels of the site, the need to provide off street parking facilities, the need to provide sufficient spacing between properties to the rear of the site and access to the properties which is governed by the siting of the access and shape of the site itself.

In relation to the proposed apartment block fronting Gronant Road, this would consist of five 2 bed apartments, 2 on the ground floor, 2 on the first floor and 1 within the roofspace. The building would have a hipped roof similar to the design of Nos. 76 and 78 Gronant Road and the street scene plan indicates how the block would sit in relation to the properties on either side at Nos.72 and 76 Gronant Road. The plan suggests the scale of the apartment block is in keeping with the neighbouring properties and that due consideration has been given to the visual impact of this element of the development. The approach to the siting and design of the apartment block is considered acceptable and the building would not look out of keeping.

In relation to the comments relating to apartments being inappropriate within the area, it is acknowledged that development in the immediate area is primarily single detached dwellings, many of which are large in size and scale. However it is Officers' view that the proposed building itself does not seem to be out of keeping with the scale and design of nearby development, and the introduction of apartments, comprising smaller 2 bed accommodation would provide a greater mix of dwellings and provide accommodation for smaller households within the area.

The 5 apartments are part of a scheme involving 6 detached 4 bed properties to the rear of the site. It is indicated within the submission that the mix of 2 bed apartments and 4 bed dwellings has been chosen following advice from a local estate agent. Overall, the mix is considered acceptable and would provide provision of smaller properties but also offer 4 bed properties which are in demand within this area.

In relation to the 6 detached properties to the rear, these have been sited and designed having regard to surrounding development and have been orientated to respect the pattern of development in the area.

The external materials of the dwellings are indicated as facing bricks with tiled roofs, however detailed specifications have not been provided and therefore a condition would need to be imposed to ensure a satisfactory standard of development.

It is therefore considered that given the sloping nature of the site and its location within an area of mixed designs using a variety of different materials, the design and layout of the development would be respectful of the location. Controls over the choice of external materials will help ensure the built form is in keeping with surrounding development

In relation to the loss of trees, removal of 13 trees is proposed to accommodate development and an Arboricultural Impact Assessment has been undertaken.

Of the 13 trees it is proposed to fell, 1 tree (T10) is a Category B sycamore tree and is shown to be removed in order to construct a dwelling (plot 6). The remaining trees are of lower value, some of which are in poor condition. A Category B tree is a *'tree of moderate quality or value capable of making a significant contribution to the area for 20 or more years'*. A Category B tree should be retained unless there is an overriding justification.

As discussed previously in the report, the shape and topography of the site and the number of trees imposes constraints on the development of the site.

The Tree Specialist has considered the Arboricultural Impact Assessment along with the tree survey, tree constraints plan, Arboricultural method statement and tree protection plan.

The removal of the category B (T10) tree is unfortunate however of all the trees on the site, this tree is located furthest into the site away from a boundary and its removal is required to facilitate the development. The layout has been modified to be outside the root protection areas of the retained trees. Taking into account the removal of the poor ash (T18) which will allow the retained ash to spread to the east as it grows thus reducing growth towards the dwelling, and the tree being located towards the end of the garden overall the proposal is considered acceptable.

The Tree Specialist recommends that an updated Arboricultural Method Statement and landscaping details is submitted prior to commencement and should include details for the pruning of retained trees. It is suggested that appropriate planning conditions could be imposed to secure these details.

It is therefore considered that in relation to the loss of trees that subject to the inclusion of the conditions suggested by the Tree Specialist that the proposal is acceptable.

4.2.4 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.

There are objections over potential for loss of privacy, etc. from new development on the site.

In relation to the proposed apartment block fronting Gronant Road: The proposed block has been sited to respect adjacent properties fronting Gronant Road with windows positioned appropriately to avoid overlooking or loss of privacy.

In relation to the proposed detached dwellings located within the site: These properties adjoin existing residential development which fronts Gronant Road and Tudor Court. Following discussions with the developer, changes have been made to the house types to ensure there is no adverse impact on the amenities of existing residents and with appropriate conditions it is not considered that there would be any significant impacts on the amenity of existing residents.

The proposed dwellings all have sufficient amenity space and off street parking facilities which meet the Council's adopted standards and therefore future occupiers of the properties would be afforded a sufficient level of amenity.

4.2.5 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2) current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

There are no objections expressed over the potential impact on ecology as a result of development. An Ecological Appraisal has been undertaken which concludes the site has low ecological value. NRW have raised no objection to the proposal subject to the inclusion of conditions relating to the need for a bat friendly light spillage scheme and a biosecurity risk assessment is undertaken.

Subject to the inclusion of suitable conditions on any permission, it is suggested ecological interests can be suitably protected in relation to a development on this site.

4.2.6 Drainage

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

Dwr Cymru Welsh Water have not raised any objections to the proposal subject to the inclusion of suitable conditions being imposed if planning permission is granted.

Given the comments of the technical consultee, it is considered that it is reasonable to assume that an acceptable drainage scheme can be achieved on the site. It is

considered appropriate to secure the provision of an appropriate drainage scheme through condition. The proposals are therefore considered acceptable in relation to drainage.

4.2.7 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.

There are objections raised by the Town Council and local residents in relation to access, increased traffic and sufficiency of off street parking.

In respecting the concerns expressed, the Highways Officer has no objections to the proposal and has no concerns in respect of the adequacy of the local highway network, subject to conditions. Conditions have been suggested in relation to detailed design, layout, construction, drainage, street lighting and associated highway works of the internal estate road and also in relation to the submission of a construction management plan which should include details of the location of the site compound, traffic management scheme, vehicle wheel washing facilities, hours and days of operation, the management and operation of construction vehicles, the loading and unloading of plant and materials and the parking of vehicles of site operatives and visitors.

4.2.8 Affordable Housing

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

The Council's Strategic Planning and Housing section has advised there is an identified need for affordable housing in the area. The application specifies that the proposal will meet the Council's Affordable Housing policy, the number and tenure of which would be agreed with the Council, and it has been indicated that a 2 bed apartment would be provided.

In addition to the requirement to provide 1 affordable housing unit on site, as the proposal is for 11 units a financial contribution would be required for the 0.1 proportion - and on the basis of the development proposals and latest build costs provided by RICS, the contribution would be £16,876.44 which the developer is aware of.

A Section 106 agreement is required to secure the provision and the agreement would need to be completed prior to the issue of the planning permission.

4.2.9 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 Council's Open Space requirement for a development of 11 dwellings is a total of 607.2 sqm comprising of 404.8 sqm of Community Recreation Open Space (CROS) and 202.4 sqm of Children's Play Areas (CPA).

The proposal does not provide any on-site CROS or CPA and seeks to meet the Council's open space policy by the payment of a commuted sum which on the basis of a development of 11 dwellings is £13,609.38.

Given the scale and location of the development, the approach to open space is considered acceptable. The site is within walking distance of an existing playground and recreation site near Ysgol Bodnant and therefore the offer of a commuted sum is considered acceptable in this instance.

A Section 106 agreement is required to secure the payment of a commuted sum and the agreement would need to be completed prior to the issue of the planning permission

4.2.10 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The boundary of the AONB abuts the rear of the site and concerns have been raised in relation to the impact of the loss of trees.

The site is currently in a derelict overgrown condition, with metal fencing along the frontage, with storage containers located on the site and is generally unsightly. The trees on the site have not been managed over a number of years.

Whilst the erection of new development on the site will inevitably have some visual impact on the area, the scale and design of the proposal is considered acceptable and will ultimately have a positive impact. A number of trees will be lost from the boundaries of the site, but a new landscaping plan for the site of an appropriate type will need to be agreed having regard to the location of trees to be retained and location of new development. An appropriate landscaping plan is achievable and it is not considered that the development of the site would adversely impact upon the AONB.

Other matters

Well – being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 The report sets out the main planning issues which appear relevant to the consideration of the application and concludes that the proposal is acceptable in relation to policies and guidance.

5.2 It is therefore recommended that Members resolve to grant permission subject to:

1. Completion of a Section 106 Obligation to secure affordable housing and open space contributions as detailed in the report.

The precise wording of the Section 106 would be a matter for the legal officer to finalise.

In the event of failure to complete the Section 106 agreement within 12 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

2. Compliance with the following Conditions:

The Certificate of Decision would not be released until the completion of the Section 106 Obligation.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the date on which the S106 is signed.
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) Apartment elevations - Plot 1 (Drawing No. L(2)02) received 30 September 2016
 - (ii) Apartment floor plans - Plot 1 (Drawing No. L(2)01) received 30 September 2016
 - (iii) Elevations - Plot 2 (Drawing No. L(2)04A) received 2 December 2016
 - (iv) Floor plans - Plot 2 (Drawing No. L(2)03A) received 2 December 2016
 - (v) Elevations - Plots 3 & 5 (Drawing No. L(2)06A) received 2 December 2016
 - (vi) Floor plans - Plots 3 & 5 (Drawing No. L(2)05A) received 2 December 2016
 - (vii) Elevations - Plot 4 (Drawing No. L(2)08) received 30 September 2016
 - (viii) Floor plans - Plot 4 (Drawing No. L(2)07) received 30 September 2016
 - (ix) Elevations - Plot 6 (Drawing No. L(2)10) received 30 September 2016
 - (x) Floor plans - Plot 6 (Drawing No. L(2)09) received 30 September 2016
 - (xi) Elevations - Plot 7 (Drawing No. L(2)12) received 30 September 2016
 - (xii) Floor plans - Plot 7 (Drawing No. L(2)11) received 30 September 2016
 - (xiii) Street elevations and site sections (Drawing No. L(2)13 Rev A) received 15 December 2016
 - (xiv) Site plan (Drawing No. L(9)01 rev F) received 2 December 2016
 - (xv) Location plan received 23 May 2016
3. Prior to the construction of the dwellings hereby approved details of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. The detailed design, layout, construction, drainage, street lighting and associated highway works of the internal estate road shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any site works and the works shall be completed in accordance with the approved details before any dwelling is occupied.
5. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the approved plan and shall be completed prior to the development being brought into use.
6. In relation to the carrying out of the works, no development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to
 1. The site compound location
 2. Traffic management scheme
 3. Vehicle wheel washing facilities
 4. Hours and days of operation
 5. The management and operation of construction vehicles
 6. The loading and unloading of plant and materials
 7. The parking of vehicles of site operatives and visitors

- The works shall be carried out strictly in accordance with the approved details.
7. No development shall be permitted to commence until an updated Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement should include details for the pruning of retained trees.
 8. No development shall be permitted to commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.
 9. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing
 10. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority
 11. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the details of proposals for the disposal of foul drainage and surface water drainage (including roofwater) in connection with the development .The scheme shall include details of the timing of implementation and the works shall be carried out strictly in accordance with the approved details.
 12. No development shall be permitted to commence until details of a light spillage scheme to ensure bats are not adversely affected shall be submitted to and approved in writing by the Local Planning authority. The development shall proceed in accordance with such approved details.
 13. No development shall be permitted to commence until details of a Biosecurity Risk Assessment has been submitted and approved in writing by the Local Planning Authority. The assessment must include:
 - (i) appropriate measures to control any invasive non-native species (INNS) on site; and
 - (ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of development and restoration.
 14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows additional to those shown on the approved plans shall be inserted at any time within the side elevation of the property annotated as Plot 2 (adjacent to 4 Tudor Court) hereby permitted, unless otherwise agreed in writing by the Local Planning Authority
 15. Notwithstanding the submitted plans for Plot 7 the detailing of the proposed first floor windows within the side elevation facing 78 Gronant Road shall be further agreed in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details and thereafter retained as such unless otherwise approved in writing by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. In the interest of visual amenity.
4. To ensure the estate road system if constructed to a standard suitable for adoption and in the interests of traffic safety
5. To provide for the loading/unloading, parking and turning of vehicles and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. In the interest of the free and safe movement of traffic on the adjacent highway and in the interest of highway safety.

7. In the interest of landscape and visual amenity.
8. In the interest of landscape and visual amenity.
9. In the interests of visual amenity.
10. In the interest of visual amenity.
11. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
12. In the interests of nature conservation.
13. In the interests of nature conservation.
14. In the interest of residential amenity.
15. To protect the privacy of residents at 78 Gronant Road.

NOTES TO APPLICANT:

You may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

You are also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Pollution Prevention

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permitable activity under Environmental Permitting Regulations 2010. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If the method of foul or surface water drainage is amended from mains drainage to any private drainage methods, please reconsult Natural Resources Wales.

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be 110% of the capacity of the tank, all filling points, gauges, vents and sight glasses must be located within the bund. Associated pipe-work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards