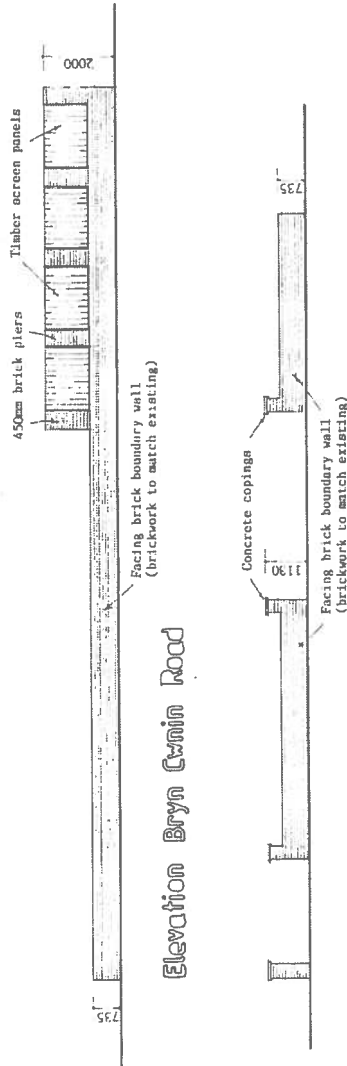


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45/2017/0048 - 1 South Drive, Rhyl

Scale: 1:1250

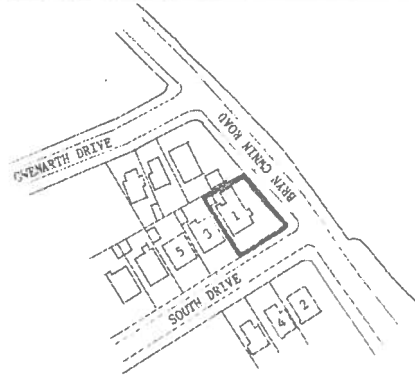
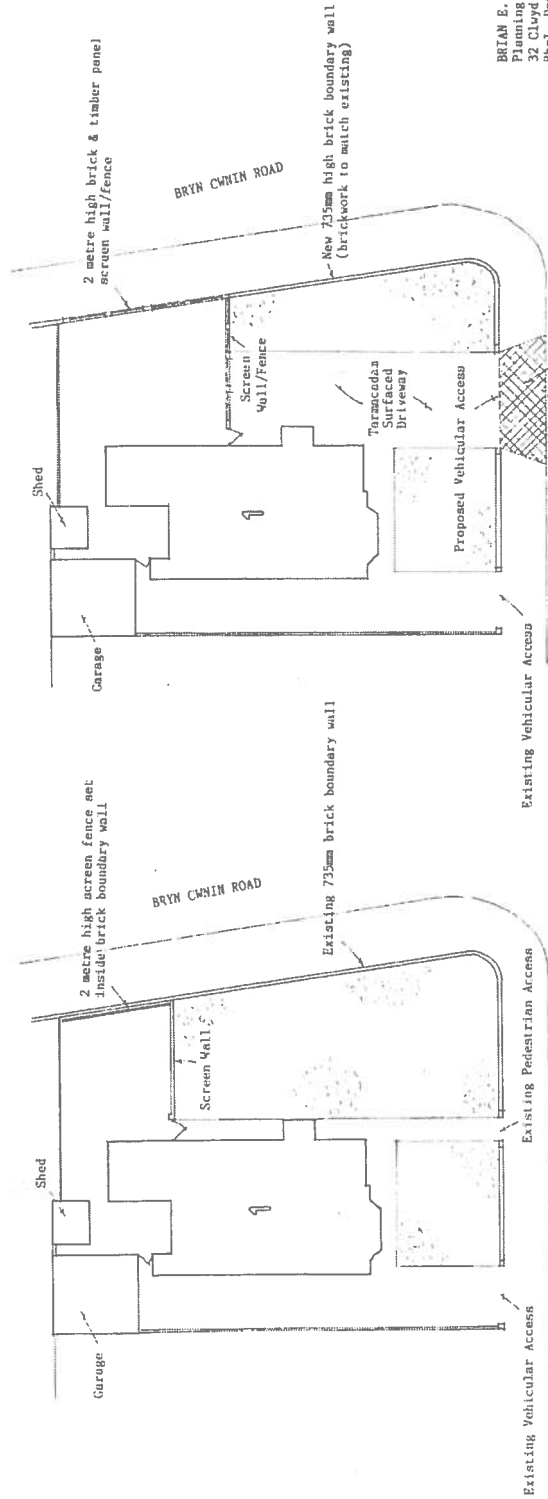
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Elevation Bryn Cwmin Road

Elevation to South Drive

PROPOSED VEHICULAR ACCESS & SCREEN WALL/FENCE
AT 1 SOUTH DRIVE, RHYL. SCALES - 1:200, 1:100.



LOCATION PLAN SCALE - 1:1250

BRIAN E. ROBINSON, ACBE, MIOBIO,
Planning & Design Services,
32 Clyde Avenue, Rhuddlan,
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A Member of the Guild of Master Craftsmen.
PLAN NO. 2846/3/DEC/16

EXISTING SITE PLAN

PROPOSED SITE PLAN NEW ACCESS

WARD : Rhyl South

WARD MEMBER(S): Jeanette Chamberlain-Jones (c), Chery Lynne Williams

APPLICATION NO: 45/2017/0048/ PC

PROPOSAL: Formation of new vehicular access and erection of new fence/wall (Partly Retrospective Application)

LOCATION: 1 South Drive Rhyl

APPLICANT: Mr & Mrs Dave & Lesley Parsons

CONSTRAINTS: C1 Flood Zone
Article 4 Direction

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

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL:

"No objection to fence/wall however objection to formation of new vehicular access due to its close proximity with Bryn Cwnin Road for the reason of highway safety".

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Highways Officer

Notes the concerns raised by Rhyl Town Council regarding Highway Safety.

South Drive is a residential street with low traffic and pedestrian movement. Given the openness of the road with its Junction with Bryn Cwnin Road, wide footways on South Drive/ Bryn Cynin Road, which allows clear visibility for vehicles approaching the proposed vehicular access in both directions and low vehicle movements from this access consider this will not cause any highway safety issues.

The Highway Authority has no objection in principle to the proposals subject to inclusion of conditions.

RESPONSE TO PUBLICITY: None.

EXPIRY DATE OF APPLICATION: 13/03/2017

REASONS FOR DELAY IN DECISION: Awaiting consideration at Committee.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 Planning permission is sought for the formation of a new vehicular access and the erection of new boundary wall at no. 1 South Drive, off Bryn Cwnin Road in Rhyl.

1.1.2 The application is partially retrospective as the new access has been created. The former pedestrian access to South Drive has been removed and replaced with a vehicular access.

1.1.3 A screen wall/fence is proposed along part of the Bryn Cwnin road boundary (south-east of the site), returning to the side elevation of the dwelling. The new boundary treatment would enclose a greater area to the side of the dwelling than the existing

panel fencing, and would comprise of a brick base and piers, with timber screen panels between.

1.1.4 The plan at the front of the report shows details of the proposals.

1.2 Description of site and surroundings

1.2.1 The site is located on the eastern side of South Drive on the corner of the junction with Bryn Cwnin Road.

1.2.2 This is a residential area on the fringe of the town of Rhyl, characterised by detached bungalows.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Rhyl as defined in the Local Development Plan.

1.4 Relevant planning history

1.4.1 There is no relevant planning history on the site.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 None.

2. **DETAILS OF PLANNING HISTORY:**

2.1 None.

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
RD1 Sustainable Development and good standard design

Government Policy / Guidance

Planning Policy Wales Edition 9

TAN 18 Transport

Well – being of Future Generations (Wales) Act 2015

4. **MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, December 2016 (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). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, towards the aim of sustainability, and be fairly and reasonably related to the development concerned.

Development Management Manual 2016 states that material considerations 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 (DMM section 9.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

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

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Highway Safety

Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy RD 1 Sustainable development and good standard design sets basic tests to be applied to proposals on sites within development boundaries.

The site is located within the development boundary of Rhyl within the curtilage of an existing dwelling.

The principle of this type of proposal would normally be considered acceptable, and the detailed impacts are considered below:

4.2.2 Visual Amenity

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 application proposes the retention of a new vehicular access and the erection of a new wall/fence around part of the curtilage of the dwelling.

The visual impacts of the proposed access would be minimal, the only change being a wider gate to South Drive than the existing pedestrian gate. Considering the boundary treatment element of the proposal, it is noted there is panel fencing enclosing a smaller garden area to the Bryn Cwnin side of the dwelling as existing. There is also a similar style of fence on a neighbouring dwelling to the east of the site. As such the visual amenity impacts of the proposal are not considered unacceptable.

4.2.3 Highway Safety

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users; and consideration of the impact of development on the local highway network. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

Concerns have been raised by the Town Council over the highways safety issues relating to the scheme. Highways Officers have considered the proposal and raise no objection to the access.

Whilst noting the comments of the Town Council, in considering an application of this nature Officers due account needs to be taken of the advice of key technical consultees in matters of highway safety. The Highways Officers have advised that South Drive is a residential street with low traffic and pedestrian movement. Given the openness of the road with its Junction with Bryn Cwnin Road, wide footways on South Drive/ Bryn Cynin Road, which allows clear visibility for vehicles approaching the proposed vehicular access in both directions and low vehicle movements from this access it is considered that the proposal will not cause significant highway safety issues. They go on to recommend that a condition be attached to ensure the visibility splays are retained. Officers consider that the relevant policy and guidance in relation to highways considerations is met.

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 development.

5 SUMMARY AND CONCLUSIONS:

5.1 In respecting the comments received on the application, the fence and access are considered acceptable under the relevant policies and is recommended for grant.

RECOMMENDATION: GRANT - subject to the following conditions:-

1. 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 & proposed site with proposed elevation & location plan (drawing number 2846/3/DEC/16) received 17 January 2017

2. The boundary walls shall be constructed as shown on the approved drawing and nothing shall be planted or erected above the height shown within 2.0m of the said boundary on South Drive and Bryn Cwnin Road.

The reason(s) for the condition(s) is(are):-

1. For the avoidance of doubt and to ensure a satisfactory standard of development.
2. To ensure adequate visibility is provided at the point of access to the highway in the interest of highway safety.

NOTES TO APPLICANT:

Highways Notes:

Consent will be required under Section 184 of the Highways Act for the footway vehicular crossing. Please contact Gail McEvoy on 01824 706882 to discuss.

Your attention is drawn to the following Advisory Notes.

- (i) Highway Supplementary Notes Nos. 1,3,4,5 & 10.
- (ii) New Roads and Street Works Act 1991-Part N Form.
- (iii) Highways Act 1980 Section 184 Consent to Alter a vehicular Crossing Over a Footway.