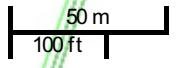


**COPY OF PLANNING OFFICER'S REPORT
ON APPLICATION 01/2016/0374 TO
MARCH 15th 2017 MEETING**



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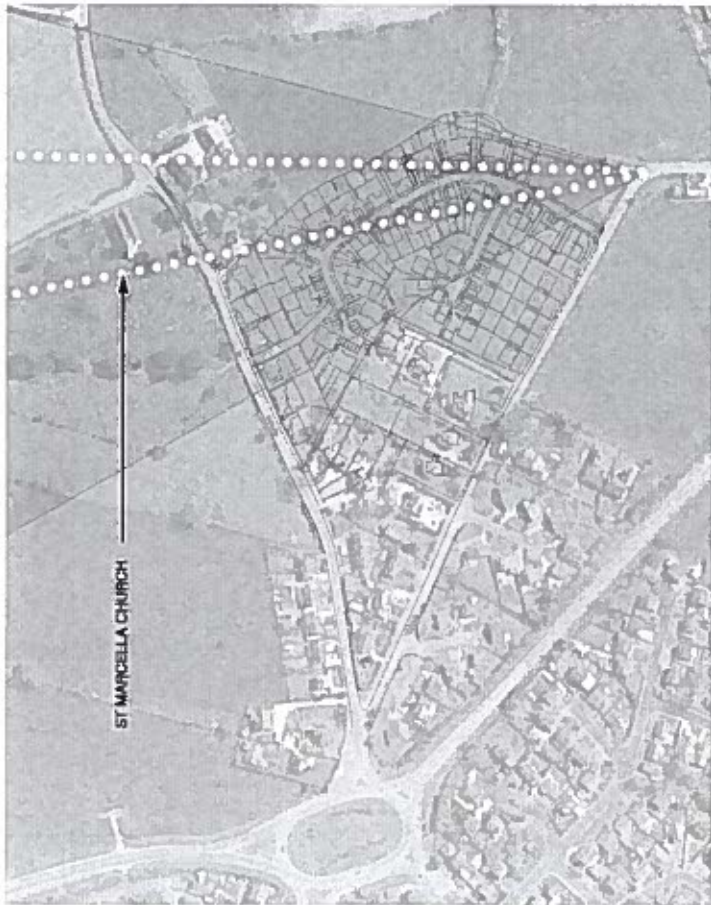
01/2016/0374/PF

Scale: 1:2500

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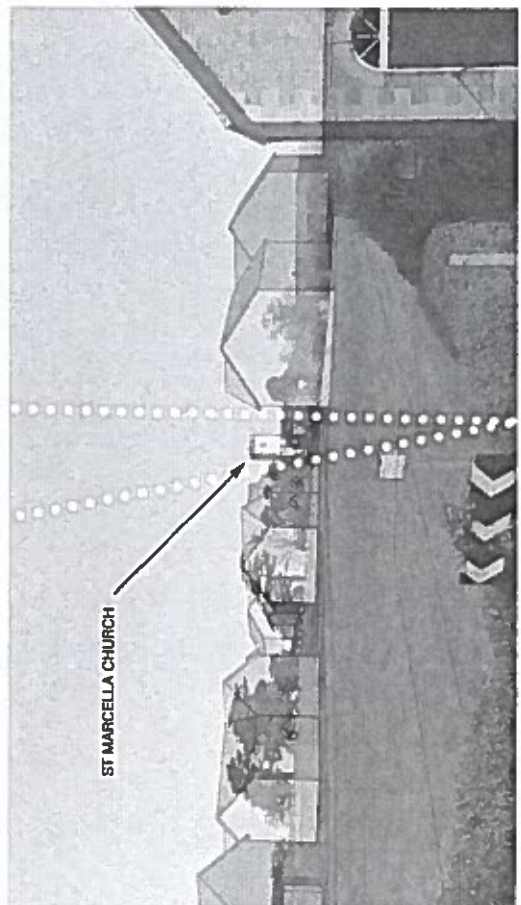
© Denbighshire County Council



ST MARCELLA CHURCH

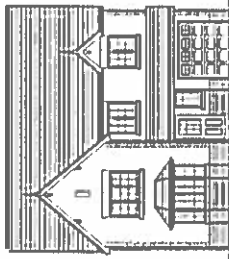
SITE PLAN INDICATING PERSPECTIVE RANGE (RED) & VISUAL CORRIDOR (WHITE DASHED)

SCALE : NTS



ST MARCELLA CHURCH

PERSPECTIVE RANGE GHOST OVERLAY WITH VISUAL CORRIDOR LINES (WHITE DASHED)



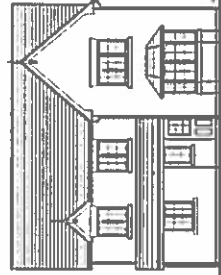
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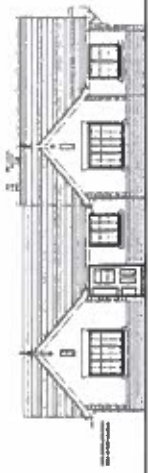
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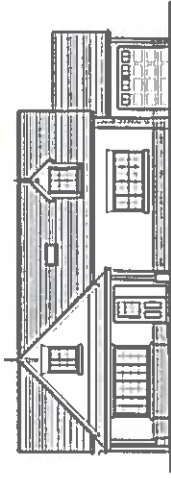
type FGF



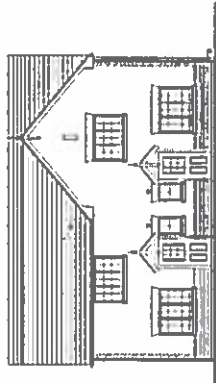
type CG



type H J



type B



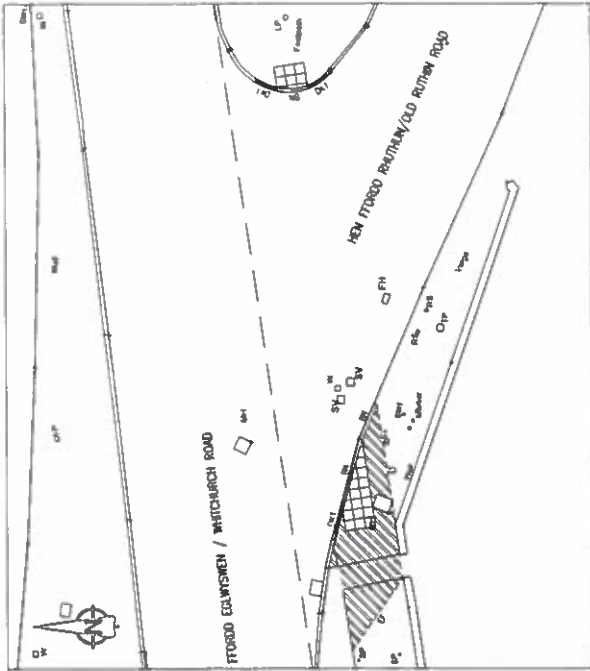
type D E

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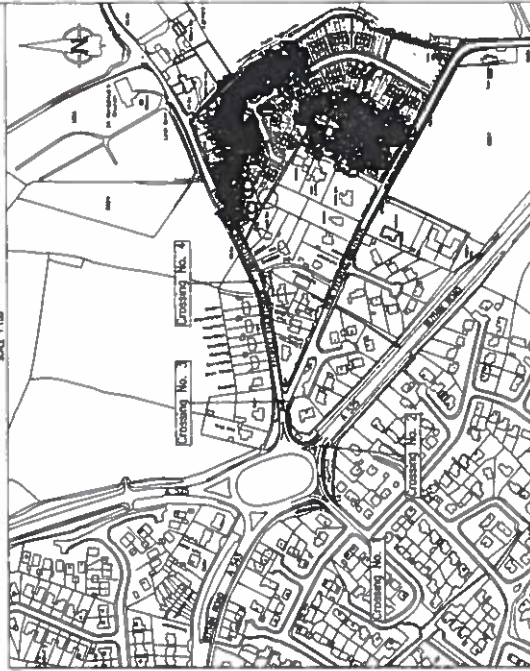
WILLACY HORSEWOOD ARCHITECTS

WILLACY HORSEWOOD ARCHITECTS LTD
 PURE COMMERCIAL LTD
 1103 @ A1 JAMES WHITE
 VISUAL CORRIDOR GHOST OVERLAY & COLOUR CODED ELEVATIONS
 1103 @ A1 JAMES WHITE
 VISUAL CORRIDOR GHOST OVERLAY & COLOUR CODED ELEVATIONS
 1103 @ A1 JAMES WHITE
 VISUAL CORRIDOR GHOST OVERLAY & COLOUR CODED ELEVATIONS

CROSSING POINT IMPROVEMENTS



3 - OLD RUTIN ROAD TACTILE CROSSING POINT
SCALE 1:100



PLANNING

LOCATION PLAN
SCALE 1:2500

MOA
Consulting Civil & Structural Engineers
100RE RESIDENTIAL & COMMERCIAL LTD
RESIDENTIAL DEVELOPMENT AT GWEITFFIN
FFORD EGALWYSIEN, GWAIIENYN, LL49 4PW

CROSSING POINT IMPROVEMENTS
5125 SK031

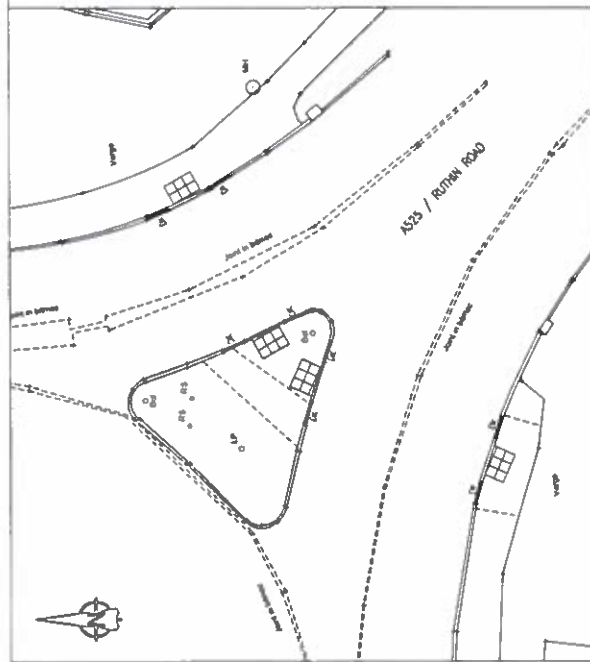
LEGEND

Site Boundary
Existing Drop kerb - Single
New kerb - Not indicated
New kerb - Blanked from plan
New Drop kerb - Single
New Existing kerb
New Footing Construction
New Tactile Paving & Footway Construction
New Tactile Paving

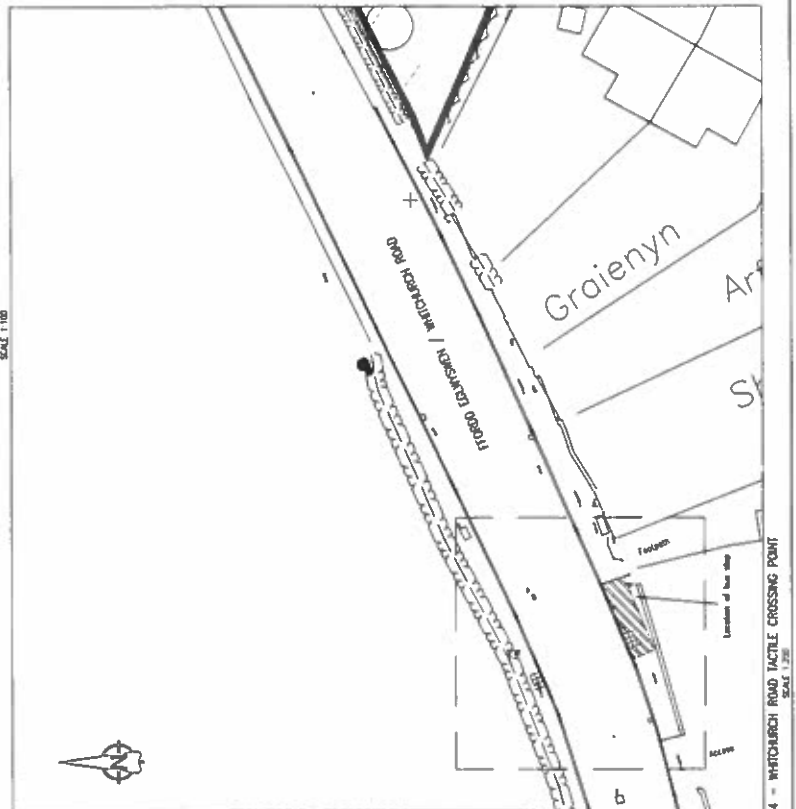
Notes

- All dimensions are in metres unless otherwise stated
- All levels are in metres above OS

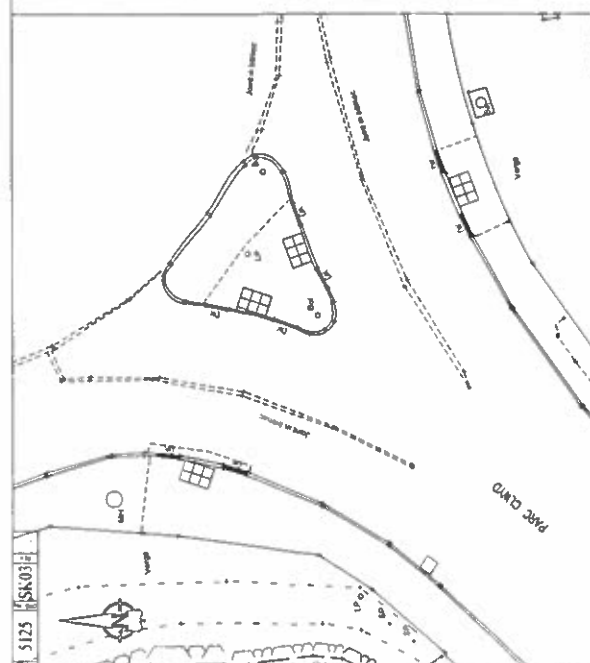
Prepared by: P. Jones & D. Jones Ltd



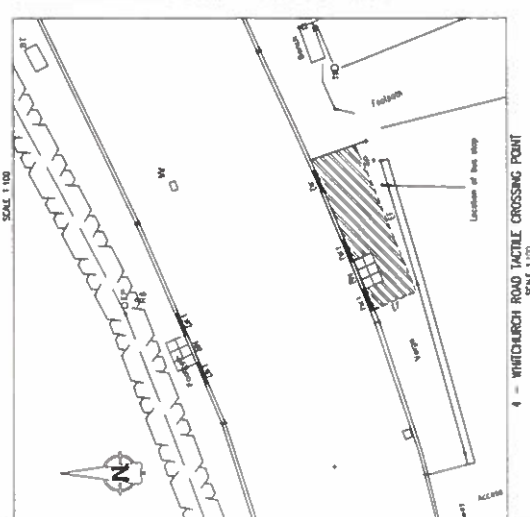
2 - RUTIN ROAD TACTILE CROSSING POINTS AT ROUNDABOUT
SCALE 1:100



4 - WHITCHURCH ROAD TACTILE CROSSING POINT
SCALE 1:200

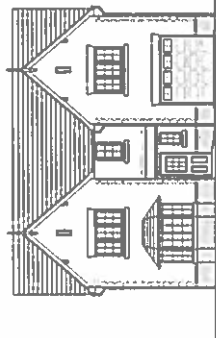


1 - PARC CYMO TACTILE CROSSING POINTS AT ROUNDABOUT
SCALE 1:100

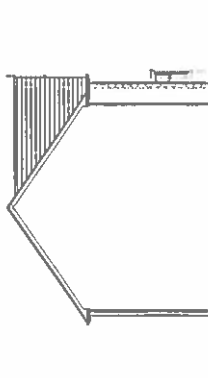


4 - WHITCHURCH ROAD TACTILE CROSSING POINT
SCALE 1:100

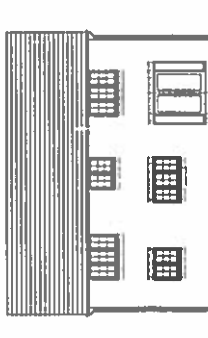
5125 SK031



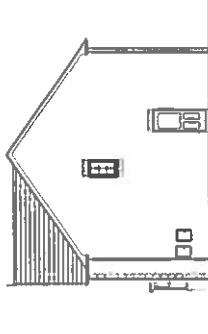
FRONT ELEVATION AS PROPOSED



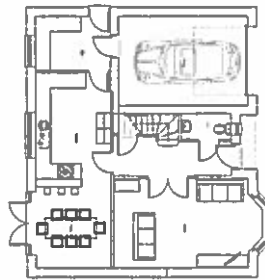
SIDE ELEVATION AS PROPOSED



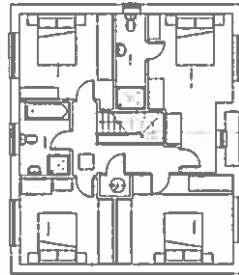
REAR ELEVATION AS PROPOSED



SIDE ELEVATION AS PROPOSED



GROUND FLOOR AS PROPOSED



FIRST FLOOR AS PROPOSED

ELEVATION PLANS OF DWELLINGS

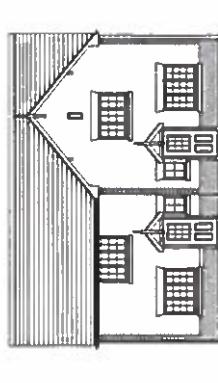
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PLANNING DRAWING

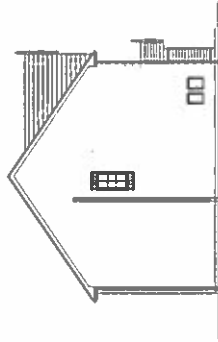
willacy horsewood architects

| | | | |
|---|--------|-----------|----------|
| 1100 @ A1 | APR 19 | WHITFIELD | 1216/19A |
| willacy horsewood architects 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100 | | | |
| 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100 | | | |



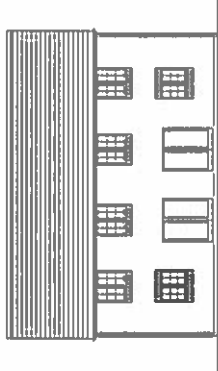
House Type D

FRONT ELEVATION AS PROPOSED



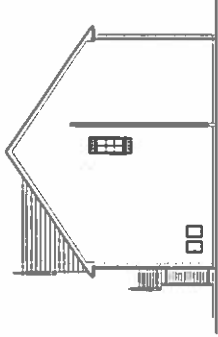
House Type D

SIDE ELEVATION HOUSE TYPE D AS PROPOSED



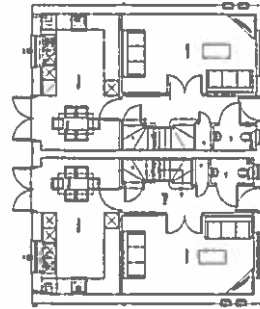
House Type D

REAR ELEVATION AS PROPOSED



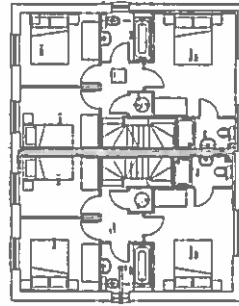
House Type E

SIDE ELEVATION HOUSE TYPE E AS PROPOSED



House Type D

GROUND FLOOR AS PROPOSED



House Type D

FIRST FLOOR AS PROPOSED

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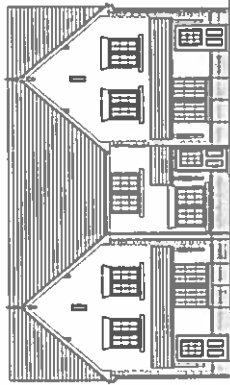


PLANNING DRAWING

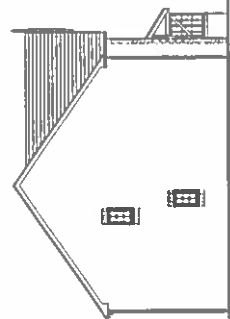
DATE: 02/03/2024

willacy horsewood architects

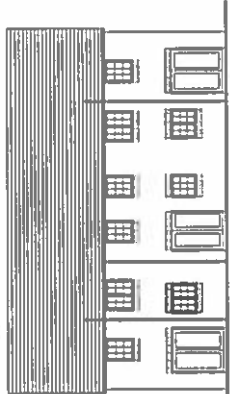
| | |
|-------------|---|
| Client: | PURE RESIDENTIAL & COMMERCIAL LTD |
| Site: | 645 TOPPING FIELDS EGYPTON WILMINGTON |
| House Type: | HOUSE TYPE D & E |
| Scale: | 1:100 (D/A) APR 18 |
| Drawn by: | WHL/STJ |
| Checked by: | STJ |
| Date: | 17/11/2024 |
| Project No: | 108-21244-11-202117-01-01-00-000000-00-00 |



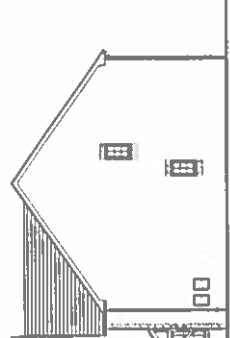
FRONT ELEVATION AS PROPOSED



SIDE ELEVATION AS PROPOSED



REAR ELEVATION AS PROPOSED



SIDE ELEVATION AS PROPOSED

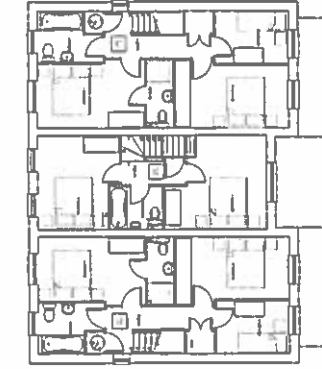
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 IF IN DOUBT, ASK ARCHITECTS.



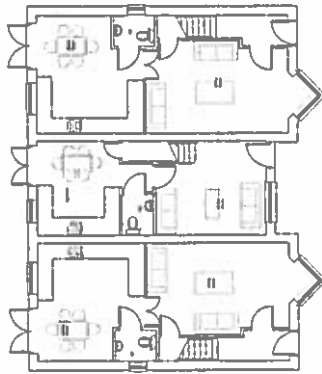
PLANNING DRAWING



| | |
|--------------|-----------------------------------|
| Client | PURE RESIDENTIAL & COMMERCIAL LTD |
| Architect | WILLACY HORSEWOOD ARCHITECTS |
| Project Name | 1100 @A1 APPT 19 |
| Plot No. | 9991319 |
| Drawing No. | 216490 |
| Scale | 1:100 @A1 |
| Date | 11/07/19 |
| Author | willacy horsewood architects |
| Checker | willacy horsewood architects |
| Project No. | 1100 @A1 |
| Plot No. | 9991319 |
| Drawing No. | 216490 |
| Scale | 1:100 @A1 |
| Date | 11/07/19 |
| Author | willacy horsewood architects |
| Checker | willacy horsewood architects |

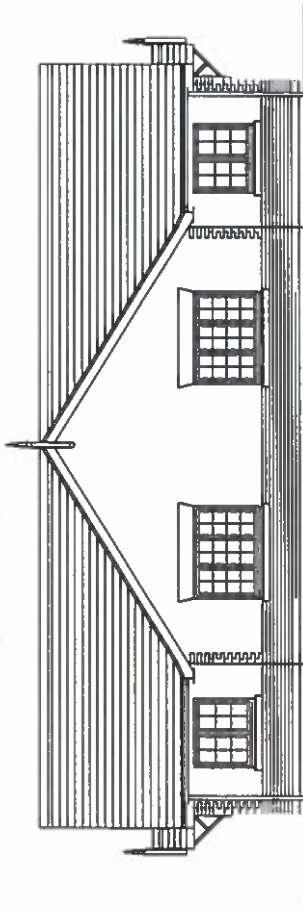


FIRST FLOOR AS PROPOSED

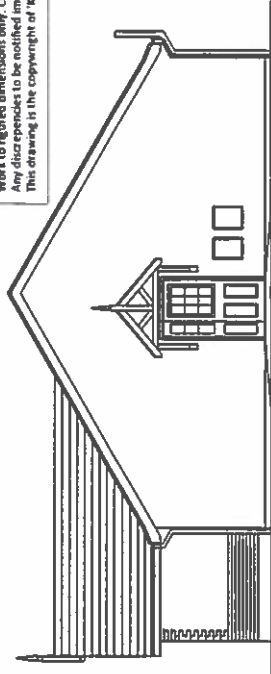


GROUND FLOOR AS PROPOSED

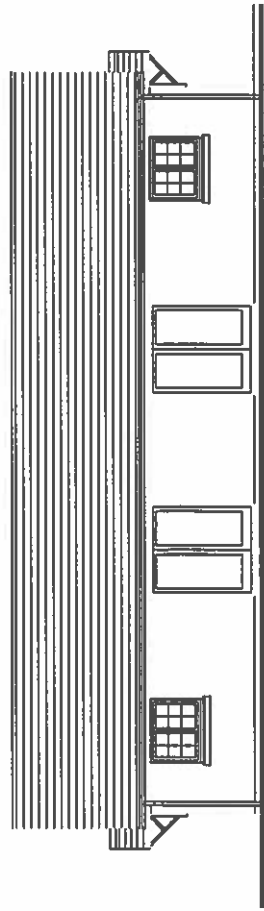
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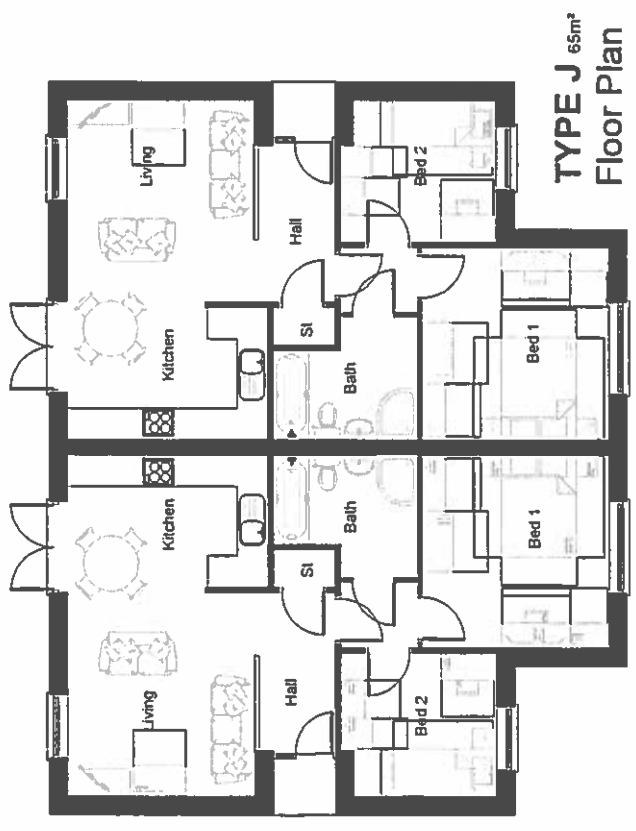
Front Elevation



Side Elevation



Rear Elevation



TYPE J 65m²
 Floor Plan

PLANNING DRAWING

| | | | |
|---|------|---------------------|-------------|
| A 10/010 Type H embed | | 0.0.1 | |
| Pure Residential & Commercial Ltd | | | |
| Proposed Residential Development at Cae Topyn, Ffordd Egwyls Wen, Denbigh | | | |
| PROPOSED DWELLING TYPE J FLOOR PLANS AND ELEVATIONS | | | |
| 1:100 @ A3 | 0/07 | WH1218 / 1218-PHJ A | |
| 0/07 | 0/07 | | |
| New Vision House New Vision House Business Park Ffordd Ffordd M. A. Park Denbighshire LL17 0UP T: 01145 44554 E: enquiries@purecommercial.co.uk W: www.purecommercial.co.uk | | | |
| | | | PURE |

DETAILS (DRAWING SIZE A30 x 297 (A3))

Scale: 1:5000 NATURAL SCALE

WARD : Denbigh Lower

WARD MEMBER(S): Cllr Mark Young (c)

APPLICATION NO: 01/2016/0374/ PF

PROPOSAL: Erection of 75 no. dwellings, together with associated roads, open space and related works

LOCATION: Land at Cae Topyn off Old Ruthin Road Ffordd Eglwyswen Denbigh

APPLICANT: Mr G Owen Pure Residential And Commercial Ltd.

CONSTRAINTS: None

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

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL:

Response to initial consultation:

“Several concerns were expressed with regard to the proposed development with regard to Bio-diversity, environmental matters and the impact on the infrastructure in Denbigh. Concerns were also expressed regarding the substantial impact the development would have on the A525 and the Llandyrnog Road. There is also a lack of information regarding highways issues to include no safe route to school and transport assessment. Better proposals and information are required.

I am instructed to inform you that Denbigh Town Council would wish to object to the application on the grounds of the lack of information and safety.”

Response to first re-consultation:

“Denbigh Town Councillors wish to advise that they strongly object to the following application: 01/2016/0374- Land at Cae Topyn off Old Ruthin Road, Ffordd Eglwyswen, Denbigh.

This application was deferred from our Planning meeting on Tuesday 18th October.

In addition to the comments made by a local resident (see attachment) Denbigh Town council have already replied on the 26th May objecting to the application (see above). Feedback has not been listened to.

Denbigh Town Council are in full agreement with Mr & Mrs H Watkin. Denbigh Town council have not received any addition update or feedback. We would like to know what the changes are, if any to the current application.

There are two fields requesting planning consent, again only one is presented.”

Response to February 2017 re-consultation:

To be reported on late representations sheet.

NATURAL RESOURCES WALES:

No objections

DWR CYMRU / WELSH WATER:

No objections. Confirm the foul drainage system would be adopted subject to the applicants entering into an adoption agreement with Dwr Cymru.

CLWYD POWYS ARCHAEOLOGICAL TRUST

Response to initial consultation:

Additional evaluation survey work and visual assessment required.

Response to re-consultation:

No objections

BETSI CADWALADER UNIVERSITY HEALTH BOARD

No objections, not aware of any significant issues arising for the Health Board in terms of local capacity and infrastructure or any impact on property management and access.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

As highway considerations are of particular significance to the assessment of the application, the full text of the Highway Officer's response is included below:

"A site development brief was adopted by DCC Planning Committee on 16th March 2016 for the two sites either side of Old Ruthin Road, the current application relates to site 2 in the brief. A transport assessment would be required should planning applications be submitted separately for the 2 sites. In such a case, the TA should take account of the adjacent site and not prevent its delivery. This would involve assessing the combined impact of both sites when complete (at a range of housing densities) on the local highway network. Various local issues were raised in the development brief as outlined below, I have included my comments below each point.

1. Myddleton Park Roundabout

The capacity of the roundabout at peak traffic times to accommodate extra traffic generated by the sites. This assessment should assess the type of traffic using the roundabout. This includes large lorries and the speed of cars travelling through the roundabout because of the relatively direct route of the A525. Improvements to pedestrian safety shall also be considered, such as by increasing the size of the roundabout splitter islands (subject to the ARCADY/JUNCTIONS 9 model indicating there is sufficient geometric capacity to allow this).

We have assessed the data in the Transport Assessment, and although Arcady software has not been used, we are satisfied that the manual capacity calculations provided are robust and take sufficient account of existing traffic levels, newly generated development traffic and future traffic growth. It is therefore concluded that the level of vehicular traffic generated by the developments can be accommodated by the existing highway network. Improvements to the pedestrian crossing facilities on the roundabout have also been proposed as part of the application.

2. Old Ruthin Road and Whitchurch Road junction

The adequacy of visibility for vehicles exiting and entering Old Ruthin Road and the impact increased traffic would have on this junction. Currently, vehicles approaching this junction from Old Ruthin Road are not visible to road users on Whitchurch Road.

It is considered that the development will not significantly increase traffic in this location, vehicles are visible from vehicles approaching from the Llandyrnog direction although the junction does not meet the full visibility standards as set out in manual for streets. There have

been no recorded accidents at this location and the limited increase in traffic at this junction will not be detrimental to highway safety.

3. Old Ruthin Road (brow of slope)

Ensure access and highway arrangements take account of the topography of Old Ruthin Road which slopes downwards west to east. In combination with on road parked vehicles, this creates a blind spot for road users on the brow of the hill. Parking restrictions may be necessary to prohibit on-street parking in those locations which reduce forward visibility or require vehicles to manoeuvre into the oncoming vehicle lane where forward visibility is impaired.

The visibility splays for the accesses onto Old Ruthin Road comply with the standards, plots 1 and 2 have parking for 4 vehicles including the garage within their site boundary which meet our parking standards, there is no evidence that there will be a safety problem with vehicles parked on the brow of the hill which relate to the site traffic. This may be an existing problem caused by existing properties on Old Ruthin Road.

4. Approximate location of access for both sites

Following discussions with the Highway Authority, it is anticipated that vehicular access would be achieved at Old Ruthin Road for both sites. This road has a speed limit of 30mph.

The accesses comply with the visibility standards set out in Manual for Streets and therefore I do not consider this to be detrimental to highway safety.

5. Whitchurch Road/ St Marcella's Church

The TA should assess whether the development proposal would add any additional strain to this area. This should include taking into account traffic and parking need from the Church on days of worship, weddings and funerals etc. The TA should assess the suitability of achieving access off Whitchurch Road if this point of access is proposed.

The events held at the church are limited in number and no main access to the development is proposed, only accesses to 6 individual properties with a footway being constructed along the whole site frontage, I do not consider this will have a detrimental effect on highway safety.

6. Old Ruthin Road (corner)

Because Old Ruthin Road is narrow, larger vehicles and buses tend to accommodate both lanes of the road in order to navigate the corner opposite Brook house Chapel (annotation number 6). Highway & pedestrian safety at this corner is exacerbated further during heavy rainfall when flooding occurs. Brook house Chapel is used regularly generating traffic and a need for on road parking. The TA should include swept path analysis of the bend by the Chapel and consider whether the footway on the outside of the bend could be offset to allow some localised widening. Provision shall be made for some parking for the Chapel in the south east corner of Site 2. The TA should assess these points and provide design solutions as necessary.

I have assessed the likely daily hgv/public transport traffic using the bend on Old Ruthin Road adjacent to the chapel, it is considered that the likelihood of two of these types of vehicles passing at the same time is extremely low, and in the event of this happening each vehicle will have good forward visibility due to the driver position and will wait until one passes and it is ok to carry on, I do not consider this to be a danger to highway safety. Calculations have been carried out for the parking requirements of the chapel, it is proposed to construct a parking bay on the estate road for 4 vehicles that the chapel can use as part of this current application and include a similar amount when the adjacent site is bought forward for planning, I do not consider this is unacceptable. Wayne Hope will need to comment on the drainage on the existing highway.

7. Old Ruthin Road and New Ruthin Road junction

The capacity of this junction and the potential to relocate the 30 mph speed limit sign to the south of this area should be considered in the TA. The relocation of the 30mph sign should

incorporate provision of street lighting to mark the change in speed and so as to not require a legal Order to be made.

We have assessed the junction in accordance with TD42/95 (from the Design Manual for Roads and Bridges). For the level of flows predicted in the TA, we conclude that the Old Ruthin Road/A525 Ruthin Road junction should be upgraded to a ghost island layout (right turn lane with hatching). The level of extra traffic generated by the developments will require this i.e. the existing flows alone don't justify a right turn lane but one is required once the development traffic is included). It is proposed that the applicant will contribute half the cost for this facility and the other half will be secured upon the granting of planning for the adjacent site subject to the proposal being acceptable.

8. Parking requirements.

Denbighshire's Parking Requirements in New Developments SPG divides the County into 2 parking zones (based on urban and rural areas) to set standards. The site is located in parking zone 1 (an urban area and allocated settlement in the LDP). Therefore the parking requirements outlined in section 6.13 of the SPG apply.

I am happy that Denbighshire's SPG 21 parking has been complied with.

9. Accessibility

Pedestrian access from the sites to the centre of Denbigh is currently unsatisfactory. The roundabout, the A525 and Old Ruthin Road do not offer an inviting, pleasant or positive perception on walking safely to Denbigh centre. This presents a barrier for new residents to be connected to Denbigh for important community, employment opportunities, education and retail services. It is likely this barrier will increase car dependency

Footway and pedestrian crossing improvements are being proposed adjacent to the site, on Whitchurch road and on the A525 roundabout, it is considered that these are acceptable to serve the development and improve the links to the local amenities.

10. Drainage

It is not proposed that the Highway Authority will adopt the soakaway that the surface water from the highway and the individual plots will flow into, this is proposed to be maintained by the developer's maintenance company.

Taking all the submitted information into account there is no reason to refuse this application on highway grounds subject to the imposition of conditions to secure the proposed highway improvements, control the internal estate road details, and construction methods, all in the interest of the safe and free flow of traffic on the Highway."

Strategic Planning and Housing Officers:

- Housing Officer

There is a housing need in Denbigh as demonstrated by current Housing market, affordable and social housing lists. From a Housing Strategy point of view would welcome any housing development in the area, with an emphasis on smaller two and three bedroom family type accommodation, to meet local housing need. Flats/apartments are not the housing required for this area as the evidence shows the demand is for couples wanting to start families and young families predominantly. The waiting list information demonstrates there is a need and demand for all types of affordable housing (social, intermediate rental and shared equity) in the area, which we would want to see reflected in any affordable housing on-site contribution.

- Strategic Planning Officer

In response to questions from the local member, Officers have recently prepared an update on housing completions, housing strategy, the review of the Local Development Plan, and the relevance of the development of the North Wales Hospital site, which may assist the Committee's consideration of matters concerning the principle of developing this allocated site in the current LDP:

Housing completions over LDP plan period

- Denbighshire's LDP covers the period 2006 - 2021
- The LDP set a growth level of **7,500** new dwellings to be completed over the plan period 2006 – 2021. This figure has not been changed. It equates to an average of 500 completions per year.
- Between April 2006 - April 2016 a total of 2,227 new dwellings had been completed at an average of 223 per year. Last year (2015-16) only 127 new homes were built.
- The average annual completion rate achieved so far is less than half of the number of dwellings required per annum by the LDP and leaves 5,264 to be completed over the remaining 5 years of the plan period. To achieve this figure, the number required to be completed each year is therefore 1,055.

Housing Strategy

- The Housing Strategy covers the period 2016 - 2021
- The Housing Strategy includes reference to background data including reference to 2013 based projected household change 2015-2020.
- Updated household projections are due to be published by Welsh Government within the next few months and we will take account of the most up to date household projections in work on the revised/ replacement LDP.

LDP Review

- We have to commence a full review of the LDP no later than 4 years after adoption of the Plan (ie later this year).
- The first step in the Review process is to draft a Review Report. The purpose of the LDP Review Report is to highlight policies or other elements of the adopted LDP that the Council considers should be reviewed and potentially revised. The Review Report will not outline the actual revisions. Key stakeholders will be engaged in the development of the LDP Review Report and there will be an opportunity for local residents to get involved at this stage.
- The Council must engage with stakeholders and consult on the Review Report before finalising and submitting the document to Welsh Government. The LDP Review Report must be submitted to Welsh Government before any LDP revision can be undertaken. We anticipate public engagement as part of producing the LDP Review Report in Summer / Autumn 2017, with document submission to Welsh Government in Autumn/Winter 2017.

LDP Revision/ replacement LDP

- Once the LDP Review Report has been submitted and published on the Council's website, work on the revision/ replacement LDP can start. This would have to go through a similar process as that required for preparing the original LDP so will be subject to public consultation, with opportunities for local residents to be involved, at a number of stages. It will also be subject to a Public Examination. This process is likely to take several years, with adoption of a replacement LDP anticipated in 2021.
- Until a replacement LDP is adopted, the current LDP will provide the policy framework for making decisions on planning applications.

Former North Wales Hospital

- The former North Wales Hospital site is identified in the LDP for 'enabling development' so any development would only be allowed if it enabled the restoration/redevelopment of the old hospital buildings through profit generated by the development. Any houses built at the site would be classified as 'windfall' because the site is not specifically allocated for housing development in the LDP. Whilst the site was not allocated for housing, a figure for the potential number of 'windfall' houses was accounted for in the background calculations which projected how many homes might be built on windfall sites across the County (including the Former North Wales Hospital site). This was referred to in background LDP papers which were presented to the Inspector (details were previously circulated to the local residents). Therefore, account has been taken of the potential for housing on the Former North Wales

Hospital site contributing to the County's overall housing supply through the LDP adoption process. It would therefore not be appropriate to offset the potential housing on the Hospital "windfall" site against the allocated housing sites at Brookhouse.

Archaeologist:

Response to initial consultation:

Requested additional survey work and assessment to be undertaken prior to determination.

Response to re-consultation:

No objections

Ecologist:

No objections

Land Drainage Engineer:

No objections.

Conservation Officer:

Has viewed the application purely to determine if the proposals will be detrimental to the setting of the Listed Building St Marcella's Church. The houses fronting Whitchurch Road which are the nearest and have most impact on the church have been set back a reasonable distance from the road and the properties are one and half storeys high being dormer bungalows therefore not too large in scale. The design of the properties are acceptable for the area. Is concerned that Plot no. 42 is situated too close to the road and should be set re-positioned in a more appropriate location, hence has no objection to the application as it will not be significantly detrimental to the setting of the Listed Building.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mr & Mrs Tom Harries - 1 Karen Court, Denbigh
Susan Jones, Ysgubor Allen, Ruthin Road, Denbigh
David Roberts, Bryn Dyfnog, Llanrhaeadr
Gwenann Parry, 46 Crud y Castell, Denbigh
Jonathan Parry, 46 Crud Y Castell, Denbigh
Mike Evans, 6 Karen Court, Denbigh
David Jones, 1 Crud y Castell, Ruthin Road, Denbigh
Cemlyn Roberts, 143 Crud y Castell
Gill Pierce, 68 Crud Y Castell, Denbigh
Glenda LI Bibby, 5 Hen Ffordd Rhuthun, Dinbych
Darren Cummings, 2 Hen Ffordd Rhuthun, Denbigh
Nick Howarth, 24 Crud Y Castell, Denbigh
David Garnsey, 52 Crud Y Castell, Denbigh
R W Mortimer, 2 Llys Catrin, Denbigh
Howard Cattell, Edlwyns Wen Farm, Whitchurch Road, Denbigh
Kathleen Mee, Plas Bach, Old Ruthin Road, Brookhouse
Dr K A & Mrs S Rajak, 2 Lon Tywysog, Myddleton Park, Denbigh
Walter Roberts, Hendre, Ffordd Eglwyswen, Dinbych
Anne Roberts, Hendre, Ffordd Eglwyswen, Dinbych
Edna Williams, 21 Hen Ffordd, Rhuthun
Deri Cottle, 42 Lon Tywysog, Dinbych
Darin Roberts, Hendre, Ffordd Eglwyswen, Dinbych
Hywel Watkin, Tanrallt, Brookhouse, Denbigh
C E Jones & R LI Williams, Llys Coed, Ffordd Ystrad, Dinbych
C J Thomas, Treflys, Ffordd Rhyl, Dinbych

Rhodri Roberts, Hendre, Ffordd Eglwyswen, Dinbych
 Chris Kaye, Cae Derw, 2809 Applachee Way, St Johns, FL 32259
 G H Williams, Nant Y Coed, Old Ruthin Road
 Jill and Raymond Tunley, Pendistia, Whitchurch Road
 Phil Michael, Caer Delyn, Hen Ffordd Rhuthun, Denbigh
 R Jones, Cwrt Syr Dafydd, Llantwit Major
 Erfyl Williams, 12 Crud y Castell, Dinbych
 Nigel Roxburgh, 21 Hen Ffordd Rhuthun, Denbigh
 Ellie Roxburgh, 21 Hen Ffordd Rhuthun, Denbigh
 Meinir Michael, Caer Delyn, Hen Ffordd Rhuthun, Denbigh
 Carole Roxburgh, 21 Hen Ffordd Rhuthun, Denbigh
 Kate Roberts, 17 Hen Ffordd Rhuthun, Denbigh
 Hedd ap Emlyn, Annedd Wen, Hen Ffordd Rhuthun, Dinbych
 Non ap Emlyn, Annedd Wen, Hen Ffordd Rhuthun, Dinbych
 Rhian Cattell, Peniarth, Hen Ffordd Rhuthun, Denbigh
 Richard Cattell, 23 Hen Ffordd Rhuthun, Denbigh
 Linda Kaye, Cae Derw, 2809 Applachee Way, St John's, FL
 Mike Chamberlain, 2 Llys Fammau, Denbigh
 Kathleen Mee, Plas Bach, Old Ruthin Road, Denbigh
 Olwen Cottle, Bryn Meirion, Henllan, Denbigh
 Raouf Michael, 4 Springfield Lane, Rhiwderin, Newport
 Nadia Michael, 4 Springfield Lane, Newport
 Medwyn Williams, 16 Ffordd Caledfryn, Dinbych
 Catrin Floyd-Decke, Heulwun, Ruhtin Road, Denbigh
 Mrs Doris Roberts, Brookfields, Brookhouse Lane, Denbigh
 Bryan Roberts, 8 Karen Court, Denbigh
 W & N Hughes, Llwyn Banc, Llanrhaeadr
 E & M Hughes, Llwyn Gwern, Llanrhaeadr, Denbigh
 Graham & Elizabeth Floyd, 70 Crud y Castell, Denbigh
 Meirion a Gwenda Wynne, 3 Karen Court, Dinbych
 E.W Roberts, Gwynfa, Ruthin Road, Denbigh
 Kim Cooke, Gwynllys, Whitchurch Road, Denbigh
 Mr and Mrs Jones, 1 Crud y Castell, Denbigh
 Michel Evans, 6 Karen Court, Denbigh
 Owner / Occupier, Pen Brynm Whitechurch Road, Denbigh
 Hywel Watkin, Tanrallt, Brookhouse, Denbigh
 Carolyn J Thomas, Treflys, Ffordd Rhyl, Denbigh
 Mrs Eiddwen Watkin, Tanrallt, Brookhouse, Denbigh
 G Bibbiy, Plas Rhos, Denbigh

Summary of planning based representations in objection:

Principle

- Not acceptable in principle - Green Belt, no need for housing, density too high

Residential amenity

- Impact on residential amenity of existing properties adjacent to the site, including from new garages

Highways

- Impact on highway safety on Old Ruthin Road, the A525 and Whitchurch Road
- Insufficient parking provided for the Chapel and St Marcellas Church
- Transport assessment does not fully assess the impacts of the proposal.
- Poor accessibility to town centre, including for pedestrians

Conflict with Supplementary Planning Guidance

- The proposal does not comply with the requirements in the adopted Site Development Brief (including the revised submission)

Drainage

- Surface water drainage information inadequate

- Development likely to result in additional flooding.
- Pumping station too close to the chapel.

Visual amenity

- Detrimental impact upon the setting of listed buildings
- Loss of hedgerows

Open space provision

- Proposed space is limited – nearest play facilities are some distance away

Inadequate assessment of impact on Welsh language

EXPIRY DATE OF APPLICATION: 04/08/2016

EXTENSION OF TIME AGREED: Yes

REASONS FOR DELAY IN DECISION (where applicable):

- delay in receipt of key consultation response(s)
- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal seeks full planning permission for the erection of 75 dwellings, internal estate roads, and a sewage pumping station. The site area measures 2.93ha.
- 1.1.2 Of the 75 dwellings, 8 are proposed to be 'affordable' and provided on-site.
- 1.1.3 The format of the proposed housing on the site is as follows, with 7 different house types:
- 14no. 4 bed detached houses
 - 18no. 3 bed town houses
 - 16no. 3 bed semi-detached houses
 - 6no. 3 bed dormer bungalow
 - 9no. 2 bed town houses
 - 12no. 2 bed bungalows
- 1.1.4 The main access to the site would be from Old Ruthin Road. There would also be 3 individual accesses onto Old Ruthin Road (serving 5 dwellings), and 6 individual accesses onto Whitchurch Road (serving 6 dwellings).
- 1.1.5 Improvements to pedestrian crossing points along Whitchurch Road, Old Ruthin Road and Myddleton Parc roundabout are also proposed, along with a financial contribution for the future provision of a right turn 'ghost' island on the A525 Denbigh - Ruthin Road into Old Ruthin Road.
- 1.1.6 4 car parking spaces are proposed along the entrance road, and whilst not allocated for a specific purpose, the applicants suggest that the spaces could be used by those attending the nearby Brookhouse Chapel.
- 1.1.7 Surface water drainage is proposed to be dealt with within the site utilising 'infiltration' methods. Foul drainage is to be dealt with via a gravity system, which would connect to a sewage pumping station at the lowest point of the site. This will pump the sewage

back up the site through a rising foul main, where it will connect to the mains system and feed into the nearby treatment works.

1.1.8 Public Open Space is proposed to be located in the southern end of the site, adjacent to the chapel. The layout shows approximately 1835 square metres of open space, which would provide the full amount of children's open space (1380 square metres) with the remaining 455 square metres contributing to Community Recreational Open Space. The applicants suggest the shortfall of 2305 square metres of community open space would be made up via the payment of £31,993 commuted sum.

1.1.9 The application is accompanied with reports to address the following issues:

- Ecology,
- Arboriculture,
- Highways,
- Archaeology,
- Construction and Environmental Management,
- Drainage strategy and water conservation

1.1.10 The plans at the front of the report show the proposed layout and examples of dwelling types to assist consideration of the item.

1.2 Description of site and surroundings

1.2.1 The site is located on the south eastern fringe of Denbigh. It is bound to the north west by Whitchurch Road and to the south west by Old Ruthin Road. To the east of the site are open fields, and immediately south of the site is Brookhouse Chapel. To the west is residential development at Karen Court, Llys and other dwellings along Old Ruthin Road and Whitchurch Road.

1.2.2 Dwellings in the locality are a mixture of ages, styles and designs. Older buildings of note within the area are the Grade 1 listed building St Marcellas Church, Brookhouse Farm, and the complex at Brookhouse Mill.

1.2.3 The site slopes upwards from south to north, and at present is pasture land. The site boundaries are currently defined by hedgerows.

1.2.4 A public footpath runs along the eastern boundary of the site from opposite Brookhouse Chapel up to the Eglwys Wen Farm complex.

1.3 Relevant planning constraints/considerations

1.3.1 The site is allocated for housing in the adopted Denbighshire Local Development Plan.

1.3.2 A Site Development Brief was adopted in March 2016 by the Council for the two allocated sites in this location, i.e. Cae Topyn and the site immediately east of Brookhouse Chapel.

1.4 Relevant planning history

1.4.1 There is no planning history relating to the site.

1.4.2 An outline planning application has been submitted on the adjacent allocated Brookhouse site (between Old and New Ruthin Roads). This is currently pending, awaiting additional information from the applicants.

1.5 Developments/changes since the original submission

1.5.1 Following consideration of responses and discussions with Officers, additional information has been submitted in relation to drainage, archaeology, ecology and

highways issues. This information has been the subject of re-consultation exercises, the last of which was in February 2017.

1.6 Other relevant background information

1.6.1 As noted above, the site is the subject of a Site Development Brief, adopted by the Local Authority in March 2016. The 'guidance' contained in the Site Development Brief is expanded on in paragraph 3.1 and throughout this report.

2. **DETAILS OF PLANNING HISTORY:**

2.1 None relating directly to the application site.

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 RD5 – The Welsh language and the social and cultural fabric of communities

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy BSC11 – Recreation and open space

Policy BSC12 – Community Facilities

Policy VOE1 – Key Areas of Importance

Policy VOE5 – Conservation of natural resources

Policy VOE6 - Water management

Policy ASA1 – New transport infrastructure

Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance

Supplementary Planning Guidance Note: Access for all

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Affordable Housing

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Space Standards

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Landscaping New Developments

Supplementary Planning Guidance Note: Listed Buildings

Supplementary Planning Guidance Note: Archaeology

Supplementary Planning Guidance Note: Planning and the Welsh Language

Site Development Brief: Residential Development – Brookhouse Sites, Denbigh

This Brief relates to the site forming the subject of the current application and the one between Old Ruthin Road and the A525, east of Brookhouse Chapel. It reviews the site context, sets out the planning policies relevant to the consideration of any applications, and provides a site appraisal and outline of requirements for a submission.

The 'requirements' refer to the need for a Transport Assessment and consideration of highway impacts on the locality, including roads and potentially affected junctions in the area (Myddleton Parc Roundabout, Whitchurch Road, Old Ruthin Road and New Ruthin Road), planning permissions in the surrounding area; parking requirements; accessibility; access for all; archaeology; biodiversity; boundaries; built heritage and surrounding character; community safety; education; flood risk; landscape and open space; utilities; Welsh language. These are referred to in the Main Planning Considerations section of the report.

Section 6 of the Brief sets out six Design Objectives / principles any proposals should meet. These include consideration of provision for walking, cycling and public transport; designing in the context of the surrounding area and edge of settlement location; enhancing biodiversity and human health; providing satisfactory infrastructure; and adopting a 'Welsh branded'

scheme with affordable housing to help the community and language to grow in the area.

3.2 Government Policy / Guidance

Planning Policy Wales Edition 9

Technical Advice Notes

TAN 1: Joint Housing Land Availability Studies

TAN 5 Nature Conservation and Planning

TAN 12: Design

TAN 15: Development and Flood Risk

TAN 18: Transport

Development Management Manual 2016

WGC 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas

WGC 16/2014 The Use of Planning Conditions for Development Management

4. **MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 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' (PPW 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, and fairly and reasonably relate to the development concerned (PPW section 3.1.4). 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 Density of Development
- 4.1.3 Mix and tenure
- 4.1.4 Affordable Housing
- 4.1.5 Visual amenity (including setting of listed buildings)
- 4.1.6 Residential Amenity
- 4.1.7 Ecology
- 4.1.8 Drainage (including flooding)
- 4.1.9 Highways (including access and parking)
- 4.1.10 Impact on Welsh Language and Social and Cultural Fabric
- 4.1.11 Archaeology
- 4.1.12 Education
- 4.1.13 Open Space

Other matters

Well-being of Future Generations

Local Employment Strategy

4.2 In relation to the main planning considerations:

- 4.2.1 Principle

Policy BSC 1 states that new housing within the County is required to meet the needs of local communities and to meet projected population changes. In order to meet these needs the Local Development Plan has made provision for approximately 7,500 homes up to 2021.

The site is allocated for housing development in the Denbighshire Local Development Plan, and the application proposes the development of the entire site for residential purposes.

The context within which the application needs to be considered is highlighted in the Strategic Planning and Housing Officer's update on housing completions, housing strategy, the review of the Local Development Plan, and the relevance of the development of the North Wales Hospital site, as set out in the consultation responses section of the report.

With reference to the Development Plan and housing need, it is to be noted that the latest Joint Housing Land Availability Statement (JHLAS) has concluded that Denbighshire has just 2.1 years supply of available housing land against a minimum National requirement of five years. This shortage is a significant material consideration in determining this application.

In noting concerns over the need for the development, it has to be recognised that the site is allocated in the adopted Development Plan for housing purposes, and the development of 75 dwellings would make a positive contribution to meeting identified housing needs.

With regard to representations referring to development of 'greenbelt' land, there is no such designation in the County or in relation to the Cae Topyn site.

With respect to comments received, and having regard to the shortage of housing land within Denbighshire, it is considered that the principle of developing this allocated housing site within the development boundary of the town is acceptable, and the determination of the application should rest primarily on the assessment of the local impacts of the proposal, such as those identified in the adopted Site Development Brief (referred to in paragraph 3.1 of this report).

4.2.2 Density of Development

Planning Policy Wales, Chapter 4, outlines how the planning system implements the objectives set out in the Well-being of Future Generations (Wales) Act 2015'. Well-being goal 'A prospective Wales' recognises that land is a finite resource that needs to be planned for in an efficient way.

Policy RD1 test ii) seeks to make the most efficient use of land and advocates a minimum density of 35 dwellings per hectare unless there are local circumstances that dictate a lower density.

Supplementary Planning Guidance Note 'Residential Development' reinforces the need for developments to make the best use of land available for residential development in line with Policy RD 1. The Site Development Brief for the site advises that a lower density may be permissible given the prominent nature of the site.

The table in Policy BSC 1 refers to an indicative number of 101 dwellings on the site, which would equate to approximately 35 dwellings per hectare. The application proposes 75 dwellings across the 2.93ha site - a density of approximately 25.6 dwellings per ha. Comments received suggest that local residents would prefer a lower density than that proposed.

With respect to the comments received, the Local Planning Authority has to balance the need for efficient use of land, delivering sufficient housing and respecting the

character of the area. Having regard to location and topography (relatively low density housing development / a sloping site), and the outlined need for housing, in this instance, Officers consider that the proposed density achieves an acceptable balance between housing delivery and respecting the character of the area. To require a greater or lower density is likely to result in either a sense of overdevelopment within this location, or an inefficient use of land. The proposal is therefore considered acceptable in terms of the density of development.

4.2.3 Mix and Tenure

Local policy BSC1 sets out that 'Developers will be expected to provide a range of house sizes, types and tenure to reflect local need and demand and the results of the Local Housing Market Assessment.' This requirement goes beyond the provision of market and affordable houses, and includes the mix of houses addressing the findings and results of the latest local housing market assessment (LHMA). The LHMA identifies a need for more two bed dwellings, amongst other issues.

The application proposes:

- 14no. 4 bed detached houses
- 18no. 3 bed town houses
- 16no. 3 bed semi-detached houses
- 6no. 3 bed dormer bungalow
- 9no. 2 bed town houses
- 12no. 2 bed bungalows

It is considered that the proposed mix of dwelling types is acceptable, and takes into account the need for more 2 bed dwellings, as identified in the Local Housing Market Assessment.

4.2.4 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure that all developments of 3 or more residential units provide **a minimum of 10%** affordable housing. Developments of 10 or more are expected to make on site provision and development of less than 10 residential are expected to make provision by way of financial contribution.

Submitted information states that it is the intention of the applicant to provide 10% affordable housing on site. The applicants have offered 8 dwellings.

The provision of affordable housing is a policy requirement. It is recommended that should permission be granted, that it be subject to a Section 106 legal agreement to secure the delivery of the 8 affordable dwellings. This would need to be completed prior to the decision notice being released.

4.2.5 Visual Amenity (including setting of listed buildings)

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.

Alongside policy RD1, Policy VOE 1 (Key Areas of Importance) requires proposals to respect and where possible enhance built heritage sites and historic landscapes for their characteristics and local distinctiveness. Planning Policy Wales highlights the objective of preserving or enhancing a listed building and its setting. Welsh

Government Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas paragraph 11 provides additional guidance on development affecting the setting of a listed building.

Concerns have been raised locally that the proposed dwellings appear out of character with the rural setting in terms of layout and density. Concern is also raised regarding the setting of the listed building.

The Council's Conservation Officer has not raised any objection to the proposal in respect of impact on the setting of the Listed Building St Marcella's Church, but suggests the Plot 42 dwelling is situated too close to the road and should be re-positioned in a more appropriate location.

The site development brief requires a visual corridor to safeguard the view of St Marcella's Church from Old Ruthin Road and New Ruthin Road. The site development brief suggests that design influence could be taken from nearby dwellings, and the layout should reflect the pattern of development in the locality. The site development brief highlights that the character of development in the area is typically two storey dwellings, of both detached and semi-detached design.

The layout of the site, and the design of the proposed houses can be seen from the layout plan at the front of this report. Visualisations have been created which show the visual corridors from Old Ruthin Road and New Ruthin Road towards the listed building, St Marcella's Church. These are also at the front of the report.

Whilst acknowledging the concerns raised over the visual impact of the development, in officers opinion, the proposals are acceptable. In respect of the density of development, the Local development Plan refers to a total of 101 dwellings, but the proposal is to develop with 75 dwellings. The Site development brief suggests the built form of two storey detached, and semi-detached, (as seen in the locality) should be adhered to, and this is what has been submitted. It is Officers opinion that any form of development on a sloping site such as this on the edge of a settlement will inevitably alter the appearance of the site, but the proposal attempts to demonstrate that the identified key views of the Church are retained and framed. It is also noted that the placement of single storey dwellings opposite the church yard avoids the development from challenging the dominance of the church setting in this locality. The choice of materials will be important to the appearance of the dwellings, as will a high quality landscaping scheme. These are standard matters which can be controlled through suitably worded planning conditions.

With respect to the concerns raised, it is Officers opinion that the proposal would not have an unacceptable impact upon the character of the area, or the setting of the listed building, with the proviso that the detailing of the plot 42 dwelling is reconsidered, which can be dealt with by way of a suitably worded condition if permission is to be considered. The proposal is considered to be in accordance with adopted planning policy, and consistent with advice contained in the site development brief.

4.2.6 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. Supplementary Planning Guidance 'Residential Development Design Guide' offers guidance on what are separation distances are usually considered acceptable in residential developments.

Concerns have been raised in relation to the potential impact of the development on the amenity of existing neighbouring properties. Specific reference is made to the distances between houses, and the siting of garages close to the boundary with existing dwellings.

The layout of the site, and its relation to existing dwellings can be seen at the front of the report. The closest point between existing dwelling and proposed is between the corner gable point of Peniarth and the corner gable of plot 37. Peniarth is a two storey dwelling and plot 37 is proposed to be a single storey dwelling with no side windows proposed. The nearest point would be 9 metres and the furthest 15 metres. The garages referred to are those that serve plots 18 and 17, which back onto the access drive to Nant-y-Coed and Peniarth. The rear of the garages would be 15m from the nearest elevation of Nant-y-Coed.

With regard to concerns relating to disturbance resulting from works during the construction process, it is considered reasonable to condition the submission of a Construction Environment Management Plan to cover details such as hours of operation etc.

In appreciating the comments on impacts upon existing properties, having regard to the layout of the site, and the distances between properties – both existing and proposed – the orientation of the dwellings and the fenestration detailing, there does not appear to be any particular element where the proximity or orientation of dwellings would lead to an unacceptable loss of amenity. In Officers opinion, the proposal is acceptable in terms of its impact upon residential amenity, and the distances between existing dwellings and proposed dwellings complies with guidance in the adopted Supplementary Guidance Note 'Residential Development'.

4.2.7 Ecology

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.

The site development brief requires the site to be surveyed for the presence of wildlife. It requires a wildlife corridor to be incorporated into the proposal and indicates where this should be located.

An ecological survey has been submitted and neither NRW nor the County Ecologist have raised an objection to the proposal. A wildlife corridor is annotated as proposed along the approximate route of the public right of way along the eastern boundary of the site.

The proposals are therefore considered acceptable in relation to impact on ecology. Final details of the wildlife corridor can be secured through planning condition.

4.2.8 Drainage (including flooding)

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.

The site development brief identifies possible localised issues of surface water flooding. It advises that, to reduce risk, any proposed development should be required to minimise water runoff in order to maintain or reduce pre-development rates as per policy VOE 6 Water Management. The use of SuDS (Sustainable Drainage systems) is encouraged as a means of dealing with surface water run-off. It also states that details of adoption and management for the proposed SuDS should also be submitted to ensure that the scheme/systems remain effective for the lifetime of the development.

There are individual objections from residents on drainage grounds.

Regarding surface water run-off, a combined system to deal with roof water and highway surface water is proposed. This would feed into a soakaway area located beneath the proposed public open space. The submitted drainage strategy advises that this has been designed to ensure that surface water run-off rates will be lower than the existing 'green field' run off rates. The applicants suggest that this will be maintained in perpetuity by a management company that would be established for the site and paid for as a service charge by the occupiers of the new dwellings. Denbighshire Highways would only adopt the highway gulleys and connection drains. This can be adequately controlled through planning conditions as advised in WGC 16/2014 (The use of planning conditions in development management).

In respect of surface water drainage, NRW and the County Land Drainage Engineer have not raised an objection to the proposed means of dealing with surface water drainage. The proposed arrangement for the future maintenance of the surface water drainage system is considered to be a standard approach and acceptable.

Foul sewage is proposed to be dealt with via main sewers. The sewage would be piped to the lowest point of the site, where a pumping station is proposed. The sewage would then be pumped back up through the site where it would connect with the mains sewer system located in Whitchurch Road.

In respect of foul drainage, Dwr Cymru confirm there are no capacity issues in the public sewerage system or the treatment works in connection with the proposal to develop the site. Dwr Cymru have not raised an objection to the proposed means of foul drainage and have confirmed that the foul sewage system (including pumping station) would be adopted by Dwr Cymru, and would be subject to through its own legislation.

Officers consider that sufficient information has been submitted to demonstrate that foul and surface water can be acceptably managed. The proposals are therefore considered acceptable in relation to drainage subject to appropriate conditions being imposed.

4.2.9 Highways (including accessibility 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.

The site development brief identifies the need for a Transport Assessment to be submitted with any development proposal. This Transport Assessment should set out how the development proposal would mitigate transport impact through design and the imposition of planning conditions or obligations. The Brief also specifically refers

to assessing the impact upon Myddleton Park Roundabout, Old Ruthin Road/Whitchurch Road Junction, Old Ruthin Road (brow of hill), Whitchurch Road/St Marcella's Church, Old Ruthin Road (corner), Old Ruthin Road and New Ruthin Road Junction. The brief also identifies the need to take into account parking for Brookhouse Chapel. The brief also suggests proposals should demonstrate how any scheme prioritises walking, cycling and public transport over the use of private vehicles. In particular it suggests that the proposed site layout should fit in with and enhance existing walking routes in the area. The proposed site layout should encourage walking and make it easier and preferable to get around the area by foot. The brief suggests that 2.0 metre wide footways on either side of Old Ruthin Road shall be provided along the frontages of both potential development sites and enhancements to the roundabout area shall be considered.

A significant number of concerns have been raised that the local highway infrastructure would not be able to accommodate the development and that the proposal does not adequately demonstrate how the impacts of the development can be mitigated. Concern has also been raised that the site is too steep to be developed which will make mobility for all potential users difficult.

The application is accompanied by a transport assessment, and includes layout plans showing the proposed vehicular access/egress points. The layout plans also identify suggested parking within the site that could be utilised by Brookhouse chapel – 4 in total. Additional plans have been submitted showing proposed improved pedestrian crossings at Myddleton Park Roundabout, foot paths to bus stops, and to demonstrate the gradient of the access road through the site. The applicants have confirmed that they are prepared to contribute financially towards the cost of providing a right turn lane from the A525 (New Ruthin Road) into Old Ruthin Road.

The Transport Assessment and associated plans have been assessed by the Highway Officers, and extensive negotiations have taken place between Officers and the Applicants / agents to ensure there is adequate information to assess the highway impacts of the proposals on the locality.

The Highway Officer has provided a comprehensive response on the application, including a review of the detailed considerations highlighted in the Site Development Brief. This is quoted in full in the Consultation Responses section of the report. The conclusion is that there are no highway grounds to justify refusal of permission and that conditions could reasonably be imposed which meet the circular tests for the control of highway issues. In reaching this conclusion, the Highway Officer has assessed the acceptability of the submitted information and has commented on impacts on the local road network, specific junctions/corners/ roundabout, the topography, access and parking arrangements, accessibility to the town centre and highway drainage. In brief, the response confirms:

- The Highway Officer is satisfied at the traffic flow information provided and that the level of vehicular traffic generated by the developments can be accommodated by the existing highway network.
- there is no evidence that there will be a safety problem with vehicles parked on the brow of the hill which relate to the site traffic
- The new site accesses comply with the visibility standards set out in Manual for Streets
- Events held at the church are limited in number and no main access to the development is proposed. Only accesses to 6 individual properties are proposed with a footway being constructed along the whole site frontage, hence it is not considered this will have a detrimental effect on highway safety.
- The likelihood of two HGVs / buses passing at the same time on Old Ruthin Road corner are extremely low, and in the event of this happening each vehicle will have good forward visibility due to the driver position hence it is not considered to be a danger to highway safety.
- Calculations have been carried out for the parking requirements of the chapel. It is proposed to construct a parking bay on the estate road for 4 vehicles which the

chapel can use as part of this current application and include a similar amount when the adjacent site is bought forward for planning, hence this is not unacceptable.

- For the level of flows predicted, the Old Ruthin Road/A525 Ruthin Road junction should be upgraded to a ghost island layout (right turn lane with hatching).
- Denbighshire's SPG 21 parking has been complied with.
- Footway and pedestrian crossing improvements are being proposed adjacent to the site, on Whitchurch road and on the A525 roundabout, which are considered acceptable to serve the development and improve the links to local amenities.

In Officers opinion, based on the conclusions of the Highway Officers, the proposal adequately demonstrates that the existing highway infrastructure is capable of accommodating the development, and it includes sufficient improvements and mitigation solutions to make it acceptable, subject to relevant controls being imposed through planning conditions.

4.2.10 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Policy RD 5 in the Local Development Plan.

There are representations expressing concerns over the potential impact of the development on the Welsh language.

The Community Linguistic Statement submitted with the application concludes that the proposals would have no negative impact on the needs and interests of the Welsh Language.

The impact of development on the Welsh language has been assessed during deliberations on the Local Development Plan. On the basis of the information submitted, in Officers' opinion a residential development on this site would not by virtue of its size, scale, and location give rise to significant harm to the character and language balance of the community.

However, in order to ensure that the development would have further regard to the Welsh Language a planning condition is suggested which seeks the submission of "Welsh Language Strategy".

4.2.11 Archaeology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment.

Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development. Welsh Office Circular 60/96.

The site development brief identifies the need for pre-determination investigation.

Comments have been made by objectors in relation to potential impact on archaeology. The Clwyd Powys Archaeological Trust and the County Archaeologist both requested additional survey work to be undertaken prior to determination. This has been done, and the results have been considered by both CPAT and the County Archaeologist. On the basis of the additional survey work, no objections have been raised.

Having regard to the comments of CPAT and the County Archaeologist it is considered that the proposals would not give rise to any unacceptable impacts in relation to archaeology.

4.2.12 Education

Objective 12 of Chapter 4 of the Local Development Plan identifies that the Plan will ensure that an adequate level of community infrastructure (including schools) will be provided alongside new developments. Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development.

Paragraph 5.30 of the site development brief states that financial contributions towards education provision will be required, in line with the calculation guidance provided. The proposal is expected to generate a need for 18 primary and 13 secondary pupil places.

It has been confirmed that based on the latest school roll information available, there is a surplus of 30 primary and 396 secondary places within the nearest primary and secondary schools. There is sufficient capacity to accommodate the proposed development and a financial contribution is therefore not required.

4.2.13 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. Commuted sums in lieu of open space will only be accepted where the full requirement for open space would mean that the proposed development was financially unviable or it is impractical to provide the full requirement for open space on site.

Public Open Space is proposed to be located in the southern end of the site, adjacent to the chapel. The site is proposed to provide approximately 1835 square metres of open space, which would provide the full amount of children's open space (1380 square metres) with the remaining 455 square metres contributing to Community Recreational Open Space. The applicants indicate the shortfall of 2305 square metres of community open space would be made up via the payment of £31,993 commuted sum. Maintenance of the onsite provision is proposed to be via the establishment of a site management company.

In Officers opinion the proposals in relation to Open space provision are acceptable and compliant with policy.

Other matters

Well – being of Future Generations

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.

Local Employment Strategy

The Denbighshire Corporate Plan 2012-17 identifies developing the local economy as one of the priorities for the Council. The Planning Obligations SPG promotes

measures to encourage local training and employment. The SPG identifies that obligations may be sought in relation to major commercial and industrial development. It specifies more significant housing developments may be required to provide or support local apprenticeships, training and employment opportunities.

The applicant is a local developer, who works primarily in Denbighshire. The proposal is for the construction of 75 dwellings.

Having regard to the above it is considered that the proposed development would support the priority of supporting the local economy. However, this is on the understanding that the developer remains to be a local employer. If this were to change, it is important to ensure that local employment opportunities are not lost. It is considered that this can be adequately addressed via a planning condition requiring the submission of a Local Employment Strategy.

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 having regard to relevant policies and guidance.

5.2 There are elements within the scheme that require long term maintenance plans (drainage, and public open space). Whilst it is acknowledged that the applicants have suggested that these can be dealt with through suitably worded conditions to establish a management company, in order to safeguard for the long term maintenance and management of the drainage system and public open space, it is therefore suggested that a bond or suitable alternative mechanism is required as part of a Section 106 agreement to protect the Authority from future financial liabilities.

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

1. Completion of a Section 106 Obligation to secure affordable housing provision, a financial contribution to the provision of a right hand turn lane from the A525 into Old Ruthin Road, open space contributions and a bond or suitable alternative mechanism to cover the potential future maintenance costs of the surface water drainage system and public open space, 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 15th March 2022.
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) Location plan (Drawing No. 1218-02) received 15 April 2016
- (ii) House Type A - Floor plans and elevations (Drawing No. 1218-PA) received 15 April 2016
- (iii) House Type B - Floor plans and elevations (Drawing No. 1218-PB) received 15 April 2016
- (iv) House Type C - Floor plans and elevations (Drawing No. 1218-PC) received 15 April 2016
- (v) House Type CG - Floor plans and elevations (Drawing No. 1218-PCG) received 15 April 2016
- (vi) House Type DE - Floor plans and elevations (Drawing No. 1218-PDE) received 15 April 2016
- (vii) House Type FG - Floor plans and elevations (Drawing No. 1218-PFG) received 15 April 2016
- (viii) House Type J - Floor plans and elevations (Drawing No. 1218-PHJ Rev. A) received 10 October 2016
- (ix) Proposed site layout (Drawing No. 1218-P01 Rev. F) received 10 October 2016
- (x) Cae Topyn section through access road Rev E received 9th January 2017
- (xi) Crossing improvement (Drawing No. 5125 SK03) received 9th January 2017
- (xiii) Drainage plan 5125 DS02A and 5125 DS01A received 9th January 2017
- (xiv) Site layout plan (Drawing No. 1128 PK01K) received 9th January 2017

LANDSCAPING:

3. PRE-COMMENCEMENT CONDITION

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

- (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
- (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
- (e) proposed positions, design, materials and type of boundary treatment.
- (f) proposed landscaping/planting to the wildlife corridor as indicated on approved plan 1218-P01 rev K.
- (g) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.) associates with the public open space

- 4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the first unit. 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.
- 5. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.
- 6. 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.

7. A landscape management plan, including management company details, management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.

DRAINAGE:

8. No development shall take place until a fully detailed scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the occupation of the first dwelling.
9. No building shall be occupied until the sustainable drainage system for the site has been completed in accordance with the details first submitted to and agreed in writing by the local planning authority. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan (which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.)

ECOLOGY/BIODIVERSITY:

8. Prior to the installation of any lighting, an external lighting/internal light spillage scheme shall be submitted to and approved in writing by the Local Planning Authority and all lighting installed shall be in accordance with the approved details.
9. The development hereby approved shall be undertaken in accordance with the proposed mitigation, compensation and enhancement set out in section 9 of the submitted ecological assessment

HIGHWAYS:

10. The facilities for the parking and turning of vehicles within the site shall be completed in accordance with the approved plan before the dwelling to which they relate is first brought into use, and shall be retained as approved at all times thereafter.
11. **PRE-COMMENCEMENT**
No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - h) the hours of site works and deliveries.
 - i) a route plan for all vehicles connected with the development arriving and leaving the site from existing highway links.

The approved Statement shall be adhered to throughout the construction period.

12. **PRE-COMMENCEMENT**
No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to all of the following:

The detailing of the proposed access/highway works, including the design of the roads and footways, drainage, street lighting, off site pedestrian crossings/footways and planting or fencing adjacent to the footway;

The works shall be completed in accordance with the approved details before the development to which they relate is first brought into use, and shall be retained as approved at all times thereafter.

13. Full details of the highway works related to the improvement of the pedestrian crossing facilities on Whitchurch Road and the A525 roundabout as indicated on the approved plans including the detailed design, layout, construction and street lighting 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 plans or as otherwise agreed in writing by the Local Planning Authority prior to the construction of any of the dwellings hereby approved.

MATERIALS:

14. No development shall be permitted to commence on the external faces of the walls or roofs of any buildings until the written approval of the Local Planning Authority has been obtained to the details of all the materials and finishes it is proposed to use thereon, including, where relevant, the texture, type and colour of the finish. The development shall be undertaken strictly in accordance with the details approved under this condition.

LAYOUT/DESIGN:

15. **PRE-COMMENCEMENT CONDITION**
Notwithstanding the details submitted, the siting, design and layout of plot 42 (as indicated on plan 1218-P01 rev K) shall not be as shown, but shall be as further agreed in writing with the Local Planning Authority prior to the commencement of development.
16. Details of the design and appearance of the garages to plots 17, 18 and 21 shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on those plots, and only those details as approved shall be implemented.

WELSH LANGUAGE AND LOCAL EMPLOYMENT:

17. **PRE-COMMENCEMENT CONDITION**
No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a Local Employment Strategy. The Strategy should contain details of measures which contribute to the promotion and enhancement of the Welsh language and local employment in association with the development.

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 and to ensure a satisfactory standard of development.
3. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
4. In the interests of visual and residential amenity
5. In the interest of visual amenity.
6. In the interest of the management of flood risk.
7. In the interest of the management of flood risk.
8. In the interest of maintaining the favourable conservation status of protected species.
9. In the interest of preserving ecological interests

10. To ensure the development is served by a safe and satisfactory access and parking/turning facilities, and in the interests of the free and safe movement of traffic on the adjacent highway.
11. To ensure suitable arrangements are in place to control construction stage works, in the interests of residential amenity and highway safety.
12. To ensure the development is served by a safe and satisfactory access, and in the interests of the free and safe movement of traffic on the adjacent highway.
13. In the interest of the free and safe movement of pedestrians and to improve links to the town.
14. To ensure the development is served by safe and satisfactory highway arrangements.
15. In the interest of visual amenity
16. In the interest of visual amenity
17. In the interest of protecting the welsh language and local employment opportunities.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

Your attention is drawn to the attached County Council's specification for road construction, highway lighting installations, and traffic signs and road markings.

The applicant 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

The applicant is 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.

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 on 0800 917 2652 or via email at developer.services@dwrcymru.com

With regard to condition 16, your attention is drawn to sections 16 and 19 of the adopted SPG Note 'Planning Obligations'.

COPY OF LATE REPRESENTATIONS SHEET RELATING TO
APPLICATION 01/2016/0374 AS CIRCULATED PRIOR TO
MARCH 15th 2017 MEETING

PLANNING COMMITTEE

Date - 15th March 2017

ADDENDUM REPORT BY HEAD OF PLANNING AND PUBLIC PROTECTION

AGENDA ORDER, LATE INFORMATION AND AMENDMENTS TO PLANNING COMMITTEE REPORTS

The following sheets are an addendum to the main agenda for the Committee. They set out the order in which items will be taken, subject to the discretion of the Chair, and they provide a summary of information received since the completion of the reports, and matters of relevance to individual items which should be taken into account prior to their consideration.

Where requests for public speaking on individual planning applications have been made, those applications will normally be dealt with at the start of that part of the meeting.

AGENDA FOR THE MEETING

1. APOLOGIES
2. DECLARATIONS OF INTEREST (Pages 9 -10)
3. URGENT MATTERS AS AGREED BY THE CHAIR
4. MINUTES (Pages 11 - 14)

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT
(Item numbers 5 – 11)

ORDER OF APPLICATIONS

PART 1

| | Application no. | Location | Page |
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| Public Speaker items | | | |
| 5 | 01/2016/0374 | Cae Topyn, Denbigh | 15 |
| 6 | 01/2016/1241 | Middle Lane, Denbigh (planning application) | 63 |
| 9 | 20/2016/0164 | Ty Coch Farm, Graigfechan | 111 |
| 10 | 44/2017/0055 | 31 Princes Park, Rhuddlan | 133 |
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| Other items | | | |
| 7 | 01/2016/1243 | Middle Lane, Denbigh (Conservation Area Consent) | 89 |
| 8 | 15/2016/0842 | Ty Isa, Pant Du Road, Eryrys | 101 |

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| 11 | 44/2017/0072 | Castle Hill, Hylas Lane, Rhuddlan | 145 |
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PUBLIC SPEAKER ITEMS

| | |
|--|--|
| <p>ITEM No 5 Page 15</p> | <p>Code no. 01/2016/0374</p> <p>Location : Cae Topyn, off Old Ruthin Road / Ffordd Eglwyswen, Denbigh</p> <p>Proposal : Erection of 75 no. dwellings, together with associated roads, open space and related works</p> |
| <p>LOCAL MEMBER: Councillor Mark Young</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>Public Speaker: Against – Dr Hywel Watkin Public Speaker: For – Mr Matt Gilbert</p> <hr style="border-top: 1px dashed black;"/> <p>LATE REPRESENTATIONS</p> <p>DENBIGH TOWN COUNCIL <i>"Objections were made to the above application together with the attached information from Eiddwen Watkins.</i></p> <p><i>The Councillors wished to notify Denbighshire County Council on the below points.</i> <i>Lack of safe crossing points to local amenities to include Schools, hospital and shops.</i> <i>Distance to school and other facilities.</i> <i>Flooding issue – inadequate drainage assessment.</i> <i>Failure to adhere to planning brief.</i> <i>Traffic issue – to include traffic density.</i> <i>Greed from contractors, insufficient money being spent on development."</i></p> <p>DCC HIGHWAYS NETWORK MANAGEMENT MANAGER Has confirmed that the highway flooding experienced recently on the highway at the bottom of Old Ruthin Road (adjacent to Brookhouse Chapel), is a Highway Authority issue that will require further investigation. This is to be done as soon as possible and is to be resolved using DCC own resources and agreements. The issues are not related to the development of the Cae Topyn Site.</p> <p>DCC LAND DRAINAGE ENGINEER Has reiterated his position of no objection to the proposal, and provided the following statement:</p> <p><i>"Based on the information that the applicant has provided, I'm satisfied in principle that the proposed surface water drainage system will successfully drain the site, notwithstanding that the applicant hasn't yet provided</i></p> | |

details such as pipe sizes and gradients. Regarding the maintenance of the system, I think the Council would need to have sight of, and possibly approve, the wording of any agreement between the applicant and a third party."

Private individuals:
In objection, from:

Dr Hywel Watkin, Tanrallt, Brookhouse, Denbigh

Summary of representations:

Submitted set of photographs at 4.29pm on Tuesday 14th March, 2017 illustrating pooling of water on adjacent highway. These photographs along with a short explanation of his proposed public speaking presentation were forwarded to Members of Planning Committee by Dr Watkin. These photographs have been referred to by Officers within these sheets.

In objection, from
Carole Roxburgh, 21 Hen Ffordd Rhuthun, Denbigh

Summary of representations:

Submitted a 23 page letter at 4.43pm on Tuesday 14th March, 2017. This letter re-iterated previous concerns raised by the objector. These concerns relate to her contention that the planning application fails to comply with the requirements of the Site Development Brief. The letter is detailed and sets out her reasoning for the alleged non-compliance with the Brief. The letter also raises concerns as to the negotiations between Officers and the developer in relation to highways and drainage matters.

The objection also suggests the density of the development is too high; insufficient open space is being provided; the proposal does not meet local housing need; has a detrimental impact on visual amenity and harms the setting of the Listed Building; suggests that there is insufficient parking for bicycles; insufficient consideration for Education provision; insufficient information in respect to ecological impacts; insufficient information on highway and drainage impacts including linkages to the town.

OFFICER CLARIFICATION

CLARIFICATION OF DRAINAGE ISSUES

The Site Development Brief states that the use of Sustainable Urban Drainage System (SuDS) for any development should be **considered** alongside other design solutions. The brief also goes on to suggest that details of adoption and management for the proposed SuDS should also be submitted to ensure that the scheme/systems remain effective for the lifetime of the development. The developer has proposed surface water run-off soakaways as part of the development. These would be classed as SuDS.

Specifically the developer has suggested separate soakaway systems for highway surface water run-off and roof water run-off. It is envisaged that the highway surface water system would be adopted by the Highway Authority under a Section 38 agreement. The maintenance of that system would lie with the Highway Authority. The roof water run-off system is proposed to be maintained through a management company set up by the developers.

In Officers opinion there are adequate means to ensure the functionality of the surface water drainage system is maintained in perpetuity, subject to the relevant legal agreements being entered into.

Comments received relating to the flooding of the corner opposite Brookhouse Chapel have been addressed by the DCC Network Manager, who has confirmed this is a highway maintenance issue and not related in any way to the development site.

CLARIFICATION OF EDUCATION CONTRIBUTION

It is acknowledged that the Site Development Brief suggest that an education contribution is required to provide additional capacity in local primary and secondary schools in order to move away from

existing mobile classrooms.

However, the Site Development Brief was written at a time when it was envisaged that there would be a shortage of school places in the local schools, and that this would result in additional costs for the Council as education Authority. However, on the basis of the latest capacity figures (referred to in the main report) there is **no shortfall** in school places and, therefore, no requirement to increase capacity in Denbigh Schools.

Whilst noting the desire to move away from mobile classrooms, this is not reasonably related to the proposal – the schools are not having to use mobile classrooms as a result of this application, it is an existing situation. It is not reasonable to put the cost of improving existing facilities onto a developer where there are no capacity issues. The Welsh Government circular on Planning Obligations states that obligations (such as the payment of funds to offset impacts of the development elsewhere) should be relevant to planning, and directly related to the proposed development and should only be used to make a proposal acceptable in land use planning terms.

AMENDMENTS TO MAIN REPORT

Based on amendments to the determination periods for planning applications (as contained in the amended fee regulations) **paragraph 5.3 (1)** be amended from allowing 12 months to complete the Section 106 agreement, to the set date of completion by 11th July 2017, unless a formal extension of time is agreed with the applicant. In any event, if the Section 106 is not signed within 12 months, the application will be reported back to committee for determination against the relevant policies and guidance at that time.

Following discussions with the applicant it is proposed to amend the wording of certain pre-commencement conditions to allow a phased approach to the commencement of development. These are detailed below.

Suggested revised condition(s):

1. The development to which this permission relates shall be begun no later than 5 years from the date of this permission (the date of the permission shall reflect the completion of the section 106 agreement).

8. No works on the drainage system shall take place until a fully detailed scheme of foul drainage and surface water drainage has been submitted to and approved by the Local Planning Authority and the approved scheme shall be completed before the occupation of the first dwelling.

15. Notwithstanding the details submitted, the siting, design and layout of plot 42 (as indicated on plan 1218-P01 rev K) shall not be as shown, but shall be as further agreed in writing with the Local Planning Authority prior to the commencement of work on that plot.

Conditions will require re-numbering.