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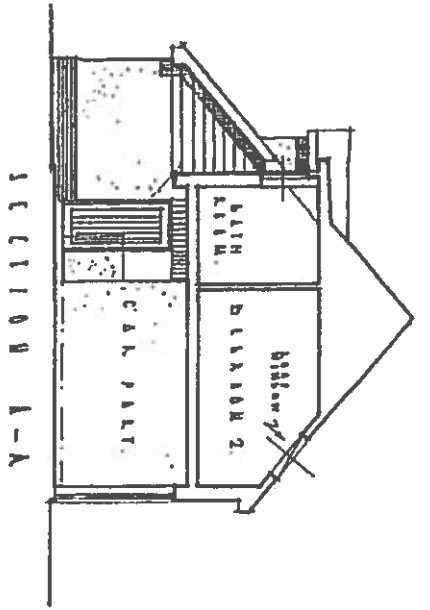
45/2018/0244  
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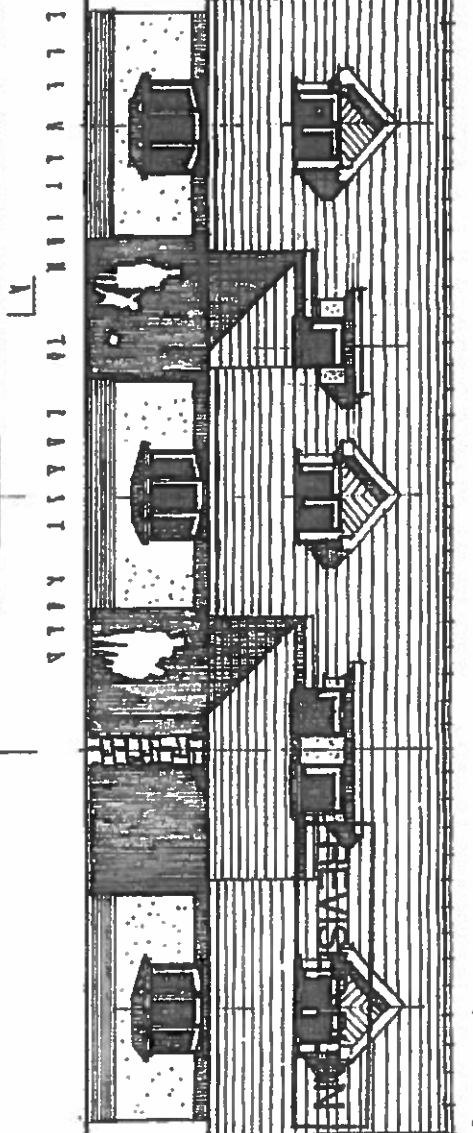


# APPROVED DETAILS - PLOT 1-3

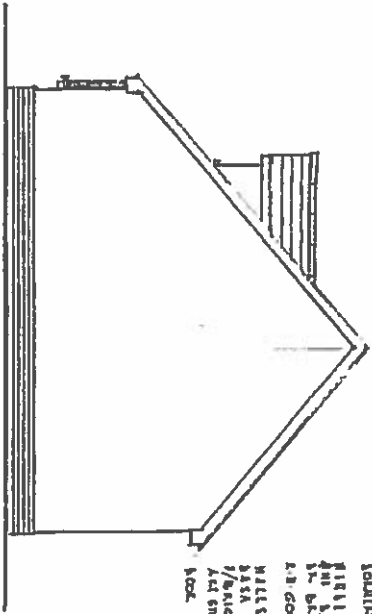


SECTION 1-A

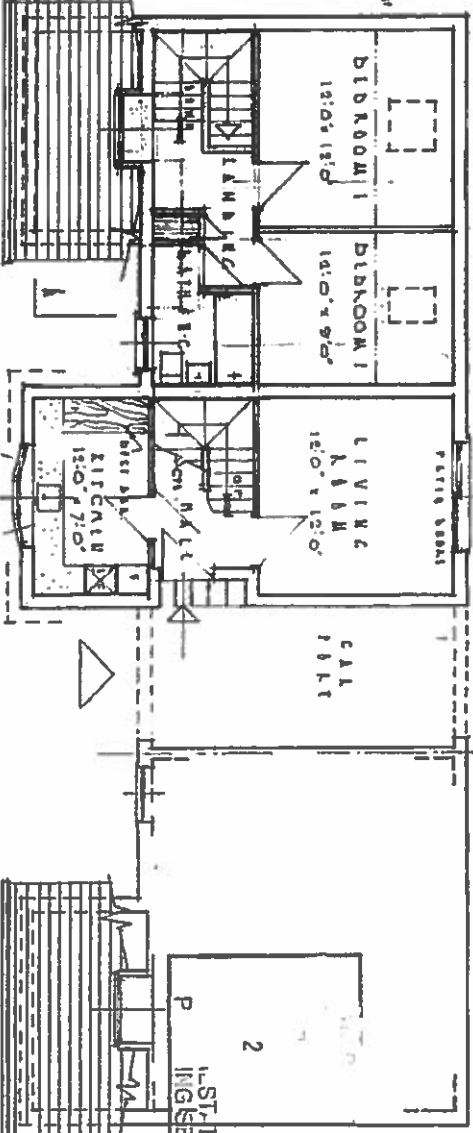
ROOF BY BROWN/PA  
 METAL/CLAY  
 W/ AIR DRY AIR UP  
 SOLAR & FROM KITCHEN  
 ATTIC: STAIRS  
 AIR VENTILATION  
 IN BLDG  
 ALL GOODS BROWN DRY  
 WALLS: WHITE TRIM  
 BASE: WITH MARBLE  
 3/8" x 1/2" PLASTER & TRIM  
 ALL STONE: WHITE  
 FLOOR: CERAMIC



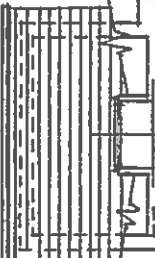
ELEVATION TO EAST SIDE



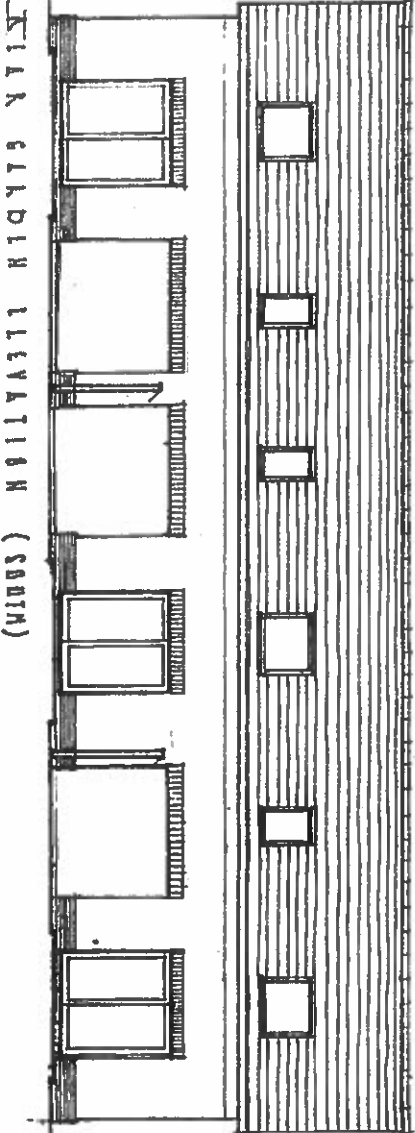
EAST ELEVATION (SIMILAR SIDING)



FIRST FLOOR



DETAIL



WEST ELEVATION (SIMILAR SIDING)

TYPE 'A' 2 BR HOUSES WITH CARPENTERS PLOTS 1-3  
 RESIDENTIAL DEVELOPMENT  
 BROOKLANDS SITE R  
 J.C. BRIFFITHS LTD  
 REFERENCE MATTERS  
 CONSULT 2/84/043/00/P  
 DATE 29 JAN 81

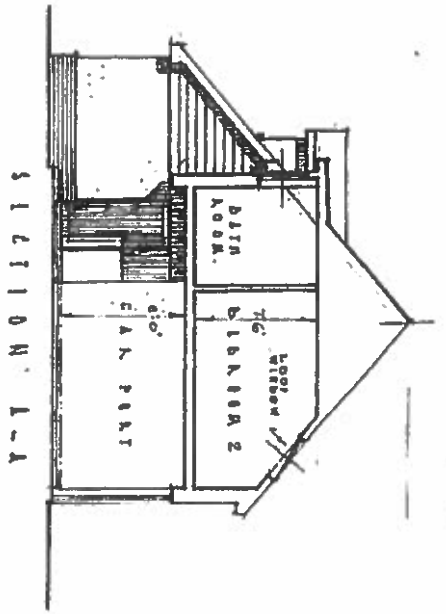
J.D.M. K. PARKER  
 ARCHITECTS  
 59 PIE-Y. MILL AVE  
 N.W. 33210

SCALE: 1/8" TO 1'-0"  
 NO. GC-12025/R/A

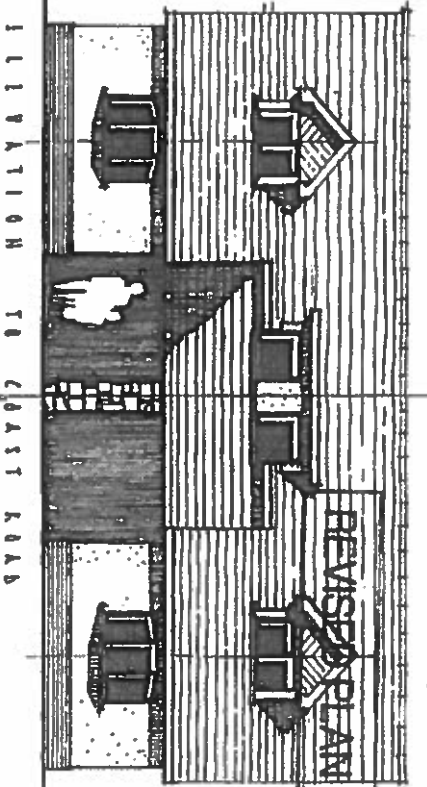
451 217/99/PF



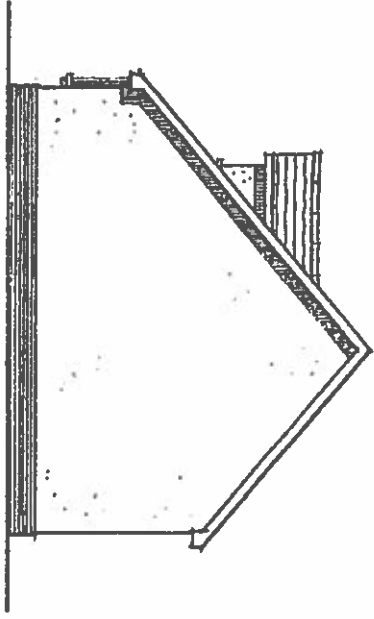
# APPROVED DETAILS - PLOT 4 + 5



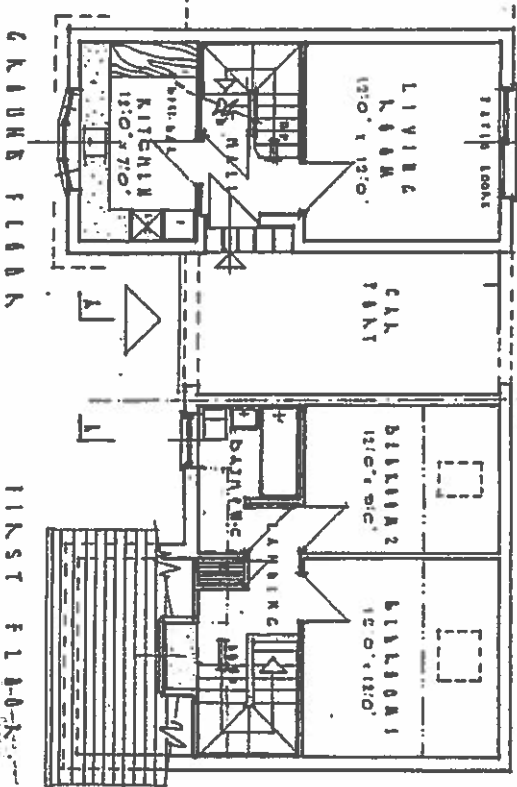
REVISED PLAN  
 HAVE BE MADE/UP  
 INTERLOCKING TILES.  
 BATH AND SHOWER TO  
 BEHOLD SHOWER ENCLOSURE.  
 REPAIR/ALTER  
 IN BATHROOMS STAIRS  
 BE BATH  
 L.B. DOORS BATH AND  
 WALLS. WALL TILES  
 WITH WOOD PANEL  
 B/WALLS TO BATHROOMS  
 AND HALLWAYS



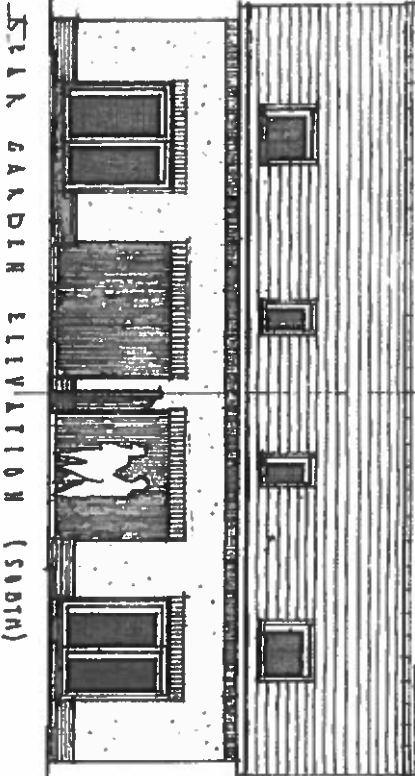
45/ 217/99/1/PF



1/4 DISTS OF  
 3 UNIT BLOCK, WITH  
 TO DATE. C/2025/K.M.S



10 JUN 1999



REVISED  
 TYPE 'A' 2 BEDROOM HOUSES WITH CARPORT PLATS 4/5.  
 RESIDENTIAL DEVELOPMENT  
 BROOKLANDS SITE  
 J.C. GRIFFITHS ESO.  
 KILLEVID MATTERS  
 CONSULT 2/KHL/0475/80/P  
 BATH 25-JAN-91

JOHN R. PARKER  
 ARCHITECTS  
 69 PER-Y. MAIT APT NWH 332200

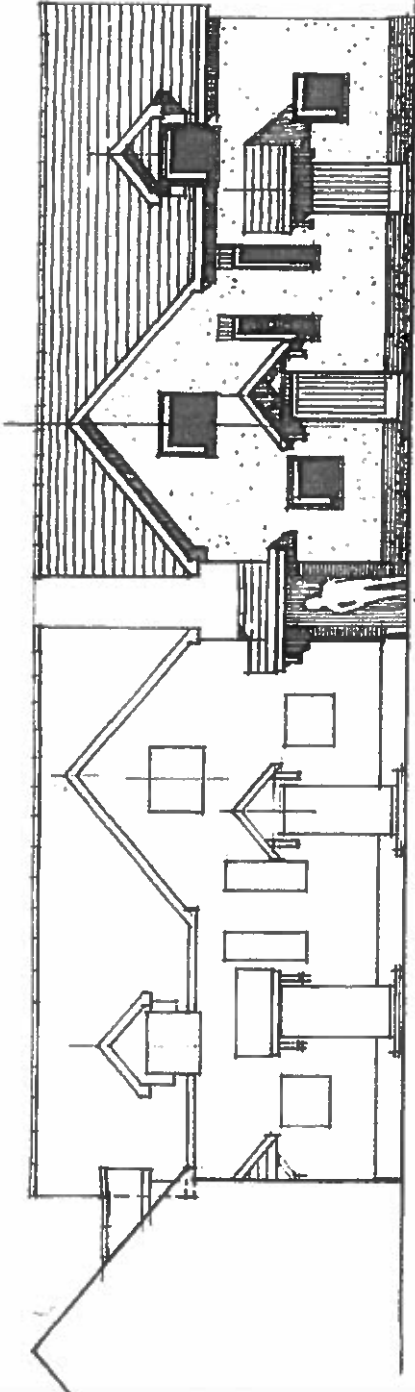
SCAFF  
 16/10/00  
 NO:  
 G.C./2025/K.M./3





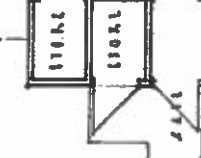
45/ 217/99/PF

# APPROVED DETAILS - PLOTS 6 - 25

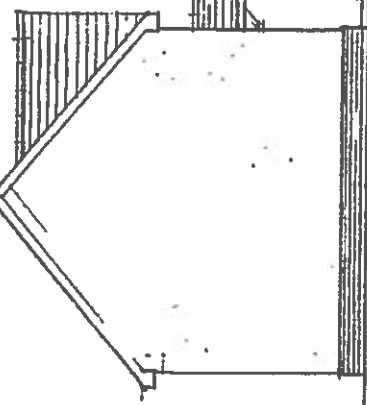


ROOF AS SHOWN WITH ROOFING TILE  
 WHERE PLASTIC SUPPLY TO BOLTER.  
 FUTURE PATIENCE ALL 2-BEDROOM STIMUS 2K BROWN  
 2K COAST BROWN DRYC  
 WALLS WHITE CELL  
 WITH WITH BROWN  
 2/3 BROWN PAPER &  
 200K PAPER.

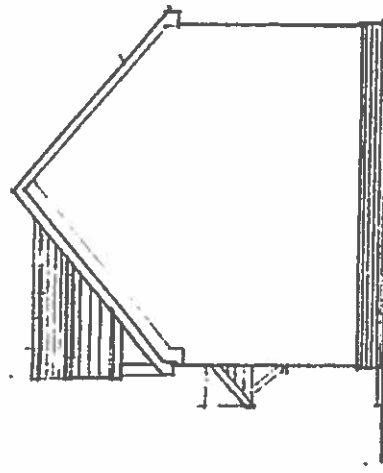
ELEVATION TO ROAD



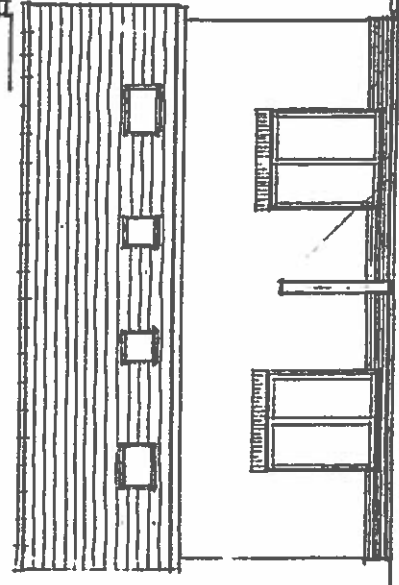
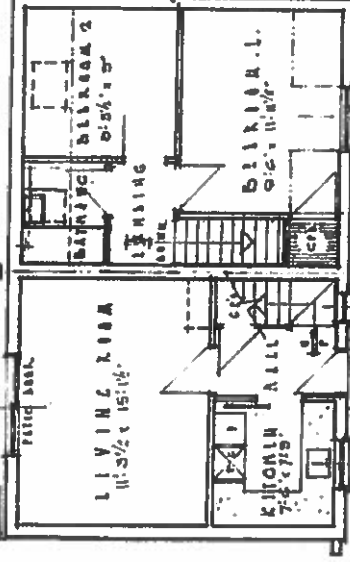
TYPICAL SECTION



GABLE ELEVATION



GABLE ELEVATION



CYNOR SIR DDREBYCH  
 DENBIGHSHIRE COUNTY COUNCIL  
 RECEIVED  
 31 MAR 1999  
 PRESTATYN  
 PLANNING SERVICES

APPROVED FOR PLOTS 6-25, INCL.

TYPE 'B' 2 BEDROOM HOUSES TO PLOTS 6-25, INCL.  
 RESIDENTIAL DEVELOPMENT  
 BROOK LANDS SITE

J. G. GRIFFITHS ESQ.  
 J. G. GRIFFITHS ARCHITECTS  
 69 PEN-Y-MALLS AVE. RAYL332220

REILLY MATTIERS  
 CONSULT 2/KML/0475/90/P  
 DATED 29-JAN-91

SCALE: 1/8" TO 1'-0"  
 NO. G.C./2015/LA/2







# ACCESS ROAD + PLOT LEVELS

## NOTES

1. THE DRAWING IS TO BE USED IN CONNECTION WITH ALL OTHER RELEVANT DRAWINGS AND BEING ISSUED BY THE SAME CONSULTANT TO THE CLIENT.
2. ALL DIMENSIONS TO BE CHECKED BEFORE COMMENCEMENT OF WORK ON SITE.
3. ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED.

1:1000 (AS SHOWN)

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Level Datum: 100.000

Plot No.	Centreline Levels	Gradient	Existing Levels	Proposed Levels	Vertical	Termination
1	100.00	0.00	100.00	100.00	0.00	0.00
2	100.00	0.00	100.00	100.00	0.00	0.00
3	100.00	0.00	100.00	100.00	0.00	0.00
4	100.00	0.00	100.00	100.00	0.00	0.00
5	100.00	0.00	100.00	100.00	0.00	0.00
6	100.00	0.00	100.00	100.00	0.00	0.00
7	100.00	0.00	100.00	100.00	0.00	0.00
8	100.00	0.00	100.00	100.00	0.00	0.00
9	100.00	0.00	100.00	100.00	0.00	0.00
10	100.00	0.00	100.00	100.00	0.00	0.00
11	100.00	0.00	100.00	100.00	0.00	0.00
12	100.00	0.00	100.00	100.00	0.00	0.00
13	100.00	0.00	100.00	100.00	0.00	0.00
14	100.00	0.00	100.00	100.00	0.00	0.00
15	100.00	0.00	100.00	100.00	0.00	0.00
16	100.00	0.00	100.00	100.00	0.00	0.00
17	100.00	0.00	100.00	100.00	0.00	0.00
18	100.00	0.00	100.00	100.00	0.00	0.00
19	100.00	0.00	100.00	100.00	0.00	0.00
20	100.00	0.00	100.00	100.00	0.00	0.00
21	100.00	0.00	100.00	100.00	0.00	0.00
22	100.00	0.00	100.00	100.00	0.00	0.00
23	100.00	0.00	100.00	100.00	0.00	0.00
24	100.00	0.00	100.00	100.00	0.00	0.00
25	100.00	0.00	100.00	100.00	0.00	0.00
26	100.00	0.00	100.00	100.00	0.00	0.00
27	100.00	0.00	100.00	100.00	0.00	0.00
28	100.00	0.00	100.00	100.00	0.00	0.00
29	100.00	0.00	100.00	100.00	0.00	0.00
30	100.00	0.00	100.00	100.00	0.00	0.00
31	100.00	0.00	100.00	100.00	0.00	0.00
32	100.00	0.00	100.00	100.00	0.00	0.00
33	100.00	0.00	100.00	100.00	0.00	0.00
34	100.00	0.00	100.00	100.00	0.00	0.00
35	100.00	0.00	100.00	100.00	0.00	0.00
36	100.00	0.00	100.00	100.00	0.00	0.00
37	100.00	0.00	100.00	100.00	0.00	0.00
38	100.00	0.00	100.00	100.00	0.00	0.00
39	100.00	0.00	100.00	100.00	0.00	0.00
40	100.00	0.00	100.00	100.00	0.00	0.00
41	100.00	0.00	100.00	100.00	0.00	0.00
42	100.00	0.00	100.00	100.00	0.00	0.00
43	100.00	0.00	100.00	100.00	0.00	0.00
44	100.00	0.00	100.00	100.00	0.00	0.00
45	100.00	0.00	100.00	100.00	0.00	0.00
46	100.00	0.00	100.00	100.00	0.00	0.00
47	100.00	0.00	100.00	100.00	0.00	0.00
48	100.00	0.00	100.00	100.00	0.00	0.00
49	100.00	0.00	100.00	100.00	0.00	0.00
50	100.00	0.00	100.00	100.00	0.00	0.00

ACCESS ROAD CENTRELINE LONGSECTION  
(1:400 - LEVEL 1.100 M A.S.L.)

**CAPITA**  
INFRASTRUCTURE

100, Victoria Road, Victoria, VIC 3180  
Tel: 03 9594 1111  
www.capita.com.au

**PROJECT**  
HOUSING DEVELOPMENT  
BROOKLANDS  
RHYL COAST ROAD

**CLIENT**  
SERIES 100  
ACCESS ROAD AND  
PLOT FINISHED FLOOR LEVELS

**DATE**  
1:250  
GS  
MWD  
SLV

**PROJECT NO.**  
CS004470

**DATE**  
12/02/2018

**PROJECT NO.**  
CS004470

**DATE**  
12/02/2018













# PROPOSED DETAILS - PLOTS 6 - 25

**Porchyn**  
Architectural Design  
10000 10th Street, Suite 100  
Edmonton, Alberta T6E 1A1  
Canada  
Tel: (780) 443-1111  
Fax: (780) 443-1112  
www.porchyn.com

**A** HARBORLAND\_A005 AJ 21/03  
Project: **PORTLAND**  
Client: **CHERRYWOOD**  
Architect: **Porchyn**  
10000 10th Street, Suite 100, Edmonton, AB T6E 1A1  
Project: **PORTLAND**  
Client: **CHERRYWOOD**  
Architect: **Porchyn**  
10000 10th Street, Suite 100, Edmonton, AB T6E 1A1  
Project: **PORTLAND**  
Client: **CHERRYWOOD**  
Architect: **Porchyn**  
10000 10th Street, Suite 100, Edmonton, AB T6E 1A1

**MATERIALS**

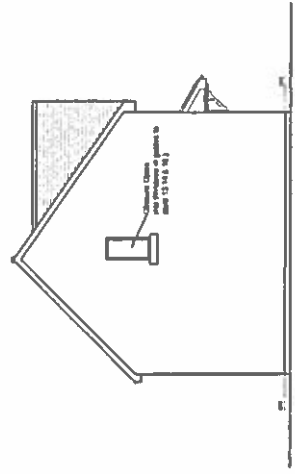
Roofing	Asph/Flt Shingles
Exterior Walls	Brick
Interior Walls	Plaster
Floors	Hardwood
Stairs	Hardwood
Windows	Double Glazed
Doors	Hardwood
Trim	Hardwood
Paint	White
Lighting	Recessed
Appliances	Stainless Steel
Fixtures	Chromium
Handrails	Stainless Steel
Handicap	Compliant

1 Materials

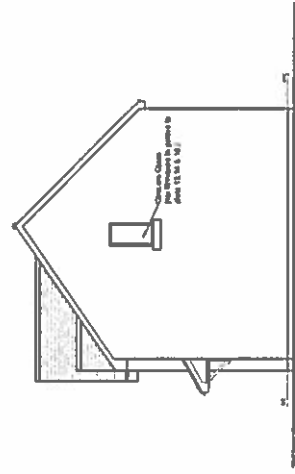
**Plot Numbers**

Plot Numbers	Plot Numbers Plot No. (Front Elevation View)
01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25	B & C
01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25	C & B

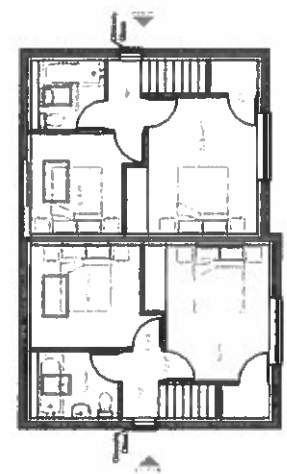
2 Plot Number Reference



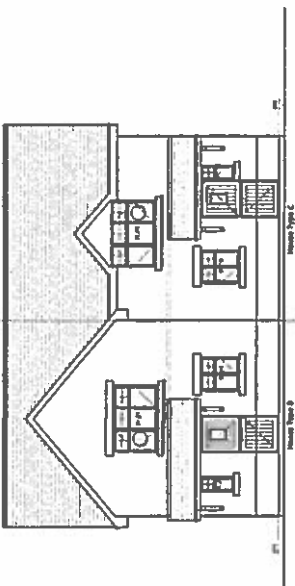
2 House Type B & C (Plot No. 02) Side Elevation B



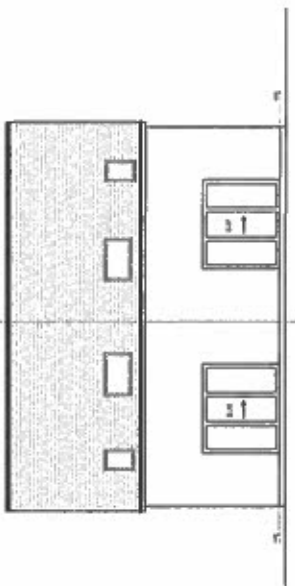
4 House Type B & C (Plot No. 05) Side Elevation D



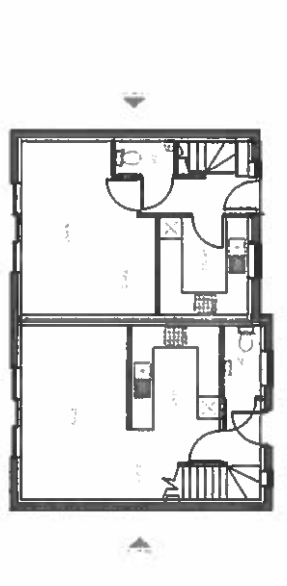
5 House Type B & C (Plot No. 05) Ground Floor Plan



1 House Type B & C (Plot No. 01) Front Elevation A



3 House Type B & C (Plot No. 05) Front Elevation C



5 House Type B & C (Plot No. 05) Ground Floor Plan



**WARD :** Prestatyn North

**WARD MEMBER(S):** Cllr Rachel Flynn  
Cllr Tony Flynn  
Cllr Paul Penlington

**APPLICATION NO:** 45/2018/0244/ PS

**PROPOSAL:** Variation of Condition No. 2 of planning permission Code No. 45/217/99/PF to allow amendments to layout and design of approved plans

**LOCATION:** 433 441 Rhyl Coast Road Rhyl LL18 3YE

**APPLICANT:** MrR A RobertsPenrhyn Limited

**CONSTRAINTS:** C1 Flood Zone  
Article 4 Direction

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

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

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

**CONSULTATION RESPONSES:**

The application site is located in the Rhyl Town Council administrative area, but on the administrative boundary between Rhyl and Prestatyn. As most properties surrounding the site are located in Prestatyn, both Town Councils have been consulted.

RHYL TOWN COUNCIL  
"No Objection".

PRESTATYN TOWN COUNCIL  
"Strong Objection:

Size of properties has increased and neighbouring residents have raised many concerns about drainage, overshadowing of existing property, proposed shared parking facilities, potential noise disturbance, boundary wall issues including access for maintenance, privacy of neighbours, flood risk and proposed properties style and scale out of character with existing residential property.

Mr T Evans was invited to address Committee on behalf of many local residents and he spoke about history, dummy footings installed in 2004 and lack of development until 2018. He reported that several alleged breaches of planning conditions and building regulations had been reported to Denbighshire County Council. Mr Evans also referred to historical flooding, raised height of buildings and failure to install drainage pump system as recommended by original planning approval.

Reference was made to failure to comply with Technical Advice Note (TAN) 15 planning

guidance as development was in flood risk zone and potentially damaging to environment. Committee felt there had been a serious breach of previously approved plans and conditions. The current variation of conditions was a significant departure from original plans.”

## **RESPONSE TO PUBLICITY:**

### In objection

Representations received from:

Mr Graham Evans, 10 Cherry Close, Prestatyn  
Mr M.R. Wilkinson, 14 Cherry Close, Prestatyn  
Mr & Mrs R W Holmes, 97 Garnett Drive, Prestatyn  
C. Goodwin, 450 Rhyl Coast Road, Rhyl  
Richard Bowman, 95, Garnett Drive, Prestatyn  
Christine Finney, 99 Garnett Drive, Prestatyn  
Mr & Mrs Roy Finney, 99 Garnett Drive, Prestatyn  
Mr A Roberts, 52 Garentt Drive, Prestatyn  
Mrs Anne Shawcross, 12 Cherry Close, Prestatyn  
Mrs M Thorne, 93 Garnett Dirve, Prestatyn  
Mr David Pennington, 9 Cherry Close, Prestatyn  
Mr Allan Pennington (95 Hlgh Street, Dyserth) on behalf of Ffrith Residents Association

Summary of planning based representations in objection:

### Visual Impact in relation to the scale/design of new properties:

The new plans/houses built are raised out of the ground so are full 2 storey properties; the properties are significantly higher than approved so the new properties appear out of character within the area which is surrounded by bungalows; the footprint of the houses is bigger, some with smaller gardens meaning they will be closer to existing properties;

### Residential Amenity Impacts:

The houses are going to be very close together; raised height and extra windows will cause massive over-looking and shadowing out the light to existing residents; the houses are closer to the surrounding bungalows than approved and therefore potential invasion of privacy of adjoining properties

### Other Matters raised

Concerns over increase in site levels and the resulting impact on neighbouring properties.  
Concerns relating to flood risk;  
Concerns relating to surface water drainage.  
Questions relating to the boundary walls  
Increase in traffic in the area

### Comments (neither in objection or support)

Mr Edward R Thomas 101 Garnett Drive, Prestatyn  
Stewart Signol, Terfyn Pella Caravans, 421, Coast Road, Rhyl  
Diane Inglis, Terfyn Pella Caravan Park, 421 Coast Road, Rhyl  
Anne Signol, Terfyn Pella Caravan Park, 421 Coast Road, Rhyl

### Comments:

No objection in principle, although the site levels have been raised. No problem with the height provided it does not represent an increase in flood risk and difficulties in the area managing surface water;

Want assurances there will be no adverse flooding effects locally;

Concerns relating to boundary walls inbetween the existing and proposed dwellings.

**EXPIRY DATE OF APPLICATION:** 23/05/2018

**REASONS FOR DELAY IN DECISION:** N/A

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application seeks consent to vary a condition specifying a list of approved plans which formed part of a 25 dwelling development granted permission under code no 45/217/99/PF in 1999. This development was commenced in 2004.
- 1.1.2 The application relates specifically to revisions to plans concerning the layout and design of the dwellings and indicates finished floor levels for each dwelling.
- 1.1.3 The original permission for the 25 dwellings, with associated vehicular access, parking areas, garages and stores was granted at Planning Committee on 2<sup>nd</sup> June, 1999.
- 1.1.4 In 2004 details relating to all relevant planning conditions were approved and development commenced on the construction of a terrace of dwellings fronting Rhyl Coast Road. Construction works then ceased and the site remained vacant with no further building activity until 2018, when the site was purchased by the applicants, Penrhyn Homes.
- 1.1.5 In support of the application the following documents have been submitted:
  - Approved Housetype details ( 3 housetypes)
  - Approved Site Layout plan
  - Topographical Survey
  - Proposed Housetype details (3 housetypes)
  - Proposed Site Layout plan
  - Access road plan with section and dwelling finished floor levels
- 1.1.6. Plans are included at the front of the report showing the originally approved layout and dwelling types in addition to the proposed revised details. The changes are summarised as follows:
  - The rear amenity spaces of plots 18 to 25 (backing on to Terfyn Pella Caravan Park) are smaller than approved in 1999.
  - Gable windows are to be included within the side elevation of the approved housetype on plots 6 to 25. This window will not be inserted on dwellings on plots 13,14 and 18 and have not been inserted on dwellings within plots 24 and 25.
  - The ridge height of the housetype on plots 6 to 25 would increase from 7.1m to 7.6m with an amendment to the pitch of the roof (rear eaves height and first floor window/rooflight arrangement to the rear remaining as per approved plans)
  - The dwellings on plots 1-3 and plots 4 and 5 have been re-sited approximately 3m further forward and the spacing reduced inbetween the dwellings, which results in plots 6 to 11 and 20 to 25 also being sited approximately 3m closer to Rhyl Coast Road than approved in 1999.
  - Amendments to the approved window size/details on all plots.
  - Amendments to position of front doors and canopies on plots 6 to 25 with internal layouts amended to suit

- There are changes to the external arrangements at plots 1-3, and 4 and 5 including the removal of a 'court' area to the rear of the properties.
- Detached garages and stores have been removed.

1.1.7. It is relevant to stress that the current application is only seeking approval of design and layout changes relating to the 25 dwellings, and it is the impact of these changes which falls to be considered by the Authority. The application does not offer opportunity to re-visit the principle of the development or other unrelated details previously approved from 1999.

#### 1.2. Description of site and surroundings

1.2.1. The application site extends to approximately 0.55ha of land which slopes gradually down from north to south.

1.2.2. The site was formerly in use as a static caravan site, however the site has been vacant and overgrown since the early 1990's. There is a derelict bungalow occupying the part of the site frontage onto the Rhyl Coast Road.

1.2.3. The site is roughly rectangular in shape and has an existing vehicular access off Rhyl Coast Road. To the east and south, the site bounds the residential curtilages of single storey properties which front Garnett Drive and Cherry Close. To the west is Terfyn Pella Caravan Park.

1.2.4. Construction works resumed earlier in 2018 and at the time of the site visit, these were advanced on plots 22,23,24 and 25, with works also underway on plots 1 – 3.

#### 1.3. Relevant planning constraints/considerations

1.3.1. The site is located within the settlement boundary of Prestatyn as defined within the Local Development Plan.

1.3.2. The site is located within a C1 flood zone as defined within the development advice maps contained within TAN 15: Development and Flood Risk.

#### 1.4. Relevant planning history

1.4.1. The site has an extant planning permission for the erection of 25 dwellings granted in 1999. This is a significant material consideration.

1.4.2. A separate discharge of condition application is currently under consideration in relation to the *Details of highway works including layout, design, means of traffic calming, signage, drainage and construction of internal estate road (amendment to details previously approved by 45/2004/0507/AC) submitted in accordance with Condition No. 10 of reference 45/99/217*. The application is being scrutinised by Highways Officers.

#### 1.5. Developments/changes since the original submission

1.5.1. None

#### 1.6. Other relevant background information

1.6.1. None

## 2. **DETAILS OF PLANNING HISTORY:**

2.2. 45/217/99/PF Erection of 25 no. dwellings with associated vehicular access, parking areas, garages and stores GRANTED at Planning Committee 2<sup>nd</sup> June, 1999

## 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.2. Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD1** – Sustainable development and good standard design

**Policy BSC1** – Growth Strategy for Denbighshire



## **Policy ASA3 – Parking standards**

### 3.3. Supplementary Planning Guidance

Supplementary Planning Guidance: Residential Development

Supplementary Planning Guidance: Parking Requirements in New Developments

### 3.4. Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Notes

TAN 12: Design

TAN 15: Flood Risk and Planning

Other material considerations

## **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.

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

#### 4.2.1. Principle

#### 4.2.2. Visual amenity

#### 4.2.3. Residential amenity

#### 4.2.4. Highways (including access and parking)

### 4.3. In relation to the main planning considerations:

#### 4.3.1. Principle

The main policy in the Local Development Plan which is relevant to the principle of housing development in towns and villages is BSC1, which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries.

The site is within the development boundary of Prestatyn as defined in the Local Development Plan. The principle of the development has already been established by the granting of full planning permission for 25 dwellings in 1999. The 1999 permission has been taken up and can continue to be built out as consented, regardless of the decision on the current application.

#### 4.3.2. Visual 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 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.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The visual amenity impacts of a development proposal are a material consideration.

Landscaping is a vital component in new developments. Landscape proposals are required to address a number of planning requirements, not only to provide a visually attractive and safe environment for residents and adjacent communities, but to integrate the development in its wider visual context.

There are representations specifically raising visual amenity issues in relation to the increased height of the dwellings and the adverse impact this would have on the character of the area which is predominantly single storey development. The majority of comments made are in relation to plots 6 to 25 which are in closest proximity to the surrounding bungalows on Garnett Drive and Cherry Close.

In relation to the visual amenity aspects of the amendments proposed to the dwellings: -

Plots 1-3 fronting Rhyl Coast Road.

There is no increase in the footprint of the dwellings, or to the overall ridge height of these dwellings from the original approval in 1999.

There are changes to the external arrangements including the removal of a 'court' area to the rear of the properties.

It is also proposed to amend the roof shape, with alterations proposed to the roof pitch with an increased eaves height to the rear elevation, increasing from 3.5m to 4.5m.

The other amendments proposed relate to the size and detailing the windows and the height of the dormers on the roof slope on the front elevation.

Taking the above into account in association the proposed finished floor levels of the dwellings, it is not considered that the proposed changes would result in any unacceptable visual impacts.

Plots 4 to 5 fronting Rhyl Coast Road.

The detailing of these properties is the same as on plots 1 - 3 but comprises a semi-detached property as opposed to a terrace of 3 properties.

There is no increase in the footprint of the dwellings, or to the overall ridge height of these dwellings from the original approval in 1999.

There are changes to the external arrangements including the removal of a 'court' area to the rear of the properties.

It is also proposed to amend the roof shape, with alterations proposed to the roof pitch with an increased eaves height to the rear elevation, increasing from 3.5m to 4.5m.

The other amendments proposed relate to the size and detailing the windows and the height of the dormers on the roof slope on the front elevation.

Taking the above into account in association with the proposed finished floor levels of the dwellings, it is not considered that the proposed changes would result in any unacceptable visual impacts.

Plots 6 to 25 located within the site off the internal estate road:

There is no increase in the footprint of the dwellings from the original approval in 1999, however there are some minor changes to the siting of the properties, a reduction in the space inbetween properties and the rear amenity space for plots 18 o 25 is smaller than originally approved. The reason given for this change relates to the accuracy of the original 1999 land survey.

The approved roof shape is a traditional pitched roof, with an eaves height of 4m and ridge height of 7.1m. As proposed, the roof shape would be amended with a higher eaves height at the front at 4.5m, sloping down to an eaves height of 4m to the rear. The overall ridge height would increase by 0.5m to 7.6m.

Gable windows are to be included within the side elevation of the approved housetype on plots 6 to 25 to serve a landing. The gable window is shown to be obscure glazed. This window will not be inserted in plots 13, 14 and 18 and has not been inserted within the properties constructed on plots 24 and 25.

As plots 1-3 and plots 4 and 5 fronting Rhyl Coast Road have been re-sited approximately 3m further forward towards the road, and the spacing reduced inbetween the dwellings, plots 6 to 11 and 20 to 25 are also shown to be re- sited approximately 3m closer to Rhyl Coast Road than approved in 1999. The spacing in between the properties has been reduced and detached garages and stores also omitted from the current proposal with external car parking spaces proposed for each property.

Amendments are proposed to the approved window size/details with changes also proposed to the position of the front doors and pitched roof canopies with the internal floor layout amended accordingly.

In relation to the amendments, it is acknowledged that there would be a change to the overall height of the dwellings of 0.5m, increasing from 7.1m to 7.6m however this level of increase is considered acceptable in relation to the visual impact of the proposal. Whilst the ridge height of the properties would be higher, it is not considered to be significantly different to the approved scheme.

The amendments to the gable windows along with window, door and canopy detailing are considered acceptable and overall an improvement to the visual appearance of the properties.

In relation to the landscaping of the site, details were approved in 2004. However given the proposed changes to the detailing of the development it is considered appropriate to request the submission of an up to date landscaping scheme for the whole site as a planning condition to include the details of the levels of the garden areas for each property, should the application be approved.

Taking the above into account in association with the proposed finished floor levels of the dwellings, it is not considered that the proposed changes would result in any unacceptable visual impacts.

4.3.3. 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.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they

must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The residential amenity impacts of a development proposal are a material consideration.

There are representations specifically raising residential amenity issues in relation to the increased height of the dwellings and the adverse impact this would have on the amenities of existing local residents who live in close proximity to the site. Specific reference has been made to loss of privacy, overshadowing and loss of light. The majority of comments made are again in relation to plots 6 to 25 which are in closest proximity to the surrounding bungalows on Garnett Drive and Cherry Close.

In relation to the residential amenity aspects of the amendments proposed to the dwellings: -

Plots 1-3 fronting Rhyl Coast Road.

There is no increase in the footprint of the dwellings, or to the overall ridge height of these dwellings from the original approval in 1999.

There are changes to the external arrangements including the removal of a 'court' area to the rear of the properties.

It is also proposed to amend the roof shape, with alterations proposed to the roof pitch with an increased eaves height to the rear elevation, increasing from 3.5m to 4.5m.

The other amendments proposed relate to the size and detailing the windows and the height of the dormers on the roof slope on the front elevation

Taking the above into account in association with the proposed finished floor levels of the dwellings, it is not considered that the proposed changes would result in any unacceptable residential amenity impacts.

Plots 4 to 5 fronting Rhyl Coast Road.

The detailing of these properties is the same as plots 1 - 3 but comprises a semi-detached property as opposed to a terrace of 3 properties.

There is no increase in the footprint of the dwellings, or to the overall ridge height of these dwellings from the original approval in 1999.

There are changes to the external arrangements including the removal of a 'court' area to the rear of the properties.

It is also proposed to amend the roof shape, with alterations proposed to the roof pitch with an increased eaves height to the rear elevation, increasing from 3.5m to 4.5m.

The other amendments proposed relate to the size and detailing the windows and the height of the dormers on the roof slope on the front elevation.

Taking the above into account in association with the proposed finished floor levels of the dwellings, it is not considered that the proposed changes would result in any unacceptable residential amenity impacts.

Plots 6 to 25 located within the site off the internal estate road:

There is no increase in the footprint of the dwellings from the original approval in 1999, however there are some minor changes to the siting of the properties, a reduction in the space inbetween properties, and the rear amenity space for plots 18 to 25 is smaller than originally approved. The reason given for this change relates to the accuracy of the original 1999 land survey.

The approved roof shape is a traditional pitched roof, with an eaves height of 4m and

ridge height of 7.1m. As proposed, the roof shape would be amended with a higher eaves height at the front at 4.5m, sloping down to an eaves height of 4m to the rear. The overall ridge height would increase by 0.5m to 7.6m.

Gable windows are to be included within the side elevation of the approved housetype on plots 6 to 25 to serve a landing. The gable window is shown to be obscure glazed. This window will not be inserted in plots 13, 14 and 18 and has not been inserted within the properties constructed on plots 24 and 25.

As plots 1-3 and plots 4 and 5 fronting Rhyl Coast Road have been re-sited approximately 3m further forward towards the road, and the spacing reduced in between the dwellings, plots 6 to 11 and 20 to 25 are also shown to be re-sited approximately 3m closer to Rhyl Coast Road than approved in 1999. The spacing inbetween the properties has been reduced and detached garages and stores also omitted from this proposal with external car parking spaces proposed for each property.

Amendments are proposed to the approved window size/details with changes also proposed to the position of the front doors and pitched roof canopies with the internal floor layout amended to suit.

In relation to the amendments, it is acknowledged that there would be a change to the overall height of the dwellings of 0.5m, increasing from 7.1m to 7.6m however this level of increase is considered acceptable in relation to the overall impact of the dwellings. Whilst the ridge height of the properties would be higher, it is not considered to be significantly different to the approved scheme and would not lead to any unacceptable impact on the properties surrounding the development.

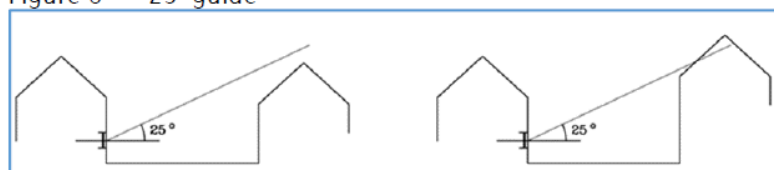
With the exception of the re-siting referred to above, the distance inbetween the new properties and the existing properties on Garnett Drive and Cherry Close have not changed from the approved plans. The detailing of the rear elevation has not changed, with exception of the ground floor patio door being 3 panes, not 2 as per the 1999 approval. Within the roof slope, it is still the intention to insert 2 rooflights to provide light within the upper floor bedroom and bathroom and the rooflights are high level which would mean the cill heights are 1.8m from the internal floor level, reducing the potential for overlooking of properties.

In the Council's Supplementary Guidance 'Residential Development', adopted in 2016, Section 6 provides guidance on specific forms of residential development, and considerations to be given to protection of the amenities of occupiers of adjoining properties from new development (from overlooking, loss of privacy, overbearing impact, etc.). This can reasonably be applied to situations where new dwellings are proposed at the rear of existing dwellings, such as at Garnett Drive and Cherry Close.

Paragraph 6.38 of the SPG sets out an explanation of the '25 degree guide' and states as follows:

- 6.38 25° guide: An imaginary line is vertically drawn at 25° from the centre of the nearest ground floor window of any habitable room in an opposite property. Suitable sunlight is achieved when no part of the proposed development crosses this line. If the proposed building opposite would have a high ridge, the loss of daylight will be more notable than if it were to have a lower ridge height. However, the minimum separation distances between buildings precedes this approach.

Figure 6 25° guide



Officers have assessed the relationship between the proposed dwelling and existing properties on Garnett Drive and Cherry Close using the '25 degree guide'. The assessment has been made having regard to existing levels and the finished floor levels provided in the submission.

The property located closest to the new development is 11, Cherry Close, which backs on to plot 16. From rear elevation to rear elevation, the approved distance is 16m. No 11 Cherry Close has been extended, with a conservatory located on the rear elevation projecting approximately 3m. The 25 degree guide has been assessed based on the distance of 16m (from rear elevation to rear elevation) and also 13m (from rear elevation to conservatory). In all assessments, given the distances and detailing of the proposed dwelling, it is Officers' opinion that the dwelling would not pose any conflicts with the guide, and that the development would not give rise to unacceptable relationships with existing properties.

The property located closest to the new development on Garnett Drive is no 97 which backs on to plot 13. From rear elevation to rear elevation, the approved distance is 20m. The 25 degree guide has been assessed based on the distance of 20m from rear elevation to rear elevation. In both assessments, given the distances and detailing of the proposed dwelling, it is Officers' opinion that the dwelling would not pose any conflicts with the guide, and that the development would not give rise to unacceptable relationships with existing properties.

With respect to the concerns raised in relation to loss of privacy and overlooking, it is considered the proposed changes would not result in any adverse impacts in this regard.

In relation to the comments relating to overshadowing and loss of light, there are no changes to the siting of the properties in proximity to the existing dwellings on Garnett Drive and Cherry Close. The only change proposed is an increase of 0.5m to the height of the ridge, which given the distances (ranging from 13m to 22m) inbetween the properties is not considered likely to result in an overbearing impact, overshadowing or loss of light on the neighbouring properties.

The amendments to the gable windows along with window, door and canopy detailing are considered acceptable and are an overall improvement to the visual appearance of the properties.

In relation to the amenity afforded to the occupiers of dwellings on the application site, the amendments to the layout would result in some properties having smaller garden areas, but these gardens meet the 40sqm guidance specified within the Residential Development SPG. It is considered the changes to windows and elevational detailing would not result in any adverse impact on the amenity of future residents of the properties.

Taking the above into account in association with the proposed finished floor levels of the dwellings, it is not considered that the proposed changes would result in any unacceptable residential amenity impacts.

#### 4.3.4. Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require 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.

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The highway impacts of a development proposal are a material consideration.

Comments have been made in relation to the increase in traffic within the area.

With respect to this concern, planning permission has already been given for the development of 25 dwellings on this site and therefore the highway impacts of the development have already been considered, and assessed as acceptable. However, following the approval of detailed highway matters in 2004, amendments to these details have been submitted as part of a separate application for the approval of a planning condition, which Highways Officers are assessing separately from this application.

The proposal does however indicate revised car parking arrangements with the omission of detached garages. Each property, all of which are 2 bed properties, are shown to be provided with 2 car parking spaces which meets SPG guidance.

Officers are of the view that the amendments to the car parking arrangements are acceptable.

#### Other matters

##### Flood Risk

With respect to the comments raised in relation to flood risk and site levels, flood risk was not considered to be a matter of significance at the time of determination of the 1999 application.

Significantly, the plans approved in 1999 did not contain any site level information and the permission did not require approval of finished floor levels of the dwellings or site levels. The current Developers can therefore build the dwellings to whatever floor level they choose.

In Officers' opinion, flood risk considerations can now not be introduced in the assessment of this application.

It is understood however that the Developers have undertaken a Flood Risk Assessment to inform the finished floor levels of the dwellings and these are shown on the submitted plans.

##### Surface Water Drainage

Surface Water drainage details do not form part of this application. Within the original application in 1999 it was stated that foul water would be directed to the mains/public sewer and surface water to a surface water drain.

The developer's Drainage Consultant has consulted with the Council's Flood Risk Manager, who is satisfied that the developer and his consultant have carried out due diligence in designing an attenuated surface water drainage system that follows sustainable drainage principles and minimises the likelihood of increased flood risk to existing properties. The condition of the existing watercourse that receives flows from the site is being investigated and the developer will provide additional information to the Council's Flood Risk Manager for agreement.

##### Boundary wall

A number of local residents have queried the situation with an existing boundary wall which runs around the boundary with properties on Garnett Drive and Cherry Close.

New fencing will be provided for the new properties and local residents have therefore queried how the wall will be dealt with/maintained. The developer has advised that this is a matter for solicitors who will deal with it in due course and it is understood the developer has written to a number of residents to state contact will be made with all those involved to discuss how this will be legally done.

#### Well – being of Future Generations (Wales) Act 2015

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

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

### **5. SUMMARY AND CONCLUSIONS:**

5.2. Having regard to all of the issues raised, the amendments proposed to the approved list of plans in relation to the layout and design of 25 dwellings originally approved in 1999 are considered acceptable and the Officer recommendation is for approval.

**RECOMMENDATION: APPROVE VARIATION OF CONDITION 2** - subject to the following conditions:-

#### Condition 2 now reads as follows:

The development hereby permitted shall be carried out strictly in accordance with the following plans unless otherwise specified by subsequent condition attached to this permission, or as subsequently approved in writing by the Local Planning Authority:

- (i) Previously Approved House Type A Plots 1-3 (Drawing No. GC/2025/RM/4A) - Received 23 March 2018
- (ii) Previously Approved House Type A Plots 4 & 5 (Drawing No. GC/2025/RM/3) - Received 23 March 2018
- (iii) Previously Approved House Type B Plots 6-25 (Drawing No. GC/2025/RM/2) - Received 23 March 2018
- (iv) Previously Approved Site Plan B(Drawing No. GC/2025/RM/1) - Received 23 March 2018
- (v) Previously Approved Site Plan (Drawing No. GC/2025/RS7) - Received 23 March 2018
- (vi) Topographic Survey (Drawing No. 9857/1) - Received 23 March 2018
- (vii) Access Road and Plot Finished Floor Levels (Drawing No. BRC-CAP-HML-01-DR-C-0101-P01) - Received 23 March 2018
- (viii) Proposed Site Plan (Drawing No. PL01.001.1) - Received 23 March 2018
- (ix) House Type B&C (Plots 6-25) (Drawing No. PL01.002) - Received 23 March 2018
- (x) House Type A1 (Plots 4-5) (Drawing No. PL01.003) - Received 23 March 2018
- (xi) House Type A (Plots 1-3) (Drawing No. ) - Received 23 March 2018
- (xii) Location Plan (Drawing No. PL01.001) - Received 23 March 2018

#### Additional Conditions

1. Prior to the occupation of the first dwelling a full updated hard and soft landscaping / screening scheme including details of the levels of the garden areas for each property shall be submitted to and approved in writing by the Local Planning Authority. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.



2. Notwithstanding the submitted plans, the external arrangements to the rear of plots 1 to 5 shall not be as shown but shall be further agreed in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details and dully implemented prior to the occupation of the dwellings.
3. Notwithstanding condition 9 of planning permission ref 45/217/99/PF, no enlargements or alterations shall be made to the rear elevations including roof slopes of the dwellings at plots 6 to 17 without the further grant of planning permission.

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

1. In the interest of visual and residential amenity.
2. In the interest of residential amenity.
3. In the interest of residential amenity.

**NOTES TO APPLICANT:**

In relation to the landscaping and external arrangements to plots 1 to 5 please contact the Case Officer to discuss the requirements.