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01/2018/0607

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47m



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 Plans to be signed and stamped by the architect and the engineer. The architect is to be advised before work is started.
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SCHEDULE	75 No	83,973sqft
TYPE A - 4 BED DET HOUSE 6 No @ 164.62 sqm		987.72sqm
TYPE B - 3 BED DORMER BUNGALOW 6 No @ 170sqm		1,020sqm
TYPE C - 4 BED DET HOUSE 5 No @ 155.4sqm		777.1sqm with integral garage
TYPE Cg - 4 BED DET HOUSE 3 No @ 155.4sqm		466.2sqm plus double garage
TYPE D - 3 BED SEMI HOUSE 8 No @ 94.3sqm		754.4sqm
TYPE E - 3 BED SEMI HOUSE 8 No @ 95sqm		760sqm
TYPE F - 3 BED TOWN HOUSE 16 No @ 94.8sqm		1,516.8sqm
TYPE G - 2 BED TOWN HOUSE 11 No @ 67.4sqm		741.4sqm
TYPE J - 2 BED BUNGALOW 12 No @ 65.0sqm		780sqm
TOTAL	75 No	7,803.52sqm 83,973sqft
29,300sqm OVERALL SITE AREA		
1,650sqm P.O.S.		



REV. 14. 21. JAN 2011 LAYOUT UPDATED

PLANNING DRAWING



willacy horwood architects
 PURE RESIDENTIAL & COMMERCIAL LTD
 C&E TOP/FM FLOOD/ED/WT/F&EN/EXT/ENB/SA
 PROPOSED SITE LAYOUT
 1,500 @ A1 JAN 18 04 11 18 11 18 11 18
 willacy horwood architects
 14, 07-14, 08/08/11 by: J.L., G. SMITH, J. GILL, M. GIBSON, S. GIBSON, S. GIBSON



EXISTING HEADROW RELOCATED TO MAKE 1.5M WAC FOOTPRINT COMPATIBLE WITH 1000mm HIGH STONE WALL

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WARD : Denbigh Lower

WARD MEMBERS: Councillors Mark Young (c) and Rhys Thomas

APPLICATION NO: 01/2018/0607/ AC

PROPOSAL: Details of the scheme for the disposal of foul and surface water, sustainable drainage principles and provision of subsequent management and maintenance arrangements submitted in accordance with condition 8 of planning permission code 01/2016/0374/PF

LOCATION: Land at Cae Topyn off Old Ruthin Road Ffordd Eglwyswen Denbigh LL16 4RA

APPLICANT: Mr G Jones, Pure Residential And Commercial Ltd.

CONSTRAINTS: PROW

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 – Town / Community Council objection

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL

“The town councillors wished to object to the below application - not appropriate and the town councillors wish to support the County Council and local residents with the objection.”

DWR CYMRU / WELSH WATER

No objections raised in relation to the foul sewer arrangements. Consider the arrangements to be acceptable in principle, and confirm the details are subject to technical review under Section 104 of the Water Industry Act (1991).

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

Following detailed discussions and meetings between Highway Engineers, independent consultants employed to assess the applicant’s scheme and the applicant, Officers are satisfied that the drainage proposals are acceptable, will work and that the Highway Authority will be able to adopt the relevant elements under the appropriate legislation.

Lead Local Flood Engineer

I have discussed the surface water drainage proposals with the developer and his consultants in detail. I’m satisfied that the developer has exercised due diligence in employing a suitably qualified and experienced engineering consultancy to design the surface water drainage system. The proposed system manages the risk of flooding of the development site and adjacent land and property in an appropriate fashion, in accordance with current national guidelines.

RESPONSE TO PUBLICITY:

None at time of writing report

EXPIRY DATE OF APPLICATION: 19/08/2018

EXTENSION OF TIME AGREED Yes

REASONS FOR DELAY IN DECISION (where applicable)

- additional information required from applicant

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application relates to details required under one of the conditions of the planning permission for the 75 dwelling development at Cae Topyn, Denbigh, granted on appeal in September 2017.

1.1.2 Condition 8 of planning permission 01/2016/0374 relates to drainage detailing, and is worded as follows:

“No development shall commence until details of a scheme for the disposal of foul and surface water from the development, incorporating sustainable drainage principles and including phasing/timing of provision and subsequent management and maintenance arrangements, has been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details.”

1.1.3 The plans submitted indicate the location of surface water and foul water pipes, connection points, manhole locations, inspection chamber locations, rodding eye locations, highway gullies, shared geo-cellular soakaway location and domestic geo-cellular locations.

1.1.4 Technical drawings submitted show the construction detail of the proposals, including the design of manholes, inspection chambers, bedding and concrete surround details, catch-pit design and geo-cellular design details.

1.1.5 Technical calculations for the capacity of the drainage system have been provided which include porosity test results, summary of methodology and legislative requirements, methodology of assessment, rainfall data, design data for the water storage cull soakaway, filter drain design for a range of storm severities (1 in 10 year return period storm through to 1 in 100 year return period storm).

1.1.6 Details of the phasing/timing of provision and management and maintenance arrangements have been provided. It is intended to commence the installation of the main drainage on 24/9/18 for a 22 week period, and works on individual plots will continue on a rolling programme for 2 years.

1.1.7 The long term management and maintenance of the foul drainage system will be transferred to Dwr Cymru by agreement under Section 104 of the Water Industry Act 1991. Similarly management and maintenance of the surface water in the highway (including the geocellular soakaway under the public open space) and surface water drainage outside of the plot boundaries will be adopted by Denbighshire County Council by agreement under Section 38 of the Highway Act 1980.

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 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

1.4.4 Planning permission for the development of the site was refused at planning committee in April 2017. The decision was subsequently appealed and allowed by the Planning Inspectorate following a Public Inquiry. The decision permitting the development was issued in September 2017.

1.5 Developments/changes since the original submission

1.5.4 Following advice from Highway Engineers, and external consultants, the dimensions of a number of pipes in the surface water drainage system have been increased to prevent surcharging in a 1 in 100 storm event. In addition design changes have been discussed and agreed relating to the landscape bund to the road side of the surface water storage area.

1.6 Other relevant background information

1.6.4 None.

2 **DETAILS OF PLANNING HISTORY:**

2.2 01/2016/0374 - Erection of 75 no. dwellings, together with associated roads, open space and related works. REFUSED by COMMITTEE 21/4/2017 on the basis of unacceptable impact upon highway safety and an unacceptable impact upon the character and appearance of the area. ALLOWED on appeal.

3 **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.2 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy VOE6 – Water management

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Residential Development

3.3 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Note 15 – Development and Flood Risk (2004)

3.4 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 2017 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 issue in relation to the application is considered to be:

4.2.1 The acceptability of the drainage proposals

4.2.2 In relation to the main planning consideration:

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 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 drainage / flooding impacts of a development proposal are a material consideration.

Planning Policy Wales Section 12.4.1 states 'The adequacy of water supply and the sewage infrastructure are material in considering planning applications and appeals.'

TAN 15 recognises that all types of land use change will impact on the natural hydrological cycle in one way or another and flooding is not confined to flood plains, as heavy rain falling on waterlogged ground can cause localised flooding almost anywhere. For this reason, TAN 15 states that development should not increase the risk of flooding elsewhere. Runoff from developments in these areas can, if not properly controlled, result in flooding at other locations and significantly alter the frequency and extent of floods further down the catchment.

TAN15 also advises that consideration must also be given to maintaining the effectiveness of any drainage system, including pipes. Systems must be able to cope with severe rainfall/snowmelt events and provision must be made for long term maintenance and renewal.

The detailed proposals for the drainage (foul and surface) at Cae Topyn seek to demonstrate that the mechanism for disposing of foul sewage is acceptable and that surface water can be dealt with adequately in a range of storm events without resulting in run-off.

The technical details have been examined by Welsh Water, Denbighshire County Council Highway Engineers, Flood Engineers and independent engineers (employed by DCC Local Highway Authority). Following the requested submission of amendments to the design and dimension of surface water drainage pipes, it has been agreed by the relevant bodies that the proposed drainage details are acceptable.

With regard to the future management of the drainage systems, Dwr Cymru Welsh Water and the Highway Officers are satisfied with the adequacy of the design. On that basis they are prepared to adopt the relevant elements of the drainage system. As is usual on

residential plots, the surface water drainage/soakaway for individual plots will remain the responsibility of the house owner.

Based on the technical responses of Welsh Water, the Highway Officer and the Lead Local Flood Engineer, it is considered that the proposals for dealing with foul and surface water, and the long term maintenance arrangements put forward are acceptable. It is therefore the opinion of officers that condition 8 of permission 01/2016/0374 should be discharged.

Other matters

Well – being of Future Generations (Wales) Act 2015

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

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

5 SUMMARY AND CONCLUSIONS:

5.1 In recognising local concerns over the implications of the development, the responses from the 'technical' consultees involved with the assessment of the proposed drainage systems raise no objections. On this basis it is not considered there are any grounds to resist the approval of the details.

RECOMMENDATION: APPROVE- subject to the following conditions:-

1. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission.
 - (i) Proposed site layout plan (drawing number 1218-P01 Rev K) received 22 June 2018
 - (ii) Proposed site layout plan (drawing number 1218-P02) received 22 June 2018
 - (iii) Drainage General arrangement 1 of 2 (drawing number 101 Rev A) received 22 June 2018
 - (iv) Drainage General arrangement 2 of 2 (drawing number 102 Rev A) received 22 June 2018
 - (v) Drainage General arrangement 1 of 2 (drawing number 103) received 22 June 2018
 - (vi) Drainage General arrangement 2 of 2 (drawing number 104) received 22 June 2018
 - (vii) Drainage construction details (drawing number D05) received 22 June 2018
 - (viii) Construction details manhhole type 1B (drawing number D06) received 22 June 2018
 - (ix) Construction details manhhole type E (drawing number D07) received 22 June 2018
 - (x) Construction details Catchpit (drawing number D08) received 22 June 2018
 - (xi) Construction details Geocellular soakaway (drawing number D09) received 22 June 2018
 - (xii) Foul drainage windes long sections received 22 June 2018
 - (xiii) SW Windes long sections received 22 June 2018
 - (xiv) Location plan received 22 June 2018

The reason for the condition is:-

1. For the avoidance of doubt and to ensure a satisfactory standard of development.