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43/2018/0900

Scale: 1:1250

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Design Rationale/ Design Statement

Introduction.
The soft landscape proposal has been prepared for the Franchise, Agents and Housing Department within Devonshire County Council, in association with a Planning Application for a new development of 15 No. one / two bedroom accessible apartments on a presently under-managed area of land (the site) to the rear of No. 1 'The Dell', Prestatyn.

A number of existing landscape features on the site have been retained for amenity value, ecological diversity and to retain a mature setting for the new development. The retained existing landscape features and soft landscape proposals will complement the new accessible apartment development.

Soft Landscape Proposal.
Consideration has been given to the overall soft landscape proposals and to create an attractive development that makes the most of the existing landscape features, with a strong sense of place and local distinctiveness.

The site has benefited from tree (Energy Surveys Ltd. Sept 2017) & ecological surveys (Eryls Ecology Oct 2017). The reports include an existing survey of the sites natural features and make recommendations on the landscape features worthy of retention as part of future development proposals. The surveys also offered enhancement recommendations which have been taken forward into the proposals for the site.

The landscape proposals are centred on retaining the higher quality mature trees and incorporating these within the development proposals, whilst enhancing the retained setting with the use of many native species across the site and providing ecological connectivity to the existing woodland and scrub areas.

New boundary hedges/overgrown native species (measuring approximately 180 linear metres) are proposed to enclose the development. The new hedges will provide an attractive green edge to the development and provide a degree of privacy to the residents on the lower apartment floors. The new hedges will also strengthen the linear wildlife corridors along the former railway line.

The new soft landscape seeks to build on the character of the Alder trees in the area and create distinctiveness through the continuation of an Alder Avenue alongside the footpath. It is proposed the new Alder trees will be planted in small grassed areas by removing pockets of the existing vegetation and where feasible reducing the slope. Three existing Alder (Carpinus Betulaceae) trees are situated in the north west corner of the site (ref T1, T2 & T5 hedge line survey). It is intended to retain T1 and T5 as they are of moderate quality with a long-life expectancy. T2 will be removed due to its poor condition and close proximity to T1, which is suppressing its growth.

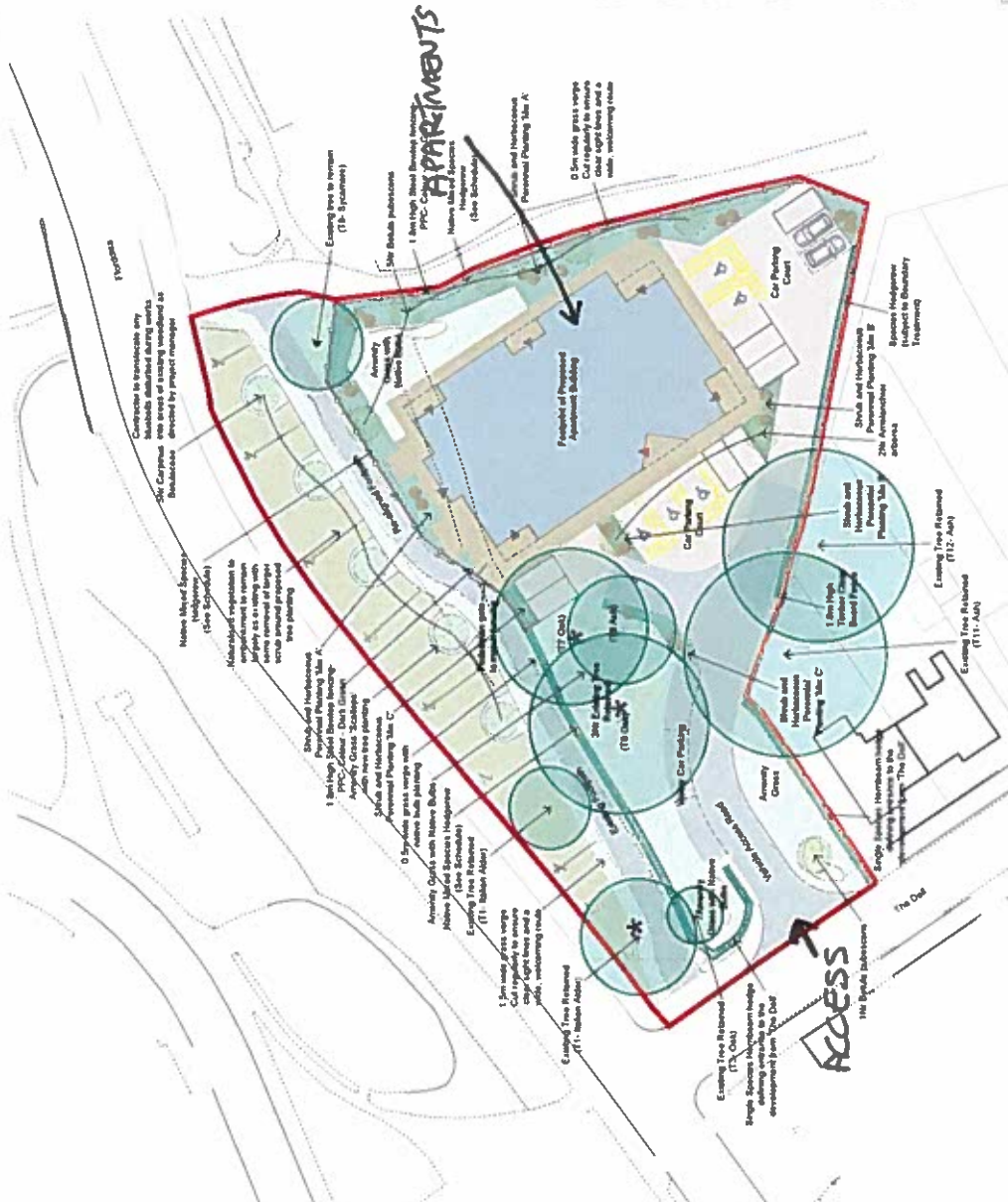
The northern part of the site (approximately 0.1 hectares) comprises the existing and realigned footpath adjoining the vegetated embankment to 'Floods'. It is proposed to set new hedging at least 0.5m from the southern edge of the footpath to create a grass verge with native bulb planting. To the north of the footpath a wider (1.5m) grass verge is proposed to help maintain an open character to the route, with clear sightlines.

A new small triangular grass verge is proposed as a junction of the two footpaths adjoining the north eastern boundary of the site, which also includes the retention of an existing Lymonium tree. The inclusion of a new grass verge will create an open, more welcoming feel to the area with clear sightlines. Four new donny birch trees are also proposed just inside the site's northern boundary & together the new hedgerow and trees will provide visual continuity, whilst also providing a green buffer between the public space and the new residential accommodation.

Shrubs and ornamental planting are proposed on the inside of the perimeter hedge areas, providing an attractive outlook for the residents, whilst also providing further screening and privacy to the boundaries.

Within the central and southern parts of the site, the main landscape features are the retained trees set within the grassed areas. The mature trees to be

The Dell, Prestatyn. Soft Landscape Layout (Proposed)



KEY

General	Planning Application Boundary
	Proposed Development Footprint
	Principal Entrance to New Building
	Other Entrance to New Building
	Hard Surfacing
	Access Road and Footpath
	Paving Court
	Trees and Vegetation
	Shrub Ornamental Planting (H.A. 8 and C)
	Semi Natural Vegetation (See Schedule)
	Hedging (See Schedule)
	Trees (Existing) (See Schedule)
	Trees (Proposed) (See Schedule)
	Amenity Grass
	Bulbs within Grass Areas
	1.5m High Timber Close Board Fencing and Posts
	1.5m High Steel Board Style Fencing - PCC Colour Dark Green
	Levels
	Slopes (indicative)
	For Detailed Levels- Refer to Architects and Engineering drawings
	Ecology
	1b Schwinger type bird boxes to be installed on the site with recommendations. Each box to be positioned at least 3 metres from the ground away from disturbance and facing north or east

Client amendment
The Dell, Prestatyn

Drawing Title
Soft Landscape Layout (Proposed)

Scale
A3: 1/500 A1: 1/250

Date
24/05/2017

Author
ES

Check
TS

Planning
AZ027 06

Revision
A

above
zero

Landscaping Design
Landscape Planning
Public Realm & Green Space

Tel: 01509 755 989
www.kidsons.co.uk
www.kidsons.co.uk

Scale Bar
0m 5 10 15 20 25 30

North Arrow

retained tree T7 (Oak), T9 (Oak), together with the two oak trees, (T11 & T12) sited outside of the site, adjoining the southern boundary. The large retained trees provide an established mature setting for the new landscape & communal areas, creating a visual enclosure to the new building and filtering views to it from the south and west.

1b Schwinger type bird boxes are proposed for the existing trees and will be installed in accordance with the manufacturers recommendations. Each box will be positioned at least 3 metres above the ground to avoid disturbance and located on a north or east face.

Swatches of native bulbs are proposed across the site, randomly planted to provide a naturalised appearance in the grassed areas and provide seasonal colour and interest.

PROPOSED ELEVATION PLANS

DO NOT SCALE DRAWING

GENERAL NOTES:

EXTERNAL FINISHES

ROOF SYSTEM
GALFERI roof and system (Bauwien 2 layer membranes) or similar approved

WALL CONSTRUCTION

Facelift Brick - 75mm Concrete/Steel - Block or similar approved

WALL CLADDING

High quality 'Clitic' coloured cladding system

DOOR/ CURTAIN WALL SYSTEM

Aluminium window/ doors and curtain wall performance glazing system (Colour TBA)

INSULATION

Aluminium window and doors high performance glazing system (Colour TBA)

BALUSTRADE SYSTEM

Structural Glass System to external 'bracket' covered area

PV SYSTEM

Photovoltaic Panels to roof - exact details TBA Subject to Electrical Engineers recommendations/ client requirements

FENCING

1800mm High Steel Decking Fencing
1800mm High Timber Clad Decking Fencing



Footpath to the rear of the proposed development Retained

PROPOSED NORTH EAST ELEVATION IN CONTEXT 1:100



Footpath Retained

Existing Trees Retained

PROPOSED NORTH WEST ELEVATION IN CONTEXT 1:100

Rev	Description	Date
A	ELEVATIONS MARKED IN ACCORDANCE WITH PLAN	09/19



Colchester, Axminster & Taunton, Axminster & Taunton

PROJ: PT-17-706-The Dell, Prestatyn

TITLE Proposed North East Elevation / North West Elevation - Context

DRAWN BY: DCC/LO/RY

CHECKED BY: MATT BARNETT

SCALE: AS SHOWN

DRAWING NUMBER: RBA STAGE 3

AL (0) 121

REV A

PROPOSED ELEVATION PLANS

DO NOT SCALE DRAWING

GENERAL NOTES:

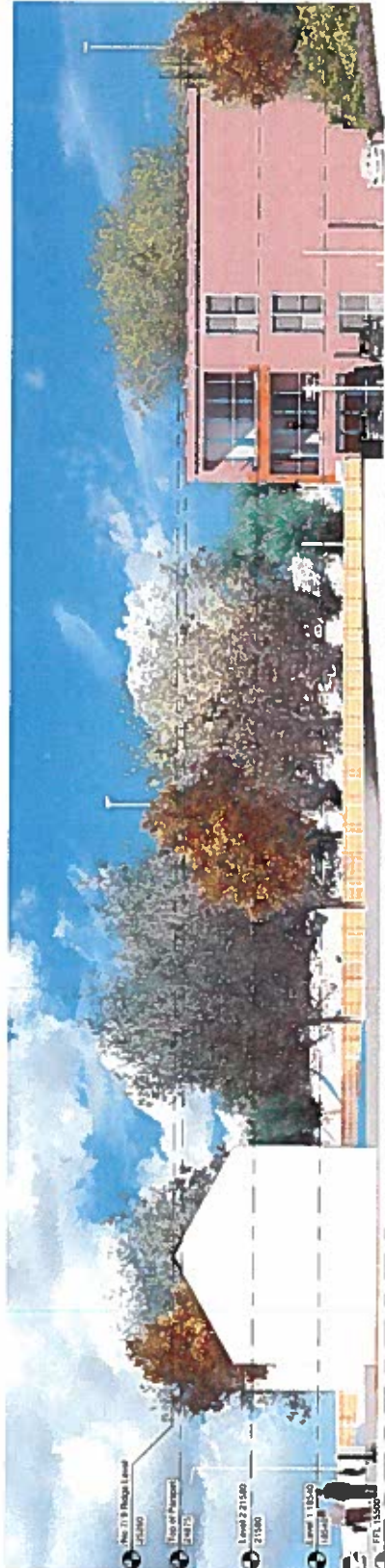
- EXTERNAL FINISHES**
- ROOF SYSTEM**
BALDUR roof and system (Baldur 2 byse membrane) or similar approved
- WALL CONSTRUCTION**
Facades Brick - "New Cavendish Stone" Block or similar approved
- WALL CLADDING**
High quality "Dixie" coloured cladding system
- DOOR/ CURTAIN WALL SYSTEM**
Aluminium windows, doors and curtain wall system with performance glazing system (Colour TBA)
- WINDOWS**
Aluminium windows and doors - High performance glazing system (Colour TBA)
- BALUSTRADE SYSTEM**
Structural Glass System in external 'private' covered area
- PV SYSTEM**
Photovoltaic Panels to meet exact details TBA
Subject to Electrical Engineers recommendations/ cost requirements
- FENCING**
1800mm High Steel Backstop Fencing
1800mm High Timber Clade Board Fencing



Footpath Retained

Adjacant Road
PFORD ISA

PROPOSED SOUTH WEST ELEVATION IN CONTEXT 1:100



No. 21 'The Dell'

Fencing
1800mm High Timber Clade Board Fencing

PROPOSED SOUTH EAST ELEVATION IN CONTEXT 1:100

Rev	Description	Date
1	ELEVATIONS APPROVED IN ACCORDANCE WITH PLAN	09/19



Cyfeirnod: Awdurdod y Ffôn
Ffôn: 01772 891000

PT-17-1706-The Dell, Prestatyn

PROJECT: Proposed South West Elevation/
South East Elevation - Context
DRAWN BY: EWT/03
CHECKED BY: RBA STAGE 3
DATE: 09/19
SCALE: A1
DRAWING NUMBER: AL (0) 120
REV: A

PROPOSED GROUND FLOOR PLAN

Schedule of Accommodation

Category	Apartment	Area
2 No. 2 Bed CAT 3 Wheelchair User Apartments	Appt 01	83m ²
	Appt 02	83m ²
3 No. 1 Bed CAT 3 Wheelchair User Apartments	Appt 03	58m ²
	Appt 04	41m ²
	Appt 05	43m ²

* 118 Balcony areas not included



DRYDEN ARCHITECTURE & CIVIL ENGINEERING
DRYDEN ARCHITECTURE & CIVIL ENGINEERING

The Dell, Prestatyn

Project Ref: P7_17_706
 RIBA Stage 3 MDC
 13.06.2018 1.50 @A1
 Proposed Ground Floor
 General Arrangement Plan

AL(0)111 E

1 BED CAT 3 WHEELCHAIR USERS APARTMENTS

2 BED CAT 3 WHEELCHAIR USERS APARTMENTS



GROUND FLOOR PLAN

WARD :	Prestatyn Central
WARD MEMBERS:	Cllr Tina Jones (c) Cllr Hugh Irving
APPLICATION NO:	43/2018/0900/ PF
PROPOSAL:	Demolition of existing dwelling and erection of 15 no. unit residential apartment block; construction of a new vehicular access and associated works
LOCATION:	1 The Dell and Land to rear of The Dell Prestatyn LL19 8SS
APPLICANT:	Denbighshire County Council
CONSTRAINTS:	Article 4 Direction
PUBLICITY UNDERTAKEN:	Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

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

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

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

“Objection. Over intensification of site and overbearing impact upon neighbouring properties. Concerns about capacity of existing drainage system and access points. Development out of character, increased flood risk, number of apartments has increased since original consultation. Loss of wildlife habitat and trees. Bat habitat requires protection; Insufficient parking, concerns about security and lack of fire safety information, insufficient parking. Destruction of ancient woodland”

NATURAL RESOURCES WALES

No objection to the proposal subject to conditions requiring the submission of a bat survey of a mature ash tree on site and also compliance with the Reasonable Avoidance Measures set out within the ecological report.

DWR CYMRU / WELSH WATER

No objection subject to the inclusion of standard conditions and advisory notes.

CLWYD POWYS ARCHAEOLOGICAL TRUST

No objections, there are no archaeological implications for the development proposal.

CLWYD BADGER GROUP

There are concerns relating to the development. No records of setts on the development site itself but aware of badger activity on the site and surrounding area.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection subject to standard conditions including a Construction Method Statement and

submission of further design details.

Pollution Control Officer
No objections

Ecologist

No objection subject to the inclusion of conditions requiring compliance with mitigation measures within the ecological report; timing of works outside the bird breeding season; requirement to submit a light spillage scheme and details of provision for roosting bats and nesting birds within the proposed new building.

Flood Risk Manager
No objection

Tree Specialist

No objection subject to the inclusion of a condition requiring a detailed landscaping scheme and a revised Arboricultural Method Statement (AMS).

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mrs C L Hodson, 4 The Dell, Prestatyn
Glenn Nield-Siddal, 3 The Dell, Prestatyn
Tracy Pierce, 7 Ffordd Penrhwyllfa, Prestatyn
Andrew Scott, 11 The Dell, Prestatyn
Christopher Hodson, 4 The Dell, Prestatyn
Darren Hughes & Laura Howard, 7 The Dell, Prestatyn
David Cooper, 8 Maes Tegid, Prestatyn
Andrea & Stephen Duffy, 8 The Dell, Prestatyn
Claire & Steven Jones, 12 The Dell, Prestatyn
Gareth and Lesley Lloyd-Williams, 5 The Dell, Prestatyn
D Terry, 1 Maes Tegid, Prestatyn
Paul Penlington, 9 The Dell, Prestatyn
Tharanga Ekanayake, 2, The Dell, Prestatyn
Elaine Raven, 54/56 Meliden Road, Prestatyn
Linda Muraca, Old Fallings, 9 Mostyn Avenue, Prestatyn
Karen Beattie, 61 Victoria Road West, Prestatyn
Ian Scott on behalf of Prestatyn and Environment District Association

Summary of planning based representations in objection:

Visual Impact

The appearance of the apartments is incongruous in style, imposing in size and will dominate the area; the proposed design of the proposal makes no attempt to tie in with the character of development in the area; the proposed building, by virtue of its height, bulk and design will totally dominate the skyline and will be visually intrusive; out of keeping with woodland area;

Residential Amenity Impacts

It will be overbearing and visually intrusive when viewed from the rear windows and rear gardens; The first and second floor windows and balconies on the proposed south-west elevation would directly overlook the rear amenity areas and the detailing would allow people to stand and look directly at rear windows of bedrooms in the back of the properties on The Dell; uncertainty over detailing of boundary treatments with conflicts between plans/ Design and Access Statement; Light pollution concerns from new development

Highways and Parking

The Dell is a very quiet cul-de-sac but the junction onto Fforddisa is already very dangerous, The additional traffic onto Fforddisa and The Dell will make this worse and visibility standards will not cope with additional traffic on the same junction, the incline and curve on the old railway bridge impacts on the junction safety; The Dell is already congested with difficulties experienced in existing the junction due to the incline of the old railway bridge; delivery and other vehicles park on The Dell to use the convenience store so the new access will lose parking for them; access arrangements on to

a busy road with poor visibility is not suitable for elderly people; there is insufficient parking as the nature of the use may require health professionals to visit regularly; it will be difficult for wheelchair users to use public transport without having to go to the main bus station;

Impact on local wildlife and trees

The site support foxes, badgers and a number of other species, the development would have an adverse impact on them; loss of trees will impact on the character of the area; local residents have observed and can evidence that badgers use the site; questions the adequacy of surveys; the ecological assessment relies heavily on data obtained from Cofnod which is a cause for concern; lighting could impact on local wildlife.

Drainage and flooding

Concerns relating to the connection to existing drainage system which can hardly cope now; the current site has a stream running underneath the development will remove a natural soak away and will increase the risk of flooding; the current drainage system is inadequate and the top of Ffordd Isa floods whenever there is heavy rain; Supports the principle of the development but has concerns relating to rainwater and drainage issues.

A detailed representation has been received raising concerns in relation to the drainage details including uncertainties and recommendations relating to potential flooding and drainage systems.

Contamination

The proposal has identified several hazardous materials in the soil of the site and it's containment has not been dealt with adequately.

Inclusive Design

Inclusive design should be at the heart of the scheme and it is not considered this is the case; questions the adequacy of the Design and Access Statement and detailing of the proposal

General Comments

The Prestayn/Dyserth walkway is very well used and links to other footpath networks, the building proposed is not in keeping with the surrounding area and it would damage the tourism in Prestatyn as a result as the development will encroach on the walkway, disrupting the peacefulness that the walkway represents.

Safety of locals and children using the walkway through the site will be impacted during building works.

Led to believe that due to ground conditions that piling will be needed.

Accommodating people in such an isolated environment would contravene the Well Being and Future Generations Act/Disability Act and segregating rather than including them.

EXPIRY DATE OF APPLICATION: 12/12/2018

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 This is a full planning application proposing the construction of a 15 unit residential apartment block together with the construction of a new vehicular access and associated works.

1.1.2 The site measures 0.33 hectares in area. It is occupied by a vacant bungalow No. 1 The Dell , which fronts on to a residential cul de sac.

The main elements of the proposal are:

- The demolition of the bungalow at no 1, The Dell in order to form a vehicular access off The Dell
- The erection of a 3 storey block containing 15 apartments, with 5 units on each floor.
- The footprint of the proposed apartment block would be rectangular in shape with a footprint measuring approximately 27.5m by 18m.
- The roof of the apartment block would be flat with a height of approximately 8.5m.
- The building would be constructed using a reddish brick and cladding, with aluminium windows.
- The 15 apartments would comprise a mix of 8no. 2 bed apartments and 7no. 1 bed apartments.
- On the ground floor, 5 no. 'Category 3' units are proposed, these being designed for wheelchair users.
- On the first and second floor, 10 no. 'Category 2' units are proposed, these being designed as 'accessible and adaptable' apartments.
- Each floor would be accessed by stairs or lift with a lobby and storage areas provided for each unit
- A vehicular access is proposed off The Dell and some realignment is proposed of the existing foot/cycle path linking to the Prestatyn / Dyserth Walkway.
- Provision of parking facilities for 16 car parking spaces, including 5 for disabled persons.
- Provision of a bicycle storage area
- New boundary fencing with additional hard and soft landscaping.

1.1.3 Along with the plans, a number of documents have been submitted in support of the application:-

- * Planning, Design & Access Statement
- * Pre Application Consultation Report
- * Ecological Appraisal
- * Tree Survey Assessment
- * Arboricultural Method Statement
- * Flood Consequences Assessment and Drainage Strategy
- * Ground Investigation Reports and Remediation Strategy

The main plans and illustrations are attached at the front of the report and included below is an illustration of the elevation when viewed on approach from The Dell, taken from the Design and Access Statement:-



1.2 Description of site and surroundings

1.2.1 The application site comprises a predominantly vacant piece of land located to the rear of residential properties fronting The Dell. A detached bungalow property currently occupies the front portion of the overall site. The site is covered in grass, vegetation and trees.

1.2.2 The Dell is a residential cul de sac of 2 storey properties, with the exception of 1, The Dell which is a bungalow. The Dell is accessed off Fforddisa.

1.2.3 Running along the northern boundary of the site inbetween the application site and Fforddisa is a band of vegetation and trees running parallel with the road and there is a bitmac footpath route which links to the main Prestatyn to Dyserth Walk Way which runs along the rear (eastern) boundary of the site.

1.2.4 Ground levels on the site itself are relatively level with a slight fall in an easterly direction from The Dell, which then rises slightly near the walk way. The application site is at a lower level than the adjacent road, Fforddisa.

1.2.5 The predominant land use in the locality is residential with a 'Londis' convenience store located at 2, The Dell which fronts on to Fforddisa. The plan attached at the front of the report indicates the site and surroundings.

1.1 Relevant planning constraints/considerations

1.1.1 The site is within the development boundary of Prestatyn on the proposals map of the Local Development Plan (LDP).

1.1.2 The site has no specific use designation in the LDP.

1.2 Relevant planning history

1.2.1 None

1.3 Developments/changes since the original submission

1.3.1 An Arboricultural Method Statement has been submitted.

1.4 Other relevant background information

1.4.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

Policy RD1 – Sustainable development and good standard design

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC4 – Affordable Housing

Policy BSC11 – Recreation and open space

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: [Access For All](#)

Supplementary Planning Guidance Note: [Affordable Housing](#)

Supplementary Planning Guidance Note: [Conservation and Enhancement of Biodiversity](#)

Supplementary Planning Guidance Note: [Parking Requirements In New Developments](#)

Supplementary Planning Guidance Note: [Recreational Public Open Space](#)

Supplementary Planning Guidance Note: [Residential Development](#)

Supplementary Planning Guidance Note: [Residential Space Standards](#)

Supplementary Planning Guidance Note: [Trees & Landscaping](#)

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Notes

TAN 2: Planning and Affordable Housing (2006)

TAN 12: Design (2009)

TAN 18: Transport (2007)

3.3 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.

4.1 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 Visual amenity/character of area
- 4.1.4 Residential amenity
- 4.1.5 Ecology and Trees
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)
- 4.1.8 Affordable Housing
- 4.1.9 Open Space
- 4.1.10 Education
- 4.1.11 Inclusive Design
- 4.1.12 Contamination

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages. It encourages provision of a range of house sizes, types and tenure to reflect local need and demand and the Local Housing market assessment.

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

Although the site is not allocated for a specific use in the LDP, the principle of developing land within a development boundary as a 'windfall' site involving provision of 15no. affordable 1 and 2 bed units specifically designed for people with limited mobility is consistent with the intentions of the Local Development Plan and the Council's Corporate Plan in helping to achieve housing need targets, and to meet demands for specialist housing designed for people with limited mobility.

Officers would suggest the acceptability of the particular proposals therefore has to rest on the local impacts, which are reviewed within the following sections of the report.

4.2.2 Density of development

Policy RD1 test ii) states that a minimum density of 35 dwellings per hectare (d/ha) should be achieved in order to ensure the most efficient use of land, and that these minimum standards should be achieved unless there are local circumstances that dictate a lower density.

The site area in this instance is indicated as 0.33 hectares. The proposal is for the erection of 15 apartments within a three storey block. This represents a density of around 78d/ha. With regard to the minimum density requirement in Policy RD1, Officers would comment as follows. This minimum requirement has been established to enable the most efficient use of land for housing development. It should be noted that this would traditionally apply to the density of housing schemes which would contain predominantly individual dwelling houses and not apartment blocks. In this case as the scheme involves a single block of 15no.apartments Officers feel that a 78d/ha density is acceptable. This is having regard to the fact the recent Grange Hotel apartment scheme granted by this Planning Committee had a density of some 186d/ha.

Officers are of the opinion that the density of development proposed, having regard to the overall size of the site and the type of residential accommodation, is acceptable in principle.

4.2.3 Visual amenity/Character of Area

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.

Representations have been received which raise concerns about the type of accommodation proposed having regard to its, scale, design, appearance and whether it is appropriate for the character of the area.

The proposed apartment block would be set back behind existing properties on The Dell with the vehicular access proposed in the location of the current bungalow at 1, The Dell, which would be demolished as part of this proposal. The apartment building would be sited approximately 47m back from the edge of the highway at The Dell.

In relation to the siting of the building in relation to its boundaries and with adjacent dwellings (see the plans at the front of the report), it is not considered that it would appear out of keeping or cramped up against existing development. There is reasonable space proposed within the site for access and parking, servicing, and landscaped areas around the building.

The building proposed is 3 storey in height, with a flat roof and a height of 8.5m. It is proposed to face the external walls with bricks and cladding. Details of the brick and cladding have been suggested within the application. The illustrations submitted with the application show 'orange' coloured cladding, which Officers consider would be inappropriate in this location. If planning permission were to be granted, it is suggested that a condition is attached requiring the submission and approval of the details of the materials along with samples to ensure they are appropriate for the area.

Looking at the wider context, whilst the design approach adopted for the site is modern and differs from the style of the residential properties on The Dell (which were built in the earlier part of the 20th century), the apartment block proposed would be a stand alone development set back from the road frontage and the design approach adopted is not considered inappropriate in this context.

The development of a site of this nature in close proximity to very well used walk ways, would inevitably impact on the visual appearance and character of the area. However, taking all the factors into account, the scale, design and appearance of the proposed apartment block is considered acceptable and it is considered an appropriate standard of development can be achieved. Site section plans have been submitted with the application showing the finished floor levels which suggest the height of the building would not be dissimilar to the 2 storey semi detached properties on The Dell. The use of appropriate materials, boundary treatments and hard and soft landscaping will be important and these matters can be controlled through suitably worded planning conditions.

Overall, and subject to appropriate detailing the proposed apartment block would not be considered out of character within the area and would not result in any significant adverse impacts on visual amenity.

4.2.4 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of

development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

Representations have been received raising residential amenity concerns, with particular concerns relating to privacy, outlook and overbearing impact raised. Comments have also been raised in relation to lighting impacting on nearby properties.

In respecting the concerns of local residents, having regard to the relationship and distance of the apartments block in relation to the properties on The Dell that back on to the site, Officers' opinion is that the impact on these properties would not be unacceptable.

In relation to 3, The Dell; this property is a 2 storey semi detached house fronting The Dell. The rear garden of this property shares a boundary with the application site and the distance from the rear of no 3 to the front elevation of the apartment block is 31m. At the closest point, there is a distance of 15m from the front elevation of the apartment block to the rear garden boundary of no 3. There a mature tree within the rear garden of this property.

In relation to 5, The Dell; this property is a 2 storey semi detached house fronting The Dell. The rear garden of this property shares a boundary with the application site and the distance from the rear of no 5 to the front elevation of the apartment block is also 31m. At the closest point, there is a distance of 12m from the front elevation of the apartment block to the rear garden boundary of no 5. There is also a mature tree within the rear garden of this property.

In relation to 7 and 9 The Dell; these properties are a pair of 2 storey semi detached houses fronting The Dell. The rear gardens of these properties share a boundary with the application site and abut a proposed parking area for the apartments.

With regard to the concerns of local residents, the adopted Residential Development SPG suggests the minimum distance which should be sought between the backs of residential properties to limit overlooking etc. should be 21m. This distance is clearly achieved in this case as there is a distance of 31m between the new development and the rear elevations of no's 3 and 5 The Dell, which are the only 2 properties that directly face the front elevation of the proposed apartment block. Distances of between 12m and 15m are achieved to the rear garden boundaries with these properties and therefore it is considered the windows and enclosed balconies located on the proposed apartment block would not result in any direct overlooking of existing properties or rear gardens.

In relation to No 7 The Dell, which has a long rear garden in excess of 30m, the garden boundary would abut a proposed car parking area and the corner of the proposed apartment block is located approximately 9m away from the rear garden boundary of no. 7. Given the distance and relationship of the development in relation to the property at no. 7 and its rear garden, it is not considered that the proposal would result in any significant adverse impact on the level of amenity currently enjoyed by this property.

The property at No 9 The Dell also has a long rear garden which is in excess of 35m. The garden boundary would also abut a proposed car parking area and the closest part of the proposed apartment block is 14m away from the rear garden boundary of no. 9. Again, given the distance and relationship of the development in relation to the property at no. 9 and its rear garden, it is not considered that the proposal would result in any significant adverse impact on the level of amenity currently enjoyed by this property.

Whilst it is accepted that the outlook of these properties will be affected by developing the site, it is not considered that the degree of harm would be sufficient to justify a refusal of permission, given the relationship with existing dwellings and the detailing of the proposed development.

In relation to the standard of amenity afforded to future occupants of the proposed apartments, the floorspace of the 1 and 2 bed apartments exceeds the minimum floorspace standards in the Residential Space Standards SPG. Each unit is proposed with storage facilities and the majority of the units are provided with an enclosed balcony space along with use of a communal external amenity area. Car parking spaces for 16 cars is provided within the site. In terms of the amenity standards of potential occupiers, the level of amenity afforded both internally and externally to the potential occupiers is considered acceptable.

In relation to external lighting, no details have been submitted with the application for consideration. Given the nature of the site and proximity of the development to existing residential properties it is considered appropriate to request the submission of lighting details as a planning condition.

4.2.5 Ecology and Trees

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

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

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 biodiversity / ecological impacts of a development proposal are a material consideration.

This reflects policy and guidance in Planning Policy Wales, TAN 5 and Council's Conservation and Enhancement of Biodiversity SPG, 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.

Representations have been made raising concerns over the impact on local wildlife and habitat, along with the destruction of ancient woodland, including from Clwyd Badger Group and Prestatyn and District Environment Association.

An Ecological Report, Tree Survey and Arboricultural Method Statement have been submitted with the application, and the Council's Ecologist and Tree Specialist have been consulted.

In relation to ecological matters, the Council's Ecologist has raised no objection to the proposal subject to a number of conditions including the need to follow the Reasonable Avoidance Measures set out within the Ecological Appraisal, the need to submit lighting details to avoid any adverse impact on bats, the need to incorporate provision for bats and birds within the development such as bat and bird boxes and also that the timing of any development involving clearance or tree removal takes place outside the bird breeding season.

In relation to the concerns raised by the Clwyd Badger Group and Prestatyn and District Environment Association, the views of the County Ecologist have advised that : "The ecological report for this application has been thorough, and while badgers may be using the site to forage, there are no setts present which would need to be

mitigated as part of the development. There is an agreement that the proposed development site may be used by foraging badgers, however, the footprint of land being lost to development is very small. When considered in the context of the wider area, it is not considered that this development poses a threat to local badger populations, or individual badgers or setts”.

Prestatyn & District Environment Association comment on the ecological assessment of the site. Having reviewed the Ecological Report, the County Ecologist has no concerns with the level of ecological survey carried out, or the findings of the report, which are in line with good practice guidance and common industry standards. It is not considered that the assessment places too much weight on the data provided by Cofnod, and whilst it is agreed that environmental records are not conclusive and may not reflect the situation on site accurately, in this instance they were backed up with a full ecological walkover of the site by suitably qualified ecologists to record potential and evidence of protected species present.

While the site may support numerous common species, it is only those which are offered legal protection or included on the Environment Act Section 7 list which are given weight in the planning process.

In consideration of all relevant matters in respect of ecology, the County Ecologist considers that the recommendations in the ecological report and if the planning conditions which have been suggested are imposed would ensure that the proposed development will not have a negative impact on protected species or species of conservation concern.

In relation to the trees, for clarity, the site is not designated Ancient Woodland and there are no Tree Preservation Orders on the trees. The proposal does propose the removal of some trees within the site to facilitate the development, however these are a small number of poor quality (Category U) trees. The Council's Tree Specialist has been consulted and considers the removal of trees highlighted are acceptable. The Tree Specialist does however have some reservations relating to the retention of trees T6, T7 and T9 whilst incorporating the car parking, access drive, underground services and drainage system - however none of the trees are considered to be Category A trees which are considered to be trees which must usually be retained as part of development.

The site's development will impact on the area's character and the direct and potential indirect loss of trees, however these losses can be mitigated, in part, by carefully considered hard and soft landscaping. This could include hedge planting along the boundary to the footpath, replacement tree planting using small to medium species, shrub planting to the front of the building and wooden fencing.

In the event that planning permission is given, the Tree Specialist has suggested a planning condition is included requiring a revised Arboricultural Method Statement which takes into account the above concerns along with a landscaping scheme.

4.2.6 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 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.'

Planning Policy Wales Section 13.2 and 13.4 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. PPW 13.4 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event.

Representations have been made raising concerns that the development would give rise to flooding and drainage problems in the area.

Factually, the site is not located within an area shown at risk of flooding in the Development Advice Maps accompanying TAN 15 – Development and Flood Risk.

Dwr Cymru Welsh Water (DCWW) have raised no objection to the drainage proposals. DCWW have reviewed the Drainage Strategy and proposed drainage layout, which proposes for foul flows to be disposed of via the public sewerage system and surface water is to be discharged into the public surface water sewer at a rate not exceeding 5 litres per second. 2 attenuation tanks are indicated on the drainage layout plan.

The Council's Flood Risk Manager has raised no objection to the proposed drainage Scheme. The surface water from the site will be attenuated at an agreed rate into the public surface water system as accepted by DCWW, and the agreed rate is easily achievable within the site. Whilst reference has been made within some of the consultation response to incidents of surface water flooding, neither the Council or DCWW have any records of these.

On the basis that the site is not within a Flood Zone, and with regard to the responses of the drainage consultees, it is not considered there are any flooding or drainage concerns here. A Drainage Strategy and layout have been submitted with the application and no objections have been raised to these by DCWW or the Council's Flood Risk Manager.

4.2.7 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.

Representations have been submitted relating to the impact of the proposal on highway safety within the area.

The Highway Officer has assessed the application and the information submitted and not raised any concerns in relation to the proposal in respect of impact on the local highway network, access and egress arrangements, pedestrian/cycle links and parking provision.

The plans show the proposal to form a new vehicular access off The Dell to the north of no. 3 The Dell and south of the existing bitmac foot/cycle path. The proposal is to form a single access point leading to the apartment block with a turning area and 16 car parking spaces. The proposal also includes the realignment of the foot/cycle path on the eastern section within the site and it will continue to meet the Prestatyn to Dyserth Walk Way.

In noting the various concerns, it is significant that the Highway Officer has no objections to the proposal subject to the agreement to final details and there are no concerns in respect of the adequacy of the local highway network. In relation to the parking provision for 16 cars, the number of spaces is considered acceptable having regard to the nature of the development which consists of smaller units, and also to the proximity of the site to a good foot/cycle network, the town centre, local services and public transport links.

It is not considered in the context of the Highway Officer's comments, and with respect to objections raised, that there are strong highway grounds to refuse permission.

4.2.8 Affordable Housing

The Local Development Plan includes a number of policies which may be relevant to the provision of affordable housing within and outside identified settlement boundaries, in support of its strategies for meeting the needs of a growing population. The policies have been developed with regard to the objectives in Chapter 9 of Planning Policy Wales, and Technical Advice Note 2: Planning and Affordable Housing in relation to new housing provision.

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing either on site on developments of 10 or more residential units or by way of a financial contribution on development of less than 10 residential units. The policy refers to the detailed guidance in the Affordable Housing Supplementary Planning Guidance on the approach to provision.

Policy BSC 1 sets an expectation that developers should provide a range of house sizes, types and tenures to reflect local need and demand.

The application has been submitted by the Council's Facilities, Assets and Housing Service. The proposal is to provide 15 affordable 1 and 2 bed apartments consisting of 5 'Category 3' wheelchair users apartments on the ground floor with 10. 'Category 2' accessible and adaptable apartments on the first and second floors. The units will be provided for social rent managed by the Council.

Single Access Route to Housing (SARTH) waiting list indicates that Prestatyn has the highest social need and demand for housing in the County as of May 2018. The housing need in the area is predominantly more for smaller 1, 2 & 3 bedroom accommodation.

The Prestatyn housing market area contains 2,904 residents who are limited 'a lot' and a further 2,643 who are limited 'a little'. This accounts for 13.75% and 12.52% of the overall population. These figures are above that of Denbighshire's levels, such a skew is highly likely to be caused, to some degree, by the age profile.

In conclusion, the proposed development is for 15. accessible and adaptable

dwellings in a central location in Prestatyn. Due to the demographic of the area and the lack of this kind of accommodation in general both in private and public housing stock, from a strategic housing perspective the proposals are supported. The proposal will also contribute to the Council's Corporate Plan priority of delivering additional affordable and suitable housing mix in the County.

4.2.9 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 specifies that all housing developments should make adequate provision for recreation and open space. All such schemes put increased demand on existing open spaces and facilities and therefore the policy applies to all developments including single dwellings.

Table 4 in the Open Space SPG (adopted March 2017) sets out thresholds for on-site provision and financial contributions. It specifies that for schemes of 1 – 30 dwellings, open space obligations should be met through financial contributions rather than onsite provision, however 5.4.9 of the SPG does state that the thresholds are indicative, and onsite provision for sites of less than 30 will be considered on their merits.

The submission refers to the accessible location of the site and its proximity to the public open space and park on Fforddisa. However, it has been agreed that a financial contribution towards the provision of off- site open space will be made in accordance with the SPG, totalling £18,558.24.

The applicant has agreed to this contribution, and the arrangements would be secured by a planning condition (a legal agreement is not suitable in this instance as the Council is the applicant).

The development is therefore considered to be able to comply with the requirements of Policies BSC 3 and BSC 11 via a suitable condition.

4.2.10 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.

The Planning Obligations SPG states that Education contributions will be sought from proposed developments which comprise of 5 or more dwellings, or a site area of 0.2 hectares or more, that have the potential to increase demand on local schools. Within paragraph 13.6 of the SPG, there are exceptions set out in relation to the provision of school places based on the type of residential development proposed and the SPG states that contributions will not be sought in the following circumstances:-

- 1) Housing specifically designed for occupation by elderly persons (ie restricted by planning condition or agreement to occupation by those over aged 55 years or more) and also
- 2) 1 bed dwellings or 1 bed apartments or flats.

The proposed development is for 15 affordable housing apartments and of the 15 units, 7 of the units are 1 bed units. The Council's Education Section have been consulted and have based on the SPG have made calculations on the basis of the 8no. 2 bed units within the development only. On the basis of the current school roll information available, there is capacity at both primary and secondary school level therefore no contribution towards education is required.

4.2.11 Inclusive Design

Local Development Plan Policy RD1 test (vii) sets out the need to provide safe and convenient access for disabled persons. The requirement to embody the principles of inclusive design in development proposals is set out in Planning Policy Wales (Section 3.4) which outlines accessibility considerations to be given to all development proposals, reflected in TAN 12 Design, TAN 18 Transport, and through the obligation to submit Access Statements as part of most planning applications.

A detailed representation has been submitted with concerns relating to the detailed design and accessibility of the apartments.

The proposal has been submitted with a Planning, Design and Access Statement which explains the apartments are designed for persons with differing levels of mobility. The actual categories are described below:

Category 3: Wheelchair user dwellings

This requirement is achieved when a new dwelling provides reasonable provisions for a wheelchair user to live in the dwelling and have the ability to use any outdoor space, parking and communal facilities.

Category 2 – Accessible and adaptable dwellings

This requirement is met when a new dwelling provides reasonable provision for most people to access the dwelling and includes features that make it suitable for a range of potential occupants, including older people, individuals with reduced mobility and some wheelchair users.

The Accessibility proposals have been designed in accordance with TAN 12: Design (2016), Denbighshire County Council SPG: Access for All, BS8300: 2018, Equality Act 2010, 'Lifetime Homes' and consideration of Part M of the Building Regulations: England 2015.

For clarity, the approach adopted for the consideration of Part M of the Building Regulations of England (2015) was due to the fact that the current English standards exceed the Welsh approved document and are therefore deemed Best Practice.

Concerns have been raised with regards to the sustainability of the building taken into consideration of the changing need and capabilities of residents. The apartments have been designed specifically as Category 3 and Category 2, with lift access (EN81-70:2003 Lift Standards Compliant) and an ambulant disabled stair providing access to all apartments on all floors for residents, users and visitors. The main entrance and individual apartments have level access thresholds throughout, increased door widths, wheelchair transfer areas and level access bathrooms within the apartments. Hoists and adjustable height kitchen units will be provided to the ground floor apartments (Category 3) and apartments will have access to a covered balcony area.

All ground floor apartments have been designed in accordance with Category 3. With regards to 'assisting with independent living by enabling convenient movement between bedroom and bathroom' all Category 3 apartments will be fitted with a ceiling track hoist 'H' track system. Access provided directly from bathroom to bedroom. With the exception of the ground floor apartments (Category 3) all other apartments have been designed in accordance with Category 2. Allowance has been made for potential future works in the form of the general arrangement between the bedroom and bathroom and the building structure. If required, direct access could be added between the rooms to accommodate a ceiling track hoist as Category 3 assisting with independent living.

All bathrooms within the development are fully accessible consisting of an

installed level access shower and is constructed as a wet room in accordance with approved documents. Kitchen layouts within Category 3 apartments are fully accessible and partially accessible in Category 2 apartments.

In relation to the concerns raised regarding balcony area access, level thresholds will be provided to all covered balconies in Category 2 and 3 apartments.

In relation to the type of lift, the proposed lift is detailed as an 'evacuation lift' in that it draws its power from an 'essential services board' which is the first connection on the mains entering the building, and that it is separated and protected from the remainder of the plant room by fire resisting construction of not less than 60min.

Access to the apartment building for residents would be via a fob / card entry system, controlled via a reader at the main door entrance and each landing entrance door (residents can only access their own landing). Visitors to the apartments would need to access the building via the video entry system located at the main door entrance & each landing entrance door and controlled by the residents in each apartment. The approach to the power operated door system will be well defined, level and safeguarded in relation to pedestrian flow. Activation controls will be located at a height between 750 mm and 1000 mm from finished floor level, contrasting visually with the surrounding background.

Pedestrian routes within the development and surrounding area are illuminated as areas outside of the development are public footpaths. Although the existing footpaths running along the boundaries of the site are well used by local residents, it is intended that the new development would have an outlook over the open areas and footpaths which would also assist with the self-policing of these areas and provide a safer off road route for pedestrians, cyclists and existing local residents.

Externally, grassed areas to the north-east and west of the site. Additional landscaping is proposed. Consideration to parking facilities and access from the accessible bays to the building entrance has been designed in accordance with approved guidance. Accessible bays have been provided in accordance with BS8300 and are situated as close as feasible to the accessible entrance to the building. Level access is provided from the accessible bays to the adjacent path avoiding travel behind parked cars. Overhead cover has been provided along the perimeter of the building, a projection of approximately 1200mm from the building with the main entrance set back approximately 6500mm providing sufficient weather protection/ covered area for residents/ visitors. Transfer space and wheelchair/ scooter store is provided within all apartments in accordance with Cat 3 approved document M with power socket.

Access routes to and around the proposed development, including gradients, widths, surfaces etc have been designed in accordance with TAN 12 : 'Design' 2016, Denbighshire County Council SPG: Access for All', BS8300 : 2018, Equality Act 2010, 'Lifetime Homes' and consideration of Part M of the Building Regulations : England 2015.

In conclusion, it is considered that the proposal demonstrates that the development would achieve an accessible and inclusive environment meeting the needs of potential residents of all needs.

4.2.12 Contamination

The need to consider the potential impact of contaminated land in relation to development proposals is contained in Planning Policy Wales. This requires planning decisions to take into account the potential hazard that contamination presents to the development itself, its occupants and the local environment; and assessment of investigation into contamination and remedial measures to deal with any contamination. Where there may be contamination issues, the Council should require details prior to determination of an application to enable the beneficial use of land.

Planning permission may be granted subject to conditions where acceptable remedial measures can overcome such contamination. PPW states that if contamination cannot be overcome satisfactorily, the authority may refuse planning permission.

Representations have been submitted questioning whether contamination is being dealt with adequately.

The application has been submitted with a Stage 1 and 2 Contaminated Land and Geotechnical Assessment along with a separate Remediation Strategy.

Historical records indicate that the site existed as parcels of open land slightly encroaching onto an adjacent railway line to the northeast with an embankment shown to be present along the northwest boundary. Between 1915 and 1938 the west of the site was partially developed for housing.

In relation to soil contamination, elevated concentrations of lead, cadmium and zinc were detected within the shallow soils across the site with the highest concentrations detected in the northeast corner. These concentrations are likely to be attributable to either made ground associated with the historic railway line directly to the east of the site that connected to the former Talargoch Lead Line in Meliden, and/or the presence of natural mineral deposits (vein erosion materials within the glacial till). As a result of soil contamination, groundwater collected on the site also exceeded standards.

In relation to remediation, the strategy submitted addresses the contamination identified and the objectives are to:

- Break potentially significant future pollutant linkages resulting from the change in land use;
- Remove/remediate significant pollution sources that a risk to man and/or environment if identified during works;
- Respond appropriately to contingencies in particular the discovery of currently uncharacterised contamination;
- Manage all emissions to air and water to protect local residents, surface waters and groundwater, and the atmosphere during remediation works;
- Allow appropriate additional protection measures to be implemented during construction, specifically the provision of landscaping soils of suitable quality/thickness and the installation of ground gas/radon protection measures.

In conclusion, Officers are satisfied that contamination has been satisfactorily and thoroughly assessed with remediation of the appropriate level proposed.

Other matters

Change in proposal: Some comments have been received suggesting the number of apartments has increased since original consultation, however the Pre Application Consultation Report submitted with the planning application refers to 15 units.

Fire Safety: Some comments have been submitted relating to lack of information in relation to fire safety. Fire Safety issues are dealt with through the Building Regulations process.

Well – being of Future Generations (Wales) Act 2015

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

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

5. SUMMARY AND CONCLUSIONS:

5.1 The principle of residential development is considered acceptable in this location within the development boundary of Prestatyn. The proposed development would provide 15 affordable, specialist housing units designed for use by persons with mobility limitations which would meet an identified need in the area.

5.2 It is not considered that there would be any adverse localised impacts in relation to visual or residential amenity and in highway and drainage terms the proposal is considered acceptable.

It is therefore recommended that permission be granted subject to the imposition of conditions.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 12th December 2023.
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) Proposed elevations (Drawing No. AL(0)124) received 21 September 2018
 - (ii) Proposed south west and south east elevations - context (Drawing No. AL(0)120 Rev. A) received 14 September 2018
 - (iii) Proposed north east and north west elevations - context (Drawing No. AL(0)121 Rev. A) received 14 September 2018
 - (iv) Proposed ground floor plan (Drawing No. AL(0)111 Rev. E) received 14 September 2018
 - (v) Proposed first floor plan (Drawing No. AL(0)112 Rev. E) received 14 September 2018
 - (vi) Proposed second floor plan (Drawing No. AL(0)113 Rev. E) received 14 September 2018
 - (vii) Perspectives 1,2,3 received 14 September 2018
 - (viii) Highways General Arrangement (Drawing No. V-R6516.00/000 01 A1) received 14 September 2018
 - (ix) Access Road and Car Park General Arrangement (Drawing No. V-R6516.00/000 02 A1) received 14 September 2018
 - (x) Proposed foul and surface water drainage layout (Drawing No. V-R6516.00/100 01 A1) received 14 September 2018
 - (xi) Existing site sections (Drawing No. AL(0)15 Rev. B) received 14 September 2018
 - (xii) Existing site plan (Drawing No. AL(0)10 Rev. B) received 14 September 2018
 - (xiii) Existing landscape layout (Drawing No. AZ027.05 Rev. A) received 14 September 2018
 - (xiv) Proposed soft landscape layout (Drawing No. AZ027.06 Rev. A) received 14 September 2018
 - (xv) Existing site sections (Drawing No. AL(0)16) received 14 September 2018
 - (xvi) Proposed site sections (Drawing No. AL(0)115 Rev. A) received 14 September 2018
 - (xvii) Proposed site sections (Drawing No. AL(0)110 Rev. I) received 14 September 2018
 - (xviii) Location Plan (Drawing No. AL(0)01 Rev. A) received 14 September 2018

Biodiversity

- 3 The development shall be carried out in strict accordance with the reasonable avoidance measures set out in Section 9.1.2 of the Ecological Report (Document Reference: 2320826 received on 14/09/2018).

PRE COMMENCEMENT

4. No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained in relation to the provision for roosting bats and nesting birds within the development and shall include the number, location, and specification of these features. The approved measures shall be implemented in full.
5. In the event that the mature ash tree to the south of the application site (T12) is removed as part of the development proposal, a bat survey should be undertaken prior to the felling of the tree. The survey should be submitted to the Local Planning Authority prior to the removal of the tree with mitigation details provided and the development shall proceed in accordance with such approved details.
6. Prior to the installation of any lighting, an external lighting/internal light spillage scheme, designed to avoid negative impacts on Bats shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with the approved details.
7. Works which could result in the damage or destruction of active bird nests must take place outside of the bird breeding season which runs March - August (inclusive), or immediately following a nesting bird check conducted by a suitably qualified ecologist.
8. No species listed on schedule 9 of the Wildlife and Countryside Act (1981), as amended, or species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) shall be included in the planting scheme.

Materials, Landscaping and Trees

PRE COMMENCEMENT

9. Prior to the application of any external materials, full details and samples of the all external wall materials to be used in the construction of the apartments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
10. Prior to the development hereby permitted being brought into use a full hard and soft landscaping scheme including final details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with such approved details and completed prior to the occupation of any of the units hereby approved.
11. 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 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

PRE COMMENCEMENT

12. No development shall be permitted to commence until revised Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The revised AMS should fully consider the car parking, access drive, underground services and drainage system. The development shall proceed in strict accordance with such approved details.

Drainage

13. Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made at or beyond manhole reference SJ06824.

14. Surface water flows from the development shall only communicate with the public surface water sewer through an attenuation device that discharges at a rate not exceeding 5 litres per second.

Highways

PRE COMMENCEMENT

15. Prior to the commencement of the development, the detailed layout, design, street lighting, signing, drainage and construction of the internal estate road, access to the site, realignment of existing foot/cycle route within the site and associated highway works shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with such approved details.

PRE COMMENCEMENT

16. No works in connection with the development hereby approved shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement. The Statement shall provide details of:
- a) the arrangements for the parking of vehicles of site operatives and visitors;
 - b) the location of any construction compound and measures to reinstate the land following completion of the works
 - c) the hours of site works and deliveries
 - d) the proposed routing of delivery vehicles, and directional signing along public roads where necessary
 - e) the location of areas designated for the loading, unloading, and storage of plant and materials;
 - f) the proposals for security fencing or hoardings around the site
 - g) pollution prevention and control measures, including measures to control the emission of dust and dirt, and to prevent pollution of watercourses
 - h) wheel washing facilities;
 - i) a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - j) any proposed external lighting
 - k) the piling methods, in the event that this form of foundation construction is proposed

The construction phase works shall be carried out strictly in accordance with the approved elements of the Statement.

17. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 0.6 metres above the level of the adjoining carriageway.
18. Prior to the development being brought in to use, full details of the facilities for the parking and turning of vehicles within the site shall be submitted to and approved in writing by the Local Planning Authority. The car parking and turning areas shall be laid out and completed in accordance with the approved plan prior to the occupation of any of the apartments and shall therefore be retained for parking and turning purposes at all times.

Open Space

PRE COMMENCEMENT

19. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the arrangements for securing compliance with the Council's Policies and Supplementary Planning Guidance in relation to Open Space. The development shall proceed strictly in accordance with the approved arrangements.

Contamination

20. The development shall be carried out in strict accordance with the remediation measures set out in the Remediation Strategy Report (Document Reference: R2485-R02-V1) received 14/09/2018).

Reasons

Reason 1: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

Reason 2: For the avoidance of doubt and to ensure a satisfactory standard of development.

Reason 3: In the interests of nature conservation

Reason 4: In the interests of nature conservation

Reason 5: In the interests of nature conservation

Reason 6: In the interests of nature conservation

Reason 7: In the interests of nature conservation

Reason 8: In the interests of nature conservation

Reason 9: In the interests of visual amenity and character of the area

Reason 10: In the interests of landscape, visual and residential amenity

Reason 11: In the interest of landscape and visual amenity

Reason 12: In the interest of landscape and visual amenity

Reason 13: To prevent the hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution or detriment to the environment

Reason 14: To prevent the hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution or detriment to the environment

Reason 15: In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.

Reason 16: To ensure suitable arrangements are in place to control construction stage works, in the interests of residential amenity and highway safety, and to minimise the impact of this phase of the development

Reason 17: To ensure that adequate visibility is provided at the proposed point of access to the highway

Reason 18: To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.

Reason 19: To ensure compliance with the Council's open space policy

Reason 20: To prevent pollution of the environment

NOTES TO APPLICANT:

Notification of Commencement of Development and Display of Site Notice

The Development Management Procedure (Wales) (Amendment) Order 2016 places a duty on you to notify the Local Planning Authority of the commencement of development and to display a notice on site. You must complete and return a 'Notification of initiation of development' form and display a site notice (please find blank forms/notice attached). Further information relating to the requirements is available on the Planning pages at www.denbighshire.gov.uk or www.gov.wales/topics/planning.

In relation to Condition 4

It is preferable to incorporate these features within the structure of the proposed new building as these are discrete, maintenance free, and ensure the building remains suitable for protected species in perpetuity. Boxes such as the 1FR Schwegler Bat Tube, Ecosurve Bird Boxes, and Bird Brick Houses are all designed to be integrated into new builds. You are advised to discuss this with a suitable qualified Ecologist at an early stage in the development.

In relation to Condition 6

The light spillage scheme should follow the guidance set out in ""Guidance Note 08/18 Bats and artificial lighting in the UK, 2018"" (Bat Conservation Trust and the Institute of Lighting Professionals).

DCWW Advisory Notes

ADVISORY NOTE

The applicant may need to apply to DCWW 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 (ie a drain which extends beyond the connecting property boundary) or via a new sewer (ie serves more than one property), it is not 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 at 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 application may contact DCWW. Under the Water Industry Act 1991 DCWW has rights to access to its apparatus at all times.

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

Highway Advisory Notes

Please be advised of the following Advisory Notes;-

- (i) Highway Supplementary Notes Nos. 1,3,4,5 & 10
- (ii) New Roads and Street Works Act 1991-Part N Form
- (iii) Denbighshire County Council Specification for Road Construction.
- (iv) Denbighshire County Council General Notes for Highway Lighting Installations.
- (v) Denbighshire County Councils General Requirement for Traffic Signs and Road Markings.

Please be advised that a suitable highway legal agreement will be required for the adoption of the estate road and to contact Gail McEvoy on 01824 706882 before any work commences on site.

Natural Resources Wales - Advice for the Developer Waste

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provided information on how to classify waste and register as a waste carrier or hazardous waste producer:
<http://naturalresources.wales/waste/how-to-classify-and-assess-waste/?lang=en>

<http://naturalresources.wales/apply-for-a-permit/waste/?lang=en>

Further guidance can be found on the GOV website here:
<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>