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Scale: 1:1250

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NOTES

DO NOT SCALE OFF DRAWING

Rev No	Date	Amendment	Initia



Dylunio, Adeiladwirth a Cynhalieth  
Design and Construction

Project Name :

Oaktree Centre

Project Number :

P1\_19\_002

Drawing Stage:

Planning

Drawn By:

KMA

Reviewed By:

Date:

16.02.2020

Scale:

1:500 @A3

Drawing Name:

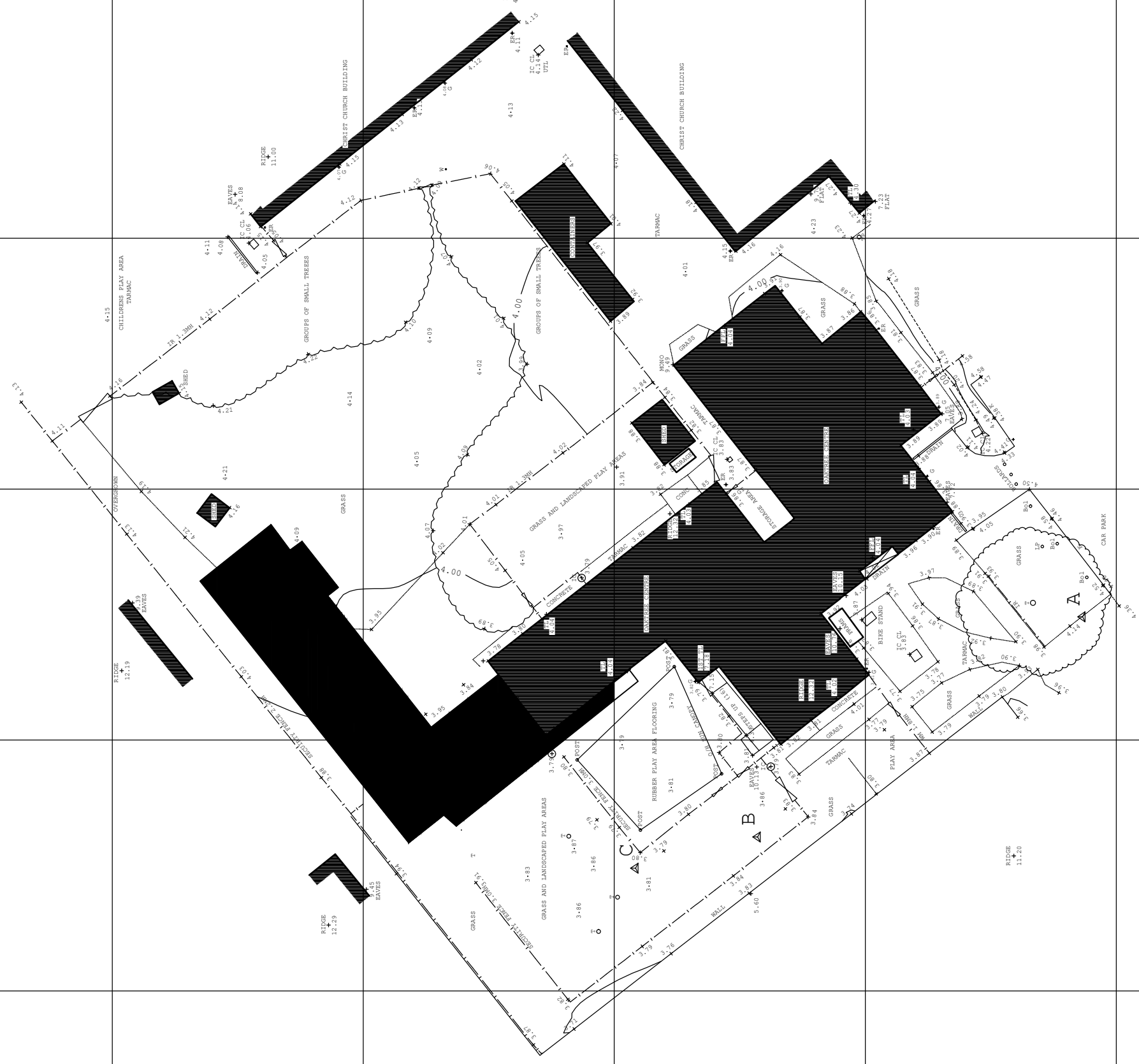
Proposed Block Plan

Drawing Number:

AL(0)09

Revision:

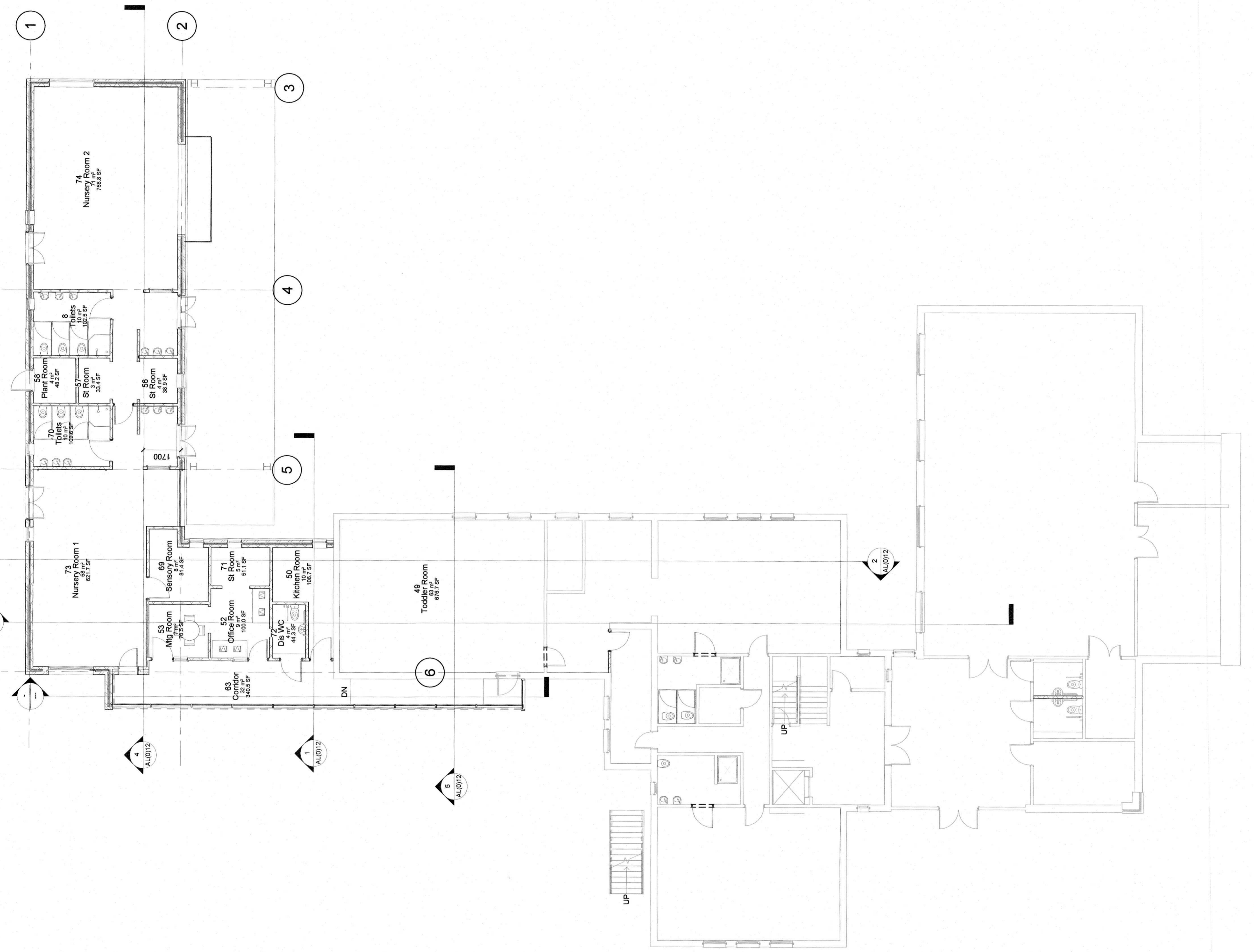
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3010  
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3000



DO NOT SCALE DRAWING



Rev	Description	Date



Dylunio, Adeiladwath a Cynhaliath  
Design, Construction &  
Maintenance

PROJECT Oaktree Centre

TITLE Proposed Ground Floor Plan

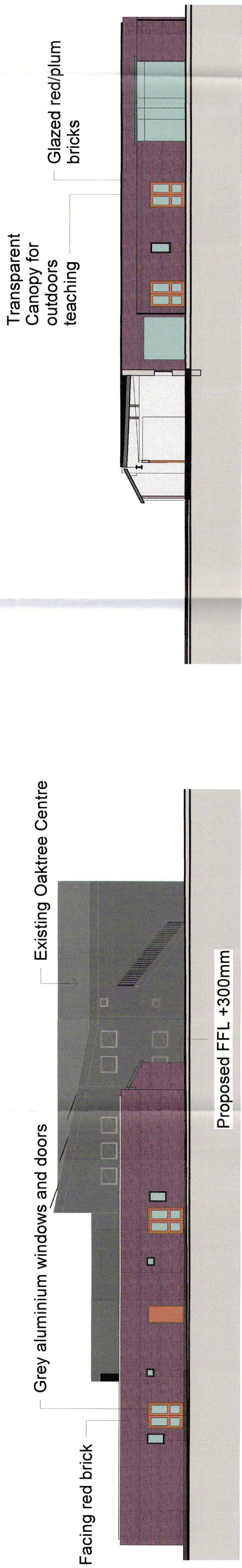
DRAWN BY	CHECKED BY	DATE
KMA	Checker	11/22/19
SCALE (@ A1)	PROJECT NUMBER	
1: 100	PT_19_002	
DRAWING NUMBER	REV	
AL(0)10		

28/02/2020 14:16:07





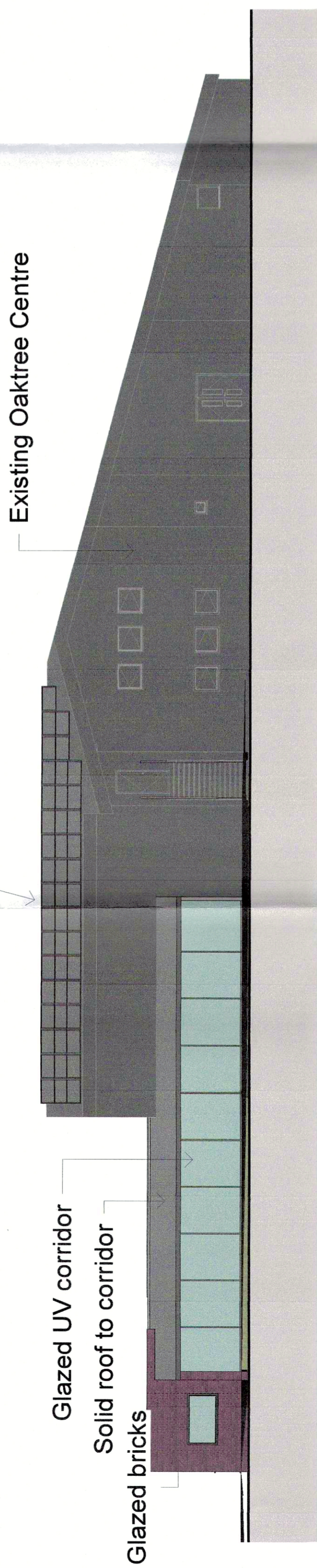
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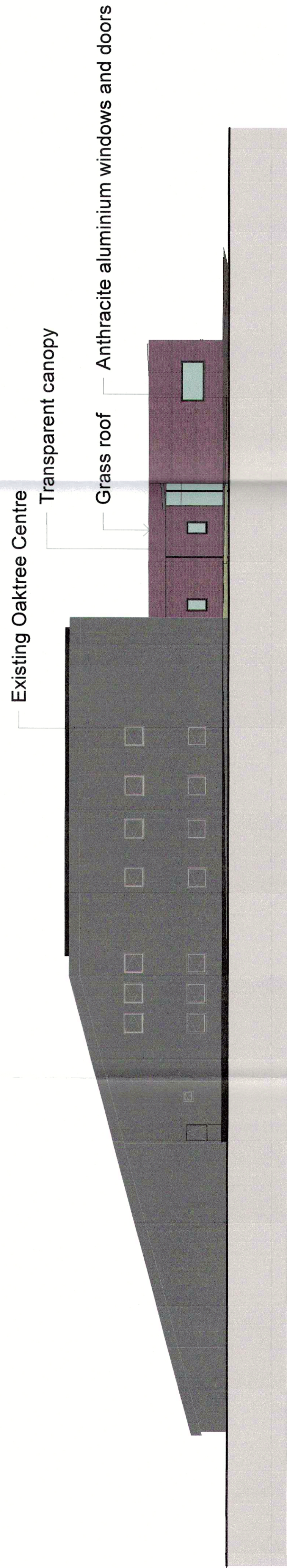
**1**  
1 : 200  
**AL(0)15 North West 1**

**3**  
1 : 200  
**AL(0)15 North East Part Elevation 1**

New PV and Solar thermal cells  
Cells: approx 960x1500mm  
to run parallel to roof slope 15 degrees,  
though slight incline required to reach  
optimum KW/h



**2**  
1 : 200  
**AL(0)15 South West 1**



**4**  
1 : 200  
**AL(0)15 South East 1**

Rev	Description	Date



Dylunio, Adeiladwith a Cynhaliath  
Design, Construction &  
Maintenance

PROJECT  
**Oaktree Centre**

TITLE  
**Proposed Elevations**

DRAWN BY Author	CHECKED BY Checker	DATE 03/02/20
SCALE (@ A1) 1 : 200		PROJECT NUMBER P1_19_002

DRAWING NUMBER <b>AL(0)15</b>	REV
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**WARD :** Rhyl South West

**WARD MEMBER(S):** Cllr Pat Jones  
Cllr Pete Prendergast (c)

**APPLICATION NO:** 45/2020/0131/ PF

**PROPOSAL:** Erection of single storey extension to existing oaktree centre to provide additional nursery facilities

**LOCATION:** Oaktree Centre Christchurch School Ffordd Las Rhyl

**APPLICANT:** Mr Carwyn Edwards Denbighshire County Council

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

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

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

- Member request for referral to Committee

**CONSULTATION RESPONSES:**

RHYL TOWN COUNCIL  
'No objection'

DWR CYMRU/ WELSH WATER  
No objection, proposal would be subject to SUDS application.

NATURAL RESOURCES WALES  
No objection subject to the inclusion of a condition requiring details for the implementation of a flood action plan and flood resilient construction measures.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES  
Highways Officer  
No objection.

Ecologist  
No objection subject to conditions regarding bat and bird mitigation, lighting and landscaping.

**RESPONSE TO PUBLICITY: None.**

**EXPIRY DATE OF APPLICATION: 07/05/2020**

**EXTENSION OF TIME AGREED? 02/07/2020**

**REASON FOR DELAY: Awaiting consideration at Committee**

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The proposal is for an extension to the Oaktree Centre in Rhyl for additional nursery facilities. Alterations are also proposed to the existing Oaktree Centre building by the installation of solar panels.
- 1.1.2 The extension is proposed on the northern side of the Oaktree Centre building. It is a single storey horizontal 'L' shaped extension with a floor area of area of 230 metres<sup>2</sup>. The facility would comprise of 3 main open plan childcare rooms (toddler room as existing), with ancillary facilities including a kitchen, office, meeting room, toilets, sensory room, storage areas, plant area and wet areas / dry areas. The rooms would open out onto an external covered play area.
- 1.1.3 The extension would be finished primarily in red brick. It would have a solid standing seam grey metal roof on the glazed corridor link to the existing building on the western side and a sedum roof on the main single storey extension.
- 1.1.4 The extension, external play and circulation space will be surrounded by a 1.8 metre high secure boundary fence finished in a green colour. Away from the extension and open covered area, the remainder of the site area will be retained as existing, as a landscaped open plan area.

#### 1.1 Description of site and surroundings

- 1.1.1 The Oaktree Centre is part of a large Council owned site occupying a block of land of approximately 9 acres between Ffordd Las and Earnest Street to the south west of Rhyl Town Centre.
- 1.1.2 The Oaktree Centre is located on the western side of the site, its carpark fronts Ffordd Las and Christchurch Primary School is on the eastern side fronting Ernest Street. To the south of the Oaktree Centre and School there is a large playing field.
- 1.1.3 The character of the area immediately around the Council owned site is mainly residential with some commercial uses further south on Ffordd Las.
- 1.1.4 The centre is a two story modern building with a low profile pitched roof, finished in brick, render and cladding.

#### 1.2 Relevant planning constraints/considerations

- 1.2.1 The site is located within the development boundary of Rhyl as defined by the Local Development Plan.

#### 1.3 Relevant planning history

- 1.3.1 The Oaktree Centre was built in the early 2000's, there have been minor applications on the site but this is the first application to extend the Oaktree Centre.

#### 1.4 Developments/changes since the original submission

- 1.4.1 Additional information regarding the use was sought from the Applicant by NRW to assess the flood risk issue on the site.

#### 1.5 Other relevant background information

- 1.5.1 The Oaktree Children's Centre is a Denbighshire County Council owned facility. It is described as an integrated facility providing "*early intervention and support services for children, young people and families*". Within the Oaktree Centre is a full day

nursery providing early year's education and play opportunities for children aged from 0 to 14 years.

- 1.5.2 The extended nursery facility will allow a further 98 children to be registered to the school. Officers in the Education Section have advised that "The Childcare Sufficiency Audit has identified a need to expand provision and the existing provision has a waiting list and latent demand. The expansion will provide an additional 98 places per day which be split 66 English medium places (33 in the morning and 33 in the afternoon) and 32 Welsh medium places (16 in the morning and 16 in the afternoon). In terms of the maximum capacity and the number registered with Care Inspectorate Wales, the proposal will increase the maximum capacity of the childcare setting by 49 to 126.

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

- 2.1 45/2003/0076/PF Erection of two-storey integrated centre with car park and new vehicular access to Ffordd Las Granted 8<sup>th</sup> April 2003

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

The main planning policies and guidance are considered to be:

- 3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
Policy RD1 - Sustainable Development and Good Standard Design  
Policy BSC11 - Recreation and Open Space  
Policy BSC12 - Community Facilities  
Policy ASA3 - Parking Standards

### **3.2 Government Policy / Guidance**

- Planning Policy Wales (Edition 10) December 2018  
Development Control Manual November 2016

Technical Advice Notes  
TAN 15 Development and Flood Risk (2004)

## **4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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

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

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Biodiversity
- 4.1.5 Highways
- 4.1.6 Floodrisk

#### 4.2 In relation to the main planning considerations:

##### 4.2.1 Principle

The main Local Development Plan Policies relevant to the principle of the development are Policy BSC 12. Policy BSC 12 relates to Community Facilities and supports the provision of community facilities within development boundaries and encourages the retention and improvement of community facilities which provide an essential facility to support the sustainability of Denbighshire's communities.

The proposal relates to a large Council owned site which comprises of a school, community centre (including youth centre and nursery) with associated open space and recreation facilities. The proposal is for the erection of an extension to the existing Oaktree Centre to provide additional nursery space.

Concerns have been raised by a Local Member about over-intensification and the loss of open space, however whilst part of the wider Christchurch School site is designated recreation and open space, the part of the site on which the Oaktree Centre and land on which the extension would be sited falls outside the policy protected open space. Furthermore it is Officers opinion that the extension would not appear cramped or the site overdeveloped, and the extension can easily be accommodated owing to the sites substantial size and sense of space around it. Therefore with respect Officers consider there is no significant issue in respect of over-intensification or loss of open space.

Policy BSC 12 is supportive of proposal for improvements to community facilities within development boundaries. Members will note in Section 1.5 above that there is a need for the facility, and it will provide a bilingual nursery provision for the local area. Having regard to the above it is considered that the proposals are acceptable in principle.

##### 4.2.2 Visual Amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

A single storey extension is proposed to the Oaktree centre which is a contemporary building. The extension would be subordinate in scale and form to the original building and would reflect the existing brickwork with the added interest of a sedum roof.

It is not considered that there would be any adverse impact on the visual amenity of the area or conflict with development plan policies relating to visual amenity.

#### 4.2.3 Residential Amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

There is a residential area immediately north and north-west of the site. The nearest dwelling would be approximately 6.5 metres to the proposed extension. The DAS states that “the extension is positioned to help reduce current noise levels experienced by the adjoining neighbours. Currently noise travels far and towards the adjoining neighbours. The development of this extension will contain this noise within the new classrooms. There will be minimal windows and doors on this elevation. The new external play areas will be positioned further away from the local residents and within the school area.”

Having regard to the location, existing use of the site and potential betterment in terms of noise and disturbance it is not considered that the proposal would have an unacceptable impact on residential amenity conflicting with development plan policies.

#### 4.2.4 Biodiversity

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.

This reflects policy and guidance in Planning Policy Wales (Section 6.4), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

An Ecological Survey and an Arboricultural assessment was submitted in support of the scheme. The Council's Ecologist has raised no objection to the proposal suggesting conditions for ecological enhancements.

Having regard to the above it is considered that the proposals would have a positive ecological impact due to the proposed enhancements and would therefore be acceptable in relation to the policies listed above.

#### 4.2.5 Highways/parking/access

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

No changes are proposed to the access or parking arrangements. It is envisaged that

the facility will cater for local demand owing to its location and existing links to the local area. Whilst the proposal will increase the intensity of the use of the site the Highways Officer has raised no objection to the scheme.

The proposal is therefore considered to comply with the requirements of the highways policies listed above.

#### 4.2.6 Floodrisk

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

Planning Policy Wales (PPW 10) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

Planning Policy Wales (PPW 10) Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed. TAN 15 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered in certain circumstances.

The site is located in a zone C1 therefore a flood consequences assessment was submitted in support of the scheme. This was considered by NRW. NRW were satisfied that on the basis of use accommodating a local facility and the likelihood it will attract existing residents living in the immediate area (which is also likely to be C1) that there would not be significant additional risk in a flood event. NRW suggested condition requiring the development to proceed in accordance with the submitted FCA.

Considering the advice of NRW in relation to floodrisk it is considered that the development is acceptable on relation to flood risk.

## 5. SUMMARY AND CONCLUSIONS:

In Officers' opinion the principle of the proposal is considered acceptable and there are no other substantive grounds to resist the development, it is therefore recommended for grant.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 15 July 2025
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) Topographical Survey (Drawing No. 001) - Received 18 February 2020
  - (ii) Existing Ground Floor Plan (Drawing No. AL(0)05) - Received 11 March 2020
  - (iii) Existing Elevations (Drawing No. AL(0)07) - Received 10 March 2020
  - (iv) Proposed Block Plan (Drawing No. AL(0)09) - Received 12 March 2020



- (v) Proposed Ground Floor Plan (Drawing No. AL(0)10) - Received 11 March 2020
- (vi) Proposed Elevations (Drawing No. AL(0)15) - Received 11 March 2020
- (vii) Roof Plan (Drawing No. AL(0)16) - Received 11 March 2020
- (viii) 1.8 High Barbican Fencing (Drawing No. 00 J1/01064) - Received 18 March 2020
- (ix) Location Plan - Received 18 February 2020

3. The development shall be carried out in accordance with the recommendations contained in the Flood Consequences Assessment (FCA) Betts Hydro February 2020 received on the 16th March 2020. A Flood Action Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use of the nursery.
4. The extension should contain provision for roosting bats and nesting birds. The number, location and specification of these features should be determined by a suitably qualified ecologist, and shown on appropriate plans and drawings. The updated plans should be submitted to the LPA for approval and the approved measures shall be implemented in full.
5. An external lighting/internal light spillage scheme, designed to avoid negative impacts on bats, must be submitted and approved in writing by the LPA. This should follow the guidance set out in Guidance Note 08/18 Bats and artificial lighting in the UK (2018) Bat conservation Trust & The Institute for Lighting Professionals. A warm white spectrum (ideally <2700Kelvin) should be adopted to reduce blue light component. Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats. The approved measures shall be implemented in full.
6. No development or site clearance shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme should include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of the development.  
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) should be included in the planting list. The development shall proceed strictly in accordance with those details as approved.  
All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement 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.
7. The development shall be carried out in strict accordance with the recommendations set out in Appendix 4 of the Arboricultural Impact Assessment & Method Statement (Document Reference: 2668530 received on 16/03/2020) in respect of tree protection measures.
8. **PRE-COMMENCEMENT**  
No works in connection with the access 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 development shall be carried out strictly in accordance with the approved elements of the Construction Method Statement throughout the construction period.

The reasons for the condition are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure relevant measures are undertaken to limit any risks arising from flooding.
4. In the interest of maintaining the favourable conservation status of protected species.
5. In the interest of maintaining the favourable conservation status of protected species.
6. In the interests of visual amenity and biodiversity.
7. In the interests of visual amenity and biodiversity.
8. In the interest of safety and the free flow of traffic on the adjoining highway.

#### **NOTES TO APPLICANT:**

##### **COMPLIANCE WITH APPROVED PLANS AND CONDITIONS**

Please be reminded that any permission or consent must be carried out strictly in accordance with the approved plans and conditions imposed which are clearly listed on this certificate of decision. Pre-Commencement conditions should be given particular attention. Failure to do so could result in enforcement action being taken by the Local Planning Authority.

Further detailed information on how to comply along with other relevant information relating to your decision is contained in the detailed Notes to Applicant attached to this certificate which you are strongly advised to consider.

If you are in any doubt about your obligations, including any obligation you may have to pay commuted sums, please contact the Local Planning Authority at [planning@denbighshire.gov.uk](mailto:planning@denbighshire.gov.uk) quoting the reference of your planning permission.

##### **Protected Species**

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.