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44/2021/0163

Scale: 1:2500

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Proposed Front Elevation

Drawing Key

	Through Colour Render		Composite Cladding
	Aluminium Curtain Walling		uPVC Windows/Doors
	Roof Tile		Engineering Brick
	Chrome Rainwater Goods		Facia/Bargeboard/Soffit
	Obscured Glazing		Glazed Balustrade/Top Rail
	Entrance Canopy		Composite Clad uPVC Door

The Building Plot

Wepre House Business Centre,
 Ffordd yr Onnen, Lon Parcwr Business Park,
 Ruthin, North Wales, LL15 1NJ

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Project. The Rise, Rhuddlan		
Drawing No. 19.059.A104	Revision. P02	
Scale. 1:50	Paper Size. A3	Date. 10.05.21

Proposed Elevation (1 of 4)

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Ridge Line
+6.000m



Dormer Ceiling
+4.935m



First Floor FFL
+2.575m



Ground Floor Ceiling
+2.325m



Ground Floor FFL
+0.000m















External Level
+Varies



Proposed Front Elevation

Drawing Key

-  Through Colour Render
-  Aluminium Curtain Walling
-  Roof Tile
-  Chrome Rainwater Goods
-  Obscured Glazing
-  Entrance Canopy
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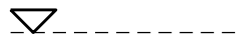
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Project. The Rise, Rhuddlan	
Drawing No. 19.059.A105	Revision. P02
Scale. 1:50	Date. 10.05.21

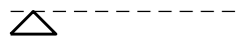
Proposed Elevation (2 of 4)

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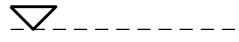
Ridge Line
+6.000m



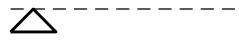
Dormer Ceiling
+4.935m



First Floor FFL
+2.575m



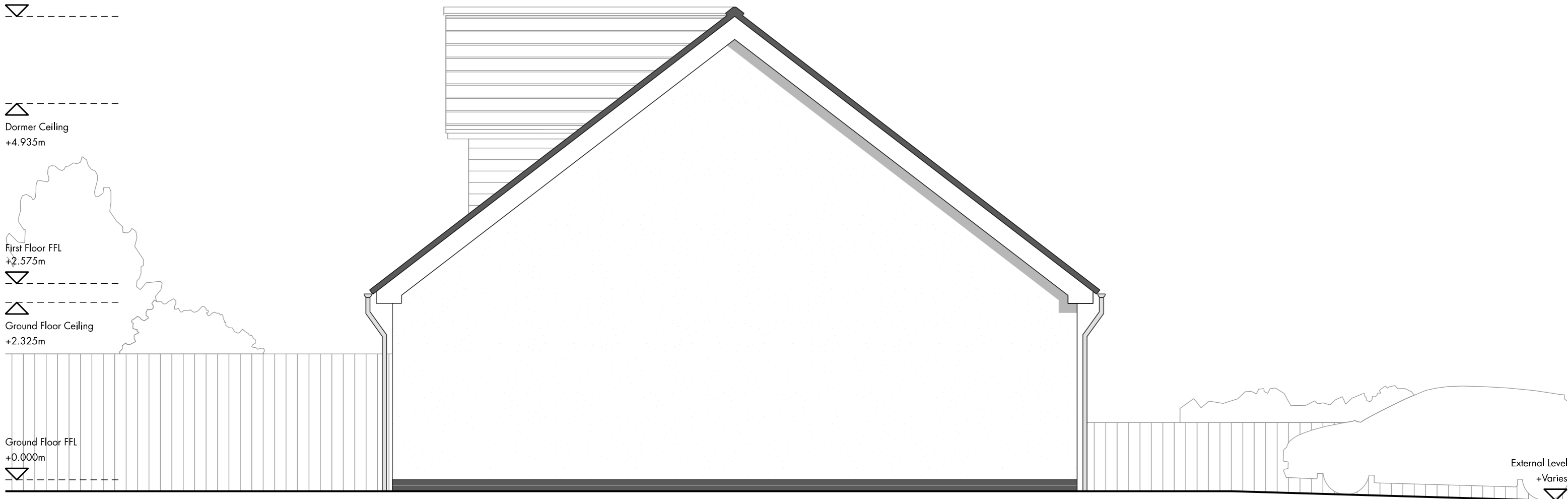
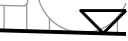
Ground Floor Ceiling
+2.325m



Ground Floor FFL
+0.000m















External Level
+Varies



Proposed Side Elevation

Drawing Key

-  Through Colour Render
-  Aluminium Curtain Walling
-  Roof Tile
-  Chrome Rainwater Goods
-  Obscured Glazing
-  Entrance Canopy
-  Composite Cladding
-  uPVC Windows/Doors
-  Engineering Brick
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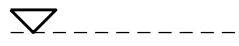
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Project. The Rise, Rhuddlan		
Drawing No. 19.059.A106	Revision. P02	
Scale. 1:50	Paper Size. A3	Date. 10.05.21

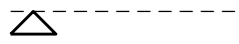
Proposed Elevation (3 of 4)

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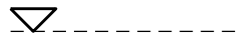
Ridge Line
+6.000m



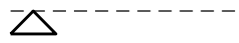
Dormer Ceiling
+4.935m



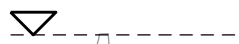
First Floor FFL
+2.575m



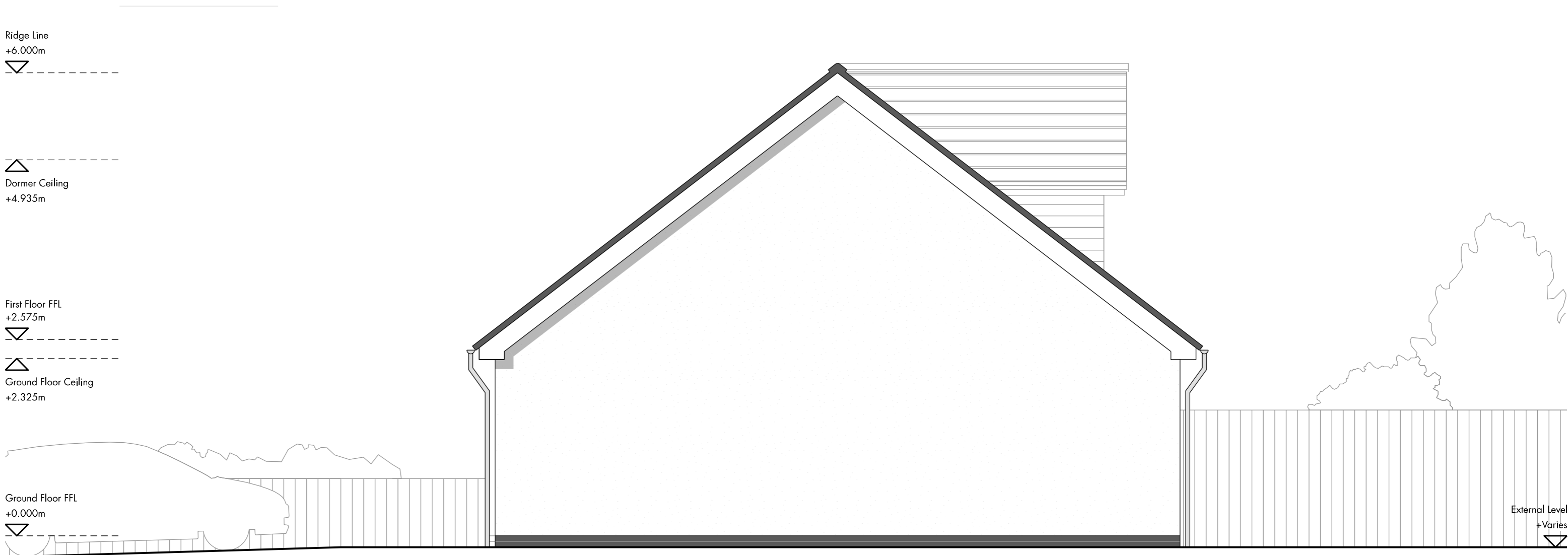
Ground Floor Ceiling
+2.325m















Ground Floor FFL
+0.000m



External Level
+Varies



Drawing Key

-  Through Colour Render
-  Aluminium Curtain Walling
-  Roof Tile
-  Chrome Rainwater Goods
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Project. The Rise, Rhuddlan		
Drawing No. 19.059.A107	Revision. P02	
Scale. 1:50	Paper Size. A3	Date. 10.05.21

Proposed Elevation (4 of 4)

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Drawing Key

Site Boundary (2230m ²)	Ownership Boundary	Demolition of Building and/or vegetation/trees
Existing Buildings	Existing Highway	Proposed Plot Boundary
Existing Fence/Boundary	Existing Tree/Hedge	Indicative Soakaway
Existing Garden	Existing Driveway	Indicative Proposed Drainage
Existing Site Level	Proposed Site Level	Sewer Location
Proposed Building	Proposed Hardstanding	3m Easement to Sewer
Proposed Lawn/Garden	Proposed Trees (Replanting)	

Drawing Label Key

01/	Existing property (The Rise).
02/	Existing driveway, parking area and turning head.
03/	Demolition of existing garage.
04/	Existing access from adopted highway.
05/	Existing rear garden.
06/	Existing decking area.
07/	Existing gate access from adjacent property.
08/	Proposed detached dormer bungalow.
09/	Proposed detached double garage.
10/	Proposed single garage.
11/	Proposed access from existing adopted highway.
12/	Proposed private driveway.
13/	Proposed hammerhead/turning area for refuse/emergency vehicles.
14/	Proposed driveway.
15/	Proposed replanting/screening to perimeter of site.

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Project: The Rise, Rhuddlan
 Drawing No. 19.059.A004
 Scale: 1:500
 Paper Size: A3

Revision: P05
 Date: 10.05.21

Proposed Site Plan

The contractor is requested to check the accuracy of the drawings and dimensions before work is put in hand and report any discrepancies to the architects for rectification as soon as is practically possible. For building elements between drawings refer to all applicable for clarification. In any doubt contact the Architect. Survey information provided by Land Survey Wales. The Building Plot are not responsible for the accuracy of this information.

Eitem Agenda 6 / Agenda Item 6



The Site

Eitem Agenda 6 / Agenda Item 6



Access location

Eitem Agenda 6 / Agenda Item 6



Access location

Eitem Agenda 6 / Agenda Item 6



Site boundaries

Eitem Agenda 6 / Agenda Item 6



Site boundaries

Eitem Agenda 6 / Agenda Item 6



Site boundary and example of dormer bungalow in area

Eitem Agenda 6 / Agenda Item 6



Character of area

Eitem Agenda 6 / Agenda Item 6



Character of area

WARD : Rhuddlan

WARD MEMBER(S): Cllr Ann Davies (c)
Cllr Arwel Roberts

APPLICATION NO: 44/2021/0163/ PO

PROPOSAL: Development of 0.21 ha of land by the erection of 4 no. dwellings and construction of access road (outline application including access, appearance, layout and scale)

LOCATION: Land at (Part garden of) The Rise Rhyl Road Rhuddlan Rhyl LL18 2TL

APPLICANT: Mr & Mrs C & J Roberts / Goodrick

CONSTRAINTS: None

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

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

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection
- Member request for referral to Committee

CONSULTATION RESPONSES (Listed for Original Consultation and Re-consultation):

RHUDDLAN TOWN COUNCIL

“Against. Members objected to this development as the development is for houses and this is an area that is predominantly bungalows. There have been amendments to the application but there is still issues with the height of the houses.”

NATURAL RESOURCES WALES –

No comment to make on the application.

DWR CYMRU / WELSH WATER –

No objection, request that Condition and Advisory Notes provided are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets. Condition proposed is to ensure details of foul water drainage scheme as submitted for approval prior to commencement.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety

- Highways Officer

Highways Officer therefore has no objection subject to the imposition of conditions to ensure visibility splays are kept free of obstruction and to control the materials for the vehicular access frontage.

Strategic Housing & Policy Officer – Site lies within the development boundary, and therefore no objection subject to contribution to open space and affordable housing being secured.

Tree Specialist

No objection raised. A quality landscaping scheme including planting will be required as a reserved matter to provide screening and provide replacement amenity.

RESPONSE TO PUBLICITY (Listed for Original Consultation and Re-consultation):

In objection

Representations received from:

Sheila Overthrow, 17, Fairlands Crescent, Rhuddlan
Dorothy Grey, 5 Maes Y Bryn, Rhuddlan
Kathleen Goodall, 2, Highlands Close, Rhuddlan
Janice Dymock, 6, Howell Avenue, Rhuddlan
Barbara Woolley, 9 Maes-y-Bryn, Rhuddlan
Paul Kenneth Roberts, 1, Highlands Close, Rhuddlan
D & A Jones, 3 Maes y Bryn, Rhuddlan
Paul Sellwood, 11 Highlands Road, Rhuddlan
Joanne Overthrow-Jones, 118 The Rowans, Rhuddlan Road, Rhyl
Linda Carr, 8, Howell Avenue, Rhuddlan
Sarah Ostanek, 3, Highlands Close, Rhuddlan
Francis Mary Rees-Williams, Bryn Cefni, 7 Maes Y Bryn, Rhuddlan
Dorothy Grey, 5 Maes y Bryn, Rhuddlan
Francis Mary Rees-Williams, Bryn Cefni Rhuddlan

Summary of planning based representations in objection

Visual amenity impacts:

- Out of scale with surrounding properties.
- Design not in-keeping with the area.

Residential amenity impacts:

- Adverse impact on visual amenity enjoyed by neighbouring properties.
- Adverse impact on amenity of neighbours during construction (noise and construction disturbance).

Highways

- Highways safety- increase in traffic on access road and in the vicinity.

Biodiversity impacts:

- Loss of trees/habitat would adversely impact on area/biodiversity.

Quality of application:

- DAS should have been submitted to demonstrate evolution of design etc.

EXPIRY DATE OF APPLICATION: 02/05/2021

EXTENSION OF TIME AGREED: 16/07/2021

REASONS FOR DELAY IN DECISION (where applicable):

- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Outline planning permission is sought for the development of 0.21 hectares of land by the erection of 4 dwellings and construction of access road on land at The Rise, Rhyl Road, Rhuddlan. The application includes access, appearance layout and scale with only landscaping reserved for future approval.

- 1.1.2 The site layout shows a development comprising of dormer bungalows. The dwellings would be sited on the four quadrants of the site fronting an access road. Each would be provided with a small front and larger rear garden, with parking proposed on hardstanding's to the side of the dwellings.

Site plan below:



- 1.1.3 Four identical four bedroom dormer bungalows are proposed, with a render and feature cladding finish. Each dwelling would have a garage to the rear, with plots 2 and 3 having a semi-detached garage.

- 1.1.4 The dwellings would have a footprint measuring 9 metres by 9.4 metres with an overall height of 6 metres.

See front and rear (with dormer) elevations detail below:



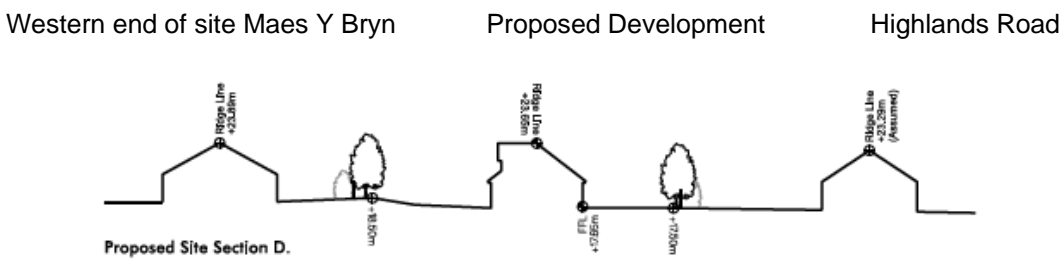
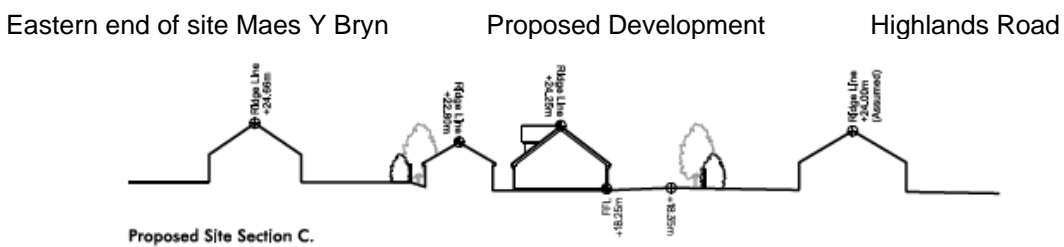
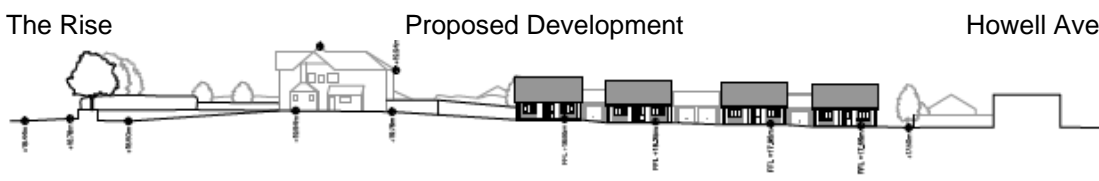
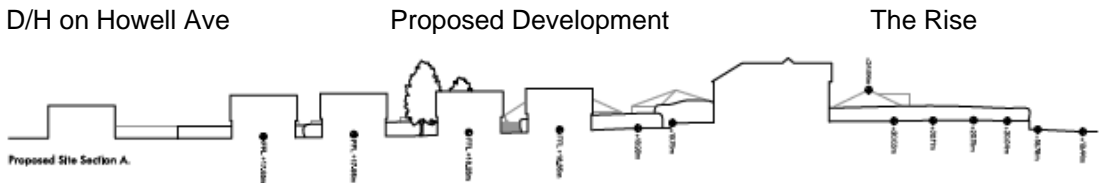
- 1.1.5 The access road runs from the north east of the site (off Highlands Close) along the northern side of the dwelling 'The Rise' and enters the site on its northern boundary, a hammerhead is proposed mid-way for turning. Dwellings 1-3 have 3 parking spaces with 2 proposed for dwelling 4.
- 1.1.6 To facilitate the access to the residential development in the rear garden area of The Rise it is proposed to demolish an existing single storey garage. As a result the northern side elevation of The Rise would become exposed on which there is a small doorway and obscured window. Plans indicate that the northern site boundary will retain the majority of its vegetation as opposed to having a hard boundary treatment.
- 1.1.7 Whilst landscaping is a reserved matter, a tree report has been submitted in support of the application and indicative plans have been provided showing existing site boundaries and landscaping to the west, north and south retained.

1.1.8 Foul drainage is proposed to discharge to the public sewer and surface water would discharge to onsite soakaways.

1.2 Other relevant information/supporting documents in the application

1.2.1 Illustrative sections through the site to demonstrate the relationship between the proposed dwellings and the existing dwellings on the neighbouring streets have been provided.

See Site Sections below (copied from Agents drawing as available on the councils website):



1.3 Description of site and surroundings

1.3.1 The application site is part of the rear garden of 'The Rise' possibly originally intended to be an orchard to the house, but now forming a large landscaped curtilage area to the dwelling.

1.3.2 The Rise is a substantial (6 bed) two storey dwelling of mid-20th Century origin sited amongst a mix of 1960's style dwellings which form a residential area on the fringe of Rhuddlan town centre.

1.3.3 The rear garden area of The Rise is bounded by three streets (Highlands Road, Howell Avenue and Maes Y Bryn) on which there are bungalows and dormer bungalows. The application site lies at a slightly lower level than both The Rise and the dwellings in Maes-Y-Bryn.

1.3.4 The site is accessed off Highlands Close which meets Highlands Road to the north and feeds on to the A547 to the east. The A547 runs north towards Rhyl and south

towards the roundabout at the intersection of the A547 (east to Prestatyn) and the A5151 (south east) to Dyserth and Rhyl Road (west to Rhuddlan town centre).

1.4 Relevant planning constraints/considerations

1.4.1 The site is located within the development boundary of Rhuddlan.

1.5 Relevant planning history

1.5.1 Planning permission was sought in 2020 for the development of the site for residential purposes for 4 two storey dwellings, this permission was resisted by the Council for two reasons; relating to the character and appearance of the surrounding area, and the impacts on the local housing stock with regard to the size and type of dwellings.

1.5.2 The decision was appealed but dismissed by the Planning Inspectorate. However whilst there were two reasons for refusal, the Inspector concluded that the main issue was the impact of a two storey development on the character and appearance of the area only.

1.6 Developments/changes since the original submission

1.6.1 Having considered the original re-submission Officers raised some concerns over the detailing of the scheme and Highways matters.

1.6.2 Amended plans and a Highways Technical Advice Note undertaken by Consultants SCP was submitted to address these concerns in May 2021.

1.7 Other relevant background information

1.7.1 None.

2. **DETAILS OF PLANNING HISTORY:**

2.1 44/2020/0168 Development of 0.21 ha of land by the erection of 4 no. dwellings and construction of access road (outline application including access and layout). Refused on the 21/07/2020 for the following reasons:

1. It is the opinion of the Local Planning Authority that the scale and layout of the proposed dwellings would appear over dominant and out of keeping with the character of the immediate area which is predominantly bungalows and dormer style dwellings. The proposal is therefore considered to be in conflict with criteria i) of Policy RD1 in the Denbighshire Local Development Plan, and advice as contained in SPG Residential Development and Planning Policy Wales (Edition 10).
2. It is the opinion of the Local Planning Authority that the proposed development of 4 bedroom dwellings does not reflect the housing need in the area as identified in the Local Housing Market Assessment (July 2019). The proposal is therefore considered to be in conflict with Policy BSC1 in the Denbighshire Local Development Plan and advice contained in Planning Policy Wales (Edition 10).

2.2 Appeal Decision APP/R6830/A/20/3256788 02/11/2020. Appeal Dismissed with the following Inspectors conclusion:

"I have found that the mix of house types proposed would not be so out of step with local need and demand as to be unacceptable in this location. The proposed dwellings would, however, be harmfully uncharacteristic of the immediate area by reason of their size and scale. This is reason in itself to refuse the appeal."

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC1 – Growth Strategy for Denbighshire
Policy BSC3 – Securing infrastructure contributions from Development
Policy BSC4 – Affordable Housing
Policy BSC11 – Recreation and open space
Policy VOE1 - Key areas of importance
Policy VOE5 – Conservation of natural resources
Policy ASA1 – New transport infrastructure
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: Planning Obligations
Supplementary Planning Guidance Note: Residential Development
Supplementary Planning Guidance Note: Residential Development Design Guide
Supplementary Planning Guidance Note: Residential Space Standards
Supplementary Planning Guidance Note: Trees & Landscaping

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021
Development Control Manual November 2016
Future Wales – The National Plan 2040

Technical Advice Notes
TAN 12 Design (2016)
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, 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 11 (February 2021) 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 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)
- 4.1.7 Affordable Housing
- 4.1.8 Open Space
- 4.1.9 Density of development

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 Rhuddlan which is defined as a lower growth town in the LDP.

The principle of housing development is therefore considered acceptable and Officers would suggest the acceptability of the particular proposals therefore has to rest on assessment of the local impacts, which are reviewed within the following sections of the report.

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 (iv) 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.

Objections have been received from the Community Council and members of the public on visual amenity grounds, and have questioned if the height / size of the dwellings proposed is appropriate for the site.

The site is situated within the settlement of Rhuddlan, in the rear curtilage of an existing two storey dwelling. The surrounding dwellings are mainly bungalows with some dormer style dwellings. The previous proposal was refused on scale and character grounds and the current application is an amended scheme. The refused scheme was for four full two storey substantial sizes dwellings.

There is a mix of development in Rhuddlan generally, and whilst there is no uniform housing type in the area, the dwellings in the immediate vicinity of the site are mainly bungalows with a mix of red brick and rendered walls with slate and tiles roofs. The Rise is the exception however it has been demonstrated that its uniqueness does not warrant a difference design approach (particularly in relation to scale) to be taken at the rear of the site.

The height of the proposed dwellings has been scaled down from the previous application and appeal, with the reduction in height of between 1.5 to 2 metres to the proposed 6 metre dormer bungalows now under consideration. This amendment combined with the site levels, would enable the proposed better reflect the character and pattern of development in the immediate area. The more contemporary design and materials proposed are not considered inappropriate on the site.

The site is an attractive landscaped garden area to the Rise. The plans show some landscaping retained on the site boundaries as well as to the front of the dwelling, however precise details of landscaping, planting and boundary treatments have not been specified. The Tree Officer has considered the Tree Report submitted in support

of the application and accepts that the trees on the site provide some amenity value to the surrounding dwellings but not enough to justify a TPO owing to the limited benefits and the condition of several of the trees. The trees that afford the greatest degree of amenity in the wider area are on the front of the Rise and these will be kept, as the proposed access would be to the north of the site frontage. Officers consider details of landscaping and boundary treatments can be controlled in the subsequent reserved matters application.

Having regard to the scale, design, form, massing and materials, Officers consider that the amended plans have sufficiently overcome the previous reasons for refusal. Therefore, having regard to the proposal, the locality and landscape, it is considered the proposals would not have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

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; and 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. and that it provides a satisfactory amenity standards itself.

Objections have been received from residents concerning the on the dwellings on all sides of the application site, relating to overlooking and loss of amenity.

The Residential Development SPG provides guidance on acceptable separation distances to protect neighbouring properties from overlooking, overshadowing and overbearing impact. The Residential Development SPG states that no more than 75% of a residential property should be covered by buildings. The Residential Space Standards SPG specifies that 40m² of private external amenity space should be provided as a minimum standard for residential dwellings.

Whilst the proposal may affect the outlook from dwellings to the north and west on Highlands Road and Howell Avenue, given the siting of the proposed dwellings and the presence of the dormers on the south roof planes, there would be no significant overlooking or over bearing impacts on these dwellings.

The dwellings fronting Tan Y Maes to the south of the site, could potentially be impacted the most as a result of the proposal. Residents here fear there would be overlooking from the dormers in the proposed dwellings into the rear of their dwellings and rear garden areas.

Officers have raised the concerns over the potential for overlooking from the dormer windows with the Agent who has submitted a plan labelled 'interface diagram' to show 21 metre arc's from the rear of the dwellings to the proposed development. It is noted that the interface drawing shows the 'original' rear elevations, not any additions or conservatories. On plan there appears to be between 20 and 21 metres separation elevation to elevation between each dwelling. Acknowledging that that SPG states 'best practice' for rear elevation to rear elevation separation distances is 21 metres Officers consider it would be difficult to resist the application for this reason alone.

In terms of amenity requirements for the proposed dwellings themselves, the internal floor space well exceeds the minimum requirements for 4 bedroom dwellings as prescribed in the Residential Space Standards SPG. The rear garden areas have a depth of 9 to 11 metres and there is further garden / outdoor amenity area to the front and side of the dwellings proposed which well exceeds 40sq.m and therefore

adequate garden space has been provided. There would also be adequate amenity space remaining for the original dwelling at The Rise.

Having regard to the above, on balance Officers would conclude the proposal would not adversely impact on residential amenity of neighbours and the proposal would provide a satisfactory standard of amenity itself.

4.2.4 Ecology

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 5.2) current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Whilst some trees would be lost to facilitate the development. No specific ecological issues have been raised on the site. Therefore subject to the detailing of the reserved matters relating to landscaping, it is suggested ecological interests (trees/landscaping) can be suitably protected in relation to a development on this site.

4.2.5 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 (PPW 11) 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*'.

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

There are local representations raising drainage related concerns.

It is proposed to connect to the main foul sewer, there have been no issues raised over capacity. Natural Resources Wales (NRW) and Dwr Cymru Welsh Water (DCWW) have been consulted and have not raised any significant objections to the proposal subject to the inclusion of suitable conditions being imposed if planning permission is granted.

In relation to surface water drainage, should planning permission were to be granted, the applicant would be made aware of the requirement for the consent of the SuDS Approval Body (SAB) in relation to surface water drainage, prior to the commencement of development. This process sits outside of and separate to the planning process, but is held in planning appeals to be sufficient to ensure that surface water drainage issues are dealt with appropriately.

Given the comments of the technical consultees and the existence of separate legislation, it is considered reasonable to assume that an acceptable drainage scheme can be achieved on the site. It is considered appropriate to secure the provision of an appropriate drainage scheme through condition. The proposals are therefore considered acceptable in relation to drainage.

4.2.6 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. The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments

These policies reflect general principles set out in Planning Policy Wales (PPW 10) and TAN 18 – Transport, in support of sustainable development.

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 highway impacts of development should therefore be regarded as a potential material consideration.

There are local representations raising concerns in respect of increased traffic within the area.

Onsite parking is shown on the driveways to the side of the dwellings, and each dwelling would also have a garage.

The means of access to the site is included for approval as part of this outline application. The Highway Officer requested additional detail and proof that the site could be access and adequate road widths achieved. Highway Officers have taken into consideration the capacity of the existing highway network, site access and site layout and raised no objection to the scheme. Conditions are suggested to control the detail of the access point onto Highways Road, drainage and construction management.

On the basis of the plans submitted, it is considered that the proposal would not have an unacceptable impact upon the safe a free flow of traffic on the public highway subject to the inclusion of conditions on any planning permission.

4.2.7 Affordable Housing

Policy BSC 1 of the Local Development Plan states that developers will be expected to provide a range of house sizes, types and tenures to reflect local need and demand.

Policy BSC3 of the local development plan sets the basic requirement for development to contribute where relevant to the provision of infrastructure including affordable housing, in line with Policy BSC4.

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.

There is detailed guidance in the Affordable Housing Supplementary Planning Guidance on the approach to provision and demand.

Planning Policy Wales (PPW 11) Section 4.2.25 states that a community's need for affordable housing is a material planning considerations which must be taken into account in formulating development plan policies and the determination of planning applications. It states that where development plan policies make clear that an

element of affordable housing is required on specific sites, this will be a material consideration.

There is an established need for affordable housing throughout Denbighshire, including Rhuddlan. The formula for calculating the level of the contribution is set out in SPG Affordable Housing and is based on floor space of each unit proposed. Based on the plans provided the financial contribution required would be in the order of £52,168.52. This would need to be secured by way of a suitable agreement, should permission be granted.

4.2.8 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 new 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.

For developments of fewer than 30 dwellings, LDP policy BSC 11 'Recreation and Open Space' and Supplementary Planning Guidance 'Recreational Public Open Space' allows the provision of a financial contribution towards public open space. Using the Council's Open Space Calculator, a development of 4 dwellings would require a contribution of £4948.86 towards the provision of off-site open space. This would need to be secured by way of a suitable agreement, should permission be granted.

Other matters

Well – being of Future Generations (Wales) Act 2015

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

The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 site lies within the Rhuddlan development boundary and therefore the proposal is acceptable in principle.

5.2 The previous application was refused and the subsequent appeal dismissed on visual amenity grounds due to scale and design of the two storey dwellings previously proposed. Officers consider the amendments made are sufficient to overcome the previous reason for

refusal, and therefore consider the proposal would no longer give rise to unacceptable impacts on visual amenity.

5.3 As the proposal is for four new dwellings, a financial contribution would be required towards open space provision in the community and affordable housing. Subject to the necessary financial contributions being secured, and necessary conditions being imposed, the proposal is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. Approval of the details of the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. 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 elevation 1 of 4 (Drawing No. TBP_19.059_A104 P02) received 17 May 2021
 - (ii) Proposed elevation 2 of 4 (Drawing No. TBP_19.059_A105 P02) received 17 May 2021
 - (iii) Proposed elevation 3 of 4 (Drawing No. TBP_19.059_A106 P02) received 17 May 2021
 - (iv) Proposed elevation 4 of 4 (Drawing No. TBP_19.059_A107 P02) received 17 May 2021
 - (v) Proposed ground floor plan (Drawing No. TBP_19.059_A101 P02) received 17 May 2021
 - (vi) Proposed first floor plan (Drawing No. TBP_19.059_A102 P02) received 17 May 2021
 - (vii) Proposed roof plan (Drawing No. TBP_19.059_A103 P02) received 17 May 2021
 - (viii) Proposed single garage elevations (Drawing No. TBP_19.059_A204 P01) received 19 February 2021
 - (ix) Proposed single garage plan (Drawing No. TBP_19.059_A203 P01) received 19 February 2021
 - (x) Proposed double garage elevations (Drawing No. TBP_19.059_A202 P01) received 19 February 2021
 - (xi) Proposed double garage plan (Drawing No. TBP_19.059_A201 P01) received 19 February 2021
 - (xii) Existing and proposed long site sections (Drawing No. TBP_19.059_A005 P04) received 17 May 2021
 - (xiii) Existing and proposed short site sections (Drawing No. TBP_19.059_A006 P01) received 17 May 2021
 - (xiv) Existing site plan (Drawing No. TBP_19.059_A003 P03) received 17 May 2021
 - (xv) Proposed site plan (Drawing No. TBP_19.059_A004 P05) received 17 May 2021
 - (xvi) Existing site location plan (Drawing No. TBP_19.059_A001 P02) received 17 May 2021
 - (xvii) Proposed site location plan (Drawing No. TBP_19.059_A002 P03) received 17 May 2021
 - (xviii) Topographical survey (Drawing No. 1) received 19 February 2021
 - (xix) Tree Report received 8 March 2021
 - (xx) Proposed interface diagram (Drawing No. TBP_19.059_A007 P01) received 17 May 2021
 - (xxi) SCP Technical Note May 2021 received 13 May 2021
5. Prior to the application of any external materials to the dwellings hereby approved, full details of the wall and roof materials, including materials, colour and finish, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

6. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - Site compound location
 - Traffic management scheme
 - The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials used in constructing the development;
 - The management and operation of construction vehicles and the construction vehicle routes
 - wheel washing facilities;
 - Measures to control the emission of dust and dirt during construction;
7. No development shall be permitted to commence on the highways without the written approval of the Local Planning Authority to the detailed design of tie-in works to the existing adopted carriageway and footway on Highland Close. The approved arrangements shall be completed prior to the commencement of the use hereby permitted.
8. No development shall be permitted to commence on the access without the written approval of the Local Planning Authority to proposals for preventing the run-off of surface water from the site onto the highway. The approved arrangements shall be completed prior to the bringing into use of the access.
9. **PRE-COMMENCEMENT CONDITION**
No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.
10. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
11. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any retained trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority, no later than the next planting season.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990
4. For the avoidance of doubt and to ensure a satisfactory standard of development.
5. In the interest of visual amenity.
6. 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.
7. 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.
8. 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.

9. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
10. In the interest of visual amenity.
11. In the interest of visual amenity.