



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Tel: 01824 706800 Fax: 01824 706709

Heading:

Ref No 45/2010/1470 + 1471
37/39 Pendyffryn Road
Rhyl



Application Site



Date 4/4/2012

Scale 1/1250

Centre = 302040 E 381081 N

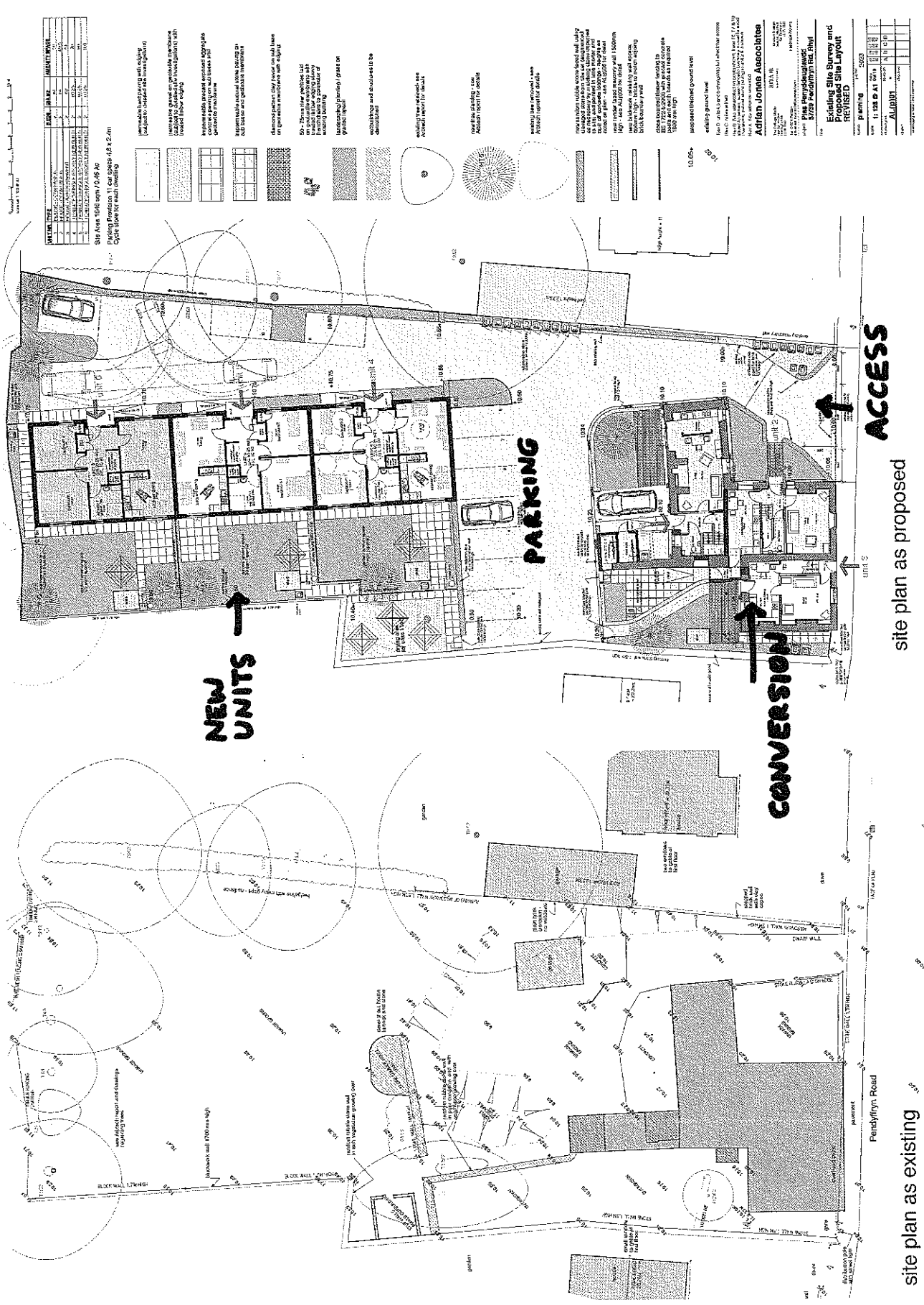
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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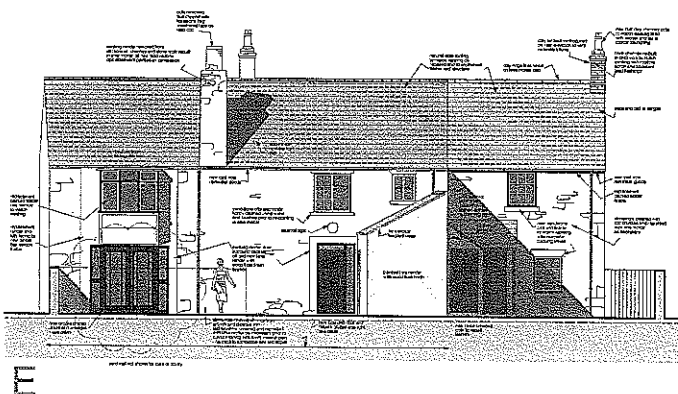
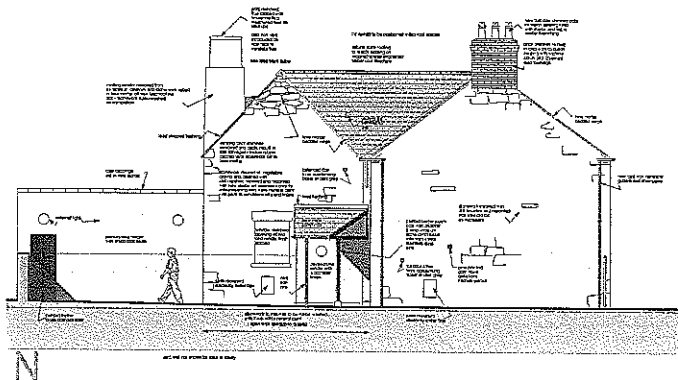
Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawlfraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawlfraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych, 100023408, 2011.

SITE PLAN



CONVERSION - ELEVATIONS

0 1 2 3 4 5 M



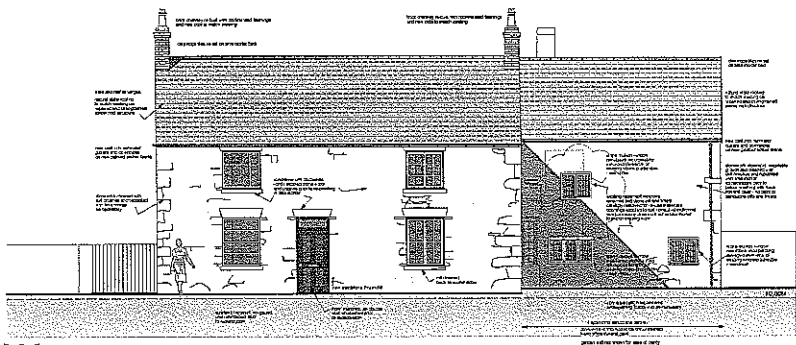
Notes of General Remodelling Works

1. Use of Materials
The use of materials shall be in accordance with the following:-
a) All new work shall be in accordance with the following:-
b) All existing work shall be in accordance with the following:-

2. Use of Materials
The use of materials shall be in accordance with the following:-
a) All new work shall be in accordance with the following:-
b) All existing work shall be in accordance with the following:-

3. Use of Materials
The use of materials shall be in accordance with the following:-
a) All new work shall be in accordance with the following:-
b) All existing work shall be in accordance with the following:-

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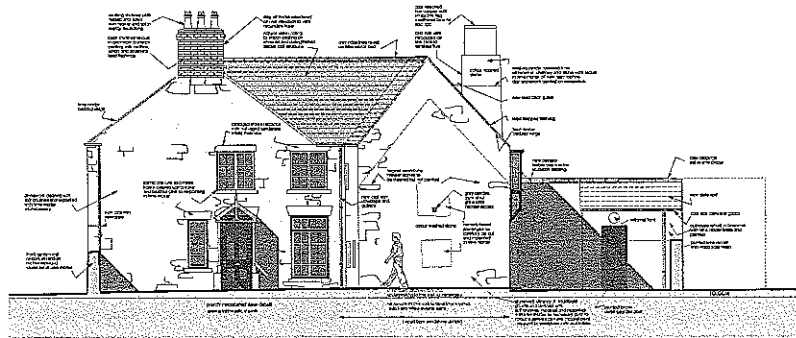
Adrian Jones Associates
1111 St. James Street
London, W.1
Tel: 01-235 4444
Fax: 01-235 4444

Proposed
Elevations
East and South

Scale: 1/50 @ A1

NO.	DATE	BY	CHKD.
1	11/11/01	AL	AL
2	11/11/01	AL	AL
3	11/11/01	AL	AL
4	11/11/01	AL	AL

W



Notes of General Remodelling Works

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b) All existing work shall be in accordance with the following:-

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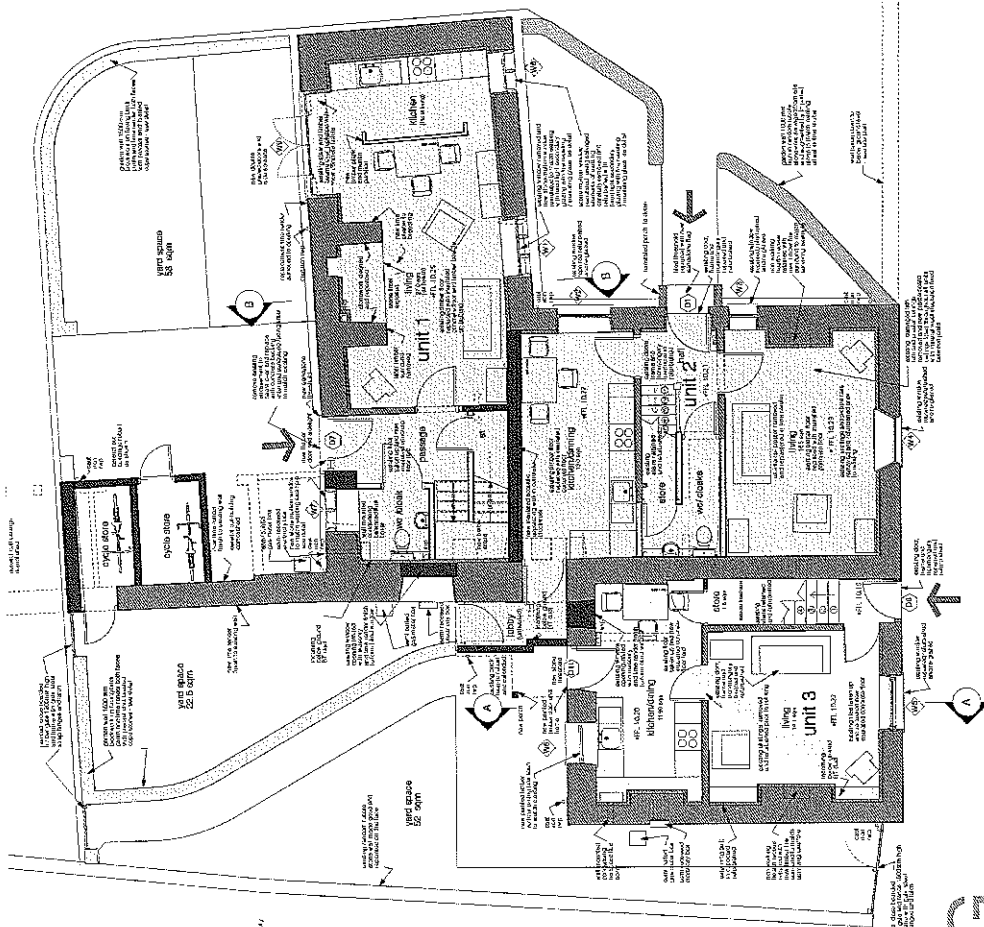
Adrian Jones Associates
1111 St. James Street
London, W.1
Tel: 01-235 4444
Fax: 01-235 4444

Proposed
Elevations
West and North

Scale: 1/50 @ A1

NO.	DATE	BY	CHKD.
1	11/11/01	AL	AL
2	11/11/01	AL	AL
3	11/11/01	AL	AL
4	11/11/01	AL	AL

CONVERSION - FLOOR PLANS

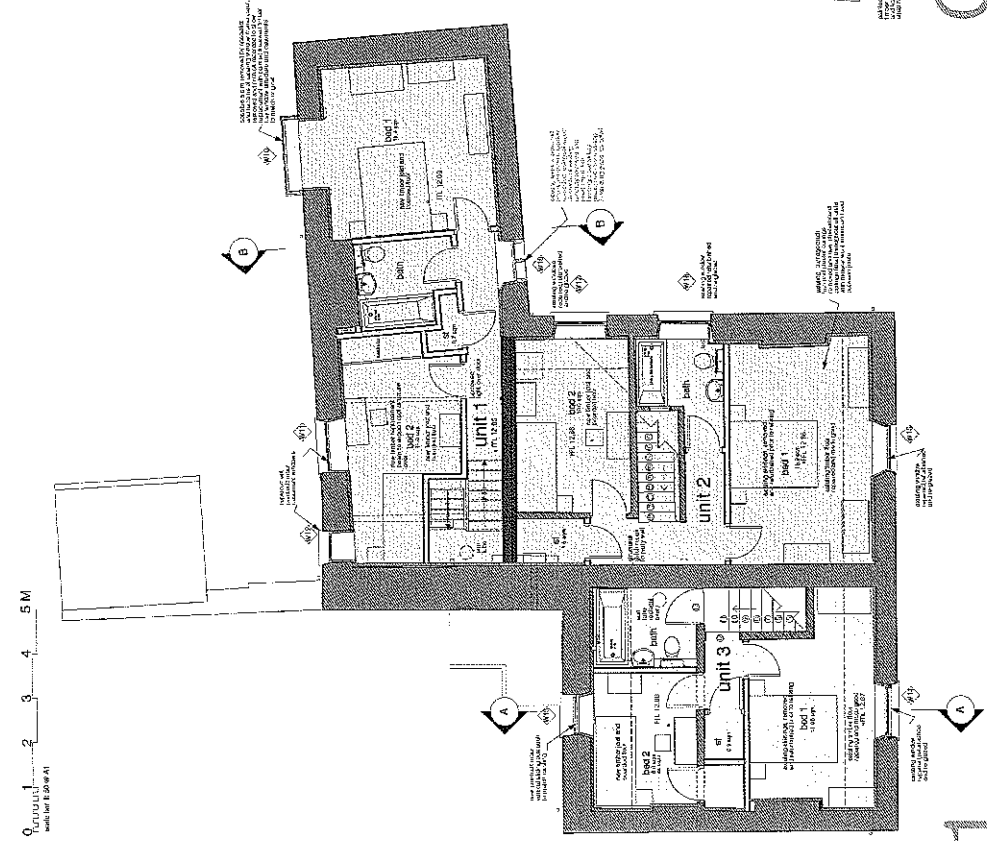


Adrian Jones Associates
 1100 14th St. N. #100
 Minneapolis, MN 55403
 Phone: 612-338-1100
 Fax: 612-338-1101
 www.adrianjones.com

Proposed Floor Plans
 Project: 2023-001
 Date: 11/08/23
 Drawn by: ALP/MS
 Checked by: MS
 Scale: 1/8" = 1'-0"

- Unit 1
2 bed 3p
GIA: 81.0 sqm
- Unit 2
2 bed 3p
GIA: 84.0 sqm
- Unit 3
2 bed 3p
GIA: 82.0 sqm

Notes:
 1. All dimensions are in meters unless otherwise specified.
 2. All areas are in square meters (sqm) unless otherwise specified.
 3. All walls are 100mm thick unless otherwise specified.
 4. All doors are 900mm wide unless otherwise specified.
 5. All windows are 1200mm wide unless otherwise specified.
 6. All floors are finished with carpet unless otherwise specified.
 7. All ceilings are finished with gypsum board unless otherwise specified.
 8. All walls are finished with gypsum board unless otherwise specified.
 9. All roofs are finished with asphalt shingles unless otherwise specified.
 10. All exterior walls are finished with brick unless otherwise specified.



0 1 2 3 4 5 M
 Scale: 1/8" = 1'-0"

ITEM NO: 5

WARD NO: Rhyl South West

APPLICATION NO: 45/2010/1470/ PF

PROPOSAL: Alterations, extension and partial demolition of Plas Penyddeuglawdd with conversion to 3 residential units and erection of terrace of 3 single-storey dwellings within garden and alterations to existing vehicular/pedestrian access (total site area 0.165 ha)

LOCATION: 37/39 Pendyffryn Road Rhyl

APPLICANT: Mr D Wilkinson K & C Developments Ltd

CONSTRAINTS: Listed Building

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

CONSULTATION RESPONSES:**RHYL TOWN COUNCIL**

"No objection, subject to a suitable condition applied protecting the trees on site during and following construction".

COUNTRYSIDE COUNCIL FOR WALES

No objection

CLWYD POWYS ARCHAEOLOGICAL TRUST

No objection, recommend that a scheme of archaeological building record is completed as a condition of consent to secure a record of the building in its present architectural state.

DWR CYMRU WELSH WATER

No objection subject to the separation of foul and surface water drainage systems

CLWYD BADGER GROUP

No objection

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES**HEAD OF HIGHWAYS & INFRASTRUCTURE**

No objection subject to the inclusion of conditions to ensure the access, parking and turning details are constructed in accordance with the submitted plans.

BUILDING CONTROL MANAGER

No comments

TREE CONSULTANT

No objection

HEAD OF HOUSING SERVICES

No objection

BIODIVERSITY OFFICER

No objection. Concurs with the conclusions in the reports, there would be no impact on the favourable conservation status of any species provided the recommendations in the ecological reports are followed.

COUNTY ARCHAEOLOGIST

No objection. The building is of some historic value and an early building for Rhyl, so would request that a condition be attached which ensures that detailed recording of the building takes place.

WASTE MANAGEMENT (ENVIRONMENTAL SERVICES)

No objection

CONSERVATION ARCHITECT

No objection in principle, subject to Listed building consent controls.

VALUATION AND PROPERTY MANAGER

The costs for both the renovation and new build are considered high, but on balance do indicate that the renovation project is not financially viable on its own.

RESPONSE TO PUBLICITY:

Letters of representation received from:

Mr. N. Johnson, 66, Grosvenor Avenue, Rhyl (e-mail)

Mr. E. C. Black MBE (e-mail)

J.W. & D. Williams, Dilwyn, 60, Pendyffryn Road, Rhyl

Mr. P. Morris, 52, Pendyffryn Road, Rhyl

Mr. & Mrs. R. W. Tanser, 29, Pendyffryn Road, Rhyl

Mr. & Mrs. P. McGuire, 48, Pendyffryn Road, Rhyl

T. D. Gallagher, 54, Pendyffryn Road, Rhyl

Mrs. S. Hawkins, 62, Grosvenor Avenue, Rhyl

Mr. E. & Mrs. M. Hobbs, 33, Pendyffryn Road, Rhyl

Mr. S. McLean, 58, Pendyffryn Road, Rhyl

Ms. J. Church & Mr. S. Farrell, 41, Pendyffryn Road, Rhyl

Mr. & Mrs. P. Lloyd, 35, Pendyffryn Road, Rhyl

Mr. M. Pearson, 56, Pendyffryn Road, Rhyl (e-mail)

N.C. Stevenson (Chairperson), Rhyl South West Central Resident' Assoc.

N. Stevenson, 21, Pendyffryn Road, Rhyl (e-mail)

Mr. & Mrs. D. Robinson, 44, Pendyffryn Road, Rhyl (e-mail)

Mrs. M. Eccleston, 40, Pendyffryn Road, Rhyl (e-mail)

Ms. Newing, 62, Pendyffryn Road, Rhyl

Mr. P. Lloyd, MK Electric, Glascoed Road, St. Asaph (e-mail)

Summary of planning based representations:

Principle of development

Development should not be allowed to the rear of the site as the land was used for gardens for the 2 dwellings when first built to allow development to the rear would set a precedent for development elsewhere and this type of development has already been refused planning permission and dismissed on appeal at 19 Pendyffryn Road the area is unsuited to tandem development new dwellings to the rear would be completely out of character with the existing development pattern within the vicinity.

Density

The Listed Building should be re-instated to its original 2 dwellings to allow conversion of the listed building in to 3 units detracts from the heritage of the property removal of stone wall at the front to provide the access would be detrimental to the character of

the listed building.

Affordable Housing

Object to the provision of affordable housing in one of Rhyl's prime residential sites track record of housing associations in not offering affordable houses to local people but to people from away area not suitable for social housing.

Highways

Object to the formation of a car park for 12 cars to the rear Pendyffryn Road is a very busy road and to add more traffic could lead to a very nasty accident which would be dangerous for pedestrians and young children; the access to the site is on the crest of an incline and also the narrowest point of the whole road would result in more cars parking on the side of the roadway poor visibility.

Amenity Issues

Concerns relating to the waste and recycling arrangements for 6 units; additional noise, disturbance, danger and nuisance caused by the additional traffic loss of privacy resulting from dwellings to the rear on neighbouring property;

Nature Conservation

Bats are seen in the summer evenings and the old house is a possible nesting site, which should be investigated.

Other

A considerable amount of standing water accumulates in the southern gardens during the winter, there are natural ponds higher up and is the probable cause of settlement which is evidence in some houses on Grosvenor Avenue, any further building may well aggravate the problem.

EXPIRY DATE OF APPLICATION: 03/05/2011

REASONS FOR DELAY IN DECISION:

- delay in receipt of key consultation response(s)
- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Members will recall this planning application being presented to planning committee on 27th July 2011 and resolving to grant permission subject to conditions and the signing of a legal agreement.
- 1.1.2 The application is being represented to planning committee now, to allow members to consider changes to the proposal. It is now proposed to sell the whole development to North Wales Housing Association, and for all 6 units to be made affordable. Physical changes include the increase in depth of the new build units from 6.4 metres to 8 metres, and an associated reduction in garden area for these units. Members are referred to the layout and elevation plans at the front of the report for the details of the scheme.

- 1.1.3 The application also seeks full planning permission for the alterations, extension and partial demolition of 37/39 Pendyffryn Road and its conversion into 3 no. residential units and also for the erection of a terrace of 3 no. single-storey dwellings within the rear garden. The site comprises a Grade II Listed property consisting of 2 no. vacant dwellings set in a large garden.
- 1.1.4 The application can be split into 2 main parts, the proposals relating to the existing listed building, and the new development proposed to the rear of the existing building. The application also proposes alterations to existing vehicular/pedestrian access to the site in order to serve the whole site.
- 1.1.5 In respect of the proposals relating to the existing listed building, the proposals include alterations, extension and partial demolition of the building. There are currently 2 no. vacant dwellings within the building and the alterations proposed, including the demolition of an existing derelict outbuilding to the rear would result in the formation of 3 no. 2 bed dwellings with associated yard spaces, cycle stores, bin stores and car parking area.
- 1.1.6 In relation to the new development proposed to the rear, the proposal is to erect a single storey terrace of properties measuring 8m by 33m, with a ridge height of 4.8m. The new dwellings would provide 2 bed accommodation, with all accommodation being provided at ground floor level and wheelchair accessible.
- 1.1.7 The application is accompanied by a Design and Access Statement (DAS), a Code for Sustainable Homes Pre-Assessment, an Arboricultural Report, and protected species reports. The applicant has also submitted a Development Appraisal to support the case for the new development, in order to secure the renovation and re-instatement of the listed building.

1.2 Description of site and surroundings

- 1.2.1 The site comprises a 2 storey detached stone building, which is a Grade II listed building. The property is currently vacant and its previous use was as 2 no. dwellings. The building is in a very poor state of repair and in recent years some urgent works have been necessary to secure the building. There is an existing vehicular access to the front of the property, and to the rear is a large amenity area.
- 1.2.2 The property is located within a residential area of Rhyl off Pendyffryn Road, which is a busy road and links Vale Road/Rhuddlan Road with Grange Road. The site is located approximately 130m away from the junction of Pendyffryn Road with Grange Road; known locally as 'Parry's Corner'.
- 1.2.3 The site is bounded to the front by a stone wall, by a stone wall and block wall along the boundary with no 41, a timber fence to the rear which bounds properties on Grosvenor Avenue, and along the boundary with no 35 there is the remains of a brick wall, a hedge and some trees.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the development boundary of Rhyl. Nos. 37-39 are a Grade II Listed building.

1.4 Relevant planning history

- 1.4.1 In 2007, planning permission for alterations and reinstatement of the existing 2 dwellings and erection of 2 no. detached dwellings to the rear with means of

access thereto was refused under delegated powers on 3 grounds. These related to the principle of allowing new development to the rear, the impact of the proposal on the special character, appearance and setting of the listed building and the application did not provide satisfactory measures to safeguard badgers which were known to be present within 30m of the site at the time of the application.

- 1.4.2 A Listed Building application was submitted at the same time as the planning application, and was refused on the basis that the application contained insufficient detail and failed to demonstrate that there would be no unacceptable impact on the special character and appearance of the Grade II Listed Building.

1.5 Developments/changes since the original submission

- 1.5.1 A development appraisal has been submitted by the applicant to support the case for the new development to the rear of the site, which it is considered is required to 'enable' the renovation and re-instatement of the listed building.

An amended plan has been submitted in order to provide satisfactory waste/recycling facilities within the site, and the trees along the boundary with No. 35 are now shown to be retained.

1.6 Other relevant background information

CADW's listing of the property states that the property was probably built as a farm house in the early 18th century. However, recent visits to the property by Conservation Specialists has revealed that the original property (the part of the building set back from the road) is likely to pre-date the listing, and the Royal Commission on the Ancient and Historical Monuments in Wales have now dated this part of the building as being between 1600 and 1650, and it is said to be the oldest building in Rhyl.

2. DETAILS OF PLANNING HISTORY:

- 2.1 45/2006/1384/PF Alterations and reinstatement of existing 2 dwellings and erection of 2 no. detached dwellings to the rear with means of access thereto REFUSED under delegated powers 19th December, 2007 for the following reasons:

" The introduction of detached dwellings in the rear garden of existing development in an area characterised by substantial dwellings in large plots facing the road, would, in the opinion of the Local Planning Authority, lead to an inappropriate form of development, out of keeping with the existing pattern of development and give rise to harm to the character, appearance and amenity of the locality, contrary to criteria i) and ii) of Policy GEN6 of the adopted Denbighshire Unitary Development Plan and the planning policy of the Welsh Assembly Government contained in Planning Policy Wales (March 2002).

The application fails to demonstrate that there would be no unacceptable impact on the special character, appearance and setting of the Grade II Listed Building, contrary to Policy CON 2 of the adopted Denbighshire Unitary Development Plan and guidance contained within Welsh Office Circular 61/96: Planning & the Historic Environment: Historic Buildings and Conservation Areas.

The application site is located within 30m of a badger sett and the application does not include satisfactory measures to safeguard and protect the species contrary to Policy ENV 6 of the adopted Denbighshire Unitary Development Plan and Technical Advice Note 5: Nature Conservation & Planning (1996), Draft Revised TAN5: Nature Conservation and Planning (2006) and the provisions of the Badger Act 1992."

- 45/2006/1385/LB Alterations and reinstatement of existing 2 dwellings (Listed Building application) REFUSED under delegated powers 19th December, 2007 for the

following reason:

"The application contains insufficient detail and fails to demonstrate that there would be no unacceptable impact on the special character and appearance of the Grade II Listed Building, contrary to Policy CON 2 of the adopted Denbighshire Unitary Development Plan and guidance contained within Welsh Office Circular 61/96: Planning & the Historic Environment: Historic Buildings and Conservation Areas."

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

- Policy STRAT 5 Design
- Policy STRAT 6 Location
- Policy STRAT 11 Regeneration
- Policy STRA 15 Housing
- Policy GEN 1 Development within Development Boundaries
- Policy GEN 6 Development Control Requirements
- Policy ENV 6 Species Protection
- Policy ENV 7 Landscape/Townscape features
- Policy CON 1 The setting of listed buildings
- Policy CON 2 Extension or alteration of Listed Buildings
- Policy HSG 10 Affordable Housing within Development Boundaries
- Policy TRA 6 Impact of new development on traffic flows
- Policy TRA 9 Parking & Servicing Provision

3.2 SUPPLEMENTARY PLANNING GUIDANCE

SPG 21 - Parking

3.3 GOVERNMENT GUIDANCE

Planning policy Wales Edition 4 (February 2011)
W/O Circular 61/96 – Historic Buildings and Conservation Areas

3.4 OTHER GUIDANCE

English Heritage – Enabling Development and the Conservation of Significant Places
CADW - Conservation Principles, Policies and Guidance (Consultation Draft July 2009)

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

- 4.1.1 Principle
- 4.1.2 Impact on visual amenity and listed building
- 4.1.3 Impact upon residential amenity
- 4.1.4 Highway and parking issues
- 4.1.5 Impact upon protected species/ecology
- 4.1.6 Affordable Housing
- 4.1.7 Design and Access/Sustainability Code/Access for All

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the development boundary of Rhyl, where the general principle of development is considered acceptable as outlined in Policy GEN 1.

The proposal includes the refurbishment of a key listed building in Rhyl which has been in need of regeneration for some years. The site features on the Council's list of vacant problem sites for enforcement purposes. Policy CON 2

allows for the extension or alteration to listed buildings where the historic or architectural character of the building is not detrimentally affected. The application has been accompanied by a Development Appraisal that suggests the refurbishment of the Listed Building would not be financially viable on its own. For this reason a terrace of 3 single storey dwellings to the rear of the site has also been proposed to make the scheme financially viable. These figures have been examined by the County Councils Valuation and Property Services Manager, who has concluded that, although the figures for both the refurbishment element and the new build element are high, it seems reasonable to argue the refurbishment of the listed building is not financially viable without some element of enabling development.

Policy STRAT 11 supports proposals which regenerate run down urban areas through the improvement, renovation and redevelopment of buildings. It is suggested that the proposal would have a significant impact upon several Council priorities linked to regeneration, including the empty homes initiative and buildings at risk projects.

It is considered that the new build element of the proposal is justified in principle, in that it would help secure the long term future of an important listed building. Therefore the proposal is considered acceptable subject to assessment of special impacts, as set out below.

4.2.2 Impact on visual amenity and listed building

Policy GEN 6 contains criteria which seek to ensure that new development does not harm the visual amenity of an area. Policy CON 2 serves to protect the architectural and historic character of listed buildings, whilst Policy CON 1 seeks to protect the setting of listed buildings.

The listed building is currently in a poor state of repair, and features high in the buildings at risk register. Its current state is considered to have a detrimental impact upon the appearance of the area. Its renovation would therefore improve the visual amenity of the locality. With regard to the specific work to the listed building it is considered that the scheme is unlikely to have a detrimental impact upon the historic character of the building and detailed design issues are sufficiently controlled through the Listed Building Consent process.

With regard to the new build element of the proposal, it is considered that the scale and form of the development would be subordinate to the listed building so as not to harm its setting or overall appearance. The three new dwellings would be located discreetly to the rear of the listed building, and would not feature prominently within the street scene. They would be constructed of materials sympathetic to the character of the area (render, slate and stone). The Conservation Officer raises no objections to the scheme.

In consideration of the requirements of Policies GEN 6, CON 1 and CON 2, it is concluded that the proposal would not detrimentally harm the historic or architectural merit of the listed building, nor have a significant impact upon the visual amenity of the wider area, other than to improve the appearance of a key building in a current state of disrepair. In terms of visual amenity and impact upon the listed building, the proposal is considered acceptable.

4.2.3 Impact upon residential amenity

Policy GEN 6, criteria v, seeks to ensure that new development does not harm the amenity of neighbouring properties, and provides sufficient amenity space itself.

The proposal would introduce a total of 6 units of accommodation into the site. This is a net gain of 4 units, three of which would be the new build element to the rear. Vehicular access to the site would be through an improved entrance to the site, with the driveway running along the southern boundary of the site adjacent to the driveway and garage of number 35 Pendyffryn Road. Parking for 11 cars would be provided, and each unit of accommodation would benefit from its own outside amenity space, including bin stores and drying areas. The boundaries to the site are well defined, and combined with the orientation of the new build and location of windows it is unlikely that there would be any significant loss of privacy to this dwelling.

With regard to the requirements of policy GEN 6 in terms of residential amenity, it is considered that sufficient privacy and amenity space would be provided for the future occupants of the proposed dwellings. Assessment of the proposal's impact upon the neighbouring dwellings suggests that there would be limited impact upon the privacy of the neighbouring occupants, whilst the use of the driveway adjacent to 35 Pendyffryn Road is unlikely to result in a level of disturbance which would impact upon the amenity of the occupants to a degree which would sustain a refusal when the positive gains of the proposal are taken into account. The proposal is considered acceptable in terms of impact upon residential amenity.

4.2.4 Highway and parking issues

Policy TRA 6 seeks to ensure that proposals for new development do not have an unacceptable impact upon the safe and free flow of traffic on the adjacent highway. Policy TRA 9 requires that new development provides adequate parking and manoeuvring space.

The proposed development would provide 6, two bed units. These would be served by 11 parking spaces, and associated manoeuvring space. Supplementary Planning Guidance Note 21 suggests that a development of this size would require a maximum of 12 spaces. It is considered that in this location, on a bus route, the provision of 11 spaces is adequate for the needs to the development.

With regard to the impact upon highway safety, the proposal has been assessed by a County Council Highway Engineer and who has not raised an objection to the proposal.

It is considered that the proposal complies with Policies TRA 6 and TRA 9 and would not result in a detrimental impact upon the safe and free flow of traffic on the adjacent highway, and provides sufficient parking for the number of units proposed.

4.2.5 Impact upon protected species/ecology

Protected species and ecological issues are covered by planning policies ENV 6 and ENV 7, and national legislation. The policies aim to ensure that proposals for new development do not have a negative impact upon the favourable conservation status of any protected species and that townscape features such as trees are retained where possible.

The planning application is accompanied by a protected species survey and tree survey. As part of negotiations with the applicants it has been agreed that all trees can be retained. The protected species survey demonstrates that the proposal would not have an adverse impact upon any protected species. The County Council Ecologist has not raised any objections to the proposal provided that the comments of CCW are taken into account regarding the potential for badgers within the site.

It is considered that, subject to badger mitigation measures being conditioned, the proposal complies with the requirements of policies ENV 6 and ENV 7 and is acceptable in terms of its impact upon protected species and site ecology.

4.2.6 Affordable Housing

The requirement for provision of affordable housing in connection with housing developments within development boundaries is set out in Policy HSG 10 of the Unitary Plan, supplemented by guidance in SPG 22 – Affordable Housing in New Development. The thresholds for provision are sites of 0.1 hectare or more and/or where more than 3 units are proposed. In this instance 6 units of accommodation are proposed in total, 30% of which are required to be affordable in the guidance.

The applicants have confirmed the intention to make all 6 units available for affordable purposes. The proposal has been examined by the Affordable Housing Officer who has confirmed that the waiting list need for affordable houses in Rhyl is for 2/3bed houses.

The provision and amount of proposed affordable housing is considered acceptable and can be secured through a Section 106 obligation. The proposal complies with the requirements of HSG 10 and SPG 22.

4.2.7 Design and Access/Sustainability Code/Access for All

Guidance in TAN 12 Design and TAN 22 Sustainable Buildings has introduced an obligation on applicants to demonstrate the approach to a range of design considerations, including how inclusive design and standards of environmental sustainability are to be achieved. These reflect general requirements in the strategic policies of the Unitary plan STRAT 1 and 13 to ensure sustainable development principles are embodied in schemes.

In the case of this submission, the Sustainability Code requirements of Planning Policy Wales, TAN 12 and 22 are considered to have been satisfactorily addressed. The Code for Sustainable Homes Pre Assessment Report indicates that it should be possible to achieve the required number of credits under 'Ene1 - Dwelling Emission Rate' and attain a Code Level 3 type for the development. In line with the advice contained in TAN 22, suitably worded conditions are proposed to ensure the development is carried out in accordance with the requirements of Sustainability Code.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The site is within the development boundary and has no specific policy designation. The proposals are considered to show a suitably designed development, and subject to control over detailing, it would lead to a positive gain through the renovation of a key listed building. The density of development would not lead to unacceptable relationship with existing properties and the spaces between existing and proposed dwellings, garden areas proposed and the general layout meet policy criteria and

supplementary guidance/standards for residential development. The alterations proposed to the access are considered acceptable with sufficient off street parking to be provided within the site. The proposed dwellings meet the requirements of the Code for Sustainable Homes.

The recommendation is subject to the completion of an obligation under Section 106 of the 1990 Planning Act within 12 months of the date of resolution by the committee to secure

- (a) The provision of 6 affordable housing units and the retention of these units for affordable purposes

The Certificate of Decision would only be released on completion of the legal obligation, and on failure to complete within the time period. The application would be represented to the Committee and determined in accordance with the policies of the Council applicable at that time, should material circumstances change beyond a period of 12 months after this Committee.

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

1. The development hereby permitted shall be begun before the expiration of two years from the date of this permission.
2. **PRE-COMMENCEMENT**
Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.
3. Facilities shall be provided and retained within the site for the loading, unloading parking and turning of vehicles in accordance with the approved plan and which shall be completed prior to the development being brought into use.
4. The access to the site shall be laid out and constructed in accordance with the approved plan to the written approval of the Local Planning Authority before any dwelling is occupied.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows additional to those shown on the approved plans shall be inserted at any time in the dwelling hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.
6. **PRE-COMMENCEMENT CONDITION**
No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:
 - (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
 - (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
 - (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
 - (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
 - (e) Proposed positions, design, materials and type of boundary treatment.
7. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of

five years 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.

8. No trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or 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 by the Local Planning Authority.

9. 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.

10. The fenestration detailing shall not be as shown on the submitted plans but shall be in accordance with such detailed plans as may be submitted and approved in writing by the Local Planning Authority, prior to commencement of work thereon.

11. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes [Level 3] and achieve a minimum of [6 credits] under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide [May 2009]. The development shall be carried out entirely in accordance with the approved assessment and certification.

12. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes [Level 3] and a minimum of [6 credits] under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide [May 2009].

13. Prior to the occupation of each dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes [Level 3] and a minimum of [6 credits] under 'Ene1 - Dwelling Emission Rate', has been achieved for each dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide [May 2009].

14. No development of any kind shall commence until the applicant has secured the implementation of an archaeological study of all the existing buildings in accordance with an approved design brief. A copy of the report shall be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd Powys Archaeological Trust, 7a Church Street, Welshpool, Powys, SY21 7DL

15. The 3 new build dwellings to the rear of the site shall not be occupied until the works comprised in the renovation of the listed building Plas Penydeuglawdd are complete.

16. The development shall be carried out strictly in compliance with the recommendation in the Badger Assessment report dated 21st October 2010 and the Protected Species Survey Report received on 30th November 2011.

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

1. To ensure the early commencement and completion of works on the listed buildings.
2. In the interests of visual amenity.
3. To provide for the parking and turning 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.
4. In the interests of the free and safe movement of all users of the highway and to ensure the formation of a safe and satisfactory access.
5. To maintain a reasonable standard of privacy in adjoining dwellings and gardens in the interests of amenity.
6. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.

7. To ensure a satisfactory standard of development, in the interests of visual amenity.
8. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
9. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
10. To ensure the details are satisfactory in relation to the character and appearance of the building.
11. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
12. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
13. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
14. In the interest of recording any features of archaeological/historical interest.
15. To ensure the benefits of the enabling development are achieved.
16. To ensure due protection to wildlife in connection with the development.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991). Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980. You are advised that there is the potential for a number of protected species to become present on the site during the course of clearance and construction. You are requested to follow best practice guidance in respect of this, and should any protected species be discovered during work, then all work must cease and the Countryside Council for Wales be contacted immediately.