

01/2021/0836

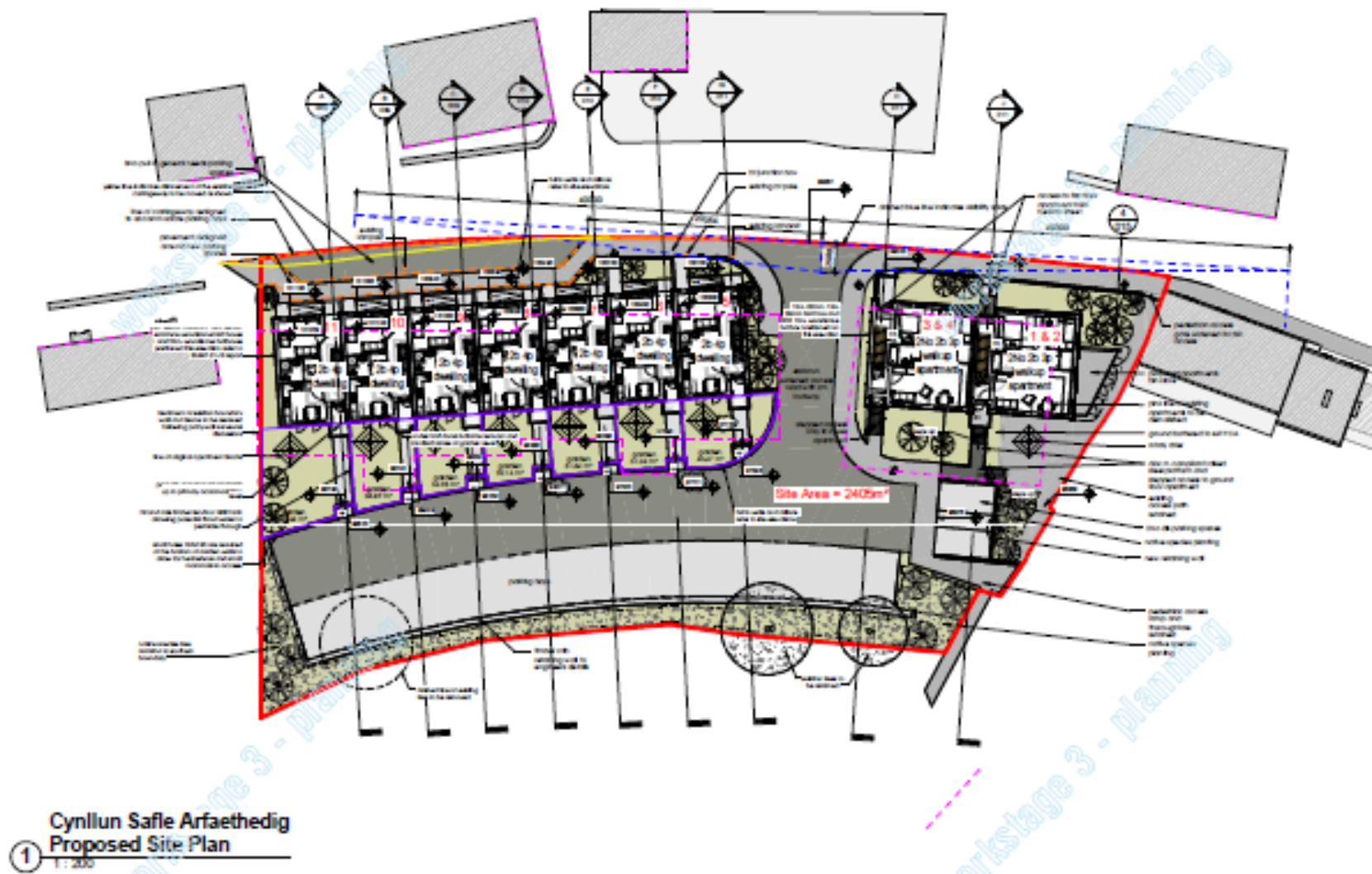
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Proposed site layout



Front Elevations



Safle Edrychiad Deheuol (Maes Parcio)

1 Site South Elevation (Car Park)

1 : 100

MATERIAL KEY

walls - through coloured render, timber cladding, brick plynth, standing seam colour dark grey RAL7015

roof - standing seam roof colour RAL7015 and pv panels

windows and doors - painted timber

rainwater goods - powder coated aluminium colour RAL7015

Rear Elevations



Golwg 3D Rhif 6

3D View 6

2

View up Henllan street showing proposal in context



Golwg 3D Rhif 5

3D View 5

4

View down Henllan Street showing proposal in
context



3D renders of proposal



Site looking east



Site looking west



Access visibility looking west



Looking east (down Henllan Street)

Paul Griffin

WARD : Denbigh Caledfryn Henllan

WARD MEMBER(S): Cllr Pauline Edwards
Cllr Delyth Jones (c)
Cllr Geraint Lloyd-Williams

APPLICATION NO: 01/2021/0836/ PF

PROPOSAL: Erection of 7 terraced dwellings, 2 apartment buildings comprising a total 4 apartments, formation of access, parking, landscaping and associated works

LOCATION: Pennant Flats Henllan Street Denbigh LL16 3PH

APPLICANT: Grwp Cynefin

CONSTRAINTS: C2 Flood Zone

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

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

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL:

"No objections raised on this application"

NATURAL RESOURCES WALES:

Initial response:

NRW accepts that whilst the development site is within the C2 floodzone (where highly vulnerable development such as residential uses is not usually permitted) there are overriding reasons to accept highly vulnerable development in this location. However, the submitted Flood Consequence Assessment (FCA) does not fully address the proposals impact on flooding off site

Re-consultation response:

NRW re-emphasise that the justification put forward for allowing highly vulnerable in a C2 flood zone is considered to be acceptable. The updated (FCA) demonstrates that whilst the development would still result in some off site flooding the flood depths would be noticeably reduced compared to the existing situation. It is also noted that flood risk betterment within the site is also being provided. Taking this into account, and the effort taken to try and minimise increased flood risk elsewhere, NRW conclude that the proposal is acceptable subject to the mitigation measures recommended within the FCA are implemented.

DWR CYMRU / WELSH WATER:

No objections provided no surface water is allowed to connect with the public sewer.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety:

- Highways Officer: No objections

Flood Risk Engineer: Confirms that under Schedule 3 of the Flood and Water Management Act 2010 the approval of the SuDS Approval Body will be required prior to the commencement of development. This is a separate process to the planning application process.

RESPONSE TO PUBLICITY: None received.

EXPIRY DATE OF APPLICATION: 28/11/2021

EXTENSION OF TIME AGREED: 7/10/22

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- 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 Full planning permission is sought for the erection of 7 no. terraced houses and 4 no. apartments on the site of Pennant Flats, Henllan Street, Denbigh (which previously provided 25 no. social housing units), with alterations to existing access, creation of car parking areas and associated landscaping.
- 1.1.2 The proposed dwellings would comprise of two bedrooms, four person dwellings, and the proposed apartments would comprise of two bedrooms to accommodate three persons each. The existing access into the site would be widened, and a car parking area would be created to the rear of the site. There are 24 parking spaces proposed, including two disabled parking spaces.
- 1.1.3 The proposal is submitted as a '100% affordable housing scheme'.
- 1.1.4 As a result of the topography of the site, the proposed dwellings/apartments would appear as two storey when viewed from Henllan Street. However, to the rear the 'lower ground floor' (providing garden stores and parking etc.) would be accessible.
- 1.1.5 The existing access to the site would be widened from 4m to 4.8m

1.2 Other relevant information/supporting documents in the application

- 1.2.1 The application is accompanied by the following documents:
 - Pre-application Consultation Report
 - Flood Consequence Assessment
 - Planning Statement
 - Design and Access Statement

1.3 Description of site and surroundings

- 1.3.1 The site is located adjacent to the B5382 as you head west out of Denbigh towards Henllan.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site is within the development boundary and within a C2 floodzone.
- 1.4.2 To the east of the site is the boundary of the Denbigh Conservation area.

1.5 Relevant planning history

- 1.5.1 The site was previously occupied by two apartment blocks containing 24 apartments.
- 1.5.2 In 2016 the decision was made to replace these apartments with units that better matched the housing need in the area. Subsequently the buildings were left empty and began to fall into disrepair, and attract antisocial behaviour. Given the decision had been made to replace the apartments with a more appropriate form of development, the apartments were demolished ahead of this application being submitted.

1.6 Developments/changes since the original submission

- 1.6.1 Lengthy work has been undertaken in conjunction with NRW to revise the Flood Consequence Assessment . An amended site plans has been submitted to reflect the mitigation measures outlined in the FCA.

1.7 Other relevant background information

- 1.7.1 The site is currently owned by Denbighshire County Council, but is to be sold to Grwp Cynefin subject to planning being approved. Whilst included here for transparency, the ownership of the site is not a material planning consideration.

2. **DETAILS OF PLANNING HISTORY:**

- 2.1 01/2017/0519 - Prior notification of proposed demolition of flats. PRIOR APPROVAL NOT REQUIRED – 28/7/17

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy BSC11 – Recreation and open space

Policy VOE1 - Key areas of importance

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 Areas

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Recreational Public Open Space

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

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 1 Joint Housing Land Availability Studies (2015)

TAN 2 Planning and Affordable Housing (2006)

TAN 12 Design (2016)

TAN 15 Development and Flood Risk (2004)

TAN 16 Sport, Recreation and Open Space (2009)

TAN 18 Transport (2007)

TAN 24 The Historic Environment (2017)

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.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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 and impact on setting of the Conservation Area
- 4.1.3 Residential amenity
- 4.1.4 Drainage (including flooding)
- 4.1.5 Highways (including access and parking)
- 4.1.6 Affordable Housing
- 4.1.7 Open Space
- 4.1.8 Density of development
- 4.1.9 Impact on Conservation Area including setting

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 Denbigh which is defined as a town in the LDP.

The proposal is for the erection of 7 dwellings and 4 apartments which are to replace the now demolished 24 flats.

Given the nature of the proposal and the policy context, the principle of housing development is 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 and impact on setting of the Conservation Area.
Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (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.

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales (PPW 11) Chapter 6 'Distinctive and Natural Places' states there should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting.

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 visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

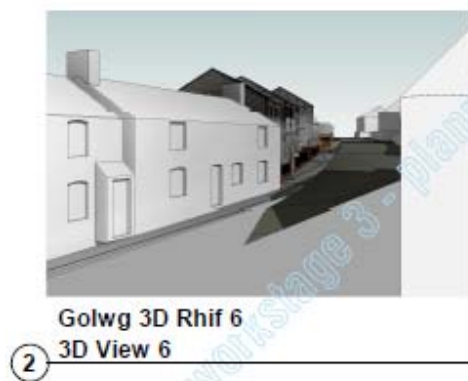
No objections have been received with regard to the proposals impact on the visual amenity of the area or conservation area.

The proposal is accompanied by a detailed Design and Access Statement which explains the design vision and concept for the proposed development. The area is characterised by terraced dwellings of brick and render construction with slate roofs. Development is linear in form along Henllan Street. It is noted the ridge line of the proposed dwellings/apartments would be higher than those either side of the site, but below those opposite.

Proposed street scene view:



Proposed view up Henllan Street (look west):



Proposed view down Henllan Street (looking east):



In officers opinion the design of the proposal seeks to replicate the pattern of development within the area. The height of the buildings would be higher than those either side of the site – a design feature that is driven by the need to increase the internal height of the floors to assist in delivering the flood risk betterment. It is considered that the units would be larger in scale and height than surrounding properties. However, the frontage of the proposed development would be set back by approximately 3 metres from the frontage of the existing dwellings to the east. This along with the proposed design breaks used on the frontages (which seek to emphasise the 'rhythm' of the existing frontages along Henllan Street) would help to soften the impact of the proposal on the street scene. Materials will also be important to ensuring the proposal sits within the street scene comfortably. A palette of materials which reflects existing development in the locality has been suggested. It is however considered that the materials should be conditioned to ensure the development is carried out in an acceptable manner.

Officers consider that the proposal would have an inevitable impact on the character of the area given that it is larger in scale and height than the majority of the adjacent dwellings. However, when the topography of the land is considered (sloping to the south and rising up to the north, the rhythm of the frontages (which reflect existing development in the area) and the choice of materials it is considered that the development could be reasonably assimilated into the street scene. It is further considered that due to the linear nature of development in the area with frontages close to the highway, that the difference in scale between the proposal and the existing dwelling would not be too apparent, save for immediately in front of the site.

With specific reference to the impact on the setting of the conservation area, it is noted that the boundary of the conservation area lies some 40 metres to the east of the site. As a result of the precise location of the boundary in relation to existing development and the site there is no clear inter-visibility between the site and key parts of the conservation area. It is further noted that the previous development on this site was a flat roofed block of flats, which was in itself unremarkable in its design. The proposed dwellings are considered to be more interesting in their design and are unlikely to have an unacceptable impact upon the setting of the conservation area.

In conclusion it is considered that subject to a planning condition being imposed to further agree the type and colour of materials, the proposals impact upon the visual amenity of the area would not be unacceptable.

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..

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The residential amenity impacts of a development proposal are a material consideration.

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

No concerns have been raised in relation to the impact on residential amenity.

There are residential properties to the east, west and north of the site. It is noted that windows in the proposed buildings face north and south. Those dwellings to the north which face the site are approximately 13 metres away. However, the previous development on this site was in a similar location to that as now proposed, so the impacts on the properties are not considered to be materially different. It is also noted that this replicates the separation distances of dwellings fronting onto each other up Henllan street. Those dwellings to the south are in excess of 30m from the rear elevation of the proposed dwellings and apartments, with mature trees along the boundary, which obscure the views.

Having regard to the siting, design, and scale of the proposed development and its relationship to the surrounding development, it is not considered that the proposal would have an unacceptable impact on the residential amenity of the area.

4.2.4 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 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration.

Planning Policy Wales (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'.

Planning Policy Wales (PPW 11) 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 where:

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

No objections have been received in relation to flooding, and NRW have confirmed that the proposal is acceptable in this regard.

The site is located in a C2 flood zone, where usually highly vulnerable uses such as residential development would be resisted on a matter of principle. However, the planning history of the site is also a material consideration. To all intents and purposes, the proposal is essentially for the replacement of 25 flats with 7 dwellings and 4 apartments. The Local Planning Authority formed a view that this could be supported in principle as it represented a reduction in the number of units on the site. Natural Resources Wales have accepted the Local Planning Authorities justification for allowing residential development in a C2 floodzone and have assessed the submitted Flood Consequences Assessment.

The Flood Consequences Assessment shows that although the development would still result in some off site flooding (notably to the property immediately downstream of the site), the situation has been improved when compared to the previous development on the site. The FCA shows that the flood risk posed to the property downstream as being reduced by between 5 to 50 mm compared to the existing scenario. It should be considered that flood risk betterment for the application site is also being provided.

On the basis of the proposal being for a reduced number of residents on the site, a betterment to on site flooding *and* offsite flooding being achievable through allowing this development, Officers consider that the proposal is acceptable with regard to its impact on flood risk, and is broadly compliant with the intentions of Technical Advice Note 15.

4.2.5 Highways (including access and parking)

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 and TAN 18 – Transport, in support of sustainable development.

Planning Policy Wales (PPW) specifies that when local planning authorities determine planning applications they should take account of the accessibility of a site by a range of different transport modes. TAN 18 at 6.2 states that walking should be promoted as the main mode of transport for shorter trips.

No objections have been received in relation to the proposals impact on the highway network. The Highway Officer does not raise an objection.

Having regard to the scale of the proposed development, the existing highway network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highway network in terms of capacity. It is a key consideration that the site has previously been occupied by 25 apartments, and the proposal is for a less number of units (4 flats and 7 dwellings). Parking is provided within the site for all of the units.

With regard to parking provision, the site is located within Denbigh and therefore is identified to be sited within Parking Zone 1 in accordance with the Parking Requirements SPG. The SPG suggests that one parking space should be required for each proposed bedroom, with the addition of one visitor parking space for every five residential units. Therefore, the total number of parking spaces required to serve the development would be 24 spaces.

In conclusion, Officers would see no reason to object to the proposed development on the basis of its impact upon the public highway network or parking provision.

4.2.6 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.

The proposal is for 100% affordable housing units which exceeds the recommended threshold of 10% of the number of dwellings on a development in excess of 10 units under Policy BSC4, by one unit.

It is however, noted that the proposed 11 units replace the previous 24 social housing units. In this context it is not considered that there is a conflict with policy BSC4, and Officers conclude that the proposal is acceptable in this regard.

With regard to the type of accommodation being provided, the choice of seven two bedroom houses and four two bedroom apartments by the applicants has been informed by the SARTH housing register for Denbigh. The register shows that in Band 2 (those in need of properties with a local connection (within the county)), that there are 68 applicants for two bedroom apartments, and 95 applicants for two bedroom houses.

Officers therefore consider that there is a demonstrable need for this type of development and housing mix in this area, and raise no objections to the proposal.

4.2.7 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.

In this instance it should be noted that the proposed 11 residential units technically replace the previous 25 units. There would not therefore be a net gain in the number of residential units on the site, and accordingly officers consider the impacts of the development on the demand for public open space are less than the previous development. It would not therefore be reasonable to argue that the development must contribute towards the provision of open space within the locality.

Officers conclude that in this instance, given the history of the sites previous development that it is acceptable to not request a contribution towards the provision of open space.

4.2.8 Density of development

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

The site area in this instance is indicated as 0.24 hectares, which if developed at 35 dwellings per hectare would equate to 8.4 dwellings on the site. The proposal is for the erection of 11 dwellings/apartments. With regard to the density figure in Policy RD1, it is considered that the proposal exceeds the policy requirement.

Having regard to the nature of the development, its location and proximity to services and public transport, Officers consider this density can be accommodated without unacceptable impacts, and would not be out of character with the nature of existing development and the locality. Having regard to the above it is considered that the density of development proposed is acceptable.

4.2.9 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.

No concerns have been raised locally over the ecological impacts of the development.

Ecological Surveys have been submitted with the application and neither NRW nor the County Ecologist have raised an objection to the proposal. Specific species surveyed for include:

- Amphibians: ponds within 250m of the site were considered for their suitability to support a range of amphibians, including great crested newts (GCN).
- Reptiles: the site was assessed for suitable habitats including rough grassland, cloddiau, brownfield sites and habitat edges in general which would provide cover, basking and foraging habitat for reptile species.
- Otters: watercourses within 100m of the site were checked for signs of otter and assessed for their suitability to support the species.
- Water voles: watercourses on site were checked for signs of water vole presence and assessed for their potential to support the species.
- Bats: all trees and structures on site were assessed as to their suitability to support roosting bats at any point during the year. Trees and structures were then categorised for their potential to support roosting bats as per the Bat Surveys for Professional Ecologists – Good Practice Guidelines (Collins, J., 2016).
- Birds: the site was assessed for suitable habitats for nesting birds, including habitats suitable for ground-nesting species.
- Badgers: all habitats within 30m of the site were surveyed where possible to identify the presence of any setts or signs of badger activity.
- Invasive plant species: this assessment does not constitute a full Schedule 9 species survey. The potential for any Schedule 9 species was assessed and any species that were encountered were mapped and noted.

The submitted surveys did not find that the site itself was used as habitat, although it acknowledges the presence of protected species in the wider area.

It is therefore suggested that conditions are attached to ensure there are no negative impacts on protected species or the nature conservation value of the site and to ensure all reasonable steps have been taken to maintain and enhance biodiversity.

The conditions will require the submission of an Ecological Compliance Audit, detailed landscaping scheme and external lighting scheme for approval by the Local Planning Authority. It is also recommended that a condition is attached ensuring access for hedgehogs and also ensuring that provision is made for roosting bats and nesting birds.

Officers consider the suggested conditions to be reasonable to ensure there are no negative impacts on protected species or the nature conservation value of the site and all reasonable steps have been taken to maintain and enhance biodiversity as required by Section 6.4 of Planning Policy Wales, Edition 11. Subject to the inclusion of these conditions on any permission, it is suggested ecological interests can be suitably protected in relation to a development on this site.

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 proposal is for the erection of 7 dwellings and 4 apartments of the site of 24 flats. The flats were demolished by the Council at the start of the process to secure consent for their replacement owing to their poor condition and potential for empty flats to attract anti-social behaviour.

5.2 All of the units would for affordable purposes and would be managed by Grwp Cynefin, a registered social landlord. The project is to be part funded by grant money.

5.3 Following an assessment of the impacts of the proposal, and having regard to the planning history of the site and the responses of statutory consultees, Officers consider that the proposal is acceptable, and recommend that planning permission be granted.

RECOMMENDATION: GRANT - subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 5th October 2027
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) Location Plan (Drawing No. 001 Rev H) - Received 11 August 2021
 - (ii) Existing Site Plan (Drawing No. 002 Rev J) - Received 11 August 2021
 - (iii) Proposed Site Plan (Drawing No. 012 Rev U) - Received 31 August 2022
 - (iv) Proposed Dwelling 4P 2B (Drawing No. 100 Rev K) - Received 11 August 2021
 - (v) Proposed 2No Apartments 2B 3P (Drawing No. 101 Rev F) - Received 11 August 2021
 - (vi) Proposed Site Elevations (Drawing No. 007 Rev F) - Received 11 August 2021
 - (vii) Proposed Sections 1/3 (Drawing No. 009 Rev O) - Received 11 August 2021
 - (viii) Proposed Sections 2/3 (Drawing No. 010 Rev O) - Received 11 August 2021
 - (ix) Proposed Sections 3/3 (Drawing No. 011 Rev O) - Received 11 August 2021
 - (x) Site Context Analysis (Drawing No. 018 Rev J) - Received 11 August 2021
 - (xi) Site Axo 1/2 (Drawing No. 817 Rev O) - Received 11 August 2021
 - (xii) Site Axo 2/2 (Drawing No. 818 Rev O) - Received 11 August 2021
 - (xiii) General Arrangement & Setting Out (Drawing No. 17050/001 Rev P1) - Received 11 August 2021
 - (xiv) Road 1&2 Vertical Alignment (Drawing No. 17050/Sk02 Rev P1) - Received 11 August 2021
 - (xv) Surfacing Layout and Construction Details (Drawing No. 17050/006 Rev P1) - Received 11 August 2021
 - (xvi) Drainage Scheme (Drawing No. 17050/501 Rev P1) - Received 11 August 2021
 - (xvii) Drainage Details Sheet 1 (Drawing No. 17050/502 Rev P1) - Received 11 August 2021
 - (xviii) Drainage Details Sheet 2 (Drawing No. 17050/503 Rev P1) - Received 11 August 2021
 - (xix) Section 38 Layout (Drawing No. 17050/S38) - Received 11 August 2021
 - (xx) Section 278 Layout (Drawing No. 17050/S278) - Received 11 August 2021
 - (xxi) Design and Access Statement (Dated 20/07/21) - Received 11 August 2021

(xxii) Ecological Assessment (Dated 01/06/21) - Received 11 August 2021
(xxiii) Cofnod Environmental Information Search (Date 10/05/21) - Received 11 August 2021
(xxiv) Flood Consequences Assessment v9 (Datarys Dated Aug 2022) - Received 16 August 2022
(xxvii) Tree Survey & Arboricultural Impact Assessment (Dated April 2021) - Received 24 August 2021
(xxvi) Existing and Proposed Permeable and Impermeable Areas (Drawing No. 17050/510 Rev P1) - Received 24 August 2021
(xxvii) Proposed Side Elevations (Drawing No. 008 Rev A) - Received 4 October 2021
(xxviii) Proposed Bin Store (Drawing No. 015 Rev A) - Received 4 October 2021
(xxix) Pre-Application Consultation Report (Dated August 2021) - Received 4 October 2021
(xxx) Planning Statement received 18 October 2021

Biodiversity, Landscape, Trees, Maintenance of open spaces

3. Works which could result in the damage or destruction of active bird nests must take place outside the of the bird breeding season (March - August, inclusive) or immediately following a nesting bird check conducted by a suitably qualified ecologist.

4. Within three months of the commencement of development, a detailed scheme of hard and soft landscaping for the site, designed to deliver a net benefit for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The 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.
- (f) the timing of the implementation of the planting and landscaping scheme.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the first unit. 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.

6. 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.

7. No development shall be permitted to commence on any dwellings above slab level until the written approval of the Local Planning Authority has been obtained to details of the provision to be made within the development and on each dwelling/apartment for features to be included for roosting bats and nesting birds, including the number, location and specification of those features.

The approved details shall be implemented in full prior to the occupation of the final dwelling.

8. No dwelling or apartment shall be permitted to be occupied until the written agreement of the Local Planning Authority has been obtained to detailed proposals showing an external lighting/internal light spillage scheme, designed to avoid negative impacts on bats.

The approved measures shall be implemented in full.

9. Access for hedgehogs (at least one 13cm x 13cm opening per garden) should be made at ground level through the fencing used to separate the gardens of each property, to allow the movement of hedgehogs throughout the site.

10. Prior to the completion of the development, details of an Ecological Compliance Audit (ECA) for the scheme shall be submitted to and approved in writing by the Local Planning Authority. The Audit shall be completed in accordance with the submitted details.

Materials

11. No dwelling/building shall be constructed above finished slab level until the written approval of the Local Planning Authority has been obtained to the details of all the materials and finishes it is proposed to use thereon, including, where relevant, the texture, type and colour of the finish. The development shall be undertaken strictly in accordance with the details approved under this condition.

Highways

12. 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:

- 1) Site compound location
 - 2) Traffic management scheme
 - 3) The parking of vehicles of site operatives and visitors;
 - 4) Loading and unloading of plant and materials;
 - 5) Storage of plant and materials used in constructing the development;
 - 6) The management and operation of construction vehicles and the construction vehicle routes
 - 7) wheel washing facilities;
 - 8) Measures to control the emission of dust and dirt during construction;
13. The approved car parking arrangements shall be completed in accordance with the approved plans before the use hereby permitted is commenced

For the Following reasons:

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

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

Reason 3: In the interest of the biodiversity of the area.

Reason 4: To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.

Reason 5: In the interest of visual amenity and enhancing the biodiversity of the area.

Reason 6: In the interest of visual amenity and enhancing the biodiversity of the area.

Reason 7: In the interest of the biodiversity of the area

Reason 8: In the interest of the biodiversity of the area

Reason 9: In the interest of preserving ecological interests.

Reason 10: In the interest of preserving ecological interests.

Reason 11: In the interest of visual amenity and character of the area

Reason 12: To maintain the safety and free flow of trunk road traffic

Reason 13: In the interest of highway safety and residential amenity

