



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

46/2012/0712
 Land north of Bryn Gobaith
 St Asaph

7



Application Site

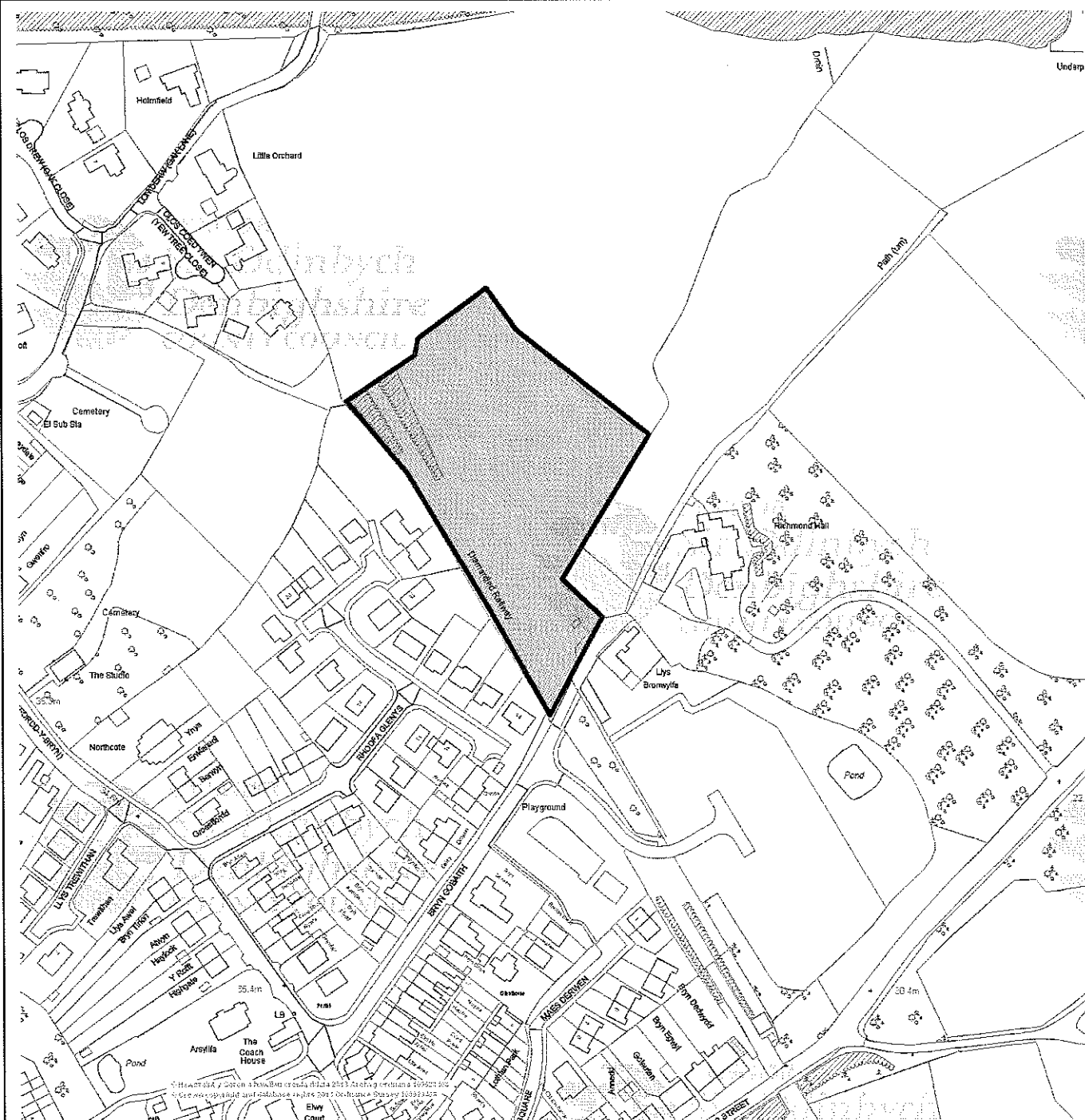


Date 10/1/2013

Scale 1/2500

Centre = 303979 E 374689 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 © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych, 100023408, 2011.

INDICATIVE LAYOUT PLAN

4.6 / 2012 / 0712 / P0

PLANSCAPE



THE ORCHARDS

RHODDFA GLENYS

LLYS BRONWYLFA

Indicative site layout plan only



K & C DEVELOPMENTS LTD
PROPOSED RESIDENTIAL DEVELOPMENT
BRYN GOBATH, ST ASAPH.

1:250 17 MAY 2012
K.1220 / 2

RECEIVED
15 JUN 2012
CALEDFRYN

UNITARY DEVELOPMENT PLAN PROPOSALS MAP

**DEVELOPMENT
BOUNDARY**

GEN 1

CON 11

75

**APPLICATION
SITE**

ENV 5

ENV 3

HSG 2

HSG 2

GEN 1

745

CON 5

EMP 2

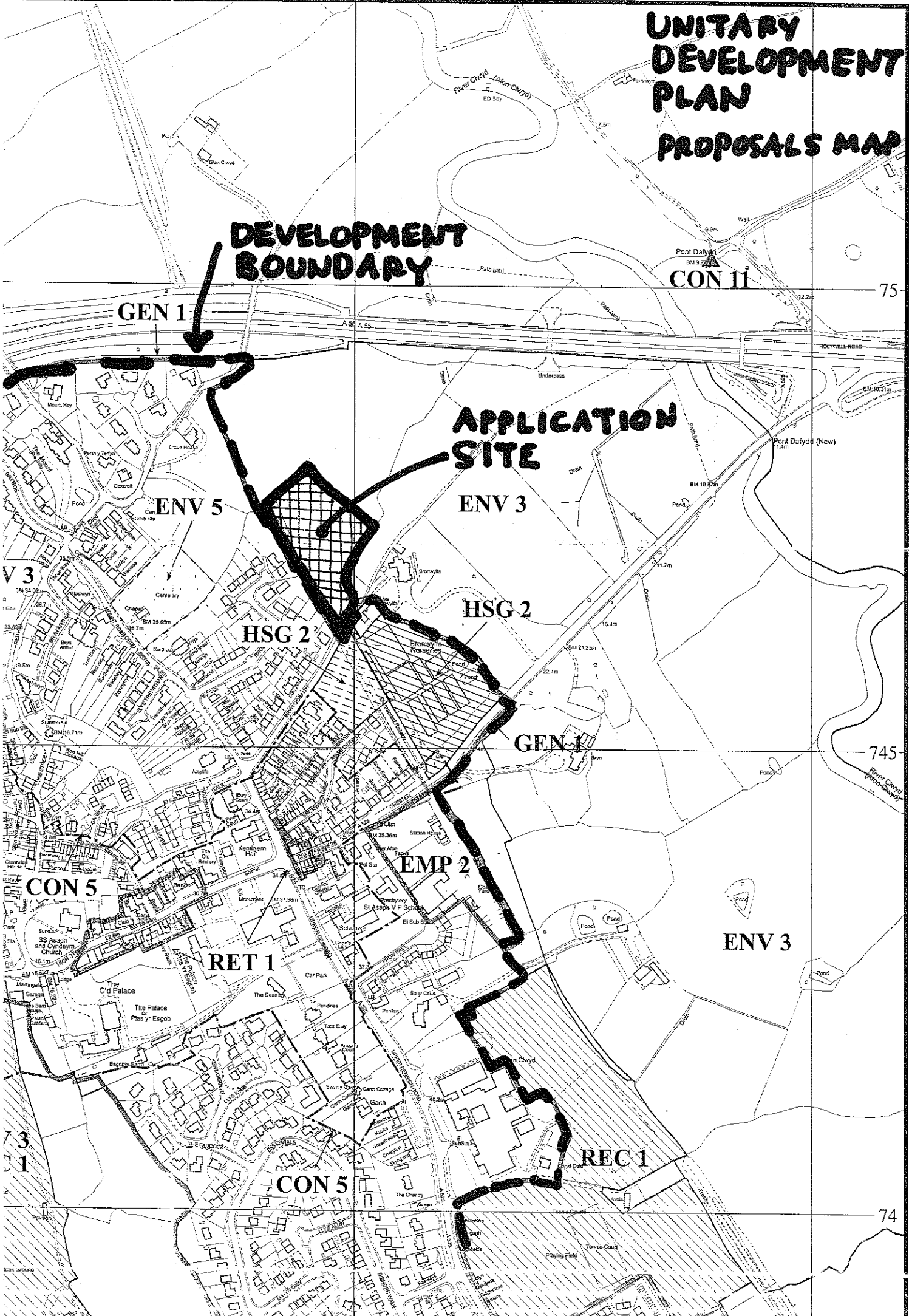
ENV 3

RET 1

REC 1

CON 5

74



SES

ITEM NO: 7
WARD NO: St Asaph East
APPLICATION NO: 46/2012/0712/ PO
PROPOSAL: Development of 1.1 hectares of land for residential purposes (Outline application including access)
LOCATION: Land at north side of Bryn Gobaith Bryn Gobaith St Asaph
APPLICANT: Mr & Mrs C White
CONSTRAINTS: PROW
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:

ST ASAPH CITY COUNCIL

"OBJECT to such proposed development, the grounds for objection are:-

Over-intensification of development of the area causing unacceptable increase in traffic flow in the area - Members are aware that the adjoining Mount Road already suffers from a traffic flow in excess of 1,000 vehicle movements per day, Bryn Gobaith itself is effectively a 'one way street' because of unavoidable on street parking. They are also aware that there are proposals to modify parking restrictions in the Mount Road area, but consider that such proposals would not relieve the inevitable increase in traffic flow from the proposed development.

The area is not included in the UDP for residential development and there are sufficient other sites available for residential development within the City - i.e. the yet to be developed site at Bryn Gobaith and potentially part of the land at H M Stanley Hospital

In addition Members consider there would be an unacceptable intrusion into the area adjoining an area of outstanding natural beauty [i.e. Vale of Clwyd], as such development would be visible from the A55, and could be classed as the proverbial 'blot on the landscape'

Concern was also expressed at the effect upon both natural vegetation and wildlife within the area of proposed development; also the effect upon the existing overstretched drainage/sewage systems."

COUNTRYSIDE COUNCIL FOR WALES

No objection in principle. Has sought additional information in relation to great crested newts and reptiles.

ENVIRONMENT AGENCY

No objection. Advocate use of SUDS drainage system.

DWR CYMRU WELSH WATER

No objections subject to the inclusion of conditions relating to foul and surface water discharges, and an advisory note relating to the presence and location of the public sewer.

CYMDEITHAS TAI CLWYD

Note the proposed application, that the site is outside the development boundary, and may have potential as an 'exceptions' site for purely affordable housing.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

POLICY, RESEARCH AND INFORMATION SECTION

Object. The site is outside the development boundary of the adopted UDP. The Council is well advanced in the production of a new LDP which contains new housing allocations and Officers are confident that the 5 year land supply will be met for adoption.

HEAD OF TRANSPORT AND INFRASTRUCTURE

No objection subject to the inclusion of conditions requiring details of layout, junctions, parking and turning and internal estate

FOOTPATHS OFFICER

No objection, Public Footpath 7 abuts the development area and should be safeguarded.

BIODIVERSITY OFFICER

No objections in principle. Has sought additional information in relation to great crested newts.

HEAD OF HOUSING SERVICES

Affordable Housing Officer

Notes site is outside Unitary Development Plan boundary hence should be treated as an 'exception' site where development should only be permitted in exceptional circumstances and only if there is no other land available within the boundary; and should be 100% affordable housing. There appears to be land within the boundary of St. Asaph which would supply a reasonable amount of affordable housing for the need in the area. Both social housing waiting list and Affordable Housing waiting lists show a high need.

TREE OFFICER

No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:

R. & A. Williams, 42, Rhodfa Glenys, St. Asaph Mr. & Mrs. Graham Hardy, 38 Rhodfa Glenys, St. Asaph
G. Williams, 61, Bishops Walk, St. Asaph
Mrs. L. Crierie, Bryn Ffydd, Bryn Gobaith, St. Asaph
Mr. W. Williams, Bryn Onnen, Bryn Gobaith, St. Asaph
Mrs. P. Hodkin, 44, Rhodfa Glenys, St. Asaph
C. Lamberton, 30, Rhodfa Glenys, St. Asaph
E. Grube, 28, Rhodfa Glenys, St. Asaph
J. A. Pickering, 1, Bronwylfa Cottages, Bryn Gobaith, St. Asaph
K. Hughes, Bryn awelon, Bryn Gobaith, St. Asaph
C. Marriott, 32, Roe Parc, St. Asaph

Mr. & Mrs. H. Jones, Y Rofft, Mount Road, St. Asaph G. H. Davies, 32, Rhodfa Glenys, St. Asaph
Miss H. M. Ellis, Cornorion, 36, Rhodfa Glenys, LlanelwyJ. & S. Adams, Newgrove House, Yew Tree Close, St. Asaph Mrs. T. Jones & Mr. M. Jones, Daltry, Bryn Gobaith, St. Asaph
Mr. M. Jones, Daltry, Bryn Gobaith, St. Asaph - PETITION with 39 signatures
Mr. G. Jones, Richmond Hall, Chester Street, St. Asaph
G Jones, Richmond Hall, St. Asaph

Summary of planning based representations:

Highway Issues

Unacceptable increase in traffic on Bryn Gobaith and on to Mount Road would cause significant congestion in an area already experiencing severe traffic and parking problems. Mount Road junction is already unable to facilitate the traffic generated from the population of the area;

Principle

The site is outside the development boundary in the UDP and LDP

Visual Impact

The siting of the development would diminish striking views of the city from the A55;

Residential Amenity

The siting of the properties near dwellings on Rhodfa Glenys would result in loss of privacy / 2 storey dwellings would be out of character

Wildlife

There are a number of species present on and around the site that would be lost

Impact on local services

Additional dwellings and subsequent increase in residents will greatly impact on local schools, GP surgeries and hospitals;

General Comments

Increase in traffic and construction will present potential hazards in the form of building dust, noise pollution and movement of heavy machinery in a small residential street where a number of children reside the development would be overbearing, out of scale and out of character in terms of its appearance with existing development

EXPIRY DATE OF APPLICATION: 13/08/2012

REASONS FOR DELAY IN DECISION:-

- delay in receipt of key consultation responses

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks outline planning permission for residential development of 1.1 hectares of land, with only means of access included for consideration. All other matters are reserved for future approval.
- 1.1.2 The site is outside the Unitary Development Plan boundary for St. Asaph and lies immediately to the north east of existing dwellings at Rhodfa Glenys, and includes along its western boundary the former Rhyl – Denbigh railway line. (See the plan at the front of the report).

- 1.1.3 The application documents include an illustrative layout plan showing ideas for a development of 18 dwellings, accessed from an 'extended' Bryn Gobaith at the southern end of the site.
- 1.1.4 The supporting document includes a Planning, Design and Access Statement, a Code for Sustainable Homes Pre-assessment, a Highways Assessment Technical note, an Affordable Housing Questionnaire, a tree survey and ecological assessment.
- 1.1.5 The main points of relevance to the proposals in the supporting documents are:

In the Planning, Design, and Access Statement:

- The justification for the proposal is a serious short fall of housing land in Denbighshire that needs to be addressed.
- St. Asaph is a key settlement where development is appropriate and will be located.
- There is clear need for additional housing sites to be released in the short term (Planning Policy Wales requires local planning authorities to ensure sufficient land is genuinely available or will become available to provide a 5 year supply); housing availability studies suggest the supply in Denbighshire is below the 5 year requirement (4.6 years in July 2011 study); the UDP time expired in 2011; calculations based on actual completions in the first four years of the new plan period suggest the calculation of land supply is just 2 years.
- The weight to be attached to the emerging LDP is limited; there remain unresolved issues on the LDP with the Inspector, and no guarantee the LDP will be adopted, hence arguments of prematurity could not be justified.
- The site meets the relevant search sequence 'tests' in PPW for the identification of suitable sites for housing.

In the Affordable Housing Questionnaire:

- Affordable housing provision can be conditioned at outline stage.
- 10% Affordable housing provision is offered in accordance with the Statement of Common Ground submitted to the LDP examination in public.

The other documents confirm:

- a Code for Sustainable Homes Level 3 (plus 1 credit under ENE 1) could be achieved.
- An access can be easily and satisfactorily achieved to accord with current design standards; and the local highway network has the capacity to accommodate the additional traffic.
- Direct impact on existing plants and habitat would be minor, and there are no known issues regarding protected species.

1.2 Description of site and surroundings

- 1.2.1 The application site comprises 1.1ha of grazing land on the eastern side of St. Asaph. The site is on the north eastern boundary of development at Rhodfa Glenys. It is roughly rectangular in shape and is relatively level, but slopes downwards slightly from west to east.
- 1.2.2 To the north and east of the site are open fields, and to the south and west is primarily residential development, with the dwellings on Rhodfa Glenys to the west and Bryn Gobaith to the south. The highway serving Bryn Gobaith leads to the site, where there is an access from a gated field access.

1.2.3 The site is bounded by mature hedgerow and trees.

1.3 Relevant planning constraints/considerations

1.3.1 The application site is located in the open countryside, outside the development boundary of St Asaph as defined in the Unitary Development Plan. The site is located within a Local Landscape Area.

1.4 Relevant planning history

1.4.1 None

1.5 Developments/changes since the original submission

1.5.1 An additional Ecological Assessment has been undertaken to include evaluation of Great Crested Newts issues.

1.6 Other relevant background information

1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 None relevant to the application site.

Land at Bronwylfa Nurseries (adjacent site within development boundary)
46/2003/1445/PF - Erection of 9 No. detached houses, road junction alterations and traffic calming along Mount Road and Bryn Gobaith, construction of new vehicular access and formation of wildlife habitat areas GRANTED 10th March, 2006.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

Policy STRAT 1 General

Policy STRAT 6 Location

Policy STRAT 13 New Development

Policy STRAT 15 Housing

Policy GEN 1 Development within Development Boundaries

Policy GEN 3 Development outside Development Boundaries

Policy GEN 6 Development Control Requirements

Policy ENV 3 Local Landscape Areas

Policy ENP 4 Foul and Surface Water Drainage

Policy ENV 6 Species Protection

Policy HSG 11 Affordable Housing for Local Needs in Rural Areas

Policy REC 2 Amenity and recreational open space requirements in new developments

Policy TRA 6 Impact of new development on traffic flows

Policy TRA 9 Parking and Servicing Provision

5.14 Supplementary Planning Guidance

Supplementary Planning Guidance Note 4: Recreational Public Open Space

Supplementary Planning Guidance Note 22 Affordable Housing in New Developments

Supplementary Planning Guidance Note 25: Residential Development Design Guide

3.1 GOVERNMENT POLICY GUIDANCE

Planning Policy Wales 2012 (5th Edition, November 2012)

TAN 1 Joint Housing Land Availability Studies (2006)

TAN 5 Nature Conservation and Planning (2009)
TAN 12: Design (2009)
TAN 22: Planning for Sustainable Buildings (2010)

4. MAIN PLANNING CONSIDERATIONS:

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

- 4.1.1 Principle
- 5.14.1 Residential amenity
- 5.14.2 Highway and Parking Implications
- 5.14.3 Affordable Housing
- 5.14.4 Open Space Provision
- 5.14.5 Biodiversity Considerations
- 5.14.6 Drainage
- 4.1.2 Design and Access/Sustainability Code Considerations

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main Unitary Development Plan Policies relevant to the principle of the development are STRAT 15 and GEN 1. These policies seek to make provision for new housing in a range of locations, concentrating development within the boundaries of defined settlements.

The site is outside the development boundary of St Asaph. The principle of new housing development would be considered unacceptable in such a location unless exceptional circumstances can be argued.

The applicant's/agent's justification for this application is based on the shortfall of housing land in Denbighshire. It is argued that the proposal would make a positive contribution to meeting housing needs in the short term, including affordable housing, and complies with TAN 1, which states '*where the current study shows a land supply below the 5 year requirement, the need to increase the supply should be given considerable weight when dealing with planning applications, provided the development would otherwise comply with national policies*'.

In response, it is acknowledged that the current housing land supply is below the 5 year requirement contained in TAN 1 and that the TAN requires Local Authorities to take steps to increase the housing land supply. In this respect the Council is well advanced in the production of the Local Development Plan (LDP), with additional hearing sessions taking place in January 2013 with adoption anticipated soon after.

The Denbighshire LDP contains new housing allocations for approximately 2500 dwellings (in addition to existing commitments). There are also a number of extant planning permissions both within St Asaph and the County as a whole. When the plan is adopted, therefore, Officers are confident that the 5 year supply situation will be rectified.

It is therefore not considered that the development of the site for residential development should be supported based on arguments of a short fall of housing land in the County.

5.14.7 Residential amenity

Policy GEN 6 includes criteria which aim to safeguard the visual amenity of areas and to ensure that development is not allowed which is out of character with the established character of the immediate vicinity.

The application contains an illustrative layout indicating a possible format for a development, but there are no elevation details or floor plans to allow assessment of the impact on adjacent properties. With regards to the comments received relating to the amenity of neighbouring dwellings, in the absence of the relevant details it is not possible, or appropriate to consider such matters at this point, as these matters would normally be dealt with at reserved matters stage. A detailed application would require careful consideration to address impacts on adjacent properties and the visual amenities of the area.

Officers conclude therefore that it is not possible to assess the detailed amenity impacts at this stage, as no details have been submitted for consideration. The application seeks only outline planning permission with all matters, other than means of access, reserved for later approval.

4.2.2 Highway and Parking Implications

The main Unitary Development policies relating to the highway impacts of new development are TRA 6, TRA 9 and GEN 6. These policies require due consideration of impact on the safe and free flow of traffic, the capacity and condition of the highway network, and the adequacy of parking and servicing provision.

The means of access to the site is included for approval as part of this outline application. A Highways Assessment Technical Note has been submitted with the application, and its conclusions are that the site can be accessed satisfactorily and will accord with all relevant design standards, and the level of additional traffic likely to be generated by the development would have a negligible impact on the highway network. It is also stated that the site is located within close walking distance to the whole of St Asaph, to local facilities, bus routes and cycle network.

A significant number of objections have been raised by local residents, supported by the City Council, all of which are predominantly concerned in relation to highway safety and the impact the proposal would have on the local highway network in the area around Bryn Gobaith and Mount Road.

The Head of Highways has carefully considered the concerns of the local residents and City Council, along with the Highways Assessment submitted by the applicant. Provided a scheme of road improvements is submitted, including improvements at the Mount Road/Bryn Gobaith junction and traffic calming on Mount Road and Bryn Gobaith, the Head of Highways raises no objection to the proposal, and has not raised any concerns in respect of the adequacy of the local highway network.

It is not considered, with respect to objections raised, there are any strong highway grounds to refuse permission here.

4.2.3 Affordable Housing

The requirement for provision of affordable housing in connection with housing developments are set in the Unitary Development Plan, and Supplementary Planning Guidance Notes 22. The thresholds for provision are sites of 0.1ha or more and/or where more than 3 units are proposed, requiring a 30% provision.

The application site is located outside the St. Asaph development boundary, and the applicant has indicated that a 10% provision of affordable housing would be provided. This has been based on a 'Statement of Common

Ground' submitted by the Local Planning Authority to the Local Development Plan (LDP) Inspector, which indicates in the current economic climate that a 10% affordable housing contribution may be realistic. However, this Statement has only been submitted to the Local Development Plan Inspector, and there is no indication as to whether he may accept this approach. In this respect whilst the LDP is at an advanced stage, it is not yet the adopted Development Plan for the County, and the affordable housing statement carries no weight in the determination of planning applications at this point. The Unitary Development Plan is the adopted development plan, and based on the Council's adopted policies and guidance, 10% affordable housing provision, in the absence of a financial appraisal to demonstrate otherwise, would be in conflict with current policy. The Affordable Housing Officer has confirmed the existence of a high need for affordable housing in St. Asaph.

Tai Clwyd have suggested that this site has the potential to be an affordable housing exceptions site, however, Policy HSG 11 in the UDP permits affordable housing development for local needs in rural areas in exceptional circumstances, but only adjoining main village and villages, (not main towns). The application site is on the edge of a main centre and has not been submitted as an affordable/exceptions development by the applicants in any event. In Officers' opinion, the proposal does not meet any of the tests of Policy HSG 11.

4.2.4 Open Space Provision

Policy REC 2 and SPG 4 set out the requirement for provision of amenity and recreational space in new residential development. The trigger point for the requirement to provide public open space is 10 dwellings. In this instance, numbers of proposed dwellings have not been submitted. However, based on policy density figures it is considered unlikely that the scheme would result in less than 10 dwellings being proposed at reserved matters stage.

The indicative plan shows an area of open space to the north eastern corner of the site, which is considered to be an unacceptable location, but no other details have been provided. The imposition of a planning condition requiring additional details would cover this matter.

4.2.5 Biodiversity Considerations

Policy ENV 6 seeks the maintenance of protected species within the County by ensuring that they and their habitat are not unacceptably harmed.

Ecological Assessments have been undertaken, and the Council's Biodiversity Officer and Countryside Council for Wales have raised no objection in principle. However, outstanding issues remain in respect of the assessments that have been undertaken in terms of Reptiles and Great Crested Newts. It is understood that a site meeting is taking place in early January and the outcome of this meeting will be reported to Committee.

4.2.6 Drainage

Policy ENP 4 seeks to ensure satisfactory foul and surface water drainage arrangements in new developments.

The applicant has not provided any drainage details for approval but Dwr Cymru/Welsh Water have raised no objection to the proposal. Suitable conditions can be imposed if outline planning permission is granted.

4.2.7 Design and Access/Sustainability Code Considerations

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 Development Plan STRAT 1 and 13 to ensure sustainable development principles are embodied in schemes.

In the case of this submission, the application is accompanied by a Design and Access Statement and Code for Sustainable Homes Pre-Assessment which demonstrates that the requirements of TAN 12 and TAN 22 can be satisfactorily addressed. Suitably worded conditions can be attached to ensure development is carried out in accordance with the requirements of the Sustainability Code.

5. SUMMARY AND CONCLUSIONS:

5.1 The site lies outside the development boundary of St Asaph. The principle of housing development is considered unacceptable for the reasons outlined in the report.

RECOMMENDATION: - REFUSE for the following reasons:

1. The site lies outside the development boundary of St Asaph as defined in the Denbighshire Unitary Development Plan, where the principle of new residential development would be contrary to Policies STRAT 6, GEN 1 and GEN 3 of the plan, and guidance in Planning Policy Wales (5th Edition 2012), and would lead to an unacceptable outward expansion of the settlement.

2. It is the opinion of the Local Planning Authority that the case for residential development of the site outside an existing development boundary, based on a shortfall in the Council's Housing Land Supply at the end of 2012, is not justified given the advanced stage of the Council's Local Development Plan and its likely adoption, which would rectify any shortfall.

NOTES TO APPLICANT:

None