



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

44/2012/1585
 Letterbox Recruiting
 Parc Edith Rhuddlan

8



Application Site

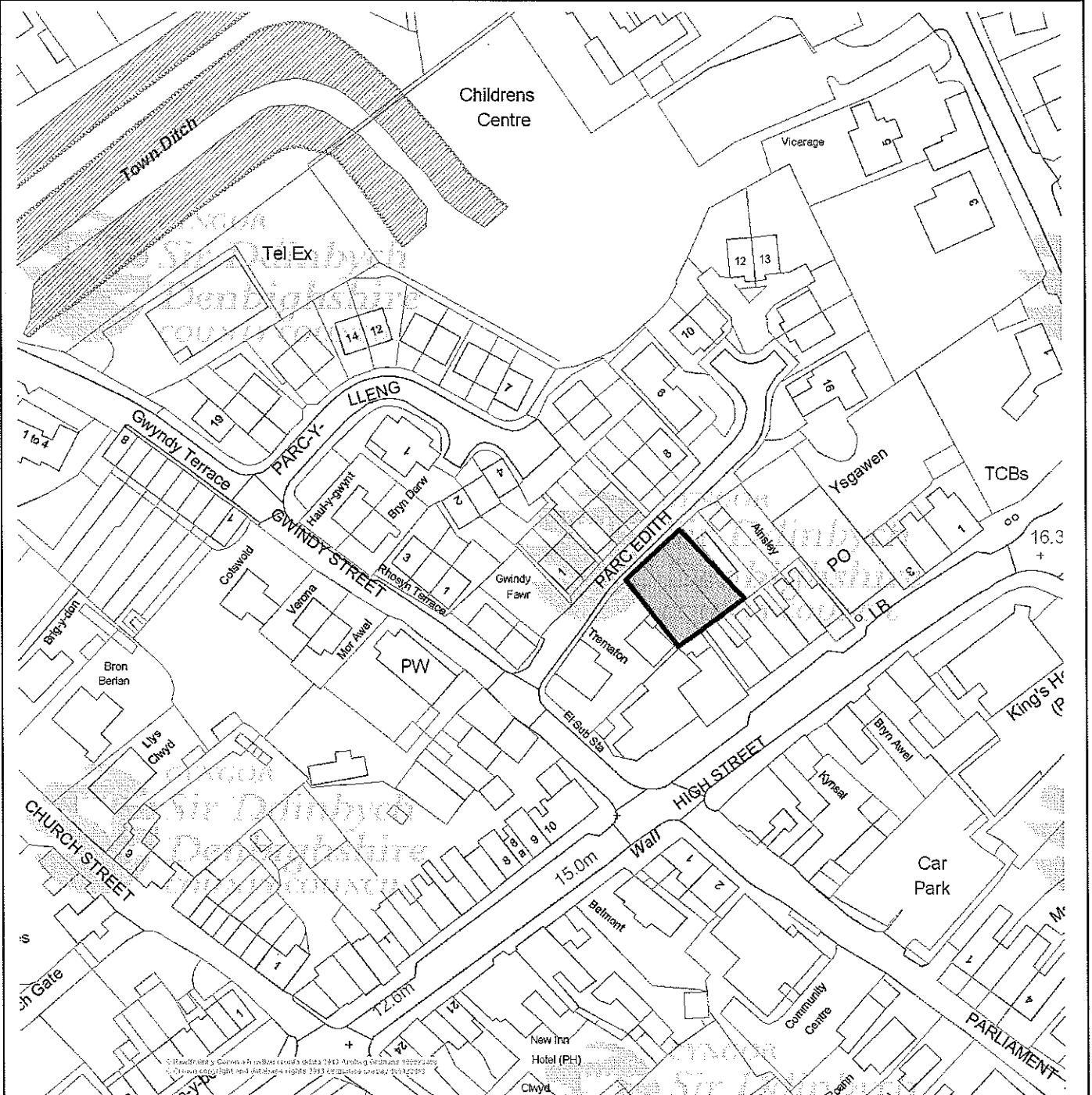


Date 7/2/2013

Scale 1/1250

Centre = 302319 E 378191 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 charniatâd 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.

44/2012/1505/PF

REVISED PLAN

Unit 2: Private rear
amenity space 65m²

RECEIVED
31 JAN 2013
DENOUGH
PLANNING SERVICES

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DENOUGH COUNTY COUNCIL

EXISTING
NURSERY.

EXISTING blockwork
boundary wall. to be
retained.

LAWN

Paving flags to front Paths, riven finish
yellow sandstone colour precast conc.

PARC EDITH.

SITE PLAN 1:250

Rev A. 31.1.13. Cycle bay
omitted in lieu of 2nd
car bay for each property



LAWN

LAWN

LAWN

2.4 x 5m parking
bays. Tarmac finish.
2 per property.

Stone faced garden retaining
walls to front. Max 1m high.

1.8m high conc post &
timber panel fences

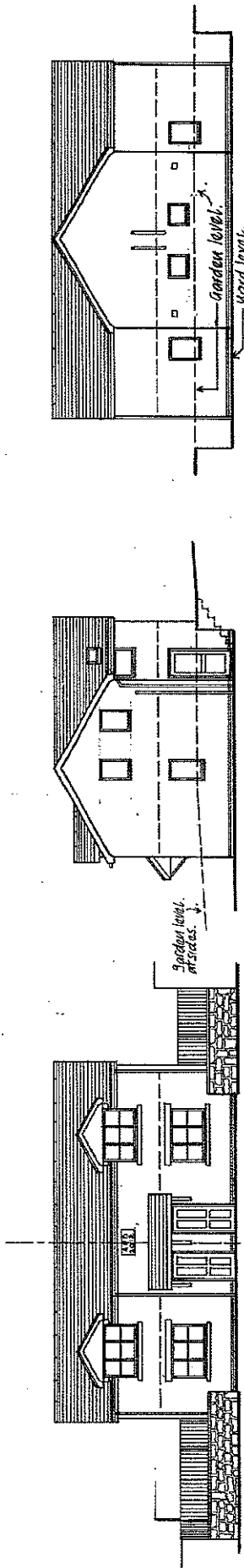
Unit 1 - Private rear
amenity space 70m²

Blockwork garden
retaining wall. Cream
render finish

Slate chippings to paths
blinded gate as shown



FLOOR AND ELEVATION PLANS

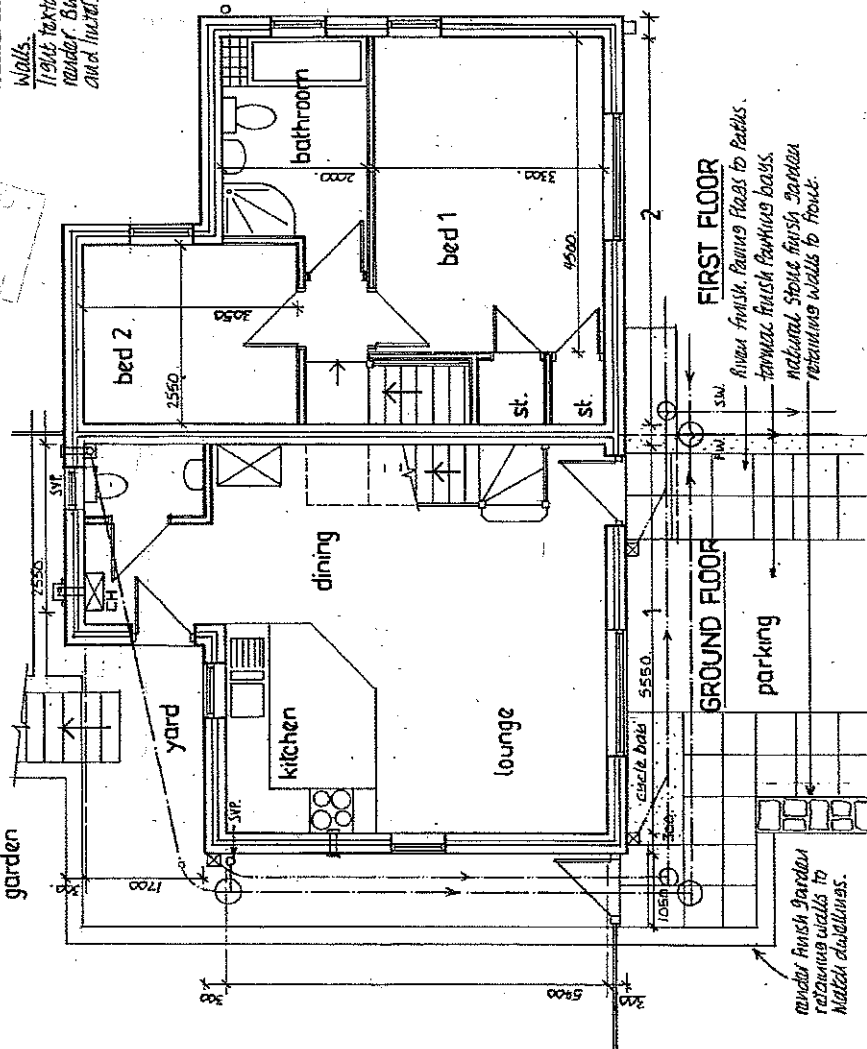


FRONT 1:100

SIDE M100

REAR 1:100

- Proposed External finishes**
- Roof:** Slate grey waterproofing concrete tiles Charcoal grey ridge tiles.
 - Walls:** Black UPVC rainwater goods, white UPVC fascias, bargeboards and soffits etc.
 - Walls:** Light textured finish cream coloured render. Buff coloured precast conc. calls and inlets where shown.
 - Doors and windows:** White UPVC double glazed units.



HIGH ST.

SITE PLAN SUPERCEDED

UNIT 2, PARC EDITH QUANTITY SPACE 65 M²

1.8m high conc. post & timber panel fences.
 Unit 1, Private rear driveway space, 10m².
 Blockwork garden terrace wall, clean render finish.
 Stone chippings to patios behind gate as shown.

existing 10m² driveway.
 existing blockwork boundary wall to be reinforced.
 cycle bays.

Paving: Pavers to front paths, brick finish yellow sandstone colour precast conc.
 2.4 x 5m parking base, Tarmac finish.
 Stone faced retaining walls to front, max 1m high.
 PARC EDITH.

SITE PLAN 1:250

FIRST FLOOR

Area finish, Panini Tiles to Patios.
 Tarmac finish parking base.
 Natural, Stone finish garden retaining walls to front.

GROUND FLOOR

parking

render finish garden retaining walls to match driveways.

EOC

ITEM NO: 8
WARD NO: Rhuddlan
APPLICATION NO: 44/2012/1585/ PF
PROPOSAL: Erection of 1 pair of semi-detached dwellings and construction of a new vehicular access
LOCATION: Land at rear of Letterbox Recruitment fronting Parc Edith Rhuddlan Rhyl
APPLICANT: Mr Anthony Davies
CONSTRAINTS: Conservation Area
PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

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

Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

RHUDDLAN TOWN COUNCIL
"Objection, concerns over vehicle access arrangements".

WELSH WATER / DWR CYRMU
No objection.

CLWYD POWYS ARCHAEOLOGICAL TRUST
No objection, subject to condition for archaeological watching brief.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Head of Transport and Infrastructure
- Highways Officer
No objection, subject to conditions to ensure the parking layout is as per the submitted drawing and the surface is finished in a non deleterious finish.

Conservation Architect
No objection.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 07/11/11

REASONS FOR DELAY IN DECISION (where applicable):

- Timing/ receipt of representations.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks full planning permission for the erection of 2 no. dwellings and construction of a new access on 0.031 hectares of land at the rear of Letterbox Recruitment in Rhuddlan.
- 1.1.2 A semi-detached arrangement of dwellings is proposed, with a relatively simple design and materials of render and tiled roof. The dwellings would be sited centrally on the plot with amenity areas to the south (rear) and dropped kerbs to off street parking to the north (front). See the plan at the front of the report for the proposed details.
- 1.1.3 Each dwelling would comprise of living accommodation on the ground floor and two bedrooms on the first floor.
- 1.1.4 The site plan shows that the existing site levels would be reduced to accommodate the dwellings. The amenity areas to the rear of the dwellings (south) would remain on a higher level.
- 1.1.5 The application submission includes the following documents:
 - Design and Access Statement (DAS) which refers to the site context and constraints, accessibility, character, community safety and environmental sustainability. Reference is made in the DAS to the reasons for altering proposals from plans previously approved in 2011, and the fact the Applicant has acquired a piece of additional land which has now made the development of 2 no. dwellings with amenity areas and parking achievable.
 - Information on how this proposal aims to achieve Code Level 3 of the Code for Sustainable Homes.

1.2 Description of site and surroundings

- 1.2.1 The site is located on land to the north (rear) of Letterbox Recruitment. Letterbox Recruitment fronts the High Street, although the application site fronts Parc Edith, a small residential cul de sac of 1990's dwellings.
- 1.2.2 Located at a higher level than the road, the main area of the site is flat, and very overgrown at present. There is a drop between the ground level on the site and the road level of approximately 1 metre. The site is bounded on the north (road side) by a spar-dashed wall with a plinth, which is covered in ivy.
- 1.2.3 The site fronts a primarily residential area (Parc Edith) to the north and Rhuddlan town centre to the south. To the west of the site there is a Castle Day Nursery, and a children's nursery.
- 1.2.4 There is a mix of dwelling types in the area, including the terrace of Parc Edith, a two storey brick built terrace dwellings opposite the site, and some stone, brick and render detached and semi-detached buildings to the west.
- 1.2.5 Access to the site is proposed from Parc Edith which runs from High Street via Gwindy Street to the west of the site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhuddlan and within the Rhuddlan Conservation Area.

1.4 Relevant planning history

- 1.4.1 Full planning permission was granted in March 2011 for the erection of 2 no. self-contained flats and construction of a new access on the site. The design of the flats was similar to the currently proposed development, albeit slightly smaller. The units were divided horizontally and separate entrances were on the front and the back.
- 1.4.2 Prior to this, planning permission was granted for the erection of a building on the site for use as Class B1 offices in 2008. This permission was similar to one granted in 2003. A condition of the original consent in 2003 was that the use was attached to the main business fronting High Street and should not operate independently. This condition was removed at appeal in 2005 with the Inspector concluding that the land area for the site was sufficient to operate separately as a stand alone unit.

1.5 Developments/changes since the original submission

- 1.5.1 The original submission showed parking for one car for each dwelling. This plan has since been amended to show two spaces for each dwelling, on the request of Highways Officers.
- 1.5.2 The drainage details of the proposal have been queried following concerns raised by the Local Member. The Agent has responded to this by advising;
- Firstly with regard to the impracticality of soakaway drainage, soakaways are required to be located at least 5m from buildings and the only potential area where this could be done would be in the rear garden areas which are raised approximately 1m up from the footprint of the dwellings. It is technically possible for this to be pumped up to the higher level, but this would be in the higher ground behind the garden retaining walls to the rear of the dwellings, which would place undue pressure on the walls.
 - Historically Dwr Cymru have a standard response stating that surface water should not be drained to public sewer systems, to prevent hydraulic overload of the sewers. However when difficulties are explained to them to demonstrate the impracticalities of soakaway drainage they have agreed to a connection to the public sewer in the past on a number of sites.
 - A further option to limit the amount of surface water draining to the public sewer (if Dwr Cymru were still concerned) would be the use of small rainwater harvesting tanks to the rear of the properties (buried in the garden), surface water would then be pumped back into the houses for flushing toilets etc, with an overflow facility connected to the sewer system.

2. DETAILS OF PLANNING HISTORY:

- 2.1.1 44/2010/1109/ PF Full planning permission was granted in March 2011 for the erection of 2 no. self-contained flats and construction on new access on the site. The design of the flats was similar to the proposed development, albeit slightly smaller. The units were divided horizontally and the entrances were on alternate sides. GRANTED 10/03/2011 Decision made under delegated powers.
- 2.1.2 44/2008/0758//PF Planning permission was granted for the erection of building on the site for use as Class B1 offices GRANTED 20/08/2008 Decision made under delegated powers.

- 2.1.3 44/2003/1016/PF – Planning permission was granted for the erection of a workshop and garage for van, provision of staff parking area and formation of new vehicular access. GRANTED 13/10/ 2003.

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 GEN 1 Development within Development Boundaries
- Policy GEN 6 Development Control Requirements
- Policy CON 5 Development in Conservation Areas
- Policy CON 11 Areas of Archaeological Importance
- Policy HSG 3 Housing Development in Main Villages
- Policy TRA 6 Impact of New Development on Traffic Flows
- Policy TRA 9 Parking and Servicing Provision

3.2 SUPPLEMENTARY PLANNING GUIDANCE

- SPG 21 Parking provision in new developments
- SPG 26 Residential Space standards

3.3 GOVERNMENT GUIDANCE

- Planning Policy Wales Edition 5
- TAN 12 Design
- TAN 22 Sustainable Buildings

4. MAIN PLANNING CONSIDERATIONS:

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

- 4.1.1 Principle
- 4.1.2 Visual and landscape impact
- 4.1.3 Amenity impact
- 4.1.4 Highway safety impact
- 4.1.5 Sustainable buildings
- 4.1.6 Archaeology

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of residential development on the plot accords with Policy GEN 1, as the site is located within the development boundary of Rhuddlan, where the principle of such development is acceptable. The planning history is also relevant as the site has had the benefit of planning permission for residential development in 2011 and commercial development in 2008, under the same planning policy framework, both planning permissions are extant.

CON 5 is also of relevance as the site is located in the Conservation Area. This policy allows development which preserves or enhances the character or appearance of the Conservation Area. The explanation to the policy requires that applications demonstrate how the development proposal fits in with the essential character and appearance of a conservation area.

Policy GEN 6 and CON 5 must be applied to assess the detailed impacts of this full planning application, and the detailed issues are considered under this policy as set out below.

4.2.2 Impact on visual amenity

Policy GEN 6 contains general considerations to be given to the visual impacts of new development. CON 5 is also of relevance as the site is located in the conservation area.

Two semi-detached dwellings are proposed, with dormers to the front and a lean-to porch. Materials proposed are concrete tiles and render. To the north are terraced dwellings with a brick finish and tiled roof. There would be a small lawn to the front bounded by a stone faced retaining wall and an open parking area, partly paved and tarmaced. As the site is within the Conservation Area, the Conservation Officer has been consulted, who has raised no objection to the proposal in terms of the impact on the Conservation Area.

In Officer's opinion the nature of surrounding development and detail of the proposal means the dwellings can be accommodated on site without detriment to the visual amenity of the area. It is to be noted that the proposal is very similar to the development granted planning permission in March 2011. It is not considered the proposal would conflict with GEN 6 or CON 5 criteria relating to visual amenity.

4.2.3 Impact on residential amenity

Policy GEN 6 sets specific tests to be applied to amenity impacts of development.

Windows are proposed on all elevations, at ground and first floor level on the front and only ground floor level at the rear. There would be a distance of approximately 15 metres from the front elevation of the proposed dwellings across the road to the front elevation of the dwelling to the north, and 17 metres to the rear elevation of the nursery to the west. There would be approximately 7 metres from the rear elevation to the rear of the properties on High Street.

The plans show that the dwellings can be accommodated on the site with adequate amenity space, and parking/turning. In view of the siting of the proposal in relation to adjacent dwellings, and the window arrangement it is considered that the proposal would not result in a significant loss of amenity for adjacent occupiers by virtue of loss of light or overlooking. It is not considered the proposal would conflict with GEN 6 criteria relating to residential amenity.

4.2.4 Impact on highways safety

Policy GEN 6 and TRA 6 and TRA 9 require consideration of access and highway safety issues.

The proposal includes two parking spaces in an off street parking area for each dwelling to the north of the site, in front of the dwellings. To access the parking areas, dropped kerbs would need to be installed off Parc Edith. The Town Council have reservations over the highways arrangements. Highways Officers have raised no objection to the proposal subject to the inclusion of planning conditions to control the details of the access, and the surfacing of the parking and turning areas.

Whilst respecting the comments of the Community Council, considering the existing permissions, one for residential and an earlier permission for commercial use, it is unlikely that the proposals would result in significantly more traffic movements than the potential uses. This combined with the nature of the development, i.e. 2 no. two bedroom dwellings is unlikely to have a significant impact on traffic volumes on Parc Edith or Gwindy Street. It

is not considered there are policy conflicts relating to access and highway safety. The proposal complies with Policy GEN 6, Policy TRA 6 and Policy TRA 9.

4.2.5 Sustainable buildings

Planning Policy Wales requires that all new dwellings meet Code Level 3 of the Code for Sustainable Homes and achieve at least 1 credit under ENE 1.

A Code for Sustainable Homes Pre-Assessment has been submitted with the planning application which demonstrates the Code requirements can be met. The proposal is set to achieve Code Level 3 and achieve 1 credits under ENE 1.

It is considered the information provided demonstrates that the proposal could meet the relevant sustainable buildings policy requirement.

4.2.6 Archaeology

Policy CON 11 requires consideration of the archaeological impacts of development prior to the decision being made.

Owing to the location of the site in Rhuddlan there may be potential for the site to have some archaeological significance. CPAT have requested a condition be attached to any permission to evaluate the archaeological significance of the site prior to the commencement of development.

It is considered that attaching a condition to any consent would ensure that the proposal would not impact on an area of archaeological significance in keeping with policy CON 11.

4.2.7 Other matters

Regarding the concerns of the Local Member in respect of drainage and flooding, it is to be noted that this site is not located in a Flood Risk area. The Agent has provided an update on the proposed drainage arrangements, a condition can be attached to ensure the details are submitted to the Local Planning Authority for approval prior to the commencement of the development.

Officers would also re-iterate that the principle of the development of the site, including the drainage, was considered in the earlier application in March 2011 and deemed acceptable under the Unitary Development Plan Policies at that stage.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposal is considered acceptable under the relevant policies and therefore recommended for grant.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. 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.

3. 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 occupation of the dwelling 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.

4. PRE-COMMENCEMENT CONDITION

Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the wall, roof windows and door materials to be used for the development hereby permitted and no materials other than those approved shall be used.

5. No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to the applicant and approved in writing by the local planning authority. The archaeological work will be undertaken to the standards laid down by the Institute for Archaeologists. On completion of site work and any post-excavation analysis a report on the investigation will be submitted for approval to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. tel: 01938 553670.

6. Construction of the dwellings 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 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for the dwellings in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010.

7. The dwellings hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.

8. Prior to the occupation of the dwellings 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 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for the dwellings in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 22 November 2010.

9. PRE-COMMENCEMENT CONDITION

The access shall be laid out and constructed in accordance with the approved plan and completed to the satisfaction of the Local Planning Authority before any works commence on site.

10. PRE-COMMENCEMENT CONDITION

No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building(s) is(are) first occupied.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
3. To ensure a satisfactory standard of development, in the interests of visual amenity.
4. In the interests of visual amenity.
5. In the interests of investigation and recording of historic/listed buildings.
6. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
7. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
8. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
9. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
10. To ensure satisfactory drainage of the site and to avoid flooding.

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.
Your attention is drawn to the attached Advisory Notes from Dwr Cymru/Welsh Water dated 17 the December 2012.