

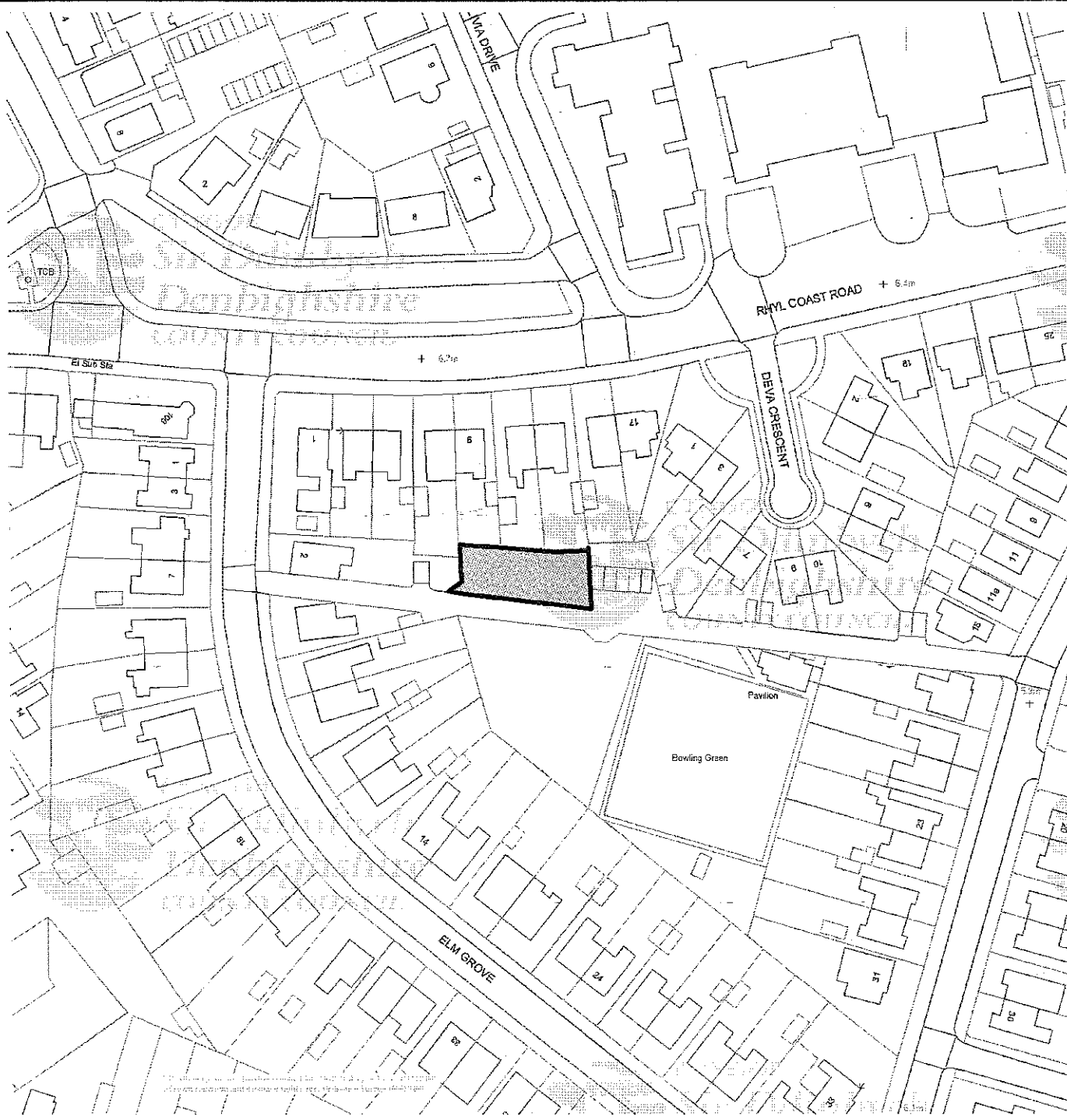
Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ

 Application Site



Date 6/3/2013 Scale 1/1250
Centre = 301734 E 381995 N

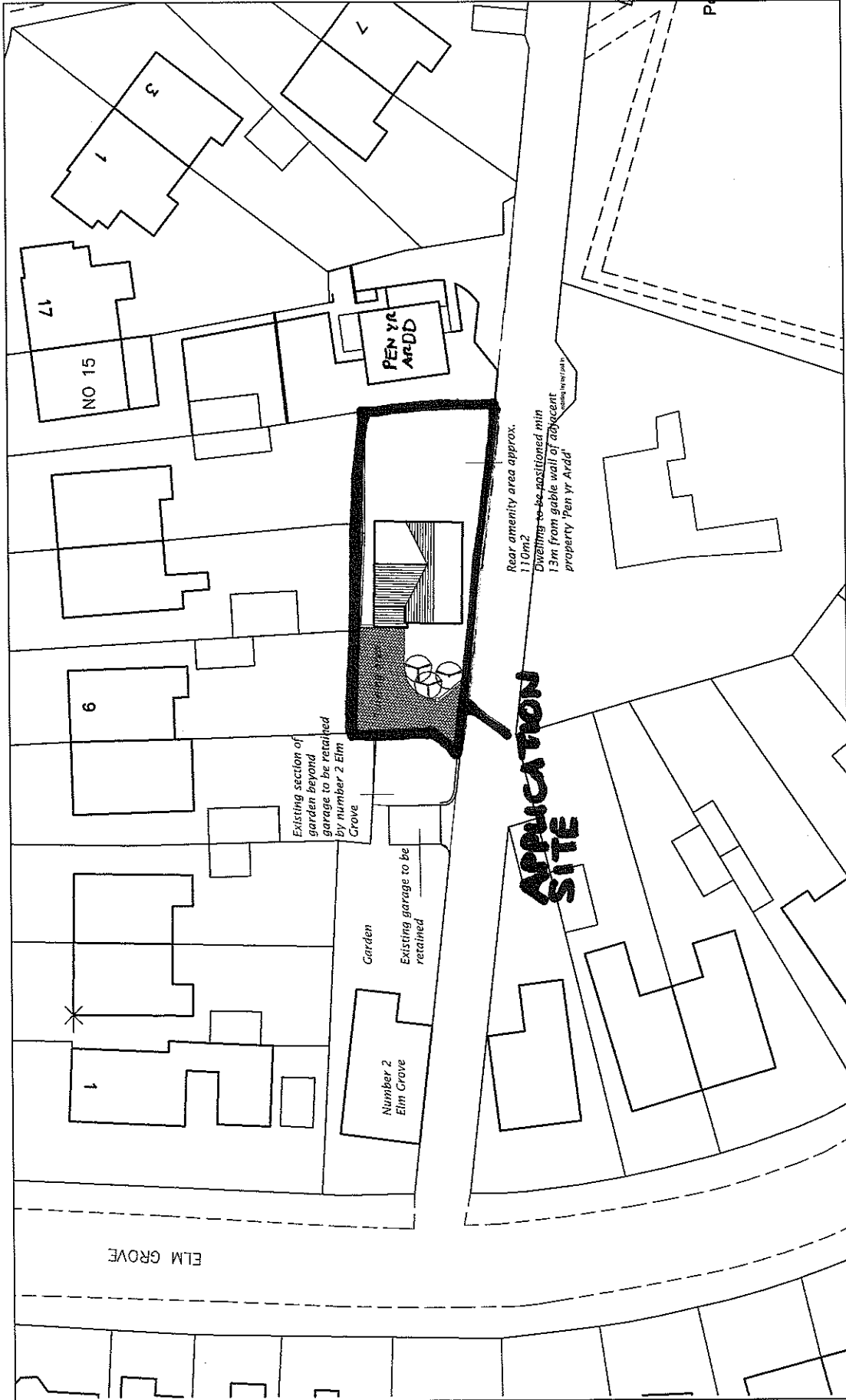
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



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SITE PLAN



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Parry Davies Architects.

Chartered Architects.

PROJECT TITLE

Proposed new dwelling at rear of No. 2 Elm Grove, Rhyl

CHK

DRWN

SCALE

DATE

November 2012

1:500 @ A4

REG

REV

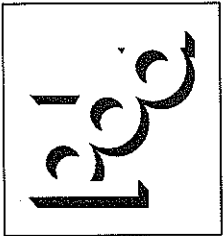
DRWG. NOS.

12.5408/2

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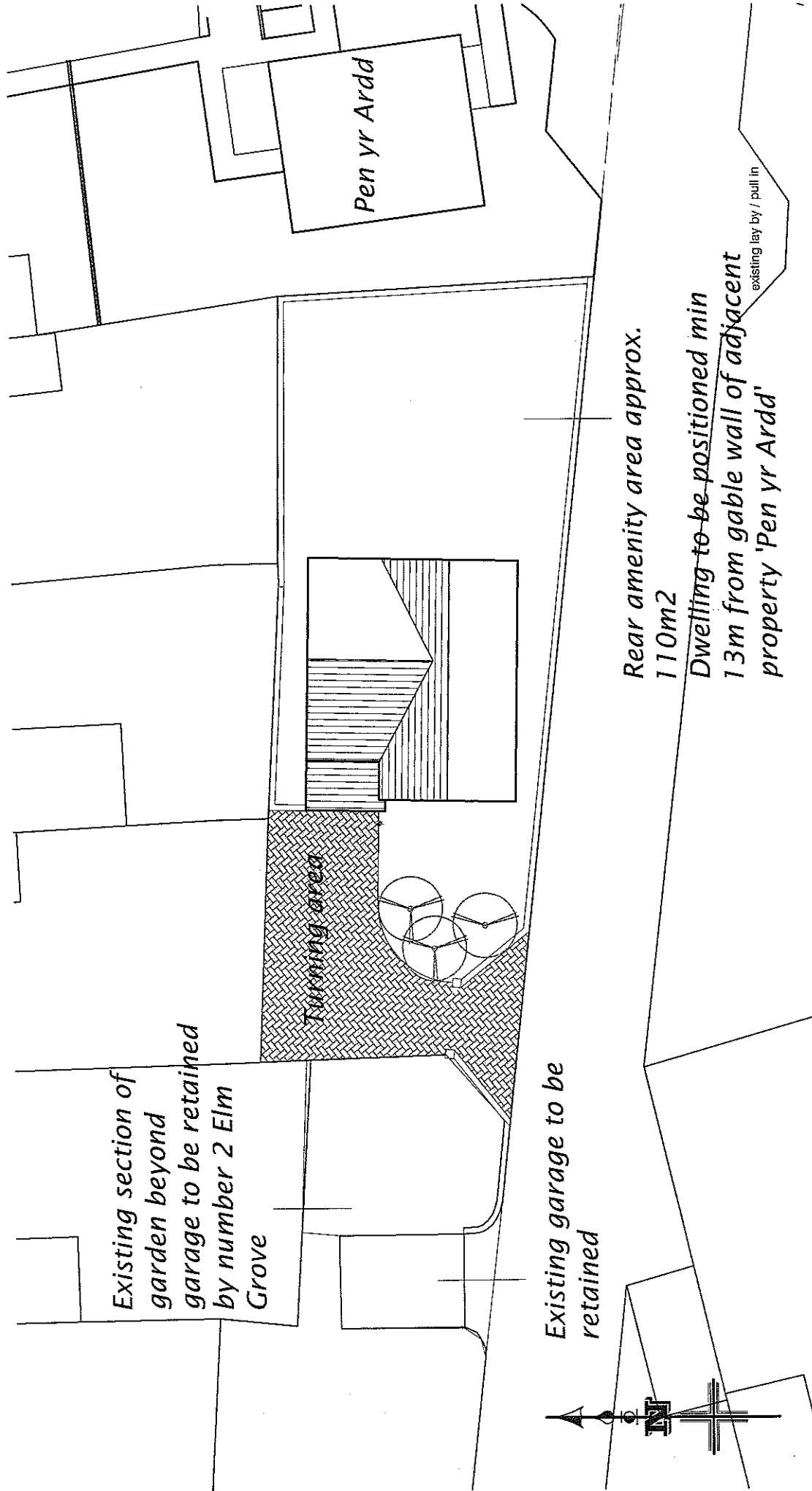
DRWG. TITLE

Proposed Site Layout Plan



Barclays Buildings, High Street, St Asaph, LL17 ORF

Tel: 01745 585517 Fax: 01745 582162. E-mail: PDPAarchitects@aol.com



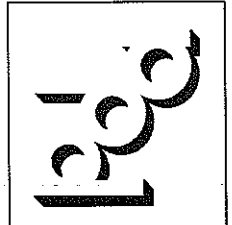
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Parry Davies Architects.

Chartered Architects.

PROJECT TITLE	DATE	SCALE	DRWN	CHK
Proposed new dwelling at rear of No. 2 Elm Grove, Rhyl	November 2012	1:200 @ A4	KEC	
DRWG. TITLE	DRWG. NOS.	REV		
Proposed Site Layout Plan (enlarged)	12.5408/3	-		

Barclays Buildings, High Street, St Asaph, LL17 ORF Tel: 01745 585517 Fax: 01745 582162. E-mail: PDPArchitects@aol.com



DXR

ITEM NO: 11
WARD NO: Rhyl East
APPLICATION NO: 45/2013/0052/ PO
PROPOSAL: Development of 0.03ha of land by the erection of a dwelling (outline application including access and layout)
LOCATION: Land at (Part garden of) 2 Elm Grove Rhyl
APPLICANT: Ms J Hutchison
CONSTRAINTS:
PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

- Recommendation to grant – 4 or more objections received

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL
"No objection"

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

HEAD OF HIGHWAYS AND INFRASTRUCTURE - HIGHWAYS OFFICER

No objection subject to condition requiring works for car parking to be completed prior to occupation and retained thereafter.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

S. Richards, 10, Elm Grove, Rhyl

Mr. & Mrs. K. D. Dawes, 9, Rhyl Coast Road, Rhyl

Mr. & Mrs. Chadwick, 13, Rhyl Coast Road, Rhyl

D & N Butler, 7 Coast Road, Rhyl

M T Walley, 11 Coast Road, Rhyl

Summary of planning based representations in objection:

Impact on residential amenity - Loss of privacy through overlooking, loss of light and overbearing impact

Flood risk - new development increasing localised risk of flooding

Access - un-adopted road providing access not suitable for proposed development

EXPIRY DATE OF APPLICATION: 18/03/2013

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is an outline application for the erection of 1no. dwelling on 0.03ha of land to the rear of 2 Elm Grove, Rhyl, behind existing dwellings on Rhyl Coast Road and Deva Crescent.
- 1.1.2 The proposal includes full details of the access and layout which the Council have to assess as part of the application. Details of appearance, landscaping and scale are the reserved matters. Any details submitted in relation to these matters are for indicative purposes only.
- 1.1.3 The plans at the front of the report show the basis of the submission. Access to the site will be provided by a single access track between Elm Grove and Lynton Walk. The proposed dwelling would be provided with 110m² of rear amenity area.

1.2 Description of site and surroundings

- 1.2.1 The site is currently an undeveloped garden area to the rear of 2 Elm Grove, Rhyl. It shares boundaries with residential properties on three sides and fronts onto an un-adopted road to the south.
- 1.2.2 The un-adopted road currently provides access to a recently erected dwelling (Pen yr Ardd), a number of residential garages and a bowling green.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the Rhyl development boundary as defined by the Denbighshire Unitary Development Plan. The site lies outside of any flood zones as designated by the Environment Agency.

1.4 Relevant planning history

- 1.4.1 Planning permission was granted at Planning Committee for the erection of a detached dwelling (now Pen yr Ardd) to the rear of 15 Rhyl Coast Road in April 2011, following a site inspection panel meeting. The relationship with the current application site can be assessed from the plans at the front of the report.

1.5 Developments/changes since the original submission

- 1.5.1 None

1.6 Other relevant background information

- 1.6.1 The application is reported to committee as 5no. individual objections have been received and the recommendation is for grant.

2. DETAILS OF PLANNING HISTORY:

- 2.1 45/2011/0139 - Erection of a detached dwelling (0.028 ha of land) GRANTED at Planning Committee 13 April 2011

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 GEN6 – Development control requirements
 - Policy TRA 6 – Impact of new development on traffic flows
 - Policy TRA 9 – Parking and servicing provision

SUPPLEMENTARY PLANNING GUIDANCE

- SPG Note 1 – Extensions to dwellings

SPG Note 7– Residential space standards

3.2 GOVERNMENT GUIDANCE

Planning Policy Wales (November 2012)

4. MAIN PLANNING CONSIDERATIONS:

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

- 4.1.1 Principle
- 4.1.2 Residential amenity impact
- 4.1.3 Highway safety

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the town development boundary where the principle of residential development would be considered acceptable in respect of Policy GEN 1, Development Within Development Boundaries. All proposals are subject to detailed tests in other Unitary Plan policies relevant to this type of development, to determine their acceptability.

4.2.2 Residential amenity impact

Considerations of detailed issues of design and detailed impact are outlined in policy GEN 6 of the Unitary Plan. The policy permits development in accordance with the plan's other policies subject to due assessment of impact on the surroundings, including the acceptability of matters such as the scale of the development, layout, density/intensity of use and spaces between buildings and effect on the amenity of residents. Specific guidance on satisfactory levels of amenity are provided by SPG 1 and SPG 7. SPG 1 relates specifically to extensions to existing dwelling and provides general standards in relation to separation distances. It is stated that where a property backs or fronts onto the side elevation of a dwelling the separation distance should be 14m. In situations where properties back or front onto each other, the minimum separation distance is 21m. SPG 7 requires that dwellings provide 40 m² of private outdoor or garden space.

Concerns have been raised by local residents that the proposed dwelling would have an unacceptable impact on residential amenity by virtue of a loss of privacy, overbearing impact and a loss of light. The layout as submitted shows the dwelling would be 13m from the side elevation of Pen yr Ardd. The side elevation of Pen yr Ardd contains no windows. To the north, the rear of a number of properties on Rhyl Coast Road face onto the development site. The nearest of those properties would be 11 Rhyl Coast Road. The proposed property would be 14m from a single storey extension and 17m from the nearest 2 storey section of the property. To the east, the rear of 2 Elm Grove would be 31m from the proposed property. The rear garden area of the proposed dwelling would provide approximately 110m² of private amenity space.

Officers consider that having regard to adopted supplementary guidance and subject to acceptable detailing at reserved matters stage, the proposed dwelling would not have an unacceptable impact on the residential amenity of the locality. It is also considered that the dwelling would provide adequate standards of amenity for the occupiers of the dwelling itself. It is noted that the separation distance to the dwelling at Pen yr Ardd (13m) falls marginally below suggested the suggested minimum of 14m, but, having regard to the blank elevation on this property, it is not considered that this would be sufficient to justify refusal of the proposals.

4.2.3 Highway safety

Policy TRA 6 requires that proposals do not unacceptably affect the safe and free flow of traffic. Policy TRA 9 requires that development offers adequate standards of parking, manoeuvring and servicing facilities.

The Highways Officer considers that the proposed development would not have an unacceptable impact on the highway network subject to parking and turning facilities being completed prior to occupation of the dwelling and being retained thereafter.

Taking into account the above it is considered that the proposals are acceptable in relation to the requirements of Policy TRA 6 and Policy TRA 9 and would have no adverse impact on the local highway network, subject to an appropriately worded condition.

4.2.4 Flood risk

Policy ENP 6 requires that development does not result in an unacceptable risk from flooding.

Concerns have been raised over the potential for increased flood risk due to the proposed development.

As the proposal lies outside of any designated flood zone as defined by the Environment Agency it is considered that the proposals pose no issues in relation to flood risk.

5. SUMMARY AND CONCLUSIONS:

5.1 The impact of the development is not considered likely to be unacceptable or to justify refusal and is 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**

Approval of the details of the scale and appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

5. This dwelling 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 [2010 - Version 3]. The development shall be carried out entirely in accordance with the approved assessment and certification.

6. Prior to the occupation of the dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes [Level 3] and a minimum of [1 credit] under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide [2010 -Version 3].

7. **PRE-COMMENCEMENT**

Parking and turning facilities hereby approved shall be implemented prior to the first occupation of the dwelling, and shall be retained as such at all times unless otherwise agreed

in writing by the Local Planning Authority.

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 comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
5. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
6. To comply with the provisions of TAN 22: Planning for Sustainable Buildings.
7. In the interest of the safe and free flow of traffic.

NOTES TO APPLICANT:

None