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Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

43/2013/0589/PF
Rear 91 Victoria Road
adj 3 Vic Park Avenue, Prestatyn

8



Application Site

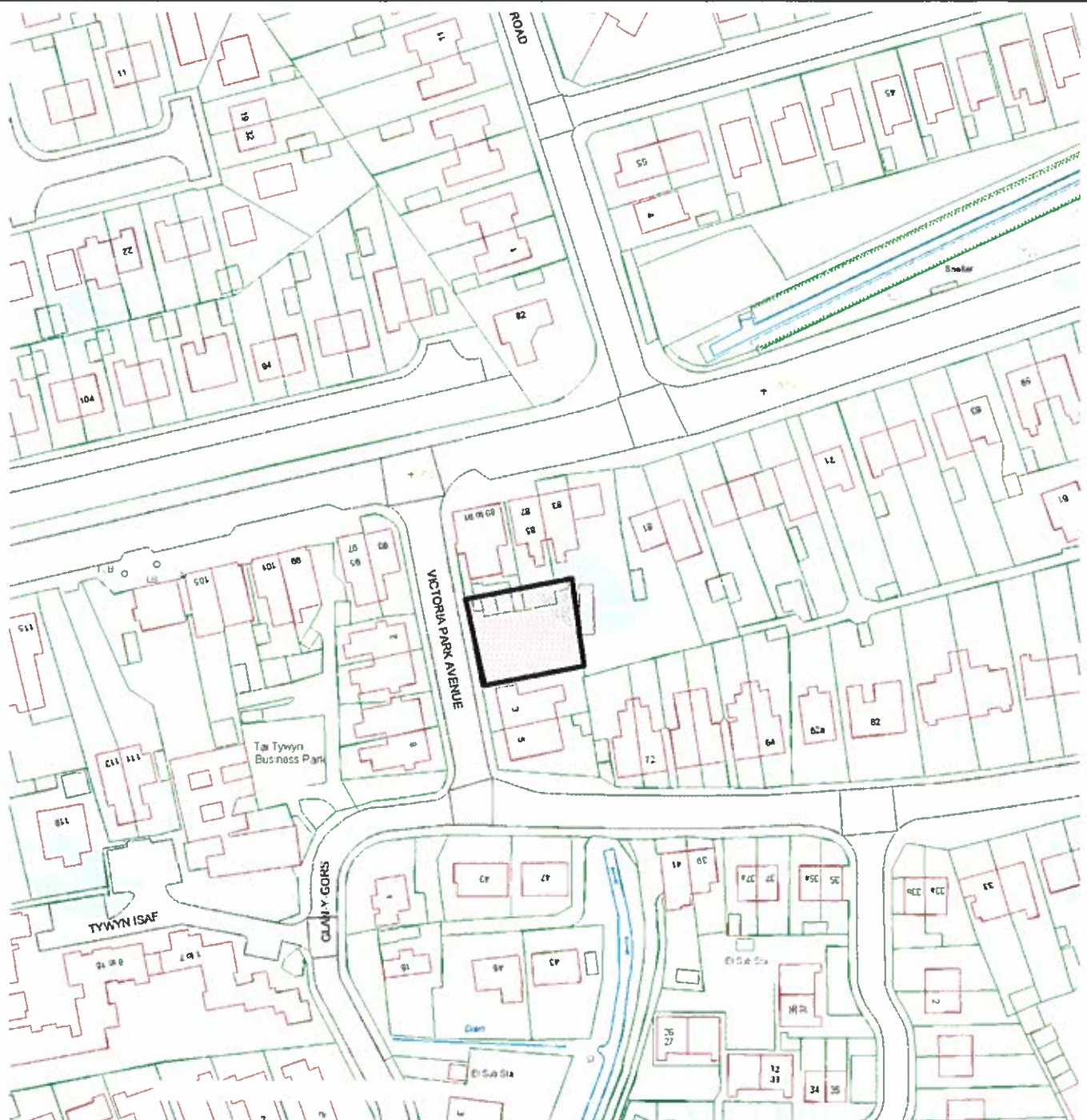


Date 2/10/2013

Scale 1/1250

Centre = 305983 E 383090 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

PROPOSED SITE PLAN

43 / 2013 / 0589 / PF



REVISED PLAN

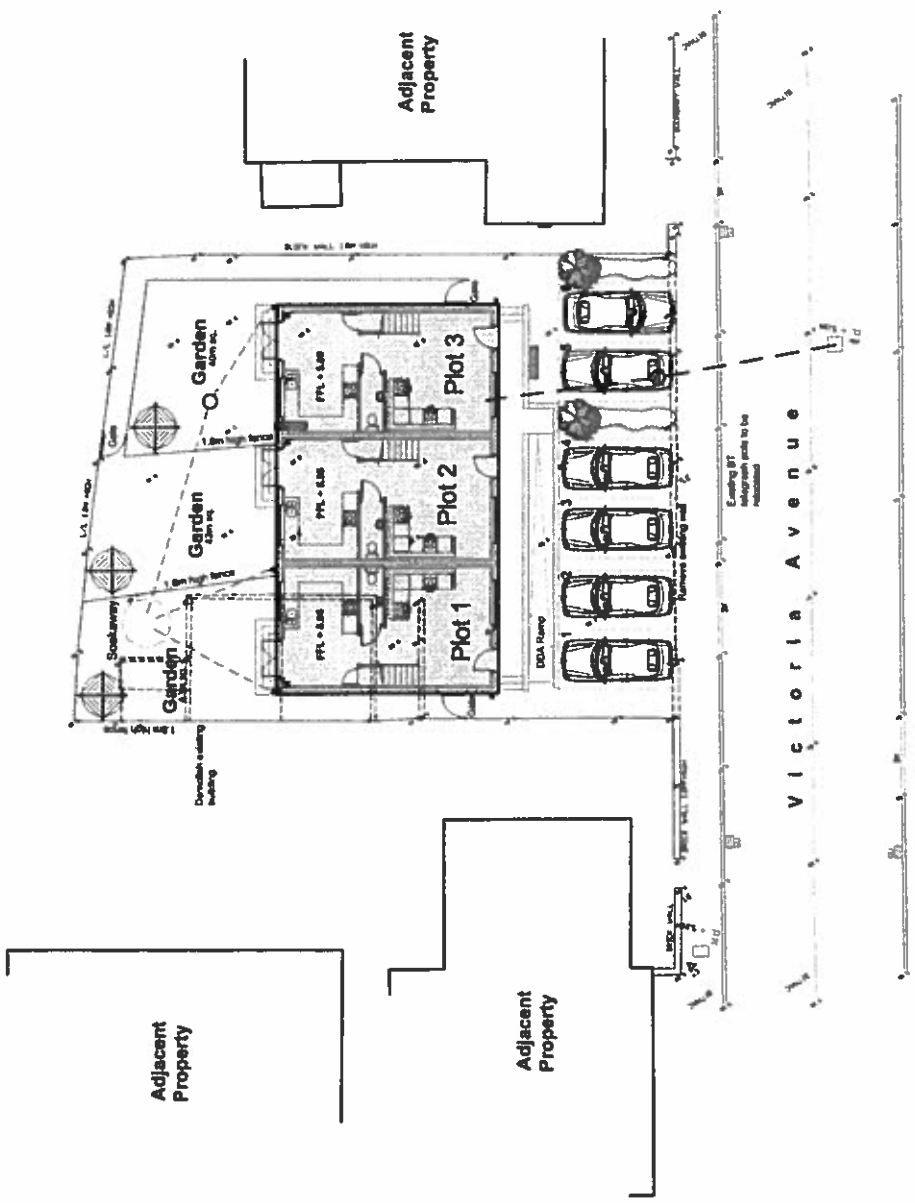
Design Key:

- Full Water Drain - (Proposed)
- - - Surface Water Drain - (Proposed)
- Manhole / Inspection Chamber
- Soakaway

Note:
Drainage Design and Layout is indicative. Actual Drainage Lines, Manholes and Connectors to be confirmed on site by Contractor and agreed with Building Inspector and designed by Structural Engineer

- ☼ External Drying Area
- ▬ Cycle Rack
- 🌳 Low Level Planting / Landscaping

12 SEP 2013
DENWICH
PLANNING SERVICES



Proposed Site Plan



BR Architecture
2 Chatsworth Close, Rhos-on-Sea
Coblyn Bay, Conwy LL28 4DE
T - 07789 175903
E - info@brarchitecture.com
W - www.brarchitecture.com

Client: Mr & Mrs D. Jarvis
Location: Land at 71 Victoria Avenue, Prestatyn, Denbighshire.
Scale: 1:200 **Paper:** A3 **Date:** Apr. 2013
Drawing No: BR:Jarv:D01A

Project: 3 x New Build Houses (3 Bed Terrace)
Drawing: Proposed Site Plan (Planning Application Drawing)

Scale Bar - 1:200
0m 10m 20m

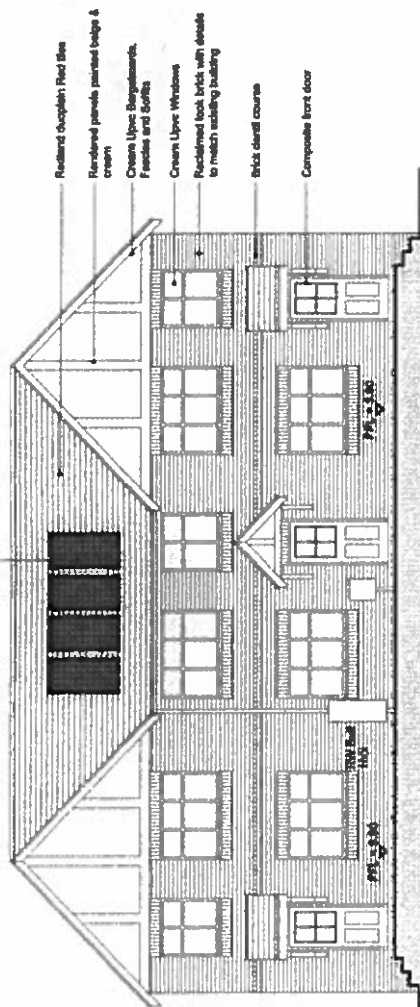
Notes:
A - Finished Floor raised by 100mm to 50.90m A.C. Car Parking confirmed for 2 spaces per Dwelling - 12/9/2013



PROPOSED ELEVATIONS

43 / 2013 / 0589 / PF

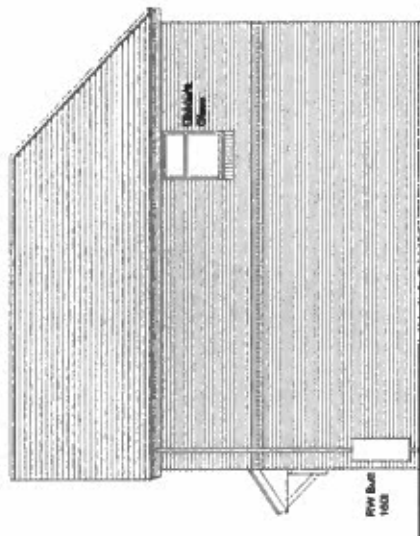
Solar / PV Panels



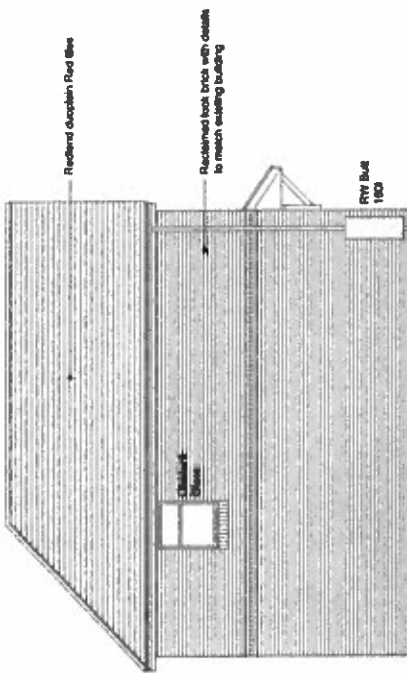
Proposed Front Elevation

REVISED PLAN

RECEIVED
12 SEP 2013
DENBIGH
PLANNING SERVICES



Proposed Side Elevation

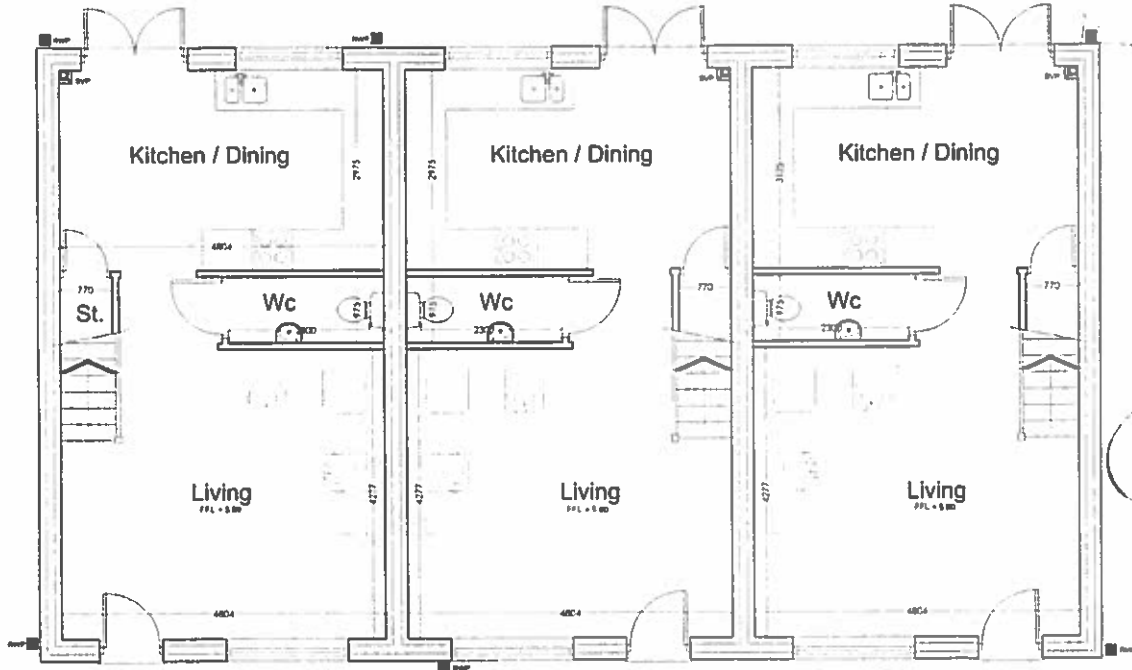


Proposed Rear Elevation

Proposed Side Elevation

<p>BR Architecture 2 Chalmers Close, Rhos-on-Sea, Colwyn Bay, Conwy, LL28 4DE 1 - 07769 175903 E - info@brarchitecture.com W - www.brarchitecture.com</p>	
<p>Client: Mr & Mrs D. Jarvis Location: Land at 71 Victoria Avenue, Prestatyn, Denbighshire.</p>	<p>Scale: 1:100 Paper: A3 Date: Apr. 2013 Drawing No: BR:Jarv:D06A</p>
<p>Project: 3 x New Build Houses (3 Bed Terrace)</p>	<p>Proposed Elevations (Planning Application Drawing)</p>
<p>Revision: A - Finished Floor raised by 100mm to 50.80m - 12/9/2013</p>	<p>Scale Bar - 1:100 0m 1 2 3 4 5m 10m</p>

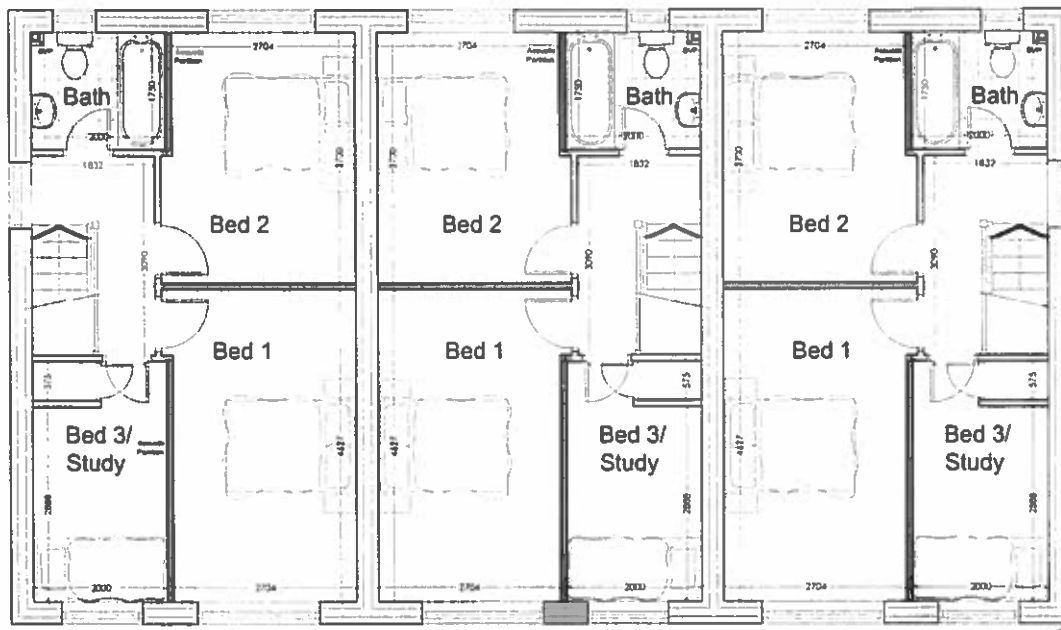
PROPOSED FLOOR PLANS 13 / 2013 / 0589 / PF



Proposed Ground Floor Plan



	1:50 Scale Bar - 1:50	Project: 3 x New Build Houses (3 Bed Terrace) Drawing: Proposed Ground Floor Plan (Planning Application Drawing)	Client: Mr & Mrs D. Jarvis Location: Land at 71 Victoria Avenue, Prestatyn, Denbighshire. Date: 1:50 Paper A3 Date Apr. 2013 Drawing No: BR:Jarv:D02A	BR Architecture 2 Chatsworth Close, Rhos-ran-Soc, Colwyn Bay, Conwy, LL28 4DE T: 07789 175803 E: info@brarchitecture.com W: www.brarchitecture.com
	13 / 2013 / 0589 / PF			



Proposed First Floor Plan



	1:50 Scale Bar - 1:50	Project: 3 x New Build Houses (3 Bed Terrace) Drawing: Proposed First Floor Plan (Planning Application Drawing)	Client: Mr & Mrs D. Jarvis Location: Land at 71 Victoria Avenue, Prestatyn, Denbighshire. Date: 1:50 Paper A3 Date Apr. 2013 Drawing No: BR:Jarv:D03A	BR Architecture 2 Chatsworth Close, Rhos-ran-Soc, Colwyn Bay, Conwy, LL28 4DE T: 07789 175803 E: info@brarchitecture.com W: www.brarchitecture.com
	13 / 2013 / 0589 / PF			

ITEM NO: 8
WARD NO: Prestatyn North
WARD MEMBER(S): Councillors Carys Guy, Jason McLellan, Paul Penlington
APPLICATION NO: 43/2013/0589/ PF
PROPOSAL: Demolition of former bakehouse, erection of terrace of 3 no. dwellings and construction of a new vehicular access
LOCATION: Land rear of 91 Victoria Road adjacent to 3 Victoria Park Avenue Prestatyn
APPLICANT: Anvis Ltd.
CONSTRAINTS: C1 Flood Zone
PUBLICITY UNDERTAKEN: Site Notice - NoPress Notice - NoNeighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

'Object'

'Lack of onsite parking, adverse impact on immediate neighbours including loss of light. Bakehouse of solid historical significance. Proposal would lead to over intensification of properties on site. Difficult lighting/access and egress'

NATURAL RESOURCES WALES

No objection subject to condition requiring minimum Finished Floor Levels (FFL)

DWR CYMRU / WELSH WATER

No objection

CLWYD POWYS ARCHAEOLOGICAL TRUST

No objection. Request photographic survey of traditional building of architectural interest in order to provide a record of the building prior to demolition

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

Highways Officer

No objection subject to conditions relating to exact details of access and details of proposed hard standing materials

Biodiversity Officer

No objection subject to proposed mitigation measures being followed

Affordable Housing Officer

Recommend commuted sum of 10% is required. The waiting list for social housing for a town of Prestatyn's size is high, however there is a low demand for low cost home ownership. 992 households on social housing waiting list in Meliden/Prestatyn. 4 applicants for low cost home ownership and affordable rental in the area as first choice. 4 applicants as second and third choice.

RESPONSE TO PUBLICITY:

In objection

Representations received from:
Mrs. H. Jones, 3, Victoria Park Avenue, Prestatyn

Summary of planning based representations in objection:
Impact on Residential Amenity - Loss of privacy and light
Highways impact - impact on parking in the locality

EXPIRY DATE OF APPLICATION: 14/07/2013

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the erection of 3no. 3 bed dwellings and the construction of a new vehicular access.
- 1.1.2 The proposals also include the demolition of a former bake house that is located on the site.
- 1.1.3 The details are shown on the plans at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The site is a former commercial site containing a redundant former bake house building.
- 1.2.2 The area is predominately residential with a mixed use shop/ residential property bounding the application site to the north.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within a C1 flood zone as shown on NRW flood risk mapping.
- 1.3.2 The site is within the development boundary as defined in the Local Development Plan.

1.4 Relevant planning history

- 1.4.1 The site has had outline planning permission in 2000 for the erection of 2no. dwellings and the demolition of the bake house.

1.5 Developments/changes since the original submission

- 1.5.1 Amended plans have been submitted to raise Finished Floor Levels to respond to a holding objection from NRW and additional off road parking has also been added to provide 2no. spaces per dwelling.
- 1.5.2 The original submission made arguments that contributions to affordable housing and open space should not be required on viability grounds. Following negotiations it has been agreed that contribution requirements will be met.

1.6 Other relevant background information

- 1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 43/1999/0903 Residential development of 0.025ha of land and construction of new vehicular access (outline application) GRANTED 24/02/2000

2.2 43/2010/1069 Development of 0.045 hectares of land by the erection of 2no. dwellings and demolition of former Bakehouse (outline application - all matters reserved) GRANTED 11/05/2011

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD 1 - Sustainable Development and Good Standard of Design

Policy BSC 2 - Brownfield Development Priority

Policy BSC 3 - Securing Infrastructure Contributions from Development

Policy BSC 4 - Affordable Housing

Policy BSC 11 - Recreation and Open Space

Policy VOE 5 - Conservation of Natural Resources

Policy ASA 3 - Parking Standards

3.1 Supplementary Planning Guidance

SPG 1 - Extensions to Dwellings

SPG 7 - Residential Space Standards

SPG 24 - Household Development Design Guide

3.2 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW 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., and that these 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 (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the 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

4.1.3 Residential amenity

4.1.4 Ecology

4.1.5 Drainage (including flooding)

4.1.6 Highways (including access and parking)

4.1.7 Affordable Housing

4.1.8 Open Space

4.1.9 Density of development

4.1.10 Sustainability including codes and water management

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main policy in the LDP which is relevant to the principle of housing development

in towns as BSC1, which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries. Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria. The proposals are therefore considered acceptable in principle within a town such as Prestatyn.

4.2.2 Visual amenity

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings.

The proposed dwellings would be formed from a 3 unit terrace. The roof of the development would be hipped to the side and rear and 2no. gable features would project to the front. Materials would include reclaimed brick to match the appearance of the existing bake house, red tile roof and cream uPVC windows and doors.

Having regard to the design, siting, scale, massing and materials of the proposed dwelling, in relation to the character and appearance of the site itself, the locality and landscape, it is considered that the proposals would comply with the requirements of the policies listed above, and would not therefore have an unacceptable impact on visual amenity.

4.2.3 Residential amenity

Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself. SPG 1 states that no more than 75% of a residential property should be covered by buildings and that of a site is covered by 40m² of amenity space is provided. SPG 7 specifies that 40m² of private external amenity space should be provided as a minimum standard for residential dwellings and also sets out minimum standards in relation to internal space.

The proposed units meet the minimum space requirements set out in SPG 1 and SPG 7. Only obscure glazed windows are proposed to the first floor side elevation of the properties. The properties would be set back in the site by 7m. The rear of neighbouring properties from 85 - 91 Victoria Road face onto the proposed development site. The side elevation of the bungalow at 3 Victoria Park Avenue also faces onto the development site.

The Town Council's concerns in relation to the impact on residential amenity are duly noted. However, having regard to the existing structure, former use, previous permissions, separation distances, siting within the plot and orientation/obscure glazing of windows it is not considered that the proposed development would have an unacceptable impact in relation to the residential amenity of neighbouring properties. The proposed units meet the minimum standards set out in supplementary guidance and it is therefore considered that the amenity standards of the proposed dwellings would not be unacceptable.

4.2.4 Ecology

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.

A protected species survey has been submitted and the biodiversity officer has raised no objections subject to the recommendations being followed.

The proposals are therefore considered acceptable in relation to impact on ecology subject to condition.

4.2.5 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 Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

The site lies within a C1 Flood zone. Floor levels have been adjusted in accordance with recommendations of NRW. The application is accompanied by a Flood Consequence Assessment.

NRW have removed a holding objection following alterations to the FFL of the development. The proposals are now therefore considered to be acceptable in relation to flood risk.

4.2.6 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 (Section 8) and TAN 18 – Transport, in support of sustainable development.

The Highways Officer has considered that the proposed parking and access arrangements are acceptable having regard to existing facilities.

It is therefore considered that the proposals would not have an unacceptable highways impact.

4.2.7 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing by way of financial contribution on developments of less than 10 residential units.

3 no. residential units are proposed and following negotiations the applicant has confirmed a willingness to comply with this requirement.

The proposals are therefore considered acceptable in relation to affordable housing contribution subject to contributions being secured through condition.

4.2.8 Open Space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

The proposal includes the creation of 3no. residential units, hence arrangements for open space provision are required.

It is considered that the proposals would be acceptable in relation to open space policy subject to the requisite contributions being secured. It is considered that this could be done through an appropriately worded condition.

4.2.9 Density of development

Local Development Plan Policy RD 1 test (ii) requires due consideration of the efficiency of use of land through achieving a suitable density of residential development, referring to a minimum of 35 dwellings per hectare, unless there are local circumstances that dictate a lower density.

The proposed development would equate to 60 dwellings per ha.

The proposals meet the minimum density requirements and are therefore considered acceptable in relation to this test.

5. SUMMARY AND CONCLUSIONS:

5.1 It is considered that the proposals are acceptable in relation to the relevant policies and guidance and are 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. Notwithstanding the provisions of all Class(es) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out without approval in writing of the Local Planning Authority.
3. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the local planning authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. tel: 01938 553670.
4. All development will take place in accordance with the recommendations set out within the submitted bat mitigation recommendations unless otherwise agreed in writing by the Local Planning Authority.
5. Each new 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 22 November 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.
6. 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 that dwelling in accordance with the requirements of the Code for Sustainable Homes.
7. Prior to the development being brought into use the surface of the parking area shall be paved with concrete or bituminous material or as otherwise agreed in writing by the Local Planning Authority.
8. The development shall not begin until arrangements for the provision of affordable housing as part of the development, in accordance with the Council's Policies and Supplementary Planning Guidance, has been submitted to and approved in writing by the Local Planning Authority.
9. The development shall not begin until arrangements for the provision of Open Space as part of the development, in accordance with the Council's Policies and Supplementary Planning Guidance, has been submitted to and approved 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. In the interests of residential and visual amenity.
3. In the interests of investigation and recording of historic/listed buildings.
4. In the interest of preserving the conservation status of protected species.
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 highway safety.
8. In the interest of compliance with adopted affordable housing policies.
9. In the interest of compliance with adopted open space policies.

NOTES TO APPLICANT:

Your attention is drawn to the attached ecological advisory notes.

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 Welsh Water Advisory Notes.

Condition No. 3 of this permission requires the carrying out of a photographic survey. The applicant is expected to pay for and complete the photographic survey. Professional photographers may be used where access to a camera or technical difficulties are encountered but the applicant should be aware that this will significantly increase the cost of the survey.

Photographs should be taken using a digital camera with a minimum resolution of 4 megapixels and preferably 8 megapixels or more.

Photographs should be taken at the highest jpeg resolution setting available on the camera (usually Fine or Super Fine). The saved photographs must be copied onto a good quality branded CD or DVD disk in the jpeg/jpg file format.

Note: Digital photographs presented on normal paper or photographic paper will not be accepted as they are not archivally stable in the long term.

The use of a standard flashgun is recommended indoors to light the interior views.

If available a measured scale should be placed within each but this is not essential.

Photographs should be taken of all exterior and interior wall elevations which are affected by the development together with photographs of interior roof detail where this is altered. Features of particular interest (e.g. obvious differences in wall makeup, windows and doors whether blocked up or not, fireplaces, timber framing, stairwells, cellars) should also be fully photographed.

The applicant should indicate where the views taken are positioned on an architect's floor plan of the building. Location reference numbers on the plan/s should utilise the digital photo numbers from the camera for cross reference purposes.

The applicant must check the photos at the application site to ensure there are no blurred or poorly lit images. If some images are blurred, please increase the speed at which the exposures are taken (1/125 is a good minimum) and re-take the images. If images are poorly lit please check your flash is working and/or increase the aperture. Setting the camera ISO at 200 or 400 will also allow higher shutter speeds to be used in dimly lit locations.

The photographs should then be sent to: Mark Walters, Development Control Section, Clwyd-Powys Archaeological Trust, 7A Church Street, Welshpool, Powys, SY21 7DL (Tel: 01938 553670). CPAT will confirm receipt of your photographs and inform the planning authority that the condition has been satisfied.