

Heading:

43/2013/0954/PS  
Land off Graham Avenue  
Meliden, Prestatyn

9

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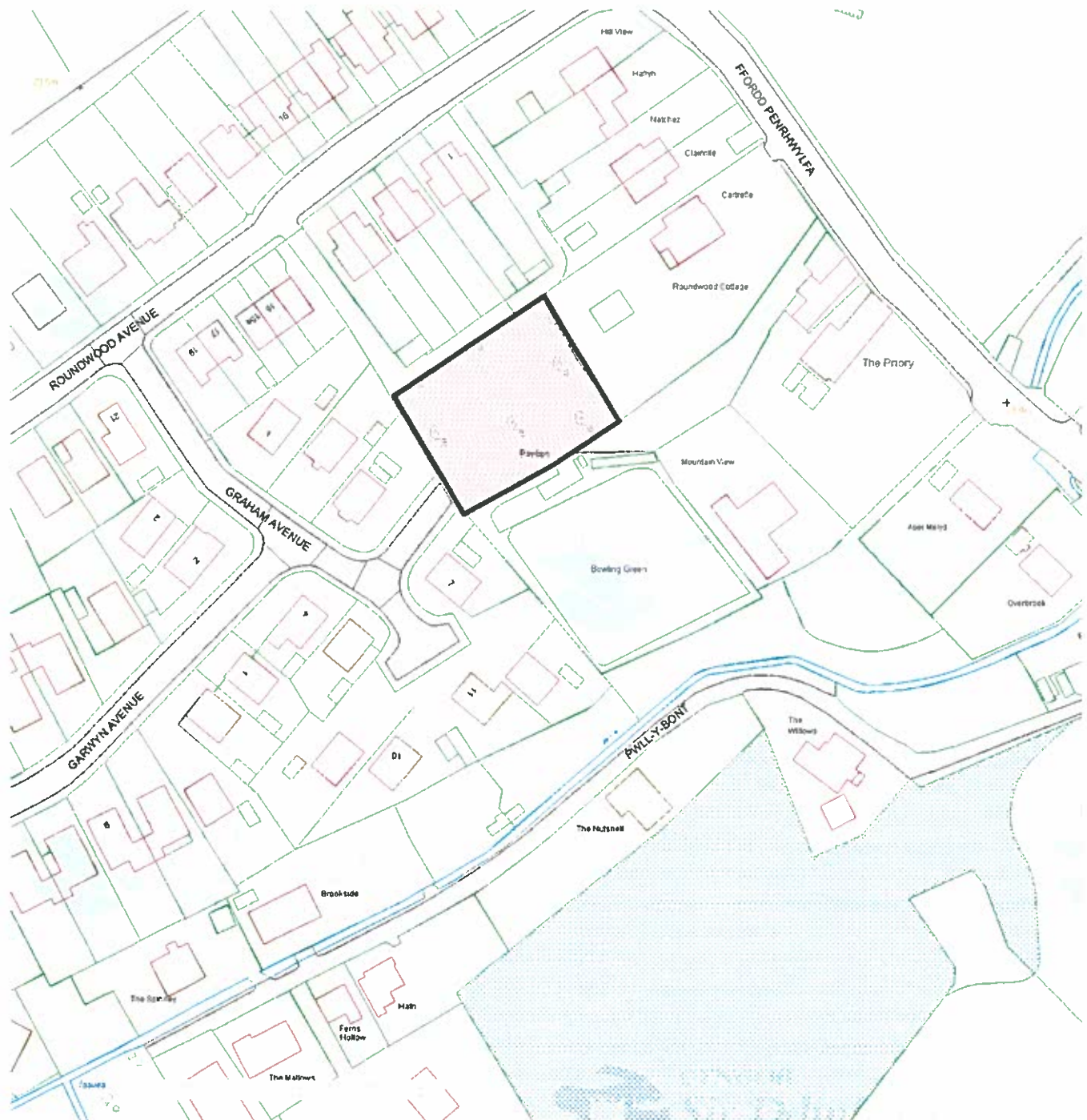
 Application Site



Date 2/10/2013  
Centre = 305837 E 381251 N

Scale 1/1250

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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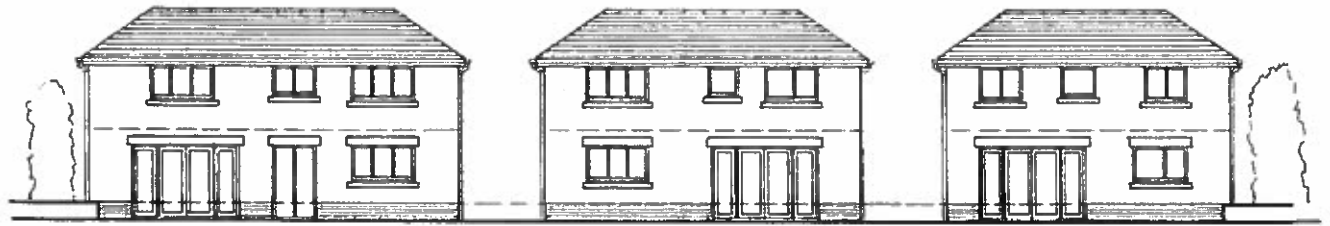
# INDICATIVE PLANS

4/3/2010 / 1056 / P11

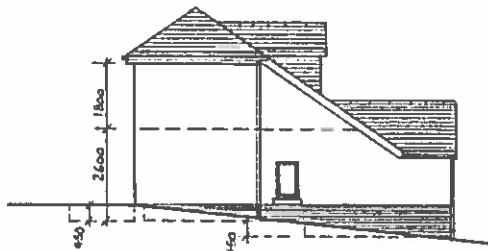
## PROPOSED ELEVATIONS 1:100



**SOUTH**



**NORTH**



**TYPICAL SIDE VIEW**

Proposed external finishes  
 Roof to be natural blue mineral slate with charcoal grey ridge tiles etc.  
 Black UPVC rainwater goods, white UPVC fascias and bargeboards etc.  
 Slate hanging to vertical face of dormer's walls to be cream coloured render with facing brick pilasters.  
 Doors and windows etc to be white UPVC with coloured precast concrete cill and lintel detail as shown

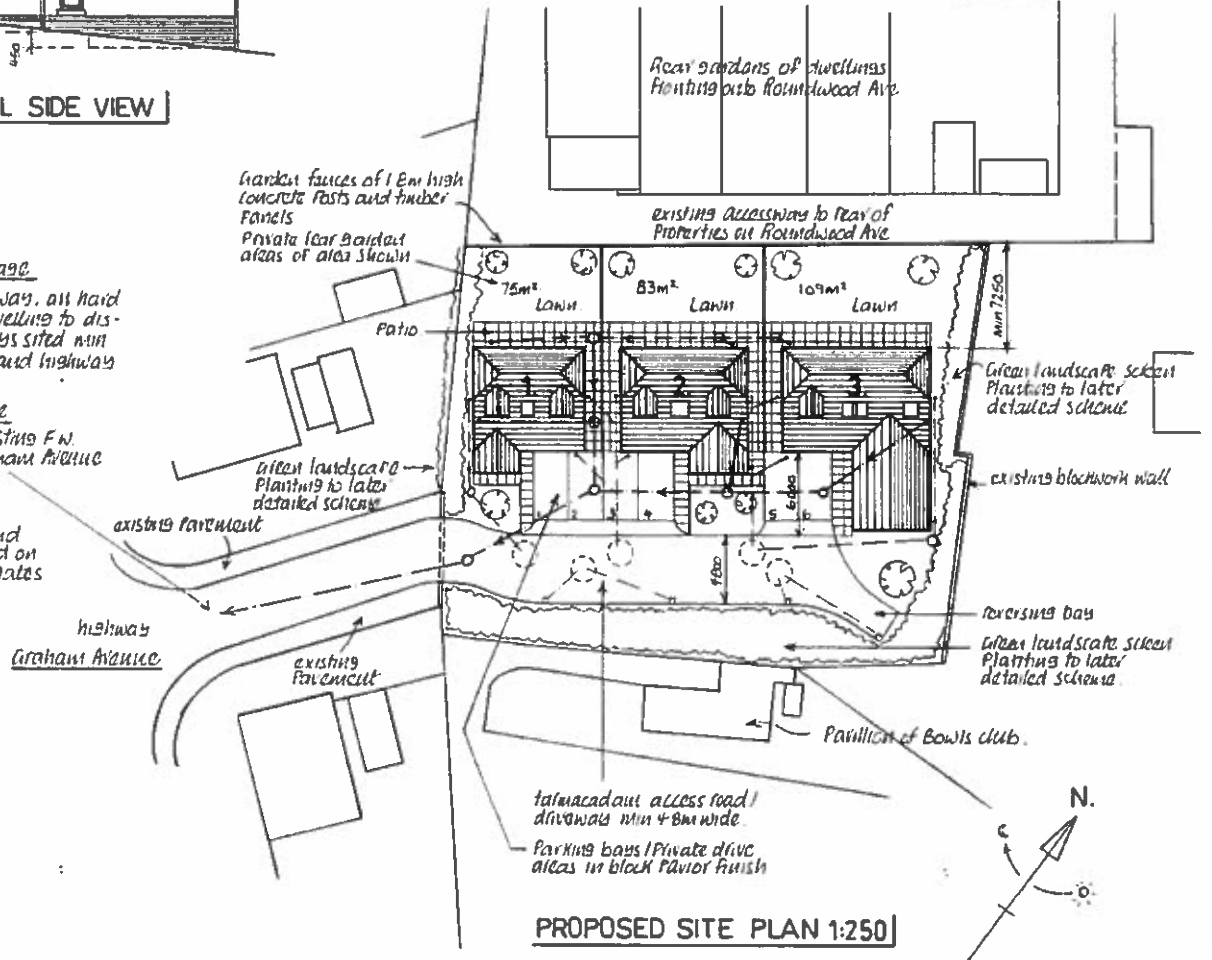
## PROPOSED RESIDENTIAL SCHEME LAND AT GRAHAM AVE DG2

**INDICATIVE ONLY**  
 RECEIVED 18 AUG 2010  
 CALEDONIAN RECEPTION

Surface water drainage  
 Shared access driveway, all hard paved areas and dwellings to discharge to soakaways sited min 5m from buildings and highway as shown

Foul water drainage  
 to discharge to existing F.W. Public sewer in Graham Avenue as shown

Refuse Storage  
 lidded lid refuse and recycling bins stored on side patios behind gates



**PROPOSED SITE PLAN 1:250**

**ITEM NO:** 9

**WARD NO:** Prestatyn Meliden

**WARD MEMBER(S):** Councillor Peter Evans

**APPLICATION NO:** 43/2013/0954/ PS

**PROPOSAL:** Variation of condition no. 3 of outline planning permission code no. 43/2010/1056 to extend the time period by a further two years to obtain approval of reserved matters

**LOCATION:** Land off Graham Avenue Meliden Prestatyn

**APPLICANT:** Anwyl Construction Co. Ltd.

**CONSTRAINTS:**

**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

"Objection. Developer should comply with approved timescales for this development".

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

K. Ashton, 4, Graham Avenue, Meliden

Summary of planning based representations in objection:

Unhappy at the ongoing delays to this development and the condition of the partly removed wall.

**EXPIRY DATE OF APPLICATION: 25/9/2013**

**REASONS FOR DELAY IN DECISION:**

- timing of receipt of representations

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

1.1.1 The application seeks to vary a planning condition which was imposed on a 2010 outline planning permission for the development of 0.12ha of land for residential development. The condition relates to the submission period for the details of the development (the 'reserved matters'), which was set at the standard 3 years by Condition 3 on the 2010 permission.

1.1.2 The 3 year period for submission of the reserved matters set in the planning condition expires on 27<sup>th</sup> October 2013 and the applicant is seeking an additional 2 years to obtain the relevant approvals. The applicant has advised that the purchase of the site has not yet been completed, and if this process is successful there is insufficient time remaining to submit all of the necessary details within the time defined by Condition 3.

## 1.2 Description of site and surroundings

1.2.1 The application site comprises a rectangular area of land measuring 0.12ha within the settlement of Meliden. To the northern, eastern and western boundaries of the site are existing residential properties on Roundwood Avenue, Ffordd Penrhwyfa and Graham Avenue which comprise a mixture of both single and 2 storey developments. To the southern boundary there is a bowling green and clubhouse.

1.2.2 The site slopes in a southerly and westerly direction and contains a number of trees.

## 1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the development boundary of Meliden.

## 1.4 Relevant planning history

1.4.1 The site has outline planning permission for residential development granted in October 2010. Full details are provided in the sections following.

## 1.5 Developments/changes since the original submission

1.5.1 None

## 1.6 Other relevant background information

1.6.1 In March 2013 a full ecological assessment of the site was submitted and approved in accordance with a condition on the outline planning permission. This allowed for the site to be cleared in order to undertake investigation works and this also required the removal of a section of wall at the end of Graham Avenue to gain access. No development works have been undertaken on the site and a temporary fence has been put in place to secure the site.

## 2. **DETAILS OF PLANNING HISTORY:**

43/2010/1056/PO Development of 0.12ha of land by erection of 3no. dwellings and construction of new vehicular access (outline application – All matters reserved) GRANTED at Planning Committee 27<sup>th</sup> October 2010.

## 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

- 3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)
  - Policy RD 1 Sustainable Development and Good Standard Design
  - Policy BSC 1 Growth Strategy for Denbighshire
  - Policy BSC 4 Affordable Housing
  - Policy BSC 11 Recreation and Open Space
  - Policy ASA 3 Parking Standards

### 3.2 Supplementary Planning Guidance

- Supplementary Planning Guidance 2: Landscaping in New Developments
- Supplementary Planning Guidance 4: Recreational Open Space
- Supplementary Planning Guidance 6: Trees and Development
- Supplementary Planning Guidance 21: Parking Standards
- Supplementary Planning Guidance 22: Affordable Housing

### 3.3 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Notes

TAN 12 Design

TAN 22 Planning for Sustainable Buildings

## 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 of the development (taking into account the current LDP planning policy position and relevant planning history)

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.

The site is located within the development boundary of Meliden in the adopted Local Development Plan where the principle of residential development is considered acceptable.

Whilst respecting the concerns of the Town Council and local resident over the delay in carrying out the development, and the condition of the partly removed wall which it is considered could lead to planning blight and an eyesore within community, the principle of residential development in this location is consistent with the Council's adopted plan, and in Officers opinion, to allow an additional 2 years to obtain reserved matters approval is wholly reasonable and should be acceptable.

Other Material Considerations

Regard should be had to any changes in circumstances on site or legislative changes since the original granting of planning permission. In this respect, Officers view is that there have been no significant changes which would warrant refusal of a request for an extension to the period of 2 years for reserved matters approval to be obtained. If Committee agree to the application, it will be necessary to attach all of the other relevant planning conditions previously imposed.

**5. SUMMARY AND CONCLUSIONS:**

5.1 There are no significant changes in policy or circumstances since the grant of outline planning permission in 2010 that suggest a 2 year extension to submit approval of reserved matter details would be unreasonable.

**RECOMMENDATION: - GRANT** subject to the following conditions:-

1. The development hereby permitted shall be begun before 27<sup>th</sup> October 2015.
2. Approval of the details of the layout, 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 two years from the date of this permission.
4. Vehicular access to the site shall be obtained along the Graham Avenue highway and no other means of vehicular access shall used at any time.
5. Facilities shall be provided and retained within the site for the loading/ unloading, parking and turning of vehicles in accordance with the approved plan and which shall be completed prior to the development being brought into use.
6. **PRE-COMMENCEMENT CONDITION** Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is first brought into use.
7. **PRE-COMMENCEMENT CONDITION**  
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. Where provision is to be made on site, the affordable housing shall meet the definition in Annex B of TAN 2 :Planning & Affordable Housing (2006) or any future guidance that replaces it.

8. Foul water and surface water discharges shall be retained separately from the site.
9. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local planning Authority.
10. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
11. No trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing by the Local Planning Authority.
12. The development shall be carried out strictly in accordance with the recommendations of the ecological report.
13. The proposed site plan has been treated for illustrative purposes only and does not form part of this permission.
14. None of the dwellings shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
15. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 6 credits under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide April 2009. The development shall be carried out entirely in accordance with the approved assessment and certification.
16. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that the minimum Code for Sustainable Homes Level 3 and a minimum of 6 credits under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 2009.
17. Prior to the occupation of any individual 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 6 credits under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 2009.

The reason(s) for the conditions(s) is(are):

1. To comply with the terms of outline planning permission code 43/2010/1056/PO
2. The application is for outline permission with details of means of access only.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. In the interests of the amenities and highway safety of the locality .
5. To provide for the loading/ unloading, parking and turning of vehicles and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. To ensure suitable access for the disabled to the building.
7. In order to ensure an adequate supply of affordable housing in accordance with the Council's current planning policies
8. To protect the integrity of the public sewerage system.
9. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
10. To prevent hydraulic overload of the public sewerage system and pollution of the environment.
11. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
12. To ensure all reasonable steps are taken to limit disturbance to wildlife.
13. For the avoidance of doubt.
14. To ensure satisfactory drainage system.

15. To ensure the development complies with Welsh Assembly Government Guidance on Sustainable developments.
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