

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)
ACT 1990
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

ST. ASAPH BUSINESS PARK DESIGN GUIDE

1. PURPOSE OF REPORT

- 1.1 To advise the Planning Committee of the preparation of a revised design guide for the business park prepared jointly on behalf of the Welsh Development Agency and Denbighshire County Council and to seek approval for the design guide as supplementary planning guidance.

2. BACKGROUND

- 2.1 Following the local planning inquiry into the Rhuddlan Borough Local Plan the Inspector recommended the preparation of a detailed design guide to ensure a high quality low density development was achieved on the business park, a site allocated in the local plan. Subsequently a design guide was prepared for Rhuddlan Borough Council and approved by that council as supplementary planning guidance in 1995. Since that date the design guide has been a material planning consideration to be considered in conjunction with Policy E2 of the local plan.
- 2.2 Whilst the overall emphasis of the original design guide was understandable when it was produced it has proved inflexible in its application in certain respects, notably being over prescriptive in terms of its approach to design and materials. Other elements have also become out of date such as the car parking requirements. In addition some of the new developments which have taken place at the business park have not complied with the approach within the original design guide but have demonstrated that a modern approach to design and materials can sit comfortably in the business park environment subject to quality in terms of density, landscaping, and design and materials still being applied.

3. THE NEW DESIGN GUIDE

- 3.1 The new design guide has been prepared taking into account the above background and now needs to be taken forward so it can be adopted as supplementary planning guidance. The design guide will reinforce the requirements of Policy EMP3 of the Unitary Development Plan.
- 3.2 The design guide was considered at the meeting of the Unitary Development Plan Panel on 27 September 2000 when approval was given to the carrying out of consultation and publicity. Consultation and publicity has taken place as follows:
- i) Notice in the local press
 - ii) Letters to Bodewyddan, St Asaph and Cefn Meriadog Community Councils enclosing copies of the guide (copied to local members).
 - iii) Letters to Business Park occupiers
 - iv) Consultation with the Head of Highways
- The consultation and publicity period ended on 8 March 2001.

- 3.3** The only response at the time of writing the report is a letter from a local farmer (Councillor E R Jones) who has raised concerns about the off site drainage infrastructure and the ability of it to cope with further development. This issue is not central to the purpose of the guide but has been raised with the Welsh Development Agency and the Environment Agency.
- 3.4** A copy of the guide will be available at the Planning Committee. Certain elements of the guide are either dependent on the unitary development plan process or indicate possible additional development outside the area with planning permission. Approval of the design guide as an SPG should not be seen as approving land allocations subject to the UDP process or not previously allocated in any plan.

4. RECOMMENDATION

- 4.1** It is recommended that the design guide be approved as supplementary planning guidance for the business park to replace the guide approved in 1995. The extent of approval is subject to the comments made at paragraph 3.4 above.

A REPORT BY THE HEAD OF PLANNING SERVICES

LAY-BY TRADING IN DENBIGHSHIRE: EXCLUDING THE A55

1. PURPOSE OF REPORT:

- 1.1 To advise Members of the planning issues regarding lay-by trading by catering units throughout the County, excluding those on the main A55 trunk road which are the subject of a separate report on this Agenda.

2. BACKGROUND:

- 2.1 The issue of unauthorised lay-by trading along the A55 was reported to Members in July last year, when it was resolved that prior to serving Special Enforcement Notices a follow up report would be brought back to Committee in 6 months time. That follow up report is contained elsewhere on this Agenda.
- 2.2 At the meeting in July, Members also raised issues regarding similar lay-by trading elsewhere throughout the County. This report provides information regarding these other lay-by traders and should be read in conjunction with the report on this Agenda regarding lay-by trading on the A55.
- 2.3 The County roads have been surveyed and Highway staff consulted and just one regular lay-by trader is currently operating within the County, with another occasional trader operating during the Summer.

3. A494 TRUNK ROAD - LLANFERRES

- 3.1 A lay-by south of Llanferres near to the turnoff for Llanarmon-yn-Ial is used on certain days in the Summer months by a mobile catering unit.
- 3.2 The lay-by is located within the AONB but has no parking or trading restrictions.
- 3.3 The catering unit is towed away at the end of each day's trading and does not represent a permanent feature in the landscape.
- 3.4 Given the temporary nature of the arrangement in that the lay-by is only used by the catering unit during the Summer months and even then not every day, its impact on the visual amenity of the area is limited
- 3.5 Given these circumstances it is considered that enforcement action to prevent any trading from this lay-by on visual amenity grounds is not expedient and could not be justified.

- 3.6 If the lay-by was to be used to permanently site a mobile catering unit then it is considered that such a permanent feature in the landscape would be unacceptable, and enforcement action to secure the cessation of the permanent siting of the unit would be expedient and could be justified.

4. A525 CLASS 1 COUNTY ROAD - RUTHIN

- 4.1 A lay-by opposite Ruthin Pre-Cast Concrete on the outskirts of Ruthin is used on certain days throughout the year by a mobile catering unit.
- 4.2 The lay-by is adjacent to a number of business uses located on the outskirts of Ruthin, and has no parking or trading restrictions.
- 4.3 The catering unit is towed away at the end of each days trading, and does not represent a permanent feature, indeed it is not even brought to the lay-by on a daily basis.
- 4.4 Given the temporary nature of the arrangement in that the catering unit is not permanently located on the site and is towed away at the end of each days trading and given that it is not unduly prominent in the landscape being adjacent to a number of large commercial sites it is considered that enforcement action on visual amenity grounds is not expedient and could not be justified.
- 4.5 If the lay-by was to be used to permanent site the mobile catering unit it is considered that formal planning permission would be required for the use of the lay-by and it is considered that it would be expedient to formally request the submission of a planning application in such circumstances.

5. A5 TRUNK ROAD - GLYNDYFRDWY

- 5.1 A lay-by between Glyndyfrdwy and Llangollen had been used for many years by a mobile catering unit. A retrospective planning application for the siting of the mobile snack bar at this lay-by was refused by Glyndwr District Council in November 1994 on visual amenity grounds. A subsequent appeal was dismissed by the Welsh Office, in which the Inspector expressed concerns that the mobile snack bar had a detrimental impact on the visual amenity of the landscape. The snack bar was subsequently removed.

6. A5 TRUNK ROAD - GLYNDYFRYDWY

- 6.1 Planning permission was granted for a stone walled, slate roof purpose built cabin on private land adjoining another lay-by east of Glyndyfrdwy which provides refreshment etc. In granting planning permission for the purpose built cabin it was considered that its design and use of traditional materials resulted in the structure having an acceptable appearance within the landscape.

7. CONCLUSION:

- 7.1 The lay-bys on the A494 and the A525 are the only two lay-bys used for siting mobile snack bars in the county beyond the A55.
- 7.2 They are not comparable to the four lay-bys on the A55 which have units which are not towed away and which have become permanent features in the landscape, having an effect on the AONB.

- 7.3 Having regard to the temporary nature of the use of the lay-bys on the A494 and A525 and the existing character of the area, it is recommended that no action be taken at this time, but that the use of these lay-bys be monitored and should they become permanent features then separate reports be presented to the Committee at that time.

A REPORT BY THE HEAD OF PLANNING SERVICES

DATE OF SITE VISITS

1. PURPOSE OF REPORT

- 1.1 To advise Members of the likely date of any Site Visits requested by the Planning Committee.

2. DATE OF THE SITE VISITS

- 2.1 In consultation with Legal and Administration, it has been decided that the **afternoon of Thursday 5th April 2001** is most suitable. This date has been provisionally booked.
- 2.2 You are advised, therefore that any site visits arranged today will take place **On Thursday 5th April 2001 (afternoon - times to be advised).**

3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1 This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

4. RECOMMENDATION

- 4.1 **That Members agree to the Site Visits being held on the afternoon of Thursday 5th April 2001**