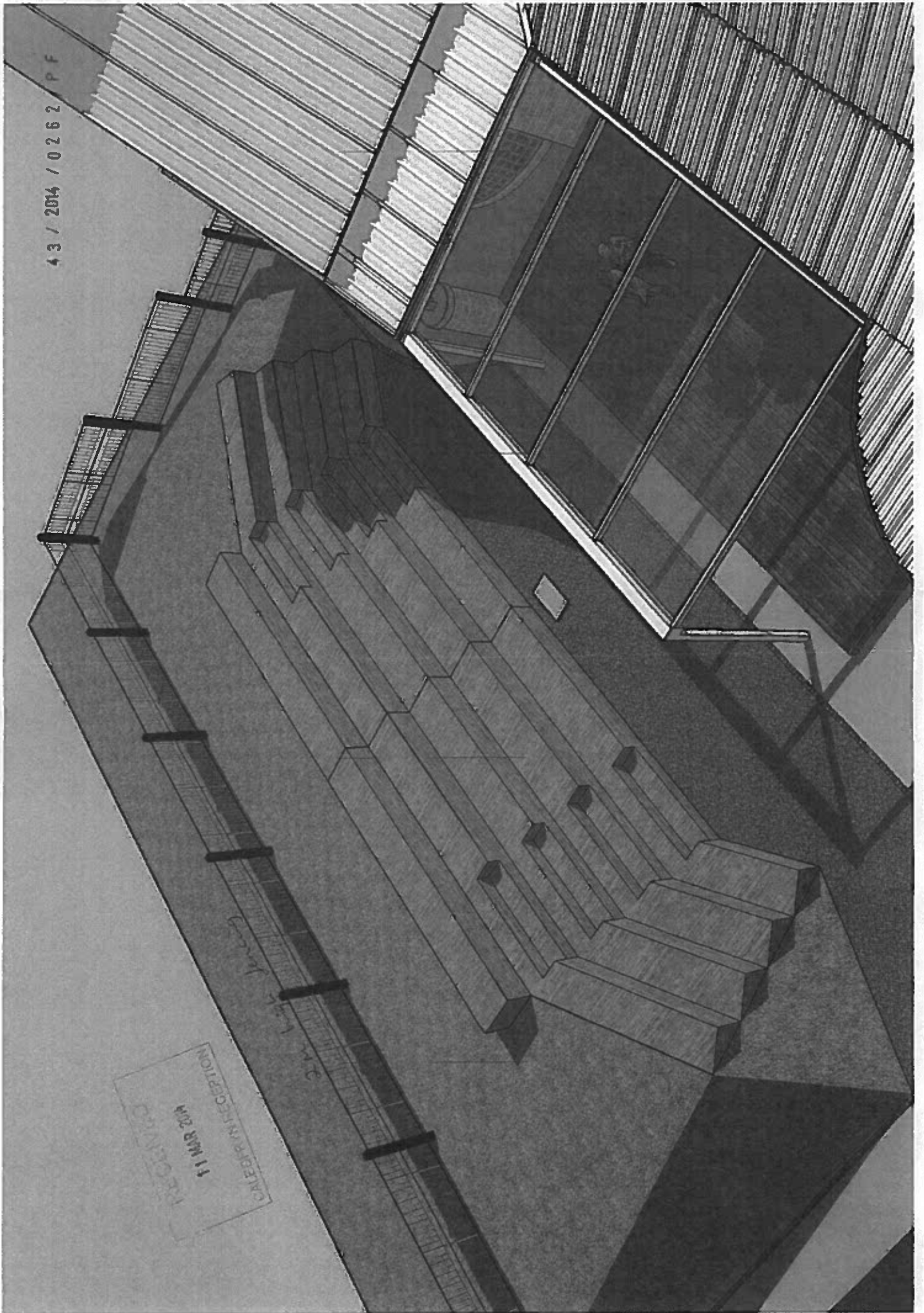


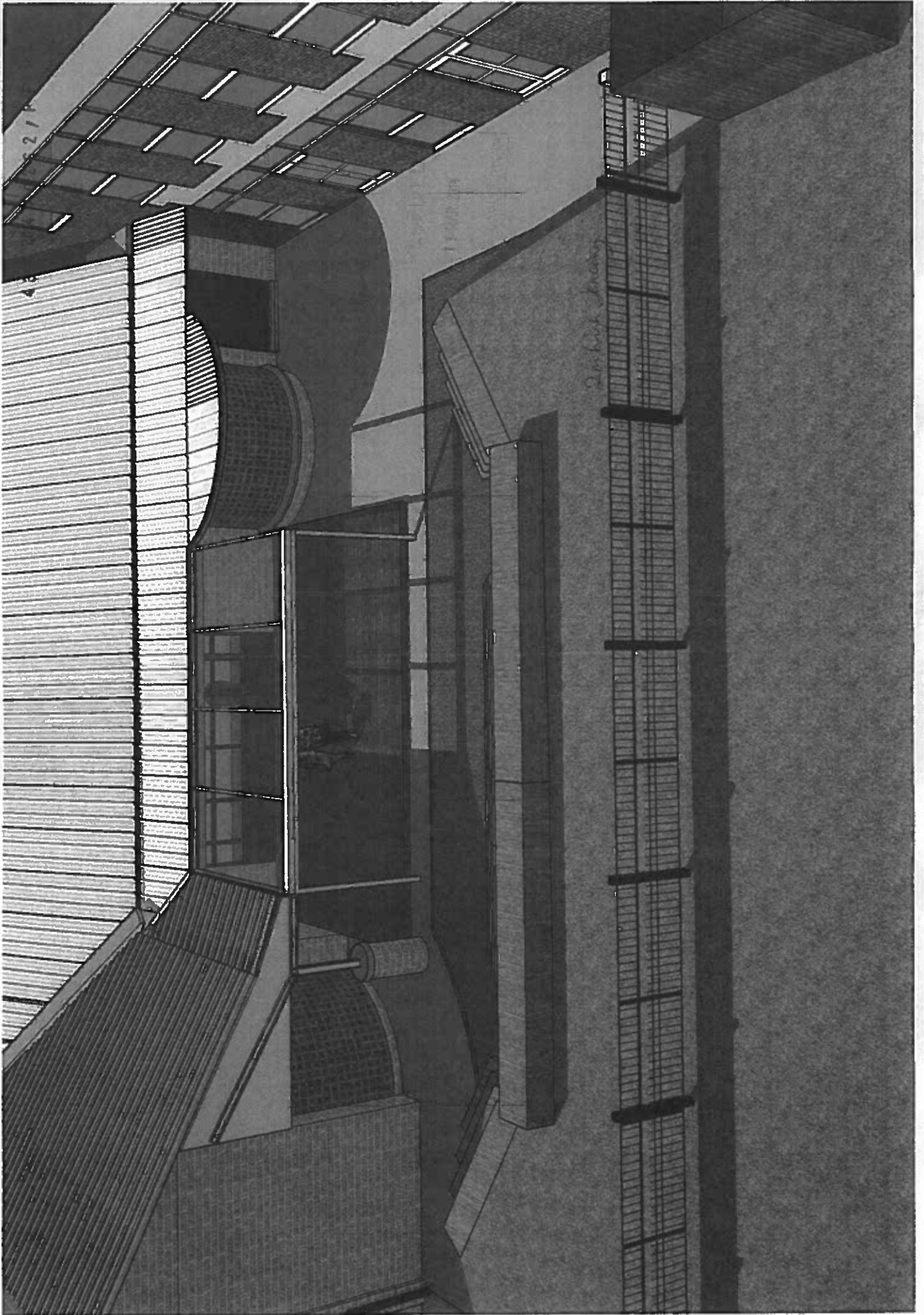
PERSPECTIVE

43 / 2014 / 0262 / P F



REC'D
11 MAR 2014
CALIFORNIA REGISTRATION

PERSPECTIVE



Heading:

REFERENCE NO. 43/2014/0262/PF
PRESTATYN HIGH SCHOOL
PRESTATYN

Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ
Tel: 01824 706800 Fax: 01824 706709

 Application Site

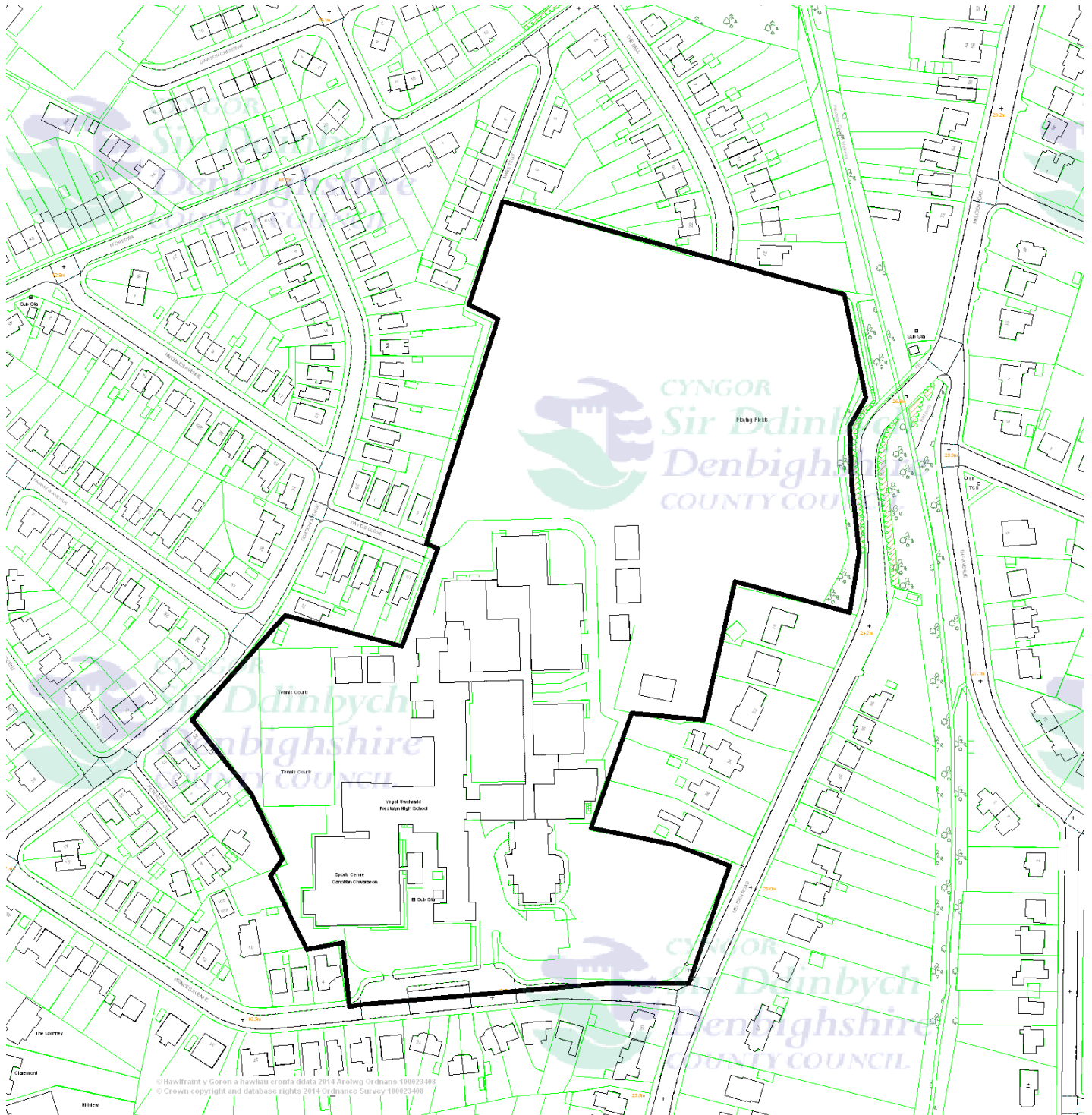


Date 14/7/2014

Scale 1/2500

Centre = 306439 E 382081 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.

ITEM NO: 6

WARD NO: Prestatyn Central

WARD MEMBER(S): Cllr Peter Duffy
Cllr Hugh Carson Irving

APPLICATION NO: 43/2014/0262/ PF

PROPOSAL: Erection of lean-to canopy extension and decking/stage area with timber seating to existing grass bank to form outdoor performance area/auditorium and 2m high mesh fencing to enclose boundary

LOCATION: Prestatyn High School, 2 Princes Avenue, Prestatyn

APPLICANT: Prestatyn High School

CONSTRAINTS: Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice – No
Press Notice – No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Application by County Council on Council land
- Referral by Development Management Manager

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

Observation

'There should be limited number of evening performances to minimise impact of noise levels affecting local residents'

Pollution Control Officer

Maximum noise levels audible within the nearest neighbouring property should be 45dBLAeq, 15min. The proposed mitigation is reasonably likely to achieve the required level. However should it be necessary a test should be carried out by a suitably qualified acoustic engineer to determine whether prescribed levels are being exceeded. Should the levels be found to exceed the required maximum the use should cease and further mitigation should be proposed.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mrs Merriel Jones, 88 Meliden Road, Prestatyn

M. Phillips, 9, Princes Avenue, Prestatyn

A. Roberts, 86, Meliden Road, Prestatyn

Summary of planning based representations in objection:

Impact on residential amenity - noise pollution for residential properties

Impact on highways - Increased intensity of use exacerbating existing parking issues

EXPIRY DATE OF APPLICATION: 08/05/2014

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations
- delay in receipt of key consultation response(s)
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The proposal is for the construction of an outdoor performance area at Prestatyn High School. The performance area would comprise of an area of decking covered by a canopy structure and a tiered seating area. A 2m boundary fence would enclose the area and also act as an acoustic barrier.

1.1.2 The plans illustrating the proposals are attached at the front of the report.

1.2 Description of site and surroundings

1.2.1 The existing site comprises of a High School and Leisure Centre located to the west of the town centre of Prestatyn in a predominately residential area.

1.2.2 The proposed development would be located to the south east corner of the school site. The site boundary adjoins the garden area of the nearest residential property and the proposed formalised seating area would be approximately 5m from the boundary.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located within the Development Boundary as defined by the Local Development Plan.

1.4 Relevant planning history

1.4.1 Various applications relating to the development of the school site.

1.5 Developments/changes since the original submission

1.5.1 An acoustic barrier has been added and statement of use submitted.

1.6 Other relevant background information

1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 None specifically relevant to the proposals.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD 1 - Sustainable Development and Good Standard Design

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 Highways

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed impact criteria. The proposals are therefore considered acceptable in principle.

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.

It is considered that the proposed development would have a minimal visual impact in relation to the school complex and the wider locality. It is therefore considered that the proposals would comply with the requirements of the policies listed above and would therefore have an acceptable 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.

Concerns have been raised by local residents in relation to the potential disturbance that would result from additional noise relating to the use of the performance area. The Town Council have suggested the number of evening performances should be limited. A statement of use has been submitted by the school that the hours of use will be 09.00 to 16.00 with evening performances limited to 6 times per year. The Pollution Control Officer has advised that a maximum noise level of 45 decibels within the neighbouring property would be acceptable.

With respect to residents concerns, and the comments of the Town Council, having regard to the existing use of the site and the nature of the proposed development it is considered that the proposals would not be unacceptable subject to satisfactory arrangements as suggested by the Pollution Control Officer to monitor and minimise noise. With these controls Officers believe the proposals would comply with the policies and guidance listed above.

4.2.4 Highways

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.

Concerns have been expressed in relation to highway and parking issues.

It is not considered that the proposed development would represent an intensification of the use of the site and it is therefore considered that the proposals would not have an unacceptable impact on the local highways network.

4.2.5 Other Matters Raised

Concern has also been expressed by neighbours about the potential for anti-social behaviour. Given the scale of the proposal it is considered that this issue is a matter for school site management, and not one which should influence the planning merits of the application.

5. SUMMARY AND CONCLUSIONS:

5.1 In respecting local comments, subject to satisfactory controls it is considered that the proposals would not have an unacceptable impact on the amenity of the nearest residential properties.

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. Noise levels shall not exceed 45dB(A)eq, 15min measured freefield at the boundary of the nearest residential property at any time.
3. Should any complaints arise in relation to noise being caused by the use of the facility, a survey of noise levels and development the effectiveness of the acoustic barrier shall be undertaken by a suitably qualified independent acoustic consultant. If the noise level exceeds the prescribed maximum level required by condition no.2, the use of the facility shall cease immediately and shall not recommence until details of further mitigation measures are submitted to and approved in writing by the Local Planning Authority and the scheme of mitigation has been fully implemented.

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 interest of residential amenity.
3. In the interest of residential amenity

NOTES TO APPLICANT:

None