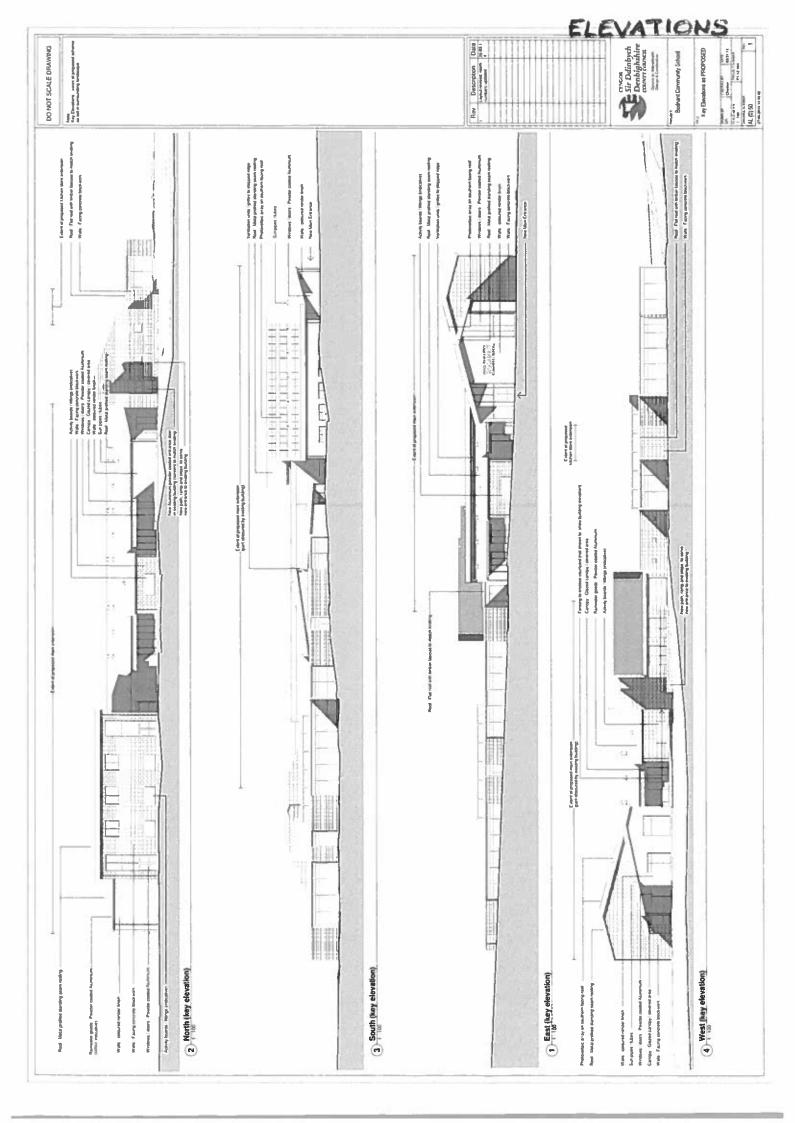
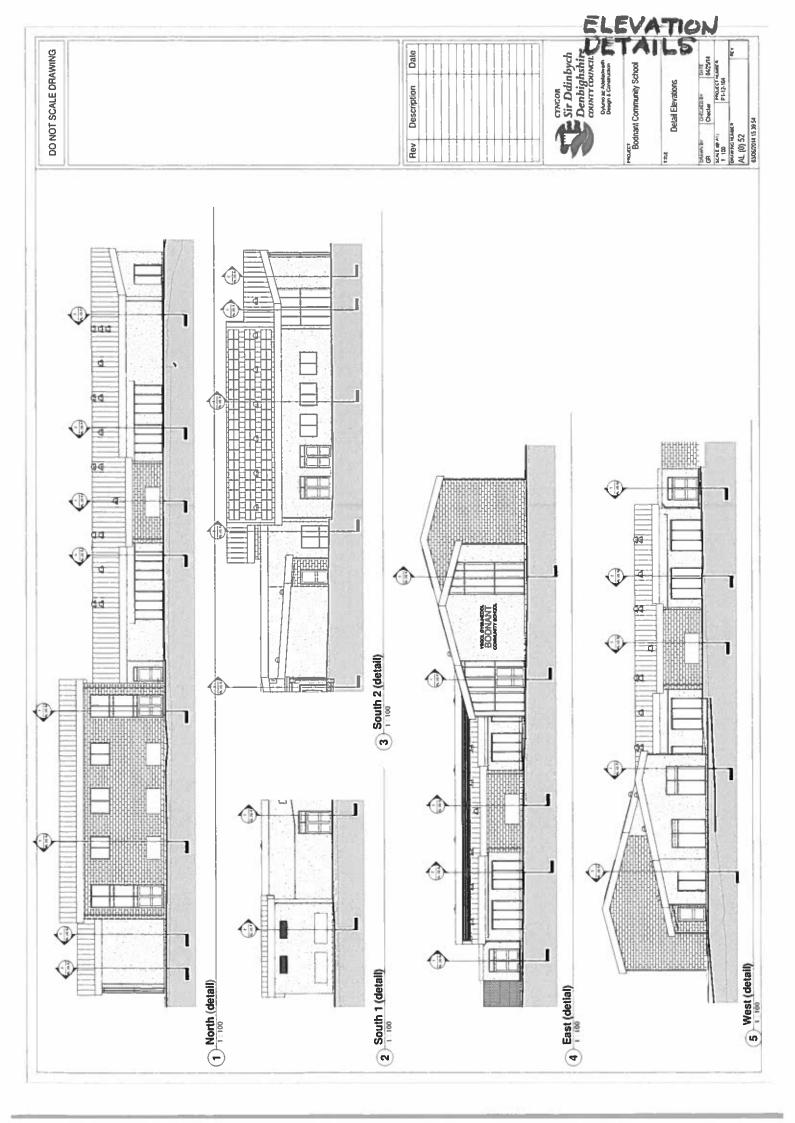
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Graham Boase Head of Planning & Public Protection Denbighshire County Council Caledfryn

Smithfield Road
Denbigh

Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

REFERENCE NO. 43/2014/0664/PF BODNANT JUNIOR SCHOOL, NANT HALL ROAD, PRESTATYN

Application Site

Date 14/7/2014

Scale 1/2500

Centre = 306984 E 383119 N

This plan is intended solely to give an indiction 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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ITEM NO: 8

WARD NO: Prestatyn East

WARD MEMBER(S): Cllr James Davies

Cllr Julian Thompson Hill

**APPLICATION NO:** 43/2014/0664/ PF

**PROPOSAL:** Erection of extensions and remodelling of school, construction of

new vehicular access, parking, hard play areas, landscaping and

associated works

**LOCATION:** Bodnant Junior School Nant Hall Road Prestatyn

**APPLICANT:** Denbighshire County Council

**CONSTRAINTS:** 

PUBLICITY
UNDERTAKEN:
Site Notice – Yes
Press Notice – Yes
Neighbour letters - Yes

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

Application by County Council on Council land

# **CONSULTATION RESPONSES:**

PRESTATYN TOWN COUNCIL

'No objection'

# NATURAL RESOURCES WALES

No objection subject to the inclusion of a condition requiring details for the implementation of a surface water regulation system.

# CLWYD POWYS ARCHAEOLOGICAL TRUST (CPAT)

Evidence within the Historic Environment Record indicates the site as being archaeological sensitivity. Suggest a written scheme of investigation needs to be completed prior to the commencement of development.

#### DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

**Highways Officer** 

No objection subject to condition requiring retention of proposed parking arrangements, parking restrictions being brought into use prior to development being brought into use, detailed design of accesses to be submitted for approval and details of site compound and construction traffic management to be submitted for approval prior to commencement.

Footpath Officer No objection

#### **Biodiversity Officer**

Fully support ecological enhancements. Request note to applicant in relation to timing of removal of trees and shrubs.

County Archaeologist

Agree with response of CPAT.

#### **RESPONSE TO PUBLICITY:**

In objection

Representations received from:

A. Barratt, 1, Ffordd Parc Bodnant, Prestatyn

Summary of planning based representations in objection:

Highways Impact - Traffic causing danger to pedestrians/inadequate highways capacity/ exacerbation of existing parking problems in near by streets

# **EXPIRY DATE OF APPLICATION: 04/08/2014**

#### PLANNING ASSESSMENT:

#### 1. THE PROPOSAL:

- 1.1 Summary of proposals
  - 1.1.1 The proposal is for an extension and alterations to an existing school building and associated alterations in order to facilitate the merger of Bodnant Juniors and Bodnant Infants.
  - 1.1.2 The juniors and infants section of Bodnant School currently operate from two separate sites. The site of the proposed development is the existing Bodnant juniors site.
  - 1.1.3 The alterations to the existing site include the construction of a hard play area, new access arrangements, new/additional parking arrangements, small kitchen extension to the existing main school building, 2no. new soft play areas, additional landscaping and alterations to existing and the erection of new boundary treatments.
  - 1.1.4 A new access is proposed off Ffordd Parc Bondant to a new parking area of 50 no. spaces. The new parking area will provide parking for staff and visitors. The existing car parking area which is accessed off Nant Hall Road is proposed to function as a parent drop off area providing 29 spaces. This would include 2no. designated disabled spaces for badge holders. The parking area currently provides 25 spaces with 15 for staff, 8 for visitors and parents and 2no. designated disabled spaces.
  - 1.1.5 The plans at the front of the report illustrate the proposals.

### 1.2 Description of site and surroundings

- 1.2.1 The existing site is located off Nant Hall Road to the east of the town centre of Prestatyn. There is a residential estate adjoining the school site to the north west. Prestatyn shopping park is approximately 150m to the west.
- 1.2.2 Mature trees line the boundary of the school site to Nant Hall Road and Bodnant Avenue.

# 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Prestatyn as defined by the Local Development Plan.
- 1.3.2 The trees on the Nant Hall Road boundary of the site are subject to a group Tree Preservation Order.

#### 1.4 Relevant planning history

1.4.1 Single storey extensions were granted permission in 1999 and 2004.

# 1.5 Developments/changes since the original submission

1.5.1 None

# 1.6 Other relevant background information

1.6.1 None

#### 2. DETAILS OF PLANNING HISTORY:

2.1 43/1999/0849 - Erection of single storey extension GRATNED 23/12/1999

2.2 43/2004/0378 - Erection of single storey extension GRANTED 21/05/2004

#### 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 RD1 - Sustainable Development and Good Standard Design

Policy BSC11 - Recreation and Open Space

Policy BSC12 - Community Facilities

Policy ASA3 - Parking Standards

# 3.2 Supplementary Planning Guidance

SPG 2 - Landscaping in New Developments

SPG 4 - Recreational Open Space

SPG 6 - Trees and Development

SPG 21: Parking Standards

#### 3.3 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014

**Technical Advice Notes** 

TAN 12 - Design

TAN 15 - Development and Flood Risk

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 6, February 2014 (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

  - 4.1.2 <u>Visual amenity</u>4.1.3 <u>Residential amenity</u>
  - 4.1.4 Biodiversity
  - 4.1.5 Highways/parking/access
  - 4.1.6 Inclusive Design
  - 4.1.7 Sustainability including codes and water management
- 4.2 In relation to the main planning considerations:

The main Local Development Plan Policies relevant to the principle of the development are Policies BSC 11 and BSC 12. Policy BSC 11 relates to recreation and open space and protects existing recreation, public open space, allotments and amenity greenspace and states that it should be retained and where possible it should be enhanced. Policy BSC 11 advises that loss of designated land will only be permitted where alternative provision is made or greater community benefit is provided. Policy BSC 12 relates to Community Facilities and supports the provision of community facilities within development boundaries and encourages the retention and improvement of community facilities which provide an essential facility to support the sustainability of Denbighshire's communities.

The proposal relates to an existing school site with associated open space and recreation facilities. The proposal is for the erection of an extension to an existing school. The proposed extension would partially be located on designated recreation and open space. It is proposed that the school once extended would be opened up for community use outside of normal school hours. The school is not currently used for outside of hours community use.

As it is proposed to open up the new facility for community use it is considered the resulting designated recreational space would have greater community benefit and therefore complies with the requirements of Policy BSC 11 despite the loss of designated recreational space. As wider community use is proposed, Policy BSC 12 is also broadly supportive of the proposal. Having regard to the above it is considered that the proposals are acceptable in principle.

#### 4.2.2 Visual Amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

The site is located within an area with a mixed design and scale of buildings using different materials, and it is considered in this context that the scale and design of the development would be respectful of its location. An indication of the use of materials has been given, but a suitably worded condition would ensure the external finishes are acceptable. It is not considered that there would be any adverse impact on the visual amenity of the area.

#### 4.2.3 Residential Amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

Residential properties are located immediately to the northern and western boundaries of the site. The nearest residential dwelling is approximately 20m away from the existing school. The proposed extension would not take the school buildings closer to neighbouring properties than the existing school building.

Having regard to the location, existing use and separation distances from existing properties it is not considered that the proposal would have an unacceptable impact on residential amenity.

#### 4.2.4 Biodiversity

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. 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.

The Council's Biodiversity Officer has raised no objection and supports the proposed ecological enhancements.

Having regard to the above it is considered that the proposals would have a positive ecological impact due to the proposed enhancements and would therefore be acceptable in relation to the policies listed above.

#### 4.2.5 Highways/parking/access

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 including dangers to pedestrians. The Highways Officer has raised no objection subject to conditions relating to the retention of on site parking, detailing of accesses, management of construction traffic and alterations to parking restrictions in the locality.

The concerns raised are duly noted, however having regard to the above it is considered that the proposals would not have an unacceptable impact on the local highways network subject to appropriate conditions. The proposals are therefore considered to comply with the requirements of the policies listed above.

# 4.2.6 Inclusive design

Local Development Plan Policy RD1 test (vii) sets out the need to provide safe and convenient access for disabled persons. The requirement to embody the principles of inclusive design in development proposals is set out in Planning Policy Wales (Section 3.4) which outlines accessibility considerations to be given to all development proposals, reflected in TAN 12 Design, TAN 18 Transport, and through the obligation to submit Access Statements as part of most planning applications.

Within the Design and Access Statement, the approach to inclusion and disabled access to incorporate access for all into every aspect of the design has been set out, and it is considered that this has been addressed to an acceptable level.

# 4.2.7 Sustainability codes and water management

Sustainable development is a key part of the Local Development Plan Strategy, and has been applied to the land use policies and allocations in the Plan. Planning Policy Wales (Section 4.12) sets out Welsh Government's drive to ensure that development proposals mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use, and eventual demolition, and outlines the requirement to move towards more sustainable and zero carbon buildings in Wales through application of specific standards for construction. The Sustainability Code requirements are referred to in TAN 22 Sustainable Buildings, which confirms the obligation on applicants to demonstrate that

building(s) can meet specific standards of construction and carbon emission levels. However it is noted that the requirement for planning to control specific standards of construction is to be removed from 31<sup>st</sup> July 2014. Control of this element of the development process is to be transferred to building regulations from this date.

In the case of this submission, the application is accompanied by a BREEAM pre assessment report and Water Conservation Statement which demonstrates that the current requirements of TAN 12 and TAN 22 can be satisfactorily addressed.

Having regard to the above it is considered that the proposals meet the requirements of the above polices. However having regard to the transfer of controls to building regulations identified above, it is not now considered necessary to secure compliance with specific BREEAM standards by condition.

#### 4.2.8 Archaeology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development. Welsh Office Circular 60/96.

CPAT have identified the site as being of potential significance in relation to archaeological remains and have suggested pre-commencement investigation is required. This approach has been endorsed by the County Archaeologist.

Providing an appropriate scheme of investigation is completed it is considered that the proposal would not have an unacceptable impact in relation to archaeology.

# 5. SUMMARY AND CONCLUSIONS:

In Officers' opinion, the principle of the proposal is considered acceptable, and it is not considered there would be adverse local impacts subject to compliance with planning conditions.

**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. No development shall be permitted to commence on the external faces of the walls or roofs of the buildings until the written approval of the Local Planning Authority has been received. The development shall proceed in accordance with the approved materials
- 3. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 4. 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 shall be completed prior to the proposed development being brought into use
- 5. The proposed alterations to parking restrictions shall be completed prior to the development being brough into use.
- 6. The detailed design of the access hereby approved, including details of layout, constrcution and drainage shall be submitted to and approved in writing prior to the access being brought into use.

# 7. PRE-COMMENCEMENT

Prior to the commencement of development details of constrcution traffic management shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include site compound location, venicular access details, traffic management

scheme, hours of operation, management of constrcutuon vehicles and vehicle wheel washing facilities.

#### 8. PRE-COMMENCEMENT

Prior to the commencement of development details of a programme of archaeological work shall be submitted to and approved in writing by the Local Planning Authority. All development shall take place in accordance with the approved details.

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 visual amenity
- 3. In the interest of visual amenity.
- 4. In the interest of highway safety.
- 5. In the interest of highway safety.
- 6. In the interest of highway safety.
- 7. In the interest of highway safety.
- 8. In the interest of the preservation of archaeological interests.

# **NOTES TO APPLICANT:**

#### **Protected Species**

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

#### Archaeology

The investigation would take the form of careful machine stripping of the development area under the close supervision of an archaeologist to identify any significant archaeology prior to construction commencing. If archaeology is identified this would be excavated in advance.