

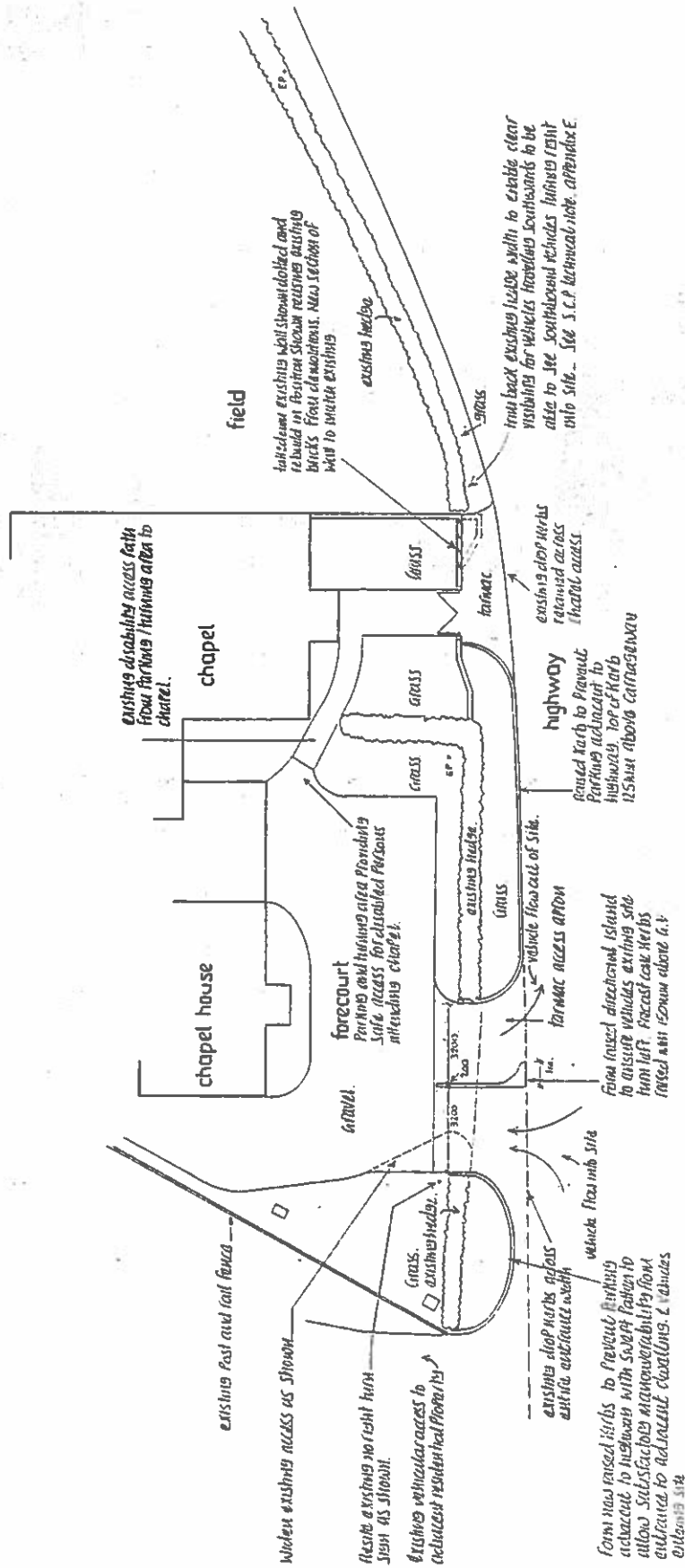
WAEN CHAPEL RHUALLT DG 4.1:25 PROPOSED

Site levels are all as per existing site survey DG 1.

Drawings for increased access to be read in conjunction with S.C.P. Technical Note and appendices.

Rev. A 26/10/14 - Raised kerbs added adjacent to highway and traffic island adjusted.

AS PROPOSED



From new raised islands to prevent parking adjacent to highway with support parking to allow subscribers manoeuvring ability from entrance to facilitate conditions & vehicles circulating site.

existing road and rail fence
where existing access as shown
height existing no right turn sign as shown.
existing vehicular access to adjacent residential property

garage
forecourt
parking and training area providing safe access for allocated persons attending chapel.
existing kerbs against existing structure with vehicle flow into site.

highway
road kerb to prevent parking adjacent to highway top of kerb 125mm above contraflowway

existing drop kerbs retained across theatre access
from raised islands to prevent parking adjacent to highway top of kerb 125mm above contraflowway

field
existing kerbs against existing structure with vehicle flow into site. New section of kerbs from driveway to chapel to provide existing kerbs against existing structure with vehicle flow into site. See S.C.P. Technical Note Appendix E.
existing kerbs against existing structure with vehicle flow into site. See S.C.P. Technical Note Appendix E.

CURRENT ARRANGEMENT

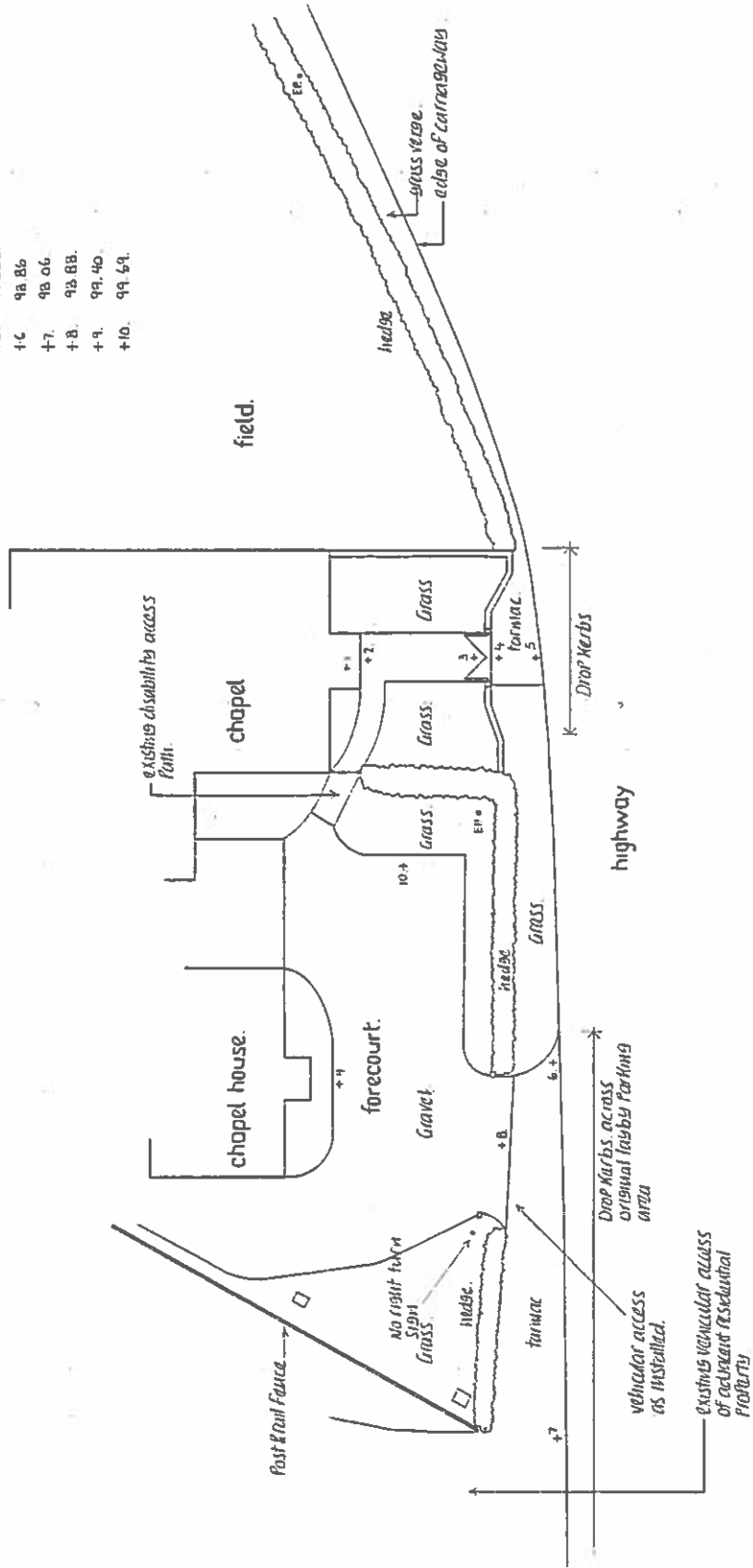
WAEN CHAPEL RHUALLT DG1 1:125 @A2

EXISTING

levels

Level No. 1 is datum level. All levels relate to level of Chapel Porch floor and not Ordnance Survey levels.

+1	100.00.
+2	99.80.
+3	99.66.
+4	99.58.
+5	99.505.
+6	98.86.
+7	98.06.
+8	98.88.
+9	99.40.
+10	99.69.



PRE 2013 SITUATION

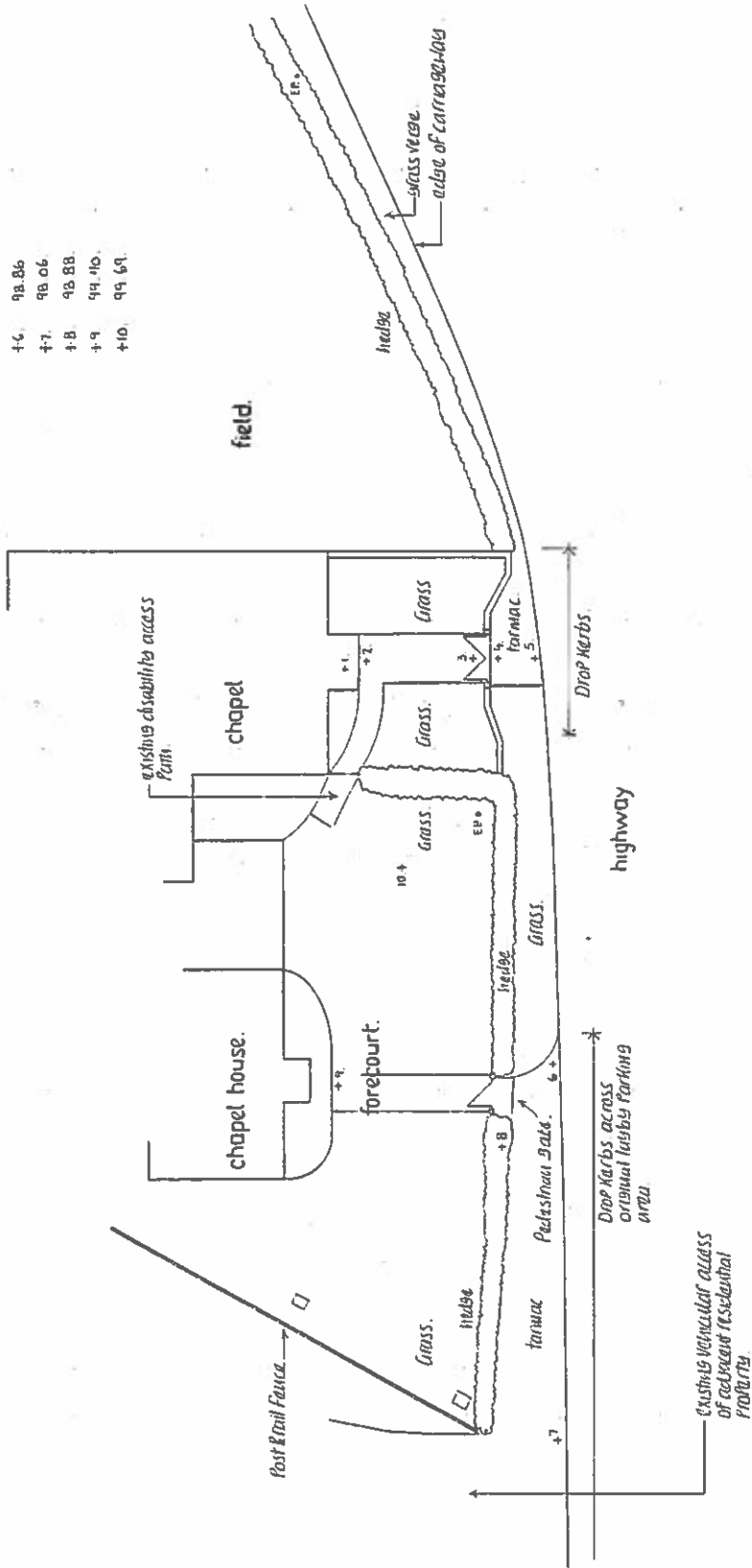
WAEN CHAPEL RHUALLT DG2 1:125 @A2

PRE EXISTING

levels

Level No. 1 is datum level. All levels relate to level of Chapel Porch floor and not Ordnance Survey levels.

+1.	100.00.
+2.	99.88.
+3.	99.66.
+4.	99.58.
+5.	99.505
+6.	98.86
+7.	98.06
+8.	98.88.
+9.	99.10.
+10.	99.69.



Heading:

REFERENCE NO. 47/2014/0579/PC
WAEN CHAPEL, WAEN
ST ASAPH

Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ

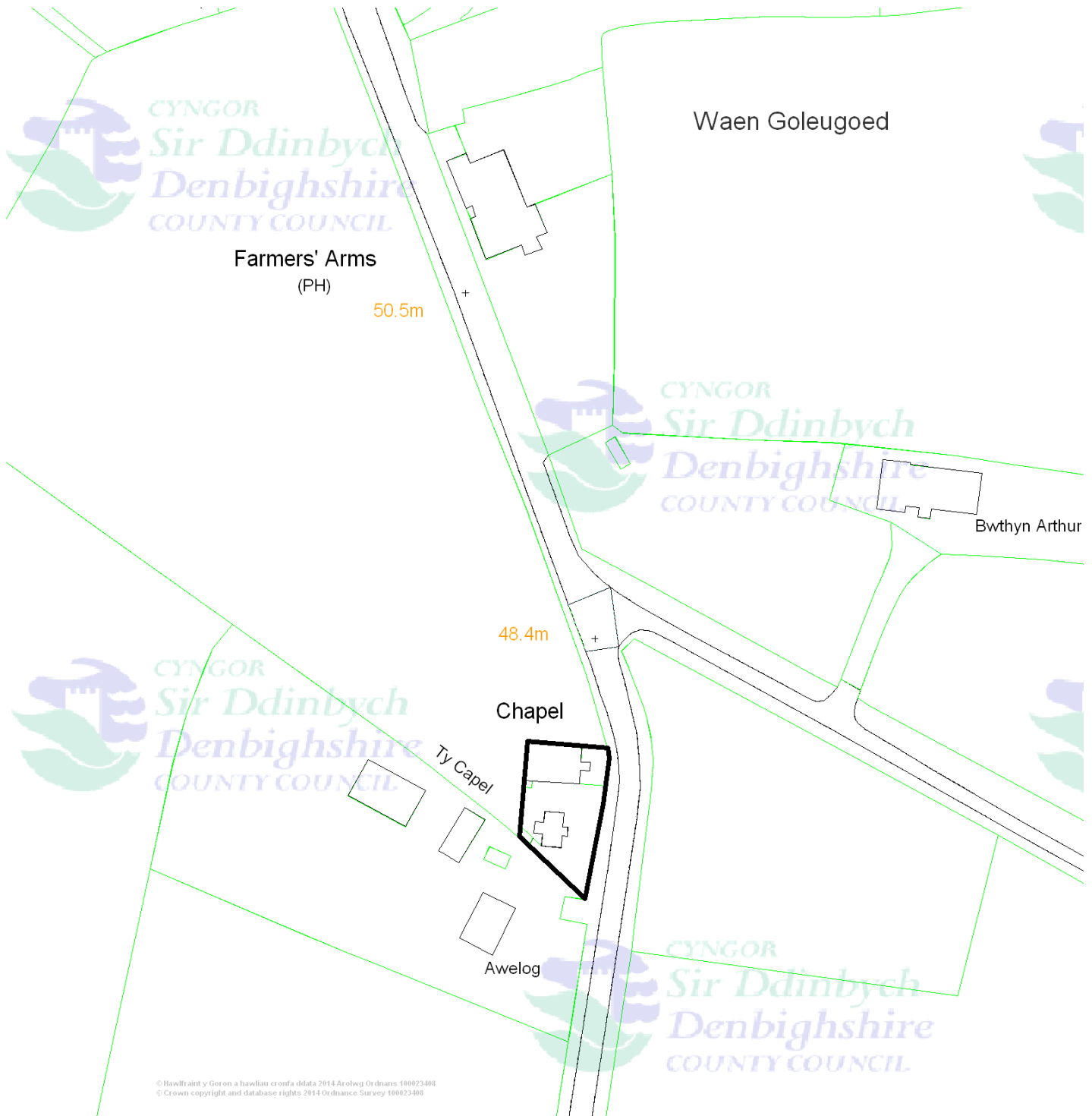
Tel: 01824 706800 Fax: 01824 706709



Date 14/7/2014
Centre = 306174 E 373161 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.



ITEM NO: 14

WARD NO: Tremeirchion

WARD MEMBER(S): Cllr Barbara Smith

APPLICATION NO: 47/2014/0579/ PC

PROPOSAL: Retention of previously formed vehicular access and alteration to form new disabled access and turning/parking area

LOCATION: Waen Chapel, Waen St Asaph

APPLICANT: The Congregation

CONSTRAINTS:

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

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

- Member request for referral to Committee
- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

TREMERCHION, CWM AND WAEN COMMUNITY COUNCIL

"No objection. However, the Community Council stress the following points:

- a. That the widening of the access is carried out as proposed in the application
- b. That the raised kerbs are put in place as has been suggested
- c. That a SLOW sign be painted on the road surface approaching the bend from the Farmer's Arms."

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Head of Highways and Infrastructure

- Highways Officer

Advises that the access arrangements are satisfactory, if the raised directional island was to be built further back into the site so that traffic leaving could not egress through the 'entrance lane' then this would be welcomed if the turning manoeuvres are still achievable. Works should be carried out within 6 months of the date of any permission.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mr P. Day, Castell y Waen, St Asaph

Summary of planning based representations:

Retrospective application

Enforcement action should be taken to reinstate the unauthorised entrance to pedestrian only / ignorance of the law is no defence

Access and parking arrangements unacceptable

Highway with blind bend is already dangerous and unsuitable for vehicular access / use of marshals for safety reasons highlights dangers already present / Outreach activities are to be commended but placing residents and other highway users at unreasonable risk suggests this is the wrong venue / movement of large vehicles places drivers, walkers and cyclists at an unacceptably high risk of injury / alternative arrangements considered are not acceptable / left hand turn proposal will result in vehicles seeking an alternative safe place for turning round and heading south, which does not exist / all options for access are substandard, so why accept a poor solution and put people at risk /

In support

Representations received from:

Darren Millar, AM

Ann Jones, AM

J. Watkin, Denbighshire Voluntary Services Council

General support for proposals in support of Outreach work / car park is essential for use by less mobile people / parking along the road should be discouraged

Other representations

Representations received from;

Mr Dylan Williams, Awelog, Waen, St. Asaph

Summary of representations:

User of the immediately adjoining access to the site requires good visibility when exiting the access and would support measures which eliminate / reduce the parking of vehicles on the roadside to improve the line of sight, hence would oppose the option of a lay by arrangement along the roadside. Supports the provision of a raised kerb along the roadside either side of the proposed widened access to deter roadside parking and encroachment onto the access to Awelog. ; and supports the proposed raised kerb arrangement to discourage traffic turning right out of the application site so long as the height of the island does not obstruct the sight line from the Awelog entrance. Would also support the option of a reduced speed limit and an advanced 'concealed access' sign.

EXPIRY DATE OF APPLICATION:

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks the retention of a vehicular access and parking area created in early 2013 in front of the dwelling next to the Chapel House in Waen, with revisions to the detailing to manage the movement of vehicles entering and leaving the site.
- 1.1.2 The access and associated parking area provide a limited parking and drop off area for disabled persons attending services and a day care facility for elderly persons at the adjacent Waen Chapel, along with space for the occupiers of the dwelling Ty Capel.
- 1.1.3 The application follows dialogue between representatives of the Chapel and Officers of the Council over the creation of the access and parking area. Members may recall considering an enforcement report at the February 2014 Committee which set out the background and concerns over the safety of the access close to a bend in the highway to the north.

1.1.4 The Chapel's representatives have responded positively to events and in compiling the planning application have engaged a planning consultant and highway consultants to review the detailing of the access and parking arrangements. They have opted for a solution they believe is the most practical given the needs identified, and the site characteristics.

1.1.5 In terms of detail, the application seeks to widen the existing access and to retain the existing parking area for vehicles, and to introduce what is described on the plans as 'raised directional island to ensure vehicles exiting site turn left'. The island would be constructed of precast concrete kerbs raised a minimum of 150mm above ground level. The objective is to allow vehicles (including minibuses) to enter the site when approaching from the north and south, but to direct vehicles leaving the site to turn to the north, i.e. preventing right turns back onto the road, which is a dangerous manoeuvre given the location close to a bad bend where oncoming vehicles are travelling at speed and have limited advance visibility of cars, etc. exiting from the site.

Additional safety measures shown are an improvement to visibility along the site frontage in the form of a repositioning of a section of the frontage wall of the Chapel and the trimming back of the frontage hedge; and the repositioning of an existing 'no right turn' sign within the site, visible to drivers of vehicles exiting the site.

Since submission of the application, additional revisions have been incorporated in the form of an extension of the directional island further into the site to eliminate the possibility of vehicles manoeuvring back onto the highway through the 'entry' lane to allow them to turn right, and the provision of raised kerbs along the edge of the highway to discourage parking along the highway verge.

The details of the arrangements are on the plan at the front of the report.

1.1.6 The application is accompanied by a detailed Planning, Design and Access Statement, a Highways Assessment Technical Note, and plans illustrating the site layout prior to the construction of the access, what is currently on site, a 'lay by option' considered as an alternative, and the plan which forms the subject of the application as described in paragraph 1.1.4 above.

1.1.7 The Planning, Design and Access Statement (9 pages) provides a detailed outline of the background history, and summarises the conclusions of the Highways Assessment Technical Note. It stresses the Chapel's desire to resolve the situation and their attempts to develop a safe scheme for the parking of vehicles, following advice from the highways consultants. It refers to the historic absence of parking for the Chapel and the fact that a voluntary day care (Outreach) and other community uses have been run from the Chapel over many years. It indicates the issue has always been to secure a suitable safe access for less mobile attendees of the chapel and community uses. There is an analysis of the options considered, including the provision of a car park on adjacent land (not viable on cost or ownership grounds); an enhanced lay by (not considered suitable for use by disabled clients, being too close to the highway, and no footway); and the proposed option (which is considered the best and safest in the circumstances). The Highways Assessment Technical Note includes plans showing a 'swept-path' analysis demonstrating the ability of vehicles to manoeuvre into, within and out of the site once the access is widened and the directional island is constructed. The Planning Statement indicates the Chapel will continue to use the Farmers Arms car park for parking for attendees under a longstanding informal agreement.

1.1.8 It is relevant to note that the proposals seek only to address the issues arising from the need for ease of access and parking for persons with limited mobility who are involved with the Outreach / Community uses and the Chapel. It does not attempt to deal with the parking demands arising from people with normal mobility attending the

Chapel for services or events, which is a separate issue for the trustees.

1.2 Description of site and surroundings

- 1.2.1 Waen Chapel and the Chapel House (Ty Capel) are located on the west side of a classified road which runs south from the A55 past the Farmers Arms public house towards Trefnant.
- 1.2.2 The two buildings are physically linked to one another. There is a pedestrian access from the road at the front of the Chapel. Ty Capel was also served by a pedestrian access until the creation of the current vehicular access and parking area in early 2013. It is understood that Ty Capel has been occupied as the caretaker's dwelling in connection with the Chapel.
- 1.2.3 There is a separate dwelling Awelog, sited immediately to the south of Ty Capel. This is in separate ownership and has its own vehicular access onto the road some 15 metres to the south of the one forming the subject of the application.
- 1.2.4 There have historically been no off road parking facilities under the control of the Chapel. Patrons have benefitted for some time from an 'arrangement' with the Farmers Arms public house some 100 metres to the north, which has permitted use of its parking area during services.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside.

1.4 Relevant planning history

- 1.4.1 None relevant to the current application.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The application has been submitted in order to regularise the situation at the site as the access is development requiring planning permission. The applicants and their representatives have engaged with Officers of the Council and have considered the merits of different options for the improvement of the arrangements, to address highway officer concerns over the safety of the access close to a bend in the road.
- 1.6.2 Additional improvements to the details of the scheme have been incorporated since the submission of the application, including the extension of the directional island further into the site and the provision of raised kerbs along the highway verge to limit parking there.
- 1.6.3 A number of related 'improvements' have been discussed during the course of considering the application. The Highway Officer has sought advice from the Traffic Section and has commented on these as follows:

- *Provision of advanced warning signs* – Highway Authority do not sign private access. Private funding not viable as this would set a precedent for other private accesses. There are existing warning signs on approach to Waen Chapel in each direction. It is possible to provide 'Slow' markings on the road, however, funding for this would have to be further agreed.
- *Provision of alternative 'flashing' warning sign* – No provision for this type of sign and private funding not viable as again, this would set a precedent for future enquires of this nature.
- *Provision of speed restriction signs* – Speed limit survey has been carried out on all A and B Roads and this road was not highlighted for reduction.
- *Provision of street lights in the vicinity* –

Street lighting confirmed they would not supply any electric supply for a Street Light and do not adopt on a 60 mph speed limit road. It would be the owners responsibility to supply the electric and maintain a street light.

- *Removal of entire frontage hedge to assist visibility –*
I consider that by the removal of the entire hedge would encourage no formal parking arrangement and would not recommend opening the whole site frontage. The scheme offers a formal parking arrangement.

With regard to the above issues, it is to be noted that the application before the Council does not propose any of the measures outlined.

2. DETAILS OF PLANNING HISTORY:

2.1 None relevant to the current application.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)

Policy ASA3 – Parking standards

3.1 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014

Technical Advice Notes:

TAN 12 – Design

TAN 16 – Transport

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
- 4.1.2 Highways (including access and parking)
- 4.1.3 Inclusive design

4.2 In relation to the main planning considerations:

4.2.1 Principle

There are no policies in the Local Development Plan which relate directly to the principle of constructing an access and parking area in connection with an established place of assembly in open countryside. There is general advice in Planning Policy Wales and Technical Advice Notes on the need to ensure safe access and road safety in connection with developments / uses, and encouragement for proposals which provide for the accessibility needs of all sections of society, including those with mobility and sensory impairments.

Ultimately the construction of a new access and parking area in connection with an existing long established use would be acceptable in principle in relation to general

planning policy and guidance. The issues to address are whether the particular detailing of the arrangements are acceptable in terms of road safety considerations, which are addressed in the following section of the report.

4.2.2 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations 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. The acceptability of means of access is therefore a standard test on most planning applications.

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 applicants indicate the access and parking area are required to provide a safe and convenient drop off for persons with mobility problems who are attending the chapel for services or the day centre use. The proposal is to introduce additional safety measures to discourage vehicles exiting the site from turning right to join the road towards Trefnant, as detailed in paragraph 1.1.5 of the report. The Consultants conclusions are that the proposals provide a materially safer situation than that which would occur should the access be removed or other options be introduced.

There is a strong individual objection to the proposals based on highway safety concerns. This suggests the proposals for revised details of the access and parking are substandard and should not be accepted as there would remain clear dangers to all users of the highway. The plea is made that the Council pursue the Enforcement Order and seek the closure of the vehicular access and reinstatement of the pedestrian access which has existed for many years.

The Highways Officer has concluded that the access arrangements proposed as part of the application are acceptable, and should be completed within 6 months of the date of any permission.

In Officers' opinion, having regard to the range of opinions and the actual detailing of the scheme, the highway issues are finely balanced here.

There is no question that the use of the Chapel for services and as an Outreach facility are long established, but they give rise to specific demands for parking close to the property to allow ease of access for persons with mobility problems. It is a relevant consideration that without an access and off road parking area, vehicles would continue to park indiscriminately along the highway close to the bend, giving rise to ongoing dangers for users of the chapel and motorists. The creation of the unauthorised access and parking area has brought these issues to the fore and the application presents detailed proposals to improve the safety of the arrangements. The submitted details, proposing amendments to what is currently on site, have been designed by Highway Consultants in an attempt to address the safety concerns, and the Consultants conclude the proposals would provide a materially safer solution than that which would occur should the access be removed or alternative arrangements be introduced.

The Highway Officer has reviewed the detailed proposals and has taken the view that these are acceptable subject to the minor extension of the directional island (as revised by the applicants), and it is considered this is an important factor to weigh in favour of approving the proposals. It is not considered necessary by the Highway Officer to require additional measures such as lighting, speed limits, etc, as outlined in paragraph 1.6.3 of the report.

Ultimately, the choices are to accept the proposals on the basis they offer an improvement to an admittedly unsatisfactory situation, or to refuse permission and oblige the closing off of the access, thereby leaving roadside parking to continue with its attendant dangers.

Officers conclusions are that the proposals represent the best that can be achieved in the particular circumstances and that they merit support as they would assist the reduction in dangers to all users of the highway in this location. In support of the comments of the Community Council, if permission is to be granted, this should be subject to the completion of all the proposed works within a 6 month period, in recognition of the dangers of continued use of the access in its current form.

4.2.3 Inclusive design

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.

The proposals are geared exclusively at providing a suitable access and parking facility off the highway for use by vehicles carrying persons with limited mobility, hence are compatible with the objectives outlined in the above guidance.

Other matters

Retrospective planning applications

Members will appreciate that the carrying out of development without planning permission is not an offence under current planning legislation. The Authority has to consider any retrospective application on its planning merits without attaching weight to the fact that a development may have already commenced.

5. SUMMARY AND CONCLUSIONS:

5.1 The report outlines the background to developments at Waen Chapel over the last year.

5.2 The representatives of the Chapel have sought to improve facilities for the drop off of persons with limited mobility who attend the Chapel and an Outreach service which uses the Chapel. The access arrangements created in 2013 led to concerns from Officers, and have been revised in an attempt to reduce the potential highway dangers.

5.3 There are contrasting views on the acceptability of the proposals, but critically, these are now supported by the Highway Officers and are considered as an improvement worthy of support.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be completed in accordance with the approved plans no later than 6 months from the date of grant of permission, and the raised directional island and kerbing along the edge of the highway shall be retained at all times thereafter.

The reason(s) for the condition(s) is(are):-

1. In the interests of improving the safety of users of the access and parking area and users of the highway.

NOTES TO APPLICANT:

You are requested to ensure the early implementation of the scheme to reduce the risk to users of the premises and other road users.