

Heading:

REFERENCE NO. 46/2014/0436/PS
LAND AT NORTH SIDE OF
BRYN GOBAITH, ST ASAPH

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 Application Site

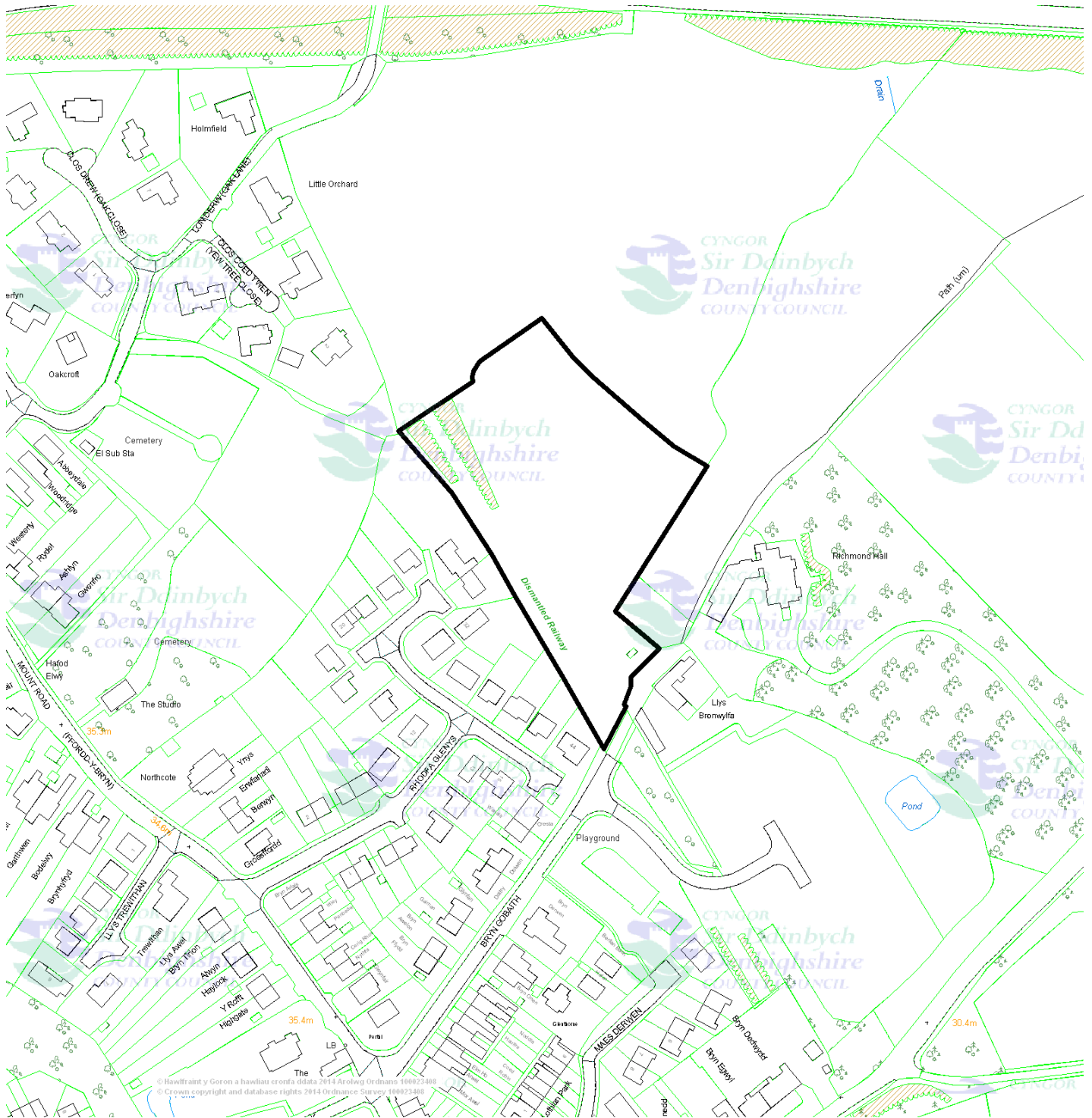


Date 9/7/2014

Scale 1/2500

Centre = 303951 E 374704 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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ITEM NO: 11

WARD NO: St Asaph East

WARD MEMBER(S): Cllr Dewi Owens

APPLICATION NO: 46/2014/0436/ PS

PROPOSAL: Removal of condition no. 15 of outline planning permission code no. 46/2013/0802 requiring a scheme of improvements at the Mount Road/Bryn Gobaith Junction and traffic calming on Mount Road and Bryn Gobaith

LOCATION: Land at north side of Bryn Gobaith Bryn Gobaith St Asaph

APPLICANT: Mr & MrsC White

CONSTRAINTS: PROW

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

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

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

ST ASAPH CITY COUNCIL

“St. Asaph City Council object to the removal of Condition 15 for the following reasons.

1. The condition was correctly applied on the original application, the need for removal has not been proven.
2. Volume of traffic, this is already a very busy road as there is Fairholme School on Mount Road now has in excess of 120 pupils and has increased traffic considerably, there is a care home on Bryn Gobaith which also bring substantial additional traffic from non residents.
3. Over intensification of use.
4. There needs to be clear access for emergency services at all times.
5. The City Council would like to suggest a mini roundabout at junction of Mount Road and Bryn Gobaith, which would also assist traffic to and from Cathedral Walks.”

DWR CYMRU WELSH WATER

Repeat the need for inclusion of relevant conditions and advisory notes.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

No objection, following consultation with the Traffic Section it is difficult to see how junction improvements can be incorporated without affecting the existing operation of the junction of Bryn Gobaith/Mount Road. In relation to traffic calming on Bryn Gobaith it is unlikely that any scheme would reduce the speed of traffic below the already low speeds and would therefore have no significant effect.

RESPONSE TO PUBLICITY:

In objection:

Representations received from:

R. & A. Williams, 42, Rhodfa Glenys, St. Asaph
Eugene Grube, 28 Rhodfa Glenys, St. Asaph
Mr & Mrs Graham Hardy, 38 Rhodfa Glenys, St. Asaph
Glyn H Davies, 32 Rhodfa Glenys, St. Asaph

Summary of planning based representations in objection:

Highway Issues:

Condition 15 is essential even without more housing in the area there already exists a danger to pedestrians as they have to cross from the west to the east side of Mount Road which is only served by a single pavement.

Calming measures would slow many of the cars and other vehicles which travel at speed and which show no consideration for other road users.

Removal of condition will seriously jeopardise the safety of all who use Bryn Gobaith and Mount Road.

Removal of condition would exacerbate an already chronic.

EXPIRY DATE OF APPLICATION: 11/6/2014

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 This application was deferred at the of July 2014 Committee at the request of Councillor Dewi Owens, to allow the highway issues relevant to the application to be considered by a Site Inspection Panel. The notes of the Site Inspection Panel will be reported on the Late Representation Sheets for the Planning Committee Meeting.

1.1.2 The application seeks to remove a planning condition which was imposed on a 2013 outline planning permission for the development of 1.1ha of land for residential development on the north side of Bryn Gobaith. The condition imposed states:-

“No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained in relation to a scheme of improvements at the Mount Road/Bryn Gobaith Junction and traffic calming on Mount Road and Bryn Gobaith. The approved works shall be completed strictly in accordance with the approved drawings before any dwelling is occupied.”

The reason for the condition was in the interests of the free and safe movement of traffic of all road users.

1.1.3 The application is presented with a number of points in support of the removal of condition:

- *“The test of any planning conditions is that it is necessary to impose the condition in order to enable planning permission to be granted, it, similarly, follows that if on reconsideration it is demonstrated that the condition is unnecessary, then it should be removed;*

- *When the planning application was originally submitted it was supported by a Highways Technical Note. This note observed that Bryn Gobaith was a relatively standard sized cul de sac in terms of its highway width and provision of footpaths and*

that such a road was normally considered capable of accommodating traffic for up to 300 dwellings;

- To place the proposal in context, it was observed that a development of approximately 30 dwellings would add no more than one additional traffic movement every 3 mins in the peak hour, and significantly less at other times;

- Nevertheless, 2 options were considered for improving the junction of Bryn Gobaith with Mount Road: the first option was to install a mini roundabout but this would be very difficult to achieve within the highway land available, the second option was the possibility of reducing the size of the junction of Bryn Gobaith and Mount Road by realigning kerbs. It was difficult to see what benefit this would bring and as the mouth of the junction was clearly used by vehicles wishing to turn around, it would actually obstruct a useful facility on the highway. However it was generally noted that there is no problem at the junction, visibility is good and traffic levels are very low and no works that might improve on a situation were identified.

- With regards traffic calming on Bryn Gobaith, it is recognised that traffic speeds are already low and that cars park on the highway were themselves a 'natural' form of calming. The possibility of installing speed humps in the road would be unlikely to reduce the speed of traffic below already low speeds and therefore would have no significant effect.

- In conclusion, there is no appropriate way forward without seeking removal of the condition. It is considered that Condition 15 does not meet the tests for conditions set out in paragraph 14 of Circular 35/95 and therefore should be removed."

1.2 Description of site and surroundings

- 1.2.1 The application site comprises 1.1ha of grazing land on the eastern side of St. Asaph. The site is on the north eastern boundary of development at Rhodfa Glenys. It is roughly rectangular in shape and is relatively level, but slopes downwards slightly from west to east.
- 1.2.2 To the north and east of the site are open fields, and to the south and west is primarily residential development, with the dwellings on Rhodfa Glenys to the west and Bryn Gobaith to the south.
- 1.2.3 The highway serving Bryn Gobaith leads to the site, where there is currently an entrance from a gated field access. Bryn Gobaith is located off Mount Road approximately .95m north of the mini roundabout linked to the A525 near St Asaph Cathedral. The carriageway width of Bryn Gobaith is approx. 5.5m with footways on both sides. Mount Road has a carriageway width in excess of 6m.
- 1.2.4 The site is bounded by mature hedgerow and trees.

1.3 Relevant planning constraints/considerations

- 1.3.1 The application site is located within the development boundary of St Asaph and is allocated as a housing site within the Local Development Plan.
- 1.3.2 The Local Development Plan Inspector in his conclusions on the Local Development Plan found that in order to meet the housing needs of the County, additional housing sites needed to be put into the Plan and this included the application site. The site is therefore an allocated housing site in the Local Development Plan, which was formally adopted by the Council on 4th June 2013.

1.4 Relevant planning history.

- 1.4.1 Outline planning permission for residential development was granted in September 2013 subject to the inclusion of conditions. Detailed reserved matters approval has

not been submitted to date.

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 46/2012/0712/PO Development of 1.1ha of land for residential purposes (outline application including access – all other matters reserved) REFUSED at Planning Committee 23rd January, 2013.

46/2013/0802/PO Development of 1.1ha of land for residential purposes (outline application including access – all other matters reserved) GRANTED at Planning Committee 11th September, 2013.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD 1 Sustainable Development and good standard design
Policy RD 5 The Welsh language and the Social and cultural fabric of communities
Policy BSC 1 Growth Strategy for Denbighshire
Policy BSC 4 Affordable Housing
Policy BSC 11 Recreation and Open Space
Policy VOE 5 Conservation of natural resources
Policy ASA 3 Parking Standards

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance Note 4: Recreational Public Open Space
Supplementary Planning Guidance Note 22 Affordable Housing in New Developments
Supplementary Planning Guidance Note 25: Residential Development Design Guide

3.3 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

TAN 1 Joint Housing Land Availability Studies (2006)

TAN 5 Nature Conservation and Planning (2009)

TAN 12: Design (2009)

TAN 20: The Welsh language – Unitary Development Plans and Planning Control (2000)

TAN 22: Planning for Sustainable Buildings (2010)

Welsh Office Circular 35/95: The Use of Planning Conditions

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 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 Highway Safety

4.2 In relation to the main planning considerations:

4.2.1 Highway Safety

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.

The means of access to the site off Bryn Gobaith was approved as part of the outline planning permission granted in September 2013. A Highways Assessment Technical Note was submitted with the outline application, and its conclusions were that the site can be accessed satisfactorily and will accord with all relevant design standards, and the level of additional traffic likely to be generated by the development would have a negligible impact on the highway network. It was also stated that the site is located within close walking distance to the whole of St Asaph, to local facilities, bus routes and cycle network.

Having regard to the conclusions of the Highway Assessment, and the concerns of local residents, the Highways Officer raised no objection to the proposal in 2013 and had no concerns over the adequacy of the local highway network, provided a scheme of road improvements was submitted, including improvements at the Mount Road/Bryn Gobaith junction and traffic calming on Mount Road and Bryn Gobaith.

On giving the matter further consideration and following discussions with the applicant, the Highways Officer has carefully assessed the highway related concerns in conjunction with the Traffic Section, who have looked at the traffic situations in this area in detail. The conclusion is that it is difficult to see how junction improvements can be incorporated without adversely affecting the existing operation of the junction of Bryn Gobaith/Mount Road.

Traffic surveys were carried out on Bryn Gobaith between 20th May 2011 and 27th May 2011 and this result showed that the average flow, including both directions was 197 vehicles over 24 hours. In the peak hours there were 18 vehicles south bound and 17 vehicles north bound.

Traffic surveys were also carried out on Mount Road between 20th May 2011 and 27th May 2011 and the results showed that the average flow including both directions was 1331 vehicles over 24 hours. This would mean that in the peak hours there were 130 vehicles north bound and 105 vehicles south bound.

Having regard to the traffic survey data along with the Highways Technical Note submitted in the consideration of the outline planning permission at land north of Bryn Gobaith it is not considered that it would be reasonable to insist on junction improvements on a development of the scale proposed i.e. an indicative figure of 30 dwellings suggested by the applicant.

In relation to traffic calming on Bryn Gobaith it is considered unlikely that any scheme would reduce the speed of traffic below the already low speeds and additional

measures would therefore have no significant effect. In conclusion, the Highways Officer raises no objection to the proposal to remove the condition requiring highway improvements and traffic calming measures on Bryn Gobaith, and its junction with Mount Road.

It is not considered, with respect to objections raised, that there are any strong highway grounds to refuse to remove Condition 15 on outline planning permission ref 46/2013/0802/PO.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposal to remove the condition has been carefully scrutinised by the Highways Officer and there are no objections raised.

RECOMMENDATION: APPROVE deletion of Condition 15 of planning permission 46/2013/0802/PO.