

Heading:

REFERENCE NO. 45/2014/0908/PF
PLAYGROUND OFF CRESCENT ROAD/
GORDON AVENUE, RHYL

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

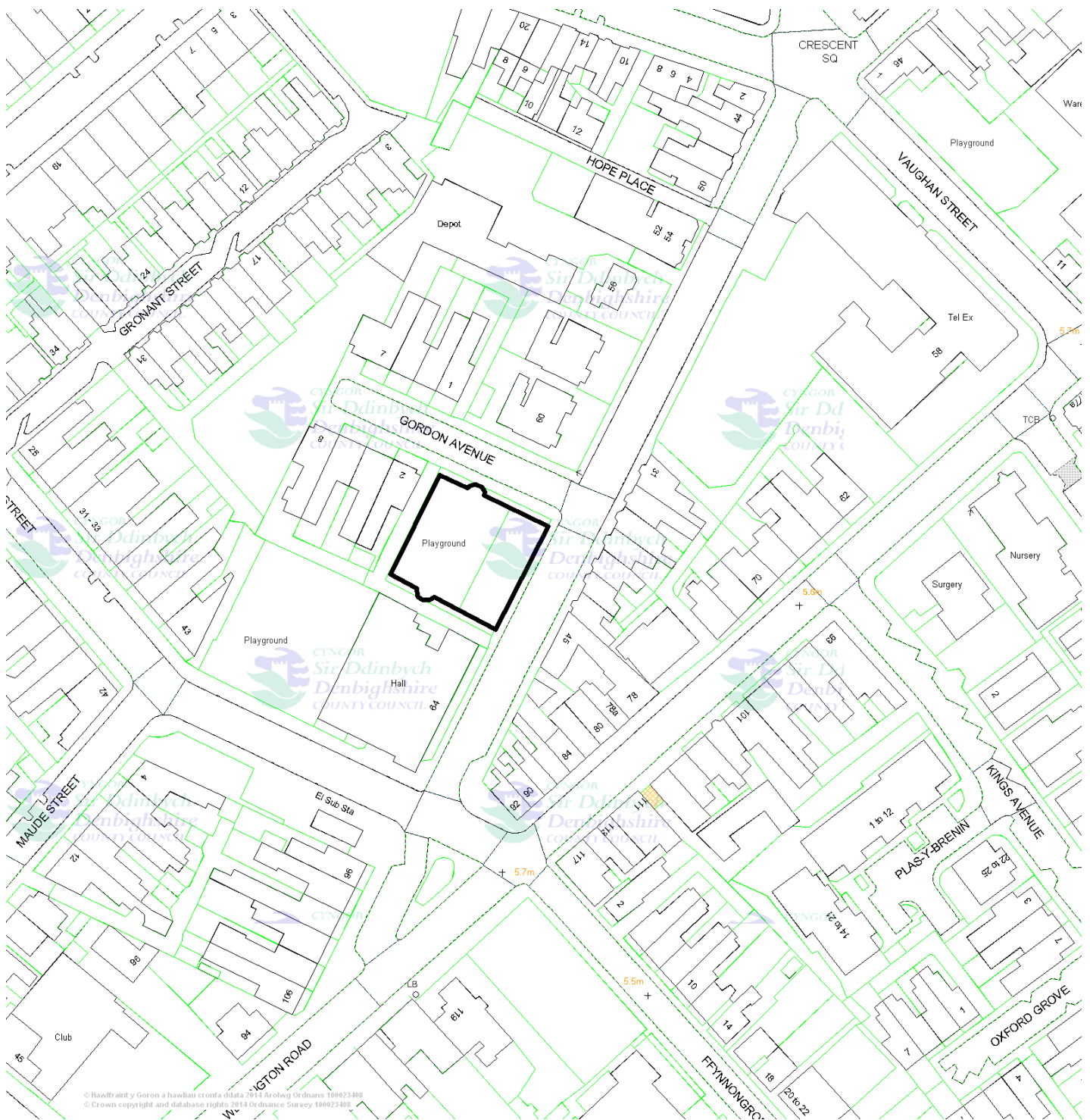
 Application Site



Date 24/11/2014
Centre = 300498 E 381166 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.



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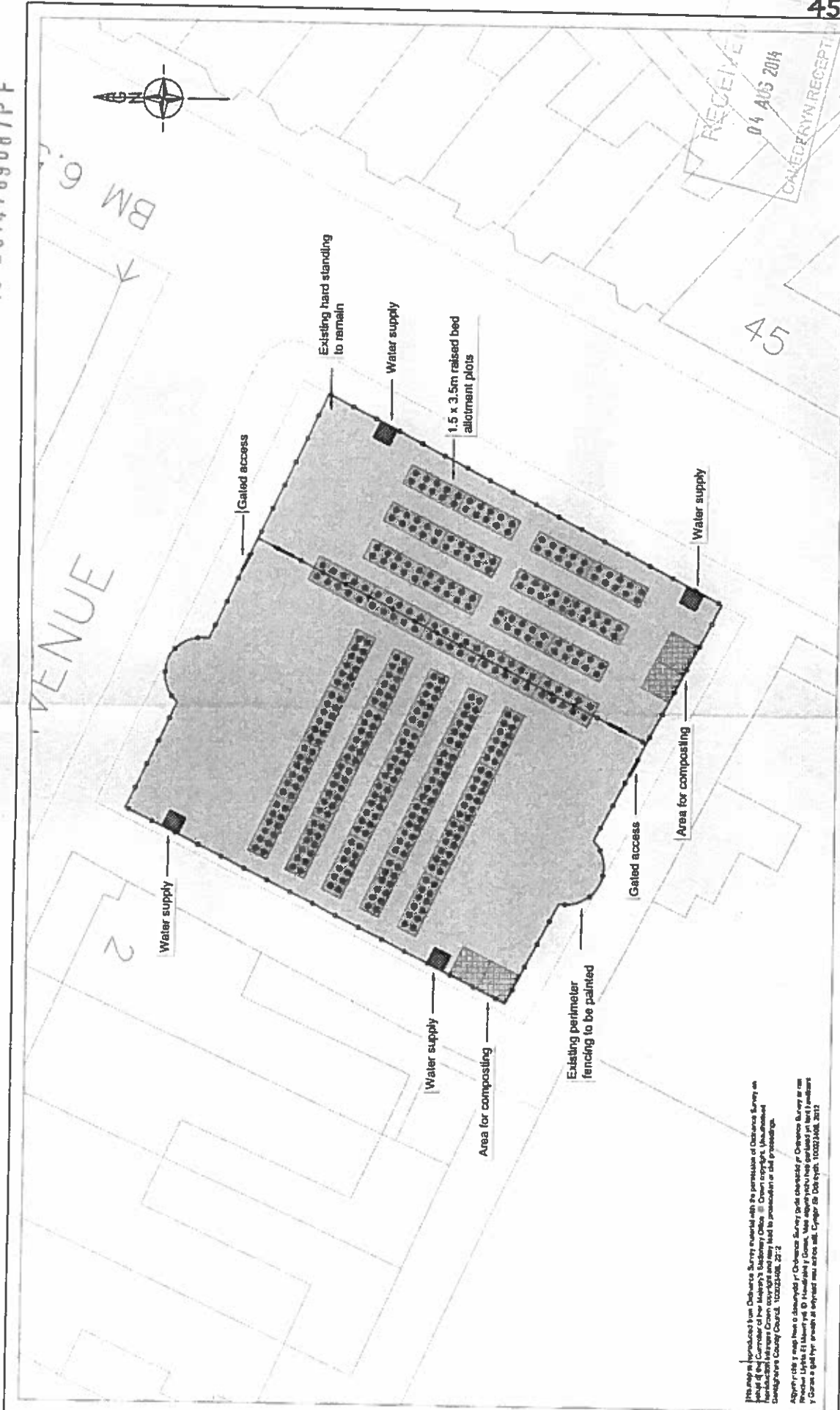
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SITE PLAN


45/2014/0908

45 2014/0908/PF



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CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL



PENNAETH PRIFYDDO A GWASANAETHAU AMGYLCHEDDOL
 HEAD OF HIGHWAYS AND ENVIRONMENTAL SERVICES
 ADRIAN PRIFYDDO A GWASANAETHAU AMGYLCHEDDOL
 DEPARTMENT OF HIGHWAYS AND ENVIRONMENTAL SERVICES

14405		A		Original Drawing	
1:200 @ A3		SJ 00 81		JOB	
60		ISSUE		21/07/14	
H4/14405/D/01A		Crescent Road Raised Bed Allotments, Rhyl		General Arrangement	
H4/14405/D/01A		RECEIVED		04 AUG 2014	
CAMERON RECEIVING					

WARD : Rhyl West

WARD MEMBER(S): Cllr Ian Armstrong
Cllr Joan Butterfield

APPLICATION NO: 45/2014/0908/ PF

PROPOSAL: Change of use of former MUGA to a community food growing project consisting of raised bed allotments

LOCATION: Playground off Crescent Road/Gordon Avenue Rhyl

APPLICANT: Denbighshire County Council

CONSTRAINTS: None

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

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL
"No objection".

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Head of Highways and Infrastructure
- Highways Officer
No objection

RESPONSE TO PUBLICITY:

In objection

Representations received from:
Resident, 1, Gordon Avenue, Rhyl
Resident, 8 Gordon Avenue, Rhyl
L. Roberts, 7, Gordon Avenue, Rhyl
Resident, 2, Gordon Avenue, Rhyl
Resident, 5, Gordon Avenue, Rhyl
Resident, 3, Gordon Avenue, Rhyl

Summary of planning based representations in support:

Highway Issues: will create more traffic in the area.

Visual Amenity: The appearance of the site would not be enhanced by the proposal with 'wooden coffins' located on the site.

Residential Amenity Issues: Object to hours of opening as would result in loss of privacy, strangers overlooking nearby properties; more comings and goings; rotting greens and stinking compost.

Drainage Issues: The drains on site will be inadequate as the area slopes towards Gordon Avenue which only has 2 surface water drains – mud and waste will be swept into Gordon Avenue

General Comments:

Lack of toilet facilities.

EXPIRY DATE OF APPLICATION: 13/10/2014

REASONS FOR DELAY IN DECISION:

- additional information required from applicant
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application seeks full planning permission for the change of use of a former multi use games area (MUGA) to a community food growing project consisting of raised bed allotments, on the corner of Gordon Avenue with Crescent Road in Rhyl.

1.1.2 The application documents include a Design and Access Statement with Planning Supporting Statement.

1.2 Description of site and surroundings

1.2.1 The application site comprises areas of a small former multi use games area located on the corner of Gordon Avenue with Crescent Road. The play area was closed down in February 2014.

1.2.2 The site is surrounded by high fencing and boarding. Surrounding the site are residential properties on Crescent Road and Gordon Avenue with the Territorial Drill Hall located to the rear.

1.3 Relevant planning constraints/considerations

1.3.1 The application site is located within the development boundary of Rhyl.

1.4 Relevant planning history

1.4.1 None

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 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy PSE1 – North Wales Coast Strategic Regeneration Area
Policy BSC 11 – Recreation and Open Space
Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance:

SPG Landscaping New Developments

SPG Parking

SPG West Rhyl Regeneration Area

3.2 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

Technical Advice Notes

TAN 12: Design

TAN 18: Transport

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 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Drainage
- 4.1.5 Highways (including access and parking)
- 4.1.6 Other Issues

4.2 In relation to the main planning considerations:

4.2.1 Principle

Within development boundaries, new development is, in principle supported provided that it meets with the criteria of other policies in the Local Development Plan and material planning considerations. This assists in working towards a sustainable pattern of development by directing most development to existing settlements thereby making the most effective use of existing infrastructure, facilities and services by reducing the need to travel.

Policy PSE 1 in the Local Development Plan relates to the North Wales Coast Strategic Regeneration Area and supports proposals which retain and develop a mix of employment generating uses in town centres; or provide new family residential accommodation; or enable the retention, enhancement and development of tourism related facilities; or address existing problems of deprivation in a manner which is consistent with the principles of sustainable development.

Policy BSC 11 in the Local Development Plan relates to recreation and open space and seeks to protect existing recreation, public open space, allotment and amenity green space.

Guidance is available within the West Rhyl Regeneration SPG. In terms of the regeneration context, Denbighshire and its delivery partners are focused on a comprehensive plan for West Rhyl based on the area's strategic needs. The area has the potential to create a step change in its economic performance and long term sustainability and the SPG provides key land use and design principles to guide this investment. The SPG identifies a 'Vision' for West Rhyl, which is to "*Create a transformational sense of place with an open space at its core which serves as a valuable community asset. Develop new housing designed to meet the highest standards of energy efficiency and provide a wider range of housing tenures to*

ensure a sustainable neighbourhood. Stimulate new employment uses which support the visitor and retail economy and provide local jobs. Deliver an improved public realm which provides a safer, more accessible environment”.

The aforementioned SPG sets out a number of objectives which are aimed at delivering this ‘Vision’, which are as follows:

- 1. Create a transformational sense of place through the development of new community green space which enhances the image of the area*
- 2. Generate new employment uses to support the retail strength of the town centre, attract visitors and enhance existing tourism uses*
- 3. Encourage a more balanced range of housing tenures including new homes for families to retain existing residents and attract new residents to the area*
- 4. Reduce Multiple Occupancy Housing through conversion and new development which provides a more balanced range of tenures and better space standards*
- 5. Retain the use of listed buildings and respect and enhance the conservation character of the area through sensitive design of new development*
- 6. Ensure a pedestrian and cycle friendly area with well managed parking and an enhanced public realm environment*
- 7. Promote sustainable development through the use of energy efficient design and use of renewable energy sources*

In relation to the above policies and guidance, the proposal to change the use of a vacant play area is considered to fit in with the development framework set out in the SPG, as it would contribute to the development of green space within West Rhyl. The site at present is vacant, it appears unsightly within the area and since its closure in February 2014 has been used to dump litter.

In relation to Policy BSC 11 which seeks to protect existing recreation and open space facilities, the proposal is to create raised bed allotment plots to allow the operation of a community food growing project. Open Space includes allotments and therefore the proposal does not result in the loss of open space provision.

It is considered that the proposal would contribute to the regeneration objectives of West Rhyl by providing enhanced green space facilities and hence in principle the application is considered acceptable.

4.2.1 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.

Local objections have been raised in relation to the visual impacts of the proposal and it has been stated that a boarded up play area is preferable to a site with a number of ‘wooden coffins’ located on it.

The proposal is to site 37 raised timber planting beds within the site. The planters are less than 1m in height, each plot measuring 1.5m by 3.5m. Overall in terms of scale, height, design and detailing of the proposal it is not considered that the proposed development would be visually intrusive within the area. At present, it is intended to retain the existing perimeter fencing and boarding and paint it however it may be removed in future dependent on site security issues. The development would be very low key in scale and in visual terms is considered acceptable, making a positive contribution to this part of Rhyl.

The proposal is considered acceptable in visual amenity terms.

4.2.2 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.

Local objections have been raised in relation to the residential impacts of the proposal generally in respect of increased noise and activity within the area and potential for the proposed use to generate odour issues.

In terms of the concerns raised by residents regarding the use of the site and increased noise and disturbance, the very nature of the proposed use does not generate an excessive amount of noise and in terms of noise generation it is considered likely to be far preferable than its previous use as a multi-use games area which had the potential to be extremely noisy.

In relation to odour issues particular reference has been made by local residents to 'rotting greens' and 'stinking compost'. The 2 composting areas have been located within the corner and far boundary of the site away from residential properties and it not considered there would be any significant amenity issues arising from the proposed use.

The comings and goings and general activities associated with the proposed allotment use would be limited and would not cause a significant adverse impact on the residential amenity of occupiers of the residential properties nearby.

4.2.3 Drainage

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding.

Local objections have been raised with regards drainage and that mud and waste would be swept in to Gordon Avenue.

This issue has been raised with the applicant and assurances have been given that allotments are excellent at absorbing rainfall and would result in less run-off than the existing situation. The raised beds have a good depth of soil and with minimum run-off when watered. It has also been confirmed that a membrane is placed at the bottom of each raised bed which prevents any soil from escaping.

It is not considered that the proposal would result in any drainage issues.

4.2.4 Highways (including access and parking)

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.

Local residents have raised concerns that the proposed use would generate more traffic within the area.

Highway Officers have assessed the proposed development as acceptable.

With regards the concerns of local residents that there would be an increased amount of traffic, the proposal is for a community resource used by Rhyl residents and who can walk to the allotments. On street parking is available within the wider area and given the scale and nature of the proposed use it is not considered that a significant amount of traffic would be generated causing any highway safety concerns.

4.2.5 Other Issues

Residents have raised concerns that no toilet facilities have been provided on site. The proposal is for a community resource used by Rhyl residents and who will be living locally. Toilet facilities are not provided on any other allotment sites within Denbighshire.

5. SUMMARY AND CONCLUSIONS:

5.1 The principle and detailing of the development is considered acceptable, with limited adverse impact anticipated on visual and residential amenity. It is not considered that there are any highway safety or parking concerns.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. Prior to the painting of the boundary fencing and boarding, details of the colour finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details.
3. No ancillary structures or buildings shall be erected on the site without the further written approval of the Local Planning Authority.

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 interests of visual amenity.
3. In the interests of visual and residential amenity.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.