

50 m
100 ft



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REFERENCE NO. 18/2014/1164

Scale: 1:2500

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Denbighshire Boundary
DCC



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WARD : Llandyrnog

WARD MEMBER(S): Cllr Merfyn Parry

APPLICATION NO: 18/2014/1164/ PS

PROPOSAL: Variation of condition no. 12 of planning permission code no. 18/2012/1595 to allow 2 no. access points to remain open

LOCATION: Highfield Park Llangwyfan Denbigh

APPLICANT: MHC Highfield Park Ltd.

CONSTRAINTS: AONB

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 – Community Council objection

CONSULTATION RESPONSES:

LLANDYRNOG COMMUNITY COUNCIL

"I write to confirm that the Llandyrnog Community Council considered the above mentioned application at their meeting 21st July.

Whilst accepting that entrances c and D were being used on a temporary basis during the construction even this temporary basis has proved challenging for the residents of the area with many near misses being reported and the possibility of them being permanent is indeed worrying.

In the statement it refers to the land around C and D being landlocked if this application is not granted - this is of the applicants own making and choice when submitting the original application then this would have been evident.

Yes the company has a traffic plan however staff take little or no notice of the plan and if the application was even considered - with a condition of who should use the access - then it will be impossible to monitor so in effect one will have a further two access onto a lane which is totally unsuitable for additional traffic.

There are concerns that there may be some inaccuracies in the statement - or certainly the need for clarity - 'Rose House and Pine Cottage area generally do not have cars' - one cannot challenge that statement - however there are staff at the units that have cars use access C on a permanent basis and as a Community Council we can guarantee you that most of the complaints we have here about speeding traffic is around shift change time at Highfield - three times a day - it's mayhem as staff finish spot on ten in the evening and others rushing to get there one minute to ten. That's only one shift change out of three

The CPSO will confirm that and the CC can only imagine that residents choose not to use that lane during those three crucial times of the day. Residents have to plan their comings and goings in between three shift changes.

The Llandyrnog Community Council are unable to support this application until such time a more practical solution has been put forward by the application - they have it within their powers to make considerable road improvements or a completely internal traffic plan using the existing two access

They could also offer to increase the width/visibility between the access' but have chosen to opt for the cheaper option of doing nothing.

I trust you will relay the CC concerns to Members.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
Head of Highways and Infrastructure
Highways Officer

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Richard & Helen Ashcroft - 3 Tan y Ffordd Cottages, Llangwyfan
E. Williams, 2, Tan-y-Ffordd Cottages, Llangwyfan
H Clwyd Hughes, Llangwyfan Farm, Llangwyfan
T C Hughes & Julia Hughes, Plas Llangwyfan, Llangwyfan Farm,
Llangwyfa R & G Ashcroft - Fron Yw Manor
Julia Hughes - Plas Llangwyfan
W. Davies, 2, Vron Yw Cottage, Llangwyfan
Tudor & Julia Hughes, Plas Llangwyfan

Summary of planning based representations in objection:
Highways - visibility, volume of traffic, capacity of highways network

EXPIRY DATE OF APPLICATION: 17/12/2014

REASONS FOR DELAY IN DECISION:

- protracted negotiations resulting in amended plans
- re-consultations further publicity necessary on amended plans and additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks to vary condition 12 of planning permission 18/2012/1595 to allow 2 access points to remain open.

1.2 Description of site and surroundings

- 1.2.1 Highfield Park is a well established complex of buildings situated within a parkland setting on the westerly edge of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty, approx. 1km north west of Llandyrnog.

- 1.2.2 The complex is a healthcare facility.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located outside of any development boundary.

1.4 Relevant planning history

- 1.4.1 Various application relating to the existing use of the site.

1.5 Developments/changes since the original submission

1.5.1 Revised plans and a revised highways statement have been submitted for consideration.

1.6 Other relevant background information

1.6.1 Suggested restrictions in relation to the use of access C and D have been presented to agent/applicant. The restrictions suggested were as follows;

Access C - to be for the sole use of Pine Cottage and Rose House and controlled through the installation of a locked barrier or removable bollard.

Access D - to be for the sole use of maintenance vehicles with no direct link into the main site for members of staff.

The agent/applicant have agreed to the proposed restriction to Access D but state that the proposed restriction is not acceptable.

2. DETAILS OF PLANNING HISTORY:

2.1 Erection of extension and new car park granted permission under reference number 18/2012/1595.

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

3.1 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014
Technical Advice Note 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 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 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.

Concerns have been raised by the Community Council and local residents in relation to the proposed accesses remaining open. The Highways Officer has raised no objection subject to a condition requiring that the visibility splays remain free of obstruction.

The concerns of the Community Council and local residents are duly noted however Officers consider that the proposed accesses are acceptable in relation to relevant policies and guidance and the impact on the local highways network can therefore not be considered unacceptable.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposals do not conflict with relevant policies and guidance and therefore it is recommended that the variation of condition is approved.

RECOMMENDATION: APPROVE VARIATION - subject to the following condition:-

1. Access D shall be used only by maintenance vehicles and no direct link from this access shall be provided into the main site.

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

1. In the interest of the free flow of traffic.

NOTES TO APPLICANT:

None