

Report To: Planning Committee

Date of Meeting: 16th September 2015

Lead Member / Officer: Cllr David Smith, Public Realm,
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Title: Site Development Brief: Ty Nant, Prestatyn – Adoption of final document

1. What is the report about?

- 1.1 This report summarises responses from the 8 week public consultation on the draft Site Development Brief: Ty Nant, Nant Hall Road, Prestatyn and proposes a number of changes to the Development Brief in response to comments received. This report is accompanied by a number of appendices:
- Appendix 1 - Draft Site Development Brief with changes shown
 - Appendix 2 - Consultation Report – Council’s response to representations received
 - Appendix 3 – Equality Impact Assessment

2. What is the reason for making this report?

- 2.1 The purpose of this report is to inform Members of comments received in response to the public consultation on the draft Site Development Brief for Ty Nant and to seek Members’ approval of the Development Brief with proposed changes. If approved, the Site Development Brief will be used to assist in the determination of any planning applications on the site.

3. What are the Recommendations?

- 3.1 That Members adopt the proposed Site Development Brief for Ty Nant attached as Appendix 1, with recommended changes, for the determination of planning applications and planning appeals.

4. Report details.

- 4.1 If adopted, the site development brief is one of a series of Supplementary Planning Guidance notes (SPGs) amplifying Denbighshire Local Development Plan 2006 – 2021 (LDP) policies or principles of development for individual site allocations in a format which aims to guide the process, design and quality of new development.
- 4.2 The Council’s SPG notes are not part of the adopted development plan. Welsh Government (WG) has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPGs can be treated as

a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals.

- 4.3 The majority of the site outlined in the development brief is currently owned by the County Council. However, the site, including the Ty Nant building, is no longer required by the County Council and has been declared surplus to requirements. The Council has agreed to dispose of the site and building. The development brief, once formally adopted, will form the basis for the determination of any future planning applications on the site. The aim of the brief is to provide guidance on potential uses, broad layout of development on the site and to ensure the Council's requirements for development on this site are achieved.
- 4.4 Members approved the draft document for public consultation at Planning Committee on 18th February 2015 and was subject to public consultation for 8 weeks up to 1st May 2015. The consultation included press releases, information on the Council's website and an email or letter to all people on the LDP database, including City, Town and Community Councils; County Councillors; adjacent local authorities, statutory consultees; local, regional and national organisations with an interest in the LDP; agents /developers, registered social landlords; statutory consultees (eg NRW, WG); relevant landowners and others with an interest in the site, and members of the public, informing them of the consultation details, drop-in events at Prestatyn Library and the Old Library, Prestatyn and how to respond.
- 4.5 Copies of the draft document and comment forms were made available on the Council's website, in Public Libraries and the Council's 'One Stop Shops'. An exhibition was also left in Prestatyn Library between.
- 4.6 In addition, over 500 households and businesses in the vicinity of the site received a leaflet containing all necessary consultation details and advertising the drop-in events. Two drop-in sessions were held in Prestatyn Library on 16th March 2015 and on 11th April 2015. Two further sessions were held in the Old Library, Prestatyn 21st & 25th April 2015. Over 200 people attended the events and attendees had the opportunity to put comments on maps of the site. At the events, Officers from different departments were present to talk to the public, provide further information and advice on site-specific queries.
- 4.7 A total of 37 written responses were received, largely from local residents. In addition 46 comments were placed on the maps at the drop- in sessions and 57 comments were noted by officers in attendance at the drop in sessions. Representations included comments from Natural Resources Wales, Campaign for the Protection of Rural Wales, Prestatyn Town Council and Glyn Avenue Residents Group. All comments received have been logged, acknowledged and scanned. Original comments are available to view from the Strategic Planning & Housing Team in Caledfryn. The key issues raised are summarised and summaries of each comment received together with individual responses are set out in the Consultation Report attached as Appendix 2.

4.8 A number of amendments are proposed in response to the representations received. These are shown as **highlighted** or ~~strikethrough~~ text in the Development Brief attached in Appendix I.

4.9 The main changes proposed include:

- Amendments to require sufficient provision to be made for parking and dropping off/ turning facilities adjacent to the Church
- Amendments to clarify that a Transport Assessment will be required from developers to assess traffic impact, which will be considered in the context of trip generation from previous use as Council offices and car parks.
- Clarification regarding requirements for access for all and the requirement for sufficient parking provision for any new uses developed on site
- Further requirements designed to minimise impacts on the residents of neighbouring Glyn Avenue. These include emphasising that proposals should incorporate careful design to minimise over-looking, restricting building heights to 2 storeys adjacent to the boundary and establishing a buffer between any new development and the eastern boundary. This could be a landscape buffer and/or an access route, which would allow for the retention of rear accesses from the Glyn Avenue houses.
- Reference to the need for a children's play area.
- Clarification on requirements for the submission of a Welsh community and linguistic statement with future planning applications and inclusion of additional information regarding the language use within the community.
- Addition of a requirement for any applicants preparing planning applications to undertake pre-application engagement with the surrounding local community, including local disability groups, ward councillors and the Town Council. Any comments provided in this pre-application process should be taken into account when designing the scheme.

4.10 The proposed changes are intended to provide greater clarification regarding the Council's requirements for development on the site and reflect comments received following public consultation. Key issues arising from the consultation were reported back to the Local Development Plan Members Steering Group on 30th July 2015. Members discussed the potential for re-using the Ty Nant building as a community hub and acknowledged that the document is sufficiently flexible to allow for various forms of use. A joint working group will be set up to discuss the potential for community asset transfers and establishing a community hub on the site. Members also discussed the need for a Welsh community and linguistic statement to be submitted with a future planning application. The Development Brief has been amended to clarify this requirement and to include additional information regarding the language use within the community. The Steering Group recommended the document to be submitted to Planning Committee for adoption.

4.11 There have been no representations on the Strategic Environmental Assessment (SEA) – screening document.

5. How does the decision contribute to the Corporate Priorities?

5.1 The SPG will positively contribute to the following Corporate Priorities as set by Denbighshire County Council:

- *Modernising the Council* to deliver efficiencies and improve services for our customers by ensuring that up to date planning guidance is provided for bringing land forward for development on this site
- *Developing the Local Economy* by providing the framework for the potential delivery of land for new employment and housing development and through stimulating growth in the local construction industry.
- *Clean and tidy streets* by ensuring that a well-designed development scheme is delivered, which incorporates open space, routes for pedestrian access, together with arrangements for future maintenance.
- *Ensuring access to good quality housing* by providing the framework for the delivery of new housing development, including a proportion of affordable housing.

6. What will it cost and how will it affect other services?

6.1 This report seeks approval for adoption and at this stage it is not anticipated to create any additional costs.

6.2 Once adopted, the SPG will be of benefit for several Council departments. For example, Economic and Business Development can use the document for site promotion, and discussion with interested parties about site potential. The Development Management team will have additional information on acceptable types of development in planning terms and potential site constraints. It will also assist the Property Team in any future land sales, and negotiation with interested parties.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

7.1 The conclusion of the EqIA-screening is that an Equality Impact Assessment is not required for the draft Site Development Brief, including the proposed document amendments, see Appendix 3I.

7.2 Members received a first EqIA-screening opinion with the report to planning committee on 18th February 2015 when Officers sought approval for public consultation with key stakeholders and members of the public. It was concluded that a full EqIA was not required at that stage. The proposed

document amendments, which are of editorial and factual character, do not warrant a full assessment.

8. What consultations have been carried out with Scrutiny and others?

- 8.1 Throughout the document preparation process, Planning Officers worked jointly on the content of the draft Site Development Brief with colleagues from Highways, Economic and Business Development, Development Management, and Property. The local Members for Prestatyn were kept informed about progress.
- 8.2 Members of the LDP Steering Group discussed the content of the draft document prior to public consultation in Spring 2014, and they discussed matters raised in representations received in July 2015.
- 8.4 Proposals for the site development brief were also presented to Members of the Prestatyn Member Area Group in January 2015. Officers attended Prestatyn Town Council on 23rd June 2015 to report back on the results of the consultation.

9. Chief Finance Officer Statement

- 9.1 It is not anticipated that adopting the Site Development Brief will create any additional costs but if any arise these must be contained within existing Departmental budgets.

10. What risks are there and is there anything we can do to reduce them?

- 10.1 The Site Development Brief sets out a clear vision for future development of the site. Without clear guidance in place for the site there is a risk that a high quality sustainable development, with the appropriate mix of uses and community benefits would not be achieved and residents' significant input into the Brief not reflected.
- 10.2 Taking no action, i.e. having no planning guidance in place for interested parties, would not be consistent with the Council's ambition to provide local communities with jobs and homes and an attractive built and natural environment to live in and do business.

11. Power to make the Decision

- 11.1 Planning & Compulsory Purchase Act (2004).