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46/2015/0765

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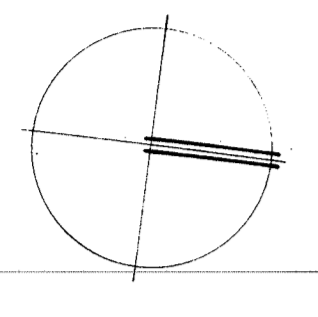


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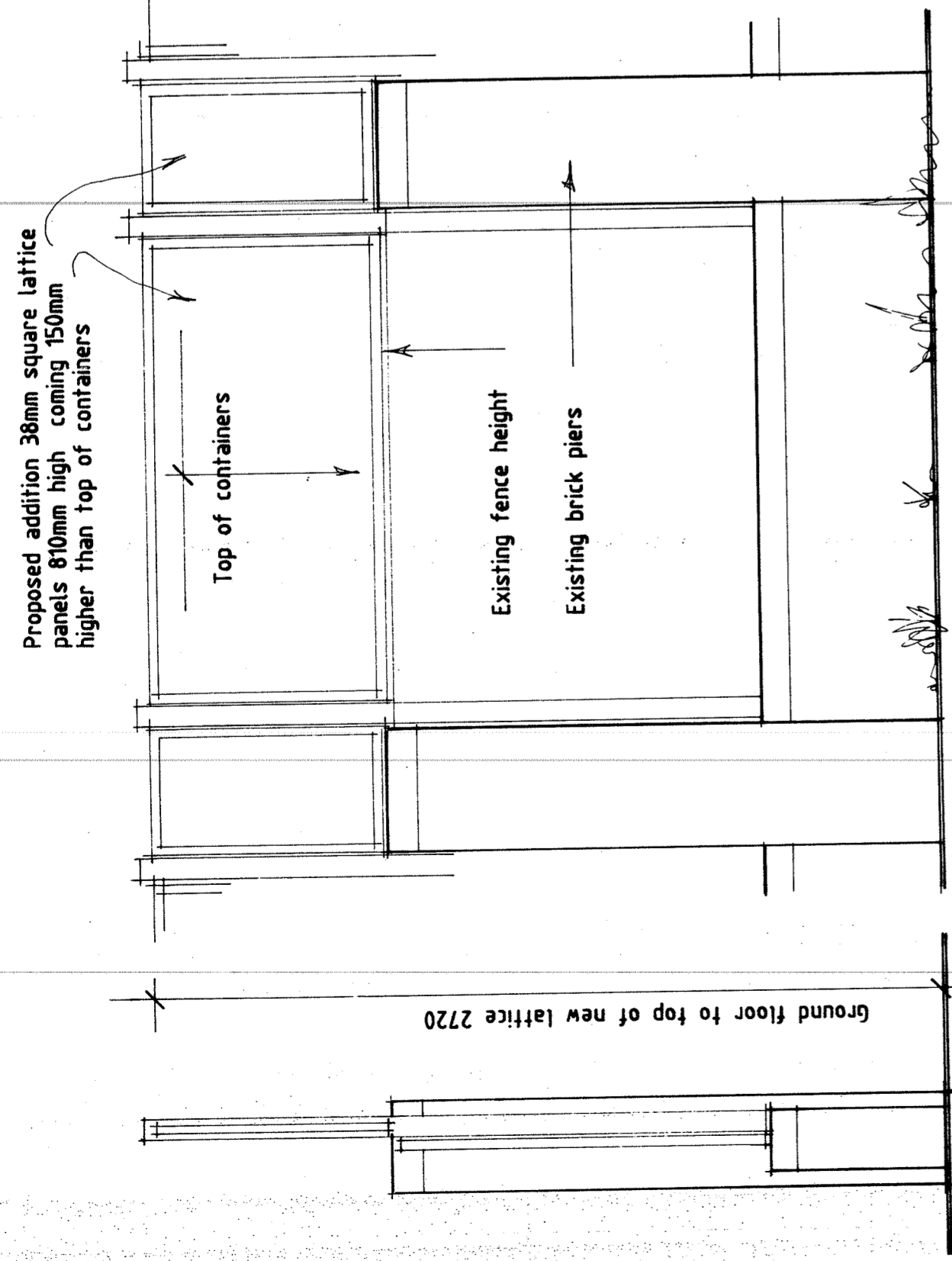
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NOTES / KEY

revision	ref	date
client		
Mr. Antony Davies.		
project		
PROPOSED TEMPORARY CONTAINER STORAGE ON LAND ADJACENT BOD ERW HOTEL THE ROE, ST. ASAPH, DENBIGHSHIRE.		
drawg title		
PROPOSED SITE LAYOUT PLAN		
R. G. RUDHAM BA (HONS) MA. BUILDING DESIGN ARCHITECTURE AND PLANNING THE NOOK, PENYFFRIS ROAD, CULCAIN, MOLD, FLINTSHIRE CH75PD TEL: (01352) 741246 FAX: (01352) 740958 Email: bob.rudham@bcrbar.net.com		
scale	1 : 200	date
		July 15
drawg no	M15 913 01	revision



RECEIVED
31 JUL 2015
CALEDFRYN RECEPTION



ELEVATION OF ONE FENCING PANEL ON LINE C - D 1 : 20

SECTION

SCHEDULE OF BOUNDARY TREATMENTS

- A to B Existing 1.8 metre high feather edged boards with 600mm high concrete gravel board.
- B to C Existing 1.8 metre high natural stone wall.
- C to D Existing 1.9 metre high timber boarded fence set between facing brick piers with dwarf brick wall below.
See details above for proposed enhancement to provide full visual screening for adjacent dwellings.
- D to A Existing 1.8 metre high close boarded fence with matching gates

Proposed protective fencing set 2 metres out from tree crowns to be 1.8 metre high close boarded timber panels

KEY TO SITE PLAN LAYOUT

- C1 = Steel container 2.4 metres wide, 2.65 metres high and 6.0 metres long.
- C2 = Steel container 2.4 2.65 3.0
- P = Parking space for each container user.

NUMBERS OF UNITS

- C1 9 no.
- C2 14 no.

SITE ENTRANCE

WARD : St Asaph West

WARD MEMBER(S): Cllr Bill Cowie

APPLICATION NO: 46/2015/0765/ PF

PROPOSAL: Change of use of land for the siting of secure storage units

LOCATION: Land at Bod Erw Hotel The Roe St Asaph

APPLICANT: Mr Antony Davies

CONSTRAINTS: Tree Preservation Order

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

CONSULTATION RESPONSES:

CITY OF ST ASAPH TOWN COUNCIL

“Objection – insufficient information, industrial site, lighting and access”

NATURAL RESOURCES WALES

Note that the site lies within Flood Zone C2 and the land was flooded during the November 2012 event. Not that FCA demonstrates that the proposal would not comply with TAN 15. However no objection raised as it is recognised that the development is located on an existing car park area, which benefits from a “less vulnerable” use. Given the limited scale of development, and given its temporary nature, NRW have no flood risk objections to the development proposals. Conditions should be imposed on any approval to ensure flood proofing measures are installed and land is reinstates after temporary permission period.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Highways Officer

No objection on the basis of the former permission on the site for a 30 bed motel unit, and the improvements already carried out on the existing access, subject to conditions securing appropriate detailing

RESPONSE TO PUBLICITY:

In objection

Representations received from:

- i) Mr J Glaister, 2 Erw Lan, St Asaph;
- ii) Mrs D V Rao, 3 Erw Lan, St Asaph;
- iii) Mr Mouradi, 4 Erw Lan, St Asaph;
- iv) Mrs E A Cobett, 5 Erw Lan, St Asaph.

Summary of planning based representations in objection:

- i) Detrimental visual impact;
- ii) Noise and disturbance via every day access;
- iii) Previous experience of impact from previous unauthorised caravan storage use;
- iv) No pre-application consultation other than with the service station;
- v) Excessively high boundary fence;
- vi) Traffic impacts;
- vii) Impact on flooding.

EXPIRY DATE OF APPLICATION: 15/11/2015

REASONS FOR DELAY IN DECISION (where applicable):

Awaiting consideration at Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes to install 23 individual storage units at the site to be set in runs along the western and southern boundaries along with a circle in the centre of the site.
- 1.1.2 The units have an individual parking space next to them and the scheme utilises an existing access into the site from the north eastern corner via the car park for the hotel.
- 1.1.3 The access road around the site is formed from gravel, and two existing trees on the northern side of the site are shown as being retained.
- 1.1.4 The 23 units are comprised of 9 larger units measuring 6.0 metres by 2.2 metres and 14 smaller units measuring 3.0 metres by 2.2 metres. The height of the units is shown as being 2.6 metres with the scheme proposing to form a boundary fence of just over 2.7 metres around the periphery of the site.
- 1.1.5 No elevational details of the proposed storage units has been submitted, although they are described in the Design and Access Statement as being painted mid green.

1.2 Description of site and surroundings

- 1.2.1 The site is an open area of land which lies to the south of the car park and hotel.
- 1.2.2 A service station is located to the east and residential properties to the west. The residential properties are reached by the cul-de-sac of Erw Lan that runs to the south of the site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site stands within the development boundary in an area without any specific designation in the Local Development Plan.
- 1.3.2 The site is and is set within the defined flood zone which was affected by the November 2012 floods.

1.4 Relevant planning history

- 1.4.1 A motel has previously been approved on the site.
- 1.4.2 The most recent application for caravan storage was refused in 2011. The refusal was on the grounds of impact on the adjacent residential properties and the general character of the area.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The application is accompanied by a Design and Access Statement along with a Flood Consequences Assessment.

2. DETAILS OF PLANNING HISTORY:

- 2.1 46/2011/0563 - Change of use of part of car park to a caravan storage area for a temporary period of 24 months (retrospective application): Refused 27/07/2011 for the following reason: *It is the opinion of the Local Planning Authority that the proposed storage of caravans, in a visible location in close proximity to residential properties would have an adverse impact upon the visual amenities and character of the area. The proposal is therefore contrary to Unitary Development Plan policies TSM 13 criteria i), iii) and GEN 6 criterion i).*

2.2 46/2006/1168 - Renewal of application Ref. No. 46/2003/0962/PO comprising development of 0.5 ha of land by erection of two-storey detached 30-bedroom motel unit in conjunction with Bod Erw Hotel, alterations to existing vehicular access and provision of additional park: Granted 15/08/2007.

2.3 46/2006/0557 - Development of 0.519 ha of land including the demolition of the existing hotel for residential purposes with alterations to the existing vehicular access (outline application: Granted 05/09/2007.

2.4 46/2003/0962 - Renewal of application Ref. No. 46/2000/582/PO comprising development of 0.5 ha of land by erection of two-storey detached 30-bedroom motel unit in conjunction with Bod Erw Hotel, alterations to existing vehicular access and provision of additional parkin: Granted 01/10/2003.

2.5 46/2000/0582 - Development 0.5 ha of land by erection of two-storey detached 30-bedroom motel unit to be used in connection with Bod Erw Hotel, alterations to existing vehicular access and provision of additional parking are: Granted 17/08/2000.

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 ASA3 – Parking standards

3.1 Supplementary Planning Guidance
SPG 21 – Parking

3.2 Government Policy / Guidance
Planning Policy Wales Edition 7 July 2014
Technical Advice Notes
Circulars

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 Highways (including access and parking)
- 4.1.5 Flood Risk

4.2 In relation to the main planning considerations:

- 4.2.1 Principle

Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria.

The proposal is therefore acceptable in terms of the general principles of Policy RD1 but requires further scrutiny in respect of its impact on visual amenity, residential amenity, highways and flood risk.

4.2.2 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 (iv) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (v) 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.

The site is abutted by the service station to the east which fronts onto the main road (The Roe) along with further commercial development in the form of the hotel and its associated car park to the north. In contrast, the site is abutted by residential properties to the west with their access road to the south. The site therefore forms a transitional area between commercial and residential uses.

Having regard to the nature and scale of the proposed development in relation to the existing site and surroundings, it is not considered that the proposals would have an unacceptable impact on the visual amenities of the locality.

4.2.3 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.

The 2011 refusal for caravan storage was considered to be harmful to the amenity of the adjacent residential occupiers and concerns have been raised by the occupiers of neighbouring properties.

It is considered that the proposed development would have an unacceptable impact on the residential amenity of adjacent occupiers due to increased levels of activity, disturbance and noise. The development is therefore contrary to criteria (i) and (vi) of Policy RD 1.

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.

The lack of objection made by the Highway Authority is duly noted on the basis of the previous consent at the site, and it is not adjudged that a refusal based on highways could be substantiated.

4.2.5 Flood Risk

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

The comments made by the NRW are noted and a reason for refusal founded on flood risk is not considered to be justified.

5 SUMMARY AND CONCLUSIONS:

5.1 The application is unacceptable due to its harmful impact on residential amenity and is recommended to be refused.

RECOMMENDATION: REFUSE- for the following reasons:-

The reason is:-

1. It is the opinion of the Local Planning Authority that the proposed use is likely to result in a level of activity, disturbance and noise that would be harmful to the residential amenities of occupiers of nearby residential properties which are located in close proximity to the site. The change of use proposed is therefore considered contrary to criteria i) and vi) of Policy RD 1 of the Denbighshire Local Development Plan as it would not respect the site and surroundings in terms of the intensity of use of land/buildings and would unacceptably affect the amenity of local residents by virtue of increased activity, disturbance and noise.

NOTES TO APPLICANT:

None