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45/2015/0780

Scale: 1:2500

Printed on: 4/1/2016 at 13:55 PM

Denbighshire Boundary




© Denbighshire County Council

LAYOUT - PHASE 1

NOTES
 1. This plan shows the layout of the site as proposed for the development.
 2. The site is bounded to the north by Sydenham Avenue, to the east by Wellington Road, to the south by Quay Street and to the west by Marlborough Grove.
 3. The site is divided into three sections: Building A, Building B and Building C.
 4. The site is divided into three sections: Building A, Building B and Building C.
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 9. The site is divided into three sections: Building A, Building B and Building C.
 10. The site is divided into three sections: Building A, Building B and Building C.

LEGEND
 1. Building A
 2. Building B
 3. Building C
 4. Parking
 5. Landscaping
 6. Access
 7. Boundary
 8. Existing
 9. Proposed
 10. To Be Deleted

NO.	DESCRIPTION	AREA (sq. m)	PERCENTAGE
1	BUILDING A	10,000	10.00
2	BUILDING B	10,000	10.00
3	BUILDING C	10,000	10.00
4	PARKING	10,000	10.00
5	LANDSCAPING	10,000	10.00
6	ACCESS	10,000	10.00
7	BOUNDARY	10,000	10.00
8	EXISTING	10,000	10.00
9	PROPOSED	10,000	10.00
10	TO BE DELETED	10,000	10.00
TOTAL		100,000	100.00

NW-ARCHITECTS

27 The Pavilions, London, SE1 1PL
 Registered Architects No. 6111218
 www.nw-architects.co.uk

DATE: 15/01/14
 SDG (RBY) Ltd

PROJECT: Marina Quay
 RHYE

SCALE: 1:500 @ A1

SITE PLAN
 PHASE 1

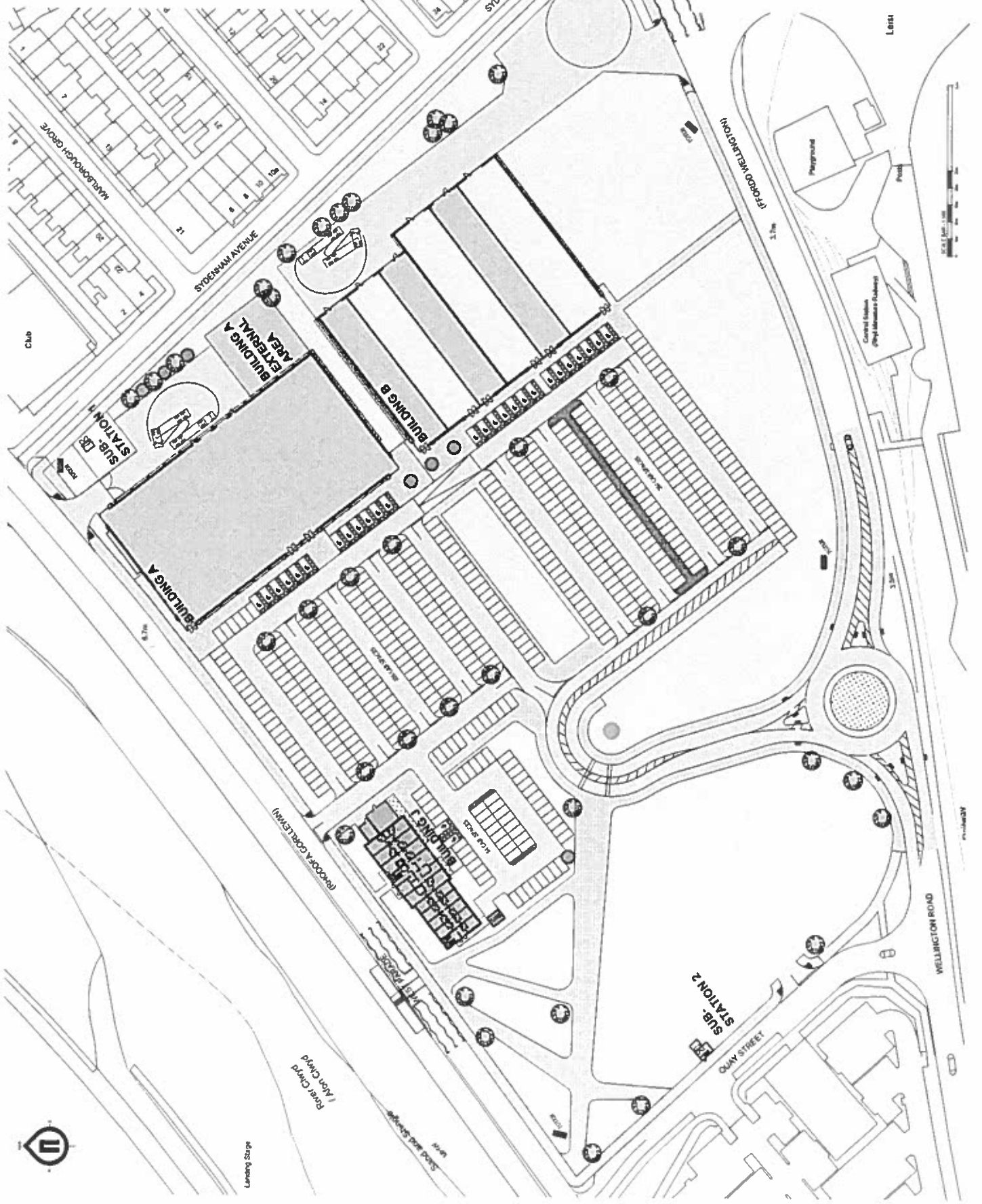
PROJECT NO: 15036-P102

DATE: 15/01/14

BY: SDG (RBY) Ltd

CHECKED BY: [Signature]

DATE: 15/01/14



Landscaping

Proposed Road / 1.5m Chd

SUB STATION 2

QUAY STREET

WELLINGTON ROAD

SYDENHAM AVENUE

SYDENHAM AVENUE

INDUSTRIAL GROUNDS

MARLBOROUGH GROVE

Club

SUB STATION

BUILDING A

BUILDING B

BUILDING C

PROPOSED CORRELUM

Leas



Playground

Control Station (Pyl) Marina Quay

LAYOUT - PHASE 2

15036
 This plan shows the proposed layout for the Phase 2 development.
 The site is bounded to the north by the railway, to the south by the railway,
 to the east by the railway, and to the west by the railway.
 The site is bounded to the north by the railway, to the south by the railway,
 to the east by the railway, and to the west by the railway.
 The site is bounded to the north by the railway, to the south by the railway,
 to the east by the railway, and to the west by the railway.

15036
 This plan shows the proposed layout for the Phase 2 development.
 The site is bounded to the north by the railway, to the south by the railway,
 to the east by the railway, and to the west by the railway.
 The site is bounded to the north by the railway, to the south by the railway,
 to the east by the railway, and to the west by the railway.

- 1. Existing buildings
- 2. Proposed buildings
- 3. Proposed car parking
- 4. Proposed cycle parking
- 5. Proposed landscaping
- 6. Proposed boundary
- 7. Proposed access
- 8. Proposed boundary
- 9. Proposed boundary
- 10. Proposed boundary

Area	Area	Area	Area
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
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49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
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85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

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 www.nw-architects.co.uk

Client: SDG (Pty) Ltd

Project: Marina Quay
 Rhyll
 Phase 2

Scale: 1:500 @ A1

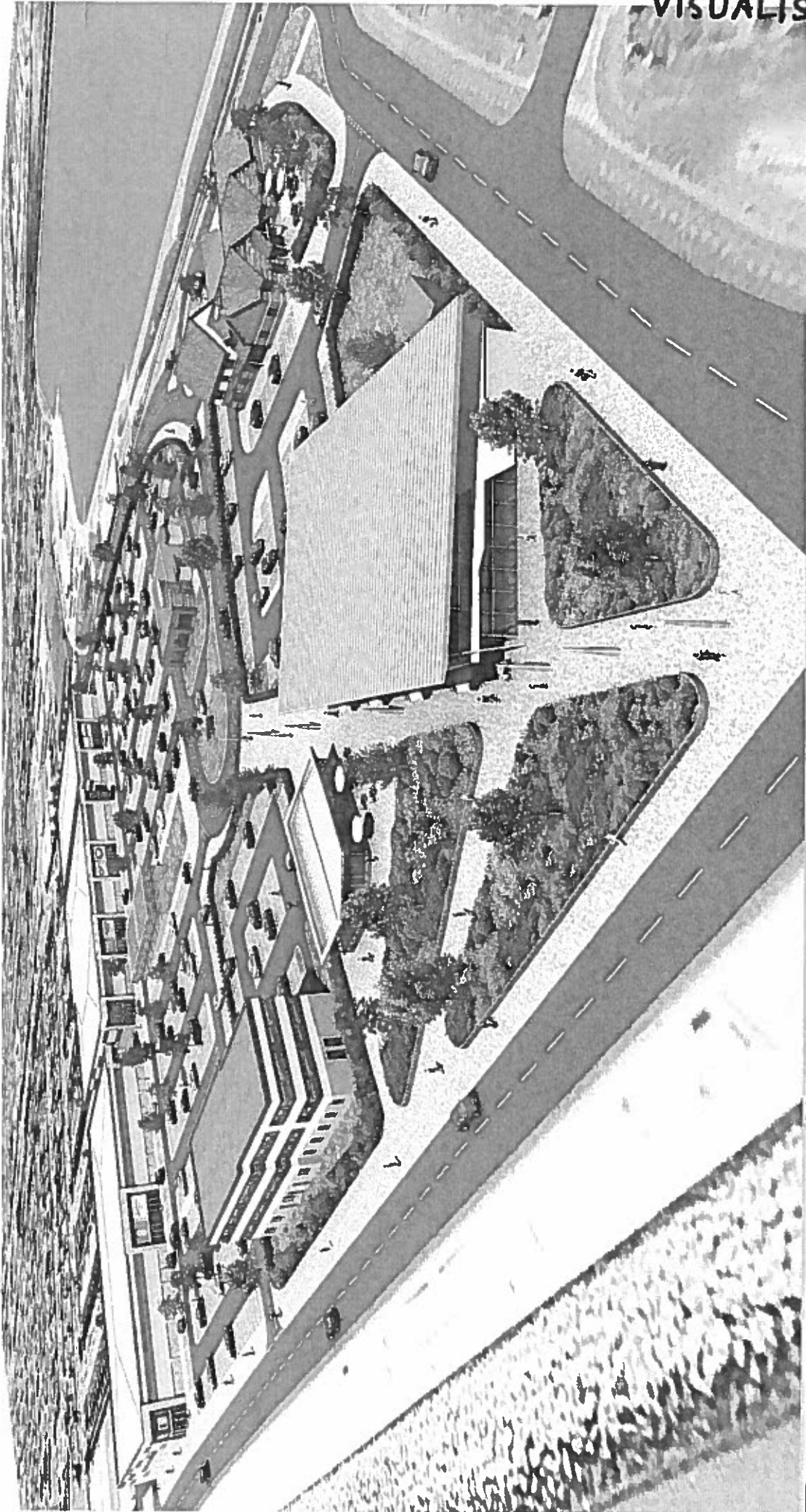
15036-P103
 C



Scale bar: 0 10m 20m 30m 40m 50m 60m 70m 80m 90m 100m

North arrow: [Symbol]

VISUALISATION



DATE DRAWN
08-07-2015

DRAWN BY
PS

CLIENT NUMBER
15036-P300

PROJECT
Marna Quay, Rhyl

DRAWING TITLE
Visual 1

NW-ARCHITECTS

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NOTES

1. All work shall be done in accordance with the latest British Standards. Where any discrepancy exists between the drawings and the latest British Standards, the latest British Standards shall prevail. The drawings shall be used in accordance with the latest British Standards. The drawings shall be used in accordance with the latest British Standards. The drawings shall be used in accordance with the latest British Standards.

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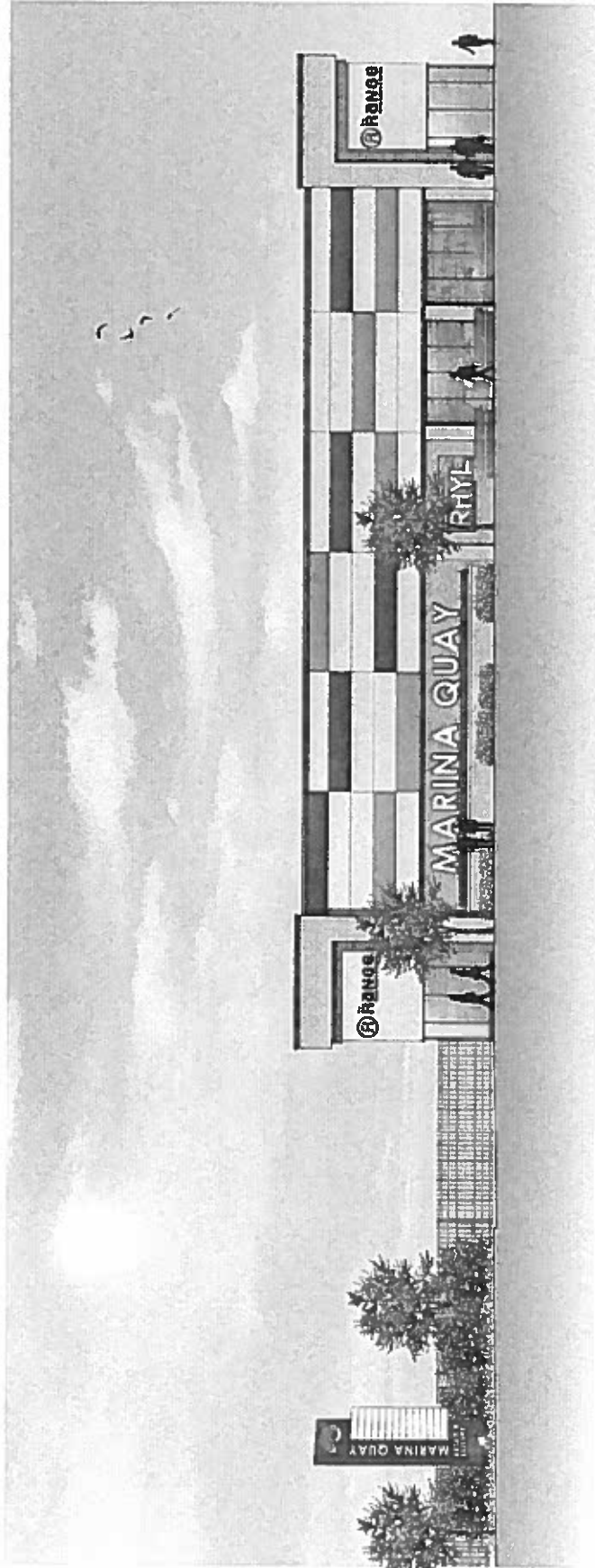
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NORTH WEST ELEVATION

BUILDING A

NO.	DESCRIPTION	DATE	BY



NW-ARCHITECTS

27 New Park Lane, L1 2 2Y
 Liverpool, Merseyside, L1 2 2Y
 WWW.NW-ARCHITECTS.CO.UK

Client: SDG (Rhyf) Ltd

Project: Marina Quay
 Rhyf

Building A
 Coloured Elevations

Scale	1:100 @ A1
Drawn	AS
Checked	AS
Date	20/10/15
Project No.	15036-P302

NOTES

1. Elevation views are shown with the ground plane as a reference. All elevations are shown with the ground plane as a reference. All elevations are shown with the ground plane as a reference.

2. Elevation views are shown with the ground plane as a reference. All elevations are shown with the ground plane as a reference. All elevations are shown with the ground plane as a reference.

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LEGEND

1. Finish
2. Material
3. Color
4. Pattern
5. Texture
6. Detail
7. Note
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9. Elevation
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LEGEND

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LEGEND

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3. Color
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6. Detail
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11. Elevation
12. Section
13. Elevation
14. Section
15. Elevation

NORTH WEST ELEVATION



SOUTH WEST ELEVATION



NORTH EAST ELEVATION



SOUTH EAST ELEVATION



BUILDING B ELEVATIONS

FOOD / RETAIL / LEISURE

NW-ARCHITECT

7777 10th Street, Suite 100
Denver, CO 80202
WWW.NW-ARCHITECT.COM

SDG (Rhyll) Ltd

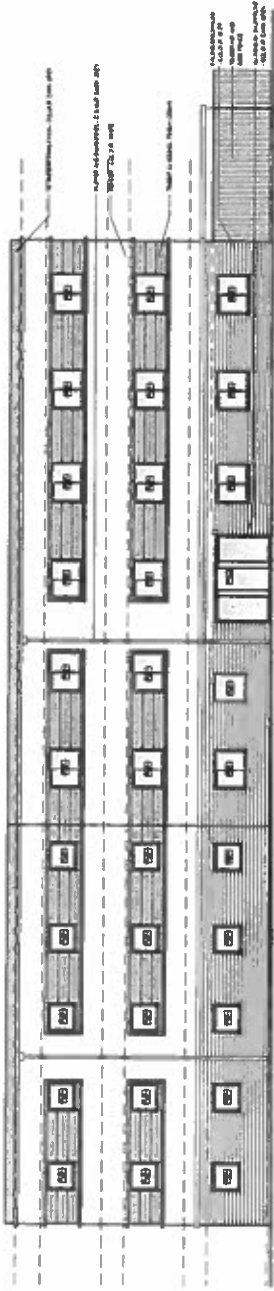
PROJECT: Marina Quay Rhyll
ARCHITECT: Building B Elevations
SCALE: 1:100 @ A1
DATE: 15/03/18

15036-P121

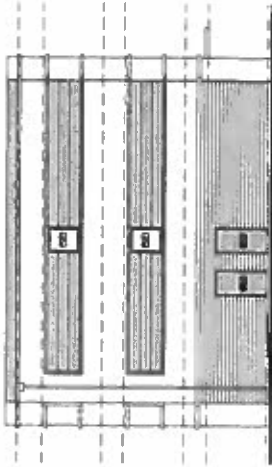
NOTES

1. Refer to the General Notes for information on the use of the drawings.
 2. All dimensions are in millimeters unless otherwise indicated.
 3. All dimensions are to the centerline of the element unless otherwise indicated.
 4. All dimensions are to the face of the element unless otherwise indicated.
 5. All dimensions are to the centerline of the element unless otherwise indicated.
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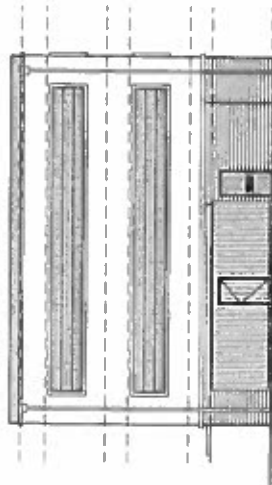
CONSTRUCTION KEY
 1. Finish
 2. Form
 3. Concrete
 4. Steel
 5. Glass
 6. Paint
 7. Polished Concrete



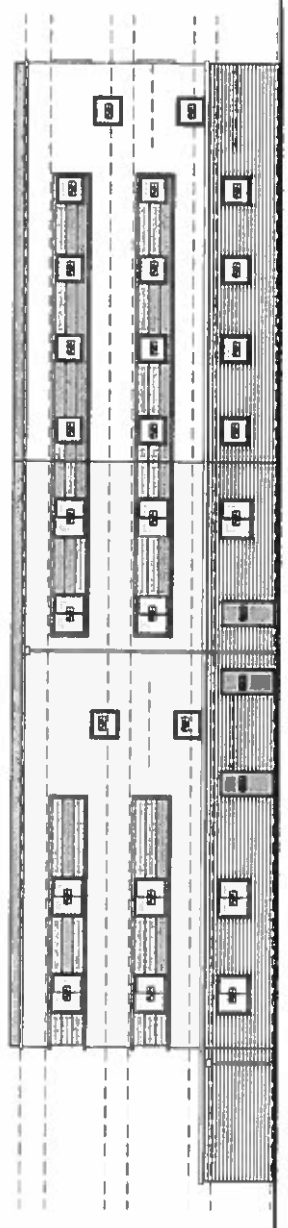
SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	10/10/11	AW	AW
2	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
3	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
4	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
5	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
6	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
7	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
8	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
9	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW
10	ISSUED FOR CONSTRUCTION	10/10/11	AW	AW

NW-ARCHITECTS
 1714 Park Lane, Unit 111
 Vancouver, BC V6J 1K1
 WWW.NW-ARCHITECTS.CO.CA

BUILDING J ELEVATIONS HOTEL

CLIENT: SDG (RHY) Ltd

PROJECT: Marina Quay Rhy

PROJECT NO: Building J Elevations

SCALE: 1:100 @ A1

DATE: 10/10/11

PROJECT NO: 15036-P191

DATE: 10/10/11



WARD : Rhyl West

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

APPLICATION NO: 45/2015/0780/ PR

PROPOSAL: Details of appearance, landscaping, layout and scale of phase 1 of mixed-use redevelopment scheme incorporating the development of 2 no. blocks containing retail uses (bulky goods, food and non-food) and leisure uses; a detached 54 bed hotel, 2 no. substations, car parking and other ancillary works submitted in accordance with condition number 1 of outline planning permission 45/2013/1510 (Reserved Matters Application)

LOCATION: Ocean Beach Site Wellington Road Rhyl

APPLICANT: Scarborough Development Group (Rhyl) Ltd.

CONSTRAINTS: C1 Flood Zone

PUBLICITY UNDERTAKEN: Site Notice – Yes
Press Notice – Yes
Neighbour letters - Yes

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

- Referral by Head of Planning / Development Manager

CONSULTATION RESPONSES:

RHYL TOWN COUNCIL

“The Town Council Planning Committee is concerned that the development site is key for the long term future well-being of the Town of Rhyl and its community.

It is the Planning Committee’s view that in the past the applicant has demonstrated a lack of commitment/ability to undertake their responsibilities specified in conditions attached to previously granted planning consents in respect of this site (as evidenced by the current appearance of the site).

In light of this past experience the Town Council does not have confidence that any safeguards applied to any new planning approval by way of condition will be subsequently implemented by the applicant to the detriment of the well-being of the wider town community.

As such the Rhyl Town Council Planning Committee is declining to make any response to the current application.”

CONWY COUNTY BOROUGH COUNCIL

No objection

NATURAL RESOURCES WALES

No flood risk objections

DWR CYMRU / WELSH WATER

Reminds the applicant of the need to comply with drainage conditions from the Outline consent.

DENBIGHSHIRE COUNTY COUNCIL CONSULTTEES

County Ecologist

Recommends an amended landscape proposal which would support local biodiversity. Conditions suggested to deal with this.

RESPONSE TO PUBLICITY:

Betty Smith, 95 Ffordd Derwen, Rhyl

- Raises some issues over the proposed landscaping and impacts on bats and birds.

EXPIRY DATE OF APPLICATION:

REASONS FOR DELAY IN DECISION (where applicable):

- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Details of appearance, landscaping, layout and scale of new buildings (Reserved Matters) have been submitted for phase 1 of the "Marina Quay" development on the site of the former Fun Fair in Rhyl. The details show 2no. detached blocks to the north-east of the site containing a mix of food, non-food retail and leisure uses. In addition, details of a 54 bed detached hotel building to the north of the site. Details of 2no. small sub-station buildings are also shown, one to the north-east side and one to the west of the site.
- 1.1.2 Outline Consent for the redevelopment of the whole site was granted in February 2015. The redevelopment proposal incorporated 5.3ha of land for the following elements:
 - Foodstore
 - Petrol Filling Station
 - Non-Food retail units
 - Hotel
 - Public House
 - Café/Restaurants
- 1.1.3 The Outline Consent included details of the means of access to the site but all other matters were reserved for further approval. The Consent was the subject of a number of planning conditions some of which sought to control minimum and maximum floor spaces for certain uses (Leisure/retail).
- 1.1.4 Plans of the proposed food/non-food retail/leisure blocks and detached hotel are shown at the front of this report.
- 1.1.5 Building A shows a detached retail/leisure block of some 3,455 sq.m incorporating an external garden centre area. The building is shown with a maximum height of some 8.7m

- constructed from buff facing brick and coloured composite panels/glazing. The building is to be located to the north-east of the site backing onto the Sydenham Avenue boundary.
- 1.1.6 Building B shows a detached food, non-food retail and leisure block of some 3,805 sq.m. The building matches Building A in terms of height and materials and again backs onto Sydenham Avenue.
 - 1.1.7 Building J is the detached hotel unit shown set back from the West Parade frontage to the north of the site. The flat roofed structure is 1,605 sq.m and shown at a maximum height of 10.5m in buff facing brick, timber cladding and white render. Some 54 car parking spaces are shown to the rear of the hotel building.
 - 1.1.8 The sub-station buildings are 27 sq.m and 50 sq.m respectively with the smaller of the two located to the north-east of the site close to the Sydenham Avenue junction. The buildings have a maximum height of 3m.
 - 1.1.9 A hard and soft landscaping scheme has also been submitted with the application. Areas outside of the Phase 1 development are shown to be grassed in anticipation of future phases. Tree, shrub and other planted areas are shown around the main new buildings and parking areas with some public art and seating areas also shown along the West Parade area.
 - 1.1.10 The application has been submitted with an updated Flood Consequences Assessment

1.2 Description of site and surroundings

- 1.2.1 The site sits on two levels. The higher part of the site fronts onto West Parade to the north. The lower end has Wellington Road to the south with the Marine Lake beyond. To the east of the site is Sydenham Avenue which contains a mix of dwellings and businesses. To the west is Quay Street which still contains a Council run car park.
- 1.2.2 To the promenade side of the site much regeneration work has taken place within the harbour area including a new cycle bridge, coastal defence works and a café.
- 1.2.3 More recently on the Marina Quay site, and in compliance with previously imposed planning conditions, a frontage landscaping scheme was implemented which took down old hoardings and grassed an area along West Parade.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the development boundary of Rhyl. The site is within the North Wales Coast Strategic Regeneration Area and is identified as a Brownfield Regeneration Priority site. It is also sited partly within a C1 flood zone.

1.4 Relevant planning history

- 1.4.1 Planning permission was granted in November 2007 for a major mixed use scheme incorporating 217 residential apartments, hotel, assembly and leisure, business, retail, cafes, restaurants and public houses, car parking, new public realm and ancillary uses together with associated highways and other works, including 10 no. 6kw wind turbines and 3 no. potential PV solar installations. This scheme was subject to a s.106 legal agreement.
- 1.4.2 Planning permission was granted in December 2013 for a variation of condition on the above scheme which gave a further 2 years for the scheme to be commenced. This was

effectively an extension to the original scheme. This too was subject to a s.106 legal agreement.

1.4.3 In February 2015 Outline Planning permission was granted for a further mixed use scheme, similar to the original, but removing the residential element. The Consent was again subject to a legal agreement which secured a financial contribution towards improvement to town centre links. A condition was imposed on this scheme which required interim landscaping works to be undertaken to the West parade frontage.

1.5 Developments/changes since the original submission

1.5.1 The application was amended to provide a landscape proposal. At this time additional plans were submitted which amended the appearance of the Building A elevations in order to enhance the West Parade frontage.

1.5.2 Further information on flood risk was also submitted during the application assessment in order to clarify possible impacts on off-site areas.

1.6 Other relevant background information

1.6.1 Members will recall that an interim landscaping scheme has been implemented to the West Parade frontage following the removal of a works compound associated with the completion of the Rhyl Sea Defences. A presentation was given to the Rhyl Member Area Group in November 2015 at which the applicants explained their Phase 1 proposals. They explained that they are also seeking to discharge other relevant conditions imposed on the Outline Consent before making a lawful commencement of the February 2015 consent.

2. **DETAILS OF PLANNING HISTORY:**

45/2006/1200/PF - Demolition and redevelopment of 7.625 hectares of land to provide a mixed use development comprising 217 residential apartments, hotel, assembly and leisure, business, retail, cafes, restaurants and public houses, car parking, new public realm and ancillary uses together with associated highways and other works, including 10 no. 6kw wind turbines and 3 no. potential PV solar installations – GRANTED by Committee 27th November 2007. **This permission included planning conditions and a s.106 legal agreement. The main elements of the s.106 legal agreement are as below:-**

- financial contribution by the developer into a “regeneration pot” in lieu of affordable housing and open space provision on site. Secured through a bond.
- CCTV links provided by the developer
- Provision of public open space by the developer
- For the developer to address the relocation of the Asda store in Kinmel Bay to the development site by putting in a planning proposal to Conwy CBC.
- For the developer to carry out flood mitigation works.
- For the developer to carry out landscaping works
- For the developer to ensure BREEAM very good ratings.

45/2012/1236/PS - Variation of Condition No. 1 of planning permission Code No. 45/2006/1200/PF (for demolition and redevelopment of 7.625 hectares of land for mixed-use development) to allow the grant of planning permission for a further 2 years – GRANTED by Committee 9th December 2013. **This permission included the s.106 obligations as set out above and relevant planning conditions, including one to address the appearance of the site.**

45/2013/1510/PQ – Development of 5.3ha of land for mixed-use redevelopment to include provision of a foodstore (Class A1), large format non-food retail units (Class A1), café/restaurant

units (Class A3), hotel (Class C1), Public House (Class A3), petrol filling station (sui generis) with associated access, car parking, infrastructure (including sub-station) and landscaping (Outline application including access – all other matters reserved) – GRANTED by Committee on 12th November 2014. Certificate issued 24th February 2015 on signing of s.106 legal agreement.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy BSC 2: Brownfield Development Priority Allocation

Policy PSE 1: North Wales Coast Strategic Regeneration Area.

Policy PSE 6: Retail Economy

Policy PSE 9: Out of Centre Retail Development

Policy VOE 6: Water Management

Policy ASA 3: Parking Standards

3.1 Supplementary Planning Guidance

SPG – Landscaping

SPG - Access for All

SPG – Parking Standards

3.2 Government Policy / Guidance

Planning Policy Wales Edition 8, January 2016
Technical Advice Notes

TAN 4 – Retailing and Town Centres

TAN 5 – Nature Conservation

TAN 11 – Noise

TAN 12 – Design

TAN 13 – Tourism

TAN 14 – Coastal Planning

TAN 15 – Development and Flood Risk

TAN 18 – Transport

TAN 22 – Sustainable Buildings

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 8, January 2016 (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 and General Planning Considerations
- 4.1.2 Compliance with Outline Consent
- 4.1.3 Impact on visual amenity
- 4.1.4 Impact on residential amenity
- 4.1.5 Impact on Ecology

4.2 In relation to the main planning considerations:

General Planning Policy Context

4.2.1 The main policies in the Local Development Plan (LDP) which are relevant to the principle of the development are:

Policy BSC 2 – The Marina Quay site is allocated as a Brownfield Development Priority in the adopted Local Development Plan. Policy BSC 2 seeks to ensure that development proposals in lower growth towns such as Rhyl are directed towards previously developed land. The site is identified as having the potential to contribute towards sustainable town regeneration and economic growth. In this sense, the planning proposal would benefit from support with the site being allocated as a Brownfield Development Priority.

Policy PSE 1 - Policy PSE 1 of the LDP seeks to ensure that the Council will support proposals which may address existing problems of deprivation in a manner consistent with sustainable development. The site occupies a key gateway location into Rhyl, and in this respect, the proposed development would help to address problems of deprivation in the identified Strategic Regeneration Area. The regeneration of this site in the manner proposed will bring jobs and opportunities for the local area. This is compliant with the intentions of the Policy.

Policy PSE 6 – This Policy reinforces Welsh Government Policy aiming to direct new retail development towards town centres in the first instance. The application site is located outside the defined town centre of Rhyl. However, one must have careful regard to the extant permission for food and non-food retailing on the site. In addition the applicant had submitted a detailed retail impact assessment with the Outline scheme to support the current proposal. This assessment identifies a need for additional retail and stresses that there are no available sequentially preferable sites in or closer to the town centre.

Policy PSE 9 – This Policy helps to support Policy PSE 6 above by restricting any out of town centre retail development. The proposed retail offer on the application site is well over the 500 sq.m which the Policy may allow for out of centres. However, the retail assessment undertaken at the Outline stage highlights the regeneration benefits offered by this food store led development. It stresses that the proposal would not give rise to any significant adverse impacts upon the trade or turnover of any surrounding centre.

Policy VOE 6 – Water Management – This Policy seeks to ensure major developments reduce surface water run-off rates and require the developer to make reference to water management in their submission. The applicant has submitted a drainage plan which indicates the intention to produce a sustainable, integrated drainage system for the site. Welsh Water and NRW have no objection to the proposals.

Policy ASA 3 – Parking Standards – This Policy seeks to ensure, in line with standards set within supplementary guidance, adequate on-site parking is provided for cars, motorcycles and cycles. In addition requisite disabled facilities are also required. Highway engineers are satisfied that the amount of car parking/disabled parking proposed to be provided on the site meets the relevant standards for a development of this type.

Compliance with Outline Consent

4.2.2 The governing Outline planning permission imposed a number of controls on the development of the site through the imposition of planning conditions. Firstly, the land uses were specified within the description of the proposal. Some of these land uses were then further controlled by conditions which sought to control the maximum and minimum floor space therein.

In particular, the permission specified that there should be a minimum amount of leisure based use in the scheme and a maximum amount of non-food retail use in the scheme. This element was imposed to try to minimise any potential impacts on the Town Centre of Rhyl.

The phase 1 scheme, as shown, contains a proposed 54 bed hotel use and two blocks of mixed food and non-food retailing along with leisure space. The floor spaces shown generally comply with the governing conditions mentioned above with only a small part of the external garden centre area exceeding the non-food retailing space restriction.

In conjunction with the phase 1 details shown in this application there will be a number of separate Outline planning condition details which will be assessed. These will need to be discharged prior to the scheme progressing but are not being assessed as part of this Reserved Matters proposal.

4.2.3 Impact on 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.

The current application, which gives full design details of the proposed hotel and two retail/leisure blocks, must also be considered having regard to previous detailed consents on this site and historic uses. Firstly, when the site operated as a fun fair there were some large structures which would have set a visual context for the surrounding area. In 2007 a major mixed use scheme was approved at the site which incorporated new built development of the same scale, layout and height of that now proposed. The site has

remained in a derelict state for some years now and the visual impact of any new structures has to be assessed in the context of the historic position.

It is considered that the scale, height, design and materials of the new buildings are acceptable from a visual perspective. The proposed landscaping will serve to soften the impact of the new buildings and further assimilate the structures into the surrounding area.

4.2.4 Impact on 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.

Unfortunately, for many local residents and land users in the vicinity of the site they have had to live with dereliction and inactivity for some years. To this end, any redevelopment proposals could be seen to improve the residential amenity of those living nearby.

That said, it remains important to ensure that the closest dwellings to the development site, on Sydenham Avenue, are reasonably protected in terms of the proximity of new buildings and activity.

The rear elevation of Buildings A and B to the north-east of the site will be over 30m from the nearest dwellings on Sydenham Avenue with only the open external garden centre area on Building A within 22m of the closest dwelling.

Given the previous fun fair use and the levels of noise and activity associated with that, it is not considered that the new buildings and activities to the north-east of the development site will result in any significant loss of amenity to nearby residents.

4.2.5 Impact on Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

The site has previously been cleared of structures and buildings and this was done having regard to the impacts on birds and bats. It was always envisaged that any redevelopment scheme will also need to consider these species and, where possible, enhance biodiversity.

The applicant has acknowledged the comments received from the Council's Ecologist and accepts that conditions need to be imposed which will seek further details on planting types and numbers in order to create a better and more connected environment for bats and birds.

5. SUMMARY AND CONCLUSIONS:

5.1.1 The proposed new buildings on the site, having regard to the previous land use and state of the site in recent years, are acceptable in terms of scale, layout, appearance and landscaping. The external finishes of the two retail/leisure blocks, as well as the detached hotel, are acceptable in this location. The redevelopment of the site has been awaited for some years and it is considered that the regeneration benefits of the scheme outweigh any concerns.

RECOMMENDATION: Approve Reserved Matters subject to the following conditions:-

1. Notwithstanding the submitted details the landscaping for the site (including the matrix planting and the amenity grassland) shall not be as shown on the submitted plans but shall be as further agreed within a scheme to be submitted within 1 month of the date of this approval. Those details should contain the location, number and species of trees and plants to be planted which themselves should be endemic to the UK and of local provenance along with details of a long term management plan for the landscaping.

The reason(s) for the condition is:-

1. In the interests of the visual appearance of the site and surroundings and in the interests of biodiversity.