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43/2018/0328

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LAYOUT

NOTES	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">REVISIONS</th> <th style="text-align: left;">DESCRIPTION</th> <th style="text-align: left;">DATE</th> <th style="text-align: left;">BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REVISIONS	DESCRIPTION	DATE	BY					<p>SCP Transportation Planning : Infrastructure Design</p>	<p>Client Name: LIDL</p> <p>Project Title: STAFF CARPARK LIDL PRESTATYN</p> <p>Drawing Title: PROPOSED CAR PARK LAYOUT</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Drawn By:</td> <td>Date:</td> </tr> <tr> <td>Checked:</td> <td>28.02.2019</td> </tr> <tr> <td>Scale:</td> <td>1:200 @ A3</td> </tr> <tr> <td>Status:</td> <td>Approved/Revised:</td> </tr> <tr> <td>Planning:</td> <td> </td> </tr> <tr> <td>Drawing No.:</td> <td>SCP/18077/SK001</td> </tr> </table>	Drawn By:	Date:	Checked:	28.02.2019	Scale:	1:200 @ A3	Status:	Approved/Revised:	Planning:		Drawing No.:	SCP/18077/SK001
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WARD : Prestatyn Central

WARD MEMBER(S): Cllr Hugh Irving
Cllr Tina Jones (c)

APPLICATION NO: 43/2018/0328/ PF

PROPOSAL: Construction of new surface level car park and associated works

LOCATION: 1-5 Parc Dyffryn Industrial Estate Prestatyn LL19 9DG

APPLICANT: Mr Dominic Bryan LIDL UK GMBH

CONSTRAINTS: Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - Yes
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 – Town / Community Council objection

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

“Objection

Number of objections had been received regarding traffic congestion which is compounded further on market days.

Inadequate turning circle

Lack of pavement space which creates hazardous conditions for pedestrians”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Cristian Darlington, Morfa Unit B, Gasworks Lane, Prestatyn (O) Yvette Green, 4 The Boulevard, Rhyl (O) M. Powell, Unit A Morfa Units, Gasworks Lane, Prestatyn (O) Lucinda Wilson, Unit A, Morfa Units, Gasworks Lane, Prestatyn (O) Ian Hapgood, 20 Bryntirion Drive Prestatyn (O) Margaret Williams, 14 Moelwyn Avenue North, Kinmel Bay (C)

Summary of planning based representations in objection:

Highway safety concerns owing to more intensive use of an already congested access resulting in danger to pedestrians and car users.

Existing parking problems exacerbated by proposal.

EXPIRY DATE OF APPLICATION: 02/07/2018

EXTENSION OF TIME AGREED: 14/09/2018

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes the construction of a staff car park to the rear of the new Lidl store in Prestatyn.
- 1.1.2 Parking for 8 vehicles is proposed. The car park would be accessed off Gas Works Lane.
- 1.1.3 The site is a level area bounded by fencing. Access is required to be maintained across the front of the site for the adjacent utility works, hence the need for three gateways in the vicinity of the access onto the road (see the plans at the front of the report).
- 1.1.4 To facilitate the proposal, an existing bollard on the adjacent right of way is proposed to be re-sited.

1.2 Description of site and surroundings

- 1.2.1 The site is located on the northern side of the Lidl store, which is currently under construction.
- 1.2.2 Access to the store is from the south, off Penisa'r dre Road. Access to the proposed parking area is off Gas Works Lane.
- 1.2.3 To the west of the site is the dwelling Gas Works House and opposite the site there are some business units. The business units are bounded to the rear by the Prestatyn Market site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary for Prestatyn as shown on the Local Development Plan proposals map.

1.4 Relevant planning history

- 1.4.1 The Lidl foodstore was granted permission in December 2016 and is currently under construction.

1.5 Developments/changes since the original submission

- 1.5.1 Highways Officers requested clarification of details of the proposals, which resulted in the submission of an additional plan to demonstrate access and parking arrangements are workable.

1.6 Other relevant background information

- 1.6.1 The original planning application for the main store suggested that the majority of staff would be able to park in the main 100 space car park. However, it was also suggested that, given the proximity to the bus/railway station and town centre many staff would walk or cycle to work.

2. DETAILS OF PLANNING HISTORY:

- 2.1 43/2016/0432 Demolition of existing buildings and erection of foodstore (Class A1), car parking and service areas, vehicular and pedestrian accesses and associated works.
GRANTED under delegated powers/at Planning Committee 14/12/2016

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
3.1 Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy ASA1 – New transport infrastructure
Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Parking Requirements In New Developments

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016
Development Control Manual November 2016

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations 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 (DMM section 9.4).

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 Residential amenity
- 4.1.3 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the Prestatyn development boundary, on a brownfield development priority site.

The principle of the development of the wider site was established in the original planning permission for the Lidl Store. The use of a small additional area of land for ancillary parking to the store would not conflict with planning policy.

Officers consider the proposal is acceptable in principle. The detailed impacts are considered below.

4.2.2 Residential amenity

Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest, and as the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties. Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself.

There are no representations raising concerns over the residential amenity impacts of the proposals.

The nearest dwelling to the site is Gas House, which is located to the east of the car parking area.

Whilst accepting that the development of the 8 space car parking area would have some impact on the outlook from Gas House in particular, in the context of existing development on the site, the adjacent land uses and the town centre location, it is not considered this would be so overbearing to justify refusal of the application. The proposal is therefore considered to comply with the policies and guidance listed above.

4.2.3 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.

There are representations raising highway concerns, in terms of the acceptability of the access, the adjacent road network, and the safety of neighbouring businesses and pedestrians.

Highways Officers have considered the application and following a request for further information, the developer has provided a plan detailing the vehicle movements into and within the site. The car parking spaces have been reviewed to determine whether they would interfere with the manoeuvring of vehicles. Highway Engineers have concluded they won't. The available area within the car park is also of sufficient size to allow the vehicles to drive in forwards, reverse and leave the site in forward gear. The plan also details improved visibility splays at the proposed site access. It is also Officers' understanding that Lidl are currently in the process of acquiring a formal grant of easement as to a right of way from a third party to access from Gas Works Lane. It is therefore considered the splayed access, low level usage of the site/carrage way and parking of vehicles within the site would be acceptable to serve the development subject to the imposition of planning conditions.

Whilst it is accepted that there may be issues with parking in the area at present, Officers do not consider this is a reasonable ground to warrant refusal of this proposal, as it seeks to provide an off road parking area for staff away from the main store. The scale of the development seems unlikely to encourage significantly more traffic within the area as it will only serve 8 cars. Having regard to the Highway Officer's stance on the safety of the access and the existing position it is not considered that there are reasonable grounds to refuse the application on the basis of highway safety. It is considered to comply with the relevant highways policies.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 It is the opinion of Officers that the proposal is acceptable and the application is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 12th September 2023
2. The development hereby permitted shall be carried out in accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Site Boundary (Drawing No. SCP/18077/D01) - Received 8 May 2018
 - (ii) Proposed Car Park Layout (Drawing No. SCP/18077/SK001) - Received 4 April 2018
 - (iii) Photograph - Received 8 May 2018
 - (iv) Existing Site Plan (Drawing No. AD101) - Received 4 April 2018
 - (v) Proposed Landscape Design and Specification (Drawing No. AD 116 REV C) - Received 8 May 2018
3. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan, and which shall be completed prior to the proposed development being brought into use.
4. Prior to the commencement of the use hereby permitted further details of the proposed vehicular access/egress to the site along with confirmation of any easements shall be submitted to and agreed by the Local Planning Authority. Only those details subsequently approved shall be implemented thereafter.
5. The use of the car parking area hereby permitted shall be for staff of the adjacent food retail store only unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
3. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
4. To ensure a safe access and egress is created to the site.
5. To ensure adequate parking clear of the highway in the interests of the free flow of traffic.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.
Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).