



CYNGOR
Sir Ddinbych
Denbighshire
 COUNTY COUNCIL

Heading:
 46/2013/0882
 Plas Elwy, The Roe
 St Asaph

14

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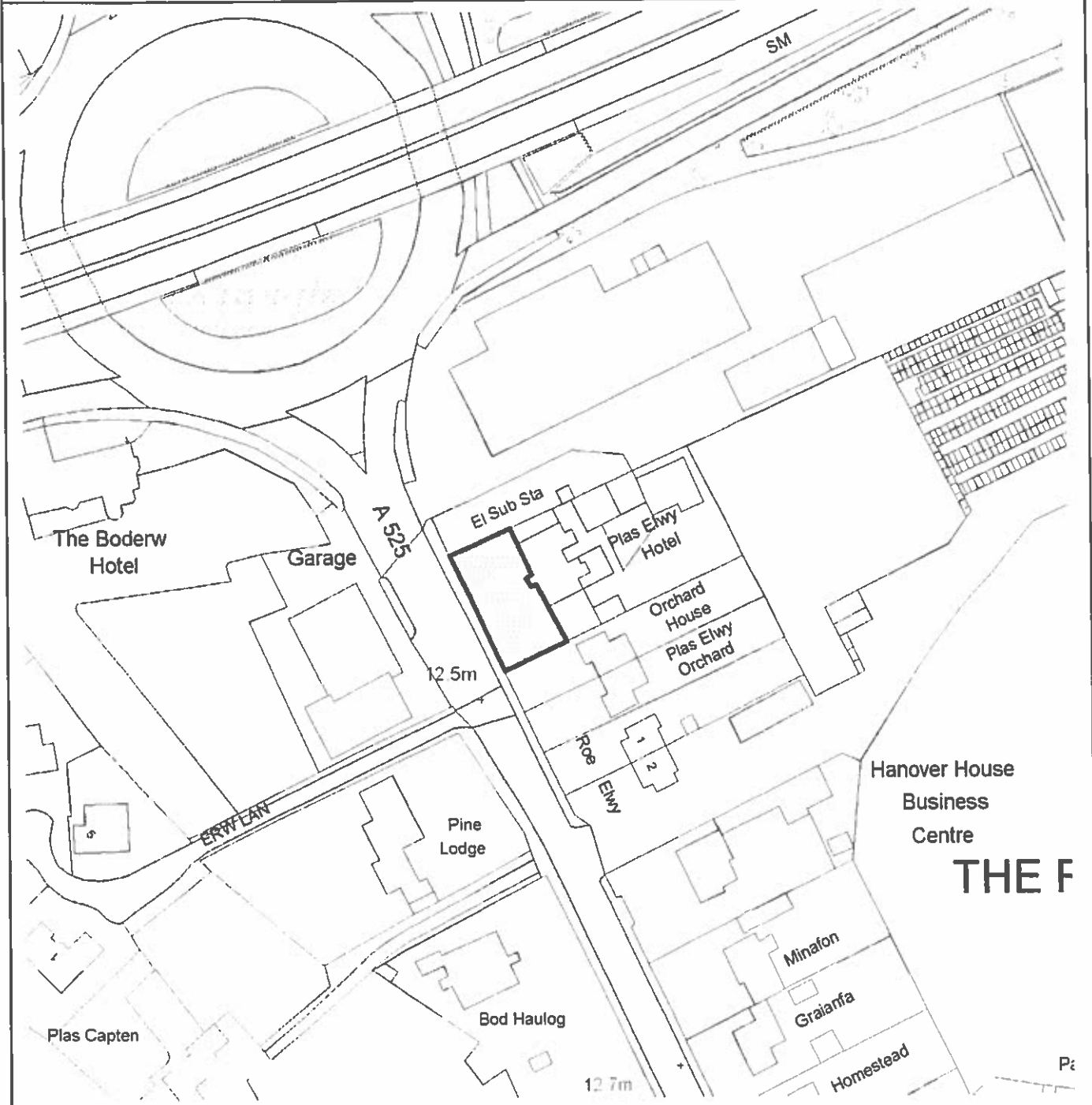
Tel: 01824 706800 Fax: 01824 706709

 Application Site



Date 29/8/2013 Scale 1/1250
 Centre = 303261 E 374681 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.

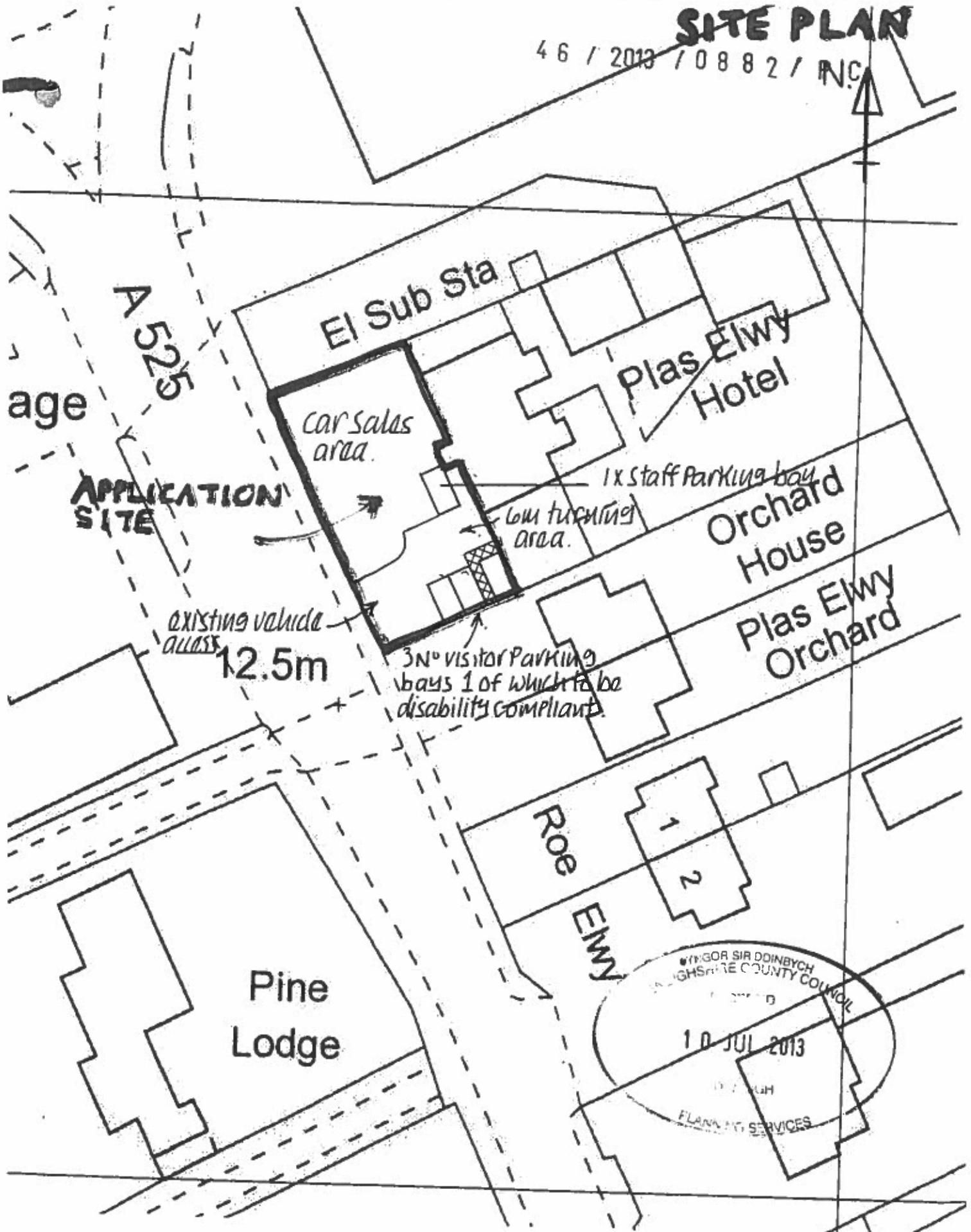


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SITE PLAN

46 / 2013 / 0882 / NC



Plas Elwy, St Asaph. DG2 1:500

Site Plan.

Proposed

ITEM NO: 14
WARD NO: St Asaph West
 Councillor Bill Cowie
APPLICATION NO: 46/2013/0882/ PC
PROPOSAL: Continuation of use of forecourt for car sales for a temporary period of 3 years
LOCATION: Plas Elwy Hotel The Roe St. Asaph
APPLICANT: Mr S Elvin
CONSTRAINTS: C2 Flood Zone
 Within 67m Of Trunk Road
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 – Town Council objection

CONSULTATION RESPONSES:

1. CITY OF ST ASAPH TOWN COUNCIL – *“Object. Inappropriate use of site/highway safety (vehicles braking suddenly to view cars on site).”*
2. HIGHWAY OFFICER – No objection subject to inclusion of conditions relating to parking and turning of vehicles.
3. NATURAL RESOURCES WALES – Note that the applicant will be aware of the flood risk associated with the site due to the serious flooding experienced in November 2012; however it is accepted that the proposal does not constitute a significant increase in the site’s vulnerability when compared to the existing use as a car park.

RESPONSE TO PUBLICITY:

None.

EXPIRY DATE OF APPLICATION: 03/09/2013

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 seeks retrospective consent to retain the car sales use which the application form suggests has been operating at the site since 1 March 2013. The form states that 10 cars are displayed along with 2 spaces for customer parking, 1 staff parking space and 1 disabled parking space. The use operates from 0800 to 1900 hours Monday to Saturday and from 0900 to 1800 hours on Sundays, and employs one full-time member of staff and one part-time member of staff. The site area is 0.042 ha and relates only to the frontage car parking area with the building itself excluded from the red line area.

1.2 Description of site and surroundings

- 1.2.1 The subject site is a former hotel which lies 40 metres to the south of the main A55 roundabout at the northern end of St Asaph. The site has the retail operations of Wynnstay Stores and Just for

Pets to the north, residential properties to the east and the Gulf service station across the road to the west. The cattle market site lies to the rear (east) of the property.

- 1.2.2 The site stands within the development boundary as designated in the Local Development Plan but has no other specific designation.

1.3 Relevant planning constraints/considerations

- 1.3.1 Principle, Visual appearance, Impact on nearby occupiers, Highways.

1.4 Relevant planning history

- 1.4.1 The property has an extensive planning history, all of which refers to the previous use of the site as a hotel which is therefore not considered to be of relevance to the subject proposal, other than the two most recent submissions which are as follows:

- 1.4.2 46/2011/1030 – Change of use of vacant hotel to a residential dwelling: Granted 14/10/2011.

- 1.4.3 46/2011/1476 – Details of site layout submitted in accordance with condition number 2 of planning permission 46/2011/1030/PF: Granted 14/12/2011.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The submitted Design and Access Statement suggests that the closure of the hotel means that another use needs to be found for the site that will provide an income to maintain the premises whilst a strategy is found to redevelop or upgrade the site. As such, the use of the car park for car sales is sought for only three years to bring in interim investment.

2. DETAILS OF PLANNING HISTORY:

- 2.1 See above details in paragraph 1.4.

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 RD 1 – Sustainable Development and Good Standard of Design

Policy ASA 3 – Parking Standards

3.2 Supplementary Planning Guidance

None

3.3 GOVERNMENT POLICY / GUIDANCE

Planning Policy Wales Edition 5 November 2012

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (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 are considered to be:

- 4.1.1 Principle
4.1.2 Visual Appearance
4.1.3 Impact on Nearby Occupiers
4.1.4 Highways

4.2 In relation to the main planning considerations:

Principle

- 4.2.1 Policy RD 1 allows for development proposals within development boundaries provided that they are able to satisfy a list of detailed criteria.
- 4.2.2 As such, the principle of the use of the site for car sales within the defined development boundary is acceptable in principle.

Visual Appearance

- 4.2.3 Criterion i) of Policy RD 1 requires new development to respect the site and surroundings in terms of the siting, scale, layout, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings.
- 4.2.4 The site has been utilised as a car park in connection with the long-standing use of the main building at the rear as a hotel. In this respect, the change of appearance of the site from a car park to cars parked for sale is considered to be minimal and accordingly the appearance of the site is acceptable.

Impact on Nearby Occupiers

- 4.2.5 Criterion vi) of Policy RD1 states that new development should not unacceptably affect the amenity of local residents, other land and property users or characteristics of the locality by virtue of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc, and provides satisfactory amenity standards itself.
- 4.2.6 The site is abutted by retail uses to the north and by commercial uses across the road and to the rear, but has the residential properties of Orchard House, Plas Elwy Orchard and Roe to the south. It is noted that no objections have been raised by the residential occupiers to the car sales and the screening along the southern boundary is relatively dense as it contains a large tree along with shrubs and fencing/walls.
- 4.2.7 To all intents and purposes, the current scale of development on the car park as its use for car sales is now potentially less intensive than it would have been when used as a car park for the hotel. On this basis, the continued use of the site for car sales for three years until the end of February 2016 is not adjudged to cause a sufficient level of harm to nearby occupiers to justify a refusal of permission and the scheme complies with Policy RD 1.

Highways

- 4.2.8 Criterion viii) of Policy RD 1 seeks to prevent development which would have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and incorporates traffic management/calming measures where necessary and appropriate. Policy ASA 3 requires development proposals to provide appropriate parking spaces for cars and bicycles.
- 4.2.9 The objection raised by the Town Council is noted and the site is in close proximity to the large roundabout to the north which provides the potential for a danger to highway safety by vehicles suddenly slowing down to look at cars for sale as stated.
- 4.2.10 However the Council's Highway Officer has not raised any objection to the proposal in respect of highways safety and subject to a condition as requested to provide sufficient parking and turning it is not adjudged that the proposal is contrary to Policy RD 1 or Policy ASA 3.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The application is considered to be acceptable and permission is recommended to be granted for the three year period sought from its commencement on 1 March 2013.

RECOMMENDATION: - GRANT / subject to the following conditions:-

1. The use hereby granted permission shall cease on or before 1 March 2016.
2. 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.

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

1. The use is sought for a temporary period only, and to allow the Local Planning Authority opportunity to assess the impact of the use.
2. In the interests of highway safety.

NOTES TO APPLICANT:

None