

Item 5 - Report on Planning Applications

Application Ref: NP/14/0402

Application Type	Full
Grid Ref:	SN13320031
Applicant	Mr G Birt, Five Arches Car Park Ltd
Agent	Mr J Dwyer, James Dwyer Associates
Proposal	Renewal of temporary permission for use of land as car park with associated pay machines, signage and planters
Site Location	Land formerly Tenby Ford Garage, Five Arches Car Park, South Parade, Tenby, Pembrokeshire, SA70 7DL
Case Officer	Andrew Richards

Summary

The application is reported to the Development Management Committee because the views of the Town Council are contrary to the recommendation of your officers.

The site and the use of the land as a temporary car park, at the former Tenby Ford Garage, South Parade, Tenby was granted temporary consent previously and the site cleared of all but one structure which now remains and provides an attendants office and covered parking area. The site area measures approximately 0.46 hectares in size. The town's Conservation Area runs along the frontage of the site, and the Town Walls are a Scheduled Ancient Monument and a Grade I Listed Building. The whole of the site lies within the Tenby Retail Centre and Centre Boundary.

This full application proposes the renewal of temporary permission for 3 years use of land as car park (91 spaces). The application also includes the provision of associated pay machines, signage, additional lighting and landscape planters and these elements are retrospective.

Whilst the views of the Town Council are noted, at no time has a need for an additional car park been demonstrated with evidence of a shortage of car parking in Tenby. As such, the proposed scheme for the renewal of the previous temporary permission for a further three years is considered to be contrary to national and local planning policy and also the traffic and parking management strategy for Tenby.

Consultee Response

Tenby Town Council: Supporting - as the car park is a benefit to the town.

CADW - Protection & Policy: No adverse comments

Dyfed Archaeological Trust: No response received at time of writing report.

Natural Resources Wales: No objection

PCC - Ecologist: No objection

PCC - Head of Public Protection: No response received at time of writing report.

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PCC - Transportation & Environment: Recommend Refusal

PCC Contaminated Land Inspector: No response received at time of writing report

PCNPA - Park Direction: Contrary to national and local policy

Pembrokeshire County Council: No adverse comments

Tenby Civic Society: Supporting - and suggest that additional landscaping is provided within the site

PCNPA - Buildings Conservation Officer: No adverse comment

Public Response

A site notice was posted in accordance with statutory requirements. One letter has been received to date and raises the following points:

- Towns traffic management remains a problem
- Granting a renewal of the temporary permission does not prevent other uses for the site being found in the future
- Lack of a use for the site may result in the site becoming an eyesore
- Provision of parking close to the high street supports employment in business
- Implementing a successful traffic management scheme is a challenge, but until this is in place the refusal to renew temporary permission can only exacerbate the problem

The issues raised above are considered to be material considerations, which have been addressed in the main report below. The remaining issues listed within the submitted letter are not considered to be relevant material considerations in this instance.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website - <http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

Circular 61/96 - Conservation Areas

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 02 - Tenby Local Service and Tourism Centre

LDP Policy 08 - Special Qualities

LDP Policy 09 - Light Pollution

LDP Policy 10 - Local Sites of Nature Conservation or Geological Interest

LDP Policy 11 - Protection of Biodiversity

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 31 - Minimising Waste

LDP Policy 32 - Surface Water Drainage

LDP Policy 34 - Flooding and Coastal Inundation

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LDP Policy 43 - Protection of Employment Sites and Buildings
 LDP Policy 49 - Retail in the National Park
 LDP Policy 50 - Town and District Shopping Centres
 LDP Policy 52 - Sustainable Transport
 LDP Policy 53 - Impacts on traffic
 PPW7 Chapter 03 - Making and Enforcing Planning Decisions
 PPW7 Chapter 04 - Planning for Sustainability
 PPW7 Chapter 05 - Conserving and Improving Natural Heritage and the Coast
 PPW7 Chapter 06 - Conserving the Historic Environment
 PPW7 Chapter 07 - Economic Development
 PPW7 Chapter 08 - Transport
 PPW7 Chapter 10 - Planning for Retailing and Town Centres
 PPW7 Chapter 12 - Infrastructure and Services
 PPW7 Chapter 13 - Minimising and Managing Environmental Risks and Pollution
 SPG05 - Sustainable Design
 SPG06 - Landscape
 SPG12 - Coal Works - Instability
 TAN 05 - Nature Conservation and Planning
 TAN 11 - Noise
 TAN 12 - Design
 TAN 15 - Development and Flood Risk
 TAN 18 - Transport
 TAN 23 - Economic Development

Officer's Appraisal

Background and History

The site and the use of the land as a temporary car park, at the former Tenby Ford Garage, South Parade, Tenby was granted temporary consent previously and the site cleared of all but one structure which now remains and provides an attendants office and covered parking area. The site area measures approximately 0.46 hectares in size and the main vehicular access to the site is off South Parade. A single storey office and garage building lies to the eastern corner of the site, with residential and tourist accommodation properties located to the south and western boundaries, the mixed uses of the town centre to the east of the Town Walls lie to the eastern boundary beyond South Parade, whilst to the north lies a church and more residential properties.

The town's Conservation Area runs along the frontage of the site, and the Town Walls are a Scheduled Ancient Monument and a Grade I Listed Building. The whole of the site lies within the Tenby Retail Centre and Centre Boundary.

- NP/11/122 - Demolition of existing buildings (not office) and use of land as temporary car park (88 spaces) with associated landscaping – Approved under temporary consent for 3 years – 22.09.2011

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Constraints

Special Area of Conservation – within 500m
 Contaminated Land
 LDP Designation
 Biodiversity Issue
 Ancient Monument – within 50m
 Potential for Surface Water Flooding
 LDP Centre – 60% affordable housing and minimum density of 30 units/ha
 Recreational character Areas

Current Proposal

This full application proposes the renewal of temporary permission for 3 years use of land as car park (91 spaces). The application also includes the provision of associated pay machines, signage, additional lighting and landscape planters and these elements are retrospective. The single storey unit to the eastern corner of the site would be retained as an office for the parking attendant, and vehicular access into the site would be off South Parade. The car parking spaces are arranged around the perimeter of the site, with a central row in between. Four disabled spaces are provided to the rear of planting along South Parade. Planting is also provided along Picton Road together with timber posts to prevent vehicular access and provide pedestrian access only by way of a new ramp and stepped approach.

Key Issues

The application raises the following planning matters:-

- Policy
- Impact on the setting of the Conservation Area and the Town Walls
- Highway matters
- Access for All
- Contaminated land matters
- Drainage and water environment matters
- Protected species matters
- Amenity matters

Policy:

The site is within the Centre boundary for Tenby as defined in the Local Development Plan. It is also within the defined retail centre for Tenby. The land has not been allocated for a particular use but the policy framework in the Local Development Plan would support a variety of uses including retail, employment and affordable housing provision. Of key importance to this application is its highways impact and the application of Policies 2, 52 and 53, which seek to improve and promote accessibility and reduce the need to travel by car.

Policy 2 of the Plan sets out the strategy for Tenby which is to aim to meet housing (particularly affordable housing) and employment needs of the town and to protect the town centre with facilities serving the needs of the local area. Proposals should contribute to the protection and enhancement of the town's special qualities and deliver improved traffic management in the town.

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This current proposal seeks renewal of a temporary permission to use a site centrally-located within Tenby for use as a car park. The previous application for the use of this site as a car park was granted on a temporary basis (3 years) as permission for a permanent use for car parking would be contrary to LDP policies.

The site was a former garage for retail and repair purposes. It was therefore an employment site. Policy 43 of the Plan seeks to protect against the loss of such sites, unless the present use is inappropriate for the locality, is unviable or there is adequate alternative provision in the vicinity. Under the provisions of Policy 43 the intention is that the site remains in employment use. The current proposal does not meet with these criteria.

A key objective of national planning policy is to reduce the need to travel, especially by car. It is acknowledged in para 8.4.2 of Planning Policy Wales that *'Car parking provision is a major influence on the choice of means of transport and pattern of development....'*

Further, para 8.4.5 of Planning Policy Wales states:

"Private non-residential parking is also an important component of parking provision in town centres. Authorities should, where appropriate, seek to encourage appropriate redevelopment of re-use of existing private parking sites to bring the provision down to revised standards, and should refuse planning permission for public and private car parks which do not meet the strategic aims of the development plan and RTP."

Policy 52 of the Local Development Plan relates to Sustainable Transport and allows for proposals that assist in delivering improved traffic and parking management but not those which cause significant concerns about potential transport impacts which cannot be satisfactorily mitigated. Policy 53 (Impacts of Traffic) seeks (*inter alia*) to prevent development which would generate an unacceptable impact on congested areas.

There has been a traffic management regime established in Tenby for some time now which relies on removing traffic from the town centre through pedestrianisation and providing park and ride links from peripheral car parks. This strategy is to the benefit of the whole town, maintaining retail and commercial activity in a central area. It creates a hub for the visitor, protects the historic attraction and makes best use of a finite resource (land).

The site is located within the centre of town and proposals which seek to increase traffic in this area are contrary both to national and local planning policies which are to reduce the need to travel and not to intensify traffic flows in already congested areas. Tenby is also well-served by public transport which should be given priority.

The agent has provided a response to the above policy concerns and indicates that the history of the site being used for stand-alone parking of vehicles since 1944 is long established. The response also indicates that

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parking proposals in respect of the Local Transport Plan (LTP) have yet to be progressed and that there is no preferred site for the proposed Park & Ride facility at New Hedges. It is also stated that the LTP proposals will therefore take some time to progress until the parking facilities are fully operational. Furthermore, the agent indicates that the current proposal for a further temporary consent will allow sufficient time for the LTP to progress the wider traffic management proposals for Tenby and for the land owner to progress development proposals for the site itself.

The agent also states that such circumstances comply fully with the advice set out within Circular 016/2014 (paragraph 5.26), and whilst the Authority's LDP seeks to safe guard existing employment uses, this application seeks the renewal of a temporary planning permission and does not relate to the permanent use of the site. Accordingly the agent considers Policy 43 to be of limited relevance since the applicant is currently considering wider development proposals for the site in accordance with the location of the site within Tenby retail centre.

In response, the site has not been used as a public car park (until recently) which is a wholly different use and hence the need for planning permission being sought.

The Officer's Report to the previous temporary permission clearly states that in advice given at the pre-application stage, the temporary proposal was seen as a means of getting a use into the site that did not preclude its further development for employment uses as required under policy 43 of the LDP. In essence, this gave the site owner an opportunity to have an income from the site whilst preparing a longer-term development proposal for the site. The agent advises that such proposals are not sufficiently progressed, and yet the applicant knew the length of the term and has not provided details to explain a lack of progress.

Whilst Pembrokeshire County Council (PCC) has indicated several proposals to improve traffic management in and around Tenby, there is currently no evidence of need of additional parking facilities and none has been provided by the applicant, other than anecdotally.

An exception was made to LDP policies in the granting of a temporary permission which was beneficial to the landowner and provided time to prepare a proposal which would be in compliance with the Plan. No proposals or discussions have been brought to the Authority during the time of the temporary permission. There is nothing to demonstrate that the grant of a further temporary permission would lead to anything other than a further request for the same, thus over-riding the wider planning and traffic management strategies adopted for the town by PCNPA and PCC.

Circular 016/2014 (paragraph 5.28) stipulates that a second temporary permissions should not normally be granted. Pembrokeshire County Council has a robust traffic and parking management strategy in place which is to reduce the number of cars entering the town and reduce congestion close to

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the town centre. This has been enhanced by investment from both the County Council and National Park Authority into long-running park and ride services. There is now also a policy in place in the Local Transport Plan to provide additional park and ride services if current demand is exceeded. In line with the Circular requirement therefore a further temporary permission should not be granted.

For the above reasons the proposal is considered contrary to national and local planning policies and the traffic and parking management strategy for Tenby.

Impact on the setting of the Conservation Area and the Town Walls:

Cadw indicates that the removal of the original dilapidated structures on the site close to the town walls has opened a public vista to the walls that was not previously available and this has improved the setting of the monument. The addition of pay machines, signage, lighting and planters will have a slight effect on the views but these have been kept to a minimum. It is Cadw's opinion that the proposed development represents a positive impact on the setting of the designated monument.' The Authority's conservation officer has raised no objections to this temporary solution.

Highway matters:

PCC Transportation and Environment indicates that it is undertaking a rolling programme of traffic management studies which are now reflected in the Local Transport Plan. Tenby has previously been studied and has in place two park and ride services which aim to reduce the impact of traffic close to the town centre. Furthermore Policy 52 of the LDP aims to improve and promote accessibility and reduce the need to travel by car. This is to be achieved by permitting proposals that assist in delivering improved traffic and parking management, but not permitting proposals that cause significant concerns about potential transport impacts which cannot be satisfactorily mitigated. This application is considered contrary to Policy 52 of the LDP and also conflicts with the current and future traffic management proposals for Tenby.

The following car parks are currently available all year round in Tenby:

- The Multi-Storey
- South Beach
- North Beach
- The Green

The combination of these car parks with on-street parking and other private off street parking options adequately caters for existing demand outside of the peak summer tourism period.

The Salterns Car Park also caters for the peak in demand and is opened for the months of July and August from where Park & Ride services operate. A separate Park & Ride service also operates from North Beach Car Park during this period. In times of very high demand, a temporary overspill car park is also available off Trafalgar Road; however records indicate that in the

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five years prior to the host temporary car park opening there was only one day that the Trafalgar Road Car Park had to be opened and this was in August 2008.

The provision of a car park in this location will undoubtedly increase the amount of traffic in the town and will not serve to promote a quality pedestrian environment, particularly at times of high tourist attraction. The Multi-Storey Car Park is signed for motorists and the road layout in the vicinity of the application site means that vehicles will be directed away from the application site around to the Multi-Storey. To reach the application site should the multi-Storey be full; would necessitate a journey back to the Green, up Greenhill Road and along South Parade.

If future parking demand exceeds existing capacity the Local Transport Plan identifies a Park & Ride Scheme serving Tenby, originating from New Hedges which would be consistent with plans to reduce traffic in Tenby.

The Park & Ride would be used to address future demand and also has the potential to improve travel patterns and remove congestion in peak seasons. The Authority granted temporary 3 year permission on this site contrary to its long term objectives and strategy for Tenby. The decision was made in the knowledge that to move this site forward to play a significant role in the future prosperity of Tenby, the owner could generate some income to assist with this Quest. It would appear that this relaxation of policy and consideration of special circumstances has in fact had the opposite effect. We are not aware that the owner is progressing the redevelopment of this site in a reasonable timescale.

Access for All:

The local transport plan and current arrangements recognise the need to provide convenient and easily accessible car park spaces for 'blue badge' holders. Of the 91 spaces, there are 4 'blue badge spaces' This level of provision is not in accordance with the established policy which requires 6% of the total spaces, therefore an additional two 'blue badge' spaces would be required within this site. There are more convenient and accessible 'blue badge' spaces provided on the highway near the five arches a short distance from the site, with four permanent spaces and a further 12 spaces provided at this location during the peak season. This adequately covers this important need; the four additional spaces as outlined in the proposal do not weigh heavily in the balance when considering this application.

The application also makes inadequate provision for other transport users in terms of motorcycling, cycles and coach operators. Whilst the application does not include calculations for the required provision of motorcycling and cycles, it is considered that the current provision falls below that required within the Authority's adopted Parking Standards Supplementary Planning Guidance. Notwithstanding this, the current site would also need to provide clear delineation of bays for motorcycles and cycles within the layout and this should also ensure that these spaces will be retained for no other use.

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Contaminated land matters:

The site was used as a petrol filling station, PCC contaminated Land officer has been consulted. No formal response has been received; a verbal update will be given at committee.

Drainage and water environment matters:

PCC Drainage Engineers have responded stating that the current proposal for the renewal of the temporary permission would not alter the current surface water drainage regime and do not object to the proposal. Natural Resources Wales do not object to the current proposal.

Protected species matters:

The PCNPA Ecologist has commented that a protected species survey is not required as there is low likelihood of protected species being found at the development site or that there would be any adverse impact on the habitat or species as a result of the development. As such, the proposal conforms with the relevant requirements of PPW, TAN5 and LDP policy 11.

Amenity matters:

The site has operated for some three years and in that time no complaints have been received by this Authority. The proposal is not considered to have great impact on the immediate amenity of neighbours. In the wider amenity considerations this proposal will generate an unnecessary flow of traffic around the town 'cruising' for car parking spaces. This detracts from the pedestrians and users experience of the whole of Tenby. It will contribute and exacerbate the towns traffic congestion.

Landscaping:

Tenby Civic Society has requested additional landscaping for the site. However, given that the current proposal has landscaping that is supported by officers in this instance, and the proposal is for a renewal of a temporary permission for three additional years it is considered that no additional landscaping would provide any long term benefit to this site and therefore would not be reasonable in this instance.

Conclusion

Whilst the views of the Town Council are noted, at no time has a need for an additional car park been demonstrated with evidence of a shortage of car parking in Tenby. Therefore, the continued use of this car park would result in inefficient use of otherwise developable land, and the additional traffic being drawn into Tenby creating traffic management issue would be contrary to the process of removing inappropriate parking and trips from Tenby. As such, the proposed scheme for the renewal of the previous temporary permission for a further three years is considered to be contrary to national and local planning policy and also the traffic and parking management strategy for Tenby.

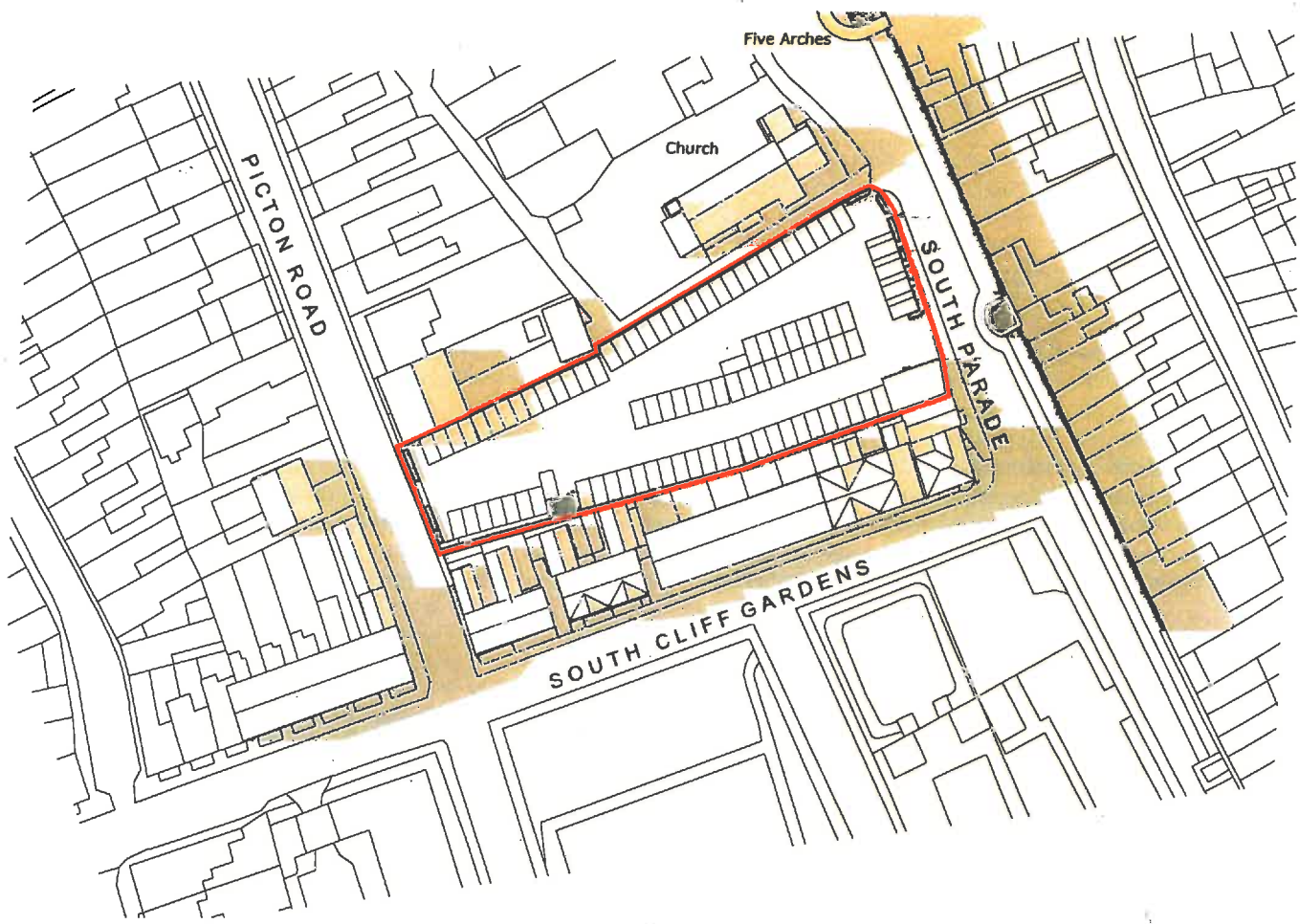
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Recommendation

That the application be refused on the following grounds and that officers be delegated authority to include any additional reasons for refusal following the receipt of consultee responses if necessary:

Reasons

1. The application results in traffic being brought into the Tenby town centre where traffic congestion is already considered an issue and pedestrian activity is high during peak holiday seasons when the car park is likely to receive most of its use. As such the proposal is contrary to Policies 2 – Tenby Local Service and Tourism Centre (Tier 2) (Strategy Policy), 52 – Sustainable Transport and 53 - Impacts of Traffic of the Adopted Pembrokeshire Coast National Park Local Development Plan (September 2010) and Planning Policy Wales Edition 7 (July 2014) Chapter 8 – Transport (8.4.2 & 8.4.5) which is seeking to reduce traffic congestion.
2. Adequate car parking is currently available in and around Tenby so additional car parking will result in significant underuse of existing car parking spaces out of season. Provision of the car park would conflict with and undermine the aims of the local transport plan and Policy 52 – Sustainable Transport of the Adopted Pembrokeshire Coast National Park Local Development Plan (September 2010) and Planning Policy Wales Edition 7 (July 2014) Chapter 8 – Transport (para 8.4.2 & 8.4.5).
3. The site is recognised as an employment site and if the loss of this site can be justified for this proposal then a community use or affordable housing provision will be given priority. The current proposal does not meet with these criteria and therefore is contrary to Policy 43 – Protection of Employment Sites and Buildings of the Adopted Pembrokeshire Coast National Park Local Development Plan (September 2010).
4. The application provides no substantive evidence regarding the need for additional car parking spaces within Tenby. The application also makes no provision for more sustainable forms of parking in terms of coach parking and which would make more effective use of this land. As such the proposal is contrary to Policy 53 - Impacts of Traffic of the Adopted Pembrokeshire Coast National Park Local Development Plan (September 2010).
5. The application does not provide adequate disabled car parking spaces and motor cycle spaces as a proportion of the overall numbers of car parking spaces, and does also not provide adequate bicycle spaces as required. The proposed layout does not include a clear delineation of bays for motorcycling and bicycles stands which would ensure their use for this means of transport only. As such the proposal is contrary to the Adopted Pembrokeshire Coast National Park, Parking Standards, Supplementary Planning Guidance (July 2011).



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30 AUG 2014

— Site boundary

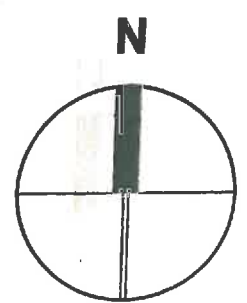
LOCATION PLAN scale 1:1250

Five Arches Car Park Tenby Pembrokeshire

Ref 665

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Five Arches Car Park South Parade Tenby

Five Arches Car Park Ltd

Temporary car park with associated pay machines, signage, lighting & planters

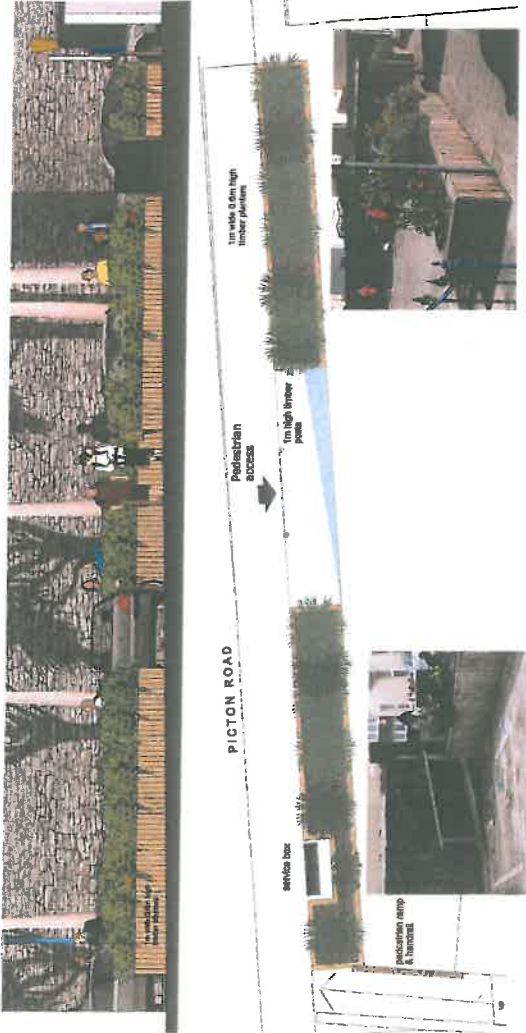
Plan, elevations & perspective view

Project No: 665
 Drawing No: 01
 Scale: 1:200
 Date: 30 JULY 2014

All drawings to be checked by the Architect. Check the drawing in the usual manner. Please refer to the relevant information in the contract documents. Check the drawing in the usual manner. Please refer to the relevant information in the contract documents.

VIEW FROM FIVE ARCHES

Notes:
 The model shown within this drawing is a computer generated model (CGM) of the proposed building. It is not a photograph of the building. The model is a representation of the building and is not intended to be used as a reference for the building's appearance. The model is a representation of the building and is not intended to be used as a reference for the building's appearance. The model is a representation of the building and is not intended to be used as a reference for the building's appearance.



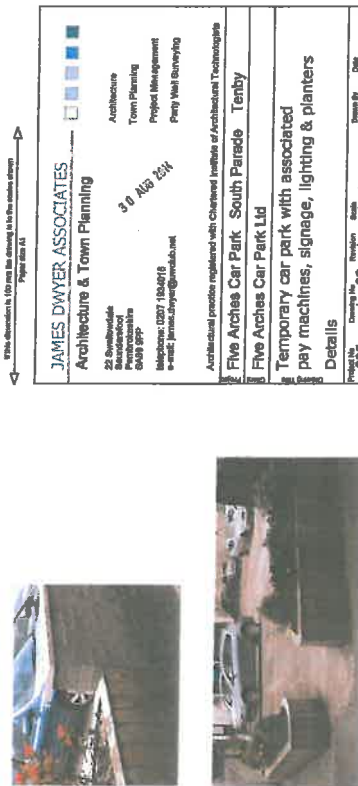
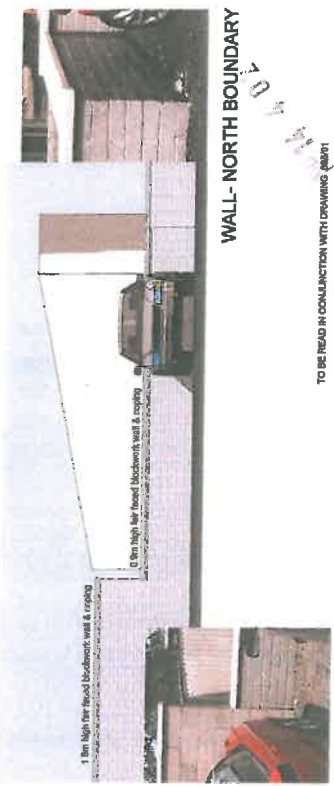
PLAN & ELEVATION OF PLANTERS & PEDESTRIAN RAMP AT PICTON ROAD



FACIA & POST SIGNS, PAY MACHINE, TARIFF SIGN & LIGHTING



PAY MACHINE, TARIFF SIGN, SUBSTATION STANCHIONS & LIGHTING



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Five Arches Car Park South Parade Tenby

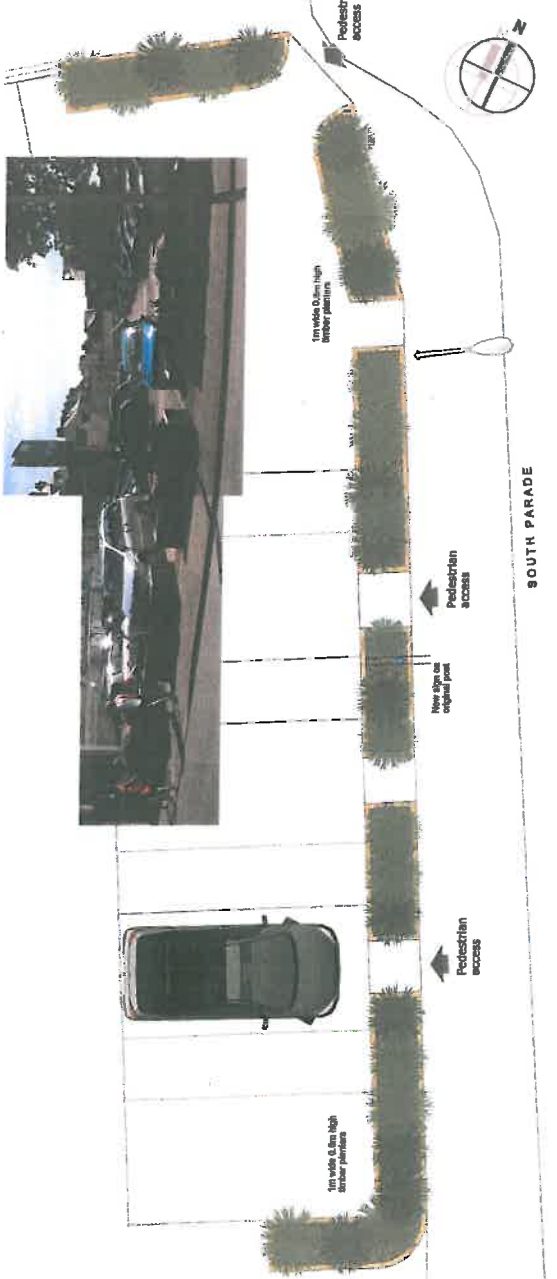
Five Arches Car Park Ltd

Temporary car park with associated pay machines, signage, lighting & planters

Details

Project No: 6855
Client: Five Arches Car Park Ltd
Date: 12 July 2014
Drawing No: 3D
Scale: 1:50
Drawing by: JD
Checked by: JD

All drawings to be checked by the client before construction. Check the drawing in the field when required. All drawings are the property of James Dwyer Associates. This drawing is copyright.



PLAN & ELEVATIONS OF PLANTERS AT SOUTH PARADE