

Heading:

REFERENCE NO. 18/2014/0225/PF  
THE CREAMERY  
LLANDYRNOG

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

 Application Site

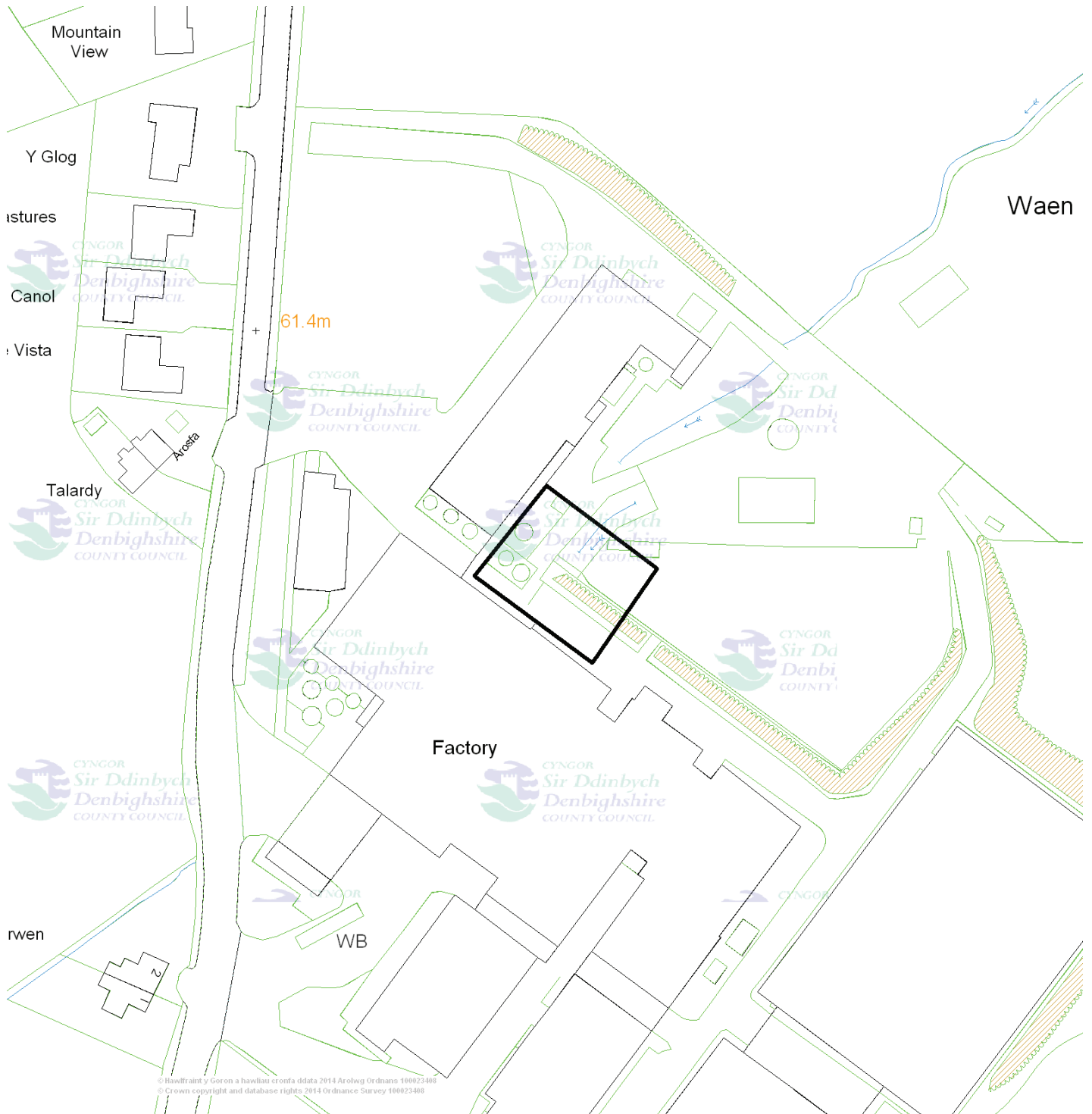


Date 3/6/2014

Scale 1/1250

Centre = 310946 E 365682 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.



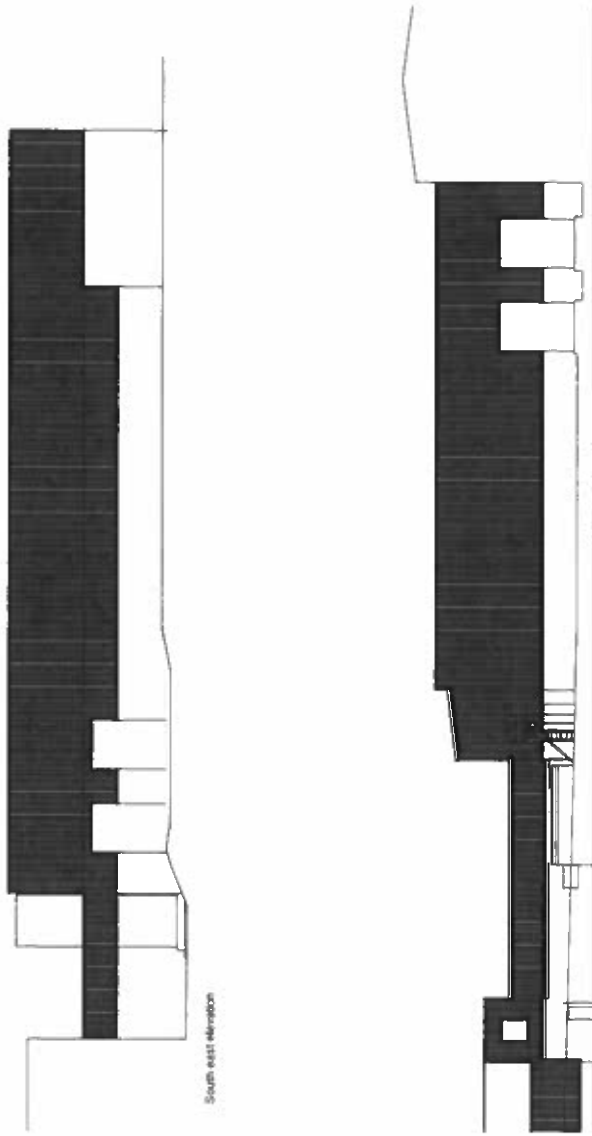
© Hawlfraint y Goron a hawlau cronfa ddata 2014 Arolwg Ordnans 100023408  
© Crown copyright and database rights 2014 Ordnance Survey 100023408

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
© Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council. 100023408. 2011.

Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi  
© Hawlfraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawlfraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.

# AS EXISTING

Page one of 1 sheet



## AS EXISTING

Drawn by  
Llanfyllter Cusack  
Llanfyllter LL18 4PH  
Scale 1:200  
Llanfyllter Cusack Associates  
111 High Street, Llanfyllter,  
Powys, SA 40 9JH



Drawn: Llanfyllter Cusack  
Scale: 1:200  
This sheet is intended to be used in conjunction with the other sheets in this set of drawings.



Proposed layout of new flats

# AS PROPOSED

Sheet No. 01

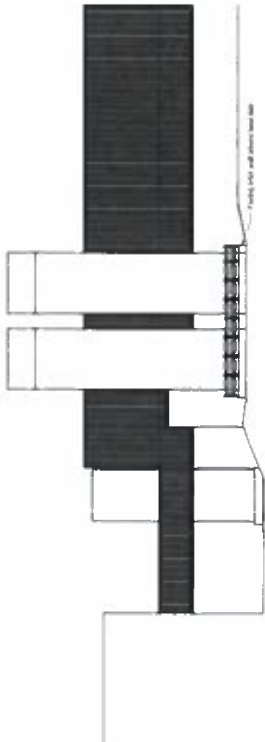
AS PROPOSED

New Silos  
 Llanymyneon, Carmarthenshire  
 Llanymyneon, LL18 8JH  
 SZL 1300 8 30  
 Llanymyneon Silos  
 Llanymyneon, Carmarthenshire  
 Contract No. 2009/07

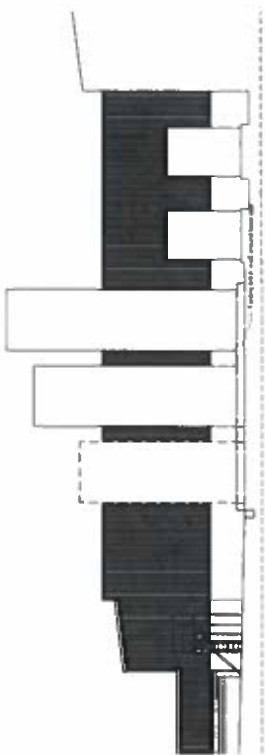
Scale: 1:50

1:50mm

This drawing and associated figures are to be read in conjunction with the project brief.



South east elevation



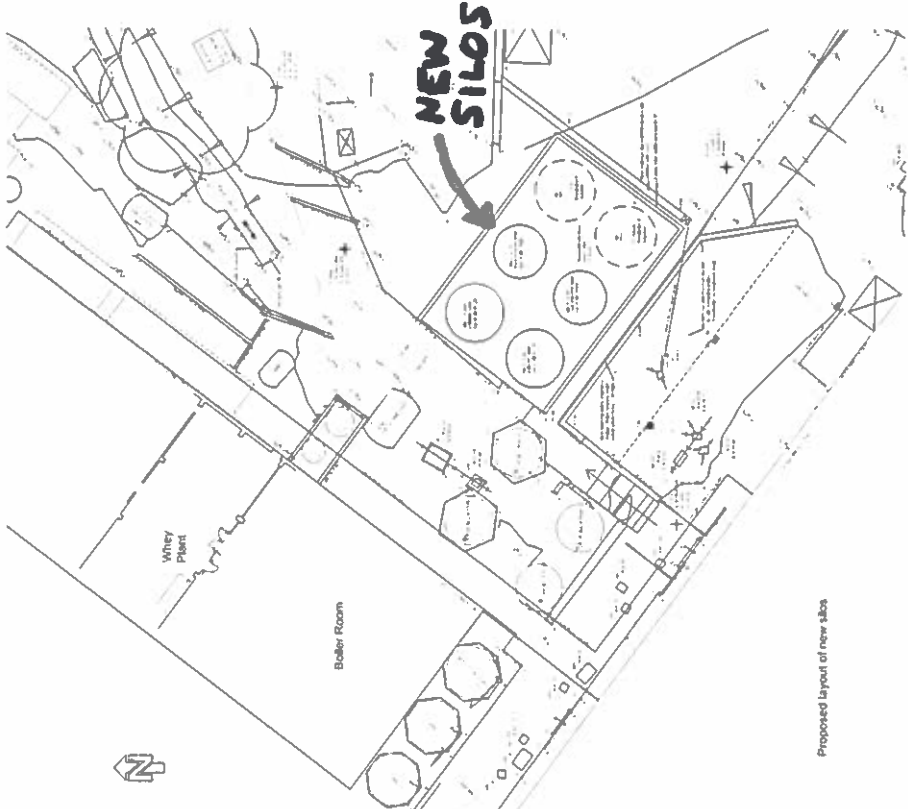
North east elevation

**NEW SILOS**

Block 1: 12m x 12m x 12m  
 Block 2: 12m x 12m x 12m  
 Block 3: 12m x 12m x 12m  
 Block 4: 12m x 12m x 12m  
 Block 5: 12m x 12m x 12m  
 Block 6: 12m x 12m x 12m  
 Block 7: 12m x 12m x 12m  
 Block 8: 12m x 12m x 12m  
 Block 9: 12m x 12m x 12m  
 Block 10: 12m x 12m x 12m  
 Block 11: 12m x 12m x 12m  
 Block 12: 12m x 12m x 12m  
 Block 13: 12m x 12m x 12m  
 Block 14: 12m x 12m x 12m  
 Block 15: 12m x 12m x 12m  
 Block 16: 12m x 12m x 12m  
 Block 17: 12m x 12m x 12m  
 Block 18: 12m x 12m x 12m  
 Block 19: 12m x 12m x 12m  
 Block 20: 12m x 12m x 12m

Architectural elevation drawing showing the south west side of the silos. It features several vertical rectangular structures, similar to the other elevations, with a dark shaded area behind them. A dashed line indicates the ground level.

South west elevation



Proposed layout of new silos

**ITEM NO:** 1  
**WARD NO:** Llandyrnog  
**WARD MEMBER(S):** Cllr Mervyn Parry  
**APPLICATION NO:** 18/2014/0225/ PF  
**PROPOSAL:** Erection of 6no. silos and associated engineering works  
**LOCATION:** The Creamery Llandyrnog Denbigh  
**APPLICANT:** Mr Nigel Tynan Arla Foods  
**CONSTRAINTS:**  
**PUBLICITY** Site Notice – No  
**UNDERTAKEN:** 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

**CONSULTATION RESPONSES:**

**LLANDYRNOG COMMUNITY COUNCIL**

"Whilst being supportive of the application there was no environmental impact assessment included with the application and no mention of noise levels generated - presumably there will be pumps associated with the silos. Would DCC expect an environmental impact survey with a development of this type - we'll let you answer that.

Officers therefore need to be satisfied that the levels of noise generated will not be detrimental to the amenity of the local residents and what measures are being put in place to ensure that their amenity is protected.

It is a major employer and investment is welcomed - but one must not forget local resident's amenity - whilst most factories shut about six this plant operates 24/7 the noise levels being the same day and night.

There is also an existing planning permission for balancing tanks - an onsite waste attenuation system to regulate the flow of waste to the local treatment plant and Members would prefer if the silos could be delayed until such time as the balancing tanks have been installed - whether this is a planning issue is debatable - your comments on this would be appreciated but we have every faith in the planning system that there is a compromise somewhere which will allow this permission to be granted.

The visual impact from the AONB can be minimised by ensuring the silos are suitably coloured - from Llandyrnog CC point of view that particular aspect is not an issue".

**NATURAL RESOURCES WALES (NRW)**

No objection.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure

- Highways Officer

No objection.

- Public Protection Officer

No objections. Suggests inclusion of a suitably worded condition requiring the carrying out of a noise survey and restrictions on the noise levels which may be generated from the development.

## **RESPONSE TO PUBLICITY:**

In objection

Representations received from:

P. Knight, Argoed, Llandyrnog (N)

Mr. & Mrs. J. & M. Williams, Y Glog, Llandyrnog (O) – Petition with 11 signatures

Summary of planning based representations in objection:

Amenity considerations- proposals may increase noise levels on a site where there are existing noise issues.

**EXPIRY DATE OF APPLICATION: 15/04/14**

## **REASONS FOR DELAY IN DECISION (where applicable):**

- Additional information requested
- awaiting consideration by Committee

## **PLANNING ASSESSMENT:**

### **1. THE PROPOSAL:**

#### 1.1 Summary of proposals

1.1.1 The application proposes the erection of six silos at Llandyrnog Creamery. These are proposed for storing water recovered during the cheese making process for use in the factory and for heat recovery.

1.1.2 The proposed silos would be sited to the north east of the existing complex. They range in height from 18.8 metres to 16.6 metres. The silos would be finished in a forest green colour. They would be sited on concrete slabs surrounded by a brick wall.

#### 1.2 Description of site and surroundings

1.2.1 The creamery is located on the northern end of Llandyrnog village. It is a well-established cheese making enterprise.

1.2.2 The creamery comprises of a range of large industrial type buildings and some existing silos.

#### 1.3 Relevant planning constraints/considerations

1.3.1 The site is located outside the development boundary of Llandyrnog, in the open countryside.

#### 1.4 Relevant planning history

1.4.1 There have been various applications for developments on the site, the most recent application being for 'balancing tanks' in 2011. This development has not been implemented to date.

#### 1.5 Developments/changes since the original submission

1.5.1 Following the consultation process additional information was sought by Officers regarding on the operation of the silos and noise details.

#### 1.6 Other relevant background information

- 1.6.1 The Design and Access Statement refers to the need for the silos, the two largest silos would be used for the storage of water which will be recovered during the cheese making process. This water would be treated and used in the creamery for cleaning etc reducing the water needs on site and discharging from the site. The smaller silos would be used for heat recovery which would improve efficiency and reduce energy demands on site.
- 1.6.2 Noise data has been provided for the plant and pumps required for the silos.

## **2. DETAILS OF PLANNING HISTORY:**

- 2.1 Various planning application for ancillary developments, the most recent is set out below.  
18/2011/1513 Installation of balancing tanks and bund. Granted under delegated powers.  
07/03/2012.

## **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
Policy PSE 5 - Rural Economy

- 3.1 Supplementary Planning Guidance  
N/A

- 3.2 Government Policy / Guidance  
Planning Policy Wales Edition 6

## **4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6, 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 Safety

- 4.2 In relation to the main planning considerations:

- 4.2.1 Principle  
Planning Policy PSE 5 outlines the general intent of the Local Development Plan to help sustain the rural economy, through the support of tourism and commercial development, subject to detailed criteria relating to the character and distinctive qualities of the local landscape.

The application proposes ancillary development at an existing rural commercial enterprise which would be acceptable under policy PSE 5. The detailed impacts are set out below.

#### 4.2.2 Visual amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to 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. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest.

Six silos are proposed, these would be sited on the north eastern side of the complex, to the rear of one of the factory buildings on a piece of land formally used for car-parking. The largest silo would be 18.8 metres in height. The existing buildings range from single storey height up to approximately 15 metres, there are also existing silos on the site. The proposed silos would be finished in a forest green shade to match the existing buildings on the site.

Considering the scale of the development in relation to the existing factory complex, the proposed siting and finish, it is considered that the proposal would not conflict with planning policy relating to impact on the visual amenity of the area.

#### 4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to 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 as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

The application proposes the erection of six silos which will be used for purposes ancillary to the existing operation of the creamery, to improve environmental impacts and energy efficiency. The silos will not lead to an increase in production levels. Some plant is proposed as part of the proposal, for pumping water into the silos, the noise details of which have been submitted with the application. Public Protection Officers have been consulted on the application and have raised no objection to the scheme subject to a planning condition. Concerns have been raised locally over the noise impacts of the scheme.

Officers consider that the proposal would bring environmental improvements and would not increase activity at the factory including additional deliveries. Having regard to concerns over noise issues, the Pollution Control officer has no objections to the silo development, which may act to suppress sound from the existing building, but suggests the inclusion of a suitable condition requiring a noise survey and restrictions on noise levels from the silos. It is considered that the application raises no policy conflict in terms of residential amenity.

#### 4.2.4 Highway Safety

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations 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. The acceptability of means of access is therefore a standard test on most planning applications.

The access arrangements to the site remain as existing. Having regard to the specific proposals, the Highways Officers raise no objections to the application.

It is not considered that that the proposal would result in highway safety issues.

#### 4.3 Other matters

The Community Council have questioned why an Environmental Impact Assessment has not been submitted in support of this application. Officers have considered this issue as part of the processing of the application and that with regard to the Regulations, and advise that the

development would does not require the submission of an EIA. Queries have also been raised over the timing of the previous planning permission; strictly speaking this is not directly related to this application, as it will not impact on productivity levels or increase waste water from the site; however the Agent has advised that the planning permission for the balancing tanks is likely to be implemented in 2015.

## **5. SUMMARY AND CONCLUSIONS:**

5.1 It is the opinion of Officers that the proposal would allow for environmental improvements at an existing enterprise, complying with policy PSE 5. The application is recommended for grant.

### **RECOMMENDATION: GRANT – with the following conditions:-**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No work shall be permitted to commence on the installation of the plant and equipment associated with the silos until :
  - a) There has been undertaken, at the applicant's expense, a noise assessment by a suitably qualified acoustic consultant, to assess the current noise climate and the impact that the proposed plant will have on it, including recommendations for maximum noise levels permissible in association with the operation of the silos ;
  - b)The noise assessment has been submitted to the Local Planning Authority; and
  - c) The written approval of the Local Planning Authority has been obtained to the report and its recommendations.

The reasons for the conditions are:

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The development shall only be permitted to operate within the noise levels as set out in the report as approved by the Local Planning Authority.