

Heading:

REFERENCE NO. 08/2014/1139/PF
IFOR WILLIAMS TRAILERS LTD
CYNWYD

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

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 Application Site

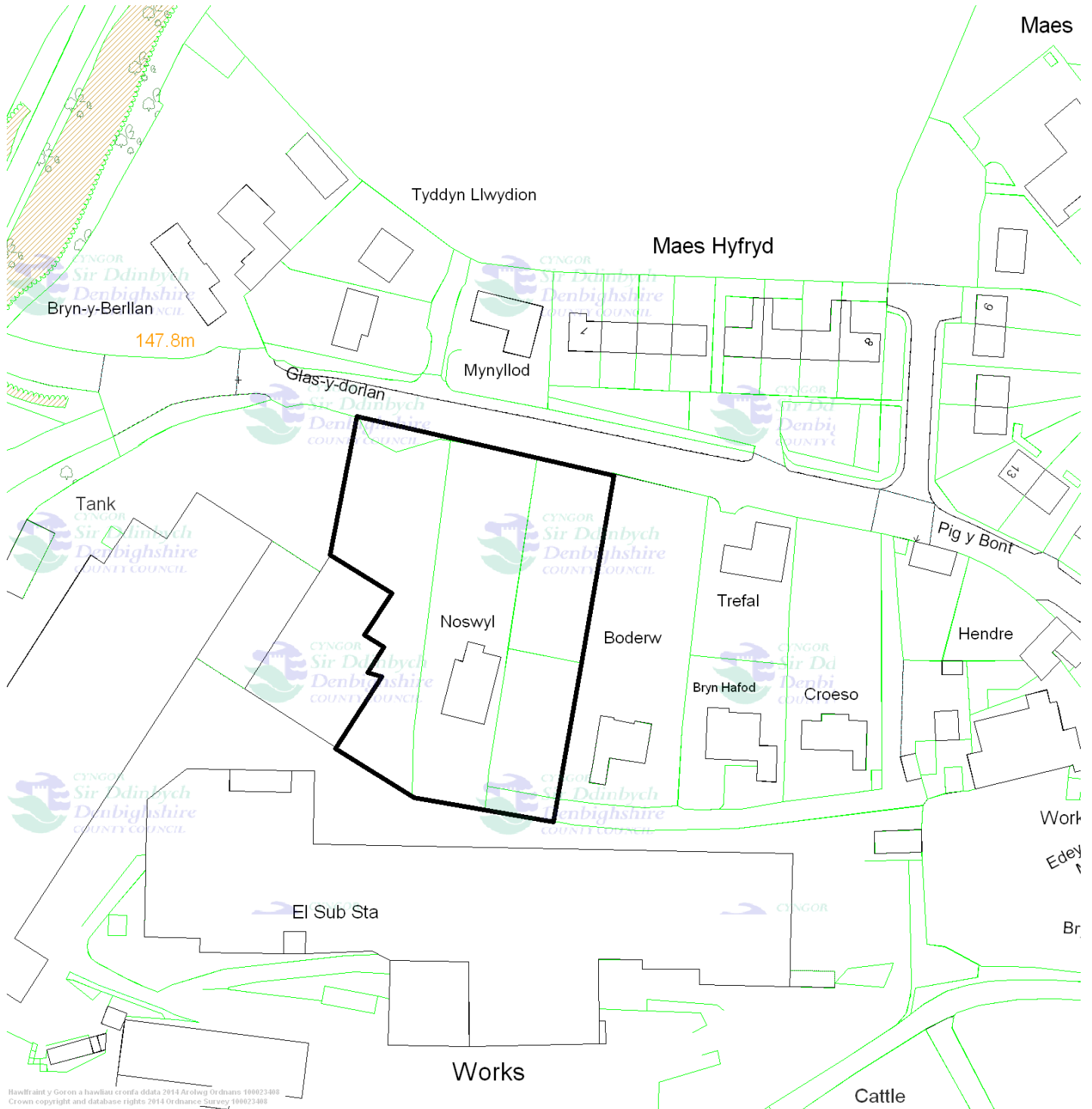


Date 26/11/2014

Scale 1/1250

Centre = 305495 E 341170 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.



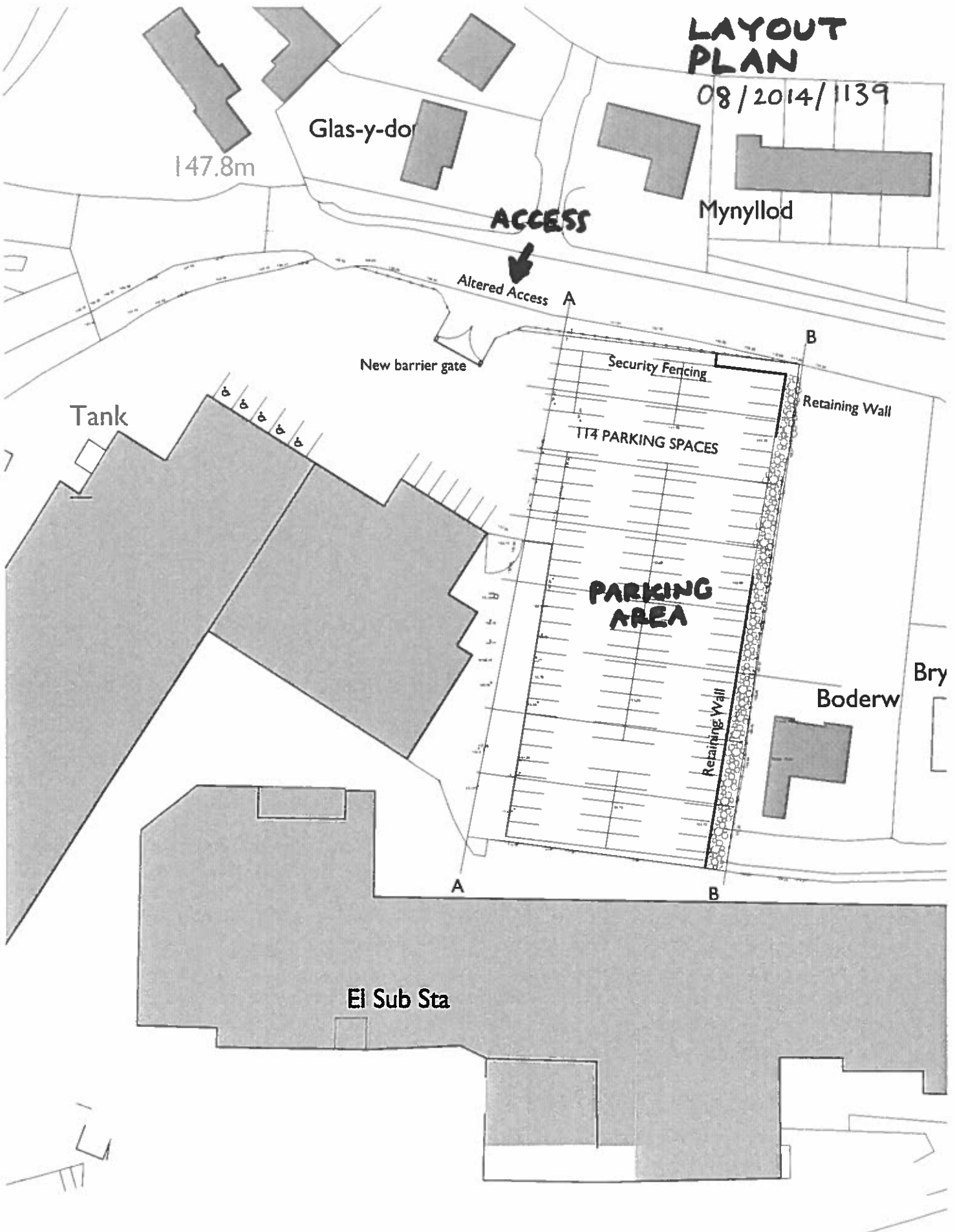
Hawffraint y Goron a hawlfraint cerbydau ddata 2014 Arrolwg Ordnance 100023408
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LAYOUT PLAN

08/2014/1139



Peircech a chymryd mesurau gwrthedd oddi ar y dyluniad hwn
 O'i yn arhys - golyfwrth
 Do not scale from this drawing
 If in doubt - ask

Plan i dylunio hwn yn parhannu Permet Russell-Hughes ac ni
 chofrestru ei gopïau niw at eiddoedd eraill heb ganiatâd

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Cynllun - Job

**IFOR WILLIAMS TRAILERS,
 CYNWYD**

Dyluniad - Drawing

PROPOSED SITE PLAN | 14 SPACES

Ynys Mon

2218:14:3A

Cyfeirnod - Ref

1:500

Dyddiad - Date

July 2014

russell-hughes cyf
persewr o'r architects

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 Ulangefn,
 Ynys Mon
 LL77 7HH

Tel: 01248 722333

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WARD : Llandrillo

WARD MEMBER(S): Cllr Cefyn Williams

APPLICATION NO: 08/2014/1139/ PF

PROPOSAL: Demolition of existing dwelling and construction of car parking area to serve adjacent factory, involving alterations to existing access, changes to levels, landscaping and associated works

LOCATION: Land adjacent to Ifor Williams Trailers Ltd Cynwyd Corwen

APPLICANT: Mr Gordon Burns Ifor Williams Trailers Ltd

CONSTRAINTS: None

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 / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

CYNWYD COMMUNITY COUNCIL

“Our Council recently considered the above:

We have no objection in principal to this application.

However, a number of concerns were raised,

Immediate neighbours are totally against the project (7/8)

The local Primary School (recently renovated and extended by Denbighshire County Council) were not informed of the application. Their only approach road to the School is very near to the proposed project. It is anticipated that this proposal could increase the volume of traffic in the area.

The village of Cynwyd will shortly become a 20 mph zone.

We have had no complaints about parking in Cynwyd for a couple of years.

There is a possibility that minor works by the Gotel could take the traffic off the road from the post Office to the proposed development.

Our concern is for the safety of the Children as well as others and serious consideration should be given to this.

Our Council also felt that should the application be allowed, the applicant should be asked to erect a 20mph flashing light on the road towards the school. This would hopefully slow down the traffic and make it safer.”

NATURAL RESOURCES WALES

No response at time of preparing report

DWR CYMRU / WELSH WATER

Request inclusion of conditions on any permission to ensure no detriment to existing residents, the environment and Dwr Cymru Welsh Water assets.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

Detailed comments awaited, but are supportive of the proposal in principle.

Pollution Control Officer

Has no objection in principle to the development but needs information on hours of operation during the demolition and construction phases, dust mitigation measures, noise mitigation plans for both the demolition, construction and the operational use of the scheme (to cover shift change events), the lighting scheme (showing the levels of overspill light and how they impact on nearby residential properties, as the site is in an E2 Environmental Zone and so the lighting will need to be designed and cowled / orientated appropriately) Has concerns over the removal of the noise attenuating barrier from the scheme, which appears to have been done in response to a request from local residents, so would wish this to be reconsidered.

Biodiversity Officer

Detailed comments awaited following submission of ecological reports.

RESPONSE TO PUBLICITY:

Alwenna Joyce, Trefal, Station Road, Cynwyd

B. Williams, Bod Erw, Station Road, Cynwyd

L.E. Davies, 4 Maeshyfryd, Cynwyd

D.R. and D.G. Williams, 7 Maeshyfryd, Cynwyd

N.L. Willis, 1 Maeshyfryd, Cynwyd

Owner/ Occupier, 6 Maeshyfryd, Cynwyd

A.T.Jones, 2 Maeshyfryd, Cynwyd

P.E. Williams, 3 Maeshyfryd, Cynwyd

G.E. Wynne, 8 Maeshyfryd, Cynwyd

Maeshyfryd, Cynwyd

Summary of planning based representations in objection:

Use of parking area

Concerns if articulated lorries use the parking area overnight

Highways issues

Concerns over location of entrance / exit as this on the same road as the school and there may be conflicts on Friday afternoons when staff leave the site when the school closes / impact on the free flow of traffic for local residents/ suggestion for improvements to parking space close to B4401 junction / concerns over pedestrian safety for children and elderly from additional traffic

Visual amenity issues

No detail of retaining walls or fencing adjacent to Boderw / concern over use of black steel fencing on outlook from neighbouring property/ preference for 7' wooden acoustic panels

Residential amenity issues

Concerns over additional noise and pollution from concentrating parking in one area/ no information on hours of use but late night and early morning use (e.g. overnight shift changeovers) would be an invasion of privacy and lead to noise and disturbance

EXPIRY DATE OF APPLICATION: 15/12/14

REASONS FOR DELAY IN DECISION (where applicable):

N/a

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal involves the construction of a new parking area to serve the Lfor Williams factory in Cynwyd.
- 1.1.2 The scheme involves the following elements –
- The demolition of an existing bungalow, Noswyl, which lies immediately to the east of an existing parking / storage area for the factory between the main offices and the highway serving the site
 - The alteration of the existing main entrance to the front of the Lfor Williams factory
 - The creation of a parking area with 114 spaces, measuring some 70 metres X 30 metres, involving the recontouring of the land with retaining walls at the north and south ends, hard surfacing, and associated drainage works.
 - A planting belt along the eastern boundary with the property Boderw (shown as a yew hedge), and security fencing along the road frontage.
- 1.1.3 The Application is accompanied by a Planning Statement and a Design and Access Statement setting out the details of the development. It explains the proposals are to provide improved parking and access arrangements in order to resolve issues with existing arrangements at the site, and to support the business. It argues that care has been taken in the design to ensure it would not result in harmful impacts to the amenity or privacy of residents in particular the occupiers of Boderw, through a good standard of soft landscaping. It advises that an acoustic fence was proposed originally along the eastern boundary, but this was removed following consultation with residents as they preferred a hedgerow and other planting in its place, as they considered noise levels to the front of the premises to be low.
- 1.1.4 The plans at the front of the report illustrate the layout and relationship with adjacent property.

1.2 Description of site and surroundings

- 1.2.1 The site proposed for the parking area is immediately to the east of an existing parking / storage area at the front of the Lfor Williams factory main office, and to the immediate north of one of the substantial industrial buildings used in connection with the business.
- 1.2.2 The site is occupied by an old bungalow, Noswyl, which has a vehicular access off a private track serving adjacent dwellings, which accesses the public highway further to the east, opposite the road serving Maes Hyfryd and the village school.
- 1.2.3 The area between Noswyl and the main highway dips down from the dwelling and up again to the highway, and has been recently cleared of vegetation.
- 1.2.4 The site boundaries are defined by a mix of walls, remnants of hedges and trees and fencing.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within the development boundary of the village of Cynwyd, as drafted in the proposals map accompanying the Local Development Plan.

1.3.2 There are no specific designations in the Local Development Plan in the vicinity of the site proposed for the parking area. The factory site is shown as an Employment site.

1.4 Relevant planning history

1.4.1 None of specific relevance to the application.

1.5 Developments/changes since the original submission

1.5.1 The applicants have provided an Ecological Assessment and a Protected Species Survey following the original submission. The conclusions are that there is no evidence suggesting a bat roost has been found during this survey and no further survey work is required.

1.5.2 The applicants have expressed willingness to assist with road safety measures such as that suggested by the Community Council, should this be the wish of the local community.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 None relevant to current application.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy PSE2 – Land for employment uses
Policy PSE5 – Rural economy
Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance

Parking Standards

3.2 Government Policy / Guidance

Planning Policy Wales Edition 7 July 2014

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, July 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 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

There are no policies in the Local Development Plan which relate directly to the construction of parking areas in connection with existing businesses.

Policy PSE 5 supports development which sustains the rural economy, subject to compliance with detailed criteria. The provision of a parking area to improve existing arrangements for a major employer would be consistent with the general principles of PSE 5 and the strategies of the Development Plan.

The key issues are inevitably the local impacts of a proposal of this nature and are reviewed in the following sections of the report.

4.2.2 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 proposals involve the clearance of some established natural features such as trees and hedgerows, and the introduction of retaining walls, alternative boundary planting of a yew hedge along the eastern boundary, and security fencing along the northern boundary. There are concerns expressed over the detailing in relation to the visual impact of black steel fencing, in terms of effect on the outlook of a nearby dwelling, and there is uncertainty over the impact of the proposed retaining wall in the absence of any detail in the submission.

Officer's view on this matter is that it is unfortunate that the proposals oblige the removal of established vegetation, but most of this is inevitable if the number of parking spaces are to be created. The comments of local residents are nonetheless to be respected and it is considered that the plans as submitted do not show a suitable degree of sensitivity to the location and require reassessing to provide basic mitigation of the visual impact of the development. If a permission is to be considered, it is suggested that the detailing all the boundary treatment including fencing, walls and planting should be subject to conditions requiring the submission of alternative / full details to minimise the effects of the development on neighbours and the locality. It will also be important to oblige submission of lighting details given the proximity to residential properties, as the visual impact of lights over an area of this size could be significant.

4.2.3 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.

There are local concerns expressed over potential for loss of residential amenity from the proposed parking area, by way of increased noise and disturbance and loss of privacy. There are specific concerns over the potential for disturbance at antisocial hours. A separate concern has been noted if the parking area is to be used by articulated lorries. The Pollution Control Officer has no objection in principle to the development but has requested further details of hours of operation, dust and noise mitigation measures, and the lighting scheme. He

has questioned the removal of a noise attenuating barrier from the scheme and suggests that it may be necessary for such a barrier to be installed.

It is apparent that the proposals raise potential residential amenity impact issues in terms of the possibility of noise and disturbance from the use of the parking area, and from any lighting of the facility. These are more likely to be of concern to occupiers of nearby property at night, bearing in mind the factory operates 24 hours a day, and there would be periods during shift changes where use of the parking area may be concentrated. Inappropriate lighting during hours of darkness can give rise to issues for occupiers of nearby residential properties in terms of effect on sleep patterns, and requires careful assessment. Whilst the Pollution Control Officer raises no objection to the basic proposals, it is clear that further details are required to show how the parking area may be managed to mitigate impacts outside normal daytime working hours / overnight, and how a suitable lighting scheme can be designed to minimise light pollution. These are matters which would need to be covered by condition if permission were to be granted.

4.2.4 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.

There are no individual objections expressed over the potential impact on ecology as a result of development. The Ecological information provided by the applicants has been referred to the Biodiversity Officer and comments on the conclusions will be reported in the late information sheets.

4.2.5 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

The application site is not in a Flood Risk area as it is on land elevated well above the River Dee to the west. The application proposes that surface water from the parking area be directed to Storm Cells within the site and then through a hydrobrake before discharge to the surface water system. Dwr Cymru Welsh Water has confirmed they have no objections.

On the basis of the proposed arrangements and the responses of the technical consultees, it is not considered that the development would give rise to any drainage problems in the locality.

4.2.6 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.

The plans show the intention to provide a marked out parking area and to improve the existing entrance into the site off the main approach road. There are local concerns over the highway implications of the development in terms of additional traffic on a road used by the village school, a question from an individual as to whether the entrance is in the most appropriate location, and a suggestion that there may be conflicts with school traffic on Friday afternoons. There is concern if articulated lorries use the parking area. The Community Council have requested the developer contributes to a 20mph sign proposed near the school, to assist efforts at slowing traffic on the approach road. The Highway Officer has no objections to the proposal.

In respecting local concerns over the development, Officers opinion is that the proposals offer a positive 'gain' in respect of providing employee and visitor parking for the Lfor Williams factory in close proximity to the main complex. Currently, employees park in a number of locations in the village, giving rise to noise and disturbance for a number of residents throughout the day and night. The Highway Officer has no issues with the improvement to the existing entrance and in respecting the comments made, does not consider the potential for conflict with school traffic would be such that the application could be resisted. It has been confirmed by the applicants agents that the parking area is not for use by articulated lorries, and a condition can be attached to any permission to that effect. It is understood that a range of measures are under consideration to improve the safety of the highway serving the site and this part of the village, and the Highways section would need to coordinate with the developers here to deliver the improvements.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposals are to create a 114 space parking area for use in connection with the existing Lfor Williams factory. This is considered an acceptable development in principle, in support of the employment use. Having regard to the responses to consultation, Officers suggest that the localised impacts would not be unacceptable, subject to suitable mitigation measures which would need to be secured through conditions on any permission.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. **PRE-COMMENCEMENT CONDITION**
Notwithstanding the submitted details, no development shall be permitted to commence on the retaining walls, the proposed security fencing, or any other boundary fencing and planting until the written approval of the Local Planning Authority has been obtained to the detailing thereof. The development shall be carried out strictly in accordance with the detailing approved under this condition.
3. All planting, seeding, or turfing, comprised in the landscaping / planting scheme which is required in connection with Condition 2 shall be carried out no later than the first planting and seeding season following the bringing into use of the parking area. Any trees or plants which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
4. Notwithstanding the submitted details, the parking area shall not be brought into operation until the written approval of the Local Planning Authority has been obtained to the detailing of a scheme of noise mitigation / attenuation along the boundary with Bod Erw, and the approved scheme has been implemented in its entirety. The scheme shall be retained in place as approved at all times.
5. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a Construction Method statement covering the

proposed hours of operation during the demolition and construction phases, dust mitigation measures, and noise mitigation plans for both the demolition and construction phase. The development shall be carried out strictly in accordance with the Method Statement as approved.

6. The parking area shall not be brought into operation until the written approval of the Local Planning Authority has been obtained to the proposed hours of operation and a detailed Parking Management Plan to demonstrate steps to mitigate the impacts of the use of the parking area outside normal daytime working hours. The operation of the parking area shall be undertaken in accordance with the approved Management Plan at all times.
7. No development shall be permitted to commence until details of the surface water regulation system have been submitted to and approved in writing by the local planning authority. Such scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the local planning authority.
8. Notwithstanding the submitted details, no external lighting shall be permitted without the formal written approval of the local planning authority to the detailing of the proposed lighting (including the type, the means and extent of lamination and anticipated spread of light). The scheme shall be implemented strictly in accordance with the approved details.
9. No articulated lorries shall be permitted to use the parking area at any time.
10. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
11. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
12. The developer shall provide suitable oil /grease trap to prevent entry into the public sewerage system of matter likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual and residential amenity.
3. In the interests of visual and residential amenity.
4. In the interests of residential amenity.
5. In the interests of residential amenity.
6. In the interests of residential amenity.
7. To ensure the development does not give rise to unacceptable surface water drainage issues.
8. In the interests of visual and residential amenity.
9. For the avoidance of doubt and in the interests of residential amenity.
10. To prevent hydraulic overload of the public sewerage system and pollution of the environment.
11. To protect the integrity of the public sewerage system.
12. To ensure proper steps are taken to contain any spillage of the materials referred to, to prevent pollution of the site and nearby stream.

NOTES TO APPLICANT:

In relation to the conditions of this permission requiring the submission and approval of further details, you are encouraged to discuss proposals for the boundary treatment of the site with the Planning Officer, in particular to improve the detailing along the highway boundary, to soften the impact of security fencing; and to engage with the Planning Officer and Pollution Control Officer in respect of any lighting and noise attenuation details, given the proximity to residential property.