

Heading:

REFERENCE NO. 44/2014/0830/PC  
OLD WATER WORKS  
ABERGELE RD, RHUDDLAN

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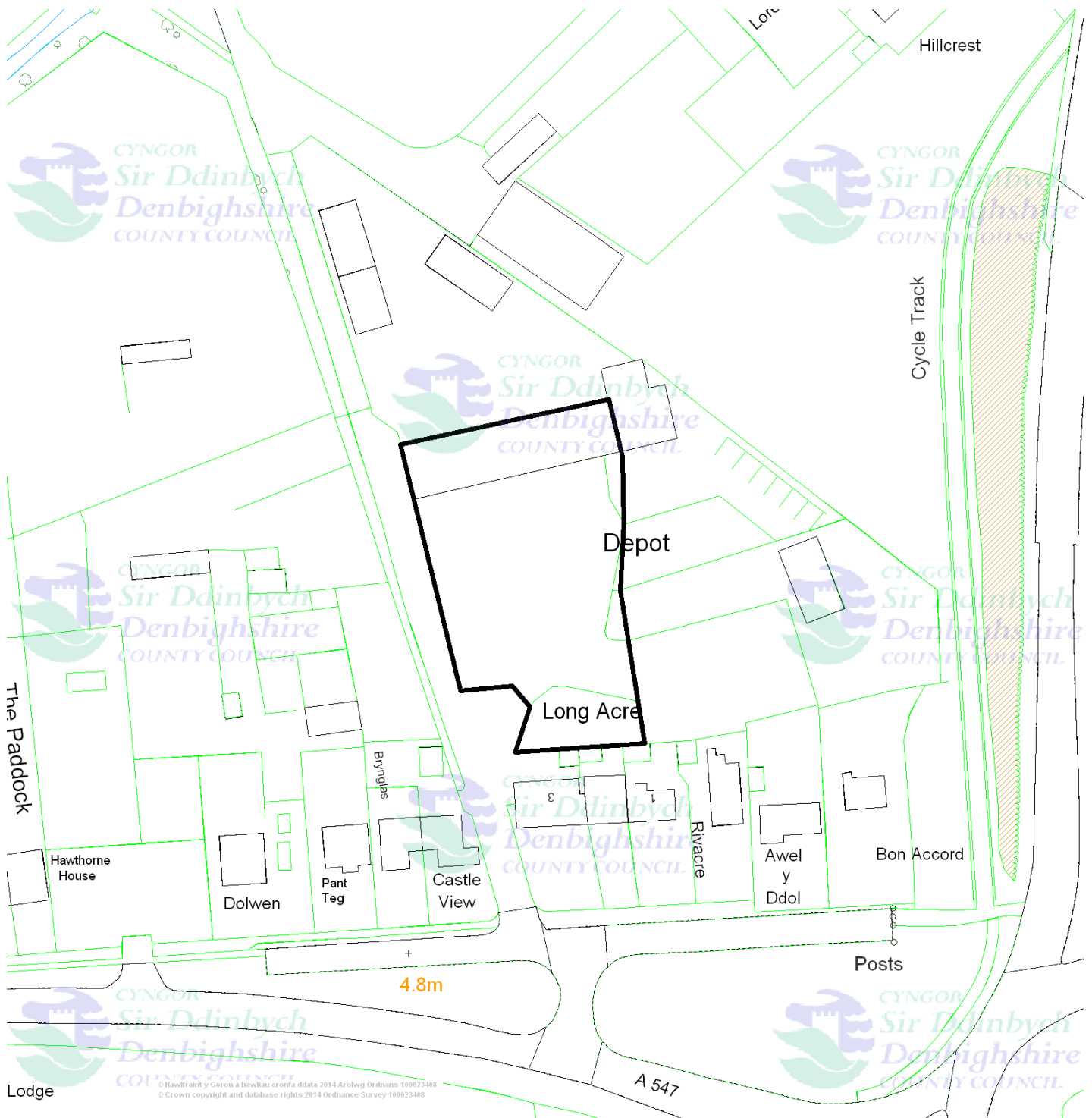
 Application Site



Date 24/11/2014  
Centre = 301761 E 377854 N

Scale 1/1250

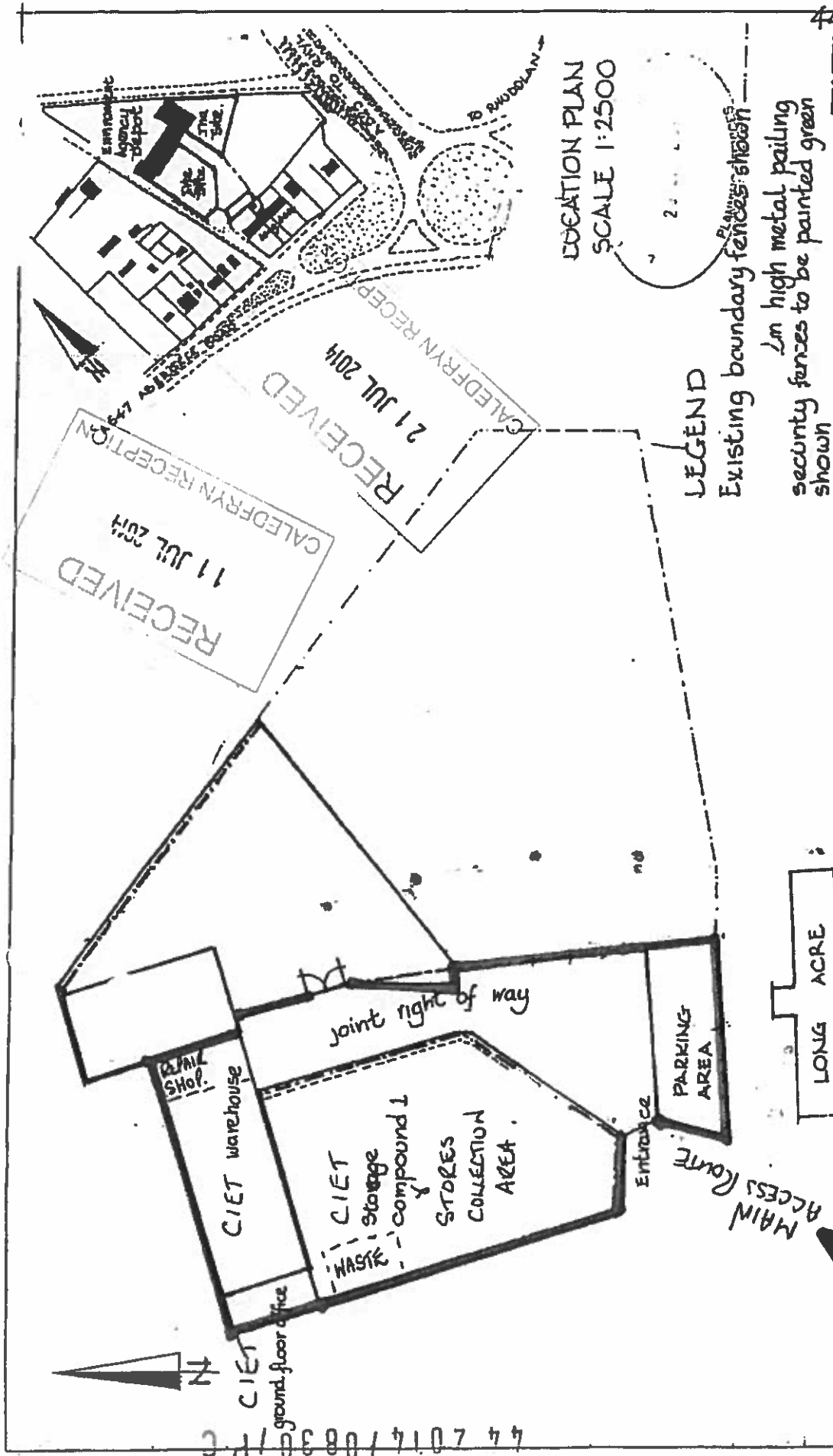
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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





# SITE PLAN

44/2014/0830



LOCATION PLAN  
SCALE 1:2500

## LEGEND

Existing boundary fences shown  
2m high metal pailing security fences to be painted green shown

**ACCESS** ↑

PLAN TO ACCOMPANY PLANNING APPLICATION FOR LAND OFF ABERGELE ROAD, RHODDLAN, DENBIGHSHIRE.

RECEIVED  
11 JUL 2014  
CALEDFRYNN RECEPTION

RECEIVED  
21 JUL 2014  
CALEDFRYNN RECEPTION

44/2014/0830/PC

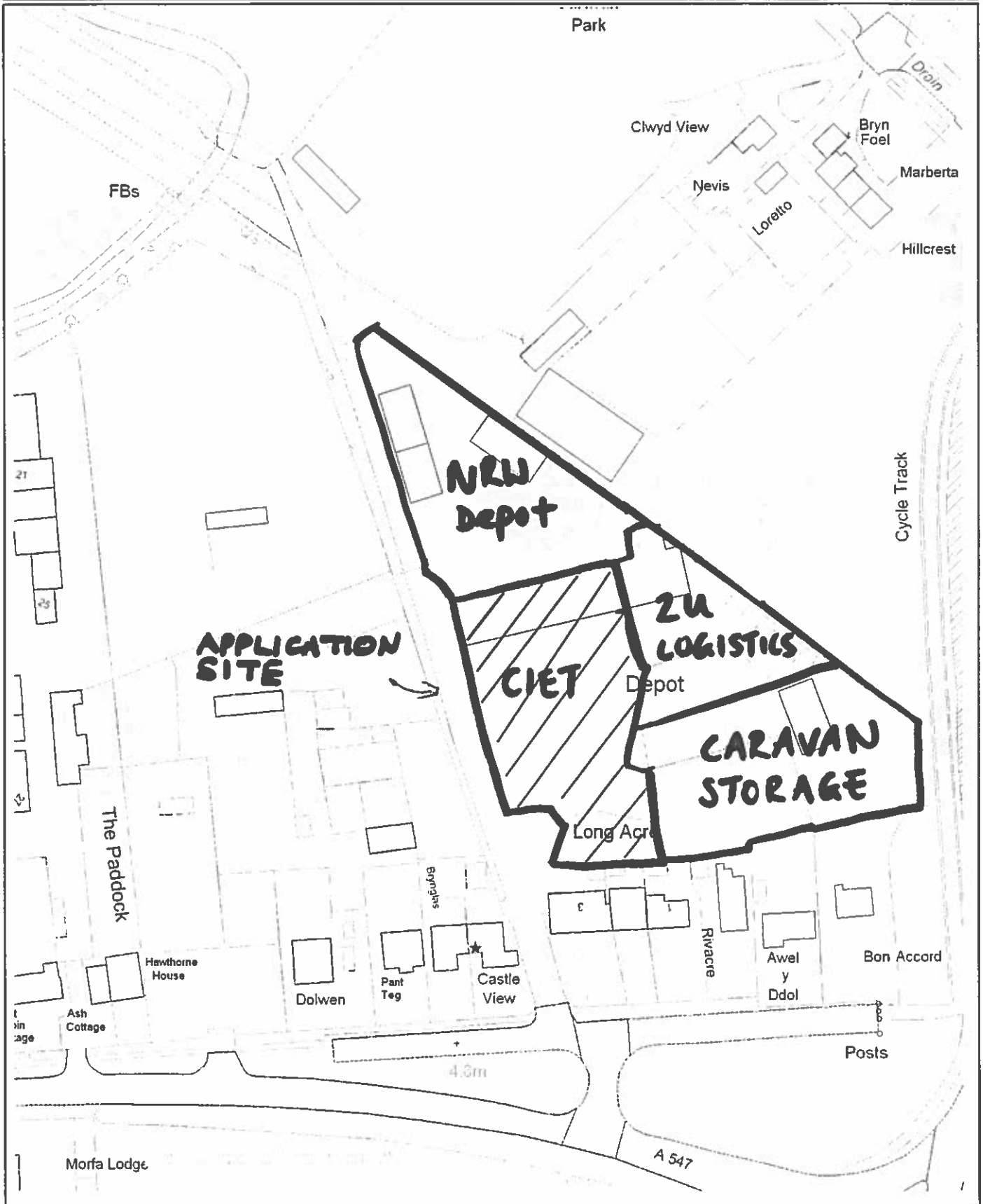


# EXISTING SUBDIVISION OF SITE

ddinbych  
denbighshire  
County Council



Date 25/11/2014  
Scale 1/1250  
Centre = 301739 E 377880 N





**WARD :** Rhuddlan

**WARD MEMBER(S):** Cllr Ann Davies

**APPLICATION NO:** 44/2014/0830/ PC

**PROPOSAL:** Continuation of use of land and buildings for the receipting, storage and issue of electricity power line materials, equipment and light vehicles (retrospective application)

**LOCATION:** CIET(UK) Ltd. Old Water Works Abergele Road Rhuddlan Rhyl

**APPLICANT:** CIET (UK) 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 – Town / Community Council objection

**CONSULTATION RESPONSES:**

**RHUDDLAN TOWN COUNCIL**

“Rhuddlan Town Council considered the above application at a meeting last week and wished to raise objections based on the detrimental effect of the noise and hours operation on residents”.

**NATURAL RESOURCES WALES**

No objection

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure

- Highways Officer

No objection subject to a condition ensuring parking facilities are laid out and remain available at all times.

Pollution Control Officer

No objection subject to the inclusion of conditions relating to hours of operation and methods of working.

Housing and Community Development Service

No objection

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Mr D. T. Trout, 3, Longacre, Abergele Road, Rhuddlan (on behalf of local residents, unnamed)

Summary of planning based representations in objection:

Residential Amenity Issues: Regularly use the site on a Sunday; stihl saws and chain saws are used which are noisy; currently enduring 24/7 activity on the site;

Highway Issues: With 3 other operators on the site there are concerns relating to vehicles of all

users conflicting, causing a jam and the need to spill out on to the service road.

General Comments: The site is too small as other satellite storage areas at HTM and St Asaph to store large vehicles, trailers, diggers, tractors and telegraph poles etc have had to be created. If permission is given there is no ceiling on the level of activity or restriction on these satellite operations being brought to this site.

The management meetings held at the site cause chaos as there is insufficient parking.

**EXPIRY DATE OF APPLICATION: 14/09/2014**

**REASONS FOR DELAY IN DECISION:**

- additional information required from applicant
- re-consultations with key consultees on additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

1.1.1 This application seeks full planning permission for the continuation of use of land and buildings for the receipting, storage and issue of electricity power line materials, equipment and light vehicles by CIET (UK) Ltd at the Old Water Works Site off Abergele Road in Rhuddlan.

1.1.2 The application is accompanied by an Access Statement along with supporting information relating to the business, its operations and activities.

1.1.3 The following information has been submitted in relation to the business activities:

\*CIET delivers electricity powerline maintenance services and has been operating in North Wales since 2011.

\*The application requires the site for the storage of materials and vehicles consistent with its service installations which are stored within the warehouse unit and within the outside yard space.

\*Goods such as drums of copper and aluminium cabling, plastic piping and ducting, small 25 – 50kva transformers, wooden blocks, large steel cross arms and waste skips are stored at the site.

\*The yard is used for the storage of vehicles including a forklift truck, quad bikes and trailers, a caged 3.5T van, 4x4 Land Rover and van.

\*Smaller materials such as steel cross arm bolts, small drums of cabling, cable ties, insulators, nuts and bolts, PPE clothing and equipment are also stored within the warehouse.

\*There are no repair works carried out at the site save for minor maintenance and repair to vehicles such as changing light bulbs/mirrors etc.

\*The goods stored at the site are in the form required by the end users and therefore require no preparation other than being put on to pallets and collected by the teams working on the installation projects.

\*The warehouse building also includes 3 small offices and a tea making room upstairs, with an office and training room at ground floor level.

\* The site did hold regular staff meetings and team briefs for up to 50 staff however these are now held at the St Asaph site and no longer take place at the application site in Rhuddlan.

\*On average external suppliers deliver 3-5 times per week by 3.5T van and 7.5T van, deliveries are between 8am and 3.30pm.

\* 2 -3 times a month, external suppliers deliver an LGV 1 (Arctic truck) delivers good to the site, deliveries are between 8am and 3.30pm.

\* CIET line crew vehicles are transit vans, between 8-10 vans will collect materials at 7am and 6pm when working in the local area.



\*The applicant is in communication with the residents and measures have been taken to reduce the impact on residents such as:

- reducing the size of certain materials which are emptied in to skips to reduce noise
- saws to be used only between the hours of 8am and 5pm
- a maximum speed limit of 10mph specified to all staff to reduce noise levels and provide a safer environment
- no vehicles are to be left outside the site
- all vehicles are parked responsibly in the facility provided.

A plan detailing the site layout is at the front of the report.

#### 1.2 Description of site and surroundings

- 1.2.1 The site is located to the rear of a row of residential properties fronting Abergele Road with access to the site located in between Castle View and 3 Longacre.
- 1.2.2 The application site comprises a warehouse and office building to the northern boundary of the site with an open yard area to the front with a car parking area to the southern end of the site abutting the boundary with the residential properties of no's 1,2 and 3 Longacre.
- 1.2.3 To the northern boundary is a depot operated by Natural Resources Wales; to the eastern boundary a logistics business is currently operating; to the south are residential properties and to the western boundary is the access road leading to the Natural Resources Wales depot.

Details of the site layout and location of other businesses can be found at the front of the report.

#### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhuddlan and within a C1 flood zone as defined in the development advice maps within TAN 15: Development and Flood Risk.

#### 1.4 Relevant planning history

- 1.4.1 The application site is a small part of an old Water Depot site which has been subdivided into 4 plots occupied by separate businesses/operators, these businesses are Caravans Direct (Caravan Storage); 2 U Logistics (distribution of newspapers); CIET (the applicant) and Natural Resources Wales Depot.
- 1.4.2 CIET have been operating on the site since April 2012. This planning application was submitted in July 2014 following compliance investigations.
- 1.4.3 Planning Compliance proceedings are under way in relation to 2 U Logistics who do not have the benefit of planning permission to operate at the site.

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

- 1.5.1 Clarification relating to traffic movements has been sought from the applicant in relation to their activities and working patterns. This

#### 1.6 Other relevant background information

- 1.6.1 None

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

- 2.1 None

## **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 RD1** – Sustainable development and good standard design

**Policy PSE3** – Protection of employment land and buildings  
**Policy ASA3** – Parking standards

3.1 Supplementary Planning Guidance  
Supplementary Planning Guidance – Parking Standards

3.2 Government Policy / Guidance  
Planning Policy Wales Edition 7 July 2014

Technical Advice Notes  
TAN 15: Development & Flood Risk

#### **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 Drainage (including flooding)
- 4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

- 4.2.1 Principle  
The main policies in the Local Development Plan which are relevant to the principle of the development are Policies RD 1 and Policy PSE 3.

Policy RD1 states that within development boundaries, new development is, in principle supported provided that it meets with the criteria of other policies in the Local Development Plan and material planning considerations. This assists in working towards a sustainable pattern of development by directing most development to existing settlements thereby making the most effective use of existing infrastructure, facilities and services by reducing the need to travel.

Policy PSE 3 seeks to protect employment land and buildings and only offers support for proposals which would result in the loss of such land and buildings where strict tests can be met, i.e where there are no other suitable sites available for the development; there is evidence of a continuous marketing process alongside practical attempts to retain the employment use and where the premises are no longer capable of providing an acceptable standard of accommodation for employment purposes; and evidence that the loss of the site/premises would not prejudice the ability of an area to meet a range of employment needs.

The policies referred to above are in general conformity with the approach to development in Planning Policy Wales, supporting sustainable economic development. Planning Policy Wales also contains a preference for the re-use of land

which meets with the definition of 'previously developed land', in preference to greenfield sites. The proposals are therefore considered acceptable in terms of the general principles of these policies. The localised impacts are assessed in the following paragraphs.

#### 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.

No objections have been raised in relation to the visual impacts of the proposal.

The application is to continue to use an existing warehouse and office building to the northern boundary of the site, with a storage compound and collection area located to the front of the building and parking area along the southern boundary. The site is surrounded by metal security fencing which is consistent with the nature of the site and use.

It is therefore not considered that the use would have a negative visual impact on the area. It is therefore considered acceptable in relation to the policies and guidance in relation to visual impact.

#### 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.

Objections have been raised in relation to the residential amenity impacts of the proposal by a local resident and Town Council.

The use of the site is for the receipting, storage and issue of electricity power lines materials, equipment and light vehicles. The use involves staff/line crews collecting materials from the site in transit vans at 7am and 6pm, on a daily basis when working locally. The equipment required by the business is delivered to the site by external suppliers, on average 3-5 times per week by 3.5T and 7.5T vans and deliveries 2 to 3 times per month by an LGV (arctic truck). All deliveries take place between 8am and 3.30pm.

In relation to other activities undertaken at the site, skips are stored and used to empty waste such as scrap copper and aluminium. The skips are stored within the storage compound to the front of the warehouse building, away from the boundary with residential properties. Saws are used on the site to cut the metal before it is dropped in to the skips. The applicant has been made aware of the noise issues associated with this and has made improvements to mitigate noise and has provided assurances to the Council's Pollution Control Officer. However, given that there are residential properties nearby and that concerns have been raised with regards noise from the site, whilst there are no objections to the proposal it is considered necessary in the interests of residential amenity to consider a planning condition which requires the applicant to submit a formal noise management plan, detailing proposals for the location of activities within the site and measures to mitigate noise for the occupiers of

nearby residential properties.

Consideration has to be given to the previous use of the whole site as a water depot, which is very similar in nature to the use under consideration. It is acknowledged that the site has been subdivided with 4 separate businesses currently operating and therefore the use of the site has intensified over time. However, based on the above, it is not considered that the continuation of the use of CIET on part of the overall former depot site raises any significant additional residential amenity concerns with relevant controls in place relating to hours of opening and deliveries and the submission of a noise management plan.

It is therefore not considered that the proposal to continue to use of the site and buildings for the receipting, storage and issue of electricity power line materials, equipment and light vehicles would result in a significant harm to residential amenity subject to the imposition and compliance with conditions.

#### 4.2.4 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.

Natural Resources Wales (NRW) have raised no objection to the proposal given the scale and nature of the proposal.

On the basis of NRW's comments it is suggested that there are no strong flood risk grounds to refuse planning permission but the applicant needs to be made aware of the potential flood risks and that Natural Resources Wales provides a free Flood Warning Service which the applicant is strongly recommended to register with.

#### 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.

The means of access to the site is off Abergele Road, from a service road which has several residential properties fronting it. The access to the site is located in between 'Castle View' and '3 Longacre' and measures approximately 4m wide.

The Highways Officer has carefully assessed the highway related concerns in relation to the site and is fully aware of local concerns relating to the use of the site. A site meeting has taken place and following that Officers requested additional information from the applicant in relation to traffic movements.

Following receipt of this information, it is considered that the movements by commercial vehicles in and out of the site are acceptable given the nature of this business and the former use of the site as a Water Depot. It is acknowledged that there are other businesses running from the site, however in relation to this application, the applicant, CIET, have given assurances on the traffic movements/activity from the site.

At the request of Local Members, a speed/class data survey has been carried out at the Junction of the A547. From this data it would appear that there are articulated

vehicles and heavy goods vehicles entering the site throughout the week and in the early hours of the morning, earliest being 2am and between 6am and 8am. In the evening the evidence suggests this is 8pm and 9pm. However, it is understood the numbers recorded may be due to large vehicles undertaking 3-point turns in the junction causing double counting and may not be visiting the businesses, furthermore CIET have advised that they do have deliveries by Large Vehicles however, this is carried out within the working day, 2 -3 times monthly.

It is acknowledged that an Officer within the Traffic Section has observed a rigid vehicle carrying a static caravan to the site having to manoeuvre onto the service road/A547 Abergele Road as the gates to the yard were closed, however that this is not the activity of the applicant and Highways Officers consider that the information supplied by the applicant is acceptable and believe that their site can be managed safely and in accordance with the statement supplied.

In conclusion, Highways Officers raise no objections to the proposal to continue to use the application site for the receipting, storage and issue of electricity power line materials, equipment and light vehicles.

It is not considered, with respect to objections raised, that there are any strong highway grounds to refuse the application.

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

- 5.1 The principle of the use is considered acceptable on a former water depot site. Careful consideration has been given to the impact of the proposal on local residents and highway safety and it has been concluded that there are no unacceptable impacts.

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

1. The operation of the site shall cease within 3 months of the date of this permission unless the formal written approval of the Local Planning Authority has been obtained to a Noise Management Plan setting out proposals for the location of activities within the site and measures to mitigate noise for the occupiers of nearby residential properties. The use of the site shall be carried out strictly in accordance with the approved details.
2. The site shall not be permitted to operate or receive any deliveries outside the following times and days:  
  
0700 to 1800 Monday to Friday  
0800 to 1300 Saturday
3. Within 1 month from the date of this permission, all parking areas shall be formally marked and laid out in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be kept available for that purpose at all times

The reasons for the conditions are:-

1. In the interests of residential amenity.
2. In the interests of residential amenity.
3. In the interests of highway safety.

## **NOTES TO APPLICANT:**

### **Flood Warning & Flood Plan**

Natural Resources Wales provides a free flood Warning Service for this community. You are strongly advised to register your details with this service to enable you to receive the appropriate flood warning. It is also recommended that the users of the site create a 'Flood Plan' so that all users of the site know what to do before, during and after a flood event.