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Denbighshire Boundary  




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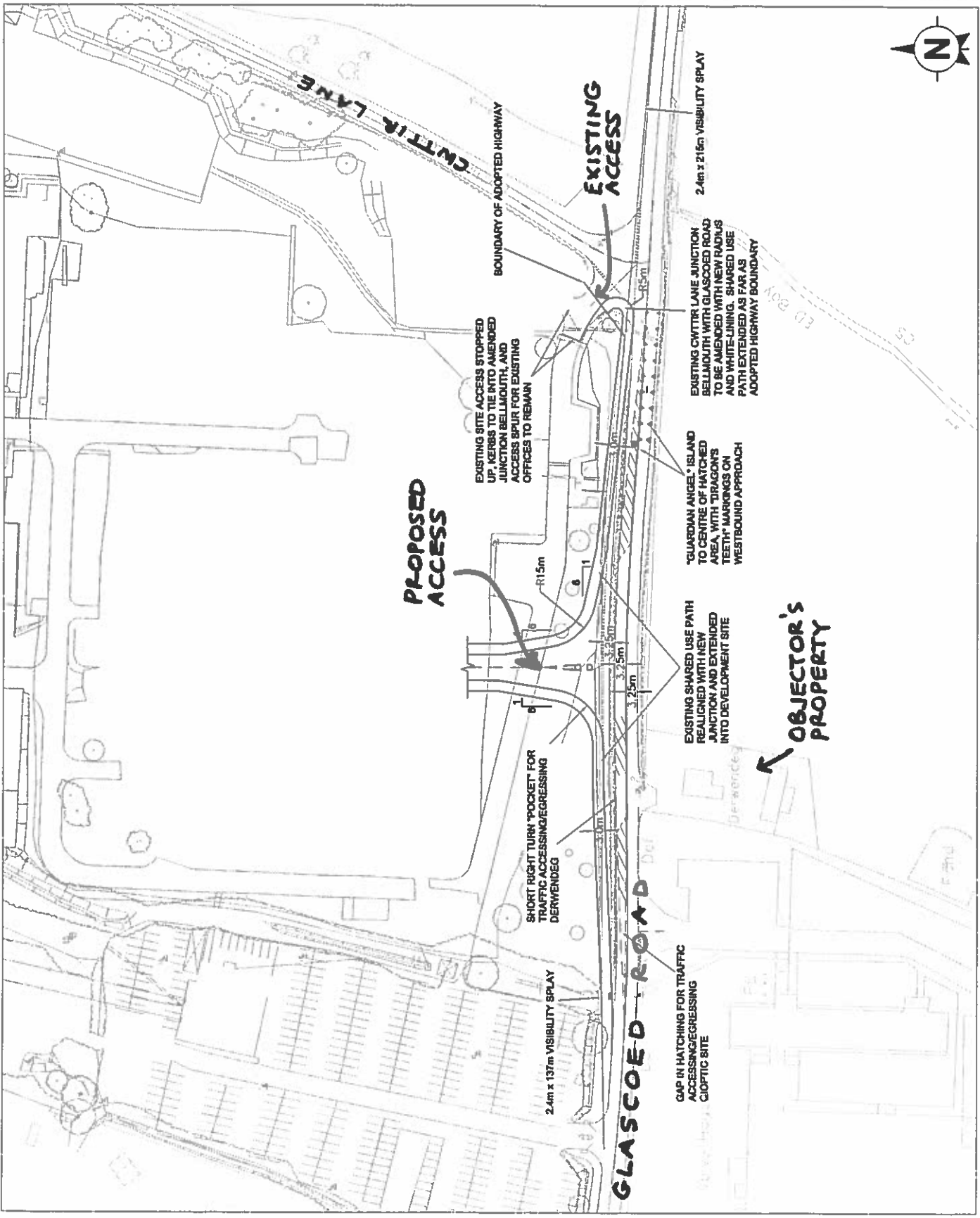


# DETAILS OF ACCESS

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Client	City of Christchurch
Project	Christchurch Airport
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Checked by	[Name]
Date	15/06/13

Site No	1572-01-02
Project No	1572-01-02
Scale	1:1000
Author	[Name]
Checked	[Name]
Date	15/06/13





**WARD :** St Asaph

**WARD MEMBER(S):** Councillor Bill Cowie (c)

**APPLICATION NO:** 46/2015/0969/ PF

**PROPOSAL:** Construction of a new access and alterations to existing access

**LOCATION:** Former Pilkington Special Glass Site Glascoed Road St Asaph

**APPLICANT:** Mr Tom Anwyl Glascoed Business Park Ltd.

**CONSTRAINTS:** None.

**PUBLICITY UNDERTAKEN:** Site Notice – Yes  
Press Notice – No  
Neighbour letters - Yes

**CONSULTATION RESPONSES:**

ST ASAPH CITY COUNCIL: "No objection".

CEFN MEIRIADOG COMMUNITY COUNCIL (neighbouring CC):

Original response "Cefn Meiriadog community council are concerned about the effect of this new entrance on the residents of Derwen Deg".

Second response "At their council meeting last night the Councillors revisited the application and would like it to be refused for the following reasons;

1. The effect of noise of vehicles entering and exiting the site on Glascoed Road on the Glascoed Road by a domestic dwelling.
2. The vehicle lights would be shining on a domestic property.
3. There would be more dust.
4. There are already 5 entrances on the north side of Glascoed Road and 4 entrances on the south side entering this road.
5. The proposed entrance is on the brow of a hill.
6. The existing entrance to the site has been used for 50 years so why change it.
7. The disturbance of the domestic enjoyment of the property.

CLWYD POWYS ARCHAEOLOGICAL TRUST: No objections. Recommend conditions including a watching brief.

WALES AND WEST UTILITIES: No objections. Draw applicant's attention to utilities apparatus in the area.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Biodiversity Officer

No objection subject to conditions relating to the need Great Crested Newts.

Highways Officer

No objection subject to conditions relating to the detailing of the access.

**RESPONSE TO PUBLICITY:**

Representation received (in objection) from:

Eryl Davies, Derwen Deg, Glascoed Road, St Asaph.

Summary of representation:

Need- there is an existing access to the site.

Highway safety- alterations to access will create access issues for Derwen Deg. Access would be close to brow of hill and unsafe. Access would be too close to existing access points.  
Levels- there is a difference of ground levels between site and the road.  
Residential amenity- access would be opposite the dwelling, Derwen Deg.

**EXPIRY DATE OF APPLICATION: 19/11/2015**

**REASONS FOR DELAY IN DECISION:** Request to consult neighbouring Community Council.

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 Planning permission is sought for the construction of an access off the B5381 Glascoed Road and onto the former Pilkington's Glass factory site.
- 1.1.2 The access would serve the former factory site, which it is proposed to redevelop in line with the employment allocation on the business park.
- 1.1.3 The proposed access would be approximately 85m to the west of the existing access at Cwttir Lane.
- 1.1.4 The proposals incorporate a 'ghost island' right turn lane junction with Glascoed Road, with a bellmouth arrangement.
- 1.1.5 The existing footpath and cycleway at the frontage of the site will be retained, and the layout includes a pedestrian refuge island.
- 1.1.6 The existing access will be stopped up.
- 1.1.7 The plan at the front of the report shows details of the proposals.

1.2 Description of site and surroundings

- 1.2.1 The site is located on the northern side of Glascoed Road on the eastern approach to the Business Park.
- 1.2.2 The site is currently vacant, having formally been occupied by the Pilkington's Glass Factory. The factory closed in 2008 and was demolished in 2009.
- 1.2.3 The existing vehicular access to the land is at the south east corner of the site and enters Glascoed Road at an acute angle onto a splay area which forms the junction with Cwttir Lane.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the PSE 2 St Asaph Business Park allocation within the Local Development Plan.

1.4 Relevant planning history

- 1.4.1 There is no recent relevant planning history on the site, or applications relating to access arrangements.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The application submission includes the plans attached to this report, a DAS and a Technical Note prepared by Highways Consultants in support of the application.
- 1.6.2 The DAS sets out why the access is proposed. It states that the Applicants wish is to promote the site for suitable employment uses, however the existing access is unsuitable to safely and efficiently cater for the level and nature of vehicular traffic

associated with such a use. For this reason a purpose built access is being sought.

## **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)  
RD1 Sustainable Development and good standard design  
PSE 2 Land for Employment Uses  
VOE 5 Conservation of natural resources

SPG Nature Conservation and Species Protection

Government Policy / Guidance

Planning Policy Wales Edition 8, January 2016

TAN 18 Transport

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

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 8, January 2016 (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 Residential amenity
- 4.1.3 Highway Safety
- 4.1.4 Biodiversity
- 4.1.5 Archaeology

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the allocated St Asaph Business Park, a PSE 2 allocation within the Local Development Plan. To facilitate access to the employment land would not raise any in principle policy issues.

Related to this are the concerns raised in representations over the 'need' for the proposed access. The number of accesses on Glascoed Road and the existence of the original access to this site off Cwttir Lane have been referred to in correspondence. In relation to this issue Officers suggest that planning policy does not require a need be demonstrated for this type of development, i.e. an access to serve employment land. However, the applicants have explained in the submission that a suitable access is necessary to serve the large area of employment land involved and to address inadequacies of the existing access.

The principle of the proposal is considered acceptable, and the detailed impacts are considered below:

4.2.2 Residential Amenity

Planning Policy Wales 3.1.4 refers to 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 of PPW, 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. Also 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 to create an improved access onto existing employment land. The site lies opposite the dwelling Derwen Deg. Concerns have been raised by the neighbouring occupiers and Cefn Meiriadog CC over the amenity impacts of the access.

With respect to the comments of the objector and Community Council, it is suggested relevant to take into account the fact that this is an existing employment site located off a B road serving an established Business Park, where there is already an access some 90m to the east of the dwelling as existing. The proposed access is unlikely to change the level of activity and noise and disturbance on the former factory site itself. Also it is noted that the proposed access is not directly opposite Derwen Deg, it is sited slightly to the east of the dwelling. Whilst there may be some impacts on the occupiers of the dwelling, considering the location of Derwen Deg in close proximity to an existing employment allocation Officers consider it would be difficult to argue that the impacts of the creation of the access on an individual neighbour would be so adverse to warrant refusal of planning permission. As such the amenity impacts of the proposal are not considered unacceptable.

#### 4.2.3 Highway Safety

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users; and consideration of the impact of development on the local highway network. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The application involves the creation of an access onto a B Road serving the business park. The proposal includes a right turn waiting lane and a ghost island within the road and alterations to the footpath and cycleway. Highways Officers have considered the proposal and raise no objection to the access. Concerns have been raised by the neighbouring occupier over the highways safety issues relating to the scheme.

Whilst noting the comments of the objector, in considering a technical application of this nature Officers are bound to take into account the advice of key consultees. The Highways Officers have undertaken relevant safety assessment of the details. They have accepted that the details and risks associated with the development can be sufficiently managed and controlled by condition and deem the development acceptable. Officers consider that the relevant policy and guidance in relation to highways policies is met.

#### 4.2.4 Archaeology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development.

Clwyd Powys Archaeological Trust have advised that the application site is located off a historic route, a roman road. Hence they have suggested if the Council are minded to grant permission a condition is attached to ensure any items of archaeological significance on the site are preserved and/or recorded.



Subject to the imposition of a watching brief condition it is considered that the proposal is acceptable in terms of the relevant archaeological policies.

#### 4.2.5 Biodiversity

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 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.

Although the application only proposes the creation of an access off a B road where there is an established level of activity, as there are records of Great Crested Newts close to the application site the Biodiversity Officer has suggested precautionary conditions are attached.

Subject to the imposition of the biodiversity conditions it is considered that the proposal is acceptable in terms of the relevant policies.

#### 4 **SUMMARY AND CONCLUSIONS:**

5.1 In respecting the comments received on the application, the proposed access is considered acceptable under the relevant policies and is recommended for grant.

#### **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. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:  
(i) General arrangement (Drawing No. 1572-01-02) received 25 September 2015(ii) Site location plan (Figure 1) received 25 September 2015(iii) Statutory plan (Drawing No. 1572-01-01) received 25 September 2015
3. Full details of the vehicular access and associated highway works including the detailed design, layout, construction, visibility splays, traffic calming, drainage, street lighting and highway retaining works shall be submitted to and approved in writing by the Local Planning Authority prior the commencement of any site works and the access shall be completed in accordance with the approved plans.
4. In relation to the carrying out of the works, no development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to the site compound location, traffic management scheme, vehicle wheel washing facilities, hours and days of operation, the management and operation of construction vehicles and the construction vehicle routes, the works shall be carried out strictly in accordance with the approved details.
5. All groundworks shall be undertaken in the presence of a qualified archaeological contractor so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards laid down by the Institute for Archaeologists. A copy of the watching brief report shall be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR tel: 01938 553670 within two months of the fieldwork being completed.
6. No works shall commence on the site until such time as the site has have been surveyed by a suitable qualified Ecologist for the presence of Great Crested Newts, and the results of the survey together with reasonable avoidance measures to deal with the presence of GCN's

including details of a derogation license from Natural Resources Wales has been submitted to and approved in writing by the Local Planning Authority.

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. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
4. In the interest of the free and safe movement of traffic on the adjacent highway and in the interests of highway safety.
5. In the interests of archaeological investigation and recording.
6. To protect ecological interests.