

**40-2023-0148**



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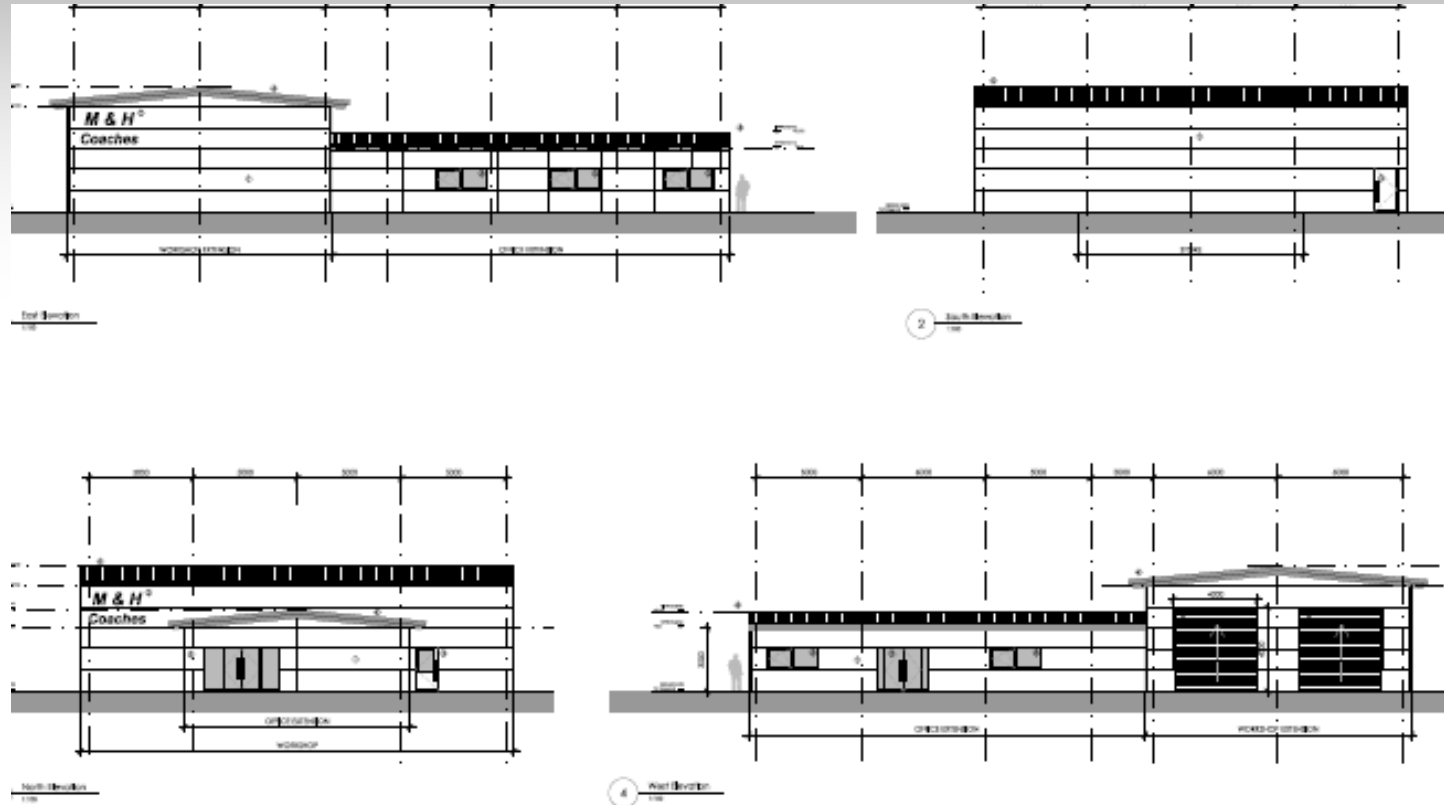
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# Site Plan





Proposed elevations of Depot/ Office Building





Aerial View of Site







Approach to Site from Ffordd William Morgan





Views of Site from Carlton Court (Access Road)



**WARD :** Bodelwyddan

**WARD MEMBER(S):** Cllr Raj Metri (c)

**APPLICATION NO:** 40/2023/0148/ PF

**PROPOSAL:** Erection of bus depot (sui generis use) including associated structures, formation of access and hardstanding, landscaping and associated works

**LOCATION:** Plot C2A Ffordd William Morgan St Asaph Business Park St Asaph

**APPLICANT:** M&H Coaches Mr Ryan Owen

**CONSTRAINTS:** None

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant / approve – Departure from Development plan

**CONSULTATION RESPONSES:**

BODELWYDDAN COMMUNITY COUNCIL – No response received.

DWR CYMRU / WELSH WATER - No objection following clarification of landscaping details.

CLWYD POWYS ARCHAEOLOGICAL TRUST – No objection.

NATURAL RESOURCES WALES – No objection in principle, recommend condition required to protect significant local population of Great Crested Newts, Bats and biosecurity.

NORTH WALES Police – No objection

WELSH GOVERNMENT HIGHWAYS – No objection

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer – No objection.

County Ecologist – No response received.

Strategic Housing & Policy Officer – Initially requested additional information / justification be provided to demonstrate compliance with Policy PSE3. Following submission of additional justification statements and supporting information, Policy Officer confirmed that sufficient information had been provided to deem application acceptable in principle.

Economic and Business Development Officer – No response received.

Public Protection Officer - No response received.

Tree Specialist – No objection subject to conditions.

**RESPONSE TO PUBLICITY:**

#### In objection

Representations received from:

Pamela Roberts, Woodbury, Glascoed Road, St. Asaph

Summary of planning based representations in objection:

Highways impact- traffic should access site via A55 not Glascoed Road

#### In support

Representations received from:

Rose Thomas, 53 Llandaff Drive, Prestatyn

WG Senedd Member Sam Rowlands, North Wales Business Park, Abergele

MP Dr James Davies

Summary of planning-based representations in support:

Operators provides a much-needed service locally.

Operators operate in a sustainable manner.

Operators offer a good local service and are a good local employer.

**EXPIRY DATE OF APPLICATION: 26/04/2023**

**EXTENSION OF TIME AGREED: 24/05/2023**

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

- awaiting consideration by Committee

#### **PLANNING ASSESSMENT:**

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

###### **1.1 Summary of proposals**

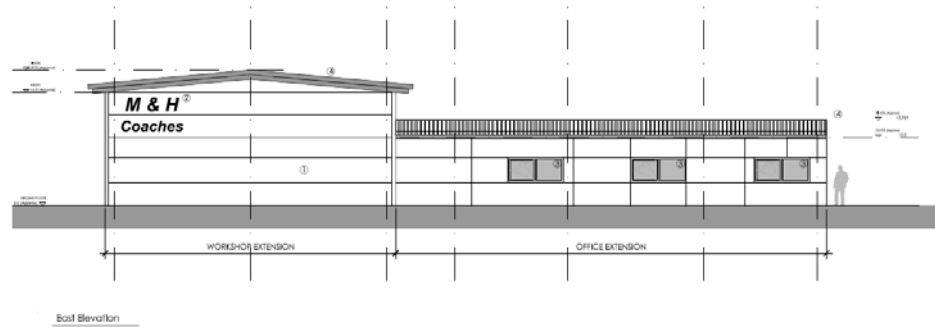
- 1.1.1 The application proposes the erection of a bus depot (sui generis use) including associated structures, formation of access and hardstanding, landscaping and associated works on 2.12 acres of land at Plot C2 on St Asaph Business Park.
- 1.1.2 The main depot building would be located on the eastern side of the site, it would have a footprint of 471m<sup>2</sup>. It would comprise of offices, meeting / conference room, kitchen, and staff facilities (bathrooms and shower) with an attached workshop. The workshop would be a double height space (almost 5 metres in height) and would be open plan for vehicle maintenance. A small office is also proposed alongside the workshop for the vehicle maintenance staff.
- 1.1.3 Externally the site would be broadly open plan comprising with demarcated parking for coaches, and staff vehicles including motorbikes and bicycles. Plans show 21 onsite car parking spaces proposed, with 23 Coach spaces annotated. The site would comprise of hard standing with a mix of asphalt, compacted hard core and some paving.
- 1.1.4 The proposed site plan shows EV points distributed between the staff parking bays and the coach bays; 4nr charging points for staff cars (next to the main building) and 8nr for coaches.
- 1.1.5 Proposed within the service yard is a wash bay, and small single storey structures to house fuel tank, bin store, and wash store.
- 1.1.6 The site plan shows existing trees on the site being retained. Additional landscaping is proposed on the site boundaries with native trees and hedgerows, however the front of the site appears to be left more open.
- 1.1.7 Vehicular access is proposed off the Business Park estate road known as Carlton Court (where there is an existing dropped kerb just south of the substation on the eastern boundary of the site).

*Site plans snip (\*not to scale)*

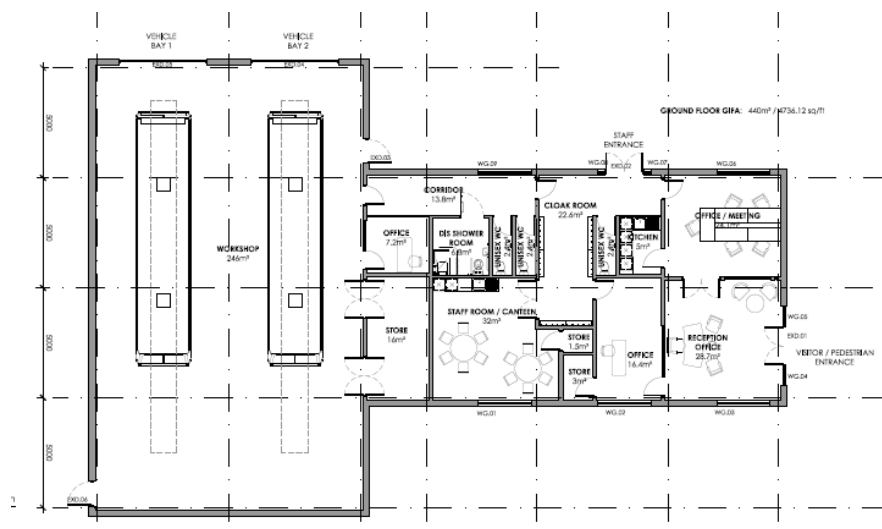




East elevation snip of Depot Building (road frontage)\* not to scale



Floor plan of Depot Building\* not to scale



1.1 Other relevant information/supporting documents in the application.

- 1.1.8 The application is supported by a Noise Survey, Tree Survey, Transport Statement, Planning Justification Statement and Addendum.
- 1.1.9 The Supporting Statement sets out the context of this local Coach business currently operating from Trefnant. The statement indicates the business has outgrown their existing land and premises and are looking to relocate to the site which meets their business needs.
- 1.1.10 It advises that in February 2021 M&H Coaches began its site search to purchase land around the Denbigh area. The key selection criteria for the new location were:
- *Minimum site size of 1.5 acres: this is considered to be the key priority of M&H Coaches. This minimum site requirement will ensure adequate space for vehicle, staff and customer parking, vehicle cleaning zones, larger office space, improved staff facilities, and a modern technician's workshop.*
  - *Location: most of the business' local bus and school coach services operation in the Mold, Ruthin, Abergele, Prestatyn, St Asaph and Denbigh areas. The new site must be accessible to these areas, to reduce both dead milage and the overall business carbon footprint.*
  - *Suitably distant from residential properties due to noise concerns: M&H Coaches has implemented procedures to minimise noise pollution at their current site and intend to continue these procedures at the new site, however a certain level of noise is inevitable and M&H Coaches do not wish to harm the amenity of existing residents in an area.*
- 1.1.11 The Justification Statement refers to 13 sites that were reviewed and the reasons these were discounted to show the applicant has been actively seeking suitable land for relocation. It goes on to clarify that the most suitable site was at St Asaph Business Park.
- 1.1.12 The St Asaph site is currently managed by Cooke and Arkwright property agents on behalf of Welsh Government. It refers to the marketing of the site which started in 2018 and states; "The agent describes buyer interest in the land as '*fleeting*' from when it was first advertised, which has '*subsided significantly over the past two years*.' Recent interest in land at St Asaph Business Park has been predominantly for B2 and B8 Class Uses, given a shortage of land in the area which accommodates for these Use Classes. The agent additionally shared that there are multiple offices currently void across the park. Sites continue to be advertised but with consistent vacancies. The applicant believes that this highlights the value of new investment within the area which will provide an economic boost and could motivate further development."
- 1.1.13 The business currently employs 22 full time employees and 11 part time employees. If permitted, M&H Coaches expects to employ an additional 4 no. full time staff, and 4 no. additional part time staff, an overall employment increase of 24%.

1.2 Description of site and surroundings

- 1.2.1 The site is an un-developed vacant plot off Carlton Court, a service road off Ffordd William Morgan on the western periphery of St Asaph Business Park.
- 1.2.2 The adjoining plots are occupied by a contemporary three storey B1 Office block to the north and more standard single storey small scale light industrial units to the south.
- 1.2.3 It is a flat site, of mainly grassland with established landscaping to the north, south and western boundaries. It is a slightly irregular shape to the north/north east as there is an area on the northern boundary excluded from the development site as it contains a pond, and an existing substation located on the norther eastern corner of the site. There is currently newt fencing on the boundaries of the site and around the pond.



See Site photo Snip



**1.3 Relevant planning constraints/considerations**

1.3.1 The site is an allocated employment site on the St Asaph Business Park (PSE 2 allocation).

**1.4 Relevant planning history**

1.4.1 There is no planning history on the site.

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

1.5.1 Additional justification and supporting information provided, clarification of landscaping details also put forward for NRW.

**1.7 Other relevant background information**

1.7.1 None.

**2. DETAILS OF PLANNING HISTORY:**

2.1 N/A

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

**Local Policy/Guidance**

Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy PSE2 – Land for employment uses

Policy PSE3 – Protection of employment land and buildings

Policy VOE5 – Conservation of natural resources

Policy ASA3 – Parking standards

Supplementary Planning Guidance:

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes:

TAN 5 Nature Conservation and Planning

TAN 18 Transport

TAN 23 Economic Development

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that

planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further states that material considerations 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 11 (February 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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

The LDP provides the rational basis for decisions in accordance with the presumption in favour of sustainable development as set out in Planning Policy Wales.

LDP Policy PSE 2 states land and premises at the St. Asaph Business Park, as shown on the Proposals Map, is safeguarded and allocated as a high-quality employment site. The St Asaph Business Park Proposals Map shows the site falls within the land allocated for B1 employment uses.

LDP Policy PSE 3 'Protection of employment land and buildings' seeks to resist the loss of employment land and buildings unless specific criteria are met:

- i) requires that there are no other suitable sites available for this development.
- ii) requires a marketing process to be followed in order to demonstrate the site is no longer capable of providing employment accommodation.

iii) seeks to prevent the loss of sites which would prejudice the ability of the area to meet a range of employment needs.

TAN 23 prescribes a flexible approach to planning for economic development. Section 1.1.6 highlights the importance of a continued effort to plan for traditional employment land use classes B1, B2, and B8 in a sustainable manner, and Section 4.6.9 states existing employment sites should only be released for other uses if one or more of the following apply:

- they have poor prospects of being re-occupied for their previous use;
- the particular market that the site is part of is oversupplied.
- the existing employment use has unacceptable adverse impacts on amenity or the environment;
- the proposed redevelopment does not compromise unduly neighbouring employment sites that are to be retained;
- other priorities, such as housing need, override more narrowly focussed economic considerations; and/or
- land of equal or better quality is made available elsewhere, even if this is not within the local planning authority boundary.

It is acknowledged the proposal would generate jobs and income and therefore falls within the broad definition of economic development given in PPW Section 5.4.1. Although TAN23 recognises the importance of the whole economy contribution to economic growth, it also states at Section 1.1.6 that “the traditional land use classes B1-B8 must continue to be planned for in a sustainable way as these will form the cornerstone of many development plan employment policies and site allocations.”

The site is a vacant plot on the St Asaph Business Park which is allocated for employment uses. Adjoining plots are occupied by B1 offices and small light industrial units.

No objections have been received on grounds of principle. However, the Strategic Policy Officer has raised some concerns with the level of detail in the submission pertaining to the justification to warrant a departure from policy. Letters of Support have been received from a third party and from the local Member of Senedd and Member of Parliament.

The proposal is put forward as a Coach Depot with ancillary offices and staff accommodation. Due to the unique nature of the use a Coach Depot would fall within its own use class i.e., a Sui Generis use class.

Policy PSE 3 sets out three distinctive criteria which all must be met in order to release employment land for alternative forms of land use, which are each considered below:

*PSE3 i) - there are no other suitable sites available for this development:*

The Justification Statement whilst brief sets out the steps undertaken to find an alternative site for the business. Thirteen sites were listed and initial discussions/reviews undertaken. The Statement mentions the Councils EBD Officer however Members will note they have not commented on this application to clarify their position in respect of the application. A number of sites were discounted on the basis of economic deliberations rather than site-specific criteria or planning grounds which would be expected. However, it is noted and understood to be difficult to find a plot that satisfies the specific site requirements for a Coach Depot within existing town centres or highly populated areas of the County. Furthermore, the Policy Officers suggestion of giving weight to the inclusion of the office element of the use is also considered relevant.

*PSE3 ii) - a continuous marketing process of 1 year, alongside all practical attempts possible to retain the employment use, has demonstrated that the site or premises is*

no longer capable of providing an acceptable standard of accommodation for employment purposes:

The Justification Statement states that the plot has unsuccessfully been marketed for employment use by Cooke & Arkwright since 2018. These Agents have not been requested to provide a formal position statement in relation to the marketing exercise which would have assisted the case here.

Officers and Members will be aware that there have been recent applications justified by the apparent lack of demand for the employment land here, most notably the application granted by Planning Committee in October 2021 ref 40/2021/0309/ PF for the Erection of a 198 bed Registered Care Home (Use Class C2) on Plot C7 of St Asaph Business Park St Asaph. There have also been other applications around the Business Park for small scale alternative employment but complimentary uses such as North Wales Police Vehicle Workshop and a small-scale laboratory based/horticultural business.

PSE3 iii) - the loss of the site or premises would not prejudice the ability of an area to meet a range of local employment needs or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site:

Somewhat limited information has been provided in relation to this criterion, which seeks to prevent the loss of sites which would prejudice the ability of the area to meet a range of employment needs. Available sites/land on the Business Park are listed in the Appendix of the Supporting Statement. It also notes existing vacant offices are available on the Business Park. The question is whether the development of this 2.12 acres for an alternative form of land use (Sui Generis) prejudices the establishment of another new business or the relocation of an expanding firm on any of the remaining plots. The site is located off Carlton Court on the western fringe of the Business Park. there are offices (and associated car parking) abutting the north of the site and smaller units backing on to the south of the site. There have been historic planning applications on both north and southern sites but all within the confines of the existing planning units. The topography of the application site also sets it apart from the neighbouring uses by virtue of well-established boundaries and landscaping and the presence of the pond on the north eastern corner of the site.

The application site has not been subject to any development since the inception of St Asaph Business some 20 years ago. Officers acknowledge that anecdotally the take up of employment land over the plan period has been low, and the loss of a single allocated employment site would not prejudice the ability of the County to meet a range of local employment needs. That said there has been a number of permissions granted in the last 2/3 years for alternative non B1/B8 employment uses on the Business Park and the specific impact of these permissions remain to be seen. In the absence of a sound evidence base from EBD or Strategic Policy colleagues it would be difficult to justify resisting the proposal for this reason alone.

There are concerns over the level of detail in the submission, and despite the Planning Statement and addendum to the justification, it is considered the application falls short of what might be considered to be a comprehensive rebuttal to the policy presumption against this form of development in the Local Development Plan policy. Policy seeks to protect land on St Asaph Business Park for B1 and B2 uses. However as noted by the Strategic Policy Officer the business currently employs 22 staff and if permitted expects to employ an additional 4 no. full time staff, and 4 no. additional part time staff which is not an insignificant amount of employment.

Officers concur with the Strategic Policy Officer and do not consider that the loss of an allocated employment site has been fully justified by the submission. However, an "on balance" decision has to be made based on the principle weighed against the merits of this site in terms of location, and the nature of the use, potential for long term control, accessibility, employment generation and recent Committee and Officer decisions on the Business Park. Lastly the absence of evidence to suggest that there is a lack of 'high quality employment land' at present is also a relevant consideration.

As such Officers consider that it would be difficult to defend a refusal of permission for the proposal at this point.

#### 4.2.2 Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

No representations have been received on visual amenity grounds.

The site is located on the western periphery of the Business Park and is well screened by existing tree and hedgerow to the north, south and west. Plans show existing trees would be retained. Site boundary treatments are proposed for additional screening and conditions can be imposed to ensure this is retained for their visual and ecological value. Conditions can be imposed to control details of hard and soft landscaping. Materials for buildings have not been fully specified (only referred to as Kingspan panels) and therefore conditions are also proposed to control appearance of buildings. Subject to the above, the proposal is not considered to adversely impact on visual amenity.

#### 4.2.3 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

No representations have been received on residential amenity grounds.

The site is located within the Business Park with intervening uses between it and adjacent dwellings to the south on Glascoed Road. A noise assessment has been conducted in support of the scheme. It outlines the noise generating activities associated with the proposal based the range of noise levels at Trefnant as existing. It concludes; "that there will be no significant noise impact from the proposed development on users of the nearest commercial units".

Given the conclusions of the supporting information, the location and lack of concerns on amenity impacts, the proposal is not considered to adversely impact on residential amenity.

#### 4.2.4 Ecology

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 (PPW 11) Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG, 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.

Planning Policy Wales (PPW 11) sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (Section 6.4.5). PPW also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

NRW have been consulted on the application owing to the sensitivity of the area in relation to protected species. They have raised no objection in principle, subject to conditions being imposed to ensure no impacts on the locally significant population of Great Crested Newts, Bats and Biosecurity. NRW also confirmed the site is subject to an extant EPS derogation licence held by Welsh Government however the plans do not correspond with the licence which will need to be updated.

An Ecology Survey has been submitted in support of the application it notes the presence of habitats of note to Bats and GCN in the wider area. Site plans show existing trees and hedge around the perimeter of the site would be retained, and additional landscaping implemented for biodiversity enhancement. Lighting details have not been provided but would be considered necessary on a site such as this where there is likely to be a need for external lighting.

Subject to the imposition of conditions suggested by NRW, the proposal would not adversely impact on ecological interests. Conditions are also proposed to ensure trees are protected during construction in accordance with the methods set out in the tree condition survey.

#### 4.2.5 Drainage (including flooding)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

The site lies entirely within Zone A as defined by Welsh Government’s Development Advice Map (DAM) as referred to in TAN15: Development & Flood Risk.

NRW raise no objection to the proposal on flood risk grounds. A Drainage plan has been submitted and would be controlled through the separate SAB regulatory regime.

Having regard to the above Officers conclude the development would not have an unacceptable risk of localised flooding and drainage impacts.

#### 4.2.6 Highways (including access and parking)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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, and the effects of a development on, for

example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

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 (PPW 11) and TAN 18 – Transport, in support of sustainable development.

Concerns have been raised by a member of the public over the use in relation to the capacity of the existing highway network.

Highway Officers have raised no objection to the proposal. Welsh Government Trunk Roads have also been consulted given the proximity of the site to the A55, they have not issued a direction.

Highways Officers have examined the Transport Statement and the site access, accessibility and parking arrangements. They consider all of these elements of the proposal acceptable. In response to the neighbours specific concerns relating to capacity of the local highway network they have stated;

*“The application site for the proposed depot relocation is located to the west of Carlton Court in St Asaph Business Park. The primary access route to the site will be via Ffordd William Morgan which provides direct access to the A55 and therefore vehicles will not have to route via St Asaph town centre. As a result, the proposed rerouting of buses/coaches will reduce the number of vehicles travelling via St Asaph town centre.*

*Given the application site is located in St Asaph Business Park, larger vehicle movements are already well established throughout the area including along Ffordd William Morgan. It is expected that the main direction of travel for vehicles will be directly to the A55 and occasionally along Glascoed Road.*

*The trip generation associated with the existing depot has been provided by the operator to which they have stated that these will remain the same upon relocation to St Asaph Business Park. The proposed development will result in an increase of 13 two way vehicles which includes 12 coaches during the AM peak hour and 5 two-way vehicles which will include 3 coaches during PM peak hour. Equating these figures to hourly trips during peak times, one additional vehicle movement every 4-5 minutes during the AM peak hour and one additional vehicle movement every 12 minutes during the PM peak hour. It is felt that this increase in volume of vehicle movements will not have a material impact on the operation or safety of the local highway network.*

*Having regard to the scale of the proposed development, the existing highways network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highways network in terms of capacity.”*

Subject to the conditions suggested by the Highways Officer, the proposal is not considered to adversely impact on highway impacts.

#### Other matters

##### Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

## 5. SUMMARY AND CONCLUSIONS:

- 5.1 As set out in the planning assessment above, the decision is finely balanced in terms of principle. Members will also note that the other material considerations are considered acceptable. As such Officers consider that it would be difficult to defend a refusal of permission and recommend that subject to conditions the application is granted.

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

1. The development to which this permission relates shall be begun no later than 24th May 2028
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) Site Location Plan (Drawing No. AL-10-101 Rev P2) - Received 2 March 2023
  - (ii) Existing Site Plan (Drawing No. AL-10-100 Rev P3) - Received 2 March 2023
  - (iii) Proposed Site Plan (Drawing No. AL-20-100 Rev P12) - Received 2 March 2023
  - (iv) Proposed Floor Plans (Drawing No. AL-20-001 Rev P8) - Received 2 March 2023
  - (v) Proposed Roof Plan (Drawing No. AL-20-002 Rev P2) - Received 2 March 2023
  - (vi) Proposed Elevations (Drawing No. AE-20-001 Rev P6) - Received 2 March 2023
  - (vii) Window & Door Elevations (Drawing No. AE-31-001 Rev P2) - Received 2 March 2023
  - (viii) Bin Store Detailing (Drawing No. AA-20-100 Rev P1) - Received 2 March 2023
  - (ix) Fuel Store Detailing (Drawing No. AA-20-101 Rev P1) - Received 2 March 2023
  - (x) Wash Store Detailing (Drawing No. AA-20-102 Rev P1) - Received 2 March 2023
  - (xi) Existing and Proposed Services (Drawing No. s5017 Rev C) - Received 2 March 2023
  - (xii) Design and Access Statement (Rev B dated Feb 23) - Received 2 March 2023
  - (xiii) Preliminary Ecological Appraisal & Appendices (Issue No. 1.0, Tyrer Ecological Consultants Ltd dated 27/04/22) - Received 2 March 2023
  - (xiv) Arboricultural Impact Assessment (Tyrer Ecological Consultants Ltd dated 05/04/22) - Received 2 March 2023
  - (xv) Drainage Strategy (Ref 7156-ADS-XX-XX-RP-D-001 Rev 1, ADS Structural dated May 2022) - Received 2 March 2023
  - (xvi) Transport Assessment (Ref LB/220211/TA/0 Rev 01, SCP dated 17/05/22) - Received 2 March 2023
  - (xvii) Noise Impact Assessment (Ref: P22-062-R01v1, hepworth acoustics dated April 2022) - Received 2 March 2023
  - (xviii) Planning Statement (Ref: RPT\_231001\_C2\_001, Unit 3 Design Studio dated 22/03/23) - Received 28 March 2023
  - (xix) Agent Correspondence - Response to Comments from Welsh Water (Ref: LTR\_221002\_C2\_001) - Received 6 April 2023
  - (xx) Agent Correspondence - Response to Comments from Strategic Planning and Housing (Ref: LTR\_221002\_C2\_001) - Received 6 April 2023
3. The use of land and buildings hereby approved shall be restricted to a Coach Depot as shown in the approved plans only and at no time shall the land or buildings be used for any other purpose.
4. All trees and hedges to be retained as part of the development hereby approved shall be protected during site clearance, construction and operation in accordance with the measures set out in the approved Tree Survey and shown on the approved Tree Protection Plan.



5. **PRE-COMMENCEMENT CONDITON:**  
No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, including details of surfacing of access, parking and turning area, any boundary treatments and final planting schedule.
6. Prior to works commencing on the Depot Building or any ancillary structures hereby approved, details of the materials and finishes of the external surfaces of the walls and roof shall be submitted to and approved in writing by the local planning authority.
7. No external lighting shall be fitted or erected until a bat sensitive lighting plan has been submitted to and approved in writing by the Local Planning Authority. The lighting plan shall include:
- Details of the siting and type of external lighting to be used
  - Drawings setting out light spillage in key sensitive areas
  - An Environmental Lighting Impact Assessment against conservation requirements for protected species.
  - Details of lighting to be used both during construction and operation
  - Measures to monitor light spillage once development is operational
- The lighting shall be installed and retained as approved during construction and operation
8. **PRE-COMMENCEMENT CONDITION:**  
No development including site clearance (including vegetation clearance), shall commence until additional information in relation to Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority.  
The information shall include;
- Updated details and plans concerning GCN avoidance and mitigation measures. Details should include fence design, construction and maintenance, together with consideration of access requirements across fence lines. Submission to include timescales and reporting requirements;
  - Submission of measures designed to prevent the accidental capture/killing of GCN during operational (and decommissioning) phases of the scheme (i.e., post construction) i.e., the installation and maintenance of an amphibian friendly surface water management system that does not include gully pots (or other similar features);
  - Details of timing, phasing and duration of construction activities and conservation measures;
  - Timetable for implementation demonstrating that works are aligned with the proposed development;
  - Ecological Compliance Audit (ECA), including key performance indicators. In this instance we would advise ECA's to be 'externally' completed at four month intervals;
  - Persons responsible for implementing the works.
9. **PRE-COMMENCEMENT CONDITION:**  
No development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non-native species and specific diseases (e.g., Chytrid), has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to prevent the introduction of and where present control, removal or for the long-term management of invasive species both during construction and operation. The risk assessment shall consider landscaping and other related plans. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.
10. **PRE-COMMENCEMENT CONDITION**  
No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- 1) Site compound location
  - 2) Traffic management scheme

- 3) The parking of vehicles of site operatives and visitors;
- 4) Loading and unloading of plant and materials;
- 5) Storage of plant and materials used in constructing the development;
- 6) The management and operation of construction vehicles and the construction vehicle routes
- 7) wheel washing facilities;
- 8) Measures to control the emission of dust and dirt during construction;

The reasons for the conditions 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. For the avoidance of doubt and in the interest of highway safety and to safeguard surrounding land uses from inappropriate development.
4. In the interests of visual amenity and ecological mitigation
5. In the interests of visual amenity, highway safety and ecological mitigation and enhancement.
6. In the interests of visual amenity
7. A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species
8. Justification: To secure avoidance and mitigation measures for the protection of Great Crested Newts.
9. To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.
10. 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.