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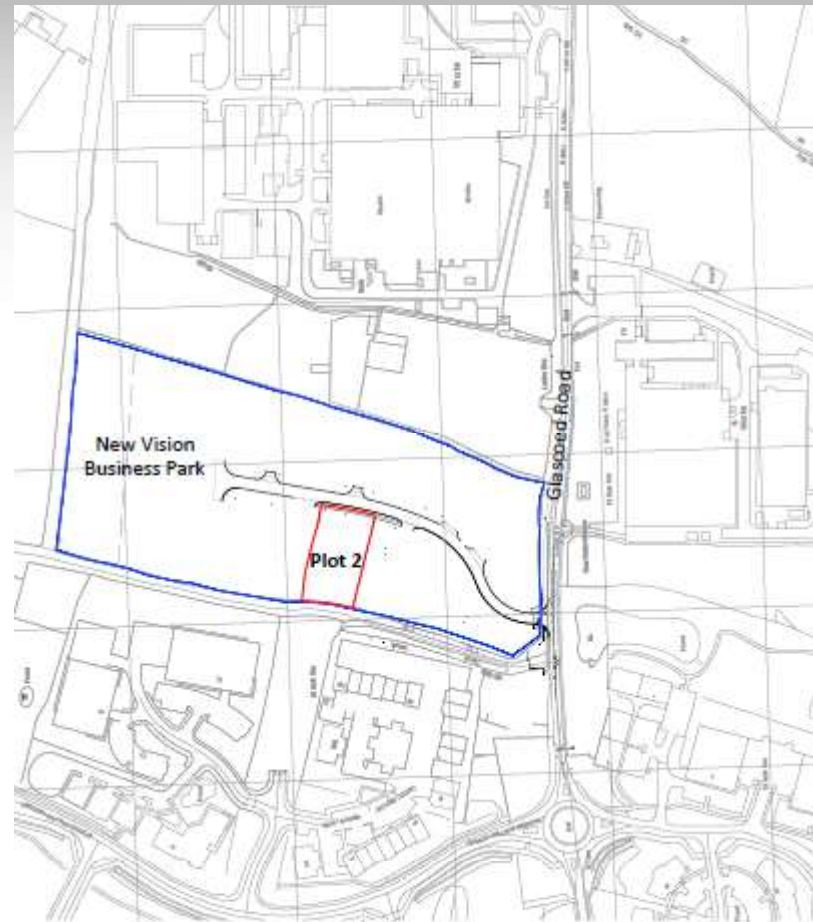
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**46/2023/0719/PF New Vision Business
Park, Glascoed Road, St Asaph**

**Erection of 2 commercial units (Use Class D1)
including the formation of parking, landscaping
and associated works (amendment to previously
approved B1 use)**

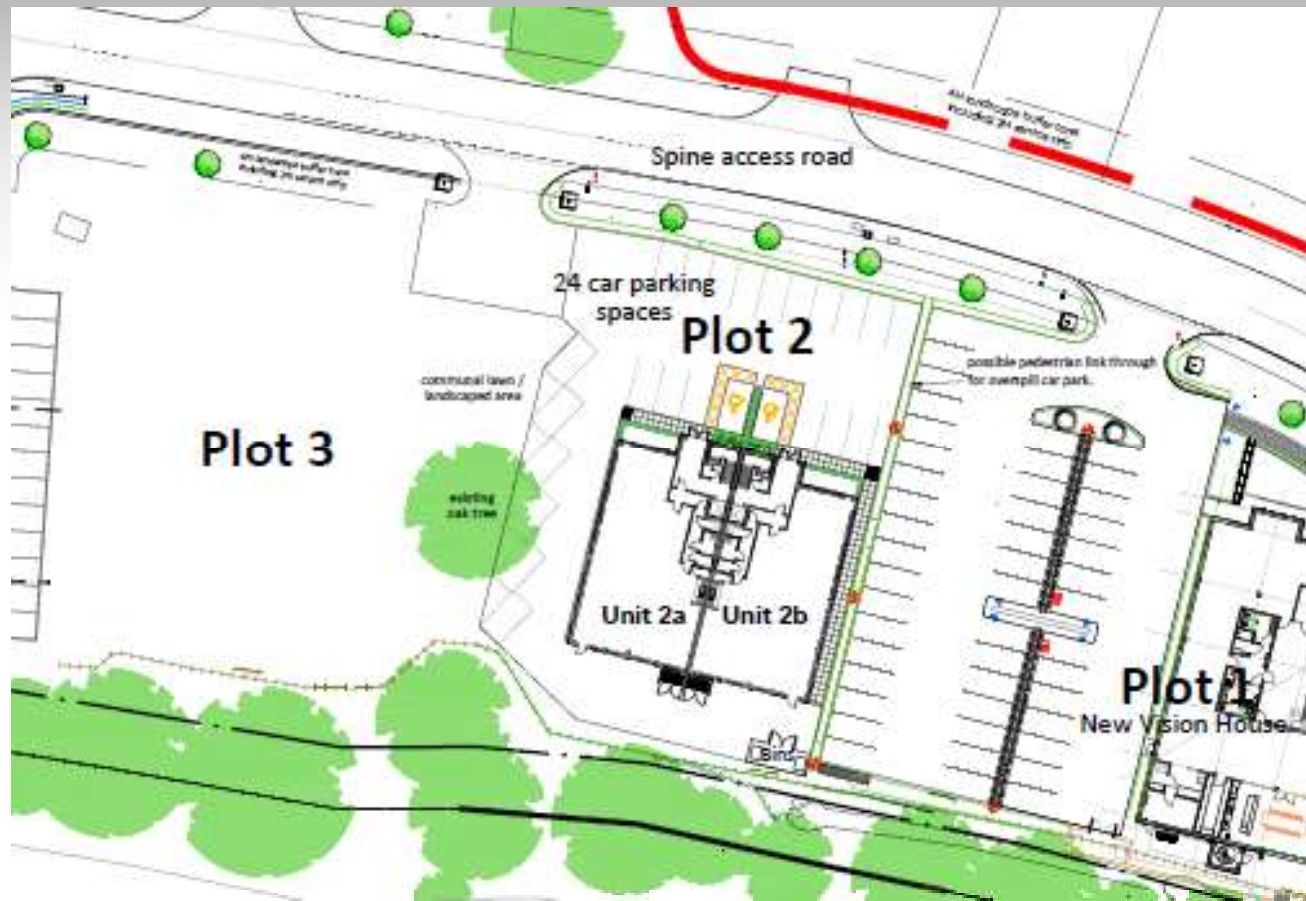


Location plan

Figure 3: New Vision Business Park Layout



Source: Pure Residential and Commercial



Proposed site plan



Proposed elevations



New Vision Business Park Access off Glascoed Road



Application Site

WARD : St Asaph West

WARD MEMBER(S): Councillor Peter Scott

APPLICATION NO: 46/2023/0719/ PF

PROPOSAL: Erection of 2 commercial units (Use Class D1) including the formation of parking, landscaping and associated works (amendment to previously approved B1 use)

LOCATION: New Vision Business Park, Glascoed Road, St. Asaph LL17 0LP

APPLICANT: Pure Residential & Commercial Ltd - Mr David Wilkinson

CONSTRAINTS: NONE

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

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

- Member request for referral to Committee

CONSULTATION RESPONSES:

ST ASAPH CITY COUNCIL
"No objections"

NATURAL RESOURCES WALES

No objection subject to the inclusion of conditions relating to protected species and biosecurity.

DWR CYMRU / WELSH WATER

No objections subject to the inclusion of a condition to ensure no surface water and/or land drainage is allowed to connect to the public sewerage network. Advisory notes also requested.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety:
Highways Officer
No objections

Ecology Officer

No response received

Strategic Housing & Policy Officer

Before discussing the development proposal, the following observations are submitted to you as these points were referred to in the "Planning, Design and Access Statement" (September 2023) [Planning Statement] by Grimster Planning:

- *Plot 2 / the application site benefits from an outline planning permission for the development of land for office and light industrial use (Class B1) [planning permission ref. no. 46/2009/1545/PO]. The applicant also secured an extension of time for the subsequent approval of reserved matters in 2022 [planning permission ref. no. 46/2022/0785]. Plot 2 remains undeveloped. Notwithstanding our recommendation below, the applicant can pursue the*

implementation of planning consent within the defined period of time [see Planning Statement, Section 3 'Planning History'];

- Development proposals for the North Wales Business Park in Abergele are subject to/ determined on the basis of local policy that is set out in the Conwy Local Development Plan 2007 – 2022. Unlike St Asaph Business Park, North Wales Business Park benefits from inclusion in the settlement boundary, which is a crucial planning tool to direct new development towards existing settlements and services, and controls development in the open countryside [see Planning Statement, paragraph 6.31]; and
- Strategic Planning and Housing strongly objected to planning application ref.no. 40/2021/0309 (198 bed care home at St Asaph Business Park) [see Planning Statement, paragraph 6.29].

Planning Policy Wales (PPW) Edition 11, paragraph 1.22, states that “planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise.” The adopted plan for the County is the Denbighshire Local Development Plan 2006 – 2021 (LDP). PPW Edition 11, paragraph 1.24, does also stipulate that the National Development Framework 'Future Wales - The National Plan 2040' forms part of the statutory development plan for the County.

St Asaph Business Park is a well-established business park with a focus on technology businesses such as, advanced materials, energy and financial services. It does not only serve the employment needs of local residents in Denbighshire but also attracts people from North Wales and North West England. The application site is specifically designated for employment use under local policy PSE 2 “Land for employment uses” in the adopted LDP. Despite being allocated for employment use, the site is not within (or adjacent to) a development boundary.

Since the erection of a Use Class D1/ health care facility on the application site is not supported by local policy PSE 2, the planning proposal needs to comply with local policy PSE 3 “Protection of employment land and buildings”. PSE 3 sets out three distinctive criteria which all must be met in order to release land for alternative forms of land use.

PSE 3 criterion i) “...there are no other suitable sites available for this development”.

It is positively noted that the applicant carried out a sequential test in terms of searching for alternative sites (see 'Sequential Site Assessment' (September 2023) [Site Search] by Grimster Planning). PPW Edition 11, paragraphs 4.3.18 to 4.3.22, and Future Wales. The National Plan 2040, Policies 2 and 6, outline the preference for locating Use Class D1 development within established town and commercial centres, followed by 'edge-of-town' and 'out-of-centre' locations.

You may want to consider seeking further clarification on the justification for excluding individual site characteristics from the site search exercise as referred to in 'Site Search' document, paragraph 3.6:

“The Assessment has not considered the following types of site and buildings: Sites and buildings lying beyond the administrative area of Denbighshire, as the proposed use comprises land situated wholly within Denbighshire County, and not within a neighbouring Authority area. There is no aspiration by the Applicant and prospective end user to develop the proposed land-use in a neighbouring Authority area;”

St Asaph Business Park benefits from direct access to the A55 trunk road that connects major settlements along the North Wales coast – Conwy CBC border is mere 2.8 miles to the west and Flintshire C border is only 7.5 miles to the east. There is no indication that the new facility is only available to residents in Denbighshire; declining patients from outside the county. “New Vision Business Park has been earmarked for the proposed D1 use owing to its accessibility from the A55 highway and sustainable modes of travel...” (Planning Statement, paragraph 6.20). PPW Edition 11, paragraph 3.45, encourages a cross-boundary approach when identifying suitable areas and sites for development; with the objective to minimise the loss of greenfield land.

“The Assessment has not considered the following types of site and buildings:

“Sites allocated for non-D1 uses in the adopted Local Development Plan, as these sites are already identified for alternative uses;”

If the site search was carried out in line with the above criteria, the application site could not have been identified as the ‘sole suitable site available’ for the proposed Use Class D1 facility as St Asaph Business Park is an allocated employment site in the adopted Denbighshire LDP.

The Planning Statement is supplemented by a letter from a potential end occupier of the newly erected building. “..., the applicant has been directly approached by a potential end occupier for the proposed D1 use (please refer to Appendix 5).” Since the applicant is unlikely to apply for permission to build a health care facility on a designated employment site speculatively, the following statement from the potential end occupier substantially undermines the results and efforts of the ‘sequential site assessment’. “In terms of alternative sites and buildings, we are not interested in locating elsewhere as nothing promoting a healthcare estate exists in Denbighshire or indeed North Wales, and we are clear on the required positioning for the service. The complexity of the services and to attract practice tenants requires new build and not converted property out of town centres.” (Planning Statement, Appendix 5)

The applicant’s intention is generally welcomed to provide a new health care facility and dental services in Denbighshire. It is however recommended to refine the ‘Site Search Assessment’ as set out above to ascertain compliance with local policy PSE 3 criterion i).

PSE 3 criterion 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; and...”. Planning Statement, paragraphs 6.11 and 6.12 in combination with Appendix 3 set out the marketing activities to attract ‘a variety of users’ to St Asaph Business Park; emphasising the site’s employment land credentials.

PSE 3 criterion 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.” Following from the unsuccessful marketing exercise to attract a Use Class B development to St Asaph Business Park, the applicant makes the case that there remains sufficient employment land available in the company’s portfolio to accommodate new businesses on site should there be a renewed interest in Use Class B1 (Office) development.

While local policy PSE 3 addresses the loss of employment land and premises, local policy BSC 12 “Community facilities” (2013), PPW Edition 11 (2021) and Future Wales. The National Plan 2040 (2021) are material in assessing the proposed location of a new health centre. Future Wales. The National Plan is part of the development plan for the County. PPW Edition 11 is not only a material consideration but also sets the national planning framework for local policy BSC 12 interpretation.

It is understood from the submitted information that the development proposal would deliver up to 950 sqm cumulative gross floorspace for the new health care facility (see Planning Statement, paragraph 4.4); a minimum of 32-52 jobs (see Planning Statement, paragraph 6.21); up to eight dental surgeries with opening hours between 8am to 8pm Mondays to Saturdays (see Planning Statement, Appendix 5). If planning permission was granted for the planning proposal as set out in the application, this would lead to a significant new development in the context of health provision in Denbighshire.

Future Wales. The National Plan 2040, Policy 6 ‘Town Centre First’ is firm in setting

out that significant new health care facilities must be located within town and city centres. There might be exceptional circumstances where the new development cannot be accommodated within a town or commercial centre but the alternative site search has to be in line with the sequential approach as set out in PPW Edition 11, paragraphs 4.3.18 to 4.3.21. Notwithstanding the submitted information by the applicant; Future Wales, PPW Edition 11 nor local policy BSC 12 are in support of locating a large health care facility away from local communities and settlements in the open countryside.

There is concurrence with the applicant that St Asaph Business Park “occupies a sustainable location for employment use.” (Planning Statement, paragraph 2.16) This statement is however not equally applicable to Use Class D1 proposals. If the Council was of the view that St Asaph Business Park occupies a sustainable location for different forms of land use, it would have afforded a development boundary to the area in the adopted LDP.

PPW Edition 11, paragraph 4.1.1 and figure 9 ‘The Sustainable Transport Hierarchy for Planning’ highlight the importance of location new development so that people have a “choice in transport and secure accessibility in a way which (...) supports sustainable development, increase physical activity, improves health and helps to tackle the causes of climate change and airborne pollution...” National policy explicitly supports the implementation of the provisions contained in the Active Travel (Wales) Act 2013. PPW Edition 11, paragraph 4.1.30 stipulates that “Planning authorities must support active travel by ensuring new development is fully accessible by walking and cycling. The aim should be to create walkable neighbourhoods, where a range of facilities are within walking distance of most residents, the streets are safe, comfortable and enjoyable to walk and cycle.”

St Asaph Business Park is regularly served by bus service no.51, including a bus stop just outside the ‘New Vision Business Park’. It must however be noted that the bus stop is only served once per hour and direction during daytime, and there is no shelter available to protect passengers from the elements. Since St Asaph Business Park is an employment site, bus travellers have only limited opportunities to use alternative facilities in the vicinity of the proposed health care centre should the bus be delayed or not operate at all; which makes public transport not a realistic mode of travel. There are also no pavements with street lighting along Glascoed Road to provide prospective customers with a safe access route from either the City of St Asaph or Cefn Meiriadog.

Planning Statement, paragraph 6.27: “Whilst the Site is accessible by walking and cycling, it is expected that the majority of visitors would access the Site by car. However, this would very likely be the same for the Site’s existing consented B1 use. The number of people visiting the Site at any one time will not have any implications in respect of car parking space availability nor vehicle movements on the local highway network such that the proposed D1 use would have a materially harmful impact on road safety and capacity.” There is no dispute that there is unlikely to be a difference between a Use Class B1 and D1 premise in terms of car-based trips generated by employees of the new facility. The Use Class D1 facility is however regularly accessed by patients during business hours and, thus, generates additional car journeys. Principally, it’s not about road safety or capacity but addressing the Planning objective to minimise any car-based journeys from the outset by directing new development towards sustainable locations (see PPW Edition 11 paragraphs 4.1.9 and 4.1.10).

Conclusively, you may want to request additional information from the applicant in terms of the ‘site search assessment’ to satisfy local policy PSE3 criterion i). It remains however difficult to justify the erection of a new and significant health care facility in an unsustainable location for a Use Class D1 facility at St Asaph Business Park from a Strategic Planning viewpoint. The application is therefore not supported as presented to the local authority.

RE-CONSULTATION RESPONSE

Strategic Housing & Policy Officer

Following submission of further information Submitted 10th January 2024 from the applicants agent: -

Consideration of sites outside of Denbighshire

There would not be an objection to your decision to extending the alternative site search into Conwy and Flintshire. There is however a limited value in searching for an alternative site outside of Denbighshire as the 'end occupier' made it explicit in previous correspondence, for example Appendix 5 to Planning and Design Statement, that St Asaph Business Park is the sole option. Your attention is drawn to our original response which is partly substantiated by the latest observation from the Planning Agent, "We have assessed land and buildings in Denbighshire County because first and foremost, this is where the end occupier specifically wishes to be located."

Consideration of sites allocated for non-D1 uses

Angela Loftus advised the applicant in an email on the 17th of August 2024 as follows, "You don't need to consider sites which are allocated for other uses in the LDP." In our original response the observation was made that if the starting point for identifying any suitable site for the proposed development was guided by this principle, the alternative site search would not have concluded that the application site, which is allocated for Use Class B in the adopted LDP, is the only suitable and available land in Denbighshire.

Locational Sustainability

As set out previously, "it's not about road safety or capacity but addressing the Planning objective to minimise any car-based journeys from the outset by directing new development towards sustainable locations (see PPW Edition 11 paragraphs 4.1.9 and 4.1.10)." It needs to be taken into consideration from a Strategic Planning viewpoint that the planning proposal does not include the re-use of an already existing building on the application site but will result in the erection of an entirely new-built health care facility outside of any development boundary.

No further comments to final comments submitted by agent dated 29 January 2024.

RESPONSE TO PUBLICITY:

In support

Representations received from:

Mark Evans Suite 12 Conwy Business Centre, Junction Way

Summary of planning based representations in support:

Will create further employment opportunities which help to sustain the St Asaph Business Park more generally.

The intended change of use class to D1 would imply professional, skilled and well paid employment which is very much needed.

The proposed building is visually identical to others already developed and therefore would have zero impact on overall development.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Planning permission is sought for the erection of 2 commercial units (Use Class D1) including the formation of parking, landscaping and associated works (amendment to previously approved B1 use).
- 1.1.2 The site itself is undeveloped however it is part of the New Vision Business Park, which has an extensive planning history dating back to 2005. There is an extant permission in place at Plot 2 on the New Vision Business Park for Class B1 use.

- 1.1.3 The applicant has submitted the illustration below (within the Planning, Design & Access Statement) which shows that the access and internal estates road has been completed, some of the plots have already been developed as Class B1 office units.

Figure 3: New Vision Business Park Layout



- 1.1.4 The proposal is to erect a single 2 storey building to be split into 2 no. units approx. 475sqm each in floor area. An illustration of the site plan and proposed elevations are shown above.

- 1.1.5 A 24 space car park is proposed to the front and side with landscaping and pavement to the front of the site fronting the access road. A potential pedestrian access route to the adjacent plot is also shown, for overspill parking access.

1.2 Other relevant information/supporting documents in the application

- 1.2.1 In addition to the necessary plans, the application is also accompanied by a Planning, Design & Access Statement, a Sequential Site Assessment, Ecological information and a Green Infrastructure Statement.

1.3 Description of site and surroundings

- 1.3.1 The application site is an undeveloped plot within the New Vision Business Park fronting Glascoed Road in St Asaph, and part of the St Asaph Business Park.
- 1.3.2 The New Vision has been partly developed with some units constructed to the rear of the site along with the main access and spine road.
- 1.3.3 The site is mainly grassed with stone/gravel in some areas and has mature trees along the rear boundary with the main Business Park development beyond.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site is located within the employment land allocation for St Asaph Business Park as shown on the LDP Proposals Map.

1.5 Relevant planning history

- 1.5.1 The site has an extensive planning history, details of which are listed in the section below.
- 1.5.2 There is an extant permission in place for Class B1 business units, albeit reserved matters approval has not yet been given.

1.6 Developments/changes since the original submission

- 1.6.1 A Green Infrastructure Statement was requested and submitted by the applicant.

- 1.6.2 Following the comments submitted by the Strategic Housing & Policy Officer, the applicant was provided with the opportunity to respond. The responses submitted were as follows: -

Submitted 10th January 2024

I have now had chance to review the Policy response with my Client, and we offer the following comments:

a. Consideration of sites outside of Denbighshire County

We have assessed land and buildings in Denbighshire County because first and foremost, this is where the end occupier specifically wishes to be located. The attached email from Angela Loftus on 17th August 2023 did suggest focusing on the North Wales Regional Growth area, and possibly including Colwyn Bay (which hasn't been assessed to date as it lies outside of Denbighshire as you know). Given it is difficult to put a radius on how far people might travel to the facility, we would be willing to extend our Assessment to cover Colwyn Bay if you are in agreement with this? Ultimately, the sequential test will as ever require a pragmatic approach.

b. Consideration of sites allocated for non-D1 uses

This was considered as part of the scope of the Assessment agreed with Angela Loftus on 17th August 2023 (see attached e-mail). If other allocated sites are being marketed for the use for which they are allocated, then we consider it reasonable to assume they are not available for a D1 use. If the landowners wanted to change use to a non-B1 use, they would need to go through the same process that our Client has done.

c. Locational Sustainability

We are aware that the preference is to locate a D1 facility within the settlement areas. However, the sequential site assessment has demonstrated that there is no other land or buildings available within St Asaph in which to accommodate the proposed development. Furthermore, any other parcels of land within St Asaph Business Park would be no more locationally sustainable than the parcel of land subject to the Application. Accordingly, and as documented in the supporting Planning, Design and Access Statement, we do consider the site to be sustainable for the proposed development; whilst there will be a reliance on the private car given the very nature of the proposed use (for example, appointments for 30 mins/1 hr at different times of the day), it is not considered that this would generate unsustainable levels of vehicle movements given that alternative modes of travel to the facility are available, if people choose to use them. This would appear to be a matter of planning judgement, weighing up the proposed development as a whole.

Further comments: -

In respect of the further comments received from your colleagues in Policy, we offer the following observations:

- **Consideration of sites outside of Denbighshire – we don't intend to provide any further justification for the sequential assessment given that the end occupier's preference is for a location within Denbighshire County.**

We have submitted a thorough Sequential Site Assessment of non-allocated land/buildings across Denbighshire which is being marketed, notably much more comprehensively than the other planning application which has been submitted on the Business Park for a D1 use (31/2023/0693) (the submitted Statement for that application has considered other plots in St Asaph Business Park and found

that none are available). If any information on the latter is considered necessary for this application, then please let me know.

- **Consideration of sites allocated for non-D1 uses – we haven't considered sites allocated for non-D1 uses as they are effectively sequentially neutral to our site (given the site's longstanding allocation for a B1 use).**

Only in the event that allocated sites were being actively marketed/available for alternative uses to those for which they are allocated, would we have assessed them. Otherwise, without contacting every landowner of each allocated site, we would not know their intentions for their land, nor whether they can satisfy the wider requirements of Policy PSE3 (and other policies) to justify an alternative land-use. That would be a very lengthy and detailed exercise.

The circumstances of every other allocated site across Denbighshire will be different. For example, the allocated Bodelwyddan Strategic Site has not come forward for c. 1,500 dwellings – would we be expected to assess this an alternative site for a D1 use if a residential use is no longer the intention? We would ask that a pragmatic approach to the extent of the sequential test be applied.

There has been planning permission for a B1 use on the site in question since 2006 (renewed in 2010), and the site has been actively marketed with no interest/demand (as documented in the Planning, Design and Access Statement). Direct interest has been received by our Client for a D1 use on the site, which will include ancillary office space and will still deliver significant employment opportunities.

In terms of our conclusions, we consider the land in question to be the most suitable site for the proposed use within the agreed scope documented in the Sequential Site Assessment.

- **Locational Sustainability**
This is a planning judgement as per our previous response, and hence don't have anything further to add.

1.7 Other relevant background information

1.7.1 None

2. DETAILS OF PLANNING HISTORY:

46/2005/0918/PO Development of 3.9ha of land for office/light industrial use (Class B1) and construction of new vehicular/pedestrian access (outline application)
GRANTED 28/11/2006

46/2007/0854/PR Details of overall site layout including estate road, and siting, design and external appearance of plot 1, including protected species investigation, submitted in accordance with condition no's 1, 11 and 14 of outline planning permission code no. 46/2005/0918/PO APPROVED 7/8/2007

46/2009/1545/PO Details of overall site layout including estate road, and siting, design and external appearance of plot 1, including protected species investigation, submitted in accordance with condition no's 1, 11 and 14 of outline planning permission code no. 46/2005/0918/PO GRANTED 11/1/2010

46/2010/0337/AC Details of vehicular access and foul and surface water drainage submitted in accordance with condition no's 4 and 5 of planning permission code no. 46/2009/1545/PO APPROVED 30/4/2010

46/2010/0338/AC Details of mitigation proposals submitted in accordance with condition no. 11 of planning permission code no. 46/2009/1545/PO APPROVED 30/4/2010

46/2010/1008/AC Details of sustainable design proposals submitted in accordance with condition no. 16 of outline planning permission code no. 46/2009/1545 APPROVED 13/9/2010

46/2011/1517/PR Details of appearance, layout of buildings and landscaping of site submitted in accordance with Condition No. 1 of outline consent Code No. 46/2009/1545/PO (Reserved Matters) APPROVED 23/2/2012

46/2012/0891/AC Details of appearance, layout of buildings and landscaping of site submitted in accordance with Condition No. 1 of outline consent Code No. 46/2009/1545/PO (Reserved Matters) APPROVED 13/7/2012

46/2012/1006/AC Details of external wall materials submitted in accordance with condition number 1 of reserved matters approval 46/2011/1517/PR APPROVED 2/8/2012

46/2012/1008/AC Details of proposals for compliance with BREEAM standards for office units submitted in accordance with condition numbers 15 and 16 of outline planning permission 46/2009/1545/PO APPROVED 16/8/2012

46/2012/1584/PS Variation of condition no. 2 outline planning permission code no. 46/2009/1545 to allow an extension of time for submission of reserved matters (3 or 5 years) APPROVED 10/1/2013

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of grant of this variation of condition application. (10/1/2016)

46/2015/0648/NMA Amendment to elevation of Units 1 and 2, adjustment to footprint of building, and minor adjustment to external works/landscaping submitted in relation to application Code No. 46/2011/1517/PR (non-material amendment) APPROVED 15/7/2015

46/2015/0649/NMA Amendment to elevation of Units 6 & 7, adjustment to footprint of building, and minor adjustment to external works/landscaping submitted in relation to application Code No. 46/2011/1517/PR (non-material amendment) APPROVED 15/7/2015

46/2016/0012/PS Variation of condition number 2 to allow a further 3 years to submit a reserved matters application and removal of condition numbers 15 and 16 relating to BREEAM and design stage assessment in accordance with outline planning permission ref 46/2009/1545/PO APPROVED 14/9/2016

46/2019/0432/NMA Amendment to add list of approved plans to reserved matters application (reference 46/2007/0854/PR) submitted in relation to application code number 46/2007/0854/PR APPROVED 14/9/2016

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 14th September 2019

46/2019/0781/PS Variation of condition number 1 to allow a further 3 years to submit a reserved matters application in accordance with planning permission ref 46/2016/0012/PS APPROVED 11/11/2019

46/2019/0921/PS Variation of condition 3 of planning permission code 46/2007/0854/PR to vary the list of approved plans to allow amended design APPROVED 18/12/2019

46/2022/0785/PS Variation of condition number 1 of planning permission code no. 46/2019/0781 to allow a further 3 years to submit a reserved matters application

APPROVED 10/11/2022

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Policy BSC12 – Community facilities

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: Parking Requirements In New Developments

Supplementary Planning Guidance Note : Tree and Landscaping

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Government Policy / Guidance

Planning Policy Wales (Edition 12, 2024)

Development Control Manual November 2016

Future Wales – The National Plan 2040

TAN 5: Nature Conservation (2005)

TAN 12: Design (2016)

TAN 18 Transport (2007)

TAN 23 Economic Development (2014)

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 12, 2024) 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 12) 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

Policy PSE 2 of the Local Development Plan supports development of existing employment sites on the proposals maps, by way of uses within Class B1 (Business Use), B2 (General Industrial and Waste Management facilities) and B8 (Warehousing and Distribution).

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:

- where there are no other suitable sites available for the development;
- where there is evidence of a continuous marketing process of 1 year 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;
- where there is evidence that the loss of the site/premises would not prejudice the ability of an area to meet a range of employment needs, or the proposal involves the satisfactory relocation of a non-conforming use from an unsuitable site.

Policy BSC 12 of the Local Development Plan states that proposals for the provision of community facilities will be supported provided:

- i) they are located within existing development boundaries; or
- ii) outside of development boundaries, but within settlement clusters, the proposal will provide an essential facility to support the community.

The change of use from a community facility could be refused unless it can be shown that the potential for continued use of the facility is un-viable, or unsuitable.

The policy recognises that access to community facilities is an essential element of sustainable and inclusive communities. Community facilities such as schools, theatres, village halls and places of worship often serve a network of small settlements and are essential to reduce the amount of travelling to reach alternative community facilities. The loss of local facilities will lower community sustainability and this can have a knock on effect on the future well-being of the Welsh language. The Council will support and encourage the retention and improvement of community facilities which provide an essential facility to support the sustainability of Denbighshire's communities.

The range of policies referred to above are in general conformity with the approach to development in Planning Policy Wales (Edition 12) and supporting sustainable

economic development. Future Wales: The National Plan 2040 (2021) is also material in assessing the proposal.

The Strategic Housing & Policy Team has been consulted and has provided detailed comments which are set out in full above.

Having regard to Policy PSE 2, a Class D1 (Non-residential institution) use would not be compliant with this policy and therefore the proposal needs to comply with Policy PSE 3.

Policy PSE 3 'Protection of employment land and buildings' seeks to resist the loss of employment land for alternative forms of land use and all 3 distinctive policy criteria must be met, these are each considered below: -

PSE3 i) - there are no other suitable sites available for this development;
A Sequential Site Assessment has been submitted with the application which specifically seeks to address this policy test.

The Assessment sets out the methodology and scope of the assessment and explains that due to the location of the site the search has covered the settlements of Site Asaph, Bodelwyddan, Rhyl, Prestatyn/Meliden, Llangollen, Ruthin and Corwen. In summary, 17 alternative sites or buildings have been considered and are detailed within the assessment. In assessing these sites and whether there is an available alternative it has been considered whether there is confidence that there are no legal or ownership issues; understanding whether there is an active, ongoing use on the site which would influence the availability of the site/building; understanding whether it is being actively marketed and finally whether the site/building benefits from or has a pending planning permission.

At the time of the planning submission, none of the 17 no. sites or buildings assessed have been identified as a reasonable available alternative for the proposed development for a range of reasons, including:

- Extant planning permissions in place for alternative uses and/or live planning applications are pending for non-D1 uses;
- Sites and buildings are too small to accommodate the proposed use;
- Sites are too large to accommodate the proposed development, which would provide for the inefficient use of land;
- Land availability, including - sites are in active use or are being promoted for alternative uses.

The applicant considers the proposal to be a deliverable scheme and requests the Council adopt a 'pragmatic approach' in relation to the availability and suitability of alternative sites.

PPW 12, paragraphs 4.3.18 to 4.3.22 and Future Wales. The National Plan 2040, Policies 2 and 6, outline the preference for locating Use Class D1 development within established town and commercial centres, followed by 'edge-of-town' and 'out-of-centre' locations.

Additional clarification was sought from the applicant in relation to the justification for excluding individual site characteristics and locations from the site search exercise. The applicant explained that "*We have assessed land and buildings in Denbighshire County because first and foremost, this is where the end occupier specifically wishes to be located*" and have stated in their final response that they "*do not intend to provide any further justification for the sequential assessment given that the end occupier's preference is for a location within Denbighshire County*".

St Asaph Business Park benefits from direct access to the A55 trunk road that connects major settlements along the North Wales coast. The County boundary with Conwy County Borough Council is just 2.8 miles to the west and Flintshire County

Councils border is only 7.5 miles to the east. PPW 12 (paragraph 3.45) encourages a cross-boundary approach when identifying suitable areas and sites for development; *“The evidence to identify suitable areas and sites for development should not be confined by local authority boundaries. It should reflect realities like housing markets, travel to work areas, retail catchments and the nature of activity or development itself”*.

In conclusion in relation to criteria i) of Policy PSE 3 Officers consider the Sequential Site Search Assessment has insufficiently demonstrated there are no other land/buildings available which would meet the needs of the development. The proposal has therefore failed to demonstrate compliance with PSE3 i).

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:

A Planning, Design & Access Statement has been submitted with the application which specifically seeks to address this policy test.

The Planning, Design & Access Statement (paragraphs 6.11 and 6.12) in combination with the information set out in Appendix 3 sets out the marketing activities that have taken place to attract ‘a variety of users’ to St Asaph Business Park and emphasising the site’s employment land status.

Officers are aware that there have been other recent planning applications justified by the apparent lack of demand for the employment land. 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* and more recently the application granted by Planning Committee in May 2023 ref 40/2023/0148 for the *Erection of a bus depot (sui generis use) including associated structures, formation of access and hardstanding, landscaping and associated works on Plot C2A of St Asaph Business Park.*

There have also been other applications around the Business Park for small scale alternative employment but complimentary uses such a North Wales Police Vehicle Workshop and a small-scale laboratory based/horticultural business.

In conclusion in relation to criteria ii) of Policy PSE 3 Officers consider the marketing information is sufficient to demonstrate that 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 proposal has therefore demonstrated compliance with PSE3 ii).

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:

A Planning, Design & Access Statement has been submitted with the application which specifically seeks to address this policy test.

Following the unsuccessful marketing exercise to attract a Use Class B development to St Asaph Business Park, if the applicant makes the case that there remains sufficient employment land available in the company’s portfolio to accommodate new businesses on site should there be a renewed interest in Use Class B1 (Office)development. The proposal would result in the loss of just 0.22ha of employment land.

In conclusion in relation to criteria iii) of Policy PSE 3 Officers consider 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. The proposal has therefore demonstrated compliance with PSE3 iii).

Therefore, Officers conclude in relation to the principle of development with specific reference to Policy PSE 3, that the applicant has failed to demonstrate full compliance with criteria i) in that the Sequential Site Search Assessment is limited only to Denbighshire on the basis that this is where the applicant wishes to be located. National Planning Policy encourages a cross-boundary approach when identifying suitable areas and sites for development and Officers therefore do not consider that this has been fulfilled in accordance with planning policy.

As the proposal is for a Class D1 use for clinical/medical/cosmetic dental treatments/uses, LDP Policy BSC 12 Community Facilities is also relevant and supports the provision of new community facilities provided: -

- i) they are located within existing development boundaries;
- ii) outside of development boundaries, but within settlement clusters, the proposal will provide an essential facility to support the community.

The application site is located on a partly developed Business Park allocated for employment use, outside of any development boundaries and is not in a settlement cluster.

PPW 12 (paragraph 4.1.1 and figure 9 'The Sustainable Transport Hierarchy for Planning') highlight the importance of location new development so that people have a *"choice in transport and secure accessibility in a way which (...) supports sustainable development, increase physical activity, improves health and helps to tackle the causes of climate change and airborne pollution..."*.

National Policy explicitly supports the implementation of the provisions contained in the Active Travel (Wales) Act 2013. PPW Edition 12, paragraph 4.1.31 stipulates that *"Planning authorities must support active travel by ensuring new development is fully accessible by walking and cycling. The aim should be to create walkable neighbourhoods, where a range of facilities are within walking distance of most residents, the streets are safe, comfortable and enjoyable to walk and cycle."*

The proposal is for approximately 950sqm of new floorspace for use as clinical/medical and health/cosmetic treatments falling in use Class D1 and is considered to be a significant new development in the context of health provision in the County.

The applicant argues that the site is in a sustainable location and state that any other parcels of land within St Asaph Business Park would be no more locationally sustainable than the parcel of land subject to the application.

St Asaph Business Park is regularly served by bus service no.51, including a bus stop just outside the 'New Vision Business Park'. It must however be noted that the bus stop is only served once per hour and direction during daytime. Since St Asaph Business Park is an employment site, bus travellers have only limited opportunities to use alternative facilities in the vicinity of the proposed health care centre should the bus be delayed or not operate at all; which makes public transport not a realistic mode of travel. There are also no pavements with street lighting along Glascoad Road to provide prospective customers with a safe access route from either the City of St Asaph or Cefn Meiriadog.

Planning Statement, paragraph 6.27: *"Whilst the Site is accessible by walking and cycling, it is expected that the majority of visitors would access the Site by car. However, this would very likely be the same for the Site's existing consented B1 use. The number of people visiting the Site at any one time will not have any implications in respect of car parking space availability nor vehicle movements on the local highway network such that the proposed D1 use would have a materially harmful*

impact on road safety and capacity.”

There is no dispute that there is unlikely to be a difference between a Use Class B1 and D1 premise in terms of car-based trips generated by employees of the new facility, however the Class D1 facility would be regularly accessed by patients during business hours (8am to 8pm specified in the Planning Statement, Appendix 5) and, thus, generates additional car journeys.

Principally, it's not about road safety or capacity but addressing the Planning objective to minimise any car-based journeys from the outset by directing new development towards sustainable locations.

It is therefore not considered that the proposal complies with Policy BSC 12 which seeks to direct new community facilities to existing development boundaries or within settlement clusters if outside of development boundaries and will provide an essential facility to support the community.

The proposal is therefore considered unacceptable in principle, contrary to criteria i) of Policy PSE 3 and Policy BSC 12 in the Local Development Plan.

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.

Planning Policy Wales (Edition 12, 2024) at para 6.3.3 states '*All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.*'

In terms of scale, design, appearance and materials the proposal would reflect the existing development that has already taken place at New Vision Business Park, to ensure that they blend well and to retain that character. The materials proposed in the construction of the units is specified as: Roof Cladding – Kingspan KS1000 RW Composite Panel, Colour RAL 7016 Anthracite (XL Forte Coated Panels); Wall Cladding – KS1000 MM (Mini-Micro) – Architectural Composite Wall Panel, Colour RAL 7016 Anthracite (XL Forte Coated Panels) and Wall Brickwork – Ibstock 65mm, Grainger Gold Facing Bricks. The overall appearance of this combination of materials can be seen on the proposed elevations at the front of this report

A car parking area for 24 cars is shown to the front and side with landscaping and pavement to the front along the frontage of the site with the access road. A possible pedestrian link is shown to the side boundary with the adjoining plot for access to overspill parking if required.

Having regard to the design, siting, scale, massing and materials of the proposed building, in relation to the character and appearance of the Business Park and locality, it is considered the proposals would not have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

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.

There are no residential properties close to the site.

It is considered that the proposals would not have an unacceptable 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 (Edition 12, 2024) within Chapter 6 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG 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 (Edition 12, 2024) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems" (Section 6.4.5).

Planning Policy Wales (Edition 12, 2024) 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).

Planning Policy Wales (Edition 12, 2024) includes policies relating to green infrastructure, net benefits for biodiversity and the Step-Wise Approach, protection for Sites of Special Scientific Interest (SSSI) and Trees and Woodlands.

- **Green Infrastructure**

A strong emphasis on taking a proactive approach to green infrastructure covering cross boundary considerations, identifying key outputs of green infrastructure assessments and the submission of proportionate green infrastructure statements with planning applications.

- **Net Benefit for Biodiversity and the Step-wise Approach**

Clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. A number of factors will affect the implementation of the step-wise approach,

pre-emptive site clearance works should not be undertaken however if this does occur its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place and a net benefit for biodiversity must be achieved from that point.

- **Protection for Sites of Special Scientific Interest (SSSI)**

Protection is strengthened with increased clarity on the position for site management and exemptions for minor development necessary to maintain a 'living landscape.

- Trees and Woodlands

A closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right trees in the right place.

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 ecological impacts of development should therefore be regarded as a potential material consideration.

Future Wales – The National Plan 2040 (2021) Policy 9 advises that 'In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment'. It is therefore recommended that these are included and form part of any planning application.

The application is accompanied by a copy of a current EPS Licence issued by NRW (Expires December 2028) to capture and transport, disturb, damage or destroy a breeding site or resting place of Great Crested Newts (*Triturus cristatus*) in accordance with an approved method statement whilst undertaking works at New Vision Business Park, St Asaph business Park, St Asaph.

A Biodiversity Enhancement Plan has been submitted which dates back to 2007, along with a Green Infrastructure Statement. The Planning, Design & Access Statement also explains that: -

As part of Application Ref. 46/2009/1545/PO, condition 11 required the submission and approval of details to safeguard and protect protected species through compensation schemes and mitigation proposals. These details were approved by Denbighshire County Council as part of discharge of condition Application Ref. 46/2010/0038 dated 30th April 2010.

The information submitted for approval included a Biodiversity Enhancement plan. The information submitted to discharge condition 11, as now approved by the Council, is submitted again as part of this Application.

The entire New Vision Business Park, including Plot 2, has newt fencing erected to the perimeter having received an EPS licence valid until 31st December 2028.

The Site subject to this Application, Plot 2, is very bare and all topsoil has been stripped (as shown at Figure 2 of this Statement). Accordingly, there is no existing ecology on Plot 2 to be reported on.

Taking into account the physical condition of the site, along with the previously approved ecological details (and fall- back position), subject to the imposition of appropriately worded conditions requiring the submission of landscaping details and further biodiversity enhancement opportunities, it is considered that the proposals are in line with the advice contained in PPW 12 and would provide enhancement measures to increase the biodiversity opportunities at the site

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.

Planning Policy Wales (Edition 12, 2024). at para 6.6.9 states '*The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity*'.

Planning Policy Wales (Edition 12, 2024). at paras 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed. TAN 15 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event.

The proposal seeks to connect foul sewage to the mains sewer with a detailed plan submitted and considered acceptable with DCWW as the statutory consultee. Subject to a standard condition and advisory notes, DCWW have raised no objection to the proposal. Approvals and Section 104 agreements have also been secured for all new units to be constructed on the site, this application would require a separate S104/S106 foul water application to be made for the connection to be made, which as stated previously, DCWW have raised no objection to.

In relation to surface water drainage, approval will be required from the SUDs Approval Body (SAB) which is a completely separate process to planning and is covered by drainage legislation. SAB will control and will only be approved if the drainage details are acceptable and kept below greenfield run off rates.

Given the comments of the technical consultee, it is considered reasonable to assume that an acceptable drainage scheme can be achieved on the site and delivered through the SuDS Approval Body process. The proposal is therefore considered acceptable in relation to drainage

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 12) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

The proposal shows an access off the existing spine road into a 24 space car park. The Highway Officer has raised no objections to the proposal.

Other matters

Reference to other non B1 and B2 uses and other employment land

31/2023/0693 Unit 23, Ffordd Richard Davies, St Asaph Business Park
Retrospective application for the change of use of premises (Use Class B1, B2 or B8) to independent primary care services. (Use Class D1)
WITHDRAWN April 2024

02/2023/0645 Clwydfro Business Park, Ffordd Celyn, Lon Parcwr, Ruthin
Retrospective application for the change of use of former offices (Use Class B1) to Childrens Day Care Centre (Use Class D1) and the installation of fence

This application related to the change of use of an existing unit on an established business park within the development boundary of Ruthin. This application was assessed on its own merits and different policy considerations particularly relating to the accessibility and sustainability of the site.

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.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. A public authority must, in the exercise of its functions, have due regard to advancing equality.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

5 SUMMARY AND CONCLUSIONS:

- 5.1 The application site is located on the St. Asaph Business Park which is not within the development boundary of a settlement as defined in the adopted Denbighshire Local Development Plan. Land at the Business Park has been allocated and safeguarded for employment uses only.
- 5.2 A Sequential Site Search Assessment has not demonstrated there is no alternative site to accommodate the development and is specific to sites in Denbighshire alone, the assessment is not in line with national planning policy which requires a cross boundary approach.
- 5.3 The proposal would create a significant new health care facility in the open countryside contrary to Policy BSC 12.
- 5.4 The site is in an unsustainable location.

RECOMMENDATION: - REFUSE for the following reasons:

1. It is the opinion of the Local Planning Authority that the principle of the proposal is unacceptable in this location having regard to the location of the site on an allocated employment area outside of any defined development boundaries. The scope of the Sequential Site Search Assessment is limited and has not been carried out in accordance with national planning policy which encourages a cross-boundary approach when identifying suitable areas and sites for development. The proposal is therefore considered to be contrary to criteria i) of Policy PSE 3 in the Local Development Plan and advice and guidance contained in Planning Policy Wales (Edition 12) and Future Wales: The National Plan 2040.
2. It is the opinion of the Local Planning Authority that the principle of the proposal is unacceptable in this location having regard to the location of the site outside of any defined development boundaries and away from established settlements. The site has limited accessibility by non-car modes, and does not offer good active travel connections to any settlements/ centres in the locality, including movement by walking and cycling. It is therefore considered that the proposed new D1 health and community facility would be heavily reliant on the motor car and is in an unsustainable location. The proposal is considered contrary to Policy BSC 12 in the Local Development Plan and advice and guidance contained in Planning Policy Wales (Edition 12) and Future Wales: The National Plan 2040.