



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Heading:

47/2013/0394
Abattoir Site, Holywell Road
Waen, St Asaph

6



Application Site

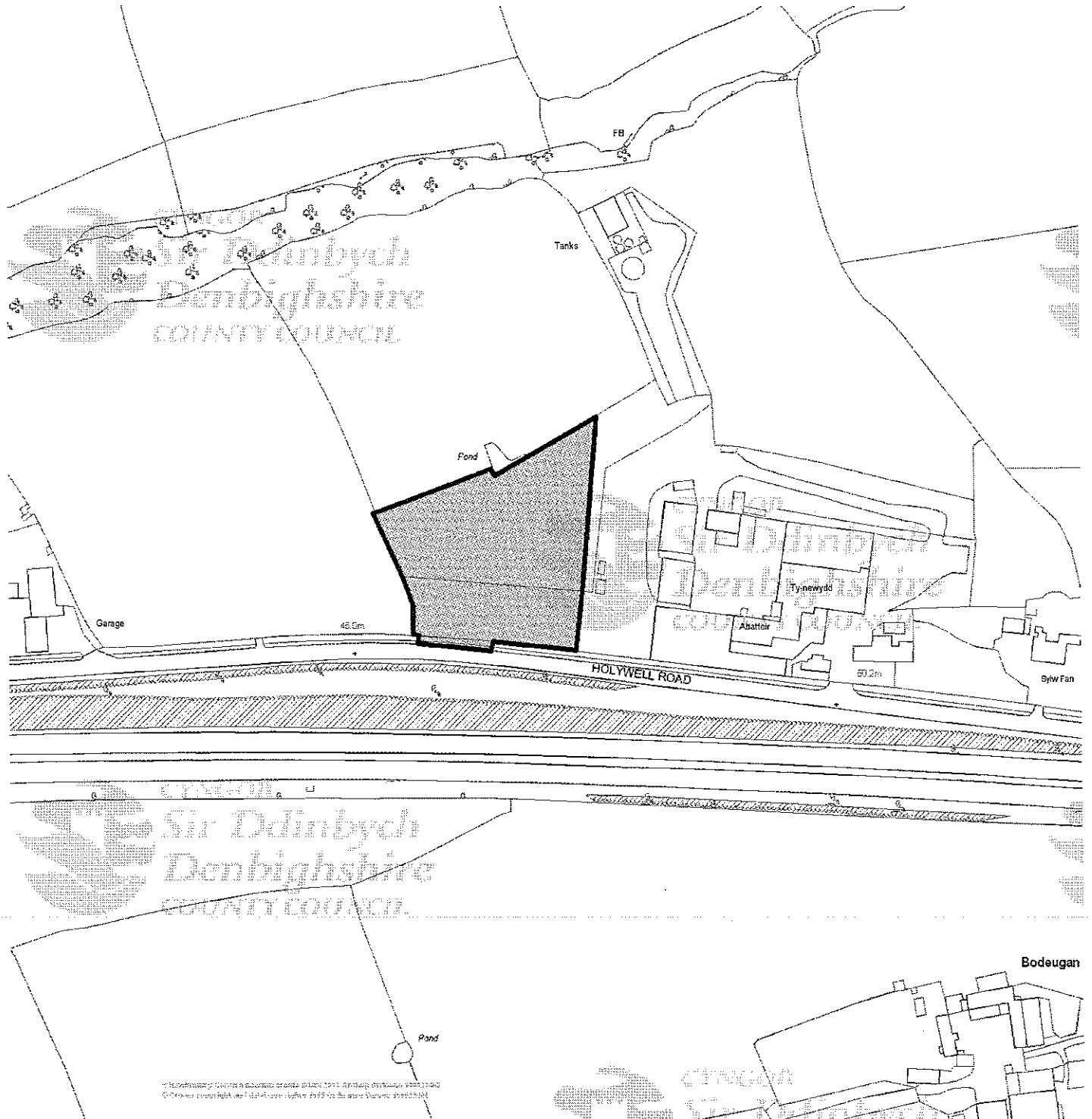


Date 6/6/2013

Scale 1/2500

Centre = 305510 E 375019 N

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



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Atgynhyrchir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawffrânt y Goron. Mae atgynhyrchu heb ganiatâd yn torri hawffrânt y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.

SITE PLAN

- NOTES
- REFER TO DRAWING CS55461/W/SK/04 FOR SECTION A-A AND SECTION B-B.
 - CITY SECURITY CAMERA TO BE MOUNTED TO COVER SITE GATE AND BUILDING DOOR.

LANDSCAPE KEY

- EXISTING TREE TO BE RETAINED
- EXISTING TREE TO BE REMOVED
- EXISTING ROOT PROTECTION AREA
- PROPOSED TREE PROTECTION FENCING IN ACCORDANCE WITH BEST PRACTICE
- PROPOSED SPECIES RICH UNDERGROW PLANTING (ANGEL, HOLLY, ANEMONE, BUCKINGHAM & HORTENSIA)
- PROPOSED NATIVE TREE PLANTING (OAK)
- PROPOSED SPECIES RICH GRASSLAND
- PROPOSED NATIVE SCRUB PLANTING

DATE	DESCRIPTION	ISSUED BY	DATE
2013	PA ISSUED FOR PLANNING	CR	15/12/2013
2013	PF SITE BOUNDARY AMEND	CR	07/04/2013
2013	PI ISSUED FOR COMMENT	CR	24/05/2013
2013	DRWING	CR	19/06/2013
	APPROVED BY	DATE	
	CR	CR	JUN 2013

1:250
COLUMBIA DAY

NATIONAL WINTER MAINTENANCE RESILIENCE

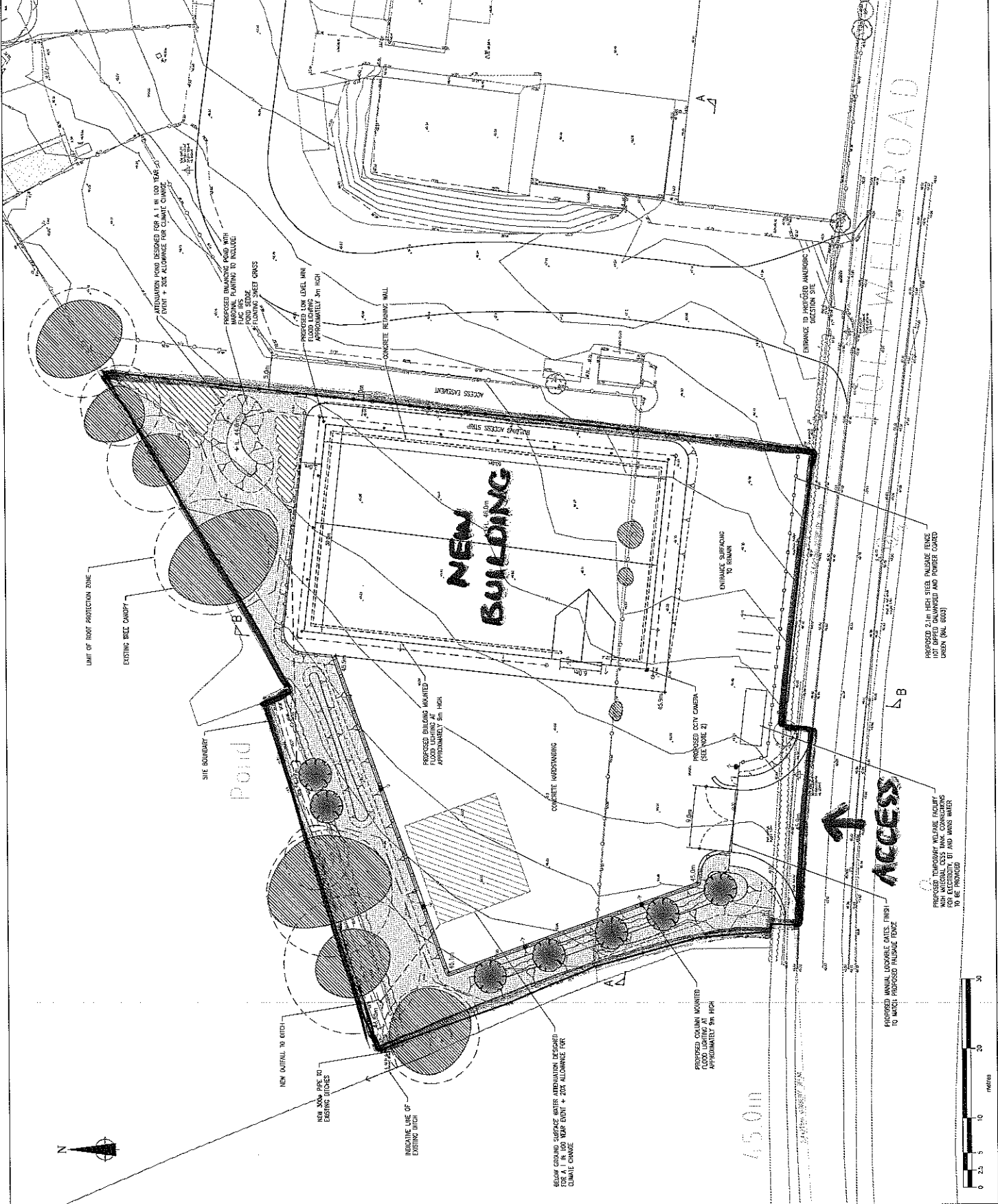
STRATEGIC SALT STORE WAEN

GENERAL ARRANGEMENT

ALBERT CHAMBERLAIN Regional Chamberlain Cymru
John & Gail Wales Truck Road Agent

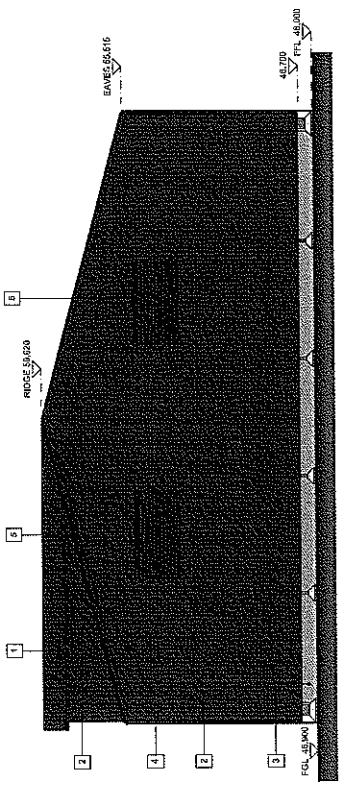
CAPITA SYMONDS
Porthkerry, The Drive, Capel Bay, North Wales, LL57 3JF
Tel: 01302 752525
www.capita.co.uk

DRAWING NUMBER: CS55461/W/SK/04
PAGE: P3

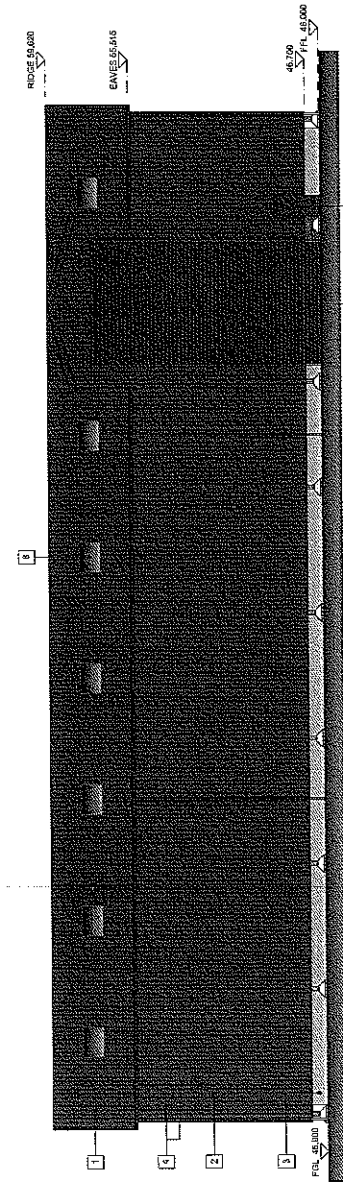


MAIN BUILDING

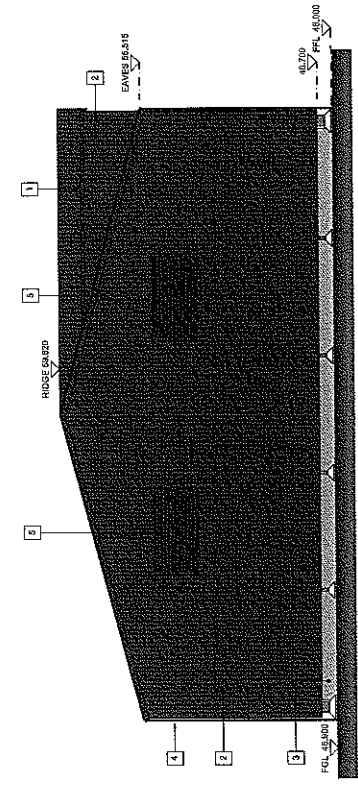
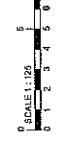
SAFETY, HEALTH AND ENVIRONMENTAL CONSIDERATIONS
CONSTRUCTION
MAINTENANCE / CLEANING
DECOMMISSIONING / DEMOLITION
<small>THIS DRAWING IS THE PROPERTY OF CAPITA SYMONDS LIMITED AND MUST NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT WRITTEN CONSENT OF CAPITA SYMONDS LIMITED.</small>



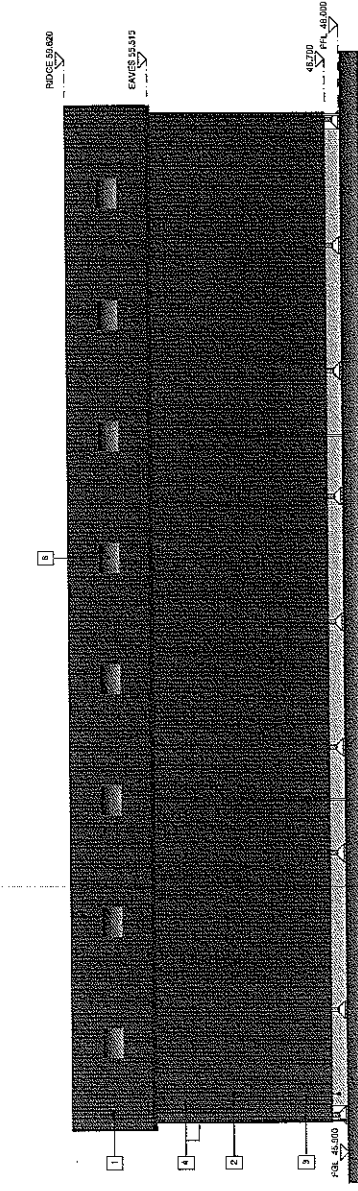
PROPOSED SOUTH ELEVATION



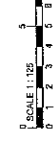
PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION



CAPITA SYMONDS
 National Winter Maintenance Resilience
 North & Mid Wales Train Road Agent
 Training House, Oak Dale, Colwyn Bay,
 North Wales, LL29 7YV
 A/C 0124 2812

NATIONAL WINTER MAINTENANCE RESILIENCE			
PROPOSED SALT STORE AT WAEN ELEVATIONS			
DRAWN BY	DESIGNED BY	ISSUED BY	ISSUING OFFICE
NTP	CR	JES	COLWYN BAY
DATE	SCALE	DATE	SCALE
MARCH 2013	1:125	MARCH 2013	1:125

REV	CH	BY	DATE	DESC
P1		NTP	14/03/2013	PRELIMINARY ISSUE FOR COMMENT
P2		NTP	27/03/2013	ISSUED FOR PLANNING

- ROOF : PROFILED METAL CLADDING ; COLOUR OLIVE GREEN
 WALLS : PROFILED METAL CLADDING ; COLOUR OLIVE GREEN
 CONCRETE RETAINING WALL
 GUTTERING AND GOWPPICES
 HORIZONTAL CLADDING : COLOUR OLIVE GREEN
 ROLLER SHUTTER DOOR : COLOUR OLIVE GREEN
 PERSONNEL DOOR : COLOUR OLIVE GREEN
 TRANSLUCENT ROOF PANELS

REV	CH	BY	DATE	DESC
1				ROOF : PROFILED METAL CLADDING ; COLOUR OLIVE GREEN
2				WALLS : PROFILED METAL CLADDING ; COLOUR OLIVE GREEN
3				CONCRETE RETAINING WALL
4				GUTTERING AND GOWPPICES
5				HORIZONTAL CLADDING : COLOUR OLIVE GREEN
6				ROLLER SHUTTER DOOR : COLOUR OLIVE GREEN
7				PERSONNEL DOOR : COLOUR OLIVE GREEN
8				TRANSLUCENT ROOF PANELS

MES

ITEM NO: 6

WARD NO: Tremeirchion

APPLICATION NO: 47/2013/0394/ PF

PROPOSAL: Construction of a salt storage building with associated access, hardstanding drainage, lighting, security, landscaping and fencing

LOCATION: Land west of The Abattoir Site Holywell Road Waen St Asaph

APPLICANT: Welsh Government Laurence Madges

CONSTRAINTS: Within 67m Of Trunk Road

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

REASONS APPLICATION REPORTED TO COMMITTEE

Scheme of Delegation Part 2

The proposal is on land within the ownership of the Council but does not relate to a specific function exercised by the Council.

CONSULTATION RESPONSES:

Tremeirchion, Cwm & Waen Community Council:

The Community Council initially objected to the proposal on the grounds that:

"It is the view of the Community Council that permitting this application would create an industrial estate within a rural community without providing local employment."

In order to address the concerns raised by the Community Council, the applicant submitted revised plans. Subsequently the Community Council stated :

"At our meeting last night the Community Council discussed again the application 47/2013/0394 Land west of The Abattoir site Holywell Road Waen – Salt storage building. On the casting vote if the Chairman the Council gave a NO OBJECTION to the application".

AONB JAC:

"Although visible in distant views from the higher ground of the AONB to the east, the JAC notes that the new building would be seen in the context of the adjoining former abattoir complex and the recently approved anaerobic digester plant. The new building is well related to these existing and recently permitted developments and, although a necessarily tall building (13.5m ridge height), this is comparable in scale to the adjoining development. In this context, the JAC has no observations to make on the development in principle.

The JAC welcomes the specification of olive green cladding for the roof and walls to help minimise visual impact, and supports the proposed landscaping strategy which includes retention of existing mature boundary trees and hedges supported by supplementary planting of hedges and hedgerow trees comprising traditional native species. The need for external lighting of such a facility to ensure safe operation is accepted, but the JAC would emphasise that this should be the minimum necessary to meet this aim, be carefully designed to minimise light pollution and should be restricted to those times when the salt store is operational. In this regard, the JAC would query the need for so many wall-mounted lighting

units on the largely non-operational north and east facing elevations of the building.”(AONB Management Plan Policies PSQ2, PCP1 and PCP2)”

Natural Resources Wales:

No objection to the proposal subject to conditions in respect of the protection of the great crested newt, surface water drainage, and contamination.

Welsh Government:

Does not wish to issue a direction in respect of this application.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Head of Transport and Infrastructure:

No objection subject to the inclusion of conditions to ensure the provision of facilities for loading and unloading, parking and turning of vehicles, and details of the access and associated highway works.

Public Protection Pollution Control Officer:

NRW are best placed to comment on issues of contamination. Recommend that the applicant consider the replacement of conventional reversing beepers with white noise or visual warning only for night time loading operations.

Drainage Engineer:

No observations

Ecologist:

No objection subject to the inclusion of conditions to secure the recommendations within the Phase 1 Habitat Survey Report.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION : (Date) 25/06/2013

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 This is a full application for the erection of salt storage building with associated access, hardstanding, drainage, lighting, security, landscaping and fencing on a 0.63ha plot.
- 1.1.2 The proposal is intended to provide a strategic reserve of de-icing salt close to the trunk road network to support local authorities' road maintenance teams during extreme weather conditions.
- 1.1.3 Movements to and from the salt store are expected to be relatively infrequent, and after the construction phase, will only be required for the initial delivery of salt, topping up Local Authorities' depleted stocks during adverse weather conditions any subsequent delivery of salt stocks.
- 1.1.4 The main elements of the proposal are:
 - A salt store measuring 30m by 50m with a ridge height of 13.5m with a steel portal frame and olive green box-profiled metal cladding to the roof and vertical facades;
 - A concrete hardstanding area measuring 48m by 55m;
 - Lighting;
 - A CCTV tower;
 - Fencing;

- Landscaping comprising hedgerow and tree to the north and west and retention of existing trees and hedgerows within the site;
- A new access into the site from Holywell road;

The plan at the front of the report shows the main features of the development

- 1.1.5 The application is supported by a design and access statement, geo-environmental investigation and assessment, landscape and visual assessment, Extended Phase 1 Habitat Survey Report and associated appendices.

1.2 Description of site and surroundings

- 1.2.1 The proposed salt store is to be located on land to the west of the former abattoir buildings at Waen, Rhualt. The buildings will remain unaffected by this proposal.
- 1.2.2 There is hardstanding to the southern part of the site which formed part of the former abattoir complex, whilst the north of the site is fenced off and used for grazing.
- 1.2.3 There are a number of mature trees around the periphery of the site which are to be retained and a small number of immature trees within the site which are to be removed.
- 1.2.4 The site lies approximately 1.7km from the Clwydian Range Area of Outstanding Natural Beauty (AONB).
- 1.2.5 There are a number of Public Rights of Way with views across the site, including the Offa's Dyke National Trail which is approximately 1.9km away, although these are mostly shielded by the existing abattoir buildings.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located outside the development boundary of Rhualt village. It is partly on brownfield land. The site forms a setting to the AONB and is within an area known to accommodate great crested newts. The site is within 50m of the A55 Trunk road.

1.4 Relevant planning history

- 1.4.1 There are records of a number of planning permissions on the site, the majority of which relate to the operation of the former abattoir use.
- 1.4.2 In addition to the planning permissions relating to the abattoir use itself, planning permission has also been granted in 2008 for the change of use from an abattoir to a mixed use comprising B1, B2 and B8 with ancillary offices and trade counters on part of the site.
- 1.4.3 The proposal site falls within an area permitted for use for car parking in association with the mixed use employment site. The remainder of the site is within the curtilage of the abattoir site but outside the red line boundary of the mixed use site.

1.5 Developments/changes since the original submission

- 1.5.1 Following submission of the original application, the applicant submitted a revised layout amending the boundary treatment from 2.1m high palisade fencing to agricultural fencing. The changes were submitted to address concerns raised by the Community Council regarding the industrial nature of the proposal. The Community Council was consulted on the proposed

changes.

1.6 Other relevant background information

1.6.1 The wider abattoir site, including the proposal site, is owned by the Council. It is understood that ownership would transfer to the applicant in due course.

2. DETAILS OF PLANNING HISTORY:

2.1 **47/2008/0222** Change of use from abattoir to a mixed use comprising B1, B2, B8 with ancillary offices and trade counters: Granted 17/06/2008

47/2012/1120 Construction of an anaerobic digestion facility, landscaping and associated infrastructure: Granted 21/11/2012

3. RELEVANT PLANNING POLICIES AND GUIDANCE:

The main policies and guidance considered to be of relevance to the application are:

3.1 DENBIGHSHIRE LOCAL DEVELOPMENT PLAN – adopted 4th June 2013

RD1: Sustainable development and good standard design

BSC2: Brownfield development priority

PSE7: Rural economy

VOE2: Area of Outstanding Natural Beauty

VOE5: Conservation of natural resources

VOE6: Water management

VOE7: Locations for waste management

ASA3: Parking standards

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance Note 2: Landscape

3.3 Welsh Government

Planning Policy Wales 2012:

Chapter 4 – Planning for sustainability, section 4.9

Chapter 13 – Contaminated land, section 13.7

Technical Advice Notes:

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 18: Transport

Technical Advice Note 22:

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

4.1.1 Principle of development

4.1.2 Biodiversity

4.1.3 Landscape

4.1.4 Contaminated land

4.1.5 Drainage

4.1.6 Highways

4.1.7 Residential amenity

4.1.8 Sustainability Code

4.2 In relation to the main planning considerations:

4.2.1 Principle of development

Policy PSE 5 supports development outside development boundaries subject to certain criteria. The site is located on a site allocated for a waste use within the LDP, under policy VOE 7, the site is identified as being of a strategic nature. Policy VOE5 does not safeguard allocated sites for waste management uses, but seeks to provide sufficient land through overprovision

in the knowledge that not all of the sites identified in the policy will come forward for a waste use. Policy BSC2 aims to prioritise the development of brownfield land in preference to greenfield.

The site is located on a former abattoir, part of which has planning consent for mixed use, B1, B2 and B8. The proposed salt store will be located on hard standing used for the storage of vehicles and open land to the west of the former abattoir buildings, which are unaffected by this proposal. The proposal includes a part of the land with planning consent for B1/B2/B8 uses, with the area specifically identified for parking. Nevertheless, the proposal is located, albeit in part, on a site which has been deemed suitable for a B8 use, storage or distribution.

The location of the proposal on brownfield land is supported by policy BSC2, which states that there will be a general presumption in favour of redevelopment of previously developed land before greenfield. Planning Policy Wales, Chapter 4, also supports a preference for the re-use of brownfield land. This proposal will assist in the regeneration of part of the now derelict abattoir for a beneficial use, in line with local and national policy.

The LDP generally directs new development to within development boundaries. The site lies outside of the Rhualt development boundary and therefore falls to be considered against policy PSE5: Rural Economy. Policy PSE5 allows development to take place outside development boundaries in certain circumstances including diversification of the rural economy and where it can be demonstrated the proposal will support the local economy to help sustain local rural communities. The proposal will not provide additional employment and will therefore not contribute directly to the rural economy. The Community Council originally objected to the proposal on the grounds that it would *"create an industrial estate within a rural community without providing local employment"*. The sole purpose of the proposal is to provide a strategic resilience salt storage facility to help maintain supplies of road de-icing salt. Although there will only be temporary direct benefit to the local economy through the creation of construction jobs, there will be a potentially significant indirect benefit through the provision of a sufficient supply of de-icing salt which will increase the ability of the highways authority to maintain an adequate road network during adverse weather conditions. The impact of snow and the disruption it can cause has a cost to the local and national economy. The Community Council reconsidered the application following a revision to the boundary treatment and withdrew their objection.

The proposal will help meet the Plan's objectives of regenerating and diversifying the countryside indirectly by ensuring that disruption to the road network, including the internationally important A55, is minimised during harsh winters. It is essential that the store is located in an area with excellent links to the strategic road network to enable the salt to be distributed quickly during adverse weather conditions. The proposal site provides good and easy access to the A55, and is well located to serve North East Wales. There is a similar facility in Llandygai which serves the North West.

Policy PSE 5 criterion ii) requires that any suitable existing buildings are converted or re-used in preference to new build. The proposal has specific design requirements which cannot be met by the existing abattoir buildings on site. A purpose built building is therefore required. It is understood that the remainder of the abattoir site will be put to beneficial use, although plans for the remainder of the site are at an early stage and would be the subject of a subsequent planning application.

The proposal site comprises part of a wider site identified for waste management under policy VOE7. Part of the wider site, to the north east of the proposal site, has planning consent for a strategic anaerobic digestion facility serving Conwy, Denbighshire and Flintshire. The site is therefore already making a significant contribution towards the needs of the region with respect to waste management. The loss of this part of the site for a non-waste use is not considered to undermine the objectives of the LDP with respect to waste. Furthermore, the LDP contains a wide range of allocations including overprovision to allow for the fact that some sites will not come forward.

In Officers' view, the proposal is acceptable in principle and is broadly in line with the requirements of policy PSE 5 and forms a logical extension to the site and enhancing landscaping on the site. Although the economic benefits of the proposal will be indirect, they are potentially significant. There is sufficient justification for the location of the proposal outside the development boundary given the requirement be close to the trunk road network. The proposal is also in line with policy BSC2 – Brownfield development priority, which requires development to be sustainable and maximise the use or re-use of derelict, vacant and underused land and buildings for development.

4.2.2 Biodiversity

Policy VOE5 seeks to promote the conservation of natural resources including protected species. The policy requires the development proposals that may have an impact on protected species to be supported by a biodiversity statement which must have regard to the County biodiversity aspiration for conservation, enhancement and restoration of habitats and species. Technical Advice Note 5 provides detailed guidance of the matters which should be taken into consideration on sites with protected species, and in particular the need to demonstrate that the proposed development is acceptable, in line with the appropriate Article 16 derogation and tests.

The application was submitted prior to the adoption of the LDP and a biodiversity statement was not submitted as part of the application. Nevertheless, the applicant has undertaken and submitted an Extended Phase 1 Habitat Survey Report which in Officers' view sufficiently demonstrates how the proposal will mitigate any adverse impacts on biodiversity and enhance the biodiversity value of the site, in particular for protected species.

The proposal site is located within an area known to accommodate great crested newts and has a number of features within it which could offer biodiversity benefits. The Extended Phase 1 Habitat Survey report has put forward a number of measures that will minimize and enhance the biodiversity of the site, particularly in relation to great crested newts. There are no statutory or non-statutory designated sites within 2km of the proposed and no statutory designated sites for bats within 30km. There are records of Great Crested Newt (*Triturus cristatus*) and other newt species, badgers, bats, otters, hedgehog, invertebrates within 2 km of the site which are protected either under domestic legislation, international legislation or both. The site itself has been previously surveyed (2011) to confirm the presence or absence of protected species. Great Crested Newts are considered separately given their protection under European law.

Great Crested Newts (GCNs):

A survey, undertaken in 2011, concluded that no amphibian species were using ponds close to the site or the surrounding area. However, modelling undertaken by the then Countryside Council for Wales (CCW, now a part of Natural Resources Wales (NRW)) shows that GCN populations are known to

be present within the area and that there is a very high probability that GCNs are using the site. Following discussion with CCW (NRW), it was agreed that no further surveys for GCNs would be undertaken on the site as it should be assumed that the development has the potential to impact on GCNs. As such, measures to protect GCNs are identified by the applicant including the use of Reasonable Avoidance Measures (RAMs) and habitat enhancement measures including habitat creation. NRW did not object to the proposal on the grounds of protected species subject to the inclusion of a condition to secure the use of Reasonable Avoidance Measures.

European Protected Species and their breeding sites and resting places are protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 and under Article 12 of the EC Directive 92/43/EEC in the United Kingdom. Plans or projects that could affect European Protected Species must satisfy the appropriate Article 16 Derogation and two mandatory tests. Officers have completed an Article 16 Derogation Assessment and have concluded that if all the planning conditions and obligations are implemented as recommended, then no impact on the favourable conservation status of great crested newt is anticipated. Without these conditions and obligations then approval of the proposal would be contrary to Article 16 of the Habitats Directive.

Protected Species

The site and surrounding area contains habitat which may be suitable for breeding birds, bats, amphibians and badgers. Measures to minimise the impact of the proposed development on protected species are proposed within the Extended Phase 1 Habitat Survey and include retention of existing vegetation and trees on the periphery of the site as well as additional planting and species specific measures such as the use of bat boxes on the proposed building. In order to reduce the impact of the proposed development on breeding birds the Extended Phase 1 Habitat Survey Report recommends that any tree and vegetation clearance should be undertaken outside the bird breeding season (i.e. from September to late February), or, if this is not possible, supervision of vegetation clearance by an ecologist would be required.

The County Ecologist did not object to the proposal subject to the inclusion of conditions to secure the implementation of the mitigation and enhancement measures proposed within the Extended Phase 1 Habitat Survey Report.

Planning Policy Wales highlights the importance of biodiversity and the conservation of native habitats and species. Technical Advice Note 5: Nature Conservation and Planning, provides further guidance to local authorities. Policy VOE5 of the adopted Local Development Plan requires development to be designed to maintain or enhance biodiversity of the natural environment. While there will be some loss of plant species on the site, the overall quality of the habitat on the site is relatively low. The information submitted by the applicant in support of the application includes a number of recommendations.

In Officers' view, the inclusion of conditions to ensure recommendations are implemented and to address the issues raised by CCW and the County Ecologist will help ensure that the proposal does not have a detrimental impact on biodiversity, including species which are protected by national and European legislation. Subject to the inclusion of conditions to address the matters raised above, the proposal is considered in acceptable and in accordance with policy VOE5 of the LDP and Technical Advice Note 5.

4.2.3 Landscape

Policy RD1 of the adopted LDP requires proposals to incorporate, where possible, existing landscape or other features. Policy VOE2 seeks to protect the AONB, and includes development outside of the AONB which has the potential to impact on the AONB. Supplementary Planning Guidance Note 2 provides further advice as to how proposals can comply with policies GEN 6 and ENV 7 of the UDP, however, it is considered to remain of relevance in relation to this proposal.

The proposal site is located in a predominantly rural area between St Asaph and Rhualt. Holywell Road runs parallel with the A55 and serves a small number of uses, including a construction and demolition recycling facility, Nu Finish Garage and a small number of residential properties. The remaining land is predominantly in agricultural use. The proposal site lies approximately 1.7km from the Clwydian Range Area of Outstanding Natural Beauty (AONB). There are a number of Public Rights of Way with views into the site, including the Offa's Dyke National Trail which is approximately 1.9km away.

Views from the AONB are to an extent, interrupted by the existing abattoir buildings, and will be further interrupted once the permitted Anaerobic Digestion facility is constructed to the north east of the site. Nevertheless, the Landscape and Visual Assessment was submitted in support of the application concluded that the proposal will have a minor adverse impact on distant views and as such proposes mitigation planting to help reduce some of the adverse visual effects.

The Landscape and Visual Assessment undertaken in support of the application concluded that the choice of cladding material including its colour and planting will help reduce the impact from residential properties to the west and east, though the report concluded that there will remain a moderate adverse effect on these local receptors due to the scale of the building and sensitivity of the receptors.

The AONB Joint Advisory Committee noted that the proposed development is similar to existing and proposed development on the adjoining site and that in this context, they do not object to the principle of the proposed development. The JAC also welcomed the specification of the cladding, olive green, to help minimise visual impact of the development and the proposed landscaping. The JAC queried the level of lighting proposed given that the site will be largely non-operational. The proposed facility is intended to provide additional supplies of salt during adverse weather, which will inevitably occur during winter months when natural light can be poor. However, the measures proposed, which include the use of directional lighting that is to be used during operational periods only will help minimise the impact of the proposal on distant views from the AONB. In addition, loading and unloading of the store will be planned and will be done during the daytime. In order to ensure impact of the proposed development on the AONB are minimised it is considered necessary to include a condition to secure details of lighting and security, including fencing.

The Community Council originally objected to the proposal on the grounds that the application would "*create an industrial estate within a rural area...*". The applicant has sought to design the building so that it is in keeping with traditional barn style buildings in the locality. However, applicant originally proposed the use of 2.1m high palisade fencing around the perimeter of the site. The use of palisade fencing is often attributed to industrial estates rather than rural areas which would be particularly prominent along the frontage of Holywell Road. In order to minimise the industrial feel of the development the

applicant submitted revised plans which include the use of agricultural fencing which, in Officers' view, is more in keeping with the surrounding area. Following a re-consultation on the revised plans the Community Council withdrew their objection.

In Officers' view it is considered that the visual impact of the proposal can be minimised through the mitigation measures proposed. Subject to the inclusion of conditions to secure details of proposed lighting, security and fencing, the proposal is considered acceptable and in line with policies RD1 and VOE2 of the adopted LDP.

4.2.4 Contaminated land

Planning Policy Wales, chapter 13, section 13.7 provides policy regarding issues of contaminated land. The policy seeks to ensure that contamination is sufficiently addressed and mitigated where necessary.

The proposal site is the location of a former abattoir, which is a potentially contaminative use. The applicant submitted a geo-environmental investigation and assessment in support of the application which concluded that the site is not anticipated to be grossly contaminated, but advised a number of recommendations to address localised contamination which may be discovered during construction works.

Natural Resources Wales (formerly the Environment Agency Wales) did not object to the proposal on the grounds of contamination but recommended the use of a condition to ensure that in the event contamination is discovered during the development which has not been previously identified, it is adequately addressed.

In Officers' view it is considered that, subject to the inclusion of a condition to address unsuspected contamination, the proposal is acceptable and in line with the requirements of chapter 13 of Planning Policy Wales.

4.2.5 Drainage

Policy RD1 of the LDP requires proposals to satisfy physical and environmental considerations relating to drainage and liability to flooding whilst policy VOE6 of the LDP requires that run-off from new development should be equal to greenfield run-off.

The applicant has proposed above and below ground attenuation storage to limit the runoff into the boundary ditches to green field rates. Surface water will predominantly be dealt with using the below ground system, with a new pond proposed to deal with any excess runoff.

Natural Resources Wales have not objected to the proposals on the grounds of drainage, but have recommended the use of a condition to ensure that the proposals to deal with surface water are carried forward to the detailed design stages of the project.

In Officers' view it is considered that, subject to the inclusion of a condition to address the points raised above, the proposal is acceptable and in line with policy RD1 and VOE6 of the LDP.

4.2.6 Highways/transport

Policy RD1 criterion viii) of the LDP allows development which provides safe and convenient access and does not have an unacceptable effect on the local highway network. Policy ASA3 requires all new development to make adequate provision for parking.

The proposal will generate traffic during the construction phase and during the operational phase. The construction phase is anticipated to last for a period of approximately 4 months with daily vehicular movements. The operational phase will generate a relatively small number of movements, although filling the store initially will generate 30 two way trips, or 60 movements, over an 8 day period. Once the store has been filled movements will occur when the salt is being distributed to neighbouring local authority stores running short of supplies. The number of trips will be variable but will not exceed 30 two way trips per day.

Visibility splays are proposed which are in excess of the requirements of Technical Advice Note (TAN) 18.

The Welsh Government as highway authority for the A55 trunk road did not issue a direction in respect of the application and the Highways Officer did not object to the proposal subject to the inclusion of conditions to secure facilities for the loading, unloading, parking and turning of vehicles, and details of the access and associated highway works, including drainage.

In Officers' view it is considered that, subject to the inclusion of a condition to address the points raised above, the proposal is acceptable and in line with policies RD1 criterion viii), ASA3 of the LDP and Technical Advice Note 18.

4.2.7 Residential amenity

Policy RD1 criterion vi) allows development which does not unacceptably affect the amenity of local residents.

The applicant stated that the operational hours are not known, but advised within the design and access statement that deliveries would be planned to take place during the day.

There are a small number of residential properties within close proximity of the site. The closest residential property, Ty Newydd, fronts on to Holywell Road and forms part of the existing abattoir complex and Sylfan is located approximately 170m from the edge of the proposed development. Both properties are separated from the proposal site by the abattoir buildings, and do not share the proposed access. There are two properties along the B5429 which are less than 250m from the site, one with flank walls facing into the site and the other with clear views into the site from habitable rooms. There are a small number of properties along Holywell Road to the west of the site, including a property to the west of the Nu Finish Garage and a group of 10 residential properties. The land slopes towards the west and it is considered unlikely that clear views will be possible from the 10 residential properties into the site.

The proposal has the potential to impact on residential amenity through increased activity on the site during the construction period and during the operational period through traffic movements and the use of lighting. In order to minimise any nuisance caused during the construction period it is considered necessary to limit hours of operation during construction.

The Environmental Health Officer did not object to the proposal, but advised that noise arising from vehicles using the site should be minimised through the use of white noise or visual warnings for night time loading operations.

The proposed salt store will be used infrequently and can largely be managed to minimise any impacts on local residents. In Officers' view it is considered

that, subject to the inclusion of a condition to address the points raised above, the proposal is acceptable and in line with policy RD1 criteria vi) of the LDP.

4.2.8 Sustainability Code

Planning Policy Wales Chapter 4, paragraph 4.12.4 introduces the requirement for applications over a certain threshold to meet certain sustainability requirements. Technical Advice Note 22: Sustainable Buildings goes on to advise that in certain circumstances it may not be possible to impose these requirements.

This proposal is considered to constitute an exception, as described by TAN 22, because it has an inherently low energy and heat demand. The applicant advises that materials used will be to the highest practical environmental quality and that ventilation and the control of moisture will be achieved naturally through the design of the building.

On balance, given the inherently low energy and heat demand of the proposal, it is considered unreasonable to require compliance with the BREEAM 'Very Good' standard.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The proposed development, if permitted, will enable the highways authorities to maintain adequate levels of de-icing salt during adverse weather conditions, minimising disruption to the highway network where possible. Although the proposal would not provide any direct benefit to the local area through the provision of jobs, it would provide significant indirect benefit to businesses and residents, not just of Denbighshire, but across North East Wales, by ensuring that during adverse weather such as snow, the highway network is wherever possible safe to use. This has both social and economic benefits.
- 5.2 The applicant has carefully designed the development to minimise any adverse impacts and to enhance the area through the provision of improved habitat for protected species. The applicant has revised the proposal to further minimise the visual impact of the development on views into the site.
- 5.3 On balance, the proposal is considered acceptable and in line with national and local policy, in particular policies RD1, BSC2, PSE7, VOE2, VOE5, VOE6, ASA3, Planning Policy Wales chapters 4 and 13, Technical Advice Note 5 and Technical Advice Note 18.

RECOMMENDATION: GRANT - subject to the following conditions:-

1. The development to which this permission relates shall be begun not later than the expiration of 5 years beginning with the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority a minimum of 14 days prior to commencement.
2. Notwithstanding the provisions of Part 8 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order, with or without modifications) no fixed plant or machinery, buildings, structures and erections, or private roads shall be erected, extended, installed, or replaced within the site without the prior written approval of the Local Planning Authority.
3. The site shall be used only in connection with the storage of de-icing material for highways maintenance purposes and for no other purpose (including any other purpose in Class 8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

4. No salt, or any other material used during the operation of this facility, shall be stored in the open air.
5. No construction activities shall take place on the site outside the following times: 07:00 to 19:00 Monday to Friday and 07:00 to 13:00 Saturday, nor at any time on Sundays or Public Holidays.
6. Construction work which is audible beyond the site boundary shall only be carried out between 08:00 and 18:00 Monday to Friday and between 08:00 and 13:00 Saturday and not at all on Sundays or public holidays.
7. During the operational phase of the site the permitted hours of operation for the movement of salt are permitted to be: 08:00 to 18:00 Monday to Friday and 08:00 to 16:00 Saturdays, and Public holidays except Christmas Day and Boxing Day, and no working on Sundays other than on Christmas Day and Boxing Day, except in emergency, or with the prior written agreement of the Local Planning Authority.
8. Vehicles using the site outside the operational hours approved under condition 7 shall use white noise or visual warning for night time loading operations instead of reversing beepers.
9. There shall be no burning on site.
10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.
11. Details of the location, height, design, sensors, and luminance of all external lighting (which shall be designed to minimise the potential nuisance of light spillage on adjoining properties and highways), shall be submitted to and approved in writing by the Local Planning Authority prior to the proposed development being brought into use. The lighting shall be implemented as approved under this condition, unless otherwise agreed in writing by the Local Planning Authority.
12. Any floodlights shall only be illuminated when essential for the safe and effective operation of the facility and shall not cause nuisance or disturbance to neighbouring properties.
13. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be agreed with the Local Planning Authority, and which shall be completed prior to the proposed development being brought into use.
14. Full details of the access and associated highway works as indicated on the approved plan shall be submitted to and approved in writing by the Local Planning Authority prior to any works on site. The details to be approved shall include the detailed design, construction, drainage and the works shall be fully constructed in accordance with the approved details before the development is brought into use.
15. The development hereby permitted shall not be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the Local Planning Authority.
16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
17. Prior to the commencement of development proposals for great crested newt mitigation including Reasonable Avoidance Measures shall be submitted to, and approved in writing by, the local planning authority.
18. The measures proposed in the Extended Phase One Survey and Planning Application Assessment shall be followed and implemented as approved unless otherwise agreed in writing by the local planning authority. For the avoidance of doubt the measures shall include:
 - o Retention of grassland areas where possible and management of these areas under a conservation mowing regime as outlined in the report (section 5.3.1)
 - o Retention and protection of mature trees (5.3.2)

- o Creation of a pond post-development (5.3.3)
 - o Protection and management of wet ditch (5.3.5)
 - o Management and enhancement of existing hedgerows and creation of new ones (5.3.6)
 - o Retention of scrub where possible and encouragement of further scrub development in suitable areas (5.3.7)
 - o Follow detailed Reasonable Avoidance Measures Scheme (detailed in section 6.1) and enhancement measures (6.2) for great crested newt (5.4.1)
 - o Lighting to be minimal and directional in order to reduce disturbance to bat species potentially using the site (building and trees) and incorporation of bat roosting features in new building (5.4.2)
 - o No vegetation clearance to be undertaken during the bird breeding season. If this is not possible checks to be undertaken by a suitably qualified ecologist immediately prior to works and no works to go ahead if nests are found (5.4.4)
 - o Pre-commencement reptile survey to be undertaken at a suitable time of year with results, Reasonable Avoidance Measures and recommendations to be submitted for approval (5.4.6).
19. Details of the perimeter fencing shall be submitted to and approved in writing by the local planning authority prior to the proposed development being brought into use. The fencing shall be implemented as approved unless otherwise approved in writing by the local planning authority.
20. Details of the column mounted cctv camera and other security cameras, as shown on approved drawing number CS55461/W/SK/04, shall be submitted to, and approved in writing by, the local planning authority prior to the proposed development being brought into use. The column mounted cctv camera and other security cameras shall be implemented as approved unless otherwise agreed in writing by the local planning authority.
21. Prior to the construction of the salt store building, as shown on approved drawing number CS55461/W/SK/04, details of the external materials, including colour specifications, for the building shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved unless otherwise agreed in writing by the local planning authority.
22. Prior to the temporary welfare facility, as shown on approved drawing number CS55461/W/SK/04, being brought onto the site, details of the temporary welfare facility, including the size, colour and length of time the facility shall be retained on site, shall be submitted to approved in writing by the Local Planning Authority. The welfare facility shall be implemented and temporarily retained as approved unless otherwise agreed in writing by the Local Planning Authority.

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

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. There is an exceptional need to secure control over additional plant and machinery, in the interests of the amenity of the area and bearing in mind the degree of discretion otherwise allowed by the GPDO, in accordance with policies RD1 and VOE2 of the LDP.
3. In order to protect the visual and residential amenity of the area and to regulate the use of land, in accordance with policy RD1 of the LDP.
4. In the interests of residential and visual amenity, in accordance with policy RD1 of the LDP.
5. In the interests of residential amenity, in accordance with policy RD1 of the LDP.
6. In the interests of residential amenity, in accordance with policy RD1 of the LDP.
7. In the interests of residential amenity, in accordance with policy RD1 of the LDP.
8. In the interests of the residential amenity of the area, in accordance with policy RD1 of the LDP.
9. In the interests of the amenity of the area and to prevent pollution, in accordance with policy RD1 of the LDP.
10. To ensure minimum disturbance from operations and avoidance of nuisance to the local community, in accordance with policy RD1 of the LDP.

11. To minimise the nuisance and disturbances to neighbours (and the surrounding area and in the interests of highway safety) and to minimise the impact of the development on protected species, in accordance with policy RD1,VOE2, and VOE5 the LDP.
12. To minimise the nuisance and disturbances to neighbours (and the surrounding area and in the interests of highway safety), in accordance with policy RD1 of the LDP.
13. To provide for the loading, unloading, parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety, in accordance with policies RD1 and ASA3 of the LDP.
14. In the interests of the free and safe movement of all users of the highway and to ensure the formation of a safe and satisfactory access, in accordance with policy RD1 of the LDP.
15. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, in accordance with policies RD1 and VOE6 of the LDP.
16. The site and the immediately adjacent land have been subject to potentially contaminative previous uses; and no investigation can fully quantify potential contamination on a site. The condition is considered necessary to ensure the proposed development is in accordance with the requirements of Planning Policy Wales, chapter 13.
17. In order to ensure that the appropriate mitigation measures are put in place for great crested newts, in accordance with the requirements of policies RD1 and VOE5 of the LDP.
18. In order to protect other habitats and species in line with policies RD1 and VOE5 of the LDP.
19. For the avoidance of doubt and in the interests of the visual amenity of the locality, in line with policy RD1 of the LDP.
20. For the avoidance of doubt and in the interests of the visual amenity of the locality, in line with policy RD1 of the LDP.
21. For the avoidance of doubt and in the interests of landscape and visual amenity, in line with policies RD1 and VOE2 of the LDP.
22. For the avoidance of doubt and in the interests of the visual amenity of the locality, in line with policy RD1 of the LDP.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.
Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).
Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980.
Environment Management

You are advised to follow the guidance contained in the Environment Agency pollution prevention technical guidance notes for the use of de-icing products, PPG 21 and PPG18. These are available on the Environment Agency website.

Any contaminated discharges will need to be made to a sealed system.

The salt store should have an impermeable cover and floor.

During the construction, should you require further advice regarding pollution prevention, you are advised to contact Natural Resources Wales Environment Officer, Paul Moore, on 01244 894587.

