



CYNGOR
Sir Ddinbych
Denbighshire
 COUNTY COUNCIL

Graham Boase
 Head of Planning & Public Protection
 Denbighshire County Council
 Caledfryn
 Smithfield Road
 Denbigh
 Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

40/2013/0830
 Indesit Site
 Bodelwyddan



Application Site

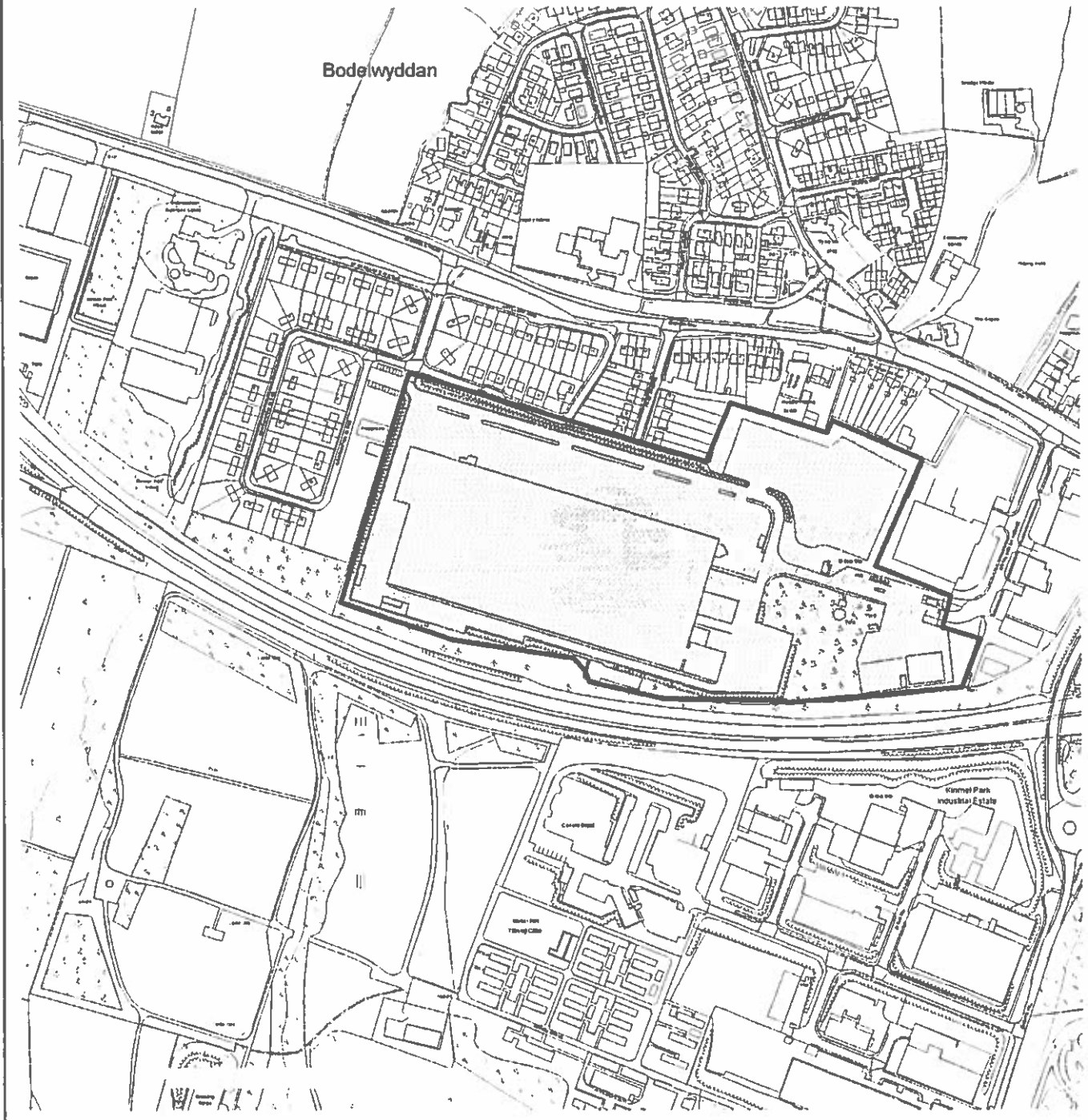


Date 29/8/2013

Scale 1/5000

Centre = 299370 E 375528 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.

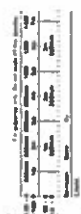


This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office
 © Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings Denbighshire County Council. 100023408. 2011

Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrthdy
 © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torn hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych 100023408 2011

PROPOSED MASTERPLAN

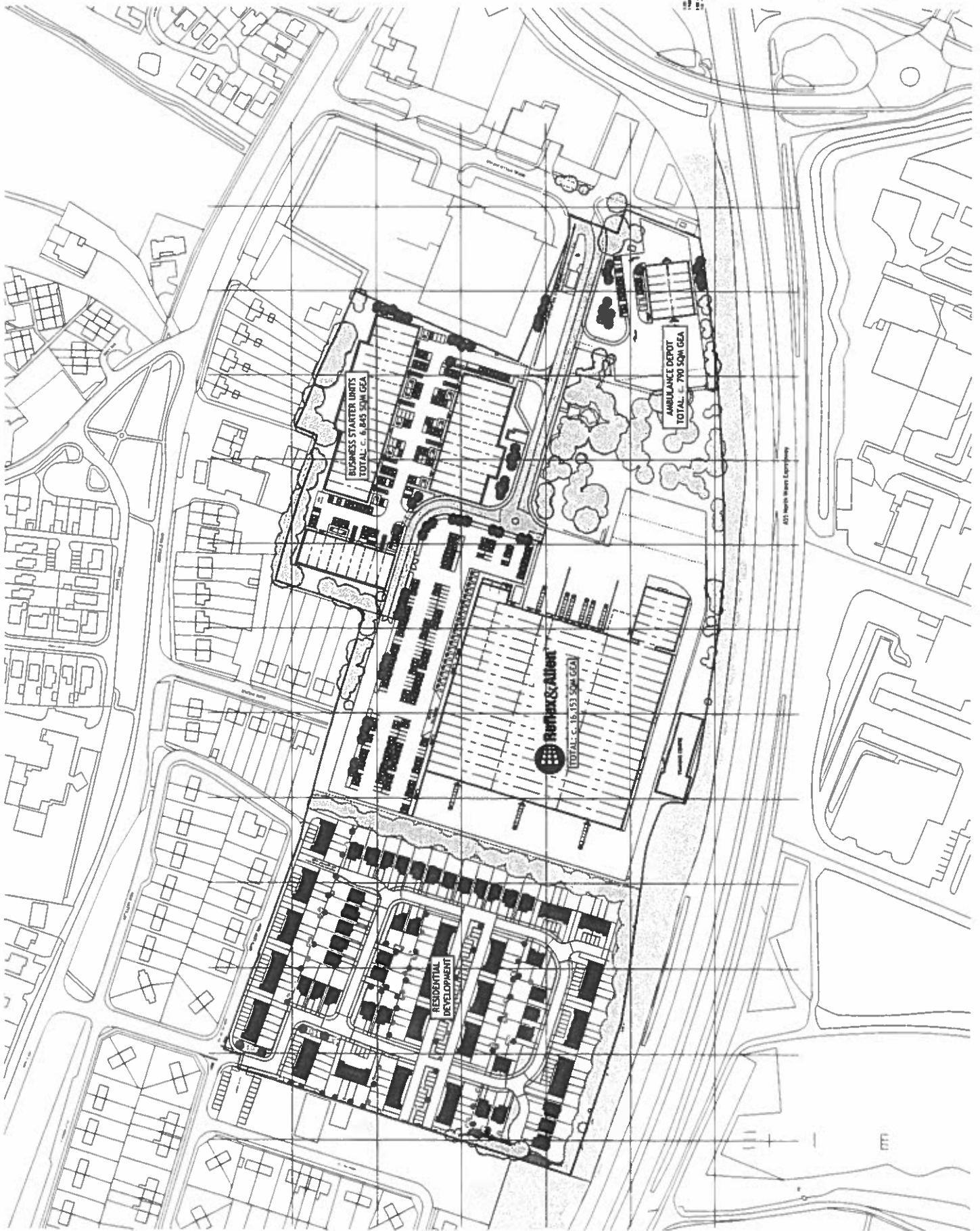
This plan is a preliminary plan and is not intended to be used for construction purposes. It is intended to be used for planning purposes only. The plan is subject to change without notice. The plan is not a guarantee of any kind. The plan is not a contract. The plan is not a warranty. The plan is not a representation. The plan is not a statement of fact. The plan is not a statement of opinion. The plan is not a statement of intent. The plan is not a statement of value. The plan is not a statement of cost. The plan is not a statement of time. The plan is not a statement of location. The plan is not a statement of direction. The plan is not a statement of distance. The plan is not a statement of area. The plan is not a statement of volume. The plan is not a statement of weight. The plan is not a statement of mass. The plan is not a statement of energy. The plan is not a statement of power. The plan is not a statement of force. The plan is not a statement of pressure. The plan is not a statement of temperature. The plan is not a statement of humidity. The plan is not a statement of wind speed. The plan is not a statement of wind direction. The plan is not a statement of precipitation. The plan is not a statement of snowfall. The plan is not a statement of ice. The plan is not a statement of fog. The plan is not a statement of clouds. The plan is not a statement of rain. The plan is not a statement of sun. The plan is not a statement of moon. The plan is not a statement of stars. The plan is not a statement of planets. The plan is not a statement of galaxies. The plan is not a statement of the universe. The plan is not a statement of anything.



HADLEIGH
 CONSULTING ENGINEERS
 10000 14th Street, Suite 100
 Dallas, Texas 75244
 PHONE: 972.440.1111
 FAX: 972.440.1112
 WWW.HADLEIGH.COM

PREPARED BY:
PROPOSED MASTERPLAN

DATE	DESCRIPTION
1-10-20	MAY 13 DFC
031202	P-05



400 North Street Expressway

SITE AS EXISTING

THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE SERVICES PROVIDED AND DOES NOT EXTEND TO ANY OTHER MATTER. THE ARCHITECT'S LIABILITY IS LIMITED TO THE SERVICES PROVIDED AND DOES NOT EXTEND TO ANY OTHER MATTER. THE ARCHITECT'S LIABILITY IS LIMITED TO THE SERVICES PROVIDED AND DOES NOT EXTEND TO ANY OTHER MATTER.



HADBLEIGH
 ARCHITECTS
 FORMER HOTPOINT WORKS
 RONNELL BODLEY/PTODAN

EXISTING SITE LAYOUT PLAN

DATE	11/08/00	BY	MAF 13	CHK	JAC
PROJECT	PLANNING				
NO.	031202	REV.	P-02		



FORMER HOTPOINT WORKS
WAREHOUSE/ANCILLARY: c. 32,926 SQM GEA
OFFICE (2 STOREY): c. 1,208 SQM GEA
 LAB SPACES

OPEN SIDED STORAGE

FORMER CANTEN BUILDING c. 657 SQM GEA

FORMER TRAINING CENTRE c. 790 SQM GEA

OPEN STORAGE/TRAILER PARK

FORMER VEHICLE WASH & FUEL ISLAND

FORMER GATEHOUSE

MAIN BUILDING - PROPOSED ELEVATIONS

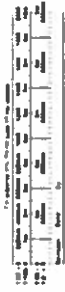
1. This drawing is a component of a larger project and shall not be used in isolation without the approval of the architect.

2. The architect is not responsible for the accuracy of the information provided by the client or for the accuracy of the information provided by other consultants.

3. The architect is not responsible for the accuracy of the information provided by the client or for the accuracy of the information provided by other consultants.

4. The architect is not responsible for the accuracy of the information provided by the client or for the accuracy of the information provided by other consultants.

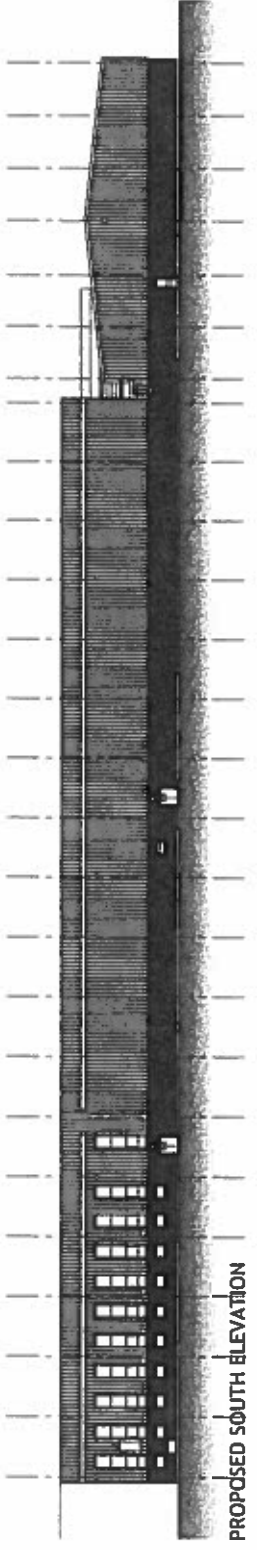
5. The architect is not responsible for the accuracy of the information provided by the client or for the accuracy of the information provided by other consultants.



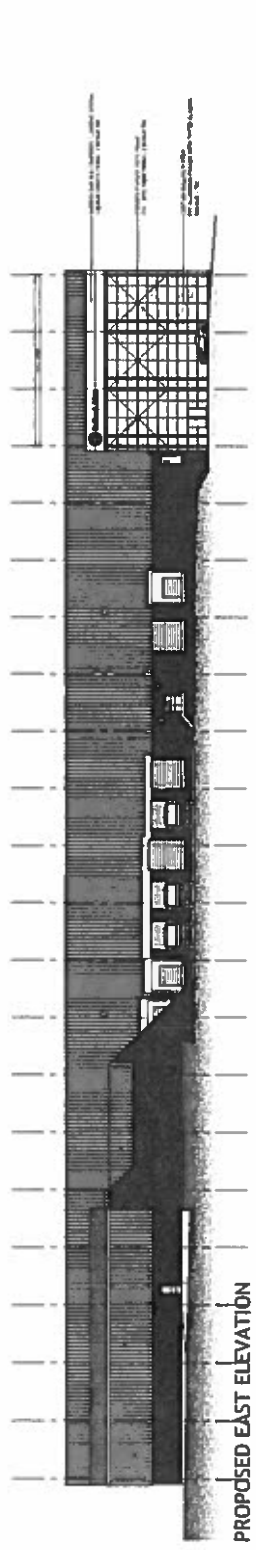
H
HADLEIGH
PLANNING
KENNEL, BOCELYWYDDAN

PROPOSED RGA BUILDING ELEVATIONS & SECTION

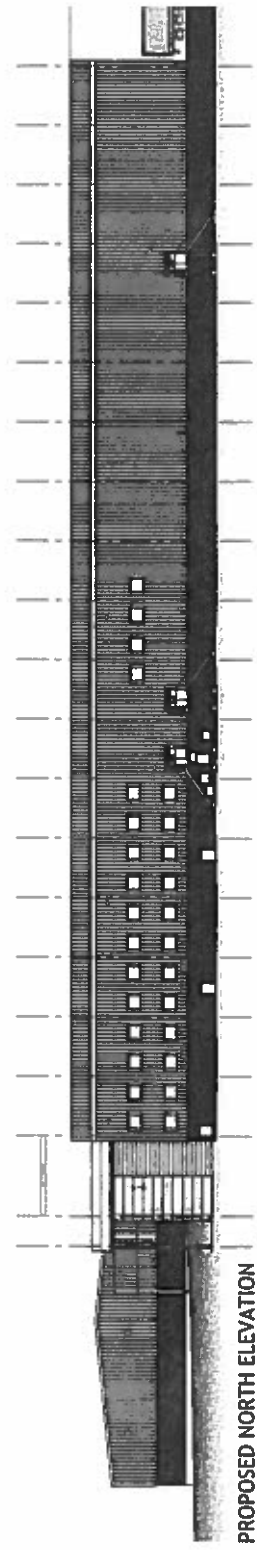
Project No.	011201
Date	MAY 13
Client	DFC JAC
Scale	1:250
Drawn by	PLANNING
Checked by	P-13
Project	C



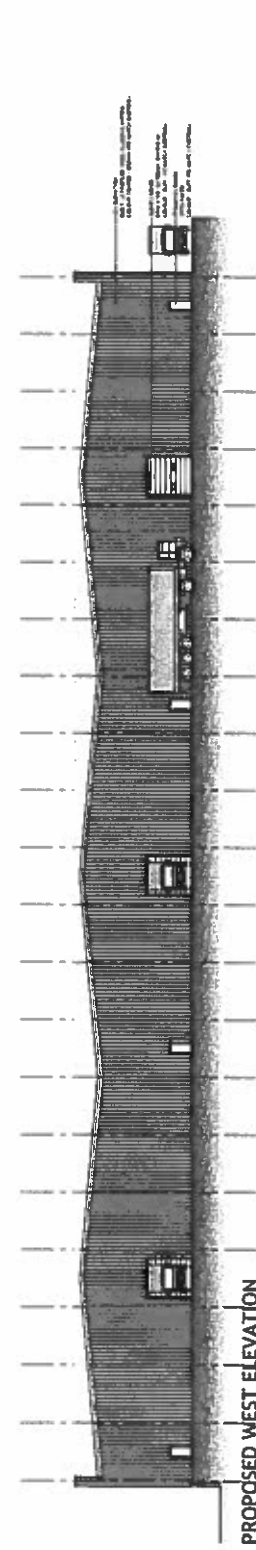
PROPOSED SOUTH ELEVATION



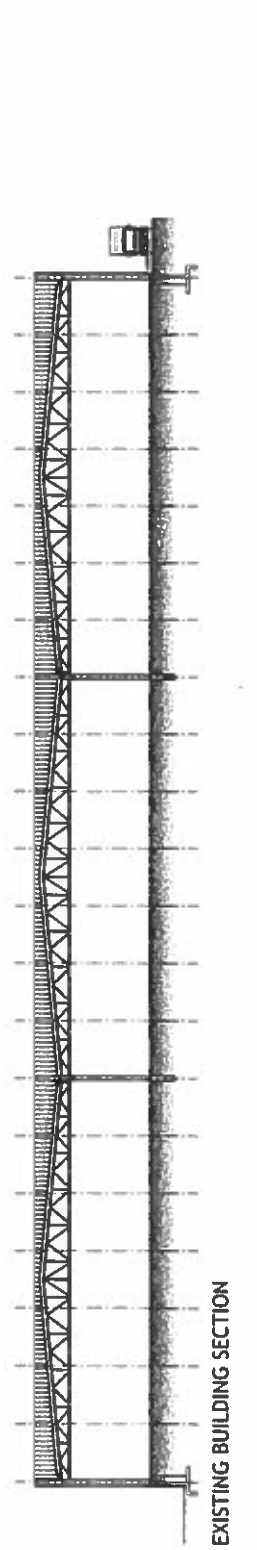
PROPOSED EAST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED WEST ELEVATION



EXISTING BUILDING SECTION

MAIN BUILDING - EXISTING ELEVATIONS

THE DRAWING IS A REPRESENTATION OF THE PROPOSED WORK AND IS NOT A CONTRACT DOCUMENT. IT IS SUBJECT TO THE CONDITIONS OF CONTRACT AND THE DESIGNER'S LIABILITY IS LIMITED TO THE DESIGN OF THE WORK. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE DESIGNER. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF PROFITS, BUSINESS OR REPUTATION, OR FOR ANY SPECIAL, CONSEQUENTIAL OR PUNITIVE DAMAGES, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THE DESIGNER'S LIABILITY IS LIMITED TO THE DESIGN OF THE WORK AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

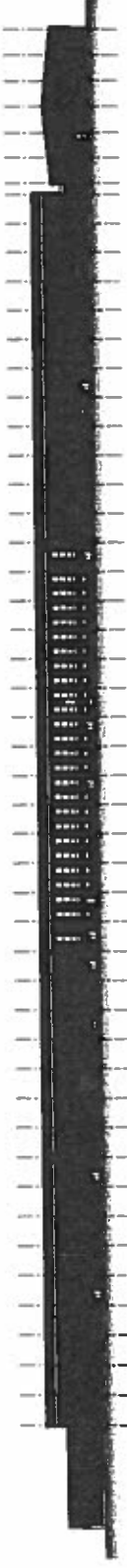
SCHEDULE OF EXISTING MATERIALS

- ROOF
BUILT UP PROFILED STEEL CLADDING SYSTEM
COLOUR COATED - GRAY
- WALLS (UPPER)
BUILT UP PROFILED STEEL CLADDING SYSTEM
COLOUR COATED - BROWN
- WALLS (LOWER)
FACING BRICKWORK
COLOUR - BROWN/BUFF
- FLASHINGS
PRESSECOB METAL
COLOUR - BROWN
- WINDOWS
PVC ALUMINIUM FRAMED WITH CLEAR GLAZING
COLOUR - BROWN
- SERVICE DOORS
METAL ROLLER SHUTTER
COLOUR - BUFF
- PERSONNEL DOORS
STEEL FACED
COLOUR - BUFF
- FEATURE ENTRANCE
PVC ALUMINIUM CURTAIN WALLING WITH CLEAR GLAZING
COLOUR - GREEN

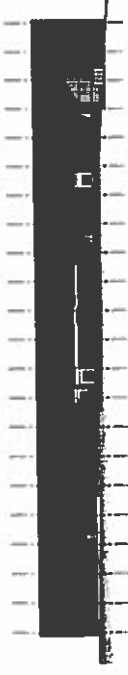
DATE	DESCRIPTION
03/2022	P-11

H
HARRIS
POWER WINDOW
KIMMEL, BOGEL WITCOAK

POWER WINDOW BUILDING ELEVATIONS			
DATE	BY	CHK	APP
1-30/2022	MAY 13	DTC	JAC
PRELIMINARY			
DATE	BY	CHK	APP
03/2022	P-11		C



EXISTING SOUTH ELEVATION



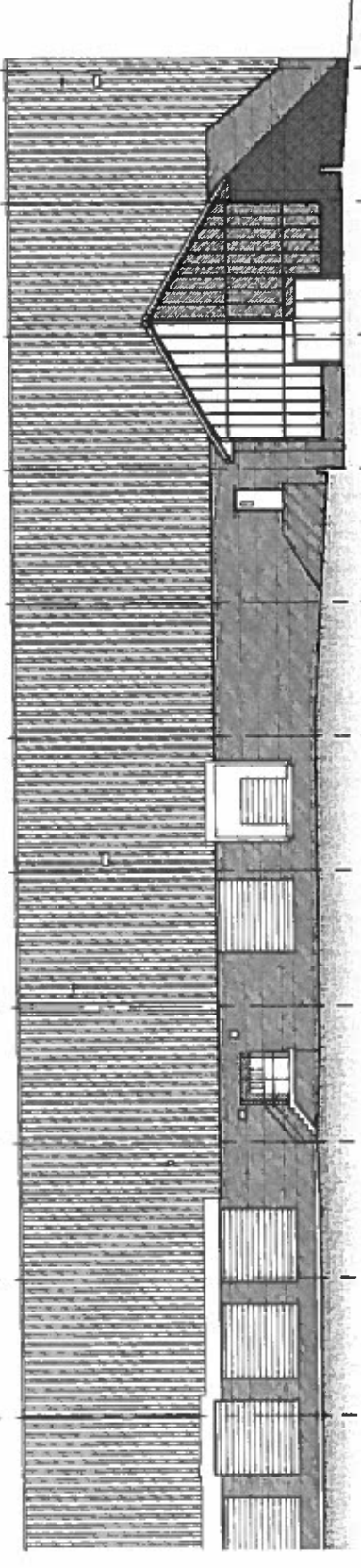
EXISTING EAST ELEVATION



EXISTING NORTH ELEVATION



EXISTING WEST ELEVATION

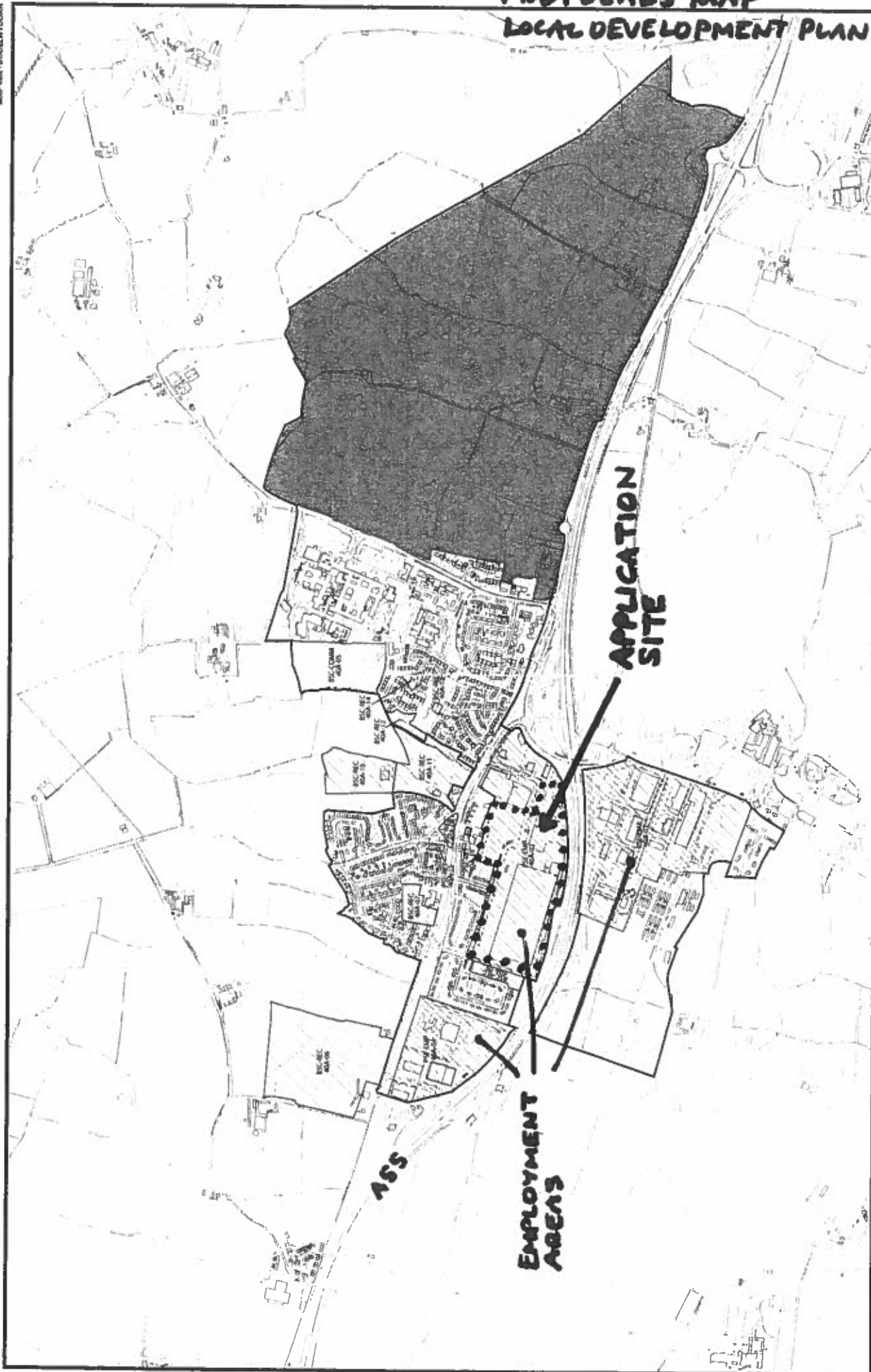


EXISTING EAST ELEVATION (DETAILED)

BODELWYDDAN PROPOSALS MAP

LOCAL DEVELOPMENT PLAN

Michael Lyngdon, CDD, Ashwood
Professional Maps, Design & LDP
MAP 68A - BODELWYDDAN



1:10,000
1:50,000
1:100,000
1:200,000
1:500,000
1:1,000,000
1:2,000,000
1:5,000,000
1:10,000,000
1:20,000,000
1:50,000,000
1:100,000,000
1:200,000,000
1:500,000,000
1:1,000,000,000



Graphic Scale 1:10,000
0 50 100 150 200
Metres

ITEM NO: 9

WARD NO: Bodelwyddan

WARD MEMBER(S): Alice Jones

APPLICATION NO: 40/2013/0830/ PO

PROPOSAL: Development of 11.2 hectares of land for mixed-use development, comprising: □ PLOT 1 (4.7 ha) – industrial use (Use Class B1/B2/B8) - part-demolition of industrial unit (18,844 m²); part-refurbishment of industrial unit (15,156 m²); part-extension of industrial unit (340 m²); 219 parking spaces; change of use of canteen building for training centre (657 m²) – seeking approval of access, appearance, layout, and scale □ PLOT 2 (3.6 ha) – residential development (Use Class C3), 126 no. units – all matters reserved except for access □ PLOT 3 (1.6 ha) – industrial use (Use Class B1/B2/B8) (6,845 m²); 124 parking spaces – all matters reserved except for access □ PLOT 4 (0.7 ha) – vehicle depot (Use Class Sui Generis) (790 m²); 22 parking spaces – all matters reserved except for access

LOCATION: Former Indesit Site Royal Welch Avenue Bodelwyddan Rhyll

APPLICANT: Hadleigh Industrial Estates

CONSTRAINTS: Within 67m Of Trunk Road

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

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

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

BODELWYDDAN TOWN COUNCIL

“The Town Council object to this application on the following grounds:

Traffic Management

The number of houses to be accessing onto Artillery Row will create considerable congestion problems for the new properties and existing properties due to the increase of cars now to be using this road.

The width of the road will be considerably narrowed when cars park on both sides of the road. The existing houses have no dedicated driveways. There is concern that emergency vehicles will not be able to pass down this road.

Also there is concern about the junction Coronation Close and Artillery Row and the new estate as a considerable amount of traffic will be passing through.

Also the Town Council is concerned over the provision of additional places at the local primary school and subsequent secondary schools.

The Town Council would like to meet formally with the developers over the highway issues"

WELSH GOVERNMENT TRANSPORT

Initial response – Direct the application remains pending until additional information has been presented on traffic impact (on A55, junction 25), accident records at that junction, clarification of the TRICS database used to predict traffic generated by proposed commercial warehouse, and clarification of whether already committed developments/allocated sites have been included in assessment of traffic impacts.

Additional information has been submitted by the applicant in response to this and the further response of Welsh Government is awaited.

NATURAL RESOURCES WALES

Confirm the site has little or no risk of flooding from rivers and the sea, but given the scale of the development, a Flood Consequences Assessment should be produced to estimate the likely run off and need for attenuation to ensure no adverse impact off site and to examine the potential for flood risks from local watercourses. SuDS drainage principles should be followed. Conditions need to be attached to ensure potential land contamination issues are addressed. No concerns are expressed over landscape or ecological impacts.

DWR CYMRU / WELSH WATER

Awaiting response

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Policy, Information and Research

Supports the employment uses however object to the residential development, the proposal conflicts with Local Development Plan Policy PSE 2 and Policy PSE 3, tests i) and iii).

Valuation and Estates Manager

Has reviewed the financial appraisals and agrees that delivery of the scheme proposed is reliant on enabling development.

Head of Highways and Infrastructure

- Highways Officer

A right turn waiting lane will be required at the Abergele Road / Royal Welsh Avenue junction, with associated works. Requests this be covered by condition, including a safety audit.

Housing Strategy & Development Officer

Recommends that provision for affordable housing should be 10%, i.e. 12 units based on illustrative plans.

Pollution Control Officer

No objection subject to the inclusion of a condition requiring noise survey work and mitigation proposals for impacts from the A55.

Economic & Business Development Manager

Supports the safeguarding of jobs and the potential for an advanced / manufacturing hub development, but has concerns about the loss of employment land. Supports the application if there is evidence of sufficient market testing for other tenants and there are no other uses or users.

Ecologist

No objections subject to implementation of recommendations in the ecology report, re: awareness of possibility of bats and birds on site during construction. Recommends provision of bat friendly measures.

Senior Drainage Engineer

Further investigations are required to determine the route and use of existing culverts and their end destination, and the drainage plan needs to be amended to correct reference to systems discharging to local authority sewers (they belong to Dwr Cymru). Surface water systems should be designed in accordance with SuDS principles.

RESPONSE TO PUBLICITY:

Representations received from:

H. Martin-Taylor, Operations Manager, Diamond Recruitment Services

Summary of planning based representations

Not opposed to redevelopment, but draws attention to the need to assess potential contamination from historic uses on the proposed residential site.

EXPIRY DATE OF APPLICATION: 22/08/2013

REASONS FOR DELAY IN DECISION

Awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application proposes a major mixed use development on the Kinmel Park Industrial Estate in Bodelwyddan.

1.1.2 The site extends to 11.2 hectares and includes the entire extent of the old Indesit plant, which closed in 2009.

1.1.3 The proposals are submitted in outline form, but the application is a complex 'hybrid' in that it involves operational development, demolition and changes of use and seeks approval of different reserved matters in relation to the four main elements which comprise it.

1.1.4 As detailed in the application documents, the key elements of the proposal are:

Plot 1 – 4.7 hectares

- Proposed industrial use – Use Classes B1, B2 and B8, involving part demolition of the existing building (18,844 sq. m).
- Part refurbishment of the existing building (15,156 sq. m).
- Part extension of the existing building (340 sq. m).
- Provision of 219 parking spaces
- Change of use of former canteen building as training centre (657 sq. m)
- Approval of access, appearance, layout and scale

Plot 2 – 3.6 hectares

- Proposed residential development (Use Class C3)
- Erection of 126 units
- Approval of access (all other matters reserved for further approval)

Plot 3 – 1.6 hectares

- Proposed industrial use – Use Classes B1, B2 and B8
- Erection of Business Starter Units (6845 sq. m)
- Provision of 124 parking spaces.
- Approval of access (all other matters reserved for further approval)

Plot 4 – 0.7 hectares

- Erection of vehicle depot (Ambulance Depot) – Sui generis use (790 sq.

m)

- Provision of 22 parking spaces
- All matters reserved for further approval

- 1.1.5 Members are referred to the site Master plan included at the front of the report, which illustrates the different elements of the scheme.
- 1.1.6 Vehicular access to what are referred to as Plots 1, 3 and 4 is proposed off Royal Welch Avenue. The proposed residential development would be served by a new access onto the road serving the existing housing development at Coronation Close and Artillery Row.
- 1.1.7 The application is submitted by Cassidy & Ashton as agents on behalf of Hadleigh Industrial Estates (the applicants).
- 1.1.8 The application contains a volume of supporting information, including:
- Planning Statement
 - Design & Access Statement
 - Environmental Sustainability Statement
 - Water Conservation Statements
 - Community Linguistic Impact Statement
 - Statement of Community Involvement
 - Transport Assessment
 - Bat and Bird Survey
 - Phase 1 Marketing Assessment
 - Marketing Statement
 - Commercial Viability Statement
- 1.1.9 The Planning Statement provided by the applicant provides a basic summary of the background to the proposals as set out below:
- The proposals are the result of nearly 3 years work by the applicants since taking on the site
 - Extensive marketing and rebranding has been pursued and all interest by potential tenants has been investigated.
 - Efforts have been made with Welsh Government to attract potential occupiers to the site, and options considered for utilising the buildings.
 - Development of the Masterplan was ignited by interest expressed by an existing operator locally (Reflex and Allen) who are looking to relocate to larger premises, and NHS Wales who have interest in establishing an ambulance depot.
 - There would be considerable benefits to the community of Bodelwyddan, including regeneration, job retention and creation, inward investment, a new 'niche' industrial base and skill set, a new community facility, a mixed use scheme including residential development supporting economic and social regeneration. The Statement and application forms refer to the potential for in excess of 300 jobs in connection with the development.
 - In relation to the proposal for residential development on part of what is allocated employment land, the Planning Statement highlights the significance of the Commercial viability of the project as a whole, and that elements of the scheme can not be considered in isolation, its success hinging on all elements coming forward. The submission suggests the Council should look positively on a 'windfall' opportunity for housing development on brownfield land within development boundaries.

The conclusion of the Planning Statement re-emphasises the benefits to the community of Bodelwyddan from the mixed use development

proposal, and it is suggested the development satisfies all relevant planning criteria.

- 1.1.10 The Commercial Market Viability Assessment is an important document in the context of the application. It is prepared by Legat Owen and provides detailed commentary on the viability issue, marketing of the site and land supply issues. The document was prepared at the time Reflex and Allen were the identified end users. In relation to:

Marketing: It is stated that the property has been promoted in conjunction with Denbighshire County Council and Welsh Government, lies in a Tier 1 Grant Assisted Area, is of modern standard for a manufacturing user, but has not attracted a purchaser / tenant since it was vacated in 2009. It is on a short term licence to a Flintshire company following a serious fire at their base, but that company are seeking relocation in Flintshire or Cheshire. The property is considered unsuitable for the market for a number of factors including its scale, geographical location, limited potential for being 'broken up' because of orientation and the site topography. There are serious ongoing liabilities for the owners in terms of holding costs, e.g. rates, and demolition is a prospect to stem that liability.

Outline of proposals The Assessment details the elements of the proposals, which have been geared to a relocation of Reflex and Allen in a remodelled main unit, an ambulance depot and training centre, along with starter units.

Residential development The Assessment states that the development is financially unviable unless capital can be released through the sale of surplus land at the western end, to re-invest in the overall project. The scheme therefore envisages the release of 3.6 hectares for residential development, with a figure of 126 family dwellings referred to.

Loss of employment land It is acknowledged that there is concern over loss of employment land, contrary to the LDP, but it is suggested from review of employment land in the locality that there is a healthy supply for manufacturing, distribution and office development (St.Asaph Business Park, Bodelwyddan Key Strategic Site, and in Conwy) which would allow for the release for the residential development without a material impact on the employment land supply position. The concluding paragraphs refer to the potential for job creation and retention.

1.2 Description of site and surroundings

- 1.2.1 The site is occupied by the 34,000 square metre former Indesit manufacturing/distribution building, with its associated parking areas, vehicle wash and gatehouse. The main vehicular access is via Royal Welch Avenue, which also serves a number of existing commercial uses, and joins the main road network with a junction onto Abergele Road.
- 1.2.2 The site is bounded by the A55 trunk road on its southern side, existing housing development at Coronation Close on the west side, Artillery Row and Park Avenue to the north, and other commercial units on Royal Welch Avenue on the north east and east side.
- 1.2.3 Junction 25 of the A55 is some 250m from the entrance off Abergele Road onto Royal Welch Avenue.
- 1.2.4 As noted previously, it is understood the property is currently on a short term licence to the company Mainetti as a temporary measure following a fire at their Greenfield base.

1.3 Relevant planning constraints/considerations

1.3.1 The Kinmel Park Industrial Estate is located within the development boundary of Bodelwyddan in the recently adopted Local Development Plan, and is identified as an employment area to which Policy PSE 2 applies. Policy PSE 2 supports the development of B1, B2 and B8 uses on employment land, being business use, general industrial use, and warehousing and distribution use.

1.4 Relevant planning history

1.4.1 There is no history of direct relevance to the current proposal.

1.5 Developments/changes since the original submission

1.5.1 Members will be aware that the original submission and press coverage has referred to Reflex and Allen as an end user of the reconfigured Indesit building. As it has since become public knowledge that this situation has potentially changed, the agents have provided an addendum document to clarify their position. This confirms that negotiations are continuing (including with Welsh Government) and that every effort is being made to achieve a successful outcome, but this can not be guaranteed.

1.5.2 The agents statement advises that the application is not 'end user specific' and obtaining planning permission is critical to further marketability. It refers to key conclusions on the Commercial Viability Market Assessment to highlight this. It also emphasises the economic benefit of the scheme, the conclusion that residential development is the only viable option for the 'enabling' element in Plot 2 of the scheme, that 10% affordable housing would be provided, along with contributions for open space and that noise survey work and mitigation proposals for impacts from the A55 can be the subject of planning conditions.

1.6 Other relevant background information

1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD 1 Sustainable Development and Good Standard Design
Policy RD 5 The Welsh Language and the social and cultural fabric of communities
Policy BSC 1 Growth Strategy for Denbighshire
Policy BSC 3 Securing Infrastructure contributions from development
Policy BSC 4 Affordable Housing
Policy BSC 5 Key Strategic Site – Bodelwyddan
Policy BSC 11 Recreation and Open Space
Policy BSC 12 Community Facilities
Policy PSE 1 North Wales Coast Strategic Regeneration Area
Policy PSE 2 Land for Employment uses
Policy PSE 3 Protection of employment land and buildings
Policy VOE 6 Water Management
Policy ASA 3 Parking Standards

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance 2 Landscaping
Supplementary Planning Guidance 4 Recreational Open Space
Supplementary Planning Guidance 7 Residential Space Standards

3.3 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Notes

TAN 2 Affordable Housing

TAN 12 Design

TAN 18 Transport

TAN 22 Planning for Sustainable buildings

Draft TAN 23 Economic Development

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Employment Development
- 4.1.3 Loss of employment land/need for housing land
- 4.1.4 Residential amenity
- 4.1.5 Visual Amenity
- 4.1.6 Highways
- 4.1.7 Affordable Housing
- 4.1.8 Density of development
- 4.1.9 Open Space
- 4.1.10 Design and Access/Sustainability Considerations
- 4.1.11 Biodiversity
- 4.1.12 Noise
- 4.1.13 Drainage
- 4.1.14 Impact on Welsh Language and Social and Cultural Fabric of communities
- 4.1.15 Contaminated land
- 4.1.16 Other Matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application involves a significant mixed use development on an allocated employment area within the development boundary of Bodelwyddan as identified in the adopted Local Development Plan. It obliges consideration of a range of planning policies and guidance which apply to the principles of development on employment land and the provision of housing, as well as the policies relating to the assessment of localised impact of such development. The weighing up of the merits of the proposals involves due consideration of the socio-economic and commercial viability arguments, in the context of the scheme being a comprehensive redevelopment of previously developed land.

The main policies in the Local Development Plan which are relevant to the principle of the development are:

Policy BSC 1, which sets out the basic housing growth strategy for the County and refers to a new housing allocation of 1715 dwellings in the plan period for the Bodelwyddan Key Strategic Site, which will be the subject of a Development Brief and Masterplan.

Policy BSC 5, which sets out the detailed elements of the development of the Key Strategic Site, including the provision of the 1715 dwellings and affordable housing, associated facilities and 26 hectares of B1, B2 and B8 serviced employment land and units.

Policy PSE 1, which relates to the North Wales Coast Strategic Regeneration Area and provides general support for the retention and promotion of a mix of employment generating uses and new family accommodation.

Policy PSE 2, which relates to employment sites on the LDP's proposals maps and supports employment development in use classes B1, B2 and B8.

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

The range of LDP policies referred to above are in general conformity with the approach to development in Planning Policy Wales, supporting sustainable economic development. Planning Policy Wales also contains a preference for the re-use of land which meets with the definition of 'previously developed land', in preference to greenfield sites.

Taking all the 'in principle' policies into account, it would be Officers' view that the proposal to remodel an existing factory building and to develop the starter units for uses within B1, B2 and B8; the use of the canteen building as a training centre; and the development of the ambulance depot would be consistent with the general intentions of the Local Development Plan policies and Planning Policy Wales' preference for re-use of previously developed land. The proposal to develop 3.6 hectares of the site for residential purposes does however pose potential conflicts with policy as this involves the loss of part of an identified employment area, which needs to be weighed in the consideration of the merits of the application. The main issues are discussed in the following sections of the report.

4.2.2 Employment Development

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). This is a more detailed policy complimenting the 'in principle' support for retention and promotion of a mix of employment generating uses in Policy PSE 1 relating to the North Wales Coast Strategic Regeneration Area.

3 of the 4 elements of the application involve end uses in Classes B1, B2 and B8, a training centre and an ambulance depot. The fourth element is the

proposed residential development of 3.6hectares. The submission refers to the principal development being for employment uses and it presents arguments for accepting the residential element (viability, failed attempts to market for employment uses etc).

Consultee responses from the Economic and Business Development Manager and Policy Officer are fully supportive of the employment uses proposed on the site, but express concerns in relation to the loss of employment land. This is discussed in further detail in section 4.2.3 following.

Officers opinion is that in terms of principle, the elements of the scheme involving the B1,B2 and B8 uses are clearly compatible with Policy PSE 2 of the LDP, which allows for such development in allocated employment areas. The ambulance depot and training centre uses would appear reasonable uses within an employment area.

4.2.3 Loss of employment land/need for housing land

Policy PSE 3 of the Local Development Plan looks to protect employment land or buildings from development which would result in their loss.

Factually, the application site extends to 11.2 hectares and is an employment area annotated on the LDP proposals map. 3.6hectares of the site is proposed for residential development. The submission argues that the residential development is justified as there are no other suitable sites available for the mixed use proposal, which has to be considered as a whole in the light of the commercial viability association of the constituent elements. The site has been marketed in excess of 4 years without success in securing a tenant or purchaser and the proposed development provides a forum for the local area to meet a range of employment needs. The viability assessment makes it clear that the scheme is not viable without the release of capital from the sale of 'surplus land', i.e. the residential development.

The consultee response from the Economic and Business Development Manager expresses concerns over the loss of an area of employment land. Whilst there are concerns over the loss of employment land, support would be given if sufficient market testing has been undertaken and it can be evidenced that there really are no other uses/users, and the need for residential development is clearly demonstrated in the financial justification.

The application is accompanied by 2 separate financial appraisals. The first option sets out a scheme where there is no 'enabling' residential development and the site is retained in its entirety for employment use. The second option sets out a scheme where residential development is included. Both financial appraisals and the Commercial Viability information has been assessed by the Council's Valuation and Estates Manager. The conclusion of which is that there is a case for 'enabling' residential development given the site's constraints and the size of the existing unit, in order to deliver the larger scheme.

The response from the Policy Section expresses concerns over the loss of an area of employment land for residential development. Whilst acknowledging the conclusions following assessment of the financial appraisal, concerns remain in relation to the loss of 3.6 hectares of employment land which are set out within the analysis below.

Policy PSE 2 designates the site for employment purposes. The introduction of residential use is therefore considered unacceptable in principle. The Local Development Plan has only recently been adopted, with all allocated sites having been thoroughly reviewed on the basis of need, deliverability and an up to date robust evidence base.

Policy PSE 3 seeks to protect employment land and buildings. Proposals which would result in the loss of employment land or buildings will only be supported provided that all 3 policy tests are met, these are set out as follows:

i. there are no other suitable sites available for this development; and
In relation to this first test of Policy PSE 3 one must attempt to establish what “this development” is for the purposes of assessing whether other suitable sites may be available. If the proposal was solely for residential development on an employment site then, given the recent allocation of sites within the LDP for residential purposes, one could argue that suitable sites are available for this purpose. The proposal would not meet this test.

It could be argued, however, that the “development” for the purposes of this test, is the mixed use of residential and business uses across the 11.2 hectares of land. It is highly unlikely, therefore, that there are suitable sites available for this “development” and one should reasonably move on to the next two tests of the policy.

ii. a continuous marketing process of 1 year, alongside all practical attempts possible to retain the employment use, has demonstrated that the site or premises is no longer capable of providing an acceptable standard of accommodation for employment purposes;

The applicant notes that the site has been marketed for a 4 year period. In the supporting documentation it is outlined that the North Wales market for industrial units shows a demand for much smaller units (up to 25,000 sq ft.). The supporting documentation explains that the costs related to the adaptation required to separate the building would detrimentally impact the viability of scheme. It is unclear if the site was ever marketed with the possibility of re-developing the site into units of a size that the applicant’s submitted evidence argues would be more compatible with the North Wales market. However, on balance, it would be difficult to conclude there is conflict with this criterion as the policy does not prescribe a qualitative assessment of the marketing process, and a number of practical attempts have been made to retain employment use.

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.

The proposal would result in the loss of 3.6 hectares of employment land, and would therefore reduce the ability of the area to meet a range of employment needs. The Commercial Market Viability Assessment notes the availability of land at the Bodelwyddan Key Strategic Site, St Asaph Business Park and Tir Llwyd in Kinmel Bay (Conwy County Borough Council). Whilst it is acknowledged that 26 hectares of serviced employment land will be available in the long term at the Bodelwyddan Key Strategic Site, at present, there is a shortage of supply for immediately available serviced employment land of this scale at a prime location adjacent to the A55. This short term shortage of employment land B1/B2/B8 uses around the A55 is accentuated as St Asaph Business Park is allocated for B1 use only. It is not considered that Tir Llwyd in Kinmel Bay is directly comparable with the application site.

The application site is the only readily available serviced allocated employment land suitable for B1/B2/B8 use on the immediate A55 area of Denbighshire. Furthermore, the need for the site to remain in employment use is reinforced by the recent adoption of the Local Development Plan, with all allocated sites having been thoroughly reviewed on the basis of need, deliverability and an up to date robust evidence base. The LDP Planning

Inspector has concluded that both the application site and the Key Strategic Site employment allocation are required to meet employment need in the County. It is considered that the application site has an important role in meeting employment needs of the County and the loss of a significant amount of the site to residential use would prejudice the ability of the area to meet a range of employment needs.

Officers' conclusion on the loss of 3.6 hectares of allocated employment land is that this is a significant negative consideration in the weighing up of this application. Having regard to the above responses and the contents of the submission, it is clear that there is conflict with Policy PSE 3, in that the loss of 3.6 hectares of employment land would represent an unacceptable reduction in the scale, range and type of such land in the County, setting a clear precedent for future applicants to argue for release of allocated land for housing purposes to subsidise commercial development. Whilst recognising the 'enabling' arguments put forward in the submission, it is Officers opinion that the proposal conflicts with test iii. of Policy PSE 3 in the Local Development Plan.

4.2.4 Residential Amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

Whilst the proposals are in outline form, the application is seeking approval of access, appearance, layout and scale of the remodelled main building and the access relating to the residential development, the starter units and the ambulance depot. These all require due assessment of likely impacts on the occupiers of existing surrounding residential properties, and the acceptability of the location for occupiers of the proposed new dwellings. At the time of drafting this report, no representations had been received in relation to the residential amenity aspects of the proposal.

In relation to the development of the main unit, the proposals involve a significant reduction in the size of the building and the retention of the parking area between the building and Park Avenue properties. It is not considered this element would have any adverse impact on occupiers of nearby dwellings.

The residential development would be located on the east side of Coronation Close and south of Artillery Row, but as there are no approval of details sought other than access for consideration at this stage, it is not appropriate to comment on the acceptability in terms of the residential amenity of occupiers of existing properties; these are matters properly dealt with as reserved matters stage. The proximity of the A55 would oblige suitable noise surveys and mitigation proposals in relation to the new residential development, which could be imposed as a planning condition.

The proposed starter units would be located in the old trailer parking area to the rear of properties on Park Avenue and Abergele Road, but are designed to 'back' onto these properties with parking/servicing areas obscured from most views by the position of the buildings. Some care would need to be given to the detailed design of these units to limit impacts on neighbouring dwellings, but it is suggested such matters can be suitably dealt with at reserved matters stage.

The ambulance depot and training centre would be located some distance from existing residential property and would not give rise to any adverse amenity impacts.

4.2.5 Visual Amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

The outline application contains a proposed master plan showing detailed proposals for the site layout and a clear indication of the location of the key elements, allowing reasonable assessment of the likely visual impact of the scheme. There are no representations raising specific concerns over the visual amenity implications of the proposal.

Officers' opinion on the basis of the submitted plans, having due regard to the historic uses of the site, is that the proposals would not have an unacceptable impact on visual amenity. Due care would need to be taken at detailed plan stage to assess the detailing of the starter unit development (relative to dwellings at Park Avenue and Abergele Road) and to the detailing of the residential development (relative to Artillery Row and Coronation Close).

4.2.6 Highways

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The site masterplan confirms the proposal to 'split' vehicular access into a main entrance to serve the employment units, training centre and ambulance depot off Royal Welch Avenue, and a separate new access to serve the proposed residential development off the Coronation Close/ Artillery Row link road. The highway officer raises no objections subject to inclusion of conditions including improvements at the Royal Welch Avenue/ Abergele Road junction.

In Officers' opinion, with respect to the Town Council's comments, the proposals do not raise any significant additional highway concerns, having due regard to the historic uses of the site, the nature of the local road network and the response of the Highway Officer. Matters specific to the individual elements of the scheme can be dealt with by condition in the event of permission being granted (e.g. junction details, parking provision uses, highway widths, layout).

4.2.7 Affordable Housing

Policy BSC3 of the local development plan sets the basic requirement for

development to contribute where relevant to the provision of infrastructure including affordable housing, in line with Policy BSC4. Policy BSC4 relates specifically to affordable housing, and requires that all developments of three or more residential units provide a minimum of 10% affordable housing either onsite on developments of 10 or more units, or by way of a financial contribution on developments of less than 10 units.

The submission accepts the provision of infrastructure contributions such as affordable housing can be satisfactorily secured by the use of conditions or a subsequent legal obligation. The Housing Strategy and Development Officer recommends that affordable housing provision should be 10%, based on the likely number of units.

In Officers' opinion, if a planning permission was to be granted, the provision of affordable housing could be secured through use of a standard planning condition requiring the further approval of numbers and means of provision.

4.2.8 Density of Development

Local Development Plan Policy RD 1 test (ii) requires due consideration of the efficiency of use of land through achieving a suitable density of residential development, referring to a minimum of 35 dwellings per hectare, unless there are local circumstances that dictate a lower density.

In relation to the housing development, the site master plan shows illustrative plans of a layout for 126 dwellings, which would represent an overall density of 35 dwellings per hectare.

Officers' view is that as the proposed housing layout can only be treated for sketch purposes, there is no consideration necessary on the density issue at this stage. Nonetheless, it would be appropriate to advise the applicant of the need to design open space as part of the development as there is no provision shown on the master plan, and this may influence layout/ density issues at detailed plan stage.

4.2.9 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with policy BSC 11. Policy BSC 11 requires new developments to provide open space in accordance with the County's minimum standard of 2.4 hectares per 1000 population. It states that open space should always be provided on site, and that commuted sums will only be acceptable where it is demonstrated that development would not be financially viable should the full requirement be provided onsite, or where it is impractical to provide the full requirement onsite. Where there is no identified shortfall of open space in an area, the option of a commuted sum payment may be appropriate to mitigate impact on existing open space and equipment.

The submission confirms that provision of open space can be secured through condition or legal agreement.

As the open space requirement relates to the residential element of the scheme, Officers would suggest the requirement for provision can be covered by inclusion of a suitably worded condition in the event of permission being granted.

4.2.10 Design and Access/Sustainability Considerations

Local Development Plan Policy RD1 test (vii) sets out the need to provide safe and convenient access for disabled persons. The requirement to embody the principles of inclusive design in development proposals is set out

in Planning Policy Wales (Section 3.4) which outlines accessibility considerations to be given to all development proposals, reflected in TAN 12 Design, TAN 18 Transport, and through the obligation to submit Access Statements as part of most planning applications.

TAN 12 and TAN 22 also introduce an obligation on applicants to demonstrate an approach to a range of design considerations, including how environmental sustainability principles may be accommodated. Policy VOE 6 introduces a requirement for development to incorporate water conservation measures and the submission of a water conservation statement for schemes involving more than 1000sqm floor space or more than 10 dwellings.

The submission includes a water conservation statement and information confirming the intention to incorporate the sustainability principles required by BREEAM and sustainability codes at detailed design stage.

Officers' view is that given the nature of the application it would be reasonable to deal with sustainability code issues through appropriately worded conditions.

4.2.11 Biodiversity

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

There are no concerns expressed by consultees at the potential impacts on ecological interests. The Senior Biodiversity Officer has requested conditions be attached to any permission to limit impacts on wildlife at construction stage. Natural Resources Wales have no concerns over ecological impacts.

On the basis of the above, Officers would suggest ecological interests can be adequately covered by planning condition if permission is granted.

4.2.12 Drainage

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

Consultee responses raise questions over surface water drainage impacts. Natural Resources Wales have suggested the need for a Flood Consequences Assessment given the scale of development, to assess runoff, the need for attenuation, and potential downstream risks. The Council's Drainage Engineer has sought clarification of the existing drainage details.

The applicants have confirmed that a comprehensive drainage strategy and Flood Consequences Assessment to address the queries raised by Natural Resources Wales in relation to surface water drainage, and queries raised by the Council's Drainage Engineer, with the necessary level of technical input

and assessment will be undertaken at detailed application stage and have requested in this instance that planning conditions be considered to deal with the matters.

The applicants have submitted a Water Conservation Statement in accordance with the requirements of Policy VOE 6 of the Local Development Plan which states that in this instance the development and its individual parts would all be located on areas of previously developed, brownfield land and aside from the new business starter units, would make use of existing buildings within the site, and so as a starting point this suggests that there is little potential for an increase in surface water run off on the site as a result of the proposed development. The non-permeable area of the total site would be fundamentally reduced as a result of the comprehensive proposed development.

On the basis of the above, Officers would suggest drainage issues can be adequately covered by planning conditions if permission is granted.

4.2.13 Impact on Welsh Language and Social and Cultural Fabric of communities

The requirement to consider the needs and interests of the Welsh Language is set out in Planning Policy Wales; TAN 20 and Policy RD 5 of the Local Development Plan. Policy RD 5 sets out the need for submission of a Community Linguistic Assessment with applications of 5 or more dwellings and other developments of 1000sq m or more floor area, and a more detailed Community Linguistic Impact Assessment with all applications in settlements involving developments of over 20 dwellings and other developments of 3000sq m or more floor area.

The application includes a Community Linguistic Impact Assessment, which concludes the development would be a huge social and economic benefit for Bodelwyddan and the surrounding area, including the Welsh speaking community.

In Officers' opinion the proposals would not result in any significant adverse impact on the Welsh language within the community, and they offer clear positive job creation and infrastructure benefits.

4.2.14 Contaminated land

The need to consider the potential impact of contaminated land in relation to development proposals is contained in Chapter 13 of Planning Policy Wales, which requires planning decisions to take into account the potential hazard that contamination presents to the development itself, its occupants and the local environment; and assessment of investigation into contamination and remedial measures to deal with any contamination. Where there may be contamination issues, the Council must require details prior to determination of an application to enable the beneficial use of land. Planning permission may be granted subject to conditions where acceptable remedial measures can overcome such contamination. Otherwise, if contamination can not be overcome satisfactorily, permission should be refused.

Natural Resources Wales have requested a number of conditions be included on any permission to address the potential for the presence of contaminated land. This matter is raised by a private individual who has pointed to the possibility of contamination from historical uses of the site. The submission includes a Phase 1 Environmental Assessment which identifies the potential risks for the employment and residential uses, which would need further survey and mitigation.

Officers' view is that it would be reasonable to deal with contaminated land

matters through the imposition of the stringent conditions suggested by Natural Resources Wales.

4.2.15 Other Matters

The Town Council have expressed concerns over the capacity of local schools to cope with the proposed residential development. Whilst respecting these concerns, Officers would not consider it appropriate to attach weight to school capacity as a ground for resisting an application involving the scale of development proposed here. The Council has separate responsibilities for planning school capacity in conjunction with planned residential development and with the case of Bodelwyddan, will clearly be assessing such matters in the context of the decision to designate Bodelwyddan as a key strategic site. If planning permission is granted for this development, consideration could be given to requesting contributions from the developer towards providing the necessary improvements.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The report sets out a range of considerations which appear relevant to the merits of a complex major application involving employment and residential development on employment land within the development boundary of Bodelwyddan.
- 5.2 The application was submitted with an identified end user for the proposed remodelled main building, but it is not specific to that user in that it seeks permission for a range of uses within the building.
- 5.3 In Officers' opinion there are no fundamental concerns over the employment elements of the scheme, given the historic uses of the site and the employment land allocation in the Local Development Plan. These are positive proposals offering clear employment benefits. Detailed aspects of the factory unit would need to be dealt with through conditions and due assessment of impacts.
- 5.4 The fundamental issue arising is the inclusion of a 3.6 hectare residential development as part of the scheme as a form of 'enabling' element. This is in conflict with the allocation of the land for employment purposes and has raised concerns from Policy Officers and Economic and Business Development Officers. This is a negative factor to weigh in the determination of the application.
- 5.5 Officers conclusion is that the proposal is in clear conflict with test iii. of Policy PSE 3 in that 3.6 hectares of land allocated for employment purposes would be lost to residential use. The loss of this serviced employment land would prejudice the ability of the area to meet a range of employment needs.

RECOMMENDATION: - **REFUSE** for the following reason:-

It is the opinion of the Local Planning Authority that the proposal is in direct conflict with Policies PSE 2 and test iii. of PSE 3 in the Denbighshire Local Development Plan. It is considered that the loss of 3.6 hectares of employment land would prejudice the ability of the area to meet a range of local employment needs.

NOTES TO APPLICANT: None