

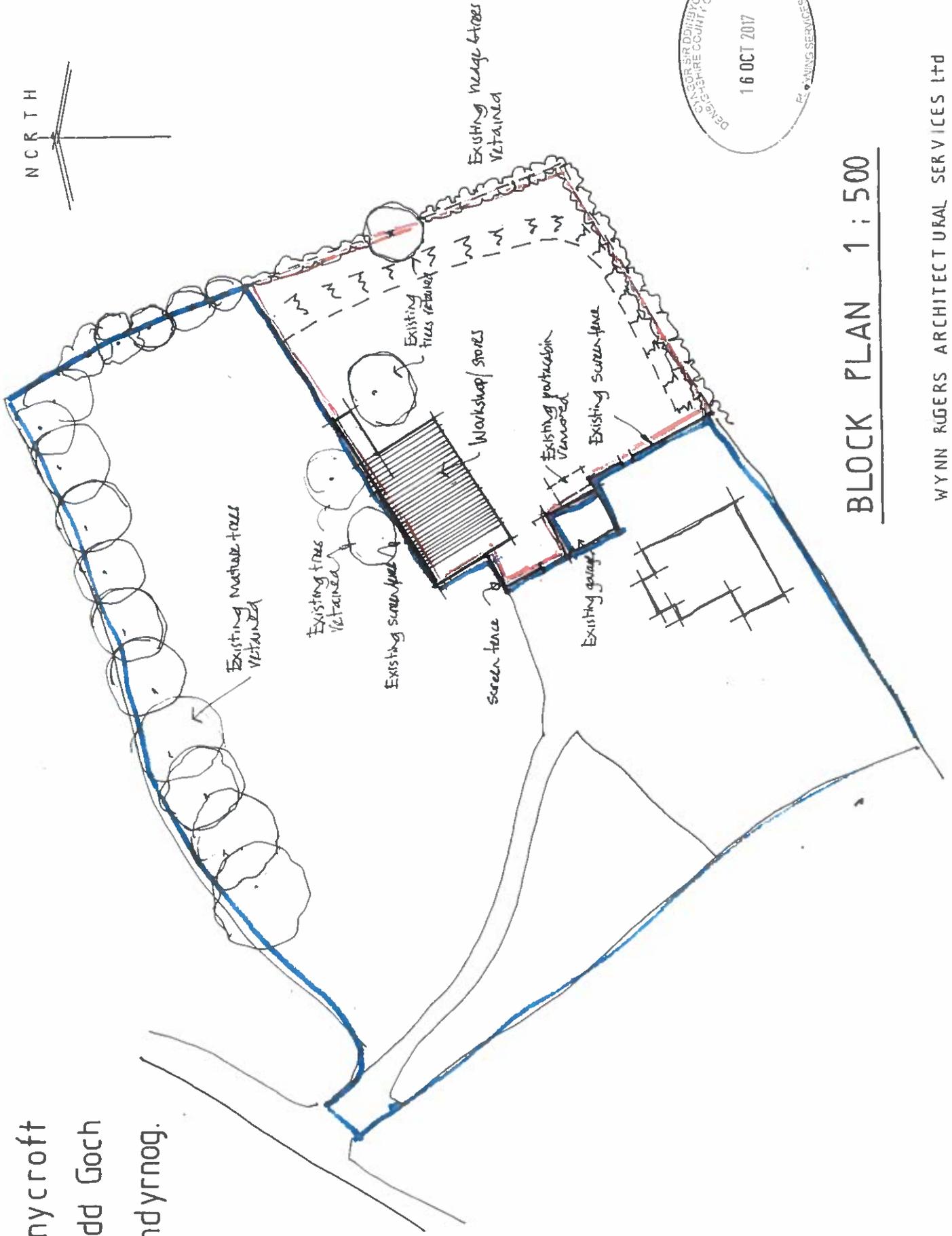
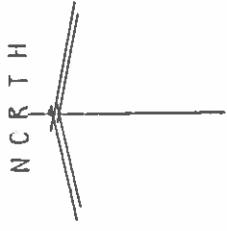
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18/2017/1000  
 Scale: 1:2500  
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182017/1000/PC

Sunncroft  
Ffordd Goch  
Llandyrnog.



BLOCK PLAN 1 : 500

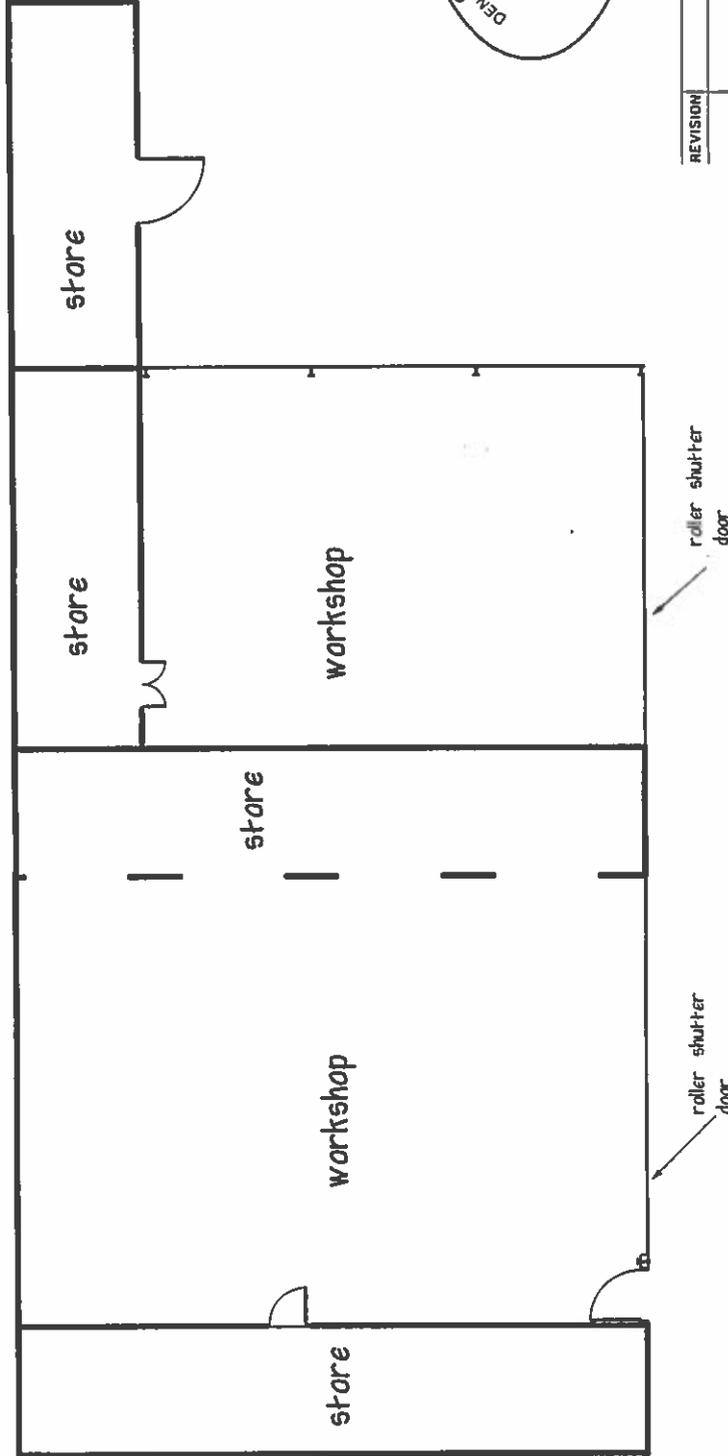
WYNN ROGERS ARCHITECTURAL SERVICES LTD



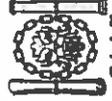
**NOTES:**

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK. THE INFORMATION OF MANUFACTURING DIMENSIONS, ANY REVISIONS TO BE REPORTED IMMEDIATELY TO WYNN ROGERS ARCHITECTURAL SERVICES CONSULTANT

182017/1000/PC



REVISION	



**WYNN ROGERS**  
Architectural Services  
Studio 3, Rosemary Lane, Denbigh, LL16 3JT  
01745 912100 Email: [carol@wynn-rogers.co.uk](mailto:carol@wynn-rogers.co.uk)  
[www.wynn-rogers.co.uk](http://www.wynn-rogers.co.uk)

**CIAT**  
Registered Practice  
PROJECT: SUNNY CROFT ILLANDYRNOG  
DRAWING TITLE: PLAN  
CLIENT: J LEWIS  
PROJECT NO: SJ1411  
DRAWING NO: 3  
SCALE: 1:100  
DATE: SEPT 2017  
PAPER: A3

PLAN 1 : 100



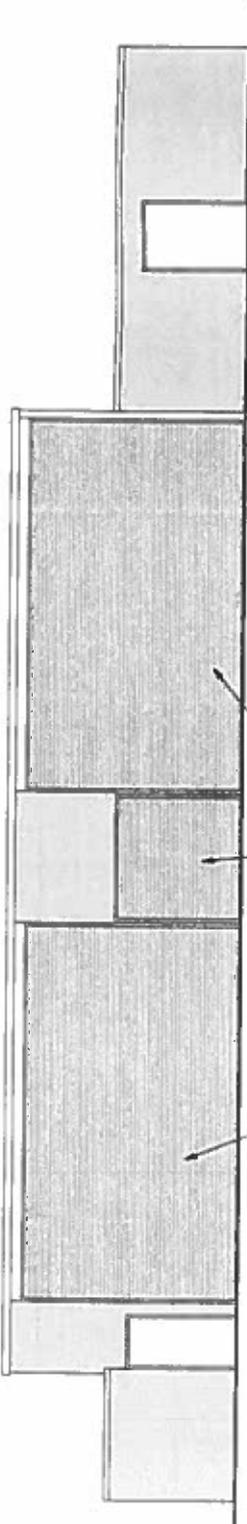
**NOTES:**

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grey steel cladding to walls and roof

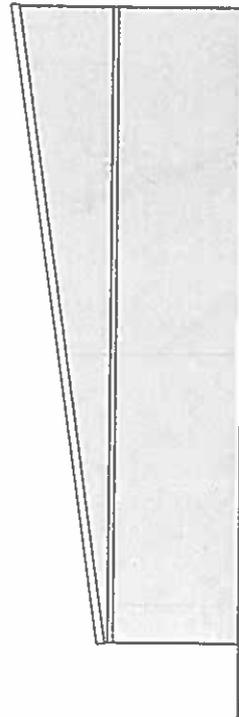
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front

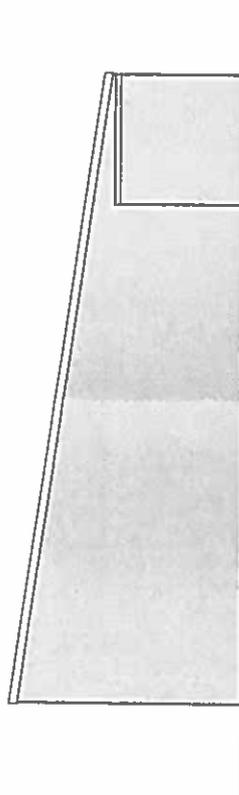


roller shutter doors

side



side



rear

**ELEVATION PLAN**



REVISION



REGISTERED PUBLIC ARCHITECTS

PROJECT SUNNY CROFT ILLANDYRNOG

DRAWING TITLE ELEVATIONS

CLIENT J LEWIS

**WYNN ROGERS**  
Architectural Services  
Studio 3, Tredegar Lane, Denbigh, LL16 3JF  
01745 817100 E-mail: consultancy@wynn-rogers.co.uk  
www.wynn-rogers.co.uk

PROJECT NO. 511411  
DRAWN BY: MBC  
SCALE: 1:100  
DATE: SEPT 2017  
DRAWING NO. 4  
PAPER: A3



**WARD :** Llandyrnog

**WARD MEMBER:** Councillor Merfyn Parry (c )

**APPLICATION NO:** 18/2017/1000/ PC

**PROPOSAL:** Change of use of land and the erection of a building for the purpose of facilitating the construction of vehicular trailers (retrospective application)

**LOCATION:** Land at Sunnycroft Llandyrnog Denbigh

**APPLICANT:** Mr Jeff Lewis

**CONSTRAINTS:** None

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

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

- Member request for referral to Committee

**CONSULTATION RESPONSES:**

**LLANDYRNOG COMMUNITY COUNCIL**

Initial comments:

"Members had concerns about the application:

- Noise nuisance in rural area
- Roads leading to the site unsuitable for commercial vehicles
- Light pollution
- No welfare facilities shown on the drawings
- Visual impact from the AONB
- Any permission would need to be conditioned in terms of working hours"

Re-consultation comments:

"Thank you for sending the Justification Statement for the above application received 18th December and circulated to Llandyrnog CC members for comments.

Generally it confirms all concerns raised initially shown above and already submitted - and there is simply a statement which states that no other suitable premises are available throughout the whole of Denbighshire - and no evidence to back this - the statement is lacking in justification or evidence and a bit of a lightweight really?

Before being considered application would need to demonstrate that he has sought assistance in re locating to a more appropriate location - has he approached the relevant agencies within DCC to seek assistance to re locate? Again evidence would need to be provided to confirm that there are no sites within DCC available.

Also regarding welfare facilities it simply states that the employees will be expected to use facilities within the existing bungalow which is the applicant's home - probably not a planning issue but demonstrates that the justification statement is seriously lacking in substance and credible justification."

**NATURAL RESOURCES WALES**

NRW does not object to the proposal. The proposal is not likely to adversely affect matters of interest to NRW.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

- Strategic Planning and Housing Officer –  
Cannot support the application as submitted.

Having had a look at the submitted planning application, the applicant has provided insufficient information to allow an assessment of local policy compliance. For example, local policy PSE 5 an appropriate business justification has not been provided; alternative site search: the applicant fails to substantiate the claim that there is no other suitable premises available in the Denbighshire area. What were his search and infrastructure criteria? We would expect some evidence to be presented to the LPA.

- Highways Officer –

There have been no highway related issues reported at the property or from vehicle movements associated with the business during its time in operation.  
As stated in the justification statement, given the low traffic movements and taking into account the surrounding area is primarily agricultural with large vehicles/machinery using the surrounding roads, do not consider there are any traffic related issues and therefore have no objection subject to a condition being applied to secure a scheme setting out facilities for provision and retention within the site for the loading/unloading, parking and turning of vehicles to be submitted within 3 months.

- Public Protection Officer

Insufficient information has been submitted to adequately address issues of noise / impact on residential amenity, therefore cannot support this application at this time.

**RESPONSE TO PUBLICITY:** None.

**EXPIRY DATE OF APPLICATION:** 10/12/2017

**EXTENSION OF TIME AGREED?** 31 January 2018

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

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 This is a retrospective application for the change of use of an agricultural hard standing and the retention of what is described as “a building for the purpose of facilitating the construction of vehicular trailers”.
- 1.1.2 The main building has a footprint of 18m by 12m. It has a monopitch roof which falls from a height of 4.5m. to 2.7m. Three roller shutter doors are proposed in the front elevation.
- 1.1.3 There are 2 attached single storey flat roof store buildings which measure 12m by 2.5m and 7m by 2.5m respectively. Each have a roof height of 2.5m with a door in the front elevation. The Gross floor space is 269sq.m.
- 1.1.4 There is an existing portacabin within the site, which is proposed to be removed.
- 1.1.5 A Justification Statement has been submitted which states the business involves the manufacturing of agricultural trailers which involves the cutting and welding of steel, painting the trailers and assembling components, i.e. wheels, types, hydraulic hoses etc. for delivery.

- 1.1.6 The hours of operation indicated as 8am to 5pm Monday to Friday with no working at weekends and bank holidays.
- 1.1.7 A justification statement has been submitted which states that the business has grown from a hobby to a commercial business which employs 4 members of staff and has a turnover of £300,000. It also states there are no other suitable premises available in the Denbighshire area and a refusal would result in the applicant being forced to cease trading.
- 1.1.8 The Statement states the applicant employs 4 people at the site and indicates staff travel to site by car, however there is no allocated staff / visitor parking area annotated within the site.
- 1.1.9 There are no staff welfare facilities within the site. The submission indicates staff welfare facilities are provided within the applicant's bungalow which is adjacent to the site.
- 1.1.10 Vehicular movements include staff travelling to site by car and deliveries as specified as follows:
  - Deliveries in: Steel delivery once a week
  - Consumables once a week
  - Consignment (axles, tyres etc.) once a month

Deliveries out: 1 – 2 trailers weekly.

#### 1.2 Description of site and surroundings

- 1.2.1 The site is situated in open countryside approximately 1.5km south east of Llandyrnog village.
- 1.2.2 The applicant's house is immediately adjacent to the application site.
- 1.2.3 The nearest unrelated dwelling is Bryn Noddfa, approximately 62m to the north of the proposed unit and there are further residential units within 250m of the site.
- 1.2.4 The site is accessed off a driveway onto a narrow lane running north east off the Ffordd Ias – Llangynhafal road

#### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is situated in open countryside outside any development boundaries as defined in the Local Development Plan.
- 1.3.2 Agricultural land in this area is Grade 1 quality, which the Agricultural Land Classification designates to be 'excellent quality agricultural land' and Planning Policy Wales defines as the 'best and most versatile' agricultural land.
- 1.3.3 The site is approximately 200m outside of the boundary of the Clwydian Range and Dee Valley Area of Outstanding Beauty.

#### 1.4 Relevant planning history

- 1.4.1 There is no planning history relating to the site on which the buildings are situated.
- 1.4.2 A replacement dwelling for the original dwelling at Sunnycroft was granted in 2000.

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

- 1.5.1 In order to progress the application, the applicant was invited to submit a justification statement. This was received on 13 December 2017, and consultees were re-consulted accordingly.

#### 1.6 Other relevant background information

- 1.6.1 The application is a result of an enforcement investigation following the receipt of a complaint about unauthorised development in open countryside.
- 1.6.2 The construction of trailers falls within a B2 general industrial use class.
- 1.6.3 The most recent Denbighshire Employment Land Review (October 2017) records indicate there is 109.85 hectares of available employment land within Denbighshire (i.e. land which is allocated for employment use which is currently undeveloped). This includes:
  - 1.6.3.1.1. 8.01 hectares Colomendy Industrial Estate, Denbigh
  - 1.6.3.1.2. 9.73 hectares 'Lon Parcwr' Industrial Estate, Ruthin
  - 1.6.3.1.3. 29.12 hectares Mixed Development Area 'Glastir', Ruthin
- 1.6.4 There is further available employment land in Rhuddlan, St..Asaph, Kimnel Park (Bodelwyddan), Corwen and Llangollen.
- 1.6.5 In addition to vacant land within employment areas, there are also a number of existing industrial units available for sale or rent on existing employment areas / industrial estates in the County. For example, a search for available industrial sites or units on the Council's Commercial Property webpage identified over 30 available sites or units within the County, including leasehold units available on the Colomendy Industrial Estate, Denbigh and Lon Parcwr Business Park, Ruthin.

## **2. DETAILS OF PLANNING HISTORY:**

- 2.1 18/1999/0774. Demolition of existing single storey dwelling and development of land by the erection of a replacement dwelling (outline application). Granted 28/02/2000
- 2.2 18/2001/1186. Details of bungalow and landscaping scheme (reserved matters application) Approved. 18/02/2002

## **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

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

Policy BSC3 – Securing infrastructure contributions from Development

Policy PSE5 – Rural economy

Policy VOE1 - Key areas of importance

Policy VOE 2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty.

Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance

Parking requirements in new developments SPG

3.3 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Agricultural Land Classification

3.4 Other material considerations

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

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping,

service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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 Impact on best and most versatile land
- 4.1.3 Visual amenity
- 4.1.4 Residential amenity
- 4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is on unallocated land outside of any development boundary or hamlet area of search as identified in the adopted Denbighshire Local Development Plan, and is therefore located in open countryside for planning policy purposes.

Local Development Plan Policy PSE 5 outlines the general intent of the Local Development Plan to help sustain the rural economy, through the support of tourism and commercial development, subject to meeting detailed criteria relating to the character and distinctive qualities of the local landscape:

- (i) The proposal is appropriate in scale and nature to its location; and*
- ii) any suitable existing buildings are converted or re-used in preference to new build; and*
- iii) proposals for new buildings are supported by an appropriate business case which demonstrates that it will support the local economy to help sustain local rural communities; and*
- iv) within the AONB/AOB, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas, take full account of and seek to enhance the nature and distinctive qualities of the local landscape. In line with national policy any proposals that are considered to be detrimental to the quality of the AONB and World Heritage Site will be refused.*

Planning Policy Wales Section 4.7.8 states 'Development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design'.

Whilst Planning Policy Wales Section 7 relating to Economic Development suggests small scale commercial and light manufacturing activities can be located in rural areas without causing unacceptable disturbance or other adverse effects, section 7.3.2 suggests that with the exception of farm diversification and agricultural development, new development sites should generally be located within or adjacent to defined settlement boundaries, preferably where public transport provision is established.

The Community Council have raised a number of concerns relating to the development in this location and the Council's Strategic Planning and Housing Officer has also raised concerns relating to the principle of the proposal, and as such cannot support the application as submitted.

The proposal is a retrospective application for the change of use of land and the retention of a building for the purposes of operating a trailer manufacturing business, which would fall within the B2 General Industrial use class. This is not a 'light manufacturing' use.

The site is situated within the open countryside, away from any established settlements.

A justification statement has been submitted which states that the business has grown from a hobby to a commercial business which employs 4 members of staff and has a turnover of £300,000. The Justification also states there are no other suitable premises available in the Denbighshire area and a refusal would result in the applicant being forced to cease trading.

Whilst policy PSE5 does not define what is meant by 'commercial development', Officers would note criterion i) states proposals need to be appropriate in scale and nature to its location and with respect new build proposals, PSE 5iii) requires proposals to be supported by an appropriate business case which demonstrates that it will support the local economy to help sustain local communities.

The proposal is not put forward as a farm diversification, it does not appear to be related to any existing rural enterprise, and there is no clear need for the business to be located on this particular site.

The justification statement states the business contributes to the rural economy as it employs 4 members of staff, procures services and products from other local businesses and therefore results in local economic benefits and supports the services in nearby settlements, however Officers would note there is no requirement for applicant to procure services and parts from the locality, and the Council could not apply conditions to this effect. Officers do not therefore consider there is a direct and tangible link to the local economy and it is also not clear as to how the proposal would help sustain rural communities, which is the test in PSE5 iii).

Due to the use falling within a general industrial B2 use class, Officers do not consider the nature of the business is appropriate to an open countryside location, or that sufficient information has been provided to demonstrate how the business supports the local economy to help sustain rural communities.

Officers consider that due to the nature and location of the development, the principle of the proposal is unacceptable as it represents an inappropriate form of development in open countryside unrelated to any established settlement, and has failed to demonstrate how the business makes a meaningful contribution to the local economy to help sustain rural communities. The proposal therefore fails to comply with the criteria of PSE5 i) and iii) and Planning Policy Wales 4.7.8 and 7.3.2.

#### 4.2.2 Impact on best and most versatile land

Planning Policy Wales Section 4.10.1 obliges weight to be given to protecting land of grades 1, 2, and 3a quality in the Agricultural Land Classification system of the Department for Environment, Food and Rural Affairs. PPW notes this land is considered to be the best and most versatile and justifies conservation as a finite resource for the future. It indicates that land of this quality should only be developed if there is an overriding need for the development, and either previously developed land or land of a lower grade is available, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

The site is located on grade 1 agricultural land, which the Agricultural Land Classification defines as 'excellent quality'. Planning Policy Wales classifies grades 1 to 3a agricultural land as the 'best and most versatile (BMV)' which accounts for approximately 7% of total land in Wales.

The loss of the BMV agricultural land is only justified where it can be demonstrated that:

- i) there is an overriding need for the development; and
- ii) lower grade agricultural or previously developed land is not available.

The Justification Statement submitted with the application states there are no other suitable premises available in the Denbighshire area.

However, the applicant has provided no evidence to substantiate the claim that there is no available land or vacant units in the County.

The development is for the manufacture of trailers which falls within a B2 general industrial use class, and does not appear to be a particularly unique form of development and nor would it appear to be geographically restricted and no evidence has been presented to demonstrate there is an overriding need for such a use to be sited in this location.

The most recent Denbighshire Employment Land Review (October 2017) records there is 109.85 hectares of available employment land within Denbighshire (i.e. land which is allocated for employment use which is currently undeveloped). This includes land on the Colomendy Industrial Estate, Denbigh and 'Lon Parcwr' Industrial Estate, Ruthin. With further available employment land in Ruthin (Glasdir employment allocation) Rhuddlan, St..Asaph, Kimmel Park (Bodelwyddan), Corwen and Llangollen.

In addition to vacant land within allocated employment areas, there are also a number of existing industrial units available for sale or rent on existing employment areas / industrial estates in the County. For example, Officers undertook a search for available industrial sites or units on the Council's Commercial Property webpage and identified over 30 available sites or units within the County, including leasehold units available on the Colomendy Industrial Estate, Denbigh and Lon Parcwr Business Park, Ruthin.

Whilst the specific needs of the business may restrict the search parameters, given the information provided on annual turnover and the fact that this type of use / development does not appear to be geographically restricted, based on the evidence set out above, it is reasonable to conclude there would be suitable employment land or premises within the County from which the business could operate.

In accordance with the tests in Planning Policy Wales, it is not only employment land that first needs to be considered, but also any other previously developed site or lower grade agricultural land before development of grade 1 agricultural land is justified. However, there is no evidence presented with the application to indicate that other previously developed sites or low grade agricultural land has been considered.

Officers therefore consider the loss of grade 1 agricultural land is unjustified as there is no overriding need for the development to be sited in this location, and no evidence has been presented to demonstrate there is no alternative available employment land, previously developed sites or lower grade agricultural land which could accommodate the development.

#### 4.2.3 Visual amenity

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. Para 4.11.9 confirms that the visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations.

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The site is situated in open countryside and is approximately 220m to the west of the AONB boundary.

The Community Council has raised concerns relating to light pollution.

The proposal is for the erection of a building for the purposes of operating a trailer construction business. The justification statement states the building has been selected as it is agricultural in appearance and is therefore acceptable.

The site is elevated above the highway, but is surrounded by established hedgerows and trees which are proposed to be retained to help screen the site. Officers would accept the building is similar in scale and form to a large agricultural building.

The application does not include details of any external storage of plant and machinery, however when carrying out a site visit, Officers observed trailer equipment including trailer component parts and tyres were stored outside, as well as other plant and equipment (e.g. forklift truck) and containers which created a cluttered appearance and detracted from the visual amenity of the area. As the proposed buildings include storage areas, Officers consider the external storage of plant, equipment and trailer component parts could be restricted by way of a planning condition if a permission were to be considered, and further conditions could be proposed to require additional hard and soft landscaping details to be provided to further screen the site. Officers do not consider the level of harm is significant enough to warrant a recommendation of refusal of planning permission on visual amenity grounds.

No external lighting is included in the proposal, however given the rural setting and the proximity to neighbouring properties, Officers would consider it would be necessary to impose a planning condition restricting the use of external lighting without the written approval of the local planning authority.

As the proposal would fall within a B2 general industrial use class, it would be afforded permitted development rights under Part 8 of the General Permitted Development Order 1995 (as amended). In the interests of visual amenity, Officers consider it would also be necessary to remove permitted development rights to ensure the planning authority maintains control over any future ancillary development.

The site is only 220m from the boundary of the AONB and therefore it is reasonable to assume it would be visible from view points from within the AONB and it could therefore impact on the setting of the AONB, however stated above, given the topography of the site, the screening offered by existing vegetation around the site boundary and the option of applying conditions to secure further landscaping, Officers consider any potential harm on the setting of the AONB can be mitigated and as such the proposal is not considered to result in a level of harm to the setting of the AONB which would warrant a refusal of planning permission on these grounds.

Having regard to the visual amenity issues, subject to the imposition of conditions to control the external storage of plant and equipment, to secure additional landscaping at the site, control the use of external lighting and restrictions on permitted development rights, it is considered the proposals would not have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

#### 4.2.4 Residential amenity

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The residential amenity impacts of a development proposal are a material consideration.

The Community Council have raised concerns regarding impact on residential amenity, including noise nuisance and light pollution, and also request the hours of operation are controlled by condition.

The Council's Public Protection Officers consider insufficient information has been submitted to adequately address issues of noise / impact on residential amenity, therefore cannot support this application at this time.

The hours of operation are set out in the Justification Statement, and Officers are satisfied that conditions could be applied to restrict hours of operation and to restrict timings of deliveries to the site in the interests of protecting amenity of neighbouring properties.

The business operating from this site is the manufacturing of agricultural trailers which involve the cutting and welding of steel, painting the trailers and assembling components, i.e. wheels, tyres, hydraulic hoses etc. for delivery. The proposal therefore involves noise and odour generating activities, and could also give rise to other amenity impacts such as dust generation.

The nearest neighbouring property, Bryn Noddfa is approximately 62m to the north with the garden curtilage being approximately 45m from the site boundary. There are further residential properties, The Spinney and Broncoed, which are within 250m of the site.

Given the nature of the proposed development, Officers consider it is reasonable to assume the proposal could adversely impact on amenity of neighbouring properties, and in particular Bryn Noddfa, as a result of noise, odour, dust etc. generated from the site.

The Justification Statement does not consider impacts on amenity to neighbouring properties, and the application does not include details of likely noise levels to be generated from the site, noise mitigation, dust or odour management, and therefore there is no information in front of the Council to ascertain whether the potential impact on residential amenity is acceptable, or whether any potential harm could be adequately mitigated, e.g. via the submission of a noise mitigation scheme or odour management.

Officers therefore consider that insufficient information has been provided to adequately demonstrate the proposal would not give rise to adverse impacts on residential amenity of dwellings within the locality of the site.

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

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decision (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The highway impacts of a development proposal are a material consideration. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The Community Council has raised concerns regarding the roads leading to the site which they consider to be unsuitable for commercial vehicles.

Highways Officers have considered the proposal in light of concerns of the Community Council, and have advised that there have been no highway related issues reported at the property or from vehicle movements associated with the business during its time in operation. Based on the information set out in the justification statement, the traffic movements from the site are considered to be low, and taking into account the surrounding area is primarily agricultural with large vehicles/machinery using the surrounding roads, Highways Officers do not consider any traffic related issues would arise and therefore have no objection subject to a condition being applied to secure a scheme setting out facilities for provision and retention within the site for the loading/unloading, parking and turning of vehicles to be submitted within 3 months.

There is no allocated parking area shown on the site plans, however given the site area, it is reasonable to assume the site could accommodate sufficient parking and turning space within the site.

Notwithstanding the concerns raised by the Community Council, having regard to the professional advice of Highways Officers, Officers would consider the proposal would not give rise to adverse impacts on highway safety, and subject to the imposition of necessary planning condition(s) to control parking and turning, the development is not considered likely to give rise to unacceptable highway impacts.

#### Other matters

##### Staff welfare facilities

The Community Council raise concerns regarding the lack of welfare facilities for staff within the site. The Justification Statement indicates that staff use facilities in the applicant's own house, which is adjacent to the site but not shown to be within the application boundary. Public Protection Officers have advised that provision of adequate welfare facilities would fall within the jurisdiction of the HSE and is therefore not a matter to consider as part of the planning application. However, as the house is not within the application site boundary, should planning permission be granted, the application site would effectively become a separate planning unit independent of the dwelling, and should the house be sold, there would inevitably be the need to provide welfare facilities within the site, which would result in further development in the open countryside, which Officers consider further hints that the site is unsuitable for a general industrial development.

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

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

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

## **5. SUMMARY AND CONCLUSIONS:**

- 5.1 The application seeks permission to retain an unauthorised building and trailer manufacture use in open countryside on the edge of the AONB. There are objections from the Community Council on the principle and local impacts of the development.

5.2 The development is on Grade 1 agricultural land, which is high quality land and 'best and most versatile' in Planning Policy Wales. It is not considered the application demonstrates there is an overriding need for the development in this location and that there is no other lower grade agricultural land or previously developed land which is available.

5.3 The trailer manufacturing business would fall within a B2 general industrial use class, and having regard to the nature of the business, Officers do not consider this is an appropriate use in open countryside. Insufficient information has been provided to demonstrate how the business would support the local economy in order to help sustain rural communities, and it is therefore not in compliance with policy PSE5 of the Local Development Plan.

5.4 There are unrelated residential properties in the vicinity of the site, and the proposed use could give rise to noise, odour, dust etc.. Insufficient information has been provided to demonstrate the proposal would not adversely impact on residential amenity of occupiers of nearby residential properties.

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

1. It is the opinion of the local planning authority that as the site is located on grade 1 agricultural land, which is considered to be the 'best and most versatile' in Planning Policy Wales, the application has not satisfactorily demonstrated there is an overriding need for the development in this location or that alternative lower grade agricultural or previously developed land is not available. The proposal is therefore contrary to the advice and guidance contained in Planning Policy Wales (Edition 9, November 2016) paragraph 4.10.1.
2. It is the opinion of the local planning authority that the use falls within a B2 general industrial use class and therefore by virtue of the nature of the business, it is considered to be an inappropriate form of development in an open countryside location unrelated to any established use or within or adjacent to an existing settlement. It is considered insufficient information has been put forward to demonstrate how the business would support the local economy to help sustain rural communities, which is considered to be contrary to Denbighshire Local Development Plan Policy PSE5 i) and iii), and the advice and guidance contained in Planning Policy Wales (Edition 9, November 2016) 4.7.8, and 7.3.2.
3. It is the opinion of the local planning authority that the use involves the carrying out of industrial activities including the cutting and welding of steel, painting and assembling component parts which could result in noise, odour and the generation of dust, and therefore having regard to the nature of the development and the proximity to unrelated residential properties, it is considered that insufficient information has been provided to adequately demonstrate the proposal would not give rise to an unacceptable impact on residential amenity of occupiers of those properties, which is a material consideration on applications as outlined in Planning Policy Wales (Edition 9, November 2016) paragraph 3.1.4.