

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **16TH DECEMBER 2015**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **APPEAL BY MR. DAVID ROBERTS AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR ERECTION OF CONCRETE BATCHING PLANT AT BRYN THOMAS CRANE HIRE, CHESTER ROAD, OAKENHOLT – ALLOWED.**

1.00 APPLICATION NUMBER

1.01 053011

2.00 APPLICANT

2.01 MR. DAVID ROBERTS

3.00 SITE

3.01 BRYN THOMAS CRANE HIRE,
CHESTER ROAD,
OAKENHOLT.

4.00 APPLICATION VALID DATE

4.01 11TH DECEMBER 2014

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspectors decision in relation to an appeal into the decision at Planning Committee to refuse to grant planning permission for the proposed erection of a concrete batching plant at Bryn Thomas Crane Hire, Chester Road, Oakenholt. The appeal was held by way of an exchange of written representations and was ALLOWED subject to conditions.

6.00 REPORT

6.01 The Inspector considered there to be a single main issue for examination in the determination of this appeal, this being the effects of the proposals upon highway safety.

6.02 He considered the issue of highway safety in 3 parts:

1. Existing lawful access arrangements;
2. The need for an acceleration lane; &
3. Traffic routes and number of vehicular movements.

In respect of each the Inspector concluded as set out below;

6.03 Existing Access

He noted that the point of access to the site is already lawfully in existence. He noted that traffic approaches the site via the adjacent A548 which is a dual carriageway at this point. Traffic from the west can access the site with the flow of traffic whereas vehicles approaching from the east have to turn cross the carriageway and central reservation in area of the highway where speeds are permitted at 70.mp.h.

6.04 He noted that proposals to improve this highway safety situation, notwithstanding the fact that the access arrangements are lawful, would be a weighty mitigating factor in the appeal.

6.05 Acceleration lane

The Inspector noted that concerns had been expressed by the Council, in refusing to grant planning permission, that slow moving vehicles emerging from the site into the flow of traffic on the A548 at a point of derestricted traffic speed.

6.06 The Inspector noted that the access arrangements could be adequately addressed via the imposition of a condition to improve the access radius. He also noted that there was no technical requirement for a separate acceleration lane and was satisfied that the flow of traffic and road conditions were appropriate.

6.07 He concluded that there was adequate visibility at the access of on-coming traffic to enable lorry drivers to judge the appropriate time to exit the site. He also concluded there was adequate forward visibility for traffic travelling in an easterly direction to allow for a vehicle to slow down or choose to overtake a lorry entering the carriageway. He noted that the appellant proposes to block off the existing gaps in the central reservation to prevent right turn movements into the site. This would ensure that lorries travelling from the east proceed to the roundabout further to the west and turn to approach the site from the west.

- 6.08 Traffic Routes and vehicular movements
The Inspector noted that concerns had been raised in respect of the level of vehicular movements associated with the proposed use and the route of traffic approaching the site. Specifically, concern has been raised that lorries will take a route through Flint, with consequent impacts upon traffic congestion.
- 6.09 The Inspector noted that the movements associated with the proposals would not exceed 40 per day or 5 per hour. He noted that there is no technical objection from the Highway Authority in respect of the design capacity of the road to accommodate this traffic. He also noted that the road would historically have carried more traffic than is proposed when the road was the principal transport route into North Wales before the opening of the A55.
- 6.10 He considered that 5 lorry movements per hour was insignificant in terms of movement generation and concluded there was no persuasive argument which indicated the road could not accommodate such a small increase in movements.
- 6.11 In respect of the routing concerns, the Inspector concluded that assumptions in respect of vehicle routing based upon raw material sources were not well founded. He noted that other heavy industry and employment uses exist in the area gave rise to the use of large vehicles utilising the A548/A5119. He again conclude that no persuasive evidence indicated that this increase would result in highway congestion or safety problems.

7.00 CONCLUSION

- 7.01 Taking all of the above matters into account the Inspector concluded that the proposals would not harm highway safety.
- 7.02 Accordingly he granted the deemed application for planning permission, subject to conditions requiring (amongst other matters) the submission and agreement of landscaping measures; access radius improvements; a scheme for the closure of the central reservation gaps; drainage proposals; and agreement of maximum materials storage heights.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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