

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **20<sup>th</sup> MARCH 2013**

**REPORT BY:** **HEAD OF PLANNING**

**SUBJECT:** **APPEAL BY JD OWEN TRANSPORT SERVICES AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE OUTLINE PLANNING PERMISSION A SECURE TRUCK PARKING FACILITY WITH ANCILLARY AND COMPLIMENTARY DEVELOPMENT AT LAND TO THE NORTH EAST OF CROSSWAYS ROAD, CROSSWAY, CAERWYS.**

**1.00 APPLICATION NUMBER**

1.01 **049042**

**2.00 APPLICANT**

2.01 **J D OWEN TRANSPORT SERVICES**

**3.00 SITE**

3.01 **LAND TO THE NORTH EAST OF CROSSWAYS ROAD, CROSSWAY, CAERWYS.**

**4.00 APPLICATION VALID DATE**

4.01 12/09/2011

**5.00 PURPOSE OF REPORT**

5.01 To inform members of the appeal decision against Committee's refusal of outline planning permission for a secure truck parking facility with ancillary and complementary development. The appeal was considered by way of an exchange of written representations and was DISMISSED.

**6.00 REPORT**

6.01 The Inspector considered the main issues to be the effect of the

proposal on the character and appearance of the area; the effect on the settings of the listed buildings; and if harm was found in respect of either of the two issues whether that harm would be outweighed by the need for the proposal.

- 6.02 The Inspector noted the site is located in open countryside with a number of properties in the vicinity including listed buildings.
- 6.03 The Inspector noted that whilst UDP Policy AC20 (Lorry Parks) is worded permissively for such development in the open countryside, he was not entirely convinced by the appellant's assertion that most sites for such development would have to be in open countryside.
- 6.04 As regards effects on the character and appearance of the area the Inspector was of the opinion that mounding required in connection with the development would be readily identified as an unnatural and incongruous feature which would not harmonise with the surrounding area, and improvement works to the B5122 including the proposed access and street lighting would have the effect of urbanising the road having a considerable negative impact on the character of the area. The Inspector was of the opinion that lighting involved with the proposal would have an additional adverse impact on the area's character. The Inspector was of the opinion that the submitted Environmental Statement underestimated the adverse impact of the scheme in terms of landscape and visual assessment and concluded that even after taking into account proposed mitigation measures (including landscape screening), it would result in significant harm to the character and appearance of the area contrary to Policy AC20.
- 6.05 As regards the impact on the settings of the nearby listed buildings, the Inspector did not accept that appellant's claims these buildings would not be viewed in the context of the proposal. The Inspector was of the opinion that landscaping would take a number of years to become effective as a screen/filter. The Inspector was of the opinion that such a large scale commercial development would have an adverse impact on the rural setting of listed buildings at Plas Cerrig and Ty Coch.

## **7.00 CONCLUSION**

- 7.01 Whilst the Inspector was of the opinion that there is a pressing need for the proposal and the provision of a lorry park would serve a strategic and public interest, that need is heavily outweighed by the significant visual harm (both short and long term) that would result from the development of the site which lies some distance from the A55 and existing commercial development, and the harm to the setting of the nearby listed buildings.

**Contact Officer: Declan Beggan**

**Telephone:**  
**Email:**

**3250**

**[Declan.beggan@flintshire.gov.uk](mailto:Declan.beggan@flintshire.gov.uk)**