

FLINTSHIRE COUNTY COUNCIL

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

DATE: **22ND APRIL 2015**

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

SUBJECT: **FULL APPLICATION – ERECTION OF CONCRETE BATCHING PLANT AT BRYN THOMAS CRANE HIRE, CHESTER ROAD, OAKENHOLT.**

APPLICATION NUMBER: **053011**

APPLICANT: **MR. DAVID ROBERTS**

SITE: **BRYN THOMAS CRANE HIRE, CHESTER ROAD, OAKENHOLT.**

APPLICATION VALID DATE: **11TH DECEMBER 2014**

LOCAL MEMBERS: **COUNCILLOR MRS. R. JOHNSON**

TOWN/COMMUNITY COUNCIL: **FLINT TOWN COUNCIL**

REASON FOR COMMITTEE: **REQUESTED BY LOCAL MEMBER ON THE GROUNDS THAT THE PROPOSALS ARE IN AN AREA OF HEAVY TRAFFIC AND THE PROPOSALS WILL AFFECT SAFETY.**

SITE VISIT: **YES, FOR THE REASONS SET OUT ABOVE.**

1.00 SUMMARY

- 1.01 This full application seeks permission for the change of use of land latterly in use as part of the adjacent Bryn Thomas Crane Hire business, to land for the erection and operation of a concrete batching plant.
- 1.02 The main issues for consideration relate to the principle of the proposals and impacts upon highway safety.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 Conditions:

1. Time limit on commencement
2. As per approved plans
3. Landscaping/screening scheme to be submitted and agreed prior to commencement.
4. Implementation of landscaping scheme
5. Scheme for external lighting prior to first use of premises.
6. Scheme for improvement of existing access prior to commencement of development.
7. Formation of access not to commence until details agreed.
8. Formation of access to be kerbed to internal entrance radii prior to any other works.
9. No works to commence until scheme for closure of gaps in central reservation submitted to and agreed.
10. Works to effect closure of central reservation gaps to be undertaken before any other site works.
11. Scheme for loading, unloading, parking and turning of vehicles to be submitted, agreed and implemented prior to first use of site.
12. Scheme for positive means to prevent surface water run-off from the site onto the highway to be submitted and agreed prior to commencement of development and implemented prior to first use of site.
13. Foul, surface and land water drainage scheme to be submitted and agreed prior to commencement of development and implemented prior to first use of site.
14. Storage heights to be submitted and agreed prior to first use.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Mrs. R. Johnson

Requests that the application is considered by the Planning and Development Control Committee following a site visit. Considers the site needs to be viewed by Committee Members as she considers the site to be located in a heavily trafficked area and as such is of the view that the proposals would not be safe.

Flint Town Council

No response at time of writing.

Highways (DC)

No objections subject to the imposition of conditions.

Pollution Control Officer

No adverse comments. Advises of the fact that the process falls under the Environmental Permitting Regime and advises that a permit to operate will be required.

Natural Resources Wales

No objection. Advises that the proposals are unlikely to adversely affect any protected sites within the vicinity.

Coal Authority

No adverse comments.

4.00 PUBLICITY

4.01 The application has been publicised by way of a press notice, site notice and neighbour notification letters.

4.02 At the time of writing, 2No. letters have been received in response to the above consultation. These raise objection of the following basis:

- Unsafe and inadequate access,
- Noise and dust pollution,
- No deceleration lane, and
- No restrictions on direction of travel to and from the entrance/exit points.

5.00 SITE HISTORY

5.01 **770/94**

C.O.U for temporary storage
Permitted 5.1.1995

0002/96

Variation of Condition 1 on p.p 770/94
Permitted 20.2.1996

97/212

Renewal for temporary storage
Permitted 9.7.1997

98/523

Outline – erection of a hotel and pub with parking
Permitted 23.5.2000

01/1218

Renewal of 97/212
File closed 27.1.2004

036513

Erection of offices /training school building
Withdrawn 8.3.2004

037271

Erection of offices /training school building
Permitted 5.10.2004

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1	-	New Development
Policy STR3	-	Employment
Policy GEN1	-	General Requirements for Development
Policy GEN3	-	Development in the Open Countryside
Policy D3	-	Landscaping
Policy D4	-	Outdoor Lighting
Policy AC13	-	Access and Traffic Impact
Policy EM4	-	Location of other Employment Dev't

7.00 PLANNING APPRAISAL

7.01 Introduction

This 0.28 hectare site occupies a position adjacent to the northern side of the A548. It is presently vacant land, having been latterly occupied used in conjunction with the adjacent crane hire business and by contractors employed in the installation of the 'Eiregrid' Interconnector infrastructure.

7.02 The site is bounded on all sides by security style steel palisade fencing. The site surface is compacted hardcore. The site has not existing natural features although existing mature hedgerows do abut the site frontage. The site is bounded to the west by the existing Bryn Thomas Crane Hire business. Existing open countryside abuts the north and eastern boundaries. As mentioned, the A548 abuts to the south, with further open countryside beyond.

7.03 Proposed Development

The proposals seek permission for the change of use of the site by way of the erection of apparatus to form a concrete batching plant. The proposals include the use of an existing point of access to the A548 to the south eastern corner of the site. The infrastructure proposals for the site include 2 site cabins to serve as office and staff facilities; tanks for the storage of recycled water, aggregate hopper, conveyor, storage and cement silo; and car parking spaces.

7.04 The proposals are brought about from the need of the applicant to relocate from his existing site at Aberdo Quarry, Pentre Halkyn to enable further quarrying expansion to occur.

7.05 Main Planning Considerations

The main issues for consideration in the determination of the application are:

- The principle of development in planning policy terms,
- Access and highway impacts, and
- Ecological impacts

7.06 Principle of Development

Policy EM4 of the UDP relates to the location of employment development in, amongst other locations, the open countryside. It specifically identifies that the re-use of brownfield land outside of settlement boundaries or allocated sites will be considered acceptable provided that it satisfies the identified criteria. The criteria to be satisfied are:

- i. **The scale and design of the development is in keeping with its immediate surroundings** :- The proposed apparatus is in visual and scale terms akin to the cranes which are stored, in a variety of poses, at the adjacent crane yard. The cabins are also reflective of those both adjacent and previously located at this site. I am therefore satisfied that the proposals meets this criterion.
- ii. **The proposed use is appropriate to the location and causes no detriment to residential amenity or areas and features of landscape, nature conservations and historic importance** :- The proposals are located outwith the settlement boundary and there are no residential dwellings in close proximity to the site, the amenity off which may be affected. The consideration of nature issues is set out in Para. 7.09 of this report. This criterion is also therefore satisfied.
- iii. **The proposal provides satisfactory on site parking, servicing and manoeuvring space and that the highway network (including access and egress) is adequate to safely cater for the type and volume of traffic generated by the proposals** :- The proposals have been the subject of consultation with Highways (DC) who have advised that there is no highway objection to the proposals, subject to conditions. This criterion is also therefore satisfied.
- iv. **Outside storage areas are screened from public view** :- The proposals include outside storage of aggregate to be used in the concrete mixing process. The site is well screened from public views by existing mature hedgerows which I consider will serve to screen such outside storage as may occur. However, I am mindful that the frontage of the site is formed by a palisade fence only. This will be moved back from the edge of the highway as part of the proposals and via the proposed landscaping condition, I will be seeking the planting of a hedgerow to add further screening to the site.

In addition, I will condition the proposed height of storage to be submitted and agreed prior to the first use of the site

7.07 Access & Highway Impacts

The proposals have been assessed by Highways (DC) having regard

to the potential impacts arising from the proposals upon highway safety. As mentioned previously, the proposals seek to utilise the existing site access, thereby negating the need to access the site via the adjacent crane hire premises. Concerns have been expressed by third parties in terms of the safety of the use of this access, especially in view of the proximity to a 70m.p.h zone and the risks associated with vehicles seeking to perform right hand turn manoeuvres in and out of the access.

7.08 I am advised that the principle of the use of the access, having regard to the type and frequency of vehicle movements associated with the proposed use, is acceptable subject to the imposition of conditions. These conditions address the need for details of access improvements to be agreed before any works commence and be implemented before any other site works are undertaken. In specific address of the concern relating to right hand turns and their impact upon highway safety, I am advised that a condition requiring the closure of the central reservation gaps will be required, thereby making right hand turns a physical impossibility should be imposed. I propose to condition accordingly. In all other access and highway regard, the proposal is acceptable.

7.09 Ecological Impacts

The site does not form part of any statutory designated wildlife site and the proposals are not envisaged to impact upon any European Protected Species. Consultation on the application has been undertaken with Natural Resources Wales (NRW) who have confirmed that the proposals are considered such that would give rise to any adverse impacts, either directly or indirectly, upon the features, functionality or integrity of such sites.

8.00 CONCLUSION

8.01 I am satisfied that this proposal would not give rise to any adverse impacts upon highway safety or features of ecological importance. The proposed development is therefore considered acceptable in principle and detail subject to the conditions of the form outlined in paragraph 2.01 above.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

LIST OF BACKGROUND DOCUMENTS

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

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