



**CONSTRUCTION AND OPERATION OF TWO
B8 WAREHOUSING UNITS WITH ANCILLARY
OFFICE SPACE, INCLUDING PREPARATORY
EARTHWORKS, HARDSTANDINGS AND
ASSOCIATED INFRASTRUCTURE ON LAND
AT TIR LLWYD ENTERPRISE PARK, ST.
ASAPH AVENUE, KINMEL BAY, CONWY.**

PLANNING APPLICATION DOCUMENT

NOVEMBER 2019



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PART 1:

PLANNING APPLICATION FORM & CERTIFICATES

PART 2:

DESIGN & ACCESS STATEMENT

PART 3:

SUPPORTING STATEMENT

1.0 INTRODUCTION AND SCOPE OF THE APPLICATION

1.1 Introduction

1.1.1 This Statement has been prepared in support of an application for full planning permission, being submitted to Conwy County Borough Council (CCBC) on behalf of Plumbworkz Ltd. ("Plumbworkz", "the Company" or "the Applicant") for the construction and operation of a phased B8 warehousing development, with ancillary office space, including preparatory earthworks, hardstandings and associated infrastructure (the "Proposed Development") on land at Tir Llwyd Enterprise Park (TLEP), St. Asaph Avenue, Kinmel Bay, Conwy ("the Site" or the "Application Site").

1.1.2 The Site's location is illustrated on Drawing No. 2482-02-01 (Site Location Plan).

1.1.3 This introductory section provides information about the Applicant, the background to the proposal, the Site and its surroundings, relevant planning history and the structure of this Supporting Statement.

1.2 The Applicant

1.2.1 Plumbworkz is a business that specializes in the supply of kitchens, bathrooms, tiles and plumbing accessories. It operates from a number of local shops and showrooms, and includes an extensive internet trading business.

1.2.2 The Company has two retail outlets in the locality (i.e. within Conwy) at Rhuddlan (a 3,000ft² unit employing 4 staff) and Llandudno (a 6,000ft² unit employing 3 staff). The showroom facility at Rhuddlan has recently received planning approval for on-site expansion and improvement works.

1.3 Background

1.3.1 Plumbworkz operates from showrooms (with associated storage facilities) in Wrexham, Llandudno and Rhuddlan. The Company's principal (and largest) storage and distribution facility is based in Wrexham. However, recent significant increases in on-line trading

performance has meant that it has outgrown these premises and the Company is now looking to relocate its operations from Wrexham to two new units on the TLEP, to be more strategically-located, and better serve its primary market catchment area (i.e. North Wales) and its satellite showrooms in Llandudno and Rhuddlan.

- 1.3.2 It is anticipated, given the current and continued rate of business expansion, that the development would be constructed in two phases, with the second phase following the first phase, within a period of circa five years of completion.

1.4 Proposed Development

- 1.4.1 In brief, the Proposed Development would comprise the following:

- 2No. single-storey B8 storage/warehouse units with mezzanine levels (with a Gross External Area of 4,800m²), to be constructed over two phases;
- Parking for 29 cars (including 4 accessible spaces);
- Cycle parking;
- An informal lorry parking area;
- Two new vehicular site access/egress points, from the internal estate road;
- Refuse recycling/storage areas;
- Foul and surface water drainage systems;
- A complementary scheme of hard and soft landscaping (including ground raising and boundary treatment); and
- A lighting scheme.

- 1.4.2 The Proposed Development is described in more detail in section 2.0.

1.5 The Site and its Surroundings

Tir Llywd Enterprise Park

- 1.5.1 TLEP is safeguarded for employment uses (B1, B2 and B8 only) in the Conwy Local Development Plan.

- 1.5.2 The site comprises circa 35 hectares of partially-developed land situated to the south of

Kinmel Bay, lying between the towns of Towyn and Rhyl with good access to the strategic road network. Junction 25 of the A55 North Wales Expressway is located circa 3km to the south.

- 1.5.3 Access to TLEP is gained from a purpose-built roundabout on St. Asaph Avenue. Once within the Site, vehicles travel along the main spine road which provides access to the various plots of the Park. These roads have been built to a high standard and include footways (dropped kerbs/tactile paving etc.), which facilitate pedestrian access and connect the Site to local public transport services.

The Site

- 1.5.4 Despite the TLEP's allocated status, strictly speaking, the Site is greenfield in nature, characterised by grass/scrubland, with immature trees to its periphery. The Site has an area of circa 1 hectare and is situated fairly centrally within the southern portion of TLEP.
- 1.5.5 Sensitive receptors are fairly remote from the Site; the nearest of which are located along Towyn Way East, circa 300m to the west.
- 1.5.6 The Site's surrounding context can briefly be described as follows:
- To the immediate north of the Site are various undeveloped plots within the wider TLEP;
 - To the west of the Site are a series of undeveloped plots which extend up to the western boundary of TLEP, some 160m distant;
 - A small undeveloped plot is located to the immediate south of the Site and the southern boundary of the TLEP allocation, which is defined by the River Gele. Beyond this lies land in various commercial and industrial uses; and finally
 - To the east are a series of developed and undeveloped plots which extend up to St. Asaph Avenue which forms the eastern boundary of TLEP.

1.6 Pre-Application Consultation

- 1.6.1 Whilst no formal pre-application consultation has been undertaken, *per se*, with the Local Planning Authority, specifically in respect of the Proposed Development, the Applicant and

CCBC in its role as landowner, recognise the recent difficulties that have been encountered in obtaining planning permission for other developments at TLEP.

- 1.6.2 These difficulties stem, primarily, from increasingly restrictive guidance and policies, in respect of climate change, specifically where development in the floodplain is concerned. New developments being proposed in such locations, particularly on unallocated sites, are likely to be subject to a statutory objection from Natural Resources Wales (NRW).
- 1.6.3 It should be noted, however, that TLEP is a site that has, for many years, been allocated and safeguarded for employment uses in various iterations of CCBC's Development Plan, and one where numerous planning permissions for development have been granted since 1989 (see section 2.0 of this Statement for further details on TLEP's planning history).
- 1.6.3 The fact that the Site lies in the defended flood plain does create some tension with contemporary planning policy and some difficulties for NRW in advising the LPA during the statutory consultation process. However, it is widely acknowledged that the principle of 'less vulnerable' development at the TLEP has long-since been established and accepted and this should be a key consideration in the determination of planning applications of the nature proposed, in this location.

1.7 Scope of the Application

- 1.7.1 The planning application is wholly contained within this document and has been prepared cognisant of the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), CCBC's local validation checklist, and informal pre-application advice received from CCBC's planning officers.
- 1.7.2 The planning application comprises 5 main elements, specifically:
- Planning Application Forms and Certificates;
 - Design and Access Statement;
 - Supporting Statement;
 - Pre-Application Consultation Report; and
 - Planning Application Drawings.

1.7.3 This Statement is divided into 12 sections, including this introduction:

- Section 2.0 sets out the planning history relevant to TLEP;
- Section 3.0 provides a description of the Proposed Development;
- Section 4.0 identifies the relevant national and local planning policy documents relevant to the Proposed Development and considers whether it accords, or otherwise, with this policy framework;
- Section 5.0 provides a summary of the potential traffic impacts relating to the proposal;
- Section 6.0 provides a summary of a Flood Consequences Assessment carried out for the development and describes the concept drainage strategy;
- Section 7.0 provides a summary of the Preliminary Ecological Assessment;
- Section 8.0 presents the results of a Community and Linguistic Statement;
- Section 9.0 provides a summary of the Economic Impact Assessment;
- Section 10.0 contains a summary of the Noise Impact Assessment;
- Section 11.0 provides details of the proposed lighting scheme and a summary of the Lighting Assessment; and
- Section 12.0 provides a summary and the conclusions of the Supporting Statement.

2.0 PLANNING HISTORY

- 2.1 TLEP has a long and varied planning history. Between 1987 and the early 1990s the land benefitted from various consents for residential development. However, in 1989 an outline application (ref: 1/12460) was approved for large-scale industrial development, together with the detailed design of the proposed means of access. In 1990, a full application (ref: 1/13214) was approved for construction of estate roads, drainage infrastructure and landscaping on parts of the wider site.
- 2.2 In 1991, another full application (ref: 0/13837) was approved for the construction of estate roads, pumping station and sewers and a scheme of landscaping (essentially, an amended scheme to that approved under ref: 1/13214) – Phase 1A. Another application was approved for Phase 1B to construct a second part of the estate road. These roads were constructed between 1991-1993, as ratified by the comments appearing in a committee report for a subsequent application (ref: 1/15312), where reference is made to the main access road from St Asaph Avenue having been constructed.
- 2.3 Outline planning permission was, again, granted in 2000, for the development of land to form extensions to TLEP, and approval to some of the reserved matters was granted in May 2003. In 2004, an application was also approved by the Planning Committee, which allowed for an extended period for submission of the remaining reserved matters. The application in 2004 noted that the development had already been implemented and this included the estate roads. Since then numerous applications for different units/plots have been submitted on a piecemeal/*ad-hoc* basis.
- 2.4 The detailed planning history chronicle is set out in Table 2.1 below.

Table 2.1: Planning History

Application No.	Application Type	Proposal	Decision Date	Decision
1/12460	Outline	Development of land for industrial purposes and construction of means of access	19/09/1989	Approved subject to conditions
1/13214	Full	Construction of estate roads and sewers and the carrying out of landscaping	24/07/1990	Approved
13610/O	Outline	Construction of estate road	19/02/1991	Approved
1/13837	Full	Construction of estate roads, pumping station and sewers and scheme of landscaping (amended scheme to that approved under ref. 1/13214)	27/06/1991	Approved
1/14136	Full	Use of land as oil storage depot, erection of office building, oil tanks and oil storage building	22/11/1991	Approved subject to conditions
1/14223	Full	Construction of new sewage treatment works and ancillary buildings and alteration to means of access	16/04/1992	Approved subject to conditions
1/15312	Full	Erection of 25 light industrial units and construction of means of access	22/07/1993	Approved subject to conditions
1/16259	Full	Erection of factory unit and construction of means of access	21/03/1995	Approved subject to conditions
0/24083	Outline	Development of land to form extension to industrial estate, comprising business (B1), general industry (B2) and warehouse/distribution (B8) uses, estate roads (phase 1) infrastructure, storage lagoon and landscaping	27/09/2000	Approved subject to conditions
0/25547	Reserved Matters	Approval of details as required by conditions 1, 4, 7, 9, 10, 14, 15, 19, 21, 23, 24, 25 of planning permission approved under code ref. 0/24083	21/05/2003	Approved subject to conditions
0/28634	Outline	Development of land to form extension to industrial estate, comprising business (B1), general industry (B2) and warehouse/distribution (B8) uses, estate roads, infrastructure storage lagoon and landscaping (variation of condition 2 of outline planning permission granted under application ref. 0/24083 to allow for an extended period for the submission of reserved matters)	06/08/2004	Approved subject to conditions
0/29401	Reserved Matters	Erection of industrial unit and associated car parking (approval of reserved matters reserved for approval under application ref. 0/24083)	14/01/2005	Approved subject to conditions
0/30992	Full	Erection of 6no. industrial units B8/B2/B1c use	25/04/2006	Approved subject to conditions
0/35651	Full	Erection of 8no. two-storey commercial units (classes B1, B2 & B8) in grouping of two and three	15/09/2011	Approved subject to conditions
0/39015	Full	Variation of condition nos. 2 & 5 of planning	12/10/2012	Approved

		permission granted under ref. 0/35651 (erection of 8no. two-storey commercial units (classes B1, B2 & B8) in groupings of two and three) to allow for the finished floor levels to be set and thereafter retained at 4.890 AOD unless otherwise approved in writing by the local planning authority		subject to conditions
0/46229	Full	Variation of condition no. 2 of planning approval 0/39015 (erection of 8no. two-storey commercial units (classes B1, B2 & B8) in groupings of two and three)	08/05/2019	Refused

3.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

3.1 Introduction

3.1.1 The following section provides a description of the Proposed Development and should be read in conjunction with the planning application drawings presented in Part 5 of the Planning Application Document and the Design and Access Statement included in Part 2.

3.2 The Proposed Development

3.2.1 The Proposed Development would comprise the following elements:

- 2No. single-storey B8 storage/warehouse units with mezzanine levels;
- Parking for 29 cars (including 4 accessible spaces);
- Cycle parking;
- An informal lorry parking area;
- Two new vehicular site access/egress points, from the internal estate road;
- Refuse recycling storage areas;
- Foul and surface water drainage systems;
- A complementary scheme of hard and soft landscaping (including ground raising and boundary treatment); and
- A lighting scheme.

3.2.2 It is anticipated, given the current and continued rate of business expansion, that the development would be constructed in two phases, with Phase 2 following within five years of the completion of Phase 1.

3.2.3 Each element of the Proposed Development is summarised below.

The Proposed B8 Units

3.2.4 The scheme would comprise two B8 storage/warehouse units, each having a gross external floor area of 2,400m² (25,833ft²) i.e. 4,800m² (51,666ft²) in total, which would be used for the storage and distribution of kitchen, bathroom and plumbing accessories. Goods would be accommodated within two single-storey buildings (each with an office/mezzanine level) with maximum ridge heights of 8.45m above ground level.

- 3.2.5 As illustrated on Drawing No. DG3, the buildings would be clad in the following materials:
- **Roof** – Goosewing Grey, trapezoidal, profiled-metal sheeting with translucent profiled panels and Goosewing Grey, powder-coated, rainwater goods;
 - **Walls** – Goosewing Grey, trapezoidal profiled-metal, sheeting above a “Yorkstone” colour, fair-faced, blockwork plinth (2.1m high);
 - **Windows and Doors** – Blue, powder-coated, aluminium.

3.2.6 Signage would also feature prominently on a number of the building’s facades, in accordance with Plumbworkz’s corporate branding and signage strategy. The precise number and detail of the proposed signs would be subject to a separate application(s) for advertising consent.

Access Arrangements

3.2.7 The development layout is illustrated on Drawing No. DG3. The Proposed Development would have a double vehicular access, located along the Site’s northern boundary, with segregated pedestrian access points. Both accesses would be 7.5m wide, and would be secured by a sliding gate, set back 10m from the edge of the carriageway.

3.2.8 Pedestrians and cyclists would benefit from direct access to the footways and cycle routes on the internal estate road through TLEP. Tactile paving and pram crossings would be provided on each side of the proposed vehicular accesses to assist pedestrians and cyclists.

3.2.9 All HGV traffic associated with the Proposed Development would enter/exit the Site via the aforementioned vehicular accesses. Private car movements would also use these vehicular accesses to enter/leave via the internal estate road, which connects to St. Asaph Avenue.

3.2.10 All service vehicles that access the Site would route via St. Asaph Avenue, and would be encouraged to use the three-arm mini roundabout junction, as opposed to the simple priority junction further south. Utilising the mini-roundabout junction provides the most direct access from the Application Site to St. Asaph Avenue.

3.2.11 The existing internal estate road through TLEP benefits from being 7m wide, has standard

width footways and cycle routes, is well lit and is subject to a 30mph speed limit. The route already provides pedestrian and vehicular access to other active industrial businesses that operate across the wider Park, as well as to other undeveloped land parcels on the estate.

- 3.2.12 As illustrated in Appendix 5-1, the proposed site layout can accommodate multiple HGV's loading/unloading on the Site. There is also additional storage and layover space on the service yard to the west of the Phase 1 building, which would lie centrally once the Phase 2 building is constructed.
- 3.2.13 Swept-path analysis, also contained in Appendix 5-1, demonstrates that there is adequate space within the service yard to turn a 16.5m maximum legal articulated vehicle and reverse into the loading bays provided.
- 3.2.14 The scheme has been designed to ensure that there would be no potential conflict between vehicles loading/unloading and other vehicles accessing or exiting the Site. As would be expected, the process is managed and delivery vehicles would only enter the area to load/unload when designated loading bays are clear.
- 3.2.15 In the unlikely event that an HGV arrives on Site and has to wait before being unloaded, there would be appropriate space for the vehicle to layover within the Site's curtilage without waiting on the adjacent internal access road.

Foul and Surface Water Drainage

Existing Drainage Infrastructure

- 3.2.16 Arterial systems of foul and surface water drainage were constructed at TLEP in the late 1990's/early 2000's. Dŵr Cymru Welsh Water (DCWW) sewer records, included at Appendix 6-1, show a 300mm dia. public foul sewer running west to east within the TLEP estate road. This sewer connects with a 150mm dia. rising main, via the pumping station immediately north-east of the Site, which then runs north to south, adjacent to the eastern boundary of the Site. There is also a 100mm dia. private surface water sewer located along the eastern boundary of the Site which flows north in this location.

Proposed Foul and Surface Water Drainage Strategy

- 3.2.17 A detailed scheme for the disposal of foul and surface water flows has not yet been devised. However, a strategy has been conceptualised and is presented at Appendix 6-1, in which it is confirmed that all methods of surface water disposal have been assessed and attenuated discharge of run-off to the ditch/drain present in the western extent of the Site (via below ground attention storage in parking and access areas) appears to be the most practical option.
- 3.2.18 With regard to the management of foul effluent, flows would be discharged to the 300mm public foul sewer within the adjacent estate road. A new connection would need to be agreed with DCWW. Given that it is proposed to raise ground levels by a minimum of 5mAOD, a gravity fed connection from the Site would be achievable.
- 3.2.19 The Applicant envisages providing full details of the proposed foul and surface water drainage infrastructure pursuant to a planning condition imposed upon any planning permission the LPA may be minded to grant.

New Utility Infrastructure

- 3.2.20 The Proposed Development would be served by existing utility infrastructure already serving TLEP in order to meet its demands. In terms of the electrical network, this would be supplied via the existing sub-station, located to the east of the Site, immediately adjacent to the proposed site access road, at its junction with the existing TLEP estate road.

Hard and Soft Landscaping

- 3.2.21 Hard landscaping details for the Proposed Development are indicated on the Proposed Site Plans (Drawing Nos. DG2 & DG4) which illustrate that the areas immediately surrounding the proposed buildings would, generally, be hard-surfaced (in tarmac) including the lorry parking zone and formal car park, located close to the main entrance.
- 3.2.22 In terms of soft landscaping, proposals are only indicative at this stage, as the detailed design, specification and scheduling work have not yet been completed. However, the

principles of the scheme would be to provide a clean and uncluttered setting for the building, using a limited palette of plants, which would define the space and provide a sense of place.

- 3.2.23 The Applicant envisages providing full details of the proposed hard and soft landscaping pursuant to a planning condition imposed upon any planning permission the LPA may be minded to grant.

Lighting

- 3.2.24 A lighting scheme has been prepared to complement the Proposed Development and to facilitate safe movement around the Site by visitors and staff during the hours of darkness. The lighting scheme is illustrated on the Proposed Site Plans (Drawing Nos. DG2 & DG4) and the Proposed Elevations (Drawing No. DG3) on which are annotated a series of lighting columns to the Site's periphery and wall-mounted floodlighting.
- 3.2.25 The proposed lighting scheme has been subject to a Lighting Assessment (see Appendix 11-1) in order to inform the most appropriate lighting specification and also to ensure that lighting does not spill materially beyond the Site's boundary or affect any particular ecological features.
- 3.2.26 In addition to the above, a number of lighting columns would be fitted with CCTV cameras, which would be relayed to a remote monitoring station, as a deterrent to potential criminal activity.

4.0 PLANNING POLICY CONTEXT AND APPRAISAL

4.1 Introduction

4.1.1 This section of the Supporting Statement presents an analysis of the Proposed Development in the context of all current, relevant planning policies.

4.1.2 The section is divided into three principal sub-sections. Following on from this introduction, sub-section 4.2 provides a brief overview of the policy context and identifies the principal documents to which further reference will be made. Sub-section 4.3 sets out the relevant policy context, and is immediately followed in sub-section 4.4 by a policy table assessing how the proposal accords, or otherwise, with that policy framework. Finally, sub-section 4.5 draws a number of concise conclusions.

4.2 Policy Context - Overview

4.2.1 Section 38(6) of the Planning and Compulsory Purchase Act (September 2004) and paragraph 2.1.2 of Planning Policy Wales (Edition 10) requires that applications for planning permission should be determined in accordance with the statutory Development Plan, unless material considerations indicate otherwise.

4.2.2 In the case of the Proposed Development, the statutory Development Plan comprises the Conwy Local Development Plan (October 2013).

4.2.3 In addition to the above, the Proposed Development should also be considered in the context of other, more contemporary material considerations, all of which carry varying degrees of “weight”.

4.2.4 Those documents considered material to the determination of this planning application comprise the following:

- Planning Policy Wales (Edition 10) (December 2018);
- Technical Advice Note 5: Nature Conservation and Planning (September 2009);
- Technical Advice Note 11: Noise (October 1997);

- Technical Advice Note 12: Design (March 2016);
- Technical Advice Note 15: Development and Flood Risk (July 2004);
- Technical Advice Note 18: Transport (March 2007);
- Technical Advice Note 20: Planning and the Welsh Language (October 2013);
- Technical Advice Note 23: Economic Development (February 2014); and
- The Emerging Conwy Replacement Local Development Plan – Preferred Strategy (2018).

4.2.5 The relevant policies/guidance from the aforementioned documents are summarised in detail below, together with a comprehensive analysis of how the Proposed Development would accord, or otherwise, with the identified requirements.

4.3 Detailed Policy Context

Introduction

4.3.1 This section sets out, in detail, the key policies and other material considerations which form part of the policy framework against which the Proposed Development should be determined.

The Development Plan

The Conwy Local Development Plan

4.3.2 The Conwy Local Development Plan (CLDP) was adopted on 24th October 2013.

4.3.3 The Plan covers the period 2007-2022 and aims to:

- *“provide a practical and detailed basis for the control of development and use of land;*
- *Afford protection to the natural and built environment;*
- *Provide incentive to developers by allocating land for particular types of development; and*
- *Bring local and detailed planning issues before the public.”*

- 4.3.4 There is one policy of primary significance to the Proposed Development, by virtue of the Site's land-use allocation presented in the CLDP Proposals Map. The Site lies within a "safeguarded employment site" covered by Policies EMP/1 and EMP/4, which relate to meeting office and industrial employment needs and safeguarding B1, B2 & B8 office and industrial sites. These policies highlight the importance of existing employment sites to the local and regional economy and seeks to ensure that such sites are safeguarded for employment-generating uses.
- 4.3.5 There are a number of other strategic and environmental policies contained within the CLDP considered to be of relevance to the Proposed Development, which are listed below:
- Strategic Policy DP/1: Sustainable Development Principles;
 - Strategic Policy DP/2: Overarching Strategic Approach;
 - Policy DP/3: Promoting Design Quality and Reducing Crime;
 - Policy DP/4: Development Criteria;
 - Policy DP/6: National Planning Policy and Guidance;
 - Strategic Policy NTE/1: The Natural Environment;
 - Policy NTE/3: Biodiversity;
 - Policy NTE/8: Sustainable Drainage Systems;
 - Policy NTE/9: Foul Drainage;
 - Policy NTE/10: Water Conservation;
 - Policy CTH/5: The Welsh Language;
 - Strategic Policy STR/1: Sustainable Transport, Development and Accessibility;
 - Policy STR/2: Parking Standards;
 - Policy STR/3: Mitigating Travel Impact; and
 - Policy STR/4: Non-Motorised Travel.
- 4.3.6 These policies and the manner in which the Proposed Development accords, or otherwise, with them is addressed in the policy table which follows this section.

Materials Considerations

Planning Policy Wales (Edition 10) (December 2018)

- 4.3.7 The latest version of Planning Policy Wales (PPW) was published in December 2018. PPW sets out the land-use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW, provide the national planning policy framework for Wales.
- 4.3.8 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.
- 4.3.9 PPW consists of six chapters which, when read as a whole, is the Welsh Government's blueprint for sustainable development. Those chapters of relevance to the Proposed Development are:
- Chapter 3 – Strategic and Spatial Choices;
 - Chapter 5 – Productive and Enterprising Places; and
 - Chapter 6 – Distinctive and Natural Places.
- 4.3.10 The manner in which the Proposed Development accords, or otherwise, with the policy principles of PPW is set out in the planning policy table (Table 4.1), which follows this context appraisal.

Technical Advice Notes (TANs)

- 4.3.11 PPW is supplemented by a series of Technical Advice Notes which augment and provide guidance upon its various policy principles. Those TANs of relevance to the Proposed Development, including reference to the specific guidance contained within, are set out below.

TAN 5: Nature Conservation and Planning

- 4.3.12 TAN 5, published in September 2009, provides additional guidance in respect of nature conservation and recognises that this subject may also be material to decisions on individual planning applications. It provides guidance regarding how the land-use planning system should contribute towards the protection and enhancement of biodiversity and geological conservation and:

“demonstrates how local planning authorities, developers and key stakeholders in conservation can work together to deliver more sustainable development that does not result in losses from the natural heritage but instead takes every opportunity to enhance it.”

TAN 11: Noise

- 4.3.13 TAN 11, published in October 1997, provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens of business. It outlines some of the main considerations which local planning authorities should take into account in drawing-up development plan policies and when determining planning applications for development which will either generate noise or be exposed to existing noise sources.

TAN 12: Design

- 4.3.14 Published in March 2016, TAN 12 seeks to equip all those involved in the design of development by providing advice on how ‘Promoting sustainability through good design’ and ‘Planning for sustainable building’ may be facilitated through the planning system. It also provides guidance on the preparation and validation of Design and Access Statements.

TAN 15: Development and Flood Risk

- 4.3.15 TAN 15 was published in July 2004 and provides guidance to local planning authorities in

determining applications regarding flood risk and provides an interpretation of how this guidance applies specifically to a site. It *“provides a framework within which risks arising from both river and coastal flooding and from additional run-off from development in any location can be assessed.”*

4.3.19 This ‘precautionary framework’ should be used for both forward planning and development control purposes. As set out in paragraph 3.2, its operation is governed by:

- *“A development advice map containing three zones (A, B and C with sub-division into C1 and C2) which should be used to trigger the appropriate planning tests in relation to Sections 6 and 7 and Appendix 1;*
- *Definitions of vulnerable development and advice on permissible uses in relation to the location of development and the consequences of flooding.”*

4.3.20 The approach is, therefore, a staged one comprising:

- Stage 1: Categorisation of site within TAN 15 Flood Zones;
- Stage 2: Application of TAN 15 precautionary framework and determination of whether the proposed development is ‘justified’ in that zone (TAN 15, Section 6 test);
- Stage 3: Assessment of flooding consequences (TAN 15, Section 7 test and Appendix 1) and production of a Flood Consequences Assessment report.

4.3.21 Appendix 1 of TAN 15 explains how the potential consequences should be assessed, provides acceptability criteria for flooding consequences and outlines the technical requirements for a Flood Consequences Assessment (FCA).

TAN 18: Transport

4.3.22 TAN 18 was published in March 2007 and offers technical advice on various transport matters and advises that LPAs should guide the location of new development, reduce the need to travel and promote transport choices in order to reduce pollution and promote environmental improvements.

TAN 20: Planning and the Welsh Language

4.3.23 Published in October 2013, TAN 20 seeks to preserve the Welsh language and provides

guidance on its incorporation into all elements of the planning process.

TAN 23: Economic Development

- 4.3.24 TAN 23, published in February 2014, defines economic development, broadly, so that it can include any form of development that generates wealth, jobs and income. The TAN seeks to ensure that planning decisions are made in a sustainable way which balance social, environmental and economic considerations.

The Emerging Conwy Replacement Local Development Plan – Preferred Strategy

- 4.3.25 The existing Conwy Local Development Plan was adopted in 2013 and has now been in place for over 5 years. CCBC are currently in the process of replacing it in the form of the Conwy Replacement Local Development Plan. Once adopted, the RLDP will cover the period 2018 – 2033. CCBC has reached Stage 5 of an eight-stage process to adoption of the RLDP. Stage 5 is referred to as the “Preferred Strategy”, which is the first written iteration of the Plan, following consultation with the public, developers and other interested parties. Consultation on the Preferred Strategy took place between 29th July 2019 and 20th September 2019 the results of which will be published in Stage 6 of the Plan, where CCBC will produce an updated version, prior to carrying out a subsequent consultation exercise. The anticipated adoption date for the RLDP is September 2021¹.
- 4.3.26 In light of the above, it is clear that there remains further work to be undertaken to progress the RLDP, which is still very much a “draft” document, which is likely to be subject to future changes. Accordingly, in the context of this planning policy appraisal, it is considered that the draft policies contained within the emerging RLDP should attract limited weight in the decision-making process. This is supported by a relatively recent High Court judgement² in which it was determined that even a Plan at an advanced stage of preparation may only attract limited weight if there is still further consultation to be carried out.
- 4.3.27 Consequently, recognising the position of the emerging RLDP in the context of recent case

¹Conwy Delivery Agreement – Appendix 5 (May 2018)

²West Oxfordshire District Council v (1) Secretary of State for Housing Communities and Local Government (2) Rosconn Strategic Land Limited [2018] EWHC 3065 (Admin)

law, the draft policies contained therein, which attract limited weight, have not been considered in this planning policy appraisal.

4.4 Planning Policy Appraisal

4.4.1 The objective of the planning policy appraisal is to determine whether the Proposed Development would lead to the achievement, or otherwise, of national, sub-national and local planning policy and guidance objectives. Table 4.1 below gives a detailed breakdown of the policies against which the proposal has been assessed. Reference is also made, in a number of places, to other sections of this Supporting Statement and other documents prepared in support of the planning application.

Table 4.1: Assessment of the Proposal against Planning Policy and Guidance

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
The Statutory Development Plan					
Conwy Local Development Plan (October 2013)					
Strategic Policy DP/1: Sustainable Development Principles	Indicates that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development.	✓			The Proposed Development would accord with the criteria contained within Policy DP/1 in the following ways: <ul style="list-style-type: none"> • It would comply with relevant national planning policy and guidance as set out below in the material considerations section of this planning policy appraisal; • It would be located on a site allocated for the use being proposed in accordance with Policy EMP/1 and EMP/4; • The development would be situated upon land allocated for development, in a highly accessible location, thereby making efficient and effective use of the land; • It would not adversely affect any buildings or areas of cultural heritage importance; • It would not adversely impact upon the quality of biodiversity or wildlife habitats and no protected species would be affected; • As demonstrated within the supporting environmental documents, the likelihood of the Proposed Development giving rise to adverse effects associated with noise or lighting, has been fully assessed and addressed; • In the event that the Proposed Development receives planning permission, sustainable building techniques would be employed when constructing the facility. These techniques would be detailed within a Construction Environmental Management Plan.
Policy DP/2: Overarching Strategic Approach	Defines the Framework for the Purpose of Locating Development.	✓			The Proposed Development would be located in accordance with the overarching strategic approach set out in Policy DP/2.
Policy DP/3: Promoting Design Quality and Reducing Crime	Sets out a series of criteria, with which development will be expected to comply, in order to achieve high quality, sustainable design which provides	✓			A Design and Access Statement has been prepared in support of this planning application and is presented at Part 2 of this Planning Application Document. The Design and Access Statement provides a written explanation of the Proposed Development and also

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
	usable, safe, durable and adaptable places, and protects local character and distinctiveness of the Plan Area's built historic and natural environment.				<p>includes an analysis of the existing local context and its potential relationship with the Proposed Development.</p> <p>The layout of the proposed buildings is presented in response to several factors (including site constraints) with the design having evolved through a number of iterations with regard to and careful consideration of:</p> <ul style="list-style-type: none"> • Intended function; • local landscape form and character – retaining as many of the existing trees and hedgerows as practicable; • site geometry; • existing landscape features; • screening service yards from dominant views; <p>In addition, the Design and Access Statement sets out how a sustainable development can be achieved, in accordance with prevailing government guidance on this subject.</p> <p>In light of the above, it is considered that the design-related information provided is sufficient to comply with the requirements of Policy DP/3.</p>
Policy DP/4: Development Criteria	Seeks to ensure that development proposals make proper provision to meet the needs generated.	✓			<p>The Proposed Development:</p> <ul style="list-style-type: none"> • would feature safe access from the highway network including two new access spurs off the TLEP internal estate road; • would provide a level of car parking which has been informed by the Council's car parking standards; • would provide safe and secure cycle parking in the form of Sheffield cycle hoops; • would respond to its 'users' needs. All pathways from the car park would be level to enable accessibility. The building would also be fully accessible to wheelchair users, with disability-compliant toilets to the ground floor and the potential for a lift to be installed at some future point, if required; • includes proposals for the storage of refuse; • has been designed to minimise opportunities for crime. <p>In addition to the above, the application is accompanied by a variety of environmental studies which find that the Proposed Development, with mitigation, where necessary, would not have an unacceptable adverse impact upon:</p> <ul style="list-style-type: none"> • residential amenity; • traffic; • the Welsh language;

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
					<ul style="list-style-type: none"> environmental conditions arising from noise, or lighting; ecological and wildlife interests and landscape character; on flooding or flood risk; or on quality of ground or surface water.
Policy DP/6: National Planning Policy and Guidance	Seeks to ensure that development proposals comply with national planning policy and guidance.	✓			As set out below in the material considerations section of this planning policy appraisal, the Proposed Development is considered to comply with relevant national planning policy and guidance.
Policy EMP/1: Meeting B1, B2 & B8 Office and Industrial Employment Needs	Seeks to ensure that there is sufficient employment land to meet population projections over the Plan period.	✓			The Proposed Development, being with a B8 use class, would demonstrably accord with the thrust of Policy EMP/1.
Policy EMP/4: Safeguarding B1, B2 & B8 Office and Industrial Sites	Seeks to ensure that existing, established office and industrial areas are safeguarded.	✓			The Proposed Development, being consistent with a B8 use class, would demonstrably accord with the thrust of Policy EMP/4.
Strategic Policy NTE/1: The Natural Environment	Seeks to regulate development so as to conserve and, where possible, enhance the Plan Area's natural environment, countryside and coastline.	✓			<p>The planning application for the Proposed Development is supported by a Preliminary Ecological Appraisal which provides an account of the ecological sensitivities of the Site.</p> <p>The Appraisal, contained in Appendix 7-1, demonstrates that the Proposed Development would not adversely affect on-site flora or fauna.</p> <p>In light of the above, the Proposed Development would not be contrary to any of the policy criteria contained in Policy NTE/1.</p>
Policy NTE/3: Biodiversity	Through a range of measures, aims to conserve and, where possible, enhance biodiversity.	✓			Notwithstanding the response to the above policy, ecological enhancements have been recommended as part of the development, in accordance with national guidance and Policy NTE/3.

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
					<p>Removal of all the perimeter trees and shrubs along with scrub removal would mean a loss of bird-nesting habitat. However, to mitigate this loss, new planting is recommended around the Site's perimeter.</p> <p>In addition, a selection of bird-nesting boxes is recommended as a part of the structure of the new buildings. This would include Schwegler 1SP sparrow terrace nest boxes and open-fronted nest boxes (a combination of standard nest boxes with a 32mm hole and a 25mm hole).</p>
<p>Policy NTE/6:</p> <p>Energy Efficiency and Renewable Technologies in New Development</p>	<p>Sets out how the Council hopes to assist in the efficient use and conservation of natural resources.</p>	✓			<p>Whilst opportunities for renewable technologies are limited in this instance, the development has been designed and would be constructed with sustainability in mind, employing the following principles:</p> <ul style="list-style-type: none"> with the exception of the ancillary offices, the proposed units would not be heated, thus reducing the development's carbon footprint; the development would be located closer to its existing retail outlets than the current warehouse in Wrexham, thus reducing delivery vehicle mileage; the development would utilise sustainable drainage systems; the development would not impact adversely on special habitats or protected species and would, if deemed necessary, incorporate measures to enhance biodiversity; and where possible, reclaimed and/or recycled materials would be used as part of the construction process. <p>In light of the above, the Proposed Development is considered to accord with the thrust of Policy NTE/6.</p>
<p>Policy NTE/8:</p> <p>Sustainable Drainage Systems</p>	<p>Requires the effective use of permeable surfaces, soakaways and water storage areas in all new development where technically possible.</p>	✓			<p>Chapter 6.0 (and Appendix 6-1) contains a concept technical solution for the means of dealing with the foul and surface water flows which are predicted to increase as a result of the Proposed Development.</p> <p>In order to ensure that the increase in the volume of surface water run-off does not have an impact elsewhere, the FCA confirms that run-off should be dealt with using appropriate sustainable drainage techniques.</p> <p>In accordance with Policy NTE/8, surface water run-off would be dealt with using underground storage provided in the form of an attenuation tank, geo-cellular storage and/or oversized pipes in order to accommodate storm events up to and including the 1 in 100 year plus 20% climate change event. Surface water would be discharged to the existing drain/ditch</p>

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
					<p>in the western extent of the Site.</p> <p>Further information/drawings etc. regarding the proposed drainage strategy would be submitted pursuant to a suitably-worded planning condition, should planning permission be granted.</p>
<p>Policy NTE/9:</p> <p>Foul Drainage</p>	Requires that foul effluent should be discharged to an adopted foul sewer, wherever possible.	✓			Foul water generated by the Proposed Development would be discharged into the 300mm public foul sewer within the TLEP spine road, thereby ensuring that the quality of ground water, surface water, watercourses and sites of biodiversity importance are protected.
<p>Policy NTE/10:</p> <p>Water Conservation</p>	Seeks to ensure that a balance is achieved between management of water recycling and ensuring no adverse impact on the water environment and biodiversity.	✓			See above responses to CDLP Policies NTE/1, NTE/3, NTE/8 and NTE/9.
<p>Policy CTH/5:</p> <p>The Welsh Language</p>	<p>Seeks to ensure that development does not prejudice the interests of the Welsh language within the community.</p> <p>Where necessary phasing of development may be required.</p>	✓			<p>The planning application which this Statement supports is accompanied by a Community and Linguistic Statement.</p> <p>In accordance with thrust of Policy CTH/5, the Statement confirms that the Proposed Development would not result in any negative effects upon the Welsh language. This is unsurprising given the anticipated regeneration and employment benefits of the scheme.</p> <p>The assessment concludes that the economic benefits associated with the proposed development, during construction and operation, would support the local economy and, in turn, support and maintain Welsh language and culture.</p> <p>Support for the local economy would be in the form of generating additional employment opportunities and supporting the local supply chain.</p> <p>The Proposed Development would also contribute towards diversifying the local economy, which would support a sustainable community where the Welsh language can thrive.</p>
<p>Policy STR/1:</p>	Seeks to ensure that development is located so as to minimise the	✓			In order to ensure that the Proposed Development accords with this policy, it is recognised that it would need to satisfy planning and transport-related

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
Sustainable Transport, Development and Accessibility	need to travel.				<p>sustainability objectives which require that new developments:</p> <ul style="list-style-type: none"> include initiatives to reduce/minimise the need to travel, especially by private car; and promote accessibility through a range of sustainable travel options. <p>The Site is considered as offering some locational advantages to assist in meeting these sustainable development goals, being located a reasonable walk from existing public transport connections and being well-connected to good quality walk/cycle infrastructure.</p> <p>The extent and nature of local transport connections available within the immediate catchment of the Proposed Development are summarised in the Highway Technical Note (Appendix 5-1).</p> <p>The Site is located adjacent to complementary uses, thus providing opportunities for shared / linked trips, is within a short walk of existing regular public transport connections and provides connections to good quality walk/cycle infrastructure.</p> <p>Such locational characteristics are considered as providing opportunities to meet the sustainable planning objectives of promoting the use of alternative modes to the private car and managing the overall new traffic associated with the Proposed Development.</p>
<p>Policy STR/2:</p> <p>Parking Standards</p>	To manage demand for certain types of parking, in order to promote the environmental, social and economic goals of the plan.	✓			<p>The proposed level of parking provision has been derived with reference to February 2014 Conwy Supplementary Planning Guidance Document LDP02 "Parking Standards", which sets out guidance on parking provision in new developments.</p> <p>This policy document identifies the following parking guidance for land uses relevant to the development scheme. In the case of the application site, it is considered that this represents a Zone 4 'suburban or near urban' location defined as:</p> <p>"The outer edges of the largest towns; suburban locations in towns; the whole of smaller settlements offering a range of local facilities. There is an at least hourly bus service to the town centre and there may also be a railway station in the town.</p> <p><i>Local facilities include a local centre within 400m walking distance. Some other basic amenities such as a doctor's surgery are also available within the same walking distance."</i></p>

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
					<p>Ultimately, the proposed level of parking provision (29 car parking spaces) is considered to represent an appropriate level for the land use proposed, taking into consideration:</p> <ul style="list-style-type: none"> the potential for linked trip-making; and the good local public transport/walking and cycling connections. <p>In addition to the above, the proposed site plans illustrate a number of parking areas for disabled/mobility impaired staff and/or visitors (4no. in total) which is circa 16% of total provision and exceeds guidance requirements.</p>
<p>Policy STR/3:</p> <p>Mitigating Travel Impact</p>	<p>Seeks to ensure that, through a series of set criteria, development proposals mitigate their transport impact.</p>	✓			<p>In accordance with the criteria contained in Policy STR/3, the Proposed Development would:</p> <ul style="list-style-type: none"> not cause any undesirable effects of travel in terms of noise, pollution, impact and amenity and health and other environmental impacts; and not have significant transport, social or environmental implications as demonstrated by the Technical Note which accompanies this planning application (see Appendix 5-1).
<p>Policy STR/4:</p> <p>Non-Motorised Travel</p>	<p>Sets out a hierarchy which prioritises the delivery of infrastructure through the planning process for non-motorised modes of transport.</p>	✓			<p>The Proposed Development would incorporate a series of measures which would promote sustainable travel, including cycle parking facilities at two separate locations across the Site.</p> <p>Such a level of provision would accord with CCBC minimum cycle parking standards and the requirements of Policy STR/4.</p>
<p>Material Considerations</p>					
<p>Planning Policy Wales (Edition 10) December 2018</p>					
<p>Chapter 3</p>	<p>“Strategic and Spatial Choices” sets out the principles for achieving successful placemaking.</p>	✓			<p>See above response to Strategic Policy DP/1, DP/2, DP/3, DP/4 and DP/6 of the CLDP.</p>
<p>Chapter 5</p>	<p>“Productive and Enterprising Places” covers the economic components of placemaking.</p>	✓			<p>See above response to Policy EMP/1, EMP/4, STR/1, STR/2, STR/3 and STR/4 of the CLDP.</p>

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
Chapter 6	"Distinctive and Natural Places" covers the environmental and cultural components of placemaking.	✓			See above response to Policy NTE/1, NTE/3, NTE/8, NTE/9, NTE/10 and CTH/5 of the CLDP.
Technical Advice Notes (TANs)					
TAN 5: Nature Conservation and Planning	Sets out guidance for planning authorities for the preparation of their development plans in respect of sites and features of nature conservation interest.	✓			See above response to Strategic Policy NTE/1, NTE/3 and NTE/4 of the CLDP.
TAN 11: Noise	Seeks to ensure that development which has the potential to give rise to noise impacts provides mitigation measures (where appropriate and practicable).	✓			The Proposed Development has been subject to an assessment of its potential to give rise to significant noise effects. The assessment is contained in Appendix 10-1 and summarised in Chapter 10.0 of this Statement. The Noise Impact Assessment concludes that, following the incorporation of a series of recommended mitigation measures, the Proposed Development would not give rise to significant adverse effects on the sensitive receptors identified.
TAN 12: Design	Seeks to provide all those involved in the design of development with advice on: <ul style="list-style-type: none"> How 'promoting sustainability through good design' may be facilitated through the planning system; and The preparation and validation of mandatory design and access statements. 	✓			See above responses to Policy DP/1, DP/3 and DP/4 of the CDLP.
TAN 15: Development and Flood Risk	Summarises the guidance to local planning authorities in determining applications with regard	✓			According to the Welsh Government Development Advice Map, the Proposed Development Site is located within Flood Zone C1 – an area considered to be at flood risk, but served by significant infrastructure, including flood defenses, with a 0.1%

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
	to flood risk, and provides an interpretation as to how this guidance applies specifically to a site.				<p>(1 in 1000) or greater annual probability of flooding.</p> <p>The NRW "Flood Map for Planning" map shows that the Site is located within the defended Flood Zone 3 – an area considered to be at flood risk with a 1% (1 in 100) or greater annual probability of fluvial flooding and/or a 0.5% (1 in 200) or greater annual probability of tidal flooding albeit benefiting from the protection offered by flood defenses.</p> <p>The Proposed Development can be considered to be "less vulnerable" development in accordance with Figure 2 of TAN 15, in which it states that less vulnerable development can be considered in Flood Zone C1 subject to the application of the TAN 15 Justification Test and satisfying specific TAN 15 acceptability criteria.</p> <p>In light of the above, a Flood Consequences Assessment and Drainage Strategy has been submitted in support of the planning application (see Appendix 6-1) which has been prepared with reference to local guidance documents including the CCBC Preliminary Flood Risk Assessment (June 2011).</p> <p>The FCA concludes that the principal source of flooding at the Site is tidal flooding from the River Clwyd and the coast. Flooding could occur from overtopping or a breach in the flood defenses.</p> <p>Outputs of the Tidal Breach/Overtopping Modelling undertaken as part of the Denbighshire County Council SFCA update in 2014 have been used by the flood risk consultant to create site-specific flood depth and velocity mapping. A review of the site-specific outputs concludes that the Site is flood free during all events up to and including the defended 5% AEP fluvial event coinciding with a 0.5% AEP + 50 years CC tidal event.</p> <p>During a breach event the Site is estimated to flood during the 5% AEP fluvial coinciding with both the 0.5% AEP plus 75-year CC and 0.1% AEP + 75-year CC tidal events.</p> <p>The NRW flood data indicates a maximum predicted flood level of 4.584m AOD in the location of the proposed buildings during the 5% AEP fluvial coinciding with the 0.5% AEP + 75-year CC tidal event, increasing to 4.901m AOD during the 5% AEP fluvial coinciding with the 0.1% AEP + 75-year CC tidal event.</p> <p>It is proposed to set the finished floor level of the buildings at 5m AOD providing a freeboard of 416mm</p>

Policy	Guidance and Objective / Thrust	Achievement of Objective			Commentary
		Helps	Hinders	Neutral	
					<p>above the 5% AEP fluvial coinciding with the 0.5% AEP + 75-year CC tidal breach event and a 99mm freeboard above the 5% AEP fluvial coinciding with the 0.1% AEP + 75-year CC tidal breach event.</p> <p>Site levels adjacent to the buildings would also be raised above the 5% AEP fluvial coinciding with the 0.5% AEP + 75-year CC tidal breach flood levels.</p> <p>The Proposed Development would introduce hardstanding in the form of buildings, parking and access. This would result in an increase in surface water run-off. In order to ensure the increase in surface water run-off would not increase flood risk elsewhere, flow control would be used, and attenuation provided on-site to accommodate storm events up to and including the 1 in 100-year plus 20% climate change event.</p> <p>In light of the above, the Proposed Development would be flood-free during the design events considered by TAN 15 and, as such, would be in full accordance with this supplementary national planning policy document.</p>
TAN 18: Transport	Offers technical advice and guidance on various transport matters and provides advice in respect of new developments.	✓			See above responses to Policy DP/1, DP/4, STR/2, STR/3 and STR/4 of the CLDP.
TAN 20: Planning and the Welsh Language	Provides guidance to the Local Planning Authority on the preservation and promotion of the Welsh language and its incorporation into all elements of the planning process.	✓			See above response to Policy CTH/5 of the CLDP.
TAN 23: Economic Development	Seeks to ensure that planning decisions are made in a sustainable way which balance social, environmental and economic considerations.	✓			See above responses to Policy EMP/1 and EMP/4 of the CDLP

4.5 Summary and Conclusions

- 4.5.1 The above planning policy appraisal has demonstrated that the Proposed Development is consistent with the aims and objectives of a wide range of design and environmental policies contained in the identified national and local planning policy and guidance documents, including the most pertinent policies in respect of the site's location – those relating to flood risk.
- 4.5.2 In light of the above, the Proposed Development is considered to be wholly compliant with the provisions of the statutory development plan, with no material considerations weighing against the scheme.

5.0 TRAFFIC & TRANSPORTATION

5.1 Introduction

- 5.1.1 Annex D of TAN 18 contains a table of suggested thresholds above which a transport assessment should be submitted in support of a planning application. Cross-referencing this table with the land-use and quantum of development now being proposed, shows that the relevant thresholds are not exceeded. Consequently, a TA is not required in support of the planning application.
- 5.1.2 The above notwithstanding, a Highway Technical Note, which includes a parking assessment and highway visibility assessment, has been prepared in order to ensure that the potential traffic impacts of the Proposed Development have been properly considered.
- 5.1.3 The Highway Technical Note (HTN) is presented at Appendix 5-1; the results of which are provided below.

5.2 Conclusions of the Highway Technical Note

- 5.2.1 The proposal comprises a two-phase plan whereby a 2,400m² B8 warehouse unit with associated parking, servicing and access would be developed in Phase 1 and then, within 5 years, Phase 2 would constitute an additional 2,400m² warehouse with access, making a total of 4,800m² GFA.
- 5.2.2 The proposed access arrangements consist of two bell-mouth junctions opening onto the TLEP service road. Each access would be 7.5m in width with 9m radii. It has been demonstrated that these accesses will allow for a 16.5m articulated vehicle to access the Site.
- 5.2.3 The appropriate visibility splays of 2.5m x 90m set out in TAN 18 are achievable at each access with the exception of the left-hand visibility of the western access which provides a marginally smaller maximum visibility splay of 2.4m x 87m. This is, however, considered acceptable in the view of the very minor shortfall and the alignment of the main road to the west of the access.

- 5.2.4 In accordance with CCBC's Local Validation Checklist, it has also been demonstrated that a 90m stopping sight distance (SSD) would be achievable between a vehicle waiting to turn right into either access and an approaching vehicle to the front and rear. This shows that an approaching vehicle would have enough time to observe the waiting car and react.
- 5.2.5 The proposed parking arrangements are in accordance with the maximum and minimum standards set out in CCBC's 'Supplementary Planning Guidance LDP2: Parking Standards' (February 2014).
- 5.2.6 An accumulation exercise has also been undertaken to demonstrate that the proposed parking arrangements are sufficient for the forecast trip generation at the Site. The exercise shows that the development is expected to generate a maximum parking demand of 27 cars. Accordingly, the proposed 29 parking spaces would comfortably accommodate the forecast parking demand for the Site.
- 5.2.7 The internal layout of the yard would allow for a 16.5m articulated vehicle to reverse into the loading bays, exit the Site in a forward gear and manoeuvre within the Site without overrunning any of the proposed parking bays. The operation of the HGVs on Site would, therefore, not have any negative impacts on the operation of the parking arrangements.
- 5.2.8 Based upon the findings outlined in this report, the proposed parking and access arrangements are considered to be acceptable and in compliance with CCBC's requirements. It is therefore concluded that there should be no highway-related reasons to refuse the planning application.

6.0 DRAINAGE & FLOOD CONSEQUENCES

6.1 Introduction

- 6.1.1 As set out in chapter 1.0 of this Supporting Statement, the TLEP is located within Flood Zone C1 on the Welsh Government Development Advice Map – an area considered at flood risk, but served by significant infrastructure, including flood defences, with a 0.1% (1 in 1000) or greater annual probability of flooding.
- 6.1.2 Increasingly restrictive guidance and policies in respect of climate change has created difficulties in obtaining planning permission for new development on greenfield sites, particularly on unallocated sites.
- 6.1.3 However, the TLEP is a long-established industrial estate, allocated for employment uses, where arterial systems of foul and surface water drainage already exist, as part of the advanced works enabling infrastructure scheme, implemented by CCBC. It is, therefore, “development ready”.
- 6.1.3 In light of the Proposed Development’s location, a comprehensive Flood Consequences Assessment & Drainage Strategy has been prepared in support of the planning application. This is presented at Appendix 6-1. However, a summary of the assessment work is provided below.

6.2 Summary of the Drainage & Flood Consequences Assessment

- 6.2.1 The principal sources of flooding at the Site is tidal flooding from the River Clwyd and coastal sea waters. Flooding could occur from overtopping or a breach of the flood defences.
- 6.2.2 Outputs of the Tidal Breach/Overtopping Modelling undertaken as part of the Denbighshire County Council SFCA update in 2014 have been used by the flood risk consultant to create site-specific flood depth and velocity mapping. A review of the site-specific outputs concludes that the Site is flood free during all events up to and including the defended 5% AEP fluvial event coinciding with a 0.5% AEP + 50-year CC tidal event. During a breach

event the Site is estimated to flood during the 5% AEP fluvial coinciding with both the 0.5% AEP plus 75-year CC and 0.1% AEP + 75-year CC tidal events.

- 6.2.3 The NRW flood data indicates a maximum predicted flood level of 4.584m AOD in the location of the proposed buildings, during the 5% AEP fluvial coinciding with the 0.5% AEP + 75-year CC tidal event, increasing to 4.901m AOD during the 5% AEP fluvial coinciding with the 0.1% AEP + 75-year CC tidal event.
- 6.2.4 It is proposed to set the finished floor level of the buildings at 5m AOD providing a freeboard of 416mm above the 5% AEP fluvial coinciding with the 0.5% AEP + 75-year CC tidal breach event and a 99mm freeboard above the 5% AEP fluvial coinciding with the 0.1% AEP + 75-year CC tidal breach event. Site levels adjacent to the buildings would also be raised above the 5% AEP fluvial coinciding with the 0.5% AEP + 75-year CC tidal breach flood levels.
- 6.2.5 The Proposed Development would introduce hardstanding in the form of buildings, car parking and access. This would result in an increase in surface water run-off. In order to ensure the increase in surface water run-off would not increase flood risk elsewhere, flow control would be used and attenuation provided on-site to accommodate storm events up to and including the 1 in 100-year plus 20% climate change event.
- 6.2.6 All methods of surface water disposal have been assessed and discharge of surface water to the drain (watercourse) in the western extent of the Site, appears to be the most practical solution.
- 6.2.7 Attenuation storage would be required on-site in order to restrict surface water discharge to 2 l/s. Attenuation can be provided within underground storage tanks. There is also potential to use permeable paving in areas not frequented by HGV's.

7.0 ECOLOGY

7.1 Introduction

7.1.1 A report containing the results of a Preliminary Ecological Appraisal has been prepared and submitted in support of the planning application for the Proposed Development.

7.1.2 The Report presents baseline information on habitats and ecological features both within the Study area and the immediate surrounding area and identifies the potential presence of protected species and habitats and sites of nature conservation interest.

7.1.3 The full report is presented in Appendix 7-1, the results of which are summarised below.

7.2 Summary and Recommendations of the Ecological Assessment

Summary

- The nature of the habitat within the Site is relatively common (within sites of this nature);
- No further survey works are thought to be required at the present time;
- Short-eared owls are known to feed in and around this area during the winter months;
- Otter and water vole have been found within the vicinity of TLEP;
- Mitigation measures should include a level of tree/shrub planting in and around the general perimeter of the Site, to increase the diversity of the area. Bird boxes can be also used to try and replicate the nesting habitat that would be lost.

Recommendations

Habitats

7.2.1 The ideal situation would be to retain a level of the established tree and shrub planting around the edges of the Site. If this cannot be achieved, then replacement tree and shrub planting in and around the Site's perimeter should be undertaken.

- 7.2.2 Native species should be used where possible. These should include hazel, ash, mountain ash, English oak, dogwood, hawthorn, holly, hazel, field maple and alder.

Protected Species

- 7.2.3 There do not appear to be any significant issues involving protected species. It would be advisable to carry out the works under the remit of a suitable scheme for other Reasonable Avoidance Measures.

Ecological Enhancement

- 7.2.4 Current planning policy requires that development projects minimise ecological damage, they should also include ecological enhancement. In this case, removal of all the perimeter trees and shrubs along with scrub removal will mean a loss of bird nesting habitat. To mitigate for this, new planting should take place around the perimeter as detailed above.

- 7.2.5 In addition, a selection of bird nesting boxes is recommended in the structure of the new building (if the Site is cleared there is nowhere else to place them) to include Schwegler 1SP sparrow terrace nest boxes, open fronted nest boxes, standard nest boxes with a 32mm hole and further boxes with a 25mm hole. The boxes should be positioned to face north or east and away from the prevailing wind in sheltered locations at a level high enough to avoid human interference.

Biodiversity Off-Setting

- 7.2.6 In some cases, bio-diversity off-setting may be required as part of the consenting process. This is a last resort option that should only be used if there are impacts which cannot be avoided, mitigated or compensated for. In this case, some replacement planting with a range of new nesting features should be included within the Site boundary.

8.0 COMMUNITY & LINGUISTIC STATEMENT

8.1 Introduction

8.1.1 CCBC's Local Validation Checklist requires that, in order to assess a development's compliance with Policy CTH/5 of the CLDP, "*all planning applications (full and outline) for commercial, industrial or tourism development with a floor area of 1,000 square metres or more*" should be accompanied by a Community and Linguistic Statement (CLS).

8.1.2 The CLS, contained in Appendix 8-1, presents an overview of the Proposed Development, of planning policy guidance relating to the Welsh language and of the Welsh language profile of Kinmel Bay and Conwy. It also considers the effects of the Proposed Development and of the predicted effects which would, potentially, arise therefrom.

8.1.3 A summary of the conclusions of the CLS has been provided below.

8.2 Conclusions of the Community and Linguistic Statement

8.2.1 The Application Site forms part of the wider TLEP, which is safeguarded in the Conwy LDP under policy EMP/4 for employment use. The effect of allocating TLEP as employment land and its effect on Welsh language and culture has been considered during the preparation of the CLDP and has been concluded to be acceptable.

8.2.2 Phase 1 of the Proposed Development would enable the relocation of Plumbworkz's existing Wrexham facility to Tir Llwyd and would create two or three additional employment opportunities. Phase 2 would comprise of another 2,400m² building which would create an additional 10-12 employment opportunities. The proposal would, therefore, enable a successful company based in North Wales to expand, increasing the number of staff and enhancing local opportunities for employment.

8.2.3 The economic benefits associated with the Proposed Development, during construction and operation, would support the local economy and, in turn, support and maintain Welsh language and culture. Support for the local economy would be in the form of generating additional employment opportunities and supporting the local supply chain.

- 8.2.4 The Proposed Development would also contribute towards diversifying the local economy, which would support a sustainable community where the Welsh language can thrive.
- 8.2.5 Where considered necessary, measures are proposed to enhance beneficial effects identified during construction and operation of the Proposed Development to maximise the benefits for the Welsh language. These comprise of:
- Commitment to supporting the local supply chain through early and proactive engagement with the potential supply chain in order to maximise benefits for businesses in Conwy, Denbighshire and North Wales;
 - A commitment to source construction and operation labour locally, where possible; and
 - Provision of bilingual external signage for the proposed development (Welsh and English).
- 8.2.6 The overall beneficial effect of the Proposed Development on Welsh language and culture is a material consideration relevant when determining this planning application.

9.0 ECONOMIC IMPACT ASSESSMENT

9.1 Introduction

9.1.1 In order that the benefits of the Proposed Development can be quantified, an Economic Impact Assessment has been undertaken and submitted in support of the planning application.

9.1.2 The assessment focuses on the job creation effects unlocked through the scheme and consequential benefits in terms of Gross Value Added. Alongside the direct benefits arising from the construction of new premises and the expansion of Plumbworkz, it outlines the wider indirect impacts associated with increases in supply chain and employee expenditure, alongside the potential for the existing premises to be reused for other business activities.

9.1.3 The full Economic Impact Assessment is presented in Appendix 9-1, the conclusions of which have been repeated below.

9.2 Conclusions of the Economic Impact Assessment

9.2.1 The scheme involves considerable investment by Plumbworkz to deliver a new distribution and storage facility at TLEP, located on the edge of Kinmel Bay, adjacent to the town of Rhyl. The Proposed Development would enable Plumbworkz to manage its existing retail business more efficiently, while relocating and expanding its online distribution business.

9.2.2 The scheme is proposed on a phased basis, with Phase 1 meeting existing need and Phase 2 providing further capacity for future expansion.

9.2.3 Through investing at TLEP, the scheme would create new opportunities adjacent to communities experiencing significant levels of deprivation, including neighbourhoods ranked within the 5% most deprived nationally.

9.2.4 Overall, the scheme would result in a positive economic impact at the local level.

- 9.2.5 Over both phases, capital investment of £1.4 million could support more than 20 gross person years of employment, allowing for wider supply chain and employee expenditure within the local economy. Once completed, Plumbworkz has indicated that some 24 direct jobs could be created, with further employment supported through multiplier effects and the re-occupation of existing premises at Llay near Wrexham.

10.0 NOISE IMPACT ASSESSMENT

10.1 Introduction

- 10.1.1 CCBC's Local Validation Checklist requires that, in order to demonstrate whether a proposed development would be likely to cause unacceptable impacts on amenity, "*all planning applications (full and outline) for B8 use class...*" should be accompanied by a Noise Impact Assessment (NIA).
- 10.1.2 The NIA (contained in Appendix 10-1), the scope of which has been agreed with CCBC's Environmental Health Officer, presents an overview of the Proposed Development, of planning policy guidance relating to the noise impact and amenity and assesses the potential of the Proposed Development to give rise to negative effects on sensitive residential receptors.
- 10.1.5 A summary of the conclusions and recommended mitigation measures of the NIA has been provided below.

10.2 Conclusions of the Noise Impact Assessment

Conclusions

- 10.2.1 The results of the noise predictions relating to noise 'break-out' from the Site have identified the following:
- (i) The results of baseline noise monitoring over a weekend monitoring period at two locations (in areas providing a representative assessment of background sound level) in the vicinity of sensitive receptors indicate that representative background sound levels between 0700-2300 hours at the monitoring positions vary between 50dB LA90 and 51dB LA90. During night-time periods the background levels vary between 35dB LA90 and 37dB LA90;
 - (ii) The highest likely noise contribution from 'break-out' noise from the building and operation of external plant and vehicles during the daytime, based upon the example of noise mitigation measures, would be approximately 23dB to 35dB LAeq_{1hr} at the nearest residential receptors;

- (iii) The highest likely noise contribution from 'break-out' noise from the building and operation of external plant during the night-time, based upon the example of noise mitigation measures, would be approximately 22dB to 32dB LAeq_{1hr};
- (iv) The results of the noise predictions show that noise levels at the nearest receptors would comply with relevant standards for noise i.e. constitutes a low impact according to BS4142: 2014;
- (v) In terms of night-time operational noise levels radiating from the site, the site absolute levels would also fall well below sleep disturbance limits within bedrooms (with an open window);
- (v) In terms of absolute level, the predicted highest noise contributions from the proposed site operations are shown to be well below residual sound levels and therefore, in context, noise levels would not be significant;
- (vi) Results of further calculations of 'event' noise (i.e. reverse alarms and loading of vehicles) show that these would not be significant;
- (vii) Noise levels from site would also comply with criteria contained within WHO guidelines and BS8233:2014; guidance for appropriate noise levels within internal habitable rooms of dwellings.

Mitigation Measures

10.2.2 To show that site operations can achieve reasonable and relevant noise criteria, set out below are example mitigation measures that could be introduced to provide suitable noise attenuation.

Control of Noise from Development

- (i) The exact acoustic requirement of cladding would depend on the final composition of use of each building and operation, which could be controlled by the imposition of an appropriate noise condition based on the application of BS4142: 2014 to ensure an adverse impact would not occur. For the purpose of assessing the highest site noise generation, it has been assumed that the proposed new buildings would be constructed from double-skin insulated lining panels, having a Rw of 35dB or greater to the roof and wall cladding areas (i.e. areas which are not brick or blockwork) or construction compatible with this level of performance;

- (ii) Access doors are assumed to be insulated roller type having a Rw of 18dB or similar;
- (iii) Any proposed external HVAC systems would be located at ground level at the rear or side of the unit (i.e. south or west façade) to an appropriate design level. For example, not exceeding 70dB LAeq_{15mins} at 1m distance would limit noise contribution at nearest sensitive receptors;
- (iv) Where mobile plant is within the control of the site user (i.e. non-sub-contract vehicles) they should be fitted with low noise broadband type reverse alarms (e.g. Brigade Electronics SA-BBS-97 or similar broadband noise type alarm);
- (v) Any windows to be double glazed or roof lights to be double-skinned.

10.2.3 In view of the potential variation in composition of B2/B8 building use and options for noise control, it is expected that the Local Authority would impose a suitably-worded noise condition to ensure there are no adverse impacts in accordance with BS4142: 2014 at nearest sensitive residential receptors. This provides a means of effective control of site noise, without placing unreasonable restrictions on the method of control.

10.2.4 This assessment concludes that with the proposed design layout and appropriate mitigation that there is no reason to refuse planning permission on the grounds of noise.

11.0 LIGHTING ASSESSMENT

11.1 Introduction

11.1.1 CCBC's Local Validation Checklist requires that, in order to assess potential impacts on amenity, highway safety, biodiversity and community safety *"all planning applications for major development consisting of retail, office, commercial, industrial and leisure uses where outdoor lighting is proposed"* should be accompanied by a Lighting Assessment.

11.1.2 In accordance with the requirements of the Checklist, a Lighting Assessment has been prepared and submitted in support of this planning application.

11.1.3 The lighting assessment comprises a report upon the following activities:

- review of pertinent legislation, policy and guidance;
- review of the site and surrounding area using aerial photography and OS mapping;
- production of a scheme of lighting suitable for environmental assessment;
- detailed 3D computational modelling of the scheme;
- calculation of "light trespass" at residential receptors;
- calculation of "glare" at residential receptors;
- calculation of "sky-glow" to the wider surrounding area;
- comparison of the obtrusive light levels with national guideline values;
- production of light spill contours for the scheme;
- calculation of glare at highway receptors; and
- comparison of the predicted glare levels at highway receptors with national guideline values.

11.1.4 A summary of the conclusions of the Lighting Assessment has been provided below.

11.2 Conclusions from the Lighting Assessment

11.2.1 It has been demonstrated that the Proposed Development would be compliant with the residential receptor criteria as set out in the Institution of Lighting Professionals (ILP) (2011) Guidance Notes for the Reduction of Obtrusive Light. Specifically, the lighting associated with the Proposed Development is compliant with the obtrusive light criteria

set out for ILP Environmental Zone E2.

11.2.2 Further, it has been demonstrated that the Proposed Development would be compliant with the highway user criteria as set out in the ILP Guidance Notes for the Reduction of Obtrusive Light. Specifically, the lighting associated with the Proposed Development would be compliant with the obtrusive light criteria as set out for an ME6/ME5 road.

11.2.3 Compliance has been achieved with the adoption of an environmentally sympathetic scheme of lighting having the following mitigation measures:

- the use of luminaires with minimal to zero direct contribution to upward light;
- minimising luminaire uplift angles;
- careful aiming and positioning of luminaires;
- careful selection of luminaires;
- the use of optimal optics for their specific location and orientation;
- optimization of mounting heights;
- the adoption of the lowest intensity LED modules practicable; and
- minimising the task illuminance level.

12.0 SUMMARY AND CONCLUSIONS

12.1 Summary

12.1.1 This Supporting Statement has been prepared in support of an application for full planning permission on behalf of Plumbworkz Ltd. for the construction and operation of a phased B8 warehousing development with ancillary office space, including preparatory earthworks, hardstandings and associated infrastructure on land at Tir Llwyd Enterprise Park, St. Asaph Avenue, Kinmel Bay, Conwy.

12.1.2 The planning application is supported by a variety of environmental and technical assessments and studies which seek to demonstrate that the Proposed Development would not adversely impact upon the Site or its surroundings.

12.1.3 A summary of the main findings of these studies is provided below:

- In terms of transportation, the Proposed Development site enjoys good access to local and strategic road links and is accessible via a range of travel modes. The scheme would result in limited trip demand, with only negligible increases in hourly traffic demand over the previously consented use of the development plot during the critical network peak periods;
- The TLEP already benefits from arterial networks of foul and surface water drainage infrastructure. The proposed surface and foul water drainage strategy has been designed to connect with existing infrastructure and would include appropriate SUDs techniques to ensure that the potential effects upon the local hydrological regime are minimised;
- A Flood Consequences Assessment and Drainage Strategy has been prepared in support of the planning application which demonstrates, utilising mapping created using the outputs of the Tidal Breach/Overtopping Modelling undertaken as part of the Denbighshire County Council SFCA update in 2014, that the Site is flood free during all events up to and including the defended 5% AEP fluvial event coinciding with a 0.5% AEP + 50-year CC tidal event;
- A preliminary ecological assessment of the Site has been undertaken which concludes that, with the implementation of certain precautionary mitigation measures, the potential for adverse impacts upon protected and notable species or habitats is considered to be negligible;

- The Community and Linguistic Statement concludes that economic benefits associated with the Proposed Development, during its construction and operation, would support the local economy and, in turn, support and maintain Welsh language and culture;
- The Economic Impact Assessment has found that Through investing at TLEP, the scheme would create new opportunities adjacent to communities experiencing significant levels of deprivation, including neighbourhoods ranked within the 5% most deprived nationally. Over both phases, capital investment of £1.4 million could support more than 20 gross person years of employment, allowing for wider supply chain and employee expenditure within the local economy. Once completed, Plumbworkz has indicated that some 24 direct jobs could be created, with further employment supported through multiplier effects and the re-occupation of existing premises at Llay near Wrexham;
- The Noise Impact Assessment reveals that with the proposed design layout and appropriate mitigation that there is no reason to refuse planning permission on the grounds of noise; and finally
- It has been demonstrated that the Proposed Development would be compliant with the residential receptor criteria as set out in the Institution of Lighting Professionals (ILP) (2011) Guidance Notes for the Reduction of Obtrusive Light.

12.2 Conclusion

12.2.1 In light of the above, the planning policy support for the Proposed Development, and cognisant of the over-riding need for employment-generating development in Conwy, it is concluded that the application for a phased warehousing development with ancillary office space, including preparatory earthworks, hardstandings and associated infrastructure on land at Tir Llwyd Enterprise Park should be approved.

APPENDICES

APPENDIX 5-1

Highway Technical Note

Flood Consequences Assessment and Drainage Strategy

APPENDIX 7-1

Preliminary Ecological Assessment

APPENDIX 8-1

Community and Linguistic Statement

APPENDIX 9-1

Economic Impact Assessment

APPENDIX 10-1

Noise Impact Assessment

APPENDIX 11-1

Lighting Assessment

PART 4:

PRE-APPLICATION CONSULTATION REPORT

PART 5:

PLANNING APPLICATION DRAWINGS
