

- (i) Denbighshire Unitary Development Plan ( UDP)  
Status and Use for Development Control
- (ii) Replacement of all other Development Plans

### Introduction

The purpose of this report is to advise on-

1. The adoption of the Denbighshire UDP
2. The replacement of all other Development Plans covering the County by the UDP
3. Status, weight and use of the UDP for development control purposes
4. The interim arrangements regarding the availability and access to the adopted UDP documents

### Background

- In accordance with the Council resolution and statutory regulations the Notice of Intention to Adopt the UDP was published for 2 successive weeks in the Daily Post. The first notice appeared on 5th June 2002
- The 28 days period within which The Welsh Assembly Government can intervene in the adoption process passed on 3rd July without any intervention
- A representation was received from an objector but this was outside the statutory 6 week period for making objections to the Proposed Modifications and contained no material procedural matters . A full response was nevertheless sent explaining the position.
- Accordingly, the UDP was formally adopted on 4th July
- In accordance with the regulations a Notice of Adoption of the UDP was published in 2 successive weeks on 10th & 17th July in the Daily Post and London Gazette. In addition all who need to be notified or expressed a wish to be notified have been duly notified by letter. All the necessary documents are available for inspection at all Council offices, libraries and one-stop shops
- The 6 week period for making a legal challenge to the High Court commenced on 10th July and ends on 14th August . Any challenge must be made on legal grounds either (i) the Council failed to comply in some way with its legal requirement to properly consider all objections and the Inspector's Report , or (ii) it failed to comply procedurally in the adoption process
- Until 14th August it would be imprudent of the Council to publish the adopted plan as any successful legal challenge may cause a change to the plan in some way

### Adopted Denbighshire UDP

Subject to the qualifications set out above, the UDP is now adopted for the purposes of Section 54A of the Town & Country Planning Act 1990 (as amended) - which states -

“Where , in making any determination under the planning Acts , regard is to be had to the development plan , the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

Accordingly,the following changes in determining planning applications result-

1. All other development plans which operated in the County are replaced by the UDP and cease to have effect when the UDP becomes operative
2. All planning applications must be considered in accordance with the UDP - unless material considerations indicate otherwise
3. As the replaced development plans cease to have effect they are not material planning considerations
4. The time that a planning application is submitted is not relevant - only the time when it is being determined

#### UDP Documents

- Until satisfactory completion of the 6 week legal challenge period it would be inappropriate to publish the adopted UDP documents
- The documents are being prepared ready for publication early September
- The documents are being amended to take account of (i) up to date information and (ii) current national planning guidance eg Planning Policy Wales March 2002 . Other than as agreed by the Council and duly published no changes to the policies or proposals are being made
- The UDP will be in 3 formats - (i) hardcopy - a combined book of Written Statement and Proposals Maps ( unlike at present in separate books ) (ii) CD-ROM and (iii) Council's Web site
- The UDP will be fully bi-lingual - the hardcopy book will be a separate english and welsh version

#### Interim Arrangements

- In the relatively short period to mid August interim arrangements are in place
- An electronic text only version is available on the Council's Planning Services web site: [www.denbighshire.gov.uk](http://www.denbighshire.gov.uk)

#### Conclusions

1. The adoption of the UDP is a positive step forward which clears away previous uncertainty and provides more confidence in bringing forward and determining development proposals
2. The UDP is now the Council's primary land use planning policy document for considering development proposals

#### Recommendations

This report is for information

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED  
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE  
PLANNING AND COMPENSATION ACT 1991  
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)  
ACT 1990  
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

## PLANNING ENFORCEMENT REPORT

**REFERENCE:** ENF/287/00/S

**LOCATION:** Llanarmon-yn-Ial

**INFRINGEMENT:** Use of land and buildings as an HGV operations centre for 2 wagons and 2 trailers

**CONSTRAINTS:** None relevant

### **RELEVANT PLANNING POLICIES & GUIDANCE:**

#### DENBIGHSHIRE COUNTY COUNCIL UNITARY DEVELOPMENT PLAN

- Policy STRAT 7 - Environment
- Policy STRAT 14 - Highways
- Policy ENV 2 - Development affecting the AONB/AOB
- Policy GEN 6 - Development control requirements
- Policy EMP 5 - Small scale employment development outside development boundary

#### CENTRAL GOVERNMENT GUIDANCE

Planning Policy Wales March 2002

TECHNICAL ADVICE NOTE (WALES) 9 : Enforcement and Planning Control

### **HUMAN RIGHTS CONSIDERATIONS**

From 2 October 2000 the provisions of the Human Rights Act 1998 are taken into account when considering enforcement action against unauthorised commercial uses. In this instance, the matters under consideration relate to the occupier of the site's right to carry out a business activity on the land and the Council's policies which seek to ensure that development does not adversely affect residential amenity or highway safety.

No specific human rights issues have been raised by the owner of the land or by any other third party.

### **1. BACKGROUND INFORMATION:**

- 1.1 This matter was first brought to the attention of officers in November 2000 which then followed a period of monitoring of the site and various investigations to establish the planning situation. The owner of the land was formally contacted in February 2001 and again on 2 other occasions advising that the use of the land and buildings required the submission of a formal application for planning permission.
- 1.2 The owner was advised that the current usage of the land was unauthorised given that it was operating without the required planning permission.
- 1.3 The owner of the land has subsequently submitted a retrospective planning application ref: 15/2002/0150/PF for the continuation of use of the land and buildings as an HGV operations centre for two wagons and two trailers. The application has been subject to a consultation process and the Head of Highways and Transportation objects to the application due to the substandard road network, with the Community Council objecting on the grounds of highway

safety and potential impact on residential amenity. In addition to this there have been 4 letters of objection received in response to publicity.

- 1.4 The application is reported elsewhere on this Agenda under "Applications for Permission for Development". The proposed use is not considered to be acceptable in this location and the application is therefore recommended for refusal.
- 1.5 Should members have agreed with the recommendation for refusal, enforcement action will now be required to ensure that the unauthorised use ceases and that the land and buildings are returned to their authorised use.

## **2. REASONS FOR ISSUING ENFORCEMENT NOTICE**

- 2.1 The use is in a locality which has a substandard road network which is unsuitable for the proposed use. The Head of Highways and Transportation formally objects to the planning application.
- 2.2 The use creates noise and disturbance and is in close proximity to a residential property.
- 2.3 The proposal is contrary to Policies STRAT 7, GEN 6 and EMP5 of the adopted Denbighshire County Council Unitary Development Plan and the relevant national planning guidance.
- 2.4 The use of conditions could not overcome the adverse impact on highway safety and residential amenity.

## **3. RECOMMENDATION**

- 3.1 That authorisation be granted for the following:-
  - (i) Serve an Enforcement Notice to ensure that the unauthorised use ceases and returns to its previous authorised use.
  - (ii) Instigate prosecution proceedings or other appropriate action under the Planning Acts against any person or persons upon whom any Enforcement Notice, or other such Notice is served, or against whom legal action is taken should they fail to comply with the requirements thereof.

## A REPORT BY THE HEAD OF PLANNING SERVICES

### DATE OF SITE VISITS

#### 1. PURPOSE OF REPORT

- 1.1 To advise Members of the likely date of any Site Visits requested by the Planning Committee.

#### 2. DATE OF THE SITE VISITS

- 2.1 In consultation with Legal and Administration, it has been decided that the **Thursday 1st August 2002** is most suitable. This date has been provisionally booked.
- 2.2 You are advised, therefore that any site visits arranged today will take place **On Thursday 1st August 2002 (times to be advised)**.

#### 3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1 This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

#### 4. RECOMMENDATION

- 4.1 That Members agree to the Site Visits being held on **Thursday 1st August 2002**

**REPORT BY HEAD OF PLANNING SERVICES**

**CONSULTATION BY WREXHAM COUNTY BOROUGH COUNCIL**

**CONSTRUCTION OF THREE WIND TURBINES AND ASSOCIATED  
INFRASTRUCTURE, CEFN COED, GLYN CEIRIOG**

**1. PURPOSE OF THE REPORT**

- 1.1 The report seeks the Committee's observations on a planning application submitted to Wrexham County Borough Council in May 2002 on which Denbighshire have been consulted as the neighbouring County Council. The location of the site is shown on the plan at the back of this report.

**2. BACKGROUND**

- 2.1 The application is a submission to Wrexham County Borough Council by the landowner for a 3 wind turbine development with associated infrastructure on land at Cefn Coed, Glyn Ceiriog, some 6km to the south of Llangollen.
- 2.2 The 3no. 1.3 MW turbines proposed will each have 3 rotor blades, 31 metres in length on a 60 metre high tapered tubular tower giving a total maximum height of 91 metres.
- 2.3 The application is accompanied by an Environmental Report that contains information on issues such as impact on the landscape, ecology and archaeology; noise and electromagnetic interference. The report has been prepared by Dulas Ltd, Machynlleth. The report concludes that the proposed wind turbine cluster will have some localised environmental impact, mainly in terms of the effect on visual amenity close to the proposed development; but that these effects have been identified and the proposal designed to minimise impact on the landscape.
- 2.4 A copy of the application and attached documents are available for inspection prior to the meeting of the planning committee.

**3. RELEVANT PLANNING CONSIDERATIONS**

- 3.1 Applications for wind energy developments raise basic issues of principle and specific land use considerations.
- 3.2 There is strong support for the principle of developing renewable energy sources that make use of natural resources. The support is based on the premise that there are prospects for such technology being economically attractive and environmentally acceptable.
- 3.3 National guidance on renewable energy is contained in the Welsh Assembly Government's 'Planning Policy Wales (2002)'. A positive approach to renewable energy developments is encouraged and it is stated that "Local planning authorities should therefore facilitate the development of all forms of renewable energy...where they are environmentally and socially acceptable. They should make positive

provision for such development to meet society's needs now and in the future..." Specific reference is made to wind energy developments which states that " Small scale....schemes may be appropriate in most locations provided they are sensitively sited and designed."

- 3.4 The relevant Denbighshire Unitary Development Plan policy relating to wind energy is MEW 8 'Renewable Energy' which provides support for development that generates or captures energy from naturally sustainable sources, as far as is compatible with other plan policies, and subject to no unacceptable effect on the environmental quality of a locality.
- 3.5 The site is not located within any statutorily designated area but would be visible from the Area of Outstanding Beauty as designated in the Denbighshire UDP. It is the stated aim of the Council to press for the statutory designation of this area as an Area Of Outstanding Natural Beauty and Policy ENV 2 'Development Affecting the AONB/AOB' states that developments will only be permitted where they would not unacceptably harm the character and appearance of the landscape and would not prejudice the future designation of the AONB.
- 3.6 The specific land use considerations that apply to Cefncoed, Glyn Ceiriog which have to be balanced against the national presumption in favour of wind energy development appear to be:
- Electromagnetic interference
  - Visual impact
  - Noise
  - Ecology
  - Archaeology

#### **4. COMMENTS ON THE PROPOSALS AS THEY IMPACT ON DENBIGHSHIRE**

- 4.1 The application is accompanied by an Environmental Report. A full Environmental Impact Assessment (EIA) is not considered necessary by the applicant as government advice states that EIA is more likely to be required for commercial developments of 5 or more turbines. The report goes into some detail on all of the issues outlined in 3.6 above focussing on the potential impacts and mitigation measures proposed.
- 4.2 **Electromagnetic Interference**  
All of the transmission and microwave operators in the area were consulted and those that responded indicated that the proposed turbines would not engender electromagnetic interference and therefore problems of this nature are not anticipated.
- 4.3 **Visual Impact**  
The visual impact of the proposal is a major consideration. The main visual elements of the site are the three turbines, maintenance tracks, crane hardstanding and a switchgear and metering building. Of these elements only the turbines are likely to be visible from within Denbighshire.
- 4.4 The report makes assessments from 6 potential viewpoints one of which is Cregiau Eglwyseg which is within Denbighshire and the designated AOB. The three turbines would be visible from this location approximately 8.7 km away on the distant skyline and blade movement is expected to be visible in good weather. The view from this location is open and panoramic and the turbines would only occupy 2° of the view.



The overall visual impact is therefore considered to be slight at this location. The turbines would not be visible from the A5, the town of Llangollen or the tourist attractions of Plas Newydd, Valle Crucis or Llangollen Motor Museum.

4.5 **Noise**

The development is unlikely to lead to noise having an adverse effect on properties within Denbighshire.

4.6 **Ecology**

The ecological assessment was carried out by ADAS Consulting Ltd in consultation with the Countryside Council for Wales and the County Ecologist for Denbighshire. There are no statutory designated sites or County Wildlife sites in the vicinity of the proposed turbines.

4.7 **Archaeology**

The archaeological assessment was carried out by the Clwyd-Powys Archaeological Trust. The assessment identified 9 archaeological sites and one archaeological excavation within the proposal area. None of these sites is considered to be of national importance and no sites within Denbighshire would be affected.

5. **CONCLUSION**

5.1 There is an increasing national commitment to renewable energy, and the acceptability of individual schemes is dependant on the weighing of a number of environmental impacts.

5.2 The Cefn Coed site lies outside of any statutory landscape designations and is physically suited to wind turbine development. Many of the potential environmental effects of the proposal are very localised and only the visual impact is likely to have any bearing on properties and residents within Denbighshire. This visual impact is likely to be minor in nature and is unlikely to prejudice the future designation of the area as an Area of Outstanding Natural Beauty.

6. **RECOMMENDATION**

That Denbighshire County Council as neighbouring local planning authority offer **no objection** to this proposal as the proposed wind turbines would not impact adversely on the landuse, amenities or interests of residents of Denbighshire.

**REPORT BY HEAD OF PLANNING SERVICES**

**SUPPLEMENTARY PLANNING GUIDANCE 25 (SPG 25):  
STATIC CARAVAN AND CHALETS: CONSULTATION DRAFT**

**1. PURPOSE OF THE REPORT**

- 1.1 To report seeks the Committee's approval of the attached SPG on Static Caravans and Chalets (Appendix 1) as a draft which will be subject to a 6 week public consultation period.

**2. BACKGROUND**

- 2.1 The Denbighshire Unitary Development Plan (UDP) is now adopted and existing SPG will be updated and new SPG prepared where necessary. The SPG attached to this report will supplement policy TSM9 of the Denbighshire UDP, which will provide further guidance to members, officers and developers in the submission and assessment of development proposals for static caravan and chalet sites. In particular, the SPG will address the size and scale of proposals, including their environmental and social impact.
- 2.2 SPG must be subject to public consultation prior to a Council resolution to adopt it. Once adopted it can be taken into account as a material consideration in determining applications for planning permission.
- 2.3 The draft SPG will be subject to a 6 week public consultation period, and will be made available for the public to comment as follows:
- at all Council offices, libraries, one stop shops and the Council's website;
  - developers and/or agents who may have an involvement in submitting planning applications for static caravan/chalet development and everyone who made representations to policy TSM9 of the Deposit UDP will be invited to comment;
- All comments submitted during the 6 week consultation period will be made publicly available, including the Council's response to each one.

**3. CONCLUSION**

- 3.1 SPG on static caravan and chalet development has been prepared in order to provide further information and guidance to officers, members and developers in preparing and assessing planning applications. Following committee approval, the SPG will be subject to a 6 week public consultation period, prior to its approval as adopted planning guidance. The adopted SPG will enable quality and consistent decision-making.

**4. RECOMMENDATION**

- 4.1 That the attached SPG be approved as a consultation draft which will be subject to a 6 week public consultation period.

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Appendix 1

**Denbighshire County Council**

Planning Services

**Supplementary Planning Guidance 25 (SPG 25)**

**Static Caravan and Chalet Development**

**Consultation Draft**

**July 2002**

## SECTION 1 INTRODUCTION, BACKGROUND AND POLICY CONTEXT

### 1. Introduction

This note is one of a series of Supplementary Planning Guidance (SPG) Notes amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The notes are intended to offer broad guidance which will assist members of the public and officers prior to the submission of planning applications and assist officers in handling and Members in determining planning applications.

### 2. Status and Stages in Preparation

The Council's SPG Notes are not part of the adopted plan. However, they have been the subject of both a formal Council resolution and public consultation. The National Assembly Government has confirmed that SPG can be treated as a material planning consideration when Local Planning Authorities (LPAs), Planning Inspectors and the National Assembly Government determine planning applications and appeals. A statement of the public consultation that accompanied the preparation of this SPG is contained in a separate Annex, which includes a summary of the comments and the Council's response to them. This SPG was approved by the Council on [date to be confirmed].

### 3. Background to Issues

Denbighshire County Council recognise the contribution that static caravans and chalets have upon the County's local economy. The Unitary Development Plan (UDP) aims to provide opportunities for sensitive and unobtrusive development of such sites. The protection of the quality of the environment will be a primary consideration and proposals will be subject to a stringent environmental assessment. The impact of any proposal upon the overall character of a community, both through socio-economic and/or linguistic impact, will also be carefully assessed.,

### 4. This document is divided into two main sections:

- (1) Outline of the policy and guidance on interpreting the policy and its criteria;
- (2) Detailed advice on siting, design, layout etc. intended for proposals which, in principle, have satisfied the policy criteria.

### 5. National and Local Planning Policy Background

This SPG supplements policy TSM9 'Static Caravan and Chalet Development' of the adopted Denbighshire Unitary Development Plan (UDP).

### 6. National planning guidance relating to static caravan and chalet development is contained in Planning Policy Wales (2002) and Technical Advice Note (TAN) 13: *Tourism*.

## SECTION 2 INTERPRETATION OF POLICY ISSUES

### 7. Tourism Proposals in Denbighshire

The important contribution that tourism makes to the local economy of Denbighshire is recognised in the UDP. The **UDP Part I** Strategic Policy for tourism is **STRAT 9** which applies a specific spatial strategy to tourism development, as follows:

#### *STRAT 9 Tourism*

*“Tourism development proposals in the form of:*

- (i) tourism projects in the coastal resorts of Rhyl and Prestatyn or as part of Major Mixed Development Areas or allocated sites at Rhuddlan and Corwen;*
- (ii) small scale built or natural environment based tourism projects in the countryside and rural settlements;*

*Will be permitted where they provide appropriate infrastructure, accommodation and attractions and which consolidate and diversify the tourism industry without unacceptably affecting the social, highway, amenity, heritage or environmental interests.”*

### 8. Spatial Strategy

Policy STRAT 9 (above), the UDP’s General Development Strategy and the Council’s wider economic/tourism strategy, will form the basis of the **spatial strategy** that the LPA will apply in determining applications for static caravans/chalet development. This **spatial strategy** is set out in paragraph 12.3.2 of the UDP’s Tourism chapter, and is based upon the **scale of the development**. In determining applications for caravan or chalet development, the County Council will aim to:

- *Concentrate **major development proposals** whether new build, redevelopment or conversion, **within main settlements**; and then*
- *Proportionately **reduce** the size, scale and impact of proposals for **smaller settlements**;*
- *To ensure that in the **countryside** only **smaller scale proposals** based on capacity considerations are appropriate.*

### 9. UDP Policy TSM9: Static Caravan and Chalet Development

In addition to the strategic tourism policy set out in paras. 7-8 above, specific advice on new static caravan and chalet sites is found in policy TSM9, which is set out in Figure 1 below.

**Figure 1:**

#### **Static Caravan & Chalet Development Policy TSM 9**

NEW STATIC CARAVAN AND/OR CHALET SITES WILL BE PERMITTED WHERE THE FOLLOWING CRITERIA ARE MET:

- i) THE SITE HAS GOOD ACCESSIBILITY TO AN ADEQUATE LOCAL HIGHWAY NETWORK AND IS ACCESSIBLE BY A CHOICE OF MEANS OF TRANSPORT;
- ii) THE SITE CAN BE UNOBTRUSIVELY SITED AND FULLY ASSIMILATED INTO THE LANDSCAPE;

iii) THE PROPOSAL DOES NOT UNACCEPTABLY HARM THE AONB, AOB, HISTORIC LANDSCAPES/GARDENS, CONSERVATION AREAS, UNDEVELOPED COAST, GOOD AGRICULTURAL LAND, AREAS OF LOCAL LANDSCAPE VALUE, SSSI'S OR LOCAL WILDLIFE SITES, INCLUDING THOSE IDENTIFIED AND SHOWN ON PROPOSALS MAPS.

Whilst a popular and thriving form of tourist holiday accommodation, the County is already well served, if not over provided on the coast by such uses, many of which present a conspicuous and unsightly appearance. It is highly unlikely that even in the inland areas a case could be justified for new sites. Large static caravan and chalet parks are difficult to site and extend over large areas often dominating and degrading the landscape.

A 'Caravan' is defined by the Caravan Sites Act 1968 as "*any structure designed and adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed, but does not include (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or (b) any tent.*"

10. The main considerations of policy TSM9 are transportation; landscape and the environment. Each of these are considered in turn below.

#### 11. Transportation

A new static caravan or chalet site will have an impact upon the local road network. The **UDP's Part I** strategic policy on transport is set out in policy **STRAT 1** and applicants should have regard to this:

*"Development should seek to be sustainable, making the best use of resources by being located so as to minimise the need for travel by private car and utilise existing infrastructure, facilities and services."*

12. More detailed **UDP Part II** transportation policies to which applicants for caravan and chalet developments must have regard include:

- **Policy TRA6** 'Impact of New Development on Traffic Flows'
- **Policy TRA8** 'Transport Requirements in Major Developments'

13. The bullet points below provide an overview of the transportation considerations which must be considered as part of any application for planning permission:

- New caravan and chalet sites must have a **good transportation infrastructure** and must not affect the safe and free flow of traffic;
- Sites must ideally have **direct access** to an A or B classified road. This would avoid placing unreasonable pressure on minor country roads;
- The site must ideally be served by **footpaths** and **cycleways**. Where this is not possible, the Local Planning Authority must be satisfied that pedestrians and cyclists can access and egress the site **safely**;
- The site must also be within reasonable walking distance to a **public transport** (i.e. bus or train) service which serves local centres. Where this is not possible, the applicant may wish to explore the option of contributing towards subsidising a public transport service to the site;

- Where necessary the LPA may require the developer to submit a **Traffic Impact Assessment**.

#### 14. Landscape and Environmental Considerations

The impact of a caravan or chalet site upon the landscape will be a significant factor to which special attention will be given in the determination of a planning applications. The **UDP's Part I strategic** policy on landscape issues is **STRAT 7 Environment**:

*"The Special Character of Denbighshire, its built heritage, countryside, coastline and environment will be safeguarded by:*

*....protecting and enhancing the nature conservation, biodiversity and landscape quality of the County including the aquatic environment both in rural and urban areas;  
....taking account of physical or natural environmental considerations."*

Static caravan or chalet park development must be **unobtrusive** and **fully assimilated** into the landscape. More detailed guidance relating to **layout and landscaping** is found in Section 2. Developers should have regard to the checklist below, which deals with landscape and environmental considerations:

- The **scale** of a development must respect its surrounding environment;
- In view of their environmental impact, larger developments will generally only be permitted **within** or **adjacent** to settlements (refer also to 'Spatial Strategy' in para. 8);
- Proposals in more rural locations must be relatively **small scale** and **sensitively** developed;
- Proposals should be sited in unobtrusive locations, and should **avoid** skylines, prominent hillsides or exposed sites.
- Developments should ideally be set against a **backdrop** of semi-mature / mature trees or within woodland settings. Sites which require extensive screening through new planting will **not** be appropriate.
- Proposals should **respect the topography** of the site and existing site levels should be retained wherever possible.
- All planning applications must be accompanied by a comprehensive **landscape scheme** (refer to Section 2 for further details);
- Close scrutiny should be given to **environmental designations** throughout the County and regard should be given to the following UDP policies where relevant:
  - *ENV2 Development Affecting the AONB/AOB;*
  - *ENV3 Local Landscape Areas;*
  - *ENV4 International / National Sites of Nature Conservation Value;*
  - *ENV5 Sites of Local Conservation Importance.*
  - *ENV11 Safeguarding of High Quality Agricultural Land;*
  - *CON5 Development Within Conservation Areas;*
  - *CON6 Development Adjacent to Conservation Areas;*

#### 15. Other Strategic Policy Considerations

Further important considerations in determining applications for caravan and chalet development will be as follows:

- (a) **The utilisation of previously developed land and any loss of greenfield land:**



- Static caravan and chalet developments often cover a large area of land, encroaching both greenfield land and land of high agricultural or ecological value;
- Previously developed land should, wherever possible, be used in preference to greenfield sites, particularly those of high agricultural or ecological value;

*[Planning Policy Wales (2002), Para 2.7; Denbighshire UDP Strategic Objective - Environment; and STRAT1 General]*

**(b) To maintain, protect and enhance as far as possible through land use planning the character of communities**

- Static Caravan and Chalet Parks, particularly larger ones, may have an adverse effect upon the character of a local community. The impact upon communities will be assessed in terms of:
  - Welsh language and culture;
  - Socio-economic structure of the area and impact upon local services;

*[UDP: Strategic Objective - Social]*

## SECTION 2: DETAILED DEVELOPMENT ISSUES

### 16. Topography

- The layout of static caravans and chalets should **respect the existing topography** of the site. The natural contours of the landscape should be used where possible to reduce the visual impact of a proposal.
- In certain circumstances minor changes in level will be necessary in parts of a proposed site. Where this is the case, the preference will be for cutting into slopes rather than creating platforms for building.

### 17. Density

- Chalet and Static Caravan development, sited away from existing buildings should be **low density**, with sufficient separation between units, particularly between chalet units.
- This should be fitting with the rural nature of the surroundings, ensuring the character of the area remains open and rural.
- Low density development will also provide a good standard of amenity and privacy to occupants.

### 18. Layout of Units

- Suburban type layouts will **not** be acceptable. The site layout should be **open plan**, with no formally defined curtilage for each chalet or static caravan.
- Instead of formal curtilages for each individual unit, a high quality and **integrated landscaping scheme** for the entire site shall be encouraged.
- As part of the overall landscaping and layout of large sites, the site should be broken up into smaller clusters of no more than 10 units in each **cluster**.

### 19. Roads and Parking

- The **access road and internal road layout** should reflect the character of the area. Formal hard surfacing with raised concrete kerbs can look out of place in a rural setting.
- In many cases, a less formal solution may be more appropriate and will be encouraged by the LPA.
- This may include an internal road utilising gravel / wood chippings and no raised concrete kerbs.
- The overall layout of a site should include **informal open areas**, which would provide space for informal recreation.
- **Car parking** should be to the side or the rear of individual units and away from the main elevation.
- Large centralised parking areas should be avoided.

## 20. On site buildings

- In open countryside, on site buildings such as manager's accommodation, laundrettes etc should utilise **existing buildings**;
- Where this is not possible, buildings will only be permitted on the site where they are necessary for the effective operation of the site. Their visual impact should be kept to a minimum through careful siting and design.

## 21. Landscaping

- The Local Planning Authority will place great emphasis on achieving **high quality hard and soft landscaping**, which will help to integrate the development into its setting.
- Developers will be expected to submit a **scheme of landscaping** as part of the application. The landscaping should be submitted as an integrated scheme for the entire site.
- **Soft landscaping** should focus on native species, and take into account the cover to be provided throughout the seasons, as well as the species and cover adjacent to the site. The use of fast growing conifers will not be acceptable.
- In assessing **screening** of any proposed sites, it will be necessary to consider whether the operator of the proposed site will have control over the woodland which provides the screening, in order to avoid a situation where a site might later be exposed to view due to felling operations by the adjoining landowner.
- The overall layout of large sites should be broken up into smaller clusters of no more than 10 units in each cluster.
- **Hard surfacing** should be kept to an absolute minimum and should generally be limited to access roads, footpaths and car parking.
- Lighting should generally be kept to a minimum and where required should be designed so as to minimise light pollution by utilising low level, low intensity illumination.

## 22. Occupancy Restrictions

- Conditions will be imposed to restrict occupancy for holiday purposes only. This is primarily to ensure that chalets and static caravans are not used as residential accommodation.

## REPORT BY HEAD OF PLANNING SERVICES

### APPEAL DECISION UPDATE

#### 1. PURPOSE OF REPORT.

- 1.1 To advise members of recent appeal decisions.

#### 2. BACKGROUND

- 2.1 The report on the delegation scheme and procedures considered at the Planning Committee on 31st October 2001 and subsequently approved at the County Council meeting on 27th November 2001 proposed that a summary of appeal decisions be reported on a quarterly basis to a set format. Appeal decisions received for the second quarter of 2002 are set out in the **attached appendix**.
- 2.2 As requested by Members we have included a column indicating the original decision level (Committee or Delegated) and the officer recommendation.
- 2.3 Whilst we are happy to answer questions on the appeal decisions at the Planning Committee, if you have any matters of detail that you would like to discuss please contact Mark Dakeyne or Ian Weaver prior to the meeting.

**This report is for members information.**

COPIES OF APPENDIX AVAILABLE FROM HEAD OF PLANNING SERVICES

REPORT BY HEAD OF PLANNING SERVICES  
**STREET NAMING OF NEW DEVELOPMENTS.**

**1. PURPOSE OF REPORT.**

- 1.1 To advise Members of new developments which have been recently named by Planning Services.

**2. NEW DEVELOPMENTS.**

- 2.1 Listed below are the new developments which have been named in last 6 months in the northern part of the county. I last reported on street naming of developments in the northern part of the county at the Planning Committee on 19 December 2001.

- (i) Tower Beach Estate, Prestatyn  
*Named: Ffordd Idwal, Llys Ogwen, Llys Brân, Llys Vyrnwy, Llys Mymbyr, Llys Llydaw*
- (ii) Amberley Park, Prestatyn (Phase III Plas Newydd Farm Estate)  
*Named: Ffordd Maes yr Haf, Ffordd Cae Felin, Crud yr Awel*
- (iii) Rear Garden of Spyderys Cottage, 139 Victoria Road, Prestatyn  
*Named: Clos Pry Copyn.*
- (iv) Phase 10, Tynewydd Farm Estate, Rhyl  
*Named: Lôn Ystrad, Lôn Hafren, Llys Taf, Llys Towy*

- 2.2 This item is for **Members information.**

**Decisions Made by the Head of Planning Services under  
Delegated Powers  
8th June 2002 - 5th July 2002**

**Item For Information**

This is a list of applications where the decision has already been made under delegated powers. If you wish to discuss the application/decision please contact the Case Officer.

**DECISION TYPES**

- |                 |  |
|-----------------|--|
| <b>GRANT</b>    | - grant planning permission  |
| <b>APPROVE</b>  | - approve reserved matters or condition  |
| <b>CONSENT</b>  | - grant listed building, conservation area, or advert consent  |
| <b>NO OBJ</b>   | - no objection to works to tree(s) in conservation area  |
| <b>NOT REQ</b>  | - proposal does not require permission/consent   |
| <b>DETERMIN</b> | - determine that prior approval is not required or is granted on determination application (certain telecom or agricultural works) |
| <b>P DEV</b>    | - proposal found to be permitted development after receipt   |
| <b>WDN</b>      | - application withdrawn by applicant   |
| <b>REFUSE</b>   | - refuse all types of application  |