

To: Chair and Members of the Planning Committee

Date: 13 February 2014

Direct Dial: 01824 712568

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Dear Councillor

You are invited to attend a meeting of the **PLANNING COMMITTEE** to be held at **9.30 am** on **WEDNESDAY, 19 FEBRUARY 2014** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN LL15 1YN**.

Yours sincerely

G Williams  
Head of Legal and Democratic Services

## AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **URGENT MATTERS AS AGREED BY THE CHAIR**
- 4 **MINUTES** (Pages 7 - 18)
- 5 **APPLICATIONS FOR PERMISSION FOR DEVELOPMENT** (Pages 19 - 66)

**6 ENFORCEMENT ITEM - TY CAPEL, WAEN ST ASAPH (Pages 67 - 76)**

A report on the unauthorised development at the site of Ty Capel, Waen. This report seeks to authorise the service of an Enforcement Notice in an attempt to address the breach of planning and highway control.

**7 FORMER NORTH WALES HOSPITAL DENBIGH - DRAFT SITE DEVELOPMENT BRIEF (Pages 77 - 114)**

Presenting a report to inform Members of the draft Site Development Brief for the former North Wales hospital site in Denbigh. This report seeks Members' approval to undertake consultation on the draft Site Development Brief and accompanying Strategic Environmental Assessment with statutory bodies and the public.

**MEMBERSHIP**

**Councillors**

Ian Armstrong  
Joan Butterfield  
Jeanette Chamberlain-Jones  
Bill Cowie  
James Davies  
Meirick Davies  
Richard Davies  
Stuart Davies  
Peter Duffy  
Peter Evans  
Huw Hilditch-Roberts  
Colin Hughes  
Rhys Hughes  
Alice Jones  
Pat Jones

Margaret McCarroll  
Win Mullen-James  
Bob Murray  
Peter Owen  
Dewi Owens  
Merfyn Parry  
Arwel Roberts  
David Simmons  
Bill Tasker  
Julian Thompson-Hill  
Joe Welch  
Cefyn Williams  
Cheryl Williams  
Huw Williams

**COPIES TO:**

All Councillors for information  
Press and Libraries  
Town and Community Councils

## **WELCOME TO DENBIGHSHIRE COUNTY COUNCIL'S PLANNING COMMITTEE**

### **HOW THE MEETING WILL BE CONDUCTED**

Unless the Chair of the Committee advises to the contrary, the order in which the main items will be taken will follow the agenda set out at the front of this report.

#### **General introduction**

The Chair will open the meeting at 9.30am and welcome everyone to the Planning Committee.

The Chair will ask if there are any apologies for absence and declarations of interest.

The Chair will invite Officers to make a brief introduction to matters relevant to the meeting.

Officers will outline as appropriate items which will be subject to public speaking, requests for deferral, withdrawals, special reports, and any Part 2 items where the press and public may be excluded. Reference will be made to additional information circulated in the Council Chamber prior to the start of the meeting, including the late representations/amendments summary sheets ('Blue Sheets') and any supplementary or revised plans relating to items for consideration.

The Blue Sheets contain important information, including a summary of material received in relation to items on the agenda between the completion of the main reports and the day before the meeting. The sheets also set out the proposed running order on planning applications, to take account of public speaking requests.

In relation to the running order of items, any Members seeking to bring forward consideration of an item will be expected to make such a request immediately following the Officer's introduction. Any such request must be made as a formal proposal and will be subject to a vote.

The Planning Committee consists of 30 elected Members. In accordance with protocol, 15 Members must be present at the start of a debate on an item to constitute quorum and to allow a vote to be taken.

County Council Members who are not elected onto Planning Committee may attend the meeting and speak on an item, but are not able to make a proposal to grant or refuse, or to vote.

### **CONSIDERING PLANNING APPLICATIONS**

#### **The sequence to be followed**

The Chair will announce the item which is to be dealt with next. In relation to planning applications, reference will be made to the application number, the location and basis of the proposal, the relevant local Members for the area, and the Officer recommendation.

If any Member is minded to propose deferral of an item, including to allow for the site to be visited by a Site Inspection Panel, the request should be made, with the planning reason for deferral, before any public speaking or debate on that item.

If there are public speakers on an item, the Chair will invite them to address the Committee. Where there are speakers against and for a proposal, the speaker against will be asked to go first. The Chair will remind speakers they have a maximum of 3 minutes to address the Committee. Public speaking is subject to a separate protocol.

Where relevant, the Chair will offer the opportunity for Members to read any late information on an item on the 'Blue Sheets' before proceeding.

Prior to any debate, the Chair may invite Officers to provide a brief introduction to an item where this is considered to be worthwhile in view of the nature of the application.

There are display screens in the Council Chamber which are used to show photographs, or plans submitted with applications. The photographs are taken by Officers to give Members a general impression of a site and its surroundings, and are not intended to present a case for or against a proposal.

The Chair will announce that the item is open for debate and offer Members opportunity to speak and to make propositions on the item.

If any application has been subject to a Site Inspection Panel prior to the Committee, the Chair will normally invite those Members who attended, including the Local Member, to speak first.

On all other applications, the Chair will permit the Local Member(s) to speak first, should he/she/they wish to do so.

Members are normally limited to a maximum of five minutes speaking time, and the Chair will conduct the debate in accordance with Standing Orders.

Once a Member has spoken, he/she should not speak again unless seeking clarification of points arising in debate, and then only once all other Members have had the opportunity to speak, and with the agreement of the Chair.

At the conclusion of Members debate, the Chair will ask Officers to respond as appropriate to questions and points raised, including advice on any resolution in conflict with the recommendation.

Prior to proceeding to the vote, the Chair will invite or seek clarification of propositions and seconders for propositions for or against the Officer recommendation, or any other resolutions including amendments to propositions. Where a proposition is made contrary to the Officer recommendation, the Chair will seek clarification of the planning reason (s) for that proposition, in order that this may be recorded in the Minutes of the meeting. The Chair may request comment from the Legal and Planning Officer on the validity of the stated reason(s).

The Chair will announce when the debate is closed, and that voting is to follow.

## **The voting procedure**

Before requesting Members to vote, the Chair will announce what resolutions have been made, and how the vote is to proceed. If necessary, further clarification may be sought of amendments, new or additional conditions and reasons for refusal, so there is no ambiguity over what the Committee is voting for or against.

If any Member requests a Recorded Vote, this must be dealt with first in accordance with Standing Orders. The Chair and Officers will clarify the procedure to be followed. The names of each voting Member will be called out and each Member will announce whether their vote is to grant, to refuse, or to abstain. Officers will announce the outcome of the vote on the item.

If a vote is to proceed in the normal manner via the electronic voting system, the Chair will ask Officers to set up the voting screen(s) in the Chamber, and when requested, Members must record their votes by pressing the appropriate button (see following sheet).

Members have 10 seconds to record their votes once the voting screen is displayed, unless advised otherwise by Officers.

On failure of the electronic voting system, the vote may be conducted by a show of hands. The Chair and Officers will clarify the procedure to be followed.

On conclusion of the vote, the Chair will announce the decision on the item.

Where the formal resolution of the Committee is contrary to Officer recommendation, the Chair will request Members to agree the process through which planning conditions or reasons for refusal are to be drafted, in order to release the Decision Certificate (e.g. delegating authority to the Planning Officer, to the Planning Officer in liaison with Local Members, or by referral back to Planning Committee for ratification).

# PLANNING COMMITTEE

## VOTING PROCEDURE

Members are reminded of the procedure when casting their vote. The Chair or Officers will clarify the procedure to be followed as necessary.

Once the display screens in the Chamber have been cleared in preparation for the vote and the voting screen appears, Councillors have 10 seconds to record their vote as follows:

On the voting keyboard press the

<b>+</b>	To <b>GRANT</b> Planning Permission
<b>-</b>	To <b>REFUSE</b> Planning Permission
<b>0</b>	to <b>ABSTAIN</b> from voting

Or in the case of Enforcement items:

<b>+</b>	To <b>AUTHORISE</b> Enforcement Action
<b>-</b>	To <b>REFUSE TO AUTHORISE</b> Enforcement Action
<b>0</b>	to <b>ABSTAIN</b> from voting

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# Agenda Item 4

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 22<sup>nd</sup> January 2014 at 9.30am.

### PRESENT

Councillors, I W Armstrong, J.R. Bartley (observer), J A Butterfield, J Chamberlain-Jones, W L Cowie, , M Ll. Davies, R J Davies, S.A. Davies, P A. Evans, M.L. Holland (observer), H Hilditch-Roberts, C. Hughes, T.R. Hughes., E.A. Jones W M Mullen-James (Chair) , R M Murray, P W Owen,. D Owens, T M Parry, A Roberts, W.N. Tasker, J Thompson-Hill , J S Welch, C H Williams, C L Williams and H O Williams

### ALSO PRESENT

Principal Solicitor (Planning and Highways) (Susan Cordiner), Principal Planning Officer (Ian Weaver) Team Leader (Support) (Gwen Butler), Customer Services Officer (Judith Williams) and Translator (Catrin Gilkes).

Angela Loftus (Local Development Plan Manager) attended part of the meeting

### 1 APOLOGIES

Apologies for absence were received from Councillors J.M. Davies, P. Duffy, P M Jones, M. McCarroll and D Simmons.

It was confirmed that Councillor C.L Guy had withdrawn as a Member of Planning Committee with immediate effect.

Head of Planning and Public Protection (Graham Boase), and Development Control Manager (Paul Mead) also tendered apologies for absence.

### 2 DECLARATIONS OF INTEREST

None

### 3 URGENT ITEMS: None

### 4 MINUTES OF THE MEETING HELD ON 11<sup>th</sup> December 2013.

Agreed as a true record:

### 5 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Head of Planning, and Public Protection (previously circulated) was submitted enumerating applications submitted and requiring determination by the Committee.

*RESOLVED that:-*

- (a) *the recommendations of the Officers, as contained within the report submitted, be confirmed and planning consents or refusals as the case may be, be issued as appropriate under the Town and Country Planning Act 1990, Town and Country Planning (General Permitted Development) Order 1995, Planning and Compensation Act 1991, Town and Country Planning Advert Regulations 1991 and/or Planning (Listed Buildings and Conservation Areas) Act 1990 to the proposals comprising the following applications subject to the conditions enumerated in the schedule submitted:-*

**Application No:** 01/2012/1607/PO

**Location:** **Former Wool Depot Grove Road Denbigh**

**Description:** Development of 0.6 ha of land for residential purposes  
(outline application including access)

A page omitted from the committee report was circulated  
Representations were reported from Denbighshire County Council Civil Contingencies  
Manager

**Public Speakers:**

**FOR: Mr Conor Flanagan (agent)** spoke in favour of the development, thanking officers for their assistance and referring Committee to the favourable recommendation in the report.

Councillor Ray Bartley spoke on behalf of the local member (Councillor G Kensler) in proposing that the development be granted.

Members raised the following issues: that the entrance to the site should be made safe at the earliest opportunity; whether there was sufficient open space; whether archaeological remains of the railway may be present and the potential for flooding

Councillor Colin Hughes advised on the flood alleviation scheme in the area and considered the local culvert to be adequate.

Principal Planning Officer Ian Weaver explained that this was an outline application and as such, issues such as open space would be dealt with at detailed stage. However, the access was included for approval. A Note to Applicant could be added in relation to the issue of potential archaeological remains.

Councillor Colin Hughes proposed that Permission be Granted  
This was seconded by Councillor Richard Davies

On being put to the vote  
21 voted to Grant  
0 Voted to Refuse  
0 Abstained

**RESOLVED THEREFORE THAT PERMISSION BE GRANTED**

Subject to the following additional Note(s) to Applicant:  
Prior to the commencement of any development you are advised to contact the County Archaeologist, Fiona Gale on 01824 708262 or [fiona.gale@denbighshire.gov.uk](mailto:fiona.gale@denbighshire.gov.uk) to discuss arrangements for inspecting the site at clearance/soil stripping stage, should this be justified for archaeological recording purposes.

In accordance with Welsh Government Circular 07/12, if the Committee resolve to grant permission, the application has to be referred to Welsh Government for confirmation the permission can be issued. This is a national requirement where a proposal involves housing development of 10 or more units on land in a C2 flood zone.



**Location:** Lleweni Hall, Denbigh

**Description:** Conversion and extension of stable wing to form 1 no dwelling and installation of a package treatment plant

Councillor R Davies spoke on behalf of the local members who were in favour of this development.

Other Members of Committee raised issues relating to the provision of affordable housing and the risk of flooding in this area.

Principal Planning Officer Ian Weaver replied that provision of affordable housing was not viable in this particular case due to the cost of conversion. The area is prone to flooding but Natural Resources Wales (NRW) have recommended floor levels be set at a height to mitigate the risk. He explained that it is ultimately the responsibility of the developer to ensure the risk is adequately addressed.

Councillor M. Lloyd Davies proposed that permission be GRANTED. This was seconded by Councillor A. Roberts.

On being put to the vote:

21 Voted to GRANT

0 Voted to REFUSE

1 Abstained

**RESOLVED THEREFORE THAT PERMISSION BE GRANTED**

Subject to the following revised condition –

Condition 3, line 3 .

New sentence should read – “In particular the finished floor level *shall* be set.....” etc.(not *should* be set)

Suggested revised Note to Applicant:

Second note under title ‘Biodiversity’ -

Delete the following line “The Biodiversity Officer had advised your attention should be drawn to the following.”

**Application No:** 07/2013/1233/PF

**Location:** Rhos Isa, Llandrillo, Corwen

**Description:** Erection of replacement two-storey dwelling with detached garage/workshop and alterations to existing vehicular access

Councillor Cefyn Williams gave Committee his views in support of this application for a local person to live in the area, and proposed permission be GRANTED. This was seconded by Councillor M. Lloyd Davies.

On being put to the vote

22 Voted to GRANT  
0 Voted to REFUSE  
0 Abstained

**RESOLVED THEREFORE THAT PERMISSION BE GRANTED**

**Application No:** 43/2013/1305/PF

**Location:** **Outbuildings at Tyn Y Wal Ffordd Penrhwyfya Meliden**  
Prestatyn

**Description:** Conversion of redundant outbuilding to form 1 no.  
dwelling. Formation of pitched roof over existing workshop

There was no debate on this item.

Councillor Peter Evans moved officers' recommendation that permission be Granted. This was seconded by Councillor Bob Murray. On being put to the vote:

20 voted to GRANT  
0 voted to Refuse  
0 Abstained

**RESOLVED THEREFORE THAT PERMISSION BE GRANTED**

Subject to: the following revised condition:

4. All development shall take place in accordance with the recommendations set out within the protected species survey unless otherwise agreed in writing by the Local Planning Authority

## SUPPLEMENTARY PLANNING GUIDANCE

Ms Angela Loftus (LDP Manager) was in attendance for these items and explained the background to the programme of review of all Supplementary Planning Guidance (SPGs) following adoption of the Local Development Plan.

Ms Loftus presented two Draft SPGs for Members' comments and authorisation to proceed with public consultation

### **ITEM 6**

#### **Draft Supplementary Planning Guidance: Parking Requirements**

Submitted – Report seeking Members' approval to consult on the draft "Supplementary Planning Guidance (SPG): Parking Requirements", which sets out draft new parking standards to be applied in the County. Once adopted, this will replace the existing "SPG 21: Parking Requirements in New Developments", and will provide further up to date guidance for developers, Officers and Members

Ms Loftus advised that Planning and County Highways colleagues had worked closely to produce this document. The proposal includes a differentiation between rural and urban parking requirements and ensures standard provision for disabled, motorcycle and bicycle parking.

The public consultation period is proposed to start in February 2014 for 8 weeks and the results will be reported back to Planning Committee.

There followed considerable debate during which Members asked specific questions on the following:

- 4.3 - requires clarification
- 4.4 –request made to increase provision in West Rhyl
- 4.6 - request for a general increase in maximum parking provision standards
- 5.3 - requires clarification
- 5.4 - requires clarification
- A2.20 - requires clarification

Further queries included clarification on the development of parking spaces in place of front gardens in residential areas.

Ms Loftus answered questions and stated her view that the proposed standards were reasonably generous. It was also pointed out that there was a specific SPG for West Rhyl. The "operational standards" related to deliveries to businesses and shops while "non operational standards" referred to staff and visitors

Members requested that specific standards be considered for Bodelwyddan Key Strategic site and Colomendy Industrial Estate in Denbigh. Also that motorcycle spaces be smaller than car space standards and (in order to aid drainage) that a porous "grasscrete" surface be specified as being preferable to tarmac surface treatment. It was also requested that the character of communities be considered.

### **PROPOSAL**

Councillor Bill Cowie proposed that the document be approved for public consultation subject to the inclusion of an appendix listing queries raised by Planning Committee, to inform public debate.

On being put to the vote:

22 voted in favour of the proposal

0 voted against the proposal

0 abstained

Members requested that the agreed appendix be circulated to committee members prior to the public consultation exercise.

## ITEM 7

### **Conversion of Rural Buildings Supplementary Planning Guidance – Consultation Draft**

Ms Angela Loftus introduced this item, explaining that following the adoption of the LDP on 4th June 2013, Council agreed to carry forward the existing series of SPGs, including SPG 16 – Conversion of Rural Buildings. However, given the significant differences between the previous Unitary Development Plan (UDP) and LDP policies relating to conversion of rural buildings, the introduction of the requirement for affordable housing, and the need for further guidance, it is necessary to produce an updated SPG on this topic. When adopted, the SPG will be a material planning consideration when assessing planning applications. This document also covers shops, public houses and community facilities and requires market testing in order to encourage business use. Affordable housing for people with local connections would be the next priority. The guidance was proposed to be more lenient for Listed Buildings “at risk” and also lists those buildings not considered to be suitable for conversion.

The public consultation period would be a minimum of 8 weeks and is anticipated to start in the last week of January 2014. The results of the consultation will be reported back to Planning Committee with a final SPG for adoption.

Members raised queries on the following issues:

- the timescale for market testing (considering 12 months to be excessive)
- concern over the inclusion of marketing throughout Merseyside, Liverpool, Manchester and Cheshire, preferring it to be ring-fenced to North Wales (a contrary view being that a wider marketing exercise could result in more local jobs being created)
- Unrealistic financial viability requirements resulting in buildings not being redeveloped at all
- Flooding issues not being adequately addressed

Councillor Bill Cowie proposed that the proposed Draft SPG on Rural Conversion be accepted for public consultation. This was seconded by Councillor Richard Davies

On being put to the vote

21 voted to accept the proposal

2 voted not to accept the proposal

0 abstained

Resolved therefore that Members agree the draft SPG on conversion of rural buildings as a basis for public consultation.

## ITEM 8

### **Draft Planning (Wales) Bill and Positive Planning consultation**

Ms Angela Loftus introduced this item to make Members aware of the Welsh Government's consultation on a Draft Planning Bill and supplementary document entitled 'Positive Planning'. The consultation closes on February 26<sup>th</sup> 2014. The documents can be viewed via the Welsh Government website. A copy would be sent electronically on request.

Ms Loftus explained the key issues of the Bill to modernise the planning process as it is seen to be too regulatory and should encourage development.

Ms Loftus gave a presentation on the main elements of the Bill.

Members raised a number of issues, regretting the proposed move away from community involvement in elements of the planning process. Doubt was expressed at the involvement of Town/Community Councils.

Specific issues included:

- This would result in an increase in layers of policy leading to confusion
- The A55 corridor proposal does not include boundaries
- The proposal does not take account of the potential for Local Government Reorganisation in the near future
- Reducing the representation on Planning Committee would erode local democracy

After some debate, it was proposed by Councillor Alice Jones and seconded by Councillor Huw Hilditch Roberts that:

The document be forwarded to all Councillors. Individual views to be sent to Ms Angela Loftus to be included in a Council response to the consultation paper.

ITEM 9

**NORTH WALES WIND FARMS CONNECTIONS MAJOR INFRASTRUCTURE PROJECT**

**UPDATE REPORT FOR INFORMATION**

Submitted: report to update Members on the current status of the North Wales Wind Farms Connections project, and to seek a resolution regarding the extent to which the Council should participate in the planning process for this project.

Mr Ian Weaver (Principal Planning Officer explained the background to this report and requested the views of Members on the resource implications. Any application for overhead lines from Clocaenog wind farm to St Asaph electricity sub station would not be dealt with by the Local Authority but the County would be consulted. There would be no planning fee but staff would be expected to attend public meetings and provide a response to the consultation in due course. However, funding would be available for the Authority to employ consultants where the County lacks particular professional expertise.

Members of Committee expressed the view that it was important for the County to engage in the process and staff should be involved in the consultation with affected local communities.

Councillor Colin Hughes proposed that officers engage in the process and the resources be made available. In seconding this motion, Councillor M. Lloyd Davies made the following suggestions:

- That funding be requested from Welsh Government
- That the Companies involved be asked to contribute
- That County Council reserves be utilized where appropriate

On a show of hands this proposal was agreed. The key dates contained within the report were noted and the report received for information. Officers were requested to report back to Committee in due course.



**ITEM 10  
PLANNING APPEAL DECISION**

**ERECTION OF PITCHED ROOF DORMER STYLE EXTENSION AT REAR AND  
CONSERVATORY AT SIDE OF DWELLING**

**ERW LAS, PANT DU ROAD, ERYRYS  
APPLICATION NO. 21/2013/0797/PF**

This report, for Members information, related to an appeal decision from the Planning Inspectorate on the Council's refusal of planning permission for the above development.

The appeal decision raises important matters of interpretation of the Local Development Plan policy relating to extensions to dwellings, and there are a number of conclusions in the appeal Inspector's decision letter which are material to Members and Officers considerations of similar proposals in the County.

Resolved: That the report be received for information

**THE MEETING CONCLUDED AT 12:40 pm**

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**DENBIGHSHIRE COUNTY COUNCIL  
PLANNING COMMITTEE 19<sup>th</sup> FEBRUARY 2014  
INDEX OF PLANNING APPLICATIONS**

Item No	Application No	Location and Proposal	Page No
1	03/2013/1374/PF	<b>River Lodge Mill Street Llangollen</b> Demolition of existing two-storey former hotel and nightclub. Erection of new two-storey health centre with pharmacy, health visitor facilities and associated car parking and landscaping	21
2	15/2013/1284/PF	<b>Outbuilding at Tyn Y Celyn Llanarmon Yn Ial Mold</b> Conversion of outbuilding to form office and studio	41
3	15/2013/1505/PS	<b>Parc Farm Caravan Park Graianrhyd Road Llanarmon-Yn-Ial Mold</b> Variation of condition no. 6 of planning permission code no. 15/2011/0651 to allow 12 months holiday use	51
4	28/2013/1444/PF	<b>3 Ffordd Bryn Y Garn Henllan Denbigh</b> Erection of pitched-roof extension to existing double garage and change of use to form a single-storey dwelling	59

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**CYNGOR**  
**Sir Ddinbych**  
**Denbighshire**  
**COUNTY COUNCIL**

Graham Boase  
 Head of Planning & Public Protection  
 Denbighshire County Council  
 Caedfryn  
 Smithfield Road  
 Denbigh  
 Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading

03/2013/1355/PF  
 River Lodge Site  
 Mill Street, Llangollen



Application Site

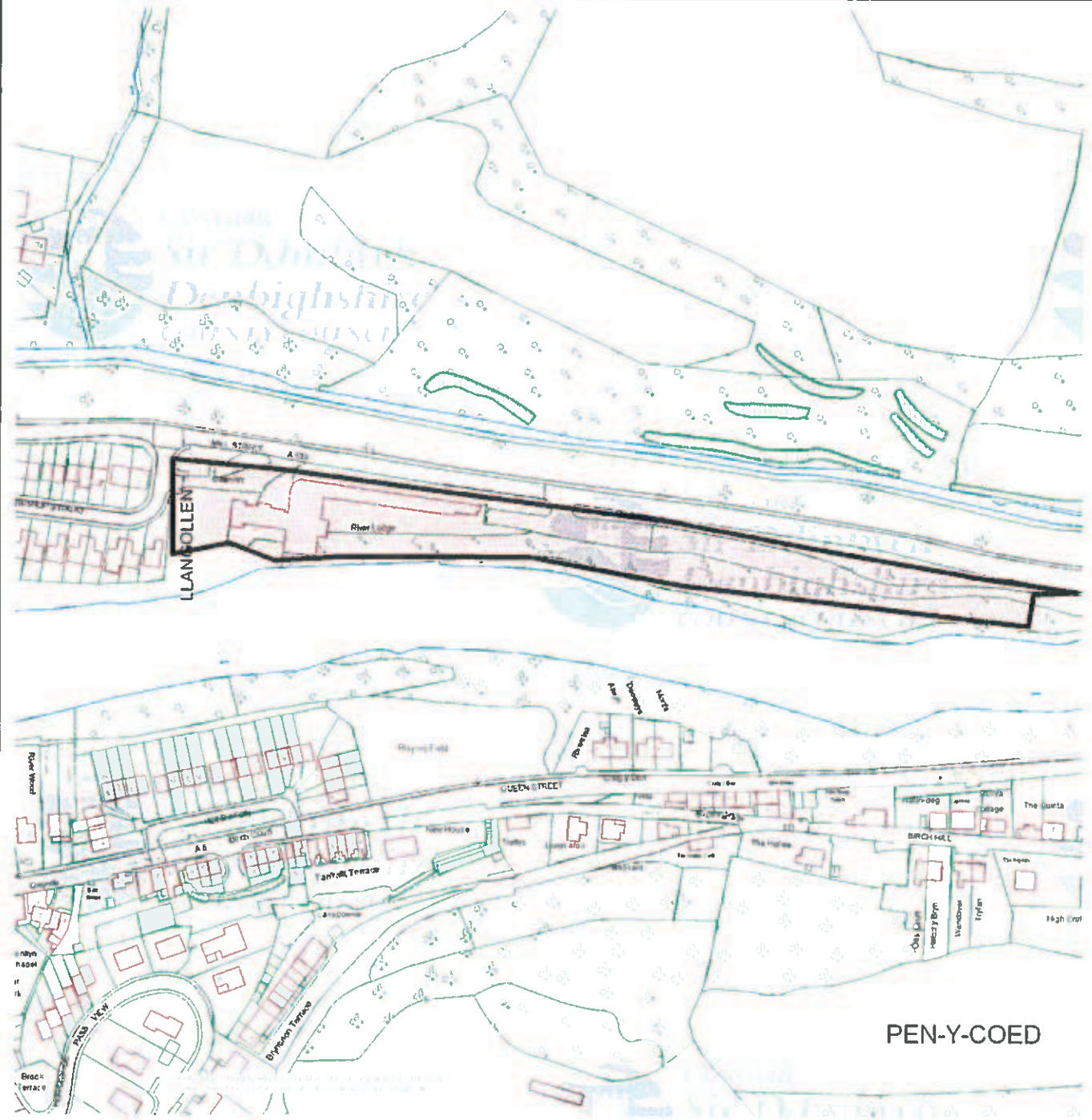
Date 3/2/2014

Scale 1/2500

Centre = 322160 E 342043 N



This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting



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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa E. Mawrhydi  
 © Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn tom hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych 100023408 2011

# SITE PLAN

- General Notes**
1. Contractor to verify all dimensions and check level returns on site
  2. All of the drawings are the sole property of TACP Architects Ltd and may not be used without their written agreement
  3. All panels, specifications and their copyright are the property of TACP Architects Ltd
  4. Do not scale off drawings
  5. All dimensions shall be checked on site before commencement of site works. Manufacturer and product specifications for materials to TACP Architects Ltd

**KEY**

- Existing trees to be removed
- Existing trees to be retained
- Existing zones of small trees to be removed

**Notes**

- 1. Existing trees to be removed
- 2. Existing trees to be retained
- 3. Existing zones of small trees to be removed

Rev	Date	Description	By	Checked
A	17.04.13	Staff parking provision increased from 20 to 25 bays	MAJ	ST
B	18.05.13	Revised site layout 1:25 to 1:50	MAJ	ST
C	17.06.13	Site plan and floor submitted to Wrexham Local Authority	MAJ	ST
D	21.06.13	Existing trees to be removed indicated	MAJ	ST
E	21.06.13	Site layout redrafted	MAJ	ST
F	15.10.13	Updated and issued for Tender Purposes	MAG	STP
G	21.10.13	Updated site plan showing Office components	MAG	ST
H	18.11.13	Car parking bays 2:1 to standard 1:1, verge to road increased	MAG	ST
I	18.11.13	Finalised site plan and floor plan for construction	MAG	ST

Consultants

Client

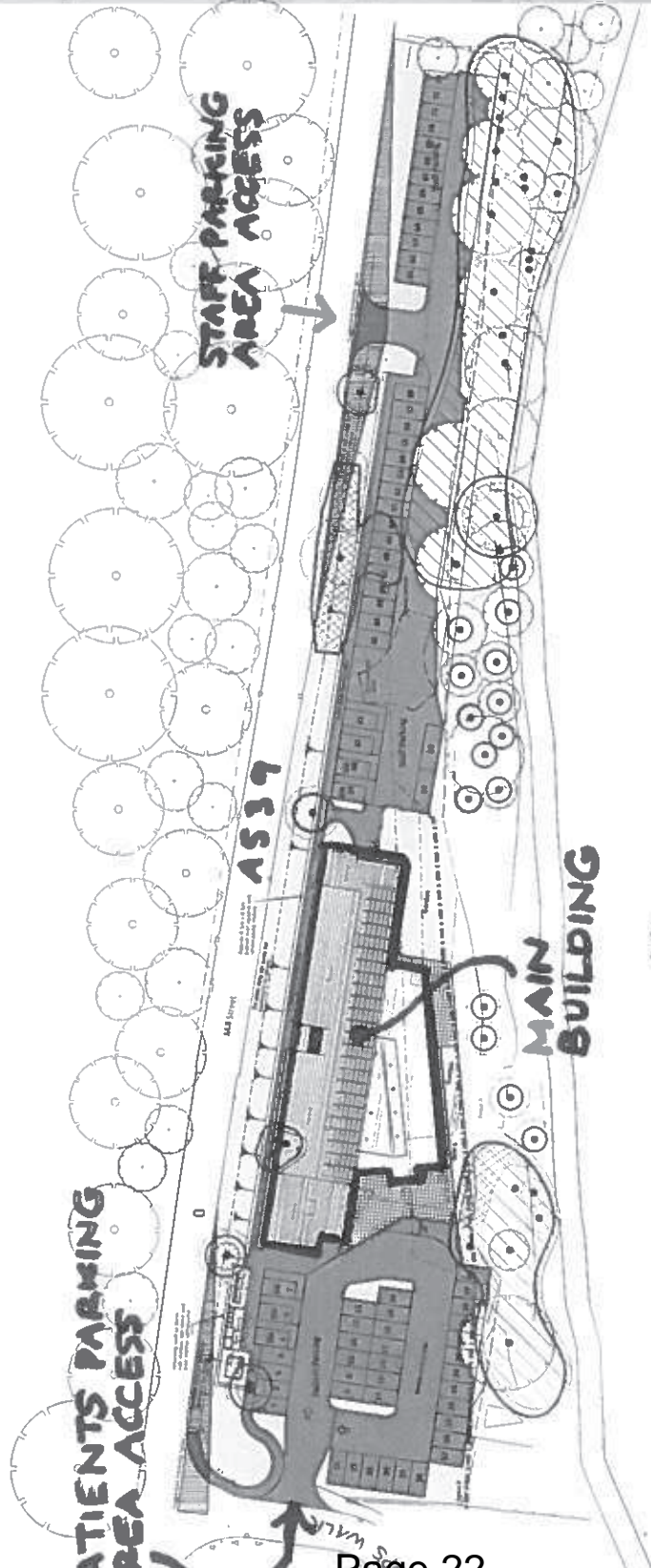
Betsi Cadwaladr University Health Board

Project Site  
Llangollen Medical Centre, River Lodge Site, Mill Street

Proposed Site Plan

Scale	Date	Drawn by	Checked by	Other
1:500 @ A2	Jan 2013	ST	MAG	Wrexham
Doc Number	Revision	Sheet Number		
12036	1	ST01		

TACP Architects Ltd  
2179 Convent Road  
L11 1BN  
T 01978 791161  
F 01978 933735  
E admin@tacap-architects.co.uk  
www.tacap-architects.co.uk


Japanese Knot weed is present on site, refer to soft landscape drawing 6065/LD/002 for information



Gabion retaining wall filled with coursed slate blocks with cut flat faces

Soft landscaping refer to landscape drawings and specification  
With concrete pin kerb edging  
Formic roadways and pathways  
Concrete kerbing to be prepared to car park and road area  
Concrete pin lettings at pavements and parking areas  
Paving area: Marshall Meterolona or similar  
With concrete pin kerb edging  
Indication of route of existing rising main  
Indication of route of diverged rising main easement (3m to each side)  
Indication of route of diverged rising main

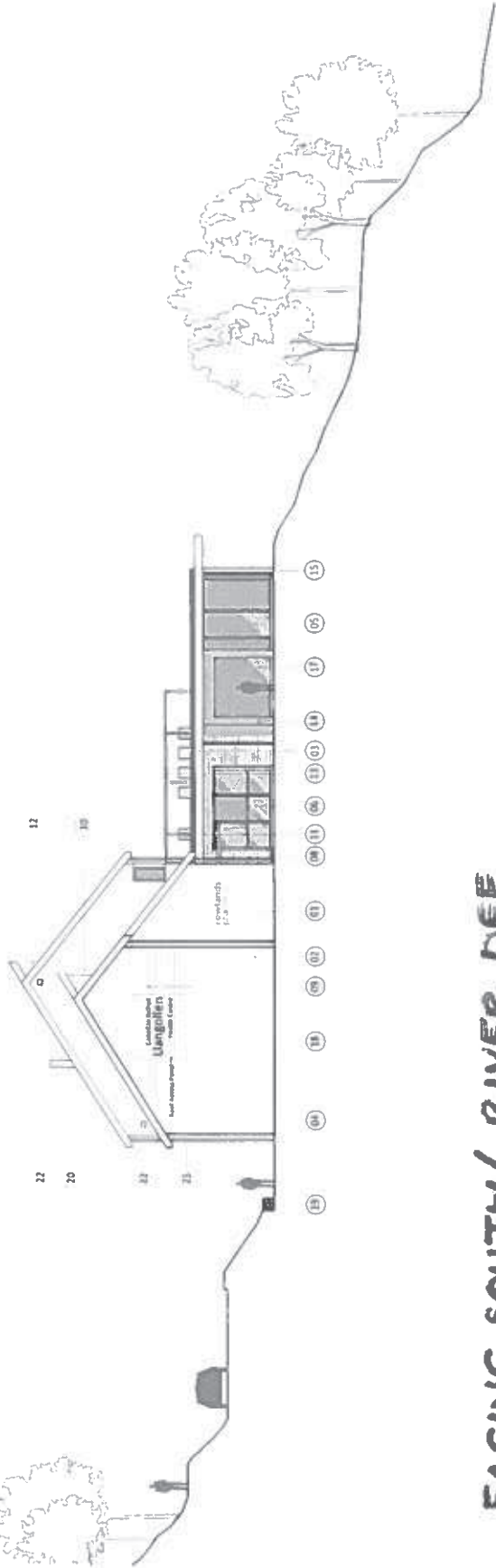
Proposed 1200 high fence type A and matching gate  
Proposed 1500 high fence type B  
Proposed 1500 high screenance type C to compound with matching gates



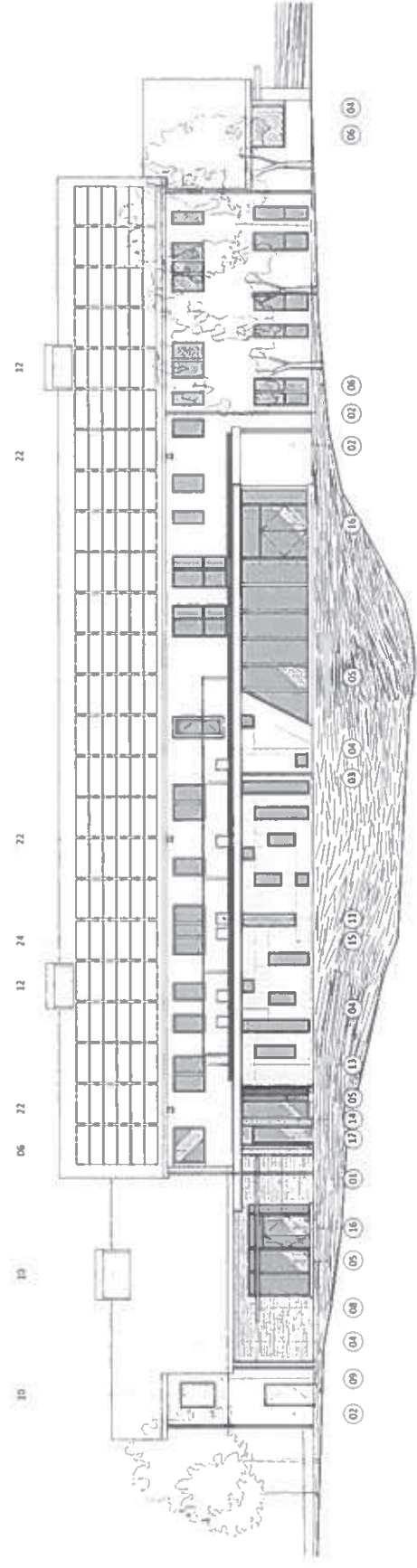




## FACING PATIENTS PARKING AREA



## FACING SOUTH / RIVER DEE



1 - West Elevation

2 - South Elevation

General Notes:  
 1. All work to be carried out in accordance with the Building Regulations 2010.  
 2. All work to be carried out in accordance with the Building Regulations 2010 and any other relevant legislation.  
 3. All work to be carried out in accordance with the Building Regulations 2010 and any other relevant legislation.  
 4. All work to be carried out in accordance with the Building Regulations 2010 and any other relevant legislation.  
 5. All work to be carried out in accordance with the Building Regulations 2010 and any other relevant legislation.

01	General Notes	16	Client Name
02	Site Location	17	Site No.
03	Site Area	18	Site No.
04	Site No.	19	Site No.
05	Site No.	20	Site No.
06	Site No.	21	Site No.
07	Site No.	22	Site No.
08	Site No.	23	Site No.
09	Site No.	24	Site No.
10	Site No.	25	Site No.
11	Site No.	26	Site No.
12	Site No.	27	Site No.
13	Site No.	28	Site No.
14	Site No.	29	Site No.
15	Site No.	30	Site No.

16	Client Name	31	Client Name
17	Site No.	32	Client Name
18	Site No.	33	Client Name
19	Site No.	34	Client Name
20	Site No.	35	Client Name
21	Site No.	36	Client Name
22	Site No.	37	Client Name
23	Site No.	38	Client Name
24	Site No.	39	Client Name
25	Site No.	40	Client Name
26	Site No.	41	Client Name
27	Site No.	42	Client Name
28	Site No.	43	Client Name
29	Site No.	44	Client Name
30	Site No.	45	Client Name

31	Client Name	46	Client Name
32	Client Name	47	Client Name
33	Client Name	48	Client Name
34	Client Name	49	Client Name
35	Client Name	50	Client Name
36	Client Name	51	Client Name
37	Client Name	52	Client Name
38	Client Name	53	Client Name
39	Client Name	54	Client Name
40	Client Name	55	Client Name
41	Client Name	56	Client Name
42	Client Name	57	Client Name
43	Client Name	58	Client Name
44	Client Name	59	Client Name
45	Client Name	60	Client Name

Client: **Betsi Cadwaladr University Health Board**

Project: **Llanfyllin Medical Centre**

Proposed Elevations: **1**

Date: **11/09/11** | Drawn by: **FW** | Scale: **1/50**

Project No: **12036** | Client Ref: **GA-Q2**

TACP Architects Ltd  
 2012, Colwyn Bay  
 LL57 2JG  
 Tel: 01492 541235  
 Email: info@taccp.co.uk



# FLOOR PLANS

Notes:  
 1. All dimensions are in millimetres unless otherwise stated.  
 2. All dimensions are to the face of the wall unless otherwise stated.  
 3. All dimensions are to the centre of the wall unless otherwise stated.  
 4. All dimensions are to the centre of the wall unless otherwise stated.  
 5. All dimensions are to the centre of the wall unless otherwise stated.  
 6. All dimensions are to the centre of the wall unless otherwise stated.

**STAFF  
ENTRANCE**



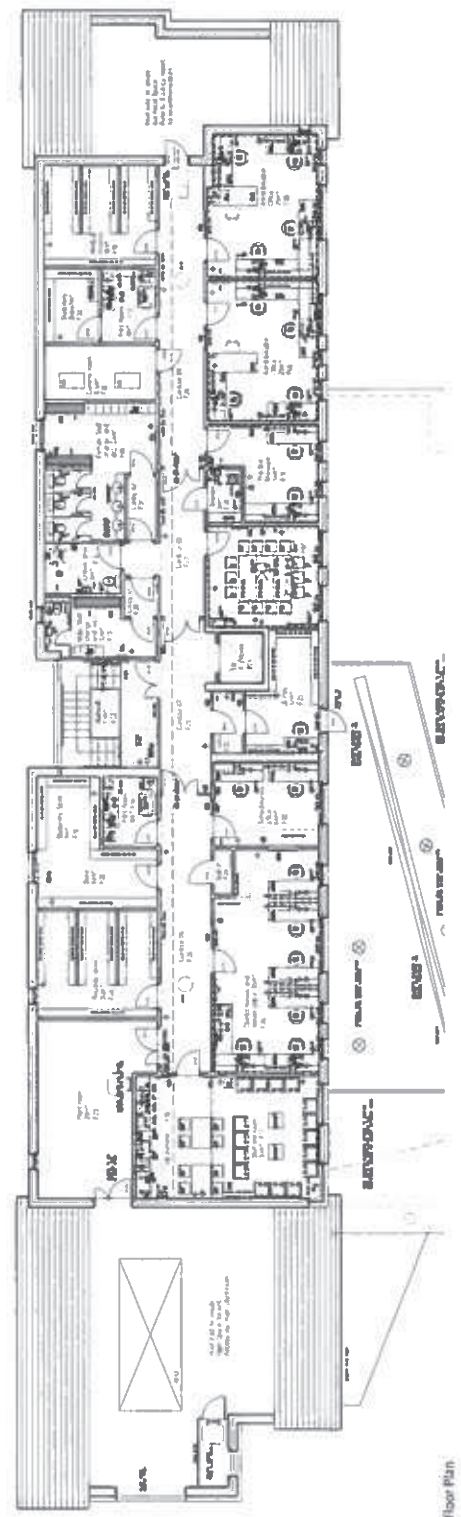
**GROUND FLOOR**



**PATIENTS  
ENTRANCE**

Ground Floor Plan

**FIRST FLOOR**



First Floor Plan

Betsi Cadwaladr University Health Board  
 Unglollen Medical Centre  
 Proposed Floor Plans  
 Date: May 2013  
 Scale: 1:500  
 Drawn: GAGI  
 TACP Architects Ltd  
 1729 Colwyn Road  
 Llandudno  
 Gwynedd  
 LL55 2JH  
 Tel: 01772 841100  
 Fax: 01772 841100  
 Email: info@taccp.co.uk  
 Website: www.taccp.co.uk



**ITEM NO:** 1

**WARD NO:** Llangollen

**WARD MEMBER(S):** Councillors Stuart Davies & Rhys Hughes

**APPLICATION NO:** 03/2013/1374/ PF

**PROPOSAL:** Demolition of existing two-storey former hotel and nightclub.  
Erection of new two-storey health centre with pharmacy, health visitor facilities and associated car parking and landscaping

**LOCATION:** River Lodge Mill Street Llangollen

**APPLICANT:** Betsi Cadwaladr University Health Board Estates Office

**CONSTRAINTS:** C2 Flood Zone  
World Heritage Site Buffer  
SSSI  
Special Area of Conservation  
Proposed Special Area Cons  
British W-ways Cons Major  
EA Floodmap Zone 3  
EA Floodmap Zone 2  
Canal Consultation Zone  
AONB

**PUBLICITY UNDERTAKEN:** Site Notice - Yes  
Press Notice - Yes  
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
Scheme of Delegation Part 2

- Referral by Head of Planning / Development Control Manager

**CONSULTATION RESPONSES:**

LLANGOLLEN TOWN COUNCIL  
"No objections"

**LLANGOLLEN CIVIC SOCIETY**

In favour, but have reservations in relation to some details – disabled parking bays should be increased to 6; rainwater should be recirculated; the flat roof design on the rear extension is not favoured, is false economy, and aesthetically less attractive than a pitched roof.

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY  
JOINT ADVISORY COMMITTEE**

Original comments

"The JAC supports investment in important community infrastructure such as this health centre which will help meet the needs of local people. In addition, the committee welcomes the opportunity presented by this proposed development to enhance an unsightly and semi-derelict site in a key gateway location on the edge of Llangollen. The overall design approach which contains the building within the defined settlement boundary, retains as many existing trees as possible to help soften and screen the site, and the palette of building materials (natural slate, local stone and render) is also supported.

The JAC does have some concerns about the appearance of the building from the A5 to the south, notably the extensive array of solar PV panels on the roof. To reduce visual impact it is recommended that the solar array should be integrated into the roof (in a way which projects less above the roof plane), and the panels carefully specified with dark coloured frames and faces to as far as possible match the natural slate roof and to minimise glint and glare.

The landscaping proposals are supported, but the JAC would suggest that to better integrate the development into its rural setting a traditionally finished new local stone boundary wall should be erected along the A539 frontage.

Finally, the site adjoins the existing Llangollen Woods countryside site managed by Denbighshire Countryside Service, and the JAC would suggest that any opportunities to enhance access to this site as part of the development and to exploit its potential for health and wellbeing initiatives should be explored with the applicants."

#### Comments on revised plans

"The JAC has no further comments to make on the additional information submitted but would suggest that the proposed footway along the site frontage should be set behind the traditionally finished new local stone boundary wall previously suggested by the committee. This would not only help better integrate the site into its rural setting but also provide a higher level of protection for pedestrians."

#### NATURAL RESOURCES WALES

Advise that the site is in a Zone A as defined in TAN 15 and as shown on the Development Advice Maps (Zone A relates to land considered to be at little or no risk from flooding, where no justification test is applicable and there is no need to consider flood risk further). NRW recommend conditions to avoid increasing flood risk elsewhere from increased surface water run off, e.g. details of surface water regulation system, and management of overland surface water flow. Encourage use of Sustainable drainage systems.

#### DWR CYMRU / WELSH WATER

Raise no objections. In relation to sewage treatment, confirm that no problems are envisaged with the Waste Water Treatment Works; water supply would be a matter for Dee Valley Water Company; and in relation to sewerage matters, suggest the inclusion of conditions on any permission to ensure separation of foul and surface water. Advisory notes should be attached to deal with procedures involved in the diversion of a sewer crossing the site.

#### CLWYD POWYS ARCHAEOLOGICAL TRUST

Note the proposals involve removal of a partly intact late 18<sup>th</sup> century building and recommend the Applicants complete a low level archaeological study as part of the application.

#### CADW

No response received.

#### DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

Draws attention to the standard of the access to the site from the town centre for pedestrians and cyclists, which has been raised as an issue throughout the application process. Notes as part of the proposal it is intended to install some new pedestrian crossing points on the footway from Llangollen Bridge to the site, however the width of certain lengths of footway are sub standard. Acknowledges, however that Llangollen is an old town where pedestrian access is not always great and wherever it is proposed to build an edge of town facility like this there will be pedestrian and cycle access issues. Recommends inclusion of conditions if permission is granted, relating to detailing of visibility splays, construction traffic arrangements, proposals for footway and highway works, completion of relevant works prior to commencement of the use,

and arrangements for the management of the proposed car parking areas outside operating hours to allow for the potential use as overspill parking for the town centre.

**Pollution Control Officer**

Requests the inclusion of a suitable condition to control pollution and noise during construction.

**Conservation Architect**

Is of the view that the proposals are an improvement on the existing building and will have no detrimental impact on the Outstanding Universal Value of the World Heritage Site, but expresses disappointment that the north and east elevations have little flair and offer a poor sense of arrival into the town and to an important part of the World Heritage Site, and that there are unresolved details in relation to the south elevation.

**Corporate Equalities Officer**

Has drawn attention to the contents of the Access Statement and suggests detailed attention is necessary in relation to the provision of facilities for persons with disability.

**Archaeologist**

Suggests there should be recording of the original building as it is demolished, by way of a level 2 survey, which would also include a photographic survey.

**Ecologist**

No objections provided the recommendations in the ecological report (bat roost and associated measures) and the precautionary measures in the TOLS form are conditioned and followed.

**RESPONSE TO PUBLICITY:**

Representations received from:-

A. V. Lamb, 3, Bishops Walk, Llangollen  
Mr J A Perry, Maes y Bryn, Llangollen  
P. Moren, 11, Bishop's Walk, Llangollen

Summary of planning based representations:

**Support for principle of development**

Welcome redevelopment of a prominent, run down site at the entrance to the town

**Visual impact**

Scheme needs adequate landscaping and planting to screen car park from Bishop's Walk properties/ controls are necessary over external lighting

**Residential amenity**

Additional noise and disturbance for residents of Bishop's Walk / construction stage noise and dust

**Highways**

Need to ensure maintenance of adequate visibility sightlines at point of access with Bishop's Walk, consideration of extending 30mph limit and traffic calming and along A539/ controls over management of car parking areas during and outside opening hours/ general concerns over distance from town centre and main residential areas / concerns over adequacy of footpaths from town centre / need for a convenient footbridge across the river to make site accessible / potential for use of car parking for visitors and tourists at weekends/ is there space to build a bus shelter at the bus stop?

Other matters

Question over historic value of original building / disappointment over failure to replace Community Hospital in Abbey Road / the facility is in the wrong place / the replacement services are not adequate and go against promises made at public meetings / a pharmacy and chemist shop in the Centre would be inconvenient for people living in the town / proposals should be refused until the Health Board come up with proposals more in line with what has been provided in Builth Wells.

**EXPIRY DATE OF APPLICATION: 25/12/13**

**REASONS FOR DELAY IN DECISION (where applicable):**

- timing of receipt of representations
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

1.1.1 The application seeks full planning permission to develop a Health Centre, with associated pharmacy, health visitor facilities and staff and visitor parking, on the site currently occupied by the River Lodge Hotel, on Mill Street, Llangollen.

1.1.2 Details of the proposed development, in the form of the layout, elevation and floor plans can be seen on the drawings attached at the front of the report.

1.1.3 The plans involve the following:-

- the demolition of the old hotel buildings, which have a footprint of some 1070 square metres
- the erection of a new building with a footprint of approximately 890 square metres, comprising a two storey section running parallel with Mill Street, and a single storey section at the rear.
- a 38 space patient car park between the building and the western boundary of the site, accessed off Bishop's Walk
- a 35 space staff car park between the building and the eastern boundary of the site, using an improved existing access into the hotel car park off Mill Street.

1.1.4 The application is submitted by TACP Architects Ltd as agents on behalf of Betsi Cadwaladr University Health Board.

1.1.5 The submission contains the relevant forms and plans, and a volume of supporting information, including :

- a 20 page Design and Access Statement
- a Transport Statement
- a Flood Consequence Assessment
- an Archaeological Appraisal
- a Linguistic Impact assessment
- an Ecological Report
- a Heritage Impact Assessment
- a BREEAM pre-assessment
- a Structural Demolition Report
- an Arboricultural Impact Assessment

1.1.6 Basis of the applicant's submissions.

The supporting documents offer a detailed outline of the proposals, and include reference to the following:-



- the scheme involves the relocation of the existing Health Centre on Regent Street, incorporating a range of services and clinics (consultant led outpatients, orthoptist, dietician, District Nurse, midwife, health visitor, etc.) It is stated that the centre will be shared between the Llangollen GP practice, the Health Board, Denbighshire County Council social care and voluntary sector services;
- discussions are taking place with Rowlands Pharmacy about the potential for them to relocate from Regent Street to the new centre;
- The current building has been vacant for at least 6 years and is in a state of disrepair;
- The design has been developed to be in keeping with the locality, a gateway into Llangollen adjacent to a World Heritage Site. Landscaping will help to enhance the development.
- The 30mph limit will be extended further to the east;
- The option of allowing public use of the parking areas at weekends is under discussion with the County Council.

All the application documents are available for public inspection.

## 1.2 Description of site and surroundings

1.2.1 The application site is located between Mill Street (the A539) and the River Dee, immediately to the east of the housing development at Bishop's Walk. At its nearest point, the site is some 500 metres from Llangollen Bridge.

1.2.2 It is currently occupied by the buildings which comprised the Valley Lodge Hotel, (formerly the Woodlands Hotel), and associated parking areas accessed off Bishop's Walk and Mill Street. The Hotel was developed many years ago, and consisted of older buildings on the western side, which were supplemented by extensions, including a long building running alongside Mill Street. The buildings are in generally poor condition.

1.2.3 The land slopes steeply down to the River Dee from the southern boundary of the site, and on the north side of the A road, slopes up via a heavily wooded area to the Llangollen Canal. The site is visible to varying degrees from the canal towpath through the trees dependent on the time of year, and from the south side of the River Dee in the area around the Coed Afon / Queen Street area.

## 1.3 Relevant planning constraints/considerations

1.3.1 With the exception of a small part of the proposed staff parking area at the western end of the site, the site lies within the development boundary of Llangollen as shown on the Proposals map accompanying the Local Development Plan.

1.3.2 The site is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty, the buffer zone of the Pontysyllte Aqueduct and Llangollen Canal World Heritage Site, a Special Area of Conservation, and Site of Special Scientific Interest.

## 1.4 Relevant planning history

1.4.1 None of direct relevance to the application.

## 1.5 Developments/changes since the original submission

1.5.1 None.

## 1.6 Other relevant background information

1.6.1 Representations received on the application raise basic questions over decisions to close the town's Community Hospital and existing Health Centre, and the extent of facilities to be provided in the new Centre. Respectfully, it is not the role of the County Council as Planning Authority to consider these matters, as these are properly ones for the Health Board and partners in the provision of care to address.

## 2. DETAILS OF PLANNING HISTORY:

2.1 The Section's records include reference to a number of alterations and extensions to the original buildings, but these are not considered of direct relevance to the planning issues in relation to the current application.

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
Policy RD1 – Sustainable development and good standard design  
Policy RD5 – The Welsh language and the social and cultural fabric of communities  
Policy BSC2 – Brownfield development priority  
Policy BSC12 – Community facilities  
Policy VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty  
Policy VOE3 – Pontcysyllte Aqueduct and Canal World Heritage Site  
Policy VOE6 – Water management  
Policy ASA3 – Parking standards

### 3.1 Supplementary Planning Guidance

No 21 – Parking requirements in new developments  
No 26 – Pontcysyllte Aqueduct and Canal World Heritage Site

### 3.2 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012  
Technical Advice Notes  
TAN 5 – Nature Conservation and Planning  
TAN 12 – Design  
TAN 15 – Development and Flood Risk  
TAN 18 – Transport  
TAN 22 – Sustainable buildings

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- |       |  |
|-------|--|
| 4.1.1 | <u>Principle</u>                               |
| 4.1.2 | <u>Visual amenity/landscape</u>                |
| 4.1.3 | <u>Residential amenity</u>                     |
| 4.1.4 | <u>Ecology</u>                                 |
| 4.1.5 | <u>Drainage (including flooding)</u>           |
| 4.1.6 | <u>Highways (including access and parking)</u> |
| 4.1.7 | <u>Archaeology</u>                             |

4.1.8	<u>Sustainability including codes and water management</u>
4.1.9	<u>Inclusive design</u>
4.1.10	<u>Contaminated land</u>
4.1.11	<u>Area of outstanding natural beauty/Area of outstanding natural beauty</u>
4.1.12	<u>World Heritage Site considerations</u>
4.1.13	<u>Impact on Welsh Language and Social and Cultural Fabric</u>

#### 4.2 In relation to the main planning considerations:

##### 4.2.1 Principle

The main Local Development Plan Policies relevant to the principle of the development are BSC12 and BSC2.

Policy BSC12 is a general policy relating to the provision and retention of community facilities. It refers to local facilities essential to support the sustainability of the County's communities, and offers support for provision of facilities within existing development boundaries.

Policy BSC2 sets a priority for development of previously developed land within development boundaries in lower growth towns such as Llangollen, to minimise pressures on the use of greenfield sites.

With the exception of a small area of the staff parking area, the site is within the development boundary for Llangollen on the proposals map in the Local Development Plan. In Officers' opinion therefore, the principle of a developing a Health Centre on the application site would seem to be acceptable in relation to these policies.

Policy RD1 is a general development control policy which sets a range of 'site specific' tests to be applied to all proposals within development boundaries to determine their acceptability. These tests form the basis of the considerations in the following sections of the report, which Officers would respectfully suggest should determine the acceptability of the particular proposals.

##### 4.2.2 Visual amenity / landscape

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vi) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

There are no specific representations in individual representations in objection to the proposals based on potential visual impacts of the development. The comments received welcome the potential for the improvement of the environment at the entrance to the town from the Wrexham direction, and suggest the need for adequate planting to screen the car parking area from Bishop's Walk, and the need to control external lighting. The AONB Committee support the overall design approach, but have concerns over the potential impact of the photovoltaic panels on the south facing roof, which the Conservation Architect suggests needs to be an integral part of the design. The Conservation Architect also expresses disappointment at the detailing of the north and east elevations of the building. The Civic Society has concerns over the flat roof section at the rear of the main building. The AONB Committee suggest provision of a stone boundary wall along the site frontage.

Taking the various comments into account, Officers take the view that the scheme clearly offers potential to address the negative impact of the current development at an important entrance to Llangollen, but there are some reservations over the



detailing of the building and whether full advantage is being taken of this opportunity to improve the quality of the sense of arrival into the town. Ultimately it is suggested that these reservations are not of such significance to oppose the scheme on visual / landscape grounds, but that it would be essential to exercise suitable controls over detailed elements of the design through the use of conditions, covering the use of external materials, landscaping, and external lighting.

#### 4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc.

There are local concerns expressed over potential for noise and disturbance from the development, both at construction and operational stage. The Pollution Control Officer suggests the inclusion of condition(s) requiring the agreement of a construction method statement to ensure controls over pollution and noise.

Having regard to the previous uses of the site, and the layout of the proposed development, Officers do not consider the impacts on residential amenity would be unacceptable. The nearest residential properties are on Bishop's Walk, abutting the western boundary of the site, and the proposed patients car parking area. It is understood that the land in that area has been used previously for parking purposes in connection with the hotel. Conditions can be imposed to control construction phase operations to respect concerns over noise and dust, and there are proposals for additional planting between the car parking area and the site boundary with Bishop's Walk.

#### 4.2.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

There are no individual representations in relation to potential impacts on ecological interests. The County Ecologist has no objections subject to the implementation of the recommendations in the submitted ecological report.

Officers' conclusion is that there is no basis for concern on ecological impacts, provided a standard condition is attached to any permission requiring the implementation of the measures in the ecological report.

#### 4.2.5 Drainage (including flooding)

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk,

provides a detailed framework within which risks arising from different sources of flooding should be assessed.

Natural Resources Wales confirm the site is in an area which is not susceptible to flooding, and recommend only that suitable measures be taken in the design of the drainage scheme, to limit surface water runoff. Welsh Water / Dwr Cymru have no objections subject to conditions ensuring separate foul and surface water systems, and advisory notes relating to the diversion of a sewer crossing the site.

Officers suggest the matters raised by Natural Resources Wales and Welsh Water / Dwr Cymru can be accommodated by the inclusion of suitably worded planning conditions and notes to the applicants if permission is granted.

#### 4.2.6 Highways (including access and parking)

Local Development Plan Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

There are a number of comments raised in relation to highway matters. Private individuals express concerns over the distance of the site from the town centre, the adequacy of pedestrian links from the centre and residential areas, a need for consideration of traffic calming and speed limit changes, visibility requirements, a suggestion for a new footbridge over the River Dee and use of the parking areas for visitors at weekends. The Civic Society request additional disabled bays. The Highways Officer is aware of the standard of the highway network between the town centre and the site, but recognises that there are likely to be pedestrian and cycle access issues on any edge of town facility like this, and recommends that a number of conditions be imposed to deal with detailed matters if a permission is granted.

In Officers' opinion, there are negative and positive factors to weigh in relation to the highway implications of the proposals, as set out in the preceding paragraph. The site is not easily accessible to pedestrians as a consequence of limitations on footway widths along sections of Mill Street, and there are only limited measures that can be taken to improve the situation. The site is also some distance from residential areas on the south side of the town, and the limitations on public transport services mean that there would be an inevitable reliance on the motor car as the main mode of transport to the Centre. To balance these factors is the fact that there are very limited (if any) options in terms of available / suitable sites in the town of the size capable of accommodating the development, and there is a natural desire to ensure that the town retains a modern health centre facility – albeit in a peripheral location, with limitations on ease of access. Ultimately Officers accept there are reservations over the accessibility of the site, but that set against the more general community benefits likely to arise from the scheme, these would not justify a refusal recommendation on highway grounds.

#### 4.2.7 Archaeology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment.

Planning Policy Wales (Section 6.5) sets out a range of considerations to be given to the assessment of archaeological issues, including approaches to recording and investigating potential remains in conjunction with new development. Welsh Office Circular 60/96 provided earlier advice on the importance of archaeological matters in

the planning process, stressing the need for due assessment of the nature and importance of any features and their setting.

There are no individual representations raising archaeological issues. The County Archaeologist and CPAT have suggested any permission include a condition requiring a suitable type of survey of the older section of building remaining on the site, as it is demolished.

Subject to inclusion of the type of condition suggested by the Archaeologist and CPAT, it is concluded that archaeological interests would not be adversely affected by the development.

#### 4.2.8 Sustainability including codes and water management

Sustainable development is a key part of the Local Development Plan Strategy, and has been applied to the land use policies and allocations in the Plan. Planning Policy Wales (Section 4.12) sets out Welsh Government's drive to ensure that development proposals mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use, and eventual demolition, and outlines the requirement to move towards more sustainable and zero carbon buildings in Wales through application of specific standards for construction. The Sustainability Code requirements are referred to in TAN 22 Sustainable Buildings, which confirms the obligation on applicants to demonstrate that building(s) can meet specific standards of construction and carbon emission levels.

In the case of this submission, the application is accompanied by a Design and Access Statement and Code for Sustainable Homes Pre-Assessment which demonstrates that the requirements of TAN 12 and TAN 22 can be satisfactorily addressed. The Water Conservation Statement provides an outline of steps to be taken to conserve and use water as part of the development. Suitably worded conditions can be attached to ensure development is carried out in accordance with the requirements of the Sustainability Code.

#### 4.2.9 Inclusive design

Local Development Plan Policy RD1 test (vii) sets out the need to provide safe and convenient access for disabled persons. The requirement to embody the principles of inclusive design in development proposals is set out in Planning Policy Wales (Section 3.4) which outlines accessibility considerations to be given to all development proposals, reflected in TAN 12 Design, TAN 18 Transport, and through the obligation to submit Access Statements as part of most planning applications.

Suggestions have been made by the Civic Society to increase the number of disabled parking spaces to 6. The Equalities Officer is anxious to ensure adequate measures are taken in the detailed design of the Centre to accommodate a full range of facilities for persons with disability. The applicants agents have confirmed that in the course of detailing up the proposals, due regard will be had to legislation and the needs of various groups.

Officers' view on the issue is that there is a clear responsibility on the developers of such a significant facility aimed at dealing with a range of health and mobility issues, to incorporate the relevant range of measures to provide a high standard of inclusive design. Nonetheless, a planning condition and suitable note to applicant can be attached to oblige submission of the detailed measures proposed.

#### 4.2.10 Contaminated land

The need to consider the potential impact of contaminated land in relation to development proposals is contained in Chapter 13 of Planning Policy Wales, which

requires planning decisions to take into account the potential hazard that contamination presents to the development itself, its occupants and the local environment; and assessment of investigation into contamination and remedial measures to deal with any contamination. Where there may be contamination issues, the Council must require details prior to determination of an application to enable the beneficial use of land. Planning permission may be granted subject to conditions where acceptable remedial measures can overcome such contamination. Otherwise, if contamination can not be overcome satisfactorily, permission should be refused.

In this instance, there are no representations received which raise issues relating to contaminated land.

Notwithstanding the above, given that sections of the site lie on the line of the old Llangollen – Wrexham railway, Officers suggest it would be necessary to condition any permission to oblige appropriate actions in the event of any contamination being discovered during site works.

#### 4.2.11 Area of Outstanding Natural Beauty

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for its designation.

There are no objections raised specifically in relation to impacts on the AONB. The AONB Committee view the development as an opportunity to secure environmental gain, subject to control over elements of detail.

Officers' conclusion is that far from causing unacceptable harm to the character and appearance of the landscape, the scheme offers a real prospect of improving the quality of development in a significant location at the entrance to the town, and is therefore in compliance with Policy VOE2.

#### 4.2.12 World Heritage Site considerations

Policy VOE3 of the Local Development Plan relates specifically to development which may impact on the Pontcysyllte Aqueduct and Canal World Heritage Site and its Outstanding Universal Value, and in particular the authenticity and integrity of the attributes which justified its designation. It indicates that development which would lead to harm to the attributes will not be permitted, and refers to the setting of the World Heritage Site as a key material consideration. SPG 26 – Pontcysyllte Aqueduct and Canal World Heritage Site provides guidance on the determination of applications that may affect the Site and its setting. Planning Policy Wales (Section 6.5.24) reiterates that the World Heritage Site is a material consideration in the determination of applications, and that impact on the site and its setting should be carefully considered.

There are no representations raising concerns over the impact of the development on the World Heritage Site, including its buffer zone. CADW have not responded to consultation. The Conservation Architect concludes that the proposals will not have a detrimental impact on the Outstanding Universal Value of the World Heritage Site.

In Officers' opinion, the proposals are not likely to result in any harm to the World Heritage Site or its setting, and offer a positive opportunity to enhance the character of this area close to the canal itself.

#### 4.2.13 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Policy RD 5 in the Local Development Plan.

The Linguistic Impact Statement submitted with the application concludes that the proposals would have no negative impact on the linguistic balance or Welsh Language, and suggests minor positive impacts could be identified. The Health Board have a Welsh Language Scheme in place setting out their positive / proactive approach to the use of the Welsh language.

In Officers' opinion the proposed development on this site would not by virtue of its size, scale, and location cause significant harm to the character and language balance of the community. The site is already developed and the proposed use is one offering wide community benefits, likely to have no adverse impact on the language and social fabric.

### 5. SUMMARY AND CONCLUSIONS:

5.1 The application proposes the development of a new Health Centre on a site within the town's development boundary, currently occupied by a semi derelict former hotel.

5.2 The proposed Centre would replace the existing facility on Regent Street and would provide a wide range of medical and social care services, in a modern purpose built building.

5.3 Responses to the application are largely positive, reflecting the desire to improve the quality of the environment on a significant approach to the town from the Wrexham direction. There are however reservations over detailed aspects of the scheme, in particular concerns over the accessibility of the site by pedestrians, the inevitable reliance on the motor car to access it, and to elements of the design of the building.

5.4 Officers conclusion is that the accessibility issues are a negative factor to consider here, but ultimately there is a clear wider public benefit from the provision of the facility which merits a positive recommendation to grant permission, subject to the inclusion of a number of conditions.

### RECOMMENDATION: GRANT- for the following reasons:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No development shall be permitted to take place on the external walls or roofs of any of the buildings hereby permitted, until the written approval of the local planning authority has been obtained to the type, colour and finish of the materials to be used. The development shall take place strictly in accordance with the approved materials.
3. Notwithstanding the submitted plans, no development shall be permitted to commence on the south elevation roof of the two storey building (incorporating the photo voltaic panels), or the flat roof of the rear extension (incorporating the roof plant) until the written approval of the Local Planning Authority has been obtained to the detailing thereof.
4. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 1.05 metres above the level of the adjoining carriageway.
5. In relation to the carrying out of site development works, none shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to the site compound location and vehicular access, a traffic management scheme, vehicle wheel washing facilities, hours and days of operation and the management and operation of construction vehicles. The works shall be carried out strictly in accordance with the approved details.
6. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to full details of the alterations to the existing vehicular accesses, the relocation of the 30mph speed limit, bus stops, road markings, retaining structures,



footway improvements and associated highway works as indicated on the approved plans, including the number of disabled parking bays, the detailed design, layout, construction, and drainage for the site. The development shall proceed strictly in accordance with the approved plans before the development is brought into use.

7. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the approved plan and shall be marked out and completed prior to the proposed development being brought into use.

8. The Centre shall not be brought into use until the written approval of the Local Planning Authority has been obtained to arrangements for the public use of the car parking areas outside core operating hours.

9. Development shall not be permitted to begin on the building until the written approval of the local planning authority has been obtained to the detailed proposals for provision of facilities for persons with disability, including the means of access into and within the Centre, and the range of facilities to be provided within the building. The scheme shall include details of gradients of access ways, surfacing, lighting and signage. The agreed scheme shall be implemented before the building is brought into use.

10. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

11. Foul water and surface water discharges shall be drained separately from the site.

12. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

13. The development hereby permitted shall not be commenced until such time as a detailed scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority, and such scheme shall include an assessment of the potential for disposing of surface water by means of Sustainable Drainage Systems (SuDS).

14. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system has been submitted to and approved in writing by the Local Planning Authority.

15. All planting, seeding, or turfing, comprised in the landscaping scheme shall be carried out no later than the first planting and seeding season following the completion of the development. Any trees or plants which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

16. Notwithstanding the submitted details, no external lighting shall be permitted without the formal written approval of the local planning authority to the detailing of the proposed lighting (including the type, the means and extent of lumination and anticipated spread of light). The scheme shall be implemented strictly in accordance with the approved details.

17. Noise emanating from any plant or equipment used in connection with the Health Centre shall not be permitted to exceed a LAeq at least 5dB below the lowest background noise levels at the quietest time which the plant or equipment is running, at the nearest noise sensitive properties; and shall not exceed 50dB (A) at any time in any external public areas within the site.

18. The development shall be carried out in strict compliance with the recommendations in the Ecological Report, including the inclusion of a bat roost and associated measures, and the precautionary measures listed in Section 14 of the TOLS form attached to this Certificate of Decision.

19. In relation to separate Licencing requirements in connection with development affecting protected species, as identified in the Ecological Report, no activities likely to impact on protected species shall be permitted to commence unless the local planning authority has been provided with either:

a) A licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead along with the approved Method Statement; or

b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interests of visual amenity.
4. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
5. In the interests of highway safety.
6. In the interest of the free and safe movement of traffic on the adjacent highway and in the interests of highway safety.
7. To provide for the parking of vehicles clear of the highway and to ensure that reversing of vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
8. In order to provide additional parking capacity for the town at peak periods.
9. In order to ensure adequate facilities are provided for the needs of disabled persons.
10. To prevent hydraulic overloading of the public sewerage system.
11. To protect the integrity of the public sewerage system.
12. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and to ensure no detriment to the environment.
13. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.
14. To reduce the risk of flooding to the proposed development.
15. In the interests of visual amenity.
16. In the interests of visual and residential amenity.
17. In the interests of residential amenity and users of the Centre.
18. In order to protect ecological interests and protected species.
19. In order to protect ecological interests and protected species.

#### **NOTES TO APPLICANT:**

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.  
Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).  
You are encouraged to contact the County Council's Countryside Section to discuss opportunities for enhancing access to the adjoining Llangollen Woods Countryside site, which is managed by that service (Contact details – Huw Rees, Countryside Services Manager – 01824-708228).

Your attention is drawn to the attached responses from Welsh Water / Dwr Cymru relating to processes in connection with the diversion of the public sewer within the site, and from Natural Resources Wales in relation to surface water drainage arrangements.

In connection with Condition 8, you should contact Mike Jones, the Council's Traffic, Parking and Road Safety manager to discuss the mechanism for management of the parking areas outside the Centre's core operating times.

In connection with Condition 9, you should contact Karen Beattie, the Council's Equalities Officer to discuss the approach to provision of facilities for disabled persons.

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Tel: 01824 706800 Fax: 01824 706709

Heading

15/2013/1284/PF  
Ty'n y Celyn  
Llanarmon yn Ial

2



Application Site

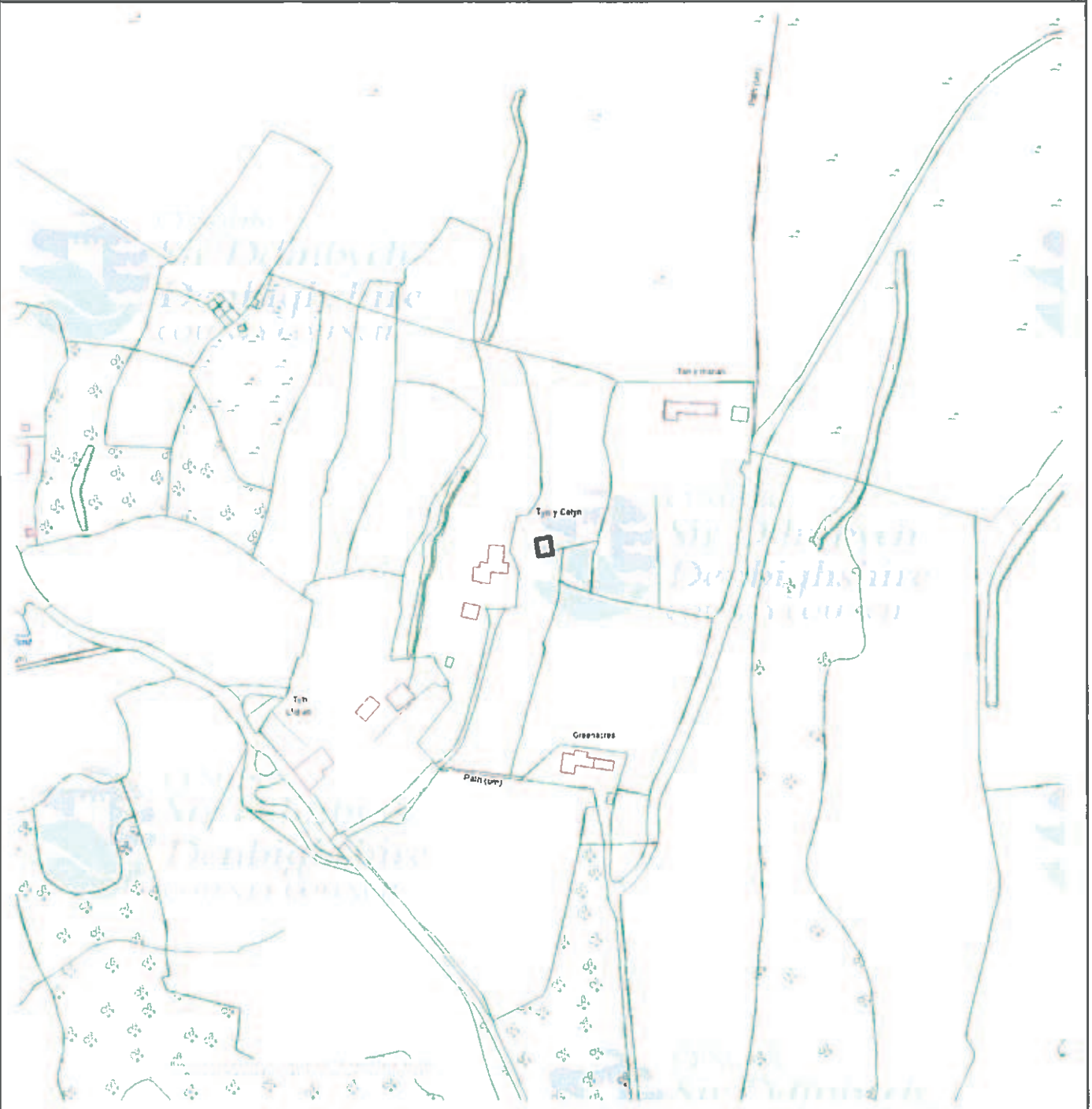


Date 3/2/2014

Scale 1/2500

Centre = 319096 E 358328 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



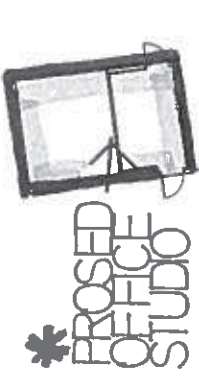
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# SITE PLAN

15 / 2013 / 1204 / PF

RECEIVED  
 28 OCT 2013  
 COUNCIL  
 PLANNING SERVICE



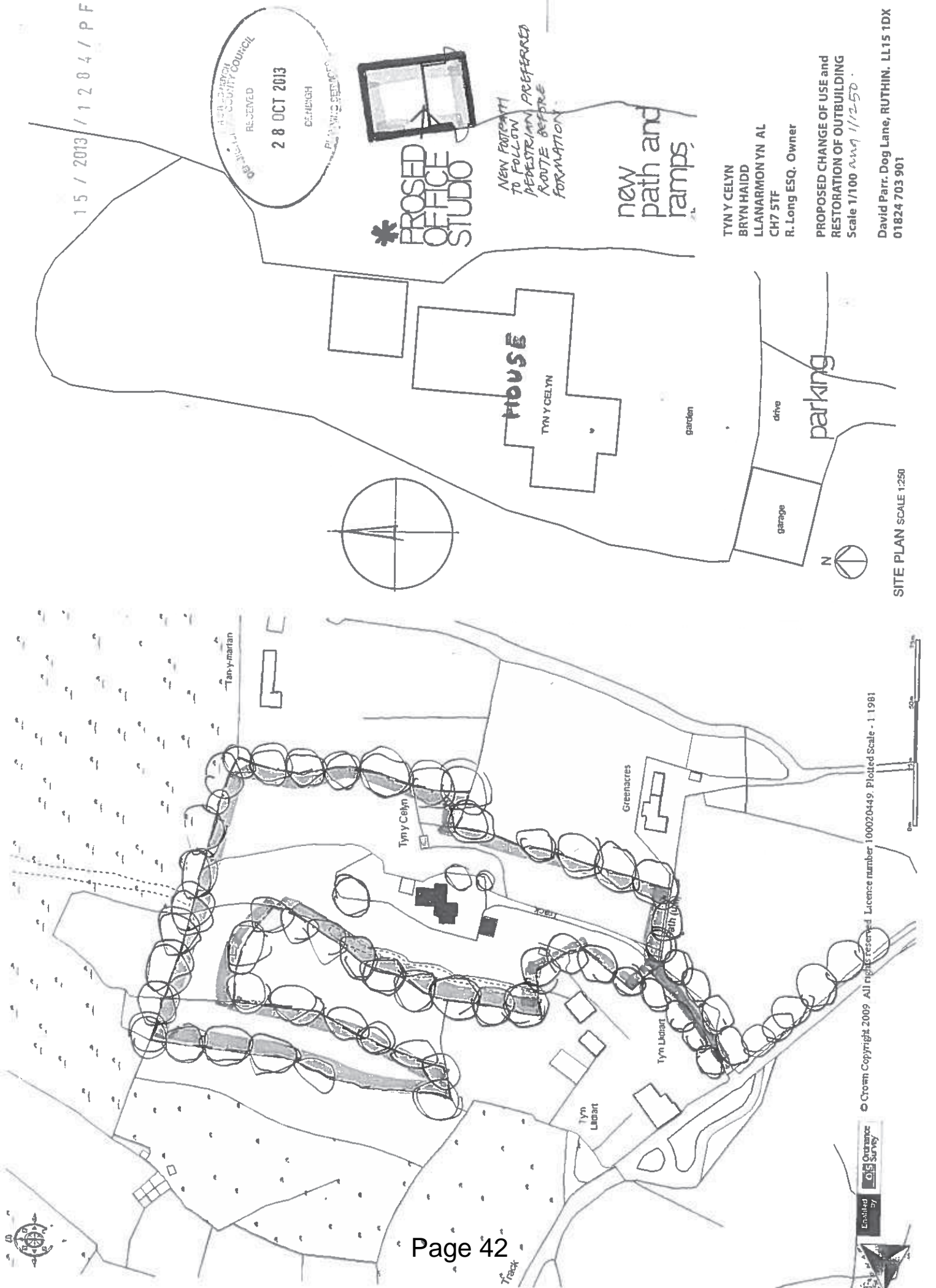
NEW FOOTPATH  
 TO FOLLOW  
 PEDESTRIAN PREFERRED  
 ROUTE BEFORE  
 FORMATION

new  
 path and  
 ramps

TVNY CELYN  
 BRYN HAIDD  
 LLANARMON YN AL  
 CH7 5TF  
 R. Long ESQ. Owner

PROPOSED CHANGE OF USE and  
 RESTORATION OF OUTBUILDING  
 Scale 1/100 and 1/1250

David Parr, Dog Lane, RUTHIN. LL15 1DX  
 01824 703 901



SITE PLAN SCALE 1:250





**ITEM NO:** 2  
**WARD NO:** Llanarmon Yn Ial / Llandegla  
**WARD MEMBER(S):** Councillor Martyn Holland  
**APPLICATION NO:** 15/2013/1284/ PF  
**PROPOSAL:** Conversion of outbuilding to form office and studio  
**LOCATION:** Outbuilding at Tyn Y Celyn Llanarmon Yn Ial Mold  
**APPLICANT:** Mrs Michelle Long  
**CONSTRAINTS:** AONB  
**PUBLICITY UNDERTAKEN:** Site Notice - NoPress Notice - NoNeighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
Scheme of Delegation Part 2

- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**LLANARMON YN IAL COMMUNITY COUNCIL:**

'Objections, the council felt the office would eventually lead to a separate conversion to a new residential dwelling - as it would then have water sewerage electric etc. It was voted on - with 5 objecting that it should remain as an outbuilding'.

**AONB JAC**

"The JAC has no objection to conversion of this outbuilding to office/studio use for the occupiers of the adjacent dwelling. Re-roofing the building with natural blue/grey slate is welcomed, and the overall scheme of conversion broadly reflects the traditional character of the building. However, the JAC would prefer the new gables to be faced entirely in natural local stone to match the existing stonework rather than the proposed partial timber cladding, which would better reflect the likely design of the original building. The JAC would also recommend that the rooflights should be conservation style units." (AONB Management Plan Policy PCP1)"

**NATURAL RESOURCES WALES**

No objection.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Biodiversity Officer

No objection.

Head of Highways and Infrastructure

- Highways Officer

No objection.

**RESPONSE TO PUBLICITY:**

None.

**EXPIRY DATE OF APPLICATION: 22/12/2013**



## REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- additional information required from applicant

## PLANNING ASSESSMENT:

### 1. THE PROPOSAL:

#### 1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for the conversion of an outbuilding at Tyn Y Celyn to an office and studio.
- 1.1.2 The conversion involves alterations to reinstate the original form of the building, most notably the re-roofing of the building with a slate roof and rebuilding the north elevation. Members can see the proposed alterations on the plans at the front of the report.
- 1.1.3 The scheme of conversion would create two floors of accommodation. On the ground floor there would be an office, wc and galley area, on the first floor there would be a photo studio and printing and processing room.
- 1.1.4 Externally the area around the site would remain as existing, with a new pathway proposed to run down from the office and studio to the existing parking area to the south of the dwelling. Access would be via the existing access to the dwelling.
- 1.1.5 The supporting documents include a Design, Access and Justification Statement and Protected Species Survey.

#### 1.2 Description of site and surroundings

- 1.2.1 The site is located in the open countryside to the north east of Llanarmon yn Ial. The site is bounded by woodland to the north and two dwellings to the east and west, all accessed off the same private road.
- 1.2.2 Tyn Y Celyn comprises of a dwelling and some small outbuildings. The outbuilding which is the subject of this application is located to the east of the dwelling. The site slopes down from north to south.
- 1.2.3 The existing building is a limestone building with brick detailing and quoins; it has a corrugated roof with a low pitch. The existing north elevation is open and the east and west elevations have large openings.
- 1.2.4 It is believed that the last use of the building was for storage ancillary to the dwelling.

#### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located in outside any development boundary in the Local Development Plan. It is also located within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.

#### 1.4 Relevant planning history

- 1.4.1 No recent planning history.

#### 1.5 Developments/changes since the original submission

- 1.5.1 The application was originally submitted in October 2013. Following initial consultations additional information was sought to address protected species issues.

## 1.6 Other relevant background information

1.6.1 None.

## 2. DETAILS OF PLANNING HISTORY:

2.1 None.

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy PSE 5 - Rural Economy

Policy VOE 1 - Key areas of importance

Policy VOE 2 - Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy VOE 5 - Conservation of Natural Resources

3.2 Supplementary Planning Guidance

SPG 16 - Conversion of Rural Buildings

SPG 18 - Species Protection and Nature Conservation

3.3 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Note 5 – Nature conservation and planning (2009)

Technical Advice Note 12 – Design (2009)

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Principle

4.1.2 Visual amenity

4.1.3 Residential amenity

4.1.4 Ecology

4.1.5 Highways (including access and parking)

4.1.6 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The proposal is for the conversion of an outbuilding in the open countryside to a dwelling. LDP Policy PSE 5 Rural Economy supports commercial development outside development boundaries, in order to help sustain the rural economy. The policy preference is for re-use and adaptation of rural buildings in open countryside rather than new build, providing the scheme of conversion is appropriate in scale and nature to its location, it is accompanied by an appropriate business case to

demonstrate that the business will support the local economy and the scheme of conversion does not harm any relevant landscape designation, i.e. the AONB.

The building is a small ancillary building, located in close proximity to the dwelling Tyn Y Celyn. The proposed uses are specific to the needs of the applicant and would enable their personal businesses to operate from the site negating the need for offices elsewhere.

It is considered that a proposal of this nature would be acceptable in principle subject to assessment of its impacts and compliance with the specific criteria of Policy PSE 5. These are set out in the following paragraphs.

#### 4.2.2 Visual amenity/AONB

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is repeated in Policy PSE 5 which requires conversion schemes to be appropriate in scale and nature to its location and not impact on the AONB designation. Policy VOE 1 acknowledges the importance of sites of built heritage and supports development which would maintain and enhance these. Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The application proposes minor alterations to the building, most notably the reinstatement of the original form of the roof, which would result in an increase in overall height of the building. The AONB JAC have commented that the scheme of conversion is, in their opinion, broadly sympathetic to the character of the building.

With regard to the specific detailing of the scheme of conversion it is considered that the detailing would enhance the appearance of the building. Whilst the AONB JAC's comments regarding the timber cladding are noted, this material has been used on other developments in the AONB and therefore would be difficult to resist, furthermore it would be an improvement on the existing corrugated materials on the site. The proposal is considered acceptable regarding its impact upon visual amenity and the AONB.

#### 4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications.

The nearest dwelling to the site is the Applicants dwelling Tyn Y Celyn, who have advised it is their intention to use the building for their own business. Other dwellings are located between 80 metres to 90 metres south and north of the outbuilding.

Considering the scale of the building and the nature of the use, it is considered that given the relationship to neighbouring dwellings, the office and studio use would not result in harm to the residential amenity of occupiers of nearby properties.

#### 4.2.4 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species

Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

A Bat and Bird survey has been submitted with the application. The survey found no evidence of bats in the building proposed to be converted. A bird's nest was found in the building although with some evidence of recent bird activity. The Biodiversity Officer has asked for the recommendations of the ecological survey to be conditioned if permission is granted.

In the absence of any protected species it is considered that the ecological impacts of the proposal are acceptable. It is considered prudent however to attach a note to applicant to advise that all contractors follow a code of best practice.

#### 4.2.5 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications. This policy reflects the general principles set out in Planning Policy Wales (Section 8).

The proposal utilises an existing access and no alterations are proposed. The submitted site layout shows no change to the existing parking layout. The County Council's Highway Engineer has not raised an objection to the proposal.

It is considered that the proposal is acceptable in terms of its impact upon highway safety, and sufficient parking and turning space can be accommodated within the site.

#### 4.2.6 Other matters

With respect to the views of the Community Council whose comments are noted above, it would be unreasonable to resist the conversion of the outbuilding to an office and studio on grounds of potential future use for a dwelling. Regardless of the existing use, a planning application would be required for such conversion to residential use. Considerations of acceptability of a residential use, services etc would be assessed under such an application.

## 4 SUMMARY AND CONCLUSIONS:

5.1 The conversion of the building to an office and studio is considered acceptable under the relevant policies and is recommended for grant.

**RECOMMENDATION: GRANT** - subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.
3. The use of the building shall be as described for office and studio only in connection with the dwelling Tyn Y Celyn and shall not be used for another purpose without the further grant of planning permission.
4. Notwithstanding the submitted details, prior to the commencement of development, further information detailing Reasonable Avoidance Measures for Protected Species during the conversion of the building and the proposed mitigation to ensure continuity of roosting opportunities, shall be submitted to and approved by the Local Planning Authority. Details should include provision suitable for Brown Long Eared bats which have been identified to be using the building currently. They should also include details of timber treatment proposed and external lighting.



The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interest of visual amenity.
3. In the interest of clarify and to comply with the planning policies of the Local Development Plan.
4. In the interest of the safeguarding of protected species.

#### **NOTES TO APPLICANT:**

You are advised that the Local Planning Authority has granted this permission solely on the basis that the proposal involves the conversion of the building to a office and studio, to be carried out strictly in accordance with the approved plans. Any alteration or demolition work deviating from that shown on the approved plans, unless agreed by the Local Planning Authority, involving the rebuilding of part or all of the outbuilding will invalidate the planning permission.

#### **Biodiversity**

The Biodiversity Officer had advised your attention should be drawn to the recommendations within the ecological report which should be followed. Namely:

1. Reasonable Avoidance Measures and mitigation are undertaken in respect of bats due to the identified night roost within the upper storage area. The submitted report outlines a number of different options in terms of potential mitigation, which seem reasonable. However, exact details should be decided upon and submitted for approval so that we can be certain of no detrimental effect on the favourable conservation status of bat species in the area. Please note the pre-commencement condition above requiring this information. Details submitted for approval should detail the method statement for Reasonable Avoidance Measures during the conversion of the building and the proposed mitigation to ensure continuity of roosting opportunities. They should include provision suitable for Brown Long Eared bats - the species identified to be using the building currently. They should also include details of timber treatment proposed and external lighting. The log shed should be made suitable for swallow nesting, to mitigate for the loss of nesting opportunities in the building.

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Tel 01824 706800 Fax: 01824 706709

Heading:

15/2013/1505/PS  
Parc Farm Caravan Site  
Llanarmon yn Ial

3

 Application Site

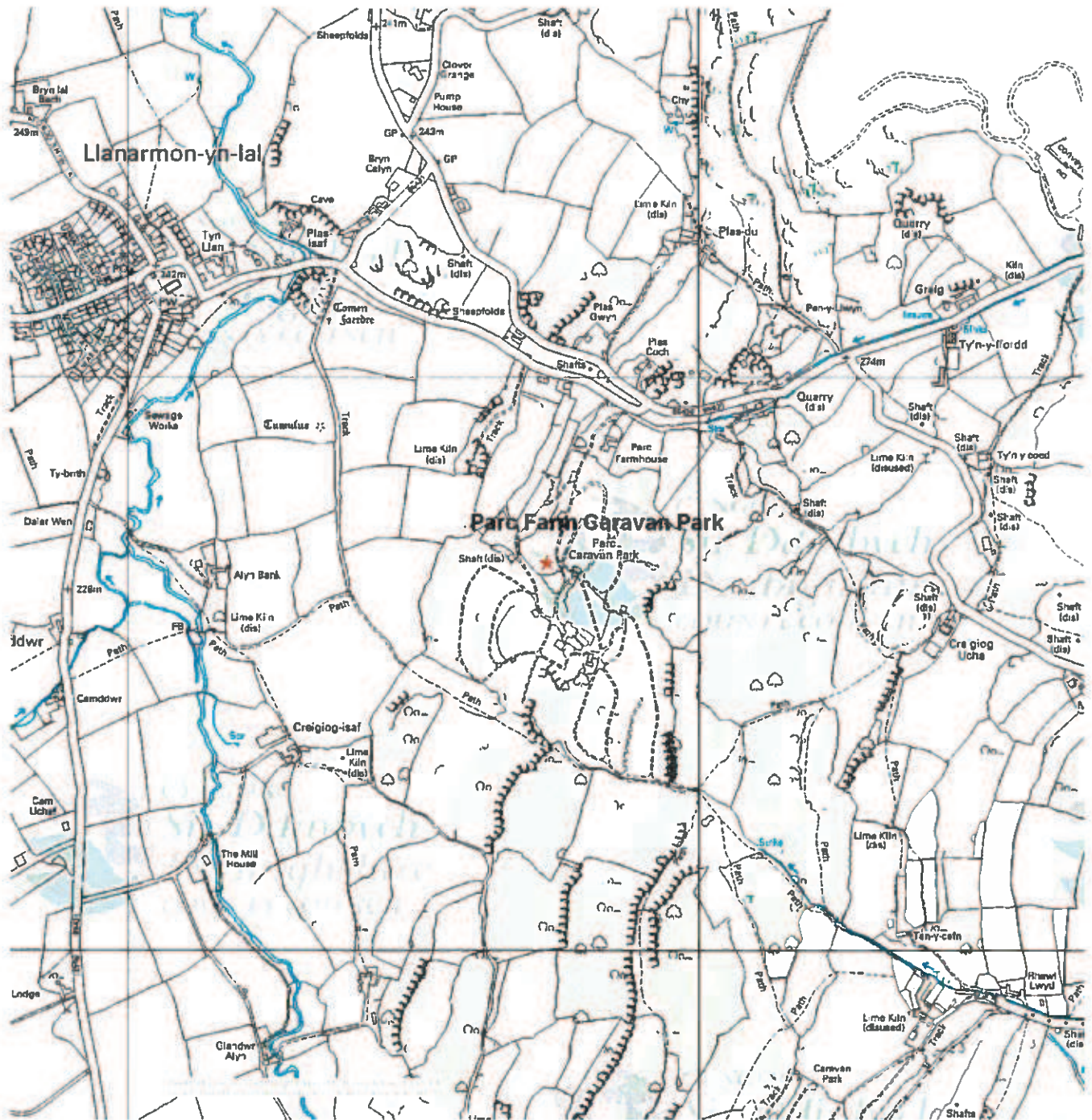


Date 3/2/2014

Scale 1/10000

Centre = 319735 E 355676 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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**ITEM NO:** 3

**WARD NO:** Llanarmon Yn Ial / Llandegla

**WARD MEMBER(S):** Councillor Martyn Holland

**APPLICATION NO:** 15/2013/1505/ PS

**PROPOSAL:** Variation of condition no. 6 of planning permission code no. 15/2011/0651 to allow 12 months holiday use

**LOCATION:** Parc Farm Caravan Park Graianrhyd Road Llanarmon-Yn-Ial Mold

**APPLICANT:** MrThomas Scarrott

**CONSTRAINTS:** Tree Preservation Order  
PROW  
AONB

**PUBLICITY UNDERTAKEN:** Site Notice - YesPress Notice - NoNeighbour letters - No

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION RESPONSES:**

**LLANARMON YN IAL COMMUNITY COUNCIL**

"Council felt very strongly about this planning application and did not support it. For the following reasons: -

- Should be considered that the park is near an AONB and would tempt many residents to live full term cheaply in the park abusing the holiday condition.
- Large park approx 375 vans - actually larger in area than the village, the recently increased size is felt not to be a modest one, more caravans than houses in the village. Without the part time holiday condition, the park would turn into a fulltime village of its own - Overwhelming for the locals.
- People do not contribute to the area only add to the traffic.
- Some people do live there all year round already, locals are aware of this and yet this is under the part-time holiday condition. Therefore, monitoring the 12 months holiday condition by D.C.C. would be very difficult if not impossible.
- They do not pay council rates as local homeowners. Should only be part of the year occupancy – or lower the village rates.
- There are parts of the site in need of tidying up, so the time closed is really required for maintenance. Therefore, the additional time in residence would not improve amenities.
- 1955 old land had its own planning not as a residential. Children from the site have already attended the local school."

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY  
JOINT ADVISORY COMMITTEE**

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure  
- Highways Officer  
No objection

Pollution Control Officer

License amendment required. Officers raise concerns raised over resource implications of enforcement of conditions.

**RESPONSE TO PUBLICITY:** None.

**EXPIRY DATE OF APPLICATION:** 02/02/14

**REASONS FOR DELAY IN DECISION (where applicable):**

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The application relates to a condition restricting the season of occupancy of caravans at the Parc Farm Caravan site to the east of Llanarmon Yn Ial village.
- 1.1.2 The application seeks permission for a variation of planning condition no. 6 of planning permission reference 15/2013/1505 which reads; 'The caravans shall be only occupied between 1st March in any one year and 15th January in the following year'. The reason for the condition was 'In order to ensure consistency with the existing restrictions on the site and to ensure the caravans are not used on a permanent residential basis'.
- 1.1.3 The application seeks to vary the condition to allow 12 month occupation of the caravans.

**1.2 Description of site and surroundings**

- 1.2.1 Parc Farm is a long established large static caravan park located south east of the village of Llanarmon.
- 1.2.2 The 20 hectare site comprises a mix of caravans and associated hardstandings, club house and ancillary buildings, service roads, landscaping and woodland.
- 1.2.3 At present the permission allows for 355 static caravans and 20 touring pitches.
- 1.2.4 Access to the site is off a minor road close to the junction with the B5430. The minor road serves the application site, and some neighbouring dwellings.
- 1.2.5 The location plan at the front of this report indicates the relationship between the site and neighbouring residential properties, which are mainly located around the entrance.

**1.3 Relevant planning constraints/considerations**

- 1.3.1 The site is located in outside any development boundary of the Local Development Plan. It is also located within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.
- 1.3.2 A public footpath runs through the site.
- 1.3.3 Part of the existing site is also a designated Ancient Woodland.

**1.4 Relevant planning history**

- 1.4.1 The static caravan site has operated at least prior to the 1960's. It is understood historically it had an unrestricted planning permission, and numbers were controlled by the site licence process.
- 1.4.2 In 1995, permission was sought for the re-siting of caravans and an amended layout. This permission limited the number of static caravans on the site to 355 and touring pitches to 20. Subsequent applications have been made on the site to vary the

season of occupancy of the static caravans and also to development of some of the ancillary services on the site.

- 1.4.3 The 2011 planning permission which attached the condition to which this application refers was for a change of use of an additional 1.80 hectares of land to form an extension to the southern boundary of the caravan park to accommodate 50 static holiday caravans, together with environmental improvements and landscaping. The overall numbers of caravans on the site were not increased by this application, as some of the existing pitches were removed by the new permission. As well as condition no. 6 to which this application related the most relevant planning conditions attached to this consent were;

Condition no. 4.

The static and touring caravans within the site edged red on the 1:2500 scale plan received by the Local Planning Authority on the 27th May 2011 shall be occupied for holiday purposes only, and not as a person's sole or main place of residence. The site operator shall maintain an up to date register of the names of the owners and occupier of each caravan on the site, their main home addresses, the dates each caravan has been occupied, and by whom. The information shall be made available for inspection at all reasonable times on written request from the Local Planning Authority. The reason for the condition was: To enable the Local Planning Authority to monitor the site for compliance with adopted planning policies.

Condition no. 5.

No more than 355 static caravans and 20 touring caravans shall be permitted at any one time within the site edged red on the 1:2500 scale site plan received by the Local Planning Authority on the 27th May 2011, and no static or touring caravans shall be permitted to be stationed at any time within the area hatched in black on that plan, to the west of Parc Farmhouse.

The reason for the condition was: To ensure the Local Planning Authority retains control over the number of caravans in the interest of visual and residential amenity.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 A site licence exists for the caravan park and it is understood that an application would be made to amend this if the variation now sought is granted.

**2. DETAILS OF PLANNING HISTORY:**

- 2.1 25/14001 Proposed re-siting and layout of 355 static caravans and 20 touring pitches (touring or motorised caravans or tents). Granted 18/12/95
- 2.2 15/0046/97/PS Variation Of Condition 4 On Application 25/14001 Occupancy March to October to allow Occupancy March to January. Granted 20/03/1997
- 2.3 15/2004/1615 Variation of Condition No. 1 on planning permission Ref. No. 15/46/97/PS to provide for 10½ month occupation between 1st March in any one year and 14 January in the following year. Granted 24/03/2005
- 2.4 15/2008/364 Demolition of existing swimming pool enclosure building, removal of temporary portacabin, erection of new indoor swimming pool and associated facilities and single storey link building with rest area/viewing gallery, laundry and fitness room. Granted 04/06/2008.
- 2.5 15/2011/0651 Change of use of 1.80 hectares of land to form extension to southern boundary of caravan park to accommodate 50 static holiday caravans, together with environmental improvements and landscaping. Granted by Planning Committee 19/10/2011

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
Policy PSE12 – Chalet, static and touring caravan and camping sites  
Policy VOE1 - Key areas of importance  
Policy VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

3.1 Supplementary Planning Guidance  
SPG 20 - Static Caravan and Chalet Development

3.2 Government Policy / Guidance  
Planning Policy Wales Edition 5 November 2012  
Technical Advice Note No. 13 Tourism

Circulars  
Welsh Office Circular 35/95

#### 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Highways (including access and parking)
- 4.1.5 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

There are no Local Development Plan Policies of specific relevance to applications which seek to extend the season of occupation of existing static caravans. There is general reference in policy PSE 12 which covers Chalet, Static and touring caravan and camping sites to occupancy restrictions and ensuring holiday uses on new or improved sites. Policy PSE 5 Rural Economy recognises the importance of the tourist industry to the local economy subject to tests of detailed impacts. Planning Policy Wales offers similar 'in principle' encouragement for suitable tourist developments, subject to appropriate environmental safeguards. TAN 13 Tourism (1997) predates Planning Policy Wales but suggests as broad principles that the planning system can respond to changes in tourism without compromising policies to safeguard the countryside, through the use of holiday occupancy conditions to reconcile these two objectives.

This is a well established caravan site. The most recent grant of planning permission was for an extension and improvements in 2011, this recognised the Council's acceptance that the site was suitable for the use having regard to principle, and following assessment of detailed impacts such as landscape, amenity, highway, ecology and drainage.

Officers consider therefore that the key issues to address here are whether there would be any 'additional' localised impacts from the potential occupation of the caravans between 15<sup>th</sup> January and 1<sup>st</sup> March, and whether there are adequate controls to ensure the 12 months use



is for holiday purposes and would not in effect allow potential to create a residential site. The latter 'problem' is one Members have recognised as significant when considering similar applications in the County.

#### 4.2.2 Visual amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The Council has accepted previously that the use of land as a caravan site is acceptable, and that the siting of the static caravans all year round does not significantly harm the rural character of the site and AONB designation of the surrounding area.

It is the opinion of Officers that the proposal to extend the holiday season would not have any greater impact on the character of the area than existing.

#### 4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

In this instance, there are dwellings located immediately to the east and west of the entrance to the caravan site. The relationship of these dwellings to the site was deemed acceptable when considering previous applications.

Whilst acknowledging the potential use of the caravans between 1<sup>st</sup> January and 15<sup>th</sup> March could increase activity on the site for an additional 1.5 months of the year, it is not considered that this is likely to result in such significant additional disturbance to adjacent occupiers that a refusal could be justified.

#### 4.2.4 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications.

The access arrangements to the site remain as existing. Having regard to the specific proposals, the Highways Officers raise no objections to the application.

It is not considered that the likely additional trips which may be occasioned by an additional 1.5 month period of occupancy would be so significant to either result in highway safety problems or raise new questions over the principle of the development from reliance on the motor car.

#### 4.2.5 Controls over holiday use

As mentioned in the "in principle" paragraph above there is limited specific local plan policy

content directly dealing with the requirement for controls over occupation of caravans. SPG 20 Section 17 states that conditions will be imposed on planning consents to restrict occupancy for holiday purposes only, primarily to ensure that chalets and static caravans are not used as residential accommodation. There are separate Site Licensing controls administered by the Public Protection section which can include conditions relating to the nature of occupation, but these largely mirror the wording used on the planning permissions. As referred to earlier in the report, there is general support in national policy for all year tourism subject to safeguarding the environment. The use of conditions restricting occupation to holiday use is a recognisable mechanism to deliver Welsh Government's objectives, and has to be given due consideration when assessing the merits of an application of this nature.

The Local Planning Authority is obliged to have regard to Welsh Government advice on the use of conditions on planning permissions. Welsh Office Circular 35/95 is a significant material consideration in this respect, and provides clear advice on how local authorities can ensure static caravans remain in holiday use, i.e. it sets out the possibility of allowing developments subject to controls. The Circular actually advises the use of a condition specifying use as 'holiday accommodation only'. This approach has been adopted by many Planning Inspectors in issuing decisions on appeals involving caravan site developments, and the County Council has previously used variations on the wording, including condition no. 4 on the parent permission to which this application relates. This condition states:  
The static and touring caravans within the site edged red on the 1:2500 scale plan received by the Local Planning Authority on the 27th May 2011 shall be occupied for holiday purposes only, and not as a person's sole or main place of residence. The site operator shall maintain an up to date register of the names of the owners and occupier of each caravan on the site, their main home addresses, the dates each caravan has been occupied, and by whom. The information shall be made available for inspection at all reasonable times on written request from the Local Planning Authority. The reason for this condition was to enable the Local Planning Authority to monitor the site for compliance with adopted planning policies.

In this context, having regard to the background policy and guidance, and the nature of the development at Parc Farm and existing controls over use, Officers consider, with respect to the comments of the Community Council, that it would be reasonable to consent to the principle of a 12 month holiday use of the static caravans. The Council has accepted the principle of 12 month holiday use in granting permission elsewhere, including in February 2010 for a new 10 unit static caravan park at The Thatched Cottage at Trefnant; and has had an appeal allowed by the Planning Inspectorate for 12 month occupancy at the static caravan park at Llwyn Afon, Llanrhaeadr. In these cases it was accepted that the model condition which was intended to ease the burden on the Council's officers in enforcing compliance by obliging caravan occupiers and site owners to keep documentary evidence (available for inspection) of length of stays and places of primary residence was sufficient as it offers a clear and easier/enforceable means of control over the occupation of holiday caravans, and could be adopted as a 'standard' by the authority and may help to address member and Community Council concerns over abuse of the system.

## **5. SUMMARY AND CONCLUSIONS:**

- 5.1 The static caravan site is well established with a 10.5 month occupancy season. The proposal to allow use for holiday purposes for 12 months is not considered likely to have additional adverse effects on the immediate locality in terms of landscape, residential amenity, or highways impacts. Officers believe there is clear national policy encouragement for year round tourism use in appropriate locations, and the existence of condition no. 4 of the previous permission offers the Council the scope to control the use to ensure the development does not conflict with rural restraints policies.

**RECOMMENDATION: APPROVE**

**NOTES TO APPLICANT:**

None

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading

28/2013/1444/PF  
Bryn y Garn  
Henllan

4



Application Site



Date 3/2/2014

Scale 1/1250

Centre = 302672 E 368468 N

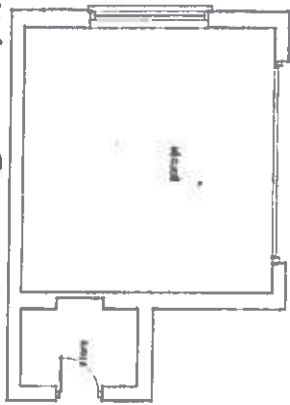
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting



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© Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings Denbighshire County Council 100023408 2011

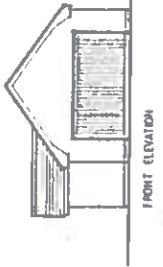
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© Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil Cyngor Sir Ddinbych 100023408 2011

# EXISTING PLANS

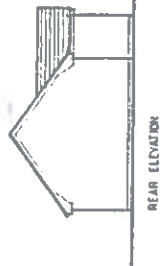


FLOOR PLAN AS EXISTING

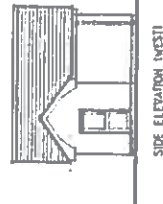
ELEVATIONS AS EXISTING 1:100



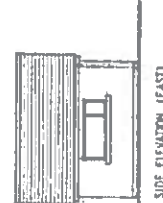
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION (WEST)



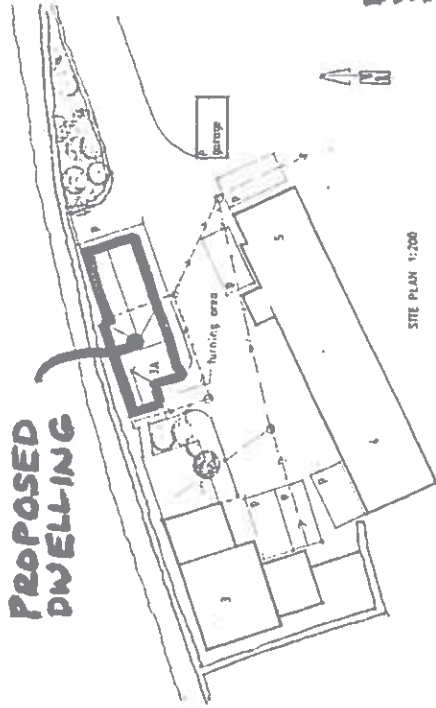
SIDE ELEVATION (EAST)

# PROPOSED PLANS

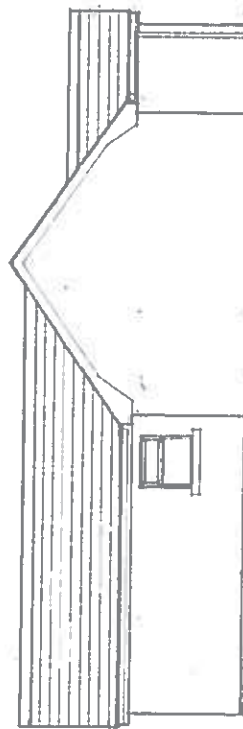


FLOOR PLAN AS PROPOSED

# PROPOSED DWELLING

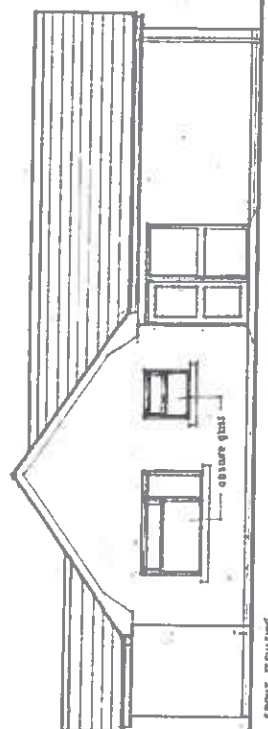


SITE PLAN 1:200

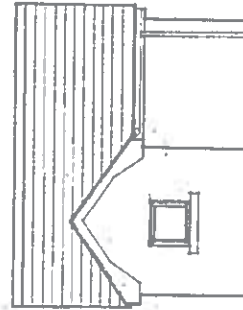


REAR ELEVATION

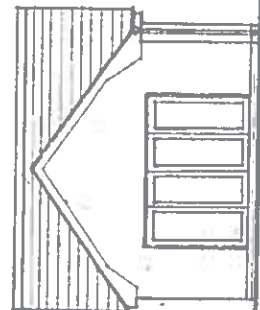
ELEVATIONS AS PROPOSED



FRONT ELEVATION



SIDE ELEVATION (WEST)



SIDE ELEVATION (EAST)

# EXISTING & PROPOSED PLANS



LOCATION PLAN 1:1250

**3A Bryn y Garm Road, Heston LL16 5AF**  
 CONVERSION AND EXTENSION OF GARAGE TO FORM A NEW DWELLING  
 PLAN NO DC/B/D/1A SCALE 1:50 OR AS NOTED

**Dennis Jones**  
 Architect  
 10, Bryn y Garm Road, Heston, Middx, WU2 1AA  
 01895 821122 (09:00-17:00)  
 www.dennisjones.co.uk



**ITEM NO:** 4  
**WARD NO:** Denbigh Upper / Henllan  
**WARD MEMBER(S):** Councillor Colin Hughes & Geraint Lloyd Williams  
**APPLICATION NO:** 28/2013/1444/ PF  
**PROPOSAL:** Erection of pitched-roof extension to existing double garage and change of use to form a single-storey dwelling  
**LOCATION:** 3 Ffordd Bryn Y Garn Henllan Denbigh  
**APPLICANT:** Mr Ian Cliffe  
**CONSTRAINTS:  
PUBLICITY  
UNDERTAKEN:** Site Notice - NoPress Notice - NoNeighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:  
Scheme of Delegation Part 2**

- Member request for referral to Committee

**CONSULTATION RESPONSES:**

**HENLLAN COMMUNITY COUNCIL**

"Henllan Community Council objects to the above Planning Application for the following reasons:-

1. The Council does not think that it is a suitable dwelling/living space.
2. The Council does not feel that having frosted glass bedroom windows is appropriate given that the house backs onto a stone wall.
3. The dwelling is too close to the house opposite"

**DWR CYMRU / WELSH WATER**

No objection, standard notes apply relating to sewer confections and surface water.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure

- Highways Officer

No objection subject to condition relating to the setting out of the parking bays.

**RESPONSE TO PUBLICITY:**

None.

**EXPIRY DATE OF APPLICATION: 09/01/14**

**REASONS FOR DELAY IN DECISION (where applicable):**

- awaiting consideration by Committee

## **PLANNING ASSESSMENT:**

### **1. THE PROPOSAL:**

#### 1.1 Summary of proposals

- 1.1.1 The application proposes the change of use and extension of a garage to form a dwelling off Ffordd Bryn Y Garn in Henllan.
- 1.1.2 The extension is proposed on the eastern side of the existing garage and would add approximately twice its existing footprint. The resulting dwelling would comprise of a lounge, kitchen, wc, lobby/entrance hall and a bedroom with en suite, with a floor area of some 68 sq metres.
- 1.1.3 The plans do not show a specific private amenity area to be provided for the dwelling, although the 'red line' includes an area of landscaping along the entrance and a turning head within the application site.
- 1.1.4 The existing parking arrangement is also proposed to be reorganised to accommodate an additional parking space.

#### 1.2 Description of site and surroundings

- 1.2.1 The site comprises a garage and part of the curtilage of No. 3 Ffordd Bryn Y Garn.
- 1.2.2 Located on the southern side of Ffordd Bryn Y Garn in Henllan, the group of dwellings which the garage is part is sited at a lower level than the road.
- 1.2.3 There are three dwellings in the group, accessed from the east off a sloping driveway. They range in age and design from the fairly modern dwelling at no. 3, to an extended traditional semi-detached unit at no. 4 and no. 5.

#### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of the village.

#### 1.4 Relevant planning history

- 1.4.1 A similar application was submitted in 2013, this application was refused under delegated powers on grounds that it would be a cramped form of development with inadequate amenity space and parking arrangements.
- 1.4.2 The main change between this application and the previous refusal is the site layout, as this application aims to address concerns over parking capacity.
- 1.4.3 Prior to this, the last application on the site was for the dwelling at No. 3 Bryn Y Garn. The site plan appeared to show some form of 'lean to' outbuilding in the area where the garage has been built. The remainder of the site was part of the parking (2 cars) and landscaped gardens of the dwelling.

#### 1.5 Developments/changes since the original submission

- 1.5.1 None.

#### 1.6 Other relevant background information

- 1.6.1 None.

### **2. DETAILS OF PLANNING HISTORY:**

#### **2.1 28/2013/0815**

Erection of pitched-roof extension to existing double garage and change of use to form a single-storey dwelling. Refused under delegated powers for the following reasons:

- 1. "It is the opinion of the Local Planning Authority that the proposal would result in an unacceptable form of development, which would be cramped and would not afford adequate levels of amenity for the proposed and adjacent occupiers. The proposal would

be contrary to Test i) and vi) of Policy RD 1 of the Local Development Plan, advice contained in SPG No. 7 and Chapter 9 of Planning Policy Wales.

2. It is the opinion of the Local Planning Authority that the plans provided fail to demonstrate how parking and turning for the existing and proposed dwelling would be accommodated on the site, contrary to viii) of policy RD1 of the Local Development Plan and advice contained in SPG No. 21."

28/2006/0033

Demolition of existing dwelling and outbuilding, erection of 1 no. replacement dwelling and outbuilding and alterations to existing vehicular access. Granted under delegated powers on the 09/06/2006.

### 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
**Policy RD1** - Sustainable development and good standard design  
**Policy BSC7** - Houses in multiple occupation and self contained flats  
**Policy BSC11** - Recreation and open space  
**Policy ASA 3** - Parking Standards

#### 3.1 Supplementary Planning Guidance

Supplementary Planning Guidance Note No. 7 Residential Space Standards

#### 3.2 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012  
Technical Advice Notes

### 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

#### 4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Highways (including access and parking)

#### 4.2 In relation to the main planning considerations:

##### 4.2.1 Principle

The main policy in the LDP which is relevant to the principle of housing development is policy BSC1, which seeks to make provision for new housing in a range of locations, concentrating development within identified development boundaries. Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria. Policy RD1 sets out general tests to be applied to all developments within development boundaries. This policy



contains criteria which require proposals for new development to have adequate regard for the visual amenity of an area, amenity of neighbours etc. Development which would result in a harmful impact on the character and appearance of a site and its surroundings by virtue of inappropriate design should be resisted. Of some relevance is policy BSC 7, the Council's detailed policy relating to Houses in Multiple Occupation & Self Contained Flats.

In relation to the principle of 'change of use', Officers have taken into account the current planning policies and guidance. The planning history of the site is also noted. Whilst there is a desire to site new residential development within development boundaries, and a need to make the most efficient use of land within these areas, considering the detailed impacts set out below it is the opinion of officers that the proposal is not acceptable.

#### 4.2.2 Visual amenity

Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which are matters relevant to the visual impact of development; test (vi) requires that development does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside; test (vii) requires the incorporation of existing landscape or other features, takes account of site contours, and changes in levels and prominent skylines; and test (xiii) requires the incorporation of suitable landscaping measures to protect and enhance development in its local context.

The proposal involves doubling the size of an existing garage to facilitate conversion to a dwelling. The design and materials appear to reflect those on the existing garage. Concerns have been raised by the Community Council over the site layout.

Whilst the level of detail on the site layout plan is limited, the density of development on the site would appear cramped. The lack of private amenity space and necessity for parking for an additional dwelling would result in potential conflicts between occupiers using the open area between the buildings for amenity use and those accessing it to park vehicles. This may result in the site having an untidy and overdeveloped appearance. It is considered that the proposal fails to comply with planning policy in terms of respecting the visual amenity of the area.

#### 4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc. Policy BSC 7 and SPG 7 also require amenity issues to be considered for proposals to subdivide properties in to self contained flats.

The proposal would create a one bedroom house. The accommodation would measure roughly 68 sq metres in floor area and provide a bedroom with en suite, a kitchen, lounge, a bathroom and lobby area at the entrance. The bedroom would have an obscure glazed window, as would the en suite and wc. There would be one window in the kitchen which would open to the boundary wall and the lounge would have 4 panel French style doors. The dwelling would be sited within 9 metres of the dwellings to the west and south, both are two storey dwellings with first floor windows facing the application site. Concerns have been raised by the Community Council over the amenity impacts of the proposal.

For 1 bedroom dwelling units, SPG 7 requires a minimum floorspace of 50 sq m, which the proposal exceeds. The minimum space standards given for living rooms

and bedrooms are also met. However taking into account the range of points listed below Officers are concerned about the layout of the unit. There would only be one window to serve the bedroom and it would be obscured glazed. The access to the bedroom would be directly from the kitchen. The window to the kitchen would have an outlook to a 4m high wall. There would be limited utility space within the unit. Finally the plans do not show provision of a useable amenity space, clothes drying areas or bin stores for the proposed dwelling, and the DAS acknowledges the minimum standards for these facilities would not be met. Considering these issues it is not considered that the proposal would provide for adequate amenity standard for the potential occupiers. Furthermore an additional concern of Officers in relation to amenity standards is that if permitted the conversion of the garage attached to no. 3 Bryn Y Garn would result in a loss of amenity space for this dwelling, as only approximately 45 sq metres of garden area would remain for the 3 bedroom dwelling.

Turning to the relationship of the proposal to adjacent dwellings in the group, it is noted that the dwelling is proposed to be developed in the curtilage of a recently completed site, and it comprises of its garage and area around it which was intended to be used for parking and landscaping. The front elevation of no. 3 faces the garage and owing to the proximity of the dwelling to the rear contains most of its windows and a fully glazed conservatory. The siting would lead to direct overlooking from ground and first floor windows over the site elevation of the proposed dwelling, and whilst the windows in this elevation would be obscure glazed the close proximity of this relationship and the limited outlook that no. 3 would be left with is a concern. Opposite the proposed dwelling (to the south) the dwellings at no. 4 and 5 have ground and first floor windows facing the side of the garage. These windows would be a maximum of 9 metres to the proposed dwelling. Officers consider the close proximity of existing windows and limited separation distances unacceptable as they would fail to meet guidance and standard separation distances which require 21 metres of separation where properties back or front each other and 14 metres where there is a back to side arrangement.

For the above reasons it is not considered that a suitable level of amenity would be afforded to existing residents or future occupiers of the proposed dwelling, and the dwelling at no. 3 Bryn Y Garn, and therefore the proposal does not comply with Policy RD1, BSC 7 and SPG 7.

#### 4.2.4 Highways (including access and parking)

Policy RD 1 tests (vii) and (viii) oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and consideration of the impact of development on the local highway network. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8).

As existing the site comprises garaging and parking for the dwelling at no. 3 Bryn Y Garn. The plans show a parking layout for the remainder of the site, although it is noted that not all of the site is under the control of the Applicant. There are no objections raised in relation to highway safety and the impact the proposal would have on the local highway network. The Highways Officer has no objections to the proposal and there are no concerns in respect of the adequacy of the local highway network.

Despite Officers concerns it is not considered that there are any strong highway grounds to refuse permission.

## 5. SUMMARY AND CONCLUSIONS:

- 5.1 It is the opinion of Officers that the proposal is not acceptable on grounds relating to residential amenity and visual amenity. Whilst acknowledging the Agent's point that the proposal would suit the needs of his client and would result in the creation of an additional

dwelling unit within the development boundary, where the Council promotes development, these factors do not outweigh Officers concerns. For reasons set out above it is not considered that the proposal meets the relevant policy tests, therefore it is recommended for refusal.

**RECOMMENDATION: REFUSE-** for the following reasons:-

1. It is the opinion of the Local Planning Authority that the proposal would result in an unacceptable form of development, which would appear cramped and would not afford adequate levels of privacy and amenity for proposed and adjacent occupiers. The proposal would be contrary to Test i) and vi) of Policy RD 1 of the Denbighshire Local Development Plan, advice contained in SPG No. 7 Residential Space Standards and Chapter 9 of Planning Policy Wales (2012).

**NOTES TO APPLICANT:**

None

## ENFORCEMENT REPORT

**REFERENCE:** ENF/2013/00026  
C47/2013/00133  
**LOCATION:** Ty Capel, Waen, St Asaph, LL17 0DY  
**INFRINGEMENT:** Unauthorised creation of a vehicular access onto a classified road

### RELEVANT PLANNING POLICIES AND GUIDANCE

#### DENBIGHSHIRE LOCAL DEVELOPMENT PLAN

Policy RD1 – Sustainable Development and Good Standard Design

#### Government Guidance

Planning Policy Wales Edition 5 (November 2012)

Technical Advice Note (Wales) 9 – Enforcement of Planning Control

#### HUMAN RIGHTS CONSIDERATIONS

The provisions of the Human Rights Act 1998 are taken into account when considering taking enforcement action against unauthorised development, unauthorised use and other related matters.

In this particular instance, matters relate to the rights of an owner (or person with an interest in land), to convert an existing pedestrian access to a wider vehicular access, without the benefit of planning permission.

The rights of an owner (or person with an interest in the land), in this situation do not outweigh the rights of the Local Planning Authority to ensure that breaches of planning control are addressed.

No human rights issues have been raised in this particular case.

### 1. BACKGROUND INFORMATION

- 1.1 Ty Capel is located adjacent to the B5429 road in Waen, St Asaph in a position close to a blind bend in the road. It is a dwelling occupied by the caretakers of the adjacent Waen Chapel. The latter forms a separate planning unit from Ty Capel.
- 1.2 In May 2013, a Compliance Officer of the Council received information that a vehicular access had been created into Ty Capel, where previously there had been pedestrian access only (**see following photos**). The Highways Department had also been notified of its creation and reported that a section of hedge had been taken down to enable vehicular access. The purpose of the works was identified as an attempt to provide a means for the parking of cars and the turning of vehicles visiting the adjacent Waen Chapel.
- 1.3 Google images taken in 2009 clearly confirmed that prior to the unauthorised works, there had been pedestrian access only to both Ty Capel and Waen Chapel (**see following photos**)
- 1.4 A Compliance Officer wrote to the Trustees of the Chapel in June 2013 explaining that the creation of a vehicular access onto a classified road needed both planning permission and highway approval. The Compliance Officer has attempted to secure

a voluntary resolution of this serious breach of planning and highway control for the last 7 months without success.

- 1.5 A view was obtained from the Council's Highway's Officers in November 2013, as to whether they would look favourably if a retrospective application to retain the access were to be submitted (albeit no offer had been made by the Trustees of the Chapel to do so). The Officers response was that they would not look favourably on such a proposal as :-
- (i) The site does not provide adequate visibility at the point of access to the highway, and
  - (ii) There was insufficient space within the curtilage of the site to provide for the parking and turning of vehicles.
- 1.6 The Highways Department were asked whether the new vehicular access represented a greater or lesser danger to highway users than the parallel parking alongside the road, which had taken place previously. The view was given that the new vehicular access was more dangerous for the reasons outlined at 1.5.
- 1.7 Section 330 Notices were served on 16 January 2014, in an attempt to elicit information as to which individuals had decision making powers with regard to Ty Capel and Waen Chapel. These were returned to the Legal department questioning this authority's right to serve them. The Notices were returned to the individuals for completion and return, making it clear that planning legislation allows the service of a S.330 Notice in circumstances where ownership of the land needs to be clarified; as in this case.
- 1.8 In an attempt to assist the Chapel and encourage voluntarily compliance, a Compliance Officer and Highway Officer have discussed possible alternative options for car parking in this location. In a letter sent to a representative of the Chapel dated 22 January 2014, two possibilities were mooted. Advice was given that both suggestions would still require planning permission. It was also stressed that whilst both options were not without potential problems which would need to be overcome, it was felt that they would form a basis for discussion, if agreement could be reached to close up the vehicular access and reinstate the pedestrian access :
- Option 1 for discussion – Exploring the possibility of re-instating a hedge further back from the road; thus allowing wider roadside parking than existed previously.
  - Option 2 for discussion – Exploring the possibility of the landowner to the rear making a small area of land available for the purposes of creating off street parking at a safer point in the road.
- 1.9 The fundamental issue for consideration in this matter is the safety aspect of the current unauthorised access. The Highways Officers considers it unsafe to other highway users. However, there has been no move to make it safe and therefore it remains a very significant danger to road users.
- 1.10 It should be noted that after the deadline for the writing of this report had passed, the Compliance Officer was contacted by a Planning Agent, who advised that he had been appointed to act in this matter. He advised of "a possibility" of a retrospective application being submitted. Whilst it is hoped that the appointment of a Planning Agent is a promising development, there is concern that requests to remedy the breach of planning and highway control have elicited no action over the last 7 months. For this reason, the department feels it necessary to still recommend that enforcement action is authorised. However, such authorisation, if given would be held in abeyance pending submission of an application or compliance by other means within a reasonable time frame. It is stressed that such authorisation by Committee would not prejudice future applications made in respect of this matter.

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

- 2.1 The unauthorised development has occurred within the last four years.
- 2.2 Policy RD1, contained within the adopted Denbighshire Local Development Plan, aims to ensure that any development respects the site and surroundings in terms of the siting, layout, form and intensity of use. It also aims to provide safe access and to ensure that development does not have an unacceptable effect on the local highway network. When considering these policy factors, together with the opinion of the Highways Officers, which highlight the dangers of the new vehicular access, it is clear that this breach of planning and highway control cannot be remedied by the submission of a retrospective application to retain the vehicular access.

## **3. RECOMMENDATION**

- 3.1 To authorise the service of an Enforcement Notice in circumstances where application(s) attempting to regularise or address the breach of planning and highway control are **not** submitted within one month of authorisation being given. Such Notice would require that use of the vehicular access ceases and that the access be reinstated to a pedestrian access only.
- 3.2 To instigate prosecution proceedings where any person on whom an Enforcement Notice has been served, fails or refuses to comply with the requirements thereof.

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**CYNGOR**  
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Heading

**ENFORCEMENT REPORT**  
 ENF 2013/00026  
 Ty Capel Waen St Asaph



Application Site

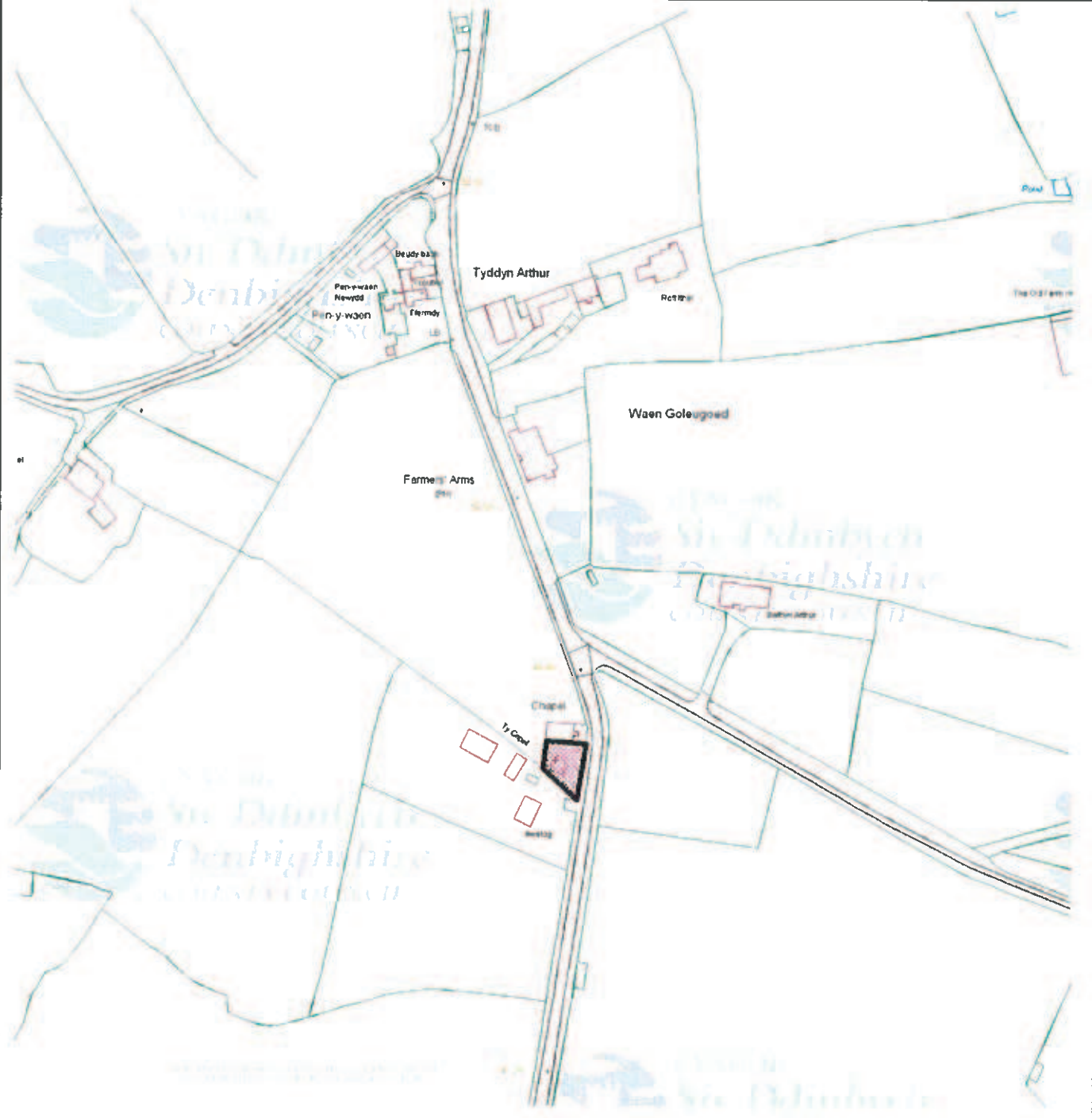


Date 6/2/2014

Scale 1/2500

Centre = 306168 E 373195 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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**ENFORCEMENT REPORT**  
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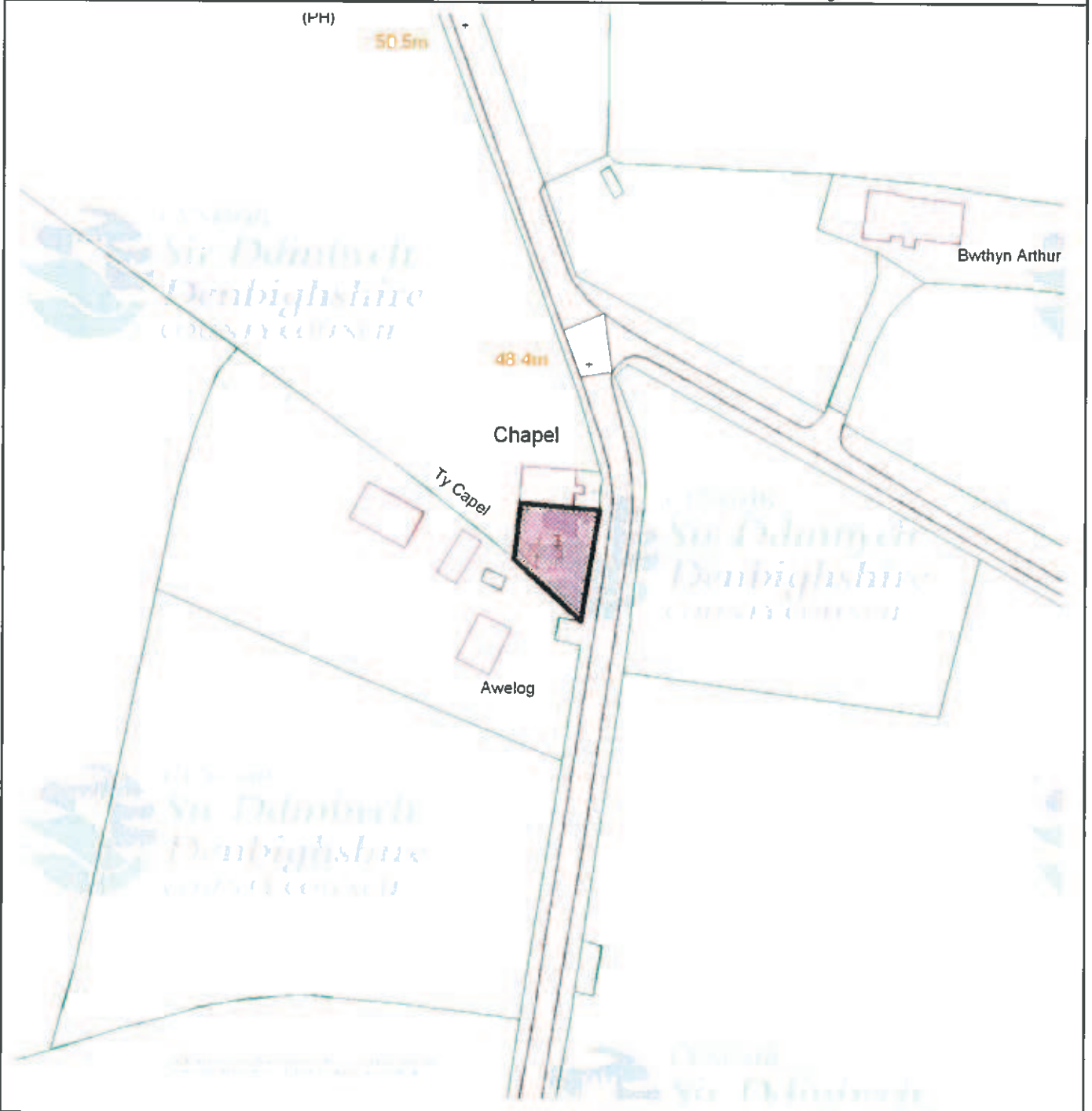


Date 6/2/2014

Scale 1/1250

Centre = 306174 E 373102 N

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PHOTO 1



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PHOTOGRAPH 2  
(BEFORE)



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**Report To:** Planning Committee

**Date of Meeting:** 19th February 2014

**Lead Member / Officer:** Cllr David Smith, Public Realm/  
Angela Loftus, Planning & Public Protection Policy  
Manager

**Report Author:** Karsten Brußk (Planning & Public Protection Policy Officer)

**Title:** Draft LDP Site Development Brief 01: Former North Wales Hospital  
Denbigh

---

## **1. What is the report about?**

- 1.1 This report introduces the Draft Denbighshire Local Development Plan 2006 – 2021 (LDP) Site Development Brief ‘Former North Wales Hospital Denbigh’. It is accompanied by the draft Site Development Brief, Appendix I, the Strategic Environmental Assessment screening document, Appendix II, and the Equality Impact Assessment screening document, Appendix III.

## **2. What is the reason for making this report?**

- 2.1 The purpose of this report is to inform Members of the draft Site Development Brief for the former North Wales hospital site in Denbigh. To seek Members’ approval to undertake consultation on the draft Site Development Brief and accompanying Strategic Environmental Assessment with statutory bodies and the public. If approved, the Site Development Brief will be used in the determination of any planning application on the site.

## **3. What are the Recommendations?**

- 3.1 That Members agree the draft Site Development Brief for the former North Wales hospital site in Denbigh and the accompanying Strategic Environmental Assessment (SEA) screening document for public consultation.

## **4. Report details.**

- 4.1 The site development brief is one of a series of Supplementary Planning Guidance notes (SPGs) amplifying Denbighshire Local Development Plan 2006 – 2021 (LDP) policies or principles of development for individual site allocations in a format which aims to guide the process, design and quality of new development.
- 4.2 The Council’s SPG notes are not part of the adopted development plan. The Welsh Government (WG) has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPGs can be treated as



a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals.

- 4.3 The former North Wales Hospital in Denbigh was built between 1844 and 1848 to provide care for Welsh-speaking people suffering from mental health problems. Gloucester-based architects Fulljames and Waller designed the original building, which has Grade II\* listed building status and is recognised as an extraordinary example of early Victorian asylum architecture in Wales.
- 4.4 Since the closure of the hospital in 1995, the health authority and subsequent owners considered alternative uses for the site including a category C prison, army personnel centre, Welsh Government offices and education facilities. Although the Denbighshire Unitary Development Plan 1996 – 2011 (UDP) primarily focussed on employment as the preferred use, planning applications were submitted containing a large element of residential development. At the time of preparing this brief, neither a clear proposal for the re-use for the remaining buildings nor a valid planning permission for any kind of re-development exists.
- 4.5 The Council would like to see a single main use for the remaining listed buildings with surrounding land supporting enabling development, for example a hotel & resort complex, education facilities, offices etc, but is fully aware of previous endeavours and associated challenges to find an occupier for the entire site since closure in 1995. The document contains a masterplan framework that outlines an alternative approach to enabling development if a single use cannot be found.
- 4.6 The masterplan outlined within the Site Development Brief seeks to address and to identify individual elements of the site vision that was put forward by the Prince's Regeneration Trust in October 2011. The LDP does not contain any detailed proposals for the site but supports the principal idea of enabling development as a way forward to secure the long-term future of these special listed buildings.
- 4.6 The document's main elements are: site description, site vision, masterplan framework, design principles, and planning obligations and contributions towards infrastructure provision. Individual topics are supplemented by maps, figures and photos. The aim is to provide guidance on potential acceptable uses and layout of development on the site.
- 4.7 The public consultation period would be a minimum of 8 weeks and is anticipated to start at the end of February 2014. All City, Town and Community Councils will be consulted along with key stakeholders, conservation bodies, and people registered on the LDP database. Hard copies of documents will be available in all libraries and one stop shops as well as on the Denbighshire web site. The results of the consultation will be reported back to Planning Committee with a final Site Development Brief for adoption.

4.8 Officers will hold an exhibition event at Denbigh Town Hall in addition to the principal elements of conducting public consultation with members of the public and statutory consultees.

4.8 The draft document is accompanied by a Strategic Environmental Assessment, Appendix II, which will be subject to consultation with statutory consultees over the same period of time.

## **5. How does the decision contribute to the Corporate Priorities?**

5.1 Corporate Priorities 2012 – 17. The SPG will contribute positively to the following corporate priorities:

- Modernising the Council to deliver efficiencies and improve services for our customers by ensuring that planning guidance documents are up to date

## **6. What will it cost and how will it affect other services?**

6.1 Approving the draft LDP Site Development Brief document for consultation with statutory bodies and the public is not anticipated to create any additional costs.

## **7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

7.1 It is considered not to be necessary to conduct a full EqIA for this SDB. The content was screened for likely adverse effects on the eight protected characteristics, and the completed EqIA template can be found in Appendix 1 to this report.

## **8. What consultations have been carried out with Scrutiny and others?**

8.1 The principles of enabling development at the former North Wales hospital site in Denbigh were discussed at the Local Development Plan Steering Group on 14 November 2013 and with Councillors attended the Denbigh Member Area Group meeting on 16 December 2013.

## **9. Chief Finance Officer Statement**

9.1 Any costs associated with the guidance should be contained within the existing budgets and therefore there are no obvious financial implications contained in the report.

## **10. What risks are there and is there anything we can do to reduce them?**

10.1 Since closure of the hospital in 1995, the site and key listed buildings, Grade II and II\*, have suffered from neglect and vandalism. If a new use for the

buildings cannot be found, decay will continue and key listed buildings will collapse and lost for future generations.

10.2 The Site Development Brief sets out a clear vision for future development of the site.

## **11. Power to make the Decision**

11.1 Planning & Compulsory Purchase Act (2004).

# Draft - Site Development Brief



## Former North Wales Hospital Denbigh

February 2014

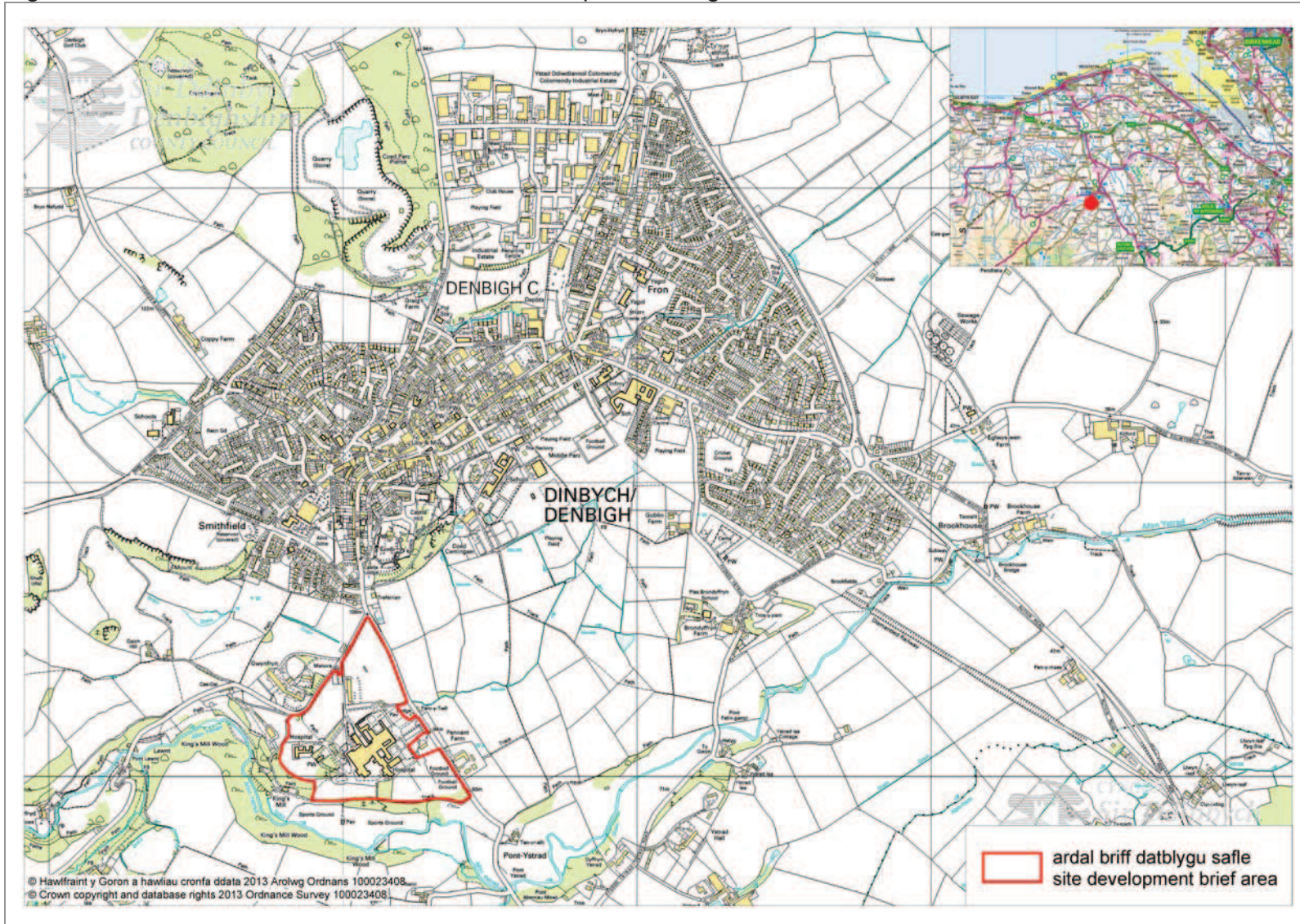


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Figure 1: Location of the Former North Wales Hospital Denbigh





## 1. Introduction

- 1.1 This site development brief is one of a series of Supplementary Planning Guidance notes (SPGs) amplifying Denbighshire Local Development Plan 2006 – 2021 (LDP) policies or principles of development for individual site allocations in a format which aims to guide the process, design and quality of new development. These notes are intended to offer detailed guidance to assist members of the public, Members of the Council, potential developers and Officers in discussions prior to the submission of and, consequently, in determination of future planning applications.

## 2. Status and Stages in Preparation

- 2.1 This site development brief was formally approved for public consultation by Denbighshire County Council's Planning Committee on **XXXX**. / *This site development brief was formally adopted by Denbighshire County Council's Planning Committee on **XXXX**.*
- 2.2 The Council's SPG notes are not part of the adopted development plan. The Welsh Government (WG) has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPGs can be treated as a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals.
- 2.3 This site development brief for the former North Wales Hospital has been prepared in accordance with planning policy contained in Planning Policy Wales (Edition 5), guidance on 'enabling development' and conserving the historic environment provided by Cadw and English Heritage, as well as comprehensive consultation with conservation bodies and the public.

## 3. Historic Background

- 3.1 The former North Wales Hospital in Denbigh was built between 1844 and 1848 to provide care for Welsh-speaking people suffering from mental health problems. Gloucester-based architects Fulljames and Waller designed the original building, which has Grade II\* listed building status and is recognised as an extraordinary example of early Victorian asylum architecture in Wales.
- 3.2 Several phases of expansion had been taken place up to the 1950s, creating a hospital complex that includes buildings listed at Grade II\* and Grade II, which are of special architectural and historic interest. Providing care for up to 1,500 people and employing some 700 individuals, the hospital became a significant source of employment and economic activity in the Denbigh area.
- 3.3 Figures 2 – 5 illustrate four historic stages of development of the complex and forms of land use at the site in the years 1875, 1899, 1912, and 1967.

Figure 2: Land at the Former North Wales Hospital in 1875

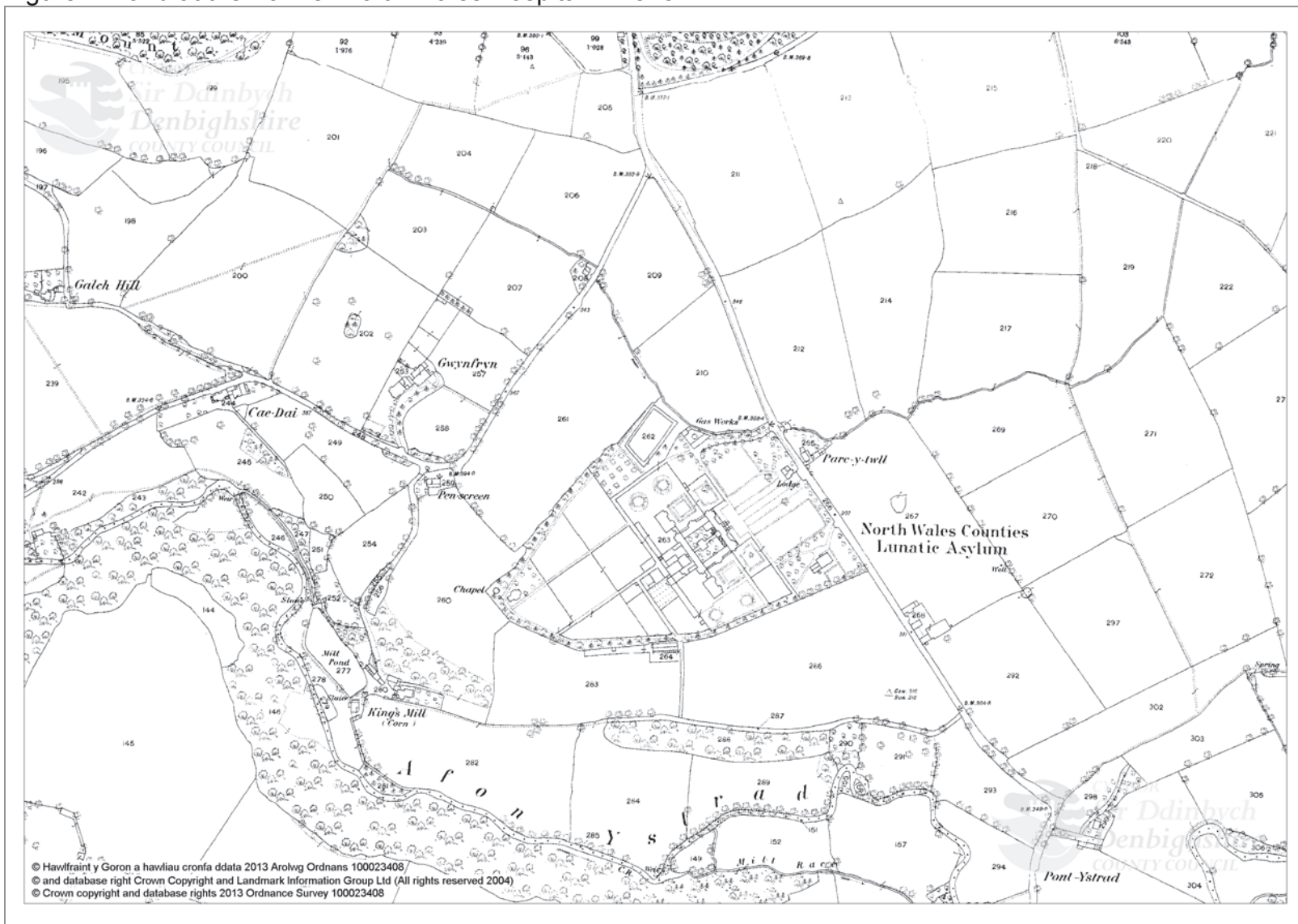


Figure 3: Land at the Former North Wales Hospital in 1899

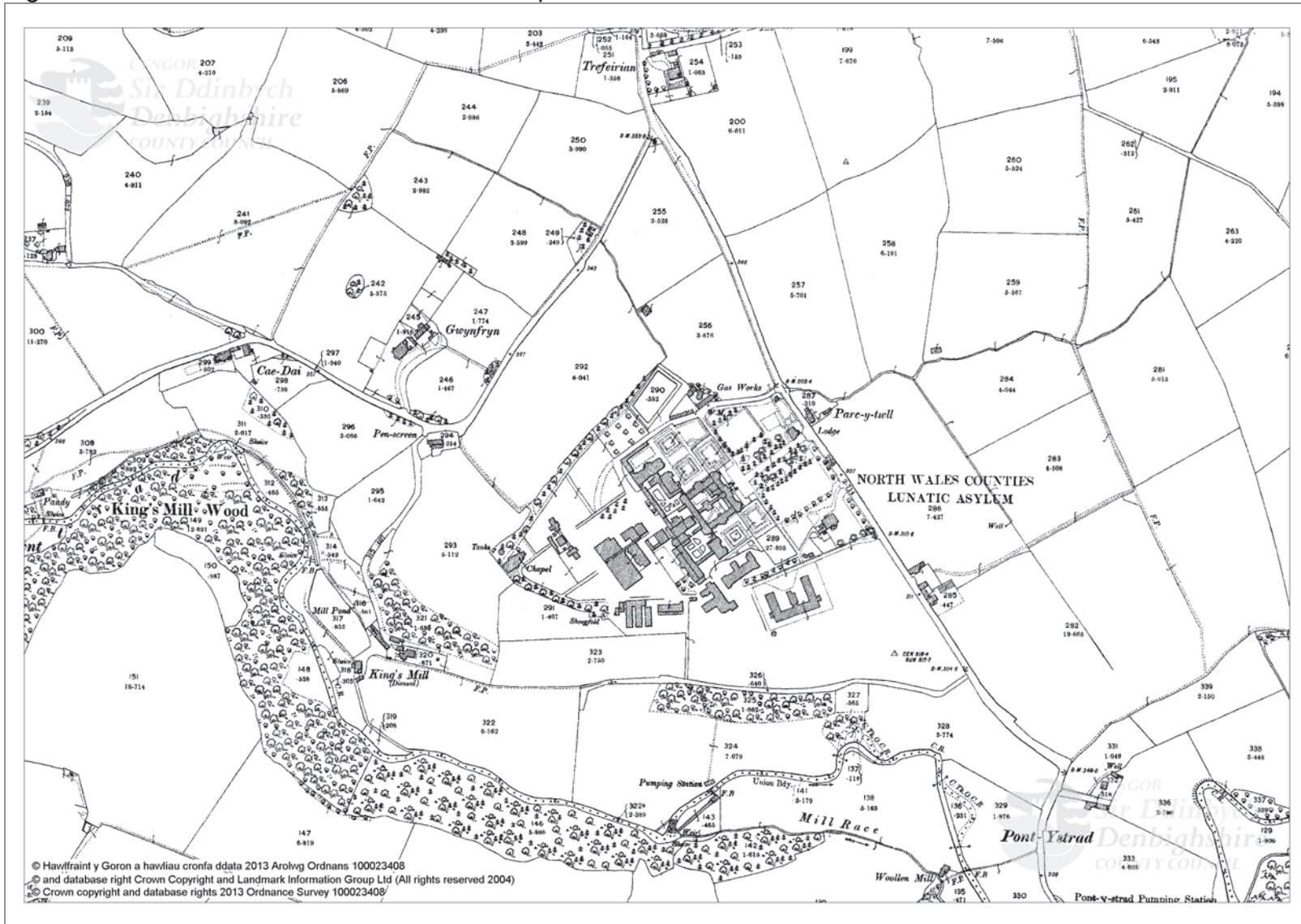




Figure 4: Land at the Former North Wales Hospital in 1912

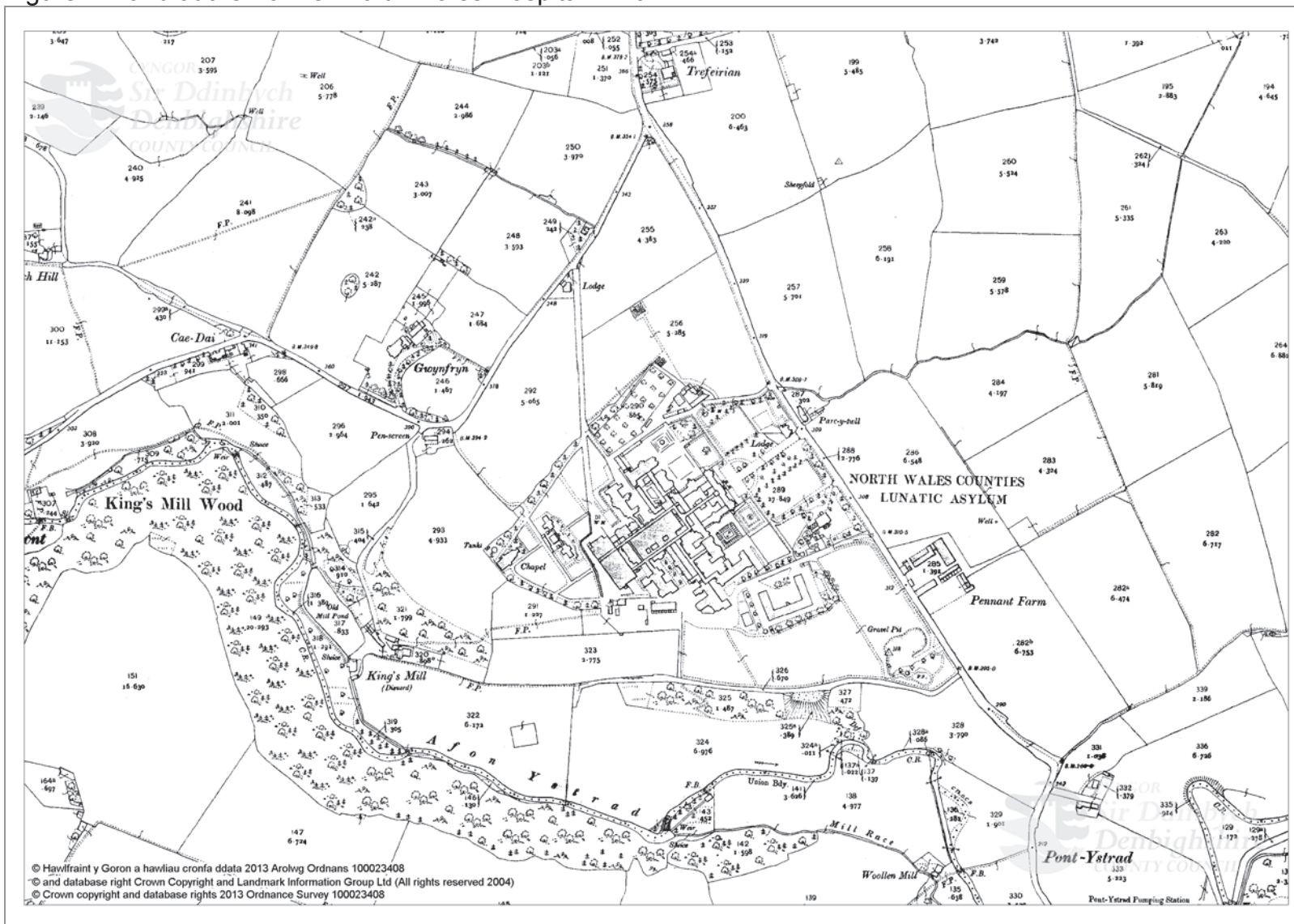
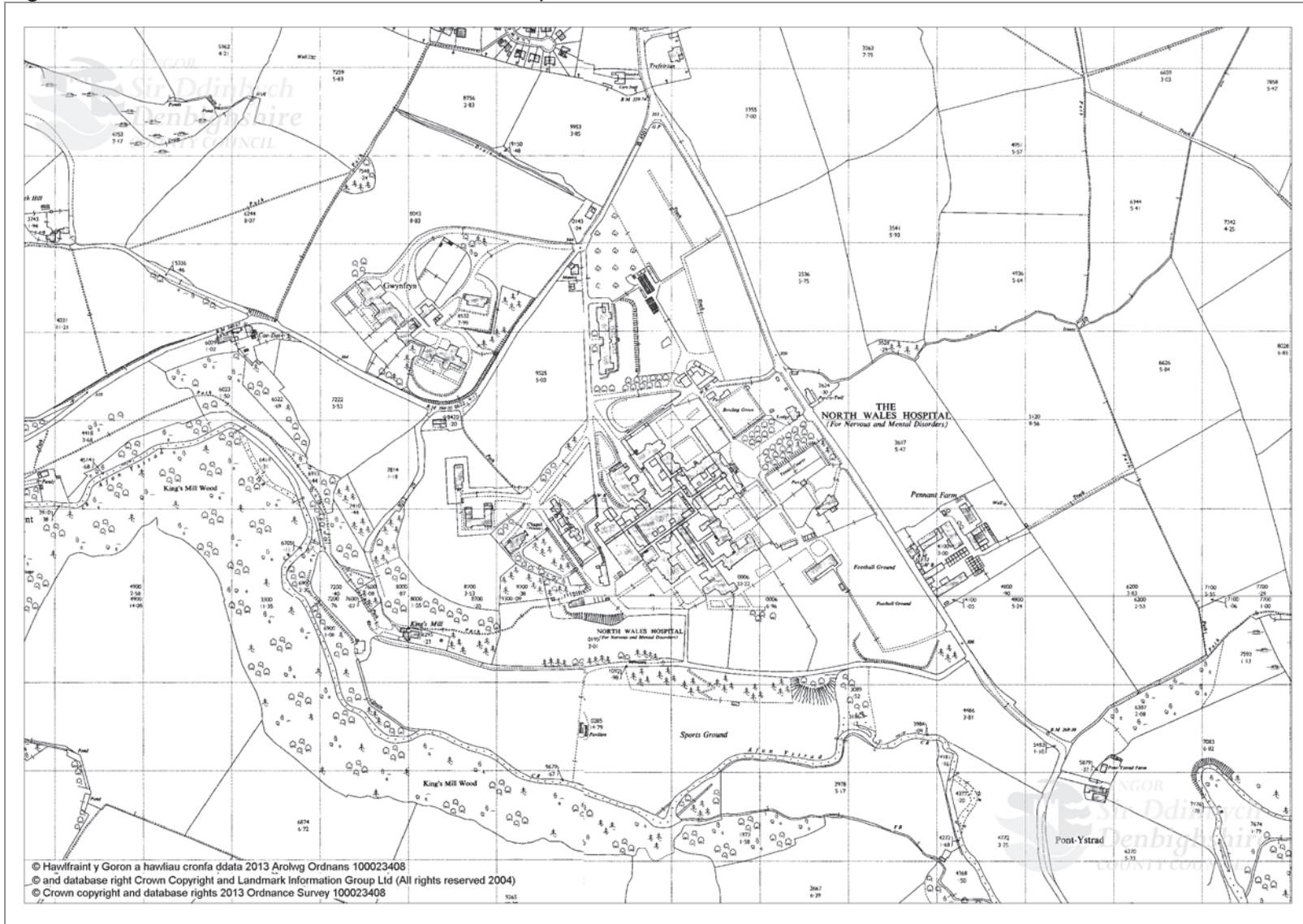


Figure 5: Land at the Former North Wales Hospital in 1967



- 3.4 The placement of former hospital residents in the local community, as part of the then government's policy on 'Care in the Community', led to a phased closure from 1987 up to 1995. Special problems associated with the process emerged, including the loss of a significant local source of employment. The particularly large size of the site and its setting away from the built up area of the town has contributed to the adverse environmental impact of dereliction as alternative uses have not been found quickly for the buildings or the site.
- 3.5 Since the closure of the hospital in 1995, the health authority and subsequent owners considered alternative uses for the site including a category C prison, army personnel centre, Welsh Government offices and education facilities. Although the Denbighshire Unitary Development Plan 1996 – 2011 (UDP) primarily focussed on employment as the preferred use, planning applications were submitted containing a large element of residential development. At the time of preparing this brief, neither a new form of use for the remaining buildings nor a valid planning permission for any kind of re-development exists.
- 3.6 In June 2011, Denbighshire County Council served an urgent works notice to ensure that urgently required works are carried out to preserve the original Grade II\* listed hospital building. Since the site owner didn't comply with the requirements of the urgent work notice, the Council contracted a specialist firm and executed the necessary works to the value of £939,000.

#### **4. Planning Policy and Conserving the Historic Environment**

- 4.1 The King Sturge Feasibility Study [2003] concluded that enabling development may be a way forward to finance urgently required preservation work to key listed buildings at the site. In endorsing English Heritage guidance [2008], CADW has accepted in 2011 that enabling development can exceptionally be a useful tool for securing the long-term future of the associated historic buildings.
- 4.2 English Heritage suggested: "‘Enabling development’ is development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved. (...) The public benefits are paid for by the value added to land as a result of the granting of planning permission for its development."
- 4.3 Denbighshire Local Development Plan 2006 – 2021 (LDP) policy VOE 4 sets out policy tests to establish whether enabling development would be an appropriate way forward to deliver a project, given that this kind of development is contrary to established planning policy. The policy aims to ensure that such approach will only be considered in relation to heritage assets designated 'at risk', and that the minimum enabling development should be required to secure the long-term future of those assets.
- 4.4 The Council will consistently seek developers to deliver any development in line with established planning policies before considering enabling



development. Despite the potential non-conformity with planning principles, all proposals must comply with additional legal requirements such as, natural environment protection and built heritage conservation.

- 4.5 Planning Policy Wales [2012] outlines Welsh Government's main policy objectives and principles with regard to 'Conserving the Historic Environment', including development affecting listed buildings. Welsh Government policy aims to preserve listed buildings for future generations. Should the reinstatement of the original use not be feasible because of legal requirements or financial viability, alternative uses may be explored having regard to the character and setting of the listed buildings.
- 4.6 Developers should be aware that any works affecting the character and appearance of a listed building require 'listed building consent', in addition to planning permission for changes of use and related development.
- 4.7 The demolition of any Grade I or Grade II\* listed building, or parts thereof, requires the strongest justification, including information regarding condition of the building, cost of any maintenance work in relation to gained community benefits, and the adequacy of efforts to retain the buildings. The Council is unlikely to grant planning permission or listed building consent for the demolition of listed buildings to make way for new development, unless it is satisfied that the new development will actually proceed.

Picture 1: Rear view of original Hospital Building (Listed Building: Grade II\*)



## 5. Site Description

- 5.1 Placed in an outstanding landscape, the site is easily accessible from the A55, a 15min drive. Rhyl train station can be reached within 25min and offers regular services into central London within 2.5 hours.
- 5.2 The former North Wales Hospital complex is located to the south-west of Denbigh, a vibrant market town in the Vale of Clwyd. The buildings are situated in a parkland setting outside the development boundary of the town, approximately 1km from the historic centre.
- 5.3 The site boundaries are defined by two roads and a public footpath, forming a triangle area of about 20.5ha. A separate small group of listed buildings, Grade II, which were part of the original hospital complex, lie immediately to the north-west of the site, split by the B4501 road, and are used as a regional centre for children with autism.
- 5.4 Separated from the former hospital site by Ystrad road to the north-east, Pennant Farm contains some converted outbuildings and is surrounded by land in agricultural use. The southern boundary is defined by a public footpath running through extensive woodland on land steeply sloping down towards the River Ystrad.

Figure 6: Aerial view of the site development brief area in 2009



- 5.5 Since the town was largely built on the north and east sides of Castle Hill and



Mount, views towards the site can be gained from Denbigh Castle, a Scheduled Ancient Monument, and 'Ael Y Bryn' estate. The junction of the B4501 and Ystrad road offers extensive views of the remaining buildings as they are not screened off by trees or hidden in what is a gently undulating landscape. Views out from the site include surrounding pasture, Denbigh Castle, and several hill tops located in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

- 5.6 There are two access points to the site: (1) from Ystrad road passing through the main gates towards an open area in front of the main building with clock-tower, and (2) a small road off the B4501 passing the former Nurses Home, a Grade II listed building. There is a spine network of routes lined with mature trees and hedges, defining the principal directions of movement.
- 5.7 Despite the fact that the buildings are of historic and architectural interest, the site is not designated as a Conservation Area, is not included in the list of Scheduled Ancient Monuments, or is covered by an Article 4 Direction. However, it is located within the 'Vale of Clwyd' historic landscape with the exception of the former Erddig Ward in the west.

Picture 2: View towards the site from crossroad of B4501 and Ystrad Road



- 5.8 Ecologists have established that roosting bats are on site. Where bats are present in buildings that could be subject to alteration work or demolition in the future, any work carried out must be in line with nature conservation

principals and comply with the pertinent legislation.

- 5.9 The site is not subject to flood risk due to its elevated position above the River Ystrad. There are no wells present and no known watercourses crossing the site. Natural Resources Wales' (NRW) flood maps show that woodland and fields outside the site boundary but adjacent to the river's water stream are located in a designated C2 flood zone.

## 6. Site Vision

- 6.1 The Council has been jointly working with the Prince's Regeneration Trust since 2002 with the principal aim to preserve the original Grade II\* U-shaped hospital building and to find an alternative use for the site. The Trust produced a vision statement in October 2011 to assist the conservation efforts. The following is an excerpt:

*The key listed buildings and their parkland setting will be retained, repaired and brought back into appropriate new uses. The protection of the views into and out of the site (...) is of equal importance in this vision. (...) could be a number of areas of new build on this brownfield site and it is anticipated these will offer a range of new uses including residential, employment and healthcare together with any other use deemed appropriate.*

- 6.2 The site lends itself to a prestigious single development but the Council is fully aware of previous endeavours and associated challenges to find an occupier for the entire site since closure in 1995. It is accepted that enabling development and a mix of uses is likely to be the most realistic way of preserving the long-term future of these key listed buildings.

- 6.3 This site development brief contains a masterplan that seeks to address the site vision and indicates a spatial direction for development of the site. It identifies opportunities for a range of residential, economic, environmental and transport enhancements to secure the area's future success.

## 7. Masterplan Framework

- 7.1 The masterplan, see figure 7 page 15, sets out an indicative land use development and road pattern to guide future development of the site. It identifies:

- Key historic listed buildings, Grade II and Grade II\*, to be restored and developed;
- Buildings with extant listed building consent (lbc) for demolition and other listed buildings for which demolition is supported but lbc required,
- Buildings which may be considered for demolition but could be retained if a viable / suitable end use is found;
- Areas for residential development (marked 02 to 05) taking advantage of outstanding locations and views, without compromising the setting of the key listed buildings;

- An area for residential and mixed use development (marked 06), for example employment live / work units, including areas retaining certain existing buildings if a suitable end use is found and is supported by viability arguments;
- Land to remain undeveloped but potentially transformed into open recreation space at a later stage;
- Despite not being specifically marked on the master plan, the former Nurses Home may be used for residential purposes or community facilities;
- Main routes for vehicular movement; and
- Possible vehicular access points.

### *Phasing of Development*

7.2 The following sections lay out a preferred approach to securing the long-term future of the key listed buildings by means of enabling development. Phasing may be defined by prevailing market conditions and demand for local housing, the amount of money secured to fund restoration works, and the amount of work necessary to complete the works.

Phase 1 In serving the urgent repairs note, the Council ensured that urgently required works are carried out to preserve the original Grade II\* listed hospital building in area 01.

Phase 2 Area 02 would be sold for enabling residential development. Sale proceedings would be used to fund up-front costs for infrastructure and landscape measures. For example, creating new vehicular access points, clearing debris or carrying out urgent repairs to those listed buildings. Initial works would be limited by the amount of sale proceedings. Area 03 would be marketed for enabling residential development in the same period of time.

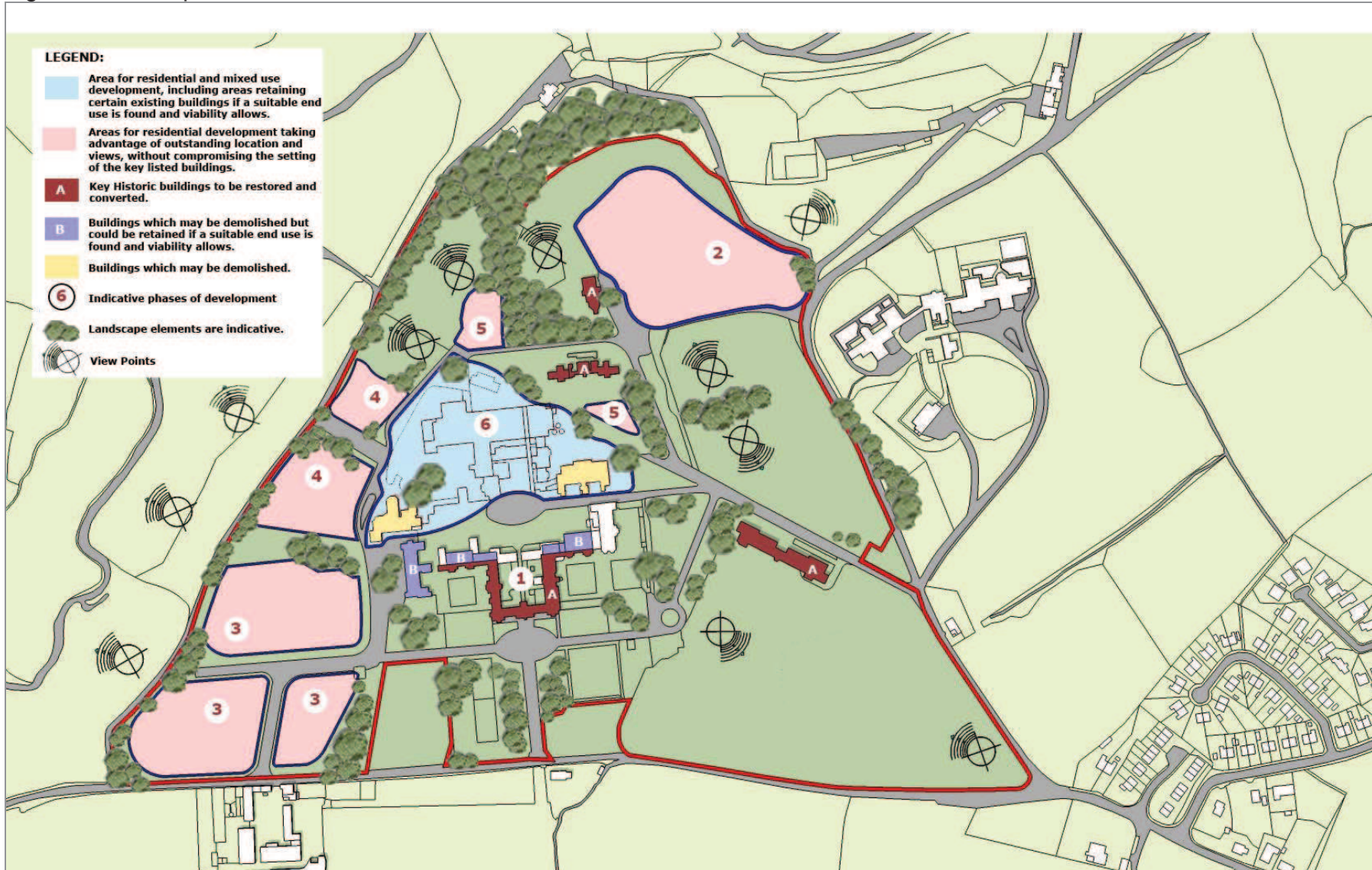
Phase 3 Area 03 would be sold and sale proceeds would be used for the first phase of the key listed buildings work, in particular the U-shaped original hospital building (Grade II\*) – area 01. All required works will need to be conducted by a professional team experienced in listed building restoration work.

Phase 4 Area 04 would be sold for enabling residential development, with the sale proceeds used to continue the restoration work to the key listed buildings. Depending on the structural soundness of other important buildings in Area 06, small business or office units could be developed to raise additional funds for the ongoing works.

Phase 5 The remaining Areas 05 and 06 would be sold for enabling development to permit a mix of uses – residential, health, community or education facilities. All sale proceeds would be used for the final phase of restoration of the key listed buildings.



Figure 7: Masterplan





7.3 The extent of enabling development permitted will be limited to what is reasonably required to ensure the restoration of the identified key listed buildings. Restoration of other buildings would be supported as part of the master plan but would need to be funded by other sources.

## **8. Access and Movement**

8.1 Whilst the existing local highway network may accommodate the current and a modest increase in levels of traffic flows, the full proposed development and a satisfactory marketing of the whole site is unlikely to be achieved without additional road improvements. Individual measures, amount and extent of work should be informed by an assessment of the likely impact on the existing network, and public transport requirements of any detailed proposals.

8.2 The existing access off Ystrad road towards the main former hospital buildings may be transformed into a walking and cycling access point only. Besides improvement works to the minor route off the B4501 which passes the former Nurses Home, it is suggested two additional access points for vehicular traffic could be created from the highway network to serve the new residential areas. Consultation with the Local Authority should be undertaken in respect of the detailing.

8.3 There are public footpaths circulating and crossing the site providing vital links with the local Public Right Of Way (PROW) network but they have partly been fenced off to restrict access by trespassers. Public access must be restored and retained within any development on the site, and should be improved and extended for the use of cycles where practical as an integral part of the scheme.

8.4 It is accepted that the location outside the town centre is likely to generate additional car-based trips to essential facilities, e.g. retail and education. However, potential developers are expected to negotiate with public transport service providers the extension of the local bus network to serve the site to provide an alternative means of transport.

8.5 Any development must ensure that the location and detailing of parking spaces for residents and other occupants does not adversely affect the setting of the listed buildings on site. Design solutions should be discussed as part of the planning application having regard to guidance provided by 'Manual for Streets'.

## **9. Design Principles**

9.1 The Denbigh Hospital redevelopment Project is of national importance. The site offers a unique opportunity to develop a remarkably attractive site set in beautiful countryside and to save a fine group of listed buildings the most important of which has been described by CADW as the most important purpose built hospital in Wales.

- 9.2 The masterplan has been drafted following very careful consideration of the key features of the site. It outlines how the site could be developed, in principle; in such a way that would be acceptable to Denbighshire County Council (DCC) Planning Authority any variation from the plan would need a very strong justification.
  
- 9.3 The masterplan identifies various categories of proposed land use. One land use is for enabling development which is intended to release capital to repair the remaining listed building on the site. Whilst it is preferred that listed buildings are retained repaired and adapted to new uses without enabling development realistically DCC recognises that this is not likely to be financially viable hence the acceptance of the principle of enabling development. However enabling development should not harm the heritage asset, the listed buildings, which we are trying to save or their setting. Therefore the essential setting has also been identified on the masterplan so this area is protected from significant development.

Picture 3: Key historic building: former Chapel (Listed Building: Grade II)



- 9.4 It is expected that the following will be taken into account in drafting proposals for the site:
  
- 9.5
  - The site lies close to the historic town of Denbigh, a town which has a unique character that has emerged out of centuries of development and change. The hospital, while not physically within the town became part of the town socially culturally and economically. The Hospital was hugely important to the town so its closure was a major blow from which the town has yet to fully recover. Reuse of the hospital is important to the people

of Denbigh. Any new development should recognise this historic connection and attempt to re-establish it. Therefore DCC would welcome proposals which would offer opportunities for the public to visit the site for recreational, cultural and social purposes.

- 9.6     ▪ The listed buildings on the site vary in style and form. The main building includes the first phase of development which is the most important building on the site architecturally and historically. However, due to neglect, vandalism and theft it is in poor condition. Recently, the Council stepped in to carry out urgent works on phase 1 which included the removal of all the rotted timber and the erection of a temporary roof. As a direct consequence of the long term neglect and the need to take emergency measures the building has lost much of its architectural significance internally. While this is disappointing it does offer more flexibility in adapting the building to alternative uses.
- 9.7     ▪ The listed buildings on the site need to be given prominence in any proposals for this site. In the design of new development density scale and massing should be given careful thought. It may be, for example, that density varies from one area to another allowing the scale and massing to be more relevant to the listed buildings without challenging their prominence.
- 9.8     ▪ There has already been some demolition of listed buildings. This work had listed buildings consent but some buildings with listed building consent have not been demolished. Further demolition over and above that already consented may be necessary. Building materials including locally sourced building stone remain stored on site for possible reuse.
- 9.9     ▪ It is important that development on the site is relevant to the locality and helps reinforce local distinctiveness and gives a sense of place. The reuse of local building materials will help with this objective. Any new materials should be carefully chosen taking into account colour and texture. Design should take account of but not necessarily copy local vernacular.
- 9.10    ▪ The masterplan identifies important views to and from the site. These can be reinforced by careful layout planning, landscaping, screening and framing.
- 9.11    ▪ Landscaping and topography will be key factors in developing a scheme for the site. A full landscape assessment and tree survey will be an essential part of the process. Some areas will be difficult to develop due to topography. Careful consideration should be given as to how these areas are to be used and maintained. Dedicated areas for improving biodiversity would be welcome.
- 9.12    ▪ DCC would welcome innovation in any new development such as live/work units, maximising renewable energy sources, passive energy capture, cycle routes, play streets, sustainable urban drainage systems

etc.

- 9.13     ▪ Promotion of the Welsh language should be integral to the scheme.

## 10.     **Planning Obligations and Contributions towards Infrastructure provision**

10.1     LDP policy BSC3 generally sets out infrastructure contributions to be secured from development. However, the Council will consider the case for limited or no affordable housing and open space provision depending on the financial appraisal and economic viability of detailed proposals for this site. The Council's principle aim is to ensure development on the site generates sufficient income to restore key listed buildings. Open and recreation space should be integrated into the site design.

10.2     Dwr Cymru / Welsh Water (DCWW) have confirmed at the Deposit - LDP public consultation stage that any larger residential development in Denbigh may not be accommodated at the Company's Waste Water Treatment Works unless essential improvement works take place. The Company have pointed out that should any development occur in advance of DCWW's Capital Investment, developers may be required to fund these essential capacity improvements.

10.3     DCWW does not envisage any problems with the provision of water supply or with the piped public sewerage system for domestic foul discharge required for residential development. The site is crossed by a water main and a public sewer which both may restrict the detailed location of new build development. Applicants should contact the service provider to clarify these details and technical requirements for development close to utilities.

10.4     Wales & West Utilities (former National Grid Transco), the infrastructure provider for gas distribution pipelines, does not have any pipelines crossing the former hospital site but gas mains run along the B4501 road from the town towards the site entrance of a building called 'Manora'. Developers should contact individual gas service provider to enquire whether demand potentially arising from additional development can be satisfied.

## 11.     **Further Considerations**

11.1     Investigations need to be made to establish whether there are any archaeological interests on site, which require further consideration. Developers are advised to contact the County Archaeologist regarding potential measures to safeguard or enhance them if necessary.

11.2     The site has been used as a regional hospital for over 140 years, handling chemicals and treating large amounts of waste. A site survey will be required at the appropriate stage in the planning process to determine the extent of any contamination and what remediation work may be necessary.

11.3     Protected bat species are understood to be present in some buildings on site



but the exact roosting places need to be established. Developers are advised to contact Natural Resources Wales (NRW) and the County Biodiversity Officer to discuss the approach to survey and mitigation proposals, including whether a licence to disturb a protected species is required. Thought should be given to incorporating roosts within buildings and protecting flight paths and foraging areas.

- 11.4 In view of the topography of the land, development should incorporate Sustainable Urban Drainage Systems (SUDS) to limit land drainage or surface water runoff discharging to the public sewer or causing surface water flooding due to soil sealing.
- 11.5 Site maintenance matters need to be addressed from the start of any development, including open and recreation space on site, drainage pipes and culverts, and route improvements.

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## 12. **Contacts / Sources**

Denbighshire County Council Development Control & Compliance Team Caledfryn Smithfield Road Denbigh LL16 3RJ  Tel.: 01824 706727 Email: <a href="mailto:planning@denbighshire.gov.uk">planning@denbighshire.gov.uk</a>	Denbighshire County Council Planning & Public Protection Policy Team Caledfryn Smithfield Road Denbigh LL16 3RJ  Tel.: 01824 706916 Email: <a href="mailto:ldp@denbighshire.gov.uk">ldp@denbighshire.gov.uk</a>
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CADW, Conservation Principles for the sustainable management of the historic environment in Wales, published 2011

Denbighshire County Council, Denbighshire Unitary Development Plan 1996 – 2011, adopted July 2002

Denbighshire County Council, various documents submitted in support of planning applications (see Appendix 1)

Denbighshire County Council, Denbighshire Local Development Plan 2006 – 2021, adopted June 2013

English Heritage, Enabling Development and the Conservation of Significant Places, published 2008

King Sturge, Report and feasibility advice in support of the proposed planning application on Former North Wales Hospital, November 2004, (planning application ref: 01/2004/1445/PO)

Welsh Government, Planning Policy Wales (Edition 5), November 2012



## A1. **Appendix 1: Planning History**

- A1.1 This section summarises major planning applications that have been submitted after 1995 with the aim of establishing alternative uses for the site. Prior to hospital closure, applications were for a range of minor extensions and alterations to parts of the complex in relation to its use as a hospital.
- A1.2 Planning Application (PA) ref.: 01/595/96/PO – The first application contained proposals for the conversion of the main building to residential use (100 units), and the development of the surrounding 12 hectares for 220 to 270 dwellings. In January 1997, permission was refused on the grounds of prematurity with regard to the emerging UDP, excessive number of dwellings, highway impact, and adverse impact on Denbigh town with respect to its character and community services.
- A1.3 PA ref.: 01/55/97/PO – The second application was for the residential development of 3.4 hectares of land and a 100 unit conversion of the main block for residential purposes, in effect an amended version of the previous application. In April 1997, the application was refused on grounds of prematurity with regard to the UDP and adverse impact on the setting of the listed buildings and local landscape.
- A1.4 PA ref.: 01/926/97/PO – This application sought consent for a mixed development containing elements of industrial, residential, educational, and leisure use. The applicant lodged an appeal against non-determination (which was later withdrawn), which prevented the Council from making a formal decision. If it had been in the position to determine this application, the Council would have refused planning permission on the following grounds: (1) safeguards for securing the restoration and setting of the listed building were not sufficient and (2) the release of the housing land outside of the development boundary in the Glyndwr District Local Plan could not be justified based on prematurity in relation to the preparation and adoption of the Denbighshire UDP.
- A1.5 After the Health Authority sold the site in 1998, the new site owner submitted applications in early 2000 comprising the change of use of 4 detached buildings, (not the main block), and the development of 2.7 hectares of land for residential purposes. The applications were never progressed to determination as the agents failed to supply additional information requested by the Council.
- A1.6 In 2002, the site was sold again and the new owner pursued matters by setting up a steering group with the Prince of Wales Phoenix Trust (which became part of the Prince's Regeneration Trust in 2006), Denbighshire County Council, Cadw and Welsh Development Agency (integrated within WG in 2006). The group appointed King Sturge (Property Consultants) and Butress Fuller Alsop Williams (Architects) to undertake a further feasibility study to assess the potential re-use options for the site in order to restore and preserve the principal listed buildings and parkland. The studies' results and recommendations informed the principles of the following application in 2004.

- A1.7 PA ref.: 01/2004/1445/PO – The most recent planning application for this site sought planning consent for the restoration, partial demolition, and change of use of individual buildings for residential, business and community use. In addition, it was proposed to develop adjacent land and buildings for residential, commercial and recreation use. The later part of the proposal contained elements of project feasibility and viability in the form of enabling development. In September 2006, the Council granted permission. The planning permission lapsed in 2009 as no development had commenced.
- A1.8 Listed building consent ref: 01/2007/0750/LB – Listed building consent for the partial demolition of former hospital buildings was granted in April 2008. Some buildings have already been demolished as a result of the approval, for example in the Erddig ward. Developers may want to ascertain whether parts of their proposal can be carried out within the framework of the listed building consent.

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## **Appendix II: Strategic Environmental Assessment (SEA) Screening – Site Development Brief for Former North Wales Hospital Denbigh**

### *1. Legal Background*

- 1.1 This reports aims at determining whether the emerging Site Development Brief (SDB) for the former North Wales hospital site in Denbigh must be subject to a (full) Strategic Environmental Assessment (SEA) to comply with the requirements set out in 'Environmental Assessment of Plans and Programmes (Wales) Regulations 2004', henceforth referred to as SEA Regulations 2004, which transposes European Directive 2001/42/EC into national legislation.
- 1.2 The SEA Regulations 2004 place an obligation on local authorities to undertake a SEA on plans and projects;
- that are required for town and country planning or land use; and
  - set the framework for future development consent of projects listed in Annex I or II to European Council Directive 85/337/ EEC.
- Detailed guidance on the methodology is laid out in 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM et al, 2005)
- 1.3 The Planning and Compulsory Purchase Act 2004 contained the requirement for local planning authorities to produce a Sustainability Appraisal (SA) for all local development plan documents. It was suggested to be of best practise to incorporate the SEA into the document accompanying SA. The Planning Act 2008 removed the obligation of carrying out a SA for Supplementary Planning Guidance (SPG) including SDB without establishing whether a SPG still requires the SEA.
- 1.4 SEA Regulations 2004, regulation 5(6) further clarifies that a SEA is not required for (1) a plan or programme which determines the use of a small area at local level or (2) minor modification to a plan or programme, unless it has been determined that the plan, programme or modification is likely to have significant environmental effects or the Welsh Government determines so.

### *2. SEA – screening*

- 2.1 Although this site development brief merely supplements Denbighshire Local Development Plan 2006 – 2021 (LDP) policy VOE 4, which has been subject to a full SA (including SEA) appraisal, it is essential to determine whether this SDB is likely to have a significant effect on the environment. Natural Resources Wales (NRW) and Cadw (Welsh Monuments), both are statutory consultation bodies, will be consulted on this document to establish whether they agree with the Council's

viewpoint that this SDB would not be ‘likely to have significant environmental effects’.

- 2.2 If NRW or Cadw conclude that the plan would be likely to have significant effects on the environment, listing the reasons for their viewpoint, the requirements are established for a (full) SEA.
- 2.3 Table 1 presents the template for this screening process to determine the requirements for a SEA. It is an amended version of ‘Figure 2 – Application of the SEA Directive to plan and programmes’ in ‘A Practical Guide to the Strategic Environmental Assessment’ (2005).

Table 1: Screening for the need for an SEA

Stage	[Y / N]	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes	The site development brief (SDB) has been prepared by a local planning authority, and is likely to become adopted by the Council.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes	The SDB is not required by legislative provision but amplifies Denbighshire Local Development Plan policy VOE4 and may become a material consideration in determining planning applications.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes  Yes	The SDB was prepared for town and country planning and may guide future land use if adopted.  At this point of time it cannot sufficiently be excluded that there is the possibility of tourism and leisure development as listed in Annex II to the Directive 85/337/EEC.
4. Will the PP, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))	N/A	N/A
5. Does the PP Determine the use of small areas at local level,  OR  is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes  Yes	The SDB will be used to guide development of a small area (20.5 ha) at local level.  The SDB amplifies policies contained in the Denbighshire Local Development Plan 2006 - 2021 that was subject to a full SEA as part of the Plan process.



Table 1 continues on the next page.

Stage	[Y / N]	Reason
6. Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)	N/A	N/A
7. Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)	N/A	N/A
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	Please refer to table 2 'Assessment of the likely significant effects on the environment'

Table 2: Assessment of the likely significant effects on the environment

1. The characteristics of plans and programmes, having regard, in particular, to:		
SEA Directive Criteria (Article 3 (5) of directive 2001/42/EC)	Response	Is there a significant or specific effect beyond that anticipated by the parent policy framework? Y/N
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SDB sets out an indicative land use development and road pattern that will guide the future development of the site.	No.
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	The SDB will not influence other plans and programmes but may guide future development on this particular site.	No.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SDB refers to the fact that all development proposals should be of high quality and inclusive design. Land use proposals, landscape elements and design must principally contribute to the creation of a sustainable community. It	No.
1d) Environmental problems relevant to the plan or programme.	Specific reference has been included to advice on the legal requirement regarding building works affecting roosting bats colonies.	No.

Table 2 continues on the next page.

<b>SEA Directive Criteria</b> (Article 3 (5) of directive 2001/42/EC)	<b>Response</b>	Is there a significant or specific effect beyond that anticipated by the parent policy framework? Y/N
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SDB merely points out principal design aspirations but does not contain or impose specific measures. Those features are expected to be discussed as part of the planning application.	No.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>		
2a) The probability, duration, frequency and reversibility of the effects.	The aim of the SDB is to restore key listed buildings on site for the long-term future.	No.
2b) The cumulative nature of the effects.	The overall extent of enabling development permitted, as outlined in the SDB, will be limited to the amount required to ensure the restoration of the key listed buildings.	No.
2c) The trans-boundary nature of the effects.	Indirect effects of any enabling development as outlined in the SDB would relate to public transport provision and (visual) landscape impacts.	No.
2d) The risks to human health or the environment (e.g. due to accidents).	It cannot be envisaged that there are any risks to human health or the environment beyond legal requirements.	No.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	The SDB specifically refers to the former North Wales Hospital site in Denbigh. There may positive spill-over effects for the local community, e.g. health facilities.	No.

Table 2 continues on the next page.

<b>SEA Directive Criteria</b> (Article 3 (5) of directive 2001/42/EC)	<b>Response</b>	Is there a significant or specific effect beyond that anticipated by the parent policy framework? Y/N
2f) The value and vulnerability of the area likely to be affected due to: <ul style="list-style-type: none"> <li>▪ special natural characteristics or cultural heritage.</li> <li>▪ exceeded environmental quality standards or limit values.</li> <li>▪ intensive land-use.</li> </ul>	The overall extent of proposed enabling development permitted will be limited to the amount required to ensure the restoration of the key listed buildings, Grade II and Grade II*. Depending on funding availability, other important buildings on site will be restored if practicable.	No.
2g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	The area affected by proposals contained in the SDB is not covered by any landscape designation, except for 'historic landscape'. Any adverse effects will have to be addressed and, if require, mitigated before any development can actually take place.	No.

### 3. *Conclusion*

- 3.1 The Council awaits responses from statutory consultation bodies Natural Resources Wales and Cadw before concluding whether the site development brief for the former North Wales hospital site in Denbigh requires a (full) Strategic Environment Assessment.

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Site Development Brief - Former North  
Wales Hospital Denbigh  
13th December 2013

Equality Impact Assessment



# Site Development Brief - Former North Wales Hospital Denbigh

**Contact:** Karsten Brußk

**Updated:** 13.12.2013

## 1. What type of proposal / decision is being assessed?

Other
-------

## 2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

<p>The Site Development Brief (SDB) is intended to guide the future enabling development of the site to attract a feasible, acceptable, beneficial and economic use, and ensure a high standard of design and quality in any new development on the former North Wales Hospital Denbigh site.</p> <p>The document does not define any details for the future design of the buildings and route layout. Particularities for individual site features will be discussed as part of the planning application.</p>
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## 3. Does this proposal / decision require an equality impact assessment? If no, please explain why.

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

<b>No</b>	<p>Supplementary Planning Guidance notes (SPGs) and SDBs amplify Denbighshire Local Development Plan 2006 – 2021 (LDP) policies in a clear and concise format with the aim of improving the process, design, and quality of new development. They do not set out any new policies.</p> <p>This SDB - former North Wales Hospital Denbigh – is linked to LDP policy VOE4 ‘Enabling Development’, which was fully assessed as part of the LDP document production – see Denbighshire LDP ‘Equality Impact Assessment Report (May 2011)’. Section 4.6 contains a detailed table setting out potential adverse effects on any of the eight protected characteristics and how individual LDP elements address these concerns to prevent them from occurring.</p>
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	<p>A point of concern was the accessibility to affordable housing in connection with the potential discrimination of people. The Council has the power to control the amount of affordable housing provided as part of a new development, in line with the LDP policy, and the local connection requirement of those eligible for affordable housing. This is closely monitored. Beyond this, the Council cannot dictate the characteristics of occupants for either affordable or market housing.</p>
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**4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken**  
*(Please refer to section 1 in the toolkit for guidance)*

n/a
-----

**5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**  
*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

n/a
-----

**6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

n/a
-----

**7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

<Please Select>	n/a
-----------------	-----

**8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

<Please Select>	n/a
-----------------	-----

Action(s)	Owner	By when?
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
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<Unrestrict editing to insert additional rows>	<Enter Name>	<DD.MM.YY>

## 9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	n/a
--------------	-----

Name of Lead Officer for Equality Impact Assessment	Date
Karsten Brußk	13.12.2013

**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**