

To: Members of the Planning Committee Date: 5 January 2017
Direct Dial: 01824 712568
e-mail: democratic@denbighshire.gov.uk

Dear Councillor

You are invited to attend a meeting of the **PLANNING COMMITTEE** to be held at **9.30 am** on **WEDNESDAY, 11 JANUARY 2017** in the **COUNCIL CHAMBER, COUNTY HALL, RUTHIN.**

Yours sincerely

G Williams
Head of Legal and Democratic Services

AGENDA

1 APOLOGIES (Pages 5 - 8)

2 DECLARATIONS OF INTEREST (Pages 9 - 10)

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 MINUTES (Pages 11 - 18)

To confirm the accuracy of the minutes of the Planning Committee meeting held on the 14 December 2016 (copy attached).

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 - 10) -

5 APPLICATION NO. 16/2016/1044/PF - LLANBEDR HALL, LLANBEDR DYFFRYN CLWYD, RUTHIN (Pages 19 - 42)

To consider an application for conversion of garages into single dwelling at Llanbedr Hall, Llanbedr Dyffryn Clwyd, Ruthin (copy attached).

6 APPLICATION NO. 16/2016/1045/PS - LLANBEDR HALL, LLANBEDR DYFFRYN CLWYD, RUTHIN (Pages 43 - 58)

To consider an application for variation of condition number 12 of planning permission ref 16/2016/0545 to allow continued use of both accesses to the development, removing the requirement to restrict the use of Lon y Mynydd access at Llanbedr Hall, Llanbedr Dyffryn Clwyd, Ruthin (copy attached).

7 APPLICATION NO. 31/2016/1003/PF - OUTBUILDING AT TYDDYN EOS, GROESFFORDD MARLI, ABERGELE (Pages 59 - 78)

To consider an application for conversion of outbuilding to form 1 no. dwelling (amended design to that previously approved under code no. 31/2005/1468) at outbuilding at Tyddyn Eos, Groesffordd Marli, Abergele (copy attached).

8 APPLICATION NO. 40/2016/0256/PC - FIELDS SOUTH-WEST OF BORTH CROSSROADS, ABERGELE (Pages 79 - 100)

To consider an application for retention of and change of use of agricultural building to allow wood processing and use of yard for wood storage (retrospective application) at fields south-west of Borth Crossroads, Abergele (copy attached).

9 APPLICATION NO. 43/2016/0512/PF - 74 GRONANT ROAD, PRESTATYN (Pages 101 - 128)

To consider an application for erection of 5 no. apartments, 6 no. detached dwellings and associated works at 74 Gronant Road, Prestatyn (copy attached).

10 APPLICATION NO. 43/2016/1083/PF - 2 LICHFIELD DRIVE, PRESTATYN (Pages 129 - 144)

To consider an application for erection of extension to rear of dwelling (re-submission) at 2 Lichfield Drive, Prestatyn (copy attached).

11 RATIFICATION OF 14 DECEMBER 2016 PLANNING COMMITTEE RESOLUTION ON APPLICATION NO. 03/2016/0300/PF - LAND AT VICARAGE ROAD, LLANGOLLEN (Pages 145 - 178)

To consider a report seeking ratification of the Planning Committee resolution on an application for erection of 95 dwellings, together with associated roads, open space and related works at land at Vicarage Lane, Llangollen (copy attached).

12 SUPPLEMENTARY PLANNING GUIDANCE: 'CARAVANS, CHALETS & CAMPING' - CONSULTATION DRAFT (Pages 179 - 206)

To consider a report recommending members agree the draft Supplementary Planning Guidance on caravans, chalets and camping as a basis for public consultation (copy attached).

PART 2 - CONFIDENTIAL ITEMS

EXCLUSION OF PRESS AND PUBLIC

It is recommended in accordance with Section 100A (4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following item of business because it is likely that exempt information as defined in paragraphs 12 and 14 of Part 4 of Schedule 12A of the Act would be disclosed.

13 FORMER NORTH WALES HOSPITAL DENBIGH - CPO - GENERAL VESTING DECLARATION (Pages 207 - 224)

To consider a confidential report seeking authorisation for the making of the General Vesting Declaration to complete the compulsory purchase of the former North Wales Hospital site (copy attached).

MEMBERSHIP

Councillors

Bill Cowie (Vice-Chair)

Brian Blakeley
Joan Butterfield
Jeanette Chamberlain-Jones
Meirick Davies
Stuart Davies
Peter Evans
Huw Hilditch-Roberts
Rhys Hughes
Alan James
Alice Jones
Pat Jones
Barry Mellor
Bob Murray
Dewi Owens

Merfyn Parry
Pete Prendergast
Arwel Roberts
Anton Sampson
Gareth Sandilands
David Simmons
Bill Tasker
Julian Thompson-Hill
Joe Welch
Cefyn Williams
Cheryl Williams
Huw Williams
Mark Young

COPIES TO:

All Councillors for information
Press and Libraries
Town and Community Councils

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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

+	To GRANT Planning Permission
-	To REFUSE Planning Permission
0	to ABSTAIN from voting

Or in the case of Enforcement items:

+	To AUTHORISE Enforcement Action
-	To REFUSE TO AUTHORISE Enforcement Action
0	to ABSTAIN from voting

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LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of
*(*please delete as appropriate)*

Denbighshire County Council

CONFIRM that I have declared a ***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-
*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 14 December 2016 at 9.30 am.

PRESENT

Councillors Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie (Vice-Chair), Meirick Davies, Peter Evans, Huw Hilditch-Roberts, Rhys Hughes, Alice Jones, Pat Jones, Bob Murray, Dewi Owens, Merfyn Parry, Pete Prendergast, Arwel Roberts, Anton Sampson, Gareth Sandilands, David Simmons, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Huw Williams and Mark Young

ALSO PRESENT

Head of Planning & Public Protection (GB), Team Leader – Places (SC), Development Manager (PM), Principal Planning Officer (IW), Planning Officer (DR), Senior Engineer – Highways Development Control (MP), and Committee Administrator (SLW)

Prior to commencement of the meeting, Members were informed that the Chair, Councillor Raymond Bartley, would be unable to attend the meeting and, in his absence, the Vice-Chair, Councillor Bill Cowie, would Chair the Planning Committee meeting (hereinafter referred to as “the Chair”).

1 APOLOGIES

Apologies for absence were received from Councillors Raymond Bartley, Stuart Davies, Alan James, Barry Mellor, Bill Tasker and Cheryl Williams

2 DECLARATIONS OF INTEREST

Councillor Gareth Sandilands – Personal Interest – Agenda Item No. 8

Councillors Joan Butterfield, David Simmons, Julian Thompson-Hill and Meirick Lloyd Davies – Personal Interest – Agenda Item No. 9

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES

The minutes of the Planning Committee meeting held on 16 November 2016 were submitted.

RESOLVED that the minutes of the Planning Committee meeting held on 16 November 2016 be approved as a correct record.

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (AGENDA ITEMS 5 - 10)

Applications received requiring determination by the committee were submitted together with associated documentation. Reference was also made to late supplementary information (blue sheets) received since publication of the agenda which related to particular applications. In order to accommodate public speaking requests, it was agreed to vary the agenda order of applications accordingly.

5 APPLICATION NO. 03/2016/0300/PF - LAND OFF VICARAGE ROAD, LLANGOLLEN

An application was submitted for erection of 95 no. dwellings, together with associated roads, open spaces and related works at land off Vicarage Road, Llangollen.

Public Speakers –

Mr. Lawrence (**Against**) – raised concerns regarding the application. He objected to the fact that the current application bore no resemblance to the application granted in 1997 when the upper field had not been considered for development. He expressed the need for a larger number of affordable housing. Also concerns were expressed on the pressure on schools and the amount of open space within the proposed development.

Mr. Gilbert (**For**) – provided background and information to the development. The whole site had been allocated for development within the LDP. Discussions had taken place with planning officers and the developers were complying with Denbighshire's planning standards. There would be a new road proposal in relation to the application which would improve problems and ease local residents concerns.

General Debate – The Planning Officer made reference to the allocated site combining 2 parcels of land - one containing extant planning permission for 50 dwellings and the second had been allocated within the LDP for development of 45 dwellings.

During intense discussion the following issues were raised:

- The previous planning consent had been kept live due to the fact that the access road to the development had been constructed within 5 years of the granting of the planning permission.
- Open Space – Following negotiations, a larger more centralised public open space had been proposed. The management responsibilities were proposed to lie with the developer/landowner and would be secured by a legal agreement. An additional £1818.28 was proposed as a contribution to off-site provision.
- A drainage strategy had been submitted indicating that soakaways were a realistic option on the site. Officers considered that sufficient information had been submitted to demonstrate that foul and surface water could be acceptably managed. The exact size and location of the proposed

soakaways had not been established, however, it was considered that the detail could reasonably be controlled through condition.

- Various concerns had been raised in relation to the impact of the development in relation to the local highway network and highway safety. Assessments had been undertaken by the Highways section and based on the submission together with the collation of additional information, the Highways Officers considered that it would be necessary that the new access road be completed prior to the construction of any dwellings. This would allow construction traffic relating to the dwellings to use this as a route into the site. Having regard to the technical consultee responses, the detailing of the proposed access and parking arrangements, the design of junctions, the location of the site and scale of the development, it was not considered that the development would have an unacceptable impact on the local highways network.
- The proposal was for the erection of 95 dwellings on 3.7 hectares. This would represent a density of 26 dwellings per hectare which fell below the figure which would arise from applying the Policy RD1 figure of 35 d/ha.
- An agreement had been reached with the developers in relation to education contribution which was proposed to be secured through a legal agreement.
- It was confirmed by the Head of Planning and Public Protection that the application was for 95 dwellings which included a previous application for 50 dwellings. The extant planning permission had been for different layout and design. The current application was for the whole site for 95 dwellings.
- A number of Members questioned the allocation of affordable housing. The Head of Planning and Public Protection explained that the extant planning permission for 50 houses predated the affordable housing requirement and therefore accepted the negotiation of affordable housing for the 10% of 45 dwellings. This would equate to 4 affordable housing units with an additional payment of £47,074.50 proposed towards off site provision. Officers considered that significant weight must be afforded to the extant permissions.
- Members expressed their disagreement to the calculation and insisted that the 10% of affordable housing should be allocated to the whole site of 95 dwellings. This would equate to 9 affordable housing units with an additional payment of £47,074.50 proposed to off site provision.

The Local Member, Councillor Rhys Hughes expressed his disagreement to the development especially the affordable housing allocation.. Councillor Hughes also requested that additional parking be provided close to Castle Buildings as set out on the plan. The developer had agreed to one parking space per household but Councillor Hughes requested additional spaces be provided.

Proposal – Councillor Merfyn Parry proposed an amendment, seconded by Councillor Huw Hilditch-Roberts to grant the application with the Section 106 Agreement applying to 10% affordable housing to be applied to the whole site (95 dwellings).

The precise wording of the Section 106 would be a matter for the legal officer to finalise. In the event of failure to complete the Section 106 Agreement within 12 months of the date of the resolution of the Planning Committee, the application

would be reported back to the Committee for determination against the relevant policies and guidance at that time.

Proposal – Councillor Rhys Hughes proposed the refusal of the application, seconded by Councillor Arwel Roberts on the grounds there were insufficient affordable housing, highway issues and impact on the AONB.

The Head of Planning and Public Protection confirmed that the vote regarding the amendment proposed by Councillor Merfyn Parry would take place in the first instance.

VOTE:
For – 22
Abstain – 0
Refuse – 0

The amendment was unanimously agreed.

The Head of Planning and Public Protection confirmed that that vote would take place as to whether to grant the planning permission including the Section 106 Agreement 10% of 95 dwellings to be considered for affordable housing or to refuse the application.

VOTE:
For – 17
Abstain – 0
Refuse – 6

RESOLVED that the planning permission be **GRANTED** in accordance with the Officer recommendation subject to completion of a Section 106 Obligation to secure affordable housing contributions based on 10% of 95 dwellings and education and open space contributions as per the Officer report.

At this juncture (11.40 a.m.) there was a 20 minute break.

The meeting reconvened at 12.00 p.m.

6 APPLICATION NO. 43/2016/0432/PF - PARC DYFFRYN INDUSTRIAL ESTATE, FFRODD PENDYFFRYN, PRESTATYN

An application was submitted for the demolition of existing buildings and erection of foodstore (Class A1), car parking and service areas, vehicular and pedestrian accesses and associated works at land at Parc Dyffryn Industrial Estate, Ffordd Pendyffryn, Prestatyn.

Public Speaker –

Mr Stuart Jardine (**For**) – spoke on behalf of the applicant advising that the site had been vacant for over 10 years and the development would be an improvement to

the town. The supermarket would provide up to 40 jobs for local people. Lidl were keen to invest in Denbighshire and planned for the store to be open in 2018.

General Debate – the Development Manager outlined the proximity of the site to Prestatyn High Street. He explained that the report set out all material planning considerations, no objections had been raised and there had been local support.

Councillors Bob Murray, Gareth Sandilands and Julian Thompson-Hill supported the application but expressed some concerns regarding the volume of traffic. It was confirmed by the Senior Engineer, that full consideration had been given to the highway implications of the development and in acknowledging local reservations, the proposals were considered acceptable in relation to highway safety and parking provision and were compliant with the relevant planning policies and guidance.

The brief Community Linguistic Statement submitted with the application concluded that the proposals would have no negative impact on the needs and interests of the Welsh language.

Proposal – Councillor Meirick Lloyd Davies proposed an additional condition to be included dealing with Local Employment Strategy to include for Welsh Language impacts, seconded by Councillor Rhys Hughes.

Proposal - Councillor Julian Thompson-Hill proposed the officer recommendation to grant the application, and to include the additional condition for Welsh language impacts, seconded by Councillor Anton Sampson.

VOTE:

For – 20

Abstain – 0

Refuse – 0

RESOLVED that permission be **GRANTED**, in accordance with officer recommendation as detailed within the report and to include the additional condition for Welsh language impacts.

7 APPLICATION NO. 45/2016/0740/PF - PAVILION THEATRE AND SUN CENTRE AND ADJOINING LAND/CAR AND COACH PARKS, EAST PARADE, RHYL

An application was submitted for the re-development of 4.25ha of land incorporating the following hybrid (Full/Outline) elements:- Demolition of the former “Sun Centre” and the external refurbishment of the adjoining Pavilion Theatre incorporating over-cladding. (Full) – Erection of 4,000sq.m Class D2 Exhibition/Events Centre as extension to Pavilion Theatre. (Outline) – Erection of 2,825sq.m detached 73 bedroom Class C1 hotel. (Full) – Erection of 2 no. Class A3 Family Restaurants (Outline) – Retention and re-use of existing retail kiosk and land train shed building for retail/leisure/community use (Full) – New and reconfigured car/coach parking (Full) – Improvements and alterations to existing vehicular access and turning areas. (Full) – Hard and soft landscaping details (Full/Outline) at the site of Pavilion Theatre and Sun Centre and adjoining land/car and coach parks, East Parade, Rhyl.

Public Speaker –

Mr R Gee (**For**) – spoke on behalf of the applicant, Neptune Developments Ltd. The development was to be the first key phase of the Rhyl Waterfront development intended to reinvent and reinvigorate Rhyl sea front. The development would create a considerable number of jobs and enhance tourism.

General Debate - Councillor David Simmons (ward member) stated this development was a great opportunity for Rhyl and Denbighshire.

The Leader, Councillor Hugh Evans, informed the Committee that although he was not a member of Planning Committee he wanted to explain the amount of work which had taken place between Denbighshire County Council, the Welsh Government, Neptune Developments Ltd., and private investors. Rhyl currently had a regeneration issue but hoped this would be a catalyst for changing Rhyl.

Proposal – Councillor David Simmons proposed the officer recommendation to grant the application, seconded by Councillor Joan Butterfield.

VOTE:

For – 18

Abstain – 0

Refuse – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation as detailed within the report.

8 APPLICATION NO. 03/2016/0845/LB - PEN Y BEDW COTTAGE, BIRCH HILL, LLANGOLLEN

A Listed Building application was submitted for replacing existing roof structure on rear conservatory to a glazed roof; re-instate square pyramid roof structure to rear; form new natural slate colour zinc clad roof covering above store to rear and replace guttering and downpipes to Cast Iron at Pen Y Bedw Cottage, Birch Hill, Llangollen.

Proposal – Councillor Rhys Hughes proposed the officer recommendation to grant the Listed Building application, seconded by Councillor Brian Blakeley.

VOTE:

For – 18

Abstain – 0

Against – 0

RESOLVED that the Listed Building application be **GRANTED** in accordance with officer recommendation as detailed within the report.

9 APPLICATION NO. 23/2016/0875/PF - CLOCAENOG FOREST, SARON, DENBIGH

An application was submitted for the erection of a 132kV electrical substation and associated works (amended application) at Clocaenog Forest, Saron, Denbigh.

The Local Member, Councillor Joe Welch, stated that an application had been submitted for an electrical substation and associate works in 2014 which had been refused but granted upon an appeal on 1 June 2016. It appeared that the compound area was smaller than the original planning permission but there was an increase in the height specified.

The Planning Officer explained the application was of different character and impact from the original and the noise impact would be accommodated with planning conditions.

Proposal – Councillor Rhys Hughes proposed the officer recommendation to grant the planning permission, seconded by Councillor Dewi Owens.

VOTE:
For – 12
Abstain – 0
Against – 7

RESOLVED that the planning permission be **GRANTED** in accordance with officer recommendation as detailed within the report.

10 APPLICATION NO. 47/2016/0997/PF - GROESFFORDD TREMEIRCHION

An application was submitted to increase the height of the front boundary wall at Groesffordd, Tremeirchion, St. Asaph.

Proposal – Councillor Julian Thompson-Hill proposed the officer recommendation to grant the planning permission, seconded by Councillor Huw Williams.

VOTE:
For – 18
Abstain – 0
Refuse – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation as detailed within the report.

11 CONFIRMATION OF TWO DENBIGHSHIRE COUNTY COUNCIL TREE PRESERVATION ORDERS IN RELATION TO LAND IN THE MELIDEN AREA

The Development Manager introduced a report for Members to confirm Denbighshire County Council Tree Preservation Order Number 03/2016 relating to

land at Ffordd Hendre, Meliden, and Denbighshire County Council Tree Preservation Order Number 04/2016 relating to land at Maes Meurig, Meliden.

The Council had made use of powers laid out in Town and Country Planning Act 1990, section 201 (provisional Tree Preservation Orders) on 9 August 2016. A decision was required on the Council's intention to confirm the Tree Preservation Orders (TPOs), before the respective provisional TPOs expire at the beginning of February 2017. One of the Orders (Maes Meurig) having an objection lodged to it as set out in the report.

TPOs generally aim at protecting individual trees or a group of trees that contribute towards the characteristic of the landscape, provide amenity for the enjoyment of the public, provide habitat for local wildlife, or because of their intrinsic beauty. In legal terms, they make it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without the local planning authority's permission.

Proposal - Councillor Peter Evans proposed to accept officer recommendation to confirm the Tree Preservation Orders, seconded by Councillor Gareth Sandilands.

VOTE:

For – 17

Abstain – 0

Against – 1

RESOLVED that members confirm Denbighshire County Council Tree Preservation Order Number 03/2016 relating to land at Ffordd Hendre, Meliden and Denbighshire County Council Tree Preservation Order Number 04/2016 relating to land at Maes Meurig, Meliden in accordance with officer recommendation as detailed in the report.

At this juncture, the Head of Planning & Public Protection wished Councillor Raymond Bartley (Chair) a full recovery and gratitude to Councillor Bill Cowie for chairing the meeting. He also sent best wishes to everyone for a Merry Christmas and New Year.

Councillor Bill Cowie wished everyone a Merry Christmas and Happy New Year.

The meeting concluded at 12.50 p.m.

Agenda Item 5

WARD : Llanbedr D.C.

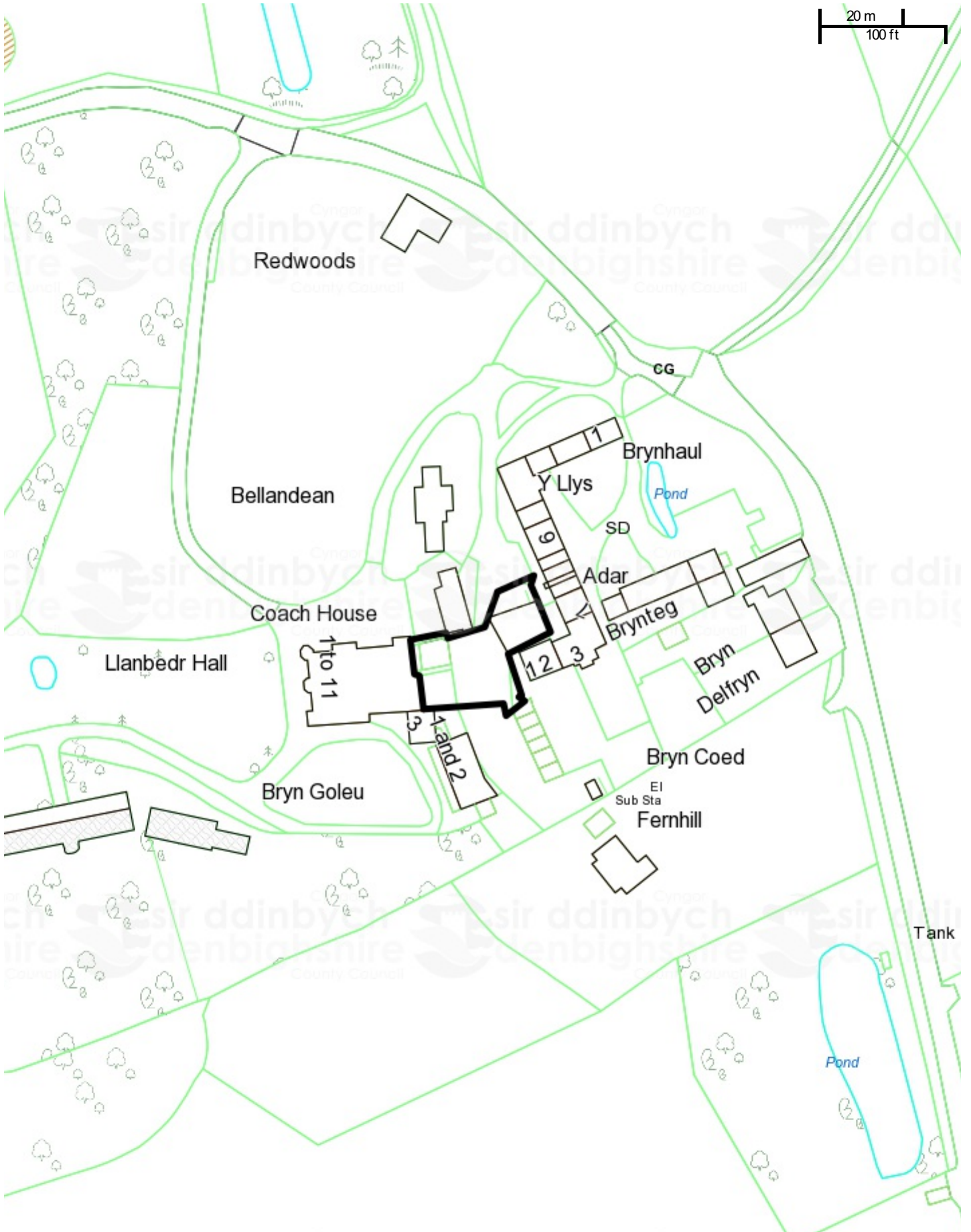
WARD MEMBER: Councillor Huw O. Williams (c)

APPLICATION NO: 16/2016/1044/ PF

PROPOSAL: Conversion of garages into single dwelling

LOCATION: Llanbedr Hall Llanbedr Dyffryn Clwyd Ruthin

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20 m
100 ft

© Crown copyright and database rights 2016 Ordnance Survey 100023408.

16/2016/1044/PF

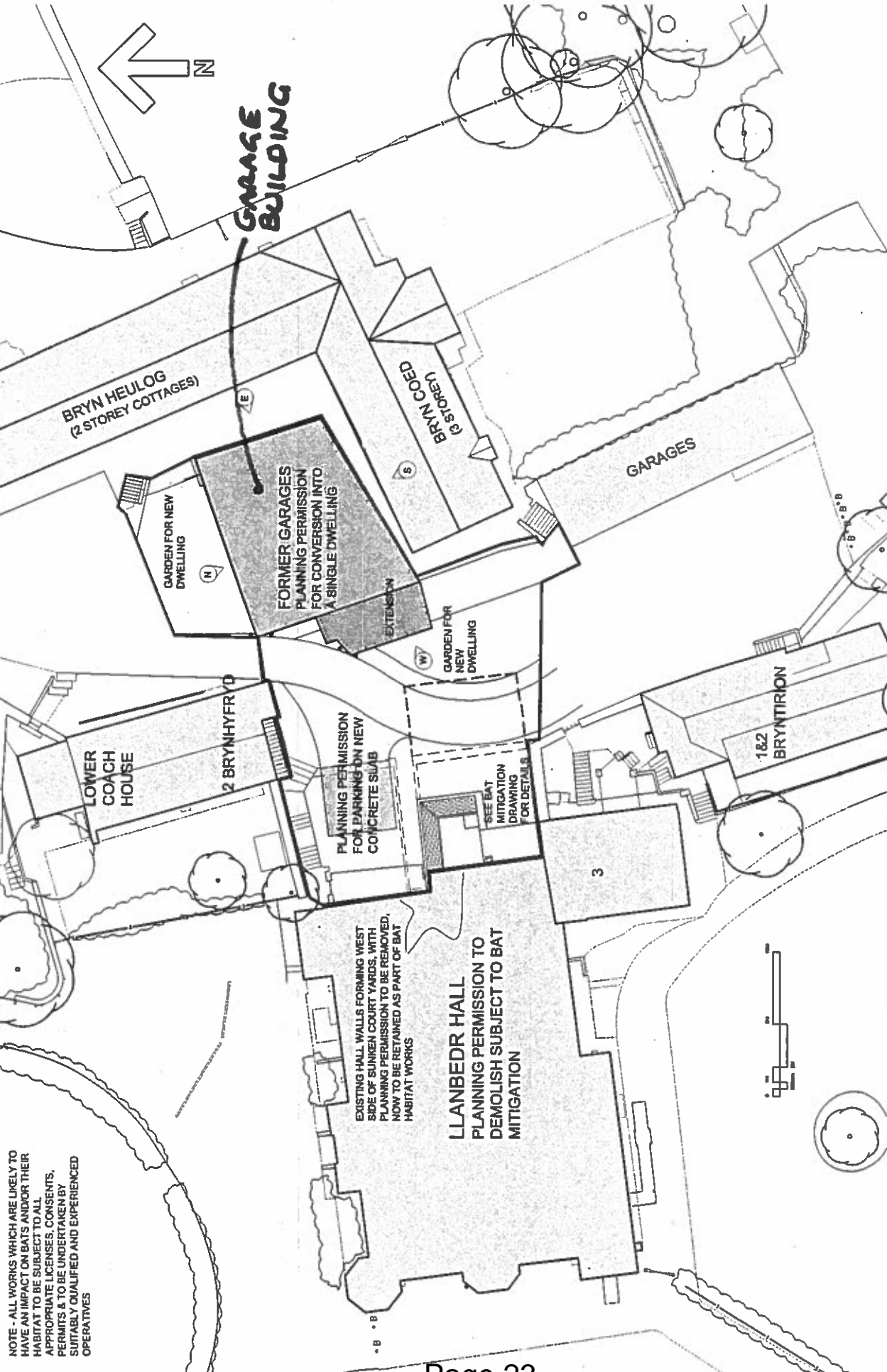
Scale: 1:1250

Printed on: 20/12/2016 at 15:56 PM



PROPOSED SITE PLAN

This drawing is the work of Dinirth Architecture and can be regarded as a professional drawing. It is intended to be used for the purposes of planning applications. It is not intended to be used for any other purpose. Dinirth Architecture is not responsible for any errors or omissions in this drawing. It is the responsibility of the client to ensure that all necessary permissions and consents are obtained before any work is carried out. Dinirth Architecture is not responsible for any errors or omissions in this drawing. It is the responsibility of the client to ensure that all necessary permissions and consents are obtained before any work is carried out.



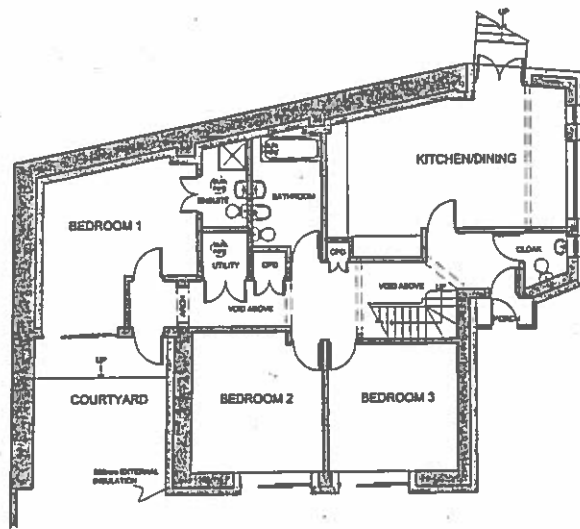
NOTE - ALL WORKS WHICH ARE LIKELY TO HAVE AN IMPACT ON BATS AND/OR THEIR HABITAT TO BE SUBJECT TO ALL APPROPRIATE LICENSES, CONSENTS, PERMITS, & TO BE UNDERTAKEN BY SUITABLY QUALIFIED AND EXPERIENCED OPERATIVES

<p> DINERTH ARCHITECTURE Commercial & Domestic New Build, Extensions and Refurbishment Design, Management & Safety T. 01482 548459, M. 07591 009106, E. DinirthArch@gmail.com </p>	<p> Project : CONVERSION OF FORMER GARAGES INTO A SINGLE DWELLING LLANBEDR HALL, LLANBEDR DYFFRYN CLWYD RUTHIN Client: CADNANT PLANNING </p>	<p> Dwg : AL0002 - PROPOSED SITE PLAN Date : 18 OCT 2016 Rev : Scale : 1:250@A3 </p>
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Before drawing the exterior elevations of this building, the architect has not conducted any soil or other surveys for the purpose of a Planning Application. If no drawings are shown, the architect is not responsible for any such surveys. All drawings are based on the information provided by the client. The architect is not responsible for any such surveys. All drawings are based on the information provided by the client. The architect is not responsible for any such surveys.

NOTE - ALL WORKS WHICH ARE LIKELY TO HAVE AN IMPACT ON BATS AND/OR THEIR HABITAT TO BE SUBJECT TO ALL APPROPRIATE LICENSES, CONSENTS, PERMITS & TO BE UNDERTAKEN BY SUITABLY QUALIFIED AND EXPERIENCED OPERATIVES. DRAWINGS BASED ON SURVEY INFORMATION & PROPOSALS PROVIDED BY CLIENT.

PROPOSED FLOOR PLANS



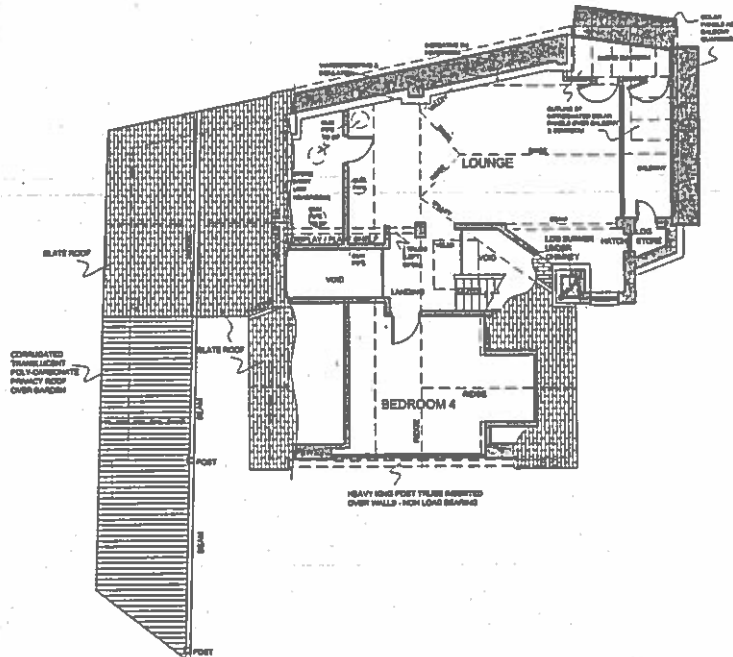
PROPOSED GF PLAN



DINERTH ARCHITECTURE Commercial & Domestic New Build, Extension and Refurbishment Design, Management & Safety T. 01492 548459, M. 07591 009108, E. DinertArch@gmail.com	Project: CONVERSION OF FORMER GARAGES INTO A SINGLE DWELLING LLANBEDR HALL LLANBEDR DYFFRYN CLWYD RUTHIN Client: CADNANT PLANNING	Dwg: AL0011 - PROPOSED GARAGE GROUND FLOOR PLAN Date: 18 OCT 2018 Rev: Scale: 1:100 @ A3
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Before drawing the exterior elevations of this building, the architect has not conducted any soil or other surveys for the purpose of a Planning Application. If no drawings are shown, the architect is not responsible for any such surveys. All drawings are based on the information provided by the client. The architect is not responsible for any such surveys.

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PROPOSED FF PLAN



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EXISTING PLANS

City of Seattle in the ownership property of Dinert Architects and used for the purpose of only with the written permission. Do not reuse or alter any part of these drawings. All drawings are based on the information provided by the client. The architect is not responsible for the accuracy of the information provided. The architect is not responsible for the accuracy of the information provided. The architect is not responsible for the accuracy of the information provided.

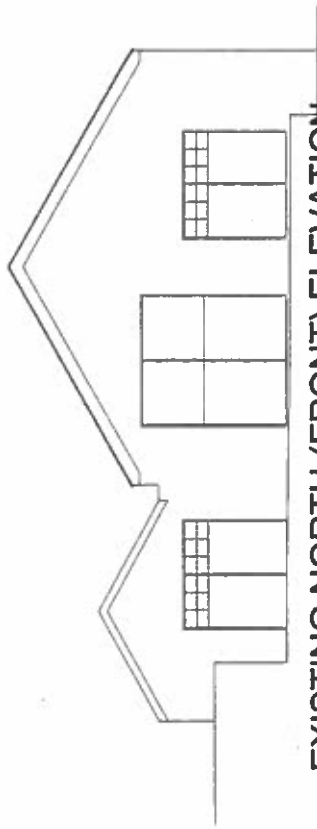
NOTE - ALL WORKS WHICH ARE LIKELY TO HAVE AN IMPACT ON BATS AND/OR THEIR HABITAT TO BE SUBJECT TO ALL APPROPRIATE LICENSES, CONSENTS, PERMITS & TO BE UNDERTAKEN BY SUITABLY QUALIFIED AND EXPERIENCED OPERATIVES.

DRAWINGS BASED ON SURVEY INFORMATION & PROPOSALS PROVIDED BY CLIENT.

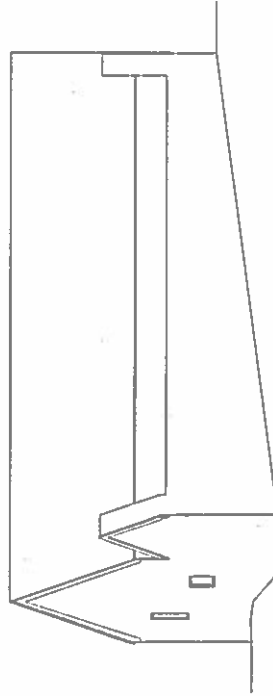


EXISTING SOUTH (REAR) ELEVATION

EXISTING WEST (SIDE) ELEVATION



EXISTING NORTH (FRONT) ELEVATION



EXISTING EAST (SIDE) ELEVATION





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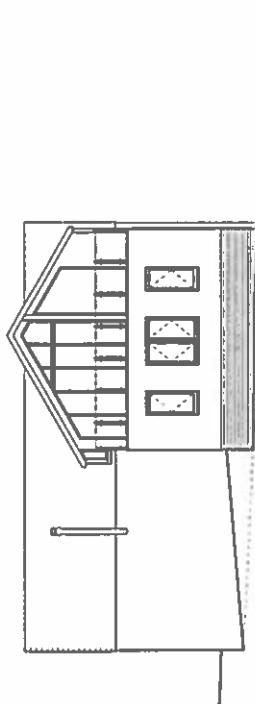
Project : CONVERSION OF FORMER GARAGES INTO A SINGLE DWELLING
LLANBEDR HALL, LLANBEDR DYFFRYN CLWYD RUTHIN
Client: CADNANT PLANNING

Dwg : AL0010 - EXISTING GARAGE ELEVATIONS
Date : 18 OCT 2016
Rev :
Scale : 1:100@ A3

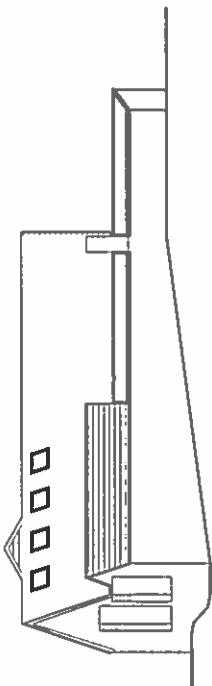
Rev	Date	Drawn	Initial

Project: Proposed Alterations at Ulanbedr Hall, Ruthin, LL15 1UU.	Title: Planning	Scale: (A2) 1 : 100
Drawn By: S M Eitham	Date: Aug 2012	Sheet: 1 of 1
Drawing No: CO40/004		

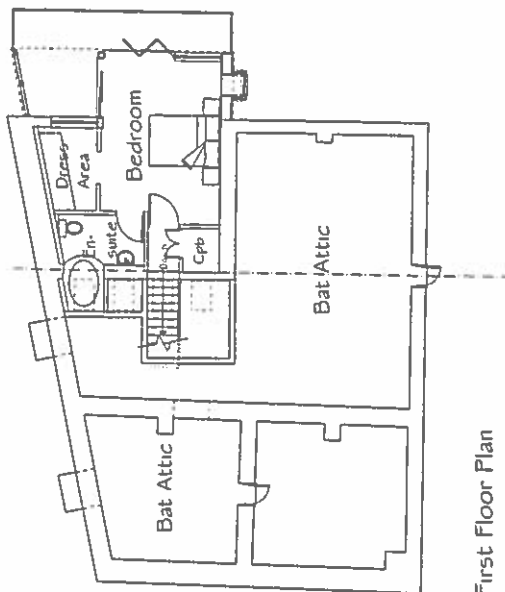
	Redwether Business Centre, Redwether Business Park, Wrexham LL13 9XR, Tel. 01978 556500 www.blueprintarchitectural.com
	



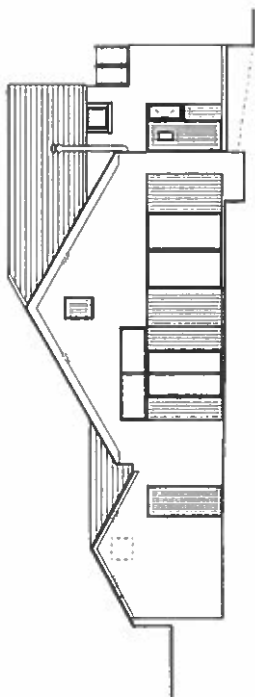
Side Elevation



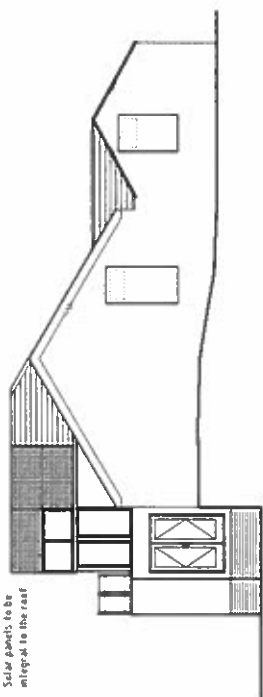
Side Elevation



First Floor Plan

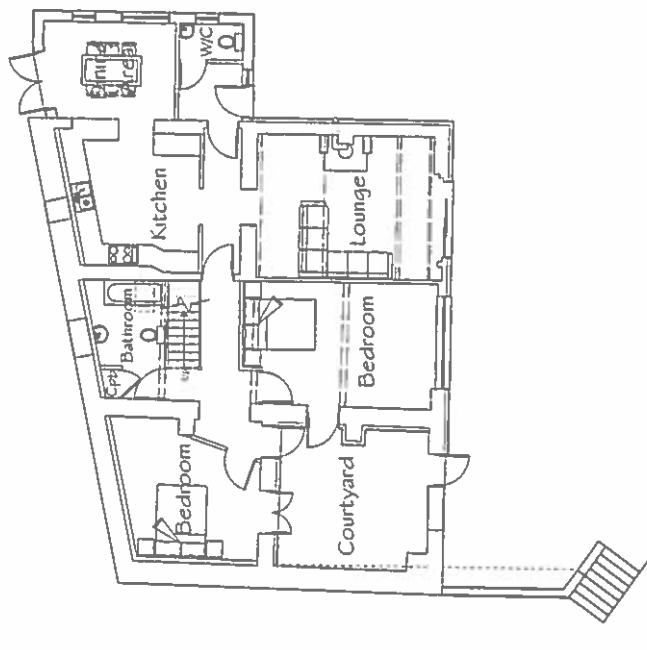


Front Elevation



Solar panels to be integrated into the roof

Rear Elevation



Ground Floor Plan

External Fixing Materials:
External walls are to comprise sand and cement render to local Authority approval.

Roofing Materials
Roof coverings are to match existing building

All windows are to comprise staked double glazed units set in good quality timber frames, oriented to local authority approval. In-situ and between window panes are to be filled with obscured glass.

All fascias and soffits are to match existing building

Rainwater to be collected in gutters and downpipes to match existing, connector to discharge to main sewer as per existing rainwater disposal

WARD : Llanbedr D.C.

WARD MEMBER: Councillor Huw O. Williams (c)

APPLICATION NO: 16/2016/1044/ PF

PROPOSAL: Conversion of garages into single dwelling

LOCATION: Llanbedr Hall Llanbedr Dyffryn Clwyd Ruthin

APPLICANT: Mr Rod Cox

CONSTRAINTS: AONB

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

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

CONSULTATION RESPONSES:

LLANBEDR DC COMMUNITY COUNCIL

"Llanbedr Dyffryn Clwyd Community Council objects to the above planning application for the following reasons:-

1. The additional dwelling would create additional unwanted traffic on the narrow highway infrastructure.
2. The current highway infrastructure is considered unsafe to accommodate additional traffic
3. The development would cause drainage issues
4. The development would cause sewerage issues."

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

"The Joint Committee notes that there is an extant permission for conversion of this building into a single dwelling and, subject to the agreement of an appropriate scheme for bat mitigation, the Joint Committee has no observations to make on the proposals."

NATURAL RESOURCES WALES

No objection subject to inclusion of planning conditions, covering Protected Species issues and external lighting. Support proposals for creation of separate replacement bat roost area in existing underground caverns. Standard good practice measures should be followed in relation to use of the existing septic tank. Draw attention to the need to address any impacts on the AONB.

DWR CYMRU / WELSH WATER

No comments as the applicant intends utilising a septic tank facility, which is a matter for Natural Resources Wales.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

Taking into account the existing use of the building as garages and car parking being provided as part of the scheme, has no objection subject to the inclusion of a condition requiring provision of the parking and turning arrangements.

RESPONSE TO PUBLICITY:

Representations received from:
T. Burling, 4 Bryn Coed, Llanbedr Hall, Llanbedr DC.

Summary of planning based representations:
Concern over potential impact on quality of life of adjacent occupiers:
Difficult to assess impacts on adjacent property from submitted detail
High chimney stack, difficult to know whether smoke will affect properties

Supports proposals for bats.

EXPIRY DATE OF APPLICATION: 09/01/2017
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 a revised scheme of the conversion of and extension to existing vacant garage buildings within the Llanbedr Hall complex into a single dwelling.
- 1.1.2 The plans show the intention to create a four bedroom unit, with accommodation primarily on the ground floor (3 bedrooms, kitchen / dining, a bathroom, and a courtyard area), with a bedroom and lounge at first floor level.
- 1.1.3 The main developments associated with the scheme are:
- The creation of two separate garden areas, one on the north side and one on the south west side of the buildings
 - Accompanying alterations to the vehicular access running north – south on the western and south western side of the buildings
 - A parking area on a concrete slab to the west of the buildings
 - A small extension on west side of the building
 - Detailed bat mitigation measures, including underground caverns
- 1.1.4 The application is accompanied by a 25 page Planning Statement setting out the background to the application, the context, and commentary on planning policy and main considerations The conclusions refer specifically to :
- The building is the subject of an extant planning permission for conversion to an open market dwelling, granted in 2013, which is ready to be implemented as all conditions have been discharged.
 - The main reason for the submission is so that bat mitigation can be relocated into the sunken courtyard and cellars, a preferable form of achieving this requirement
 - The opportunity has been taken to revise the layout and design of the building to make use of the attic area
 - The benefits of the scheme, in terms of employment at construction stage, provision of a dwelling to assist housing need, in an accessible location, an attractive design, with minimal impact on the AONB
- 1.1.5 The plans at the front of the report show the main elements of the scheme.
- 1.1.6 From perusal of the plans, the main revisions from the 2013 scheme include:
- The relocation of the bat habitat areas from the attic area of the buildings to a sunken courtyard area and caverns
 - The use of the attic space for additional rooms for the dwelling

- Alterations to the elevational treatment of the building within the same basic structure as consented in 2013
- Provision of an additional garden area to the south of the proposed dwelling
- Clarification of the access arrangements within the courtyard areas serving existing properties at Llanbedr Hall.

1.2 Description of site and surroundings

- 1.2.1 The former garages are located to the east of Llanbedr Hall amongst a complex of long established dwellings within the estate.
- 1.2.2 Access to the site is achieved via the northern entrance to the Hall site which leads to an existing tarmac driveway serving a number of existing properties / garages.
- 1.2.3 The plans at the front of the report assist an appreciation of the relationships between the properties.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located in the open countryside outside of the settlement boundary of Llanbedr and is within the AONB.

1.4 Relevant planning history

- 1.4.1 There have been two recent planning permissions for the conversion of the buildings to a single dwelling, in 2011 and 2013.
- 1.4.2 The permission granted in 2013 for the conversion remains extant and is a material consideration in the determination of the application.

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:**

History relevant to the conversion of the garages:

- 2.1 16/2011/0691/PF – Conversion and extension of the former garages into one dwelling with a designated bat roost in the roof void: Granted by the Planning Committee on 28 September 2011.
- 2.2 16/2013/0189/PF - Conversion of former garages into a single dwelling. Granted at Planning Committee.
Decision date 17/04/2013 (Extant permission)

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

- 3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE4 – Re-use and adaptation of rural buildings in open countryside

Policy VOE5 – Conservation of Natural Resources

Policy ASA3 – Parking standards

- 3.2 Supplementary Planning Guidance

- 3.3 Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

3.4 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). Development Management Manual 2016 (DMM) states that material considerations 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 (DMM section 9.4).

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 / relevance of planning history
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage
- 4.1.6 Highways (including access and parking)
- 4.1.7 Archaeology
- 4.1.8 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

4.2 In relation to the main planning considerations:

4.2.1 Principle / relevance of planning history

In relation to the principle of conversion, Local Development Plan Policy PSE 4 Re-use and Adaption of Rural Buildings in the Open Countryside is the most relevant to this type of development. The policy permits proposals for the conversion of buildings in the open countryside subject to tests, requiring consideration of an employment use and use as an affordable dwelling. SPG Conversions of Rural Buildings provides advice and guidance to supplement LDP planning policies.

The Planning Statement accompanying the application draws attention to the extant planning permission for the conversion of the outbuilding and suggests that as this remains capable of implementation it remains a significant material consideration, and there should be no requirement at this point for marketing of the buildings for employment use, or consideration of the dwelling being restricted to affordable housing. The implementable permission is for an open market dwelling.

Officers' view is that the planning history is inevitably a significant consideration here. There have been two recent consents for conversion of the buildings to a single dwelling, and the 2013 permission is still valid. The scheme now proposed is not significantly different from the one with consent. It is suggested that the key issues to consider in relation to the current scheme are whether the proposals are acceptable in design terms and whether they are likely to result in adverse impacts on the locality.

4.2.2 Visual amenity

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications.

There are no representations raising matters relating to the visual amenity impacts of the proposals.

The main changes between the consented and now proposed scheme are referred to in section 1.1.6 of the report. In terms of visual amenity, these are considered minor in nature and would have no greater impact than the approved scheme.

4.2.3 Residential amenity

PPW 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. It is also advised that the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

There is one individual representation raising questions over the detailing of the conversion scheme and potential impact on adjacent property.

The main changes between the consented and now proposed scheme are referred to in section 1.1.6 of the report. In relation to the residential properties to the immediate south and east of the garage building, the current scheme removes windows proposed in the 2013 scheme in the south facing elevation (to serve a kitchen and a bathroom) and rooflight windows at first floor level facing east. In respect of effects on residential amenity, these changes would if anything mean the actual impacts from the proposed scheme would be more limited than the approved scheme on the occupiers of nearby residential properties to the south and east.

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.

There are no representations raising objection to the ecological impacts of the proposals. Natural Resources Wales are satisfied at the alternative detailing of bat mitigation subject to inclusion of suitable conditions.

The response from Natural Resources Wales is significant to consideration of the ecological impacts of the development, and in particular to the assessment of issues relevant to the bat population. In relation to the derogation test and two conditions to be considered in deciding whether to grant planning permission for a development which may harm a European Protected Species, NRW indicate the development will not be detrimental to the favourable conservation status of the bat populations subject to imposition. Officers consider the derogation purpose is satisfied and that the two conditions are met, subject to appropriate avoidance, mitigation and compensation measures. These are the relevant considerations to be given by the Local Planning Authority to the assessment of ecological impact from the proposals, and it is

therefore concluded that there should be no impediment to planning permission on ecological grounds.

4.2.5 Drainage

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.

The Community Council are suggesting that the development will cause drainage and sewage issues. There are no individual representations raising matters relating to the drainage impacts of the proposals.

Dwr Cymru Welsh Water and Natural Resources Wales raise no objections on the means of drainage.

In the absence of any concerns from Dwr Cymru and NRW, it is not considered that there are any drainage grounds to oppose the application.

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.

The Community Council have commented that the additional dwelling would create additional unwanted traffic on the narrow highway infrastructure and that this infrastructure is considered unsafe to accommodate additional traffic. There are no individual representations raising objection to the highway impacts of the proposals. The Highway Officer raises no objections.

In noting the concerns of the Community Council, it is respectfully suggested that the additional traffic likely to be generated by a single dwelling would not have so significant an impact on the access tracks to the Llanbedr Hall complex as to justify refusing a permission. The tracks currently serve approximately 30 dwellings and have been accepted as suitable to accommodate the various uses proposed at Llanbedr Hall itself. Additionally, it has to be recognised that there is an extant planning consent for the conversion of the building into a dwelling.

4.2.7 Archaeology

Policy VOE 1 of the Local Development Plan seeks to protect areas of archaeological historic importance from development which would adversely affect them, reflecting general advice in Planning Policy Wales (Section 6.5) which 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.

There are no representations raising objection to the archaeological impacts of the proposals.

4.2.8 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

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.

There are no representations raising objections the impact of the scheme on the AONB. The AONB Joint Committee refer to the extant permission for conversion of this building and advise that subject to agreement to an appropriate scheme for bat mitigation, they have no observations to make.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The application contains revised proposals involving the conversion of existing buildings in the Llanbedr Hall complex. There is an existing permission in place for conversion to a dwelling which is a material consideration.
- 5.2 The scheme involves revisions to the previously approved plans, including amended proposals for bat mitigation.
- 5.3 There are no objections from any of the technical consultees on the application.
- 5.4 Local comments are duly noted but it is not considered there are reasonable grounds for resisting the grant of permission.

RECOMMENDATION: GRANT- subject to the following conditions:-

Commencement

1. The development to which this permission relates shall be begun no later than 11th January 2021

List of approved plans

2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission.
 - i) Existing elevations (Drawing No. AL0010) received 20 October 2016
 - (ii) Proposed elevations (Drawing No. AL0013) received 20 October 2016
 - (iii) Existing ground floor plan (Drawing No. AL009) received 20 October 2016
 - (iv) Proposed ground floor plan (Drawing No. AL0011) received 20 October 2016
 - (v) Proposed first floor plan (Drawing No. AL0012) received 20 October 2016
 - (vi) Proposed section A-A (Drawing No. AL0008) received 20 October 2016
 - (vii) Proposed landscaping plan (Drawing No. AL0003) received 20 October 2016
 - (viii) Existing site of proposed bat habitat (Drawing No. AL0005) received 20 October 2016
 - (ix) Proposed bat mitigation (Drawing No. AL0004) received 20 October 2016
 - (x) Proposed bat habitat - ground floor (Drawing No. AL0006) received 20 October 2016
 - (xi) Proposed bat habitat - first floor (Drawing No. AL0007) received 20 October 2016
 - (xii) Existing site plan (Drawing No. AL0001) received 20 October 2016
 - (xiii) Proposed site plan (Drawing No. AL0002) received 20 October 2016

(xiv) Site plan and location plan (Drawing No. C040/005) received 15 November 2016 - for the identification of the site boundaries only.

Materials

3. With the exception of the solar panels and the polycarbonate roof over the garden area, the materials to be used on the roof of the building shall be blue/grey natural mineral slate of uniform colour and texture.

Landscaping

4. **PRE-COMMENCEMENT CONDITION**
No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of: (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development. (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting; (c) proposed materials to be used on the realigned access through the site and the proposed parking area for the dwelling, paths and other hard surfaced areas; (d) any proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform; (e) Proposed positions, design, materials and type of boundary treatment, including the detailing of the means of defining the boundary of the proposed garden areas.
5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years 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.

Ecological matters

6. No works to or demolition of buildings and structures shall be permitted to commence until the Local Planning Authority has been provided with a copy of a licence that has been issued to the applicant / developer by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorising the specified activity/development to proceed, or Natural Resources Wales has informed the applicant / developer that such a licence is not required.
7. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of bat avoidance, offsetting, and mitigation measures (such as Reasonable Avoidance Measures), including those measures described in the Eco-scope and MM Environmental mitigation reports. The details shall include a Method Statement and the timing of implementation of the mitigation measures.
8. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of proposals that facilitate long term ecological site security and site management.
9. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of proposals for a suitable post construction monitoring and surveillance scheme.
10. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of an external lighting and internal light spillage scheme.
11. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of an ecological compliance audit (ECA) scheme. The Audit shall evidence compliant implementation of all ecological avoidance, mitigation and compensation works, and shall identify Key performance Indicators that are to be used for the purposes of assessing and evidence compliance.

General conditions

12. Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no development by the said Classes shall be carried out without the further granting of planning permission of the Local Planning Authority.
13. The proposed parking and turning facilities for vehicles shall be completed in accordance with the approved plan and shall be completed prior to the development being brought into use.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interests of visual amenity.
4. In the interests of visual amenity.
5. In the interests of visual amenity.
6. In order to protect ecological interests.
7. In order to protect ecological interests.
8. In order to protect ecological interests.
9. In order to protect ecological interests.
10. In order to protect ecological interests.
11. In order to protect ecological interests.
12. In the interests of residential and/or visual amenity.
13. To provide for the parking of vehicles within the site in the interest of traffic safety.

NOTES TO APPLICANT:

Your attention is drawn to the contents of the attached response from Natural Resources Wales including advice on ecological and drainage matters.

In respect of ecological matters, you are strongly advised to contact NRW in relation to the Protected Species Licencing requirements.

In respect of drainage matters, you should ensure that the requirements of relevant BS and Approved Documents are met along with NRW permitting regulations, dependent on the detailing of the scheme.

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).

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Agenda Item 6

WARD : Llanbedr D.C.

WARD MEMBER: Councillor Huw O. Williams (c)

APPLICATION NO: 16/2016/1045/ PS

PROPOSAL: Variation of condition number 12 of planning permission ref 16/2016/0545 to allow continued use of both accesses to the development, removing the requirement to restrict the use of Lon y Mynydd access

LOCATION: Llanbedr Hall Llanbedr Dyffryn Clwyd Ruthin

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Drawn By	Checked By	Approved By	Date
WJ	WJ	WJ	16/05/16
Project	Client	Scale	Rev
LHR.12	AS PROPOSED	1:500	P
Sheet	4000		

Donald Inshall Associates
Chartered Architects and Planning Consultants

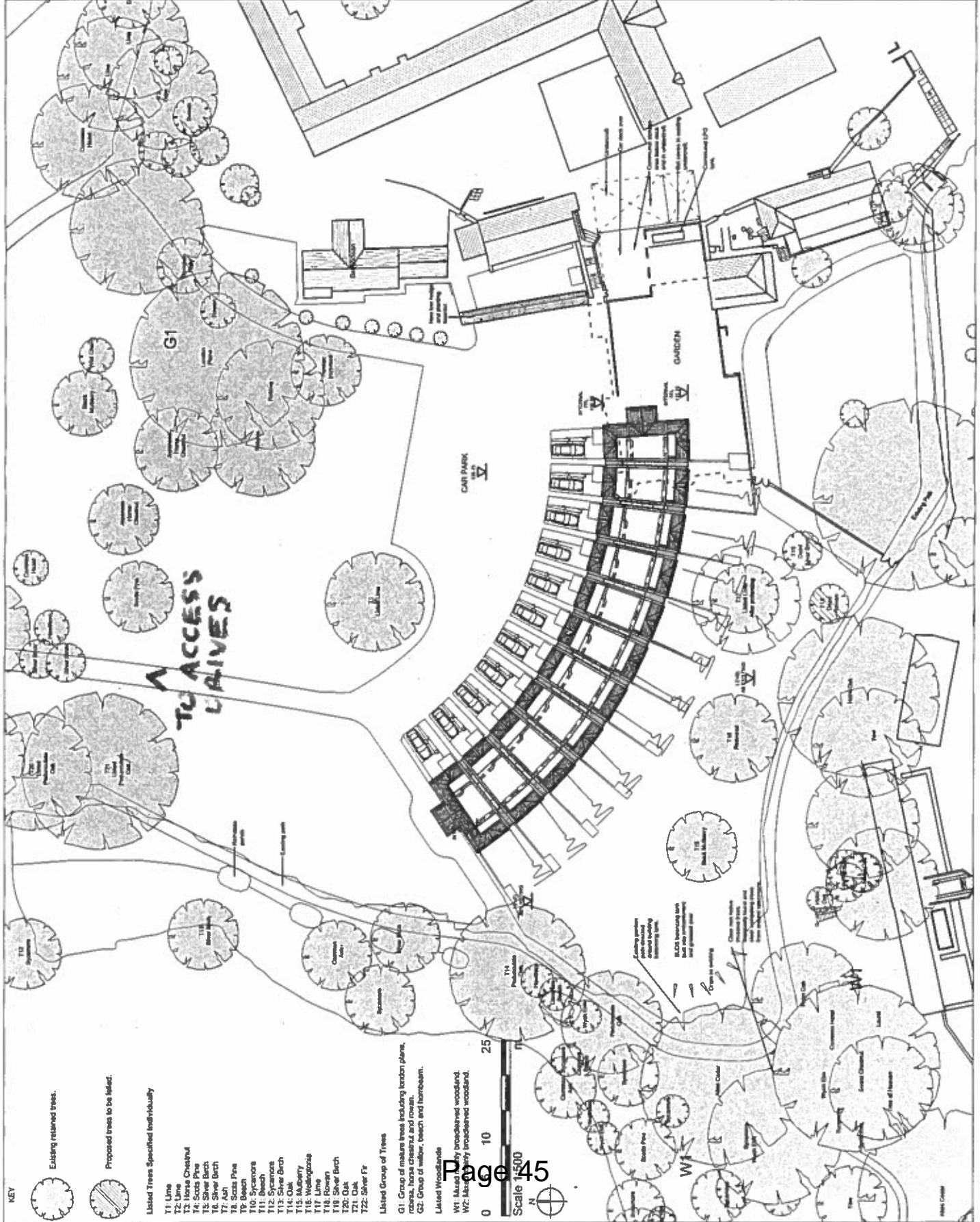
Dringway House, 3 Bridge Place, Chester CH1 1SA
T: (01244) 201863 www.dia-architects.co.uk

LAMBER HALL

**SITE PLAN
AS PROPOSED**

Working Status	W Working Drawing
F Feasibility	M Masterplan
S Site Design	T Tender
CD Concept Design	CO Construction
AS Approved Scheme	PL Planning Consent

1. The site plan is to be used only to supplement verbal and written instructions from the architect and is not to be used as a contract document.
2. The site plan is to be used only to supplement verbal and written instructions from the architect and is not to be used as a contract document.
3. The site plan is to be used only to supplement verbal and written instructions from the architect and is not to be used as a contract document.
4. The site plan is to be used only to supplement verbal and written instructions from the architect and is not to be used as a contract document.
5. The site plan is to be used only to supplement verbal and written instructions from the architect and is not to be used as a contract document.



- KEY**
- Existing retained trees.
 - Proposed trees to be planted.
- Listed Trees Specified Individually**
- T1: Lime
 - T2: Lime
 - T3: Horse Chestnut
 - T4: Scots Pine
 - T5: Silver Birch
 - T6: Silver Birch
 - T7: Ash
 - T8: Silver Birch
 - T9: Birch
 - T10: Sycamore
 - T11: Birch
 - T12: Sycamore
 - T13: Silver Birch
 - T14: Oak
 - T15: Oak
 - T16: Oak
 - T17: Lime
 - T18: Rowan
 - T19: Silver Birch
 - T20: Oak
 - T21: Oak
 - T22: Silver Fir
- Listed Group of Trees**
- G1: Group of mature trees including larch, plane, roble, horse chestnut and rowan.
 - G2: Group of yellow, birch and hornbeam.
- Listed Woodlands**
- W1: Mixed mature broadleaved woodland.
 - W2: Mixed mature broadleaved woodland.

ACCESS DRIVES TO SITE



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Scale: 1:5000

Printed on: 19/12/2016 at 12:01 PM

Ynys Môn
sir ddinbych
denbighshire
COUNCIL

© Denbighshire County Council

WARD : Llanbedr D.C.

WARD MEMBER: Councillor Huw O. Williams (c)

APPLICATION NO: 16/2016/1045/ PS

PROPOSAL: Variation of condition number 12 of planning permission ref 16/2016/0545 to allow continued use of both accesses to the development, removing the requirement to restrict the use of Lon y Mynydd access

LOCATION: Llanbedr Hall Llanbedr Dyffryn Clwyd Ruthin

APPLICANT: Mr Rod Cox

CONSTRAINTS: Tree Preservation
PROW
AONB

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

LLANBEDR DC COMMUNITY COUNCIL

“Llanbedr Dyffryn Clwyd Community Council objects to the above planning application for the following reasons:-

1. There is a bad corner on Lon Y Mynydd where there have been accidents, increasing the traffic around this bend would lead to more accidents.
2. The access onto the Llanbedr hall back drive is tight at Millstream cottage so not suitable for significantly more traffic.
3. The width of the back drive going past Millstream cottage is narrow and restricted from getting any wider by the house on one side and a wall on the other side.
4. From Millstream Cottage the back drive follows a narrow route through trees, which has a steep drop on one side. The lane is only wide enough for one car and for vehicles to pass we already have to reverse to either next to Millstream Cottage or the corner at the end of the trees. If more traffic was to use this lane then it would severely hamper access and egress from the properties.
5. The back drive has not been maintained by the owner for many years, recently other residents have had to repair pot holes and other problems themselves, however even with these repairs the lane is not suitable for significantly more traffic.
6. The back drive is just about appropriate for the current residents of the Llanbedr hall estate area, the addition of traffic to build 11 houses then the residents of these 11 houses would cause access problems for all involved.
7. By opening the access along the back drive as well as the front drive there is a risk that these narrow lanes could become a rat run for people trying to avoid the village of Llanbedr. This would be totally unacceptable due to all the reasons stated above.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
Head of Highways and Infrastructure

- Highways Officer

Has assessed the information submitted as part of the application and refers to an existing planning permission code number 16/2014/1020/PF for the erection of 9 dwellings on the site granted permission in January 2015 with no condition imposed restricting access to the front drive. Notes that the July 2016 planning permission for 11 dwellings contained a condition restricting access to the front drive only, along with a separate condition requiring improvements on the front drive in relation to passing places being provided the details of which were to be agreed.

Taking the planning history into account and the increase in vehicle movements would be two dwellings on top of what was permitted under the 2015 permission, along with the improvements proposed on the front drive, considers it would be very difficult to sustain a reason for refusal on highway grounds at any future appeal and therefore has no objection to the application.

RESPONSE TO PUBLICITY:

Representations received from:

I Phillips, Coach House, Llanbedr Hall
Julie Baddock, Fern Hill, Llanbedr DC
Stuart Desborough, Bryan Adar, Llanbedr
Theresa Burling, 4 Bryn Coed, Llanbedr Hall, Llanbedr DC
Anthony Smith, Fairways, Llanbedr Hall Drive, Llanbedr
Dr David Howells, 16 Tan y Bryn, LlanbedrDC
Alan Hinchliffe, Delfryn, Llanbedr Hall Drive, Llanbedr DC
Tim Jones, Isgaer Wen, Lon y Mynydd, Llanbedr DC
David Hughes
Paul Coups, Bryn Haul, Llanbedr Hall Estate, Llanbedr DC
C. Kenworthy,
A.P. Ravenscroft, Redwoods, Llanbedr Hall, Llanbedr DC
David Livesey, 3 Bryn Coed, Llanbedr Hall, Llanbedr DC
J. Ingham, Llanbedr Hall Residents Association, Millstream Cottage, Llanbedr DC
B. Stapleton, The Quentin, Lon y Mynydd, Llanbedr DC
R. Houghton, 4 Y Lllys, Llanbedr Hall, Llanbedr DC.
Guy Alford, 17 Tan y Bryn, Llanbedr DC

In objection

Summary of planning based representations in objection:

Highways concerns

Inadequacies of rear access track and Lon y Mynydd / Lon Cae Glas

- Narrow private track already serves over 30 properties; has few passing places, poor visibility, a blind bend, steep embankment, narrow near Millstream Cottage, has a poor junction with Lon Cae Glas, and is not a suitable access route for any extra traffic / is already signed as being unsuitable for motor vehicles
- Lon Cae Glas and Lon y Mynydd are equally dangerous, with narrow sections and bends and are two poor approaches to the A494 / Highway Authority have been involved with Community Council in discussions over effective traffic management measures along Lon Cae Glas
- Rear drive has not been maintained by the owner for many years, the lane is not suitable for significantly more traffic, and there will remain concerns over future maintenance.
- An improved front drive would be perfectly adequate to serve the proposed development, making a second access unnecessary.
- By opening the access along the back drive as well as the front drive there is a risk that these narrow lanes could become a rat run for people trying to avoid the village of Llanbedr.
- Vehicle collisions have occurred in the locality including the corner adjacent to the Cedars

- Track includes lengths of footpaths popular with walkers, cyclists, and is used by children
- Track and approach roads not suitable for any construction traffic
- Track runs close to existing building and additional use could undermine foundations and drains
- Variation to condition should not be approved
- Vehicle gate near Bellendean should be replaced with a pedestrian gate to obstruct vehicular access to the back drive, Lon y Mynydd and Lon Cae Glas

Other matters

Long history of disputes over use of access drives

EXPIRY DATE OF APPLICATION: 14/12/2016

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- awaiting consideration by Committee

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application relates to a condition imposed on the planning permission granted at Planning Committee in July 2016 for the demolition of Llanbedr Hall and the erection of a block of 11 dwellings.

1.1.2 Factually, the planning permission granted under code no. 16/2016/0545/PF contained a number of conditions, including ones relating to parking, access and highway matters. Condition 12 was worded as follows :

No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailed arrangements for ensuring vehicular access for residents is restricted to the access road from the site to the B5429, and to the provision of additional passing bays along that section of road. None of the dwellings shall be permitted to be occupied until the arrangements approved under this condition have been completed, and the arrangements shall be maintained as approved at all times thereafter.

The reason for the condition was: In the interests of highway safety and the users of the private roads serving the complex of buildings in this area.

1.1.3 The application seeks to amend the wording of Condition 12. The Planning Statement submitted with the application clarifies that the amended wording sought is as follows :

'No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailed arrangements for the provision of additional passing bays along the access road from the site to the B5429. None of the dwellings shall be permitted to be occupied until the arrangements under this condition have been completed, and the arrangements shall be maintained as approved at all times thereafter'

1.1.4 The effect of the amendment is to remove the restriction imposed in condition 12 that all access for residents of the 11 dwelling development is restricted to the drive to the B5429, i.e. it seeks to allow residents to use that drive and the existing drive serving the Llanbedr Hall complex which runs south and then east to join Lon Cae Glas (the Llanbedr – Moel Famau road) near its junction with Lon y Mynydd. In the documents, the road from the site to the B5429 is referred to as the ‘front’ drive and the road to Lon Cae Glas is the ‘back’ drive. Both drives are unadopted private roads.

1.1.5 The Planning Statement runs to 17 pages, with an appendix. Its main points are :

- The existing (established) use of Llanbedr Hall is 11 dwellings plus a restaurant;
- The existing traffic which could be generated by the established use has full rights to the use of the back drive and this is not materially different to the proposed use.
- The requirement to restrict the traffic from the permitted dwellings to the front drive is considered unreasonable and therefore it is sought that this condition be varied so that improvements can be made to the front drive, to make it more attractive, but without restricting the use of the back drive.
- It is considered that the proposed amendments are in line with policy and guidance and should therefore be allowed

- The planning history is a relevant consideration.
 - Denbighshire granted permission in January 2015 for the demolition of the Hall and the erection of 9 three storey dwellings. The issue of restrictions on the use of the rear drive was discussed and was not considered necessary or reasonable. A condition was imposed requiring the provision of additional passing places along the access road to the site from the B5429, but there was no restriction on the use of the rear drive in connection with the development.
 - There was an earlier planning appeal involving matters relevant to the use of the two access drives. This was in relation to a 2006 permission for the conversion of the Hall and restaurant to 20 flats. The appeal Inspector considered the merits of use of the front and rear drives in relation to the 20 flat scheme and concluded that as the front drive was likely to take the majority of traffic, and there would be no material increase of use of the on the back drive, the use of both drives would be acceptable by residents.

- Condition 12 was not included in the original recommendation of the planning officer on application 16/2016/0545, but was introduced in the late information sheets and was referred to by the Highways Officer at the meeting.

- Condition 12 does not meet the six tests relating to the imposition of planning conditions as set out in Welsh Government Circular 016/2014.

1.1.6 The plan at the front of the report illustrates the access routes referred to.

1.2 Description of site and surroundings

1.2.1 Llanbedr Hall is a late Victorian building set in landscaped grounds. The front part of the hall is constructed in buff brick with red brick detailing and a steeply hipped slate roof, and incorporates a corner tower along with gabled and dormer features.

1.2.2 The rear part of the hall is a predominantly two storey rendered structure with slate pitched roof. The hall benefits from substantial formal landscape gardens to the front (west) with a coach yard and mix of dwelling types immediately to the rear (east). Other more isolated dwellings lie to the north and along the back drive to the main hall.

- 1.2.3 The main hall has been altered over the years with a number of developments taking place. There are a number of mature trees within the grounds which are protected by a Tree Preservation Order.
- 1.2.4 To the south-west of the main hall is a walled garden area containing a former boiler room and glass house which has recently gained permission to be converted into a dwelling (see planning history).
- 1.2.5 There are public footpaths which run through and adjoin the site, including one which runs past the remains of St Peter's Church which lies to the west of the hall.
- 1.2.6 The Llanbedr Hall complex has historically been accessed by vehicles from two main private 'drives', one running south west and joining the B5429 immediately to the south of the Maes Derwen development, and one running south / south east and joining Lon Cae Glas.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies outside of the development boundary for the village of Llanbedr DC and is set within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) and the Vale of Clwyd Historic Landscape, but without any other specific designation in the Local Development Plan.
- 1.3.2 There are Public Footpaths running through the site and along parts of the access drives.

1.4 Relevant planning history

- 1.4.1 Whilst there is a long history of planning applications relating to Llanbedr Hall, the ones of particular relevance to the matters for consideration in connection with the variation of Condition 12 of the July 2016 planning permission are more limited.
- 1.4.2 The key application is the one for 11 residential units granted under code no.16/2016/0545, which contained the condition now under scrutiny. This is an extant planning permission, in connection with which the Council is currently processing a number of approval of condition applications which have been submitted containing specific details of the development (e.g. photographic records, drainage, construction method statement).
- 1.4.3 There is a second extant permission for the demolition of the Hall and the development of a block of 9 residential units, granted at planning committee in early 2015. This permission did not restrict the routing of traffic from the development to the 'front' drive, i.e. it allowed for use of both the 'front' and 'rear' drives to the main highway network, with a requirement in condition 12 to provide additional passing bays along the front drive to the B5429.
- 1.4.4 The applicant's agent has referred to a July 2006 permission for the conversion of the Hall to 20 flats, and the conclusions of an appeal Inspector's decision on an appeal against conditions imposed by the Council relating to the use of the front and rear access tracks. The Inspector concluded that it was likely that as the front drive was likely to take the majority of traffic from that development, and there would be no material increase of use of the on the back drive, the use of both drives would be acceptable by residents.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 Condition 12 was included on the July 2016 permission following a request from the Local Member to consider the concerns of local residents over the highway implications of an 11 dwelling scheme.

2. **DETAILS OF PLANNING HISTORY:**

Recent history

16/2006/0872

Conversion and alteration of existing flats and restaurant to 20 self contained flats and construction of associated parking areas

Granted at Committee. Decision dated 10/10/2006 subject to conditions

Subsequent appeal against conditions 6 and 9 upheld 30/07/2007

16/2014/1020

Demolition of Llanbedr Hall and the erection of 9 three-storey dwellings and associated works

Granted at Committee. Decision dated 21/01/2015 subject to conditions

16/2016/0545

Demolition of Llanbedr Hall and the erection of 11 three-storey dwellings and associated works

Granted at Committee. Decision dated 27/07/2016 subject to conditions

Condition 12 is the subject of this application and is quoted in full in paragraph 1.1.2 of the report.

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan

Policy RD1 – Sustainable development and good standard design

Policy ASA3 - Parking Standards

3.2 Government Policy / Guidance

Planning Policy Wales Edition 9 2016.

Technical Advice Note 18 – Transport

Development Management Manual

Welsh Government Circulars

WGC 016/2014 - The use of conditions in Development Management

4. **MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3).

Development Management Manual 2016 (DMM) states that material considerations 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 (DMM section 9.4).

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.

Welsh Government Circular 016/2014 is a relevant consideration on applications of this nature as it highlights specific tests Local Planning Authorities are obliged to apply in relation to the imposition of planning conditions. The basis is that conditions should only be imposed where they satisfy tests to determine that they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. These remain important criteria to be addressed on applications for variation or deletion of conditions.

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

4.1.1 Highways implications

In relation to the main planning considerations:

4.1.2 Highways implications

Policies and guidance

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. The policy relates to development proposals within development boundaries but the tests are applicable as material to the consideration of schemes in all locations.

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 Section 8 of Planning Policy Wales –(Transport), the Development Management Manual and TAN 18 – Transport, in support of sustainable development. The tests to be applied to the imposition of planning conditions, as set out in Welsh Government Circular 016/2014 are referred to above.

4.1.3 Clarification of what is being applied for

The development to which the variation to condition application relates is the July 2016 permission for the demolition of Llanbedr Hall and the erection of 11 three storey residential units. The application did not seek to restrict vehicular access to residents of the new development to what is referred to as the 'front' drive, allowing continued use of the 'back' drive to Lon Cae Glas.

Condition 12 was imposed following consideration of the highway implications - including strong local objection from the Community Council and local residents. The requirement of Condition 12 is that the formal approval of the Council is obtained to a means of restricting vehicular access for residents of the 11 units to the 'front' drive to the B5429.

The application to be determined seeks to amend the wording of condition 12 by removing the requirement to restrict vehicular access for residents to the 'front' drive, hence allowing residents to access the development from either drive serving the

complex.

Representations

There are representations from the Community Council and local residents opposing the variation to condition 12. The basis of the concerns repeats those expressed in relation to the main application for the 11 residential units, in highlighting what are considered to be inadequacies in the 'rear' drive and the connecting road to the A494 (Lon Cae Glas) to accommodate additional vehicular traffic, and in particular larger vehicles. Reference is made to the narrowness of the track, a lack of passing places, dangers for all users, including at the junction with Lon Cae Glas and along the second route to the A494, Lon y Mynydd.

The Highway Officer has considered the comments made in objection alongside the arguments set out by the applicant's agent in respect of the planning history, and has no objection to the application to vary Condition 12. His conclusion is that the 9 dwelling permission granted in January 2015 with no condition imposed restricting access to the front drive is a significant consideration, and that a potential increase in vehicle movements from two dwellings on top of what was permitted under the 2015 permission, along with the improvements proposed on the front drive, would make it difficult to sustain a reason for refusal on highway grounds at any future appeal.

Assessment

Officers acknowledge there are strongly voiced objections to the variation of Condition 12. There is little dispute that there are limitations on the standard of the 'rear' drive serving the Llanbedr Hall complex, and that due regard should be given to these in weighing the issues.

As Members may appreciate from the background to the application, however, this is a case where the planning history is a relevant factor, and where due consideration has to be given to arguments which may weigh in favour of consenting to the request to vary the Condition, not least given the prospect of a subsequent appeal and the need to support a refusal with evidence to justify that stance.

Factors to weigh against consenting to the variation to Condition 12 are:

The standard of the 'rear' driveway and its capacity to deal with any additional traffic.

The report sets out the limitations of the rear drive in terms of its restricted width and passing places, its alignment and junction with Lon Cae Glas. It is argued that the rear drive is simply not suitable as an access to serve existing properties, and the Council should not allow any additional use, as would be involved in the 11 unit development.

- The standard of Lon Cae Glas and the alternative link to the A494 above the Tan yr Unto bends

Attention is drawn to the narrowness and alignment of this approach road off the trunk road, again suggesting that the opportunity should be taken to prevent use by any additional traffic from the Llanbedr Hall site.

- Increased dangers to walkers, cyclists, and children who use the 'rear' drive
It is pointed out that the rear drive contains sections of public footpath which are used regularly by pedestrians and cyclists, and that use by additional traffic would add to concerns over their safety

Factors to weigh in favour of approving the variation to condition 12 are:

- The planning permission granted at Committee in January 2015 for the demolition of the Hall and the erection of a block of 9 three storey residential units. This permission remains extant, and contains no condition restricting the routing of residents' vehicles to the 'front' drive. The development to which the current application relates is for 11 residential units on the same physical footprint as the 9 unit scheme (i.e. it is not possible to implement both permissions). It may be questionable whether the Council could sustain an argument that an additional 2 residential units would generate a significantly different level of traffic along the respective approach drives to now justify restricting movement to the 'front' drive only.
- The implications of the 2006 permission for the conversion of the Hall into 20 flats, and the Planning Inspector's conclusion on the subsequent appeal concerning the use of the respective drives
The case is of relevance insofar as the development would have permitted a total of 20 flats within the Hall, and the appeal Inspector took the view that with the proposed improvements to the front drive, it was likely that this would take the majority of traffic, and there would be no material increase of use of the tortuous back drive. The appeal Inspector concluded that the use of both drives would be acceptable by residents. Even if Condition 12 were to be varied as proposed, its wording still includes the requirement to seek approval of details of additional passing bays along the 'front' drive to the B5429, which would seem to support the conclusion of the appeal Inspector that with improvements, it is still likely that most residents to the development would seek to access the site from the 'front' drive, placing limited if any additional pressure on the 'rear' drive.
- There is a separate condition on the July 2016 permission for the 11 unit development requiring approval of a Construction Environmental Management Plan in connection with the development (Number 10).
The applicants have already sought and obtained approval of arrangements which will restrict routing of construction vehicles for the development to the 'front' drive to the B5429. These have been accepted by the Highways Officer and would preclude construction vehicles from using the 'rear' drive. There are consequently no implications on the 'rear' drive from the passage of construction vehicles in relation to the consented 11 unit development.

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5 .SUMMARY AND CONCLUSIONS:

5.1 The application raises difficult issues and there are arguments of substance both against and in favour of consenting to the variation of Condition 12.

5.2 In Officers' opinion, the basis of objections are understandable and well reasoned. However, it is apparent that this is a case where the planning background has to be afforded due weight, and on scrutiny it is considered this offers limited support for a refusal of the variation of Condition 12.

5.3 Officers' recommendation to approve the variation to Condition 12 is based primarily on:

- the existence of the January 2015 permission for the 9 living units on the Llanbedr Hall site, which contains no restriction on the use of the 'front' or 'rear' drives. It may be difficult to sustain an argument that an additional 2 residential units on top of what was allowed with this scheme now justifies the restriction over use of the 'rear' drive. The effect of the January 2015 permission was to consent to development raising the number of properties accessing the drives to the Llanbedr Hall complex to over 40 – hence questioning the strength of case to resist use by an additional 2 properties.
- It seems reasonable to conclude in line with the 2006 appeal Inspector that like users of a 20 flat conversion at Llanbedr Hall, the residents of the approved 11 unit scheme would naturally choose to use an improved 'front' drive as the main access to the site, and that pressure on the tortuous rear drive would not be increased to a point where it would be necessary or reasonable to restrict its use.

5.4 It is not considered that the variation would give rise to unacceptable impact on highway safety on top of that which would arise from the 9 dwelling scheme approved in 2015, and it is recommended that the application is approved.

RECOMMENDATION: APPROVE VARIATION TO CONDITION 12 –

Condition 12 of Planning permission 16/2016/0545 is therefore revised as follows:

'No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailed arrangements for the provision of additional passing bays along the access road from the site to the B5429. None of the dwellings shall be permitted to be occupied until the arrangements under this condition have been completed, and the arrangements shall be maintained as approved at all times thereafter'

NOTES TO APPLICANT:

You should contact the Highway Section of the Council to discuss the detailing of the passing places along the front drive prior to submission of any detailed plans in connection with Condition 12.

Agenda Item 7

WARD : Trefnant

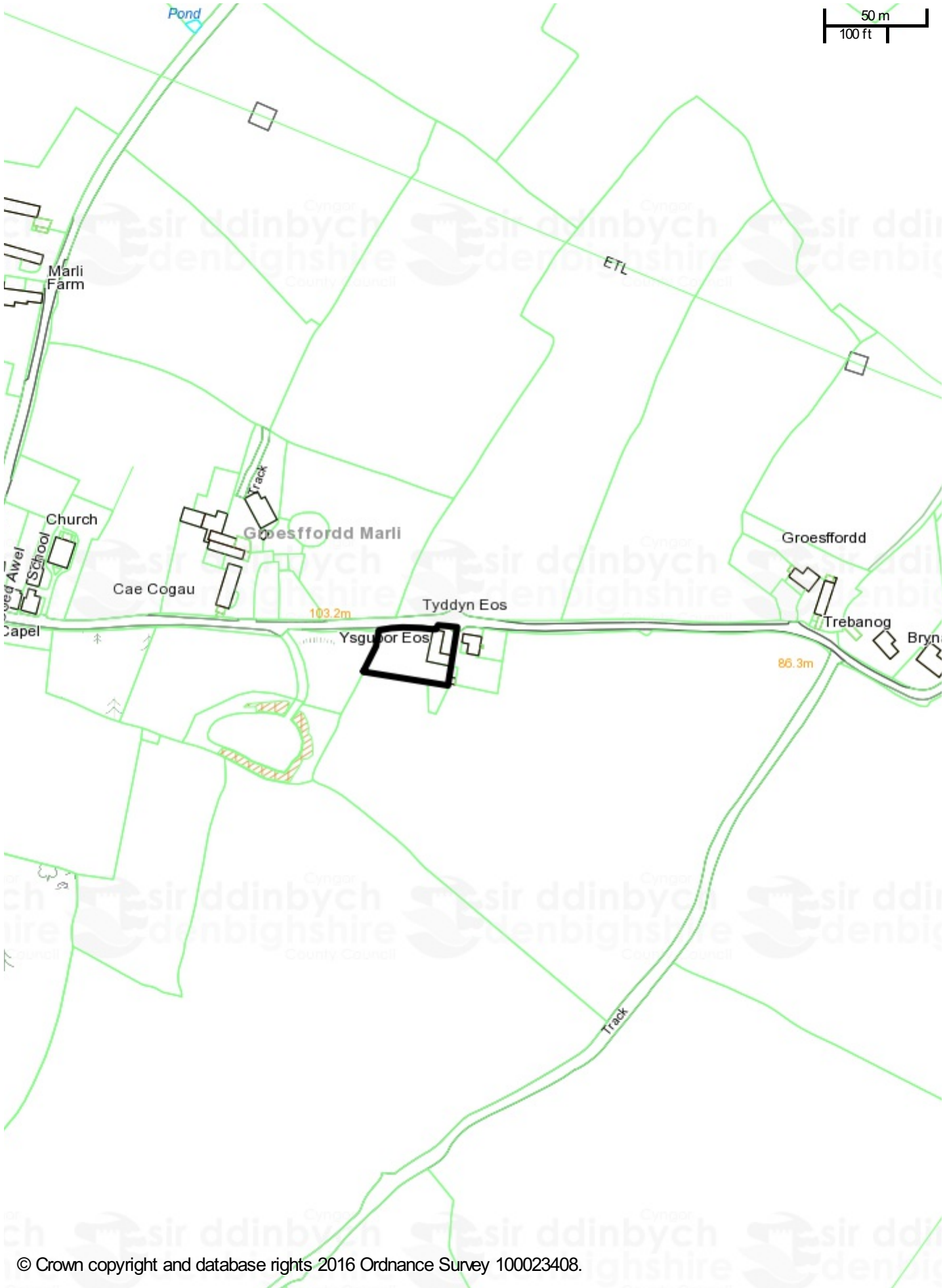
WARD MEMBER(S): Cllr Meirick Lloyd Davies (c)

APPLICATION NO: 31/2016/1003/ PF

PROPOSAL: Conversion of outbuilding to form 1 no. dwelling
(amended design to that previously approved under
code no. 31/2005/1468)

LOCATION: Outbuilding At Tyddyn Eos Groesffordd Marli
Abergele

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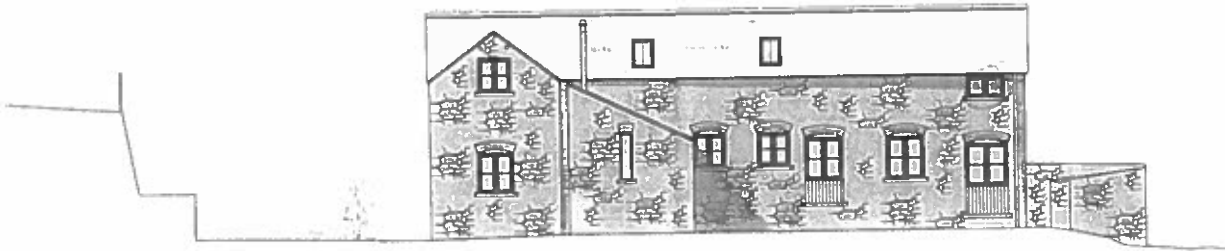


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31/2016/1003/PF

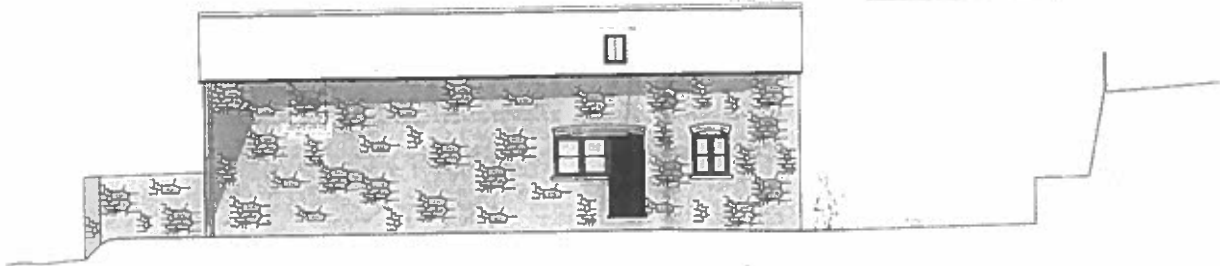
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Proposed Front Elevation

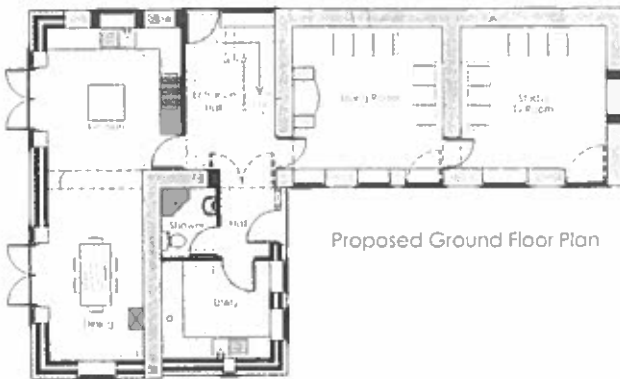
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1. Roof
 Welsh slate to match existing
 2. Windows
 conservation roof lights
 painted timber windows
 3. Walls
 Natural Stone



Proposed Rear Elevation

12 OCT 2016

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Drawn by: [illegible]	Checked by: [illegible]	Scale: [illegible]

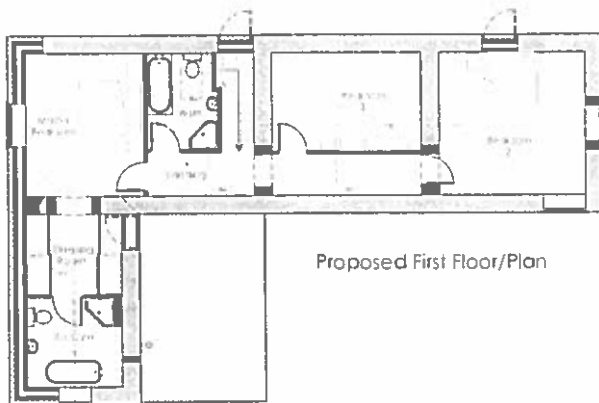


Proposed Ground Floor Plan



Proposed Side Elevation

- Material Finishes
1. Roof
 Welsh slate to match existing
 2. Windows
 conservation roof lights
 painted timber windows
 3. Walls
 Natural Stone



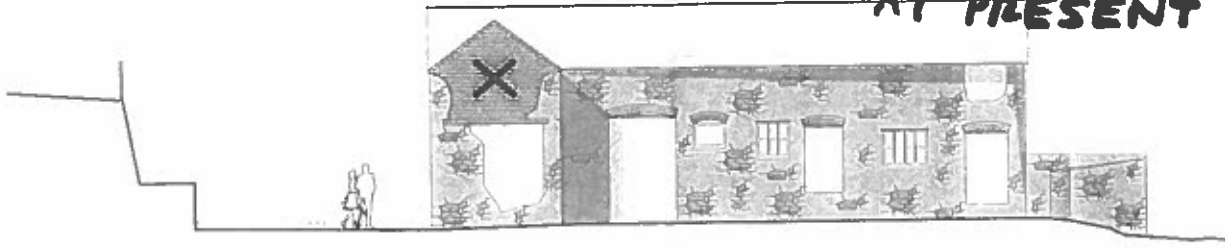
Proposed First Floor/Plan



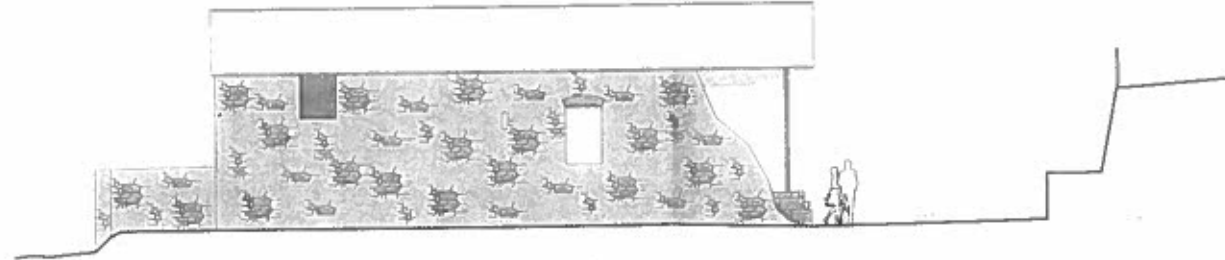
Proposed Side Elevation

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Drawn by: [illegible]	Checked by: [illegible]	Scale: [illegible]

**CURRENT APPLICATION
- BUILDINGS AS
AT PRESENT**



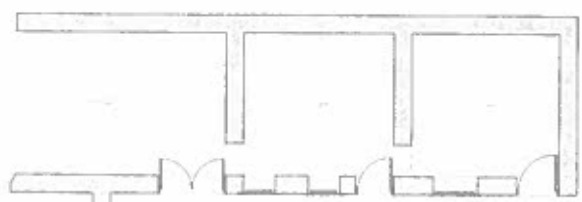
Existing Front Elevation



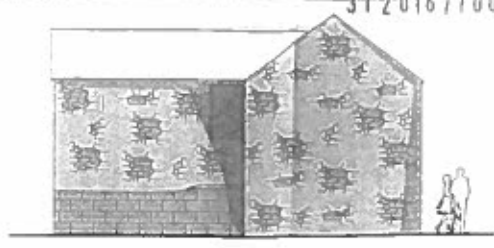
Existing Rear Elevation

12 OCT 2016

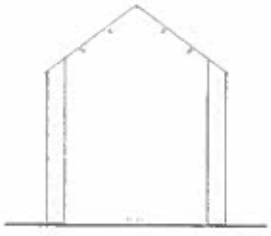
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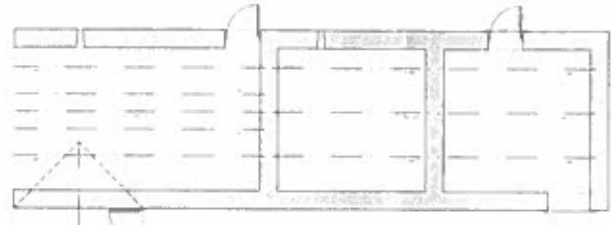
Existing Ground Floor Plan



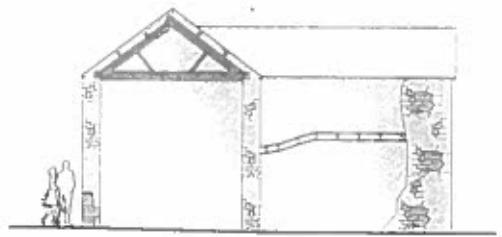
Existing Side Elevation



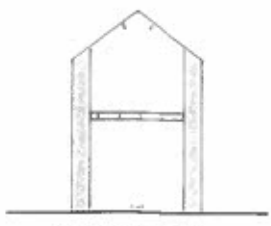
Section Through



Existing First Floor/Void Plan



Existing Side Elevation

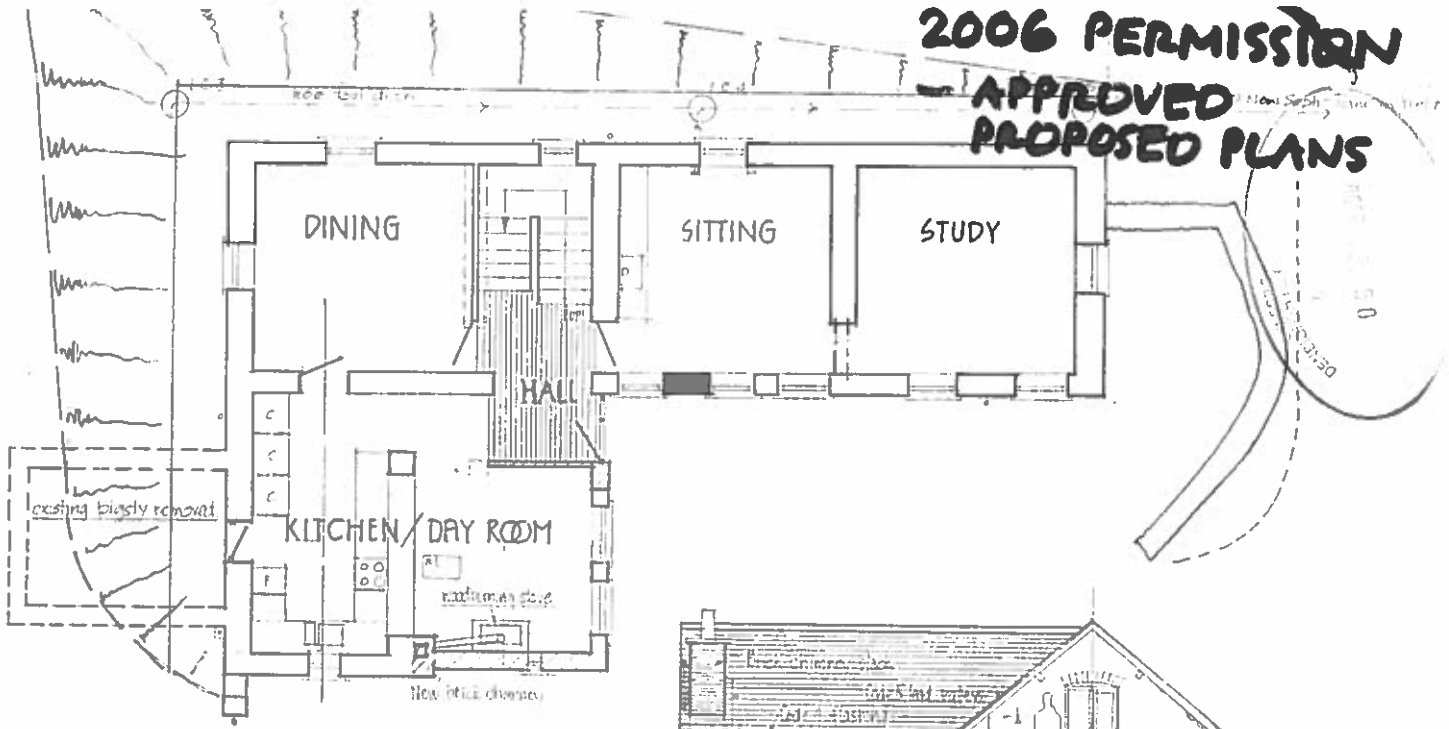


Section Through

12 OCT 2016

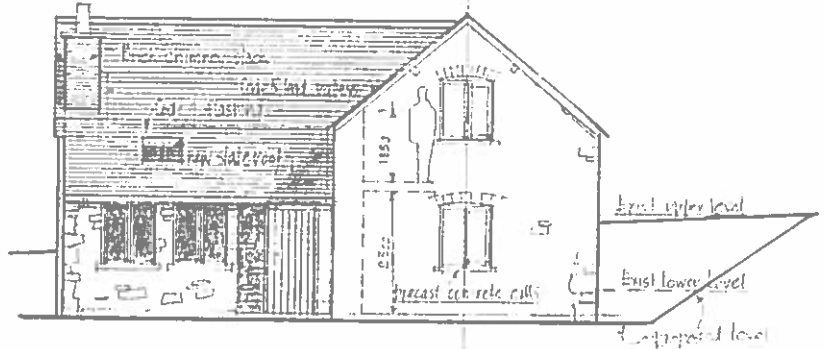
<p>312016/1003/PF</p>	<p>01 Building Construction & Infrastructure 02 Architecture 03 Existing Civils Documents</p>	<p>04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100</p>	<p>01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100</p>
	<p>01 Building Construction & Infrastructure 02 Architecture 03 Existing Civils Documents</p>	<p>04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100</p>	

**2006 PERMISSION
APPROVED
PROPOSED PLANS**

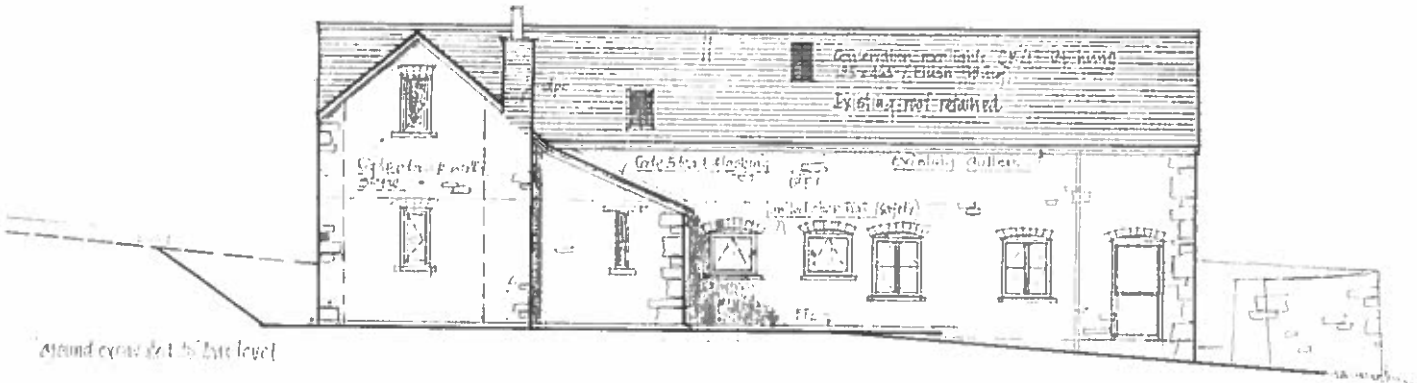


GROUND FLOOR PLAN · 1:100

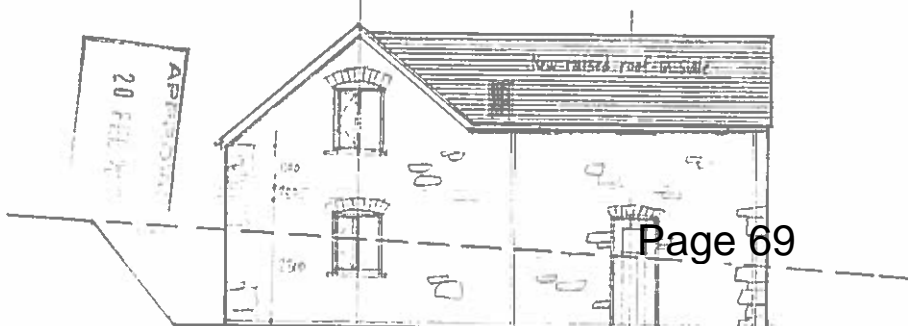
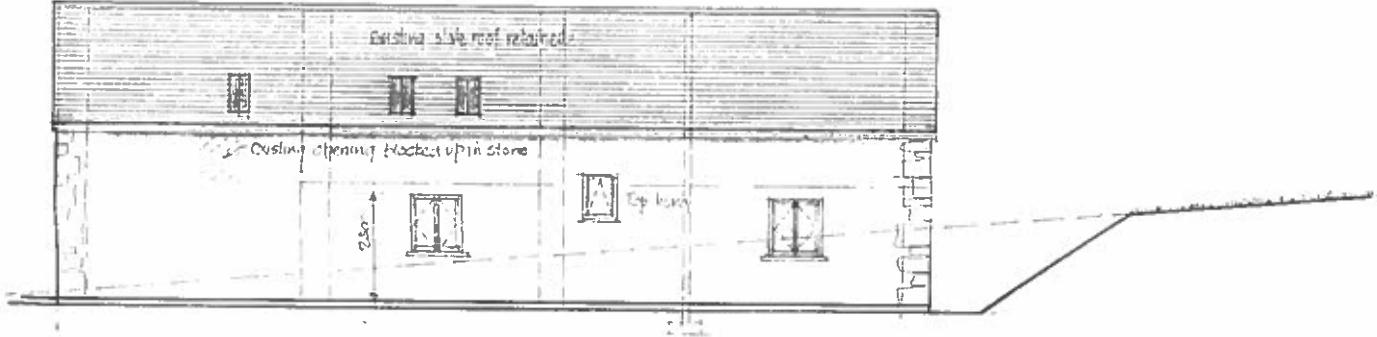
New windows: Incorporated in the new window openings are generally double opening casements to comply with U 1.1 of 6 figs draught sealed, double glazed with low E glass (internal) and with 800mm trickle vents (updraft vents) frost free cills, 100mm on floor, weathered and finished. New steel timber frame notes and throughout.



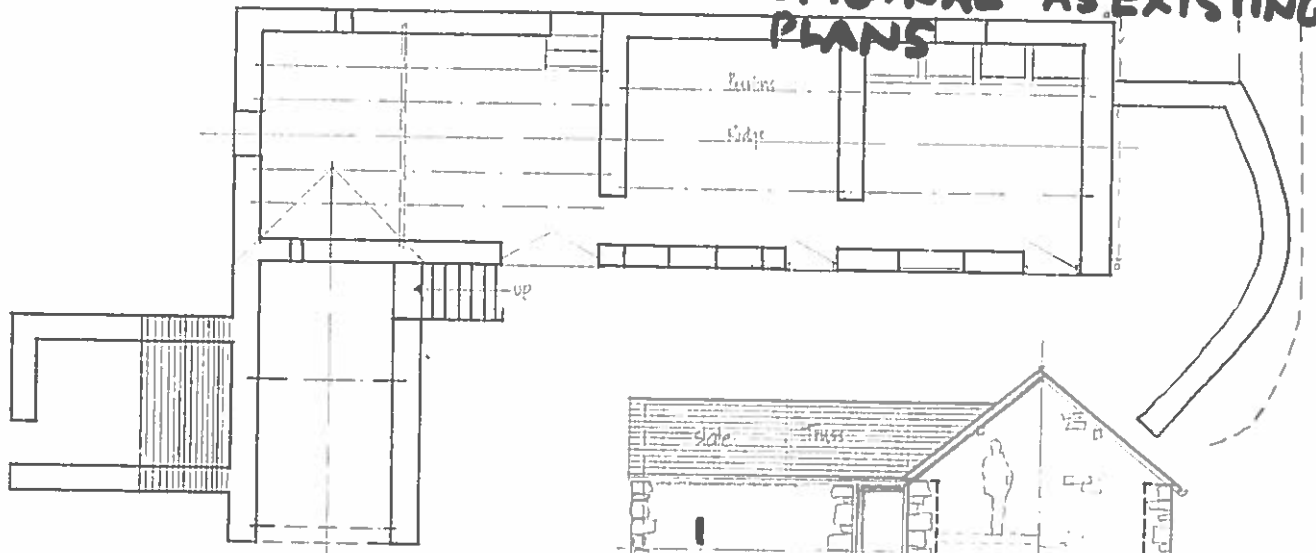
NORTH



Ground level set to base level



2006 PERMISSION
 - ORIGINAL 'AS EXISTING'
 PLANS

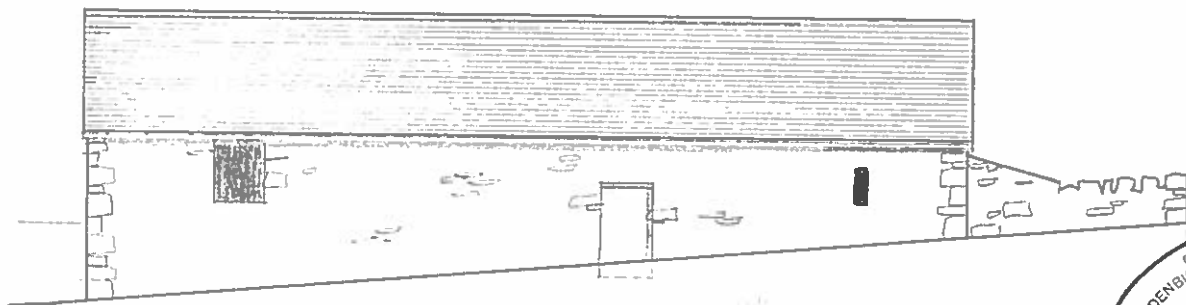


PLAN · 1:100
 AS EXISTING · SEPT.05

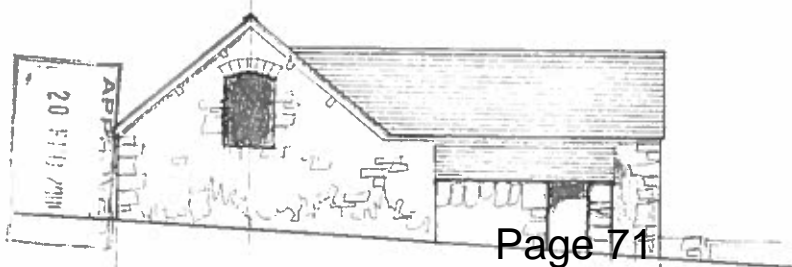
SECTION/NORTH ELEVATION



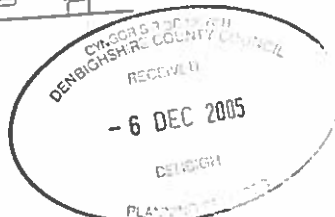
EAST



WEST



SOUTH



REDUNDANT OUTBUILDING
 AT TYDDYN EOS · GROESFFORD
 MARLI · CEFNMEIRIADOG
 AS EXISTING 10/05

WARD : Trefnant

WARD MEMBER(S): Cllr Meirick Lloyd Davies (c)

APPLICATION NO: 31/2016/1003/ PF

PROPOSAL: Conversion of outbuilding to form 1 no. dwelling (amended design to that previously approved under code no. 31/2005/1468)

LOCATION: Outbuilding At Tyddyn Eos Groesffordd Marli Abergele

APPLICANT: Mr A Pierce

CONSTRAINTS: None

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

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

CONSULTATION RESPONSES:

CEFN MEIRIADOG COMMUNITY COUNCIL:

"It is the opinion of the council that the design of the plans of the original application should be adhered to. Therefore the proposed revision should not be approved.

The community council notes that building work has been on this site for many years and that it is important that the project is completed".

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
None.

RESPONSE TO PUBLICITY: None

EXPIRY DATE OF APPLICATION: 25/12/2016

REASONS FOR DELAY IN DECISION (where applicable):

Delayed for consideration at Planning Committee.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for an amended scheme of conversion of an outbuilding to form a dwelling at Tyddyn Eos, Groesffordd Marli.
- 1.1.2 The original scheme of conversion was approved under code no. 31/2005/1468 in 2006. It was commenced around 2010, however it is not possible to implement the scheme as approved owing to structural issues arising.
- 1.1.3 The main changes from the original scheme are:
- Rebuilding of the south and part of the east elevations.
 - Alterations to openings (two new openings, three enlarged openings, one removed opening)
 - Installation of a flue rather than a solid brick chimney.
 - Alterations internally to change layout of the dwelling.

1.1.4 The scheme of conversion would create a dwelling with 3 bedrooms, a kitchen/diner, and living accommodation on the ground floor.

1.1.5 Access to the site would be via the existing access.

1.2 Description of site and surroundings

1.2.1 The site is located in the open countryside on the eastern approach to Cefn Meiriadog village.

1.2.2 The site comprises of the dwelling Tyddyn Eos and the outbuilding on its western side.

1.2.3 The agricultural use on the site appears to have ceased with the commencement of the conversion of the outbuilding.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located in 'open countryside' as defined by the Local Development Plan.

1.4 Relevant planning history

1.4.1 As mentioned above planning permission was granted for the original conversion in 2006.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 In response to the comments of the Community Council the Agent has advised that the Applicant hopes to resume works once planning permission is granted.

2. DETAILS OF PLANNING HISTORY:

2.1 31/2005/1468 Conversion and extension of existing agricultural building to form dwelling and associated change of use of land to form curtilage land and installation of new septic tank. Granted under delegated powers 20/02/2006

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE 4 – Re-use and adaptation of rural buildings in open countryside

3.2 Supplementary Planning Guidance

SPG Re-use and adaptation of rural buildings

3.3 Government Policy / Guidance

Planning Policy Wales Edition 9 2016

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, December 2016 (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 3.1.3). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, towards the aim of sustainability, and be fairly and reasonably related to the development concerned. 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 (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 Employment Use Test
- 4.1.7 Local Needs Affordable Housing
- 4.1.8 Other matters Well – being of Future Generations (Wales) Act 2015

4.2 In relation to the main planning considerations:

4.2.1 Principle

LDP Policy PSE 4 Re-use and adaptation of rural buildings in open countryside allows for conversions subject to the assessment of detailed impacts set out in the following paragraphs.

It is also noted that the principle of the conversion of the outbuilding has been established with the original grant of planning permission in 2006. The scheme of conversion was commenced following the approval of conditions in 2010. However there are difficulties implementing the permission as approved owing to the loss of the south and part of the east elevation.

The Community Council have objected to the development on the basis that a departure from the original plans should not be permitted and concerns over the amount of time taken to develop the site. With respect to their concerns, the end product of the conversion will be almost identical to the approved scheme, albeit with some changes to the fenestration. As mentioned above the scheme of conversion cannot be implemented now owing to the loss of the end and part of the side elevations. The majority of the original will remain hence it is considered reasonable to approve permission and enable development to proceed. Cllrs will recall that similar situations have arisen on conversions in Llanellidan and Rhualt in the past where significantly more of the outbuildings had collapsed, hence Officers are taking the steer from these decisions and supporting the proposal.

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 repeated in Policy PSE 4 which requires conversion schemes to make a positive contribution to the landscape.

The application proposes minimal changes to the external alterations to the original conversion. Although walls would be rebuilt on the end and side elevations the resulting dwelling would appear almost as approved. The main changes relate primarily to fenestration and the site layout remains as approved in 2006.

It is considered that the proposed amended scheme would not impact negatively on the appearance of the building. The proposal is considered acceptable regarding its impact upon visual amenity and the planning policies above.

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. Further guidance on the acceptability of a proposal in terms of the amenity it would provide for occupants is contained in Supplementary Planning Guidance Note 7, Residential Space Standards.

The nearest dwelling to the site is the existing house at Tyddyn Eos. The general arrangement of the site is not proposed to change.

The principle of the conversion of an outbuilding to a dwelling adjacent to Tyddyn Eos is established and was deemed acceptable previously. There would be no policy conflicts in relation to residential amenity.

4.2.4 Ecology

Policy VOE 1 seeks to ensure that wildlife and bio-diversity are not negatively affected as a result of development.

No surveys have been submitted as the building is partially complete and open to the elements where there would be limited use by protected species.

Owing to the nature of the development it is considered that the ecological impacts of the proposal are acceptable.

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 reflects general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The proposal utilises an existing access and no alterations are proposed. The submitted site layout shows a large area allocated for parking and turning.

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 Employment Use Test

Policy PSE 4 permits conversions of rural buildings to dwelling houses where it is demonstrated that there are no viable alternative employment uses.

No employment test has been provided as the principle of the development has been established and planning permission was commenced.

Officers accept that in this instance an employment test is not deemed necessary owing to the existence of the original planning permission.

4.2.7 Affordable Local Needs Housing

Policy PSE 4 states that where it is accepted that there is no commercial use viable for a rural building it may be converted to a dwelling, but that dwelling must be affordable for local needs.

No affordable housing information has been provided as the principle of the development has been established and planning permission was commenced.

Officers accept that in this instance the development is not required to be affordable for local needs owing to the existence of the original planning permission.

4.2.6 Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed

4 SUMMARY AND CONCLUSIONS:

5.1 This report attempts to highlight the specific issues arising with regard to Policy PSE 4. It acknowledges the basis of the policy, but that there are other material considerations relating to this application which must be taken into account alongside the employment test and need to provide affordable dwellings in the open countryside.

5.2 Permission was granted in 2006 and commenced in 2010. The changes necessary to complete the conversion are not significant therefore the fall-back position is a significant consideration, hence Officers recommend that permission be granted.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 11th January 2022.
2. The development hereby permitted shall be carried out in accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Existing elevations (Drawing No. SU02) received 12 October 2016
 - (ii) Existing floor plans and elevations (Drawing No. SU01) received 12 October 2016
 - (iii) Proposed elevations (Drawing No. PL02) received 12 October 2016
 - (iv) Proposed elevations and floor plans (Drawing No. PL01) received 12 October 2016
 - (v) Existing site plan (Drawing No. SU03) received 12 October 2016
 - (vi) Proposed site plan (Drawing No. PL03) received 12 October 2016
 - (vii) Location plan received 12 October 2016

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.

NOTES TO APPLICANT:

None

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Agenda Item 8

WARD : Bodelwyddan

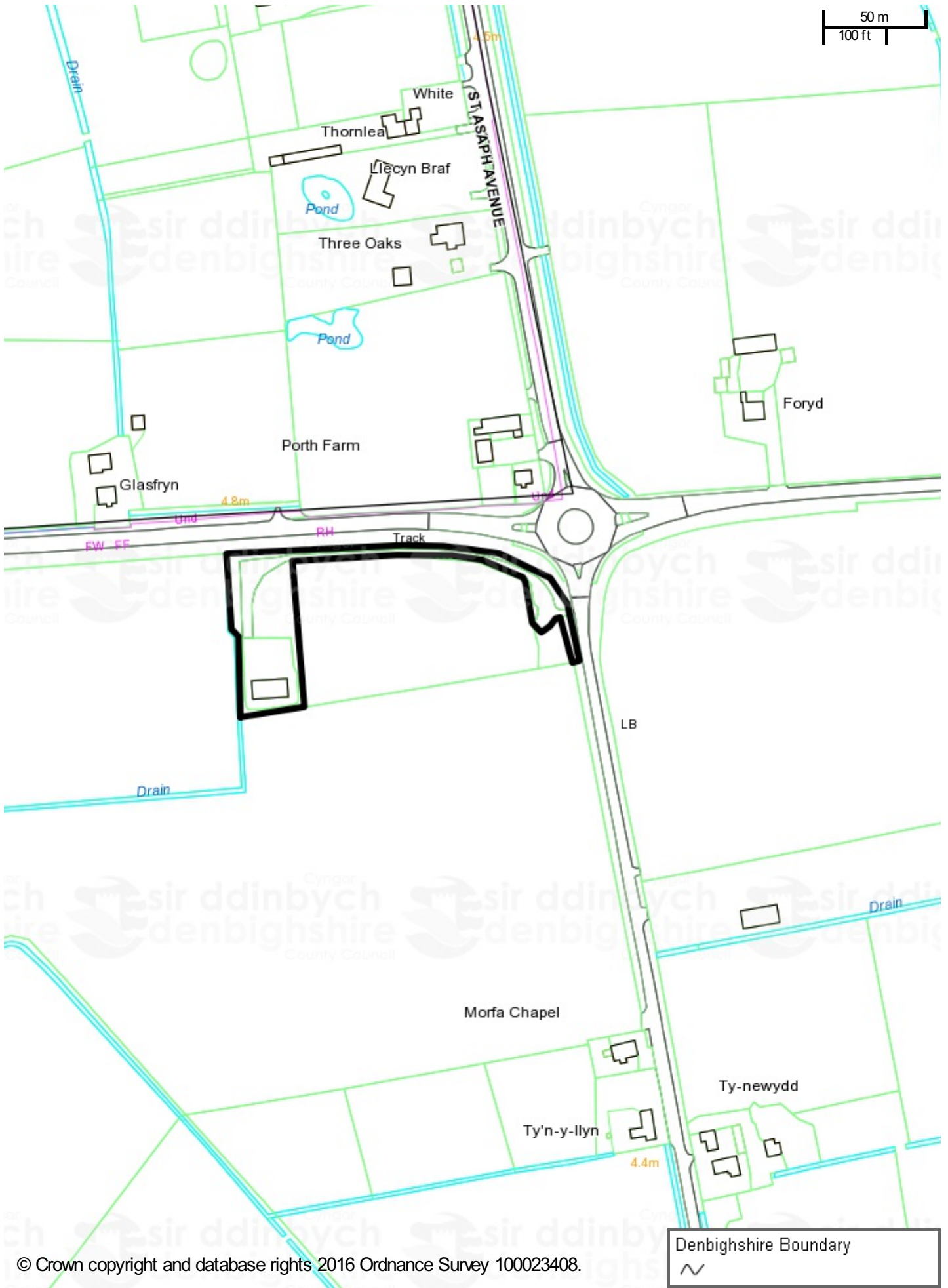
WARD MEMBER: Councillor Alice Jones (c)

APPLICATION NO: 40/2016/0256/PC

PROPOSAL: Retention of and change of use of agricultural building to allow wood processing and use of yard for wood storage (Retrospective Application)

LOCATION: Fields South-West Of Borth Crossroads Abergele

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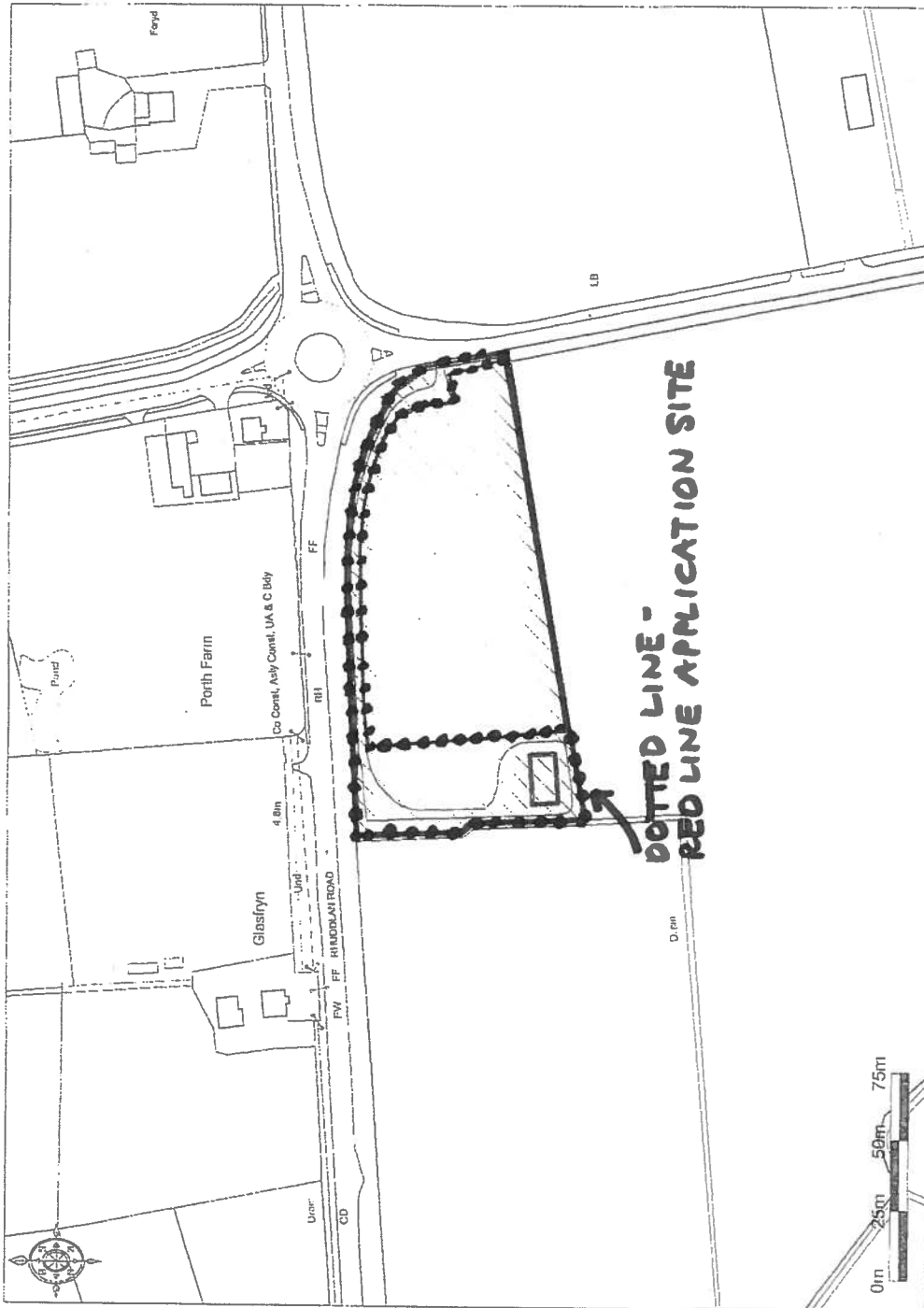
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Denbighshire Boundary



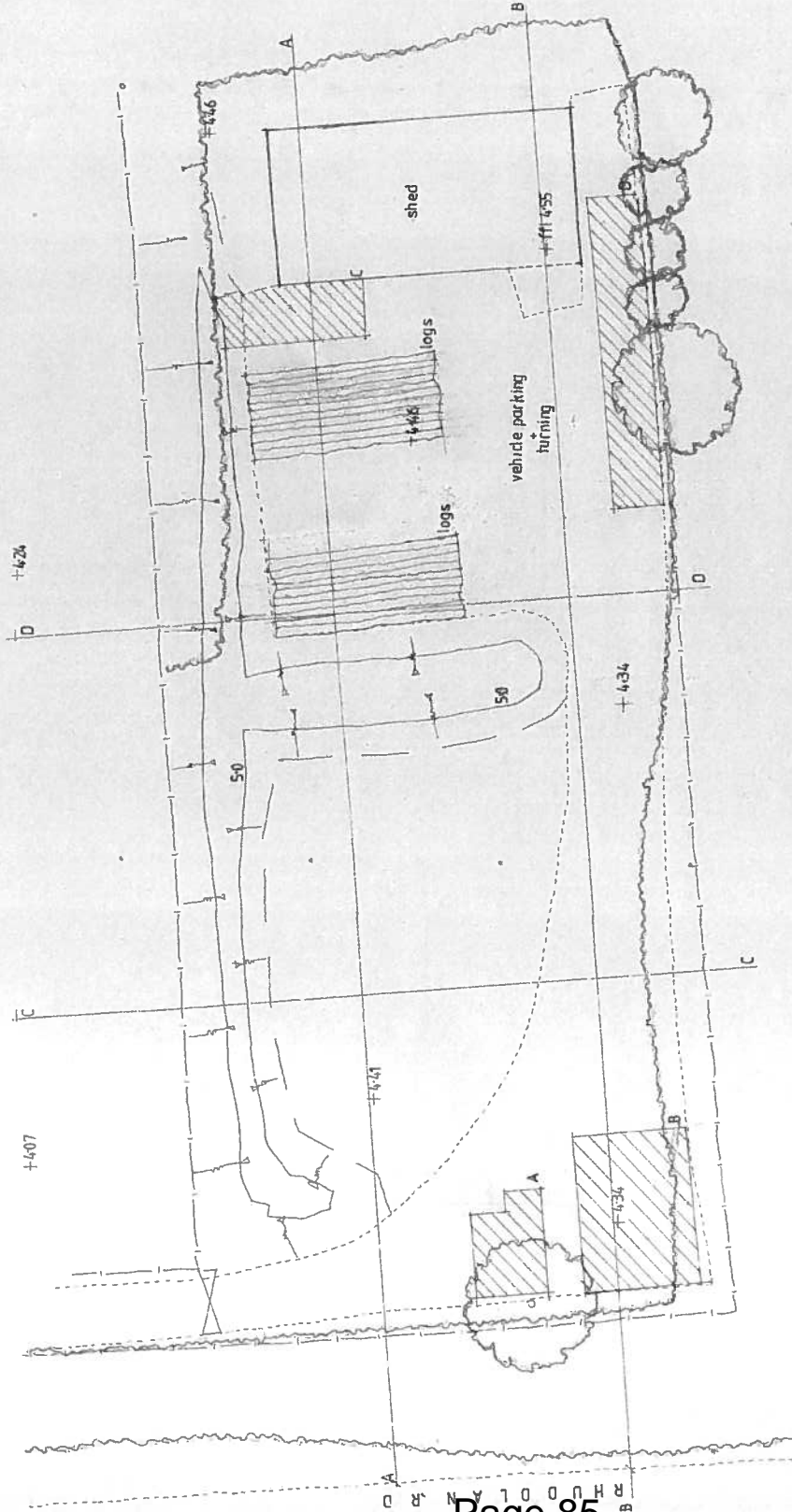



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Promap

SITE PLAN

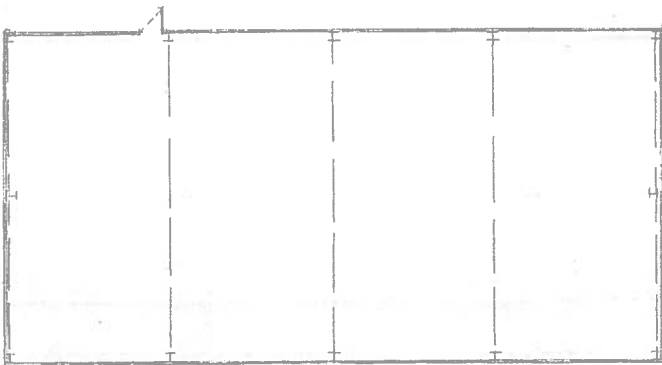
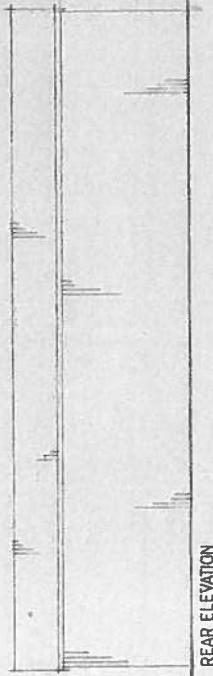
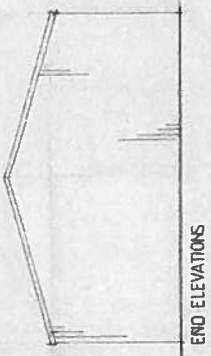
PROPOSED CHANGE OF USE
LAND ADJACENT TO
BORTH CROSS ROADS
ABERGELE
SITE PLAN
SCALE 1:200 PRINT A2
NORTH →



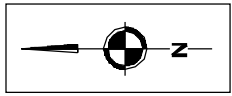
A BAGS OF LOGS 1500 H441
B CLOSURE OF LOGS 1500 H441
C BAGS OF LOGS 1500 H441
D MIXTURE OF PAVING, CURBS AND LOGS 1500 H441

MAIN BUILDING

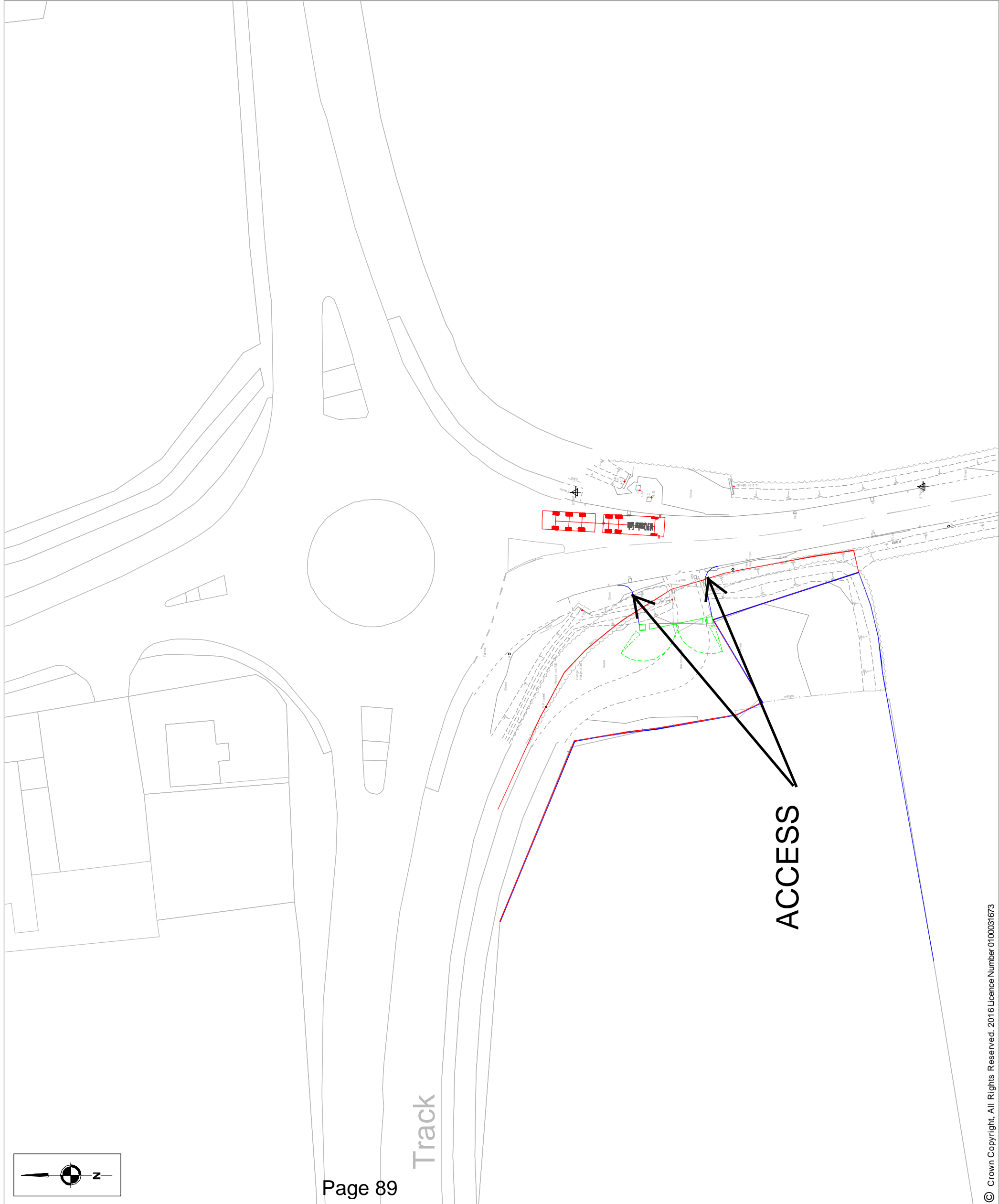
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LAND ADJACENT TO
BORTH CROSS ROADS
ABERGELE
SHEET
SCALE 1:100 PRINT A2



PLAN

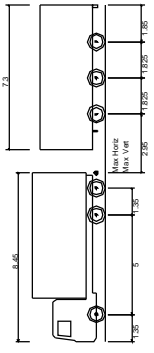


Track



NOTES

DESIGN VEHICLES



- 16.9 Drawbar Train
- Overall Length 16.90m
- Overall Width 2.55m
- Min Body Height 3.54m
- Min Body Ground Clearance 0.346m
- Max Height 2.55m
- Lock to Lock 4.00m
- Curb to Curb Turning Radius 10.00m

REVISIONS

REV	DESCRIPTION	DATE	BY
-	-	-	-



Transportation Planning : Infrastructure Design
 Colwyn Chambers, 18 York Street, Manchester, M2 3SA, Tel 0161 832 4400,
 WWW.scptransport.co.uk, Email info@scptransport.co.uk

Client Name:

PWR PROPERTIES LTD

Project Title:

PROPOSED CHANGE OF USE, BORTH CROSSROADS, ABERGELE

Drawing Title:

SWEEP PATH ANALYSIS PLAN - INCLUDING FULL ROUNDABOUT VIEW

Drawn By:

LK

Date:

OCT 16

Checked:

-

Scale:

1:500 @ A3

Status:

PLANNING

Approved/Unapproved:

-

Drawing No.

SCP/16260/ATR02

Rev.

-

WARD : Bodelwyddan

WARD MEMBER: Councillor Alice Jones (c)

APPLICATION NO: 40/2016/0256/PC

PROPOSAL: Retention of and change of use of agricultural building to allow wood processing and use of yard for wood storage (Retrospective Application)

LOCATION: Fields South-West Of Borth Crossroads Abergele

APPLICANT: Mrs Penny Broadway PWR Properties

CONSTRAINTS: C1 Flood Zone

PUBLICITY UNDERTAKEN: Site Notice – Yes
Press Notice – No
Neighbour letters – Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Member referral

CONSULTATION RESPONSES:

BODELWYDDAN TOWN COUNCIL –

Original response

“The Town Council objects to this application for the following reasons. The access and egress on the highway is very close to the roundabout and the creation of a recess and other measures still does not make this a safe place for vehicle movements. The activity affects the residential amenity of the area and the neighbouring properties.”

No response to re-consultation undertaken at the time of drafting this report.

NATURAL RESOURCES WALES –

No objection. Note that the site is within zone C1 as per the Development Advice maps accompanying TAN15 and tend to agree with the content of the FCA in that it has identified the potential sources of flood risk to the site. No indication on flood depths, etc, have been produced and it is suggested that in preparing the FCA reference should have been made to a Coastal flood risk study undertaken by Conwy County Borough Council.

CONWY CBC

No objection subject to restrictions on hours of use and all wood processing to be undertaken inside the building.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

PUBLIC PROTECTION OFFICER (NOISE AND POLLUTION) –

Notes the findings of the submitted noise assessment and raises no objection to the scheme on this basis, subject to conditions to address (i) the hours of operation which should be limited to 0900 hours to 1700 hours Monday to Friday and 0900 hours to midday on Saturday with no working on Sundays or Bank Holidays as per the noise assessment document; and (ii) the processing of the timber shall only take place within the building.

It is further suggested that notes to the applicant should be included to ensure that: the chainsaw used to “trim up” the logs should be battery operated not the petrol unit as pictured in the noise report or the noise will be louder than stated in the report; the doors of the processing building should remain closed during the processing of timber whenever practically possible; and the reversing beepers of the on-site fork lift truck should be of the white noise variety only.

HIGHWAY OFFICER

Due consideration needs to be given to provision for safe access for a range of users together with adequate marking, services and manoeuvring space; and the consideration of the impact of development on the local highway network.

Having further evaluated the submitted details and the amended swept path analysis plans which includes the full roundabout view, it is clear from the documents that if a 16.9m drawbar HGV is waiting to turn right and is behind another vehicle accessing the site, the drawbar HGV will extend into the path of vehicles using the roundabout. Its position on the roundabout will be sideways onto oncoming vehicles which will create a danger to all users of the highway.

Referring to the swept path analysis plans it is clear that most vehicles entering and the leaving the site will have to utilise the whole carriageway of the highway, close to a busy roundabout, increasing the conflict of traffic movements close to a junction resulting in additional danger to all users of the highway.

Given the above, the Highway Authority consider that the use would have a detrimental impact on highway safety and therefore does not support the application.

Having regard to the information contained within the revised application, the Highway Authority are of the opinion that the use of the access into and from the site for the use applied for, in close proximity to the adjacent A547 roundabout, would have adverse impact on highway safety. Given the limited distance from the access to the nearby roundabout the application fails to demonstrate how the use of the access would not hamper the free flow of traffic on the highway.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

- i) The RT Hon David Jones MP/AS
- ii) Mrs M Jones, Foryd
- iii) Mr and Mrs Jones, Llecyn Braf
- iv) R & O Lloyd, Glasfryn
- v) Mrs D Rodwell, Porth Farm
- vi) Lynn Jones, Pen-y-Bont Cottage
- vii) Mr & Mrs Labban, Tyn-y-Llyn
- viii) Ester Tedeschi, Three Oaks
- ix) Peter Derbyshire, Morfa Chapel
- x) James and Jacqueline Cuthill, Ty Newydd, Borth Crossroads

Summary of planning based representations in objection:

- i) Inappropriate industrial/commercial development in a rural area;
- ii) Noise pollution including existing problems from the use which has commenced;
- iii) Detrimental impact on road safety;
- iv) Previous reasons for refusal remain valid;
- v) Loss of agricultural land
- vi) Drainage concerns

EXPIRY DATE OF APPLICATION: 05/05/2016

REASONS FOR DELAY IN DECISION (where applicable):

- Submission of additional information
- Ongoing discussions relating to highways.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Members may recall the consideration of this application was deferred at the 14th September 2016 meeting of the Committee to allow opportunity to seek further information from the applicant.

The application was subject to a Site Inspection Panel meeting at 8.30am on Monday 12th September 2016.

In attendance were:

CHAIR – Councillor R. Bartley

VICE CHAIR – Councillor B.Cowie

LOCAL MEMBER(S) – Councillor A. Jones

GROUP MEMBERS –

Conservative group – Not represented

Independent group – Not represented

Labour group – Not represented

Plaid Cymru Group – Councillor A.Roberts

COMMUNITY COUNCIL – Councillor L.Daintree

The Officers present were Paul Mead and Gail McEvoy.

The reason for calling the site panel was to enable Members to view the access/egress into the site, the proximity of nearby properties and the use of the site and surroundings.

At the Site Inspection panel meeting Members considered the following matters:

1. The existing use of the land as a wood processing and storage place.
2. The access/egress into the site.

In relation to the matters outlined above:

1. Members noted that the building associated with the wood processing was screened from view behind high trees and hedges. The building was located some distance from the access into the site with a gravel path running east to west parallel to the main road linking the access to the building. Members noted some outside storage of unprocessed wood adjacent to the building.

Members noted that unprocessed wood is delivered to the site, it is processed within the building and then it will either be stored or taken away from the site. Members discussed the types and frequency of vehicles using the site noting the intended new width of the access and turning areas within the site.

2. Members noted the location of the existing vehicular access/egress to the site.

- 1.1.2 The application relates to the retention of and change of use of an agricultural building and the adjacent field to a wood processing business, wood storage, parking and a turning area within the field.

- 1.1.3 The use is stated on the submitted form as having commenced in April 2014 and operates from 0900 hours to 1700 hours each weekday and from 0900 hours to midday at the weekend.

- 1.1.4 The site has an area of 1.16 hectares, with the building having a floor area of 161 sqm, and the use employs one full-time member of staff and one part-time employee.

- 1.1.5 The application follows a previous refusal by the Council on 6 November 2015 of an application seeking the same basic uses on the site.
 - 1.1.6 The submission is accompanied by a Design and Access Statement, a Planning Support Statement, a Noise Assessment and a Flood Consequences Assessment.
 - 1.1.7 It is concluded in the Planning Statement that *“the proposal is an appropriate application for the re-use of a redundant rural building for a suitable business use that is suited to both the site and its setting.”* The other supporting documents provide information to assist consideration of the application, including material which seeks to address the reasons for refusal of the 2015 application.
 - 1.1.8 Additional information was sought from the applicant in relation to the size of the building and additional swept path analysis information to assist consideration of highway issues given the location of the access onto the public highway close to the roundabout with the A547.
- 1.2 Description of site and surroundings
- 1.2.1 The site is comprised primarily of an open field with an access at the eastern end approximately 30 metres south of the roundabout junction with the A547, known as Borth Crossroads.
 - 1.2.2 The field is bounded by hedges to all sides with tree planting along the road frontage to the north and contains a pre-fabricated metal clad building within its south western corner.
 - 1.2.3 There are dwellings across the road to the north and across the fields to the south, along with a number of other residential properties in the locality.
- 1.3 Relevant planning constraints/considerations
- 1.3.1 The site stands outside of any development boundary in an area without any specific designation in the Local Development Plan.
- 1.4 Relevant planning history
- 1.4.1 The site has a history of agricultural related development. See Section 2 of the report.
 - 1.4.2 The previous retrospective application to change the use from agriculture to wood processing and storage was refused in November 2015 on grounds of amenity impact, traffic and use of high quality agricultural land.
- 1.5 Developments/changes since the original submission
- 1.5.1 Further information has been submitted relating to the detailing of highway arrangements along with a change in the description of the application to include the retention of and change of use of the building, as it became apparent that the building constructed on site was a 4 bay unit, not a 3 bay unit as granted planning permission in 2007.
- 1.6 Other relevant background information
- 1.6.1 Additional information has been submitted in relation to highway detailing in response to feedback from the Highway Officer which includes amended swept path analysis plans which includes the full roundabout view.
 - 1.6.2 The applicant’s agent has forwarded additional information in relation to the business case for the development. This is set out below:
“Policy PSE 5 and its supporting paragraphs require that business development in rural areas makes a contribution to and supports the local economy, and that detail is provided *“to establish the benefits of the scheme in relation to sustaining local employment and the rural economy. The benefits could include provision of local*

employment opportunities, use of locally sustainable sources for any raw materials, scope to sell local produce, and provision of services to local communities.”

It is submitted that the business in this case is a clear example of an enterprise that makes a valuable contribution to the local economy in a number of respects. In particular it:-

- Employs a local person, with the operator of the site living locally. It is expected that any increase in employment in the future would also employ local people. Indeed, the nature of this type of business is that it will be locally based due to its fairly small scale;
- The timber that is processed on the site is sourced from local woodlands in the county and neighbouring areas. As such the business clearly sources its raw materials from the locality;
- The products provided by the enterprise are then sold locally, either directly to local private customers (by delivery from the site to customers' properties) or to local trade customers (who then sell the enterprises products to their customers). As such it is clear that the enterprise provides a service to the local community and economy, and that it also sells local products;
- Local firms are used to deliver the timber to the site. Therefore it is clear that the enterprise also supports employment in other local businesses by using their services;
- Indeed, the equipment used by the business is also sourced from local suppliers, and local companies are used for on-going servicing of the equipment. Local firms are also used for maintenance work on the building and site (such as maintenance of the building, yard, cutting of hedges etc.).

As such it is clear that the business that is the subject of this application supports local employment and the rural economy, and that it therefore clearly fits into the policy requirements of Policy PSE 5 in this respect (and indeed its other requirements as set out in the Planning Support Statement)."

A further letter has been submitted by the agent along with amended application forms reflecting the fact that the building on the site is of a different size to that consented under planning permission ref 40/2007/0448/PF. The applicant has stated that, "**retrospective consent is sought for the building as it exists although it should be noted that the building has been on site for well in excess of 4 years and images have been provided to demonstrate this.**"

2. DETAILS OF PLANNING HISTORY:

2.1 40/2003/1126 - Erection of agricultural building: Refused 18/03/2004.

2.2 40/2004/0807 - Erection of agricultural building: Granted 22/09/2004.

2.3 40/2006/0577 - Details of external wall and roof materials submitted in accordance with condition no. 2 of planning permission code no. 40/2004/0807/PF: Granted 11/05/2006.

2.4 40/2007/0448 - Retention of agricultural building and access track, hard-standing and bund: Granted 11/05/2007.

2.5 40/2011/1159 - Erection of an agricultural building for storage of hay and silage: Granted 18/11/2011. Condition 2 of this consent reads as follows:

"The building hereby permitted shall be used for agricultural purposes. Should the use of the building for agricultural purposes cease the building shall be removed from the site.

Reason: The building is located in the open countryside where rural restraints policies exist, the permission has been granted on the basis of a need existing for the building."

2.6 40/2015/0869 – Change of use from agriculture to wood processing and storage (retrospective application): Refused 06/11/2015 for the following three reasons:

1. *The change of use proposed is contrary to Paragraphs 3.1.4 and 3.1.7 of Planning Policy Wales 7 due to the adverse impact on the neighbourhood via a loss of amenity from the noise and disturbance emanating from the wood processing business and its associated yard area.*
2. *The submitted application fails to demonstrate that the increased traffic generation from the proposed use would not have an adverse impact on highway safety due to the location of the access close by to the road junction, and accordingly the scheme is contrary to Paragraph 3.1.4 of Planning Policy Wales 7.*
3. *The proposal involves development of an area of high quality agricultural land within the grades considered as 'best and most versatile' in Paragraph 4.10.1 of Planning Policy Wales, Edition 7 which Welsh Government considers is of special importance and should be conserved as a finite resource for the future. Paragraph 4.10.1 requires Local Planning Authorities to give considerable weight to protecting such land from development, and outlines considerations to be applied to proposals when determining applications. In this case, the Local Planning Authority do not consider the application demonstrates that the use cannot be met on either previously developed land or on land in lower agricultural grades in the area, or that the application site is the most appropriate for the development, and the proposals are considered to be in conflict with the requirements of 4.10.1 of Planning Policy Wales Edition 7.*

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE4 – Re-use and adaptation of rural buildings in open countryside

Policy PSE5 – Rural economy

3.1 Supplementary Planning Guidance

SPG – Re-use and adaptation of rural buildings

3.2 Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

Technical Advice Notes

TAN 18

4 MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4). Development Management Manual 2016 states that material considerations 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 (DMM section 9.4).

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 and noise
- 4.1.4 Highways (including access and parking)
- 4.1.5 Loss of agricultural land

4.2 In relation to the main planning considerations:

4.2.1 Principle

There are policies in the Local Development Plan which offer support for employment development in the open countryside, subject to tests and assessment of local impacts. The policies reflect general support in Planning Policy Wales and the strategy of the LDP for the start up and growth of local businesses.

Policy PSE 4 of the Local Development Plan establishes a presumption in favour of the conversion of rural buildings outside development boundaries for employment use.

In this regard, it is relevant to note that the existing building at the site was granted consent in November 2011 subject to the condition that it was to be utilised in connection with agricultural purposes, and that if such a need ceased then the building should be removed. Permission was only granted for the structure at that time as it was stated it was required in connection with the existing agricultural use. The short passage of time since the grant of permission for what is an agricultural building requires due caution in the application of Policy PSE4 to the merits of the current application.

Policy PSE 5 allows for 'appropriate' employment proposals for new build outside of development boundaries and outside of the AONB/AOB provided that the following criteria are met:

- i) the proposal is appropriate in scale and nature to its location; and
- ii) any suitable existing buildings are converted or re-used in preference to new build; and
- iii) proposals for new buildings are supported by an appropriate business case which demonstrates that it will support the local economy to help sustain local rural communities.

The planning statement put forward by the agent suggests that the development proposed would "make a small but valuable contribution to the local economy, both through employment on the site, and through use of local suppliers" The agent has provided additional information, referred to in 1.5.2, in relation to the business case to assist consideration in relation to Policy PSE 5, which suggests there are positive benefits arising.

In principle, therefore, Policies PSE4 and PSE 5 allow for new employment development in open countryside, subject to consideration against tests and assessment of local impacts. The local impact issues are reviewed in subsequent sections of the report.

4.2.2 Visual amenity

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest. Visual amenity impacts of a development proposal are a material consideration.

The area is reasonably well screened especially along the northern boundary where it is closest to residential properties, and the building and its use is not in itself considered to give rise to visual harm to a degree which would justify a refusal of permission.

4.2.3 Residential amenity and noise

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest. The residential amenity impacts of a development proposal are a material consideration.

Comments from the Community Council and letters of objection from nearby residential occupiers and the MP/AM refer to noise and disturbance which has occurred since the change of use took place in April 2014. These contend that the creation of a wood yard and wood processing business in this location could give rise to a level of disturbance which is detrimental to residential amenity.

The agent has submitted a noise assessment produced by Martec Ltd to seek to demonstrate that the levels of noise generated by the use are appropriate and are not detrimental to the amenity of nearby occupiers. Based on the measurements and available data, the report suggests that firewood processing noise would have a "Low Impact", which in turn indicates that consent could be granted for the development.

The Council's Pollution Control Officer has assessed the application and considers the submitted report demonstrates that the use is acceptable subject to conditions to limit the hours of use and to restrict certain activities to within the building.

In respecting the concerns of local residents, it is relevant to note that the Public Protection Officer considers on the basis of information submitted with the current application there is a basis for considering the grant of permission, subject to imposition of suitable controls / conditions. This suggests the grounds for refusal based on residential amenity may now be difficult to substantiate.

4.2.4 Highways (including access and parking)

Planning Policy Wales 3.1.4 confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest. The Highway impacts of a development proposal are a material consideration. 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 local concerns relating to the highway safety impact on the use of the site.

Highways Officers have further evaluated the submitted details and the amended swept path analysis plans which includes the full roundabout view. They indicate it is clear from the documents that if a 16.9m drawbar HGV is waiting to turn right and is behind another vehicle accessing the site, the drawbar HGV will extend into the path of vehicles using the roundabout. Its position on the roundabout will be sideways onto oncoming vehicles which will create a danger to all users of the highway.

Referring to the swept path analysis plans the Highways Officer indicates it is clear that most vehicles entering and the leaving the site will have to utilise the whole

carriageway of the highway, close to a busy roundabout, increasing the conflict of traffic movements close to a junction resulting in additional danger to all users of the highway.

Given the above the Highway Officers consider that the use would have a detrimental impact on highway safety and therefore do not support the application.

Having regard to the information contained within the revised application the Highway Officers are of the opinion that the use of the access into and from the site for the use applied for, in close proximity to the adjacent A547 roundabout, would have adverse impact on highway safety. Specifically, given the limited distance from the access to the nearby roundabout, it is considered the application fails to demonstrate how the use of the access would not hamper the free flow of traffic on the highway.

On this basis, it is considered that the submitted application fails to demonstrate that the increased traffic generation from the proposed use would not have an adverse impact on highway safety due to the location of the access close by to the road junction. This is considered a significant material consideration in the weighing up of the application.

4.2.5 Loss of agricultural land

Planning Policy Wales (Section 4.10.1) obliges considerable weight to be given to protecting land of grades 1, 2, and 3a quality in the Agricultural land Classification system of the Department for Environment, Food and Rural Affairs. This land is considered to be the best and most versatile and justifies conservation as a finite resource for the future. PPW indicates that land of this quality should only be developed if there is an overriding need for the development, and either previously developed land or land of a lower grade is available, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

The submitted planning statement suggests that a change to the red line site area to reduce the area of land associated with the use as compared to the 2015 refusal is sufficient to overcome the reason for refusal relating to loss of agricultural land. However it is acknowledged that a small loss of agricultural land will still result.

Whilst wood processing uses of the type involved here are traditionally sited in agricultural areas, in cases where land of higher agricultural grades is involved, there is inevitably a potential for conflict with advice in Planning Policy Wales in relation to the protection of such land from development. However it has to be noted that apart from the existing building on site, which it is proposed to continue using in connection with the use, the proposal involves a 'reversible' use of the remainder of the land, which could be returned to agricultural use if the wood processing business ceases to operate. These are considerations to put in the balance in weighing the merits of the application.

5 SUMMARY AND CONCLUSIONS:

- 5.1 The application relates to a use which has been operating since 2014, and which has been the subject of a refusal of permission in November 2015.
- 5.2 The submission contains information which seeks to address the substance of the grounds of refusal of the 2015 application.
- 5.3 There remain local concerns from the Community Council and private individuals over the use.

- 5.4 The Public Protection Officer suggests amenity issues have been and can be addressed and that these are now not grounds to merit a refusal recommendation.
- 5.5 The consultation response from the Highways Officer raises concerns in relation to the use of the access and considers there to be a detrimental impact on highway safety and therefore does not support the application.
- 5.6 There are positive and negative considerations to balance here. The use offers local employment benefits which are in line with the economic / regeneration strategies of the Local Development Plan and Planning Policy Wales. There are specific concerns over the highway impacts from the Highways Officer which Officers consider are of some significance, and are difficult to overlook in the weighing of the merits of the application.
- 5.7 It should be noted that the building to which this application relates has probably been in situ for over 4 years based on the Google images provided by the applicant. This means that the building itself will be beyond enforcement controls. However, should Members accept the Officers recommendation then the cessation of the unauthorised wood processing use of the building will be sought through an enforcement notice.

RECOMMENDATION: REFUSE- for the following reasons:-

The reason is:-

1. It is the opinion of the Local Planning Authority that the use of the access /egress for the Wood Processing use in close proximity to the adjacent A547 roundabout, would result in an adverse impact on highway safety. Given the limited distance from the access to the nearby roundabout it is considered the application fails to demonstrate how the use of the access by Heavy Goods Vehicles would not hamper the free flow of traffic on the highway and the proposal is therefore likely to give rise to unacceptable dangers to users of the highway. Highway impact is a material consideration in the determination of planning applications, and in respect of paragraph 3.1.4 of Planning Policy Wales 9, it is concluded that the effects of the proposal on the locality would be unacceptable.

Agenda Item 9

WARD : Prestatyn East

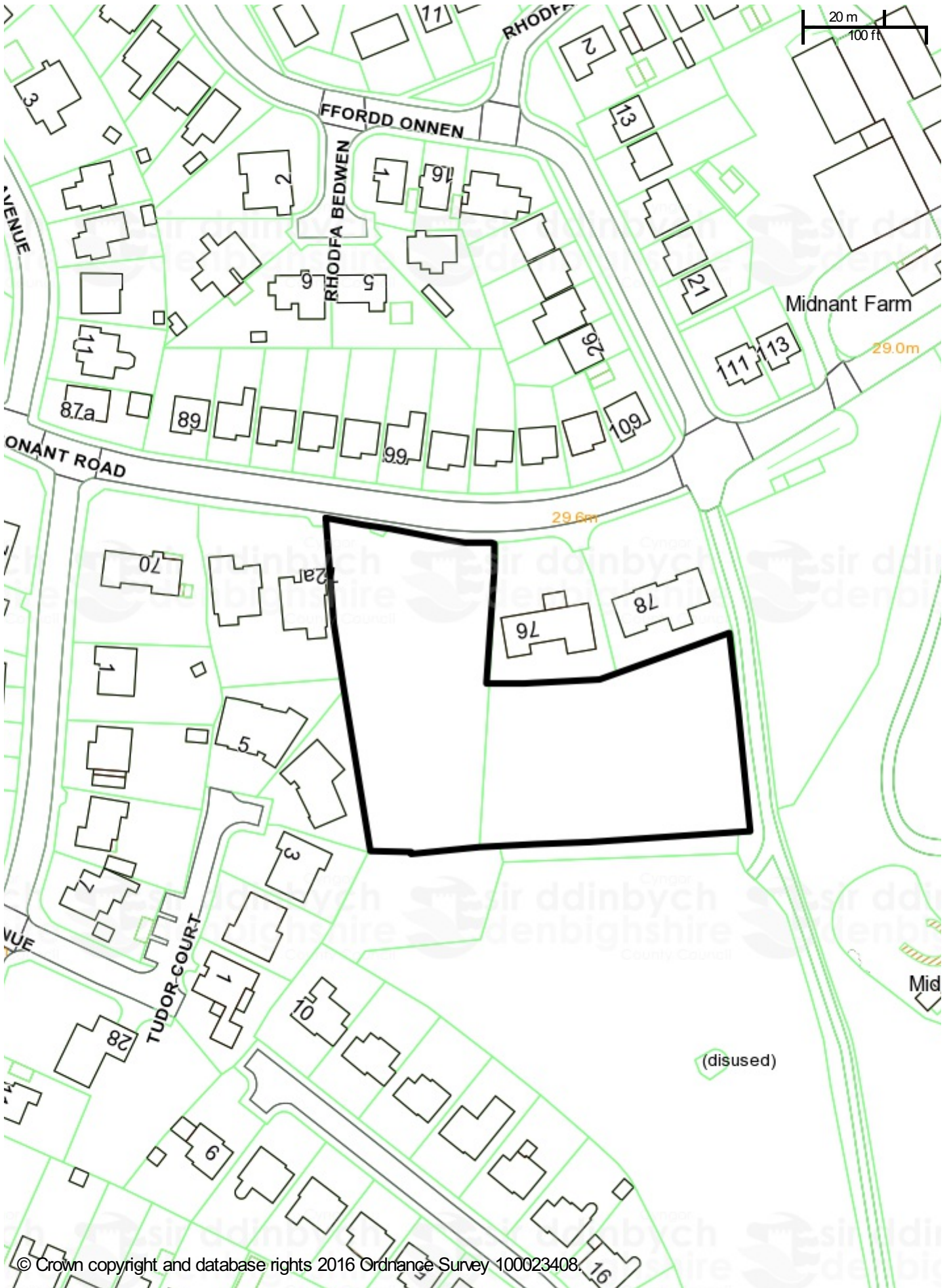
WARD MEMBER(S): Cllr Anton Sampson (c)
Cllr Julian Thompson-Hill (c)

APPLICATION NO: 43/2016/0512/ PF

PROPOSAL: Erection of 5 no. apartments, 6 no. detached dwellings and associated works

LOCATION: 74 Gronant Road Prestatyn

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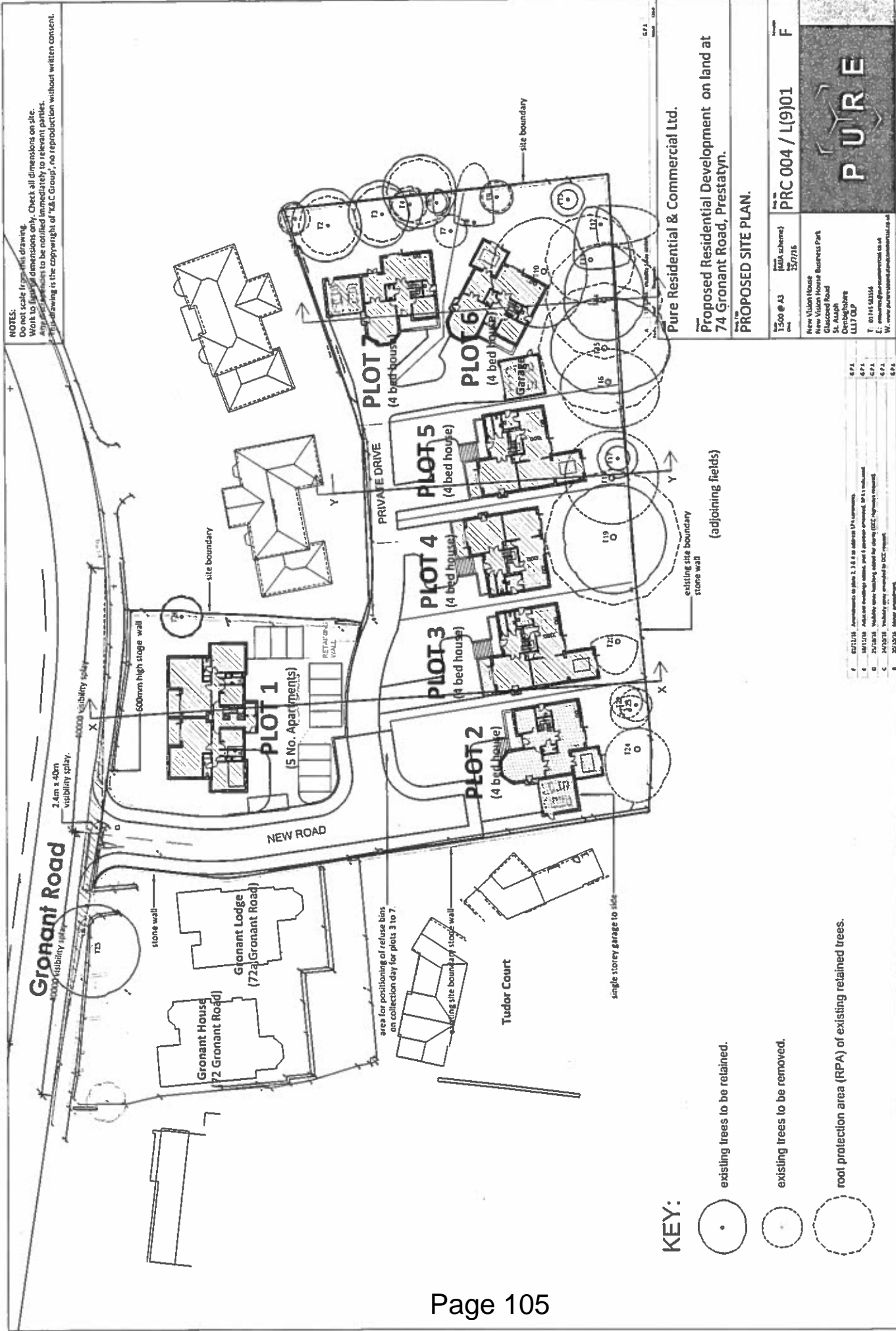
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43/2016/0512/PF

Scale: 1:1250




Printed on: 21/12/2016 at 14:10 PM

PROPOSED LAYOUT



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KEY:

-  existing trees to be retained.
-  existing trees to be removed.
-  root protection area (RPA) of existing retained trees.

Pure Residential & Commercial Ltd.

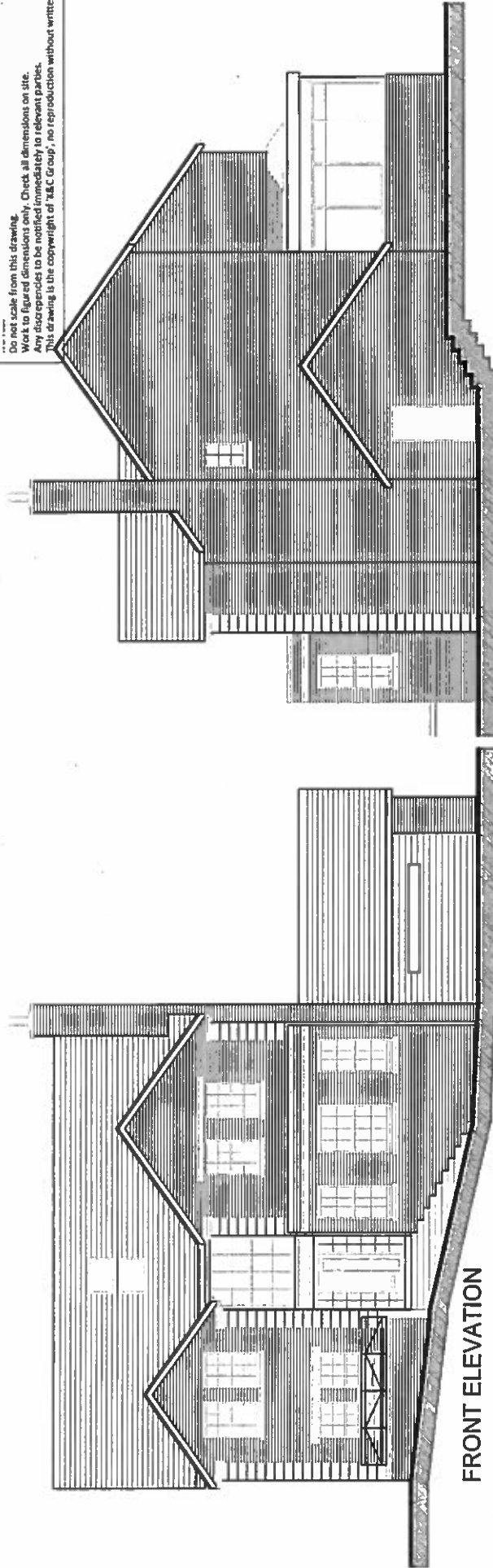
Proposed Residential Development on land at
 74 Granton Road, Prestatyn.

PROPOSED SITE PLAN.

Plot No	1300 @ A3	Scale	1:1000
Ref	PRC 004 / L(9)01	Date	22/07/15
<p>New Vision House 10000 Vision House Business Park Gloucester Road St. Asaph Denbighshire LL17 0UP T: 01141 431414 E: sales@newvisionhouse.co.uk W: www.newvisionhouse.co.uk</p>			

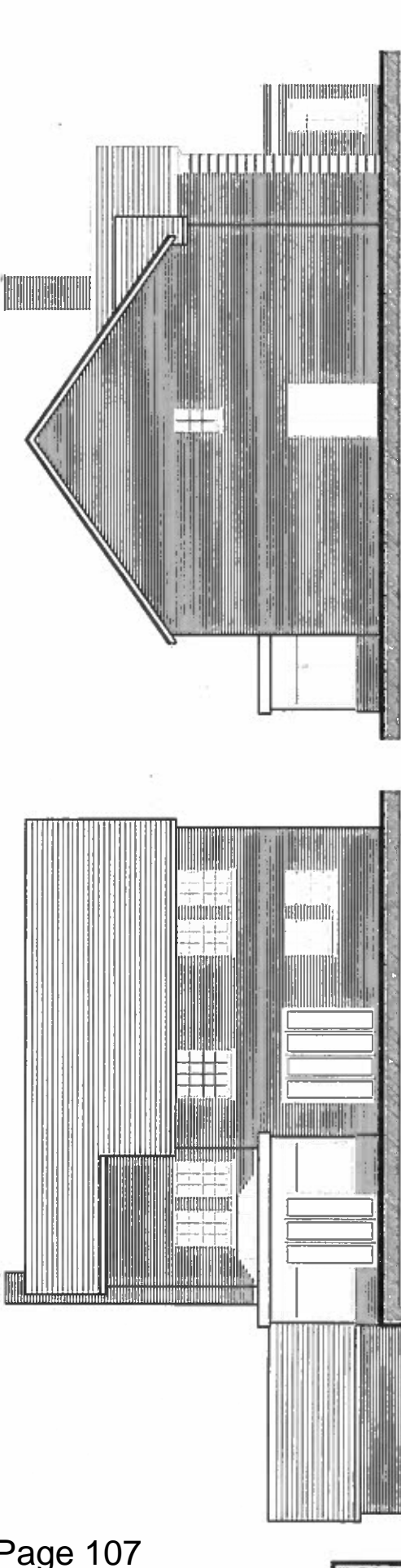
F	02/12/10	Amendments to plans 1, 2 & 3 to address LPA comments.	02/12/10
G	16/12/10	Final site layout plan, post 1 permission approved. DPA 1 submitted.	16/12/10
H	23/02/11	Visibility study submitted for clearing (DCC signposts required).	23/02/11
I	24/02/11	Visibility study approved by DCC signposts.	24/02/11
J	20/02/11	Design presentation.	20/02/11

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FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

Pure Residential & Commercial Ltd.

Proposed Residential Development on land at
 74 Gronant Road, Prestatyn.

PLOT 2 - 4 BEDROOM HOUSE
 ELEVATIONS

PRC 004 / L(2)04

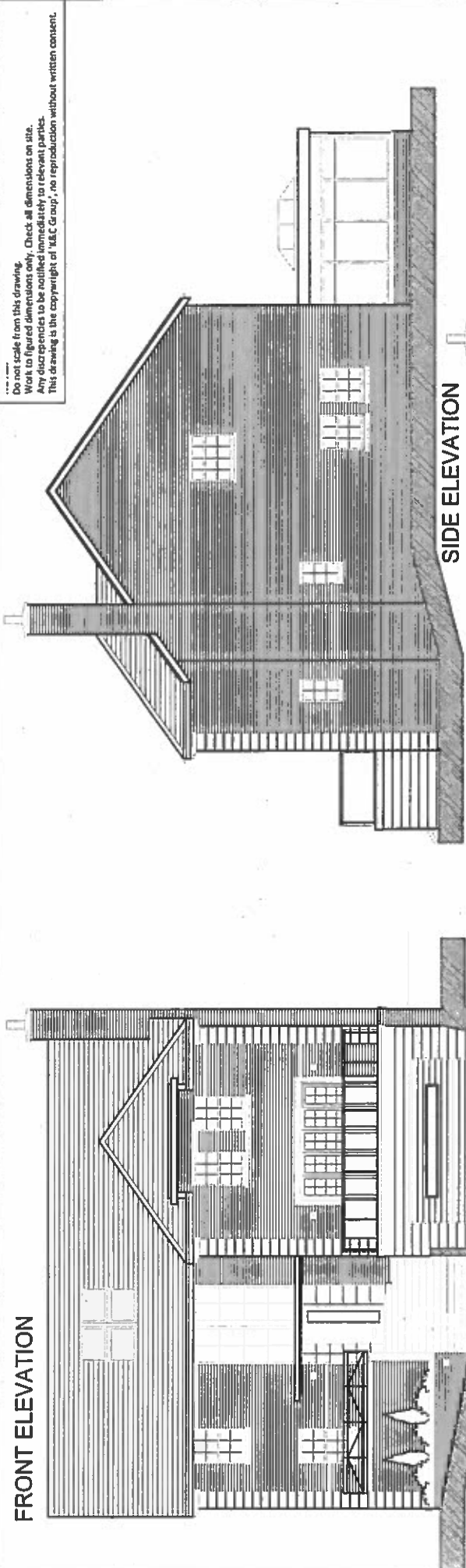
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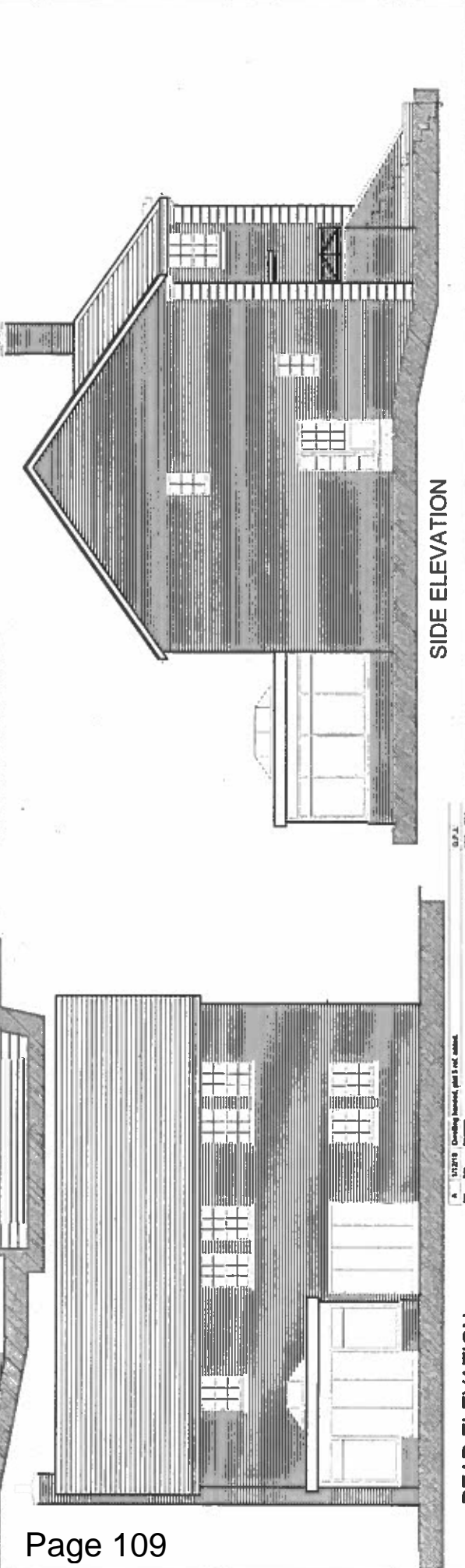
A

New Vision House
 New Vision House Business Park
 Garswood Road
 Deeside
 LL17 0LP
 T: 01753 418155
 E: enquiries@newvision.co.uk
 W: www.newvision.co.uk

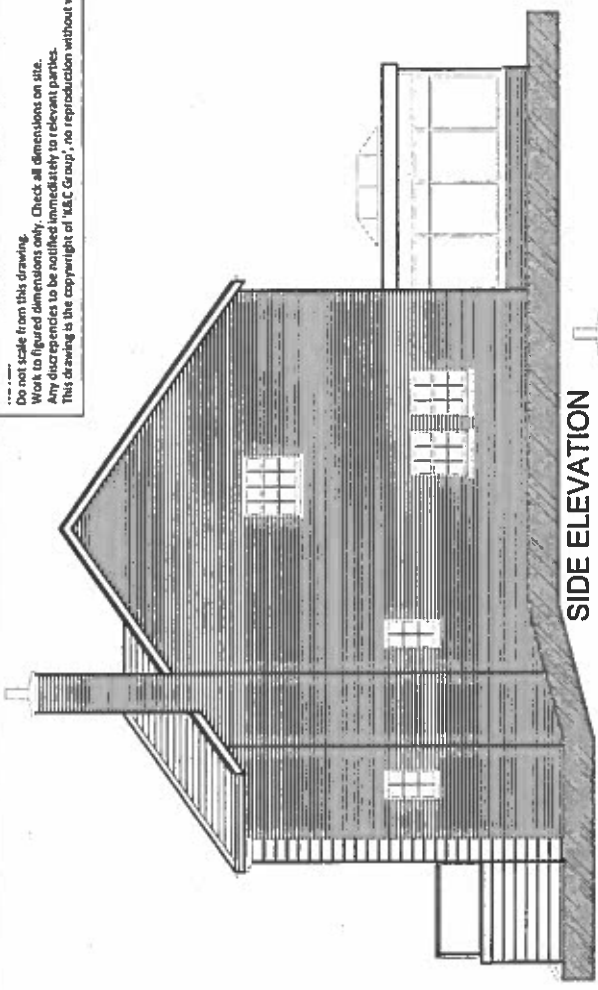




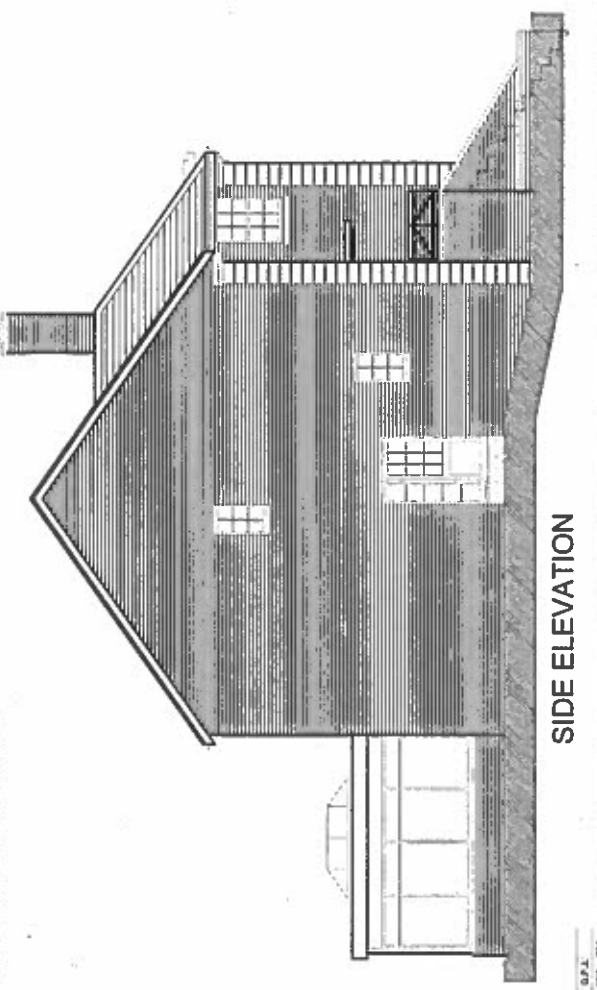
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

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A 1/27/18 Drawing based, plot 3 not shown.
 Pure Residential & Commercial Ltd.
 Proposed Residential Development on land at
 74 Gronant Road, Prestatyn.

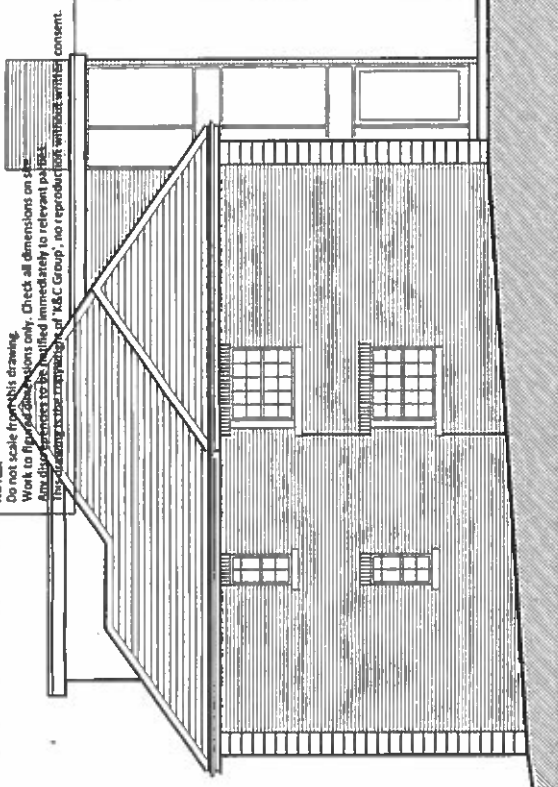
PLOT 3 & 5 - 4 BEDROOM HOUSE
 ELEVATIONS

1:100 @ A3 (with scheme) 25/7/18
 PRC 004 / L(2)06
 A

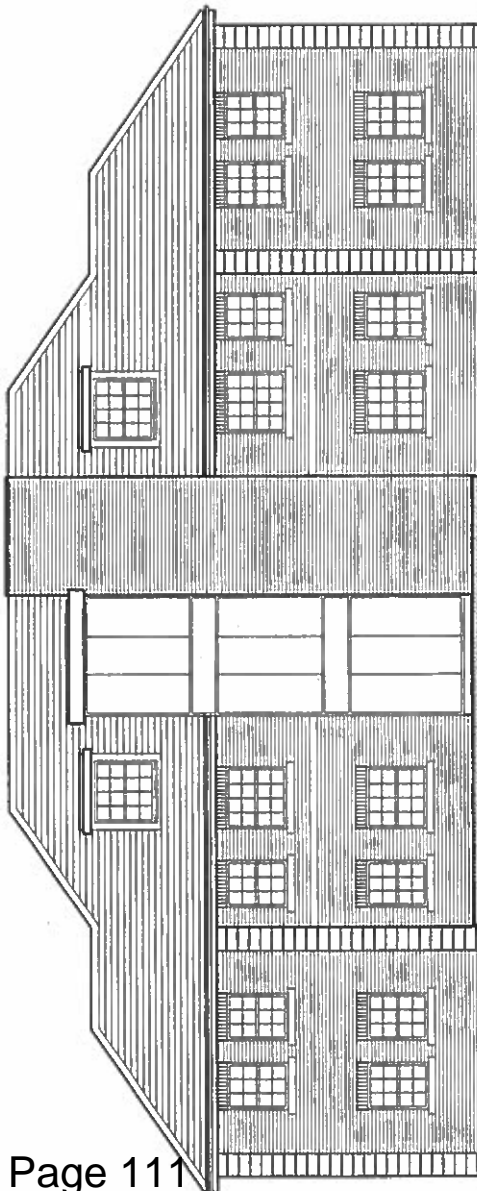
New Vision House
 New Vision House Business Park
 Glascoed Road
 St. Asaph
 Denbighshire
 LL27 0UP
 T: 01745 142114
 E: enquiries@newvisionhouse.co.uk
 W: www.newvisionhouse.com



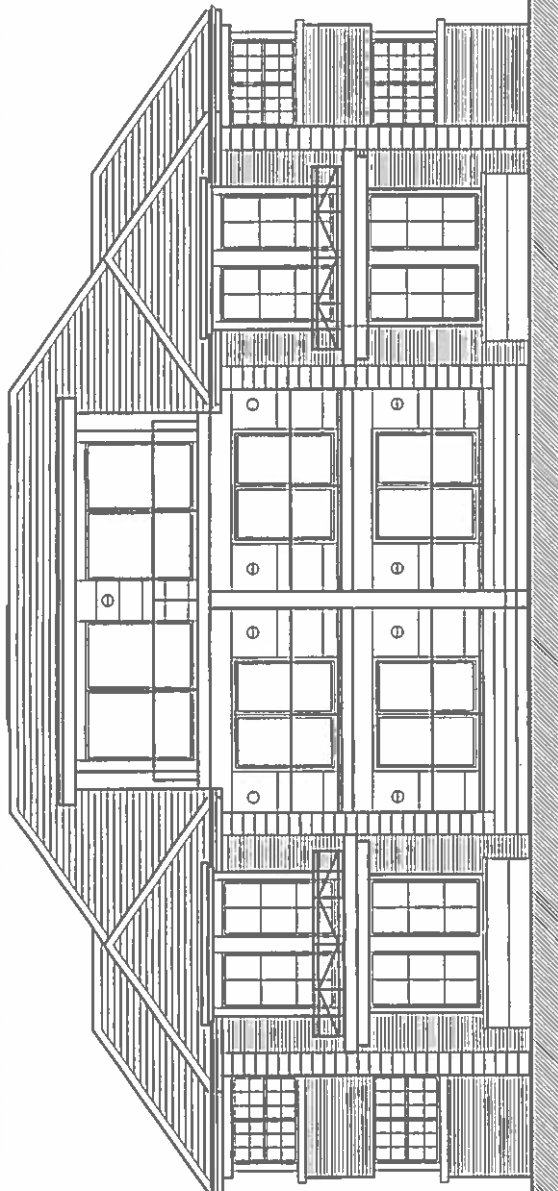
APARTMENTS



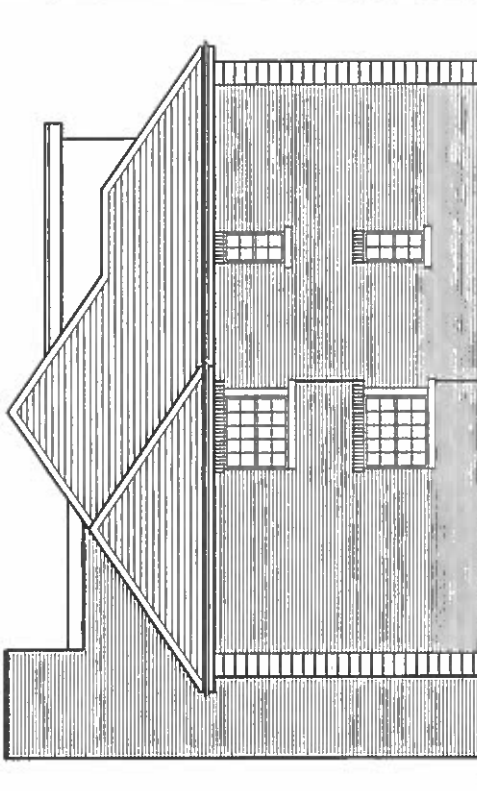
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

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Pure Residential & Commercial Ltd.
 Proposed Residential Development on land at
 74 Gronant Road, Prestatyn.

Plot 1 - APARTMENTS
 ELEVATIONS

PRC 004 / L(2)02

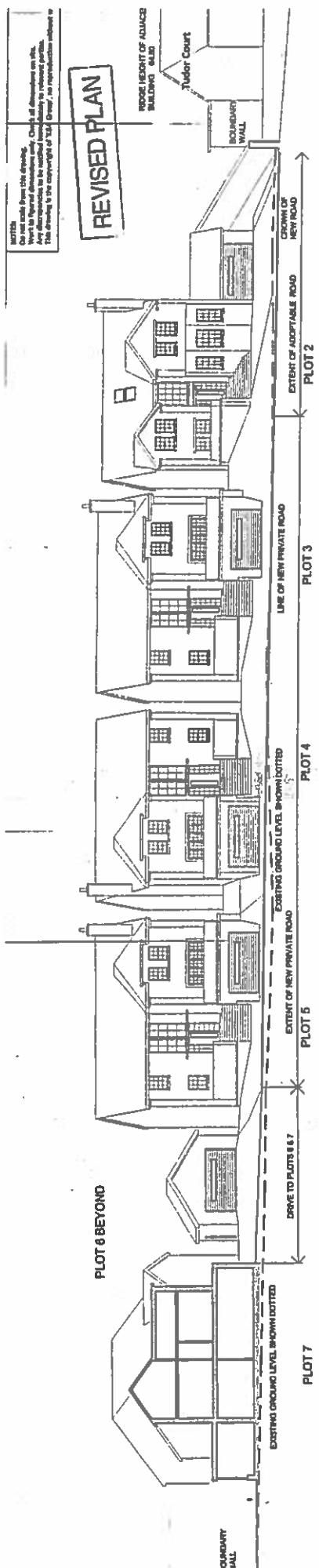
New Vision House
 New Vision House Business Park
 St. Asaph
 Denbighshire
 LL17 0DP
 T: 01145 64554
 E: info@purecommercial.co.uk
 W: www.purecommercial.co.uk

PURE

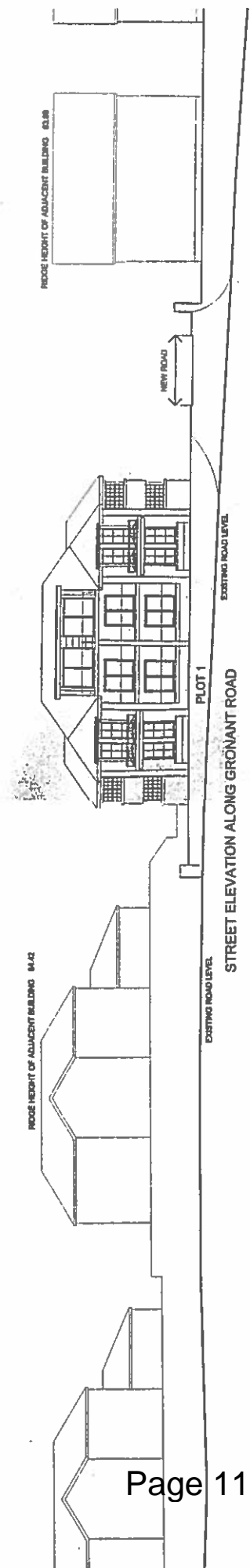
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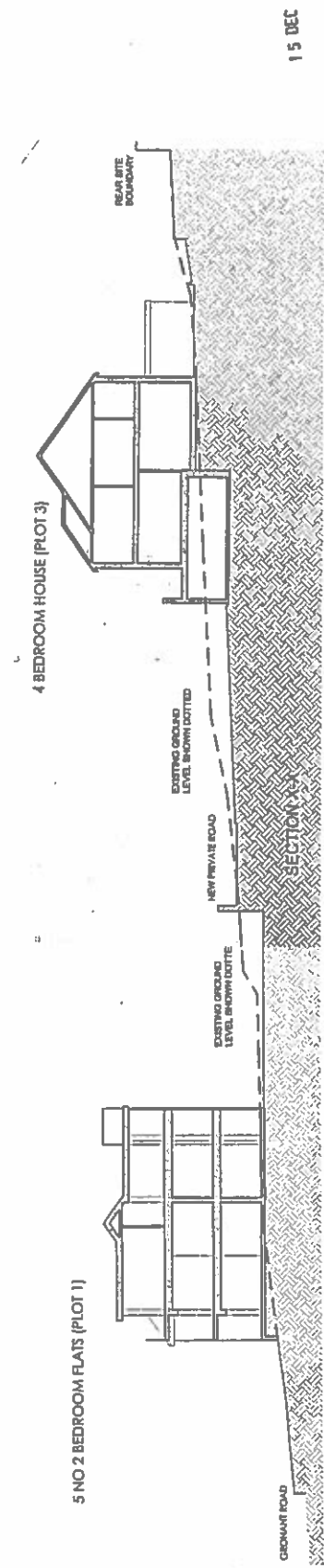
STREET ELEVATION



STREET ELEVATION ALONG PRIVATE ROAD WITHIN SITE



STREET ELEVATION ALONG GRONANT ROAD



4 BEDROOM HOUSE (PLOT 5)

15 DEC

Pure Residential & Commercial Ltd.
 Proposed Residential Development on land
 74 Gronant Road, Prestatyn.
 PROPOSED STREET ELEVATIONS & SITE SECT

Drawn by	Scale	Sheet
Checked by	1:100	PRC 004 / L(2)13
Author	20/11/13	
Project Name	74 Gronant Road	
Project No	PRC 004	
Client	Pure Residential & Commercial Ltd	
Drawn by		
Checked by		
Author		
Project Name		
Project No		
Client		



WARD : Prestatyn East

WARD MEMBER(S): Cllr Anton Sampson (c)
Cllr Julian Thompson-Hill (c)

APPLICATION NO: 43/2016/0512/ PF

PROPOSAL: Erection of 5 no. apartments, 6 no. detached dwellings and associated works

LOCATION: 74 Gronant Road Prestatyn

APPLICANT: M rG Owen Pure Residential And Commercial Ltd.

CONSTRAINTS: Tree Preservation OrderCouncillorNameArticle 4 Direction

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

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

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

“Objection - Over intensification, loss of trees, increased traffic”.

NATURAL RESOURCES WALES

No objection subject to the inclusion of conditions requiring the submission, agreement and implementation of a bat friendly external lighting site plan and a Biosecurity Risk Assessment.

DWR CYMRU / WELSH WATER

No objection subject to the inclusion of a condition requiring the submission of further drainage details.

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY

JOINT ADVISORY COMMITTEE

“The Joint Committee notes the additional arboricultural information supplied with the application but remains concerned that the scale and siting of the dwellings on plots 2-7 impacts excessively on the existing trees, including some which are in good condition. Should permission be granted, additional landscaping comprising native local species will be required to supplement the existing tree screen and to help integrate the development into its transitional location between town and country.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

No objection subject to the inclusion of standard conditions including the requirement for a Construction Management Plan.

Ecologist
No objection

Tree Specialist
No objection subject to conditions requiring an updated Arboricultural Method Statement and a landscaping details.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

E A Goodacre, 4 Tudor Court, Prestatyn Gary Blythin, 12 Parc Aberconwy, Prestatyn Kerry Evans, 10 Parc Aberconwy, Prestatyn James Pisani, 11 Parc Aberconwy, Prestatyn Dewi Jones, 109 Gronant Road, Prestatyn Caroline Jones, 93 Gronant Road, Prestatyn Paul James Stead, 102 Gronant Road, Prestatyn John and Myra Ablett, 89 Gronant Road, Prestatyn Margaret Bain, 95 Gronant Road, Prestatyn John and Eirlys Williams, 99 Gronant Road, Prestatyn Mrs Evans, 12 Parc Aberconwy, Prestatyn Wendy Butler, 25 Oakhill Drive, Prestatyn Mr & Mrs C S Carpenter, 87A Gronant Road, Prestatyn Martyn Jones, Gronant Road, Prestatyn Mr Roberts, Parc Aberconwy

Summary of planning based representations in objection:

Visual Amenity:

Development is out of character and scale with the area; apartments are close to the road and will not fit in sympathetically with the area and adjacent properties; removal of trees would adversely impact on the area;

Residential Amenity:

Development would block out light of nearby properties; properties fronting Gronant Road will look directly into properties on the opposite side of Gronant Road;

Highways:

Increase in traffic along Gronant Road; the properties do not have enough car parking which will result in cars parking on the road causing difficulties on Gronant Road; the access is close to fairly blind corners;

Wildlife and trees:

Badger activity in the area the site should be surveyed; properties to the rear are too close to the trees;

EXPIRY DATE OF APPLICATION: 16/11/2016 (Extension of time agreed)

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Full planning permission is sought for the development of 0.52 hectares of land by the erection of 11 dwellings, consisting of 5 apartments and 6 detached dwellings with associated works at 74, Gronant Road in Prestatyn.
- 1.1.2 The application documents show the proposals for:
 - The erection of an apartment block of five 2 bed units fronting Gronant Road with car parking area to the rear
 - The erection of six 4 bed detached dwellings to the rear of the site with car parking facilities

- Alterations to an existing access off Gronant Road

The site layout plan and street scene plan is attached at the front of the report.

- 1.1.3 The application is accompanied by supporting documents which include:
- A Planning, Design and Access Statement
 - An Ecological Assessment
 - An Arboricultural Impact Assessment which includes a Tree survey, a Tree constraints plan, an Arboricultural method statement and a Tree protection plan

The main points of relevance to the proposals in the supporting documents are: –

Planning, Design and Access Statement:

- The application site is located within the development boundary for Prestatyn and comprises previously developed land; the principle of residential development on the site should not be an issue.
- There is a serious housing land shortage in Denbighshire which adds weight to the need to bring forward sites such as the application site as soon as possible.
- In the course of the preparation of the application proposals, close regard has been paid to the requirements of the relevant policies of the LDP which have informed the design of the layout.
- The proposal will deliver an attractive development of eleven new dwellings, making use of a vacant site and generally making a positive contribution to the appearance of the area.

Ecological Assessment:

- Confirms that no evidence of protected species or species of local or national importance has been identified within the survey areas. The site recorded no evidence of Badger setts, tracks, latrines or foraging by Badgers within the development boundary

Arboricultural Impact Assessment:

- It is the conclusion of this report that the overall quality and longevity of the amenity contribution provided for by the trees and groups of trees within and adjacent to the site will not be adversely affected as a result of the local planning authority consenting to the proposed development. It is considered that any issues raised in this report, or beyond the scope of it can be dealt with by planning conditions.
- A total of 27 individual trees and one hedge were surveyed.
- The total number of trees to be removed to facilitate the development is 13 individual trees with ivy removal and crown lifts proposed to a number of other trees.
- The ratio of trees removed to trees replanted should not necessarily be 1:1. Instead, the ratio should take into consideration the available space for tree growth and development in order to ensure the trees are physically suited to the site at maturity. A specification for and notation relating to the precise alignment of replacement trees will be contained in the landscape proposals.

1.2 Description of site and surroundings

- 1.2.1 The application site consists of 0.52 hectares of land which is overgrown and vacant following the demolition of the dwelling 74 Gronant Road some years ago. The site slopes upwards from Gronant Road.
- 1.2.2 To the north, the site has a road frontage with Gronant Road with a stone boundary wall and an existing vehicular access point.
- 1.2.3 On the opposite side of Gronant Road to the north are a number of residential properties, with large detached residential properties located to the east and west fronting Gronant Road. To the south of the site is an open field, located outside the

development boundary of Prestatyn.

- 1.2.4 The boundaries of the site are defined by stone walls and hedging with a number of trees located primarily to the eastern and southern boundary of the site.

1.1 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Prestatyn. It has no specific land use allocation in the Local Development Plan.

- 1.1.1 The application site itself is outside the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) but the rear boundary of the site is the boundary with the AONB.

1.2 Relevant planning history

- 1.2.1 Planning permission was granted in 2005 for the erection of 7 large detached properties, 2 properties fronting Gronant Road with 5 properties to the rear.

1.3 Developments/changes since the original submission

- 1.3.1 An Arboricultural Impact Assessment and Ecological Assessment has been submitted following issues raised at the initial consultation stage. An amended site layout plan and house type details has also been submitted.

2. DETAILS OF PLANNING HISTORY:

43/2004/0973/PF Demolition of existing dwelling and erection of 7 No. dwellings and garages and construction of new vehicular access with new roadway GRANTED 26th January 2005

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC4 – Affordable Housing

Policy BSC11 – Recreation and open space

Policy BSC12 – Community facilities

Policy VOE 2 – Areas of Outstanding Natural Beauty/Areas of Outstanding Beauty

Policy VOE 5 - Conservation of natural resources

Policy ASA 3 - Parking Standards

Supplementary Planning Guidance

SPG Recreational Public Open Space

SPG Residential Space Standards

SPG Landscaping New Developments

SPG Trees and Landscaping

SPG Affordable Housing in New Developments

SPG Residential Development Design Guide

SPG Nature Conservation and Species Protection

Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

TAN 1 Joint Housing Land Availability Studies (2006)

TAN 5 Nature Conservation and Planning (2009)

TAN 12: Design (2016)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9 (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 3.1.3). 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.

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.

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

- 4.1.1 Principle
- 4.1.2 Density of development
- 4.1.3 Visual amenity including loss of trees
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)
- 4.1.8 Affordable Housing
- 4.1.9 Open Space
- 4.1.10 Area of Outstanding Natural Beauty/Area of Outstanding Beauty
- 4.1.11 Other matters

1.1 In relation to the main planning considerations:

4.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages. Policy RD1 states that development proposals within development boundaries will be supported subject to compliance with detailed criteria.

The site is located within the development boundary of Prestatyn, which is designated as a town in the adopted Local Development Plan.

The proposed development would provide 11 dwellings and would contribute to providing housing that has been identified as required in the County. The principle of residential development in this location is consistent with the Council's adopted plan, and this is now a significant consideration in relation to the application. Given this background, Officers would respectfully suggest the acceptability of the particular proposals therefore should rest on the specific local impact assessments detailed in the following sections of the report.

4.2.2 Density of Development

Local Development Plan Policy RD1 test ii) seeks to ensure the most efficient use of land by achieving densities of a minimum of 35 dwellings per hectare, unless there are local circumstances that dictate a lower density.

The Town Council has raised concerns in relation to the proposals being over intensification of the site.

Applying the density figure of 35dph referred to in Policy RD1 to the site area of 0.52 ha would give a total of 18 dwellings. As 11 dwellings are proposed, which would represent a density of 21 dwellings per hectare, this is well below the figure in the

policy and in Officers' opinion does not represent over intensification of development.

As stated above, Policy RD 1 seeks to ensure the most efficient use of land by achieving densities of a minimum of 35 dwellings per hectare, unless there are local circumstances that dictate a lower density. In this instance, it is Officers opinion that there are local circumstances that suggest a lower density would be acceptable, including from observation that existing properties are of a lower density, and include many larger properties set in spacious grounds. In addition, the shape and topography of the site and number of trees also impose constraints on the amount of development which can be accommodated on the site. Consequently, Officers do not believe the proposed density is inappropriate for the site or that there is conflict with test ii) of policy RD 1.

4.2.3 Visual amenity including loss of trees

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 objections to the proposal based on potential visual impacts arising from the development, primarily in relation to the apartment block fronting Gronant Road which it is suggested will not be sympathetic and will be over dominant when compared to neighbouring development, and also in relation to the loss of trees.

In relation to the visual impact of the proposed dwellings, a street scene plan has been provided with the application which illustrates how the development will appear in relation to surrounding development.

The property at No. 76 is set back further from the highway than the property at No.72, and is orientated at an angle as Gronant Road begins to curve. The proposed apartment block has been sited so that it is line with No 72, but set further forward than No. 76. The siting of the block has been chosen having regard to a number of factors - the sloping levels of the site, the need to provide off street parking facilities, the need to provide sufficient spacing between properties to the rear of the site and access to the properties which is governed by the siting of the access and shape of the site itself.

In relation to the proposed apartment block fronting Gronant Road, this would consist of five 2 bed apartments, 2 on the ground floor, 2 on the first floor and 1 within the roofspace. The building would have a hipped roof similar to the design of Nos. 76 and 78 Gronant Road and the street scene plan indicates how the block would sit in relation to the properties on either side at Nos.72 and 76 Gronant Road. The plan suggests the scale of the apartment block is in keeping with the neighbouring properties and that due consideration has been given to the visual impact of this element of the development. The approach to the siting and design of the apartment block is considered acceptable and the building would not look out of keeping.

In relation to the comments relating to apartments being inappropriate within the area, it is acknowledged that development in the immediate area is primarily single detached dwellings, many of which are large in size and scale. However it is Officers' view that the proposed building itself does not seem to be out of keeping with the scale and design of nearby development, and the introduction of apartments, comprising smaller 2 bed accommodation would provide a greater mix of dwellings and provide accommodation for smaller households within the area.

The 5 apartments are part of a scheme involving 6 detached 4 bed properties to the rear of the site. It is indicated within the submission that the mix of 2 bed apartments and 4 bed dwellings has been chosen following advice from a local estate agent. Overall, the mix is considered acceptable and would provide provision of smaller properties but also offer 4 bed properties which are in demand within this area.

In relation to the 6 detached properties to the rear, these have been sited and designed having regard to surrounding development and have been orientated to respect the pattern of development in the area.

The external materials of the dwellings are indicated as facing bricks with tiled roofs, however detailed specifications have not been provided and therefore a condition would need to be imposed to ensure a satisfactory standard of development.

It is therefore considered that given the sloping nature of the site and its location within an area of mixed designs using a variety of different materials, the design and layout of the development would be respectful of the location. Controls over the choice of external materials will help ensure the built form is in keeping with surrounding development

In relation to the loss of trees, removal of 13 trees is proposed to accommodate development and an Arboricultural Impact Assessment has been undertaken.

Of the 13 trees it is proposed to fell, 1 tree (T10) is a Category B sycamore tree and is shown to be removed in order to construct a dwelling (plot 6). The remaining trees are of lower value, some of which are in poor condition. A Category B tree is a *'tree of moderate quality or value capable of making a significant contribution to the area for 20 or more years'*. A Category B tree should be retained unless there is an overriding justification.

As discussed previously in the report, the shape and topography of the site and the number of trees imposes constraints on the development of the site.

The Tree Specialist has considered the Arboricultural Impact Assessment along with the tree survey, tree constraints plan, Arboricultural method statement and tree protection plan.

The removal of the category B (T10) tree is unfortunate however of all the trees on the site, this tree is located furthest into the site away from a boundary and its removal is required to facilitate the development. The layout has been modified to be outside the root protection areas of the retained trees. Taking into account the removal of the poor ash (T18) which will allow the retained ash to spread to the east as it grows thus reducing growth towards the dwelling, and the tree being located towards the end of the garden overall the proposal is considered acceptable.

The Tree Specialist recommends that an updated Arboricultural Method Statement and landscaping details is submitted prior to commencement and should include details for the pruning of retained trees. It is suggested that appropriate planning conditions could be imposed to secure these details.

It is therefore considered that in relation to the loss of trees that subject to the inclusion of the conditions suggested by the Tree Specialist that the proposal is acceptable.

4.2.4 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 objections over potential for loss of privacy, etc. from new development on the site.

In relation to the proposed apartment block fronting Gronant Road: The proposed block has been sited to respect adjacent properties fronting Gronant Road with windows positioned appropriately to avoid overlooking or loss of privacy.

In relation to the proposed detached dwellings located within the site: These properties adjoin existing residential development which fronts Gronant Road and Tudor Court. Following discussions with the developer, changes have been made to the house types to ensure there is no adverse impact on the amenities of existing residents and with appropriate conditions it is not considered that there would be any significant impacts on the amenity of existing residents.

The proposed dwellings all have sufficient amenity space and off street parking facilities which meet the Council's adopted standards and therefore future occupiers of the properties would be afforded a sufficient level of amenity.

4.2.5 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 objections expressed over the potential impact on ecology as a result of development. An Ecological Appraisal has been undertaken which concludes the site has low ecological value. NRW have raised no objection to the proposal subject to the inclusion of conditions relating to the need for a bat friendly light spillage scheme and a biosecurity risk assessment is undertaken.

Subject to the inclusion of suitable conditions on any permission, it is suggested ecological interests can be suitably protected in relation to a development on this site.

4.2.6 Drainage

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.

Dwr Cymru Welsh Water have not raised any objections to the proposal subject to the inclusion of suitable conditions being imposed if planning permission is granted.

Given the comments of the technical consultee, it is considered that it is reasonable to assume that an acceptable drainage scheme can be achieved on the site. It is

considered appropriate to secure the provision of an appropriate drainage scheme through condition. The proposals are therefore considered acceptable in relation to drainage.

4.2.7 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 objections raised by the Town Council and local residents in relation to access, increased traffic and sufficiency of off street parking.

In respecting the concerns expressed, the Highways Officer has no objections to the proposal and has no concerns in respect of the adequacy of the local highway network, subject to conditions. Conditions have been suggested in relation to detailed design, layout, construction, drainage, street lighting and associated highway works of the internal estate road and also in relation to the submission of a construction management plan which should include details of the location of the site compound, traffic management scheme, vehicle wheel washing facilities, hours and days of operation, the management and operation of construction vehicles, the loading and unloading of plant and materials and the parking of vehicles of site operatives and visitors.

4.2.8 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing either on site on developments of 10 or more residential units or by way of a financial contribution on development of less than 10 residential units.

The Council's Strategic Planning and Housing section has advised there is an identified need for affordable housing in the area. The application specifies that the proposal will meet the Council's Affordable Housing policy, the number and tenure of which would be agreed with the Council, and it has been indicated that a 2 bed apartment would be provided.

In addition to the requirement to provide 1 affordable housing unit on site, as the proposal is for 11 units a financial contribution would be required for the 0.1 proportion - and on the basis of the development proposals and latest build costs provided by RICS, the contribution would be £16,876.44 which the developer is aware of.

A Section 106 agreement is required to secure the provision and the agreement would need to be completed prior to the issue of the planning permission.

4.2.9 Open Space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

The Council's Open Space requirement for a development of 11 dwellings is a total of 607.2 sqm comprising of 404.8 sqm of Community Recreation Open Space (CROS) and 202.4 sqm of Children's Play Areas (CPA).

The proposal does not provide any on-site CROS or CPA and seeks to meet the Council's open space policy by the payment of a commuted sum which on the basis of a development of 11 dwellings is £13,609.38.

Given the scale and location of the development, the approach to open space is considered acceptable. The site is within walking distance of an existing playground and recreation site near Ysgol Bodnant and therefore the offer of a commuted sum is considered acceptable in this instance.

A Section 106 agreement is required to secure the payment of a commuted sum and the agreement would need to be completed prior to the issue of the planning permission

4.2.10 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

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 boundary of the AONB abuts the rear of the site and concerns have been raised in relation to the impact of the loss of trees.

The site is currently in a derelict overgrown condition, with metal fencing along the frontage, with storage containers located on the site and is generally unsightly. The trees on the site have not been managed over a number of years.

Whilst the erection of new development on the site will inevitably have some visual impact on the area, the scale and design of the proposal is considered acceptable and will ultimately have a positive impact. A number of trees will be lost from the boundaries of the site, but a new landscaping plan for the site of an appropriate type will need to be agreed having regard to the location of trees to be retained and location of new development. An appropriate landscaping plan is achievable and it is not considered that the development of the site would adversely impact upon the AONB.

Other matters

Well – being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 The report sets out the main planning issues which appear relevant to the consideration of the application and concludes that the proposal is acceptable in relation to policies and guidance.

5.2 It is therefore recommended that Members resolve to grant permission subject to:

1. Completion of a Section 106 Obligation to secure affordable housing and open space contributions as detailed in the report.

The precise wording of the Section 106 would be a matter for the legal officer to finalise.

In the event of failure to complete the Section 106 agreement within 12 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

2. Compliance with the following Conditions:

The Certificate of Decision would not be released until the completion of the Section 106 Obligation.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the date on which the S106 is signed.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
 - (i) Apartment elevations - Plot 1 (Drawing No. L(2)02) received 30 September 2016
 - (ii) Apartment floor plans - Plot 1 (Drawing No. L(2)01) received 30 September 2016
 - (iii) Elevations - Plot 2 (Drawing No. L(2)04A) received 2 December 2016
 - (iv) Floor plans - Plot 2 (Drawing No. L(2)03A) received 2 December 2016
 - (v) Elevations - Plots 3 & 5 (Drawing No. L(2)06A) received 2 December 2016
 - (vi) Floor plans - Plots 3 & 5 (Drawing No. L(2)05A) received 2 December 2016
 - (vii) Elevations - Plot 4 (Drawing No. L(2)08) received 30 September 2016
 - (viii) Floor plans - Plot 4 (Drawing No. L(2)07) received 30 September 2016
 - (ix) Elevations - Plot 6 (Drawing No. L(2)10) received 30 September 2016
 - (x) Floor plans - Plot 6 (Drawing No. L(2)09) received 30 September 2016
 - (xi) Elevations - Plot 7 (Drawing No. L(2)12) received 30 September 2016
 - (xii) Floor plans - Plot 7 (Drawing No. L(2)11) received 30 September 2016
 - (xiii) Street elevations and site sections (Drawing No. L(2)13 Rev A) received 15 December 2016
 - (xiv) Site plan (Drawing No. L(9)01 rev F) received 2 December 2016
 - (xv) Location plan received 23 May 2016
3. Prior to the construction of the dwellings hereby approved details of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. The detailed design, layout, construction, drainage, street lighting and associated highway works of the internal estate road shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any site works and the works shall be completed in accordance with the approved details before any dwelling is occupied.
5. 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 completed prior to the development being brought into use.
6. In relation to the carrying out of the works, no development shall be permitted to take place until the written approval of the Local Planning Authority has been obtained in relation to
 1. The site compound location
 2. Traffic management scheme
 3. Vehicle wheel washing facilities
 4. Hours and days of operation
 5. The management and operation of construction vehicles
 6. The loading and unloading of plant and materials
 7. The parking of vehicles of site operatives and visitors

- The works shall be carried out strictly in accordance with the approved details.
7. No development shall be permitted to commence until an updated Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement should include details for the pruning of retained trees.
 8. No development shall be permitted to commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.
 9. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 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 otherwise agreed in writing
 10. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority
 11. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the details of proposals for the disposal of foul drainage and surface water drainage (including roofwater) in connection with the development .The scheme shall include details of the timing of implementation and the works shall be carried out strictly in accordance with the approved details.
 12. No development shall be permitted to commence until details of a light spillage scheme to ensure bats are not adversely affected shall be submitted to and approved in writing by the Local Planning authority. The development shall proceed in accordance with such approved details.
 13. No development shall be permitted to commence until details of a Biosecurity Risk Assessment has been submitted and approved in writing by the Local Planning Authority. The assessment must include:
 - (i) appropriate measures to control any invasive non-native species (INNS) on site; and
 - (ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of development and restoration.
 14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows additional to those shown on the approved plans shall be inserted at any time within the side elevation of the property annotated as Plot 2 (adjacent to 4 Tudor Court) hereby permitted, unless otherwise agreed in writing by the Local Planning Authority
 15. Notwithstanding the submitted plans for Plot 7 the detailing of the proposed first floor windows within the side elevation facing 78 Gronant Road shall be further agreed in writing by the Local Planning Authority. The development shall proceed in accordance with such approved details and thereafter retained as such unless otherwise approved in writing by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. In the interest of visual amenity.
4. To ensure the estate road system if constructed to a standard suitable for adoption and in the interests of traffic safety
5. To provide for the loading/unloading, parking and turning of vehicles and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. In the interest of the free and safe movement of traffic on the adjacent highway and in the interest of highway safety.

7. In the interest of landscape and visual amenity.
8. In the interest of landscape and visual amenity.
9. In the interests of visual amenity.
10. In the interest of visual amenity.
11. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
12. In the interests of nature conservation.
13. In the interests of nature conservation.
14. In the interest of residential amenity.
15. To protect the privacy of residents at 78 Gronant Road.

NOTES TO APPLICANT:

You may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

You are also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Pollution Prevention

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permitable activity under Environmental Permitting Regulations 2010. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If the method of foul or surface water drainage is amended from mains drainage to any private drainage methods, please reconsult Natural Resources Wales.

Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be 110% of the capacity of the tank, all filling points, gauges, vents and sight glasses must be located within the bund. Associated pipe-work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards

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Agenda Item 10

WARD : Prestatyn South West

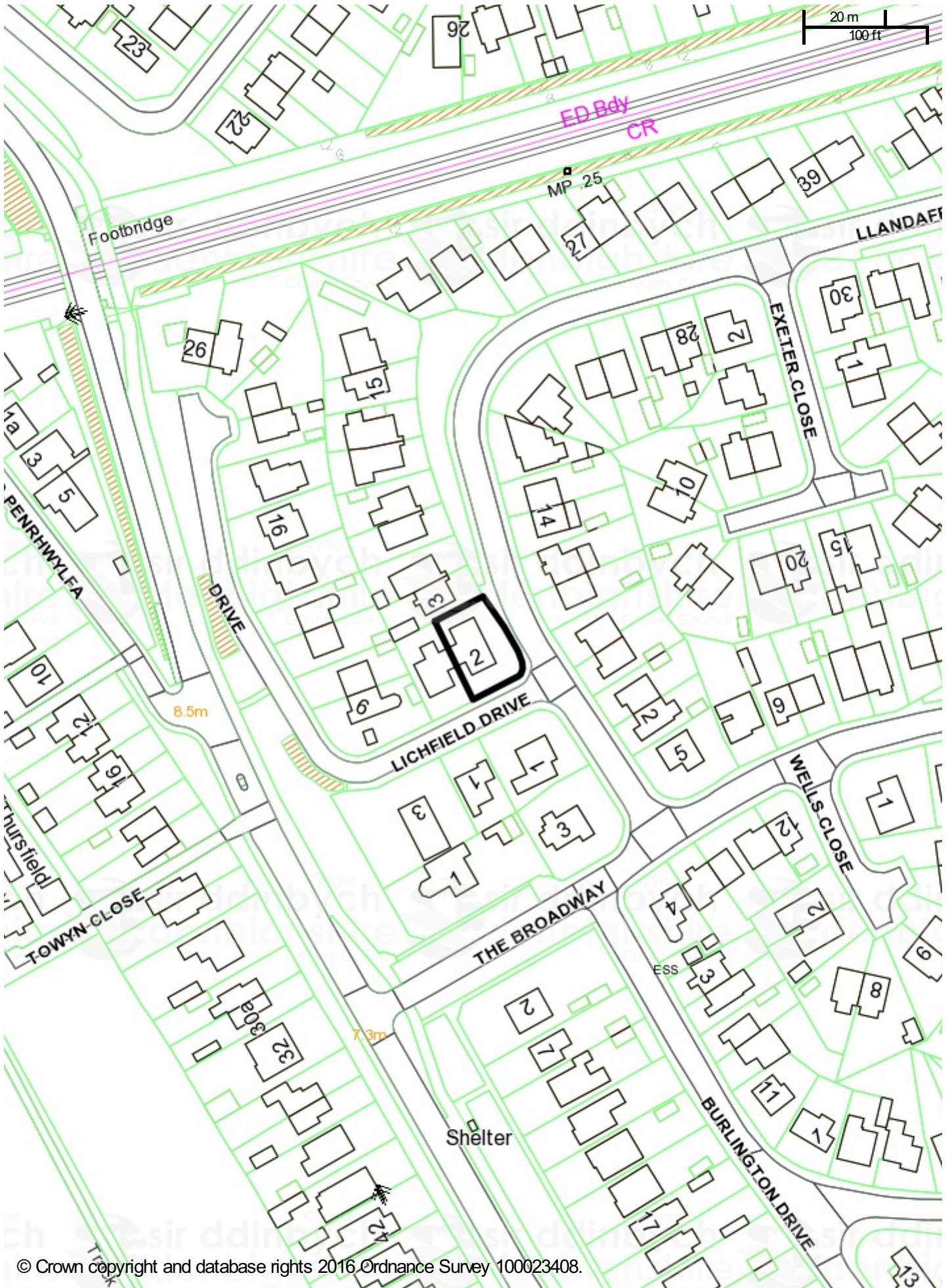
WARD MEMBER(S): Cllr Bob Murray (c)
Cllr Gareth Sandilands (c)

APPLICATION NO: 43/2016/1083/ PF

PROPOSAL: Erection of extension to rear of dwelling (re-submission)

LOCATION: 2 Lichfield Drive Prestatyn

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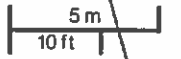


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43/2016/1083/PF

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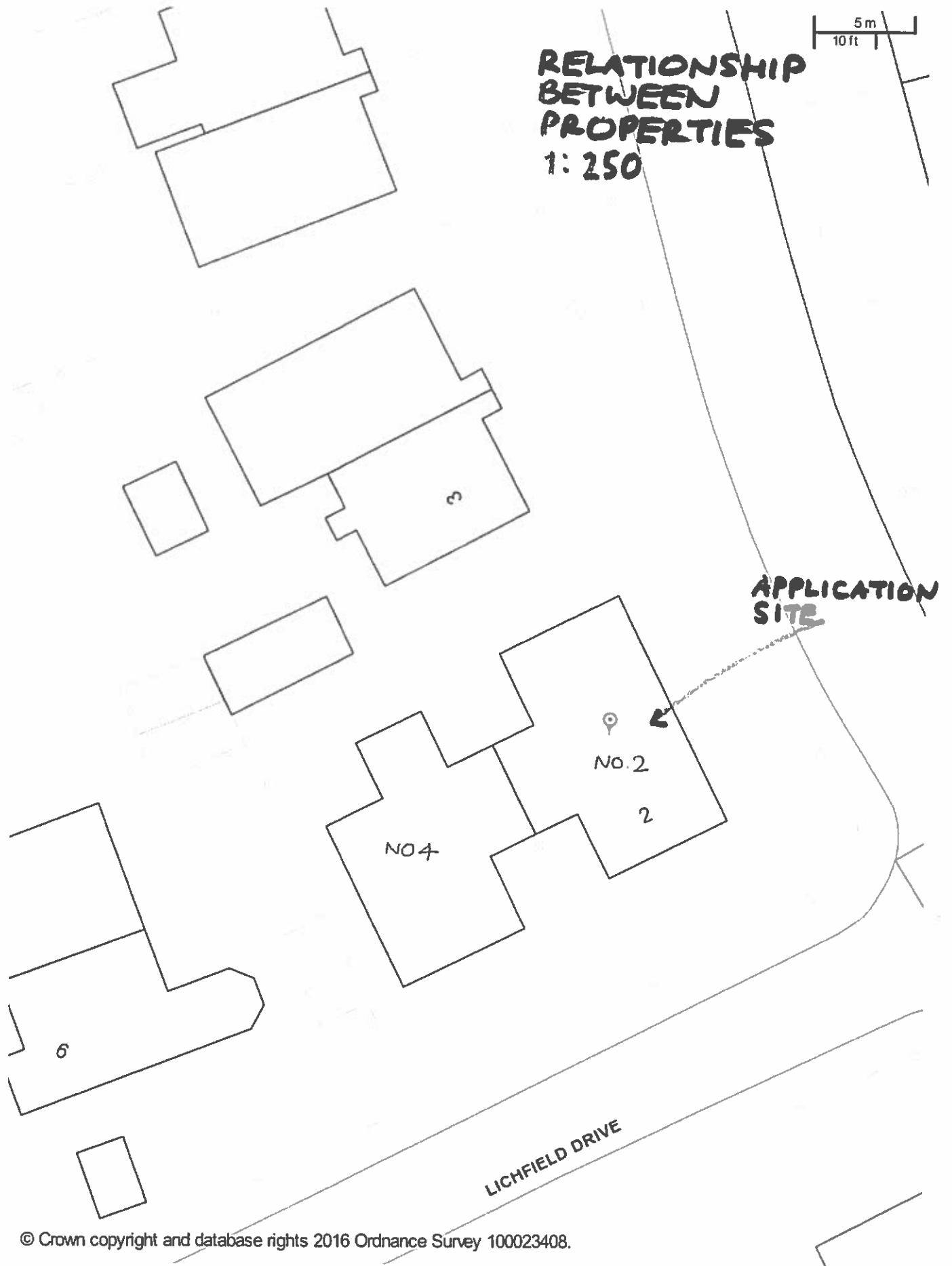
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RELATIONSHIP BETWEEN PROPERTIES

1: 250

APPLICATION SITE



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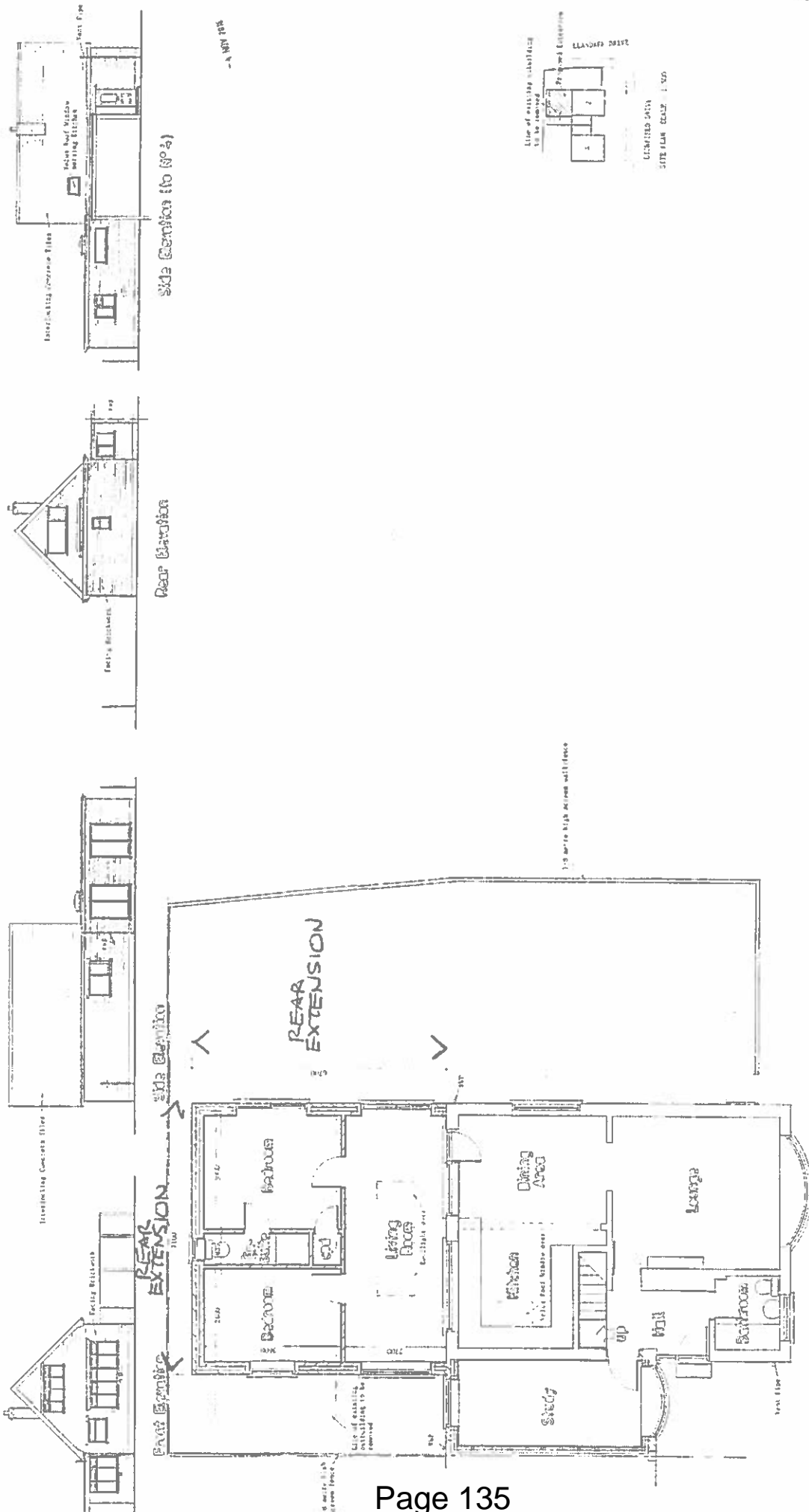
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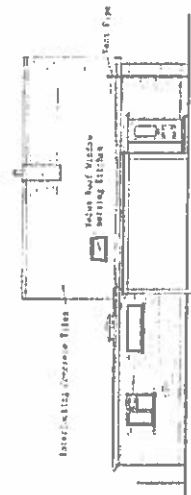
© Denbighshire County Council

PROPOSED PLANS

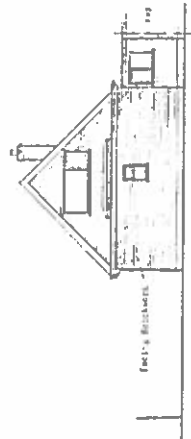
43/205/1/2/3/4



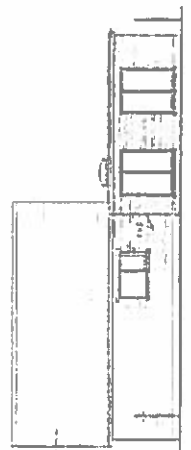
GROUND FLOOR PLAN



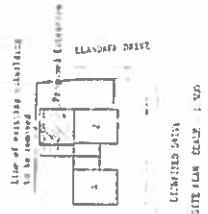
Side Extension (No 4)



Rear Extension



Front Extension



Line of existing wall/fence to be removed

Proposed Extension

LIMITED DATA

SITE PLAN SCALE 1:50

PROPOSED EXTENSION AT REAR OF 2 HERFIELD DRIVE, PRESTATYN.
 PLANS AS PROPOSED
 SCALES " 1:50, 1:100.

PLAN NO. 2027/2/3/4

DATE: 10/10/2010
 DRAWN BY: G. J. JONES
 CHECKED BY: G. J. JONES
 PROJECT NO. 2027/2/3/4
 CLIENT: G. J. JONES
 ADDRESS: 2 HERFIELD DRIVE, PRESTATYN, NORTH WALES

WARD : Prestatyn South West

WARD MEMBER(S): Cllr Bob Murray (c)
Cllr Gareth Sandilands (c)

APPLICATION NO: 43/2016/1083/ PF

PROPOSAL: Erection of extension to rear of dwelling (re-submission)

LOCATION: 2 Lichfield Drive Prestatyn

APPLICANT: Mrs Gloria Edwards

CONSTRAINTS: Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

PRESTATYN TOWN COUNCIL

“Residents have raised concerns about over intensification, poor drainage, flooding, traffic management and parking”

RESPONSE TO PUBLICITY:

Representations received from :

:

Lynne Jones, 6 Lichfield Drive, Prestatyn E Thornton, 4 Lichfield Drive, Prestatyn Mrs, Mr, & Miss Auld, 5 Llandaff Drive
Karl Stephens, 3 Lichfield Drive, Prestatyn

Summary of representations in objection:

Parking- concerns over lack of parking as a result of intensified use of dwelling.

Amenity- overlooking from the extension.

Anti-social behaviour/ noise / disturbance from intensified use.

EXPIRY DATE OF APPLICATION: 29/12/2016

REASONS FOR DELAY IN DECISION:

- awaiting consideration at Planning Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 Planning permission is sought for an extension and alterations at no. 2 Lichfield Drive in Prestatyn.

- 1.1.2 A single storey flat roofed extension is proposed to the rear of the dwelling. It would project a total of 6.7 metres from the rear elevation, and measure 7.1 metres in width. It would have an overall height of 2.8 metres.
- 1.1.3 The extension would comprise of a living room, and two bedrooms. Windows are proposed to serve all rooms, including a rear window for an en suite room off one of the bedrooms.
- 1.1.4 External materials are proposed to match the dwelling.
- 1.1.5 The existing garage is also shown to be converted to a study (a development not requiring planning permission).
- 1.1.6 The proposals are shown on the plans at the front of the report.

1.2 Description of site and surroundings

- 1.2.1 The semi-detached dormer bungalow is located in the west of Prestatyn.
- 1.2.2 The dwelling fronts Lichfield Drive, but as it occupies a corner plot, the side of the house runs along Llandaff Avenue. The attached semi is on the western side of no. 2.
- 1.2.3 There are bungalows on Llandaff Avenue to the north and south and similar dormer dwellings to the west on Lichfield Drive.
- 1.2.4 It is a flat site. The rear and side curtilage is bounded by a 2 metre high panel fence (see planning history). The front of the site is open to the road in front of Lichfield Drive and is used for the parking of vehicles.
- 1.2.5 The extension would replace a flat roof ancillary building which is presently located in the rear curtilage and is linked to the rear elevation by an open car-port type structure. The existing outbuilding measures 3.2 metres by 8.2 metres with a similar overall height to the proposed extension.

1.3 Relevant planning constraints/considerations

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

1.4 Relevant planning history

- 1.4.1 Planning permission was refused in 2016 for the erection of a side extension on the dwelling as Officers felt it would impact negatively on the character of the area.
- 1.4.2 Prior to this, planning permission was granted in 2012 for the retention of a 2 metre high panel fence on the boundary 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 43/2016/0839 Erection of extension to dwelling. Refused under delegated powers 12/10/2016 for the following reason:

“It is the opinion of the Local Planning Authority that the proposed extension would, by virtue of its design, scale and location have an adverse impact on the character and appearance of the existing dwelling and the surrounding area. Therefore the proposal is considered to be in conflict with criteria i) and criteria ii) of policy RD3 of the Denbighshire County Council Local Development Plan and advice contained within Planning Policy Wales paragraph 4.11.9 and Denbighshire SPG Extensions to Dwellings and SPG Householder Development Design Guide”

2.2 43/2012/1355 Retention of boundary fence. Granted under delegated powers 22/12/2012

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD 1 - Sustainable development and good standard design

Policy RD 3 - Extensions and alterations to dwellings

3.2 Supplementary Planning Guidance

Supplementary Planning Guidance Residential Development

Supplementary Planning Guidance Parking Requirements in New Developments

3.3 Government Policy / Guidance

Planning Policy Wales Edition 9

Wellbeing of Future Generations (Wales) Act 2015

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, December 2016 (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 3.1.3). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, towards the aim of sustainability, and be fairly and reasonably related to the development concerned.

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- Parking

4.1.5 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of extensions and alterations to existing dwellings is generally acceptable in terms of current policies, subject to consideration of detailing and impacts. Policy RD 3 permits extensions and alterations subject to the acceptability of scale and form; design and materials; the impact upon character, appearance, and amenity standards of the dwelling and its immediate locality; and whether the proposal represents overdevelopment of the site. Policy RD1 contains tests requiring development not to have an unacceptable impact on the amenity and appearance of the locality. The Residential Development SPG offers basic advice on the principles to be adopted when designing domestic extensions and related developments. The assessment of impacts is set out in the following sections.

4.2.2 Visual amenity

Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings. Criteria i) of Policy RD 3 requires the scale and form of the proposed extension or alteration to be subordinate to the original dwelling, or the dwelling as it was 20 years before the planning application was made. Criteria ii) of Policy RD 3 requires that a proposals are sympathetic in design, scale, massing and materials to the character and appearance of the existing building.

There are no representations in objection to the visual impact of the proposals.

The application proposes a single storey extension to the rear of the dwelling. The extension would replace an existing detached ancillary building and would be of a similar scale to it. The rear curtilage of the site is screened by a 2 metre high panel fence.

The dwelling is well screened to the north and east by panel fencing. The proposed extension would be a similar scale and height to the existing ancillary building to the rear of the house. Whilst a flat roof extension is not an ideal design approach, in this instance the screening limits any negative impact of a flat roof addition. Hence it is considered that the proposal would comply with tests i) and ii) of Policy RD 3 and advice within the supplementary planning guidance.

4.2.3 Residential amenity

Paragraph 3.1.7 of PPW 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. It is also advised that the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties. Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself. Test iii) of Policy RD 3 requires that a proposal does not represent an overdevelopment of the site, to ensure that sufficient external amenity space is retained. SPG states that no more than 75% of a residential property should be covered by buildings and that 40m² of amenity space is provided.

Concerns have been raised by neighbours over the amenity issues pertaining to this application.

The application proposes a single storey extension to the rear of the dwelling. It would be set off the boundary with the attached house by 2 metres. Windows are proposed on all elevations. To the rear the windows serve a wc and to the sides they would serve the living room and two bedrooms. There is a 2m high panel fence to the western side and beyond the fence a leylandi hedge within the curtilage of the neighbour's dwelling. To the rear of the attached house there is a conservatory which projecting to the rear. To the east of the extension a private amenity area would be retained, this would measure over 70 square metres.

Owing to the existence of the panel fence the site is well screened to all sides, including to the side of the attached dwelling, No.4. Hence it is not considered that there would be unacceptable direct overlooking as a result of the extension. There would be adequate amenity space remaining for the resulting four bedroom dwelling if the extension is permitted. Noise and antisocial behaviour has been raised in objections, however Officers consider it would be difficult to substantiate a refusal of an extension to a single dwelling based on these reasons. Considering the nature of the existing development and that proposed it is the opinion of Officers that the proposal would comply with test iii) of Policy RD 3.

4.2.4 Highways (parking)

Policy RD1 requires safe and convenient access for all together with adequate parking, services and manoeuvring space. SPG Parking Requirements in New Developments requires 1 parking space per bedroom in a new dwelling up to a maximum of 3 spaces.

Concerns have been raised over the lack of parking on the site.

No alterations are proposed to the parking area to the front of the dwelling. The area to the front of the dwelling is an open hardstanding. Parking is available on the site for at least 3 vehicles.

If the extension is permitted, the resulting dwelling would contain 4 bedrooms. In accordance with the SPG, three parking spaces are available for the dwelling. It is the opinion of Officers that it would be difficult to resist the proposal on parking reasons particularly where planning policies are in place to reduce reliance on the private car and promote sustainable means of transport. As such it is not considered that the proposal conflicts with the highways considerations of Policy RD1.

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.

The site is not located within a flood risk zone or area designated as sensitive from the point of view of flooding or drainage. A standard note to application regarding drainage responsibilities is proposed to be attached to the permission if granted.

Having regard to the scale of the development it is considered that the extension would not be unacceptable in relation to drainage and flooding. The proposal is therefore considered to be compliant with the policies listed above.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed

5. SUMMARY AND CONCLUSIONS:

5.1 It is the opinion of Officers that the proposal complies with the tests of the relevant LDP planning policies RD1 and RD3, and advice set out in SPG Notes. The application is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 11th January 2022.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Existing elevations, floor plan, site plan and location plan (Drawing No. 2807/1) received 4 November 2016
 - (ii) Proposed elevations, floor plan and site plan (Drawing No. 2807/2) received 4 November 2016

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. For the avoidance of doubt and to ensure a satisfactory standard of development.

NOTES TO APPLICANT:

Dwr Cymru Welsh Water have advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes of Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal they request you contact their Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

Ratification of 14th December 2016 Planning Committee Resolution on application no. 03/2016/0300/PF, erection of 95 dwellings, together with associated roads, open space and related works, land at Vicarage Road, Llangollen

1. PURPOSE OF REPORT

- 1.1. To update Members of Planning Committee on the additional information supplied by the applicant in relation to the resolution made by them at the 14th December 2016 Planning Committee. To seek Members ratification of their previous resolution having regard to the additional information.

2. BACKGROUND

- 2.1. At the 14th December 2016 meeting of Denbighshire's Planning Committee Members resolved to grant planning permission for the above development subject to an increased provision of affordable housing.
- 2.2. The original Officer Committee report is attached to this report as **Appendix 1**.
- 2.3. Councillor Parry proposed an amendment to the Officer recommendation that the applicant provide 10% affordable housing on the full 95 dwellings proposed. This proposition was seconded by Councillor Hilditch-Roberts.
- 2.4. During the debate at Planning Committee Members had also alluded to issues of a bond to secure any financial contributions and also the provision of a new parking area on site close to the existing Youth Club. It should be noted, however, that these issues **did not** form part of the final resolution outlined above. Officers will expand on these issues, however, as below.
- 2.5. Since the 14th December 2016 Planning Committee the applicant has submitted additional information covering the points raised by Members.

3. AFFORDABLE HOUSING

- 3.1. The applicant has confirmed that he will provide 10% affordable housing on the full 95 dwellings. This equates to 9 dwellings being provided on site and a commuted sum payment of £47,074.50 in lieu of the 0.5 dwellings. The affordable units are proposed to be shared ownership. Officers consider that this offer is acceptable and meets the resolution of Planning Committee. The provision of the affordable units on site and the commuted sum will all be controlled in the s.106 legal agreement.

4. SECURITY OF FINANCIAL CONTRIBUTIONS

- 4.1. As noted above the provision of the affordable housing will be controlled within the s.106 legal agreement. The development of the on-site affordable units will be controlled by agreed trigger points within the s.106 agreement. The same will apply to the payment of the commuted sum. This will mean a restriction will be in place to limit the further development of open market dwellings until such time as

affordable units and the commuted sum are provided. If the developer fails to meet such a requirement then enforcement action can be taken in the form of an injunction. As such, a bond is not considered necessary to control the affordable housing element of the scheme.

4.2. In relation to the provision of open space the developer has agreed to provide the small commuted sum payable on the signing of the s.106 agreement. The on-site open space will be provided and maintained by a Management Company and the s.106 agreement will move maintenance responsibilities to any successors in title. This means that the Council will not have responsibility for these areas in the event of problems with the private Management Company. Enforcement action could be taken should the responsibilities of the current management company of the open space not be fulfilled.

4.3. In relation to the provision of the financial contribution towards education the applicant has agreed to a clause within the s.106 legal agreement which would remove the legal right to challenge the required contribution of the basis of viability. The proposed clause reads as follows;

“The Owner covenants with the Council that it shall not seek to amend, discharge, vary or otherwise renegotiate the Education Contribution payable to the Council under this Agreement on the grounds of a viability appraisal and/or an application under Section 106A of the 1990 Act.”

4.4. Having regard to the above Officers do not consider that there would be a requirement for a financial bond to be entered into by the developer. There are developmental and payment controls which can be adequately put into, and, where necessary, enforced through the s.106 legal agreement.

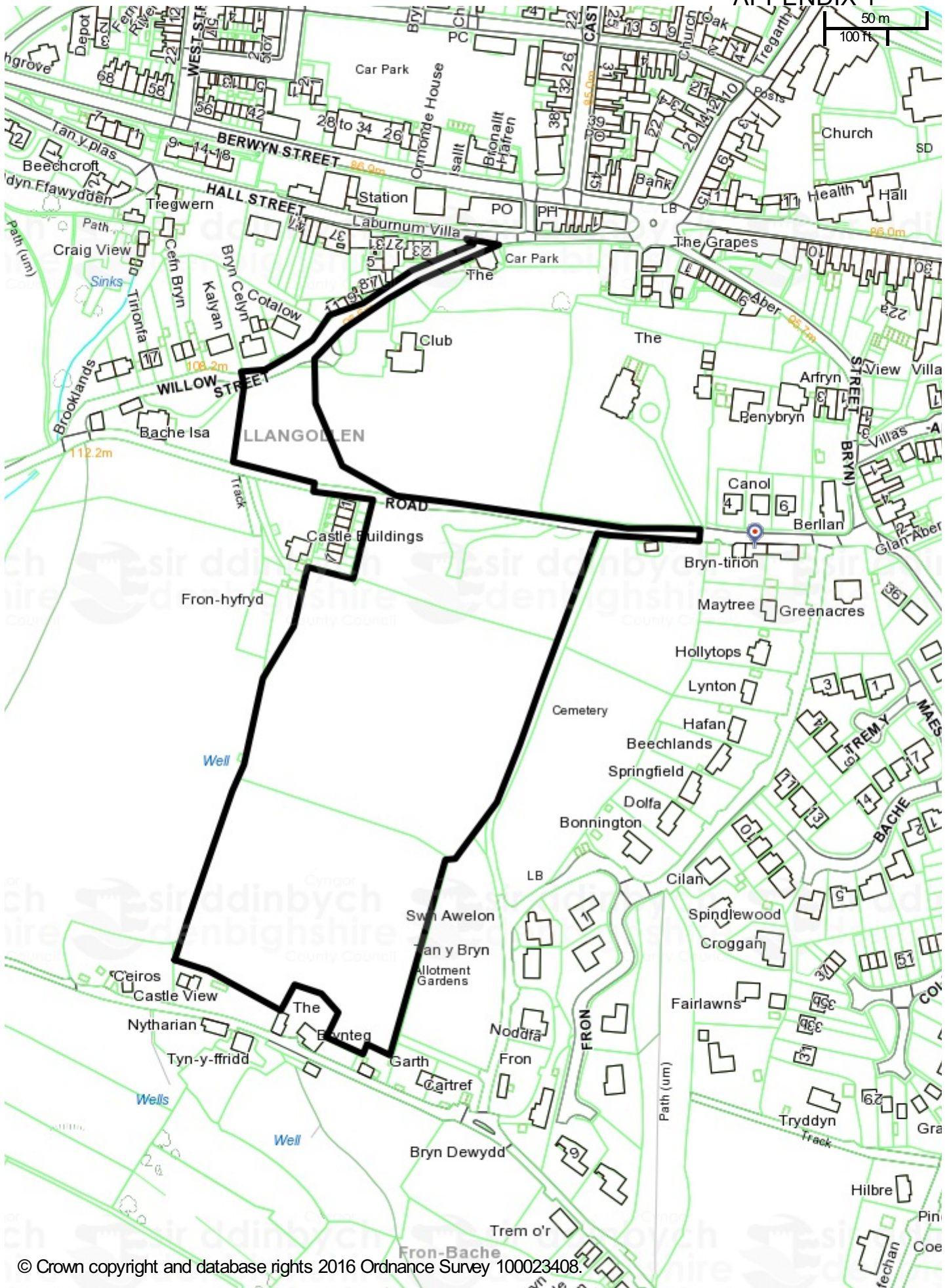
5. PARKING AREA

5.1. Members should note that a landscaping condition was proposed within the original Officer report seeking further agreement to the precise details of the open space and landscaped areas on site. One such area close to the Youth Club could, if agreed, include additional parking space for vehicles. It will be for the developer to submit a landscape proposal for this area and Officers can liaise with the local Members on the final agreed scheme.

6. RECOMMENDATION

6.1. That Members ratify the 14th December 2016 Planning Committee decision and grant planning permission subject to the following:-

- The completion and signing of a s.106 legal agreement
- The Planning Conditions set out in the original Officer Report
- The revised developer offer of 10% affordable housing on 95 dwellings.



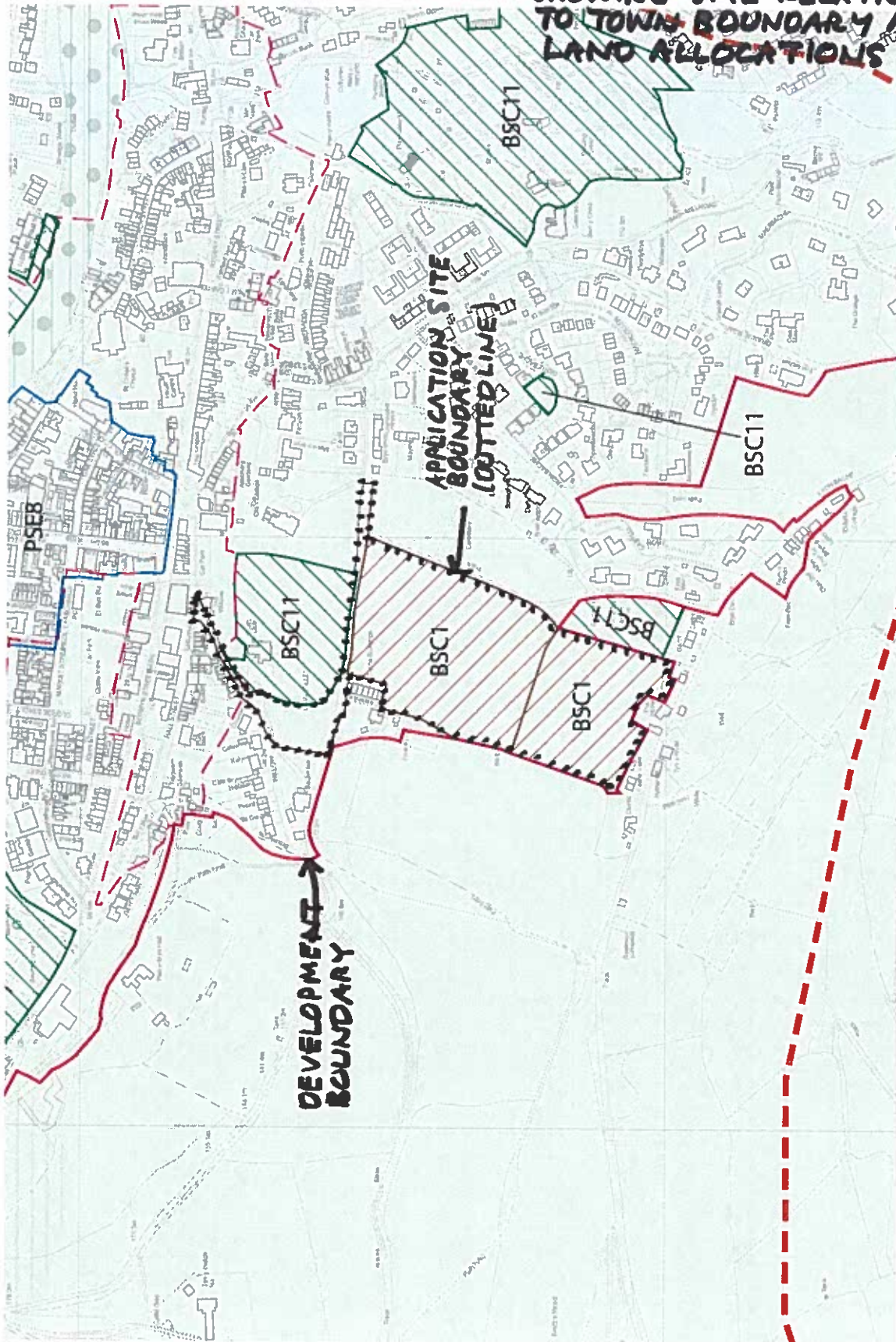
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03/2016/0300/PF

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**EXTRACT FROM LOCAL
DEVELOPMENT PLAN
PROPOSALS MAP
SHOWING SITE RELATIVE
TO TOWN BOUNDARY AND
LAND ALLOCATIONS**



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EXTENT OF APPLICATION SITE

Axis Architectural Services Ltd.

Riverdale, Severn Lane, Welshpool, Powys, SY21 7BB.

T: 01938 555318 M: 07790 506633 E: timjones@post.com

Location:

Land at: Vicarage Road, Llangollen, Denbighshire, LL20 8HG.

Job/Project:

Proposed Residential Development.

Client:

Castlemead Group Limited.

Drawing Title:

Location Plan.

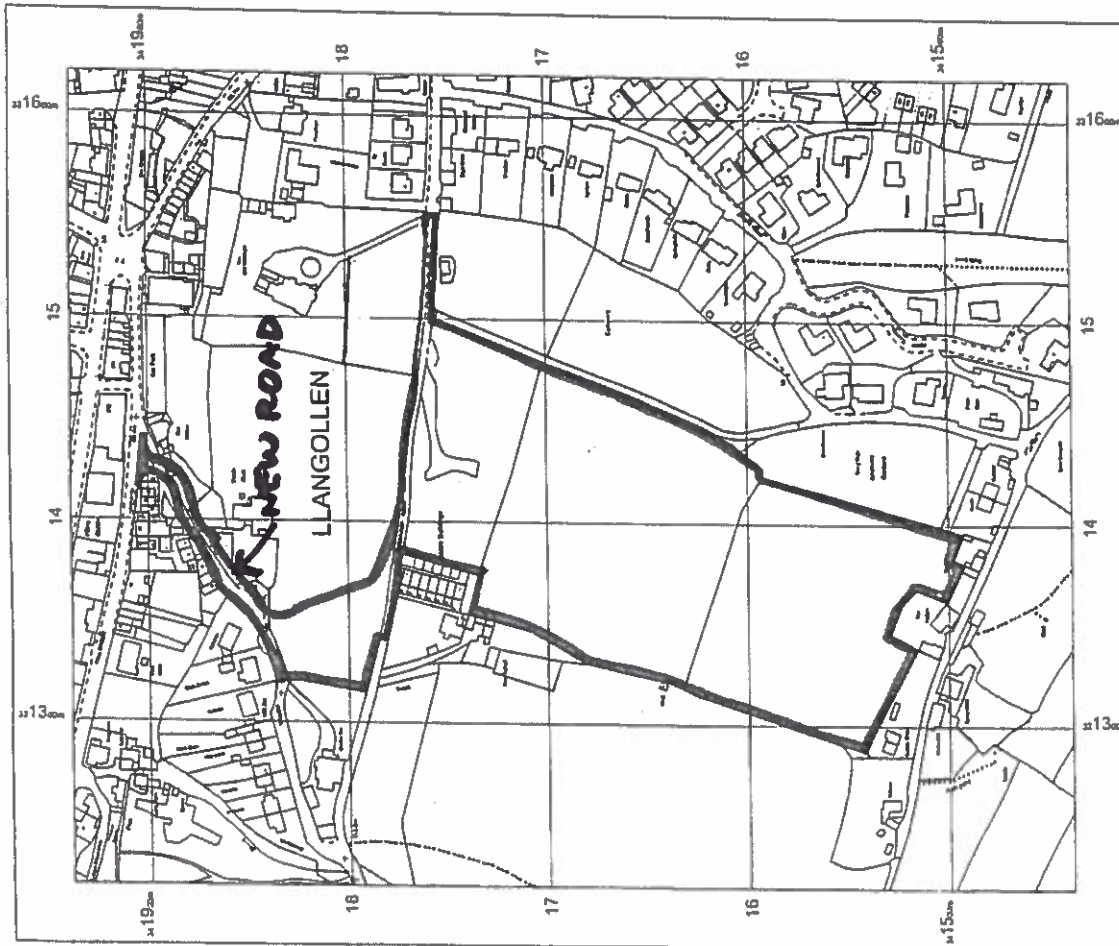
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Revision: Drawn by: Date:

T.M.J.

Nov. 2015.



OS MasterMap 1:2500/10000 scale
13 November 2015, (D) HMIC-00479310
www.themapcentre.com

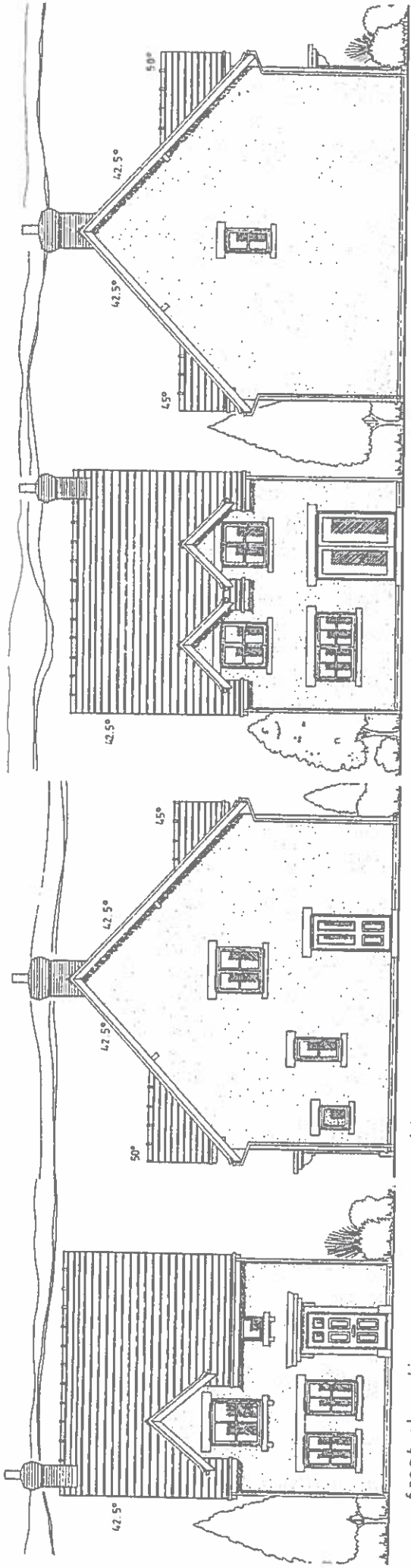
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THE MAP CENTRE
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EXAMPLES OF HOUSE TYPES

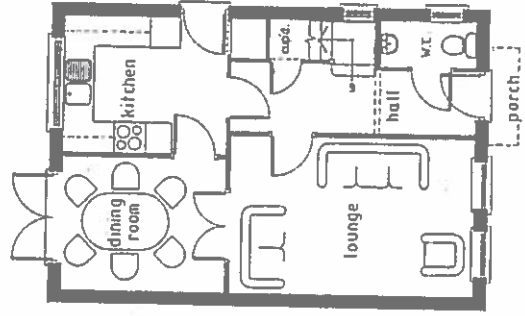


front elevation.
'B' type. low eaves
render version.

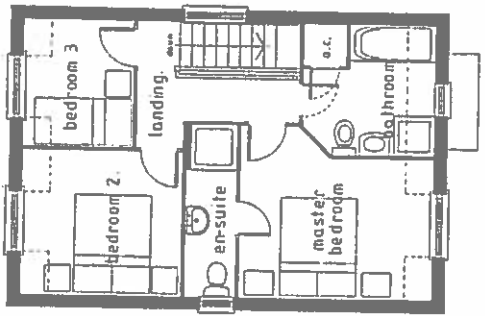
side elevation.
'B' type. low eaves
render version.

rear elevation
'B' type. low eaves
render version.

side elevation.
'B' type. low eaves.
render version.



ground floor plan.
'B' type low eaves
render version.



first floor plan.
'B' type. low eaves.
render version.

EXTERNAL MATERIALS SCHEDULE - All rendered version house types.

(Revision: 'A' - Dec. 2013)

- 1: White, cream and grey shades of coloured textured render external wall finishes to all elevations throughout.
- 2: Red multi facing brick below render drip line and damp proof course level.
- 3: Buff coloured reconstituted stone to all window heads and sills.
- 4: Buff coloured reconstituted stone to all chimney stacks.
- 5: Buff coloured reconstituted stone to all front door pilasters and door head surround.
- 6: Natural slate grey or dark bay river faced 450mm by 200mm natural mineral slate roof tiles (or similar approved manufacturer) to be of a colour, size and thickness similar to surrounding properties and to be laid in diminishing courses.
- 7: Red coloured angular profiles abutting clay ridge tiles.
- 8: Lime/sand mortar mix to gable roof verges.
- 9: Secret mixed lead hips to all external bay roofs.

- 10: All painted softwood fascia boards, soffits boards and barge spars to be finished and painted in white.
- 11: Exposed softwood porches and wall plates to be planed and painted in white to all gable elevations.
- 12: Code 4 lead flashing between roof and wall abutments.
- 13: Code 4 lead valley's to dormer and gable roofs.
- 14: Code 5 lead finish to flat roofed porch canopy.
- 15: Floor porch to comprise of planed softwood flat rooked canopy overhanging supported on gablet brackets and finished and painted in white.
- 16: Red coloured clay round chimney pots to all chimney stacks.
- 17: Softwood planed & painted white Victorian style mock sash window frames to all elevations throughout.
- 18: Hardwood, planed & painted white door frames throughout.
- 19: Hardwood, planed & painted front, side & rear external doors throughout.
- 20: All soil & vent pipes and rainwater downpipes and gutters finished in black u.p.v.c.

Axis Architectural Services Ltd.

Riverdale, Severn Lane, Welshpool, Powys, SY21 7BB.
T: 01938 555318 M: 07790 506633 E: timjones@post.com

Location:
Job/Project:
Land at: Vicarage Road, Liangollen, Denbighshire, LL20 8HG.

Proposed Residential Development.

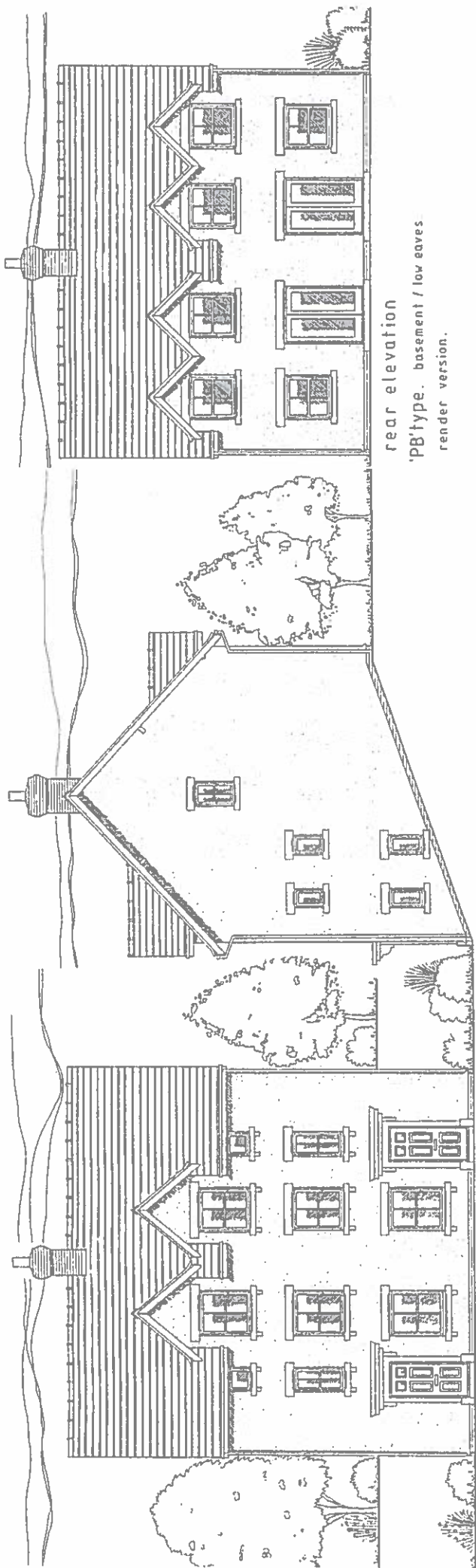
Client:
Castlemead Group Limited.

Drawing Title: Floor Plans & Elevations (render version - low eaves):
'B' House Type- 3 bed detached dwelling.

Plot: 34 only.

Scale: 1:100 (A3 size) CGL-4/TMJ-30 'A'
Drawing No: Revision: Drawn by: Date:
T.M.J. Aug. 2015.

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front elevation.
'PB' type. basement / low eaves.
render version.

side elevation.
'PB' type. basement / low eaves.
render version.

rear elevation
'PB' type. basement / low eaves.
render version.

- EXTERNAL MATERIALS SCHEDULE**
- All render is to be 3.5 storey basement render type. (Benchmark 'B' - Sept.16)
 - 1: All external walls to be finished with external wall render to all elevations throughout.
 - 2: All roof tiles to be to all chimney stacks.
 - 3: All multi facing brick better render drip line and render roof course level.
 - 4: All external masonry to be finished with external wall render to all elevations and all.
 - 5: All external masonry to be finished with external wall render to all elevations and all.
 - 6: External stone or stone like render to be finished with external wall render to all elevations and all.
 - 7: All external masonry to be finished with external wall render to all elevations and all.
 - 8: All external masonry to be finished with external wall render to all elevations and all.
 - 9: All external masonry to be finished with external wall render to all elevations and all.
 - 10: All external masonry to be finished with external wall render to all elevations and all.

- 11: Exposed rafters and roof joists to be painted and primed to white to all elevations.
- 12: One 4 inch x 4 inch batten to be fixed to all rafters.
- 13: One 4 inch x 4 inch batten to be fixed to all rafters.
- 14: One 4 inch x 4 inch batten to be fixed to all rafters.
- 15: One 4 inch x 4 inch batten to be fixed to all rafters.
- 16: All external door frames to be finished with external wall render to all elevations and all.
- 17: All external door frames to be finished with external wall render to all elevations and all.
- 18: All external door frames to be finished with external wall render to all elevations and all.
- 19: All external door frames to be finished with external wall render to all elevations and all.
- 20: All external door frames to be finished with external wall render to all elevations and all.
- 21: All external door frames to be finished with external wall render to all elevations and all.

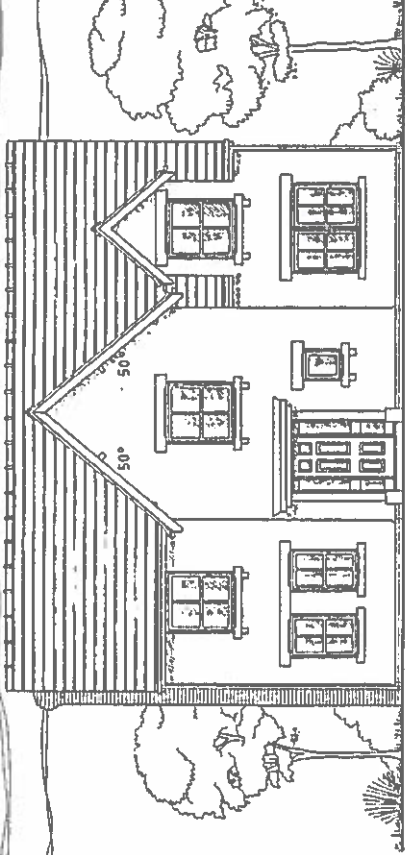
Axis Architectural Services Ltd.
 Riverdale, Severn Lane, Welshpool, Powys, SY21 7BB.
 T: 01938 555318 M: 07790 506633 E: timjones@post.com

Location:
 Land at: Vicarage Road, Llangollen, Denbighshire, LL20 8HG.
 Proposed Residential Development.

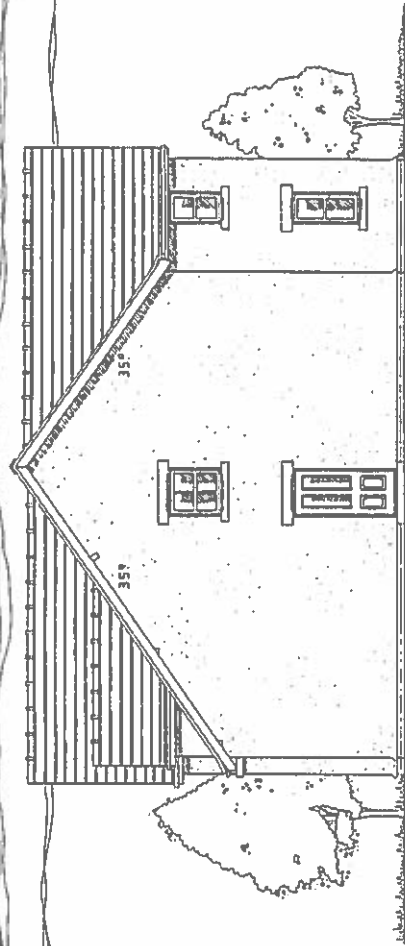
Client:
Castlemead Group Limited.

Drawing Title: Elevations (render version - 2.5 storey, basement/low eaves):
 'PB' House Type - 2 bed semi-detached dwelling.
 Plots: 73 & 74.
 Scale: 1:100 (A3 size) CGL4/TMJ-60
 Drawing No: Revision: Drawn by: Date:
 T.M.J. Sept. 2016.

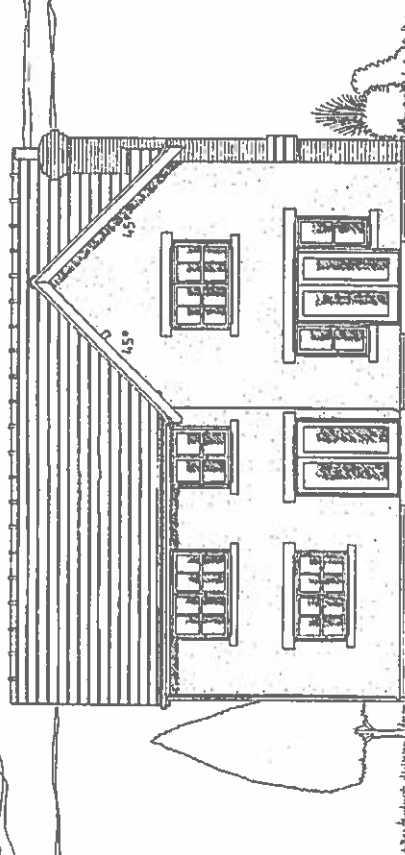
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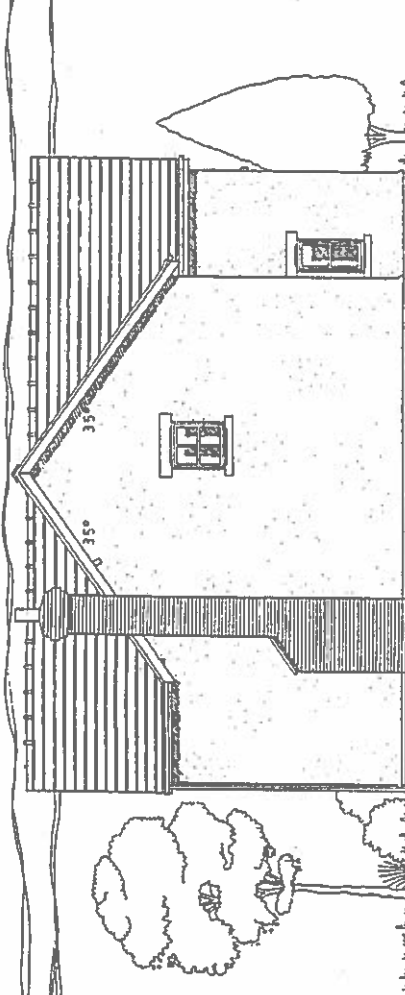
front elevation.
'ED' type.
render version.



side elevation.
'ED' type



rear elevation.
'ED' type



side elevation.
'ED' type

EXTERNAL MATERIALS SCHEDULE - All rendered verities have type:

(Revision: 'A' - Dec. 2013)

- 1: White, cream and grey shades of cultured textured exterior exterior wall finish to all elevations throughout.
- 2: Red multi facing brick to all chimney stacks.
- 3: Red multi facing brick below render and above roof course level.
- 4: Red cultured reconstituted stone to all window heads and sills.
- 5: Red cultured reconstituted stone to all front door sills and door head surround.
- 6: Natural stone grey or dark blue stone faced 450mm by 200mm natural finished slate roof tiles (or similar approved manufacturer) to be of a colour, size and finish type similar to surrounding properties and to be laid in alternating courses.
- 7: Red cultured angular profiled abutting cast ridge tiles.
- 8: Unfinished mortar mix to glass and eaves.
- 9: Secret ended lead up to all eaves and roof.
- 10: All placed painted finish beams, rafters barge and barge slats to be finished and painted in white.

Axis Architectural Services Ltd.
 Riverdale, Severn Lane, Welshpool, Powys, SY21 7BB.
 T: 01938 555318 M: 07790 506633 E: timjones@post.com
Location:
 Land at Vicarage Road, Llangoollen, Denbighshire, LL20 8HG.
Job/Project:
 Proposed Residential Development.
Client:
 Castlemead Group Limited.
Drawing Title: Elevations (render version - standard eaves):
 'ED' House Type- 5 bed detached dwelling.
Plots: 17 & 81.
Scale: 1:100 (A3 size) CGL-4/TMJ-58 'A'
Revision: 1:100 (A3 size) CGL-4/TMJ-58 'A'
Drawn by: Date:
T.M.J. Aug. 2015.

- 11: Exposed natural particle and wood joints to be painted and primed in white to all gable elevations.
- 12: Gable end facing between roof and wall cladding.
- 13: Gable end facing to be painted and primed in white.
- 14: Gable end facing to be painted and primed in white.
- 15: Front porch to comprise of painted supported Red multi facing exterior supported on pillars finished and painted and primed in white.
- 16: Red cultured stone faced chimney pots to all chimney stacks.
- 17: Softwood painted & stained side verticals with each side window frames to all throughout.
- 18: Handmade, painted & primed white door frames throughout.
- 19: Handmade, painted & primed front, side & rear external doors throughout.
- 20: All set & used doors and windows throughout and painted finished in black & V.V.

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David Roberts

WARD : Llangollen

WARD MEMBERS: Councillors Rhys Hughes (c) and Stuart Davies (c)

APPLICATION NO: 03/2016/0300/ PF

PROPOSAL: Erection of 95 no. dwellings, together with associated roads, open space and related works

LOCATION: Land Off Vicarage Road Llangollen

APPLICANT: Castlemead Group Ltd.

CONSTRAINTS: World Heritage Site Buffer
C2 Flood Zone
Tree Preservation Order
AONB

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

REASON APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Town Council Objection
- More than 4 individual objections with a recommendation to grant

CONSULTATION RESPONSES:

LLANGOLLEN TOWN COUNCIL

'Members of the Planning Committee consider the above at their May meeting and wish to object to the application.

The Planning Committee are cognisant of the requirement to provide adequate housing for the future demands of the area. However this requirement must be balanced against the capacity of the existing infrastructure within the town, and its setting within an Area of Outstanding Natural Beauty and a designated World Heritage Site.

The objection is based on the departure from the specific elements of the following Local Development Plan policies:

RD 1 - Sustainable development and good standard design;
VOE 2 - Area of Outstanding Natural Beauty and
VOE 3 – Pontcysyllte Aqueduct and Canal World Heritage Site.

Policy RD 1 - Sustainable development and good standard design. Development proposals will be supported within development boundaries provided that all the following criteria are met:

i) Respects the site and surroundings in terms of the siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings;

The proposed development does not respect the site and surroundings. The extension of the site beyond the extant planning permission is an unacceptable increase in the intensity and use of the land. There are also elements of the design which are inappropriate and not in keeping with the style and nature of existing dwellings. The scattering of the townhouse style units throughout the development is not in keeping with the vernacular. Three-storey developments in the town are in clusters at right angles to the main valley floor.

*iii) Protects and where possible enhances the local natural and historic environment; and
v) Does not unacceptably affect prominent public views into, out of, or across any settlement or area of open countryside;*

The proposed development will not enhance the local environment, the extension of the site further up the hillside will make the development clearly visible from other areas of the town. The development will have an adverse effect on prominent views across the settlement and from adjoin areas of open countryside. The Town Council take the view that smaller developments in keeping with the environment are more appropriate.

vi) Does not unacceptably affect the amenity of local residents, other land and property users or characteristics of the locality by virtue of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution etc., and provides satisfactory amenity standards itself.

The proposed development will affect the amenity of local residents who live in close proximity to the site particularly during the construction phase. The existing interrelationship of properties will mean that considerable disruption will be caused to adjacent properties.

vii) Provides safe and convenient access for disabled people, pedestrians, cyclists, vehicles and emergency vehicles together with adequate parking, services and manoeuvring space. Proposals should also consider impacts on the wider Rights of Way network surrounding the site.

There is concern that the proposed development will have an adverse effect on access within the area for a considerable period of time. The suggested phasing of the development will result in inadequate access provision until the 31st dwelling is occupied and subsequently whilst the new access road is developed. This will cause problems of access to residential care homes within the area, limiting access to emergency vehicles and doctor visits.

The proposed development will have an unacceptable effect on the local highway network. The road network is already narrow and congested, even more so at peak times, with limited parking provision. This situation will not be alleviated by the proposed phasing. The first phase construction vehicles will cause unnecessary congestion disruption and will have an unacceptable effect on the local highway network.

ix) Has regard to the adequacy of existing public facilities and services.

The proposed development will have an adverse effect on existing public facilities and services. In particular there is a concern over the capacity of the local primary schools to accommodate an increase in pupil numbers that could be created by this development.

xi) Satisfies physical or natural environmental considerations relating to land stability, drainage and liability to flooding, water supply and water abstraction from natural watercourse;

xiv) Has regard to the generation, treatment and disposal of waste.

The extant application specified requirements regarding the disposal of surface water and sewage waste. Despite assurances that sewage provision was on-site Members are aware that no such connection has been found. Therefore there is no evidence that adequate provision for waste disposal can be provided for this development.

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

In determining development proposals within or affecting the Area of Outstanding Natural Beauty (AONB) and Area of Outstanding Beauty (AOB), development that would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation will not be permitted.

Policy VOE 3 – Pontcysyllte Aqueduct and Canal World Heritage Site.

Development which would harm the attributes which justified the designation of the Pontcysyllte Aqueduct and Canal as a World Heritage Site and the site's Outstanding Universal Value will not be permitted. The following are considered to be key material considerations:

ii) The setting of the World Heritage Site and attributes important to the Outstanding Universal Value of the site present within the Buffer Zone.

The proposed development will not enhance the local environment, the extension of the site further up the hillside will make the development clearly visible from other areas of the town. This will have an adverse effect on the character and appearance of the landscape of the Area of Outstanding Natural Beauty and will harm the attributes which justified the designation of the Pontcysyllte Aqueduct and Canal as a World Heritage Site.'

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

"The Joint Committee notes that the land is allocated for residential development in the adopted LDP and that there is an extant planning permission for the development of 54 dwellings on the lower part of the site. The upper part of the site was allocated at a later stage of the plan making process to address the Inspectors' perception of an under supply of housing land in the LDP, and the committee accepts that the principle of residential development has been established.

The site will be visible from a number of popular vantage points in the AONB, notably the higher ground of Castell Dinas Bran and the Offa's Dyke National Trail to the north. It is largely open in character but partly broken up with existing mature trees and hedgerows which, together with surrounding existing vegetation, obscure some views of parts of the site. The site is also bounded by development to the north, south and further to the east and will read as an extension of the existing built-up area of the town.

Whilst the principle of development is acknowledged, the Joint Committee would make the following comments on matters of detail:

- Density – the dense form and layout of the development, particularly as it approaches the higher part of the site to the south, does not reflect the more loosely grained nature of existing development in this area and does not allow for a more gradual transition from built-up area to open countryside. Similar considerations apply to the western edge of the development site which abuts open countryside.
- Landscaping - The intention to protect and retain existing mature trees and hedgerows is welcomed, and will help integrate the development into its rural setting. The additional planting of local native trees and hedges to help enclose and further break up the site is also supported to mitigate landscape impact. However, the Joint Committee considers the siting of a number of dwellings too close to the western site boundary will undermine this objective and would suggest that additional space is required for denser planting along this boundary, which should include groups of semi-mature trees. The committee would also recommend that agreement be sought to secure advance structural planting of trees and hedgerows across the entire site at the earliest opportunity, which should be protected as the development proceeds.
- Design/Materials – Three storey dwellings should be restricted to the lower part of the site. The proposed palette of wall materials (red facing brick or render) reflects local building materials, but the final selection of materials and their disposition across the site will require further consideration. The committee would also suggest that the introduction of some traditionally finished natural local stone units and walling would enhance the character and appearance of the development. It is not clear whether roofs will be covered in slate coloured

tiles or natural slate, but the Joint Committee would recommend that natural mineral blue/grey slate should be specified for the development. No details of lighting have been provided at this stage and it is recommended that full details of the lighting design (highway and external dwelling lights) should be provided with a view to minimising light pollution to maintain the tranquil nature of the AONB.

- Affordable Housing – The committee is very concerned that only 6 affordable units are proposed, which falls far short of the minimum 10% required by LDP policy. It is noted that no analysis of local need has been submitted with the application, and the committee would suggest that no decision can be taken on this matter until an objective assessment of need has been made which should then form the basis of further negotiations with the applicant to secure the best possible outcome for local people in housing need.
- Conservation Area – Much of the proposed highway improvements to Willow Street are within the Conservation Area and should be sensitively designed to reflect and if possible enhance the historic character of the area. In this context, the committee would recommend that the new highway retaining structures and boundaries should be faced in traditionally finished natural local stone. Stone from the existing retaining walls could be re-used for the purpose.
- The DAS accompanying the application is deficient in that it fails to recognise that the site is within the AONB, the applicability of LDP policy VOE2 and how the application addresses this issue. In addition, the committee does not accept the premise in the LVIA that as the site is allocated in the LDP there is no requirement to assess in detail or consider impacts on the AONB.”

NATURAL RESOURCES WALES

No objection subject to conditions.

Request conditions requiring detailing of access road to be submitted and to demonstrate that no unacceptable run-off would be caused in relation to adjacent premises. Request additional landscaping. Suggest lower density would lessen the impact on the character of area and the landscape. Lighting scheme should be submitted to ensure acceptable impact on bats.

CADW

The proposed development will not have an impact on the Outstanding Universal Value of the World Heritage Site.

DWR CYMRU / WELSH WATER

No objection. Suggest drainage details are secured by condition.

WELSH GOVERNMENT HIGHWAYS AUTHORITY

No objection.

CLWYD POWYS ARCHAEOLOGICAL TRUST

Suggest photographic survey and watching brief

DENBIGHSHIRE COUNTY COUNCIL CONSULTTEES

Highways Officer

No objection subject to conditions securing appropriate details and requiring construction of the new access road to take place prior to the construction of the dwellings.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Janet Bailey, Fron Wen, Fron Bache, Llangollen

Ceinwen Ellis, Brow Farm, Llangollen

Barbara Horspool, 196 Camden Road, London

Stewart Horspool, C/ Marques de Monistrol

Mrs C Harnden & Mr A Lombos, 6 Castle Bgs, Vicarage Rd., Llangollen

Mr. & Mrs. G. Phillips, The Hollies, Fron Bache, Llangollen

S. Woodhall, Bache Isa, Willow Street, Llangollen

Mr. Terry Jones & Miss S. Brown, Garth, Fron Bache, Llangollen
Christopher Lund, Allensmere, Grange Road, Llangollen
Chris & Jenny Potter, Bryn Celyn Willow Street, Llangollen
Mrs. Jones, Noddfa, Fron Bache, Llangollen
Arthur D Roberts, Cotalow, Llangollen
R V Swetman, 5 Berwyn Street, Llangollen
Iain Hope, 23 Hall Street, Llangollen
Miss R. Watkins, Ellis, 1 Tan-y-Bryn, Alma Road, Froncysyllte
David and Martina Roberts, 9 Willow Street, Llangollen
Chris and Jenny Potter, Bryn Celyn, Willow Street, Llangollen
R V Swetman, 5 Berwyn Street, Llangollen
Miss S Jefford, 3 Castle Buildings, Vicarage Road, Llangollen
Mrs C Harnden & Mr A Lombos, 6 Castle Buildings, Vicarage Road
Andrew Barker, Bryntirion, Vicarage Road, Llangollen
Mrs Ruth Stevens, Hafan, Fron Bache, Llangollen
Mr John Williams, Bryn Collen, Fron Bache, Llangollen
Sue Hargreaves, The Armoury Conservation Trust
D. Gardiner - 28 Maes Collen - Llangollen
Mrs Vanora Eurwen Roberts - Swn Awelon, Llangollen
S. C. Campton - 1 Waverley Villas, Llangollen
P. Devlin, Brynteg, Fron Bache
Ms Sam Rex-Edwards, Aber Adda, Hill Street, Llangollen
Carlton Boyce, Geufron Hall, Llangollen
Mr D Jones, Penybryn, Vicarage Road, Llangollen
Margaret Browning, 18 Mes Bache, Llangollen
T G Browning, 18 Maes Bache, Llangollen
Beth Boyce, Geufron Hall, Llangollen
Mr Evans, Drws y Deri, Maes Bache, Llangollen
Sandie Page, 8 Aberadda, Hill Street, Llangollen
Warren Davies, Haylaur, Regent Street, Llangollen
Mr R B Hughes, 61 Maes Collen, Llangollen
Mrs D Smith, 9 Maes Bache, Llangollen
J & G Evans, Swn y Coed, Grange Road, Llangollen
Miss E B Roberts, 93 Pengwern, Llangollen
Alan C Bodicoat, 5 Maes Bache, Llangollen
Mrs M Millward-Hopkins, 3 Castle Buildings, Vicarage Rd, Llangollen
Mr M J Law, 3 Fron Castell, Fron Bache, Llangollen
Ken Skates (AM)
Jon Gorman, The Malthouse, Regent Street, Llangollen
Kane Tetley, 4 Castle Buildings, Vicarage Road, Llangollen
Nicola Galton, 16 Maes Collen, Llangollen
Peter and Margaret Jones, 2 Fron Castell, Llangollen
Glyn & Gill Thomas, 6 Maes Bache, Llangollen
Dr Alfred Brameller, Tryddyn, Off Grange Road, Llangollen
John & Dawn Marjoram, 1 Fron Castell, Llangollen
Marianne Burrell & James Pearce, Cartref, Fron Bache, Llangollen
Dr Ann Evans & Dr Tony Downes, Spindlewood, Fron Bache, Llangollen
D.T.Maybury, 40 Pengwern, Llangollen
Mrs Margaret Pilgrim, 24 Pengwern, Llangollen
Mr DA & L Jones, 31 Maes Collen, Llangollen
Jean Owen, 3 Maes Bache, Llangollen
David Jones, 7 Hill Street, Llangollen
P E Jones, 16 Maes Bache, Llangollen
Paul and Jessica Evans, 10 Gerddi y Bache, Llangollen
Richard Harris & Julie Goodburn, Sunnyside, Willow St, Llangollen
Steve and D Smith, 12 Dee Mill Place, Llangollen
Sharon Tyler, 1 Avondale, Grange Road, Llangollen
Mr S Slater, 3 Castle Buildings, Vicarage Road, Llangollen
Helen McGreary, 61 Maes Pengwern, Llangollen
Mike Gleed, Glandeg, 11 Regent Street, Llangollen

Chris and Gill Smith, Fairview, 6 Fron Castell, Llangollen
Frank Williams, Whitegate, Grange Road, Llangollen
Sarah Marshall, Highfield, Hill Street, Llangollen
Sharon Jones, Springfield, Fron Bache, Llangollen
Dawn Beech, 5 Hill Street, Llangollen
Philip Jones, Glen Garreg, Tyn Dwr, Llangollen
Del Roberts - Jones, Craig View, Hill Street, Llangollen
Mr Morley & Ms Cawthray, Dalmore, Abbey Road, Llangollen
Mr and Mrs Cawthray, 65 Maes Collen, Llangollen
Robert Lawrence, Can-y-Gwynt, Tower Road, Llangollen
Alex Armitage, 19 Maes Collen, Llangollen
Mrs S Griffiths, 7 Erw Deg, Pengwen, Llangollen
David Bland-Roberts, Bella Vista, Aber Adda, Llangollen
Sam Rex-Edwards, Mulberry House, Aber Adda, Llangollen
Cllr Melvyn Mile, 42 Church Street, Llangollen
Miss S Jefford, 3 Castle Buildings, Llangollen
Michael Edwards, 5 Trem y Creigiau, Llangollen
Jane Palombella, Nytharian, Fron Bache, Llangollen
Elisabeth Anne Potter, 12 Gerddi Y Bache, Llangollen
Justin Langford, Hillandale, 4 Bodwen Villas, Hill Street, Llangollen
Anita Jones, Glen Garreg, Tyndwr, Llangollen
Hana McGreary, 1 Castle Buildings, Vicarage Road, Llangollen
Lucy Evans, 5, Church Street, Chirk
Bethan Jones, c/o Glen Garreg, Ty'n Dwr, Llangollen
Jean Cash, Godre Berwyn, Willow Street, Llangollen
Anna Bland-Roberts, 36 Church Street, Llangollen
Joanne Mash, 2 Bryntirion Terrace, Llangollen
Emma Langford-Hughes, Gerllan, Queen St., Llangollen
Neil Page, Briarfield, Aber Adda, Hill St., Llangollen
Teresa Page, Briarfield, Aber Adda, Llangollen
Max Ellson, 80 Pengwern, Llangollen

Summary of planning based representations in objection:

- Principle - No housing need, insufficient infrastructure to deal with additional dwellings, healthcare provision insufficient.
- Highways impact - Number of dwellings excessive for roads in the locality, impact on pedestrian safety, level of traffic detrimental to tourism.
- Education - Schools at capacity and additional pressure would be unacceptable.
- Drainage - Capacity of system.
- Housing Mix - large dwellings affecting affordability.
- Residential amenity - loss of light, increased noise and disturbance, loss of privacy, overshadowing, pollution.
- Visual Amenity - Development out of character with the locality, impact on the setting of listed buildings.
- Impact on Welsh language - Development will dilute Welsh language.
- Ecology - Impact on ecological interests.
- Affordable Housing - insufficient provision.

In Support

Representations received from:

John Perry, Maes-y-Bryn, Vicarage Road, Llangollen

Comments without objection or support

Representations received from:

Mr F V Wilson, 8 Willow Street, Llangollen

J E Connor, 18 Hemitage, Llangollen

Mr M W Roberts, The Chantry, Aberadda Off Hill St

Summary of planning based representations in support:

Consideration needs to be given to highways impact

EXPIRY DATE OF APPLICATION: 18/11/2016

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the erection of 95 dwellings on 3.7 hectares of land to the south of Vicarage Road. The site incorporates land originally granted planning permission in the late 1990's which has an extant planning permission for 50 dwellings.
- 1.1.2 The scheme proposes a mix of terraced, semi-detached and detached dwellings. The mix of dwellings would be as follows;
 - 17 x 2 bedroom
 - 42 x 3 bedroom
 - 31 x 4 bedroom
 - 5 x 5 bedroom
- 1.1.3 The overall density of development would be some 26 dwellings per hectare.
- 1.1.4 13 separate dwelling types are proposed. The palette of materials proposed comprises red multi facing brick or cream or grey render for walls, natural slate grey or dark blue riven faced natural mineral slate with red or slate grey/blue ridge tiles for roofs and painted wood for windows and doors.
- 1.1.5 The proposal includes upgrading of an existing access road to the site (Willow Street). This upgrade is proposed to take place prior to the construction of any dwellings. Separate parking spaces are proposed to be provided within the site for 7 adjacent dwellings (1-7 Castle Buildings). It is proposed that the site will be accessible from both Willow Street and Hill Street.
- 1.1.6 A drainage report has been submitted as part of the application. The report states that foul sewage will be dealt with through connection to mains sewers. The report concludes that soakaways are a feasible option for surface water drainage. It identifies that further percolation tests will be required in order to specify what size soakaways will be required at various locations on the site due to variable results in previous tests.
- 1.1.7 Where proposed contributions relate to 45 of the 95 dwellings on the basis that there is an extant permission for 50 dwellings (see relevant planning history for further details).
- 1.1.8 A sum of £172,000 is proposed in relation to contribution to education provision.
- 1.1.9 4 affordable housing units are proposed within the development with an additional payment of £47,074.50 proposed towards off site provision.
- 1.1.10 An open space area extending to 2395 sq. m to include an equipped formal play space is proposed within the development site (see plan at front of the report). The management responsibilities are proposed to lie with the developer/landowner and are to be secured by legal agreement. An additional £1818.28 is proposed as a contribution to off-site provision. An Oak tree protected by virtue of a Tree Preservation Order (TPO) is located within the proposed open space area on site.
- 1.1.11 A landscaping scheme has been submitted. The scheme includes retention of existing features, new mature trees, new ornamental trees and new species rich hedgerows.

1.2 Description of site and surroundings

- 1.2.1 The existing site comprises of two field parcels located towards to south of the town of Llangollen.
- 1.2.2 The site adjoins a number of residential properties, a cemetery, an allotment and a youth club.
- 1.2.3 The site slopes upwards from north to south.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies entirely within the development boundary of Llangollen, as identified in the adopted Local Development Plan..
- 1.3.2 The site is allocated for housing under Policy BSC 1.
- 1.3.3 The site is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).
- 1.3.4 The site lies within the Vale of Llangollen and Eglwyseg Historic Landscape.
- 1.3.5 The site lies within the Pontcysyllte Aqueduct and Canal World Heritage Site Buffer Zone.
- 1.3.6 A TPO protected Oak Tree lies within the development site.
- 1.3.7 There are a number of listed buildings close to the site application boundary. This includes a listed dwelling near the south western boundary and a number of buildings close to the junction of Willow Street and Hall Street.
- 1.3.8 Part of the application site, specifically part of the access road on Willow Street, lies within the Llangollen Town Conservation Area.

1.4 Relevant planning history

- 1.4.1 There are extant permissions in place for the construction of 50 dwellings on the site, arising from 2 separate planning permissions.
- 1.4.2 The relevant planning permissions relate to one application for 47 dwellings and one for 3 dwellings. The Council has previously accepted that works were undertaken that constituted commencement. It is on this basis that those permissions are considered extant.
- 1.4.3 The legal agreement accompanying the main planning permission requires road improvements to be undertaken prior to the construction of any dwellings.

1.5 Developments/changes since the original submission

- 1.5.1 Agreement has been reached that the access road from Willow Street would be upgraded prior to the construction of any dwellings.
- 1.5.2 Agreement has been reached in relation to education contributions.
- 1.5.3 The layout has been amended to provide a larger, more centralised area of open space rather than a number of areas spread across the site.
- 1.5.4 Highways Officers have undertaken additional surveys in order to assist in the assessment process. The additional surveys resulted in Highways Officers requesting that the improvements to the Willow Street access were undertaken prior to the commencement of construction of any dwellings.
- 1.5.5 Part of the application site has been removed from the application. The area of the site is a parcel of land at the north eastern corner of the site. The parcel of land

benefits from an extant planning permission to develop 4 dwellings (ref: 03/2010/1054). It has been advised that it is the applicants intention to undertake this development under the extant permission and on that basis this part of the site has been removed from the current application.

- 1.5.6 A re-consultation exercise has been undertaken outlining the amended position of the applicant in relation to the road construction, infrastructure contributions, amendments to the layout of the scheme and new house types.

1.6 Other relevant background information

- 1.6.1 Members will appreciate that the development of an allocated site within the adopted development boundary for Llangollen would assist the delivery of the Local Development Plan's identified housing needs for the County to 2021, identified in Policy BSC 1.

2. DETAILS OF PLANNING HISTORY:

03/1997/0740 - Permission granted for 47 dwellings. Previously confirmed by the Council as formally commenced. Permission extant.

03/1997/0846 - Permission granted for 3 dwellings. Previously confirmed by the Council as formally commenced. Permission extant.

03/2010/1054 - Permission granted for 4 dwellings on 28/12/2011. Permission still within 5 year expiry. Permission extant.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy RD5 – The Welsh language and the social and cultural fabric of communities

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy BSC11 – Recreation and open space

Policy VOE1 – Key Areas of Importance

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

Policy VOE 3 – Pontcysyllte Aqueduct and Canal World Heritage Site

Policy VOE5 – Conservation of natural resources

Policy VOE 5 – Water Management

Policy ASA1 – New transport infrastructure

Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance

Supplementary Planning Guidance Note: Recreational Public Open Space

Supplementary Planning Guidance Note: Access for All

Supplementary Planning Guidance Note: Planning Obligations

Supplementary Planning Guidance Note: Affordable Housing in New Developments

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note: Nature and Protected Species

3.2 Government Policy / Guidance

Planning Policy Wales Edition 9

Technical Advice Notes

TAN 1: Joint Housing Land Availability Studies

TAN 5 Nature Conservation and Planning

TAN 12: Design

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9 (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 3.1.3).

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 Density of Development
- 4.1.3 Affordable Housing
- 4.1.4 Open Space
- 4.1.5 Education
- 4.1.6 Healthcare
- 4.1.7 Visual / landscape impact (including on AONB and WHS Buffer Zone)
- 4.1.8 Residential Amenities
- 4.1.9 Ecology
- 4.1.10 Drainage (including flooding)
- 4.1.11 Highways (including access and parking)
- 4.1.12 Impact on Welsh Language and Social and Cultural Fabric

Other matters

Well-being of Future Generations (Wales) Act 2015

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application site is within the development boundary of Llangollen, as approved as part of the Local Development Plan. It is the subject of Policy BSC 1, which states that new housing within the County is required to meet the needs of local communities and to meet projected population changes. In order to meet these needs, the Local Development Plan has made provision for approximately 7,500 homes up to 2021.

The proposed development would provide 99 dwellings and contribute to the housing need total.

The proposal would contribute to providing housing that has been identified as required in the county and is therefore acceptable in principle.

4.2.2 Density of Development

Policy RD1 test ii) states that a minimum density of 35 dwellings per hectare (d/ha) should be achieved in order to ensure the most efficient use of land, and that these minimum standards should be achieved unless there are local circumstances that dictate a lower density.

For allocated housing sites, Policy BSC 1 provides indicative figures in a table for how many dwellings each site is expected to provide. The figures are referred to as broadly identifying the distribution of dwellings. The indicative total for the two sites which are referred to in the table is 88 dwellings. The allocation identified as 'Vicarage Road' is the northern field parcel and is identified as providing 47 dwellings. The southern field parcel is identified as 'Rear of Castle View and the Hollies' and is identified as providing 41 dwellings. If the site were to be developed at the Policy RD1 density of 35d/ha, this would mean a total of 137 dwellings.

The proposal is for the erection of 95 dwellings on 3.7 hectares. This represents a density of 26 d/ha which falls between the figure which would arise from applying the Policy RD1 figure of 35 d/ha and what the sites are 'broadly' identified as providing in Policy BSC1. Having regard to location and topography (relatively low density housing development / a visually prominent and steeply sloping site), in this instance, Officers do not consider it would be appropriate to seek a higher density than that actually proposed, as this would be out of character with the nature of existing development and the locality. Having regard to the above it is considered that the density of development proposed is not unacceptable.

4.2.3 Affordable Housing

Local Development Plan Policy BSC 4 seeks to ensure that all developments of 3 or more residential units provide 10% affordable housing. Developments of 10 or more are expected to make on site provision and development of less than 10 residential are expected to make provision by way of financial contribution.

The applicant proposes to make a contribution towards affordable housing on the basis of the 45 dwellings that are not subject to extant planning permissions. This contribution would be 4 dwellings provided on site and a commuted sum of £47,074.50 to contribute to off-site provision. It is proposed that the provision would be secured through a legal agreement.

Officers consider that significant weight must be afforded to the extant permissions that the site benefits from. On that basis it is considered that the proposed contribution is acceptable. The level of provision for the 45 additional dwellings is in accordance with the required contribution for this number of dwellings, i.e. 4 units on the site and payment for the remaining 'proportion' of 0.5 of a dwelling. The proposal is therefore considered acceptable in relation to affordable housing provision.

4.2.4 Open Space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new development to make a contribution to recreation and open space. It is specified that open space should always be provided on site. Commuted sums in lieu of open space will only be accepted where the full requirement for open space would mean that the proposed development was financially unviable or it is impractical to provide the full requirement for open space on site.

Following negotiations, a larger more centralised public open space has been proposed to serve the proposed development. An open space area extending to 2395 sq. m to include an equipped formal play space is now proposed (see plan at front of the report). The management responsibilities are proposed to lie with the developer/landowner and would be secured by legal agreement. An additional £1818.28 is proposed as a contribution to off-site provision.

It is considered that the provision of larger central public open space on site in combination with the proposed financial contribution towards provision in the locality means that the proposals are acceptable in relation to the provision of recreation and open space.

4.2.5 Education

Objective 12 of Chapter 4 of the Local Development Plan identifies that the Plan will ensure that an adequate level of community infrastructure (including schools) will be provided alongside new developments. Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development.

Current pupil numbers for the two primary schools serving Llangollen (Ysgol Gwernant and Bryn Collen) indicate both are at capacity. A financial contribution relating to the 45 dwellings not currently benefitting from an extant permission is proposed. The amount of provision calculated as being required in accordance with the Planning Obligations Supplementary Planning Guidance Note is £172,800. The applicant has agreed to this level of contribution and it is proposed to secure this through a legal agreement.

Having regard to the extant permissions on the site and the proposed financial contribution it is considered that the proposals are compliant with the Supplementary Planning guidance.

4.2.6 Healthcare

LDP objective 12 aims to ensure adequate level of physical and community infrastructure will be provided alongside new developments, e.g. water supply, primary care facilities, schools, roads, community facilities. The Planning Obligations SPG specifies that the Council will be justified in seeking a contribution towards either building more facilities or improving existing facilities.

A new health centre has recently been built in Llangollen. Concerns have been raised by residents in relation to how the proposal would affect existing healthcare provision.

As stated above the SPG on obligations specifies that contributions can be sought for contributing to the provision of new or improvement of existing facilities. There is no evidence presented to suggest that the development as proposed would lead to a requirement to build additional healthcare facilities or improve the newly built health centre. On this basis no contributions have been sought from the developer.

4.2.7 Visual / landscape impact (including on AONB and WHS Buffer Zone)

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications.

Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings. Policy VOE 1 looks to protect sites of built heritage and historic landscapes, parks and gardens from development that would adversely affect them. Development proposals should maintain and wherever possible, enhance these areas for their characteristics, local distinctiveness and value to local communities. 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. Policy VOE 3 states that development which would harm the attributes which justified the designation of the World Heritage Site (WHS) and its Outstanding Universal Value (OUV) will not be permitted.

Concerns have been raised about the visual and landscape impact of the development by some consultees and local residents. The Town Council and AONB Committee express reservations over detailed elements of the proposals. CADW do not consider the proposed development will have an impact on the Outstanding Universal Value of the World Heritage Site.

The site is located within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty, and within the Vale of Llangollen and Eglwyseg Historic Landscape and the Pontcysyllte World Heritage Site Buffer Zone. The site is in an elevated position to the south of the town centre.

In relation to the wider landscape impact of the proposals, officers acknowledge that the site is within a sensitive and important landscape area (as demonstrated by the various designations) and due to its elevated position in relation to the town would be

visible from more distant views. However the development must be considered in relation to the pattern of development in the town, and the fact there is a clear precedent for development on elevated land. Officers consider that when viewed in the context of existing development to the east of the site that the development would appear as a logical extension to the settlement. On this basis it is not considered that the development of the site would have an unacceptable impact in visual and landscape impact terms, including on the AONB and World Heritage Site Buffer Zone designations.

In respecting the comments on the details of the development, having regard to the specifics of the design, siting, scale, massing, materials and landscaping of the proposed development in relation to the existing site and surroundings, it is considered that the proposals would not have an unacceptable visual / landscape impact, including on the AONB, the WHS Buffer Zone, nearby listed buildings and the Llangollen Town Conservation Area.

4.2.8 Residential Amenity

PPW 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. It is also advised that the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

Test vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself.

Concerns have been raised in relation to how the development would impact on the residential amenity of existing neighbouring properties.

A development of this scale will inevitably lead to increased levels of noise and disruption for occupiers of neighbouring properties. However, having regard to the scale, location, separation distances and design of the proposed development in relation to the existing site and neighbouring properties, it is not considered that the proposals would be so unreasonable in terms of impacts on residential amenity to justify refusal of permission. Assessment of the size of dwellings, the amount and location of amenity space and separation between dwellings within the development, indicates the development would provide satisfactory levels of amenity to proposed future occupiers. The proposals are therefore considered to comply with the policies and guidance listed above.

4.2.9 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 protected species survey has been submitted and NRW have raised no objections subject to the recommendations being followed and that external lighting is controlled by condition.

The proposals are therefore considered acceptable in relation to impact on ecology subject to condition.

4.2.10 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.

There are individual representations expressing concerns over the capacity of the system.

Foul sewage is proposed to be dealt with via main sewers. Surface water is proposed to be dealt with by soakaway. A drainage strategy has been submitted indicating that soakaways are a realistic option on the site. It is stated that where there are areas of the site that soakaways are less effective than larger soakaways can be used elsewhere on the site to achieve acceptable management of surface water. NRW and DCWW have raised no objection in relation to drainage or flood risk subject to details of the drainage being secured by condition.

Officers consider that sufficient information has been submitted to demonstrate that foul and surface water can be acceptably managed. The exact size and location of proposed soakaways have not been established however it is considered that this detail can reasonably be controlled through condition. Having regard to the above, and subject to conditions requiring the submission of further details, it is considered that the proposals are acceptable in relation to drainage and flood risk.

4.2.11 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.

Various concerns have been raised in relation to the impact of the development in relation to the local highway network and highway safety. Specific concerns are raised in relation to the proposed delay in the construction of the new/improved access from Willow Street.

Assessments in the form of video surveys have been undertaken by the Highways Section. Based on the submission and the collation of additional information the Highways Officers considered that it was necessary that the new access road be completed prior to the construction of any dwellings, to allow construction traffic relating to the dwellings to use this as a route into the site. Following negotiations, the applicant has agreed to this requirement. The Highways Officer has therefore raised no objection subject to conditions requiring appropriate detailing, timing of works, timing of construction of the new road and the submission of a construction traffic management plan to assist in ensuring the impacts of the construction phase on the local highway network are minimised. Welsh Government Highways have not raised an objection in relation to the impact of the development on the A5.

Having regard to the technical consultee responses, the detailing of the proposed access and parking arrangements, the design of junctions, the location of the site and scale of the development, it is not considered that the development would have an unacceptable impact on the local highways network in terms of traffic generation or safety of users, subject to imposition of relevant conditions.

4.2.12 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 Community Linguistic Statement submitted with the application concludes that the proposals would have no negative impact on the needs and interests of the Welsh Language.

In Officers' opinion a residential development on this site would not by virtue of its size, scale, and location give rise to significant harm to the character and language balance of the community.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 The report sets out the main planning issues which appear relevant to the consideration of the application and concludes that the proposal is acceptable in relation to policies and guidance.

5.2 It is therefore recommended that Members resolve to grant permission subject to :

1. Completion of a Section 106 Obligation to secure affordable housing, education and open space contributions as detailed in the report.

The precise wording of the Section 106 would be a matter for the legal officer to finalise. In the event of failure to complete the Section 106 agreement within 12 months of the date of the resolution of the planning committee, the application would be reported back to the Committee for determination against the relevant policies and guidance at that time.

2. Compliance with the following Conditions:

The Certificate of Decision would not be released until the completion of the Section 106 Obligation.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th December 2021.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission.

Location plan (Drawing No. TMJ-01 revision A) received 26 August 2016
Proposed elevations and floor plans of all house and garage types (Drawing No's TMJ-11 - TMJ-79 inclusive)
1:1250 Proposed site plan (Drawing No: TMJ-04 revision J)
1:500 Proposed site plan (Drawing No: TMJ-05 revision J)

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the first unit. Any trees or plants which within a period of 5 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
4. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.
5. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority
6. **PRE-COMMENCEMENT CONDITION**
No development shall take place until a fully detailed scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the occupation of the first dwelling.
7. Prior to the installation of any lighting, an external lighting/internal light spillage scheme shall be submitted to and approved in writing by the Local Planning Authority and all lighting installed shall be in accordance with the approved details.
8. The development hereby approved shall be undertaken in accordance with the proposed mitigation, compensation and enhancement set out in section 5 of the submitted ecological assessment.
9. Prior to the commencement of the construction of any of the dwellings hereby approved, the highway works related to the improvement and realignment of Vicarage Road and Willow Street shall be completed in accordance with the approved plans up to and including base course level and shall be available for public use.
10. The facilities for the parking and turning of vehicles within the site shall be completed in accordance with the approved plan before the dwelling to which they relate is first brought into use, and shall be retained as approved at all times thereafter.
11. **PRE-COMMENCEMENT CONDITION**
No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to a detailed Construction Method Statement . The Statement shall provide details of:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - h) the hours of site works and deliveries.
12. The approved Statement shall be adhered to throughout the construction period.
PRE-COMMENCEMENT CONDITION
No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to all of the following:

The detailing of the proposed access/highway works, including the design of the roads and footways, drainage, street lighting, and planting or fencing adjacent to the footway; The works shall be completed in accordance with the approved details before the development to which they relate is first brought into use, and shall be retained as approved at all times thereafter.

13. Prior to the occupation of the first dwelling, details shall be submitted to provide a schedule for the provision of roads and footways, the roads and footways shall be constructed in accordance with the approved schedule to adoption standard in accordance with the approved schedule or as otherwise agreed in writing by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interests of visual and residential amenity.
4. In the interest of visual amenity.
5. In the interest of visual amenity.
6. In the interest of the management of flood risk.
7. In the interest of maintaining the favourable conservation status of protected species.
8. In the interest of preserving ecological interests.
9. In the interest of the safe and free flow of traffic.
10. To ensure the development is served by a safe and satisfactory access and parking/turning facilities, and in the interests of the free and safe movement of traffic on the adjacent highway.
11. To ensure suitable arrangements are in place to control construction stage works, in the interests of residential amenity and highway safety.
12. To ensure the development is served by a safe and satisfactory access, and in the interests of the free and safe movement of traffic on the adjacent highway.
13. To ensure the development is served by a safe and satisfactory highway arrangements.

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Report To:	Planning Committee
Date of Meeting:	11 th January 2017
Lead Member / Officer:	Cllr. David Smith, Public Realm Angela Loftus, Strategic Planning & Housing Manager
Report Author:	Claire MacFarlane, Planning Officer
Title:	Supplementary Planning Guidance: ‘Caravans, Chalets & Camping’ – Consultation draft

1. What is the report about?

- 1.1 This report accompanies a draft Supplementary Planning Guidance (SPG) document on caravans, chalets and camping which, if adopted, will be used in the determination of planning applications.

2. What is the reason for making this report?

- 2.1 Following the adoption of the Denbighshire Local Development Plan (LDP) a SPG on caravans, chalets and camping is required in order to provide further guidance for developers, Officers and Members. A draft SPG for public consultation is attached to this report (Appendix 1).

3. What are the Recommendations?

- 3.1 That Members agree the draft SPG on caravans, chalets and camping as a basis for public consultation.

4. Report details

- 4.1 The draft SPG supplements LDP policy PSE 12 ‘Chalet, Static and Touring Caravan and Camping Sites’ but also makes reference to policies PSE 5 ‘Rural Economy’, PSE 11 ‘Major New Tourism Developments’ and PSE 14 ‘Outdoor Activity Tourism’ where relevant. The document provides additional guidance on matters of design and layout that must be addressed by proposals for such types of tourist accommodation.
- 4.2 The public consultation period would be a minimum of 8 weeks and is anticipated to start in January 2017. It is anticipated that the results of the consultation will be reported back to the LDP Members Steering Group in April 2017, followed by Planning Committee with a final SPG for adoption in June 2017. If adopted, the SPG will be a material planning consideration when assessing planning applications.

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

5.1 The draft SPG contributes to the Corporate Priority of ‘developing the local economy’ by providing guidance on the development of visitor accommodation, which is an important part of strengthening the county’s tourism offer and will contribute to local economies.

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

6.1 Agreeing the SPG for consultation is not anticipated to create any additional cost or affect other services.

7. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report

7.1 The main conclusions are that the draft SPG will have positive impacts on the local economy, and may have both positive and negative impacts on biodiversity. The completed Well-being Impact Assessment report is attached to this report.

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

8.1 Internal consultation has been carried out with the Development Management Team and Licensing Teams. Member input on the content of the SPG has also been provided through the LDP Member Steering Group.

9. Chief Finance Officer Statement

9.1 Any costs associated with the guidance should be contained within 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 In the absence of detailed guidance there is a risk the Council will be unable to effectively operate the LDP policies regarding caravans, chalets and camping.

11. Power to make the Decision

11.1 Planning & Compulsory Purchase Act (2004).

Draft Supplementary Planning Guidance

Caravans, Chalets & Camping



APPENDIX 1

Content

1. Introduction	2
2. Status and Stages in Preparation	2
3. Background	2
4. Planning Policy	3
5. Improvements to Existing Sites	4
6. New Sites	4
7. Development Requirements	5
8. Design Guidance	8
9. Holiday Use	8
10. Caravan Storage	9
11. Contacts	11
Appendix 1 – Local Development Plan Policies	12

1. INTRODUCTION

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

2. STATUS AND STAGES IN PREPARATION

- 2.1 The Council's SPGs are not part of the adopted development plan. The Welsh Government has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals. This SPG document was formally approved by Denbighshire County Council's Planning Committee for consultation on 11th January 2017.
- 2.2 These notes have been prepared in accordance with guidance contained in Planning Policy Wales (Edition 9); Local Development Plans Wales (December 2005); and Welsh Government Technical Advice Notes.

3. BACKGROUND

- 3.1 The Denbighshire Economic & Community Ambition Strategy (2013-2023) recognises the contribution tourism makes to the local economy and aims to increase the value derived from the offer in the county. As part of this, the Strategy identifies a need to improve both the quality and quantity of visitor accommodation throughout the county. The

Strategy also highlights the need to promote sustainable rural economies, whilst balancing development with protection of the natural environment.

- 3.2 The Denbighshire Local Development Plan (LDP) aims to provide opportunities for sensitive and unobtrusive development of caravan, chalet and camping sites. The protection of the quality of the environment will be a primary consideration when assessing proposals, as will potential impacts on highways and the local community.
- 3.3 The Council recognises the increase in the types of holiday accommodation available in recent years, particularly arising from ‘glamping’, and the possibility for further new types of accommodation in the future. For the purposes of this draft SPG ‘chalets’ will also include log cabins, yurts, pods, tepees, shepherd’s huts, other ‘glamping’ accommodation and other similar structures which are not expected to be moved off-site when not in use (unlike a touring caravan or tent).
- 3.4 The purpose of this SPG is to provide guidance on proposals for caravan, chalet and camping sites as holiday accommodation. Certain ‘permitted development rights’ exist in relation to the stationing of caravans on land (e.g. keeping a caravan within the curtilage of a dwelling), which would not require planning permission. If you wish to station and holiday in a caravan (or any other type of structure including sheds and summerhouses) on land which has a non-residential use – e.g. agricultural, equestrian or forestry use – this would usually constitute a change of use in the land that requires planning permission, unless the caravan/structure is removed within 28 days of its stationing. Further advice should be sought from the Council’s Development Management Team on instances where this may be applicable.

4. PLANNING POLICY

- 4.1 Planning Policy Wales (PPW) sets out the Welsh Government's aim for *'tourism to grow in a sustainable way and to make an increasing contribution to the economic, social and environmental well-being of Wales'*. PPW also recognises that much of the existing provision of tourist accommodation is located in urban locations and there may be a need, in some areas, to limit new development due to environmental or amenity impacts. In rural areas, it recognises that tourism-related development can be an essential element for a sustainable local economy but should be sympathetic in nature and scale to the local environment.
- 4.2 Welsh Government's Technical Advice Note (TAN) 13 'Tourism' acknowledges the importance of caravan and chalet accommodation for the self-catering holiday sector and their contribution to the local economy but states that they can be intrusive in the landscape and special consideration needs to be given to proposals for new and extended sites.
- 4.3 This draft SPG supplements LDP policy PSE 12 'Chalet, static and touring caravan and camping sites' but also makes reference to policies PSE 5 'Rural Economy', PSE 11 'Major New Tourism Developments' and PSE 14 'Outdoor Activity Tourism' where relevant.

5. IMPROVEMENTS TO EXISTING SITES

- 5.1 Policy PSE 12 supports the environmental improvement of existing static caravan and chalet sites provided the character and appearance of the area is maintained, and any proposed increase in numbers would preserve or enhance the landscape setting of the site. If an increase in numbers is proposed, the applicant will be required to demonstrate how this benefits the site, that it is a genuine proposal to

reduce environmental impacts and is not an attempt to simply create additional space for development within the site.

- 5.2 Proposals for improvements to existing touring caravan and camping sites will be supported where the requirements of policy PSE 5 are met.

6. NEW SITES

- 6.1 Policy PSE 12 supports proposals for new touring caravan and camping sites, subject to detailed criteria relating to visual/landscape and environmental impacts, and overconcentration of similar developments.

- 6.2 Proposals for new sites involving other types of tourist accommodation, both through conversion and new build, which sustain the rural economy will be supported subject to the criteria in policy PSE 5 being met. Where new chalet development is proposed as part of an outdoor activity tourism proposal (policy PSE 14), this will be permitted where it can be demonstrated there is a lack of tourist accommodation to support the development, and there are no opportunities to use or convert existing buildings in the first instance.

- 6.3 In line with policy PSE 12, proposals for new static caravan sites will not be permitted.

7. DEVELOPMENT REQUIREMENTS

- 7.1 Proposals for any new or extended caravan (static and touring), chalet and camping sites must address the following requirements:

- 7.2 Highways

New and extended sites will have an impact upon the local road network and the following considerations will apply:

- Sites must have good transportation infrastructure and must not affect the safe and free flow of traffic;
- Sites must ideally have direct access to an A or B classified road, to avoid placing unreasonable pressure on minor country roads;
- Sites must ideally be served by footpaths and cycleways – where this is not possible the Council must be satisfied that pedestrians and cyclists can enter and leave the site safely;
- Sites must be within reasonable walking distance to a public transport service which serves local centres – where this is not possible, the applicant may wish to explore the option of contributing towards subsidising a public transport service to the site;
- Where necessary the applicant may be required to submit a Transport Assessment.

7.3 Landscape & Environment

The impact of sites upon the landscape will be a significant factor to which particular consideration will be given in the determination of planning applications. Proposals should have regard to the following:

- The scale of a development must respect its surrounding environment;
- Larger development will generally only be permitted within or adjacent to settlements;
- Proposals in rural locations must be sensitively developed;
- Proposals should be sited so as to avoid skylines, prominent hillsides or exposed sites.
- Proposals in open countryside should normally be set against a backdrop of semi-mature/mature trees or within woodland settings. Sites which require extensive screening through new planting will not be appropriate;
- Proposals should respect the topography of the site and existing site levels should be retained wherever possible. Where minor changes in level are necessary in parts of a proposed site, the

preference will be for cutting into slopes rather than creating platforms for building;

- All planning applications must be accompanied by a comprehensive landscaping scheme;
- Close scrutiny should be given to environmental designations throughout the county. In line with national guidance, proposals within areas of flood risk will not be permitted.

7.4 In accordance with policy PSE 12, development proposals must not result in an over-concentration of sites any one locality to the detriment of the landscape or residential amenity. Applications may be required to be accompanied by a Landscape Value Impact Assessment.

7.5 Within the Clwydian Range & Dee Valley Area of Outstanding Natural Beauty (AONB), environmentally sensitive colours (e.g. 'environmental green') should be used for new and replacement caravans.

7.6 Welsh language

In accordance with policy RD 5 'The Welsh Language & the Social and Cultural Fabric of Communities', any development causing significant harm to the character and language balance of a community could be refused. Applicants will normally be expected to submit a Community Linguistic Statement for tourism proposals in villages, hamlets or open countryside that have a floor area of 1000m² or greater. Tourism proposals of 3000m² or greater must be accompanied by a more detailed Community & Linguistic Impact Assessment. Further guidance is provided in the Council's adopted SPG 'Planning & the Welsh Language' (2014).

8. DESIGN GUIDANCE

8.1 Density

Proposals sited away from existing buildings should be low density, with sufficient separation between units. In rural locations this should be fitting with the nature of the surroundings and ensure the character remains open and rural. Low density development will also provide a good standard of amenity and privacy to occupants. Site density and separation distances between caravans will be specified through site licence conditions and should be consistent with safety standards and health and amenity requirements. Minimum separation distances will normally be 5-6 metres, depending upon the material of the caravan, with a minimum of 3 metres separation between awnings. A 3 metre wide area should be kept clear within the inside of all boundaries.

8.2 Layout

Suburban type layouts will not be acceptable in rural locations. Within rural locations the site layout should be open plan, with no formally defined curtilage between units. Instead of formal curtilages, a high quality and integrated landscaping scheme for the entire site shall be encouraged. Informal open areas for informal recreation should be included as part of the site layout. As part of the overall landscaping and layout of large sites, the site should be broken up into smaller clusters of no more than 10 units in each cluster.

8.3 Roads & Parking

Access roads and the internal road layout should reflect the character of the area, particularly in rural settings where formal hard surfacing with raised concrete kerbs can look out of place. In many cases, less formal solutions (e.g. gravel/wood chippings, no raised kerbs) may be more appropriate and this will be encouraged by the Council. Car parking should be to the side or rear of individual units and away from

the main elevation. Large centralised parking areas should be avoided.

8.4 On Site Buildings

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

8.5 Landscaping

The Council will place significant emphasis on achieving high quality hard and soft landscaping, which will help to integrate the development into its setting. Proposals should have regard to the following:

- Applicants will be expected to submit a scheme of landscaping as part of the application. The landscaping should be submitted as an integrated scheme for the entire site;
- Soft landscaping should focus on native species, and take into account the cover to be provided throughout the seasons, as well as the species and cover adjacent to the site. The use of fast growing conifers will not be acceptable;
- In assessing screening of any proposed sites, it will be necessary to consider whether the operator of the proposed site will have control over the woodland which provides the screening, in order to avoid a situation where a site might later be exposed to view due to felling operations by the adjoining landowner;
- Hard surfacing should be kept to an absolute minimum and should generally be limited to access roads, footpaths and car parking;
- Lighting should generally be kept to a minimum and where required should be designed so as to minimise light pollution by utilising low level, low intensity illumination.

9. HOLIDAY USE

- 9.1 Extending the tourist season beyond the traditional holiday times of the year has advantages to the local economy and can help to reduce the impacts of seasonal employment. In order to ensure that tourism accommodation is used for its intended purpose, and does not become part of the local housing stock through unauthorised permanent residential occupation, the Council will impose holiday occupancy conditions when planning permission is granted. For static caravan and chalet sites, site owners/operators will be required to maintain an up-to-date register of the names and home addresses of all owners/occupiers of individual units on the site, which must be made available to the Council. The following condition is currently being applied to such permissions:

'An up to date register shall be kept of the names of all the occupiers of the [STATE – static caravans/chalets/lodges], their main home addresses, and the date of their arrival and departure from the accommodation. The register shall be made available for inspection on request by the Local Planning Authority.'

- 9.2 The Council has implemented a corporate strategy to address the issue of unauthorised residential occupation of holiday caravan sites. An ongoing audit of sites identifies where this is occurring and enforcement action will be taken.
- 9.3 The change of use of static caravans and chalets from tourist use to residential use will not be permitted. The conversion of touring caravan sites to static caravan sites will also not be permitted.

10. CARAVAN STORAGE

10.1 Sites specifically for the storage of touring caravans can have a negative impact on the landscape, particularly if the proposed site is inadequately screened. Such proposals will be considered against the relevant LDP policies, including RD 1 'Sustainable Development and Good Standard Design' and PSE 5 'Rural Economy'. The Council will support storage within existing buildings (where suitable) to minimise the impact on the landscape, or where the site is well screened from public views and the scale and nature of the proposal is appropriate for the location. In line with national policy, any proposals that are considered to be detrimental to the quality of the AONB and Pontcysyllte Aqueduct and Canal World Heritage Site will be refused.

11. CONTACTS

Strategic Planning & Housing	Development Management
Planning and Public Protection	Planning and Public Protection
Denbighshire County Council	Denbighshire County Council
PO Box 62	PO Box 62
Ruthin	Ruthin
LL15 9AZ	LL15 9AZ
Tel: 01824 706916	Tel: 01824 706727
Email: ldp@denbighshire.gov.uk	Email: planning@denbighshire.gov.uk

Licensing	Highways & Environmental
Planning & Public Protection	Services
PO Box 62	PO Box 62
Ruthin	Ruthin
LL15 9AZ	LL15 9AZ
Tel: 01824 706311	Tel: 01824 706882
Email: licensing@denbighshire.gov.uk	Email: highways@denbighshire.gov.uk

APPENDIX 1

Denbighshire Local Development Plan Policies

Policy PSE 12 - Chalet, static and touring caravan and camping sites

Proposals for new static caravan sites will not be permitted. However the environmental improvement of existing static holiday caravan or chalet sites by remodelling, provision of new facilities and by landscaping will be supported provided the development is acceptable in terms of other Local Development Plan policies and meets the following criteria:

- i) the proposed development preserves or enhances the character and appearance of the area; and
- ii) it can be demonstrated that any proposed increase in the number of static caravan/chalet units would preserve or enhance the landscape Setting of the overall site.

The change of use of a static caravan or chalet from tourist use to residential Use and the conversion of touring caravan sites to statics will not be permitted.

New touring caravan and camping sites will be encouraged where all the following criteria are met:

- i) the site is small in scale and proportionate to its location, particularly within and adjoining the Area of Outstanding Natural Beauty or Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas; and
- ii) the development would not result in an over concentration of sites in any one locality to the detriment of the landscape or residential amenity; and
- iii) the development makes a positive contribution to the local

- biodiversity, and natural and built environment; and
- iv) the development would not appear obtrusive in the landscape and is high quality in terms of layout, design and landscaping in line with the development principles, and it has no adverse highway or community impacts;

The grant of planning permission may, where appropriate, be subject to the imposition of a seasonal occupancy condition.

Policy PSE 11 – Major new tourism developments

Proposals for sustainable forms of tourism development, of regional or national significance, which meet the needs of residents and visitors will be supported subject to meeting all the following criteria:

- i) it is appropriate to its setting and within the capacity of the local environment, particularly within or affecting the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas. In line with national policy any proposals that are considered to be detrimental to the quality of the Area of Outstanding Natural Beauty and World Heritage Site will be refused; and
- ii) it is within the capacity of the local infrastructure, or it can be demonstrated that the development can fully address any infrastructure deficiencies identified, and;
- iii) it is accessible to all potential users, offering large scale and appropriate public transport and where possible access by walking and cycling, and;
- iv) it will support and extend the range of facilities on offer within the County, and;
- v) it will assist in the regeneration and biodiversity objectives of

- Denbighshire, and;
- vi) it will utilise available local labour where possible.

Policy PSE 14 – Outdoor activity tourism

Development proposals that expand or reinforce the tourism offer of the County in the outdoor activity sector will be supported provided the following criteria are met:

- i) the development is appropriate to its setting and within the capacity of the local environment and infrastructure, particularly within and adjoining the Area of Outstanding Natural Beauty, Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas. In line with national policy any proposals that are considered to be detrimental to the quality of the Area of Outstanding Natural Beauty and World Heritage will be refused; and
- ii) that any suitable existing buildings are converted or re-used in preference to new build; and
- iii) necessary mitigation measures are included and the proposals would not have an unacceptable impact on the local community; and
- iv) chalet development in association with outdoor activity tourism will only be permitted if a significant need is demonstrated and there are no opportunities to use or convert existing buildings for tourist accommodation.

Policy PSE 5 - Rural Economy

In order to help to sustain the rural economy, tourism and commercial development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a

significant contribution to sustainable development and recognising the special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

Appropriate employment proposals for both conversions and new build outside of development boundaries will be supported provided the following criteria are met:

- i) the proposal is appropriate in scale and nature to its location; and
- ii) any suitable existing buildings are converted or re-used in preference to new build; and
- iii) proposals for new buildings are supported by an appropriate business case which demonstrates that it will support the local economy to help sustain local rural communities; and
- iv) within the AONB/AOB, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas, take full account of and seek to enhance the nature and distinctive qualities of the local landscape. In line with national policy any proposals that are considered to be detrimental to the quality of the AONB and World Heritage Site will be refused.

Draft Supplementary Planning Guidance - Caravans, Chalets & Camping

Wellbeing Impact Assessment Report

This report summarises the likely impact of a proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	122
Brief description:	The proposal is to go out to public consultation on the draft SPG 'Caravans, Chalets & Camping'
Date Completed:	08/12/2016 10:50:55 Version: 1
Completed By:	Claire MacFarlane
Responsible Service:	Planning & Public Protection
Localities affected by the proposal:	Whole County,

IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

Score for the sustainability of the approach

Could you do more to make your approach more sustainable?

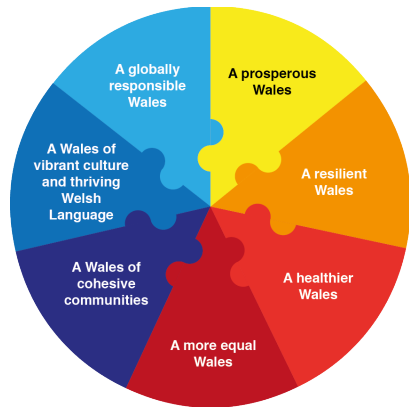
(2 out of 4 stars)



Actual score: 16/ 24.

Summary of impact

Wellbeing Goals



A prosperous Denbighshire	Positive
A resilient Denbighshire	Neutral
A healthier Denbighshire	Neutral
A more equal Denbighshire	Neutral
A Denbighshire of cohesive communities	Neutral
A Denbighshire of vibrant culture and thriving Welsh language	Neutral
A globally responsible Denbighshire	Neutral

Main conclusions

The draft SPG will have positive impacts on the local economy through providing guidance on new tourist accommodation proposals. There may be both positive and negative impacts on biodiversity as there may be new development in rural areas/open countryside but also opportunities to improve biodiversity in urban areas. The draft SPG includes guidance and requirements on the protection of biodiversity in new developments - this will depend upon the site.

The scoring does not reflect an unsustainable approach, rather that some of the questions are not applicable or appropriate for the content and type of document being assessed.

THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

A prosperous Denbighshire

Overall Impact:	Positive
Justification for Impact:	Will contributed to local economies.

Positive consequences identified:

Will contribute to the provision of visitor accommodation in the county, which will contribute to local economies.
May indirectly provide additional jobs related to the visitor economy.

Unintended negative consequences identified:

May increase the number of visitors to the county, likely to travel by car.

Mitigating actions:

Document already includes a requirement to ensure public transport is utilised wherever possible to access sites.

A resilient Denbighshire

Overall Impact:	Neutral
Justification for Impact:	Opportunities to improve biodiversity or negatively impact - depends upon the specific location.

Positive consequences identified:

Possible beneficial redevelopment of brownfield sites.

Unintended negative consequences identified:

Additional development in rural areas/open countryside.

Mitigating actions:

The draft document states the protection of the quality of the environment will be a primary consideration.

A healthier Denbighshire

Overall Impact:	Neutral
Justification for Impact:	Not applicable

Positive consequences identified:

Unintended negative consequences identified:

Mitigating actions:

Not applicable

A more equal Denbighshire

Overall Impact:	Neutral
Justification for Impact:	Not applicable.

Positive consequences identified:

Unintended negative consequences identified:

Mitigating actions:

Not applicable.

A Denbighshire of cohesive communities

Overall Impact:	Neutral
Justification for Impact:	Not applicable.

Positive consequences identified:

Unintended negative consequences identified:

Mitigating actions:

Not applicable.

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact:	Neutral
Justification for Impact:	Not applicable

Positive consequences identified:

Unintended negative consequences identified:

Mitigating actions:

Not applicable

A globally responsible Denbighshire

Overall Impact:	Neutral
Justification for Impact:	Not applicable

Positive consequences identified:

Unintended negative consequences identified:

Mitigating actions:

Not applicable

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