

To: Chair and Members of the Planning Committee

Date: 6 March 2019

Direct Dial: 01824 712589

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, 13 MARCH 2019** in **THE COUNCIL CHAMBER, COUNTY HALL, RUTHIN.**

Yours sincerely

G Williams
Head of Legal, HR and Democratic Services

AGENDA

1 APOLOGIES

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 - 20)

To confirm the accuracy of the minutes of the Planning Committee meeting held on the 13 February 2019 (copy attached).

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 - 8) -

5 APPLICATION NO. 01/2018/0705/ PF - THE GLYN LLEWENI PARC MOLD ROAD DENBIGH (Pages 21 - 60)

To consider an application for Development of 1.3 ha of land by the siting of 24 accommodation lodges and associated works at The Glyn Lleweni Parc, Mold Road, Denbigh (copy attached).

6 APPLICATION NO. 15/2018/1130/ AD - PARC FARM CARAVAN PARK LLANARMON YN IAL MOLD (Pages 61 - 76)

To consider an application for Development of an erection of stone wall with inset hoarding sign as an extension to an existing stone wall at Parc Farm Caravan Park, Llanarmon Yn Ial, Mold (copy attached).

7 APPLICATION NO. 18/2019/0124/ TP - 11 PARC TYN LLAN LLANDYRNOG DENBIGH (Pages 77 - 90)

To consider an application for works to elm tree and sycamore trees subject to a Tree Preservation Order at 11 Parc Tyn Llan, Llandyrnog, Denbigh (copy attached).

8 APPLICATION NO. 44/2018/0855/ PR - LAND EAST OF TIRIONFA RHUDDLAN RHYL (Pages 91 - 110)

To consider an application for Details of access, appearance, landscaping, layout and scale of 99 dwellings submitted in accordance with condition number 1 of outline permission code 44/2015/1075 (reserved matters application) at Land east of Tirionfa, Rhuddlan, Rhyl (copy attached)

9 INFORMATION REPORT - PLANNING APPEALS UPDATE (Pages 111 - 116)

To receive an information report on recent planning appeal decisions received from the Planning Inspectorate on cases within the County. It covers the 6 month period from September 2018 to date. (Copy attached)

10 INFORMATION REPORT - NORTH WALES CONNECTION PROJECT (Pages 117 - 118)

To receive an information report to update Members on information received from the Planning Inspectorate in relation to the National Grid proposals to run a grid connection from the proposed Wylfa nuclear power station to a substation at Pentir, near Bangor.

MEMBERSHIP

Councillors

Councillor Joe Welch (Chair)

Councillor Alan James (Vice-Chair)

Ellie Chard

Bob Murray

Ann Davies

Merfyn Parry

Meirick Davies

Pete Prendergast

Peter Evans

Andrew Thomas

Brian Jones

Tony Thomas

Huw Jones

Julian Thompson-Hill

Tina Jones

Emrys Wynne

Gwyneth Kensler

Mark Young

Christine Marston

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 21 elected Members. In accordance with protocol, 11 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

ELECTRONIC VOTING PROCEDURE

Members are reminded of the procedure when using the electronic voting system to cast their vote.

Unless otherwise advised by the Chair or Officers, 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:

When voting on **applications**, on the voting keyboard, press

- 1** - to **GRANT / APPROVE** the application
- 2** – to **ABSTAIN** from voting on the application
- 3** – to **REFUSE** the application

When voting on **special reports and enforcement items**, on the voting keyboard, press

- 1** - to **ACCEPT THE OFFICER RECOMMENDATION**
- 2** - to **ABSTAIN** from voting on the recommendation
- 3** - to **NOT ACCEPT THE OFFICER RECOMMENDATION**

In the event of problems with the electronic voting system, the Chair or Officers will advise on the procedures to be followed.

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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, 13 February 2019 at 9.30 am.

PRESENT

Councillors Ellie Chard, Ann Davies, Meirick Davies, Alan James (Vice Chair), Peter Evans, Brian Jones, Huw Jones, Tina Jones, Gwyneth Kensler, Christine Marston, Bob Murray, Merfyn Parry, Pete Prendergast, Andrew Thomas, Tony Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

Local Members – Councillors Martyn Holland, Glenn Swingler and Huw Williams attended for particular agenda items relating to their wards

ALSO PRESENT

Team Leader – Places Team (SC); Development Control Manager (PM); Principal Planning Officer (IW); Planning Officer (PG); Senior Engineer – Highways (MP) and Committee Administrator (KEJ)

1 APOLOGIES

There were no apologies.

2 DECLARATIONS OF INTEREST

The following members declared a personal interest –

Councillor Gwyneth Kensler – Agenda Item 6 – because she worked closely with one of the owners of the dwelling subject of the application

Councillor Emrys Wynne – Agenda Item 7 – because he was a friend of the family who had submitted the application

Councillor Huw Williams – Agenda Item 8 – because he was a friend of the landowner and his nephew worked for the developer

Councillor Julian Thompson-Hill – Agenda Item 11 – because he was the Lead Member for Property and the land was in the Council's ownership

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES

The minutes of the Planning Committee held on 16 January 2019 were submitted.

Accuracy – Councillor Alan James had been omitted from ‘members present’.

RESOLVED that, subject to the above, the minutes of the meeting held on 16 January 2019 be approved as a correct record.

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 - 11) -

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. 04/2018/1146/PF - GLASCOED, MELIN Y WIG, CORWEN

An application was submitted for demolition of rear extension and outbuildings, erection of extension and alterations to dwelling at Glascoed, Melin y Wig, Corwen.

Public Speaker –

Ms. C. Hibbert (**For**) – explained her family circumstances and reasoning behind the application in order to further modernise the dwelling to meet family needs and stay in the area. The intention was to reuse the existing stones and slates for the new build and ensure it was in keeping with its original appearance.

General Debate – Councillor Meirick Davies expressed concern regarding the loss of the building given its historical value and importance to the village. It was noted that a consultation response had not been received from local Community Council.

Proposal – Councillor Tony Thomas proposed the officer recommendation to grant the application, seconded by Councillor Ann Davies.

VOTE:

GRANT – 17

REFUSE – 1

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

6 APPLICATION NO. 16/2018/1137/PF - LAND ADJOINING THE OLD RECTORY, LLANBEDR DYFFRYN CLWYD, RUTHIN

An application was submitted for the erection of 38 dwellings, construction of a new vehicular access, provision of open space and associated works at land adjoining The Old Rectory, Llanbedr Dyffryn Clwyd, Ruthin.

Public Speakers –

Mr. B. Barton (**Against**) – submitted the report was misleading given that the area allocated for public open space was outside the village development boundary; disputed the sufficiency of the proposed commuted sum payable to equip the proposed play area to the rear of St. Peter’s Church for which there was currently no access, and sought deferment of the application.

Mr. P. Lloyd (**For**) – highlighted the acute need for affordable housing and merits of the application in providing a high quality, sustainable development. The scheme had been subject to extensive discussions and various designs prior to this stage. There was no conflict with the Local Development Plan including delivery of the public open space element which was linked to the site with a commuted sum offer.

General Debate – The Planning Officer (PG) clarified that the housing element was contained within the allocated boundary but the site for public open space was located outside of the boundary. If the number of dwellings was reduced to allow for additional on-site open space there was a risk that the scheme would not come forward. On that basis and given there was no development beyond the development boundary, an agreement had been reached with regard to open space provision and there was no conflict with the open space policies of the Local Development Plan. The commuted sum payable had been calculated by the Council and provided a contribution towards the cost of an equipped play area for which other allocated sites within the community could also be making contributions to ensure its delivery.

Councillor Huw Williams (Local Member) spoke in favour of the development which would help to ensure that the village continued to thrive by meeting local needs and bolstering the local school and economy. He also supported the proposal for a play area to be located to the rear of St. Peter’s Church which would provide a link to the centre of the village and the issue of access was currently being addressed.

Members welcomed the provision of affordable housing in order to meet local needs which was a corporate priority and would also help meet national targets. The positive impact in terms of future sustainability and benefits to the area was also acknowledged. In response to a request from Councillor Merfyn Parry relating to condition no. 5 and highway visibility, officers advised that this element would be considered as part of the Construction Method Statement and they would ensure that access to the highway was made safe at an early stage.

Proposal – Councillor Mark Young proposed the officer recommendation to grant the application, seconded by Councillor Bob Murray.

VOTE:

GRANT – 19

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

7 APPLICATION NO. 42/2018/0923/PF - LAND OFF MELIDEN ROAD, DYSERTH

An application for erection of 61 no. dwellings, single and double garages, alterations to existing vehicular access and associated works at land off Meliden Road, Dyserth.

Public Speaker –

Mr. S. Andrew (**For**) – explained the proposed development of part of the site allocated for housing in the Local Development Plan which included 10% affordable housing provision. There were no adverse impacts of the development regarding visual and residential amenity with acceptable drainage and highway terms. The proposed development was also in accord with the Site Development Brief.

General Debate – The Chair had received an email from Councillor David Williams (Local Member) who had met with the Highways Officer to discuss highway issues. Councillor Williams had also raised concerns about the Construction Management Plan which officers confirmed would be dealt with at a later stage in conjunction with the Local Member.

The Highways Officer directed members to the report which contained comprehensive information regarding highway issues and access to the site. It was proposed to form a new access road onto the A547 Meliden Road with the existing pedestrianised and cycle link forming part of the access. The existing 40mph speed limit would be moved by 40 metres north west of the proposed access and visibility splays would be provided in accordance with TAN18. An Accumulative Transport Assessment had been carried out taking into account the proposed development along with other committed allocated and current planning applications in the area which showed sufficient spare capacity on the local highway network to accommodate the development. Consequently officers did not consider there to be sufficient cause to refuse the application on highway grounds.

Councillor Peter Evans referred to the number of pending housing development sites nearby and recorded his concerns regarding the amount of traffic to be generated onto the A547 as a result, particularly given the congestion already experienced in Meliden at peak times. As Lead Member for Highways, Councillor Brian Jones shared those concerns going forward and highlighted the need to keep the matter under close review to ensure sufficiency of the highway infrastructure given the anticipated increase in traffic arising from future housing developments.

In response to members' further questions and comments officers advised that –

- the application complied with Local Development Plan policies in terms of the provision of a mix of dwelling types on open market schemes
- the comments of the AONB Joint Advisory Committee had been taken into account as part of the assessment process
- a 30mph speed limit near the site entrance had been considered but the area had been assessed as a 40mph zone taking into account the development – if the situation changed the speed limit would be re-assessed
- there may be a need to change the timings of the traffic lights to accommodate the development, which had been discussed with the Local Member

- following consultation with Welsh Water it was confirmed that odour and noise were not considered an issue in this case.

Proposal – Councillor Tony Thomas proposed the officer recommendation to grant the application, seconded by Councillor Tina Jones.

VOTE:

GRANT – 18

REFUSE – 0

ABSTAIN – 0

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

8 APPLICATION NO. 23/2016/0557/PO - LAND ADJACENT TO DOLWAR, LLANRHAADR, DENBIGH

The Vice Chair, Councillor Alan James took the Chair for this item as the Chair, Councillor Joe Welch was the Local Member.

An application was submitted for the development of 1.2 hectares of land by the erection of 33 no. dwellings (outline application including access and layout) at land adjacent to Dolwar, Llanrhaadr, Denbigh.

Public Speakers –

Mr. E. Williams (**Against**) – objected to the application on behalf of the Community Council on the grounds of drainage/flooding concerns; highway safety; negative impact on the Welsh Language, and lack of capacity in the local school. It was submitted that the application would have a negative effect on the local community.

Ms. S. Edwards (**For**) – responded to issues raised including measures to address highway concerns and drainage/flooding concerns with no objection from statutory consultees. The site was earmarked in Local Development Plan (LDP) for housing and Welsh language impact was assessed at that time and considered acceptable – the development would provide much needed housing and help grow the community.

General Debate – Councillor Ann Davies reported upon the Site Inspection Panel meeting on 8 February 2019 and sought further assurances regarding highway safety and local flooding/drainage concerns.

Councillor Joe Welch (Local Member) provided some background to the application and it was noted that the site opposite was currently being developed for 15 houses. The indicative dwelling numbers in the LDP for the site opposite had been 10 houses and 23 for the current application site, hence granting the application would result in 15 and 33 houses respectively across the two sites which was an increase of nearly 50% on the indicative allocation. Since adoption of the LDP, TAN20 had been issued advising that applicants were no longer required to demonstrate the impact on the Welsh language as it would have been assessed

at allocation stage. Councillor Welch argued that it should be taken into account given that –

- (1) circumstances had changed significantly since adoption of the LDP with nearly 50% more housing being proposed for the area
- (2) the application had been submitted in 2016 prior to the issue of TAN20, and
- (3) the Community and Linguistic Assessment provided by the applicant showed the development would result in a decrease in the number of Welsh speakers from 50.03% to 49.1%, leading to a majority Welsh speaking village becoming a minority Welsh speaking village in a language sensitive area. Reference was also made to the validity of the positive Welsh language comments given the nature of questions asked as part of the assessment process.

In making his case for refusal Councillor Welch argued that Policy RD5 in the LDP should carry significant weight relative to TAN20. Policy RD5 stated ‘development could be refused if its size, scale or location would cause significant harm to the character and language balance of the community’. Councillor Welch also agreed with other considerations raised including the lack of capacity in the local school and likely further pressures on school transport together with highways and flooding concerns. However he proposed that the application be refused on the grounds of significant harm to the Welsh language which he did not consider had been suitably mitigated and had been further increased since the inclusion of the site in the LDP.

Councillor Emrys Wynne agreed that there would be an unacceptable impact on the Welsh language and highlighted the need to protect communities, particularly given the decrease in the number of Welsh speakers generally. He advocated the use of the proposed mitigation measures for the language for all new developments.

Officers responded to the issues raised as follows –

Flooding/Drainage – soakaway drainage considered an acceptable means of dealing with surface water from the development given the ground conditions and a clear drainage strategy had been put forward as part of the development. Natural Resources Wales and the Council’s Drainage Engineer had raised no objection to that strategy. Officers had suggested conditions requiring further details of drainage relating to the highways and the general soakaway layout for the site

Welsh Language – the Community and Linguistic Assessment was intended to give a broad impression of the impact of a development on the community covering a number of elements including Welsh language. An overview of that assessment process and scoring matrix was provided which had been based on the Council’s template in its Supplementary Guidance. The Welsh language element had been assessed as having a negative impact however the statistics were open to interpretation. Councillor Welch’s point was that on the assumptions made in the Assessment, the proportion of Welsh speakers relative to the population of Llanrhaeadr may decrease by 1%, but the development was likely to generate an additional 21 Welsh speakers, which could be considered a positive factor. It was also important to consider that the site had been allocated for housing in the LDP following consideration of the likely impact of the development on the Welsh language at that time. Whilst it was accepted that the development could lead to

change, it had to be considered whether that change was so significant in terms of impact on language that it justified refusal of planning permission.

Highways – concerns had been raised regarding the local highway network and how safe access to the site could be provided. As part of the application visibility splays had been provided and the existing 30mph speed limit would be repositioned along with a new footway verge along the frontage with associated street lighting and drainage which would be controlled through a Highways Legal Agreement. Consequently it was considered that the proposal demonstrated the existing infrastructure was capable of accommodating the development and included sufficient improvements and mitigation to allow safe access subject to the relevant conditions being imposed. It was not considered there were sound reasons for refusal on highway grounds. Data showed one traffic accident with injury during the period January 2013 – December 2017. New drainage was proposed on the site which would improve the situation and be closely monitored and controlled via legal agreement should the application be approved.

During the ensuing debate members sought further clarification on the planning issues raised and also questioned the impact on education and the position in terms of the affordable housing element. Officers responded as follows –

- Education – concerns had been raised regarding the capacity of the local school and lack of foresight in that regard with likely additional pressures on school transport provision. It was confirmed that the education contribution would be ring-fenced for the community area and agreed that it would be useful for departments to look ahead and provide a more robust input into the LDP at the development stage in order to mitigate future issues
- Drainage – the developer would be responsible for adopting the drainage system and ongoing maintenance costs
- Affordable Housing – there was a clear need identified for affordable housing in the area and the application was in line with the Council's existing policy in that regard which was currently 10% provision
- Welsh Language – phasing of developments had been discussed when allocating sites and could be introduced providing there were valid reasons to do so
- Highways – the size and scale of the development did not warrant a transport assessment for which the usual threshold was 100 dwellings; taking into account other nearby developments there was still considered to be spare highway capacity.

At the close of debate officers referred to the material planning considerations discussed by members and whether they considered there was sufficient evidence to justify refusal of planning permission in this case. Given that the site had been allocated for housing in the LDP and having taken into account the relevant policies and guidance, officers strongly recommended that the application be approved.

Proposal – Councillor Joe Welch proposed, seconded by Councillor Bob Murray, that the application be refused on the grounds that significant harm would be caused to the Welsh language balance of the community.

Counter Proposal – Councillor Tony Thomas proposed the officer recommendation to grant the application, seconded by Brian Jones.

VOTE:

GRANT – 11

REFUSE – 7

ABSTAIN – 1

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

At this point (11.20 a.m.) the meeting adjourned for a refreshment break.

9 APPLICATION NO. 01/2018/0992/PF - FORMER NORTH WALES HOSPITAL, DENBIGH

An application was submitted for change of use of land to a site construction training area, erection of a building for use as workshop, plant repairs and storage; alterations to existing access and associated works at former North Wales Hospital, Denbigh.

General Debate – Councillor Glenn Swingler (Local Member) highlighted that the proposed route for HGVs was very narrow and a popular walking area and therefore approval of the application would require appropriate controls and ongoing monitoring during its temporary use. He also asked whether measures could be implemented to address speeding concerns along Smithfield Road.

Members considered the merits of the application and noted that the application was for temporary consent. Councillor Gwyneth Kensler was keen to ensure minimum impact on nearby residents given the proposed hours of operation and considered appropriate security for the site to be a separate issue. With regard to the concern regarding noise emanating from the site Councillor Merfyn Parry suggested that the restriction on working hours only be applied to those activities likely to cause noise nuisance. Councillor Mark Young agreed and reported that much work had been done to allay residents' concerns with most local people preferring the proposed HGV route over other alternatives.

Officers responded to members' comments and questions as follows –

- condition 3 confirmed the construction training facility would cease no later than 31 December 2023 unless an extension had been approved by the Council
- condition 6 aimed to ensure minimal impact on residents arising from noise disturbance but a presence on site would also help with site security – it was agreed that the condition could be amended in line with Councillor Parry's suggestion to restrict the operation of noisy activities on site
- condition 13 ensured there would be no removal of hedgerows, trees, shrubs and climbing plants without approval from the Council
- the proposed route had been used previously for the North Wales Connections Project and Transformers Project and therefore was also considered acceptable

in this case with conditions relating to the provision of visibility splays and relocation of the 30mph speed limit; the road would continue to be monitored.

Proposal – Councillor Merfyn Parry proposed, seconded by Councilor Mark Young that the application be granted subject to a change in wording to condition 6 to be agreed with Denbigh Members regarding the imposition of a restriction on the hours of operation of activities likely to cause noise nuisance to nearby residents.

VOTE:

GRANT – 19

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers subject to a change in wording to condition 6 to be agreed with Denbigh Members regarding the imposition of a restriction on the hours of operation of activities likely to cause noise nuisance to nearby residents.

10 APPLICATION NO. 15/2018/0968/PC - NORTH HILLS FARM, GRAIANRHYD, MOLD

An application was submitted for excavation works and the erection of agricultural building and associated works (partly retrospective) at North Hills Farm, Graianrhyd, Mold.

General Debate – Councillor Martyn Holland (Local Member) supported the application but expressed reservations regarding the amount of work already carried out. In terms of background to the application a previous planning permission had been granted for the replacement of an existing agricultural building to provide holiday accommodation – the applicant intended to erect another agricultural building to replace the one lost. Councillor Holland advised that there was much activity on the site which was subject to a number of applications and he felt it would be useful if officers met with the applicant to understand and discuss his future plans for the site which may allay the fears of local residents in that regard.

Proposal – Councillor Julian Thompson-Hill proposed the officer recommendation to grant the application, seconded by Councillor Andrew Thomas.

VOTE:

GRANT – 18

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

11 APPLICATION NO. 30/2018/0969/PF - LAND ADJACENT TO THE TREFNANT INN, TREFNANT

An application was submitted for the erection of 13 No. affordable dwellings including access, parking and associated works at land adjacent to The Trefnant Inn, Trefnant, Denbigh.

General Debate – Councillor Ann Davies reported upon the Site Inspection Panel meeting on 8 February 2019 when assurances had been provided in response to highway safety concerns. She was also keen to ensure that the local community benefited from the development and were prioritised for affordable housing.

Councillor Meirick Davies (Local Member) highlighted the concerns of the Community Council but also acknowledged the need for affordable housing. He asked that the Housing Association enter into further discussions with the Community Council regarding the development. In acknowledging the highway concerns and mitigation measures he felt there may also be merit in changing the timings of the traffic light signals to accommodate the development.

Members noted the previous planning history relating to the site and the current position and also noted the procedure for occupation of the affordable housing in terms of the SARTH process which placed additional weight on local connections. Whilst welcoming the provision of affordable housing, members were keen to ensure priority was given to local need and discussed Councillor Merfyn Parry's suggestion that a S.106 agreement be used to secure that provision. Given that Welsh Government advised against the need for a S.106 agreement in such circumstances and that the timescale for drawing up the agreement could potentially jeopardise the development, officers suggested rewording condition 15 relating to affordable housing in order to provide a greater level of assurance in terms of meeting the needs of the local community. Councillor Mark Young sought clarity over the education contribution given that the local primary school was federated and officers confirmed that the commuted sum in connection with the development would be ring-fenced for the closest school.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Meirick Davies that the application be granted subject to a change in wording to condition 15 to be agreed with the Local Member regarding compliance with affordable housing arrangements and local needs occupation.

VOTE:

GRANT – 19

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers subject to a change in wording to condition 15 to be agreed with the Local Member regarding compliance with affordable housing arrangements and local needs occupation.

The meeting concluded at 12.25 p.m.

Agenda Item 5

WARD : Denbigh Lower

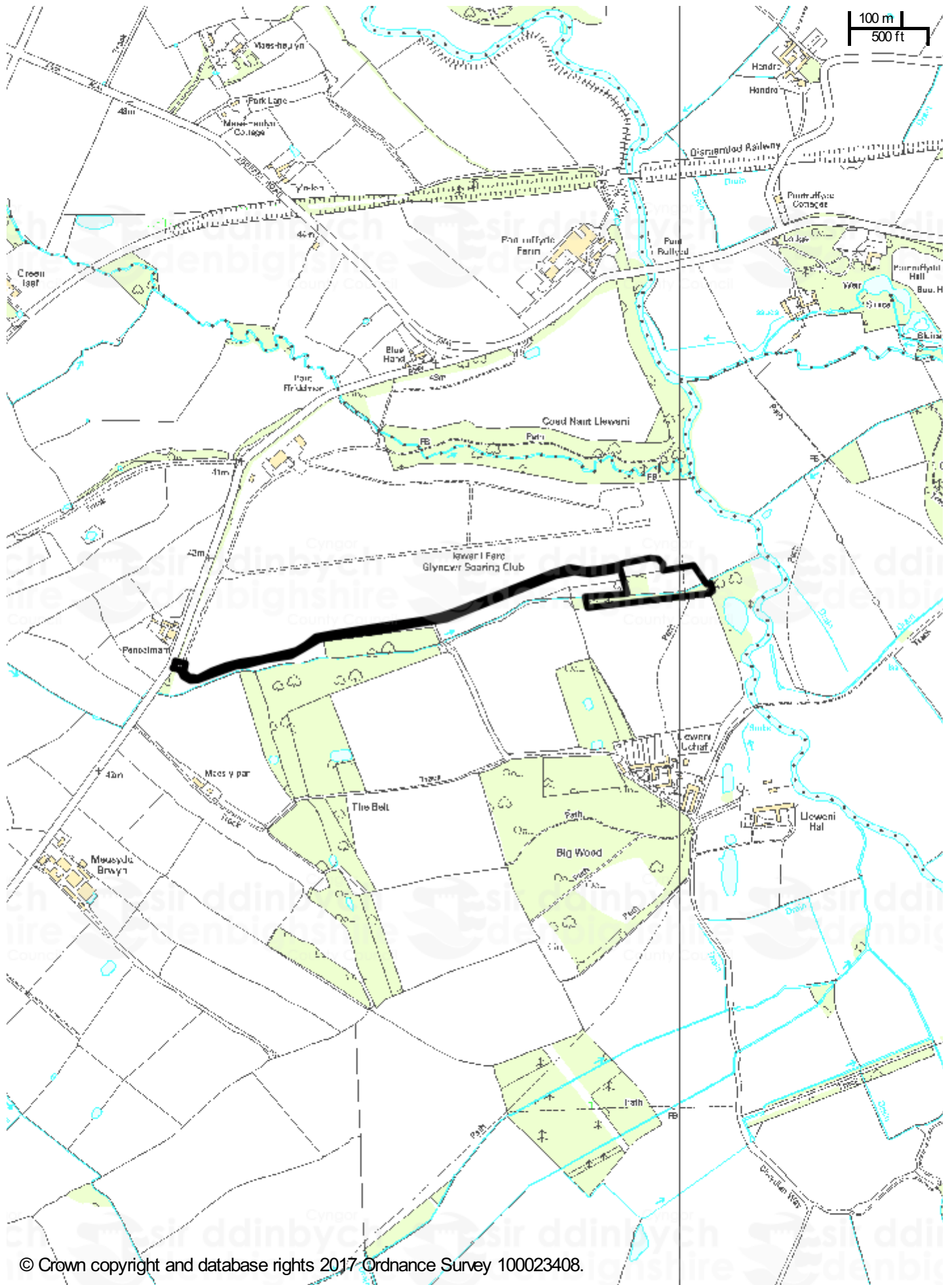
WARD MEMBERS: Cllr Rhys Thomas
Cllr Mark Young (c)

APPLICATION NO: 01/2018/0705/ PF

PROPOSAL: Development of 1.3 ha of land by the siting of 24 accommodation lodges and associated works

LOCATION: The Glyn Lleweni Parc Mold Road Denbigh

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01/2018/0705

Scale: 1:10000

Printed on: 21/2/2019 at 16:19 PM

LOCATION PLAN

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NOTES

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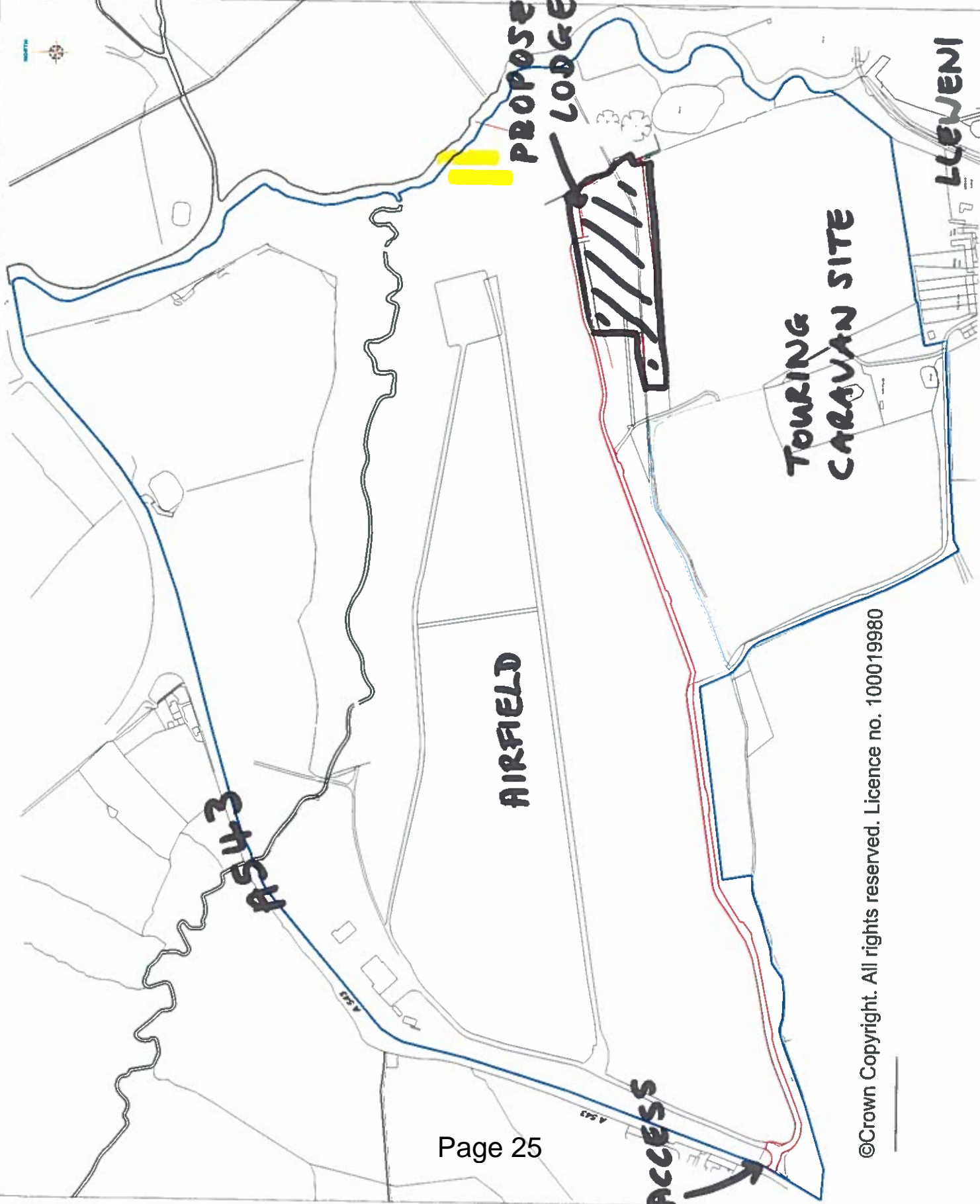
PLATT WHITE
 Partnership
 North House, 1st Floor
 185, The Quadrant, Ipswich, Suffolk, IP1 2JU
 Tel: 01246 314111 Fax: 01246 314120
 e-mail: info@plattwhite.co.uk
 Web: www.plattwhite.co.uk

Client: **MR. R. WITTER.**

Project: **THE GLYN,
 LLEWENI PARK AIRFIELD,
 DENBIGH.**

Subject: **LOCATION PLAN**

Drawn No: **RWS / 200 / P1**
 Drawn by: **RWS**
 Checked by: **DL**
 Scale: **1:1250 @ A0**
 Date: **JAN 2017**



PROPOSED SITE LAYOUT PLAN

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 Partnership
 Nova House, 84 Boscawen
 Chester, CH3 5AQ.
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 email: info@plattwhite.co.uk
 Web: www.plattwhite.co.uk

Client: **MR. R. WYLLIE**

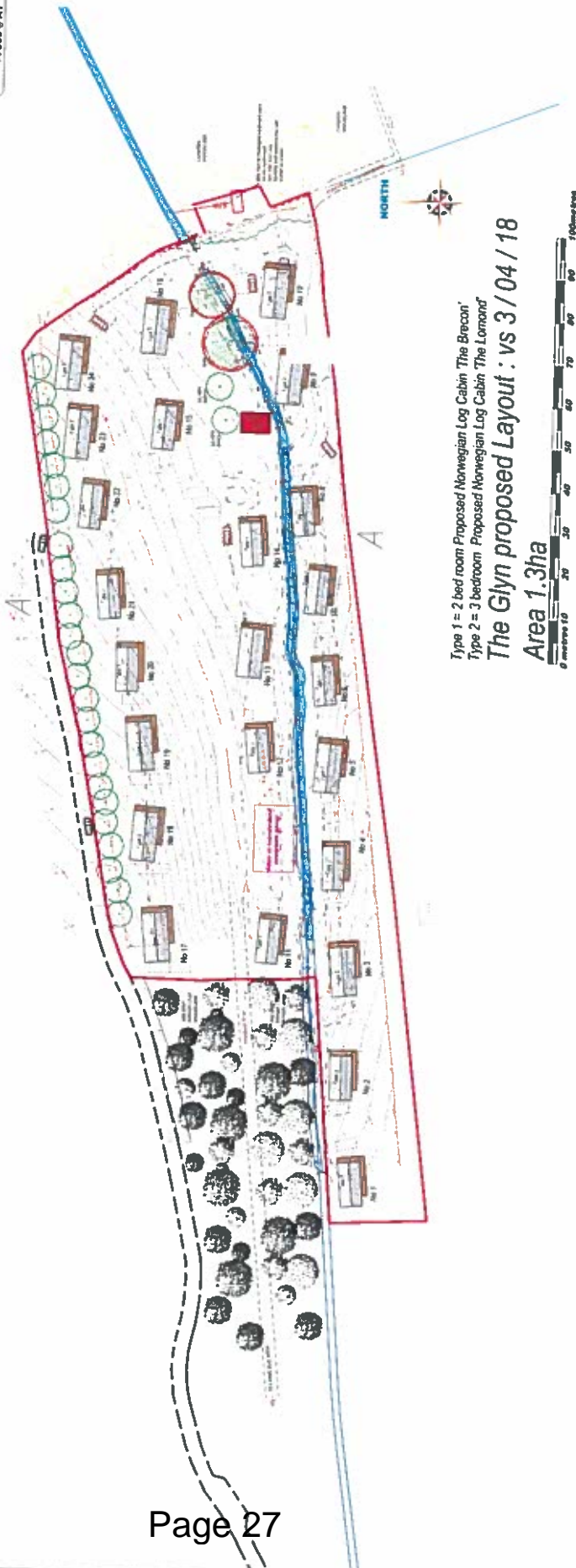
Project: **THE GLYN,
 LLEWENI PARK AIRFIELD,
 DENBIGH.**

Subject: **SITE PLAN.**

Drawn by: **RBS**
 Checked by: **DL**
 Date: **APR 2018**

Drawn by: **RBS**
 Checked by: **DL**
 Date: **APR 2018**

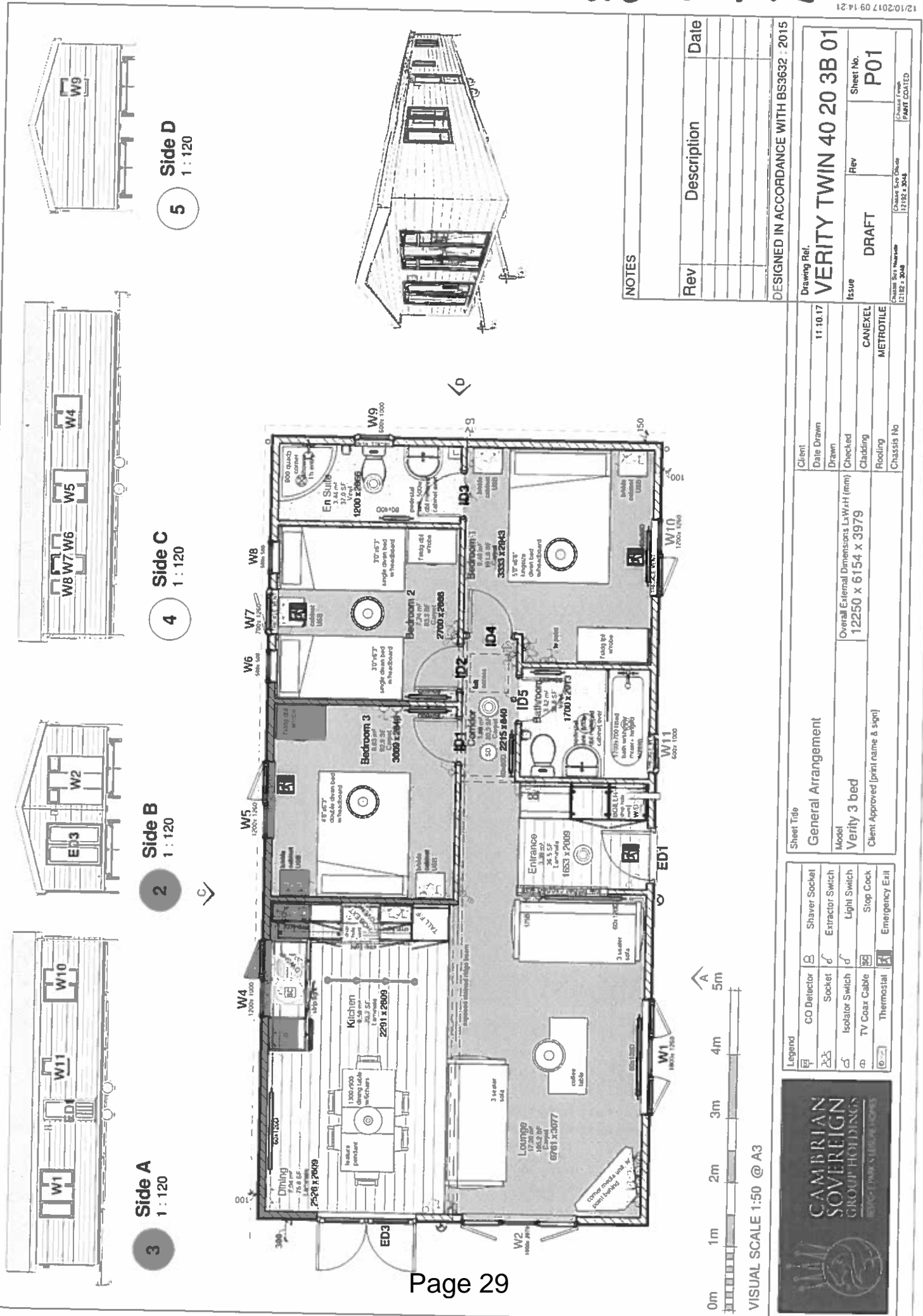
Scale: **1:500 @ A1**



Type 1 = 2 bed room Proposed Norwegian Log Cabin 'The Brecon'
 Type 2 = 3 bedroom Proposed Norwegian Log Cabin 'The Lomond'
The Glyn proposed Layout : vs 3 / 04 / 18
Area 1.3ha

TYPICAL LODGE DETAIL

12/10/2017 09:14:21

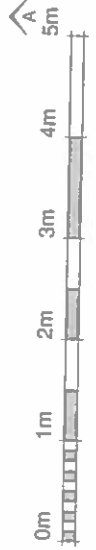


3 Side A
1 : 120

2 Side B
1 : 120

4 Side C
1 : 120

5 Side D
1 : 120



| Legend | |
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| | B Shaver Socket |
| | ⊕ Extractor Switch |
| | ⊕ Light Switch |
| | ⊕ Stop Cock |
| | ⊕ Emergency Exit |



Client: General Arrangement
 Date Drawn: 11.10.17
 Model: Verity 3 bed
 Overall External Dimensions LxWxH (mm): 12250 x 6154 x 3979
 Client Approved (print name & sign)

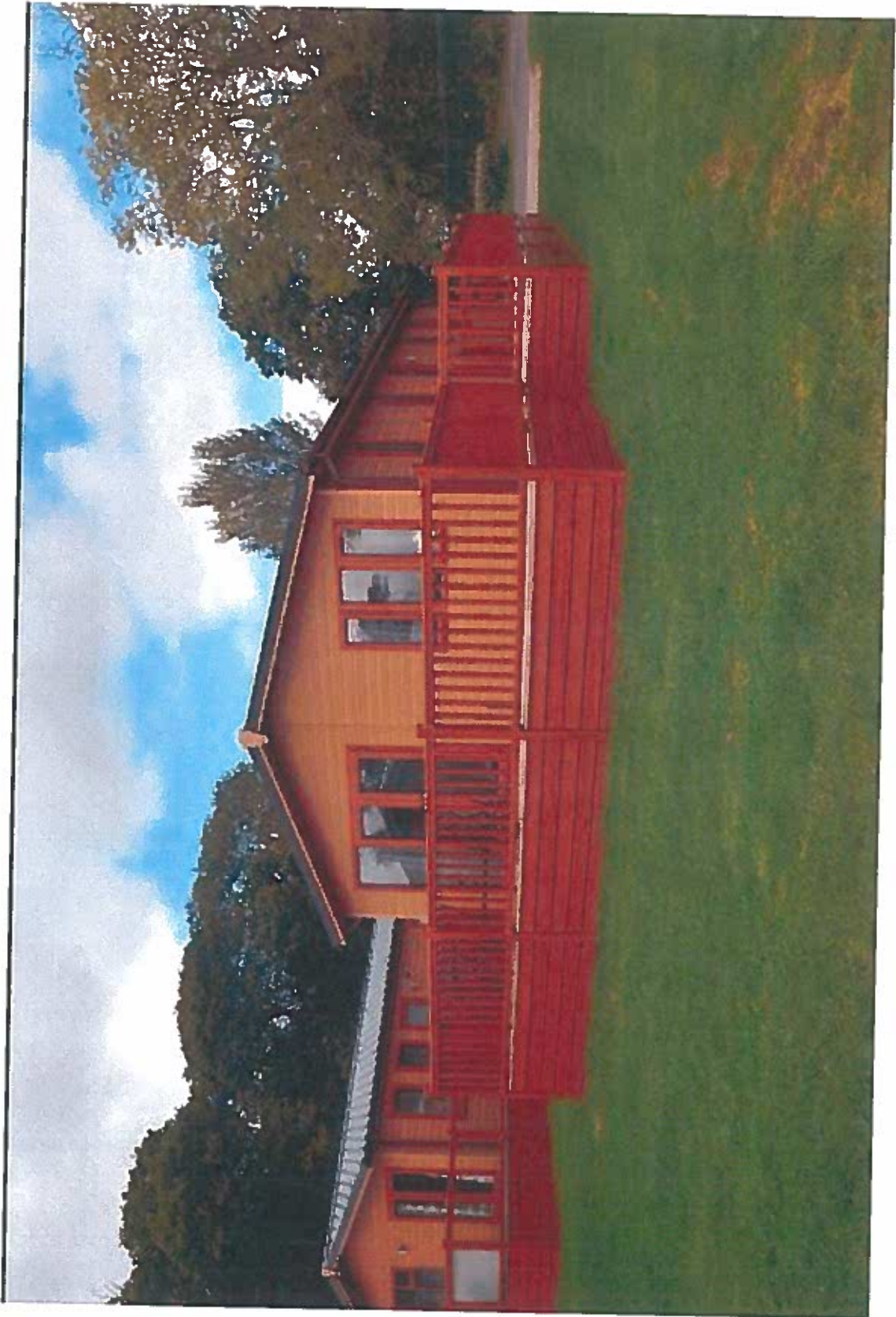
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DESIGNED IN ACCORDANCE WITH BS3632 : 2015

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| Drawing Ref: | VERITY TWIN 40 20 3B 01 |
| Issue: | DRAFT |
| Rev: | P01 |
| Sheet No.: | P01 |
| Chassis No.: | 12192 L 3048 |
| Chassis Size: | 12192 L 3048 |
| Chassis Finish: | PART COATED |

NOTES

TYPICAL LODGE DETAIL



WARD : Denbigh Lower

WARD MEMBERS: Cllr Rhys Thomas
Cllr Mark Young (c)

APPLICATION NO: 01/2018/0705/ PF

PROPOSAL: Development of 1.3 ha of land by the siting of 24 accommodation lodges and associated works

LOCATION: The Glyn Lleweni Parc Mold Road Denbigh

APPLICANT: Mr Rodney Witter Lleweni Parc Ltd

CONSTRAINTS: None

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

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

- Referral by Head of Planning / Development Control Manager due to significant number of public representations being received.

CONSULTATION RESPONSES:
DENBIGH TOWN COUNCIL:

Original comments:

"Following on from our Planning meeting this evening, the town councillors are objecting to the whole application based on the following - 01/2018/0705

The Glyn, Lleweni Parc, Mold Road, Denbigh

- a. Water supply, the adequacy needs to be researched.
- b. Doesn't adhere to the local development plan policy PSE10
- c. Whether the proposed development would be sufficiently accessible."

Re-consultation comments:

None received at the time of writing this report

ABERWHEELER COMMUNITY COUNCIL:

Original comments:

"At our recent meeting Aberwheeler Community Councils made the following comments :-

1. Sewage and soakaway water could cause pollution to the River Clwyd .
2. Increase usage of the road track from the A541, causing problems for residents living in Lleweni Barns.
3. Lodges should not be occupied for full 12 months.
4. Concerned with the safety of increased air traffic above Aberwheeler .
5. Does not adhere to the LDP policy PSE10."

Re-consultation comments:

None received at the time of writing this report

BODFARI COMMUNITY COUNCIL:

Original comments:

"With regard to the planning application 01/2018/0705 to develop 1.3Ha of land at The Glyn, Lleweni Park, Mold Road, Denbigh by the siting of 24 accommodation lodges and associated works,

Bodfari Community Council recommends refusal of this application as the plans submitted do not address the issues raised in the pre-application consultation requesting heritage, conservation and wildlife surveys, consideration of how wildlife would be impacted by light pollution and consideration of the effect on public transport links, safe site access and footpath access in the light of the proposed increase in use.

Furthermore consideration needs to be made to the effect of the increased pressure on the borehole water supply and access road.

The lodges proposed are also disproportionately large for the potential use, will be visible from the Clwydian range and will contribute to the urbanisation of the landscape."

Re-consultation comments:

None received at the time of writing this report

TREFNANT COMMUNITY COUNCIL:

Original comments:

"Trefnant Community Council have the following comments to make:

1. The Application is contrary to Denbighshire County Councils Local Development Plan.
2. A previous Application for 20 lodges in 2011 was rejected after a Public Hearing by the Welsh Government. The Council can see no exceptional circumstances that have occurred since that date which would allow for an even bigger development to be approved.
3. The proposed site is in a rural landscape with open green spaces.
4. The area was mixed woodland. Did the applicant seek permission and carry out a wildlife survey before clearing the site?
5. Timber Lodges have a limited life span before they need replacing. There is concern that in a number of years, when they start to deteriorate, an application would be made for more permanent structures."

Re-consultation comments:

None received at the time of writing this report

NATURAL RESOURCES WALES:

Original comments:

Raised significant concerns with the proposal with respect to Great Crested Newts (GCN) and advised further survey of pond no. 2 was required.

Should planning permission be granted, NRW recommend conditions are required to ensure details of external light spillage scheme, otter reasonable avoidance measures scheme and a biosecurity risk assessment are submitted and approved in writing before development is permitted to commence.

Re-consultation comments:

No objections in relation to the favourable conservation status of Great Crested Newts following the receipt of additional information.

WELSH GOVERNMENT – LAND, NATURE AND FORESTRY DIVISION

Response is made in accordance with Technical Advice Note 6, Annex B6 and relates to technical information only; not the merits or otherwise of the proposal.

1. Agricultural Land Classification (ALC) Information

The Department does not hold detailed ALC survey information for the site. The Predictive ALC Map for Wales notes the land is predicted to be ALC Subgrade 3b.

2. Advice

The Department does not recommend commissioning an ALC survey.

Best and Most Versatile Land (BMV) Policy is unlikely to be an issue in this case (PPW 4.10.1)

WELSH HISTORIC GARDEN TRUST:

Object to the proposed development in relation to principle/need, impact on landscape character, historic environment, ecology and traffic/accessibility. It is contrary to Planning Policy Wales and Denbighshire's LDP and an unnecessary development.

DWR CYMRU / WELSH WATER:

No objection

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

HIGHWAYS OFFICER:

No objection.

In terms of the existing junction at the A543, Highways Officers consider this adequate and of suitable design and visibility to accommodate further vehicle movements from the site.

In terms of offering alternative modes of transport from the site, this is not ideal for walking and cycling along the A543 to Denbigh as there is no footway or designated cycle paths along this route. There is a bus route along the A543 which stops at the junction of Lleweni Parc every two hours throughout the day but this is a limited service. The local and surrounding rights of way network can be accessible from the site and Denbigh town can be accessed via this system. Most of the occupiers are likely to be reliant on the private car which is not deemed to be unsafe given the good immediate links to the existing highway network.

Although the site in terms of sustainability is not ideal, that there would be no highway safety related issues arising from the proposal.

Sustrans comments (submitted as an appendix to Highway Officer response):

Sustrans confirm there are no cycling routes linking to the site and consider the A543 is unsuitable for official cycling routes (be they active travel or leisure) due to the speeds of traffic (and probably also vehicle numbers) and there are no footways along the road either. A dedicated shared use path along that route would be useful.

There is a stone track between Kilford Farm and Pontruffydd Hall Farm which could be utilised for cycle use, but at present it is only a dedicated footpath and so the right of way status would need to be amended. Ideally the track should be upgraded to make it more suitable for walking/cycling. Sustrans do not think this development connects directly to that track, but a link is possible and easier than a new route alongside the A543. It would also need a short section of path between Kilford Farm and the Brookhouse area along the Whitchurch Road.

PUBLIC PROTECTION OFFICER:

No objection subject to a condition to ensure the new bore hole is not within 50m of any existing or proposed foul drainage system

ECOLOGY OFFICER:

Original comments:

Additional information is required, a further survey of pond 2 should be undertaken to determine the presence/likely absence of great crested newts at the application site.

Re-consultation comments:

Awaiting response

STRATEGIC PLANNING AND HOUSING OFFICER:

Denbighshire's Local Development Plan Policy PSE 12 'Chalet, static and touring caravan and camping sites' states that proposals for new static caravan sites will not be permitted. The Council's Supplementary Planning Guidance 'Caravans, Chalets & Camping' provides further detail and clarification. Paragraph 3.3 of the SPG recognises the variety of types of holiday accommodation and that these will be judged against the standard definition of a caravan as set out in the Caravans and Development Control Act 1960. The lodges proposed have been confirmed as falling within this definition and the proposal is therefore unacceptable in principle.

Policy PSE 5 'Rural economy' provides general support for employment, commercial and tourism developments in rural areas, and policy PSE 14 'Outdoor activity tourism' supports proposals that expand the outdoor activity sector in the county. However, neither policy makes reference to proposals for new caravan sites as this is specifically addressed under Policy PSE 12. It is also considered that insufficient evidence has been provided to meet the criteria under policies PSE 5 and 14.

FLOOD RISK MANAGER:

No objection subject to a condition requiring the submission of detailed surface water drainage details.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Michael Skuse, Campaign for the Protection of Rural Wales
D. MacLennan, The West House, Lleweni
Paul and Christine Smith, 2 The East Wing, Lleweni, Denbigh
Nerys A Edwards, 3 The Hay Barn, Lleweni
Vicky Poole & Susie Lunt, East Stable, Lleweni
A Jones, The Hay Barn, Lleweni
Jason Kenyon, East Pavilion, Lleweni, Denbigh
H Jones, 1 The West Wing, Lleweni, Dinbych
Miss C G Roberts and Mr Dewi Jones, 1 The Hay Barn, Lleweni
Mrs K Coppin, 2 The Corn Barn, Lleweni, Denbigh
J.A. & K. Roberts, 2, The Hay Barn, Lleweni, Mold Rd. Denbigh
J. Winstanley, 1, The East Wing, Lleweni, Mold Road, Denbigh
Gareth Edwards, 3 The Hay Barn, Lleweni, Mold Road

Summary of planning based representations in objection:

Pre-Application Consultation:

Does not fully reflect pre-application consultation responses

Principle

- Same principle as previously refused scheme at the site – no material changes since scheme was refused.
- Supporting information refers to out of date UDP policies rather than LDP.

- Proposed lodges meet the legal definition of static caravans – LDP does not permit new static sites / does not comply with LDP policy
- Previous proposals for single caravans / lodges at Lleweni Parc have been refused.

Location

- Greenfield site / Loss of agricultural land.
- No amenities (shops, pubs etc) in close to the site.
- Unsustainable location.

Need / justification for the development:

- PSE5 states need for business plan – None provided.
- Financial viability – existing activities at Lleweni Parc deliver marginal financial viability – application claims proposal would underpin operations at site, but has not demonstrated this or provided a business plan.
- Reference to sale of the lodges in supporting information - would be privately owned and not available for rental / suggestion of subletting.
- Not clear if this accommodation is intended for gliding club only, or if it would be open to general public.
- No evidence it would contribute to local economic prosperity and local community / only financially benefit to Lleweni Parc site
- Only proposing to create two additional jobs..
- No evidence provided that there is a need for this type of development in this location – existing accommodation in area includes touring site at Lleweni Park and further two caravan parks in Denbigh and Bodfari and consented large lodge development at Bryn Morfydd, Llanrhaeadr.
- Emphasis in supporting information is that glider users would use chalets, however site has only 6 gliders at any one time – there is other accommodation onsite at Lleweni Parc which could be utilised instead / Gliding is intermittent and seasonal, small niche sector and is not available to a wide range of potential visitors, so number of glider visitors to site is limited and does not warrant development of scale proposed / unlikely they will bring much tourism business to Denbigh.
- Other gliding clubs in UK do not seem to offer onsite accommodation - many promote local accommodation in wider area to support local economy.
- Plenty of existing local accommodation within 6 miles radius which can support the needs of the gliding club.

Use / control of occupancy

- Concern that proposal units could be used year round and be used as permanent dwellings, which would strain local services.
- Should the scheme go ahead, complete closure of site for at least 2 months must be considered as a minimum.
- No information on how occupancy would be policed in the documents.

Design / scale / layout / Visual impact

- Design / Scale / density of development – large scale development in context of location / 24 cabins would be in close proximity, together with parking and associated development, site would become overcrowded, unsightly and dangerous.
- Urban layout with regimented lines of many ‘caravan’ types – no attempt to blend it into the rural environment or provide adequate screening.
- Out of character with surrounding landscape, which is of local historic importance / change the natural setting of the environment
- Would be out of scale / dominate Lleweni hamlet (number of lodges would be greater than number of houses)
- Cumulative impact - proposal, together with existing touring site will dominate historic environs of Lleweni.
- Design / appearance of caravans (artificially clad caravans), will not assimilate into landscape / materials would not enhance visual amenity.
- Steep gradient –earthworks will be required to create flat ground for cabins to rest on and application states steps or ramparts to access each cabin will be created.

- Associated development (driveway, parking, grid connection) will damage visual amenity.
- Not well screened from dwellings at Lleweni
- Existing surrounding woodland would not screen site - no additional screening proposed to minimise visual impact.
- Development creep at Lleweni Parc eroding the tranquil setting, already has a touring caravan site and this would be further development at the site.
- Historic hamlet of Lleweni should be kept as a tranquil and peaceful riverside location.
- Affect views from Clwydian Way
- Lack of specific information on size, siting, utility provision, positioning and provision of lighting, services, bin store etc.
- Light pollution having a detrimental impact on tranquil rural setting / dark sky environment.

Historic environment / Setting of listed buildings

- Lleweni hamlet contains a number of traditionally built dwellings and a number of listed buildings. Does not contribute or complement them, and would not enhance setting of Listed Buildings close by.
- Does not comply with Listed Buildings SPG.

Residential amenity

- Detrimental to amenity of private dwellings at Lleweni.
- Noise and disturbance during construction (e.g. groundworks and excavations for foul water drainage).
- Development creep at Lleweni having detrimental impact on amenity of neighbouring residential properties.
- Dogs / visitors staying in cabins causing noise / disruption.
- Local residents already experience noise and disturbance from existing touring caravan site at Lleweni – proposal will lead to additional noise and disturbance.
- Would be clearly visible from Lleweni residential properties.
- Light pollution from proposal.
- Proposed development could be accessed at unsocial hours.
- 24 units would accommodate up to 60 holiday makers – create disturbance to local residents.

Ecological impact

- Land has been cleared of woodland to create 'The Glyn', not a natural clearing. Clearance works already carried out has changed topography and natural drainage of site / damaged habitat.
- Proposal will be detrimental to ecology.

Flooding / Drainage

- Woodland clearance has changed land drainage.
- Watercourse through the site / part of the floodplain – site is at risk of flooding.
- Lack of information about foul water drainage.
- Development would increase runoff into river.

Access / Traffic / road safety

- Site is accessed via private road - increased use degrade road and would be unreasonable to expect private residents to pay for the upkeep.
- Site does not have good accessibility to local highway as it's accessed via a private lane.
- No footpaths or cyclepaths serving the site, and no footpath along the public highway into Denbigh.
- Would Increase traffic to and from the site, on top of existing traffic visiting Lleweni site and tourer caravan site.
- Footpath to Kilford Farm on Whitchurch Road not suitable as there are no footpaths along Whitchurch Road into Denbigh – this footpath route is too far from Denbigh to expect visitors to walk.

- Proposed access point at a dangerous point off the private road, on a bend in the road with poor visibility and often blocked by parked cars.
- Poor public transport.
- Risk of congestion if traffic is stopped whilst airfield is in use.
- Concern for access of emergency vehicles to site and Lleweni hamlet.
- Not feasible to suggest visitors would use public transport
- No bus stop at entrance to Lleweni (bus stop is a request only stop).
- Junctions not safe.
- Private lane is un-light – safety concerns as proposal would increase traffic in evenings / night.
- Proposal is suggesting access would be via a locked gate for security, but this would stop emergency vehicle access.

Health and Safety

- Communal open space proposed is close to watercourse – unsafe for children.
- Proximity to airfield runway (less than 500m away) – how will area be safe for children playing / exploring? / no risk assessment and no indication of how visitors to site would be controlled / Occupants would be vulnerable if a take-off or landing was aborted.
- Waste collection from the site not explained – could attract vermin / accumulation of waste.

Private water supplies

- Existing water supply from bore hole already serves the Lleweni site shared with residential properties – was designed to serve private water needs of Lleweni residents and infrastructure will not support commercial development – alternative provision must be required.
- Site already has a tourist caravan site and proposed development will result in Lleweni Parc taking a disproportionate amount of water.

Re-consultation comments with respect to private water supplies:

- New bore hole is some compromise by the applicant, but installation works would be extensive and impact on amenity of local residents
- New bore hole would draw from same aquifer as existing borehole – concern if there is sufficient water resource to serve existing and proposed boreholes.
- Insufficient information provided regarding siting of proposed new borehole and pipes.

Other Comments:

- Unclear how rubbish / waste would be disposed of.
- Existing caravan site is not well managed (untidy / uncontrolled outdoor furniture / year round occupancy).
- Lodges stated to be built by 'Cambrian Park and Leisure Homes Ltd' – this company went into administration in 2017 and cabins proposed are no longer available.

In support

Representations received from:

James Roland, Midwinter Barn, Oxon

Thomas Sides, 2 The Elms, East Street, Newton Abbot

Andrew Reid 45 Corbetts Way, Thames

Paul Medlock, 37 Graham Way, Taunton

James Lynchehaun, 27A Warren Drive, Wallasey (original and re-consultation responses)

Wendy Ramsay, 42 Ramsey House, Vassall Road, London

Peter Startup, 20 Butts Road, Ottery, Devon

Gillian and Justin Wills, Coppice House, Temple Guiting

Graham Stanford, 3 The Courtyard, Ackleton

Simon Marriott, 1 Croft Cottages, Otley

M. Osborn, Chapel House, Waters Upton, Telford

D. Gill, Rhos Gwyn, Brynteg, Anglesey

Ian Cook, 6, Blossom Close, Andover, Hampshire

G. G. Dale, c/o Lasham Gliding Society, Lasham Airfield, Alton

M. Tapper, 40 Birch Street, Birch

D. Richmond, 3, Holly Close, Ellesmere
Chris Gill, Rhos Gwyn, Brynteg, Anglesey
Paul Smith, Northcote, Kidlington Rd, Islip, Oxon
Roy Garden, 84, Braehead Cres, Stonehaven, Aberdeeshire
K. Ahlner, 5, York Close, Shenfield, Essex
C, Wilson, 2 Grove Bungalow Wormingford Grove, Wormingford
A. Moulang, The Cabin, Prospect Rd., Sandgate, Foldestone
Ian Stewart, 24 Bodtegwel Terrace, St. George Abergele
J. Beard, 33, Bohill, Penryn, Cornwall
Tony Moulang, The Cabin, Folkestone
James Nicholls, Mountain View, Isle of Man
Roy Pentecost, 4 Stratton Villas, Malmesbury
Hugh Jones, The Stones, Stonewalls
Loess Overbury-Tapper, 40 Birch Street, Birch
Jacob Matthews, 6 Jack Stephens Estate, Penzance
Andrew Jones, Cross Fell House, Penrith, Cumbria
Andy Spray, 10 Neville Drive, Thornton
Christine Conlin, 3 Fairbanks Walk, Swynnerton
Francis Bradley, 2 Long Marton Road, Appleby

[REDACTED]
Lorna Sleigh, 34 Wheatfields, Thurston
Mark Crompton, Briery Parrock, Ambleside
Nicholas Jones, Holcombe House, Hemyock, Devon
Patrick Eaton, 1 Briar Gate, Long Eaton, Nottingham
Geoff Wright, 18 Tudor Court, Penrith
Anne Walker, Weathervane Cottage, Troston
Mark Johnson, 172 Greenacres, Wetheral
Barry Meekes, Tegfan, Gwyddelwern
Michael Armstrong, 41 Walton Back Lanre, Walton
Daniel Welch, 26 Esmonde Drive, Ilchester
Danielle Welch, Officer's Mess, RAF Valley
John Castle, 5 Lovelace Crescent, Elmesthorpe
Steve Noujaim, The Vetch Tower, Aycote Farm, Rendcomb
Jonathan May, 2 Hintons Coppice, Knowle, Solihull
Steve Pozerskis, 14 Victoria Road, Alton
Craig Lowrie, Wychacre House, Harborough Hill, West Chilton
Keith Davey, 73 Equilibrium, Lindley, Huddersfield
Sarah Drury, Estancia, Gore Road, Bredgar, Kent
P. Naegeli, Orchard House, Cleves Lane, Upton Grey
Wyn Davies, Quay Gardens Barn, Monmouth Avenue
Julia Anderson, Foxhill, Nant y Glyn Rd, Colwyn Bay

Summary of planning based representations in support:

Need / justification

- Would bring business into the area.
- Would supplement local accommodation offer / accommodation can be difficult to find in local area.
- Visitors would use local shops and restaurants.
- Would provide accommodation to long-distance walkers who visit the area, close to the Clwydian Way.
- Would increase local employment and year-round tourism.
- Would help make Lleweni Parc a sustainable business / additional funding stream for site.
- Enhance offering at Lleweni Parc.
- Would secure existing jobs at Lleweni Parc.
- Good for the Welsh Economy.

Enhance existing gliding club business

- Gliding club is one of best soaring sites in UK. Proposal would provide on-site accommodation for users of the gliding club, would enhance the gliding club offer and would be desirable to potential visitors to the gliding club.
- Glider pilots could bring family with them to the site and stay locally for longer, and visit local area.
- Glider users support the local economy by using local shops, cafes etc.
- Would support the financial viability of gliding club.
- Interest in gliding is growing.
- Gliders would like the opportunity to buy a chalet onsite.
- Gliders are expensive – owners want to stay close.
- Gliders fly early in the evening and late at night – need accommodation close by and difficult to get last minute accommodation.

Visual amenity / landscape character

- Development would not be detrimental to character of local area.
- Site is well hidden and idealic location for proposed development, away from site boundary and neighbouring housing.
- Visually in-keeping / won't be an eye-soar like white static caravans.
- .
- Would be discretely located and would not cause any visual harm.

Residential amenity

- Discretely located so would cause no noise disturbance to anyone else.

Accessibility

- Would improve walking routes through the site

Ecology

- Site has been turned into a haven for wildlife

EXPIRY DATE OF APPLICATION: 31/07/2019

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 This is a full planning application proposing the siting of 24 holiday lodges and associated works on 1.3 ha of land on the Lleweni Parc Estate, referred to in the application documents as 'The Glyn'.
- 1.1.2 The lodges proposed fall within the legal definition of a caravan and plans submitted with the application show the appearance of timber clad cabins. These are included at the front of the report.
- 1.1.3 The main elements of the proposal are:
 - A mix of 13 two-bedroom and 11 three-bedroom lodges with a wrap-around terrace area provided around each unit.
 - The site would be accessed from the existing access off the A543 Denbigh Road and then along an existing private road through the Lleweni Parc Estate.
 - Formation of a new access road approximately 500m in length from an existing field access point which would run along the edge of the airfield leading to the site.
 - New internal access roads leading to each lodge.
 - A total of 34 parking spaces are proposed within the site to serve the development.
 - Foul water drainage would be via a new BIOROCK package treatment plant to be installed at the site.
 - A bin storage area is proposed within the centre of the site.
 - A link to pedestrian footpaths is proposed to the south-east of the site.

- Four existing trees are proposed to be retained.
- 1.1.4 Along with plans, the following documents have been submitted in support of the application:-
- Design and Access Statement (DAS)
 - Ecological Appraisal
 - Topographical Survey
 - Hydrological Information
 - Great Crested Newt Appraisal
 - Planning Supporting Statement
- 1.1.5 The main points of relevance in the Design and Access Statement and Planning Support Statement are:
- The proposal is put forward as a further diversification at Lleweni Parc, which will form “an essential, integral, ancillary part of the recreational activities already permitted at Lleweni Parc”.
 - The development will have direct association with the adjoining gliding airfield and a main attraction for those staying in the lodges will be the activities at Lleweni Parc.
 - The development is put forward as high quality tourism accommodation, and the application is seeking consent for year round occupancy to ‘reduce seasonality’.
 - The availability of lodges on the application site throughout the year, by both ownership and rental, will add to the already strong attraction for the gliding field, thereby helping to spread their use well beyond the limited summer months and encouraging greater spending in the local economy and out of season.
 - A section on economic context and financial sustainability, makes reference to the contribution the development will make to the local and regional economy and increase local visitor spend. Data from a lodge development at Kinsale Golf Course in Flintshire is also referenced to estimate the potential visitor spend in the local economy as a result of the development which the DAS estimated would be in the region of £197K p.a and the contribution made by existing visitors to Lleweni Parc to the local economy is estimated to be £55K.
 - The supporting information also indicates the proposal would create approximately two jobs.

Plans illustrating the site layout are attached to the front of the report.

1.1 Description of site and surroundings

- 1.1.1 The application site comprises 1.3 hectares of land located on the Lleweni Parc Estate.
- 1.1.2 The site would be accessed along a new track running off the existing private road from the A543 Denbigh Road which serves the residential complex in the old Lleweni Hall outbuildings.
- 1.1.3 There are other existing uses at the Lleweni Parc Estate, including the glider airfield and a 20 pitch touring caravan park. The glider airstrip is to the north of the site.
- 1.1.4 The Lleweni complex is to the south of the site, with the nearest residential property approximately 300m from the site boundary.

- 1.1.5 A watercourse runs through the site which is a tributary of the River Clwyd. The River Clwyd itself is approximately 110m to the east of the site. There are also a number of ponds in the general vicinity of the site.

1.2 Relevant planning constraints/considerations

- 1.2.1 The site is outside of any development boundaries as defined in the Local Development Plan and is partially within a mineral safeguarded area.
- 1.2.2 The land is understood to be Grade 3b Agricultural Land, which is defined as moderate quality agricultural land, but is not considered to be the 'best and most versatile' agricultural land.
- 1.2.3 The site is located within the Vale of Clwyd Landscape of Outstanding Historic Interest.

1.3 Relevant planning history

- 1.3.1 A previous proposal for a lodge development at the application site was refused in 2012 and the subsequent planning appeal was dismissed. The reasons for the refusal are quoted in Section 2.1 of the report which follows.
- 1.3.2 There is an existing touring caravan site at Lleweni Park which was granted planning permission in 1991, and there have been a number of planning applications for caravans, residential and visitor accommodation on parts of the Lleweni Park land over recent years.

1.4 Developments/changes since the original submission

- 1.4.1 The applicant has submitted additional information to confirm the intention to install a new borehole to provide water to the proposed development.
- 1.4.2 A Planning Supporting Statement has been provided to address LDP Policy PSE5, PSE11 and PSE12
- 1.4.3 An additional ecological statement has been submitted to address concerns raised by the Council's Ecologist and Natural Resources Wales with respect to Great Crested Newts.
- 1.4.4 Following receipt of the above additional information, the application was subject to a full re-consultation exercise.

1.5 Other relevant background information

- 1.5.1 The existing touring caravan site at Lleweni Parc has consent for the stationing of up to 20 touring caravans.
- 1.5.2 In addition to the touring caravan site, there is also a Caravan Club Certified camping site at Lleweni Parc. Certified sites do not require planning permission providing that no more than 5 touring caravans and / or 10 tents are accommodated at any one time and stays do not exceed 28 days. Visitors are also required to be members of the Caravan and Motorhome Club and sites need to adhere to other Caravan Club requirements.

2. DETAILS OF PLANNING HISTORY:

- 2.1 01/2011/0621/PF - Siting of 20 holiday lodges with associated access, parking and installation of a sewage treatment plant. Refused at Planning Committee 18th April, 2012 for the following reasons:-

1. *It is the opinion of the Local Planning Authority that the proposed layout of the lodges on the site appears unduly cramped with a number of units sited in close proximity to one another, to the retained trees, and to the southern boundary of the site; and it is considered there is inadequate provision for the parking of vehicles for*

occupiers of the lodges and potential visitors. The proposals are therefore considered to be in conflict with tests of Policies GEN 6 and TRA 9 of the Denbighshire Unitary Development Plan.

2. The Local Planning Authority do not consider there is sufficient information with the application to determine whether the proposals involve development on the best and most versatile agricultural land (of Grades 1, 2, or 3a), and hence whether the lodge development would be in conflict with policies ENV 11 and TSM 9 of the Denbighshire Unitary Development Plan and Welsh Government's key objective to conserve the best and most versatile agricultural land, as set out in Chapter 4 of Planning Policy Wales 2011.

3. It is the opinion of the Local Planning Authority that the location of the proposed development would mean people using the lodges would be highly dependent on the private car for access, and there is an absence of safe pedestrian routes linking the site to the public footpath network or along the A road to Denbigh, all limiting the accessibility of the site, contrary to key tests in Policies STRAT 1, STRAT 13, GEN 6, and TSM 9 of the Denbighshire Unitary Development Plan, and Welsh Government's key policy objective of locating developments so as to minimize the demand for travel, especially by private car, as set out in Planning Policy Wales 2011 Chapter 4 and Chapter 8.

The subsequent Planning Appeal was DISMISSED. The conclusions of the Planning Inspector as set out in the Appeal Decision letter were :
"Although I have found that the proposed development would not significantly deplete the agricultural land resource it would cause harm to the living conditions of future occupiers and be insufficiently accessible to accord with sustainable principles, contrary to the development plan and PPW.
For the reasons given above I conclude that the appeal should be dismissed."

Officers would note the previous application was determined under the former Denbighshire Unitary Development Plan policies and Edition 4 of Planning Policy Wales.

Planning history for wider Lleweni Parc Estate:

Dating back to 1991 there are a number of planning applications relating to the gliding club and other caravan development which are of no direct relevance to the current application.

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 RD1 – Sustainable development and good standard of design
- Policy BSC3 – Securing infrastructure contributions from Development
- Policy PSE5 – Rural economy
- Policy PSE12 – Chalet, static and touring caravan and camping sites
- Policy PSE14 – Outdoor activity tourism
- Policy VOE1 - Key areas of importance
- Policy VOE5 – Conservation of natural resources
- Policy VOE6 – Water management
- Policy ASA1 – New transport infrastructure
- Policy ASA2 – Provision of sustainable transport facilities
- Policy ASA3 – Parking standards

3.2 Supplementary Planning Guidance:

- Supplementary Planning Guidance Note: Caravans, Chalets & Camping
- Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity
- Supplementary Planning Guidance Note: Listed Buildings
- Supplementary Planning Guidance Note: Parking Requirements in New Developments

Supplementary Planning Guidance Note: Planning Obligations
Supplementary Planning Guidance Note: Trees & Landscaping

3.3 Government Policy / Guidance:

Planning Policy Wales (Edition 10) December 2018
Development Control Manual November 2016
Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)
Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities (2010)
Technical Advice Note (TAN) 12: Design (2016)
Technical Advice Note (TAN) 13: Tourism (1997)
Technical Advice Note (TAN) 15: Development and Flood Risk (2004)
Technical Advice Note (TAN) 18: Transport (2007)
Technical Advice Note (TAN) 23: Economic Development (2014)
Technical Advice Note (TAN) 24: The Historic Environment (2017)

3.4 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 Landscape / Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)
- 4.1.7 Impact on Listed Buildings

4.2 In relation to the main planning considerations:

- 4.2.1 Principle
Local Development Plan Policy PSE 12 relates to chalet, static and touring caravan and camping sites. The policy states proposals for new static caravan sites will not be permitted.

The Justification to Policy PSE12 states "*In the inland rural areas, caravan development, particularly static caravans, can be obtrusive in the landscape and damaging to the character of the rural area unless strictly controlled.*"

Policy PSE5 supports tourism and commercial development which helps sustain the rural economy where it can be demonstrated all four policy tests are met. The tests are:

- 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) Proposal 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;
- 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.

Policy PSE14 supports development proposals that expand or reinforce the tourism offer of the County in the outdoor activity sector. Policy test iv) states '*chalet development is 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 tourism accommodation.*'

The Caravans, Chalets & Camping SPG makes it clear that lodges, chalets, pods and other similar structures which fall within the legal definition of a caravan set out in the Caravan Sites Act 1968 will be treated as a static caravan for the purposes of applying Policy PSE12.

In terms of the national planning policy context, Planning Policy Wales 10 (December 2018) paragraph 3.56 states that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation. It also advises that new buildings in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

The proposal is for the change of use of land for the siting of 24 holiday lodges and associated works. Whilst the accommodation is referred to as holiday lodges, the Design and Access Statement (DAS) confirms the lodges meet the legal definition of a static caravan and the plans show a twin unit on wheels, which are proposed to be timber clad effect units with a pitched roof. The DAS states consent is sought for year round rather than seasonal occupation of the proposed lodges to meet the needs of visitors to the Lleweni Parc Estate, but consider a 28 day occupancy limitation could apply.

Representations received from the Community Council, the three neighbouring Community Councils, the Council's Strategic Planning and Housing Officer, the Welsh Historic Garden Trust and members of the public have raised concerns with the principle of the development and the lack of justification for a proposed lodge development in this location.

Representations have been received from members of the public, including a number of gliding enthusiasts and other visitors to Lleweni Parc, who are supportive of the scheme.

Whilst the previous planning application for 20 lodges at the application site was not refused on grounds of principle, it is to be noted that this application was determined against the policies of the former Unitary Development Plan. The LDP is the current adopted development plan and is therefore the primary tool against which planning applications have to be assessed. Notwithstanding the planning history, Officers consider the principle of the development has to be re-considered afresh against the current national and local planning policy framework, which is set out above.

In relation to the submission, there is no detailed business plan provided in support of the development. The demand for additional visitor accommodation in this area of the County is not addressed or quantified in the submission, and therefore the predicted contributions to the local economy are not considered to be sufficiently reasoned.

It is not entirely clear from the information provided whether the lodge development would operate as a holiday park development open to the general public, or if lodges are proposed to provide on-site accommodation for current users of Lleweni Parc only.

It is of interest that when planning permission was sought in 2017 to increase the number of pitches on the existing touring site from 10 to 20, the planning application form stated the purpose of the additional pitches was to provide facilities for "Self contained" touring caravans for use in connection with (on-site) pony trekking, gliding and fishing.

No details have been provided relating to the number of current users of the gliding field, or in relation to total number of existing visitors per annum to Lleweni Parc as a whole, other than to reaffirm the existing number of caravan pitches at the site. It is not clear, therefore whether or not the existing touring caravan sites are at capacity, or if there has been any significant increase in users of the site since permission was granted, in order to explain the need for 24 lodges on site.

The submission also states that the lodges would be available for sale and rent, however no details have been provided with regards to the proportion of lodges that would be sold into private ownership, and Officers would query how the proposed development would make a significant contribution to the local economy should the lodges become privately owned.

No costings for the proposed development is provided, and nor has any financial information been put forward to demonstrate why the proposal is needed to secure the financial sustainability of Lleweni Parc.

Members will be aware that there are further caravan / camping sites within the Denbigh area, including The Tyn Yr Eithin Caravan and Camping site on the outskirts of Denbigh, and Station House Caravan Park in Bodfari, as well as more traditional forms of accommodation such as B&Bs and hotels in the Denbigh area and privately owned holiday lets etc, together with the recently consented holiday lodge expansion at Bryn Morfydd in Llanrhaeadr.

In the absence of a detailed business plan, details of existing and projected visitor numbers to Lleweni Parc, evidence that there is a demand for this form of development in this area of the County and how the proposal would make a tangible contribution to the local economy to help sustain local rural communities, Officers consider that insufficient information has been provided to demonstrate compliance with Policy PSE5.

Officers also consider a compelling case has not been put forward to justify there is an overriding need or demand for on site accommodation in association with existing outdoor activity tourism operating from the Lleweni Parc site, and Policy PSE14 test iv) has also not been met.

The Council's Strategic Planning and Housing Officer has reiterated that new static caravans are not permitted under Policy PSE12. Whilst noting Policy PSE 5 provides general support for employment, commercial and tourism developments in rural areas, and Policy PSE 14 supports proposals that expand the outdoor activity sector in the County, neither policy makes reference to proposals for new caravan sites as this is specifically addressed under Policy PSE 12. Nevertheless, the Strategic Planning and Housing Officer considers that insufficient evidence has been provided to meet the criteria under policies PSE 5 and 14, as set out above.

In conclusion, the proposal is therefore considered to be contrary to Policy PSE 5, PSE 12 and PSE 14 and the advice and guidance contained in the Council's adopted Caravans, Chalets and Camping Supplementary Planning Guidance Note, Planning Policy Wales, Edition 10 (December 2018) Section 3.56.

4.2.2 Landscape/ Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

PPW Section 6.3.3 states 'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'

Whilst Policy PSE12 does not support the principle of new static caravan sites, the Policy does include tests to be applied to proposals for remodelling existing static sites and for new touring and camping sites, which Officers consider are material to the consideration of this application.

With respect to remodelling of existing static sites, the policy tests seek to ensure the proposed development preserves or enhances the character and appearance of the area and landscape setting. With respect to new touring sites, the policy tests seek to ensure sites are small in scale and proportionate to the location; would not result in an over concentration of sites in any one locality; the development makes a positive contribution to local biodiversity, the natural and built environment; would not appear obtrusive in the landscape; is high quality in terms of layout, design and landscaping; and has no adverse highway or community impacts.

Policy PSE5 requires developments to be appropriate in scale and nature to its location.

Policy PSE 14 requires that development is appropriate to its setting and within the capacity of the local environment and infrastructure.

Policy VOE 1 seeks to protect Historic Landscapes, Parks and Gardens from development that would adversely affect them.

TAN12: Tourism states that new caravan sites should be effectively screened, and planned so as not to be visually intrusive.

The Caravans, Chalets & Camping SPG also sets out development requirements to be addressed and design guidance for any new or extended caravan, chalet and camping sites in the County. The SPG provides guidance with respect to design of new schemes. In terms of landscape and environment, the SPG advises the scale of a development must respect its surroundings; larger proposals will generally only be permitted within or adjacent to settlements; proposals in rural locations must be sensitively developed; proposals should respect the topography of the site and existing levels should be retained wherever possible. It also advises proposals for new sites should be accompanied by comprehensive landscaping scheme.

Representations have been received from the Community Council, neighbouring Community Councils, the Welsh Historic Gardens Trust and local residents which

raise strong objections to the proposal on landscape and visual impact grounds. The Welsh Historic Parks and Gardens Trust considers the site is an element of the Historic Landscape and a feature of the rural historic park landscape, typical of the Vale of Clwyd.

Concerns have also been raised by a number of consultees relating to the development creep at Lleweni Parc, which includes the Portakabin clubhouse, caravan sites, glider hangar, tarmac airstrip, driving school tracks, and access tracks etc, which objectors do not consider enhance the site, or contribute to the quality of the local landscape.

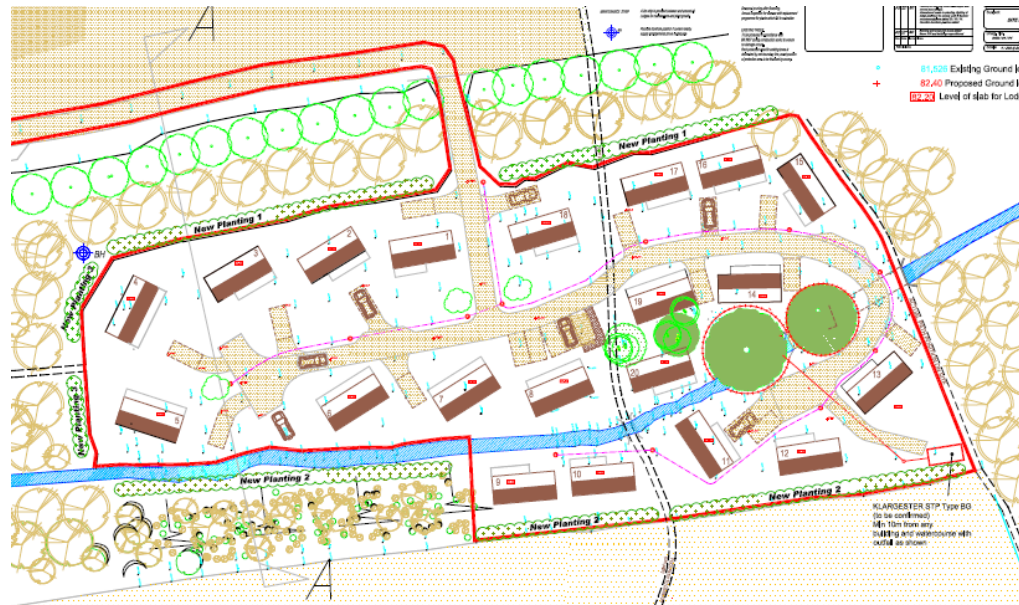
A number of representations in support of the application have also been received from private individuals which consider the proposal to be acceptable in landscape and visual amenity terms.

The previous planning application for 20 lodges at the application site was not refused on landscape and visual amenity grounds, however the previous application was determined under the former UDP policies and there are also differences in the proposals - the site area was smaller, the number of lodges has increased from 20 to 24 with associated development and also since the previous refusal, a number of trees and vegetation has been removed and lodges are now proposed on areas of land along the watercourse that were previously wooded.

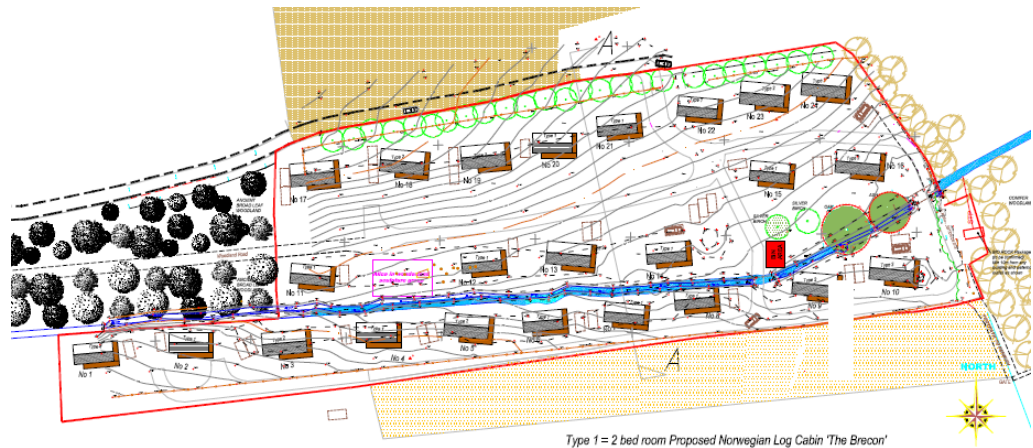
It is therefore considered that the current proposal raises materially different considerations to the previously refused scheme. Accordingly, the proposed impact on landscape character and visual amenity needs to be re-considered against the current planning policy framework, which is set out above.

To assist Members, the proposed site plans for the refused scheme and the currently proposed scheme have been provided below for comparison:

2011 Refused scheme - proposed site layout:



Proposed scheme – proposed site layout:



In relation to the proposal, the lodges would not be located next to any of the existing built development at Lleweni Parc and nor would it be adjacent to the existing touring caravan site. The site would also require a new stretch of private road leading to the proposed lodges, which would impact on the open character of the site. A number of trees and vegetation have also been cleared from the site prior to the submission of the application resulting in the site being more open and exposed.

The proposal for 24 lodges is considered to be large in scale in the context of its locality, and in particular in comparison to the cluster of dwellings at Lleweni, which include a number of Listed Buildings. Also as the lodges do not physically relate to any existing built development at Lleweni Parc, or to the existing touring caravan sites, it would also appear as an isolated development within the former parkland setting.

The lodges proposed would meet the legal definition of a caravan, and appear to be twin units on wheels, and the illustrative photographs (example provided at the front of the report) show the proposed lodges would have timber effect cladding with a pitched roof. The site plans and the illustrative photographs show that large wrap-around raised balconies are also proposed to be installed to each lodge which is also considered to change the character of the lodge and gives the appearance of a more permanent structure.

Parking areas and new access tracks are also proposed within the site, which have been indicated as being formed by rammed stone and tarmac, which would contribute to the overall visual appearance of the scheme.

Whilst the lodges are more spaced out when compared to the previously refused scheme, it is of note that the site area has been increased in size, and an additional 4 units are proposed within the site. Lodges are also now proposed in previously wooded areas along the watercourse, and a number of proposed lodges are little more than 5m apart. The lodges are also broadly aligned in rows, which gives a more sub-urban, linear appearance to the site. There is no integrated landscaping scheme for the site to break up the form of the lodges, and no planting / landscaping is proposed around the periphery of the site to compensate for the trees which have already been removed, or to screen views of the site, in particular from views from the Lleweni complex and public right of way network to the south or from higher ground to the east, including from within the Clwydian Range AONB.

The site is undulating, and the layout does not appear to have been informed by the topographical survey of the site. No sectional plans have been provided, and it is not

clear what groundworks are proposed to facilitate the development, or if land would be built up / cut out to create bases for the caravans.

Whilst conditions could be imposed to require details of groundwork operations, boundary treatments and landscaping, due to the lack of information provided regarding the overall impact on visual amenity and landscaping character, Officers cannot conclude at this stage that harm to landscape character and visual amenity could be successfully mitigated.

In concluding on impacts on visual amenity and landscape character, Officers consider the proposal is for the development of a greenfield site in an open countryside location which is set away from existing built development and similar established land-uses at Lleweni Parc. Trees have already been cleared from the site which has resulted in the area being more open and exposed. No Landscape and Visual Impact Assessment has been submitted with the application and no landscaping scheme is proposed. Due to the density, layout and design of the scheme, the proposal is not considered to be appropriate in scale and nature to its location and nor does it enhance the natural and distinctive qualities of the Vale of Clwyd Historic Landscape, and insufficient information has been provided to demonstrate the harm to landscape character and visual amenity can be successfully mitigated.

The proposal is therefore considered to be contrary to Policies PSE5, PSE12, PSE14 and VOE1 the advice and guidance contained in Planning Policy Wales Edition 10 (December 2018) Section 6.3.3 and the Council's adopted Caravans, Chalets & Camping Supplementary Planning Guidance Note.

4.2.3 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

Representations have been made in objection to the scheme from the Community Council, neighbouring Community Councils and local residents raising concerns in respect of residential amenity issues. The issues raised relate to the size and scale of the development, and in combination with existing touring caravan site, would result in an unacceptable impact on residential amenity from noise, disturbance, light pollution, traffic etc.

In terms of the previously refused scheme, it was partly refused due to the scheme failing to provide adequate amenity standards for future occupiers of the proposed lodges. This reason related specifically to criteria in policies in the former UDP, and there is no equivalent requirement in current national or local planning policies.

The proposal is for a development of 24 lodges comprising of 13 two-bedroom and 11 three-bedroom units. Assuming a maximum occupancy of four persons per two-bedroom unit and six persons per three-bedroom unit, this would equate to 118 persons at maximum capacity. Whilst this number of visitors at any one time could potentially generate a level of noise that may be audible from residential units at Lleweni, the site is some 300m to the north of the nearest residential property, and therefore having regard to the separation distances, Officers would consider it difficult to argue the level of noise and disturbance would be of such a level that would be deemed unacceptable in planning terms.

No details have been provided regarding how the site would operate and be managed, however Officers consider such details could be dealt with by condition

requiring a management plan to be submitted for approval, and to ensure the site operates in accordance with the management plan.

Details of external lighting have also not been provided but again it is considered that this could be adequately dealt with by a condition.

Notwithstanding the concerns raised by local residents, having regard to the separation distance between the site and the nearest residential properties, and the potential to apply controls by condition, it would be difficult to conclude the proposed development would give rise to a level of noise and disturbance that would justify a refusal of planning permission on residential amenity grounds.

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 (PPW 10) (Section 5.2), TAN 5 and the Conservation and Enhancement of Biodiversity SPG (2016), 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.

Representations have been received from Community Councils, local residents and Welsh Historic Gardens Trust raising concerns over the adverse impact of the proposed development on local biodiversity.

A number of representations have also been received from members of the public who consider the proposal would enhance biodiversity of the site.

The application is supported by an Ecological Assessment, and further information was requested with respect to Great Crested Newts following initial consultation responses from Natural Resources Wales (NRW) and the Council's Ecology Officer.

Following submission of additional information to address concerns relating to Great Crested Newts, NRW have confirmed they are satisfied the works are not likely to be detrimental to the maintenance of the favourable conservation status of a local population of GCN.

NRW have also advised that should planning permission be granted, conditions are required to be imposed to secure details of an external light spillage scheme, otter reasonable avoidance measures scheme and a biosecurity risk assessment prior to commencement.

Having regard the location, nature and scale of the development, the findings of the Ecological Assessments and views of statutory consultees, subject to the necessary planning conditions being applied to ensure the proposal does not result in detriment the favourable conservation status of protected species, including bat and otter, and to ensure the proposal does not result in the spread of non-native invasive species, Officers are satisfied the proposal would not have an unacceptable impact on ecological interests.

4.2.5 Drainage (including flooding)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for

example, health, public safety and crime. The drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

Planning Policy Wales (PPW 10) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

Planning Policy Wales (PPW 10) Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk.

Policy VOE6 states all developments will be required to eliminate or reduce surface water runoff for the site, where practicable.

Representations have been received from local residents raising concerns regarding proposed means of providing water to the development, the flood risk and the foul and surface water drainage.

Each consideration is set out separately below:

Private Water supply

Drinking water at Lleweni Parc and the dwellings at the Lleweni hamlet is currently provided by an existing borehole.

Local residents have raised significant concerns regarding the capacity of the existing boreholes to serve the proposed development, without detriment to existing supply.

The Council's Public Protection Officer requested a hydrological assessment be submitted to demonstrate the existing borehole was capable of providing a sufficient supply to the site without detriment to the existing users.

The applicant has instead proposed a new dedicated borehole to serve the proposed development, and a letter from Hydrological Consultants has been submitted to confirming that a new borehole could be installed at a sufficient distance from current or proposed contamination sources, and there is sufficient volume of water which could be abstracted without detriment to the local aquifer or existing boreholes.

The Council's Public Protection Officer has confirmed the addition of a new borehole to serve the proposed development will assist in safeguarding the sufficiency of the existing supply to the site and nearby residential properties, and that the information provided by the borehole engineers suggests a sufficient supply can be obtained from the new borehole for the proposed development without impacting on existing nearby abstractions. A planning condition is advised to ensure the location of the new bore hole is acceptable and to ensure it is not within 50m of any existing or proposed foul drainage system.

In respecting the concerns of local residents, Officers are therefore satisfied that the proposal to provide a new borehole to serve the site would adequately protect private water supply serving existing dwellings. Conditions can be imposed for the avoidance of doubt to ensure the exact location and specification of the borehole is approved prior to the first occupation of the development.

Foul water drainage

Foul water drainage is proposed to be dealt with by a BIOROCK private treatment plant.

In noting concerns raised regarding the lack of detail submitted regarding the means of foul water disposal, private sewage treatment plants must be installed and

maintained in accordance with Building Regulations, and need to be registered with Natural Resources Wales.

An Environmental Permit or Exemption is also required from NRW to discharge anything apart from uncontaminated surface water to a watercourse / ditch.

Conditions could also be imposed requiring full details of the installation of foul water drainage.

Officers therefore consider, subject to detailing being secured by condition, the principle of the foul water drainage is acceptable in policy terms.

Surface water drainage:

The application form confirms surface water drainage is proposed to discharge to the watercourse, however no details have been provided.

The Council's Drainage Engineer has confirmed no concern in principle with the surface water drainage arrangements, however detailing would need to be secured by condition for approval prior to commencement.

Ordinary watercourse consent would also be required to discharge into the watercourse and flows would be required to be attenuated as part of this.

Officers therefore consider, subject to detailing being secured by condition, the principle of the surface water drainage proposed is acceptable in policy terms.

Flood risk:

The application site is located entirely within Zone A flood risk area as defined by the Development Advice Map (DAM) in TAN15. The site does however adjoin a Zone C2 flood risk area of the River Clwyd and there is a watercourse which runs through the site which is a tributary of the River Clwyd.

A Zone A flood risk area is considered to be an area at little or no risk of fluvial or tidal / coastal flooding.

Both NRW and the Council's Flood Risk Manager have been consulted on the application, and neither have raised an objection to the proposal on flood risk grounds, and therefore it is not considered that the proposal would result in an unacceptable impact on flood risk.

4.2.6 Highways (including access and parking)

Policy RD1 reflects the general principles of the LDP to ensure new development is sustainably located, provides safe and convenient access to a range of users, and does not have an unacceptable impact on highway safety.

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 (PPW) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for

example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

PPW Section 3.12 states *“Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate.”*

PPW Section 3.35 states *“In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”*

PPW 4.1.33 states *“In determining planning applications, planning authorities must ensure development proposals, through their design and supporting infrastructure, prioritise provision for access and movement by walking and cycling and, in doing so, maximise their contribution to the objectives of the Active Travel Act.”*

Representations have been received from Community Councils and local residents raising concerns regarding highway safety in relation to the access with the highway, the positioning of the proposed site access off the private lane, the condition and increased usage of the private lane and the accessibility of the site, in terms of access to public transport and pedestrian routes into Denbigh.

Each consideration is set out separately below:

Highway safety

In terms of the existing junction of the land serving the Lleweni complex onto the A543, Highways Officers consider this adequate and of suitable design and visibility to accommodate further vehicle movements from the site.

Although the site in terms of sustainability is questionable, Highways Officers consider that there would be no highway safety related issues arising from the proposals and therefore have no objection.

Private access road

The site would be accessed from the existing private road which runs through the Lleweni Parc Estate, and then via a proposed new section of road across fields to the south of the airstrip.

There are 19 individual residential properties located in the Lleweni complex which utilise the private road to access their properties, as well as existing visitors to Lleweni Parc.

Concerns from local residents has been raised regarding the impact of the proposal on the condition of the private road due to increased road usage, and on the safety of other road users due to the increased usage of the private road and due to the location of the proposed access to the development, which is in a bend in the private road.

The condition and upkeep of the private road is not a planning matter, but rather a civil matter between relevant parties.

The development is proposed to be accessed via an existing gated access off a bend in the private lane, and then along a new section of private road leading to the proposed site.

Whilst the proposal would increase the volume of traffic utilising the private road, the overall numbers would still be relatively low, and due to the nature of the development, it is likely traffic movements to and from the proposed lodge development would be spread throughout the day. There are existing passing places along the private lane which could be utilised, and conditions could be imposed to require additional passing places should it be deemed necessary.

Whilst visibility splays have not been indicated for the proposed access, as the proposed access point is located on the outside of the bend in the road, adequate visibility splays could be achieved, and full details could be secured by a planning condition. Conditions could also be imposed requiring the access gates to be set back, to allow cars to be clear of the existing private road should traffic need to be halted whilst the air strip is in use.

It is therefore not considered that the proposal would result in an unacceptable volume of traffic being generated along the private lane, and conditions could be imposed requiring additional passing places to be provided along the section of the existing road leading to the site, and in relation to the detailing of the access point off the highway.

Parking

The proposal is for a mix of 13 two-bedroom and 11 three-bedroom lodges, the submitted plans show that a terrace area would be provided around each unit.

The Parking in New Developments SPG does not specifically include lodge developments, however for hotels, the requirement would be 1 space per bedroom.

A total of 34 parking spaces are proposed to serve the site.

Highways Officers have raised no objection to the proposal on parking grounds, and having regard to the nature and location of the development, Officers are satisfied sufficient on-site parking has been provided.

Accessibility

One of the grounds for refusing the previous application was that the location of the proposed development would mean people using the lodges would be highly dependent on the private car for access, and there is an absence of safe pedestrian routes linking the site to the public footpath network or along the A road to Denbigh, all limiting the accessibility of the site. The proposal was considered to be contrary to the policy tests contained in the former UDP and to the key National policy objective of locating developments so as to minimise the demand for travel, especially by private car.

Whilst the previous application was refused against policies contained in the former UDP and Edition 4 of PPW, Officers nevertheless consider weight should be apportioned to the planning history with respect to accessibility, given that the nature and location of the proposal is very similar to the refused scheme.

Highways Officers confirm there is a bus route along the A543 which stops at the junction of Lleweni Parc every two hours throughout the day, but this is a limited service. The junction with the A543 is approximately 1km from the proposed site.

Highways Officers have noted that in terms of offering alternative modes of transport from the site, this is not ideal for walking and cycling along the A543 to Denbigh as there is no footway or designated cycle paths along the A453.

Due to the speed of the road, Officers consider it would likely to be unsafe for pedestrians to walk along the roadside verge into Denbigh, especially at night as the road is largely un-lit.

The alternative pedestrian route into Denbigh would be through the Lleweni Parc Estate linking to the public right of way which runs in a north-south direction and joins Whitchurch Road to the south (close to Kilford Farm), and then along Whitchurch Road into the centre of Denbigh. The plans show a link from the site to this network of public footpaths from the south-eastern corner of the site.

However, this route from the site into Denbigh town centre is over 5km / 3miles in length, and there are no public footpaths along Whitchurch Road between Kilford Farm and the Brookhouse area on the approach into Denbigh, and pedestrians would therefore also be required to walk along the roadside verge along this route. Sustrans have also confirmed this right of way is not currently suitable for cyclists.

Having regard to the above, as was the case when the previous application was considered, it highly likely that the proposed development would still be highly dependent on the private car for access.

In concluding on the issue of accessibility, the site is not located in a settlement which has relatively good accessibility by non-car modes and nor could it be considered to offer good active travel connections to Denbigh or other settlement centres in the locality, and nor would the development prioritise provision for access and movement by walking and cycling.

The development would therefore constitute a car-based development which is not easily accessible by sustainable modes of travel, and the site is considered to be located in an unsustainable location, contrary to Planning Policy Wales Edition 10 Sections 3.12, 3.35 and 4.1.33.

4.2.7 Impact on Listed Building

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales (PPW 10) Section 6 'Distinctive and Natural Places' refers specifically to the need to ensure the character of historic buildings is safeguarded from alterations, extensions, or demolition that would compromise their special architectural and historic interest.; and 6.1.10 indicates that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, and any features of special architectural or historic interest which it possesses.

Representations have been received from the Community Council, neighbouring Community Councils and local residents raising concerns that the proposed development would be detrimental to the setting of listed buildings.

There are a number of Grade II* and Grade II Listed Buildings to the south of the site including Lleweni Hall and associated former outbuildings, which have now been converted to residential dwellings, with the closest being some 300m to the south of the proposed site.

TAN24 defines setting as '*The setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset and its surroundings evolve. Setting is not itself a historic asset, though land within a setting may contain other historic assets.*'

Whilst the Lleweni Parc Estate was historically parkland associated with Lleweni Hall, existing operations at Lleweni Parc have already affected the original character and setting of the historic parkland and the setting of the various Listed Buildings at Lleweni.

Having regard to the separation distance, the intervening topography and the existing operational development and land uses at Lleweni Parc, Officers do not consider the proposals would have a detrimental impact on the setting of Listed Buildings which would warrant a refusal of planning permission on built heritage grounds.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 proposal is for a development of 24 lodges on a greenfield site located on the Lleweni Parc Estate.
- 5.2 A significant number of representations have been received in response to the proposal, with objections being received from the Community Council, neighbouring Community Councils, local residents, The Welsh Historic Gardens Trust and the Council's Strategic Planning and Housing Officer. A number of representations have been received from members of the public in support of the application, predominately from existing visitors to Lleweni Parc.
- 5.3 A similar scheme was refused at the site in 2011 on three grounds, which was upheld at Appeal. Whilst the planning history is of relevance and should be afforded some weight, it has to be recognised that the current scheme raises materially different considerations with respect to the principle of the development and the impact on landscape character and visual amenity due to changes to national and local planning policy, and due to the extension of the site area, recent tree clearance and the increase in the number of unit from 20 to 24.
- 5.4 In concluding on the principle of the proposal, Officers consider that as the lodges would meet the legal definition of a static caravan, the proposal would be in direct conflict with Policy PSE12 in the LDP. Due to the absence of a detailed business plan, details of visitor numbers and users of Lleweni Parc and clear evidence to demonstrate how the proposal would make a tangible contribution to the local economy to help sustain local rural communities, Officers consider that insufficient information has been provided to demonstrate compliance with Policy PSE5. Officers also consider a compelling case has not been put forward to justify there is an overriding need or demand for on site accommodation in association with existing outdoor activity tourism operating from the Lleweni Parc site, and Policy PSE14 test iv) has also not been met. The principle of the proposal is therefore not considered to be acceptable.

5.5 In concluding on impacts on visual amenity and landscape character, Officers consider the proposal is for the development of a greenfield site in an open countryside location which is set away from existing built development and similar established land-uses at Lleweni Parc. Trees have already been cleared from the site which has resulted in the development site being more open and exposed. A Landscape and Visual Impact Assessment has not been submitted with the application and no landscaping scheme is proposed. Due to the density, layout and design of the scheme, the proposal is not considered to be appropriate in scale and nature to its location and nor does it enhance the nature and distinctive qualities of the Vale of Clwyd Historic Landscape, and insufficient information has been provided to demonstrate the harm to landscape character and visual amenity can be successfully mitigated.

5.6 The proposal is therefore not considered to be acceptable on a number of grounds and is recommended for refusal.

RECOMMENDATION: REFUSE- for the following reasons:-

The reasons for the conditions are:-

1. It is the opinion of the Local Planning Authority that the units of accommodation proposed meet the legal definition of a static caravan, and that a compelling case has not been made to justify a departure from Local Development Plan Policy PSE12 which does not permit new static caravan sites. Insufficient information has been provided to demonstrate how the proposal would support the local economy to help sustain local rural communities, or to demonstrate that there is a significant need for this form of tourism accommodation to support the outdoor activity tourism operating from Lleweni Parc. The proposal is therefore considered to be contrary to Denbighshire Local Development Plan Policies PSE5, PSE12 and PSE14 and the advice and guidance contained in the Council's adopted Caravans, Chalets and Camping Supplementary Planning Guidance Note.
2. It is the opinion of the Local Planning Authority that the proposal involves the development of a greenfield site in an open countryside location set away from existing built development and similar established land-uses at Lleweni Parc, which is located within the Vale of Clwyd Historic Landscape. Due to the density, layout and design of the scheme, the proposal is not considered to be appropriate in scale and nature to its location and nor does it enhance the natural and distinctive qualities of the local landscape, and insufficient information has been provided to demonstrate how the impact on landscape character and visual amenity can be successfully mitigated. The proposal is therefore considered to be contrary to Denbighshire Local Development Plan Policies PSE5, PSE12, PSE14 and VOE 1 and the advice and guidance contained in the Council's adopted Caravans, Chalets & Camping Supplementary Planning Guidance Note and Planning Policy Wales Edition 10 (December 2018) Section 6.3.3.
3. It is the opinion of the Local Planning Authority that the site is in a location which has relatively poor accessibility by non-car modes, and does not offer good active travel connections to Denbigh or other settlement centres in the locality, including movement by walking and cycling. It is considered that the development would therefore be heavily reliant on the motor car and is in an unsustainable location, contrary to guidance contained in Planning Policy Wales Edition 10 (December 2018) Sections 3.12, 3.35, and 4.1.33.

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Agenda Item 6

WARD : Llanarmon Yn Ial / Llandegla

WARD MEMBER: Councillor Martyn Holland

APPLICATION NO: 15/2018/1130/ AD

PROPOSAL: Erection of stone wall with inset hoarding sign as an extension to an existing stone wall

LOCATION: Parc Farm Caravan Park Llanarmon Yn Ial Mold

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20 m
100 ft



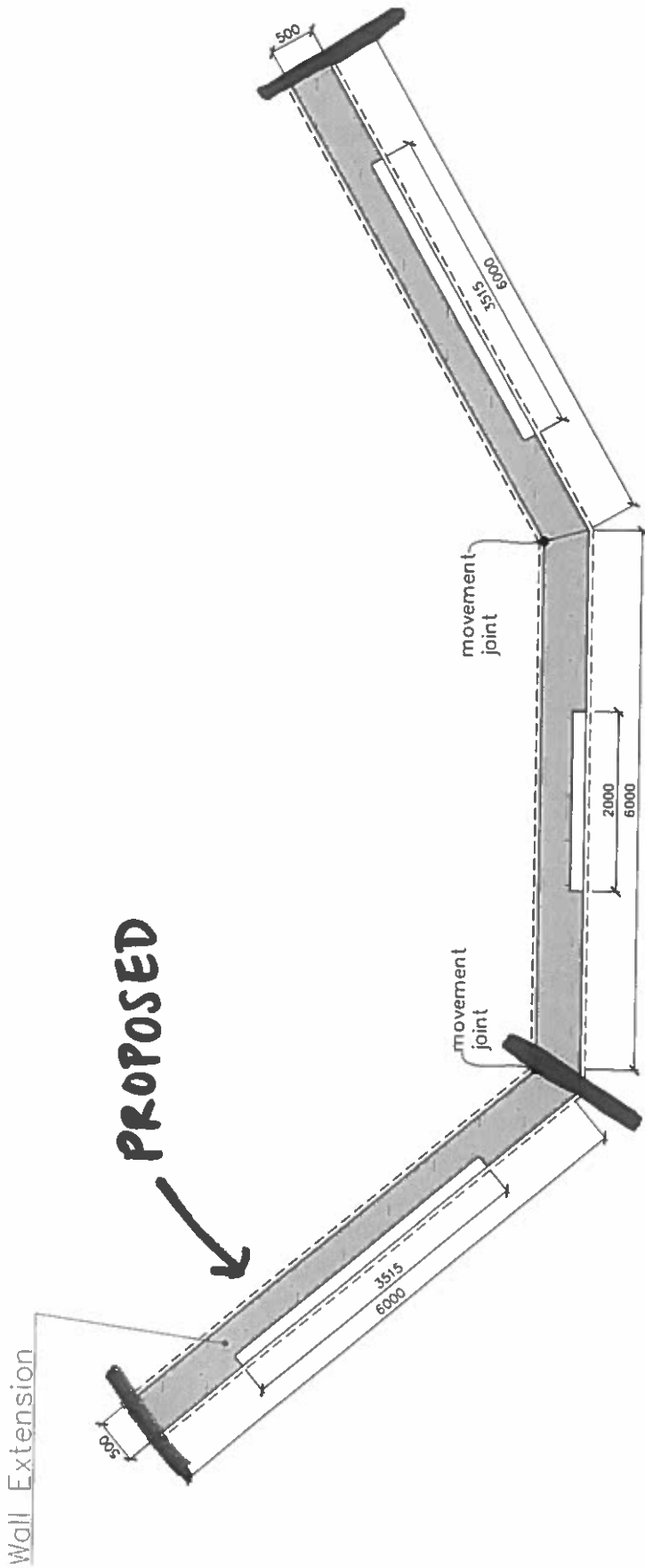
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15/2018/1130
Scale: 1:1250

Printed on: 21/2/2019 at 16:25 PM

Planning Plotting Sheet Index
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PROPOSED BLOCK PLAN



AS EXISTING
APPROVED 2017(REF 15/2017/0893)

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PROJECT
 Proposed Signage Wall Extension @
 Parc Farm Holiday Park,
 Llanamonyddal
 Denbighshire,
 CH7 4QW

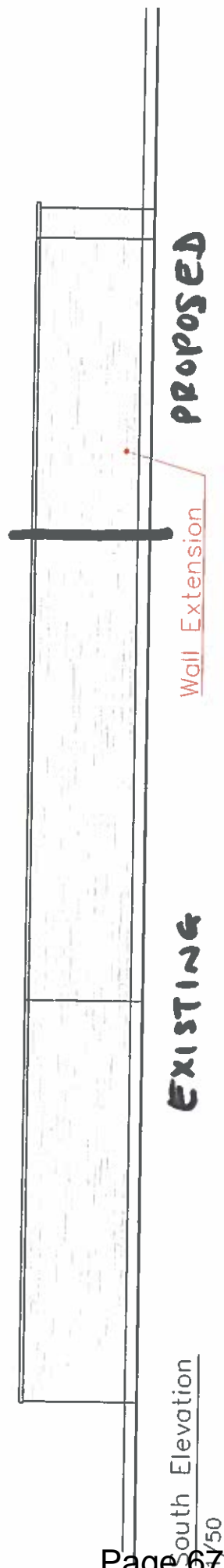
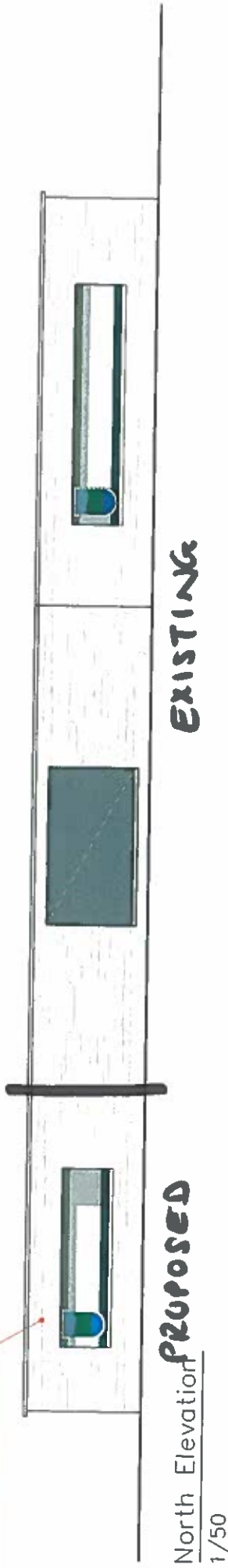
DATE
 15/11/18
 Prepared Floor Plans

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| Checked By | DA |
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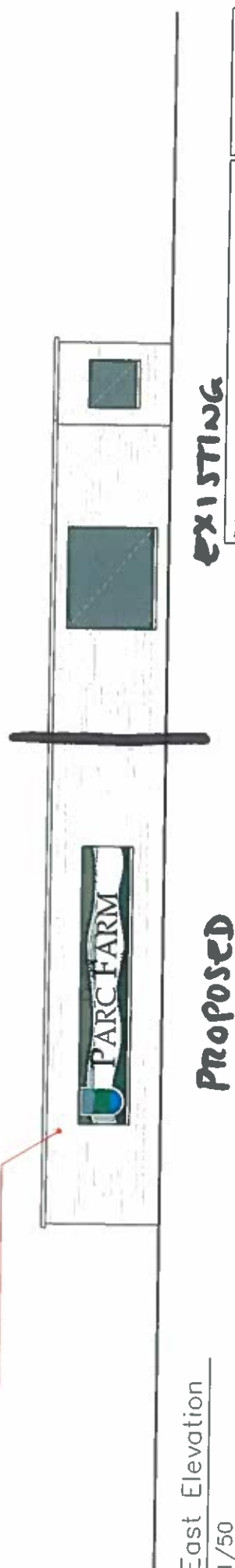
GERALD BLAIN ASSOCIATES LTD
 Ltd 019483 00 948
 Mob: 0770 620722
 Email: gerald@geraldblain.co.uk
 Address: 25 Wain Street, Wrexham, SA4 9NH

PROPOSED ELEVATIONS

Wall Extension



Wall Extension



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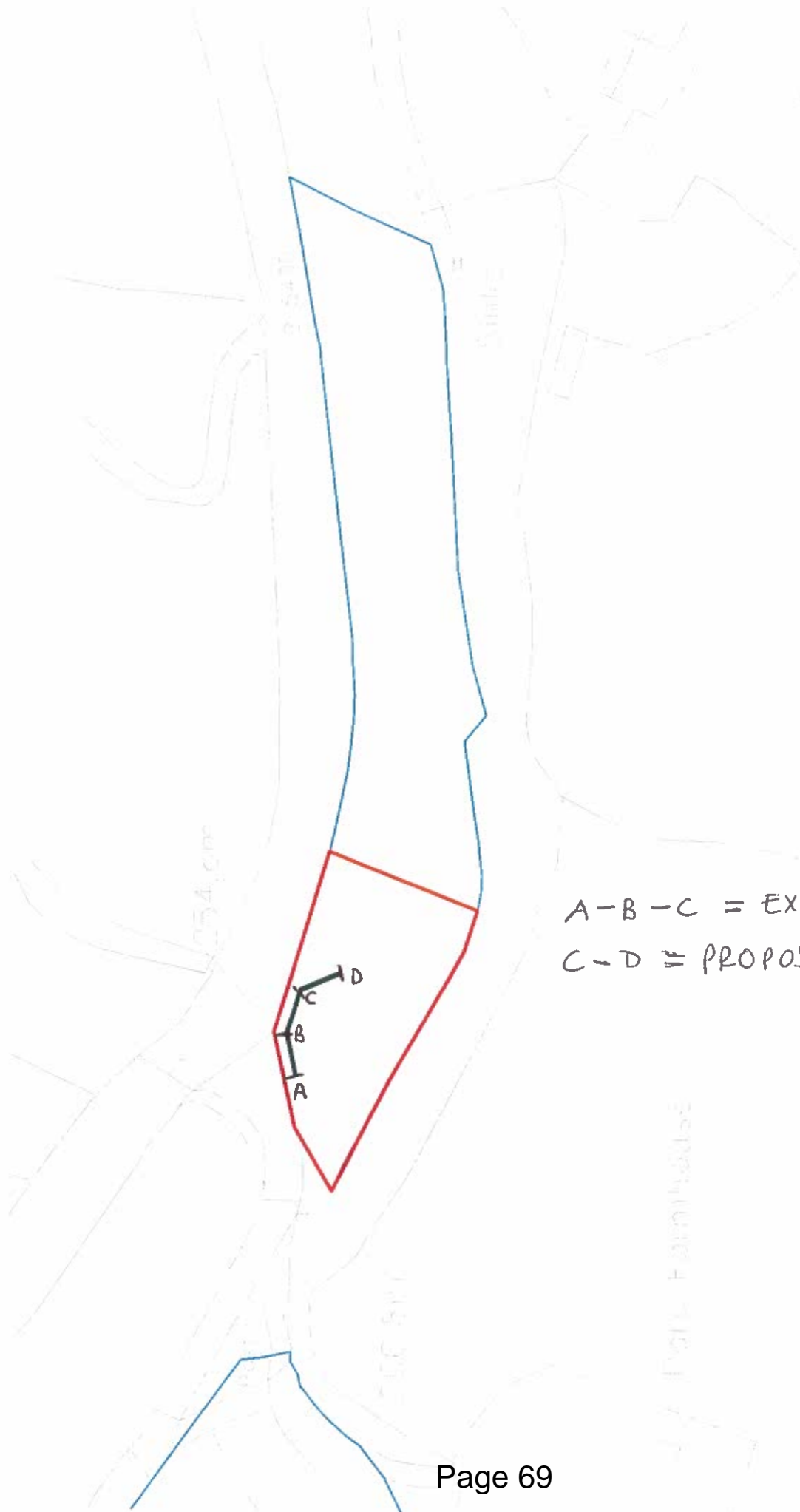
Proposed Signage Wall Extension @
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Llanamonyhal
Denbighshire,
CH7 4QW

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Date: 03/08/18
Checked By: [Signature]
Drawn By: [Signature]

Yale Holiday Parks
Scale: 1:50
Drawing No: 4A3
Date: 03/08/18
Checked By: [Signature]
Drawn By: [Signature]

Gerald Blain
Associates Ltd
Tel: 01792 301164
Fax: 01792 302122
Head Office: 22, Welford Road, Leicester, LE1 7TA
Address: 251, Llanfair Road, Llanfair, LL1 1GA

PROPOSED SITE PLAN



A-B-C = EXISTING SIGN
 C-D = PROPOSED SIGN

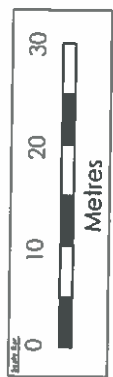


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| | |
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| Client: Parc Holiday Parks | |
| Scale: 1/500 | Sheet: 04A3 |
| Drawn by: D.B. | Checked by: |
| Date: 11.11.18 | Scale: 1:1 |

Project: Proposed Signage Wall Extension @ Parc Farm Holiday Park, Llanarmon-yn-Ial, Denbighshire, CH7 4QW

File Name: Proposed Block Plans



WARD : Llanarmon Yn Ial / Llandegla

WARD MEMBER: Councillor Martyn Holland

APPLICATION NO: 15/2018/1130/ AD

PROPOSAL: Erection of stone wall with inset hoarding sign as an extension to an existing stone wall

LOCATION: Parc Farm Caravan Park Llanarmon Yn Ial Mold

APPLICANT: Mr Scarrott Vale Holiday Parks

CONSTRAINTS: None

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

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

- Member request for referral to Committee

CONSULTATION RESPONSES:
LLANARMON YN IAL COMMUNITY COUNCIL
No response received (due

AREA OF OUTSTANDING NATURAL BEAUTY JOINT ADVISORY COMMITTEE
“The Joint Committee has no objection to this current application to extend the existing wall and inset sign, but considers that no further applications for signage should be permitted in this location. The committee would suggest a note to applicant to this effect should be attached to any permission.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
- HIGHWAY OFFICER
No objection

RESPONSE TO PUBLICITY:
No representations received.

EXPIRY DATE OF APPLICATION: 17/04/2019

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application is for consent to site a non-illuminated sign advertising Parc Farm Caravan Park, on land on the south side of the B5430 Llanarmon – Graianrhyd Road, at the junction with the minor road leading to the site entrance.
- 1.1.2 The plans show the sign would form part of a low stone and slate wall, with the text recessed into the face of the wall. It would be built as an extension to an existing stone wall boundary sign.

- 1.1.3 The wall would be 1.5m high and 6m long. The recessed panels for the text would be 0.6m high by 3.5m wide.

The drawings at the front of the report show the detailing.

1.2 Description of site and surroundings

- 1.2.1 The sign would be located on land immediately south of the B5430, some 150m from the entrance into the site from the minor road off the B5430.

- 1.2.2 Parc Farm Caravan Park is some 1km to the east of Llanarmon yn Ial village.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of any development boundaries defined in the Local Development Plan.

- 1.3.2 The site is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

- 1.3.3 A public right of way (footpath) runs to the immediate west of the site.

1.4 Relevant planning history

- 1.4.1 An application was submitted in 2014 for two signs in this location. The application was refused on grounds of impact, having regard to the particular scale and design of the signs.

- 1.4.2 Following that application, a further application was made to erect a stone wall that would serve as signage for the site. This was granted consent and has been implemented.

- 1.4.3 The current application seeks to extend the existing signage so that it is also visible to people approaching the site from the east.

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 15/2014/1353/AD - Display of Aluminium sign attached to steel posts (retrospective application).

Refused under Delegated Powers 11th February 2015 for the following reason:

"It is the Local Planning Authority's opinion that, having regard to the location of the advertisement in a prominent road side location, within a rural area and within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty, and the scale and design of the signage, the advertisement would have an unacceptable impact on amenity of the locality."

15/2017/0893/AD - Erection of a boundary wall with inset sign and display area. GRANTED at Planning Committee 13th December, 2017.

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 VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

National Legislation
The Town and Country Planning (Control of Advertisements) Regulations 1992
TAN 7 – Outdoor Advertisement Control (1996)
TAN 18 – Transport (2007)

4 MAIN PLANNING CONSIDERATIONS:

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

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Public Safety

4.2 In relation to the main planning considerations:

4.2.1 Principle

The Advertisement Regulations set out categories of signs etc. which may be displayed without the need for consent from the Local Planning Authority. Those advertisements which fall outside these 'deemed consent' provisions require 'express consent' from the Authority.

The Authority's powers under the regulations in relation to advertisements requiring consent can be exercised..." only in the interests of amenity and public safety, taking account of material factors" (Regulation 4).

The principle of displaying advertisements is therefore acceptable subject to due consideration of the amenity and public safety impacts, which are reviewed in respect of the particular application below.

4.2.2 Amenity of the Locality/AONB

In relation to the amenity considerations relevant to the assessment of an advertisement application, Regulation 4(a) refers to..." the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest, disregarding if they think fit, any advertisement being displayed there".

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.

This reflects guidance in Planning Policy Wales 10 (PPW 10) which requires planning authorities to give great weight to conserving and enhancing the natural beauty of AONBs, and should have regard to the wildlife, cultural heritage and social and economic well-being of the areas. The special qualities of designated areas should be given weight in the development management process. Proposals in AONBs must be carefully assessed to ensure that their effects on those features which the designation is intended to protect are acceptable. The contribution that development makes to the sustainable management of the designated area must be considered.

TAN 7 Outdoor Advertisement Control advises that it is reasonable for businesses located in the countryside to expect to be able to advertise their whereabouts, especially to visitors, but care should be taken to ensure that signs are designed and sited to harmonise with their setting, and that a proliferation of individually acceptable advertisements does not spoil the appearance of open countryside.

The Council's SPG 'Advertisements' provides detailed guidance on the approach to signage and encourages high standards in terms of location, size, design, and use of materials.

The AONB committee have not raised an objection in relation to the proposals impact upon the amenity of the area, or the wider AONB.

Having regard to the detailing of the sign proposed, it is considered that the proposal is for a modest extension to an existing stone wall sign. It would be 1.5 metres high and constructed of slate and stone, which in Officers' opinion would not be inappropriate in this location as the surrounding land rises up behind the site, and this area is heavily wooded, meaning the sign would only be visible when driving along the B road close to the junction.

In Officers opinion and based on the response of the AONB committee, it is considered that the proposed sign, by virtue of its size, siting and materials would be sufficiently harmonious with its surroundings to justify its consent and it is not concluded there is an amenity ground to justify refusal of consent.

4.2.3 Public Safety

In relation to the public safety considerations relevant to the assessment of an advertisement application, Regulation 4(b) refers to"(i) the safety of any person who may use any road, railway, waterway, dock, harbour or aerodrome; and (ii) whether any display of advertisements is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air".

There are no representations in relation to the public safety impacts. The Highways Officer has not objected to the proposal.

Having regard to the detailing of the sign proposed, it is the opinion of Officers that the proposal would not obscure visibility at the adjacent junction, and as the sign does not feature any text, graphic or illumination it is not likely to distract drivers on the adjacent highway. It is therefore considered that the proposal is acceptable and would not result in a loss of public or highway safety.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 Taking account of the above, it is concluded that the proposal is acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The consent hereby granted relates to the following plans and drawings:
 - (i) Planning Statement - Received 12 September 2017
 - (ii) Existing Elevations (Drawing No. 03) - Received 12 September 2017
 - (iii) Existing Site and Floor Plans (Drawing No. 04) - Received 12 September 2017
 - (iv) Existing Photographs (Drawing No. 05) - Received 12 September 2017
 - (v) Proposed Elevations (Drawing No. 09) - Received 09 November 2017
 - (vi) Proposed Floor Plans and Visualisations (Drawing No. 10) - Received 07 November 2017
 - (vii) Existing Site Plan (Drawing No. 02) - Received 12 September 2017
 - (viii) Proposed Site Plan (Drawing No. 08) - Received 07 November 2017
 - (ix) Location Plan (Drawing No. 01) - Received 12 September 2017

The reasons for the conditions are:-

1. For the avoidance of doubt.

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Agenda Item 7

WARD : Llandyrnog

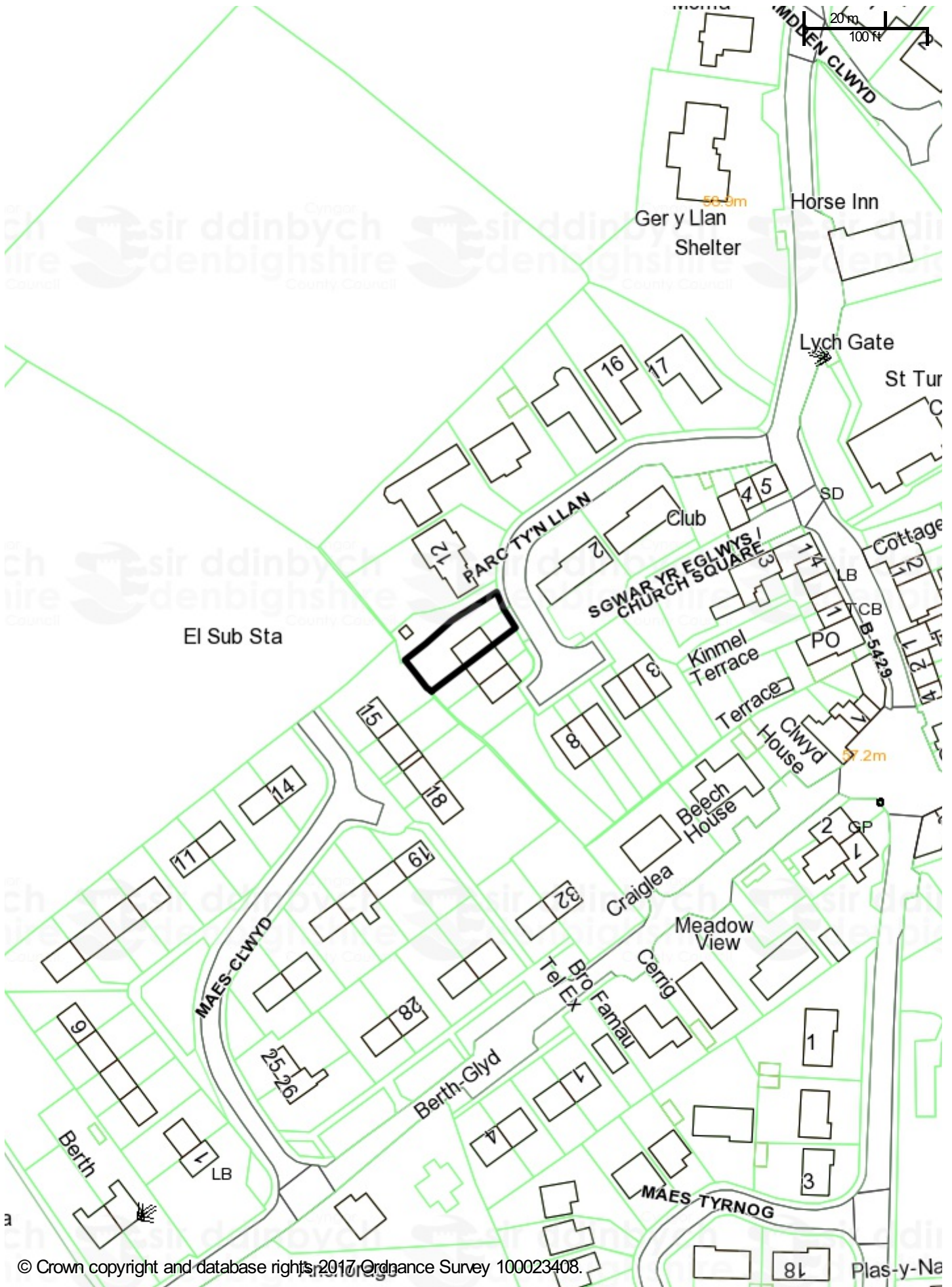
WARD MEMBER: Councillor Merfyn Parry

APPLICATION NO: 18/2019/0124/ TP

PROPOSAL: Works to elm tree and sycamore trees subject to a Tree Preservation Order

LOCATION: 11 Parc Tyn Llan Llandyrnog Denbigh

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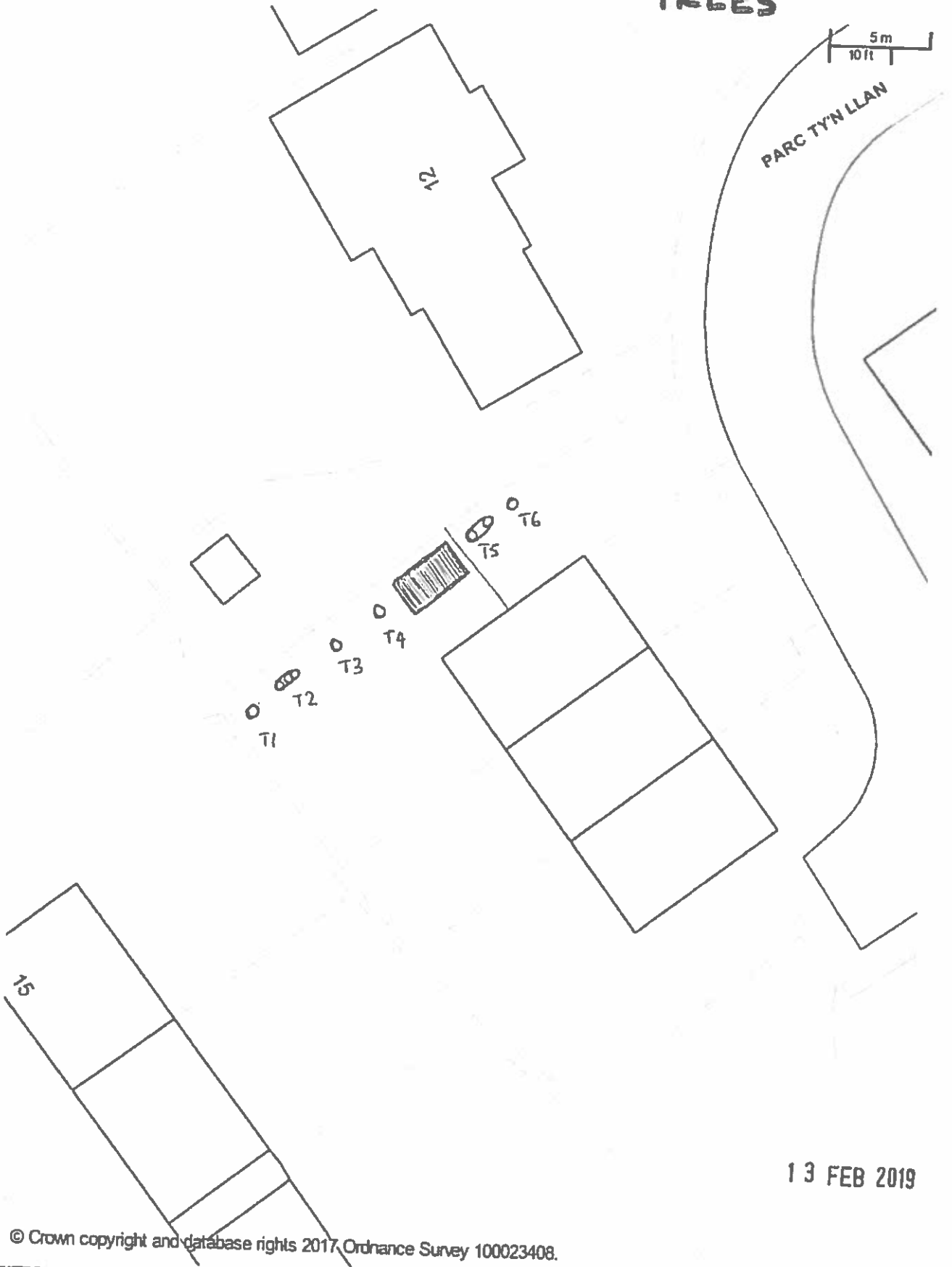
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18/2019/0124

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LOCATION OF TREES



13 FEB 2019

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SITE PLAN

Scale: 1:250

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denbighshire



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PROPOSED WORKS
ON TREES



T1 - Elm

T2 - Sycamore

T3 - Sycamore



T2 - Sycamore

T3 - Sycamore

T4 - Sycamore

T5 - Sycamore



T1 - Elm

T2 Sycamore

13 FEB 2019

WARD : Llandyrnog

WARD MEMBER: Councillor Merfyn Parry (c)

APPLICATION NO: 18/2019/0124/ TP

PROPOSAL: Works to elm tree and sycamore trees subject to a Tree Preservation Order

LOCATION: 11 Parc Tyn Llan Llandyrnog Denbigh

APPLICANT: Mrs Adie Griffin

CONSTRAINTS: Tree Preservation Order

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

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

- Application submitted by / on behalf of relative of a member of staff of Development Management section.

CONSULTATION RESPONSES:

LLANDYRNOG COMMUNITY COUNCIL

“Llandyrnog CC discussed this application at their meeting 19th February and have no observations or comments to make and support the application.”

DENBIGHSHIRE TREE CONSULTANT

The application proposes to prune several trees along the north west boundary of the property. The mature elm in the corner of the garden has the greatest merit and out of leaf does not appear to have suffered dieback from Dutch Elm Disease. The elm’s main stem is biased over the garden and is approximately 450mm DBH and 15m tall. The proposed pruning is sympathetic and should not affect the amenity it affords to the locality

The remaining trees comprise of sycamore stems which afford limited amenity and have been previously reduced in height.

The three stems forming T2 range from 200-300mm DBH and are +-11m in height having regrown from a cut height of 6m. Reducing and thinning the clustered regrowth would make the stems have a more natural shape. T3 is a 7m high tree on a single stem covered in ivy that affords very limited visual amenity. To the front of the property, four stems grow from two stools which have been previously cut to reduce the number of stems. Sections of the stools contain decay.

G1 of The Llandyrnog Village TPO from 1996 only lists ‘sycamore’ in the First Schedule although the Group on the TPO plan would encompass the elm at the end. It would be up to the courts to decide, for certain, whether or not the TPO could be enforced to include the elm. (This could happen in the event of a prosecution).

As the applicant has submitted a TPO application to carry out works to the elm and it is recommended that the LPA agree to the applicant’s request, it is not currently necessary to definitively decide whether or not the TPO applies to the elm.

In conclusion, the Tree Consultant offers no objection to the tree works, subject to standard conditions.

RESPONSE TO PUBLICITY:

None.

EXPIRY DATE OF APPLICATION: 09/04/2019

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The proposal is for works to trees in Area G1 protected by the Llandyrnog Village TPO, which include:

- Works to 1 no. Elm – reducing crown height by 2m and reducing lateral spread to south-west and north-west by 1m. Crowning thinning by 15% and removal of weak branches.
- Works to 5 no. Sycamores – reduce height by 1m. Reduce lateral spread to north to leave branch spread of 2.5m. Crowning thinning by 15%.

1.1.2 The application is reported to Committee as the applicant is related to a member of staff in the Development management Section.

1.2 Description of site and surroundings

1.2.1 The protected trees are located within the private garden area of a residential property, which is located on a modern house estate within the centre of Llandyrnog village.

1.1 Relevant planning constraints/considerations

1.1.1 The trees are located in the Llandyrnog village development boundary.

1.1.2 The trees are covered by a Glyndwr District Council Tree Preservation Order 1996: Llandyrnog Village.

1.1.3 The TPO affords protection to a Group of Trees (G1) which are situated along the side boundary of the site and which are described in the TPO as a group of Sycamores.

1.2 Relevant planning history

1.2.1 There have been various consents relating to development of the housing estate, which are not considered to be of relevance to the current application.

1.2.2 There have been previous approvals for works to trees protected by the TPO.

1.3 Developments/changes since the original submission

1.3.1 None.

1.4 Other relevant background information

1.4.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 18/2008/0526. 30% crown reduction, canopy lift, deadwooding and thinning to sycamores and elm in Area G1 and sycamore No. T1 on plan annexed to Glwyndwr District Council Tree Preservation Order 1996. Granted 11/06/2008

2.2 Felling of sycamore tree No. T1 and 30 percent canopy reduction of sycamore and elm trees in Area G1 shown on the plan annexed to Glwyndwr District Council Tree Preservation Order 1996. Granted 14/04/2014.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD 1 Sustainable Development and Good Standard Design
Policy VOE 1 Key Areas of Importance

Government Policy / Guidance

Planning Policy Wales Edition 10 (December 2018)

Technical Advice Note 10 - Tree Preservation Orders (1997)

Circular 64/78 'Trees and Forestry'

4. MAIN PLANNING CONSIDERATIONS:

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

4.1.1 Principle

4.1.2 Amenity Value of the trees

4.1.3 Is the proposal justified

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy VOE 1 in the Local Development Plan seeks to protect sites from development that would adversely affect their biodiversity and landscape value.

Policy RD 1 includes tests which seek to protect the visual amenity of the area.

Section 6.2.24 of Planning Policy Wales (PPW 10) states that trees, woodlands, copses and hedgerows are of great importance to biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, sense of place, air quality, recreation and local climate moderation. Section 6.2.25 states that Local Planning Authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function.

Circular 64/78 and TAN 10 provides guidance in relation to Tree Preservation Orders (TPO's) and states that TPO's are made if it is considered expedient '*in the interests of amenity*'. TPO's are used to protect selected trees and woodlands if their removal would have '*a significant impact on the environment and its enjoyment by the public*'.

Therefore, in determining applications for felling or carrying out of works to protected trees, current guidance is as follows:

i) to assess the amenity value of the tree or woodland, and the likely impact of the proposal in the amenity of the area, and

ii) in light of their assessment at i), to consider whether or not the proposal is justified, having regard to the reason put forward in support of it.

The proposal is therefore considered acceptable in principle subject to the consideration of the above tests, which are set out below.

4.2.2 Amenity value of the trees

The trees are located in the private garden area of a residential property, and run along the side boundary between the site and the neighbouring property to the north.

The TPO was served in 1996 to ensure trees were retained within the site when the housing estate was developed.

Whilst the TPO citation only lists Sycamore trees within the G1 group of trees, the application includes works to an Elm tree as well as Sycamores within the residential garden as the Elm is within area shown on the TPO plan.

The Elm tree is situated in the corner of the rear garden and is considered to be of merit and contributes to the amenity of the area.

The Sycamore trees are considered to afford more limited amenity value to the area.

Whilst the trees are located within a private residential garden area, they nevertheless offer some degree of public amenity value to the local area.

4.2.3 Is the proposal justified

The works are proposed to allow more light into the garden and to ensure trees are maintained at a height and crown spread which is proportionate to the domestic setting.

The Tree Consultant has raised no objection to the proposed works.

The works to the Elm tree are considered to be sympathetic and would not affect the amenity it affords to the locality.

The Sycamore trees are considered to afford only limited amenity value to the local area and have previously been reduced in height. The works proposed are considered to be sympathetic and would not be detrimental to the amenity value of the trees.

The works are therefore considered to be minor in nature, and would not harm the health or amenity value of the protected trees, and accordingly the proposal is considered to be justified.

5. SUMMARY AND CONCLUSIONS:

- 5.1 Having regard to the scale and nature of the tree works proposed it is not considered that the works would have an unacceptable impact in relation to amenity, and the proposal is justified. The proposals are considered acceptable and are recommended for grant.

RECOMMENDATION: CONSENT- subject to the following conditions:-

1. The work shall be completed within 2 years.

The reasons for the conditions are:-

1. To ensure the work is carried out within a reasonable period.

Agenda Item 8

WARD : Rhuddlan

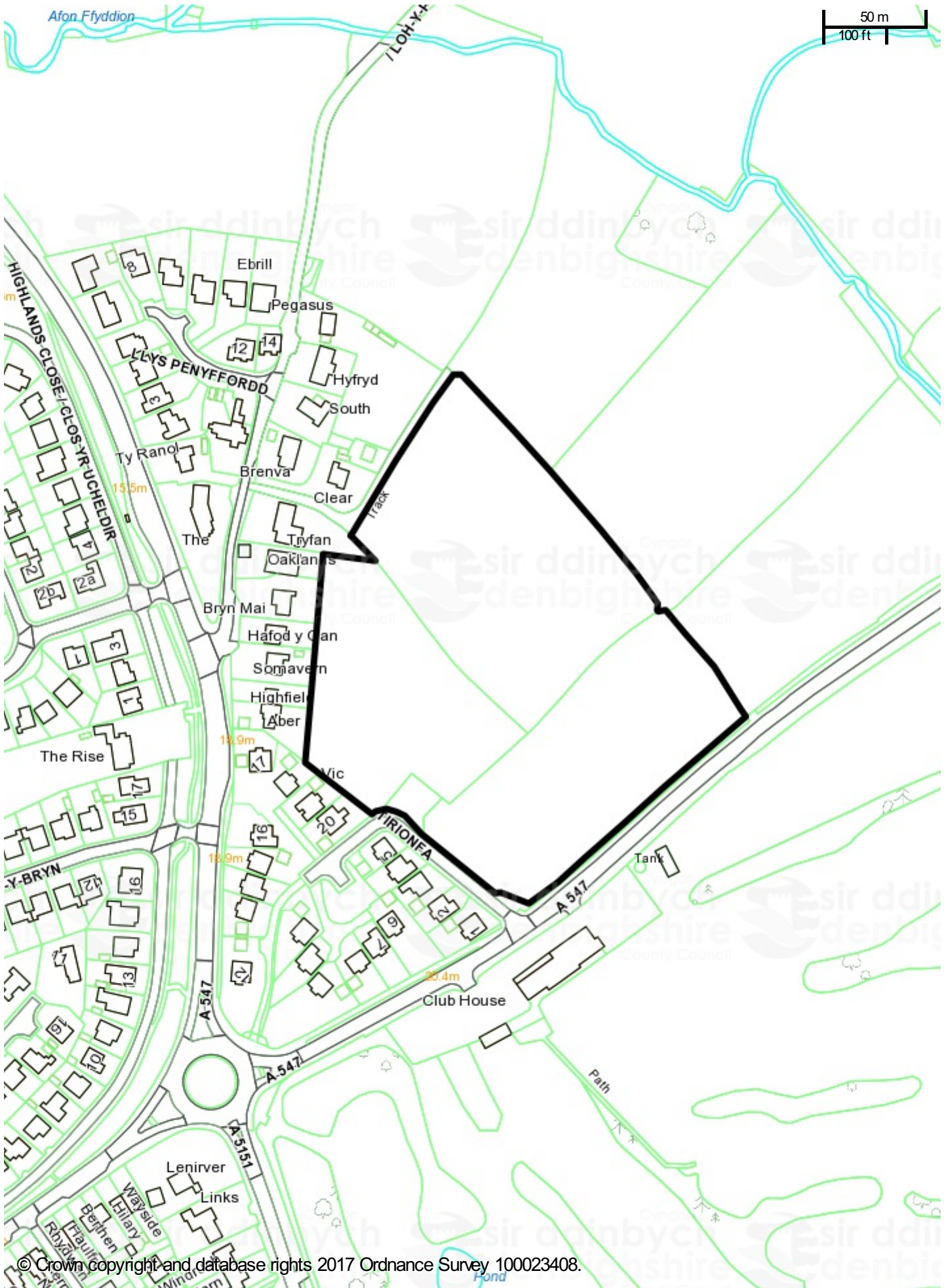
WARD MEMBERS: Cllr Ann Davies (c)
Cllr Arwel Roberts

APPLICATION NO: 44/2018/0855/ PR

PROPOSAL: Details of access, appearance, landscaping, layout and scale of 99 dwellings submitted in accordance with condition number 1 of outline permission code 44/2015/1075 (reserved matters application)

LOCATION: Land east of Tirionfa Rhuddlan Rhyl

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44/2018/0855

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| Ref | Description | Area |
|-----|---|----------|
| A | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| B | The site has been approved for development | 12/04/13 |
| C | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| D | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| E | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| F | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| G | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| H | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |

| Ref | Description | Area |
|-----|---|----------|
| 1 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 2 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 3 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 4 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 5 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 6 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 7 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 8 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 9 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 10 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |

| Ref | Description | Area |
|-----|---|----------|
| 1 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 2 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 3 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 4 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 5 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 6 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 7 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 8 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 9 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |
| 10 | Approved for the site, including Planning (DfW) & Highways Department | 12/04/13 |

MACBRYDE HOMES

Macbryde Homes Limited,
Macbryde House, Unit 28,
St. Asaph Business Park,
Fford Richard Davies, St. Asaph,
Denbyshe, LL17 0UL,
Tel. 01745 536677
Fax. 01745 536688

Tifonia, Rhuddlan

Scale: 1:500 @ A1
Date: 09.05.18
Ref: MRH-SP01



INDICATIVE STREET-SCENE - MELDEN ROAD FRONTAGE - PLOTS 1, 2, 15, 56-63 & 70 - NOT TO SCALE
 NOTE - Existing landscaping to site boundary removed for clarity. Indicative proposed landscaping shown



SITE LAYOUT - 1:500

| | | |
|--|------------------------|---------------------------------|
| <p>Macbryde Homes Limited, Macbryde House, Unit 28, St. Asaph Business Park, Florida Richard Davies, St. Asaph, Denbighshire, LL17 0LJ Tel: 01745 536677 Fax: 01745 536688</p> | | <p>Site: Tirionfa, Rhuddlan</p> |
| <p>Label: Indicative Street-Scene</p> | <p>Scale: As Noted</p> | <p>Date: 07.02.19</p> |
| <p>Ref: MRH-SS-01</p> | <p>Rev: 1</p> | <p>Drawn: [Blank]</p> |

| | |
|------------------------------|---|
| WARD : | Rhuddlan |
| WARD MEMBERS: | Cllr Ann Davies (c) Cllr Arwel Roberts |
| APPLICATION NO: | 44/2018/0855/ PR |
| PROPOSAL: | Details of access, appearance, landscaping, layout and scale of 99 dwellings submitted in accordance with condition number 1 of outline permission code 44/2015/1075 (reserved matters application) |
| LOCATION: | Land east of Tirionfa Rhuddlan Rhyl |
| APPLICANT: | Macbryde Homes Ltd |
| 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:

RHUDDLAN TOWN COUNCIL

Original response

“Objections from the Town Council:

- When looking at the aerial shot of the proposed site on Google Maps, the development is out of all proportion in comparison to the rest of the area. There is a long running objection to the development on these fields which will severely effect the character of the town and all its facilities. The development of this scale is simply not appropriate for the town.
- The junior school and GP Surgery are already over-subscribed and cannot cope with increased numbers coming to Rhuddlan. As the school is located on Cadw land there is no scope of extending classrooms or having new accommodation.
- The development does not cater for local people and there are concerns about provision of affordable housing and how they will be developed as this aspect will be given to another agency to develop which may result in delays.
- We need to protect our green space from large scale developments as they are eroding precious green open space and the environment
- There has been no consideration of including sheltered housing provision for older people.
- What effect will this development have on the 30mph limit outside the golf course? The proposed Tirionfa Development will inevitably be increase traffic along this road.
- There has been no river survey. The fields are extremely wet fields and the current system of drains is not able to cope with leaves and detritus from years of neglect.

- The sewer works in Rhuddlan requires major upgrading; the current system is not capable of taking new effluent and the proposed Tirionfa Development could overload what is already an ailing system and this could lead to pollution.
- No archaeological survey has been carried out.
- The proposed children's play area which will be situated near the entrance where there will be cars continually passing by which is a safety concern.
- Questions were asked from concerned residents about space between houses and bungalows on Pentre Lane. There needs to be a buffer parcel of land, which will protect and preserve the integrity of the existing properties to the rear of Pentre Lane.
- The Town Council and residents require finer details. There are no measurements of proposed properties, reference to scale on the plan or specific distance of garden sizes to the existing rear boundary of properties on Pentre Lane, which makes it difficult to assess the real impact of the proposed development to the existing Pentre Lane properties."

Reconsultation Response:

"The Town Council appreciate that substantial changes have been made to the plans, however, there are still concerns that the infrastructure is not there to support this development.

- The sewage works need major upgrading.
- The G.P. Surgery is already over-subscribed.
- The school will be under pressure to accommodate more children.
- There are continued concerns about the increased traffic.

The overall opinion is that this development will be detrimental to the town."

NATURAL RESOURCES WALES

No objection to the proposal on grounds of protected species or flood risk.

DWR CYMRU / WELSH WATER

No objection in principle, drainage details will be subject to a separate approval of condition.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer

No objection in principle. Suggest condition relating to highways detail for approval.

Footpaths Officer

No objection.

Ecologist

No objection.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

D. Yates, 3, Tirionfa, Rhuddlan
 Pauline & David Evans, Hafod Y Gan, Pentre Lane, Rhuddlan
 Mr & Mrs E Summers, Somavern, Pentre Lane, Rhuddlan
 Brenda Taylor, 22, Kerfoot Avenue, Rhuddlan
 Mrs M A Jones, 4 Tirionfa, Rhuddlan
 M & D Parker Oaklands, Pentre Lane, Rhuddlan
 Derek Robinson, 5, Tirionfa, Rhuddlan
 Patricia Hudson, Highfield, Rhuddlan

Summary of planning based representations in objection:

Highways:

Concerns in relation to additional traffic generation.

Visual Amenity:

Development is out of keeping with the area.

Residential amenity:

Adverse impact due to proximity and scale of dwellings, no buffer zone between boundaries.

A number of 'In Principle' objections have been raised in representations, which were considered at outline planning application stage (flood risk, loss of open/green space/ agricultural land, drainage, Welsh language and culture etc). These are not matters which can now be reassessed as the Council has granted outline planning permission. The Committee can only deal with the acceptability of the particular details specified in the description of the application.

EXPIRY DATE OF APPLICATION: 17/04/2019

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is seeking approval for reserved matters of access, appearance, landscaping, layout and scale of 99 residential units submitted in accordance with Condition 1 on outline planning permission ref 44/2015/1075/PO on land east of Tirionfa in Rhuddlan.
- 1.1.2 Outline planning permission was granted in February 2016 for the development of 3.39 hectares of land for residential development. The application was made in outline form with all matters reserved.
- 1.1.3 The main elements of the proposal are:
 - The erection of 99 detached, semi-detached and terraced houses, comprising a mix of:
 - 13 no. 2 bed houses
 - 28 no. 3 bed houses
 - 58 no. 4 bed houses
 - 21 different dwelling types, all of which are 2 storey houses – with a mix of integral garages and detached garages.
 - Provision of permeably paved off street parking spaces within each plot with private rear amenity areas for each dwelling.
 - The properties would be constructed using brick and render, with tiled roofs.
 - A main vehicular access is proposed off the A547 towards the eastern end of the site.
 - A secondary access is proposed off Tirionfa for the 7 dwellings fronting the existing Tirionfa estate road, with a bollarded 'emergency' access also shown to the northern end of these dwellings.
 - Associated boundary fencing and hard and soft landscaping.
 - Plans have also been provided indicating the provision of 10 affordable houses, 6 no. 2 bed houses (Elwy and Oakley) and 4 no. 3 bed houses (Kinnerton and Warwick).
 - Plans have also been provided indicating an area public open space and a Local Equipped Area for Play (LEAP).

- 1.1.4 Along with the plans, a number of documents have been submitted in support of the application, including:-
- * Planning, Design & Access Statement
 - * Ecological Report with Extended Phase 1 Habitat Survey
 - * Agricultural Land Assessment
 - * Arboricultural Impact Assessment
 - * Transport Assessment (with Cumulative Transport Assessment)
 - * Flood Consequences Assessment
 - * Landscape and Visual Impact Assessment

Plans illustrating the proposals are attached at the front of the report and Member's attention is drawn to the streetscene drawing, which shows the general arrangement on the main road frontage.

1.2 Description of site and surroundings

- 1.2.1 The site comprises of open agricultural land located on the eastern edge of the settlement of Rhuddlan.
- 1.2.2 The site is bounded to the south east by the A547, open fields to the north east and existing residential development on Tirionfa and Pentre Lane to the south western and north western boundaries. Rhuddlan Golf club is located to the south east across the A547.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Rhuddlan as defined in the Local Development Plan.
- 1.3.2 The site is allocated for housing in the LDP.

1.4 Relevant planning history

- 1.4.1 Outline planning permission was granted in February 2016 for the development of 3.39 hectares of land for residential development.

1.5 Developments/changes since the original submission

- 1.5.1 Since the submission of the original application minor amendments and clarification of some matters raised by consultees were sought in relation to the detailing of the scheme.
- 1.5.2 The original submission was for 100 dwellings and has been reduced to 99 dwellings.

1.6 Other relevant background information

- 1.6.1 Although the applicant indicates their intentions in relation to drainage arrangements, affordable housing, open space and education contributions, these are the subject of other planning conditions imposed on the outline planning permission. The applicant has indicated their intention to submit separate applications relating to the conditions.

2. **DETAILS OF PLANNING HISTORY:**

- 2.1 44/2015/1075 Development of 3.39 hectares of land for residential development (outline application - all matters reserved). Granted by Planning Committee 17th February, 2016

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 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 VOE5** – Conservation of natural resources
- Policy VOE6** – Water management
- Policy ASA1** – New transport infrastructure
- Policy ASA2** – Provision of sustainable transport facilities
- Policy ASA3** – Parking standards

Supplementary Planning Guidance

- Supplementary Planning Guidance Note: Access For All
- Supplementary Planning Guidance Note: Affordable Housing
- Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity
- Supplementary Planning Guidance Note: Parking Requirements In New Developments
- Supplementary Planning Guidance Note: Planning Obligations
- Supplementary Planning Guidance Note: Recreational Public Open Space
- Supplementary Planning Guidance Note: Residential Development
- Supplementary Planning Guidance Note: Residential Development Design Guide
- Supplementary Planning Guidance Note: Residential Space Standards
- Supplementary Planning Guidance Note: Trees & Landscaping

3.2 Government Policy / Guidance

- Planning Policy Wales (Edition 10) December 2018
- Development Control Manual November 2016
- Technical Advice Notes
- TAN 1: Joint Housing Land Availability Studies
- TAN 5: Nature Conservation and Planning
- TAN 12: Design
- TAN 18: Transport

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 Access
- 4.1.3 Appearance
- 4.1.4 Landscaping
- 4.1.5 Layout
- 4.1.6 Scale

Other Matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy BSC 1 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 site is located within the development boundary of Rhuddlan and is an allocated housing site.

The principle of residential development has been established through the grant of outline permission in 2016 and is therefore not for deliberation at this stage.

It should also be noted that the Denbighshire County Council Corporate Plan (2017-2022) commits the Council to supporting the development of 1000 homes in the county over the next 4 years. This proposal would make a positive contribution to meeting that target, providing 99 new homes.

With respect to the comments of the Town Council, the matters they have raised relate primarily to the principle of the development which is not for consideration at this stage.

It is therefore suggested that the determination of this reserved matters application should rest on the acceptability or otherwise of the details presented, and in terms of the local impacts of the proposal.

4.2.2 Access

“Access” in relation to reserved matters, means the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network
“Site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such permission has been made.

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require 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 (PPW 10) and TAN 18 – Transport, in support of sustainable development.

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

Representations have been submitted relating to traffic generation and the impact on the local highway network.

Highway Officers have assessed the application and information submitted and have not raised any concerns in relation to the proposal in respect of impact and capacity of the local highway network, access and egress arrangements, pedestrian/cycle links and parking provision.

An initial Transport Assessment (TA) was submitted as part of the application which assessed the impact of the development on the proposed site access. However, Officers raised some queries in relation to the future capacity of the highway network due to the cumulative impact of proposed development sites (both committed and current applications) in the vicinity, as well as sites which are allocated in the Local Development Plan. The applicant has provided an additional 'Cumulative Transport Assessment' which includes the requested information and provides an assessment of the future capacity of the local highway network.

Having regard to the scale of the proposed development, the existing highways network and the submitted highways details, it is considered that the proposals would not have an unacceptable impact on the local highways network in terms of capacity.

With regard to the specific issue relating to the capacity of the A547, Highway Officers have carefully considered this matter. The Cumulative Transport Assessment shows that there is sufficient spare capacity on the local highway network to accommodate the proposed development, along with other committed, allocated and current planning applications in the vicinity, as the overall impact of future development in the area is well within acceptable levels of growth.

The general layout of the proposed site access arrangements demonstrate compliance with the visibility standards set out in TAN 18. The existing 30mph zone is also to be extended approximately 90m north-west of the proposed development access. This will encourage traffic to reduce their speed well in advance of the development access point.

In relation to the internal site layout and parking, having regard to the details provided and guidance identified above, it is considered that the highways arrangements and parking provision are acceptable and in accordance with SPG guidance.

In noting the concerns relating to impact on the local highway network, it is significant that the Highway Officer has no objections to the proposal subject to the agreement to final details and there are no concerns in respect of the adequacy of the local highway network.

It is not considered in the context of the Highway Officer's comments, and with respect to objections raised, that there are any strong highway grounds to refuse permission.

4.2.3 Appearance

"Appearance" means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

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.

Concerns have been raised locally in respect of the visual impact of the proposal in relation to surrounding development.

In terms of design detailing for the new dwellings, the proposals involve use of several different house types with pitched tiled roofs of a relatively similar scale utilising materials of brickwork and render on the external faces of the walls.

The details proposed in relation to the proposed dwellings is considered acceptable and in keeping with nearby surrounding development.

4.2.4 Landscaping

“Landscaping” in relation to a site or any part of a site for which outline planning permission has been granted to, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes:

- (a) screening by fences, walls or other means;
- (b) the planting of trees hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the layout out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features.

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.

No concerns have been raised specifically in relation to landscaping issues.

In relation to soft landscaping, detailed proposals have been provided for each plot and the spaces around the properties with planting specifications.

In relation to hard landscaping all properties and parking areas would be paved with rear gardens provided with grass and patio areas.

In relation to boundary treatments, the dwellings would be provided with screen fencing in between the rear gardens of properties with hedgerows mainly defining the front garden spaces. As mentioned above a hedgerow would be retained along the A547.

The public open space is proposed on the eastern side of the site as there are some trees in this area which would be retained and the area would also serve as the soakaway for surface water drainage. The siting of the open space is accepted as it enables established trees to be retained and gives an outlook over the adjacent countryside thus giving an open outlook for users.

All hard and soft landscaping details proposed are considered acceptable and appropriate for the area to soften the visual appearance of the development, to protect the amenities of existing residents and provide a sufficient level of amenity for future occupiers of the proposed dwellings.

It is therefore considered that the landscaping of the development would be respectful of the location and complies with the relevant planning policy.

4.2.5 Layout

“Layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to building and spaces outside the development.

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.

Concerns have been raised locally in respect of visual appearance of the development.

The site area of the proposed residential development is approximately 3.39ha which equates to 29 dwellings per hectare. Policy RD1 suggests a density of 35 dwellings per hectare, however owing to the peripheral location of the site and character of existing nearby residential development the lower density is considered appropriate.

The proposal is for a mix of detached, semi-detached and terraced housing. All of the properties exceed minimum floorspace standards contained within SPG guidance and all properties are provided with rear garden spaces in excess of 40 square metres or 70 square metres for the larger properties, in compliance with SPG guidance.

In relation to spacing and separation distances between proposed dwellings and existing dwellings on Pentre Lane and Tirionfa, the development proposals meet or exceed the standards set out within SPG guidance.

Having regard to the relationship and distance of the proposed dwellings to each other, and existing dwellings on Pentre Lane and Tirionfa, the development proposals meet or exceed the spacing standards set out within SPG guidance and therefore in Officers' opinion the impact on these properties would be limited.

The layout of the site has been carefully considered to create a pleasant development which complies with Council policies and guidance. It is therefore considered that the layout of the development does not raise any planning policy concerns.

4.2.6 Scale

“Scale” means the height, width and length of each building proposed within the development in relation to its surroundings.

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.

In relation to surrounding development, overall it is considered that the submitted detail demonstrates an acceptable scale of development which is in keeping with the character of the area. It is therefore considered that the scale of the development would be respectful of the location.

Other matters

Affordable Housing:

Condition 6 on the outline planning permission requires approval of the affordable housing arrangements. This application indicates the intention to provide 10 affordable units on site, comprising a mix of 2 and 3 bed houses. Further details of the affordable housing provision, including tenure and timing of delivery requires separate approval and would be secured by a Section 106 legal agreement.

Open Space:

Condition 8 on the outline planning permission requires approval of the open space arrangements. This application indicates the intention to provide some public open space including a Local Equipped Area for Plan (LEAP) on site. The applicant is aware of the open space requirements and the final detailed arrangements will require separate approval.

Education:

Condition 9 on the outline planning permission requires approval of the provision towards education facilities. This application indicates the intention to comply with this condition and the applicant is aware of the capacity issues in the local school and the need to contribute towards education facilities.

Drainage:

Condition 7 on the outline planning permission requires approval of the foul and surface water drainage (including roof water) details in connection with the development. This application indicates the intentions in relation to drainage, however the applicant is aware that the final detailed drainage arrangements will require separate approval.

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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 reserved matters details of access, appearance, landscaping, layout and scale of 99 dwellings are considered acceptable with no local adverse impacts on visual or residential amenity and highway safety.

RECOMMENDATION: APPROVE- subject to the following conditions:-

1. 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. Oakley 3 Block - Plans & Elevations(Drawing No. MRH-OAK-PL01/PL02) - Received 17 September 2018

- ii. Oakley Semi - Plans & Elevations(Drawing No. MRH-OAK-PL01/PL02) - Received 17 September 2018
- iii. Warwick Semi - Plans & Elevations (Drawing No. MRH-WAR-PL01/PL02) - Received 17 September 2018
- iv. Huxley - Plans & Elevations (Drawing No. MRH-HUX-PL01/PL02) - Received 17 September 2018
- v. Kingsley - Plans & Elevations (Drawing No. MRH-KIN-PL01/PL02) - Received 17 September 2018
- vi. Kingsley - Plans & Elevations (OPP) (Drawing No. MRH-KIN-PL03/PL04) - Received 17 September 2018
- vii. Kingston - Plans & Elevations (inc Render) (Drawing No. MRH-KING-PL01/PL02/PL03) - Received 17 September 2018
- viii. Kingston - Plans & Elevations (inc Render) (OPP) (Drawing No. MRH-KING-PL04/PL05/PL06) - Received 17 September 2018
- ix. Ascot - Plans & Elevations (Drawing No. MRH-ASC-PL01/PL02) - Received 17 September 2018
- x. Ascot - Plans & Elevations (OPP) (Drawing No. MRH-ASC-PL03/PL04) - Received 17 September 2018
- xi. Heatherington - Plans & Elevations (Drawing No. MRH-HEAT-PL01/PL02) - Received 17 September 2018
- xii. Heatherington - Plans & Elevations (OPP) (Drawing No. MRH-HEAT-PL03/PL04) - Received 17 September 2018
- xiii. Wentworth - Plans & Elevations (inc Render) (Drawing No. MRH-WENT-PL01/PL02/PL03) - Received 17 September 2018
- xiv. Wentworth Plans & Elevations (OPP inc Render) (Drawing No. MRH-WENT-PL04/PL05/PL06) - Received 17 September 2018
- xv. Windsor - Plans & Elevations (inc Render) (Drawing No. MRH-WIND-PL01/PL02/PL03) - Received 17 September 2018
- xvi. Windsor - Plans & Elevations (OPP inc Render) (Drawing No. MRH-WIND-PL04/PL05/PL06) - Received 17 September 2018
- xvii. Edinburgh - Plans & Elevations (inc Render) (Drawing No. MRH-EDIN-PL01/PL02/PL03) - Received 17 September 2018
- xviii. Edinburgh - Plans & Elevations (OPP inc Render) (Drawing No. MRH-EDIN-PL04/PL05/PL06) - Received 17 September 2018
- xix. Wiltshire - Plans & Elevations (Drawing No. MRH-WILT-PL01/PL02) - Received 17 September 2018
- xx. Wiltshire - Plans & Elevations (OPP) (Drawing No. MRH-WILT-PL03/PL04) - Received 17 September 2018
- xxi. Single Garage Plans & Elevations (inc Render) (Drawing No. MRH-DG-01/02/02) - Received 17 September 2018
- xxii. Double Garage Plans & Elevations (inc Render) (Drawing No. MRH-DG-03/04/06) - Received 17 September 2018
- xxiii. Flood Consequences Assessment (Drawing No. NGR SJ 029 786) - Received 17 September 2018
- xxiv. Proposed Site Plan (Drawing No. MRH-SP01-COL B) - Received 17 September 2018
- xxv. Planting Plans (3 Pages) (Drawing No. P.1057.18.08 Rev B) - Received 15 January 2019
- xxvi. Proposed Site Plan (Drawing No. MRH-SP01 Rev H) - Received 15 January 2019
- xxvii. Location Plan (Drawing No. MRR-LP.01) - Received 4 September 2018
- xxviii. Transport Assessment - Received 4 September 2018
- xxix. Extended Phase 1 Habitat Survey - Received 15 January 2019
- xxx. Agricultural Land Classification - Received 4 September 2018
- xxxi. Arboricultural Impact Assessment - Received 4 September 2018
- xxxii. Landscape and Visual Impact Assessment - Received 4 September 2018
- xxxiii. Community and Linguistics Impact Assessment - Received 4 September 2018
- xxxiv. Design and Access Statement - Received 4 September 2018
- xxxv. Landscape Proposal (2 Pages) (Drawing No. P.1057.18.11 & 11B) - Received 15 January 2019
- xxxvi. Play Area (Drawing No. P.1057.18.13) - Received 4 September 2018
- xxxvii. Cumulative Transport Impact Assessment - Received 15 January 2019

- xxxviii. Ellesmere - Powys Floor Plans and Elevations (1 Page) - Received 15 January 2019
- xxxix. The Elwy Floor Plans and Elevations (1 Page) - Received 15 January 2019
- xl. The Henley Floor Plans and Elevations (3 Pages) - Received 15 January 2019
- xli. The Henley (OPP) Floor Plans and Elevations (3 Pages) - Received 15 January 2019
- xlii. The Kingsley Floor Plans and Elevations (4 Pages) - Received 15 January 2019
- xliii. The Kinnerton Floor Plans and Elevations (3 Pages) - Received 15 January 2019
- xliv. The Lymm Floor Plans and Elevations (4 Pages) - Received 15 January 2019
- xlv. The Lymm (OPP) Floor Plans and Elevations (3 Pages) - Received 15 January 2019
- xlvi. The Porthmadog Floor Plans and Elevations (4 Pages) - Received 15 January 2019
- xlvii. The Powys Floor Plans and Elevations (6 Pages) - Received 15 January 2019
- xlviii. The Stratford Floor Plans and Elevations (3 Pages) - Received 15 January 2019
- xlix. The Stratford (OPP) Floor Plans and Elevations (3 Pages) - Received 15 January 2019
- I. Edinburgh - Elevations - Plot 52 (Drawing No. MRH-EDIN-PL05) received 19 February 2019
- li. Edinburgh - Floor Plans - Plot 52 (Drawing No. MRH-EDIN-PL04) received 19 February 2019
- lii. Ascot - Elevations - Plot 99 (Drawing No. MRH-ASC-PL04) received 19 February 2019
- liii. Ascot - Floor Plans - Plot 99 - MRH-ASC-PL03) received 19 February 2019
- liv. Wiltshire - Elevations - Plot 75 (Drawing No. MRH-WILT-PL04) received 19 February 2019
- lv. Wiltshire - Floor Plans - Plot 75 (Drawing No. MRH-WILT-PL03) received 19 February 2019
- lvi. Indicative Street -Scene (Drawing No. MRH-SS.01) received 19 February 2019
- 2. Prior to the application of any external materials full details of the wall and roof materials of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with such approved details.
- 3. 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.
- 4. PRE-COMMENCEMENT
No development shall be permitted to commence until the detailed layout, design, means of traffic calming, street lighting, signing, drainage and construction of the internal estate road/and access to the site, extension of existing 30mph zone, footway links and associated highway works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with such approved details.
- 5. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 0.6 metres above the level of the adjoining carriageway

The reasons for the conditions :-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interest of visual amenity.
4. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
5. To ensure that adequate visibility is provided at the proposed point of access to the highway.

PLANNING COMMITTEE

13th MARCH 2019

INFORMATION REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

PLANNING APPEALS UPDATE

1. PURPOSE OF REPORT

1.1 This item provides members with information on recent planning appeal decisions received from the Planning Inspectorate on cases within the County. It covers the 6 month period from September 2018 to date.

2 CONTENTS

2.1 **Appendix A** attached contains a quick guide table listing the appeal decisions received in this period, with basic information including the outcome, type of appeal, and input from Planning Committee and Town / Community Councils.

2.2 **Appendix B** provides a summary of key points relevant to each case.

2.3 If Members wish to read the full versions of the Planning Inspectors' decisions on the appeals, these can be viewed via the Denbighshire website (Planning; *Find a planning application*; (*Insert reference number of application*); *Search*; *Documents*; *Appeal decision*).

3 RECOMMENDATION

3.1 That the report be received for information.

EMLYN GWYNEDD JONES
HEAD OF PLANNING AND PUBLIC PROTECTION

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APPEAL SUMMARY

| <u>Appeal Case</u> | <u>Decision Date</u> | <u>Decision</u> | <u>Appeal Type</u> | <u>Officer Recommendation</u> | <u>Committee Decision</u> | <u>Town Council Response</u> |
|---|----------------------|-----------------|--------------------|-------------------------------|---------------------------|------------------------------|
| 3 Bathafarn Cottages, Llanrhydd | 14/09/2018 | Dismiss | Written | Delegated - Refuse | N/a | No objection |
| Rear of Luke Street, St. Asaph | 31/01/2019 | Dismiss | Written | Delegated - Refuse | N/a | Objection |
| Cottage Cream and Candy, Llangollen (Enforcement appeal) | | Dismiss | Written | N/a | N/a | N/a |
| 1a The Paddock, Prestatyn (TPO appeal) | 12/02/2019 | Dismiss | Written | Delegated - Refuse | N/A | No objection |

- SUMMARY

A total of 4 appeal decisions were received from 1/9/2018 – 28/2/2019

- These consisted of 2 planning appeals, 1 enforcement appeal, 1 TPO appeal
- All 4 were dismissed (100% success)
- All the appeals were dealt with through the written process
- None of the appeals were in relation to applications refused at Planning Committee.
- Community Council s had raised no objections on 2 of the 3 planning application cases which went to appeal.
- No costs were awarded against the Council in any of the cases.

APPENDIX B

APPEALS SUMMARY 30th September 2018 - 28th February 2019

APPEALS DISMISSED

1. APPLICATION NO. 16/2018/0107

SITE ADDRESS: 3 Bathafarn Cottages, Llanrhydd, Ruthin

PROPOSAL: Retention of three windows at first floor level

BASIS OF REFUSAL: uPVC windows are be unsympathetic and cause further erosion of the character of the Listed Building.

TYPE OF APPEAL: Written representations

COSTS AWARDED AGAINST COUNCIL: N/a

ISSUES OF NOTE

The Inspector considered the main issue was whether the retention of the three windows would preserve the special character and interest of the Grade II listed building.

Inspector's conclusions:

The replacement windows do not preserve the special character and interest of this Grade II listed building.

2. APPLICATION NO. 46/2017/1128

SITE ADDRESS: Land to the rear of Luke Street, St. Asaph

PROPOSAL: Erection of dwelling

BASIS OF REFUSAL: Cramped form of development, overdevelopment of plot in an area with parking problems.

TYPE OF APPEAL: Written representations

COSTS AWARDED AGAINST COUNCIL: N/a

ISSUES OF NOTE

The Inspector considered the main issues to be the effect of the proposed development upon the character and appearance of the area; the effect upon the living conditions of the occupiers of neighbouring residential properties; whether the development would provide acceptable living conditions for future occupiers of the property; and the effect upon pedestrian and highway safety.

Inspector's conclusions:

The Inspector concluded that the development would cause material harm to the character and appearance of the area. It would also fail to provide acceptable living conditions for the occupiers of the proposed dwelling, by reason of loss of privacy, and would represent a threat to both pedestrian and highway safety.

ENFORCEMENT APPEAL

3. CASE REFERENCE NO. ENF2018/00019

SITE ADDRESS: Cottage Cream 'n' Candy, 7 Castle Street, Llangollen.

BASIS OF LISTED BUILDING ENFORCEMENT NOTICE: Removal of signs , plastic banner, sculptures, and reinstatement of walls (Grade II Listed Building)

TYPE OF APPEAL: Written representations

COSTS AWARDED AGAINST COUNCIL: N/a

ISSUES OF NOTE

The Inspector determined that the appeal be dismissed in relation to the grounds on which it had been lodged :

Ground (b) – the matters alleged to constitute a contravention have occurred

Ground (c) – the matters do constitute works to a listed building and are unauthorised

Ground (e) - all the works have an incongruous appearance that fail to preserve the special architectural and historic interest of the listed building, hence listed building consent is refused.

Ground (g) - the requirements of the Notice would serve the purpose of restoring the character and appearance of the property to its former state; accordingly the requirements are reasonable and proportionate.

4. APPLICATION NO. 43/2018/0403 (TPO application)

SITE ADDRESS: 1a The Paddock, Prestatyn

PROPOSAL: Felling of Sycamore tree

BASIS OF REFUSAL: Tree has significant amenity value, insufficient evidence to show felling is essential.

TYPE OF APPEAL: Written representations

COSTS AWARDED AGAINST COUNCIL: N/a

ISSUES OF NOTE

The Inspector considered the main issues to be the amenity value of the tree and the likely impact of felling it on the amenity of the area, and, in the light of the above whether the proposal is justified having regard to the reasons put forward in support of it.

Inspector's conclusions:

The Inspector concluded that the amenity value is such that felling the tree would diminish and materially harm the amenity of the area, and based on the available evidence as presented there are insufficient grounds to justify felling this protected tree. The protection afforded to the tree is in the interests and enjoyment of the public and community as a whole. The individual interest of the appellant and the petitioners' support for the tree's removal does not outweigh the wider public interest benefit for the tree's continued protection.

PLANNING COMMITTEE

13th MARCH 2019

INFORMATION REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

NORTH WALES CONNECTION PROJECT

CONFIRMATION OF WITHDRAWAL OF APPLICATION BY NATIONAL GRID FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT

1. PURPOSE OF REPORT

1.1 The report is to update Members on information received from the Planning Inspectorate in relation to the National Grid proposals to run a grid connection from the proposed Wylfa nuclear power station to a substation at Pentir, near Bangor.

2. BACKGROUND.

2.1 Members may recall that a report was presented to Planning Committee in September 2018 outlining the situation in respect of the Nationally Significant Infrastructure Project (the North Wales Connections project) which was to be the subject of examination by the Planning Inspectorate.

2.2 Members accepted the suggestion that in circumstances where there are no anticipated impacts on Denbighshire, that it would not serve any useful purpose for the County to engage further in the Examination process, and agreed that the Planning Inspectorate should be informed accordingly.

3. UPDATE

3.1 On 21st February 2019, the Planning Inspectorate notified all parties that National Grid have confirmed the application for the project has been withdrawn.

3.2 The National Grid letter to the Planning Inspectorate advises that the decision to withdraw has come about as Horizon Nuclear Power has terminated the contract to build the new grid connection to Wylfa Newydd.

4. RECOMMENDATION

4.1 Members are asked to accept the report for information.

EMLYN GWYNEDD JONES

HEAD OF PLANING AND PUBLIC PROTECTION

