

To: Chair and Members of the Planning Committee

Date: 14 May 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, 22 MAY 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 7 - 8)

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

3 APPOINTMENT OF CHAIR

To appoint a Chair of the Planning Committee for the 2019/2020 municipal year.

4 APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair of the Planning Committee for the 2019/2020 municipal year.

5 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.

6 MINUTES (Pages 9 - 14)

To confirm the accuracy of the minutes of the Planning Committee meeting held on the 17 April 2019 (copy attached).

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 7 - 8) -

7 APPLICATION NO. 02/2019/0183/ PR - LAND TO REAR OF TY CEFN LLANFWROG RUTHIN (Pages 15 - 38)

To consider an application for details of appearance, landscaping, layout and scale of 2 no. dwellings submitted in accordance with condition no. 1 of outline planning permission code no. 02/2018/0445 (copy attached).

8 APPLICATION NO. 23/2019/0259/ PC - HEN SHED, LLANRHAEADR, DENBIGH, LL16 4PW (Pages 39 - 54)

To consider a retrospective application for the change of use of part of an agricultural building and associated hardstanding to Mechanic Workshop for Specialist Motorsport/Classic Car Business.

MEMBERSHIP

Councillors

Councillor Joe Welch (Chair)

Ellie Chard

Ann Davies

Meirick Davies

Peter Evans

Brian Jones

Huw Jones

Tina Jones

Gwyneth Kensler

Christine Marston

Councillor Alan James (Vice-Chair)

Melvyn Mile

Merfyn Parry

Pete Prendergast

Andrew Thomas

Tony Thomas

Julian Thompson-Hill

Emrys Wynne

Mark Young

COPIES TO:

All Councillors for information

Press and Libraries

Town and Community Councils

WELCOME TO DENBIGHSHIRE COUNTY COUNCIL'S PLANNING COMMITTEE

HOW THE MEETING WILL BE CONDUCTED

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

General introduction

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

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

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

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

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

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

The Planning Committee consists of 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, 17 April 2019 at 9.30 am.

PRESENT

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

ALSO PRESENT

Team Leader – Places (SC), Principal Planning Officer (IW), Strategic Planning & Housing Manager (AL), Principal Built & Conservation Officer (CE), Highways Engineer (JB) and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillor Andrew Thomas

2 DECLARATIONS OF INTEREST

None.

3 URGENT MATTERS AS AGREED BY THE CHAIR

None.

4 MINUTES

The minutes of the Planning Committee held on 13 March, 2019 were submitted.

Accuracy:

Page 15 – the Chair, Councillor Joe Welch stated there were no 1 bed homes included in the application and the sentence should read “the variation of proposed dwellings included 2, 3 and 4 bedroom houses

Matters Arising:

Page 14 – Councillor Mark Young raised the issue of concerns regarding the mix of housing proposed within applications. It was confirmed that meetings had since taken place with officers and Lead Members and an update was requested.

The Principal Planning Officer confirmed that the current Planning Policies provided opportunity for officers and members to seek a reasonable range of house types, sizes and tenure to reflect local needs, demands and the results of the local housing market assessment.

The meetings had emphasised there were several areas where the communication of information could be improved at pre-application stage. Therefore, when officers provided advice to developers this would draw attention to the fact they should be looking to secure a mix of dwelling types. If that was not the case, then developers should be encouraged to provide a statement or explanation as to the mix proposed.

On receipt of future applications, officers would consult with the Strategic Housing Manager for comments on the mix provided within a site, having regard to the local housing market need assessment. By consulting with the Development Plan section, information could be included within the Officer reports on applications, with commentary on the issue of housing mix. Hopefully, this would assist in the decision making process.

Councillor Tony Thomas expressed reservations regarding the update as he did not think it appropriate to put high demands on to developers as, in his opinion, it could dissuade developers from going ahead with applications.

RESOLVED that, subject to the above, the minutes of the meeting held on 13 March, 2019, be approved as a correct record.

5 APPLICATION NO. 41/2019/0089/PF - NANT GWILYM FARM, TREMEIRCHION LL17 0UG

An application was submitted for the conversion of outbuildings to form 4 no. holiday let accommodation units, erection of bat loft, installation of a septic tank, alterations to existing vehicular access arrangements and associated works at Nant Gwilym Farm, Tremeirchion.

Public Speaker –

Jamie Bradshaw (**For**) – stated the proposed scheme would be a high quality and well-designed conversion of outbuildings into four holiday lets. It was accepted that the level of visibility did not meet TAN18 standards for the speed limit on the road serving the site, but the proposal would improve the access and provide an adequate level of visibility on to the highway. The scheme would also allow a good amount of parking, with the yard providing more space, if required. The Community Council had raised concerns regarding light pollution but Natural Resources Wales, the AONB Joint Advisory Committee and Denbighshire Officers were happy that a planning condition be included which would require details of any external lighting be submitted and approved prior to any such lighting being installed.

General Debate – A site visit had taken place at 9.00 a.m. on Friday 12 April 2019.

Ward Member, Councillor Christine Marston confirmed she had attended the site visit which addressed the challenges of visibility and suitability of the access.

During discussions the following issues were raised:

- Councillor Merfyn Parry expressed concerns over the development as he had an issue with the highway. The development access did not meet TAN18 standards and it was questioned whether the second entrance (nearest to Bodfari) would be closed. Councillor Parry also queried whether a traffic movement speed survey had been undertaken or was necessary .

The Highway Officer confirmed that as part of the proposals a section of the existing boundary wall at the access was to be re-positioned to improve visibility. The access to the site was an existing access which officers had taken into consideration. TAN18 advised that where applications were submitted within an existing development site and served by an existing sub-standard access, there should be scope for a limited redevelopment that incorporated an access improvement, even though the improved access would still be below the standards.

Regarding the question from Councillor Parry over traffic speeds, the Highway Officer confirmed that as the development has an existing access the traffic movements and speed on the road would not be affected. The standards would apply to any new access in the area but not the existing access. He confirmed that taking everything into consideration, the application did not warrant refusal on highway grounds.

- Access to the public footpath 28 which abutted the application area was raised as it was questioned whether the development affected the footpath. It was confirmed that the public footpath would not be affected by the development.
- The issue of the dip within the road was raised as a potential issue as vehicles could not be seen from a distance if they were within the dip in the road.
- The Ward Member, Christine Marston agreed with the concerns over the application voiced by Bodfari Community Council and Councillor Merfyn Parry. In the event of permission being granted, however, she requested an additional condition be included that the second access (close to Bodfari) be permanently closed for safety reasons.

Proposal – Councillor Emrys Wynne proposed the officer recommendation to grant the application, seconded by Councillor Meirick Lloyd Davies.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Mark Young that the application be refused on the grounds that the application did not comply with TAN18.

VOTE:

GRANT – 15

ABSTAIN – 0

REFUSE – 3

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

6 APPLICATION NO. 43/2019/0112/PF - 83 GRONANT ROAD, PRESTATYN LL19 9NA

An application was submitted for the erection of a replacement dwelling and associated works at 83 Gronant Road, Prestatyn.

The Ward Member, Councillor Julian Thompson-Hill, stated that an issue had been raised relating to the relationship of the proposed development to a property at the rear on Kirby Avenue, in respect of potential overlooking and loss of privacy. Whilst it was accepted the proposals met basic guidance on distances between windows, etc., it was questioned if there was scope for mitigation of impacts.

The Principal Planning Officer suggested the Council's scope for seeking revisions to the proposals was limited given they appeared to conform with approved Supplementary Guidance.

Proposed – Councillor Julian Thompson-Hill proposed the officer recommendation to grant the application, seconded by Councillor Meirick Lloyd Davies.

VOTE:

GRANT – 18

ABSTAIN – 0

REFUSE – 0

***RESOLVED** that the application was **GRANTED** in accordance with officer recommendations as detailed within the report.*

7 APPLICATION NO. 22/2019/0275/PF - TIRIONFA, HENDREWYDD

An application was submitted for the erection of extensions and alterations to dwelling at Tirionfa, Hendrerwydd, Denbigh.

The Ward Member, Councillor Huw Williams expressed his support for the application.

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

VOTE:

GRANT – 18

ABSTAIN – 0

REFUSE – 0

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

8 REPORT ON CONSULTATION AND ADOPTION OF CHANGES TO RHYL CONSERVATION AREA

The Strategic Planning and Housing Manager introduced the report on consultation and adoption of changes to Rhyl Conservation Area (previously circulated).

The report outlined the comments received as a result of consultation on the Rhyl Conservation Area Appraisal and proposed changes to the Conservation Area.

It was agreed that the Rhyl Conservation Area would benefit from a review as it was felt that some areas had lost their character and it was a large area to manage. Purcell Architects, consultants experienced in conservation had been appointed to carry out the review.

There was no statutory requirement to consult prior to the revision of a conservation area, but it was considered good practice to consult with local property owners, residents, businesses and other interests, such as amenity bodies.

On 18 July 2018, Planning Committee approved to consult. An 8 week consultation period commenced on 3 September 2018. Explanatory leaflets and letters were delivered by hand to all the affected properties. Hard copies of documents were made available at Rhyl Library and one stop shop as well as on the Denbighshire website. In addition, information was made available at the “drop-in” event at a “pop-up shop” in the White Rose Centre. The Council’s new Consultation Portal was also used and a number of people responded to the on-line survey provided.

A total of seven responses were received via the Council’s Consultation Portal and five written responses were received.

If the proposed Conservation Area boundary changes were approved by Planning Committee, the Council must place a notice in the London Gazette and a local newspaper, and details of the Conservation Area must be recorded in the historic environment record. The Clwyd Powys Archaeological Trust had to be notified as they maintained the local Historic Environment Record. Cadw, the Council’s Legal and Land Charges Departments and the Conservation Area residents would also be notified.

VOTE:

(RECOMMENDATION 3.1)

APPROVE – 18

ABSTAIN – 0

NOT APPROVE – 0

(RECOMMENDATION 3.2)

APPROVE – 17

ABSTAIN – 0

NOT APPROVE - 0

RESOLVED that:

- (i) Members approve the proposed changes to Rhyl Conservation Area (as shown on plan attached as Appendix 2)*
- (ii) The Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 3) as part of its consideration.*

The meeting concluded at 10.50 a.m.

Agenda Item 7

WARD : Ruthin

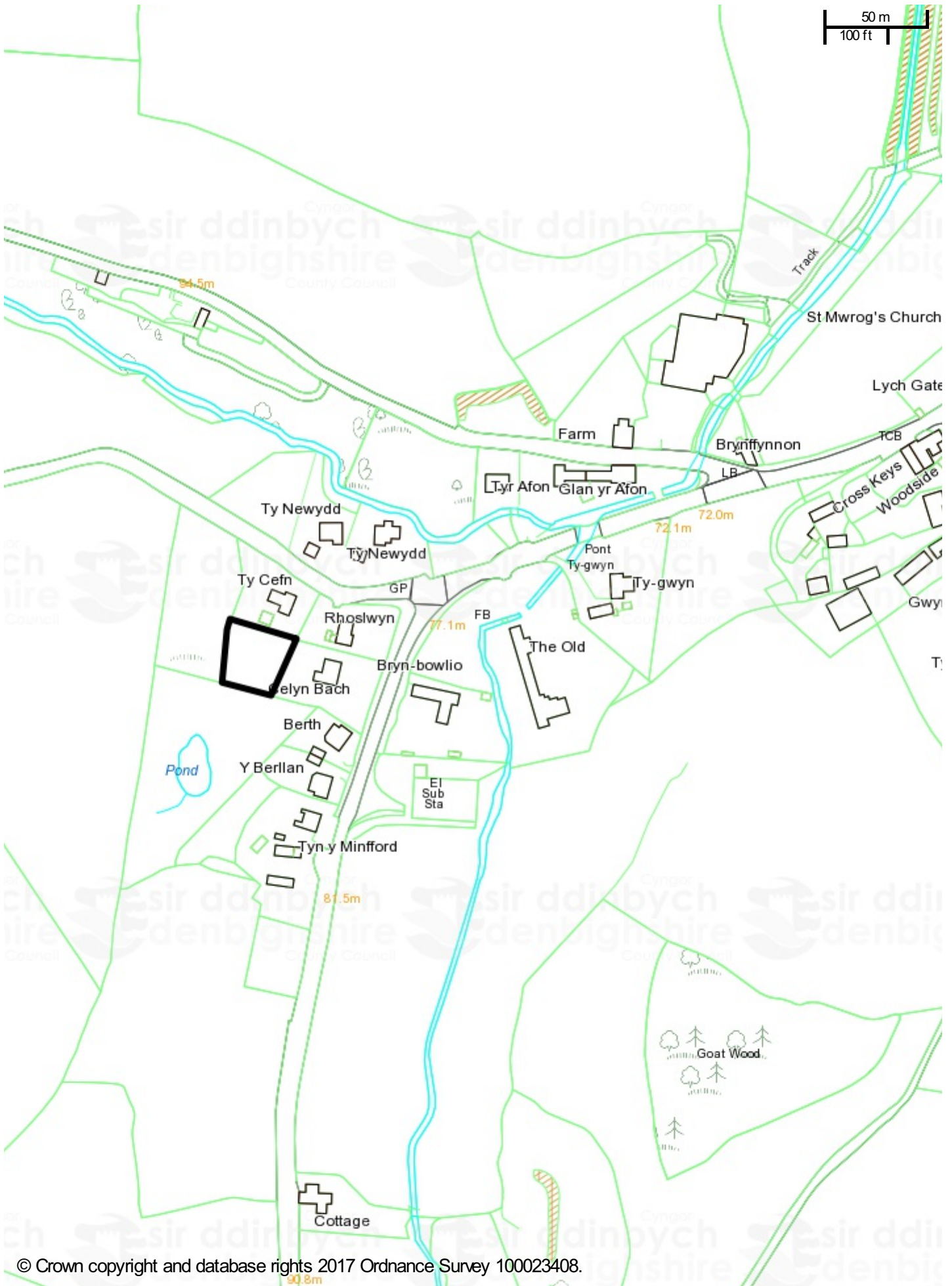
WARD MEMBERS: Cllr Emrys Wynne (c)
Cllr Bobby Feeley
Cllr Huw Hilditch-Roberts

APPLICATION NO: 02/2019/0183/ PR

PROPOSAL: Details of appearance, landscaping, layout and scale of 2 no. dwellings submitted in accordance with condition no. 1 of outline planning permission code no. 02/2018/0445

LOCATION: Land to rear of Ty Cefn Llanfwrog Ruthin

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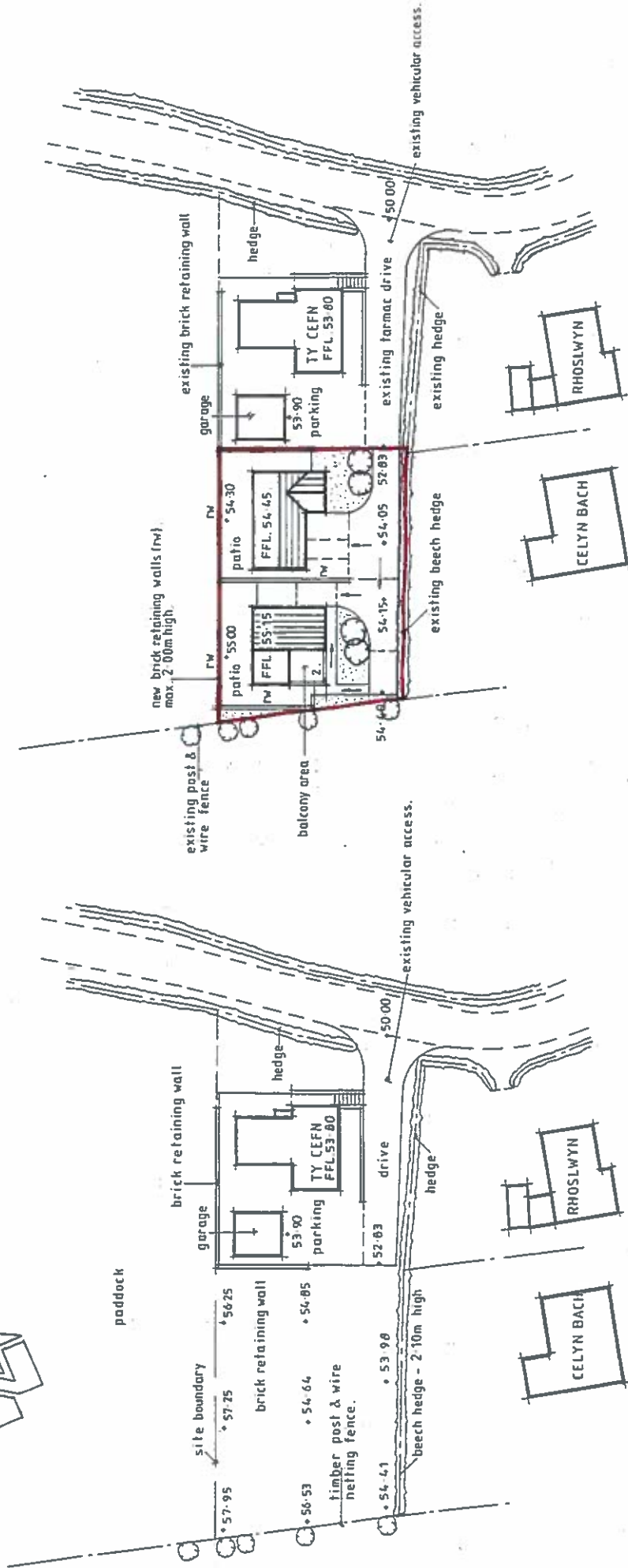


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02/2019/0183

Scale: 1:2500

Printed on: 7/5/2019 at 10:56 AM



EXISTING SITE LAYOUT PLAN
1:500

PROPOSED SITE LAYOUT PLAN
1:500

Turfed/Seeded Grassed Areas.

Tree Planting
Native tree planting to be 3.0m to 3.8m tall and to be sited a min. 6m from any buildings.
WC - Wild Cherry, BC - Bird Cherry SB - Silver Birch, R - Rowan.

New paths and patio areas to be finished in stone/slate flags, to client's specification and approval.

The new access drive, parking and turning area to be finished in tarmac surface finish.

All existing fences and hedgerows to site boundaries to be retained, where indicated on plans.

New brick faced retaining wall structures, where indicated 'rw' on site layout plan, to structural engineer's design details and recommendations.

A new timber post and timber rail fence to be installed above wall to paddock area. Fence to be a min. 1200mm high.

All planting, seeding, turfing, fencing or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following completion of the development. Any trees or plants which, within a period of five years of completion of the development, die, are removed or seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

The proposed new parking areas to serve the proposed new dwellings to be finished in tarmac, or other approved hard standing surface finish, to client's specification and approval.
Parking areas to the front of the new dwellings, and adjacent to the main front entrance doors, to be provided for disabled parking and for access to the dwellings, and to be surfaced with a permeable paving system, to client's specification and approval, e.g. tarmac, or other approved surface finish.
The new disabled parking areas to have a maximum fall of 1 in 20 and cross-fall gradient of 1 in 40.
A level access approach is to be provided from the car parking spaces to the main principal entrance doors with a gradient not steeper than 1 in 20.
The paths to the principal front entrance doors to be a min. 1.20m wide.
Level platforms to be provided outside the main principal entrance doors with min. dimensions of 1.20m x 1.20m for level access to the dwellings.
Level access threshold strips to be provided across the main principal entrance doors.

Rev A - 02/10/19 - Minor amendments to layout details.

© COPYRIGHT. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.



project title

Land to rear of Ty Cefn, Llanfyrwg, Ruthin.

drawing title

Existing and Proposed Site Plans.

project no.

0800

drawing no.

1

revision

A

date

26/02/2019

scale

1:500

drawn by

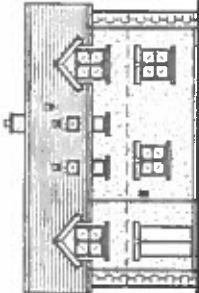
P M

Birch House, Hen Lon Parcwr, Ruthin, Denbighshire, LL15 4NA
 £ 01824 705 222 £ 01824 707 171
 email: mat@matischokross.co.uk web: www.matischokross.co.uk

EXISTING DWELLING



Ty Cefn
FFL 53.80



Garage
FFL 53.90



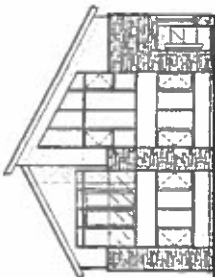
PROPOSED DWELLINGS



Plot 1
FFL 54.45



Plot 2
FFL 55.15



ROAD
50.00

54.00
50.00

SITE ELEVATION/SECTION DETAIL
1:200

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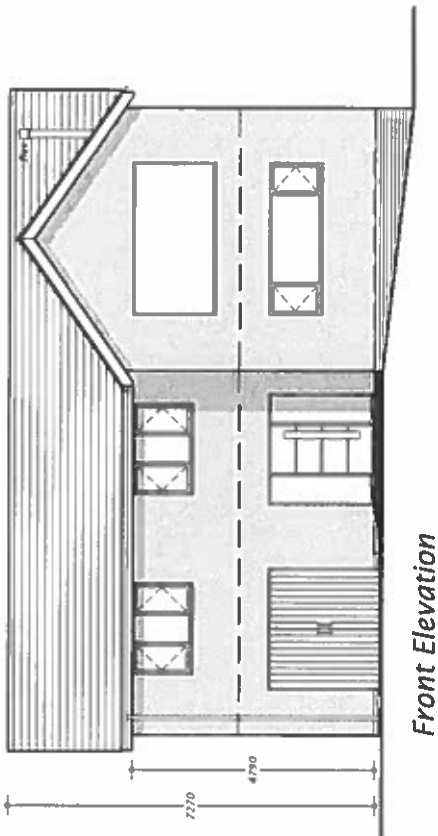
M & R
MATISCHOK & ROSS
architectural services

project title
Land to rear of Ty Cefn, Llanfwrrog, Ruthin.

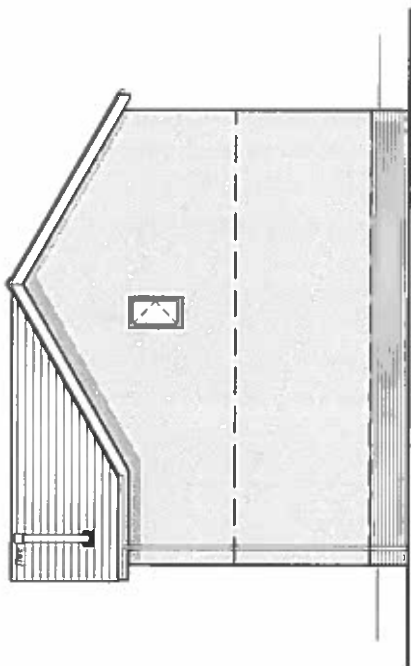
drawing title
Proposed Site Elevation/Section Detail.

project no.	0800	drawing no.	4	revision
date	27.03.19	scale	1:200	drawn by
				PM

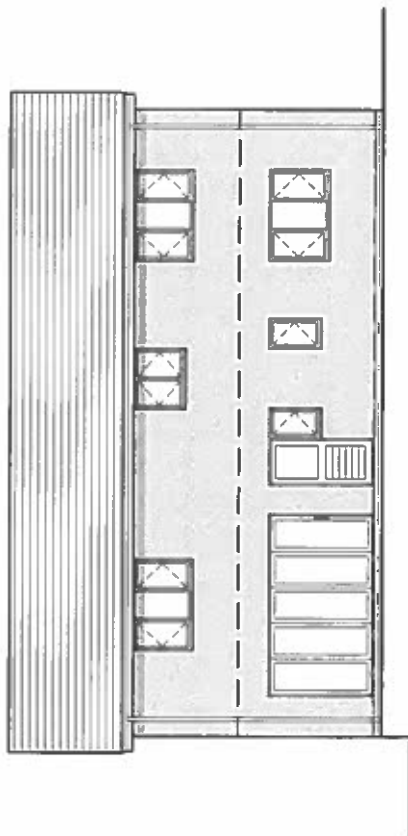
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e: mail@matischokross.co.uk w: www.matischokross.co.uk



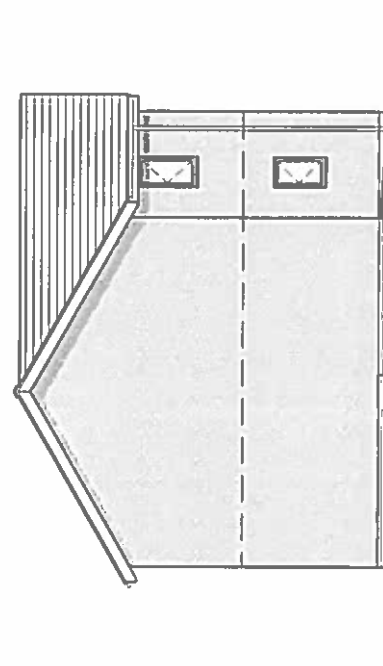
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

- External Materials - all to Local Authority approval
- Roof - New or second hand natural mineral slates (blue/grey).
- Walls - Smooth self-coloured render finish (K-Rend or other approved) with facing brickwork plinth.
- Rainwater Goods - Lindab galvanised gutters and down pipes.
- Windows & External Doors/Frames - Grey aluminium/upvc windows & doors.
- Fascia, Soffit & Barge Boards - Grey aluminium/upvc fascia's, barge boards & sloping soffit boards.

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MATISCHOK & ROSS
architectural services

Project title
Plot 1, Land to rear of Ty Cefn, Llanfyrrog, Ruthin.

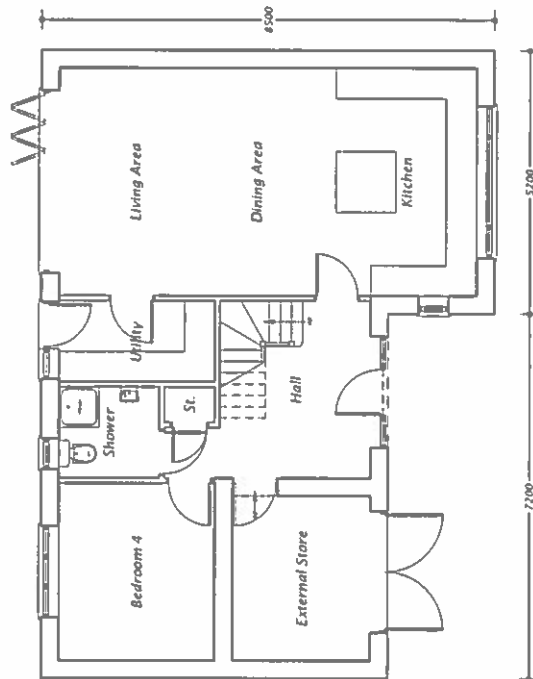
drawing title
Proposed Elevations.

project no.	0801	drawing no.	3	revision	A
date	18/02/2019	scale	1:100	drawn by	SR

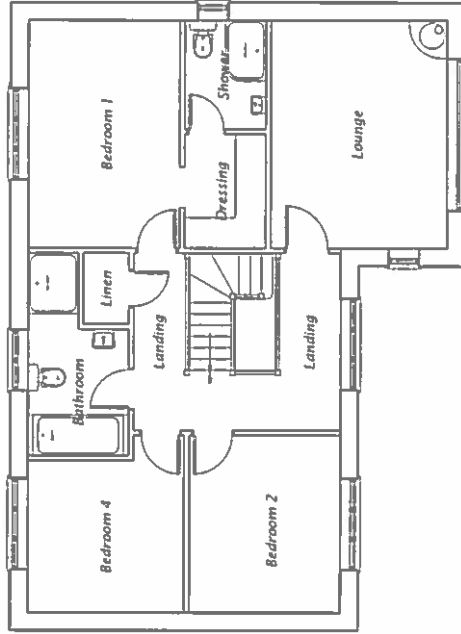
Birch House, Hea Lon Parew, Ruthin, Denbighshire, LL15 1NA
& 01824 705 222 & 01824 707 171
e: mail@matischokross.co.uk w: www.matischokross.co.uk

Revision A 02/04/19 Amendments to elevating dimensions to comply with outline planning approval

PLOT 1 DWELLING



Ground Floor Layout Plan



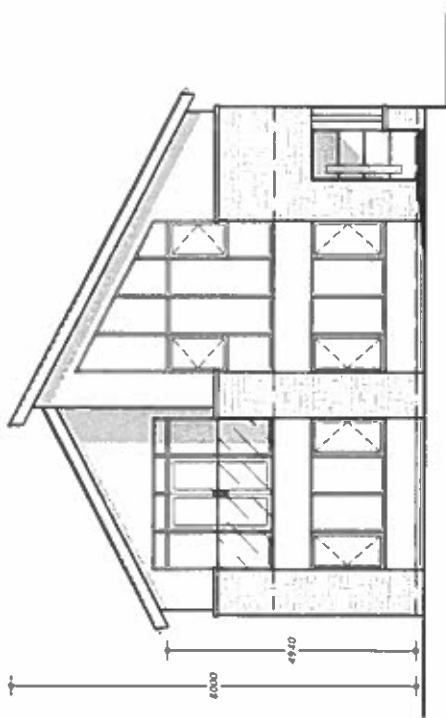
First Floor Layout Plan

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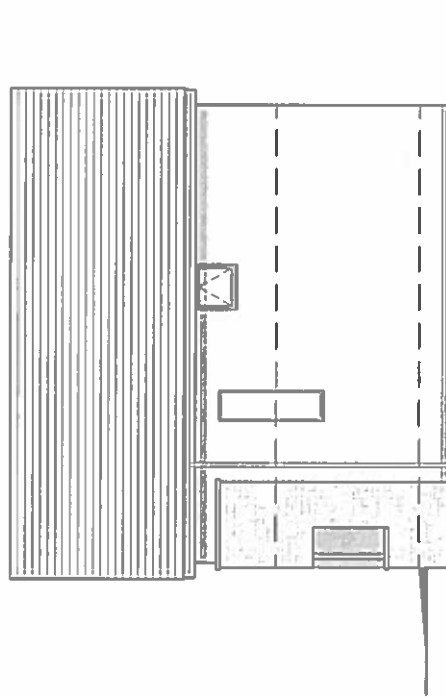
M & R		MATISCHOK & ROSS	
		architectural services	
Project title <i>Plot 1, Land to rear of Ty Cefn, Llanfyrwg, Ruthin</i>			
drawing title <i>Proposed Floor Layout Plans.</i>			
project no.	drawing no.	revision	
0801	2	A	
date	scale	drawn by	
18/02/2019	1:100	S R	
Birch House, Hen Lon Parews, Ruthin, Denbighshire, LL15 1NA & 01824 705 222 & 01824 707 171 e-mail@matischokross.co.uk www.matischokross.co.uk			

Revision A 02/04/19 - Amendment to the filling dimensions to comply with outline planning approval

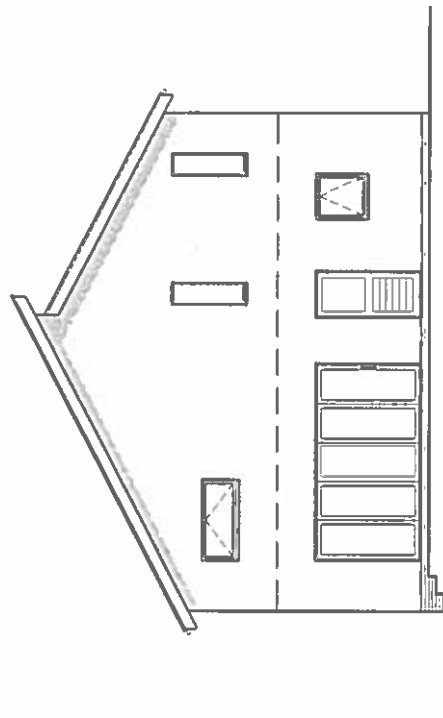
PLOT 2 DWELLING



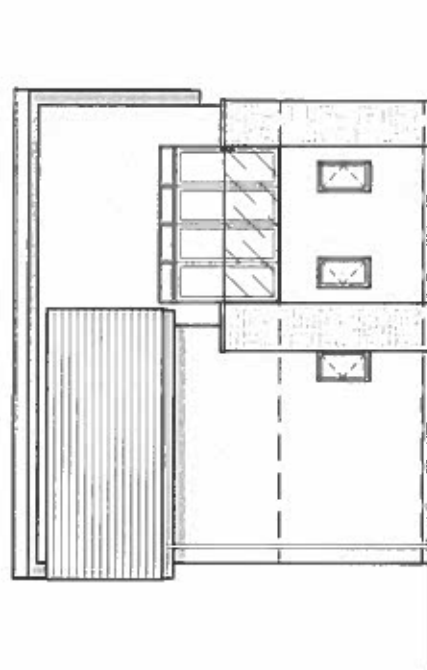
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

External Materials - all to Local Authority approval

Roof - New or second hand natural mineral slates (blue/grey).

Walls - Smooth self-coloured render finish (K-Rend or other approved) with facing brickwork plinth.
Grey slate stone cladding to front and side elevations where shown.

Rainwater Goods - Lindab galvanised gutters and down pipes.

Windows & External Doors/Frames - Grey aluminium/upvc windows & doors.

Fascia, Soffit & Barge Boards - Grey aluminium/upvc fascia's, barge boards & sloping soffit boards

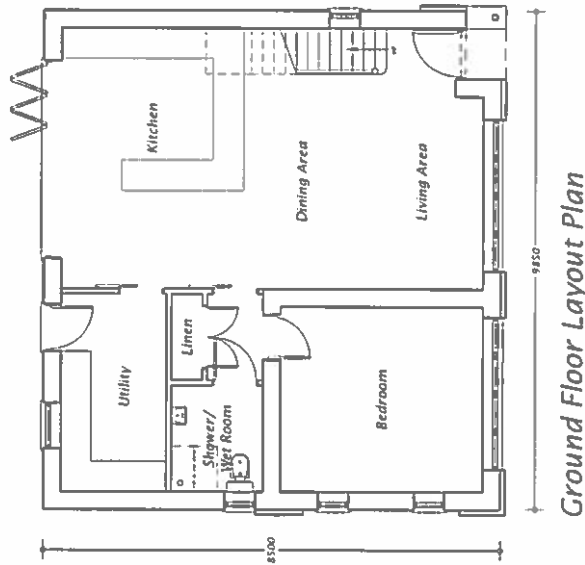
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MATISCHOK & ROSS
architectural services

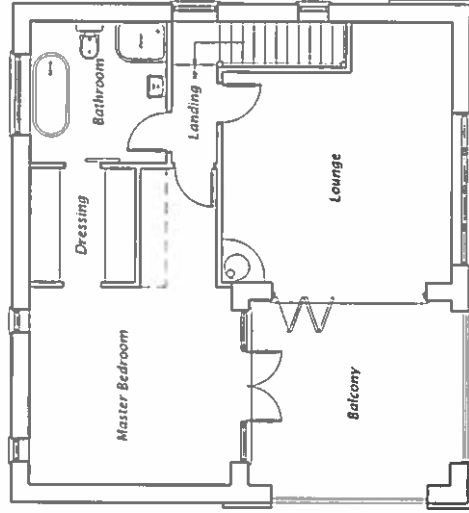
project title	Plot 2, Land to rear of Ty Cefn, Llanfyrwg, Ruthin		
drawing title	Proposed Elevations.		
project no.	drawing no.	revision	
0800	3	A	
date	scale	drawn by	
15/02/2019	1:100	SR	
Birch House, Hen Lon Parcwr, Ruthin, Denbighshire, LL15 1NA t: 01824 705 223 f: 01824 707 171 e: mail@matischokross.co.uk w: www.matischokross.co.uk			

Revision A 02/04/19 Amendment 1 to dwelling dimensions to comply with full planning approval

PLOT 2 DWELLING



Ground Floor Layout Plan



First Floor Layout Plan

© COPYRIGHT. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.

MATISCHOK & ROSS
architectural services

Project title	Plot 2, Land to rear of Ty Cefn, Llanfyrwg, Ruthin.		
Drawing title	Proposed Floor Layout Plans.		
Project no.	0800	Drawing no.	2
Date	12/02/2019	Revision	A
		Scale	1:100
		Drawn by	S R
Birch House, Hen Lon Parcwr, Ruthin, Denbighshire, LL15 1NA t 01824 705 222 f 01824 707 171 e mail@matischokross.co.uk w www.matischokross.co.uk			

Revision A 02/04/19 Amendments to detailing dimensions to comply with outline planning approval

WARD : Ruthin

WARD MEMBERS: Cllr Emrys Wynne (c)
Cllr Bobby Feeley
Cllr Huw Hilditch-Roberts

APPLICATION NO: 02/2019/0183/ PR

PROPOSAL: Details of appearance, landscaping, layout and scale of 2 no. dwellings submitted in accordance with condition no. 1 of outline planning permission code no. 02/2018/0445

LOCATION: Land to rear of Ty Cefn Llanfwrog Ruthin

APPLICANT: Mr David Edwards

CONSTRAINTS: None

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

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

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

CONSULTATION RESPONSES:

RUTHIN TOWN COUNCIL:

“Object for the following reasons: The proposed dwellings remain too large for the site in terms of size and massing. The dwellings would be close together and close to the site boundaries.”

RESPONSE TO PUBLICITY:

In objection

Representations received from:

John Gaskell, Y Berllan, Llanfwrog

Summary of planning based representations in objection:

The design of the houses would have a detrimental impact on the visual amenity of the area as they not in keeping with other houses in the area and are too close together and too large.

EXPIRY DATE OF APPLICATION: 24/4/19

EXTENSION OF TIME AGREED? 24/5/19

REASONS FOR DELAY IN DECISION (where applicable):

- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 This is a reserved matters application seeking approval of details of appearance, landscaping, layout and scale of two dwellings submitted in accordance with Condition 1 on outline planning permission ref 02/2018/0445 on land to the rear of Ty Cefn, Llanfwrog.
- 1.1.2 Outline planning permission was granted in January 2019 for the development of two dwellings. The application was made in outline form with details of access submitted for approval. All other matters were reserved.
- 1.1.3 Both dwellings would be 2 storey in height. The one on Plot 1 would measure approximately 12.5 metres wide, 8.5 metres deep and 7.2 metres in height to the ridge. The Plot 2 dwelling would measure approximately 9.8 metres wide, 8.5 metres deep and 8 metres in height to the ridge. The Plot 1 unit would provide 4 bedrooms, whilst the Plot 2 unit would provide 2 bedrooms.
- 1.1.4 Parking and turning would be located to the front of the plots. To the rear there would be private garden areas, separated by fencing. There would be a 2m high retaining wall along the rear boundary.
- 1.1.5 The approved access to the site is from the minor road that links Llanfwrog and Galltefa.
- 1.1.6 Plans and elevations of the proposed dwellings, along with a site elevation drawing to show the relationship between the proposed dwellings and the existing dwelling are at the front of this report.

1.2 Description of site and surroundings

- 1.2.1 The site is located on the western side of Llanfwrog, Ruthin.
- 1.2.2 There are existing dwellings to the north and east of the site. The dwelling Ty Cefn, a 2 storey house, is immediately to the north of the plot 1 dwelling, as can be seen from the sectional plans at the front of the report.
- 1.2.3 To the west the land is open fields which rise up away from the site.
- 1.2.4 The two plots are relatively level, but the ground then rises to the rear of the site. There is an existing beech hedge to the front boundary of the site marking the boundary with the dwellings Celyn Bach, and Rhoslwyn.
- 1.2.5 The site is in an elevated position above the neighbouring dwellings to the east that front the B5105.

1.3 Relevant planning constraints/considerations

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

1.4 Relevant planning history

- 1.4.1 Outline planning permission was granted in January 2019 for the development of the land for 2 detached dwellings, installation of a new septic tank and associated works including access.

1.5 Developments/changes since the original submission

- 1.5.1 Since the original submission, the size of the dwelling on plot 2 has been reduced through the omission of a single storey integral side garage

1.6 Other relevant background information

- 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

- 2.1 02/2013/0829/PO - Development of 0.09 ha of land by the erection of a dwelling, installation of a new septic tank and associated works (outline application including access). GRANTED 16/10/2013
- 2.2 02/2017/0797/PO - Development of 0.09 ha of land by the erection of a dwelling, installation of a new septic tank and associated works (outline application including access) GRANTED 11/10/2017
- 2.3 02/2018/0445/PO - Development of 0.09 hectares of land by the erection of 2 no. detached dwellings, installation of a new septic tank and associated works (outline application including access) GRANTED 31/01/2019

RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Space Standards

Supplementary Planning Guidance Note: Trees & Landscaping

Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

Technical Advice Notes

TAN 12: Design

TAN 18: Transport

Circulars

Other material considerations

3. 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.

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

- 3.1.1 Principle
- 3.1.2 Appearance
- 3.1.3 Landscaping
- 3.1.4 Layout
- 3.1.5 Scale

3.2 In relation to the main planning considerations:

3.2.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of cities, towns and villages, and it states developers will be expected to provide a range of house sizes, types and tenure.

The site is located within the development boundary of Ruthin - Llanfwrog and the site has the benefit of outline planning permission. The principle of residential development has been therefore been established through the grant of outline permission, and is not for deliberation at this stage. The issues to address are the acceptability of the specific details of the development, as covered in the following sections of the report.

3.2.2 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 terms of design detailing for the new dwellings, the proposals involve the erection of 2 two storey dwellings, featuring pitched roofs and a mix of external materials, including render and slate stone cladding, and mineral slate on the roofs. The surrounding existing dwellings are a mixture of designs, sizes and materials, with predominant use of render and facing brick on the external walls and grey slate / tile roofs. In Officers’ assessment, in terms of appearance, the proposed dwellings would not be prominent within the street scene and there are limited direct views of the site from public vantage points.

The details proposed in relation to the dwellings are considered acceptable and in keeping with surrounding development. Given the siting of the dwellings, it is not considered that the dwellings would appear prominent features within the area, and they are therefore unlikely to have a detrimental impact upon the character and appearance of the area.

It is considered that the appearance of the development would be respectful of the location.

3.2.3 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.

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 incorporate a combination of tarmac finish, stone flags, and natural stone retaining walls.

In relation to boundary treatments, the dwellings would be provided with timber fences. The garden areas would be turfed, and the following trees planted: wild cherry, bird cherry, silver birch and rowan.

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 occupants of the dwellings proposed.

It is therefore considered that the landscaping of the development would be respectful of the location.

3.2.4 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 the layout and it has been suggested that the dwellings would be too close to the site boundaries.

The proposal is for 2 dwellings of different detailing and sizes, set back marginally from the front wall of the existing dwelling Ty Cefn. Both properties exceed minimum floorspace standards contained within SPG guidance and are all provided with rear garden spaces in excess of 40 square metres, in compliance with SPG guidance.

In relation to spacing and separation distances in between proposed dwellings and existing dwellings, the development proposals meet or exceed the standards set out within SPG guidance. With regard to the distance between the dwellings and the site boundaries, both dwellings would be at least 1 metre from their respective boundaries. The closest that the proposed dwellings would be to each other is 4.5 metres, side to side.

The plans at the front of the report show the relationship between the proposed dwellings, the site boundaries and the existing dwellings.

In Officers' view, the layout of the site has been carefully considered in the context of surrounding development and the dwellings have been sited in a way to respect the pattern of development in the area.

It is therefore considered that the layout of the development would be respectful of the location.

3.2.5 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.

Concerns have been raised locally and by the Town Council in respect of the scale and mass of the dwellings.

From observation, dwellings in the locality and the immediate vicinity of the site are of varying size and detailing. Respectfully, Officers would not consider they are too large either in relation to the dwellings surrounding them, the locality, or in relation to plot sizes. Officers consider the proposals show an acceptable scale of development in keeping with the area.

It is therefore considered that the scale of the development would be respectful of the location.

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.

4. SUMMARY AND CONCLUSIONS:

4.1 In acknowledging the concerns raised over the details of the dwellings, the access, appearance, landscaping, layout and scale of the dwellings are considered acceptable.

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) Plot 1 - Proposed elevations (Drawing No. 0801 3A) received 2 April 2019
- (ii) Plot 1 - Proposed floor plans (Drawing No. 0801 2A) received 2 April 2019
- (iii) Plot 2 - Proposed elevations (Drawing No. 0800 3A) received 2 April 2019
- (iv) Plot 2 - Proposed floor plans (Drawing No. 0800 2A) received 2 April 2019
- (v) Existing and proposed site plans (Drawing No. 0800 1A) received 2 April 2019
- (vi) Proposed site elevation/section detail (Drawing No. 0800 4) received 2 April 2019
- (vii) Location plan received 27 February 2019

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

2. No works on the construction of any dwelling, screen walls or fences shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the external wall and roof materials to be used (including colour and texture of render, type and colour of facing brick plinths), and the detailed design of the screen walls and fences and the materials to be used thereon. The development shall proceed strictly in accordance with the approved schedule unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity

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Agenda Item 8

WARD : Llanrhaeadr Yng Nghinmeirch

WARD MEMBER: Councillor Joseph Welch (c)

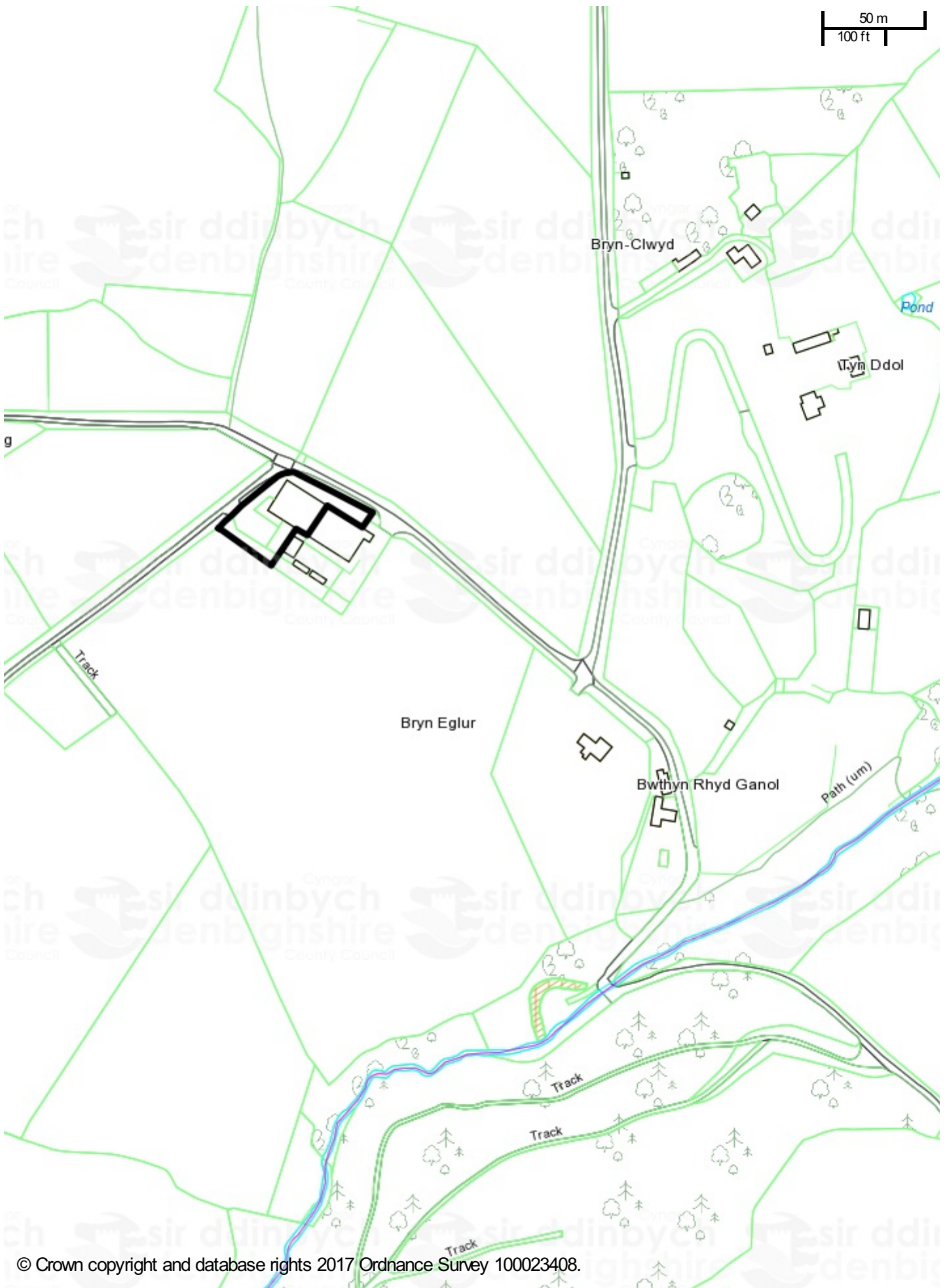
APPLICATION NO: 23/2019/0259/ PC

PROPOSAL: Retrospective application for the change of use of part of an agricultural building and associated hardstanding to Mechanic Workshop for Specialist Motorsport/Classic Car Business

LOCATION: Hen Shed Llanrhaeadr Denbigh LL16 4PW

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100 ft



Denbighshire County Council

Bryn-Clwyd

Tŷn Ddol

Bryn Eglur

Bwthyn Rhyd Ganol

Path (um)

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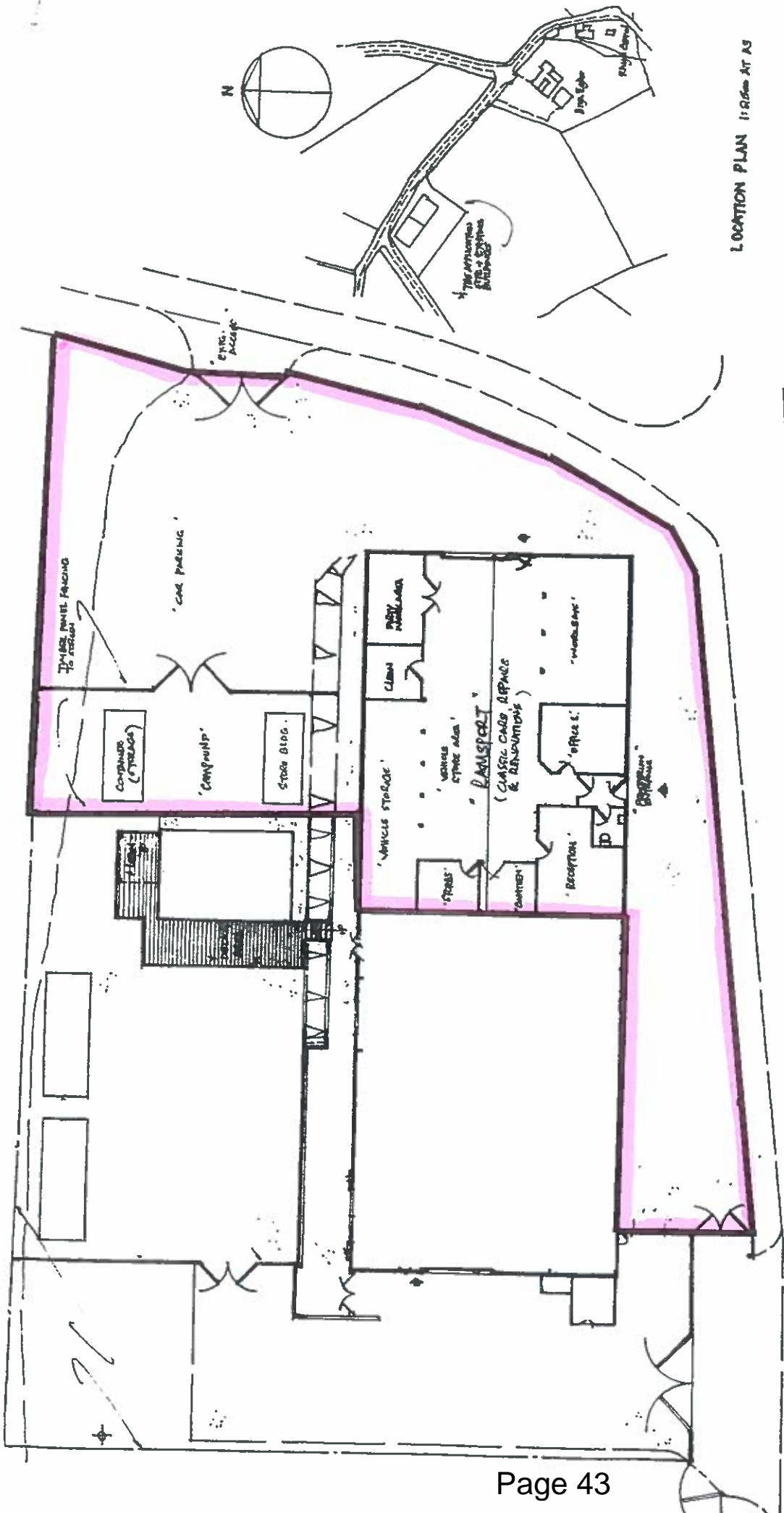
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23/2019/0259

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LOCATION PLAN 1:1000 AT A3



SITE & PLAN LAYOUT 1:250 AT A3

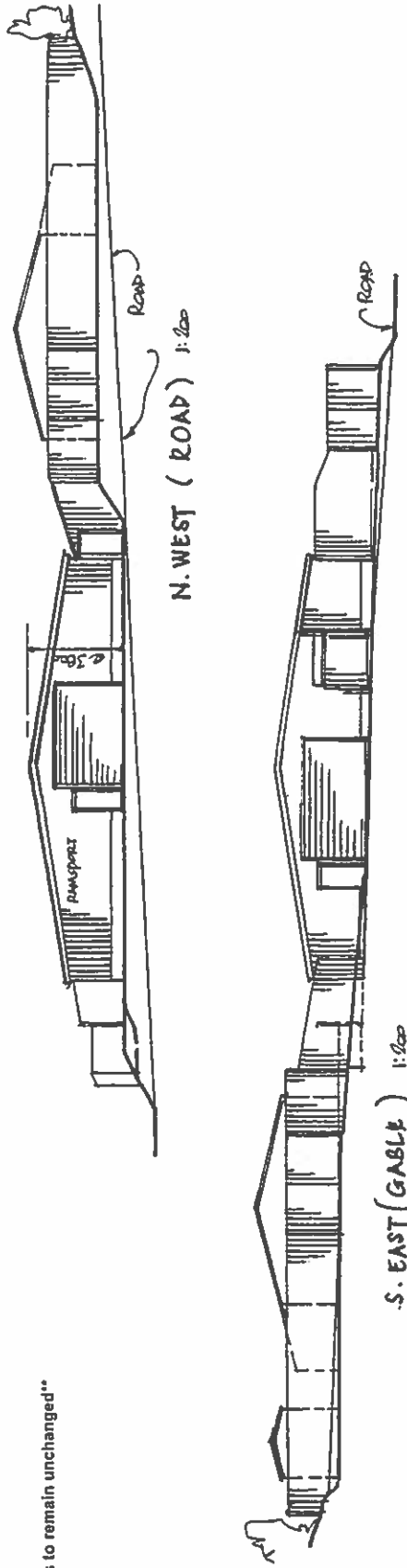
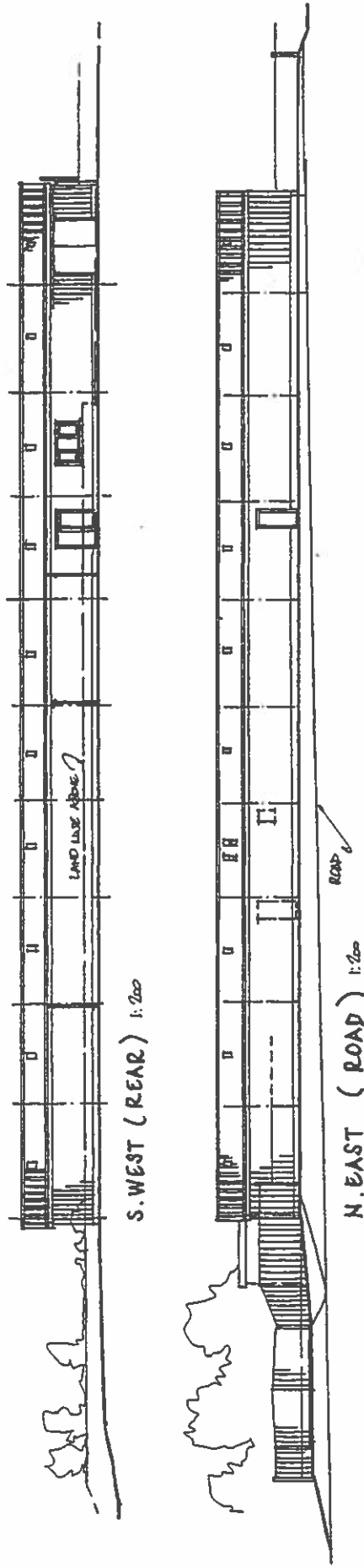
SEE PNG. 19/12 FOR ELEVATIONS.

CHANGE OF USE OF AGRICULTURAL STORAGE BUILDING
 TO VEHICLES STORAGE & REPAIR, THE OLD SHEDS / HEN FARM,
 BRYN EDLUR, LLANRHAEADR, by R. Wilding Eng.
 DATE: REC: 2014, DWS: No: 14/104, EWS: 1 A' UPDATED: AUG'19

J. BARBER ARCHITECTURAL CONSULTANTS
 01753 531236 e: jbarb@plans@outlook.com

ELEVATION PLANS

'RAMSPORT'



Existing Elevations to remain unchanged

CHANGE OF USE OF AGRICULTURAL STORAGE BUILDING
TO VEHICLES STORAGE. REPAIR & RENOVATION
(RAMSPORT)
THE OLD SHED & HEN FARM, BRYN EGLUR,
LLANRHAEADR, NR. DENBIGH.

PLG. No. 19/12.1, 2015:
READ IN CONNECTION WITH DWG. No. 14/60.1, 201.1A



J. BARGHIEL ARCHITECTURAL CONSULTANTS
TEL: 07973 134236, e: jomb@plans@outlook.com

WARD : Llanrhaeadr Yng Nghinmeirch

WARD MEMBER: Councillor Joseph Welch

APPLICATION NO: 23/2019/0259/ PC

PROPOSAL: Retrospective application for the change of use of part of an agricultural building and associated hardstanding to Mechanic Workshop for Specialist Motorsport/Classic Car Business

LOCATION: Hen Shed Llanrhaeadr Denbigh LL16 4PW

APPLICANT: Mr R Atkinson Rcc Import Ltd

CONSTRAINTS: None.

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

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

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

CONSULTATION RESPONSES:

LLANRHAEADR YNG NGHINMEIRCH COMMUNITY COUNCIL-
“Objection for the following reasons:

1. The Structure Interface of the property is a construction of agriculture farm building and not a Commercial Building which does not comply with Building Regulations which is a Fire and Security issue for the site building.
2. The application is outside the Local Development Plan for the area.
3. There is no Local Proven Need proven.”

NATURAL RESOURCES WALES-

No objection but recommend drawing the developer’s attention to advice about foul drainage arrangements.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Public Protection Officer-

No comments

Highways Officer-

No objection to the proposal and are of the view, given this is a retrospective application and the business has been in operation since 2012 without any highways related issues arising, and also the nature of the business with appointments being made on a booking basis, it is considered that the proposal would not give rise to an increase in traffic being generated throughout the day.

RESPONSE TO PUBLICITY:

No representations received.

EXPIRY DATE OF APPLICATION: 19/05/2019

EXTENSION OF TIME AGREED? N/A

REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks retrospective permission for the change of use of part of an old agricultural building and associated hardstanding area to a 'mechanic workshop for specialist motorsport/classic car business'. The site is in open countryside approximately 1.5km from the village of Pentre Llanrhaeadr.
- 1.1.2 The application has been submitted to seek to regularise the planning situation and provide for the long term security for of the business.
- 1.1.3 The information with the application indicates the business occupying the premises is known as Ramsport, and was established in 2012. It specialises in the restoration/maintenance of top end classic cars, rally cars and other race cars. Clients are taken on an appointment only basis.
- 1.1.4 The business is open Monday to Friday 8.30am- 5.30pm and is closed on weekends.
- 1.1.5 The business employs 7 full time staff at the site.
- 1.1.6 The submitted plans show the part of the building in use for the repair / renovation of classic cars (approximately 425square metres), a fenced off compound area immediately to the north in which there is located a storage building and storage containers, and a 'forecourt' area indicated on the plans as 'car parking' which is accessed off an existing entrance onto the public highway.

1.2 Description of site and surroundings

- 1.2.1 The site is located to the south-east of the village of Pentre Llanrhaeadr. It is surrounded on all sides by agricultural land, with the nearest dwelling Bryn Eglur located approximately 150m to the south east of the site.
- 1.2.2 The building itself is a former hen rearing shed of some 800 square metres floorspace. It is understood it was used in connection with the agricultural business at Bryn Eglur .
- 1.2.3 The building retains most of its original form. It has been split into two units with Ramsport occupying the northern side. The use of part of the southern section of the building for residential purposes is the subject of a separate application for a Certificate of lawfulness of use / development, and there are ongoing planning compliance investigations into the use of other buildings within the site.
- 1.2.4 The site is accessed via the original agricultural access on the western side of the site. There is a hardstanding area adjacent to the access and parking available for staff and customers. There is limited landscaping to the front of the entrance into the building.
- 1.2.5 There is a fence adjacent to the building which screens workshop areas outside of the main building.

1.3 Relevant planning constraints/considerations

- 1.3.1 The application site is located within open countryside and outside of any development boundaries as annotated in the Local Development Plan.

1.4 Relevant planning history

- 1.4.1 It is understood the use of this shed for the storage of chickens ceased in late 2003. It was then that the applicant began to use it- this shed and a building to the rear for Class B8 storage and distribution of white goods. An application to continue the use of both sheds for this purpose was refused in July 2005 due to the scale of the use and its impact on the surrounding highway network. A further application for continuation of this use was refused in 2006. The unauthorised storage and distribution use ceased some years ago.
- 1.4.2 An application for change of use of the building to a mechanics workshop was submitted in 2015 but the application was invalid and was not pursued.
- 1.4.3 Officers are currently handling an application seeking a Certificate of Lawfulness of existing use / development in relation to a use of part of the southern section of the building as a single dwellinghouse. Officers do not consider it necessary to delay the determination of this standalone proposal for the business use due to the aforementioned certificate of lawfulness application as the assessments for both applications are distinct from each other.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The application has arisen from compliance investigation following receipt of complaints.

2. **DETAILS OF PLANNING HISTORY:**

2.1 34/1927 Erection of poultry house, GRANTED 13/04/1977

2.2 34/8463 Erection of additional poultry shed and extension to existing one, GRANTED 27/01/1987

2.3 23/2004/0940 Change of use of existing agricultural building to storage and distribution (retrospective application) REFUSED on 24/03/2005

Reason:

1. *The proposal, by reason of the scale and nature of the use, impact on local landscape and inadequate surrounding road network would conflict with criterion i), ii) and iv) of Policy GEN 6 and criterion a), d) and g) of Policy EMP 5 and Planning Guidance (Wales) TAN (WALES) - Agricultural Rural Development.*
2. *The site is approached by means of narrow unclassified roads, that are substandard in width and alignment to serve the use. The proposal would result in a material increase in the volume and type of vehicular traffic using these roads with consequent additional dangers to all highway users.*

2.4 23/3005/1403 Continuation of use of former agricultural building as storage and distribution (retrospective application) REFUSED at Planning Committee on 22/03/2006

Reasons:

1. *The proposal, by reason of the scale and nature of the use, impact on local landscape and inadequate surrounding road network would conflict with criterion i), ii) and ivv) of Policy GEN 6 and criterion a), d) and g) of Policy EMP 5 and Planning Guidance (Wales) TAN (WALES) - Agricultural Rural Development.*
2. *The site is approached by means of narrow unclassified roads, that are substandard in width and alignment to serve the use. The proposal would result in a material increase in the volume and type of vehicular traffic using these roads with consequent additional dangers to all highway users.*

2.5 23/2015/0016 Change of use of agricultural to vehicle/caravan storage and vehicle repairs/renovations specifically classic vehicle restorations (retrospective application) INVALID

2.6 23/2019/0268 Existing lawful development certificate for the change of use of part of building to a single dwellinghouse.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

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

Policy PSE5 – Rural economy

Policy ASA3 – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Re-use and adaptation of rural buildings

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

Technical Advice Note 6 - Planning for Sustainable Rural Communities

Technical Advice Note 18 – Transport

Circulars

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 Visual amenity

4.1.3 Residential amenity

4.1.4 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

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

use. Policy PSE 5 lends further support to developments which help to sustain the rural economy with employment proposals supported subject to compliance with four criteria, namely:

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

The Community Council have raised concerns regarding the appropriateness of the commercial development within an agricultural building, the location of this form of development in the open countryside, and the need for the use.

Having regard to the concerns raised by the Community Council, there are planning policies in place which allow for the conversions of buildings in the open countryside to commercial use. The introduction of a commercial use is therefore considered acceptable in principle in relation to policies PSE 4 and 5.

It is a consideration in relation to the application that the business currently employs 7 full time staff and attracts an international client base which would, it is considered, have a positive benefit for the economy of the local area.

With respect to the comments about the need for this development in the area, there is no Planning Policy requirement to establish need for a commercial use in an existing building.

Having regard to the above, Officer opinion is that the acceptability of the use should rest on the assessment of localised impacts of the use which is assessed in the following sections of the report. The criteria of Policy PSE 5 as above are considered to have been met.

4.2.2 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.

No representations have been received raising visual amenity issues.

The proposal involves the use of an existing agricultural building with limited external changes impacting on its character. The application offers an opportunity for the Authority to secure improvements to the appearance of the open land surrounding the building, through appropriate hard and soft landscaping.

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.

No representations have been received raising residential amenity issues.

The closest residential properties to the site are located approximately 150m to the north west (Fron-deg) and south east of the site (Bryn Eglur).

It is considered that as the majority of the works on the classic cars are undertaken within the building, there are no significant noise nuisance issues likely to arise. It is relevant to mention that the existing use should be assessed in the context that the previous use of the building as a hen shed would have generated a potential for considerably more noise and disturbance, and over a 24 hour period. Officers are not aware of any residential amenity objections from residents relating to noise since the business has been in operation in 2012. The Council's Public Protection Officer has assessed the application and considers the information submitted is acceptable and raises no objection to the proposal.

Clearly, the application offers the opportunity for the Council to impose controls over the hours and days of use, and to oblige repair and testing of engines to be contained within the building. On this basis, it is therefore considered that the proposal is acceptable.

4.2.4 Highways (including access and parking)

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.

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.

No representations have been made in relation to highways impacts.

There are no access / highway alterations proposed. It is considered that the traffic flow arising from the proposed use is not any greater than that associated with the previous agricultural use and that it does not create any increased danger to the users of the highway. Highways Officers have raised no objection to the proposal and are of the view, given this is a retrospective application and the business has been in operation since 2012 without any highways related issues arising, and also the nature of the business with appointments being made on a booking basis, it is considered that the proposal would not give rise to an increase in traffic being generated throughout the day and is considered to be acceptable in respect of highway impacts.

Other matters

Building Regulations matters

The Community Council have expressed concerns that the 'Structure Interface of the property is a construction of agriculture farm building and not a Commercial Building which does not comply with Building Regulations which is a Fire and Security issue for the site building.'

In noting the above comments, Members will appreciate that compliance with the Building Regulations is not a matter for consideration when assessing the merits of a planning application. Nonetheless, it would be standard practice to include a basic note to the applicant on any permission drawing attention to the need for building regulation approval, and to the fact that planning permission gives no guarantee that this separate consent would be forthcoming.

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 principle of the proposal is considered to be in accordance with planning policy and the localised impacts are considered to be acceptable, subject to appropriate conditions being attached to any permission.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 22nd May 2024.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Site & Plan Layout (Drawing No. 14/60 Rev A) - Received 25 March 2019
 - (ii) Existing and Proposed Elevations (Drawing No. 19/12) - Received 25 March 2019
 - (iii) Location Plan - Received 21 March 2019
3. The hours of operation of the business shall be limited to between 08:30 hours and 17:30 hours Monday to Friday with no working on weekends or Bank Holidays.
4. The roller shutter doors of the workshop building shall be closed at all times vehicles are being worked on, including when engines are being tested, and any grinding or impact wrench machinery, etc is being operated.
5. Notwithstanding the submitted plans, no external lighting shall be installed anywhere within the site without the formal written approval of the local planning authority to the detailing of the proposed lighting, including emergency/security lighting, how light spill is to be minimised, and to a management plan for the control of the lighting. The details shall include the design of the lighting and associated columns / means of fixture to buildings, their position, height, the means and intensity of illumination, hooding, the extent of lumination and the anticipated spread of light, and where relevant, the hours of operation and ideas for the use of lower intensity lighting at night. The lighting strategy shall be implemented and managed strictly in accordance with the approved details.
6. The use forming the subject of this permission shall not be permitted to continue beyond 31st December 2019 unless:
 - a) The written approval of the Local Planning Authority has been obtained to a detailed scheme of hard and soft landscaping for the site, to include a detailed layout showing the location of parking areas for staff, visitors and restored vehicles, proposals for additional tree / shrub planting and related grassed areas, proposals for the storage of waste material arising

from the use with associated screening, any additional fencing / screening, and any changes to the surfacing of any of the hard surfaced areas.

b) The approved scheme has been fully implemented

Any trees / shrubs which die, are damaged or removed within a period of 5 years from being planted shall be replaced with ones of similar species in the next available planting season.

7. There shall be no storage of items to be used in connection with, or arising from the restoration of vehicles, including scrap material, machinery, materials and waste, on any part of the site outside the building, other than in accordance with the plans approved under condition 6 of this permission.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interests of the amenities of occupiers of residential property in the locality.
4. In the interests of the amenities of occupiers of residential properties in the locality.
5. In the interests of residential amenity and to protect ecological interests.
6. In the interests of visual amenity.
7. In the interests of visual amenity.