

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

Tel: 01824 706800 Fax: 01824 706709

Heading

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

2



Application Site

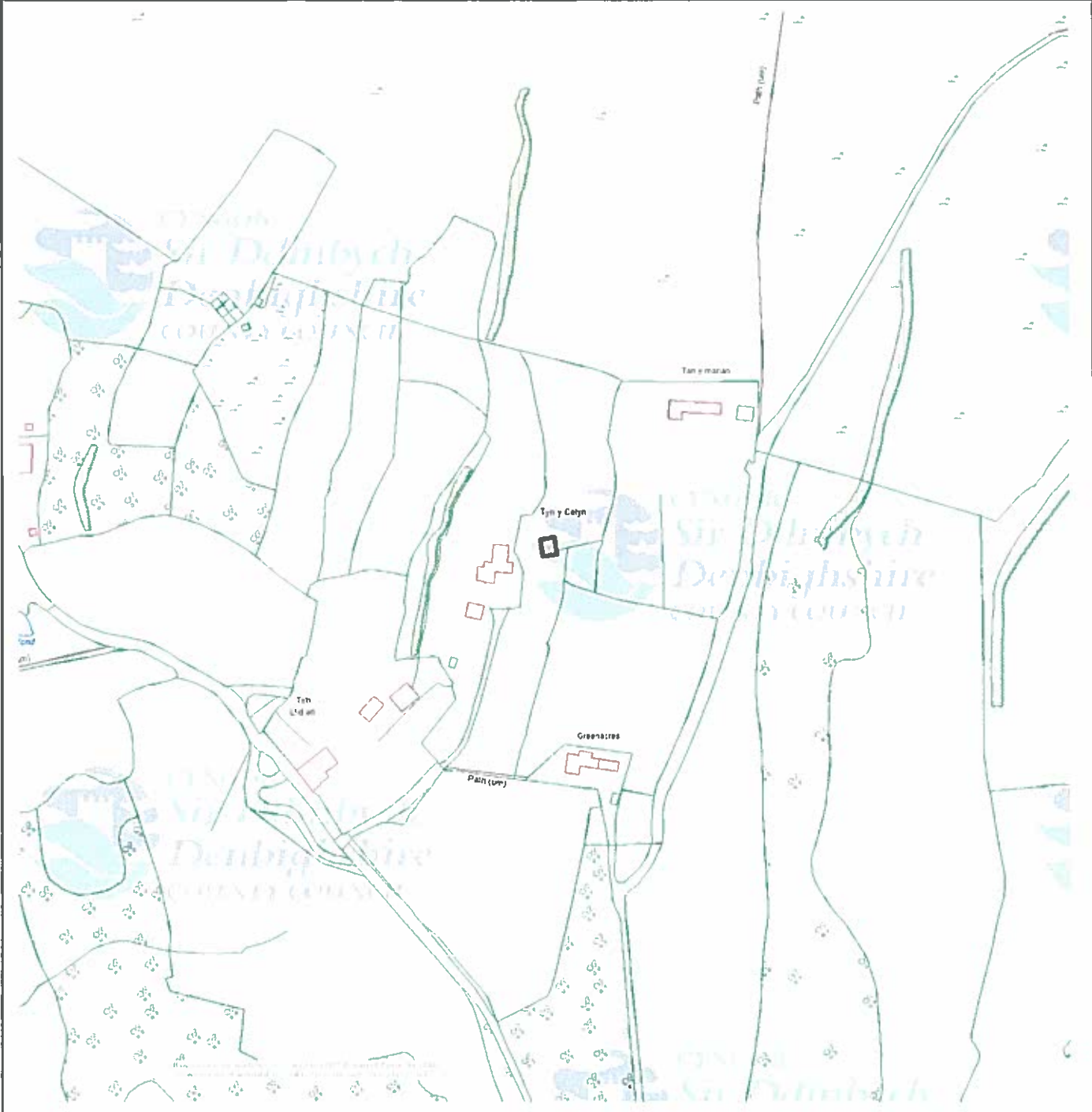


Date 3/2/2014

Scale 1/2500

Centre = 319096 E 358328 N

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



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
© Crown copyright. Unauthorized reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Denbighshire County Council. 100023408 2011

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

# SITE PLAN

15 / 2013 / 1284 / PF

RECEIVED  
 28 OCT 2013  
 CERNIGH  
 PLANNING SERVICES  
 DEBENHAM COUNTY COUNCIL



**PROSED OFFICE STUDIO**

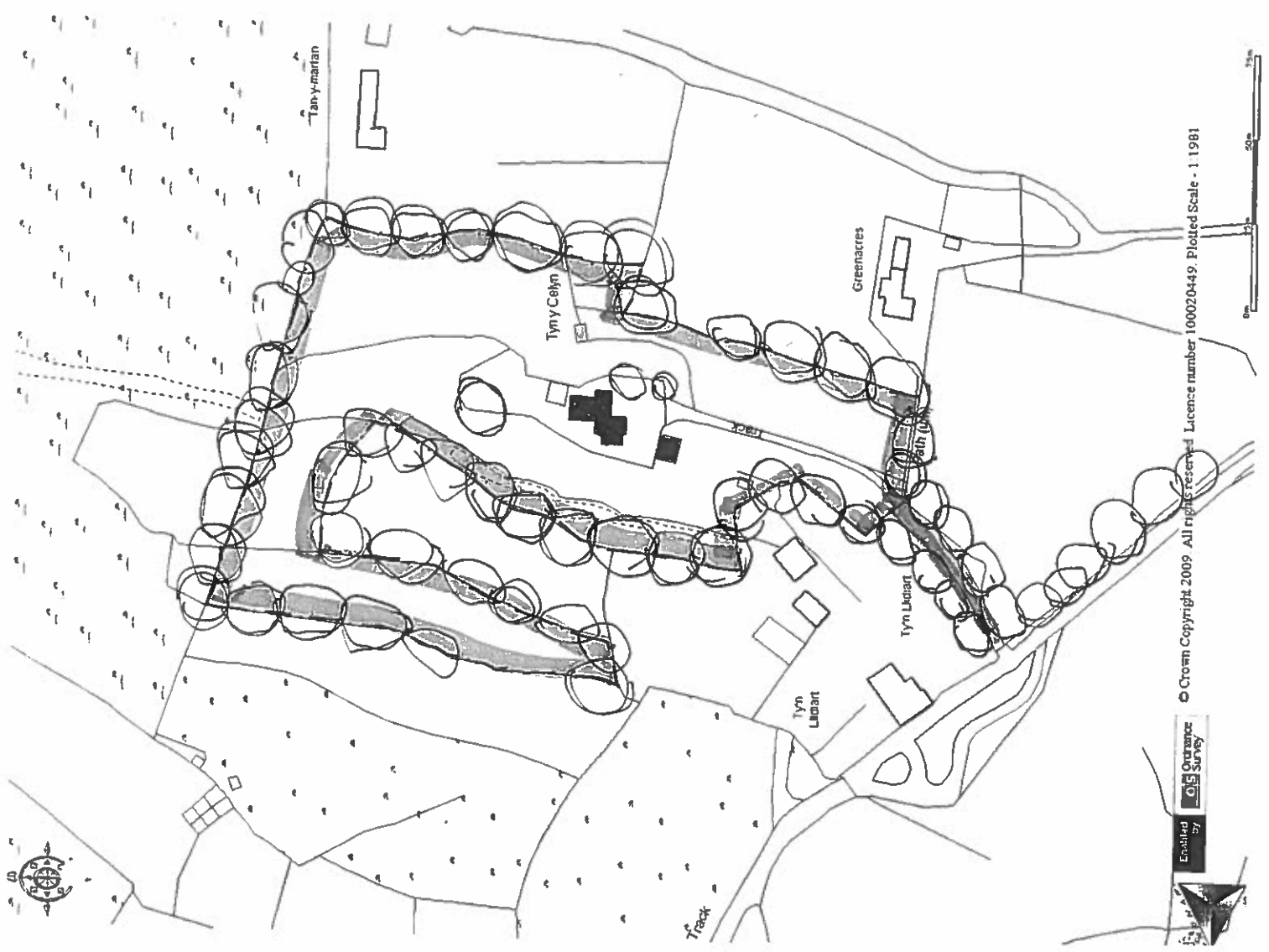
NEW FOOTPATH TO FOLLOW PEDESTRIAN PREFERRED ROUTE BEFORE FORMATION.

new path and ramps

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

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

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



SITE PLAN SCALE 1:250

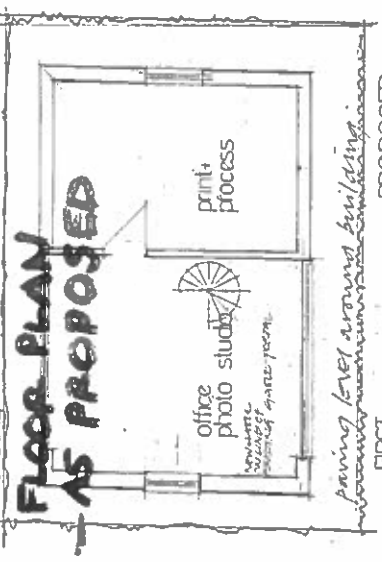
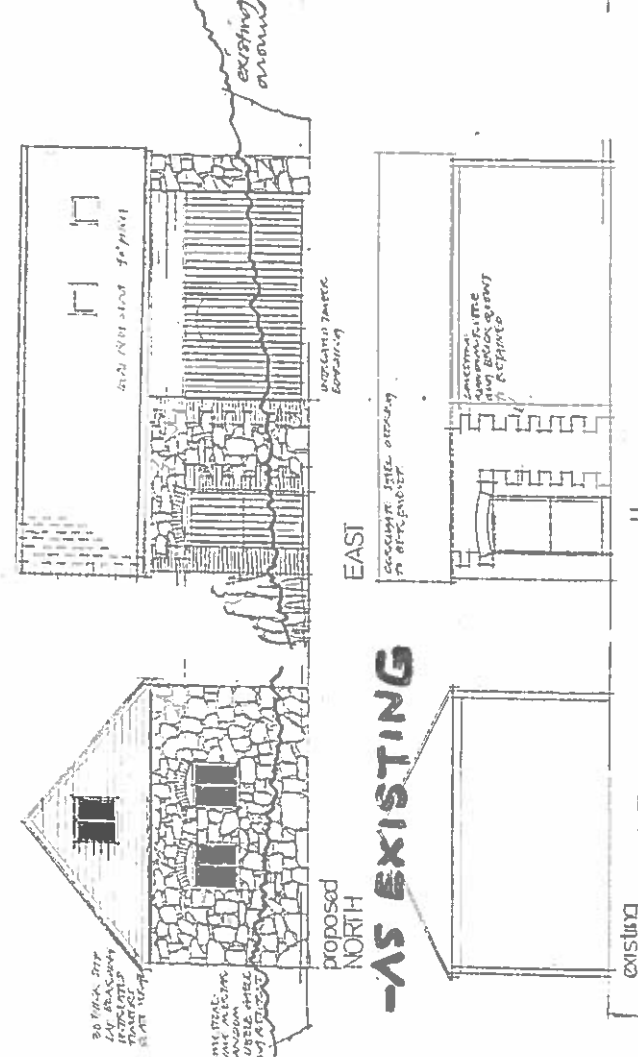
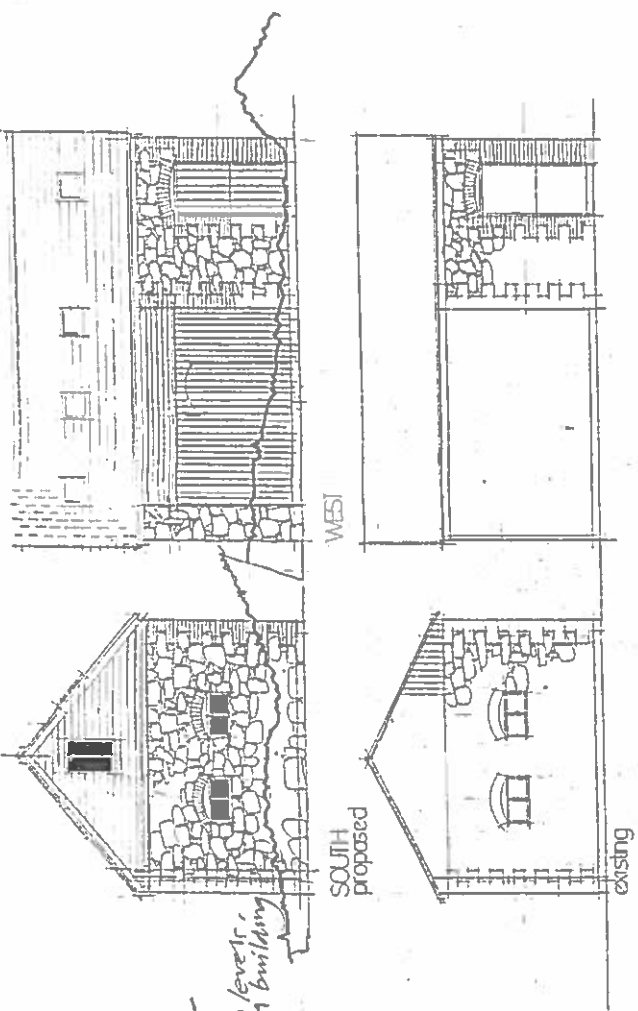
© Crown Copyright 2009 All rights reserved Licence number 100020449. Plotted Scale - 1:1981



Enabled by

15 / 2013 / 1204 / P F

**ELEVATIONS - AS PROPOSED**



PROPOSED CONVERSION OF STORAGE OUTBUILDING TO  
 1) GROUND FLOOR OFFICE AND UTILITIES and  
 2) ROOF SPACE TO STUDIO and FILM PROCESS

TYN Y CELYN  
 BRYN HAIDD  
 LLANARMON YN AL  
 CH7 5TF  
 R. Long Esq. Owner

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

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

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

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

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

**CONSULTATION RESPONSES:**

**LLANARMON YN IAL COMMUNITY COUNCIL:**

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

**AONB JAC**

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

**NATURAL RESOURCES WALES**

No objection.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEEES –  
Biodiversity Officer**

No objection.

**Head of Highways and Infrastructure**

- Highways Officer

No objection.

**RESPONSE TO PUBLICITY:**

None.

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

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

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

## PLANNING ASSESSMENT:

### 1. THE PROPOSAL:

#### 1.1 Summary of proposals

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

#### 1.2 Description of site and surroundings

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

#### 1.3 Relevant planning constraints/considerations

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

#### 1.4 Relevant planning history

- 1.4.1 No recent planning history.

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

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

## 1.6 Other relevant background information

1.6.1 None.

## 2. DETAILS OF PLANNING HISTORY:

2.1 None.

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

Policy PSE 5 - Rural Economy

Policy VOE 1 - Key areas of importance

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

Policy VOE 5 - Conservation of Natural Resources

3.2 Supplementary Planning Guidance

SPG 16 - Conversion of Rural Buildings

SPG 18 - Species Protection and Nature Conservation

3.3 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

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

Technical Advice Note 12 – Design (2009)

## 4. MAIN PLANNING CONSIDERATIONS:

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

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

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

4.1.1 Principle

4.1.2 Visual amenity

4.1.3 Residential amenity

4.1.4 Ecology

4.1.5 Highways (including access and parking)

4.1.6 Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

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

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

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

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

#### 4.2.2 Visual amenity/AONB

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

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

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

#### 4.2.3 Residential amenity

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

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

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

#### 4.2.4 Ecology

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

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

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

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

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

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

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

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

#### 4.2.6 Other matters

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

## 4 SUMMARY AND CONCLUSIONS:

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

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

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



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

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

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

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

#### **Biodiversity**

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

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