

Heading:

REFERENCE 03/2014/0472
LLANGOLLEN COMMUNITY HOSPITAL AND
CAR PARK, ABBEY ROAD, LLANGOLLEN

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

Tel: 01824 706800 Fax: 01824 706709

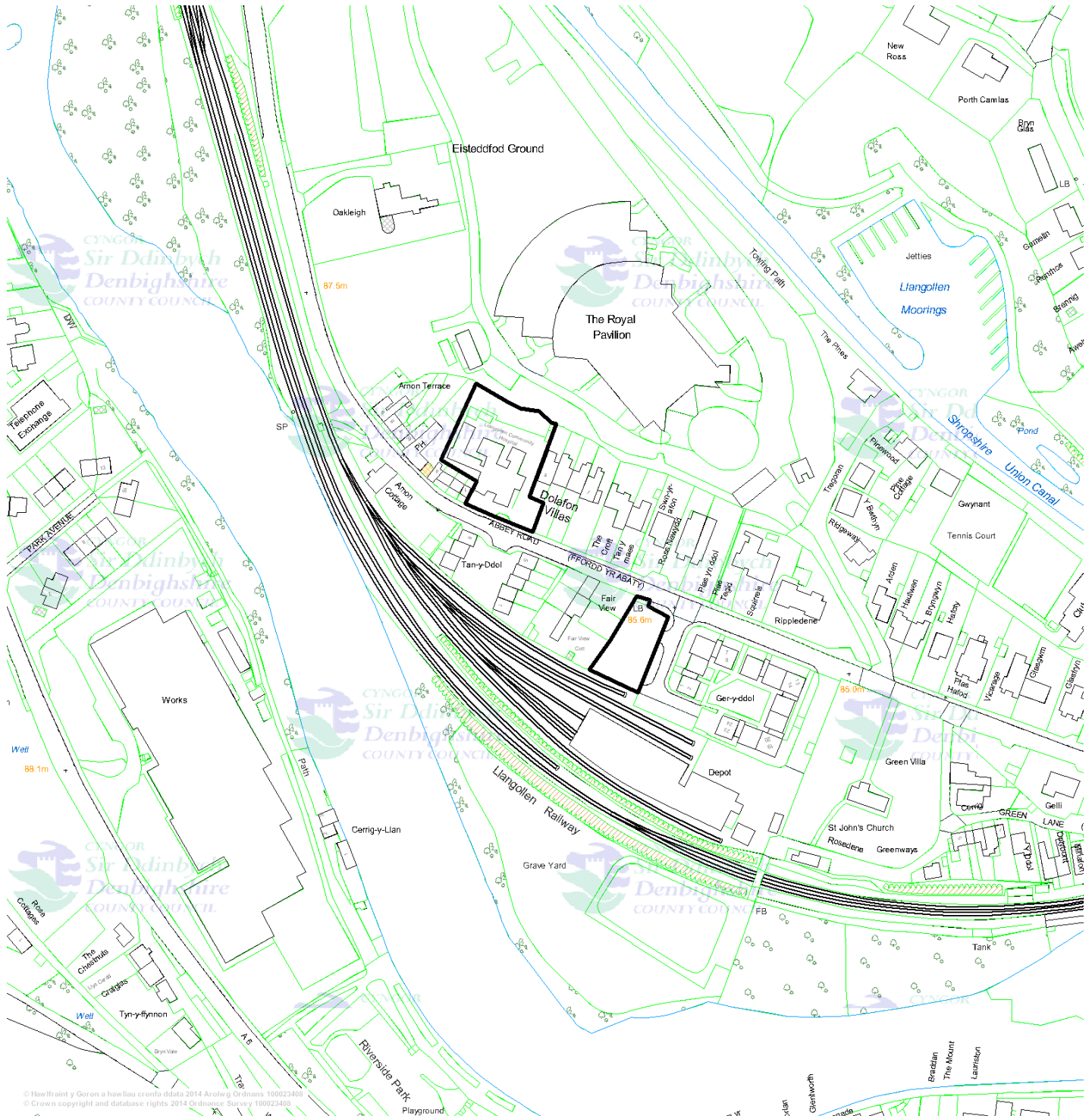
 Application Site

Date 2/3/2015
Centre = 321135 E 342331 N

Scale 1/2500



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

HOSPITAL SITE PROPOSED LAYOUT

Schedule of Accommodation	
HOUSES	
3 Bed / 5 Person (92m ²) -	4 units
2 Bed / 4 Person (88m ²) -	2 units



KEY:



Denotes area of building to be retained & protected due to presence of Phytochrome B. All set by approval of the Local Authority Ecologist/Planning Officer.

Denotes area to receive terracastam finish

Denotes area to receive grass finish

Denotes new shrub planting. Exact type to be agreed. Refer also to Planting Schedule.

Denotes new surface water soakaway & 1.80 associated drainage run.

Denotes new trees planned in mitigation. Refer to Tree Specialists report. Final planting type to be to Tree Specialists recommendations/UA approval.

Denotes new foul water (1:40) drainage run connecting to erg manhole in road. Exact inverts to be established prior to works commencing.

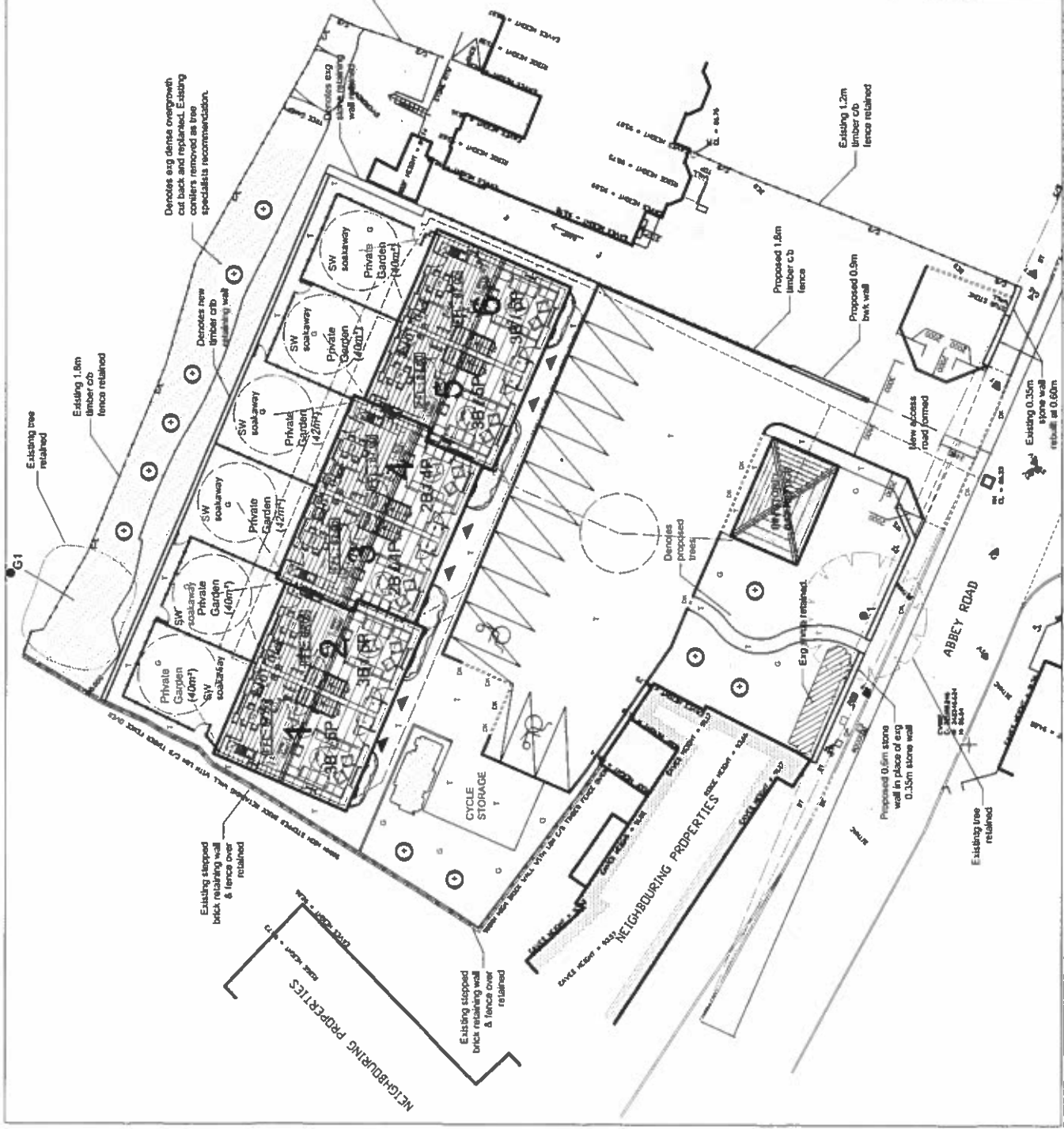
- H 190113 - Updated layout to tree survey.
- F 07/08/19 - Updated layout to meeting with Planners.
- E 30/09/19 - Updated layout to Planning meeting.
- D 02/04/14 - Validity study added for Client meeting with Highway.
- C 29/02/14 - Scheme updated Layout to Client meeting and layout ERM.
- B 30/07/13 - Additional annotation added.
- A 22/06/13 Unit size / rear garden size amended.

CYMBEITHAS TAI CLWYO
SITE AS PROPOSED
(Hospital Site)

Llangollen Hospital Sites

Scale: 1:250
Drawing No: 6928/L(9)01

ORIGINAL DRAWING SIZE 420 x 297 (A3)



0 10 20
50mm NATURAL SCALE

CAR PARK SITE PROPOSED LAYOUT

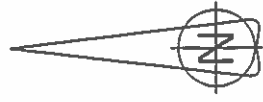
REVISED PLAN

RECEIVED
11 FEB 2015
DENBIGH COUNTY COUNCIL
PLANNING SERVICES
DENBIGH

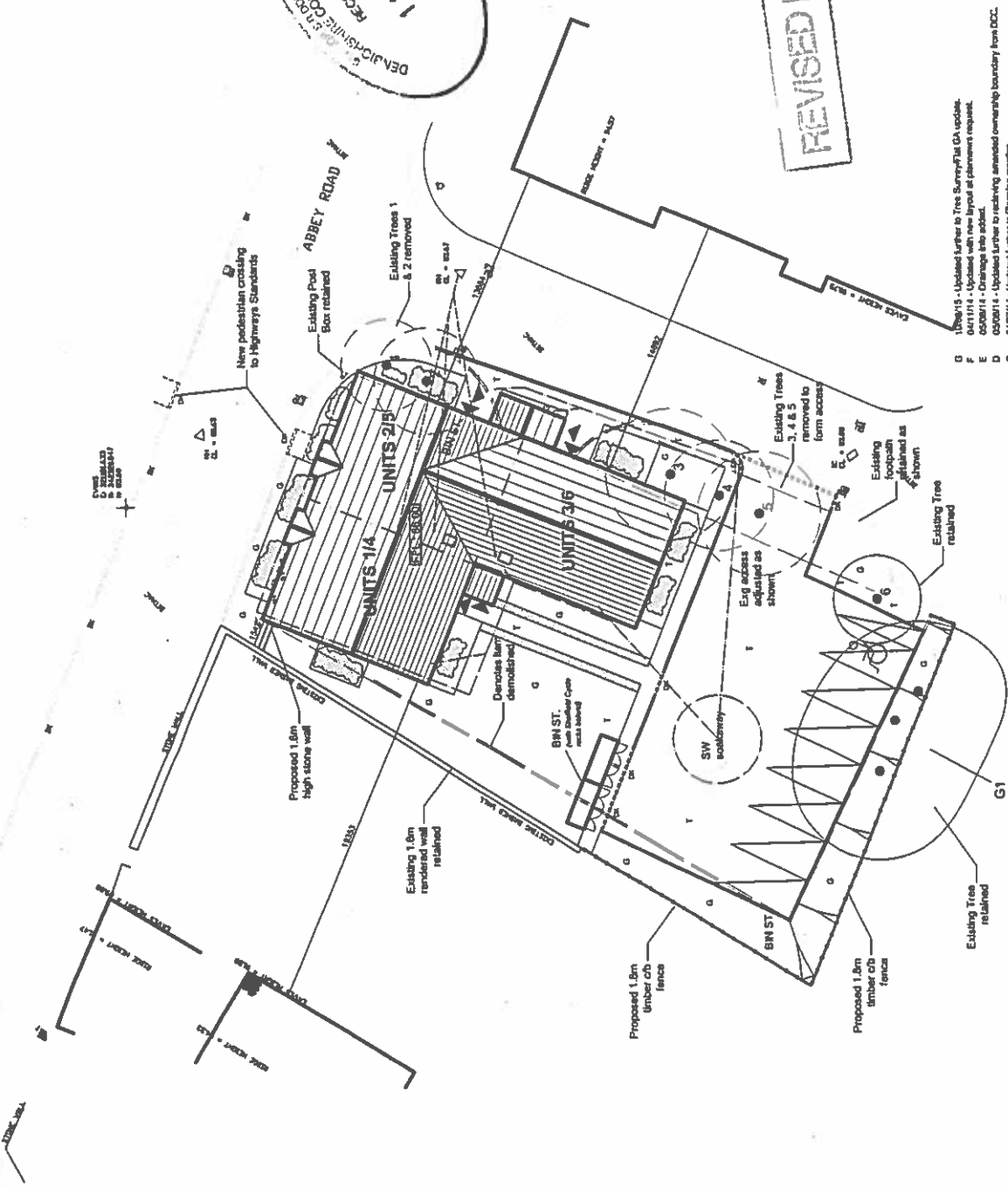
Schedule of Accommodation	
Apartments	
2 Bed/ 3 Person (66m ²)	6 units

KEY:

- T Denotes area to receive lambshead finish
- O Denotes area to receive grass finish
- Denotes new shrub planting. Exact type to be agreed. Refer also to Planning Schedule.
- Denotes new surface water soakaway & 1:30 associated drainage run.
- Denotes new foul water (1:40) drainage run connecting to existing manhole in road. Exact invert to be established prior to works commencing.



0 10 20 50mm NATURAL SCALE

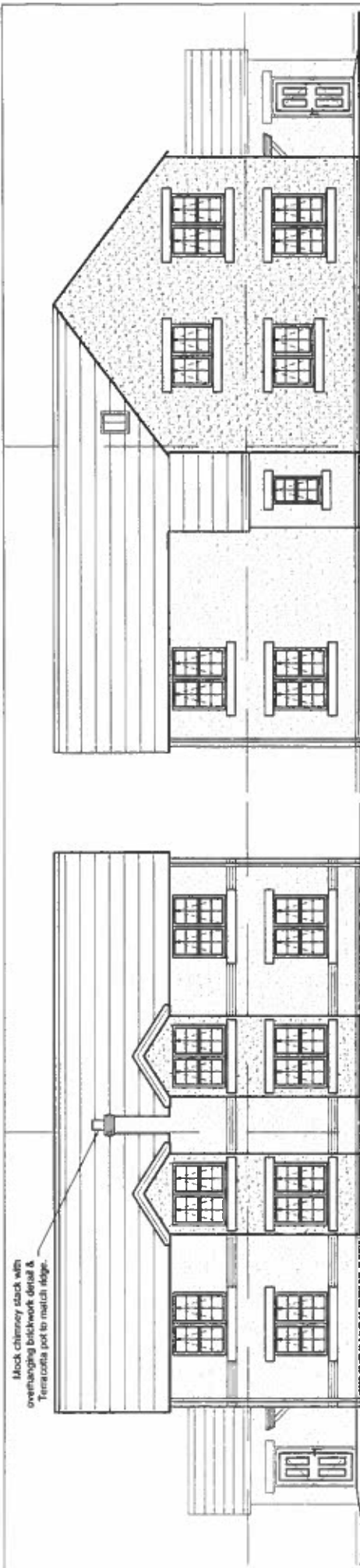


- G 150915 - Updated further to Tree Survey/TAI CA update.
- F 041114 - Update with new layout at planners request.
- E 050814 - Change the abut.
- D 050814 - Updated further to receiving amended ownership boundary from DCC.
- C 040714 - Updated further to Planning meeting.
- B 020414 - Visually update for Client meeting with Highways.
- A 250214 - Scheme updated further to Client meeting and App Ref. abut.

Client: **CYMRITHAS TAI CLWYD**
 Site: **SITE AS PROPOSED (Car Park Site)**
 Scale: 1:250
 Drawing No: **6928/L(9)02**

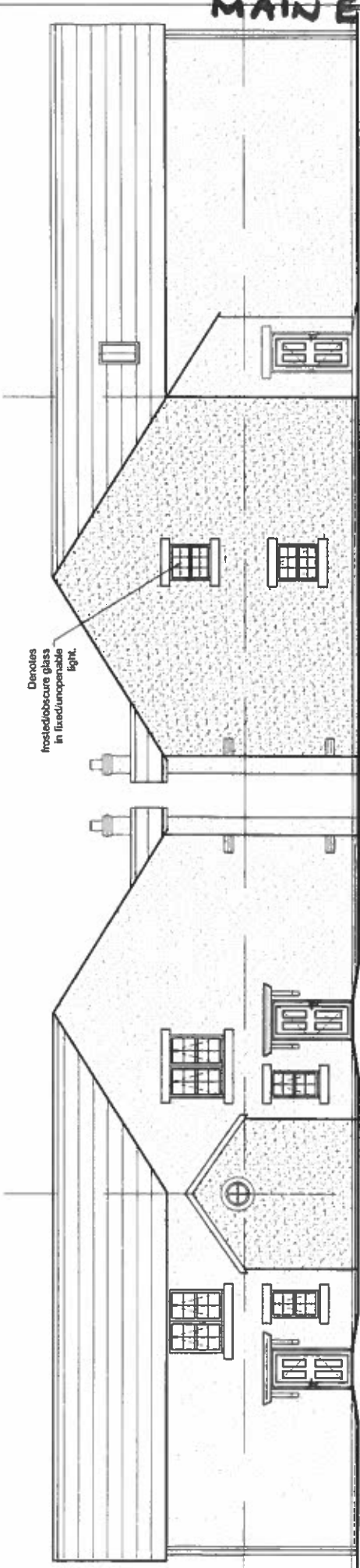
ORIGINAL DRAWING SIZE 420 x 297

**CAR PARK SITE
MAIN ELEVATIONS**



FRONT ELEVATION
FACING MAIN ROAD

REAR ELEVATION
FACING NEW CAR PARK



SIDE ELEVATION 1
FACING ADJACENT FLATS

SIDE ELEVATION 2
FACING ADJACENT COTTAGE

MATERIALS:

- Slate roofs with terracotta ridge tiles.
- Timber Georgian cottage style 4/ double glazed window & door units.
- Grey smooth render to main walls with grey brick pilasters, brick sash courses & stone window heads & cills as shown.
- Traditional style timber & leaded porches.
- Painted timber fascias & barge boards.
- Conservation style rooflights as shown.

1:100	1:100	1:100	1:100	1:100	1:100
1:100	1:100	1:100	1:100	1:100	1:100
1:100	1:100	1:100	1:100	1:100	1:100
1:100	1:100	1:100	1:100	1:100	1:100
1:100	1:100	1:100	1:100	1:100	1:100
1:100	1:100	1:100	1:100	1:100	1:100

TYPICAL FLAT ELEVATIONS

CYMBETHAS TAI CLWYD
Langollen Hospital Site
Car Park Site

6846/L(2)06

ORIGINAL DRAWING SIZE 420 x 297 (A3)

0 10 20 50mm NATURAL SCALE

Ian Weaver

WARD NO: Llangollen

WARD MEMBER(S): Cllr Stuart Davies (c)
Cllr Rhys Hughes (c)

APPLICATION NO: 03/2014/0472/ PF

PROPOSAL: Redevelopment of former hospital site by way of demolition of existing buildings and erection of 6 social housing units with associated access and parking provision; and development of ancillary car park opposite by the erection of 6 social housing units with associated access and parking provision

LOCATION: Llangollen Community Hospital and Car Park Abbey Road Llangollen

APPLICANT: Mr Bryn Davies Grwp Cynefin

CONSTRAINTS: None

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

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

- Recommendation to grant / approve – 4 or more objections received

CONSULTATION RESPONSES:

LLANGOLLEN TOWN COUNCIL

Original response

“Having considered the application, Members had no objections.”

Response to reconsultation

“Members had no objections to the application.”

LLANGOLLEN CIVIC SOCIETY

No objections. Would wish to see stone from demolished buildings used locally to support an embankment to tidy up the area.

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

No response received.

NATURAL RESOURCES WALES

No objections subject to imposition of conditions relating to proposals for bat mitigation.

DWR CYMRU / WELSH WATER

No response received.

CLWYD POWYS ARCHAEOLOGICAL TRUST

Confirms records indicate the site appears to have limited archaeological implications. As the proposals affect a stone hospital building dating to c.1900, a record of its architectural style and present state should be made. Recommend a condition is imposed on any permission requiring a standard photographic survey is carried out.

CADW

Comments only on potential impacts on Scheduled Ancient Monuments or Registered Historic Landscapes, Parks, and Gardens. Does not consider the proposals would be visible from the World Heritage Site and Scheduled Ancient Monument of Pontcysytte Aqueduct and Canal.

GLANDWR CYMRU CANAL AND RIVER TRUST

No comments to make

NORTH WALES POLICE ARCHITECTURAL LIAISON OFFICER

Requests consideration be given to Secure by Design principles.

WALES AND WEST UTILITIES

No objections. Draws attention to apparatus in the locality and the need for liaison in the event of development proceeding.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

Has advised there are no objections to the revised proposals, subject to inclusion of conditions

Conservation Architect

(Original submission)

Notes the character of the area on a scenic route into the town, with a number of Victorian and Georgian buildings, of 3 and 2 storey height. Raised questions over the proposed use of materials and standard house types, and suggested there should be some locally distinctive materials and detailing in relation to windows and doors.

Biodiversity Officer

No objections in principle, but requested further survey information in relation to the Hospital site, clarification of mitigation proposals, details of lighting, etc.

In response to additional details, has updated the Article 16 Assessment which concludes that the development can proceed without a detrimental effect on the maintenance of the favourable conservation status of the soprano pipistrelle population. Recommends the inclusion of conditions to ensure the recommendations in the updated Ecology report are followed, and to control long term site security and monitoring, and the detailing of any lighting.

Archaeologist

No objections. No known archaeological sites within the area proposed for development.

Housing and Community Development Service

There is a clear evidence of housing need within Llangollen for smaller 1 or 2 bedroom properties. The need for social rented properties of this type is clearly evidenced through the Local Housing Market Assessment and waiting lists.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

M.W. Callaghan, 3 Arnon Terrace, Abbey Road, Llangollen
M. Crumpton, Chair, Keep Llangollen Special, Hafod y Maidd, Llangollen
W. Beadle, Jenny Jones, Abbey Road, Llangollen
M. Dingley-Shortt, 4, Arnon Terrace, Abbey Road, Llangollen
Mrs. H. Birkenhead, 5, Ger y Ddol, Abbey Road, Llangollen
S. & R.J. Barber, 3, Ger y Ddol, Abbey Road, Llangollen
S. Joynson, Fair View, Abbey Road, Llangollen
Mrs. V.E. Ellis, Fair View Cottage, Abbey Road, Llangollen
L. Dacourt, 3 Dolafon Villas, Abbey Road, Llangollen
A. Stevenson, Cwmteg, Abbey Road, Llangollen
M and C Frodsham, 3 Tan y Ddol, Abbey Road, Llangollen
J. Williams 3 Rose Cottages, The Geraint, Llangollen
H. Forde, Bryn Ffynnon, Woodlands Road, Froncysyllte
C. Lund, Apartment 20, Plas Derwen, Abbey Road, Llangollen
I. Richards, Cherry Bank Stables, Dark Lane, Burton, Rossett
S Tuxworth, 4 Vicarage Road, Llangollen
D. Roberts, Swyn yr Afon, Abbey Road, Llangollen

Summary of planning based representations in objection:

Access / highways concerns

Entrance point to Hospital site development is proposed near a blind bend / would create dangers as traffic travels in excess of 30mph/ reduction in speed limit and traffic calming would be required if scheme proceeds / inadequate parking provision for 6 apartments and visitors on car park site / pedestrian crossing leaves limited braking distance for vehicles approaching round a blind bend and should be relocated to serve Ger y Ddol / limited pedestrian space

Development of hospital car park will result in loss of parking spaces used by local residents by verbal agreement with hospital over 20 years / what alternative is proposed for residents / parking in the town is at best abysmal without taking away this area / inadequate parking for flats on car park site / proposals would reduce visibility for vehicles exiting Ger y ddol

No public transport along Abbey Road as indicated in submission

Development of social housing

Concerns over 'social housing' and potential for problem families being housed in units / too many flats and apartments being built in Llangollen, affecting its character / no issue with properties being sold or part sold as starter homes for young couples but concern over rented properties and potential turnover of occupiers with consequent effect on care and maintenance of units

Public health concerns

Presence of asbestos in roofs of buildings to be removed and method of protecting nearby residents /

Residential amenity

Impact on privacy of nearby dwellings / overlooking / loss of privacy / overbearing impact / loss of sunlight / need for screen walls / potential overlooking and overshadowing of adjacent gardens / apartments would be close to Llangollen Railway sidings with associated noise and activity / no provision for garden areas for apartments on car park site, or open space within either site / units on car park site should be moved further from Fairview boundary / controls should be considered for construction stage works given congestion at Ger y ddol

Visual impact

Loss of attractive, historic stone building not justified / would retaining wall be necessary between railway sidings and apartments on car park site / development on car park site would diminish views of valley by local residents and visitors / why do so many trees on the car park site need to be removed when units could be repositioned / use of external materials needs to be carefully considered, e.g. buff bricks and stone on cills and quoins not red bricks, use of welsh slate / development should be maximum of two storey height / loss of frontage hedgerow regrettable on car park site

Ecological impacts

Hospital building contains an established bat roost / proposals to avoid disturbance or relocation need to be developed / barn owls are heard on a regular basis

Setting of listed building

Potential impact on the setting of Fairview (Grade II Listed Building)

Other matters

Questions over legality of ownership / consideration of application should be stopped pending resolution of dispute over ownership/ decision on application should be delayed until new Health Centre is complete and issue of safe pedestrian access to that site is resolved / if Health Centre scheme falls through the Cottage Hospital site remains an option for refurbishment for that use / hospital or hospital site should be utilised for the community, e.g. a hospice, doctor's surgery / traditional buildings should be preserved Lack of clarity over details, e.g. boundary walls and fences, treatment of trees, proximity to property boundaries / detailing should be resolved prior to any development.

No need for additional housing / preference would be to build social housing on the River Lodge site and retain the hospital for health centre use

What is to happen with No 1 Dolafon Villa

No consideration given to sustainability features, e.g. solar panels
Inaccurate description of Abbey Road in application documents (refers to commercial hotels, offices and public transport; derelict hospital site, good local shops - which do not reflect reality)

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- 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 The application seeks full planning permission for development of social housing units for control by Grwp Cynefin Housing Association, on two sites either side of Abbey Road in Llangollen:

- a. The demolition of the former Llangollen Community Hospital on the north side of the A542, and the erection of 6 linked houses (4 three bed/ 5 person units, 2 two bed/ 4 person units), with related access and parking arrangements. The proposal involves creating a Bat refuge / bin store, cycle parking, and separate access to serve the dwellings and a new access to serve No 1 Dolafon Villas, which is outside the application site. The access detailing has been revised since submission of the original plans, moving the main entrance some 15 metres further away from the bend in the A road close to the Jenny Jones.
- b. The erection of 6 apartments (all 2 bed / 3 person units), on land on the south side of the A542 previously used for parking purposes in connection with the hospital, with related access and parking arrangements. Access onto Abbey Road would be as existing, off the entrance serving the adjacent Ger y Ddol development.

The plans at the front of the report show the main details of the development.

1.1.2 The application is submitted by agents acting on behalf of Grwp Cynefin. The ownership certificate confirms notice has been served on Betsi Cadwalladr University Health Board as the owners of the site.

1.1.3 The application was originally submitted in April 2014 and was revised in February 2015. It is accompanied by a number of plans including the layouts for the two sites, the house and apartment detailing, separate Design and Access Statements relating to the two sites, separate Code for Sustainable Homes Pre-assessment reports for the two sites, a bat roost assessment relating to the old hospital buildings, and an Arboricultural Impact Assessment.

1.1.4 The Design and Access Statements provide background information in relation to the proposals :

- The hospital site

The site has been left derelict after closure in early 2013

The erection of new housing would provide much needed affordable residential properties close to the town centre and nearby amenities

Abbey Road is lined by houses of varying ages and styles on both sides

The units are proposed as rented homes under the control of Grwp Cynefin.

Evidence is provided of need for 2 and 3 bed houses in Llangollen.

The units will significantly improve the appearance of the site and street scene, and elevations are designed to a traditional scale reflecting adjoining buildings.

Accessibility issues have been taken into account

A commuted sum payment would be made in lieu of on site provision of open space.

12 parking spaces are proposed, including 2 disabled bays, and secure cycle parking. The level of parking is considered appropriate for the type of development in a town centre location.

Environmental Sustainability standards would be met.

Secure by Design accreditation would be sought in liaison with local police.

- The old car park site

The car park was ancillary to the Community Hospital opposite, and has been left redundant since the hospital closure. Casual use of the car park has been by default and loss of the parking area will not affect the sustainability of Llangollen as a tourist destination. Adjoining properties have their own parking spaces. Use by Llangollen railway volunteers has been without authorisation by the owners. The same points noted in the Statement relating to the Hospital site are repeated in respect of detailing of the units, proximity to the town centre, and local character.

7 parking spaces are proposed, including 1 disabled bay.

Evidence is provided of need for flats in Llangollen.

Secure by Design accreditation would be sought in liaison with local police.

Developing the site for flats is considered to make best use of the site and the nature of the development reflects the demand in Llangollen for flats.

The detailing of the units has been revised following dialogue with the Conservation Officer.

1.2 Description of site and surrounding

1.2.1 The sites are located either side of Abbey Road as it runs north west from the centre of Llangollen, the car park site being some 100 metres from St John's Church, and the hospital site being some 180 metres from the church.

1.2.2 The car park site backs on to sidings associated with Llangollen Railway and lies between residential development at Fair View, and the flats at Ger y Ddol. It has a number of trees and hedges on its perimeter and a post box on the Abbey Road frontage. It has a capacity of about 15 cars and has been used historically in conjunction with the Community Hospital and informally by local residents and visitors, and as it has never been fenced off since closure of the hospital, continues to be used on an informal basis. Its vehicular access is off the private road serving Ger y Ddol which feeds off Abbey Road.

1.2.3 The hospital site lies between the old Jenny Jones pub, behind a terrace of 4 dwellings on Abbey Road (Arnon Terrace), and at the side of residential property at Dolafon Villas. It backs on to a steeply wooded bank bordering the Llangollen Eisteddfod field. The hospital site and No. 4 Dolafon Villas is served by a longstanding access onto Abbey Road.

1.2.4 Aside from the Llangollen Railway and the Eisteddfod field, the majority of surrounding properties in the area are in residential use, with a mix of detached, semi detached and linked terrace developments.

1.2.5 Land levels are relatively flat in this area.

1.3 Relevant planning constraints/considerations

1.3.1 The sites are within the development boundary of Llangollen in the Local Development Plan, but have no specific use designation.

1.3.2 Fairview, the dwelling to the west of the site, is a Grade II listed building.

1.4 Relevant planning history

1.4.1 None of specific relevance to this application.

1.5 Developments/changes since the original submission

1.5.1 Officers have engaged in dialogue with the applicants and agents in the course of progressing the application, to seek revisions to the detailing of the proposals. Revised plans and documents clarifying a range of points were received in early February 2015 and a reconsultation has been undertaken with consultees and neighbours/ private individuals on these details. The revised plans include a resiting of the units and parking area on the car park site and an extension of the hospital application site to include for access arrangements to serve No 1 Dolafon Villas.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 None of relevance to the application.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD 1 Sustainable Development and good standard design
Policy RD 5 The Welsh language and the Social and cultural fabric of communities
Policy BSC 1 Growth Strategy for Denbighshire
Policy BSC 4 Affordable Housing
Policy BSC 11 Recreation and Open Space
Policy BSC 12 Community Facilities
Policy VOE 1 Key areas of importance
Policy VOE2 Area of Outstanding Natural Beauty and Area of Outstanding Beauty
Policy VOE3 Pontcysyllte Aqueduct and Canal World heritage Site.
Policy ASA 3 Parking Standards

3.1 Supplementary Planning Guidance

Supplementary Planning Guidance Note 4: Recreational Public Open Space
Supplementary Planning Guidance Note 8: Access for all
Supplementary Planning Guidance Note 22 Affordable Housing in New Developments
Supplementary Planning Guidance Note 25: Residential Development Design Guide
Supplementary Planning Guidance : Welsh Language Supplementary Planning Guidance

3.2 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014
TAN 1 Joint Housing Land Availability Studies (2006)
TAN 5 Nature Conservation and Planning (2009)
TAN 12: Design (2009)
TAN 20: The Welsh language – Unitary Development Plans and Planning Control (2000)
TAN 22: Planning for Sustainable Buildings (2010)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, 2014 (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 Change of use from community facility
- 4.1.3 Visual amenity
- 4.1.4 Residential amenity
- 4.1.5 Ecology
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)
- 4.1.8 Affordable Housing
- 4.1.9 Open Space
- 4.1.10 Density of development
- 4.1.11 Inclusive design
- 4.1.12 Contaminated land
- 4.1.13 Area of Outstanding Natural Beauty/Area of outstanding beauty
- 4.1.14 World Heritage Site considerations
- 4.1.15 Loss of parking area
- 4.1.16 Archaeology

4.2 In relation to the main planning considerations :

4.1.1 Principle

The main Local Development Plan Policy relevant to the principle of the development is Policy BSC 1. This policy seeks to make provision for new housing in a range of locations, concentrating development within development boundaries of towns and villages.

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

The principle of residential development in this location is consistent with the policies of the LDP. There is no requirement for a developer to establish the need for dwellings within the development boundary of a town. Officers would respectfully suggest the acceptability of the particular proposals therefore has to rest on the specific impact assessments and assessment against planning policies detailed in the following sections of the report.

4.1.2 Change of use from Community Facility

Policy BSC 12 of the Local Development Plan supports proposals for the provision of community facilities within development boundaries and outside boundaries, where they provide an essential facility to support the community. The second part of the policy refers to change of use from a community facility and indicates proposals could be refused unless it can be shown that the potential for continued use of the facility is unviable or unsuitable.

There are representations suggesting the Hospital should be reopened and that the process relating to the demolition is not completed. There are comments on the facilities offered at the Llangollen Health Centre and at the accessibility of the new Health Centre under construction on Mill Street.

The applicant's agents have advised that the decision to close the hospital was made at a Board meeting of BCUHB in January 2013, following formal public consultation. They state that papers from that Board meeting outline clearly how services would be changed, as a result of which the hospital was no longer required. These changes included the development of a Primary Care Resource Centre in Llangollen, which is currently under construction and is due to open in the summer of 2015. It is indicated that the Site Option Appraisal undertaken for the replacement PCRC development discounted use of the Hospital and the site was declared surplus to use. It is further stated that under Welsh Health Circular (2007) 088 – Affordable Housing Protocol, Health Boards in Wales are obliged to offer any surplus land or buildings considered to have potential for residential development for the development of affordable housing in the first instance. In accordance with the Protocol, the availability of Llangollen Hospital was offered and an appropriate Registered Social Housing Landlord was nominated, resulting in the submission of the planning application for residential development.

In acknowledging local concerns over the closure of the Community Hospital in 2013, it is apparent that this was a decision taken as part of a programme of reorganisation by the Betsi Cadwaladr University Health Board, involving assessment of the principles and the viability of delivering Primary Care in the area. In this context, Officers' opinion is that the planning policy is not an opportunity for the County Council as Planning Authority to pass retrospective judgement on Welsh Government and Health Board procedures on the viability of delivering services, or to question the now historic decision to close the Community Hospital. It is not considered the proposals are in conflict with policy BSC12.

4.1.1 Visual amenity

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

There are objections to the loss of the stone buildings on the hospital site, to the loss of trees and hedgerows on the car park site, and to the impact on the outlook from existing property. The Conservation Officer has been in dialogue with the applicant's agent to secure improvements to the detailing of the development, and this has resulted in the submission of revised plans in February 2015.

In respecting the comments raised, Officers' opinion is that the proposals are acceptable in terms of impact on visual amenity. The original Hospital buildings have been altered and extended over time and are of limited architectural / historic merit. The design and layout of the units on both sites have been improved in collaboration with the Conservation Officer and it is considered that the detailing would be sympathetic to the character of development in the locality. Controls would be necessary over the use of materials on the buildings. There are detailed replanting proposals on both sites which would compensate for the loss of trees. Loss of view across a site is not a matter which could justify a refusal of permission.

4.1.2 Residential amenity

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

There are local concerns expressed over the impact of the development on adjacent property, the absence of any garden areas for the units on the car park site, including potential for overlooking, loss of privacy, noise, and disturbance.

Having due regard to the comments received, Officers do not consider there are any strong residential amenity grounds for resisting this development. Levels of privacy and amenity would be safeguarded through the distances between properties, the orientation and detailing of the proposed units and associated boundary screening and planting. There has historically been a degree of noise and disturbance from activity relating to the Hospital and car park uses of the two sites. The layout on the car park site has been revised to move the flats away from the boundary with sidings at Llangollen Railway, to limit noise and disturbance for occupiers of proposed units. Controls over activities at construction stage can be exercised through the inclusion of appropriate condition(s).

4.1.3 Ecology

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

where damage is unavoidable.

There are concerns expressed by individuals over an established bat roost in the hospital buildings which requires detailed mitigation proposals if development is to go ahead. The County's Biodiversity Officer requested additional information to assess the proposals, and on the basis of this material, has no objections subject to the inclusion of conditions to ensure implementation of specific measures to address impacts.

Subject to the inclusion of conditions as requested by the Biodiversity Officer, it is suggested the proposals would not have adverse impacts on ecological interests.

4.1.4 Drainage

Local Development Plan Policy RD 1 test (xi) requires that development satisfies physical or natural environmental considerations relating to drainage and liability to flooding. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed.

There are no representations expressing concern over the potential effects of development on drainage or flooding.

In relation to drainage matters, it would be appropriate to attach standard conditions in relation to the submission of details prior to the carrying out of relevant site works.

4.1.5 Highways (including access and parking)

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

This is a full planning application showing details of the proposed access and parking arrangements for the two sites. There are concerns from private individuals over the highway / access implications of the development, set out in the summary of representations – primarily issues over the safety of the location of the originally proposed new access to serve the 6 units on the hospital site, and the loss of the parking spaces on the old hospital car park. The plans have been revised to address concerns over the location of the access to the units on the Hospital site and the Highways Officer has advised there are no objections to the proposals, subject to suitable conditions.

It is not considered, having regard to the revised detailing of the proposals, that there are any strong highway grounds to refuse permission here. The access onto Abbey Road from the Hospital site has been relocated further to the east to increase the distance from the bend close to the Jenny Jones, which is acceptable to the Highway Officer. The car park site would have 7 parking spaces, which is less than half that which it has provided as a facility for the Hospital, so it is not considered there are any highway safety issues over the continued use of the existing entrance serving Ger y Ddol. The Highway Officer has no concerns over the number of parking spaces proposed to serve either site.

In relation to comments on the 'loss' of the parking area, it is respectfully to be noted that this has been used in connection with the hospital and its purpose was to service that use. The Hospital use has now ceased. It is essentially private land which residents and visitors have used over time on an informal basis, and there is unlikely to be any legal right for anyone to park there. The land could be fenced off by the owners at any time. In understanding wider issues in Llangollen in relation to the availability of public parking spaces, Officers would recommend strongly against opposing this development on grounds that it involves the loss of a parking area, having regard to the fact it is private land

4.1.6 Affordable Housing

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

The proposal is submitted on behalf of a Housing Association, who have indicated the units would be affordable for rent. There are concerns expressed by private individuals over the provision of social housing and rented properties, including the potential for rapid turnover of tenure. The Housing officers have confirmed support for the application and that there is evidence of need for the type of properties proposed in Llangollen.

Officers' view on the affordable housing issue is that the proposals merit support. There is no requirement to demonstrate need for affordable units on a site within a town boundary. Respectfully, dislike of affordable housing and rented properties and fears of behavioural problems are not reasonable grounds for refusing a planning application of this nature.

4.1.7 Open Space

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

There are representations pointing to the absence of open space on either site. The applicants have advised that the intention would be to meet the Council's Open Space requirements by way of a commuted sum payment.

In Officers' opinion, the offer of a commuted sum payment in lieu of on site provision of open space in connection with a development of this nature involving two small sites with 6 units on each in a town location is an appropriate approach and a sum based on the Council's standard formula for the number of units would be appropriate, contributing to the improvement of recreational facilities in town. The mechanism for payment can be secured through inclusion of a standard condition if permission were to be granted. Private gardens are proposed for all the units on the Hospital site, and there is a communal external area proposed for the flats on the car park sites. The provision of a communal open space area is considered an acceptable option in relation to flat developments.

4.1.8 Density of development

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

There are no representations specifically over the numbers of dwellings proposed and the density of development.

The total site area is indicated as 0.3 hectares on the application form. Application of the density figure referred to in Policy RD1 would give an indicative number of 11/12 dwellings for the site area involved. The development would therefore be consistent with the density figure referred to in RD1.

4.1.9 Inclusive design

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

The applicants agents have confirmed that in the course of detailing up the proposals, due regard will be had to legislation and the needs of various groups.

Officers' view on the issue is that the two parts of the site are relatively flat and that the units will be easily accessible at ground floor level. A planning condition and suitable note to applicant should nonetheless be attached to oblige submission of detailed measures proposed to ensure accessibility.

4.1.10 Contaminated land

The need to consider the potential impact of contaminated land in relation to development proposals is contained in Chapter 13 of Planning Policy Wales, which requires planning decisions to take into account the potential hazard that contamination presents to the development itself, its occupants and the local environment; and assessment of investigation into contamination and remedial measures to deal with any contamination. Where there may be contamination issues, the Council must require details prior to determination of an application to enable the beneficial use of land. Planning permission may be granted subject to conditions where acceptable remedial measures can overcome such contamination. Otherwise, if contamination can not be overcome satisfactorily, permission should be refused.

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

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

4.1.11 Area of Outstanding Natural Beauty

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

There are no objections raised specifically in relation to impacts on the AONB.

Officers' conclusion is that the development of a total of 12 dwellings on land clearly within the built up area of the town would have no adverse impact on the character and appearance of the AONB landscape, and is therefore in compliance with Policy VOE2.

4.1.12 World Heritage Site considerations

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

There are no adverse representations raising concerns over the impact of the development on the World Heritage Site, including its buffer zone. CADW do

not consider the proposals would be visible from the World Heritage Site.

In Officers' opinion, the proposals are not likely to result in any harm to the World Heritage Site, its setting or Buffer Zone.

4.1.13 Archaeology

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

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

There are no individual representations raising archaeological issues. CPAT have suggested any permission include a condition requiring a photographic survey of the buildings prior to demolition.

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

4.2 Other matters

Ownership

There are representations claiming the Betsi Cadwalladr Trust are attempting to sell property they can not prove ownership of, and that the consideration of the planning application should be stopped pending proper investigation. This matter has been drawn to the applicants attention, and their agents have confirmed that the relevant notice has been served on the Betsi Cadwalladr University Health Board as owners of the sites, and they have completed Certificate B on the application forms to this effect.

Having regard to this background, and with respect to the request to place the application in abeyance, it is not for the Council to pursue ownership matters further. It would not be appropriate for the Council to consider 'stopping' the processing of the planning application. If a permission were to be granted and it was subsequently found that false claims have been made over ownership, then legally the permission could be open to challenge.

Delaying determination of the application pending completion of the new Health Centre. In Officers' opinion it is not appropriate to hold back the consideration of the application to await the completion of the new Health Centre at the Riverside Lodge site, or to deliberate on the adequacy of accessibility of that site, to leave the possibility of reopening the Community Hospital or redeveloping the site for an alternative use.

Decisions on these matters have already been taken by the respective bodies and should have no bearing on the determination of the current application. The Authority has a duty to deal with the current application on its land use planning merits and Officers believe it would be unreasonable to delay a decision to ensure the completion of another development (with a valid planning consent) geared at providing a Health Centre facility for the town. For the record, Welsh Government's Health Minister announced funding for the development of the Health Centre in late May 2014, with a scheduled completion date of June 2015. Work commenced on the Health Centre development in June 2014.

Description of the locality in application documents

With respect to concerns over the accuracy of the description of the Abbey Road area in the Design and Access Statement, this is a matter for the applicants, and is not of any significance in the weighing up of the application. The application documents have been revised in part to take account of comments made by objectors.

Re- use of stone from demolished buildings

The Civic Society have indicated that stone from the hospital buildings could be used in the vicinity for improvement works. The applicants have confirmed willingness to discuss this at the appropriate time.

5 **SUMMARY AND CONCLUSIONS:**

- 5.1 The site is within the development boundary of Llangollen. The principle of residential development is consistent with the housing strategy policies of the Local Development Plan.
- 5.2 The report sets out the main planning issues which appear relevant to the consideration of the application. There are local concerns raised, including over the principle of the development, the impact on nearby dwellings, and highway issues. None of the statutory consultees raise objections to the proposals, and are suggesting the inclusion of conditions to cover matters of detail.
- 5.3 In respecting the basis of concerns, Officers suggest there are no strong land use planning grounds to oppose the development, and it is therefore recommended that permission be granted.

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. **PRE-COMMENCEMENT CONDITION**

Notwithstanding the submitted details, no external wall or roof materials shall be applied on any of the dwellings or associated buildings until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used. No materials other than those approved shall be used.

3. **PRE-COMMENCEMENT CONDITION**

The landscaping schemes for the respective sites shall be carried out prior to the first occupation of any of the units on the site to which they relate. Any trees or plants which, within a period of five years of the being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

4. In relation to the carrying out of the demolition and highway works, no works shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to details of the site compound location, traffic management scheme, hours and days of operation, the management and operation of construction vehicles and the construction vehicle routes, and proposals for the use of stone form the demolished buildings. The works shall be carried out strictly in accordance with the approved details.

5. No units shall be occupied on either site until the vehicular access and parking spaces have been laid out/constructed in accordance with the approved plans.

6. **PRE-COMMENCEMENT CONDITION**

No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before any dwellings are first occupied. The proposals shall ensure that no development takes place within 3 metres either side of any public sewer which crosses the site, and that all foul drainage is directed to a foul sewerage system and all surface water drainage to a surface water system unless otherwise agreed by the Local Planning Authority.

7. **PRE-COMMENCEMENT CONDITION**

Development shall not begin until an appropriate photographic survey of the existing buildings on the hospital site has been carried out in accordance with details to be submitted to, and approved by, the local planning authority. The resulting digital photographs shall be forwarded on a CD or DVD to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. tel: 01938 553670PAT photographic survey

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

9. **PRE -COMMENCEMENT CONDITION**

No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the arrangements for compliance with the Council's Policies and Supplementary Planning Guidance in relation to the provision of Open Space in connection with the development.

10. Notwithstanding the submitted plans, none of the flats on the car park site shall be permitted to be occupied until the written approval of the Local Planning Authority has been obtained to the precise detailing of the proposed 1.8 m close boarded fencing along the boundary with Fair View Cottage, including where this is to be sited relative to the existing boundary fence. The approved details shall be completed prior to the occupation of any of the flats, and the fencing shall be maintained as approved at all times thereafter.

11. The development shall be carried out strictly in accordance with the Recommendations in Section 7 of the July 2014 EDC Planning Assessment Survey, including the methodology for works on the Bat Refuge building.

12. **PRE COMMENCEMENT CONDITION**

No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to full details of all of the following:

- a. Proposals for the long term site security, surveillance, and monitoring of protected species
- b. Any external lighting, to ensure the bat roost exit / entry point and bat flight paths are not lit

The reason(s) for the conditions(s) is(are):

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interests of visual amenity.
4. In the interests of the amenities of residents and highway safety.
5. To ensure the development is served by adequate parking and access arrangements.
6. To ensure the proper drainage of the site and to minimise the risk of pollution.
7. In the interests of archaeological investigation and recording.
8. In order to ensure that proper measures are taken to deal with any contamination which may be discovered on the site
9. In order to comply with the Council's policy and guidance in relation to open space requirements.
10. For the avoidance of doubt.

11. In order to protect ecological interests

12. In order to protect ecological interests

NOTE TO APPLICANTS

Llangollen Civic Society have suggested that stone from the demolished buildings could be re-used locally and you are encouraged to contact the Society's Chair, Mr. Lawrence, Can y Gwynt, Tower Road, Llangollen, LL20 8TE prior to commencement of site works.

In connection with Condition 10, you are advised to contact the neighbour at Fair View Cottage to discuss the detailing of the proposed fence relative to the existing fence, and arrangements for future access / maintenance.

Your attention is drawn to the attached responses from the Council's Biodiversity Officer and Natural Resources Wales setting out a range of matters you need to be aware of in relation to the implementation of the permission, in particular in respect of protected species, including the need for licencing from Natural Resources Wales. Natural Resources Wales also provide guidance on the principles of Sustainable Drainage schemes which you should be aware of in designing the systems for the development.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 and 10. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991). Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980, Road Construction, Specification for Highway lighting installation, Traffic Signs and Road Markings.