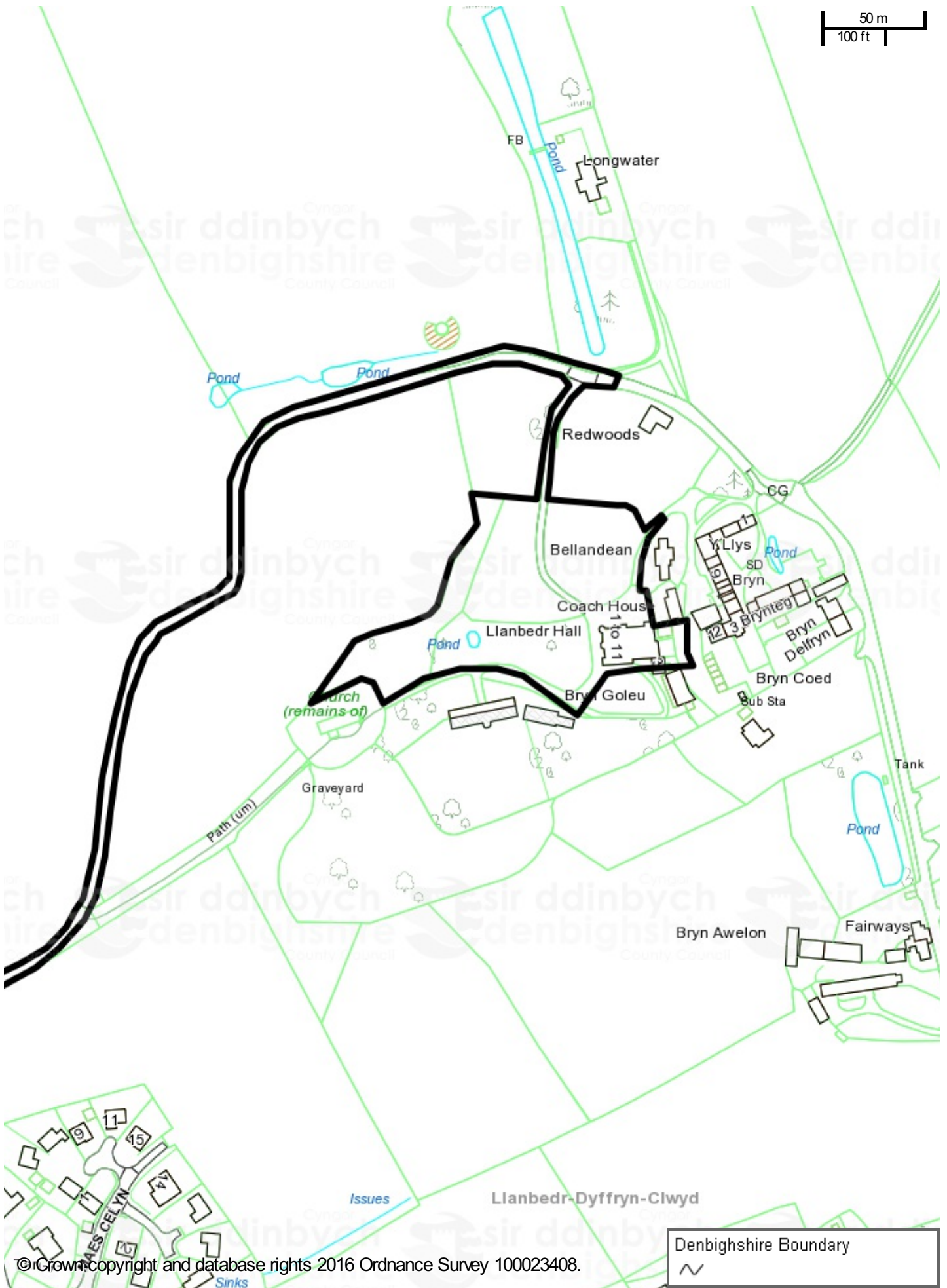


50 m
100 ft



© Crown copyright and database rights 2016 Ordnance Survey 100023408.

16/2016/0545
Scale: 1:2500

Printed on: 13/7/2016 at 11:40 AM

Denbighshire Boundary
~



© Denbighshire County Council

SITE LAYOUT

162016/0545/P.F

31 MAY 2016

Donald Insall Associates
Chartered Architects and Planning Consultants

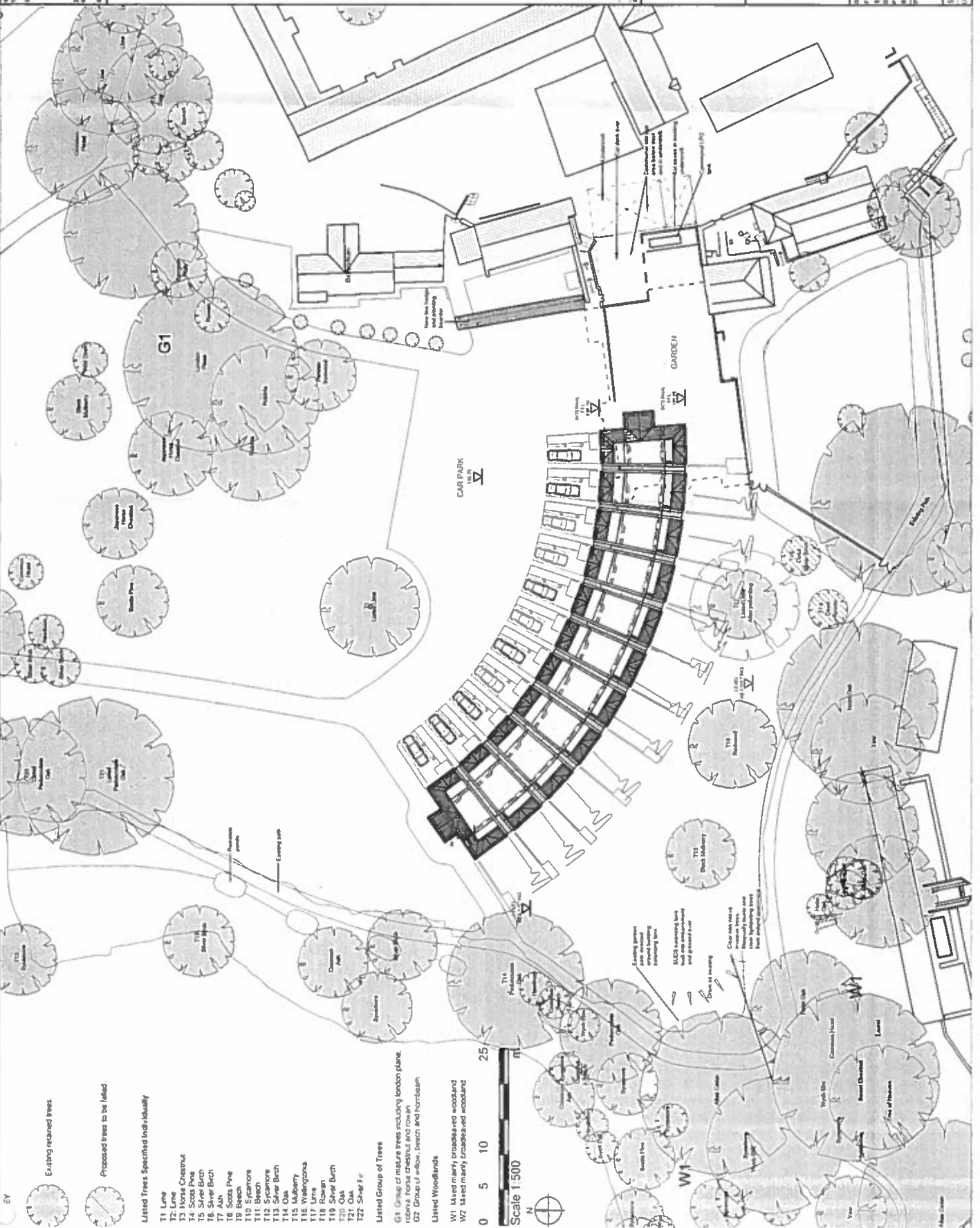
Bridgegate House, 5 Bridge Place, Chester CH1 1EA
T: +44 (0)1244 200 000 www.donaldinsall.co.uk

LLANBEDR HALL

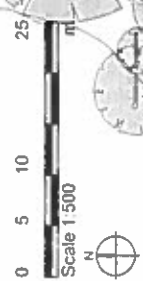
SITE PLAN
AS PROPOSED

Client: Llanbedr Hall	Project: Llanbedr Hall
Phase: 1:500	Scale: 4000
Drawn: [Name]	Checked: [Name]
Approved: [Name]	Date: [Date]

Any work shown on this drawing is to be read only in conjunction with and as part of the contract documents.
All dimensions are to be checked on site by the contractor.
The contractor is responsible for all dimensions on site.
All information on this drawing is to be read in conjunction with the contract documents.
In the event of any discrepancy between the contract documents and this drawing, the contract documents shall prevail.
© 2016 DONALD INSALL ASSOCIATES LTD



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



Existing mature trees to be retained and protected.

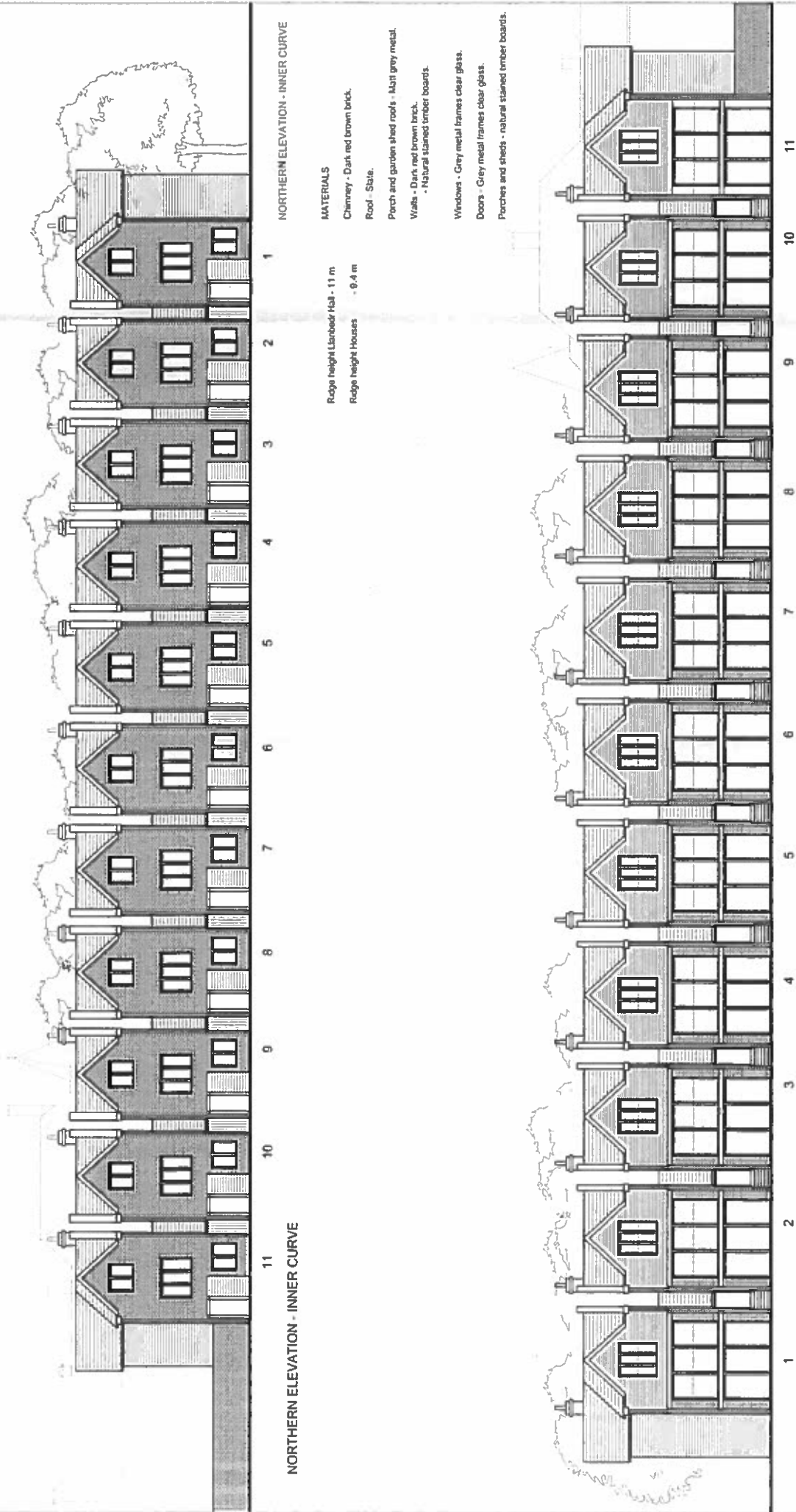
Proposed trees to be felled.

Clearance of existing trees to be undertaken in accordance with the contract documents.

Clearance of existing trees to be undertaken in accordance with the contract documents.

MAIN ELEVATIONS

16 2 016 / 0545 / P F



NORTHERN ELEVATION - INNER CURVE

MATERIALS

Chimney - Dark red brown brick.

Roof - Slate.

Porch and garden shed roofs - Matt grey metal.

Walls - Dark red brown brick.

Windows - Grey metal frames clear glass.

Doors - Grey metal frames clear glass.

Porches and sheds - natural stained timber boards.

Ridge height Lamber Hall - 11 m
Ridge height Houses - 9.4 m

3 1 MAY 2016

<p>LLAMBEDR HALL 11 HOUSES</p> <p>NORTH AND SOUTH ELEVATIONS AS PROPOSED</p>		<p>Donald Inshall Associates Chartered Architects and Interior Designers Registered No. 615, 5 Ridge Park, Chertsey, Surrey, Middlesex TW20 1SA T: (44) 181 635 063 www.donaldinshall.co.uk</p> <p>Project: LHR.12 No: 2201 Scale: Status: Rev: P</p>	
<p>Drawing Status:</p> <p>F: Feasibility S: Sketch Design D: Design P: Planning M: Main Design M: Measurement T: Tender C: Construction E: Handout</p>		<p>Rev: 1 Date: 15/05/16 Drawn: JAC/Rev: JAC</p>	
<p>Notes:</p> <p>1. All drawings are to be read only in conjunction with and as per the contract documents.</p> <p>2. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>3. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>4. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>5. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>6. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>7. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>8. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>9. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>10. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p> <p>11. All dimensions are to be indicated on site by the contractor unless otherwise stated.</p>		<p>© 2016 DONALD INSHALL ASSOCIATES LTD</p>	

WARD : Llanbedr Dyffryn Clwyd / Llangynhafal

WARD MEMBER(S): Cllr Huw O Williams (c)

APPLICATION NO: 16/2016/0545/ PF

PROPOSAL: Demolition of Llanbedr Hall and erection of 11 dwellings

LOCATION: Llanbedr Hall Llanbedr Dyffryn Clwyd Ruthin

APPLICANT: Mr Rod Cox

CONSTRAINTS: Tree Preservation Order
AONB

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

REASON APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Referral by Development Manager

CONSULTATION RESPONSES:

LLANBEDR DC COMMUNITY COUNCIL

'Please be informed that Llanbedr Dyffryn Clwyd Community Council has the following observations to the above planning application as following:-

1. The proposed site would cause disruption caused by construction traffic and increased traffic on Lon Y Mynydd and Lon Cae Glas during and following construction.
2. Concerns that the drains at Llanbedr Hall and whether the current system would be able to cope with the new housing and increased pressure.
3. The application site is outside the Local Development Plan for new buildings in Llanbedr Dyffryn Clwyd.
4. The building application is not on the current footprint, which it should be.
5. The application mentions many times about the new height lower than the existing hall, but the new application is actually 3 foot higher than the previous application for 9 houses that was given permission. When you see the image with the new hall superimposed on the old hall you also see how it will have a large expanse across the garden area.
6. The Design and Access statements have some misleading statements.
7. There should be provision for affordable housing as part of the planning application.'

NATURAL RESOURCES WALES

No objection subject to conditions.

DWR CYMRU / WELSH WATER

No objection. Suggest conditions.

CLWYD POWYS ARCHAEOLOGICAL TRUST

Suggest photographic survey and watching brief

DENBIGHSHIRE COUNTY COUNCIL CONSULTees
Highways Officer
No objection subject to condition

Ecologist
No objection. Suggest conditions.

RESPONSE TO PUBLICITY:

In objection

Representations received from:
Theresa Burling, 4 Bryn Coed, Llanbedr Hall, Llanbedr
R.G.Houghton, 4 Y Llys, Llanbedr DC

Summary of planning based representations in objection:
Principle - Lack of local services to support the development
Visual impact - Urbanisation of rural setting, impact on landscape, impact on AONB
Residential amenity - Increased noise and disturbance due to the number of residents
Highways safety - suitability of the local highways network

EXPIRY DATE OF APPLICATION: 25/07/2016

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the replacement of Llandedr Hall with a terrace of 11 dwellings.
- 1.1.2 The terrace would form a crescent of 3 storey dwellings immediately to the west of the current position of the hall.
- 1.1.3 Car parking for the dwellings is shown as one space to the front of each unit along with a larger central parking area to the north of the block. Access to the new units will utilise the existing driveways to the north west and north east.
- 1.1.4 In addition to the submitted plans, the application is accompanied by the following supporting documents:

- Design and Access Statement
- Historical Appraisal
- Tree Report
- Ecological Survey
- Design, Landscape and Heritage Impact Assessment
- Structural Inspection

1.2 Description of site and surroundings

- 1.2.1 Llanbedr Hall is a late Victorian building set in landscaped grounds. The front part of the hall is constructed in buff brick with red brick detailing and a steeply hipped slate roof, and incorporates a corner tower along with gabled and dormer features.
- 1.2.2 The rear part of the hall is a predominantly two storey rendered structure with slate pitched roof. The hall benefits from substantial formal landscape gardens to the front (west) with a coach yard and mix of dwelling types immediately to the rear (east). Other more isolated dwellings lie to the north and along the back drive to the main hall.
- 1.2.3 The main hall has been altered over the years with a number of developments taking place. There are a number of mature trees within the grounds which are protected by a Tree Preservation Order.

1.2.4 To the south-west of the main hall is a walled garden area containing a former boiler room and glass house which has recently gained permission to be converted into a dwelling (see planning history).

1.2.5 There are public footpaths which run through and adjoin the site, including one which runs past the listed building of the remains of St Peter's Church which lies to the west of the hall.

1.3 Relevant planning constraints/considerations

1.3.1 The site lies outside of the development boundary for the village of Llanbedr DC and is set within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) and the Vale of Clwyd Historic Landscape, but without any other specific designation in the Local Development Plan.

1.3.2 Public Footpaths 14 and 37 run through and abut the site.

1.4 Relevant planning history

1.4.1 There is a lengthy planning history on the site. The most relevant planning history for the assessment of this application is the extant permission for the erection of 9 dwellings as replacement for Llanbedr Hall under reference number 16/2014/1020, granted at Planning Committee in January 2015.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 Covered in the report.

2. DETAILS OF PLANNING HISTORY:

16/2004/1450/PF – Change of use from restaurant to 2 self-contained dwellings: Granted by Committee on 26 January 2005.

16/2006/0872/PF – Conversion and alterations of existing flats and restaurant to 20 self-contained flats and construction of associated parking areas: Granted by Committee on 10 October 2006.

Appeal 2042164/WF – Against Conditions 6 and 9 on the above permission: Allowed on 30 July 2007.

16/2007/1363/PO – Demolition of main hall (11 flats) and development of 0.33 ha of land by the erection of replacement building containing 11 flats and erection of 6 dwellings within grounds and alterations to existing vehicular access (outline – all matters reserved for further approval): Refused on 15 February 2012.

16/2011/0691 – Conversion and extension of the former garages into 1 dwelling with a designated bat roost in the roof void: Granted by Committee on 28 September 2011.

16/2009/0941/PF – Demolition of Llanbedr Hall and its replacement with 9 detached family houses set into the gardens, and the refurbishment, extension and change of use of the adjacent garages to provide 1 dwelling: Refused 15 February 2012.

16/2014/1020/PF - Demolition of Llanbedr Hall and erection of 9 three-storey dwellings, and associated works - Granted in 21 January 2015

16/2015/0271/PS - Removal of condition requiring provision of affordable housing - Allowed at appeal 21 December 2015

16/2015/1047 - Demolition of Llanbedr Hall and erection of 13 three-storey dwellings, and associated works - Refused 9 March 2016 (Currently subject of an appeal to the Planning Inspectorate)

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Denbighshire Local Development Plan (adopted 4 June 2013)

Policy RD4 – Replacement of existing dwellings

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC4 – Affordable Housing

Policy VOE1 – Key areas of importance

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

Policy VOE5 – Conservation of natural resources

Policy ASA2 – Provision of sustainable transport facilities

Policy ASA3 – Parking standards

3.1 Government Policy / Guidance

Planning Policy Wales Edition 8

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 8, January 2016 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). 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 Archaeology
- 4.1.7 Affordable Housing
- 4.1.8 Drainage (including flooding)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The principle of the demolition of Llanbedr Hall and replaced by a terrace of dwellings has been established through the January 2015 permission, which is extant. This matter of principle cannot be re-visited. However the matter of principle in hand is whether 11 dwellings can be accepted. The previous permission allowed 9 dwellings on the basis of the compliance with Policy RD 4 - Replacement Dwellings.

It has been established within previous appeal proceedings that it is agreed that the existing hall has a lawful use for 11 dwellings.

It is therefore considered that the proposals to provide 11 units are in principle acceptable as replacements in accordance with Policy RD 4, having regard to the site history.

4.2.2 Visual amenity

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Policy VOE 2 requires that development must not cause unacceptable harm to the character and appearance of the AONB.

The proposed development has the same footprint as the 2015 extant permission. The proposed ridge height of the terrace would be increased by 0.9m from the extant permission. There are objections based on the urbanisation of the rural setting.

Having regard to the extant permission it is not considered that the proposal would have an unacceptable visual impact in relation to the locality or the wider landscape, including the designated AONB, on top of that permitted by the 2015 permission.

4.2.3 Residential amenity

Paragraph 3.1.7 of PPW states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. It is also advised that the Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties.

There are objections to the potential for increased noise and disturbance due to the number of residents.

Having regard to the extant permission and the relationship with nearby properties, it is not considered that the proposed development would give rise to additional impacts that would be unacceptable in relation to residential amenity.

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 protected species survey has been submitted and the biodiversity officer has raised no objections subject to the recommendations being followed.

The proposals are therefore considered acceptable in relation to impact on ecology subject to condition appropriate mitigation is provided.

4.2.5 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.

The Highways Officer has raised no objection. There are individual concerns over the suitability of the local highway network.

Having regards to the design, scale and location of the proposals, and having regard to the extant permission, it is considered that proposals would not have an

unacceptable impact on the local highway network, on top of that considered appropriate in granting the permission in 2015.

4.2.6 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.

CPAT have identified the site as being of potential significance in relation to archaeological remains and have suggested a watching brief condition.

Providing an appropriate watching brief is completed it is considered that the proposal would not have an unacceptable impact in relation to archaeology.

4.2.7 Affordable Housing

No affordable housing is proposed by the submission. An appeal decision in December 2015 relating to this confirmed that affordable housing cannot be required in relation to policy RD 4 - Replacement of Existing Dwellings. Officers would recommend strongly against seeking to impose an affordable housing requirement.

4.2.8 Drainage (including flooding)

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

The Community Council have advised that they are concerned about the suitability of drains to serve the development. Dwr Cymru/Welsh Water have not objected to the proposals on the basis of the existing system having insufficient capacity. In situations where the existing sewers network has insufficient capacity to deal with the additional output from a development, an objection would be raised. The site is not located within a flood zone.

Having regard to the above it is not considered that the proposal would be unacceptable in terms of drainage. It is proposed to control the final details of drainage through condition to ensure satisfactory surface water management measures are put in place.

5. SUMMARY AND CONCLUSIONS:

- 5.1 It is considered that the development is acceptable in principle having regard to the clear steer from previous appeal decisions over the number of lawful residential units in the existing hall. Having regard to the extant permission it is not considered that the proposed development would have any unacceptable impacts on top of which would arise from the implementation of the 2015 permission.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 26th July 2021.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
 - (i) Proposed north and south elevations (Drawing No. 2201) received 31 May 2016
 - (ii) Proposed east and west elevations (Drawing No. 2202) received 31 May 2016

- (iii) Proposed roof plan (Drawing No. 2005) received 31 May 2016
- (iv) Proposed sections (Drawing No. 2101) received 31 May 2016
- (v) Proposed ground floor plan (Drawing No. 2001) received 31 May 2016
- (vi) Proposed first floor plan (Drawing No. 2002) received 31 May 2016
- (vii) Proposed second floor plan (Drawing No. 2003) received 31 May 2016
- (viii) Proposed third floor plan (Drawing No. 2004) received 31 May 2016
- (ix) Proposed garden sheds (Drawing No. P3800) received 31 May 2016
- (x) Site plan as existing (Drawing No. P4003) received 31 May 2016
- (xi) Site plan as proposed (Drawing No. 4000) received 31 May 2016
- (xii) Topographical survey (Drawing No. 13591-5) received 31 May 2016
- (xiii) Proposed drainage site plan (Drawing No. P4004) received 31 May 2016
- (xiv) Existing location plan (Drawing No. P4000) received 31 May 2016
- (xv) Location plan (Drawing No. 4001) received 31 May 2016
- (xv) Review of ecological survey work dated 14 August 2014

3. PRE-COMMENCEMENT CONDITION

Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. The resulting photographs should 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 553670.

4. PRE-COMMENCEMENT CONDITION

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

- (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development;
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
- (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
- (e) Proposed positions, design, materials and type of boundary treatment.

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

6. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.

7. 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 the buildings are first occupied.

8. PRE-COMMENCEMENT CONDITION

Prior to the installation of any lighting an external lighting/internal light spillage scheme shall be submitted to and approved in writing by the Local Planning Authority and all lighting installed shall be in accordance with the approved details

9. PRE-COMMENCEMENT CONDITION

Prior to the commencement of development, a Biosecurity Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details at all times.

10. All groundworks shall be undertaken in the presence of a qualified archaeological contractor so that an archaeological watching brief can be conducted. The archaeological watching brief will be undertaken to the standards laid down by the Institute for Archaeologists. A copy of the watching brief report shall be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR tel: 01938 553670 within two months of the fieldwork being completed.

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 investigation and recording of historic/listed buildings
4. In the interest of visual amenity.
5. In the interest of visual amenity.
6. In the interest of visual amenity.
7. In the interest of the management of flood risk.
8. In the interest of maintaining the favourable conservation status of protected species.
9. In the interest of the management of biosecurity risks.
10. In the interest of preservation of archaeological remains.

NOTES TO APPLICANT:

None