

20 m
100 ft

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16/2016/1044/PF

Scale: 1:1250

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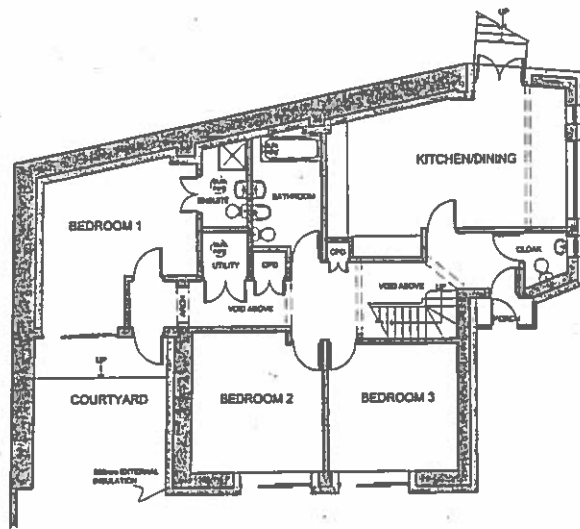


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Before drawing the exterior works of this building and any other works, the architect shall be satisfied that the proposed works are in accordance with the provisions of a Planning Agreement. If no agreement has been reached from the authorities, the architect shall be satisfied that the proposed works are in accordance with the provisions of a Planning Agreement. If no agreement has been reached from the authorities, the architect shall be satisfied that the proposed works are in accordance with the provisions of a Planning Agreement.

NOTE - ALL WORKS WHICH ARE LIKELY TO HAVE AN IMPACT ON BATS AND/OR THEIR HABITAT TO BE SUBJECT TO ALL APPROPRIATE LICENSES, CONSENTS, PERMITS & TO BE UNDERTAKEN BY SUITABLY QUALIFIED AND EXPERIENCED OPERATIVES.
DRAWINGS BASED ON SURVEY INFORMATION & PROPOSALS PROVIDED BY CLIENT.

PROPOSED FLOOR PLANS



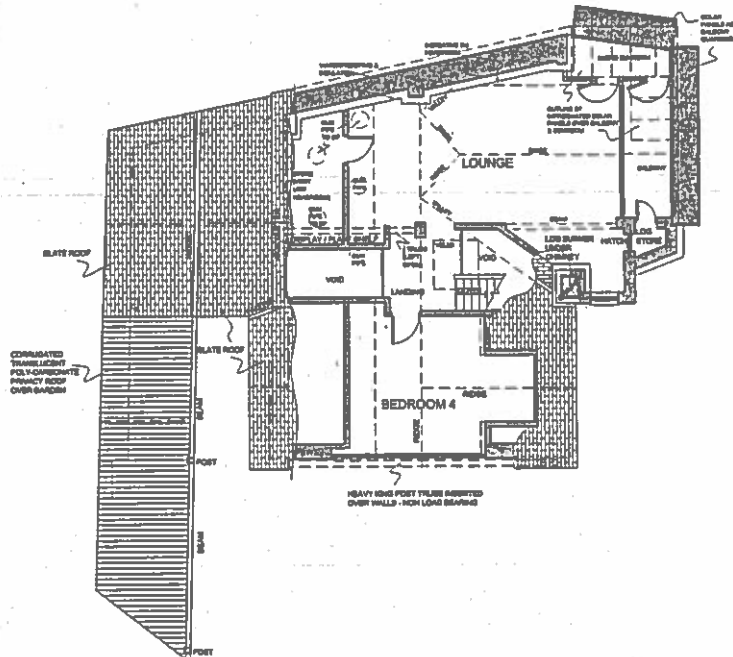
PROPOSED GF PLAN



DINERTH ARCHITECTURE Commercial & Domestic New Build, Extension and Refurbishment Design, Management & Safety T. 01492 548456, M. 07591 009108, E. DinertArch@gmail.com	Project: CONVERSION OF FORMER GARAGES INTO A SINGLE DWELLING LLANBEDR HALL LLANBEDR DYFFRYN CLWYD RUTHIN Client: CADNANT PLANNING	Dwg: AL0011 - PROPOSED GARAGE GROUND FLOOR PLAN Date: 18 OCT 2016 Rev: Scale: 1:100 @ A3
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DRAWINGS BASED ON SURVEY INFORMATION & PROPOSALS PROVIDED BY CLIENT.



PROPOSED FF PLAN



DINERTH ARCHITECTURE Commercial & Domestic New Build, Extension and Refurbishment Design, Management & Safety T. 01492 548456, M. 07591 009108, E. DinertArch@gmail.com	Project: CONVERSION OF FORMER GARAGES INTO A SINGLE DWELLING LLANBEDR HALL LLANBEDR DYFFRYN CLWYD RUTHIN Client: CADNANT PLANNING	Dwg: AL0012 - PROPOSED GARAGE FIRST FLOOR PLAN Date: 18 OCT 2016 Rev: Scale: 1:100 @ A3
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WARD : Llanbedr D.C.

WARD MEMBER: Councillor Huw O. Williams (c)

APPLICATION NO: 16/2016/1044/ PF

PROPOSAL: Conversion of garages into single dwelling

LOCATION: Llanbedr Hall Llanbedr Dyffryn Clwyd Ruthin

APPLICANT: Mr Rod Cox

CONSTRAINTS: AONB

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

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

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

CONSULTATION RESPONSES:

LLANBEDR DC COMMUNITY COUNCIL

"Llanbedr Dyffryn Clwyd Community Council objects to the above planning application for the following reasons:-

1. The additional dwelling would create additional unwanted traffic on the narrow highway infrastructure.
2. The current highway infrastructure is considered unsafe to accommodate additional traffic
3. The development would cause drainage issues
4. The development would cause sewerage issues."

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

"The Joint Committee notes that there is an extant permission for conversion of this building into a single dwelling and, subject to the agreement of an appropriate scheme for bat mitigation, the Joint Committee has no observations to make on the proposals."

NATURAL RESOURCES WALES

No objection subject to inclusion of planning conditions, covering Protected Species issues and external lighting. Support proposals for creation of separate replacement bat roost area in existing underground caverns. Standard good practice measures should be followed in relation to use of the existing septic tank. Draw attention to the need to address any impacts on the AONB.

DWR CYMRU / WELSH WATER

No comments as the applicant intends utilising a septic tank facility, which is a matter for Natural Resources Wales.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

Taking into account the existing use of the building as garages and car parking being provided as part of the scheme, has no objection subject to the inclusion of a condition requiring provision of the parking and turning arrangements.

RESPONSE TO PUBLICITY:

Representations received from:
T. Burling, 4 Bryn Coed, Llanbedr Hall, Llanbedr DC.

Summary of planning based representations:
Concern over potential impact on quality of life of adjacent occupiers:
Difficult to assess impacts on adjacent property from submitted detail
High chimney stack, difficult to know whether smoke will affect properties

Supports proposals for bats.

EXPIRY DATE OF APPLICATION: 09/01/2017
REASONS FOR DELAY IN DECISION (where applicable):

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes a revised scheme of the conversion of and extension to existing vacant garage buildings within the Llanbedr Hall complex into a single dwelling.
- 1.1.2 The plans show the intention to create a four bedroom unit, with accommodation primarily on the ground floor (3 bedrooms, kitchen / dining, a bathroom, and a courtyard area), with a bedroom and lounge at first floor level.
- 1.1.3 The main developments associated with the scheme are:
- The creation of two separate garden areas, one on the north side and one on the south west side of the buildings
 - Accompanying alterations to the vehicular access running north – south on the western and south western side of the buildings
 - A parking area on a concrete slab to the west of the buildings
 - A small extension on west side of the building
 - Detailed bat mitigation measures, including underground caverns
- 1.1.4 The application is accompanied by a 25 page Planning Statement setting out the background to the application, the context, and commentary on planning policy and main considerations The conclusions refer specifically to :
- The building is the subject of an extant planning permission for conversion to an open market dwelling, granted in 2013, which is ready to be implemented as all conditions have been discharged.
 - The main reason for the submission is so that bat mitigation can be relocated into the sunken courtyard and cellars, a preferable form of achieving this requirement
 - The opportunity has been taken to revise the layout and design of the building to make use of the attic area
 - The benefits of the scheme, in terms of employment at construction stage, provision of a dwelling to assist housing need, in an accessible location, an attractive design, with minimal impact on the AONB
- 1.1.5 The plans at the front of the report show the main elements of the scheme.
- 1.1.6 From perusal of the plans, the main revisions from the 2013 scheme include:
- The relocation of the bat habitat areas from the attic area of the buildings to a sunken courtyard area and caverns
 - The use of the attic space for additional rooms for the dwelling

- Alterations to the elevational treatment of the building within the same basic structure as consented in 2013
- Provision of an additional garden area to the south of the proposed dwelling
- Clarification of the access arrangements within the courtyard areas serving existing properties at Llanbedr Hall.

1.2 Description of site and surroundings

- 1.2.1 The former garages are located to the east of Llanbedr Hall amongst a complex of long established dwellings within the estate.
- 1.2.2 Access to the site is achieved via the northern entrance to the Hall site which leads to an existing tarmac driveway serving a number of existing properties / garages.
- 1.2.3 The plans at the front of the report assist an appreciation of the relationships between the properties.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located in the open countryside outside of the settlement boundary of Llanbedr and is within the AONB.

1.4 Relevant planning history

- 1.4.1 There have been two recent planning permissions for the conversion of the buildings to a single dwelling, in 2011 and 2013.
- 1.4.2 The permission granted in 2013 for the conversion remains extant and is a material consideration in the determination of the application.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 None

2. **DETAILS OF PLANNING HISTORY:**

History relevant to the conversion of the garages:

- 2.1 16/2011/0691/PF – Conversion and extension of the former garages into one dwelling with a designated bat roost in the roof void: Granted by the Planning Committee on 28 September 2011.
- 2.2 16/2013/0189/PF - Conversion of former garages into a single dwelling. Granted at Planning Committee.
Decision date 17/04/2013 (Extant permission)

3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

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

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

Policy VOE5 – Conservation of Natural Resources

Policy ASA3 – Parking standards

- 3.2 Supplementary Planning Guidance

3.3 Government Policy / Guidance

Planning Policy Wales Edition 9 November 2016

3.4 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 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' (PPW section 3.1.3). Development Management Manual 2016 (DMM) states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (DMM section 9.4).

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 / relevance of planning history
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage
- 4.1.6 Highways (including access and parking)
- 4.1.7 Archaeology
- 4.1.8 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

4.2 In relation to the main planning considerations:

4.2.1 Principle / relevance of planning history

In relation to the principle of conversion, Local Development Plan Policy PSE 4 Re-use and Adaption of Rural Buildings in the Open Countryside is the most relevant to this type of development. The policy permits proposals for the conversion of buildings in the open countryside subject to tests, requiring consideration of an employment use and use as an affordable dwelling. SPG Conversions of Rural Buildings provides advice and guidance to supplement LDP planning policies.

The Planning Statement accompanying the application draws attention to the extant planning permission for the conversion of the outbuilding and suggests that as this remains capable of implementation it remains a significant material consideration, and there should be no requirement at this point for marketing of the buildings for employment use, or consideration of the dwelling being restricted to affordable housing. The implementable permission is for an open market dwelling.

Officers' view is that the planning history is inevitably a significant consideration here. There have been two recent consents for conversion of the buildings to a single dwelling, and the 2013 permission is still valid. The scheme now proposed is not significantly different from the one with consent. It is suggested that the key issues to consider in relation to the current scheme are whether the proposals are acceptable in design terms and whether they are likely to result in adverse impacts on the locality.

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.

There are no representations raising matters relating to the visual amenity impacts of the proposals.

The main changes between the consented and now proposed scheme are referred to in section 1.1.6 of the report. In terms of visual amenity, these are considered minor in nature and would have no greater impact than the approved scheme.

4.2.3 Residential amenity

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 is one individual representation raising questions over the detailing of the conversion scheme and potential impact on adjacent property.

The main changes between the consented and now proposed scheme are referred to in section 1.1.6 of the report. In relation to the residential properties to the immediate south and east of the garage building, the current scheme removes windows proposed in the 2013 scheme in the south facing elevation (to serve a kitchen and a bathroom) and rooflight windows at first floor level facing east. In respect of effects on residential amenity, these changes would if anything mean the actual impacts from the proposed scheme would be more limited than the approved scheme on the occupiers of nearby residential properties to the south and east.

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.

There are no representations raising objection to the ecological impacts of the proposals. Natural Resources Wales are satisfied at the alternative detailing of bat mitigation subject to inclusion of suitable conditions.

The response from Natural Resources Wales is significant to consideration of the ecological impacts of the development, and in particular to the assessment of issues relevant to the bat population. In relation to the derogation test and two conditions to be considered in deciding whether to grant planning permission for a development which may harm a European Protected Species, NRW indicate the development will not be detrimental to the favourable conservation status of the bat populations subject to imposition. Officers consider the derogation purpose is satisfied and that the two conditions are met, subject to appropriate avoidance, mitigation and compensation measures. These are the relevant considerations to be given by the Local Planning Authority to the assessment of ecological impact from the proposals, and it is

therefore concluded that there should be no impediment to planning permission on ecological grounds.

4.2.5 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.

The Community Council are suggesting that the development will cause drainage and sewage issues. There are no individual representations raising matters relating to the drainage impacts of the proposals.

Dwr Cymru Welsh Water and Natural Resources Wales raise no objections on the means of drainage.

In the absence of any concerns from Dwr Cymru and NRW, it is not considered that there are any drainage grounds to oppose the application.

4.2.6 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 Community Council have commented that the additional dwelling would create additional unwanted traffic on the narrow highway infrastructure and that this infrastructure is considered unsafe to accommodate additional traffic. There are no individual representations raising objection to the highway impacts of the proposals. The Highway Officer raises no objections.

In noting the concerns of the Community Council, it is respectfully suggested that the additional traffic likely to be generated by a single dwelling would not have so significant an impact on the access tracks to the Llanbedr Hall complex as to justify refusing a permission. The tracks currently serve approximately 30 dwellings and have been accepted as suitable to accommodate the various uses proposed at Llanbedr Hall itself. Additionally, it has to be recognised that there is an extant planning consent for the conversion of the building into a dwelling.

4.2.7 Archaeology

Policy VOE 1 of the Local Development Plan seeks to protect areas of archaeological historic importance from development which would adversely affect them, reflecting general advice in Planning Policy Wales (Section 6.5) which 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.

There are no representations raising objection to the archaeological impacts of the proposals.

4.2.8 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

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.

There are no representations raising objections the impact of the scheme on the AONB. The AONB Joint Committee refer to the extant permission for conversion of this building and advise that subject to agreement to an appropriate scheme for bat mitigation, they have no observations to make.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The application contains revised proposals involving the conversion of existing buildings in the Llanbedr Hall complex. There is an existing permission in place for conversion to a dwelling which is a material consideration.
- 5.2 The scheme involves revisions to the previously approved plans, including amended proposals for bat mitigation.
- 5.3 There are no objections from any of the technical consultees on the application.
- 5.4 Local comments are duly noted but it is not considered there are reasonable grounds for resisting the grant of permission.

RECOMMENDATION: GRANT- subject to the following conditions:-

Commencement

1. The development to which this permission relates shall be begun no later than 11th January 2021

List of approved plans

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) Existing elevations (Drawing No. AL0010) received 20 October 2016
 - (ii) Proposed elevations (Drawing No. AL0013) received 20 October 2016
 - (iii) Existing ground floor plan (Drawing No. AL009) received 20 October 2016
 - (iv) Proposed ground floor plan (Drawing No. AL0011) received 20 October 2016
 - (v) Proposed first floor plan (Drawing No. AL0012) received 20 October 2016
 - (vi) Proposed section A-A (Drawing No. AL0008) received 20 October 2016
 - (vii) Proposed landscaping plan (Drawing No. AL0003) received 20 October 2016
 - (viii) Existing site of proposed bat habitat (Drawing No. AL0005) received 20 October 2016
 - (ix) Proposed bat mitigation (Drawing No. AL0004) received 20 October 2016
 - (x) Proposed bat habitat - ground floor (Drawing No. AL0006) received 20 October 2016
 - (xi) Proposed bat habitat - first floor (Drawing No. AL0007) received 20 October 2016
 - (xii) Existing site plan (Drawing No. AL0001) received 20 October 2016
 - (xiii) Proposed site plan (Drawing No. AL0002) received 20 October 2016

(xiv) Site plan and location plan (Drawing No. C040/005) received 15 November 2016 - for the identification of the site boundaries only.

Materials

3. With the exception of the solar panels and the polycarbonate roof over the garden area, the materials to be used on the roof of the building shall be blue/grey natural mineral slate of uniform colour and texture.

Landscaping

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 realigned access through the site and the proposed parking area for the dwelling, paths and other hard surfaced areas; (d) any 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, including the detailing of the means of defining the boundary of the proposed garden areas.
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 completion of the development 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.

Ecological matters

6. No works to or demolition of buildings and structures shall be permitted to commence until the Local Planning Authority has been provided with a copy of a licence that has been issued to the applicant / developer by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorising the specified activity/development to proceed, or Natural Resources Wales has informed the applicant / developer that such a licence is not required.
7. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of bat avoidance, offsetting, and mitigation measures (such as Reasonable Avoidance Measures), including those measures described in the Eco-scope and MM Environmental mitigation reports. The details shall include a Method Statement and the timing of implementation of the mitigation measures.
8. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of proposals that facilitate long term ecological site security and site management.
9. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of proposals for a suitable post construction monitoring and surveillance scheme.
10. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of an external lighting and internal light spillage scheme.
11. No works to or demolition of buildings and structures shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to details of an ecological compliance audit (ECA) scheme. The Audit shall evidence compliant implementation of all ecological avoidance, mitigation and compensation works, and shall identify Key performance Indicators that are to be used for the purposes of assessing and evidence compliance.

General conditions

12. Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no development by the said Classes shall be carried out without the further granting of planning permission of the Local Planning Authority.
13. The proposed parking and turning facilities for vehicles shall be completed in accordance with the approved plan and shall be completed prior to the development being brought into use.

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 visual amenity.
4. In the interests of visual amenity.
5. In the interests of visual amenity.
6. In order to protect ecological interests.
7. In order to protect ecological interests.
8. In order to protect ecological interests.
9. In order to protect ecological interests.
10. In order to protect ecological interests.
11. In order to protect ecological interests.
12. In the interests of residential and/or visual amenity.
13. To provide for the parking of vehicles within the site in the interest of traffic safety.

NOTES TO APPLICANT:

Your attention is drawn to the contents of the attached response from Natural Resources Wales including advice on ecological and drainage matters.

In respect of ecological matters, you are strongly advised to contact NRW in relation to the Protected Species Licencing requirements.

In respect of drainage matters, you should ensure that the requirements of relevant BS and Approved Documents are met along with NRW permitting regulations, dependent on the detailing of the scheme.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).