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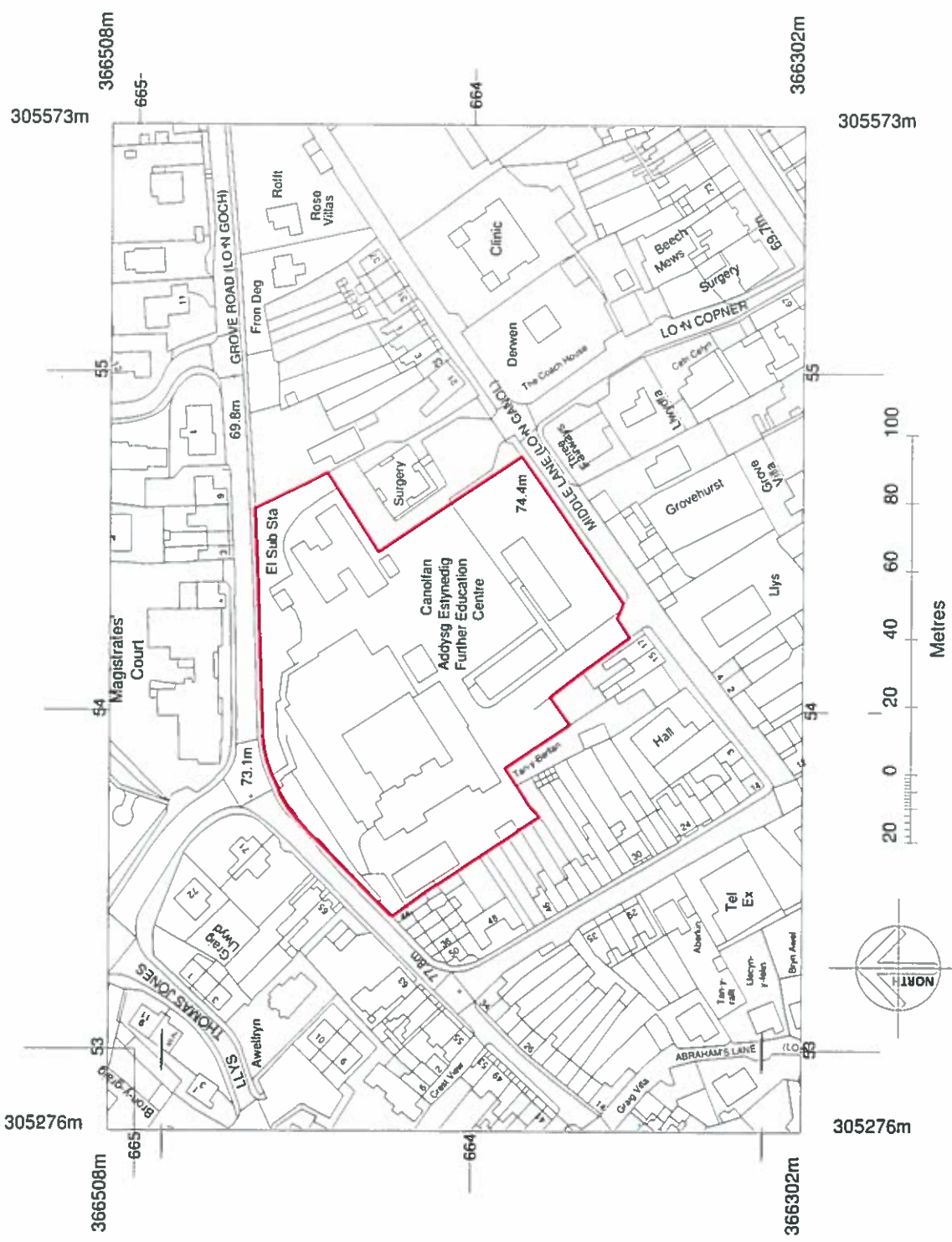
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REV	DESCRIPTION	DATE	BY
0	SURVEY USE ADDED TO PLAN	09.06.20	MS
1	SCHEME OPTIONS DEVELOPED AND DRAWING NUMBERS REVISED	04.04.20	IS

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PROJECT
PENTRE CANOL, DINBYCH
for GRŴP CYNEFIN

DRAWING TITLE
CYNLLUN LLEOLIAD Y SAFLE -
SITE LOCATION PLAN

SCALE 1:1250
DATE 09/06/20
DESIGNER GJ
CHECKED JY

DRAWING STATUS
PLANNING

JOB No. C895
DRAWING No. 001
REVISION B

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 PERMIT NO: 17/10/2016/16113/04

A3

1 CYNLLUN OS - OS PLAN
SCALE 1:1250

PLAN IDENTIFYING BUILDINGS TO BE DEMOLISHED

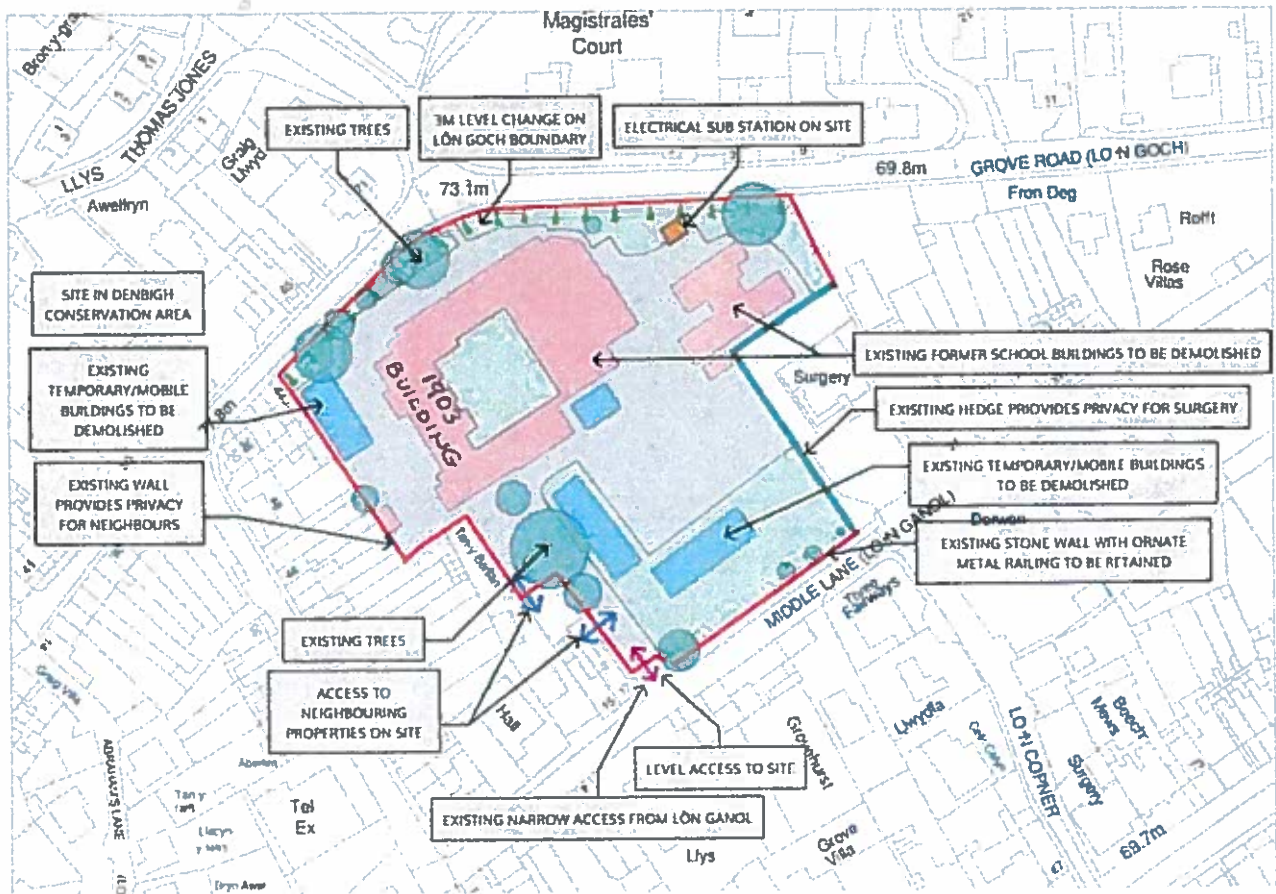


Image 01 - Site Appraisal Diagram



5.00 · CHARACTER

PROPOSED SUPPORTED LIVING VILLAGE

PENTRE CANOL, DENBIGH

AG AINSLEY GOMMON ARCHITECTS

**SITE LAYOUT PLAN
FROM 01/2016/1241
-REDEVELOPMENT FOR
EXTRA CARE SCHEME**

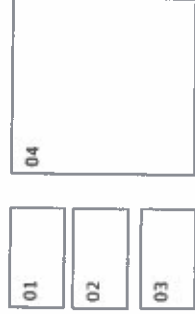


Image 01 3D Aerial view expressing south facing sheltered courtyards

Image 02 Courtyard garden

Image 03 — Entrance from LŌn Ganol

Image 04 First Floor Layout Plan



WARD : Denbigh Central

WARD MEMBER: Councillor Gwyneth Kensler (c)

APPLICATION NO: 01/2016/1243/ CA

PROPOSAL: Demolition of former school buildings

LOCATION: Site of former Denbigh Technology And Vocational Education Centre Middle Lane Denbigh

APPLICANT: Mr R Bryn Davies, Grwp Cynefin

CONSTRAINTS: Conservation Area
Article 4 Direction

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

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL

"No objections. The Town Councillors did however wish to confirm that they would like the old building at the location be recorded as per notification from Fiona Gale."

CADW

CADW's comments below are contained in two emails forwarded to the Council by Welsh Government following the latter's confirmation in July 2017 that the application is one for determination by Denbighshire (see section 1.1 of the report for the background to this situation)

- First response to Welsh Government dated 10.4.17

This confirmed the collection of buildings, which includes the former Denbigh High School, are unlisted but within the Denbigh conservation area. It contained an 'Architectural Assessment' from Cadw's Inspector of Historic Buildings, Nick Davies, which included the following main commentary:

"The original school building of 1903, with stone elevations, slate roof slopes and decorative central cupola with lead spire, has been added to over the years with a mixture of unsympathetic additions. These include substantial two-storey, flat roofed wings, various ancillary structures and mobile classrooms. It would be easy to justify clearing all this post war clutter to reveal the original composition but the plans involve the clearing of the whole site. The application justifies this because the buildings are said to be in poor condition and incapable of being incorporated into the new scheme. There is no explanation, however, why this is the case. There are no draft / concept schemes to show the inclusion of the 1903 building or to illustrate the problems of including it, so it is hard to accept that it could not have formed the centre piece of a new development. Instead, the proposed scheme is standard modern domestic accommodation which borrows little or nothing from the character of the Denbigh Conservation Area in which it sits. The scheme misses, therefore, the opportunity to retain a traditional building and use it to inspire a locally distinctive development that would make a more positive contribution to the conservation area."

The CADW response goes on to refer to the contents of the main Welsh Government Circular in place at the time (61/96) which contained the general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area, and the requirement to assess demolition proposals against the same broad criteria as proposals to demolish listed buildings. 61/91 also refers to the need for full information about

what is proposed for the site after demolition, and suggests that consent for demolition should not be given unless there are acceptable and detailed plans for redevelopment. It goes on to outline the tests in paragraphs 91 and 92 of the circular which deal with the issue of demolition of listed buildings.

CADW's conclusion on the basis of the information in the submission at the time was:

"As there is little to suggest in the current application that there was ever any effort to explore the possibility of retaining the core traditional buildings, incorporating them in the new scheme, or use them to inspire the overall design of the new development, the application could be refused outright. Alternatively, the applicant could be asked if further information is available to satisfy paragraphs 33, 91 and 92, such as a structural survey, evidence of efforts to reuse the buildings and concept drawings to show the evolution of the design process, starting with a scheme which included the traditional buildings through to the eventual proposals that have now been submitted."

Officers understand that there was subsequent dialogue between CADW, Welsh Government officials and the applicant's agents, and that additional information was provided by the agents to assist consideration of the application. This resulted in a second email from CADW to Welsh Government.

- Second CADW response dated 28.6.2017

CADW's second response repeated some of the contents of the one referred to above, but provided a detailed appraisal of the qualities of the original building and comments on the issues relevant to the application:

"Cadw looked at the school some years ago to consider listing but concluded, in its current form, the original 1903 element was too compromised by the unsympathetic and overwhelming additions which enclosed the principal elevation in a tight courtyard, completely screening it from view other than from corridors in the later wings. The redevelopment of the site, however, provides an opportunity to reverse the damage, restore the building to its original form and reveal the hidden main façade. Cadw has listed buildings by this architect of similar significance and, accordingly, if returned to its original form and appearance would also have this potential."

So although we are considering only conservation area issues in this application, it does illustrate that this is more than a run of the mill conservation area building, but one that has the potential to be listed as a good example of an early twentieth century school. It was built by the Denbigh architect James Hughes with a well composed and detailed principal elevation in the Tudor style with three storey porch and stone copings to the verges. As well as various chapels, Hughes also designed another prominent public building in Denbigh, the former Church Institute in Henllan Place, 1915-16, which is grade II listed. Tudorbethan was not an unusual style for schools at the time and Friars School in Bangor, built in 1900 by the Chester architect, John Douglas, is very similar (and again grade II listed) and perhaps provided Hughes with inspiration for his Denbigh design. The County Governing Body (for schools) apparently insisted on the use of local limestone to face the Denbigh school. The main façade was clearly intended to be seen and to impress. And to be locally distinctive. All of which could come into play again once the façade is revealed. The building appears to be largely intact and a drawing of the original design is attached for information."

It is argued that the condition of the building makes it unviable to retain in the new scheme but apart from isolated leaks to the roof and related, minor outbreaks of dry rot in the affected floors, the building appears to survive in a sound structural condition."

It would seem that the main reason for demolishing the building is to create a cleared site which allows the preferred site layout without the complications of working with an existing structure. There are small changes in level and the main entrance to the 1903 school (currently blocked) does have stone steps leading up to the threshold which would inevitably restrict disabled access. But these are common challenges and a secondary side entrance should easily address this issue. There is also likely to be a preconceived idea of the layout of new residential units and perhaps the old school doesn't lend itself easily to providing this sort of accommodation. There must, however, be requirements for staff accommodation, offices or communal spaces that this original building could readily provide."

The building has a relatively small footprint in relation to the site as a whole, occupying only a small percentage of the overall acreage, and should not reduce the number of units in total. The current proposals, however, involve a site layout with a new site entrance and service road, as well as plans for a temporary works access, and the existing building is in the way of all these elements. Ideally, the desirability of retaining the old school should have been acknowledged at the outset and avoided the considerable investment in the current proposals. The whole character of the development could have borrowed from the original building and given the scheme a locally distinctive character, worthy of the conservation area. The building was written off because it currently has little impact on the conservation area but proposals have a responsibility to enhance rather than just protect the conservation area and in this instance the scheme fails to meet this challenge.

I therefore recommend that the applicant should take the opportunity to enhance the character and appearance of the conservation area by incorporating the original school building within the proposed development.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Archaeologist

Has checked the Historic Environment Record and there are no previously known archaeological sites. However the original school building is of interest and prior to demolition a level 3 record of the building should be made. A condition should be attached to any permission, should it be granted, which ensures that this takes place.

Conservation Officer

Has outlined the reasons for supporting the application including the demolition of the original 1903 school building:

“1. Denbighshire County Council asked Cadw to inspect the original 1903 building around 2011 with a view to listing. A Cadw officer visited the site and the conclusion was this building was not worthy of listing as it had been compromised with the later poor quality additions to the site. During the process of pre-application advice the above decision was a significant factor in my decision to support the application as we were dealing with an unlisted building in a Conservation Area which Cadw had previously decided was not of interest in its current form. Also my predecessor had already agreed to the principle of demolition and proposals prior to my appointment on 01/07/16 and my opinion was to provide a consistent approach from Denbighshire County Council Conservation .

2. I believe the applicants agents did consider the potential of retaining the original school building in their feasibility studies but the conclusion proved to make the project unfeasible for various reasons including, existing floor levels not being suitable for disabled users or elderly persons to provide level access to tie in with the new buildings, it would be problematic gaining new vehicular access from Grove Road including retaining the existing structure during excavations , would have resulted in a loss of units making the project unviable. As well as these reasons above the areas of the 1903 building where the later additions have been attached are compromised (but the damage could be reversed with sympathetic reinstatement works)

3. The location of the 1903 building is set back from Grove Road/Beacons Hill and more significantly from Lon Ganol. At present the 1903 building is virtually screened from public view by the later additions providing very minimal visual benefit to the Conservation Area. Combined with the erection of the new buildings surrounding it on the site would mean it was mainly screened from both public highways again resulting in minimal visual impact to the Conservation Area. The visual impact of retaining the 1903 building could only be improved if there was a significant revision to the current plans to reveal more of its elevations.

Bearing in mind this scheme is a major project and investment to the town of Denbigh and surrounding area providing extra care/supported housing for the elderly and vulnerable, I feel the benefit of the scheme as a whole to the community outweighs the benefit of retaining the 1903 building and I reluctantly agree to demolish a building of quality based on the above reasons.

I therefore have no objection to this application”

RESPONSES FROM PRIVATE INDIVIDUALS:

One representation sent in relation to the planning application and this Conservation Area Consent application, from:

M. Fairlamb, 67 Beacon’s Hill, Denbigh

Summary of representations relevant to the Conservation Area Consent application:

Interested in the Council’s response to the suggestion that any development – even one that demolishes a prime period building in the conservation area – is preferable to leaving the site for another developer to work with more proactively in the future. Many residents in the area live with punitive restrictions to what they are permitted to do with the fabric of their properties: down to which specific paint must be used for exterior woodwork. Residents who have been forced to live with the poor environmental and economic impact of period, single-glazed windows and other expensive restrictions will certainly see many barriers to the development as currently planned.

EXPIRY DATE OF APPLICATION:

N/a

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The report relates to an application for consent to demolish existing buildings at the former Denbigh Technology and Vocational Centre site on Middle Lane in Denbigh. These include the original stone built school building and a range of attached and detached structures spread across the site.
- 1.1.2 The application is submitted by agents acting for Grwp Cynefin, and links to a planning application granted permission at Planning Committee in February 2017 to redevelop the site by way of a 70 unit extra care scheme (application reference 01/2016/1241).
- 1.1.3 The site is within the Denbigh Conservation Area, and the County Council are the owners of the land.
- 1.1.4 Authorisation procedures separate to planning permission apply to demolition of buildings in such areas, and oblige applications to be made for Conservation Area Consent. At the time of submission of the Grwp Cynefin application, it was understood that applications involving demolition of Council owned buildings in Conservation Areas had to be referred for determination by Welsh Government (in this case, in addition to the fact that the County Council are working in partnership with the applicants in the operational side of the scheme). Consequently a brief report was presented on the Conservation Area Consent application to Committee in February, seeking Members’ agreement to refer the application to Welsh Government with the recommendation that if the County Council was empowered to determine the application, then it would grant consent. The application was duly referred to Welsh Government for assessment on 16th February 2017.
- 1.1.5 Since that time, Welsh Government officials have sought advice from CADW on the application, in order to assist consideration of issues relevant to the demolition of the

buildings on site. CADW officials have visited the site to assess the proposals and have provided Welsh Government with comment on the merits of the application for the demolition of the original stone built school building.

- 1.1.6 Following communication with Denbighshire Officers, and some 5 months following referral of the application to them, Welsh Government officers confirmed in mid July 2017 that having received further legal advice, on the basis that the Council is not the applicant, the application does not fall for Welsh Ministers to determine and it is for the Council to do so. CADW's advice was duly passed on for consideration in determining the application, and is included in the consultation responses section of the report.
- 1.1.7 In consultation with the Legal Officer, it has therefore been agreed to refer the application to Planning Committee for consideration and determination. This is considered to be the most appropriate and transparent process given the background circumstances.
- 1.1.8 The report consequently provides updated information including the observations of CADW, the applicant's agent and the Council's Conservation Officer, with commentary thereon – and assessment of the merits of the proposals against Welsh Government planning policy and guidance.
- 1.1.9 The applicants have been offered opportunity to provide additional information of relevance to the proposals, having regard to developments since February 2017. They have advised as follows:

"From our early site/building visits we considered the conservation value and impact of the original 1903 school building. Our Conservation Architect's Heritage Statement evaluated the site, the quality of the existing buildings and the impact of any new development on the setting of the Conservation Area. We consulted with the Council's Conservation Officers, considered planning policy researching material, studied planning records and investigated leads to ascertain who may have been responsible for the design of the 1903 building and its historical significance. We evaluated the building interior, its structural condition and quality of its external form. We noted that it was not listed and did not figure in any of Cadw's previous assessments of the Conservation Area.

Our initial Feasibility Study produced in February 2016 not only considered options for new development, but carefully evaluated potential for re-use of the 1903 former school building with the later additions stripped away and demolished to investigate the possibilities of integrating the building within any new proposals. Early sketch proposals including drawings C895.002 and 003 considered whether it might be possible to incorporate the school structure into our proposals but it soon became apparent that this would not be possible for a number of reasons:

- a) *The main façade and north elevation are directly adjacent to the only viable way of gaining suitable access to the site from Lon Goch (Grove Road) required for construction traffic, service and emergency vehicles as it is not possible to develop and service this large brownfield site for its intended use from Lon Ganol (Middle Lane) without causing major disruption to the surrounding area. As the scheme evolved and a new vehicle access was agreed with Highways at a considerably lower level than the ground floor of the school building, we investigated further the possibilities of linking the 1903 building with new development and supporting the school structure. We concluded this was fraught with planning and technical difficulties and could not be handled sympathetically in a way which would sit comfortably within the setting of the Conservation Area and a number of listed buildings close by including Denbigh Museum.*
- b) *It would not be possible to reinstate the ground in front of the North elevation and main East façade (which impact most with the Conservation Area) as it might have been laid out originally before the later more plain additions were incorporated while*

marrying in with modern construction without altering or undermining the existing building features or altering the character of the school building.

- c) The existing 1903 building floor levels do not lend themselves to providing new level access for older persons, disabled users, staff and visitors and even with lifts and ramps we could not integrate and readily convert the school building so it could line through with new development. Our drawing C895.045 provided shows the full extent of the level differences. In their report Cadw states... "the 1903 school does have stone steps leading up to the threshold which would inevitably restrict disabled access". We do not agree that a 'secondary side access could address this issue' and both these factors would significantly compromise user accessibility.

- d) Cadw's assertion that we adopted a 'preconceived idea of the layout of new residential units' without fully considering the 1903 school building's full potential for re-use is not correct as we did investigate this fully and were unable to readily accommodate 'staff accommodation, offices or communal spaces' within the former building as the spaces and their location within 1903 structure were unsuitable and inappropriate for the intended use on this site. During our site visit Cadw appeared to accept our conclusions that the 1903 building could not be converted readily to provide older persons extra care housing or supported living dwellings for older persons or those with disabilities to an acceptable modern standard.

Cadw suggest in their report that as the 'building has a relatively small footprint in relation to the site as whole, occupying only a small percentage of the overall acreage it should not reduce the numbers in total'. This statement is not correct as the location of the 1903 building is significant when evaluating the full potential of the site, the number of new homes that can be provided and how any new development may be laid out. In particular if we were to retain the 1903 building and create open space in front of the main façade as Cadw suggest so the building can ... 'be seen and to impress' and to convey its 'local distinctiveness' this would have significant implications for site density, effectively sterilizing a substantial area. This would include land where the later unwanted school building additions are currently are placed, effectively moving the new building line back and compressing any new development to the South.

The original school façade facing East is largely obscured by the later more plain additions and the courtyard which had become overgrown. A small glimpse of the North elevation is visible from Lon Goch. The West and South elevations of the original school house tucked away out of view. If Cadw envisage a 'stand-alone' converted school building within the context of the intended development this would be of limited viability, would not offer sustainable or practical re-use and in our view make only a modest contribution to the Conservation Area.

Our earlier report dated 24th May 2017 concluded that 15 fewer apartments could be provided if the 1903 building was retained impacting significantly on the scheme viability and the ability to provide the range of support and communal facilities envisaged by Grŵp Cynefin and its partners on the site. We provided overlay drawing C895.046 showing how the footprint of the existing 1903 building sits in relation to the new proposal to further explain the implications of this.

In their later report following their site visit, Cadw accepts that the 1903 building currently has little impact on the conservation area. It is not correct for Cadw to state that due consideration was never given to the possible retention of the 1903 building as this clearly is not the case in our view. Equally we do not believe that it would be wise for any new development to 'borrow its character from the original building' as any new development should convey its own distinctiveness within the setting of the Conservation Area without relying upon the form of the 1903 building. Finally we believe the proposed scheme, which addresses a multitude of complex requirements, seeks to enhance and protect the character of the Conservation Area while offering a modern building fit for its new purpose "

1.2 Description of site and surroundings

- 1.2.1 The original development on the site was the stone walled, slate roofed school building in the north west corner of the site, which was built in the early 1900's and was known as Denbigh High School. It has been enveloped by extensions over time, and the site is currently occupied by a mix of more modern masonry and flat roof buildings from the 1950s, and light weight timber framed low pitched roof buildings from the 1970's. The physical condition of these buildings is poor.
- 1.2.2 The main vehicle access is off Middle Lane, with a pedestrian access off Lon Goch.
- 1.2.3 The site has level access from Middle Lane but falls sharply down via high stone retaining walls to Lôn Goch. There are large expanses of tarmac within the site, providing car parking and recreation areas, and the area between the more modern buildings and Middle Lane is partly grassed and has some mature trees, and the overgrown strip between the buildings and Lon Goch has some shrubs and mature trees.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the development boundary of Denbigh in the Local Development Plan, and is in the Denbigh Conservation Area.

1.4 Relevant planning history

- 1.4.1 Planning permission was granted in February 2017 for the redevelopment of the site in the form of a 70 unit extra care scheme, involving the demolition of all the former school / education centre buildings on the site. Otherwise there are no applications of direct relevance to the matters for consideration of this Conservation Area Consent application.

1.5 Developments/changes since the original submission

- 1.5.1 The application has not been changed since submission. Exchanges with Welsh Government since the referral of the application to the former in February 2017, and CADW's input to that process is outlined in section 1.1 of the report. The comments of CADW, the Council's Conservation Officer and the applicant's agents are all included in the earlier sections of the report so members are fully aware of the arguments in relation to demolition of the original school building.

1.6 Other relevant background information

- 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 Application 01/2016/1241/PF

Demolition of existing buildings and redevelopment of land by the erection of 70 extra care apartments, community living unit, construction of new vehicular and pedestrian accesses, alteration of existing vehicular access and hard and soft landscaping.

Granted at Planning Committee 8th February 2017

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Supplementary Planning Guidance Conservation Areas SPG – March 2015

3.2 Government Policy / Guidance

Planning Policy Wales Edition 9 - November 2016

Technical Advice Note 24: The Historic Environment - May 2017

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by The Historic Environment (Wales) Act 2016

Managing Conservation Areas in Wales (CADW) May 2017

The contents of PPW Chapter 6, TAN 24 and CADW's Managing Conservation Areas in Wales reflect the general themes set in the earlier Planning (Listed Buildings and Conservation Areas) Act 1990 and the Historic Environment (Wales) Act 2016 in respect of considerations to be given to proposals impacting on the historic environment, and are an up to date expression of Welsh Government's position on the context for consideration of a conservation area consent application. Key sections of these documents are set out below to ensure there is a full appreciation of this context within which the application needs to be assessed :

- *The Council's Supplementary Planning Guidance – Conservation Areas* provides only limited guidance for the consideration of conservation area consent applications. Section 5.1 sets out basic principles requiring assessment of the impact of proposals on the character and appearance of conservation areas, and notes that consent for demolition will not normally be granted until it is known what form redevelopment will take, and how it preserves or enhances the conservation area. It recognises there may however be some poor quality buildings which, if removed, would result in visual improvements to Conservation Areas.

- *Planning Policy Wales 9, Chapter 6* provides basic guidance on the considerations to be applied to applications involving impacts on the historic environment. It reflects the general requirements in the *Historic Environment Act 2016 / 1990 Act* in respect of protecting the historic environment. This stretches to proposals involving World Heritage sites, archaeological remains, listed buildings and Conservation Areas. PPW stresses the importance of the historic environment to the country's culture and character, our sense of place and cultural identity; and that what is of significance needs to be identified and change that has an impact on historic assets must be managed in a sensitive and sustainable way. 6.1.4 states that ... "any actions must be in proportion to the impact of the proposals, and the effects on the significance of the assets and their heritage values".

Section 6.5.19 makes clear that there is no statutory requirement to have regard to the provisions of the Development Plan when considering applications for conservation area consent, as the Courts have accepted Section 54A of the 1990 Act (superseded by Section 38(6) of the Planning and Compulsory Purchase Act 2004, does not apply. The policies of the Local Development Plan are not therefore material to the application.

The fundamental approach to consideration of conservation area consent applications is set out in 6.5.20:

"There should be a general presumption in favour of the preservation or enhancement of the character and appearance of a conservation area or its setting."

In terms of principles, this section of PPW suggests:

- It is preferable for related planning and conservation area consent applications to be considered concurrently, and for planning applications to be for full rather than outline permission.

- Account should be taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological, or historic interest of the conservation area as a whole.
- The general presumption should be in favour of retaining buildings which make a positive contribution to the character and appearance of a conservation area
- Proposals should be tested against conservation area appraisals where they are available
- *TAN 24* sets out the following in relation to proposals for conservation area consent:

“6.12Applications for Conservation Area Consent will require a heritage impact statement, which should explain why demolition is desirable or necessary alongside a broader assessment of the impact of the proposals on the character or appearance of the area.

6.13 There should be a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (see 5.15). In cases where it is considered a building makes little or no contribution, the local planning authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given without acceptable and detailed plans for the reuse of the site unless redevelopment is itself undesirable. The local planning authority is entitled to consider the broad principles of a proposed development, such as its scale, size and massing, when determining whether consent should be given for the demolition of an unlisted building in a conservation area.

6.14 It may be appropriate to impose a condition on the grant of consent for demolition so that it does not take place until full planning permission has been granted and a contract for carrying out the development work has been made.”

Paragraph 5.15 of *TAN 24*, as referred to in 6.13 above states as below:

“An application for the demolition of a listed building should be made in exceptional circumstances and only as an option of last resort. Consent for demolition should not be given simply because redevelopment is economically more attractive than the repair and re-use of a historic building. The following factors need to be considered:

- The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.
- The efforts made to keep the building in use or to secure a new use, including the offer of the unrestricted freehold of the building for sale at a fair market price that reflects its condition and situation.
- The merits of the alternative proposals for the site, including whether the replacement buildings would meet the objectives of good design and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition. “

- *Managing Conservation Areas in Wales*
This CADW publication issued in May 2017 supplements Planning Policy Wales and Technical Advice Note 24: The Historic Environment. It sets out the policy context and duties for local planning authorities to designate and manage conservation areas, and is intended to assist local planning authorities in how to take account of Cadw's Conservation Principles for the Sustainable Management of the Historic Environment in Wales to achieve high-quality sensitive change. Section 6.1 provides guidance on control over demolition in conservation areas. It repeats the basic guidance in Planning Policy Wales 9 Section 6:

“Local planning authorities should favour retaining buildings which make a positive contribution to the character or appearance of a conservation area. In cases where a building makes little or no such contribution, the authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not normally be given without acceptable and detailed plans for the reuse of the site, unless redevelopment is itself undesirable. Local planning authorities can consider the broad principles of a proposed

development, such as its scale, size and massing, when determining whether consent for demolition should be given.”

It should be noted here that the abovementioned policy / guidance in Planning Policy Wales, TAN 24 and the Historic Environment Act and CADW’s Managing Conservation Areas in Wales have come into being after the submission of the application. Previous versions of PPW and Welsh Office Circular 61/91 contained similar approaches to the principle of demolition in conservation areas in emphasising the presumption in favour of the preservation or enhancement of the character and appearance of a conservation area or its setting.

4. MAIN PLANNING CONSIDERATIONS:

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

- Principle of demolition
- Impact on the Denbigh conservation area or its setting

4.2. In relation to the main planning considerations:

- Principle of demolition
The policy and guidance applicable to consideration of a Conservation Area Consent application are set out in detail in Section 3 of the report.

In applying the basis of this policy and guidance to what is involved in this application, it is reasonable to conclude that the demolition of unlisted buildings in the Denbigh Conservation area would not be unacceptable in principle. However, it is incumbent on the Council to assess whether the particular impacts of demolition on the character and appearance of the Conservation Area or its setting are acceptable, alongside other material considerations. These are the subject of review in the following section of the report.

- Impact on the Denbigh conservation area or its setting

The applicant's case

Following their dialogue with CADW, the agents have clarified the basis of their arguments for demolition, in particular in respect of the removal of the original stone school building. The main points are highlighted in section 1.1.9 of the report. In brief, it is contended that due consideration has been given to the practicality and feasibility of retaining the original building as part of a redevelopment scheme, but this is not possible having regard to the need to achieve access from Lon Goch, significant levels issues, complications achieving level access to modern standards within the building and between it and any new development; and the inevitable sterilisation of land around the school building, leading to any new development being compressed into the south of the site (losing at least 15 units from the extra care scheme).

It is argued that the proposed redevelopment ‘addresses a number of complex requirements, seeks to enhance and protect the character of the Conservation Area while offering a modern building fit for its new purpose.’ The applicant’s Conservation architect has suggested that CADW’s own admission that the 1903 building is too compromised to be suitable for listing is fairly fundamental and that if they wished to protect the future of this building when the site was up for redevelopment then surely it should have been listed at that time.

Consultation responses

There are no objections to the demolition of the buildings on the site from Denbigh Town Council, the Council's Archaeologist and the Conservation Officer. The Town Council and Archaeologist suggest it would be appropriate to oblige a suitable photographic record of the original school building if consent is granted. The Conservation Officer sets out reasons why the decision was made to support the application, having regard to CADW's position, the merits of the original school building, the practicality of incorporating it into a revised scheme and the benefits of the redevelopment.

There is a single representation from a private individual which refers to the loss of a 'prime period building' but this is not expressed as an objection to the proposals.

The main concerns over demolition are those expressed by CADW, and in respect of the loss of the stone built former Denbigh High School building. CADW's comments are set out in detail in the Consultation Responses section of the report. They consider this is a good example of an early 20th century school and that there is an ideal opportunity to reverse the damage of unsympathetic additions to reveal the original main façade and appearance, opening the possibility of consideration for formal listing. CADW conclude the applicants should take the opportunity to enhance the character and appearance of the conservation area by incorporating the original school building within the proposed development. They express reservations over the case made for demolition and the efforts to explore the possibility of retention of the building at design stage, and they pose questions over conclusions on the structural condition of the building and the feasibility of its reuse.

Assessment in relation to current policy and guidance

In relation to the policy and guidance referred to in section 3.2 of the report:

The proposals do not pose any obvious conflicts with the contents of *the Council's Supplementary Planning Guidance – Conservation Areas*. The application contains sufficient information to assess the impacts on the conservation area and its setting, and has to be viewed in the context of the full planning permission detailing the form the proposed redevelopment will take. The removal of the range of poor quality modern buildings would result in clear visual improvements to the Conservation Area.

Having regard to the contents of *Planning Policy Wales 9, Chapter 6, and CADW's Managing Conservation Areas in Wales*, it is fully accepted that there should be a general presumption in favour of the preservation or enhancement of the character and appearance of a conservation area or its setting. The impacts of the demolition of the original school building have been assessed in detail and due respect has been given to the reservations of CADW in weighing the merits of the application:

- The application for conservation area consent was submitted at the same time as the full planning application for the redevelopment of the site, which is in accord with PPW's suggestion that both applications should be considered concurrently, and that the planning application should be for full rather than outline permission.

- Full account has been taken of the wider effects of demolition on the building's surroundings and on the architectural, archaeological, or historic interest of the conservation area as a whole.

- In accepting that there is a general presumption in favour of retaining buildings which make a positive contribution to the character and appearance of a conservation area, this has to be balanced against the feasibility of incorporating the original school building within a scheme, and the positive benefits of the extra care scheme (reflected in the Planning Committee's deliberations and approval of the planning application in February 2017)
- The conservation area appraisal for the Denbigh Conservation Area was drafted at a time when the site was outside the Conservation Area boundary. Its contents are of limited relevance to considerations to be applied to the Conservation Area Consent application.

Having regard to the contents of *TAN 24*:

The application was accompanied by a heritage statement, which addresses considerations contained in WO Circular 61/96 and PPW 9 Chapter 6, which were in place at the time of submission, and the supplementary information from the applicant's agent referred to in 1.1.9 sets out a case:

- As to why demolition is acceptable / necessary alongside a broader assessment of the impact of the proposals on the character or appearance of the area.
- How the proposals to demolish the original school building have been considered with regard to the criteria applied to proposals to demolish listed buildings. The Council has full information about what is proposed for the site after demolition.
- It is a matter for the Council to impose a suitably worded condition on any consent to ensure demolition does not take place until a contract for carrying out the redevelopment work has been made.

In relation to the contents of *TAN 24* para 5.15, concerning tests in respect of listed building demolition proposals:

- The applicants have set out arguments for demolition, countering concerns that this is acceptable simply because redevelopment is economically more attractive than the repair and re-use of the original school building –
 - Potential for re-use and integration of the old school building has been seriously investigated and ruled out as not being possible for a number of reasons (implications on accessibility of the site, levels issues within and between buildings impacting on accessibility, practicality of conversion to modern standards, sterilisation of a significant proportion of the site, etc.). Use as a standalone development is considered impractical given the location of the building and difficulties of achieving an independent access. The implication is that the value derived from its continued use is limited and retention would impact severely on the feasibility of the redevelopment scheme.
 - The building has not been deliberately neglected.
 - The original school building is part of a large complex of buildings, is itself enveloped by modern extensions and as noted above is inaccessible as an independent building. Its re-use relies on access being provided through any redevelopment which may take place around it. This inevitably limits the potential to keep it in use or to secure a new use, regardless of what options may be feasible for disposal through unrestricted freehold or sale at a fair market price that reflects its condition and situation.
 - It is to be noted that the merits of the alternative proposals for the site have been considered by Planning Committee and have been deemed acceptable through grant of planning permission for the extra care scheme in February 2017. In respecting CADW's comments on the merits of the design of the redevelopment, it is considered there are substantial benefits for the

community that need to be weighed against the loss resulting from demolition, which is the basis of support from the Conservation Officer.

Conclusions

Having regard to the background information including the PPW / TAN 24 tests, in concluding on the merits of the application, it is clear that the main issue is whether the case is made for the demolition of the original school building. There are no arguments made by any party for the retention of other buildings, indeed it would seem common ground that the removal of the mix of poor quality buildings across the site offers the potential for considerable visual benefits in the Conservation Area. Officers' take on the factors which weigh in favour and against the demolition consent application are as follows:

Against the grant of consent for demolition of the original school building –

- It is a good example of an early 20th century school building, worthy of retention
- CADW consider it has a potential for designation as a listed building if the enveloping extensions are removed
- Its loss would have a negative impact on the character and appearance of the conservation area
- Its condition does not seem to be so poor as make retention impractical
- Options can be explored to incorporate the building in a revised development scheme
- There is no compelling financial viability case made to conclude retention would make a scheme impractical

In support of consenting to demolition of the original school building –

- CADW have had opportunity to decide whether to list the school building, but have not done so in 2011 and in recent months, on the basis that its current form is compromised by unsympathetic / inappropriate extensions.
- The redevelopment scheme has been developed in the knowledge that CADW have not listed the old school
- The location of the building is such that even if it were to be retained in its entirety as part of a 'redesigned' redevelopment on the rest of the site, it would only be visible from a limited number of publicly accessible viewpoints at the bottom of Beacon's Hill, hence making only a limited contribution to the Conservation Area.
- Its removal would consequently not have a significant negative adverse impact on the character and appearance of the conservation area or its setting.
- Retention of the school building would sterilise a significant part of the site, limiting the scope and potential benefits of a redevelopment.
- It would be impossible to implement the approved 70 unit extra care scheme, with the loss of its attendant community benefits, which are a material consideration.

Officers recognise that there are difficult matters to weigh in this instance, but are satisfied that all the relevant considerations are before the Committee, so a measured decision can be made.

Having regard to the range of issues, Officers take the view that the balance falls in favour of consenting to demolition, including the old school building. CADW's conclusions on the quality of the old school building and the arguments for its retention in a redesigned scheme have been given the closest scrutiny alongside the case on behalf of the applicants, which shows the attempts to incorporate the original school building into a scheme, the feasibility of retaining it, and the impacts of its retention on the feasibility of a redevelopment scheme. Whilst the issues are finely balanced here, it is ultimately suggested that the clear community benefits from the

development of the extra care scheme granted planning permission by Planning Committee in February 2017 are a factor which weigh significantly in favour of the proposals.

5. SUMMARY

- 5.1 The application relates to demolition works necessary to facilitate the redevelopment of a brownfield site within the development boundary of Denbigh in the adopted Denbighshire Local Development Plan.
- 5.2 Full planning permission has been already been granted at Planning Committee in February 2017 for a development of 70 apartments and a community living unit, offering extra care / supported housing for the elderly and vulnerable. This scheme included for the demolition of all existing buildings on the site.
- 5.3 Welsh Government have confirmed that responsibility for determination of this conservation area consent application now rests with Denbighshire County Council.
- 5.4 The report sets out the main planning considerations relevant to the consideration of the application, i.e. the acceptability of the proposals in terms of impacts on the character or appearance of the conservation area, or its setting.
- 5.5 There are no local objections to the application. CADW have reservations over the loss of the original school building and consider it should be retained as part of a scheme. The applicants have put forward detailed arguments explaining the practical difficulties of incorporating it into a development. The application is supported by the Council's Conservation Officer.
- 5.6 In reviewing the proposals against the policies / guidance in Planning Policy Wales and TAN 24, and weighing the considerations relevant to the determination, it is concluded that whilst the demolition of the original school building would have a limited negative impact on the conservation area and its setting, this would not be so significant as to be unacceptable in this location, and taking into account the positive benefits of the redevelopment scheme, it would be reasonable to recommend consent be granted.

RECOMMENDATION: CONSENT- subject to the following conditions:-

1. No demolition, site clearance, or development shall be permitted to begin until a Level 3 photographic record has been made of the buildings on the site in accordance with the standard methodology in the Clwyd-Powys Archaeological Trust's specifications, as set out in the Notes to Applicant attached to this permission, and the resulting photographs have been 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.
2. No demolition works shall be permitted to commence on the original stone school building until the written approval of the Local Planning Authority has been given to proposals for the reuse of stone and agreed architectural features in the redevelopment scheme granted planning permission under application code no.01/2016/1241/PF.

The reasons for the conditions are:-

1. In the interests of investigation and recording of historic buildings
2. To recognise the history of the site through the incorporation of features of the old school in the redevelopment scheme.