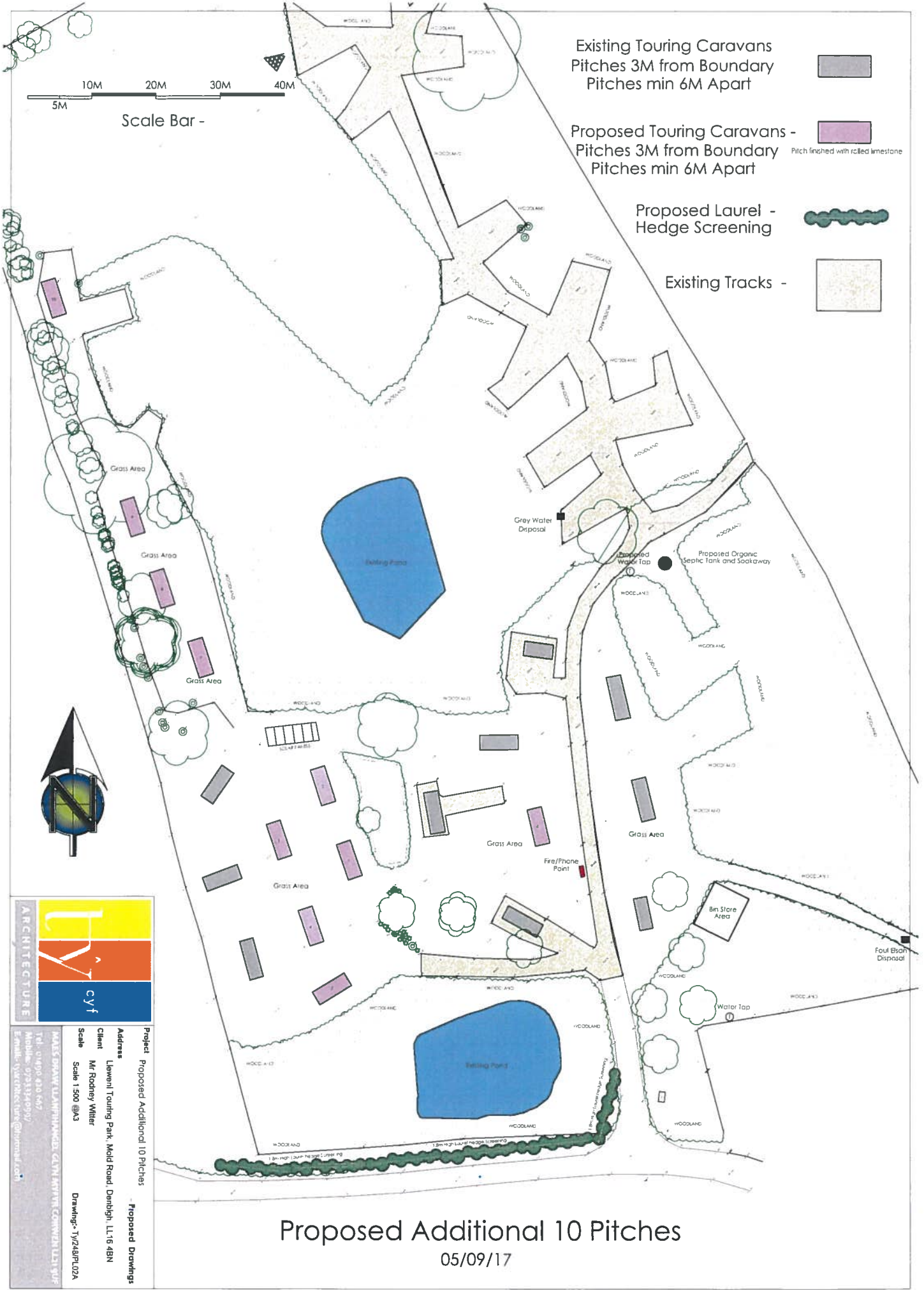


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Proposed Additional 10 Pitches
05/09/17



ARCHITECTURE
cyf

Project: Proposed Additional 10 Pitches
Proposed Drawings

Address: Lawenall Touring Park, Mold Road, Denbigh, LL16 4BN
Client: Mr Rodney Wiliier
Scale: Scale 1:500 @A3
Drawing: 1/24/16/102A

WALS GRAVE LAMPHARDER CLYD KIRBY CORNWALL LL1 9UF
Tel: 01490 430 667
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WARD : Denbigh

WARD MEMBER(S): Councillor Mark Young
Councillor Rhys Thomas

APPLICATION NO: 01/2016/0911/ PS

PROPOSAL: Variation of condition number 3 of Glyndwr District Council Planning Permission ref 1/11632 to increase the maximum number of caravans from 10 to 20

LOCATION: Lleweni Caravan Tourer Park Lleweni Parc Mold Road Denbigh

APPLICANT: Mr Rodney Witter Lleweni Parc Ltd

CONSTRAINTS: None

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

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

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

CONSULTATION RESPONSES:

DENBIGH TOWN COUNCIL

“No objection.”

NATURAL RESOURCES WALES

Response awaited to reconsultation on the revised proposals for a new organic septic tank. NRW have previously referred to the use of an organic treatment system as an alternative method of handling the type of waste generated by this type of caravan site

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

Do not envisage any highway related issues from the proposals given the adequacy of the existing access and design onto the A541 to accommodate the traffic generated and therefore have no objection to the proposals.

- Pollution Control Officer

Has confirmed that a Site Licence has been issued for the 10 caravan site, following an inspection on 25th September. Is satisfied at the revised drainage proposals involving a new dedicated organic septic tank and a separate grey water tank to serve the site.

- Water Quality Officer

No objection.

- Ecologist

No objection as no additional tree felling is proposed.

RESPONSE TO PUBLICITY:

Representations received from:

In objection

Mrs D.E. MacLennan, The West House, Mold Road, Denbigh
JD Winstanley, The East Wing, Lleweni, Mold Road, Denbigh
Jason Kenyon, East Pavilion, Lleweni
Ann Jones, 4 The Haybarn, Lleweni
Sharon Sparrow, 1 Corn Barn, Lleweni
Jennifer Marsden, Lleweni Uchaf, Mold road, Denbigh
Phil & Kath Coppin, 2 The Corn Barn, Lleweni
N Edwards, 3 The Haybarn, Lleweni
John Kissane, Lleweni Hall, Lleweni
Paul and Christine Smith, 2 The East Wing, Lleweni
Ceri Gough-Roberts, 1 The Haybarn, Lleweni
Mr R J Williams, Plaen Cottage, Bodfari
Nerys Roberts 3 The Hay Barn
V. Pownall Goodall, The East House, Mold Road, Denbigh
H. Davies, Yr Ydlan, Lleweni, Bodfari
Helen Jones, 1 The West Wing, Lleweni.
Stephen Marsden, Lleweni Uchaf, Denbigh

Summary of planning based representations in objection:

Principle of development- proposal has not been supported by a business case, proposal would be a more intensive use than the adjacent residential development at Lleweni.

Visual impact- proposal would be harmful to the character and appearance of the area, caravans are visible from adjacent hamlet of Lleweni.

Residential amenity impact- use would result in noise and disturbance for adjacent occupiers.

Ecological impact- application not supported by sound surveys, planting inappropriate in rural location.

Drainage arrangement unacceptable, no capacity in shared septic tank, proposal will also increase surface water in area, flooding has been an issue from the site.

Highways Safety- access road unsuitable for more intensive use, access point onto B Road dangerous.

Other matters

Quality of application submission- plans are inadequate and contain conflicting information.

Caravan controls- neighbours query whether proposal complies with existing caravan site controls.

Any additional responses received in relation to the reconsultation on the application following receipt of the revised layout and proposals for an organic septic tank and grey water tank will be reported in the late information sheets.

EXPIRY DATE OF APPLICATION: 28/11/2016

EXTENSION OF TIME REQUESTED

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- need for reconsultation
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application proposes the 'Variation of condition no. 3 of Glyndwr District Council Planning Permission ref. 1/11632, to increase the maximum number of caravans from 10 to 20" at Lleweni Caravan Park, Denbigh.

1.1.2 Members may recall that consideration of the application was deferred at the June 2017 meeting of the Committee, to allow investigation of the adequacy of the current and proposed system of foul water disposal, and to clarify the site licence situation. Developments since this time are outlined in paragraph 1.1.8 below.

1.1.3 Factually, the original planning condition 3 imposed on the permission approving the touring caravan site in October 1990 read;

“No more than 10 touring caravans shall be stationed on the application site and no static caravans for whatsoever purpose shall be positioned on the site”.

The reason for the condition was;

“To retain the site as small scale and inconspicuous in the landscape and to avoid the stationing of caravans on the site permanently.”

1.1.4 The proposal seeks the following variation;

“No more than 20 touring caravans shall be stationed on the application site and no static caravans for whatsoever purpose shall be positioned on the site”.

1.1.5 The additional touring caravan pitches are mainly proposed to be sited on the western side of the 1.6 hectare caravan site with one additional pitch proposed to the north of the existing group of caravan pitches.

1.1.6 The proposed touring caravan pitches are shown as 2.5 metre by 5.5 metre rolled limestone hardstandings, located primarily on the western side of the site. They would be accessed via the existing access track which leads into the site from the track which links the Lleweni complex to the A543 Denbigh – Mold Road.

1.1.7 A revised site plan, which shows amendments to the layout and the location of a new ‘organic septic tank’ and soakaway, and a separate grey water tank (dated 05/09/2017), is included at the front of the report.

1.1.8 Since the deferral of the item from Committee in June 2017, Officers have been in dialogue with the applicant in relation to the drainage and site licence issues. This has culminated in the submission of revised plans addressing points pertinent to the issue of a site licence, clarifying ancillary features relevant to the licence (fire points, bin stores, telephone points, etc), ensuring distances between units and boundaries meet the standards, and the location of the proposed new grey water tank and an organic septic tank - which is the subject of a separate Building Regulations application. As referred to earlier, the Public Protection Section has issued a Site Licence in relation to the 10 caravan site.

1.2 Description of site and surroundings

1.2.1 Lleweni Caravan Park is an established touring caravan park located within Lleweni Park, some 2 miles north east of Denbigh.

1.2.2 The site is located in a woodland area abutting the southern boundary of the park. The caravan site is accessed via a private road that links to an access onto the A543 Denbigh-Mold Road. The access road leads to the complex of residential conversions and the original Hall at Lleweni.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located outside any development boundary as defined in the Local Development Plan.

1.4 Relevant planning history

1.4.1 The touring caravan site was granted planning permission in October 1990. There are conditions on the original planning permission relating to the length of stay and number of caravans on the site.

1.4.2 A variation was approved in 2015 to condition 5 of the October 1990 permission, removing the restriction on the length of stay for an individual caravan.

1.5 Developments/changes since the original submission

1.5.1 Additional information has been requested from the applicant over a period of time in order to address issues arising from responses to consultation and publicity, and from Officers' site inspections. Progress has been made since the deferral of the application from Committee in June 2017, culminating in the submission of the revised site plan referred to above, and the issue of a Site Licence in relation to the existing 10 caravan site.

1.5.2 A final reconsultation exercise has been undertaken on the revised plans received in September.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 1/11,632 Proposed siting of 10 self-contained touring caravans and construction of means of access for use in connection with pony trekking, gliding, and fishing. Granted 5th October 1990.

2.2 01/2015/0036 Application for variation of condition 5 of planning permission 1/11632 (Glyndwr DC) to allow "The length of a continuous stay in a touring caravan at the site on any one visit shall not exceed 28 days. Approved 07/04/2015 with the following condition:

1. The site shall only be used for holiday purposes for caravans on tour only, and none of the caravans shall be occupied as a sole or main residence at any time, nor the site used for B8 caravan storage. A record shall be kept of all caravans visiting the site and shall be made available for inspection at the reasonable request of the Local Planning Authority.

Reason: To enable the Local Planning Authority to monitor the site for compliance with adopted planning policies.

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 PSE5 – Rural economy

Policy PSE12 – Chalet, static and touring caravan and camping sites

Policy VOE5 – Conservation of natural resources

Policy ASA3 – Parking standards

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Notes

Other material considerations

Well – being of Future Generations (Wales) Act 2015

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). 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 (PPW section 3.1.4).

Development Management Manual 2016 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
- 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)

Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

Policy PSE 5 Rural Economy recognises the importance of the tourist industry to the local economy subject to tests of detailed impacts. Of some relevance is Policy PSE 12 which supports proposals for environmental remodelling/improvements of existing static holiday caravan and chalet sites through the provision of new facilities, and landscaping. Planning Policy Wales offers similar 'in principle' encouragement for suitable tourist developments, subject to appropriate environmental safeguards. TAN 13 Tourism (1997) predates Planning Policy Wales but suggests as broad principles that the planning system can respond to changes in tourism without compromising policies to safeguard the countryside.

The principle of the use of land at Lleweni Park as a touring caravan site was established with the grant of planning permission in 1990. This established the acceptability of the principle of a caravan site in this location.

It is not considered the proposed variation of the condition to increase the number of caravans from 10 to 20 raises new issues of principle. The variation would help the caravan park to continue to be attractive to visitors and meet a demand in the area for this sort of accommodation, which in turn would support the local economy. The proposal also offers an opportunity to improve visual and environmental conditions on the site, which is discussed further below. Hence it is the opinion of Officers that the variation is considered acceptable in principle subject to an assessment of localised impacts.

4.2.2 Visual amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 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. The impact of a development on visual amenity is therefore a relevant test on planning applications.

Concerns have been raised by objectors over the visual impact of the proposed development.

The plans show the additional caravans proposed to be sited predominantly on the western side of the site in two rows. A laurel hedge is proposed to be planted along the southern side of the site to screen the site from the adjoining access track. The agent has advised that Laurel has been chosen owing to its appropriateness for the park land.

Whilst Officers note comments on the quality of the proposed submission, it would be difficult to resist the variation of condition for this reason alone. The Applicants make it clear in their submission that the scale of the operation is such that it does not require significant ground

works, ancillary fixtures and fittings, and it would not be reasonable to resist the scheme on these grounds.

The requirement for general environmental improvements is acknowledged. A condition can be attached obliging additional planting / landscaping in connection with the development, in addition to the laurel hedge proposed to screen the access.

4.2.3 Residential amenity

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 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. The impact of a development on residential amenity is therefore a relevant test on planning applications.

Concerns have been raised by neighbouring occupiers over the potential for noise and disturbance from the site.

The site is located in the open countryside, however there are dwellings situated to the south east of the touring site in the former Lleweni Hall outbuildings (referred to in representations at Lleweni Hamlet), as well as the original dwelling Lleweni Hall. The relationship of these dwellings to the caravan site which benefits from a year round permission was deemed acceptable when the application for the conversion of the outbuildings to dwellings was granted in the 2000's.

The variation of condition application proposes a more intensive use of the site as twice the number of caravans would be permitted on the site, albeit they would be predominantly sited on the furthest side of the site from the dwellings within the Lleweni complex. However, with respect to the concerns of residents, considering the distances involved, and the intensity of the existing use of the site, it is considered that the proposal would not result in such a significant amount of additional noise and disturbance to warrant refusal of the application.

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) and current legislation.

Given the existing nature of the site, and the detailing of the proposal which does not involve additional tree felling or engineering operations it is considered unlikely to result in a detrimental impact on ecological interests.

4.2.5 Drainage

Planning Policy Wales Section 12.4.1 identifies drainage as a material consideration in determining planning applications.

The original consultation exercise generated concerns from local residents over the drainage arrangements and in particular over the capacity in the existing septic tank, and the possibility that the proposal will increase surface water in the area given flooding has been an issue from the site.

Members will note from the earlier sections of the report that there has been considerable dialogue between Officers and the applicants over foul water disposal details since the original submission, and in particular since deferral of the application at the June 2017 Committee. The applicant has now proposed a new organic septic tank and a grey water tank to address concerns over use of an existing tank. The Public Protection Officer is supportive of this proposal. NRW's final response is awaited, but it is anticipated they will not object to the new tank. The foul drainage proposals are now considered acceptable in this regard.

4.2.6 Highways (including access and parking)

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 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. The acceptability of means of access is therefore a standard test on most planning applications.

Concerns have been raised by neighbours over the use of the access track.

The access arrangements to the site remain as existing. Highways Officers have raised no objection to the scheme.

It is not considered that the proposal would result in highway safety problems or raise new questions over the principle of the development from reliance on the motor car.

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 existing 10 pitch touring caravan site is long established with a 12 month season of use. Planning policies encourage small scale employment and tourism use in appropriate locations. The proposal to allow an additional 10 caravans is not considered likely to have significant additional adverse effects on the immediate locality in terms of landscape, residential amenity, or highways impacts. The drainage arrangements have been revised to address local concerns. Site licence issues in relation to the existing site have also been addressed. The application is recommended for grant.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. No more than 20 touring caravans shall be stationed on the application site and no static caravans for whatsoever purpose shall be positioned on the site.

Reason: To retain the site as small scale and inconspicuous in the landscape and to avoid the stationing of caravans on the site permanently.

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 access (Drawing No. 2) received 14 August 2017
 - (ii) Proposed site plan (Drawing Ty/248/PL01A) dated 05/09/2017
 - (iii) Location plan received 14 August 2017

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

3. No additional caravans shall be permitted to use the site until the written approval of the Local Planning Authority has been obtained to proposals for enhancing the landscaping / planting of the site, and the approved scheme has been implemented. Any trees or plants which within a

period of 5 years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.

Reason; In the interests of visual amenity

4. Notwithstanding the approved plans, a sound barrier shall be erected around the chemical disposal point no later than 6 months from the date of this decision, in accordance with such detailing as may be submitted to and approved in writing by the Local Planning Authority. The barrier shall incorporate a mass per unit area of at least 10kg/m². The barrier as approved shall be retained as long as the chemical disposal area is in use.

Reason: To provide mitigation measures to minimise the noise impact of the scheme on nearby noise sensitive receptors at Lleweni.

NOTES TO APPLICANT:

You are reminded that a new site licence will be required in relation to the operation of a 20 unit touring caravan site.