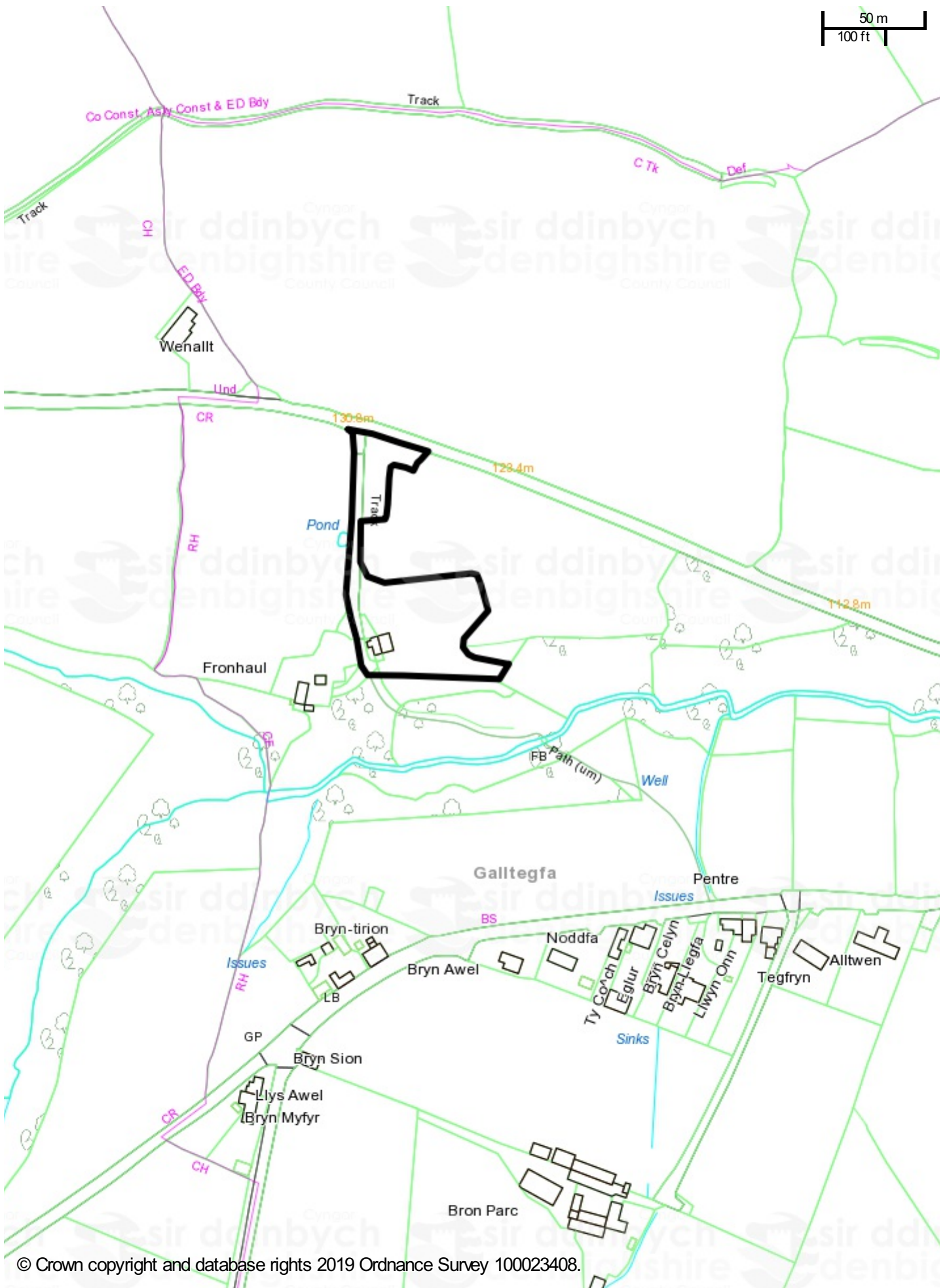


50 m  
100 ft



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02/2019/0159

Scale: 1:2500

Printed on: 24/10/2019 at 9:36 AM



© Denbighshire County Council



# PROPOSED SITE PLAN

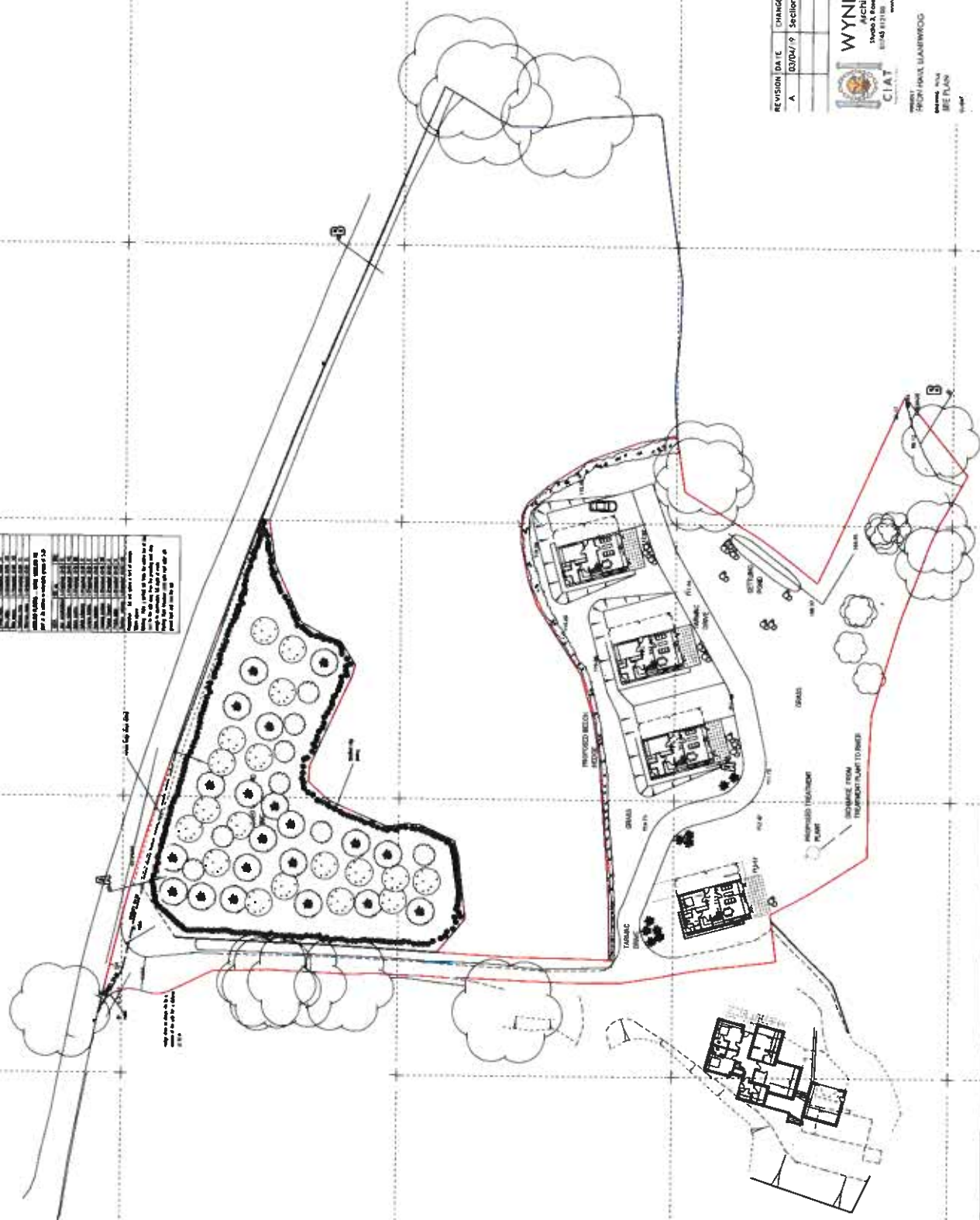
REVISION	DATE	CHANGE
A	03/04/19	Section b,d added

**WYNN ROGERS**  
 ARCHITECTS  
 1400 N. GARDNER ROAD, SUITE 100  
 TULSA, OKLAHOMA 74104  
 TEL: 918.438.1111 FAX: 918.438.1112  
 WWW.WYNNROGERS.COM

PROJECT NO. 19-001  
 SHEET NO. 2  
 OF 2

DATE: 03/04/19

NO.	SYMBOL	DESCRIPTION
1	(Symbol)	Asph/Flt Parking
2	(Symbol)	Grass
3	(Symbol)	Gravel
4	(Symbol)	Concrete
5	(Symbol)	Asphalt
6	(Symbol)	Grass
7	(Symbol)	Gravel
8	(Symbol)	Concrete
9	(Symbol)	Asphalt
10	(Symbol)	Grass
11	(Symbol)	Gravel
12	(Symbol)	Concrete
13	(Symbol)	Asphalt
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15	(Symbol)	Gravel
16	(Symbol)	Concrete
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18	(Symbol)	Grass
19	(Symbol)	Gravel
20	(Symbol)	Concrete



NOT TO SCALE  
 1" = 100'







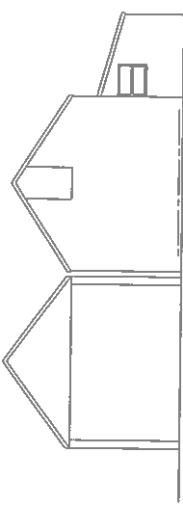




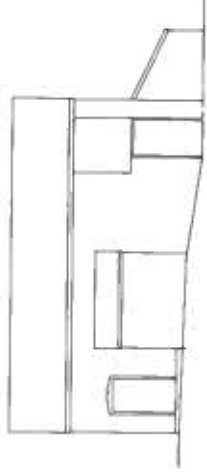


# CHALET 1 - EXISTING BUILDING

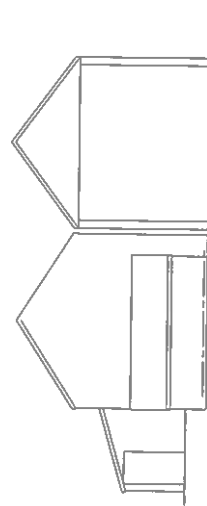
**NOTES:**  
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION 160.03, CHAPTER 160, ILLINOIS COMPILATION STATUTES, AS AMENDED.  
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION 160.03, CHAPTER 160, ILLINOIS COMPILATION STATUTES, AS AMENDED.  
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION 160.03, CHAPTER 160, ILLINOIS COMPILATION STATUTES, AS AMENDED.



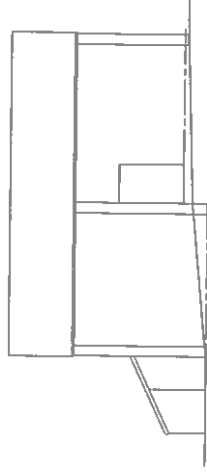
side



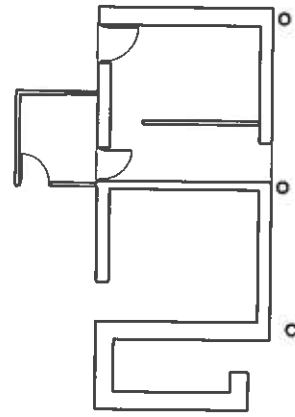
front



side



rear



plan | : 100

REVISION

**WYNN ROGERS**  
 Architectural Services  
 1100 S. Bessmerly Lane, Danmora, IL 61831  
 618-441-1111  
 www.wynnrogers.com

DATE: 11/19  
 SCALE: AS SHOWN  
 DRAWN: JRC  
 CHECKED: JRC  
 DATE: 11/19  
 PROJECT: CHALET 1

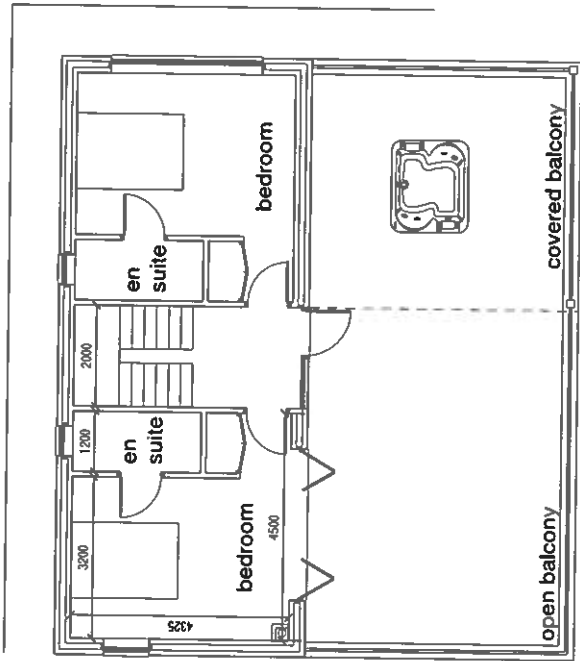
FROM: MAIL LAMPFROG  
 DRAWING TITLE:  
 CHALET 1 - EXISTING  
 SHEET NO.:



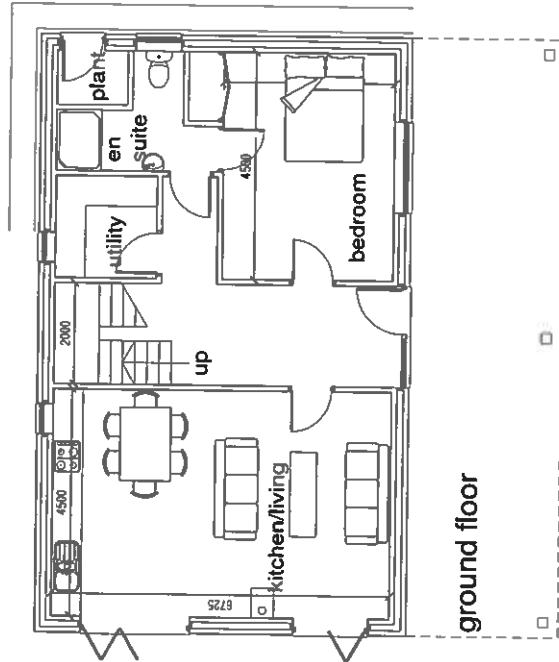
# CHALETS 2-4 FLOOR PLANS

## NOTES:

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCEMENT OF ANY WORK OR THE PREPARATION OF MANUFACTURING DRAWINGS. ANY DISCREPANCIES TO BE REPORTED IMMEDIATELY TO WYNN ROGERS ARCHITECTURAL SERVICES CONSULTANT

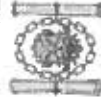


first floor



ground floor

REVISION



**WYNN ROGERS**  
Architectural Services  
Studio 3, Rosemary Lane, Denbigh, LL16 3JT  
01745 812100 E-mail: [consult@wynn-rogers.co.uk](mailto:consult@wynn-rogers.co.uk)  
[www.wynn-rogers.co.uk](http://www.wynn-rogers.co.uk)

PROJECT: FRON HAUL LLANFWROG

CLIENT: CHALET DEVELOPMENT

PROJECT NO: 2399  
DRAWN: NSC

SCALE: 1:100  
DATE: SEPT 18

SHEET: A3

DRAWING NO: 8.

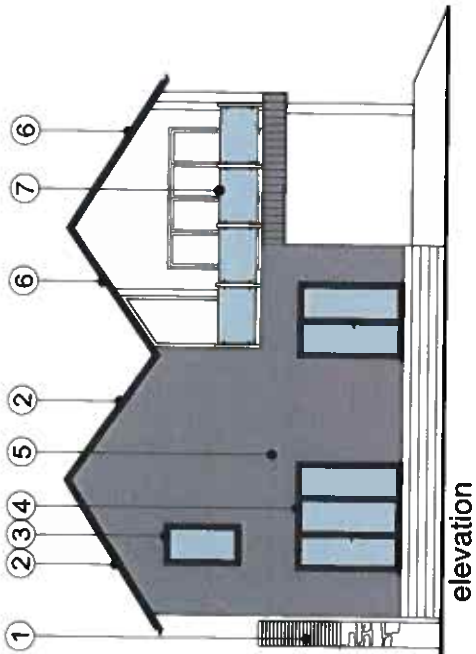
PROJECT TITLE: CHALET DEVELOPMENT

CLIENT

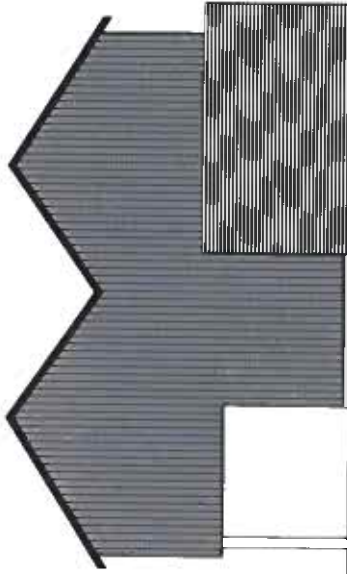
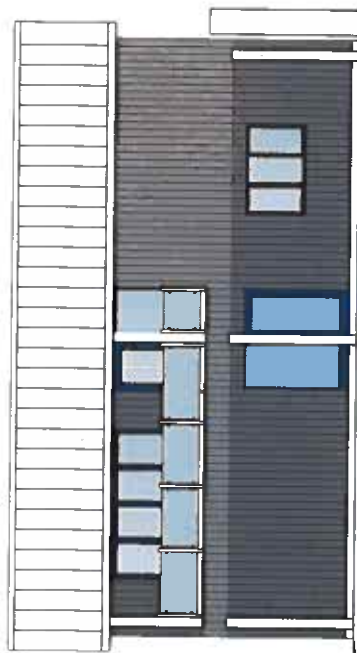
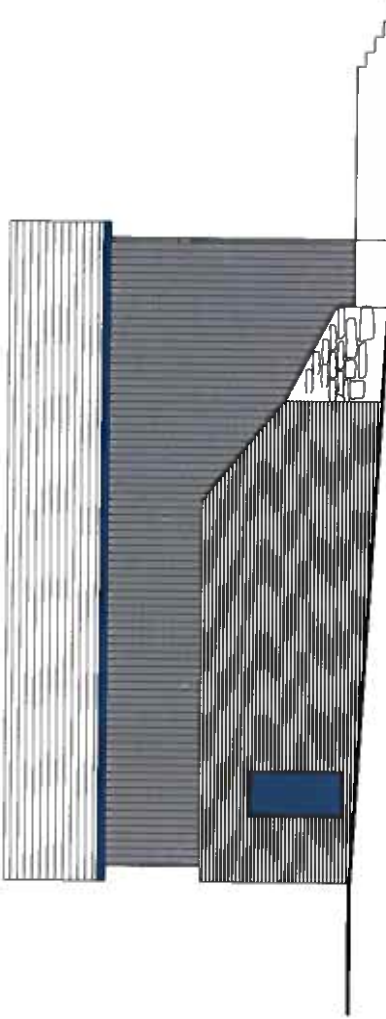
sketch design for proposed chalets at Fron Haul, Llanfwrog Scale 1:100



# CHALETS 2-4 ELEVATIONS



elevation



elevation

- ① Remains of existing building
- ② Natural Slate Roof
- ③ Windows colours to be confirmed
- ④ Bifold doors colour to be confirmed
- ⑤ Vertical timber boarding
- ⑥ Standing seam roof
- ⑦ Glass balustrade

REVISION



**WYNN ROGERS**  
 Architectural Services  
 Studio 3, Rosemary Lane, Denbigh, LL16 3JT  
 01745 812100 E-mail: [consult@wynn-rogers.co.uk](mailto:consult@wynn-rogers.co.uk)  
[www.wynn-rogers.co.uk](http://www.wynn-rogers.co.uk)

PROJECT: FRON HAUL LLANFWRG  
 DRAWING TITLE: Conversion of outbuilding  
 CLIENT: CUBT

PROJECT NO: 2599  
 DRAWING NO: 7.  
 DESIGN: NBC  
 SCALE: 1:100  
 DATE: SEPT 18  
 PAPER: A3



# PROPOSED SITE PLAN & PLANTING

**NOTES:**  
 1. CONSULT WITH LOCAL AUTHORITIES FOR THE NECESSARY PERMITS AND APPROVALS.  
 2. THE INFORMATION ON THIS PLAN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.  
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 4. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF ANY KIND ARISING FROM THE USE OF THIS PLAN.

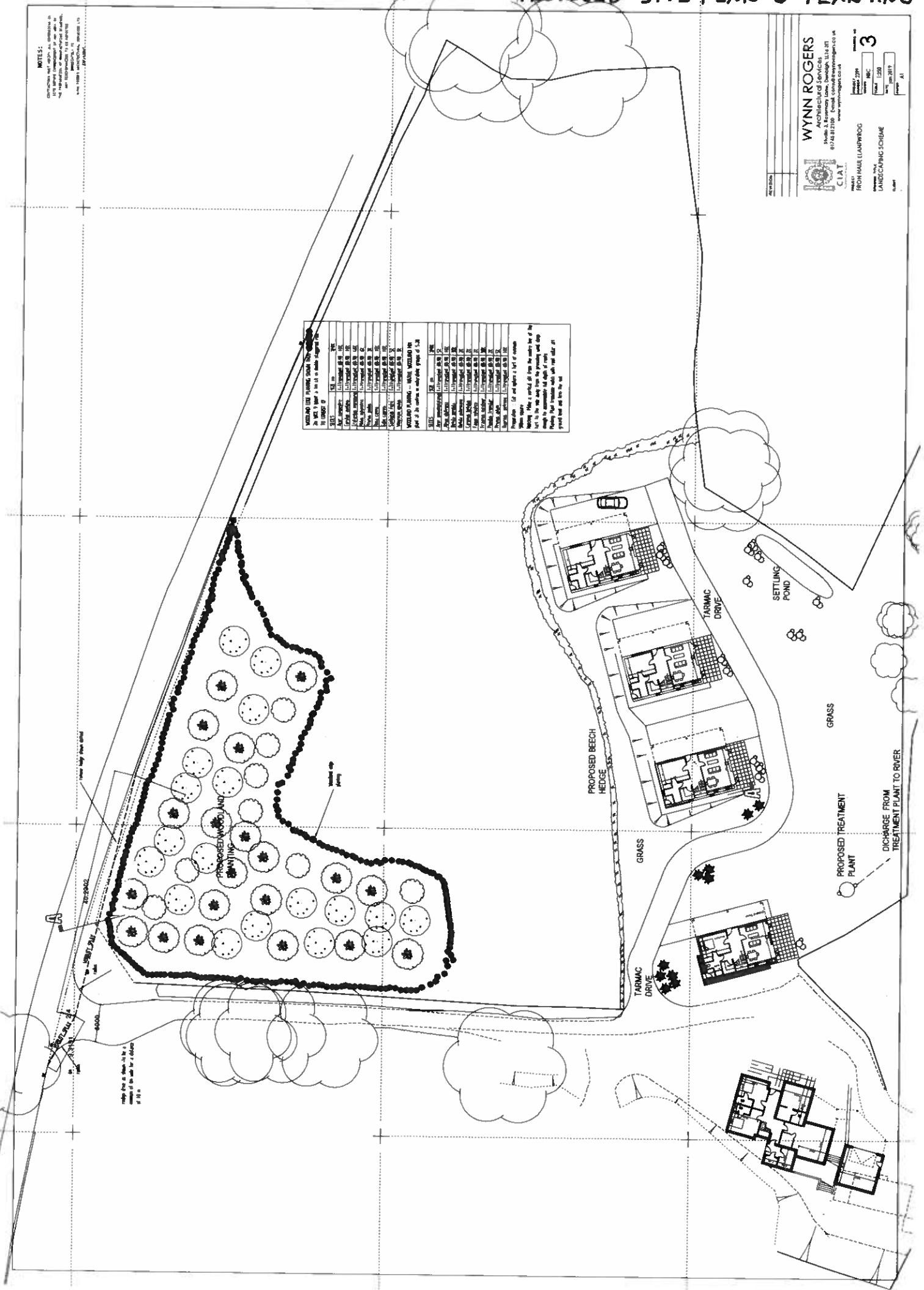
**WYNN ROGERS**  
 ARCHITECTURAL SERVICES  
 10, Riverside Lane, Donagh, LI14 8TJ  
 01481 212121  
 www.wynnrogers.com

PROJECT NO: 279  
 DATE: 15/03/2024  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

FROM: MALE (LANDSCAPE)  
 TO: [Name]  
 PROJECT: [Name]

3

NO.	PLANTING SPECIES	QUANTITY	PLANTING DATE	PLANTING METHOD
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50	PLANTING SPECIES	QUANTITY	PLANTING DATE	PLANTING METHOD







**WARD :** Ruthin

**WARD MEMBERS:** Cllr Huw Hilditch-Roberts  
Cllr Emrys Wynne (c )  
Cllr Bobby Feeley

**APPLICATION NO:** 02/2019/0159/ PF

**PROPOSAL:** Conversion of existing building to chalet, erection of 3 new chalets, with associated construction of roads, creation of pond, installation of drainage and landscape planting

**LOCATION:** Land at Fron Haul Llanfwrog Ruthin

**APPLICANT:** Powerline Property Ltd.

**CONSTRAINTS:** C2 Flood Zone  
PROW

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

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

- Member request for referral to Committee

**CONSULTATION RESPONSES:**  
RUTHIN TOWN COUNCIL  
"No objections".

**NATURAL RESOURCES WALES**

No objection. Comments summarised below:

**Flood Risk**

NRW Flood Risk Map, which is updated on a quarterly basis confirms the application site lies partially within Zone C2 of the Development Advice Maps (DAM) as contained in TAN15 and within the 1% (1 in 100 year) / 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability fluvial / tidal flood outlines.

Given the scale and/or nature of the proposed development (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development.

In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development.

These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

**Protected Species**

The ecological submission does not include an assessment of the existing outbuilding to be converted into a chalet. Consequently, no assessments are provided in respect of the demonstration of no likely detriment to the maintenance of the favourable conservation status of any local populations of bat.

Based on the limited information provided to us, including photographs of the outbuilding, we consider the application site is more likely to be of limited value to bats and, on this basis, is not likely to be detrimental to the maintenance of the favourable conservation status of any local bat populations.

However, NRW advise that you consult your County Ecologist in respect of the potential ecological interests of the site.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Highways Officer**

The scheme incorporates a substantial access improvement to an existing substandard access by widening the access and providing visibility splays. Considers this adequate to serve the development and therefore has no objection subject to conditions to ensure visibility splays are kept clear of any obstruction above 1/.05m in height and in relation to the surfacing of the access.

**Footpaths Officer:**

Public Footpath 6 crosses the application area. Public Right of Way must not be compromised, unofficially moved or excavated.

**Drainage Officer**

Confirms the proposal will require separate SAB approval prior to commencement and any issues in relation to surface water can be dealt with via that process.

**Ecologist**

*Original comments:*

Initially advised the proposal has the potential to cause disturbance to bats, and further survey is required to determine if bats are present, and advise on suitable avoidance, mitigation and compensation measures, if required.

*Re-consultation comments:*

Having reviewed the proposals and additional ecological reports, recommends conditions are attached to secure submission of a light spillage scheme and provision of features for roosting and nesting birds to ensure that there are no negative impacts on protected species or the nature conservation value of the site and all reasonable steps have been taken to maintain and enhance biodiversity.

**RESPONSE TO PUBLICITY:** None.

**EXPIRY DATE OF APPLICATION: 30/07/2019**

**REASONS FOR DELAY IN DECISION (where applicable):**

- additional information required from applicant
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 Members will recall consideration of this application was deferred at the September Planning Committee to allow opportunity for the applicants to provide additional information to clarify the case for the development in relation to planning policy tests.
- 1.1.2 The proposal involves the erection of 4 chalets with associated works including the construction of roads and foundations, creation of a pond, installation of drainage and landscaping / planting.
- 1.1.3 Chalet 1 is referred to as a barn conversion. The plans show only a partial section of front and side wall of the existing barn would be retained, and a new two storey pitched roof structure would be constructed. The pitched roof would be finished with slate, and walls would be finished with vertical timber boarding.

Chalet 1 would have a footprint of 10m by 11.4m and a ridge height of 7.2m at the highest point.

The ground floor accommodation for Chalet 1 comprises a central hallway, kitchen / living area, utility room, 1 en-suite bedroom and plant room. First floor accommodation comprises 3 en-suite bedrooms and a covered balcony with glass balustrade.

- 1.1.4 Chalets 2 – 4 are two storey detached units with slate pitched roofs and timber clad walls. Ground floor accommodation comprises a central hallway, kitchen / living room, utility, en-suite bedroom and plant room. First floor accommodation comprises 2 en-suite bedrooms, a covered balcony and open balcony with glass balustrade.

Chalets 2-4 would also have a footprint of 10m by 11.4m with a ridge height of 6.6m.

- 1.1.5 The site is proposed to be accessed via an existing vehicular access point and track which leads to the Fron Haul dwelling, and a new section of driveway is proposed to serve the dwelling itself.
- 1.1.6 The existing track and new driveway is proposed to have a tarmac finish.
- 1.1.7 Landscaping plans show a section of new woodland planting in the field to the rear of the application site along the highway, and a Beech hedgerow is proposed along the northern and eastern boundary of the site to enclose the proposed units.
- 1.1.8 A new settling pond is proposed as part of the development, and surface water drainage is proposed to discharge to the pond.
- 1.1.9 A new package treatment plant is proposed to serve the development, which would discharge to the river to the south of the site.
- 1.1.10 The application is supported by a Planning Statement and an additional Justification Statement, the latter having been submitted following deferral of the item at the September Committee. The Justification Statement includes an Appeal Decision dated 2013 for a holiday accommodation unit in Anglesey, and presents a business case for the proposal to augment the Planning Statement originally submitted with the application. It puts forward the argument that there is a growing demand for self-contained holiday let units but there is limited tourist accommodation in the Ruthin area, in particular self-serviced units suitable for groups or families.

The Justification Statement states a range of visitors are seeking local group accommodation in Ruthin for events (weddings, Ruthin Festival, Eisteddfod etc), and provision should be available in the town. The Justification Statement includes an extract from Booking.com website, which shows only 4 properties within Ruthin and the surrounding area with a capacity for 8 persons were available.

The Justification Statement also refers to the Denbighshire Study of Hotel Demand & Potential, Hotel Solutions Survey which identifies a shortfall in hotel provision in Ruthin, and the Denbighshire Tourism Growth Plan and Destination Management Plan, which identifies a need for new self-catering accommodation for the family market. It also draws attention to issues arising from the rise of Air BnB, in promoting the use of residential properties for holiday let accommodation in the County, and it states the applicants do not wish to purchase existing houses to rent out, as they do not want to deplete housing stock.

In terms of justifying the site selection, the Justification Statement states there are a limited number of commercial properties available for sale within Ruthin which could be converted and it goes on to state that Ruthin is constrained by flood risk and historic landscape setting which restricts availability of land. The Justification Statement then goes on to confirm the applicant own the land.

It reiterates the Feathers Public House is a successful business which has 4 letting rooms with high occupancy rates and there is a significant demand for group

accommodation bookings which they cannot meet, and the proposed holiday units would be managed by the Feathers as part of their accommodation offering.

## 1.2 Description of site and surroundings

- 1.2.1 The site is a sloping agricultural field situated in an open countryside location approximately 0.8km to the west of Llanfwrog, Ruthin.
- 1.2.2 There is an existing dilapidated single storey stone outbuilding to the east of the access track.
- 1.2.3 The site is at a lower ground level than the highway to the north.
- 1.2.4 The site of the now demolished Fron Haul dwelling is located to the west of the site.
- 1.2.5 There is an existing vehicular access point off the minor road to the north which has served the Fron Haul dwelling, with a steep stone track leading from the access towards the site.
- 1.2.6 There are existing trees in the south of the site, and to the south of the southern site boundary. The land levels drop further down an embankment to a stream, which runs in a west - east direction.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of any development boundary as defined in the LDP.
- 1.3.2 The access and driveway is a Public Right of Way.
- 1.3.3 There is a C2 flood risk area to the south of the site which runs in an west-east direction along the banks of the watercourse, and NRW have advised their updated maps show the site lying partially within the C2 flood risk zone.

## 1.4 Relevant planning history

- 1.4.1 Permission was granted in 2018 for a replacement dwelling for the existing dwelling at Fron Haul.

## 1.5 Developments/changes since the original submission

- 1.5.1 A Protected species survey report was submitted to address concerns raised by the Ecology Officer together with a copy of the bat licence for the demolition of the existing dwelling. The Ecology Officer was re-consulted on the application.

## 1.6 Other relevant background information

- 1.6.1 The application is referred to Committee at the request of Councillor Huw Hilditch Roberts, to allow full assessment of issues relating to the size / scale of the units proposed.
- 1.6.2 The application was deferred at the September Planning Committee at the request of one of the Local Members to allow an opportunity for the applicants to supplement / re-present the 'Business case' in support of the proposals.

## **2. DETAILS OF PLANNING HISTORY:**

- 2.1 02/2018/0942. Demolition of existing dwelling, erection of existing dwelling, erection of a replacement dwelling, installation of a package treatment plant and associated works.  
Granted 24/10/2018

## **3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

- 3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

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

**Policy PSE5** – Rural economy  
**Policy VOE5** – Conservation of natural resources  
**Policy ASA3** – Parking standards

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity  
Supplementary Planning Guidance Note: Parking Requirements In New Developments  
Supplementary Planning Guidance Note: Planning Obligations  
Supplementary Planning Guidance Note: Residential Space Standards  
Supplementary Planning Guidance Note: Re-use and adaptation of rural buildings  
Supplementary Planning Guidance Note: Trees & Landscaping

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018  
Development Control Manual November 2016

Technical Advice Notes (TANs):

TAN 5 Nature Conservation and Planning (2009)  
TAN 6 Planning for Sustainable Rural Communities (2010)  
TAN 12: Design (2016)

3.3 Other material considerations

N/A

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It 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. The DMM further 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 (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

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 (including flooding)
- 4.1.6 Highways (including access and parking)

4.2 In relation to the main planning considerations:

- 4.2.1 Principle  
Policy PSE 4 "Re-use and adaptation of rural buildings in open countryside" allows for such conversions where the scheme makes a positive contribution to the landscape, any architectural features of merit are retained, it is demonstrated that an employment use is not viable, and the resulting dwelling is affordable for local needs. It is considered that a proposal of this nature would be acceptable in principle subject to assessment of its impacts and compliance with the criteria of Policy PSE 4.

Policy PSE 5 outlines the general intent of the Local Development Plan to help sustain the rural economy, through the support of tourism and commercial development, including new build development, subject to detailed criteria relating to the character and distinctive qualities of the local landscape.

The Re-use and adaption of rural buildings SPG amplifies LDP Policy PSE4 and at 6.1 it states 'The Council would consider conversion to holiday accommodation or tourist facilities as an economic use' and new build holiday accommodation could be considered to be a tourism development for the purposes of Policy PSE 5, subject to an assessment against the detailed policy criteria.

No representations have been received raising issues of principle.

The site is located outside of any development boundary as defined in the Local Development Plan and for planning policy purposes it is in open countryside.

The proposal consists of the erection of four detached two-storey chalets to be used as holiday accommodation and associated development.

Chalet 1 is referred to as a converted outbuilding. The re-use and adaption of rural buildings SPG states generally, buildings should be capable of conversion without the need for extensions and alterations. Any extension must be modest in scale and subordinate to the original building and should respect the character of the original structure; and the roof line should not be altered or raised. Elevation changes should be minimal and sympathetic to the character of the building.

The existing outbuilding is a simple single storey pitched roof building with stone and brick walls, and is in a dilapidated condition with sections of the walls and roof missing.

A structural survey has not been submitted to demonstrate the building is capable of conversion. In any event, the proposed plans show the majority of the outbuilding would be demolished with only a section of the front wall and partial side wall proposed to be retained with a new two storey pitched roof building proposed to be erected on the footprint. Officers take the view that this element of the scheme is not in reality a conversion and is a substantial new build structure that does not reflect the form and scale of the existing outbuilding. Accordingly Officers consider the proposal does not fall to be considered against policy PSE4 but has to be assessed against the criteria set in PSE5.

Policy PSE5 states:

*Appropriate employment proposals for both conversions and new build outside of development boundaries will be supported provided the following criteria are met:*

- i. the proposal is appropriate in scale and nature to its location; and*
- ii. any suitable existing buildings are converted or re-used in preference to new build; and*
- iii. proposals for new buildings are supported by an appropriate business case which demonstrates that it will support the local economy to help sustain local rural communities; and*
- iv. within the AONB/AOB, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas, take full account of and seek to enhance the nature and distinctive qualities of the local landscape. In line with national policy any proposals that are considered to be detrimental to the quality of the AONB and World Heritage Site will be refused.*

*In relation to test i)*

Whilst the units are referred to as 'chalets', having regard to their scale, form, design and appearance, Officers take the view that they are more akin to new build dwellings than traditional holiday cabins or chalets.

In taking this view, it is to be noted that the Council's Residential Space Standards set out the minimum floor space requirements for new dwellings. For 3-bed dwellings, the minimum standard is 80sq.m internal floor space and for 4-bed dwellings the minimum standard is 100sq.m internal floor space.

Chalet 1 offers fully self-contained living accommodation with 4 double en-suite bedrooms and large balcony covered balcony area. The internal floor area of this unit is approx. 135sq.m (excluding the balcony). The floorspace including the balcony is 163sq.m

Chalets 2-4 similarly offer fully self-contained living accommodation with 3 double en-suite rooms with large covered and uncovered balconies. The internal floor area of each unit is approximately 114sq.m (excluding the balcony). The floorspace including the balcony areas for each unit is 167sq.m.

The chalets proposed therefore have internal floor space which well exceeds the minimum requirements for new 4 bedroom dwellings, and having regard to the layout and separation distances between each of the units, the development could easily be subdivided to establish private curtilages for each unit.

Officers' opinion is therefore that the development effectively involves the formation of new build dwellings in open countryside, and is not appropriate in scale and nature to its location, in conflict with PSE5 test i).

*In relation to tests ii) and iii)*

- In respect of the original supporting documents:

These argued the case that there is significant market demand for additional group and self-catering visitor accommodation in the locality. They explained the applicant owns two public houses in the town of Ruthin, one of which is the Feathers which has holiday accommodation consisting of 4 serviced rooms. This property has accommodation in rooms that can be booked individually or as a 'Guest House' where groups or large families can book all 4 rooms together. It is stated there has been an increased demand in the Guest House option, which cannot always be accommodated where rooms have been let out singularly and the proposal is put forward as additional tourism accommodation to accommodate groups or large families. The supporting information contains an extract from booking.com website to illustrate that there is only a limited number of self-contained visitor accommodation in the Ruthin area which can accommodate 6 or more visitors, which is provided to demonstrate there is a short fall in the Ruthin area of this type of accommodation. The Planning Statement puts forward a case that the proposal would assist in meeting the demand for larger self-contained visitor accommodation in the area, and therefore make a contribution to the local economy.

In acknowledging the arguments in support of the application, Officers suggest this provides limited information to demonstrate there is a significant shortfall in self-contained visitor accommodation in the Ruthin area, in order to justify the development in this location. In accepting the applicant has experienced an increase in enquiries looking for guest house accommodation from larger groups, the fact it has not been possible to accommodate the demand in the pub letting rooms does not demonstrate a short fall in accommodation in the locality, as no information has been provided regarding whether or not those enquiries then went on to book alternative accommodation in the locality.

It is to be noted that the applicant runs existing businesses in the Ruthin area and the proposal is put forward as an expansion of the visitor accommodation offered by the

business. The original statement suggests at least 3 part time jobs to clean and manage the units would be created, and the proposal would help sustain existing jobs within the public house. However, the site is some 2km from of the centre of Ruthin and there would be no realistic 'planning' mechanism to tie the development to the existing pub businesses, meaning the units could be transferred into separate ownership in the future.

The site is also in a rural location, away from local shops and services and would result in additional car based travel. The units offer fully self-contained accommodation and therefore given the distance from any shops and services, the limited public transport availability in the area and the self-contained nature of the units, it is reasonable to assume the occupants would likely cater for themselves, which undermines the likely spend in local pubs and restaurants.

- Information in the additional Justification Statement

In respecting the contents of this new Statement, it does not appear that any kind of sequential site selection has been carried out to demonstrate that there is no available land within existing development boundaries or on the edge of development boundaries, and the fact that the applicant already owns the land is not considered to be a planning consideration to be afforded any weight. This is in conflict with test ii) of Policy PSE5.

Having regard to the information in the supporting statements, Officers have also searched for self-contained holiday units (holiday homes, apartments, lodges and guest houses) on Booking.com, which generated a list of 18 properties with capacity for 8 persons all of which were within 2 miles of Ruthin town centre, with hundreds more self-contained holiday let units within 15 miles of the town. In respecting the information furnished to support the application, Officers do not consider the web searches contained in the Justification Statement offers compelling evidence to support the argument that there is a shortage of self-contained accommodation for larger groups and families in Ruthin and the surrounding area.

The Justification Statement also refers to the rise of Air BnB, however Officers are not aware of any adverse trends or acute issues relating to residential properties being utilised for holiday let accommodation in the County.

Reference is also made to the Denbighshire Study of Hotel Demand & Potential, Hotel Solutions Survey which identifies a shortfall in hotel provision in Ruthin. However, the proposal is for self-contained holiday accommodation and not hotel accommodation, and accordingly Officers do not consider this survey is of direct relevance to the proposal.

The Statement also references the Denbighshire Tourism Growth Plan and Destination Management Plan, which identified the need for new self-catering accommodation for the family market. Again, it is to be noted that this is a County wide strategy, and whilst there may be a general shortfall in self-contained holiday accommodation across the County, this in itself does not provide sufficient justification to demonstrate an overriding need for the units of the size and type proposed in this specific location.

Overall, whilst the Justification Statement indicates The Feathers has high occupancy rates and often cannot meet requests for group bookings, and tourism strategies have refer to a general shortfall in visitor accommodation of all types across the County, including self-contained accommodation, in Officers view the information does not go far enough to justify the need for the specific form or scale of holiday accommodation proposed at the Fron Haul site, which is in an open countryside location some 2km from Ruthin town centre, and which would be dependent on car based travel. Officers would reiterate that, due to the separation distance between the Public House and the site, there is no planning mechanism to tie the development to the business.



In respect of the Anglesey Appeal Decision submitted in the additional information, this relates to a new holiday letting unit on land adjacent to the curtilage of an established complex of largely converted holiday letting units, and therefore raises materially different planning issues to the current proposal, which is for 4 large two-storey self contained detached holiday units in an open countryside location which would be physically unrelated to any existing established holiday letting business.

In any event, even if a case could be made to justify the need for self-contained holiday units proposed in this specific location, Officers still have concerns regarding the impact on visual amenity due to the size, form and appearance of the units and the layout proposed.

Overall, Officers remain of the view that that a compelling case has not been made to demonstrate there is an overriding market demand for additional visitor accommodation of the type and scale proposed in this location, and the business case provided does not clearly demonstrate the proposal would make a genuine and tangible contribution to the local economy to help sustain local rural communities. Officers therefore consider the proposal has not demonstrated the proposals are in compliance with PSE5 i) and iii).

#### 4.2.2 Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

In terms of the national planning policy context, Planning Policy Wales 10 (December 2018) paragraph 3.56 states that development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. It also advises that new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

PPW 10 Section 6.3.3 states 'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'

Policy PSE5 states appropriate employment proposals for both conversions and new build outside of development boundaries will be supported provided the policy criteria are met, including the requirement for the proposal is appropriate in scale and nature to its location.

No representations have been received raising concerns on visual amenity grounds.

The development is proposed in an open countryside location, approximately 2km to the west of the centre of Ruthin. There is a public footpath running along the access track and through the centre of the site. The site is on sloping ground, with the public highway to the north of the site being at a higher ground level to the site; nevertheless the site is visible from the public road.

All four units proposed would be large two-storey structures with slate pitched roofs, timber boarding to walls with irregularly sized and intermittent window and door openings, and there are large areas of covered and uncovered balconies with glass balustrades.

The Planning Statement states the materials have been chosen to help assimilate the development into the rural landscape, and the buildings have been orientated so balconies are afforded views towards the Clwydian Range and layout and window / door openings have been aligned to prevent overlooking and provide privacy to each unit.

The Justification Statement seeks to put forward a case to justify the proposal on visual amenity grounds, and considers the site is well screened, and proposed enhancement woodland planting would provide significant screening from the surrounding area. It also states that the use of natural materials such as slate and timber boarding would help assist the units assimilate into the local landscape, and units would be spaced out with native hedgerows, and therefore would be of a suitable scale for the location.

Whilst the units are referred to as 'chalets', having regard to the scale, form design and appearance, Officers would take the view that they are more akin to new build houses than what would more commonly be referred to as holiday cabins or chalets.

There is no explanation in the supporting information to outline the design choice for the scheme, as the units proposed do not reflect any local architectural styles, and whilst the walls are proposed to be clad in timber boarding, due to the size, scale, form, massing and window, door and balcony detailing, the buildings do not replicate the style and form of agricultural buildings.

With respect to Chalet 1, the existing stone and brick outbuilding would be largely demolished, with the proposed unit built on its footprint. However, the proposed unit does not in any way replicate the simple scale, form or design of the outbuilding it seeks to replace.

Chalet 1 would have a pitched roof with gable ends. The side (north) and rear elevations as proposed have no window openings, and the eaves height appears high which contributes to the starkness of these blank elevations.

With respect to Chalets 2 -4, these units are of a uniform design and each are proposed to have a pitched roof, however the pitch appears shallow, which results in a high eaves height, and adds to the overall bulk and massing of the units. The rear elevations of Chalets 2-4 have 4 small window openings which do not appear proportionate to the size of the elevation, and it appears as a stark blank wall.

The expanse of hardstanding including the tarmac access track and driveway and parking and turning areas, and the linear layout of the scheme give an urban appearance, and as such the layout could not be considered to be in keeping with the character of the rural setting.

The proposal includes a woodland planting area at the top of the field to the north adjacent to the access point and public road, to screen the site. This would take a number of years to become established and may not successfully screen the proposed development from the public highway.

The site is currently part of a large open field, and the proposal includes a new section of hedgerow to divide the development from the remainder of the field.

A public footpath runs along the existing access track and then broadly follows the line of the proposed driveway. Officers do not consider any landscaping proposal could successfully screen views of the development from the public footpath.

Officers therefore remain of the view that the proposed development would result in significant new build development in the open countryside away from established settlements. Having regard to the size, form, layout, design, materials and appearance, it is considered the proposal would result in a detrimental impact to visual amenity of the locality and erode landscape character, and is not considered to be appropriate in scale and nature to its location, contrary to Local Development Plan Policy PSE5 (i), and the advice and guidance contained in Planning Policy Wales (Edition 10) Section 3.56 and 6.3.3 and Technical Advice Note 12: Design (2016)

#### 4.2.3 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

No representations have been received on residential amenity grounds.

There is an existing dwelling at Fron Haul, however the closest unrelated dwelling is some 150m away from the site.

Owing to the scale and nature of the development and the separation distances between the site and residential properties, it is not considered the proposal would have any unacceptable impacts on residential amenity.

#### 4.2.4 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 6.4), 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. Planning Policy Wales also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

Technical Advice Note (TAN) 5 6.3.7 states *“It is clearly essential that planning permission is not granted without the planning authority having satisfied itself that the proposed development either would not impact adversely on any European protected species on the site or that, in its opinion, all three tests for the eventual grant of a regulation 44 licence are likely to be satisfied. To do otherwise would be to risk breaching the requirements of the Habitats Directive and regulation 3(4). It would also present the very real danger that the developer of the site would be unable to make practical use of the planning permission which had been granted, because no regulation 44 licence would be forthcoming.”*

A Preliminary Ecological Appraisal has been submitted with the application.

NRW note the ecological appraisal refers to the outbuilding being demolished rather than conversion, and consequently, no assessments are provided in respect of the demonstration of no likely detriment to the maintenance of the favourable conservation status of any local populations of bat.

Based on the limited information provided to NRW, including photographs of the outbuilding, they consider the application site is more likely to be of limited value to bats and, on this basis, is not likely to be detrimental to the maintenance of the favourable conservation status of any local bat populations and have therefore raised no objection to the proposal. NRW have however advised that the Ecology Officer is consulted in respect of the potential ecological interests of the site.

The Ecology Officer has considered the existing outbuilding has features which may be suitable for roosting bats.

A Protected Species survey report was submitted in response to the comments raised by the Ecology Officer.

The Protected Species Survey found that whilst bats have been found within the existing cottage which is proposed to be demolished as part of a separate replacement dwelling consent, and within the vicinity of the site, no bats were encountered and no evidence of recent bat activity was observed in the form of droppings etc. in the existing brick outbuilding subject of the current application, and therefore the outbuilding was assessed as having negligible potential for roosting bats

Having reviewed the findings of the Protected Species Survey, the Ecology Officer has raised no objection to the proposal subject to conditions being applied to secure submission of a light spillage scheme and provision of features for roosting and nesting birds within the development to ensure that there are no negative impacts on protected species or the nature conservation value of the site and all reasonable steps have been taken to maintain and enhance biodiversity as required by Section 6.4 of Planning Policy Wales, Edition 10.

Subject to necessary conditions being imposed, Officers would conclude the proposal would not have an unacceptable impact on protected species or nature conservation and is therefore in general compliance with the policies listed above.

#### 4.2.5 Drainage (including flooding)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

Planning Policy Wales (PPW 10) Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed. TAN 15 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event

Based on the Council's mapping data, the site is shown to be outside of the C2 flood risk zone which runs along the stream to the south of the site, however NRW have advised the site lies partially within a C2 flood risk zone on their most up-to-date Development Advice Maps. Whilst a Flood Consequences Assessment has not been

submitted, given the scale and nature of the proposal, NRW consider the proposal could be acceptable in flood risk terms, subject to the developer being made aware of potential flood risks and advised to install flood-proofing measures as part of the development.

A new settling pond is proposed as part of the development, and surface water drainage is proposed to discharge to the pond.

A new package treatment plant is proposed to serve the development, which would discharge to the river to the south of the site.

NRW have raised no objection to the proposed drainage arrangements and have advised that it is a legal requirement for any new private treatment plant to be subject to an environmental permit or register an exemption with them. Any discharge

Whilst respect to surface water drainage, the Council's Drainage Engineer has confirmed the proposal would require separate SAB approval and any issues regarding surface water drainage can be dealt with via this separate regulatory process.

Having regard to the above, Officers would consider proposal would not give rise to unacceptable flood risk subject to the applicant being made aware of the potential flood risks, and are satisfied the detailing of the foul and surface water drainage can be adequately controlled by separate regulatory regimes, obviating the need for conditions to be imposed on any permission.

#### 4.2.6 Highways (including access and parking)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and 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; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

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 (PPW) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

The site is served by an existing access and track and the application is proposing to widen the access to improve visibility and tarmac the existing drive and the proposed new driveway to serve the development.

Highways Officers have raised no objection to the proposal and note the scheme incorporates a substantial improvement to an existing substandard access by widening the access and providing visibility splays. It is considered this is adequate to serve the development and therefore the Highway Officer has no objection subject to conditions to ensure the visibility splays to the access are at all times kept free of planting, tree or shrub growth or any other obstruction in excess of 1.05 metres above the level of the adjoining carriageway and to control the surfacing of the access.

A public right of way (footpath) runs along the existing access, track and proposed driveway. Footpaths Officers have advised that the public right of way must not be compromised, unofficially moved or excavated and any change to the

surface of the Public Rights of Way Unit would be subject to a licence from the Public Rights of Way Unit. Separate highway consents would apply in relation to the public right of way, and therefore conditions are not required to be imposed on any grant of planning permission which duplicate other regulatory regimes. Notes to applicant are recommended to advise the applicant of highway consent requirements.

Having regard to the views of the Highway Officer, subject to necessary conditions being applied, Officers would conclude the proposal would not adversely impact on highway safety.

#### 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 taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. 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 site is an agricultural field located in an open countryside location outside of any defined development boundary defined in the LDP.
- 5.2 The proposal is for the erection of four large two-storey detached three and four bedroom units which would well exceed the residential space standards for new dwellings together with curtilage and parking. Officers consider the proposal is tantamount to a new residential development.
- 5.3 An additional Justification Statement has been submitted in support of the application, setting out in more detail a business case for the proposal. This advises The Feathers has high occupancy rates and often cannot meet requests for group bookings, and tourism strategies have indicated a general shortfall in visitor accommodation of all types across the County, including self-contained accommodation.
- 5.4 In Officers' view, however, the information does not go far enough to justify a need for the specific form and scale of holiday accommodation proposed at the Fron Haul site. The site is some 2km from Ruthin town centre where The Feathers is located, and it would be dependent on car based travel. Given the separation distance between the Public House and the site, there is no realistic planning mechanism to tie the development proposed to the existing pub / guest house business.
- 5.5 Overall, Officers remain of the opinion that a compelling case has not been made to demonstrate an overriding market demand for additional visitor accommodation of the scale, type and size proposed in this specific location, and the business case provided does not clearly demonstrate the proposal would make a genuine and tangible contribution to the local economy to help sustain local rural communities. Officers therefore consider the proposal has not sufficiently demonstrated compliance with PSE5 test iii).
- 5.6 Having regard to the size, form, layout and detailing of the proposed units, Officers consider the proposal would have a detrimental impact on landscape character and visual amenity.

Officers therefore consider the proposal is not appropriate in scale and nature to its location and is therefore in conflict with PSE5 test i).

5.7 Officers are therefore recommending the application be refused on grounds of principle and visual amenity impacts.

**RECOMMENDATION: REFUSE-** for the following reasons:-

1. It is the opinion of the Local Planning Authority that a compelling case has not been made to demonstrate there is an overriding market demand for additional visitor accommodation of the type and scale proposed in this location, and the business case provided does not clearly demonstrate the proposal would make a genuine and tangible contribution to the local economy to help sustain local rural communities. The proposal is therefore considered to be contrary to Local Development Plan Policy PSE5 (iii).
2. It is the opinion of the local planning authority that the proposed development would result in new build residential development in the open countryside away from established settlements, and having regard to the size, form, layout, design, materials and appearance, the proposal would result in a detrimental impact on visual amenity and landscape character, inappropriate in scale and nature to its location, contrary to Local Development Plan Policy PSE5 (i), and the advice and guidance contained in Planning Policy Wales (Edition 10) Section 3.56 and 6.3.3 and Technical Advice Note 12: Design (2016).