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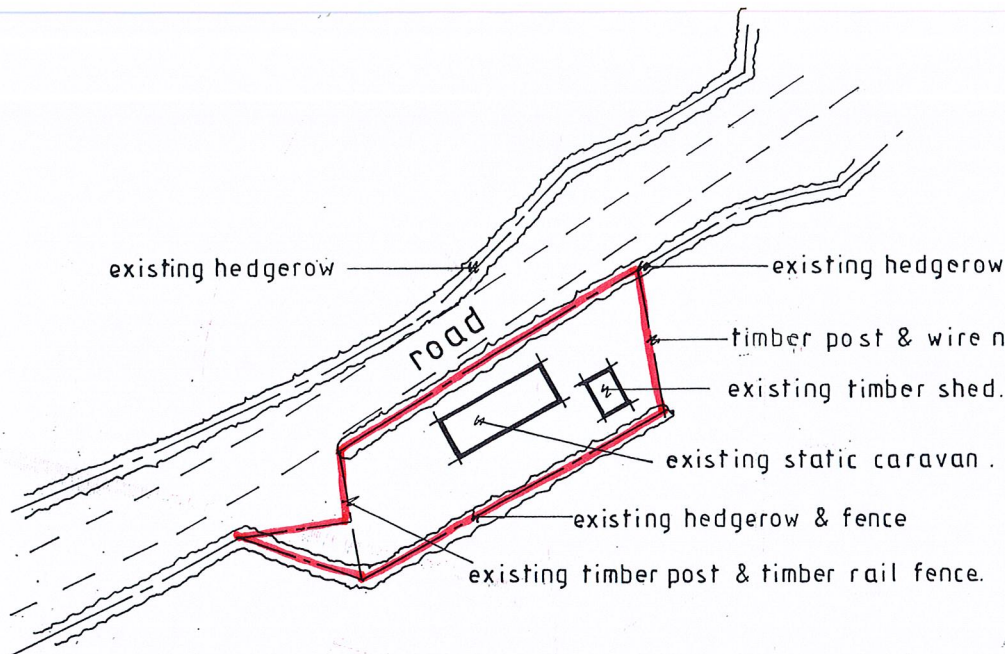
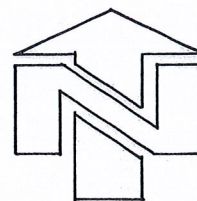
18/2020/1050

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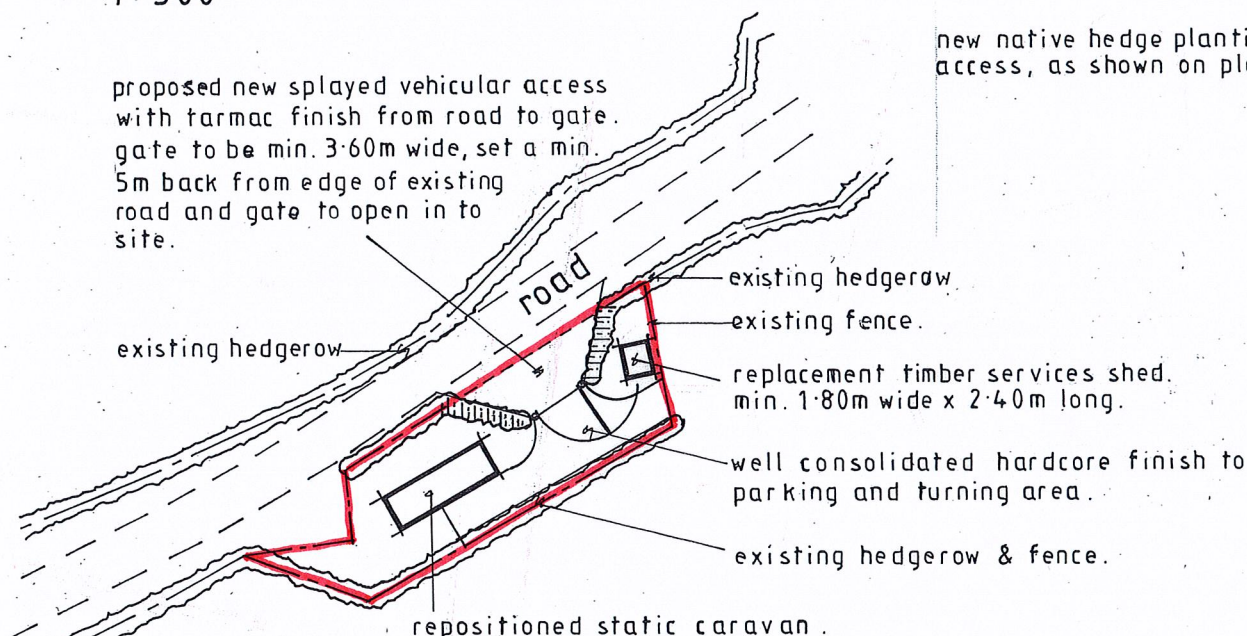




**EXISTING SITE LAYOUT PLAN**  
1:500

proposed new splayed vehicular access with tarmac finish from road to gate. gate to be min. 3.60m wide, set a min. 5m back from edge of existing road and gate to open in to site.

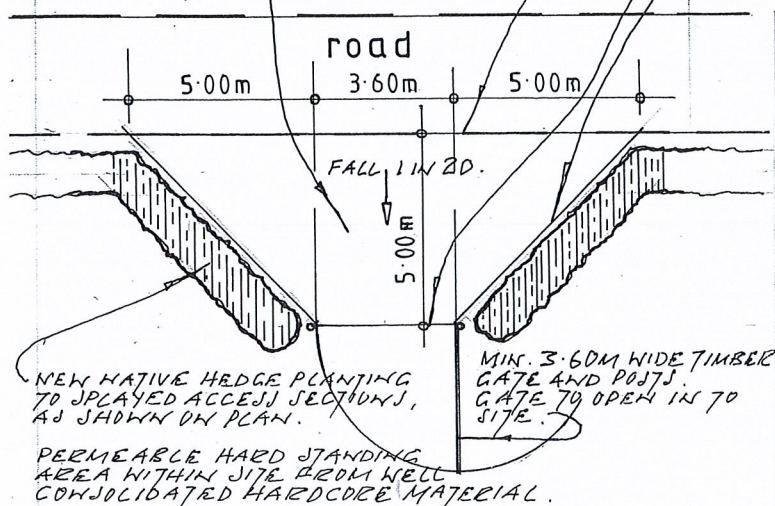
new native hedge planting to splayed access, as shown on plan.



**PROPOSED SITE LAYOUT PLAN**  
1:500

TARMAC FINISH TO SPALYED ACCESS SECTION

MIN. 127MM X 152MM BULL-NOSED PRECAST CONCRETE KERBS TO EDGE OF EXISTING ROAD ON CONCRETE BASE.  
MIN. 51MM X 203MM FLAT TOPPED PRECAST CONCRETE EDGING KERBS TO SPALYED ACCESS AND ACCESS GATE OPENING ON CONCRETE BASE.



**VEHICULAR ACCESS DETAIL**  
1:20

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**MATISCHOK & ROSS**  
architectural services

project title

Land opposite Bryntirion Cottage, Bodfari.

drawing title

Existing & Proposed Site Plans.

project no.

0812

drawing no.

1

revision

date

29:12:20

scale

1:500, 1:20

drawn by

PM

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**WARD :** Llandyrnog

**WARD MEMBER(S):** Cllr Merfyn Parry

**APPLICATION NO:** 18/2020/1050/ PF

**PROPOSAL:** Construction of a new vehicular access and erection of a replacement shed

**LOCATION:** Land opposite Bryntirion Cottage Bodfari Denbigh LL16 4HU

**APPLICANT:** Mr Merfyn Parry

**CONSTRAINTS:** AONB

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

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

- Application submitted by / on behalf of County Councillor

**CONSULTATION RESPONSES:**

LLANDYRNOG COMMUNITY COUNCIL - The Council would like to support the application however with a caveat measures to ensure that no surface water run off onto the lane.

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY JOINT ADVISORY COMMITTEE - It is noted that a Lawful Development Certificate was recently granted for the static caravan on the site. The Joint Committee has no objection to the proposed new access but considers that the introduction of precast concrete kerbs will introduce an urban feature into this country lane and it is suggested that an alternative approach more in keeping with the rural setting should be explored. The proposed new native hedge planting behind the new access splays is supported, but the committee would recommend that new hedging should also be planted behind the replacement service shed to fully enclose the site.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Highways Officer - No Objection subject to a condition being imposed to prevent surface water run-off from the site onto the public highway.

**RESPONSE TO PUBLICITY:** None

**EXPIRY DATE OF APPLICATION:** 23/02/2021

**EXTENSION OF TIME AGREED:** 10/03/2021

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

- awaiting consideration by Committee

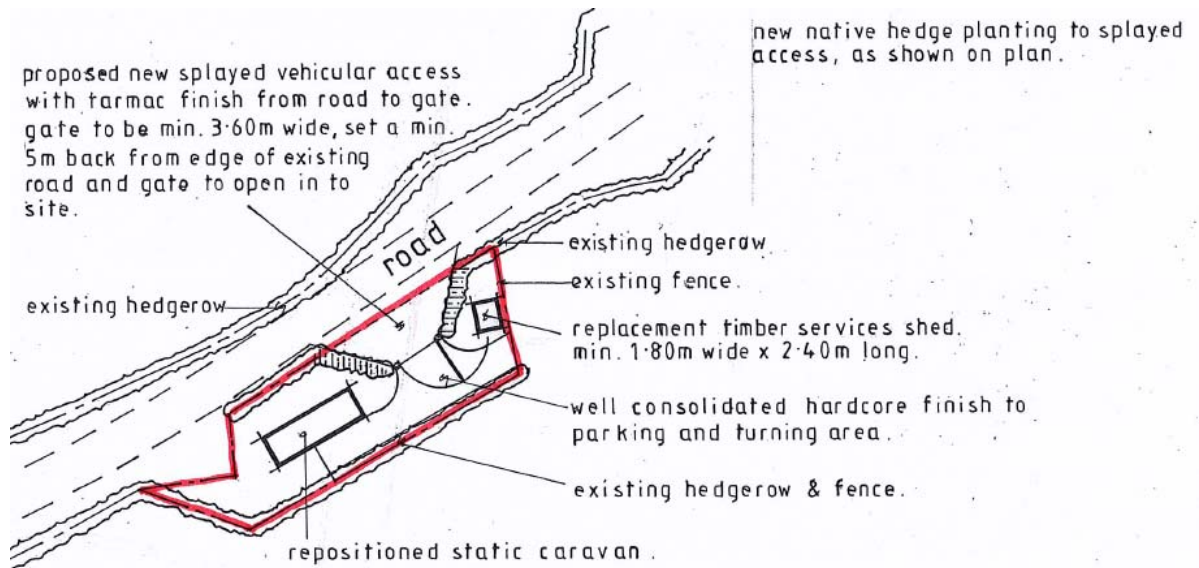
**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

- 1.1.1 The proposal is for the formation of a new vehicular access to serve a site which has a lawful use for the stationing of a static caravan.

- 1.1.2 A replacement services shed is also proposed, which would be constructed of profiled steel sheets and would be painted juniper green.
- 1.1.3 The proposed site layout plan also show the existing static caravan which occupies the site would be re-positioned, however Officers would note that consent is not required to re-position the static caravan within the site.
- 1.1.4 The proposed layout is shown below:



## PROPOSED SITE LAYOUT PLAN

### 1.2 Description of site and surroundings

- 1.2.1 The site is occupied by a static caravan, and comprises is a small parcel of land adjacent to the public highway next to agricultural fields and which is enclosed by hedges.

### 1.3 Relevant planning constraints/considerations

- 1.3.1 The site is outside of any development boundary defined by the LDP and lies within the Clwydian Range and Dee Valley AONB.

### 1.4 Relevant planning history

- 1.4.1 A lawful development certificate was granted in December 2019 for the existing use of land for the stationing of a static caravan.

### 1.5 Developments/changes since the original submission

- 1.5.1 Details of a replacement shed were included for approval during the course of the application.

### 1.6 Other relevant background information

- 1.6.1 None.

## 2. DETAILS OF PLANNING HISTORY:

- 2.1 18/2019/0389. Lawful Development Certificate for the existing use of a caravan for holiday accommodation. Withdrawn 13/06/2019
- 2.2 18/2019/0819. Lawful Development Certificate for the existing use of land for the stationing of a static caravan. Granted 19/12/2019.

## 3. RELEVANT POLICIES AND GUIDANCE:



The main planning policies and guidance are considered to be:

**3.1 Local Policy/Guidance**

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

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

**Policy ASA3** – Parking standards

**Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

Supplementary Planning Guidance Note: Parking Requirements In New Developments

**3.2 Government Policy / Guidance**

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

Technical Advice Notes

TAN 18 Transport (2007)

**3.3 Other material considerations**

**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 / AONB

4.1.3 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the open countryside as identified in the LDP where new development is strictly controlled in the interests of sustainable development and the need to protect and enhance the natural and built heritage of the County.

However, the site benefits from a lawful use for the stationing of a static caravan and the site is not currently served by a vehicular access and is in separate ownership to the surrounding fields, and therefore Officers consider the principle of a new vehicular access is acceptable, subject to an assessment of impacts considered below.

4.2.2 Visual amenity / AONB

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

The AONB has raised no objection to the proposal, but has made observations with regards to the materials and landscaping.

Whilst the existing caravan would be re-sited within the site and a replacement shed is also proposed, Officers would note that these structures are already present within the site and therefore the built footprint of the site is not being intensified, but rather re-arranged and accordingly Officers do not consider it reasonable to request additional hedgerow planting around the perimeter of the site.

New hedgerow planting is however proposed along the splays, and Officers consider conditions are necessary to ensure the planting is carried out in accordance with the plans.

Subject to conditions, Officers consider that the proposal would not adversely impact upon the character and appearance of the AONB or the visual amenity of the local area.

#### 4.2.3 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.

Highways Officers have raised no objection to the proposal, subject to conditions to control surface water run-off.

Therefore, subject to the imposition of conditions, Officers consider the proposal would not adversely impact upon 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 Subject to the imposition of conditions, the proposal is considered to be acceptable and is recommended for grant.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 10th March 2026
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission
  - (i) Existing and proposed site plans (Drawing No. 0812 1) received 30 December 2020
  - (ii) Location plan received 30 December 2020
  - (iii) Services Shed details (Drawing No. 0812 2) received 8 February 2021
3. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing
4. Details of the positive means to prevent the run-off of surface water from the site to the highway shall be submitted and approved in writing by the Local Planning Authority and which shall be completed in accordance with the approved details prior to the development hereby approved first coming into use, and retained as approved so long as the development herewith approved shall remain in use.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interests of visual amenity
4. To ensure the formation of a safe and satisfactory access.