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Tel: 01824 706800 Fax: 01824 706709

Heading:

Ref 01/2011/0621/PF  
The Glyn, Lleweni Parc  
Mold Road, Denbigh

 Application Site

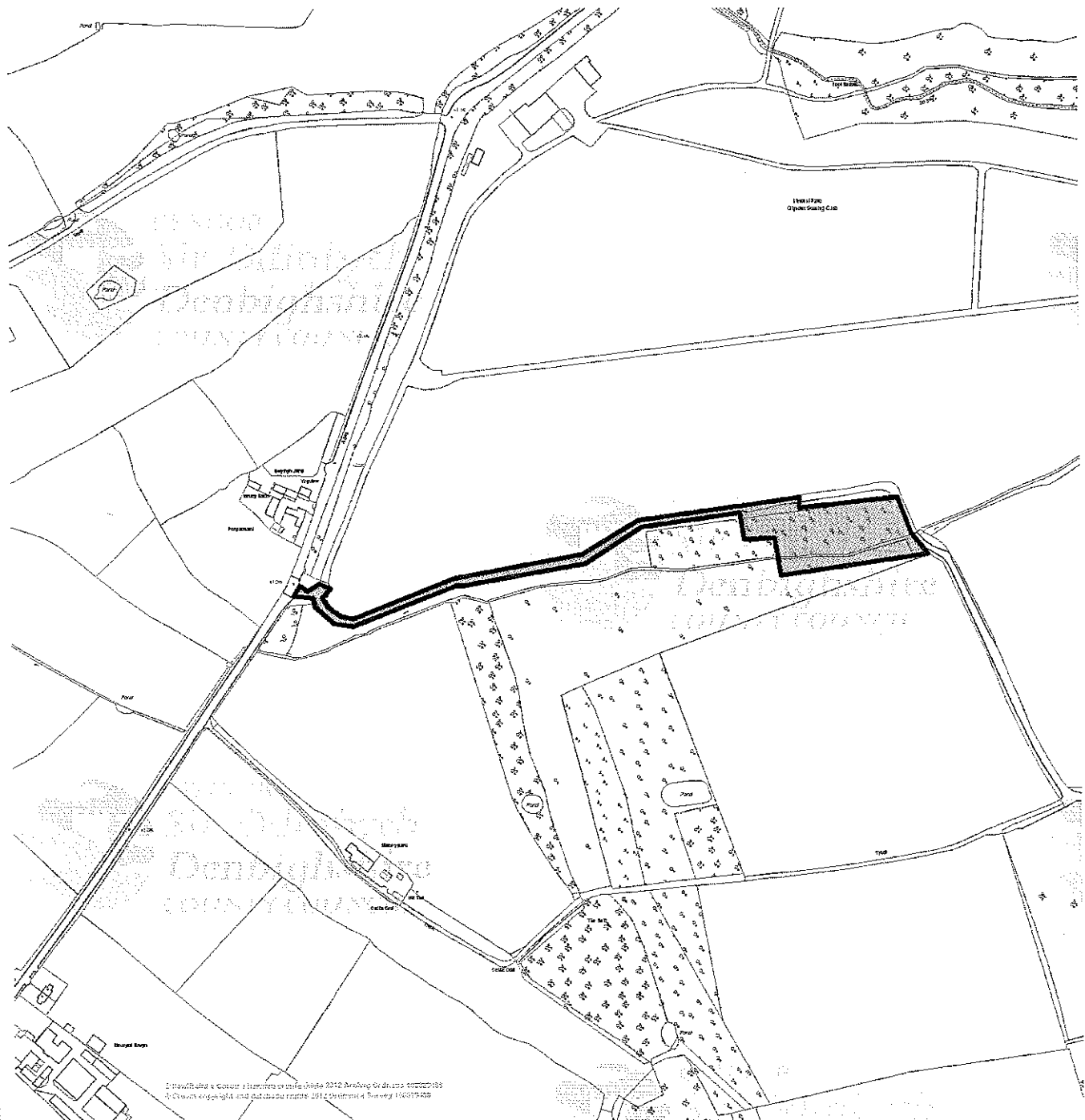


Date 4/4/2012

Scale 1/5000

Centre = 307194 E 368836 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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# LAYOUT PLAN

GATE

**← PATH**

LARGESTER STP Type BG  
(to be confirmed)  
Min 70m from any  
building and watercourse with  
outfall as shown

ACTUAL POSITION OF SITE

**TIGES**

**New Planting 1**

**New Planting 2**

**New Planting 2**

**New Planting 2**

**New Planting 3**

**New Planting 3**

**ACCESS TRACK**

**WOODLAND**

**STREAM**

81.526 Existing Ground level  
82.40 Proposed Ground level  
[82.20] Level of slab for Lodge Building

NO.	DATE	REVISIONS

PROJECT	PLATT WHITE Partnership
CLIENT	MR. R. MYERS
DESIGNER	THE GUY LAWRIE PARTNERSHIP
DATE	SEP 2006
SCALE	1:500
PROJECT NO.	2206/06
DATE	SEP 2006

**NOTES**

1. This layout plan shows the proposed layout of the site. All dimensions are to be checked on the ground. DO NOT SCALE FROM THIS DRAWING.

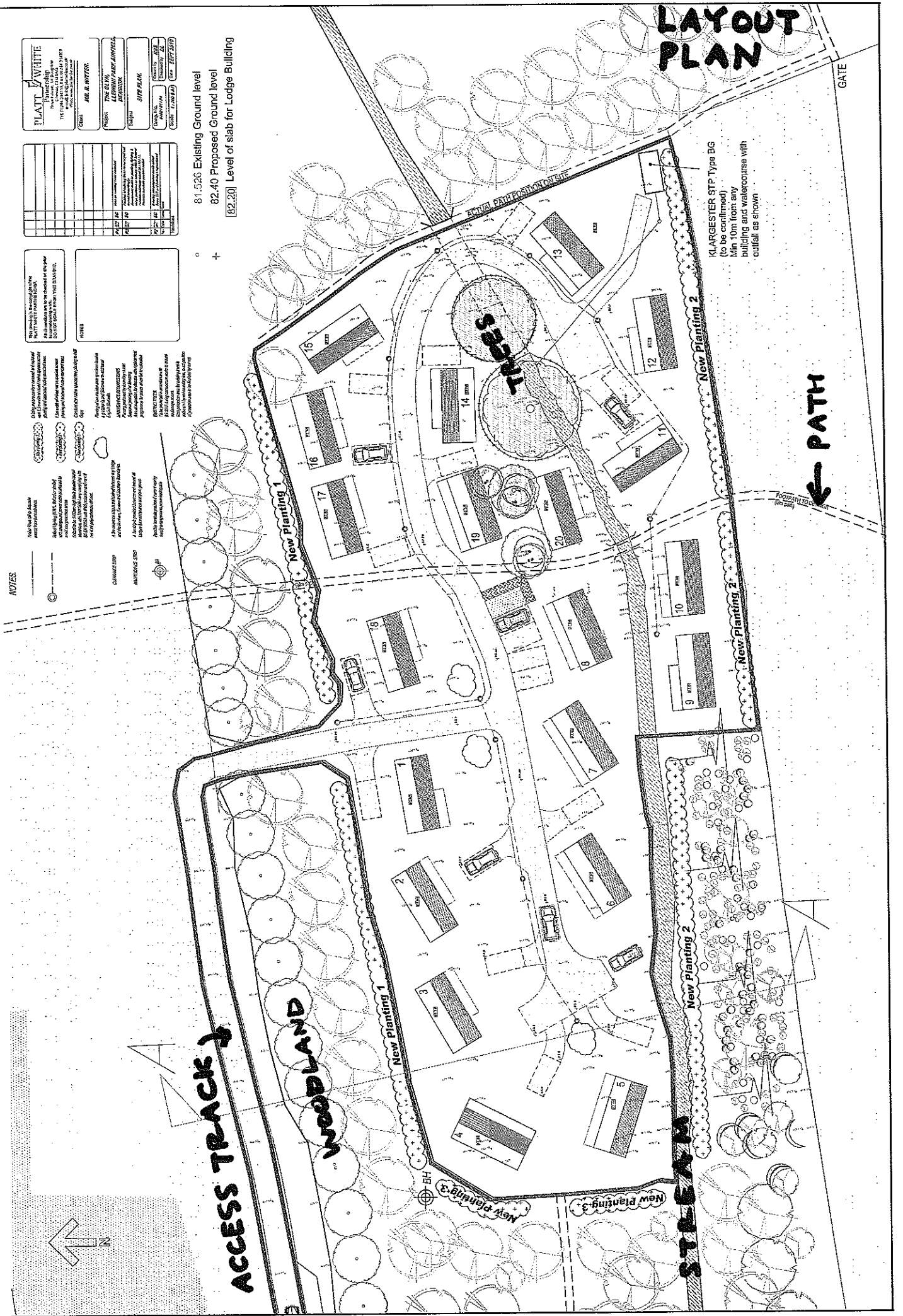
2. All work to be carried out in accordance with the relevant codes of practice and standards. All work to be carried out in accordance with the relevant codes of practice and standards.

3. All work to be carried out in accordance with the relevant codes of practice and standards. All work to be carried out in accordance with the relevant codes of practice and standards.

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**INDICATIVE  
DETAIL OF  
LODGES**

**ITEM NO:** 1  
**WARD NO:** Denbigh Lower  
**APPLICATION NO:** 01/2011/0621/ PF  
**PROPOSAL:** Siting of 20 holiday lodges with associated access, parking and installation of a sewage treatment plant  
**LOCATION:** The Glyn Lleweni Parc Mold Road Denbigh  
**APPLICANT:** Lleweni Parc Ltd.  
**CONSTRAINTS:**  
**PUBLICITY UNDERTAKEN:** Site Notice - Yes  
 Press Notice - Yes  
 Neighbour letters - Yes

#### **CONSULTATION RESPONSES:**

##### **DENBIGH TOWN COUNCIL**

"The Town Council whilst not objecting to the above application would wish to submit the following concerns/ comments:

- The narrowness of the road leading to the proposed development
- The concerns of the people living nearby and their views of the site
- The water supply to the site
- The effect of the development would have on agricultural land
- The need to explore fully the environmental impact the development would have on wild animals
- The application is not in line with DCC's policy".

##### **ADJOINING COMMUNITY COUNCILS**

##### **TREMERCHION, CWM AND WAEN**

"The Community Council decided that as it was not on an adjacent site to the Community it would have no formal comments to make on the application".

##### **ABERWHEELER COMMUNITY COUNCIL**

"Object on the following grounds:

- Waste of good quality agricultural land
- Conservation of trees. It appears some have already been chopped without consent
- Would disturb wildlife
- Area prone to flooding
- Touring caravans already located on part of this land
- Concerned about the possible landing of light aircraft and extra gliding events in the vale of Clwyd
- Inconvenient to nearby residents e.g. Lleweni Hall and Barns
- Public transport not available in this area.
- Already ample holiday lets in the area
- No cycle path"

#### TREFNANT COMMUNITY COUNCIL

- "Parking spaces are not referred to on the application only the plan
- Loss of woodland/biodiversity by development of open countryside creating a precedent for future development
- Development will be visible from the Area of Outstanding Natural Beauty".

#### LLANDYRNOG COMMUNITY COUNCIL

"Will not support if no strict conditions can be secured to ensure that the units do not become permanent homes".

#### THE COUNTRYSIDE COUNCIL FOR WALES

Accepts the survey conclusions, and notes the location of the site within the Vale of Clwyd Landscape of Outstanding Historic Interest.

#### WELSH WATER

No objections. Advises that a water supply can be made available, with contributions towards new off- site and/ or on site watermains/infrastructure.

#### COUNCIL FOR THE PROTECTION OF RURAL WALES

Object. The application should be refused, as with the previous similar development; with the Vale of Clwyd remaining as one of the few, almost untouched 18<sup>th</sup> century landscapes. The proposal is unnecessary and would detract from the landscape.

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

"The site is visible in distant views from the higher ground of the AONB and the Offa's Dyke Path but, having regard to the scale of the development, the distance from the AONB and the existing tree cover which helps screen the site, the JAC has no observations to make on the principle of the development.

However, if permission were to be granted the JAC would emphasise the need for robust arrangements to conserve, manage and supplement the existing tree cover which screens the site to be put in place in the long term, which should include consideration of a possible TPO and additional screen planting to the south to completely enclose the site. The JAC would also support Dark coloured walls and roofs for the proposed chalets would also be important to minimise visual impact, and the JAC would also comment that any external lighting should be restricted and carefully controlled to minimise light pollution and subsequent loss of tranquillity in this 'dark' landscape. Only appropriately timed low level, low output lighting units should be employed.

Finally, the JAC would support a condition restricting the chalets to holiday use only and to limit occupation to the currently accepted holiday season on other similar sites."

#### DENBIGH AND DISTRICT CIVIC SOCIETY

Proposal appears to be contrary to the Unitary Plan policy on the location of new development.

#### ENVIRONMENT AGENCY

No objections to the revised sewerage treatment works located outside the floodplain. In the event of grant of permission, suggests an advisory note to highlight the need to comply with separate permitting regulations, and relevant water borehole abstraction regulations.

#### CLWYD POWYS ARCHAEOLOGICAL TRUST

No objections. There is low archaeological potential. The existing well screened tree cover means that the proposal is unlikely to have more than local landscape implications, so no ASIDOHL assessment required.

WELSH GOVERNMENT SUSTAINABILITY AND ENVIRONMENTAL EVIDENCE DIVISION  
Comments that as the provisional map shows the site as Grade 2 and a moderate probability that the site will contain Best Most Versatile (BMV) Land, and that due to the extensive survey experience with the soil type present, the expectation is that the site is a mosaic of Grades 3a and 3b, but that with this soil type the Agricultural Land Classification can only be determined by a field survey.

#### **DENBIGHSHIRE COUNTY COUNCIL CONSULTEES**

##### **HEAD OF HIGHWAYS AND INFRASTRUCTURE**

Concerns raised in relation to sustainability and means of transport choice. The proposal does not demonstrate that other means of transport are easily accessible to the site. Advises that the existing access road is unadopted (with passing places and a grass verge on either side) with private maintenance responsibilities. The proposed new access point is indicated on a bend on this road and, with conditions, a safe access could be provided.

##### **HEAD OF HIGHWAYS AND TRANSPORTATION – RIGHTS OF WAY SECTION**

Confirms that no rights of way will be affected by the proposal.

##### **BIODIVERSITY OFFICER**

No objections, based on an additional bat survey, and provided the recommendations within the report are followed. Highlights the importance of the mature oak and ash trees as a key bat habitat link, and the potential for roosting bats. Other wildlife issues are also noted including a badger survey; the need to protect the watercourse as it has potential biodiversity value (otters); ecological assessment for future water and electricity services, and there is concern at past habitat removal.

##### **TREE CONSULTANT**

Trees shown to be retained on site would be vulnerable to the development, and there is a need to show a 'Root Protection Area' and a full Tree Protection Plan in a Tree Survey.

##### **WATER QUALITY, POLLUTION AND ENVIRONMENT OFFICER**

No objections, based on revised/additional details proposing a new borehole. Notes the existing legal agreements with Lleweni Parc Ltd, and relevant responsibilities over private water supplies and boreholes.

##### **LANDSCAPE CONSULTANT**

Advises that there are no landscape issues which would affect the wider, historic landscape setting and that on the basis of additional information, with the exception of details concerning the two mature trees; planting and maintenance specification and details, no additional concerns are raised.

##### **COUNTY ARCHAEOLOGIST**

No objections. Low archaeological risk.

##### **SENIOR TRANSPORT OFFICER**

Confirms that there are no bus stops in the vicinity of the site, and in relation to services operating in the locality that one bus (number 14) operates along the main A541 road roughly on an hourly basis during the day time, and approximately 1km away from the site, not within readily easy walking distance. The first buses depart Denbigh and Mold both at 0745 and the last buses depart from Mold at 1725 and Denbigh at 1805. The nearest bus stops are at St Brigid's and Bodfari, which is at least a couple of kilometres away from the proposed site. The placing of additional bus stops on the main road at the site entrance would not be supported, given the road speed and lack of footways.

## RESPONSE TO PUBLICITY:

### OBJECTIONS

Objections received from:-

M. & A. Roberts, Swn yr Afon, Ffordd yr Wyddgrug, Bodfari (e-bost)  
C. Smith, 2, The East Wing, Lleweni, Mold Rd. Denbigh (e-mail)  
G. & G. Johnston, West Stable, Lleweni, Mold Road, Denbigh (e-mail)  
Mr. H. Davies, 3, The Corn Barn, Lleweni, Bodfari (e-mail) – on behalf of the 17 residents/group at Lleweni Park  
Ms. N. Edwards (Lleweni Management Co. Ltd.) 3, The Hay Barn (e-mail)  
Ms. D. Kenyon, East Pavilion, Lleweni, Mold Road, Denbigh  
David & Jennifer Winstanley, 2 The Hay Barn, Lleweni - e-mail  
Jennifer Marsden (Mrs), Lleweni Ucha, Mold Road, Denbigh - e-mail  
John & Donnan MacLennan. West Carriage House, Lleweni, Denbigh  
S B Marsden, Lleweni Ucha, Mold Road, Denbigh  
C G Roberts, 1 The Haybarn, Lleweni, Denbigh  
Ms H Elinor Needham, The Carriage House, 1 East Wing, Lleweni  
Kath & Phil Coppin, 2 The Corn Barn, Lleweni  
Mr. S. Marsden, Lleweni Uchaf, Mold Road, Denbigh (e-mail)  
C. Sparrow, Corn Barn, Lleweni (e-mail)

Summary of planning based representations:

Nature conservation and biodiversity - detrimental effect /previous works undertaken / includes woodland and habitat clearing to make way for the planning and future development/ no regard for wildlife/ large pond now left to stagnate, leading to insects and disease/ bats and wildlife will be lost/ adverse effects, particularly otters/ inappropriate location being close to watercourse.

Highways, parking and accessibility – site unsustainable/road unsuitable for heavy traffic use/pedestrian safety and visibility concerns/ road is unadopted and part of the Lleweni Estate / the applicant would need to contribute to the funds to maintain the road, which is already falling into disrepair, due to heavy agricultural traffic and weather conditions/ issues in relation to amount of car spaces/ with the existing Caravan Club tourer site nearby – a total of 26 units in the vicinity/ involves more units than the existing Lleweni Hall residents/ no information on impact on the existing access and maintenance/the road is a private access road/ no details of the width etc of proposed new road/ evidence indicates that travelling to the site without a car would be difficult/no mention made of accessing the site for some people if they're travelling by public transport/ the proposal does not comply with policy TSM9 in transport terms/ increase in traffic accidents/danger with main road/ not proved that public transport services would be used/ unsustainable as car travel essential/ site is not located on a public footpath/ Denbigh too far away for majority to walk.

Drainage – area suffers after heavy downfall, with 20 properties adding further waste into the river/ river inappropriate to cater for additional sewerage disposal/Treatment Plant (STP) very near river with flooding issues/ no mention of management of the STP.

Landscape - adverse impact/effects on natural landscape beauty and public view/ impact on Lleweni Hall views/ land is open to the south east/ full landscaping details should be submitted/ will not fit in with the surrounding historic landscape.

Noise and nuisance – creation of a small village/ no assessment made on impact of residents of Lleweni Hall/ no consultation with residents of Lleweni Hall/ increase in noise, light pollution and disturbance to existing Lleweni community/ increase in trespassing and personal safety/ use of adjoining field to south inevitable for games etc.

Water supply – from where/ no report on impact on water table/ unaware if the existing bore hole to Lleweni Hall to be used – can the existing system cope/ costs with increased use/ excessive strain and costs on existing water borehole supply/ any water supply issues should be resolved at this stage/ significant costs on maintaining existing water supply.

Agricultural Land Grade – despite clearance works etc, still Grade 2 or Grade A land/ proposed 500 metres access road and services will involve Grade 2 agricultural land/ loss of high grade agricultural land/ evidence indicates that the site is agricultural, with trees planted as shelter belts in late 60/70's/reference to the importance of the Blue Hand planning appeal and Inspector's comments/ 4 lodges encroach onto crop grade 2 land.

Planning policy – the site is greenfield – probably many brownfield sites in the area which could be used instead/ no need demonstrated for this location/ unwarranted development/adverse impact in rural area./ Need and Precedent/no need established/likely to lead to further developments/ more/ existing tourist site rarely used/ already a touring caravan site situated in Lleweni owned by the applicant/ eco pods and touring site already on site.

Economic issues - information out of date and too generic/report is limited/existing caravan site not much used in last years/ report contradicts information with transport information/ other than 1 full time employee on site - no evidence how the proposal maximises employment benefits to the area and local community/ financial benefits to the applicant and not the local economy/at the expense of other holiday accommodation/ proposal unlikely to generate local businesses/a business plan not provided/ calculations used for Kinsale Hall incorrect/ no guarantee that such proposals will reduce overseas travel/proposal likely to involve 'second homes'/ the development is 'detached'.

Occupancy – impossible to police / may breach occupancy requirements/ permanent occupation of caravan parks has led to social imbalance/Terminology – lodges and homes – the information suggests any type can be used/ D & A refers to lodges as second homes – suggesting all year occupancy/ no evidence to suggest that the lodges can't be used as permanent homes

Flood risk – surrounding fields flood on a regular basis.

Other issues – safety issues in close proximity to runway/ gliding might be permanently precluded, owing to proposed routing of commercial aircraft down the Vale of Clwyd/ reduction in Lleweni complex occupancy and attractiveness/ Lleweni Management Company Ltd manage all communal aspects cover the road and water borehole – no further resources available/ questions covering BREEAM accreditation/ legal advice being sought on water rights/ Electricity source – from where/more details required/ existing provision is inadequate/ Refuse disposal - no refuse disposal system in place – current system would have to change/ no details of refuse collection or disposal/ Application details - incorrect information in DAS/limited plans and details/no indication that the 'Retreat' homes would be used/ protected species survey shows only 17 lodges/ limited application details/ ownership of adjoining land not confirmed/ cannot reserve details only in the case of outline applications.

## IN SUPPORT

Letters of support received from:

Mr. S. P. Pearson, Oakleigh, Rhewl, Ruthin  
Mike Marshall, 5 Ffordd Pen y Coed, Trefnant

Summary of planning based representations:

Economic – will provide much needed employment and business prospects to the area/ a unique area in North Wales with the potential to grow/will bring further benefits to the area.



Habitat – works done to improve the habitat.

Landscape – unobtrusive location/a sensitive reinstatement and development of this historic parkland.

**EXPIRY DATE OF APPLICATION: 18/09/2011**

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

- timing of receipt of representations
- delay in receipt of key consultation response(s)
- additional information required from applicant
- negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

1.1.1 The application proposes the siting of 20 holiday lodges with associated roadways and a sewage treatment plant on land south east of the Lleweni Gliding Field. The site would be accessed via a new road off the existing track leading from the A543 to the residential complex at Lleweni. The supporting information indicates the intention to provide accommodation for people who wish to use the gliding premises, and other facilities currently available in the area.

1.1.2 The application includes the following documentation:

- Basic Landscape Impact Appraisal The report notes that the site lies within the Vale of Clwyd Historic Landscape Area; and concludes that any anticipated impacts will only affect users of the two non – statutory footpaths which cross the site as they are rarely used; and, the site is isolated and largely unseen from the surrounding area, there would be no adverse impact on the historic character.
- Design and Access statement (DAS) The report describes the application proposal, noting that the lodges will fall within the definition of a 'caravan', but that it is intended to use a 'Retreat Homes range' which provides the appearance of timber clad cabins; that a sustainable reed bed filter is included in the sewage treatment works (but no longer part of the proposal); that it will have a direct association with the adjoining gliding field. The report is then divided into three parts; Design Principles and Concepts which covers Environmental Sustainability; Movement to, from and within the development – noting the new access route to the site; Character; potential impact on trees; and community safety; Physical, Social and Economic Policy context; and thirdly referred to the previous appeal decision in relation to the 'Blue Hand field', including reference to Agricultural Land Classification issues. The conclusions make reference to a number of points; that it is highly sustainable, making use of disused land; safeguards the character of the local environment, benefiting the local economy; is a small scale development, in compliance with policy TSM9 and SPG 20; avoids the use of Grade 2 agricultural land and is served with paths. An appendix includes extracts from a Retreat Homes Brochure.
- Ecology Report and Tree Information. The report identifies a total of 22 habitats on or immediately adjacent to the site, including semi – natural broadleaved woodland; arable and 'dry ditch' habitat. The conclusions, in providing an

'ecological baseline' for the proposal, identifies 4 key ecological features and constraints with the site, including the potential for roosting bats within mature trees. The 6 associated recommendations suggest implementing an appropriate mitigation scheme if bats are found and the implementation of tree protection measures, in accord with standard practice.

- Tree survey. The report is based on site observations and information provided by the applicant/architect and site surveyors. No plan is attached to the report. It describes the site as an open clearing 80% surrounded by existing woodland, and that there are no distinguishing features within the site, other than 5 mature trees, with one in particular – a mature Oak, being 25 metres tall with an overall canopy spread of 10m and of generally good condition. The conclusion highlights that, given the lack of trees on site, the existing 5 trees have a greater landscape significance and will need protecting from the potential development; and an agreed scheme to protect the tree roots for three of the trees – near lodges 19 and 20, and access drive to 11, 12 and 13, with an indication for minimum radius to be off set by up to 20% in one direction, to be taken into account in a detailed scheme/condition.

## 1.2 Description of site and surroundings

- 1.2.1 The site lies in the open countryside, off an existing, private driveway which leads to the Lleweni complex from the A543 highway. The A543 is the main link from Denbigh to Mold. The site is situated predominantly within a mature woodland block, located to the east of an area of land known locally as Lleweni Park. A stream runs through the lower (southern) half of the site.
- 1.2.2 To the east of the application site is a separate pond and the River Clwyd is further to the east; to the south is an agricultural field with the Lleweni Hall complex, and the Lleweni farm and other buildings are further to the east. To the west of the site is agricultural land, with a non-statutory wildlife site adjoining the existing Lleweni access driveway.
- 1.2.3 To the north west, separated by the mature woodland block is the Lleweni gliding field, which lies within the ownership of the applicant.
- 1.2.4 No public footpaths have direct access to the site. It is understood that the site is crossed by two informal/non statutory footpaths, both of which provide a route to Lleweni Hall. Other public footpaths in the locality include the Clwydian Way, to the south and east of the site. This is a tourist route through the Lleweni complex leading to/ from Kilford Farm to the south and Pontruffydd Farm further north. Other public footpaths connect with this route, including one which straddles the River Clwyd.
- 1.2.5 Further south of the application site, and adjoining the existing access road which serves Lleweni Hall and other properties, is a touring caravan site for up to 10 units.

## 1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the non – statutory e of Clwyd Landscape of Outstanding Historic Interest. A number of listed buildings lie within this area, including Lleweni Hall and other buildings, to the south of the application site.
- 1.3.2 The highway boundary wall along the main Denbigh highway road to the west of the application site is 'deemed' a listed structure.
- 1.3.3 A flood zone adjoins the easterly boundary of the site and the site lies within a ground water protection zone, and a major aquifer source.

1.3.4 There are no statutory nature conservation sites within 2 km of the site. Two non-statutory wildlife sites are within 1 km of the Glyn; namely, two adopted Local Wildlife sites; the semi natural broadleaved woodland alongside the existing Lleweni Parc access road – known as The Belt; and the River Clwyd corridor, north of the A541, but these are not directly affected by the development.

1.4 Relevant planning history

1.4.1 The application site is part of an area amounting to 75 acres, which lies close to land used in connection with the sport of gliding, following grant of planning permission in 1990.

1.4.2 Directly adjoining the application site to the south is a field which forms part of a previous planning permission for use of land and buildings in connection with a pony trekking centre. Further to the south lies a separate parcel of land which received planning permission for touring caravan site use in 1991.

1.4.3 Planning permission was refused in 2009 on land known as the 'Blue Hand Field' (to the north of the Glider field), for a proposal for 60 chalets and associated works, on the following grounds:

- "1. *The Local Planning Authority consider that the principle of the proposed development of 60 no. lodges and associated works outside any defined settlement boundary and in open countryside location is unacceptable and contrary to the aims of policies STRAT 7, STRAT 9, GEN 3, GEN 6 (criteria i, ii), TSM 5 (criteria i,iii) and policy TSM 9 of the Denbighshire Unitary Development Plan. These policies would only permit development in such locations in exceptional circumstances where the type of development is fully justified against set criteria. It is considered in this instance that by reason of the scale of the development, its failure to assimilate adequately in to the landscape, its impact on nature and wildlife conservation historic landscape and the agricultural land upon which it would be sited the proposal does not meet the exception criteria.*
2. *In the absence of a comprehensive habitat and species mitigation and compensation scheme, in particular relating to bat species, the proposal is considered to conflict with the aims of Planning Policy Wales, Technical Advice Note 5 together with draft TAN 5, and Unitary Development Plan Policies STRAT 1 (criterion v), STRAT 7 (criterion iii), GEN 6 (criterion 11), ENV 1, ENV 6, ENP 1 (criterion iii) and guidance contained in Supplementary Planning Guidance 6. These policies and guidance aim to protect and enhance nature conservation and promote biodiversity in particular seeking to conserve the status of a European Protected Species. The proposal does not demonstrate that such protection and enhancement will occur.*
3. *In the absence of an adequate Flood Consequences Assessment the proposal does not demonstrate that arrangements can be provided within the site for effective drainage treatment and disposal contrary to Policy GEN 6 (criterion x), ENP 1 (criterion i), ENP 4, ENP 6, Technical Advice Note 15 and advice contained within circular 03/99 - Non Main Sewerage Systems which seek to avoid the potential for pollution of land and watercourses by development and protect the natural environment.*

A subsequent appeal was dismissed in April 2010. The Inspector considered that the proposal did not accord with national and local policy relating to conserving the best and most versatile agricultural land. Blue Hand field is located in an area where land is considered to be among the best quality agricultural land.

1.4.4 It is of relevance to the current application that the Blue Hand Field Inspector also noted it would be inappropriate to allow a development that ' *would potentially increase the number of pedestrian movements along the public highway in the vicinity of the site*', ....*given the absence of suitable pedestrian facilities in the vicinity of the appeal site and at the southern end of this route between Kilford Farm and Denbigh I do not consider there is a safe pedestrian route between the site and Denbigh. In the light of the highway conditions in the vicinity of the site, the rural location and limited bus services it is highly likely that people staying at the site would be dependant on the private car for even the shortest of journeys. This would be contrary to the Welsh Assembly Government's key policy objective of locating development so as to minimise the demand for travel, especially by private car*. The Inspector however, noted that '*whilst this consideration, in isolation, is not sufficient reason to dismiss the appeal, it is a material consideration in assessing the acceptability of developing a tourist facility in this location.*'

1.5 Developments/changes since the original submission

1.5.1 During the course of the application, additional information/reports/plans have been submitted:-

- Revised location of sewerage treatment plant. The plan indicates that the sewerage treatment plant is now outside the designated flood zone area.
- Bat survey of trees (Dated October 2011). The survey focused on whether bats were using either of the two trees (identified as trees 5 and 6) in the Ecology report) as roosting sites. It confirms that there was a high level of bat activity both around the two trees within the site and the whole development site.- both soprano and common pipistrelles, and whilst noting that no bats appeared to be using the trees for roosting, it suggests that tree dwelling bats are nomadic, and may appear after the survey period. A mitigation and recommendations section highlights priority for winter work activities; provision of a hibernation box; controls over lighting; and bat enhancement features.
- Revised site survey regarding the location of the two mature trees. The plan includes new planting areas; Minor revisions in car parking details; revised positions of chalets on the south and easterly section; notes attached to the proposed sewerage plant; details of; existing ground; proposed ground and level slab for lodge building; Bollard lighting; possible position of bore hole.
- Letter dated 26 January 2012) from applicant, with enclosures from 'Wyatts' water and well engineers; Reading Agricultural Consultants; and a supplementary statement with a review of the deposit draft local development Plan. Briefly, the information provides additional details for a new water borehole; comments on tree and landscaping matters; reference and review of the Denbighshire Local Development Plan in relation to tourism, noting there are no policies in relation to new caravans/chalet developments; the Reading Agricultural Consultants document provides a general overview of national Agricultural Land Classification methodology, and provides a desk top analysis and concludes that the land is probably a subgrade 3b, with a partial presence of 3a, and not Grade 2 as on the published mapping, and it is not in agricultural use. The document does not consider a site survey is justified, as the land has a physical character which places it outside the quality assessment process of the Agricultural Land Classification, and that any results from such a survey would confirm that, or place undisturbed soil profiles in a non-agricultural or poorer land quality. It also concludes that the physical works necessary to bring the land into productive agricultural use would be sufficiently invasive as to render any survey results of little utility in any event.

Other relevant background information

1.5.2 It is understood that the gliding club which previously used the adjoining gliding field vacated the site some time ago. This was noted in the Inspector's appeal decision for the 'Blue Hand Field', and is confirmed in the Design and Access Statement ( para.20)

- 1.5.3 An Environmental Impact Assessment Screening Opinion exercise (dated 24/05/2011) confirmed that the proposal did not require a formal EIA.

## 2. DETAILS OF PLANNING HISTORY:

2.1 The following are considered of relevance to the application:

### To the north of the application site

Code 01/11,023 - Proposed use of 75 acres of land and vehicular access in connection with the sport of gliding and change of use of agricultural building to hangar for the storage of gliders - GRANTED 23/05/1990.

Code 01/809/97/PF - Retention of existing track to facilitate access into wood by the infill of inert material (partly in retrospect) - GRANTED 16/04/1998

### To the south of the application site

Code 01/12904 Change Of Use Of Farm Buildings And Land To Riding Stables And Trekking Centre (Retrospective application) Lleweni Parc Stables - GRANTED 31/07/1992

Code /11632 Proposed Siting Of 10 Caravans and Construction of Means of Access Lleweni Parc - GRANTED 29/04/1991

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)

Strategic Policies 1, 2, 3, 5, 6, 8, 9, 11, 12,13,14,16

Policy GEN 3 - Development outside Development Boundaries

Policy GEN 6 – Development Control Requirements

Policy GEN 8 – Planning Obligations

Policy GEN 10 – Supplementary Planning Guidance

Policy ENV 1 – Protection of the Natural Environment

Policy ENV 2 – Development affecting the AONB/AOB

Policy ENV6 - Species Protection

Policy ENV 7 – Landscape/Townscape features

Policy ENV 8 – Woodlands

Policy ENV11 – Safeguarding of High Quality Agricultural Land

Policy CON1 - The setting of listed buildings.

Policy CON11 – Areas of Archaeological Importance

Policy CON 12 – Historic Landscapes, Parks and Gardens

Policy ENP 3- Water resources

Policy ENP 4 – Foul and Surface Water Drainage

Policy ENP 6 – Flooding

Policy TSM 1 – Tourism Development

Policy TSM 9 – Static caravan and chalet development

Policy TRA 1 – Public Transport

Policy TRA 5 – Improvements to Primary/Strategic Highways Network

Policy TRA 6 – Impact of New Development on Traffic Flows

Policy TRA 9 – Parking and Servicing Provision

Policy TRA 10 – Public Rights of Way

Policy TRA 11 – Walking and Cycling Routes

**Supplementary Planning Guidance**

SPG 2 – Landscaping in New Developments  
SPG 6- Trees and Development  
SPG 8 – Access for All  
SPG 15 – Archaeology  
SPG 18 – Nature Conservation and Species Protection  
SPG 20 - Static Caravan and Chalet Development  
SPG 21 – Parking

**Other Council Documents**

Denbighshire Local Biodiversity Action Plan 2003  
A Countryside Strategy for Denbighshire 1998  
Denbighshire Landscape Strategy 2003  
Denbighshire - Access for all Guide

**GOVERNMENT GUIDANCE**

Planning Policy Wales 2011  
TAN 5 – Nature Conservation and Planning  
TAN 6- Planning for Sustainable Rural Communities July 2010  
TAN 11 – Noise 1997  
TAN 12 – Design  
TAN 13 – Tourism 1997  
TAN 15 – Development and Flood Risk 2004  
TAN 18 – Transport March 2007

Circulars & Statutory Instruments

WO 61/96 -Planning and the Historic Environment : Historic Buildings and Conservation Areas

Circular 35 /95- the use of conditions in planning permission

Circular 03/99 – Non-Mains Sewerage Systems

**4. MAIN PLANNING CONSIDERATIONS:**

4.1 The main land use planning issues are considered to be:

- 4.1.1 The principle of the development
- 4.1.2 Impact on high quality agricultural land
- 4.1.3 Scale of development
- 4.1.4 Impact on residential amenity.
- 4.1.5 The capacity of the highway network and impact on highway safety
- 4.1.6 Impact on nature conservation, including protected species
- 4.1.7 Flood risk and drainage issues.
- 4.1.8 Impact on water supply
- 4.1.9 Impact on archaeology and built heritage.
- 4.1.10 Impact on woodlands and trees
- 4.1.11 Inclusive access

Other issues

Occupancy of lodges

Economic considerations

4.2 In relation to the main planning considerations:

4.2.1 The principle of the development

The Unitary Development Plan reaffirms the support for sustainable development. Strategic policies STRAT 1 – 16 highlight those considerations necessary in relation to such development; highlighting considerations relevant to the location of

development ; regeneration; energy efficiency; minimising waste; integrated transport systems and design quality. Briefly, in terms of specific strategic issues; STRAT 1 sets the main sustainable development approach with preference for maximising the use or re-use of derelict, vacant and under used land and buildings for development as opposed to greenfield sites; and requires that development is located so as to minimise the need for travel by private car and utilise existing infrastructure, facilities and services; the protection of biodiversity; protecting the best and most versatile agricultural land. STRAT 5 highlights the need for high quality design including the need to protect the character of the locality and respect local styles. STRAT 6 states that development in the open countryside will only be permitted in exceptional circumstances, whilst STRAT 7 considers the impact of proposals on the landscape/built heritage, nature conservation, biodiversity and environmental issues. Specifically for Tourism, STRAT 9 'Tourism' permits tourism development proposals in the form of either i) tourism projects in the coastal resorts of Rhyl and Prestatyn or as part of Major Mixed Development Areas or allocated sites at Rhuddlan and Corwen; and ii) small scale built or natural environment based tourism projects in the countryside and rural settlements, where they provide appropriate infrastructure, accommodation and attractions and which consolidate and diversify the tourism industry without unacceptably affecting social, highway, amenity, heritage or environmental interests. The strategic policies would therefore allow for tourist related developments subject to consideration of impact tests set out in the General policies of the Unitary Plan.

In relation to the General policies -

Policy GEN 3 – Sets out possible exceptions for development outside development boundaries. These include housing for farm/forestry workers, infill housing within clearly identifiable groups of dwellings, conversion of rural buildings, affordable housing exceptions, replacement dwellings and development associated with agriculture, tourism and leisure, set against a number of provisos and to be read in conjunction with other policies in the plan.

TSM 1 focuses on the principle of new tourism development within development boundaries, and permission elsewhere subject to strict criteria, with priority for those that are accessible by a variety of means of travel. In relation to new build it highlights three criteria; that the proposal is small scale and ancillary to an existing tourism development and well related to existing buildings; the proposal is of a scale, type and character which respects the site and surrounding, and no unacceptable harm to designated and non designated features, including best and most versatile land.

Policy TSM 9 and SPG 20 set tests and detailed considerations relevant to caravan and chalet proposals. The policy tests relate to: the accessibility and availability of a choice of means of transport; whether the site is unobtrusively sited and can be assimilated in to the landscape, and impact on various landscape and wildlife designations, good agricultural land and historic landscapes/gardens. The explanatory text to Policy TSM 9 notes that "the County is already well served, if not over provided on the coast by such uses, many of which present a conspicuous and unsightly appearance and "It is highly unlikely that even the inland areas the case could be justified for new sites" SPG 20 includes a checklist of environmental and landscape considerations including scale; locational preference for the larger developments to be within or adjacent to settlements; with small scale and sensitive proposals only for rural locations; and use of unobtrusive locations. There is no requirement in these policies to establish a 'need' for a lodge development.

At national level, Planning Policy Wales and TAN 13 set out a strategic approach for Tourism development. PPW highlights that in rural areas in particular, the scale and nature of such development must be sensitive to the local environment and that development for tourism, sport and leisure uses should, where appropriate, be located on previously used land. In determining planning applications for tourist

developments PPW requires local planning authorities to consider the impact of proposals on the environment and local community. TAN 6 advises that support should be given to diversification of the rural economy as a way of providing local employment opportunities, increasing local economic prosperity and minimising the need to travel for employment, but at the same time, minimising impacts on the local community and the environment.

Taken together the Unitary Plan policies and National Guidance do allow for tourist related development in open countryside, but in all cases subject to assessment of localised impacts.

To assist consideration of the application the following section assesses the proposal against the tests of policy TSM 9 and the guidance set out in SPG20.

#### Test (i)

Accessibility of site to the highway network and different means of transportThe sustainability themes of PPW, TAN 16, Strategic Policies 1 and 9 of the Unitary Plan, and the main tests of STRAT 13 seek to reduce reliance on the private car, to encourage use of public transport and safe conditions for pedestrians and cyclists. SPG 20 provides detailed criteria to be considered.

Aberwheeler Community Council and a number of objectors have raised questions over the sustainable transport credentials of the proposal. The Council's Senior Transport Officer response notes the existing bus stops are some distance away from the site, and services operate on a limited basis, and that placing of new bus stops on the main road, at the site entrance would not be supported, owing to the speed of the road and lack of footways on the main highway. There are no cycle routes in the immediate locality and no public footpaths along the 'A' Road linking with bus stops. The Highways Officer concludes the site is not conveniently accessible by transport modes other than the motor car.

The Inspector's comments on this element of the 'Blue Hand' field appeal was that it would potentially increase the number of pedestrian movements along the public highway in the vicinity of the site and given the absence of suitable pedestrian facilities in the vicinity of the appeal site and at the southern end of this route between Kilford Farm and Denbigh he did not consider there was a safe pedestrian route between the site and Denbigh. His conclusion in the light of the highway conditions in the vicinity of the site, the rural location and limited bus services was that it was highly likely that people staying at the site would be dependant on the private car for even the shortest of journeys, which would be contrary to the Welsh Assembly Government's key policy objective of locating development so as to minimise the demand for travel, especially by private car.

In Officers' opinion the accessibility situation is a negative factor in relation to the application as it would rely and perpetuate the use of motor cars as the main means of obtaining access to/from the site. Whether this is a standalone ground for refusal is however questionable as the Inspector in the 'Blue Hand' appeal concluded that this consideration in isolation, was not sufficient reason to refuse the proposals, although it is a material consideration in assessing the acceptability of developing a tourist facility in this location. Other material considerations may consequently override concerns over site accessibility. These matters are covered in the other tests of policy TSM 9, and the other considerations covered in the report.

#### Test (ii)

##### Landscape impact

Test ii requires development to be fully assimilated into the landscape.

Concerns have been expressed on the basis of landscape impact, including from the



CPRW. The Council's Landscape Consultant however, acknowledges that the site is not obvious within its large scale landscape context or within views from the Clwydian Range AONB, although he notes the potential for night time lighting within the site to draw attention to this area. He adds that the excavation disturbance and existing good visual enclosure to the site considerably reduce its sensitivity to the proposed change from open countryside to lodge development.

Overall, Officers suggest the landscape grounds for refusal are limited in this case and that subject to conditions to control the colours of the lodges and external lighting in particular, the site is capable of being unobtrusively assimilated into the landscape.

Test (iii)

Impact on designations and site features

Test iii reflects considerations in other policies of the Unitary Plan, including Unitary Development Plan policy CON 12 on the need to have regard to the character of historic landscapes. The site lies within the non-statutory Vale of Clwyd Historic Landscape. The Council's Landscape Consultant however, confirms that the site does not appear to contain historic landscape features which would be adversely affected by the proposal.

Otherwise, the site is not within the AONB/AOB, a Conservation Area, site of Wildlife Interest or SSSI. Issues of Agricultural land quality are assessed separately in the following section and are considered the only potential conflict with test iii of TSM 9.

4.2.2 Impact on high quality agricultural land

Unitary Plan Policy STRAT1 vii) highlights the need to protect the best and most versatile agricultural land. Policy ENV11 seeks to safeguard agricultural land of grades 1,2 and 3a, and where such land is involved, sets 2 tests requiring an overriding need for the development to be proven and that available lower grade land is unavailable, or such lower grade land has an environmental value recognised as a statutory designation. This reflects PPW advice that land in grades 1,2 and 3a is the best and most versatile, and should be conserved as a finite resource for the future, and considerable weight should be given to protecting such land from development because of its special importance.

A number of objections have highlighted agricultural land quality issues, and refer to the Blue Hand appeal decision. The Welsh Government conclude there is a moderate probability that the site will contain Best Most Versatile Land, and the expectation is that there is a mosaic of Grades 3a and 3b land which can only be determined by a field survey. The applicants have sought advice from Reading Agricultural Consultants which suggests the land is probably subgrade 3b quality with some 3a, i.e. no grade 2 land.

In light of the above and Welsh Government response, in particular the absence of detailed evidence in the way of field survey assessment, it is difficult to interpret the significance of the proposal in terms of Grade 2 or 3 or 3a land, and to conclude that there is clear conflict with national and local policy guidance. There is also a consideration to be given to the practical value of the land for agricultural use as it is a small valley bottom crossed by a stream with woodland either side, which are likely to limit the quality of land (through e.g. affecting free drainage). This is a point raised by Reading Agricultural Consultants, who consider the physical characteristics are such that soil profiles would be predominantly in a non-agricultural or poorer land quality.

Having regard to the various issues raised, and to the actual extent of land which would be subject to 'development/works' likely to have a detrimental effect on the longer term quality of agricultural land here, it is officers' opinion that it would be unreasonable to oppose the proposals on the basis that it involves the permanent

loss of high grade land. On this interpretation, it is respectfully suggested that there is therefore no requirement on the applicants to establish an 'overriding need' for the development or to demonstrate land of lower quality is available as set out in planning policy.

#### 4.2.3 Scale of development

Policy STRAT 9 of the Unitary Plan permits "small scale" built or natural environment based tourism projects in the countryside and rural settlements where they provide appropriate infrastructure, accommodation and attractions, where they consolidate the tourism industry without unacceptably affecting social, highway, amenity or environmental interests. The policy does not define what would constitute "small scale". STRAT 7 sets a specific requirement to safeguard the countryside and environment.

There are no specific objections raised by consultees on the scale of the development here, although concerns over landscape/visual impact do touch on the issue of the capacity of the site/locality to accept the amount of development. In physical terms, the area proposed for the lodges is indicated as 0.5 hectares.

The term 'scale' is not defined in any detail in current planning policy or guidance, but appeal Inspectors have dealt with this in terms of the general 'capacity' of a locality in terms of landscape, highway network and visual and social impact, to absorb the particular extent of caravan development. At the Blue Hand Field appeal, the Inspector accepted a 60 lodge static caravan development extending over 9 hectares, under 2km from the AONB, would not conflict with the capacity considerations in the Unitary Development Plan. Given this 'guide' and the extent of the proposed lodge site, officers do not consider there is a strong argument to oppose this proposal on the basis of inappropriate scale.

#### 4.2.4 Impact on residential amenity

GEN 6 – Development Control Requirements, TSM 10, ENP 1 and TAN 11 Noise require consideration of the impact on residential amenity, and seek to limit and control potentially adverse impact by way of noise and disturbance to the amenities of occupiers of adjacent properties.

A number of individual objections have highlighted the potential for adverse impacts on the privacy and enjoyment of existing occupiers of neighbouring residential properties at Lleweni, which are some 300 - 500 metres south of the site. The proposal indicates a warden would be responsible for site management and that the use would be linked to the gliding field and activities controlled by the warden. Additionally, it suggests limited temporary uses/activities could be undertaken on both the application site and adjoining land which would lie outside the scope/ control of planning regulations.

In light of the above, the topography of the area, and the relative distances between the site and the nearest residential properties, officers respectfully feel it would be difficult to conclude that a lodge development would give rise to significant adverse effects on the levels of residential amenity.

#### 4.2.5 The capacity of the highway network and impact on highway safety

Policies TRA 6 – Impact of New Development on Traffic Flows ;TRA 7 – Road Design; TRA 9 – Parking and Servicing Provision ; GEN 6 criteria v ) and vii) are the main highways policies relevant to assessing the application.

There are a number of objections based on inadequacies of the private roadway which would lead to the proposed new track to the site and over increased dangers on the A road nearby. The Highways Officer notes the site location and access provision to the site, and concludes that a suitable access arrangement could be

accommodated, subject to appropriate conditions.

In Officers' opinion, given the Highways Officer's comments, it is not considered there are reasonable highways grounds on which to oppose the development.

#### 4.2.6 Impact on nature conservation, including protected species

PPW, together with TAN 5, states that the presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which is likely to result in disturbance or harm to the species. It also highlights the process involved in requiring derogations from the provisions of the Habitats Directive, and obliges local planning authorities to take this into account in planning assessments, as 'competent authorities'. These requirements are reflected in Policies ENV 1 and ENV 6 of the Unitary Plan, and SPG 18.

Initially, the Council's Biodiversity Officer and Countryside Council for Wales considered there were insufficient details to conclude that the proposal would not impact on the favourable conservation status, particularly of protected bat species. A number of similar concerns/objections were raised by Denbigh Town Council, neighbouring community councils and objectors. However, following consideration of additional details, both the Council's Biodiversity Officer and the CCW consider that the proposals are acceptable, subject to compliance with reasonable avoidance measures.

In officers' opinion the ecological issues can be addressed by suitable conditions to retain both mature trees, together with an overall management/bat habitat conservation approach for surrounding woodland, which would ensure that the proposal is consistent with the guidance and policies with specific reference to protected species.

#### 4.2.7 Flood risk and drainage issues.

Policies GEN 6 criteria x); ENP 1 Pollution, criteria i) ENP 4 – Foul and Surface Water Drainage, together with policy ENP 6 – Flooding, seek to control and avoid unacceptable harm to the environment /locality in terms of flooding and drainage implications. ENP 4 highlights that development will not be permitted unless satisfactory arrangements can be made for the disposal of foul sewage and surface water. TAN 15 guides development in respect of vulnerability and the degrees of flood risk.

The original plans indicated the siting of a sewerage treatment plant to the south east of the site, within a floodzone. A number of objections were raised on these grounds. The re- location of the sewerage treatment plant, to a position outside the floodzone, is now acceptable to the Environment Agency. On the basis of the revised plans of the treatment plant, and the comments of the Environment Agency, Officers consider there are no drainage grounds to oppose the proposals.

#### 4.2.8 Impact on water supply

Policies GEN 6, ENP 1 and 3 seek to ensure there is no unacceptable harm to ground water and that there are adequate water resources to serve a development.

The application site lies in a groundwater protection area, where Policy ENP 3 states development which would increase the requirement for water will only be permitted where adequate water resources exist, or additional resources can be made available, without causing unacceptable harm to the water quality, ecosystem, fisheries or recreation /amenity interests.

Initially, the proposal intended to use existing water boreholes in the locality, which serve a number of existing properties, including the existing residents of the Lleweni

complex. Following receipt of objections, including concerns from the Council's Public Protection Officer over the adequacy of the two existing water boreholes, revised details were submitted proposing the provision of a new, separate borehole, to the north west of the application site, and north of the existing tree/woodland belt. The accompanying engineers report provides details of the projected volume and capacity of the new borehole, including peak demand storage capacity. The Council's Public Protection Officer confirms that there are no objections to the provision of this new borehole, subject to compliance with the relevant legislation under their control.

In the context of the above information, it is therefore considered there are no planning policy conflicts in relation to water supply issues.

#### 4.2.9 Impact on archaeology and built heritage.

Policy CON 11, – Areas of Archaeological Importance and accompanying SPG 15, require consideration of the potential for archaeological impacts of new development. CON 1 requires assessment of impact on the setting of listed buildings.

Both the County Archaeologist and Clwyd Powys Archaeological Trust have raised no objections and in this regard, the proposal accords with the guidance and policies in relation to archaeology.

In relation to policy CON 1 and the aims of preserving the setting of a listed building, it would be difficult to conclude that given the distance, topography and the development involved, that the setting of any listed buildings, including the 'deemed' listed brick boundary wall, would be affected by the lodges.

#### 4.2.10 Impact on woodlands and trees

ENV 7 seeks to protect features which have landscape and nature conservation value, such as trees, and explains that development should ensure their sensitive integration, by appropriate management, through conditions and obligations. ENV 8 Woodlands highlights the need to avoid harm to woodlands, especially Ancient Semi – Natural Woodlands, given their conservation value. SPG 6 provides further guidance on how to achieve these aims.

Objections have been raised in terms of the impact on the existing woodland and mature trees. The Council's Tree Consultant and Landscape Consultant have initially expressed concerns over the protection of the two mature trees on the site, suggesting that a comprehensive tree report was necessary to allow proper consideration of the proposals. This information has been provided and the proposals are considered to meet the requirements of these consultees.

Having regard to the revised proposals and site character/ features, it is considered that a woodland management plan along with conditions to retain the two mature trees would ensure that the proposal accords with policies ENV 7 and 8, and SPG 6.

#### 4.2.11 Inclusive access

Policy GEN 6, criteria vi) sets a requirement to consider the access needs of persons with disability, with additional guidance provided in SPG 8. TAN 12 and 18, together with the Council's document 'Planning and Inclusive design' provides further detail and advice.

The submitted detailing is limited in explaining the adopted policy or approach to inclusive design in terms of the development plan and guidance; or how specific issues which might affect access to the development may be addressed.

Whilst noting the submitted level of information and details is poor, it is feasible to cover inclusive access issues by appropriate conditions, to ensure appropriate

measures are implemented in conjunction with the development.

#### Other issues

##### Occupancy of lodges

A number of objections/concerns refer to issues of occupancy and monitoring of holiday caravans and chalet sites, including the need to ensure adequate controls over the actual use of units on a site, to address concerns over use for residential purposes.

In respecting the concerns raised, it is suggested that the Local Planning Authority has taken a critical and positive approach to the wording of conditions involved with similar proposals, given confusion over the use of planning conditions and separate site licence conditions to secure controls. Recent examples of the Council's 'new' approach to restrictive conditions on caravan permissions have related primarily to static caravan sites (Thatched Cottage, Trefnant; Llwyn Afon, Llanrhaeadr: Woodlands Hall, Bontuchel; Cwybr Fawr, Rhyl), touring caravan sites (Ffynnon y Berth Llanferres, and Oakleigh House, Waen). A caravan appeal (siting of 21 static caravans on land at the Croft, Upper Denbigh Road, St. Asaph) confirmed the Inspectorate's acceptance of the wording of the Council's 'without prejudice' condition and criteria:

*"The units shall be occupied for holiday purposes only and not as a person's sole or main place of residence. The owner of each unit and the site operator shall maintain an up-to-date register of the names of the owners and occupier of each caravan on the site, their main home and addresses, the dates each caravan has been occupied, and by whom. The information shall be made available for inspection at all reasonable times on written request from the local planning authority".*

In the event of the planning permission being granted, officers suggest a suitable condition, on the basis of the above condition, would need to be considered to control use in line with national guidance on similar development.

##### Economic considerations.

The application refers to the accommodation needs of people who wish to use the gliding premises. The DAS attempts to provide an economic context, covering national strategies and policies, and includes reference to a site in Flintshire and a 2006 tourism spend and information contained in the management plan for the AONB, as there are no current costs/financial information or analysis of the likely link with the gliding club. Whilst it is reasonable to accept a development of this nature would have potential economic benefits from the locality, Officers suggest it is difficult to attach great weight to the 'benefits' outlined in the assessment of the application.

## **5. SUMMARY AND CONCLUSIONS:**

- 5.1 The report outlines a range of planning policy and guidance relevant to the consideration of holiday lodge applications. Strategic policies of the Unitary Plan do allow for such tourist related development in the County, but subject to consideration of detailed impact assessments, and the specific effects of the proposals at Lleweni are reviewed in turn in the main considerations section of the report.
- 5.2 Members will have noted the responses of a number of consultees and private individuals to the proposals. There are concerns over elements of the scheme from Community Councils and local residents, but limited objection from many of the 'technical' consultees on matters such as impacts on highways, landscape, wildlife and drainage/water supply.

5.3 Inevitably with applications of this nature there are negative and positive factors to balance in reaching a conclusion. In favour of the proposals are general support in planning policy and national guidance for tourist related development on a small scale, and there is little in the comments of technical consultees to support a refusal based on factors referred to in 5.2. On the negative side, there are sustainability/accessibility questions over a development in a relatively remote location, which is inevitable given holiday lodge developments are likely to be proposed in such areas to attract visitors.

5.4 In reaching a difficult conclusion here, officers are inevitably aware of the same basic issues having been rehearsed in the course of progressing a 60 lodge development on land nearby at the Blue Hand Field. The Planning Inspector dealing with the appeal against the Council's refusal of permission reached a number of relevant conclusions including that the principle of lodge development was compatible with planning policies, the scale of development was not inappropriate, there were no compelling landscape, drainage or wildlife issue concerns. The refusal appeal was dismissed on the narrow issue of use of land of high agricultural land quality (a flat 9 hectare site on Grade 2/3 land), with reference to accessibility to the site being a consideration but not a determinant factor in the opinion of the Inspector.

5.5 Having regard to all the responses on the application, and to the basis of the Blue Hand Field appeal decision, officers respectfully conclude that there is limited planning policy or technical support for a refusal of permission, and that it would not be appropriate to rely solely on the accessibility concerns as a ground for resisting the development. The recommendation is therefore for grant of permission subject to conditions to address detailed matters arising from consultees responses.

**6. RECOMMENDATION – GRANT** subject to compliance with the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No more than 20 lodges shall be stationed on the land at any time.
3. The units shall be occupied for holiday purposes only and not as a person's sole or main place of residence. The owner of each unit and the site operator shall maintain an up-to-date register of the names of the owners and occupier of each lodge on the site, their main home addresses, the dates each lodge has been occupied, and by whom. The information shall be made available for inspection at all reasonable times on written request from the local planning authority.
4. **PRE-COMMENCEMENT CONDITION**  
Notwithstanding the submitted plans, no development shall take place until there has been submitted to and approved in writing by the local planning authority a detailed scheme of hard and soft landscaping for the site, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained (to include those specimens identified on Plan Reference 8460/03/p3), together with measures for their protection in the course of development. The scheme shall include details of the number, species and location of proposed new trees, hedgerows, shrubs to be planted; the proposed levels and materials to be used on the internal roads, paths and other hard surfaced areas; the finished contours of earthworks and grading of land and their relationship to existing vegetation and land form; and, the position, design materials and type of boundary treatment.
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the first lodge. 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 the local planning authority gives written approval to any variation.

6. PRE-COMMENCEMENT CONDITION

No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

7. All trees and hedges which are to be retained in accordance with the approved scheme referred to in Condition 4 shall be protected in accordance with a scheme that has been submitted to and approved in writing by the local planning authority before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

8. PRE-COMMENCEMENT CONDITION

Notwithstanding the requirements of Condition 4, no development shall take place until there has been submitted to and approved in writing by the local planning authority a woodland management plan. The scheme shall include maintenance works required to be carried out on the trees and hedgerows to be retained.

9. No unit shall be brought onto the site until the written approval has been obtained from the local planning authority to the location, size, design and colour of each unit. The development shall thereafter be carried out in accordance with the approved details.

10. Details of all external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted begins. Development shall be carried out in accordance with the approved details.

11. PRE-COMMENCEMENT CONDITION

No development shall take place until a scheme for the ecological enhancement of the woodland area, including provision for bats has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

12. PRE-COMMENCEMENT CONDITON

No development shall commence until the detailed schemes for foul and surface water drainage have been submitted to and approved in writing by the local planning authority. The approved schemes shall be implemented prior to the construction of any impermeable surfaces draining to the system.

13. PRE-COMMENCEMENT CONDITION

Development shall not begin until a scheme indicating the provision to be made for disabled people to gain access within the site shall have been submitted to and approved in writing by the local planning authority. The scheme shall include details of gradients of access ways, surfacing, lighting and signage. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

14. PRE-COMMENCEMENT CONDITION

No development shall be permitted to take place on the construction of the access track to serve the site, nor the preparation and laying out of the land to be occupied by the lodges and for the parking of cars adjacent to the lodges, until there has been submitted to and approved in writing by the local planning authority, detailed proposals for the surfacing materials and treatment of the land, to demonstrate measures for the longer term protection of the quality of the agricultural land. Development shall be carried out in accordance with the agreed detailing.

15. None of the lodges shall be permitted to be occupied until the formal written approval of the local planning authority has been obtained to the details of the proposed arrangements for the storage of waste arising from the development.

The reason(s) for the condition(s) is(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 lodge numbers do not exceed the approved numbers at any time.
3. To ensure the use of the lodges is for holiday purposes.
4. In the interests of visual amenity.
5. To ensure suitable protection of trees during site works.
6. To ensure suitable protection of trees during site works.
7. To ensure suitable protection of trees during site works.
8. To ensure there are suitable measures for the enhancement and management of adjoining woodland.
9. In the interests of visual amenity.
10. In the interests of visual amenity.
11. To ensure there are suitable measures for the enhancement and mitigation of impact on wildlife.
12. To ensure satisfactory drainage arrangements.
13. To ensure adequate provision for access for persons with disability.
14. To mitigate against any long term diminution of the quality of agricultural land.
15. To ensure satisfactory waste storage facilities in connection with the development.

**NOTES TO APPLICANT:**

In relation to protected species matters, you are advised that if in implementing the permission and recommendations of the Ecological report, any statutory protected species are found within the boundaries of the application site, all works should cease immediately and the Countryside Council for Wales should be consulted for further advice before proceeding further.

You are advised to contact the Council's Senior Scientific Officer with regard to the water supply proposals as there is separate legislation applying to the provision of boreholes.