



Pen-y-Ffrith

**15/2020/1019**

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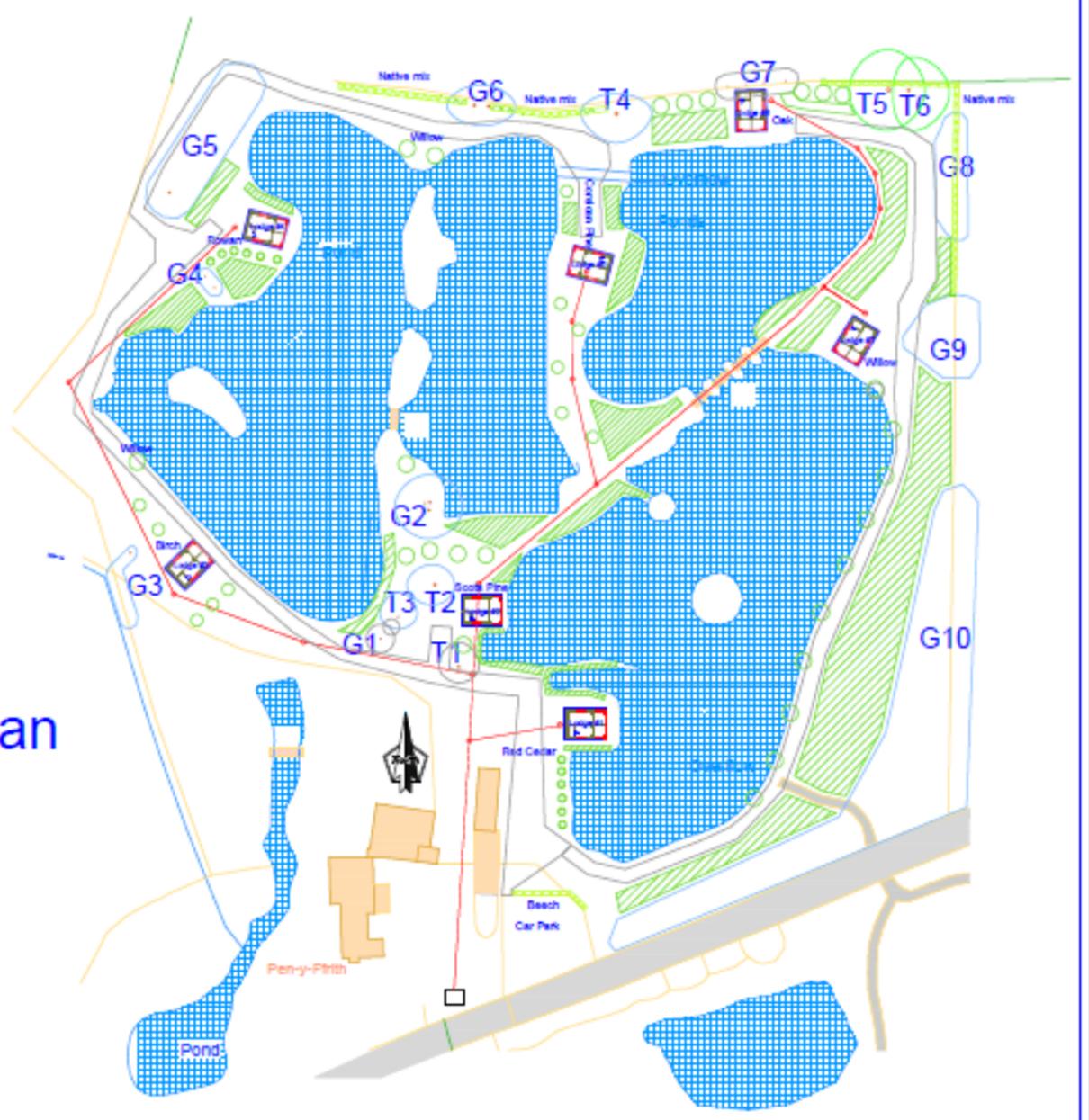
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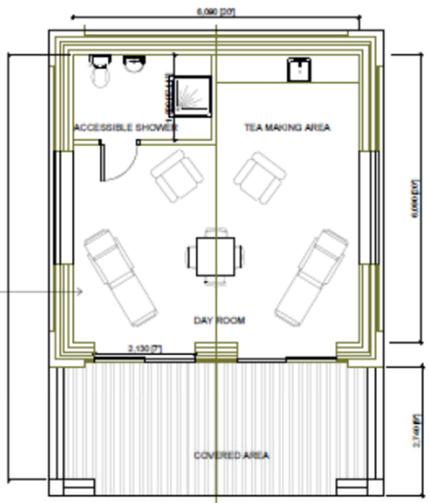
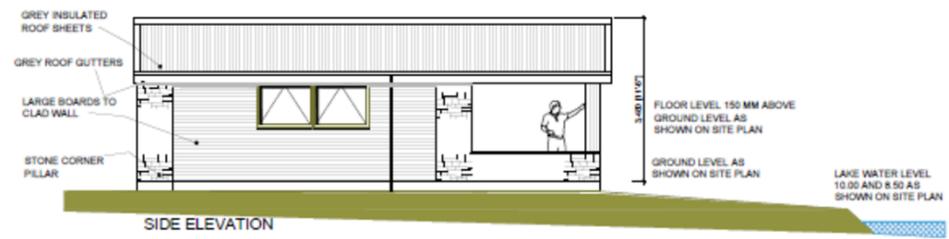


- Category A tree
- Category B tree
- Category C tree
- New hedge planting
- New shrub/tree planting
- New Standard sized trees
- Proposed fishing lodge
- / Proposed drainage pipe

## Tree Planting Plan





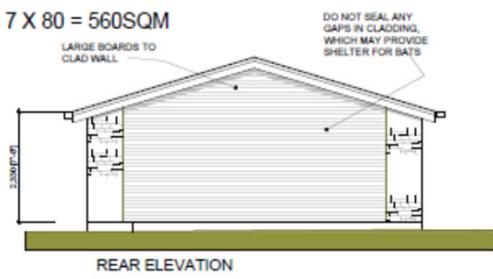


BIVVI BEDS USED FOR NIGHT FISHING, ANGLERS WILL PROVIDE THEIR OWN BEDS



INTERNAL FLOOR AREA 37 SQM  
 TOTAL FLOOR AREA 7 X 37 = 259 SQM

DEVELOPMENT AREA 80 SQM  
 TOTAL DEVELOPEMENT AREA 7 X 80 = 560SQM





















**WARD :** Llanarmon Yn Ial / Llandegla

**WARD MEMBER(S):** Cllr Martyn Holland

**APPLICATION NO:** 15/2020/1019/ PF

**PROPOSAL:** Retrospective application for the formation and alterations of existing fishing ponds including the removal of trees. Proposed erection of 7 "Angler Shelters" to provide welfare facilities and overnight accommodation for anglers, including connection to existing septic tank and associated works.

**LOCATION:** Pen Y Ffrith, Llanarmon Yn Ial, Mold, CH7 4QX

**APPLICANT:** Mr & Mrs S Couch

**CONSTRAINTS:** Tree Preservation Order  
AONB  
Phosphate Sensitive Catchment Area

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

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**

**Scheme of Delegation Part 2**

- Recommendation to grant / approve – Town / Community Council objection

**CONSULTATION AND RE-CONSULTATION RESPONSES:**

**COMMUNITY COUNCIL**

*'Although in principle the Council supported this application, it was felt there should be conditions attached. There were concerns raised about such work being retrospective, especially to the ponds as NRW has not been informed. The materials being used in ANOB area were felt not to be sympathetic. PVC windows - perhaps log cabin type would be more in-keeping as they can be clearly seen. The shelters should not be used for longer-term accommodation. ie holiday homes in the long-term'.*

**2<sup>nd</sup> Response**

*'Council has objected and are still concerned with this application being retrospective. It should be noted how serious the unauthorised action of cutting down of trees, as this can not be undone, also noted the ponds have already been extended'.*

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

*'The Joint Committee deplores the retrospective nature of this application and the unauthorised felling of TPO protected trees. The scheme involves the expansion and development of an established recreational business and the site is relatively well screened and integrated into the landscape. In this context the committee has no objection in principle to the proposals. However, any permission should be subject to the implementation of a comprehensive landscaping plan comprising native local species of hedge and tree planting to further integrate the site into the surrounding landscape and mitigate for the loss of TPO protected trees. NRW's comments in this regard are fully supported. In addition, the proposed root and other protection measures to conserve the remaining trees on the site should be implemented in full. The design of the proposed shelters is acceptable, but it is recommended that the roofs should be dark grey in colour to ensure they are recessive in the landscape. Furthermore, the committee favours a naturally weathered finish for the timber cladding and would also recommend that the stone facing should be traditionally finished natural local stone. The*

*proposed lighting plan is acceptable, but the Type A bollard light is unshielded and is not a dark sky friendly unit. Please see the link below for further guidance on acceptable lighting units. <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/> Finally, the Joint Committee would suggest a condition limiting the use of the shelters to anglers only should be attached to any permission'.*

2<sup>nd</sup> Response

*'The Joint Committee welcomes the proposed landscaping scheme and associated management plan. The specification of dark green roofs and black stained timber cladding to match existing buildings will be recessive in the landscape and is also acceptable. The revised lighting details are now dark sky friendly and are supported'.*

#### NATURAL RESOURCES WALES

*'NRW have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met and you attach the following condition to the permission. Otherwise, we would object to this planning application.*

*Requirement 1: Further information is submitted to carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) prior to the determination of the planning application.*

*Condition 1: The submission of a landscape scheme and approved in writing by the Local Planning Authority.*

#### Protected Sites:

*The application is within the catchment of the River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid Special Area of Conservation (SAC).*

*On the 21st January 2021, we published an evidence package outlining phosphate levels for all river SACs across Wales. As part of this package, we issued a planning position statement, in which we confirmed that any proposed development that might increase the amount of phosphate within the catchment could lead to damaging effects to the SAC.*

*In our opinion, any planning application that is likely to increase the concentration of organic materials discharged directly or indirectly into River Dee catchment, has the potential to increase phosphate levels and cause further deterioration of the SAC.*

*Therefore, development proposals must be able to demonstrate phosphate neutrality or improvement.*

*We understand that the development is not served by the public foul sewer. The application form indicates that foul drainage is to be discharged to the existing private sewerage system. In these circumstances Welsh Government Circular 008/2018 advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6 of the Circular, in order to justify the use of private sewerage.*

*Requirement (Protected Sites and Foul Drainage): Further information is submitted to carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) prior to the determination of the planning application.*

*We would object to the planning application if this requirement is not secured.*

*Should you also conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being consulted on your appropriate assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).*

*We do not have a record of a no discharge exemption or permit showing for the existing foul water system at the property. When proposing private sewage treatment systems we encourage applicants to make use of our environmental permitting pre-application advice service at an early stage to discuss any constraints which may apply'.*

#### Landscape:

*The development site lies within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) where the primary objective is the conservation and enhancement of natural beauty.*

*The site lies within a valley that slopes down towards Gelli-Gynan Farm to the east. The high ground of Moel y Waun and Moel y Plâs lie to the north and south and areas of woodland surround the site. The site itself includes woodland areas and former hedgerows with open sections, allowing some glimpses from the public bridleway to the north and west (Viewpoints 10, 11 & 12). The Offa's Dyke Path National trail lies to the west & views from the trail are*

unlikely. The site is well screened within the surrounding landscape due to the large areas of woodland close to the site on all sides and existing trees and woodland within the site. Proposals to replace the central area of trees lost with new tree planting within the site and to gap up open sections of the boundaries to the north and east would mitigate any visual impacts. We advise a broader range of native species trees within the site, including for example, Alder, Birch and Rowan. The inclusion of ornamental hedge planting (Photinia) should be avoided in this rural site and it is unclear where this planting is proposed. Proposed lighting is minimal, and paths surfaced in gravel, which is acceptable. The proposal is acceptable and would not result in adverse effects on the Clwydian Range and Dee Valley AONB subject to the implementation of the following condition.

Condition 1: The submission of a landscape scheme and approved in writing by the Local Planning Authority. The Landscaping Scheme should include:

- Details of the landscape proposals including numbers and locations of different tree species planted within the site and length of hedgerow sections.
- Long term management proposals for the existing and proposed planting, to ensure the long-term establishment and management of the mitigation scheme.
- The proposed shelter buildings are to be clad in stone and timber with metal roofs.

Clarification of whether green or grey is sought. Natural materials in muted colours would be acceptable.

The landscape scheme shall be carried out in accordance with the approved details.

Justification: A landscape scheme should be submitted to ensure the development conserves and enhances the character and visual amenity of designated landscapes

Protected Species:

We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present'.

2<sup>nd</sup> Response

'NRW continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met and you attach the following condition to the permission. Otherwise, we would object to this planning application.

Requirement 1: Further information is submitted to carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) prior to the determination of the planning application.

Condition 1: The submission of a landscape scheme and approved in writing by the Local Planning Authority'.

NRW reiterated their previous comments but added the following:

'We have no record of an exemption or permit registered for the private sewerage system currently under operation at this site, and therefore the discharge from the sewerage system will not have been assessed through the permit application process.

The drainage plan indicates that the proposal will connect to the existing septic tank, and that the Proposed 'Anglers Shelters' are the sole connection to the tank. If this is the case, we believe that this will be an increase in discharge than that of the previous use. The calculation for the discharge should include all other connections made to the septic tank, including any other buildings on site. If the other buildings on the site are served by a different private sewerage system, then this should be demonstrated on the scale plan that we have requested above'.

3<sup>rd</sup> Response

NRW reiterated their original comments, but added the following points of clarification:

'We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if the following requirement is met and include the following documents within the condition identifying approved plans and documents on the decision notice. Otherwise, we would object to this planning application.

Requirement 1: Further information is submitted to carry out a Habitat Regulation Assessment (HRA) under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) prior to the determination of the planning application.

Document 1: Tree Planting Plan (Undated/No Author)

Document 2: Stephen Cutmore, March 2021; Tree Planting and Management Plan. Ref; 042021/TPMP/SC.'

*'We note the submission of additional information relating to the concerns we raised in our previous letter, dated 01/04/2021. The email sent by Brian Lewis to Georgia Crawley (06/09/2021) confirms that there are existing connections to the septic tank, and therefore we believe that the proposed anglers' shelters will result in an increase in discharge from the septic tank. In our opinion, any planning application that is likely to increase the concentration of organic materials discharged directly or indirectly into River Dee catchment, has the potential to increase phosphate levels and cause further deterioration of the SAC. Therefore, development proposals must be able to demonstrate phosphate neutrality or improvement.'*

*'The tree planting plan and planting specification and management proposals set out in the tree management plan (Stephen Cutmore, March 2021) addresses our concerns raised in the previous response, dated 01/04/2021. We advise the implementation of recommendations listed in tree management plans. The plans must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted. This information supersedes the proposed tree and hedge planting and ecological enhancements (PL-20-05 rev B 11/20). We would appreciate that the superseded document to be shown as such on the planning portal, to avoid confusion'.*

#### 4<sup>th</sup> RESPONSE

*'We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the documents identified below are included in the approved plans and documents condition on the decision notice:*

*Document 1: Tree Planting Plan (Undated/No Author)*

*Document 2: Stephen Cutmore, March 2021; Tree Planting and Management Plan. Ref; 042021/TPMP/SC.*

*Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below'.*

The applicants septic tank permit was submitted and the LPA carried out screening. NRW reiterated their original comments regarding landscaping and added the following regarding phosphate:

*'We note the application site is within the catchment of the River Usk Special Area of Conservation (SAC). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphate levels for all river SACs across Wales. As part of this package, we issued a Planning Position Statement, in which we advised that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.*

*We note your Authority has undertaken a 'Record of Assessment of Likely Significant Effect on a European Site' and we concur with the conclusion that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC'.*

#### COUNTY ECOLOGIST

Content with the lighting, planting scheme, and provision of nest boxes. Recommend that these elements are conditioned should the application be approved.

#### Tree Specialist

##### 1<sup>st</sup> Response

The Tree Specialist raised issues with the following points:

- *The Arboricultural Method Statement (AMS) in Section 2 of the BS5837 is too generic and lengthy to be acceptable and needs to be more salient focussing on the development activities that are relevant to the site and could affect trees if not addressed. I would suggest that the AMS identifies the haul routes for the angler shelter components and where the pinch points are in relation to the trees, including crown clearance. Only at the identified pinch*

points will it be necessary to erect protective barrier, which could be of a much more basic specification such as fence posts at 2m spacing with steel wire or barrier tape.

- The Tree Planting and Management Plan proposes to plant a variety of species, with standard planting to reflect the names of the angler shelters. There is a need to provide more precise detail for the planting separately identify the areas of tree planting, shrub planting and hedge planting, percentage of each species in mixed plantings and total numbers (Number of trees per species is incorrect for group planting, I think it should be 65 plants per species), Minimum height for nursery stock as 1u1 or 1+1 will vary e.g. 40-60cm, 60-80 or 80-100cm. It is recommended that all the planting details are set out in table form for clarity.
- Necessary to increase the area of planting by 20-30% and it would be helpful if the existing and any proposed access routes, for a small all terrain vehicle and anglers, are shown on the plan to show the extent to which additional planting could be undertaken.
- Regardless of the detail shown in the report all the tree planting should comply with BS8545:2014 Trees: from nursery to independence in the landscape – Recommendations.
- It would be desirable to seed some of the bare ground outside of the block planting seeded with a wildflower and grass seed mix, I would suggest near to the angling shelters and intersection of paths. I do not know much about the seeding and maintenance of wildflowers but an acidic mix, (I think it is shale there rather than limestone but could be wrong) and/or hedgerow mix which can cope with shade would enhance the site alongside the tree planting. The species mixes and sowing densities would need to be shown along with the areas on a map'.

2<sup>nd</sup> Response

Confirmed that the amended planting plans, tree survey and Tree Planting and Management Plan are acceptable.

**RESPONSE TO PUBLICITY:**

No representations received.

**EXPIRY DATE OF APPLICATION: 30/03/2021**

**EXTENSION OF TIME AGREED: 17/12/2021**

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

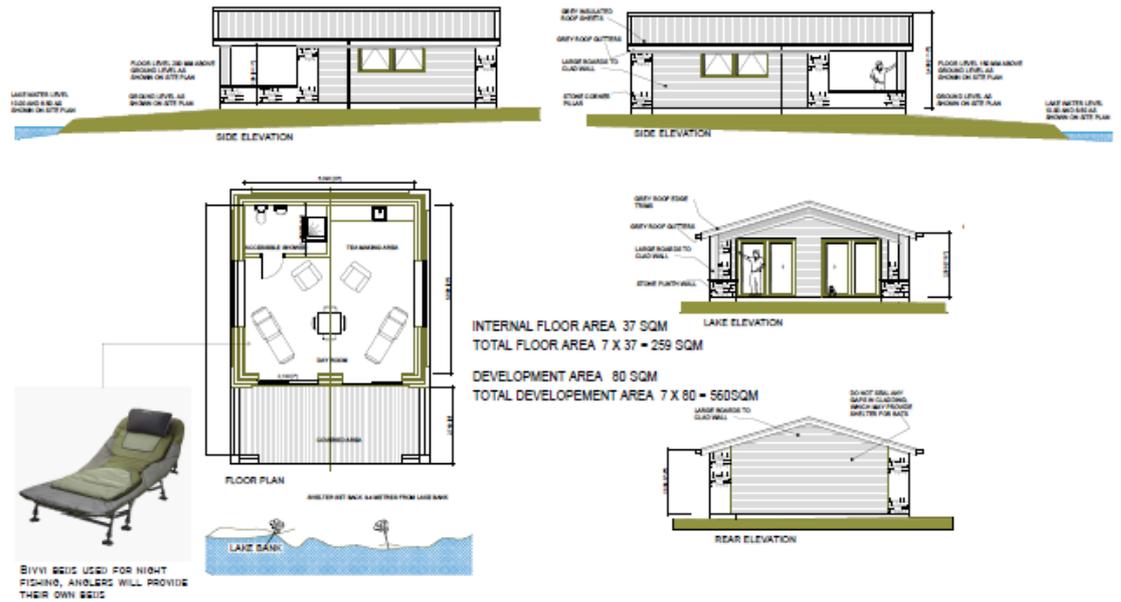
- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

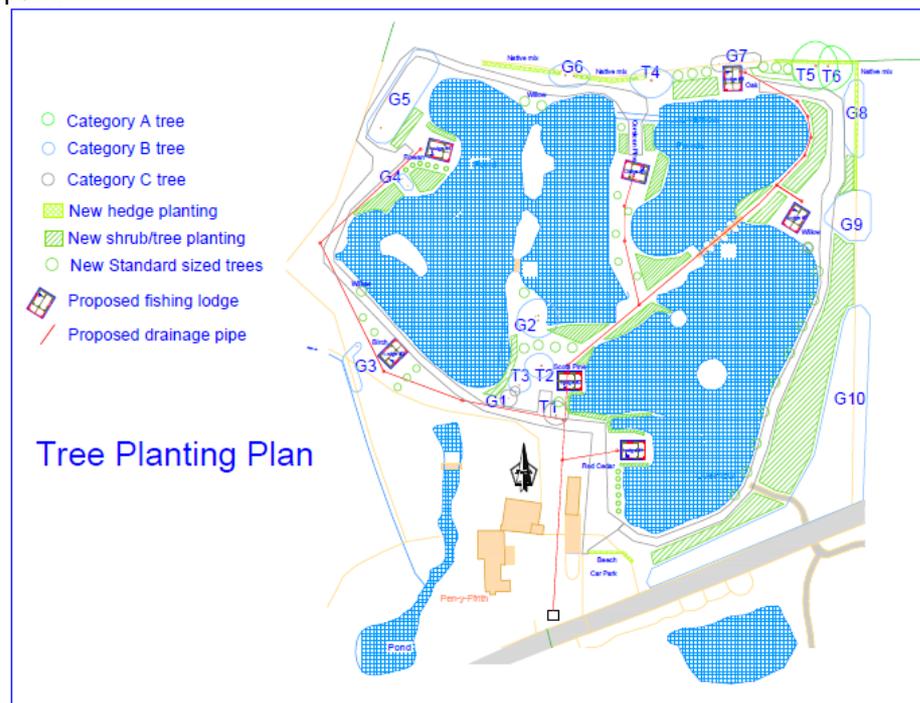
**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The proposed development is a retrospective application for the formation and alterations of existing fishing ponds including the removal of trees. Proposed erection of 7 "Angler Shelters" to provide welfare facilities and overnight accommodation for anglers, including connection to existing septic tank and associated works.
- 1.1.2 The proposed shelter buildings are to be 6.1m by 6.1m with a covered decking area which would protrude 2.7m to be used for fishing. The units are proposed to be 2.3m to the eaves and 3.4m to the ridge. Each shelter would include a small kitchen, a WC/shower, a sitting area and beds would be bivi beds for night fishing.
- 1.1.3 The proposed shelter buildings are to be clad in stone and timber with Dark Green metal roofs to match other roofs on site. The materials will match the existing properties on site.



- 1.1.4 The foundations would be shallow strip foundations, trench excavation 600mmx600mm deep under external walls.
- 1.1.5 The application is partially retrospective as works had commenced on the remodelling of the lakes. As part of this, a significant breach of control had been carried out, whereby a significant amount of trees that were protected under a Tree Preservation Order were felled (circa 35-45). Since this, additional information was submitted which provides a very comprehensive plan for re-planting trees and the inclusion of a 10 year tree planting and management plan.
- 1.1.6 The tree planting plan will result in 0.5Ha of new tree planting (circa 1250 trees), There would be 48 standard size trees as compensation for the loss of the TPO trees. 0.02Ha new shrub/tree screening planting by the lodges (circa 200 trees) and approx 134m new native hedges near the North boundary and a Beech hedge by the car park.



- 1.1.7 Lighting would be installed at low-level only (i.e. no higher than eaves level) and directed downward (i.e. below the horizontal plane). Front and side hoods/shields or cowls would be installed to prevent upwards and horizontal light spill. Any newly installed lights would ideally be of low intensity (i.e. less than 25 watts), glass glazed and the light source would either be compact fluorescent light sources fitted with appropriate UV filters, low pressure sodium bulbs or warm light LED bulbs. White lighting sources including mercury or metal halide, CPO and CDO (ceramic discharge metal-halide) bulbs which have a significant effect on bats will be avoided.

## 1.2 Other relevant information/supporting documents in the application

- 1.2.1 The application is supported by a Design and Access Statement which makes the following key points:
- The proposal is to improve the facilities on offer to the business's clientele. Currently there are no shelters on site and with growing demand for an improved experience and professional angling, the business wishes to attract additional visitors by providing facilities for anglers and their families alongside the current clientele.
  - Pen y Ffrith is a small, but popular course fishing location for locals and visitors to the locality.
  - The maximum likely stay will be 3 days Friday to Sunday or Monday to Wednesday, with not more than 14 anglers on site at any one time.
  - The purpose of the proposals are described to be to sustain and expand businesses and rural economy by way of jobs and income, the applicants seek to further develop the business to meet the wider demand for different experiences and provisions of accommodation in the local area and providing comfortable all year-round facilities. A business case is presented to show the local and regional need for anglers / visitor accommodation and the financial viability of the proposal.
  - The business plan reduces the number of anglers on site, however would improve the business by providing a better experience with the opportunity for overnight fishing. This is also forecast to improve the business turnover from £23k to £70k pa.
  - The statement notes that, assuming visitor spend at a minimum of £30 per day in the locality on provisions, contribution to the local economy is likely to be in the region of £25,000 in the first year and £36,000 - £50,000 in the second year and will increase as the development visitors increases. In addition to the visitor contribution the development, maintenance and marketing costs will contribute to the local and regional economy. The Statement includes a lot of evidence that fishing/ course fishing generates significant economic benefits with the value of freshwater angling to Wales estimated to be well over £100m.
  - As with any new or growing business, employment opportunities are created for local and regional companies and work force. The applicants are committed to utilize local skills and labour. It is envisaged that as the lettings increases opportunities will be created for the employment of gardening and cleaning assistants.
  - Local companies will also be approached for assistance with the construction of this project. Local suppliers will also be used for the supply of goods and produce, with visitors and guests encouraged to buy locally.
  - The proposal is within the AONB. The proposal will enhance the landscape by way of the works indicated on the landscape plans and will not be detrimental to the quality of the AONB. Pen y Ffrith at contour of 305 m, is located in a valley running to the east towards Gelli-Gynan Farm at contour of 240m, to the south west is Moel y Waun at contour 410m and to the north Moel y Plas at contour 390 m. Pen y Ffrith is surrounded by woodland namely to the south Wern Goed, to the southwest Nurse Gorlan and to the north Nurse Fawr. Smaller plantations exist to the east. The combination of hills and woodland make Pen y Ffrith inconspicuous from nearby footpaths and minor road, the B5431 highway, along with Gelli-Gynan Farm. The Offa's Dyke foot path is at the junction of the start of the access track 0.47 km to Pen y Ffrith from the minor road, Pen y Ffrith is not visible from the Dyke.

- The development would not appear obtrusive in the landscape and is high quality in terms of layout, design and landscaping in line with high quality development principles, and it has no adverse highway or community impact. As such it is fully supported by all relevant policies. There should be no difficulties for the authority to support the proposal.
- Existing car park capacity is 12 cars and 2 coaches, the proposal will limit the car parking to 15 and no coaches.
- The seven Shelters are to be located with views over the lakes onto tree lined hillsides, as indicated on the site plan drawing and photographs. The Shelters will have a good separation distance for individual privacy. The existing unpaved track and car parking area will be retained as existing. The proposed layout respects the topography of the site and the existing site levels will be retained wherever possible. Where minor changes in levels are necessary in parts of the proposed site, the preference will be for cutting into slopes rather than creating platforms for building or access. The existing foot path access will be altered and extended as indicated on drawings, to allow foot access only to the shelters. The paths will be un-edged with gravel finish.

1.2.2 A Tree Planting and Management Plan was submitted with the planning application which makes the following key points:

- This sets out a 10 year Tree Planting & Management Plan, to ensure that the landscaping planting is maintained on the site, to ensure successful establishment of the new trees.
- A Tree Preservation Order 'W10' is in force on some of the trees on the site. Written permission must be obtained from the Local Planning Authority before any pruning/felling works are carried out to the trees covered by the Tree Preservation Order.
- The report advises that the existing trees on site include Alder, Birch, Common Oak, Goat Willow, Scots Pine and Sycamore. Through this 10 year Woodland Management Plan, the diversity of tree species will be increased through planting native species (Aspen, Blackthorn, Field Maple, Hawthorn, Hazel, Holly, Rowan, Sessile Oak, Wild Cherry). Also Corsican Pine, Douglas Fir, Lodgepole Pine, Western Red Cedar and Weeping Willow will be planted. New tree and hedge planting will help create an uneven age structure and increase shrub and understorey layers. As well as improving the amenity value of the site, diversifying the tree canopy structure will enhance the wildlife habitat, promote sustainability and increase the resilience of the tree cover against possible pests and diseases. Provision of bird nesting opportunities will be made through planting native species hedgerows and by installing bird nesting boxes around the site. Provision of bat roosting opportunities will be made through installing bat boxes around the site. Deadwood will be retained, (where safety considerations allow), to provide habitat for wildlife. Regular tree safety surveys will be carried out and where deadwood poses a safety risk, appropriate pruning will be carried out, or in exceptional cases tree felling. Any resulting timber arising will be stacked on the ground in habitat piles.
- The current landowner, is responsible for the landscaping planting and future maintenance of the site. It is proposed that a suitably qualified and insured contractor be instructed to carry out the various tasks, so that the work can be carried out to comply with Industry Best Practice and to ensure a consistency in standards of work. In Year 10 of this management plan, the woodland should be re-assessed and the previous works appraised. A new management plan should be developed, to ensure the continued retention of tree cover on the site.
- The tree planting plan will result in 0.5Ha of new tree planting (circa 1250 trees), There are now 48 standard size trees as compensation for the loss of the TPO trees. 0.02Ha new shrub/tree screening planting by the lodges (circa 200 trees) and approximately 134m new native hedges near the North boundary and a Beech hedge by the car park.

### 1.3 Description of site and surroundings

- 1.3.1 The application site is an existing coarse fisheries and former water/bird park. The site is located between Llanarmon yn Ial and Llandegla. There are three large lakes on the site and the main dwelling Pen y Ffrith.
- 1.3.2 The application site lies within a valley that slopes down towards Gelli-Gynan Farm to the east. The high ground of Moel y Waun and Moel y Plâs lie to the north and south and areas of woodland surround the site. The site itself includes woodland areas and former hedgerows with open sections, allowing some glimpses from the public bridleway to the north and west.
- 1.3.3 The Offa's Dyke Path National trail lies to the west. The application site is within the Area of Outstanding Natural Beauty.
- 1.3.4 The site is well screened within the surrounding landscape due to the large areas of woodland close to the site on all sides and existing trees and woodland within the site.

### 1.4 Relevant planning constraints/considerations

- 1.4.1 The application site is located within the open countryside. The area is within the Area of Outstanding Natural Beauty. The site is located within the River Dee and Bala Lake Special Area of Conservation phosphate sensitive catchment area. Tree Preservation Order W10 covers the central part of the site between the lakes.

### 1.5 Relevant planning history

- 1.5.1 Planning permission for the leisure fishing on the site dates back to 1993 with an office, toilets and car parking included under that application. An application to create further two ponds then followed in 1995.

### 1.6 Developments/changes since the original submission

- 1.6.1 Additional tree planting and management details were submitted in order to mitigate and compensate for the loss of significant trees on the site.
- 1.6.2 Additional information regarding drainage was submitted and a copy of a new Septic Tank Permit was submitted as evidence which allows 3.5 cubic meters to be discharged per day to cover the existing dwelling and angler huts. The previous use of Pen y Ffrith was Water and Bird Park and open fisheries.

### 1.7 Other relevant background information

- 1.7.1 A significant breach of planning control has been carried out, whereby a significant amount of trees (35-45) that were protected under a Tree Preservation Order have been felled.



- 1.7.2 Since the discussions of the breach of planning, additional information was submitted which provides a very comprehensive plan for re-planting trees and the inclusion of a ten year tree planting and management plan. The Tree Officer considered that the effect on public amenity is quite limited due to the rural location and restricted access. We do not have to prove the offence to require replacement planting and the owner is seeking to regularise the work with an application. Both the Tree Officer and Compliance Officer therefore consider that the best course of action is to secure the replacement planting as a condition of the planning permission. This planting should be surplus to any landscaping which is required to make the development proposal

acceptable. The alleged contravener claims to have felled between 35 and 45 trees (or approximately 0.4 hectares' worth), so this is what should ideally be replaced.

- 1.7.3 The amended ten year tree planting and management plan and tree planting plan will result in 0.5Ha new tree planting (circa 1250 trees), There are now 48 standard size trees as compensation for the loss of the TPO trees. 0.02Ha new shrub/tree screening planting by the lodges (circa 200 trees) and approximately 134m new native hedges near the North boundary and a Beech hedge by the car park.

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

- 2.1 25/13617 Use of land for leisure fishing, car park, toilet and office facility. GRANTED 28/10/1993.
- 2.2 15/127/96 Formation of 2 ponds and car parking. GRANTED 10/05/1996.
- 2.3 15/8006/99 Approval of condition 6 attached to planning permission 15/127/96 GRANTED 07/04/1999.
- 2.4 15/2009/1471 Change of use of land by the siting of 5 no. static caravans for holiday use and installation of new septic tank. Certificate 17/10/2011.
- 2.5 15/2014/1191 Alterations and extensions to dwelling. GRANTED 17/12/2014.
- 2.6 15/2018/0203 Alterations and extensions to dwelling. GRANTED 01/05/2018.
- 2.7 15/2021/0572 Amendment to allow alterations in design of rear elevation and increase in proposed extension ridge level, to provide additional head room in bedroom submitted in relation to application code number 15/2018/0203/PF (Non Material Amendment) GRANTED 28/06/2021.
- 2.8 15/2021/0895 Amendment to line all walls to match existing walls, change two dormer on rear elevation to low pitch gable, enlarge of front gable and addition of curved roof over balcony submitted in relation with planning application numbers 15/2018/0203/PF & 15/2021. GRANTED 14/10/2021.

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

The main planning policies and guidance are considered to be:

### **Local Policy/Guidance**

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

**Policy RD1** – Sustainable development and good standard design

**Policy PSE5** – Rural economy

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

**Policy PSE14** – Outdoor activity tourism

**Policy VOE1** - Key areas of importance

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

**Policy VOE5** – Conservation of natural resources

**Policy ASA3** – Parking standards

### **Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Access For All

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

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Trees & Landscaping

### **Government Policy / Guidance**

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes

TAN 5 Nature Conservation and Planning (2009)

TAN 6 Planning for Sustainable Rural Communities (2010)

TAN 10 Tree Preservation Orders (1997)  
TAN 12 Design (2016)  
TAN 13 Tourism (1997)  
TAN 18 Transport (2007)  
TAN 23 Economic Development (2014)

#### 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 11 (February 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and 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 Loss of Trees
- 4.1.5 Ecology
- 4.1.6 Drainage (including flooding)
- 4.1.7 Highways (including access and parking)
- 4.1.8 Area of Outstanding Natural Beauty

4.2 In relation to the main planning considerations:

#### 4.2.1 Principle

Section 5.5 of PPW11 relates to tourism and sets out a general presumption in favour of encouraging sustainable tourism, where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities.

PPW11 states that in rural areas, tourism-related development is an essential element in providing for a healthy and diverse local/national economy, but requires development to be sympathetic to the local environment and to the needs of visitors and the local community.

Policy PSE 5 states that in order to help to sustain the rural economy, tourism and commercial development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising the special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

The justification to Policy PSE 5 establishes the need to sustain rural employment throughout the County is recognised and relevant considerations relating to sustainability and minimising environmental concerns are identified. The policy requires the demonstration of a business case for the development, in order to establish the benefits of the scheme in relation to sustaining local employment and the rural economy. The benefits could include provision of local employment opportunities, use of locally sustainable sources for any raw materials, scope to sell local produce, and provision of services to local communities.

The application site consists of an existing fisheries business. The proposed scheme is aimed at improving the business to provide more defined areas for fishing including the shelters and ability to do overnight fishing with some good standard facilities to support that. There is a clear business case to support this which demonstrates how this will lead to increased turnover, jobs and will provide a benefits to the wider tourism economy.

Policy PSE 14 states that development proposals that expand or reinforce the tourism offer of the County in the outdoor activity sector will be supported, subject to compliance with four criteria:

- i) the development is appropriate for its setting;
- ii) existing buildings are converted where possible;
- iii) there is no unacceptable impact on the local community; and
- iv) chalet development is only permitted if a significant need is demonstrated.

The justification for policy PSE 14 recognises that Denbighshire is well placed to take advantage of the growth in the outdoor activities sector. It is however stressed that development proposals will require very careful consideration to ensure there will be no detriment to the landscape character.

The only other buildings on the site is the existing dwelling. The angler huts are specifically required to be next to the lakes to be used as part of the fishing experience and for night fishing, therefore there are no alternative buildings. It is considered that the development would offer an expansion of the tourism offer of the County in the outdoor activity sector without having an unacceptable impact on the local community and is broadly in line with Policy PSE 14.

Policy PSE 12 relates to chalets, static/touring caravans and camping sites and allows for the environmental improvement of existing sites but does not allow any new static caravan sites to be created.

The policy states that new touring caravan and camping sites will be encouraged where all the following criteria are met:

- i) the site is small in scale and proportionate to its location, particularly within and adjoining the Area of Outstanding Natural Beauty or Area of Outstanding Beauty, Pontcysyllte Aqueduct and Canal World Heritage Site (including the buffer zone) or other regionally important landscape areas; and
- ii) the development would not result in an over concentration of sites in any one locality to the detriment of the landscape or residential amenity; and
- iii) the development makes a positive contribution to the local biodiversity, and natural and built environment; and
- iv) the development would not appear obtrusive in the landscape and is high quality in terms of layout, design and landscaping in line with the development principles, and it has no adverse highway or community impacts.

With regard to the criteria of Policy PSE12, it is considered that the development would not appear obtrusive in the landscape and is high quality in terms of layout, design and general landscaping arrangements. The shelters are set out across the site with existing screening used to help integrate the units into the site. The small scale nature of the site, layout and general landscaping arrangements are not considered to result in an unacceptable impact to the character of the area or impact to local communities and overall the proposal is considered to be in line with the criteria of Policy PSE12.

It is considered that the proposal is of a suitable scale for the site and sufficiently integrated into the landscape to reduce its visual impact. It is therefore considered that the principle is considered to be acceptable against provisions of PSE5, PSE 12 and PSE 14 subject to detailed assessment of impacts.

The proposed development is considered to take full account of and seek to enhance the nature and distinctive qualities of the local landscape. Significant tree and hedgerow planting is proposed. The AONB JAC and Natural Resources Wales both raise no objections to the proposed development in relation to the impact upon the AONB.

To conclude, the principle of a suitable scale holiday accommodation development to support and further diversify/ strengthen the existing angler business is not considered to be unacceptable in this location as the scheme demonstrates how the development proposal will expand or reinforce the tourism offer of the County. The scheme is of a high quality design and layout including the general landscaping arrangements which help to integrate the site into the landscape and it is considered that the proposal broadly complies with Policy PSE 5, PSE 12 and PSE 14 along with the guidance within PPW11 in terms of encouraging tourism in rural areas.

#### 4.2.2 Visual amenity

The Development Management Manual (DMM) 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.

PPW 11 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.'

No representations have been made on visual amenity issues.

The layout of the proposed shelters uses the existing trees and hedgerows to help screen the units from the wider landscape and would be supplemented as part of a landscaping scheme. This would help to reduce any potential visibility of the shelters from the wider landscape, but also from each other within the site.

The proposed materials are a combination of timber, stone and dark green recessive roof sheets which are considered to help integrate the units into the site.

Having regard to the scale nature of the proposal and the existing hedgerows, screening arrangements and topography, it is considered that they would be integrated into the landscape and not be prominent in the rural setting.

It is not considered that the development of the site for anglers shelters would have an unacceptable impact to the visual appearance and character of the area and the proposal is compliant with the tests contained within the DMM.

#### 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 made raising residential amenity concerns.

The nearest dwelling to the site is Pen y Ffrith that is owned by the applicants. This is well screened by existing trees and hedgerows and it is not considered that the level of activity from the coming and going of visitors would impact unacceptably on the residential amenity of occupiers. Otherwise, the nearest properties are 590m away and it is not considered that the level of activity from the proposed shelters would cause a detrimental impact upon their amenity. The impact of fishing, which is minimal is already an accepted activity on the site.

It is therefore not considered that the level of activity associated with the proposed accommodation would result in a level of noise and disturbance to occupiers which would give rise to a reason for refusal and the proposal is compliant with the tests contained within the DMM.

#### 4.2.4 Loss of trees/ landscaping

Planning Policy Wales 11 states that trees, woodlands, copses and hedgerows are of great importance for biodiversity. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.

In relation to this site, a significant breach had taken place on the site, whereby approximately 40 trees covered by a Tree Preservation Order were felled without permission.

In relation to the breach of planning control, the Tree Officer considers that the effect on public amenity is quite limited due to the rural location and restricted access. It is further noted that the LPA does not have to prove the offence to require replacement planting. Both the Tree Officer and Compliance Officer therefore consider that the most expedient way to resolve the breach of planning is for additional tree planting to be required as part of any consent that may be granted.

The proposal includes a ten year tree planting and management plan which will result in an area of approximately 0.5Ha being planted (circa 1250 trees). In addition, the

planting scheme proposes 48 standard size trees as compensation for the loss of the TPO trees. There would also be 0.02Ha new shrub/tree screening planting by the lodges (circa 200 trees) and approximately 134m new native hedges near the North boundary and a Beech hedge by the car park.

The Tree Officer considers that the proposed plans, as amended, are acceptable to mitigate the loss of trees as this is in excess of what would be required already in terms of landscaping for this proposed development and is specifically planting 48 standard trees that would compensate the loss of protected trees. On this basis, whilst the loss of protected trees is regrettable, in this instance it is considered that the proposed mitigation and compensation would be sufficient to mitigate the harm caused by the felling the trees and that the proposed planting would secure a net landscape and biodiversity benefit.

It is therefore considered that the loss of trees has been mitigated without the need for further action and would not give rise to a reason for refusal and the proposal is compliant with the tests contained within the DMM.

#### 4.2.5 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 (PPW 11) Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG, 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 (PPW 11) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (Section 6.4.5). PPW 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. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

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 ecological impacts of development should therefore be regarded as a potential material consideration.

Future Wales (2021) advises that "*In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature based approaches to site planning and the design of the built environment.*"

The County Ecologist is satisfied with the proposed enhancement measures and purely requires that they are carried out in accordance with the proposed plans through conditions.

It is therefore considered that a net gain in biodiversity could be achieved and the proposals would not give rise to a reason for refusal and the proposal is compliant with the tests contained within the DMM.

#### 4.2.6 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 11) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

A Record of Assessment of Likely Significant Effect on a European Site was carried out that outlined the proposals and potential effects due to phosphate. The proposed development includes connection to an existing private sewage treatment systems (septic tank) already discharging wastewater to ground more than 50m from a SAC boundary. The maximum daily discharge rate would be 3.5 cubic metres (m<sup>3</sup>) which exceeds the normal threshold to be screened out of 2 cubic metres (m<sup>3</sup>), however, due to the proposed development being a significant distance away from the SAC catchment itself (circa 10km) and intervening features, it is not considered that the marginal amount above the threshold would lead to a likely significant effect. In addition, there is an existing toilet block on the site. The current use of the fishing lakes are uncontrolled, therefore an unlimited amount of use could take place on site. The proposed 7 angler huts are proposed to have exclusive use of the lakes for fishing and would therefore overall likely reduce the number of people on site during the day and likely have a lesser amount of phosphate entering the existing system as a result. The applicants also note that they currently permit night fishing also.

The previous use of Pen y Ffrith was Water and Bird Park. The septic tank was enlarged to accommodate visitors to the park. With on average two or Three coach visitors per day (minimum). Based on each visitor 15 litres of waste water = 1200 litres per day. The shelter will produce a maximum based on each angler 75 litres of waste water = 1050 litres per day. The revised use and load does not exceed the previous load.

There are no other discharges to ground within 200m of the site. The discharge to ground is adjacent to ponds, however is at least 40m away from any drains, streams or rivers that would connect it to the wider river network. As a result, it is considered that there will be no likely significant effects.

Based on the foregoing, it is not considered that the proposed development would not result in likely significant effects alone, or in combination with other plans or projects.

Natural Resources Wales advised that;

*'We note the application site is within the catchment of the River Usk Special Area of Conservation (SAC). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphate levels for all river SACs across Wales. As part of this package, we issued a Planning Position Statement, in which we advised that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.'*

*We note your Authority has undertaken a 'Record of Assessment of Likely Significant Effect on a European Site' and we concur with the conclusion that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC'.*

It is therefore considered that the proposed development can be considered acceptable with regards to drainage and does not warrant refusal on this basis.

#### 4.2.7 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.

There is more than sufficient parking is proposed to provide parking for the 7 angler huts in line with the Parking Supplementary Planning Guidance. It is therefore considered that the proposal is acceptable in terms of highway considerations.

#### 4.2.8 Area of Outstanding Natural Beauty

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.

This reflects guidance in Planning Policy Wales (PPW 11) which requires planning authorities to give great weight to conserving and enhancing the natural beauty of AONBs, and should have regard to the wildlife, cultural heritage and social and economic well-being of the areas. The special qualities of designated areas should be given weight in the development management process. Proposals in AONBs must be carefully assessed to ensure that their effects on those features which the designation is intended to protect are acceptable. The contribution that development makes to the sustainable management of the designated area must be considered.

The AONB Joint Committee were consulted on the application and they advise that they deplore the retrospective nature of this application and the unauthorised felling of TPO protected trees. However, that as the scheme involves the expansion and development of an established recreational business and the site is relatively well screened and integrated into the landscape, that in this context the committee has no objection in principle to the proposals.

Following the submission of the landscaping plan, additional information regarding materials and lighting, the AONB JAC accepts these details. Natural Resources Wales also raise no objection to the proposed development in terms of landscape impact and support the landscaping proposals and management plan.

It is therefore considered that the scheme is acceptable and in the long term will make a significant contribution to the AONB. It is therefore considered that the proposed developments impact upon the AONB would not give rise to a reason for refusal.

### 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 application is considered to be acceptable on the basis of the information submitted regarding the impact to visual amenity and tourism benefits, and is recommended to be granted subject to the imposition of conditions.

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

1. The development to which this permission relates shall be begun no later 15th December 2021.
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) Plan and Elevation of Anglers Shelter (Drawing No. PL-20-01 Rev A) - Received 4 January 2021
  - (ii) Site Plan as Proposed (Drawing No. PL-20-02 Rev A) - Received 16 December 2020
  - (iii) Site Plan as Proposed with Levels (Drawing No. PL-20-03) - Received 16 December 2020
  - (iv) Location Plan as Existing (Drawing No. PL-20-04 Rev B) - Received 3 February 2021
  - (v) Proposed Tree & Hedge Planting Plan & Ecological Enhancements (Drawing No. PL-20-05 Rev B) - Received 3 February 2021
  - (vi) Proposed Drainage & Lighting Plan (Drawing No. PL-20-06 Rev B) - Received 4 January 2021
  - (vii) Proposed Bin Stores and Notes on Car Parking (Drawing No. PL-20-07 Rev A) - Received 4 January 2021
  - (viii) Location Plan Showing Direction of Photographs (Drawing No. PL-20-08) - Received 16 December 2020
  - (ix) Photographs - Received 16 December 2020
  - (x) Lighting Proposals (Drawing No. 12-2020) - Received 16 December 2020
  - (xi) Design and Access Statement - (Dated December 2020 Rev B) - Received 4 January 2021
  - (xii) Pond Layout Prior to Repair Work and Minor Reworking of Pond Layout (Drawing No. PL-20-09) - Received 3 February 2021
  - (xiii) Extent of Repair Work and Minor Reworking of Pond Layout (Drawing No. PL-20-10) - Received 3 February 2021
  - (xiv) Comments on Consultation Response - Received 1 April 2021
  - (xv) Drainage and Septic Tank Details (Drawing No. PL-20-11) - Received 1 April 2021
  - (xvi) External Lighting Rev B - Received 1 April 2021

(xvii) Tree Planting & Management Plan (Dated 11/05/21) - Received 13 May 2021  
(xviii) Tree Planting Plan - Received 13 May 2021  
(xix) Tree Condition Survey (Dated 1/2/21) - Received 13 May 2021  
(xx) Tree Protection Plan - Received 13 May 2021

3. The holiday units hereby approved shall be occupied for holiday accommodation purposes only and not as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.
4. All planting comprised in the approved details of Tree Planting Plan - Received 13 May 2021 and Tree Planting & Management Plan (Dated 11/05/21) - Received 13 May 2021 shall be carried out no later than the first planting and seeding season following the commencement of development and shall be implemented prior to the use commencing. Any trees or plants which within a period of 10 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.
5. Prior to the application of any external materials full details of the wall, deck, window and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
6. External lighting shall be carried out strictly in accordance with details set out in document External Lighting Rev B - Received 1 April 2021. No additional external lighting shall be permitted to be installed or operated, including emergency/ security lighting, without the written approval of the Local Planning Authority has been obtained to details thereof, including a light mitigation strategy, with measures to reduce light spillage onto foraging habitats for bats. The scheme shall be carried out strictly in accordance with the approved details.
7. Should the use of the site cease for holiday purposes, the units shall be removed from the land within 6 months of the date of the cessation of the use and the land shall be restored to the satisfaction of the Local Planning Authority.
8. The development hereby approved shall be carried out in strict accordance with the ecological enhancement measures set out in Sections 5, 6 and 7 of the approved document Tree Planting & Management Plan (Dated 11/05/21) - Received 13 May 2021 and ecological enhancement details on plan Proposed Tree & Hedge Planting Plan & Ecological Enhancements (Drawing No. PL-20-05 Rev B) - Received 3 February 2021.

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. To ensure that the units are utilised for tourism purposes only in line with national and local planning policies.
4. In the interests of visual amenity of the Area of Outstanding Natural Beauty.
5. In the interest of visual amenity of the Area of Outstanding Natural Beauty.
6. To ensure the favourable conservation status of protected bat species and visual amenity of the Area of Outstanding Natural Beauty.
7. In the interest of landscape and visual amenity.
8. In the interests of nature conservation.