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Heading:

23/2011/1447
Land at Bryn Morfydd
Llanrhaeadr YC



Application Site

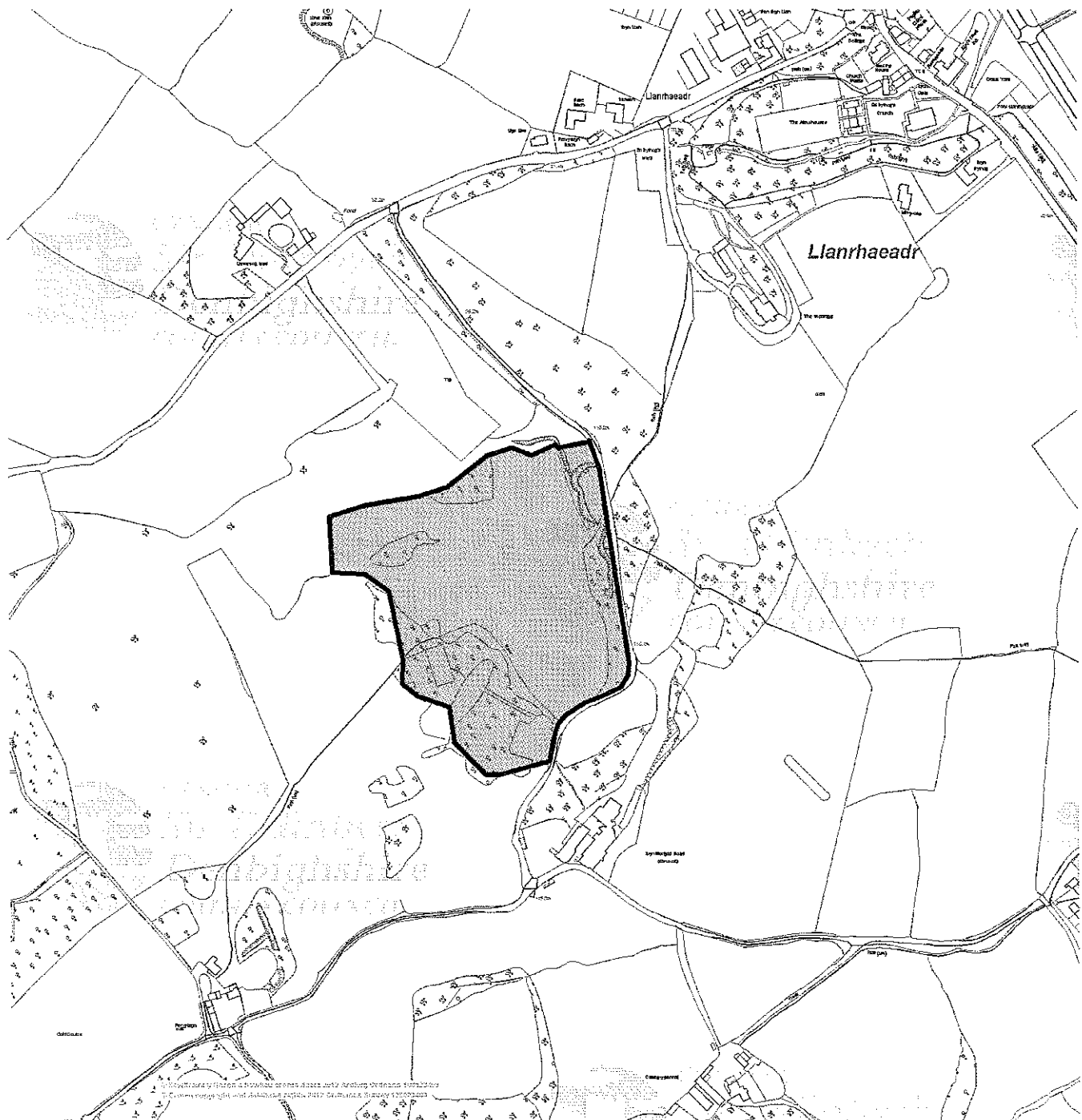


Date 16/5/2012

Scale 1/5000

Centre = 307835 E 362985 N

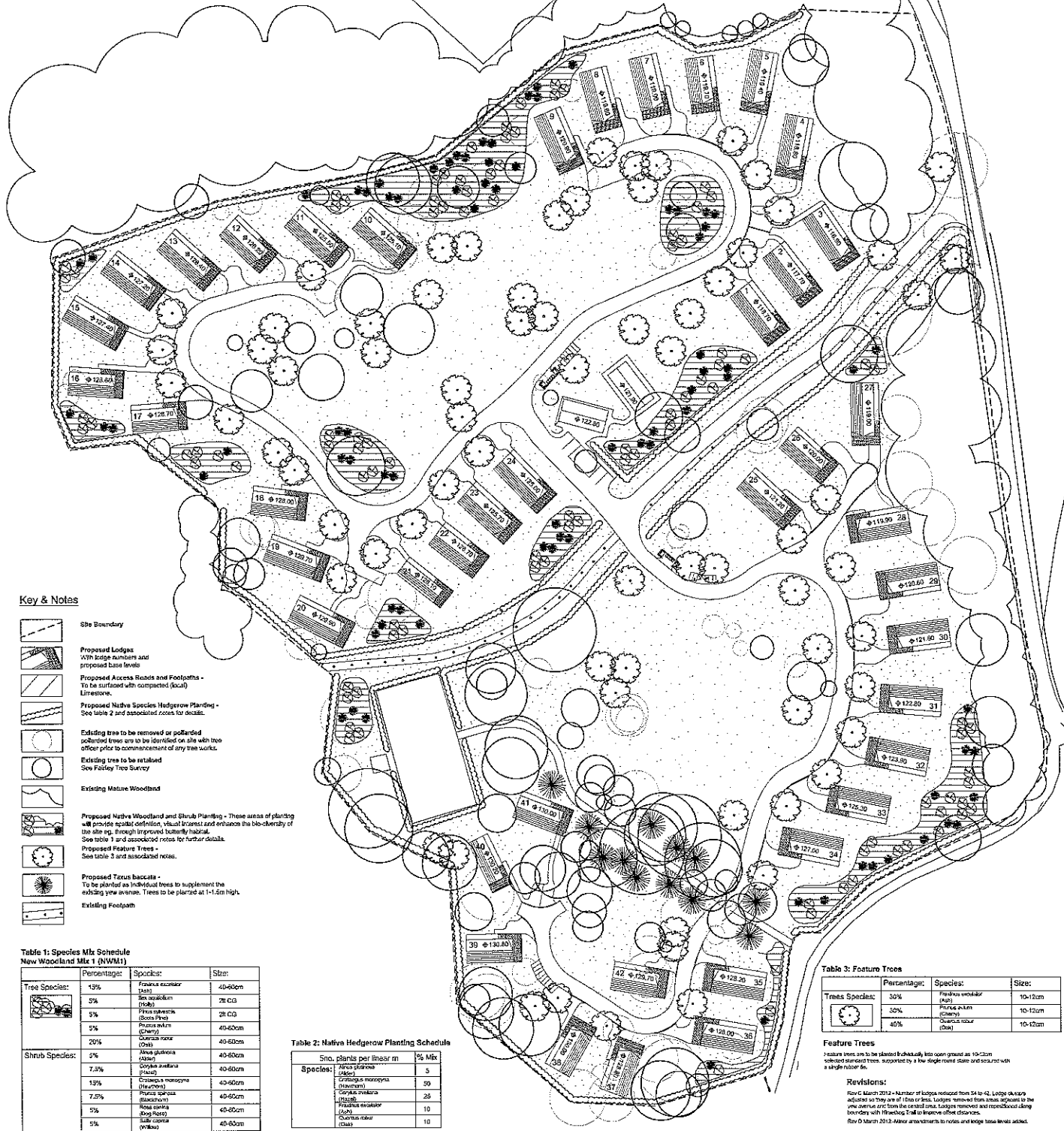
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



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SITE LAYOUT



Key & Notes

- Site Boundary
- Proposed Lodges
With lodge numbers and proposed base levels
- Proposed Access Roads and Footpaths -
To be surfaced with compacted (dust) Limestone.
- Proposed Native Species Hedgerow Planting -
See table 2 and associated notes for details.
- Existing tree to be removed or pollarded
Pollarded trees are to be identified on site with tree officer prior to commencement of any tree works.
- Existing tree to be retained
See Forestry Tree Survey
- Existing Mature Woodland
- Proposed Native Woodland and Shrub Planting - These areas of planting
will provide spatial definition, visual interest and enhance the bio-diversity of the site up through improved habitat. See table 1 and associated notes for further details.
- Proposed Feature Trees -
See table 3 and associated notes.
- Proposed Texas Bascalia -
To be planted as individual trees to supplement the existing yew avenue. Trees to be planted at 1-1.5m high.
- Existing Footpath

Table 1: Species Mix Schedule
New Woodland Mix 1 (NWM1)

Tree Species:	Percentage:	Species:	Size:
	15%	Fraxinus excelsior (ash)	40-60cm
	3%	Salix caprea (willow)	20-30m
	3%	Prunus spinosa (Sourcherry)	20-30m
	5%	Prunus avium (cherry)	40-60cm
	20%	Quercus robur (oak)	40-60cm
	2%	Alnus glutinosa (alder)	40-60cm
	7.5%	Corylus avellana (hazel)	40-60cm
	13%	Crataegus monogyna (hawthorn)	40-60cm
	7.5%	Prunus spinosa (cherry)	40-60cm
	5%	Malus domestica (apple)	40-60cm
	5%	Malus domestica (apple)	40-60cm
	5%	Sorbus domestica (doorn)	40-60cm

Table 2: Native Hedgerow Planting Schedule

Species:	Sp. plants per linear m	% Mix
Acer glabrum	5	
Crataegus monogyna	50	
Corylus avellana	25	
Prunus spinosa	10	
Quercus robur	10	

Table 3: Feature Trees

Tree Species:	Percentage:	Species:	Size:
	30%	Fraxinus excelsior (ash)	10-15cm
	30%	Prunus spinosa (cherry)	10-15cm
	40%	Quercus robur (oak)	10-15cm

Proposed tree and shrub planting - New Woodland Mix 1 (NWM1)

The primary objective of NWM1 planting is to provide spatial definition and structure to the lodge sites. In addition, NWM1 planting will enhance the wooded appearance of the local landscape and create new wildlife habitat. Visual screening of the development from surrounding visual receptors is not a key objective, although NWM1 planting will screen localised views within the site.

A high percentage of NWM1 (see Species Mix Schedule for details) will be sown planted as bare-root transplants at a size of 40-60cm high (up from species such as the ash which will be pot grown, pit planted and supported with a single stake). The smaller species will be established via larger footcrops (175000cm high) and selected standard trees (10-15cm girth), supported by a low, single round stake and secured with a single rubber tie. These larger stock sizes will provide visual diversity with increased impact in the short term.

Areas of NWM1 planting will be quantified and implemented at a density of 1.0m (average spacing) or 0.44 plants per sq metre. Trees will be planted in groups of 5-150 and stakes will be planted singly or in random groups. All trees and shrubs will be planted in a sub-tilled, pattern avoiding straight rows.

Plants will be protected by 200mm x 200mm x 100mm wire fencing or by individual rabbit guards. The type of rabbit protection used will depend on the specific characteristics of each area of planting.

NWM1 areas will be maintained by staking or mowing as appropriate and the application of herbicide by spot spraying an area with a diameter of 500mm around each plant for a period of at least 3 years from the end of the season to which the stock was planted.

NWM1 to comprise 90% bare root transplants - 40-60cm high, 5% feathered stock trees - 175cm x 100cm high and 5% selected standard trees - 10-15cm girth.

Proposed Native Hedgerow Planting

This planting comprises the interplanting and popping up of existing hedgerows and the creation of new hedgerows to the boundaries and within the site limit.

The primary objective of this planting is to provide spatial definition and to strengthen the landscape transition whilst providing improved visual screening and an element of low species character of the area.

Plants will be sown planted as bare-root transplants at a size of 40-60cm high. Smaller runs of planting will be protected with individual plastic rabbit guards, whereas longer sections of established hedgerow or new hedgerow could be protected by rabbit proof post and wire fencing.

Large plants are to be planted on a double staggered row at a density of 2 plants per linear metre with a spacing of 300cm between rows.

Weed growth is to be controlled by herbicide applications where necessary, for a period of 3 years from the end of the season in which the stock was planted (see management plan for herbicides).

Softworks Notes

All site preparation, planting and maintenance to comply with BS 4428:1993.

Landscape works to take place within 12 months from the date when any building or other permitted development is occupied or carried out.

All trees, hedging, shrubs and plants to comply with BS 3903 specification for nursery stock. Do not substitute species, variety and form or reduce the specified size and number of plants without prior agreement. Note areas shown are minimum.

All new trees to be positioned in accordance with requirements of table 2 BS 5637:2005.

All plants to be watered as required immediately after planting. All plants to be free from pests and disease. All plants to be good specimens and characteristic of the species. Do not plant anything in the rain/shadow under a roof overhang.

Landscape to be maintained in accordance with the approved schedule of landscape maintenance for a minimum period of 5 years.

Allow for the protection of tree pits for new deciduous trees. Pits to have minimum 0.75m² per tree pit of permeable grade (up to BS 5822:1994).

Stakes to be firm dia standard without and painted at one end. Top of stake to be 50mm above ground level and tied to tree with 1 No suitable rubber tie. Stake to be firm in ground, position stake at time of planting.

Soil to be at a minimum depth of 450mm for planting areas and 150mm min depth for grass. Soil to be plain, good grade (up to BS 3842).

All site preparation, planting and maintenance to comply with BS 4428:1993.

Any trees, shrubs or hedges planted in accordance with the agreed scheme which are removed, destroyed, die, become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species of those originally required to be planted unless the LPA gives its written consent to any variation.

No trees, shrubs or hedges within the site which are shown to be retained on the approved plans shall be felled, uprooted or pulled down or destroyed, cut back in any way or removed without the previous written consent of the LPA; any trees, shrubs or hedges removed without such consent or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the LPA gives written consent to any variation.

Revisions:

- Rev C March 2014 - Number of lodges reduced from 34 to 42. Lodge layouts adjusted so they are of 10m or less. Lodges removed from areas adjacent to the yew avenue and from the central area. Lodges removed as required along boundary with Hwabeig Trail to improve offset distances.
- Rev D March 2014 - Added annotations to notes and lodge tree levels added.

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Drawing Title:	Landscape Layout Plan
Drawing Number:	M2042.10D
Project Title:	Bryn Morfydd Lodge Park
Client:	Mr & Mrs Jones
Scale:	1:500 @ A1
Date:	11.2011
Drawn by:	SH
Checked by:	NF

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Barnes Walker
LANDSCAPE ARCHITECTS & PLANNERS



PJM

ITEM NO: 2

WARD NO: Llanrhaeadr Yng Nghinmeirch

APPLICATION NO: 23/2011/1447/ PF

PROPOSAL: Layout and siting of 42 no. holiday lodges, reception and temporary warden's accommodation including associated facilities, parking, landscaping, and infrastructure

LOCATION: Bryn Morfydd Llanrhaeadr Denbigh

APPLICANT: Mr & Mrs Mathew Jones

CONSTRAINTS: PROW
250m Of Landfill Site
Ancient, Semi Natural Woodland

PUBLICITY UNDERTAKEN: Site Notice - Yes
Press Notice - Yes
Neighbour letters - Yes

CONSULTATION RESPONSES:

LLANRHAEADR COMMUNITY COUNCIL –

“The observations of the Llanrhaeadr Community Council to the above planning application are:-

1. Members feel that only a development of 27 holiday lodges should be allowed for this application as 54 are far too many.
2. The highway infrastructure is not sufficient (too narrow) to handle the additional traffic the development would create.
3. The development would create light pollution during the hours of darkness.”
(These comments relate to the revised scheme for 42 lodges also)

COUNTRYSIDE COUNCIL FOR WALES (CCW)

CCW does not object to the proposals having regard to landscape impact or impacts on protected species

DWR CYMRU/WELSH WATER

No objections subject to further details of the existing hotel drainage.

ENVIRONMENT AGENCY

No objection, however, if the method of drainage (connection to main sewer) is amended an Environmental permit would be required.

CLWYD POWYS ARCHAEOLOGICAL TRUST (CPAT)

No archaeological impacts are predicted at this site. The lodges and infrastructure will be well screened in long distance and nearby views by woodland and would not require an ASIDOHL Assessment in this case.

COUNCIL FOR THE PROTECTION OF RURAL WALES

Raise concerns about the number of lodges, parking areas, light pollution and narrowness of access roads leading to and from site.

DENBIGH AND DISTRICT CIVIC SOCIETY

Society is pleased to see the development of the site but wishes to see a non-reflective surface on the roofs of the lodges.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

HEAD OF HIGHWAYS AND INFRASTRUCTURE

No objection, given the existing lawful use of the site. Conditions to be imposed requiring details of parking and turning areas and the proposed visibility splays/access.

HEAD OF HIGHWAYS AND TRANSPORTATION – RIGHTS OF WAY SECTION

As footpath 65 crosses the site, conditions need to be imposed to safeguard this right of way.

BIODIVERSITY OFFICER

Is happy with the landscape plan but seeks some further information on the impacts on bats and reptiles on site.

TREE CONSULTANT

Submitted documents are of a high standard and tree survey is thorough. Conditions needed to protect the Yew Avenue on site and further protection to trees on the woodland boundary.

WATER QUALITY, POLLUTION AND ENVIRONMENT OFFICER

Details required in relation to claim of harnessing water as a sustainable opportunity to limit consumption.

LANDSCAPE CONSULTANT

No objection to the revised 42 lodge layout. This scheme addresses previous concerns about the impact upon the character, local views and additional planting. A landscape management plan will be required to be submitted before work commences and a no-dig construction for roads below trees would be needed.

COUNTY ARCHAEOLOGIST

Concurs with views of CPAT that there will be no negative impacts from the proposal.

RESPONSE TO PUBLICITY:

Letters of representation received from:

In Support

Darren Millar AM (e-mail)
David Jones MP – Clwyd West
D. C. Roberts, Bryn Dyfnog, Llanrhaeadr
Mrs S Cooke, Nant Mawr, Llanrhaeadr
R. & L. Roberts, Coedfa, Llanbedr D.C. (e-mail)

In Objection

Mr. R. Shone, The Lodge, Llanrhaeadr
W. R. Williams, Llewesog Isaf, Llanrhaeadr
Mr. Huw Ll. Roberts, Delfan, Llanrhaeadr (e-mail)
Mr. P. Williams, 6, Bryn Llan, Llanrhaeadr*
G.M. & B.M. Bitcon, Derwen, Llanrhaeadr Y.C.*
Miss S.M. Armer, J.P., Rhewl Cottage, Prion*
Ms. S. Van Der Bijl, Ty Cerrig, Llanrhaeadr
Ms. S. Cook, Ty Mawr, Llanrhaeadr
E. & M. Williams, Siop y Pentre, Llanrhaeadr Y.C., Denbigh

Mr. G. Jones, Llwyn Afon, Llanrhaeadr Y.C., Denbigh*
Mr. J. Hill, Llys Erw, Llanrhaeadr Y.C., Denbigh (e-mail)*
Mrs. L.M. & Mr. R. G. Leece, Pen y Bryn Isaf, Llanrhaeadr (e-mail)*
Mr Ioan A Jones, Ty Mawr, Prion*
Mr. A. Rogers, Parc Cottage, Llanrhaeadr (e-mail)*
Mr. P. & Mrs. J. Bassom, Penbryn Parc, Llanrhaeadr*
R. Wilyman, Jones Peckover, 47, Vale Street, Denbigh*
M. & H. Lucas, Y Fedwen Arian, Llanrhaeadr*

* denotes further objection to revised scheme of 42 lodges.

Summary of planning based concerns/objections:

Highways, parking and accessibility

- the access roads leading to and from the site are too narrow with few useable passing places.
- There will be an increase in traffic which can not be accommodated by the existing roads.
- Limited access to public transport, cycle routes or footpaths.
- Concerns over the impact on existing rights of way
- Unsustainable location which relies upon use of the car.

Nature Conservation and biodiversity

- Concerns over impacts on species such as bats and birds. Also potential disturbance to livestock, wildlife and game from the increased use of the site by tourists.

Noise and Nuisance

- Concerns over the increased use of the site and resultant noise, litter and nuisance caused to a tranquil rural location. Increased risk of crime in the village.

Landscape

- Concerns over the impact on the wider Vale of Clwyd landscape. Potential for light pollution having negative impacts on the visual amenities of the area.

Welsh Language

- The number of lodges proposed in this rural Welsh village could have a negative impact on the Welsh Language.

Summary of points in support for scheme:-

Economy

- The regeneration of this derelict former hotel/leisure use will be a welcome boost to the rural economy with tourists spending money in the village.
- The visual improvements to the site will also enhance the tourist offer locally with walkers and other visitors enjoying the improved landscape.

Habitat

- The landscape works around the site will enhance the visual appearance and will preserve natural habitats.

EXPIRY DATE OF APPLICATION: 08/02/2012

REASONS FOR DELAY IN DECISION (where applicable):

- protracted 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 42 holiday lodges, a temporary warden's lodge, reception lodge and associated facilities, parking, landscaping and infrastructure at the former Bryn Morfydd Hotel and golf course, Llanrhaeadr. The site would be accessed via an existing unclassified road to the north of the site which links to the A525. There is an alternative, narrower access route from the south of the site it is proposed that vehicles will be directed to the more direct route from the village using signage.
- 1.1.2 The supporting information submitted with the application also explains the applicant's intention to implement a phased restoration of the main Bryn Morfydd building to create residential use therein. The applicant suggests that conditions could be imposed to ensure such works are undertaken as the lodge scheme develops.
- 1.1.3 The application includes the following documentation:

Design and Access Statement (DAS). The report sets out the basis of the 42 lodge proposal and emphasises the design principles and concepts. It argues in the section "Environmental Sustainability" that the scheme puts the open part of a disused site to good use, safeguarding woodland, hedgerows and stone walls. It emphasises that it poses no threat to habitats around the site. The report goes through other headings including "Movement to from and within the development", "Character", "Community Safety", and "Physical, social, economic and policy context." The report concludes that the scheme forms a highly sustainable form of holiday accommodation which will benefit the rural economy.

Landscape and Visual Assessment. The report notes that the site lies within the Vale of Clwyd landscape. It concludes that there would be low levels of adverse landscape impact by the removal of trees and the introduction of the lodges, access roads and cars. The report goes on to conclude that the impacts will be mitigated by the removal of ornamental tree species, the retention of the Yew Avenue within the site, the removal of the golf course and the reinstatement of the original landform across the site. Dry stone walling will be repaired along the nearby lanes with more hedgerow and tree planting. None of this would be done if not for this regenerative proposal.

Landscape Management Plan. The report sets out proposed woodland planting; feature tree planting; native species hedgerows; short grasses and explains the maintenance regimes for each area.

Transport Statement. The report concludes that the development shown will not have a significantly greater impact than the previous use with adequate on-site parking available for cars and bicycles.

Planning Supporting Statement. The statement is to be read in conjunction with a revised and updated DAS as described above.

1.2 Description of site and surroundings

- 1.2.1 The site lies in an elevated position on the western edge of the Vale of Clwyd and comprises a sloping golf course area to the north of the former Bryn Morfydd Hotel complex. Comprising areas of grazed grass and trees, the presence of the former golf course (designed by Peter Allis) is still apparent

due to the prominence of a number of ornamental trees and scattered, contrived landforms which were created to form tees, greens and bunkers.

- 1.2.2 The central section of the site itself contains a number of mature trees. To the western part of the site is a hard surfaced tennis court.
- 1.2.3 To the south of the site, separated by a rural road is the main Bryn Morfydd site comprising of mainly derelict buildings and large parking areas. To the north and west of the application site are steeply undulating mainly agricultural fields located on the scarp slope adjacent to the Vale. These fields are interrupted by areas of woodland and large mature trees.
- 1.2.4 Located approximately 400m to the north-west of the site is the village of Llanrhaeadr. Around 700m to the south is Pentre Llanrhaeadr. A public footpath 65 crosses the site with the Hiraethog Trail running to the south and west.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site lies within the non-statutory Vale of Clwyd Landscape of Outstanding Historic Interest. It is located outside any development boundary in the Unitary Plan. There are no known flood risk issues in this location.

1.4 Relevant planning history

- 1.4.1 There have been a number of planning applications relating to the main hotel complex involving extensions and alterations. There has not been any relevant holiday lodge proposals at this site before but see "Other relevant background information" below.

1.5 Developments/changes since the original submission

- 1.5.1 The original scheme proposed 54no. holiday lodges on the site. The application was lacking some supporting information in respect to the DAS and other key areas. Following a meeting with the applicants a new agent was appointed. This resulted in the scheme being amended to reduce the number of lodges to 42 and to re-site them. Further information was then submitted with the revised scheme providing a more detailed landscape and visual assessment, a landscape management plan and supplementary supporting information on the proposed temporary warden's accommodation on site.

1.6 Other relevant background information

- 1.6.1 Members will be aware of similar sized proposals for holiday lodges at sites in Bodfari recently. Whilst not wholly comparable to this proposal those applications are of relevance to the assessment here. A Planning Appeal was dismissed at a site known as the Blue Hand Field in Bodfari in April 2010. That scheme sought permission for some 60 lodges in an open countryside location with similar historic/general landscape characteristics. The Inspector dismissed this appeal on the basis of the loss of the best and most versatile agricultural land. Other issues such as the sustainability of the site, reliance on the use of the car, pedestrian mobility etc were considered negative factors but were not considered sufficient reasons in themselves to dismiss the case.
- 1.6.2 More recently Members refused a smaller scheme at the April 2012 Committee for 20 no. holiday lodges on a site adjacent to the Blue Hand site at The Glyn, Lleweni, Bodfari. Members were concerned about the cramped nature of the development, sustainability issues relating to the reliance on the

car and insufficient information to assess the significance of high quality agricultural land.

- 1.6.3 Officers feel it justified to mention the above cases but would remind Members that this case should be dealt with on its merits having regard to the material considerations set out later in this report.

2. DETAILS OF PLANNING HISTORY:

2.1 None of direct relevance to this proposal. However, there was a permission to further extend the main hotel building involving an adjacent stable block back in 1991. This scheme was commenced but was never completed. This could have a bearing, however, on the future renovations and extensions to the main building as possible conditions of any permission.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd 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 Natural Environment

Policy ENV 2 – Development affecting the AONB/AOB

Policy ENV 6 – Species Protection

Policy ENV 7 – Landscape/Townscape features

Policy ENV 8 – Woodlands

Policy ENP 3 – Water resources

Policy ENP 4 – Foul and Surface water drainage

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 highway networks

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

3.2 Supplementary Planning Guidance

SPG 2 – Landscape 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

3.3 GOVERNMENT GUIDANCE

Planning Policy Wales, 2011

TAN 5 – Nature Conservation and Planning

TAN 6 – Planning for Sustainable Rural Communities, 2010

TAN 11 – Noise

TAN 12 – Design

TAN 13 – Tourism

TAN 15 – Development and Flood Risk

TAN 18 – Transport

Circulars and Statutory Instruments

Circular 35/95 – Use of Planning 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 Principle
- 4.1.2 Scale of Development
- 4.1.3 Impact on Residential Amenity
- 4.1.4 The capacity of the highways network and impact on highway safety
- 4.1.5 Impact on nature conservation, including protected species
- 4.1.6 Flood risk and drainage issues
- 4.1.7 Impact on water supply
- 4.1.8 Impact on archaeology
- 4.1.9 Impact on landscape and trees
- 4.1.10 Inclusive access

Other Issues

Occupancy of lodges

Economic considerations

4.2 In relation to the main planning considerations:

4.2.1 Principle

The Unitary Development Plan reaffirms the support for sustainable development. Strategic policies STRAT 1 – 16 highlight those considerations necessary in relation to such development; referring to 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 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 surroundings, 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) – TSM 9

Accessibility of site to the highway network and different means of transport

The 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. Concerns have been raised locally as to the sustainable transport credentials of the proposal. The applicant has pointed out that a half hourly bus service operates through Llanrhaeadr and Llanrhaeadr village. The Clwydian Ranger bus service is a comprehensive service which provides an alternative to car usage for those visiting the site. The applicant also points out that the network of footpaths in proximity to the site would enable those persons staying at the tourist site to quite easily walk into the village to visit the pub or other facilities.

Given the existing standard of roads and footpaths in proximity to the site it could be argued that visitors to the lodges would be likely to use their cars for even short journeys. The roads around the site are not lit and walking into the nearby village may not be an attractive proposition during hours of darkness.

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, mentioned above, 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.

The site is clearly located within an extremely attractive and elevated open countryside location. The development of holiday lodges in such an environment will clearly have some impacts upon the landscape. However, it is important to assess whether such impacts will be so significant as to warrant refusal of the application. The Council's specialist Landscape Consultant has been involved in detailed discussions as various parts of the application process. This has resulted in the revised scheme of 42 lodges being presented in the layout seen at the front of this report. The Consultant concludes, in general agreement with CCW and CPRW, that the landscape impact of the proposal will be limited.

The site was a former golf course which enjoys existing screening from a variety of vantage points. The lodges will be sited so as to take advantage of existing screening and their design and use of materials can be controlled so as to help assimilate them into this landscape. Conditions can also be imposed to minimise light intrusion with a landscape management plan setting out future maintenance of the site.

Overall, Officers do not consider the submitted 42 lodge scheme will have

any significant negative impacts on the existing 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 have also been considered but given the golf course use of the site and the existing land quality classification this is not considered to be an issue in this case.

4.2.2 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.

Officers consider that the proposed scale of the development here (42 lodges) must be looked at in the context of the previous uses at the site and recent appeal guidance which was contained within the Blue Hand field decision.

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.

In addition, regard should also be had to the previous golf course usage, and the comments from landscape specialists who have acknowledged the scale of development will be readily assimilated into the existing landscape.

4.2.3 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.

Sporadic residential properties exist outside of the main settlement in Llanrhaeadr but they are around 250-300m away from the site. Clearly the area generally will experience an increase in activity associated with holiday lodge development and occupation. However, the application indicates a warden would be responsible for site management and given the distances to nearby dwellings there should not be any significant direct impacts from noise and disturbance.

Controls would need to be imposed on bin storage, litter collection and site management generally.

It is hoped that in imposing such controls impacts on nearby residential amenity will be minimised. The activity associated with a tourist use, however, should hopefully benefit nearby villages in terms of economy and the regeneration of a derelict site.

4.2.4 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 have been a number of objections received based on the inadequacies of the nearby road network and the subsequent impacts upon highway safety. The Highway Officer has examined the submitted transport statement and has taken account of the previous authorised uses and the nature of the nearby roads and junctions. When in full use, the hotel, restaurant and golf course would have generated a number of vehicle movements. Admittedly, these may have been at specific times and on specific days. The proposed use will potentially be all year round. This could be looked at in two ways. This could potentially put increased pressures on the road network throughout the year or it could spread the intensity of the use throughout the year thus avoiding extremely busy periods. The Highway Officer feels, subject to conditions on parking areas and access, that the use can be accommodated and the local roads will cope.

In Officers' opinion, given the Highway officer's comments, it is not considered there are reasonable highway grounds on which to oppose the scale of development proposed.

4.2.5 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.

The Council's Biodiversity officer and CCW have assessed the proposal and the submitted supporting documents. See comments at the start of the report).

In officers' opinion the ecological issues can be addressed by suitable conditions to retain 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.

4.2.6 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.

There are no flood risk issues associated with this elevated site.

In terms of how the foul and surface water will be dealt with as part of the development, the applicant intends to discharge foul water into a private sewer connection with surface water taken to a soakaway system. The applicant also indicates the intention to harness water as a sustainable opportunity. These details will need to be further agreed, however, the general arrangements for foul and surface water are acceptable subject to conditions.

4.2.7 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 Water Quality Officer of Denbighshire has assessed the proposal as acceptable but has advised the applicant to contact her further to discuss ideas for harvesting water from the development in a sustainable way.

4.2.8 Impact on archaeology

Policy CON 11 and SPG 15 require consideration of the potential for archaeological impacts of new developments.

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.

4.2.9 Impact on woodlands and trees

Policy 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.

The Council's tree consultant has assessed the scheme and its likely impact upon trees and the nearby woodland. Whilst acknowledging that the information supplied is of a high quality he has suggested conditions which would seek to retain several trees on the woodland boundary. Further conditions would be required to ensure protection of the yew avenue within the site (an existing line of yew trees in the central area).

4.2.10 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, 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

Support has been given by locals and politicians who have highlighted the economic benefits which a tourist scheme of this type would provide. Whilst Officers cannot attach significant weight to the wider potential benefits as no detailed evidence or information has been supplied in this regard, the Tourism Officers of the Council have given their full support to the scheme as meeting the strategic tourism aims for Denbighshire.

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 any site. These have been assessed in the body of this 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 the Community Council 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 Invariably, 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 para 5.2 above. 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, Bodfari. 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 appropriate, 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. The agricultural land quality issue does not apply here.
- 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. The conditions will also need to have regard to the phased renovation of the existing derelict building on site and its beneficial future use.

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 42 holiday 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. 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. The scheme shall indicate relevant protection to trees within the yew avenue and several trees on the woodland boundary as agreed.
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 site, including provision for bats and reptiles 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. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be agreed with the Local Planning Authority, and which shall be completed prior to the proposed development being brought into use.

15. PRE-COMMENCEMENT CONDITION

Before any work starts on site the full details of the detailed layout, design, drainage, visibility splays and construction of the vehicular access shall be submitted to and approved in writing by the Local Planning Authority in and the access and associated works shall be completed to the written approval of the Local Planning Authority before the any construction work begins on the lodges approved.

16. 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.

17. PRE-COMMENCEMENT CONDITION

Before any works commence on site a phasing strategy and plan shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall include details of the

removal of the warden's tenorart accommodation unit within 3 years of the first occupation of that unit and the phased renovation of the former Bryn Morfudd hotel buildings. Only those details subsequently agreed shall be implemented thereafter.

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. In the interests of highway safety.
15. In the interests of highway safety.
16. To ensure satisfactory waste storage facilities in connection with the development.
17. To ensure the existing derelict buildings on site are renovated and used concurrently with the phased development of the holiday lodge scheme and to prevent the provision of a permanent residential unit in the open countryside (warden's unit) contrary to local and national policies and guidance.

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.