



03/2022/0358



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GROUND FLOOR PLAN



FIRST FLOOR PLAN





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RE FORM OPENING TO SUIT WINDOW OPENING 1050MM DEEP

EDGE
ARCHITECTS

RIBA 
Chartered Practice

EDGE Architects NW Ltd.
Studio 55/20
North Wales Business Park, Abergelle
Conwy, LL22 8LJ

CLIENT:

MR N PRAGASH

ADDRESS:

2 MILL STREET LLANGOLLEN

PROJECT:

PROPOSED CONVERSION
proposed elevations

DRAWING No:
22.CON-036-06

DATE: MARCH 2022
SCALE: 1:100 @A3









WARD : Llangollen

WARD MEMBER(S): Councillor Karen Edwards (c)
Councillor Paul Keddle

APPLICATION NO: 03/2022/0358/ PF

PROPOSAL: Change of use and alterations to existing guest house and outbuildings (C1) to form house of multiple occupation (Sui Generis)

LOCATION: 2 & 9 Minffordd, Mill Street, Llangollen, LL20 8RY

APPLICANT: Mr Nadarajah Pragash

CONSTRAINTS: World Heritage Site Buffer
Phosphorus Sensitive
SAC
British W-ways Cons Minor
British W-ways Cons Major
Conservation Area
Phosphorous
SAC Compliance
Canal Consultation Zone
AONB

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

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant / approve – Significant Departure from Development plan

CONSULTATION RESPONSES:

TOWN COUNCIL
No objections.

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

The Joint Committee have no objections to this application.

NATURAL RESOURCES WALES

Concerns with the application as submitted because inadequate information has been provided in support of the proposal regarding foul drainage.

Foul Drainage: The application site is within the catchment of the River Dee & Bala Lake Special Area of Conservation (SAC). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus 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 (or phosphorus) 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 have also issued Planning Advice (May 2021) which gives specific advice in respect of foul drainage arrangements for new developments.

We note from the information submitted that the development has the potential to increase the amount of phosphorus being discharged from the site. As such, we refer you to our Planning Advice and advise you to seek further information from the applicant. We note that information has already been submitted in respect of confirming a connection to the mains public sewer. However, we advise you to seek further information as identified in the section titled 'What does this mean for development proposals involving connection to public wastewater treatment works' of that advice.

Provided this advice is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we would have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Pollution Prevention: From the information provided, NRW consider that the proposals may affect the River Dee and Bala Lake Special Area of Conservation. The application is located within 25m of the SAC site. NRW have identified potential impact pathways to features of this site:

1. Pollution

The above pathways may not result in an adverse effect if the following measures are adhered to/ implemented:

1. Developer adheres to pollution prevention guidelines

NRW consider the proposals have the potential to impact upon the River Dee SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Protected Species: 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.

Designated 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. NRW have no concerns regarding impacts upon designated landscape, however we recommend that you liaise with your Authority's landscape officer with regard to any local landscape impacts.

NRW Re-consultation response following submission of additional information:

No objection as there will be no increase in occupancy as a result of the proposed change of use, NRW are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, NRW are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety:

- Highways Officer

No objection.

Strategic Planning Policy

LDP Policy BSC 7 – Houses in Multiple Occupation & Self Contained Flats is the relevant policy to consider in relation to these applications. The policy states:

Proposals which would lead to the creation of Houses in Multiple Occupation or non self-contained flats will not be permitted.

The sub-division of existing premises to self-contained flats will be permitted provided that all the following criteria are met:

- i) the property is suitable for conversion to the number and type of flats proposed without unacceptably affecting the character, appearance and amenity standards of the locality (including cumulative effects of such proposals); and*
- ii) the proposal conforms to the Council's approved space and amenity standards.*

The policy stance is clear and an application to convert properties into HMOs would normally be not supported. There are however material considerations that might outweigh the adopted policy in this instance.

The property is an existing guest house, which a use not unlike a HMO and is located in a town where there is only one other registered HMOs currently. Whilst the policy stance is clear it is considered that if the property is owned and managed by a local care home owner and is for the exclusive use of his employees there is a degree of confidence that they will be well managed. It is suggested that the potential for a temporary permission (say 5 years) and/or a personal permission to the applicant might be acceptable given the need for essential workers currently. A temporary permission would allow for continued monitoring of the property to ensure that there are no adverse impacts on the local area.

Conservation Officer
No comments.

Glandwr Cymru – Canal & River Trust in Wales
No comments to make on the proposal.

CADW

No objection to the proposed development in regards to the scheduled monument, registered historic park and garden or world heritage site listed in our assessment of the application below.

Assessment: The application area is located some 30m south of scheduled monument DE175 Pontcysyllte Aqueduct and Canal; some 85m east of scheduled monument DE026 Llangollen Bridge and some 460m northwest of the registered Plas Newydd, Llangollen historic park and garden. It is not located inside the Pontcysyllte Aqueduct and Canal World Heritage Site but is located in its' buffer zone.

The proposed development consists of a change of use of existing bed and breakfast accommodation to accommodation for health and social care workers. Externally the proposed development will require the removal of an existing porch on the north elevation of the building. This change will not be visible from scheduled monument DE026 Llangollen Bridge or the registered Plas Newydd, Llangollen historic park and garden, as the bulk of the existing building block all views between them. Consequently the proposed development will have no impact on the settings of scheduled monument DE026 Llangollen Bridge or the registered Plas Newydd, Llangollen historic park and garden.

The removal of the porch will be visible from scheduled monument DE175 Pontcysyllte Aqueduct and Canal and the Pontcysyllte Aqueduct and Canal World Heritage Site but will be screened in these views by topography and existing vegetation. The porch is a modern extension to the building and its removal will be a very slight visual change in the view from the canal, but this will not have any effect on the way that it is experienced, understood and appreciated. Consequently, the proposed development will have no impact on the setting of scheduled monument DE175 or the outstanding universal values of the World Heritage Site

Economic Development

"No concerns with the loss of the guesthouse on the basis that it is indeed a 'temporary' permission and can revert back to the C1 use. Care workers don't necessarily have to live in the town either, which is actually very expensive compared to other places close by. Clearly there is no interest for the property to continue as a hotel in the short to medium term - and there is still a good supply of visitor accommodation in the locality. Accommodation is expensive in Llangollen, and if there is a demonstrable need to bring care workers in to the town (which I can imagine there is), then makes sense."

RESPONSE TO PUBLICITY:

Representations received from:

Janet Wakefield, 1 Royal View, Wharf Hill, Llangollen Grwp Cynefin, 54 Vale Street, Denbigh

Summary of planning based representations (neither support or object)t:

- Grwp Cynefin, own Minffordd (Block of flats to the front left side of the application address). Would object to any additional windows etc fitted to the elevation facing Minffordd.
- Had a concern that the rooms might be for multiple or family use and result in up to 40 people living there.

EXPIRY DATE OF APPLICATION: 06/07/2022

EXTENSION OF TIME AGREED: 09/09/2022

REASONS FOR DELAY IN DECISION:

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposed development is for the change of use and alterations to existing guest house and outbuildings (C1) to form house of multiple occupation (Sui Generis). The existing property consists of the main building and outbuilding all used as part of the existing guest house. There are currently eight bedrooms within the two areas. The scheme would create some additional bedrooms in the main building and use the outbuilding as storage. Overall there will be no increase in bedrooms.
- 1.1.2 The proposed use is to serve as accommodation for specialist health care workers who are required to be recruited from overseas due to staff shortages locally and nationally. The property would be managed by Deevale Health Care who own Headland Nursing Home where the residents would all work.
- 1.1.3 The property is served by an existing kitchen, dining room and living room that would serve the bedrooms. Each bedroom is above the minimum space standard and also all benefit from their own en-suite.
- 1.1.4 There is a shared courtyard area that details 8 parking spaces. There is also a communal garden area to the north.

1.2 Other relevant information/supporting documents in the application

- 1.2.1 The application is accompanied by a supporting Planning Policy Statement that makes the following key points:
 - The Deevale Health Care operate the privately owned Headland Nursing Home in Llangollen which is a 28 bed facility registered with the Care Inspectorate Wales providing care for elderly persons including specialist care categories.
 - The staffing requirements for such facilities are high with a need for experienced and suitably qualified care workers. The demand is such that supply cannot be met locally with similar recruitment difficulties being present throughout the UK. Access to overseas labour is crucial to meet the demand and the applicant has had the necessary UK government approval to recruit accordingly.
 - There are minimal changes to the external elevations and internal space as shown on the plans and elevations submitted with the planning application.
 - There is no specific policy which directly relates to the nature of the development proposed. However, Policy BSC 7, (Houses in Multiple Occupation & Self-Contained Flats) states that proposals which would lead to the creation of Houses in Multiple Occupation or non self-contained flats will not be permitted.
 - A primary purpose of the policy is to exercise strict control over such dwellings. The county has a high concentration of Houses in Multiple Occupation and small flats (both self-contained and non self-contained) in several areas of the county, particularly in the coastal towns. This has had an adverse impact upon the surrounding area and living conditions of some

occupants. Policy BSC7 is applied as a blanket policy operating throughout the county.

- The intention behind Policy BSC7 does not directly relate to the development proposed. Firstly, the lawful use of the existing property is that of a commercial bed and breakfast accommodation and the proposed use does not therefore result in the loss of family accommodation which is a significant element which the policy seeks to control.
- The particular nature of the proposed use is not dissimilar to the bed and breakfast use in terms of impact on the amenities of the local area. The property will be managed through the administration of the care home to required standards of maintenance with no degradation to the local environment. Llangollen does not have the high concentration of HMOs which occurs in some of the coastal towns where the associated problems require the specific land use control measures that BSC7 affords. Taken these matters into consideration the proposal is highly unlikely to generate the negative impact that the policy is directed towards.
- The proposal is not likely to generate parking and traffic movements over and above that of the existing use and should be significantly less. The property is 1km from the nursing home which is a reasonable walking/cycling distance. There are also good public transport links.
- The applicant has also had positive discussions with the Council's Social Care Team in respect of the level and quality of care at Headlands.
- The development plan also contains a policy on community facilities, Policy BSC 12. The Plan recognises that community facilities are an essential element of sustainable and inclusive communities. Health care provision is referred to as a key facility for communities.
- Whilst the nature of the proposed use is similar to that of an HMO there are significant differences in terms of how the property will be managed, i.e. directly by Deevale Health Care for whom the occupants will be employed.

1.3 Description of site and surroundings

- 1.3.1 The application site forms the former Four Poster Hotel guesthouse. This consists of a two storey linear building that faces onto a courtyard and an associated outbuilding that was previously used as accommodation. The site is accessed off the A539.
- 1.3.2 The site benefits from a garden area at the northern part of the site.
- 1.3.3 The site is well linked to the centre of Llangollen and also is adjacent to the riverside park. There are residential dwellings to the east, north and west.
- 1.3.4 The property has been on the market since mid-2021.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site is located within the Development Boundary of Llangollen.
- 1.4.2 The site is within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty. It is also within the Vale of Llangollen and Eglwyseg Landscape of Special Historic Interest and the Pontcysyllte World Heritage Site Buffer Zone.
- 1.4.3 The site forms part of the Phosphate Sensitive Special Area of Conservation (Bala Lake and River Dee) Catchment Area. The River Dee is a Special Area of Conservation and Site of Special Scientific Interest.
- 1.4.4 The site sits within the Llangollen Conservation area.

1.5 Relevant planning history

- 1.5.1 The property has a lawful use as a guesthouse, however, there is no planning history of this or any conditions controlling that use.

1.6 Developments/changes since the original submission

- 1.6.1 The scheme was amended to exclude the outbuildings as bedroom accommodation. The outbuilding will now be used as storage i.e. reducing the numbers from 10 to 8 bedrooms so that it was equal to the existing number of bedrooms. .

1.7 Other relevant background information

- 1.7.1 A Record of Assessment of Likely Significant Effect On A European Site was conducted that concluded that:

'As the proposed number of bedrooms would be like for like, it is not considered that there would be any likely significant effect from the proposed development. The proposed development does not increase the volume or concentration of wastewater. As a result, there will be no likely significant effects.

As a result, the proposed development will have no impact on phosphate levels within the Phosphate Sensitive Catchment of the SAC. The proposed development will not result in likely significant effects alone, or in combination with other plans or projects'.

2. DETAILS OF PLANNING HISTORY:

- 2.1 None.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy BSC7 – Houses in multiple occupation and self-contained flats

Policy VOE1 - Key areas of importance

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

Policy VOE3 – Pontcysyllte Aqueduct and Canal World Heritage Site

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: Planning for Dark Skies – SPG for lighting in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

Supplementary Planning Guidance Note: Conservation Areas

Supplementary Planning Guidance Note: Parking Requirements In New Developments

Supplementary Planning Guidance Note: Pontcysyllte Aqueduct & Canal

Supplementary Planning Guidance Note: Residential Development

Supplementary Planning Guidance Note: Residential Development Design Guide

Supplementary Planning Guidance Note: Residential Space Standards

Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

TAN 5 Nature Conservation and Planning (2009)

TAN 12 Design (2016)

TAN 18 Transport (2007)

TAN 24 The Historic Environment (2017)

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 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)
- 4.1.7 Area of Outstanding Natural Beauty

- 4.1.8 Pontcysyllte Aqueduct & Canal World Heritage Site
- 4.1.9 Impact on Conservation Area including setting

4.2 In relation to the main planning considerations:

4.2.1 Principle

The site is located within the development boundary of RD1 of Llangollen, where the principle of new residential development is considered acceptable.

Policy BSC 7 – Houses in Multiple Occupation & Self-Contained Flats is the most relevant policy to consider in relation to the application.

The policy states:

'Proposals which would lead to the creation of Houses in Multiple Occupation or non self-contained flats will not be permitted.

The sub-division of existing premises to self-contained flats will be permitted provided that all the following criteria are met:

- i) the property is suitable for conversion to the number and type of flats proposed without unacceptably affecting the character, appearance and amenity standards of the locality (including cumulative effects of such proposals); and*
- ii) the proposal conforms to the Council's approved space and amenity standards.*

The policy stance is clear and an application to convert property into HMOs would not normally be supported. As stated above planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. In this case, there are other material considerations to be factored into the decision and given weight accordingly.

The Strategic Planning Policy section were consulted on the application and stated that the policy stance is clear and an application to convert properties into HMOs would normally be not supported. They considered however, that there are material considerations that might outweigh the adopted policy in this instance. The property is an existing guest house, which is a use not unlike a HMO and is located in a town where there is currently only one other registered HMO. Whilst the LDP policy stance is clear, it is considered that if the property is owned and managed by a local care home owner and is for the exclusive use of his employees there is a degree of confidence that they will be well managed. It is suggested that the potential for a temporary permission (say 5 years) and/or a personal permission to the applicant might be acceptable given the need for essential workers currently. A temporary permission would allow for continued monitoring of the property to ensure that there are no adverse impacts on the local area.

The property having been a guesthouse has adequate amenities in terms of space, living accommodation, utility and amenity facilities. They are not considered to be substandard in any way, unlike the poor quality HMO and flatlet/bedsit accommodation that policy BSC 7 intended to address.

The property is owned and managed by Deevale Health Care for housing nurses/specialist care workers brought into Wales to work in Headland Nursing Home.

Headland Nursing Home is located on Tower Road, Llangollen only 0.8miles away from the application site. It is a 28 bed facility registered with the Care Inspectorate Wales providing care for elderly persons including specialist care categories which including Bipolar/Manic Depression, Challenging Behaviour, Head/Brain Injury, Schizophrenia, Stroke and Visual Impairment.

The supporting statement advises that the staffing requirements for such facilities are high with a need for experienced and suitably qualified care workers. There is a critical shortage of skilled workers in the social care sector both locally and nationally. The demand is such that supply cannot be met locally with similar recruitment

difficulties being present throughout the UK. It is acknowledged as critical with many care homes either having to reduce capacity, close or facing that prospect in the near future. Consequently, the shortage has a direct impact on the level of care that can be provided to residents.

This is having a serious impact on the capacity and ability of the social care system to meet the specialist care that is required within the local community. Access to overseas labour is said to be crucial to meet the demand and the applicant has had the necessary UK government approval to recruit accordingly. The supporting statement also advises that the applicant has also had positive discussions with the Council's Social Care Team in respect of the level and quality of care at Headlands.

Taking these other material considerations into account, it is considered that a temporary permission for a period of 5 years to provide control over this use in the longer term, and limit it to the short term for the use (whilst there is an acknowledged shortfall of skills nationally). In addition, it is considered that the permission should be a personal permission for the use of eight essential care workers of the Headland Nursing Home only, as the specific need for the use goes to the heart of the permission.

After this period, or if no longer required by the Headland Nursing Home, then the property would revert back to its existing use as a guesthouse.

This proposal would lead to the temporary loss of guesthouse accommodation (8 rooms) in Llangollen. There are, as recently reported by Welsh Government, a new package of measures to address high numbers of second homes in Wales, alongside plans to introduce licencing for short-term holiday accommodation. These could lead to further demand for such accommodation if other forms of accommodation are closed/sold. However, given that this is a temporary permission, and there are a high number of other guesthouses/ hotels in Llangollen (48 listed on Booking.com alone), with other large hotels set to re-open and the fact that it was put onto the market over a year ago with no interest to be re-opened as a hotel, it is considered that the proposed development will not have a detrimental impact upon the towns accommodation levels and will become available again to the market in the future, should the market alter.

The Economic and Business Development section advised that they do not have concerns with the loss of the guesthouse on the basis that it is indeed a 'temporary' permission and can revert back to the C1 use. They consider there is no interest for the property to continue as a hotel in the short to medium term - and there is still a good supply of visitor accommodation in the locality. Accommodation is expensive in Llangollen, and it is likely there is a demonstrable need to bring care workers in to the town.

Given the additional material considerations set out above it is considered that the proposal offers sufficient planning merits to outweigh what could be argued to be an outdated policy in relation to HMO's in this location. However, as Officers are mindful of the experiences of the Council in relation to HMO's elsewhere in the County, it is considered prudent to condition the use for and for the Headland Nursing Home only and for a temporary period only to enable review.

4.2.2 Visual amenity

Criteria i) of Policy RD 1 requires that development respects the site and surroundings in terms of siting, layout, scale, form, character, design, materials, aspect, micro-climate and intensity of use of land/buildings and spaces around and between buildings.

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.

The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

The use of the property as a HMO would not alter the appearance of the building in any way, other than the removal of one porch on the northern elevation.

The only changes to the property to facilitate the change of use are internally. The proposal is therefore considered acceptable in relation to the visual amenity policies and guidance listed above.

4.2.3 Residential amenity

Criteria vi) of Policy RD 1 requires that proposals do not unacceptably affect the amenity of local residents and land users and provide satisfactory amenity standards itself.

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. The impact of the proposals on visual amenity is therefore a basic test in the policies of the development plan.

The only local concerns expressed were if the property was to be used by families in each room. The application is made for the purpose of only housing care workers and this would be controlled by condition. The neighbouring property also raised concerns if additional windows were to be installed in the western elevation, however the floorplans detail that no additional windows are proposed. Planning permission would be required to insert any additional windows.

Each room would benefit from their own bathroom and the 8 rooms would share a kitchen, dining room and living room. Each bedroom meets the space standards set out in the Residential Space Standards Supplementary Planning Guidance. There is also a communal garden to the north of the property and a communal parking area.

It is considered that the use of the property is unlikely to cause any other residential impacts and is acknowledged the use of the property for eight individuals may actually be less intense than the use of the guesthouse 2-4 occupiers per room. The proposal is therefore considered acceptable in relation to the residential amenity policies and guidance listed above.

4.2.4 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment.

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 – The National Plan 2040 (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’*. It is therefore recommended that these are included and form part of any planning application.

The site is located 25m from the River Dee and Bala Lake Special Area of Conservation (SAC)/SSSI. NRW have identified potential impact pathways for pollution to potentially affect features of the SAC/SSSI. However, NRW conclude that given the limited external works (removing one porch), and location away from the SAC/SSSI, separated by the A539, the potential for pollution from works on the site to reach the SAC/SSSI is unlikely provided pollution prevention guidelines are adhered to. Such guidelines are covered by separate legislation to planning legislation and therefore a note to applicant could be included on any consent to highlight the need to comply with these.

No ecological enhancements have been proposed as part of the application. A condition is proposed to secure a scheme of enhancement measures in accordance with the advice set out in Planning Policy Wales and Future Wales.

4.2.5 Drainage (including flooding)

The site is located within the Phosphate Sensitive SAC Catchment Area. The proposed development was amended to remove two bedrooms and to use the external building as storage, and now therefore does not propose any additional bedrooms and therefore is considered to not lead to an increased occupancy. The previous use, although as a guesthouse did not have any restrictions on the use, so could be used all year round and rooms by multiple occupiers. Based on the number of bedrooms remaining the same, this development would be classed as an exception as *“any development that does not increase the volume and phosphorus concentration of wastewater”*. On this basis, it is considered that the proposal can be screened out and does not require further HRA.

Natural Resources Wales concur that on this basis there would be no likely significant effect from the proposed change of use.

4.2.6 Highways (including access and parking)

Local Development Plan Policy RD 1 supports development proposals subject to meeting tests (vii) and (viii) which oblige provision of safe and convenient access for a range of users, together with adequate parking, services and manoeuvring space; and require consideration of the impact of development on the local highway network.

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.

The existing property is an eight bedroom guesthouse. The property is in a Town Centre location where there are a number of bus stops in close proximity. In addition, the Headland Nursing Home (where all of the residents would work) is within walking distance 0.8 miles away. It is considered that the level of car ownership is therefore likely to be low.

Nonetheless, parking capacity must still be considered. The site plan has detailed that there are eight existing parking spaces.

The Parking Standards Supplementary Planning Guidance is House conversions to self-contained Apartments 1 space per bedroom (maximum requirement 3 spaces) and for visitors 1 space per 5 units. This would equate in a maximum need of 5 cars which is exceeded by the proposed plans.

In addition, given that there were 8 bedrooms in the existing guesthouse that may have multiple occupants/ cars, the proposals would likely result in an improvement to the existing circumstance.

The Highways Officer was consulted on the application and advised that there is no objection to the scheme.

Having regard to the nature of the proposed development and existing arrangements, it is considered that the proposals would not have an unacceptable impact on highway safety. It would therefore be in general compliance with the tests of the policies referred to.

4.2.7 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.

Supplementary Planning Guidance (SPG) has been developed – ‘The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB)’ along with a specific SPG for lighting in the AONB - ‘Planning for Dark Skies’. The SPG’s provide

guidance and advice on design and lighting principles which should be followed to assist new development proposals in the area.

There are very limited external changes that are limited to the removal of a modern porch on the northern elevation. It is not considered that this will impact upon the AONB. The Joint Advisory Committee raise no objections to the proposed change of use.

4.2.8 Pontcysyllte Aqueduct & Canal World Heritage Site

Policy VOE3 of the Local Development Plan relates specifically to development which may impact on the Pontcysyllte Aqueduct and Canal World Heritage Site and its Outstanding Universal Value, and in particular the authenticity and integrity of the attributes which justified its designation. It indicates that development which would lead to harm to the attributes will not be permitted, and refers to the setting of the World Heritage Site as a key material consideration. SPG Pontcysyllte Aqueduct and Canal World Heritage Site provides guidance on the determination of applications that may affect the Site and its setting.

Planning Policy Wales (PPW 11) Section 6.1.22 reiterates that the World Heritage Site and its setting and, where it exists, the World Heritage Site buffer zone, is a material planning consideration in the determination of any planning application.

There are very limited external changes that are limited to the removal of a modern porch on the northern elevation. Cadw made an assessment of the proposed developments impact upon nearby heritage assets and do not consider that this will impact upon them. It is therefore considered that the proposals will not harm the Pontcysyllte Aqueduct & Canal World Heritage Site.

4.2.9 Impact on Conservation Area including setting

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales (PPW 11) Chapter 6 'Distinctive and Natural Places' states there should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting.

It is not considered that the removal of the porch, to the northern elevation, away from the highway would have an impact upon the Conservation Area.

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 Having regard to the detailing of the proposals, the potential impacts on the locality, and the particular tests of the relevant policies, and other material considerations, Officers consider that the application is acceptable and subject to conditions is recommended for grant.

RECOMMENDATION: GRANT- for the following reasons:-

1. The development to which this permission relates shall be begun no later than 7th September 2027
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) Location Plan (Drawing No. 22.CON-036-L1) - Received 8 April 2022
 - (ii) Block Plan (Drawing No. 22.CON-036-B1) - Received 8 April 2022
 - (iii) Existing Floor Plans (Drawing No. 22.CON-036-01) - Received 8 April 2022
 - (iv) Existing Elevations (Drawing No. 22.CON-036-02) - Received 8 April 2022
 - (v) Existing Floor Plans and Elevations (Drawing No. 22.CON-036-03) - Received 8 April 2022
 - (vi) Proposed Floor Plans (Drawing No. 22.CON-036-04) - Received 8 April 2022
 - (vii) Proposed Elevations (Drawing No. 22.CON-036-05) - Received 8 April 2022
 - (viii) Planning Policy Statement (Dated 04/05/22) - Received 6 May 2022
3. The HMO hereby approved at 2 and 9 Minffordd shall be used solely for purposes as described in the application and supporting documents, and shall only be used to house eight essential care workers from the Headland Nursing Home.
4. The outbuildings at 9 Minffordd shall be used for storage purposes only and not for any residential purposes.
5. The HMO use enures for the benefit of Headland Nursing Home (providing essential care workers accommodation) only, for a period of 5 years, at which time the property will revert to the original C1 use class. Should the use of the property as a HMO for essential care workers cease prior to the 5 years expiring, the property will revert to the original C1 use class.
6. The property shall not be occupied until a scheme for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

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. For the avoidance of doubt and in the interests of residential amenity.
4. For the avoidance of doubt and in the interests of residential amenity.
5. For the avoidance of doubt and in the interests of residential amenity.
6. In order to maintain and enhance biodiversity.