

REPORT BY THE HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTRYSIDE SERVICES

PLANNING CONDITIONS REPORT: APPLICATION REFERENCE NUMBER 09/2023/0669

Outbuildings at Hafod Y Parc Bodfari

1. PURPOSE OF THIS REPORT:

1.1 Members will recall that planning application reference: 09/2023/0669 was discussed at the March Planning Committee meeting.

1.2 The application related to the demolition of existing storage building, and conversion of existing cow shed to form one dwelling, including the erection of single storey extensions, formation of parking, installation of package treatment plant, landscaping and associated works

1.3 Committee resolved to grant planning permission contrary to Officers recommendation, subject to the planning conditions being brought back to Committee for approval.

1.4 This report seeks Members approval on the conditions to be imposed on the planning consent.

2. PROPOSED CONDITIONS:

2.1 Having regard to the nature and scale of the development, advice of statutory consultees and the resolution of Planning Committee, Officers would propose the following conditions and advisory notes should be imposed on the planning consent:

1. The development to which this permission relates shall be begun no later than **INSERT DATE**

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:

- (i) Existing Site Location Plan (Drawing No. WJ22.7.A001 Rev P02) - Received 9 October 2023
- (ii) Existing Site Plan (Drawing No. WJ22.7.A003 Rev P02) - Received 9 October 2023
- (iii) Topographical Survey (Drawing No. 1) - Received 19 September 2023
- (iv) Existing Ground Floor Plan (Drawing No. WJ22.7.A005 Rev P02) - Received 9 October 2023
- (v) Existing Roof Plan (Drawing No. WJ22.7.A006 Rev P02) - Received 9 October 2023
- (vi) Existing Elevations 1 of 2 (Drawing No. WJ22.7.A007 Rev P01) - Received 19 September 2023
- (vii) Existing Elevations 2 of 2 (Drawing No. WJ22.7.A008 Rev P01) - Received 19 September 2023
- (viii) Proposed Site Location Plan (Drawing No. WJ22.7.A002 Rev P01) - Received 9 October 2023
- (ix) Proposed Site Plan (Drawing No. WJ22.7.A004 Rev P02) - Received 19 September 2023
- (x) Proposed Ground Floor Plan (Drawing No. WJ22.7.A009 Rev P02) - Received 9 October 2023
- (xi) Proposed Roof Plan (Drawing No. WJ22.7.A010 Rev P02) - Received 9 October 2023
- (xii) Proposed Elevations 1 of 2 (Drawing No. WJ22.7.A011 Rev P01) - Received 19 September 2023
- (xiii) Proposed Elevations 2 of 2 (Drawing No. WJ22.7.A012 Rev P01) - Received 19 September 2023
- (xiv) Supporting Letter Location (Drawing No. WJ22.7.A013 Rev P01) - Received 19 September 2023
- (xv) Photographs - Received 19 September 2023
- (xvi) Design and Access Statement (Winter Jones) - Received 14 January 2024

- (xvii) Planning Statement (EHPI dated 15/9/23) - Received 19 September 2023
- (xviii) Supporting Planning Statement (Ffion Montgomery-Smith) - Received 19 September 2023
- (xix) Bat and Nesting Bird Assessment (Version 1, PJ Ecological Solutions dated July 2023) - Received 19 September 2023
- (xx) Tree Report (Treesure) - Received 19 September 2023
- (xxi) Valuation Report (Jones & Peckover dated 4/10/23) - Received 9 October 2023
- (xxii) Affordable Housing Viability Assessment Report (ehpi) - Received 1 November 2023
- (xxiii) Conversion & Re-Use of Rural Buildings: Development Appraisal Template - Received 1 November 2023
- (xxiv) Structural Survey (Ref: N2534-01, Vale Consultancy dated 15/3/23) - Received 15 January 2024

PRECOMMENCEMENT CONDITION

3. Notwithstanding the hereby approved plans, prior to the commencement of development or site clearance, a detailed hard and soft landscaping scheme designed to deliver a net benefit for biodiversity, shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting.
- (c) proposed materials to be used on the new access and parking area, paths and other hard surfaced areas.
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform.
- (e) the timing of the implementation of the planting and landscaping scheme.

The development shall proceed strictly in accordance with those details as approved.

Reason: In order to maintain and enhance biodiversity

3. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing

Reason: In order to maintain and enhance biodiversity and in the interests of visual amenity

4. Notwithstanding the hereby approved plans, no external lighting shall be permitted to be installed within the site until the written approval of the Local Planning Authority has been obtained to details of the proposals, which shall be designed to avoid negative impacts on nocturnal wildlife. The approved measures shall be implemented in full and retained at all times thereafter.

Reason: In the interest of the amenities of occupiers of nearby properties, to protect nocturnal wildlife.

5. The development hereby approved shall be carried out in strict accordance with the mitigation, compensation and enhancement measures set out in Section 6 and 7 of the approved ecological assessment Bat and Nesting Bird Assessment (Version 1, PJ Ecological Solutions dated July 2023) - Received 19 September 2023

Reason: In the interests of nature conservation

PRECOMMENCEMENT CONDITION

6. Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.

Reason: In the interests of visual amenity.

7. Notwithstanding the allowances of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use of the property shall be restricted to a C3 dwellinghouse and shall not be used for any other purpose (including any other purpose within Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory Instrument revoking and re-enacting that Order with or without modification).

Reason : The Local Planning Authority consider the proposed use is acceptable based on the need for a dwelling in this location, and that other uses within the use Class referred do not have the same justification.

Notes to applicant:

COMPLIANCE WITH APPROVED PLANS AND CONDITIONS

Please be reminded that any permission or consent must be carried out strictly in accordance with the approved plans and conditions imposed which are clearly listed on this certificate of decision. Pre-Commencement conditions should be given particular attention. Failure to do so could result in enforcement action being taken by the Local Planning Authority.

Further detailed information on how to comply along with other relevant information relating to your decision is contained in the detailed Notes to Applicant attached to this certificate which you are strongly advised to consider.

If you are in any doubt about your obligations, including any obligation you may have to pay commuted sums, please contact the Local Planning Authority at planning@denbighshire.gov.uk quoting the reference of your planning permission.

SUDS

SUDS Approval required

Developments of more than a single dwelling, or those involving a construction area of more than 100sq.m may be subject to the Sustainable Urban Drainage approval process. Denbighshire County Council is the appointed SuDS Approval Body, contact 01824 706901 or email landdrainage.consultations@denbighshire.gov.uk

Detailed information and advice is available on the Councils website:

<https://www.denbighshire.gov.uk/en/resident/planning-and-building-regulations/planning/sustainable-drainagesystems-suds/sustainable-drainage-systems-suds.aspx>

BB BOXES (edited)

Bat&Bird Boxes

Planning Policy Wales (PPW) 11 (2021) recommends that biodiversity and ecosystem resilience considerations should be taken into account in development proposals. It would therefore be recommended that biodiversity enhancement measures are incorporated into this development in the form of the provision of bird boxes/ bat boxes.

You are advised to discuss this detailed with a suitably qualified Ecologist.

BAT LITE2

Bat External Lighting

Any external lighting should be sensitively designed to reduce impacts on nocturnal wildlife. All lighting should be angled downwards and installed with a protective cowl to reduce light spillage.

Guidance is set out in Guidance Note 08/18 Bats and Artificial Lighting in the UK (2018) published by the Bat Conservation Trust & The Institute for Lighting Professionals. A warm white spectrum (ideally <2700Kelvin) should be adopted to reduce blue light component. Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats. The document can be found at <https://www.bats.org.uk/news/2018/09/new-guidance-on-bats-and-lighting>

BIOGEN 3

Protected species general note bird nests

Works which could result in the damage or destruction of active bird nests should take place outside the of the bird breeding season (March - August, inclusive) or immediately following a nesting bird check conducted by a suitably qualified ecologist.

LANDSCAPING

Regarding Condition 3, a full plant list is required for the landscaping scheme. No species listed on Schedule 9 of the Wildlife and Countryside Act (1981), as amended, or species listed on the Invasive Alien Species of Union concern (EU Regulation 1143/2014 on invasive alien species) should be included in the planting list.

3. RESOLUTION:

3.1 To approve the conditions and advisory notes set out in Section 2 above for inclusion on the Decision Notice.

EMLYN JONES HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTYSIDE SERVICE