

Location plan



**09/2023/0669/PF**

# **Outbuildings at Hafod y Parc, Bodfari**

**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**





Existing site plan





**Drawing Key**

- Site Boundary (2756m<sup>2</sup>)
- Ownership Boundary
- Existing Cow Shed
- Extent of Demolition
- Existing Gravel Area
- Existing Buildings
- Existing Highway
- Existing Trees/Hedgerows
- Existing Root Protection
- Existing Fence/Boundary
- Existing Site Level
- Proposed Link Building
- Proposed Property
- Proposed Driveway
- Proposed Pathway
- Proposed Terrace/Patio
- Proposed Garden
- Proposed Tree/Hedgerow
- Proposed Drainage
- Proposed Sockaway
- Proposed Private Treatment Plant
- PT1 Proposed Crab Apple Tree
- PT2 Proposed Wild Pear Tree
- PT3 Proposed Wild Hump Tree
- FFL Existing Finish Floor Level
- FFL Proposed Site Level
- FFL Proposed Finish Floor Level

**Drawing Label Key**

- 01/ Restoration and conversion of cow shed.
- 02/ Proposed building extension.
- 03/ Existing log store.
- 04/ Existing garage.
- 05/ Existing access to private driveway.
- 06/ Existing agricultural land.
- 07/ Proposed front garden.
- 08/ Proposed rear garden.
- 09/ Existing gate access to adjacent land.
- 10/ Existing treeline to site perimeter.
- 11/ Proposed parking/storing for 3 no. vehicles minimum.
- 12/ Proposed terrace/patio area.
- 13/ Proposed decking.
- 14/ Proposed hedgerows.

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Client: Mr. Smith & Mrs. Montgomery  
 Address: Land adj. Hafod Y Parc, Aberwheeler, LL16 4DE

Drawing No: WJ22.7.A004      Revision: PG2  
 Scale: 1:500      Paper Size: A3      Date: 08.10.2023

**Proposed Site Plan**

Proposed site plan





Existing Cow Sheds Eaves Line  
+79.340m



Existing Cow Shed Eaves Line  
+76.490m



Existing Cow Shed Ground Floor FFL  
+74.440m



Proposed Building Ridge Line  
+78.125m



Proposed Building Eaves Line  
+77.110m



Proposed Ground Floor FFL  
+74.440m



**Proposed Front Elevation**

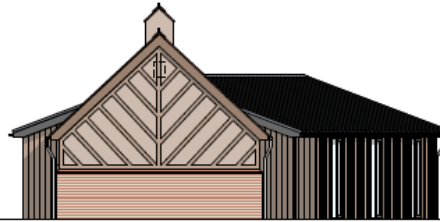
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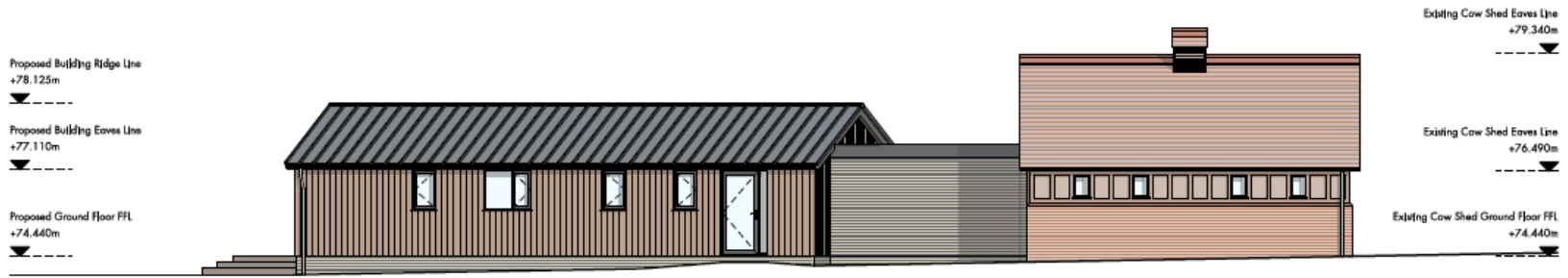
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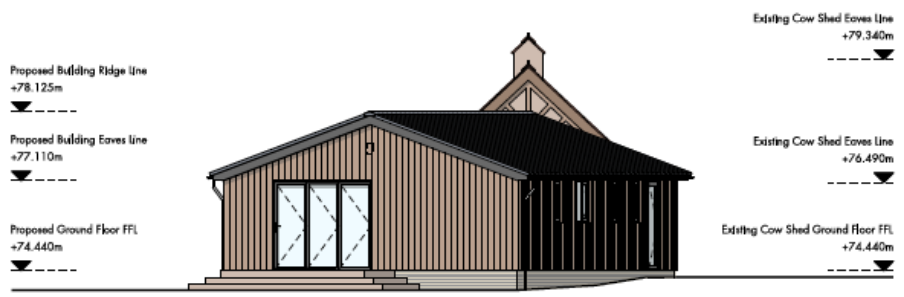
**Proposed Side Elevation**

Proposed elevations





**Proposed Rear Elevation**



# Proposed elevations





Front of cow shed





Cow shed and shed (to be replaced)







Inside cow shed

**WARD :** Llandyrnog

**WARD MEMBER(S):** Councillor Merfyn Parry (c)

**APPLICATION NO:** 09/2023/0669/PF

**PROPOSAL:** 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

**LOCATION:** Outbuildings at Hafod Y Parc, Bodfari, Denbigh, LL16 4DE

**APPLICANT:** Richard & Ffion Montgomery-Smith

**CONSTRAINTS:** AONBPROW

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

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Member request for referral to Committee by Councillor Merfyn Parry on the following basis:

*"I respectfully request that application 09/2023/0669, concerning the land adjacent to Hafod y Parc in Aberwheeler, be brought to the planning committee for consideration. This request stems from the historical significance of 'The Cow Shed' within the Grove Hall Estate, a matter that has been recognised by the Clwyd-Powys Archaeological Trust (CPAT). Their expertise underscores the value of considering this site's historical context in our planning decisions.*

*CPAT's response underlines the vernacular and local interest of 'The Cow Shed'. This aligns with the Denbighshire Local Development Plan's Policy PSE 4, which supports the adaptive re-use of rural buildings, particularly those with historical and architectural significance.*

*The proposal to convert 'The Cow Shed' into a dwelling offers the opportunity to not only preserves its historic fabric but also enhances the local heritage landscape and also the AONB. This, coupled with the strong community support makes a compelling case for the project's further examination by the planning committee, ensuring a balance between development and heritage conservation."*

**CONSULTATION RESPONSES:**

**ABERWHEELER COMMUNITY COUNCIL**

Wish to approve this planning application, on the basis that converting the old cow shed into a dwelling will be a great improvement to the area, as well as allowing a young couple to reside in the Community they have grown up in.

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

Strongly object to the application, on the basis that the proposal is totally unacceptable and does not satisfy LDP policy PSE 4. It has not been demonstrated that an employment use is unviable and if so that residential conversion to meet affordable housing needs has been considered. It is quite evident that the buildings themselves are unsuitable for conversion, in particular the larger building is constructed of non-traditional materials i.e. corrugated sheet

roofing and walls (referred to in SPG para 5.2. as being inappropriate). In addition, the extension is hardly subservient in scale being much larger than the principle building. Whilst the proposed development would broadly occupy the same footprint as the existing it is essentially a new building. The extent of new build here would be tantamount to the erection of a new dwelling in the open countryside, contrary to both national and local planning policy.

#### NATURAL RESOURCES WALES

No objection raised as long as the Bat and Nesting Bird Assessment by PJ Ecological Solutions dated July 2023 is included in the approved plans and documents condition on the decision notice.

#### DWR CYMRU / WELSH WATER

Request that if the Council are minded to grant Planning Consent for the above development that the appropriate Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets. Since the proposal intends utilising an alternative to mains drainage it is advised that the applicant seek advice from Natural Resources Wales and the Building Regulations Authority as both are responsible to regulate alternative methods of drainage.

#### CLWYD POWYS ARCHAEOLOGICAL TRUST

Note that information held within the Regional Historic Environment Record (HER) indicates that the outbuilding at Hafod-y-Parc is first shown on the 2nd edition Ordnance Survey Mapping of the 1890s and is associated with The Grove property to the North. Although it is not currently recorded on the HER, the western building is of at least vernacular and local interest and as such is worthy of a record being made. The conversion will inevitably involve the loss of some of the original building material and fixtures, and therefore CPAT would recommend that an appropriate level of archaeological building recording is completed to chronicle the building in its current form prior to these alterations. CPAT advise that a Level 2 historic building survey is completed in accordance with the Planning Policy Wales (Feb 2021) and TAN 24 (May 2017) guidance, and an appropriate condition is imposed.

#### DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

##### TRAFFIC, PARKING AND ROAD SAFETY: HIGHWAYS OFFICER

No objection.

##### STRATEGIC HOUSING AND POLICY OFFICER

Note that the site lies in open countryside. In line with national and local policy, open countryside should be protected. The site lies within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty. LDP Policy PSE 4 Re-use and adaptation of rural buildings in open countryside deals with the conversion of redundant rural buildings. Additional details can be found in SPG – Re-use and Adaptation of Rural Buildings (2015). An objection is raised on the basis that the proposals do not comply with Policy PSE4 or the requirements of the SPG.

#### RESPONSE TO PUBLICITY:

##### In support

Representations received from:

Delyth Parry, Hafod y Parc, Bodfari, LL16 4DE  
Diane Evans, Flat 1 Grove Hall Farm, Bodfari, LL16 4DE  
Frankie Barton, Flat 6 Grove Hall Farm, Bodfari, LL16 4DE  
Karen Davies, Grove Hall Farm House, Bodfari, LL16 4DE  
Penny Barton, Flat 6 Grove Hall Farm, Bodfari, LL16 4DE  
Stephen Whitfield, 24 Ffordd Caledfryn, Denbigh, LL16 3JT

Summary of planning based representations in support:

- i) the cow shed is worthy of being restored;
- i) the site has become a dumping ground;
- ii) the current condition of the buildings is an eyesore;

- iii) the idyllic setting of the new dwelling would be a welcome addition;
- iv) surveys have been completed to ensure wildlife protection;
- v) the plans are in good taste and would be an excellent addition to the area;
- vi) the applicants are particularly respectful to the natural beauty of the area having a sympathetic understanding of the old barn and desire to be in keeping with the history of the farm as well as being forward thinking in their modern approach to environmental factors;
- vii) the development would preserve some features of the barn before they are lost altogether;
- viii) the dwelling can be created without disturbing the natural beauty of the area;

**ORIGINAL EXPIRY DATE OF APPLICATION: 03/12/2023**

**AGREED EXTENSION OF TIME AGREED: 27/03/2024**

**REASONS FOR DELAY IN DECISION:**

- additional information required from applicant/agent
- discussions resulting in additional information from the applicant/agent

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

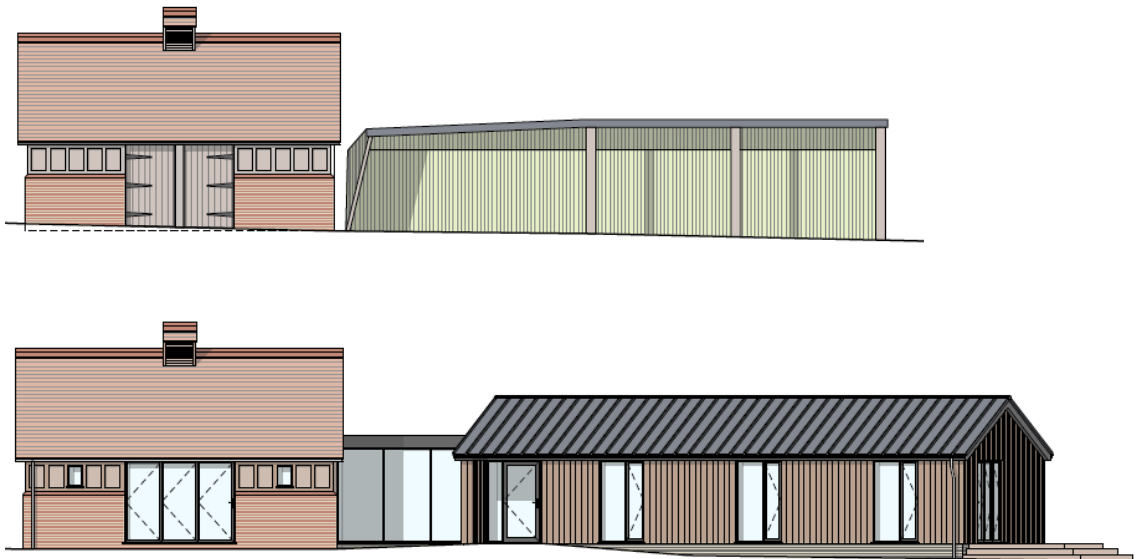
1.1.1 The application proposes to convert the existing main former cow shed into a dwelling, along with the replacement of an adjacent agricultural storage building to add an extension to the conversion to produce a three-bedroom property. A comparison of the existing (top) and proposed (bottom) site plans is provided below to indicate the cow shed as building 1 (in pink) and the adjacent barn as building 2 (in grey) which shows that the amount of new build floor space proposed is more than twice that of the footprint of the existing cow shed and also extends to a wider footprint than the existing barn. The extension accommodates all of the bedrooms and the bathrooms as well as the kitchen, with the cow shed just providing the lounge and dining area given its limited size.





1.1.2 The information submitted with the application confirms that the new dwelling will be occupied by the applicants who originate from the area and with the property to the south being occupied by the grandmother of one of the applicants. Despite both of the applicants being in full time employment, it is suggested that due to the limited availability of residential properties in Aberwheeler which are typically large countryside properties, it is not financially viable for them to buy a property in the local area.

1.1.3 A comparison of the existing and proposed front (south) elevations is indicated below to show the proposed treatment of the façade of the cow shed (on the left) with the replacement of the barn with the larger building to the right hand side.



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

- 1.2.1 In addition to the submitted plans, the application package is accompanied by a number of documents as follows:
- Design and Access Statement
  - Planning Statement
  - Supporting Planning Statement
  - Bat and Nesting Bird Assessment
  - Tree Report

- Valuation Report
  - Affordable Housing Viability Assessment Report
  - Conversion & Re-Use of Rural Buildings: Development Appraisal Template
  - Structural Survey
- 1.2.2 The design and access statement confirms that the cow shed has a floor area of 36 sqm with the extensions totalling 96 sqm (an increase of 267%).
- 1.2.3 The planning statement suggests in its conclusion that that residential conversion is the most viable approach for the property and that the proposal is clearly an acceptable use in this location since it is representative of the neighbouring residential uses.
- 1.2.4 The bat and bird assessment confirms that no bats were recorded or observed emerging from either of the buildings during the surveys undertaken, and that any demolition or conversion works should be undertaken outside of the bird nesting season. The report also puts forward mitigation measures to enhance biodiversity.
- 1.2.5 The tree report informs that there are one group of trees, seven individual trees and three hedges within and adjacent to the proposed development, and that no trees are proposed to be removed to facilitate the development.
- 1.2.6 The valuation report notes that the buildings are in a poor condition of repair, requiring immediate attention if they are to be preserved, and that there is no demand for the property from a commercial point of view given the significant cost associated with repairing and conserving the structure along with complications regarding service connections and access.
- 1.2.7 The affordable housing report concludes that from a viability development appraisal proposing the existing building as an affordable dwelling is entirely unviable due to the renovation costs involved and the capped level that an affordable home value would have.
- 1.2.8 The conversion development appraisal template suggests that costs of the scheme would be around three times the end value of an affordable property, further endorsing the aforementioned report that such a proposal would be unviable.
- 1.2.9 The structural survey confirms that generally the overall structural condition of the barn is adequate and only requires localised rebuild in areas and re-roofing for the barn. No major or extensive structural repairs are required to convert the main shell of the building into a habitable space.

### 1.3 Description of site and surroundings

- 1.3.1 The cow shed building lies to the north of the bungalow of Hafod y Parc and is a structure of some interest and architectural value given its appearance and form, with a photograph of the building provided below:



- 1.3.2 The existing barn to the right hand side of the cow shed has no visual value.
- 1.3.3 The site is reached via an existing track from the north (rear) of the site which runs past the adjacent rendered dormer bungalow to the north east, as illustrated below:



- 1.3.4 The site plan extracts provided earlier in this report show the property set within a small cluster of buildings, which have the Grove Hall complex set to the north west of the application site.

#### 1.4 Relevant planning constraints/considerations

- 1.4.1 The site is located in the open countryside away from any defined settlement. The area is designated as within an Area of Outstanding Natural Beauty and within the Vale of Clwyd Historic Landscape. The area forms part of a Minerals Safeguarded Area for Sand and Gravel.

#### 1.5 Relevant planning history

- 1.5.1 No previous planning applications, but the Council provided initial pre-application advice via an email dated 13 March 2023 on the likely issues presented by such a proposal.

#### 1.6 Developments/changes since the original submission

- 1.6.1 Additional discussions were undertaken with the agent for the scheme with the time period for a decision extended on three occasions to allow efforts to further endorse the proposal to be considered. Nothing of any substance in regard to the key matter of principle was submitted.

#### 1.7 Other relevant background information

- 1.7.1 None.

### 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 4<sup>th</sup> June 2013)

**Policy BSC4** – Affordable Housing

**Policy PSE4** – Re-use and adaptation of rural buildings in open countryside

**Policy VOE1** – Key areas of importance

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

**Policy VOE5** – Conservation of natural resources

**Policy ASA3** – Parking standards

### **Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Access For All  
Supplementary Planning Guidance Note: Affordable Housing  
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: Parking Requirements In New Developments  
Supplementary Planning Guidance Note: Planning Obligations  
Supplementary Planning Guidance Note: Recreational Public Open Space  
Supplementary Planning Guidance Note: Residential Development  
Supplementary Planning Guidance Note: Residential Development Design Guide  
Supplementary Planning Guidance Note: Residential Space Standards  
Supplementary Planning Guidance Note: Re-use and adaptation of rural buildings  
Supplementary Planning Guidance Note: Trees & Landscaping

### **Government Policy / Guidance**

Planning Policy Wales (Edition 12) February 2024  
Development Control Manual November 2016  
Future Wales – The National Plan 2040

#### Technical Advice Notes

TAN 2 Planning and Affordable Housing (2006)  
TAN 5 Nature Conservation and Planning (2009)  
TAN 6 Planning for Sustainable Rural Communities (2010)  
TAN 7 Outdoor Advertisement Control (1996)  
TAN 12 Design (2016)

## **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 12 (February 2024) 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 12) 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 Affordable Housing
- 4.1.8 Area of Outstanding Natural Beauty/Area of Outstanding Beauty

4.2 In relation to the main planning considerations:

4.2.1 Principle

In terms of the national planning policy context, Planning Policy Wales (PPW 12) Section 3.60 states that development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. It also advises that new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

Paragraph 3.38 of PPW 12 states that “The countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake for its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources”.

Paragraph 4.2.25 of PPW 12 informs that in the open countryside, away from established settlements recognised in development plans or away from other areas allocated for development, the fact that a single house on a particular site would be unobtrusive is not, by itself, a good argument in favour of permission; such permissions could be granted too often, to the overall detriment of the character of an area.

National policy therefore restricts new building outside development boundaries unless it is justified as an exception to the policy of restraint.

The proposal is for the conversion of a disused building in the open countryside to a dwelling along with a substantial extension to it. Local Development Plan Policy PSE 4, Re-use and adaptation of rural buildings in open countryside, allows for such conversions where the scheme of conversion makes a positive contribution to the landscape, any architectural features of merit are retained, and two tests are met:

- an employment use has been demonstrated not to be viable; and
- the dwelling is affordable to meet local needs.

A proposal of this nature would be acceptable in principle subject to assessment of its impacts and compliance with the specific criteria of Policy PSE 4. These are set out in the following paragraphs.

The SPG (section 5) lists the types of buildings that are considered suitable for conversion and those that are not. The current cow shed would fall within the definition of an agricultural building and may be considered suitable for conversion. The attached storage shed falls clearly within the description of buildings of non-traditional construction that are considered unlikely to be suitable for conversion.

The proposal needs to be considered in two parts:

1. Whether the current cow shed meets the criteria for conversion and
2. Whether the new build 'extension' element of the proposal is acceptable in an open countryside location. The SPG states that generally a building should be capable of conversion without the need for extensions and alterations. Any agreed extensions must be modest in scale and subordinate to the original building (8.4 (a)).

#### *Cow Shed*

The current cow shed is shown as having a floor space of 36 sqm. The SPG states that as a necessary structural element the existing building must have a floor area of at least 50 sqm. The cow shed fails to meet this requirement and is not considered suitable for conversion. In addition to the current floor space being inadequate to consider the cow shed as suitable for conversion the required marketing tests have not been carried out. Information has been supplied stating that the building is not considered suitable, but this does not meet the requirements of the marketing test and is opinion rather than evidence.

#### *New Build Element*

As previously stated, the current storage building is not considered appropriate for conversion and is a large extension to a current building that is not considered adequate for conversion. As previously stated, any extensions should be modest and subordinate to the original building. The original building is 36 sqm and the proposed extension totals 96 sqm which is an increase in the floor area of the building of over 260%. This is clearly not modest or subordinate and does not meet the requirements of the SPG.

In conclusion the proposal is not meet the requirements for a conversion scheme and in line with national policy which seeks to strictly control development in the open countryside this application cannot be supported and is therefore unacceptable in regard to principle.

#### 4.2.2 Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

PPW 12 Section 6.3.3 states 'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'

It is not considered that the works proposed would give rise to a level of harm to visual amenity that would justify a refusal of permission.

#### 4.2.3 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

It is not adjudged that the proposed dwelling would cause any significant impact on the amenity of any nearby occupiers, and the standard of amenity for any future occupiers of the new dwelling would also be acceptable.

#### 4.2.4 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

This reflects policy and guidance in Planning Policy Wales (PPW 12) 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 12) 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) Policy 9 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 proposal is supported by a Bat and Nesting Bird Assessment and concludes that provided the recommended mitigation and enhancement measures are undertaken, there should be a net gain in biodiversity, no net loss of roosting or nesting sites nor any danger of harm to any species.

Subject to the imposition of an appropriately worded condition or conditions, it is considered that the proposals are in line with the advice contained in PPW 12 and would provide enhancement measures to increase the biodiversity opportunities at the site.

#### 4.2.5 Drainage (including flooding)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

Planning Policy Wales (PPW 12) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

Planning Policy Wales (PPW 12) Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed. TAN 15 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event.

The proposed development is not adjudged to raise any significant issues in regard to drainage or flood risk.

#### 4.2.6 Highways (including access and parking)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (PPW 12) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments.

As no objection has been raised by the Highway Officer, the scheme is considered acceptable in respect of access and parking.

#### 4.2.7 Affordable Housing

Policy BSC 1 of the Local Development Plan states that developers will be expected to provide a range of house sizes, types and tenures to reflect local need and demand.

Policy BSC3 of the local development plan sets the basic requirement for development to contribute where relevant to the provision of infrastructure including affordable housing, in line with Policy BSC4.

Policy BSC 4 seeks to ensure, where relevant, 10% affordable housing either on site on developments of 10 or more residential units or by way of a financial contribution on development of less than 10 residential units.

There is detailed guidance in the Affordable Housing Supplementary Planning Guidance on the approach to provision and demand.

Planning Policy Wales (PPW 12) Section 4.2.26 states that a community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and the determination of planning applications. It states that where development plan policies make clear that an element of affordable housing is required on specific sites, this will be a material consideration.

As the submitted application includes information to demonstrate that the conversion would be unviable for an affordable unit, no further consideration on this point is required as it does not form part of the applicant's case in favour of the proposal.

#### 4.2.8 Area of Outstanding Natural Beauty/Area of Outstanding 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 12) 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.

The strong objection raised by the AONB JC is duly noted, in respect of the buildings being unsuitable for conversion, in particular the larger building which is constructed of non-traditional materials i.e. corrugated sheet roofing and walls (referred to in SPG para 5.2. as being inappropriate). In addition, the extension is not subservient in scale as it is much larger than the principal building. The extent of new build here would be tantamount to the erection of a new dwelling in the open countryside, contrary to both national and local planning policy.

The development is therefore unacceptable due to its adverse impact on the AONB, contrary to LDP Policy VOE 2 as well as the SPG and PPW 12.

### 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.

#### Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. A public authority must, in the exercise of its functions, have due regard to advancing equality.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

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

5.1 The proposed development is unacceptable in principle as it is contrary to Policy PSE 4 and the SPG relating to the conversion of rural buildings and is also consider to cause harm to the AONB by virtue of the appearance and scale of the extension which is not subservient as it is much larger than the principal building. The extent of new building would therefore be tantamount to the erection of a new dwelling in the open countryside, contrary to Policy VOE 2 and the SPG along with PPW 12.

### **RECOMMENDATION: REFUSE-** for the following reason:

1. It is the opinion of the Local Planning Authority that the proposed development fails to meet the requirements for a conversion scheme due to the floor area of the retained building being only 36 sqm which is less than the minimum of 50 sqm required by the Council's adopted guidance, with the scale of the new build extension of 96 sqm being disproportionate with an increase of over 260% over and above the cow shed and would be tantamount to the erection of a new dwelling in the open countryside. The development is therefore unacceptable as it is contrary to Policy PSE 4 of the Council's adopted Local Development Plan along with the Council adopted Supplementary Planning Guidance Note: Re-use and adaptation of rural buildings and Planning Policy Wales 12 of February 2024.