



16-2022-0894



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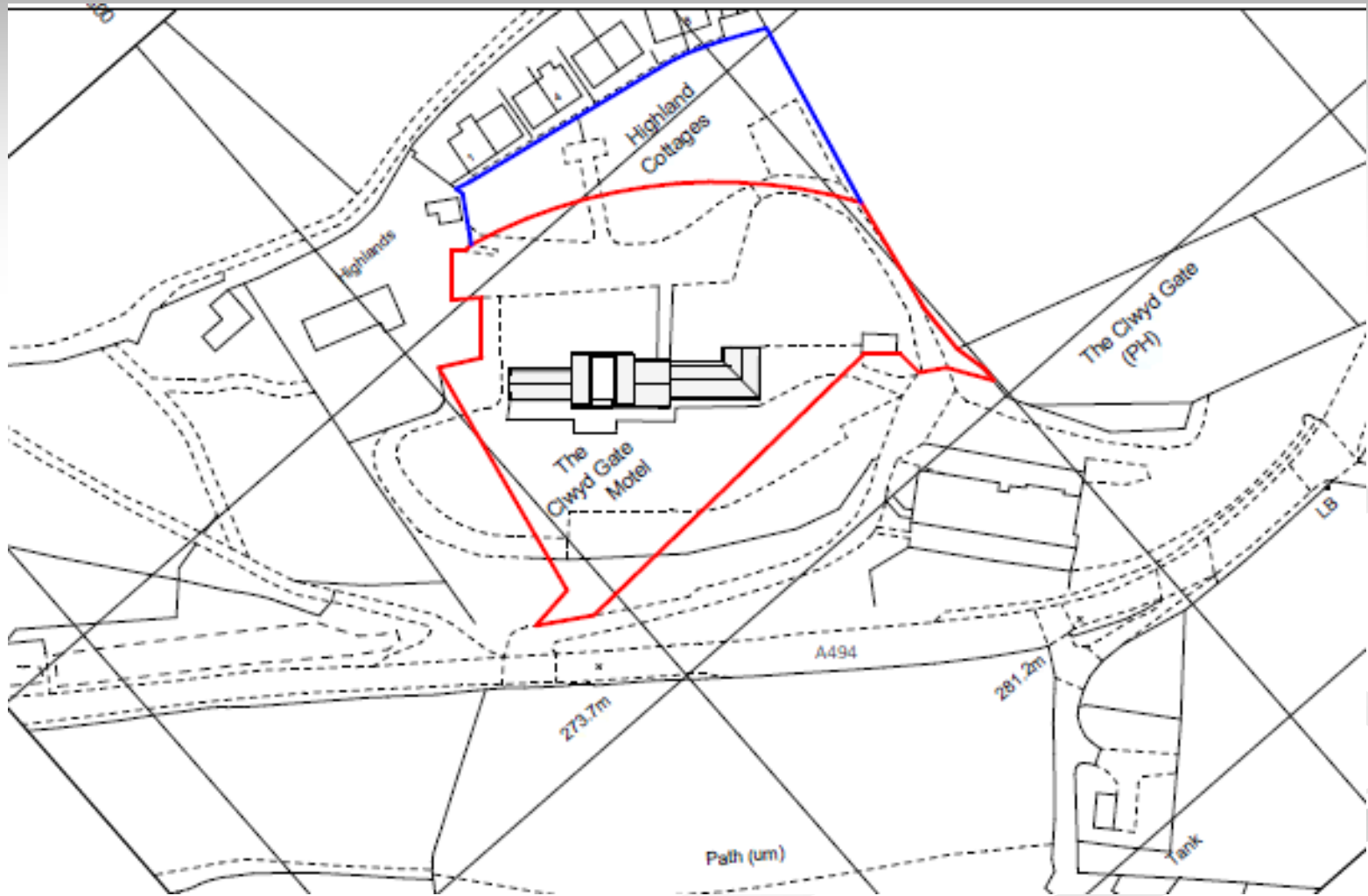
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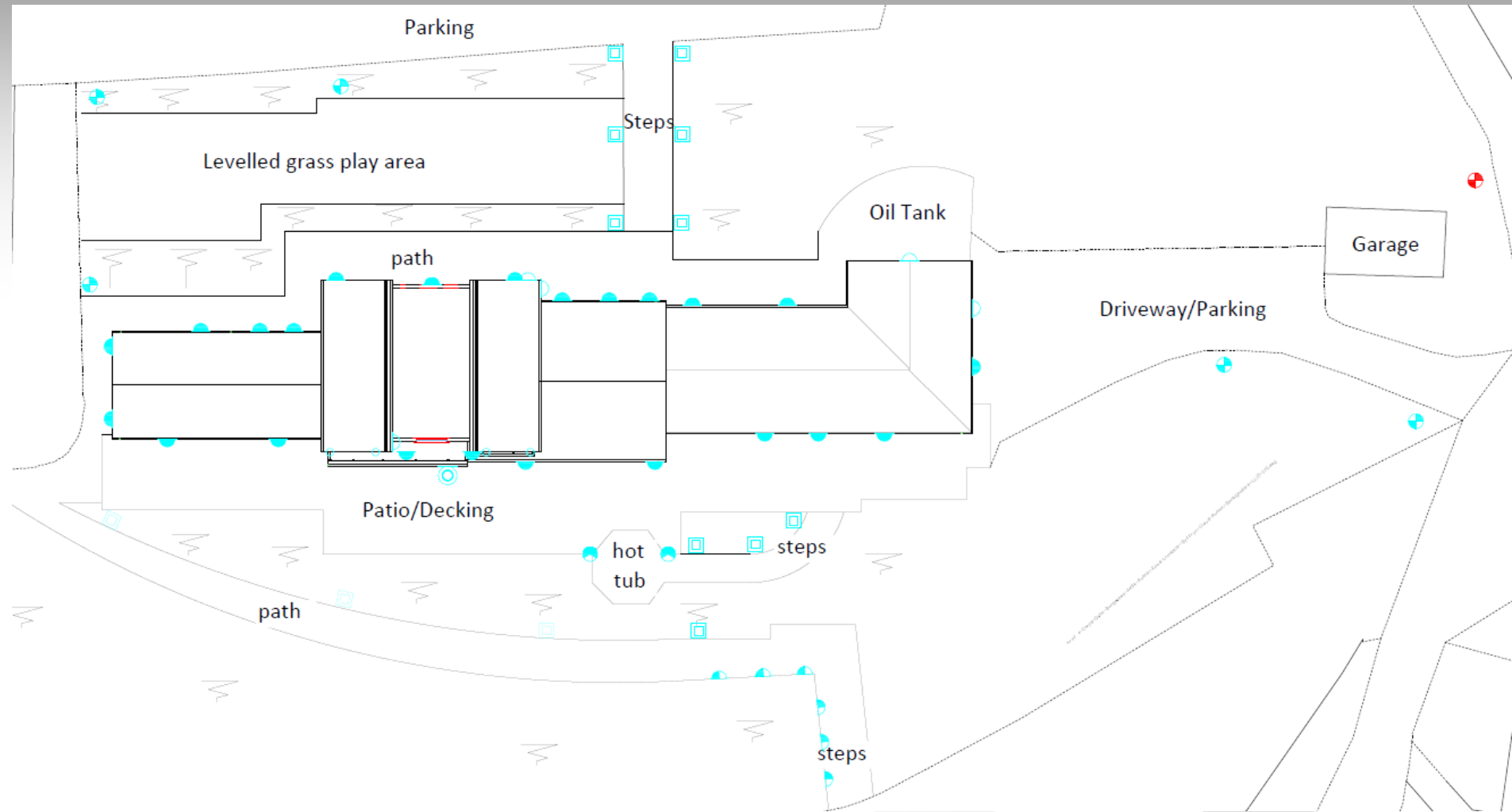
16/2022/0894

**Clwyd Gate Motel-
Main building**

**Provision of external alterations, lighting and
associated works
(retrospective application)**



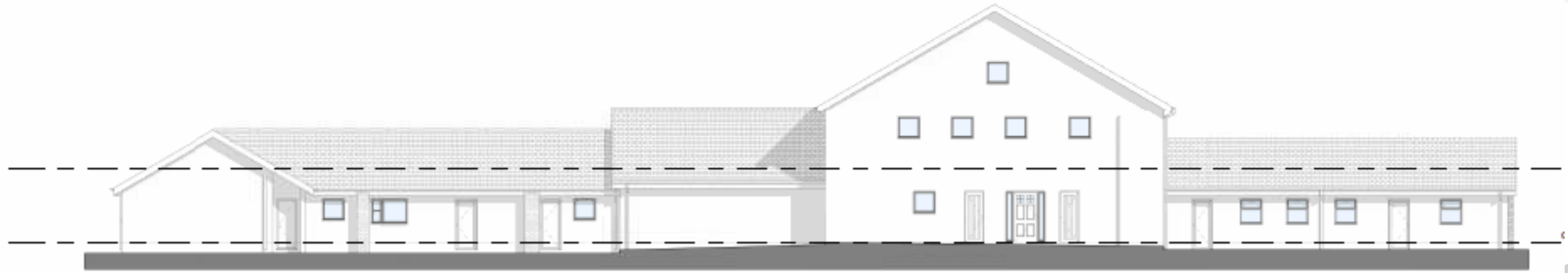
Location plan



Site plan showing locations of lighting reduced



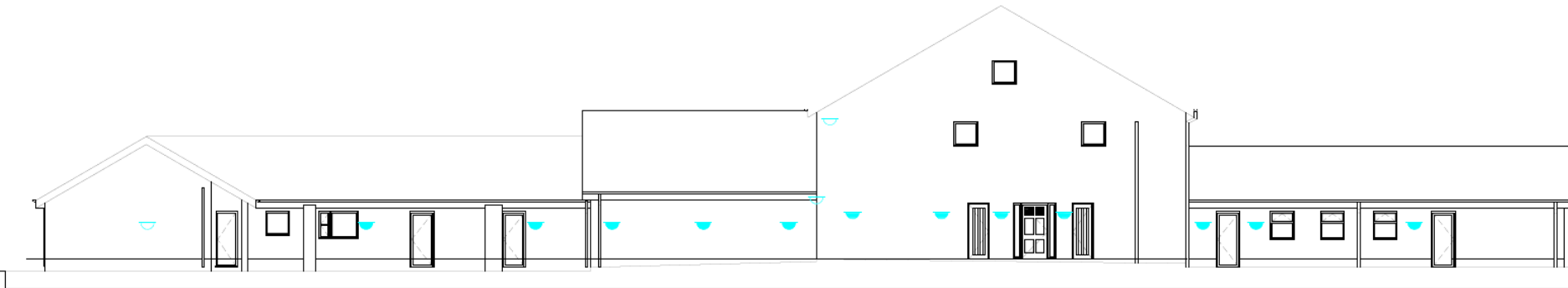
SW Elevation
1:100



Original front and rear elevations



FRONT ELEVATION



REAR ELEVATION

As completed front and rear elevations with external lighting shown as reduced



<https://clwydgatemanor.com/photo-gallery/>

Front elevation (taken from website)



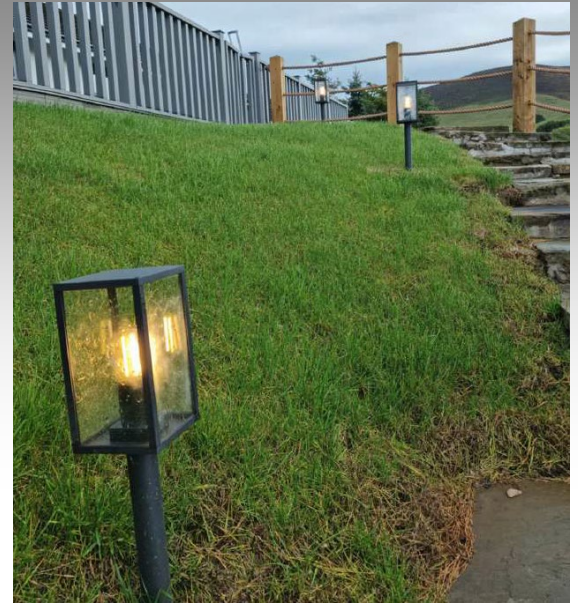
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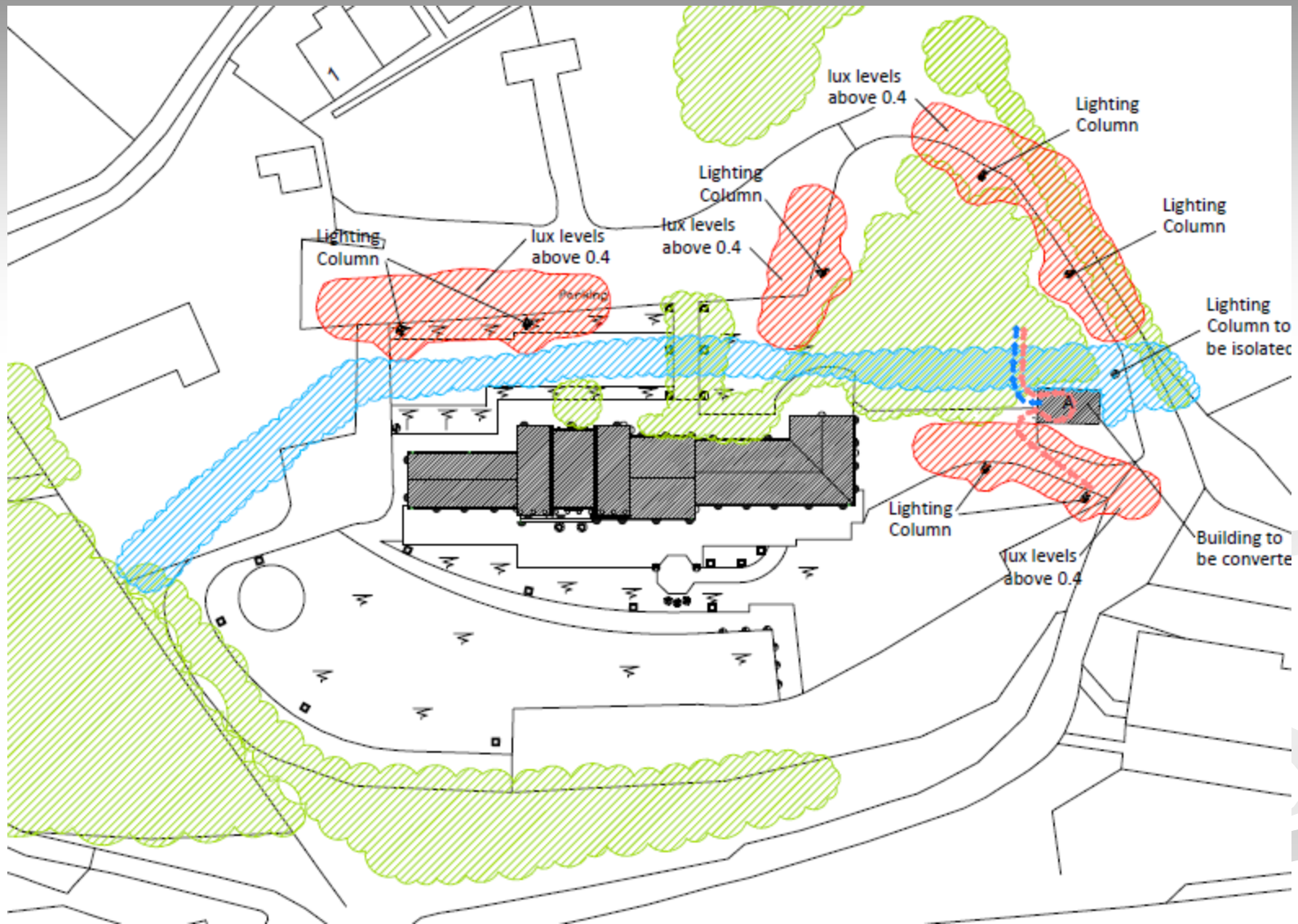


External alterations
and installation of
lighting





Examples of lighting installed on the site



Dark corridor plan- shown blue

WARD : Moel Famau

WARD MEMBER(S): Cllr Huw O Williams

APPLICATION NO: 16/2022/0894/ PC

PROPOSAL: Provision of external alterations, lighting and associated works (retrospective application)

LOCATION: Clwyd Gate Motel, Llanbedr Dyffryn Clwyd, Ruthin, LL15 1YF

APPLICANT: Mr S Roberts Clwyd Gate Ltd.

CONSTRAINTS: Within 67m Of Trunk Road 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 – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

LLANBEDR DYFFRYN CLYWD COMMUNITY COUNCIL-
'Strongly objects to the subject planning application and plans due to the dark skies light pollution which is in breach of the planning policies'.

WELSH GOVERNMENT HIGHWAYS AUTHORITY
'No direction'

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE
The Joint Committee welcome this proposal to refurbish the existing building. The external alterations are relatively cosmetic and will enhance the overall appearance of the building. The proposed groundworks are also supported.
Appropriate conditions to control external lighting should be imposed in accordance with the AONB's Dark Sky policy (SPG)

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

Traffic, Parking and Road Safety:

- Highways Officer:
No objection. The proposals outlined in the documents submitted with the application demonstrate no alterations are proposed to the existing accesses onto the A494 or the existing parking and turning area within the development. The alterations proposed appear to be predominantly cosmetic and would likely have minimal impact on any potential highway related concerns.

Public Protection Officer:

No objection subject to conditions to control the external lighting and glazing including:

- The lighting and glazing alterations at the property shall be installed as detailed within the submitted documents within 60 days of the granting of planning permission.

- The changes to the identified lighting and glazing within the submitted documents shall be documented and submitted to the Local Planning Authority for verification within 90 days of planning permission being granted.
- No additional lighting shall be added to the property without the written agreement of the Local Planning Authority.
- The applicant shall maintain a record of the appropriate lighting for the property and ensure all future replacement luminaire type and bulbs meet the requirements of the submitted documents.

Ecology Officer:

The Ecology survey identified Lesser Horseshoe bats were using one of the on site buildings. They are light averse species and lighting schemes require careful consideration to ensure that dark corridors to surrounding habitat are retained. Although this scheme has been supported by a lighting plan, that has focused primarily on the amenity, public protection, and dark skies impacts. This has not assessed impacts on the bat roost on site, and does not contain sufficient information to satisfy us that the lighting will not result in disturbance/blocking access to the roost, or result in harm to the favourable conservation status of the species.

Additional information required including an assessment of the lighting in relation to the bat roost has been completed and submitted for review, and an external lighting/internal light spillage scheme, designed to avoid negative impacts on bats is submitted for approval.

RE-CONSULTATION RESPONSES:

Ecological emergence survey submitted (former generator building), updated external lighting assessment report, lighting calculations (R2) and dark corridor plan.

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

Further to your re-consultation the Joint Committee would request the levels of lux are conditioned to the absolute minimum necessary for this location. Security lighting should also be conditioned to ensure they are not triggered and in use when the building is open. Opportunities also exist for further landscaping and/or strategically placed planting within the site to reduce any light spillage and impact of lighting from more distant viewpoints. Notwithstanding any previous comments the Joint Committee feel the amount of lighting could be further reduced with the focus on more directional ones as opposed to a large level which appear to be used for decorative or aesthetic purposes.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

Public Protection Officer:

No objection. The Light Impact Assessment has been produced by a qualified professional consultant and has referenced the required measurement and assessment standards.

The lighting plan for the application site must be implemented as detailed within the submitted Lighting Assessment Report R2 and should be a condition on any approval.

RE-CONSULTATION RESPONSES:

Updated external lighting elevation plan and location plan

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

Notwithstanding the comments previously made to support the refurbishment of the existing building lighting, the degree of illumination continues to be of concern. Clwyd Gate occupies a highly prominent position and is arguably more visually conspicuous at night time, particularly when viewed from across the Vale and the contrasting much darker background.

Despite the submitted lighting report the Joint Committee remain concerned over the level of illumination from the site. The report attempts to justify the extent of the existing lighting, whereas greater efforts should be made to reduce the amount of lighting on site, much of which is considered to cosmetic and unnecessary.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

Ecology Officer:

Landscaping work to the front of Clwyd Gate Motel has resulted in a loss of habitat in the form of trees and shrubs. Most of this area is now mown grass therefore not providing a structurally diverse habitat as prior to the development works occurring. The changes can be seen on Google Street View and in photographs and video on several websites advertising the property for rental.

Raise no objection subject to conditions being attached to ensure a scheme of biodiversity enhancement and landscaping is submitted to and approved by the LPA along with ensuring the planting is carried out no later than December 2024.

RE-CONSULTATION RESPONSES:

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

The Joint Committee remain of the view that the amount of external lighting is excessive, but given the conclusions of the Lighting report and the recent observations of the Public Protection Officer, there are no objections.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Sadia Ahmad, Clwyd Gate, Llanbedr Dyffryn Clwyd, Ruthin Rhys Morris, 2 Tunnel Bungalow, Llanbedr Dyffryn Clwyd

Darren Philips, 1 Highlands Cottages, Llanbedr Dyffryn Clwyd Sian Shore, Rhesgoed Cottage, Llanbedr DC

Mary McBirnie, Bryn Clwyd, 4 Clwyd Gate Bungalows, Llanbedr DC

Nick Snape, 3 Clwyd Gate Bungalows, Llanbedr D C

Summary of planning based reasons for objection:

Impact on AONB landscape and dark skies status

External lighting should be minimum necessary and restricted in this area

An assessment should be made during the night to understand the true output from the light fixtures

Up lighting should be removed as it is not in line with the AONB Dark Sky SPG, not functional but aesthetic and unnecessary

Impacts on views from Offa's Dyke Path

Not in keeping with the surrounding area

Impacts from feature window and chandelier

Lights up mountainside and is too intrusive for the area

Consider automated black out blinds and landscaping screens as mitigation

Impacts to residential amenity

Shine into habitable rooms causing nuisance to occupiers

Concerns from the noise generated by visitors able to access all outside areas in the night

Overlooking concerns from the large front window.

Illumination of nearby gardens

Impacts to wildlife

The external lighting will impact on bats in the area and possibly already has

In Support

Representations received from:

Martyn Parry, 1 Tunnel Bungalow, Llanbedr DC

Summary of planning based reasons in support

The external lighting has had an adverse impact on the AONB Dark skies and residential amenity but support on the basis that all the recommendations provided in the lighting impact assessment are conditioned on any decision and monitored by DCC to ensure compliance.

Reconsultation responses 1:

In objection

Representations received from:

Keith Lovatt, Pen Ysgubor, Llanbedr DC

Mary McBirnie, Bryn Clwyd, 4 Clwyd Gate Bungalows, Llanbedr DC x2

Alexandra Mullen-Hurst, Pen Yr Allt, Llanbedr DC

Merfyn G Roberts, Cornel y Cae Bach, Lloc

Keith Williams, 2 Highland Cottages, Llanbedr DC

Summary of planning based reasons for objection:

Impact on AONB landscape and dark skies status

Impact of light pollution on AONB and Dark Sky area

Noise and environmental pollution impacts on the character of the AONB landscape and purpose of its status

Still too much unnecessary lighting for aesthetics and is excessive

All lighting should be switched off when the building is not in use.

The chandelier emits the most light resulting in a flood light effect on the surrounding landscape

Consider automatic black out blinds to the chandelier window

Residential amenity

Overlooking concerns from large front gable window

Impacts from noise from visitors staying at the Manor

Planting trees/acoustic screening will help prevent overspill of excessive light onto nearby properties and should be considered.

Ecology

Noticed significant reduction in bat activity since lighting has been installed.

Neither Support or object

Representations received from:

Martyn Parry, 1 Tunnel Bungalow, Llanbedr DC

Summary of planning based reasons for representation:

Concerns regarding observed loss of bat activity in the area which could be related to the lighting

Reconsultation responses 2:

In objection

Representations received from:

Darren Philips, 1 Highlands Cottages, Llanbedr Dyffryn Clwyd Mary and Ian McBirnie, Bryn

Clwyd, 4 Clwyd Gate Bungalows, Llanbedr DC

Nick Snape, 3 Clwyd Gate Bungalows, Llanbedr D C

Keith Lovatt, Pen Ysgubor, Llanbedr DC

Summary of planning based reasons for objection:

Impact on AONB landscape and dark skies status

Still too much unnecessary lighting for aesthetics and is excessive and superfluous

Consider conditions to ensure path lights, road lights are switched off at 11pm if not motion sensed.

The chandelier emits the most light resulting in a flood light effect on the surrounding landscape

All lighting should be switched off when the building is not in use.

Consider timed automatic black out blinds to the chandelier window

Security lights should be angled down and not horizontal to the ground.

Impact of light pollution on AONB and Dark Sky area

Ecology

Noticed significant reduction in bat and owl activity over the last 2 years.

In Support

Representations received from:

Martyn Parry, 1 Tunnel Bungalow, Llanbedr DC x2

Summary of planning based reasons in support

Concerns regarding the chandelier window in the front elevation gable. The approval should stipulate the degree of light transfer out of the window and that it is not left on for 24 hours for days on end.

EXPIRY DATE OF APPLICATION: 29/12/2022

EXTENSION OF TIME AGREED? Yes, 24/05/2024

REASONS FOR DELAY IN DECISION (where applicable):

- delay in receipt of key consultation response(s)
- additional information required from applicant
- protracted negotiations resulting in amended plans
- delay in receipt of additional information
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks retrospective planning permission for the provision of external alterations, lighting and associated works at the Clwyd Gate Manor (formerly Motel), Llanbedr Dyffryn Clwyd.
- 1.1.2 The external alterations which have taken place include replacement windows and doors, installation of cladding, enlargement of second floor and ground floor window, installation of a door to existing ground floor window opening to the north west elevation, removal of 4 windows to the rear elevation, replacement balcony, replacement decking, reinstatement of path and steps and alterations to external lighting.
- 1.1.3 The lighting assessment submitted with the application includes the following recommendations:
- removing every upward fitting GU10 lamp to the up/down wall lights
 - installing solid panels or wrapping panel with materials which light cannot penetrate to the amenity bollards
 - modifying footpath lighting to motion sensors with less than 1 minute duration
 - amending road lighting column to a 1750K LED
 - removal of one road lighting column near generator building to maintain dark corridor
 - adjusting security lighting to face horizontally to the ground and operates for less than 1 minute once activated
 - replacing bulkhead wall lights with recessed light source to 2700K warm white luminaires
 - amending hot tub deck lights to 2700K warm white luminaires
 - all deck uplights to turn off before 23:00
 - façade downlights to turn off before 23:00
 - first floor chandelier window to be tinted to reduce light glare

Summary of changes proposed:

- 1.1.4 Originally had 10 soffit lights within the eaves of the gable. 3 have been proposed to be removed on each side leaving 2 soffit lights within the gable.
- 1.1.5 The security lights to the front are to remain but are to be angled horizontally on a 1min timer.
- 1.1.6 Originally had 4 up/down lights at first floor level. 2 have been proposed to be removed and down facing only.
- 1.1.7 Originally had 11 up/down lights to the ground floor between the windows. 4 have proposed to be removed.
- 1.1.8 Originally had 2 bulk head lights to each side of the door onto the terrace. One bulk head to the side of the door has proposed to be removed.
- 1.1.9 Originally had 4 up/down lights and a security light to the side elevation facing the bat roost. 3 up/down lights are proposed to be removed and the security light is to remain.
- 1.1.10 The 3 flood lights in grass verge, aimed at hot tub are proposed to be removed.

1.1 Other relevant information/supporting documents in the application

- 1.2.1 Lighting Assessment, Planning Statement. Ecological emergence survey (former generator building), Green Infrastructure Statement, Lighting Assessment Report and Lighting calculation, Dark Corridor Plan.

1.2 Description of site and surroundings

- 1.2.1 The sites comprises of the former Clwyd Gate Motel, to the north of the A494 and to the north west of the former Clwyd Gate public house. The site is served by two access points which is shared with the public house and nine residential properties. The site extends to 8,305square metres.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located outside of any development boundary and is within the AONB designated area of protection.

1.4 Relevant planning history

- 1.4.1 Pending permission for the conversion of the adjacent generator building to holiday accommodation unit (awaiting consideration at Committee).

1.5 Developments/changes since the original submission

- 1.5.1 Submission of additional documents including Ecological emergence survey (former generator building), Green Infrastructure Statement, Lighting Assessment Report and Lighting calculation, Dark Corridor Plan, updated lighting scheme shown on elevations and location plans.

1.7 Other relevant background information

- 1.7.1 None.

2. DETAILS OF PLANNING HISTORY:

16/2021/1233 Conversion of former generator building to form one holiday accommodation unit, formation of lay-by and associated works. PENDING COMMITTEE DECISION

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

Policy VOE5 – Conservation of natural resources

Supplementary Planning Guidance

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: 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 5 Nature Conservation and Planning (2009)

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 2022 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 and impact on Area of Outstanding Natural Beauty
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application is retrospective and involves a number of external alterations to the Clwyd Gate Motel (now known as Clwyd Gate Manor). The alterations have already taken place and include replacement windows and doors, installation of cladding, replacement balcony and decking area, reinstatement of path and steps and alterations to external lighting.

The building was a former motel and no change of use has occurred to its current use as holiday accommodation and this is not for consideration in this application. The assessment of the application will therefore focus on the external alterations to the building. As the building is existing, external alterations are considered to be acceptable in principle, subject to more in depth consideration of the localised impacts which will be discussed in the following sections of the report.

4.2.2 Visual amenity and impact on 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 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.

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. Representations have been received raising concerns over the excessive use of external lighting and impacts to dark skies status and the cumulative impacts of additional lighting with the motel refurbishment along with unnecessary lighting on at all hours and powerful security lighting installed.

The Supplementary Planning Guidance Note: Planning for Dark Skies – SPG for lighting in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty states at paragraph 5.28, *The spill of light through windows can create significant amounts of light pollution. Internal illuminance demands can greatly exceed most types of domestic rural lighting, so the impact on dark skies can be significant. In general, internal glazing will cause light to spill horizontally (and in the case of sky lights, directly upward), which are the most damaging paths of light. Internal spill will*

have a similar impact to external lighting, particularly in interrupting and disrupting the continuity of the dark landscape. Where local habitat is good for bats, there are some concerns about the impacts of the internal lighting spilling through large feature windows or glazed walls.

Representations have been received raising concerns regarding the amount of external lighting installed on the building and its impacts to the character of the AONB landscape and Dark Skies Status.

The application is for the external alterations of the appearance of the building including installation of a feature window to the first floor and replacing the existing terrace and balconies. An external lighting scheme has been installed and the application now seeks to reduce the amount of lighting installed, change the specification and install timers/motion sensors to certain lights.

The Public Protection Officer has reviewed the contents of the Lighting report and advises that it has been produced by a qualified professional consultant and has referenced the required measurement and assessment standards. They therefore raise no objections to the scheme, providing the lighting plan for the site is implemented within a reasonable timescale.

It is acknowledged that the Clwyd Gate Motel occupies a highly prominent position and is arguably more visually conspicuous at night time, particularly when viewed from across the Vale and within the contrasting darker background. The AONB Joint Committee have commented a number of times on the proposals and notwithstanding the committees original concerns regarding the amount of lighting, now consider that the proposal is not unacceptable, given the conclusions of the Lighting report and the recent observations of the Public Protection Officer.

With respect to the comments received, it is noted that the existing lighting on the building is impacting negatively on the character of the AONB landscape where the Dark Skies status must be conserved. There have been a number of plan amendments and additional information provided on the scheme and the final version of the lighting to be installed on the building is now considered to be acceptable and would reduce the impact on the character of the AONB. As the negative impacts of the internal chandelier light spillage from the second floor feature window have been raised by neighbours, it is considered reasonable and necessary to ensure the proposed tint material to the window is of an acceptable tint level to reduce the impacts of this prominent light on the surrounding landscape and an appropriately worded condition will be attached to any permission granted.

The proposed amendments to the external elevations and grounds of the building are minimal and primarily involve the insertion of new or replacement windows, replacement balcony and terrace and landscaping paths. The building is not proposed to be extended or altered and would retain a similar appearance to the existing. The amendments are considered to improve the visual appearance of the building and would not raise any unacceptable visual amenity concerns. Feature glazing windows are not uncommon within the AONB and providing the window is tinted as described in the Lighting Report, it is not considered to result in unacceptable impacts to the AONB which would warrant a refusal in this regard.

To conclude, the scheme is now considered to be acceptable in terms of visual amenity impacts and providing the conditions recommended in this report are implemented. The development would not therefore result in unacceptable harm to the character and appearance of the AONB landscape and the reasons for its designation.

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.

Representations have been received raising concerns regarding the external impacts of the lighting on nearby properties including overlooking concerns from the second floor window.

The nearest residential properties to the front elevation of the site are located approximately 150m to the south of the site and are at a much lower elevation to the Clwyd Gate Manor.

With respect to the comments received regarding overlooking concerns, Officers note that the former Motel had a number of windows and patio doors and the main alteration is the insertion of a feature window to serve a games room at second floor level. Given the land level changes and intervening topography and vegetation, it is not considered the new window would raise overlooking concerns above or beyond the existing.

It is noted that the external lighting installed on the building is primarily for aesthetic reasons rather than functionality and Officers are of the opinion that an acceptable balance between the two has now been achieved through the amendments to the lighting scheme. The main chandelier window to the second floor is proposed to be installed with tinted film material to reduce the spillage of light and consider it reasonable to attach a condition to ensure the material proposed is fit for purpose and achieves the desired outcome.

To conclude, the proposed external alterations and external lighting scheme are not considered to raise unacceptable residential amenity concerns and the impacts of the development can be acceptably managed by the attachment of reasonable conditions to any planning approval.

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) which was updated in October 2023 by the publication of an amended Chapter 6 – Distinctive and Natural Places. Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG 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 development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems" (Section 6.4.5).

Planning Policy Wales (PPW 12) 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 updated Chapter 6 of PPW 12 introduces policy changes relating to green infrastructure, net benefits for biodiversity and the Step-Wise Approach, protection for Sites of Special Scientific Interest (SSSI) and Trees and Woodlands.

- Green Infrastructure

A stronger emphasis on taking a proactive approach to green infrastructure covering cross boundary considerations, identifying key outputs of green infrastructure assessments and the submission of proportionate green infrastructure statements with planning applications.

- Net Benefit for Biodiversity and the Step-wise Approach

Further clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. A number of factors will affect the implementation of the step-wise approach, pre-emptive site clearance works should not be undertaken however if this does occur its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place and a net benefit for biodiversity must be achieved from that point.

- Protection for Sites of Special Scientific Interest (SSSI)

Protection is strengthened with increased clarity on the position for site management and exemptions for minor development necessary to maintain a 'living landscape.

- Trees and Woodlands

A closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right trees in the right place.

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.

Representations have been received raising external lighting impacting on local wildlife.

The accompanying application for the conversion of the former generator building to a holiday let (ref.16/2021/1233) is supported by Ecological reports which confirm that it bat roost for Lesser Horseshoe bats. These bat species are particularly light averse, hence the consideration of these reports and recommendations as part of this planning application which involves the existing external lighting installed on the Motel building. The bat roost is proposed to be retained within the roof void of the building as a result of the conversion to a holiday let. A dark corridor to the rear of the Motel building has been included in a Dark Corridor Plan submitted as part of the application submission.

The Ecology Officer has reviewed the reports and Green Infrastructure Statement in the context of this application for the installation of external lighting and fenestration changes and has raised no objection to the scheme. They have recommended that conditions are attached to ensure there is a biodiversity net benefit which involves the

submission of details of biodiversity enhancement measures to be installed on the building including bat and bird boxes and a detailed landscaping scheme for approval. They have also recommended the approved landscaping scheme is implemented before December 2024.

Having regard to the advice provided by the Ecology Officer, it is considered that the amendments to the external lighting arrangements, particularly to the front of the building are acceptable and would reduce the light spillage onto foraging habitats for bats. A dark corridor is proposed to be retained to the rear of the building which will provide a link from the existing roost in the former generator building and the nearby woodland.

Subject to the imposition of appropriately worded 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 and would provide a net benefit to biodiversity.

4.2.5 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.

The application is retrospective for alterations to the external appearance of the building and external lighting. The use of the building has not changed from a motel to holiday accommodation. There are no changes proposed to the existing accesses onto the A494 or the existing parking and turning area within the development.

The Highways Officer has raised no objection to the proposal. The Welsh Government Highways have also not issued a holding direction and raise no objection to the scheme. It is therefore concluded the proposal would have minimal impact on any potential highways related concerns.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development

principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

5.1 The application is considered to be acceptable and is recommended for approval subject to the attachment of conditions to control the external lighting on and around the building.

RECOMMENDATION: GRANT - subject to the following conditions:

1. 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 floor plans (Drawing No. 101) received 14 October 2022
 - (ii) Existing elevations (Drawing No. 102) received 14 October 2022
 - (iii) Proposed floor plans (Drawing No. 201A) received 14 October 2022
 - (iv) Proposed elevations (Drawing No. 202) received 14 October 2022
 - (v) Existing site plan (Drawing No. 203) received 14 October 2022
 - (vi) Proposed site plan (Drawing No. 204) received 14 October 2022
 - (vii) Location plan (Drawing No. 200 Rev B) received 21 December 2022
 - (viii) Planning Statement (Kerry James Planning, October 2022) received 4 November 2022
 - (ix) Dark Corridor Plan (Drawing No. LP-01) received 29 November 2023
 - (x) Environmental Lighting Impact Assessment Report (SHD Lighting Consultancy Ltd, R2, dated 24/11/2023) received 29 November 2023
 - (xi) Outdoor Lighting Report (SHD Lighting Consultancy Ltd, dated 24/11/2023) received 29 November 2023
 - (xii) Luminaire Location Plan (Drawing No. SHD641 Sheet 1 of 2 Rev. R3, dated 4th April 2024) received 9 April 2024
 - (xiii) Luminaire elevation plan (Drawing No. SHD641 Sheet 2 of 2 Rev. R3, dated 4th April 2024) received 9 April 2024
 - (xiv) Green Infrastructure Statement and example boxes -received 12 April 2024
2. The lighting recommendations within the Environmental Lighting Impact Assessment Report (R2 dated 24th November 2023) and shown on the Luminaire Location Plan (R3, dated 4th April 2024) and Luminaire elevation plan (R3, dated 4th April 2024) shall be: (a) implemented in full within 4 months of the date of this permission; and (b) adhered to in full thereafter
3. Unless otherwise approved in writing by the Local Planning Authority, the adhesive tint material used for the implementation of the recommendation within section 6.12 of the Environmental Lighting Impact Assessment Report (dated 24th November 2023) shall: (a) have a visible light transmission value of no more than 50%; (b) have a visible light reflection value of no more than 15%; and (c) be achromatic. Should the material cease to adhere or become damaged, it shall be replaced to this same specification within 2 months.
4. In addition to the recommendations within the Environmental Lighting Impact Assessment Report (dated 24th November 2023), all external lighting, with the exception of units equipped with motion sensors, shall be switched off on dates when the site is not occupied.
5. Other than the lighting shown on the Luminaire Location Plan (R3, dated 4th April 2024) and Luminaire elevation plan (R3, dated 4th April 2024), external lighting shall not be installed unless details of the lighting's design and operation have been approved in writing by the Local Planning Authority.
6. Within 3 months of the date of this permission, a scheme for biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. This shall include

provision for roosting bats and nesting birds including the number, location and specification of those features which shall be shown on appropriate plans. The development shall be carried out strictly in accordance with the approved details.

7. Within three months of planning approval, a detailed scheme landscaping for the site, 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, and details of any to be retained.
 - (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting.
 - (c) the timing of the implementation of the planting and landscaping scheme.
8. All planting comprised in the approved details of landscaping shall be carried out no later than December 2024. 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

The reasons for the conditions are:

1. For the avoidance of doubt and to ensure a satisfactory standard of development.
2. In the interest of protecting the special qualities and distinctive character of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty
3. In the interest of protecting the special qualities and distinctive character of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty
4. In the interest of protecting the special qualities and distinctive character of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty
5. In the interest of protecting the special qualities and distinctive character of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty
6. In order to maintain and enhance biodiversity
7. In the interests of visual amenity and enhancing the biodiversity of the area
8. In the interest of visual amenity and enhancing the biodiversity of the area