



16-2021-1233



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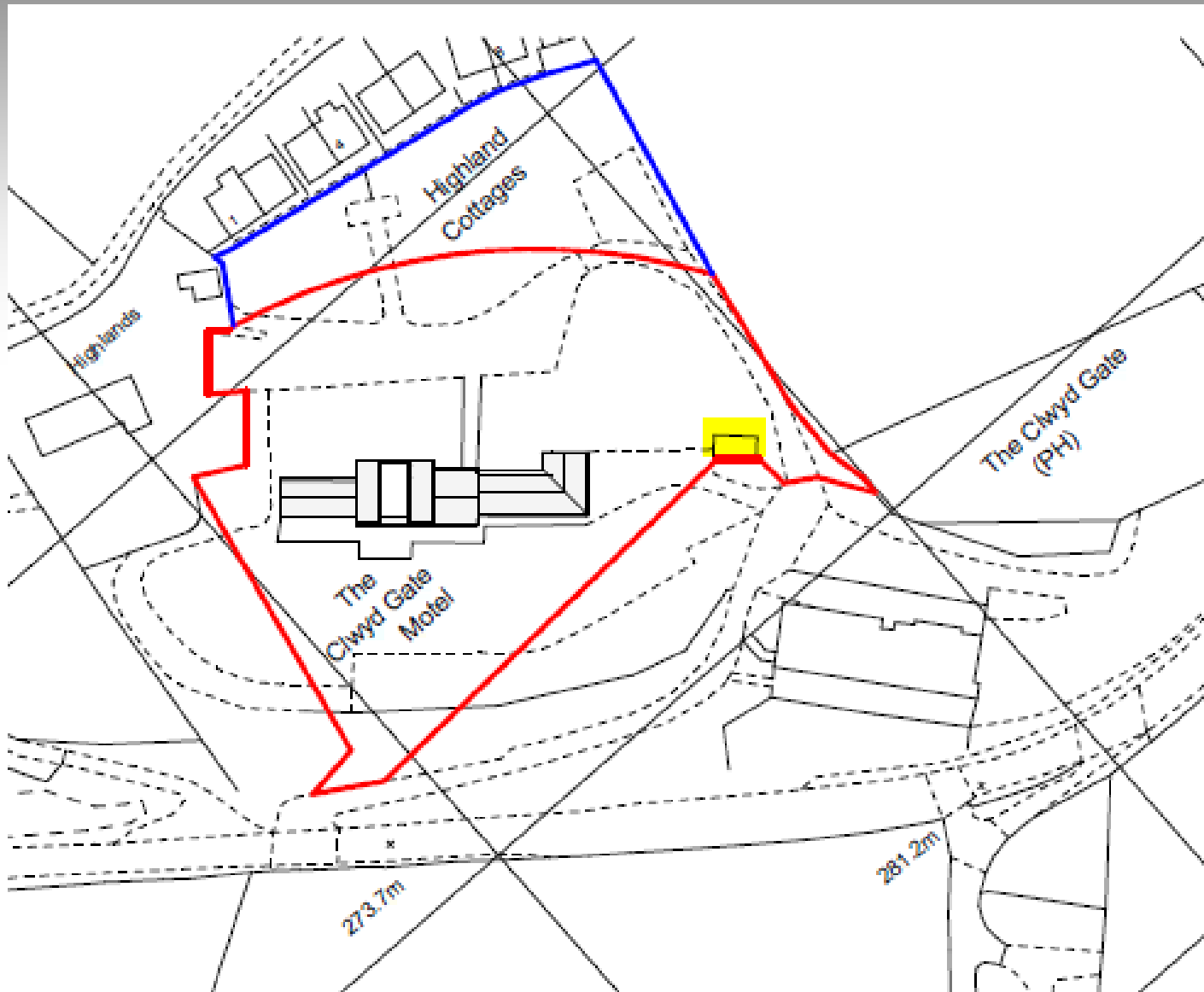
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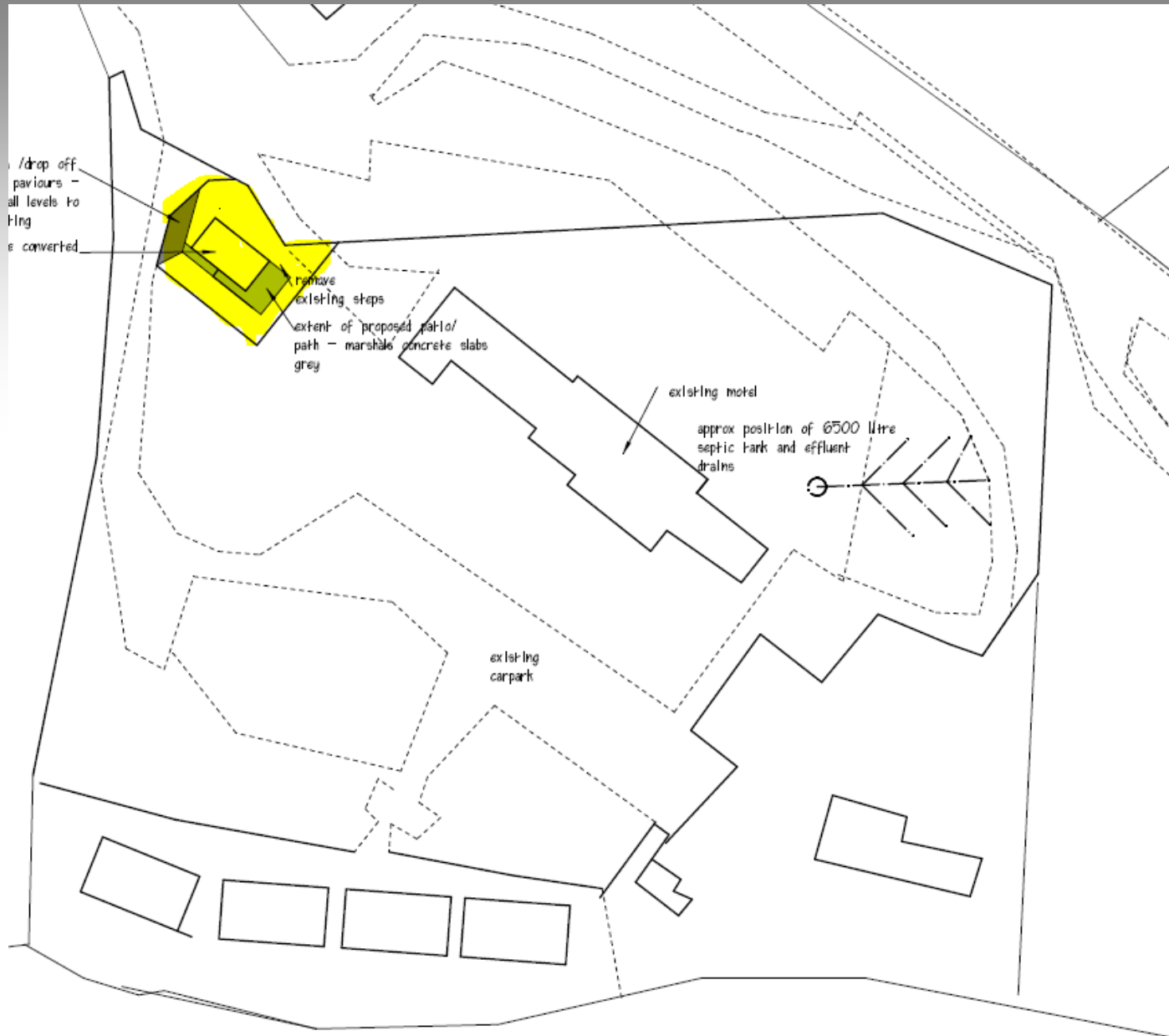
16/2021/1233

**Clwyd Gate Motel-
former generator building**

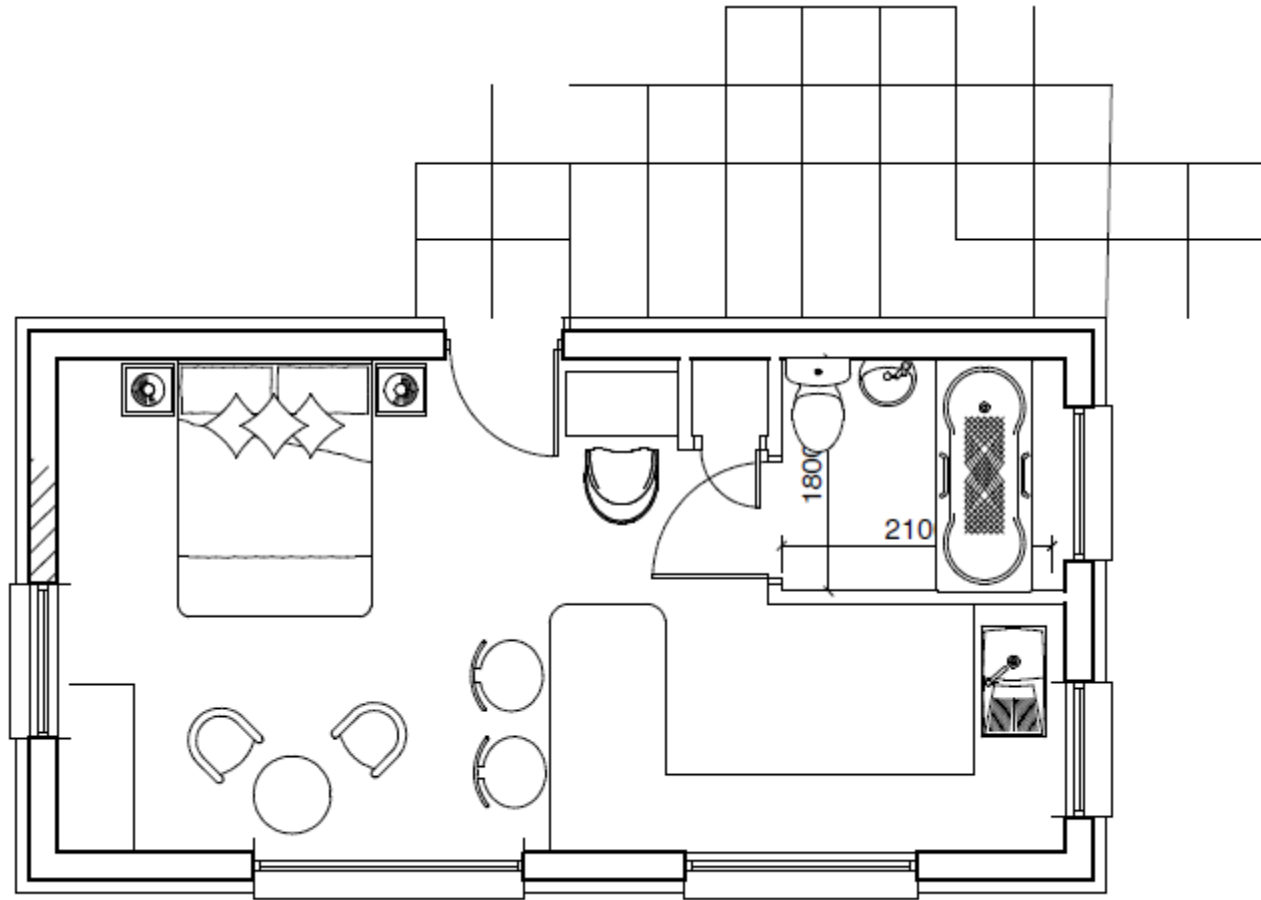
**Conversion of former generator building to form one
holiday accommodation unit, formation of lay-by and
associated works**



Location plan

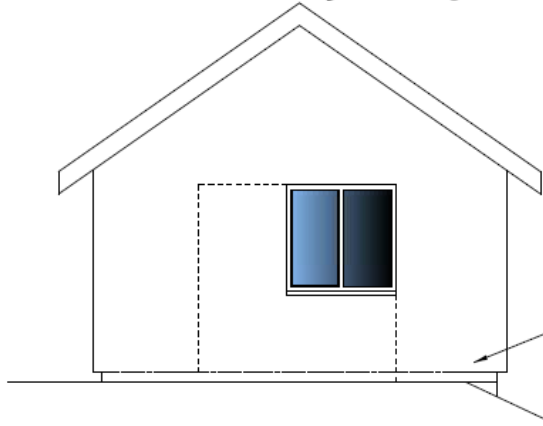


Proposed site plan

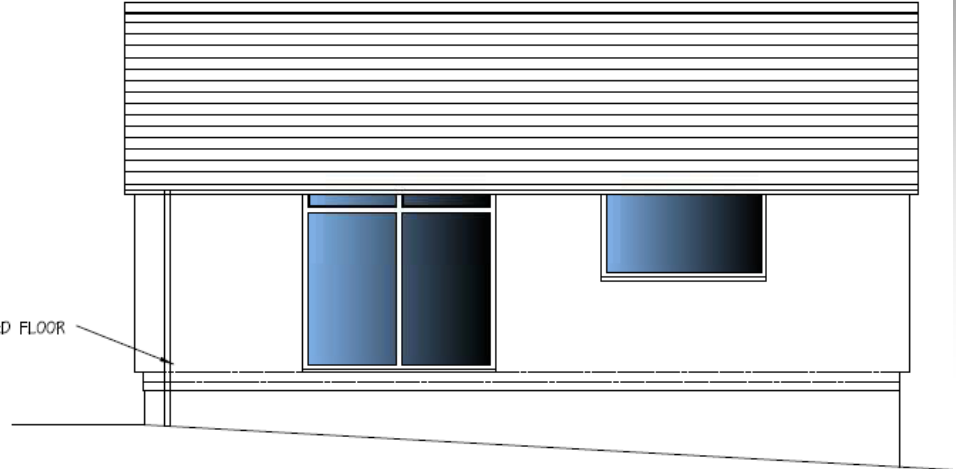


Proposed floor plan

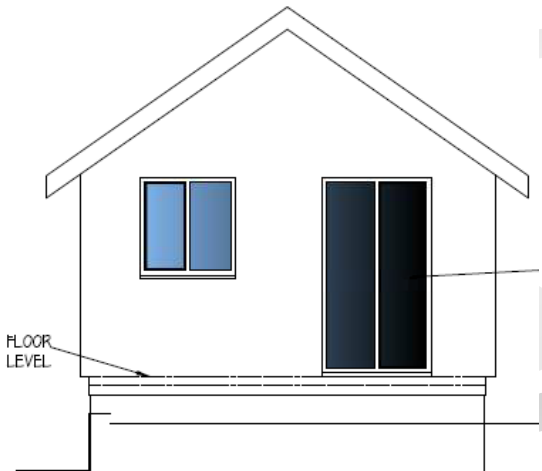
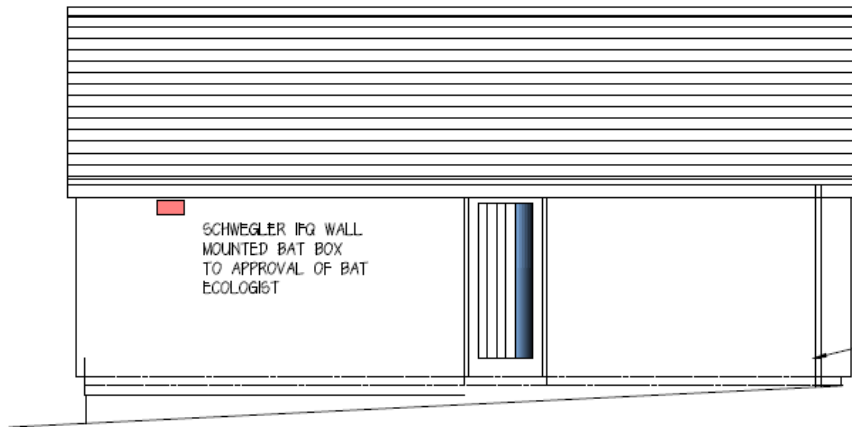
self contained holiday letting unit



front



side



Proposed elevations



Aerial view of site- former generator building highlighted red



Generator building front and side elevations



Generator building showing location of pull
in off the lane



Generator building side and rear elevations

WARD : Moel Famau

WARD MEMBER(S): Cllr Huw O Williams

APPLICATION NO: 16/2021/1233/ PF

PROPOSAL: Conversion of former generator building to form one holiday accommodation unit, formation of lay-by and associated works

LOCATION: Outbuilding at 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

CONSULTATION RESPONSES:

LLANBEDR DYFFRYN CLYWD COMMUNITY COUNCIL-

'No objections subject to any external lighting being specified to conserve the AONBs Dark Sky and sufficient parking can be provided'.

WELSH GOVERNMENT HIGHWAYS AUTHORITY

Holding Direction until details provided on the visibility splays, access, parking areas and gates. An Annual Average Daily Traffic report should be submitted for access onto the A494 trunk road.

NATURAL RESOURCES WALES

No objection but provide advice on pollution prevention. Note there is no information on protected species and the LPA should screen this to conclude there is no reasonable likelihood of protected species being present.

Regarding the AONB landscape, local impacts should be discussed with the AONB Officer.

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

No objection. The Joint Committee recommends that any external lighting is designed and specified to conserve the AONB's dark sky and nocturnal wildlife in accordance with the 'Planning for Dark Night Skies' SPG.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

Traffic, Parking and Road Safety:

- Highways Officer-
No objection.

Drainage Officer-
SAB approval required.

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:

Highways Statement provided and Protected Species Survey

WELSH GOVERNMENT HIGHWAYS AUTHORITY

No direction issued but attention should be brought regarding the WG being unlikely to look favourably at any intensification in use of this site in the future.

NATURAL RESOURCES WALES

Concerns regarding the lack of information submitted and higher risk case for bats. Further information should be provided on protected species. Further 3 surveys are required between May and August to show if there is any use of the structure by other crevice dwelling species. Further information will assess the extent of the adverse effects on the bats and any avoidance or mitigation measures required.

Also advise that further details are submitted including a detailed plan of the new bat roost including its internal dimensions and any bat friendly features within it, along with detail and dimensions of the "small letter box size opening" entrance described in the report.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

Highways Officer:

No further comments to make.

Ecology Officer:

Emergence surveys required before application can be progressed.

RE-CONSULTATION RESPONSES:

Emergence survey submitted, updated external lighting assessment and scheme.

NATURAL RESOURCES WALES:

Satisfied concerns can be overcome. Advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site providing the documents including agreed mitigation, addendum Emergence survey report and luminaire location plan are included in the approved plans and documents condition on the decision notice.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

Ecology Officer:

The generator building is confirmed as a lesser horseshoe bat roost. This species is particularly light averse and artificial lighting can significantly impact their behaviour and movement between roost location and the landscape. Recommend conditions that ensure the development is carried out in accordance with the recommendations in the protected Species Assessment, an Ecological Compliance Audit is submitted for approval and not external lighting to be installed on the building until a scheme has been approved.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Darren Phillips, 1 Highland Cottages, Llanbedr DC
Nick Snape, 3 Clwyd Gate Bungalows, Llanbedr DC
Mary McBirnie, 4 Clwyd Gate Bungalows, Llanbedr DC
Martyn Parry, Machlud Haul, Llanbedr Dyffryn Clwyd
Sadia Ahmad, Clwyd Gate, Llanbedr Dyffryn Clwyd, Ruthin

Summary of planning based representations in objection:

Accuracy of plans

Concerns over ownership boundaries not being accurate

Impact on AONB and dark skies

Excessive use of external lighting and impacts to dark skies status
Cumulative impacts of additional lighting with the motel refurbishment
Unnecessary lighting on at all hours
Powerful security lighting

Residential amenity

External lighting impacts occupiers of nearby dwellings

Highways and Parking

Concerns over the parking on land outside applicants ownership and crossing private land.
Vehicles left parked on narrow access roads any by the restaurant
Additional vehicles from this holiday let will exacerbate the parking issue already faced by the motel and especially if the Clwyd Gate restaurant reopens next door.

Impacts to wildlife

External lighting impacting on local wildlife

EXPIRY DATE OF APPLICATION: 06/04/2022

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
- delays in receipt of additional information from applicant
- re-consultations on additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application seeks permission for the conversion of a former generator building to form one holiday accommodation unit, formation of lay-by and associated works at Clwyd Gate Manor (formerly Motel), Llanbedr Dyffryn Clwyd.
- 1.1.2 The proposal involves the conversion of the existing generator building to a 1 bed self contained holiday let including open plan kitchen, bedroom, living area and separate en suite bathroom. The unit is proposed to have full use of the facilities in the Manor including hot tub, swimming pool, games room and parking.

- 1.1.3 A paved pull in/drop off area is proposed to the side of the building off the existing lane, the existing steps are proposed to be removed and a patio and path are proposed around the west and north of the building.
- 1.1.4 Fenestration changes are proposed including the installation of a window to the front where the garage door is, a full height window to the side and full height window to the rear elevation. An entrance door is proposed to the south elevation.
- 1.2 Other relevant information/supporting documents in the application
 - 1.2.1 Highways Statement, Planning Statement, Protected Species Survey, Emergence surveys, Lighting Impact Assessment, lighting calculations, mitigation plan, dark corridor plan, Green Infrastructure Statement.
- 1.3 Description of site and surroundings
 - 1.3.1 The existing building was constructed to house a generator which is no longer required in connection with the former motel. The building is within the grounds of the motel and is approached via the driveway from the Clwyd Gate. The building has a front garage door which is currently open and has been for some time.
- 1.4 Relevant planning constraints/considerations
 - 1.4.1 The application site is located within the open countryside.
 - 1.4.2 The site is within the AONB designated protected landscape area.
 - 1.4.3 The site is accessed of the A494 Trunk Road.
- 1.5 Relevant planning history
 - 1.5.1 Pending application for retrospective permission for external alterations and external lighting on Manor building.
- 1.6 Developments/changes since the original submission
 - 1.6.1 Ecology report emergence survey, Lighting Impact Assessment, lighting calculations, mitigation plan, dark corridor plan, Green Infrastructure Statement.
- 1.7 Other relevant background information
 - 1.7.1 None.

DETAILS OF PLANNING HISTORY:

- 1.7 16/2022/0894 Provision of external alterations, lighting and associated works (retrospective application) PENDING COMMITTEE DECISION

2. 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 PSE4 – Re-use and adaptation of rural buildings in open countryside

Policy PSE5 – Rural economy

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: 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: 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 5 Nature Conservation and Planning (2009)

TAN 6 Planning for Sustainable Rural Communities (2010)

TAN 12 Design (2016)

TAN 13 Tourism (1997)

TAN 18 Transport (2007)

TAN 23 Economic Development (2014)

3. 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 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 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.

3.1 The main land use planning issues in relation to the application are considered to be:

- 3.1.1 Principle
- 3.1.2 Visual amenity and impact on AONB
- 3.1.3 Residential amenity
- 3.1.4 Ecology
- 3.1.5 Highways (including access and parking)

3.2 In relation to the main planning considerations:

3.2.1 Principle

Local Development Plan Policy PSE 5 relates to the local economy and supports tourism and commercial development throughout the County subject to detailed criteria, including consideration relating to the character and distinctive qualities of the local landscape. Proposals for conversion and new build may be supported.

LDP Policy PSE 4 relates to “Re-use and adaptation of rural buildings in open countryside” and allows for conversions of such buildings where a scheme makes a positive contribution to the landscape, any architectural features of merit are retained, it is demonstrated that an employment use is not viable, and any resulting dwelling is affordable for local needs. Policy PSE 4 supports TAN 6- Planning for sustainable rural communities stating that:

- *All conversions of rural buildings will be expected to make a positive contribution to the landscape and ensure that any architectural and/or historic features are retained.*
- *Proposals for the conversion of rural buildings outside development boundaries for employment use will be supported.*

The Re-use and adaption of rural buildings SPG amplifies LDP Policy PSE4 and at 6.1 it states ‘*The Council would consider conversion to holiday accommodation or tourist facilities as an economic use.*’

It is considered that a proposal to convert an existing outbuilding for use as a holiday let is acceptable in principle, subject to assessment of its impacts and compliance with the detailed criteria of the above policies.

3.2.2 Visual amenity and impact on AONB

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 this development proposal with the additional lighting from the adjacent motel

refurbishment which is stated to have unnecessary lighting on at all hours of the night and powerful security lighting installed.

The application is for the conversion of an existing outbuilding to a one bed holiday let. No external lighting scheme has been provided. It is noted that the representations received mainly relate to the lighting on the main building, not the generator building subject to this application.

The proposed alterations to the external elevations of the building are minimal and primarily involve the insertion of new / replacement windows. The building is not proposed to be extended or altered and would retain a similar appearance to the existing. The construction of a patio to the north and west of the building are not considered to raise any unacceptable visual amenity concerns and would facilitate the new function of the building as a holiday let. The proposed pull in area is to be paved with brick pavers and is not considered to impact negatively on the character of the area, including the AONB.

The AONB Joint Committee have raised no objection to the proposals but recommend that any external lighting is designed and specified to conserve the AONB's dark sky and nocturnal wildlife in accordance with the 'Planning for Dark Night Skies' SPG. It is therefore considered reasonable to ensure that an external lighting condition is attached to any approval to ensure the character of the AONB is conserved.

3.2.3 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.

Officers note that the representations relate to the main building, not the generator building subject to this application.

There are no immediate residential neighbours that would be impacted by the proposal. It is Officers opinion that the use of the building as a single unit of holiday accommodation would not raise impacts on nearby residents.

The lane running to the side of the building serves the Highland Cottages. The application proposes a paved pull in area for dropping off bags at the new unit which would not form a permanent parking space. It is not considered that the proposed pull in area would raise any unacceptable impacts on the users of the lane.

A full height window is proposed to the rear elevation of the holiday let adjacent to the lane. This window would serve the bathroom and it is therefore considered reasonable to condition that the window is opaque glazed to ensure the privacy of the occupiers and road users passing close by this elevation.

3.2.4 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 concerns regarding external lighting impacting on local wildlife.

Officers note that the representations received relate to the impacts of the existing external lighting on the Manor building, not the generator building subject of this application.

The site is a confirmed bat roost for Lesser Horseshoe bats. The building has a direct flight access through the open garage door. The roost is proposed to be retained within the roof void of the building as a result of the conversion to a holiday let and would involve an access point within the front gable. No external lighting scheme has been submitted with the proposals. As this species of bat are particularly light averse, the external lighting will need to be carefully considered and details submitted for approval prior to any lighting being installed on or around the building.

The Ecology Officer has reviewed the reports and has raised no objection to the scheme but has recommended conditions to ensure that the development is carried out in accordance with the recommendations in the Protected Species Assessments, that an Ecological Compliance Audit is submitted for approval, and that no external lighting shall be installed on the building until a scheme has been approved by the Local Planning Authority (LPA).

Given the presence of protected species, the works can only be carried out under a European Protected Species (EPS) License from Natural Resources Wales (NRW).

In considering the grant of planning permission the LPA must consider whether the disturbance of the protected species is required for the purpose of *“preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance of the environment.”*

This proposal, being for the conversion of an existing outbuilding to a holiday let is considered to accord with social and economic justifications – it will provide work for local trades people and benefit the local economy. Further, if carried out correctly the works could secure the longer term future of the habitat.

The Local Planning Authority does not consider alternative development proposals, only the development subject of the application. The proposal is for the conversion of outbuilding to holiday let accommodation and associated works. Should the development not proceed, the building is redundant and could fall into a state of disrepair and roost could then be lost to.

It is noted that adequate mitigation and enhancement methods in the Ecology Report have been proposed and no objections to these have been raised by the Ecologist or NRW. NRW advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, providing the documents are included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted. Provided these avoidance measures are implemented, NRW consider that the proposed development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

It is therefore considered that if the development was permitted, it would not be detrimental to the maintenance of the population of species concerned.

Given the advice from the County Ecologist and NRW, it is considered the proposal meets the '3 tests'.

Having regard to the fact that the site supports bats, it is considered reasonable to ensure there is a detailed landscaping scheme to increase the biodiversity value of the site, which will enhance the existing foraging habitats for the bats residing in the bat loft and surrounding area. The Ecology report states that "connectivity to adjoining habitats is considered to be moderate" and therefore Officers consider this can be improved upon with appropriate landscaping.

Officers therefore conclude that the submission of an appropriate external lighting scheme, landscaping scheme and ensuring other enhancement measures are implemented in line with the recommendations in the reports, would adequately provide a biodiversity net benefit in line with the advice and guidance contained within PPW12.

A note to applicant stressing the requirement to obtain an EPS Licence is proposed.

3.2.5 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.

There are no specific parking requirements for holiday lets as there are for residential dwellings such as 1 space per bedroom. As the conversion proposes 1 bedroom, it would be expected to have 1 space. The application proposes a pull in drop off area and parking within the existing car park serving the Manor.

The Highways Officer has raised no objection to the proposal. The Welsh Government Highways have also removed their holding direction and raise no objection to the scheme but would not encourage further intensification of the site.

The proposed drop off area would be situated on an area of sloping land to the west of the building, directly abutting the lane. No land level changes are proposed. The space measures approximately 2.4m in width and has a length of approximately 5.9m which meets the required standards for parking spaces. However, as this site is close to the lane and on a sloping angle, Officers have concerns about this being used as a permanent space and therefore consider it reasonable to condition that the space is not used as a permanent parking bay and only for drop off/pull in purposes as detailed on the Proposed Site Plan.

To conclude, it is not considered that there would be any negative impacts to the highways network brought about by the proposals.

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.

4. SUMMARY AND CONCLUSIONS:

4.1 The proposed conversion scheme is considered to be acceptable by Officers and is recommended for grant subject to conditions.

RECOMMENDATION: GRANT- subject to the following conditions:

1. The development hereby permitted shall be begun either before the 22nd May 2029
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Location Plan - Received 21 December 2022
 - (ii) Site Plan as Existing - Received 10 February 2022
 - (iii) Outbuilding Plans and Elevations as Existing - Received 22 December 2021
 - (iv) Site Plan as Proposed - Received 10 February 2022
 - (v) Outbuilding Floor Plan as Proposed - Received 22 December 2021
 - (vi) Outbuilding Elevations as Proposed - Received 10 February 2022
 - (vii) Planning Statement - Received 22 December 2021
 - (viii) Highways Statement (HPS) - Received 27 October 2022
 - (ix) Protected Species Survey (Planning Application Assessment, EDC, October 2022) - Received 4 November 2022

- (x) Addendum Emergence Survey Report (EDC, V1, dated June 2023) - Received 29 November 2023
- (xi) Dark Corridor Plan (Drawing No. LP-01) received 29 November 2023
- (xii) Environmental Lighting Impact Assessment Report (SHD, R2, dated 25/11/2023) received 29 November 2023
- (xiii) Outdoor Lighting Report (SHD Lighting Consultancy Ltd, dated 25/11/2023) received 29 November 2023
- (xiv) Luminaire Location Plan (Drawing No. SHD641 Sheet 1 of 2 Rev. R3, dated 4th April 2024) received 9 April 2024
- (xv) Agreed Mitigation Plan (Drawing no MIT-01) - received 29 November 2023
- (xvi) Green Infrastructure Statement and example boxes -received 12 April 2024

3. Notwithstanding the allowances of the 1986 Use Class Order (as amended), the unit of holiday accommodation hereby approved shall be occupied solely for holiday purposes (C6 Short Term Holiday Let Use Class), and not occupied at any time as a person's sole or main place of residence or as a second home.
4. Notwithstanding the hereby approved plans, the pull in/ drop off area shown on the approved Site Plan as Proposed, shall not be used as a permanent car parking space at any time, unless otherwise agreed with the Local Planning Authority.
5. The development hereby approved shall be carried out in strict accordance with the biodiversity recommendations set out in Section 10 of the approved Preliminary Protected Species Assessment (EDC, June 2023) and associated elevations drawing (EDC, September 2023).
6. Prior to the occupation of the holiday let, details of an Ecological Compliance Audit (ECA) for the scheme shall be submitted to and approved in writing by the Local Planning Authority. The Audit shall be completed in accordance with the submitted details.
7. Notwithstanding the plans hereby approved, no external lighting shall be permitted to be installed or operated on or immediately surrounding the building, including emergency/security lighting, until the written approval of the Local Planning Authority has been obtained to the details thereof, to include light spillage details which should be designed to avoid negative impacts on bats. The scheme shall be carried out strictly in accordance with the approved details.
8. Prior to the development being brought into use, a detailed scheme of hard and soft 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, 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 and only feature species of known benefit to wildlife.
 - (c) proposed materials to be used on the pull in 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) proposed positions, design, materials and type of any boundary treatment.
 - (f) the timing of the implementation of the planting and landscaping scheme.
9. All planting comprised in the approved details of landscaping shall be carried out no later than the first available planting and seeding season following the commencement of the 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.

10. Notwithstanding the hereby approved plans, the full height window serving the bathroom to the east elevation shall not be as shown, but shall be fitted with obscure glazing and retained as such, unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the condition are:

1. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990
2. For the avoidance of doubt and to ensure a satisfactory standard of development
3. In the interest of clarity and to afford the Local Planning Authority a reasonable degree of control over the use of the building in the interest of compliance with rural restraints policy
4. In the interest of highways safety
5. In order to maintain and enhance biodiversity
6. In the interest of preserving ecological interests
7. To maintain the favourable conservation status of protected bat species
8. In the interests of visual amenity and enhancing the biodiversity of the area
9. In the interests of visual amenity and enhancing the biodiversity of the area
10. For the avoidance of doubt and in the interests of protecting residential amenity