

21/2021/1157



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Existing vehicle access gate reduced to restrict pedestrian access only

Existing connection to main foul drainage

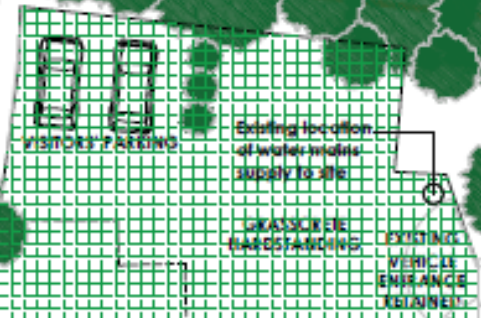
Mature hedges and trees to all site boundaries retained

Position of former holiday let chalet building demolished in 2020. Chalet was last of a group of 4 permanent residences and lettable buildings on site since 1940's.

Position of existing vehicle access gate
Visibility Splay indicated as 60m in either direction from position 2.4m into site

T2
EXISTING SYCAMORE

Additional native trees and hedges planted within site to create natural screening between units.
Typical species to include:
Hazel
Elder
Blackthorn
Hawthorn
Rowan
Holly



G1

T1
EXISTING SYCAMORE

Additional native trees and hedges planted within site to create natural screening between units.
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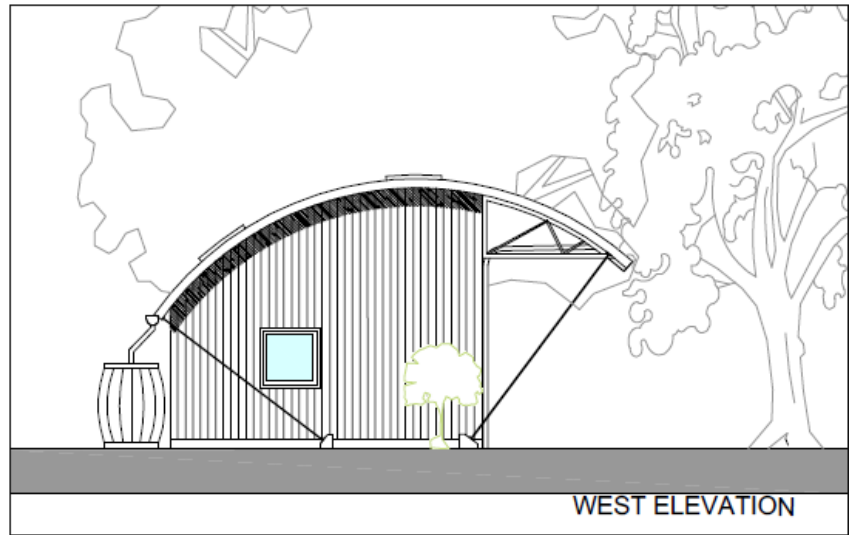
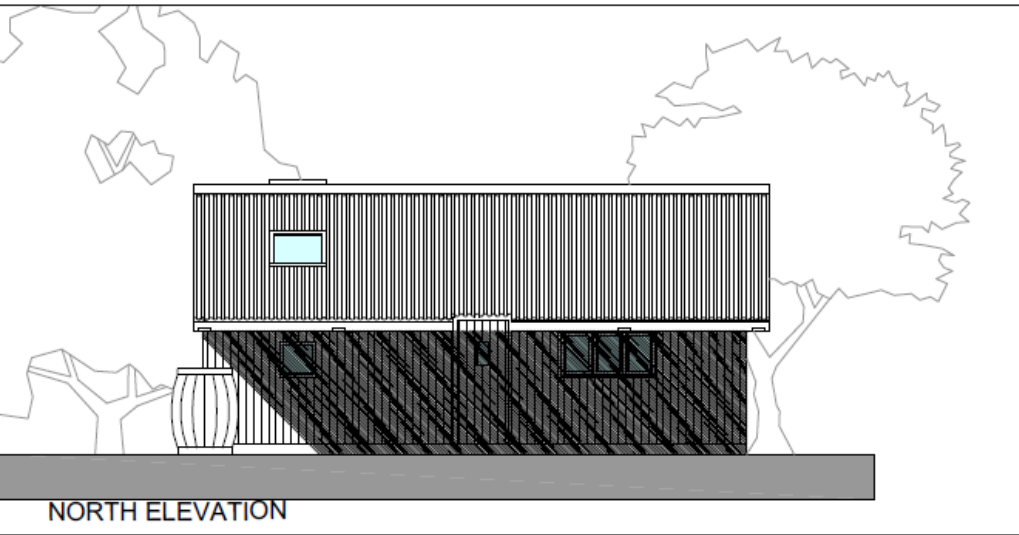
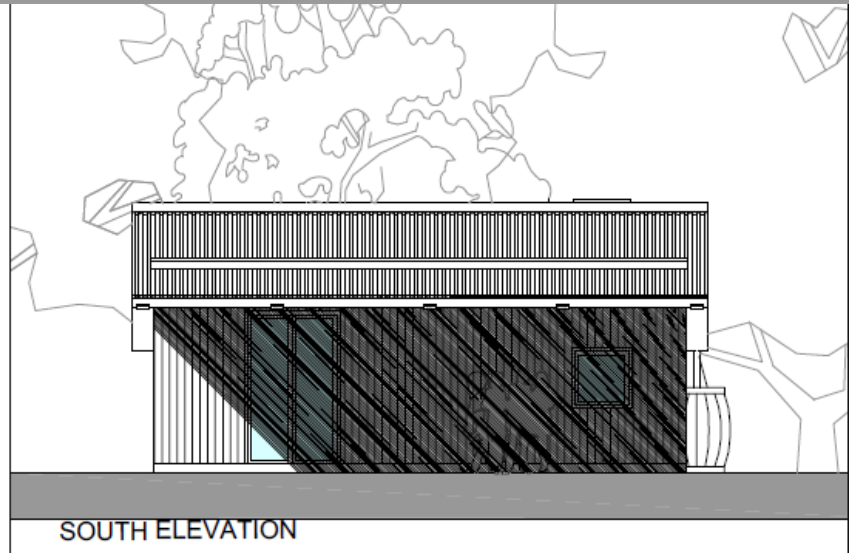
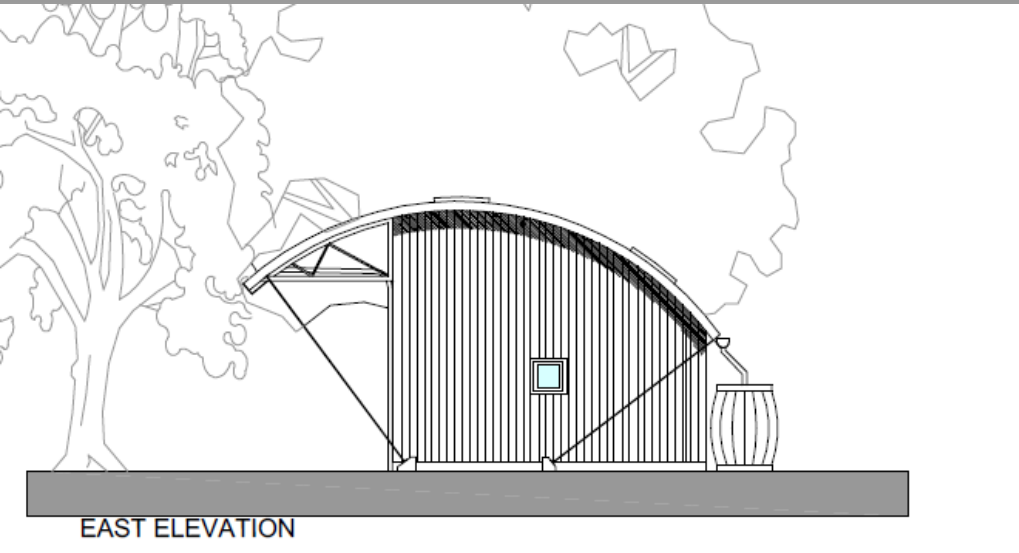
G2

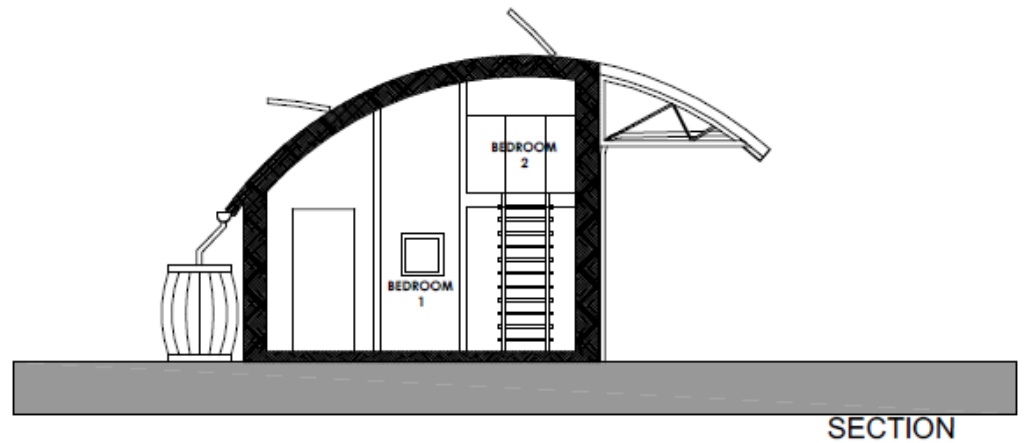
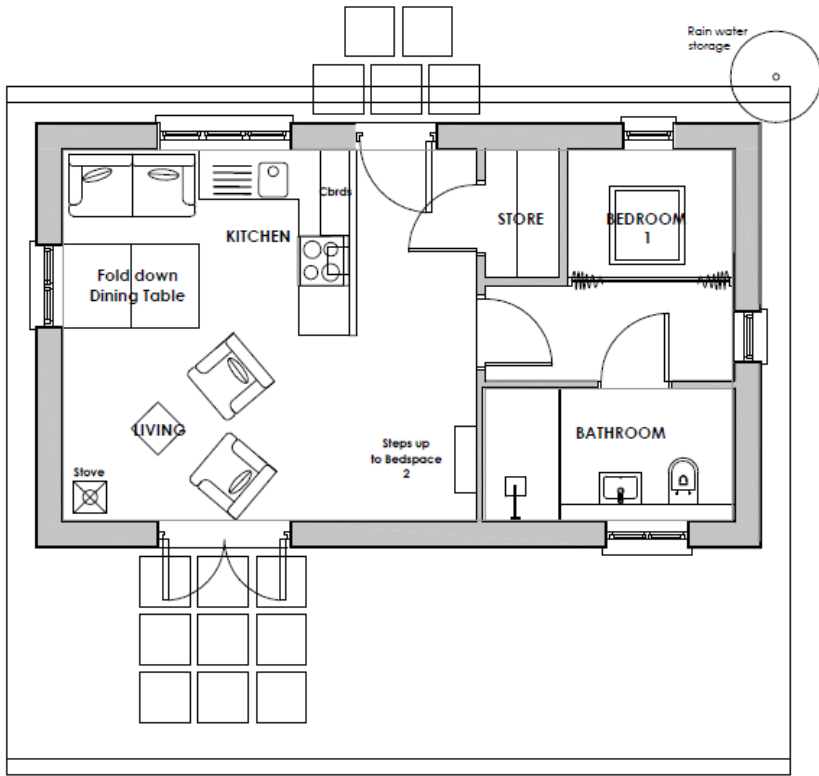
Telephone Exchange

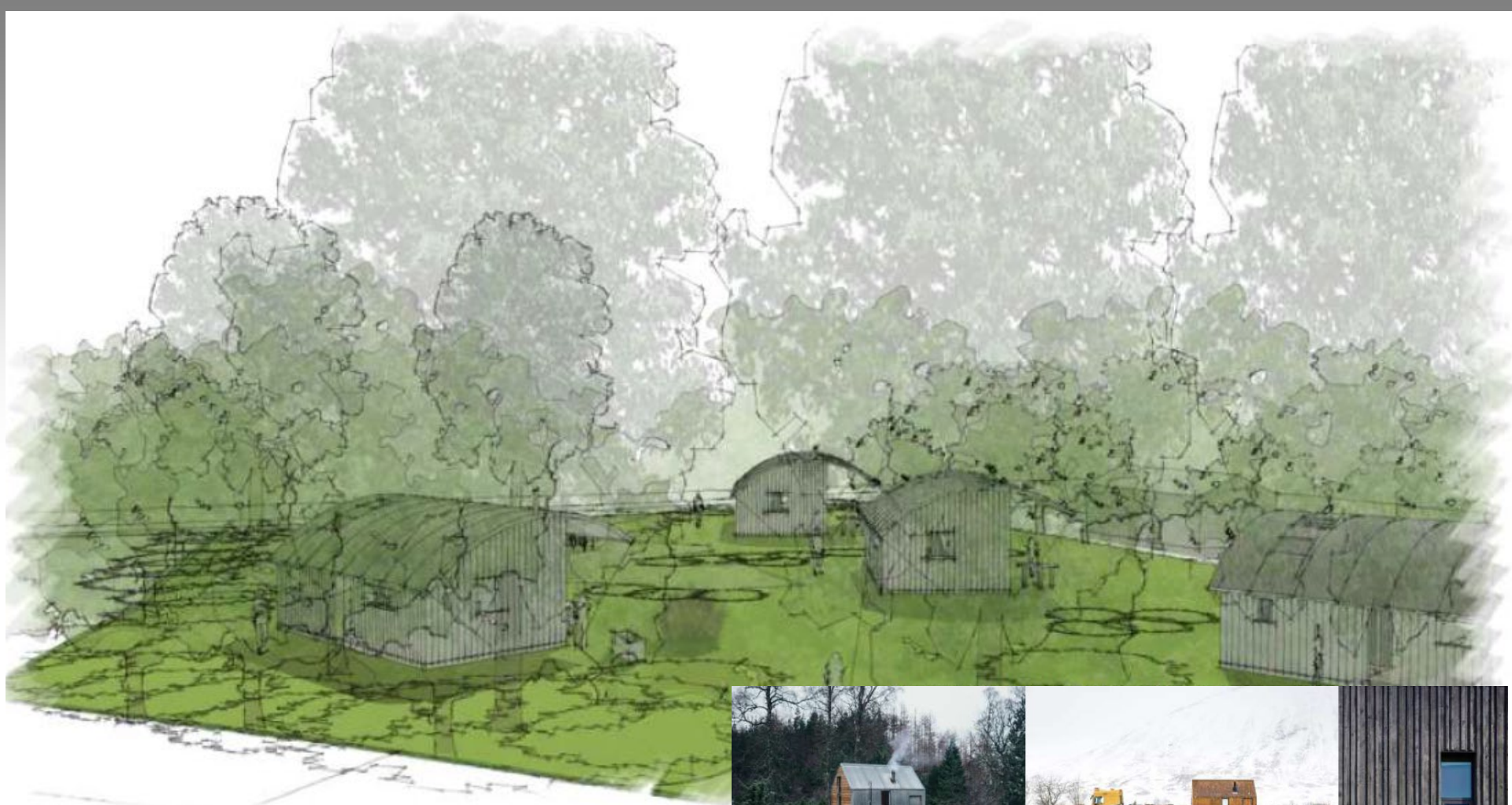
Existing location of electricity supply to site

Proposed Site Block Plan

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WARD: Moel Famau

WARD MEMBER: Councillor Huw Williams

APPLICATION NO: 21/2021/1157/ PF

PROPOSAL: Erection of 4 no. timber framed holiday units and associated works

LOCATION: Camp Alyn, Tafarn Y Gelyn, Llanferres, Mold

APPLICANT: Mr R Astbury

CONSTRAINTS: Tree Preservation Order
PROW
Phosphorus Sensitive
SACAONB

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 – Town / Community Council objection

CONSULTATION RESPONSES:

LLANFERRES COMMUNITY COUNCIL

The Community Council objects to the proposed development as development in the open countryside. Lodges and chalets are classified as static caravans in the Caravan Sites and Control of Development Act 1960. Denbighshire County Council Supplementary Planning Guidance section 6 states "in line with policy PSE 12 proposals for new static caravan sites will not be permitted.

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

The AONB JC initially raised an objection to the proposed development due to it being within the Open Countryside, however, follow up discussions have confirmed that the AONB JC consider that the scheme would need to be assessed giving weight to both PSE 12 and PSE 5. In this instance, they consider that the principle of the proposed development is acceptable subject to a reasonable business case. The main considerations have been the scale, quality of design & materials, and impact upon the landscape.

Policy PSE5 promotes development supporting the rural economy. The fact that this is not an agricultural diversification scheme is irrelevant, as the policy is not exclusive to such schemes, but what is important is that any scheme should not harm the character and appearance of the AONB.

The AONB JC consider this to be a good scheme. The AONB JC request that any permission is tightly controlled via conditions, in terms of occupancy conditions, tree protection measures, materials, landscaping & hard surfacing, low level lighting and a condition for if the venture proves uneconomic in future that the land is restored to an agreed condition.

NATURAL RESOURCES WALES

Natural Resources Wales (NRW) raised initial concerns relating to Foul Drainage as the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC) and on the 21st January 2021, NRW published an evidence package with Advice to Planning Authorities for Planning Applications Affecting Nutrient Sensitive River Special Areas of Conservation advising that under the Habitats Regulations, Planning Authorities must consider the impact of proposed developments on water quality within SAC river catchments.

Following further discussions between Officers, NRW and Welsh Water, NRW have confirmed that ultimately, the suitability of foul drainage arrangements for the proposed development is a matter for the Local Planning Authority as the Competent Authority to determine. However, NRW are satisfied that they would not have concerns provided Welsh Water confirm capacity to accommodate the development in the mains sewer system.

NRW note the report submitted has identified bats were not using the application site. NRW therefore have no adverse comments to make on the application as submitted.

NRW also raised some concerns with regards to the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) / National Landscape. NRW advised that the site is lined by existing hedgerows and trees which would provide reasonable to good visual integration of the proposed holiday units and parking within the AONB / National Landscape. Local views into the site would be possible at the site entrance and the lane and along this boundary. The site layout plan suggests that existing trees next to the lane will be retained, unaffected by highway sight lines. NRW welcome this, as it both helps conserve landscape character and minimise the development's visual influence beyond the site. Additional native hedgerow planting either side of the site entrance and for gapping up along the eastern boundary, is however recommended. NRW recommended the resubmission of the site block plan with the above details included.

DWR CYMRU / WELSH WATER

Initial comments confirmed that the Waste Water Treatment Works had capacity to receive the domestic foul flows from the proposed development site, but that the Maes y Groes Waste Water Treatment Works did not benefit from a phosphate permit.

Following the Dwr Cymru Welsh Water (DCWW) and Natural Resources Wales review of permits, DCWW confirmed that the Waste Water Treatment Works now benefits from a phosphate permit and can accept foul flows from the proposed development. Maes y Groes has limited capacity, however DCWW confirmed that there is capacity to treat the foul only flows for 4 no. timber framed holiday units, in the sewerage network and WwTW, whilst staying within the revised environmental permit.

DCWW recommended that a drainage strategy for the site be conditioned, implemented in full and retained for the lifetime of the proposed development. They also requested a condition that no surface water from the site, from any increase in impermeable surfaces or roofs, shall be allowed to drain directly or indirectly into the public sewer system.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES:

Traffic, Parking and Road Safety:

Footpaths Officer

The eastern access is directly via a section of public highway that once formed part of the A494 prior to improvement works. This old road was stopped up to vehicles with the retention of only some private rights of way – as a public bridleway. The Footpath Officers were unable to confirm if the proposed use would be able to use the path under the landowners existing rights of access. However, they did comment that the addition of increased new regular vehicle traffic emerging and entering from the site; they would be persons unfamiliar with the locality and unaware of the nature of the use of the road by walkers, cyclists and horse riders. The Footpath Officer advised that the developer should ensure vehicle access onto the bridleway from the site requires those doing so to take note of bridleway users before entering

the existing way, as a private vehicle. When in use, all drivers accessing the site need to be aware that public may be in the vicinity with priority as defined by the Highway Code. In addition, guests using the facility may also need to be aware of the path. This can be achieved by ensuring the junction with path is adequately signed with conventional traffic signs.

Highways Officer

Highways Officers note the concerns raised in respect of additional traffic using the lane and pedestrian safety. They acknowledged that the Public Rights of Way Officer has made comments with their main concern being the need to ensure vehicles entering or leaving the development should be made aware of the public nature of the way and the potential presence of users. It was suggested that a signing scheme for the safe passage of pedestrian should be provided.

In terms of the vehicular movements, given the nature of the surrounding area, pedestrian links Highway Officers consider that the movements will be relatively small and would not cause any significant highway related issues on the lane or the existing highway network. The Highway Officers consider that the existing passing place at the junction of Moel Famau road should be extended for vehicle use and a grassed verge be provided to the frontage of the site where the pedestrian gate is proposed, to assist walkers. Considering the above the Local Highway Authority have no objection subject to the following condition:

Details of proposed pedestrian signage scheme and highway works shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site and the details approved shall be implemented before the development is brought into use.

Reason: In the interest of highway safety.

Ecology Officer

Due to the delays with the phosphate issue, an updated site visit was required to assess the habitats within the site' and the Appraisal was updated accordingly.

Following the submission of full surveys, the County Ecologist confirmed that they raised no objections to the granting of permission subject to conditions relating to its being carried out in accordance with the recommendations set out within the Preliminary Ecological Appraisal, a competent Ecological Clerk of Works being present throughout site clearance, submission of a Construction Ecological Management Plan, submission of a scheme for biodiversity enhancement measures, submission of an external and internal light spillage scheme, submission of a full landscaping scheme and compliance with the Arboricultural Impact Assessment.

Flood Risk Officer

New developments of more than one dwelling or that involve construction work of more than 100m² are required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Jeff Ashworth, Wayside, Tafarn-y-Gelyn David Fernyhough, Bryn Bowlio Caravan Park, Llanferres Andrew Maclean, Rose Cottage, Tafarn - y-Gelyn Llanferres

Summary of planning based representations in objection:

- Development in the open countryside.
- There is more than ample holiday accommodation in the village.
- Concerned about lack of onsite supervision. Potential for disturbance of peace and quiet.
- Concerns with capacity of drainage and electricity network to cope.
- The narrow lane giving access to the site is well used by pedestrians, hikers, dog walkers and cyclists, all of whom could be affected by an increase in traffic.

- Increased traffic on single track lane which is used by dog walkers and families – up to 16 additional cars.

EXPIRY DATE OF APPLICATION: 30/03/2022

EXTENSION OF TIME AGREED: 09/10/2024

REASONS FOR DELAY IN DECISION (where applicable):

- held in abeyance due to phosphate issues
- additional information required from applicant (updated ecology surveys etc due to time passed)
- 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 proposed development is for the erection of 4 no. timber framed holiday units and associated works. The proposed units would be 5meters x 8.7meters. They would have a curved roof which would have a maximum height of 4.2meters. The design principles are noted to have been developed to match rural/agricultural buildings and have natural materials to help them integrate into the landscape and site. The proposed materials would consist of:

Roof: Galvanised corrugated steel
Walls: Larch timber cladding (or similar)
Rainwater Goods: Colour coated aluminium
Windows: Double glazed with colour coated metal frames.
Doors: Painted timber

1.1.2 The Design and Access Statement confirms that the colours are aimed to be muted natural, rusty browns and greys.

1.1.3 The existing vehicular access on the eastern boundary is proposed to be used to provide vehicular access and the western access is proposed to be narrowed to be a pedestrian access only. The car parking area and paths are proposed to be finished in grasscrete which will be discrete and in keeping with the site.

1.1.4 All existing trees and hedges are to be retained. Additional native species planting is proposed across the site.

1.1.5 The units would have two bedrooms per unit with a kitchen-diner area, bathroom and one bedroom on ground floor with a 'sleeping deck' access by a ladder above the bathrooms.

1.2 Other relevant information/supporting documents in the application

1.2.1 The application is supported by a Design and Access Statement that includes a Business Case and makes the following key points:

- The site is located on the main route to Moel Famau, just off the A494.
- The site is in close proximity to Loggerheads Country Park.
- The existing site is surrounded by mature trees and hedgerows.
- There are two access points to the site (east and west boundaries).
- The site has historically had residential and holiday use with structures dating back to WWII. The site already benefits from water, drainage and electricity connections.
- Scheme is aiming to provide 4 compact high-quality net zero carbon holiday lets. They are compact glamping pods.

- Materials have been selected to replicate the materials found locally in agriculture and nature.
- The scheme was significantly reduced and improved following pre-application discussions.
- The site is flat and will be accessible to all.
- The proposed business case is that it would help sustain local rural communities including and highlights the following main local activities, The applicant's business plan for Camp Alyn includes employment of local people in the creation of the units and landscaped surroundings as well as the ongoing cleaning and maintenance services. Tourism is increasingly important to the local and national economy. The local economy will also benefit from supplying consumable products in keeping with the whole ethic of the business to keep things local and sustainable. Local suppliers, businesses and local economy benefits:
 - Local activities that could be promoted and that are well connected: Moel Famau and many associated activities, many footpaths/bridleways from the site, Ruthin Life Drawing Group, Electric bike hire Eryrys, Loggerheads Country Park, Llandegla Laser Combat/ One Planet Adventure, Treuddyn Equestrian Centre, Ruthin Craft Centre, gaol etc, Choy cookery classes, Many local fishing opportunities in Cilcain, Nannerch etc, Golf courses within 5-20 minute drives,
 - Local suppliers would be used and promoted by Camp Alyn including Hafod Ale, Jones & Price Fruit and Veg, Henllan Bakery, Snowdonia Cheese, Patchwork Pate, Brynair Clwyd eggs, Aberfalls Gin, Chilly Cow Ice-cream.
 - Local Businesses that would be well connected: Plas Newydd Tea Rooms, Cilcain Village and Community Shop, The Raven, The Colomendy Arms, The Spar Shop Loggerheads, We Three Loggerheads, Café Florence, Visitor Centre Loggerheads, The Druid, The White Horse, The Minors.
 - Local Economy benefits: Mold Town Centre, Ruthin Town Centre, Veghub Flintshire LSA Ltd. (an initiative ran by local community).

- 1.2.2 The application is also supported by ecology surveys and a Green Infrastructure Statement that assess the site and confirm the following:
- Works are proposed to protect any valuable habitats including hedgerows and trees. They will seek to enhance the proposed site through additional planting of native species, grassland will also be retained,
 - The units are aiming to be carbon zero so will use renewable technology and local materials. Car charging points have been designed into the scheme.

- 1.2.3 The application is supported by an Arboricultural Impact Assessment that confirms that no trees or hedges are to be removed to facilitate the proposed development. The report sets out a scheme of measures to protect the trees and hedgerows.

- 1.2.4 The application is also supported by a drainage strategy that confirms that:
- The site has a small area of surface water flooding risk – all development is to be located outside of this area.
 - The Surface Water Scheme will be SUDs compliant/approved. The strategy is supported by infiltration testing that supports this.
 - The site benefits from an existing lateral manhole on the western boundary which discharges into the combined sewer in Tafarn Y Gelyn road. The proposal is proposing to discharge foul flows into this asset and reuse the existing lateral if it is found to be in suitable condition.

1.3 Description of site and surroundings

- 1.3.1 The application site consists of a field between Tafarn Y Gelyn's main centre of the hamlet and a caravan site/ agricultural land to the south. To the west of the site is the main Tafarn Y Gelyn road leading towards Moel Famau. To the east is the former A494 road which is now used as a public right of way/ bridleway.

- 1.3.2 Tafarn Y Gelyn is defined in the Local Development Plan as a Hamlet. The site itself is within the search area. The settlement is just off the A494 and is in close proximity to Loggerheads Country Park.
- 1.3.3 The site has in the past had pre-fabricated units on it following WWII. The submission states that these were residential units that were then later used as holiday lets. The submission also confirms that these were only recently removed from the site.
- 1.3.4 The site is well enclosed by existing trees and hedges. The site is very flat. The topography rises in the field to the west.

1.4 Relevant planning constraints/considerations

- 1.4.1 The site is located in the open countryside outside of the established development boundaries as defined by the Local Development Plan (LDP), however, it forms part of the southern part of the hamlet Tafarn-y-Gelyn. The site is located within the Area of Outstanding Natural Beauty. The area forms part of the Phosphate Sensitive Special Area of Conservation Catchment Area. There are a number of Tree Preservation Order trees along the east, south and west boundaries of the site. A bridleway (522/70z/3) runs along the eastern boundary of the site. The site is within a mineral safeguarded area.

1.5 Relevant planning history

- 1.5.1 Extensive planning history relating to previous uses of the site and seeking the erection of a residential dwelling on the site.

1.6 Developments/changes since the original submission

- 1.6.1 Additional information submitted regarding drainage and ecology.

1.7 Other relevant background information

- 1.7.1 None.

2. **DETAILS OF PLANNING HISTORY:**

- 2.1 Planning application ref: 21/2002/0643. Application for Certificate of Lawfulness of existing use of building as a residential dwelling unit. Withdrawn 30/10/2002.
- 2.2 Planning application ref: 21/2002/1198. Development of land by the erection of one dwelling (outline application) Refused 16/01/2003.
- 2.3 Planning application ref: 21/2003/1339. Erection of a bedroom extension. Refused 25/02/2004. (Appeal dismissed).
- 2.4 Planning application ref: 21/2005/0978. Erection of dwelling. Refused 26/10/2005 (Appeal dismissed).
- 2.5 Planning application ref: 21/2007/0472. Application for Certification of Lawful Use of building as holiday accommodation. Refused 04/09/2007.
- 2.6 Planning application ref: 21/2008/0323. Application for Certificate of Lawful Use of building as a residential dwelling. Refused 23/10/2008 (Appeal dismissed).

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 PSE5 – Rural economy

Policy PSE12 – Chalet, static and touring caravan and camping sites

Policy PSE14 – Outdoor activity tourism

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: 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: Caravans, Chalets & Camping

Government Policy / Guidance

Planning Policy Wales (Edition 12, 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)

TAN 24 The Historic Environment (2017)

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned.

The DMM further states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales (Edition 12, 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 Area of Outstanding Natural Beauty / National Landscape

4.2 In relation to the main planning considerations:

4.2.1 Principle

The LDP provides the rational basis for decisions in accordance with the presumption in favour of sustainable development as set out in Planning Policy Wales (Edition 12, 2024). The countryside should be protected for its intrinsic sake and the need to promote a resource-efficient and climate change resilient settlement pattern that minimise land-take is one of the Well-being of Future Generations (Wales) Act 2015 goals.

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, habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity. However, 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.

Section 5.5 of PPW12 relates to tourism and sets out a general presumption in favour of encouraging sustainable tourism, where it contributes to economic development, conservation, rural diversification, urban regeneration and social inclusion, while recognising the needs of visitors and those of local communities.

The Community Council raised objections to the principle of the proposed development based on the site being in the open countryside and PSE 12 guiding that proposals for new static caravans sites will not be permitted. Local residents also raised objections to the principle of additional holiday accommodation in the hamlet.

PPW12 states that in rural areas, tourism-related development is an essential element in providing for a healthy and diverse local/national economy, but requires development to be sympathetic to the local environment and to the needs of visitors and the local community.

Policy PSE 5 states that in order to help to sustain the rural economy, tourism and commercial development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising the special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

The justification to Policy PSE 5 establishes the need to sustain rural employment throughout the County is recognises and relevant considerations relating to sustainability and minimising environmental concerns are identified. The policy requires the demonstration of a business case for the development, in order to establish the benefits of the scheme in relation to sustaining local employment and the rural economy. The benefits could include provision of local employment opportunities, use of locally sustainable sources for any raw materials, scope to sell local produce, and provision of services to local communities.

The Planning Statement and Business Plan submitted with the application sets out that the proposal is a small-scale scheme on a site that is well situated to take advantage of local attractions and the outdoor activity sector and will provide a benefits to the wider economy. The proposed business case is that it would help sustain local rural communities and highlights main local activities, the applicant's business plan for Camp Alyn includes employment of local people in the creation of the units and landscaped surroundings as well as the ongoing cleaning and maintenance services. They have also identified how the local economy will also benefit from supplying consumable products in keeping with the whole ethic of the business to keep things local and sustainable as well as other businesses and local economy benefits.

Policy PSE 14 states that development proposals that expand or reinforce the tourism offer of the County in the outdoor activity sector will be supported, subject to compliance with four criteria:

- i) the development is appropriate for its setting;
- ii) existing buildings are converted where possible;
- iii) there is no unacceptable impact on the local community; and
- iv) chalet development is only permitted if a significant need is demonstrated.

The justification for policy PSE 14 recognises that Denbighshire is well placed to take advantage of the growth in the outdoor activities sector. It is however stressed that development proposals will require very careful consideration to ensure there will be no detriment to the landscape character. It is noted that a significant need for the development in the area has not been justified as part of the application, however it is noted that small scale self-catering holiday accommodation contributes a large section of the holiday accommodation on offer in Wales. There are no suitable buildings which are suitable for conversion and it is considered that the development would offer an expansion of the tourism offer of the County in the outdoor activity sector without having an unacceptable impact on the local community and is broadly in line with Policy PSE 14. The Business Plan also supports the specific scale of the proposed development.

Policy PSE 12 relates to chalets, static/touring caravans and camping sites and allows for the environmental improvement of existing sites but does not allow any new static caravan sites to be created. The proposed units would not meet the definition of a caravan so Policy PSE12 would not apply. With regard to the criteria of Policy PSE12, it is considered that the development would not appear obtrusive in the landscape and is high quality in terms of layout, design and general landscaping arrangements. The small-scale nature of the site, layout, design/materials and general landscaping arrangements are not considered to result in an unacceptable impact to the character of the area or impact to local communities and overall the proposal is considered to be in line with the criteria of Policy PSE12.

It is considered that the proposal is small scale and sufficiently integrated into the landscape to reduce its visual impact. The Planning Statement states no other buildings are available for conversion and sets out a strong business case for this site and locality, and therefore the principle is considered to be acceptable against provisions of PSE5 subject to detailed assessment of impacts.

To conclude, the principle of small scale holiday accommodation is not considered to be unacceptable in this location as the scheme demonstrates how the development proposal will expand or reinforce the tourism offer of the County. The scheme is of a high quality design and layout including the general landscaping arrangements which help to integrate the site into the landscape and it is considered that the proposal broadly complies with Policy PSE 5, PSE 12 and PSE 14 along with the guidance within PPW12 in terms of encouraging tourism in rural areas.

- 4.2.2 Visual amenity/ Area of Outstanding Natural Beauty / National Landscape
Policy VOE 2 requires assessment of the impact of development within or affecting the AONB / National Landscape 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 (Edition 12, 2024) 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 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.

The site boundaries are well lined with existing trees and hedgerows, and it is not considered that the proposed development would be visible from the wider landscape. All trees and hedgerows are proposed to be retained and no hardstanding required. The site is very sensitive and eco based, and is not considered to have impacts upon visual amenity.

NRW commented that they considered that there could be some very localised views, so that they would seek to see additional native plating around the proposed access and gapping up on the eastern side of the site. It is considered that this can be provided by a suitably worded planning condition.

The AONB JC considers this to be a good scheme. The AONB JC request that any permission is tightly controlled via conditions, in terms of occupancy conditions, tree protection measures, materials, landscaping & hard surfacing, low level lighting and a condition for if the venture proves uneconomic in the future that the land is restored to an agreed condition.

Subject to conditions, it is considered that the proposed development is acceptable in terms of visual amenity and conserving the AONB.

4.2.3 Residential amenity

Local Development Plan Policy RD 1 test (i) requires due regard to issues of siting, layout, form, character, design, materials, aspect, microclimate and intensity of use of land / buildings and spaces between buildings, which touch on the potential for impact on residential amenity; test (vi) sets the requirement to assess the impact of development on the amenities of local residents, other land and property users, or characteristics of the locality, in terms of increased activity, disturbance, noise, dust, fumes, litter, drainage, light pollution, etc..

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.

Concern has been raised locally about the potential for the development to result in noise and disturbance affecting residential amenity.

Factually the nearest dwelling to the site is approximately 40 metres to the north of the site. The site is well screened by existing planting. Officers consider the scale of the proposal is sufficiently small to not result in a detrimental impact on the amenity of neighbouring residents so severe as to justify refusing permission. A comparison can be drawn to the adjoining caravan site, Bryn Bowlio (which is significantly larger than the site currently being considered) and the absence of any known residential amenity issues being caused by the use of that site.

Based on the size of the proposal, its relationship to surrounding properties and absence of clear evidence that such uses result in unacceptable levels of noise and disturbance, it is not considered that the proposed development would impact upon residential amenity of any neighbours in the locality. The proposal is therefore considered to be acceptable in regard of its impact upon residential amenity.

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 (Edition 12, 2024) within Chapter 6 '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 (Edition 12, 2024) 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 (Edition 12, 2024) 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).

Planning Policy Wales (Edition 12, 2024) includes policies 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 strong 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

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.

The proposal is supported by Ecology Surveys, a Green Infrastructure Statement and an Arboricultural Impact Assessment. No trees or hedgerows are to be removed as part of the proposed development. No lighting, an amended location that is more sensitive and the measures discussed, the County Ecologist raises no objections to the proposed development.

4.2.5 Drainage (including flooding)

The site is located within the Phosphate Sensitive SAC Catchment Area.

DCWW have confirmed that the Maes y Groes Waste Water Treatment Works has a phosphate permit and capacity for the proposed development. NRW Guidance advises that where a wastewater treatment works permit has been reviewed against the revised water quality targets and varied accordingly, new developments connecting to the associated public sewer should still be subject to an HRA by the Planning Authority. It goes on to advise that whilst the nutrient impacts of new connections should be considered on a case-by-case basis, it is likely that a

conclusion of no likely significant effect could be drawn in the context of water quality impacts where the sewerage undertaker confirms there is capacity to treat additional wastewater from the proposed development within revised environmental permit limits and the WwTW is currently operating in compliance with permit conditions. The proposed development can therefore be screened out through Habitat Regulations Assessment and granted planning permission.

NRW confirmed that they considered that the proposed development could comply based on the advice from DCWW.

4.2.6 Highways (including access and parking)

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

These policies reflect general principles set out in Planning Policy Wales (Edition 12, 2024) and TAN 18 – Transport, in support of sustainable development.

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.

Concerns were raised by the Footpath Officers and local residents regarding the use of the former A494 which is not used as a public right of way/ bridleway. The Local Highway conducted a site visit and consider that some highway improvements could be made, and as per the Footpath Officers comments, that a signage scheme should be provided to warn traffic that there will be pedestrians. Subject to a condition that the foregoing is provided, the Local Highway Authority raise no objection to the proposed development.

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 Having regard to the detailing of the proposals, the potential impacts on the locality, and the particular tests of the relevant policies, the application is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- for the following reasons:

1. The development to which this permission relates shall be begun no later than 9th October 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) Proposed elevations (Drawing No. 440 P05) received 10 November 2021
 - (ii) Proposed floor plan (Drawing No. 440 P04) received 10 November 2021
 - (iii) Existing site plan (Drawing No. 440 P02) received 10 November 2021
 - iv) Proposed site plan (Drawing No. 440 P03) received 10 November 2021
 - (v) Existing block and location plan (Drawing No. 440 P01) received 10 November 2021
 - (vi) Design and Access Statement received 10 November 2021
 - (vii) Proposed first floor plan (Drawing No. 440 P06) received 31 January 2022
 - (viii) Preliminary Ecological Appraisal Rev 1 (Atmos Consulting, Dated June 2024) received 18 June 2024
 - (ix) Arboricultural Impact Assessment received 31 January 2022
 - (x) Drainage Statement received 19 April 2024
 - (xi) Aerial Inspection (Atmos Consulting, Ref 86500-02, Dated 16/08/2024 - received 30 August 2024
 - (xii) Green Infrastructure Statement (Atmos Consulting, Ref 86500 R2 Rev1, Dated August 2024) received 30 August 2024
3. The holiday units hereby approved shall be occupied for short term holiday accommodation purposes only (C6 Use Class) and not as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.
4. **PRE-COMMENCEMENT**

No development shall take place until a scheme for proposed pedestrian signage and highway improvement works has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details and shall be implemented in full prior to the use of any of the units hereby approved commencing. The approved arrangements shall be retained in place at all times during the use of the site.

5. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles as indicated on the approved plan, and shall be completed prior to the use commencing.
6. Should the use of the site cease for holiday purposes, the units shall be removed from the land within 6 months of the date of the cessation of the use and the land shall be restored to its pre-developed state in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority.
7. Prior to the application of any external materials full details of the wall, roof, window and door materials shall be submitted to and approved in writing by the Local Planning Authority. The proposed materials shall be finished in natural or recessive colours. The timber cladding shall be naturally weathered and not be painted or stained without prior written consent of the Local Planning Authority.
The development shall be carried out in accordance with the approved details.
8. Prior to the use of the development hereby permitted commencing; details of litter bins shall be submitted to and approved in writing by the Local Planning Authority and the details approved shall be implemented and retained at all times unless otherwise agreed in writing by the Local Planning Authority
9. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
10. No trees or hedges shall be permitted to be removed to facilitate the development.
11. All trees and hedges (including those adjacent to the site) shall be protected during site clearance in accordance with the approved Arboricultural Impact Assessment (Ascerta, January 2022) or in accordance with an alternative scheme as agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
12. The development shall be carried out strictly in accordance with the Recommendations set out in Section 6 of the approved Preliminary Ecological Appraisal (Atmos consulting, June 2024), and in the letter from Atmos Consulting to Julian Astbury (ref: 86500-02, 16th August 2024) relating to the timing of site works.
13. A competent Ecological Clerk of Works (ECoW) must be present on site throughout the site clearance to ensure no protected species are disturbed, injured or killed.
14. **PRE-COMMENCEMENT**
Prior to the commencement of the development, details of a Construction Ecological Management Plan (CEMP) for the scheme shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the details of the appointed competent Ecological Clerk of Works.
The development shall be carried out strictly in accordance with the approved elements of the CEMP throughout the construction period.
15. **PRE-COMMENCEMENT**
No development shall take place until a scheme for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all features recommended within the approved Preliminary Ecological Appraisal (Atmos consulting, June 2024). Full details shall be provided on the locations and specifications of each enhancement feature and shown on appropriate plans and shall include a timeframe for their implementation. The development shall be carried out strictly in accordance with the approved details and shall be implemented in full prior to the use hereby permitted commencing.

16. Notwithstanding the hereby approved plans and documents, an external lighting/internal light spillage scheme designed to avoid negative impacts on bats, shall be submitted to and approved in writing by the Local Planning Authority. This shall include plans illustrating the location and type of existing and proposed external lighting and have consideration for the projected or retained bat emergence points from existing and proposed roosts, along with any enhancement features and retained or proposed features planned for bats functional use in foraging/dispersal purposes. The scheme shall be carried out strictly in accordance with the approved details prior to the use of the units hereby approved commencing.
17. **PRE-COMMENCEMENT**
 Prior to the commencement of any development or site clearance, 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, all 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 and only feature species of known benefit to wildlife. Additional native hedgerow planting either side of the site entrance and for gapping up along the boundaries are required.
 - (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas and timing of implementation.
 - (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 boundary treatment and timing of implementation.
 - (f) a management plan, of appropriate duration, identifying the responsible body for the long-term management, to ensure establishment of the new habitat.
18. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty/National Landscape and maintaining/ enhancing Biodiversity.

The reasons for the conditions are:

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure that the units are utilised for tourism purposes only in line with national and local planning policies.
4. In the interest of highway safety
5. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty/National Landscape.
7. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty/National Landscape.
8. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty/National Landscape.
9. In the interest of the management of drainage and flood risk.
10. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
11. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
12. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty/National Landscape and maintaining/ enhancing Biodiversity
13. To maintain the favourable conservation status of protected species
14. To maintain the favourable conservation status of protected species.
15. To maintain the favourable conservation status of protected species.
16. To maintain the favourable conservation status of protected bat species
17. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty/National Landscape and maintaining/ enhancing Biodiversity.

18. In the interest of landscape and visual amenity of the Area of Outstanding Natural Beauty/National Landscape and maintaining/ enhancing Biodiversity.