



CYNGOR
Sir Ddinbych
Denbighshire
COUNTY COUNCIL

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Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

REFERENCE NO. 03/2011/1522/PF
Eirianfa Holiday Park
Berwyn Street, Llangollen

2



Application Site

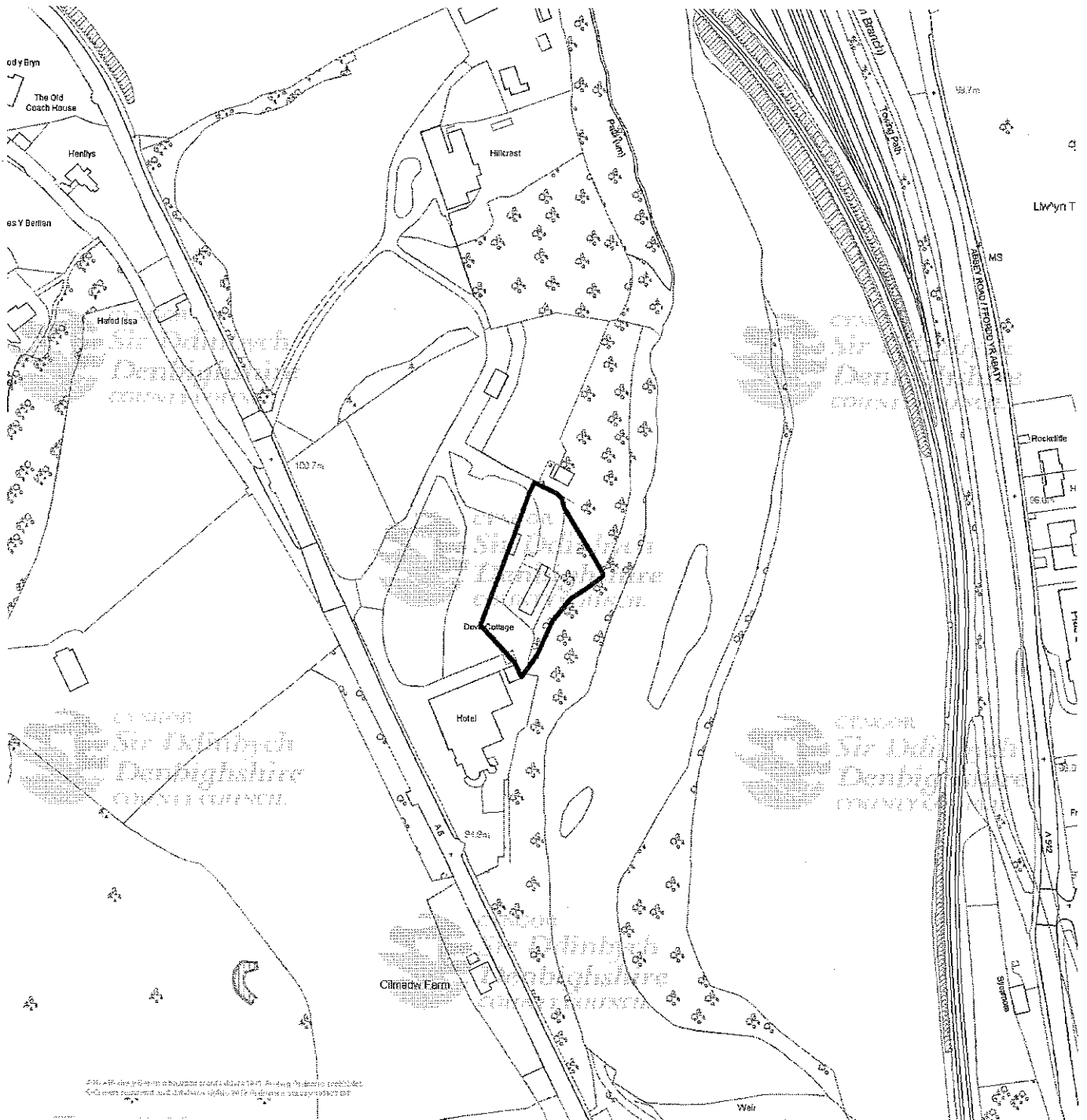


Date 22/8/2012

Scale 1/2500

Centre = 320720 E 343130 N

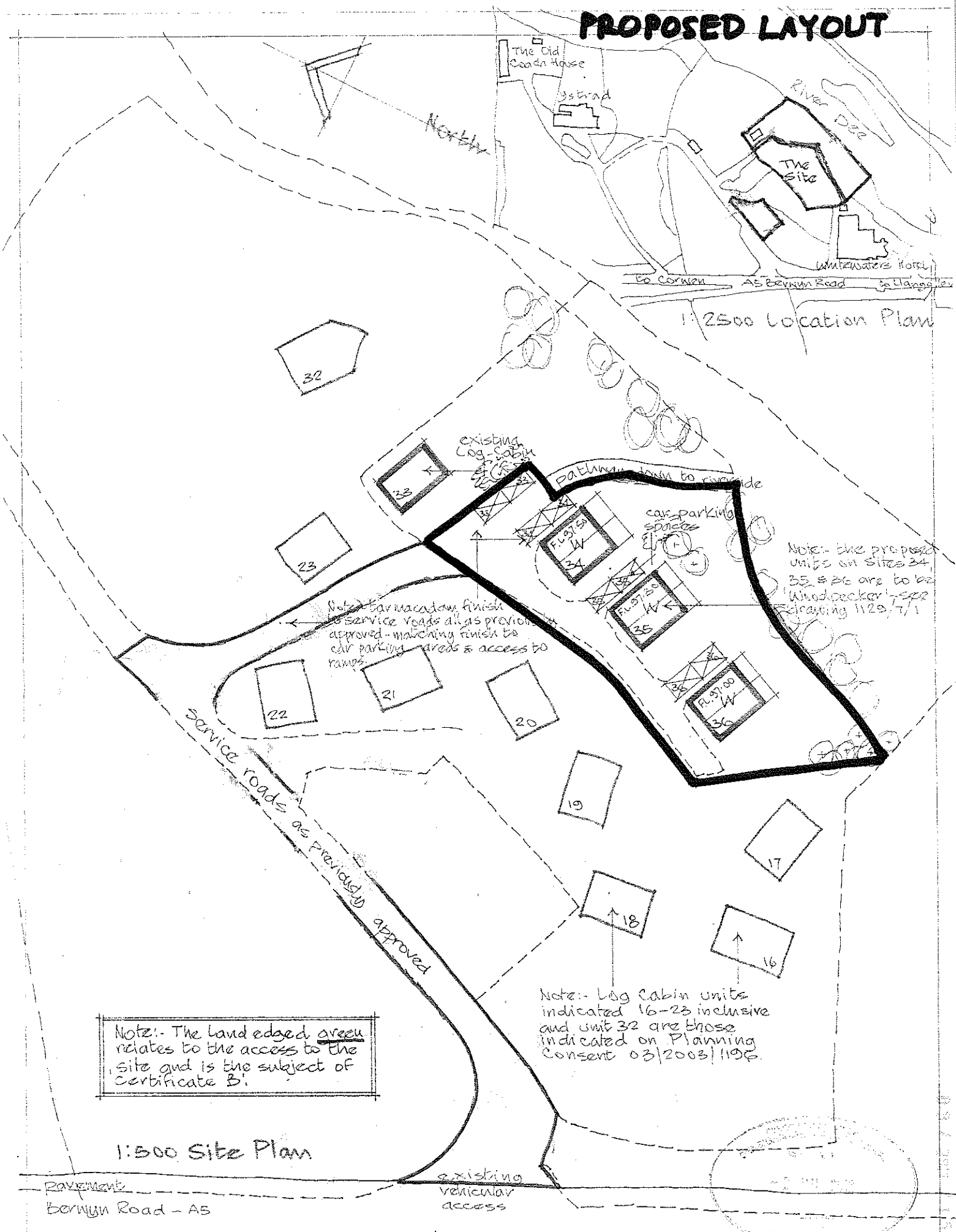
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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Atgynhychir y map hwn o ddeunydd yr Ordnance Survey gyda chariatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi.
© Hawffraint y Goron. Mae atgynhychu heb ganiatâd yn torri hawffraint y Goron a gall hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.

PROPOSED LAYOUT



1:2500 Location Plan

Note: - bar macadam finish to service roads all as previous approved - matching finish to car parking areas & access to ramps.

Note: - the proposed units on sites 34, 35 & 36 are to be 'Woodpecker' - see drawing 1129/7/1

Note: - Log Cabin units indicated 16-23 inclusive and unit 32 are those indicated on Planning Consent 03/2003/1196.

Note: - The land edged green relates to the access to the site and is the subject of Certificate B.

1:500 Site Plan

Roadway
Bernyn Road - AS

existing vehicular access

Proposed Change of Cabin Types
On Sites 34 35 & 36, At Eirianfor
Tourist Accommodation Site,
Bernyn Road, Llangedfan.
For D. & R. Fletcher

Scale: - 1:500

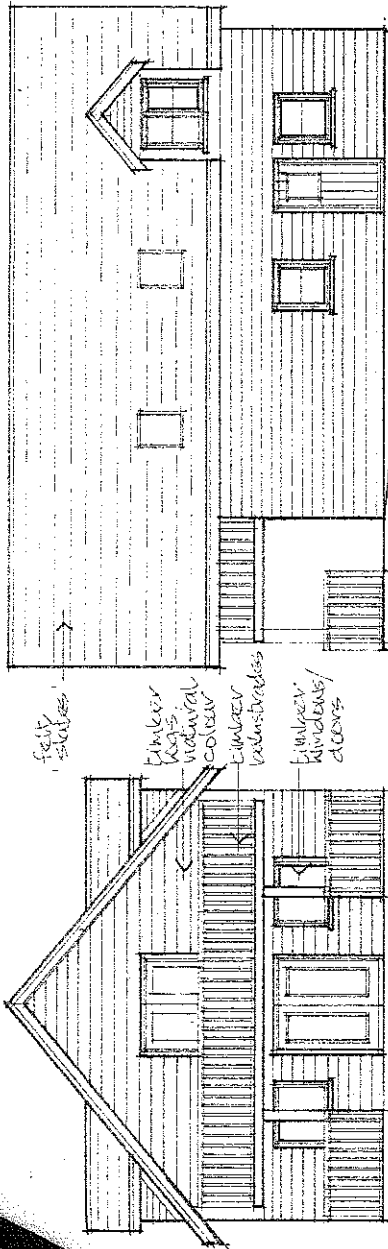
Date: - May, 2012.

John R. Miles RIBA,
Chartered Architect,
Castell, Llangedfan,
Rheol, Llangedfan, LL20 7YU

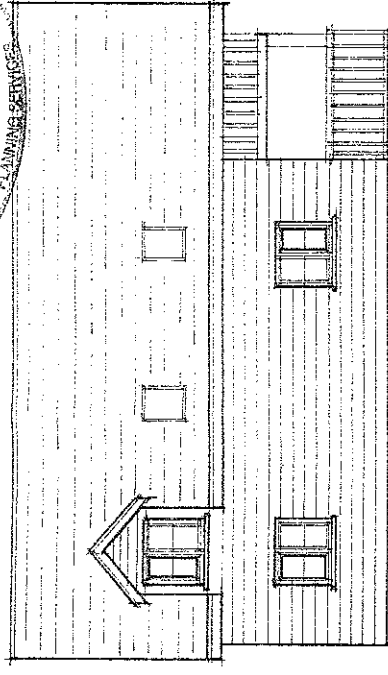
D. & R. Fletcher

PROPOSED LOG CABIN TYPE

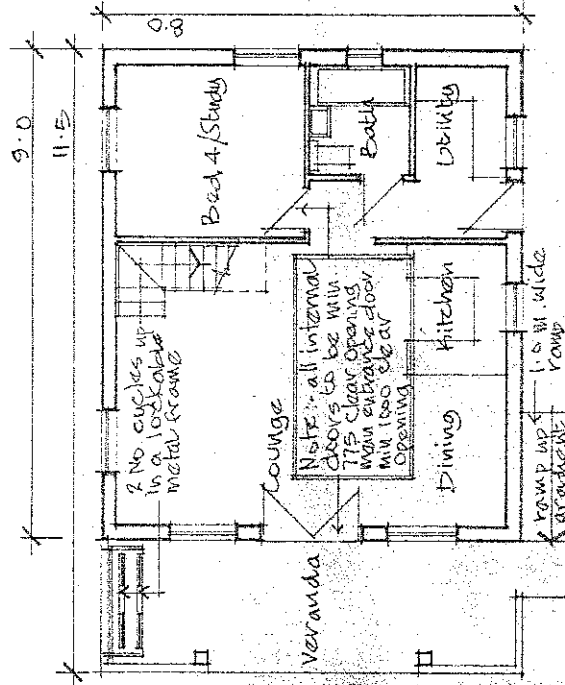
03 JUN 13 22:22
 - 2 JUL 2012
 PLANNING SERVICES



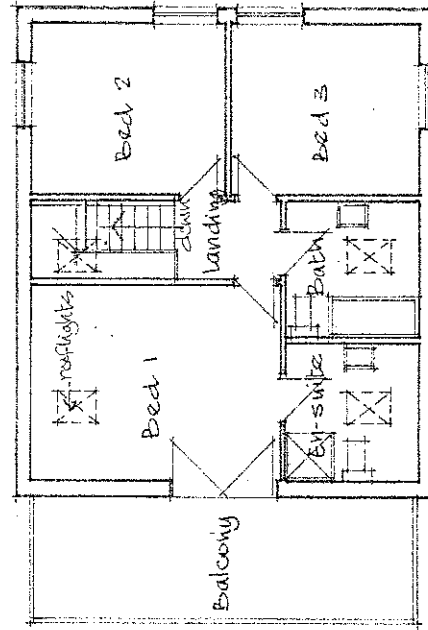
Front Elevation



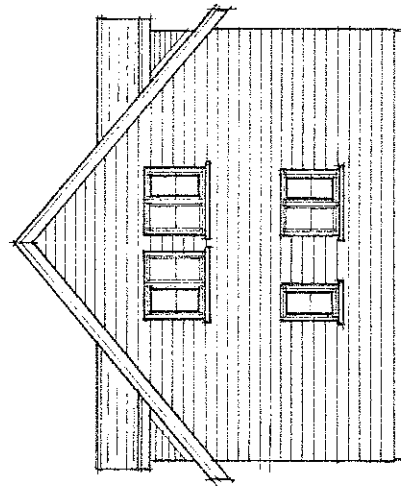
Side Elevation



Ground Floor Plan



First Floor Plan



Rear Elevation

Proposed Tourist Accommodation Units
 At Eirianfa, Berwyn Road, Llangollen.
 for D. & R. Fletcher.

Scale: - 1:100

Date: - March, 2011.

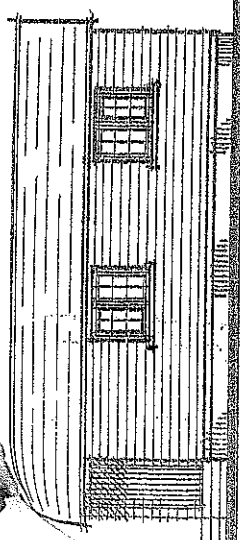
Details of 'Woodpecker' Unit

JOHN R. MILES R.I.B.A.,
 Chartered Architect,
 36 Castle Street,
 Llangollen. LL20 8FR.
 Telephone: 01978-840452.

Drawing No: - 1129/7/1/A

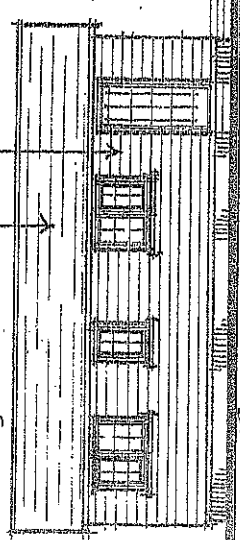
PREVIOUSLY APPROVED LOG CABIN TYPES

08/2001
 PLAN NO. 11522/P
 -2 JUL 2012
 PLANNING DEPARTMENT
 WILMINGTON COUNTY PA

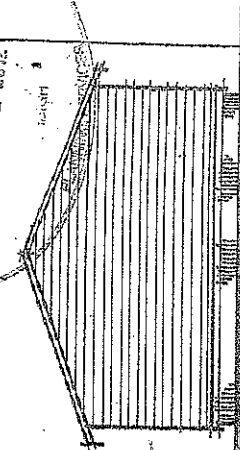


Side Elevation

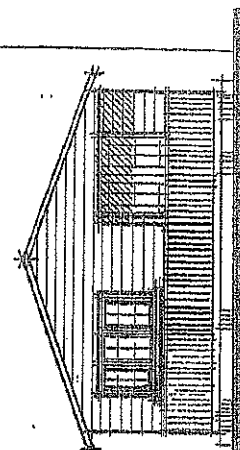
brown stained, log effect timber
 slate grey felt slates



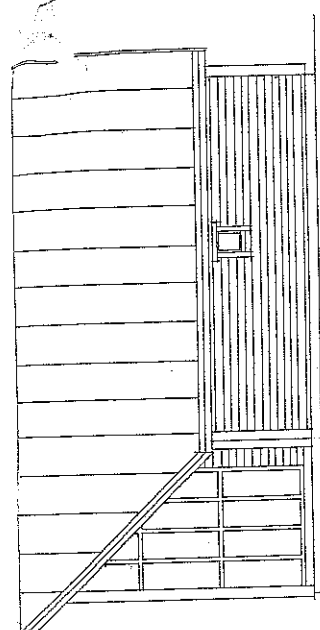
Side Elevation



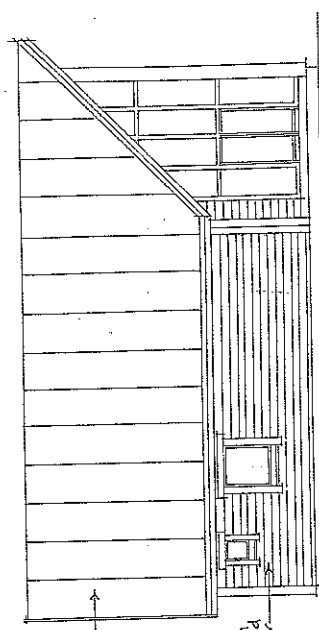
Rear Elevation



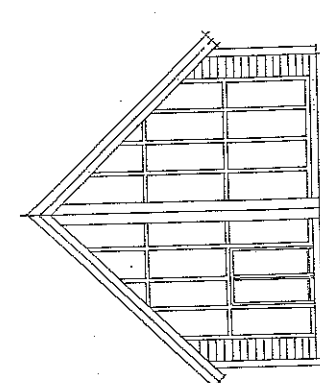
Front Elevation



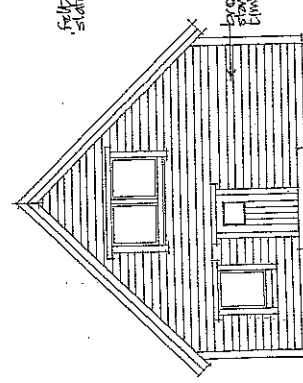
Side Elevation



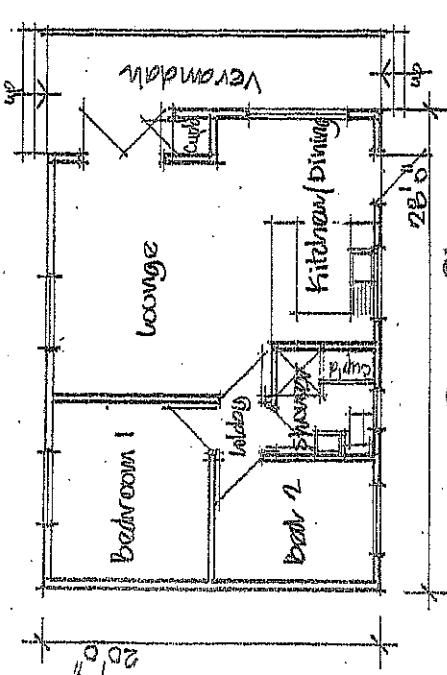
Side Elevation



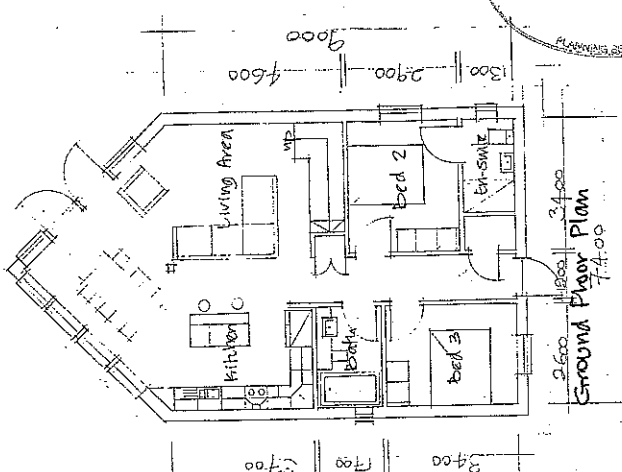
End Elevation



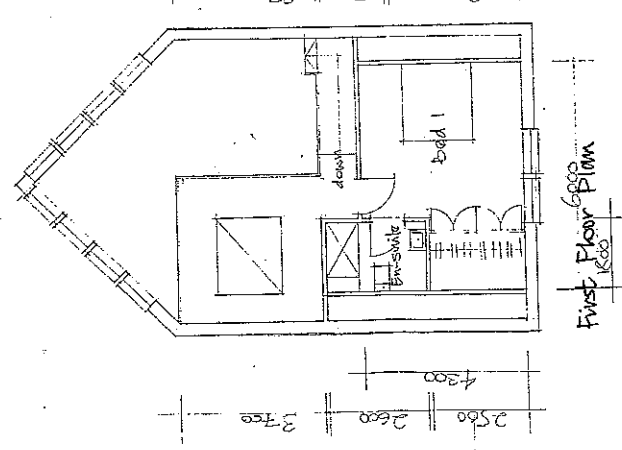
End Elevation



Ground Floor Plan



Ground Floor Plan



First Floor Plan

Proposed Tourist Facilities At 'Binnfa' Log Cabin
 Berwyn Road, Longwell Green, for D. & R. Fletcher. Details

Scale:- 1/8" represents 1' 0"

Date:- January 1993

Drawing No:- 1123/2/5

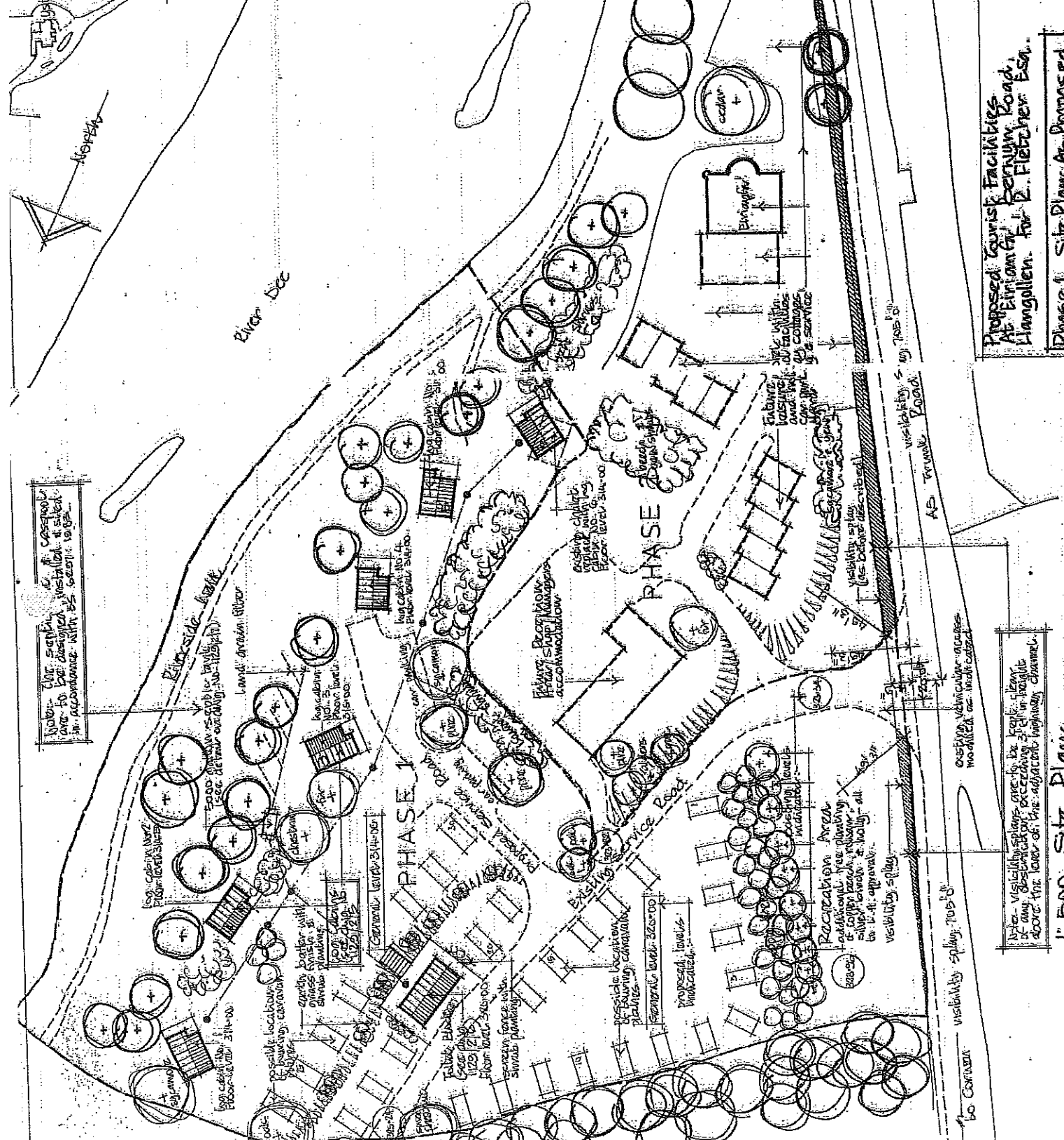
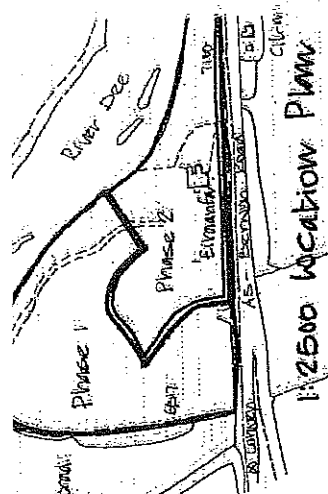
John D. Miles B.I.B.A.,
 Chartered Architect,
 36 Castle Street,
 Birmingham B1 20 8RT
 Telephone:- 0178-860452.

08/2001
 PLAN NO. 11522/P
 -2 JUL 2012
 PLANNING DEPARTMENT
 WILMINGTON COUNTY PA

TIMBY UK Cardigan Rhinabon Wrecsam LL14 6RD
 Tel: 01978 810645 Mobile: 07802 850 010

Artichouse - KESTREL
 170 mm Round Log with Thermo Wall

1993 LAYOUT



Notes: 1. The central area to be developed is situated at site in accordance with the 1988 plan.

Notes: 1. The visibility splays are to be kept clear of any obstruction exceeding 2.1m in height above the level of the adjacent highway channel.

Amendments to the layout are indicated in red. The layout is subject to the approval of the relevant authorities. The layout is subject to the approval of the relevant authorities.

RECEIVED
PLANNING
27/11/93

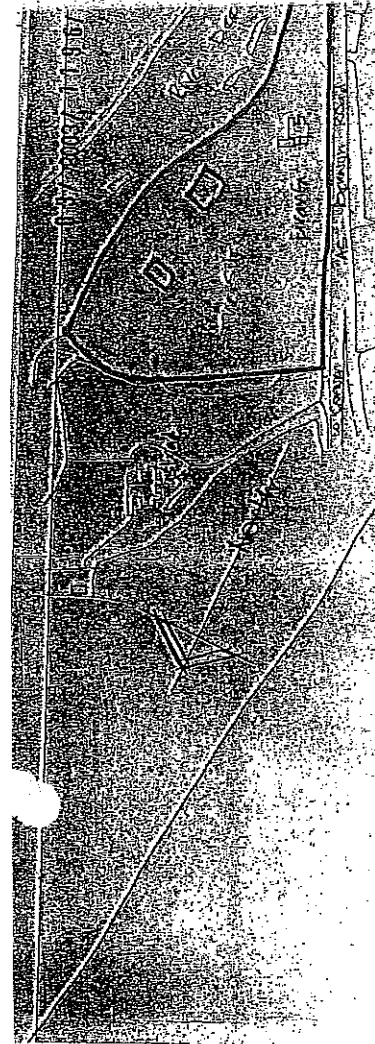
Scale: 1:500
Date: 27 January 1993
John R. Miles
Chartered A.C.
S.G. Castle St.
Warrington, Cheshire, UK

Proposed Tourist Facilities
At Binham Rd, Warrington, Cheshire, UK
Phase 1 Site Plan As Proposed

1:500 Site Plan

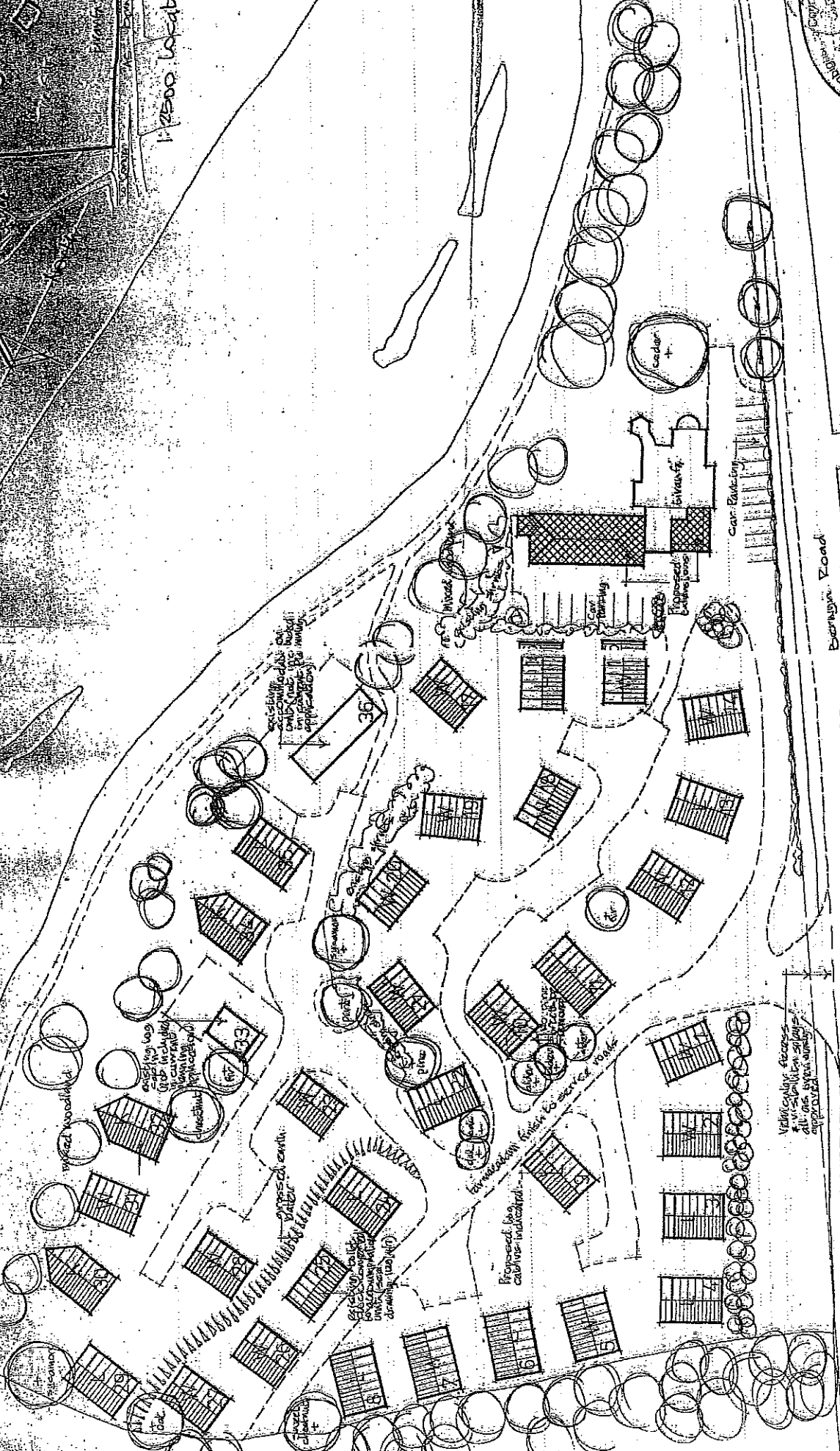
Legend 1 Cabin Types

← Existing
→ Proposed



1:2500 Location Plan

2003 LAYOUT



Developed by County Council
 Approved 13 November 2002
 Planning Services

John & Co. Architects Ltd
 36 Castle Street
 Date: September, 2002

Proposed Tourist Facilities at Barnym Road, Barnymore
 for Mr. R. Fletcher

Scale: 1:500
 Date: September, 2002

to Council

IXW

ITEM NO: 2
WARD NO: Llangollen
APPLICATION NO: 03/2011/1522/ PF
PROPOSAL: Replacement of 3 No. permitted holiday chalets with revised designs at Plots 34, 35 & 36
LOCATION: Whitewater Country Park Berwyn Street Llangollen
APPLICANT: Whitewaters Country Hotel
CONSTRAINTS: C2 Flood Zone
World Heritage Site Buffer
AONB
PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

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

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

LLANGOLLEN TOWN COUNCIL
No response received

CLWYDIAN RANGE AND DEE VALLEY AONB JOINT ADVISORY COMMITTEE
"The JAC notes that the principle of chalet development on this site has been established for some years. The revised units are larger than those originally proposed, but it is also noted that the site is relatively well screened and the proposals present an opportunity to tidy up and make better use of part of this neglected site" (AONB Management Plan Policy PCP1).

COUNTRYSIDE COUNCIL FOR WALES
Does not object. Proposals are unlikely to adversely affect SSSI and SAC.

ENVIRONMENT AGENCY WALES
Application has a low environmental risk, so refers to standard advice relating to drainage matters.

DENBIGHSHIRE COUNTY COUCIL CONSULTEES

HEAD OF HIGHWAYS AND INFRASTRUCTURE
No Objection

BIODIVERSITY OFFICER

No response received

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 26/08/2012

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application relates to development within a previously consented holiday chalet site. It proposes the erection of three 2 storey holiday chalets in place of different chalet types on what are referred to as plots 34, 35 and 36.
- 1.1.2 The chalet units would be within the Whitewaters Holiday Park, which is located to the north of the Whitewaters Country Hotel (formerly known as Eirianfa), a complex of buildings between the A5 trunk road and the River Dee, some 1km north of Llangollen town.
- 1.1.3 The site has been the subject of a number of applications since the early 1990's which have established the principle of a holiday/leisure use. The relevant details are summarised in Section 1.4. and Section 2.
- 1.1.4 The main planning permissions concerning chalet development at the site have been outline consents and reserved matters approvals granted for different schemes in 1991 and 1993 (for 6 chalets) and 2001 and 2003 (for 30 chalets, and a range of related developments including the refurbishment of the old Eirianfa buildings as an Administrative Centre with bar/restaurant facilities).
- 1.1.5 The planning history has been somewhat complex here, with a split in the ownership of the original site resulting in the separate development of the Eirianfa buildings as the Whitewater Country Hotel. It is understood the chalet section of the site has also been the subject of legal dispute, and the current application shows land in control of the applicant extends only to the 3 chalets forming the subject of the application, an existing chalet on Plot 33, with land between these chalets and the River Dee, and an area of land encompassing plots 10 and 11 of the 2003 layout (i.e. excluding the remaining log cabin plots shown on the 2003 layout). The access from the A5 to the chalets is shown in separate ownership and the applicants have indicated on Certificate B in the forms that notice has been served on the Local Planning Authority Receiver.
- 1.1.6 The chalet units the application seeks consent to 'replace' are:-

Plot 34 - a 'Kestrel' style unit approved in 2003 – 2 storey with 2 bedrooms;

Plot 35 - a 'Linnet' style unit approved in 2003 – single storey with 2 bedrooms;

Plot 36 - a single storey 2 bedroom unit on plot 5 of the plans approved in 1993 (this plot was excluded from the 2003 reserved matters application) as it was occupied by a managers 'accommodation unit').
- 1.1.7 The proposed new chalets are described as 'Woodpecker' units, and are 2 storey 4 bedroom structures. These would be clad externally in 'timber logs' with felt slates on the roofs. The plans showing the detailing are attached to the front of the report.

1.1.8 The application is accompanied by a Design and Access Statement and a Code for Sustainable Homes Pre-Assessment. The main points of relevance in the Design and Access Statement are:-

- the cabins are to be located within the approved development for a log cabin holiday park;
- they are a direct replacement for 3 cabins granted permission in 1991-93;
- access details are as previously approved, with the main entrance onto the A5 already constructed;
- the units would have ramped accesses and meet the requirements of Part M of the Building Regulations;
- sustainability standards would be exceeded;
- the development is well screened by existing planting and views from public viewpoints are very restricted;
- design and appearance is totally appropriate for the site, which is to be developed generally with 2 storey cabins externally clad with timber;
- car parking is to be provided outside the properties for their own use;

The Code for Sustainable Homes Pre-Assessment document indicates the unit would achieve Code Level 3.

1.2 Description of site and surroundings

1.2.1 The Whitewaters development is on land which was formerly part of the grounds of Eirianfa, a substantial late Victorian property in open countryside, between the A5 and the River Dee, some 600 metres to the north of the Wild Pheasant Hotel on the outskirts of Llangollen.

1.2.2 Vehicular access to the site is off the A5 via an existing entrance some 80 metres north of the White Waters County Hotel. The log cabin site is then accessed via a track which branches off down to the east.

1.2.3 The site for the 3 cabins is a flat area immediately above the bank leading down to the River Dee, and it is at a slightly lower level than the Country Hotel. There are a number of trees along the western bank of the River Dee, which slopes sharply down to the east from the site.

1.2.4 Part of the site is currently occupied by a 'Park Homes' residential unit which has been the subject of an application for retention as a manager's accommodation unit. This was refused permission at Planning Committee in May 2011, and the subsequent appeal against refusal was dismissed in September 2011. Separate enforcement proceedings are in motion in relation to this unauthorised unit.

1.2.5 The Whitewaters Country Hotel is an independent business with its own parking area and grounds.

1.2.6 There is a toilet/amenity block some 60 metres to the north west of the application site, but otherwise there are no buildings connected with the chalet development within the applicant's ownership or within the original chalet site.

1.3 Relevant planning constraints/considerations

1.3.1 The application site is in open countryside, outside the development boundary of Llangollen town as defined in the Unitary Development Plan proposals

map.

- 1.3.2 It lies within the recently extended Clwydian Range Area of Outstanding Natural Beauty, the Buffer Zone of the Pontcysyllte Aqueduct and Llangollen canal World Heritage Site, and the Vale of Llangollen Historic Landscape. The River Dee forms part of a Special Area of Conservation.

1.4 Relevant planning history

- 1.4.1 There has been a long history of applications relating to this site, which as mentioned previously formed part of the grounds of a former country house, Eirianfa. The history is of relevance to some of the considerations on the application.
- 1.4.2 It is understood that Eirianfa was used until the mid 1980's as a community home/school for adolescent boys, when it was known as Berwyn College. A planning consent in 1985 permitted use as a college for mentally handicapped persons.
- 1.4.3 From the early 1990's, proposals were granted permission for the development/expansion of the main building at Eirianfa as a Hotel/leisure facility, linked to the use of surrounding land as a touring caravan halt, and the development of self-catering holiday units.
- 1.4.4 Permission was granted on appeal in 1991 for a hotel, 20 bed extension and associated facilities at Eirianfa, an overnight caravan halt for touring caravans, and lettable self-catering cottages and chalets. Details of the development were approved in 1993. The layout plan showing the location of the 6 log cabins is included at the front of the report. Officers understand this permission was taken up in the form of the touring caravan use, the laying of the bases of the 6 units, and the erection of the toilet block.
- 1.4.5 Revised plans for the unit on Plot 3 of this development were submitted and approved in 1994. This chalet has been constructed.
- 1.4.6 A subsequent outline permission was granted in 2001 for a development involving the refurbishment of Eirianfa as an administrative centre for the site with a bar/restaurant, 4 catering units, swimming pool and fitness centre, and 30 units of tourist accommodation. This application encompassed the whole site involved in the 1991 and 1993 permissions. Detailed plans of the log cabin development showing a total of 35 units, excluding plot 36 which was occupied by the park homes unit were approved in 2003. Officers confirmed this permission was commenced through works on the foundations of the plot 7 log cabin in 2007.
- 1.4.7 The planning situation at the site became increasingly more complex following the split in ownership of the original site and the separate development of the Whitewaters Country Hotel. The complications arising from further legal issues referred to in 1.1.4 have significantly reduced the land in the applicant's control.
- 1.4.8 There has been dialogue with the applicant's agent and advisors in the past year over the planning status of the different permissions relating to the chalet development, given the separate implementation of the 1991/93 permission and the subsequent consents in 2001/2003. Legal advice has been sought on these matters and the applicant/agent have been informed of the conclusions. So far as this is relevant to the current submission, officers'

understanding is:-

- The 'plot 36' unit was omitted from the 2003 detailed approval and appears to lie on top of the concrete base/foundations laid for the plot 3 cabin on the 1993 layout. Although this could not be verified by inspection, it may be that the 1993 consent can still be implemented in respect of that particular plot.
- Regardless of the above, the proposals to change the chalet types to 2 storey 4 bedroom units involve material changes to what has been approved previously (in form and siting), and a fresh planning application is required.

1.5 Developments/changes since the original submission

- 1.5.1 The application was originally lodged in December 2011 but was not a valid submission. Additional information was received in July 2012 and allowed the application to be progressed.

1.6 Other relevant background information

- 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 3/11,270 – Outline permission GRANTED - 21/6/1991 on appeal – Leisure facilities incl. provision of caravan site, toilet block, 6 log cabins, septic tank and alterations to existing vehicular access.

3/13,272 – Details of 6 Log Units and Toilet Block – GRANTED - 01/06/1993.

3/14,301 – Substitution of Cabin For Previously Approved Log Cabin Plot 3, Eirianfa Tourist Site – GRANTED - 30/11/1994.

03/2000/0028 (Outline application) – Proposed development comprising of 30 buildings providing tourist accommodation, the refurbishment of Eirianfa to provide an administrative centre for the site, a bar/restaurant and four self catering units, and a new building providing a swimming pool and fitness centre with public access – GRANTED – 18/04/2001.

03/2003/1196 – Details of development comprising 30 no. buildings providing tourist accommodation and amendments to 4 no. buildings previously approved for tourist accommodation, the refurbishment of 'Eirianfa' to provide an administrative centre, a bar/restaurant and four self-catering units and extension to provide swimming pool and fitness centre in accordance with outline planning permission code no.

03/2011/0028 – APPROVED – 13/11/2003.

03/20089/1535/PC – Retention of single storey bungalow (mobile home) as a domestic residence/site manager's accommodation – REFUSED – 11/05/2011. Subsequent appeal DISMISSED – 26/09/2011.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

- | | | |
|----------------|---|--|
| Policy STRAT 1 | - | General |
| Policy STRAT 6 | - | Location |
| Policy STRAT 7 | - | Environment |
| Policy GEN 3 | - | Development outside Development Boundaries |

- Policy GEN 6 - Development Control Requirements
- Policy ENV 1 - Protection of the natural environment
- Policy ENV 2 - Development affecting the AONB
- Policy TSM 10 - Extensions of/improvements to existing static caravan and chalet sites.

3.2 Supplementary Planning Guidance SPG 20 – Static Caravan and Chalet development

Supplementary Planning Document – Pontcysyllte Aqueduct and Canal

3.3 GOVERNMENT POLICY GUIDANCE Planning Policy Wales Edition 4 2011

Technical Advice Notes
TAN 13 - Tourism

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues are considered to be:

- 4.1.1 Principle of development and the planning history of the site
- 4.1.2 Visual and landscape impact
- 4.1.3 Impact on the historic environment
- 4.1.4 Inclusive design and sustainability

4.2 In relation to the main planning considerations:

4.2.1 Principle

The strategic and detailed tourism policies of the Unitary Plan, Planning Policy Wales, and TAN 13, support tourist related development subject to relevant impact tests.

In this instance, the planning history of the site is a significant material consideration (see Sections 1.4 and 2 of the report). The principle of chalet development on the site has already been established through the grant of permissions, with development having commenced and remaining capable of implementation for more than 30 units by virtue of the 2001/2003 consents.

The issues officers therefore suggest are relevant to the application are the acceptability of the detailing of the 'replacement' chalet units in this location and whether these are consistent with the proposals for the remainder of the site. It is not considered there are any highways, new issues of principle, or any ecological, or drainage matters to be addressed.

4.2.2 Visual amenity

The Unitary Plan's main policy obliging consideration of impact on visual amenity is GEN 6. GEN 6 requires assessment of the effect of development on a site and its surroundings, including the acceptability of scale, form, design and intensity of use and impact on the form and character of the surrounding landscape and townscape. As the site is within the recently extended Area of Outstanding Natural Beauty, Policy ENV 2 is also relevant, and requires development affecting that area to be assessed against the primary planning objective to conserve and enhance the natural beauty of the area. Matters relating to the impact on the historic environment (the Buffer Zone of the World Heritage Site) are reviewed separately in the following section of the report.

The proposals effectively involve the erection of a different type of log

cabin/chalet unit within a larger site with permission for similar development. The 'differences' can best be appreciated from assessment of the plans at the front of the report. The Clwydian Range and Dee Valley AONB Joint Advisory Committee raise no objection on visual amenity grounds, given the basis of the existing consent and screening.

In assessing the proposals in terms of visual impact, due regard has to be given to the fact that development of similar chalet units could be undertaken on this part of the site in accordance with the existing permission. In Officers' opinion, the proposed 2 storey chalets would be very similar in character and would not have any 'additional' adverse visual impact in this location, above that which would result from implementing the existing permission.

4.2.3 Impact on the historic environment

There are no policies in the Unitary Plan which deal specifically with proposals for development adjacent to the Pontcysyllte Aqueduct and Canal World Heritage site, or within its Buffer Zone, as this was designated in 2009, well after the approval of the Unitary Plan in 2002. However, there is a general requirement in STRAT 7 to safeguard the Country's built heritage, and policies CON 10 and CON 11 require due consideration of impacts of development which may affect a nationally important ancient monument or its setting, and on areas of archaeological importance. CON 12 requires that development does not unacceptably harm the character of an historic landscape. There is a recently drafted, but not yet adopted Supplementary Planning Document relating to the World Heritage Site (jointly prepared by Denbighshire, Wrexham and Shropshire) which seeks to amplify the development plan policies of the respective Councils, and provide guidance on considerations relevant to the determination of applications affecting the World Heritage site and its setting.

No objections are raised from consultees, including the AONB Joint Advisory Committee, on the potential impact on the World Heritage Site/Buffer Zone.

In addressing the requirement to protect the historic environment from any adverse impact from new development, Officers are again obliged to record the fact that the proposals here involve purely changes in log cabin types, and not the establishment of a 'new' chalet site. Consequently, whilst respecting the approach to be adopted to consideration of proposals within a sensitive historic environment, it is not considered the variations sought to the chalet types raise any significant issues in relation to the World Heritage Site Buffer Zone, etc., and should not be opposed on those grounds.

4.2.4 Inclusive design and sustainability

Guidance in TAN 12 Design and TAN 22 Sustainable Buildings has introduced an obligation on applicants to demonstrate the approach to a range of design considerations, including how inclusive design and standards of environmental sustainability are to be achieved. These reflect general requirements in the strategic policies of the Unitary Plan STRAT 1, STRAT 2 and STRAT 13 to ensure sustainable development principles are embodied in schemes.

The submission confirms the proposal is to achieve the Code for Sustainable Homes Level 3, and that ramped access will be provided to allow ease of access for persons with disability.

The Sustainability Code issues can be adequately addressed through planning conditions here. The provision of suitable ramped access and internal detailing designed for persons with disability would address inclusive

design considerations.

5. SUMMARY AND CONCLUSIONS:

5.1 The proposals are to introduce 3 chalets of a different design within a site which has been the subject of permissions for the development of more than 30 log cabin style units.

5.2 In Officers' opinion, the proposed chalet designs and use of materials would be acceptable, having regard to the approved details of units on the remainder of the site. The proposals do not raise any new issues giving rise to concern on visual and historic environment grounds.

5.3 Officers recommend the proposals should be supported subject to conditions consistent with those on the 2001/2003 consents.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The access and parking arrangements shall be completed prior to the holiday units being first brought into use.
3. The finishes of the external walls and roofs of the holiday units shall be maintained as approved at all times.
4. No trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size.
5. The landscaping/planting details shown on the approved site plan shall be implemented no later than the first planting season following the first occupation of the chalets to which they relate, and any trees or plants which, within a period of five years 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.
6. The chalets shall only be occupied as holiday accommodation and shall at no time be occupied as permanent residential properties.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To ensure the chalets are served by a satisfactory access and parking spaces.
3. In the interests of visual amenity.
4. In the interests of visual amenity.
5. In the interests of visual amenity.
6. Permission has only been granted because the units are intended for holiday accommodation purposes, and to be consistent with existing consents on the site.

NOTES TO APPLICANT:

You are advised that the permission granted relates solely to the detailing and layout of the chalet units on the 3 plots referred to as 34, 35, and 36.

Your attention is drawn to the Environment agency's 'Standard Advice' notes relating to the impact of developments on the water environment.