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Heading:
47/2012/1137 and 1130
The White House
Rhualt

13

 Application Site

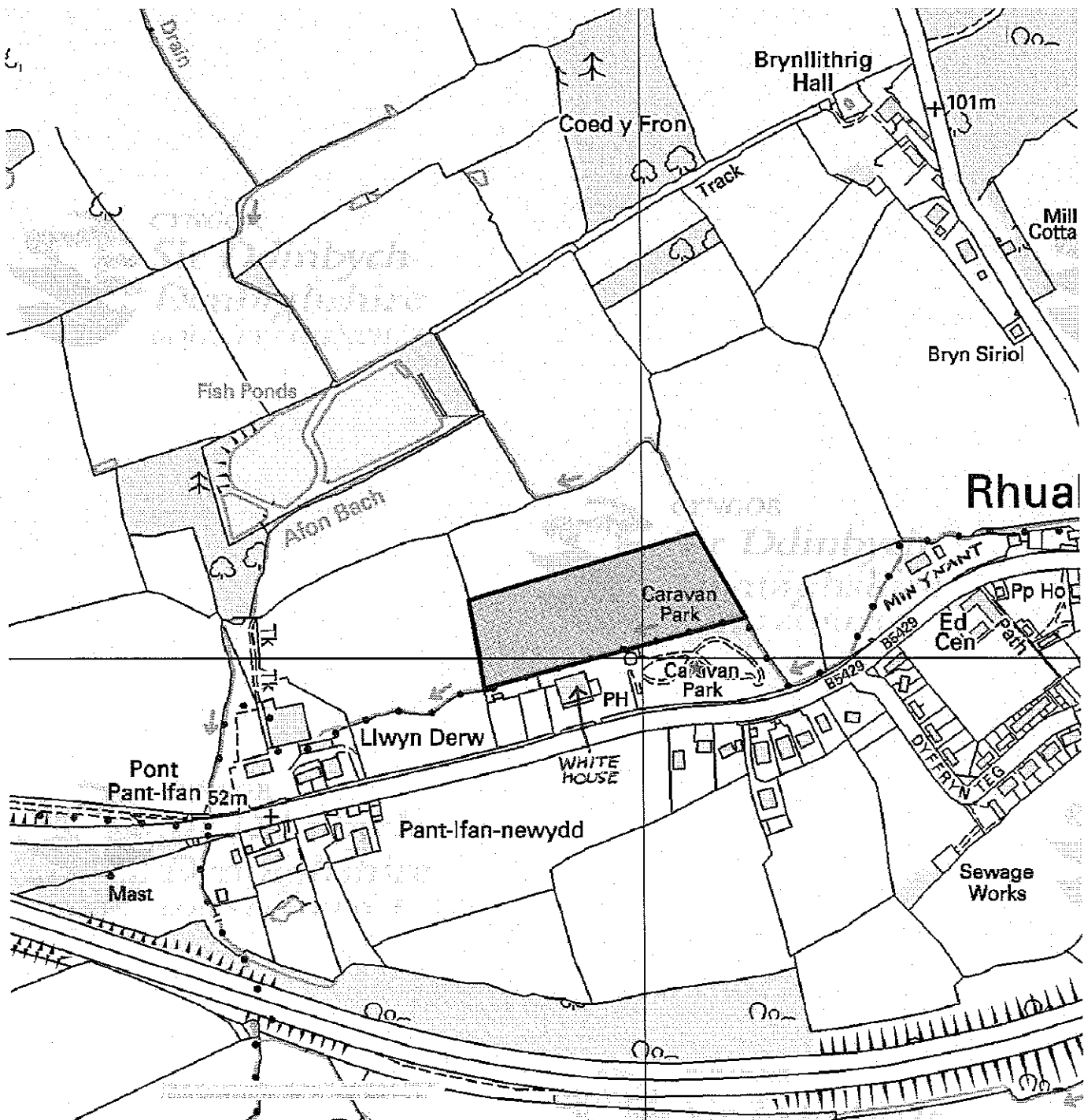


Date 7/3/2013

Scale 1/5000

Centre = 306913 E 375081 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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Atgynhrychir y map hwn o ddeunydd yr Ordnance Survey gyda chaniatâd yr Ordnance Survey ar ran Rheolwr Llyfrfa Ei Mawrhydi © Hawffraint y Goron. Mae atgynhrychu heb ganiatâd yn torri hawffraint y Goron a gell hyn arwain at erlyniad neu achos sifil. Cyngor Sir Ddinbych. 100023408. 2011.



47/2012/1130

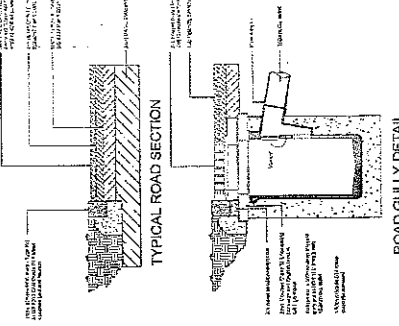
LANDSCAPING / PLANTING DETAILS

47/2012/1137

LOCATION OF SANITATION BUILDING



PROJECT: TOWNHIP AND CHURCH INDUSTRIAL ROAD, BURLINGTON
DATE: 11/2011
SCALE: 1:100



NOTATION FOR PLANTING

1. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CANADIAN STANDARD FOR PLANTING (CSA S400-07) AND THE CANADIAN STANDARD FOR PLANTING (CSA S400-08).

2. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CANADIAN STANDARD FOR PLANTING (CSA S400-07) AND THE CANADIAN STANDARD FOR PLANTING (CSA S400-08).

3. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CANADIAN STANDARD FOR PLANTING (CSA S400-07) AND THE CANADIAN STANDARD FOR PLANTING (CSA S400-08).

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5. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CANADIAN STANDARD FOR PLANTING (CSA S400-07) AND THE CANADIAN STANDARD FOR PLANTING (CSA S400-08).

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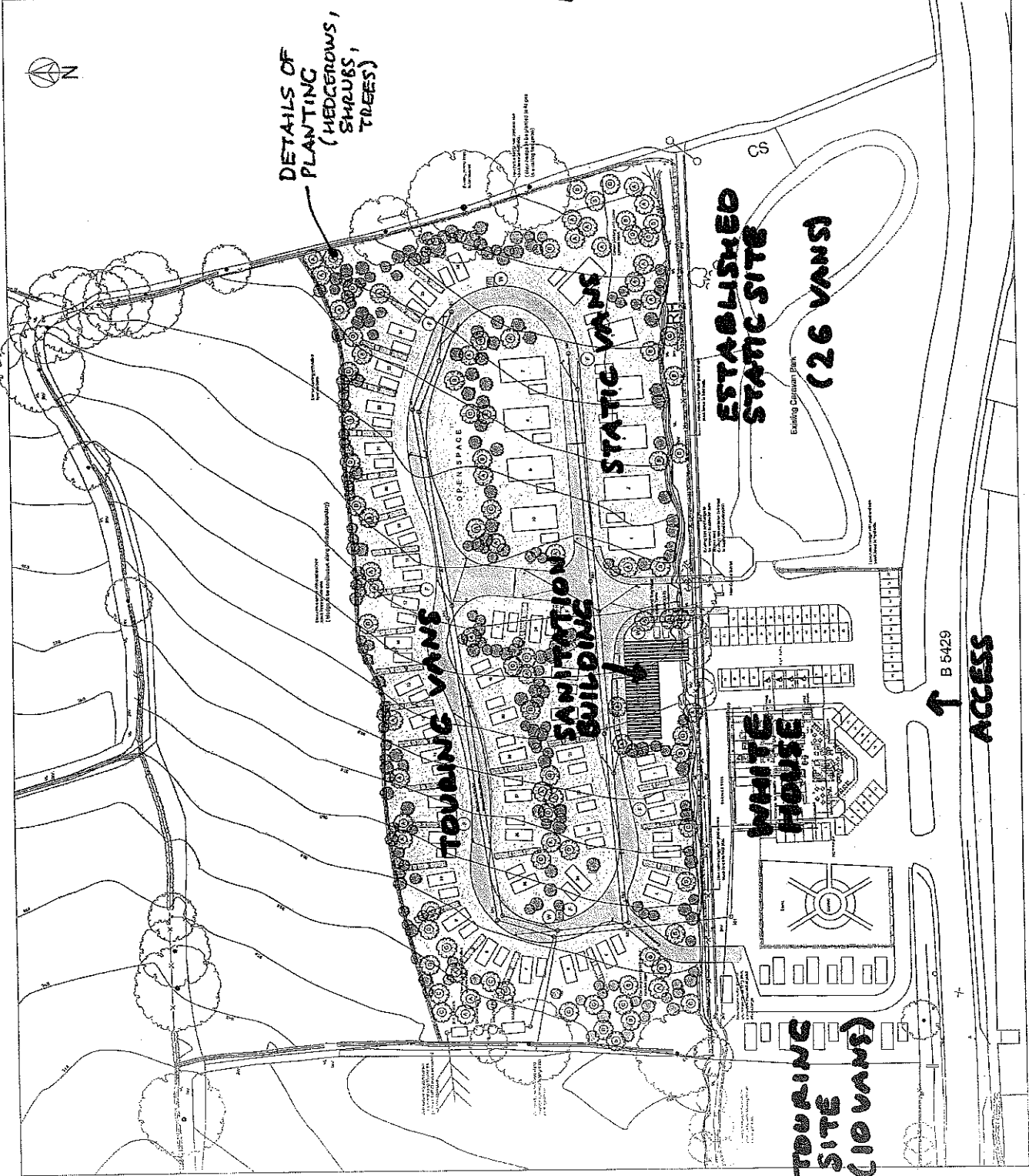
8. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CANADIAN STANDARD FOR PLANTING (CSA S400-07) AND THE CANADIAN STANDARD FOR PLANTING (CSA S400-08).

9. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CANADIAN STANDARD FOR PLANTING (CSA S400-07) AND THE CANADIAN STANDARD FOR PLANTING (CSA S400-08).

10. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CANADIAN STANDARD FOR PLANTING (CSA S400-07) AND THE CANADIAN STANDARD FOR PLANTING (CSA S400-08).

NOTATION FOR PLANTING

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SITE LAYOUT PLAN

DETAILS FROM 2011 SUBMISSION

1. SITE LAYOUT PLAN

KEY

- Proposed Touring Caravan Bays
- Proposed Static Caravan Bays (Single / Twin)
- Proposed Car Bays
- Proposed Trees/Shrub Planting
- Existing Trees/Shrub
- Proposed Track
- Water Point
- Fire Point
- Fire Hydrant

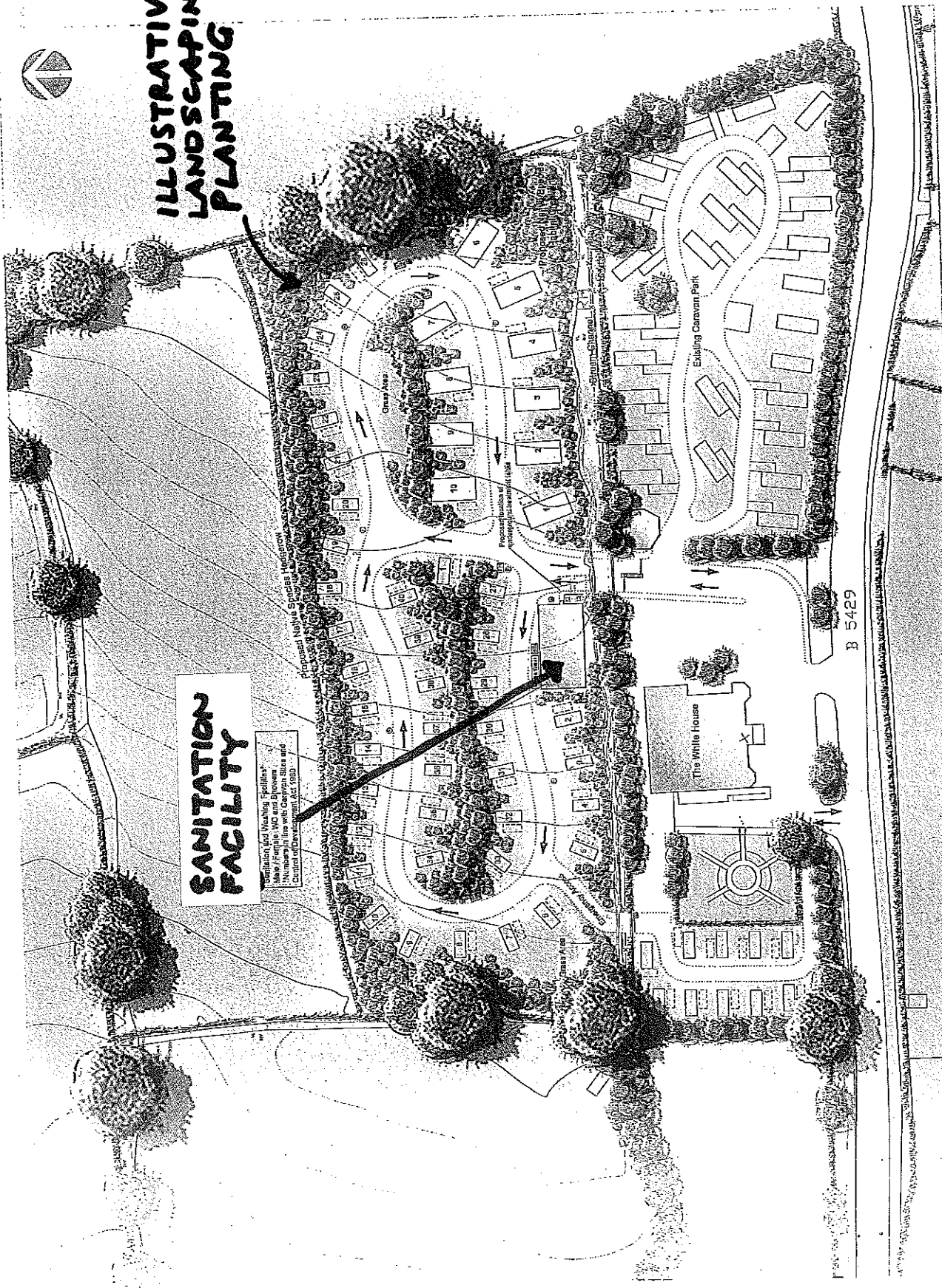
Technical Notes:

All spacing, numbers and safety re in accordance with The Caravan S Control of Development Act 1980, Standard 1988; Holiday Caravan S Fire Points no further than 30 metr any one unit
 Create minimum spacing between 1 car parking space per caravan

ILLUSTRATIVE LANDSCAPING/ PLANTING

SANITATION FACILITY

Sanitation and Washing Facilities
 White Portable WC and Showers
 Numerous bins with wheelie lids
 Control of Development Act 1980



PROJECT	Llwyn Derw, Rhualt
TITLE	Landscape Masterplan
CLIENT	Mr M Perry-Jones
DATE	DEC 2010
SCALE	Scale: 1:500 @ A1
DRAWN BY	DJS
CHECKED BY	B
DATE	22/1/09
PROJECT NO.	
CLIENT NO.	
PROJECT NAME	
PROJECT ADDRESS	
PROJECT CONTACT	
PROJECT PHONE	
PROJECT FAX	
PROJECT EMAIL	
PROJECT WEBSITE	

Llwyn Derw, Rhualt
Landscape Masterplan

ITEM NO: 13
WARD NO: Tremeirchion
APPLICATION NO: 47/2012/1130/ AC
PROPOSAL: Details of landscaping submitted in accordance with condition no. 6 of planning permission code no. 47/2011/0527
LOCATION: White House Hotel Holywell Road Rhuallt St. Asaph
APPLICANT: Mr M Parry-Jones
CONSTRAINTS:
PUBLICITY UNDERTAKEN: Site Notice - No
 Press Notice - No
 Neighbour letters - Yes

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

- Member request for referral to Committee
- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

TREMERCHION, CWM AND WAEN COMMUNITY COUNCIL
 "No objection".

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY

JOINT ADVISORY COMMITTEE

"Although the JAC objected to the original application, the committee accepts that permission was granted and supports the proposed landscaping scheme, particularly the traditional new native hedge boundaries, gapping up of existing hedges, and the specification of semi-mature tree planting (3.6 – 4.25m in height) which will assist in reducing the visual impact of the development when viewed from the nearby AONB and Offa's Dyke Path. The JAC notes that the proposed sanitation building has increased in size from that originally suggested but, given that the principle of a caravan site has been established, the scale of the proposed building relative to the number of static and touring caravans on the site appears to be commensurate with a site of this size. However, the JAC would suggest that a darker coloured roof and wall cladding such as 'olive green' (12B27) would better integrate the building into its rural surroundings than the proposed 'khaki green' cladding'. (AONB Management Plan Policies PCP1 and PCP2).

COUNTRYSIDE COUNCIL FOR WALES

No objection to the implementation of the permission in accordance with the planning permission.

Landscape planting appears to reflect the recommendations of CCW at application stage in terms of general species choice and planting at an initial stage of development, to encourage early establishment.

Assume the scale of the sanitation block is in accord with the full permission. As the site is outside the AONB, the design and choice of materials is a matter for the County

Council to agree with the developer in accord with the relevant planning policy.

COUNCIL FOR THE PROTECTION OF RURAL WALES
Comments awaited.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
None.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mrs M.A. Jelley, Fron Farm, Rhualt Road, Rhualt
P.E. and S.J. Davies, Trem y Ddol, Rhualt
J. Hansford, Min y Nant, Rhualt
G. & H. Kendrick, Bryn Lithrig Barn, Cwm Road, Rhualt

Summary of planning based representations in objection:

Proposals inadequate in terms of extent of planting, height of specimens, and range of species to effect suitable screening, particularly outside summer months / site is visible from properties to the east / trees planted have no body weight and scheme would take too long to establish to hide the site / should be temporary screening until scheme matures / planting should be increased and by use of standard trees, large evergreens, and mature hedging plants should be used / earth bunding should be considered / lighting should be strictly controlled / caravans should be relocated from the eastern boundary / planting works have already been started using small specimens / existing hedgerows and trees have been removed without consent.

Other matters :

Planting carried out in anticipation of consent / developers continue to ignore planning conditions and process and seem to get away with it / applications are a form of blackmail / Council at fault in not stopping development / concerns over consultation process on applications and whether proper procedures have been followed / concerns over lighting and noise pollution.

EXPIRY DATE OF APPLICATIONS:

REASONS FOR DELAY IN DECISION (where applicable):

- timing of receipt of representations
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The report and the one following on the agenda seeks the Committee's determination on an Approval of Condition application arising from a condition imposed on a permission for developments at The White House, Rhualt, granted at Planning Committee in November 2011.

1.1.2 The 2011 permission, granted under Code No. 47/2011/0527/PF, was for:

- Extensions and alterations to The White House, to reinstate it as a public house/hotel

- Use of 1.6 hectares of land to the rear to form a 40 pitch touring caravan, and 10 pitch chalet / static caravan park
- Associated developments including landscaping, access tracks, a sanitation and washing building, and installation of a package treatment plant.

The permission contained a number of planning conditions requiring the submission of details for the consideration and approval of the County Council prior to various works proceeding.

- 1.1.3 The report sets out the background to the current situation and requests Members to determine the acceptability of the detailed proposals for the landscaping / planting of the site relating to Condition 6 of the 2011 permission.
- 1.1.4 The item forming the subject of this report is put before Committee following the submission of plans by the developer's agent in connection with the conditions imposed on the 2011 permission. Referral to Committee has come about as a result of discussion with the Local Member, and follows concerns from the Community Council and local residents over the detailing of the particular elements of the scheme and the carrying out of planting works prior to the formal approval of the County Council being obtained to those details.
- 1.1.5 The planning consent granted in 2011 established the Council's acceptance of the developments outlined in paragraph 1.1.2. Although this was a full planning permission, it was considered necessary to ensure the detailing of various elements of the proposals was reserved for further approval by the Council before different parts of the scheme were progressed. Of direct relevance to the matters now before the Committee is that the site layout plan submitted with the 2011 application showed illustrative plans for the landscaping / planting of the site. These plans were largely indicative, hence Condition 6 was included on the permission to oblige the submission of further details to the Council for consideration and approval. The issue of the planting was also raised in debate at the Committee in November 2011, and an advisory note was included on the Certificate of Decision requesting the applicant to ensure particular attention was given to the details of the planting along the northern and eastern boundaries of the site
- 1.1.6 The details on which determination is now sought includes:-
- A site plan showing detailed proposals for the landscaping / planting, including new sections of hedgerow along the southern (White House) boundary, the northern and eastern boundaries (native species 60-100cm height including holly), denser planting of trees and shrubs between the caravans and the eastern boundary (native tree species minimum 3.6 – 4.25 metres height, supplemented by mixed shrubs), and planting between the touring caravan pitches.
 - A statement from the developer's agent
The statement confirms the landscaping has been designed by specialists in the field, and responds to the consultation comments of the CCW on the original application on the use of native planting and not alien species such as fast growing evergreens; although there is native holly proposed in the hedgerow mix and internal site planting. Reference is made to concerns of the Local Member at the need for attention to the planting on the eastern boundary, and that the size and amount of planting there has been increased on the revised

plans, reflecting works already carried out. Trees of between 3.6m and 4.25m have been used, being those with the greatest potential for early take and growth. It is respectfully stated that instant screening is not possible and that the proposals reflect the best balance achievable.

- 1.1.7 The plans at the front of the report show the detailing of the submitted proposals for the landscaping / planting, although the scale the plan has had to be reduced to in order to fit the plan to the format of the report and may be difficult to interpret. The full size plans may be inspected online or in hard copy form on the application file.

1.2 Description of site and surroundings

- 1.2.1 The site granted permission for the developments outlined in 1.1.2 is at The White House, a long established public house/hotel and restaurant in open countryside to the west of Rhuallt village, and includes land immediately to the north formerly in agricultural use. Land levels slope gently up from west to east in the vicinity of the site, and then more steeply up to the Clwydian Range from the Rhuallt – Dyserth road.
- 1.2.2 The White House has its vehicular access onto the B5429, which runs from Rhuddlan to Rhuallt village. The A55 is to the south of the site and Rhuallt village.
- 1.2.3 The site proposed for the additional caravans is bounded by sections of field boundary hedgerows interspersed with mature trees.
- 1.2.4 There is a scattering of dwellings in the vicinity of the site (see the location plan at the front of the report). The site would be visible from public viewpoints mainly on higher ground to the east. There is a private dwelling Min y Nant some 150 metres to the south east, from the curtilage of which parts of the site and the existing static van site are visible in gaps between trees/boundary planting. The 5th Wheel business – in the same ownership as the application site - is some 200 metres to the west.
- 1.2.5 Also within the same ownership is a 26 unit static caravan site, immediately to the east of The White House car park, and a 10 pitch touring caravan site immediately to the west of the car park. These can also be identified on the plans at the front of the report.
- 1.2.6 The Case Officer's site inspection on the 25th February 2013 confirmed that works on the implementation of the 2011 permission have progressed in that building works have been undertaken on the renovation and alteration of The White House, the frame of the sanitation building has been erected, the profile of the service road and the individual pitches for the caravans on the site have been set out, and there is evidence of some planting of hedgerows and trees, and removal of some sections of old hedgerow.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside some 75 metres at its nearest point outside the development boundary of Rhuallt, as indicated in the Denbighshire Unitary Plan.
- 1.3.2 There are no statutory designations relating to the site in the Unitary Plan. The western boundary of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty is some 350 metres to the east of the site at its

nearest point.

1.4 Relevant planning history

- 1.4.1 The planning permissions for the 26 unit static caravan site and the 10 pitch touring caravan site next to The White House car park, referred to in 1.2.5 above, were granted in 2003.
- 1.4.2 The main permission of relevance to the current applications is the one referred to earlier in the report, granted at Planning Committee in November 2011, for the remodelling of The White House and the development of the touring and static caravan park. The application generated a range of responses. Tremerchion, Cwm and Waen Community Council raised no objections to the application. There were concerns expressed by other consultees and individuals over the principle of the caravan development and to the potential localised impacts (e.g. landscape, agricultural land quality). The merits of the proposals were the subject of some debate at Planning Committee before a planning permission was granted. A number of conditions were attached to the permission requiring the submission and approval of details, including one in relation to the landscaping / planting.
- 1.4.3 The application now seeking the Council's approval therefore stems directly from the Conditions imposed on the 2011 permission, in this case in relation to the detailing of the landscaping / planting of the site.
- 1.4.4 For the record, revisions to the detailing of the refurbishment of The White House were approved in March 2012, but have no bearing on the applications now in front of the Committee.

1.5 Developments/changes since the original submission

- 1.5.1 The developer's agent originally submitted details to the Council in August 2012, seeking approval of matters specified in conditions imposed on the November 2011 planning permission. In terms of process, as Members may be aware, most Approval of Condition applications are dealt with by Officers under delegated powers, as they usually involve non-contentious matters of detail, and there is no requirement in legislation to consult with Community Councils or private individuals on such applications. However, as noted earlier in the report, in the circumstances which have arisen (not least the developer's decision to proceed in anticipation of approvals of the detailing of the landscaping /planting and the sanitation building, and concerns from the Community Council and local residents over activity on the site and the impacts of these elements of the scheme), this is an instance where local consultation has been undertaken prior to reporting the applications to Planning Committee for determination.
- 1.5.2 In relation to the landscaping / planting details, Officers have sought to negotiate improvements to the detailing of the scheme as submitted in August 2012, to honour the request made at Planning Committee in November 2011 for particular attention to be paid to planting along the northern and eastern boundaries, and to respect local concerns at the adequacy of the screen planting. Consultation has been undertaken on the revised plans received in February 2013, and the substance of responses to the detailing are summarised earlier in the report. The merits of the detailing as submitted are assessed in section 4 following.

1.6 Other relevant background information

- 1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 Caravan sites immediately adjacent to The White House :

47/2003/0666/PF

Change of use of land from touring caravan site to static holiday caravan site (26 caravans)

- GRANTED – 30/7/2003

47/2003/1081/PF

Change of use of land to form caravan site for 10 touring caravans and landscaping

- GRANTED – 30/10/2003

Land at and to the rear of The White House :

47/ 2011/0527/PF

Extensions and alterations to existing public house/hotel and use of 1.6 hectares of land to rear to form a 40 pitch touring caravan and 10 pitch static caravan park, with associated works including landscaping, access tracks, sanitation and washing building, and installation of a package treatment plant

- GRANTED – 16/11/2011

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 GEN 6 - Development Control requirements

Policy ENV 2 - Development affecting the AONB/AOB

3.2 Supplementary Planning Guidance

SPG 20 – Static caravan and chalet development

3.3 GOVERNMENT POLICY / GUIDANCE

Planning Policy Wales Edition 5 November 2012

4. MAIN PLANNING CONSIDERATIONS:

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

4.1.1 Principle

4.1.2 Detailing of the landscaping / planting proposals

4.2 In relation to the main planning considerations:

4.2.1 Principle

The grant of the full planning permission in November 2011 for the remodelling of The White House and the development of the caravan park, with associated works including a sanitation building and landscaping has established the acceptability of these developments in this location. The application now before the Council does not permit the principles of the development to be revisited. The sole issue at this stage is whether the particular detailing of the proposals for the landscaping and planting are acceptable. The Council's duty is to determine the application on its merits against relevant planning policy and material considerations, and the decision has to be to either approve or to refuse to approve the details.

4.2.2 Detailing of the landscaping / planting proposals

The relevant planning policy considerations to proposals for landscaping /

planting in connection with new development are contained in GEN 6 and ENV 2 of the Unitary Plan. Test xii of GEN 6 requires development to incorporate suitable landscaping measures, including where appropriate, hard and soft landscaping treatment and arrangements for subsequent maintenance. ENV 2 relates to development affecting the AONB and seeks to ensure such development does not detract from its character and appearance. Whilst the site is some 350 metres outside the AONB, the explanatory text to the policy advises that it does not just apply to development within the area, but to development outside it which could have a detrimental impact on the area including views into and out of the area. Supplementary Planning Guidance Note 20 contains guidance on consideration to be given to detailed development issues, and in 16 refers to the need for high quality landscaping, suggesting soft landscaping should focus on native species, take into account the cover to be provided throughout the seasons, and indicates the use of fast growing conifers will not be acceptable.

In relation to representations received:-

The Community Council raise no objections to the landscaping proposals.

Private individual concerns are expressed at the adequacy of the planting and these suggest use of specimens of more significant height and possibly large evergreens, and additional mounding.

CCW raise no objections to the proposed planting, as they consider it reflects their recommendations on the original application in terms of species choice (nature broadleaf species of local provenance) and early implementation. The AONB Committee also support the proposed planting scheme.

The applicant's agent refers to the planting scheme being designed in response to CCW comments and to the size of specimens having the greatest potential for early take and growth.

In assessing the acceptability of the landscaping/planting proposals, Officers acknowledge the basis of representations and would comment as follows:-

- The grant of planning permission in 2011 established the County Council's acceptance of a caravan park development, taking into account the potential for landscape and visual impact from caravans and associated developments in this location. The imposition of conditions was to ensure suitable control over the detailing of elements of the scheme and to mitigate potential impacts, in connection with that permission. The Council has now to determine whether the specific landscaping/planting details are acceptable within the context of the permission granted.
- The detailed plans show a concentration of new planting between the proposed caravans and the eastern/northern boundaries, with the dense planting of native tree species such as beech, birch, field maple and rowan; and a new mixed species boundary hedgerow including holly. This reflects the desire expressed by Planning Committee in 2011 to ensure particular attention to the extent of planting in this area. There is also planting proposed between caravan plots, around the sanitation building and along the boundary between The White House and the caravan site to re-establish a screen along that boundary following the removal of sections of old hedgerow/trees, in that location. These are quite extensive proposals and the choice of species is considered

acceptable by the CCW and the AONB Committee as a basis for approval.

- Whilst acknowledging the concerns of objectors over the detailing/extent of planting, Officers respectfully suggest it would be unreasonable to expect a developer to introduce planting capable of instantly obscuring all views into a site of the size approved. The particular species and sizes shown on the plans are likely to have a higher potential for successful take over a 5-10 year period, which Officers consider to be a reasonable timescale to establish a planting scheme in association with such a development.
- Having due regard to the relationship with the property Min y Nant, which is over 150 metres from the site boundary, in Officers' opinion the impact of the development would not be so unacceptable in visual terms to occupiers to merit a different approach to the landscaping/planting.
- In relation to other points raised, it is not considered necessary to introduce mounding around the site to create screening in addition to the planting proposed, as the establishment of the hedgerows and trees would effect a reasonable screen over time. The use of evergreens is not a preferred option and would be contrary to general advice in the SPG and from CCW. Lighting is subject to approval under a separate condition of the main planning permission. The layout of the site is already approved and the Council can not now seek to relocate caravans further away from private property.

4.3 Other matters

It is regrettable that the developer has chosen to proceed with work on the construction of the sanitation building and on planting works prior to receiving the necessary approval from the Council. Such actions can not be condoned and are entirely at the risk of the developer, since there is no guarantee that an approval will follow. With regard to objectors concerns over the Council not taking appropriate action to stop works in progress, it is not an offence under planning legislation to carry out such works without planning permission, and Officers would suggest that it would not have been expedient to have commenced formal enforcement action against the particular works whilst the Council is considering the details of these matters, as it is not considered there is specific harm to amenity arising from the works undertaken to date. Lighting details are subject to separate approval in connection with the main planning permission. Noise issues have to be dealt with separate to the applications now before the Committee. Procedural matters relating to Approval of Condition applications are referred to in section 1.5.1 of the report; opportunity has been given to the Community Council and private individuals to make comment on the proposals before consideration at Committee, and the responses received at the time of preparing this report are summarised and assessed in the preceding paragraphs. Any late comments will be reported in the late representations sheets.

5. SUMMARY AND CONCLUSIONS:

5.1 The application requires assessment of the acceptability of the specific detailing of proposals for the landscaping / planting, proposed in connection with a caravan site development granted permission at Committee in November 2011.

5.2 There are local concerns over the detailing and these are set out and addressed in the report. The developer's choice to proceed with planting in the absence of approval shows little regard for process, but nonetheless the Council has a duty to deal with the matters before it solely on their planning merits.

5.3 In respect of the details of the landscaping / planting, Officers acknowledge the basis of the concerns expressed, but in the context of the detailing and the grant of planning permission for the caravan site in 2011, would not consider there are reasonable grounds for refusing to approve the details submitted.

RECOMMENDATION: - APPROVE

1. No conditions imposed.

NOTES TO APPLICANT:

None