



CYNGOR
Sir Ddinbych
Denbighshire
 COUNTY COUNCIL

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Heading:
 05/2013/0484
 Berwyn Lodge
 Glyndyfrdwy, Corwen

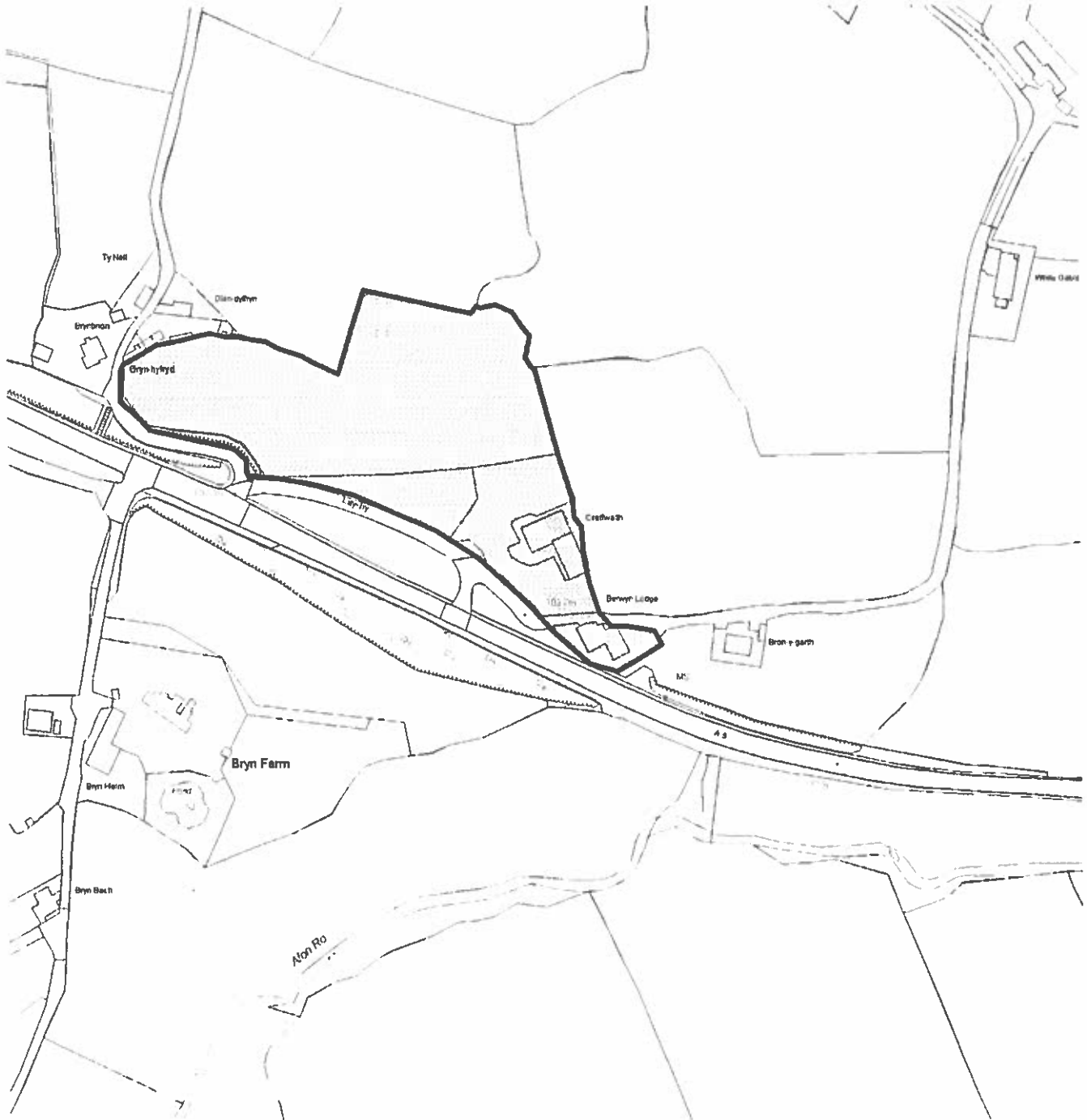
2

 Application Site



Date 29/8/2013 Scale 1/2500
 Centre = 315930 E 342440 N

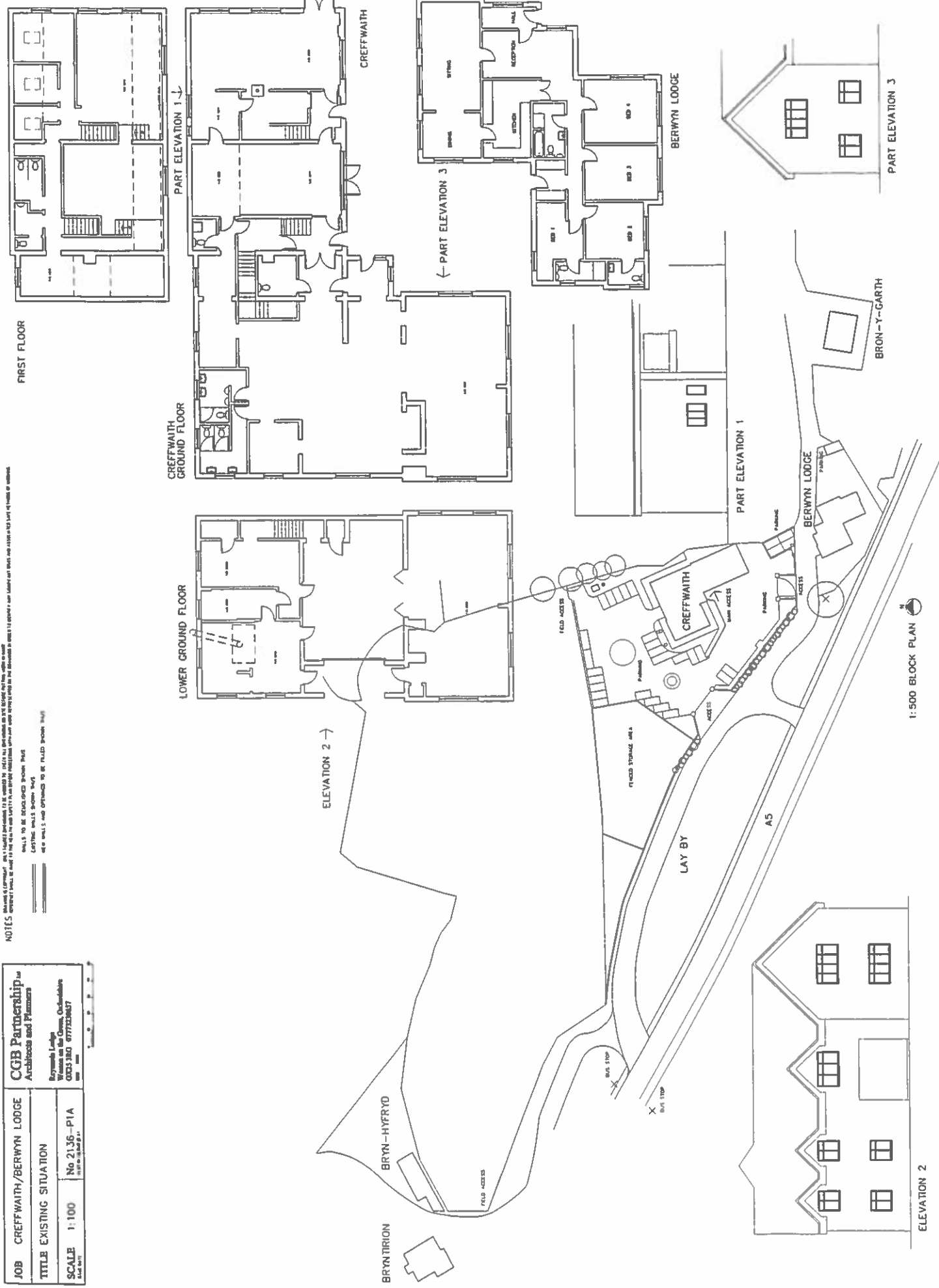
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection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



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EXISTING PLANS



NOTES: Materials to be used in the construction of the building shall be as shown on the drawings. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for ensuring that the building is constructed in accordance with the relevant building regulations. The contractor shall be responsible for ensuring that the building is constructed in accordance with the relevant building regulations.

JOB CREFFWAITH/BERWYN LODGE	
TITLE EXISTING SITUATION	
SCALE 1:100	No 2136-PIA
Bryn-tirion Lodge Writton on the Green, Dorset B023 8EU 077732867	



ITEM NO: 2
WARD NO: Corwen
APPLICATION NO: Councillor Huw Jones
 05/2013/0484/ PF
PROPOSAL: Change of use of industrial unit, visitor attraction, cafe and two residential units to a Class D1 non-residential education and training facility
LOCATION: The Original Butterfly Man Berwyn Lodge Glyndyfrdwy Corwen
APPLICANT: Branas Isaf
CONSTRAINTS: Within 67m Of Trunk Road
 AONB
PUBLICITY UNDERTAKEN: Site Notice - No
 Press Notice - No
 Neighbour letters - Yes

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

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

CORWEN COMMUNITY COUNCIL:

“The Community Council of Corwen is strongly opposed to the proposed Planning Application 05/2013/0484 the Butterfly Man Glyndyfrdwy Change of use from industrial unit, visitor attraction, café and two residential units to D1 non-residential education and training facility

Headlines

- *This is a speculative bid by a Branas Isaf which is part of a large Company Care Tech PLC*
- *There has been no community consultation from the Company, which is surprising as the community of Glyndyfrdwy is well aware of the Company's work with young males in Llandrillo*
- *There would be a loss of both a residential asset and a tourism asset to this village following hot on the heels of the closure of the village school, pub, shop and most importantly the school*
- *As far as can be seen the change of use does not bring any benefits to the community of Glyndyfrdwy*
- *The company claims to be sustainable so why shift the mental health education and therapy day facility to over 12 miles from its users rather than be on site as it is now? Unless, that is, there is a larger strategic aim by the Company to spread further east towards Llangollen; after all the Company's property portfolio is valued at £225,000 so it is happy to add to such an asset*
- *Finally there is deep concern in the community of Glyndyfrdwy about the personal safety of its residents especially the very young and old*

The current Denbighshire Unitary Development Plan states:-

- *Strategic Aim: “to secure for all communities a pleasant and safe environment in which to live, work and play”.*

- *Social Objectives: "to maintain, protect and enhance as far as possible through land use planning the character of communities".*

This application achieves neither the aim nor the objective above.

Tourism

The location of this proposal is strategic to the potential tourism economy of this community and the whole Dee Valley which attracts over 980,000 visitors, of which 73,000 choose to stay for a holiday (from Raising the Standard, Visitor Economic Strategy for the Dee Valley 2003 commissioned for Denbighshire County Council). The application location is adjacent to two large public lay-bys that can accommodate 50+ cars, two bus stops and is strategically placed on the A5 trunk road and is already used by visitors, walkers, cyclists and train enthusiasts.

The Community Council can see no benefit by this change of use in fact it is also contrary to the following extracts from the UDP:-

GENERAL DEVELOPMENT CONSIDERATIONS

Policy GEN 6 - Development Control Requirements

DEVELOPMENT WHICH IS IN ACCORDANCE WITH THE PLAN'S OTHER POLICIES AND PROPOSALS WILL BE PERMITTED, PROVIDED THAT IT:

- ii) DOES NOT UNACCEPTABLY AFFECT THE FORM AND CHARACTER OF SURROUNDING LANDSCAPE AND TOWNSCAPE, NOR THE LOCAL NATURAL AND HISTORIC ENVIRONMENT;**
- iii) DOES NOT UNACCEPTABLY AFFECT PROMINENT PUBLIC VIEWS INTO, OUT OF, OR ACROSS ANY MAIN CENTRE, MAIN VILLAGE, VILLAGE OR AREA OF OPEN COUNTRYSIDE;**
- v) DOES NOT UNACCEPTABLY AFFECT THE AMENITY OF LOCAL RESIDENTS, OTHER LAND AND PROPERTY USERS OR CHARACTERISTICS OF THE LOCALITY BY VIRTUE OF INCREASED ACTIVITY, DISTURBANCE, NOISE, DUST, FUMES, LITTER ETC., AND PROVIDES SATISFACTORY AMENITY STANDARDS ITSELF;**
- ix) DOES NOT PREJUDICE LAND OR BUILDINGS SAFEGUARDED FOR OTHER USE, OR IMPAIR THE DEVELOPMENT AND USE OF ADJOINING LAND;**
- xi) TAKES ACCOUNT OF PERSONAL AND COMMUNITY SAFETY AND SECURITY IN THE DESIGN AND LAYOUT OF DEVELOPMENT AND PUBLIC/PRIVATE SPACES AND HAS REGARD TO IMPLICATIONS FOR CRIME AND DISORDER;**

The application is also contrary to the Council's strategic objectives in the Denbighshire Rural Strategic Plan (January 2008).

This document will have a key role in shaping the future direction of Denbighshire County Council, and it will influence all aspects of policy, funding and delivery of services in rural areas.

Background

The Vision for rural communities in Denbighshire is that they, "will be economically, socially and culturally active whilst maintaining the beautiful natural and historic environment. There will be access to affordable housing, to employment and to services for people from all parts of our rural community. More housing will sustain community facilities such as schools and shops. Local transport structures will improve access between communities while the unique rural culture and identities of our small villages will be protected and celebrated. Economic activity will sustain the natural beauty of the AONB and rural areas. The agri-food sector, tourism and contemporary communications technology will enable further rural diversification."

In addition, there are aspects of the Vision for the whole of Denbighshire which are particularly relevant to rural communities and these are:-

- *the retention and attraction of younger people*

- *encouraging entrepreneurship by supporting the growth of small to medium sized businesses (SME's) and recognizing the importance of the knowledge based economy*
- *supporting agricultural production and processing industries*
- *providing access to lifelong learning including investment in schools*
- *the attraction of more visitors*
- *bringing services closer to communities in shared locations*
- *building social capital through the elimination of deprivation and encouraging people to help themselves and their communities*
- *raising awareness of the benefits of taking regular exercise and eating well, and*
- *respecting diversity and protecting the environment*

It is again difficult to see how this application achieves any of the above indeed it is a threat to most of them as well as:-

Denbighshire County Council's Corwen Town Plan 2012 (which includes Glyndyfrdwy) states the following:-

- *to offer an enviable quality of life which is attractive to residents of all ages,*
- *to offer a brilliant experience for visitors to the area*

Conclusions

At the Community Council we are just extremely disappointed with the applicants lack of consultation especially when they want to bring a facility to this area, we are also disappointed in the length of time the community has been given to discuss the application. The community has lost enough facilities .It now faces the spectre of a large PLC Health Company (Tech Care) taking over a strategically placed Tourist Facility and bringing unstable young males to this small village of isolated properties for 'therapy and education'. These males are not local and in the minds of our community pose a real threat to its safety.

The Company at no time has made any effort in this first 21 day time period to allay any of the fears of this small rural community.

However our objection is based on the facts that this application does not comply with Denbighshire County Council's current UDP and other Denbighshire Plans together with posing a real threat to the wellbeing of this Welsh Community."

NORTH WALES POLICE:

No objection.

CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY

JOINT ADVISORY COMMITTEE:

"The JAC welcomes the amended approach to boundary treatments, including deletion of the 2.1m high close boarded timber fence, confirmation that existing hedges will be retained, and proposed supplementary native planting in front of the 1.8m high chain link fences to reduce visual impact. Any chain link fences should be dark green in colour to further reduce their impact. However, the proposed amendments do not address the fundamental issues raised by the JAC about the need to support tourism in the AONB and the loss of a well established tourist attraction in the Dee Valley."

WELSH GOVERNMENT TRANSPORT DIVISION:

No objection.

NATURAL RESOURCES WALES:

No objection.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Transport and Infrastructure

- Highways Officer:
No objection subject to conditions relating to the provision of parking and turning.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

M. & S. Hale, 2, Bryn Hyfryd, Glyndyfrdwy
P. Claybrook & V. Jones, Bron y Garth, Glyndyfrdwy x2
H. Roberts, Arfryn, Glyndyfrdwy
T. Goddard, 264 North Hyde Lane, Southall, Middlesex
R. & S. Francke, Bryn Helme Farm, Glyndyfrdwy
Violet Goddard, White Gables, Glyndyfrdwy, LL21 9HH
Mr. & Mrs. Cheeney, Tyn-y-Ceubren Bach, Glyndyfrdwy x2
Mr. & Mrs. R. E. Orson, 1, Bryn Hyfryd, Glyndyfrdwy
A. Potts Mrs. A. J. Pradhan, Bryn Bach, Glyndyfrdwy
Mr. J. Jones, Bro Awelon, Glyndyfrdwy
F. MacQuire, Glyndyfrdwy
C. Sweetnam, 4, Glan Aber Estate, Eglwysbach
J. & R. Hadlow, The Bothy, Trewern Court, Hengoed, Oswestry
R. Jones, 94, Pengwern, Llangollen
S. C. Jones, Plas Tirion, Glyndyfrdwy
P. Danby, Oswestry Ramblers
A. Dolben, 9, New Inn Terrace, Glyndyfrdwy
Mrs. R. M. Jones, Bro Awelon, Glyndyfrdwy
E. & B. Roberts, Garth Isaf, Glyndyfrdwy
A. & L. Eastwood, Garth y Dwr Cottage, Glyndyfrdwy
Mrs. E. V. Roberts & Mr. G. Roberts, Rhoslan, Glyndyfrdwy
M. Roberts, Bryntirion, Glyndyfrdwy
Mrs. H. Wilson Mr. B. Wilson P. & F. Aston, Mynydd Llwyd, Glyndyfrdwy
A. Rogers, High Trees, Glyndyfrdwy
D. Jackson, High Trees, Glyndyfrdwy
J. Morris P.G. & R.M. Lucock & N.M. Truscott, Bryn Gwenallt, Glyndyfrdwy
Mrs. G. H. Kingdom, Ty Ni, Maes-y-Glyn, Glyndyfrdwy
C. Roberts, 4, Tan-y-Ffordd, Glyndyfrdwy
C.E. Jones, Plas Hyfryd, Glyndyfrdwy
P. & H. Baillie, Cartref, Maes y Glyn, Glyndyfrdwy
Mr Meirion Roberts, Bryntirion, Glyndyfrdwy
Mrs D Teague Minafon Glyndyfrdwy
Mrs. E.V. & Mr. G. Roberts, Rhoslan, Glyndyfrdwy
Mr D G & Mrs M Jones, Llanon, Glyndyfrdwy
P. Lawton, Ty Lawr, Glyndyfrdwy
C. Richards J. Wakelin, Penrhyn, Glyndyfrdwy
P. Blackwell, Brynteg Garage, Glyndyfrdwy
Mrs. E. Owens, 18, Maes Owain, Glyndyfrdwy
Mr. J. H. Richards, Avon Ro Farm, Glyndyfrdwy
M. & A. Basnett, Iscoed, Glyndyfrdwy
Mr. & Mrs. Totty, Cefn y Coed, Glyndyfrdwy
C. & T. Wombwell, The Post Office, Glyndyfrdwy
E. Barneby, Pen y Bont, Glyndyfrdwy
J. & M. Bromfield, Old Welsh Baptis Chapel, London Rd., Glyndyfrdwy
L. Williams, Carrog Isa, Glyndyfrdwy
A. & Y. Davies, Cwm Arddau, Glyndyfrdwy
M. Roberts-Davis, Plas Gwyn, Glyndyfrdwy
D. & J. Pierson, Garth-y-Dwr Farm, Ty Newydd Lane, Glyndyfrdwy
M. Whileman-White, Glan Dyffryn, Glyndyfrdwy
C. Orford, Bryn Ddol, Glyndyfrdwy
L. Mynett, Fronlwyd, Glyndyfrdwy
D. Orford, Bryn Ddol, Glyndyfrdwy

R. Francke, Bryn Helme, Glyndyfrdwy
C. Morgan x2
Mr. & Mrs. Jones, 3, New Inn Terrace, Glyndyfrdwy
D. & L. Hale, Pennant, Glyndyfrdwy
Miss M. Herbert, Hen Stabal, Afon Ro, Glyndyfrdwy
E. K. Roberts, Ty Nant, Maes y Glyn, Glyndyfrdwy
Mr. M. L. Roberts, Ty Nant, Maes y Glyn, Glyndyfrdwy
A. V. Newland, Plas Hendre, Glyndyfrdwy
P. D. Whiteley, Rhosynwst Cottage, Glyndyfrdwy
C. Holmes, Old Glyndwr Stores, Glyndyfrdwy
R. Thomson, 6, Dearnalay Way, Chadderton, Oldham
B.A. & Mrs. B. I. Weir, Ty Newydd Bach, Glyndyfrdwy
M. Young & M. Evans, Siamberwen, Glyndyfrdwy
E. V. Richards, Tyn-y-Ceubren, Glyndyfrdwy x2
M. G. Roberts, Holly Bank, Glyndyfrdwy
E. & E. Williams, Gernant, Glyndyfrdwy
S. Williams, Fron Heulog, Glyndyfrdwy
B. Jones, Plas Isaf, Glyndyfrdwy
B. Gaskell, Blaenwern, Glyndyfrdwy
J. & F. Mann, Craig-y-Rhos, Glyndyfrdwy
R. & S. Davies, Hafod y Wern, Glyndyfrdwy x2
S. Snowdon, Plas y Glyn, Glyndyfrdwy
Mrs. L. Watkin, 6, Pentre Uchaf Cottages, Pentredwr
Mr. R. G. Roberts, Pig y Bont, Glyndyfrdwy
J. A. Foulkes, University of Manchester,
C.2274 Michael Smith BuldngE. Haigh, Glyndwr, Glyndyfrdwy
D. A. Jones, Plas Tirion, Glyndyfrdwy
D. Maguire
M. Jones & D. Sault, 1, Tan y Ffordd, Glyndyfrdwy
K. Owen T. Davies, Coed-y-Glyn, Glyndyfrdwy
A. Jones Mr. & Mrs. Grew, Church House, Glyndyfrdwy
D. & M. Kendrick, Y Bwthyn, Glyndyfrdwy
G. Harrison, Brynteg Garage, Glyndyfrdwy
J. Williams, Fron Heulog, Glyndyfrdwy
Dr. M. Lewis, School House, Glyndyfrdwy x2
Colin Snowdon, Plas y Glyn, Glyndyfrdwy
Andrew Pritchard Sheila Vaughan Leon Nixon, Tan y Bont, Glyndyfrdwy
Carol Turner, Tawelfan, Glydyfrdwy.
Peter Callon, Ty Helyg, Maes y Glyn, Glyndyfrdwy
Mrs L Jones, Plas Hyfryd, Glyndyfrdwy
D. Jackson, High Trees, Glyndyfrdwy
Mr. & Mrs. K. Claybrook, 10, Beaumaris Close, Acrefair
Cathi & David Reid, Melyd, Poplar Road, Pen Y Cae
S. Jones, Glyndyfrdwy
Wl M. Snowdon, 10, Hillside Rd., Cheddleton, Leek
Mr Andrew Snowdon 604 London Road, Davenham
Mr John H & Mrs Rowena M Jones, Bro Awelon, Glyndyfrdwy
D G Jones & M Jones, Llanon, Glyndyfrdwy
Callum Langford, 6 Min y Coed, Llangollen
Mrs Laura Worstencroft, 28 Green Lane, Davenham
Malcolm Claybrook Esq, Cysgod y Coed Rhewl, Llangollen
Mr David Snowdon, 41 Drillfield Road, Northwich
Meurig Evans, M. Young, & M. Evans, Siamber Wen, Glyndyfrdwy
Veronica Jones Bron y Garth, Glyndyfrdwy (Petition)
Corina Richards 3 Tan y Ffordd, Glyndyfrdwy
Mr M G Morris, 35 Maes Pengwern, Llangollen
Mr Christopher Edwards, 12 Maes Owain, Glyndyfrdwy
Kyle Owen, 3 Tan y Ffordd, Glyndyfrdwy
M. Packman J. Pradhan, Bryn Bach, Glyndyfrdwy
Mr. R. D. Jones, 13, Hatherley Road, Withington, Manchester

Mrs. L. Jones, Plas Hyfryd, Glyndyfrdwy, Corwen
A. Potts, 2, Bryn Derwen, Glyndyfrdwy
H. T. Jones, Farmers Union of Wales, Ty Mawr, Llys Owain, Dolgellau
Mrs D. Davies, Tyn y Pistyll, Glyndyfrdwy, LL21 9BP
Rhonwen Jones, 84 Pengwern, Llangollen
Barb & Geoff Owen, Nant, Glyndyfrdwy, LL21 9HG
Eric & Enid Williams, Gernant, Glyndyfrdwy, Corwen, LL21 9HB
Evaline Owens, 18 Maes Owain, Glyndyfrdwy, LL21 9HF
Mr. & Mrs Totty, Cefn y Coed, Glyndyfrdwy, LL21 9BS
Mary & Arthur Basnett, Iscoed, Glyndyfrdwy, Corwen, LL21 9EU
Andrew Pritchard
Emma K. Roberts Lee Roberts P. E. Coley, Ty'n y Celyn, Glyndyfrdwy
Ms Rosemary Evans, 12 New Inn Terrace, Glyndyfrdwy, LL21 9HR
Ms Barbara Richards, 5 Sun Terrace, Glyndyfrdwy
Mr John Horton Richards, Avon Ro Farm, Glyndyfrdwy
Sally Yaxley, Carrog Uchaf, Glyndyfrdwy
Gwil & Ann Owen, 59 Maes Collen, Llangollen
Carys Roberts, 60 Clawddponcen,
Corwen Christopher Jones, Plas Hyfryd, Nr Corwen
A. Rogers, High Trees, Glyndyfrdwy

Summary of planning based representations in objection:

- **Fear of crime:**
Increased risk in crime within the community including fear of physical violence, damage to property, harm to livestock;
- **Impact on visual amenity/AONB:**
Detrimental impact on character of the AONB because of additional security measures/security fencing that may be put in;
- **Highway safety:**
Adverse impact on highway safety resulting from additional traffic movements needed to bring the children to the school;
- **Impact on tourism:**
Loss of an important tourist attraction in a prominent location on a key route through the county;
- **Residential amenity:**
General detrimental impact on the residential amenity of the area resulting from activity associated with the school, noise, traffic movements; and
- **Impact on character of village:**
General detrimental impact on 'village life' if children are allowed to roam.

In support

Representations received from:

Mrs. P. Butler, 6, Millers Green, Castlefields, Shrewsbury

EXPIRY DATE OF APPLICATION: 16/6/13

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- protracted negotiations resulting in amended plans
- 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 Full planning permission is sought for the change of use of the 'Original Butterfly Man' business to a non-residential education and training facility (land use class, D1) for children who are in the care of Branas Isaf. For the purposes of this report, the use will be simply referred to as a 'school'.
- 1.1.2 The existing use as a tourist attraction comprises three elements, all of which are contained within the same building, Creffwaith. There is an industrial/manufacturing element which produces decorative butterflies which can be fitted to external walls of buildings. As well as the manufacturing element there is a café and shop area, two residential units, one of which is within Creffwaith, but has not been completed, and the other is Berwyn Lodge, located immediately south of Creffwaith. (See the plans at the front of the report).
- 1.1.3 Within the main building, Creffwaith, it is proposed to create 11 classrooms for a range of subjects including science, art, home economics, mechanics workshop and vocational studies. There would also be a teacher's room, a meeting room, school office, and w.c.'s for both students and staff.
- 1.1.4 It is proposed that Berwyn Lodge would be used as a therapy centre with 4 treatment rooms, 2 offices, and a meeting room. Children attending the school would be able to receive therapy on a daily basis, during the course of their usual studies.
- 1.1.5 Branas Isaf is licensed by Estyn to educate 25 children at their existing premises in Llandrillo. This proposal seeks to transfer the educational facility from Llandrillo to Glyndyfrdwy and increase the numbers of children attending the school to a maximum of 31, subject to a license being issued by Estyn.
- 1.1.6 The school would operate 5 days per week, with normal holidays. There would be 12 staff within the school, 4 staff in the therapy centre and a further 1 administrative member of staff. Branas Isaf state that a total of 13 jobs would be created.
- 1.1.7 It is expected that children would arrive at school accompanied by their carers. Children would attend the school during normal school hours. Children would have 1:1 supervision at all times. Supervision would be provided by teaching staff, carers and support staff.
- 1.1.8 The general layout of the site would be altered to create both hard and soft play areas. Additional planting/landscaping is proposed to the boundaries of the site.

1.2 Description of site and surroundings

- 1.2.1 Creffwaith is a large two storey building with one section being three storeys. Berwyn Lodge is a single storey dwelling. The buildings are located within large grounds, the site boundaries of which are defined by a combination of walling, fencing and planting.
- 1.2.2 Parking and turning areas are located to the front and side of the site. The land to the north slopes away from the site.
- 1.2.3 The site is located close to, and accessed off the A5. There is a lay-by adjacent to the site which serves as a bus stop. An access track serving 3 dwellings (Bron Y Garth, White Gables and Garth Isaf) runs through the middle of the site.
- 1.2.4 Immediately to the east of the site is Bron Y Garth, a private dwelling. Within the wider area there are a range of dispersed dwellings; approximately 16

within a ¼ km radius. The main settlement of Glyndyfrdwy is approximately 1km west of the site.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located in the open countryside and within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.

1.4 Relevant planning history

1.4.1 None to this application

1.5 Developments/changes since the original submission

1.5.1 Since the original submission the applicants have submitted additional information relating to care standards, staff numbers, pupil numbers and further explanation as to how the school would operate.

1.6 Other relevant background information

1.6.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 None relevant to this application.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE 4 – Reuse and adaption of rural buildings in open countryside

Policy PSE 5 – Rural economy

Policy VOE 2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

3.2 GOVERNMENT POLICY / GUIDANCE

Planning Policy Wales Edition 5 November 2012

Technical Advice Note 18 - Highways

4. MAIN PLANNING CONSIDERATIONS:

4.1 Planning Policy Wales 5, 2012 (PPW) confirms the general requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2).

In relation to other material planning considerations, paragraphs 3.1.3 and 3.1.4 of PPW set the basic parameters that these must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably related to the development concerned. In terms of matters specific to the assessment of an individual application, PPW refers to what may be regarded as material considerations and that these 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. Paragraph 3.1.4 refers to public safety and crime as being material considerations.

The main land use planning considerations for this application are considered to be:

4.1.1 Principle

- 4.1.2 Public safety/fear of crime
- 4.1.3 Impact on residential amenity
- 4.1.4 Impact on highway safety
- 4.1.5 Impact on visual amenity and the AONB

4.2 In relation to the main planning considerations:

4.2.1 Principle:

Policy PSE 5, Rural Economy, sets out the Local Development Plan aim of sustaining the rural economy by supporting, amongst other things, commercial development subject to detailed criteria. Proposals for development that would help sustain the rural economy should be appropriate in scale and nature to its location, where possible re-use existing buildings, and take full account of and seek to enhance the nature and distinctive qualities of the local landscape.

Policy PSE 4 more specifically relates to the re-use and adaptation of existing buildings in the open countryside and indicates a strong presumption in favour of the re-use of existing buildings outside development boundaries. Should planning permission be granted, the proposal would result in the change of use of an industrial unit, with ancillary shop and café to a non residential educational facility. The proposed use is considered to be a commercial/employment use, with a suggested additional 13 persons being employed. Concern has been raised by members of the community and the Community Council that the proposed use would result in the loss of a valuable tourist attraction within the area. Concern is also expressed that any employment gains resulting from the proposal would not be felt by the local community.

In relation to the loss of a tourist use, there are no planning policies within the Local Development Plan that serve to prevent the change of use of tourist facilities to other commercial or employment uses. Local Development Plan policies support the principle of sustaining the rural economy through the re-use of buildings in the open countryside for employment uses. The proposal is therefore considered to be acceptable in principle subject to an appropriate assessment of the localised impacts of the development.

4.2.2 Public safety and fear of crime:

Public safety is a material planning consideration. In determining this application, such a consideration also relates to Policy PSE 5 and the need for employment proposals to be appropriate in scale and nature to its location. It is clear that if a proposal would have a detrimental and quantifiable impact upon public safety, that the proposal should not be supported.

This application has attracted much public comment because of the nature of Branas Isaf's work with children who are emotionally disturbed and have behavioural problems. Many of the representations received express concern relating to the potential for children attending the 'school' to escape, and commit a crime within the community. The crimes which are feared by residents relate to feeling unsafe in their own homes, fear of physical abuse, fear of verbal abuse and not feeling able to leave their children outside unattended. The applicants state that children attending the school are under 1:1 supervision, including break times, and when moving around the site between lessons and therapy sessions. Children would attend the school 5 days per week during typical school hours; 9:00 to 15:15. On occasion the school day may extend to 17:30 to allow for extra curricular activities to take place. The applicants also advise that they are registered with Estyn and that their standard of care has been rated as very good, with some elements being outstanding.

North Wales Police have been consulted on the application. Informal discussions with the Community Safety Officer for the Corwen area indicate that whilst the Police are aware of three other Branaf Isaf sites in Denbighshire (Llandrillo, Rhug, and Bontuchel), they do not generally consider the children in the care of Branaf Isaf to be a risk to public safety. Consequently, North Wales Police do not raise an objection to the proposal. For the record, North Wales Police have provided details of the types of incidents at the existing sites in Llandrillo and Bontuchel that have been reported to them in the last two years. The total number of incidents reported at both sites (including the surrounding area) is 20, and of these 5 relate to incidents within the sites and involve residents and members of staff only, 9 relate to young missing persons. Of the other incidents reported it is not clear whether they relate to residents of the homes or not; 1 incident relates to sexual conduct, 1 relates to harassment telephone calls made to the homes (caller not identified), 1 relates to a burglary at one of the homes prior to occupation, and 3 relate to anti-social behaviour. North Wales Police advise that the incidents reported do not necessarily relate to the Branaf Isaf premises. The information provided may include incidents reported at or in the vicinity of the premises and will include incidents reported by members of the public who are in no way connected with the premises. It may also include incidents where it was found after investigation that there was no crime committed. The classification afforded by North Wales Police is in accordance with the information supplied at the time each incident was reported, and consequently incidents may not actually be as serious as the classification title may suggest.

In determining what weight to afford public safety and fear of crime, it is considered that due regard must be given to quantifiable evidence. For example, if it had been revealed that the Police had frequently been called out to Branaf Isaf sites to deal with issues of violence, or there was a significant crime problem within the area as a result of escaped children from Branaf Isaf, then this may suggest the use was not in a suitable location, being too close to residential dwellings. However, the response of North Wales Police, and the comments of their Community Safety Officer indicate that the risk posed by the proposal is limited. It is also considered that the children would be adequately supervised, and only being there during the day would limit the opportunity for escape. If a child did escape, it seems unreasonable, on the basis of the evidence, to assume that the child would automatically commit a crime. Therefore, with respect to the concerns raised by the community relating to crime and loss of public safety, Officers are of the opinion that there is insufficient evidence to justify a refusal on this ground. It is considered that the proposal would not result in an unacceptable loss of public safety or increase in crime, and is acceptable in terms of planning policy.

4.2.3 Impact on residential amenity:

Planning Policy Wales 5, paragraph 3.1.4 advises that in determining planning applications, Local Planning Authorities should consider what impact a proposal would have upon the amenity of any neighbouring residents. Proposals that would have an unacceptable impact should not be supported. This section considers the impact typical activities associated with a school and the impact on the amenity of occupiers of neighbouring dwellings and not the fear of crime, which is dealt with above.

The proposal would involve children arriving at the school at approximately 8:30am. They would arrive by car with their carers. The children would remain on site with 1:1 supervision for the day, attending a range of lessons, and receiving therapy. During break times, a limited number of children at a time would be allowed out, again under supervision. The play areas are located to the north west of the site, adjacent to open fields. The nearest dwellings are

located to the south west of the site, separated from the play areas by Creffwaith and Berwyn Lodge. At the end of the school day, approximately 3:30pm, the children would be picked up and taken by their carers back to their residential homes. Concern has been raised that the vehicular movements, general activity associated with a school (outdoor break times etc) and the potential for bad language to be used close to residential dwellings would result in a detrimental impact on the residential amenity of occupiers of nearby dwellings.

In determining the proposal's impact on residential amenity, some consideration has to be given to the existing use of the site as an industrial unit, tourist attraction, café and two dwellings. Whilst the current owner states that the use is not particularly busy, the existing use of the site has potential to generate a significant amount of vehicular movements, and people activity both within and outside the buildings, and it is understood that existing hours and days of operations are unrestricted. In comparison, the proposed use would be more limited, as the majority of vehicular movements would be concentrated at the start and end of the school day. Generally any disturbance caused by people activity would be concentrated in the play areas, which are away from the nearest dwellings. In Officers' opinion, it is considered that the proposed use would not have a greater impact upon the amenity of the neighbouring dwellings occupants than that possible from the existing use, and it is likely that the impact would be less. The potential for bad language to be used in close proximity to dwellings is considered to be a matter for site management and school discipline. The use is considered acceptable in terms of its impact on residential amenity.

4.2.4 Impact on Highway Safety:

Planning Policy Wales 5, and Technical Advice Note 18, Transport, contain advice that seeks to ensure development proposals do not have an adverse impact on highway safety.

The proposal proposes an existing access onto the highway. There is parking and turning area to the front of the buildings. Concern has been raised in the community that the use of this site as a school will result in more traffic moving around the lanes between the existing residential sites in Llandrillo, Rhug and Bontuchel and the school. The existing use has the potential to generate large amounts of vehicular movements, possibly more than the proposed use. No objections have been received from the Highway Officers or the Welsh Government Transport Division.

With regard to the requirements of Planning Policy Wales 5 and TAN 18, it is considered that the proposal would not have an adverse highway impact.

4.2.5 Impact on visual amenity and the AONB:

Policy PSE 5 and PSE 4 require proposals for employment development in the open countryside to take full account of and enhance the distinctive qualities of the landscape. Policy VOE 2 reinforces this with specific reference to the AONB.

The proposal does not propose any external alterations to the buildings. The site is currently well kept, but there is room to improve the site boundaries with additional planting and screening. The proposal proposes to improve the site boundaries by planting in front of the existing chain link fences. The AONB Committee have been consulted, and no objection is raised in relation to the visual impact of the proposal on the character of the AONB.

It is considered that the proposal would not have a detrimental impact upon the visual amenity of the site nor the wider landscape/AONB. The proposal is

therefore acceptable in terms of visual amenity and complies with planning policies VOE 2, PSE 4, and PSE 5 in this respect.

5. SUMMARY AND CONCLUSIONS:

5.1 Whilst fully respecting the concerns of the local community and the Community Council, on the basis of available evidence it is not considered that the proposal would have an unacceptable effect on public safety within the community or that fear of crime constitutes a sound basis to refuse the application. In addition, it is not considered reasonable to resist the application on the basis of attempting to preserve a tourist attraction, as there is clear policy support for employment proposals in rural areas, such as this, and no clear protection policy for tourist attractions.

5.2 The proposal is considered acceptable in terms of current planning policies, and the recommendation is to grant permission.

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. PRE-COMMENCEMENT CONDITION

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

(a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;

(c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment.

3. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the development 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.

4. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan and shall be completed prior to the proposed development being brought into use.

5. The school shall not be open to pupils outside of the hours 08:00 to 18:30 on any day, and there shall be no over night use of the school at any time

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 in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.

3. To ensure a satisfactory standard of development, in the interests of visual amenity.

4. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing into or from the highway is rendered unnecessary in the interest of traffic safety.

5. In the interest of residential amenity.

NOTES TO APPLICANT:

None

