

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED
DEVELOPMENT PROCEDURE) ORDER 1995 - TO DATE
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING ADVERT REGULATIONS 1994
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS)
ACT 1990
APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

These are reports and recommendations by Officers for consideration and resolution by the County Planning Authority.

All the applications in respect of the proposals specified in this report will be available for inspection by the Members of the Committee prior to and during the meeting at which the said applications will be considered.

The Background Papers relating to each application, including forms, plans, relevant correspondence, Development Plan and guidance documents are available for public inspection during normal office hours

**PLANNING COMMITTEE MEETING
2ND October, 2002**

Agenda Item No. 3

A REPORT BY THE HEAD OF PLANNING SERVICES

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999
DENBIGHSHIRE COUNTY COUNCIL
LAND AT TAFARN Y GELYN, NR. MOLD**

TREE PRESERATION ORDER NO. 2/2002

1. PURPOSE OF THE REPORT

- 1.1 To report on the serving of the Tree Preservation Order and to determine whether it should be confirmed.

2. BACKGROUND

- 2.1 A Tree Preservation Order was served in the above location (copy of plan attached) on 31st May, 2002.
- 2.2 The justification for making the order is that the trees were considered at threat following the extensive felling of trees on the site and the intervention of the Forestry Commission. The boundary trees have been retained and are worthy of formal protection.

3. OBJECTIONS

There have been no objections to the area.

4. SUPPORT FOR THE ORDER

The request for the Order was made by the Llanferres Community Council which was alarmed at the large number of trees within the site which had been felled and uprooted. A letter of support has been received from the occupier of the adjacent property 'Cornerways'.

5. CONCLUSION

It is considered that the trees covered by the order should be protected for their amenity value.

6. RECOMMENDATION

The Tree Preservation order No. 2/2002 at Tafarn y Gelyn should be confirmed.

**REPORT BY THE HEAD OF PLANNING SERVICES
CONSULTATION DRAFT GWYNEDD UNITARY DEVELOPMENT PLAN**

1. PURPOSE OF THE REPORT

- 1.1 This report sets out the Council's response to the Consultation Draft Version of the Gwynedd Unitary Development Plan (UDP).

2. BACKGROUND

- 2.1 Denbighshire County Council have been invited to make representations to the Consultation Draft version of the Gwynedd UDP (plan period 2001-2016) by 20 October. As Denbighshire borders a small part of Gwynedd in the south west of the county, comments have primarily concentrated upon the Plan's strategic planning issues.
- 2.2 The Gwynedd UDP covers only those areas outside of the Snowdonia National Park which has its own UDP. The National Park accounts for 63% of the land area of Gwynedd but only 19% of the population of the county.

3. ASSESSMENT

- 3.1 The Gwynedd UDP sets out the following land for employment and housing for the 15 year period 2001-2016 :
- 92 hectares of employment land for general industry and 26 hectares for high quality employment sites, comprising both previous and new allocations and existing planning permissions;
 - an additional dwelling requirement of 1265 dwellings;
- 3.2 Following assessment the main points in the plan are as follows:
Key Issues:
The aims and objectives of the Gwynedd UDP are generally supported, as they attempt to address the key issues set out in the Plan. Some of these are out-migration of young people and in-migration of older people, the Welsh language, decline in the rural economy and protection of the high quality environment.
The primary aim of the Gwynedd UDP is to:
"Provide a framework for creating and maintaining sustainable communities".
- 3.3 In para 1.17 of the introduction it is stated that the plan has been prepared in a positive way, however the majority of the policies are framed in negative terms ie "will be refused" rather than will be permitted subject to meeting certain criteria.
- 3.4 The UDP strategy introduces the concept of 'Dependency Catchment Areas (DCA)', this is to provide a spatial strategy for guiding development based on the pattern of communities' use of service centres. The whole county including those areas within the National Park has been divided into 8 DCAs. The development strategy for the Bangor DCA is 'sustain and growth' with the remaining 7 DCAs being designated as 'sustain and regenerate' areas. The inclusion of areas both within and outside of the

National Park at various points throughout the UDP can lead to confusion and often makes it unclear which figures relate exclusively to the Gwynedd UDP area.

- 3.5 **Housing** - the housing policies only permit new build for general market need on allocated sites, all other developments including conversion of buildings, must satisfy detailed local need criteria. The criteria are very detailed and may be difficult to apply as local circumstances will vary in each case. No provision is made for key workers who may wish to move into the area or for local people who may wish to move between DCAs. These policies may have to be altered in light of the Welsh Assembly Government's stance on Pembrokeshire's local needs policies. No explanation is given as to how the existing housing stock can contribute to affordable housing needs. The process by which housing sites were allocated is not stated and no allowance is made for sites which may not come forward within the plan period.
- 3.6 **Policy CH6 - Second Homes** - this policy states that proposals for second homes will be refused in communities where 10% or more of the existing stock are second homes. It is hard to see how this policy can be enforced against anything but new build as first and second homes currently fall within the same use class and no consent is required to change from one use to the other. The policy could also conflict with policies D13-15 which permit the new build and conversion of properties to holiday accommodation subject to certain criteria.
- 3.7 **Policy CH 8 - Affordable Dwellings on Rural Exceptions Sites** - a site cannot be an 'exception' site if it is located within a development boundary. The phrase "within or" should be deleted from the policy to ensure conformity with policy CH7.
- 3.8 **Policy B10 - Landscape Conservation Areas** - it is not clear where these designations lie in the hierarchy of landscape designations. The policy states that the areas have been identified but they do not appear on any of the proposals maps, other than the plan area map within the text, this may lead to confusion as to their location and status. One such area borders Denbighshire in the Llandrillo area and a portion will border the Area of Outstanding Beauty designation in this area.
- 3.9 The inset plans book does not contain a key county map outlining major land designations such as AONB, Landscape Conservation areas etc, there is a small map within the main policy text document but this is unclear and its location makes it difficult to relate to the text.

4. CONCLUSION

- 4.1 The aims, objectives, policies and proposals of the Plan are generally supported. The above comments are only raised to enable the plan to reflect a wider range of material planning issues and to improve the clarity of the policies.
- 4.2 Gwynedd Council are supported in publishing its Consultation Draft UDP.

5. RECOMMENDATION

- 5.1 The recommendation is as follows:

"To accept the above report as Denbighshire County Council's response to the Gwynedd Consultation Draft UDP, raising no objections."

A REPORT BY THE HEAD OF PLANNING SERVICES

DATE OF SITE VISITS

1. PURPOSE OF REPORT

- 1.1 To advise Members of the likely date of any Site Visits requested by the Planning Committee.

2. DATE OF THE SITE VISITS

- 2.1 In consultation with Legal and Administration, it has been decided that the **Monday 7th October 2002** is most suitable. This date has been provisionally booked.
- 2.2 You are advised, therefore that any site visits arranged today will take place **On Monday 7th October 2002 (times to be advised).**

3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1 This will depend on Political Balance and will include the Chair and Vice Chair of the Committee and the relevant Local Member(s)

4. RECOMMENDATION

- 4.1 **That Members agree to the Site Visits being held on Monday 7th October 2002**

**Decisions Made by the Head of Planning Services under
Delegated Powers
10th August 2002 - 13th September 2002**

Item For Information

This is a list of applications where the decision has already been made under delegated powers. If you wish to discuss the application/decision please contact the Case Officer.

DECISION TYPES

- GRANT** - grant planning permission
- REFUSE** - refuse all types of application
- APPROVE** - approve reserved matters or condition
- CONSENT** - grant listed building, conservation area, or advert consent
- NO OBJ** - no objection to works to tree(s) in conservation area
- NOT REQ** - proposal does not require permission/consent
- DETERMIN** - determine that prior approval is not required or is granted on determination application (certain telecom or agricultural works)
- P DEV** - proposal found to be permitted development after receipt
- WDN** - application withdrawn by applicant
- INVALID** - application found to be invalid
- CERTIFY** - Certificate of lawful use issued
- RCERTIFY** - refuse to issue certificate of lawful use

COPIES OF APPENDIX AVAILABLE FROM HEAD OF PLANNING SERVICES