

**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

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**PLANNING COMMITTEE  
MEETING: 1 SEPTEMBER 2004  
Agenda Item: 3**

**ENFORCEMENT MATTERS**

**ENF/2004/0048**

**Gamlin Street, Rhyl**

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## **REPORT BY HEAD OF PLANNING AND PUBLIC PROTECTION SERVICES**

### **APPEAL DECISION UPDATE**

**1. PURPOSE OF REPORT.**

- 1.1 To advise members of recent appeal decisions.

**2. BACKGROUND**

- 2.1 The report on the delegation scheme and procedures considered at the Planning Committee on 31st October 2001 and subsequently approved at the County Council meeting on 27th November 2001 proposed that a summary of appeal decisions be reported on a quarterly basis to a set format. Appeal decisions received for April 2004 – June 2004 are set out in the attached appendix.
- 2.2 As requested by Members we have included a column indicating the original decision level (Committee or Delegated) and the officer recommendation.
- 2.3 Whilst we are happy to answer questions on the appeal decisions at the Planning Committee, if you have any matters of detail that you would like to discuss please contact Mark Dakeyne or Ian Weaver prior to the meeting.

This report is for Members' information.

**COPY OF APPENDIX AVAILABLE UPON REQUEST**

**REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION**

**THE FORMER NORTH WALES HOSPITAL,  
DENBIGH**

**1. PURPOSE OF REPORT**

1.1 To inform Members of the latest position with regards the former North Wales Hospital, Denbigh, and in particular to report on the results of the public consultation on the latest proposals from the owners.

**2. BACKGROUND**

2.1 The former North Wales Hospital was closed by the North Wales Health Authority in 1995. The main building is listed grade 2\* and has been described by Cadw as the finest purpose built hospital in Wales. In addition within the grounds and in the same ownership are 4 other buildings which are listed grade 2.

2.2 While the Hospital remained in the ownership of the North Wales Health Authority there were several applications for planning permission and listed building consent from prospective purchasers none of which were successful. On the eventual sale of the site the new owner submitted several applications which remain undetermined through lack of information.

2.3 As time has passed the buildings have become increasingly dilapidated and have suffered from theft and vandalism. At Planning Committee on 4th September 2002 officers were authorised to take enforcement action against the owner under the Planning (Listed Buildings and Conservation Areas) Act 1990. The site and buildings were immediately placed on the market and were sold to the present owners in December 2002. In tandem with the proposed enforcement action, Denbighshire opened discussions with the Price of Wales's Phoenix Trust, the working title of the United Kingdom Historic Building Preservation Trust. Phoenix is both a charitable trust and a company limited by guarantee. Its objective is the rescue, regeneration and repair of large heritage buildings at risk for the benefit of their communities. They have

significant expertise in dealing with buildings of the size and with the problems of the former North Wales Hospital.

2.4 The present owners, Acebench Investments Ltd., since their purchase of the site have been co-operating with an informal partnership of agencies comprising Denbighshire County Council, the Phoenix Trust, WDA and Cadw. Together the Partnership commissioned a feasibility study from consultants King Sturge Ltd. The study recognised the importance of the listed buildings but accepted that some demolition was inevitable. It also recognised the need to have some job creation on the site to replace some jobs lost on the closure of the hospital. Financial calculations demonstrated that it was possible to save a substantial part and the most important part of the main building together with other listed buildings. On this basis proposals have been drawn up by the architects acting on behalf of the owners.

2.5 On 12th July 2004 His Royal Highness The Prince of Wales, in his capacity as the President of his Phoenix Trust, visited the site and took the opportunity to launch a public consultation on the latest proposals. These proposals were exhibited in the town library from 12th. July until 25th July. The public had the opportunity to comment either by writing in a comments book or by writing or emailing Philip Ebbrell, the County Conservation Architect. 38 responses have been received. Of the responses received a small majority appear to be in favour of the proposals but it is clear that there are two main areas of concern. The first is that the proposed housing should address local needs. The second is the impact of the development on local services such as doctors, dentists, schools and the road network. The results of the public consultation have been passed to the owners who will look at addressing these issues in their proposals.

2.6 It is anticipated that an outline application for planning permission will be submitted later in the year. This will be the subject of full consultation as part of the planning process and will be reported to Planning Committee in due course.

### **3. RECOMMENDATION**

3.1 That Committee notes the contents of this report.

**A REPORT BY THE HEAD OF PLANNING AND PUBLIC  
PROTECTION SERVICES**

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999  
DENBIGHSHIRE COUNTY COUNCIL  
LAND AT TIR MORFA, RHUDDLAN**

**TREE PRESERVATION ORDER NO. 1/2004**

**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 without modification.

**2. BACKGROUND**

- 2.1 Planning permission for the housing development at Tir Morfa has been granted. The garden contains a large number of trees which make a major contribution to the landscape of eastern Rhuddlan and the view from the A525 and A547 trunk roads. The Tree Preservation Order has been served to protect trees on the site retained within the development.
- 2.2 The justification for making the Order is that the trees are of high amenity value and considered vulnerable now that development of the site has been approved.

**3. OBJECTIONS**

- 3.1 There have been no letters of objection.

**4. CONCLUSION**

- 4.1 The Tree Preservation Order is required to protect the trees at Tir Morfa for their amenity value.

**5. RECOMMENDATION**

- 5.1 The Tree Preservation Order No. 1/2004 Tir Morfa, Rhuddlan should be confirmed without modification.

**A REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION**

**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 County Clerk's Department, it has been decided that the **Friday 10th September 2004** 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 **Friday 10th September 2004**

**3. MEMBERSHIP OF THE SITE VISIT PANEL**

- 3.1** This will depend on Political Balance. For Members' information, a copy of the Guidelines for Site Inspection Panels is attached

**4. RECOMMENDATION**

- 4.1** That Members agree to the Site Visits being held on **Friday 10th September 2004**

**Decisions Made by the Head of Planning and Public Protection  
under  
Delegate Powers  
11th June 2004 - 31st July 2004**

**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**

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

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