

**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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1	06/2004/0278/PF	Wern Ddu . Gwyddelwern Corwen Construction and operation of five 1.3Mw windturbine generators (49m tower, 62m rotor diameter, tip height 80m above ground level), 50m lattice tower meteorological mast, switch room facility, access tracks and temporary construction compound, for purposes of generating renewable energy and improvement to existing highway access	1
2	01/2004/0717/PF	Land Adjoining The Railway Inn Car Park Ruthin Road Denbigh Erection of 6 no. dwellings and associated works	42
3	01/2004/1465/PS	Lleweni Mold Road Denbigh Amendments to condition 11 imposed on planning permissions for (a) conversion of outbuildings to 11 residential units (former Carriage Yard, Lleweni, Denbigh) - application code no. 01/2001/0603/PF (b) conversion of outbuildings to 5 residential units (former Barns and Stables, Lleweni, Denbigh) - application code no. 01/2000/0993/PF, to allow for the introduction of advanced 'access prohibited' signs and realignment of driveways onto access track, to restrict use of track past Maes y Parc to Mold Road by construction vehicles and residents vehicles	47
4	01/2004/1531/PF	1 Smithfield Road Denbigh Erection of single-storey pitched-roof extension at rear of dwellinghouse	54
5	02/2004/1403/PF	18 Min Yr Afon Ruthin Erection of single-storey pitched-roof extension at side of dwellinghouse	56
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7	02/2004/1509/PS	Land Adjacent To Oaklea Bryn Goodman Ruthin Variation of condition no. 7 of planning permission code no. 02/2004/0001/PF to allow for the lopping and topping of 1 no. tree.	61
8	03/2004/0720/PO	Bryn Derwen Abbey Road Llangollen Demolition of existing hotel and dwelling and redevelopment of land by the erection of 20 residential apartments and alterations to existing vehicular access (outline application)	63
9	07/2004/0737/PF	Land to the rear of Pen Rhos Llandrillo Corwen Erection of 4 no. detached dwellings and construction of new vehicular/pedestrian accesses	69

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14	15/2004/0834/PO	Bryn Difyr Llanferres Mold Erection of cattery buildings with office/reception area, provision of parking and new driveway to incorporate change of use of existing agricultural building for dog kennels (outline application)	89
15	16/2004/1450/PF	Llanbedr Hall Hotel Llanbedr Hall Llanbedr Dyffryn Clwyd Ruthin Change of use from restaurant to 2 No. 2-bedroom self-contained dwellings	95
16	18/2004/1016/PF	Land Adjacent To Tyn Llan Farm Llandyrnog Denbigh Demolition of outbuildings and erection of dwelling (Plot 4), erection of garage (Plot 3) and alterations to existing vehicular and pedestrian accesses	98
17	18/2004/1017/PF	Land Adjacent To Tyn Llan Farm Llandyrnog Denbigh Demolition of existing farmhouse and erection of 2 no. dwellings (Plots 16 + 17)	102
18	18/2004/1365/PR	Land Adjoining Tyn Llan Farm Llandyrnog Denbigh Details of siting, design and external appearance of buildings, the means of access and landscaping for the erection of 11 dwellings (in accordance with Condition 1 of outline planning permission 18/2003/1050/PO) (Plots 5-15 inc.)	107
19	18/2004/1440/PF	Land Adjacent To Tyn Llan Farm Llandyrnog Denbigh Erection of 3 no. dwellings (Plots 1-3)	111
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33	45/2004/1520/PF	12 Diane Drive Rhyl Erection of extension and conservatory to side of dwelling, new entrance porch to front and re-positioning of existing pedestrian access, and screenwall/fence to side and rear boundaries	165
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35	46/2004/1432/PF	Part of St. Asaph Common, rear of The Roe St. Asaph Continuation of use of land for temporary car park , provision of hardcore footpath and 2m height-restriction barrier and provision of additional landscaping to screen the site	169
36	47/2004/1364/PF	Tan Yr Onnen Waen St. Asaph Conversion and extension of existing outbuildings and existing dwelling to form holiday accommodation and erection of 3 log cabins for holiday accommodation	173

AGENDA ITEM 3

**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 ADJOINING CERDDIN,
BERWYN STREET, LLANDRILLO, NR. CORWEN**

TREE PRESERVATION ORDER NO. 2/2004

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 The garden contains a number of trees which are of local amenity value. An Emergency Tree Preservation Order was served following considerable local opposition to felling which took place prior to determination of a Planning Application for 2 dwellings with detached garages.
- 2.2 The justification for making the Order is that the trees are of amenity value and considered vulnerable now that development of the site has been approved.

3. OBJECTIONS

- 3.1 There has been a letter of objection from the applicant, Gwyn Roberts and Co, on the grounds that the trees are ornamental and not native and that the trees will require lopping to improve visibility at the access and for safety reasons.

4. CONCLUSION

- 4.1 The Tree Preservation Order is required to protect the trees for their amenity value. An application to the Council for consent to carry out necessary tree works can be made by the owner.

5. RECOMMENDATION

- 5.1 The Tree Preservation Order No. 2/2004 on land adjoining Cerddin, Berwyn Street, Llandrillo 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 morning of Friday 4th February 2005 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 4th February 2005**

3. MEMBERSHIP OF THE SITE VISIT PANEL

- 3.1** This will be in accordance with Political Balance.
The membership of the Site Panel will be:
Three Independent Group representatives (including the Chair and Vice Chair) and one each from Labour, Conservative, Plaid Cymru, Democratic Alliance and Liberal Democrat Groups.
The Local Member(s) for each site will also be invited to attend.

4. RECOMMENDATION

- 4.1** That Members agree to the Site Visits being held on **Friday 4th February 2005**

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

INFORMATION ITEMS FOR PLANNING COMMITTEE

**Member Training
Public Access Portal
Planning Surgeries
High Hedges**

1. PURPOSE OF REPORT

1.1 This comprises the standing agenda item at Planning Committee providing a reference point for Members for information on emerging initiatives, policy, guidance and publications.

1.2 The information provided to Members is limited to a brief description of the relevant initiative and a reference to the source of any information (internet/intranet address). The report will also include a summary of any significant implications for Planning Committee decision making, where relevant.

2. MEMBER TRAINING

2.1 It is important that training is offered to Planning Committee Members to ensure that sound decision making is carried out. The Code of Best Practice for Councillors and Officers Dealing with Planning Matters indicates that Members of the Planning Committee will be offered training annually. As part of the Planning: Delivering for Wales Initiative, WLGA and WAG have organized and funded training for Members. The first module took place in September 2004. The module was only attended by 10 members, despite the same training being provided on consecutive days.

2.2 Further modules of the training are planned for 14th February 2005. Members are urged to make every effort to attend to assist in their development as Planning Committee Members. At the time of writing this report only 2 Members had put their names forward. A handbook has also been produced to support the training provided within Module 1 (this will be distributed at Planning Committee). In addition to the training provided through this method, it is intended to visit development sites in the spring of this year, following a similar successful exercise in November 2003.

2.3 In some Councils it is practice to make training compulsory for Planning Committee Members. This matter may be considered by the Corporate Governance Committee who consider reports and recommendations on the Council's governance procedures from the Audit Commission for Wales.

3. PUBLIC ACCESS PORTAL

3.1 Work has recently been undertaken with the provider of planning application processing software, SX3, to enable information on applications to be viewed via the website. This will allow the public to check on applications submitted, progress on applications, make representations via the web, and access other information about planning issues in a user friendly format.

3.2 Members can view the information via:
<http://planning.denbighshire.gov.uk/>

4. PLANNING SURGERIES

4.1 We are piloting a series of planning advice surgeries over the next few weeks in Rhyl, Prestatyn, Ruthin, Llangollen and Corwen. Details of the locations and timetables of the surgeries have been sent to our main customers, including Councillors, Community Councils, and agents . Posters have been sent to the surgery venues. A press release has been issued. The intention of the surgeries is to provide planning advice at locations near to our customers. To help get the best out of the surgeries we have asked that people make an appointment. Appointments will last 15 minutes. We will continue to provide an advice service from Caledfryn in Denbigh.

4.2 We will provide advice on the following matters – the need for planning permission, how to submit a planning application and your chances of success, and how to get involved in applications already submitted. We will agree actions at the end of the appointment.

4.3 Following the two month programme of surgeries, the format, frequency and value of the surgeries will be reviewed taking into account feedback received from customers. It is anticipated that the surgeries will be continued in a similar form.

5. HIGH HEDGES

5.1 Part 8 of the Anti-Social Behaviour Act came into force on Dec 31st 2004. It has provided local authorities with new procedures to enable

them to deal with complaints about high hedges. The complainant must prove to us that they have taken all reasonable steps to resolve the issue prior to approaching the Authority. The Planning Compliance Team will handle these complaints.

5.2 We have set an interim non-refundable fee of £240 to be paid by the complainant (to be reviewed in due course), in order to start the investigation. If the complaint is upheld, a remedial notice will be issued to the hedge owner setting out what is to be done. This will become a charge on the property.

5.3 The Act creates an offence of failing to comply with a remedial notice and if convicted by a Magistrates Court, the hedge owner may be fined up to £1000 with a further fine of up to £50 per day that the work remains uncompleted. Further failure to comply means that the authority may then arrange to have the requisite work carried out (at the cost of the hedge owner) and these costs would be registered as a local land charge over the property.

5.4 Copies of the regulations and associated consultation documents from WAG are available on the Assembly website at:
<http://www.wales.gov.uk/subiplanning>.

5.5 We are producing forms and leaflets to assist the public in understanding the legislation and making complaints. These will be made available on the Council web site.

DENBIGHSHIRE PLANNING APPEALS DECISIONS
LIST OF APPEAL DECISIONS FROM 1ST JULY 2004 AND 31ST DECEMBER 2004

DESCRIPTION	DECISION LEVEL/ RECOMMENDATION	LOCATION	TYPE	DECISION DATE	APPEAL DECISION	COSTS	KEY ISSUES
Erection of agricultural building	Refuse – Delegated	Land at Pen Y Waen, Llandrnmog	Written Reps	13/07/2004	DISMISSED	-	Building too close to neighbouring property. Undue noise & disturbance. Conflict with Policies GEN 6 & EMP 13 of UDP.
Change of use of land to provide 10 no. log cabins	Refuse – Delegated	Moelisygoedwig Farm, Llandrillo	Written Reps	19/07/2004	DISMISSED	-	Significant harm to character & appearance of AOB. Conflict with Policies ENV 2, TSM 6, TSM 9 & GEN 6 of UDP.
Extension for bedrooms	Refuse – Committee	Camp Alyn, Tafarn Y Gelyn, Llanferres	Written Reps	20/07/2004	DISMISSED	-	Extensions would be out of character and over dominant in AONB. Conflict with Polices ENV 2 & GEN 6 of UDP.
Change of use of party ground floor from residential to Class B1 office and erection of office extension to rear	Refuse - Delegated	36 Church Street, Rhyl	Hearing	04/08/2004	DISMISSED	-	Increased disturbance and loss of privacy – harm to living conditions of neighbour. Conflict with UDP policies EMP6 & GEN6.
Erection of dwelling and alterations to existing vehicular access	Refuse - Delegated	Treetops, Ruthin Road, Loggerheads	Written Reps	05/05/2004	DISMISSED	-	Site not limited gap in cohesive cluster of dwellings. Thus conflict with Policy HSG 5 of UDP. Adverse impact on AONB thus conflict with Policy ENV 2.
Advertisement Consent for box sign on rear.	Refuse - Delegated	4 Bastion Road, Prestatyn	Written Reps	22/06/2004	DISMISSED	-	Sign on rear elevation would have elevated and awkward siting.
Development of 0.086 ha of land by erection of detached bungalow and alteration to existing vehicular access	Refuse - Delegated	79 Dyserth Road, Rhyl	Written Reps	27/10/2004	DISMISSED	-	Would result in cramped appearance to site and adverse impact on living conditions of main property. Conflict with Policy GEN 6 of UDP and SPG.
Erection of detached bungalow for registered disabled	Refuse - Delegated	4 Galltfaenan Cottages, Galltfaenan Hall, Trefnant	Written Reps	26/10/2004	DISMISSED	-	Adverse impact on amenities of existing dwelling. New dwelling in countryside.

Siting of 10 additional static caravans on west boundary of field 2 and 1 additional caravan on east boundary of field 2	Refuse - Committee	Eryrys Caravan Park, Bryn Awelon, Eryrys	Hearing	23/12/2004	DISMISSED	-	Not a modest extension. Detrimental impact on countryside including AONB. Conflict with UDP policies ENV2 & TSM 10.
Development of 0.08 hectares of land by erection of one dwelling	Refuse - Delegated	Field No 1400 at Pentre Cwm Farm, Cwm Road, Dyserth, Rhyl	Hearing	11/11/2004	DISMISSED	-	Site considered to be end of line rather than infill. Adverse impact on AONB and setting of Pentre Cwm. Conflict with Policies HSG 5, ENV 2 and GEN 3 of UDP.
Development of land for residential purposes and installation of new septic tank	Refuse - Delegated	Tyddyn Isa, Back Road, Llanarmon yn Ial	Written Reps	18/11/2004	DISMISSED	-	Development outside settlement limits in AONB. Not infilling. No exceptions case put forward. Conflict with Policies ENV 2 & GEN 4 of UDP.
Development of 0.19 hectares of land by erection of one dwelling (Outline Application)	Refuse - Delegated	2a Ffordd Penrhwyfla, Prestatyn	Written Reps	15/09/2004	DISMISSED		Would result in extension of development towards the rural area in the urban fringe. No exceptions case put forward.
Development of land by the erection of 2 No. Log Cabins (Outline Application)	Refuse - Delegated	Llangollen Motor Museum, Pentrefelin, Llangollen	Written Reps	16/08/2004	DISMISSED		Harm character of AONB at riverside site. Thus conflict with Policy ENV 2 of UDP and criteria within Policy TSM 9.
Development of land by the erection of a dwelling, alterations to existing vehicular access and installations of new septic tank (outline applications)	Refuse - Committee	Bryn Awel, Ruthin	Written Reps	04/10/2004	DISMISSED		Intrusion into countryside from non-essential development. Conflict with Policies Gen 4 & GEN 5 of UDP. Not infilling therefore conflict with Policy HSG 5.
Development of land for residential purposes & alterations to existing vehicular access	Refuse - Committee	Land adjacent to St. Tysilio Church, Corwen	Hearing	05/09/2004	DISMISSED		No affordable housing provision thus conflict with Policy HSG 10 of UDP. Inspector supported 30% requirement on this site.
Development of land by the erection of a dwelling (outline application)	Refuse - Committee	Ffordd Las, Mynydd Llech, Llanrhaeadr	Hearing	20/08/2004	DISMISSED		No consolidated group of dwellings thus conflict with Policy HSG 5 of UDP. Not sustainable development.
Development of land by the erection of a dwelling, alterations to existing vehicular access and installations of new septic tank (outline applications)	Refuse - Delegated	Land Between Alyn View and Tyddyn Isa, Llanarmon Road, Llanferres	Written Reps	19/10/2004	DISMISSED		Not a small gap in continuous frontage thus conflict with Policies HSG 5 & GEN 4 of UDP. No essential need for dwelling under Policy HSG 6.

Erection of dwelling and construction of new vehicular access	Refuse - Delegated	Land adjoining Marl Cottage, Rhualt Road, Cwm, Dyserth	Written Reps	04/10/2004	ALLOWED		Replacement accepted as criteria in Policy HSG 8 allow larger replacements when original is of low standard in terms of design & appearance. Acceptable design in AONB.
Variation of condition No. 4 of planning permission code No. 3/396/96/PF to allow for winter storage of caravans and over-night stays between 31st October in one year and 1st March in the following year.	Refuse - Delegated	Penddol Caravan Park, Abbey Road, Llangollen	Hearing	10/12/2004	DISMISSED		Presence of caravans during winter months would harm landscape and AONB. Conflict with UDP policies ENV 2 & TSM 12.
Alterations and extensions to 2 No. dwellings to from 1 dwelling	Refuse - Delegated	Ystrad Cottage, Llangollen	Hearing	02/12/2004	ALLOWED		Proposals would not be out of scale or character with area and thus would be acceptable against Policies HSG 12 and ENV 2 of the UDP.
Revision to Scheme for 23 dwellings granted under permission 03/2003/1340/PF involving the substitution of 4 No. dwellings	Grant - Committee	Land South of Greenacres, Fron Bache, Llangollen	Hearing	17/12/2004	ALLOWED	COSTS AWARDED	Acceptable impact on visual character & amenity of locality. No conflict with UDP policy or SPG guidance. Not a sensitive area. No substantial evidence produced by Council in support of refusal.
Erection of two detached dwellings, construction of new vehicular access and installation of new septic tank.	Refuse - Delegated	Land between Glascoed & Ebenezer Chapel, Ffordd Las, Llandyrnog	Hearing	08/12/2004	DISMISSED		Site does not constitute small gap in developed frontage. Impact on rural character of area. Conflict with Policies HSG 5 & GEN 4 of UDP.

Ps/aeh/applist/jan-mar04

**Decisions Made by the Head of Planning and Public Protection
under
Delegated Powers
21st November 2004 - 31st December 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

- | | |
|-----------------|--|
| 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 |
| DEEMED | - does not require 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 |