

**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

**DENBIGHSHIRE COUNTY COUNCIL
PLANNING COMMITTEE
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ITEM NO: 1

WARD NO: Trefnant

APPLICATION NO: 30/2005/0952/ PF

PROPOSAL: Alterations to existing integral garage to provide additional accommodation and erection of detached garage

LOCATION: Thatched Cottage Upper Denbigh Road St. Asaph

APPLICANT: Mr & Mrs A Davies

CONSTRAINTS: Tree Preservation Order
Listed Building
Historic Parks And Gardens

PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. TREFNANT COMMUNITY COUNCIL
"Observations: Express concern about the future use of the detached garage due to its considerable size."
2. WELSH WATER
Note that the site is crossed by a foul sewer

RESPONSE TO PUBLICITY:

Representation received from:

1. Swayne Johnson Solicitors (on behalf of Mrs. Riley, 9, Llys Llannerch, Trefnant)
2. Lester A. Roberts (on behalf of owners of 10, Llys Llannerch, Trefnant)

Summary of planning based representations:

- i) The scale of the proposed garage;
- ii) Impact on residential amenity;
- iii) Increased commercial usage of the property for bed and breakfast accommodation.

The plans have since been revised to seek to address the above concerns, as described below, with further neighbour notifications issued to which there has not been any response.

EXPIRY DATE OF APPLICATION: 28/09/2005

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The site is occupied by a large dwelling which is also utilised for the provision of bed and breakfast accommodation. The buildings at the site have grown incrementally over the years, mainly along the main road frontage but also jutting back into the site. The site is abutted by woodland to the east, open fields to the north and by the main road to the west. To the south of the site to the other side of the road stand the rear of bungalows fronting Llys Llannerch. These bungalows have their rear elevations around 14 metres from the site. The site lies outside of

the development boundary.

2. The application proposes two main elements:
 - i) Conversion of the existing integral double garage into an additional guest bedroom with en-suite bathroom to be used in connection with the bed and breakfast business. The only external alterations proposed are the replacement of the garage doors with patio doors;
 - ii) Erection of a detached garage block along the road to the south containing sufficient space for the parking of four cars with an ancillary log store to one side. The garage has a length of 13.4 metres and a depth of 6.1 metres with a hipped roof with an eaves height of 2.5 metres and a ridge of 4.8 metres. The rear wall of the garage is set 3.0 metres back from the low wall to the road frontage, and therefore 4.6 metres from the road itself. Originally, the plans did not include any landscaping but following discussions with the agent and applicant the plans have been revised to include substantial planting between the garage and the road boundary which will soften the appearance of the structure.

RELEVANT PLANNING HISTORY:

3. The site has a considerable planning history including various extensions and alterations and showing the previous use of the property to have been as a restaurant with ancillary guest and owner accommodation.

PLANNING POLICIES AND GUIDANCE:

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy GEN 6 – Development Control Requirements

GOVERNMENT GUIDANCE
Planning Policy Wales March 2002

MAIN PLANNING CONSIDERATIONS:

5.
 - i) Visual appearance
 - ii) Impact on the privacy and amenity of nearby occupiers
 - iii) Highways
 - iv) The comments of the objectors
6. In relation to the considerations as noted in paragraph 7:
 - i) In terms of visual appearance, the conversion of the existing garage is considered acceptable. The scale, height and proximity to the road of the detached garage have been the subject of discussions with the agent for the scheme. As first submitted, concerns were expressed at the visual impact on the street scene. However, at a site meeting it was considered that the combination of the landscaping scheme, the 4.6 metre set back from the road and the low eaves height of the structure at only 2.5 metres represented sufficient mitigating circumstances to allow the new garage.
 - ii) The two letters of objection were submitted prior to the addition of supplementary landscaping details which have now been provided, and no further objections have been raised since the time of further neighbour notifications informing the occupiers of nos. 9 and 10 Llys Llannerch to these changes to the plans. Accordingly, it is considered that the distance of the properties from the site, the rear boundary fencing which these properties have of around 2.0 metres in height and the additional landscaping serve to eliminate any significantly harmful impact on these occupiers.

- iii) In terms of highways, the access points to be utilised are existing and the garage is set back from the highway by a sufficient distance to allow adequate visibility even with the new area of landscaping.
- iv) The comments of the objectors are noted. However, as stated above the separation distance combined with the boundary screening and the low eaves height of the structure will mitigate the visual impact of the structure.

SUMMARY AND CONCLUSIONS:

- 7. The application is acceptable and is recommended to be granted subject to appropriate conditions.

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. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)] of the development hereby permitted and no materials other than those approved shall be used.
- 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. The development hereby permitted shall be used only as ancillary accommodation in relation to the residential and bed and breakfast use of the Thatched Cottage and it shall at no time be occupied as a separate dwelling unrelated to the Thatched Cottage.

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. In the interests of visual amenity.
- 3. To ensure a satisfactory standard of development, in the interests of visual amenity.
- 4. To enable the Local Planning Authority to control the use hereby permitted in the interests of amenity.

NOTES TO APPLICANT:

You are hereby advised that the site is crossed by a public sewer / rising main / disposal main. Under the Water Industries Act 1991 Dwr Cymru / Welsh Water has rights to access to apparatus at all times. No part of the building works will be permitted within 3 metres of the line of the public sewer to protect the integrity of the sewer and to avoid damage thereto. Before works commence on the site you should ascertain the correct position of this sewer by contacting Dwr Cymru Welsh Water, NDC Northern, PO Box 41, Denbigh, LL16 5WA quoting reference 2005/Babti/0952/PF.

ITEM NO: 2
WARD NO: Trefnant
APPLICATION NO: 31/2005/1115/ PF
PROPOSAL: Extension to form 2 new classrooms and library, new disabled WC, access ramp and provision of on-site parking
LOCATION: Ysgol Cefn Meiriadog Groesffordd Marli Abergele
APPLICANT: Denbighshire County Council
CONSTRAINTS: 250m Of Landfill Site
PUBLICITY UNDERTAKEN: Site Notice - Yes Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. CEFN MEIRIADOG COMMUNITY COUNCIL
"Local residents concerned that parking issue is causing congestion and permanently expanding the school would make matters worse".
2. WELSH WATER
Permit with conditions.
3. HEAD OF TRANSPORT & INFRASTRUCTURE
No objections subject to conditions on design of access and parking areas.
4. ENVIRONMENT AGENCY
No objections.

RESPONSE TO PUBLICITY:

Letters of representation received from:-

1. Mr. & Mrs. R. C. Polley, Tal y Graig, Groesffordd Marli
2. Dennis & Jane Sykes, Wern, Abergele

Summary of planning based representation:

- i) Concerns over parking congestion and access issues.

EXPIRY DATE OF APPLICATION: 16/11/2005

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations
- additional information required from applicant

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site consists of the primary school of Cefn Meiriadog which is situated within the small hamlet at Groesffordd Marli. The site consists of the main school building which has a vehicular access and parking area previously permitted. To the north lies the school playing field with open agricultural fields to the east and west. To the south of the school are detached dwellings and a small chapel.

2. Currently there are 2 no. mobile classrooms sited at the school which were developed under permitted development rights. Permission is sought to remove these mobile classrooms and replace them with a permanent extension to create 2 no. new classrooms and library, a new disabled w.c., access ramp entrance and provision of on-site parking. The classroom extension will be situated to the north (rear) of the existing school building and would project some 6.7m by some 16m in length. It would be constructed in materials to make the main building with the ramped entrance just to the east side of the building. The library section would infill to a western position of the main building measuring 5.2m x 4m incorporating a flat roofed design with a raised, central pitched roof skylight feature. A vehicular access is proposed to the west side of the road frontage with some 8 no. spaces to the west of the building. The access and parking arrangements have been previously approved in July 2004.
3. Supporting information has been submitted by the Local Education Authority confirming that at present there are 75 full time and 8 part time pupils at the school with 7 full time members of staff and 2 part time staff. The present proposal is simply to replace the mobile classrooms with permanent classrooms. This would not involve an increase in the number of classrooms at the school and would tie in with the Welsh Assembly's wish that all schools should be "fit for purpose" by 2010. Education does recognise the restrictions on parking facilities but this scheme does provide for some on-site parking for staff/visitors.

RELEVANT PLANNING HISTORY:

4. **31/2004/0688/PF**
Erection of infill extension to form classroom and construction of car park – GRANTED – 9/7/2004 (extension was sited where library extension is now proposed).

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy GEN 6 - Development Control Requirements
 - Policy CF1 - Community Facilities
 - Policy TRA 9 - Parking and Servicing Provision

Government Guidance
Planning Policy Wales, March 2002

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of extensions
 - ii) Impact on residential amenity
 - iii) Impact on visual amenity
 - iv) Impact on highway safety
7. In relation to the points raised in paragraph 6 above:-
 - i) Planning permission was granted in July 2004 for an extension in the location of the proposed library extension. This permission also authorised the vehicular access and parking area now proposed again. The classroom extension to the rear of the school building would replace 2 no. mobile classrooms making the principle of this development acceptable.
 - ii) The proposed building extensions are sited such that their physical presence would not have any direct detrimental impact upon any nearby neighbouring dwelling. The properties nearby are sited to the south of the school site with the nearest being over 50m from the proposed development. The indirect

impact on residential amenity will be addressed in paragraph iv) below.

- iii) The size, scale and design of the proposed extensions, ramp and parking area would not cause any detriment to the visual amenities of the site or surroundings. The removal of the mobile classrooms for more permanent structures will serve to improve the visual appearance of the site.
- iv) The main contentious issue in relation to this proposal is the concerns raised locally about the difficulties experienced by vehicles trying to park at or near the school. It is acknowledged that, like many rural and urban schools, parking problems do exist at this school at peak times of the day. In relation to this proposal, however, one must have regard to the points raised in paragraph 3 of this report. This proposal does not involve the creation of additional classrooms but merely involves the replacement of mobile classrooms. The access and parking area has been granted previously and it is not considered there are any valid highway safety grounds to refuse this specific proposal.

SUMMARY AND CONCLUSIONS:

- 8. There was no material planning objections to the scheme which replaces existing mobile classrooms with permanent structures. No additional classrooms are proposed with the access and parking area previously agreed.

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. The materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.
- 3. Development shall not begin until details of the junction between the proposed access road and the highway have been submitted to and approved in writing by the Local Planning Authority; and the building(s) shall not be brought into use until that junction has been constructed in accordance with the plans hereby approved.
- 4. The parking area indicated on the approved plan shall be surfaced and marked out prior to the extensions hereby permitted first being brought into use.

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. In the interests of visual amenity
- 3. In the interests of highway safety.
- 4. In the interests of highway safety.

NOTES TO APPLICANT:

Your attention is drawn to the enclosed response from the Environment Agency.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 and 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980.

ITEM NO: 3

WARD NO: Trefnant

APPLICATION NO: 31/2005/1288/ PF

PROPOSAL: Change of use of land from agricultural to equestrian use and erection of 'L' shaped stable block and wooden store and retention of alterations to access

LOCATION: Field to Rear Of Cae Onnen Glascoed Abergele

APPLICANT: Mrs J Regan

CONSTRAINTS: Ancient Woodland

PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. CEFN MEIRIADOG COMMUNITY COUNCIL
"No objection"
2. HEAD OF TRANSPORTATION AND INFRASTRUCTURE
No objection subject to conditions on approval.
3. PUBLIC PROTECTION
Awaiting response

RESPONSE TO PUBLICITY:

Letters of representation received from the following:

1. Mr & Mrs J. S. Radcliffe, Cedmor, 4 Cae Onnen, Glascoed
2. D. & J.W. Sykes, Wern, Groesffordd Marli,
3. Dr. A.J. & Mrs S. E. Stoll, Tyn y Gongl, 1 Cae Onnen, Glascoed
4. Ms F. Vernon, 7 Cae Onnen, Glascoed
5. Mr R Cooper, 6 Ffynnon Nefydd, Llanefydd

Summary of planning based representations:

- i) Fear that if application is approved the site will be used for commercial activity or for prompting new build in the open countryside.
- ii) Parking, access and other highways issues. Concerns outline the removal of approximately 5m of hedgerow to create a new gateway onto the site, that the proposed hard standing area will be for the permanent parking of vehicles and that the access is dangerous.
- iii) Noise and light pollution from the proposed generator and lights.
- iv) Waste disposal and drainage issues. The land slopes down towards the residential dwellings at the bottom of the site, fears of effluent runoff towards properties. Accumulation and location of used bedding materials and means of removal.

EXPIRY DATE OF APPLICATION: 19/12/2005

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is located just outside the hamlet of Groesffordd Marli, to the rear of a row of 8 dwellings which make up the estate of Cae Onnen. The site comprises of a field of approximately 0.88ha (2.1 acres) which is currently used for agricultural purposes. It is relatively flat at the western end, but gently slopes down to the dwellings along Cae Onnen to the east. Some screening in the form of vegetation exists to the rear of those dwellings in Cae Onnen. A single gate entrance allows access into the field. However, an additional gate has been inserted alongside to provide access into the application site, The site has been recently been fenced to the rear and along the middle to create two separate field parcels. A densely wooded area lies to the west of the site.
2. The proposal is to change the use of the land in order for the applicant to keep and stable their own horse. The applicant currently has one horse, but has stated that they may obtain another in the future. An L shaped stable block (49m²) with two stables, a tack room and a store is also proposed. It is proposed to locate the building in the corner of the field, furthest from those dwellings at Cae Onnen and furthest from the road that runs alongside the field. A generator to provide electricity for the lighting is also proposed adjacent to the building. The building will be 3m in height to the ridge and will be erected of timber materials and a black felt roof. It is proposed to sit the building on an 8m x 11m concrete base.

RELEVANT PLANNING HISTORY

3. None

PLANNING POLICIES AND GUIDNCE:

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
 - Policy GEN3 – Development outside development boundaries
 - Policy GEN6 – Development control requirements
 - Policy ENV1 – Protection of the natural environment
 - Policy ENP1 – Pollution
 - Policy ENP4 – Foul and surface water drainage

MAIN PLANNING CONSIDERATIONS:

5.
 - i) Principle of development
 - ii) Highways issues
 - iii) Impact on residential amenity
 - iv) Noise and lighting
 - v) Waste and drainage issues
 - vi) Other concerns raised by individuals
6. In relation to the main planning considerations as noted above:
 - i) Principle of development: The principle of changing the use of the land in this location is considered to be acceptable given the existing use of the land for grazing in connection with agriculture, and the location of the site in the open countryside. In relation to a stable block being placed on the land for the personal use of the applicant, the criteria in Policy GEN6 has to be taken into consideration. The proposed location of the building will occupy a slightly elevated position in relation to those dwellings on Cae Onnen, but the location is not considered to be prominent. Therefore the impact on the wider surrounding landscape is minimal. There is significant distance (100m) from the rear of the properties along Cae Onnen to the proposed stable building for

the proposal to be fully integrated into the wider landscape area and for it not look out of place against the backdrop of the woodland to the rear. With this in mind, the principle of development is considered to be acceptable in relation to Policy GEN6 and satisfies Policy ENV1 on the protection of the natural environment.

- ii) Highways Issues: The road that runs adjacent to the application site is a Class 3 road. Comments received from the highway engineer indicate that the proposal is acceptable and that conditions should be imposed in relation to access details and the parking and turning facilities on site. Comments from concerned parties indicated that works to the access had been carried out before the granting of planning permission. The access has been amended during the course of the application. Re-consultations have been carried out, and comments from the highway engineer indicate that the alterations are acceptable subject to conditions.
- iii) Impact on residential amenity: The proposed building has been located at a point on the site as to have a minimal impact on the residents of Cae Onnen. Given the levels of the site, the proposed stable block would be better located, from a visual aspect at the bottom corner of the field, directly to the rear of the dwellings at Cae Onnen. The proximity of the building to residents in this location would be unacceptable. The proposed stable will take advantage of a position much further away from those residential properties and is thus more acceptable in this location in relation to residential amenity. There will be no direct overlooking effect by the stables and, no loss of light to the rear of the properties.
- iv) Noise and lighting: Concerns have been raised in relation to the noise created from the proposed generator and the effect of lighting the building on residential amenity and on the character of the countryside. Subject to conditions in relation to these two aspects, the impact on residential amenity and on the character of the countryside can be minimised. This will ensure compliance of the proposal with Policy ENP1 on pollution.
- v) Waste and drainage issues: Representations received outline concerns in relation to the amount of waste generated by the proposal and the location of the muck heap. The muck heap is to be located by the gate that provides access to the field and is to be removed from the site on a bi-annual basis. A soak-away system is proposed on the site in addition to surface water drainage. This is considered to be acceptable in relation to Policy ENP4 on foul and surface water drainage.
- vi) Other concerns raised by individuals: Concerns have been made in representations received about the potential for commercial riding school and livery use to be associated with the site. The proposal is purely for the personal use of the applicant. A planning condition to restrict this use can be attached. The potential for any other form of development on the site, including new residential development and changes of use of the building, would need the formal submission of a planning application and would be assessed on their merits under the relevant planning policies.

SUMMARY AND CONCLUSIONS:

7. The principle of development is considered to be acceptable in this location, with the proposal in accordance with Policies GEN6, ENV1, ENP1 and ENP4. Issues in relation to noise and lighting, and concerns over the future use of the site can be overcome with suitably worded planning conditions. The waste and drainage

factors are considered to be acceptable in relation to the intensity of use of the site.

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. No external wall and roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)] of the development hereby permitted and no materials other than those approved shall be used.
3. The stables hereby approved are for the personal use of the applicant only. No commercial riding school or livery activity shall be run from the site at any time without the further granting of planning permission.
4. Notwithstanding the submitted access details, a revised access layout shall be submitted to and approved in writing by the Local Planning Authority before development commences with the approved scheme implemented before the development is brought into use.
5. The development hereby permitted shall not be brought into use until space, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, has been laid out within the site for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward direction: these areas shall not be used for any other purpose other than the parking or turning of vehicles.
6. Full details of the proposed generator, including noise emissions, shall be submitted to and approved in writing by the Local Planning Authority.
7. Notwithstanding the submitted details, all lighting methods shall be restricted to within the building and no additional or external lighting sources shall be installed on the site at any time without the written approval of the Local Planning Authority.
8. The development hereby permitted shall not be used until a scheme for disposal of foul and surface water drainage, and foul water matter has been submitted to and approved in writing by the Local Planning Authority. Disposal shall thereafter be carried out in accordance with the approved scheme.

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. In the interests of visual amenity.
3. In the interest of residential amenity
4. To provide for the parking of vehicles clear of the highway in the interest of traffic safety.
5. To ensure the formation of a safe and satisfactory access.
6. In the interest of residential amenity and to safeguard the character of the countryside.
7. In the interest of residential amenity and to protect the character of the countryside.
8. In the interest of residential amenity and to safeguard the character and appearance of the open countryside.

NOTES TO APPLICANT:

None

ITEM NO: 4

WARD NO: Prestatyn North

APPLICATION NO: 43/2005/0747/ PF

PROPOSAL: Erection of tree climbing and silviculture centre

LOCATION: The Spinney Wood Sandy Lane Prestatyn

APPLICANT: Mr N Billington

CONSTRAINTS: Tree Preservation Order
C1 Flood Zone
Tidal Floodplain
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. PRESTATYN TOWN COUNCIL
"No objection"
2. PRINCIPLE COUNTRYSIDE OFFICER
The size of the building is rather out of scale for the site, but there are no implications for the trees therefore offers no objections to the proposal
3. HEAD OF TRANSPORT AND INFRASTRUCTURE
No objections subject to conditions on approval.
4. COUNTY ECOLOGIST
No comments to make other than the trees should be protected during and after the development and additional native planting be accommodated where feasible.
5. ENVIRONMENT AGENCY
No objection subject to conditions to minimise the potential impacts of flood risk on approval.
6. NETWORK RAIL
No objection

RESPONSE TO PUBLICITY:

Letters of representation received from the following:

1. Mr & Mrs A Reynolds, 34 Sandy Lane, Prestatyn
2. Mr & Mrs Armstrong, 30 Sandy Lane, Prestatyn
3. Mr & Mrs Edwards, 32 Sandy Lane, Prestatyn

Summary of planning based representations:

- i) Access and parking, and an increase in the amount of traffic along a busy road
- ii) Protection of existing trees and replacement of those that have been felled
- iii) Opening hours of centre
- iv) Noise and disturbance

- v) Over commercialisation of a residential area

EXPIRY DATE OF APPLICATION: 19/09/2005

REASONS FOR DELAY IN DECISION:

- delay in receipt of key consultation response(s)
- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is located along Sandy Lane, within the development boundary of Prestatyn. The railway line runs along the rear of the site, with Sandy Lane running adjacent to the front of the site. There are a number of mature trees, including beech, sycamore and ash which are all subject to Tree Preservation Orders (TPO). The area of the site is approximately 0.35ha (0.87 acres) and currently has a redundant building in the south west corner (28m²). The main access on to the site is via a single gateway off Sandy Lane.
2. The proposal is to use the site as a tree climbing and silviculture (the culture of trees) centre, and as a storage area for implements used by the applicant in his ground maintenance business which is currently located in Meliden. The proposal involves replacing the existing building with a new building (225m²). The proposed building will have a lean to roof, sloping down towards Sandy Lane. It will have a climbing area and an equipment store, classroom and reception area at ground floor level. An office and two catwalk areas for the upper part of the climbing wall are proposed at first floor level.
3. The applicant proposes to run courses for tree contractors, members of the public and schools to teach them about tree species, maintenance, replanting, scaling trees and safety. The course would be run on a fortnightly basis and would last between 1 and 5 days.

RELEVANT PLANNING HISTORY:

4. None

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
 - Policy STRAT1 – General
 - Policy STRAT7 – Environment
 - Policy GEN1 – Development within development boundaries
 - Policy GEN6 – Development Control Requirements
 - Policy ENV1 – Protection of the natural environment
 - Policy ENV7 – Landscape/Townscape features
 - Policy REC1 – Protection of existing open space

GOVERNMENT GUIDANCE

Planning Policy Wales (March 2002)
TAN10 – Tree Preservation Orders

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development

- ii) Impact on trees
- iii) Highway considerations
- iv) Impact on residential amenity
- v) Flooding issues

7. In relation to the main planning considerations:

- i) Principle of development: The application site is designated as an area of existing open space (REC1) under the Denbighshire Unitary Development Plan. This policy states that the loss of existing open space will only be permitted where the proposal seeks to retain and enhance the open space by the redevelopment of a small area of the site, that provision is made for other equivalent community recreational benefit and that there would be an overall community gain from the proposal which would have no unacceptable harm on the amenity of the area. The proposal to redevelop part of the site replace the redundant building and to provide a use on the site that would have both community benefit and provide for the long term maintenance of the trees is considered to be acceptable in relation to this policy, and Policy STRAT1, STRAT7 and GEN6 of the Unitary Development Plan. The proposal is therefore supported in principle.
- ii) Impact on trees: All trees on the site are protected by TPO's. Policies ENV1 and ENV7 seek to protect the landscape and biodiversity of the county and retain features of substantive value to both the landscape and the townscape. Policy ENV7 further notes that any proposed development that will cause any harm to these features will only be permitted where appropriate mitigation measures are taken to protect these features. The proposal seeks to protect the trees on the site during construction and offers a longer term management opportunity for the trees to ensure their protection in the future. Further landscaping is proposed on the site to replant those trees that have been removed for safety reasons, and to further landscape the site. The species to be replanted include species of beech, Acer (maples and sycamores), Sorbus (whitebeam, rowan and mountain ash) and Prunus (cherry). The Principal Countryside Officer offers no objections to the proposed scheme and is content that there will be no adverse impact on the trees as a result.
- iii) Highway considerations: There is an existing access on to the site which is to be improved as part of the application. Highways consider that 15 parking spaces and 3 spaces for bicycles are adequate for the proposal. However, with regard to the sensitive nature of the site and in the interest of visual amenity, specific car parking layouts could be further agreed by condition on any approval.
- iv) Impact on residential amenity: Residential dwellings are located on the opposite side of Sandy Lane, fronting the application site. Concerns have been raised in relation to parking, noise, hours of operation and ultimately the protection of the trees. The applicant has specified that the courses proposed at the site will be run on a fortnightly basis; the activity will therefore be relatively low key. Conditions can be imposed to restrict the hours of operation.
- v) Flooding issues: The application site is located within a C1 zone. A Flood Consequence Assessment has been submitted as part of the application process. The Environment Agency has agreed that the effects of flooding on any development on the site can be managed to a reasonable level and have suggested conditions to attach to any approval.

SUMMARY AND CONCLUSIONS:

8. The principle of development is considered to be acceptable, with the proposal in accordance with Policies REC1, GEN6, STRAT1 and STRAT7 of the Denbighshire Unitary Development Plan. The impacts in relation to the trees, neighbours, highways and flooding are considered acceptable and in some respects can be mitigated against by conditions.

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. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)] of the development hereby permitted and no materials other than those approved shall be used.
3. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
4. 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.
5. 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 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.
6. The use hereby permitted shall not be carried out outside the following times and days:-

Mondays to Fridays - 0800 to 2000 hours
Saturdays - 0800 to 1800 hours
At no time on Sundays or Bank Holidays.
7. No machinery or materials shall be stored outside the building(s) on the application site.
8. The development hereby permitted shall not be brought into use until space, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, has been laid out within the site for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward direction; these areas shall not thereafter be used for any purpose other than the parking or turning of vehicles.
9. The floor slab level shall be set at no less than 6.5 m AOD.
10. No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the

approved scheme shall be completed before the building(s) is(are) first occupied.

11. A notice shall be displayed within the communal area of the building hereby permitted, indicating the most appropriate safe route away from the site in times of flood.

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. In the interests of visual amenity.
3. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
4. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.
6. In the interests of amenity of occupiers of neighbouring properties.
7. In the interests of visual amenity.
8. In the interests of amenity and highway safety by ensuring that adequate space is available for all vehicles visiting the property to park and turn clear of the highway.
9. To minimise risk of flooding.
10. To ensure satisfactory drainage of the site and to avoid flooding.
11. To minimise risk to occupants.

NOTES TO APPLICANT:

None

ITEM NO: 5

WARD NO: Rhuddlan

APPLICATION NO: 44/2005/0081/ PF

PROPOSAL: Erection of 38 dwellings, provision of open space and construction of new roadway from existing amended access

LOCATION: Abbey Nurseries Abbey Road Rhuddlan Rhyl

APPLICANT: K & C Developments Ltd.

CONSTRAINTS: Scheduled Ancient Monument
Conservation Area
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

CONSULTATION RESPONSES:

1. RHUDDLAN TOWN COUNCIL
"Recommends the application for permission."
2. ENVIRONMENT AGENCY
Recommends conditions relating to future approval of scheme of surface water regulation from site. Advises that previous activities on site may have caused contamination of soils, sub-soils and groundwater. Recommends condition investigating nature and extent of contamination and appropriate remediation.
3. BAPTIE/WELSH WATER
Objection until a comprehensive drainage scheme can be provided.
4. CPAT
Recommends planning conditions to address archaeological issues arising from previous grant of Scheduled Ancient Monument Consent.
5. CADW
Scheduled Monument Consent (SAMC) was granted for the development on the scheduled part of the area. Archaeological conditions on the SAMC should be repeated on the planning permission.
6. HEAD OF HOUSING SERVICES
Recommends 11 affordable units as shared equity.
7. COUNTY ARCHAEOLOGIST
Advises site of extremely important archaeological value, previous excavations in 1960's having confirmed this. Acknowledges site has Scheduled Ancient Monument Consent and therefore does not object subject to imposition of satisfactory conditions
8. SENIOR CONSERVATION OFFICER
Requests inclusion of visual interest appropriate to the conservation area location.

9. HEAD OF TRANSPORT & INFRASTRUCTURE

No objection subject to the inclusion of conditions on the siting of the access, visibility splay and facilities to turn within the site.

RESPONSE TO PUBLICITY:

Letters of representations received from:

1. Mr Gordon Summers & Miss C Logan, Mordwy, Hylas Lane, Rhuddlan
2. Mrs E Collinson, Maesteg, Abbey Road, Rhuddlan
3. Mr C Blythin, Y Fron, Abbey Road, Rhuddlan
4. J Kelly, Keltree, Abbey Road, Rhuddlan
5. Mrs C Horton, Bodlondeb, Abbey Road, Rhuddlan
6. R & S Jones, Bryn Gwyn, Abbey Road, Rhuddlan
7. Chris Ruane MP (on behalf of Mr Blythin), House of Commons, London

Summary of planning based representations.

Impact on visual amenity

- i) 38 dwellings would detract from the character of the locality
- ii) Adverse change to the rural character to high density development.
- iii) Would the limestone/landscaped area be replaced

Effect on privacy

- i) Three storey dwellings would overlook a private garden and property and others on Hylas Lane.
- ii) Increased noise and disturbance during construction phase.

Landscaped Areas

- i) Open space areas should cater for children
- ii) Trees on the boundaries of the site should be retained.

Highway safety concerns

- i) Traffic generation in excess of 60 cars onto a limited access point.
- ii) Pedestrian safety concerns with on road parking and volume of traffic using Abbey Road.

Drainage concerns

- i) Surface water flows can cause flooding in the locality.

Inaccurate information

- i) Application details at odds with the proposed development in respect of demolition of buildings, felling of trees and land ownership.

EXPIRY DATE OF APPLICATION: 24/03/2005

REASONS FOR DELAY IN DECISION:

- Applicant has requested a reduction to the 106 Commuted Sum.

PLANNING ASSESSMENT:

THE PROPOSAL:

1. Members may recall considering this particular proposal at the 20th April 2005 Planning Committee meeting. The application was submitted to the Local Planning Authority in January 2005.
2. The Committee accepted the officer recommendation in April 2005 to approve the proposal, subject to the completion of a Section 106 Obligation and compliance

with conditions. For clarity, the obligation required the following:-

- provision of 10 affordable housing units on site
 - total commuted sum payment involving £57,200 for the provision and maintenance of off-site open space and maintenance/management agreement of on site open space. The commuted sum figure was calculated using the authority's standard calculation formula and costs in place in April 2005.
3. The applicant has now requested that the Local Planning Authority consider a reduction in the total amount of the commuted sum payment, based on the following arguments:-
 - i) Subsequent to the Planning Committee resolution, there have been lengthy discussions to resolve and ultimately reach agreement on the sale price for affordable residential units.
 - ii) There are exceptionally high costs associated with the requirement for on-site archaeology works and supervision, special foundations, additional drainage and additional fill to adoptable roads. A detailed cost break down for these specific works has been submitted for information.
 - iii) Aside from the legal obligation requirements, a condition of the draft permission (No. 14) requires the implementation of an on-site equipped children's play area.
 4. The request for reconsideration of the commuted sum payment obliges officers to re-present the application to the Committee.
 5. The application is for permission to erect 38 dwellings, and includes the following elements:
 - i) Thirty eight dwellings of which 10 are detached 4/5 bedroom dwellings arranged around a cul-de-sac head. One dwelling would front onto Abbey Road with a paired access arrangement with the adjoining dwelling Gwenallt.
 - ii) Two blocks of three storey apartments accommodating 10 (2 bedroom flats) adjoining the school playing field boundary and Hylas Lane. Housing block (10-19) would provide the affordable housing provision.
 - iii) Two blocks of three storey town houses (2 bedrooms) to the rear of Gwenallt and facing Nanz.
 - iv) Two landscaped areas of open space (landscaped children play area next to the town houses and informal open area adjoining apartment block unit 20-29).
 - v) The existing access serving the former Nursery would be widened. The front stone boundary wall would be rebuilt at a height of 1 metre behind the visibility site line. New pavements would align the internal estate road leading to the site.
 6. The site comprises a roughly 'T' shaped parcel measuring approximately 1.4ha in area located predominantly within the development boundary of Rhuddlan with access frontage to Abbey Road. It is bounded to the north and west by a 5 – 6 metre high conifer hedgerow with Ysgol y Castell playing field beyond to the west and a mix of two/two and a half storey dwellings beyond to the north. Along the eastern boundary of mixed fences and hedgerows lies a range of dwellings with relatively deep gardens. The southern boundary comprises a 2 metre high hedge with Pleasant View Camp beyond to the south. The site has ceased its operation as a commercial nursery and the majority of the glasshouses and other structures on the land have been removed.

7. The western and southern halves of the site lie within a scheduled ancient monument and conservation area. In accordance with national planning advice the application has sought and received the grant of Scheduled Ancient Monument Consent from CADW in advance of submitting the planning application. The form of proposed development is heavily constrained by the limitations and requirements of the Scheduled Ancient Monument Consent (SAMC).
8. Outline planning application code 44/2003/1111/PO was resolved to be granted by the Planning Committee meeting of the 25 February 2004, subject to the signing of a 106 obligation. The legal obligation has not been signed and the application now before the Committee is submitted by a different developer. The unsigned legal obligation covered an off-site open space commuted sum payment. The application was to develop the land for the erection of 23 dwellings (six were provided for affordable housing). The layout plan showed a simple linear form of development served by an access off Abbey Road. An area of open space (to provide a children's play area) was also shown in the north-east corner of the site.

RELEVANT PLANNING HISTORY:

9. 44/2003/1111/PO Development of 1.4 ha of land for residential purposes and alterations to existing vehicular access (outline application) Resolved to be Granted 25 February 2004. (Subject to Section 106 agreement)

PLANNING POLICIES AND GUIDANCE:

10. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (Adopted 3rd July 2002).
 - Policy GEN 1 - Development within development boundaries
 - Policy GEN2 - Development of un-annotated land
 - Policy GEN3 - Development outside development boundaries
 - Policy GEN6 - Development control requirements
 - Policy CON5 - Development within conservation areas
 - Policy CON6 - Development adjacent to conservation areas
 - Policy CON7 - Demolition in conservation areas
 - Policy CON10 - Scheduled ancient monuments
 - Policy HSG3 - Housing development in main villages
 - Policy HSG10 - Affordable housing within development boundaries
 - Policy EMP10 - Protection of employment land
 - Policy REC2 - Amenity and recreational open space in new developments
 - Policy TRA6 - Impact of new development on traffic flows.

SUPPLEMENTARY PLANNING GUIDANCE

Note 4 – Recreational Public Open Space, 2003

GOVERNMENT GUIDANCE

Planning Policy Wales March 2002 (9.3, 6.5)

Circular 60/96 Planning and the Historic Environment - Archaeology

Circular 61/96 Planning and the Historic Environment – Historic Buildings and Conservation Areas.

Circular 13/97 Planning Obligations

MAIN PLANNING CONSIDERATIONS:

11.
 - i) Principle of development
 - ii) Visual impact
 - iii) Effect on privacy
 - iv) Impact on Scheduled Ancient Monument/Conservation Area
 - v) Highway safety

- vi) Affordable housing
- vii) Drainage
- viii) Open space/commuted sums

12. In relation to the main considerations;

i) The principle of the development

The site comprises previously developed land located almost in its entirety within the development boundary of Rhuddlan. Outline planning application 44/2003/1111/PO in effect has established the principle of residential development on the site. The application in outline for 23 dwellings was considered a low density for 1.4 hectares of land. It is considered that in line with government guidance an increased density would make better use of previously development land within a settlement boundary. Even with the proposed increase in dwelling numbers to 38 (on average 27 dwellings per hectare) it is below what is generally an accepted standard in national guidance as (on average 30 dwellings per hectare). It is considered however there are mitigating reasons to be weighed in the balance given the planning history and archaeological issues dealt with under item (iv) of this report. The principle of the development is considered acceptable given surrounding land uses subject to the development meeting normal development control requirements.

ii) Visual impact

The proposed development shows three storey apartment blocks and town houses on the northern part of the site to the rear of Gwenallt on Abbey Road and Hylas Lane, adjoining also in part the school playing field. Generally the predominant scale of dwellings in the area is two storeys but there are notable exceptions at Plas Llewelyn (2 to 3 storey), Gwenallt and a terrace of dwellings on Hylas Lane backing onto the site. It is considered that the scale of the development is acceptable. The revised layout and illustration shows an acceptable form of development.

iii) Effect on privacy

Concerns have been raised with regard to the effect of the proposal on the privacy of neighbouring properties. The effect of siting apartment block unit 10-19 adjoining Hylas Lane has been raised as a particular concern. The gable end of this unit has two dining room windows facing Hylas Lane. The height of this part of this unit has two dining room windows facing Hylas Lane. The height of this part of the building is however two storey with a hipped roof design. The gable end wall would be sited some 16 metres from the rear garden areas of properties on Hylas Lane. This distance is considered acceptable and within the recognised standard. There is a private road serving the back of these properties and provides a barrier between the site and neighbouring properties, there is also a significant Leylandi hedge on this boundary. The revised layout, scale and siting of buildings is considered acceptable overall and would not in my opinion adversely effect the privacy or outlook of surrounding neighbouring properties.

iv) Impact on Scheduled Ancient Monument

The basis for the control of development affecting areas of archaeological interest is that the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application. Where nationally important remains are likely to be affected, there should be a presumption in favour of their physical preservation in situ. An archaeological assessment has been undertaken – the report was also submitted to CADW in support of the application for scheduled ancient

monument consent, along with details such as foundations design and drainage details. The SAMC addresses the archaeological issues satisfactorily and contains stringent conditions aimed at securing preservation of the archaeological interest intact and the manner in which any development is implemented. CADW have advised that there is no need to revisit the SAMC consent and request the same planning conditions are imposed on this application.

Impact on the Conservation Area

The site is separated from Rhuddlan Castle by the school playing field and would be viewed against the backdrop of residential development beyond. The impact on the overall Conservation Area is considered acceptable. The proposal in officer's opinion enhances the character and appearance of the Conservation Area.

- v) Highway safety
The site was a working horticultural nursery. It attracted commercial vehicles and articulated lorries on a regular basis. This caused an acknowledged highway problem with vehicles having to wait in the highway as lorries reversed into the site. There is no objection raised from the Head of Transport and Infrastructure to this development from a highway safety point of view. The vehicular access and boundary treatment onto Abbey Road has been revised and broadly accords with the outline planning approval.
- vi) Affordable housing
Ten affordable housing units are offered within one housing block (unit 10-19). It is considered impractical to split the provision between the different housing blocks in this case. The increase in the provision on site from the outline is welcomed given its location within the settlement limits. In addition there is considerable development costs involved with this site in terms of archaeology, scheduled monument consent and remediation of site contaminates. The provision is therefore considered acceptable in terms of provision of affordable housing units.
- vii) Drainage concerns
There is no evidence from the consultation responses that infrastructure such as drainage systems cannot accommodate the development from the site. The Environment Agency request conditions to be imposed on the planning permission.
- viii) Open Space/Commuted Sum Payment
There is no dispute over the principle of providing some area of open space on site, and payment of a commuted sum in lieu of full on site provision. There are clearly higher than normal development costs involved here, with works around a scheduled monument, archaeological features, and contaminated land, which in officer's view merit sympathetic consideration. Discussions are also ongoing in terms of the provisions of a children's play area on site. The specific issues in this case is the significance of additional costs in relation to average building costs for comparable sites, together with sustaining on site open space area, and the contributions to off site provision and maintenance. In order to investigate and conclude on the significance of the cost totals provided by the applicant, the County Council's Valuation and Estates Section have been consulted. Their observations and conclusions will be reported at the Planning Committee meeting.

SUMMARY AND CONCLUSIONS:

13. The merits of the application have been considered and have been accepted in April 2005. There have been no material changes to the proposals or to planning policies since that time. The main issue is the request to reduce the open space commuted sum payment, having regard to abnormal development costs and current Council open space cost figures.
14. Should the County's Valuation and Estates Section confirm the abnormal development costs for the site, the Local Planning Authority will be in a position to suggest a reasonable figure based on the above.
15. The recommendation is subject to the applicants completing a Section 106 Obligation within 6 months of the date of the Planning Committee, requiring the following:
 - Provision of 10 affordable housing units (Block 10-19)
 - Commuted sums for provision of off-site open space and for maintenance of off site open space.

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. None of the dwellings hereby approved shall be occupied until the roads and pavements have been constructed to base coat level.
3. The final dwelling of the development shall not be occupied until all the roads and pavements have been completed to adoption standard and all access splay walling have been completed or as otherwise agreed in writing by the Local Planning Authority.
4. No dwelling(s) shall be occupied until the driveways and parking spaces within the curtilages have been provided with a drained hard surface, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
5. No development shall take place within the application area until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details as required under the terms of conditions 1-14 inclusive of the Scheduled Ancient Monument Consent granted 1 August 2003 by CADW under ref: A-CAM/1/2/2987/6.
6. No development shall take place until a detailed scheme showing the scope and arrangement of foundation design and all new ground works which may have an impact on archaeological remains (e.g. but not exclusively meaning excavations, drainage runs, highway construction works, services and infrastructure, landscaping, level changes or the importation of material) has been submitted to and approved in writing by the Local Planning Authority; the development shall thereafter be carried out strictly in accordance with such details as may be approved.
7. Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority; the scheme shall include details of an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the environment when the site is development.
8. No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the dwellings are first occupied.
9. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or

lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

10. 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.

11. 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 occupation of the dwelling/completion of the development/commencement of the development/next planting and seeding season] 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.

12. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small privately owned, domestic gardens, shall be submitted for the consideration of the Local Planning Authority prior to the occupation of any dwellings and the landscape management plan shall be carried out as approved in accordance with such time scale to be agreed in writing by the Local Planning Authority.

13. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the walls and roofs of the development hereby permitted and no materials other than those approved shall be used.

14. No development shall commence until details of the recreational open spaces and equipped children's play area have been approved in writing by the Local Planning Authority, and the approved details shall be implemented in full before the occupation of the final 10 dwellings on the site and those areas shall not thereafter be used for any purpose other than as public open spaces.

15. Notwithstanding the provisions of Classes A, D, E, F and G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out to dwelling units 30 - 38 without further grant of planning permission of the Local Planning Authority.

16. No development hereby permitted shall be occupied until the junction between the proposed access road and the highway has been constructed in accordance with the plans hereby approved.

17. Provision shall be made within the site for secure cycle parking prior to the occupation of the flats (units 10 - 29) hereby permitted in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

18. The bin storage areas shown on the approved plan shall be provided before any of the flats to which it relates are occupied.

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. In the interest of highway safety and to ensure the development is served by a satisfactory form of access prior to completion of the service road.

3. In the interests of highway safety and visual amenity.
4. To ensure that each dwelling is served by a safe and satisfactory access and parking, in the interests of highway safety.
5. In the interests of preservation of the Scheduled Ancient Monument.
6. In the interests of preservation of the Scheduled Ancient Monument.
7. To ensure that the extent of contamination is established and that adequate steps are to be taken to deal with the contamination.
8. To ensure satisfactory drainage of the site and to avoid flooding.
9. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
10. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
11. To ensure a satisfactory standard of development, in the interests of visual amenity.
12. To ensure a satisfactory standard of development, in the interests of visual amenity.
13. In the interests of visual amenity.
14. To ensure a satisfactory standard of development for future residents.
15. In the interests of residential and visual amenity.
16. In the interests of highway safety.
17. To encourage sustainable travel patterns.
18. To ensure the units are serviced by adequate storage and drying facilities in the interests of visual and residential amenity.

NOTES TO APPLICANT:

None

ITEM NO: 6

WARD NO: Rhyl South West

APPLICATION NO: 45/2005/0984/ PO

PROPOSAL: Demolition of existing buildings, development of 0.11 hectares of land by the erection of 13 No. apartments and construction of new vehicular and pedestrian access (outline application)

LOCATION: Victoria Business Park Victoria Road Rhyl

APPLICANT: Mr T Hill

CONSTRAINTS: Tidal Floodplain
C1 Flood Zone
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

CONSULTATION RESPONSES:

5. RHYL TOWN COUNCIL
"No objection"
6. HEAD OF DEVELOPMENT SERVICES
The evidence suggests that the present buildings may be in a sector with limited demand
7. HEAD OF HOUSING SERVICES
Interest expressed by Registered Social Landlords in purchasing the whole site. If not, 30% affordable and preference for social rented
8. HEAD OF TRANSPORT & INFRASTRUCTURE
Awaiting response on amended plan. No objection to original proposal.
9. WELSH WATER
No objection subject to inclusion of conditions
10. ENVIRONMENT AGENCY
No objection but recommends that flood proofing and mitigation measures be incorporated into the design and construction of the building. (conditions to be attached to any permission).

RESPONSE TO PUBLICITY:

Letter of representation received from:
Mr. & Mrs. Kinsey, 40, Victoria Road, Rhyl (petition with 22 signatories).

Summary of planning based representations:

- i) Concerns that flooding has occurred in the street
- ii) Concerns on traffic and access issues
- iii) Impact on residential amenity

EXPIRY DATE OF APPLICATION: 12/10/2005

REASONS FOR DELAY IN DECISION:

- delay in receipt of key consultation response(s)
- additional information required from applicant
- protracted negotiations resulting in amended plans

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site contains a vacant 8 unit business centre located on the corner of Victoria Road with Vale Park. The Business Centre is a 2 storey building which has been extended considerably with off street parking areas located to the front and side of the property. On the north east corner of Vale Park is the Rugby Social Club, and to the south west is Ysgol Emmanuel (Primary school). All other properties locally on Victoria Road and Vale Park are in residential use, comprising 3 storey blocks of flats and 2 storey semi detached properties. Parking is available on street along Victoria Road and Vale Park with restrictions imposed outside the rugby club, application site and school.
2. The site is located within the development boundary of Rhyl and is within a Zone C1 (defined by development advice maps) tidal floodplain.
3. This is an outline application proposing to demolish the existing buildings forming the business centre and to erect 13 no. apartments, with the construction of new vehicular and pedestrian access off Vale Park. The application seeks approval of the siting of the building and means of access. All other matters including design, external materials and landscaping of the site are for further approval. The proposed building would be a 3 storey block fronting Victoria Park, with an attached 2 storey block fronting Vale Park. Off street car parking spaces for 13 no. cars in addition to 4 no. visitor parking spaces are proposed.
4. The site was the subject of a similar application for 13 apartments, submitted earlier in 2005. The application was refused in July 2005 as there was no evidence submitted to support the loss of employment buildings, and no flood consequences assessment to address the flooding issue, given the location within a C1 flood zone. The current application contains a statement from a local chartered surveyor on the marketability of commercial units on the site, and a Flood Consequences Assessment.

RELEVANT PLANNING HISTORY:

5. 45/2005/0323/PO – Demolition of existing buildings, development of land by the erection of 13 no. apartments and construction of new vehicular and pedestrian access (outline application) REFUSED 6th July, 2005 for the following reasons:

1. In the absence of marketing information being provided the building is considered capable of providing an acceptable standard of accommodation for employment purposes conflicting with Denbighshire Unitary Development Plan Policy EMP 10 and guidance contained in Planning Policy Wales March 2002.

2. The proposal would lead to highly vulnerable development to be located in Zone C1 (defined by development advice maps) tidal floodplain. Such development should be directed to areas of lesser flood risk, unless the development is justified in this location. The site is not allocated for housing and the loss of employment premises would be contrary to economic regeneration objectives and therefore fails the justifying test of paragraph 6 of TAN 15: Development and Flood Risk July

2004. In the absence of a flood consequence assessment the risk of flooding is not known and appropriate mitigation measures have not been incorporated in the design, contrary to paragraph 7 of TAN 15 and Denbighshire Unitary Development Plan Policy ENP 6 and GEN 6 Criterion x) and guidance contained in Planning Policy Wales March 2002.

**PLANNING POLICIES AND GUIDANCE:
Denbighshire Unitary Development Plan**

6. Policy GEN 1 Development within development boundaries
- Policy GEN 6 Development Control Requirements
- Policy ENP 6 Flooding
- Policy HSG 2 Housing Development in Main Centres
- Policy HSG 10 Affordable Housing within development boundaries
- Policy EMP 10 Protection of employment land/buildings
- Policy REC 2 Amenity and recreational open space requirements in new developments
- Policy TRA 6 Impact of new development on traffic flows

SPG 4: Recreational Public Open Space
SPG 21: Parking Requirements in New Developments
SPG 22: Affordable Housing in New Developments

GOVERNMENT GUIDANCE
Planning Policy Wales (March 2002)
TAN 15: Development and Flood Risk
TAN 18: Transport

MAIN PLANNING CONSIDERATIONS:

7.
 - i) Principle of development
 - ii) Loss of business units
 - iii) Impact on residential amenity
 - iv) Impact on visual amenity/street scene
 - v) Highways/parking
 - vi) Affordable Housing
 - vii) Open Space
 - viii) Flooding

8. In relation to the main planning considerations:
 - i) Principle of Development. - The principle of residential development within the development boundary of the town would be acceptable in principle provided the proposal complies with other relevant policies in the UDP.

 - ii) Loss of business Units - The business centre is not located within an allocated employment area and its loss would need to be assessed against Policy EMP 10. Following the previous refusal, information has now been provided as to why the building is no longer considered capable of providing an acceptable standard of accommodation for employment purposes. The Head of Development Services accepts that the buildings are in a sector with limited demand, and what demand does exist is for purpose built premises rather than conversions. It is therefore considered that the proposal satisfies the criteria of Policy EMP 10 and the principle of redevelopment of the site is acceptable.

- iii) Impact on residential amenity - The site directly abuts residential properties on Vale Park with other residential properties located immediately opposite on Victoria Road. The plans show the 3 storey block to be set back from the frontage of the site by 4.9m and therefore a distance of approx 25m would be achieved between the proposed building and existing residential properties on Victoria Road. The property adjoining the site at 1, Vale Park, which is a 2 storey property, is orientated away from the site and the side elevation of this property would be located approx. 9m away from the side elevation of the proposed 2 storey element of the development. Subject to a suitable design, it is not considered that the proposed apartments would have an unacceptable impact on the amenities of existing residents in the area. The apartments would be provided with off street car parking facilities and external bin storage area, and it is considered that an acceptable level of amenity would be afforded to future occupiers.
- iv) Impact on visual amenity - Within the locality there is a mix of house types, and a suitably designed 3 storey development fronting Victoria Road and 2 storey fronting Vale Park would not have a detrimental impact on the character of the area. There would be no adverse impact on the visual amenities of the street scene. It is not considered that the proposal would result in over development of the site.
- v) Highways/Parking - The Head of Transport and Infrastructure is satisfied with the access arrangements and car parking provision, subject to the inclusion of relevant conditions. Whilst concerns of local residents are acknowledged, it is not considered that the proposal would lead to a significant impact on traffic flows on Victoria Road or Vale Park. The existing use of the site which comprises 8 no. Class B1 units must be considered. The off street parking facilities within the site, would provide sufficient space to meet the parking requirements of the development without affecting the current situation on Victoria Road.
- vi) Affordable housing - In the event of planning permission being granted it would be necessary to ensure the provision of an element of affordable housing to conform with the Authority's current policy and guidelines. This can be covered by a suitably worded planning condition on outline consent.
- vii) Open space - The applicant is aware of the planning policy requirements for provision of open space in new development of 10 or more units. The size and type of development and in a location close to the town centre would support the case for the payment of a commuted sum to allow provision/enhancement of open space elsewhere in the town. This is also a matter which can be dealt with by a suitably worded condition on outline consent.
- viii) Flooding - Following the previous refusal, a Flood Consequence Assessment has been prepared and submitted with this application and the Environment Agency are satisfied with the conclusions. The Agency recommend that flood proofing and mitigation measures are incorporated into the design and construction of the proposed building.

SUMMARY AND CONCLUSIONS:

9. The principle of development within the development boundary is considered acceptable without a detrimental impact on residential or visual amenity. There would be no unacceptable impact on highway safety, with adequate car parking provided within the development. Affordable housing, open space and flood mitigation requirements can be covered by conditions.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. Approval of the details of the design and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The development shall not begin until the formal written approval of the Local Planning Authority has been obtained to a scheme for the provision of affordable housing as part of the development. Such details shall include:
 - (i) 30% affordable housing units and the type and location to be determined;
 - (ii) timing of the construction of the affordable housing;
 - (iii) the arrangement to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.
5. No development shall be permitted to commence until the formal written approval of the Local Planning Authority has been obtained to a scheme for the provision and maintenance of open space in accordance with the policies of the Local Planning Authority
6. No demolition shall take place before a contract for carrying out the works of redevelopment on the site has been made all reserved matters have been approved for the redevelopment for which the contract provides.
7. 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 completion 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.
8. No surface water or land drainage run off shall be allowed to connect either directly or indirectly to the public sewerage system.
9. The development shall be carried out in accordance with the flood proof construction techniques contained in the conclusions of the Flood Consequences Assessment report dated August 2005 by Weetwood to ensure:
 - a) Finished floor levels are 200 mm above existing site levels
 - b) All internal and external detailing is carried out in accordance with current best practice in CIRIA RP 675, including the provision of a safe refuge area.

The reason(s) for the condition(s) is(are):-

1. The application is for outline permission with details of siting and means of access only.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. In order to ensure an adequate supply of affordable housing in accordance with planning policies HSG 10 of the Unitary Development Plan.
5. In order to ensure an adequate provision of open space in accordance with planning policy REC 2 of the Unitary Development Plan.
6. In the interests of the character and appearance of the area.
7. To ensure a satisfactory standard of development, in the interests of visual amenity.
8. To prevent hydraulic overloading of the public sewerage systems.
9. To mitigate against the consequences of flooding in the area.

NOTES TO APPLICANT None

ITEM NO: 7

WARD NO: Rhyl East

APPLICATION NO: 45/2005/1245/ PF

PROPOSAL: Change of use from Class A1 shop to Class A3 hot-food takeaway and erection of galvanised steel duct at rear

LOCATION: 73 Rhyl Coast Road Rhyl

APPLICANT: Mr R B Roose Coastal Newsagents

CONSTRAINTS: Tidal Floodplain
C1 Flood Zone
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. RHYL TOWN COUNCIL
"No objection subject to consultation with adjoining property owners/occupiers."
2. HEAD OF TRANSPORT & INFRASTRUCTURE
No objection
3. WELSH WATER
No objection
4. PUBLIC PROTECTION
No reply.

RESPONSE TO PUBLICITY:

Representation received from:

1. Mr Alan Yearsley, 75 Coast Road, Rhyl

Summary of planning based representations:

- i) Late night noise and disturbance
- ii) Impact of odour from proposed vent
- iii) Proliferation of uses in the vicinity

EXPIRY DATE OF APPLICATION: 11/12/2005

REASONS FOR DELAY IN DECISION:

- Awaiting consideration at committee.

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. No. 73 currently operates as a newsagent, in a parade of 6 units located on the south side of Rhyl Coast Road with residential accommodation over. The units are set back approximately 10m off the main road, with off road parking along the

frontage.

2. The proposal is for change of use of A1 shop to A3 hot-food takeaway and the erection of a galvanised steel duct on side elevation.
3. The proposed galvanised steel duct is located on the rear end of the east elevation of the property, measuring 3.5m in length and 0.5m width, 2m off ground floor level. No further details have been provided.

RELEVANT PLANNING HISTORY:

4. None

PLANNING POLICIES AND GUIDANCE:

5. **Denbighshire Unitary Development Plan**
 - GEN 1 - Development Within Development Boundaries
 - GEN 6 - Development Control Requirements
 - RET 10 - Local and Neighbourhood Shopping Centres
 - RET 16 - Food and Drink- Hot Food Takeaways
 - SPG 11 - Hot Food Takeaways

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of use in this location
 - ii) Impact on residential amenity
 - iii) Highway issues
 - iv) Objector comments
7. In relation to the points raised in paragraph 6 above:-
 - i) The principle of the proposal is acceptable. The change of use satisfies the criteria of Policy RET 16, as it is located within an allocated local shopping centre. The proposal will not result in a cluster A3 uses as the adjacent properties are A1 units and this is in accordance with Policy RET 10.
 - ii) Whilst there is residential accommodation over the retail units, it is not considered that the proposed use will impact significantly on residential amenity. The proposed A3 use is considered comparable to other A3 uses nearby and the commercial nature of the local centre and busy main road. The opening hours of the property can be also be controlled by attaching a condition to the approval. The issue of smell and fumes can be addressed with an appropriate treatment system, which can be attached as a condition.
 - iii) The Highways Department have no objection to the proposal. There is off road parking along the parade which will avoid any potential parking issues with visitors to the premises.
 - iv) The comments of the objector have been addressed in the planning considerations.

SUMMARY AND CONCLUSIONS:

8. The application is acceptable and is recommended for approval subject to the following conditions.

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. The premises shall not be open to customers outside the following times and days:
0800 hours to 23.00 hours Monday to Saturday (inclusive)
1000 hours to 2200 hours on Sundays
3. Specific provision shall be made at all times when the shop is open for the disposal of litter by customers in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
4. Prior to the commencement of the use of the premises, equipment for the treatment and extraction of fumes and smells resulting from the preparation and cooking of food shall be installed in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. Following its installation, the equipment shall be operated whenever preparation and/or cooking of food is taking place.

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. In the interests of amenity of occupiers of neighbouring properties.
3. In the interests of amenity.
4. In the interests of amenity.

NOTES TO APPLICANT:

The developer must provide a suitable grease trap to prevent entry into the public sewerage system of matter likely to interfere with the freeflow of the sewer contents or which would prejudicially affect the treatment and disposal of such contents. This is to protect the integrity of the public sewerage system, and sustain an essential and effective service to existing residents.

ITEM NO: 8

WARD NO: Tremeirchion

APPLICATION NO: 47/2005/1138/ PF

PROPOSAL: Part demolition & change of use of former derelict farmhouse to form agricultural building.

LOCATION: Tyddyn Arthur Waen St. Asaph

APPLICANT: Dr. M A Lloyd Williams

CONSTRAINTS: Public Footpath / Bridleway

PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

11. TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL
"No objection. However, the Community Council insists that a condition be included in the decision that at no time in the future shall this building be converted to a dwelling."
12. FOOTPATHS OFFICER
No objection subject to no disruption to Public Footpath No. 4.

RESPONSE TO PUBLICITY:

Letters of representation were received from:

1. Mr A Wilson, Plas y Cornel, Waen, St Asaph.

Summary of planning based representation:

- i) Concerns over vehicular access to new dwelling and agricultural building.

EXPIRY DATE OF APPLICATION: 10/11/2005

REASONS FOR DELAY IN DECISION:

- Need to refer to Planning Committee

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The application site is located to the east side of the Class C Waen Road just to the north of The Farmers Arms Pub and restaurant. The site is currently occupied by a 2 storey, detached and vacant former dwelling with a recently constructed replacement dwelling to its east. To the west of these buildings towards the Class C road are a group of redundant outbuildings which do not form part of this application site.
2. A new residential access and splay exists onto the C road serving the new dwelling and the vacant former dwelling with a further gated agricultural access point for the redundant outbuilding to the north of that..

3. Permission was granted in June 2000 for a demolition of the vacant and run-down dwelling and its replacement with the newly built property to its east. A condition of that permission, however, required the demolition of the existing prior to the erection of its replacement. A breach of that condition occurred which is currently being remedied by the submission of this current application. Permission is sought to part demolish that vacant dwelling and change its use to create an agricultural building. Submitted plans indicate the intention to take the current 2 storey dwelling down to single storey with the brickwork and render made good. A new profiled steel roof would be erected with sheeted gates inserted at ground floor level in the front elevation.
4. The application is reported to Planning Committee as the applicant is a close relative of a County Councillor.

RELEVANT PLANNING HISTORY:

5. **47/2000/0295/PF**
Demolition of existing dwelling and buildings and erection of replacement dwelling; construction of new vehicular access and installation of new sewerage treatment plan – GRANTED – 29/06/2000 - Condition 2 of the planning permission required demolition of the existing dwelling and an adjacent outbuilding.

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 – Development Control Requirements
Policy EMP 13 – Agricultural Development
Policy HSG 8 – Replacement Dwellings in the Open Countryside

GOVERNMENT GUIDANCE
Planning Policy Wales, March 2002

MAIN PLANNING CONSIDERATIONS:

7.
 - i) Principle of use in this location.
 - ii) Impact on residential amenity.
 - iii) Impact on visual amenity
 - iv) Impact on highway safety.
8. In relation to the points raised in paragraph 6 above:
 - i) The site is located outside a defined settlement area within an area formerly comprising a farmstead. The principle of re-using this redundant building scheduled for demolition for an agricultural use is considered acceptable subject to controls on any future use.
 - ii) The closest residential dwelling affected by this proposal is the new dwelling recently constructed as the replacement of the vacant farmhouse. Some 20m exists between the application building and the side of the recently built property. The new agricultural use would be contained within the ownership of the Tyddyn Arthur complex and it is not considered, given its relatively small scale, that any significant impact would be felt by the new dwelling from agricultural use. Existing agricultural buildings exist immediately to the west of the proposal.
 - iii) The current building is in a somewhat derelict and run down state and does not contribute positively to the visual amenities of the site or surroundings. Its

partial demolition and adaptation to create a single storey agricultural building would not cause any detriment to visual amenity. Whilst its complete removal could be enforced, the proposed agricultural building is on its own merits acceptable, and would not be out of character with the area.

- iv) Whilst it is acknowledged that a new paired access (residential) and splay has been constructed to serve the recently constructed new dwelling this was granted with the knowledge that a separate gated agricultural access exists alongside. It is not considered that the proposed agricultural use of the former residential unit and the use of the existing agricultural access point off the Class C road would cause any significant highway concerns.

SUMMARY AND CONCLUSIONS:

- 9. Subject to strict controls over the future use of this agricultural building there would be no material planning objections to this proposal.

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. The use of the building hereby permitted shall be for agricultural purposes (excluding the accommodation of livestock or storage of slurry or sewage sludge) only and for no other commercial or residential use.

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. In order that the Local Planning Authority can retain a degree of control over the future use of the building in the interests of amenity.

NOTES TO APPLICANT:

You are advised that a public right of way lies adjacent to the development. The right of way must not be disrupted during the duration of building works.

ITEM NO: 9

WARD NO: Denbigh Central

APPLICATION NO: 01/2005/0865/ PF

PROPOSAL: Demolition of 5 No. derelict cottages and redevelopment of site by erection of terrace of 4 No. dwellings and formation of new parking area and new vehicular access

LOCATION: Land at rear of 43 Love Lane fronting Tan Y Gwalia Denbigh

APPLICANT: Mr D Lloyd-Williams & Ms B Carr

CONSTRAINTS: Town Heritage Area
250m Of Landfill Site
Conservation Area
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

CONSULTATION RESPONSES:

1. DENBIGH TOWN COUNCIL
"Whilst the town council does not wish to object to the proposed development the council does have concerns with regard to the vehicular access in particular taking into account the gradient of the site and the narrowness of the road at Tan y Gwalia."
2. CONSERVATION OFFICER
No objection subject to control of external appearance of materials
3. WELSH WATER
No objection subject to inclusion of conditions
4. HEAD OF TRANSPORT AND INFRASTRUCTURE
No objection subject to inclusion of conditions dealing with access and parking area details.
5. ENVIRONMENT AGENCY
Standard advice applies
6. CLWYD POWYS ARCHAEOLOGICAL TRUST
No objection however suggests appropriate conditions be imposed
7. COUNTY ARCHAEOLOGIST
No objection, an archaeological watching brief condition should be attached to any permission in addition to recording of the derelict structures
8. HEAD OF HOUSING SERVICES
Interest expressed by Registered Social Landlord for purchase of whole site or minimum of 1 affordable unit on the site
9. DENBIGH CIVIC SOCIETY
Object as consider overdevelopment.

RESPONSE TO PUBLICITY:

Letters of representation received from:

1. G. Cottam, 41A, Love Lane, Denbigh
2. Miss A. L. Roberts, 2, Church Cottages, Tan y Gwalia, Denbigh
3. Jeff Armstrong, 3, Church Cottages, Tan-y-Gwalia, Denbigh
4. Mr & Mrs Spaul, 1 Church Cottages, Tan y Gwalia, Denbigh
5. Mair Owen & Francis McFarlane, 51-53 Love Lane, Denbigh
6. Ann Dent, 7 Rowan Lane, Skelmersdale, Lancashire

Summary of planning based representations:

- i) Impact on highway safety
- ii) Nature Conservation Issues
- iii) Loss of privacy
- iv) Increase in noise and disturbance
- v) Drainage issues
- vi) Impact on Conservation Area

EXPIRY DATE OF APPLICATION: 14/09/2005

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

THE PROPOSAL:

1. It was agreed at the November Planning Committee to defer this application for a site panel meeting to consider highway issues and impact of the proposal on the area. Details of the site panel will be reported to members at the committee meeting.
2. The application site comprises 5 derelict stone cottages located within the Denbigh Town Conservation Area and within the defined settlement limits of Denbigh. The walls of the cottages remain. However only a small part of the roof is still in place and the whole structure is overgrown with vegetation. The remains are located along the southern boundary of the site within an overgrown plot measuring a total of approx. 0.03ha. There is currently no vehicular access to the site with a gated pedestrian access located adjacent to 43 Love Lane which leads up to Tan y Gwalia. The site slopes steeply up from Love Lane to Tan y Gwalia and is bounded by a traditional 1.5m high stone wall. Two storey properties on Love Lane back onto the western and southern boundary of the site.
3. This application is for the demolition of 5 no. derelict cottages and redevelopment of the site by erection of a terrace of 4 no. dwellings and formation of new parking area and new vehicular access. A separate application for Conservation Area consent has been submitted for the demolition of the 5 no. cottages. (See next item)

RELEVANT PLANNING HISTORY:

4. None

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July, 2002)
Policy GEN 6 - Development Control Requirements

Policy CON 5 - Development in Conservation Areas
Policy CON 7 - Demolition in Conservation Areas
Policy HSG 2 - Housing development in main centres
Policy HSG10 - Affordable Housing within Development Boundaries

Supplementary Planning Guidance 21: Parking Requirements in New Developments

Supplementary Planning Guidance 22: Affordable Housing

GOVERNMENT GUIDANCE

Planning Policy Wales : March 2002

Welsh Office Circular 61/96 Planning and the Historic Environment: Historic Buildings & Conservation Areas

MAIN PLANNING CONSIDERATIONS:

6.

- i) Principle of development
- ii) Impact on visual amenity/character and appearance of Conservation Area
- iii) Impact on residential amenity
- iv) Highway considerations
- v) Wildlife
- vi) Affordable Housing

7. In relation to the main planning considerations:

- i) Principle of development
The principle of residential development within the development boundary of a town would be acceptable provided the proposal complies with all other relevant policies in the UDP. The land is not safeguarded for other uses.
- ii) Impact on visual amenity/character and appearance of Conservation Area
The redevelopment of the site involves complete demolition of the redundant cottages and construction of a terrace of 4no. two storey dwellings. The dwellings would be located on the same footprint as the existing cottages and as the site slopes steeply upwards the dwellings have been designed with a staggered roof line. This is considered visually acceptable and respects the character of the area and topographical features of the site. The dwellings are considered to provide a traditional design solution incorporating traditional features with materials to reflect the character and appearance of the area. With suitable control over final detailing, it is considered that the visual impact on the proposal is acceptable and would retain and enhance the character and appearance of the Conservation Area.
- iii) Impact on residential amenity
Existing residential properties are located to the western and southern boundaries of the site. All properties are two storey with rear elevations backing onto the site. The property at 45 Love Lane is currently physically attached to the side elevation of the redundant cottages and it is proposed to re-build the proposed terrace in the same manner. The rear windows of 45 Love Lane face into the site and therefore there would be no windows on the proposed development overlooking this property. The rear elevation of the proposed terrace would be located immediately facing the rear elevation of 51-53 Love Lane which has windows on this elevation and this has been fully considered in the design of the proposed dwellings. The windows along the rear elevation will be obscurely glazed with a roof light provided for the proposed bathrooms to eliminate the need for opening windows on this

elevation. The proposed dwellings have been located in the same location as the existing buildings and therefore amenity space has been provided to the front of each property with car parking for 4 vehicles off Tan y Gwalia. The amenity space has a projection of approx 6.5m which is considered acceptable for the size of dwellings proposed. It is not considered that there would be any unacceptable impact on the amenities of surrounding residents and an acceptable level of amenity would be afforded to future occupiers of the proposed dwellings.

iv) Highway considerations

Tan y Gwalia is a narrow highway and existing properties have limited off street parking facilities leading to the need to park on street. It is proposed to provide 4 no. car parking spaces off street which would provide 1 space per dwelling. The dwellings proposed are small 2 bed properties and therefore 1 space per dwelling is considered acceptable given the character of the area and proximity to the town centre. The Head of Transport and Infrastructure has raised no objection to the proposal provided suitable conditions are imposed to ensure a satisfactory access and parking area is formed.

v) Wildlife

The site is overgrown with vegetation with some small trees. The site has been vacant for some years and therefore it is possible that protected species such as bats may be present within the derelict cottages. It is considered reasonable to request that an ecological survey be carried out prior to any demolition works on site.

vi) Affordable Housing

The applicant has indicated the intention to make all 4 units available for affordable purposes. This would be consistent with Policy HSG 10 and the SPG on affordable housing and can be secured through a Section 106 obligation.

SUMMARY AND CONCLUSIONS:

7. The proposal is considered acceptable in principle without adversely impacting upon the character and appearance of the Conservation Area. There would be no adverse impact on residential amenity, highway safety or local wildlife subject to the imposition of planning conditions.

The recommendation is subject to the completion of an obligation under Section 106 of the 1990 Town & Country Planning Act within 12 months of the date of the Committee to secure

- (a) The provision of a minimum of 1 no. affordable unit and the retention of this unit(s) for affordable purposes

The certificate of Decision would only be released on completion of the legal obligation, and on failure to complete within the time period, the application would be represented to the Committee and determined in accordance with the policies of the Council applicable at that time

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. The remaining stone of the derelict cottages shall be reused in construction of the dwellings hereby approved.

3. Prior to the commencement of the erection of any external stonework a sample panel of the type of stonework, mortar, and pointing it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority : and the stonework, mortar and pointing to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.
4. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.
5. No development shall commence until the written approval of the Local Planning Authority has been obtained to the precise detailing of the type, materials and finish of the fenestration for the development.
6. The proposed roof lights shown on the approved drawings shall be Conservation type roof lights and shall not project above the plane of the existing roof.
7. Development shall not begin until recording of the existing structures to Level 2 (recording Field Archaeological Monuments 1999 RCAHME) has been carried out and the details submitted to the Local Planning Authority.
8. No development works of any kind shall begin until the presence of a contracted archaeologist has been secured on-site according to the prescriptions set out in a curatorial design brief and approved in writing by the Local Planning Authority. Access, at any reasonable time, shall be given to this archaeologist to enable the observations and recording of any archaeological remains uncovered during the early stages of development. A report of any archaeological records made must be deposited with the County Sites and Monuments Record, Clwyd-Powys Archaeological Trust, 7a Church Street, Welshpool, Powys, SY21 7DL (01938-553670) within one month of the completion of this work with a summary of records sent to the Local Planning Authority at the same time.
9. 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.
10. 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 occupation of the first dwelling 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.
11. Full details of the design and construction of the access and parking area shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site.
12. The access and parking area shall be completed in accordance with the details approved under condition 11 before any dwellings hereby approved are occupied.
13. No land drainage or surface water run off will be permitted either directly or indirectly to discharge into the public sewerage system.
14. Prior to the commencement of the development hereby permitted an ecological survey shall be carried out to investigate the potential presence of any protected species within the vicinity of the works. The survey, together with any mitigation measures arising from a confirmed presence, shall be submitted to and approved in writing by the Local Planning Authority and any mitigation measures fully implemented prior to the commencement of any works.

15. The windows on the rear (south) elevations shall be glazed with obscure glass prior to the occupation of the dwellings and thereafter retained as such.

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. In the interest of the character and appearance of the Conservation Area.
3. In the interests of visual amenity
4. In the interests of visual amenity.
5. To ensure the details are satisfactory in relation to the character and appearance of the building
6. To ensure that the development presents a satisfactory appearance.
7. In the interests of investigation and recording of historic buildings.
8. In the interests of archaeological investigation and recording.
9. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
10. To ensure a satisfactory standard of development, in the interests of visual amenity.
11. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
12. To provide for the loading, unloading and parking of vehicles clear of the highway.
13. To prevent hydraulic overload of the public sewerage system and pollution of the environment.
14. In the interests of nature conservation.
15. In the interest of the privacy of adjoining residents.

NOTES TO APPLICANT:

None

ITEM NO: 10

WARD NO: Denbigh Central

APPLICATION NO: 01/2005/1119/ CA

PROPOSAL: Demolition of 5 no. terraced houses

LOCATION: Land At The Rear Of 43 Love Lane Denbigh

APPLICANT: Mr D Lloyd-Williams & Mrs B Carr

CONSTRAINTS: Town Heritage Area
250m Of Landfill Site
Conservation Area
Article 4 Direction

PUBLICITY UNDERTAKEN: Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

CONSULTATION RESPONSES:

1. DENBIGH TOWN COUNCIL
"Whilst the town council does not wish to object to the proposed development the council would like to refer to the concerns expressed in respect of the planning application."
2. CONSERVATION OFFICER
No objection subject to control of detailed elements of the design. The buildings should not be demolished until a contract for the redevelopment to proceed is signed.
3. COUNTY ARCHAEOLOGIST
No objection, an archaeological watching brief condition should be attached to any permission in addition to recording of the derelict structures (imposed on planning application)

RESPONSE TO PUBLICITY:

Letters of representation received from:

1. Miss A. L. Roberts, 2, Church Cottages, Tan y Gwalia, Denbigh
2. Mr & Mrs Spaul, 1 Church Cottages, Tan y Gwalia, Denbigh

Summary of planning based representation:

- i) Concerns raised in planning application re-iterated.

EXPIRY DATE OF APPLICATION: 14/09/2005

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations

**PLANNING ASSESSMENT:
THE PROPOSAL:**

1. It was agreed at the November Planning Committee to defer this application for a site panel meeting to consider highway issues and impact of the proposal on the area. Details of the site panel will be reported to members at the Committee meeting.
2. This application is for Conservation Area consent to demolish the 5 no. derelict cottages. This report should be read in conjunction with the one immediately preceding this one on the agenda, which relates to the planning application for the redevelopment of the site by a total of 4 dwellings located within a terrace (01/2005/0865/PF).

RELEVANT PLANNING HISTORY:

3. None

PLANNING POLICIES AND GUIDANCE:

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July, 2002)
Policy CON 7 - Demolition in Conservation Areas

GOVERNMENT GUIDANCE
Planning Policy Wales : March 2002

Welsh Office Circular 61/96 Planning and the Historic Environment: Historic Buildings & Conservation Areas

MAIN PLANNING CONSIDERATIONS:

5.
 - i) Case for demolition/impact of the removal of the building
6. In relation to the main planning considerations in paragraph 4:
 - i) The general presumption in conservation areas is in favour of retaining buildings which make a positive contribution to the character and appearance of that area. The buildings to be demolished make no positive contribution to the conservation area. Their demolition and replacement with a suitably designed scheme would enhance the conservation area.

SUMMARY AND CONCLUSIONS:

7. Provided a planning permission is in place for the redevelopment of the site, and any approval for demolition is conditional on a contract being signed for the carrying out of the redevelopment works, it is considered appropriate to grant consent

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. No demolition shall take place before a contract for carrying out the works of redevelopment on the site has been made for the redevelopment for which the contract provides.

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. In the interests of the character and appearance of the Conservation Area.

NOTES TO APPLICANT:

None

ITEM NO: 11

WARD NO: Llandyrnog

APPLICATION NO: 18/2005/1057/ PO

PROPOSAL: Development of 0.04 ha of land for residential purposes and provision of parking area (amendment to application No. 18/2004/1185/PO (outline application))

LOCATION: Land at rear of 1-4 Brondyffryn Terrace Llandyrnog Denbigh

APPLICANT: Messrs D. Roberts & P. Mcloughlin-Crewe

CONSTRAINTS: Public Footpath / Bridleway

PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - yes

CONSULTATION RESPONSES:

1. LLANDYRNOG COMMUNITY COUNCIL
 "Members considered the application and wish to object to the application on the following material considerations:
 - Members felt it amounted to backland development and granting permission could set a dangerous precedence.
 - The additional traffic created would impede the flow of traffic where the track, locally known as Hwylfa enters the main Llandyrnog – Llangwyfan road. The actual status of the track is unclear in terms of ownership.
 - Four additional parking spaces have been shown on the block plan and allocated to the occupiers of two of the properties on Brondyffryn Terrace. This may, or may not, reduce the parking problem in the village, however, the applicant has not demonstrated that it is possible to turn the vehicles around within the site and as such any vehicle driving into their parking area would need to reverse out onto Hwylfa and possibly out onto the main road. Similarly in order to reverse into the parking area they would need to reverse down the Hwylfa."
2. DWR CYMRU/WELSH WATER
 No objections subject to conditions regarding drainage.
3. HEAD OF TRANSPORT AND INFRASTRUCTURE
 No objections subject to conditions to safeguard parking provision.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 27/10/2005

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations
- delay in receipt of key consultation response(s)

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site consists of an area of land currently used as a residential curtilage which contains a garage and domestic outbuildings and is surrounded by a high hedge. The site is separated from nearby dwellings by a vehicular track. The total area of land to be developed amounts to 0.04 ha.
2. It is proposed to erect a single dwelling on the site which is surrounded on three sides by residential development. The site will also include parking spaces to serve the new dwelling and No.s 3 & 4 Brondyffryn Terrace.
3. The application is being referred to Planning Committee at the request of Councillor G Evans in order that vehicular access concerns can be assessed.

RELEVANT PLANNING HISTORY:

4. 18/2004/1185/PO
Development of land for residential purposes and alterations to an existing vehicular access – REFUSED – 25/05/05 contrary to officer recommendation on grounds of increased use of inadequate access and loss of area used for car parking.

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)

Policy GEN 1	-	Development Within Development Boundaries
Policy GEN 6	-	Development Control Requirements
Policy HSG 4	-	Housing Development in Villages
Policy CON 11	-	Areas of Archaeological Importance

GOVERNMENT GUIDANCE

Planning Policy Wales March 2002

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development.
 - ii) Impact on amenity.
 - iii) Impact on potential area of archaeological importance.
 - iv) Impact on highway safety.
7. In relation to the main planning considerations in paragraph 6 above:
 - i) The site is clearly within the defined settlement boundary of Llandyrnog, is not allocated for any specific use within the UDP and is located within a mainly residential area of the village. The principle of developing the site for residential purposes is therefore generally consistent with local and national planning policies.
 - ii) The site has no particular quality at present and the development in this location would not materially impact on the amenities of the area.
 - iii) The Clwyd Powys Archaeological Trust point out that the site is within the Historic Core of Llandyrnog and is defined by the Glyndwr Historic Settlements Survey (CPAT Report 1994). CPAT therefore request that an archaeologist be appointed to monitor and record any archaeological remains

that may be unearthed during the development process. Such an approach is consistent with that recommended by Policy CON 11 of the UDP.

- iv) The proposal follows refusal of an earlier similar application on highway/parking grounds (see para. 4). The earlier application indicated 2 no. parking spaces for use in connection with Brondyffryn Terrace, in addition to on-site parking for the new dwelling. The current proposal is for 4 no. parking spaces for 3 and 4 Brondyffryn Terrace. This would help to address the previous reason for refusal, albeit that the nature of the access has not changed. The highway engineers are content with the revised scheme which now incorporates additional off-street parking spaces. It is considered that refusal on access grounds would be difficult to sustain for a single dwelling.

SUMMARY AND CONCLUSIONS:

- 8. The proposal is considered acceptable in principle and is accordingly recommended for approval subject to conditions.

RECOMMENDATION: GRANT- subject to the following conditions:-

- 1. Approval of the details of the siting, design and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
- 2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 4. No development works of any kind shall begin until the presence of a contracted archaeologist has been secured on-site according to the prescriptions set out in a curatorial design brief and approved in writing by the Local Planning Authority. Access, at any reasonable time, shall be given to this archaeologist to enable the observations and recording of any archaeological remains uncovered during the early stages of development. A report of any archaeological records made must be deposited with the County Sites and Monuments Record, Clwyd-Powys Archaeological Trust, 7a Church Street, Welshpool, Powys, SY21 7DL (01938-553670) within one month of the completion of this work with a summary of records sent to the Local Planning Authority at the same time.
- 5. The car parking accommodation for 3 and 4 Brondyffryn Terrace shall be laid out and available for use strictly in accordance with the layout plan hereby approved (Dwg No. 04/83 Revision B), prior to the commencement of construction of the dwelling hereby permitted.
- 6. The car parking referred to in condition 5 and car parking for the proposed dwelling shall be retained solely for the use of the dwellings referred to, unless otherwise agreed in writing by the Local Planning Authority.
- 7. The dwelling proposed to be erected on the site shall be of single storey construction only, with all habitable rooms at ground floor level.

The reason(s) for the condition(s) is(are):-

- 1. The application is for outline permission with details of means of access only.
- 2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 4. In the interests of archaeological investigation and recording.
- 5. To use adequate off-street car parking provision in the interests of highway safety.
- 6. To ensure adequate off-street car parking provision in the interests of highway safety.

7. In the interest of the visual amenities of the area and to maintain a reasonable standard of privacy in adjoining dwellings and gardens.

NOTES TO APPLICANT:

None

PWYLLGOR CYNLLUNIO
CYFARFOD: 14eg Rhagfyr 2005
EITEM: 3

PLANNING COMMITTEE
MEETING: 14th December 2005
ITEM: 3

**Penderfyniadau wedi eu gwneud gan
Bennaeth Gwasanaethau Cynllunio a Gwarchod y Cyhoedd o dan
Pwerau Dirprwyedig
1af - 25ain Tachwedd 2005**

**Decisions Made by the Head of Planning and Public Protection
under
Delegate Powers
1st - 25th November 2005**

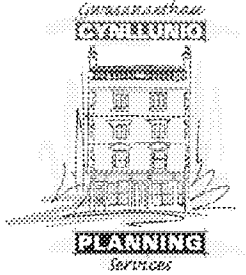
**Eitem er gwybodaeth
Item For Information**

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

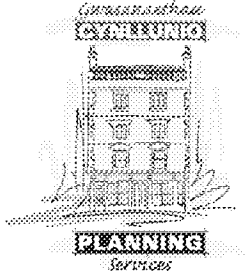
**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /11 /2005 ac 25 /11 /2005**



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /11 /2005 and 25 /11 /2005**

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
00/2005/1282 / NA	Neighbouring Authority Applications Erection of extension to Reservoir Cottage, Maes Maelor, Bwchgwyn	Wrexham County Borough Council	NO OBJ	08 /11 /2005
		Case Officer - Nicola Marie Jones		
01/2002/1136 / INV	39 Vale Street Denbigh Change of use of shop to form part of existing dwelling	Mr & Mrs J P Jones	INVALID	16 /11 /2005
		Case Officer - Sian Foster		
01/2005/0606 / PF	62 Vale Street Denbigh Change of use from ground-floor flat (Class C3) to artists studio and workshop (Class B1)	Mr & Mrs I Powell	GRANT	21 /11 /2005
		Case Officer - Catrin E Williams		
01/2005/0607 / LB	62 Vale Street Denbigh Change of use from ground-floor flat (Class C3) to artist's studio and workshop (Class B1)	Mr & Mrs I Powell	CONSENT	21 /11 /2005
		Case Officer - Catrin E Williams		

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /11 /2005 ac 25 /11 /2005**

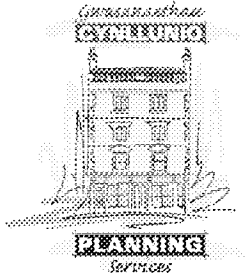


**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /11 /2005 and 25 /11 /2005**

<u>RHIF CYF REF NO</u>	<u>LLEOLIAD A CHYNNIG LOCATION AND PROPOSAL</u>	<u>YMGEISYDD APPLICANT</u>	<u>PENDERFYNIAD DECISION</u>	<u>DYDDIAD DATE</u>
01/2005/1031 / PF	Ty'n Fron School Annexe Rhyl Road Denbigh	Director Of Education Denbighshire County Council	GRANT	01 /11 /2005
	Demolition of existing teaching/residential block, erection of single-storey key stages 1 & 2 school, extension to existing car park and construction of new pedestrian access	Case Officer - Sarah Stubbs		
01/2005/1128 / PF	Kingdom Hall Chapel Street Denbigh	Mr T Noonan	REFUSE	02 /11 /2005
	Conversion of hall to 2 no. dwellings and alterations to existing pedestrian and vehicular access	Case Officer - Philip Garner		
01/2005/1136 / PF	25 Y Maes Denbigh	Mr & Mrs A Evans	GRANT	14 /11 /2005
	Erection of two-storey pitched-roof extension at rear of dwelling.	Case Officer - Nicola Marie Jones		
01/2005/1164 / AC	Nant Y Crabbas Plas Chambres Road Denbigh	Mr & Mrs T McMahon	APPROVE	01 /11 /2005
	Details of landscaping scheme submitted in accordance with condition no. 1 of planning permission code no. 01/2005/0303/PF	Case Officer - Sarah Stubbs		

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG**

01 /11 /2005 ac 25 /11 /2005

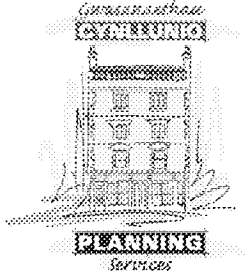


**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS**

01 /11 /2005 and 25 /11 /2005

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
01/2005/1212 / PF	Nant y Coed Hen Ffordd Rhuthun Denbigh Retention of conservatory and erection of new conservatory at rear of dwelling (partly in retrospect)	Mr & Mrs G.H Williams	GRANT	17 /11 /2005
		Case Officer - Philip Garner		
02/2004/1602 / PF	Outbuilding At Park Place Hotel 2 Mwrog Street Ruthin Conversion of outbuilding to dwelling	A Miller-Clark	GRANT	18 /11 /2005
		Case Officer - Catrin E Williams		
02/2004/1603 / LB	Outbuilding At Park Place Hotel 2 Mwrog Street Ruthin Alterations to existing building in connection with conversion of outbuilding to dwelling (Listed Building application)	A Miller-Clark	CONSENT	18 /11 /2005
		Case Officer - Catrin E Williams		
02/2005/0951 / AC	Former Town Hall Building Wynnstay Road Ruthin Details of phasing of site works and access for persons with disability submitted in accordance with condition no's 7 and 8 of planning permission code no. 02/2000/0220/PF	Balfour Beatty Construction	APPROVE	18 /11 /2005
		Case Officer - Ian Weaver		

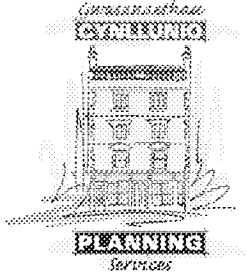
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**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /11 /2005 and 25 /11 /2005**

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
02/2005/0953 / AC	Council Offices Station Road Ruthin	Balfour Beatty Construction	APPROVE	18 /11 /2005
	Details of external wall materials, timing of works on car park, access details, hard and soft landscaping, photographic survey of buildings, facade retention, cycle parking, access for disabled persons, and courtyard elevations submitted in accordance with condition no's 2,4,5,6,9,12,14,15,16 and 18 of planning permission code no. 02/2000/0222/PF	Case Officer - Ian Weaver		
02/2005/0954 / AC	Council Offices Station Road Ruthin	Balfour Beatty Construction	APPROVE	18 /11 /2005
	Details of retained facade and photographic survey of buildings submitted in accordance with condition no's 3 and 4 of conservation area consent code no. 02/2000/0223/CA	Case Officer - Ian Weaver		
02/2005/0986 / PF	42 Porth Y Dre Ruthin	Mr S Robinson	GRANT	01 /11 /2005
	Erection of two-storey and single-storey pitched-roof extension at rear of dwelling	Case Officer - Nicola Marie Jones		
02/2005/1012 / LB	Eagles Hotel 32 Clwyd Street Ruthin	Mr & Mrs J W S Jones	CONSENT	16 /11 /2005
	Removal of render from front elevation, repair and repointing 18th Century brickwork	Case Officer - Catrin E Williams		

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /11 /2005 ac 25 /11 /2005**



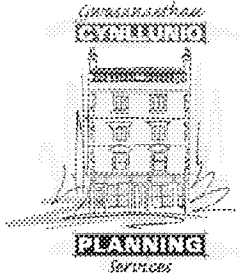
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PROTECTION UNDER DELEGATED POWERS
01 /11 /2005 and 25 /11 /2005**

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
02/2005/1097 / AD	Verge Adjoining Pine Direct Wales Ltd Lon Parcwr Industrial Estate Ruthin Display of non-illuminated information/direction signboard	Denbighshire County Council Case Officer - Catrin E Williams	GRANT	08 /11 /2005
02/2005/1174 / PF	34 Porth Y Dre Ruthin Erection of first-floor extension to rear of dwelling	Mr R Jones Case Officer - Nicola Marie Jones	GRANT	15 /11 /2005
02/2005/1176 / PF	R M Joinery Lon Parcwr Industrial Estate Ruthin Erection of extensions to existing workshop and woodstore	Mr M Jones Case Officer - Nicola Marie Jones	GRANT	09 /11 /2005
02/2005/1186 / PF	36 Clwyd Street Ruthin Change of use from retail to residential dwelling	Miss B Rothery Case Officer - Catrin E Williams	GRANT	03 /11 /2005

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG**



01 /11 /2005 ac 25 /11 /2005



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS**

01 /11 /2005 and 25 /11 /2005

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
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02/2005/1298 / AC	Eagles Hotel 32 Clwyd Street Ruthin	Robin Wolley	APPROVE	04 /11 /2005
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Details of the precise materials, finish, structural details, and fixing to the walls of the proposed external metal access stairs/ the proposed internal stairs/ the proposed mezzanine floor/new door openings to toilets/new steel supporting beam to the retail/sales/counter areas/any other internal walls to be removed or new joists and the new flat roof, and the external paving to the patio area, and the resulting "making good" of any proposed changes submitted in accordance with condition number 7 of planning permission code no. 02/2004/1008/LB

Case Officer - Catrin E Williams

02/2005/1318 / AC	Former Council Car Park and Nursery Lon Parcwr Ruthin	CATHCO Property Group Ltd.	APPROVE	22 /11 /2005
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Details of road safety audit, service yard access, passage for cyclists, car park layout and provision for bus stop, and management arrangements for operation of car park submitted in accordance with condition no. 2 of planning permission code no. 02/2005/0333/PF

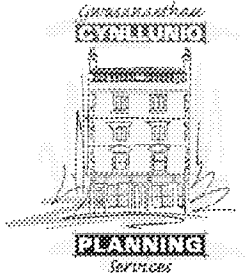
Case Officer - Ian Weaver

03/2002/0656 / INV	Launderette At Blue Bay Regent Street Llangollen	Mr G R Levy	INVALID	14 /11 /2005
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Replacement of front door

Case Officer - Lara Griffiths

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /11 /2005 ac 25 /11 /2005**

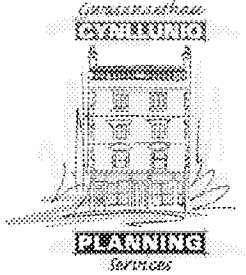


**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /11 /2005 and 25 /11 /2005**

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
03/2002/1078 / INV	Woolpack Restaurant 13 Bridge Street Llangollen Erection of an external staircase	Mr John Frederick Davies	INVALID	14 /11 /2005
		Case Officer - Sian Foster		
03/2005/1207 / PF	Land adjacent to 1 Min Y Coed Llangollen Change of use of open space land to form extension to residential curtilage, erection of boundary fence and brick/block wall to raise garden level	Mrs Rebecca Roberts	REFUSE	09 /11 /2005
		Case Officer - Catrin E Williams		
03/2005/1257 / PF	5 George Street Llangollen Conversion of first and second floors to 2 no. self-contained flats and alterations to existing ground floor flat	Mr M Francis	GRANT	22 /11 /2005
		Case Officer - Catrin E Williams		
05/2002/1109 / INV	Land At Cefn Rhug Estate Office Corwen Siting of modular units for use in conjunction with existing cafe/restaurant, and use of adjacent land as eating area, for a temporary period of 24 months	The Rhug Estate	INVALID	15 /11 /2005
		Case Officer - Sian Foster		

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG**

01 /11 /2005 ac 25 /11 /2005

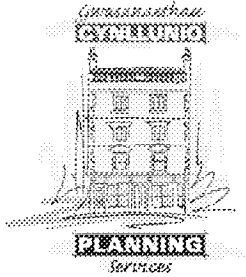


**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS**

01 /11 /2005 and 25 /11 /2005

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
06/2005/0352 / PF	Melin Meiarth Bryn Saith Marchog Corwen Extension to existing garage	Mr R.J. Law	REFUSE	01 /11 /2005
		Case Officer - Nicola Marie Jones		
06/2005/1166 / PO	Land Between Isawel And Ty Isa Bryn Saith Marchog Corwen Development of 0.034ha of land for 1 no. dwelling and construction of new vehicular access (outline application)	Mrs. L. E. Jones	REFUSE	09 /11 /2005
		Case Officer - Philip Garner		
09/2005/1145 / PF	2, Ty Clwyd Waen Bodfari Denbigh Erection of pitched-roof extension at side of dwelling and detached garden store/workshop building at front of dwelling.	Mr & Mrs S Emery	GRANT	01 /11 /2005
		Case Officer - Nicola Marie Jones		
09/2005/1165 / PF	Llys Ynys Bodfari Denbigh Replacement of redundant outbuilding with stable block	Mr Michael Wiesner	GRANT	02 /11 /2005
		Case Officer - Nicola Marie Jones		
11/2005/1181 / PF	Cil Llwyn Bontuchel Ruthin	G W & H L Roberts	GRANT	15 /11 /2005

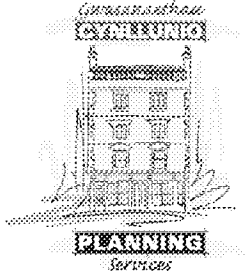
**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
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	Erection of agricultural building for the storage of fodder and machinery	Case Officer - Nicola Marie Jones		
12/2005/0973 / PF	Graig Wen Pwllglas Ruthin	Ms R J Richards	GRANT	08 /11 /2005
	Alterations to existing dwelling and conversion of adjoining shippoon to provide additional living accommodation (resubmission)	Case Officer - Philip Garner		
12/2005/0974 / LB	Graig Wen Pwllglas Ruthin	Ms R J Richards	CONSENT	08 /11 /2005
	Alterations to existing dwelling and conversion of adjoining shippoon to provide additional living accommodation (Listed Building Application) (Resubmission)	Case Officer - Philip Garner		
13/2005/1248 / PF	Llygedyn Llanfwrog Ruthin	Helen Rowe	GRANT	23 /11 /2005
	Erection of conservatories at front and rear of dwelling	Case Officer - Paul David Griffin		
14/2005/1098 / PF	Barn at Ty Newydd Isa Bontuchel Ruthin	Mrs K Piper	REFUSE	03 /11 /2005

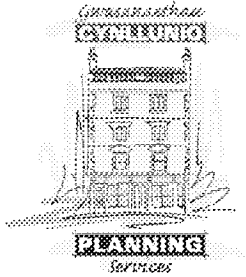
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	Conversion of and extension to existing outbuilding to form 2 no. dwellings and alterations to existing vehicular access	Case Officer - Philip Garner		
15/2005/1155 / PF	Caeau Mostyn Graianrhyd Road Llanarmon-Yn-Ial Mold	Mr & Mrs Belton	GRANT	21 /11 /2005
	Conversion of existing outbuilding to form 1 dwelling, demolition of existing agricultural building and installation of new septic tank	Case Officer - Catrin E Williams		
16/2005/0961 / PF	Llanrhydd Mill Llanrhydd Ruthin	Mr & Mrs Roberts	GRANT	03 /11 /2005
	Erection of workshop and display area	Case Officer - Catrin E Williams		
16/2005/0992 / PO	Land at (Part garden of) Llwyn Dedwydd Llanbedr Dyffryn Clwyd Ruthin	Mrs P Page	REFUSE	09 /11 /2005
	Development of 0.05ha of land by the erection of single dwelling, alterations to existing vehicular access and installation of new septic tank (outline application)	Case Officer - Philip Garner		
16/2005/1122 / PF	Tan Y Fenlli Llanbedr Dyffryn Clwyd Ruthin	Mr & Mrs R Littlewood	GRANT	21 /11 /2005
	Erection of first-floor pitched roof extension to dwelling, change of fenestration and erection of attached double garage.	Case Officer - Catrin E Williams		

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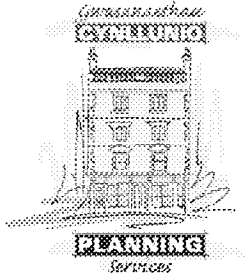


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17/2005/1109 / PF	Rose Cottage Pen Y Stryt Llandegla Wrexham Demolition of part of existing workshop and erection of two-storey pitched-roof extension	Mr T.A. Davies Case Officer - Catrin E Williams	GRANT	01 /11 /2005
17/2005/1348 / AG	Land At Lake Hill Fishery And Farm Llandegla Wrexham Installation of breeding fish tanks, various agricultural sheds and associated works in connection with existing fish farm	Mr D. Penman Case Officer - Nicola Marie Jones	REFUSE	25 /11 /2005
20/2002/0997 / INV	Nant Y Garth Bungalow Pentre Celyn Ruthin Application to fell/lop/uproot trees	Dr Bevil Cowan Case Officer - Sian Foster	INVALID	16 /11 /2005
20/2005/1135 / PF	(Formerly Cae Gwyn Bungalow) Woodpecker Cottage Pentre Coch Ruthin Erection of pitched-roof extension at rear and raising of roof height to allow habitable accommodation in roof space	Mr J. A Evans & Ms R.R. Grigor Case Officer - Catrin E Williams	REFUSE	15 /11 /2005

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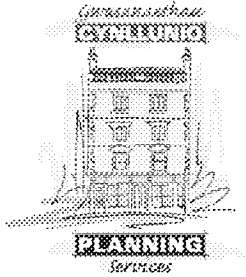


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21/2005/1121 / PF	1 Tyn Llan Llanferres Mold Erection of single-storey pitched-roof extension at rear of dwelling	Helen Roberts Case Officer - Nicola Marie Jones	GRANT	04 /11 /2005
21/2005/1149 / PF	Glendale Rectory Lane Llanferres Mold Erection of Conservatory at side of dwelling	Mr & Mrs Stanley Case Officer - Catrin E Williams	GRANT	18 /11 /2005
21/2005/1322 / AC	Y Nant Village Road Maeshafn Mold Details of Condition No. 2 (roof materials) on planning permission Ref. No. 21/2005/0807/PF	J & C Fagan Case Officer - Nicola Marie Jones	APPROVE	09 /11 /2005
24/2005/1254 / PF	14 Bro Clywedog Rhewl Ruthin Erection of first-floor pitched-roof extension at front of dwelling	Mr Dylan Jones Case Officer - Paul David Griffin	GRANT	23 /11 /2005
27/2002/1343 / INV	Abbey Dingle Nursing Home Abbey Dingle Llantysilio Llangollen	R C & C P Mascarenhas	INVALID	16 /11 /2005

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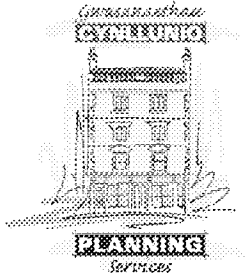


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	Erection of 5 bedroom extension to nursing home and construction of 2 no. detached units for visitor accommodation	Case Officer - Sian Foster		
27/2005/0722 / PF	Bryn-yr-Odyn Pentredwr Llangollen	Mr P Christie	GRANT	18 /11 /2005
	Provision of parking area to be used in connection with the re-establishment of the property as 2 no. separate dwellings	Case Officer - Paul Mead		
28/2005/0970 / PF	Crud Yr Awel Ochr Y Bryn Henllan Denbigh	Mr & Mrs Evans	GRANT	09 /11 /2005
	Erection of flat-roofed extension to rear of dwelling	Case Officer - Catrin E Williams		
28/2005/1112 / PF	3 Ffordd Bryn Y Garn Henllan Denbigh	Mr & Mrs D Chappell	REFUSE	03 /11 /2005
	Demolition of existing dwelling and outbuilding and erection of a pair of semi-detached dwellings and carport block	Case Officer - Philip Garner		
30/2005/0957 / PF	Pen Ucha'r Green Henllan Road St. Asaph	Mr & Mrs D Roberts	GRANT	16 /11 /2005
	Subdivision of existing farmhouse into 3no. self-contained units incorporating conversion of attached redundant outbuilding	Case Officer - Philip Garner		

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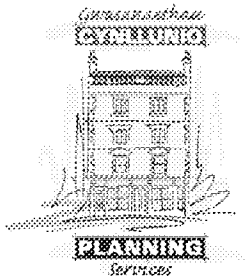
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30/2005/1134 / PF	Haulfryn Allt Goch St. Asaph Demolition of existing garage and creation of two-storey pitched roof extension at side of dwelling.	Mr & Mrs Roberts	GRANT	09 /11 /2005
		Case Officer - Nicola Marie Jones		
31/2005/1079 / PF	Bryn Arian Groesffordd Marli Abergele Erection of porch at side of dwelling	Mr R. Corbett-Jones	GRANT	04 /11 /2005
		Case Officer - Nicola Marie Jones		
31/2005/1107 / PF	Land Opposite Cae Cogau Groesffordd Marli Abergele Erection of farm worker's dwelling and installation of new septic tank	Mr & Mrs W H Jones	REFUSE	09 /11 /2005
		Case Officer - Philip Garner		
40/2005/1002 / LB	Bodelwyddan Castle Hotel Bodelwyddan Rhyl Internal and external alterations of existing A la Carte restaurant into 3 additional hotel bedrooms with ensuite facilities	Mr D Aylott Warner Holidays	CONSENT	16 /11 /2005
		Case Officer - Catrin E Williams		

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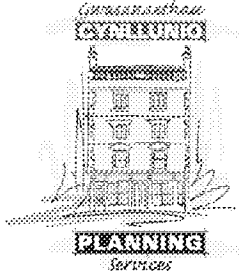
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40/2005/1157 / EL	Land between Derwen Rhyl Road Rhuddlan and Green Gates Farm Abergele Road St. Asaph Rebuilding of existing 33kV line supported by wood poles	SP Power Systems Limited SP Manweb Plc	GRANT	03 /11 /2005
		Case Officer - Nicola Marie Jones		
40/2005/1214 / PF	1 Artillery Row Bodelwyddan Rhyl Erection of two-storey pitched-roof extension at side of dwelling	Mr & Mrs Hayes	GRANT	15 /11 /2005
		Case Officer - Nicola Marie Jones		
40/2005/1233 / PF	1 Johns Drive Bodelwyddan Rhyl Erection of single-storey pitched-roof extension at side/front of dwellinghouse	Mr P J Jones	GRANT	22 /11 /2005
		Case Officer - Philip Garner		
42/2005/0496 / PF	The Old Manor Waterfall Road Dyserth Rhyl Erection of extension to existing conservatory at front of nursing home	Mrs M E Goddard	GRANT	01 /11 /2005
		Case Officer - Sarah Stubbs		
42/2005/1189 / PF	39 Glan Ffyddion Dyserth Rhyl Erection of conservatory to side, extension to existing garage and enclosing of passage to rear.	Mr Ian Davies	GRANT	22 /11 /2005
		Case Officer - Philip Garner		

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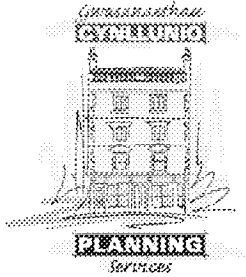


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42/2005/1260 / PF	62 Cwm Road Dyserth Rhyl Erection of single-storey flat-roofed extension at rear of dwelling	Mr Elwin	GRANT	22 /11 /2005
		Case Officer - Paul David Griffin		
42/2005/1308 / AC	New Inn Waterfall Road Dyserth Rhyl Details of external wall and roof material submitted in accordance with condition no. 2 of planning permission code no. 42/2005/0053/PF	Union Pub Co.	APPROVE	08 /11 /2005
		Case Officer - Sarah Stubbs		
42/2005/1367 / AC	Land at Pendref Farm Plot 1 Waterfall Road Dyserth Rhyl Details of external stonework and render submitted in accordance with condition no. 2 of planning permission code no. 42/2004/646/PF	Mr & Mrs M Webber	APPROVE	21 /11 /2005
		Case Officer - Sarah Stubbs		
43/2005/1070 / LB	Pydew Farm Ffordd Ffynnon Prestatyn Removal of timber/concrete block conservatory at rear and reinstatement of original features and elevation (Listed Building application)	Denbighshire County Council	NOT REQ	21 /11 /2005
		Case Officer - Philip Garner		

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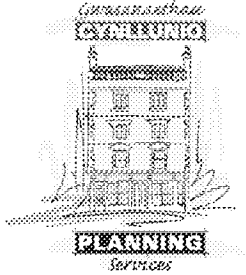


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43/2005/1129 / PF	73 Highbury Avenue Prestatyn Erection of two-storey pitched-roof rear/side extension and single-storey side extension for garage and resiting of conservatory	Mr D Billington Case Officer - Philip Garner	GRANT	08 /11 /2005
43/2005/1142 / PS	131/133, High Street Prestatyn Variation of Condition No. 2 of planning permission Ref No. 43/2004/0732/PF to allow opening hours of 0800 - 2300 hrs on Mondays - Saturdays and 0900 - 2230 hrs on Sundays	Situ Rashid Case Officer - Paul Mead	GRANT	14 /11 /2005
43/2005/1158 / PO	Land At (Part Garden Of) The Croft Oakhill Lane Prestatyn Development of 0.02ha of land for 1 single-storey dwelling and alterations to existing vehicular access (outline application)	Mr J Prout Case Officer - Philip Garner	REFUSE	09 /11 /2005
43/2005/1173 / TP	20 Fforddilas Prestatyn Crown reduction (30%) and thinning of 3 no. copper beech trees	Mr R A Vickery Case Officer - Paul Mead	GRANT	18 /11 /2005

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43/2005/1183 / PF	7 Clwyd Avenue Prestatyn	Mr T Drew	GRANT	17 /11 /2005
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Erection of rear conservatory extension,
detached pitched-roof garage and store and
creation of a new vehicular access

Case Officer - Philip Garner

43/2005/1358 / AC	Land Adjoining Brookdale Cefn Y Gwrych Prestatyn	Fergal McDonnell AK / A3 Architects	APPROVE	17 /11 /2005
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Details of materials and landscaping
submitted in accordance with condition no's
4 and 5 of planning permission code no
43/2000/0875/PO

Case Officer - Mark Dakevne

44/2005/1041 / PF	Bryn Y Wal Pentre Lane Rhuddlan Rhy!	NCH Cymru NCH Cymru	GRANT	01 /11 /2005
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Change of use of existing class C3 dwelling
to class C2 children's home

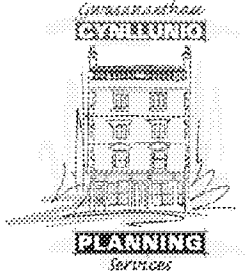
Case Officer - Philip Garner

44/2005/1116 / PF	21 High Street Rhuddlan Rhy!	Miss J Walsh	GRANT	02 /11 /2005
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Erection of first-floor flat-roofed extension at
rear of dwelling

Case Officer - Philip Garner

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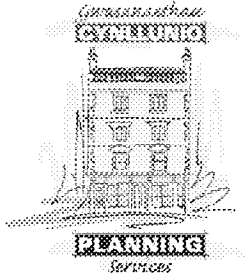


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44/2005/1178 / PF	5 Barrfield Road Rhuddlan Rhyl Erection of dormer extension to existing loft space (retrospective application)	Mr & Mrs J Hannaby Case Officer - Philip Garner	GRANT	22 /11 /2005
44/2005/1179 / PF	36 Highlands Road Rhuddlan Rhyl Erection of pitched-roof extensions to side and rear of dwelling.	Mr & Mrs R Jones Case Officer - Philip Garner	REFUSE	09 /11 /2005
44/2005/1213 / PF	7 Admirals Walk Rhuddlan Rhyl Formation of dormer windows in side elevation of dwelling	Mr A J Parsons Case Officer - Michael G Hughes	GRANT	21 /11 /2005
45/2005/0830 / PF	1 Abbey Street Rhyl Conversion of existing shop and dwelling to 3 No. self-contained flats	Mr P Hopkins Case Officer - Philip Garner	GRANT	09 /11 /2005
45/2005/1043 / PF	The Strand 66/67 West Parade Rhyl Mr T Barker	Mr T Barker	GRANT	22 /11 /2005

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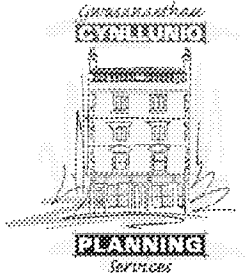
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	Change of use from retail to residential unit at ground floor with minor external alterations to previously approved scheme granted under code no. 45/2005/0023/PF	Case Officer - Philip Garner		
45/2005/1162 / PF	22 Aquarium Street Rhyl	Mr W Ward	GRANT	09 /11 /2005
	Change of use of ground-floor shop to form extension to existing residential accommodation, rebuilding of outrigger at rear and demolition of derelict outbuilding	Case Officer - Philip Garner		
45/2005/1172 / PO	Land Adjoining (Part Garden Of) 53 Grange Road Rhyl	Mrs P Child	REFUSE	09 /11 /2005
	Development of 0.01ha of land by the erection of 1 no. dwelling (outline application)	Case Officer - Philip Garner		
45/2005/1199 / PF	Brunswick Cottage Sussex Lane Rhyl	Mr E Shan	GRANT	21 /11 /2005
	Change of use from vacant storage building to dwelling and erection of first-floor extension to provide additional accommodation	Case Officer - Michael G Hughes		

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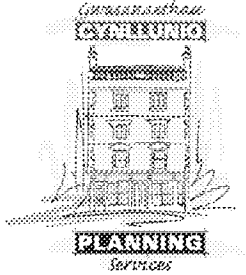
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45/2005/1209 / PF	27 Pen Y Maes Avenue Rhyl Erection of conservatory at rear of dwelling	Mr & Mrs P D Davies	GRANT	21 /11 /2005
		Case Officer - Michael G Hughes		
46/2004/0237 / INV	Seaways Filling Station The Roe St. Asaph Display of externally illuminated fascia signs.	Lineback Ltd	INVALID	11 /11 /2005
		Case Officer - Carole Bridge-Williams		
46/2005/1058 / PF	Ty Fry Gemig Street St. Asaph Erection of gates	Mr Williams	GRANT	03 /11 /2005
		Case Officer - Catrin E Williams		
46/2005/1185 / PF	14 Roe Parc St. Asaph Erection of first floor pitched-roof extension.	Mr M Stanley	GRANT	22 /11 /2005
		Case Officer - Philip Garner		
46/2005/1399 / AC	Land At (Former Garden Of) Gilwern Glascoed Road St. Asaph Details of foul drainage scheme submitted in accordance with condition no. 6 of planning permission code no. 46/2004/1174/PF	Mr & Mrs D Kett	APPROVE	25 /11 /2005
		Case Officer - Sarah Stubbs		

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG**

01 /11 /2005 ac 25 /11 /2005



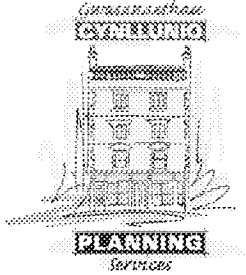
**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS**

01 /11 /2005 and 25 /11 /2005

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
47/2005/0808 / PF	Summerhill Farm Tremeirchion St. Asaph Erection of 2.5m high yorkshire board stockproof boundary fence	E.W Evans Case Officer - Nicola Marie Jones	REFUSE	01 /11 /2005
47/2005/0914 / PF	Pant Ifan Newydd Holywell Road Rhualt St. Asaph Conversion of redundant agricultural building to dwelling, installation of private treatment plant and construction of new vehicular access	Mr R. Sales Case Officer - Paul Mead	GRANT	21 /11 /2005
47/2005/1078 / PF	Outbuildings at Bryn Gronw Rhualt St. Asaph Conversion of outbuildings to dwelling, installation of new septic tank (revised scheme to that granted under Code No. 47/2004//1601/PF)	Mr & Mrs M & L Kadar Case Officer - Philip Garner	REFUSE	17 /11 /2005
47/2005/1110 / PF	Awelog Waen St. Asaph Change of use of part of agricultural land to form extension to residential curtilage and erection of steel-framed agricultural building on part of land	Mr Dylan Williams Case Officer - Nicola Marie Jones	WDN	15 /11 /2005

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
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PWERAU DIRPRWYEDIG**

01 /11 /2005 ac 25 /11 /2005



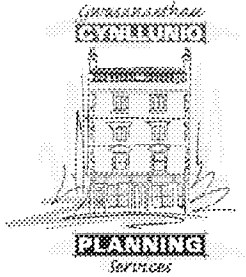
**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS**

01 /11 /2005 and 25 /11 /2005

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
47/2005/1118 / PR	Land at Field No. 8144 Bryngwyn Mawr Rhuallt St. Asaph	Mr & Mrs T Edwards	REFUSE	21 /11 /2005
	Details of design and external appearance of dwelling and landscaping of the site submitted in accordance with Condition No. 1 of outline planning permission Ref. No. 47/2004/1246/PO (reserved matters)	Case Officer - Sarah Stubbs		
47/2005/1132 / PF	Ty Gwyn Waen St. Asaph	Mr D Roberts	WDN	15 /11 /2005
	Conversion of garage/stable block to holiday cottage	Case Officer - Philip Garner		
47/2005/1151 / PF	Brynlithrig Bach and Tyddyn Y Driv Rhuallt St. Asaph	Mr & Mrs G Cunnah	GRANT	08 /11 /2005
	Removal of condition no. 7 of planning permission code no. 2/TRE/0172/95/P to allow full residential occupancy of Tyddyn Y Driv and construction of new vehicular access to serve Brynlithrig Bach	Case Officer - Philip Garner		
47/2005/1170 / PF	Penisa'r Mynydd Caravan Park Caerwys Road Rhuallt St. Asaph	Mr G Dobbs	GRANT	09 /11 /2005

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
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01 /11 /2005 ac 25 /11 /2005



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS**

01 /11 /2005 and 25 /11 /2005

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
	Amendment to layout of approved granny annexe with provision for disabled shower and Elsan disposal point for the caravan park (amendment to Application Ref. No. 47/855/99/PF)	Case Officer - Philip Garner		
47/2005/1171 / PF	Garage at Pant Ifan Goch Holywell Road Rhuallt St. Asaph	Mrs S Selby	REFUSE	23 /11 /2005
	Change of use of garage to domestic dwelling	Case Officer - Sarah Stubbs		
47/2005/1332 / AC	Pant Ifan Newydd Holywell Road Rhuallt St. Asaph	Denbighshire County Council	APPROVE	10 /11 /2005
	Details of render sample, fenestration, landscaping, septic tank and vehicular footway crossing submitted in accordance with Condition Nos. 3, 4, 5, 6 & 11 of Planning Permission Code No. 47/2004/0738/PF	Case Officer - Paul Mead		

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

INFORMATION ITEMS FOR PLANNING COMMITTEE

**Member Training
Public Access Portal
Minerals
LDP Working Group**

1. PURPOSE OF REPORT

1.1 This comprises a regular 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 Members will recall that training for County Councillors who sit on Planning Committee is now compulsory. The arrangements are that we will provide a minimum of 4 no. training events per year. Members must attend at least 2 of these events.

2.2 The first event was provided in July, involving a visit to a number of completed development sites, followed by a feedback session in County Hall. It is intended to provide a further event in January. Arrangements have been made for an event on Monday 30 January 2006 in Conference Room 1, County Hall, Ruthin (morning with lunch to follow). It is intended that this will cover the Local Development Plan.

2.3 Further events will be arranged for later in the year. Suggested topics include:

- i. Enforcement issues and appeal decision feedback
- ii. Impact of Technical Advice Notes on planning decisions – key issues.
- iii. Visit to neighbouring Planning Committee meeting to view conduct. e.g. Wrexham.

iv. WLGA organised training – it has been indicated that this will occur but no dates or specific topics have been provided.

2.4 Members comments on the suggested topics are welcomed. Feedback before Planning Committee would be helpful. Please contact Mark Dakeyne.

2.5 Members should also be aware that we are undertaking a programme of training for Town and Community Councils on planning matters. The first such event was held in Denbigh in October 2005 for Councils in the Denbigh area. Further events will be held on the coast, Ruthin, and Dee Valley in 2006, subject to sufficient interest from the relevant Councils.

3. PUBLIC ACCESS PORTAL

3.1 The Public Access Portal is being developed. From 1 December 2005, planning decision notices will be provided as an image on the web site. Early in 2006, it is intended to scan new planning applications so that these can be viewed via the web. Applicants can now make applications via the National Planning Portal, the application then being integrated into the back office planning application software. .

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

4. MINERALS PLANNING

4.1 Members may be aware that the Officer responsible for dealing with minerals planning applications left the Authority in August. We have recently entered into a 6 month contract with Flintshire for them to provide a consultancy service to deal with minerals applications and related topics. Members should contact Mark Dakeyne with any issues related to minerals.

5. LDP WORKING GROUP

5.1 The next meeting of the above will take place on Monday 27 February at 9.30 am in the Naylor-Leyland Centre, Well Street Ruthin. Details and papers will follow.