

**PWYLLGOR CYNLLUNIO**  
**CYFARFOD: 22 ain Mawrth 2006**  
**Eitem: 2**

**PLANNING COMMITTEE**  
**MEETING - 22nd March 2006**  
**Agenda Item: 2**

**DEDDF CYNLLUNIO TREF A GWLAD 1990**  
**CYNLLUNIO TREF A GWLAD (DATBLYGIAD CYFFREDINOL)**  
**GORCHYMYN 1995 - HYD HEDDIW**  
**DEDDF CYNLLUNIO A IAWNDAL 1991**  
**RHEOLIAD HYSBYSEBU CYNLLUNIO TREF A GWLAD 1994**  
**DEDDF CYNLLUNIO (ADEILADAU RHESTREDIG A CHADWRAETH)**  
**1990**  
**CEISIADAU AM GANIATAD DATBLYGU**

Adroddiadau ac argymhellion gan Swyddogion i'w hystyried a'u datrys gan Awdurdod Cynllunio'r Sir.

Bydd pob cais am y cynigion a nodir yn yr adroddiad hwn ar gael i'w archwilio gan Aelodau o'r Pwyllgor cyn ac yn ystod y cyfarfod lle ystyrir y ceisiadau.

Gellir gweld y Papurau Cefndir i bob cais, gan gynnwys ffurflenni, cynlluniau, gohebiaeth, Cynllun Datblygiad a dogfennau arweiniad yn ystod yr oriau swyddfa arferol.

**Nid yw'r atodiad y cyfeiriwyd ato yn yr adroddiad ar gael yn Gymraeg ac mae hynny yn unol â Chynllun Iaith Gymraeg y Cyngor**

**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:** Denbigh Upper / Henllan  
**APPLICATION NO:** 01/2005/1509/ PF  
**PROPOSAL:** Erection of single-storey building for use as buggy store  
**LOCATION:** Denbigh Golf Club Coppi Road Denbigh  
**APPLICANT:** Denbigh Golf Club  
**CONSTRAINTS:**  
**PUBLICITY UNDERTAKEN:** Site Notice - Yes Press Notice - No Neighbour letters - No

**CONSULTATION RESPONSES:**

1. HENLLAN COMMUNITY COUNCIL  
"No objection to the planning application and plans."
2. DENBIGH TOWN COUNCIL  
"Council does not wish to raise any objections to the application."
3. HEAD OF TRANSPORT AND INFRASTRUCTURE  
No objection.

**RESPONSE TO PUBLICITY:**

Letter of representation was received from:

1. Eifion Jones - Erw Eithin Bach, Rhewl

Summary of planning based representations:

- i) Impact on visual amenity.

**EXPIRY DATE OF APPLICATION: 13/02/2006**

**REASONS FOR DELAY IN DECISION:**

- Timing of receipt of representations

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. The application site is located within open countryside off the B5382 Denbigh to Henllan road. The Golf Club extends across both sides of the B road with the main clubhouse and facilities set back some 40m on the east side.
2. The clubhouse sits at a slightly higher level than the road with a car parking area to its front. To the rear of the clubhouse is a water tank and pumphouse with the main course beyond that to the north and east.
3. Planning permission is sought to erect a detached single storey building to the rear of the clubhouse for use as a buggy store. This building would be located some 7.5m from the rear of the clubhouse building measuring 8.7m x 6.4m to a height of 3.4m. Having a shallow pitched roof the buggy store would be constructed of profiled cladding in a colour to be agreed.

**RELEVANT PLANNING HISTORY:**

4. 01/250/99 – Erection of extension to ladies locker room and installation of new septic tank – GRANTED 6<sup>th</sup> July 1999

**PLANNING POLICIES AND GUIDANCE:**

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 6 – Development Control Requirements  
Policy GEN 3 – Development Outside Development Boundaries  
Policy REC 5 – Recreation Facilities Outside Development Boundaries  
Policy REC 7 – Golf Developments

GOVERNMENT GUIDANCE

Planning Policy Wales, March 2002

**MAIN PLANNING CONSIDERATIONS:**

6.
  - i) Principle of development
  - ii) Impact on visual amenity/objection
7. In relation to the points identified in paragraph 6 above:
  - i) Principle of Development  
Unitary Development Plan policy (REC 5) allows for such recreational development providing any new buildings are located close to existing and they blend in with the surrounding landscape. The golf course is not located within an Area of Outstanding Natural Beauty and it is considered that the principle of erecting this buggy store facility is acceptable.
  - ii) Impact on Visual Amenity/Objection  
The building is shown to be sited to the rear of the main clubhouse building amongst other structures related to the facility. The height of the new store would only be 3.4m which would not exceed that of the clubhouse. The objection received makes reference to the previous planning permission in 1999 for the extension to the locker room and erection of greenkeeper's office, garage and workshop. The objector points out that a condition of that permission was that an existing garage, workshop and office should be demolished in the interests of visual amenity. The proposed buggy store would be located close to the site of the demolished buildings. However, it should be noted that those demolished buildings were old corrugated buildings which needed to be removed to enable the extensions to take place. That previously imposed condition could not prejudice any subsequent proposal for buildings at this site. It is considered that, given the size and scale of the building and its location to the rear of the existing clubhouse, there would be no significant impact on the visual amenities of the site or surroundings. Subject to a condition to control the colour finish of the walls and roof the structure should blend into the open countryside location.

**SUMMARY AND CONCLUSIONS:**

8. The proposed building would be sited close to others at the club and subject to controls on the colour finish will not harm the visual amenities of the area thus complying with planning policy.

**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.

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.

**NOTES TO APPLICANT:**

None

<b>ITEM NO:</b>	2
<b>WARD NO:</b>	Llanbedr Dyffryn Clwyd / Llangynhafal
<b>APPLICATION NO:</b>	16/2005/1483/ PR
<b>PROPOSAL:</b>	Details of proposed dwelling submitted in accordance with condition no. 1 of outline planning permission code no. 16/2004/0681/PO
<b>LOCATION:</b>	Land Adjoining The Ranch House Lon Cae Glas Llanbedr Dyffryn Clwyd Ruthin
<b>APPLICANT:</b>	Barnstyle Ltd.
<b>CONSTRAINTS:</b>	250m Of Landfill Site AONB
<b>PUBLICITY UNDERTAKEN:</b>	Site Notice - No Press Notice - No Neighbour letters - Yes

#### **CONSULTATION RESPONSES:**

##### 1. LLANBEDR COMMUNITY COUNCIL

"On behalf of the Community Council I wish to make some observations about the above property. I have had long discussions with Mr. Kenworthy, whose residence Rockfield is situated immediately opposite the new proposed dwelling. I have also been given a copy of his letter to you, so I am aware of his concerns.

I have to say that the council agrees in full with all of these concerns, which primarily dwell on road safety issues. Rather than repeat the whole thrust of Mr. Kenworthy's comprehensive letter I would raise one or two other issues:

- The proposed alignment of the new property does not conform to the original outline plan to which we agreed some months back: it is considerably larger than the outline site and further forward (i.e. closer to the carriageway).
- The style of the new build is not in character with the surrounding area. In an AONB with many ancient buildings we do not believe that concrete curves and circular glass walled verandas are anything but a blot on the landscape.
- When we agreed to the proposed outline plans we did not envisage a 5-bed luxury 2-storey home to be erected on the same alignment as single storey bungalows. We believe the new property will be too dominant in the local area, where there is a need for more affordable housing, not ever more luxurious and larger houses.
- We wish to inform you that any future applications to develop the land to the NE of the new proposed property (i.e. behind it) and the neighbouring Ranch House will be vigorously opposed by this Council. Not only is that land outside the permitted area for development, but the local road infrastructure ca not support more entrances for residences.
- There is more than a suspicion that the Ranch House bungalow itself is being lined up for demolition, to be replaced with plans for perhaps another 5-bed 2-storey house similar in style and size to its proposed neighbour. Any such plans will also be vigorously opposed.

In sum, we are not happy that road safety considerations have been adequately

taken into account, given the change in road priorities and the new detailed building application. Nor are we happy with the size, location, style or character of the proposed build. We wish to register with DCC our concerns over possible future planning issues: we believe there is more to this first development than meets the eye.

We request that you re-visit this whole planning application which has some real safety and planning issues of considerable local concern. We also request that members of the Community Council be invited to attend any future site meetings, especially our County Councillor, Pauline Dobb”.

2. HEAD OF TRANSPORT & INFRASTRUCTURE  
No objection subject to compliance with conditions.
3. JAC AONB  
”The JAC objected to this proposal s the design, scale and mass are inappropriate for the elevated side and surrounding properties”.
4. ENVIRONMENT AGENCY  
No objection.

**RESPONSE TO PUBLICITY:**

Letters of representation were received from:

1. B. Stapleton, The Quentin, Lon Cae Glas, Llanbedr D.C.
2. C.C. Kenworthy, Rockfield, Llanbedr D.C.

Summary of Planning Based Representations:

- i) Concerns over Highway Safety
- ii) Concerns over drainage
- iii) Concerns over size, scale of property

**EXPIRY DATE OF APPLICATION: 31/01/2006**

**REASONS FOR DELAY IN DECISION:**

- protracted negotiations resulting in amended plans

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. The application site is located to the north of the existing dwelling known as The Ranch House off the A494 and along the road leading to Llanbedr Hall. The site lies on a corner plot opposite the dwelling known as Rockfield at the north-east extremity of the settlement boundary of Llanbedr D.C.
2. The site lies at a slightly higher level than the adjacent road within the designated AONB. Outline planning permission was given in October 2004 on this site for the erection of a single dwelling and construction of a means of access.
3. This application represents the reserved matters submission related to the outline consent. The proposal shows the intention to erect a large, detached, two-storey dwelling set back some 8m from the adjacent carriageway. The dwelling is a modern predominantly pitched roof design incorporating an integral double garage closest to the road. Constructed in render under a slate roof the 5 bed. dwelling would be 7m at its highest incorporating rear and side first floor balconies. Whilst the set back of the main dwelling would be some 8m, a single storey double

garage would project closer to within 3m of the realigned carriageway.

4. The application site itself straddles the settlement boundary. However, as set out within the outline consent the proposed dwelling itself would be within the development boundary. The mature trees to the north and east boundaries of the site are shown to be retained with some trees needing to be felled to accommodate the property within the site and to the front visibility splay. New tree planting is proposed between the site and The Ranch House along with a 1.8m fence to denote the new application site boundary.

**RELEVANT PLANNING HISTORY:**

5. **16/2004/0681/PO**  
Development of land by the erection of a dwelling and construction of a new vehicular access (Outline) – GRANTED – 27/10/04

**PLANNING POLICIES AND GUIDANCE:**

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy HSG 4 - Housing Development in Main Villages  
Policy ENV 2 - Development affecting the AONB  
Policy GEN 6 - Development Control Requirements

GOVERNMENT GUIDANCE

Planning Policy Wales, March 2002

**MAIN PLANNING CONSIDERATIONS:**

7.
  - i) Principle of development
  - ii) Impact on residential amenity/objections
  - iii) Impact on visual amenity/AONB
  - iv) Impact on highway safety
  - v) Drainage issues
8. In relation to the points raised in paragraph 7 above:-
  - i) The site in question has been granted outline consent for the development of the land by the erection of a dwelling with no specific conditions previously imposed restricting the property to single-storey only. As such, the principle of erecting a two-storey dwelling in this location is acceptable.
  - ii) The closest existing dwellings directly affected by the proposal will be the existing Ranch House and the large, detached dwelling opposite, at a lower level, Rockfield. The impact on the existing Ranch House is considered to be minimal with some 16m remaining side to side and proposed new tree planting to the new side boundary forming an additional screen. The size and scale of the new dwelling will have an impact on the dwelling opposite at Rockfield by reason of the site being slightly raised from the road. The issue, however, is whether such an impact will be significant. Some 14m will remain between the front section of Rockfield and the single-storey side wall of the proposed garage of the new dwelling. As such, some 19m will remain between Rockfield and the closest two-storey section of the new dwelling with the closest first floor windows to Rockfield some 23m. Having regard to the fact the principle of a single residential property has been established on this site, I do not consider that the impact of this proposed dwelling on any neighbour amenity would warrant refusal of the application.



- iii) There is a mix of dwelling styles within the village of Llanbedr ranging from 1950's style bungalows to contemporary two-storey dwellings. The proposal has been revised from the original submission with some 18sq.m. taken off the footprint and the dwelling set back some 1.7m from its originally indicated siting. Whilst it is acknowledged that the dwelling is large in terms of scale, the roof design attempts to reduce this impact with existing mature tree screening providing good cover to the north and east sides. The size of the dwelling in relation to the plot matches those dwellings on this side of the road and it is not considered that the proposal represents an overdevelopment. It is acknowledged that the site lies within the designated AONB. However, the policy relating to development in such an area seeks to ensure development should be designed to a high standard but is not prescriptive as to specific designs. Llanbedr has a mix of styles and it is considered that this design when viewed in the context of the landscaping in existence would contribute to the conservation and enhancement of the natural beauty of the area.
- iv) The proposals implications on highway safety has been assessed on the previous outline application and on the current proposal with no objections raised. The access to the site, visibility and on-site parking arrangements meet policy and guidance for such a development.
- v) The Environment Agency has raised no objections to the proposed septic tank arrangement and the surface water arrangement to a soakaway. Whilst the neighbour concerns are noted, all issues of drainage on this site, within a defined settlement, can be dealt with at Building Regulations stage.

**SUMMARY AND CONCLUSIONS:**

- 9. The principle of development at the site including the means of access has been established. Distances between existing and the proposed property along with the orientation of windows and the presence of good tree screening means there would be no significant impact on neighbour amenity. There are a mix of dwelling sizes and styles in the village and it is not considered that the modern design proposed would cause significant detriment to the visual amenities of the site or surrounding AONB.

**RECOMMENDATION: APPROVE-** subject to the following conditions:-

- 1. No development shall commence until details of the design, height and materials proposed for the screen walls and/or fences shown on the layout plan have been submitted to and approved in writing by the Local Planning Authority. Such screen walls and/or fences shall be erected before the dwellings to which they relate are completed or occupied whichever is the earlier.
- 2. The proposed septic tank and ancillary soakaway system shall conform to BS6297 and no part of the system shall be sited within 10 metres of any watercourse.

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

- 1. In the interests of residential and visual amenity.
- 2. To ensure the proper drainage of the site and to minimise the risk of pollution.

**NOTES TO APPLICANT:**

The applicant is reminded of the need to comply with the conditions imposed on the governing outline permission Code No. 16/2004/0681/PO.

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).

**ITEM NO:** 3

**WARD NO:** Llanrhaeadr Yng Nghinmeirch

**APPLICATION NO:** 23/2005/1403/ PC

**PROPOSAL:** Continuation of use of former agricultural building as storage and distribution (retrospective application)

**LOCATION:** Outbuildings At Bryn Eglur Llanrhaeadr Denbigh

**APPLICANT:** Mr R Hughes

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

**CONSULTATION RESPONSES:**

1. LLANRHAEDR COMMUNITY COUNCIL  
"The only observation that the Council has on the planning application and plans is that the highway infrastructure cannot cope with the additional traffic that this application demands."
2. HEAD OF TRANSPORT AND INFRASTRUCTURE  
Recommends refusal due to substandard approach roads to site and the increased volume of traffic from the use.
3. HEALTH AND PRIVATE SECTORE HOUSING MANAGER  
No comment.

**RESPONSE TO PUBLICITY:**

None

**EXPIRY DATE OF APPLICATION: 15/01/2006****REASONS FOR DELAY IN DECISION:**

- delay in receipt of key consultation response(s)

**PLANNING ASSESSMENT:****THE PROPOSAL:**

1. The application site is located within open countryside to the south-east of Llanrhaedr. The site lies to the north-west of a property known as Bryn Eglur and consists of a former agricultural shed of some 800 sq.m. The shed had previously been used for storing chickens as part of the agricultural business at Bryn Eglur.
2. The site is accessed from unclassified roads approximately 1.5 km from the main A525 road.
3. The use of this shed for the storage of chickens ceased in late 2003 and it was then that the applicant began to use the application shed and one to its rear for Class B8 storage and distribution of white goods. An application to continue the use of both sheds for this purpose was refused in July 2005 due to the scale of the

use and its impact on the surrounding highway network.

4. Permission is now sought to continue the use of just the shed closest to the adjacent unclassified road for Class B8 storage and distribution. The applicant has stated that he would accept a temporary permission of 2 years in order for the Local Planning Authority to assess highway implications of the use further.

**RELEVANT PLANNING HISTORY:**

5. 23/2004/940/PF - Change of use of existing agricultural building to storage and distribution (retrospective application) – REFUSED 24/03/05

**PLANNING POLICIES AND GUIDANCE:**

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN  
Policy EMP 5 – Small scale employment development outside development boundaries  
Policy GEN 6 – Development Control Requirements

**GOVERNMENT GUIDANCE**

Planning Policy Wales – March 2002

Planning Guidance (Wales) TAN – Agricultural & Rural Development

**MAIN PLANNING CONSIDERATIONS:**

7.
  - i) Principle of use taking into account Policy EMP 5 of the UDP.
  - ii) Impact on the amenities of local residents
  - iii) Highway issues
8. In relation to the considerations as noted in Paragraph 4.
  - i) Policy EMP 5 encourages small scale employment development in locations such as this subject to a number of criteria. The building is not small and its size would result in a large scale warehousing operation in a rural area. The proposal offends criteria (c) of the policy in addition to being unacceptable on visual impact and highway grounds (see below)..
  - ii) The existing building is in a prominent location, particularly the loading area, and screening is poor. The open area around the two sheds is being used for the dumping of a variety of different materials. Much of this is overgrown and untidy. Commercial use with potential external storage and activity would impact adversely on the rural landscape criteria (d) of Policy EMP 5.
  - iii) With regard to highway issues, the scale of the buildings and use would generate vehicle movements that would be inappropriate for the rural highway network. This position is supported by the Head of Transport and infrastructure.
9. The applicant and his agent have held discussions with officers and this has resulted in this application, which is materially different to the previous proposal (see para 4). Whilst these changes need to be given some weight, the Highway Authority still object and the County Council continue to raise concerns. Thus, on balance, the recommendation is to refuse planning permission. The site is already subject to a resolution to take enforcement action, although to date no enforcement notice has been served. Should Members resolve to grant planning permission, this should be on the basis of a temporary permission of 2 years.

**SUMMARY AND CONCLUSIONS:**

10. The development is on balance considered unacceptable due to the nature of the building and use in this rural location which has a substandard road network

**RECOMMENDATION: REFUSE** for the following reasons:

The reason(s) (are):-

1. The proposal, by reason of the scale and nature of the use, impact on local landscape and inadequate surrounding road network would conflict with criteria i), ii) and iv) of Policy GEN 6 and criteria a), d) and g) of Policy EMP 5 and Planning Guidance (Wales) TAN (WALES) - Agricultural Rural Development.
2. The site is approached by means of narrow unclassified roads, that are substandard in width and alignment to serve the use. The proposal would result in a material increase in the volume and type of vehicular traffic using these roads with consequent additional dangers to all highway users.

**NOTES TO APPLICANT:**

None

**ITEM NO:** 4

**WARD NO:** Dyserth

**APPLICATION NO:** 42/2005/1373/ PF

**PROPOSAL:** Conversion of and extension to stable to form 1 dwelling

**LOCATION:** Land at Plas Yn Foel Lower Foel Road Dyserth Rhyl

**APPLICANT:** Mr & Mrs G Davies

**CONSTRAINTS:** Wildlife Site  
Public Footpath / Bridleway  
Previous Mining Area

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

**CONSULTATION RESPONSES:**

1. DYSERTH COMMUNITY COUNCIL  
"No objection"
2. HEAD OF HIGHWAYS AND TRANSPORTATION  
No objection subject to condition.
3. WELSH WATER  
No objection.

**RESPONSE TO PUBLICITY:**

Letters of representation received from:

1. Mr & Mrs Messham, Edencot, Lower Foel Road, Dyserth.
2. Mr & Mrs Hilton Woosey, Clwyd View, Lower Foel Road, Dyserth.

Summary of planning based representation:

- i) The property would overlook dwellings on Lower Foel Road.

**EXPIRY DATE OF APPLICATION: 29/01/2006**

**REASONS FOR DELAY IN DECISION:**

- additional information required from applicant

**PLANNING ASSESSMENT:****THE PROPOSAL:**

1. The application site comprises a plot of land adjacent to the detached dwelling of Plas Yn Foel. The plot and dwelling are accessed from a narrow steep road located in between 'Cartref' and 'Craigle'. The plot is hardsurfaced with several mature trees to the front of the site with Moel Hrradug to the rear of the site.
2. In the corner of the plot is a detached single storey building formerly in use as stables. This application is for a change of use to a dwelling with a small extension

on the southern side. The dwelling would comprise of 2 bedrooms, lounge/diner, kitchen and shower room. The proposal includes parking spaces for 2 cars, a small terrace to the western side and amenity space in the form of a garden area to the southern side of the stable.

**RELEVANT PLANNING HISTORY:**

3. 42/2003/1103/PO Outline application for the development of 0.07 ha of land. Refused 11/11/03 as land is outside the development boundary new residential development not acceptable.

42/610/99/PF Alterations and renovations to stable to form 1 no. dwelling.  
GRANTED with conditions 28/01/99

**PLANNING POLICIES AND GUIDANCE:**

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 6 Development Control Requirements  
Policy HSG 9 Residential Conversions of Rural Buildings to Dwellings

**MAIN PLANNING CONSIDERATIONS:**

5. The main issues are considered to be:
  - i) Principle
  - ii) Visual Appearance
  - iii) Residential Amenity
  - iv) Highways
6. In relation to the main issues raised in paragraph 6 above:
  - i) Principle  
The principle of the proposal is acceptable. In terms of the Policy HSG 9 the agents have submitted a supporting letter which refers to the size and suitability of the building for residential purposes. It is not considered that a full employment test is necessary in this case due to the location of the proposal, the adjoining residential units and the access arrangements. The building is considered to be structurally sound and capable of conversion. The visual appearance is considered acceptable as discussed below. The conversion will not impact on the character and appearance of the area. It is located to the rear of the existing dwellings on Lower Foel Road and has a small curtilage with suitable boundary treatments.
  - ii) Visual Appearance  
The alterations have been designed to blend in with the existing stonework and masonry; the materials are also in keeping with the existing. The agent has also stated that the alterations to the fenestration and roofline have been designed to reflect the existing dwelling at Plas Yn Foel.
  - iii) Residential Amenity  
The proposal will not impact on the privacy and amenity of nearby occupiers. The proposal will not overlook the properties to the west on Lower Foel Road or cause a loss of amenity as it is located at a distance of 23 metres at an angle from the dwellings and the site is elevated well above the properties. There is adequate amenity space proposed for the dwelling.
  - iv) Highways  
The proposal will not impact on highway safety. There is adequate parking and turning space for two vehicles.

**SUMMARY AND CONCLUSIONS:**

7. The proposal is acceptable and is recommended for approval.

**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. Notwithstanding the provisions of Class(es) A, B, D, E 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 without approval in writing of the Local Planning Authority.
4. Space for the parking and turning within the site shall be provided in accordance with the approved scheme; such works shall be completed before the building is first brought into use and shall thereafter be retained solely for those purposes.
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 the occupation of the 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.

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 residential and/or visual amenity.
4. In the interests of highway safety.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.

**NOTES TO APPLICANT:**

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

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:** 5

**WARD NO:** Prestatyn East

**APPLICATION NO:** 43/2003/1360/ PR

**PROPOSAL:** Details of design, external appearance and landscaping of foodstore and petrol filling station submitted in accordance with Condition No. 1 of outline planning permission Ref. No. 43/1997/0910/PO (Reserved matters)

**LOCATION:** Land At High Street Prestatyn

**APPLICANT:** Tesco Stores Limited

**CONSTRAINTS:** Tidal floodplain  
Main river buffer  
Old Station Gr. II LB  
Former goods shed Gr.II LB  
Conservation Area  
Article 4 Direction  
CLB-Class B Road  
Area Of High. Arch. Interest

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

**CONSULTATION RESPONSES:**

1. PRESTATYN TOWN COUNCIL  
"No objection. External appearance should include slated roof finish."
2. LANDSCAPE ARCHITECT  
Proposals acceptable.
3. CONSERVATION ARCHITECT  
Comments awaited on revised plans.
4. ENVIRONMENT AGENCY  
Recommendations in relation to finished floor levels and flood proof construction techniques. Surface water regulation will be required.
5. HEAD OF TRANSPORT AND INFRASTRUCTURE  
Require further details which are being dealt with as part of Section 278 Highways Agreement.
6. WELSH WATER  
Draw attention to the location of apparatus and need for drainage details.
7. PRESTATYN AND DISTRICT BUSINESS ASSOCIATION  
Fully approve of the proposals and hope that they proceed to improve Prestatyn and bring it into the 21<sup>st</sup> century.

**RESPONSE TO PUBLICITY:**

Letters of representation were received from:

1. Mostyn Rees and Sons, Central Garage, Nant Hall Road, Prestatyn.

2. Mrs Nancy Longley, 79 Garnett Drive, Prestatyn.
3. Mrs E Lewis, 245 Victoria Road, Prestatyn.
4. Mr D T Noone, 22 Aber Court, Prestatyn.

Summary of planning based representations

- i) Letter 1 refers to previous subsidence problems and need for ground conditions to be properly taken into account.
- ii) Potential congestion caused by new foodstore e.g. Abergele. (letters 2 & 3)
- iii) Potential impact on existing small businesses. (letters 2 & 3)
- iv) Letter 4 totally supports application.

**EXPIRY DATE OF APPLICATION: 11/01/2004**

**REASONS FOR DELAY IN DECISION:**

- Awaiting additional information from applicant.
- Submission and consultation on revised plans

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. The proposal seeks reserved matters approval for the design, external appearance and landscaping of a food store and petrol filling station granted outline planning permission in November 2000. The site is an irregularly shaped 2 ha area of land on the east side of High Street, containing a mix of commercial uses, vacant land and buildings, and adjacent highway land.
2. The outline application proposed the erection of a food store with cafeteria, petrol filling station and associated access, parking and servicing. Although in outline, siting and means of access were considered as part of the outline submission.
3. In granting outline planning permission, 12 no. conditions were imposed. The permission is subject to a Section 106 obligation requiring improvements to Church Lane and Gas Works Lane, provision and contributions to CCTV, provision of TIC, restoration of the listed station buildings, provision of car parking to allow linked town centre trips, tourism signage, and use of alternative access.
4. This reserved matters application seeks approval for a food store of modern design and materials comprising glazing and powder coated white cladding. The frontage to the High Street would be formed with a boundary wall in red brick and sandstone, incorporating a covered taxi rank. Behind the frontage wall would be a four island petrol filling station with kiosk in facing brick. Hard and soft landscaping will be provided to the site frontage and within the car park and to the site boundary. The application has been accompanied by a design statement.
5. The application includes for a landscaped pedestrian link to the south of the store to provide a connection to the land to the east which has the benefit of planning permission for retail development (see below)

**RELEVANT PLANNING HISTORY:**

6. 43/1997/0910/PO – Development of 2 hectares of land by erection of food store with cafeteria, petrol filling station, taxi kiosk and canopy, associated parking and servicing and access improvements – GRANTED 30<sup>th</sup> November 2000

43/2003/0341/PO – Development of 4.1 ha of land for food and non-food units, post office sorting office and business centre – GRANTED 19<sup>th</sup> May 2005

43/2005/1033/PF – Proposed commercial development for retailing and business.  
Resolution to GRANT planning permission on 23<sup>rd</sup> November 2005/

43/2005/0876/PS – Variation of condition 3 of planning permission reference  
43/1997/0910/PO seeking further extension of period within which development  
can commence – GRANTED 23<sup>rd</sup> November 2005 subject to development being  
begun before 30<sup>th</sup> November 2006 or before expiration of two years from the date  
of approval of the last of the reserved matters.

**PLANNING POLICIES AND GUIDANCE:**

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)
- Policy STRAT 5 – Design
  - Policy GEN 6 – Development Control Requirements
  - Policy CON 1 – Setting of Listed Buildings
  - Policy CON 5 – Development with Conservation Areas
  - Policy CON 6 – Development Adjacent to Conservation Areas
  - SPG 2 – Landscaping in New Developments
  - SPG 8 – Access for All
  - SPG 13 – Conservation Areas
  - SPG 14 – Listed Buildings

GOVERNMENT GUIDANCE  
Planning Policy Wales (March 2002)

Technical Advice Note (Wales) 12 – Design (2002)

**MAIN PLANNING CONSIDERATIONS:**

- 8.
- i) Acceptability of design and external appearance
  - ii) Acceptability of landscaping
  - iii) Links to land to east
9. In relation to the main considerations in paragraph 7:
- i) Design and external appearance  
The store itself will be set back some 95 metres from the High Street frontage and some 50 metres to the east of the Conservation Area boundary. As such, whilst it would be visible from parts of the Conservation Area, the railway line and other vantage points, it would not be seen in the context of the High Street Conservation Area. Therefore, the use of a modern design and materials is considered acceptable and would comply with the relevant UDP policies and Government Guidance.

The design and materials to be used on the site frontage have been subject to discussions and the solution now offered of a hard landscape frontage with red brick boundary wall and sandstone detailing, combined with hard and soft landscaping, would provide an appropriate hard edge to the site and frontage. The design of the petrol filling station kiosk and canopy is low key and set behind the frontage wall. Whilst this would result in a new frontage to the High Street, it would lead to an overall enhancement in the Conservation Area and in the setting for the adjacent listed station building. As such it would comply with the relevant UDP policies and Government Guidance.

- ii) Landscaping  
A fully detailed landscaping scheme has now been submitted, following

discussions between officers and the applicant. This will result in an acceptable landscape treatment for the site and in the context of the surroundings.

iii) Links for land to east

Members will be aware that the Council has granted outline planning permission for retail development on land to the east and there is also a full planning application with a resolution to grant (see para 6). This reserved matters application has been amended to allow for a landscaped pedestrian link between the retail development. In addition, the elevations of the foodstore have been altered to provide a glazed aspect onto the land to the east. Both these elements will allow integration of the 2 schemes.

**OTHER MATTERS**

10. This application deals solely with the design, external appearance and landscaping of the development. Other matters such as drainage, ground conditions, and off site highway works are controlled by the outline planning permission and associated Section 106 obligation and proposed Section 278 Highways Agreement.
11. Members will be aware that the Compulsory Purchase Order is currently subject to a Public Inquiry which commenced on 14<sup>th</sup> March 2006. This will facilitate the assembly of the site to allow the planning permission and the details subject to this reserved matters application to be implemented.

**SUMMARY AND CONCLUSIONS:**

12. The details of design, external appearance and landscaping are acceptable in the context of the site, part of which lies within a conservation area, the adjacent listed buildings, and the surrounding area.

**RECOMMENDATION: APPROVE-** No conditions imposed

**NOTES TO APPLICANT:**

None

<b>ITEM NO:</b>	6
<b>WARD NO:</b>	Rhyl South
<b>APPLICATION NO:</b>	45/2006/0021/ PF
<b>PROPOSAL:</b>	Erection of restaurant incorporating ancillary takeaway and associated works
<b>LOCATION:</b>	Land at Clwyd Retail Park Rhyl Road Rhuddlan Rhyl
<b>APPLICANT:</b>	Pizza Hut (UK) Ltd.
<b>CONSTRAINTS:</b>	Tidal Floodplain C1 Flood Zone 250m Of Landfill Site
<b>PUBLICITY UNDERTAKEN:</b>	Site Notice - No Press Notice - No Neighbour letters - Yes

**CONSULTATION RESPONSES:**

1. RHYL TOWN COUNCIL  
"No objection subject to the following condition:-

The proposed use is likely to attract customers from events being held on the Brookes Showfield located in the vicinity of the site but separated by the A525 dual carriageway. The A525 has a maximum speed limit of 70mph. At least 2 events are held at the Showfield each week between Easter and September. Experience has shown that despite the presence of a designated crossing point, pedestrians seek to cross the A525 in the vicinity of the application site. The development of this site is likely to increase the number of persons crossing at this point. As such it is requested that a condition be attached to the application requiring permanent pedestrian barriers (or appropriate alternative) to be installed to ensure that pedestrians are directed to the designated A525 crossing point and are unable to cross the A525 at the application site. This is considered essential on the grounds of highway safety".

2. PUBLIC PROTECTION  
Advise that there are no comments to make.
3. HEAD OF TRANSPORT AND INFRASTRUCTURE  
Given the observations of both the Rhyl Town Council and response to publicity (see next paragraph) discussions have been undertaken with the Highways Officer and additional investigations undertaken. At the time of writing this report, a formal response was awaited, and will be reported at Planning Committee.
4. WELSH WATER  
Awaiting response.

**RESPONSE TO PUBLICITY:**

Letter of representation received from:

1. J. Banham, B & Q, Portswood House, 1 Hampshire Corporate Park

Summary of planning based representations:-

- i) Overintensification of site – junction to the Park currently suffering from peak period congestion.

**EXPIRY DATE OF APPLICATION: 20/03/2006**

**REASONS FOR DELAY IN DECISION:**

- timing of receipt of representations

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. This submission involves a relatively small scale, single storey building (floorspace approx. 400<sup>2</sup>), situated on the eastern boundary of the Clwyd Retail Park, and centrally positioned between the A525 Rhyl carriageway and the petrol filling station.
2. The square plot identified currently includes 11 tarmacadam car spaces of the existing 422 space car parking area, and an area of landscaping between the A525 and the Petrol Station. Vehicular access to the plot is intended via the existing Retail Park car parking area. The site is on a lower site level than the adjacent A525.
3. The adjacent A525 proposed use involves a restaurant (Class A3) use and an ancillary takeaway use intended for Pizza Hut with employment for 35-45 full time equivalent. A floorspace of approximately 130 is proposed. A detailed bin and bicycle storey area is also indicated.
4. The applicant has also submitted the following information in support of the application:-
  - Planning Statement
  - Car Parking Capacity report
  - Sequential Approach Statement
5. The proposal although in accordance with the company's profile, has incorporated design elements to blend with the existing retail park.

**RELEVANT PLANNING HISTORY:**

6. In terms of the present retail use of the site (prior to this use the site has a lengthy planning history involving caravans and tenting) the following are relevant:-

**RHU/157/90**

Class A1 non food retail, garden centre and Class A3 fast food restaurant, associated parking and service facilities – Appeal Upheld 29/01/91

**RHU/479/91**

Class A1 shop with Class A3 coffee shop and petrol station, parking and access – GRANTED 30/09/92

**RHU/495/91**

Retail park with superstore – Class A1 and A3 coffee shop, petrol filling station – GRANTED 30/09/92

**RHU/339/92**

Foodstore and sub-let shop unit with petrol filling station, car parking and access

and roundabout – APPROVED 10/11/92

**RHU/438/93**

Reserved matters application – Class A1 retail, garden centre plus parking –  
APPROVED 22/2/94

**PLANNING POLICIES AND GUIDANCE:**

**7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)**

- Policy GEN 1 - Development within Development Boundaries
- Policy GEN 6 - Development of un-annotated land
- Policy GEN 10 - Development control requirements
- Policy RET 7 - Fringe areas adjacent to Town & District Centres
- Policy RET 16 - Food & Drink – Hot Food Takeaways
- Policy REC 1 - Protection of existing open space
- Policy REC 2 - Amenity and recreational open space requirements in new developments
- Policy REC 8 - Recreational Routes
- Policy TRA 1 - Public Transport
- Policy TRA 2 - Traffic Management and Calming
- Policy ENP 4 - Foul and surface water drainage
- Policy ENP 6 - Flooding

Supplementary Planning Guidance

SPG 11 - Hot Food Takaways

SPG 21 - Parking Requirements in new developments

**GOVERNMENT GUIDANCE**

TAN 4 - Retailing and Town Centres together with Ministerial Interim Planning Policy Statement 02/2005 ' Planning For Retailing and Town Centres' November 2005

TAN 15 - Development and Flood Risk

**MAIN PLANNING CONSIDERATIONS:**

8.

- i) Flooding Implications
- ii) Impact on town centre
- iii) Highway – sustainability and accessibility implications
- iv) Loss of landscape area

9. In relation to the considerations as noted in paragraph 8 above:-

- i) Flooding implications  
The site proposal is located within the fringe of the C1 Flood Risk Zone area, as outlined in the accompanying report location plan.

In relation to the Environment Agency observations and the guidance outlined in TAN 15; development can take place in C1 Zone areas subject to a justification test and acceptability of consequences. In this context, commercial and retail developments are classified as 'less vulnerable development', as opposed to the 'highly vulnerable' category involving residential development proposals.

Consideration should firstly be given to the implications of the type and scale of the development proposed and its acceptability and effect on existing development.

The Flood Consequence Assessment submitted by the applicant and presented to the Environment Agency highlights the following:

- The site forms part of an existing larger retail park, and forms part of its car park
- The floodplain extends from the River Clwyd to the west of the application site and beyond its flood defence banks

Given this situation, and the type and small scale floor area involved it would be difficult to substantiate that the proposal would adversely affect and increase the level of flooding and vulnerability of this specific retail park and locality, subject to controls on floor levels.

ii) Impact on town centre

The Planning and Sequential Statement submitted by the applicant highlights:-

- It is acknowledged that the proposal is not located within a town/district centre as defined in the current UDP, and consequently not strictly in accordance with criteria i) of Policy RET 116, which highlights a sequential approach. However, the proposal would serve the existing Park users, not new users as such;
- It represents the first of its type in the town and the nearest comparable one at Llandudno;
- It will form an integral part of the Retail Park facilities;
- Will meet the needs of the existing customer base;
- Class A3 uses are extremely common features at Retail Parks across the UK;
- Evidence demonstrates a quantitative and qualitative need, with no adverse impact on the existing centre vitality and viability;

Having regard to Policy RET 16 and the accompanying Supplementary Planning Guidance Note 11 Hot Food and Takeaways, the proposal has to be considered in the light of complying with the Council's twin objectives:-

- (a) retaining the retail character and vitality of commercial centres
- (b) safeguarding the character and amenity of the locality.

The proposal aims to ensure the visitor catchments of the existing retail park, emphasising a complementary role to the area as opposed to attracting new, additional customers who would otherwise visit the Town Centre. The applicant highlights that restaurants at retail parks do not act as a destination by their own. Given this context, it would be unrealistic to conclude that the proposal, particularly given the floorspace involved, would significantly override objective (a) highlighted above, and contrary to the aims of TAN 4 and criterion (i) of UDP RET 16. The primary function of the Park would remain retail.

In relation to the second objective, the proposal is compatible with the surrounding, neighbouring premises on the retail park, with the position/distance of residential properties some distance away from the proposal, to the north (see map with report).

iii) Highway – sustainability and accessibility implications



The primary aims of Planning Policy Wales and the Unitary Development Plan is to reduce/minimise the need to travel by the motor vehicle, through appropriate land use locations and providing a range of non-car mode of transport.

The Park is served by a bus service, with an adjacent cycle route running alongside the Park boundary on the A525.

The application also indicates an on-site provision for a 4 bike store facility. At the time of writing the report, the case officer has requested clarification on the design details and use of the facility. An update on this will be provided at Planning Committee.

The issue of pedestrian safety is also linked to the site's sustainability implications. Rhyl Town Council comments highlight an important consideration. Given that the location of the designated pedestrian crossing point (see report map) this is a relevant issue for the whole Retail Park, and not specifically to one restricted to this particular proposal. Having discussed the issues with the County Highway Officer, I consider that the existing highway safety issues can be remedied through appropriate/additional pedestrian control measures e.g. barriers on the A525. The Highway Officer is investigating the relevant means by which this could be undertaken. Given that pedestrians are also likely to utilize the shortest route to their destination, the case officer has also requested the applicant to liaise with the Highway Officer.

In terms of accessibility, and in relation to the objections submitted by B & Q involving intensification, the car parking report submitted by the applicant concludes that:-

- the proposed Pizza Hut use would increase car parking demand by a maximum of 30 spaces;
- taking this additional demand, the car park would be a maximum of 59.6% full, involving a Saturday lunchtime peak period. There would therefore be spare car parking capacity available.

Additionally, two (2 no.) disabled car parking spaces have also been indicated within the application site.

Given this context, the Highways Officer has indicated that there is no basis to object to the proposal, based on car parking intensification or safety issues.

- (iv) Loss of landscape area  
With an element of the existing landscaped area being retained between the proposed building and the main Park access road, the area to be removed is minimal and will not cause a significant amenity issue for the setting of the overall Retail Park area.

#### **SUMMARY AND CONCLUSIONS:**

10. The principle of the scale, type and use involved with the proposal is appropriate, given the location and surrounding land uses and in this case is considered not to compromise current UDP policies
11. There are further specific and detailed considerations which need to be confirmed, as outlined in the report, namely pedestrian safety; drainage implications; design/detail of waste and cycle storage.

12. Having regard to the above, I consider that subject to suitable conditions, the proposal has the potential to enhance the viability and vitality of the Retail Park, and as such, complying with the Council's land use objectives in this particular case.

**RECOMMENDATION: GRANT-** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. 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.
3. No development shall commence until details of the design, height and materials proposed for the screen wall(s) and/or fence(s) shown on the layout plan have been submitted to, and approved in writing by, the Local Planning Authority. Such screen wall(s) and/or fence(s) shall be erected before the building is completed or occupied whichever is the earlier.
4. No trees, hedges or shrubbery within the area hatched on the attached plan shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees, hedgerow or shrubbery plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees, hedgerow or shrubbery plants of such size and species to be agreed in writing by the Local Planning Authority.
5. All trees, hedges and shrubbery 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.
6. 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.
7. The disabled parking spaces and bicycle storage area indicated on the approved layout shall be completed prior to the commencement of the use of the building hereby permitted.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To ensure satisfactory drainage of the site and to avoid flooding.
3. In the interests of residential and visual amenity.
4. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
5. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
6. In the interests of visual amenity.
7. In the interests of ensuring the completion of the bicycle storage area.

**NOTES TO APPLICANT:**

You are advised that a separate application for Advertisement Consent is necessary for the display of Advertisements on the site.

Additionally, you should liaise with the County Council's Highways Department with regard to the repositioning of the Clwyd Retail Car Park main site access advertisement display. Separate consent may also be required for this element of work.

**REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION**  
**HOUSING DEVELOPMENT AT CEFN Y GWRYCH, MELIDEN**

**1. PURPOSE OF REPORT**

1.1 To respond to a request to provide an update report to the Planning Committee relating to the above development.

**2. BACKGROUND**

- 2.1 Outline planning permission for a residential development of 18 no. dwellings on a site of 0.7 hectares was granted on appeal in November 1997. A location plan indicating the extent of the site is attached as **Appendix A** to this report. The outline planning permission was renewed in November 2000. Reserved matters approval was given on 29<sup>th</sup> January 2004 for the design, external appearance and landscaping of the development. Various conditions on the planning permission were discharged during the period November 2005 to January 2006. These were as follows – condition 4 (materials), condition 5 (landscaping), condition 7 (drainage), condition 10 (estate road), and condition 11 (badger mitigation). In this respect, all pre-commencement conditions have been met, save for issues relating to condition 8 (see below).
- 2.2 The planning permission contains a condition (condition no. 8) requiring that Cefn y Gwrych be stopped up or its use by vehicular traffic be prevented before any development takes place, save for development necessary to secure the stopping up or closure of Cefn y Gwrych. The wording of the condition was imposed by the Inspector in the original 1997 appeal decision and has been basically reproduced as part of the decision to renew the planning permission in 2000. The condition, however, now requires a footpath and emergency vehicle link.
- 2.3 During the period 20<sup>th</sup> to 29<sup>th</sup> January 2006 certain operations were carried out by the developer relating to the provision of a turning head at the end of Cefn y Gwrych. The Council, taking into account legal advice, concluded that these operations constituted a lawful commencement of the development. Thus, the planning permission granted in 2000 is kept alive. However, the developer is unable to commence the housing development itself until condition 8 is resolved.

- 2.4 During the period at the end of January 2006 Officers undertook several visits to the development site to record activity and liaise with the developer, local residents, and the local Member. This included a number of visits and discussions over the weekend of the 28<sup>th</sup> and 29<sup>th</sup> January.
- 2.5 Following this period of activity a position statement was released to local residents and other interested parties (see attached **Appendix B**).
- 2.6 In December 2005 the developer made an application to vary condition no. 8 of the planning permission, which sought, in the opinion of Officers, to seek approval for something less than envisaged by the Inspector when imposing condition 8. That application was withdrawn before consideration by Planning Committee on 22<sup>nd</sup> February 2006. The application was recommended for refusal. Should a further similar application be made it will be reported to the Planning Committee for determination.
- 2.7 The developer also made an application for variation of condition no. 3 of the planning permission, relating to the period of commencement, in December 2005. That application remains pending but is no longer necessary as the development has been lawfully commenced.

### **3. CONCLUSION**

- 3.1 The development has been lawfully commenced.

**THIS REPORT IS FOR MEMBERS INFORMATION**

Graham Boase  
 Head of Planning & Public Protection  
 Denbighshire County Council  
 Caledfryn  
 Smithfield Road  
 Denbigh  
 Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

Heading:

**REFERENCE NO. 43/2005/1489/PS**  
**LAND ADJOINING BROOKDALE,**  
**CEFN Y GWRYCH, PRESTATYN**

 Application site

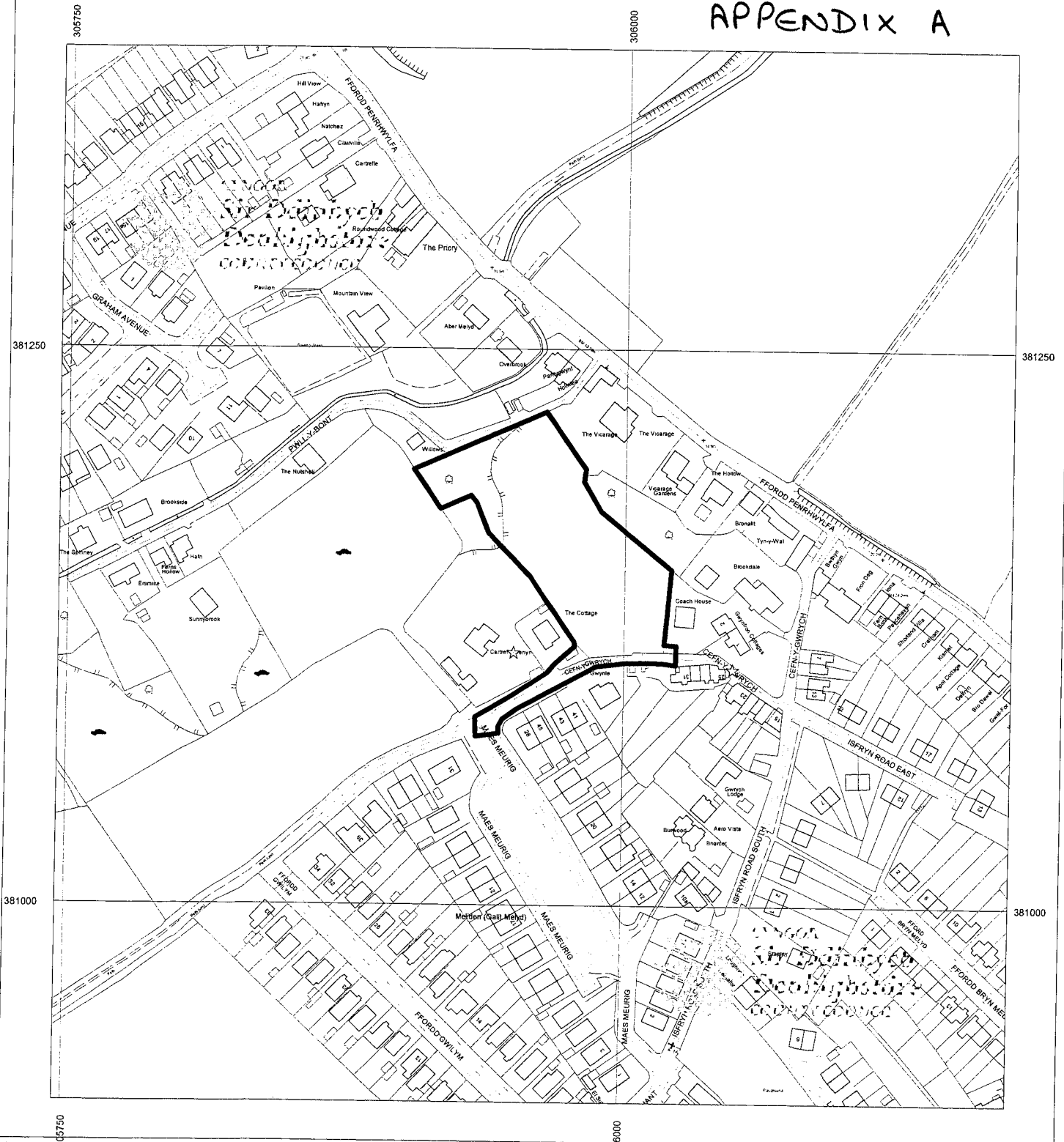
Date: 7 February 2006

Scale 1:2500



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

**APPENDIX A**



## APPENDIX B

### POSITION STATEMENT – HOUSING DEVELOPMENT AT CEFN Y GWRYCH MELIDEN

1. Outline planning permission was renewed by the Council in November 2000. This followed a grant of planning permission on appeal in November 1997. A reserved matters application was approved on 29 January 2004. Various conditions on the permission were discharged during the period November 2005 to January 2006.

2. The Council consider that the development permitted by the 2000 application has been lawfully commenced by operations carried out during the period 25 to 29 January 2006. This means that the permission is kept alive. The works comprise the provision of a turning head at the end of Cefn y Gwrych under the terms of Condition 8, and are considered necessary to secure the stopping up or closure to through vehicular traffic

3. Condition No. 8 can only be fully satisfied by stopping up of Cefn y Gwrych or prevention of use by vehicular traffic (other than emergency vehicles). The options would need to be facilitated by Stopping Up Order dealt with by the National Assembly for Wales or a Traffic Order dealt with by the Council as Local Highway Authority. With either Order there would be an opportunity to comment and/or object. **The housing development itself cannot be carried out until this matter has been resolved.**

4. Condition No. 9 of the planning permission states that “there should be no vehicular access to the site from Pwll y Bont, or from Cefn y Gwrych east of the proposed new estate road”. However, in imposing this condition on the original planning permission, the Inspector stated that “that the Council suggested a condition purporting to restrict routes used by construction traffic and building workers, but I do not consider this passed the tests of necessity or enforceability”. Thus, the condition cannot prevent access by construction vehicles and workers but only prevents access to the development once completed.

5. The developer has made an application to vary Condition No. 8 of the planning permission and this is likely to be considered by the Planning Committee of the Council on 22 February 2006.

6. The application to vary Condition No. 3 of the outline planning permission, relating to the period of commencement, is likely to be withdrawn in that the application is no longer necessary as the development has been lawfully commenced within the time limits set by condition no. 3.

**Mark Dakeyne**

**Development Control Manager**

**Denbighshire County Council**

**2 February 2006**

**ENFORCEMENT COMMITTEE AUTHORISATIONS**  
**CASE REVIEW REPORT**  
**February 2006**

These cases have previously been reported to Committee, but remain unresolved. The purpose of the Report is to provide a brief quarterly update for Members. Any issues of detail are best raised with Officers before or after Committee.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/292/97/S P7/521	Voel Las, Eryrys	26/11/97	Unauthorised alteration to levels of land and other unauthorised works.	Notice served, no appeal submitted. Compliance date: 09/04/99. Notice complied with. Hard and soft landscaping works in progress in connection with application ref: 15/76/99PF. Retrospective planning application 15/2004/345/PF granted.	Monitor compliance with remaining landscaping conditions, details of which are being implemented.  Initial breach resolved. Monitor more recent permission for extension and assess landscape implication.  NFA. Monitor until completion.
ENF/037/95/N P13/11	Rhydorddwy Goch, Dyserth Road, Rhyl	28/10/98 24/03/04	31 unauthorised windows in listed building.	Notice served, appeal dismissed. Compliance date: 19/10/00, therefore now in breach.  4 windows replaced & considered acceptable. 27 windows retained but now painted white. Still in breach of the notice. Application submitted to retain the windows as painted (44/2003/1101/LB) refused according to recommendation. Schedule of works for compliance with the Notice has been agreed.	PPPS to monitor compliance with agreed schedule of works and to continue liaison with owner. <b>Site inspection required.</b>  Regular monitoring undertaken. Some windows installed.  1 <sup>st</sup> Jan 2006 – chase up additional windows



REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/006/97/S P13/8	Lleweni Coach House & Stables, Lleweni Park, Denbigh	27/10/99	Neglect of listed building	No unauthorised development. Site has been sold.	PPPS to monitor situation and liaise with developer.  Proactively monitoring site in liaison with Conservation and new owner.  NFA – Monitor until completion.
ENF/001/99/N P13/5	Elwy Bank, High Street, St. Asaph	09/05/00	Neglect of listed building	No unauthorised development simply a case of neglect of a listed building. Owner has completed interim works to improve the stability of the structure in accordance with Building Regulations.  Scaffolding now removed. Owner wants to retain the murals.  All existing openings boarded and painting black.  Planning application and application for listed building consent submitted April 2005 both of which were invalid due insufficient detail.	PPPS now awaiting required details to validate and process application, having met with owner to give advice.  Owner in contact with Officers with agreement reached for structural and painting works to be carried out.  Scaffolding now erected. Works in relation to above on-going.
ENF/133/00/S P7/560	Llyn Cyfynwy, Lake Hill Farm, Llandegla	25/07/01	Residential twin unit caravan	Notice served, no appeal submitted. Compliance date: 31/10/02. Caravan not removed as required by the Enf notice and there are allegations that owner has returned to reside in the caravan.  Therefore in breach of Notice.	PPPS to monitor site.  Notice no longer valid due to recent permission to retain on site.  NFA

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
				Planning permission granted for retention of caravan for office use for period of 18 months. Planning permission granted also for permanent office building.	Existing mobile office to go by April 2005 but possible breach of Condition 2 17/2004/791.  Monitoring in progress. Site visit required. Invalid application submitted.
ENF/2003/0016 P7/601	208 High Street, Prestatyn	23/04/03	Unauthorised stall riser to shop front in Conservation Area.	Enforcement Notice re-served 16 December 2004.  Owner has already complied with other breach at this property with the removal of unauthorised signage and roller shutters.  Owner in breach of Notice relating to the unauthorised stall riser.	<b>Meeting with the owner to be arranged to progress compliance and give advice on alternative details for the stall riser.</b>  Owner to remove stallriser and reinstate. Works to be done in next month.  Chase up or further prosecution.
ENF/2001/005 P7/565	'Patina', 204 High Street, Prestatyn	25/07/01	Installation of roller shutter in Conservation Area	Trial held on 13/02/04 and defendant found not guilty on basis of technicality relating to serving of notice. Notice re-served 16 December 2004. Appeal lodged – written representations.  Appeal dismissed April 2005. Have agreed with owner of business that the time period for compliance be extended to end of September 2005 (to cover peak season) after which roller shutters will be removed.	PPPS to monitor compliance.  <b>Write to owner mid September to advise of need to take the shutters down after the end of September. If the occupier of the shop leaves then chase S. Aslam for their removal – he will remove given that he removed shutters from 208.</b>  As above. Mr. Aslam willing to co-operate.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2002/007 P7/568	Ty Isoe, Maes Maelor, Llandegla	30/01/02 25/05/05	Storage of vehicles and residential use	<p>Notice served, appeal dismissed. Compliance date: 01/04/04 and Owner is in breach of Notice.</p> <p>PPPS and LS have had various meetings with Environment Agency and joint action has been agreed in principle.</p> <p>12 October 2004 site inspection undertaken by PPPS and Environment Agency Officers. Breach is the same and within area of Notice.</p> <p>Update report to planning committee on 25 May 2005.</p> <p>EA successfully prosecuted owner in crown court May 2005. Owner fined £2000 and ordered to pay £7500 in costs. He has 6 months to pay or will face 45 days in prison.</p>	<p>Denbighshire have progressed plans in liaison with Highways (road closure), Social Services/Housing (Mr. Low's future) and with Legal.</p> <p>Delay in progressing action due to difficulties in getting salvage firm to provide method statement and costings.</p> <p>Denbighshire have stressed importance to move forward before bad weather.</p> <p>Meeting set up between Env. Agency/Denbighshire for week of 17 October 2005.</p> <p>Chase up Env. Agency.</p> <p>Joint action with Env. Agency imminent.</p>
ENF/2002/025 P7/580	115 Coast Road, Rhyl	26/06/02	Mixed use, residential & car sales	<p>Retro. application refused and notice served. Subsequent appeal dismissed. Compliance date extended until 29/12/03.</p> <p>Owner considered to be in breach of the notice.</p>	<p>PPPS to monitor.</p> <p><b>NFA original car sales use.</b></p> <p>No current breach of authorised Class A1 use – continue to monitor.</p> <p>One car “for sale” was photographed on 20/01/2006 on his forecourt.</p>

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
				<p>2 Court appearances adjourned and trial finally held on 22 February 2005. Defendant pleaded not guilty.</p> <p>Despite evidence showing 20 different vehicles stored/displayed on forecourt over 9 month period, the Court found the defendant not guilty on the basis that there was "insufficient evidence to prove car sales".</p>	
ENF/2002/021 P7/351	Cornel Bach, Lower Denbigh Road, St. Asaph	04/09/02	Siting of mobile home and creation of curtilage	Retro application refused and notice served. Subsequent appeal allowed for temporary period while occupied by sick parents. Condition requiring planting to help screen the caravan. Planting scheme now implemented.	<p>PPPS to monitor and ensure removal of caravan once vacated by sick parents.</p> <p>Parents remain in residence.</p>
ENF/2002/017 P24/194	153 High Street, Prestatyn	04/09/02	uPVC shop front in Conservation area	<p>Notice served. Compliance date: 21/01/04.</p> <p>Owner in breach of Notice. Planning application (43/2004/972/PF submitted for replacement shop front. Initial details of replacement shop front insufficient. Owner has now appointed agent and amended plans have been submitted.</p>	<p>Await for determination of planning application and then ensure implementation in accordance with the approved plans.</p> <p><b>Need to chase up owner once the decision notice is issued to make sure he complies with any planning conditions and implements approve scheme asap.</b></p> <p>Check permission. Condition requiring start. Implementation required by February 2006.</p>

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
15/877/98/MA P47/3	Maes y Droell Quarry, Graianrhyd	30/10/02	Undetermined ROMP application – extraction continuing	PS have written to the quarry owner's legal representative on basis of advice received from Counsel & Committee resolution.	Welsh Assembly Government will be writing to operators of all quarries where there are undetermined review applications awaiting submission of environmental impact assessment details. Further information from Welsh Assembly Government awaited.  Legal to meet Roger Bennion.
ENF/2002/043 P7/592  ENF/2003/031 P7/592	Former Railway Land, Ty Draw, Bodfari	18/12/02  23/07/03	Storage of railway carriages and associated paraphernalia  Boundary fence & gates over 2m high	Notice served and appeal heard by way of Public Inquiry. Appeal dismissed. Storage use to cease and all items removed by compliance date: 03/04/04.  Notice served requiring removal of fence in 3 months. Compliance date : 26/03/04.  Owner in breach of both Notices and advised of possible prosecution.  Clearance of site is now in progress and owner is providing regular updates.	PPPS monitoring situation. Prosecution held in abeyance as the owner is progressing with clearance of the site and demonstrating intent to comply with the requirements of the Notice.  Prosecution held in abeyance. (see above)  The owner is making all sorts of excuses as to why the remaining carriage has not been removed.  Still liaising with site owner and railway heritage firms/sites who are willing to move carriage. Huge cost implication of taking Direct Action due to presence of asbestos on carriage.  <b>The owner has reduced the height of the unauthorised fence to 2m or less – and may well have complied with the requirements of the notice if this is the case.</b>  Continuing to monitor.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2003/009	Casgan Fishery, Llandegla	23/07/03	Residential use of caravan and stationing of vehicles	<p>Enf action authorised to secure cessation of use &amp; removal of vehicles. Notice served 30 June 2004 and has taken effect. No appeal submitted. Compliance date 19/02/05.</p> <p>Residential use of caravan has ceased but there are still vehicles stationed on the site and there is therefore a breach of the Notice.</p>	<p>PPPS to liaise with LS to consider the appropriate further action.</p> <p><b>The only remaining breach is the stationing of vehicles? Direct Action?</b></p> <p>No residential use. No harm with remaining structures on site.</p> <p>Still in liaison with site owner.</p> <p>23/1/06 – Non compliance. Pass to Legal for prosecution.</p> <p>PCN – new owner. Await assessment.</p>
ENF/2003/028	Land adjacent to Unit 10, HTM Business Park, Abergele Road, Rhuddlan	03/09/03	Siting of Static Caravan for Residential Purposes	<p>Enf. action authorised to secure cessation of residential use &amp; removal of caravan. Notice served, 18 months for compliance given. Appeal lodged by way of written reps. Appeal dismissed June 2004 and Notice upheld. Compliance date 3 December 2005.</p>	<p>PPPS monitoring date for compliance.</p> <p>Site visit after 3<sup>rd</sup> December. Write 3<sup>rd</sup> November to remind.</p> <p>Check on site removal of caravan.</p>
ENF/2003/038	60 Gronant Road, Prestatyn	01/10/03	Dev. not in accordance with that granted under pp Code No. 43/2001/1194/PF	<p>Enf. action authorised to secure alterations to dormer to match approved plans. Notice served 6 months for compliance date : 22/06/04. Owner in breach of Notice. Planning application granted by June 2004 Planning Committee for an alternative scheme following pre-application discussions with Officers and the approved scheme is now being implemented.</p>	<p>PPPS to monitor the implementation of the alternative scheme.</p> <p>Prosecution held in abeyance.</p> <p><b>Scheme now complete NFA</b></p>

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2003/039	Tan y Graig, Nantglyn	26/11/03	Storage of cars	Enf. Action authorised to have vehicles removed.  Situation has improved by the clearance of vehicles and it is now not considered expedient to take further action	<b>NFA</b>
ENF/2003/040	Penrhydgoch, Nantglyn	26/11/03	Storage of cars	Enf. Action authorised to have vehicles removed. Notice to be drafted.  Recent site inspection has revealed that the breach is partly addressed.	Enforcement Action still under consideration.  Site improved – monitoring in progress. Not expedient to pursue.
ENF/2003/041	Coral Spring, Ruthin Road, Llandegla	26/11/03	Use of land to site caravan & storage of cars	Enf. Action authorised to have vehicles and associated items removed. Notice served on 8 February 2005 and takes effect on the 17 March 2005. 6 months for compliance.	PPPS to monitor compliance date.  Substantial works carried out to comply with Notice.  Site improved. Continue to monitor.
ENF/2003/0002	Gwasg Gee, 12 -18 Chapel Street, Denbigh	24/03/04	Neglect of listed building.	Enf Action authorised for serving Repairs Notice.  Repairs Notice served on owner 30 June 2004. No specific response or action from owner to address requirements of Notice.  Compulsory Purchase Order action approved by Cabinet.	PPPS to continue to liaise with owner, LS and Project Manager (THI).  <b>Eddy Booth a Consultant has been commissioned to do the works necessary for the CPO of the property. He will be in touch as he will need the planning files etc.</b>  Owner written to and informed of restrictions on removal of fixtures.  Proactive monitoring in liaison with Conservation.  Scheme for residential conversion.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2004/00033	5 Ochr y Foel, Eryrys	21/04/04	Erection of fence	Retrospective application 15/2004/166/PF refused and enforcement action authorised for removal of fence/lowering to 1 metre. Retrospective application 15/2004/1167/PF refused Enforcement Notice served 16 November 2004. Appeal lodged (written representations) but held in abeyance following submission of another retrospective application 15/2005/0116/PC has also been refused. Appeal now continuing and statements have been submitted to Planning Inspectorate.	PPPS to wait for appeal decision.  <b>Appeal dismissed. Ensure removal of fence or lowering in height.</b>  Not reached date of compliance. 16/11/05  Reminder letter to be sent.  24/01/06 – Non compliance. Pass to Legal to prosecute.
ENF/2004/00058	4 Aspen Walk, Rhyl	21/04/04	Installation of 2 satellite dishes, one of which is 1m in diameter, to front of a dwelling	Enforcement action authorised for removal of larger dish. Notice served 8 February 2005 with 3 months for compliance. Notice takes effect 17 March 2005.	PPPS to monitor compliance date.  <b>Check on site. If in breach then prosecute/direct action?</b>  Prosecution proceedings instigated on larger of dishes.  December 2005 – Both large and small dish still up.  Pass to Legal for prosecution.



REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/302/00/N	37 – 39 Pendyffryn Road, Rhyl	21/04/04	Neglect of a listed building	Authorisation to serve Repairs Notice.  Property marketed and sold in July 2004 to property developer. Awaiting submission of planning application and application for listed building consent.	PPPS to monitor situation. Awaiting submission of planning application and listed building consent. Hold in abeyance any action.  <b>Chase up owners for likely date for submission of applications.</b>  Monitor K & C. Remedial works undertaken. application to be forthcoming.  Complaints ceased.
ENF/2004/00039	Pen Y Mynydd Bach, Rhuallt	19/05/04	Erection of grain silo.	Retrospective planning application refused and authorisation given to take enforcement action for removal of the grain silo. No appeal lodged against planning refusal. Enforcement Notice served 16 December 2004. Compliance date 24 July 2005.	PPPS to monitor compliance date.  <b>I understand that silo has been removed. Need to confirm on site – photographs. There may another planning application to site a silo on ground that this lower down and less prominent which may be acceptable.</b>  <b>NFA</b>
ENF/2004/00048	Workshop rear of 3 Gamlin Street, Rhyl.	01/09/04	Change of use form workshop to single dwelling and associated works.	Authorisation granted to serve Enforcement Notice to cease works, cease residential use and undertake any works required to cease the use.  Internal inspection undertaken. Internal alterations to provide accommodation undertaken but residential use not commenced. The property is being marketed as an office with Estate Agents.	PPPS to monitor.  <b>Need to inspect site on regular basis and liaise with estate agents.</b>  Estate agents marketing premises for commercial use.  No evidence of residential use.  Suggest NFA

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2004/00052	The Best, 16 High Street, Prestatyn	27/10/04	Internally illuminated sign.	Authorisation given to prosecute but case held in abeyance to allow negotiation with applicant.	PPPS to meet with applicant. Prosecution held in abeyance.  <b>The sign has been removed</b>  <b>NFA.</b>
ENF/2004/00012	Oak Frame Company, Part OS Field Nos. 5000 and 6300, Pen y Bryn Road, Glascoed Road,. St Asaph	15/12/04	Erection of timber building for use as dwelling.	Retrospective application refused and authorisation to serve Enforcement Notice but allow 2 years for compliance.  Enforcement Notice served 6 May 2005 and takes effect 20 June 2005.	PPPS to monitor compliance date.  Continue to monitor.  Write to owner and invite new application governing all of site.  Removal of residential use and surfacing of access.
ENF/2005/00003	Tan yr Allt Cottage, Ffordd Tanrallt, Meliden	26/01/05	Erection of timber sun house, decking and associated timber support.	Retrospective planning application refused and authorisation given to take enforcement action. Enforcement Notice served 29 March 2005 with 2 month compliance period. Appeal lodged (informal hearing).	PPPS to draft statement of case and await outcome of appeal.  Appeal dismissed. Structure removed.  NFA
ENF/2005/26&27 &28	22,24,26 Trem y Coed, Clawddnewydd.	24/03/05	Change of use of agricultural land for domestic use.	Planning Committee resolved to invite planning applications (or a single planning application) and then to consider imposition of conditions relating to provision of hedge and removal of PD rights. Single planning application relating to the three properties now submitted.	<b>Planning application granted.</b>  <b>Details in relation to planning condition for rear boundary treatment submitted and considered acceptable. Letter in typing confirming this and asking for confirmation after the work has been completed. There is then a need for a site inspection and issue of approval of condition notice if considered acceptable.</b>  NFA. Complied with condition.

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2005/00029	9 Castle Street, Rhuddlan	24/03/05	Fence over 1 metre in height adjacent to highway.	Authorisation given to serve notice to remove or lower the fence to 1 metre in height or less.	Awaiting confirmation of ownership prior to service of Notice and meeting with occupier to be arranged.  <b>Need to discuss with Housing as the property is owned by the Council.</b>  Awaiting confirmation that Housing will action removal of fence.  NFA if agreed.  Chase up Housing.
ENF/2004/00042	Outbuildings at Bryn Eglur, Llanrhaeadr, Denbigh (old Chicken farm sheds)	24/03/05	Change of use of existing agricultural building to storage and distribution.	Retrospective planning application refused and enforcement action authorised to cease use and remove all items associated with the use.	Awaiting confirmation of ownership prior to service of Notice. <b>Awaiting amended application to be submitted which may address reasons for refusing previous application.</b>  Application under determination.  NFA when permission is given. (Application 23/2005/1403 awaited)
ENF/2005/00045	Land at Hen Ardd adjoining Ash Grove, Mynydd Du, Eryrys	24/03/05	Extension of domestic curtilage.	Retrospective planning application refused contrary to recommendation and enforcement action authorised	Awaiting confirmation of ownership and liaising with LS prior to service of Notice.  <b>NFA.</b>
ENF/2005/00045	Land at Hen Ardd adjoining Brackenwood, Village Road, Eryrys	24/03/05	Extension of domestic curtilage	Retrospective planning application refused contrary to recommendation and enforcement action authorised	Awaiting confirmation of ownership and liaising with LS prior to service of Notice.  <b>NFA.</b>

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2005/00050	Rhoslydan, Bryneglwys, Corwen	25/05/05	Change of use of agricultural land for storage of containers to be used in connection with road surfacing activity.	Retrospective application submitted but withdrawn. Enforcement action authorised to cease use and remove associated items.  Applicant has advised that site will be cleared within the next 2 months.	PPPS to monitor and service of notice to be held in abeyance. <b>Amended application reported to 31 August 2005 Committee.</b>  Temporary permission given.  Proactive monitoring of site & conditions
ENF/2004/00055	Plots 1-20 Tir Morfa Site, Meliden Road, Rhuddlan.	25/05/05	Erection of fence exceeding 1 metre in height adjacent to highway.	Retrospective application for approval of planning condition relating to screen fencing refused and authorisation given to take enforcement action to remove the fence or lower the height to 1 metre or less. Alternative scheme now submitted by developer.	Awaiting determination of alternative application and monitor implementation if approved.  <b>Need to write to developer to insist on the full implementation of the amended scheme regarding the boundary fence.</b>  Fence revised in September 2005. Continuing to monitor.
ENF/2005/00014	22 Cae'r Odyn, Eryrys.	25/05/05	Erection of fence exceeding 1 metre in height adjacent to highway and change of use of land to form extension to cartilage area.	Enforcement action authorised for removal of fence or lowering in height to 1 metre or less and to cease use of land.  Serve Notice asap	Preparing draft Enf. Notice
ENF/2004/00051	10 Marble Church Grove, Bodelwyddan	22/06/05	Change of use of extension to use as a single dwelling.	Enforcement action authorised.	Appeal dismissed. No current breach as annex not being rented out.
C/45/2005/00243	Land opposite 81 Ffordd Derwen, Rhyl	22/06/05	Erection of sign.	Planning application refused contrary to recommendation, and enforcement action authorised.	PPPS to liaise with LS.  Appeal dismissed. Sign removed.  NFA

REF. NO.	ADDRESS	COM'TTE	BREACH	NOTES	ACTION
ENF/2005/00102	Armon Cottage, Llanferres	28/09/05	Erection of conservatory extension to side of dwelling	Retrospective p. application refused. Enf. action authorised	Section 330 awaited. Enf. Notice to be served.  New application approved.  Monitor.
ENF/2005/00059	Plot 1 Holiday Chalet Site, Llantysilio, Llangollen	26/10/05	Holiday let cabin used as sole residential accommodation	Enf. action authorised. Prosecute any person(s) on whom Notice is served if requirements are not complied with	With Legal for advice/action
ENF/2005/00060	Plot 3 Holiday Chalet Site, Llantysilio, Llangollen	26/10/05	Holiday let cabin used as sole residential accommodation	As above	With Legal for advice/action
ENF/2005/00061	Plot 4 Holiday Chalet Site, Llantysilio, Llangollen	26/10/05	Holiday let cabin used as sole residential accommodation	As above.	With Legal for advice/action
ENF/2005/00026	Camp Alyn, Tafarn y Gelyn, Llanferres	26/10/05	Change of use of land for residential use.	Enf. action authorised	In discussion with owner re: possible holiday let application.

PPPS – Planning and Public Protection Services

LS – Legal Services

DS – Development Services

SV – Site Visit

NFA – No Further Action

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

**INFORMATION ITEMS FOR PLANNING COMMITTEE  
Denbighshire Web Site**

**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. DENBIGHSHIRE WEB SITE**

- 2.1 A recent survey of Local Planning Authority web sites, on behalf of the Government, has revealed that Denbighshire County Council's planning web pages are some of the best in Wales. This is the verdict of Peter Pendleton & Associates, planning consultants who carried out a survey of all local authority websites in Wales, England and Scotland in January 2006.
- 2.2 The Pendleton Assessment is a rigorous test that scores all local authority websites against 21 planning related criteria – from the ability to comment on applications electronically to the submission of planning applications online and viewing of the unitary development plan (UDP) and policies.
- 2.3 The Council's online planning information scored 18 out of the maximum 21 in the survey, placing Denbighshire 2nd behind top-scoring Carmarthenshire County Council.
- 2.4 Further developments this year will include the scanning of new planning applications so that these can be viewed via the web and the provision of a payment engine to allow e-payments. These further improvements should allow us to reach the maximum score at the time of the next survey.
- 2.5 Members can view the information via:  
<http://planning.denbighshire.gov.uk/> and <http://www.pendleton-assoc.com/pendleton-criteria.html>

**PWYLLGOR CYNLLUNIO**  
**CYFARFOD: 22ain Mawrth 2006**  
**EITEM: 6**

**PLANNING COMMITTEE**  
**MEETING: 22nd March 2006**  
**ITEM: 6**

**Penderfyniadau wedi eu gwneud gan  
Bennaeth Gwasanaethau Cynllunio a Gwarchod y Cyhoedd o dan  
Pwerau Dirprwyedig  
1af - 28ain Chwefror 2006**

**Decisions Made by the Head of Planning and Public Protection  
under  
Delegate Powers  
1st - 28th February 2006**

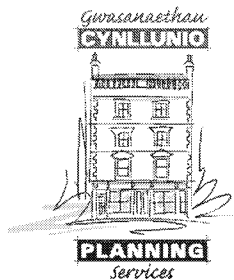
**Eitem er gwybodaeth  
Item For Information**

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**

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

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



01 /02 /2006 ac 28 /02 /2006

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

01 /02 /2006 and 28 /02 /2006

<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>
00/2006/0057 / NA	<b>Neighbouring Authority Applications</b>  Construction of 2 no. apartment blocks - Land at former Brymbo Steelworks, Brymbo, Wrexham	Wrexham County Borough Council	INVALID	06 /02 /2006
		<b>Case Officer - Shan Wyn Jones</b>		
00/2006/0169 / NA	<b>Neighbouring Authority Applications</b>  Extension to front of public house, erection of pergola and fence to rear terrace at Harbour Hotel, Foryd Road, Kinnel Bay	Conwy County Borough Council	NO OBJ	23 /02 /2006
		<b>Case Officer - Emer O'Connor</b>		
01/2005/0989 / LB	<b>Denbigh Conservative Club 4 Highgate Denbigh</b>  Installation of CCTV and radio transmission aerial	Denbigh Town Council	CONSENT	09 /02 /2006
		<b>Case Officer - Catrin E Williams</b>		
01/2005/0990 / LB	<b>15-19 High Street Denbigh</b>  Installation of CCTV and radio transmission aerial	Denbigh Town Council	CONSENT	09 /02 /2006
		<b>Case Officer - Catrin E Williams</b>		
01/2005/0991 / LB	<b>The Old Vaults 40-42 High Street Denbigh</b>	Denbigh Town Council	CONSENT	09 /02 /2006



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



01 /02 /2006 ac 28 /02 /2006

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

01 /02 /2006 and 28 /02 /2006

<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>
	Installation of CCTV and radio transmission aerial	Case Officer -	Catrin E Williams	
01/2005/1320 / PC	<b>Alton Murphy Opticians 7 Crown Square Denbigh</b>	Sue Haygarth Denbighshire County Council	GRANT	09 /02 /2006
	Installation of CCTV camera (retrospective application)	Case Officer -	Catrin E Williams	
01/2005/1522 / PO	<b>Land Adjoining Beechdown The Green Denbigh</b>	Mr & Mrs P D Minshull	WDN	02 /02 /2006
	Development of 0.17 hectares of land by the erection of 4 no. dwellings including means of access (outline application)	Case Officer -	Shan Wyn Jones	
01/2006/0153 / PF	<b>Unit 13 Vale Park Colomendy Industrial Estate, Rhyl Road Denbigh</b>	Oasis Healthcare Plc	WDN	27 /02 /2006
	Change of use from Class B1 (office) to Class D1 (Dental Surgery) and change of use of adjacent land to car parking	Case Officer -	Catrin E Williams	
02/2005/0432 / LB	<b>Capel Bathafarn Market Street Ruthin</b>	Capel Bathafarn		06 /02 /2006
	Construction of ramped access to main entrance and new steps with handrails (Listed Building application)	Case Officer -	Catrin E Williams	

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



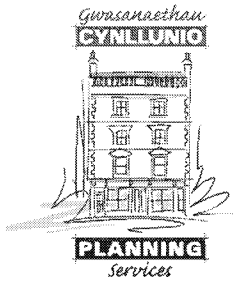
01 /02 /2006 ac 28 /02 /2006

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

01 /02 /2006 and 28 /02 /2006

<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>
02/2005/1357 / AC	<b>Former Council Car Park and Nursery Lon Parcwr Ruthin</b>	CATHCO Property Group Ltd.	APPROVE	03 /02 /2006
	Details of travel plan submitted in accordance with condition no. 4 of planning permission code no. 02/2005/0333/PF	<b>Case Officer - Ian Weaver</b>		
02/2005/1517 / AC	<b>Former Council Car Park and Nursery Lon Parcwr Ruthin</b>	CATHCO Property Group Ltd.	APPROVE	15 /02 /2006
	Details of service yard gates, car park layout, external walls and roof materials, roof plant location, access statement, landscaping, ground investigation, foul and surface water drainage, and external lighting submitted in accordance with condition no's 2B, 2D, 5, 11, 15, 17, 23, 26 and 28 of planning permission code no. 02/2005/0333/PF	<b>Case Officer - Ian Weaver</b>		
02/2005/1526 / TP	<b>34 Stryd Y Brython Ruthin</b>	Mr D R Woodward	APPROVE	02 /02 /2006
	Prune lower branches, crown thin and reduce height of 5 sycamores and 1 ash and remove 1 sycamore - trees within Area A1 on plan annexed to the Glyndwr District Council Tree Preservation Order 1994	<b>Case Officer - Paul David Griffin</b>		

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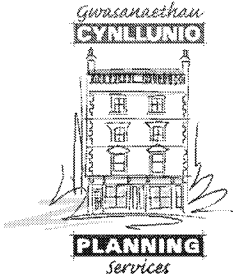
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02/2005/1527 / PF	<b>Arosfa St. Meugans Ruthin</b>  Erection of single- and two-storey pitched-roof extension at rear and single-storey pitched-roof extension at side of dwelling	Dr T G Williams  Case Officer - Paul David Griffin	GRANT	02 /02 /2006
02/2005/1542 / AC	<b>Outbuilding And Land To The Rear Of The Star Inn, 55 Clwyd Street Ruthin</b>  Details of Condition No. 6 (external wall finish) on Listed Building Consent Ref. No. 02/2002/0801/LB	Mr K Lawrinson Mr K Lawrinson  Case Officer - Catrin E Williams	REFUSE	15 /02 /2006
02/2005/1552 / PF	<b>Pen Y Waen Ffordd Gwynach Ruthin</b>  Erection of pitched-roof extension at side of dwelling	Mr & Mrs D Lightfoot  Case Officer - Paul David Griffin	GRANT	14 /02 /2006
02/2005/1557 / PS	<b>Ruthin Kebab And Burger House 54 Well Street Ruthin</b>  Variation of Condition No. 2 on planning permission Ref. No. 2/11780 to allow hours of opening to road: Mondays-Thursdays 1200-2330 hours; Fridays-Saturdays 1200-2400 hours; Sundays 1400-2330 hours	Mr Ali Kuguloglu  Case Officer - Paul David Griffin	APPROVE	14 /02 /2006

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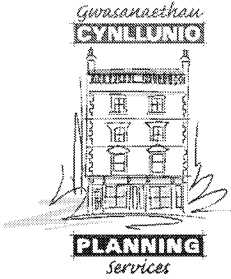
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02/2006/0049 / PF	<b>18 Min Yr Afon Ruthin</b>  Erection of single-storey pitched-roof extension at side of dwellinghouse	Mr E Ll. Jones  <b>Case Officer - Nicola Marie Jones</b>	GRANT	22 /02 /2006
02/2006/0130 / AC	<b>Ethel Austin Ltd St. Peters Square Ruthin</b>  Details of lime plaster submitted in accordance with condition no. 2 of planning permission code no. 02/2005/0373/LB	Ethel Austin Properties Limited  <b>Case Officer - Catrin E Williams</b>	APPROVE	07 /02 /2006
03/2005/1417 / PF	<b>Rear Of 12 Bridge Street Llangollen</b>  Conversion of existing store to dwelling	Mr J Simon  <b>Case Officer - Nicola Marie Jones</b>	REFUSE	14 /02 /2006
03/2005/1418 / LB	<b>Rear Of 12 Bridge Street Llangollen</b>  Internal and external alterations to existing stores to form dwelling (Listed Building application)	Mr J Simon  <b>Case Officer - Nicola Marie Jones</b>	REFUSE	14 /02 /2006
03/2005/1511 / PF	<b>Bryn Dethol Farm Holyhead Road Llangollen</b>	Winnington Homes Ltd.	GRANT	23 /02 /2006

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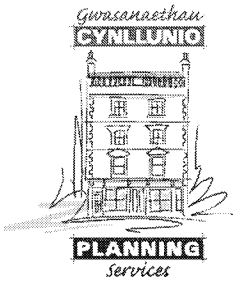
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	Amendments to scheme of conversion of outbuilding to dwelling, to allow the creation of 2 dwelling units			
		<b>Case Officer - Ian Weaver</b>		
03/2005/1538 / PF	<b>Riverside Park Berwyn Road Llangollen</b>	Denbighshire County Council Cultural And Leisure, Lifelong Learning	GRANT	27 /02 /2006
	Formation of all-weather football pitch with 4 No. 10m high lighting columns			
		<b>Case Officer - Catrin E Williams</b>		
03/2006/0012 / PF	<b>Bryn Teg Sun Bank Llangollen</b>	Mr. Jones & Mrs Fenton	GRANT	16 /02 /2006
	Erection of lean-to conservatory to rear of dwelling			
		<b>Case Officer - Paul David Griffin</b>		
03/2006/0022 / AG	<b>Land at Pen y Gwalia Llangollen Road Llangollen</b>	Mr. Richard Charles Gostage	GRANT	02 /02 /2006
	Erection of steel-framed agricultural storage shed for hay, straw and equipment			
		<b>Case Officer - Paul David Griffin</b>		
03/2006/0136 / AC	<b>Abbey Road Garage Abbey Road Llangollen</b>	McCarthy & Stone (Devs) Ltd.	APPROVE	06 /02 /2006
	Details of redevelopment proposals and making good of exposed sections of chapel building, submitted in accordance with condition no's 2 and 3 of Conservation Area Consent code no. 03/2005/0940/CA			
		<b>Case Officer - Ian Weaver</b>		

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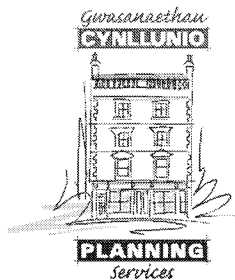


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05/2005/0711 / PF	<b>Crown Hotel Bridge Street Corwen</b>  Conversion of existing building to dwelling	G & G Bird  Case Officer -	WDN	03 /02 /2006  Catrin E Williams
05/2005/0712 / LB	<b>Crown Hotel Bridge Street Corwen</b>  Conversion of existing building to dwelling (Listed Building application)	G & G Bird  Case Officer -	WDN	03 /02 /2006  Catrin E Williams
05/2005/0915 / PF	<b>Berwyn House Carrog Corwen</b>  Erection of domestic garage	Mr & Mrs J Legg  Case Officer -	GRANT	01 /02 /2006  Nicola Marie Jones
05/2005/1535 / PF	<b>Penycoed Isaf Pencoed Corwen</b>  Conversion of Outbuilding A to 2 No. holiday units and Outbuilding B to annexe accommodation ancillary to main dwelling and installation of new septic tank	G Hughes And N Sullivan  Case Officer -	GRANT	28 /02 /2006  Catrin E Williams

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05/2006/0081 / PF	<b>Neatcrown Corwen Ltd. Station Yard Industrial Estate Corwen</b>  Erection of extension to side of existing factory	Mr David Davies  <b>Case Officer - Shan Wyn Jones</b>	GRANT	24 /02 /2006
05/2006/0120 / AC	<b>Land Adjacent To Cwm Arddau Glyndyfrdwy Corwen</b>  Details of external wall/roof materials submitted in accordance with condition no. 2 of planning permission code no. 05/2003/0243/PF	Mr & Mrs M Lewis  <b>Case Officer - Sarah Stubbs</b>	APPROVE	02 /02 /2006
06/2006/0045 / PF	<b>Land At Bryn Farm Bryn Saith Marchog Corwen</b>  Formation of new vehicular access to agricultural land	Mr A Roberts & Mrs A E R Hyde  <b>Case Officer - Nicola Marie Jones</b>	GRANT	22 /02 /2006
07/2005/1503 / PF	<b>Land At Maes y Glyn Farm adjacent to Blaen-y-Cwm Farm Llandrillo Corwen</b>  Erection of agricultural building for sheep handling and implement storage	Messrs J T & G M Edwards & Son  <b>Case Officer - Catrin E Williams</b>	GRANT	02 /02 /2006
08/2005/0715 / PF	<b>Outbuilding adjacent to Plas Uchaf Corwen</b>	The Rhug Estate  <b>Case Officer - Catrin E Williams</b>	REFUSE	14 /02 /2006

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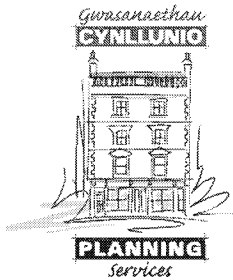
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	Conversion of redundant outbuilding to dwelling, installation of new septic tank and construction of new vehicular access	<b>Case Officer - Nicola Marie Jones</b>		
10/2004/1536 / INV	<b>Capel Seion Bryneglwys Corwen</b>	C/O J.W Williams	INVALID	08 /02 /2006
	Demolition of chapel and erection of bungalow	<b>Case Officer - Catrin E Williams</b>		
10/2006/0035 / PF	<b>New Inn Bryneglwys Corwen</b>	Mr & Mrs J Tango	REFUSE	23 /02 /2006
	Change of use of vacant public house to dwelling.	<b>Case Officer - Nicola Marie Jones</b>		
11/2005/0669 / PF	<b>Cae Segwen Clocaenog Ruthin</b>	Orchard Grove Development	GRANT	15 /02 /2006
	Amendments to previously approved planning application (ref. 11/2004/0340/PF) for the conversion of 4no. outbuildings to dwellings and associated works (retrospective application)	<b>Case Officer - Catrin E Williams</b>		
11/2005/0670 / LB	<b>Cae Segwen Clocaenog Ruthin</b>	Orchard Grove Development	GRANT	15 /02 /2006



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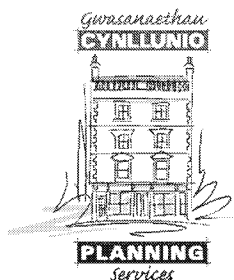


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	Conversion of existing outbuildings to 4 no. dwellings and associated works (Listed Building application)	<b>Case Officer -</b> Catrin E Williams		
11/2005/1480 / PO	<b>The Old Rectory Clocaenog Ruthin</b>	Mr & Mrs G Buxbaum	GRANT	24 /02 /2006
	Development of 0.04ha of land for residential purposes (outline application)	<b>Case Officer -</b> Nicola Marie Jones		
12/2005/1477 / PF	<b>Canolfan Cae Cymro Clawddnewydd Ruthin</b>	Cymdeithas Canolfan Cae Cymro	GRANT	02 /02 /2006
	Erection of conservatory to rear of building	<b>Case Officer -</b> Paul David Griffin		
12/2006/0018 / PF	<b>The Sun Derwen Corwen</b>	MR D TOPHAM	GRANT	16 /02 /2006
	Erection of conservatory at side of dwelling	<b>Case Officer -</b> Paul David Griffin		
13/2005/1011 / PF	<b>Llwyn Onn Pwllglas Ruthin</b>	Mr & Mrs D.Ll Jones	GRANT	14 /02 /2006
	Alterations and pitched-roof extension at rear/side of dwelling	<b>Case Officer -</b> Nicola Marie Jones		

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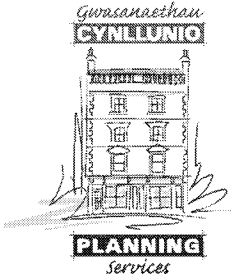
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13/2005/1202 / PF	<b>Salem Chapel Pwllglas Ruthin</b>  Conversion of redundant chapel to 2 no. self contained flats	Mr & Mrs C Hyde  Case Officer - Paul David Griffin	WDN	10 /02 /2006
13/2005/1470 / PC	<b>Bryn Hyfryd Pwllglas Ruthin</b>  Retention of stable block	Mr Glyn Newell  Case Officer - Nicola Marie Jones	GRANT	02 /02 /2006
13/2005/1502 / PF	<b>Bodangharad Llanfwrog Ruthin</b>  Conversion of redundant outbuilding to 2 No. holiday units and installation of new septic tank. Formation of new agricultural vehicular access and track.	Mr R Wynn Jones  Case Officer - Catrin E Williams	REFUSE	03 /02 /2006
15/2005/0901 / PF	<b>Land Adj To Ffynnon Y Berth Llanarmon Road Llanferres Mold</b>  Replacement of existing mobile home and cabin with mobile log cabin	Mr N Blackburn  Case Officer - Catrin E Williams	WDN	03 /02 /2006
17/2005/1454 / PF	<b>Robin's Nest Pen Y Stryt Llandegla Wrexham</b>  Alterations and raising of existing roof of dwelling	Mr R Bartley  Case Officer - Paul David Griffin	GRANT	01 /02 /2006

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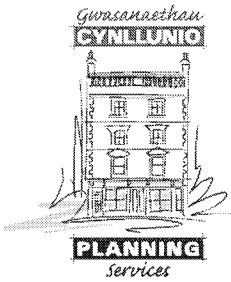
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17/2005/1466 / PF	<b>Ty Coch Pen Y Stryt Llandegla Wrexham</b>  Erection of two-storey pitched roof extension to side/front of dwelling	Mr. & Mrs C. Shone  <b>Case Officer - Catrin E Williams</b>	GRANT	13 /02 /2006
18/2005/1452 / PF	<b>Kinmel Farm Llandyrnog Denbigh</b>  Demolition of kitchen extension and erection of two-storey pitched-roof extension to rear/side	Mr Glyn Roberts  <b>Case Officer - Paul David Griffin</b>	REFUSE	13 /02 /2006
18/2006/0213 / AC	<b>Land At Llangwyfan Farm Llangwyfan Denbigh</b>  Details of wall materials submitted in accordance with condition no. 1 of outline planning permission code no. 18/2005/0620/PR	Messrs H C & T C Hughes  <b>Case Officer - Nicola Marie Jones</b>	APPROVE	16 /02 /2006
18/2006/0250 / AC	<b>Land At Llangwyfan Farm Llangwyfan Denbigh</b>  Details of roof materials submitted in accordance with Condition(s) Number(s) 2 of Planning Permission Code No. 18/2005/620/PR	Messrs H C & T C Hughes  <b>Case Officer - Nicola Marie Jones</b>	APPROVE	28 /02 /2006

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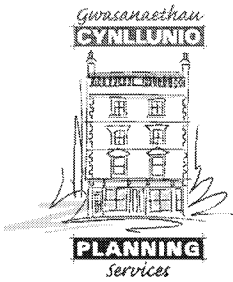
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19/2005/1531 / AC	<b>Outbuilding At Bodlywydd Fawr Llanelidan Ruthin</b>  Details of Condition No. 7 (boundary treatment) on planning permission Ref. No. 19/2004/1305/PF	Messrs K J & J K Rogers  <b>Case Officer - Catrin E Williams</b>	APPROVE	02 /02 /2006
21/2006/0125 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b>  Details of archaeological curatorial brief submitted in accordance with condition no. 5 of planning permission code no. 21/2004/1627/PF	Liverpool City Council  <b>Case Officer - Shan Wyn Jones</b>	APPROVE	02 /02 /2006
21/2006/0126 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b>  Details of archaeological curatorial brief submitted in accordance with condition no. 12 of planning permission code no. 21/2004/0473/PF	Liverpool City Council  <b>Case Officer - Shan Wyn Jones</b>	GRANT	02 /02 /2006
21/2006/0127 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b>	Liverpool City Council	APPROVE	02 /02 /2006

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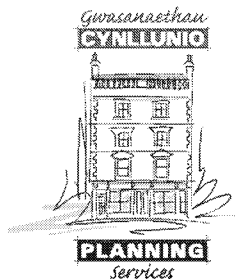
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	Details of methodology for excavation of trial pits submitted in accordance with condition no. 10 of planning permission code no. 21/2004/0472/PF	Case Officer -	Shan Wyn Jones	
21/2006/0182 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b>  Details of woodland management plan submitted in accordance with condition no. 10 of planning permission code no. 21/2004/1627/PF	Liverpool City Council	APPROVE	13 /02 /2006
		Case Officer -	Shan Wyn Jones	
21/2006/0190 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road Gwernymynydd Mold</b>  Copy of Licence issued to disturb protected species submitted in accordance with condition no. 2 of planning permission code no. 21/2004/1627/PF	Liverpool City Council	APPROVE	13 /02 /2006
		Case Officer -	Shan Wyn Jones	
21/2006/0194 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b>  Copy of Licence issued to disturb protected species submitted in accordance with condition no. 11 of planning permission code no. 21/2005/0344/PF	Liverpool City Council	APPROVE	13 /02 /2006
		Case Officer -	Shan Wyn Jones	

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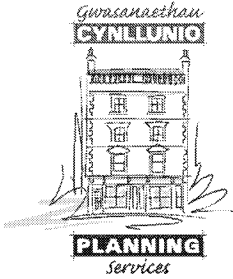
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21/2006/0195 / AC	<b>Fields South West of Glan Alyn Colomendy Centre for Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b> Copy of Licence issued to disturb protected species submitted in accordance with condition no. 4 of planning permission code no. 21/2005/0158/PF	Liverpool City Council  <b>Case Officer - Shan Wyn Jones</b>	APPROVE	13 /02 /2006
21/2006/0196 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b> Copy of Licence issued to disturb protected species submitted in accordance with condition no. 10 of planning permission code no. 21/2004/0473/PF	Liverpool City Council  <b>Case Officer - Shan Wyn Jones</b>	APPROVE	13 /02 /2006
22/2005/1334 / LB	<b>Ty Coch Farm Llangynhafal Denbigh</b>  Refurbishment of existing cruck barn and adjacent farm buildings to form Class B1 offices and demolition of open barn and adjacent shed to provide parking facilities (amended details to those previously approved under code no. 22/2004/1395/LB) (Listed Building application)	Mr David Fletcher Denbighshire County Council  <b>Case Officer - Sarah Stubbs</b>	GRANT	07 /02 /2006
23/2005/1081 / LB	<b>Fron Heulog Farm Llanrhaeadr Denbigh</b>	G & J Hinchcliffe	GRANT	16 /02 /2006

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	Demolition of farm buildings, conversion and extension of outbuildings to form dwelling (Amended details to Application Ref. No. 23/2005/0592/LB)	<b>Case Officer - Philip Garner</b>		
23/2005/1431 / PF	<b>Ffrith Y Geubren Cyffylliog Ruthin</b>	Mrs W L Roberts	GRANT	07 /02 /2006
	Erection of new agricultural shed for the storage of fodder and agricultural equipment	<b>Case Officer - Nicola Marie Jones</b>		
23/2005/1525 / PO	<b>Land At Bryn Mulan Prion Denbigh</b>	Mr & Mrs G Hughes	REFUSE	16 /02 /2006
	Development of 0.1 hectares of land for erection of agricultural worker's bungalow, new vehicular access and installation of new septic tank (Outline application)	<b>Case Officer - Catrin E Williams</b>		
23/2006/0087 / AC	<b>Rhewl Valley Peniel Denbigh</b>	Mr H Howatson	APPROVE	06 /02 /2006
	Details of Landscaping (2), Access (5) and Parking & Turning (6) submitted in accordance with Condition Nos. 2, 5 and 6 of Code No. 23/2005/1286/PF	<b>Case Officer - Emer O'Connor</b>		

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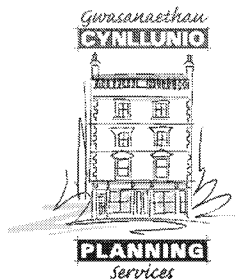
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25/2006/0114 / AG	<b>North Alwen Forest Off B4501 Nantglyn Denbigh</b>  Construction of new forestry entrance and associated works to allow access to commercially fell timber	Forestry Commission  <b>Case Officer - Paul David Griffin</b>	REFUSE	20 /02 /2006
27/2005/1546 / PF	<b>Llys Gwynt Llandynan Rhewl Llangollen</b>  Erection of pitched-roof extension at side of dwelling and detached double garage	Mr & Mrs B Lewis  <b>Case Officer - Paul David Griffin</b>	GRANT	14 /02 /2006
30/2005/1204 / AC	<b>Land at (Part garden of) Cheenaville Allt Goch St. Asaph</b>  Details of vehicular footway crossing, height of boundary wall and street lighting/traffic sign details submitted in accordance with condition no. 3 of planning permission code no. 30/2004/1570/PR	Vale Heritage  <b>Case Officer - Sarah Stubbs</b>	APPROVE	07 /02 /2006
30/2005/1475 / AC	<b>The Haven Trefnant Denbigh</b>  Details of contamination survey and decontamination works submitted in accordance with condition no's 4 and 8 of planning permission code no. 30/2000/0918/PO	Wraysbury Homes  <b>Case Officer - Sarah Stubbs</b>	APPROVE	09 /02 /2006



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31/2005/1468 / PF	<b>Outbuilding At Tyddyn Eos Groesffordd Marli Abergele</b>	Mr A Pierce	GRANT	20 /02 /2006
	Conversion and extension of existing agricultural building to form dwelling with associated change of use of land to form curtilage and installation of new septic tank	<b>Case Officer - Emer O'Connor</b>		
31/2005/1529 / AC	<b>Field to Rear Of Cae Onnen Glascoed Abergele</b>	Mrs J Regan	APPROVE	27 /02 /2006
	Details of Conditions No. 4 (access), 5 (parking and turning), 7 (lighting), 8 (drainage) and 9 (landscaping) on planning permission Ref. No. 31/2005/1288/PF	<b>Case Officer - Nicola Marie Jones</b>		
31/2006/0063 / PF	<b>Tyn-y-Coed Cefn Meiriadog St. Asaph</b>	Mr. & Mrs R. Owcn	GRANT	21 /02 /2006
	Erection of two-storey pitched roof extension to side of dwelling	<b>Case Officer - Emer O'Connor</b>		
40/2006/0053 / AC	<b>Field No. 4726 &amp; 4116 Off Ffordd William Morgan St. Asaph Business Park St. Asaph</b>	Welsh Development Agency	APPROVE	21 /02 /2006
	Details of management plan for the retention and enhancement of the on site trees and hedgerows submitted in accordance with condition no's 2 and 4 of planning permission code no. 40/2005/1216/PF	<b>Case Officer - Shan Wyn Jones</b>		

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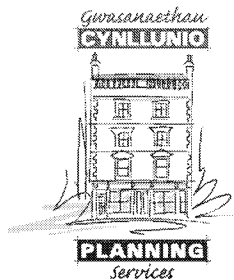
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40/2006/0172 / AC	<b>Land at Expressway Business Park, Abergele Road Bodelwyddan</b>	Manbat Ltd	APPROVE	09 /02 /2006
	Details of Condition No. 1 (materials) on planning permission Ref. No. 40/2005/0549/PR	<b>Case Officer - Paul Mead</b>		
40/2006/0215 / AC	<b>Mencap Pengwern College, Pengwern Hall Bodelwyddan Road Rhuddlan Rhyl</b>	Mencap	APPROVE	17 /02 /2006
	Details of gradient, materials and finishes of access ramp and automatic doors submitted in accordance with condition no. 2 of planning permission code no. 40/2003/1450/LB	<b>Case Officer - Sarah Stubbs</b>		
42/2005/1510 / PF	<b>Gwynant Nursing Home 7 Cwm Road Dyserth Rhyl</b>	Mrs M E Goddard	REFUSE	15 /02 /2006
	Erection of two-storey pitched-roof extension to existing nursing home to create additional bedrooms	<b>Case Officer - Paul Mead</b>		
42/2005/1540 / PF	<b>1 Quarry Cottages Foel Road Dyserth Rhyl</b>	Mr M Dodgson	REFUSE	14 /02 /2006
	Erection of two-storey pitched-roof extension at side of dwelling	<b>Case Officer - Paul David Griffin</b>		

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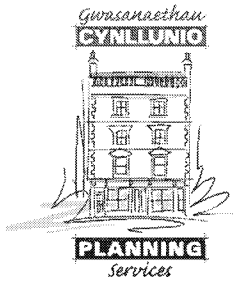
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42/2006/0029 / PF	<b>Tan Y Graig Lower Foel Road Dyserth Rhyl</b>  Erection of single-storey extension at front of dwelling	Mr & Mrs J E Roberts  Case Officer - Emer O'Connor	GRANT	07 /02 /2006
43/2005/0741 / PF	<b>Post Office 40-42 Meliden Road Prestatyn</b>  Internal alterations, erection of porch to front elevation and extension to existing garage to rear to form a storage area and roof terrace	Mr C Hall Meliden Post Office  Case Officer - Sarah Stubbs	GRANT	10 /02 /2006
43/2005/1200 / TP	<b>St Melyd Church 2 Ffordd Talargoch Prestatyn</b>  Crown lifting of 1 Yew Tree and removal of limb from 1 Sycamore Tree within Area G13 on the Prestatyn Urban District Council Tree Preservation Order 1950	Meliden Parochial Ch Council  Case Officer - Paul Mead	GRANT	17 /02 /2006
43/2005/1228 / LB	<b>17 Fforddlas Prestatyn</b>  Demolition of existing timber structure, erection of two-storey pitched-roof extension at rear, conversion of bedroom to bathroom and formation dormer and gable windows	Mr M Simpson  Case Officer - Paul Mead	CONSENT	06 /02 /2006

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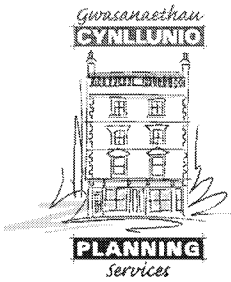
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43/2005/1235 / PF	<b>Land At Lon Elan Prestatyn</b>  Erection of 3 no. dormer bungalows and alterations to existing vehicular and pedestrian access	Mr Stephen Jones  <b>Case Officer - Sarah Stubbs</b>	WDN	03 /02 /2006
43/2006/0020 / PO	<b>Land at 93 Meliden Road Prestatyn</b>  Development of 0.159ha of land by the erection of 1 dwellinghouse and alterations to existing vehicular access (outline application)	Mr J Northcott Bright Property Services Limited  <b>Case Officer - Sarah Stubbs</b>	REFUSE	28 /02 /2006
43/2006/0030 / AD	<b>Meliden Road Post Office 40-42 Meliden Road Prestatyn</b>  Display of internally illuminated fascia sign and 2 no. internally illuminated projecting signs	Mr. C. Hall  <b>Case Officer - Emer O'Connor</b>	GRANT	07 /02 /2006
43/2006/0039 / PF	<b>17 Cambrian Drive Prestatyn</b>  Erection of pitched roof extension at south side and flat roofed garage extension at north side of dwelling	C.E. Woodall  <b>Case Officer - Emer O'Connor</b>	GRANT	08 /02 /2006

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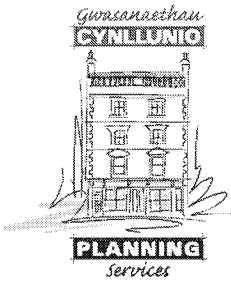
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43/2006/0090 / PF	<b>12 Glyn Avenue Prestatyn</b>  Erection of two storey pitched roof extension to rear of dwelling	Mrs K. Fielding  Case Officer - Emer O'Connor	GRANT	28 /02 /2006
43/2006/0091 / PF	<b>Dental Surgery 37/39 High Street Prestatyn</b>  Change of use of former flat to form extension to existing dental practice	Integrated Dental Holdings  Case Officer - Emer O'Connor	GRANT	17 /02 /2006
43/2006/0098 / PF	<b>14 Coed Mor Drive Prestatyn</b>  Erection of pitched roof extension to front of dwelling	Mr & Mrs D Mellor  Case Officer - Emer O'Connor	GRANT	17 /02 /2006
43/2006/0100 / PF	<b>161 Fforddisa Prestatyn</b>  Provision of dormer window to front of dwelling	Mr. D. Jones & Ms. S. McKenzie  Case Officer - Emer O'Connor	GRANT	28 /02 /2006
43/2006/0132 / AC	<b>Plots 34 and 35 Melyd Avenue Prestatyn</b>  Details of foundation design submitted in accordance with condition no. 7 of planning permission code no. 43/2004/0581/PF	Healey Homes Limited  Case Officer - Mark Dakeyne	APPROVE	10 /02 /2006

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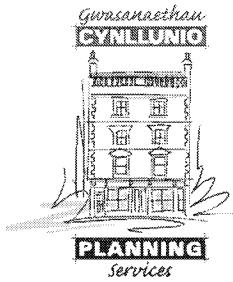


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43/2006/0133 / AC	<b>Plots 34 and 35 Melyd Avenue Prestatyn</b>  Details of watching brief submitted in accordance with condition no. 5 of planning permission code no. 43/2004/0581/PF	Healey Homes Limited  <b>Case Officer - Mark Dakeyne</b>	APPROVE	10 /02 /2006
44/2005/1544 / PF	<b>16 Glyn Avenue Rhuddlan Rhyl</b>  Demolition of existing garage/carport and kitchen extension and erection of pitched-roof extension to side with dormer room in extended roofspace (revised scheme)	Mr & Mrs S Bennett  <b>Case Officer - Nicola Marie Jones</b>	GRANT	02 /02 /2006
44/2006/0005 / PF	<b>Land adjoining Pengwern Lodge St. Asaph Road Rhuddlan Rhyl</b>  Use of land for construction of new vehicular access and new entrance gates	Mr D I Rogers  <b>Case Officer - Nicola Marie Jones</b>	GRANT	24 /02 /2006
44/2006/0025 / PF	<b>St. Marys Hylas Lane Rhuddlan Rhyl</b>  Erection of two-storey pitched roof extension incorporating first floor extension over existing at side of dwelling and erection of conservatory at rear of dwelling	Mr. & Mrs P. Roberts  <b>Case Officer - Emer O'Connor</b>	GRANT	07 /02 /2006

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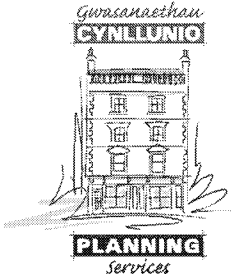
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45/2005/0609 / PF	<b>Barn At Cwybr Uchaf Farm Cwybr Rhuddlan Rhyl</b>  Conversion of barn to 2 No. flats at first floor level with garages and stores at ground-floor level	The Cwybr Fawr Partnership	GRANT	23 /02 /2006
		<b>Case Officer - Sarah Stubbs</b>		
45/2005/1039 / PF	<b>Christchurch County Primary School Ernest Street Rhyl</b>  Erection of building extension to Christchurch Integrated Centre	Denbighshire County Council Life Long Learning	GRANT	17 /02 /2006
		<b>Case Officer - Emer O'Connor</b>		
45/2005/1072 / LB	<b>48 Bath Street Rhyl</b>  Reslate roof, fix new ridges, tiles, rebuild main chimney stack and fit new pots. Renew fascias/finials to match original at 25 Brighton Road, renew soffits. Renew guttering and downpipes. Reform 2nd floor window opening. Re-render all elevations, make up quoins, renew doors/windows/rooflight	Mr J Liang	GRANT	10 /02 /2006
		<b>Case Officer - Emer O'Connor</b>		
45/2005/1073 / LB	<b>50 Bath Street Rhyl</b>	Mr L Smith	GRANT	10 /02 /2006

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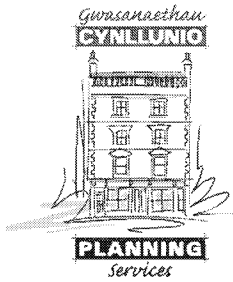
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	Reslate roofs, new ridge tiles. Rebuild main chimney stack and outrigger stack. Renew fascias and finials and soffits to match original at 25 Brighton Road. Renew guttering and downpipes. Re-render all elevations. Rebuild lean-to extension, renew doors and windows. Renew metalwork to door canopy.	<b>Case Officer -</b>	<b>Emer O'Connor</b>	
45/2005/1169 / PF	<b>25 River Street Rhyl</b>	Mr F Sterk	GRANT	07 /02 /2006
	Change of use from 4no. bedsits into 3 self-contained flats	<b>Case Officer -</b>	<b>Catrin E Williams</b>	
45/2005/1251 / PF	<b>Premises Fronting Sisson Street, Rear Of 54 Vale Road Rhyl</b>	Mr W.D Twist	GRANT	02 /02 /2006
	Demolition of derelict building and erection of two-storey dwelling	<b>Case Officer -</b>	<b>Emer O'Connor</b>	
45/2005/1281 / PF	<b>Eiwy Hall Grange Road Rhyl</b>	Rhyl Masonic Buildings Limited	GRANT	09 /02 /2006
	Erection of external disabled lift and enclosure, and disabled ramp with canopy at side of premises	<b>Case Officer -</b>	<b>Emer O'Connor</b>	



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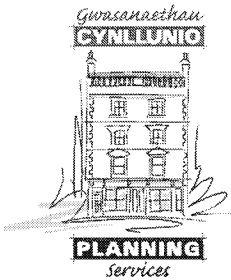
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45/2005/1303 / LB	<b>Springfield 25 Bath Street Rhyl</b>  Demolition of external store, erection of extensions and alterations in connection with change of use of ground-floor into dwelling (Listed Building Application)	Mr & Mrs W Lockitt  <b>Case Officer - Nicola Marie Jones</b>	GRANT	15 /02 /2006
45/2005/1424 / PF	<b>5 Gareth Close Rhyl</b>  Erection of dormer window at side of dwelling	Mr C Anderson  <b>Case Officer - Emer O'Connor</b>	GRANT	14 /02 /2006
45/2005/1471 / LB	<b>12 Paradise Street Rhyl</b>  Reslate roofs, renew ridge tiles, repair stone chimney stacks and fit new pots. Repoint stonework. Renew bargeboards to gables and soffits, renew fascias and soffits. Renew guttering and downpipes. Replace missing and defective stone cills. Renew doors and windows.	The Rep. Body Of The Church In Wales  <b>Case Officer - Emer O'Connor</b>	GRANT	06 /02 /2006
45/2005/1473 / LB	<b>14 Paradise Street Rhyl</b>	St. Asaph Diocesan Board	GRANT	06 /02 /2006

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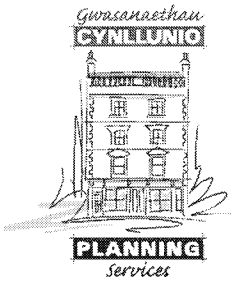
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	Reslate roof and replace ridge tiles, repoint stone chimney and replace stone oversail. Renew bargeboards to gables, renew fascias and soffits. Renew guttering. Replace missing stone cills and repair existing. Renew windows and redecorate existing door. Reslate porch.	<b>Case Officer - Emer O'Connor</b>		
45/2005/1521 / PF	<b>Rhyl College Cefndy Road Rhyl</b>	Coleg Llandrillo	GRANT	16 /02 /2006
	Erection of construction-skills workshop, mall/reception area, hair and beauty/administration building, student reception, function and snack room and provision of overflow parking area	<b>Case Officer - Sarah Stubbs</b>		
45/2005/1532 / PF	<b>5 St. Marys Court Rhyl</b>	Mr & Mrs D Jones	GRANT	02 /02 /2006
	Erection of flat-roofed extension at side and conservatory at rear of dwelling	<b>Case Officer - Nicola Marie Jones</b>		
45/2006/0010 / PF	<b>11 Ridgeway Avenue Rhyl</b>	Mr. V. Jones	GRANT	07 /02 /2006
	Erection of flat-roofed extension at rear and porch at front of dwelling	<b>Case Officer - Emer O'Connor</b>		

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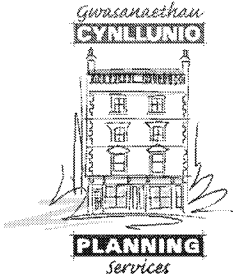
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45/2006/0028 / PF	<b>15 Dyserth Road Rhyl</b>  Erection of single-storey flat-roofed extension at rear of dwelling (revision to previous scheme)	Mr R Jones  <b>Case Officer - Emer O'Connor</b>	GRANT	07 /02 /2006
45/2006/0051 / PF	<b>Lyons-Robin Hood Holiday Camp(Rhyl) Ltd Rhyl Coast Road Rhyl</b>  Erection of extension to existing diner	Mr G Lyons Mound  <b>Case Officer - Emer O'Connor</b>	GRANT	14 /02 /2006
45/2006/0056 / PF	<b>49 Elm Grove Rhyl</b>  Erection of first-floor pitched roof extension to rear of dwelling	D Evans  <b>Case Officer - Emer O'Connor</b>	GRANT	14 /02 /2006
45/2006/0077 / PF	<b>37 Pendre Avenue Rhyl</b>  Erection of single-storey pitched-roof link extension to garage at rear of dwelling, pitched-roof to garage and conversion to study and gym	Mr G Richards  <b>Case Officer - Emer O'Connor</b>	GRANT	20 /02 /2006

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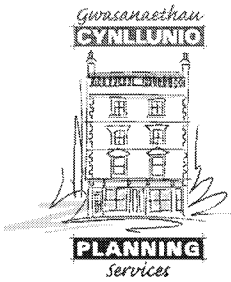
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<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
45/2006/0079 / PF	<b>Neighbourhood Office 33 Rhydwen Drive Rhyl</b>  Change of use of residential part and extension at rear to form additional meeting/office accommodation to neighbourhood office	Marsh Community Association  <b>Case Officer - Emer O'Connor</b>	GRANT	20 /02 /2006
45/2006/0116 / PF	<b>Sanjoy Mercia Drive Rhyl</b>  Erection of single-storey flat-roofed extension at rear of dwelling.	Mr & Mrs Wistow  <b>Case Officer - Emer O'Connor</b>	GRANT	22 /02 /2006
46/2006/0061 / PF	<b>Groesffordd Mount Road St. Asaph</b>  Erection of first floor pitched roof extension to rear of dwelling	Mr. & Mrs B. Meadows  <b>Case Officer - Emer O'Connor</b>	GRANT	14 /02 /2006
46/2006/0088 / AC	<b>Caerwysfa Mount Road St. Asaph</b>  Details of materials (wall and roof) submitted in accordance with Condition No. 2 of Planning Permission Code No. 46/2004/1104/PF	Mrs L Foulkes  <b>Case Officer - Emer O'Connor</b>	APPROVE	07 /02 /2006

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



01 /02 /2006 ac 28 /02 /2006

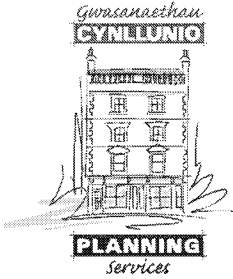
**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
PROTECTION UNDER DELEGATED POWERS**

01 /02 /2006 and 28 /02 /2006

<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>
46/2006/0102 / PF	<b>Dolwen Bryn Gobaith St. Asaph</b>  Demolition of existing garage and erection of two-storey pitched roof extension at side of dwelling	Mr M Wilson  Case Officer - Emer O'Connor	GRANT	17 /02 /2006
46/2006/0103 / PF	<b>Bryn Clwyd Mount Road St. Asaph</b>  Erection of attached garage at side, inglenook fireplace at side and balcony at rear of dwelling	Mr & Mrs M Jones  Case Officer - Emer O'Connor	GRANT	17 /02 /2006
47/2005/1343 / PF	<b>9 Heol Y Brenin Tremeirchion St. Asaph</b>  Replacement of existing corrugated steel flat roof to rear porch with red tiled pitch roof and erection of double garage with art studio above	Mrs S Lanceley  Case Officer - Nicola Marie Jones	GRANT	17 /02 /2006
47/2006/0009 / PF	<b>Smithy Arms Holywell Road Rhualt St. Asaph</b>  Renewal of planning permission Ref. No. 47/2000/1179/PF for change of use from public house to single dwelling house	Mr & Mrs S and R C Latham  Case Officer - Emer O'Connor	GRANT	07 /02 /2006

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

01 /02 /2006 ac 28 /02 /2006



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

01 /02 /2006 and 28 /02 /2006

<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>
47/2006/0089 / AC	<b>The Orchard Land Adjoining Marl Cottage Rhuallt Road Cwm Dyserth Rhyl</b>	Mr J M Graham	APPROVE	23 /02 /2006
	Details of vehicular access, landscaping and materials submitted in accordance with condition no's 3,4 and 6 of planning permission code no. 47/2003/0901/PF	<b>Case Officer - Paul Mead</b>		