

**PWYLLGOR CYNLLUNIO**  
**CYFARFOD: 19fed Ebrill 2006**  
**Eitem: 2**

**PLANNING COMMITTEE**  
**MEETING - 19th April 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  
INDEX TO REPORT**

<b>Item No</b>	<b>Application No</b>	<b>Location and Proposal</b>	<b>Page No</b>
1	42/2005/1327/PC	<b>Mount House Bryniau Dyserth Rhyl</b> Construction of outbuilding for purposes incidental to use of the main dwelling (retrospective application)	1
2	43/2006/0084/PF	<b>9 Mount Ida Road Prestatyn</b> Erection of two-storey pitched-roof extension at rear and pitched-roof to utility room at front/side of dwelling	5
3	44/2006/0175/PC	<b>Land-Field No. 4968 at rear of Plas Newydd Abergele Road Rhuddlan Rhyl</b> Formation of new vehicular access	8
4	47/2005/1536/PF	<b>Pant Ifan Newydd Holywell Road Rhualt St. Asaph</b> Reconstruction of outbuilding to form new dwelling	11
5	02/2006/0083/PO	<b>Land fronting Parc y Dre Road forming part garden of 70 Borthyn Ruthin</b> Development of 0.03 hectares of land by erection of one dwelling and alterations to existing vehicular access (Outline application)	15
6	03/2006/0257/PC	<b>10 Berwyn Street Llangollen</b> Retention of 4 No. white UPVC sash windows on front elevation (retrospective application)	19
7	10/2006/0164/PF	<b>Land At Capel Seion Bryneglwys Corwen</b> Erection of 1 no. detached dwelling	22
8	14/2006/0059/PF	<b>Land in Clocaenog Forest East of Marial Gwyn Cyffylliog Ruthin</b> Erection and operation of 70 metre meteorological monitoring mast for the purpose of collecting wind resource data	26
9	25/2005/1514/PR	<b>Land Opposite Penlan Nantglyn Denbigh</b> Details of siting, design and external appearance of buildings, means of access and landscaping submitted in accordance with condition no. 1 of outline planning permission code no. 25/2002/1107/PO	30

**ITEM NO:** 1

**WARD NO:** Dyserth

**APPLICATION NO:** 42/2005/1327/ PC

**PROPOSAL:** Construction of outbuilding for purposes incidental to use of the main dwelling (retrospective application)

**LOCATION:** Mount House Bryniau Dyserth Rhyl

**APPLICANT:** Mr & Mrs P J Parry

**CONSTRAINTS:** Previous Mining Area  
CLC-Class C Road  
AONB

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

**CONSULTATION RESPONSES:**

1. DYSERTH COMMUNITY COUNCIL  
"No objection."
2. JOINT ADVISORY COMMITTEE FOR THE CLWYDIAN RANGE AONB  
"To express disappointment that this was a retrospective application. However, the JAC was pleased to see that the existing flat roof was to be replaced with a hip roof. The Committee recommended a scheme of planting, as per the recommendation of the Forestry Officer, incorporating local native species to provide screening; and that coping stones be put in place on the boundary wall to maintain the character of the site. The JAC also wishes to reaffirm its previous request that the Common Land adjacent to the property, which has been disturbed by the development, be reinstated without any alien material being imported onto the site."
3. CAMPAIGN FOR THE PROTECTION OF RURAL WALES  
Object due to encroachment onto common land, design and size of outbuildings inappropriate.
4. PRINCIPAL COUNTRYSIDE OFFICER  
The planting details are as discussed and agreed.

**RESPONSE TO PUBLICITY:**

Letters of representation were received from:

1. Mr J K & Mrs J Walters, owners of The Bungalow, Bryniau, Dyserth (2)
2. M P Thorburn, The Hollies, Bryniau, Dyserth (2);
3. Mr J T Tibbells, Clarence House, Bryniau, Dyserth (3);
4. Mr I Hillard, Hawthorn Dene, Bryniau, Dyserth (3);
5. A J Shirley, Rock Cottage, Bryniau, Dyserth
6. Mr & Mrs G H Williams, Dincolyn, Bryniau, Dyserth (2)
7. Mr J F Thorburn, Portico, Bryniau, Dyserth

Summary of planning based representations:

- i) The building is totally unacceptable as it is too conspicuous in the AONB;
- ii) The building must be demolished;

- iii) The ground floor level of the building is raised up from the adjacent land;
- iv) The building has an urban appearance;
- v) The volume of buildings at the site is too great in such a sensitive location;
- vi) The two buildings erected form an ugly projection and have been built considerably higher than the previous stable building.
- vii) The building height mono pitch and siting makes the building obtrusive in the AONB.
- viii) Building overlooks adjacent properties.

**MEMBERS' COMMENTS:**

None.

**EXPIRY DATE OF APPLICATION: 14/12/2005**

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. This application was deferred from Planning Committee on 25<sup>th</sup> January 2006 to allow a Members Site Inspection Panel to visit the site. The site inspection panel met at 11.00 a.m. on Monday, 20<sup>th</sup> February 2006. The purpose of the meeting was to assess the impact of the outbuilding on the character and appearance of the AONB, and effect on the residential amenity of nearby occupiers..

In attendance were:

CHAIR - Councillor Selwyn Thomas  
 VICE CHAIR - Councillor Lloyd Williams  
 LOCAL MEMBER - Councillor Peter Owen  
 COMMUNITY COUNCIL - Councillor Margaret Williams

The officer present was Mark Dakeyne.

At the site inspection panel meeting, Members considered the following matters:

- i) The location of the application site in the Clwydian Range AONB and impact of the outbuilding in relation to the surrounding area taking into account the scale of development already permitted on the site.
- ii) The distance of the outbuilding from nearby dwellings and the fact that the building aspected into the site.
- iii) The revised proposals involving a lower roof height

In relation to the above issues:

- i) Members noted the existing development approved on the site, including the house extensions and outbuilding. The proposal was of similar scale and design to the existing outbuilding. The mono-pitched design was not considered a traditional feature.
- ii) There did not appear to be any direct impact on nearby dwellings due to seperation distances and the blank rear elevation.
- iii) The reduced height of the building would lead to some reduced impact but a pitched roof would be a further improvement.

Subsequently a revised scheme was submitted and as a consequence the application was deferred from Planning Committee on 22 February 2006 to allow reconsultation and reassessment.

2. The site contains a large detached dwelling (which has recently been extended) standing within significant grounds. The property is sited at the crest of a hill with

the nearby dwellings set at a lower level but some distance away from the house itself, the nearest houses being Maenan to the north east, and Carreg Wen, The Bungalow and Rock Cottage to the south. The site and the surrounding area lie within the AONB under Policy ENV2, with the land opposite the site to the other side of the road designated as a Site of Nature Conservation Value under Policy ENV4.

3. The subject application has been submitted as a result of a structure being erected within the curtilage of the dwelling without planning permission around August 2005.
4. The revised application seeks retrospective consent to retain a new building standing within the grounds of the house adjacent to the north eastern boundary with Maenan. The new building has a footprint of 12.5 metres by 5.4 metres in depth with a revised pitched roof replacing the previous mono-pitched roof. However, the building also has a basement level of a depth of 2.0 metres across its entire base, in which it is understood the boiler room for the main dwelling will be housed. The entrance to the basement is taken via a doorway at one end. Overall, the building has a volume of around 250 cubic metres with the basement providing a further 135 cubic metres of volume, resulting in a total volume for the construction of around 385 cubic metres.
5. The building was originally commenced on the assumption that it represented permitted development in the curtilage of the main dwelling. As the overall height of the building exceeds 4m, however, this is not the case. The applicant has been in detailed discussions with Officers of the Council in an attempt to make the scheme acceptable. The mono-pitched roof has been amended to a full pitched roof with a landscaping scheme submitted in liaison with the Principal Countryside Officer.

#### **RELEVANT PLANNING HISTORY:**

6. 42/2004/0239/PF – Demolition of side extension and conservatory and erection of replacement single-storey extensions, rear conservatory and patio area: Granted 15 April 2004.

42/2004/1304/PF – Demolition of side extension and conservatory and erection of two-storey extension, new vehicular access and outbuilding: Withdrawn 25 November 2004 following concerns expressed at the access and the scale and visual impact of the outbuilding.

42/2004/1553/PF – Demolition of an existing single-storey side extension and rear conservatory and erection of a two-storey extension: Granted 23 February 2005.

42/2005/0546/PF – Change of use of domestic outbuilding to dwelling for use ancillary to main dwelling: Granted 1 July 2005.

42/2005/1325/PF – Erection of boundary wall/railings and hardstanding (retrospective): Granted 25 January 2006

42/2005/1326/PC – Rebuilding stable block to form annexe to main dwelling (retrospective application): Granted 25 January 2006

#### **PLANNING POLICIES AND GUIDANCE:**

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 3 – Development Outside Development Boundaries  
Policy GEN 6 – Development Control Requirements  
Policy ENV 2 – Development Affecting the AONB

Policy HSG12 – Extensions to Dwellings  
SUPPLEMENTARY PLANNING GUIDANCE  
SPG1 – Extensions to Dwellings

GOVERNMENT GUIDANCE  
Planning Policy Wales March 2002

**MAIN PLANNING CONSIDERATIONS:**

8.
  - i) Principle
  - ii) Impact on the AONB
9. In relation to the considerations as noted in paragraph 8:
  - i) The retrospective nature of the proposed building is regrettable within an Area of Outstanding Natural Beauty. However the applicant has made efforts in discussions with Officers to reach an acceptable scheme. Significant concerns had been originally raised in respect to the size, design and scale of the building. It is considered that having regard to the previous permissions at the site and on the main dwelling the revised pitched roof design of the building along with the landscaping scheme makes it acceptable in principle.
  - ii) Policy ENV 2 states that development will only be permitted where it would not detract from the character and appearance of the AONB and that development in the AONB should be designed to a high standard and contribute to the conservation and enhancement of the natural beauty of the area. The original concerns raised by the JAC have now been withdrawn subject to the strict compliance with the landscaping proposals and slight revisions to the boundary wall. It is now considered, therefore, that the scheme does not harm the natural beauty of the area, subject to strict compliance with the conditions and plans.

**SUMMARY AND CONCLUSIONS:**

9. The pitch of the roof has been amended to blend the building into its surroundings and additional landscaping is now proposed. It is not considered, on balance, that the building warrants refusal and the associated enforcement action.

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

1. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the current planting and seeding season i.e. by the end of May 2006 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.
2. The building hereby permitted shall be revised to accord with the approved plans (pitched roof) within 3 months of the date of this permission.

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

1. To ensure a satisfactory standard of development, in the interests of visual amenity.
2. In the interests in the character and appearance of the AONB.

**NOTES TO APPLICANT:**

None

**ITEM NO:** 2

**WARD NO:** Prestatyn East

**APPLICATION NO:** 43/2006/0084/ PF

**PROPOSAL:** Erection of two-storey pitched-roof extension at rear and pitched-roof to utility room at front/side of dwelling

**LOCATION:** 9 Mount Ida Road Prestatyn

**APPLICANT:** Mr J Mcgeowan

**CONSTRAINTS:** Previous Mining Area  
Article 4 Direction

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

**CONSULTATION RESPONSES:**

1. PRESTATYN TOWN COUNCIL  
"Observation. Local residents' objection referred to Denbighshire County Council"

**RESPONSE TO PUBLICITY:**

Letters of representations received from:

1. Mr Peers Jones, 57A Pendre Avenue, Prestatyn
2. Mr JP Newman, 11 Mount Ida Road, Prestatyn
3. Mr RJ Newman, 7 Mount Ida Road, Prestatyn
4. Mrs G Highlands, 57 Pendre Avenue, Prestatyn

Summary of representations:

- i) Loss of privacy / amenity
- ii) Effects of construction work
- iii) Proposal not in keeping with the area

**EXPIRY DATE OF APPLICATION: 30/03/2006**

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

1. The proposal involves two elements:
  - i) A two storey extension to the rear of the dwelling, projecting some 1.8m out from the existing wall, composed of an extension to the lounge and sitting room, with a and bedroom extension over. The proposal is for a galvanized steel structure with a pitched roof, and full length glazing. Infill panels of white render are proposed on both sides and on the rear elevation, with zinc panels on the roof.
  - ii) Alterations to a side extension, including a lean-to pitched roof with materials to match the existing dwelling.
2. The dwelling is a two-storey, rendered wall and tiled roof, 1930's style dwelling situated on the western side of Mount Ida Road. The rear of the property looks down towards the coast and the centre of the town.

**RELEVANT PLANNING HISTORY:**

3. No relevant history

**PLANNING POLICIES AND GUIDANCE:**

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy Gen 6 Development Control Considerations  
Policy HSG12 Extensions to Dwellings

SPG 1 Extension to Dwellings

**MAIN PLANNING CONSIDERATIONS:**

- 5.

- i) Principle
- ii) Visual Appearance
- iii) Residential Amenity

6. In relation to the main considerations in paragraph 5:-

- i) Principle

The principle of the proposal is acceptable and in line with Policy HSG 12 as the scale and form are subordinate to the existing dwelling, the amended design and materials are in keeping with the existing, and the proposal will not adversely impact on the character and appearance of the locality. The proposal does not represent an overdevelopment of the site.

- ii) Visual appearance

The visual appearance of the extension is acceptable. Whilst it is acknowledged that detailing is of 'modern' styling it is considered appropriate in its location. The initial scheme has been amended to incorporate a more traditional wall finish, and render is proposed in place of cedar panels. There is also a reduction in the level of glazing proposed, which would make the extension more in keeping with the existing dwelling. Dwelling design in the area is mixed with varied fenestration patterns and features. The design approach has been adopted as a cost effective way to achieve the extension, with limited physical access to the rear of the property. The glazing is a sustainable feature allowing more light and heat into the dwelling than conventional windows. The alterations to the side of the dwelling are minimal and the introduction of a pitched roof represents an improvement on the existing flat roof.

- iii) Residential amenity

The proposal will not impact on the privacy and amenity of nearby occupiers. No. 9 has a small well screened rear curtilage of approximately 10 meters in length; the extension will sit 1.8m further forward than the existing wall at the rear. Existing rear windows look out towards adjacent properties and the proposal will not increase the overlooking potential. Bounding the rear of the properties are high hedges and a panel fence. At a lower level the dwellings on Pendre Avenue are 20 metres from the extension, and are at a significantly lower level than Mount Ida Road. Owing to the distance and the levels, the proposal will not impact on the privacy or amenity of the dwellings below.



**SUMMARY AND CONCLUSIONS:**

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

**RECOMMENDATION: GRANT** subject to compliance with the following Condition:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The proposed colour finishes to external materials (including steel/zinc) shall be submitted to and approved in writing by the Local Planning Authority and the approved colours applied prior to the occupation of the extension hereby permitted.

The reason(s) for the condition(s) 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

**ITEM NO:** 3

**WARD NO:** Rhuddlan

**APPLICATION NO:** 44/2006/0175/ PC

**PROPOSAL:** Formation of new vehicular access

**LOCATION:** Land-Field No. 4968 at rear of Plas Newydd Abergele Road Rhuddlan Rhyl

**APPLICANT:** Mr. F. Evans

**CONSTRAINTS:** C1 Flood Zone  
Wildlife Site  
Fluvial Floodplain  
CLA-Class A Road

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

**CONSULTATION RESPONSES:**

1. RHUDDLAN TOWN COUNCIL  
"Recommended for refusal due to dangerous access on busy road with speeding traffic".
2. HEAD OF TRANSPORT AND INFRASTRUCTURE  
No objection subject to conditions.

**RESPONSE TO PUBLICITY:**

Letter of representations received from:

1. Timothy Morgan, Plas Newydd, Abergele Road, Rhuddlan

Summary of planning based representations

- i) Concerns over Highway Safety

**EXPIRY DATE OF APPLICATION: 02/04/2006**

**REASONS FOR DELAY IN DECISION:**

- Awaiting consideration by Committee

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

1. The proposal is for the formation of an access on the southern side of the A547 Abergele Road in Rhuddlan serving a field to the rear of existing residential properties. The access gate is set back 6m from the edge of the carriageway, works proposed relate to the introduction of a single gateway, stockproof fencing and the formation of dropped kerbs, tarmacadam finish and cutting back a section of hedgerow.

2. The existing site comprises of two gateways to the parcel of land and track located on the western side of the row of 9 bungalows, inside the 40mph speed restriction.
3. It is understood the field is used for the grazing of horses.

**RELEVANT PLANNING HISTORY:**

4. This application is submitted as a result of enforcement investigation in late 2005..

**44/2001/437**

Outline application for the development of 0.26 hectares of land by the erection of a single dwelling and construction of new vehicular/ pedestrian access. Refused and dismissed on appeal 28/05/2002.

The Council's three refusal reasons were based on the residential development outside the development boundary contrary to policy, flood risk and highway safety. The inquiry inspector considered the main issues to be the development plan provisions for development outside the recognised settlement and the issue of flooding. The council did not pursue highway safety as a reason for refusal in the inquiry as adequate visibility splays could be achieved within highway land.

**PLANNING POLICIES AND GUIDANCE:**

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 3 - Development Outside Development Boundaries  
Policy GEN 6 – Development Control Requirements

GOVERNMENT GUIDANCE

Planning Policy Wales – March 2002  
TAN 18 - Transport

**MAIN PLANNING CONSIDERATIONS:**

6.
  - i) Principle
  - ii) Highways
7.
  - i) Principle  
The principle of the proposal is acceptable in terms of Policies GEN 3 and GEN 6. Test vi) of GEN 3 that development in connection with agricultural, minerals extraction, diversification of the rural economy, rural tourism, leisure and recreation and existing education/institutional establishments will be permitted, provided there is no unacceptable impact on the social, natural and built environment. This access is to serve agricultural land. It is located just outside the development boundary adjacent to a residential development of bungalows. It is not isolated in the open countryside and will not impact on the character and appearance of the area.
  - ii) Highways Safety  
The proposal will not impact adversely on highway safety. Highways suggest inclusion of conditions relating to the detail of the verge crossing and closure of the existing access. The existing access to be closed lies within the 60 mph zone. The proposal is considered acceptable as it is within a 40 mph zone and the visibility distances are adequate. The proposal includes cutting back the hedge on the boundary of the highway which will further improve further visibility.

**SUMMARY AND CONCLUSIONS:**

8. 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. The access shall not be used until it has been constructed fully in accordance with the proposed details submitted with and forming part of this permission.
3. Vehicular access to the adjoining highway shall be limited to the new access shown on the approved plan and the existing access onto Abergele Road shall be permanently closed within one month of the completion of the new access.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
3. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.

**NOTES TO APPLICANT:**

None

**ITEM NO:** 4

**WARD NO:** Tremeirchion

**APPLICATION NO:** 47/2005/1536/ PF

**PROPOSAL:** Reconstruction of outbuilding to form new dwelling

**LOCATION:** Pant Ifan Newydd Holywell Road Rhualt St. Asaph

**APPLICANT:** Mr R Sales

**CONSTRAINTS:** Public Footpath / Bridleway  
CLB-Class B Road

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

**CONSULTATION RESPONSES:**

1. TREMEIRCHION, CWM & WAEN COMMUNITY COUNCIL  
"No objection"
2. FOOTPATHS OFFICER  
No objection subject to protection of public footpath no. 10.
3. BUILDING CONTROL  
Confirms that structural report, indicating that walls are not structurally sound, is an accurate reflection of building.

**RESPONSE TO PUBLICITY:**

None.

**EXPIRY DATE OF APPLICATION: 15/03/2006**

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

1. The application site is located on the south side of the B5429 to the west of, and outside the main settlement limits of Rhualt. Pant Ifan Newydd consisted of a single storey dormer style building which was originally built as living accommodation, but more recently has been used for agricultural storage.
2. Set back some 13m from the B5429, the building has two extant permissions for conversion into a single dwelling, one of which was secured by the Council as former owner.
3. Permission is now sought to completely rebuild the unit to create a single dwelling, following the substantial collapse of the main structure of the former agricultural building during an attempted conversion. Plans indicate the intention to build a single storey dwelling of rendered walls under a slate roof of similar dimensions to the original building but slightly smaller than the previously permitted conversion scheme.
4. Whilst no objections have been raised to the new proposal, the application is reported to Committee as a departure application as it now represents a new

dwelling proposal in the open countryside, contrary to Unitary Development Plan policy.

**RELEVANT PLANNING HISTORY:**

5. **47/2004/0738/PF** – Conversion and extension of existing shippon/farmhouse to form a single dwelling, alterations to existing vehicular access and installation of private sewage treatment plant – GRANTED 27 October 2004;

**47/2005/0914/PF** – Alteration and extension to existing agricultural building to convert to single dwelling unit, installation of private treatment plant and formation of new vehicular access – GRANTED 21 November 2005.

**PLANNING POLICIES AND GUIDANCE:**

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3 July 2002)  
Policy GEN 6 - Development Control Requirements  
Policy HSG 6 - New dwellings in the open countryside  
Policy HSG 9 - Residential Conversion of Rural Buildings  
SPG 10 – Conversion of rural buildings.

GOVERNMENT GUIDANCE  
Planning Policy Wales, March 2002

**MAIN PLANNING CONSIDERATIONS:**

- 7.
- (i) Principle of new build development
  - (ii) Impact on residential amenity
  - (iii) Impact on visual amenity
  - (iv) Impact on highway safety
  - (v) Drainage issues
8. In relation to the points identified in paragraph 7 above:
- (i) Principle  
The proposed full reconstruction of this outbuilding to form a single dwelling is contrary to Unitary Development Plan policies which seek to prevent the sporadic development of new residential dwellings outside development settlement boundaries. No justification is offered for the dwelling on grounds of essential need or under infill policy. However, it is considered that this proposal does represent a case which would warrant accepting it as a departure from the adopted UDP.

The planning history of this site and the previously attempted conversion scheme are material considerations in this instance. The Council themselves produced a structural report of this building back in 2002 which indicated certain areas of the building would require removal during conversion. The building, however, had deteriorated somewhat when the new owner attempted to carry out building works in 2005. A new application was requested by Officers (47/2005/0914/PF), and was granted permission in November 2005. Subsequent to that permission, however, and following further structural checks by independent engineers and Building Control Officers it was found that the majority of the remaining building would need to be demolished. In view of structural stability and building regulation issues, the current position is therefore that a rebuild is the only remaining option for the owner. It is believed that the owner has made genuine attempts to carry out the approved works.

A further factor to be taken into account is the location of the building within a group of former farm houses and outbuildings and opposite a further former farm complex, and between the former and new A55. Thus, the site is not in an isolated location, albeit outside the village settlement boundary.

It is because of the above factors and having regard to the planning history that a rebuild scheme is accepted in this case. It is not considered that the grant of planning permission in this case would set an undesirable precedent for reasons given above.

- (ii) Impact on residential amenity  
The applicants initially proposed a building of similar dimensions and materials to the original building. The proposal does not deviate from the previously permitted scheme of conversion in terms of size and scale, meaning that the end result will not cause any significant detriment to any nearby residential amenity. Details of the vehicular access and landscaping have been discussed and agreed on previous conversion schemes, such that the dwellings nearby would be unaffected.
- (iii) Impact on visual amenity  
The new build scheme, as described, would be sympathetic in size, scale and design to the original building, the site and surroundings. The vehicular access details have been agreed as part of the extant conversion scheme with landscaping also previously shown incorporating native planting to roadside and perimeter boundaries.
- (iv) Impact on highway safety  
The vehicular access, parking and turning arrangements have been approved previously under the conditional conversion permission. There would be no change to those permitted arrangements under this proposal.
- (v) Drainage  
The intended private treatment plant has also been previously agreed and would not cause any detriment to the drainage issues in this location.

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

- 9. Whilst the proposed rebuild outside a defined settlement would be contrary to policies and guidance, the planning history of the building and the site and location warrants approval in this case.

Subject to all previously approved conditions on vehicular access, landscaping and drainage being complied with again the scheme is acceptable.

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

- 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.
- 3. Prior to the commencement of the application of any external render, a sample panel of the type of render it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority : and the render to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.
- 4. No development shall commence until the written approval of the Local Planning

Authority has been obtained to the precise detailing of the type, materials and finish of the fenestration for the development.

5. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

- (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
- (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
- (e) Proposed positions, design, materials and type of boundary treatment.

6. All planting, seeding, turving, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following commencement of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

7. 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.

8. Notwithstanding the provisions of Classes A, B, C, D and 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 further grant of planning permission of the Local Planning Authority.

9. The access and vehicular footway crossing shall be laid out and constructed in accordance with plans to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the dwelling hereby permitted.

10. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. Such plans shall be fully implemented prior to the occupation of the dwelling 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. In the interests of visual amenity.
3. In the interests of visual amenity
4. To ensure the details are satisfactory in relation to the character and appearance of the building
5. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
6. To ensure a satisfactory standard of development, in the interests of visual amenity.
7. To ensure the proper drainage of the site and to minimise the risk of pollution.
8. In the interests of residential and/or visual amenity.
9. In order to ensure the formation of a safe and satisfactory vehicular access.
10. To provide for the parking of vehicles clear of the highway and to ensure that the reversing of vehicles into or from the highway is rendered unnecessary in the interests of traffic safety.

**NOTES TO APPLICANT:**

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



**ITEM NO:** 5  
**WARD NO:** Ruthin  
**APPLICATION NO:** 02/2006/0083/ PO  
**PROPOSAL:** Development of 0.03 hectares of land by erection of one dwelling and alterations to existing vehicular access (Outline application)  
**LOCATION:** Land fronting Parc y Dre Road forming part garden of 70 Borthyn Ruthin  
**APPLICANT:** Mr G Howatson  
**CONSTRAINTS:** Fluvial Floodplain  
**PUBLICITY UNDERTAKEN:** Site Notice - No Press Notice - No Neighbour letters - Yes

**CONSULTATION RESPONSES:**

3. RUTHIN TOWN COUNCIL  
"No objection"
4. HEAD OF TRANSPORT AND INFRASTRUCTURE  
No objection subject to conditions
5. ENVIRONMENT AGENCY  
No objections
6. WELSH WATER  
No objections subject to conditions.
7. PRINCIPAL COUNTRYSIDE OFFICER  
No objections to the removal of the trees, but suggest need for replacements.

**RESPONSE TO PUBLICITY:**

Letter of representation received from

1. Mr. K. Jones and Ms. T. Dutton, 95 Parc Y Dre, Ruthin

Summary of planning based representations:

- i) Impact on amenity – privacy of home and garden adversely affected due to overlooking
- ii) Flooding issues
- iii) If permission granted suggest frosted glass windows and appropriate drainage.

**EXPIRY DATE OF APPLICATION: 16/03/2006**

**REASONS FOR DELAY IN DECISION:**

- Negotiations resulting in amended plans

**PLANNING ASSESSMENT:  
THE PROPOSAL**

1. The residential dwelling of 70 Borthyn has a frontage onto the A525 and lies directly opposite the shop and post office. To the north side of 70 Borthyn is the to Parc Y Dre estate.
2. Outline planning permission is sought to erect a dwelling on part of the rear garden of 70 Borthyn. All matters, apart from means of access, are reserved for further approval.
3. The application site would be approximately 340 square metres in size. The application site is currently not visible from Parc y Dre because of a row of single storey concrete garages running across the frontage of the site.
4. The application has been accompanied by an indicative plan showing a 3-bed detached house sited centrally within the plot. Access would be between the existing rear access to the dwelling and the row of garages.

**RELEVANT PLANNING HISTORY:**

5. None.

**PLANNING POLICIES AND GUIDANCE:**

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 1 – Development within the development boundary  
Policy GEN 6 – Development Control Requirements  
Policy HSG 2 – Housing Development in Main Centres

GOVERNMENT GUIDANCE  
Planning Policy Wales - March 2002

**MAIN PLANNING CONSIDERATIONS:**

7.
  - i) Principle of development
  - ii) Access
  - iii) Impact on neighbouring residential dwellings
  - iv) Levels of amenity afforded to the proposed dwelling
  - v) Flooding issues
  - vi) Removal of trees
8. In relation to the above considerations:
  - i) Principle of development:  
The UDP encourages positive provision to be made for the housing requirement of the County's population in a way that is sustainable. Concentrating development into the main centres is therefore encouraged in the adopted Policy HSG 2. This is an application to subdivide an existing residential curtilage to create one additional dwelling within the development boundary of Ruthin, which is acceptable in principle. The proposed development respects the character of the surrounding residential dwellings in terms of siting, layout, scale, density and spaces around and between buildings in accordance with relevant criteria of Policy GEN 6.
  - ii) Access  
The outline planning application includes the means of access to the site. The Head of Transport and Infrastructure sought amendments to the original scheme, and now raises no objection to the proposal subject to the inclusion of standard conditions to ensure the access is created to the required

standard, prior to occupation of the dwelling.

iii) Impact on neighbouring residential dwellings:

The application is accompanied by plans of the likely siting and floor arrangements of a dwelling. This allows an assessment to be carried out of the orientation of the dwelling and the impact on neighbouring dwellings.

The illustrations demonstrate that the proposal achieves the generally accepted minimum distances with the garden depth of 9 metres and the distance between habitable room windows around 21 metres.

The proposed development will increase activity to the rear of the existing residential curtilage and garages. However, the type of increased activity is not considered to be out of character or to such an intensity so as to warrant a refusal.

iv) Levels of amenity afforded to the proposed dwelling:

The proposed dwelling will be sited to the rear of the row of garages, which will reduce the level of amenity afforded the residents of the new dwelling. The proposed dwelling will not be provided with a frontage. If the dwelling is two storeys, as the illustrations suggest, then it will be afforded some amenity in comparison with a bungalow which would be overpowered by neighbouring two storey structures and the garages.

The adjoining garages will cause some disturbance by comings and goings. However, the impact on the proposed new dwelling is not considered to differ significantly from the level of amenity afforded to the other adjoining neighbouring dwellings. Thus, on balance the level of amenity offered is considered acceptable.

v) Flooding issues:

The Environment Agency does not object to the proposal as the application site appears within the flood Zone A of TAN 15 national guidance on flooding. They do however suggest that flood proofing construction techniques should be utilized as the site does fall close to a flood risk zone. The application proposes that rain water will be disposed of through soakaways, details of which would be dealt with under building regulations.

vi) Removal of trees:

Approximately 6 trees are proposed for removal from the application site and a row of conifers. The Principal Countryside Officer has no objections to the removal of the mature cherry tree on the highway boundary. However it is suggested that there should be a need for replacements elsewhere on the site as part of a landscaping scheme.

**SUMMARY AND CONCLUSIONS:**

9. Whilst officers have some concern about the level of amenity afforded to the proposed residential dwelling, it is considered that overall the development is acceptable.

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

1. Approval of the details of the design and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Prior to the occupation of thereby approved dwelling, the vehicular access and parking and turning shall be constructed and finished in accordance with the approved plan (Drwg:0107/1/A).
5. No surface water or land-drainage will be permitted, either directly or in-directly, to discharge into the public sewer system.
6. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

1. The application is for outline permission with details of siting and means of access only.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. To ensure a safe and satisfactory access and parking of vehicles clear of the highway.
5. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of the existing residents and ensure no detriment to the environment.
6. 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.

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

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

The Environment Agency suggests that you utilise flood proofing techniques and mitigation measures in the construction of the dwelling due to its location within/close to a flood risk zone taking into account advice within the ODPM publication "Preparing for floods: Interim guidance for improving the flood resistance of domestic and small business properties". ([www.odpm.gov.uk](http://www.odpm.gov.uk))

**ITEM NO:** 6

**WARD NO:** Llangollen

**APPLICATION NO:** 03/2006/0257/ PC

**PROPOSAL:** Retention of 4 No. white UPVC sash windows on front elevation (retrospective application)

**LOCATION:** 10 Berwyn Street Llangollen

**APPLICANT:** Mr William Andrew Fergus

**CONSTRAINTS:** C2 Flood Zone  
Within 67m Of Trunk Road  
Listed Building  
Fluvial Floodplain  
Conservation Area

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

**CONSULTATION RESPONSES:**

1. **LLANGOLLEN TOWN COUNCIL**  
"Members recognised that this address is within the conservation area and were concerned that if this application were approved then there would be no reason why any other premises within the conservation area should not be allowed to carry out similar 'improvements'. This would defeat the whole point of having restrictions within a conservation area. Members accepted that the new windows did not detract from the overall appearance of the premises, but if conservation is to be protected then only windows based on the original design and materials should be permitted".
2. **SENIOR CONSERVATION OFFICER**  
Objects to the application on the grounds that it is for the retention of windows that are of an inappropriate design in terms of style, pattern and use of material. The proposal neither retains nor enhances the character and appearance of the Llangollen Conservation Area and creates a discord with the windows to the right side of 10 Berwyn Street.

**RESPONSE TO PUBLICITY:**

None at time of writing report

**EXPIRY DATE OF APPLICATION: 01/05/2006**

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. The proposal is a full planning application for the retention of UPVC windows on the first and second floors of No.10 Berwyn Street, Llangollen. As the works have already been carried out the application is retrospective.
2. The four fitted windows are located to the front elevation of the property, two being at the first floor the other two being at the second floor. The windows at the first

floor are white in colour with the first floor window being imitation 9 pane over 9 pane, with the top half opening whilst the windows to the second floor are imitation 6 pane over 6 pane and again with the top half opening.

3. The property is currently in use as a shop selling craft and hobby goods on the ground floor with associated office and storage space situated on the first and second floors. The site fronts onto the A5 trunk road and is located within the Llangollen Conservation Area.
4. The application refers to the need for the new windows as being for employee safety and building security.

**RELEVANT PLANNING HISTORY:**

5. This application has been submitted following an enforcement investigation in December 2005.

**PLANNING POLICIES AND GUIDANCE:**

6. Denbighshire Unitary Development Plan  
Policy GEN 6 - Development Control Requirements  
Policy CON 5 - Development Within Conservation Areas

**GOVERNMENT GUIDANCE**

Planning Policy Wales, March 2002

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

**MAIN PLANNING CONSIDERATIONS:**

7.
  - i) Principle of development
  - ii) Effect on the character and appearance of the property and the Conservation Area.
8. With regard to the considerations in paragraph 8:
  - i) The proposal is not considered acceptable in principle as it neither preserves nor enhances the character or appearance of the Llangollen Conservation Area.
  - ii) The front elevation to No.10 Berwyn Street is prominent within the street scene along the A5 (a main tourist route) and within the designated conservation area. The original windows in the property were vertical sliding box sash windows of painted timber with single glazing and fine section glazing bars of traditional joinery form. The first floor windows were 6 over 6 pane windows, and the second floor 3 over 6 pane windows. The introduction of UPVC windows with double glazed units has a detrimental impact on premises and the surrounding conservation area and neither retains the character nor enhances the conservation area. It is considered that the method of opening the windows (top hung openings) would, when utilised, cause further discord within the area. The proposal is contrary to Policy GEN 6 as it is not considered to respect the site and surroundings in terms of design and materials, and, to Policy CON 5 as it does not preserve or enhance the character or appearance of the conservation area.

The majority of properties adjacent to the site have painted timber framed windows.

### **SUMMARY AND CONCLUSIONS:**

9. The proposal is considered unacceptable and accordingly is recommended for refusal. The use of inappropriately detailed UPVC on buildings in conservation areas should not be condoned, as a clear precedent would be set rendering it difficult to control other unacceptable window replacements in such locations.

### **RECOMMENDATION (A): REFUSE-** for the following reasons:-

1. In the opinion of the Local Planning Authority the proposed UPVC windows do not respect the premises in terms of design and material and neither preserve nor enhance the character or appearance of the designated Llangollen Conservation area by virtue of the use of inappropriate and unsympathetic materials and detailing. The proposal is considered contrary to Policies GEN 6 and CON 5 of the adopted Denbighshire Unitary Development Plan and advice as contained within the Council's Supplementary Planning Guidance No. 13 - Conservation Areas, and Planning Policy Wales, March 2002, and advice as contained within Welsh Office Circular 61/96.

### **ENFORCEMENT REPORT**

1. This application is retrospective and relates to the unauthorised installation of 4 no. UPVC windows on a commercial property in the Llangollen Conservation Area. The development is considered to be unacceptable having regard to the relevant policies. Therefore, this report seeks Member authorisation to take the necessary enforcement action. In considering taking enforcement action against unauthorised development, the provisions of the Human Rights Act 1998 are taken into account. It is considered that these rights are outweighed in that the development is unacceptable as it would not preserve or enhance the character of the Conservation Area contrary to the relevant planning policies.

### **REASONS FOR TAKING ENFORCEMENT ACTION**

2. The unauthorised development was carried out within the last 4 years.
3. The development is considered unacceptable. The imposition of planning conditions as part of any grant of planning permission would not overcome this.

### **RECOMMENDATION (B)** That authorisation be given for the following:

- (i) Serve an Enforcement Notice to remove the unauthorised UPVC windows and place back the lost traditional sliding sash timber windows.
- (ii) Instigate prosecution proceedings or other appropriate action under the Planning Acts against any person or persons upon whom any Enforcement Notice, or other Notice, is served or against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice.
- (iii) Period for Compliance: 6 months.

**ITEM NO:** 7

**WARD NO:** Llanfair Dyffryn Clwyd / Gwyddelwern

**APPLICATION NO:** 10/2006/0164/ PF

**PROPOSAL:** Erection of 1 no. detached dwelling

**LOCATION:** Land At Capel Seion Bryneglwys Corwen

**APPLICANT:** C/O J W Williams

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

**CONSULTATION RESPONSES:**

8. BRYNEGLWYS COMMUNITY COUNCIL  
No reply received to date
9. DWR CYMRU WELSH WATER  
No objection recommend conditions
10. HEAD OF TRANSPORT AND INFRASTRUCTURE  
Express concern at restricted visibility at existing access onto Class 3 road but taking into account existing use of site, has no objection subject to condition requiring turning area.

**RESPONSE TO PUBLICITY:**

Letters of representation received from:.

1. Mrs M Bellis, The Paddock, Bryneglwys, Corwen
2. M Rhys Evans, Alwen, Bryneglwys, Corwen

Summary of planning based representations

- i) Private road
- ii) Loss of lane for potential community use

**MEMBERS' COMMENTS:**

None

**EXPIRY DATE OF APPLICATION: 27/03/2006**

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

1. Full permission is sought for a bungalow on land at the former chapel site in Bryneglwys. The proposal is sited with the gable facing the access road. The proposed dwelling is a simple design of render with stone faced porch. Three bedrooms are proposed with lounge, w.c. and kitchen. Amenity space is proposed to the north western side of the dwelling.
2. The site is located in the centre of the village of Bryneglwys, accessed off a private road serving the former chapel, vestry and five other dwellings. The chapel has been demolished: The remaining vestry is to be retained and refurbished as part



of a previous proposal.

**RELEVANT PLANNING HISTORY:**

3. 10/2006/0165/PF – Alterations and refurbishment of existing vestry – GRANT – 24/03/06

**PLANNING POLICIES AND GUIDANCE:**

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 6 - Development Control Requirements  
Policy ENV 2 - Area of Outstanding Beauty

**GOVERNMENT GUIDANCE**

Planning Policy Wales March 2002

**MAIN PLANNING CONSIDERATIONS:**

5. The main issues are considered to be:
  - i) Principle
  - ii) Visual Appearance
  - iii) Residential Amenity
  - iv) Highway Safety/ Access
  - v) Community use
  
6. In relation to the main issues in paragraph 7:
  - i) Principle  
The principle of the proposal accords with Policy Gen 6. The site is located within the development boundary and as such the redevelopment of the former chapel site for residential purposes is considered acceptable. In terms of Policy ENV 2 is it not considered that the proposal would impact on the overall character and appearance of the AOB or prejudice any future designations of the area.
  
  - ii) Visual appearance  
The visual appearance of the proposal is acceptable. The proposed bungalow is considered an appropriate size for the site and the design and materials are in keeping with the mixed character of the area.
  
  - iii) Amenity  
The proposal will not impact on the privacy and amenity of nearby occupiers as first floor windows are proposed on the gables facing the vestry and the access road. Adequate amenity space is proposed for the dwelling which meets relevant guidelines.
  
  - iv) Highway safety  
In relation to highways safety and access the proposed use of the land for residential purposes would generate less traffic than the previous use as a chapel. Therefore the residential use for an additional single dwelling would have less impact on the access road and junction. In relation to the ownership of the access road this is a civil issue which would need to be addressed between the applicants and the road owners.
  
  - v) Community Use  
The issue of use of the site for community use has been raised in representations. The chapel has now been demolished and there is no policy requirement to retain the land for community use. It is understood that the

vestry is to be retained as a meeting room and it is to be refurbished following the recent grant of permission.

**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. There shall be no discharge of surface water (and land drainage run-off) to the combined sewer system.
3. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:
  - (a) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
  - (b) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
  - (c) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
  - (d) Proposed positions, design, materials and type of boundary treatment.
4. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons [following the occupation of the dwelling/completion of the development/commencement of the development/next planting and seeding season] and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
5. 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.
6. Notwithstanding the provisions 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 windows additional to those shown on the approved plans shall be inserted at any time in the south west elevation of the dwelling hereby permitted at ground, floor level, unless otherwise agreed in writing by the Local Planning Authority.
7. The dwelling shall not be occupied until parking spaces and access thereto have been laid out in accordance with details to be submitted to, and approved in writing by the Local Planning Authority.
8. The dwelling hereby permitted shall not be occupied until such time as the chapel vestry has been refurbished and made good in accordance with the plans approved under planning permission ref: 10/2006/0165/PF dated 24 March 2006..

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. There is insufficient capacity in the existing drainage system to cater for additional surface water flow.
3. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
4. To ensure a satisfactory standard of development, in the interests of visual amenity.
5. In the interests of visual amenity.
6. To maintain a reasonable standard of privacy in adjoining dwellings and gardens in

the interests of amenity

7. In order that adequate parking facilities are available within the curtilage of the site.
8. In the interests of visual and residential amenity.

**NOTES TO APPLICANT:**

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).

Babtie, New Development Consultants, advise that a public sewer crosses the site. Please contact Babtie for more information before you proceed with the development. Babtie can be contacted on 01745 815815 or e-mail [babtie@denbigh.com](mailto:babtie@denbigh.com)

**ITEM NO:** 8

**WARD NO:** Llanrhaeadr Yng Nghinmeirch

**APPLICATION NO:** 14/2006/0059/ PF

**PROPOSAL:** Erection and operation of 70 metre meteorological monitoring mast for the purpose of collecting wind resource data

**LOCATION:** Land in Clocaenog Forest East of Marial Gwyn Cyffylliog Ruthin

**APPLICANT:** Airtricity Holdings Ltd.

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

**CONSULTATION RESPONSES:**

1. CYFFYLLIOG COMMUNITY COUNCIL  
and  
CLOCAENOG COMMUNITY COUNCIL  
The same letter of objection has been forwarded by both Community Councils:-

"This Council objects to the above planning application and plans for the following reasons:-

- (i) This application is the first phase for Wind Turbine planning application at Clocaenog Forest which is opposed by the vast majority of local people.
- (ii) The application is against the Denbighshire County Council Unitary Development Plan Policy MEW 10 – Wind Power.
- (iii) The proposal would lead to an unacceptable cumulative visual impact in an area where zones of visibility overlap. This proposal will have the visual impact of both the communities of Clocaenog and Cyffylliog.
- (iv) There will be an unacceptable risk of nuisance to the public arising from the wind turbines, such as safety, shadow flicker, television and radio interference.
- (v) The proposal would lead to unacceptable noise levels to residential amenity in the surrounding area.
- (vi) The proposal will unacceptably harm and destroy the appearance of the landscape of the Clocaenog Forestry.
- (vii) The proposal would have an impact on wildlife such as the Red Kite bird of prey, Red Squirrels, etc.
- (viii) The proposal will cause unacceptable harm to the enjoyment of the landscape for recreational and tourism purposes".

**RESPONSE TO PUBLICITY:**

None received.

**EXPIRY DATE OF APPLICATION: 12/03/2006**

**REASONS FOR DELAY IN DECISION:**

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

## **PLANNING ASSESSMENT:**

### **THE PROPOSAL:**

1. The application is for the erection of a 70 metre high anemometer meteorological mast in a forestry clearing location approximately 1km to the east of the property Hafotty Newydd, which is in the centre of Clocaenog Forest.
2. The application is one of a number which have been submitted by Dulas Limited on Forestry Commission Wales Landholdings, to measure wind speeds and directions in locations within the areas designated as Strategic Search Areas for new wind energy developments by the National Assembly for Wales in Technical Advice Note 8 : Renewable Energy.
3. Dulas have advised that the mast would be installed at the location for a temporary period of 2 years. The wind speed data collected would be used in a financial model to assess the viability of building a wind farm on the site. The submission indicates that such met masts and their data will be sold to the developers that successfully secure contracts for the development of wind energy schemes with Forestry Commission Wales in each of the TAN 8 areas.
4. The development would consist of a galvanised steel tube, 198mm diameter at the base, reducing to 168mm at the top. The mast would have four main 'anchors' in the form of buried timbers linked to the steel tube by galvanised steel wire rope. The intention on decommissioning would be to remove the anchors and reinstate the ground to its original condition.
5. By way of background, Dulas have submitted two separate applications for met masts to Denbighshire, and others in close proximity to, but outside the Denbighshire boundary to Conwy. The location of the sites is shown on the plan at the front of this report.
6. Officers of both authorities have been in discussion over the handling of these applications, not only as they raise common planning issues, but in view of the ongoing collaboration on the preparation of a joint Supplementary Planning Guidance (SPG) on 'On Shore Wind Farms'. At the time of drafting this report, it was understood that Dulas had withdrawn one of the applications submitted to Conwy (a site outside the TAN 8 Strategic Search Area (SSA)), and that Conwy were about to grant permission for the other mast under officers' delegated powers.
7. The met mast forming the subject of this report is located within the TAN 8 SSA and the refined SSA contained in the draft Conwy/Denbighshire Supplementary Planning Guidance document. The extent of these areas is shown on the plan at the head of the report. The second met mast application with Denbighshire (14/2006/0060/PF) is for a 70 metre structure south east of Cerrig Oerion, in a location within the TAN 8 SSA, but outside the refined SSA in the joint Conwy/Denbighshire SPG. Dulas have suggested this second application be held in abeyance at this point, pending the deliberations on the SPG.

### **RELEVANT PLANNING HISTORY:**

8. None.

### **PLANNING POLICIES AND GUIDANCE:**

9. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 6 - Development Control Requirements

Policy MEW 8 - Renewable Energy  
Policy MEW 10 - Wind Power

Supplementary Planning Guidance

SPG 23 - Joint Conwy/Denbighshire SPG "On Shore Wind Farm" (draft issued January 2006, consultation period closed 3<sup>rd</sup> March 2006, representations currently under consideration and likely to be reported to Cabinet, May 2006 and Full Council for final approval).

GOVERNMENT GUIDANCE

Planning Policy Wales March 2003

Technical Advice Note 8 - Planning and Renewable Energy (July 2005)

**MAIN PLANNING CONSIDERATIONS:**

10.

- i) Principle of development.
- ii) Impact on visual amenity landscape, wildlife

11. In relation to the main considerations:

i) Principle of development

There are no planning policies which make specific reference to the erection of met. masts in conjunction with possible wind turbine developments. There is brief reference in TAN 8 to 'other infrastructure' relating to wind turbine developments, confirming that anemometer masts are needed as part of the project planning and design process.

Given the clear guidance in TAN 8 from Welsh Assembly Government on the preferred location for wind turbine developments in the Strategic Search Areas, and the fact that the particular met. mast is clearly within the TAN 8 SSA and the refined Clocaenog Wind Farm Zone in the draft Conwy/Denbighshire SPG, it would be difficult for the local planning authority to oppose the principle of establishing a small number of wind monitoring masts to inform potential wind turbine developers of the feasibility of locations for future wind farms.

With due respect to the concerns outlined in the responses of the two Community Councils, these are directed mainly at the principles and impacts of the development of wind turbines, rather than the temporary erection of relatively unobtrusive wind monitoring masts. In the circumstances, it would be inappropriate to refuse permission for a wind monitoring mast on grounds that it would be a precursor for a wind turbine development.

One area of concern which exists is the potential demand for additional met masts which could result from the designation of the SSACWFZ, the industry need for accurate data within different locations in the search area, and the limited sharing of collected data because of the commercial sensitivity of the data. Dialogue with Conwy officers and Dulas are ongoing to address concerns over a proliferation of masts.

ii) Visual/Landscape/wildlife impact

Whilst accepting the concerns of the Community Councils over the impact of a development on visual and landscape quality, issues of cumulative visual impact would not really be relevant to a slender monitoring mast, proposed for a maximum period of 2 years. The mast is proposed in a fairly recently

cleared section of forest, and the likely impact on wildlife from such a 'static' feature would be limited. There is negligible noise generation from a monitoring mast, and it would be difficult to argue there would be significant impact on tourism or recreational uses from it.

**SUMMARY AND CONCLUSIONS:**

12. The proposal is considered acceptable subject to the inclusion of conditions requiring the erection of the mast within 12 months of the grant of permission, its removal within 2 years, and reinstatement of the land.

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

1. The development hereby permitted shall be commenced no later than 1 year from the date of grant of this permission.
2. The mast shall be removed from the site no later than 2 years from its installation, and the land around the anchors and any access tracks shall be reinstated within a 3 month period of its removal in accordance with such detailed proposals to be submitted to and approved in writing by the Local Planning Authority.

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

1. In order that the Local Planning Authority retain control over the implementation of the development and any others for monitoring masts in the location.
2. In the interests of visual amenity.

**NOTES TO APPLICANT:**

None

**ITEM NO:** 9

**WARD NO:** Llanrhaeadr Yng Nghinmeirch

**APPLICATION NO:** 25/2005/1514/ PR

**PROPOSAL:** Details of siting, design and external appearance of buildings, means of access and landscaping submitted in accordance with condition no. 1 of outline planning permission code no. 25/2002/1107/PO

**LOCATION:** Land Opposite Penlan Nantglyn Denbigh

**APPLICANT:** Mr J D & Mrs D V Roberts

**CONSTRAINTS:** Public Footpath / Bridleway  
Conservation Area

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

**CONSULTATION RESPONSES:**

2. NANTGLYN COMMUNITY COUNCIL

Initial plans

"The Council has no objection to this planning ".

Revised plans

Awaiting response.

3. HEAD OF TRANSPORT & INFRASTRUCTURE

Initial plans

Notes that:-

- i) A Public Byway (No. 36) abuts the site. Advisory notes should be added to the planning decision to ensure the byway is safeguarded. From the submitted plans, it appears that the track will be altered where it meets the new access to the proposal.
- ii) Clarification required on the treatment of the junction with the Byway and adopted highway; lighting; driveway construction.

Revised plans

Supports the clarification of details, subject to the inclusion of standard conditions..

4. WELSH WATER

No objection to the proposal, subject to standard conditions and advisory notes.

5. COUNTY CONSERVATION OFFICER

Initial plans

Advises that the site is partly within and party outside the boundary of the designated Nantglyn Conservation Area and that there is earlier planning history.

Has no objection, provided suitable conditions are imposed to control the following:- use and appearance of stonework and render; external joinery paint colours; and no raised slate vents to be used.



Revised plans

Supports the clarification of details, subject to the inclusion of the conditions previously suggested.

**RESPONSE TO PUBLICITY:**

Letters or representation received from:

1. Mrs P.M Law - Ty'n Efail, Nantglyn, Denbigh
2. D.J. & V. Wilson, Penllan, Nantglyn

Summary of planning based representations:-

- i) Overlooking  
Onto house and garden (Ty'n Efail)
- ii) Drainage  
Ongoing problem with overflowing gully into village properties should be resolved.
- iii) Parking  
Potential problems would result with residents parking large vehicles on the site.
- iv) Previous planning permission / history  
Adjacent outbuilding was previously granted permission alongside this site. Note that the current application does not include this scheme and the building is in a dangerous condition, which should be improved and access retained for its use.
- v) Use of land  
Site is currently used for parking in connection with farming of land. Provision should be made for replacement off-road parking elsewhere.
- vi) Noise, disturbance etc.  
Should permission be granted, the following should be conditioned:-
  - a) provision for road clearing during construction – as the access point is on the village approach;
  - b) work undertaken during normal working hours.
- vii) Revised plans  
No additional comments received.

**EXPIRY DATE OF APPLICATION: 19/04/2006**

**REASONS FOR DELAY IN DECISION:**

- re-consultations / further publicity necessary on amended plans and / or additional information

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. This proposal is a reserved matters application, following the grant of outline planning permission in December 2002. It contains details of the siting of buildings, design, external appearance, landscaping, and means of access. The proposal involves 3 no. detached two-storey houses, incorporating natural slate roof and part stone/render walls.

2. The site lies to the rear of a grade II listed stone barn, fronting onto the B road running from/to Waen. The northern half of the site lies within the boundary of the designated Nantglyn Conservation Area. To the west lies the Lon Bryn Du byway.
3. The application site (together with previous buildings/sheds on the land) is currently used for agricultural purposes. It is understood that the land is used in connection with a smallholding, along with other buildings across the B road from this site.
4. The stone barn was previously the subject of a permission for conversion to residential in 1999. Neither the subsequent outline planning permission on the application site (25/2002/1107/PO) nor the current application include proposals for the conversion of this barn.
5. Access to the site is intended via a crossing over the Lon Bryn Du byway to gain entrance onto the adjacent B road. Foul sewer disposal is via the public sewer, with soakaway provision for rainwater disposal. The site slopes down from the north.

**RELEVANT PLANNING HISTORY:**

6. **25/588/99/PO**  
 (A) Conversion of disused building to form one dwelling  
 (B) Development of land by the erection of three dwellings and associated works – GRANTED – 11/11/1999

**25/2002/1107/PO**

Development of land by the erection of 3 dwellings and construction of associated access and service road (renewal of permission granted under Code NO. 25/588/99/PO) – GRANTED – 18/12/2002

**PLANNING POLICIES AND GUIDANCE:**

7. **Denbighshire Unitary Development Plan**

Policy GEN 1	-	Development within development boundaries
Policy GEN 6	-	Development control requirements
Policy GEN 10	-	Supplementary Planning Guidance
Policy HSG 3	-	Housing in main villages
Policy COV 1	-	The setting of listed buildings
Policy CON 5	-	Development within Conservation Areas
Policy CON 6	-	Development adjacent to Conservation Areas
Policy ENP 4	-	Foul and surface water drainage

Supplementary Planning Guidance Notes

- 13 - Conservation Areas
- 21 - Parking requirements in New Developments

**MAIN PLANNING CONSIDERATIONS:**

8.
  - i) Impact on residential amenity.
  - ii) Drainage and flooding implications.
  - iii) Impact on conservation area and adjacent listed building.
  - iv) Highway, byway and parking implications.
9. In relation to the points identified in paragraph 8 above:-

i) Impact on residential amenity

The principle of residential development has previously been established by virtue of the outline planning permission.

One property abuts the site, Ty'n yr Efail, a 2 storey detached residence positioned on the westerly boundary, between the listed stone barn and plot 3 of this development.

Given the juxtaposition and relationship between Ty'n yr Efail, and the site levels involved it would be difficult to conclude that there would be direct overlooking involved. The block / site plan for the proposal shows that none of the plots are positioned at direct angles of overlooking to the rear of Ty'n yr Efail.

In terms of the effect on the listed building, sufficient distance exists to ensure the potential for conversion to residential use remains.

Given these factors, it would be difficult to refuse the application in relation to criteria i) and v) of GEN 6. With regard to the points of objection in relation to noise and disturbance, given the limited scale of the proposal, it would not be normal practice to impose a planning condition(s) on road clearing and controlling working hours, but it would be appropriate to require agreement to measures to ensure there is no impact from construction works on the listed building. This approach would be broadly in line with criterion (v) of Policy GEN 6.

No conditions were included on the original application to the effect in terms of the applicants parking agricultural vehicles elsewhere, the agent has advised that this will be undertaken at the applicant's other land/building area, across the B road. The use of existing agricultural land for temporary parking of associated vehicles does not, in most cases, involve any planning control.

ii) Drainage & Flooding implications

Incidences of storm flooding in the area was highlighted during the investigation of the previous planning applications. In considering of this current application, the County Council's senior Drainage Engineer has re-investigated the problem and contacted the objector, confirming that the Council will be undertaking work to Lon Bryn Du to reduce the risk of stone and gravel causing headwall blockages.

The agent for the application is aware of this problem and has designed the site access and infrastructure to mitigate against this risk.

The foul drainage will involve a connection through third party land to the public sewer line (running along the highway to the east of the application site). No objections have been submitted to this arrangement.

iii) Impact on the conservation area and the adjacent listed building

Whilst not open to views from the village centre, there are vantage points and public highways, both adjoining and within the locality, which give views to/from the site. Detailing and boundary treatments require a sensitive approach. The outline planning permission for the site included an indicative site design approved by the Local Planning Authority. The current application broadly follows the concept of this indicative design and includes the following elements:-

- a) Traditional window and door designs;

- b) Traditional pitched front porches;
- c) Natural slate roof, with chimney stacks;
- d) Natural stone on front elevations (north facing)

Revised plans include for:

Minor clarification of design details, provision of a small conservatory to the rear of plot 3; additional details of landscaping and boundary treatment and entrance/boundary details.

Boundary details include for the provision of a new native natural hedgerow along the site boundaries to link into the existing surrounding field hedgerows, together with the retention of the existing hedge line to the west.

The Conservation Area's character and adjoining listed building will not be adversely affected by the proposal, provided appropriate stone facing, render, and timber colouring is involved. Approval of these can be conditioned. The entrance to the site should also be conditioned to include for the provision of a low natural stone wall boundary. Detailed plant species can also be conditioned.

In terms of the long term use/condition of the listed building, and the points of objection, the Council's Building Control Officer has inspected the property, confirming that the building is not in a dangerous state, but untidy. A note can be added to any approval to draw attention to the need for positive proposals for the listed building.

iv) Highway, byway and parking implications

Clarification has been obtained in terms of the site's relationship with the adjoining byway to ensure suitable mitigation against the storm water flooding caused by Lon Bryn Du and the application site.

Access to each plot is intended via a shared private driveway which will also serve a future use for the listed building. Parking provision is two parking spaces per dwelling, together with an integral garage and turning spaces. Within each individual dwelling curtilage. The proposal complies with the planning policies and Supplementary Planning Guidance No. 21 'Parking and New Developments'.

In relation to the points of objection, residents parking of large private domestic vehicles on site, is not within the authority's control.

**SUMMARY AND CONCLUSIONS:**

10. Having regard to the issues, the plans can be supported provided suitable conditions are included.

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

1. In relation to the drainage arrangements:
  - a) Foul water and surface water discharges must be drained separately from the site.
  - b) No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.
  - c) No land drainage run-off shall be permitted, either directly or indirectly, to discharge into the public sewerage system.
2. No trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or

which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing by the Local Planning Authority.

3. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

- (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
- (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
- (e) Proposed positions, design, materials and type of boundary treatment.

4. All planting, seeding, turving, 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 final dwelling of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

5. 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.

6. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture, with grey butt end ridge tiles.

8. All stonework proposed for use in the development hereby permitted shall be local natural source to match the existing walls of the adjacent listed building in texture, type, colour, mortar and pointing.

9. Notwithstanding the provisions of Classes A, B, C, D, E, F, G and H of Part 1 and Class C or Part 2 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 further grant of planning permission of the Local Planning Authority.

10. No dwelling shall be occupied until the parking space(s)/garage and access thereto have been laid out/constructed in accordance with the approved plans.

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

1. To ensure satisfactory drainage of the site and to avoid flooding.
2. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
3. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
4. To ensure a satisfactory standard of development, in the interests of visual amenity.
5. In the interests of visual amenity.
6. In the interests of visual amenity.
8. In the interests of visual amenity.
9. In the interests of residential and/or visual amenity.
10. In order that adequate parking facilities are available within the curtilage of the site.

**NOTES TO APPLICANT:**

You are advised of the need to comply with the conditions attached to the original planning permission.

A separate licence consent is required for surface works to the Lon Bryn Du byway. You should contact the County Council's Right of way section (Tel. No. 01824 706572 ) to discuss this aspect further.

If a connection is required to the public sewerage system, the developer is advised to contact the Dwr Cymru Welsh Water Development Consultants on (Tel: 01443 331155).

For your information and perusal, attached is a copy of the Nantglyn Conservation Area appraisal report which outlines the character and opportunities for enhancement.

In connection with the listed barn, you should consider the preparation of a suitable management strategy to ensure works to safeguard the building during construction works.

**PWYLLGOR CYNLLUNIO**  
**CYFARFOD: 19 eg Ebrill 2006**  
**Eitem: 3**

**PLANNING COMMITTEE**  
**MEETING: 19th April 2006**  
**Agenda Item: 3**

**ENFORCEMENT MATTERS**

- (i) **ENF/2006/00030 -**  
3 Grawys Villas, Lenten Pool, Denbigh  
Unauthorised insertion of double glazed Upvc door and  
windows

## **PLANNING ENFORCEMENT REPORT**

**REFERENCE:** ENF/2006/00030  
**LOCATION:** 3 Grawys Villas Lenten Pool Denbigh  
**INFRINGEMENT:** Unauthorised Insertion of double glazed upvc door and Windows

### **RELEVANT PLANNING POLICIES AND GUIDANCE**

DENBIGHSHIRE UNITARY DEVELOPMENT PLAN  
Policy GEN 6 – Development Control Requirements  
Policy CON 5 – Development Within Conservation Areas  
Policy CON 9 – Article 4 Directions  
SPG 12 – Shop Fronts  
SPG 13 – Conservation Areas

### **GOVERNMENT GUIDANCE**

Planning Policy Wales 2002  
Technical Advice Note (Wales) 9 : Enforcement of Planning Control  
Circular 61/96 Planning and the Historic Environment

### **HUMAN RIGHTS CONSIDERATIONS**

The Human Rights Act 1998 is taken into account when considering taking enforcement action against unauthorised alterations to commercial / residential premises within a Conservation Area. In this instance, the matter under consideration relates to the rights of an owner of a mixed commercial and residential property to install UPVC replacement windows, doors and shop front in modern materials and the impact that the installation of those modern materials has on the character and appearance of the Conservation Area in the general public interest.

No specific human rights issues have been raised by the owner of the dwelling or any other interested party.

## **1. BACKGROUND INFORMATION**

- 1.1 3 Grawys Villas, Lenten Pool, Denbigh is a double fronted property in mixed commercial and residential use within Denbigh Conservation Area. Part of the ground floor of the property is occupied by a Class A1 retail premises which links into the adjoining ground floor residential property. The upper floors also form part of the main residential unit.
- 1.2 Due to the physical link from the shop to the residential unit and the fact that ownership is the same for both, 3 Grawys Villas can be classed as a mixed commercial / residential use for the purpose of the report and assessment.
- 1.3 The site lies within the Denbigh Conservation Area and within the area covered by a Direction under Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995. This Direction effectively took away householder permitted development rights for all dwellinghouses located within the Conservation



Area. The effect of the Direction is that planning permission is now required for any development previously permitted by Schedule 2, Part 1, 2 and 31 of the General Permitted Development Order 1995 where the works front a highway or public open space.

- 1.4 On 17 March 2006, it was discovered by a member of the Planning & Compliance Section that a timber shopfront, timber front door, a ground floor timber sliding sash window and 2 No. first floor timber windows with stained glass features had been replaced with a modern UPVC shop front, modern UPVC single pane door and modern UPVC side hung opening ground and first floor windows.
- 1.5 No planning application had been submitted for the shopfront, door and windows to be replaced as required under the Town and Country Planning Act 1990.
- 1.6 Should such an application have been submitted for the modern UPVC replacements it would not have been recommended for approval on the grounds that the modern materials would have been out of character with the appearance of the Conservation Area, harming the intentions and principles of the Denbigh Townscape Heritage Initiative, the Article 4(2) and the policies and guidance of UDP and National Policy Documents.
- 1.7 Officers are aware that the unauthorised works took place in early March 2006 and that the introduction of modern U:PVC shopfront, door and windows in this Conservation Area represent an unacceptable breach of planning control.
- 1.8 Given the circumstances of the case, it is now considered necessary to pursue enforcement action to secure the removal of the unauthorised modern shopfront, door and windows and their replacement with traditional timber shopfront, timber door and timber sliding sash windows with stained glass features.

## **2. REASONS FOR ISSUING AN ENFORCEMENT NOTICE**

- 2.1 The unauthorised development has been carried out within the last 4 years.
- 2.2 The use of modern UPVC materials for the shopfront, door and windows in the Denbigh Conservation Area is out of character with the predominant use of traditional materials in a Conservation Area and consequently has a detrimental impact on the appearance of the building and the character of the Conservation Area.
- 2.3 The use of the modern UPVC materials on the building is in conflict with Policies GEN 6 and CON 5 of the Denbighshire Unitary Development Plan, SPG 12 and 13 of the Unitary Development Plan and Circular 61/96.
- 2.4 The use of conditions as part of any grant of planning permission for the retention of the unauthorised shopfront, door and windows would not remove these objections.

## **3. RECOMMENDATION**

- 3.1 That authorisation be granted for the following:
  - (i) Serve an Enforcement Notice to secure the removal of the unauthorised UPVC shopfront, door and windows and their replacement with a shopfront of timber materials, a timber front door and 3 No. traditional timber sliding sash windows with 12 pane upper stained glass feature.
  - (ii) Instigate prosecution proceedings or other appropriate action under the Planning Acts against the person or persons upon whom any Enforcement Notice or other such notice is served or against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice.

## REPORT BY HEAD OF PLANNING AND PUBLIC PROTECTION

### APPEAL DECISION UPDATE

#### 1. PURPOSE OF REPORT.

- 1.1 To advise members of recent appeal decisions.

#### 2. BACKGROUND

- 2.1 Appeal decisions received for January to March 2006 are set out in the attached appendix. There is also a list of appeals pending attached as requested by Members.
- 2.2 We have included a column indicating the original decision level (Committee or Delegated) and the officer recommendation.
- 2.3 Whilst we are happy to answer questions on the appeal decisions and appeals pending at the Planning Committee, if you have any matters of detail that you would like to discuss please contact Mark Dakeyne, Ian Weaver or the Case Officer prior to the meeting.

**This report is for Members' information.**

**DENBIGHSHIRE PLANNING APPEALS DECISIONS**  
**LIST OF APPEAL DECISIONS FROM 1<sup>ST</sup> JANUARY 2006 TO 31<sup>ST</sup> MARCH 2006**

DESCRIPTION	CASE OFFICER	DECISION LEVEL/ RECOMMEN DATION	LOCATION	TYPE	DECISION DATE	APPEAL DECISION	COSTS	KEY ISSUES
Change of use of extension to separate dwelling house	PJM	ENF NOTICE/ Committee	10 Marble Church Grove, Bodelwyddan	W.R.	13/01/2006	DISMISSED	No	
Change of use of part of agricultural land to caravan storage	SES	Refused under delegated powers	Pant y Wacco, (OS field 60AA) Caerwys Road, Rhualt	W.R.	10/01/2006	DISMISSED	No	
Erection of 2 detached dwellings & construction of new vehicular access at plots 4 & 5	SES	Refused under delegated powers	Plots 4 & 5, land off Rhodfa Gofer, Dyserth	Hearing	09/02/2006	DISMISSED	No	
Conversion of redundant outbuilding to dwelling	CEW.	Refused under delegated powers	Cerrigllwydion Bach, Llandyrnog	W.R.	13/03/2006	ALLOWED	No	
Demolition of existing Nissen hut & erection of new storage building for existing golf driving range	SES.	Refused under delegated powers	Nissen hut Adj., to Park Lodge Nursing Home, Llannerch Park, St. Asaph	Hearing	15/03/2006	DISMISSED	No	
Change of use from retail newsagent to hot food takeaway	PJM.	Refused under delegated powers	103 Victoria Road, Prestatyn	Hearing	21/03/2006	DISMISSED	No	

## DENBIGHSHIRE PLANNING - APPEALS PENDING

DESCRIPTION	CASE OFFICER	LOCATION	TYPE OF APPEAL & DATE OF HEARING/INQUIRY
Development of 0.09 ha of land by the erection of 1 No. dwelling and construction of new vehicular access (outline application)	Paul Mead	Land rear 1- 4 Bryndyffryn Terrace, Llandyrnog	Written Reps
Use of agricultural land for the operation of military vehicle driving experience business	Sarah Stubbs	Land at Cernyfed, Cyffylliog	Written Reps
Erection of pitched roof extension to dwelling and extension to garage	Emer O'Connor (Phil Garner was original Case Officer)	The Barn, Sodom, Bodfari	Written Reps
Development of 0.014 ha of land be erection of detached dwelling (outline application)	Nicola Jones (Phil Garner was original Case Officer)	Land Adj. 166 Victoria Road, Prestatyn	Written Reps
Change of use of agricultural land to form extension to residential curtilage & erection of log cabin to provide residential accommodation	Nicola Jones (Catrin Williams was original Case Officer)	Hafoty Boeth, Bryn Saith Marchog	Written Reps
Demolition of existing dwelling & development of land by the erection of 17 No. apartments with associated vehicular & pedestrian access (outline application)	Sarah Stubbs	Land at Tarleton Street, Rhyl	Hearing Hearing date 20/06/206
Erection of replacement dwelling	Paul Mead	Camp Alyn, Tafarn y Gelyn, Llanferres	Written Reps

**PWYLLGOR CYNLLUNIO**  
**CYFARFOD: 19eg Ebrill 2006**  
**EITEM: 5**

**PLANNING COMMITTEE**  
**MEETING: 19th April 2006**  
**ITEM: 5**

**Penderfyniadau wedi eu gwneud gan  
Bennaeth Gwasanaethau Cynllunio a Gwarchod y Cyhoedd o dan  
Pwerau Dirprwyedig  
1af - 31ain Mawrth 2006**

**Decisions Made by the Head of Planning and Public Protection  
under  
Delegate Powers  
1st - 31st March 2006**

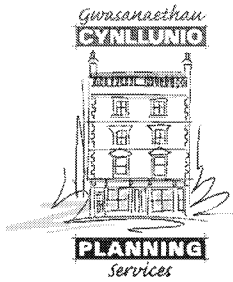
**Eitem er gwybodaeth  
Item For Information**

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**



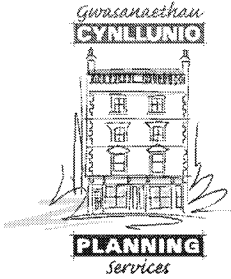
01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
00/2005/1478 / NA	<b>Neighbouring Authority Applications</b>  Gwynt Y Mor offshore wind farm	Georgia Markwell N Power Renewables	NO OBJ	02 /03 /2006
		<b>Case Officer - Mark Dakevne</b>		
00/2006/0064 / NA	<b>Neighbouring Authority Applications</b>  Outline - erection of 1 dwelling at land adjacent to Rosemount, Ruthin Road, Gwernymynydd, Mold	Flintshire County Council	NO OBJ	14 /03 /2006
		<b>Case Officer - Nicola Marie Jones</b>		
01/2005/0880 / LB	<b>Outbuildings And Carriage Yard At Lleweni Farm Mold Road Denbigh</b>  Amended details of scheme of conversion of outbuildings granted listed building consent under code no. 01/2000/1005/LB and 01/2001/0614/LB, involving partial demolition, extensions and alterations (Listed Building application)	Mr Terry Hughes Harris Homes	GRANT	10 /03 /2006
		<b>Case Officer - Ian Weaver</b>		
01/2005/1382 / PF	<b>Land At Tan Y Graig Chapel Street Denbigh</b>  Amended details of redevelopment scheme to allow for the erection of 3 no. town houses with integral garages, in place of 4 no. units previously approved under 1/11115 (Glyndwr DC)	Mrs L Griffiths	GRANT	21 /03 /2006
		<b>Case Officer - Shan Wyn Jones</b>		

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



01 /03 /2006 ac 31 /03 /2006

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

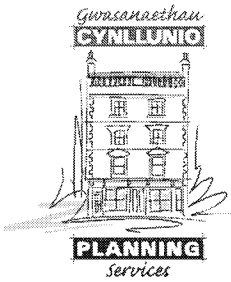
01 /03 /2006 and 31 /03 /2006

<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>
01/2005/1455 / LB	<b>Abbey House Abbey Road Denbigh</b>  External alterations comprising replacement of 7 windows and 1 external door with traditional style	Mr P.J. O'Donovan  Case Officer - Paul David Griffin	GRANT	29 /03 /2006
01/2006/0070 / PF	<b>100 Crud Y Castell Denbigh</b>  Erection of first-floor pitched-roof extension over existing single-storey element at front, pitched-roof extension at rear and conversion of garage to carer's accommodation	Mrs J L Hughes  Case Officer - Paul David Griffin	GRANT	22 /03 /2006
01/2006/0101 / PF	<b>15 Erw Salusbury Denbigh</b>  Erection of pitched roof single storey extension to rear and conversion of integral garage to utility room	Mr & Mrs Neale  Case Officer - Paul David Griffin	GRANT	14 /03 /2006
01/2006/0112 / PF	<b>Parciau St. Davids Road Denbigh</b>  Erection of extension to rear of dwelling to provide garden room.	Mr & Mrs A Roberts  Case Officer - Catrin E Williams	GRANT	01 /03 /2006

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



01 /03 /2006 ac 31 /03 /2006



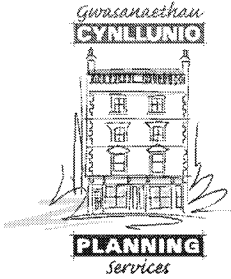
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PROTECTION UNDER DELEGATED POWERS**

01 /03 /2006 and 31 /03 /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>
01/2006/0159 / PF	<b>Gwaenynog Infant School Gwaenynog Road Denbigh</b>  Erection of temporary mobile classroom.	Denbighshire County Council  <b>Case Officer - Paul David Griffin</b>	GRANT	29 /03 /2006
01/2006/0270 / AC	<b>Ty'n Fron School Annexe Rhyl Road Denbigh</b>  Details of external materials submitted in accordance with condition no. 2 of planning permission code no. 01/2005/1031/PF	Director Of Education Denbighshire County Council  <b>Case Officer - Sarah Stubbs</b>	APPROVE	07 /03 /2006
02/2005/1545 / PO	<b>Land At Tyn y Minffordd Llanfwrog Ruthin</b>  Development of 0.09 hectares of land by the erection of 2 No. dwellings and construction of new vehicular/pedestrian access (outline application)	Frederick Dunn  <b>Case Officer - Nicola Marie Jones</b>	GRANT	22 /03 /2006
02/2006/0123 / PF	<b>Premises at corner of Market Street and St. Peters Square Ruthin</b>  Change of use of upper floor to Class D1 consulting room with associated training facility and office	Mrs Angela Burton  <b>Case Officer - Nicola Marie Jones</b>	GRANT	21 /03 /2006



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



01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
02/2006/0148 / PO	<b>Land At (Part Garden Of) Lasynys Bryn Goodman Ruthin</b>  Development of 0.06ha of land by the erection of a detached bungalow (outline application)	Dr F Riley  <b>Case Officer - Catrin E Williams</b>	REFUSE	06 /03 /2006
02/2006/0166 / PF	<b>5 Upper Clwyd Street Ruthin</b>  Change of use from Class A1 retail to Class A3 bakery and tea shop	Mrs. Ann Holmes  <b>Case Officer - Paul David Griffin</b>	GRANT	14 /03 /2006
02/2006/0189 / PF	<b>21 Erw Goch Ruthin</b>  Erection of two-storey pitched-roof extension at rear and first-floor pitched-roof extension at front of dwelling	Mr & Mrs M Jones  <b>Case Officer - Paul David Griffin</b>	GRANT	31 /03 /2006
02/2006/0207 / PC	<b>109 Mwrog Street Ruthin</b>  Change of use of premises to a single dwelling unit (retrospective application)	Mrs J A Hughes  <b>Case Officer - Paul David Griffin</b>	GRANT	22 /03 /2006
02/2006/0279 / AC	<b>Outbuilding At Park Place Hotel 2 Mwrog Street Ruthin</b>	Simon Clarke	APPROVE	07 /03 /2006

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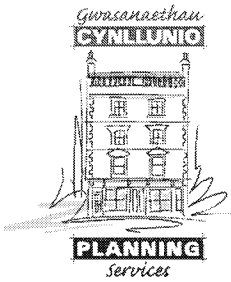
01 /03 /2006 ac 31 /03 /2006

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01 /03 /2006 and 31 /03 /2006

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	Details of proposed eills, depth of recess and colour of finish of all external joinery submitted in accordance with condition no. 2 of Listed Building Consent code no. 02/2004/1603/LB		<b>Case Officer - Catrin E Williams</b>	
03/2004/1286 / PF	<b>Bryn Melyn Motor Services Ltd Abbey Road Llangollen</b>	McCarthy & Stone (Devs) Ltd.	REFUSE	30 /03 /2006
	Demolition of petrol filling station and garage/bus depot, erection of 36 no. sheltered apartments for the elderly and 1 no. house manager's apartment and retention of existing chapel as shop		<b>Case Officer - Ian Weaver</b>	
03/2004/1287 / CA	<b>Bryn Melyn Motor Services Ltd Abbey Road Llangollen</b>	McCarthy & Stone (Devs) Ltd.	WDN	30 /03 /2006
	Demolition of petrol filling station, garage/bus depot and demolition of side/rear chapel extensions (conservation area consent)		<b>Case Officer - Ian Weaver</b>	
03/2005/1549 / LB	<b>47 Church Street Llangollen</b>	Ms C Parry	GRANT	13 /03 /2006
	Installation of Conservation pattern rooflight to rear of dwelling		<b>Case Officer - Paul David Griffin</b>	

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CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN  
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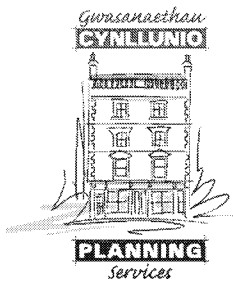
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**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
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01 /03 /2006 and 31 /03 /2006

<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>
03/2006/0034 / PF	<b>4 Green Lane Llangollen</b>  Erection of first-floor flat roof extension to rear of dwelling.	Mr M Thomas  <b>Case Officer - Paul David Griffin</b>	GRANT	20 /03 /2006
03/2006/0040 / PF	<b>Plas Y Fron (Formerly The Old Vicarage) Bryn Howell Lane Trevor Llangollen</b>  Re-roofing of existing flats block	Mr & Mrs G Williams  <b>Case Officer - Paul David Griffin</b>	GRANT	14 /03 /2006
03/2006/0044 / LB	<b>Plas Y Fron (Formerly The Old Vicarage) Bryn Howell Lane Trevor Llangollen</b>  Re-roofing of existing flats block	Mr G Williams  <b>Case Officer - Paul David Griffin</b>	GRANT	29 /03 /2006
03/2006/0076 / PF	<b>Green Acres Vicarage Road Llangollen</b>  Erection of detached garage	Mr D Horspool  <b>Case Officer - Paul David Griffin</b>	GRANT	10 /03 /2006
03/2006/0094 / PF	<b>Bryn Tirion Sun Bank Llangollen</b>  Replacement of flat roof with gabled roof and formation of dormer roofs above balconies at front of dwelling	Mr. Arfon Goodman-Jones  <b>Case Officer - Emer O'Connor</b>	GRANT	17 /03 /2006

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



01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
04/2006/0072 / PF	<b>Ty Nant Uchaf Betws Gwerfil Goch Corwen</b>  Raising of roof height and conversion of existing store to holiday-let accommodation	Mr P Adams & S Bevan  <b>Case Officer - Catrin E Williams</b>	GRANT	21 /03 /2006
04/2006/0073 / PF	<b>Ty Nant Uchaf Betws Gwerfil Goch Corwen</b>  Raising of roof height to create additional living accommodation	Mr P Adams & S Bevan  <b>Case Officer - Catrin E Williams</b>	GRANT	21 /03 /2006
04/2006/0086 / PF	<b>Outbuilding At Cefn Ceirch Betws Gwerfil Goch Corwen</b>  Conversion of outbuilding to single dwelling and installation of new septic tank	Mr D C Evans  <b>Case Officer - Nicola Marie Jones</b>	REFUSE	15 /03 /2006
04/2006/0333 / AC	<b>Bryn Halen Mawr Melin-Y-Wig Corwen</b>  Details of landscaping submitted in accordance with condition no. 9 of planning permission code no. 04/2004/1259/PF	R & J Spreckley  <b>Case Officer - Sarah Stubbs</b>	APPROVE	21 /03 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
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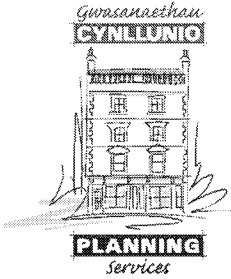
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01 /03 /2006 and 31 /03 /2006

<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>
05/2005/0916 / PF	<b>Land At Berwyn House Carrog Corwen</b>  Erection of 1 no. dwelling and alterations to existing vehicular access	Mr & Mrs J Legg  <b>Case Officer - Nicola Marie Jones</b>	REFUSE	01 /03 /2006
05/2006/0068 / PF	<b>Berth-Ddu Corwen</b>  Erection of detached double garage with store above	Mr & Mrs G Hughes  <b>Case Officer - Paul David Griffin</b>	GRANT	10 /03 /2006
05/2006/0095 / PF	<b>Riverdale Carrog Corwen</b>  Erection of conservatory on first-floor balcony at front of dwelling	Mr & Mrs J Knight  <b>Case Officer - Paul David Griffin</b>	GRANT	10 /03 /2006
05/2006/0149 / PF	<b>Tafarn Y Pric Wrexham Road Corwen</b>  Erection of commercial building to provide WC facilities, shop and cafe in connection with existing nursery	Mr John Stubbs  <b>Case Officer - Nicola Marie Jones</b>	GRANT	22 /03 /2006
06/2005/1196 / PO	<b>Land Opposite Tegfan Gwyddelwern Corwen</b>	Messrs E.G.D & H.G Roberts	GRANT	29 /03 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
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01 /03 /2006 ac 31 /03 /2006

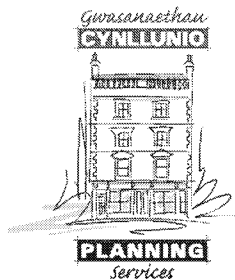
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	Development of 0.1ha of land by the erection of an agricultural worker's dwelling and alterations to existing vehicular access to the main A494 Trunk Road - revised scheme to Application Ref. No. 06/2005/0522/PO (Outline application)	<b>Case Officer -</b> Catrin E Williams		
06/2006/0047 / PF	<b>Outbuilding at Bryn Farm Bryn Saith Marchog Corwen</b>	Mr A Roberts & Mrs A E R Hyde	GRANT	23 /03 /2006
	Conversion of outbuilding to dwelling, alterations to existing vehicular access and installation of new septic tank	<b>Case Officer -</b> Nicola Marie Jones		
06/2006/0096 / HE	<b>Tyn Celyn Gwyddelwern Corwen</b>	H G Roberts	APPROVE	20 /03 /2006
	Removal of hedgerow between field no's 3927 & 3818 to facilitate farming	<b>Case Officer -</b> Nicola Marie Jones		
07/2005/0962 / LE	<b>Corwen Forestry Timber Products Llandrillo Corwen</b>	Mr Mark Roberts White Young Green Planning	CERTIFY	02 /03 /2006
	Application for Certificate of Lawfulness for Existing Use of site as Timber Saw Mill.	<b>Case Officer -</b> Catrin E Williams		
07/2006/0115 / PF	<b>Llwyn Hendre Cynwyd Corwen</b>	Mr Ken Roberts	REFUSE	24 /03 /2006
	Erection of detached garage and workshop	<b>Case Officer -</b> Catrin E Williams		

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN  
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01 /03 /2006 ac 31 /03 /2006



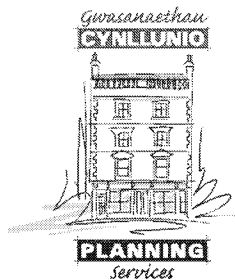
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01 /03 /2006 and 31 /03 /2006

<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>
08/2006/0008 / PF	<b>Outbuildings At Plas Isaf Corwen</b>  a) Change of use of farm outbuilding into wedding and conference centre, to include extensions and alterations, b) provision of new vehicular access driveway and associated car parking area and c) installation of sewerage treatment plant	I D Jones & Co.  <b>Case Officer - Ian Weaver</b>	GRANT	17 /03 /2006
08/2006/0075 / PF	<b>Glanaber Cynwyd Corwen</b>  Demolition of carport and store and erection of two-storey pitched-roof extension at side/rear of dwelling	Mr & Mrs M B Bedwell  <b>Case Officer - Paul David Griffin</b>	GRANT	31 /03 /2006
10/2006/0165 / PF	<b>Capel Seion Bryneglwys Corwen</b>  Alterations and refurbishment of existing vestry	C/O J W Williams  <b>Case Officer - Emer O'Connor</b>	GRANT	24 /03 /2006
11/2006/0085 / PF	<b>The Old Rectory Ciocaenog Ruthin</b>  Extension to existing craft studio and conversion to provide additional ancillary accommodation	Mr & Mrs G Buxbaum  <b>Case Officer - Catrin E Williams</b>	GRANT	06 /03 /2006

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

01 /03 /2006 ac 31 /03 /2006



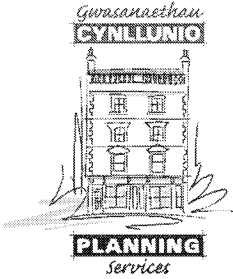
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13/2006/0050 / PF	<b>Y Bwthyn Llanfwrog Ruthin</b>  Erection of two-storey pitched roof extension to front of dwelling	Mr & Mrs Innes  Case Officer -	GRANT	10 /03 /2006  Paul David Griffin
13/2006/0107 / PF	<b>Bryn Haul Llanfwrog Ruthin</b>  Erection of carport at side of dwelling	Mr & Mrs D Hunter  Case Officer -	GRANT	08 /03 /2006  Nicola Marie Jones
13/2006/0117 / PF	<b>Rhuallt Efenechtyd Ruthin</b>  Erection of conservatory at side of dwelling	Mr & Mrs Hughes  Case Officer -	GRANT	06 /03 /2006  Catrin E Williams
14/2005/0727 / PS	<b>Plots 1-5 inc. Land off Maes Y Delyn Cyffylliog Ruthin</b>  Variation of Condition No. 8 on planning permission Ref. No. 14/2004/0151/PF to allow additional landscaping in place of 1.8m high fence to rear of Plots 1, 2, 3, 4 & 5	Mr Neville Griffiths  Case Officer -	REFUSE	01 /03 /2006  Nicola Marie Jones



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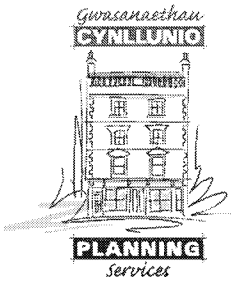
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14/2006/0036 / PF	<b>3 Pen Y Bryn Bontuchel Ruthin</b>  Erection of single-storey flat roof extension to rear / side of dwelling.	Mr & Mrs Lloyd  Case Officer - Paul David Griffin	GRANT	06 /03 /2006
14/2006/0111 / PF	<b>Land Adjacent To Pistyll Gwyn Bontuchel Ruthin</b>  Erection of steel portal-framed sheep shed and fodder store and construction of access track	Mr D Roberts  Case Officer - Paul David Griffin	REFUSE	27 /03 /2006
15/2006/0014 / PS	<b>Eryrys Caravan Park Bryn Awelon Eryrys Mold</b>  Variation of Condition No. 3 on planning permission Ref. No. 15/2001/0231/PS to allow 12-month residential occupation of Plot 7 personal to Mrs J Hewings	Mr F Jenkins  Case Officer - Catrin E Williams	REFUSE	03 /03 /2006
16/2005/1066 / AC	<b>Llys Y Wennol Llanbedr Dyffryn Clwyd Ruthin</b>  Details of wall and bridleway submitted in accordance with condition nos. 3 & 8 of planning permission code no. 16/2002/0776/PF	Mr & Mrs A Roberts  Case Officer - Catrin E Williams	REFUSE	21 /03 /2006

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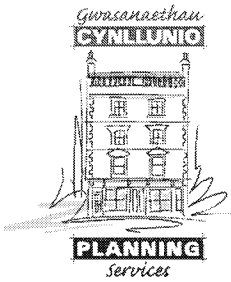
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17/2005/1550 / PO	<b>Land At Tegla Cottage Ruthin Road Llandegla Wrexham</b>  Development of 0.14 hectares of land for 1 dwelling, installation of new septic tank and construction of new vehicular access (outline application)	Mr & Mrs M Edwards  <b>Case Officer - Catrin E Williams</b>	REFUSE	21 /03 /2006
18/2006/0069 / PF	<b>Millstream Cottage Pentrefelin Llandyrnog Denbigh</b>  Erection of conservatory at side of dwelling and replacement garage	Mr J.H Palin  <b>Case Officer - Nicola Marie Jones</b>	GRANT	01 /03 /2006
18/2006/0082 / PR	<b>Land At Llangwyfan Farm Llangwyfan Denbigh</b>  Details of siting, design, external appearance, landscaping and means of access submitted in accordance with Condition No. 2 of outline planning permission Code No. 18/2004/1244/PO (revised scheme to include conservatory)	Messrs H C & T C Hughes  <b>Case Officer - Nicola Marie Jones</b>	WDN	07 /03 /2006
18/2006/0170 / PF	<b>Mount Pleasant Pentrefelin Llandyrnog Denbigh</b>  Erection of two-storey pitched roof extension at side of dwelling and detached garage	Mr. D. Griffiths & Miss J. Milton  <b>Case Officer - Paul David Griffin</b>	GRANT	14 /03 /2006

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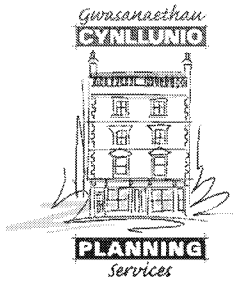
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01 /03 /2006 and 31 /03 /2006

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18/2006/0179 / GD	<b>Top Car Park Llangwyfan Forestry Llangwyfan Denbigh</b>  Extension to existing car park	Peter Oxbury Forest Enterprise	GRANT	20 /03 /2006
		<b>Case Officer - Nicola Marie Jones</b>		
20/2004/1640 / AC	<b>Llainwen Ucha Pentre Celyn Ruthin</b>  Details of external finish/colour of the bulk feed bins and further details of means of disposal of waste, manure, bedding and ancillary materials submitted in accordance with condition numbers 4& 6 of planning permission code no. 20/2004/0579/PF	B Parry	APPROVE	06 /03 /2006
		<b>Case Officer - Catrin E Williams</b>		
20/2006/0042 / PF	<b>Woodpecker Cottage Pentre Coch Ruthin</b>  Erection of pitched roof extension at rear and raising of roof height to allow habitable accommodation in roofspace, with dormers to front of dwelling (revised scheme)	Mr. J.A.Evans & Ms. Grigor	GRANT	06 /03 /2006
		<b>Case Officer - Catrin E Williams</b>		
20/2006/0160 / PF	<b>Bryn Mair Bach Llanfair Dyffryn Clwyd Ruthin</b>  Erection of pitched-roof extensions to dwelling and detached garage/tack room (amendment to previously approved scheme)	Miss P Hensall	GRANT	14 /03 /2006
		<b>Case Officer - Paul David Griffin</b>		

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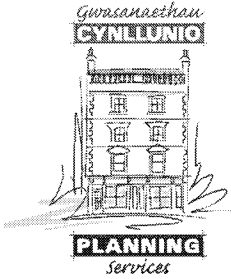
01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
21/2006/0007 / PF	<b>Cartref Village Road Maeshafn Mold</b>  Erection of extension to provide first floor accommodation with associated two-storey extension to side of dwelling	G. Lodge & S. Curtis  <b>Case Officer - Paul David Griffin</b>	WDN	03 /03 /2006
21/2006/0154 / PO	<b>Land at (part garden of) Heath Lea Village Road Maeshafn Mold</b>  Development of 0.07 hectares of land by erection of 1 dwelling and construction of new vehicular access (Outline application)	Mr & Mrs J Green  <b>Case Officer - Nicola Marie Jones</b>	REFUSE	23 /03 /2006
23/2005/1556 / AC	<b>Fron Heulog Farm Llanrhaeadr Denbigh</b>  Details of photographic survey submitted in accordance with condition number 9 of planning permission code no. 23/2005/1080/PF	Mrs J E Hinchcliffe  <b>Case Officer - Paul Mead</b>	APPROVE	09 /03 /2006
23/2006/0304 / AC	<b>Fron Heulog Farm Llanrhaeadr Denbigh</b>  Details of photographic survey submitted in accordance with condition no. 9 of planning permission code no. 23/2005/0108/LB	J E Hinchcliffe  <b>Case Officer - Paul Mead</b>	APPROVE	10 /03 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN  
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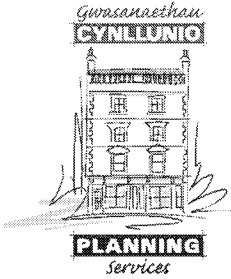
01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
27/2005/1141 / PF	<b>Part of OS Field No.5700 Abbey Farm Llantysilio Llangollen</b>  Erection of agricultural building for housing of animals and storage of fodder	Mr J Davies  <b>Case Officer - Catrin E Williams</b>	GRANT	29 /03 /2006
30/2006/0032 / PF	<b>The Old Granary Chapel Street Trefnant Denbigh</b>  Conversion and refurbishment of disused granary to form a self-contained flat	Messrs. G Hughes and G Scrivner  <b>Case Officer - Paul David Griffin</b>	REFUSE	24 /03 /2006
30/2006/0135 / AC	<b>Land at (Part garden of) Cheenaville Allt Goch St. Asaph</b>  Details of landscaping submitted in accordance with condition no. 1 of outline planning permission code no. 30/2004/0576/PO	Mr Ratcliffe  <b>Case Officer - Sarah Stubbs</b>	APPROVE	30 /03 /2006
31/2006/0019 / PF	<b>Outbuildings at Pen Y Bryn Wigfair St. Asaph</b>  Renewal of Application Ref. No. 31/2001/0963/PF comprising conversion and alterations to outbuildings to form 2 No. dwellings and installation of new septic tank	Mr W Curgenven  <b>Case Officer - Nicola Marie Jones</b>	GRANT	20 /03 /2006

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



01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
40/2006/0151 / PF	<b>Unit 31 Llys Edmund Prys St. Asaph Business Park St. Asaph</b>  Extension to car park with column lighting	North Wales Police Authority  <b>Case Officer - Paul David Griffin</b>	GRANT	27 /03 /2006
42/2006/0108 / PF	<b>Craig Y Castell Lodge Allt Y Graig Dyserth Rhyl</b>  Erection of pitched-roof extension at side of dwelling and detached garage	Mr S A Bryan  <b>Case Officer - Emer O'Connor</b>	GRANT	06 /03 /2006
42/2006/0186 / PF	<b>Penmaen Elwy Avenue Dyserth Rhyl</b>  Erection of dormers to front and rear of dwelling to provide additional accommodation in roofspace	Mr W Tonks  <b>Case Officer - Emer O'Connor</b>	GRANT	21 /03 /2006
42/2006/0214 / AC	<b>Old Pendre Farm Waterfall Road Dyserth Rhyl</b>  Details of ecological survey submitted in accordance with condition no. 8 of planning permission code no. 42/2004/1066/PF	Mr M White  <b>Case Officer - Sarah Stubbs</b>	APPROVE	03 /03 /2006
42/2006/0234 / AC	<b>Old Pendre Farm Waterfall Road Dyserth Rhyl</b>	Mr M White	APPROVE	02 /03 /2006

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



01 /03 /2006 ac 31 /03 /2006



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

01 /03 /2006 and 31 /03 /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>
	Details of fenestration submitted in accordance with condition no. 4 of planning permission code no. 42/2004/1066/PF	<b>Case Officer - Sarah Stubbs</b>		
43/2005/1083 / PF	<b>Former Deva Fish &amp; Chips 2-4 Ceg Y Ffordd Prestatyn</b>	Kwai Wah Liu	GRANT	20 /03 /2006
	Installation of flue and canopy and use of premises as hot-food takeaway between 1200-1400 hours and 1630-2400 hours daily	<b>Case Officer - Nicola Marie Jones</b>		
43/2005/1187 / PF	<b>Marine (Oakstead) Service Station 2 Marine Road Prestatyn</b>	Petrol Express	GRANT	09 /03 /2006
	Extension to existing shop and formation of new parking areas	<b>Case Officer - Paul Mead</b>		
43/2005/1278 / PF	<b>Pendyffryn Medical Group Ffordd Pendyffryn Prestatyn</b>	Pendyffryn Medical Practice	GRANT	23 /03 /2006
	Erection of extension at first-floor	<b>Case Officer - Paul Mead</b>		
43/2005/1547 / PF	<b>41 Gronant Road Prestatyn</b>	Mr T M Trefor	GRANT	14 /03 /2006
	Erection of attached garage at side of dwelling	<b>Case Officer - Emer O'Connor</b>		

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



01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
43/2005/1548 / PO	<b>Land at (Part garden of) 41 Gronant Road Prestatyn</b>  Development of 0.04 hectares of land by demolition of existing garage and erection of single dwelling (outline application)	Mr T M Trefor  <b>Case Officer - Emer O'Connor</b>	REFUSE	14 /03 /2006
43/2005/1555 / PS	<b>Little Pydew Ffordd Ffynnon Prestatyn</b>  Variation of Condition No. 3 on planning permission Ref. No. 2/DYS/0281/95/P to allow additional area within the existing building to be used for keeping of dogs for breeding and/or boarding, and erection of single-storey extension to rear to provide stable block	Mr & Mrs A Benn  <b>Case Officer - Emer O'Connor</b>	GRANT	10 /03 /2006
43/2006/0003 / PC	<b>Orme View Bishopswood Road Prestatyn</b>  Retention of summerhouse containing Jacuzzi and sauna-room at rear of dwelling (retrospective application)	Ms G.M Waring  <b>Case Officer - Emer O'Connor</b>	GRANT	22 /03 /2006
43/2006/0048 / TC	<b>Pavement fronting 2-12 evens Bastion Road Prestatyn</b>  Felling of 2 No. trees situated in the Prestatyn (High Street) Conservation Area	Denbighshire County Council Head Of Transportation & Infrastructure  <b>Case Officer - Emer O'Connor</b>	REFUSE	10 /03 /2006



**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN  
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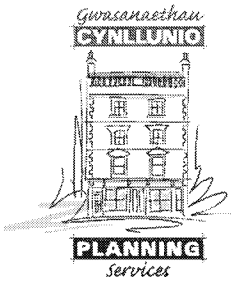
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PROTECTION UNDER DELEGATED POWERS**

01 /03 /2006 and 31 /03 /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>
43/2006/0067 / PF	<b>11 Fforddlas Prestatyn</b>  Erection of single- and two-storey pitched-roof extensions at side of dwelling	Mr & Mrs A M Ward  Case Officer - Emer O'Connor	GRANT	08 /03 /2006
43/2006/0113 / PF	<b>105 Victoria Road Prestatyn</b>  Erection of first-floor pitched-roof extension at rear of premises (revised scheme)	Mrs P Morris  Case Officer - Emer O'Connor	GRANT	01 /03 /2006
43/2006/0131 / AC	<b>Plots 34 and 35 Melyd Avenue Prestatyn</b>  Details of landscaping submitted in accordance with condition no. 2 of planning permission code no. 43/2004/0581/PF	Healey Homes Limited  Case Officer - Mark Dakevne	APPROVE	20 /03 /2006
43/2006/0168 / PF	<b>60 Beverley Drive Prestatyn</b>  Erection of single-storey flat-roofed extension at rear of dwelling	Mr & Mrs P Lanceley  Case Officer - Emer O'Connor	GRANT	21 /03 /2006

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



01 /03 /2006 ac 31 /03 /2006

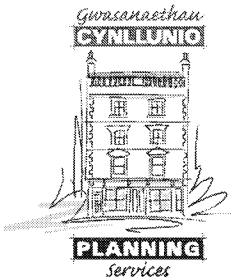
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01 /03 /2006 and 31 /03 /2006

<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>
43/2006/0187 / PF	<b>11 Calthorpe Drive Prestatyn</b>  Re-roofing of existing games-room, utility room, sun lounge and garage	Mr R T Morrice-Evans  Case Officer - Emer O'Connor	GRANT	21 /03 /2006
43/2006/0192 / PF	<b>54/56 Meliden Road Prestatyn</b>  Erection of conservatory on existing rear balcony	Mr Paul Raven  Case Officer - Emer O'Connor	GRANT	21 /03 /2006
43/2006/0193 / PF	<b>15 Linden Walk Prestatyn</b>  Erection of two-storey pitched-roof extension at side of dwelling	Mrs D Kelly  Case Officer - Emer O'Connor	GRANT	21 /03 /2006
43/2006/0225 / PF	<b>12 Tudor Avenue Prestatyn</b>  Demolition of existing garage and erection of two-storey pitched-roof extension at side of dwelling	Mr & Mrs T Jamieson  Case Officer - Emer O'Connor	GRANT	22 /03 /2006
43/2006/0288 / AC	<b>Land at (part garden of) 1 Bosworth Grove Prestatyn</b>	Mr A Dean	APPROVE	08 /03 /2006

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

01 /03 /2006 ac 31 /03 /2006

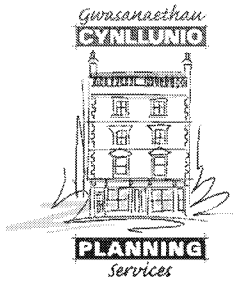


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PROTECTION UNDER DELEGATED POWERS**

01 /03 /2006 and 31 /03 /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>
	Details of materials and landscaping submitted in accordance with condition numbers 2 & 3 of planning permission code no. 43/2005/1117/PF	<b>Case Officer - Sarah Stubbs</b>		
43/2006/0340 / AC	<b>Plots 8 And 9 Land at Melyd Avenue Prestatyn</b>	Healey Homes Limited	APPROVE	21 /03 /2006
	Details of landscaping submitted in accordance with condition no. 2 of planning permission code no. 43/2004/0496/PF	<b>Case Officer - Mark Dakevne</b>		
43/2006/0377 / PD	<b>Land At 2 Kings Avenue Prestatyn</b>	Mr Jones		01 /01 /1801
	Demolition of wall and outbuildings and use of land as car park for existing property	<b>Case Officer - Sian Foster</b>		
44/2006/0137 / PF	<b>Plot 19 Tir Morfa Site Meliden Road Rhuddlan Rhyi</b>	Lloyd Construction Limited	GRANT	08 /03 /2006
	Substitution of house type previously approved under code no. 44/2003/0006/PF	<b>Case Officer - Sarah Stubbs</b>		
44/2006/0150 / PF	<b>4 Heoi Hendre Rhuddian Rhyi</b>	Mr. I. Stephens	GRANT	08 /03 /2006
	Erection of pitched-roof extension to dwelling and construction of new vehicular access	<b>Case Officer - Emer O'Connor</b>		

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN  
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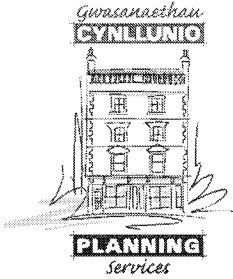
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**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
PROTECTION UNDER DELEGATED POWERS**

01 /03 /2006 and 31 /03 /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>
45/2005/1211 / LB	<b>Rhyl Railway Station Bodfor Street Rhyl</b>	Network Rail Infrastructure Ltd.	GRANT	20 /03 /2006
	Installation of 13 no. CCTV cameras and associated equipment cabinet (Listed Building application)	<b>Case Officer - Paul Mead</b>		
45/2006/0052 / PF	<b>18 Fern Way Rhyl</b>	Mr S Rubin	GRANT	10 /03 /2006
	Resiting and extension of existing screen wall at a height of 1.75 metres	<b>Case Officer - Emer O'Connor</b>		
45/2006/0055 / PF	<b>98 Cefndy Road Rhyl</b>	Jane Allen	GRANT	17 /03 /2006
	Change of use of former newsagent/general store to office	<b>Case Officer - Michael G Hughes</b>		
45/2006/0099 / PF	<b>30 Shaun Drive Rhyl</b>	Mr & Mrs R Ridings	GRANT	17 /03 /2006
	Erection of pitched-roof extension at rear of dwelling	<b>Case Officer - Michael G Hughes</b>		

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



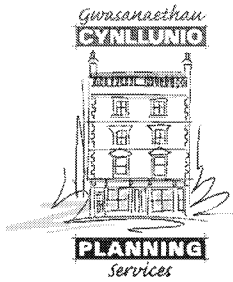
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**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
PROTECTION UNDER DELEGATED POWERS**

01 /03 /2006 and 31 /03 /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>
45/2006/0104 / AC	<b>Land At Rear Of 70 Dyserth Road Rhyl</b>  Details of landscaping, access, parking and turning submitted in accordance with condition no's 3,6 & 7 of planning permission code no. 45/2005/1401/PF	Mr & Mrs M J Murray	APPROVE	06 /03 /2006
		<b>Case Officer - Emer O'Connor</b>		
45/2006/0110 / PF	<b>93 Wellington Road Rhyl</b>  Erection of new shop front with external security shutters and formation of disabled access ramp	Lloyds Pharmacy	GRANT	20 /03 /2006
		<b>Case Officer - Emer O'Connor</b>		
45/2006/0155 / PF	<b>8 Sussex Street Rhyl</b>  Installation of new shop front	Savers Health & Beau	GRANT	20 /03 /2006
		<b>Case Officer - Emer O'Connor</b>		
45/2006/0158 / PF	<b>27 Elm Grove Rhyl</b>  Erection of two-storey pitched roof extension at side and conservatory at rear of dwelling	Mr & Mrs S Whittam	GRANT	20 /03 /2006
		<b>Case Officer - Emer O'Connor</b>		

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



01 /03 /2006 ac 31 /03 /2006

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

01 /03 /2006 and 31 /03 /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>
45/2006/0216 / PF	<b>113 Wellington Road Rhyl</b>  Erection of extension to first-floor at rear of dwelling	Mr & Mrs C Hall  Case Officer - Emer O'Connor	GRANT	22 /03 /2006
45/2006/0217 / PF	<b>115 Wellington Road Rhyl</b>  Erection of extension to first-floor at rear of dwelling	Mr & Mrs C Hall  Case Officer - Emer O'Connor	GRANT	22 /03 /2006
45/2006/0227 / PF	<b>24 St. Georges Crescent Rhyl</b>  Erection of single-storey pitched-roof extension at rear of dwelling	Mrs Randles  Case Officer - Michael G Hughes	GRANT	21 /03 /2006
45/2006/0237 / PF	<b>13 East Parade Rhyl</b>  Alterations to 'Flat F' previously approved under code no. 45/2005/0516/PF	Worthing Ltd  Case Officer - Emer O'Connor	GRANT	22 /03 /2006
45/2006/0334 / AC	<b>23 River Street Rhyl</b>	Mr J Liang	APPROVE	21 /03 /2006

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

01 /03 /2006 ac 31 /03 /2006

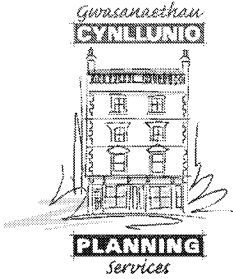


**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
PROTECTION UNDER DELEGATED POWERS**

01 /03 /2006 and 31 /03 /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>
	Details of bin stores and drying areas submitted in accordance with condition no. 2 of planning permission code no. 45/2005/0473/PF	<b>Case Officer - Sarah Stubbs</b>		
46/2006/0097 / PF	<b>Bro Elwy Lower Denbigh Road St. Asaph</b>	Mr & Mrs P Smith	GRANT	14 /03 /2006
	Erection of single-storey flat-roofed extension at rear of dwelling	<b>Case Officer - Paul David Griffin</b>		
46/2006/0167 / PC	<b>Mount Lodge Mount Road St. Asaph</b>	Mr & Mrs N Watkins	GRANT	15 /03 /2006
	Erection of sun lounge at side/rear and two-storey pitched-roof replacement garage at side - amendment to previously-approved scheme under Ref. No. 46/2004/1477/PF to incorporate additional dormer (retrospective application)	<b>Case Officer - Emer O'Connor</b>		
46/2006/0185 / PF	<b>16 Bishops Walk St. Asaph</b>	Mr Bryn Williams	GRANT	31 /03 /2006
	Erection of two-storey pitched-roof extension at side of dwelling	<b>Case Officer - Paul David Griffin</b>		

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



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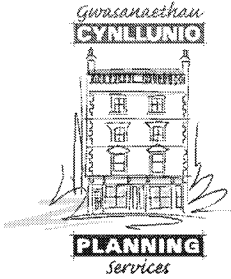
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01 /03 /2006 and 31 /03 /2006

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46/2006/0252 / PF	<b>26 Rhodfa Glenys St. Asaph</b>  Erection of two-storey pitched-roof extension at side and conservatory at rear of dwelling	Mr. S. Owen  Case Officer - Emer O'Connor	GRANT	22 /03 /2006
47/2005/1496 / LE	<b>Land At Rear Of 1 Hen Afon Tremeirchion St. Asaph</b>  Certificate of Lawfulness for retention of land as extension to residential curtilage	Mr N Royles  Case Officer - Emer O'Connor	CERTIFY	03 /03 /2006
47/2006/0027 / PF	<b>Pant Glas Tremeirchion St. Asaph</b>  Amendment to previously-approved scheme for conversion of existing buildings to 2 No. residential dwellings by construction of garages/stable blocks to each unit	R. J. Projects Limited  Case Officer - Emer O'Connor	REFUSE	01 /03 /2006
47/2006/0062 / PF	<b>Bryn Gronw Rhuallt St. Asaph</b>  Erection of detached double garage	Mr. & Mrs M. Kadar  Case Officer - Emer O'Connor	REFUSE	07 /03 /2006
47/2006/0074 / LB	<b>Ty Cerrig Cwm Dyserth Rhyl</b>	Mr & Mrs M Anderton	GRANT	06 /03 /2006



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



01 /03 /2006 ac 31 /03 /2006

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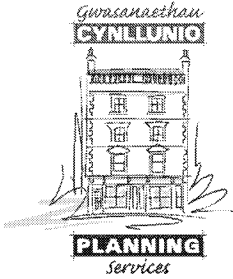
01 /03 /2006 and 31 /03 /2006

<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>
	Internal alterations to hall floor, repairs to roof and new internal doorway for en-suite (Listed Building application)	<b>Case Officer -</b>	<b>Emer O'Connor</b>	
47/2006/0128 / AC	<b>Oakleigh House Waen Road Rhuddlan Rhyl</b>	Mr T Hill	WDN	01 /03 /2006
	Details of external appearance of chalets submitted in accordance with condition no. 8 of planning permission code no. 42/2005/1314/PF	<b>Case Officer -</b>	<b>Shan Wyn Jones</b>	
47/2006/0184 / PF	<b>Summerhill Farm Tremeirchion St. Asaph</b>	Mr E W Evans	GRANT	22 /03 /2006
	Extension to existing agricultural storage shed	<b>Case Officer -</b>	<b>Nicola Marie Jones</b>	
47/2006/0230 / PF	<b>MinY Nant Rhualt St. Asaph</b>	Mr J Hansford	GRANT	22 /03 /2006
	Erection of greenhouse	<b>Case Officer -</b>	<b>Emer O'Connor</b>	
47/2006/0241 / AC	<b>Land fronting Groesffordd forming Part rear garden of 7 Heol Y Brenin Tremeirchion St. Asaph</b>	Mr & Mrs C Small	APPROVE	16 /03 /2006

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



01 /03 /2006 ac 31 /03 /2006



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

01 /03 /2006 and 31 /03 /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>
	Details of junction, foul drainage and surface water, landscaping, finished floor levels and parking spaces submitted in accordance with condition no's 4,5,6,9 and 11 of planning permission code no. 47/2002/1028/PO	<b>Case Officer - Sarah Stubbs</b>		
47/2006/0277 / AC	<b>Pant Glas Tremeirchion St. Asaph</b>	R. J. Projects Ltd	APPROVE	07 /03 /2006
	Fenestration details submitted in accordance with condition no. 9 of planning permission code no. 47/2005/0834/PF	<b>Case Officer - Paul Mead</b>		