

PWYLLGOR CYNLLUNIO
CYFARFOD: 21ain Mehefin 2006
Eitem: 2

PLANNING COMMITTEE
MEETING - 21st June 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

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ITEM NO: 1
WARD NO: Dyserth
APPLICATION NO: 42/2005/1445/ PF
PROPOSAL: Demolition of existing cottage and erection of 2 No. dwelling houses and alterations to existing vehicular access
LOCATION: Woodlands Cottage Hiraddug Road Dyserth Rhyl
APPLICANT: Strikeray Limited
CONSTRAINTS: Tree Preservation Order
CLC-Class C Road
Previous Mining Area
PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. DYSERTH TOWN COUNCIL
"No objection"
2. HEAD OF TRANSPORT AND INFRASTRUCTURE
No Objection.
3. PRINCIPAL COUNTRYSIDE OFFICER
No objection
4. WELSH WATER
Suggest conditions in relation to sewerage.

RESPONSE TO PUBLICITY:

Letters of representation received from:

1. Ruth Porter, Pen y Braich, Hiraddug Road, Dyserth
2. Mrs S Jones, Graig Bach, Hiraddug Road, Dyserth
3. M. Barrodale, Graig Bach, Hiraddug Road, Dyserth

Summary of planning based representations:

- i) Concerns about loss of privacy and outlook.
- ii) Concerns regarding the access adjacent to Woodlands Cottage, leading up to Pen y Braich and other dwellings along that road.

EXPIRY DATE OF APPLICATION: 29/05/2006

REASONS FOR DELAY IN DECISION:

- awaiting responses on amended plans
- protracted negotiations resulting in amended plans

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is within the development boundary of Dyserth and is located approximately 30 – 40m up from the junction of Hiraddug Road and the High Street. Access roads leading to a group of dwellings are located either side of the application site.
2. The site comprises of a single storey dwelling known as Woodlands Cottage. It is a white render and slate constructed dwelling with flat roof extensions to the side and rear. The dwelling is located adjacent to Hiraddug Road and sites higher than the road. The curtilage area of the dwelling is located to the rear and slopes upwards towards the dwellings known as Craig Bach and Pen y Braich. Close board timber fences and a stone wall forms the boundary of the application site with space for a single vehicle to be parked off road at the front of Woodlands Cottage.
3. The proposal is to demolish the existing dwelling and erect 2 no. 2 storey dwellings, with alterations to the existing access. The proposed dwellings will be located higher up the site than Woodlands Cottage and will comprise of a kitchen, breakfast room and living room at ground floor level and 3 bedrooms and a bathroom at first floor level. There will be a single access to the site with parking for a total of 4 vehicles to the front of the proposed dwellings.

RELEVANT PLANNING HISTORY:

4. None

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN1 – Development within Development Boundaries
Policy GEN6 – Development Control Requirements
SPG21 – Parking requirements in new dwellings

GOVERNMENT GUIDANCE
Planning Policy Wales (March 2002)

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development
 - ii) Impact on visual amenity
 - iii) Impact on residential amenity
 - iv) Highways concerns
7. In relation to the main planning considerations as noted above:
 - i) Principle of development
The application site is within the development boundary of Dyserth and Policy GEN1 allows for development in such locations. The erection of 2 dwellings on this site is also considered to be acceptable given the mix of dwelling types and plot sizes along Hiraddog Road. The site area at 0.07 ha is below the affordable housing requirement threshold.
 - ii) Impact on visual amenity
The size, scale and design of the proposed dwellings are considered to be acceptable in this location. The dwellings surrounding the application site are a mix of stone and render elevations with slate roofs. The proposed dwellings

will have a stone frontage with render to the side and rear elevations and reclaimed slate on the roof. The size, scale and design of the dwellings have been amended from the original submission due to highway concerns, and whilst the floor area proposed is less for each dwelling, the ridge height is higher as a result.

iii) Impact on residential amenity

There is a mix of dwelling types surrounding the site with the dwelling known as Preswylfa the closest to the west boundary of the application site. Preswylfa is a single storey dwelling with little private amenity space attached to it. One of the proposed dwellings will be located at a distance of 2.1 m from the rear of Preswylfa, which would face the side of the proposed dwelling. However, given the existing outlook, amenity would not be significantly affected. A distance of 26 m would exist between the rear of the proposed dwellings and the dwelling known as Graig Bach. Graig Bach is located on a higher level than the application site with a lounge and bedroom window directly looking out onto the site. The distance between the properties is considered to be acceptable to maintain residential amenity.

iv) Highways concerns

Highways are satisfied with the amended access, parking and turning arrangements to the application site, and 2 no. off street parking spaces are proposed for each of the dwellings.

SUMMARY AND CONCLUSIONS:

8. The application is for the demolition of the existing cottage and the erection of 2 no. two storey dwellings and alterations to the existing access. The site slopes upwards towards the rear. The proposed dwellings are to be located in the middle of the site, with the parking and turning area to the front. The size, scale and design of the dwellings is considered to be acceptable as is the impact on residential amenity. Highways are satisfied with the parking and turning arrangements.

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 [erection / application] of any [external stonework / render] a sample panel of the type of [stonework, mortar, and pointing/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 [stonework, mortar and pointing/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 take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:
 - (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
 - (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
 - (c) proposed materials to be used on the driveway(s), paths and other hard surfaced

areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment.

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

6. The access to the site shall be laid out and constructed in accordance with the approved plan to the written approval of the Local Planning Authority before the development is brought into use.

7. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan and shall be constructed and available for use prior to the proposed development being brought into use.

8. The surface of the proposed access shall be paved with a bituminous material for a distance of 5.0 m behind the highway boundary and the whole of the access frontage adjacent to the highway shall be reinforced with bull nose kerbs.

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 in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.
6. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
7. To provide for the parking of vehicles clear of the highway in the interest of traffic safety.
8. In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.

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).

Foul effluent only should be drained to the public sewer. Surface water will need to drain to soakaways or, if available, a ditch/watercourse in the vicinity of the site.

ITEM NO: 2

WARD NO: Prestatyn Central

APPLICATION NO: 43/2006/0420/ PF

PROPOSAL: Extension of the existing 18m high Vodafone lattice-type mobile phone mast to 20m to accommodate the addition of 3 No. antennae and 1 No. dish antenna for use by Orange PCS Ltd as well as equipment cabinets and associated ancillary development thereto.

LOCATION: Haggoods Gas Works Lane Prestatyn

APPLICANT: Vodafone Limited

CONSTRAINTS: Tidal Floodplain
C1 Flood Zone
Telecommunication Mast Sites
Article 4 Direction

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

CONSULTATION RESPONSES:

1. PRESTATYN TOWN COUNCIL
'No objection, Concerns about public health risk associated with such developments'

RESPONSE TO PUBLICITY:

Letters of representations received from:

1. Mr Roberts, 'Gas House' Gas Works Lane, Prestatyn

Summary of planning based representations:

- i) Concerns regarding the location of the mast
- ii) Visual impact of extension.

MEMBERS' COMMENTS:

None

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The application site is located to the southern corner of the Prestatyn Market site to the west of the industrial/commercial buildings fronting Gas Works lane. The 70 square metre piece of hard surfaced land is accessed via the commercial yard to the south-east.
2. The application site sits at a slightly lower level than the buildings fronting Gas Works Lane located some 6m to the rear of the Haggoods site. The rear of this site contains a storage area bounded by steel palisade fencing and a skip compound. To the south of the site is located a small landscaped bund leading to a walkway and Y Morfa. Market stalls are sited to the east of the site with the car park, railway line and bridge to the north.

3. It is proposed to replace the existing 18m slim line high lattice telecommunications tower with a similar 20m tower with 3 antennas at the top, an additional 3 antenna at 17m and a transmission dish below these. Proposed equipment cabinets would be located within the existing compound on a base of concrete 3m x 1.8m. The mast is similar design to the existing. The equipment housing will be painted green.
4. The mast proposal has been submitted by Orange who currently operates from the Scala Cinema. Additional information supplied by the operator attempts to show how this mast would fit into their coverage network in the area. The operator has stated that the mast and antennae complies with government guidance on maximum public exposure levels with reference to electromagnetic field (ENF) emissions and ICNIRP Guidelines. In order to avoid the proliferation of such masts the Local Planning Authority has previously refused a number of 15m high prior approval proposals in the immediate area and encouraged operators to mast share. This proposed mast would accommodate 2 operators, Vodafone and Orange and hence the need to extend the height to allow for the required vertical separation between the two operators apparatus.

RELEVANT PLANNING HISTORY:

5. **43/2000/675/TA** – Freestanding 15m high ground based lattice tower mast with 6 No. antennae 3 microwave dishes and equipment cabin REFUSED PRIOR APPROVAL 27/07/2000

43/2000/973/TA – 15m high monopole mast, 6 No. antennae, 3 No. microwave dishes, equipment cabin. - REFUSED PRIOR APPROVAL 14/11/2000

43/2001/0019/PF – 18 m high lattice tower GRANTED 02/02/2001

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy TRA15 - Telecommunications

GOVERNMENT GUIDANCE

Welsh Office Circular 22/99 “Planning for Telecommunications”

Planning Policy Wales March 2002

TAN 19 – Telecommunications – August 2002

MAIN PLANNING CONSIDERATIONS:

7.
 - i) Principle of mast development in this location
 - ii) Impact of siting and appearance
 - iii) Health and safety
8. In relation to the considerations as noted above:
 - i) Principle
 The precedent has been set for development of this nature on the site as the existing mast is 18m high. Government guidance highlights the need for operators to fully justify their proposed mast siting by showing they have explored the possibility of erecting antenna on existing masts, building or other structures. There is also the requirement to show how a proposed mast would fit into the network coverage for an area. In this part of Prestatyn existing masts and/or high buildings do not exist or are not suitable. The existing Orange site at Scala site is being redeveloped so an alternative location is

required. Furthermore the site sharing for Vodafone and Orange is considered acceptable as it reduces the need for individual masts.

ii) Impact of siting and appearance

The mast is to be sited close to existing commercial/industrial buildings on a market site with the backdrop of the railway line and bridge. Government guidance encourages operators to site equipment in such locations so as to minimise the impact on the environment and to prevent the intrusion of masts in more sensitive locations. The closest residential units to the application site are those on Conwy Grove some 110m to the south and the Gas House some 60m to east. The site is visible from these properties and on the approach to the coast from the north. However, it is not considered the extension to the mast in proximity to the railway, Y Morfa and nearby industrial buildings would cause significant visual detriment. The siting and appearance of the mast, cabin and compound on land lower than the nearby bridge and industrial buildings on Gas Works Lane is assessed as being visually acceptable.

iii) Health and Safety

Health concerns raised in relation to telecommunications equipment can be a material planning consideration. However no definitive evidence is currently available which links emissions with health risks. The Local Planning Authority have taken a view that until such time as evidence is available and guidance is clear on the effect of masts and equipment each proposal must be dealt with on its merits balancing the public's demand for mobile phone coverage and their health concerns. In the proposed location, fears of health risks could not warrant the refusal of this application particularly as there is an existing mast on the site.

SUMMARY AND CONCLUSIONS:

9. The proposed extension to the mast, its size, siting and appearance is in keeping with government guidance on the encouragement to mast share and site equipment close to existing industrial areas. The mast would not cause significant detriment to visual amenity and the operator has provided sufficient information to justify the proposal.

RECOMMENDATION:- GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

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.

NOTES TO APPLICANT:

None

ITEM NO: 3

WARD NO: Prestatyn East

APPLICATION NO: 43/2006/0542/ PF

PROPOSAL: Erection of first-floor pitched roof extension at side of dwelling

LOCATION: 35 Plastirion Avenue Prestatyn

APPLICANT: Mr D Mullahay

CONSTRAINTS: Previous Mining Area
Article 4 Direction

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

CONSULTATION RESPONSES:

1. PRESTATYN TOWN COUNCIL
"No objection"

RESPONSE TO PUBLICITY:

Letters of representations received from:

1. Mr John Walsh & Family, 28 Linden Walk, Prestatyn
2. Miss D Frost , 26 Linden Walk, Prestatyn

Summary of representations:

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

EXPIRY DATE OF APPLICATION: 30/03/2006

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The extension comprises a first floor addition (bedroom, ensuite and dressing room) and will take the existing single storey flat roof extension to two storey level with a pitched roof along the side and to the rear of the dwelling. The extension is set back from the front elevation by around 1m and the pitched roof line sits at a lower level than the existing ridge height. On the first floor level, a bedroom window is proposed on the front elevation, high level windows 0.6m from the eaves are proposed on the north-east/ side elevation, no windows are proposed on the north /rear elevation, an en suite window on the first floor level is proposed on the north west/ side elevation and the existing window retained at ground floor level. Materials are proposed to match the existing dwelling.
2. The dwelling is a two-storey, rendered wall and tiled roof, 1930's style dwelling situated on the northern side of Plastirion Avenue. There is an existing side extension on the dwelling with a conservatory to the rear (which was built as permitted development in 1997). The ground slopes slightly down to the west of the site. Abutting the north of the site are the rear gardens of Linden Walk, with a distance of 3m from the rear of the dwelling to the boundary.

3. The application is reported to Committee at the request of Cllr. Julian Thompson Hill who would like the issue of privacy, proximity to boundary and overdevelopment considered by Committee.

RELEVANT PLANNING HISTORY:

4. No relevant history

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy Gen 6 Development Control Considerations
Policy HSG12 Extensions to Dwellings

SPG 1 Extension to Dwellings

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle
 - ii) Visual Appearance
 - iii) Residential Amenity
7. 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 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. The alterations to the side of the dwelling taking the existing single storey extension to two storey level and the introduction of a pitched roof represents an improvement on the existing flat roof. The extension is set back from the front elevation, and set down from the existing roofline in keeping with the advice in SPG 1.
 - iii) Residential amenity
The proposal will not impact significantly on the privacy and amenity of nearby occupiers. No. 35 has a small, well screened rear curtilage of approximately 15m wide and 3m in length from the extension to the rear boundary. There are no windows proposed on the rear elevation and the windows on the side elevation (facing the end of the garden of 28 Linden Walk) are high level windows which will not increase the overlooking potential. The first floor window facing the rear garden of 33 Plastirion Avenue is a bathroom window and therefore to be obscure glazed. A condition will be attached to any approval removing permitted development rights for any additional windows. No 28 Linden Walk has a rear garden of some 18m which lies to the north east of the proposal and No. 26 has a rear garden of some 10m which stretches across the rear of the site further north west. It is not considered that the proposal would impact significantly on the residential amenity of the occupiers of Linden Walk through its overpowering nature or would cause overlooking or loss of privacy into their garden areas. No. 35 is a corner plot on the end of Plastirion Avenue, the plot has a larger front garden than the adjoining dwelling, a rear garden, and circulation strip to the western side. There is adequate amenity space and parking remaining to

accommodate the requirements of the dwelling.

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 materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.
3. 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 extension hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.
4. The first floor window in the side (north-west) elevation of the extension hereby permitted shall be glazed and glazed with obscure glass prior to the occupation of the extension hereby permitted and thereafter retained as such.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity
3. To maintain a reasonable standard of privacy in adjoining dwellings and gardens in the interests of amenity
4. In the interests of the privacy of adjoining occupiers.

NOTES TO APPLICANT:

None

ITEM NO: 4
WARD NO: Rhyl South West
APPLICATION NO: 45/2006/0224/ PF
PROPOSAL: Extension to provide covered parking/storage area at rear and alteration to roof design and part rebuild
LOCATION: Bridge Garage Marsh Road Rhyl
APPLICANT: Mr W Skeffington
CONSTRAINTS: Tidal Floodplain
C1 Flood Zone
250m Of Landfill Site
Article 4 Direction
PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. RHYL TOWN COUNCIL
"No objection subject to the inclusion of a condition preventing the parking of vehicles off site in adjoining roads"
2. HEAD OF TRANSPORT AND INFRASTRUCTURE
"No objection"

RESPONSE TO PUBLICITY:

Letter of representation received from:

1. Mrs Weeks of 127 Marsh Road who objects to the application on the following grounds:

Summary of planning based representations:-

- i) Intensification of the work at the site, in particular lorries being repaired on the site.
- ii) Loss of light.
- iii) Noise

EXPIRY DATE OF APPLICATION: 12/04/2006

REASONS FOR DELAY IN DECISION:

- awaiting further information from applicant

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The property is a single storey unit located on the northern side of Marsh Road. To the north (rear) and west of the site runs an elevated section of road and the coast railway, to the east stands a detached residential dwelling, and to the south, across Marsh Road is a residential housing estate. The site lies within an area designated as a Main Employment Area under Policy EMP2 of the UDP.

2. The area is of mixed use having a number of light industrial and commercial premises including others in the motor repair trade, and residential housing.
3. The application is for an extension to a commercial garage to provide a covered area at the rear of the property.
4. The application is also for the alteration of the existing roof design and a part rebuild. This will raise the height of part of the eastern elevation of the roof from 3.2m to 5.5m. This will be make the height of the roof more equal with the western part of the building which stands at 5m high.

RELEVANT PLANNING HISTORY:

5. None

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 POLICY GEN 6 Development Control Requirements
 POLICY EMP2 Main Employment Areas
 POLICY EMP 4 Employment Development Within Development Boundaries

GOVERNMENT GUIDANCE
 Planning Policy Wales March 2002

MAIN PLANNING CONSIDERATIONS:

7.
 - i) Visual Appearance
 - ii) Impact on the privacy and amenity of nearby occupiers
8. In relation to the considerations outlined above:
 - i) Principle
 The premises lies within a main employment area and development boundary where Policies EMP 2 and EMP 4 encourage the principle of employment development.
 - ii) Visual appearance
 The visual appearance of the proposal and the materials to be used are acceptable. Although the eastern part of the roof will be raised it will be to bring it in proportion with the western part of the roof. The alterations will improve the visual appearance of the property.
 - iii) Impact on the privacy and amenity of nearby occupiers
 The privacy and amenity of nearby neighbours on the south side of Marsh Road will not be affected by the development.

The only property on which the development will impact is 127 Marsh Road. The issues raised in the letter of complaint regard the intensification of the site, noise generated from the site, and a loss of light.

The proposal will not increase the amount of activity on the site. The applicant has been contacted and large lorries will not be repaired in the extension.

With regards to noise at the application site, the proposal is for an additional covered area, and the movement of existing plant to the covered area will not

add to the level of noise that is already generated by the garage.

The additional roof height will deprive the adjoining property of significant light. There is a driveway of approximately four metres in width between the garage and the neighbouring house. There are no windows on the western elevation of the house.

SUMMARY AND CONCLUSIONS:

9. The alterations are acceptable in principle and would not adversely impact on residential or visual amenity.

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 roof sheeting/cladding shall be finished in a colour to be agreed in writing by the Local Planning Authority before it is applied.
3. No lorries (exceeding 7 tonne gross weight) shall be repaired or serviced in the extension 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 residential amenity and highway safety.

NOTES TO APPLICANT: None

ITEM NO: 5

WARD NO: Rhyl South

APPLICATION NO: 45/2006/0401/ PF

PROPOSAL: Use of land for permanent siting of container for children's play-schemes

LOCATION: Land at Bruton Park fronting Bro Deg Rhyl

APPLICANT: Bruton Park Tenants & Residents Association

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

CONSULTATION RESPONSES:

1. RHYL TOWN COUNCIL
 "No Objection subject to a condition requiring that the container be screened, possibly by planting, to soften the impact of the container on the visual amenities of the area".

RESPONSE TO PUBLICITY:

Letter of representations received from:

1. Mr and Mrs Williams, 113 Tre-Llewelyn Road, Rhyl.
2. Mr G Higgins, 115 Tre-Llewelyn Road, Rhyl

Summary of planning based representations:

In objection

- i) Residential amenity – the location of the storage container is considered to be inappropriate because it is so close to residential properties. This is because the storage container is currently based there during the summer months and the storage container attracts youths who engage in anti social behaviour. Primarily kicking footballs at the container which makes loud booming noises, despite the play area already having two football goals.
- ii) Visual amenity – the storage container is unsightly in a children's play area, so close to residential dwellings.

EXPIRY DATE OF APPLICATION: 07/06/2006

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is located in a residential area in south east Rhyl. The application site is currently used as a play area. It has swings, climbing frames, and other playground equipment. It also has basketball hoops and two football goals.
2. The application is for the placing of a large metal storage container on the land. The storage container is currently located on the application site during the summer months. It is used to store equipment for the local children's play scheme which operates during the summer. The application proposes to store the

container on the site, whilst retaining its use as a storage container for the equipment for the local children's play scheme.

3. The container is made of steel and it measures 6m long, 2.5m wide and 2.7m high. It is green in colour.
4. The application site is located between Trellewelyn Road and the Bruton Park estate. The container will be located approximately 35 metres away from the nearest dwelling on Trellewelyn Road, 30 metres away from the nearest dwelling on Maes Arthur and 25 metres away from the nearest dwelling on Bod Llewelyn. In total there are approximately 20 residential properties that will be within 50 metres of the storage container.
5. The application site is a REC 1 site that receives protection as an existing open space.

RELEVANT PLANNING HISTORY:

6. None.

PLANNING POLICIES AND GUIDANCE:

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy GEN 1 – Development within development boundaries
Policy GEN 6 – Development Control Requirements
Policy REC 1 – Protection of Existing Open Space

SPG 4 – Recreational Open Spaces

GOVERNMENT GUIDANCE
Planning Policy Wales March 2002

MAIN PLANNING CONSIDERATIONS:

8.
 - i) The principle of the development;
 - ii) Impact on visual amenity;
 - iii) Impact on residential amenity;
9. In relation to the considerations as noted above:
 - i) Principle
The proposal relates to the existing use of the play area and would not conflict with Policy REC 1.
 - ii) Visual Impact
The application site is located in a play ground area, with all associated paraphernalia which you would expect to find. The storage container will be situated where it would not detract from the character and appearance of the nearby residential area. Although in a relatively prominent location, it is sited so as to be some distance from residential properties.
 - iii) Residential Impact
Both of the letters of objection received in respect of this application relate to concerns regarding the noise generated by the storage container being misused by local children. The storage container is located in an existing play ground that will already be a focal point for local children. The playground

already has solid two goals and the container is unlikely to increase noise or disturbance to a significant degree.

SUMMARY AND CONCLUSIONS:

10. The development is considered acceptable in principle.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. The container hereby permitted shall be removed and the land restored to its former condition on or before 30 June 2009.
2. The container shall be painted green.
3. The shelter shall only be used for the storage of equipment in connection with the local play schemes or the use of the play area and for no other purpose.

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

1. To enable the Local Planning Authority to monitor the impact of the use.
2. In the interest of the visual amenity of the area.
3. In order to ensure that the Local Planning Authority has control of the development in the interests of general amenity.

NOTES TO APPLICANT:

None

ITEM NO: 6

WARD NO: Corwen

APPLICATION NO: 05/2006/0554/ PF

PROPOSAL: Erection of 1 no. detached dwelling (revised scheme to application ref no. 05/2005/0916/PF)

LOCATION: Land At Berwyn House Carrog Corwen

APPLICANT: Mr & Mrs J Legg

CONSTRAINTS:

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

CONSULTATION RESPONSES:

1. CORWEN COMMUNITY COUNCIL
Awaiting response
2. HEAD OF TRANSPORT AND INFRASTRUCTURE
Awaiting response
3. PRINCIPAL COUNTRYSIDE OFFICER
Regrets the loss of the lime tree but cannot justify a TPO. Suggests that a condition is attached to provide additional trees to the rear boundary.

RESPONSE TO PUBLICITY:

Letter of representation received from the following:

1. Samantha Williams, 2, Swan Cottage, Carrog

Summary of planning based representations:

- i) Houses should not be built in gardens in the centre of a pretty rural village.
- ii) Set a precedent for further development.
- iii) The house would not be one that a local person in the village could afford.

EXPIRY DATE OF APPLICATION: 26/06/2006

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is within the development boundary of Carrog, within a central part of the village, and forms part of the garden of the dwelling known as Berwyn House. A single access road into the main dwelling is located to the side of the property adjacent to Salem Chapel. Berwyn House is a large three storey detached dwelling on a site containing numerous trees with a walled boundary to the rear, separating the application site from the row of two storey semi detached dwellings to the rear.

2. The current application is for the erection of a detached dwelling in the grounds of Berwyn House. The proposed dwelling has 2 floors of accommodation, with dormer windows to the front and rear elevations at first floor level. 4 bedrooms are proposed, with a kitchen, dining room, living room, bathroom and attached single storey garage.
3. The application is a resubmission following refusal of an application for the erection of one dwelling in March 2006.

RELEVANT PLANNING HISTORY:

05/2005/0976/PF – Erection of new dwelling and detached garage in garden. REFUSED on the 1st March 2006 on the grounds of the size and siting of the dwelling and impact on trees.

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy GEN1 – Development within development boundaries
 - Policy GEN6 – Development control requirements
 - Policy ENV2 – Development affecting the AOB
 - Policy ENV7 – Landscape/ Townscape features
 - Policy SPG21 – Parking requirements in new developments

GOVERNMENT GUIDANCE
Planning Policy Wales (2002)

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development
 - ii) Impact on visual amenity
 - iii) Impact on residential amenity
 - iv) Highway considerations
 - v) Impact on trees and AOB
7. In relation to the main planning considerations as noted above:
 - i) Principle of development
The application site lies within the development boundary of Carrog where Policy GEN1 of the Denbighshire Unitary Development plan states that the principle of development in this location is acceptable. The proposal is therefore in accordance with Policy GEN1. The site area at 0.07 ha is below the threshold for affordable housing provision.
 - ii) Impact on visual amenity
The size and scale of the proposed dwelling has been amended following the previous application. The dwelling has been reduced in height to 7.3m to the ridge and reduced in floor area. It has also been brought forward in the plot so that the dwelling is now closer to the road fronting the application site and further away from the row of semi detached dwellings to the rear. Materials proposed for the dwelling are render elevations and a slate roof. This is considered to be acceptable in this locality and in accordance with policy GEN6.
 - iii) Impact on residential amenity
The ridge height of the dwelling has been reduced and the dwelling has been moved forward in the plot to provide a greater distance between the proposed dwelling and the semi detached dwellings to the rear. The distance between the existing dwellings and the proposed property is considered to be acceptable in relation to residential amenity (at around 21m). The existing

brick wall to the rear of the application site is to remain and one obscurely glazed window is proposed at first floor level in the rear elevation of the proposed dwelling. This is now considered to be acceptable in relation to the impact on residential amenity and in accordance with Policy GEN6.

iv) Highway considerations

The amended access is considered to be acceptable with a splay being provided to the existing access to improve visibility in this location. SPG21 states that for a 3-4 bedroom dwelling, 3 parking spaces are required. The application details 3 spaces which is adequate and meets the requirements of the SPG.

v) Impact on trees and AOB

Currently there are a number of trees on the application site. Most of these will be retained apart from a mature lime tree and yew. The information accompanying this application shows more clearly the trees that will be lost and it is recommended that additional planting is carried out to the rear of the site in order to compensate for the loss of trees and also to provide further screening for the residents to the rear of the application site. It is considered that the second reason for refusal on the previous application has been overcome and that the proposal is in accordance with Policy ENV7. The proposal is not considered to have any detrimental impact on the character and appearance of the AOB and is thus in accordance with Policy ENV2.

SUMMARY AND CONCLUSIONS:

8. The application is for the erection of a detached dwellinghouse in the garden of the dwelling known as Berwyn House, Carrog. The principal of development is considered to be acceptable as is the impact on visual and residential amenity. An amended access is also proposed, improving visibility along this section of road and the loss of trees on the site can be compensated for with a suitable condition to provide additional screening to the rear of the application site. The current proposal is considered to overcome the previous reason for refusal and thus the application 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 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 application of the render, details of the colour of the proposed render on the walls of the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority.
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, turfing, fencing, walling or other treatment comprised in the

approved details of landscaping shall be carried out in the first planting and seeding seasons 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. 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 rear elevation of the dwelling hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

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 dormer window proposed in the rear elevation of the dwelling hereby approved shall be obscurely glazed prior to the occupation of the dwelling and thereafter retained as such.

10. The access and visibility splay shall be laid out and constructed in accordance with the submitted plan and completed before the development is brought into use.

11. Facilities shall be provided and retained with the site for the parking and turning of vehicles in accordance with the approved plans and which shall be completed prior to the proposed development being brought into use.

12. The surface of the access shall be paved with a bituminous materials for a distance of 5.0 m behind the highway boundary and the whole of the access frontage adjacent to the highway boundary shall be reinforced with bullnose kerbs before the development is brought into use.

13. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interest of visual amenity.
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 maintain a reasonable standard of privacy in adjoining dwellings and gardens in the interests of amenity
8. In the interests of residential and/or visual amenity.
9. In the interest of residential amenity.
10. In the interest of free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
11. In the interest of free and safe movement of traffic on the adjacent highway and to provide for the parking of vehicles clear of the highway.
12. To ensure that no deleterious materials is carried onto the highway.
13. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.

NOTES TO APPLICANT: None

ITEM NO: 7

WARD NO: Llandrillo

APPLICATION NO: 08/2006/0308/ PC

PROPOSAL: Continuation of use of redundant agricultural building as motor vehicle repair / service centre (retrospective application)

LOCATION: Outbuilding At Cae Mawr Cynwyd Corwen

APPLICANT: Mr P Hughes

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

CONSULTATION RESPONSES:

1. CYNWYD COMMUNITY COUNCIL
'Agree'
2. HEAD OF TRANSPORT AND INFRASTRUCTURE
No objection subject to conditions.
3. PUBLIC PROTECTION
Concerns about impact on adjacent buildings with permission for residential use.

RESPONSE TO PUBLICITY: None

EXPIRY DATE OF APPLICATION: 30/04/2006

REASONS FOR DELAY IN DECISION:

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

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is in a rural location outside the main village of Cynwyd and comprises of a detached redundant corrugated agricultural building. Access is off a single lane, leading to a series of detached redundant agricultural buildings and a farmhouse.
2. The building and its associated curtilage area is being used for the repair and maintenance of motor vehicles. It is a large detached building of concrete and corrugated sheeting construction. The roof is rounded with a lean to section on the side of the building. A parking and turning area exists to the front of the building.
3. This application is for the retention of the use of the building as a motor repair and maintenance centre. The application is retrospective. The use is stated by the applicant to have been begun in 2002. It came to officers attention in December

2005. A planning contravention notice (PCN) was served in February 2006 and this application arises from that notice.

RELEVANT PLANNING HISTORY:

4. None in relation to the application site, but the outbuildings to the rear have an outstanding permission for conversion into 3 dwelling units. This application was approved with conditions under code number 08/2002/1157/PF on the 21st May 2003.

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN3 – Development outside development boundaries
Policy GEN6 – Development Control Requirements
Policy EMP5 – Small scale employment development outside development boundaries

GOVERNMENT GUIDANCE

Planning Policy Wales (March 2002)
TAN9 – Enforcement of Planning Control (1997)

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development
 - ii) Impact on visual amenity
 - iii) Impact on residential amenity
7. In relation to the main planning considerations as noted in 7 above:
 - i) Principle of the development

The application is in the open countryside, where the re-use of redundant agricultural buildings is considered to be acceptable in relation to Policy GEN3. Policy EMP5 states that small scale employment development outside development boundaries will be acceptable through the conversion of existing buildings provided certain criteria are met. In relation to the criteria set out for Policy EMP5, the proposal does not conform with criteria c) and d) in so far that the scale and nature of the proposal is not comparable with the surrounding land uses and the character of the area, and that the proposed use, operations and storage are not confined to the existing building. External operations and storage are occurring at the site with this activity considered to be detrimental to the local landscape and the environment and prospective occupants of the outbuildings to the rear. The principle of development is therefore not considered to be acceptable.
 - ii) Impact on visual amenity

The outside storage of vehicles and vehicle parts in connection with the use of the building is considered to be detrimental to the visual appearance of the landscape in this location. This is not in accordance with criteria ii) and iii) of Policy GEN6.
 - iii) Impact on residential amenity

Currently a single farmhouse (Cae Mawr) is the only dwelling in close proximity to the application site. Other dwellings (Ty Nant and Ty Nant Bungalow) are located to the east of the application site, approximately 70m away. Permission exists for the outbuildings to the rear of the application site to be converted into 3 no residential units. This permission has not been implemented but is extant and it is considered that the distance of 4 m between the application site and the outbuilding would not afford acceptable

levels of residential amenity to the prospective occupants of the new dwellings.

SUMMARY AND CONCLUSIONS:

8. The application is for the retention of the use of a redundant agricultural outbuilding to be used as a repair and maintenance centre for motor vehicles. The retention of the use of the building is not considered to be acceptable in principle given the location of the application site and the proximity of the activity to potential residential units. For these reasons it is recommended that the application be refused.

RECOMMENDATION (A): REFUSE- for the following reason:-

1. It is the opinion of the Local Planning Authority that the use of the building and its associated curtilage area as a repair and maintenance centre for motor vehicles is an unacceptable use in the open countryside. The outside storage of vehicles and vehicle parts has an adverse impact on the landscape, and the proximity of the site in relation to potential dwelling units to the rear would have a negative impact on the residential amenity of future occupants of these dwellings contrary to Policies GEN6 and EMP6 of the Denbighshire Unitary Development Plan and advice contained in Planning Policy Wales (2002).

ENFORCEMENT REPORT:

1. This application is retrospective and relates to the use of an outbuilding for the repair and maintenance of motor vehicles at Cae Mawr, Cynwyd. The development is considered to be unacceptable in relation to planning policies, therefore this report seeks member authorisation to take the necessary enforcement action. In considering taking enforcement action against the 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 use of the building and the curtilage in the open countryside for the repair and maintenance of vehicles is unacceptable in relation to planning policy and that the activity would be detrimental to the residential amenity of future occupants of the outbuildings to the rear.

Reasons for taking enforcement action:

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

RECOMMENDATION (B): That authorisation is given to :

- i) Serve an enforcement notice against the use of the building and associated curtilage area, the use to cease and the land returned to its former state before the building was used for the repair and maintenance of vehicles.
- ii) Instigate prosecution proceedings or other appropriate action under the planning acts against any person or persons upon whom the any Enforcement Notice, or other notice is served against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice.
- iii) Period for compliance - 3 months

ITEM NO: 8

WARD NO: Efenechtyd

APPLICATION NO: 13/2005/1551/ PF

PROPOSAL: Retention of building and extension to domestic curtilage (retrospective)

LOCATION: Llanerchgron Barn Pwllglas Ruthin

APPLICANT: Mr R T Thompson

CONSTRAINTS: Within 67m Of Trunk Road

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

CONSULTATION RESPONSES:

2. EFENECHTYD COMMUNITY COUNCIL
No response received.
3. LANDSCAPE ARCHITECT
Awaiting response.

RESPONSE TO PUBLICITY:

Letters of representation received from:

1. Mr. & Mrs. R. Adamson, Llanerchgron Isa, Pwllglas (2 no. letters, 1 on original plans and 1 on amended plans)

Summary of planning based representations from both letters:

- i) Building erected does not resemble what has previously been given permission and has not been erected in location where consent was granted.
- ii) Use of building – not for agricultural purposes.
- iii) Concerns about overlooking.
- iv) Size, scale and design of building.
- v) Uncertainty over intentions regarding the use of the building.
- vi) Covenants on land
- vii) Landscaping proposed would not adequately screen building.

EXPIRY DATE OF APPLICATION: 07/03/2006

REASONS FOR DELAY IN DECISION:

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

PLANNING ASSESSMENT:

THE PROPOSAL:

1. This application was deferred from Planning Committee on 24th May 2006 to allow a Site Inspection Panel to consider the size and scale of the development and impact on the countryside. This will take place prior to Planning Committee and the notes will be incorporated in the Addendum Report.
2. The application site is located in a rural location just off the main A494 Ruthin to Pwllglas road. It lies outside the main settlement boundary of the village of Pwllglas. Two dwellings are located here, Llanerchgron Isa which is located nearest the road and Llanerchgron Barn which is located to the rear of Llanerchgron Isa. Both dwellings have separate accesses.
3. Permission was granted in 1998 for the resiting of an existing agricultural barn. This application was made by the occupants of Llanerchgron Barn and was approved with 4 no. conditions on the 11th March 1999. The approved barn was stated to be for agricultural use and the proposed measurements approved were 10.5 m in length, 7.4 m in width and 5.1 m in height to the ridge.
4. In October 2005 it became apparent to officers that the building being erected, although in a similar location, was significantly different in size and design to that permitted in 1998 and was therefore unauthorised. Enforcement investigations have resulted in this application being submitted.
5. The current application is for the retention of the unauthorised building and a change of use of the land to form an extension to the residential curtilage. The building to be retained is a detached, pitched roof structure constructed of wooden walls with a stone plinth and a blue grey corrugated cement roof. 3 no. stable doors are located in the front elevation, with white windows to the elevations. The building measures 15.1m in length, 6.2m in width and is 6.7m high to the ridge. There is access within the building to a 1st floor level. Currently the building is sited on open land. The applicant states that it is to be used for domestic storage and as an office and stable building.

RELEVANT PLANNING HISTORY:

6. **13/889/98/PF** – Resiting of existing agricultural building. GRANTED with conditions on the 11th March 1999.

13/2002/1246/AC – Details of roof materials submitted in accordance with condition no. 4 of planning permission no. 13/889/98/PF. Approved on 6th December 2002

PLANNING POLICIES AND GUIDANCE:

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 3 – Development Outside Development Boundaries
Policy GEN 6 – Development Control Requirements
Policy HSG 16 – Extensions to domestic gardens

GOVERNMENT GUIDANCE
Planning Policy Wales (March 2002)

MAIN PLANNING CONSIDERATIONS:

8.
 - i) Retention of building
 - ii) Impact on visual amenity
 - iii) Impact on residential amenity
 - iv) Extension to domestic garden
 - v) Other issues raised by objectors

9. In relation to the main planning considerations in paragraph 7:
 - i) Retention of building

Permission was granted in 1999 for the erection of a building to be used for agricultural purposes to replace an existing building. The erection of the building subject to this application commenced in 2002, with work still to be completed. The building is not used for agricultural purposes which was its intended use, neither is it used for the keeping of horses. Moreover it is materially different to that previously permitted in terms of use, scale and design. The building is to be used for domestic storage, stabling and as an office/workshop building in connection with Llanerchgron Barn. The above factors result in materially different considerations and the previous planning permission has only limited weight.

 - ii) Impact on visual amenity

The size and scale of the building to be retained is large and its siting, as a domestic building, is poorly related to the existing dwelling. The timber wall material accentuates the impact. The roof is visually prominent from the A494. Whilst proposed landscaping scheme, including a total of 13 trees (beech and hornbeam), seeks to reduce the impact of the building from prominent view points, it is considered that this landscaping is insufficient to reduce the adverse impact of the building on the visual amenity of the locality.

 - iii) Impact on residential amenity

Llanerchgron Barn is located 50m to the west of the application site, with Llanerchgron Isa located 82m from the side elevation of the building to be retained. Dense tree screening exists between Llanerchgron Isa and the building to be retained. It is considered that there is no material loss of residential amenity to the occupants of Llanerchgron Isa due to the distance and screening between the two buildings.

 - iv) Extension to domestic garden

Llanerchgron Barn currently has a large designated residential curtilage. Policy HSG 16 relates to extensions to domestic curtilages and states that in the open countryside, the 'limited' extension to residential curtilage will be permitted provided certain criteria are met. The criteria relating to visual impact and potential for further unacceptable development are not considered to be met. The proposal results in a contrived and visually prominent extension to an already large curtilage.

 - v) Other issues raised by objectors

Issues in relation to the covenants on land are not material considerations in relation to the planning merits of the application and should be taken up separately under civil law.

SUMMARY AND CONCLUSIONS:

10. The application is to retain a building to be used as storage, an office or workshop building in connection with the residential use of the dwelling known as Llanerchgron Barn. In seeking to retain the building, permission is also sought to

change the use of the land where the building has been erected from agricultural use to an extension to the domestic curtilage of Llanerchgron Barn. The proposal is unacceptable due to the visual impact of the building and curtilage extension.

RECOMMENDATION: REFUSE for the following reason:

The proposed building and change of use of land to domestic curtilage would, by reason of location of the site and building, and scale, design and materials of the building, detract from the visual amenity of this countryside location. Thus the proposal would be contrary to Policy GEN 3, criteria i), ii), iii) and iv) of Policy GEN 6 and criteria ii) and iii) of Policy HSG 16 of the Denbighshire Unitary Development Plan and government guidance in Planning Policy Wales.

ENFORCEMENT REPORT

1. This application is retrospective and the development is considered to be unacceptable having regard to the relevant policies. Therefore, this report seeks Member authorization to take the necessary enforcement action. In considering taking enforcement action against unauthorized development, the provisions of the Human Rights Act 1998 are taken into account. In this instance, the matter under consideration relates to the rights of an occupier to develop their property. It is considered that these rights are outweighed in that the development is unacceptable as it would detract from the appearance of the open countryside and be contrary to the relevant planning policies. No specific human rights issues have been raised by the owner of the site in this instance.

REASONS FOR TAKING ENFORCEMENT ACTION:

2. The unauthorized 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 is given for the following:

- (i) Serve an Enforcement Notice to remove the outbuilding and cease the use of the land as residential curtilage.
- (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: 9

WARD NO: Efenechtyd

APPLICATION NO: 13/2006/0440/ PF

PROPOSAL: Conversion of redundant chapel to 1 dwelling

LOCATION: Salem Chapel Pwllglas Ruthin

APPLICANT: Mr & Mrs C Hyde

CONSTRAINTS: Within 67m Of Trunk Road

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

CONSULTATION RESPONSES:

1. EFENECHTYD COMMUNITY COUNCIL
No response received.
2. THE CLWYD-POWYS ARCHAEOLOGICAL TRUST
No objections subject to a photographic survey being undertaken prior to the commencement of the development.
3. DWR CYMRU/WELSH WATER
No objections.

RESPONSE TO PUBLICITY:

Letter of representation received from:

1. Mr Roberts, Dolwyn, Pwllglas

Summary of planning based representations:

- i) Insufficient parking
- ii) Lack of amenity space
- iii) Access issues

EXPIRY DATE OF APPLICATION: 25/5/06

REASONS FOR DELAY IN DECISION

- timing of receipt of representations

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The proposal is to convert a redundant chapel into a three bedroom dwelling. It is currently used as a domestic store for the neighbouring property called The Swan.
2. The chapel is located within the village and development boundary of Pwllglas and is separated from the main trunk road by The Swan Public House. To the south west is a row of terraced houses, whilst to the north west (adjacent to the chapel) is the existing Place of Worship, Capel Salem. Along the north east boundary of the site runs a track which provides access to 7 dwellings located north of the

redundant chapel.

3. The chapel has a floor space of 75 square metres and is built of distinctive red brick with yellow brick quoins to the front face of the building with pebbledash off white render to all other elevations. There are five full height ground windows and two gallery windows. The building currently has one floor internally.

RELEVANT PLANNING HISTORY:

4. This building has been the subject of two applications for its conversion to a residential use. The first was 13/2005/0537 (conversion to self contained dwelling) which was refused on the grounds that there was insufficient useable amenity space associated with the building.
5. The second application (13/2005/1202) was withdrawn by the applicants as it failed to overcome the previous reasons for refusal.
6. The existing use of the chapel as a domestic store and garage was granted permission in 1987 under application 23/8391.

PLANNING POLICIES AND GUIDANCE:

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 1 – Development Within Development Boundary
Policy GEN 6 – Development Control Requirements
Policy HSG 4 – Housing Development in Villages

GOVERNMENT GUIDANCE
Planning Policy Wales, March 2002

MAIN PLANNING CONSIDERATIONS:

8.
 - i) Principle of development
 - ii) Design and amenity
 - iii) Access and parking
 - iv) Impact on neighbouring residential amenity
9. With regard to the considerations in paragraph 8:
 - i) Principle of development
The principle of sustainable development is to concentrate development within the existing settlements. There are no allocated sites within the village of Pwllglas and growth depends on the re-use of existing buildings or opportunities within the development boundary for new build. The principle of converting this redundant chapel into a residential unit is therefore considered acceptable.
 - ii) Design and amenity
The proposal is to create a living space over two floors. On the ground floor there would be three bedrooms, a bathroom and an entrance hallway, to the first floor, a kitchen/dining area, lounge and a study area. Externally the application seeks to provide more amenity space to the property, by utilising the yard area associated with The Swan. The previously refused application proposed 6 square metres of amenity space for the chapel. The current application offers approximately 60 square metres of useable outdoor amenity space. It is considered that the increase in amenity space has overcome the previous reason for refusal.

- iii) Access and Parking
With regard to access and parking issues, discussions with the Highway Authority suggest that the impact of this proposal upon the surrounding area would be no worse than its existing use, or previous use as a place of worship.
- iv) Impact on neighbouring residential amenity
Given the location of the neighbouring properties and the proposed arrangements for the scheme of conversion, it is not considered that the amenity of the surrounding properties would be adversely affected.

SUMMARY AND CONCLUSIONS:

- 10. In consideration of this application the previous refusal has been examined and been taken into account. It is argued that this proposal addresses the previous reason for refusal and is therefore acceptable in planning terms.

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 area of amenity space outlined in red on approved drawing no. CH/001 be retained at all times for the use of the dwelling hereby granted permission.
- 3. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with the details submitted to, and approved by the Local Planning Authority. The resulting photographs should be deposited with the County Sites and Monuments Record, operated by The Clwyd-Powys Archaeological Trust.

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

- 1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 2. In the interests of amenity.
- 3. In the interests of investigation and recording of buildings of architectural interest.

NOTES TO APPLICANT:

Condition No. 3 of this permission requires the carrying out of a photographic survey. The applicant is expected to pay for and complete the photographic survey. Professional photographers may be used where access to a camera or technical difficulties are encountered but the applicant should be aware that this will significantly increase the cost of the survey.

Photographs should be taken using 35mm format colour print film (preferably Kodak or Fuji film). ASA 200 film is a good standard for most light conditions but ASA 400 should be used where lighting is poor. 36 exposure film should be used in all cases and at least one whole film must be exposed.

The use of a standard flash gun is recommended indoors to light the interior views.

If available a measured scale should be placed within each shot but this is not essential.

Photographs should be taken of all exterior and interior wall elevations which are affected by the development together with photographs of interior roof detail where this is altered. Features of particular interest (e.g. obvious differences in wall makeup, windows and doors whether blocked up or not, fireplaces, timber framing) should also be fully photographed.

If possible the applicant should indicate where the views taken are positioned on an architect's floor plan of the building. Location reference numbers on the plan/s should be copied onto the back of the prints together with brief descriptive details of the location.

Two copies of the photo survey should be produced. One copy should be sent to the relevant planning office and one copy to The Development Control Section, Clwyd-Powys Archaeological Trust, 7A Church Street, Welshpool, Powys, SY21 7DL (Tel: 01938 553670). CPAT will confirm receipt of your photographs and inform the planning authority that the condition has been satisfied.

ITEM NO: 10
WARD NO: Efenechtyd
APPLICATION NO: 13/2006/0498/ PF
PROPOSAL: Erection of pitched-roof extension to side of dwelling
LOCATION: Coediog Llanfwrog Ruthin
APPLICANT: Mr Elwyn Edwards
CONSTRAINTS:
PUBLICITY UNDERTAKEN: Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. EFENECHTYD COMMUNITY COUNCIL
Awaiting response.

RESPONSE TO PUBLICITY:

None received

EXPIRY DATE OF APPLICATION: 04/07/2006

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The proposal is for a single storey side extension to the south west elevation. It would provide an additional 36 square metres of floor space and be constructed of natural stone and wood shingle tiles.
2. This application relates to the property known as Coediog situated on the B5105 approximately 1 mile south of Ruthin. The property is set back from the main road and is well screened by mature trees. Constructed of a combination of timber shingle and stone walls with timber shingle roof, Coediog is a single storey dwelling. It has a substantial curtilage which contains two outbuildings and ample parking/turning area.
3. The application is reported to Planning Committee as it is made by a County Councillor.

RELEVANT PLANNING HISTORY:

4. **13/1035/97/PF** - Retention of pitched roof to outbuilding; GRANTED 9/3/98
13/2001/523 - Lean-to extension to garage, GRANTED 26/7/01

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002):
Policy GEN 6 - Development Control Requirements
Policy HSG 12 - Extensions to Dwellings

SUPPLEMENTARY PLANNING GUIDANCE:

SPG 1 - Extensions to Dwellings

GOVERNMENT GUIDANCE:
Planning Policy Wales, March 2002

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Impact on visual amenity
 - ii) Impact on residential amenity
7. With regard to the considerations in paragraph 5:
 - i) Impact on visual amenity
Guidance contained within the Unitary Development Plan and Supplementary Planning Guidance states that extensions to dwellings should be subordinate in form and scale to the original dwelling. The overall design should be sympathetic to the original design, whilst materials should ideally match the existing materials.

This proposal is for an extension which would have a lower roof line than the existing roof line and would use materials which match the existing dwelling. It is considered that the extension is subordinate to the existing building.

The proposal is acceptable in terms of its impact upon the visual amenity of the area and the existing dwelling.

- ii) With no immediate neighbours overlooking the site, and a curtilage of sufficient size to accommodate this proposal it is considered that there would be no loss of residential amenity as a result of this proposal.

SUMMARY AND CONCLUSIONS:

8. The proposal is acceptable in terms of its impact upon the visual amenity of the area and the existing dwelling. Further there would be no loss of residential amenity as a result of this application being granted permission. This proposal therefore complies with planning policy and guidance.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity

NOTES TO APPLICANT:

None

ITEM NO: 11
WARD NO: Llanarmon Yn Ial / Llandegla
APPLICATION NO: 15/2004/1535/ PF
PROPOSAL: Erection of agricultural worker's dwelling
LOCATION: Land at Mountain Hall Farm School Lane Llanarmon-Yn-Ial Mold
APPLICANT: Mr Alexander Williams
CONSTRAINTS: Public Footpath / Bridleway
PUBLICITY UNDERTAKEN: Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

CONSULTATION RESPONSES:

1. LLANARMON YN IAL COMMUNITY COUNCIL :

Original consultation response:

"Llanarmon Yn Ial Community Council did **not support** this application. The farmhouse for this holding, Bryn-Yr-Ogof, has already been sold off. It thus fails UDP Policy HSG 6 New Dwellings in the Open Countryside, the justification and explanation of which states:

'In cases where the Council is concerned about possible abuse of the planning system, a full investigation of the history of the holding will be carried out to establish the recent pattern of use of land and buildings and whether for example any dwellings have been recently sold from the holding. Such a sale could constitute evidence of lack of agricultural need.'

No evidence of agricultural need has been submitted. The Community Council feels that the holding does not own sufficient land in the immediate locality, but realises that a standard confidential report will be provided. The justification and explanation of UDP Policy HSG 6 also states:

'It is vital that the report substantiates the long term viability of the enterprise, the need for additional dwelling and also the need for the dwelling to be located at or close to the place of work.'

Second consultation response following the identification of the land parcels:

"Referring to the parcels of land mentioned on your letter dated 19th January 2006, Councillors have the following observations:

Plot 2 - Land at Betws yn Rhos, this land is too remote and does not relate to the main holding.

Plot 3 - Land at Eryrys, Councillors challenge the applicants claim of ownership of this land, they are aware of three separate owners of this parcel (3 sections within), one of the owners rents two sections, the other owner uses his own section.

Plot 4 - Land near Llandegla, Councillors have been advised by Llandegla Community Council of receipt of a letter from the Enforcement Officer, giving details

of a visit to Ty Newydd accompanied by a Police Officer and a DEFRA Vet, pigs, horses and sheep were on the land. Councillors believe the land is owned by a Mr Wycherley of Wrexham. Councillors have no knowledge about the other parcel of land on this map.

Plot 6 - Land at Two Mile House, Chester, again this land is too remote (17 miles+), therefore does not relate to the main holding.

Because of the above observations the Council do not support this planning application”.

Third consultation response

Awaiting response to supporting statement from applicant's agent dated 5th May 2006, including updated information on land ownership/tenancy.

2. HEAD OF TRANSPORT AND INFRASTRUCTURE:
No objections subject to conditions relating to the access and parking and turning.
3. ENVIRONMENT AGENCY:
No comments to make.
4. PUBLIC FOOTPATH OFFICER:
No objections subject to diversion of public footpath no. 37.
5. ADAS CONSULTANT:
Original consultation response:
Has examined the business conducted from Mountain Hall Farm in accordance with Planning Policy Guidance and it is considered that the farm business as outlined in the report meets the tests as specified.

Second consultation response following the identification of the land parcels:
Basing the re-assessment on a 75 acres (owned land) holding with the new agricultural livestock buildings in place (cattle shed and two other totalling = 1210 sq. metres) then in his opinion “it would be just possible to farm in a sufficient scale to functionally justify a key worker being resident, however I would expect a farmer on this area to look for additional income/work off farm”. He does go on to say that with increased land control the levels of stock kept can be increased. One means of acquiring additional land is through short term licence agreement.

The number of animals within the 2005 farming system cannot be accommodated on the 75 acres of owned land. However, the financial reassessment has been carried out based on the likely number of livestock to be kept on 75 acres and within the sheds and the outcome is that the return to labour income would be just (£200ish) higher than the national average.

RESPONSE TO PUBLICITY:

NONE

EXPIRY DATE OF APPLICATION: 16/03/2005

REASONS FOR DELAY IN DECISION:

- Deferred from the May 2005 to seek further information and assessment

PLANNING ASSESSMENT:

THE PROPOSAL:

1. Mountain Hall Farm is located approximately 0.5km to the north-east of the village of Llanarmon yn Ial and 1 km from Eryrys which is to the north-east. The main farm complex is located adjacent to School Road which runs from Llanarmon yn Ial to Eryrys. This area is outside the development boundaries of the adjoining villages and within the Area of Outstanding Beauty (AOB) landscape designation. The application site is set in landscape which is gently undulating and benefits from an existing hedge/tree screening on its southern boundary. Public footpath no. 37 is affected by the proposed development and would need diverting prior to any works commencing on site.
2. The farm complex is currently run from an existing residential caravan used by the applicant as an agricultural dwelling. Members may recall granting a temporary permission for the caravan under code 15/2003/196/PF at planning committee in June 2003. Temporary permission was granted (for three years) to establish whether it was essential for the proper functioning of the enterprise for one or more workers to be readily available most times, e.g. to deal with emergencies or essential care of animals or agricultural processes at short notice.
3. The proposal is to erect a dwelling on land immediately to the west of the existing caravan. The dwelling will comprise of living/dinning room, kitchen, utility, bathroom and two ground floor bedrooms, with a sitting area and master bedroom and bathroom in the roof space with dormer windows. The proposal also includes a single garage space attached to the ground floor of the dwelling. The proposal is for wall materials of brick, stone or render with a slate roof. The residential curtilage has been defined on the application site, and is approximately 0.27 acre.
4. The owned land lies in two blocks, at Mountain Hall 23 acres and 35 acres near Betws yn Rhos (approximately 22 miles from Mountain Hall Farm). Additionally a further 37 acres is taken on a 12 year Farm Business Tenancy at Two Mile House, Chester (approximately 8 miles from Mountain Hall farm according to the applicants agent. The total secured land holding is thus 95 acres). Other land is taken on annual agreement at Chester for wintering livestock and on a shorter tenancy at Ty Newydd, Llandegla. There is also use made of land at Eryrys but ownership is not secured.
5. The main building complex at Mountain Hall Farm comprises of 2 no. stock sheds, a calf rearing shed, a farm workshop and a concreted yard. Since the first report was prepared for this farm by ADAS to accompany the previous planning application (15/2003/196/PF), the stocking of the unit has changed from being predominantly of a "store stock" nature to one which now has more "breeding stock". The stocking in 2005 is detailed 74 breeding cows, 470 breeding ewes with 145 store cattle.
6. The applicant has opted to employ the services of ADAS again for an independent appraisal of labour requirements and the need to be resident on the unit, which is the Council's preferred method of assessing these proposals.
7. In the past, part of the current farm holding formed part of a larger holding with an associated farmhouse, known as Bryn yr Ogof. The current applicants' father sold these off in 1986 and gifted the applicant a small part of the holding 19 acres. Since then the applicant has expanded the land in ownership and farming complex.

8. The applicant has altered the information originally submitted as part of the agricultural assessment having failed to secure the purchase of the 24 acres at Ty Newydd and 25 acres at Eryrys. The applicant secured the land at Two Mile House (Plot 6) in October 2005 on a tenancy.
9. One stock shed of some 450 sq. metres has been erected at Mountain Hall Farm following the 2003 assessment.

RELEVANT PLANNING HISTORY:

25/12048 – refusal for the development of land by the erection of an agricultural worker's bungalow and installation of new septic tank (outline application) at The Mobile Home, Bryn yr Ogof Farm, School Lane, Llanarmon yn Ial. - 13th September 1991.

15/2000/125/LE – Refusal for a Certificate of Lawfulness for an existing use, namely the siting of one static caravan for residential purposes. This refusal was appealed to the National Assembly. The appeal was subsequently withdrawn.

ENF/432/98/S – An appeal against an Enforcement Notice for the unauthorised residential use of a caravan. This appeal was subsequently withdrawn.

15/909/99/AG – Erection of a 400 sq. metres agricultural storage building APPROVED – 20/1/2000

15/2001/0673/PO – Erection of a farmhouse at Mountain Hall Farm, School Lane, Llanarmon yn Ial, as the essential need for a worker to live on the unit was not proven – REFUSED 24 July 2002.

15/2003/196/PF – Use of existing caravan as living accommodation for agricultural worker. – GRANT – 25/06/2003 (committee decision). Temporary permission for 3 years.

PLANNING POLICIES AND GUIDANCE:

10. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy STRAT 15 – Housing.
 - Policy GEN 3 – Development outside development boundaries.
 - Policy GEN 6 – Development Control Requirements.
 - Policy ENV 2 – Development affecting AOB.
 - Policy HSG 6 – New Dwellings in the Countryside.
 - Policy TRA 10 –Public Rights of Way.

Denbighshire Supplementary Planning Guidance Notes:
SPG No. 9 – Agricultural and Forestry Worker's Dwellings.

GOVERNMENT GUIDANCE:
Planning Policy Wales, March 2002.
TAN (W) 6 – Agricultural and Rural Developments.

MAIN PLANNING CONSIDERATIONS:

11.
 - i) Principle of Development – based on functional and financial tests to justify a residential dwelling.
 - ii) Highway considerations.
 - iii) Design and materials.
 - iv) Impact on Area of Outstanding Beauty.
 - v) Impact on public footpath.
 - vi) Impact on neighbouring residential amenity or privacy.

- vii) Alteration to the original information submitted for assessment.
12. In relation to the considerations as noted in Paragraph 10:

i) Principle of Development:

Proposals for permanent agricultural dwellings for farm workers need to be tested against the Unitary Development Plan policies and Government Guidance advice contained in TAN (W) 6 (June 2000, Paragraphs 41-49.)

The tests are:

- (a) there is a clearly established existing functional need;
- (b) the need relates to a full-time worker, or one who is primarily employed in agriculture, and does not relate to a part-time requirement;
- (c) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- (d) the functional need could not be fulfilled by another dwelling already on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (e) other normal planning requirements, for example, on siting and access, are satisfied.

Based on the reassessment findings of the ADAS appraisal for the proposal, it is considered that the agricultural assessment satisfies the established functional and financial tests to justify a residential presence at the holding. The temporary caravan was given permission in June 2003 when an ADAS report concluded that there was clear evidence of a firm intention and ability to develop the enterprise. The applicant had been in residence for approximately 3 years prior to the June 2003 decision, and the site had been the subject of unsuccessful applications and enforcement procedures which all came to a head in 2003. Whilst the history of a unit is a consideration in weighing the merits of an application, it should be noted that the main land ownership changes took place in the mid 1980's and it would seem unreasonable some 20 years later to attach significant weight to decisions taken at that time.

The ADAS re-assessment concludes that the agricultural activity concerned has been established for at least three years and has been profitable, according to the information provided, for three years (2002-2004) and has prospect of remaining so with the grants/subsidy available, with increased number of breeding stock, and investment in the erection of a new shed. ADAS calculations and conclusions have been based on "secure land" figures and information provided by the applicant on site. Whilst much of the secured land is remote from the hub of the farm and the site for the dwelling, the main activities requiring husbandry and security are based at the Mountain Hall Farm site, whereas the Betws yn Rhos and Chester sites are used for grazing and overwintering. In this respect the functional need for a dwelling at the proposed site is considered to be warranted.

The applicant advises that he has actively looked for a dwelling to purchase in the area for the last six years, to no avail, and the holding at Mountain Hall Farm is not considered to have any other farm buildings which would be suitable for conversion to residential use. Thus the principle of allowing an agricultural dwelling is accepted.

ii) Highway consideration:

The Head of Transport and Infrastructure is satisfied that the proposed access is acceptable subject to further details being agreed prior to the

commencement of work on site.

- iii) Design and materials:
The three bedroom dwelling is considered to be of a size commensurate with the established functional requirement for a farmer to reside with his family at the unit. The dwelling design is considered to be of a standard acceptable for the location within the AOB, with traditional styles of the area reflected in the window types and roof pitches. Neighbouring residential property are finished in white render and local stone. Brick is not considered to be an appropriate finish to the external walls. A natural slate roof material is most appropriate in this location.
- iv) Impact on Area of Outstanding Beauty:
The application site benefits from a reasonable screening by natural hedgerows/trees and existing buildings, and. provision of additional planting to the curtilage would further assist in reducing the impact of development. The application site is not in a prominent location, and with additional planting and control over the hard and soft landscaping of the site is not considered to prejudice any future designation as an AONB (Policy ENV 2).
- v) Impact on the public footpath:
In respect of the public footpath with crosses the application site, the Highways Officers are satisfied that the public footpath could be diverted to an acceptable location prior to the commencement of development on site.
- vi) Impact on the neighbouring residential amenity and privacy:
The proposal is considered to satisfy other planning considerations such as the impact on neighbouring residential properties. There is over 30 metres between the proposed development and the neighbouring property of Bryn yr Ogof. Due to the nature of site levels and screening it is considered that there would be an acceptable impact on neighbouring residential amenity and privacy.
- vii) Alteration to the original information submitted for assessment:
Information regarding the location of the parcels of land was requested from the applicant following the deferral from the planning committee in May 2005. The information was submitted by the agent over a period of 6 months. The information has altered over that period following clarification of land owned and subject to tenancy. ADAS has reassessed on the side of caution taking into consideration the minimum secure land (land in ownership) as set out at paragraph 4 above.

SUMMARY AND CONCLUSIONS:

- 13. The Denbighshire Unitary Development Plan and National Assembly Guidance allow for new agricultural dwellings to be constructed in the open countryside subject to functional and financial need being established. In this case it is considered that these tests have been met and the localised impacts are acceptable.

RECOMMENDATION: GRANT- subject to the following conditions:-

- 1. The development hereby permitted shall be begun before the expiration of two years from the date of this permission.
- 2. Prior to the commencement of development on site, Public Footpath No. 37 shall be permanently diverted to the written approval of the Local Planning Authority.
- 3. The occupancy of the dwelling shall be limited to a person, solely or mainly working, or last working, in the locality in agriculture, as defined in Section 336(1) of the Town and

Country Planning Act 1990, or in forestry, or a widow/widower of such a person, and to any resident dependants.

4. The existing caravan used as a dwelling shall be permanently removed no later than two months after the first occupation of the permanent dwelling.

5. The dwelling shall not be occupied until space, in accordance with details to be submitted to, and approved in writing by the Local Planning Authority, has been laid out within the site for cars to be parked and for cars to turn so that they may enter and leave the site in a forward direction.

6. No work shall be permitted to commence until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of improvements to the existing access to the site, comprising of surface treatment, driveway materials, boundary adjoining the roadside and any form of gateway or cattle grid enclosure.

7. 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.

8. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.

9. The ridge tiles to be used on the roof of the building shall be glue/grey butt jointed tiles or such other tiles to be agreed in writing by the Local Planning Authority. No raised ridge or slate vents shall be installed in the roof of the building.

10. No external wall material 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 of the development hereby permitted and no materials other than those approved shall be used.

11. Notwithstanding the provisions of Class(es) A, B, C and D 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.

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

13. The proposed septic tank and ancillary soakaway system shall conform to BS6297 and no part of the system shall be sited within 10 metres of any watercourse.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. In the interests of safeguarding public rights of way.

3. Permission has only been granted because there is an essential long term agricultural/forestry need which is considered sufficient to override the general presumption against new residential development in this area.

4. The policies of the Local Planning authority would not allow two dwellings on the site.

5. In the interests of amenity and highway safety by ensuring that adequate on-site

parking and turning space is available.

6. To ensure the formation of a safe and satisfactory access.
7. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
8. In the interests of visual amenity.
9. In the interests of visual amenity.
10. In the interests of visual amenity.
11. In the interests of residential and/or visual amenity.
12. To ensure a satisfactory standard of development, in the interests of visual amenity.
13. To ensure the proper drainage of the site and to minimise the risk of pollution.

NOTES TO APPLICANT:

In connection with Condition No. 2 you are reminded that the public footpath must be formally diverted prior to any works commencing on site. You are advised to contact the Public Rights of Way Section on 01824 706923 to obtain a diversion application form at least 9 months before the commencement of any building works.

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

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

ITEM NO: 12

WARD NO: Llanbedr Dyffryn Clwyd / Llangynhafal

APPLICATION NO: 16/2006/0393/ PO

PROPOSAL: Development of 0.09 hectares for 1 dwelling, formation of new vehicular access and bridge to watercourse and installation of new septic tank (outline application)

LOCATION: Land at Cae Glas Lon Cae Glas Llanbedr Dyffryn Clwyd Ruthin

APPLICANT: Dr. D. R. Edwards

CONSTRAINTS: 250m Of Landfill Site
AONB

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

CONSULTATION RESPONSES:

4. LLANBEDR D.C. COMMUNITY COUNCIL
Awaiting response.
5. ENVIRONMENT AGENCY
No objection.
6. JAC AONB
"The JAC has no observations on the principle of development, but would emphasise the need for sensitive design of the proposed new dwelling and associated boundary treatments".
7. HEAD OF TRANSPORT & INFRASTRUCTURE
No objection to revised access subject to conditions.

RESPONSE TO PUBLICITY:

Letters of representation received from:

1. H.P. Wright, Yr Hen Gor, Lon Cae Glas, Llanbedr D.C.
2. M. & A. Goldstein, Pen Lan, Lon Cae Glas, Llanbedr D.C.
3. J E V Madgwick, 6 Tan y Bryn, Llanbedr DC (2)

Summary of Planning Based Representations

- i) Concerns over highway safety on narrow road.
- ii) Concerns over potential impact on AONB.
- iii) Drainage concerns.

EXPIRY DATE OF APPLICATION: 14/05/2006

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site consist of an area of existing garden to the west of the dwelling Cae Glas on the north side of Lon Cae Glas. Lon Cae Glas is a narrow country lane which serves a number of residential dwellings off the main A494 and leading to Tan y Bryn.
2. The site is well hidden behind dense roadside planting and fencing and rises steeply from the watercourse to the front in a northerly direction. Cae Glas itself is a two-storey, detached dwelling set back some 40m from Lon Cae Glas. The area is generally characterised by large two storey dwellings fronting the road with those to the north side of the road in an elevated position on large plots.
3. Outline permission is sought to develop this existing garden land, which has a maximum width to its back (north) end of some 32m by the erection of 1 no. dwelling. A new vehicular access off Lon Cae Glas is proposed as part of this proposal incorporating a bridge over the watercourse. A new septic tank also forms part of this proposal and an indicative plan shows the sited to the north end boundary.

RELEVANT PLANNING HISTORY:

4. 16/806/97/PO - Outline for 1 no. dwellings – GRANTED – 22/10/97

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy HSG 4 - Housing Development in Villages
 - Policy GEN 1 - Development within development boundaries
 - Policy GEN 6 - Development Control Requirements
 - Policy ENV 2 - Development Affecting the AONB/AOB
 - Policy TRA 6 - Impact of new development on traffic flows
 - Policy ENP 4 - Foul and Surface Water Drainage

GOVERNMENT GUIDANCE

Planning Policy Wales, March 2002

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of residential development.
 - ii) Impact on neighbour amenity.
 - iii) Impact on visual amenity/AONB.
 - iv) Highway issues.
 - v) Drainage issues.
7. In relation to the points identified in paragraph 6 above:-
 - i) Principle
The application site is located within the village boundary of Llanbedr D.C. and within the designated AONB. The principle of developing this site for a single dwelling is deemed acceptable subject to the development meeting general development control criteria along with conserving and enhancing the AONB. As the application has been made in outline form, compliance with certain of the aforementioned criteria would be assessed at reserved matters stage. The site area at 0.09ha is below the affordable housing requirement

threshold.

- ii) Impact on neighbours
Dwellings on this elevated side of Lon Cae Glas are generally large and set well back from the road. An indicative plan shows how a dwelling of comparable size, scale and siting could be developed to the rear of the site. This, it is considered, could be done without detriment to any nearby residential amenity.
- iii) Impact on visual amenity
Given the good natural screening to this site and subject to the design of the dwelling respecting those nearby in terms of materials and scale, there should be no detrimental impact upon visual amenity or the AONB (Policy ENV2).
- iv) Highway Issues
The main area of concern with this proposal is the narrow access road, Lon Cae Glas, and the impact any new residential development may have on traffic safety in the area. Detailed discussions have taken place with Highway Engineers on site with revisions made to the proposed access and splay. This access is now assessed as acceptable and whilst it must be acknowledged that the narrowness of this road does cause concern for local road users this would not warrant refusal of this proposal for 1 no. additional dwelling. The proposal thus complies with Policy TRA 6.
- v) Drainage
Properties in the general locality can connect to the main sewer. However, it has been noted that where a sewer is over 30m away from a site this can justify the installation of a private sewerage disposal facility. A planning condition can adequately cater for the relevant method of drainage should the connection to the public sewer be rendered too difficult.

SUMMARY AND CONCLUSIONS:

8. The site is located within the development boundary of Llanbedr D.C. where the principle of residential development is acceptable. Subject to strict controls at reserved matters stage over the size, scale and design of the new dwelling, no significant detriment to visual or neighbour amenity should occur. The Highway Engineers feel that for 1 no. additional dwelling, the narrow nature of the access road does not warrant refusal of the scheme. The access point itself has been moved to a safer and more satisfactory location following discussions with Officers. The drainage issues can be adequately dealt with by condition.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. Approval of the details of the siting, design and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The access shall be laid out and constructed as shown on drawing No: 06/16A and completed and available for use prior to the construction of the dwelling.
5. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with details to be submitted to and approved in writing by the Local

Planning Authority and which shall be completed prior to the proposed development being brought into use.

6. Notwithstanding the submitted details, foul drainage shall be to the mains sewer. Full details of the proposed method of drainage for the development shall be submitted to and approved in writing by the Local Planning Authority. Only those details subsequently approved shall be implemented thereafter.

7. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the 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 means of access only.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. In the interest of free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
5. To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. In the interests of amenity and to ensure the site is adequately and satisfactorily drained.
7. 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).

ITEM NO: 13

WARD NO: Llanarmon Yn Ial / Llandegla

APPLICATION NO: 21/2006/0387/ PF

PROPOSAL: Erection of new dwellinghouse and detached double garage

LOCATION: Land at (part garden of) Minestones Ruthin Road Cadole Mold

APPLICANT: Mr. W. P. Smith

CONSTRAINTS: Within 67m Of Trunk Road
AONB

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

CONSULTATION RESPONSES:

8. LLANFERRES COMMUNITY COUNCIL

"The Community Council is opposed to the application in its current form and would like to make the following comments:

- i) Construction access: Members expressed concern about the construction access to the site. It was difficult to understand how construction and delivery lorries would gain access to the site. There was a high likelihood of construction vehicles causing damage to services (foul sewer) evident within the private drive and that, which serves the properties along Ruthin Road.
- ii) Permanent vehicular access: Once the property was occupied, the lack of any means of manoeuvring space for delivery and emergence vehicles also raised concerns, which would be made worse in the winter months.
- iii) Detached garage: As proposed at the end of the garden was unacceptable. It was considered to be in a very prominent position, which would be intrusive in views from Ruthin Road. This location should be moved elsewhere in the plot and made smaller as to be less conspicuous. The pyramid roof was not conducive to the area.
- iv) House design: The design and massing of the house including the ridge height were seen as acceptable in relation to surrounding properties. While no agreement was reached on slate or tile, the mixture of roofing material in the surrounding housing prompted the request that roofing should be of dark and subdued nature, to be agreed with the Planning Department.
- v) The importance of this plot on the edge of the settlement boundary suggests that there would be merit in attaching a landscape condition to any approval requiring the submission of a detailed landscape scheme to address the western boundary. Permitted development rights in respect of boundary fencing should be withdrawn (to prevent the possibility of unsightly fencing) and it was felt it would be appropriate to have a permanent hedge border line maintained along this boundary."

9. AONB JOINT ADVISORY COMMITTEE

The JAC strongly objects to the scale and design of the proposed dwelling and garage on an elevated and prominent site in the AONB. The new dwelling would be out of scale with its surroundings and would dominate the area'

10. HEAD OF TRANSPORT AND INFRASTRUCTURE
No objection

11. DWR CYMRU – WELSH WATER
Suggest conditions in relation to sewerage

RESPONSE TO PUBLICITY:

Letters of representation received from the following:

1. D. Goodwin, Leete Gate, Ruthin Road, Cadole, Mold
2. Mr & Mrs M Lloyd, St Davids, Ruthin Rd, Cadole

Summary of planning based representations:

- i) Concerns relating to the lane leading to the application site and access to the dwelling.
- ii) Concerns about the loss of trees on the site, the applicant states that no trees are to be felled.

EXPIRY DATE OF APPLICATION: 11/05/2006

REASONS FOR DELAY IN DECISION:

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

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is within the development boundary of Cadole, on the boundary of Flintshire and located within the AONB. Access to the site is from an unadopted single track lane off the main A494 from Ruthin to Mold adjacent to the dwelling known as Leete Gate. This road forks off to the rear of Leete Gate and drops sharply down to the application site.
2. The site itself forms part of the garden of Minestones, which is a detached, hipped roof bungalow located on a higher level than the application site. Open fields are located to the west of the site, with the rear of the 2 dwellings (St Davids and Lynfield) directly facing the application site.
3. The site measures 0.08 ha in area and the current proposal is for the erection of a single dwelling and a detached double garage. In plan form the dwelling represents the shape of a cross with a hipped roof, this being supported in the accompanying design statement. The proposed dwelling comprises of a kitchen, lounge, utility and study at ground floor level and 4 bedrooms and a bathroom at first floor level. Materials proposed are a brick plinth with render elevations and a slate or plain tiled roof. The detached garage is to be of the same materials and roof style.

RELEVANT PLANNING HISTORY:

4. None

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN1 – Development within Development Boundaries
Policy GEN6 – Development Control Requirements

Policy ENV2 – Development Affecting the AONB
Policy HSG4 – Housing Development in Villages
Policy SPG21 – Parking Requirements in New Developments

GOVERNMENT GUIDANCE
Planning Policy Wales (March 2002)
TAN12 - Design

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development.
 - ii) Impact on visual amenity.
 - iii) Impact on residential amenity.
 - iv) Highway issues
 - v) Impact on AONB

7. In relation to the main planning considerations as outlined in paragraph 6 above;
 - i) Principle of development

The village of Cadole is located partly within the administrative boundary of Denbighshire and partly within Flintshire. The southern end of the village is located within Denbighshire and the UDP development boundary surrounds this group of dwellings. Policy GEN1 allows for development within development boundaries and Policy HSG4 identifies Cadole as a village suitable for limited housing development relating to the size and character of the settlement. In principle therefore, the development is acceptable. The site area at 0.08 ha is below the affordable housing requirement threshold.

 - ii) Impact on visual amenity

The size and scale of the dwelling proposed is larger than those fronting the A494. However in comparison to the dwellings known as Fairwinds and Madryn (adjacent to Minestones), the size and scale is considered to be comparable and thus acceptable in this location. The design of the dwelling has been accompanied by the design statement which justifies the style and materials of the building form and takes into consideration the local context of the area as well as existing land levels. This is in accordance with advice contained in TAN 12 and the proposal is considered to be acceptable based on the criteria contained in Policy GEN6.

 - iii) Impact on residential amenity

There are two dwellings with their rear elevations directly facing the application site, these are St Davids and Lynfield. The existing dwellings are located at a distance of 24m from the north elevation of the proposed dwelling. This is acceptable to retain levels of residential amenity. The dwelling design has deliberately only included one small window serving the bathroom at first floor level in the north elevation facing the rear of St Davids and Lynfield thus further safeguarding residential amenity. This is considered to meet the requirements of criteria v) of Policy GEN6.

 - iv) Highway issues

Concerns have been raised by local residents in relation to the lane serving the proposed dwelling. The main concerns from residents refers to it being steep and hazardous in nature, in a poor state of repair and concerns regarding the amount of extra traffic generated by a dwelling of this size. The highway response in relation to the application states that no objections are made despite these concerns. SPG21 states that a dwelling this size (4 bed) should make provision for 3 car spaces. Space is provided for this in the site.

Thus it is in accordance with SPG 21.

v) Impact on AONB

The AONB Committee has objected to the application on the basis that the scale and design of the proposed dwelling and garage is in a prominent and elevated position in the AONB. The scale is considered to be acceptable in the context of the village and will be located in a group of existing dwellings. The design is justified by the accompanying design statement and this is considered to be acceptable based on guidance in TAN12. Should the application be approved, a suitable landscaping condition can be attached to minimise the impact on the AONB and to control the boundary treatments proposed. Despite the negative comments from the AONB, the proposal is considered to be acceptable in relation to Policy ENV2.

SUMMARY AND CONCLUSIONS:

8. The application site is within the development boundary of Cadole and located in the AONB. The application is for the erection of a detached two storey dwelling unit and the creation of a detached double garage. The size, scale, design and materials of the proposed dwelling are considered to be acceptable and in accordance with Policy GEN6 and advice contained in TAN12. Concerns have been raised about the adequacy of the road for the development. Highways have no objections. The development is considered to be acceptable and 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 materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.
3. No external wall materials 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.
4. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:
 - (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
 - (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
 - (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
 - (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
 - (e) Proposed positions, design, materials and type of boundary treatment.
5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following commencement of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
6. 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 north elevation of the dwelling hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

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 in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.
6. To maintain a reasonable standard of privacy in adjoining dwellings and gardens in the interests of amenity

NOTES TO APPLICANT:

None

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

A5 TRUNK ROAD IMPROVEMENT AT PONT MELIN RUG

1. PURPOSE OF REPORT

1.1 To advise Members of the above proposals and to seek comments on the scheme from the Planning Committee.

2. BACKGROUND

2.1 The National Assembly for Wales (NAW) are considering an improvement to a one kilometer length of the A5 between Corwen and Betws y Coed at Pont Melin Rug. The stretch of road includes a listed hump back bridge over the River Alwen.

2.2 Improvements on this stretch of road have been considered for many years with a route to the north of the bridge announced as the preferred route in 1981. This route was refined and a revised preferred route announced in 2003. This route is subject of an Environmental Statement and proposed Compulsory Purchase Order.

2.3 A plan indicating the proposed improvements and mitigation measures is **attached** to this report. Copies of the Environmental Statement and a non-technical summary of the statement will be available at Planning Committee, or can be inspected by Members at Caledfryn on request.

2.4 The NAW have publicised the proposals and the Environmental Statement in the locality.

3. ENVIRONMENTAL IMPACTS

3.1 The Environmental Assessment considers the following issues together with mitigation measures where appropriate – air quality; cultural heritage; disruption due to construction; ecology and nature conservation; landscape effects; land use; traffic noise and vibration; pedestrian, cyclist, equestrian and community effects; vehicle travellers; water quality and drainage; geology and soils; and impact on policies and plans.

4. RESPONSE TO IMPACTS

4.1 The proposals and environmental statement are being considered by Officers within the Council, including specialist officers in landscape, ecology, archaeology and conservation.

4.2 As a result of this consultation and consideration of the proposals, it is considered that further mitigation is required in relation to reducing the landscape impact, including on the scheduled historic park and garden at Rug. In addition, additional tree planting is required to screen nearby buildings such as the former creamery site, views of which will be opened up as a result of the improvements.

4.3 Further assessment is being undertaken and any additional comments will be presented to Planning Committee as part of the addendum report.

5. RECOMMENDATION

5.1 That Members support the requirement for additional landscape mitigation measures as set out in paragraph 4.2 above.

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

INFORMATION ITEMS FOR PLANNING COMMITTEE

AFFORDABLE HOUSING

**REVISION OF TAN 6 – AGRICULTURE AND RURAL DEVELOPMENT
TY ISOE, LLANDEGLA**

1. PURPOSE OF REPORT

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

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

2. AFFORDABLE HOUSING

2.1 As Members are aware affordable housing provision is required in most housing developments over a certain threshold under Policy HSG 10 of the Denbighshire Unitary Development Plan and Supplementary Planning Guidance Note No. 22 – Affordable Housing.

2.2 In order to assist in implementing the policy and guidance Officers have prepared guidance notes and questionnaires for developers to use when submitting planning applications which require an affordable housing element. These will hopefully ensure that developers properly consider the affordable housing issue at pre-application stage and on submitting a planning application and also ensure that the affordable housing proposals as part of any application are clear and explicit. In turn, negotiations and decision making on applications should be clearer for developers, officers and Councillors. Copies of the guidance notes and questionnaires are available as part of the Councils Planning Public Access Portal, with a page dedicated to affordable housing. The page and documents can be

accessed at www.planning.denbighshire.gov.uk

2.3 As part of the programme of training for County Councillors, a training day on affordable housing is to be provided on Friday 23rd June 2006. Further explanation will be provided on the guidance notes and questionnaires and arrangements for considering affordable housing as part of this training day.

3. TAN 6 – AGRICULTURE AND RURAL DEVELOPMENT

3.1 Welsh Assembly Government (WAG) are revising TAN 6 which was published in 2000. As part of the revision process, Carwyn Jones, the Minister for Environment, Planning and Countryside, has set up a stakeholder group to inform WAG on longer term options for supporting the sustainability of farming and the countryside. It is intended that the groups report will be produced by 2007.

3.2 Details of the stakeholder group and consultation process are available on the WAG website www.wales.gov.uk

4. TY ISOE, LLANDEGLA

4.1 Members will be aware of the successful operation, in partnership with the Environment Agency, to remove several hundred scrap cars, caravans and other items from the forest at Ty Isoe, Llandegla, conducted during the period 8th to 15th May 2006. It is hoped to present a short video of the direct action at Planning Committee. In addition the Member training on enforcement matters programmed for 10th July 2006 will include a section on the direct action undertaken and the lessons to be learnt from the operation.

4.2 It is fair to say that this example of direct action will have been one of the largest such operations involving a local planning authority in England and Wales.

PWYLLGOR CYNLLUNIO
CYFARFOD: 21ain Mehefin 2006
EITEM: 5

PLANNING COMMITTEE
MEETING: 21st June 2006
ITEM: 5

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

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

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

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /05 /2006 ac 31 /05 /2006**



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /05 /2006 and 31 /05 /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>
01/2006/0280 / PF	12 Beacons Hill Denbigh Installation of replacement windows	Peter Jones & Carys Williams Case Officer - Paul David Griffin	REFUSE	17 /05 /2006
01/2006/0390 / PF	53 Crud Y Castell Denbigh Erection of porch at rear of dwelling	Mr & Mrs R Vernon Case Officer - Paul David Griffin	GRANT	12 /05 /2006
01/2006/0423 / PF	Plot 39B Colomendy Industrial Estate Denbigh Erection of industrial building for maintenance/service depot and associated car parking and security lighting	LA & CE Powell Case Officer - Sarah Stubbs	GRANT	04 /05 /2006
01/2006/0424 / PF	Nant Y Crabbas Plas Chambres Road Denbigh Erection of two-storey pitched-roof extension at side and rear of dwelling	Mr T McMahon Case Officer - Paul David Griffin	GRANT	23 /05 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /05 /2006 ac 31 /05 /2006**



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /05 /2006 and 31 /05 /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>
01/2006/0459 / PF	2 Lon Howell Denbigh Erection of two storey pitched roof extension at side of dwelling	Mr & Mrs R.G Harman Case Officer - Paul David Griffin	GRANT	26 /05 /2006
01/2006/0539 / AC	Denbigh Golf Club Coppri Road Denbigh Details of materials/colour finish submitted in accordance with condition no. 2 of planning permission code no. 01/2005/1509/PF	Denbigh Golf Club Case Officer - Paul Mead	APPROVE	03 /05 /2006
02/2004/0848 / PF	Land To The Rear Of The Star Inn Clwyd Street Ruthin Erection of 3 no. terraced houses (amended details to those previously approved under code no. 02/2002/0800/PF)	J K Seren Properties Ltd Case Officer - Ian Weaver	GRANT	12 /05 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /05 /2006 ac 31 /05 /2006**



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /05 /2006 and 31 /05 /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>
02/2005/0920 / PF	Hunter Tarmac Yard Hen Lon Parcwr Ruthin Erection of 2 no. steel portal-framed industrial units and construction of new vehicular access	Mr H Hunter Case Officer - Sarah Stubbs	GRANT	25 /05 /2006
02/2005/1163 / AC	Former Builders Yard (Turners & Williams) Off Wynnstay Road Ruthin Details of materials, timber paint finish, floor levels and western boundary details submitted in accordance with condition no's 4,7,12 and 13 of planning permission code no. 02/2004/0058/PF	Messrs Turner & Williams Case Officer - Paul Mead	APPROVE	30 /05 /2006
02/2005/1265 / PF	Land At Rear Of Rose Cottage 15 Rhos Street Ruthin Erection of new bungalow and construction of new vehicular access	Mr & Mrs Hughes Case Officer - Nicola Marie Jones	GRANT	03 /05 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /05 /2006 ac 31 /05 /2006**



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /05 /2006 and 31 /05 /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>
02/2006/0546 / PF	32 Erw Goch Ruthin Erection of single-storey flat-roofed extension at rear of dwelling	Mr. M. Jones Case Officer - Paul David Griffin	GRANT	31 /05 /2006
03/2005/1124 / PF	Former Rehoboth Chapel Seventh Heaven Beds Hall Street Llangollen Erection of extension at side of, and conversion of former antique furniture store to restaurant and formation of disabled access ramp	Mr Dennis P K Ho Case Officer - Catrin E Williams	GRANT	02 /05 /2006
03/2005/1125 / LB	Former Rehoboth Chapel Seventh Heaven Beds Hall Street Llangollen Erection of extension to side of, and internal alterations to convert former antique furniture store to restaurant and disabled access ramp and wall to side (Listed Building application)	Mr Dennis P K Ho Case Officer - Catrin E Williams	GRANT	02 /05 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /05 /2006 ac 31 /05 /2006**



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /05 /2006 and 31 /05 /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>
03/2006/0001 / PC	Royal Oak Chapel Street Llangollen Continuation of use of premises as off-licence & restaurant and video rental outlet (retrospective application)	Royal Oak Wines & Spirits Case Officer - Emer O'Connor	GRANT	05 /05 /2006
03/2006/0071 / PF	20 Chapel Street Llangollen Erection of single-storey flat-roofed extension at rear to form new waiting area and W.C. and continuation of use of first-floor as dental practice (partly in retrospect)	Mrs Wilby Case Officer - Paul David Griffin	GRANT	16 /05 /2006
03/2006/0282 / TP	Llangollen YHA Activity Centre Tyn Dwr Hall Llangollen Various works to and felling of trees the subjects of a Tree Preservation Order	Lesley Richards Case Officer - Paul Mead	GRANT	23 /05 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN
PWERAU DIRPRWYEDIG
01 /05 /2006 ac 31 /05 /2006**



**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
PROTECTION UNDER DELEGATED POWERS
01 /05 /2006 and 31 /05 /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>
03/2006/0331 / AC	Eirianfa Berwyn Llangollen Details of landscaping submitted in accordance with condition no. 7 of planning permission code no. 03/2003/1196/PR	Mr R Fletcher Case Officer - Shan Wyn Jones	APPROVE	08 /05 /2006
03/2006/0405 / PF	Lyndonhurst Abbey Road Llangollen Renewal of application Ref No. 03/2000/110/PF comprising erection of replacement domestic garage with self-contained residential unit over and installation of new septic tank	Mr J Hart Case Officer - Paul David Griffin	GRANT	16 /05 /2006
03/2006/0415 / PF	(Formerly Far End) Pren Ceirios Birch Hill Llangollen Erection of replacement pitched-roof extension at rear of dwelling	Mr J E Jones Case Officer - Paul David Griffin	GRANT	26 /05 /2006

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03/2006/0605 / AC	Hall Street to Vicarage Road Llangollen	Tim Jones Castlemead Homes Ltd.	APPROVE	26 /05 /2006
	Details of new access road submitted in accordance with condition no. 10 of planning permission code no. 03/1997/0846/PF and condition no. 12 of planning permission code no. 03/1997/0740/PF	Case Officer - Ian Weaver		
04/2006/0470 / PF	Outbuilding At Cefn Ceirch Betws Gwerfil Goch Corwen	Mr D C Evans	GRANT	26 /05 /2006
	Conversion of outbuilding to single dwelling and installation of new septic tank (revised scheme)	Case Officer - Nicola Marie Jones		
04/2006/0558 / AC	Bryn Halen Mawr Melin-Y-Wig Corwen	R & J Spreckley	APPROVE	08 /05 /2006
	Details of fenestration submitted in accordance with condition no. 7 of planning permission code no. 04/2004/1259/PF	Case Officer - Sarah Stubbs		

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04/2006/0559 / AC	Bryn Halen Mawr Melin-Y-Wig Corwen	R & J Spreckley	APPROVE	08 /05 /2006
	Details of boundary treatment submitted in accordance with condition no. 9 of planning permission code no. 04/2005/0349/PF	Case Officer - Sarah Stubbs		
05/2005/1123 / PF	Coed Y Glyn Glyndyfrdwy Corwen	Messrs I T & S C Davies	GRANT	24 /05 /2006
	Replacement of 3 existing chalet units with 3 log cabins and installation of new septic tank	Case Officer - Catrin E Williams		
05/2005/1505 / LE	The Bungalow Coed Y Glyn Glyndyfrdwy Corwen	Mr Iwan Davies	CERTIFY	03 /05 /2006
	Certificate of Lawfulness for existing use of building as a dwelling	Case Officer - Catrin E Williams		
05/2006/0147 / PF	Coal Yard Station Yard Corwen	Amaethwyr Corwen Cyf.	GRANT	02 /05 /2006

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	Change of use of coal yard to storage area to be used in connection with adjoining Corwen Farmers premises and erection of 2.4m high security fence	Case Officer - Nicola Marie Jones		
05/2006/0337 / PF	Allt Y Celyn Carrog Corwen	A McConnell & R Galliard	GRANT	05 /05 /2006
	Erection of 'annexe' extension and sun lounge	Case Officer - Nicola Marie Jones		
05/2006/0373 / PF	Sarah's Sandwich Shop 2 Pen Y Bryn Hill Street Corwen	B & P Wildbur	GRANT	09 /05 /2006
	Change of use from sandwich shop to Welsh Language Board office	Case Officer - Nicola Marie Jones		
05/2006/0617 / AC	Tan-y-Glog Holyhead Road Carrog Corwen	Mr R.K Lloyd Penarth Farm	APPROVE	23 /05 /2006
	Details of landscaping submitted in accordance with condition no. 4 of planning permission code no. 05/2005/0365/PF	Case Officer - Paul Mead		

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07/2006/0644 / AC	Land To The Rear Of Dudley Arms Hotel Llandrillo Corwen	Mr Emyr Roberts	APPROVE	31 /05 /2006
	Details of screen walls/fences submitted in accordance with condition no. 8 of planning permission code no. 07/742/96/PF	Case Officer - Nicola Marie Jones		
08/2006/0233 / PS	Land Adjacent To Gwnodl Fawr Cynwyd Corwen	Mr E Ll Thomas	REFUSE	26 /05 /2006
	Removal of Condition No. 5 of planning permission code no. 08/2001/1105/PO restricting occupancy of Gwnodl Bach to agricultural workers use	Case Officer - Shan Wyn Jones		
08/2006/0309 / PF	Pen-y-Bont Fawr Cynwyd Corwen	Mr. & Mrs R.W.L & N. Wivell	GRANT	18 /05 /2006
	Installation of domestic heating flue in roof	Case Officer - Paul David Griffin		

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09/2006/0458 / EL	Wisteria Cottage Llandyrnog Denbigh Erection of LV overhead line supported by wood poles and dismantling of existing equipment	SP Power Systems Limited SP Manweb Plc	NO OBJ	22 /05 /2006 Case Officer - Emer O'Connor
10/2006/0457 / PF	2 Trem Y Foel Bryneglwys Corwen Erection of single storey pitched roof extension at side/rear of dwelling	Miss J Law	GRANT	25 /05 /2006 Case Officer - Paul David Griffin
12/2006/0396 / PF	Glan Llyn Inn Clawddnewydd Ruthin Roofing over part of frontage to create covered seating area	Mr. & Mrs W. Cooper	GRANT	11 /05 /2006 Case Officer - Nicola Marie Jones
13/2006/0475 / PF	Outbuilding 'B' Tyddyn Roger Llanfwrog Ruthin Construction of new access drive to serve new dwelling	Mr J Rogers	GRANT	30 /05 /2006 Case Officer - Paul David Griffin

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14/2005/1131 / PF	Felin Y Moch Bontuchel Ruthin Conversion of redundant outbuilding to dwelling & installation of new septic tank.	Mr & Mrs M Maclean Case Officer - Catrin E Williams	GRANT	25 /05 /2006
14/2006/0371 / AC	Land at Plot 6 adjacent to Maes Y Delyn Cyffylliog Ruthin Details of hard and soft landscaping submitted in accordance with condition no. 3 of planning permission code no. 14/2004/1225/PF	Messrs Griffiths Builders & Developers Case Officer - Nicola Marie Jones	APPROVE	25 /05 /2006
14/2006/0372 / AC	Land Off Maes Y Delyn Cyffylliog Ruthin Details of layout, design, lighting, signing, drainage and construction of the turning head submitted in accordance with condition no. 4 of planning permission code no. 14/2004/0151/PF	Griffiths Builders & Developers Case Officer - Nicola Marie Jones	APPROVE	25 /05 /2006

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15/2006/0374 / AC	Iwerddon Ruthin Road Llanferres Mold	Mr G W Lewis	APPROVE	25 /05 /2006
	Details of landscaping submitted in accordance with condition no. 2 of planning permission code no. 15/2004/1281/PF	Case Officer - Sarah Stubbs		
17/2006/0384 / PF	Rosemoor Pen Y Stryt Llandegla Wrexham	Mr P Mitchel & Mrs R Turner	GRANT	16 /05 /2006
	Raising a roof height to form pitched roof to dwelling	Case Officer - Paul David Griffin		
17/2006/0453 / PF	Land Adjoining Accre Hall Llandegla Wrexham	W Owen & Partners	GRANT	24 /05 /2006
	Erection of agricultural workers dwelling and formation of new access drive	Case Officer - Sarah Stubbs		

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18/2006/0303 / PF	Outbuilding At Glanywern Bennett Llandyrnog Denbigh Conversion of 2 no. existing outbuildings into single dwelling and installation of new septic tank	Mr. & Mrs I Roberts Case Officer - Nicola Marie Jones	GRANT	30 /05 /2006
18/2006/0361 / AC	Speddyd Farm Llandyrnog Denbigh Details of landscaping submitted in accordance with condition no. 10 of planning permission code no. 18/2005/1068/PF	Mr Michael Owen Case Officer - Sarah Stubbs	APPROVE	24 /05 /2006
18/2006/0496 / AG	Fforddlas Isaf Llandyrnog Denbigh Erection of replacement barn for hay and implement storage	Mr & Mrs R R & A E Williams Case Officer - Paul David Griffin	APPROVE	16 /05 /2006

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18/2006/0513 / HE	Ty Coch Farm Llangynhafal Denbigh Removal of approximately 5 metres of hedgerow to enlarge existing gateway	Denbighshire County Council Property Services Case Officer - Paul David Griffin	APPROVE	26 /05 /2006
18/2006/0526 / AC	Mount Pleasant Pentrefelin Llandyrnog Denbigh Details of roof materials submitted in accordance with part of condition no. 2 of planning permission code no. 18/2006/0170/PF	Mr. D. Griffiths & Miss J. Milton Case Officer - Paul David Griffin	APPROVE	02 /05 /2006
20/2006/0180 / PO	Land adjoining Caer Wyn Graigfechan Ruthin Development of 0.047 hectares of land by erection of single dwelling and construction of new vehicular access (outline application)	Mr R Morgan and Miss E Hughes Case Officer - Shan Wyn Jones	REFUSE	16 /05 /2006

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20/2006/0211 / PO	Land To The Rear Of Three Pigeons Inn Graigfechan Ruthin Development of 0.1ha of land for log cabin holiday use units in connection with existing touring caravan and camping site and reinstatement of septic tank(outline application)	J & L P Thornley Case Officer - Nicola Marie Jones	WDN	03 /05 /2006
23/2006/0556 / AC	Fron Heulog Farm Llanrhaeadr Denbigh Details of materials submitted in accordance with condition no. 2 of Listed Building consent code no. 23/2005/1081/LB	G & J Hinchcliffe Case Officer - Paul David Griffin	APPROVE	08 /05 /2006
24/2006/0497 / PF	G Vaughan Agricultural Repairs& Sales The Garage Llanynys Denbigh Erection of new office and stores building & installation of new septic tank	G Vaughan Case Officer - Paul David Griffin	GRANT	31 /05 /2006

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25/2006/0209 / PF	Bwthyn Penllan Nantglyn Denbigh Erection of potting/storage shed	Mrs J Dutton Case Officer - Nicola Marie Jones	GRANT	05 /05 /2006
25/2006/0351 / PF	Outbuildings At Tan Y Graig Bylchau Denbigh Conversion of vacant farm outbuildings into 4 no. dwellings and installation of new septic tank	G A & R H Roberts Case Officer - Shan Wyn Jones	WDN	08 /05 /2006
25/2006/0352 / LB	Outbuildings At Tan Y Graig Bylchau Denbigh Internal and external alterations to vacant farm outbuildings to create 4 no. dwellings (Listed Building application)	G A & R H Roberts Case Officer - Shan Wyn Jones	WDN	08 /05 /2006
25/2006/0448 / PF	Nantglyn School Nantglyn Denbigh	Mr Richard Morris	GRANT	31 /05 /2006

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	Demolition of existing toilet blocks and erection of hobby workshop/outbuilding to form pottery studio in connection with conversion to dwelling granted under Ref. No. 25/2003/1361/PF	Case Officer - Paul David Griffin		
27/2006/0441 / PF	Peacehaven Llantysilio Llangollen	Mr C Roberts & P Claybrook	GRANT	18 /05 /2006
	Erection of two-storey pitched roof extension at side and dormer feature at rear of dwelling	Case Officer - Paul David Griffin		
27/2006/0444 / PF	Cartrefle Llantysilio Llangollen	Mr C Roberts & P Claybrook	GRANT	18 /05 /2006
	Erection of dormer feature at rear of dwelling	Case Officer - Paul David Griffin		
28/2005/0498 / PR	Land Adjacent To Tan Y Bryn Hen Lon Henllan Denbigh	Mr & Mrs Stubbs	APPROVE	26 /05 /2006
	Details of proposed dwelling submitted in accordance with outline application code no.28/2004/1155/PO	Case Officer - Paul Mead		

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28/2006/0299 / AC	Land Adjacent To 19 Maes Yr Efail Henllan Denbigh Details of materials, parking/turning and fenestration submitted in accordance with condition no's 2,4 and 5 of planning permission code no. 28/2005/0608/PF	Mr A Hoyles Case Officer - Emer O'Connor	APPROVE	04 /05 /2006
28/2006/0397 / PF	Tan Y Clochdy Llanefydd Road Henllan Denbigh Removal of section of wall, formation of vehicular access and construction of car parking area	Mrs S Marshall Case Officer - Paul David Griffin	REFUSE	12 /05 /2006
30/2006/0600 / AC	Land at (Part garden of) Cheenaville Allt Goch St. Asaph Details of external wall and roof materials submitted in accordance with condition no. 1 of planning permission code no. 30/2004/1570/PR	Vale Heritage Case Officer - Sarah Stubbs	APPROVE	16 /05 /2006

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31/2006/0437 / AC	Capel Cefn Meiriadog Groesffordd Marli Abergele	Mr E Davies	APPROVE	09 /05 /2006
	Details of windows, handrail and doors submitted in accordance with Listed Building consent code no. 31/2005/0635/LB	Case Officer - Nicola Marie Jones		
40/2004/1498 / AC	Land adjacent to Parc Castell Estate Ffordd Parc Castell Bodelwyddan Rhyl	Anwyl Construction Co. Limited	APPROVE	24 /05 /2006
	Details of Conditions No. 2 (right-turn lane), No. 3 (estate roads), No. 4 (parking), No. 7 (traffic management scheme), No. 9 (landscaping), No. 11 (materials), No. 12 (foul drainage & surface water) and No. 13 (play area) on planning permission Code No. 40/2004/1654/PF	Case Officer - Sarah Stubbs		
40/2005/1491 / AC	Integra Phase 2 Glascoed Road St. Asaph Business Park St. Asaph	Pennaf Ltd	APPROVE	15 /05 /2006

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	Details of widening of footpath submitted in accordance with condition no. 16 of planning permission code no. 40/2005/0448/PF	Case Officer - Sarah Stubbs		
40/2006/0231 / PO	Unit 30 Llys Edmund Prys St. Asaph Business Park St. Asaph	Mr R Jones	GRANT	31 /05 /2006
	Development of 0.46 hectares of land by erection of single and two-storey office accommodation, associated car parking and access (outline application)	Case Officer - Sarah Stubbs		
40/2006/0341 / PF	Faenol Fawr Rhuddlan Road Bodelwyddan Rhyl	Messrs S & J Goddard	GRANT	02 /05 /2006
	Erection of single storey toilet block for use in connection with existing caravan park	Case Officer - Emer O'Connor		
40/2006/0434 / PF	The Cottage Faenol Fawr Rhuddlan Road Bodelwyddan Rhyl	Mr S Goddard	GRANT	05 /05 /2006
	Erection of attached garage to side of dwelling	Case Officer - Emer O'Connor		

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40/2006/0435 / LB	The Cottage Faenol Fawr Rhuddlan Road Bodelwyddan Rhyl Erection of attached garage to side of dwelling (Listed Building application)	Mr S Goddard Case Officer - Emer O'Connor	GRANT	24 /05 /2006
40/2006/0577 / AC	Fields South-West Of Borth Crossroads Abergele Details of external wall and roof materials submitted in accordance with condition no. 2 of planning permission code no. 40/2004/0807/PF	Mr R Lomax Case Officer - Sarah Stubbs	APPROVE	11 /05 /2006
42/2006/0353 / LE	Garden Cottage, The Rockery Waterfall Road Dyserth Rhyl Certificate of Lawfulness for existing use of building as a dwelling	Mrs A Williams Case Officer - Emer O'Connor	CERTIFY	05 /05 /2006

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42/2006/0578 / PF	Haulfryn Bryniau Dyserth Rhyl Erection of two-storey pitched-roof extension at front and demolition and replacement of garage at rear of dwelling	Mr G Liddle	GRANT	31 /05 /2006
		Case Officer - Emer O'Connor		
43/2004/0847 / AC	Plots 1-17, Flats & Surgery Site, Rhodfa Wyn Tower Gardens Estate (Anwyls) Victoria Road Prestatyn Details of Condition No. 8 (car parking) on planning permission ref: 43/2002/1264/PF.	Anwyl Construction Co. Ltd	APPROVE	12 /05 /2006
		Case Officer - Mark Dakevne		
43/2004/0956 / AC	Plots 1-17, Flats & Surgery Site, Rhodfa Wyn Tower Gardens Estate (Anwyls) Victoria Road Prestatyn Details of Condition No. 4 (landscaping) in respect of the Surgery Site, on Planning Permission Ref. No. 43/2002/1264/PF	Anwyl Construction Co. Limited	APPROVE	12 /05 /2006
		Case Officer - Mark Dakevne		

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43/2006/0360 / PF	Quarry Cottage Tan Yr Allt Prestatyn Erection of replacement porch/conservatory and bedroom extension (Revised scheme)	Tryfan Limited Case Officer - Paul Mead	GRANT	18 /05 /2006
43/2006/0394 / PF	9 The Dell Prestatyn Formation of dormer window to side and conservatory and utility room extension at rear of dwelling	Mr P Penlington & Miss S Matischok Case Officer - Emer O'Connor	GRANT	05 /05 /2006
43/2006/0400 / PF	122 Fforddisa Prestatyn Removal of existing roof & erection of new pitched roof with dormer to allow rooms in roofspace & erection of front porch	Mr. I. Yates Case Officer - Emer O'Connor	REFUSE	05 /05 /2006

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43/2006/0404 / PF	36 Salisbury Drive Prestatyn Erection of pitched roof extension at rear and replacement attached garage at side of dwelling	Mrs J. Rogers Case Officer - Emer O'Connor	GRANT	05 /05 /2006
43/2006/0463 / PF	107 Ffordd Talargoch Prestatyn Proposed loft conversion incorporating erection of dormer windows to front and rear of dwelling and associated works, and alterations to existing vehicular access at front of dwelling	Mr P McCarthy And Mrs L Knott Case Officer - Emer O'Connor	REFUSE	31 /05 /2006
43/2006/0464 / PF	35 Bastion Road Prestatyn Erection of two-storey pitched-roof extension at side of dwelling	Mr & Mrs N Horsefield Case Officer - Emer O'Connor	GRANT	31 /05 /2006

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43/2006/0482 / PF	H S B C 35 High Street Prestatyn Installation of 1 no. automated teller machine (ATM)	HSBC Bank Plc Case Officer - Emer O'Connor	GRANT	31 /05 /2006
43/2006/0494 / PF	17 Lon Gwyndaf Prestatyn Erection of single-storey flat-roofed extension at front, single-storey pitched-roof extension at rear and two-storey pitched-roof extension at side of dwelling	Mr J Hughes & Ms S Galbraith Case Officer - Emer O'Connor	GRANT	31 /05 /2006
43/2006/0521 / PF	42 Aberconway Road Prestatyn Erection of pitched-roof extension at rear of dwelling	Mr & Mrs R Owens Case Officer - Emer O'Connor	GRANT	31 /05 /2006

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43/2006/0646 / AC	214 High Street Prestatyn Details of colour and finish of the gloss paint work of the shopfront submitted in accordance with condition no. 2 of planning permission code no. 43/2006/0031/PF	Mrs J Hudson Case Officer - Emer O'Connor	APPROVE	31 /05 /2006
45/2006/0011 / PO	5 Windsor Street Rhyl Development of 0.05ha of land for residential purposes (outline application)	Mr Barry Gorst Case Officer - Sarah Stubbs	GRANT	25 /05 /2006
45/2006/0124 / AD	10/12 (Unit 2) Sussex Street Rhyl Display of internally-illuminated fascia sign and projecting box sign	The Peacock Group Case Officer - Michael G Hughes	GRANT	11 /05 /2006

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45/2006/0141 / PF	52 Bath Street Rhyl Change of use/alterations to existing bedsits to create 3 no. self-contained flats and formation of off street parking area to front	Mrs J Griffith Case Officer - Sarah Stubbs	GRANT	30 /05 /2006
45/2006/0142 / LB	52 Bath Street Rhyl Internal alterations to create 3 no. self-contained flats and demolition of front boundary wall to form parking area (Listed Building application)	Mrs J Griffith Case Officer - Sarah Stubbs	GRANT	30 /05 /2006
45/2006/0212 / AC	63-64 West Parade Rhyl Details of drainage (con. 2), bin stores/drying (con. 3), windows (con. 4) and landscaping (con. 8) submitted in accordance with planning permission code no. 45/2003/1282/PF	Pennaf Limited Case Officer - Mark Dakeyne	APPROVE	15 /05 /2006

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45/2006/0290 / PF	19 Brynmor Avenue Rhyl Erection of single storey pitched-roof extension at side of dwelling	Mr E Wilson Case Officer - Michael G Hughes	GRANT	05 /05 /2006
45/2006/0338 / PF	9 St. Margarets Drive Rhyl Erection of single-storey extension to rear of dwelling	Ms H. Jones / R. James Case Officer - Michael G Hughes	GRANT	05 /05 /2006
45/2006/0362 / AC	Land adjacent to H Bridge between Kwik Save and railway Marsh Road Rhyl Details of landscaping submitted in accordance with condition no. 2 of planning permission code no. 45/2005/0511/PF	Lockstock Self Storage Ltd Case Officer - Sarah Stubbs	APPROVE	19 /05 /2006
45/2006/0403 / PF	147 Rhyl Coast Road Rhyl Erection of flat-roof extension at rear and conservatory at side of dwelling	Mr & Mrs B.A. & L. Harrison Case Officer - Michael G Hughes	GRANT	22 /05 /2006

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45/2006/0428 / AD	18/20 Vale Road Rhyl Display of internally illuminated shop signs and projecting box sign	Bathstore.Com Limited Bathstore.Com Ltd Case Officer - Michael G Hughes	GRANT	24 /05 /2006
45/2006/0429 / PF	3 Grange Avenue Rhyl Erection of dormer window at rear and pediment roof to existing hipped-roof at side of dwelling	Mr & Mrs Walkden Case Officer - Michael G Hughes	GRANT	24 /05 /2006
45/2006/0432 / PF	42 Lake Avenue Rhyl Erection of dormer window to rear of dwelling	Mr & Mrs Gamble Case Officer - Michael G Hughes	GRANT	24 /05 /2006

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45/2006/0471 / AC	Car park of former Marina Hotel 11-13 Marine Drive Rhyl Details of surface water submitted in accordance with condition no. 4 of planning permission code no. 45/2004/1423/PF	K & C Building Contractors	APPROVE	12 /05 /2006
		Case Officer - Sarah Stubbs		
45/2006/0481 / PF	4 Market Street Rhyl Demolition of structurally-unsound front elevation wall and rebuilding with new windows, entrance and shopfront	The M Rosenberg Settlement	GRANT	30 /05 /2006
		Case Officer - Emer O'Connor		
46/2005/1270 / LB	The Auction Rooms Gemig Street St. Asaph Listed Building consent application for alterations to existing dwelling	Mr Jason Roberts	APPROVE	15 /05 /2006
		Case Officer - Sarah Stubbs		

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46/2006/0378 / PF	Cornel Lower Denbigh Road St. Asaph Erection of two storey pitched-roof extension at front (east elevation) of dwelling	Mr John Morris Case Officer - Emer O'Connor	GRANT	31 /05 /2006
46/2006/0385 / PF	Fron Las Lower Denbigh Road St. Asaph Erection of two-storey extension to dwelling (amended scheme to application ref no. 46/2005/0424/PF)	Mr & Mrs C. White Case Officer - Emer O'Connor	GRANT	10 /05 /2006
46/2006/0389 / PF	25 Bishops Walk St. Asaph Erection of extension to garage at side and rear and erection of conservatory at rear of dwelling to form breakfast room	Mr & Mrs H Tilterton Case Officer - Emer O'Connor	GRANT	10 /05 /2006

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46/2006/0392 / PF	39 Ashly Court St. Asaph Erection of conservatory	Mr & Mrs T Lambert Case Officer - Emer O'Connor	GRANT	10 /05 /2006
46/2006/0499 / AD	Land adjoining Elwy Park Estate off Llys Dyffryn St. Asaph Erection of pole-mounted free standing sign	Anwyl Construction Co Limited Case Officer - Emer O'Connor	GRANT	16 /05 /2006
46/2006/0532 / PF	10 Bishops Walk St. Asaph Erection of conservatory to rear and new window to side of dwelling	Mr & Mrs Shaw Case Officer - Emer O'Connor	GRANT	16 /05 /2006
47/2006/0238 / AC	Pant Glas Tremeirchion St. Asaph Details of landscaping and screen walls submitted in accordance with condition no's 5 and 7 of planning permission code no. 47/2005/0834/PF	R. J. Projects Ltd Case Officer - Paul Mead	APPROVE	16 /05 /2006

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47/2006/0395 / PR	Land at Field No. 8144 Bryngwyn Mawr Rhuallt St. Asaph	Mr & Mrs T Edwards	GRANT	26 /05 /2006
	Details of design and external appearance of dwelling and landscaping of the site submitted in accordance with Condition No. 1 of outline planning permission Ref. No. 47/2004/1246/PO (Revised reserved matters)	Case Officer - Sarah Stubbs		
47/2006/0534 / PF	Hendre Sian Rhuallt St. Asaph	Mr & Mrs P Feeney	WDN	31 /05 /2006
	Raising roof height to form pitched roof with dormers to front and rear elevations to create living accommodation in roof space	Case Officer - Emer O'Connor		