

PWYLLGOR CYNLLUNIO
CYFARFOD: 8fed Tachwedd 2006
Eitem: 2

PLANNING COMMITTEE
MEETING - 8fed Tachwedd 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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PLANNING COMMITTEE
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ITEM NO: 1

WARD NO: Prestatyn Central

APPLICATION NO: 43/2006/0912/ PF

PROPOSAL: Erection of detached dwelling and garage

LOCATION: Plot 11 Melyd Avenue Prestatyn

APPLICANT: Healey Homes Ltd

CONSTRAINTS: Article 4 Direction
Previous Mining Area
TAN15 - ZoneB
Scheduled Ancient Monument

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

CONSULTATION RESPONSES:

1. PRESTATYN TOWN COUNCIL
"Objection, Committee indicated that land should be utilized for adjoining CADW listed site as per original land-owners agreement".
2. HEAD OF TRANSPORT AND INFRASTRUCTURE
No objections subject to conditions
3. COUNTY ARCHAEOLOGIST
No objection
4. CPAT (Clwyd Powys Archaeological Trust)
Recommend archaeological watching brief is carried out during the development.
5. WELSH WATER/ DWR CYMRU
No objections subject to conditions

RESPONSE TO PUBLICITY:

Letters of representation received from:.

1. Mr & Mrs GW Evans, 70 The Meadows, Prestatyn, LL19 8HA

Summary of planning based representations

- i) Concern over levels on site
- ii) Loss of amenity, overbearing development for 70 The Meadows

EXPIRY DATE OF APPLICATION: 25/09/2006

REASONS FOR DELAY IN DECISION:

- Timing of receipt of representations
- Awaiting key consultee responses

PLANNING ASSESSMENT:

THE PROPOSAL:

1. Full permission is sought for a dwelling on land adjacent to 11 Melyd Avenue. The application site measures approximately 13.5m in width and 34m in length. (450 square metres).
2. A 3 bed dormer style dwelling is proposed with an overall ridge height of 6.5m. The dormer to the rear facing 70 The Meadows is a bathroom window. To the front are 2 no. dormer serving bedrooms. There is one side window to the kitchen on the southern side.
3. Access is off the estate road to the south east side of the frontage. The detached garage is proposed on the western side of the site to the rear of the dwelling. Amenity space is provided to the west and east of the dwelling.
4. The proposal includes the retention of the 1.8m boundary fence around the site and a turfed front and rear garden.
5. The site is located on the western end of the new residential development off Melyd Avenue, bounded on the northern side by the Roman Baths. The plot is of similar size to the adjacent sites and is the final plot on the site to be developed. The dwellings to the west on The Meadows are set down at slightly lower level and have a rear garden depth of a maximum of 9m.

RELEVANT PLANNING HISTORY:

2/PRE/392/78 Residential Development – Granted 11th June 1980
43/2002/1226/AC Details of Condition No. 3 (Landscaping scheme) on planning permission reference 2/PRE/392/78 - Approved 30th January 2003
43/2006/981/PC – Erection of 8 no. dwellings (amendments to dwelling design)
Granted 30th October 2003
43/2003/1389/PF Erection of 19 dwellings (amendments to house types) and construction of a balancing pond. Granted 26 March 2003
43/2004/581/PF – Erection of 2 semi-detached bungalows and garages Plots 34 and 35. Granted 21st March 2005
43/2004/496/PF – Erection of 2 no. detached dwellings and garages at Plots 8 and 9. Granted 20th April 2005.

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 - Development Control Requirements
Policy HSG 2 – Housing Development in Main Centres
Policy CON 10 - Scheduled Ancient Monuments

GOVERNMENT GUIDANCE

Planning Policy Wales March 2002
Welsh Office Circular 60/96 – Planning and the Historic Environment : Archaeology

MAIN PLANNING CONSIDERATIONS:

7. The main issues are considered to be:
 - i) Principle
 - ii) Residential Amenity
 - iii) Archaeology
8. In relation to the main issues in paragraph 7:
 - i) Principle
The proposal accords in general terms with Policy Gen 6. The site is located

within the development boundary and as such its use for residential purposes is considered acceptable in principle. The development of the site will infill a vacant site within the development, is of a similar design to the surrounding properties, and will finish off the development of the site.

ii) Amenity

The site is adequate to cater for the dwelling without impacting on the amenity of adjacent occupiers. The rear dormer serves a bathroom whilst the front bedroom windows face the road. The dwelling is sited centrally on the plot to whilst maintain a reasonable level of separation between the properties and avoid an overbearing form of development. The back to back distance of 21m between the proposal and the property to the rear is sufficient and meets normal guidelines.

In relation to the comments of the no. 70 the Meadows, whilst the levels on the site have been raised, the proposed site levels for the development are no higher than the adjacent site and the finished floor levels of the dwelling are similar to the adjacent dwelling. It is considered that there is adequate spacing between the dwelling and The Meadows as discussed above.

iii) Archaeology

The site has been subject to pre-determination archaeological evaluation and no significant finds have been discovered. The relevant bodies have no objection, but a watching brief condition would be imposed as a further safeguard. CADW has confirmed that there is no separate requirement for ancient monument consent given the site history and evaluations. The development is considered acceptable in relation to the setting of the ancient monument.

With regard to the comments of the Town Council, no planning agreement is in place to require the land to be incorporated into the Roman Baths site. A request was made to the developer in 2005 but no response was received.

SUMMARY AND CONCLUSIONS:

9. 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 dwellings.
3. The dwelling shall not be occupied until its parking space and the access thereto have been laid out in accordance with the approved plans.
4. The first floor dormer window on the rear elevation of the dwelling shall be obscure glazed prior to the occupation of the dwelling and thereafter retained in obscure glass.
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 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.

7. No development works of any kind shall begin until the presence of a contracted archaeologist has been secured on-site according to the prescriptions set out in a curatorial design brief and approved in writing by the Local Planning Authority. Access, at any reasonable time, shall be given to this archaeologist to enable the observations and recording of any archaeological remains uncovered during the early stages of development. A report of any archaeological records made must be deposited with the County Sites and Monuments Record, Clwyd-Powys Archaeological Trust, 7a Church Street, Welshpool, Powys, SY21 7DL (01938-553670) within one month of the completion of this work with a summary of records sent to the Local Planning Authority at the same time.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In order that adequate parking facilities are available within the curtilage of the site.
4. In the interest of residential 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. In the interests of archaeological investigation and recording.

NOTES TO APPLICANT:

You are advised that Welsh Water have made the recommended the following:

Foul water and surface water discharges must be drained separately from the site. To protect the integrity of the Public Sewerage System.

No surface water shall be allowed to connect to the public sewerage system. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

No land drainage run-off will be permitted, either directly or indirectly to discharge into the public sewerage system. To prevent hydraulic overload of the sewerage system and pollution of the environment.

ITEM NO: 2

WARD NO: Prestatyn Central

APPLICATION NO: 43/2006/1093/ PF

PROPOSAL: Erection of two-storey flat-roof extension to school incorporating new classrooms, offices, video room/ conference room

LOCATION: Prestatyn High School, 2 Princes Avenue Prestatyn

APPLICANT: Denbighshire County Council Design Services

CONSTRAINTS: Article 4 Direction

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

CONSULTATION RESPONSES:

1. PRESTATYN TOWN COUNCIL
Awaiting response.
2. HEAD OF TRANSPORT & INFRASTRUCTURE
Awaiting response.
3. WELSH WATER
No objection subject to compliance with Building Regulations
4. ENVIRONMENT AGENCY
No objection.

RESPONSE TO PUBLICITY:

Letters received from:

1. Mr. A. Tomlinson, 6, Princes Avenue, Prestatyn (x2)

Summary of Planning Based Representations

- i) Concerns over parking congestion.
- ii) Parking proposals merely reiterate provision made on previous schemes.

PLANNING ASSESSMENT:

THE PROPOSAL:

1. Planning permission is sought to erect a two storey building to the south of the library building on the Princes Avenue (south) side of the Prestatyn High School site. The proposed ELWA scheme supersedes a previously permitted school extension (43/2004/1250/PF) and would create 470m² of multi purpose classroom and office space.
2. The new detached building would incorporate 4 no. new classrooms and internal lift to comply with the Disability Discrimination Act. The modern sloping roof design of the building attempts to compliment that of the library building some 5.5m to its north. The new building would site some 600mm higher than the highest point of

the library block at 7.3m and be constructed using a buff brick, render and aluminium.

3. The building would be set some 14m back from the Princes Road frontage and whilst 14 car parking spaces would need to be relocated as part of the scheme, 5 no. will remain to the side of the building with 25 no. new cycle spaces provided on site. Whilst the previous scheme indicated some 96 spaces at the site for vehicles, 4 no. additional spaces can be provided as part of this scheme.

RELEVANT PLANNING HISTORY:

4. **2/PRE/332/95/D**

Erection of library block, students snack area, business studies/maths suite, art room/science room infill – GRANTED – 17/01/96

43/634/99/PF

All weather pitch with associated floodlights, fencing and car parking – GRANTED - 29/01/03

43/2004/1250/PF

Erection of two storey pitched roof extension to school incorporating new classrooms, stores, theatre areas and disabled access – GRANTED – 23/2/05

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy GEN 6 - Development Control Requirements
 - Policy STRAT 13 - Transport (New Development)
 - Policy TRA 9 - Parking and Servicing Provision

GOVERNMENT GUIDANCE

Planning Policy Wales, March 2002
TAN 18 - Transport

MAIN PLANNING CONSIDERATIONS:

6.

- i) Principle of provision of additional school building
- ii) Impact on visual amenity
- iii) Impact on residential amenity
- iv) Impact on highway safety and parking provision.

7. In relation to the points identified in paragraph 6 above:-

i) Principle

The proposed ELWA scheme will provide additional and accessible teaching and office space. The previously permitted ELWA scheme (43/2004/1250/PF) was to be built more centrally in the school site adjacent to the existing Theatre area. That scheme has been shelved due to build costs with the current proposal effectively superseding it. Whilst the previous permission remains valid, financial restrictions will mean that only one scheme would ever go ahead in any case. As such, whilst it is acknowledged that the school has expanded considerably over the years, this is reflective of its status now as the second largest school in North Wales. The proposed ELWA scheme, subject to the previously permitted scheme not going ahead, is acceptable in principle. It is considered that a planning condition effectively

restricting the implementation of the previous scheme would also be necessary.

ii) Visual Amenity

The size, scale and design of the proposed two storey building will complement the nearby modern library building. The area of land upon which it is to be sited is flat with land to the east towards Meliden Road at a higher level. This will reduce the prominence of the new building and with its modern aluminium roof and curtain wall adjacent to buildings of similar size and scale there would be no detrimental impact on the visual amenities of the site or surroundings.

iii) Residential Amenity

The closest affected residential dwellings would be those located on the opposite side of Princes Avenue. Some 22m will remain between the side wall of the new building and the front elevation of the closest property. The building itself, having regard to the other school buildings in proximity, would not impact significantly on nearby residential amenity. Clearly, the size of the school itself gives rise to issues, particularly at peak times. However, this proposal would not worsen the current situation.

iv) Highway Impact and Parking Provision

The main area of concern with any development at the school site is the potential for exacerbating the parking situation. Had this scheme resulted in the loss of on-site parking spaces a negative recommendation could have been justified. However, given that the previously approved scheme will not go ahead and this scheme would provide an additional 4 no. car spaces over those provided previously, it is not considered any increased detriment to highway safety would result. Certain spaces to the front (Princes Road) of the site will be displaced to the rear of the site with some remaining to the side of the new building. In addition, cycle spaces (25) are also to be provided.

SUMMARY AND CONCLUSIONS:

8. This ELWA scheme supersedes a similar one granted in 2005. The size, scale and design of the building causes no detriment to visual or residential amenity. There would be adequate on-site parking available with additional spaces provided over those shown on the previously approved scheme.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)]] of the development hereby permitted and no materials other than those approved shall be used.
3. The development hereby permitted shall not be brought into use until space, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, has been laid out within the site for cycle parking and vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward direction; these areas shall not thereafter be used for any purpose other than the parking or turning of vehicles.
4. Prior to the commencement of the development hereby permitted a scheme for the management of construction traffic shall be submitted to and approved in writing by the Local Planning Authority and only those details subsequently approved shall be implemented

thereafter. Such a management scheme shall include for the precise timing of construction traffic movements, compound areas and the cleaning of vehicles before they leave the site.

5. Prior to the development hereby permitted being occupied, measures and a programme to be used to implement a Green Travel Plan for the overall school site shall be submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved programme.

6. This permission shall be implemented as an alternative to planning permission ref: 43/2004/1250/PF dated 23 February 2005 and not in addition thereto.

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 amenity and highway safety by ensuring that adequate space is available for all vehicles visiting the property to park and turn clear of the highway.
4. In the interests of highway and neighbour amenity.
5. To ensure that a sustainable transport plan is implemented to reduce the pressure for parking on the site.

6. The implementation of the previously permitted scheme 43/2004/1250/PF as well as the current scheme would give rise to the potential for parking congestion at the site.

NOTES TO APPLICANT:

Please note Welsh Water advice as follows :

No land drainage run-off will be permitted, either directly or in-directly, to discharge into the public sewerage system.

ITEM NO: 3

WARD NO: Rhuddlan

APPLICATION NO: 44/2006/0105/ PF

PROPOSAL: Erection of public house/restaurant, hotel, drive-thru fast food unit, non-food retail units and associated access, car parking and landscaping (amended details relating to non-food retail unit previously approved under code no. 44/2005/0771/PF)

LOCATION: (Rhuddlan Triangle) Land at Marsh Road Rhuddlan Rhyl

APPLICANT: Muller Property Holdings Ltd.

CONSTRAINTS: C2 Flood Zone
C1 Flood Zone
Tidal Floodplain

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

CONSULTATION RESPONSES:

1. RHUDDLAN TOWN COUNCIL
"Recommended for permission"
2. HEAD OF TRANSPORT AND INFRASTRUCTURE
No response but discussions ongoing re junction of Marsh Rd/Station Rd.
3. WELSH WATER
No objection subject to need for comprehensive drainage scheme and conditions.
4. ENVIRONMENT AGENCY
No reply but comments incorporated in previous scheme and conditions.
5. LAND DRAINAGE
No reply but based on previous response surface water attenuation will be required.
6. CONSERVATION ARCHITECT
Comments on potential impact of signage (not part of application).
7. LANDSCAPE ARCHITECT
Does not consider layout acceptable due to impact on views of castle from bypass.
8. HEAD OF DEVELOPMENT SERVICES
No reply
9. COUNTY ECOLOGIST
No reply.
10. PUBLIC PROTECTION
Need for potential contamination to be investigated.

RESPONSE TO PUBLICITY:

Letter of representation received from:

1. Ann Jones AM on behalf of Mr Parker, 1 Marbeta Cottage, Marsh Rd, Rhuddlan
2. David Pearse and Co on behalf of Mr G Wong

Summary of planning based representations:

- (i) Letter 1 - Suitable drainage scheme required so off site drainage problems not exacerbated.
- (ii) Objection withdrawn.

EXPIRY DATE OF APPLICATION: 14/05/2006

REASONS FOR DELAY IN DECISION:

- Awaiting additional information from applicant.
- Awaiting key consultee responses.
- Negotiations with applicant.

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The proposal is an application for full planning permission for a mixed commercial and retail development on a 1.5 hectare roughly triangular site. The site is currently vacant and hard surfaced with chain link fencing to the perimeter. It was formerly used for car auctions. The main vehicular access to the site is from Marsh Road close to its junction with Station Road. The other former access points from Marsh Road have been closed off.
2. The site is bounded on all three sides by roads with the Rhuddlan Bypass rising via an embankment to the river crossing on the western side, the large roundabout forming the junction between the bypass, A525 and A547, lying to the southwest, Station Road bordering the southern side of the site, with Marsh Road forming the north east boundary.
3. Between the application site and the River Clwyd there lies a mix of commercial uses (roofing merchants, laundry, restaurant, repairs and sales) and vacant land and buildings. To the south east on the opposite side of Marsh Road lies open agricultural land and the River Clwyd comprising the foreground to Rhuddlan Castle. Further along Marsh Road to the northwest, beyond the bypass, are a number of residential dwellings and touring and static caravan sites. To the west on Abergele Road is a ribbon of residential and commercial development with open agricultural land to the southwest beyond the roundabout.
4. The application proposes a two storey hotel in the south east corner providing 44 bedrooms. A public house to the southern boundary would also be predominantly two storey but with single storey elements. A fast food unit is shown towards the southwest boundary with 6 no.non-food retail unit of some 2300 sq.m being sited to the north west boundary of the site.
5. The buildings will be served by a new access off Marsh Road some 70 metres to the northwest of its junction with Station Road. The access would lead to parking for some 195 cars including disabled spaces. Service areas for the public house, hotel and fast food would also be provided via the main access. A separate service yard will be provided to the non-food retail units via an access off Marsh Road to the northern end of the site.

6. The hotel and public house have been designed using a traditional approach with a mix of brick and render to the elevations and tiles to the roofs. The fast food and retail units are shown with cladding panels and brickwork to the walls and predominantly flat roofs, reflecting a modern design, detailed materials to be agreed.
7. The application represents an amendment to a scheme approved in October 2005 (44/2005/0771/PF). The main change is the substitution of the 6 no. smaller retail units for the larger single retail unit. The application has been accompanied by supporting documents in the form of an addendum to Retail Assessment; and revised Design and Landscape Statements. The applicants rely on the Transport Assessment; Flood Consequences Assessment; and Geo-environmental Assessment submitted with the previous application. Arising from the Transport Assessment, the application proposes junction improvements at Marsh Road/Station Road and cycleway footway along Marsh Road. Other issues raised by the various reports will be referred to later in this assessment.

RELEVANT PLANNING HISTORY:

8. **44/733/97/PO** – Development of 1.49 hectares of land by erection of public house, hotel, fast food unit and non-food retail unit (outline) – GRANTED 28th November 1997

44/2000/1013/PO – Renewal of outline planning permission reference 44/733/97/PO – GRANTED 27th December 2000

44/2005/0999/PS – Variation of conditions on 44/2000/1013/PO to allow submission of reserved matters by 27th December 2005 and the commencement of development by the 27th December 2006 – GRANTED 28th September 2005

44/2005/0771/PF – Erection of public house/restaurant, hotel, drive-thru fast food unit, non-food retail unit, and associated access, car parking and landscaping. GRANTED 27 October 2005.

PLANNING POLICIES AND GUIDANCE:

9. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy STRAT 1 – General
 - Policy STRAT 5 – Design
 - Policy STRAT 6 – Location
 - Policy STRAT 7 – Environment
 - Policy STRAT 9 – Tourism
 - Policy STRAT 10 – Town Centres
 - Policy STRAT 11 – Regeneration
 - Policy STRAT 12 – General (transport)
 - Policy STRAT 13 – New Development
 - Policy STRAT 14 – Highways
 - Policy GEN 1 – Development within Development Boundaries
 - Policy GEN 6 – Development Control Requirements
 - Policy CON 1 – Setting of Listed Buildings
 - Policy CON 6 – Development adjacent to Conservation Areas
 - Policy CON 10 – Scheduled Ancient Monuments
 - Policy ENP 4 – Foul and surface water drainage
 - Policy ENP 6 – Flooding
 - Policy ENP 8 – Contaminated Land
 - Policy RET 1 – Town and District Centres
 - Policy RET 4 – Non food retail stores or warehouses

Policy TSM 1 – Tourism Development
Policy TSM 3 – Tourist Related Development in Historic and Market Towns
Policy TSM 7 – Serviced holiday accommodation
Policy MDA 6 – Major Mixed Development Area – Rhuddlan Triangle
Policy TRA 6 – Impact of New Development on Traffic Flows
Policy TRA 8 – Transport Requirements in New Developments
Policy TRA 9 – Parking and Servicing Provision
SPG 2 – Landscaping New Developments
SPG 8 – Access for All
SPG 13 – Conservation Areas
SPG 14 – Listed Buildings
SPG 21 – Parking
Site Brief MDA 6 – Rhuddlan Triangle

GOVERNMENT GUIDANCE

Planning Policy Wales (March 2002)
MIPPS 02/2005 Planning and Retailing for Town Centres (Nov 2005)

Technical Advice Note (Wales) 4 – Retailing and Town Centres (November 1996)
Technical Advice Note (Wales) 12 – Design (2002)
Technical Advice Note (Wales) 13 – Tourism (1997)
Technical Advice Note (Wales) 15 – Development and Flood Risk (July 2004)
Technical Advice Note (Wales) 18 – Transport (1998)

MAIN PLANNING CONSIDERATIONS:

10.
 - i) Principle of development taking into account retail and tourism policies, in particular Policy MDA 6.
 - ii) Highways and Transport
 - iii) Design and siting.
 - iv) Residential Amenity.
 - v) Flood Risk and Drainage
 - vi) Contamination

11. In relation to the main planning considerations noted above:
 - i) Principle of development

The site lies within the development boundary of Rhuddlan in the Denbighshire Unitary Development Plan. It is part of our larger area between the river and the bypass allocated as a major mixed development area (the Rhuddlan Triangle). Policy MDA 6 supports comprehensive redevelopment in the form of mixed tourism, leisure and employment, provided certain criteria are met, namely impact on the setting of Rhuddlan Conservation Area, satisfactory access arrangements, any residential being ancillary, protection of the riverside, incorporation of visitor facilities, and safeguarding of existing employment. The policy also refers to the potential for a non-speculative large factory, heritage or tourism related outlet (non-food) providing it forms part of a comprehensive scheme. Piecemeal development is discouraged and flood risk assessment is required. Policy criteria relating to residential, riverside, visitor facilities, and existing employment are not directly relevant. Issues of the setting of a conservation area, access arrangements, and flood risk are dealt with later in this report.

The principle of the development is governed by policies but also the existence of an extant detailed planning permission including a public house, hotel, fast food unit and non-food retail unit, granted in October 2005. Taking into account this background, there is no objection to the principle of the

public house, hotel and drive through fast food unit elements of the scheme.

In relation to the non-food retail units, the permission relates to a single unit, limits use to non-food bulky goods only and limits the gross floor space to no more than 2350 sq.m. The current application proposes 6 no. non-food unit of similar floor space and it is stated that uses would be likely to be furniture, floor coverings, audio visual, specialist durables, primarily of bulky goods nature. In this respect the retail assessment has been updated and concludes as follows:

- a) There is a need for additional non-food floor space within the catchment.
- b) There is likely to be only a marginal impact on existing centres.
- c) There are no sequentially preferable sites in Rhuddlan and limited sites elsewhere.
- d) The site is defined for mixed use development with the potential for some retailing.
- e) The size of the development is below the 2500 sq.m TAN 6 threshold.
- f) The development would be complimentary to the local convenience goods and services offered in Rhuddlan centre.

Officers concur with the general conclusions of the retail assessment. There is some concern that the smaller units proposed for this out of centre site could now be more easily assimilated on a town centre site and therefore questions arise in relation to the veracity of the approach taken to the sequential test. However, given the existing planning permission and subject to conditions limiting the type of goods to be sold to bulky goods only, it is considered that the principle of the non-food units is acceptable.

The proposal involves only part of the Rhuddlan Triangle MDA area. However, it is a clearly identifiable part of the larger area defined by existing highways and would not prejudice further development opportunities coming forward on the remainder of the larger parcel. Moreover, the site has been vacant and an eyesore for a number of years and this development would have regeneration and tourism benefits and would be likely to act as a catalyst for the remainder of the area coming forward. In this respect the proposal is not considered to be piecemeal and would not prejudice the comprehensive development of the overall site.

ii) Highway and Transport Issues

The development site is accessed off the primary road network. The existing junction of Marsh Road and Station Road requires improvement and this is incorporated within the proposals and recommended by the transport assessment. The possibility of a mini roundabout to serve the larger site has been discussed with the applicant and they recognise that this is part of the requirement if a future phase is to come forward. However, based on the current proposals a mini roundabout could not be required.

The proposals involve the provision of footways into the site from Station Road, and following negotiation a combined footway/cycleway is now included together with a pedestrian/cycle island on Station Road to allow links with the site from the existing cycleway and footway networks and the bus stop on the south side of Station Road. There is a frequent bus service on Station Road. The site is well served by public transport and cycleway/footway networks.

The parking provision of 195 spaces does not exceed the maximum guidelines within SPG 21 (approximately 280) but would not be likely to lead

to pressure for on street parking in the area given that the mix of uses is likely to lead to different peak periods for the different uses and fluctuating needs for parking throughout the day and evening. In this respect, the proposed parking provision is considered acceptable. Servicing areas are shown for all the uses. The non-food retail units (bulky goods) would have the highest servicing requirement and the service yard is separate from the parking and pedestrian areas within the site with a separate access from Marsh Road.

- iii) Design and Siting taking into account relationship with Conservation Area
The site is important in providing a gateway to the historic town of Rhuddlan and the coastal areas. It forms part of the foreground and setting of Rhuddlan Castle, St Marys Church and the town generally. The approach to the siting of the buildings to the southern and western perimeters together with provisions for landscaping to the main boundaries is supported. The non-food retail units would be sited towards the north west end of the site, close to the embankment to the Rhuddlan bypass.

The Design Statement and Landscape Report accompanying the application address the main impacts of the development on views of the castle and church and relationship with neighbouring buildings. The height of retail units 5 and 6 have been amended to reflect recommendations in the landscape report. Negotiations have taken place and are ongoing to address the details of the hotel and public house. It is anticipated that these issues will be resolved through this negotiation and by conditions controlling some of the details.

- iv) Residential amenity
There are no dwellings immediately adjacent to the site. Those properties most affected would be further along Marsh Road to the north. However the level of residential amenity is already affected due to the proximity of the bypass, commercial uses, and touring and static caravan sites. The additional activity generated by the proposed development would be unlikely to have a significant impact on nearby residential amenity.
- v) Flood Risk and Drainage
The site is located within a Zone C1 as identified by development advice maps and thus subject to the tests within TAN 15 – Development and Flood Risk.

In terms of justification in Section 6 of TAN, the proposal would assist in regeneration and in implementing the strategy of the UDP and would also contribute to employment objectives. In addition the site is previously developed land. In terms of flooding consequences, the application has been accompanied by a Flood Consequences Assessment that concludes that floor levels be set at at least 4.6m AOD which is 600mm above the lowest existing site level. This would combat the small risk identified for the site from fluvial flooding. In this respect the proposal is considered acceptable in the context of flood risk.

With regard to drainage, all foul drainage would go to the public sewerage system within Rhuddlan. Surface water would be discharged to a local watercourse which would then discharge to the River Clwyd. Surface water attenuation would be likely to be required on the site and the details need to be controlled by condition. However, there are no overriding reasons why the site cannot be drained satisfactorily and control of details would ensure that the interests of neighbouring properties would be addressed.

vi) Contamination

The geo-environmental assessment report submitted with the application indicates that redundant fuel tanks and associated infrastructure would need to be removed and any excavated areas backfilled with clean material. These remedial measures can be controlled by condition. The extent of contamination is unlikely to be significant.

SUMMARY AND CONCLUSIONS:

12. The principle of the mixed use development is supported by the planning history of the site and existing planning policies, including in particular Policy MDA 6. Transport, flood risk and infrastructure assessments indicate that the development would be acceptable in the context of relevant advice and policies, subject to conditions controlling the details. The issue of the approach to the design and landscaping of the site has been subject to discussions and have been largely addressed but will require further control through conditions.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Development shall not begin until details of the junction between the proposed access road and the highway have been submitted to and approved in writing by the Local Planning Authority; and the building(s) shall not be brought into use until that junction has been constructed in accordance with the plans hereby approved.
3. All existing accesses to the site which are capable of use by vehicles shall be closed immediately the junction between the proposed access road and the highway has been constructed to the standard agreed pursuant to other conditions of this permission. Prior to the closure taking place details of the method of closure shall be submitted to and agreed in writing with the Local Planning Authority.
4. Cycle parking shall be provided prior to the occupation of any of the development hereby permitted in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
5. The use of the premises hereby permitted shall not commence until the parking spaces shown on the approved plan have been surfaced and marked out.
6. The car parking area shown on the approved plan shall be kept available for that purpose at all times.
7. No development shall commence until the written approval of the Local Planning Authority has been obtained for full details of the proposed highway works to Station Road and Marsh Road, including junction improvements, provision of a pedestrian/cyclist island to Station Road, and footways/cycleways to Marsh Road. The highway works shall be substantially completed in accordance with the approved details prior to the commencement of use from any of the buildings hereby permitted.
8. No building hereby permitted shall be occupied until the written approval of the Local Planning Authority has been obtained to a Green Travel Plan for the occupier and their employees and customers of that building to encourage use of means of transport other than the private car. The Travel Plan shall include means of implementation and monitoring of the plan.
9. Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to the building shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is first brought into use
10. Specific provision shall be made at all times when the fast food unit is open for the disposal of litter by customers in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
11. 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.

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

13. Notwithstanding the submitted details, the materials and elevational treatment of the buildings hereby permitted are not approved. Details of the materials and elevational treatment shall be submitted to and approved in writing before the commencement of construction of that building. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the walls and roofs of the development hereby permitted and no materials other than those approved shall be used.

14. Prior to the commencement of the erection of any buildings a sample panel of the external wall materials it is proposed to use on the 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 material to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.

15. Prior to the commencement of the erection of any external brickwork, a sample panel of the type of brickwork, mortar, and pointing it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority : and the brickwork, mortar and pointing to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.

16. No development shall commence until the written approval of the Local Planning Authority has been obtained to the precise detailing of the type, materials and finish of the fenestration for the development.

17. No development shall commence until the measures approved in the detailed scheme for dealing with the contamination has been implemented and the Local Planning Authority has written confirming that it is satisfied that the approved scheme has been fully implemented. (JPA report of August 2005 refers).

18. No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building(s) is(are) first occupied. The scheme for foul and surface water drainage shall include for any surface water attenuation and off site improvements to foul sewage infrastructure considered necessary to ensure suitable foul and surface water drainage discharges.

19. The measures recommended in the Flood Consequences Assessment dated June 2005 shall be fully incorporated into the development hereby permitted.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the public house/restaurant and fast food unit shall only be used for purposes within Class A3.

21. The retail units hereby permitted shall be used for the sale of non-food bulky goods only. They shall have in total a gross floor space of no greater than 2300 sq.m and shall not be sub-divided into smaller units.

22. The non-food retail units hereby permitted shall not be occupied until such time as the hotel or public house have been occupied or completed, whichever is the sooner.

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 highway safety.
3. In the interests of highway safety.
4. the interests of highway safety and in order to encourage the use of a range of transport modes
5. In order that adequate parking facilities are available within the curtilage of the site.
6. In order that adequate parking facilities are available within the curtilage of the site.
7. To ensure safe access to the development for all transport modes.
8. To encourage the use of a range of transport modes.
9. To ensure suitable access for the disabled to the building.
10. In the interests of amenity.
11. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
12. To ensure a satisfactory standard of development, in the interests of visual amenity.
13. To ensure a satisfactory standard of development, in the interests of visual amenity.
14. In the interests of visual amenity.
15. In the interests of visual amenity.
16. To ensure the details are satisfactory in relation to the character and appearance of the building
17. To ensure that suitable measures are taken to deal with contaminated land in connection with the development.
18. To ensure satisfactory drainage of the site and to avoid flooding.
19. To reduce the risk of flooding.
20. To control the retail elements of the scheme in the interest of the vitality and viability of nearby town centres.
21. To control the retail elements of the scheme in the interest of the vitality and viability of nearby town centres.
22. To ensure that a mixed use scheme is implemented in the interests of the recognised tourism and regeneration benefits of the scheme.

NOTES TO APPLICANT:

None

ITEM NO: 4

WARD NO: Rhuddlan

APPLICATION NO: 44/2006/0953/ PF

PROPOSAL: Continuation of use of land for container storage, caravan and general storage facility

LOCATION: Land adjoining HTM Business Park Abergele Road Rhuddlan Rhyl

APPLICANT: G & T Storage

CONSTRAINTS: C1 Flood Zone

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

CONSULTATION RESPONSES:

1. RHUDDLAN TOWN COUNCIL
"Recommend for permission"
2. HEAD OF TRANSPORT AND INFRASTRUCTURE
Access proposals not satisfactory for intended use.
3. LANDSCAPE ARCHITECT
Recommends refusal as creation of access will make site very prominent and new landscaping not established.
4. ENVIRONMENT AGENCY
Draws attention to need for justification under TAN 15 and for FCA.
5. LAND DRAINAGE
Draws attention to flood risk area, need for surface water attenuation, and culverting of ditch to form access.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 03/10/2006**REASONS FOR DELAY IN DECISION:**

- Need to report to Committee due to enforcement implications

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The application proposes the continued use of land for the siting of storage containers and provision of open storage for touring caravans and general storage. The proposal would rely on a new access onto the A547 Abergele Road, approximately half way along the frontage between Pont Robin and the western end of the field upon which the proposed use is to take place, permitted as part of

planning application ref: 44/2005/0655/PF but not yet implemented. There is also an existing access adjacent to Lowlands which is currently being used to access the site. A further less direct access route is available via the HTM Business Park to the east.

2. The application follows on from the grant of planning permission in May 2004 and November 2005 for provision of storage containers and storage compounds on the eastern portion of the subject field. Both these permissions are temporary up to May 2009 or when a comprehensive development of the site takes place, whichever is the sooner. This current proposal is an extension of the areas for storage containers and enclosed storage yards into the north west corner of the field and open storage of caravans, other vehicles and general storage into the western portion of the field. The open storage area would be behind a bank which has already been formed. The current proposal together with previous permissions would result in around 207 storage containers in total and an open storage area of some 90m by 80m (0.72 ha).
3. As indicated above this current proposal indicates 3 potential access points. Firstly, via the existing business park across a bridge which spans Pont Robin; secondly via an access which has been formed adjacent to the access to Lowlands; and thirdly via new access to the centre of the site frontage as explained above.
4. The application is partly retrospective in that storage containers and compounds have been laid out as indicated, external storage of caravans is taking place behind the grass bank, and some landscaping has taken place. This unauthorised development appears to have commenced earlier in 2006. However, the quality of the landscaping carried out is poor. In addition, a pond has been formed between existing and proposed access points that affects proposed and potential landscaping. The accesses via the business park and Lowlands are currently being used by businesses operating from the site.
5. The proposed main access to the site has not yet been formed and the application indicates that this would not be implemented until such time that a new hedgerow to be provided behind the visibility splay has established. The existing hedge along the site frontage with Abergele Road would be removed on the formation of the main access.

RELEVANT PLANNING HISTORY:

6. **44/1998/0515/PF** – Renewal of application comprising industrial estate and new vehicular access (the overall site) Resolution to GRANT October 2001 subject to a Section 106 obligation. Section 106 obligation not completed.

44/2002/0783/PF – Continuation of use of land for Class B8 storage/ parking area incorporating construction of bridge link to existing business park (partly retrospective). GRANTED 6th January 2003

44/2004/0318/PF – Expansion of existing HTM business park to provide additional container storage facilities. GRANTED 21st May 2004

44/2005/0655/PF – Use of 1.0 ha of land as extension of existing business park to provide additional container storage facilities and formation of new vehicular access. GRANTED 23rd November 2005

44/2006/0954/PS – Removal of condition no. 1 on planning permission ref:

44/2005/0655/PF relating to temporary use of site for container storage.
DECISION PENDING.

PLANNING POLICIES AND GUIDANCE:

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 - Development Control Requirements
Policy CON 1 - The Setting of Listed Buildings
Policy CON 6 - Development Adjacent to Conservation Areas
Policy EMP 6 - Flooding
Policy EMP 2 - Main Employment Area
Policy TRA 6 - Impact of Development on Traffic Flows
Policy TSM 13 - Winter Storage of Caravans

GOVERNMENT GUIDANCE

Planning Policy Wales (March) 2002
TAN 15 – Development and Flood Risk July 2004
TAN 18 - Transport

MAIN PLANNING CONSIDERATIONS:

- 8.
- i) Principle of development
 - ii) Impact on visual amenity
 - iii) Impact on residential amenity
 - iv) Impact on highway safety
 - v) Flooding issues
9. In relation to the main planning considerations outlined in paragraph 8:
- i) Principle
The site is part of a larger area defined in the UDP as a main employment area where B1, B2 and B8 uses are permitted. As a B8 use, the proposal is acceptable in principle but subject to an assessment of the specific impacts as set out by criteria (a) to (d) of Policy EMP 2.

The proposal to develop the overall site last subject to a resolution to grant in 2001 but still awaiting completion of a Section 106 obligation will involve a higher quality more permanent development of the site with an access in a similar position to that now proposed. The nature of the storage use now proposed over the whole of the site is considered to prejudice the implementation of development of the overall site. The storage uses proposed, particularly the open storage areas, are not employment generating. The previous permissions have combated this by the imposition of a condition requiring the cessation of the use to be consistent with the most recent planning application on the overall site (44/2004/0318/PF) resulting in temporary permissions only. However, the granting of a temporary permission for the whole site is not considered appropriate, particularly given that the applicant has sought to review the temporary condition on the previous permission.

In addition to the above the proposal is considered to have adverse landscape and highway impacts and therefore fails against criteria a) and b) of Policy EMP2.
 - ii) Visual Impact
The site is level and currently has benefit of hedgerow screening to the

majority of the Abergele Road boundary and the western boundary of the field. The proposed new access would necessitate the removal of the frontage hedgerow. Although the applicants have indicated that a new hedge would be planted to the rear of the visibility splays and banks have already been formed to attempt to screen the storage areas, the new access would open up the site and caravans and other open storage would be visible from Abergele Road and been seen in the context of longer distance views of the castle. Moreover, the landscaping proposed and already carried out is inadequate. The visual impact of the development is considered unacceptable and in conflict with Policies EMP 2 (criteria (a) and (b)), CON 1, CON 6 and GEN 6 (criteria i), ii, and iii).

iii) Impact on residential amenity

The storage units and the open storage areas are separated from dwellings by Abergele Road and proposed landscaping. The impact of the storage use itself would not be significant in terms of disturbance and activity on the properties on the opposite side of Abergele Road.

The formation of the new access will lead to increased traffic movements and disturbance to those properties immediately opposite the access point but given the existing use of Abergele Road and the planning history of the site which has indicated a similar point for the access for over 10 years, this particular impact is not considered sufficient to justify refusal.

iv) Highway Impact

The proposed new access was designed to accord with highway requirements for the already permitted storage uses. Highway Officers now consider that the scale of development justifies a right turn lane in Abergele Road. The proposal as submitted does not include for this facility although the access provides visibility splays (4.5 metres by 120 metres), radii curbs and detailed design to accord with an access for the type of development proposed onto an A classified road with a 40 mph speed limit. (TAN 18)

The access that has been formed adjacent to the Lowlands access is not satisfactory for permanent use given its substandard radii and proximity to the existing access to Lowlands.

Adequate space exists within the site for turning, manoeuvring and parking of vehicles visiting the storage unit areas and compounds.

v) Flooding

The site is located within a flood risk Zone C1 as defined by TAN 15. The proposal meets the test within paragraph 6 of TAN 15 relating to justification of the development as it is an allocated employment site and thus part of a Local Authority Strategy. It is predominantly previously developed. The storage use is less vulnerable development. Whilst an FCA has not been submitted, the lack of such a submission is not considered paramount in this case due to the nature of the use and planning history.

SUMMARY AND CONCLUSIONS:

10. The principle of the development of the whole of the site for permanent storage uses is not considered acceptable under Policy EMP 2. The detailed impacts have been assessed against Policies EMP 2, GEN 6 and CON 1 and there are unacceptable visual and highway impacts.

RECOMMENDATION: REFUSE for following reasons:

1. The proposal does not constitute an employment generating use and thus would conflict with the objectives of Policy EMP 2 of the Denbighshire Unitary Development Plan and national guidance within Planning Policy Wales.
2. The proposal would have an adverse impact on the landscape of the open countryside and setting of Rhuddlan and the castle, by reason of the impact of open storage, in conflict with criteria i), ii) and iii) of Policy GEN 6, Policy CON 1, Policy CON 6, and criteria a) and b) of Policy EMP 2 of the Denbighshire Unitary Development Plan and national guidance within PPW.
3. The existing and proposed vehicular access to the site are not considered suitable for the proposed use in that the existing access adjacent to Lowlands has inadequate visibility and radii and lies adjacent to an existing access, and the proposed access does not allow for a right turn facility in Abergele Road. The access would thus inhibit the safe and free flow of traffic in conflict with criterion b) of Policy EMP 2 and Policy TRA 6 of the Denbighshire Unitary Development Plan and national guidance within TAN 18 - Transport and PPW.

NOTES TO APPLICANT:

None

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 and would 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 discontinue the unauthorised use of land.

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.

ITEM NO: 5

WARD NO: Rhuddlan

APPLICATION NO: 44/2006/1094/ PF

PROPOSAL: Erection of detached two-storey dwelling and integral garage and alterations to existing vehicular access

LOCATION: Land at (Former garden of) 1a Plas Y Brenin Rhuddlan Rhyl

APPLICANT: Mrs F Brotherwood

CONSTRAINTS: Tree Preservation Order
Area Of High. Arch. Interest

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

CONSULTATION RESPONSES:

6. RHUDDLAN TOWN COUNCIL
No reply received to date
7. HEAD OF TRANSPORT AND INFRASTRUCTURE
No objections subject to conditions
8. PRINCIPAL COUNTRYSIDE OFFICER
No objection.
9. CPAT (Clwyd Powys Archaeological Trust)
No objection
10. WELSH WATER/ DWR CYMRU
No objections subject to conditions

RESPONSE TO PUBLICITY:

Letters of representation received from:.

2. Mr Keith Hall, 4 Hendre Close, Rhuddlan LL18 5YE

Summary of planning based representations

- i) Loss of landscaping
- ii) Overdevelopment of the Area

MEMBERS' COMMENTS:

None

EXPIRY DATE OF APPLICATION: 27/03/2006

PLANNING ASSESSMENT:**THE PROPOSAL:**

10. Full permission is sought for a dwelling on land adjacent to 1a Plas Y Brenin. The application site measures approximately 18m in width and 30m in length.

11. A 4 bed dormer style dwelling with integral garage is proposed with an overall ridge height of 6.9m. The front elevation is orientated towards the northwest; there are no windows in the side elevations.
12. Access is off the existing entrance with a shared driveway to 1a 2 parking spaces are proposed for the dwelling on the northeast side with parking and turning for 1a retained. Amenity space of 150 m square metres is provided to the south of the dwelling.
13. The proposal includes the retention of the existing conifer planting along the eastern boundary and the removal of some of the fir trees on site.
14. The site is located on the eastern side of the cul de sac, Plas-Y-Brenin. There is a high wall along the frontage with a row of parking along the highway on the western side. The dwellings on the cul de sac are two storey properties as are the semi-detached dwellings to the south on Hendre Close. To the eastern side of 1a is the gable of the two-storey flats at Treetops Court. Abbey House is to be redeveloped with a 3 storey building containing 24 flats.

RELEVANT PLANNING HISTORY:

15. **44/2005/733/PO** Development of the Land for 2 no. dwellings Withdrawn
16. **44/2005/1409/PO** Development of the land for 1 no. dwelling (outline)
GRANTED with conditions limiting the dwelling to single storey – 16 January 2006

PLANNING POLICIES AND GUIDANCE:

17. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 - Development Control Requirements
Policy HSG 2 – Housing Development in Main Centres

GOVERNMENT GUIDANCE
Planning Policy Wales March 2002

MAIN PLANNING CONSIDERATIONS:

18. The main issues are considered to be:
 - i) Principle
 - ii) Residential Amenity
 - iii) Highway Safety/ Access
 - iv) Comments of the objectors
19. In relation to the main issues in paragraph 7:
 - i) Principle
The proposal accords in general terms with Policies Gen 6. The site is located within the development boundary and as such its use for residential purposes is considered acceptable in principle. The development of the site utilises the unusually large garden in this residential area which lies within the development boundary.
 - ii) Amenity
The site is adequate to cater for the dwelling without impacting on the amenity of adjacent occupiers and there are sites of similar size in the area. The orientation of the dwelling enables the first floor accommodation to be achieved whilst maintaining a reasonable level of separation between the properties. There is scope for adequate private amenity space for the existing and the proposed dwelling to the rear. There are no windows proposed in the

side elevations. Conditions can be attached to the approval relating to the landscaping in order to maintain the boundary treatments on the eastern side.

iii) Highway safety

In relation to highways safety and access Highways officers are satisfied that the road can accommodate an additional access and dwelling. Parking and turning can be accommodated within the site.

iv) Comments of the objectors

In relation to the comments of the objector the Principal Countryside Officer has been consulted on the proposal and raises no objection to the removal of the fir trees. The issue in relation to the number of other developments in Rhuddlan is not considered to be a material planning consideration.

SUMMARY AND CONCLUSIONS:

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

RECOMMENDATION: GRANT- subject to the following conditions:-

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

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

3. The dwelling shall not be occupied until its parking space and the access thereto have been laid out in accordance with the approved plans.

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 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.

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 side elevations of the dwelling hereby permitted at first floor level, 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 order that adequate parking facilities are available within the curtilage of the site.
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:

You are advised that Welsh Water have recommended the following:

Foul water and surface water discharges must be drained separately from the site. To protect the integrity of the Public Sewerage System.

No surface water shall be allowed to connect to the public sewerage system. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

No land drainage run-off will be permitted, either directly or indirectly to discharge into the public sewerage system. To prevent hydraulic overload of the sewerage system and pollution of the environment.

SES

ITEM NO: 6
WARD NO: Rhyl West
APPLICATION NO: 45/2006/0489/ PF
PROPOSAL: Conversion and extension/alterations of existing property into 3 No. self-contained flats
LOCATION: 8 Edward Henry Street Rhyl
APPLICANT: Mr J Stanley
CONSTRAINTS: C1 Flood Zone
Town Heritage Area
Conservation Area
Article 4 Direction
PUBLICITY UNDERTAKEN: Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

CONSULTATION RESPONSES:

1. RHYL TOWN COUNCIL
"No objection"
2. CONSERVATION ARCHITECT
No objection
3. HEAD OF TRANSPORT & INFRASTRUCTURE
No objection
4. ENVIRONMENT AGENCY
No objection to the Flood Consequences Assessment
5. HOUSING OFFICER
If results in loss of HMO then would not insist on affordable housing requirement.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 27/08/2006

REASONS FOR DELAY IN DECISION:

- additional information required from applicant

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site comprises a traditional 3 storey mid terraced property fronting Edward Henry Street. Surrounding the site are terraces of 3 storey properties in use as single dwellings, flats, bedsits and flatlets. Some of these properties are vacant. Edward Henry Street is a one way road accessed off West Parade, with on street parking available on both sides. The site lies within a designated

Conservation Area, and is located within a Zone C1 floodplain.

2. This application is for the change of use of the guesthouse into 3 no. self contained flats. The conversion involves minor external alterations through the insertion of additional windows. It is proposed to access the flats from the rear entrance, but the front door will be retained as a feature for conservation purposes. The proposal would form 3 no. 2 bed self contained flats, each with a floor space of approx 75 square metres, and individual storage areas in the roof space. To the rear boundary is a narrow alley way which allows access to the rear yard.

RELEVANT PLANNING HISTORY:

3. None

PLANNING POLICIES AND GUIDANCE:

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy STRAT 11 Regeneration
Policy GEN 1 Development within Development Boundaries
Policy GEN 6 Development Control Requirements
Policy HSG 10 Affordable Housing within development boundaries
Policy HSG 13 Subdivision of existing premises to self contained flats
Policy HSG 15 Residential conversions in East and West Rhyl

Supplementary Planning Guidance 7: Self Contained Flats and Houses in Multiple Occupations

Supplementary Planning Guidance 22: Affordable Housing

MAIN PLANNING CONSIDERATIONS:

5.
 - i) Principle of development
 - ii) Impact on residential amenity
 - iii) Impact on visual amenity/character of Conservation Area
 - iv) Affordable Housing Policy
 - v) Flooding
6. In relation to the main planning considerations in paragraph 5:-
 - i) Principle of development
The application site is located within the defined settlement limits where residential uses are considered acceptable provided the proposal conforms with other relevant planning policies.
 - ii) Impact on residential amenity
The proposed self contained flats would all provide 2 bedroomed accommodation which would meet floorspace guidelines set out in SPG 7. Whilst there is no possibility of providing off street parking facilities, the Head of Transport has raised no objection due to the location of the site within walking distance of Rhyl Town Centre, also being accessible by public transport. The site has a rear yard area where a bin store could be provided, which can be secured by a planning condition. It is not considered that the proposal would result in an unacceptable impact on any nearby residential properties and an acceptable level of amenity would be afforded to future occupiers of the flats.
 - iii) Impact on visual amenity
The external alterations proposed comprise the insertion of some additional window openings which are considered acceptable within the Conservation

Area. Whilst it is not proposed to use the front door, the conversion scheme retains the original door as a feature, which is repeated on adjacent frontages and is part of the character of the area. There would be no adverse impact on the visual amenities of the street scene or character of the Conservation Area.

iv) Affordable Housing

The site is located within West Rhyl where the Authority is looking to encourage conversions to self contained flats, to reduce Houses in Multiple Occupation/unlawful use of premises. It is considered in this case that the proposal meets an identified, acknowledged and over riding approved regeneration aim in accordance with the emerging Council Regeneration Strategy. Taking into account the circumstances and locality of the application it is not considered reasonable to apply the Council's affordable housing policy, which in any case would only result in 1 no. self-contained flat. Other factors to consider are the existing concentration of RSC rented self contained flats in this location and the need to encourage private sector housing in West Rhyl.

v) Flooding

A Flood Consequence Assessment has been submitted with the application, and the recommendations are considered acceptable by the Environment Agency. Conditions should be imposed to ensure the recommendations for mitigation set out in the assessment are implemented.

SUMMARY AND CONCLUSIONS:

7. The principle of the change of use is considered acceptable, and there would be no unacceptable impact on residential or visual amenity/or the character of the Conservation Area. Flood risk can be acceptably managed.

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. Within 1 month of the date of this permission, details of bin stores and drying areas for the flats hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and any subsequently approved details shall be implemented prior to the occupation of the flats.
3. The development shall be carried out in accordance with recommendations contained in the conclusions of the Flood Consequences Assessment report dated September, 2005 (ref: 3149) carried out by Richard Broun Associates.
4. The front door, including all decorative surrounds and original features, shall be retained.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interest of residential amenity.
3. To mitigate against the consequences of flooding in the area.
4. In the interest of the character and appearance of the Conservation Area.

NOTES TO APPLICANT:

None

SES

ITEM NO: 7
WARD NO: Rhyl West
APPLICATION NO: 45/2006/0744/ PF
PROPOSAL: Alterations to former dwellings to provide 6 no. self-contained apartments
LOCATION: 17 and 18 West Parade Rhyl
APPLICANT: Harker Leisure Ltd.
**CONSTRAINTS:
PUBLICITY
UNDERTAKEN:** Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. RHYL TOWN COUNCIL
"No objection subject to the provision of suitable refuse storage on site"
2. HEAD OF HOUSING SERVICES
No formal response
3. CONSERVATION ARCHITECT
No objection
4. HEAD OF TRANSPORT & INFRASTRUCTURE
No objection
5. DWR CYMRU WELSH WATER
No objection
6. HOUSING OFFICER
If results in loss of HMO then would not insist on affordable housing requirement.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 27/08/2006

REASONS FOR DELAY IN DECISION:

- additional information required from applicant

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site comprises the upper floors above Harkers Amusements, fronting West Parade in Rhyl. The property has been vacant since 1998 and has been completely stripped out. It is understood that the previous use of the property was for 2 large self contained units. To the rear of the amusement arcade is a flat roof extension which forms a terrace area. Along the rear boundary is Sussex Lane which provides a rear entrance to the site where a small yard area

exists. The site is located on the edge of a designated Conservation Area but is within the Rhyl Townscape Heritage Initiative Area.

2. This application is for the alterations to the properties to provide 6 no. self contained flats. It is proposed to erect 2 small pitched roof dormers on the front and rear elevation of each property with other external alterations such as additional/revisions to windows, doors and balconies. The conversion scheme would provide 2 no. 2 bed flats with a floor area of 69 square metres, 2 no. 2 bed properties with a floor area of 78 square metres and 2 no. smaller 2 bed properties in the roof space with a floor area of 45 and 54 square metres.

RELEVANT PLANNING HISTORY:

3. None

PLANNING POLICIES AND GUIDANCE:

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy STRAT 11 Regeneration
Policy GEN 1 Development within Development Boundaries
Policy GEN 6 Development Control Requirements
Policy HSG 10 Affordable Housing within development boundaries
Policy TSM 17 Entertainment Zone, Rhyl
Policy HSG 13 Subdivision of existing premises to self contained flats
Policy HSG 15 Residential conversions in East and West Rhyl

Supplementary Planning Guidance 7: Self Contained Flats and Houses in Multiple Occupations

Supplementary Planning Guidance 22: Affordable Housing

MAIN PLANNING CONSIDERATIONS:

5.
 - i) Principle of development
 - ii) Impact on residential amenity
 - iii) Impact on visual amenity
 - iv) Affordable Housing Policy
6. In relation to the main planning considerations in paragraph 5:-

i) Principle of development

The application site is located within the defined settlement limits and would provide a beneficial use and utilisation of the upper floors of a property that has been vacant for some 9 years.

ii) Impact on residential amenity

The proposed self contained flats would all provide 2 bedroomed accommodation which would meet the floorspace guidelines set out in SPG 7. Whilst the proposal does not provide off street parking facilities, the Head of Transport has raised no objection due to the location of the site on the edge of Rhyl Town Centre, which is accessible by public transport. The site has a rear yard area where a bin store could be provided, which can be secured by a planning condition. It is not considered that the proposal would result in an unacceptable impact on any nearby residential properties, and an acceptable level of amenity would be afforded to future occupiers of the flats.

iii) Impact on visual amenity

The external alterations proposed comprise the erection of 2 no small pitched roof dormer extensions to the front and rear elevations, some additional/revised window openings, doors and balconies which are of a scale and design which would not adversely impact on the visual amenities of the street scene or locality.

iv) Affordable Housing

The site is located in West Rhyl where the Authority's regeneration strategy seeks to encourage the use of self contained flats, rather than Houses in Multiple Occupation/unlawful use of premises. It is considered in this case that the proposal meets an identified, acknowledged and over riding approved regeneration aim in accordance with the emerging Council Regeneration Strategy. Taking into account the circumstances and locality of the application it is not considered reasonable to apply the Council's affordable housing policy, which in any case would only result in 1 no. self-contained flat. Other factors to consider are the existing concentration of RSC rented self contained flats in this location and the need to encourage private sector housing in West Rhyl.

SUMMARY AND CONCLUSIONS:

7. The principle of development of a long term vacant property in West Rhyl into self contained residential accommodation is considered acceptable. There would be no unacceptable 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. Within 1 month of the date of this permission, details of bin stores and drying areas for the flats hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and any subsequently approved details shall be implemented prior to the occupation of the flats.
3. The materials and finishes of the external surfaces of the roof of the dormer extensions hereby permitted shall be of the same texture, type and colour as those on the roof of the existing buildings.

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

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

NOTES TO APPLICANT: None

ITEM NO: 8
WARD NO: Rhyl East
APPLICATION NO: 45/2006/1021/ PC
PROPOSAL: Variation of Condition No. 3 of planning permission Code No. 45/2006/0707/PF to allow continuation of use for a further 4 years
LOCATION: Sun Centre & Pavilion Theatre East Parade Rhyl
APPLICANT: Thomson Prometric Mrs Shelley Cadman
CONSTRAINTS: Groundwater Vulnerability
Article 4 Direction
PUBLICITY UNDERTAKEN: Site Notice - Press Notice - Neighbour letters -

CONSULTATION RESPONSES:

6. RHYL TOWN COUNCIL
"Object on the grounds of improper use of seafront leading to unacceptable precedent being established. Detrimental to visual appearance or promenade".

RESPONSE TO PUBLICITY:

None.

EXPIRY DATE OF APPLICATION: 19/10/2006

REASONS FOR DELAY IN DECISION:

- additional information required from applicant

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site consists of some 28 square metres of existing car parking area to the north-west corner of the Sun Centre/Pavilion Car Park to the east of the main building. The site has accommodated a medium sized lorry with disabled access for the previous 12 months.
2. Within this lorry are fitted 8 no. computer desks, invigilators desk and chemical W.C. The vehicle operates a mobile testing use where the applicants deliver health and safety training, product knowledge and employment tests for companies, academic organisations and government agencies.
3. The applicant has provided additional information with this application which explains that the use of the vehicle is limited to 12 visits per month, 5 between 0800hrs and 1030hrs, 5 between 1630hrs and 1930hrs and two on Saturdays between 0900hrs and 1200hrs. Permission was given by this Committee in September 2005 for the siting of the vehicle with a condition imposed requiring the use ceased by 30th September 2006. The vehicle measures 11m in length by 2.5m in width with a height of 3.5m.

RELEVANT PLANNING HISTORY:

4. **45/2005/0707/PF**

Change of use of land for siting of mobile testing vehicle for a period of up to 5 years with 12 visits per month – GRANTED – 28/09/05

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 - Development control requirements

MAIN PLANNING CONSIDERATIONS:

6.

- i) Principle of use in this location.
- ii) Impact on visual amenity.
- iii) Impact on residential amenity.

7. In relation to the points raised in paragraph 6 above:-

i) Principle

The use is somewhat unique in nature but must be assessed having regard to the previous 12 month use, the harm and the relevant controls which have been imposed. The site was used as a car park with the development involving the parking of a vehicle, albeit on a more permanent basis. It is considered that the use is acceptable in principle given that it involves the siting of a vehicle within an authorised car park. The specific use of the vehicle is relatively low key and does not involve a noisy or unneighbourly operation. Based on the information supplied and the fact no concerns have been raised over the previous 12 months, a further temporary permission is justified. The applicants have requested a further 4 year period. It is recommended that a further 2 year temporary permission would be appropriate to allow a medium term review of the impact of the use.

ii) Visual Impact

The vehicle is a medium sized lorry parked in a corner of the existing car park with flat roofed sub-station buildings behind. Clearly, different types of vehicles could be parked in this location at most times and it is not considered that the visual impact of the vehicle in the context of the surrounding land uses causes any significant harm.

iii) Residential Amenity

The closest residential dwellings to the site are those on East Parade some 90m away. Given the nature of the scheme and the distance the vehicle is parked away from these units, it is not considered any significant amenity detrimental impact would be felt on residential properties for a further temporary period.

SUMMARY AND CONCLUSIONS:

8. No harm has been experienced from the use over the previous 12 months and it is not considered that the siting of such a vehicle in a car park area is an improper use of a seafront location with no significant visual intrusion given adjacent uses/buildings.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The use hereby permitted shall inure for the benefit of the applicant only, Thomson Prometric, and shall only be for health and safety training as described in the application.
2. The vehicle shall only be sited and the use carried out for a maximum of 12 no. 3 hour periods in any one calendar month.
3. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 30 November 2008.
4. The use hereby permitted shall only be carried out between 0800 and 2000 hours, Mondays to Saturdays and at no time on Sundays.

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

1. To control the use in the interests of amenity.
2. To control the use in the interests of amenity.
3. To enable the Local Planning Authority to monitor the impact of the use.
4. In the interests of amenity.

NOTES TO APPLICANT:

None

SES

ITEM NO: 9

WARD NO: Rhyl West

APPLICATION NO: 45/2006/1145/ PF

PROPOSAL: Demolition of No. 14, refurbishment/change of use of No's 16 and 18 to 9 no. office units with associated car parking areas

LOCATION: 14/16/18 Edward Henry Street Rhyl

APPLICANT: David Gareth Evans (Denbighshire Economic Regeneration)

CONSTRAINTS: Town Heritage Area
C1 Flood Zone
Conservation Area
Article 4 Direction
Areas Benefiting From Defences

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

CONSULTATION RESPONSES:

1. RHYL TOWN COUNCIL
Awaiting response
2. ACCESS OFFICER
Awaiting response
3. CONSERVATION OFFICER
No objection
4. HEAD OF TRANSPORT & INFRASTRUCTURE
Awaiting response
5. DWR CYMRU WELSH WATER
No objection
6. ENVIRONMENT AGENCY
No objection

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 23/11/2006

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site comprises a derelict block of properties fronting Edward Henry Street, within the defined settlement limit of Rhyl. The property at no 14 was formerly in use as light industrial/commercial, and no's 16 and 18 as a House in Multiple Occupation. All have been vacant for some 4 years and are boarded up.

No 14 comprises a single storey building attached to no's 16 and 18, which are traditional 3 storey properties with rooms in the roof space.

2. Surrounding the site are terraces of 3 storey properties in use as single dwellings, flats, bedsits and flatlets. Some of these properties are also vacant. Edward Henry Street is a one way road accessed off West Parade with on street parking available on both sides. The site lies within a designated Conservation Area, with a small corner of the site within a Zone C1 floodplain.
3. This application is for the demolition of no.14, refurbishment and change of use of no's 16 and 18, to provide 9 no. office units with associated car parking to be provided to the side and rear, on the site formerly occupied by no.14. The proposal is to provide small business units ranging from 20 m2 single to 65m2 multiple room units, designed to accommodate a wide variety of small businesses, community groups or voluntary organisations. Externally, the property will be refurbished to match its original design, and 10 car parking spaces, 2 of which would be designated for wheelchair users, would be provided on the site formerly occupied by no.14

RELEVANT PLANNING HISTORY:

4. None

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy STRAT 8 Employment
 - Policy STRAT 11 Regeneration
 - Policy GEN 6 Development Control Requirements
 - Policy CON 5 Development within Conservation Areas
 - Policy CON 7 Demolition in Conservation Areas
 - Policy ENP 6 Flooding
 - Policy EMP 6 Office development
 - Policy TRA 9 Parking & Servicing Provision

Supplementary Planning Guidance 21: Parking Requirements in New Developments

Supplementary Planning Guidance 13: Conservation Areas

TAN 15: Development & Flood Risk

Welsh Office Circular 61/96 Planning & The Historic Environment

Planning Policy Wales (March 2002)

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development
 - ii) Impact on visual amenity/Character of Conservation Area
 - iii) Impact on residential amenity
 - iv) Highway & Parking Considerations
 - v) Flooding
7. In relation to the main planning considerations:
 - i) Principle of development
The application involves the demolition of no.14 and the refurbishment of Nos 16 and 18 to provide 9 no. Class B1 office units. Policy EMP 6 supports the

conversion of existing buildings provided the development does not have an unacceptable impact on neighbouring properties; makes adequate on site provision for servicing, parking and manoeuvring; is of scale and nature which is compatible with the character of the surrounding area and would not result in the loss of a viable unit of residential accommodation. Assessed against this policy, the proposal is considered acceptable.

- ii) Impact on visual amenity/Character of Conservation Area
The site is located within the Queen Street/Crescent Road Conservation Area. The proposed building to be demolished makes no positive contribution to the character and appearance of the Conservation Area and the Conservation Officer has raised no objection to its proposed demolition and its replacement by a car parking area. The refurbishment of nos 16 and 18 is welcomed, and would result in an overall visual enhancement of the area.
- iii) Impact on residential amenity
The site is located within a predominantly residential area. Class B1 offices are not intended to provide services principally for visiting members of the public, and therefore can operate successfully in residential areas. The proposed offices provide small units which would attract very little activity. The proposed use is considered to be a compatible use within the area and would not cause any unacceptable impact on the amenities of nearby residents.
- iv) Highway & Parking Considerations
The proposal would provide a total of 10 no car parking spaces, 2 of which will be designated for wheel chair users. SPG 21 requires a maximum of 1 car parking space per 30 square metres of floor space. The proposal provides 337 square metres of actual office space (excluding ancillary facilities) which would require 11 no. spaces. The Head of Transport has raised no objection to the slight shortfall in this location, as the site is within a short walking distance from the town centre and public transport links.
- v) Flooding
A small part on the southern side of the site, where it is proposed to provide the car park, is located within a Zone C1 floodplain as identified by the development advice maps in TAN 15. However, the majority of the site does not lie within either of the Environment Agency's flood zones and is therefore outside the 1 in 1000 year extreme extent, and therefore the Environment Agency have no objection in principle to the proposal. The change from residential to offices reduces the number of people at risk.

SUMMARY AND CONCLUSIONS:

- 8. The principle of the development is considered acceptable with no adverse impact on the character and appearance of the Conservation Area/visual amenity. There would be no unacceptable impact on the amenities of neighbouring properties and sufficient parking provision has been made. There would be no unacceptable risk from flooding.

RECOMMENDATION: GRANT- subject to the following conditions:-

- 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2. No development shall commence until the written approval of the Local Planning Authority has been obtained to the precise detailing of the type, materials and finish of the

fenestration for the development.

3. Prior to the commencement of the application of any render a sample panel of the type of render it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority : and the render to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.

4. Notwithstanding the provisions of the Town and County Planning (GPD) Order 1995 and Town and Country Planning (Use Classes) Order 1987, this permission relates to the use of the buildings for Class B1 purposes within the Town and Country Planning (Use Classes) Order 1987.

5. The parking area shall be laid out strictly in accordance with the approved plan and shall be completed prior to the occupation of the business units hereby permitted

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To ensure the details are satisfactory in relation to the character and appearance of the building
3. In the interests of visual amenity.
4. To enable the Local Planning Authority to control the use in the interests of amenity
5. In the interests of highway safety and residential amenity

NOTES TO APPLICANT: None

ITEM NO: 10

WARD NO: St Asaph East

APPLICATION NO: 46/2006/1097/ PF

PROPOSAL: Internal and external alterations to dwelling, rebuilding of structure to rear and alterations to adjoining shop to create access (revised scheme)

LOCATION: Elwy Bank High Street St. Asaph

APPLICANT: Mr T R Smith

CONSTRAINTS: Listed Building
Conservation Area

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

CONSULTATION RESPONSES:

1. ST. ASAPH TOWN COUNCIL
"Object on highway safety grounds. REASON 1 of the notice of refusal to application 46/2006/0418/PF dated 06/09/06 should be repeated. The proposed provision of mirrors and CCTV cameras does nothing to detract from the dangerous situation which would arise if vehicular access was permitted".
2. CONSERVATION ARCHITECT
Supports the proposal to reinstate this important historic building subject to controls on materials and finishes.
3. HEAD OF TRANSPORT & INFRASTRUCTURE
Object on the grounds the new access would be likely to result in additional danger to all users of the highway.

RESPONSE TO PUBLICITY:

None.

EXPIRY DATE OF APPLICATION: 12/11/2006

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. Members may recall planning permission was refused at the September 2006 Planning Committee for the internal and external alterations and creation of vehicular access at Elwy Bank due to concerns over the safety of the proposed new access off the High Street. Listed Building consent was resolved to be granted at the same Committee. That application is currently with CADW.
2. The mid C18th Grade 2 listed building has been vacant and semi-derelict since the mid-1990's and has become an eyesore in the High Street with structural problems resulting in scaffolding being erected and only recently being removed.

3. Permission is again sought to repair and upgrade the main dwelling incorporating the removal of some ancillary structures to the rear and the construction of a 1.7m projecting extension. It is also proposed to open up the old Butcher's shop to the east side of the main Elwy Bank to create a vehicular accessway to the rear of the building. A parking and turning area will be created to the rear area. The revisions to this new application only involve alterations to create the new vehicular access off the High Street. The applicant has attempted to further justify his proposal by proposing to install a concave mirror at the entrance point along with 2 no. CCTV cameras and 2 no. monitors to enable vehicles leaving the site to have views up and down the High Street.
4. The building contains historically important murals discovered beneath the wallpaper in the front drawing room. The applicant has worked closely with CADW and other Conservation bodies in relation to the protection of these murals and the future public access to view them.
5. The applicant has also submitted a design/justification statement outlining in detail the restoration works proposed to return the property to the impressive town house it once was. This statement highlights the intention to take off the front render and restore and re-point the damaged brickwork beneath.

RELEVANT PLANNING HISTORY:

6. **46/2000/1069/LB**

Demolition of existing building GRANTED – 22/11/01.

ENF/1/99/N

Repairs Notice served under Section 48 of the Town and Country Planning act 1990 – 18/10/99.

PLANNING POLICIES AND GUIDANCE:

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

- | | | |
|--------------|---|---|
| Policy CON 2 | - | Extension or alteration to listed buildings |
| Policy CON 5 | - | Development within Conservation Areas |
| Policy GEN 6 | - | Development Control Requirements |
| Policy CON 7 | - | Demolition in Conservation Areas |
| Policy TRA 6 | - | Impact of new development on traffic flows |
| Policy TRA 9 | - | Parking and Servicing Provision |

- | | | |
|--------|---|--------------------|
| SPG 13 | - | Conservation Areas |
| SPG 14 | - | Listed Buildings |

Government Guidance
 Planning Policy Wales, March 2002
 Circular 61/96 – Planning and the Historic Environment
 TAN 18 - Transport

MAIN PLANNING CONSIDERATIONS:

8.
 - i) Impact on visual amenity/listed building
 - ii) Impact on residential amenity
 - iii) Impact on highway safety
9. In relation to the points identified in paragraph 8 above.

- i) As previously described, the buildings forming this application have been in a neglected and vacant state for many years. Previous attempts made with site owners to address the repairs needed have not been successful. Detailed discussions have taken place with the current owner, CADW, other Conservation Groups and the Council's own Conservation Architect. Works undertaken thus far have been to ensure the structural security of the building with repairs and renovation done on a like for like basis to some internal areas and the main roof structure. This has indicated a commitment by the present owner to repairing the building. All works undertaken and proposed comply generally with the relevant government guidance and Unitary Development Plan policy. The Conservation groups are in support of the proposal subject to further detailed controls. It is considered that, subject to appropriate detail, the scheme proposed would benefit the visual amenity of the building and Conservation Area. The protection of the important murals is welcomed with all attempts being made to preserve and enhance the historic fabric of the building.

- ii) The closest residential units to the application site are flats on the upper floors of premises adjacent. It is considered that the improvements proposed and general re-use of the buildings in question will improve both the security of the site and the nearby residential amenity for the overall benefit of St. Asaph as a whole.

- iii) The main area of concern in relation to the proposal is the proposed knocking-through of the former butcher's shop fronting the High Street to create a vehicular access point. This is intended to allow access to a parking and turning area to the rear of the building which would provide secure and convenient parking for the proposed 5-bed dwelling. A dwelling of this size would be expected to provide parking and the provision of the access and parking would add value to site and encourage the completion of the renovation project and beneficial use of the listed building. This matter was discussed and agreed in principle back in 2001 when the demolition of the building was granted consent. The conflicting issues to balance against each other are the need to encourage a restoration and reuse of this semi-derelict and prominent listed building against the potential highway dangers caused by a point of access to a single dwelling. Relevant factors are:
 - (a) The fact that the access will serve a single dwelling only with limited comings and goings.
 - (b) The historic nature of the street with buildings close up to the pavement and forming continuous terraces which it make it difficult to provide an access to meet modern day standards.
 - (c) The existence of similar narrow access points elsewhere on High Street.
 - (d) The relatively slow traffic speeds on the hill caused by the tight knit nature of the High Street and on street parking.
 Whilst fully acknowledging the concerns raised in relation to the proposed access it is considered that the wider redevelopment benefits of the bringing a derelict listed building back into beneficial use are overriding in this instance. The loss of parking spaces on the High Street arising from the access is also an issue for consideration. However, this would only be a maximum of 2 no. spaces and would not impact significantly upon nearby commercial premises. There are nearby Council car parks which are also available.

SUMMARY AND CONCLUSIONS:

- 10. The buildings in question have been in a dilapidated state for many years causing detriment to not only the Conservation Area but to St. Asaph generally. The close working on this project between the Conservation Architect and the applicant has produced a scheme which will preserve and enhance the character of this

important historic building. Whilst it is acknowledged that the proposed vehicular access onto the High Street is substandard and does not comply with guidance and policy criteria, it is considered that the beneficial renovation and re-use of the High Street Listed Building outweighs the highway concerns.

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. Prior to the commencement of development, details of a suitably painted replica front door onto the High Street shall be submitted to and approved in writing by the Local Planning Authority. Only those details subsequently approved shall be implemented thereafter.
3. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved in writing 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 (7a Church Street, Welshpool, Powys, SY21 7DL. Tel. 01938 553670).
4. Prior to the use of the building hereby permitted commencing, details of measures to be taken to warn highway users of the presence of the access into and from the site shall be submitted to and approved in writing by the Local Planning Authority. Only those measures subsequently agreed shall be used thereafter and maintained.
5. Notwithstanding the submitted detail, further information on the treatment of the render to the front wall of the building shall be submitted to and approved in writing by the Local Planning Authority. Only those details subsequently agreed shall be used thereafter.
6. The CCTV cameras and monitors shall be installed and fully operational prior to the occupation of the residential dwelling. The cameras and monitors shall be kept on at all times unless otherwise agreed in writing by the Local Planning Authority.
7. Prior to their installation full details of the precise location of cabling and method of fixing to the building of the CCTV cameras and monitors shall be submitted to and approved in writing by the Local Planning Authority. Only those details subsequently agreed shall be implemented and retained as such thereafter.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of the character and appearance of the listed building.
3. In the interests of investigation and recording of historic/listed buildings.
4. In the interests of highway safety.
5. In the interests of the character and appearance of the Listed Building.
6. In the interests of highway safety.
7. In the interests of the character and appearance of the Listed Building.

NOTES TO APPLICANT: None

ITEM NO: 11

WARD NO: Tremeirchion

APPLICATION NO: 47/2006/0998/ PF

PROPOSAL: Conversion of garage/stable block to holiday cottage (resubmission of Application Ref. No. 47/2005/1132/PF)

LOCATION: Ty Gwyn Waen St. Asaph

APPLICANT: Mr D Roberts

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

CONSULTATION RESPONSES:

1. TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL
 "We object to this planning application on the grounds that the plans show no detail of a separate sewerage system. We feel that this would be necessary as the present sewerage system is inadequate to sustain this dwelling.
 We might add that this sewerage system is under observations by the Environment Agency Wales as a result of seepage from source. I enclose a copy of a letter sent to them earlier this year. Recent communication from the Agency suggests that they will be in touch with the owner".
2. PUBLIC PROTECTION
 The capacity of the existing septic tank and soakaway drain system must be checked and if necessary enlarged or replaced to cater for the increase in volume of waste produced at the proposed conversion.
 The septic tank should not contaminate any water supplies. Sub surface drainage should comply with BS 6297: 1983.
3. HEAD OF TRANSPORT AND INFRASTRUCTURE
 No objection.

RESPONSE TO PUBLICITY:

- Representation received from:
1. Tom Yuille, Bwthyn Arthur, Waen, St. Asaph,

Summary of planning based representations:

- i) Amenity/Safety considerations for potential occupiers

EXPIRY DATE OF APPLICATION: 17/10/06

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The proposal seeks to convert a stable at Ty Gwyn Farm to a holiday let with associated site works.
2. The proposed conversion comprises of 2 beds and bathroom on first floor level and lounge, kitchen/diner, utility, wc and hall on ground floor level. Windows are proposed on all elevations in the original openings. Additional rooflights are proposed on the both roof planes.
3. Access is off the existing entrance which will be shared with Ty Gwyn. The yard on the southern side is proposed for the amenity/garden space. On the northern side is the proposed parking area.
4. The dwelling is located off a lane approximately 300 metres east of the Rhualt to Waen Road. There are no immediately adjoining properties. The one and a half storey stable is located to the north of the dwelling. On the adjoining site to the north which has a separate access there is a corrugated steel shed, used in connection with the haulage business of the landowner. There is a 2m panel fence along the north boundary of the site. The building is rendered with a slate roof.

RELEVANT PLANNING HISTORY:

5. 47/2005/1132/PF Withdrawn (similar application)

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy GEN 3 – Development outside development boundaries.
 - Policy GEN 6 – Development Control Requirements
 - Policy TSM 15 Self Serviced Holiday Accommodation

SPG 16 – Conversion of Rural Buildings

GOVERNMENT GUIDANCE

Planning Policy Wales March 2002

MAIN PLANNING CONSIDERATIONS:

7. The main issues are considered to be:
 - i) Principle
 - ii) Impact on the Building/Visual Appearance
 - iii) Residential Amenity
 - iv) Highways
 - v) Drainage
8. In relation to the considerations as noted in Paragraph 8 above:-
 - i) Principle
The principle of the proposal is considered acceptable. The building is considered to be structurally sound and capable of conversion. The local highway network can accommodate an additional unit of holiday accommodation. The visual appearance is considered acceptable as discussed below. The conversion will not have an unacceptable impact on the character area and the character and appearance of the countryside; it is located in close proximity to the existing farmhouse; and has an adequate curtilage/amenity space.

- ii) Visual Amenity
In terms of the impact on the building, the alterations have been designed to have minimum impact on the form of the existing building.
- iii) Residential Amenity
The proposal will not impact on the privacy and amenity of nearby occupiers. The proposal will not overlook the adjoining property or cause a loss of amenity. There is a substantial amount of amenity space proposed for the holiday let on the eastern side of the building.

In terms of the amenity/ highways safety issues raised, the applicant has stated that the yard is not used for skip related activities. Furthermore there is a boundary fence between the yard and the site of the steel shed and there is a separate access. However, the alleged business use is subject to a separate enforcement investigation.
- iv) Highways
The proposal will not impact on highway safety. There is an adequate access to the yard and parking and turning for the proposed unit.
- v) Drainage
The comments of the Community Council are noted. Owing to this concern and the recommendation made by Public Protection a condition will be attached to the consent requesting that the capability of the septic tank be assessed prior to the development commencing.

SUMMARY AND CONCLUSIONS:

- 9. 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 boundary fence on the northern side of the application site shall be retained and maintained unless otherwise agreed in writing with the Local Planning Authority.
3. The occupancy of the unit shall be limited to holiday accommodation only, and the unit shall not be used as a sole or main unit of living accommodation.
4. The car parking area shown on the approved plan shall be kept available for that purpose at all times.
5. No development shall take place until the applicant has demonstrated to the Local Planning Authority that the sewerage arrangements for the development proposed are adequate and that they comply with BS 6297:1983, and that such arrangements have been approved 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 interest of amenity of the occupiers.
3. The unit would not be suitable for full-time occupancy.
4. In order that adequate parking facilities are available within the curtilage of the site.
5. To ensure the proper drainage of the site and to minimise the risk of pollution.

NOTES TO APPLICANT:

Please be advised that this permission requires details to be submitted to the Local Planning Authority for approval prior to the development commencing. Failure to submit such details could invalidate the planning permission.

ITEM NO: 12

WARD NO: Denbigh Upper / Henllan

APPLICATION NO: 01/2006/0724/ PF

PROPOSAL: Erection of pitched roof extension at rear of home

LOCATION: 11 Lenten Pool Denbigh

APPLICANT: Mental Health Care LTD

CONSTRAINTS: Town Heritage Area Conservation Area Article 4 Direction
PUBLICITY Site Notice - Yes Press Notice - Yes Neighbour letters - Yes
UNDERTAKEN:

CONSULTATION RESPONSES:

1. DENBIGH TOWN COUNCIL
 "The Council would wish to object to the proposed extension on the grounds that what is proposed would have a visual impact on neighbouring properties, in particular that the proposed extension would overlook those properties and could be regarded as oppressive. A number of concerns were also expressed regarding the possible increase in traffic congestion in an area of the town where traffic problems already exist"
2. SENIOR CONSERVATION OFFICER
 No objection subject to control over joinery and fenestration detail.

RESPONSE TO PUBLICITY:

Letters of representation received from:

1. Miss J. C. Hughes, 6, Brynffynnon Terrace, Denbigh
2. John Anker Larsen, 6, Lenton Pool, Denbigh

Summary of planning based representations:

- i) Loss of light to neighbouring properties
- ii) Loss of privacy
- iii) Traffic congestion during construction

EXPIRY DATE OF APPLICATION: 13/08/2006

REASONS FOR DELAY IN DECISION:

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

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application site is located within the Lenten Pool area of Denbigh. The area is part of the town's conservation area and is also part of the Town Heritage Initiative area. The building in question is the middle property in a terraced row of houses which fronts onto Pwll-Y-Grawys. An area of private amenity space is to the rear.

Beyond this is a row of dwellings which make up Brynffynon Terrace, which are in an elevated position relative to the application site, with their ground floor windows being above the first floor windows of the subject building.

2. The proposal is to extend 11 Lenten Pool to the rear by way of a two storey extension which would project approximately 3.7 metres out from the rear wall, and replicate the roof pitch of the existing building. Adjacent to this element of the proposal is a smaller extension which would create a first floor over the existing ground floor. The extension would create an additional 2 bedrooms, making a total of 4 bedrooms.
3. The property is one of three dwellings at Lenten Pool (Nos. 11, 13 and 15) owned by Mental Health Care Clwyd Ltd. It is run as a separate unit from nos. 13 and 15, providing care to residents with a range of mental health care needs. Whilst the planning history reveals a permission for change of use to a residential home in 1998, the planning use is effectively as a dwelling, as it accommodates up to 6 residents.

RELEVANT PLANNING HISTORY:

4. **01/0123/98/PF**
Change of use from domestic dwelling to residential home (Class C2) and erection of extension to rear – GRANTED – 16 April 1998

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 – Development Control Requirements
Policy CF 5 – Residential Institutions
Policy HSG 12 – Extensions to Dwellings
Policy CON 5 – Development Within Conservation Areas

Supplementary Planning Guidance Note 1 – Extensions to Dwellings

Planning Policy Wales (March 2002)

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development
 - ii) Impact upon visual amenity
 - iii) Impact upon residential amenity
 - iv) Impact upon the conservation area
7. With regard to the considerations in paragraph 5:
 - i) Principle of development
The principle of this development would be assessed against policy CF 5, Residential Institutions. This policy allows for extensions to residential institutions provided that the proposal does not adversely affect the character of the area and that the design is suitable for the use in terms of siting, scale and design. The use is already established, and it is not considered that this proposal represents an over intensification of the use. Issues relating to physical scale and design of the proposal are considered below against the more detailed criteria of policy HSG 12.
 - ii) Impact upon visual amenity
Policy HSG 12 seeks to ensure that proposals to extend dwellings are visually acceptable in terms of their relationship to both the original dwelling and the

surrounding area. SPG 1 offers further guidance as to what is considered acceptable. The dimensions of this proposal are such that the extension is considered to be subordinate to the existing dwelling. It is also considered that the overall design of the proposal is not out of keeping with the surrounding area, and would not result in an unacceptable form being introduced. Further, it is considered that this application offers an opportunity to remove the existing upvc windows and introduce more appropriate wooden windows.

iii) Impact upon residential amenity

Applications to extend buildings are considered acceptable provided they do not represent an over development of the site and do not result in a loss of residential amenity within the area. The size of the site to the rear of 11 Lenten Pool is large enough to accommodate the extension, which would project 3.7 metres out from the rear wall, leaving approximately 13.5 metres between the building and the rear boundary. This is not considered to be an over development of the site.

Consideration must be given to the effect of this proposal upon the neighbouring properties. The main concerns raised relate to overlooking, and loss of light. Given the location of Brynffnon Terrace above the application site, and there being no direct line of sight between the windows, it is not considered that the proposal would give rise to a loss of privacy or result in the rear neighbours being overlooked. The depth of the proposed extension is such that unacceptable overshadowing would not result to the adjacent properties.

iv) Impact upon conservation area

The site is located within the Denbigh Conservation Area. As such policy CON5, Development Within Conservation Areas, needs to be considered. This policy allows for development within the conservation areas provided the character or appearance of the area is either preserved or enhanced. Accordingly the comments of the Council's Conservation Officer are of relevance and it is concluded that subject to conditions requesting further details of the joinery and fenestration the overall mass and form of the proposal would not harm the character of the conservation area.

SUMMARY AND CONCLUSIONS:

8. This application conforms with policy and should therefore be supported.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)]] of the development hereby permitted and no materials other than those approved shall be used.
3. No development shall commence until the written approval of the Local Planning Authority has been obtained to the precise detailing of the type, materials and finish of the fenestration for the development.

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

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

2. In the interests of visual amenity.
3. To ensure the details are satisfactory in relation to the character and appearance of the building

NOTES TO APPLICANT:

None

ITEM NO: 13

WARD NO: Denbigh Central

APPLICATION NO: 01/2006/1026/ PF

PROPOSAL: Change of use of part of Crown Hotel beer garden to form private garden area to plot no. 1 and erection of associated boundary fences

LOCATION: Crown Garage Crown Lane Denbigh

APPLICANT: AMG Developments Ltd

CONSTRAINTS: C2 Flood Zone
Town Heritage Area
Conservation Area
Article 4 Direction

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

CONSULTATION RESPONSES:

7. DENBIGH TOWN COUNCIL
"The Council does not wish to raise any objections to the application. However, the Council would urge the Planning Committee to ensure that what is proposed does not encroach upon the properties located to the rear and below the proposed garden plot and that appropriate fencing be erected to ensure privacy to those properties".
8. DENBIGH CIVIC SOCIETY
No response at time of preparing report.
9. COUNTY CONSERVATION OFFICER
No objections in respect of impact on the character and appearance of the Conservation area and the setting of the Crown Hotel. Has reservations at the proposed use of waney lap fencing, and would prefer vertical board design and use of materials such as oak which would weather to a natural silver grey to tone with the limestone walls.

RESPONSE TO PUBLICITY:

Letters of representation received from:-

1. J.V. & B.P. Tadgell, 15, Vale Street, Denbigh
2. Garth Parker, Chairman Pro Act International, PO Box 100, Denbigh
3. D. & B. J. Jones, Denbigh Kitchen Centre, Crown Lane, Denbigh
4. The Owner/Occupier, Flat 1, Crown Buildings, Crown Lane, Denbigh

Summary of planning based representations:-

The basis of representations is objection on grounds of:

Amenity impact (Letter 1) Unacceptable overlooking potential from extended garden area into adjacent private gardens at a lower level/loss of privacy/height of screening proposed is inadequate (should be minimum 1.8m from top of wall and extend around the whole development).

(Letter 2) New screen fence would increase height of boundary, in front of office window, restricting natural light.

Principle of development (Letter 1) Concerns over private gardens at rear of Crown Garage units with raised decking/limited consideration given to impact on long established properties adjacent/adverse impact on property value.

(Letters 3 & 4) Raise issues of concern over the carrying out of works on original scheme which have resulted in interference with access to adjacent premises, works on party walls, failure to make good damage etc.

EXPIRY DATE OF APPLICATION: 02/11/2006

REASONS FOR DELAY IN DECISION:

- Awaiting consideration at Committee.

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application seeks permission to extend the private garden of a dwelling unit recently created through the conversion of buildings at the former Crown Garage site, off Crown Lane in Denbigh.
2. Planning permission was granted at the September 2004 Committee for the conversion of the old garage buildings to 3 dwellings. Works have been ongoing for some time. At the time of preparing this report, none of the 3 units were occupied.
3. The September 2004 permission included as part of the curtilage of the dwellings, land to the east of the buildings, which is elevated on a rock outcrop at second floor level of units 1 and 2, which is in turn above the level of adjacent rear gardens of properties along Vale Street and Chapel Lane. The private area at the rear of units 1 and 2 is accessed from doors at second floor level, and has timber decking installed above the uneven rocky ground to provide level pathways and amenity areas for occupants.
4. The application proposes the use of an additional area of land measuring some 12m² as an enlarged private garden for the unit/dwelling. The land has been used previously as part of a beer garden to the Crown Hotel, and is set at a lower level than the present private curtilage at the rear of unit 1, accessed by a flight of steps. The submission details the proposal to address the overlooking/privacy concerns in relation to Vale Street properties, by the erection of suitable screen fencing at a height of 1.6 m above ground level within the garden along the north east boundary, the section including stepping up towards the highest part of the existing rear garden. The proposals are illustrated on the plan at the front of the report.

RELEVANT PLANNING HISTORY:

5. 1/2004/0543/PF Change of use of redundant garage to 3 No dwellings and associated works.
Granted 1 September 2004.

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
GEN 6 – Development Control Requirements
CON 1 – The Setting of Listed Buildings
CON 5 – Development within Conservation Areas

MAIN PLANNING CONSIDERATIONS:

7. (i) Principle of development
(ii) Amenity/privacy implications
(iii) Impact on Conservation Area

8. In relation to the main considerations:

(i) Principle of development

The general principle of a minor extension to a domestic garden in a town centre location would be acceptable. Invariably the key issues centre on the potential impact on nearby property. The use of the land would be somewhat lower key than that potentially associated with the beer garden of the Crown Hotel, and more compatible in relation to nearby residential property.

(ii) Amenity/Privacy implications

The main considerations here are the potential for overlooking of private gardens at the rear of Vale Street properties from users of the extended garden area, and the impact of the proposed screen fencing.

In respecting the points of objection, it has to be recognised initially that the use of the land immediately to the rear of the units as private gardens has already been established as part of the 2004 planning permission. The considerations here are whether the impact of a minor extension of curtilage is acceptable, taking into account its location and the proposed introduction of screen fencing along the boundary to reduce the potential for users looking down to the gardens at a lower level.

Having regard to the submitted details, it is considered that the erection of suitably designed screen fences, set at a minimum height of 1.6 metres above finished ground level on the 'garden' side of unit 1, would ensure a reasonable level of privacy for the users of existing rear gardens of Vale Street properties, reducing the potential for viewing down from the extended garden area and the steps leading down to that area, to an acceptable level. Indeed, as the proposal involves the extension of the screen fencing further around the site boundary beyond the proposed additional garden area, up to the terrace area at the highest point of the existing rear garden, the proposal would address concerns expressed on the overlooking potential to Vale Street properties from the existing development. It is not considered that additional screen fencing would impact unreasonably on the office use.

(iii) Impact on Conservation Area

With regards to the comments of the Conservation Officer, it would be appropriate to require a more sensitive style of fencing than stained waney lap (e.g. vertical boarding or 'hit and miss' fencing), given the location in the Conservation Area. This has been addressed by the applicants.

SUMMARY AND CONCLUSIONS:

9. The principle of the development and the measures to address overlooking of adjacent gardens are considered acceptable.

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

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The extended garden shall not be brought into use until the fencing has been erected in accordance with the approved plans.

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

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

NOTES TO APPLICANT: None

ITEM NO: 14

WARD NO: Ruthin

APPLICATION NO: 02/2006/0900/ PR

PROPOSAL: Details of siting, design, external appearance, landscaping and means of access of 178 dwellings comprising Phase 1 of residential development previously approved under outline planning permission code no. 02/2004/1059/PO

LOCATION: Land At Glasdir Ruthin

APPLICANT: Taylor Woodrow Developments Ltd.

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

CONSULTATION RESPONSES:

10. RUTHIN TOWN COUNCIL
No response at time of preparing report.
11. RUTHIN & DISTRICT CIVIC ASSOCIATION
Generally satisfactory, but list comments over a number of design details. Hope the school will be built in the near future, that links to the town will be improved as the site is developed further, and that open space will be provided at the appropriate stages and maintained thereafter.
12. COUNTRYSIDE COUNCIL FOR WALES
No objections in principle. Request completion of satisfactory wildlife mitigation in connection with northern link road and outline consent.
13. WELSH WATER / DWR CYMRU
Need to ensure separate foul and surface water systems. Confirm that improvements to Ruthin Treatment works are scheduled for completion by January 2007.
14. ENVIRONMENT AGENCY WALES
Have agreed final floor levels for dwellings with the applicant's agents.
15. SUSTRANS
Welcome efforts made to design layout of benefit to pedestrians and cyclists. Suggest additional improvements including provision of future links to Denbigh Road.
16. COUNTY CONSERVATION OFFICER
No objections from a conservation aspect. Would not detrimentally affect views into and out of the Ruthin Conservation Area or the setting of any listed buildings.
17. HEAD OF TRANSPORT & INFRASTRUCTURE
Recommend inclusion of conditions relating to the detailing of the roads and associated infrastructure, and the timing of completion of works relative to development of roads and dwelling.

(Footpaths Section). Need to ensure no interference with public footpath No. 15 which runs near to the site.

18. COUNTY LANDSCAPE ARCHITECT

Has some reservations over detailed elements of the plans, including position of trees relative to roads and buildings, perimeter planting, and choice of species at the site entrance and along the main avenue.

RESPONSE TO PUBLICITY:

Representation received from:-

e-mail from fayeandoly@supanet.com

Express concerns over impact on services, highways, and the principle of the development

EXPIRY DATE OF APPLICATION: 12/10/2006

REASONS FOR DELAY IN DECISION:

- Awaiting key responses

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application contains details of the first phase of housing development on the Glasdir site.
2. Members may recall considering the outline planning application in July 2005, which involved the development of 13 hectares of land for residential purposes, a new primary school and associated open space. The Committee resolved to grant permission subject to a range of conditions and the completion of a Section 106 Obligation relating to the provision of affordable housing units, open space, and a contribution to Welsh Water for improvements to the Ruthin sewage treatment works. The legal agreement was subsequently completed, and the planning permission was issued in September 2005.
3. The September 2005 permission obliged submission and approval of a development brief and a number of details setting the context for the 'reserved matters' application, including the phasing of development. These details have been approved, and the current submission seeks consent for the initial phase of housing development of the site.
4. The application includes details of 178 dwellings, associated open space, cycleways, and links through to future phases of development including the school. It is accompanied by a Design Statement, Affordable Housing Statement, Landscape Statement, a Management Plan for the open space, and a tree survey report. The supporting documents seek to demonstrate how the proposals comply with the terms of the outline consent and the site Design Statement / Design Code.
5. The submission shows the intention to develop 17 different house types of varying sizes, constructed with stone, facing brick, render, walls, and slate roofs, as external materials. The scheme includes 35 affordable units, which is in accordance with the planning consent and Section 106 agreement. The affordable units would be spread throughout the site. The dwellings would be mainly of 2 storey height, but with some 2½ and 3 storey units, again in compliance with the Design Code. There would be extensive landscaping in connection with the

scheme.

6. The vehicular access to the site would be off the roundabout on the recently constructed Ruthin northern link road. The development would be served off a main avenue orientated to give views of St. Peter's Church. Provision is made for future access to the Phase 2 site and the school, approved as part of the outline submission.
7. The layout is designed to incorporate a number of features of interest, including a crescent at the site entrance, and trees along the main avenue. A number of mature trees are to be retained within open space areas.

RELEVANT PLANNING HISTORY:

8. 2/2004/1059/PO

Development of 13 hectares (32 acres) of land for residential purposes, new primary school, associated open space, highways, and drainage infrastructure (outline application) – GRANTED – 1 September 2005

2/2003/1052/PF

Construction of northern link road – GRANTED – 14 July 2004

PLANNING POLICIES AND GUIDANCE:

9. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy STRAT 15 - Housing
 - Policy GEN 1 - Development within Development Boundaries
 - Policy GEN 6 - Development Control Requirements
 - Policy GEN 8 - Planning Obligations
 - Policy ENV 7 - Landscape / townscape Features
 - Policy ENP 4 - Foul and Surface Water Drainage
 - Policy ENP 6 - Flooding
 - Policy ENV 7 - Landscape / townscape Features
 - Policy ENP 4 - Foul and Surface Water Drainage
 - Policy HSG 2 - Housing Development in Main Centres
 - Policy HSG 10 - Affordable Housing within Development Boundaries
 - Policy MDA 2 - Major Mixed Development
 - Policy REC 2 - Amenity and Recreational Open Space Requirements in New Developments
 - Policy TRA 6 - Impact of new development on traffic flows
 - Policy TRA 7 - Road design
 - Policy TRA 8 - Transport requirements in major developments.

Supplementary Planning Guidance – MDA 2 – Land at Glasdir, Ruthin

GOVERNMENT GUIDANCE

Planning Policy Wales March 2002

TAN 2 - Planning and Affordable Housing – 2006

TAN 12 - Design – 2002

TAN 15 - Development and Flood Risk - 2004

MAIN PLANNING CONSIDERATIONS:

10.
 - i) Principle of the development
 - ii) Highway impact
 - iii) Drainage/Flooding

- iv) Open space provision
- v) Affordable housing
- vi) Design/layout

11. In relation to the considerations noted in paragraph 10 above:-

- i) Principle of the development
The principle of a phased housing development has been established by the grant of the outline permission in September 2005. The considerations can now only relate to the acceptability of the detailing of the development, in relation to consistency with the approved Design Code and the conditions on the outline permission.
- ii) Highway impact
No objections are raised by the Highways Officers. There has been regular contacts with the applicants agents over the detailing of the development, and the recommendation is that specific matters relating to highway construction should be covered by adding conditions to any approval.
- iii) Drainage/flooding
Flooding issues have been dealt with as part of the outline submission. The consent conditioned the provision of an earth bund on the eastern boundary of the site as part of a flood mitigation strategy. The plans show the bund and the agents have agreed floor levels of dwellings which are satisfactory to the Environment Agency. Improvements to Ruthin Sewage Treatment Works are due to be completed by January 2007, which would ensure adequate capacity to accommodate the development.
- iv) Open space provision
The proposals for the open space are consistent with the outline consent and Design Code. This includes provision of a large 'kickabout area' with play equipment and a number of smaller informal amenity areas spread throughout the site.
- v) Affordable housing
The proposal for 35 affordable units in this phase 1 development is in accord with the outline consent and Section 106 agreement. The applicants have developed the scheme in conjunction with Tai Clwyd, and would provide 3 and 4 bedroom units compliant with affordability criteria, with a split of Shared Ownership and Rented Accommodation. The units would be spread around the site.
- vi) Design and layout
The applicants have developed the approach to the design of dwellings and the principles of the layout from the Design Code, drafted by the Welsh Development Agency (now Welsh Assembly Government), and approved by the planning authority. It seeks to ensure a development of a high standard, complementing the quality of the setting on the northern outskirts of the town. There is a considerable range of house types proposed which would ensure a scheme of visual interest, enhanced by the careful detailing of design, layout, and landscaping. The layout has been revised to address minor issues over detailing and the relationship between dwellings (including valid points raised by the Ruthin & District Civic Association) and to improve associated planting and screening in key locations along the main streets, which have been of concern to the Landscape Architect. Subject to the inclusion of controls over materials, screening, planting and fencing, it is considered the proposals merit

support.

Other issues raised in relation to wildlife and archaeological impact have been considered and resolved as part of the outline consent and in connection with the northern link road development.

SUMMARY AND CONCLUSIONS:

12. The contents of the reserved matters application are consistent with the approved Design Code for the site and are considered acceptable subject to normal controls.

RECOMMENDATION: APPROVE- subject to the following conditions:-

1. No work shall be permitted to commence on any of the dwellings until the written approval of the local planning authority has been obtained to:-
 - a) The precise external wall materials, including the type of facing bricks, stone, and the colour and finish of render and the mortar mix.
 - b) The type of roofing slate.
 - c) The precise finished floor level of each unit, and the adjacent land.
 - d) The materials to be used on the frames of all windows and doors.
 - e) The detailing of all screen walls, fences, railings, and other means of enclosure, and their respective locations within the site.

The development shall be carried out strictly in accordance with the details approved in relation to this condition.

2. No dwellings shall be occupied until the written approval of the local planning authority has been obtained to:-
 - a) The proposed street furniture, including street lighting, road signage,
 - b) The detailing of the proposed ponds at the site entrance and the timing of the completion of works thereon.
 - c) The timing of planting works relative to the phasing of development.

The development shall be carried out strictly in accordance with the details approved in relation to this condition.

3. The detailed layout, design, (including swept path analysis), means of traffic calming, signing, drainage, street lighting, cycleways, footpaths, street furniture and construction of the internal estate road(s) for each phase of development shall be submitted to and approved by the Local Planning Authority prior to the commencement of any site works.
4. The car parking accommodation for each dwelling shall be laid out and constructed strictly in accordance with the submitted plan and completed before the dwelling is occupied.
5. The estate road and footways on each phase of development shall be surfaced to basecourse standard before any dwellings which it serves are occupied.
6. The estate road on each phase of development shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on that particular phase is occupied or within two years of the commencement of work on the phase of any other period as may be agreed in writing with the Local Planning Authority, whichever is the sooner.
7. No development shall be permitted to commence until the final detailing of the footpath / cycleway link south of the roundabout has been approved in writing by the Local Planning Authority, and has been completed in accordance with the approved detail.

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

1. In the interests of visual amenity.
2. In the interests of visual amenity.
3. To ensure that the estate road system is constructed to a standard suitable for adoption and, in the interests of traffic safety, is capable of catering for the amount of traffic that is likely to be generated by the proposal.
4. To provide for the loading, unloading and parking of vehicles clear of the highway.
5. In the interest of safety and amenity of residents.
6. In the interest of safety and amenity of residents.
7. To ensure the satisfactory completion of the cycleway / footway.

NOTES TO APPLICANT:

None

ITEM NO: 15

WARD NO: Llanarmon Yn Ial / Llandegla

APPLICATION NO: 15/2006/0806/ PF

PROPOSAL: Change of use of agricultural land to private equestrian use, erection of stable block, construction of manège and associated works

LOCATION: Horseshoe Cottage Mill Lane Llanarmon-Yn-Ial Mold

APPLICANT: Mr & Mrs C Bradley

CONSTRAINTS: Public Footpath / Bridleway CLWYDIAN RANGE AONB

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

CONSULTATION RESPONSES:

1. LLANAMON YN IAL COMMUNITY COUNCIL

“The Council objects to the above application for the following reasons:

- a. The findings of the 1997 appeal are still relevant and should be seriously taken into account in the treatment of this application.
- b. The manege is larger (25x45mtrs) than the minimum recommended (20x40mtrs), it would be of a considerably larger area if the parapet was constructed around it. Councillors feel that the manege and its all weather surface would be prominent and would have a significant impact on the landscape/AONB both by its size and colour of surface. There are also concerns about the scale and position of the proposed manege in relation to the amount of land owned and its position in the village, being backed on two sides by dwellings. There is also a worry that this area may be at some stage be floodlit in the darker hours.
- c. Public Footpaths 70 to the South and 71 to the West border part of the land owned by Horseshoe Cottage, these footpaths are used regularly by walkers, especially 70 to access Offa's Dyke path from the village, both paths have sections higher than the site allowing views of the site more so in winter. Councillors are concerned that insufficient sympathetic screening planting and hedge gap restoration is shown on the application to benefit the AONB, walkers, users of Llandegla road approach to village and neighbors.
- d. Even though the size of the proposed stable block has been reduced and more appropriate building materials would be used, Councillors are still concerned that the proposed development is out of scale (large) compared to its position in the village and it still would have a significant effect on the local landscape within the AONB. Councillors feel we all have a duty to protect the AONB landscape for future generations and worry that once one development is allowed it sets precedents to allow further encroachment on to this precious landscape.

- e. Councillors wish to suggest the following conditions should the application be looked on favourably: 1. Limit number of horses to three. 2. Ensure no flood lighting used for manege. 3. Additional sympathetic screen planting of native trees, shrubs and restoration of hedge gaps. 4. Protect against future Commercial use.
 - f. It is appreciated that the proposed stable block has reduced in size and would be built in more appropriate materials, but during the site meeting on Thursday (28th) afternoon it became apparent that the existing portable stable/shelter would be retained and potentially there would be three buildings on this site, although perhaps standing separately would amass a similar floor area to that of the large stable block shown on the first set of plans to which the Community Council strongly objected". The County Council has also submitted a 3 page letter commenting on the content of the previous report and the previous appeal decisions.
2. AONB JAC COMMITTEE
"The JAC wishes to reaffirm its previous comments to object to this application for a new development in the open countryside on the grounds that this would harm the AONB and the setting of the village, particularly when viewed from a number of vantage points. The Committee also has concerns at the suitability of the proposed access."
 3. HEAD OF TRANSPORT & INFRASTRUCTURE
No objection. Suggest condition be imposed to restrict the use to that of applicant only and not for commercial use.
 4. LLANARMON & DISTRICT CONSERVATION SOCIETY
Concerns about 1m high bund around ménage, colour of ménage surface and length of access track. Scale can still not be supported. Concerns about impact on AONB and views from public footpath.

RESPONSE TO PUBLICITY:

Letters of representation received form the following:

1. Mrs P Howarth, Uhuru, 18 Maes Ial
2. Denise Deegan, Maes y Llan Bach, Plas Lane
3. D & W Steele, The Meadows, Mill Lane
4. Mr & Mrs A Denny, Maes y Llan Farm, Mill Lane
5. B & S Hughes, Bro Gynan, Mill Lane
6. Mr J A Howarth, 18 Maes Ial
7. Mr & Mrs A Keating, 21 Maes Ial
8. Mr & Mrs Coleman, 20 Maes Ial
9. Martyn L Holland, 19 Maes Ial

Summary of planning based representations:

- i) Concerns over visual impact having regard to previous appeal decision.
- ii) Concerns over impact on AONB
- iii) Concerns over impact of leylandii screening between site and Maes Ial properties and wishes to ensure they do not grow above 3m.
- iv) Concerns over visual impact of structures on AONB.
- v) Concerns over visual impact of ménage on AONB.
- vi) Concerns over vehicular access to site.

- vii) Contrary to relevant policies GEN 3, GEN 6, ENV 2, REC 5, EMP 5 and ENV 11.
- viii) Concerns over potential for lighting.
- ix) Concerns over potential for commercial enterprise.
- x) Concerns over impact on nearby footpaths.

EXPIRY DATE OF APPLICATION: 11/10/2006

REASONS FOR DELAY IN DECISION:

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

PLANNING ASSESSMENT:

THE PROPOSAL:

1. Members will recall that this application was deferred from Planning Committee on the 4th October to allow the report to address the issues raised in representations. Prior to that meeting, the application was subject to a site inspection panel meeting at 4.30 p.m. on 28th September 2006.

In attendance were:

CHAIR	- Cllr Selwyn Thomas
VICE CHAIR	- Cllr Robert Lloyd Williams
MEMBERS	- Cllr Bob Barton
TOWN/COMMUNITY COUNCIL	- Sheila Hughes (Clerk to community council)

The officer present was - Nicola Jones

Members considered the following matters:

- i) Impact on AONB, especially in relation to the planning history of the site.
- ii) Potential for use for commercial purposes.
- iii) Size of ménage and colour of sand for ménage
- iv) Current buildings on site

In relation to the matters outlined:

- i) Discussion on the planning history of the site, the inspectors report on the previous application for the change of use of the land from agricultural to residential and the points raised in his report. Members raised questions on the significance of the inspectors report as the change of use element currently being debated is different to that proposed previously. The views from key public land such as Moel y Plas and the Llandegla road, looking down towards the site were considered to be issues but from the footpath directly from the south it was considered that the site would not be readily visible due to the screening. Members did not view the site from any of the public vantage points.
- ii) Comments were made by the community council representative that there was local concern about the use of the land for commercial purposes. It was pointed out to members that if they were minded to approve that a condition limiting the use to that of the land for the applicants only would be attached to

any granting of permission.

- iii) Size of the ménage was raised but more concern was given to the colour of the sand not being in keeping with the surrounding landscape.
 - iv) Planning consent is required for the existing building on the site and it was explained to members that the applicant is aware of this. The issue in relation to the retention of the 'temporary' building was also raised with this forming part of the current proposal.
2. The application site is outside the development boundary of Llanarmon yn Ial and located within the Clwydian Range AONB. Public footpath no's 70 and 71 abut the application site directly to the south and to the west. The site was used for agricultural purposes (grazing sheep and horses) in connection with Horseshoe Cottage up until recently when a field shelter and other equestrian paraphernalia were placed on the land. The applicant has been advised that these developments/ activities constitute a change of use of the land from agricultural to equestrian use and that continuing to use the land for such purposes is at their own risk without the benefit of planning consent.
 3. The current proposal is for the change of use of the land from agricultural use to equestrian use including the erection of a stable block and the construction of a ménage. The stable block is proposed to be located along the west boundary of the application site in an 'L' shaped structure with three stables, a tack room and attached hay barn. The stable block is a maximum of 13.7m long, 8.8m wide on the bottom of the 'L'. The stables themselves are 3.7m wide with a roof overhang providing a covered area (including the stables) of 5.8m width and is 3.25m in height to the ridge. The materials proposed are stained timber cladding with a green felt roof with clear rooflights. The permanent stable block proposed has been amended in size, scale, design and materials from that originally forming part of the application. The original proposal was for a brick and slate building in a 'U' shape with length of 19.35m, width of 9.7m and ridge height of 4.1m.
 4. The ménage is proposed to be located to the south side of the application site. It is proposed to be 25m in width by 45m in length and enclosed by post and rail fencing (1m in height) with a covering of sand (dark brown in colour) on the surface.
 5. Access to the application site will be via an existing agricultural access (owned by a local farmer) adjacent to Brown Knowl Cottage, through a field (owned by the applicant). A hardcore track is also proposed leading from the side of Horseshoe Cottage down to the stables and across the side of the field to the ménage area.
 6. Further negotiations have resulted in the removal of the mobile field shelter, the removal of the earth bund surrounding the ménage, the reduction in the length of hardcore track way to provide the 'shortest route' from the stables to the ménage, further tree planting to the rear of the stable block and infilling of the hedge along the eastern perimeter of the field owned by the applicant.

RELEVANT PLANNING HISTORY:

7. The history of Horseshoe Cottage is extensive and relates mainly to the dwelling itself. However the following applications are considered to be relevant:
 - i) Application no: 15/426/96/PF – Change of use of agricultural land to form domestic garden. REFUSED on the 11th February 1997 for the following

reason: 'It is the opinion of the Local Planning Authority that the substantial extension proposed to the residential curtilage would be unacceptable insofar as this would represent an inappropriate incursion into open land outside the village development boundary, having an intrusive impact on the amenity of neighbours and on the landscape within the Clwydian Range Area of Outstanding Natural Beauty and a Special Landscape Area, contrary to Glyndwr District Local Plan Policies AIII), LI, L16 and H.1 (Justification and Explanation), and Clwyd County Structure Plan: First Alteration, Policies H4 and H5'. This refusal was appealed (see (iv) below).

- ii) Application no: 15/395/97/PS - Change of use of agricultural land to domestic (partly retrospective). REFUSED on the 23rd July 1997 for the following reason: ' It is the opinion of the Local Planning Authority that the substantial extension proposed to the residential curtilage would be unacceptable insofar as this would represent an inappropriate incursion into open land outside the village development boundary, having an intrusive impact on the amenity of neighbours' .and on the landscape within the Clwydian Range Area of Outstanding Natural Beauty and a Special Landscape Area, contrary to Glyndwr District Local Plan Policies AIII), LI, L16 and H.1 (Justification and Explanation), and Clwyd County Structure Plan: First Alteration, Policies H4 and H5'
- iii) Enforcement Notice - ENF/151/97/S Use of field as curtilage land. Alleged material change of use of land from agricultural to domestic. This notice was appealed (see (iv) below).
- iv) Appeals – 3 planning and 3 enforcement appeals were dealt with at the same inquiry in 1997. (Appeals A- F), Appeals D and E referring to the alleged material change of use of land from agricultural to domestic (ENF/151/97/S) and the Section 78 Appeal against the refusal of DCC to permit the change of use from agricultural paddock to domestic garden respectively. Appeal D was allowed and the enforcement notice quashed on the grounds of fact and degree that there had been no 'change to the physical appearance of the land' (paragraphs 20- 23 of the inspectors report). Appeal E was dismissed on the grounds of the impact of the development on the character and appearance of the AONB (paragraphs 24 – 29 of the inspectors report)

PLANNING POLICIES AND GUIDANCE:

- 8. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy GEN3 – Development outside development boundaries
 - Policy GEN6 – Development Control Requirements
 - Policy ENV2 – Development affecting the AONB
 - Policy REC5 – Recreation Facility Outside Development Building

GOVERNMENT GUIDANCE

Planning Policy Wales (March 2002)

MAIN PLANNING CONSIDERATIONS:

- 9.
 - i) Principle of development
 - ii) Impact on visual amenity
 - iii) Impact on residential amenity

iv) Impact on AONB

10. In relation to the main planning considerations as noted above:

i) Principle:

The application site is outside the development boundary of Llanarmon yn Ial within the Clwydian Range AONB. The proposal is to change the use of the land from agricultural to equestrian use. It is a land use which generally requires an open countryside location and even though the current UDP has no policies in relation to such changes of use, other than Policy REC5 (more applicable to commercial stables), the principle in this location is considered to be acceptable.

ii) Visual amenity:

Amended plans forming part of this application indicate a stable building of smaller size and scale and of different materials to the original proposal. The stable block is to be sited to the western boundary of the application site in an 'L' shaped structure. The size, scale, design and siting of the building is considered to be acceptable in relation to surrounding dwellings along Mill Lane and those dwellings forming part of the Maes Ial estate. The materials are also considered to be acceptable in this open countryside location and it is proposed to plant further trees surrounding the stable building to further mitigate its impact on the landscape. The current 'temporary' building used to house the horses is to be removed from the site as part of the proposal. The ménage is proposed to be located to the south side of the application site. It is proposed to be 25m in width by 45m in length and enclosed by post and rail fencing (1m in height) with a covering of silica sand (dark brown in colour) on the surface. The 1m high earth bund (grassed over) proposed surrounding the ménage is to be removed from the scheme. It is considered that the amendments made are in accordance with criteria i), ii) and iv) of Policy GEN6.

iii) AONB:

The impact on the AONB is considered to be the critical issue given the national designation, the previous appeal decision, and the objectives raised by the JAC, Community Council and local residents in relation to the impact of the proposal on the character and appearance of the landscape. Policy ENV2 seeks to conserve and enhance the natural beauty of the area and continues to state that small scale development which does not detract from the character and appearance of the AONB will be permitted. The proposal is considered to be small scale in nature due to the size and scale of the stable block and the intensity of use of the site. Comments made by the inspector in relation to the applications for the change of use of land to form an extension to the residential curtilage of Horseshoe Cottage makes reference to the visibility of the site from the south east of the site where the public footpath enters it over a stile from Maes Ial. Over the years the trees and hedging in this location have matured and established themselves considerably, to the point where it is difficult to view the site from the public footpath to the south. Whilst there are open views of the site from the west and south this is against the backcloth of existing development. The ménage would be sited so as not to be viewed from the higher ground to the south. The Inspector emphasised the impact of an extension of residential use beyond the settlement into the AONB with the associated domestic paraphernalia. The proposal does not involve an extension of the residential use and is specific in terms of its elements. Revisions, including the removal of bunding, reduction in the length of the access tracks and deletion of the field shelter from the proposal, reduce the impact on the AONB. Additional landscaping is proposed. The

impact on the AONB landscape is considered to be acceptable.

iv) Residential amenity:

Residential properties surround the application site to the north, north east (Maes Ial estate) and to the north west (dwellings along Mill Lane, out towards Brown Knowl Cottage). Established conifer screening exists to the rear of those dwellings on Maes Ial, forming a boundary screen with the north east of the application site and continuing along part of the boundary of the public footpath to the south of the application site before turning into a hawthorn hedge. The use of the land for the personal enjoyment of the applicants is considered to be acceptable in this instance in terms of its impact on residential amenity. Had the proposal been for a commercial activity in this location then there would be concern about the impact it would have on residential amenity as a result of intensity of use and related noise, smells and build up of waste. The applicant has stated that there would be no more than three horses stabled at the site, with the amount of waste depending on the frequency at which the horses are stabled. When turned out in the paddock manure will be collected and composted and when the horses are stabled, arrangements for the collection and removal of the waste and bedding off site will be in place. Due to the stable management arrangements of the applicant, there would be no requirement for a muck heap and the only waste to be burned would be old haylage on an approximate 2 monthly basis. The location of the ménage is to the south east corner of the application site, close to the rear of the dwellings along Maes Ial. No floodlights or sound amplification equipment is proposed as part of the application and this could be further controlled via a condition should members be mindful to approve the proposal. Whilst the site is surrounded by residential properties, the small scale use of the land for the personal use of the applicant is not considered to be harmful to the amenity of adjoining residents and as such is in accordance with criteria v) and xiii) of Policy GEN6.

v) Highways:

The proposal utilises existing accesses into the application site, with that into Horseshoe Cottage being used for deliveries and that adjacent to Brown Knowl Cottage being used for the transportation of the horses themselves. The Highways Department has no objection to the proposal and the intensity of use of the accesses is not considered to be of any additional hazard to road users and the proposal is considered to be in accordance with criterion vii) of Policy GEN6.

SUMMARY AND CONCLUSIONS:

11. The proposal is for the change of use of the land from agricultural to equestrian use, including the erection of a stable block and the construction of a ménage. The principle of development is considered to be acceptable as is the impact on visual and residential amenity. The small scale nature of the development is considered to be, on balance, acceptable in the AONB.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)]] of the development hereby permitted and no

materials other than those approved shall be used.

3. The development hereby approved shall inure for the benefit of the applicant and any successors in title only and the site shall not be used for any livery, commercial/ business activity or for the holding of equestrian events unless otherwise granted planning permission by the Local Planning Authority.

4. No floodlights, sound amplification equipment or speakers shall be erected on the site unless otherwise agreed in writing by the Local Planning Authority.

5. No more than 3 horses shall be stabled at the site at any one time.

6. 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.

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.

8. Notwithstanding the submitted details, the bunding to the ménage and the stone access track are hereby not approved. Further details of an access track to limit the stables directly with the ménage shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development, and the access track constructed strictly in accordance with approved details.

9. The temporary shelter currently on site shall be removed following the completion of the development and does not form part 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.

2. In the interests of visual amenity.

3. In the interest of residential amenity and to protect the character and appearance of the AONB.

4. In the interest of visual amenity and to protect the character and appearance of the AONB.

5. In the interest of residential amenity and in order that the Local Planning Authority can retain a degree of control over the use of the land.

6. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.

7. To ensure a satisfactory standard of development, in the interests of visual amenity.

8. In the interests of visual amenity.

9. In the interest of visual amenity and for the avoidance of doubt.

NOTES TO APPLICANT:

None

ITEM NO:	16
WARD NO:	Llandyrnog
APPLICATION NO:	18/2006/0784/ PF
PROPOSAL:	Demolition of existing 'Sycamore' building, erection of 3 no. eight bedded 'bungalow style' buildings and construction of associated car parks
LOCATION:	Highfield Park Llangwyfan Denbigh
APPLICANT:	Mental Healthcare Ltd.
CONSTRAINTS:	Clwydian Range AONB
PUBLICITY UNDERTAKEN:	Site Notice - Yes Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

1. LLANDYRNOG COMMUNITY COUNCIL

"Members object to the application on the following grounds:
Scant regard given to the additional volume of traffic that is proposed -130 additional vehicles using a very narrow road and two dangerous traffic junctions – the members feel that it is an opportunity for the County Council to ask the applicant for off site road improvements – traffic calming measures, mini roundabout maybe- this could be done at little cost to the applicant but would improve road safety which is an issue with residents in this area."

The fact that the applicant has stated that there will be an additional 130 vehicles tends to demonstrate that there is no strategic travel plan in place and that most of the 125 additional staff will be travelling alone.

"Could the case officer also confirm that the development is aimed at the same type of client?"

2. PUBLIC PROTECTION

Informs that historical maps show several potential areas of contamination present on site:

- The site has been a hospital since at least 1953
- On the historic maps there is a cement, lime and plaster product manufacturers (1879)
- Adjacent to the site there is historic quarrying of sand and clay (1970)

Advises it is essential that a contaminated land condition is attached.

3. A.O.N.B. JOINT ADVISORY COMMITTEE

"The JAC has no objections to the proposals in principle but would request that the roofing material be natural slate, the render be finished to match existing buildings, and that further consideration be given to reducing the impact of the rooflights (e.g. non reflective glass). In addition, existing trees should be retained and protected and a scheme of landscaping drawn up for the site. Members also expressed concerns about the need to ensure that the site is kept tidy and is cleared after any demolition."

4. COUNTY HIGHWAYS OFFICER
Advises that further information has been submitted by the applicant, in relation to vehicular and staff parking. The site has limited parking on site and the car parking proposal is a considerable improvement to the existing situation for a small increase on site. Therefore, no objection subject to the inclusion of standard conditions. Additionally, suggests that any further development at this location will require access improvements.

5. COUNTY ECOLOGIST
No response.

6. PRINCIPAL COUNTRYSIDE OFFICER
Has concerns only on one element, namely the proposed car park adjacent to the main offices. The proposal would appear to include or imply removal of some of the mature trees. Apart from the impact that this will have on the amenity of the site there is also the possibility that removal of trees can create instability in the surrounding trees. It may be possible to amend the access to reduce the impact, preferably without any loss of mature trees.

With regard to the trees throughout the site, pleased to that the owners commissioned a full arboricultural report and that they have engaged a specialist tree company to implement a short and long term work plan. The company is well established and very competent, and have full confidence that the trees are being well cared for.

Additionally, further to a site visit, confirms that the reported tree felling was in fact essential line clearance carried out by MANWEB.

7. LANDSCAPE ARCHITECT
Advises that the car park area to the front of the main building would be better removed from the scheme. This area is partly on lawn, largely under mature conifers and potentially damaging, with some trees probably having to be removed to gain vehicular access. Felling this area could open up views of the cars. Potential may be for cars in this area to be accommodated in the larger car park area, or alternatively cars to continue to park on the drive.

8. CARE STANDARDS INSPECTORATE FOR WALES
Confirms that the proposals would comply with their Younger Adults standards and, as three separate buildings, would afford improved and secure garden and amenity areas for each group of eight service users.

In respect of the existing building, understand that this is not currently occupied but is registered for 19 bedrooms over two floors. In terms of the plans granted for the refurbishment of this building to accommodate 16 service users, confirms that they would probably still comply with CSIW current standards, although there may well be some staffing implications when service users from the first floor wish to access the external amenity areas, whilst other service users remain on the first floor.

9. COUNTRYSIDE COUNCIL FOR WALES
Confirms no objection in principle, subject to conditions requiring (i) surveys to be carried out for statutory protected species and (ii) the submission and implementation of wildlife habitat compensation schemes.

10. COUNTY HOUSING OFFICER

Confirms there is no affordable housing requirement with the proposal based on supporting individuals with specific requirements; site already used for this purpose; strategic need to support this type of development, assisting vulnerable people.

RESPONSE TO PUBLICITY:

None

EXPIRY DATE OF APPLICATION: 31/08/2006

REASONS FOR DELAY IN DECISION:

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

PLANNING ASSESSMENT:

THE PROPOSAL:

1. Highfield Park is a well established and substantial complex of buildings, situated within a parkland setting, on the westerly edge of the Clwydian Range A.O.N.B, approximately 1kilometre to the north west of the village of Llandyrnog.
2. The complex has been occupied by the Mental Health Group for a number of years, providing accommodation and care for people with mental health problems, ranging from learning difficulties to personality disorders. The current proposal relates to facilities for the same use as the existing site/ complex.
3. The proposal involves two elements;
 - i) The erection of three, centrally positioned, single storey units of accomodation. Each unit consists of eight bedrooms, together with related ancillary rooms, including manager's office and staff room. These are intended as replacement buildings for the existing 19 bedroomed 'Sycamore' building, a two storey building, which is centrally positioned within the complex, and two other, ancillary, smaller buildings within the site. Proposed external materials include 'selected render' and 'slate tiles'.
 - ii) The creation of 2 dedicated car parking areas – one area, with 94 car spaces, centrally positioned within the site, with a smaller area, for 32 car spaces, positioned along part of the site's south west boundary.
4. As part of the planning application, the following additional, supplementary information has been submitted:
 - i) Tree Condition survey, dated August 2006
 - ii) Design Statement
 - iii) Proposal justification statement
 - iv) Highway and traffic statement

The planning application Statement submitted by the agent highlights a number of points, briefly:

- a) Existing 'Sycamore' building no longer used for mental health care; being effectively disused.
- b) Originally the building was designed for up to 19 bedrooms, arranged on two floors. When applying wider criteria care standards, rooms are substandard in terms of floor area, configuration and associated facilities.

c) Despite the approved extensions, resulting bedroom numbers would only be for 16 residents, which would be uneconomical. Preparation of detailed specifications has identified necessary structural works incurring high construction costs. Additionally, further costs are involved with new thermal Building Regulations and part of the building suffers from significant settlement /subsidence, involving partial demolition.

d) The building is an inflexible insitu concrete framed form of construction, with limited life span and not cost-effective.

The highway and parking statement accompanying the proposal highlights, briefly:-

- a. Currently, no coherent parking or traffic policy exists. Cars arrive and use the main entrance, with staff and visitors parking as close to the building/unit in which they work/visit. This situation will remain for key workers, with the proposal rationalizing the remaining ad-hoc site parking.
- b. The main, central car park (93 spaces) intended for majority of remaining staff and others visiting from NHC establishments.
- c. The 32 visitors car park –near main site reception building- intended as designed visitors area.
- d. Light daytime traffic and shift work patterns, traffic tending to regulate itself in one direction.
- e. Currently, a maximum of 90-100 staff at any time, with a three shift policy:-

9 – 5p.m. for admin. Staff and car workers, max. no. 90-100 staff

5 – 10p.m. evening shift – max. 30-40 staff

10p.m. – 9a.m. night shift – max. 20-30 staff

The proposal involves the following staff changes:

9 – 5 p.m. = 150 -160

5 – 10 p.m. = 50 – 65

10 p.m. – 9 a.m. = 30 – 45

- f. With an Arriva contract, providing a bus service to/from the site for staff and care workers, estimates indicate 22-27 staff use this service on day shifts, with 10-15 for return trip - some staff choosing to car share lifts for home return journeys.
- g. Figure analysis estimates that an average of 60-80 cars per day exist on site, 15-20 of these being visitors.
- h. Applying a less ad-hoc car parking approach to the site, some 70-80 staff are identified to use a car park.

RELEVANT PLANNING HISTORY:

5. 18/2002/0907/PO

Alterations and extensions to existing residential care home – GRANTED 23/10/02

18/2004/1337/PO

Alterations and extension to existing residential care home (amended details to those previously approved under 18/2002/0907/PF) – GRANTED 14/12/04

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
- Policy GEN 3 - Development Outside Development Boundaries
 - Policy GEN 6 - Development Control Requirements
 - Policy GEN 10 - Supplementary Planning Guidance
 - Policy ENV 1 - Protection of the Natural Environment
 - Policy ENV 2 - Development affecting the AONB
 - Policy ENV 6 - Species Protection
 - Policy ENV 7 - Landscape/Townscape features
 - Policy CF 5 - Residential institutions
 - Policy ENP 4 - Foul and surface drainage
 - Policy ENP 8 - Contaminated Land
 - Policy TRA 9 - Parking and Servicing provision

GOVERNMENT GUIDANCE

Planning Policy Wales March 2002 (as amended)

TAN5 – Nature Conservation

MAIN PLANNING CONSIDERATIONS:

- 7.
- i) Principle
 - ii) Protected Species
 - iii) Highways
 - iv) Design and impact on the AONB
 - v) Amenities of neighbouring properties
 - vi) Landscape and trees
 - vii) Drainage

- 8.
- i) Principle
Policy CF 5 applies to new or extensions to existing residential institutions. This proposal effectively involves replacement structures for the existing two storey building and two smaller buildings, situated within the boundaries of the established site. Additionally, the site has extant planning permissions for extensions to the Sycamore building, which include additional floorspace to that building. Taking into account the extant 2004 planning permission and the floor area to be demolished (with the 'Sycamore' building being two storey), approximately a 50% increase in overall floor area is proposed here. Given the extent of the site complex, this represents a small proportion of the remaining existing site buildings.

The County Council's Conservation Officer has confirmed that the 'Sycamore' building is not of sufficient historical or architectural interest to be designated as a 'listed' building.

The observations of the Care Standards Inspectorate highlight the issues with the relevant Care Home regulations.

The principle of the development would be in accord with policy.

- ii) Protected species
Under the provisions of Planning Guidance Wales and Technical Advice Note (TAN) 5, the presence of protected species is a material consideration. The

Countryside Council for Wales (CCW) comments highlight the site's potential for the presence of protected species, and site design and maintenance requirements.

The reference to a former pond relates to a small, man made feature to the rear of the 'Sycamore' building. The pond's position is identified in the position of one of the new units. The infilling works may not necessarily require planning permission. Notwithstanding infilling works, should survey findings conclude protected species presence, on site mitigation will have to be included.

Consequently, the proposal should be conditioned to propose and deliver appropriate species conservation schemes and Reasonable Avoidance Measures (RAMs). CCW expect these schemes to include details of exclusion fencing, terrestrial searches, identification and long-term protection of secure habitats as well as positive nature conservation proposals, such as the creation of new ponds.

iii) Highways

The site lies some 1½km to the north east of the village of Llandyrnog, with the easterly boundary running parallel with the classified Llandyrnog to Nannerch highway.

Currently, Highfield Park is served by two vehicular access points (off on an unclassified highway), positioned some 80 and 200 metres off the Llandyrnog - Nannerch junction. The locality has a range of public footpaths - one straddles the site's northerly boundary - with an existing bus stop, at the Nannerch road junction.

The County Highway's Officer has assessed the submission and the observations of the Community Council. With respect to the Community Council's comments, whilst it is recognised that the site has some highway constraints, the recommendation for no objections is based on the current ad-hoc parking arrangements, existing public transport arrangements, the site's walking distance position from Llandyrnog, the continuation of the shift pattern, and the modest increase of 8 bedrooms from the existing building floorspace and the extant planning permissions.

It is accepted that, if the proposal involved a significant increase in the number of bedroom units, highway considerations would be different, and pose potential conflict with Policy GEN 6(iii), requiring alternative site arrangements, along the lines suggested by the Community Council. However, on the basis of the current proposal the highway and transport impact are considered acceptable.

No reference is made to cycling facilities. Should planning permission be granted, a condition requiring sufficient cycling provision could be included.

In relation to highway issues, paragraph vi) of the report includes tree and landscaping issues involved with planning and designing the proposed parking areas.

iv) Design and impact on the AONB

The extent of floorspace, scale and design detail are considered sympathetic to the character of the existing buildings and locality, complying with the aims and objectives of ENV 2. Materials should be conditioned to use of natural

slate roof covering. The agent has been advised of the JAC comments in relation to the potential to use non- reflective glass.

v) Amenities of neighbouring properties

In terms of nearest neighbours, Llangwyfan Farm dwelling lies within 150 metres of the proposed replacement 'Sycamore' building, with the remaining two units further to the north and east. This separation distance includes other buildings at Highfield Park, together with mature trees and the unclassified highway.

Criteria (i) and (ii) of Policy CF 5 relates to over concentration of such uses in an area and impact on residential amenity. In the circumstances, in the absence of other, similar uses within the immediate locality, together with the limited increase in bedroom numbers from that previously approved (total of 16 under the above planning permissions for extensions), it would be difficult to substantiate conflicts with these tests.

vi) Landscape and trees

Given the parkland setting, together with the tree issues highlighted by the Landscape and the Countryside Officer, the agent has accepted the case officer's suggestion to omit the small car parking area.

The proposed main car park area is capable of being sympathetically designed into the site. Preliminary cross –sectional drawings of the proposed buildings and car park area indicate design features would be sensitive to the locality.

Should planning permission be granted, controls can be included to address the concerns over points of detail, including the means of lighting.

vii) Drainage

Foul waste disposal is intended via the existing private treatment plant, with surface water drains for rainwater disposal. This arrangement is acceptable in principle, but it would be necessary to condition details, including treatment of contaminated land, tree root systems and the relationship with the existing highway.

SUMMARY AND CONCLUSIONS:

9. Subject to the inclusion of conditions suggested within the context of paragraph 7 above, and having regard to the extant planning permissions, the proposal is considered acceptable.

RECOMMENDATION: - GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. 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.
3. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.
 4. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.
 5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
 6. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and development shall be carried out in strict accordance with the approved schedule.
 7. No works to any building on the site, including demolition, shall be carried out until such time as the affected buildings have been surveyed for the presence of species of amphibian, reptile, bird and mammal protected under the provisions of the Wildlife and Countryside Act 1981 (as amended); the EC Habitats and Species Directive (as implemented in Great Britain by the Conservation (Natural Habitats & c) Regulations 1994; and in the case of badgers, the Badgers Act 1992. The results of any such necessary surveys together with reasonable avoidance measures to deal with any presence of species of amphibian, reptile, bird and mammal protected under the provisions of the Wildlife and Countryside Act 1981 (as amended); the EC Habitats and Species Directive (as implemented in Great Britain by the Conservation (Natural Habitats & c) Regulations 1994; and in the case of the badger, the Badgers Act 1992 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works. The approved reasonable avoidance measures shall be implemented in accordance with a timetable which shall be further submitted to and approved in writing by the Local Planning Authority.
 8. In the event that any areas of unexpected contamination become evident in the course of development, all works in the vicinity of that contamination shall be suspended immediately, and the Local Planning Authority shall be notified within 24 hours. No work shall be permitted to continue in the affected area until the written agreement of the Local Planning Authority has been obtained to details of the measures proposed to remove or contain any hazard presented by the contaminants, and the method of rendering harmless such contamination. The development shall only be permitted to proceed in accordance with the details approved.
 9. Notwithstanding the submitted plans, permission is hereby granted for the construction of the main car park only.
 10. Prior to the commencement of development, including demolition, the following details shall be submitted for the written consideration of the Local Planning Authority and the development completed only in accordance with the approved details:

- a) External lighting details.
- b) Positive means to prevent surface water run off from the site to the highway.
- c) Means of providing facilities for cycling facilities.
- d) Revised main car parking space layout and directional signs.
- e) An independent assessment for the potential for disposing of surface water by means of sustainable drainage systems in accordance with the principles of sustainable drainage systems set out in TAN 15, and the results of the assessment provided to the local planning authority. Where a SuDS scheme is to be implemented, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) specify the responsibilities for each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
 - iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. and the development completed and retained, unless otherwise agreed in writing by the Local Planning Authority, in accordance with the approved details.

11. The development shall not be brought into use until the main car parking area approved has been constructed, surfaced and set out in accordance with an approved parking layout and directional signs.

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

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

14. The buildings hereby permitted shall only be used in connection with the overall use of the site and shall not be used or sold off as separate units.

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

- 1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 2. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
- 3. In order to ensure that trees and hedges to be retained are not damaged by building or engineering works.
- 4. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.
- 5. To ensure a satisfactory standard of development, in the interests of visual amenity.
- 6. To ensure the areas concerned are maintained at all times in the interests of amenity.
- 7. In the interests of any protected species on the site.
- 8. To ensure that suitable measures are taken to deal with contaminated land in connection with the development.
- 9. For the avoidance of doubt and in the interests of the amenities of the locality.
- 10. In the interests of the amenities of the locality, highway safety and to ensure a sustainable approach to development.
- 11. In the interests of highway safety.
- 12. In the interests of visual amenity.
- 13. In the interests of visual amenity.
- 14. In the interests of the amenities of the area and to ensure control over the site uses.

NOTES TO APPLICANT:

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

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

Attached are guidance notes from the Countryside Council for Wales which should be taken on board in addressing condition 7 attached to this certificate.

The County Highways Officer has advised that any further development at this location will require access improvements.

Any further developments may fall within the Town and Country Planning Environmental Impact 1999 Regulations (as amended).

ITEM NO: 17

WARD NO: Llanrhaeadr Yng Nghinmeirch

APPLICATION NO: 23/2006/0955/ PF

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

LOCATION: Land in Clocaenog Forest South of Llyn Du Cyffylliog Ruthin

APPLICANT: FIM Limited

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

CONSULTATION RESPONSES:

1. LLANRHAEADR YC COMMUNITY COUNCIL
"No comments on the application and plans"
2. NANTGLYN COMMUNITY COUNCIL
"A public meeting was held in Nantglyn Church House on Friday 6 October. The meeting was well attended by local residents and the two applications for wind monitoring masts were discussed.
The overwhelming opinion was that this community council should OBJECT to the applications for the following reasons.
 - i) Pending the outcome of current work done between Denbighshire CC and Conwy CBC, the Supplementary Planning Guidance has not yet been agreed. Until such time as it is agreed, it is unreasonable to assume whether the location of these applications will be inside or outside the Strategic Search Area defined in TAN8.
 - ii) Local residents felt that Nantglyn was adversely visually impacted by the existing 25 turbines at Tir Mostyn/Foel Goch and that additional developments would add to this.
 - iii) Considerable concern was expressed regarding the potential for further noise pollution. A significant number of those present reported adverse noise from the existing turbines and felt that additional turbines might well add to the problem, especially as it is to be assumed that the overall height of any new turbines will be greater than that of the existing ones.
 Whilst it is accepted that this application is purely for monitoring masts and that further planning applications for the development site would follow, it was nevertheless felt that an objection at this stage would indicate the concern of this community to any further turbine developments in the area".
3. THE RAMBLERS ASSOCIATION
Consider the mast would be intrusive in its rural setting, but feel that in view of TAN 8 guidance, objections would be worthless. Request strict conditions be to imposed if permission is granted in relation to the length of permission, removal of the structure, and reinstatement of the land.
4. COUNTY ARCHAEOLOGIST
No objections.
No known archaeological sites in the area of the proposed development.
5. PRINCIPAL ENVIRONMENTAL HEALTH OFFICER (Pollution Control)
No comments.

RESPONSE TO PUBLICITY:

Representations received from:-

1. Richard Welch, Plas Nantglyn, Nantglyn
2. Terri Fleming, Ty Isa Waen, Nantglyn
3. D.G.C. Harborne, Cefn y Maes, Nantglyn
4. Ian Gardner, Gwynant, Waen, Nantglyn

Summary of planning based representations:

- (i) Monitoring masts are a first stage in the process of further wind turbine development with associated noise problems.
- (ii) The extent of the Strategic Search Area for turbines has not yet been determined so no further testing should be allowed.

EXPIRY DATE OF APPLICATION: 09/10/2006

REASONS FOR DELAY IN DECISION:

- additional information required from applicants' agent

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. This application and one which follows later on the agenda (25/2006/0956/PF), are for permission to erect anemometry masts for a temporary period. The masts are to collect data to form part of the assessment of a potential wind farm design process in locations within the Clocaenog Forest Strategic Search Area, identified by Welsh Assembly Government as a preferred area for turbine development. They consist of a galvanised steel tube, anchored by steel guy wires.
2. Application 23/2006/0955/PF relates to a 70 metre mast on a site in a clearing within the Clocaenog forest, in the Llanrhaeadr YC Community Council area. The site is some 1km to the west of existing turbines at the Tir Mostyn wind farm, and 1km south of the site proposed for the mast in the Nantglyn Community Council area.
3. The two applications are submitted by National Power Consultants Limited, acting as technical advisors and agents for the company FIM Limited. A statement with the applications refers to Windpower Wales Ltd, as principal project developers working alongside FIM, and it outlines the general context of wind turbine developments, and the relevance of the Strategic Search Area of Clocaenog Forest.
4. The agents have been asked for further information to clarify why existing data is inadequate, the need for two masts within 1km of one another, and the potential for collaboration with other potential turbine developers to avoid a proliferation of masts. In summary they have indicated:
 - a) Data from Tir Mostyn would not be 'viable' (influenced by wake from turbines), the tower height is lower than the proposed measuring mast and would not provide sufficient information, the purpose of the Tir Mostyn masts are to monitor existing turbine performance, the Tir Mostyn data is commercially sensitive which would be difficult to obtain.
 - b) Two masts are required because it is necessary to determine the effect the forestry has on wind flow – one mast would cover an area of open moorland and the other an area of commercial forestry and allow assessment of the viability of development in both areas.
 - c) Potential proliferation of masts should not be a significant issue, given the temporary nature of the masts, and the minor visual impact they would have by virtue of their actual size and the distances from which they would be visible.
 - d) Collaboration with other companies seeking anemometry masts can be investigated, but there are difficulties as investors and turbine suppliers require

warranties for data on sites other than where the monitoring masts are located. Similarly, data sharing is subject to the same warranty issues, and there is a commercial sensitivity over collected data.

5. The mast would be located on land within the refined Clocaenog Forest Wind Farm Zone which currently forms part of the draft joint Denbighshire/Conwy Supplementary Planning Guidance – Onshore Wind Farms.

RELEVANT PLANNING HISTORY:

6. None.

PLANNING POLICIES AND GUIDANCE:

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 – Development Control Requirements
Policy MEW 8 – Renewable Energy
Policy MEW 10 – Wind Power

Supplementary Planning Guidance
SPG 23 – Joint Conwy/Denbighshire SPG “On Shore Wind Farms” (draft issued January 2006, subject to ongoing review)

GOVERNMENT GUIDANCE
Planning Policy Wales March 2003

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

MAIN PLANNING CONSIDERATIONS:

8.
 - i) Principle of development.
 - ii) Impact on visual amenity, landscape, wildlife

9. In relation to the main considerations:

- i) Principle of development

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

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

With due respect to the concerns outlined in responses, these are directed mainly at the principles and impacts of the development of wind turbines, rather than temporary siting of relatively unobtrusive wind monitoring masts. It would be inappropriate to refuse permission for a wind monitoring mast on grounds that it would be a precursor for a wind turbine development, which would have to be considered on its respective merits against policies and guidance.

- ii) Visual/Landscape/wildlife impact

Whilst accepting potential concerns over the impact on visual and landscape quality, these would not really be relevant to a slender monitoring mast, proposed for a

temporary period. There is negligible noise generation from a monitoring mast, and it would be difficult to argue there would be significant impact on the locality from it.

SUMMARY AND CONCLUSIONS:

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

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

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

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

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

NOTES TO APPLICANT:

None

ITEM NO:	18
WARD NO:	Llandyrnog
APPLICATION NO:	24/2004/0873/ PO
PROPOSAL:	Development of 0.6ha of land for residential purposes and means of access (outline application)
LOCATION:	Land Adjoining Hafod Ynys Rhewl Ruthin
APPLICANT:	A C & A S Jones
CONSTRAINTS:	Public Footpath / Bridleway
PUBLICITY UNDERTAKEN:	Site Notice - No Press Notice - No Neighbour letters - Yes

CONSULTATION RESPONSES:

19. LLANYNYS COMMUNITY COUNCIL

"The only observation that this Council would like to make on the above planning application and plans is that the Members feel that there is not enough room for vehicles to pull up outside Rhewl School (for safety reasons) to drop off and pick up children as the planning application site/access reduces the highway width by Rhewl School".

20. ENVIRONMENT AGENCY WALES

Originally objected to the application, as the site was located within a C2 flood zone on the maps accompanying TAN 15. Following detailed investigation and the submission of a Flood Consequences Assessment, the Agency have now confirmed the evidence demonstrates the site lies outside the extreme 0.1% flood outline, and that the Agency flood maps will be amended accordingly. The recommendation is therefore not for refusal, and the Agency request inclusion of specific conditions controlling finished floor levels and surface water drainage.

21. WELSH WATER/DWR CYMRU

Require details of foul/surface water systems.

22. HEAD OF TRANSPORT & INFRASTRUCTURE

The Case Officer has met with interested parties to investigate the proposals for new footways, and a parking area in conjunction with the development. Concludes there are no objections subject to the inclusion of conditions/agreements to ensure provision of the footways and the parking area for school use.

RESPONSE TO PUBLICITY:

Letter of representation received from:-

1. M. Denman, Chairman, Ysgol Rhewl Governing Body, 22, Cilgwyn, Rhewl.

Summary of planning based representations:-

The letter advises the Governing Body of the school supports the proposal subject to:-
 - provision of footways both sides of the road (site is opposite entrance to school);
 - provision of a parking area for the school (development would limit the possibility of on-street parking; relocation of play equipment (would have to be moved to allow a

footway to be constructed on the school side of the road);provision of social/affordable housing.

EXPIRY DATE OF APPLICATION: 23/09/2004

REASONS FOR DELAY IN DECISION:

- Awaiting Flood Consequences report and Environment Agency response.

PLANNING ASSESSMENT:

THE PROPOSAL:

1. The application relates to a flat 0.6ha site within the development boundary of Rhewl village, located between the Chapel House and Hafod Ynys, a substantial property on the minor road running north towards Llanynys. The footway entrance to the village school is immediately across the road to the site.
2. The proposal seeks outline consent for a residential development. Plans submitted to illustrate the possible form of development show a single cul de sac off the minor road, with new footways on both sides of the minor road, and a parking area for school use within the site. There are presently no footways on either side of the Llanynys road.
3. The application was originally submitted in July 2004. This coincided with the publication of the Assembly's Technical Advice Note 15 – Development and Flood Risk (TAN 15), which contained Development Advice Maps indicating the site within a C2 Flood Zone. The Environment Agency lodged a formal objection to the application based on the TAN 15 guidance. Since that time, the application has remained pending as the applicants engaged consultants to undertake a detailed assessment of the flood risk issues in negotiation with the Environment Agency, to challenge the validity of the C2 Flood outline. This exercise has only been completed in the summer of 2006, to allow progress to be made on the application (see Environment Agency response).

RELEVANT PLANNING HISTORY:

4. None.

PLANNING POLICIES AND GUIDANCE:

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 - Policy GEN 6 - Development Control Requirements
 - Policy HSG 4 - Housing development within villages
 - Policy HSG 10 - Affordable Housing within Development Boundaries
 - Policy REC 2 - Amenity and recreational open space requirements in new developments
 - Policy ENP6 - Flooding
 - SPG 4 - Open Space requirements on New Developments
 - SPG 21 - Parking
 - SPG 22 - Affordable Housing

GOVERNMENT GUIDANCE

Planning Policy Wales (March 2002)

TAN 2 - Affordable housing

TAN15 – Development and Flood Risk

MAIN PLANNING CONSIDERATIONS:

6.
 - i) Principle of development
 - ii) Flood risk

- iii) Highways issues
 - iv) Affordable housing
 - v) Open space
7. In relation to the main considerations:
- i) Principle
The principle of a residential development on land within a village development boundary in the Unitary Plan would be acceptable in terms of the general housing policies (HSG 4).
 - ii) Flood risk
The Environment Agency Wales has now confirmed they have no objections to the grant of permission subject to the inclusion of conditions relating to the floor levels of dwellings and the detailing of the surface water drainage system. This follows lengthy technical investigation of the flooding issue and revisions to the Agency's flood risk maps.
 - iii) Highways issues
Dialogue between the highways officers, the applicants' agents, and school representatives indicates a level of consensus reached over the inclusion of new footways along the minor road and a parking area for the school. The highways officer has no objections subject to the inclusion of suitable conditions or legal agreements. Off site highway works on the highway and school land could be secured through a grampian condition. With regard to the Community Council's comments, the proposal would result in only limited reduction in the width of the highway outside the school. Through provision of footways on both sides of the road, and an off street parking area for school use, the development would lead to a considerable improvement on the current situation, which involves random parking along the road which narrows its width and forces pedestrians to walk along the road to and from the school.
 - iv) Affordable housing
Any permission would need to include controls to secure the provision of affordable housing in association with the development. On outline applications this can be achieved through use of a suitably worded planning condition.
 - v) Open space
For any development over 10 units, open space would need to be provided in accordance with the Authority's standards. This can also be secured through conditions on an outline consent.

SUMMARY AND CONCLUSIONS:

- 8. The development is acceptable in principle, and key flood risk and highway issues have been addressed.

RECOMMENDATION: - GRANT subject to the following conditions:-

- 1. Notwithstanding the submitted plans, approval of the details of the siting, design and external appearance of the building(s), the access, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority

in writing before the commencement of any development.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

4. The development shall not begin until the formal written approval of the Local Planning Authority has been obtained to a scheme for the provision of affordable housing as part of the development. Such details shall include:

- i) 30% affordable housing units and the type and location;
- ii) timing of the construction of the affordable housing;
- iii) the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.

The affordable housing shall be provided in accordance with the approved arrangements.

5. The development shall not begin until formal written approval of the Local Planning Authority has been obtained to a scheme for the provision of open space as part of the development. Such details shall include:

The arrangements to ensure the provision and maintenance of open space including the payment of commuted sums.

The development shall not begin until formal written approval of the Local Planning Authority has been obtained to a scheme for the provision of open space as part of the development.

Such details shall include:

The arrangements to ensure the provision and maintenance of open space including the payment of commuted sums.

6. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with a scheme to be agreed with the Local Planning Authority and which shall be completed prior to the proposed development being brought into use.

7. The detailed layout, design, means of traffic calming, street lighting, signing, drainage and construction of the foot ways, school car parking area, and highway improvements adjacent to the site, and relocation of the play equipment shall be submitted to and approved by the Local Planning Authority prior to the commencement of any work on site and they shall be constructed in accordance with the approved drawings before any housing development starts on site.

8. The detailed layout, design, means of traffic calming, street lighting, signing, drainage and construction of the internal estate roads shall be submitted to and approved by the Local Planning Authority prior to the commencement of any work on site.

9. The school car park shall be for the sole use of the school and shall be hard surfaced and white lined and available for use before the commencement of construction of the dwelling.

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10. The finished floor levels of the proposed dwellings shall be set at no less than 52.2m AOD.

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11. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such scheme shall be implemented before the construction of any impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority

12. None of the trees within the application site shall be lopped, topped, or felled without the prior written approval of the Local Planning Authority.

13. The layout plan submitted with the application has been treated for illustrative purposes only and does not form part 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.
2. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
4. To ensure the provision of affordable housing in accordance with the Authority's policies.
5. To ensure the provision of open space in accordance with the Authority's policies.
6. 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.
7. In the interests of the free and safe movement of all users of the highway and to ensure the formation of a safe and satisfactory access.
8. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
9. 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.
10. To reduce the flood risk to existing development.
11. To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
12. In the interests of visual amenity.
13. For the avoidance of doubt.

NOTES TO APPLICANT:

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991). You are advised of the Denbighshire County Council's Specification for Road Construction. You are advised of the Denbighshire County Council's General Notes for Highway Lighting Installations.

You are advised of the Denbighshire County Council's General Requirement for Traffic Signs and Road Markings.

In relation to Condition No. 10, the Environment Agency suggest that to achieve any attenuation of surface waters on site, the use of Sustainable Urban Drainage Systems (SuDS) should be investigated, further information about which can be found in CIRIA publications C522 SuDS - Design manual for England and Wales & C523 SuDS - Best practice Manual.

Any works (including temporary works) in, under, over or adjacent to any watercourse may require the formal consent of the Environment Agency prior to works commencing. In accordance with the Agency's "no-culverting" policy, consent for culverting will only normally be granted for site access purposes.

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environmental Protection Act 1990.

The activity of importing waste into the site for use as, for example hardcore, must be registered by the Environment Agency Wales as an exempt activity under the Waste Management Licencing Regulations 1994.

You are advised to contact the case officer in the Development Control section to discuss sketch ideas for the development, including the location of the car parking area, access

proposals, footways, the retention of trees within the site, and the relocation of the frontage stone wall as part of the scheme.

ITEM NO: 19

WARD NO: Llandyrnog

APPLICATION NO: 24/2006/1029/ PF

PROPOSAL: Change of use from open space to extension to residential curtilage to form side path to dwelling (retrospective application)

LOCATION: Part of Amenity Area Land adjoining 15 Bro Clywedog Rhewl Ruthin

APPLICANT: Mr Eifion Howatson

CONSTRAINTS: C2 Flood Zone
250m Of Landfill Site

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

CONSULTATION RESPONSES:

23. LLANYNYS COMMUNITY COUNCIL

"The council has no objections to the planning application and plans".

2. PROPERTY SECTION

Awaiting response.

RESPONSE TO PUBLICITY:

Letters of representation received from:

1. Mrs. R. Hughes, 8, Bro Clywedog, Rhewl, Ruthin
2. Mrs. L. House, 11, Bro Clywedog, Rhewl

Summary of planning based representations:

- (i) The loss of open space would result in a loss of amenity for the area
- (ii) Should the application be approved it would set a precedent for future encroachment onto the open space

EXPIRY DATE OF APPLICATION: 24/10/2006

REASONS FOR DELAY IN DECISION:

- timing of receipt of representations

PLANNING ASSESSMENT:**THE PROPOSAL:**

1. The application site is located at the end of the residential cul-de-sac known as Bro Clywedog. It is within the development boundary of Rhewl and is an open piece of land situated between 2 no. two storey houses. To the rear of the site are open fields.
2. The land has no official designation in the Unitary Plan, but is an informal open space which is utilised by the residents of Bro Clywedog. It has an area of approximately 360 square metres.

3. It is proposed to change the use of a small section of the open space land to part of the residential curtilage of an adjacent property. The strip of land measures 1.5 metres wide and lies to the north east of the existing curtilage of 15 Bro Clywedog. The area of this land is approximately 33 square metres.
4. The strip of land is already used by the owners of 15 Bro Clywedog as part of their residential curtilage, and a shed has been erected on this land as well as a paved path being laid to the rear garden. The application is therefore retrospective, and has been submitted in response to enforcement investigations, which commenced in June 2006. The shed encroaches beyond the extended curtilage and therefore would not form part of this permission and needs to be pursued through enforcement action.

RELEVANT PLANNING HISTORY:

5. The property, 15 Bro Clywedog, has recently been extended (application no. 24/2005/0799 – Granted – 15/9/2005) by way of a 2 storey side extension to the elevation facing the open space. This extension filled in the existing space to the side of the house.

PLANNING POLICIES AND GUIDANCE:

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
 Policy GEN 1 – Development Within Development Boundaries
 Policy GEN 6 – Development Control Requirements
 Policy REC 1 – Protection of Existing Open Space
 Policy HSG 16 – Extensions to Domestic Gardens

GOVERNMENT GUIDANCE

Planning Policy Wales, March 2002

MAIN PLANNING CONSIDERATIONS:

7.
 - (i) Principle of development/incursion into recreation area.
8. With regard to the main considerations:

Principle of development
 Policy HSG16 relates mainly to extensions to domestic gardens outside development boundaries and therefore is not a prime consideration in determining this application, but guidance contained within this policy is considered pertinent. Generally, proposals to extend residential curtilages should not exceed the existing garden area of a property, and they should not have an unacceptable impact on the character of the area.

Given the nature of the application site, Policy REC 1, which seeks to protect areas of existing open space is a material consideration. Policy REC 1 seeks to protect open areas, but concede that there may be circumstances where the loss would have no significant effect on the local open space or the amenity and character of the area.

In consideration of this application, the scale of the proposal is the most important issue. The amount of open space lost would be a narrow 1.5m slither amounting to 33 square metres, leaving an open area of approximately 327 square metres. It is not considered that the loss is significant enough to be detrimental to either the character or function of the remaining open space, or the character of the area.

Concerns raised regarding the setting of a precedent should this application be approved, are noted. However, it must be stressed that any future application would have to be considered on its own merits so that the impact on the open space area on Bro Clywedog would be fully assessed.

9. The existing location of the shed lies beyond the curtilage area, is not visually acceptable and is subject to a recommendation for enforcement action.

SUMMARY AND CONCLUSIONS:

10. It is considered that this proposal would not conflict with policy, as the area of land involved is limited and there would still be sufficient open space remaining to accommodate the needs of the community. There would be no negative impact upon the amenity of the area.

RECOMMENDATION: (A) GRANT - subject to the following conditions:-

1. The extension to residential curtilage hereby permitted shall not exceed 1.5 metres width as measured from, and parallel to the west elevation of 15 Bro Clywedog.
2. A boundary fence or wall shall be erected and retained at a height of no less than 1.8 metres above ground level along the site boundary in accordance with such detail as may be approved in writing by the Local Planning Authority. The fence or wall shall not project forward of the front building line of 15 Bro Clywedog, and it shall be erected within three months of the date of this permission.

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

1. For the avoidance of doubt.
2. In the interests of amenity.

NOTES TO APPLICANT:

None

RECOMMENDATION (B)

That authorisation is given for the following:

- (i) Serve an Enforcement Notice to discontinue the unauthorised use of land and remove the garden shed.

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.

ITEM NO: 20

WARD NO: Llanrhaeadr Yng Nghinmeirch

APPLICATION NO: 25/2006/0956/ PF

PROPOSAL: Erection and operation of 60 metre anemometry mast for the purpose of collecting wind resource data

LOCATION: Land East Of Bwlch Du Cerrig Road Nantglyn Denbigh

APPLICANT: FIM Limited

CONSTRAINTS:

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

CONSULTATION RESPONSES:

1. NANTGLYN COMMUNITY COUNCIL
 "A public meeting was held in Nantglyn Church House on Friday 6 October. The meeting was well attended by local residents and the two applications for wind monitoring masts were discussed. The overwhelming opinion was that this community council should OBJECT to the applications for the following reasons.
 - i) Pending the outcome of current work done between Denbighshire CC and Conwy CBC, the Supplementary Planning Guidance has not yet been agreed. Until such time as it is agreed, it is unreasonable to assume whether the location of these applications will be inside or outside the Strategic Search Area defined in TAN8.
 - ii) Local residents felt that Nantglyn was adversely visually impacted by the existing 25 turbines at Tir Mostyn/Foel Goch and that additional developments would add to this.
 - iii) Considerable concern was expressed regarding the potential for further noise pollution. A significant number of those present reported adverse noise from the existing turbines and felt that additional turbines might well add to the problem, especially as it is to be assumed that the overall height of any new turbines will be greater than that of the existing ones.

Whilst it is accepted that this application is purely for monitoring masts and that further planning applications for the development site would follow, it was nevertheless felt that an objection at this stage would indicate the concern of this community to any further turbine developments in the area".
2. LLANRHAEADR YC COMMUNITY COUNCIL
 "No comments on the application and plans".
3. THE RAMBLERS ASSOCIATION
 Consider the mast would be intrusive in its rural setting, but feel that in view of TAN 8 guidance, objections would be worthless. Request strict conditions are imposed if permission is granted in relation to the length of permission, removal of the structure, and reinstatement of the land.

4. COUNTY ARCHAEOLOGIST
No objections
No known archaeological sites in the area of the proposed development
5. PRINCIPAL ENVIRONMENTAL HEALTH OFFICER (Pollution Control)
No comments.
6. CLWYD POWYS ARCHAEOLOGICAL TRUST
Requested the applicants' agents to contact CADW to ascertain the location of the scheduled Ancient Monument known as Bwlch Du Round Barrow. Have confirmed subsequently that the mast will not affect any known archaeological site.

RESPONSE TO PUBLICITY:

Letters of representation received from:-

1. Richard Welch, Plas Nantglyn, Nantglyn
2. Ralph Fleming, Ty Isa Waen, Nantglyn
3. Terri Fleming, Ty Isa Waen, Nantglyn
4. Ian Gardner, Bwlch Du, Nantglyn

Summary of planning based representations:

- (iii) Monitoring masts are a first stage in the process of further wind turbine development with associated visual and noise problems.
- (iv) The extent of the Strategic Search Area for turbines has not yet been determined so no further testing should be allowed.

EXPIRY DATE OF APPLICATION: 09/10/2006

REASONS FOR DELAY IN DECISION:

- additional information required from applicant agent

PLANNING ASSESSMENT:

THE PROPOSAL:

1. This application and one which appears earlier on the agenda (23/2006/0955/PF), are for permission to erect anemometry masts for a temporary period. The masts are to collect data to form part of the assessment of a potential wind farm design process in locations within the Clocaenog Forest Strategic Search Area, identified by Welsh Assembly Government as a preferred area for turbine development. They consist of a galvanised steel tube, anchored by steel guy wires.
2. Application 25/2006/0956/PF relates to a 60 metre mast on a site immediately to the east of Bwlch Du, in the Nantglyn Community Council area. The site is some 1km to the west of existing turbines at the Tir Mostyn wind farm, and 1km north of the site proposed for the mast in the Llanrhaeadr YC area.
3. The two applications are submitted by National Power Consultants Limited, acting as technical advisors and agents for a company FIM Limited. A statement with the applications refers to Windpower Wales Ltd, as principal project developers working alongside FIM, and it outlines the general context of wind turbine developments, and the relevance of the Strategic Search Area of Clocaenog Forest.
4. The agents have been asked for further information to clarify why existing data is inadequate, the need for two masts within 1km of one another, the potential for

collaboration with other potential turbine developers (to avoid a proliferation of masts), and the archaeological situation. In summary, they have indicated:

- i) Data from Tir Mostyn would not be 'viable' (influenced by wake from turbines) the tower height is lower than the proposed measuring mast and would not provide sufficient information, the purpose of the Tir Mostyn masts are to monitor existing turbine performance, and the Tir Mostyn data is commercially sensitive which would be difficult to obtain.
 - ii) Two masts are required because it is necessary to determine the effect the forestry has on wind flow – one mast would cover an area of open moorland and the other an area of commercial forestry and allow assessment of the viability of development in both areas.
 - iii) Potential proliferation of masts should not be a significant issue, given the temporary nature of the masts, and the minor visual impact they would have by virtue of their actual size and the distances from which they would be visible.
 - iv) Collaboration with other companies seeking anemometry masts can be investigated, but there are difficulties as investors and turbine suppliers require warranties for data on sites other than where the monitoring masts are located. Similarly, data sharing is subject to the same warranty issues, and there is a commercial sensitivity over collected data.
 - v) The Royal Commission on the Ancient and Historical Monuments of Wales have advised that the location of the Bwlch Du Round Barrow is 600m to the west of the Clwyd Powys Archaeological Trust's record, confirmed by CADW's GIS database. The agents have commissioned CPAT Field Services to undertake a desk top study and walkover survey of the open area, which has been completed with no evidence of the Scheduled Monument within the site boundary.
5. The mast would be located on land within the refined Clocaenog Forest Wind Farm Zone which currently forms part of the draft joint Denbighshire/Conwy Supplementary Planning Guidance – Onshore Wind Farms.

RELEVANT PLANNING HISTORY:

6. None.

PLANNING POLICIES AND GUIDANCE:

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3rd July 2002)
Policy GEN 6 – Development Control Requirements
Policy MEW 8 – Renewable Energy
Policy MEW 10 – Wind Power
- Supplementary Planning Guidance
SPG 23 – Joint Conwy/Denbighshire SPG "On Shore Wind Farms" (draft issued January 2006,
subject to ongoing review)

GOVERNMENT GUIDANCE

Planning Policy Wales March 2003

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

MAIN PLANNING CONSIDERATIONS:

8.

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

9. In relation to the main considerations:

i) Principle of development

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

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

With due respect to the concerns outlined in responses, these are directed mainly at the principles and impacts of the development of wind turbines, rather than temporary siting of relatively unobtrusive wind monitoring masts. It would be inappropriate to refuse permission for a wind monitoring mast on grounds that it would be a precursor for a wind turbine development, which would have to be considered on its respective merits against policies and guidance.

ii) Visual/Landscape/wildlife impact

Whilst accepting potential concerns over the impact on visual and landscape quality, these would not really be relevant to a slender monitoring mast, proposed for a temporary period. There is negligible noise generation from a monitoring mast, and it would be difficult to argue there would be significant impact on the locality from it.

iii) Archaeological implications

The County Archaeologist has confirmed that there are no concerns with regards to the impact on the Bwlch Du Round Barrow. The agents have investigated the matter with the RCAHM, CADW, and CPAT, and are satisfied that the monument is not within the application site.

SUMMARY AND CONCLUSIONS:

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

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

- 1. The development hereby permitted shall be commenced no later than 1 year from the date of grant of this permission.
- 2. The mast shall be removed from the site no later than 2 years from its installation, and the land around the anchors and any access tracks shall be reinstated within a 3 month

period of its removal in accordance with such detailed proposals to be submitted to and approved in writing by the Local Planning Authority.

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

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

NOTES TO APPLICANT:

None

PWYLLGOR CYNLLUNIO
CYFARFOD: 8fed Tachwedd 2006
Eitem: 3

PLANNING COMMITTEE
MEETING: 8th November 2006
Agenda Item: 3

MATERION GORFODAETH

- (i) **ENF/ 2005/0064:** Tir oddi ar A542 Yr Oernant
Llangollen

Lleoli Carafán at ddibenion preswyl

- (ii) **ENF/2005/0107:** Padog yn Nhrefnant, Ffordd Henllan,
Llanelwy

Carafán ar lawr caled ar dir amaethyddol

- (iii) **ENF/2005/0116:** 1, Artillery Row, Bodelwyddan

Isrannu cwrtil preswyl i greu dwy uned
breswyl

- (iv) **ENF/2006/0085:** 35, Llys Ogwen, Prestatyn

Rhedeg busnes Hufen lâ o eiddo preswyl

PLANNING ENFORCEMENT REPORT

REFERENCE: ENF/2005/00064
LOCATION: Caravan on Land off A542 Horseshoe Pass Llangollen
INFRINGEMENT: Siting of caravan for residential purposes

RELEVANT PLANNING POLICIES AND GUIDANCE

DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy GEN 6 – Development Control Requirements
Policy GEN 3 – Development outside Development Boundaries
Policy ENV2 – Development affecting the AONB

GOVERNMENT GUIDANCE
Planning Policy Wales 2002
Technical Advice Note (Wales) 9 : Enforcement of Planning Control

HUMAN RIGHTS CONSIDERATIONS

The rights of a person to residence in a caravan (deemed to detrimentally affect the character and appearance of an Area of Outstanding Natural Beauty) does not outweigh the right of the Local Planning Authority to protect the amenity of the area. No Human Rights issues have been raised in this case.

1. BACKGROUND INFORMATION

- 1.1 The existence of the caravan allegedly being used for residential purposes was first reported to a member of the Enforcement Team on 19 May 2005. A subsequent search undertaken by HM Land Registry revealed the owner of the land on which the caravan was located, was Mr David Richard Parry.
- 1.2 A Planning Contravention Notice was first served on Mr Parry on 25 May 2005 at the address which appeared on the copy Title Deeds provided by HM Land Registry. Mr Parry responded & confirmed that he did stay “sometimes” on the property.
- 1.3 A second Planning Contravention Notice was served on Mr Parry on 22 August 2005. This was re-served on 22 September 2005 as it was returned by the Post Office as “not called for”. This was not responded to. A further PCN was served on 2 February 2006 and Mr Parry responded to advise that due to unfortunate circumstances he was living in the caravan as he had been unable to find alternative accommodation
- 1.4 On 17 August 2006, an Enforcement Officer wrote to Mr Parry to enquire if he was still living in the caravan sited on the land. Mr Parry responded on 28 August 2006 to advise he was still having problems finding a home and was therefore still living in the caravan on his land.

- 1.5 Due to the unfortunate circumstances of Mr Parry, the Enforcement Team has allowed him a period of time to make alternative arrangements. However, 17 months have now passed and Mr Parry has continually failed to find alternative accommodation.

2. REASONS FOR ISSUING AN ENFORCEMENT NOTICE

- 2.1 The residential use of a caravan in the open countryside has a detrimental impact on the amenity of the area designated as an AONB and is therefore not acceptable.
- 2.2 The residential use and siting of this caravan in this open countryside location harms the visual amenities of the designated AONB and is contrary to Policy ENV 2 of the adopted Unitary Development Plan. To allow a residential use outside any designated settlement boundary would be contrary to strategic policies within the adopted Unitary Development Plan along with Policies GEN 3, GEN 6 and HSG 6 which seek to ensure residential development is confined within settlement boundaries unless it is providing an essential agricultural or forestry need. The occupant of the caravan is not undertaking any agricultural operations on this land.
- 2.3 The use of conditions as part of any grant of planning permission for the retention of this residential caravan would not overcome the strict policy objections to the existing breach of control.

3. RECOMMENDATION

- 3.1 That authorisation be granted for the serving of an Enforcement Notice with a 2 month compliance period ordering the cessation of use of the caravan as a residence and furthermore, the removal of the caravan from the land.
- 3.2 To instigate prosecution proceedings where any person on whom a Notice has been served fails or refuses to comply with the provisions of the Notice.

PLANNING ENFORCEMENT REPORT

REFERENCE: ENF/2005/00107

LOCATION: Paddock on Henllan Road, Trefnant, St. Asaph

INFRINGEMENT: Caravan on hard-standing on agricultural land

RELEVANT PLANNING POLICIES AND GUIDANCE

DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy GEN 6 – Development Control Requirements
Policy GEN 3 – Development outside Development Boundaries

GOVERNMENT GUIDANCE

Planning Policy Wales 2002
Technical Advice Note Wales (9) – Enforcement of Planning Control

HUMAN RIGHTS CONSIDERATIONS

The provisions of the Human Rights Act 1998 are taken into account when considering taking enforcement action. The rights of the contravenor in this instance do not outweigh the adverse impact that the siting of a static caravan on the land in question would have on the character and appearance of the countryside.

1. BACKGROUND INFORMATION

- 1.1 The parcel of land in question is located opposite the entrance to the farm buildings of Penucha'r Green. It is bordered to its north by the Henllan/Trefnant road and to its east by a public footpath. The land is purely agricultural, currently used for the grazing of horses.
- 1.2 On the 21st September 2005, the siting of a large static caravan on this land in the north-east corner of the field close to the road and public footpath, was reported to the Planning Department. The site was visited and it was evident that limited development had taken place in that an area of hard-standing had been created topped with coarse gravel. A gravel track had also been laid between the field access and the area of hard-standing where the caravan is located. The caravan was furnished and carpeted; there was no apparent agricultural use, there were no agricultural materials stored within. On subsequent site visits horses have been seen grazing on the land.
- 1.3 Correspondence seeking removal of the caravan was forwarded to the land owner on the 7th October 2005. There was no response to this letter, nor was the caravan removed.
- 1.4 On the 7th November 2005, a Planning Contravention Notice was forwarded to the land owner. This was returned on the 24th November 2005. The land owner completed the questionnaire attached to the Notice. He contended that the land was

for agricultural use and that the caravan was used for the 'storage of tools and basic equipment for agricultural use' and 'to house materials such as fence posts, wire and other tools as well as feed for the animals'. He denied that the caravan was used for residential purposes, nor was there any intention to put it to such a use in the future.

- 1.5 It has been noted that since this matter has been brought to the attention of the land owner, the curtains within the caravan have been drawn closed, preventing a view inside.

2. REASONS FOR ISSUING AN ENFORCEMENT NOTICE

- 2.1 The unauthorised change of use of the land by the siting of a large static caravan and the creation of an area of hard-standing and a track, is a clear breach of the Council's policies in attempting to preserve the character of the open countryside.
- 2.2 The caravan is sited within thirty metres of a public footpath and in clear view. Although the caravan is located adjacent to a hawthorn hedge bordering the Henllan/Trefnant road, the roof of the caravan can be seen by travellers using the road.
- 2.3 Although there is no evidence of residential use, clearly, a static caravan of this size and the hard-standing and track could support such a use.
- 2.4 The development and change of use has occurred within the last ten years.
- 2.5 The imposition of conditions as part of any planning permission would not overcome the unacceptable impact on the character and appearance of the open countryside.
- 2.6 The land owner has refused to voluntarily remove the static caravan and it is necessary to serve an Enforcement Notice to remedy the breach.

3. RECOMMENDATION

- 3.1 That authorisation be granted for Officers to take appropriate enforcement action to ensure the following:
 - (i) The removal of the static caravan.
 - (ii) The restoration of the land by the removal of the area of hard-standing and track.

Authorisation is also sought to enable Officers to take appropriate legal action against any person who fails to comply with any Enforcement Notice served in connection with points (i) and (ii) above.

PLANNING ENFORCEMENT REPORT

REFERENCE: ENF/2005/00116

LOCATION: 1 Artillery Row, Bodelwyddan, Denbighshire

INFRINGEMENT: Sub division of residential curtilage to create two residential units

RELEVANT PLANNING POLICIES AND GUIDANCE

DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy GEN 6 – Development Control Requirements

GOVERNMENT GUIDANCE

Planning Policy Wales 2002

Technical Advice Note (Wales) 9 – Enforcement of Planning Control

HUMAN RIGHTS CONSIDERATIONS

The provisions of the Human Rights Act 1998 are taken into account when considering taking action against breaches of planning control. In this instance the matters under consideration relate to the rights of an individual to create a separate dwelling. These rights are outweighed by policy considerations that seek to ensure that any new dwellings provide an acceptable level of amenity for existing and prospective occupiers.

1. BACKGROUND INFORMATION

- 1.1 On the 28th September 2005, it was drawn to the attention of the Planning Department that a static caravan had been sited within the cartilage of 1 Artillery Row, Bodelwyddan. This property is a semi-detached dwelling located in an established residential area.
- 1.2 An inspection of the site revealed that for all intents and purposes, the curtilage of 1 Artillery Row had been divided to create two separate residential plots. A separate vehicular access and fencing at a height of two metres had been erected around the static caravan located within the garden area to the north of the main residence.
- 1.3 The caravan is occupied on a permanent basis by the parents of the owner/occupier of 1 Artillery Row.
- 1.4 On the 16th November 2005, a Planning Contravention Notice was served upon the owner/occupier of 1 Artillery Row. When a failure to respond to the Notice was challenged, it was contended that the required completed questionnaire had been returned to the Planning Department. As this could not be contested, a second Planning Contravention Notice was forwarded on the 9th February 2006. This was duly returned on the 17th February 2006.
- 1.5 The owner/occupier detailed that the static caravan had been sited in its current location on the 1st September 2006 and the fencing erected later the same month. It is occupied by the parents of the owner/occupier.

- 1.6 On the 20th April 2006, a further site visit took place by Officers of the Planning Department. Based upon their findings, a letter dated the 28th April 2006, was forwarded to 1 Artillery Row outlining that there was a clear breach of planning regulations. It was outlined that it was evident that significant works had been undertaken to ensure the caravan and the land on which it is sited is physically and functionally separated from the main dwelling. It was indicated that should planning permission be sought it was unlikely to receive a favourable response.
- 1.7 It was stated that the situation could be remedied by closing the additional vehicular access and removal of the fencing sub-dividing the curtilage of the main dwelling. A period of twenty one days was given for this work to be undertaken in order to re-establish the single residential character of the main dwelling.
- 1.8 No response has been received following this letter and a subsequent site visit on the 10th August 2006, revealed that there had been no change and the curtilage of 1 Artillery Row remained sub-divided.

2. REASONS FOR ISSUING AN ENFORCEMENT NOTICE

- 2.1 The residential use of the static caravan and the development work undertaken to sub-divide the curtilage of a single residential property, commenced within the last four years.
- 2.2 The use of the static caravan as a single dwelling, due to its size, siting and proximity to the existing main dwelling at 1 Artillery Row, would not provide an acceptable standard of residential amenity for its occupant(s), or the occupant(s) of the main dwelling. This would be contrary to the criteria of policy GEN 6 of the adopted UDP.
- 2.3 The use of the static caravan due to its size, siting, design and appearance would be out of character with the existing residential properties in the locality and could create a precedent for other similar proposals.
- 2.4 The imposition of planning conditions would not overcome the objections on policy grounds to this breach of planning control.

3. RECOMMENDATION

- 3.1 That authorisation be granted for Officers to take appropriate enforcement action to ensure the following:
 - (i) The removal of the vehicular access serving the static caravan and the removal of the fencing causing a sub-division of the curtilage of 1 Artillery Row.
 - (ii) To instigate appropriate legal action against any person who fails to comply with any Enforcement Notice served in connection with the above point.

PLANNING ENFORCEMENT REPORT

REFERENCE: ENF/2006/00085

LOCATION: 35 Llys Ogwen Prestatyn

INFRINGEMENT: Running of an ice cream business from residential property.

RELEVANT PLANNING POLICIES AND GUIDANCE

DENBIGHSHIRE UNITARY DEVELOPMENT PLAN
Policy GEN 6 - Development Control Requirements

CENTRAL GOVERNMENT GUIDANCE
Planning Policy Wales – March 2002
Technical Advice Note (Wales) 9 – Enforcement of Planning Control

HUMAN RIGHTS CONSIDERATIONS

The provisions of the Human Rights Act 1998 are taken into account when considering taking action against unauthorised development of land and other related matters. In this instance, the matters under consideration relate to the rights of an individual to run an ice cream van business from a residential property. These rights have to be weighed up against the relevant policies which seek to ensure that developments do not adversely impact on visual amenity and highway safety.

No specific human rights issues have however been raised by the owner of the land or by any other interested party in this matter.

1. BACKGROUND INFORMATION

- 1.1 The site occupies an end plot in a quiet cul-de-sac on the recently built Tower Gardens housing estate in Prestatyn. The property is a detached two storey residential house.
- 1.2 In July 2006, an Officer of the Council received a complaint from an anonymous local resident that the occupant of 35 Llys Ogwen had started to operate three ice cream vans from the property. The complainant wished to complain that the operation was causing disturbance to residents. The disturbance was in the form of noise caused by the vans being prepared by generators each morning, and by the loading of the vehicles. Disturbance was also caused by the people driving the ice cream vans parking their own vehicles in the cul-de-sac.
- 1.3 On July 21st 2006 the occupants of the property were written to and advised to contact the Council in order to discuss the allegations. No contact has been received from the occupants.
- 1.4 On August 10th 2006 a Planning Enforcement Officer visited the property and found that three ice cream vans were parked on the drive. The registration numbers of the three ice cream vans were D446RHJ, E409CDM, and C499CON. Windows on the vans and the house were opened and wires were leading from the house to each of the vans. There was no reply at the property when the Officer knocked.

- 1.5 A Land Registry search disclosed who the property was registered too, and on September 21st 2006 Fiona Morley was served with a Requisition for Information form by registered post. This was returned by the Post Office as it had not been collected.
- 1.6 On October 24th 2006, a Planning Enforcement Officer visited the property and found that the ice cream van with the registration number D446RHJ was parked on the drive. There was no reply at the property when the Officer knocked.
- 1.7 Whilst no valid retrospective planning application has been submitted in respect of this development, it is considered that any such planning application would have been recommended for refusal due to the adverse residential impact of the business operation that led to the first complaint.
- 1.8 It is therefore requested that Members authorise the required enforcement action for the cessation of the business operation from the residential property.

2. REASONS FOR ISSUING AN ENFORCEMENT NOTICE

- 2.1 The unauthorised change of use has taken place within the last ten years.
- 2.2 The running of three ice cream vans out of the residential property has an adverse impact on the residential and visual amenity of the dwelling and street scene due to its intensity which is contrary to criteria i and v of Policy GEN 6 of the Unitary Development Plan.
- 2.3 The imposition of conditions as part of any grant of planning permission for the unauthorised change of use would not overcome these objections.

3. RECOMMENDATION

- 3.1 That authorisation be given for the following:
 - (i) Serve an Enforcement Notice to secure the removal of the ice cream vans and the cessation of the parking, maintenance and storage of ice cream vans at the premises.
 - (ii) Instigate prosecution proceedings, or other appropriate action under the Planning Act, 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.

ADRODDIAD GAN Y PENNAETH CYNLLUNIO A DIOGELU'R CYHOEDD

FFIOEDD A THALIADAU I'R PWYLLGOR CYNLLUNIO

1. PWRPAS YR ADRODDIAD

1.1 Ceisio cymeradwyaeth y Pwyllgor Cynllunio ar gyfer ffioedd a thaliadau diwygiedig ac ychwanegol ar gyfer gwasanaethau a ddarperir gan Adran Rheoli Datblygiad Gwasanaeth Cynllunio a Diogelu'r Cyhoedd.

2. CEFNDIR

2.1 Mae gan y Pwyllgor Cynllunio bwerau dirprwyedig i osod ffioedd a thaliadau ar gyfer swyddogaeth Awdurdod Cynllunio Lleol y Cyngor. Cyflwynwyd adroddiad i Bwyllgor Craffu'r Amgylchedd ar 5 Hydref 2006 yn nodi meysydd posibl ar gyfer ffioedd a thaliadau ychwanegol. Atodir copi o'r adroddiad hwn fel **Atodiad A**. Mae'r adroddiad yn cynnig cyfiawnhad ar gyfer y meysydd newydd o ffioedd a thaliadau. Penderfynodd y Pwyllgor Craffu gefnogi'r argymhellion a nodwyd yn yr adroddiad.

2.2 Mae yna un diwygiad i'r cynigion a roddwyd gerbron y Pwyllgor Craffu. Yn dilyn cyngor y Pennaeth Rheoli Cofnodion, ni ellir cyfiawnhau'r cynnig yn ymwneud â chodi tâl am adalw ffeiliau i'w harchwilio, fel y nodir ym mharagraff 4.8 yr adroddiad, o dan y Ddeddf Rhyddid Gwybodaeth a'r Ddeddf Diogelu Data. Felly, ni fydd y cynnig hwn yn cael ei weithredu.

2.3 Yn ogystal â ffioedd a thaliadau newydd, mae yna daliadau eraill sy'n berthnasol i'r swyddogaeth gynllunio ac y mae angen eu hadolygu yng ngoleuni'r ddeddfwriaeth Rhyddid Gwybodaeth. Nodir tabl o ffioedd a thaliadau ar gyfer 2007 yn **Atodiad B** ac mae'n adlewyrchu'r taliadau ar gyfer copïo a fydd yn cael eu gosod ar lefel Cyngor ac a fydd yn berthnasol drwy'r Cyngor Sir.

3. ARGYMHELLIAD

3.1 Bod y Pwyllgor Cynllunio yn cytuno ar y ffioedd a'r taliadau a nodir yn **Atodiad B** sydd wedi'i atodi ar gyfer 2007.

ENVIRONMENT SCRUTINY COMMITTEE

5 October 2006

Report by the Head of Planning and Public Protection

Fees and Charges for Planning Committee

1. **Purpose of Report**

- 1.1 To seek Members views on potential areas for additional fees and charges for services provided by the Development Control Section of the Planning and Public Protection Service. The views of the Environment Scrutiny Committee will be conveyed to the Planning Committee who determine fees and charges for planning related services.

2. **Reason for Submission of Report**

- 2.1 The Development Control and Planning Compliance Section of the Planning and Public Protection Service provide principally a statutory service of dealing with planning applications, planning enforcement, and planning appeals. Planning applications are subject to fees set by Government. Other ancillary non-statutory services are provided to customers to compliment the core functions with the principle aims of providing an accessible customer focused service and improving the quality of development.
- 2.2 In the context of the need to increase income and make savings there is a need to review whether some of the non-statutory functions can be subject to fees and charges and also to set fees for some specific areas where the Council are obliged to set fees e.g. high hedges legislation and monitoring of mining and landfill sites. The views of the Scrutiny Committee are sought on potential areas for additional income prior to consideration by the Planning Committee who have delegated powers to set charges for planning related services.

3. **Background**

- 3.1 This report should be seen in the context of:
- i) The Wales Programme for Improvement and the Council's own Improvement Plan which seeks to achieve efficiencies and savings, including additional income streams.
 - ii) The introduction by Section 53 of the Planning and Compulsory Purchase Act 2004 and the ability of a Local Planning Authority to set a charge or fee for the performance of any planning function they have, including incidental functions.

iii) The need for the service to focus on core statutory responsibilities to maintain performance against indicators and meet other key objectives within the directorate, service, and operational plans.

3.2 Certain fees and charges are being set at corporate level in accordance with the Corporate Charging Policy which is to be approved in the near future e.g. copying charges and requests for information under the Freedom of Information Act and Environmental Information Regulations. Therefore, this report focuses on discretionary charges unique to the planning function.

4. **Potential Areas for Introduction of Fees and Charges**

4.1 The following are potential areas for the introduction of fees and charges and areas where there has been a charge historically but there is a need for a review and updating of the charge.

Pre-application advice

4.2 Pre-application advice is an important service provided to improve the quality of submissions and assist customers in understanding the planning process and regulations. Historically, there has been resistance to introducing fees for pre-application advice as this would be seen as a deterrent to discussion and negotiation. Indeed case law has prevented Local Planning Authorities from introducing such charges in the past (R v Richmond Upon Thames Borough Council). However, legislation now allows for such charging.

4.3 Pre-application advice is provided in a number of ways notably:

- i) Through an appointment system at Planning Surgeries at the main towns in the County. This has focused the majority of pre-application enquiries, particularly on the more straight forward planning issues, into a structured and publicised format. It is not considered appropriate to introduce charges for attendance at surgeries.
- ii) Through a request for pre-application site meetings. These can be time consuming and disruptive to the officers working week. Whilst they can add value at pre-application stage they should be used selectively. This is an area which has potential for setting a fee.
- iii) Development Team Approach meetings – these tend to be operated for larger schemes where an applicant requires advice on a number of technical issues with the planning service providing the co-ordination and final advice based on a balancing of the issues. They are an important tool in improving the quality of larger scale planning applications. Given that larger planning applications generate a significant fee and taking into account the benefits of the DTA, charging is not recommended.

Recommendation – That fee be set for pre-application site meetings. Suggested fee - £70 per site. The fee would cover researching planning history and constraints, attending the site meeting, and sending a written response following the meeting.

Need for Planning Permission

- 4.4 Certain development is permitted by the General Permitted Development Order and does not require planning permission i.e. permitted development. The regulations can be complex particularly in relation to householder development. We provide advice forms on the need for planning permission and building regulations consent but currently do not charge for this service. Receipt of request for advice for the need for planning permission requires research of the planning history, consideration of any planning constraints, e.g. conservation areas, AONB, and calculations based on the information provided by the customer. A written response is then provided. Customers act on the response either by undertaking the works as permitted development or seeking planning permission and/or building regulations consent. The response of the Council is used to indicate the legitimacy of the works for the benefit of future purchasers of the property. Whilst the advice is not a formal certificate of lawfulness of proposed development (which would generate a statutory fee) it is a more streamlined and customer friendly advice service. It is considered that it would be reasonable to impose an administrative charge.

Recommendation – That advice on the need for planning permission be subject to charging. A fee of £25 per request is recommended.

Development Monitoring

- 4.5 The service has now been operating a systematic development monitoring system since early 2006. As part of this system a “Compliance Certificate” is offered to those who have complied with all planning conditions and carried out the development in accordance with the permission. In addition, the service receives requests from a number of sources for confirmation that a development has been carried out in accordance with the planning permission. The “Compliance Certificate” would be a culmination of the development monitoring process and provide comfort for the developer and any subsequent interested parties that development had been properly carried out. Before issuing a “Compliance Certificate” there would be a requirement to review the development monitoring process, check the files, and carry out a site visit. Indications are that developers are prepared to pay for a “Compliance Certificate”.

Recommendation - That the “Compliance Certificate” be subject to a charge. A charge of £100 per site is recommended.

- 4.6 Amended Fees for Application Regulations introduced by WAG in April 2006 empower mineral and waste planning authorities to charge for visits to mining and landfill sites for the purposes of monitoring compliance with planning permissions. The Assembly have issued a guidance note on implementation and good practice in respect of the regulations. The regulations prescribe a fee for each visit to an active site of £288 and to an inactive site of £96. The charges are upon the operator. The monitoring service is likely to be undertaken by Flintshire officers on behalf of Denbighshire under the existing contract with Flintshire or a subsequent service

level agreement. The fees obtained would offset the costs of the contract or service level agreement.

Recommendation – That officers agree a monitoring regime with Flintshire and offset the fees for monitoring against the costs of the contract or service level agreement with Flintshire.

High Hedges

- 4.7 The Anti-Social Behaviour Act 2003 introduced new procedures for Local Authorities to deal with complaints about high hedges. As part of the procedure, which is operated by the Development Control Section, the Council are entitled to charge up to £320 for the investigation. The fee currently set by Denbighshire is £240 and has remained so since its introduction in January 2005. Other statutory planning fees have in the meantime increase by some 20%. There is a case for increasing the charge to the maximum.

Recommendation – That the fee for a high hedges investigation be increased to £320.

Other Charges

- 4.8 As stated above most other charges would be dealt with through the Corporate Charging Policy. However, there is one additional area which requires agreement. We operate a policy of open access to all planning application files (from 1947 to the present day). Recent files are stored at the Development Control Service office base in Caledfryn. However, all other files are currently stored in Prestatyn or archived in Ruthin. There is staff time involved in requesting and arranging for file availability if not held at the office base.

Recommendation – That planning application files that need to be retrieved from elsewhere are made available for a fee of £5.

5. Consultation Carried Out

- 5.1 With Finance Officers and Officers within the Directorate responsible for Freedom of Information and Environmental Information Regulations.

6. Implications on Other Policy Areas

- 6.1 There are no direct implications on other policy areas in this report.

7. Background Papers

- 7.1 (i) Planning and Compulsory Purchase Act 2004
(ii) Anti-Social Behavior Act 2003
(iii) Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 2006
(iv) Making The Connections : Delivering Better Services for Wales – WAG October

2004

(v) Wales Programme for Improvement Guidance

(vi) Denbighshire Improvement Plan 2005-2006 and Draft Improvement Plan 2006-2009

8. **Recommendation**

- 8.1 That the Committee support the recommendations set out in the report and that that support be conveyed to the Planning Committee when they consider the setting of fees and charges for 2007.

Contact Officer : Mark Dakeyne – Development Control Manager (Tel: 01824 706712,
e-mail: mark.dakeyne@denbighshire.gov.uk)

PLANNING - DEVELOPMENT CONTROL

CHARGING SCHEME 2006

	SERVICE PROVIDED	PRICE INC. VAT	POSTAGE & PACKAGING	FAX
A	PHOTOCOPIING SERVICE			
1	GENERAL COPIES (Black and White)			
	A4 per sheet or scanned image	10p	60p	£1-00
	A3 per sheet or scanned image	20p	60p	NA
	A2 per sheet or scanned image	£4-00	60p	NA
	A1 per sheet or scanned image	£5-00	60p	NA
	A0 per sheet or scanned image	£6-00	60p	NA
2	GENERAL COPIES (Colour)			
	A4 per sheet	£1-00	60p	£1-00
	A3 per sheet	£1-50	60p	
	A2 per sheet	£7-00	60p	
	A1 per sheet	£8-00	60p	
	A0 per sheet	£10.00	60p	
3	PUBLISHED REPORTS (A4 Size)			
	All Supplementary Planning Guidance (SPGs) Free on Internet from Feb 2004	£10-00	Free	N/A
	SPG - Complete set of Conservation Area Appraisals	£10-00	£2.50	N/A
	SPG Individual Brief, Note or Appraisal	£2.00	60p	£1.50
4	MISCELLANEOUS			
	Tree Preservation Order /Decision notices per A4 sheet	10p	60p	£1-00
	Listed Building Description per A4 sheet	10p	60p	£1-00
	SSSI Descriptions and Map per A4 sheet	10p	60p	£1-00
	Appeal Decisions/ Enforcement Notice per A4 sheet	10p	60p	£1-00
5	O.S. MAP EXTRACTS			
	Mapping package for Planning and Building Control Note: This cost is in addition to O.S. charge.	£5-00	60p	£1-00
B	OTHER SERVICES			
1	SITE HISTORY			
	Written requests for a search of land availability; or of the planning history, planning policy or site constraints of a specific site - including all copy certificates (minimum charge 1 hour)	£25 per hour (Or part hour)	N/A	N/A
2	PRE APPLICATION SITE VISIT			
	Research of Planning History, attendance on site, written response	£70	N/A	N/A
3	NEED FOR PLANNING PERMISSION			
	Written request to determine whether planning permission is required (includes research of planning history, calculation of dimensions supplied, written response)	£25 per request		

4	COMPLIANCE CERTIFICATE			
	Written requests for a check to be made as to whether development has been completed in accordance with approved plans or conditions (including a site visit)	£100-00 per site	N/A	N/A
5	HIGH HEDGES INVESTIGATION			
	Investigation of complaints about high hedges under the Anti-Social Behaviour Act 2003	£320		
C	EXEMPTIONS			
	Public and charitable bodies Community Councils and other Local Planning Authorities Statutory Consultees, The Press Information intended for educational purposes Elected members of the County Council in connection with Council business Information required to enable an appeal to be lodged			

NOTE: Planning Application Fees and fees for the Monitoring of Mineral and Landfill sites are set by Government

ADRODDIAD GAN Y PENNAETH CYNLLUNIO A DIOGELU'R CYHOEDD

DYDDIAD YMWELIADAU Â SAFLEOEDD

1. PWRPAS YR ADRODDIAD

- 1.1** Rhoi gwybod i Aelodau am ddyddiad tebygol unrhyw Ymweliadau â Safleoedd a ofynnwyd amdanynt cyn y Pwyllgor nesaf (13 Rhagfyr 2006)

2. DYDDIADAU YMWELIAD Â SAFLEOEDD

- 2.1** Trwy ymgynghori ag Adran Glerc y Sir, penderfynwyd mai **dydd Gwener 8 Rhagfyr** sydd fwyaf addas. Mae'r dyddiad hwn wedi'i gadw dros dro.
- 2.2** Fe'ch cynghorir felly, y bydd unrhyw ymweliadau â safleoedd sydd wedi'u trefnu heddiw neu cyn y Pwyllgor Cynllunio nesaf yn cael eu cynnal **dydd Gwener 8 Rhagfyr 2006**

3. AELODAETH O'R PANEL YMWELD Â SAFLEOEDD

- 3.1** Dyma fydd aelodau'r Panel Safleoedd:
Y Cadeirydd a'r Is-Gadeirydd, yr Aelod(au) Lleol a chynrychiolydd o'r Cyngor Tref neu Gymuned perthnasol.

4. ARGYMHELLIAD

- 4.1** **Bod aelodau'n cytuno ar gynnal yr Ymweliadau â safleoedd ar ddydd Gwener 8 Rhagfyr 2006**

ADRODDIAD GWYBODAETH GAN Y PENNAETH CYNLLUNIO
A DIOGELWCH CYHOEDDUS

CYN YSBYTY GOGLEDD CYMRU, DINBYCH
CAIS CYNLLUNIO COD RHIF. 1/2004/1445/PO

1. PWRPAS YR ADRODDIAD

- 1.1 I roi'r wybodaeth ddiweddaraf i'r Pwyllgor ar gynnydd yn ymwneud â gweithredu'r Cytundeb Adran 106 a datblygiad yn gyffredinol ar y safle.

2. CEFNDIR

- 2.1 Bydd aelodau yn ymwybodol o ddatblygiadau diweddar ynglŷn â chais cynllunio 1/2004/1445/PO. Yn y Cyngor Llawn ar 19 Medi 2006, ystyriwyd adroddiad yn rhoi'r wybodaeth ddiweddaraf ar y sefyllfa i aelodau, yn dilyn trafodaethau hirion gyda'r ymgeisydd dros gynnwys y Cytundeb Adran 106.
- 2.2 Roedd penderfyniad ffurfiol y Cyngor Llawn fel a ganlyn:
- (a) y dylid cytuno gyda phenderfyniad blaenorol y Cyngor i roi caniatâd cynllunio ym Mai 2005, yn amodol ar Rwymedigaeth S106 ac amodau;
 - (b) dylid cwblhau'r Rhwymedigaeth erbyn canol dydd, Dydd Gwener 29 Medi 2006;
 - (c) o fethu â chwblhau erbyn yr amser hwn, dylid gwrthod caniatâd cynllunio ar sail yr hyn a nodir yn y prif adroddiad a dylid cymeradwyo cyflwyno hysbysiad atgyweirio;
 - (d) dylai'r Pennaeth Cynllunio a Diogelwch Cyhoeddus gyflwyno adroddiad bob yn ail fis i'r Pwyllgor Cynllunio yn rhoi'r wybodaeth ddiweddaraf i aelodau ar gynnydd mewn perthynas â gweithrediad unrhyw Gytundeb Adran 106 y cytunwyd arno a datblygiadau yn gyffredinol ar y safle.

- 2.3 Yr adroddiad hwn yw'r cyntaf o'r adroddiadau 'bob yn ail fis' yn unol gyda phenderfyniad (d) y Cyngor Llawn.

3. CYNNYDD

- 3.1 Yn dilyn penderfyniad y Cyngor Llawn, cwblhawyd y Cytundeb Adran 106 yn ffurfiol ar 29 Medi, 2006.
- 3.2 Gan fod y Cytundeb Adran 106 wedi'i gwblhau erbyn y dyddiad gofynnol, roedd modd rhyddhau'n ffurfiol Dystysgrif Penderfyniad y cais cynllunio. Mae'r Dystysgrif hefyd wedi'i dyddio 29 Medi, 2006. Mae'r amodau fel y nodir hwy yn adroddiad manwl y swyddog cynllunio a gyflwynwyd i'r Cyngor Llawn.
- 3.3 Wedi hynny, mae swyddogion wedi cyfarfod i drafod dulliau ymdrin â'r cam nesaf tebygol mewn perthynas â datblygu'r safle. Bydd hyn yn golygu ymdrin ag ymholiadau, datblygiad/cyflwyniad manylion i gydymffurfio gydag amodau ar y caniatâd cynllunio, cais manwl am ganiatâd adeilad rhestredig, sicrhau bod y cytundeb cyfreithiol yn cael ei weithredu, ac arolygu gwaith ar yr adeiladau rhestredig eu hunain.
- 3.4 Awgrymir y dylid trefnu cyfarfod o Weithgor Aelodau Ysbytai Gogledd Cymru yn y dyfodol agos i ymdrin â'r materion amrywiol sy'n codi.

4. ARGYMHELLIAD

- 4.1 Bod Aelodau:-
- A) Yn derbyn yr adroddiad gwybodaeth hwn.
 - B) Yn cytuno ar ddyddiad addas ar gyfer Gweithgor Aelodau.

ADRODDIAD GAN Y PENNAETH GWASANAETHAU CYNLLUNIO
A DIOGELU'R CYHOEDD

DIWEDDARIAD O BENDERFYNIADAU I APELIADAU

1. PWRPAS YR ADRODDIAD.

1.1 Rhoi gwybod i aelodau am benderfyniadau apeliadau diweddar.

2. CEFNDIR

2.1 Roedd yr adroddiad ar y cynllun a'r gweithdrefnau dirprwyo a ystyriwyd yn y Pwyllgor Cynllunio ar 31 Hydref 2001 ac a gymeradwywyd wedi hynny yng nghyfarfod y Cyngor Sir ar 27 Tachwedd 2001 yn cynnig bod crynodeb o benderfyniadau ar apeliadau yn cael eu hadrodd arnynt bob chwarter i fformat gosod. Nodir penderfyniadau apeliadau ar gyfer Ionawr 06 – Mawrth 06 yn yr atodiad atodedig.

2.2 Fel y gofynnwyd gan Aelodau, rydym wedi cynnwys colofn yn nodi lefel y penderfyniad gwreiddiol (Pwyllgor neu Ddirprwyedig) ac argymhelliad y swyddog.

2.3 Er ein bod ni'n hapus i ateb cwestiynau ar y penderfyniadau i'r apeliadau a'r Pwyllgor Cynllunio, os oes gennych unrhyw faterion manwl yr hoffech eu trafod cysylltwch â Mark Dakeyne neu Ian Weaver cyn y cyfarfod.

Mae'r adroddiad hwn er gwybodaeth i'r Aelodau.

Denbighshire Planning Appeals
List of Outstanding Appeals and Appeal Decisions from 1st July 2006 to
30th September 2006



Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Continuation of use of former agricultural building as storage and distribution (retrospective application)	PJM	Committee	Outbuildings At, Bryn Eglur, , Denbigh, Llanrhaeadr, LL164PW,	Informal 07/11/2006 0	21/07/2006	Pending		0.00

Key Issue = Highway Network

Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Erection of detached workshop building for use for electrical repairs (retrospect)	PJM	Committee	Workshop Rear Of, 13, Knowsley Avenue, Rhyl, , LL184PP,	Informal	13/07/2006	Pending		0.00

Key Issue = Impact on residential area

Denbighshire Planning Appeals

List of Outstanding Appeals and Appeal Decisions from 1st July 2006 to 30th September 2006



Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Conversion of existing outbuildings to 4 no. dwellings and associated works (Listed Building application)	PJM	Delegated	Cae Segwen, , Ruthin, Clocaenog, LL152LU,	Public	15/08/2006	Pending		0.00

Key Issue = Impact on setting / curtilage of listed farmhouse

Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Amendments to previously approved planning application (ref. 11/2004/0340/PF) for the conversion of 4no. outbuildings to dwellings and associated works (retrospective application)	PJM	Delegated	Cae Segwen, , Ruthin, Clocaenog, LL152LU,	Public	15/08/2006	Pending		0.00

Key Issue = Impact on setting / curtilage of listed farmhouse

Denbighshire Planning Appeals
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Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Construction of four wind turbine generators (up to 90m in overall height), electrical switchroom, new and improved access tracks, underground cabling, 50m high anemometer mast, ancillary works and equipment, temporary construction works and improvements to existing vehicular access from A494 to Craig Lelo workshops	IXW	Committee	Wern Ddu , Corwen, Gwyddelwern,	Public	10/07/2006	Pending		0.00

Key Issue = Landscape Impact

Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Erection of 1 no. dwelling	PDG	Delegated	Fairyborne, Rhyl Road, Denbigh, , LL163DS,	Written	13/07/2006	Pending		0.00

Key Issue = Impact on adjacent dwelling

Denbighshire Planning Appeals

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Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Development of 0.1 hectares of land by erection of dwelling (Outline application)	EOC	Delegated	Land adjacent to, Bryn Siriol, Hillside, Prestatyn, ,	Written	04/08/2006	Pending		0.00

Key Issue = Outside development boundary. Impact on AONB / Offas Dyke National Trail

Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Erection of workshop/storage building for use as farrier training facility formation of access drive and installation of new septic tank	NMJ	Delegated	Land At, Meadow Cottage, , Ruthin, Llanychan, LL151TY,	Written	02/08/2006	Pending		0.00

Key Issue = New building in open countryside (not justified)

Denbighshire Planning Appeals
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30th September 2006



Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Development of 0.07ha of land by the erection of 1 no. dwelling and alterations to existing vehicular access (outline application)	NMJ	Delegated	Land Rear of 51 Forming Part Garden of, 49, Bishops Walk, St. Asaph, ,	Written	07/07/2006	Pending		0.00

Key Issue = Back land development

Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Conversion of existing store to dwelling	NMJ	Delegated	Rear Of, 12, Bridge Street, Llangollen, , LL208PF,	Written	05/09/2006	Pending		0.00

Key Issue = Flood risk, poor living environment

Denbighshire Planning Appeals
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30th September 2006



Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Internal and external alterations to existing stores to form dwelling (Listed Building application)	NMJ	Delegated	Rear Of, 12, Bridge Street, Llangollen, , LL208PF,	Written	05/09/2006	Pending		0.00

Key Issue = Lack of details to justify impact on listed building

Pending

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Installation of 3 dormer windows in place of roof lights to front elevations	NMJ	Delegated	Y Beudy, Tal Y Bidwal Fawr, , Corwen, Bryneglwys, LL21 9NB,	Written	25/08/2006	Pending		0.00

Key Issue = Inappropriate alteration to converted outbuildngs

Denbighshire Planning Appeals
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Decision

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Development of 0.04 ha of land by erection of single dwelling and detached garage and construction of new vehicular access (outline application).	EOC	Delegated	Castle Hill, Hylas Lane, Rhyl, Rhuddlan, LL185AG,	Written	24/03/2006	10/07/2006 01	APPEAL-AL	0.00

Key Issue = Acceptable impact on conservation area and neighbours (single storey only)

Decision

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Development of 0.159ha of land by the erection of 1 dwellinghouse and alterations to existing vehicular access (outline application)	SES	Committee	Land at, 93, Meliden Road, Prestatyn, ,	Informal 04/07/2006 0	11/04/2006	21/07/2006 01	APPEAL-DIS	0.00

Key Issue =

- 1) Character of Area / Backland
- 2) Highways - visibility issue
- 3) Affordable Housing -piecemeal

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Decision

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Demolition of existing dwelling and development of land by the erection of 17 No. apartments with associated vehicular and pedestrian access (outline application)	IXW	Delegated	Land at, Tarleton Street, Rhyl, ,	Informal 20/06/2006 0	13/03/2006	26/07/2006 01	APPEAL-DIS	0.00

Key Issue = Further traffic would add to conflict and congestion in street. Inspector did not support Council's concerns about impact on visual and residential amenity.

Decision

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Development of 0.27ha of land for residential purposes and alterations to existing vehicular access (outline application)	IXW	Delegated	Mindale Farm, Ffordd Hendre, Prestatyn, , LL198PG,	Informal 11/07/2006 0	05/04/2006	03/08/2006 01	APPEAL-DIS	0.00

Key Issue = 1) Outside development boundary
2) Access

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Decision

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Erection of 1 no. detached dormer bungalow incorporating extension of existing driveway access and associated landscaping and drainage works.	PJM	Committee	Land Adjoining, Old Barn, , Ruthin, Gellifor,	Informal 19/09/2006 0	25/05/2006	07/08/2006 0	APPEAL - WIT	0.00

Key Issue = N/A

Decision

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Installation of radio-based station comprising 15m lattice tower, 3 antennae, 2 dish antennae, equipment housing and compound with 2.1m high palisade fencing	NMJ	Delegated	Telsol Ltd, 23-24, Colomendy Industrial Estate, Rhyl Road, Denbigh, , LL165TA,	Written	02/06/2006	18/09/2006 0	APPEAL-AL	0.00

Key Issue = Acceptable visual impact given industrial estate location

Denbighshire Planning Appeals
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Decision

Proposal	Officer	Decision level	Location	Type	Rec Date	Date of decision	Decision	Costs
Erection of steel portal-framed sheep shed and fodder store and construction of access track	PDG	Delegated	Land Adjacent To, Pistyll Gwyn, , Ruthin, Bontuchel,	Written	25/09/2006	16/10/2006 01	DC-WDN	0.00

Key Issue = N/A

ADRODDIAD GAN Y PENNAETH CYNLLUNIO A DIOGELU'R CYHOEDD

EITEMAU GWYBODAETH AR GYFER Y PWYLLGOR CYNLLUNIO
Hyfforddiant i Aelodau

1. PWRPAS YR ADRODDIAD

- 1.1 Mae hwn yn cynnwys eitem agenda rheolaidd yn y Pwyllgor Cynllunio sy'n darparu cyfeirbwynt i Aelodau ar gyfer gwybodaeth am fentrau sy'n dod i'r amlwg, polisi, arweiniad a chyhoeddiadau.
- 1.2 Mae'r wybodaeth a roddir i Aelodau wedi'i chyfyngu i ddisgrifiad byr o'r fenter berthnasol a chyfeiriad at ffynhonnell unrhyw wybodaeth (cyfeiriad rhyngurwyd/mewnurwyd). Bydd yr adroddiad hefyd yn cynnwys crynodeb o unrhyw oblygiadau sylweddol i broses gwneud penderfyniadau'r Pwyllgor Cynllunio, lle bo hynny'n berthnasol.

2. HYFFORDDIANT I AELODAU

- 2.1 Bydd aelodau'n cofio bod hyfforddiant i Gynghorwyr Sir sy'n eistedd ar y Pwyllgor Cynllunio bellach yn orfodol. Y trefniadau yw y byddwn yn cynnig isafswm o 4 digwyddiad hyfforddi'r flwyddyn. Rhaid i aelodau fynychu o leiaf 2 o'r digwyddiadau hyn.
- 2.2 Cynhelir y digwyddiad nesaf ar brynhawn dydd Llun 13 Tachwedd yng Nghaledfryn, Dinbych. Anfonwyd manylion at yr Aelodau gan yr Adran Hyfforddiant Corfforaethol.
- 2.3 Mae digwyddiadau pellach wedi'u trefnu fel a ganlyn:
 - i. 12 Chwefror 2007 – proses gwneud penderfyniadau a chadernid penderfyniadau gan gynnwys adolygu penderfyniadau i apeliadau
 - ii. Mai 07 – adolygu ansawdd datblygiadau gan gynnwys taith ar fws (i ogledd y sir i gynnwys safleoedd ar gyfer tai fforddiadwy).
- 2.4 Cyflwynwyd adroddiad i'r Pwyllgor Craffu ar 5 Hydref 2006 yn rhoi manylion presenoldeb aelodau mewn hyfforddiant, yng nghyd-destun y gofyniad iddynt fod yn bresennol mewn o leiaf 2 ddigwyddiad y flwyddyn. Gwnaeth y Pwyllgor Craffu nifer o argymhellion, a oedd yn codi o'r adroddiad ac o drafodaethau, ar Hyfforddiant i Aelodau a fydd yn cael eu cynnwys mewn adroddiad i'r Cyngor Sir yn 2007.

**Penderfyniadau a wnaed gan y Pennaeth Gweithredol Gwasanaethau
Cynllunio a Gwarchod y Cyhoedd o
dan Bwerau Dirprwyedig
11eg Medi - 13eg Hydref 2006**

Eitem er gwybodaeth

Mae hon yn rhestr o geisiadau lle gwnaed y penderfyniad eisoes dan bwerau dirprwyedig. Os ydych chi'n dymuno trafod y cais/penderfyniad, cysylltwch â'r Swyddog fu'n ymwneud â'r cais os gwelwch yn dda.

MATHAU O BENDERFYNIAD

CANIATÁU (GRANT)	- caniatáu caniatâd cynllunio
GWRTHOD (REFUSE)	- gwrthod pob math o gais
CYMERADWYO (APPROVE)	- cymeradwyo materion neu amod a neilltuwyd
CANIATÂD (CONSENT)	- caniatáu caniatâd adeilad rhestredig, ardal gadwraeth neu ganiatâd hysbyseb
BARNU (DEEMED)	- nid yw'n ofynnol cael caniatâd hysbyseb
DIM GWRTHWYNEBIAD (NO OBJ)	- dim gwrthwynebiad i waith ar goeden/coed mewn ardal gadwraeth
NID YW'N OFYNNOL (NOT REQ)	- nid yw'n ofynnol cael caniatâd ar gyfer y gwaith arfaethedig
PENDERFYNWYD (DETERMIN)	- penderfynwyd nad yw'n ofynnol cael cymeradwyaeth o flaen llaw neu'n cael ei ganiatáu pan benderfynir ar y cais (rhai gweithiau telecom a gwaith amaethyddol penodol)
DATBLYGIAD A GANIATEIR (P DEV)	- canfuwyd fod y cais yn ddatblygiad a ganiateir ar ôl derbyn y cais
TYNNWYD YN ÔL (WDN)	- tynnwyd y cais yn ôl gan yr ymgeisydd
ANNILYS (INVALID)	- canfuwyd fod y cais yn annilys
ARDYSTIO (CERTIFY)	- cyflwynwyd tystysgrif defnydd cyfreithlon
G ARDYSTIO (RCERTIFY)	- gwrthodwyd cyflwyno tystysgrif defnydd cyfreithiol

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

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

11 /09 /2006 ac 13 /10 /2006

**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC
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11 /09 /2006 and 13 /10 /2006

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01/2006/0452 / PF	52 Vale Street Denbigh Erection of two-storey extension to office	Cymdeithas Tai Clwyd	GRANT	02 /10 /2006
		Case Officer - Sarah Stubbs		
01/2006/0770 / PF	Ty Mawr Mold Road Denbigh Conversion of outbuilding to form swimming pool enclosure and granny flat for ancillary use of Ty Mawr (amendment to previously-approved scheme under Code No. 01/2005/1102/PF)	Mr & Mrs R G Wynne-Williams	GRANT	05 /10 /2006
		Case Officer - Nicola Marie Jones		
01/2006/0847 / PF	Workshop/Stores Crown Lane Denbigh Demolition of former workshop/stores and erection of new office building	Messrs H E Hughes And D Ll. Williams	GRANT	06 /10 /2006
		Case Officer - Nicola Marie Jones		
01/2006/0899 / INV	Garden Cottage, Plas Castell Bull Lane Denbigh Restoration of existing dwelling and erection of two-storey flat-roofed extension	Mr & Mrs R Roberts	WDN	18 /09 /2006
		Case Officer - Paul David Griffin		
01/2006/0944 / CA	Workshop/Stores Crown Lane Denbigh Demolition of former workshop/stores and erection of new office building and associated works	Messrs H E Hughes And D Ll. Williams	GRANT	29 /09 /2006
		Case Officer - Nicola Marie Jones		
01/2006/0968 / PF	Glyn Evans Auto Clinic Colomendy Industrial Estate, Rhyl Road Denbigh Erection of rear extension to unit to provide preparation workshop	Glyn Evans Autoclinic	GRANT	04 /10 /2006
		Case Officer - Paul David Griffin		

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01/2006/1040 / AC	Land adjoining 18A Colomendy Industrial Estate, Rhyl Road Denbigh Details of materials submitted in accordance with condition number 10 of planning permission 01/2004/1226/PF	Messrs J & T Gizzi Builders Case Officer - Paul Mead	APPROVE	11 /09 /2006
01/2006/1146 / AC	Nant Y Crabbas Plas Chambres Road Denbigh Details of stonework around windows, roofing and wall materials submitted in accordance with condition numbers 2 & 3 of planning permission 01/2006/0424/PF	Mr T McMahan Case Officer - Paul David Griffin	APPROVE	05 /10 /2006
02/2006/0882 / PF	40 Well Street Ruthin Conversion of part of Class A1 shop to Class A3 cafe	Miss V Lewis Case Officer - Paul David Griffin	GRANT	28 /09 /2006
02/2006/0945 / PF	Distyll House Llanfwrog Ruthin Erection of two-storey pitched roof extension at side of dwelling	Mr & Mrs P Williams Case Officer - Paul David Griffin	GRANT	02 /10 /2006
02/2006/0949 / PF	Arosfa St. Meugans Ruthin Erection of single and two-storey pitched-roof extension at rear and single storey pitched-roof extension at side of dwelling	T & G Williams Case Officer - Paul David Griffin	GRANT	28 /09 /2006
02/2006/0958 / PF	Wayside Stanley Road Ruthin Erection of extension to rear of dwelling and associated works	Mr & Mrs M.J Laing Case Officer - Jenni Perkins	GRANT	26 /09 /2006

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02/2006/0995 / PF	Carreg Aur Brynhyfryd Park, Rhos Street Ruthin Demolition of existing detached garage and erection of attached two-storey pitched-roof extension at side of dwelling to form garage with bedroom over	Mr Richard Goldston	GRANT	18 /09 /2006
		Case Officer - Jenni Perkins		
03/2006/0509 / AC	Land Adjacent To 10 Maesmawr Road Llangollen Details of footway and highway works, hard and soft landscaping, surface water regulation system, foul drainage and upgrading of existing foul sewer submitted in accordance with condition no's 4,9,14,15 and 16 of planning permission code no. 03/2005/0032/PF	CGL Developments Ltd.	APPROVE	11 /09 /2006
		Case Officer - Ian Weaver		
03/2006/0629 / AD	Abbey Road Garage Abbey Road Llangollen Display of 2 No. free-standing sign boards and 2 No. flagpoles	McCarthy & Stone (Developments) Ltd.	GRANT	26 /09 /2006
		Case Officer - Paul David Griffin		
03/2006/0835 / PF	Royal Hotel, 7 Bridge Street Llangollen Change of use from bar to ladies' boutique (partly in retrospect)	The Lola Boutique	GRANT	14 /09 /2006
		Case Officer - Paul David Griffin		
03/2006/0904 / PF	1 The Beeches Market Street Llangollen Conversion of existing garage to bedroom and erection of new detached garage with alteration to drive within curtilage.	Mr G Whiting	GRANT	20 /09 /2006
		Case Officer - Paul David Griffin		
03/2006/0924 / TP	Woodland At Pen-y-Coed Llangollen Felling of trees within ancient woodland the subject of Tree Preservation Order No. 7	Coed Cadw/ Woodland Trust	GRANT	13 /09 /2006
		Case Officer - Nicola Marie Jones		

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03/2006/1012 / AC	Sycamore Abbey Road Llangollen Details of fenestration/joinery submitted in accordance with condition no. 2 of listed building consent code no. 03/2004/1222/LB	Mr D Lumsden	WDN	12 /10 /2006
		Case Officer - Sarah Stubbs		
03/2006/1035 / PF	Sites at Berwyn Street, Mill Street, Riverside Park and Town Hall Castle Street Llangollen Erection of CCTV cameras on 4 existing lampposts and at Riverside Park and erection of 4 radio antennae on Bell Tower of Town Hall	Llangollen Town Council	WDN	02 /10 /2006
		Case Officer - Paul David Griffin		
03/2006/1036 / LB	Town Hall Castle Street Llangollen Erection of 4 radio wave antennae on corners of Bell Tower on roof of Town Hall	Llangollen Town Council	WDN	02 /10 /2006
		Case Officer - Paul David Griffin		
04/2006/0858 / PF	Bryn Eryr Llanfihangel Glyn Myfyr Corwen Lledu entrans ffordd presennol (cais ol-weithredol) / Widening of existing access (retrospective application)	Mr Glyn M Roberts	GRANT	10 /10 /2006
		Case Officer - Nicola Marie Jones		
05/2006/0604 / PF	Dee Bank Penybryn Corwen Resiting of domestic garage, previously approved under code no. 05/846/98/PF and extension of domestic garden	Mr & Mrs P Williams	GRANT	11 /09 /2006
		Case Officer - Paul David Griffin		
05/2006/0996 / AG	Plas Yn Bonwm Holyhead Road Corwen Erection of steel-framed portal building for storage of hay	Messrs D E & M C Rogers	APPROVE	20 /09 /2006
		Case Officer - Paul David Griffin		

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08/2006/0679 / LB	Outbuildings At Plas Isaf Corwen Alterations and extensions in connection with the conversion of redundant farm outbuildings to wedding and conference centre, previously approved under planning reference 008/2006/0008/PF (Listed Building application)	Mr I.D. Jones I.D.Jones and Co Case Officer - Ian Weaver	GRANT	12 /09 /2006
08/2006/0921 / PF	Blaen Gwnodl Isaf Cynwyd Corwen Erection of pitched-roof extension at front of dwelling to form porch	Mr & Mrs J Parry Jones Case Officer - Jenni Perkins	GRANT	18 /09 /2006
08/2006/0932 / PF	Ty Grawn Gwnodl Cynwyd Corwen Erection of sunroom extension to side of dwelling	Mr & Mrs G Wilde Case Officer - Paul David Griffin	GRANT	06 /10 /2006
09/2006/0543 / PF	Cartrefle Waen Bodfari Denbigh Erection of two-storey and single-storey pitched roof extension to rear of dwelling	Mr & Mrs T Allen Case Officer - Paul David Griffin	GRANT	26 /09 /2006
10/2006/0947 / PF	Tynymynydd Bryneglwys Corwen Alterations to attached domestic store to provide additional living accommodation and erection of sun lounge to side of dwelling	Mr & Mrs Hands Case Officer - Nicola Marie Jones	GRANT	13 /09 /2006
11/2006/0894 / PF	Outbuilding at Plas Newydd Clawddnewydd Ruthin Conversion of outbuilding to dwelling with workshop and garage	Mr & Mrs H Hughes Case Officer - Paul David Griffin	REFUSE	10 /10 /2006

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12/2006/0937 / AC	Land Adjoining Bronallt Clawddnewydd Ruthin Details of external wall and roof materials submitted in accordance with condition no. 2 of planning permission code no. 12/2004/1519/PF	Sharon Jones	APPROVE	13 /09 /2006
		Case Officer - Jenni Perkins		
13/2006/1069 / AC	Bryn Haul Llanfwrog Ruthin Details of external wall materials submitted in accordance with condition number 3 of planning permission 13/2006/0107/PF	Mr & Mrs D Hunter	APPROVE	21 /09 /2006
		Case Officer - Nicola Marie Jones		
13/2006/1151 / AC	Ty Draw Efenechtyd Ruthin Details of windows submitted in accordance with condition number 3 of planning permission 13/2006/0206/PF	Mr & Mrs D Stone	APPROVE	05 /10 /2006
		Case Officer - Paul David Griffin		
14/2006/0895 / PF	Tanyrhengoed Bontuchel Ruthin Erection of single-storey porch extension at side and first-floor pitched-roof extension at rear of dwelling	Mr & Mrs I White	GRANT	06 /10 /2006
		Case Officer - Paul David Griffin		
14/2006/0981 / PF	Penybont Cyffylliog Ruthin Erection of two-storey pitched-roof extension to dwelling and detached boiler-room	Mr & Mrs W Morris	GRANT	12 /10 /2006
		Case Officer - Nicola Marie Jones		
15/2006/0749 / PF	Cyfnant Ganol Back Road Llanarmon-Yn-Ial Mold Conversion of disused barn into dwelling and installation of new septic tank (Renewal of planning permission granted under Code No. 15/2001/0665/PF)	Mr Anthony R Bale FRICS	GRANT	26 /09 /2006
		Case Officer - Paul David Griffin		

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15/2006/0908 / PC	5 Ochr-Y-Foel Eryrys Mold Retention of front boundary fence at an overall height of 1.8 metres (retrospective application)	Mr P Keeley Case Officer - Paul David Griffin	GRANT	28 /09 /2006
15/2006/0975 / PO	Land Adjoining Glan Llyn Village Road Eryrys Mold Renewal of planning permission Code No. 15/2003/636/PO for the development of land by the erection of a dwelling (outline application)	Mr K B Hughes Case Officer - Nicola Marie Jones	GRANT	26 /09 /2006
16/2006/0630 / PF	Land Adjacent To Bryn Derw Llanbedr Dyffryn Clwyd Ruthin Erection of 2 no. detached dwellings and garages and alterations to existing vehicular access	Orchard Grove Case Officer - Shan Wyn Jones	WDN	20 /09 /2006
16/2006/0959 / PF	Ranch House Lon Cae Glas Llanbedr Dyffryn Clwyd Ruthin Erection of first floor extension to provide additional living accommodation and associated works.	Moel Developments Limited Case Officer - Paul David Griffin	REFUSE	09 /10 /2006
17/2006/1160 / AC	Ty-Hir Farm Pen Y Stryt Llandegla Wrexham Details of site levels submitted in accordance with condition number 7 of planning permission 17/2001/841/PF	Mrs Sandra Bellis Case Officer - Jonathan Ralphs	APPROVE	09 /10 /2006
18/2006/1117 / AC	Land at Green Covert Llandyrnog Denbigh Details of materials submitted in accordance with condition number 2 of planning permission 18/2004/1492/PF	Mr D S Law Case Officer - Nicola Marie Jones	APPROVE	26 /09 /2006

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20/2006/0176 / PO	Bwthyn Pentre Celyn Ruthin Development of 0.18 hectares of land by erection of replacement dwelling (Outline application)	Mr R A Owen Case Officer - Shan Wyn Jones	WDN	29 /09 /2006
20/2006/0631 / PF	Nant Y Meithyn Pentre Celyn Ruthin Erection of 5 individual units to form boarding cattery and change of use of existing garage to reception/storage area in connection with cattery	Mr R C Bithell & Mrs A Jenkins Case Officer - Nicola Marie Jones	REFUSE	28 /09 /2006
20/2006/0942 / PF	Ty Brith Pentre Celyn Ruthin Alterations to existing entrance	W Jones Case Officer - Paul David Griffin	GRANT	09 /10 /2006
20/2006/0994 / PF	Cattle Breeding Centre Llanrhydd Ruthin Erection of new bull pens	Genus Limited Case Officer - Nicola Marie Jones	GRANT	26 /09 /2006
21/2006/0896 / AC	Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold Remainder of condition 10, in relation to details of woodland management plan, part of which previously approved under code no. 21/2006/0182/AC	Liverpool City Council Case Officer - Shan Wyn Jones	APPROVE	12 /10 /2006
22/2006/0881 / PO	Land adjoining The Croft Hendrerwydd Denbigh Development of 0.06 hectares of land for 1 dwelling, construction of new vehicular access and installation of new septic tank (Outline application)	Mrs M G Parker Case Officer - Nicola Marie Jones	GRANT	28 /09 /2006

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22/2006/0963 / HE	Ty Coch Farm Llangynhafal Denbigh Removal of 2 metres of hedgerow	Denbighshire County Council Head Of Development Services Case Officer - Paul David Griffin	APPROVE	26 /09 /2006
23/2006/0683 / PF	The Coach House Llanrhaeadr Hall Llanrhaeadr Denbigh Change of use and conversion of the former Coach House into a fitness and health spa	Springs Fitness And Spa Ltd. Springs Case Officer - Sarah Stubbs	GRANT	15 /09 /2006
23/2006/0794 / PS	Bryn Haul Prion Denbigh Removal of condition No.5 on planning permission code No. 34/8111 relating to agricultural occupancy	Mrs B Tinson Case Officer - Nicola Marie Jones	REFUSE	26 /09 /2006
23/2006/0887 / PF	The Dovecote, Stable Yard Llanrhaeadr Hall Llanrhaeadr Denbigh Conversion of dovecote and annexe to 2 no. holiday accommodation units	Springs Fitness & Spa Ltd. Case Officer - Sarah Stubbs	GRANT	27 /09 /2006
23/2006/0889 / AC	Bod Erw Prion Denbigh Details of Conditions No. 2 (garage roof materials); 3 (garage wall materials); 4 (window details); 6 (access/boundary treatment); 8 (site/ floor levels); 9 (stable block materials) and 11 (planting) on planning permission Ref. No. 23/2004/0129/PF	Miss S Dooley Case Officer - Paul David Griffin	APPROVE	27 /09 /2006
23/2006/0918 / PF	Ty'n Y Ddol Llanrhaeadr Denbigh	Mr & Mrs D Kerrigan	REFUSE	06 /10 /2006

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	Refurbishment of farmhouse, provision of link extension, first-floor pitched-roof extension, conversion of barn to living accommodation, provision of garage/utility block and new driveway	Case Officer - Nicola Marie Jones		
24/2006/0919 / PF	Pontilen Rhewl Ruthin	Mr & Mrs Barrie	GRANT	12 /09 /2006
	Erection of greenhouse	Case Officer - Nicola Marie Jones		
24/2006/0957 / LE	Bryn Coli Llanrhaeadr Denbigh	Mr O Bickford	REFUSE	29 /09 /2006
	Application for Certificate of Lawfulness for the existing use of wooden building as a dwelling	Case Officer - Paul David Griffin		
24/2006/1043 / PF	Land adjoining Cilan Rhewl Ruthin	Mr S G Morgan	GRANT	05 /10 /2006
	Change of use from agricultural land to form extension to residential curtilage	Case Officer - Paul David Griffin		
25/2006/1058 / AG	Bryn Llwyd Nantglyn Denbigh	Mrs M H Morris & Sons	GRANT	06 /10 /2006
	Replacement and extension of existing agricultural livestock building	Case Officer - Nicola Marie Jones		
30/2006/0841 / AC	Land Off (Forming continuation of Ffordd Pen Y Maes, Parc Grosvenor Trefnant Denbigh	Anwyl Construction Co. Limited	APPROVE	26 /09 /2006
	Details of brick and roof tiles, and program and methodology for carrying out construction works submitted in accordance with condition no's 6 and 12 of planning permission code no. 30/2002/1129/PF	Case Officer - Mark Dakeyne		

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30/2006/0923 / PF	Gorphwysfa Bodfari Road Trefnant Denbigh Erection of detached garage	Mr & Mrs V. Roberts Case Officer - Jenni Perkins	GRANT	26 /09 /2006
30/2006/0928 / PF	Land Between 4 & 5 Clwydian Park View Trefnant St. Asaph Renewal of Application Ref. No. 30/2001/0765/PF comprising erection of one split-level dwelling with integral garage	Mrs T Williams Case Officer - Emer O'Connor	GRANT	12 /09 /2006
31/2004/1455 / PF	Barn at Plas Coch Lower Denbigh Road St. Asaph Erection of pitched-roof extension to, and conversion of barn to form one dwelling, installation of new septic tank and alterations to existing vehicular access (amendment to previous scheme)	Messrs E O & C H Jones Case Officer - Sarah Stubbs	GRANT	18 /09 /2006
31/2006/0982 / PF	Llwyn Penwyn Cefn St. Asaph Conversion of outbuildings into 1 no. residential dwelling	Wendy Williams Case Officer - Emer O'Connor	GRANT	09 /10 /2006
40/2004/0867 / AC	Units 1-6 Land Off Ffordd William Morgan St. Asaph Business Park St. Asaph Details of Condition No. 7 (green travel plan) on planning permission ref : 40/2002/0786/PF	Gladman Case Officer - Mark Dakeyne	APPROVE	13 /09 /2006
40/2006/0829 / PF	Mencap Pengwern College, Pengwern Hall Bodelyddan Road Rhuddlan Rhyl Erection of students' commonroom	Pengwern Hall College Case Officer - Emer O'Connor	REFUSE	06 /10 /2006

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40/2006/0906 / PF	45 Maes Owen Bodelwyddan Rhyl Demolition of existing garage and erection of single-storey flat-roofed extension at side of dwelling and amendment to previously approved dormer	Mr S Pettit	GRANT	12 /09 /2006
		Case Officer - Emer O'Connor		
40/2006/0960 / PF	1 Hillcrest Court Bodelwyddan Rhyl Erection of single-storey extensions and formation of new driveway	Mr & Mrs M Galeandro	GRANT	26 /09 /2006
		Case Officer - Jenni Perkins		
40/2006/1077 / AC	Canolblas Farm Ty Fry Lane Bodelwyddan Rhyl Details of landscaping, external materials and photographic survey submitted in accordance with condition no's 2,6 and 9 of planning permission code no. 40/2001/0803/PF	Mr & Mrs T Lloyd-Ellis	APPROVE	18 /09 /2006
		Case Officer - Sarah Stubbs		
40/2006/1103 / AC	Canolblas Farm Ty Fry Lane Bodelwyddan Rhyl Details of vehicular access and closing up of existing access submitted in accordance with condition no. 4 & 10 of planning permission code no. 40/2001/0803/PF	Mr & Mrs T Lloyd-Ellis	APPROVE	25 /09 /2006
		Case Officer - Sarah Stubbs		
40/2006/1131 / AC	Canolblas Farm Ty Fry Lane Bodelwyddan Rhyl Details of fenestration submitted in accordance with condition no. 12 of planning permission code no. 40/2001/0803/PF	Mr & Mrs T Lloyd-Ellis	APPROVE	02 /10 /2006
		Case Officer - Sarah Stubbs		
41/2006/0625 / PF	The Old Post Office Bodfari Denbigh Erection of first-floor pitched-roof extensions over existing garage at side and lounge at rear of dwelling	Mr & Mrs Gareth Evans	GRANT	12 /10 /2006
		Case Officer - Emer O'Connor		

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42/2006/0454 / PF	Chwarel High Street Dyserth Rhyl Erection of workshop and extension and alteration to existing driveway at front of dwelling	Mrs C Randall Case Officer - Emer O'Connor	GRANT	13 /09 /2006
42/2006/0823 / PC	Bryniau-Ucha Farm Bryniau Dyserth Rhyl Retention of field shelter, (retrospective application), erection of loose box and change of use of land to equine use	Mr David K Jones Case Officer - Emer O'Connor	GRANT	19 /09 /2006
42/2006/0933 / PF	Llys Helyg Thomas Avenue Dyserth Rhyl Change of use from dwelling to children's day-care nursery for 44 children	Mr J Hughes Case Officer - Emer O'Connor	REFUSE	26 /09 /2006
42/2006/1031 / PF	Skerryvore Lower Foel Road Dyserth Rhyl Erection of detached garage	Mr M S Wright Case Officer - Jenni Perkins	GRANT	06 /10 /2006
42/2006/1088 / AC	2 Hiraddug Buildings High Street Dyserth Rhyl Details of litter disposal submitted in accordance with condition number 3 of planning permission 42/2006/0865/PF	Ms E Lennox Case Officer - Emer O'Connor	APPROVE	21 /09 /2006
42/2006/1119 / AC	Trelawnyd House High Street Dyserth Rhyl Details of the bin store and drying area submitted in accordance with condition number 2 of planning permission 42/2006/0316/PF	Mr G Hughes Case Officer - Emer O'Connor	APPROVE	27 /09 /2006

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43/2006/0054 / AC	Scala Cinema & Tourist Information Centre 45/47/49 High Street Prestatyn Drainage details submitted in accordance with condition no. 5 of planning permission code no. 43/2003/1504/PF	Denbighshire County Council	APPROVE	13 /09 /2006
		Case Officer - Mark Dakeyne		
43/2006/0520 / PF	Part garden of 2 The Avenue Bryn Newydd fronting Gronant Road Prestatyn Erection of detached dwelling and construction of new vehicular access	Mr Arthur Dean	REFUSE	18 /09 /2006
		Case Officer - Emer O'Connor		
43/2006/0570 / PF	53 Marine Road Prestatyn Conversion of loft to self-contained flat with dormer windows to rear elevation to provide living accommodation for nursery manager	Daisy Chains Day Nursery	GRANT	19 /09 /2006
		Case Officer - Emer O'Connor		
43/2006/0697 / PF	Land Adjacent To 127 Ffordd Talargoch Prestatyn Erection of dormer bungalow and construction of new vehicular access	Mr I Dodd	GRANT	12 /09 /2006
		Case Officer - Emer O'Connor		
43/2006/0702 / PF	Presthaven Sands Holiday Centre Shore Road Gronant Prestatyn Change of use of land currently used for touring caravans to static caravans and associated works	Bourne Leisure Ltd.	GRANT	18 /09 /2006
		Case Officer - Sarah Stubbs		
43/2006/0760 / PF	Terfyn Hall East Gronant Road Prestatyn Erection of double garage with gymnasium over to rear of dwelling	Mr M Burt	GRANT	11 /09 /2006
		Case Officer - Emer O'Connor		

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43/2006/0762 / PF	Bryn Melyd Tan Yr Allt Meliden Prestatyn Erection of first-floor extension to form two-storey dwelling	Mr Ian Hughes Case Officer - Paul Mead	REFUSE	19 /09 /2006
43/2006/0763 / PF	The Jolly Sailor Ffordd Penrhwyfla Prestatyn Formation of decking and balustrade to create outdoor eating, drinking and smoking area	Spirit Group Case Officer - Paul Mead	GRANT	27 /09 /2006
43/2006/0818 / PF	One Ash Tan Yr Allt Prestatyn Demolition of existing timber-framed dwelling and erection of replacement dwelling	Mrs M Tierney Case Officer - Emer O'Connor	WDN	29 /09 /2006
43/2006/0844 / PF	Station House 1 Bridge Road Prestatyn Erection of single-storey pitched-roof extension at rear of dwelling	Mrs D Hannan Case Officer - Emer O'Connor	REFUSE	02 /10 /2006
43/2006/0948 / PF	22 Fforddilas Prestatyn Erection of conservatory at side of dwelling	Mr & Mrs I Jones Case Officer - Jenni Perkins	GRANT	18 /09 /2006
43/2006/0965 / PF	Express Cafe & Hafod Memorials 29/31/33/33A High Street Prestatyn Change of use of No. 33/33a from Class A1 to Class A3 to form cafe-bar with 29 & 31 High Street	Barracuda Group Limited Case Officer - Emer O'Connor	GRANT	26 /09 /2006

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43/2006/0972 / PF	47 Salisbury Drive Prestatyn Erection of dormer extensions to front of dwelling	Miss S Walls Case Officer - Jenni Perkins	GRANT	28 /09 /2006
43/2006/1007 / AC	Saints Health And Fitness Club 8 Ffordd Talargoch Prestatyn Details of construction compound submitted in accordance with condition number 4 of planning permission 43/2005/1100/PF	Mr Mark Thomas Saints Health & Fitness Club Case Officer - Paul Mead	APPROVE	21 /09 /2006
43/2006/1022 / PF	10 Brig Y Don Prestatyn Erection of single-storey pitched-roof extension to side of dwelling	Mrs Aspinwall Case Officer - Jenni Perkins	GRANT	12 /10 /2006
43/2006/1024 / PF	48 Linden Walk Prestatyn Erection of single-storey lean-to extension at rear of dwelling	Mrs L Wistowhughes Case Officer - Jenni Perkins	GRANT	28 /09 /2006
43/2006/1032 / PF	159 Victoria Road Prestatyn Erection of front porch	Mrs S England Case Officer - Jenni Perkins	GRANT	05 /10 /2006
43/2006/1034 / AC	Land East of Drivers Limited and South of Prestatyn Road Prestatyn Details of access / one way system submitted in accordance with condition 2 of planning permission 43/2004/1091/PF	Drivers Ltd Case Officer - Paul Mead	APPROVE	10 /10 /2006

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44/2006/0991 / PF	Grasmere Hylas Lane Rhuddlan Rhyl Erection of extension at rear and extension to existing pitched roof, conservatory at rear and rear dormer window	Mr S & Mrs D Sharp Case Officer - Jenni Perkins	GRANT	29 /09 /2006
44/2006/1006 / PF	3 Barrfield Close Rhuddlan Rhyl Erection of single-storey pitched-roof extension to side and garage extension to form garden store at rear of dwelling	Mr. T. Jones Case Officer - Emer O'Connor	GRANT	28 /09 /2006
45/2005/0230 / PF	14 Edward Henry Street Rhyl Demolition of existing unit and erection of building comprising secure car parking at ground floor and business units on first, second and third floors	Denbighshire County Council Case Officer - Sarah Stubbs	WDN	29 /09 /2006
45/2005/0231 / CA	14 Edward Henry Street Rhyl Demolition of existing redundant light industrial unit	Denbighshire County Council Case Officer - Sarah Stubbs	WDN	29 /09 /2006
45/2005/0530 / PF	3 Brynhedydd Bay Rhyl Erection of 1no. dormer bungalow	First Choice Properties Case Officer - Sarah Stubbs	REFUSE	03 /10 /2006
45/2005/0768 / PF	Stafford Park 108 Marsh Road Rhyl Use of land for siting of 3 no. additional static caravans and construction of new vehicular access	Hills Park Homes Case Officer - Emer O'Connor	GRANT	18 /09 /2006

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45/2006/0349 / PO	Land off Westbourne Avenue Rhyl Development of 0.12 hectares of land for residential purposes and construction of new vehicular access (outline application)	Mr Razzio Cerefici	GRANT	13 /10 /2006
		Case Officer - Sarah Stubbs		
45/2006/0356 / AC	The Strand 66/67 West Parade Rhyl Details of wall and roof materials submitted in accordance with condition no. 4 of planning permission code no. 45/2005/1043/PF	Mr T Barker	APPROVE	25 /09 /2006
		Case Officer - Sarah Stubbs		
45/2006/0381 / PF	19-21 High Street Rhyl Erection of third floor extension to provide 3 no. self-contained flats and modification to 10 no. flats on first/second floors previously granted planning permission under code no. 45/2005/0911/PF	Eastbridge Estates Ltd	GRANT	21 /09 /2006
		Case Officer - Sarah Stubbs		
45/2006/0704 / LB	23a & 23b Russell Road Rhyl Erection of pitched roof extensions and formation of additional accommodation at first floor level (Listed Building Application)	Mr J Goddard	GRANT	28 /09 /2006
		Case Officer - Emer O'Connor		
45/2006/0729 / PF	30 Gillian Close Rhyl Erection of pitched roof extension at side of dwelling	Mr & Mrs R Capper	GRANT	28 /09 /2006
		Case Officer - Emer O'Connor		
45/2006/0773 / PF	32 Lon Hedyn Rhyl Erection of pitched-roof extension to side and rear of dwelling	Mr & Mrs J McMonnies	GRANT	28 /09 /2006
		Case Officer - Emer O'Connor		

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45/2006/0862 / PC	Canterbury House Care Home 77 Dyserth Road Rhyl Retention of conservatory at rear of Care Home (Retrospective application)	Thomas Care Group	GRANT	13 /09 /2006
		Case Officer - Emer O'Connor		
45/2006/0863 / PF	Glen Devon 2/4 The Grove Rhyl Erection of two-storey pitched-roof extension to provide additional bedroom accommodation and conservatory at rear of Home	Mr P Quarrell	GRANT	11 /09 /2006
		Case Officer - Emer O'Connor		
45/2006/0864 / PF	4 Market Street Rhyl Installation of roller shutter to shopfront and erection of pitched-roof extension at rear	Anwyl Construction Co. Ltd	GRANT	19 /09 /2006
		Case Officer - Emer O'Connor		
45/2006/0913 / AD	205 Wellington Road Rhyl Display of internally-illuminated fascia sign and projecting box sign	City Electrical Fact Limited	GRANT	13 /09 /2006
		Case Officer - Emer O'Connor		
45/2006/0931 / PF	57 Pendyffryn Road Rhyl Erection of gabled roof extension to form room in roofspace	Mr. A. Holmes	GRANT	13 /10 /2006
		Case Officer - Michael G Hughes		
45/2006/0935 / PF	21 Diane Drive Rhyl Erection of flat-roofed extension to form additional accommodation in roofspace and erection of conservatory to rear of dwelling	Mrs Debbie Clarke	REFUSE	09 /10 /2006
		Case Officer - Michael G Hughes		

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45/2006/0987 / AD	Land at Clwyd Retail Park Rhyl Road Rhuddlan Rhyl Display of 1 Y-shaped externally-illuminated replacement Estate sign and 1 V-shaped externally-illuminated replacement Estate sign	Cluttons Llp Case Officer - Emer O'Connor	GRANT	26 /09 /2006
45/2006/0988 / AD	Pizza Hut Clwyd Retail Park Rhyl Road Rhuddlan Rhyl Display of 4 No. internally-illuminated fascia signs, 1 pole sign and 2 No. non-illuminated direction signs	Pizza Hut (UK) Limited Case Officer - Emer O'Connor	GRANT	26 /09 /2006
45/2006/0989 / PF	110 Rhuddlan Road Rhyl Demolition of existing rear flat-roofed extension and erection of pitched-roof extension and conservatory. Removal of vertical tile hanging and erection of hipped roof to front dormer	Mr J H Hughes And Mrs S M Rogers Case Officer - Emer O'Connor	GRANT	26 /09 /2006
45/2006/0990 / PF	16 North Drive Rhyl Erection of two-storey pitched-roof extension at front and conservatory at rear of dwelling	Mr & Mrs D Roberts Case Officer - Emer O'Connor	GRANT	26 /09 /2006
45/2006/0997 / PF	No. 6 Pen Y Bryn Farm Morfa Cwybr Rhyl Erection of conservatory to rear of dwelling (revised scheme)	Mr J K Ellis Case Officer - Emer O'Connor	REFUSE	26 /09 /2006
45/2006/1042 / PF	27 Lon Eglyn Rhyl Erection of two-storey pitched-roof extension at side and porch to front of dwelling	Mr P Stagg Case Officer - Emer O'Connor	REFUSE	05 /10 /2006

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45/2006/1045 / AC	Barn At Cwybr Uchaf Farm Cwybr Rhuddlan Rhyl Details of ecological survey submitted in accordance with condition no. 9 of planning permission code no. 45/2005/0609/PF	Derek Ewan Case Officer - Sarah Stubbs	APPROVE	27 /09 /2006
45/2006/1065 / AC	39 + 41 Water Street Rhyl Details of bin stores and drying areas submitted in accordance with condition number 3 of planning permission 45/2006/0488/PF	Mr I McAllister Case Officer - Sarah Stubbs	APPROVE	15 /09 /2006
45/2006/1074 / AC	Car park of former Marina Hotel 11-13 Marine Drive Rhyl Details of brickwork, render, stone, projecting bay materials, cill/string materials and ridge tiles submitted in accordance with condition no. 6 of planning permission code no. 45/2004/1423/PF	Haigh Properties Ltd Case Officer - Sarah Stubbs	APPROVE	19 /09 /2006
45/2006/1132 / AC	Shops Site Adjoining Aldi Wellington Road Rhyl Details of drainage, landscaping and boundary treatments submitted in accordance with condition no's 4,5 and 6 of planning permission code no 45/2004/1656/PF	Escala Limited Case Officer - Sarah Stubbs	APPROVE	02 /10 /2006
45/2006/1150 / AC	Premises Fronting Sisson Street, Rear Of 54 Vale Road Rhyl Details of external wall and roof materials and garage door submitted in accordance with conditions 2 & 5 of planning permission 45/2005/1251/PF	Mr W.D Twist Case Officer - Emer O'Connor	APPROVE	05 /10 /2006

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45/2006/1152 / AC	78 Rhuddlan Road Rhyl Details of access and turning area submitted in accordance with condition number 3 of planning permission 45/2005/320/PF	Mr C Roberts	APPROVE	09 /10 /2006
		Case Officer - Jonathan Ralphs		
46/2005/1014 / PF	4 Bro Havard St. Asaph Erection of conservatory at side of dwelling	Mr A Peach	GRANT	26 /09 /2006
		Case Officer - Emer O'Connor		
46/2006/0795 / PF	Willows Dental & Implant Practice Minafon The Roe St. Asaph Erection of single-storey pitched roof extension at side / rear of premises	Mr D Lee	WDN	09 /10 /2006
		Case Officer - Emer O'Connor		
46/2006/0898 / AC	Land Adjoining 1 Luke Street St. Asaph Remainder of condition 4 of planning permission code no. 46/2003/0306/PF which relates to external wall and roof materials	Mr D Williams	APPROVE	21 /09 /2006
		Case Officer - Shan Wyn Jones		
46/2006/0916 / PF	90 Ashly Court St. Asaph Erection of single-storey pitched-roof extension at side of dwelling to form bathroom, study and attached garage	Mr Gary Williams	GRANT	13 /09 /2006
		Case Officer - Emer O'Connor		
46/2006/0979 / PF	Land adjoining 1 May Terrace Gemig Street St. Asaph Erection of a 3-storey detached dwelling	Mr N Gizzi	REFUSE	29 /09 /2006
		Case Officer - Emer O'Connor		

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46/2006/1011 / PO	Trefelwy Mount Road St. Asaph Development of 0.03 hectares of land by demolition of existing garages and outbuildings and erection of single dwelling including means of access and siting (revised outline application)	Mr M Parry-Jones Case Officer - Emer O'Connor	GRANT	02 /10 /2006
46/2006/1019 / PF	93 Bishops Walk St. Asaph Erection of pitched-roof extension at rear, porch at front and construction of new vehicular access	Mr H Hughes Case Officer - Emer O'Connor	GRANT	05 /10 /2006
46/2006/1061 / AC	Spring Gardens The Roe St. Asaph Details of siting, design and external appearance of buildings submitted in accordance with condition number 6 of planning permission 46/2004/0445/PF	Mr & Mrs D G Williams Case Officer - Michael G Hughes	APPROVE	14 /09 /2006
46/2006/1070 / AC	Ysgol Glan Clwyd Upper Denbigh Road St. Asaph Details of external wall and roof materials submitted in accordance with condition number 2 of planning permission 46/2006/0650/PF	Mr John Williams Denbighshire CC - Lifelong Learning Case Officer - Emer O'Connor	APPROVE	15 /09 /2006
47/2004/1031 / PF	Land at O.S. Field No. 0085 Holywell Road St. Asaph Use of land as commercial nursery for growing, storage and distribution of produce (no retail outlet) and erection of associated greenhouses, water, oil and fuel storage tanks, private sewage treatment plant, formation of car/lorry park and alterations to existing vehicular access	Mr H Hurst Case Officer - Sarah Stubbs	WDN	12 /10 /2006

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47/2006/0531 / PF	Rose Cottage Tremeirchion St. Asaph Erection of link extension to house and garden room and erection of detached double garage	Mr D Cartwright	GRANT	19 /09 /2006
		Case Officer - Emer O'Connor		
47/2006/0731 / PO	Land between Marian Bach Isa and The Shieling Marian Cwm Dyserth Rhyl Development of 0.18hectares of land by the erection of 2 No. dwellings, construction of new vehicular access and installation of private treatment plant (Outline application)	Mr & Mrs G Cunnah	REFUSE	19 /09 /2006
		Case Officer - Paul Mead		
47/2006/0897 / PF	Pant Ifan Newydd Holywell Road Rhuallt St. Asaph Erection of detached double garage for proposed dwelling	Mr R Sales	GRANT	26 /09 /2006
		Case Officer - Emer O'Connor		
47/2006/0951 / PF	Brynhyfryd Tremeirchion St. Asaph Erection of pitched roof extension at side of dwelling and alterations to roof space.	Alwyn Williams	GRANT	02 /10 /2006
		Case Officer - Emer O'Connor		