

**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**

**DENBIGHSHIRE COUNTY COUNCIL  
PLANNING COMMITTEE  
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**ITEM NO:** 1

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

**APPLICATION NO:** 06/2006/1224/ PO

**PROPOSAL:** Development of 0.034ha of land for 1 no. dwelling and construction of new vehicular access (outline application)

**LOCATION:** Land between Ty Canol & Isawel Bryn Saith Marchog Corwen

**APPLICANT:** Mrs. L. E. Jones

**CONSTRAINTS:** Within 67m Of Trunk Road

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

**CONSULTATION RESPONSES:**

1. GWYDDELWERN COMMUNITY COUNCIL  
No reply.
2. WELSH ASSEMBLY GOVERNMENT, TRANSPORT WALES  
No objection, subject to conditions
3. HEAD OF TRANSPORT & INFRASTRUCTURE  
Referred to WAG (response above)
4. DWR CYMRU/WELSH WATER  
No objection subject to conditions

**RESPONSE TO PUBLICITY:**

Letters of representation received from:

1. Blodwen Williams, Isawel, Pandy Capel, Corwen
2. Mrs B. Stow, Ty Canol. Bryn Saith Marchog, Corwen

Summary of representations:

- i) Impact on highway safety
- ii) Loss of lay-by

**MEMBERS' COMMENTS:**

**EXPIRY DATE OF APPLICATION: 07/12/2006**

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

1. The proposal is for the outline permission for the development of 0.034ha of land for residential purposes with all matters reserved. The site measures 17m along the frontage and 26m along the south side. An indicative layout plan shows a dwelling with adjacent parking and turning.

2. The site is immediately to the south of the A494 trunk road with access to be gained onto the A494 via an existing lay by. The site comprises an open area of grassland in Pandy Capel set at a higher level than the road with residential properties adjacent.
3. Cllr. Hugh Evans has that requested this application be put before the Planning Committee so that issues of infill and previous permissions can be fully considered.

**RELEVANT PLANNING HISTORY:**

4. 06/2005/1166/PO - Outline application with all matters reserved refused 09/11/2005 on the grounds of dwelling in the open countryside not complying with infilling policy.

**PLANNING POLICIES AND GUIDANCE:**

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
 Policy GEN 3 - Development outside development boundaries  
 Policy HSG 5 - Groups of houses in the open countryside

SPG 11 Infill Housing in the Open Countryside

GOVERNMENT GUIDANCE  
 Planning Policy Wales

**MAIN PLANNING CONSIDERATIONS:**

6. The main issue is considered to be the:
  - i) Principle
  - ii) Highways Safety
7. In terms of this above considerations:
  - i) Principle  
 Policy GEN 3 allows for certain categories of development outside of development boundaries. In accordance with Policy HSG 5 infill development of one or two housing units may be permitted within a clearly identifiable group of dwellings in the open countryside. Infill plots are permitted provided that it is a small gap between buildings in a continuously developed frontage, it does not result in ribbon development, and is of a comparable scale and size and is sited so as to respect adjacent properties in the locality. This policy is augmented by Supplementary Planning Guidance Note No. 11 Infill Housing in the Open Countryside.

The first test of the infill policy (criteria i) relates to a small gap between buildings within a continuously developed frontage, and SPG 11 refers specifically to a clearly identifiable group being of 6 or more residential units. In this case there are 5 dwellings on the south side of the A494 at this point but there is significant variation in the separation and set back of dwellings and thus it is not considered that they represent a clearly identifiable group. Whilst a dwelling lies on the north side of the road at Greenways, this lies at a much lower level than the road and does relate physically to the group.

In this case the built up residential frontage comprises of Isawel, Ty Canol and Ty Isa. The next property, Pandy'r Capel, is set back considerably from the frontage by approx 24m, with Gwynfryn and a chapel further to the east, with significant gaps between them. Thus, there is not a continuously developed frontage.

The second test of the policy (criteria (ii)) refers to ribbon development. It is not considered that the proposal would in itself result in ribbon development.

The third test (criteria (iii)) refers to a small gap of comparable scale, character and size to the surrounding properties. Whilst the site frontage is comparable to the adjacent frontages, the gap between the side elevations of the adjacent dwellings, Isawel and Ty Canol, is 50m and beyond this immediate cluster of 3 dwellings, frontages and gaps widen. Therefore, it is not considered to respect adjacent properties and the locality.

Previous permissions have been granted on plots to the west. In 1998 a dwelling was permitted on land to the west of Isawel. This was approved in 1998 under the Glyndwr Plan and the local needs policy at that time. It has not been implemented and is no longer extant. Similarly approval was given for a dwelling on the opposite side of the road in 1999 which again has not yet been implemented. Given the change in development plan policy since the 1990's and the fact that neither permission is now extant, these previous decisions carry little weight in considering the current application.

ii) Highway Safety

The proposal is considered acceptable in terms of highway safety subject to conditions as recommended by the WAG Transport Department. The existing lay by allows good set back from the main road and space would be available to provide a turning area within the site. The proposal would not lead to the loss of the lay by.

**SUMMARY AND CONCLUSIONS:**

8. The proposal is considered unacceptable in principle taking into account Policy HSG 5 and is recommended for refusal.

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

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

1. The site is located in the open countryside outside any defined development boundary. The proposal is not considered to constitute infill development under Policies GEN 3 and HSG 5 of the DUDP. The separation distances between the plot and the adjacent residential properties, the lack of a continuously developed frontage and the number of residential properties in the group, do not satisfy the relevant tests of Policies HSG 5 and SPG 11. As such the proposal for infill development is unacceptable and contrary to Policies GEN 3 and HSG 5 of the adopted Unitary Development Plan, Supplementary Planning Guidance Note No. 11 - Infill Housing in the Open Countryside, and national guidance within Planning Policy Wales. It would lead to a new dwelling in the open countryside.

**NOTES TO APPLICANT: None**

NMJ

**ITEM NO:** 2  
**WARD NO:** Efenechtyd  
**APPLICATION NO:** 12/2006/0416/ PF  
**PROPOSAL:** Erection of extension to existing garage to form first-floor accommodation  
**LOCATION:** Foel Fach Cottage Clawddnewydd Ruthin  
**APPLICANT:** Mr & Mrs N J Jones  
**CONSTRAINTS:**  
**PUBLICITY** Site Notice - No Press Notice - No Neighbour letters - Yes  
**UNDERTAKEN:**

**CONSULTATION RESPONSES:**

1. DERWEN COMMUNITY COUNCIL  
'The location and size of the extension is not comparable with those of nearby dwellings and the planning officer should have a site meeting to justify this councils decision'

**RESPONSE TO PUBLICITY:**

None

**EXPIRY DATE OF APPLICATION: 06/11/2006**

**REASONS FOR DELAY IN DECISION:**

- timing of receipt of representations

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. The application site is in the open countryside, outside the main village of Clawddnewydd. Access to the site is off the B5105 Cerrig y Drudion to Ruthin road, via a single lane track leading up to the dwelling.
2. The dwelling on site is a two storey detached property with white render and slate construction with a detached garage of the same construction. The proposal is to raise the roof height of the garage to provide first floor accommodation with alterations to the existing garage doors and the installation of a window to the side and velux roof lights.

**RELEVANT PLANNING HISTORY:**

3. None

**PLANNING POLICIES AND GUIDANCE:**

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

Policy GEN3 – Development outside development boundaries

Policy GEN6 – Development control requirements

Policy HSG 12 – Extensions to Dwellings

SPG 1 – Extensions to Dwellings

**MAIN PLANNING CONSIDERATIONS:**

5.

- i) Principle of development
- ii) Impact on visual amenity
- iii) Impact on residential amenity
- iv) Parking considerations

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

- i) Principle:  
Whilst the application site is in the open countryside, the proposed development is within the curtilage of the dwellinghouse and it is reasonable to allow sympathetic householder development in such situations. The principle of development is considered to be acceptable.
- ii) Visual amenity:  
The size, scale and design of the proposed alterations are considered to be acceptable in this location, with the materials to be used to match the white render and slate roof of the dwelling. The ridge height would change from 3.8m to 5.5m, the 1.7m increase being considered acceptable in this location. The building would be no higher than the adjacent dwelling and would be read in the context of that building and against the backcloth of existing trees. The building is not readily visible from the road. The visual impact would be acceptable and in accordance with Policies GEN 6 and HSG 12.
- iii) Residential amenity:  
There will be no adverse impact on residential amenity as no neighbours are in close proximity to the application site. This is in accordance with criterion v) of policy GEN6.
- iv) Parking:  
Whilst there is limited parking and turning space associated with the dwelling in its current form, the proposed alterations to the height will not impact on those areas and thus the proposal is acceptable in relation to criterion vii) of Policy GEN6 and Policy HSG 12.

**SUMMARY AND CONCLUSIONS:**

- 7. The size scale and design of the proposed alterations are considered to be acceptable in this location and in accordance with Policies GEN6 and HSG12. There will be no adverse impact on residential amenity as no neighbours are in close proximity to the application site

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

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.
3. The use of the building hereby approved shall be for purposes incidental to the enjoyment of Foel Fach Cottage and shall not be used as a separate unit of residential accommodation or for any business or commercial use.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.<sup>3</sup>
- . In the interests of residential amenity and so that the Local Planning Authority can retain a degree of control over the use of the building.

**NOTES TO APPLICANT:** None



**ITEM NO:** 3

**WARD NO:** Llanarmon Yn Ial / Llandegla

**APPLICATION NO:** 17/2006/1142/ PO

**PROPOSAL:** Development of 0.08 hectares of land by erection of single-storey dwelling and construction of new vehicular access (Outline application)

**LOCATION:** Land opposite Pysgah Chapel Adjacent to Afallon Old Gate Lane Llandegla Wrexham

**APPLICANT:** Mr R T Jones

**CONSTRAINTS:** Wildlife Site  
Public Footpath / Bridleway  
Nitrate Vulnerable Zone  
Groundwater Vulnerability  
AOB

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

**CONSULTATION RESPONSES:**

1. LLANDEGLA COMMUNITY COUNCIL -
  - "a) The application does not meet with policy ENV5 and is outside the building boundary.
  - b) Consider HSG6 – new dwellings in the open countryside
  - c) It is noted that the applicant would be responsible for the costs of repositioning the new bus stop
  - d) There is exceptional community support for this application given the longstanding contribution the applicant and his family have made to the community
  - e) A precedent has already been made in the building of 'Min y Chwarel' and this site is at the very edge of the small group of houses.
  - f) The small development of a single storey building on this site would meet a local need in the community
  - g) The site falls within a nature conservation area and is adjacent to a public footpath
  - h) The Community Council do not object to a small scale dwellinghouse on this site following the County Planning Department's consideration of the above."
2. HEAD OF TRANSPORT AND INFRASTRUCTURE  
No objection subject to conditions.
3. FOOTPATHS OFFICER  
Public Footpath (PF8) abuts the proposed development area.
4. PRINCIPAL COUNTRYSIDE OFFICER  
There are two mature ash trees in the centre of the site which would be removed to allow this development to take place. They dominate the site and contribute significantly to the visual amenity of the area. Unless the applicant can prove

otherwise the trees appear to be in good order with no obvious major defects. The loss of these trees would be most regrettable. It should be noted that the relative size and spread of the trees is not illustrated accurately on the plan. The site also forms part of the wildlife site D193.

5. COUNTRYSIDE COUNCIL FOR WALES (CCW)  
The application area is within 500m of the Llandegla Moor Site of Special Scientific Interest (SSSI) which is also part of the Berwyn and South Clwyd Mountains Special Area of Conservation (SAC). The proposed development will not have an affect on the features of the SSSI or the SAC. It is noted that several trees are to be felled as part of this proposed development. It should be ensured that no bats are present within the trees before any felling takes place.
6. WELSH WATER  
No objection
7. COUNTY ECOLOGIST  
No reply.

**RESPONSE TO PUBLICITY:**

None

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. The application site extends to 0.08ha in area and is located outside the development boundary of the village of Llandegla, opposite Pisgah chapel and within the AOB. The application site is a designated wildlife site with acid grassland, acid dry heath and semi improved grassland species providing the justification for the allocation. Public footpath (PF8) abuts the site to the north with two large mature ash trees located in the middle of the application site.
2. The application is for outline planning permission with details of the access only to be considered as part of the proposal. A bus stop is currently located to the west side of the application site which is proposed to be moved 11m towards the south side of the plot to allow for the construction of the access. Members are advised that the site plan accompanying the application shows the location of a dwelling, but that this is for indicative purposes only and does not form part of the application.
3. The applicants (Mr & Mrs R. T. Jones) are making a case for a dwelling on the basis of their contribution to community life in the village and based on their personal circumstances. They currently reside at Rhewl Glyn Rhys on the outskirts of the village and feel that their existing property is too big for them. Their plan has always been to move to a new dwelling on the application site to allow for the next generation of the family to reside at Rhewl Glyn Rhys.
4. The application is reported to Planning Committee at the request of County Councillor Bob Barton, the local member, for the following reasons – potential precedent set for recent development in Old Gate Lane; welsh language and culture; relating to adjacent chapel.

**RELEVANT PLANNING HISTORY:**

5. Application no: 17/2006/0671/PO – Development of 0.08ha of land by the erection of a single storey dwelling and construction of a new vehicular access (outline application).

WITHDRAWN by the applicant on the 12<sup>th</sup> July 2006 based on the advice of officers that the application could not be supported.

**PLANNING POLICIES AND GUIDANCE:**

6. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)
  - Policy GEN3 – Development outside development boundaries
  - Policy GEN6 – Development control requirements
  - Policy ENV2 – Development affecting the AOB
  - Policy ENV5 – Sites of local conservation importance
  - Policy HSG4 – Housing development in villages
  - Policy HSG5 – Groups of houses in the open countryside
  - Policy HSG6 – New dwellings in the open countryside
  - Policy HSG11 – Affordable housing for local needs in rural areas
  - SPG10 – Infill housing in the countryside

**GOVERNMENT GUIDANCE**

Ministerial Interim Planning Policy Statement 01/2006 – Housing (June 2006)  
Planning Policy Wales (March 2002) Chapter 5 – Conserving and improving natural heritage and the coast  
TAN5 – Nature Conservation and Planning

**MAIN PLANNING CONSIDERATIONS:**

7.
  - i) Principle of development
  - ii) Nature conservation
  - iii) Impact on AOB
  - iv) Highways
8. In relation to the main planning considerations as noted above:

- i) Principle:

The application site is outside the development boundary of the village of Llandegla where the provisions of Policy GEN3 need to be considered. In this instance any development would need to comply with criteria i), ii) or iv) of this policy in relation to development for an agricultural or forestry worker, infill development or the provision of affordable housing adjoining main village or village boundaries, issues covered by Policies HSG6, HSG5 and HSG11 respectively.

No case has been made for an agricultural or forestry worker or for affordable housing in accordance with Policies HSG6 and HSG11. Therefore, the application cannot be supported on this basis. In this instance the application is made on the basis of a local need in a rural area which is not covered by the provisions of Policy GEN3. Therefore the application falls to be decided against the criterion of Policy HSG5 in relation to groups of houses in the open countryside.

Policy HSG5 states that in order to comply with the provisions of this policy, there must be a clearly identifiable group of 6 dwellings on a continuously developed frontage and/ or a focus of dwellings on a cross roads or cul de sac. It is recognised that the application site is located on a cross roads. However there is not an identifiable group of 6 dwellings in this location. The proposal therefore fails to be supported on the basis of this policy.

It is submitted that the proposal is for local needs housing, and that LPA's must develop policies in conjunction with the community and the private sector to meet the challenges and particular circumstances evident in their areas in specific locations in accordance with advice contained in paragraph 9.2.4 of MIIPS01/2006. The proposal is seen to be premature as the evidence submitted as part of the application does not demonstrate a careful and robust justification to diverge from national policy to meet specific local needs in the area. The LPA is aware that there is a requirement for affordable units in Llandegla, (the rural housing enabler identifies 7 units). However, this proposal is not put forward as an affordable housing proposal with appropriate mechanisms. Moreover, it is likely that more suitable sites will come forward within or on the edge of the settlement to meet affordable housing needs.

ii) Nature Conservation:

Part of the application site falls within a Local Wildlife Site covered by Policy ENV5 of the Unitary Development Plan. The species identified on the site are acid grassland, acid dry heath and semi improved grassland species. Policy ENV5 states that development that would unacceptably harm the conservation value of sites of local conservation importance, including those shown on the proposals map, will only be permitted where appropriate mitigation measures can be taken.

In this instance, the applicant has suggested that the location of the wildlife site relative to the proposed dwelling and the proximity of the boundary of the site to the rest of the nature conservation site will have no impact on the characteristics leading to its designation. No mitigation measures for the protection of the grass species has been provided as part of the submission therefore the application does not comply with Policy ENV5.

Two large mature ash trees are also located within the site which, are dominant landscape features and contribute to the visual amenity of the site and the wider surrounding area. Their loss would be detrimental.

iii) AOB

The development of land outside the settlement boundary would have an adverse impact on the landscape character of the Area of Outstanding Beauty (AOB) as it would constitute an incremental extension of built development into the open countryside of the AOB.

iv) Highways

It is proposed to move the bus stop from its current location towards the south side of the plot to allow for the construction of the access. Highways have raised no objections to the proposal and it is considered that the application complies with criterion vii) of Policy GEN6.

**SUMMARY AND CONCLUSIONS:**

9. The application cannot be supported on the basis of existing national guidance and UDP policies and would have an adverse impact on the wildlife site and AOB.

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

1. The application site lies outside the development boundary of the village of Llandegla where proposals for new development in this location are assessed against the provisions of Policy GEN3. In this instance no case has been forward for an agricultural or forestry worker or for affordable housing adjoining main village or village boundaries. Furthermore, the application does not comply with the provisions of Policy HSG5 as there is no group of 6 dwellings along a continuously developed frontage or on a cross roads. In this instance the proposal does not comply with Policies GEN3, HSG5, HSG6 or HSG11 of the Denbighshire Unitary Development Plan or advice contained in Planning Policy Wales and MIPPS 01/2006.

2. The proposed dwelling would be located within an area designated as a Wildlife Site and in an Area of Outstanding Beauty (AOB). The development would unacceptably harm the nature conservation value of the site and the landscape of the AOB in conflict with Policies ENV 5 and ENV 2 of the Denbighshire Unitary Development Plan and National Guidance in Planning Policy Wales and TAN 5 - Nature Conservation and Planning.

**NOTES TO APPLICANT:** None

NMJ

**ITEM NO:** 4  
**WARD NO:** Llangollen  
**APPLICATION NO:** 27/2006/0628/ PF  
**PROPOSAL:** Extensions and alterations to existing dwelling, construction of new vehicular access and associated engineering works and extension to domestic curtilage  
**LOCATION:** Oernant Isa Horseshoe Pass Llangollen  
**APPLICANT:** J Bromfield  
**CONSTRAINTS:** Public Footpath / Bridleway  
**PUBLICITY UNDERTAKEN:** Site Notice - No Press Notice - No Neighbour letters - Yes

**CONSULTATION RESPONSES:**

2. LLANTYSILIO COMMUNITY COUNCIL  
"The Community Council is concerned that the proposed development is still too large for this area of the Horseshoe Pass but if all Planning Regulations have been adhered to has no further objections."
3. COUNCIL FOR THE PROTECTION OF RURAL WALES (CPRW)  
Object : The five bedroomed house of such generous proportions is unsuited to this particular location. The building is too large and of an inappropriate design to be accommodated within the setting of the hills. The application effectively for a new house in the open countryside rather than a careful conversion of an existing one. The access may now be improved but we feel that any access on to this section of road is likely to be dangerous.
4. THE RAMBLERS ASSOCIATION  
Object: The application continues to be for a large 5 bedroom dwelling, this is a new build for all practical purposes and would certainly appear so if built. It is therefore contrary to the councils policies on new build in the open countryside. Concerns about the access, especially when coming down hill (from Ruthin) and the visibility seems very limited.
5. HEAD OF TRANSPORT AND INFRASTRUCTURE  
No objection subject to conditions.
6. FOOTPATHS OFFICER  
Public Footpath no 56 runs up the proposed vehicular access track. Standard advisory notes should be attached to any granting of planning permission.

**RESPONSE TO PUBLICITY:**

None

**EXPIRY DATE OF APPLICATION: 26/12/2006**

## **PLANNING ASSESSMENT:**

### **THE PROPOSAL:**

1. The application site is in the open countryside below the Horseshoe Pass set down in the valley off the main A542 Ruthin to Llangollen road. The site is located in the AOB and comprises of a detached two storey dilapidated stone and slate built dwelling. There is a stone outbuilding in close proximity to the dwelling.
2. The proposal is to extend and alter the dwelling, provide a vehicular access and increase the curtilage area associated with the property. The alterations and extensions include, raising the roof height by 1m and introducing dormer windows, erecting a two storey extension on the east side with a projection of 4.85m and a length of 11.3m, erecting a two storey extension on the north west with a projection of 3.2m and a width of 5.2m and the erection of a single storey entrance porch to the south west. The extensions would result in an increase in overall size of the dwelling, in terms of floorspace of some 40%.
3. A vehicular access is proposed to be created from the dwelling, across some 190m of landscape with the access point entering the A542 on the bend to the south side of the dwelling known as Oernant Uchaf.

### **RELEVANT PLANNING HISTORY:**

4. 27/2003/1221/LE – Application for certificate of lawfulness of existing use in relation to use of building as residential dwelling. Certified lawful on the 2/02/2003

27/2005/0688/PF – Extensions and alterations to existing dwelling, construction of new vehicular access, associated engineering works and extension to domestic curtilage. Refused on 1/05/2005 on the grounds of extensions not subordinate to existing dwelling, impact on AOB, and lack of information on access.

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

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)
  - Policy GEN3 – Development outside development boundaries
  - Policy GEN6 – Development Control Requirements
  - Policy ENV2- Development affecting the AOB
  - Policy HSG12 – Extensions to dwellings
  - SPG1 – Extensions to dwellings

### **MAIN PLANNING CONSIDERATIONS:**

6.
  - i) Principle of development
  - ii) Impact on visual amenity
  - iii) Impact on residential amenity
  - iv) Highway considerations
  - v) Impact on AOB
7. In relation to the main planning considerations noted above:
  - i) Principle  
Whilst the application site is in the open countryside, the development is in the curtilage of the dwelling and it is reasonable to allow sympathetic householder development in such situations. The principle of extension is considered to be acceptable.

- ii) Visual amenity  
Whilst the size and scale of the extensions are significant and do include alterations to the overall design of the property, they are substantially reduced from the original submission and are considered to overcome the previous reason for refusal no 1 of planning application no 27/2005/0688/PF in relation to scale and form of the additional built mass. The previous scheme involved an increase in size of some 80%. The materials proposed are slate and stone which ties in with the original and are considered to be acceptable in this open countryside location. The proposal does not represent an over development of the site and is in accordance with Policy HSG12 and SPG1.
- iii) Residential amenity  
The application site is in the open countryside with no neighbours in close proximity. There would be no adverse impact on any neighbours as a result of the development and it is considered to be in accordance with criterion v) of Policy GEN6.
- iv) Highways  
Concerns have been raised from consultees about to the creation of an access to serve the dwelling, in particular in relation to the visibility and the danger to other road users, especially coming from the Ruthin direction. It is proposed to form a new access from the main A542 on the bend in the road to the south of the dwelling known as Oernant Uchaf. This is a significant improvement on the existing access location. Highways have raised no concerns in relation to the formation of the new access and recommend a series of conditions to ensure the formation of a safe and satisfactory access. Based on this, the proposal is considered to be in accordance with criterion vii) of Policy GEN6.
- v) AOB  
The application site is located within the AOB but it is barely visible from the road due to its location in the valley. Overall, it is considered that the proposal would not be harmful to the character and appearance of the AOB and is in accordance with Policy ENV2.

**SUMMARY AND CONCLUSIONS:**

- 8. The application is considered to be acceptable in relation to its impact on visual amenity and highway grounds and there will be no adverse impact on the wider AOB landscape.

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

- 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.
- 3. The materials and finishes of the external surfaces of the walls of the development hereby permitted shall be of the same texture, type and colour as those on the external walls of existing buildings.
- 4. Full details of the design and construction of the access shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any site works and the access shall be completed in accordance with the approved plans before the dwelling, as extended, is occupied.



5. Vehicular access to the adjoining highway shall be limited to the new access shown on the approved plan and the existing access shall be permanently closed to vehicular traffic when the new access is brought into use.
6. The proposed access shall have visibility splays of 2.4m x 90m in both directions measured along the near side edge of the adjoining carriageway overland within the control of the applicant or the Highway Authority and within which there shall be no obstruction in excess of 1.05m in height.
7. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out without further grant of planning permission of the Local Planning Authority.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interests of visual amenity.
4. 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.
5. To ensure the formation of a safe and satisfactory access.
6. To ensure that adequate visibility is provided at the point of access to the highway.
7. In the interests of visual amenity.

**NOTES TO APPLICANT:** None

SES

**ITEM NO:** 5

**WARD NO:** Bodelwyddan

**APPLICATION NO:** 40/2006/0500/ PO

**PROPOSAL:** Development of 0.98 hectares of land by the erection of a hotel/bar/restaurant, associated car parking and construction of new vehicular access (outline application)

**LOCATION:** Gas Governor House Site Land off Abergele Road Bodelwyddan Rhyl

**APPLICANT:** J D Owen Transport Services

**CONSTRAINTS:** Within 67m Of Trunk Road  
Previous Mining Area  
Conservation Area

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

**CONSULTATION RESPONSES:**

1. BODELWYDDAN TOWN COUNCIL  
"Object on the following grounds: The increase in traffic along Abergele Road which is already a busy emergency route off the A55; the same facilities already exist in the Bodelwyddan area and this development would visually impact detrimentally on the Marble Church and conservation area".
2. CONSERVATION OFFICER  
No objection subject to control over external materials
3. LANDSCAPE ARCHITECT  
Concerns over impact of the proposal on the Bodelwyddan Castle historic park and garden
4. HEAD OF TRANSPORT & INFRASTRUCTURE  
No objection subject to conditions to ensure the formation of a satisfactory access and parking arrangements
5. WELSH ASSEMBLY GOVERNMENT TRANSPORT DIRECTORATE  
Does not wish to issue a direction
6. ENVIRONMENT AGENCY  
No objection
7. DWR CYMRU WELSH WATER  
No objection
8. LAND DRAINAGE UNIT  
If the existing ditch/watercourse passing the site is to be culverted or used for drainage then consent is required from the Environment Agency

9. HEAD OF DEVELOPMENT SERVICES  
The development of visitor facilities in this strategically important area of Denbighshire is important
10. WALES & WEST UTILITIES (GAS)  
No objection
11. ACCESS OFFICER  
No objection
12. CONTAMINATED LAND OFFICER  
No objection subject to a condition

**RESPONSE TO PUBLICITY:**

Letters of representation received from:

1. Neil Davison, 16, Lowther Court, Bodelwyddan
2. Mrs L.J Johannessen - 17 Lowther Court, Bodelwyddan
3. Ron Pearson - Iscoed House, Abergele Rd, Bodelwyddan
4. P. A. Jones, Bethany, 19, Lowther Court, Bodelwyddan

Summary of planning based representations:

- i) Impact on traffic flow and highway safety
- ii) Impact on conservation area, setting of the Marble Church and Bodelwyddan Castle

**EXPIRY DATE OF APPLICATION: 22/08/2006**

**REASONS FOR DELAY IN DECISION:**

- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. This application seeks outline planning permission for the development of a hotel with bar and restaurant, associated car parking and construction of a new vehicular access. This application includes the siting, and design of the building and means of access with external appearance and landscaping reserved for further approval. The proposal involves the erection of a 2 storey hotel building along the southern boundary with a single storey link through to a 2 storey bar and eating area. The proposed hotel would provide 70 small bedrooms with 98 car parking spaces, including 10 disabled car parking spaces.
2. The application site comprises 0.98ha of vacant land adjacent to the A55 with a gas control building located to the western end of the site. The land is located outside the development boundary of Bodelwyddan and has a vehicular access off Abergele Road. Along the majority of the boundaries of the site is a traditional stone wall with some planting along the southern and western boundary where the site bounds a roundabout which links to the slip road to junction 25 of the A55. There are also some trees along the northern boundary, with a large oak tree adjacent to the existing

access. The site is level and currently over grown.

3. To the northern boundary of the site is Abergele Road with residential properties located opposite. To the western boundary is a roundabout with slip road and junction to the A55, with the A55 itself bounding the southern part of the site. On the opposite side of the A55 is Bodelwyddan Castle and Historic Parkland. Immediately to the western boundary is vacant land adjoining the A55 which is adjacent to the Grade II\* Listed St Margaret's Church (Marble Church) and the Bodelwyddan Conservation Area.

**RELEVANT PLANNING HISTORY:**

4. None

**PLANNING POLICIES AND GUIDANCE:**

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)
  - Policy STRAT 5 - Design
  - Policy STRAT 7 - Environment
  - Policy STRAT 9 - Tourism
  - Policy GEN 3 - Development Outside Development Boundaries
  - Policy GEN 6 - Development Control Requirements
  - Policy CON 1 - The setting of Listed Buildings
  - Policy CON 6 - Development adjacent to Conservation Areas
  - Policy TSM 1 - Tourism Development
  - Policy TSM 7 - Serviced Holiday Accommodation
  - Policy TRA 6 - Impact on new development on traffic flows
  - Policy TRA 9 - Parking and Servicing provision

Supplementary Planning Guidance 21: Parking Standards in New Developments

**GOVERNMENT GUIDANCE**

Planning Policy Wales

TAN 12: Design

TAN 18: Transport

**MAIN PLANNING CONSIDERATIONS:**

6.
  - i) Principle of the development
  - ii) Impact on residential amenity
  - iii) Impact on visual amenity/setting of Marble Church & Bodelwyddan Castle
  - iv) Impact on Highway Safety
7. In relation to the main planning considerations at paragraph 5:
  - i) Principle of the development  
Policies TSM 1 and TSM 7 allow tourist related development and serviced holiday accommodation within development boundaries, using vacant and under used land or through the conversion of existing buildings. However, the policy recognises that there are instances where new build may be acceptable outside development boundaries subject to certain criteria being met. It is considered that there are no other sites within the development boundary that are available or suitable for the nature of the proposed use. The site is located on the edge of the village between the development boundary and the A55. It is vacant "white" land that has no specific protection. It would not result in development in the open countryside. It is considered that the scale, type and character of the proposal

respects the site and its surroundings. It is also acknowledged that the site is easily accessible. In principle the proposal is considered to be acceptable.

ii) Impact on residential amenity

Located opposite the site on Abergele Road are residential properties with the majority facing the site. These properties are set well back from the highway and have large amenity areas to the front of the properties leaving a distance of approx 60m to the front boundary of the application site. Whilst the proposed use would result in additional traffic and general activity in the area, it is not considered that the residents in the area would be unduly affected by the proposed use.

iii) Impact on visual amenity/setting of Marble Church & Bodelwyddan Castle

The buildings on the site have been designed to respect the sensitivity of the site in terms of its proximity to the A55, the Marble Church and Conservation Area and also Bodelwyddan Castle and historic parkland. It has also been designed to retain the existing gas governor house. The hotel building would be sited along the southern boundary of the site adjoining the A55 and would be set back from the boundary by 3m.

The applicant, in agreement with the Welsh Assembly, have adopted a 3m wide planting strip along the verge of the A55 to allow a hedge and trees to be planted along the rear boundary of the site. The existing highway planting needs supplementing and subject to suitable species there would be no objection to planting along the boundary. At its highest point, the hotel building would be 8.3m to the ridge, and would be built with a mix of stone and render, with a slate roof, stone cills and design features to reflect characteristics of the local area.

Overall the design is considered acceptable, and subject to control over detailing and finishes there are no objections to the proposal from a conservation aspect. The siting of the building has been kept away from the Marble Church, with a small parking area and landscaped area proposed within the area closest to the church. The oak tree would be retained and would form a focal point within a courtyard area at the entrance to the hotel. It is considered that the siting and design is acceptable without detrimentally impacting upon the locality and the various conservation interests of the area. Should permission be given, a high standard landscaping scheme would be required.

iv) Impact on Highway Safety

The proposal involves the formation of a new access off Abergele Road in order to access the gas governor house and the main car parking area on the western part of the site. The existing access would also be used to gain access to the smaller car parking area located to the eastern part of the site. Abergele Road is a classified road and has a capacity capable of accommodating the additional traffic generated by the proposal. The proposal would provide 98 car parking spaces in total with an acceptable internal layout. This would not exceed the maximum requirements of SPG 21 whilst providing sufficient to prevent on-street parking on adjacent roads. The Head of Highways has raised no objection to the proposal in principle.

**SUMMARY AND CONCLUSIONS:**

8. The principle of the development is considered acceptable with no adverse impact on residential amenity. Subject to a high standard landscaping scheme and control over external finishes it is not considered that the proposal would unduly affect the setting of the Marble Church, the Conservation Area, Bodelwyddan Castle and historic

parkland or views from the A55. There would be no adverse impact on highway safety.

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

1. Approval of the details of external appearance of the building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. No 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.
5. Prior to the commencement of the [erection / application] of any [external stonework / render] a sample panel of the type of [stonework, mortar, and pointing/render] it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority : and the [stonework, mortar and pointing/render] to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.
6. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.
7. 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.
8. 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.
9. Facilities shall be provided and retained within the site for the loading, unloading, 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.
10. 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.
11. 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.
12. 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.

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. In the interests of visual amenity.
5. In the interests of visual amenity.
6. In the interests of visual amenity.
7. To ensure the details are satisfactory in relation to the character and appearance of the building
8. To ensure a satisfactory standard of development, in the interests of visual amenity.
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 ensure that suitable measures are taken to deal with contaminated land in connection with the development.
11. In the interests of highway safety.
12. To encourage the use of a range of transport modes.

**NOTES TO APPLICANT:**

You are advised that a high standard landscaping scheme is required by a reserved matters application, details of which should be discussed at an early stage with the Local Planning Authority in consultation with the Landscape Architect.

Your attention is drawn to the attached response from the Welsh Assembly Government. Your attention is drawn to the attached response from Denbighshire's Access Officer.

Your attention is drawn to the attached response from Wales & West Utilities. Your attention is drawn to the attached response from the Environment Agency.

Your attention is drawn to the attached response from Dwr Cymru Welsh Water. 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). A suitable legal agreement will be required in relation to all the Highway works and the work shall only be commenced with the specific agreement of the Local Highway Authority.

**ITEM NO:** 6

**WARD NO:** Prestatyn Meliden

**APPLICATION NO:** 43/2006/0943/ PF

**PROPOSAL:** Removal of fencing and hedging to Bishopswood Road and erection of random stone boundary wall, decking area, summerhouse, barbecue and additional tree planting

**LOCATION:** 49 Cambrian Drive Prestatyn

**APPLICANT:** Mr & Mrs P Williams

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

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

**CONSULTATION RESPONSES:**

7. PRESTATYN TOWN COUNCIL  
"Object – Development seems to be retrospective planning application as hedge already removed. Some query regarding boundary line with public highway and land ownership. Previous planning application restricted access from Cambrian Drive to Bishops Wood. Loss of natural hedgerow detrimental to local amenity."
8. HEAD OF TRANSPORT AND INFRASTRUCTURE  
No objection subject to hedge planting being in previous position.
9. PRINCIPAL COUNTRYSIDE OFFICER  
No objection now wall is set back sufficiently to allow planting.

**RESPONSE TO PUBLICITY:**

Letters of representation received from:

1. L. K. Mussellwhite (Mrs.), Bishopswood Road, Prestatyn, LL19 9PL
2. Ian Devenport, Woodlands, Bishopswood Road, Prestatyn
3. Mr. John Morris, Woodholme, Bishopswood Road, Prestatyn
4. Mr. Roche, The Steps, Bishopswood Road, Prestatyn
5. D. Hand, Garreg Wen, Bishopswood Road, Prestatyn
6. Dr. W. A. Scriven, Pen y Llan, Bishopswood Road, Prestatyn
7. M. Griffiths, Mandalay, Bishopswood Road, Prestatyn
8. P. Wood, Treetops, Bishopswood Road, Prestatyn
9. A Davenport, Y Coed, Bishopswood Road, Prestatyn

Summary of planning based representations:

- i) Removal of hedge breaches previous planning conditions.
- ii) Concern over vehicle, pedestrian safety.
- iii) Impact on visual amenity/conservation of natural environment.

**EXPIRY DATE OF APPLICATION: 03/10/2006**



## **REASONS FOR DELAY IN DECISION:**

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

## **PLANNING ASSESSMENT:**

### **THE PROPOSAL:**

1. The application site is located at the south end of Cambrian Drive and consists of one of the 5 no. detached dwellings constructed in the late 1980's. To the west of the site, as the land slopes away, is the Melyd Golf Course whilst to the east, at a higher level, is Bishopswood Road.
2. The residential property is accessed via Cambrian Drive to the front with the rear garden area extending to the east to meet Bishopswood Road.
3. Permission is sought to erect a 1.8m high random stone wall with traditional cock and hen coping to the east side of the plot adjacent to Bishopswood Road. This would be set some 3.2m back from the carriageway with proposed native hedge planting intended to be planted in front of the wall. Behind the wall, within the garden, it is proposed to erect a summerhouse of timber construction with overall height of 2.8 m and a small barbeque area on raised timber decking.
4. By way of further background to this proposal, Planning Officers requested this application be submitted following an enforcement investigation into the removal of a hedgerow and post and wire fence to the Bishopswood Road boundary. The applicant was instructed to cease work in a letter sent on 1<sup>st</sup> August 2006. However, it is also important to highlight certain factors relating to the planning history of the site and surroundings in order to clarify some issues which have been raised by concerned residents.

### **RELEVANT PLANNING HISTORY:**

5. 2/PRE/66/84 – GRANTED  
Planning permission was originally granted in outline form for residential development at Cambrian Drive on appeal in February 1985. Two relevant points came out of this appeal decision which are:-
  - i) A condition was imposed requiring a hedgerow which ran along Bishopswood Road to the east of the residential site to be retained.
  - ii) Access to the residential site had to be from Cambrian Drive only. Whilst the Inspector did not specify whether this access was vehicular or pedestrian it is considered that given the nature of Bishopswood Road and its higher level a restriction on vehicular access would have been the intention.

#### **2/PRE/287/87/ - GRANTED**

This permission related to the erection of the new dwelling at the current application site but was not linked to the original outline scheme (i.e. it was not a reserved matters proposal but a full planning application). Neither the original outline application or the subsequent full application included the land upon which the current wall and decking area is proposed.

#### **2/PRE/116/90 – REFUSED**

This application involved land to the north and refusal on appeal of change of use of

land and retention of close boarded fence.

**2/PRE/99/91 – Change of use of land to garden – GRANTED**

This application related to an area of land of some 9m in depth which extended from the original residential garden boundary to the rear of 49 Cambrian Drive up to the carriageway of Bishopswood Road. This is the area within which the current proposal is located. Permission was given for the change of use with a landscaping scheme which involved the planting of trees and shrubs. This permission was conditional on the landscaping scheme being carried out and no trees or hedgerows within the site being removed. It is considered that the removal of the hedge/shrubs as part of this current scheme was in breach of Condition 2 of the above 1991 permission. A condition was also imposed as part of this permission restricting the erection of fences, gates or walls without first applying for permission.

6. In summary the following should be noted:-
- i) The hedge removed as part of the current scheme was not ancient but planted in relation to permission ref: 2/PRE/99/91.
  - ii) Condition No. 2 of 2/PRE/99/91 has been breached by removal of hedge/shrubs.
  - iii) There is no breach in relation to pedestrian access to the site off Bishopswood Road.

**PLANNING POLICIES AND GUIDANCE:**

7. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)
- Policy GEN 6 – Development Control Requirements
  - Policy HSG 12 – Extensions to Dwellings
  - SPG 1 – Extensions

GOVERNMENT GUIDANCE  
Planning Policy Wales, March 2002

**MAIN PLANNING CONSIDERATIONS:**

- 8.
- i) Principle of development.
  - ii) Impact on visual amenity.
  - iii) Impact on residential amenity.
  - iv) Impact on highway safety.
9. In relation to the points raised in paragraph 7 above:
- i) Principle of development  
The site is not located within a Conservation Area or Area of Outstanding Natural Beauty. The site is, however, in close proximity to a site of nature conservation value and the AONB and is an attractive area regularly used by walkers. Along Bishopswood Road there are examples of both wall and fence boundaries. However, close to the rear of the application site hedgerows are more prevalent. The applicant seeks to re-plant a native hedge to the front of the intended wall. It is considered, therefore, that the proposal is acceptable in principle. The wall is required for security purposes and would be set back sufficiently from the carriageway to allow further planting between the wall and the road.
  - ii) Impact on visual amenity  
Having regard to the planning history, it is considered that a traditional stone wall with hedge planting in front would not result in a significant detriment to the visual

amenities of the site and surroundings. The removal of the hedge planted in 1991 along with the post and wire fence, whilst in breach of a previously imposed condition, can be adequately remedied by the introduction of the wall and new planting. Revised plans have shown the wall set back some 3.2m from the carriageway. The decking area and summerhouse, being behind the proposed wall and planting, would not be prominent from Bishopswood Road and would not cause any detriment to visual amenity.

iii) Impact on residential amenity

The area of garden in question is already used and whilst it is raised above the floor level of the dwelling itself there is adequate screening to neighbouring dwellings on Cambrian Drive so as not to cause any significant detriment. The decking, summerhouse and wall would not impinge on any outlook from the rear windows of dwellings on Cambrian Drive.

iv) Impact on highway safety

Highway Engineers have visited the site and assessed the impact of the development on Bishopswood Road. Revisions have been made to the scheme to ensure that the wall and subsequent planting allow sufficient space for both vehicles and pedestrians to move freely on Bishopswood Road. The wall, being set back some 3.2m from the carriageway, would not impinge on the water main to the front of the verge and would enable a hedge to be re-introduced in the position it was previously.

**SUMMARY AND CONCLUSIONS:**

10. It is considered that, given the presence of other fences and walls along Bishopswood Road and the fact that a traditional stone wall with planting is proposed, the scheme would be acceptable. Revisions have been made to ensure protection of the verge and space for planting between the wall and highway.

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

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of development, in the interests of visual amenity.

**NOTES TO APPLICANT:** None

**ITEM NO:** 7

**WARD NO:** Prestatyn South West

**APPLICATION NO:** 43/2006/1208/ PR

**PROPOSAL:** Details of siting, design, external appearance, means of access, drainage, lighting, plan and highway works of primary school submitted in accordance with condition no's 1,4,7,8,12 and 14 of planning permission code no. 43/2005/1067/PO

**LOCATION:** Land At Plas Morfa Farm Ffordd Penrhwyflfa Prestatyn

**APPLICANT:** Denbighshire County Council Lifelong Learning

**CONSTRAINTS:** C1 Flood Zone  
EA Floodmap Zone 3  
EA Floodmap Zone 2  
Article 4 Direction

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

**CONSULTATION RESPONSES:**

1. PRESTATYN TOWN COUNCIL  
Awaiting Response
2. HEAD OF TRANSPORT AND INFRASTRUCTURE  
Satisfied with roundabout and access proposals. Concerns about level of car parking. Travel plan must be strictly enforced. Good pedestrian and cycleway links to Ffordd Penrhwyflfa but omission is lack of connection to housing to south of The Cut. This should be pursued before the opening of the school.
3. ENVIRONMENT AGENCY  
No objection. Refer to need to retain an easement width of at least 5m between toe of raised site and fence to The Cut.
4. WELSH WATER  
Awaiting Response
5. LAND DRAINAGE UNIT  
Awaiting Response
6. ACCESS OFFICER  
Awaiting Response
7. LANDSCAPE ARCHITECT  
Awaiting Response

**RESPONSE TO PUBLICITY:**

Letters of representation were received from:

1. Mr.B. Davies, 48, Ffordd Penrhwyflfa, Prestatyn
2. R.J. Cooper, 40, Ffordd Penrhwyflfa, Prestatyn
3. Mr Brian Owen, 50 Ffordd Penrhwyflfa, Prestatyn

4. Mr & Mrs T Kelly, 33 Ffordd Penrhwylyfa, Prestatyn
5. Ann Jones AM

Letter and petition signed by 81 residents of Ffordd Penrhwylyfa and nearby residential streets objecting to proposals due to access via large roundabout and lack of car parking.

Summary of planning based representations:

- i) Access and roundabout would have an adverse impact on amenity and safety of residents and also impact on highway safety and congestion, including access by emergency vehicles.
- ii) Parking area, play area and other works involve development in the "green barrier".
- iii) Lack of suitably sized parking areas and drop off points (cf Denbigh where car park for 75 cars is provided for school population of 571 pupils – 3 schools) – will lead to on street car parking in local area, obstructions of roads and pavements, and damage to verges, including for wheelchair users.
- iv) Bridge over railway on Ffordd Penrhwylyfa inadequate for extra traffic and unsafe for use by children walking or cycling to school.
- v) Alternative access arrangements should be considered e.g. one way system.

**EXPIRY DATE OF APPLICATION: 21/12/2006**

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. Reserved matters (detailed) approval is sought for the development of 2.5 hectares of land for a new primary school with associated vehicular and pedestrian access. Planning permission in outline was granted on 25 November 2005. The outline planning permission included the means of access but with all other matters (siting, design, external appearance and landscaping) reserved for the detailed application stage. This reserved matters application includes details of the siting, design and external appearance of the school building together with associated external play areas, parking and drop off areas, and servicing arrangements. The application also seeks approval of the details of a number of conditions on the outline planning permission, namely:
  - 4- Drainage
  7. External Lighting
  8. Dropping off and parking areas
  12. Details of highway works
  14. Treatment to Ffordd Penrhwylyfa lay by
2. The application has been accompanied by
  - i. Location and site plans.
  - ii. Access Road and Highway Improvements Plan
  - iii. Drainage Plan
  - iv. Floor Plan, Elevations, Sections and Roof Plan
  - v. Design and Access Statement.
  - vi. Draft School Travel Plan.
  - vii. Sustainability Policy.
  - viii. Statement relating to Traffic, Parking and Drop Off Arrangements.
3. The site for the school and associated parking and playing fields is currently generally level farmland to the north of The Cut. The access would also run through farmland and outbuildings and farmyard to Plas Morfa Farm and immediately to the north of 56

Ffordd Penrhwyfya before joining the existing highway.

4. Land to the north, west, and east of the school site is agricultural grazing land. To the south of The Cut, opposite the eastern most part of the school site lies recently erected housing development served off Ffordd Pantycelyn. Further housing development and public open space is being developed between the new housing on Ffordd Pantycelyn and Lon Gwyndaf/Lon Brynli. The access road and roundabout would form a junction onto a stretch of Ffordd Penrhwyfya, predominantly fronted by bungalows. This part of Ffordd Penrhwyfya is characterised by relatively wide tree lined grass verges, particularly on its eastern side, with good forward visibility. A lay-by serving the bungalows immediately to the south of the proposed access currently joins Ffordd Penrhwyfya at the intended site of the roundabout but also links with Ffordd Penrhwyfya some 90 metres to the southeast opposite No. 66 Ffordd Penrhwyfya.
5. The plans indicate the school, drop off area with parking bays for 18 cars, and the infant play areas being sited on the eastern most part of the site parallel with existing residential development to the south, with the western part of the site (some 2/3 of the total area) being shown for playing fields, junior hard surfaced play areas and a staff car parking area for some 30 cars (see plan accompanying report).
6. The school building would be have a rectangular footprint of 78m length by 37m width with a floor area of some 2500 sq m. Accommodation would be on a single floor with a public/community area to the northern end, administration on the north east corner, 7 infants/nursery classrooms down the eastern side (KS 1), 8 junior classrooms down the western side (KS 2) and ancillary services such as kitchen, storage and plant room on the north west corner. The rooms would be linked by an internal corridor and 2 no. internal courtyards would provide external classrooms as well as assisting in allowing natural daylight and ventilation.
7. The design reflects a modern approach as explained in the accompanying design and access statement. A focal point to the building would be provided by the main school/community hall with a height of 8.5m, shown to be clad in timber cedar boarding. The main elevations would be 5.5m high finished in white render with a mix of grey and coloured powder coated windows (a range of colours to be provided to classroom fenestration). Behind this façade would be a grey standing seam metal roof of shallow pitches sloping down to the external classroom areas.
8. The design and access statement and sustainability policy indicate the wish to develop an exemplar building that takes into account environmental and sustainability issues. The aims to achieve a "Very Good Rating" accreditation under the Building Research Establishment Environmental Assessment Method (BREEAM). Features include use of natural ventilation and sunlight, wind catchers and sun pipes, and re-harvesting of rainwater.
9. This application has been subject to publicity by press and site notices and neighbour letters. At outline planning permission stage and before and after the earlier application, meetings were held with local residents. In addition to the above, the Council as Local Education Authority (LEA) have undertaken a number of meetings at local schools and published its consultation document in September 2005 to allow consultation on the Councils proposals for a new school (as opposed to the details of the planning application).

**RELEVANT PLANNING HISTORY:**

10. 43/2005/1067/PO Development of 2.5 hectares of land for primary school with associated vehicular and pedestrian access (outline application). Land at Plas Morfa Farm, Ffordd Penrhwyfya, Prestatyn.

In relation to the land to the south:

42/2004/0102/PF – Erection of 44 no. dwellings, construction of new vehicular access, car parking, open space area and landscaping. Resolution to GRANT planning permission at Planning Committee on 22<sup>nd</sup> June 2005 subject to the applicant first entering into a Section 106 obligation to include:

- i) Financial contribution towards education provision.
- ii) Facilitating access, should it be required, for primary school on land to north.
- iii) Commuted sums for maintenance of open space.
- iv) Provision of affordable housing.

Decision issued 26 October 2005.

**PLANNING POLICIES AND GUIDANCE:**

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

Part 1 – Strategic Policies

Policy GEN1 – Development Within Development Boundaries

Policy GEN3 – Development Outside Development Boundaries

Policy GEN5 – Green Barriers

Policy GEN6 – Development Control Requirements

Policy ENV1 – Protection of the Natural Environment

Policy ENV6 – Species Protection

Policy ENV11 – Safeguarding of High Quality Agricultural Land

Policy ENP4 – Foul and Surface Water Drainage

Policy ENP6 – Flooding

Policy CF3 – School Sites

Policy TRA6 – Impact of New Development on Traffic Flows

Policy TRA8 – Transport Requirements in Major Developments

Policy TRA9 – Parking and Servicing Provision

Supplementary Planning Guidance

SPG21 – Parking Requirements in New Developments – September 2004

GOVERNMENT GUIDANCE

Planning Policy Wales (March 2002)

TAN 5 – Nature Conservation

TAN 12 - Design

TAN 15 – Development and Flood Risk July 2004

**MAIN PLANNING CONSIDERATIONS:**

- 8.
- i) Visual impact of siting, design and external appearance of the school building and associated development.
  - ii) Impact on residential amenity of school building and associated development.
  - iii) Impact on residential and visual amenity of access proposals.
  - iv) Impact on highway safety of access proposals.
  - v) Suitability of drainage proposals.
9. In relation to the main planning considerations in paragraph 8:

i) Visual impact of siting, design and external appearance of the school building and associated development

The outline planning permission established the principle of developing a primary school on this site. The issue of vulnerable development in a C1 Flood Risk Zone was also considered at outline stage with mitigation conditioned in the form of finished floor and access road levels.

In recognition of the fact that the application site straddles the designations of “white land” and green barrier in the UDP, a condition was imposed on the permission (condition 9) requiring that the school building itself be sited outside the green barrier. These details accord with that condition. Thus the building itself will relate to the existing housing development on land to the south of The Cut. The limited encroachment of hard play areas and staff parking into the green barrier would not materially impact on the openness of the green barrier and therefore is considered acceptable against Policy GEN 5 of the UDP.

The building would be a detached stand alone entity. Thus, it provides the opportunity to evolve a modern design with sustainable credentials. The design and scale of the building are considered acceptable in the context of nearby developments which comprises a mix of 20<sup>th</sup> century and recent housing developments of single and two storey constructed in a mix of traditional brick and render and slate and tile materials. The use of white render and grey roofing and windows reflect the building materials and colours of the locality whilst the focal point provided by the higher entrance building clad in wood and the use of coloured windows to the classrooms provides features of interest and give the building life.

The play areas, parking and drop off facilities, external lighting and fencing and hard landscaping would surround the school and physically relate to it and be visually acceptable. The provision of soft landscaping, including boundary hedges, would assist in assimilating the development into the landscape. The details of landscaping are to be submitted separate from this application.

The proposals are considered acceptable against relevant criteria of Policy GEN 6.

ii) Impact on residential amenity of school building and associated development.

The school building and associated development would be a minimum of 18m from the boundary of residential development on the south side of The Cut. The housing is screened by a 1.8m high fence. The elevation facing south would be predominantly blank apart from a door way and windows to a single KS2 classroom, fenestration serving a storage room and WC and higher level windows to provide daylight. Residential development to the east is a minimum of 150m from the school boundary. Thus, the design of the building would not lead to significant issues of overlooking and loss of privacy.

The provision of a school and the associated activity would result in increased activity and noise, on the site. This was principally a consideration at outline stage. However, given that the majority of this activity will be during week day school hours and would be predominantly the sounds of children playing, such activity would not in itself represent an unacceptable impact.

The proposals would be acceptable against relevant criterion v) of Policy GEN 6.



iii) Impact on residential and visual amenity of access proposals.

The impact of the access road and roundabout on Ffordd Penrhwylyfa on nearby dwellings remains an understandable and significant concern of nearby residents. This was an issue raised at outline stage when the means of access was under consideration and has been subject to debate at the various meetings held with local residents. Inevitably, the presence of an access to a school will lead to increased activity, particularly at the start and end of the school day. However, this will not be during unsocial hours. The comings and goings along the access and highway approach will inevitably have some impact and provision should be made within the detailed landscaping scheme for mitigation in the form of landscaping and screen walls/fences where appropriate e.g. adjacent to 56 Ffordd Penrhwylyfa. This would also help to assimilate the access road into the surroundings.

The roundabout would result in the carriageway being pushed closer to some existing properties on Ffordd Penrhwylyfa. The eastern edge of the roundabout would be some 3m from the garden boundary of the nearest dwellings (29, 31, and 33 Ffordd Penrhwylyfa) compared to an existing gap of some 15m. The properties have the benefit of reasonably sized gardens but mitigation in the form of screening should be sought with the agreement of the occupiers. The roundabout would also have a visual impact by leading to the loss of wide verges with trees at this location. The landscaping scheme would need to include replacement tree planting and other landscaping to assist in reducing the visual impact of the roundabout.

The details relating to the lay by (condition 14) include the provision of guard railing to its northern end and creation of a turning head. These proposals would be likely to discourage parking by school visitors but allow ongoing servicing and turning movements for those accessing the residential properties off the lay by.

Residents are also concerned that the parking and dropping off provision is inadequate and is likely to lead to parking on nearby residential roads with impact on their living conditions. The adequacy of the arrangements is addressed below.

The proposal would, in respect of the highway works, satisfy criterion v) of Policy GEN 6.

iv) Impact on highway safety of access and parking proposals.

Means of access was considered at outline stage. Thus, the principle of the roundabout and access road location has been established.

The provision of a roundabout on Ffordd Penrhwylyfa and the nature of the access onto the site was supported at outline stage by the following justification:

- a) A mini roundabout will be better at coping with peak flows.
- b) A roundabout will assist in reducing traffic speeds and provide pedestrian crossing points.
- c) The alternative of a right turn lane would be unlikely to cope with peak demands and lead to queuing vehicles blocking traffic and do nothing to reduce traffic speeds.

This remains the position of the Council as both applicant and highway authority.

The detailed design of the roundabout includes for the appropriate dimensions and deflection, pedestrian guard railing and pedestrian refuges to north and south.

The access road would be 6.5m wide with a 3m wide footway/cycleway on the southern side. Traffic calming in the form of road humps would be provided. Thus it would provide passage for vehicles in both directions together with foot and cycleway access. Provision is made for dropping off area with parking spaces to the front of the school with a pedestrian crossing from this area to the school entrance.

The draft school travel plan includes the stated objective of discouraging reduced car usage and encouraging walking and cycling. It includes a sample action plan. The responsibility for implementation of a detailed plan is with the School and its governing body. It remains central to the objectives of the LEA for the school and is a condition of the planning permission.

In addition, it should be noted that proposals are being developed to provide cycleway links and improved pedestrian routes along Ffordd Penrhwyfya, including over the railway bridge. An application for transport grant is currently before the National Assembly for Wales.

The access proposals for the school are considered acceptable in highway safety terms.

Parking and drop off proposals have led to concerns in that it is felt that inadequate provision would lead to parking on Ffordd Penrhwyfya and other roads and thus lead to increased hazards, inconvenience and impact on living conditions.

The proposals include for a 34 space staff car park and dropping off area with space for 18 cars. The parking provision exceeds the car parking guidelines in SPG 21 for a school in that the maximum requirement is for 1 car space per classroom (15 spaces). It is considered that the amount of parking strikes an appropriate balance between the SPG21 advice and concerns of local residents. In addition the 180m long access road would provide some capacity for casual parking away from Ffordd Penrhwyfya and would ensure a significant distance between the school and Ffordd Penrhwyfya making it less likely that car borne pupils would be dropped off on the main road. It is considered that these factors, combined with a commitment to a school travel plan, result in acceptable parking and dropping off proposals.

The access and parking proposals would satisfy criterion vi) and vii) of Policy GEN 6, and Policy TRA 6, TRA 8 and TRA 9.

v) Suitability of drainage proposals

The drainage details show foul drainage to the public sewers and surface water drainage to an attenuation system involving brakes on the flow and storage capacity for storm conditions. This would result in the discharge of surface water to The Cut and green field run off rates. Discharge itself would require separate consent from the Environment Agency but the principle has been agreed. There do not appear to be any difficulties with foul drainage to the existing sewage system.

An existing land drain located in close proximity to the school building would be

diverted to the western edge of the site. This has again been agreed in principle with the Environment Agency.

Thus, the drainage proposals are considered acceptable and comply with Policy ENP 4.

**SUMMARY AND CONCLUSIONS:**

10. The reserved matters details of siting, design and external appearance and details relating to discharge of conditions are considered acceptable. The continuing concerns of local residents about the access and parking proposals are understood but it should be noted that the principle of access by a roundabout and access road was established at outline stage. The details have been developed taking into account some of the specific concerns of residents and in discussion with Highway Officers.

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

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

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

1. In the interests of visual amenity.

**NOTES TO APPLICANT:**

The Environment Agency refer to the need to retain an easement width of at least 5m between the toe of the raised site and the fence to The Cut. You are reminded of the requirements of the remaining conditions of the outline planning permission, notably: 1. & 6. Landscaping Scheme 11. School Green Travel Plan 13. Method Statement for Construction

SES

**ITEM NO:** 8  
**WARD NO:** Rhyl South West  
**APPLICATION NO:** 45/2006/0816/ PF  
**PROPOSAL:** Erection of 18 No. dwellings and construction of new vehicular access  
**LOCATION:** Land at Brookdale Road Rhyl  
**APPLICANT:** J & T Gizzi Builders  
**CONSTRAINTS:** Article 4 Direction  
C1 Flood Zone  
Public Footpath / Bridleway  
**PUBLICITY UNDERTAKEN:** Site Notice - Yes Press Notice - Yes Neighbour letters - Yes

**CONSULTATION RESPONSES:**

1. RHYL TOWN COUNCIL  
"Object, over-intensification of site and concerns at impact on local road from additional vehicles particularly at Prince Edward Avenue".
2. HEAD OF TRANSPORT & INFRASTRUCTURE  
Awaiting response to amended plans
3. HEAD OF HOUSING SERVICES  
No response received
4. ENVIRONMENT AGENCY  
No objection subject to conditions.
5. PRINCIPAL COUNTRYSIDE OFFICER  
No objection

**RESPONSE TO PUBLICITY:**

Letters of representation received from:

1. Mr. Malcolm Jones, 39, Brookdale Road, Rhyl (requests that previous comments be taken into account)
2. Mackenzie Jones Solicitors on behalf of owner of 24, Brookdale Road, Rhyl

Summary of planning based representations:

<u>Overdevelopment</u>	-	No significant changes in this latest application, would change the nature of the area.
<u>Drainage / flooding</u>	-	Concerns over flooding potential.
<u>Wildlife interests</u>	-	Site has been used as feeding and resting place for donkeys and hens / is a valuable resource for other wild birds, other animals and plants/trees and wildlife should be protected/open space should be enhanced to encourage wildlife

Preference alternative uses - Community recreation uses would be beneficial to the community.

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

**PLANNING ASSESSMENT:**

**THE PROPOSAL:**

1. The application site comprises an area of open land within the development boundary of Rhyl, measuring some 25m x 125m, alongside Brookdale Road and the Rhyl Cut Watercourse. To the west of the site are Glanaber Trading Estate and Coronation Gardens playing fields. Running alongside the cut is a public footpath. Along the western boundary are several mature trees and in the southern corner of the site is a small hut. The ground level slopes downwards slightly into the site from Brookdale Road and slightly from south to north.
2. This application is a resubmission for the development of 18 dwellings on the site. Members may recall resolving to grant permission for 18 dwellings on the site at the August 2005 Committee following a refusal of a previous application in May 2005. The sole reason for refusal of the earlier application was on the grounds of the cramped and unsatisfactory form of the particular development proposed.
3. This new application involves the same number of units as the one dealt with in August 2005, but the layout and design of dwellings has been amended. This revised scheme shows:
  - the 18 units arranged in a terrace of 5 units at the south end of the site, a terrace of 4 units and a terrace of 3 units at the north end of the site, and a terrace of 6 units in the centre of the site. Each of the 4 linked series of units would be of a differing design, all would have 2 bedrooms other than plots 9 and 10 which would have 3 bedrooms.
  - Parking for a total of 34 vehicles, located between the blocks of dwellings with some located to the rear of plots 9, 10 and 11.

**RELEVANT PLANNING HISTORY:**

4. 45/2004/1160/PF Erection of 18 no. dwellings and construction of new vehicular access.  
REFUSED – 25<sup>th</sup> May 2005 on grounds of overdevelopment, poor layout and design.

45/2005/0763/PF Erection of 18 no. dwellings and construction of new vehicular access. Resolved to grant at the August 2005 planning committee subject to the applicant first entering into a Section 106 agreement to provide affordable housing and the payment of a commuted sum for open space. Section 106 not completed, application WITHDRAWN November 2006.

**PLANNING POLICIES AND GUIDANCE:**

5. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)
  - Policy GEN 6 – Development Control requirements
  - Policy GEN 2 – Development of non-annotated land
  - Policy ENP 6 – Flooding
  - Policy HSG 2 – Housing development in main centres
  - Policy HSG 10 – Affordable housing within development boundaries
  - Policy REC 2 – Amenity and recreational open space requirements in new developments
  - Policy TRA 9 – Parking and servicing provision

SPG 21 – Parking requirements in new developments  
SPG 22 – Affordable Housing

**GOVERNMENT GUIDANCE**

Planning Policy Wales, March 2002

TAN 15 – Development and Flood Risk July 2004

TAN 12 – Design 2002

**MAIN PLANNING CONSIDERATIONS:**

6.
  - i) The principle of the development
  - ii) Design, layout, form and density open space
  - iii) Highway issues
  - iv) Affordable Housing
  - v) Open space
  - vi) Flooding
  - vii) Wildlife
  
7. In relation to the main planning considerations in paragraph 6:
  - i) Principle

The development of a site within the development boundary of a town would be acceptable in principle. All applications have to be assessed in detail against UDP policies and material considerations to justify the grant of permission. The principle of the development has already been accepted.
  
  - ii) Design / Layout issues

The layout of the site has been designed to discourage cars parking on Brookdale Road and to reduce the dominance of car parking along the frontage of the site. In similar vein to the previously 'approved' application the central terrace has been designed to provide a focal point in the form of an archway entrance, which comprises first floor living accommodation for plots 9 and 10 with a vehicular access under, leading to car parking spaces at the rear. The front elevation of this terrace has also been staggered as has the terrace of 3 dwellings at the northern most end of the site. The type of external wall finishes proposed is a mix of brick and render to match existing development in the area. The physical relationship between the proposed units and existing development would be acceptable, and the private rear amenity spaces would be comparable to that of existing dwellings immediately to the west on Brookdale Road. With sensitive hard and soft landscaping there would be no adverse impact on the visual amenities of the area.
  
  - iii) Highway Issues

The development provides 34 car parking spaces arranged predominantly in 2 main areas adjacent to the south terrace and in between the two terraces to the north of the site. This is considered to be an acceptable provision and layout, providing sufficient parking to avoid cars parking on Brookdale Road. The scheme would provide a footway/cycle crossing over The Cut to link in with the existing public footpath and proposed cyclepath proposed as part of the Denbighshire Cycle Network. Subject to the inclusion of conditions to ensure a satisfactory standard of construction, it is not considered that there would be any adverse impact on highway safety.
  
  - iv) Affordable Housing

The applicants have confirmed the intention to make 5 of the units available for affordable purposes. This would be consistent with the SPG on affordable

housing and can be secured through a Section 106 obligation.

- v) Open Space  
The applicants have confirmed willingness to adopt the same approach as previously accepted here, by payment of a commuted sum in lieu of provision of open space on the site. The sum can be used to develop / enhance existing recreation facilities and open areas in the locality (including the proposed cycleway), where it would be of more obvious community value than what would at best be a small patch of undeveloped ground in the middle of a number of dwellings on this site. This may be a more beneficial approach in this instance, given the proposal to create a footway/cycleway link to the Coronation Gardens.
  
- vi) Flooding  
The location of the site in a C1 Zone obliges due consideration of the advice in TAN 15 – Development and Flood Risk. The view is taken that with regard to the justification tests of TAN 15, the development of windfall sites offering the possibility of affordable dwellings is in support of the Council's strategy to sustain settlements, and that the development conforms with the aims of Planning Policy Wales. Whilst the land is not a brownfield site, the remaining consideration in Section 6 of TAN 15 has been clearly addressed. A Flood Consequences Assessment has been submitted and the Environment Agency has confirmed they are satisfied the flood risk can be managed to an acceptable level with a condition relating to minimum floor levels to be imposed should permission be granted.
  
- vii) Wildlife  
Whilst respecting the comments of the objector on the facility the site has offered over time for accommodation of domestic animals, there is no indication of protected species present here, and none of the trees are protected by preservation orders. It would be difficult to resist a proposal for a small scale development in a town on this basis. The application site itself does not impinge on The Cut, which is bounded by private gardens and commercial premises on either side over much of its length through the town.

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

8. This revised submission shows an acceptably designed development, and subject to control over detailing would make for an interesting scheme on a small site within a long established residential area. The density of development would not lead to unacceptable relationship with existing properties, and the scheme would provide acceptable private amenity areas and adequate parking for residents. The Environment Agency are satisfied at the conclusions of a Flood Consequences Assessment which confirms proposed floor levels are above the 1 in 1000 year flood event.

The recommendation is subject to the completion of an obligation under Section 106 of the 1990 Planning Act to secure

- (a) The provision of 5 affordable housing units and the retention of these units for affordable purposes
  
- (b) The payment of a commuted sum for provision and maintenance of open space of £53, 308.80 apportioned as follows:

CROS Provision Costs	£15, 720.48
CROS Maintenance Costs	£16,511.04
Childs Provision Costs	£15,573.60
Childs Maintenance Costs	£5,503.68

The Certificate of Decision would only be released on completion of the legal obligation, and on failure to complete within the time period. The application would be represented to the Committee and determined in accordance with the policies of the Council applicable at that time, should material circumstances change beyond a period of 12 months after this Committee.

**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. None of the units hereby permitted shall be occupied until the proposed access and parking areas have been constructed in accordance with the plans hereby approved.
4. The detailed layout, design, drainage, street lighting and construction of the internal parking/access courts shall be agreed in writing by the Local Planning Authority prior to commencement of development on site.
5. 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) are first occupied. There shall be no discharged surface water or land drainage into the public sewerage system.
6. The finished floor levels of the dwelling units shall be set at a minimum of 6.75m AOD.
7. Notwithstanding the submitted details, 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, including confirmation of species, numbers, and location and the proposed timing of the planting;(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) Screen fences/walls, and the boundary fence to prevent access to The Cut from private gardens of dwellings.
8. 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 final dwelling of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
9. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailing of the accesses proposed to The Cut for the Environment Agency and of the footway/cycle crossing of The Cut as part of the proposed Denbighshire Cycle Network and access to The Coronation Gardens to the north east of the site.
10. Full details of the footway and associated highway works adjacent to the site as indicated on the approved plan including the detailed design, construction, drainage, street lighting, and any planting or fences adjacent to the footway shall be submitted to and approved in writing by the Local Planning Authority before any works start on site and shall be constructed in accordance with the approved details before any dwelling is occupied.



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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interest of highway safety.
4. In the interests of highway safety.
5. To ensure satisfactory drainage of the site and to avoid flooding.
6. To prevent floor damage to properties in the event of flooding.
7. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
8. To ensure a satisfactory standard of development, in the interests of visual amenity.
9. To ensure safe and satisfactory arrangements for access to The Cut and the open amenity land, and to ensure the future protection of The Cut.
10. In the interests of highway safety.

**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).

The permission is subject to a Section 106 obligation relating to the provision of affordable units and commuted sum payment for off site open space.

You should contact the Highway Section of the County Council to discuss the requirements for the cycle/pedestrian link to the Coronation Gardens, arrangements for highway improvements and temporary site access.

**ITEM NO:** 9

**WARD NO:** Tremeirchion

**APPLICATION NO:** 47/2006/1163/ PF

**PROPOSAL:** Raising roof height to form pitched roof with dormers to front and rear elevations to create living accommodation in roof space (revised scheme)

**LOCATION:** Hendre Sian Rhualt St. Asaph

**APPLICANT:** Mr & Mrs P Feeney

**CONSTRAINTS:** Tree Preservation Order  
CLC-Class C Road

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

**CONSULTATION RESPONSES:**

1. TREMEIRCHION, CWM & WAEN COMMUNITY COUNCIL  
"Objection, On the grounds of conflict with SPG 1 "(paragraph 4.1, 8.2 and 8.10 are quoted)"
2. AONB JOINT ADVISORY COMMITTEE  
The JAC reaffirmed its previous comments that although just outside the AONB, the site is prominent and impacts on views both in and out of the designated area and the adjoining Offa's Dyke National Trail. The JAC object to the current proposals on the grounds that the scale of the proposed extensions is excessive and the design is not sympathetic to the character of the AONB.

**RESPONSE TO PUBLICITY:**

None

**EXPIRY DATE OF APPLICATION: 26/11/2006****REASON FOR DELAY IN DECISION:**

- Timing of receipt of representations

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

1. The proposal is for alterations and extension to the dwelling Hendre Sian in Rhualt. A pitched slate roof is proposed which is 4.25m higher than the existing shallow pitched roof. The proposal includes infilling the existing 1<sup>st</sup> floor terrace which is 2.8m in depth to allow for an extension to the dwelling and 2 additional bedrooms in the roofspace. A total of 6 no gabled dormers are proposed (3 to front, 3 to rear), central to the new roof.
2. The unusual 1970's flat-roof brick dwelling is located approximately 300m outside of the centre of Rhualt village on the western side of Cwm Road. The site slopes down

from the road to the west, and is bounded on the south side by Bryn Siriol a traditional two-storey dwelling and to the north by Brynllithrig Hall and converted outbuildings. The road forms the boundary with the AONB and also is the route of Offa's Dyke National Trail.

**RELEVANT PLANNING HISTORY:**

3. 47/2006/534/PF Withdrawn due to concerns over the extent of alterations and the number of dormers.

**PLANNING POLICIES AND GUIDANCE:**

4. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN (adopted 3<sup>rd</sup> July 2002)  
Policy GEN 6 Development Control Requirements  
Policy HSG 12 Extensions to Dwellings  
Policy ENV 2 - AONB

SPG1 – Extensions to Dwellings  
GOVERNMENT GUIDANCE  
Planning Policy Wales March 2002

**MAIN PLANNING CONSIDERATIONS**

5.
  - i) Principle
  - ii) Visual Appearance/Impact on the AONB
  - iii) Residential Amenity

6. The main issues are considered to be:

- i) Principle  
The principle of the proposal is acceptable and in keeping with Policy HSG 12 and SPG 1 in that it would involve legitimate householder development within a residential curtilage.
- ii) Visual Appearance/Impact on the AONB  
The infilling element of the extension is relatively small scale and acceptable; the alterations to the fenestration pattern mainly reflect the existing elevations. Moreover, the alterations to the windows would be permitted development if put forward without the other elements of the proposal.

The existing dwelling is of 1970's design which does not relate well to local vernacular including nearby dwellings. Whilst, in itself it is understated with its shallow roof pitch, the provision of a slate pitched roof and gabled dormers over the existing structure would be more in character with existing development in the area. It is considered that the alteration from the flat roof to a pitched slate roof is considered acceptable and appropriate in this open countryside location, abutting the AONB. Mill Cottage on the eastern side of the road has a dormer on its front roof plane, therefore setting the precedent for small dormers in the area. All other nearby dwellings have pitched roofs, predominantly in slate.

Owing to the sloping nature of the site only the first floor and roof will be visible from the east and Offa's Dyke Trail. As indicated above these will be typical features in the area. From lower ground to the west, the slate roof will enable the dwelling to blend better into the landscape against the backcloth of the wooded slopes of the Clywdian Hills.

- iii) Residential Amenity  
The proposal will not impact on the privacy and amenity due to the separation

distances of the dwelling from neighbouring properties. The changes to the fenestration on the side elevations are not significant. There is adequate amenity space remaining and parking and turning to accommodate the additional parking requirements for the additional bed-space.

**SUMMARY AND CONCLUSIONS:**

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

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

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

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

**NOTES TO APPLICANT:**

None

**MATERION GORFODAETH**

(i) **ENF/ 2006/87**

Mwynglawdd Pennant a Thŷ'r Ali, Rhualt  
Torri Amod ac Ymrwymiad Adran 106 (ynghylch cais  
cynllunio 47/240/97/PF)

## ADRODDIAD GORFODAETH CYNLLUNIO

**CYFEIRIF:** ENF/2006/00087

**LLEOLIAD:** Tir yn a gerllaw Mwynglawdd Pennant a Thŷ'r Ali, Rhualt, Llanelwy, Sir Ddinbych.

**TRAMGWYDDIA  
D** Torri Amod ac Ymrwymiad Adran 106 - Cais Cynllunio 47/240/97/PF

## **POLISIŌU A CHANLLAWIAU CYNLLUNIO PERTHNASOL**

CYNLLUN DATBLYGU UNEDOL SIR DDINBYCH  
Polisi GEN 6 – Gofynion Rheoli Datblygu  
Polisi GEN 3 –Datblygu y Tu Allan i Ffiniau Ddatblygu  
Polisi TSM 5 – Twristiaeth Gwledig  
Polisi ENV 2 – Datblygiadau'n effeithio ar AHNE  
Polisi CON 10 – Henebion Rhestredig  
Polisi CON 11 – Ardaloedd o Bwysigrwydd Archeolegol

CANLLAWIAU'R LLYWODRAETH  
Polisi Cynllunio Cymru 2002

### YSTYRIAETHAU HAWLIAU DYNOL

Telir sylw i'r Ddeddf Hawliau Dynol wrth ystyried gorfodaeth ynghylch peidio â chydymffurfio ag Ymrwymiad Adran 106 ac â'r amodau a atodir ar hawl cynllunio. Yn yr achos yma, mae'r ystyriaeth ynghylch hawliau perchennog datblygiad cymysg o eiddo trigiannol a masnachol yn erbyn methiant i gydymffurfio ag amodau cynllunio ac Ymrwymiad Adran 106 ffurfiol. Cytunwyd ar yr Ymrwymiad Adran 106 a gosodwyd yr amodau cynllunio er y budd cyhoeddus o reoleiddio datblygiad ar dir mewn tirlun o bwysigrwydd cenedlaethol (AHNE) sy'n gorbwyso buddiannau'r perchennog.

## **1. GWYBODAETH GEFNDIR**

- 1.1 Rhoddwyd caniatâd cynllunio ar gyfer datblygiad newydd yng nghefn gwlad ar ffurf anheddle, ysgubor gysgu gyda hyd at ddeg o welyau, mannau parcio, man picnic a rhwydwaith o lwybrau troed ym mis Rhagfyr 1997. Mae'r safle o fewn AHNE ac mae'n cynnwys cwt injan hen fwynglawdd sy'n Heneb Rhestredig ac mae'r ardal hefyd o ddiddordeb archeolegol.
- 1.2 Cafodd y man picnic a'r mannau parcio cysylltiedig eu gosod allan ar ben gogleddol y safle lle'r oedd y cyn dŷ annedd ac adeiladau allanol a adwaenid fel Tŷ'r Ali. Mae'r datblygiad ger yr A55 ac mewn man gyda golygfeydd o Ddyffryn Clwyd. Gallai fod yn bwynt gwybodaeth defnyddiol i ymwelwyr yn dod i'r sir.
- 1.3 Roedd anheddle ac ysgubor gysgu newydd a man parcio cysylltiedig i fod i gael eu hadeiladu ar ben deheuol y safle. Codwyd yr anheddle ym 1998 ond nid yw'r ysgubor gysgu wedi'i hadeiladu.
- 1.4 Roedd mynediad cyhoeddus i fod i'r safle a dehongliad o weddillion archeolegol.

1.5 Roedd y datblygiad yn ei gyfanwydd yn cael ei weld fel ffordd o sicrhau adfer y cwt injan a fyddai'n caniatáu mynediad i'r cyhoedd at yr heneb a'r gwaith o'i amgylch ac yn annog ymwelwyr ar y safle a'r mannau cyfagos gyda man picnic a maes parcio, busnes merlota a mynediad i'r cyhoedd i ddarpariaethau cefn gwlad. Er bod y cwt injan wedi'i adfer i safon uchel a'r anheddle wedi'i godi, nid yw elfennau hanfodol eraill o'r pecyn wedi'u darparu neu nid ydynt ar gael.

1.6 Roedd Ymrwymiad Adran 106 ac amodau gyda'r cais cynllunio ar gyfer y datblygiad. Ni chydymffurfiwyd â nifer o delerau'r amodau a'r Ymrwymiad Adran 106 ac felly rhaid ystyried a fyddai'n fuddiol gweithredu ynghylch hyn. Ymddengys y ceir y toramodau canlynol:

1.6.1 *Bydd y Tirfeddiannwr yn gweithredu ar y caniatâd cynllunio yn ei gyfanwydd o fewn tair blynedd i ddyddiad dechrau'r datblygiad yn unol â'r cynllun a gafodd ei gymeradwyo. (Ymrwymiad Adran 106 – Cymal 2a)*

Gan nad yw'r ysgubor gysgu wedi'i hadeiladu ni chydymffurfiwyd â'r caniatâd cynllunio yn ei gyfanwydd. Dechreuwyd ar y datblygiad fis Mawrth 1998 ac felly dylai fod wedi'i orffen yn gyfan gwbl erbyn mis Mawrth 2001.

1.6.2 *Bydd y Tirfeddiannwr yn caniatáu'r cyhoedd i ddefnyddio rhannau o'r safle gan gynnwys y mannau parcio, man picnic, y cwt injan, y gwaith mwyngloddio cysylltiedig â'r rhwydwaith o lwybrau troed yn unol â'r cynllun a gafodd ei gymeradwyo. (Ymrwymiad Adran 106 – Cymal 2e)*

Pan ymwelwyd â'r safle ar ddau achlysur roedd y llidiart i fan parcio'r man picnic wedi'i chloi. Mae'r man picnic wedi gor dyfu a does dim tystiolaeth ei fod yn cael ei ddefnyddio. Roedd y brif lidiart arall i'r safle, ger yr anheddle ar y terfyn deheuol, hefyd wedi'i chloi a dau gi Alsatian yn rhydd y tu ôl iddi.

1.6.3 *Bydd y Tirfeddiannwr yn sicrhau y bydd y mannau cyhoeddus ar gael i'w defnyddio gan y cyhoedd ac wedi'u gosod allan o fewn un flwyddyn o ddyddiad cwblhau gwaith cadwriaethol a gwaith diogelwch ar y cwt injan a'r hen waith mwyngloddio .....(Ymrwymiad Adran 106 - Cymal 2f).....ni fydd y Tirfeddiannwr yn lleihau, atal na rhwystro mynediad y cyhoedd. (Ymrwymiad Adran 106 – Cymal 2i)*

Dechreuwyd ar y datblygiad fis Mawrth 1998 a dylai felly, er mwyn cydymffurfio â'r Ymrwymiad Adran 106, fod wedi'i orffen yn gyfan gwbl erbyn mis Mawrth 2001. Felly, dylai'r cyhoedd fod wedi cael mynediad erbyn mis Mawrth 2002 a hyd yn oed os derbynnir haerriad y Tirfeddiannwr y cytunwyd ar estyniad o 9 - 12 mis, dylai'r cyhoedd fod wedi cael mynd ar y tir erbyn mis Mawrth 2003 ar yr hwyraf.

1.6.4 *Mae amod a osodwyd ar y caniatâd cynllunio'n datgan y cyfyngir ar feddiannaeth yr anheddle i berson sy'n gweithio'n gyfan gwbl neu'n bennaf, yn y busnes ar y safle neu i berson sy'n gweithio'n gyfan gwbl neu'n bennaf yn yr ardal mewn amaethyddiaeth neu goedwigaeth. (Amod 11 a hefyd Ymrwymiad Adran 106 – Cymal 2c)*

Does dim tystiolaeth fod y busnes a fwriadwyd yn gweithredu ar y safle hon ac mae'r methiant i godi'r ysgubor gysgu ac i ganiatáu mynediad i'r cyhoedd yn cefnogi'r farn honno.

## **2. Y RHESYMAU DROS GYFLWYNO RHYBUDD GORFODAETH A THROS WEITHREDU YMHELLACH O DAN ADRAN 106 O'R DDEDDF CYNLLUNIO**

- 2.1 Tynnwyd sylw'r Tirfeddiannwr at y diffyg cydymffurfiad gyda'r Ymrwymiad Adran 106 ac Amodau drwy drafodaeth a gohebiaeth. Mae'r materion uchod yn dal heb eu setlo er gwaethaf yr amser a roddwyd i gwblhau'r datblygiad. Er gwaethaf awgrym y Tirfeddiannwr bod rhagor o waith i gael ei wneud ystyrir fod angen penderfyniad i orfodi a gweithredu ar hynny ar hyn o bryd i sicrhau cydymffurfiad.

## **3. ARGYMHELLIAD**

- 3.1 Fod y Pwyllgor Cynllunio'n penderfynu gweithredu fel bo'n addas o dan y Deddfau Cynllunio fel a ganlyn.
- (i) Cyflwyno Rhybudd(ion) o Dor Amodau neu Rybudd(ion) Gorfodaeth ynghylch y methiant i gydymffurfio ag Amod 11 o ganiatâd cynllunio rhif 47/240/97/PF.
  - (ii) Gweithredu o dan Adran 106 o Ddeddf Cynllunio Gwlad a Thref i geisio cydymffurfiad â thelerau'r Ymrwymiad Adran 106.
  - (iii) Dechrau cymryd camau i erlyn oherwydd methiant i gydymffurfio ag amodau unrhyw Rybudd Tor Amod, Rhybudd Gorfodaeth neu fethiant i gydymffurfio ag Ymrwymiad Adran 106.



**ADRODDIAD GAN Y PENNAETH CYNLLUNIO A GWARCHOD Y CYHOEDD  
FFIOEDD A THALIADAU AR GYFER Y PWYLLGOR CYNLLUNIO**

**1. DIBEN YR ADRODDIAD**

1.1 Gofyn i'r Pwyllgor Cynllunio gymeradwyo ffioedd a thaliadau diwygiedig ac ychwanegol am y gwasanaethau a ddarperir gan Adran Rheoli Datblygiad y Gwasanaeth Cynllunio a Gwarchod y Cyhoedd.

**2. CEFNDIR**

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

2.2 Mae angen ystyried yr adroddiad hwn yng nghyd-destun y Rhaglen Wella ar gyfer Cymru a Chynllun Gwella'r Cyngor ei hunan, sy'n ceisio cael effeithiolrwydd ac arbedion, gan gynnwys ffrydiau incwm ychwanegol.

2.2 Mae un newid i'r cynigion a roddwyd gerbron y Pwyllgor Archwilio. Ar ôl cyngor gan y Pennaeth Rheoli Cofnodion, ni ellir cyfiawnhau'r cynnig i godi tâl am adfer ffeiliau i'w harchwilio, fel y nodwyd ym mharagraff 4.8 yr adroddiad, dan ddeddfwriaeth Rhyddid Gwybodaeth a Gwarchod Data. Felly, ni fydd y cynnig hwn yn cael ei weithredu.

2.3 Yn ychwanegol at ffioedd a thaliadau newydd, mae taliadau eraill sy'n berthnasol i'r swyddogaeth gynllunio ac sydd angen eu harolygu dan ddeddfwriaeth Rhyddid Gwybodaeth. Nodir tabl o ffioedd a thaliadau ar gyfer 2007 yn **Atodiad B** ac mae'n adlewyrchu'r taliadau am gopïo i'w bennu ar lefel Cyngor a bydd yn berthnasol trwy'r Cyngor Sir.

### 3. FFIOEDD A THALIADAU

#### Cyngor cyn gwneud cais

- 3.1 Dylid cyfeirio at y cyfiawnhad yn 4.2 a 4.3 yr Adroddiad Archwilio. Y materion pwysig yw:
- i. Mae cyngor cyn gwneud cais yn ddewisol, nid yn orfodol.
  - ii. Rydym yn annog pobl i ofyn am gyngor cyn gwneud cais trwy ein rhwydwaith o gymorthfeydd cynllunio. Gall y system ymdopi gyda mwyafrif llethol ymholiadau cyn gwneud cais mewn dull effeithiol e.e. datblygiadau deiliaid tai.
  - iii. Mae cynigion mwy yn cael eu trin trwy'r agwedd tîm datblygu, yn cynnwys cyfarfodydd swyddfa gydag ymgynghorai perthnasol.
  - iv. Gall cyfarfodydd safle cyn gwneud cais gymryd amser ac ymyrryd. Mae hyn yn gynaliadwy dim ond pan gaiff ei ddefnyddio'n ddethol ac os ad - delir amser swyddog gyda thâl.

**Argymhelliad - Bod ffi o £70 yn cael ei phennu am gyfarfod safle cyn gwneud cais. Byddai'r ffi yn talu am ymchwilio hanes a chyfyngiadau cynllunio, mynychu'r cyfarfod safle ac anfon ymateb ysgrifenedig ar ôl y cyfarfod.**

#### Angen am Ganiatâd Cynllunio

- 3.3 Dylid cyfeirio at y cyfiawnhad yn 4.4 yr Adroddiad Archwilio. Y pwyntiau pwysig yw:
- i. Mae'r cyngor hwn yn ddewisol, nid yn orfodol.
  - ii. Mae gan yr ymateb ysgrifenedig ddilysrwydd ond nid yw'n cynrychioli cais ffurfiol am dystysgrif o gyfreithlondeb datblygiad arfaethedig (CLOPUD) a fyddai'n cynhyrchu ffi statudol o £144.
  - iii. Mae rhai Awdurdodau Cynllunio Lleol yn mynnu bod holl ymholiadau fel hyn yn cael eu trin trwy gais CLOPUD. Mae hyn yn cynhyrchu ffioedd ond yn lleihau argaeledd cyngor anffurfiol.
  - iv. Mae'r cynigion yn yr adroddiad Archwilio yn rhoi cyfaddawd rhesymol rhwng mynnu ar gais CLOPUD ffurfiol a chyngor am ddim.

**Argymhelliad - bod cyngor ar yr angen am ganiatâd cynllunio yn destun tâl o £25.**

#### Monitro Datblygiad

- 3.4 Dylid cyfeirio at y cyfiawnhad yn 4.5 yr Adroddiad Archwilio. Y pwyntiau pwysig yw
- i. Mae cyflwyno Tystysgrif Cydymffurfio yn ddewisol ac nid yn orfodol.
  - ii. Mae'n fenter newydd a, chyn belled ag yr ydym yn gwybod, yn unigryw yng Nghymru.

- iii. Byddai'n ddiweddglo'r broses fonitro a rhoi cysur i'r datblygydd ac unrhyw bartion â diddordeb wedyn bod y datblygiad wedi ei gyflawni'n briodol.
- iv. Cyn rhoi "Tystysgrif Cydymffurfio" byddai angen arolygu'r broses monitro datblygiad, gwirio'r ffeiliau ac ymgymryd ag ymweliad safle. Yr awgrym yw bod datblygwyr yn barod i dalu am "Dystysgrif Cydymffurfio".
- v. Ni fyddai "Tystysgrif Cydymffurfio" yn gost-effeithiol heb gynhyrchu ffi.

**Argymhelliad – Bod y "Dystysgrif Cydymffurfio" yn destun tâl o £100.**

- 3.5 Mae ffioedd diwygiedig ar gyfer Rheoliadau Ceisiadau a gyflwynwyd gan LICC yn Ebrill 2006 yn rhoi hawl i awdurdodau cynllunio mwynau a gwastraff godi tâl am ymweliadau â safleoedd mwyngloddio a thirlenwi i fonitro eu bod yn cydymffurfio gyda chaniatâd cynllunio. Bydd swyddogion Sir y Fflint yn ymgymryd â'r gwasanaeth monitro i ddechrau ar ran Sir Ddinbych dan gytundeb lefel gwasanaeth.

**Argymhelliad – Bod swyddogion yn cytuno trefn fonitro gyda Sir y Fflint a gwrthbwysu'r ffioedd am fonitro yn erbyn costau'r cytundeb lefel gwasanaeth gyda Sir y Fflint.**

**Gwrychoedd Uchel**

- 3.6 Dylid cyfeirio at y cyfiawnhad yn 4.7 yr Adroddiad Archwilio. Mae angen pwysleisio'r pwyntiau canlynol:
- i. Pennwyd y ffi yn Ionawr 2005 ar £240. Yn y cyfamser, mae ffioedd cynllunio wedi cynyddu gan 20%. Byddai cynnydd 20% ynddo'i hunan yn cyfiawnhau ffi o £290.
  - ii. Mae'r rhan fwyaf o Awdurdodau Cynllunio Lleol eraill yn codi'r ffi isaf o £320.
  - iii. Mae archwiliad gwrych uchel yn gofyn am gymryd camau penodol gan gynnwys cofrestru a chydabod y gŵyn; ymweliad safle gan Swyddogion Cynllunio a Chydymffurfio a Swyddogion Coed; asesiad ar ôl yr ymweliad safle a pharatoi adroddiad a chasgliad, a llythyr yn ymateb i'r gŵyn.

**Argymhelliad – bod y ffi am waith gwrychoedd uchel yn cael ei gynyddu i £320.**

**ARGYMHELLIAD: Bod (i) y Pwyllgor Cynllunio yn cytuno gyda'r argymhellion a nodwyd uchod a'r ffioedd a'r taliadau a nodwyd yn Atodiad B ynghlwm ar gyfer 2007 a (ii) bod Swyddogion yn cael awdurdod dirprwyedig i ddefnyddio cysylltiad mynegai i'r ffioedd a'r taliadau yn flynyddol.**

### ENVIRONMENT SCRUTINY COMMITTEE

5 October 2006

#### Report by the Head of Planning and Public Protection

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##### 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](mailto:mark.dakeyne@denbighshire.gov.uk))



# PLANNING - DEVELOPMENT CONTROL

## CHARGING SCHEME 2007

	SERVICE PROVIDED	PRICE INC. VAT	POSTAGE & PACKAGING	FAX
<b>A</b>	<b>PHOTOCOPYING SERVICE</b>			
<b>1</b>	<b>GENERAL COPIES (Black and White)</b>			
	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
<b>2</b>	<b>GENERAL COPIES (Colour)</b>			
	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	
<b>3</b>	<b>PUBLISHED REPORTS (A4 Size)</b>			
	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
<b>4</b>	<b>MISCELLANEOUS</b>			
	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
<b>5</b>	<b>O.S. MAP EXTRACTS</b>			
	Mapping package for Planning and Building Control Note: This cost is in addition to O.S. charge.	£5-00	60p	£1-00
<b>B</b>	<b>OTHER SERVICES</b>			
<b>1</b>	<b>SITE HISTORY</b>			
	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
<b>2</b>	<b>PRE APPLICATION SITE VISIT</b>			
	Research of Planning History, attendance on site, written response	£70	N/A	N/A
<b>3</b>	<b>NEED FOR PLANNING PERMISSION</b>			
	Written request to determine whether planning permission is required (includes research of planning history, calculation of dimensions supplied, written response)	£25 per request		

## APPENDIX B

<b>4</b>	<b>COMPLIANCE CERTIFICATE</b>			
	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
<b>5</b>	<b>HIGH HEDGES INVESTIGATION</b>			
	Investigation of complaints about high hedges under the Anti-Social Behaviour Act 2003	£320		
<b>C</b>	<b>EXEMPTIONS</b>			
	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 BENNAETH CYNLLUNIO A GWARCHOD Y CYHOEDD**

**DYDDIADAU YMWELIADAU SAFLE:**

**1. PWRPAS YR ADRODDIAD**

- 1.1 Hysbysu'r Aelodau o ddyddiadau tebygol unrhyw Ymweliadau Safle cyn dyddiad y Pwyllgor nesaf (24 Ionawr 2007)

**2. DYDDIADAU YMWELIADAU SAFLE**

- 2.1 Ar ôl ymgynghori ag Adran Clerc y Sir penderfynwyd mai **dydd Gwener 19 Ionawr 2007** yw'r mwyaf addas.

Neilltuwyd y dyddiad hwn dros dro.

- 2.2 Dylech nodi, felly, y cynhelir unrhyw ymweliad safle a drefnir heddiw neu cyn y Pwyllgor Cynllunio nesaf **ddydd Gwener 19 Ionawr 2007**.

**3. AELODAU'R PANEL YMWELD**

- 3.1 Aelodau'r panel ymweld fydd:

Y Cadeirydd a'r Is Gadeirydd, Aelod(au) Lleol a chynrychiolwyr y Cyngor Tref neu Gymuned perthnasol.

**4. ARGYMHELLIAD**

- 4.1 **Fod yr Aelodau'n cytuno i gynnal ymweliadau safle ddydd Gwener 19 Ionawr 2007.**

## Eitem rhif 6 ar y Rhaglen

### AWDURDODIADAU PWYLLGOR GORFODI ADRODDIAD AROLYGU ACHOSION Rhagfyr 2006

Mae'r achosion hyn wedi eu hadrodd i'r Pwyllgor eisoes, ond nid ydynt wedi eu datrys. Pwrpas yr adroddiad yw darparu diweddariad chwarterol byr i Aelodau. Mae'n well codi unrhyw faterion manwl gyda Swyddogion cyn neu ar ôl y Pwyllgor.

RHIF CYF	CYFEIRIAD	PWYLLG OR	TOR-AMOD	CAMAU
ENF/037/95/N P13/11	Rhydorddwy Goch, Ffordd Dyserth, Y Rhyl	28/10/98 24/03/04	31 ffenestr heb awdurdod mewn adeilad rhestredig	Gwaith ar y gweill
ENF/001/99/N P13/5	Elwy Bank, Stryd Fawr, Llanelwy	09/05/00	Esgeuluso adeilad rhestredig	Caniatâd cynllunio a roddwyd Tachwedd 2006. Disgwyl am ganiatâd ARh Monitro hyd at gwblhad y gwaith
ENF/2003/0016 P7/601	208 Stryd Fawr, Prestatyn	23/04/03	Stepen stondin heb awdurdod i du blaen siop mewn Ardal Gadwraeth	Mewn trafodaeth gyda'r perchennog
ENF/2001/005 P7/565	'Patina', 204 Stryd Fawr, Prestatyn	25/07/01	Gosod caead rholio mewn Ardal Gadwraeth	Mewn trafodaeth gyda'r perchennog
ENF/2002/007 P7/568	Tŷ Isoe, Maes Maelor, Llandegla	30/01/02 25/05/05	Storio cerbydau a defnydd preswyl	Monitro'r safle Opsynau cyfreithiol yn cael eu hystyried
ENF/2002/025 P7/580	115 Coast Road, Y Rhyl	26/06/02	Defnydd cymysg, preswyl a gwerthu ceir	Dim defnydd diawdurdod nawr Safle wedi ei dacluso
ENF/2002/021 P7/351	Cornel Bach, Ffordd Dinbych Isaf, Llanelwy	04/09/02	Lleoli cartref symudol a chreu cwrtil	GCGC i fonitro a sicrhau bod y garafán yn cael ei symud unwaith y bydd y rhieni gwael wedi gadael.  Mae'r rhieni yn dal yno.
ENF/2002/017	153 Stryd Fawr,	04/09/02	Ffrynt siop uPVC mewn Ardal	Ffrynt siop newydd wedi ei ddodi – DCP

RHIF CYF	CYFEIRIAD	PWYLLG OR	TOR-AMOD	CAMAU
P24/194	Prestatyn		Gadwraeth	
15/877/98/MA P47/3	Chwarel Maes y Droell, Graianrhyd	30/10/02	Cais ROMP heb ei benderfynu – echdynnu'n parhau	Cyflwynwyd cais
ENF/2002/043 P7/592	Cyn-dir rheilffordd, Tŷ Draw, Bodfari	18/12/02	Storio cerbydau rheilffordd a phethau cysylltiedig	Monitro
ENF/2003/031 P7/592		23/07/03	Ffens ffiniol a gatiâu dros 2m	
ENF/2003/009	Pysgodfa Casgan, Llandegla	23/07/03	Defnyddio carafán yn breswyl a lleoli cerbydau	Archwilio
ENF/2003/028	Tir ger Uned 10, Parc Busnes HTM, Ffordd Abergele, Rhuddlan	03/09/03	Lleoli Carafán Sefydlog i ddibenion preswyl	Archwilio
ENF/2003/041	Coral Spring, Ffordd Rhuthun, Llandegla	26/11/03	Defnyddio tir i leoli carafán a storio ceir	Monitro
ENF/2003/0002	Gwasg Gee, 12 -18 Chapel Street, Dinbych	24/03/04	Esgeuluso adeilad rhestredig	Trafodaethau'n mynd rhagddynt gyda Swyddogion Cynllunio/Cadwraeth
ENF/2004/00033	5 Ochr y Foel, Eryrys	21/04/04	Codi ffens	Lefel ffens wedi ei ostwng – DCP
ENF/2004/00058	4 Aspen Walk, Y Rhyl	21/04/04	Gosod 2 ddysgl lloeren, un ohonynt yn 1m, ar du blaen ty annedd	Ddim yn ddoeth parhau gyda'r achos
ENF/302/00/N	37 – 39 Pendyffryn Road, Y Rhyl	21/04/04	Esgeuluso adeilad rhestredig	Derbyniwyd ceisiadau i ail-ddatblygu/adfer
ENF/2004/00012	Oak Frame Company, Rhan o Gae AO Rhif. 5000 a 6300, Pen y Bryn Road, Glascoed Road,. Llanelwy	15/12/04	Codi adeilad pren i'w ddefnyddio fel tŷ annedd	Disgwyl cais
ENF/2004/00042	Allandai ym Mryn Eglur, Llanrhaeadr, Dinbych (hen siediau ieir)	24/03/05	Newid defnydd adeilad amaethyddol presennol ar gyfer storio a dosbarthu	Disgwyl penderfyniad apêl

RHIF CYF	CYFEIRIAD	PWYLLG OR	TOR-AMOD	CAMAU
ENF/2005/00050	Rhoslydan, Bryneglwys, Corwen	25/05/05	Newid defnydd tir amaethyddol i storio cynwysyddion i'w defnyddio mewn perthynas â gweithgareddau wynebu ffordd	Monitro caniatâd.
ENF/2005/00014	22 Cae'r Odyn, Eryrys.	25/05/05	Adeiladu ffens dros 1 metr ger y briffordd a newid defnydd tir i ffurfio estyniad i'r cwrtil.	Mewn trafodaethau gyda pherchennog y safle
ENF/2005/00102	Armon Cottage, Llanferres	28/09/05	Adeilad tŷ gwydr/estyniad ar ochr tŷ annedd	Rhodddwyd caniatâd - monitro
ENF/2005/00059	Llain 1 Safle Siale Gwyliau, Llantysilio, Llangollen	26/10/05	Caban gwyliau yn cael ei ddefnyddio fel unig lety preswyl	Gyda'r adran gyfreithiol ar gyfer cyngor/cymryd camau
ENF/2005/00060	Llain 3 Safle Siale Gwyliau, Llantysilio, Llangollen	26/10/05	Caban gwyliau yn cael ei ddefnyddio fel unig lety preswyl	Gyda'r adran gyfreithiol ar gyfer cyngor/cymryd camau
ENF/2005/00061	Llain 4 Safle Siale Gwyliau, Llantysilio, Llangollen	26/10/05	Caban gwyliau yn cael ei ddefnyddio fel unig lety preswyl	Gyda'r adran gyfreithiol ar gyfer cyngor/cymryd camau
ENF/2005/00026	Camp Alyn, Tafarn y Gelyn, Llanferres	26/10/05	Newid defnydd tir i ddibenion preswyl	Mewn trafodaeth gyda'r perchennog mewn perthynas â chais tŷ gosod gwyliau posibl
ENF/2006/00030	3 Grawys Villas, Pwll Grawys, Dinbych	19/04/06	Gosod ffenestri a drws uPVC gwydr dwbl	Cyflwynwyd hysbysiad
ENF/2006/00039	10 Berwyn Street, Llangollen	19/04/06	Gosod ffenestri uPVC mewn Ardal gadwraeth	Disgwyl apêl
ENF/2006/00076	20 – 22 Chapel Street, Dinbych	04/10/06	Ffenestri/drysau uPVC heb awdurdod	Mewn trafodaeth gyda'r adran gyfreithiol
ENF/2006/00080	1 Llys Clwyd, Dinbych	04/10/06	Defnyddio eiddo fel busnes tacsï heb awdurdod	Mewn trafodaeth gyda pherchennog y safle
ENF/2005/00064	Tir oddi ar A542 Bwlch yr Oernant, Llangollen	08/11/06	Lleoli carafán i ddibenion preswyl	Mewn trafodaeth gyda'r adran gyfreithiol / perchennog
ENF/2005/00107	Padog yn Nhrefnant, Henllan Road, Llanelwly	08/11/06	Carafán/wyneb caled ar dir amaethyddol	Mewn trafodaeth gyda'r adran gyfreithiol

RHIF CYF	CYFEIRIAD	PWYLLG OR	TOR-AMOD	CAMAU
ENF/2005/00116	1 Artillery Row, Bodelwyddan	08/11/06	Isrannu cwrtil preswyl i greu 2 uned breswyl	Hysbysiad Gorfodi yn cael ei ddrafftio
ENF/2006/00085	35 Llys Ogwen, Prestatyn	08/11/06	Rhedeg busnes hufen iâ o eiddo preswyl	Mewn trafodaeth gyda'r adran gyfreithiol

GCGC – Gwasanaethau Cynllunio a Gwarchod y Cyhoedd  
GC – Gwasanaethau Cyfreithiol  
GD – Gwasanaethau Datblygu

YS – Ymweliad Safle  
DCP – Dim Camau Pellach

***Os bydd yr Aelodau angen gwybodaeth bellach ar unrhyw un o'r achosion uchod, cysylltwch â Paul Mead ar 01824 706705 neu paul.mead@sirddinbych.gov.uk***

**Penderfyniadau a Gymerwyd gan y Pennaeth Cynllunio a Gwarchod  
y Cyhoedd  
Hawliau Dirprwyedig  
14eg Hydref – 20fed Tachwedd 2006**

**Eitem er Gwybodaeth**

Dyma restr o geisiadau lle mae penderfyniad eisoes wedi ei gymryd dan hawliau dirprwyedig. Os ydych yn dymuno trafod y cais/benderfyniad cysylltwch â'r Swyddog Achos os gwelwch yn dda.

**MATHAU O BENDERFYNIAD**

- CANIATÁU** - rhoi caniatâd cynllunio
- GWRTHOD** - gwrthod pob math o achos
- CYMERADWYO** - cymeradwyo materion neilltuedig neu amod
- CANIATÂD** - rhoi caniatâd adeilad rhestredig, ardal gadwraeth neu ganiatáu hysbyseb
- TYBIEDIG** - nid yw angen caniatâd hysbyseb
- DIM GWRTH** - dim gwrthwynebiad i goeden(coed) mewn ardal gadwraeth
- DIM ANGEN** - nid yw'r cais angen caniatâd
- PENDERFYN** - penderfynu nad oes angen cymeradwyaeth ymlaen llaw neu fe'i rhoddir ar ôl penderfynu cais (gwaith telecom neu waith amaethyddol penodol)
- DAT G** - cynnig y ceir ei fod yn ddatblygiad a ganiateir ar ôl ei dderbyn
- TND** - tynnwyd y cais yn ôl gan yr ymgeisydd
- ANNILYS** - cafwyd bod y cais yn annilys
- ARDYSTIO** - Cyflwynwyd tystysgrif o ddefnydd cyfreithlon
- G-ARDYST** - gwrthod cyflwyno tystysgrif o ddefnydd cyfreithlon



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

14 /10 /2006 ac 20 /11 /2006

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

14 /10 /2006 and 20 /11 /2006

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
00/2006/1138 / NA	<b>Neighbouring Authority Applications</b>  Erection of 13 no. wind turbines and associated infrastructure incorporating mineral extraction for borrow pits - Land at Mwdwl Eithin, South of Llanfihangel Glyn Myfyr	Conwy County Borough Council  <b>Case Officer - Ian Weaver</b>	NO OBJ	31 /10 /2006
01/2005/1363 / PO	<b>Land To The Rear Of Fron Deg Ruthin Road Denbigh</b>  Renewal of planning permission Code 01/2002/1181/PO comprising development of 0.5ha of land for residential purposes and construction of new vehicular and pedestrian access (Outline application)	T M Hughes  <b>Case Officer - Shan Wyn Jones</b>	GRANT	03 /11 /2006
01/2006/0978 / PF	<b>15 The Green Denbigh</b>  Erection of two-storey and single-storey extensions at rear of dwelling and front porch	Mr B Poole  <b>Case Officer - Paul David Griffin</b>	GRANT	27 /10 /2006
01/2006/1064 / PF	<b>St. Brigids School Mold Road Denbigh</b>  Widening of existing entrance and improvements to visibility splays.	St Brigids School  <b>Case Officer - Paul David Griffin</b>	GRANT	01 /11 /2006
01/2006/1110 / PF	<b>16 Lon Nant Denbigh</b>  Erection of two-storey pitched-roof extension at north side with pitched-roof continuation over flat roof at front of dwelling and erection of conservatory to south side/rear of dwelling	Mr & Mrs J Parmor  <b>Case Officer - Paul David Griffin</b>	GRANT	14 /11 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
CYNLLUNIO A GWARCHOD Y CYHOEDD O DAN  
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14 /10 /2006 ac 20 /11 /2006

**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
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14 /10 /2006 and 20 /11 /2006

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
01/2006/1264 / AC	<b>Gwaenynog Infant School Gwaenynog Road Denbigh</b>  Details of materials submitted in accordance with condition number 2 of planning permission 01/2006/159/PF	Denbighshire County Council  <b>Case Officer - Paul David Griffin</b>	APPROVE	01 /11 /2006
02/2005/0633 / AC	<b>Land At Glasdir Ruthin</b>  Details of site compound and Works Method Statement; soil survey; decontamination proposals; wildlife mitigation; landscaping; lighting; culverting of Mwrog Street Flood Channel; River Clwyd bridge; road constructional details; and noise attenuation measures submitted in accordance with condition numbers 3,5,7,10,12,14,15,16,17,18 and 19 of planning permission code no. 02/2003/1052/PF	Welsh Development Agency  <b>Case Officer - Ian Weaver</b>	APPROVE	20 /11 /2006
02/2005/1025 / AC	<b>Land At Glasdir Ruthin</b>  Details of site design brief submitted in accordance with condition no. 7 of planning permission code no. 02/2004/1059/PO	Welsh Development Agency  <b>Case Officer - Ian Weaver</b>	APPROVE	01 /11 /2006
02/2005/1197 / AC	<b>Land At Glasdir Ruthin</b>  Details of phasing of development (condition 3), landscape and ecological/biodiversity information (condition 6(a)), drainage strategy (condition 6(b)), and link proposals for pedestrians and cyclists (condition 6(c)) submitted in accordance with planning permission code no. 02/2004/1059/PO	Welsh Development Agency  <b>Case Officer - Ian Weaver</b>	APPROVE	20 /11 /2006

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

14 /10 /2006 ac 20 /11 /2006

**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
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14 /10 /2006 and 20 /11 /2006

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
02/2006/1046 / PF	<b>Land At Tyn y Minffordd Llanfwrog Ruthin</b>  Erection of 2 detached houses and garages, formation of new vehicular access and installation of septic tank	Messrs E W Williams & D C Jones  <b>Case Officer - Nicola Marie Jones</b>	GRANT	13 /11 /2006
02/2006/1054 / PF	<b>33a Clwyd Street Ruthin</b>  Change of use from Class A1 shop to Class A2 estate agents office	Key Properties  <b>Case Officer - Paul David Griffin</b>	GRANT	01 /11 /2006
02/2006/1113 / PF	<b>Eden Court Business Centre Lon Parcwr Industrial Estate Ruthin</b>  Erection of portal-framed roof over existing flat roof to form extension to building	Waterco Limited  <b>Case Officer - Paul David Griffin</b>	GRANT	13 /11 /2006
02/2006/1114 / PF	<b>8 Trem Menlli Ruthin</b>  Erection of first-floor pitched-roof extension over existing flat-roof kitchen extension at side/rear of dwelling	Mrs A Price  <b>Case Officer - Paul David Griffin</b>	GRANT	13 /11 /2006
03/2006/0925 / FA	<b>Middle Bankwood Coed Bwlch y Rhysgog Berwyn Llangollen</b>  Erection of timber shed for use in connection with forest management	Evan Morris  <b>Case Officer - Jenni Perkins</b>	GRANT	19 /10 /2006
03/2006/0976 / PF	<b>12 West Street and Glanllyn Market Street Llangollen</b>  Change of use of 1 dwelling into 2 dwellings	Mr R K Holt  <b>Case Officer - Paul David Griffin</b>	GRANT	26 /10 /2006

**PENDERFYNIADAU WEDI EU GWNEUD GAN BENNAETH  
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14 /10 /2006 ac 20 /11 /2006

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

14 /10 /2006 and 20 /11 /2006

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
03/2006/1081 / PF	<b>Abbey Road Garage Abbey Road Llangollen</b>  Erection of electricity sub station building to serve proposed apartments	McCarthy & Stone (Devs) Ltd.  <b>Case Officer - Ian Weaver</b>	GRANT	24 /10 /2006
03/2006/1121 / PF	<b>Wern Isa Farm Wern Road Llangollen</b>  Replacement of existing flat roof with slated pitch roof at side of dwelling	Mr A Williams  <b>Case Officer - Paul David Griffin</b>	GRANT	16 /11 /2006
03/2006/1141 / PF	<b>Outbuilding At Pen Y Bryn Holyhead Road Llangollen</b>  Change of use contractors' office and store to a single dwelling	Jones Renovation And Construction  <b>Case Officer - Paul David Griffin</b>	WDN	18 /11 /2006
03/2006/1147 / PF	<b>Geufron Hall Geufron Llangollen</b>  Erection of pitched-roof extension to side/rear of dwelling	Drs. R & J Williams  <b>Case Officer - Paul David Griffin</b>	GRANT	16 /11 /2006
03/2006/1181 / PF	<b>Sycamore Abbey Road Llangollen</b>  Erection of porch to side of dwelling (amended scheme)	Mr D Lumsden  <b>Case Officer - Jenni Perkins</b>	GRANT	08 /11 /2006
05/2006/0495 / LB	<b>Outbuildings adjacent to Dee Bank Penybryn Corwen</b>  Listed Building Application for internal and external alterations and conversion of building to form a dwelling within the curtilage of a Listed Building	Mr & Mrs P Williams  <b>Case Officer - Nicola Marie Jones</b>	GRANT	17 /10 /2006

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

14 /10 /2006 ac 20 /11 /2006

**DECISIONS MADE BY HEAD OF PLANNING AND PUBLIC  
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05/2006/0992 / PF	<b>Baptist Chapel London Road Corwen</b>  Change of use of redundant Baptist Chapel to single residential dwelling unit (resubmission)	EBS (Edwards Building Services) Limited  <b>Case Officer - Paul David Griffin</b>	REFUSE	16 /11 /2006
05/2006/1174 / EL	<b>Melin Rug Cottages Betws Gwerfil Goch Corwen</b>  Erection of LV overhead line supported by wooden poles	SP Power Systems Ltd  <b>Case Officer - Paul David Griffin</b>	APPROVE	16 /11 /2006
07/2006/1016 / PF	<b>Old Post Office 7-9 High Street Llandrillo Corwen</b>  Demolition of existing single-storey rear extension and erection of new two-storey rear extension; internal alterations, restoration, refurbishment & modernisation; replacement of 3 modern windows and 2 doors with traditional style.	Dr & Mrs Aled Lewis  <b>Case Officer - Paul David Griffin</b>	GRANT	17 /10 /2006
07/2006/1017 / LB	<b>Old Post Office 7-9 High Street Llandrillo Corwen</b>  Demolition of existing single-storey rear extension and replacement with new two-storey rear extension; internal alterations, restoration, refurbishment & modernisation; replacement of 3 modern windows and 2 doors with traditional style.	Dr & Mrs Aled Lewis  <b>Case Officer - Paul David Griffin</b>	GRANT	10 /11 /2006
08/2006/1000 / PF	<b>Pen Bont Fawr Cynwyd Corwen</b>  Change of use of land for stabling of horses and grazing and erection of 2 No. stables.	Mr & Mrs N Wivell  <b>Case Officer - Paul David Griffin</b>	GRANT	07 /11 /2006

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09/2006/1060 / PF	<b>Ty Isaf Cottage Bodfari Denbigh</b>  Erection of two-storey and single-storey pitched roof extensions to rear of dwelling	Mr G Parry  <b>Case Officer - Emer O'Connor</b>	GRANT	19 /10 /2006
09/2006/1140 / EL	<b>Bwlch Bach Bwlch Isaf Llandyrnog Denbigh</b>  Erection of LV overhead line supported by wood poles	SP Power Systems Ltd  <b>Case Officer - Paul David Griffin</b>	APPROVE	16 /11 /2006
10/2006/0408 / PF	<b>Cae Madog Uchaf Llandegla Wrexham</b>  Conversion of shippoon to form residential annexe to main dwellinghouse	Mrs D Crossley  <b>Case Officer - Nicola Marie Jones</b>	GRANT	09 /11 /2006
11/2006/1001 / PF	<b>Cae Segwen Clocaenog Ruthin</b>  Use of land for erection of stable block	Mr & Mrs D Worthington  <b>Case Officer - Nicola Marie Jones</b>	GRANT	08 /11 /2006
12/2006/0879 / PO	<b>Land between 1 Bryn Awelon and Tyn yr Erw Clawddnewydd Ruthin</b>  Development of 0.19 hectares of land by erection of 1 dwelling, formation of new vehicular access and driveway and installation of new septic tank (Outline application)	Mr & Mrs T W Griffiths  <b>Case Officer - Nicola Marie Jones</b>	REFUSE	08 /11 /2006
12/2006/1003 / PF	<b>Near Bod Petryal Clocaenog Forest - Derwen Coupes Derwen Corwen</b>  Formation of 3 No. temporary vehicular accesses and re-use of existing access at abandoned quarry	Forestry Commission  <b>Case Officer - Nicola Marie Jones</b>	GRANT	26 /10 /2006

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12/2006/1009 / PR	<b>Land adjoining Anneddwen Clawddnewydd Ruthin</b>  Details of siting, design and external appearance of dwelling and landscaping of the site submitted in accordance with Condition 1 of outline planning permission Ref. No. 12/2005/0479/PO (Reserved Matters)	S.G Revell  <b>Case Officer - Paul Mead</b>	APPROVE	03 /11 /2006
12/2006/1137 / AC	<b>Land Adjoining Bronallt Clawddnewydd Ruthin</b>  Details of proposed junction between access road and highway submitted in accordance with condition number 6 of planning permission 12/2004/1519/PF	Alun Wyn Jones  <b>Case Officer - Jenni Perkins</b>	APPROVE	31 /10 /2006
15/2006/0891 / PF	<b>Awel-Y-Mynydd Eryrys Road Mynydd Du Mold</b>  Erection of replacement dwelling	Mr & Mrs M Griffiths  <b>Case Officer - Nicola Marie Jones</b>	GRANT	13 /11 /2006
15/2006/0966 / PF	<b>Former Milking Parlour Creigiog Isaf Llandegla Road Llanarmon-Yn-Ial Mold</b>  Renewal of application Ref. No. 15/2000/1143/PF for conversion of milking parlour to a dwelling	Mr A E Jones  <b>Case Officer - Paul Mead</b>	GRANT	17 /10 /2006
15/2006/1053 / PF	<b>Tyn Y Ffordd Graianrhyd Road Llanarmon-Yn-Ial Mold</b>  Change of use of land to equestrian, erection of 4 No. stables and construction of manège	Mr C Collins  <b>Case Officer - Nicola Marie Jones</b>	GRANT	08 /11 /2006
16/2006/0969 / AD	<b>Vale Country Club Mold Road Ruthin</b>  Display of banner sign on existing pole mounted sign	Mr R.W Jones  <b>Case Officer - Paul David Griffin</b>	REFUSE	01 /11 /2006

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17/2006/0971 / MA	<b>Moel-Y-Faen Quarries Horseshoe Pass Llangollen</b>  Temporary use of land for importation and storage of aggregates for resale (revision to previously-submitted scheme)	Jones Bros. Ruthin Co. Limited  <b>Case Officer - Roger Bennion</b>	GRANT	17 /11 /2006
18/2006/0566 / PF	<b>Barn at Groes Efa Llandyrnog Denbigh</b>  Amended details of conversion of disused barn to dwelling, previously approved under code no. 18/2001/0288/PF, to include the provision of a linked extension	Mr Arwyn Evans  <b>Case Officer - Shan Wyn Jones</b>	GRANT	31 /10 /2006
18/2006/0905 / PF	<b>Bryn Egwallt Llandyrnog Denbigh</b>  Conversion of part of dwelling to holiday accommodation	Mari Evans  <b>Case Officer - Nicola Marie Jones</b>	GRANT	18 /10 /2006
18/2006/1030 / PF	<b>18 Maes Llan Llandyrnog Denbigh</b>  Erection of two-storey pitched-roof extension at side and conservatory at rear of dwelling; construction of new vehicular access	Mrs J Lloyd  <b>Case Officer - Paul David Griffin</b>	GRANT	24 /10 /2006
18/2006/1111 / PF	<b>2 Gladstone Terrace Llandyrnog Denbigh</b>  Erection of two-storey flat-roof extension at rear of dwelling	Mrs M Langford Jones  <b>Case Officer - Paul David Griffin</b>	GRANT	13 /11 /2006
20/2006/0909 / PF	<b>Land To The Rear Of Three Pigeons Inn Graigfechan Ruthin</b>  Change of use of land forming part of caravan site for erection of 2 No. log cabin holiday units	J & L P Thornley  <b>Case Officer - Nicola Marie Jones</b>	REFUSE	08 /11 /2006



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20/2006/1122 / PF	<b>Llidiart Fawr Pentre Celyn Ruthin</b>  Erection of single and two-storey pitched-roof extensions to dwelling	Mr G Lightfoot  <b>Case Officer - Nicola Marie Jones</b>	GRANT	08 /11 /2006
21/2006/0201 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b>  Details of (i) surface water regulation system (Condition 2), (ii) scheme of landscaping (Condition 5), (iii) photographic record of proposed spoil dumping area (Condition 11) submitted in accordance with planning permission code no. 21/2004/0472/PF	Liverpool City Council  <b>Case Officer - Shan Wyn Jones</b>	APPROVE	26 /10 /2006
21/2006/1112 / PF	<b>6 Bryn Artro Avenue, Tafarn-Y-Gelyn Llanferres Mold</b>  Erection of detached garage at rear of dwelling	Mr E Allen  <b>Case Officer - Jenni Perkins</b>	GRANT	25 /10 /2006
21/2006/1127 / PF	<b>Tyn Y Caeau, Llanferres Maeshafn Mold</b>  Erection of pitched-roof extension at side of dwelling	Mr J Breese  <b>Case Officer - Nicola Marie Jones</b>	GRANT	08 /11 /2006
21/2006/1292 / AC	<b>Colomendy Centre For Outdoor Education Ruthin Road, Loggerheads Llanferres Mold</b>  Details of summary report of archaeological records submitted in accordance with condition no. 12 of planning permission code no. 21/2004/473/PF and condition no. 5 of 21/2004/1627/PF	Liverpool City Council  <b>Case Officer - Shan Wyn Jones</b>	APPROVE	08 /11 /2006

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21/2006/1295 / AC	<b>Fields South West of Glan Alyn Colomendy Centre for Outdoor Education Ruthin Road, Loggerheads Ranfurus Mold</b> Removal of condition no. 2, namely part of criteria (e) of planning permission code no. 21/2005/0158/PF, details of 'spoil' treatment from approved lake planning permission	Liverpool City Council	APPROVE	07 /11 /2006
		<b>Case Officer - Shan Wyn Jones</b>		
22/2006/1025 / PF	<b>Awel Y Mynydd and adjoining land Llangynhafal Denbigh</b>  Change of use of land to form extension to existing residential curtilage, erection of detached garage and construction of new vehicular access	Mr J C Morris	GRANT	20 /10 /2006
		<b>Case Officer - Paul David Griffin</b>		
23/2006/0903 / PS	<b>Pen Ffordd Las Prion Denbigh</b>  Removal of Condition No. 6 on Planning Permission Ref. No. 5/34/10468 restricting occupancy of dwelling to person/s employed in agriculture	Mr I A Jones	APPROVE	02 /11 /2006
		<b>Case Officer - Nicola Marie Jones</b>		
23/2006/0930 / PF	<b>Land near Hafodty Ddu Saron Denbigh</b>  Erection of agricultural worker's dwelling and alterations to existing vehicular access	Mr G Jones	WDN	14 /11 /2006
		<b>Case Officer - Nicola Marie Jones</b>		
23/2006/1109 / PF	<b>1 Maes Yr Yrfa Saron Denbigh</b>  Erection of attached pitched-roof garage at side and pitched-roof canopy to front of dwelling	Mr & Mrs S Tasker	GRANT	26 /10 /2006
		<b>Case Officer - Jenni Perkins</b>		
23/2006/1253 / AC	<b>Llindir Bach Llanrhaeadr Denbigh</b>  Details of landscaping submitted in accordance with condition number 7 of planning permission 23/2005/922/PF	Mr. T. Rizzi	APPROVE	31 /10 /2006
		<b>Case Officer - Nicola Marie Jones</b>		

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24/2006/0926 / PF	<b>Cilgwyn Llanynys Denbigh</b>  Erection of first-floor pitched-roof extension at side and single-storey pitched-roof extension at rear of dwelling	Kerry Nightingale & John Hardy  <b>Case Officer - Paul David Griffin</b>	GRANT	01 /11 /2006
24/2006/1082 / PF	<b>Firearms Training Complex Craig y Ddywart Quarry Rhewl Ruthin</b>  Erection of steel storage cabin	North Wales Police Authority Facilities Management Dept.  <b>Case Officer - Paul David Griffin</b>	GRANT	08 /11 /2006
24/2006/1198 / AC	<b>Pontilen Rhewl Ruthin</b>  Details of the plinth wall submitted in accordance with condition number 2 of planning permission 24/2006/919/PF	Mr & Mrs Barrie  <b>Case Officer - Nicola Marie Jones</b>	APPROVE	18 /10 /2006
27/2006/1116 / PF	<b>2 Bryn Derw Llidiart Annie Llantysilio Llangollen</b>  Erection of log cabin	Mrs I Dobson  <b>Case Officer - Paul David Griffin</b>	GRANT	16 /11 /2006
28/2006/1304 / AC	<b>Ty Mawr Denbigh Street Henllan</b>  Details of stonework submitted in accordance with condition number 2 of planning permission 28/2004/410/PF	A & S Sheridan  <b>Case Officer - Nicola Marie Jones</b>	APPROVE	09 /11 /2006
40/2006/0830 / LB	<b>Mencap Pengwern College, Pengwern Hall Bodelwyddan Road Rhuddlan Rhyl</b>  Formation of an opening in the garden wall (attached to the LB)	Pengwern Hall College  <b>Case Officer - Emer O'Connor</b>	WDN	16 /10 /2006

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40/2006/1139 / PF	<b>(Plots 36 &amp; 37 Parc Castell Estate) 80 &amp; 82 Ffordd Parc Castell Bodelwyddan Rhyl</b> Substitution of house types to incorporate living accommodation in roofspace	Anwyl Construction Co. Limited  <b>Case Officer - Emer O'Connor</b>	GRANT	08 /11 /2006
40/2006/1164 / AD	<b>Dawson News Unit 3 Kimmel Park, Abergele Road Bodelwyddan Rhyl</b>  Display of 2 No. non-illuminated wall panel signs	Dawson News  <b>Case Officer - Jenni Perkins</b>	GRANT	03 /11 /2006
40/2006/1232 / AC	<b>North Wales Police Plots B, C, D, E &amp; F Ffordd William Morgan St. Asaph Business Park St. Asaph</b> Details of bus lay-by submitted in accordance with condition number 7 of planning permission 40/2002/0016/PF	Babcock & Brown Properties Babcock & Brown Properties  <b>Case Officer - Mark Dakeyne</b>	APPROVE	31 /10 /2006
41/2006/1052 / PF	<b>Station House Bodfari Denbigh</b>  Conversion of existing games/store room to holiday home.	Mr & Mrs Waterhouse  <b>Case Officer - Emer O'Connor</b>	GRANT	19 /10 /2006
42/2006/1072 / AC	<b>Old Pendre Farm Waterfall Road Dyserth Rhyl</b>  Details of ecological survey submitted in accordance with condition no. 10 of planning permission code no. 42/2006/0517/PF	Mr M White  <b>Case Officer - Sarah Stubbs</b>	APPROVE	19 /10 /2006
42/2006/1215 / PF	<b>Carinya Thomas Avenue Dyserth Rhyl</b>  Erection of first-floor pitched-roof extension and new pitched-roof utility room extension at side of dwelling	Ms. D. Howe  <b>Case Officer - Jenni Perkins</b>	GRANT	16 /11 /2006

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43/2006/0701 / PF	<b>19 Kings Avenue Prestatyn</b>  Change of use from surgery and offices to sales, storage and distribution of electrical equipment and erection of extension for canteen and store at side/rear of premises	G K Evans Electrical Contractors Ltd  <b>Case Officer - Emer O'Connor</b>	GRANT	01 /11 /2006
43/2006/0999 / PF	<b>78 Caradoc Road Prestatyn</b>  Partial demolition and erection of two-storey pitched-roof extension at side of dwelling	Mr P Foulkes  <b>Case Officer - Michael G Hughes</b>	GRANT	24 /10 /2006
43/2006/1063 / PF	<b>6 Brynlllys East Prestatyn</b>  Erection of two storey pitched roof extension to side of dwelling	T W Evans  <b>Case Officer - Emer O'Connor</b>	GRANT	13 /11 /2006
43/2006/1108 / PF	<b>6 Coventry Grove Prestatyn</b>  Erection of two-storey pitched-roof extension at side of dwelling and single-storey pitched-roof garage and porch extension at front	Mr M Evans And Mrs S E Bootle  <b>Case Officer - Emer O'Connor</b>	GRANT	26 /10 /2006
43/2006/1128 / PF	<b>29 Plas Uchaf Avenue Prestatyn</b>  Erection of single-storey pitched-roof extension at rear of dwelling	Mr & Mrs D Fuller  <b>Case Officer - Michael G Hughes</b>	GRANT	13 /11 /2006
43/2006/1188 / PF	<b>33 Glan Y Gors Prestatyn</b>  Erection of single-storey lean-to extension to side of dwelling.	R Mulholland  <b>Case Officer - Jenni Perkins</b>	GRANT	16 /11 /2006

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43/2006/1193 / PF	<b>48 West Avenue Prestatyn</b>  Erection of conservatory at front/side of dwelling	Mr H Hannam  <b>Case Officer - Jenni Perkins</b>	GRANT	16 /11 /2006
43/2006/1286 / AC	<b>South Winds Bryniau Dyserth Rhyl</b>  Details of external stonework and render submitted in accordance with condition no. 5 of planning permission code no. 43/2004/1596/PF	Mr M Davies  <b>Case Officer - Sarah Stubbs</b>	APPROVE	06 /11 /2006
44/2006/0330 / PF	<b>Abbey Nurseries Abbey Road Rhuddlan Rhyl</b>  Amended positioning of plots 6-9 previously approved under planning permission Code No. 44/2005/0081/PF	K & C Developments Ltd.  <b>Case Officer - Shan Wyn Jones</b>	GRANT	31 /10 /2006
44/2006/0860 / AD	<b>Old Bank Restaurant High Street Rhuddlan Rhyl</b>  Display of internally-illuminated built-up letters to form fascia sign	Tran Van Pho  <b>Case Officer - Paul Mead</b>	GRANT	18 /10 /2006
44/2006/0936 / AC	<b>(Rhuddlan Triangle) Land at Marsh Road Rhuddlan Rhyl</b>  Details of landscaping submitted in accordance with condition no. 11 of planning permission code no. 44/2005/0771/PF	Muller Property Holdings Ltd.  <b>Case Officer - Mark Dakeyne</b>	APPROVE	06 /11 /2006
44/2006/1020 / AC	<b>Abbey House Rhyl Road Rhuddlan Rhyl</b>  Details of drainage submitted in accordance with condition 6 of planning permission 44/2005/107/PF	Anwyl Construction Ltd.  <b>Case Officer - Mark Dakeyne</b>	APPROVE	17 /10 /2006

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44/2006/1079 / PF	<b>40 Ffordd Nant Rhuddlan Rhyl</b>  Erection of extension at front of dwelling to provide shower facility and new conservatory	Mrs P Ellis  <b>Case Officer - Jenni Perkins</b>	GRANT	19 /10 /2006
44/2006/1133 / AC	<b>Abbey House Rhyl Road Rhuddlan Rhyl</b>  Details of landscaping scheme submitted in accordance with condition no. 4 of planning permission code no. 44/2005/0107/PF	Anwyl Construction Ltd.  <b>Case Officer - Mark Dakeyne</b>	APPROVE	20 /11 /2006
45/2005/0763 / PF	<b>Land at Brookdale Road Rhyl</b>  Erection of 18 No. dwellings and construction of new vehicular/pedestrian access	Mr B Littlewood  <b>Case Officer - Sarah Stubbs</b>	WDN	07 /11 /2006
45/2006/0738 / AC	<b>37 River Street Rhyl</b>  Details of flood proofing, refuse bin stores and drying areas and rear yard enclosure submitted in accordance with condition no. 2 of planning permission code no. 45/2006/0268/PF	Mr Xue Liang Fang  <b>Case Officer - Shan Wyn Jones</b>	APPROVE	10 /11 /2006
45/2006/0853 / PF	<b>12 Llys Sion Rhyl</b>  Demolition of existing garage and erection of single-storey pitched-roof extension to side/rear of dwelling	Mr G Hughes  <b>Case Officer - Michael G Hughes</b>	GRANT	24 /10 /2006
45/2006/0914 / AC	<b>76-83 West Parade Rhyl</b>	Pennaf Group Limited	APPROVE	17 /10 /2006

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	Details of external materials, hard and soft landscaping and obscure glazing and screening submitted in accordance with condition no's 2,4 and 7 of planning permission code no. 45/2005/0584/PF	<b>Case Officer - Mark Dakeyne</b>		
45/2006/0938 / AC	<b>45 Brighton Road Rhyl</b>	Cameron Developments	APPROVE	06 /11 /2006
	Details of replacement trees submitted in accordance with condition no. 2 of planning permission code no. 45/2006/0564/PF.	<b>Case Officer - Emer O'Connor</b>		
45/2006/0962 / PF	<b>Eytonhurst Residential Home For The Elderly 21 East Parade Rhyl</b>	Mr. G. D. Ablitt	GRANT	18 /10 /2006
	Conversion and alteration of existing property to form single dwelling	<b>Case Officer - Michael G Hughes</b>		
45/2006/1023 / PF	<b>Warehouse rear of 24 Elwy Street Rhyl</b>	Mr Guto Lloyd-Davies Gwasg Helygain Limited	GRANT	08 /11 /2006
	Change of use from Class B1 slipper manufacturers to Class B2 printers, formation of Mezzanine floor and alterations to roof	<b>Case Officer - Emer O'Connor</b>		
45/2006/1037 / PC	<b>Land forming Units 2-5 inc. Glan Morfa Industrial Estate Marsh Road Rhyl</b>	Access Storage	GRANT	30 /10 /2006
	Continuation of use of part of site for extension to existing storage container area (retrospective application)	<b>Case Officer - Michael G Hughes</b>		
45/2006/1055 / AD	<b>Evans 31/33 High Street Rhyl</b>	Arcadia Group Limited	GRANT	03 /11 /2006
	Display of internally-illuminated fascia sign and projecting box sign	<b>Case Officer - Michael G Hughes</b>		



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14 /10 /2006 and 20 /11 /2006

<u>RHIF CYF</u> <u>REF NO</u>	<u>LLEOLIAD A CHYNNIG</u> <u>LOCATION AND PROPOSAL</u>	<u>YMGEISYDD</u> <u>APPLICANT</u>	<u>PENDERFYNIAD</u> <u>DECISION</u>	<u>DYDDIAD</u> <u>DATE</u>
45/2006/1056 / PF	<b>36 Tynewydd Road Rhyl</b>  Erection of first-floor flat-roofed extension over existing ground-floor flat-roofed area at side/rear of premises	C.H.A.S.	GRANT	01 /11 /2006
		<b>Case Officer - Emer O'Connor</b>		
45/2006/1080 / PF	<b>126 Rhuddlan Road Rhyl</b>  Erection of two-storey pitched-roof extension at front for porch, garage and bedroom extension, first-floor pitched-roof extension at rear for en-suite facility and carport at side of dwelling	Mr & Mrs A Maddocks	GRANT	24 /10 /2006
		<b>Case Officer - Emer O'Connor</b>		
45/2006/1096 / PF	<b>33 Palace Avenue Rhyl</b>  Conversion of existing HMO into 3 no. self-contained flats	A I F A Ltd.	GRANT	17 /10 /2006
		<b>Case Officer - Sarah Stubbs</b>		
45/2006/1100 / PF	<b>11 Viola Avenue Rhyl</b>  Erection of extension to lounge at front of dwelling	Mr J V Edwards	GRANT	19 /10 /2006
		<b>Case Officer - Jenni Perkins</b>		
45/2006/1175 / PF	<b>47 Brighton Road Rhyl</b>  Erection of single-storey pitched roof extension to side of dwelling	Mr & Mrs C Wallis	GRANT	03 /11 /2006
		<b>Case Officer - Jenni Perkins</b>		
45/2006/1183 / PF	<b>10 Hazel Court Rhyl</b>  Erection of two storey pitched roof extension to side of dwelling	Mr & Mrs M Pearson	GRANT	03 /11 /2006
		<b>Case Officer - Emer O'Connor</b>		

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46/2006/1101 / PF	<b>6 Bryn Coed St. Asaph</b>  Erection of single- and two-storey pitched-roof extensions to dwelling	Mr & Mrs M Jones  <b>Case Officer - Emer O'Connor</b>	GRANT	24 /10 /2006
46/2006/1107 / PR	<b>St. Asaph Kebab &amp; Burger House Glan Clwyd High Street St. Asaph</b>  Variation of Condition No. 2 of planning permission Code No. 2/APH/0004/94/P to allow opening hours between 0800 and 0030 hours	N Colakoglu  <b>Case Officer - Emer O'Connor</b>	REFUSE	13 /11 /2006
46/2006/1143 / PF	<b>2 Kentigern Court St. Asaph</b>  Erection of single-storey pitched-roof kitchen and conservatory extension to rear of dwelling	Mr & Mrs T Nash  <b>Case Officer - Jenni Perkins</b>	GRANT	03 /11 /2006
46/2006/1168 / PO	<b>Bod Erw Hotel The Roe St. Asaph</b>  Renewal of application Ref. No. 46/2003/0962/PO comprising development of 0.5 ha of land by erection of two-storey detached 30-bedroom motel unit in conjunction with Bod Erw Hotel, alterations to existing vehicular access and provision of additional parking area (outline application)	Bod Erw Hotel  <b>Case Officer - Sarah Stubbs</b>	GRANT	31 /10 /2006
46/2006/1320 / AC	<b>Land adjacent to Summerhill Luke Street St. Asaph</b>  Details of external wall and roof materials submitted in accordance with condition no. 1 of reserved matters approval code no. 46/2006/0358/PR	Mr M L Worswick  <b>Case Officer - Sarah Stubbs</b>	APPROVE	15 /11 /2006

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47/2005/1201 / PF	<b>Glyn Uchaf Tremeirchion St. Asaph</b>  Conversion of outbuilding formerly known as Glyn Uchaf to dwelling unit and installation of new septic tank	G Williams  <b>Case Officer - Emer O'Connor</b>	GRANT	19 /10 /2006
47/2006/0769 / LB	<b>Terfyn Farm Caerwys Road Cwm Dyserth Rhyl</b>  Erection of single-storey extension to rear of dwelling (Listed Building Application)	Mr & Mrs C Jones  <b>Case Officer - Emer O'Connor</b>	GRANT	07 /11 /2006
47/2006/1161 / PF	<b>Holiday Cottage at Plassau Farm Marian Cwm Dyserth Rhyl</b>  Erection of pitched-roof extension at side of cottage	Mr M Christian  <b>Case Officer - Emer O'Connor</b>	GRANT	13 /11 /2006
47/2006/1177 / PF	<b>Brynlithrig Bach Rhuallt St. Asaph</b>  Erection of first-floor pitched-roof extension to rear and conservatory and utility-room to side of dwelling (Revised scheme)	Mr & Mrs G Cunnah  <b>Case Officer - Emer O'Connor</b>	GRANT	08 /11 /2006
47/2006/1192 / PF	<b>Glan Clwyd Waen St. Asaph</b>  Conversion of existing garage/storage outbuilding to dwelling	Mr & Mrs R J Davies  <b>Case Officer - Emer O'Connor</b>	REFUSE	13 /11 /2006
47/2006/1196 / AC	<b>Glan Clwyd Waen St. Asaph</b>  Details of brickwork, mortar and pointing submitted in accordance with condition no. 2 of planning permission code no. 47/2003/0591/PF	Mr & Mrs T Palframan  <b>Case Officer - Sarah Stubbs</b>	APPROVE	17 /10 /2006

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47/2006/1244 / AC	<b>Awelog Waen St. Asaph</b>  Details of landscaping submitted in accordance with condition number 2 of planning permission 47/2005/1394/PF	Mr Dylan Williams  <b>Case Officer - Nicola Marie Jones</b>	APPROVE	31 /10 /2006
47/2006/1290 / AC	<b>Glan Clwyd Waen St. Asaph</b>  Details of photographic survey submitted in accordance with condition no. 5 of planning permission code no. 47/2003/0591/PF	Mr & Mrs T Palframan  <b>Case Officer - Sarah Stubbs</b>	APPROVE	07 /11 /2006