

CERTIFICATE OF DECISION

TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012

In pursuance of their powers under the above Act and Order, The County Council as Local Planning Authority hereby

APPROVE

PROPOSAL: Details of walls and roof materials and hard and soft landscaping submitted in accordance with Conditions 3 & 5 of planning permission Code No. 21/2019/0197

LOCATION: Tan Y Graig Maeshafn Mold

PLANS AND DOCUMENTS SUBJECT TO DECISION:-

(i) Materials

Walls - Combination of K-Rend (Colour - Buttermilk) & Sandstone Walls

Roof - Natural Slate

Details and Photographs received 24 October 2019

(ii) Landscaping

Landscaping Plan - L01D & Landscaping Statement received 24 October 2019

No conditions imposed.

SPECIAL NOTES TO APPLICANT

None.

Mr Geoff Stott
Paterson Macaulay & Owens
9 Earl Road
MOLD
Flintshire
CH7 1AD


Emlyn Gwynedd Jones
Head of Planning and Public Protection Services
05/12/2019



NOTES TO APPLICANT

1. APPEALS AGAINST REFUSAL TO APPROVE APPLICATION MADE UNDER PLANNING CONDITION
- 1.1 If the applicant is aggrieved by the decision of the Local Planning Authority to refuse to approve the application or to approve subject to condition, he/she may by notice served within six months of receipt of this notice, appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990. The Planning Inspectorate has power to allow a longer period for the giving of notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Planning Inspectorate is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been granted otherwise than subject to the conditions imposed by them having regard to the provisions of Section 70 and 72(1) of the Town and Country Planning Act 1990, the Development Order and any directions given under that Order.
- 1.2 If approval is refused or granted subject to conditions, whether by the Local Planning Authority or by the Planning Inspectorate, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the Area in which the land is situated, a Purchase Notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- 1.3 In certain circumstances, a claim may be made against the local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Part V of the Town and Country Planning Act 1990.
2. THE CHOICE OF APPEAL PROCEDURES
- 2.1 There is a choice of three appeal procedures and the Planning Inspectorate will co-operate with you, or your agent, in enabling your appeal to be processed in the way you would prefer. But there may be a few occasions when the Planning Inspectorate has to use a procedure which is not your own preference, in order to ensure that all aspects of the appeal are thoroughly and fairly considered. When this happens, the Planning Inspectorate will explain why.
- 2.2 The available appeal procedures are:
 - i. by written representations which you and the Local Planning Authority make, followed by an accompanied inspection of the appeal site by the appointed Inspector.
 - ii. by written representations which you and the Local Planning Authority make, followed by an Informal Hearing conducted by the appointed Inspector who hears oral representations from interested parties which may continue on an accompanied inspection of the appeal site.
 - iii. by a formal Local Inquiry conducted by the appointed Inspector following submission of proofs of evidence/statements of case. The Inspector hears representations from interested parties, allowing cross-examination of witnesses, and undertakes an accompanied inspection of the appeal site.

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The procedures described in i. and ii. are likely to enable you to receive the quickest possible decision on your appeal, as the procedures for exchanging written representations are tightly time tabled. Written representations or Hearings are not suitable for cases which have generated substantial third party representations, or which involve cases where it is desirable to cross-examine evidence. The procedure described in iii. is usually the slowest and most expensive method of appealing and you should only opt for this procedure if you have good reason to ask for a local hearing of your appeal. Normally, local inquiries are confined to those cases that require advocacy.

- 2.3 Should the appellant wish the Planning Inspectorate to appoint a Welsh speaking Inspector to hear any appeal against the Local Planning authority's decision, the request should be made to the Planning Inspectorate when notice of the appeal is forwarded.

THE ADDRESS FOR APPEALS AND APPEAL FORMS

- 2.4 All appeals have to be submitted to the Planning Inspectorate within the relevant period of the date of the Local Planning Authority's decision against which you are appealing. The best way to appeal is to complete the Planning Inspectorate's official appeal form which may be obtained from:

THE PLANNING INSPECTORATE, CROWN BUILDINGS, CATHAYS PARK, CARDIFF, CF10 3NQ.

- 2.5 The telephone number is 0303 444 5940, if you need more information or advice from the Planning Inspectorate.

3. COMPLIANCE WITH APPROVED PLANS AND CONDITIONS

- 3.1 You are reminded that any development must be carried out strictly in accordance with the approved plans, imposed conditions and subsequent details approved under conditions. If any amendments are proposed to the plans or approved details under condition, you should not proceed without obtaining the written approval of the Local Planning Authority. Any proposed amendments must be notified to the Head of Planning Services in writing with detailed plans suitably revised to illustrate the changes proposed. The Head of Planning Services will advise in writing whether the amendments can be accepted within the terms of the permission granted, or whether a fresh application is required. You are reminded in accordance with other Notes that it will also be necessary for you to ensure that amendments are acceptable to other County Council Departments and statutory bodies where separate legislation applies.

- 3.2 Responsibility for the accuracy of the detailed plans and drawings forming part of the submission rests with the applicant, agent or developer.

3.3 PROCEEDING WITHOUT PERMISSION

Any development carried out prior to the approval of conditions without compliance with the plans and particulars forming part of the permission, or without compliance with other conditions of the permission, is entirely at the owner/developer's own risk, and may oblige the planning authority to take formal Enforcement Action.

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4. REQUIREMENT FOR SEPARATE CONSENTS

- 4.1 It is important to appreciate that this decision certificate relates solely to an application submitted in accordance with the Acts/Regulations specified on the first sheet of this document. The Certificate does not convey any approval which may be required under separate legislation or from other statutory bodies, and does not override any private legal restrictions which may prevent the implementation of the proposal (e.g.. development on land in third party ownership).
- 4.2 Your particular attention is drawn to the possibility that the proposal MAY require Building Regulations Consent or oblige compliance with regulations under the control of the Council's Public Protection officer. The onus rests on the applicant, agent or developer to ensure all relevant consents are obtained BEFORE the commencement of any development.
- 4.3 The erection of building extensions or other property alterations may give rise to important issues affecting the provision of gas, electricity, water and/or telephone services for an occupier and his/her neighbours. In certain circumstances interference may contravene legislation and you are advised that if it is possible that the provision of any service to the premises is within the area of a proposed extension or alteration you should notify the appropriate authority prior to commencing the works.
- 4.4 Where development involves works on or close to a boundary, including on shared internal walls, compliance may be necessary with the requirements of the Party Walls etc... Act 1996, and you should obtain separate legal advice on this matter. The Local Planning Authority is not responsible for the enforcement of The Party Walls etc... Act, or for resolving private legal disputes arising therefrom.

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