

Further information about us is available at
<https://gov.wales/appeal-planning-decision>

PLANNING APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, please contact us on 0300 0604400

To help you fill in this form correctly please refer our Procedural guide for Wales.

WARNING: Your appeal must reach Planning and Environment Decisions Wales within 6 months of the date of the Local Planning authority’s decision notice.
(NOTE: If any of the “Essential supporting documents” listed in Section L are not received by us within the appeal period, the appeal will not be accepted)

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT – The name of the person(s) making the appeal **must** appear as an applicant on the application form. **If this is not the case the appeal may not be registered.**

Name	David Dean	
Organisation Name (if applicable)	Maenol Estates Ltd	

B. AGENT (if any) FOR THE APPEAL

Name	Richard Gratton	
Organisation Name (if applicable)	Edge Architects NW Ltd	
Reference		

C. LOCAL PLANNING AUTHORITY (LPA)

Name of the LPA	Conwy County Council	
LPA’s application reference number	0/51268	
Application form dated	23 November 2023	
Date of LPA’s Decision notice (if issued)		

D. APPEAL SITE ADDRESS

Address	Oak House Groes Lwyd Abergele Conwy
Postcode	LL22 7SU

Size of the whole appeal site (in hectares)	.28
Area of floor space of the proposed development (in square metres)	1000

	YES*	NO
Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site? <i>*If yes, please explain in your full statement of case (section H)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES*	NO
Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is it essential for the Inspector to enter the site to check measurements or other relevant facts? <i>* If the answer is 'YES' please explain below</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or relevant facts.

E. DESCRIPTION OF THE PROPOSED DEVELOPMENT

Please enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised while it was with the local planning authority for consideration, you may enter a description of the revised scheme. Please enclose a copy of the LPA's agreement to the change.

Proposed change of use from B1 office building into 3no residential units - UNIT A , B AND C alterations and extension of outbuilding into 1no residential unit

	YES	NO
Has the description of the works changed from that entered on the application form?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is flooding an issue?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the works affect the setting of a listed building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the appeal site within an Area of Outstanding Natural Beauty?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the site lie within a conservation area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the site lie within a green belt/green wedge?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

F. REASON FOR THE APPEAL		
This appeal is against the LPA's decision to:		<i>Please tick which applies</i>
		<input checked="" type="checkbox"/>
1.	Refuse planning permission for the proposed development.	<input type="checkbox"/>
2.	Grant planning permission for the development subject to conditions to which you object.	<input type="checkbox"/>
3.	Refuse approval of the matters reserved under an outline planning permission.	<input type="checkbox"/>
4.	Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object.	<input type="checkbox"/>
5.	Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).	<input type="checkbox"/>
6.	The failure of the LPA to give its decision within the appropriate period (usually 8 weeks) on an application for planning permission.	<input checked="" type="checkbox"/>

G. Other Appeals		
		YES NO
	Have you made any other appeals, for this, or nearby land, for example, against a refusal of planning permission?	<input type="checkbox"/> <input checked="" type="checkbox"/>
If yes please give details, including our reference number, if known.		

H. FULL STATEMENT OF CASE

This is your **only** opportunity to make your case in connection with the reason for the appeal as indicated in section F. Therefore please provide your **FULL** statement of case. To do this, you need to go through the reasons for the decision (if provided), and explain why you disagree. Only the reasons within the LPA's decision and the reasons put forward by you at application stage should be included on your appeal form. You should not introduce any new reasons for the appeal. Please refer to our Procedural Guide for further information.

Please continue on a separate sheet if necessary

Planning application time extension agreed until 15 March 2024 to allow for a report from Planning Policy. The report from planning policy was received by planning department on 27 March 2024. The planning department did not share this with the client or their agent or publish on the planning portal until the client chased the planning department on 16 April 2024. On the 17 April 2024 the client requested that the planning application be approved without delay as the planning department had been in possession of the needed report for 21 days and the original application was nearly 5 months old. The client advised that if permission was not granted without delay, they would appeal to the Welsh Government. On 18 April 2024, immediately after the client request for determination, an email from the conservation officer saying he has reflected upon the application and now required changes was published on the planning portal. The same conservation officer had on 11 December 2023 agreed the design and on 19 December 2023 welcomed the change from UPVC to Aluminium windows changed at his insistence even though the adjacent houses have UPVC windows. It would seem strange that the conservation officer would choose to review this application, which, under normal conditions, should have been determined months ago, and suddenly decide that his previous decision was wrong. Even stranger that this would happen at a point where the planning department had run out of reasons to delay/reject the application.

I. PROCEDURE (see guidance for further information)

Appeals dealt with under Part 4 of The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 can be considered on the basis of written representation, a hearing, an inquiry or combined proceedings. In accordance with the Town and Country Planning (Determination of Procedure) (Wales) Order 2017, the Planning and Environment Decisions Wales will make a determination as to the most appropriate procedure and will review it throughout the process.

Please tick one box only

I consider the written representations procedure is appropriate.	<input checked="" type="checkbox"/>
I do not consider that the written representations procedure is appropriate for the reasons given in the box below. I accept that it will be the Planning and Environment Decisions Wales decision as to whether a hearing, inquiry or combination will take place.	<input checked="" type="checkbox"/>

If you feel that a hearing or inquiry is needed please provide your full reasons below, including the likely number of days you feel that the event will last and how many witnesses you intend to call.

We feel that the planning officer needs to explain a lot of his actions, and lack of actions, throughout this and our previous planning application (which related to the same property). We feel that the conservation officer needs to explain why he put in a last-minute objection to the plans. At the start of the current application, we requested a different planning officer be appointed as we felt the planning officer had not working with us/ our agent towards a positive outcome. We gave an example where a similar project in a neighbouring county was given planning permission after the planning officer worked with us to overcome obstacles. This was rejected by the chief planning officer who we feel needs to explain why she would not change planning officers after we highlighted his shortcomings.
From our side myself and somebody from Edge Architecture would attend.
We would expect this to take less than a day.

J. APPLICATION FOR AN AWARD OF COSTS (see guidance for further information)

	YES	NO
Do you intend to submit a costs application with this appeal? <i>If yes, it must be submitted below</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I would like to put costs in, but the time involved in fairly calculating them is not available to me at the moment. It is a shame you insist on these at this point in time.

K. Appeal Site Ownership Details (Part 1)

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal.

YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.

Please read the guidance leaflet 'How to complete your planning appeal form' if in doubt.

*Please tick **ONE** box only*



CERTIFICATE A *(If you are the sole owner of the whole appeal site, certificate A will apply)*



I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see the guidance leaflet for a definition) of any part of the land to which the appeal relates

OR



CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the guidance leaflet) to everyone else who, on the day 21 days before the date of this appeal, was the owner (see the guidance leaflet for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's Name	Date the notice was served

Please supply owner's address(es) on personal details page



CERTIFICATES C and D

If you do not know who owns all or part of the appeal site, complete either Certificate **C** or Certificate **D** at Annexe 1 of our guidance and attach it to the appeal form.

K. Appeal Site Ownership Details (Part 2) - AGRICULTURAL HOLDINGS CERTIFICATE
(this must be completed for all appeals)

We also need to know either the appeal site forms part of an agricultural holding.

Please tick either (a) or (b).



a	None of the land to which the appeal relates is, or is part of, an agricultural holding	<input checked="" type="checkbox"/>
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bi	The appeal site is, or is part of an agricultural holding, and the appellant is the sole agricultural tenant	<input type="checkbox"/>
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bii	The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:	<input type="checkbox"/>
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Tenant's Name	Date the notice was served

Please supply Tenant's address(es) on personal details page

L. Essential supporting documents

The documents listed in 1–6 below, must be sent with your appeal form; 7-12 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it.

Please tick the boxes to show which documents you are enclosing.



1	A copy of the original planning application sent to the LPA	<input checked="" type="checkbox"/>
2	A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form).	<input checked="" type="checkbox"/>
3	A copy of the LPA's decision notice (if issued).	<input type="checkbox"/>
4	A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded in blue.	<input checked="" type="checkbox"/>
5	A list (stating drawing numbers) and copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.	<input checked="" type="checkbox"/>
6	A list (stating drawing numbers) and copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).	<input checked="" type="checkbox"/>
7	A copy of the Design and Access Statement (if required).	<input type="checkbox"/>
8	Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers below:	<input type="checkbox"/>
9	Any relevant correspondence with the LPA.	<input checked="" type="checkbox"/>
10	If the appeal is against the LPA's refusal or failure to approve the matters resolved under an outline permission, please enclose:	<input type="checkbox"/>
a	the relevant outline application;	<input type="checkbox"/>
b	all plans sent at outline application stage;	<input type="checkbox"/>
c	the original outline planning permission;	<input type="checkbox"/>
11	The appeal is against the LPA's refusal or failure to decide an application which relates to a condition , we must have a copy of the original permission with the condition attached.	<input type="checkbox"/>
12	If the appeal is against the LPA's failure to decide an application please supply a copy of the LPA's letter registering your application.	<input type="checkbox"/>
13	A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	<input type="checkbox"/>

PLEASE SIGN BELOW (signed forms with all supporting documents must be received by us within the appeal period)

I confirm that I have sent a copy of this appeal form and all relevant documents to the LPA (if you do not your Appeal will not normally be accepted).

I confirm that all sections have been fully completed to the best of my knowledge.

I understand that you may use the information I have given for official purposes in connection with the Town and Country Planning Act 1990 and details including my name, the site description and my statement of case may appear online. By submitting this form I am agreeing to the use of the information I provide in this way.

Signature:



Name (in capitals)

David Dean

Date

18/4/24

On behalf of (if applicable)

Maenol Estates Ltd

SEND

1 COPY to us at:

Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

E-mail: PEDW.Casework@gov.wales
PEDW.GwaithAchos@llyw.cymru

Helpline: 0300 0604400

1 COPY to the LPA

Send a copy of the appeal form and full statement of case to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

There is no need to send them all the supporting documents again; only send them any supporting documents not previously sent as part of the application.

Please keep a copy for your records

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

Any enquiries regarding this document/publication should be sent to us at the address above or e-mail: PEDW.Casework@gov.wales / PEDW.GwaithAchos@llyw.cymru

Personal Details (these will not be made publicly available)

1. Appellant personal details		
Address	18 jubilee Drive Wirral	
Postcode	CH48 5EF	
Daytime Telephone	07770808889	
E-mail	d@vid.net	
	English	Welsh
Language Preference	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	E-mail	Post
I prefer to be contacted by	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. AGENT PERSONAL DETAILS (if any)		
Address	10 Everard Rd, Ros on Sea	
Postcode	LL28 4UE	
Daytime Telephone	07770 241495	
E-mail	info@edge-architects.com	
	English	Welsh
Language Preference	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	E-mail	Post
I prefer to be contacted by	<input checked="" type="checkbox"/>	<input type="checkbox"/>



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about Data Protection Policy can be found at <https://gov.wales/welsh-government-privacy-notice>