

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Ruthin on Wednesday, 26th January, 2000 at 10.00 a.m.

PRESENT

Councillors F.D. Jones (Chair), J. Butterfield, M.LI. Davies, P. Douglas, A.E. Fletcher-Williams, I.M. German, M.A. German, K.N. Hawkins, D.M. Holder, J.R. Hughes, N.J. Hughes, G. Jones, M.M. Jones (observer), N.H. Jones, R.E. Jones, R.J.R. Jones, F. Shaw, J.A. Smith, K.P. Stevens, W.G. Thomas, A.J. Tobin, K.E. Wells, E.W. Williams, P.O. Williams, and R.LI. Williams.

ALSO PRESENT

Head of Planning Services, Head of Legal and Administration, Principal Planning Officer (North) Principal Planning Officer (South) Principal Planning and Enforcement Officer and Administrative Officer (G. Butler)

APOLOGIES FOR ABSENCE WERE SUBMITTED FROM

Councillors D.W. Davies, R.W. Hughes, and S. Thomas.

794. URGENT ITEM

In accordance with the requirements of Section 100B(4) of the Local Government Act, 1972, the Chair declared that he intended to include for discussion, the following matters requiring urgent attention:-

- (i) Delegation scheme

795. DELEGATION SCHEME

The Head of Planning Services referred Members to the Delegation Scheme which would be applied from 1st February, 2000 and advising that all Members of the Council would receive, on a weekly basis, a list of applications detailing whether they fell into the Delegated or Committee Category. Members would then have the opportunity to comment on individual cases and/or request that the application was determined at Committee.

Members considered that it would be appropriate for future Committee Reports to give details of the Councillors' reasons for requesting that a specific application be brought before the Committee.

796. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report of the Head of Planning Services (previously circulated) was submitted enumerating plans submitted and requiring determination by the Committee.

RESOLVED that:-

- (a) *the recommendations of the Officers as contained within the report now submitted be confirmed and planning consents or refusals as the case may be, be issued as appropriate under the Town and Country Planning (General Permitted Development) Order 1995, Planning and Compensation Act, 1991, Town and Country Planning Advert Regulations, 1994 and/or Planning (Listed Buildings and Conservation Areas) Act, 1990 to the development proposed by the following plans subject to the conditions enumerated in the schedule now submitted:-*

(i) consents

<u>Application No.</u>	<u>Description and Situation</u>
01/1999/0788	Change of use of vacant shop (A1) into financial and professional services office (A2) at B C G, 35 High Street, Denbigh, Denbighshire.
01/1999/0821	Change of use of first and second floor of building from office to educational use at Rock House, Highgate, Denbigh, Denbighshire.
02/1999/0779	(Following consideration of an additional letter of representation from Ruthin Town Council). Installation of new shop front and replacement of first floor windows at 6 Stryd y Castell, Ruthin, Denbighshire.
02/1999/0808	(Following consideration of five additional letters of representation from Ruthin and District Association; Mr. Ali, 54 Well Street, Ruthin; R. Rob, Spice Bangla, Clwyd Street, Ruthin; L. Turner, Manor House, Well Street, Ruthin and D.J. Jones, 45 Clwyd Street, Ruthin). Change of use of existing ground floor shop unit (class A1) to fast food takeaway (class A3), including alteration to shop front, installation of shop canopy and extraction flue at Grosvenor Stores, Wynnstay Road, Ruthin, Denbighshire. SUBJECT to the following amended condition no. 4:- 4. The type of canopy on the shop front shall be a traditional pull down canvas style blind, the detailing of which shall be strictly in accordance with plans to be submitted for the consideration of and as are approved in writing by the Local Planning Authority prior to the erection of the canopy.
08/1999/0845	Change of use of former timber yard to form extension of existing HGV and trailer park at The Old Timber Sawmill, Old Station Yard, Cynwyd, Corwen. SUBJECT to the following amended conditions nos. 2 and 5 and new condition no. 6:- 2. The ingress and egress of vehicles to the site shall be limited to between the hours of 0800 and 1800 Mondays to Fridays, and to between 0800 and 1200 on Saturdays, and there shall be no ingress or egress of vehicles on Sundays or Public Holidays. REASON - as report. 5. The mounding and planting shown on the approved plans shall be completed prior to the first use of the site for the parking of vehicles, and any plants which within a period of five years of being planted die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. REASON - as report. 6. The parking of vehicles shall not be permitted to commence until there has been constructed on the site a suitable interceptor to prevent the seepage of oil, petrol and grease from the site towards the River Dee, the details of the interceptor to be submitted for the consideration of the Local Planning Authority, and implemented strictly in accordance with such plans as are formally approved in writing by the Authority. REASON - to prevent pollution of the water environment in the interests of amenity.

- 13/1999/0516 (Following consideration of an additional letter of representation from Efenechtyd Community Council).
Erection of a two storey dwelling and detached domestic garage on land at Dolafon, Pwllglas, Ruthin, Denbighshire.
- 15/1999/0825 Relocation of existing kitchen and reconstruction of associated flat roof at Parc Farm Caravans, Graianrhyd Road, Llanarmon-Yn-Ial, Mold, Flintshire.
- 20/1999/0787 Erection of a four bedroomed dwelling and detached garage, construction of a new vehicular access (amended details to those previously approved under application code no. 30/14, 487) on land adjacent to Glan Dwr Graigfechan, Ruthin, Denbighshire.
- 20/1999/0859 (Following consideration of an additional letter of representation from the Head of Highways).
Erection of an integral domestic garage at Hafod Y Bryn, Llanfair Dyffryn Clwyd, Ruthin, Denbighshire.
The recommendation is subject to the completion of a Section 106 Obligation within 12 months of the date of the Planning Committee meeting, securing the relinquishment of the planning permission for a detached garage granted under Code No. 30/14,808. In the event of failure to complete the Obligation, the application would be referred back to the Committee for determination against the relevant policies and material considerations at that time. The planning permission will be issued only on completion of the Section 106 Obligation.
- 42/1999/0610 Alterations and renovations to former stables to form 1 no. dwelling at Plas Yn Foel, Lower Foel Road, Dyserth, Rhyl, Denbighshire.
SUBJECT to the following amended conditions nos. 3 and 4 and new note to applicant no. 1:-
3. The dwelling shall not be occupied until its parking space and the access thereto have been laid out in accordance with the approved plans.
4. Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2.
Note to Applicant 1 - No new connection to the public sewerage system will be permitted without prior approval and supervision of New Development Consultants.
- 43/1999/0853 (SUBJECT to the receipt of no further representations raising planning matters not already covered in the report by 4th February).
Construction of cycle track and erection of 27 lighting columns at Penmorfa CP School, Dawson Drive, Prestatyn, Denbighshire.
SUBJECT to the following new condition no. 4:-
4. The lighting columns hereby permitted shall not be operated, apart from in the course of testing the lighting, until such time as any shielding considered necessary by the Local Planning Authority has been provided.
REASON - in the interests of residential amenity.
(It should be noted that Councillor N. Hugh-Jones voted against this proposal)
(Members also requested that consideration be given to the segregation of pedestrians and cyclists on the cycleway, in the interests of safety).
- 43/1999/0860 Erection of 2 no. detached dormer bungalows and garages on land at Seabank Drive Junction Ceg Y Ffordd, Prestatyn, Denbighshire.

SUBJECT to the following additional notes to applicant:-
New Development Consultants advise that a public sewer crosses the site and it will be necessary to maintain a 3m wide easement/maintenance strip each side of the sewer unless the applicant enters into a Section 185 Sewer Agreement to have the public sewer diverted around the propose dwelling.
Please note that this development shall be drained on a separate system. For further information contact New Development Consultants on 01492 543950.

43/1999/0913

(Following consideration of three additional letters of representation from Prestatyn Town Council, the Head of Highways and New Development Consultants).

Renewal of planning application ref. no. 2/PRE/7/95/P comprising erection of single detached dwelling in part of side garden at 42 Aberconway Road, Prestatyn, Denbighshire.

SUBJECT to the following new condition no. 7 and notes to applicant nos. 1 and 2:-

7. This permission does not relate to the details and external appearance of the dwelling first submitted in 1984 and forming part of this application. The details of the design and external appearance of the dwelling hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON - in the interests of the visual amenities of the area.

Notes to Applicant:-

1. Your attention is drawn to the attached standard detail for a new vehicular access to this type of development.
2. Please note that this development shall be drained on a separate system. Further information from New Development Consultants on 01492 543950.

44/1993/0877

(Following consideration of an additional letter of representation from the Head of Public Protection).

Change of use from class A1 (retail) to class A3 (restaurant/cafe-bar) at former Midland Bank, High Street, Rhuddlan, Rhyl, Denbighshire.

SUBJECT to the following new condition no. 5:-

5. Prior to the commencement of the use of the premises, equipment for the treatment and extraction of fumes and smells resulting from the preparation and cooking of food shall be installed in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. Following its installation, the equipment shall be operated whenever preparation and/or cooking of food is taking place.

45/1999/0905

(Following consideration of two additional letters of representation from New Development Consultants and the Head of Highways).

Development of 0.03ha of land between 195 and 197 Rhyl Coast Road by erection of 1 no. building to accommodate 2 no. maisonettes (outline application) at Lyons Holiday Camp Ltd., Rhyl Coast Road, Rhyl, Denbighshire.

SUBJECT to the following new condition no. 6 and notes to applicant nos. 1, 2 and 3:-

6. There shall be no vehicular or pedestrian access from or to the application site to the land to the site (Lyons Holiday Park).

REASON - in the interests of residential amenity and highway safety.

Notes to applicant:-

1. County Highway Notes 1, 3, 4, 5 and 10.

2. Your attention is drawn to the attached standard detail for the new vehicular access to this type of development.

3. Please note that this development shall be drained on a separate system. For further information please contact New Development Consultants on 01492 543950.
No new connection to the public sewerage system will be permitted without prior approval and supervision of New Development Consultants.

45/1999/0919 (Councillor F. Shaw declared an interest in the following application and left the Chamber during consideration thereof).
Erection of single storey pitched roof extension to create additional classrooms at Ysgol Llewelyn, Trellewelyn Road, Rhyl, Denbighshire.

47/1999/0857 (Following consideration of two additional letters of representation from the Applicant and the Head of Public Protection).
Erection of detached house and garage on land at rear of Smith Arms, Holywell Road, Rhuallt, St. Asaph, Denbighshire.
SUBJECT to the following new and amended conditions nos. 3, 5, 6 and 7:-

3. Prior to the commencement of the development a site investigation shall be carried out to ascertain the nature of the existing septic tank and ancillary soakaway system to establish its ability to cope with the existing and proposed development utilising the tank. The results of the investigation shall be submitted to the Local Planning Authority. Any remedial works or new foul drainage provision deemed necessary by the Local Planning Authority following the site investigation shall be provided and operational prior to the occupation of the dwelling.

6. Details of the proposed planting to the boundary of the application site with the adjacent public house shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON - in the interests of residential and visual amenity.

7. Standard Condition 15F "following the occupation of the dwelling".

(ii) refusals

Application No.

Description and Situation

30/1999/0794 (Following consideration of two additional letters of representation from the Head of Highways and Petition of 250 residents of Trefnant (which Councillor M.LI. Davies presented to the committee)).

Infilling of land with inert building waste on land adjacent and part field no. 4100, Hafod Y Green, Trefnant, Denbigh, Denbighshire.

FOR the following amended reasons:-

1. The proposal would have an unacceptable impact upon the residential amenity of nearby occupiers by reason of the noise caused by the proposed operations on the site and vehicle movements to and from the site and the potential for dust emission from the site in conflict with Policy H14 of the Clwyd Structure Plan and Policy CN29 of the Colwyn Borough Local Plan.

2. The proposal would detract from the appearance and character of the landscape of the area through the loss of an established woodland and valley with stream in conflict with Policies H5 and H14 of the Clwyd Structure Plan and Policies CN3 and CN29 of the Colwyn

Borough Local Plan which seek to protect the Special Landscape Area of which the application site forms part.

3. The proposal would lead to the loss of an established woodland area which is subject to a tree preservation order and have an adverse impact on wildlife habitats afforded by the woodland and stream in conflict with Policies H7 and H14 of the Clwyd Structure Plan and Policies CN12, CN15 and CN29 of the Colwyn Borough Local Plan.

4. The proposed access would not be of sufficient standard to cater for the development due to inadequate visibility from the point of access in both directions along the Class C road. This combined with the additional traffic movements generated by the proposal would detract from the safety of all highway users in conflict with Policy CN29 of the Colwyn Borough Local Plan.

42/1999/0858 Demolition of former dairy and erection of new dwelling at Tan Y Graig, Lower Foel Road, Dyserth, Rhyl, Denbighshire.

FOR the following amended reason:-

Second sentence to read "It is considered that there would be insufficient external private amenity space and turning and parking areas, windows from the proposed and existing dwellings on site would overlook each other, and the narrow access would lead to disturbance and loss of privacy. As a result the proposals would result in a poor living environment for occupiers of the existing dwellings, Tan y Graig and Lyndhurst, and the proposed dwelling.

43/1999/0838 (Following consideration of an additional letter of representation from the Head of Public Protection).

Change of use of class A1 (retail) to class A3 (hot food takeaway/ restaurant) at 208 High Street, Prestatyn, Denbighshire.

(b) *Notwithstanding the recommendation of the Officers the following application be REFUSED for the reasons indicated:-*

Application No.

Description and Situation

12/1999/0816

Erection of an extension to agricultural livestock and implement building (retrospective) at Braich Yr Alarch, Clawddnewydd, Ruthin, Denbighshire.

The decision being CONTRARY to the Officers' Recommendation was taken for the following reason:-

The Local Planning Authority consider the addition of a further extension to the building to be inappropriate in that this increases the size and impact of the building to an unacceptable extent in terms of its effect on the setting of Braich Yr Alarch, a Grade II Listed Building, and on the local landscape within a Special Landscape Area as defined in the Clwyd County Structure Plan : First Alteration, contrary to Policies L16 of the Glyndwr District Local Plan, and Policies G7 and H5 of the Clwyd County Structure Plan: First Alteration.

(Councillors J.R. Hughes and P.O. Williams abstained from voting).

12/1999/0817

Erection of an extension to existing agricultural livestock and implement building (retrospective) at Braich Yr Alarch, Clawddnewydd, Ruthin, Denbighshire.

The decision being CONTRARY to the Officers' Recommendation was taken for the following reason:-

The Local Planning Authority consider the addition of a further extension to the building to be inappropriate in that this increases the

size and impact of the building to an unacceptable extent in terms of its effect on the setting of Braich Yr Alarch, a Grade II Listed Building, and on the local landscape within a Special Landscape Area as defined in the Clwyd County Structure Plan : First Alteration, contrary to Policies L16 of the Glyndwr District Local Plan, and Policies G7 and H5 of the Clwyd County Structure Plan: First Alteration.
(Councillors J.R. Hughes and P.O. Williams abstained from voting)

17/1999/0548

(Following consideration of two additional letters of representation from Llandegla Community Council and E.J. Silverstone).

Use of agricultural land for the flying of non-motorised gliders, through launch by winch, siting of a caravan as club house, associated storage container, parking area, toilet facility and windsock on land North West of A5104 Road opposite Cae Mawr, South of Llandegla, Denbighshire. The Decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:-

1. It is the opinion of the Local Planning Authority that the operation of a glider field would have an unacceptable impact on the visual amenities in the locality, which is within a Special Landscape Area (Clwyd County Council Structure Plan : First Alteration) and an Outstanding Landscape Area (Glyndwr District Local Plan), insofar as the activity on the site associated with the use, including the removal of trees and hedgerows, stationing of containers, a caravan and portaloo and the parking and manoeuvring of vehicles and trailers, and siting of other ancillary equipment would adversely affect the character of the landscape. The proposals are considered to conflict with Policies L1 and A1(i) and (iii) of the Glyndwr District Local Plan, H3 and H5 of the Clwyd County Council Structure Plan : First Alteration, and Policy ENV2 of the Denbighshire Unitary Development Plan.
2. The approach road to the site off the A5104 is considered to be inadequate to cope with the traffic associated with the uses proposed, in particular in terms of the narrowness of the road and the limited passing places for vehicles, contrary to Policy A1(iv) of the Glyndwr District Local Plan.

797. ENFORCEMENT MATTERS

- (i) ENF/531/99/S Land off Church Street, Henllan, Denbigh

Unauthorised change of use of land to scrap yard, including storage of associated items, and condition of land adversely affecting the amenity of the neighbourhood.

RESOLVED that authorisation be granted for the following:-

- (a) *Service of an Enforcement Notice to secure the cessation of the unauthorised change of use of the land to scrap yard and associated storage and ensure that all unauthorised material is removed from the land;*
- (b) *Service of a Notice under the provisions of Section 215 of the Planning Act requiring such steps as are necessary to be taken to remedy the condition of the land;*
- (c) *Officers to pursue any other course of action under delegated powers including action under the Building Act 1984 in order to address the matter, and*
- (ch) *instigate prosecution proceedings or other appropriate action under the Planning Acts or any other relevant Acts if the person or persons upon whom the notices are served on against whom legal action is taken fail to comply with the requirements thereof.*

- (ii) ENF/432/98/S Bryn-yr-Ogof, School Lane, Llanarmon-yn-Ial

Stationing of caravan to provide residential accommodation.

RESOLVED that authorisation be granted for the following:-

- (a) *Service of an Enforcement Notice to secure the cessation of the unauthorised residential use and removal from the land of the caravan and all other articles associated with the residential use, and*
- (b) *instigate prosecution proceedings or other appropriate action under the Planning Acts or any other relevant Acts if the person or persons upon whom the notices are served on against whom legal action is taken fail to comply with the requirements thereof.*

798. DATE OF SITE VISIT

There being no site visits required this item was withdrawn.

799. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Head of Planning Services submitted his written report (previously circulated) of applications for Planning Permission determined by him under delegated authority between 4th December, 1999 and 31st December, 1999.

RESOLVED that the report be received.

The meeting closed at 12.25 p.m.
