

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl on Wednesday, 23rd February, 2000 at 10.00 a.m.

PRESENT

Councillors R.W. Hughes (Vice-Chair), J. Butterfield, D.W. Davies, 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, N.H. Jones, R.E. Jones, R.J.R. Jones, G.M. Kensler (substitute for E.W. Williams), A.E. Roberts (substitute for F.D. Jones), F. Shaw, J.A. Smith, S. Thomas, W.G. Thomas, A.J. Tobin, K.E. Wells, P.O. Williams, and R.LI. Williams.

ALSO PRESENT

Head of Planning Services, Head of Legal and Administration, Principal Planning Officer (South) Principal Planning and Enforcement Officer, Senior Planning Officer (C. Bailey), Minerals Officer, and Administrative Officer (G. Butler)

APOLOGIES FOR ABSENCE WERE SUBMITTED FROM

Councillors F.D. Jones, K.P. Stevens, and E.W. Williams.

874. COUNCILLOR F.D. JONES

It was reported that the Chair of the Committee, Councillor F.D. Jones, was indisposed and Councillor R.W. Hughes (Vice-Chair) chaired the meeting in his absence.

875. CONDOLENCE

The Acting Chair referred to the recent passing of the Director of Planning and Economic Development's, Mr. P. Durrell's, father and requested that Committee's condolences be extended to Mr Durrell.

876. 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

Application No.

Description and Situation

01/1999/0898/PF

Relocation of existing hockey pitch and formation of hard core base area at Howells Preparatory School, Park Street, Denbigh, Denbighshire.

SUBJECT to the following new conditions nos. 3 and 4:-

3. The hockey pitch and associated hard surfaced area shall be used solely in connection with games/recreational purposes involving pupils and staff of Howell's school and for no other purpose.

REASON - to ensure the pitch and hard surfaces area are not used for general public use which would involve separate highway and amenity considerations.

4. Notwithstanding the provisions 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 buildings or structures as described in Class A1 of Part 32 of the Order, or gates, fences, walls or other means of enclosure described in Class A of Part 2 to the Order shall be permitted on the land forming the subject of the application, without the prior written permission of the Local Planning Authority.

REASON - to ensure the Local Planning Authority retains control over development within the Green Barrier and Special Landscape Area, in the interests of visual amenity.

03/1999/0866/PF

(Councillor A.J. Tobin declared an interest in the following application and left the Chamber during consideration thereof).

Erection of first floor extension and installation of new shop front at Jades, Oak Street, Llangollen, Denbighshire.

SUBJECT to the following amended condition no. 3:-

3. No development shall take place 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 of the development hereby permitted, and no materials other than those approved shall be used.

18/1999/0774/PO

Demolition of existing single storey dwelling and development of land by the erection of a replacement dwelling (outline application) at Sunnycroft, Llandyrnog, Denbigh, Denbighshire.

SUBJECT to the following new condition no. 5 and amended note to applicant:-

5. The plans showing ideas for the replacement dwelling have been taken for illustrative purposes only and do not form part of this permission.

REASON - for the avoidance of doubt.

Amended note to applicant - With regard to the detailing of the proposed dwelling, you are asked to discuss detailed plans of the unit with the Case Officer prior to the submission of a formal reserved matters application. The grant of outline permission conveys solely the Authority's acceptance of the principle of erecting a replacement dwelling and the details will need to comply with the requirements of policy H.13 of the Glyndwr District Local Plan.

28/1999/0801/PF

(SUBJECT to the receipt of no further representations raising planning matters not already covered in the report by 28th February, 2000).

(Following consideration of an additional letter of representation from G. Wynne, Plas Meifod, Henllan).

Demolition of farm building and erection of two dwellings and construction of vehicular access at Plots 7 and 8, Llys y Wennol, Henllan, Denbigh, Denbighshire.

SUBJECT to the following amended condition no. 3:-

3. No dwelling shall be occupied until the details of the boundary treatment including fencing delineating boundaries, screen fencing or walling has been agreed in writing by the Local Planning Authority and has been completed in accordance with the details agreed.

- 40/1999/0926/PF (Following consideration of the fact that a mistake had been made with calculations within the report - the percentage increase should have read 67% not 40%).
Demolition of existing dwelling, erection of new dwelling and installation of new cesspit at The Anchorage, Nant y Faenol Road, Bodelwyddan, Rhyl, Denbighshire.
(The following Members wished it to be noted that they abstained from voting on this proposal: Councillors N. Hugh-Jones, G. Kensler, P.O. Williams, N.J. Hughes, G. Jones and M.LI. Davies)
- 41/1999/0798/PF Erection of single storey pitched roof building to provide conference/function site and alterations to existing vehicular egress to provide access and egress, widening of existing vehicular access and widening of existing internal car park link road at Dinorben Arms, Bodfari, Denbigh, Denbighshire.
- 43/1999/0886/PO Development of 0.04 ha of rear garden and by erection of 1 no. dwelling (outline application) at 37 Purbeck Avenue, Prestatyn, Denbighshire. (Councillor N. Hugh-Jones voted against this proposal)
(Members further suggested that County Highways be contacted regarding the provision of traffic calming measures in Seabank Drive)
- 43/1999/0903/PO Residential development of 0.025 ha of land at rear fronting Victoria Park Avenue, and construction of new vehicular access (outline application) at 91 Victoria Road, Prestatyn, Denbighshire.
(The Members raised concerns about traffic problems in the area and the need for better "no right turn" signage into Victoria Park Avenue)
- 43/1999/0940/PF (Following consideration of five additional letters of representation from Hallows Associates (on behalf of T. Hill, Victoria Road, Prestatyn); R. Marton, 7 Aspen Grove, Kinmel Bay; C. Mangnall, 18 Llys Gregyn, Kinmel Bay; D. Wildgoose, Delfryn, Ffordd Penrhwylyfa, Meliden and P. Ball, Brookhouse, 11 Padern Close, Saltney, Chester).
Continuation of use of filling station for sale and display of motor vehicles at Ffrith Filling Station, Victoria Road West, Prestatyn, Denbighshire.
SUBJECT to the following amended conditions nos. 4, 5 and 6 and new condition no. 9:-
4. Cars shall not be sold or display for sale anywhere on the site other than within the area indicated on the approved plan received by the Local Planning Authority on 8th February, 2000.
REASON - in the interests of residential and visual amenity and highway safety.
5. The area indicating for the parking of staff and customer vehicles on the approved plan received by the Local planning Authority on 8th February, 2000 shall only be used for those purposes.
REASON - in the interests of residential and visual amenity and highway safety.
6. No car wash shall operate after 1900 hours nor before 0800 hours on any day.
9. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with the revised plan submitted, stamp dated 8th February, 2000.
REASON - in the interests of highway safety.
- 43/1999/0943/PC (Following consideration of an additional letter of representation from David Jones & Co., Solicitors for owners of Aber, Pwll y Bont, Meliden).

Erection of 1 no. dwelling - amendment to planning application ref. 43/177/98/PF (retrospective application) at Ersmine, Pwll y Bont, Prestatyn, Denbighshire.

- 44/1999/0947/PF (Following consideration of an additional letter of representation from Rhuddlan Town Council).
Erection of 6 no. semi-detached houses and 1 no. bungalow and alterations to existing vehicular access on land at plots 10 - 16 Parc Edith, Rhuddlan, Rhyl, Denbighshire.
- 45/2000/0011/PF Demolition of existing garage and erection of two-storey pitched roof extension at side of dwellinghouse at 64 Rhuddlan Road, Rhyl, Denbighshire.
- 45/1999/0836/PF Renewal of application no. 2/APH/300/94 comprising change of use to residential care home/nursing home at Arsyllfa, Mount Road, St. Asaph, Denbighshire.
- 46/1999/0896/PF Renewal of application ref. no. 2/APH/343/95 comprising upgrading of existing all-weather pitch, installation of rear fence and floodlighting at Ysgol Glan Clwyd, Upper Denbigh Road, St. Asaph, Denbighshire.
- 46/2000/0033/PF (Councillor J.A. Smith declared an interest in the following application and left the Chamber during consideration thereof).
(Following consideration of four additional letters of representation from St. Asaph Town Council, New Development Consultants, Mrs. E. Williams, The Stables, Esgobty Farm, St. Asaph).
Demolition, rebuilding and partial conversion of existing barn to form 1 no. dwelling at Esgobty Barn, Upper Denbigh Road, St. Asaph, Denbighshire.

(ii) Listed Building Consent (Subject to the consent of the National Assembly of Wales)

<u>Application No.</u>	<u>Description and Situation</u>
41/1999/0799/LB	Alterations to existing vehicular egress incorporating removal of section of boundary wall and excavation works to provide new vehicular access and egress and widening of existing vehicular access incorporating alterations to existing boundary wall at Dinorben Arms, Bodfari, Denbigh, Denbighshire.
46/2000/0034/LB	(SUBJECT to the receipt of no further representations raising planning matters not already covered in the report by 24th February, 2000). (Following consideration of two additional letters of representation from St. Asaph Town Council and Mrs. E. Williams, The Stables, Esgobty Farm, St. Asaph). Demolition, rebuilding and partial conversion of existing barn to form 1 no. dwelling at Esgobty Barn, Upper Denbigh Road, St. Asaph, Denbighshire. SUBJECT to the following amended condition no. 2:- 2. Only the approved windows and doors shall be installed.

(iii) refusal

<u>Application No.</u>	<u>Description and Situation</u>
01/1999/0912/AC	Lopping of branches of ash tree overhanging boundary at 5 Rhodfa Elgwern, Denbigh, Denbighshire.

41/2000/0009/PS Variation of condition no. 4 of planning permission ref. 41/908/98/PF for the retention of alternative window style to front elevation of recently converted dwelling (retrospective application) at Outbuilding adjoining Post Office, Bodfari, Denbigh, Denbighshire.

45/2000/0005/PC Retention of front entrance porch and PVC windows on recently converted 2 no. dwellings (amendment to planning permission ref. no. 45/630/99/PF) (retrospective application) at 36 Church Street, Rhyl, Denbighshire.

For the following amended reason no. 1:-

1. The pitched roof over the former flat roof porch along with the UPVC windows introduce alien features to this 19th century property contrary to policy C3 of the adopted Rhuddlan Borough Local Plan and policy G3 of the approved Clwyd County Structure Plan : First Alteration causing detriment to the character and appearance of the building and Conservation Area within which it is located.

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

<u>Application No.</u>	<u>Description and Situation</u>
41/1999/0771/PO	<p>(Following consideration of three additional letters of representation from G.M. Edwards, Fron Haul Bodfari; A.M. Roberts, Swn yr Afon, Mold Road, Bodfari and G. Waterfields, Warren House, Bodfari). Demolition of existing building and development of 0.08 ha of land by erection of dwelling and construction of new vehicular/pedestrian access (outline application) at St. Stephens Church Mission Rooms, Bodfari, Denbigh, Denbighshire. The Decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:- It is considered that the Mission Rooms can make a positive contribution to community life of the village of Bodfari and surrounding area, is a valuable community facility and that the site should be retained for community use. (Councillors J. Butterfield, P.J. Douglas and K.E. Wells requested that it be recorded that they voted in favour of permission).</p>

(c) *the following applications be deferred for the reasons indicated:-*

<u>Application No.</u>	<u>Description and Situation</u>
05/1999/0525/PF	<p>(Following consideration of three additional letters of representation from the Head of Highways; B.J. Goddard, White Gables, Glyndyfrdwy and Stevens & Co., Spring House, Chirk). Erection of a 25m telecommunications tower and installation of 8m sector antenna and 4m 0.6 dish antenna and 2 no. omni antenna and 3 no. equipment cabins at NTL Transmitting Station, Glyndyfrdwy, Corwen, Denbighshire. DEFER to resolve ownership issues.</p>
46/1999/0902/PO	<p>(Councillors N.J. Hughes and A.E. Roberts declared an interest in the following application and left the Chamber during consideration thereof). (Following consideration of two additional letters of representation from the Head of Highways and Denbighshire Action Group).</p>

Demolition of existing building and development of 0.05 ha of land by erection of 5 no. dwellings, construction of new vehicular access and provision of associated car parking area (outline application) at The Royal British Legion, Luke Street, St. Asaph, Denbighshire.
DEFER to allow Town Council to comment on amended plans.

(ch) *the following applications be deferred to enable site visits to be undertaken:-*

<u>Application No.</u>	<u>Description and Situation</u>
01/1999/0891/PF	(Following consideration of two additional letters of representation from Denbigh Civic Society and R. Gwyn Parry, Tan y Gaer, Park Street, Denbigh). Change of use of agricultural land to form extension to school playing fields at Howells Preparatory School, Park Street, Denbigh, Denbighshire.
40/1999/0930/PF	(Following consideration of an additional letter of representation from the Head of Public Protection). Demolition of existing dwelling and buildings and erection of replacement dwelling at Little Pengwern, Nant y Faenol Road, Bodelwyddan, Rhyl, Denbighshire.

877. ENFORCEMENT MATTERS

(i) ENF/271/99/S Braich Yr Alarch, Clawddnewydd

Unauthorised erection of front and rear extensions to existing agricultural livestock and implement building.

RESOLVED that having regard to the refusal by the Committee to grant retrospective planning permission for the retention of the two extensions to the agricultural building Officers be authorised to:-

- (a) *Serve an Enforcement Notice to secure the removal of the two unauthorised extensions that have been refused planning permission;*
- (b) *Instigate prosecution proceedings, or other appropriate action under the Planning Act, if the person or persons on whom any Notices are served, or against whom legal action is taken, fail to comply with the requirements thereof, and*
- (c) *(a) and (b) above be held in abeyance for six months.*

(ii) ENF/245/99/S Near Pennant Uchaf Farm, Llandegla

Unauthorised use of agricultural land in excess of 28 days per calendar year for the flying of non-motorised gliders through launch by winch and associated siting of a caravan as club house, and associated storage containers, parking area, toilet facilities and wind sock.

RESOLVED that having regard to the refusal by the Committee to grant planning permission for the glider field use, Officers be authorised to:-

- (a) *Serve an Enforcement Notice in order to address the relevant breaches of planning control that have been refused planning permission, including the cessation of the glider field for more than 28 days in any calendar year and the removal from the land of all associated items;*
- (b) *Instigate prosecution proceedings, or other appropriate action under the Planning Act, if the person or persons on whom any Notices are served, or against whom legal action is taken, fail to comply with the requirements thereof, and*

(c) (a) and (b) above be held in abeyance.

(iii) ENF/414/99/N 36 Church Street, Rhyl

Non-compliance with grant of planning permission under Code No. 45/630/99/PF by:-

- removal of chimneys
- installation of UPVC windows
- erection of gable roof over porch
- 2 UPVC entrance doors to porch

RESOLVED that Officers be authorised to:-

(a) *Serve an Enforcement Notice to secure the removal of the unauthorised UPVC windows and their replacement with traditional sliding sash timber windows to the design as shown on the plans granted planning permission under code No. 45/630/99/PF;*

(b) *Serve an Enforcement Notice to secure the replacement of the two no. chimneys on the main roof and alterations to the roof of the front porch so that its design and appearance complies with the plans granted planning permission under Code No. 45/630/99/PF;*

(c) *that no further action be taken regarding the unauthorised installation of 2 UPVC plastic entrance doors to the porch, and*

(ch) *instigate prosecution proceedings, or other appropriate action under the Planning Act, if the person or persons on whom any Notices are served, or against whom legal action is taken, fail to comply with the requirements thereof.*

(iv) ENF/432/99/N Building Adjacent to Bodfari Post Office

Non-compliance with grant of Planning Permission under Code No 41/908/98/PF by installation of unauthorised mock sash top hung windows.

RESOLVED that authorisation be granted for the following:-

(a) *Service of an Enforcement Notice to secure the removal of the unauthorised mock sash top hung windows and their replacement with traditional timber sliding sash windows as approved under Planning Permission Code No. 41/908/98/PF, and*

(b) *instigate prosecution proceedings or other appropriate action under the Planning 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.*

878. PLANNING APPLICATION TO EXTEND BURLEY HILL QUARRY, NEAR MAESHAFN, DENBIGHSHIRE

The Head of Planning Services submitted his written report previously circulated advising of receipt of a Planning Application to extend Burley Hill Quarry, Maeshafin and inviting the Committee to consider attending a fact-finding visit to similar facilities in the Peak District.

RESOLVED that the Minerals Officer be authorised to arrange a site visit to the Peak District of Derbyshire subject to the following conditions:-

(a) *All Members of the Planning Committee be invited;*

(b) *that cost be fully investigated;*

- (c) *that consideration be given to Political Groups funding the trip from training/conference budgets;*
- (ch) *that no hospitality be accepted from the applicant company, and*
- (d) *that Members do not claim attendance allowances (subject to ratification by Emergency Powers and Appointments Committee if necessary).*

879. TREE PRESERVATION ORDERS

- (i) Land at Green Cottage, Gellifor, Ruthin, Tree Preservation Order No. 2/1999

The report of The Head of Planning Services (previously circulated) was submitted relating to the above Tree Preservation Order which had been served on 30th November, 1999 to safeguard a single tree prominent in the locality and considered vulnerable due to a change in ownership of the property.

RESOLVED *that the Denbighshire County Council (Land at Green Cottage, Gellifor, Ruthin) Tree Preservation Order No. 2/1999 be confirmed.*

- (ii) Land at Bryn Derwen, Llangynhafal, Denbigh, Tree Preservation Order No. 3/1999

The report of The Head of Planning Services (previously circulated) was submitted relating to the above Tree Preservation Order which had been served on 30th November, 1999 to safeguard a single tree prominent in the locality and considered vulnerable due to a change in ownership of the property.

RESOLVED *that the Denbighshire County Council (Land at Bryn Derwen, Llangynhafal, Denbigh) Tree Preservation Order No. 3/1999 be confirmed.*

- (iii) Land at Fron Bache Field Near Vicarage Road, Llangollen, Tree Preservation Order No. 4/1999

The report of The Head of Planning Services (previously circulated) was submitted relating to the above Tree Preservation Order which had been served on 30th November, 1999 to safeguard a single tree of high local amenity value and considered vulnerable due to it being located within an area identified for housing in both the Glyndwr Local Plan and the deposit Unitary Development plan .

RESOLVED *that the Denbighshire County Council (Land at Fron Bache Field Near Vicarage Road, Llangollen) Tree Preservation Order No. 4/1999 be confirmed.*

- (iv) Woodland at Hafod-Y-Green, Trefnant, Tree Preservation Order No. 5/1999

The report of The Head of Planning Services (previously circulated) was submitted relating to the above Tree Preservation Order which had been served on 8th December, 1999 to safeguard woodland area contributing to the local landscape and considered at risk following the recent submission of an application for infilling of the valley by tipping which would destroy a large part of the woodland.

RESOLVED *that the Denbighshire County Council (Woodland at Hafod-Y-Green, Trefnant), Tree Preservation Order No. 5/1999 be confirmed.*

880. DATE OF SITE VISIT

The Head of Planning Services written report (previously circulated) was submitted seeking approval for site visits arising from Agenda item No. 2 to be held on Thursday, 2nd March, 2000 and advising of the current membership of the Site Visit Panel.

RESOLVED that the approved site visits be held on Thursday, 2nd March, 2000.

881. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Head of Planning Services submitted his amended written report (circulated at meeting) of applications for Planning Permission determined by him under delegated authority between 1st January, 2000 and 4th February, 2000.

RESOLVED that the report be received.

The meeting closed at 12.10 p.m.
