

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Ruthin, on Wednesday, 22nd March, 2000 at 10.00 a.m.

PRESENT

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

ALSO PRESENT

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

APOLOGIES FOR ABSENCE WERE SUBMITTED FROM

Councillors M.L.I. Davies, F.D. Jones, R.E. Jones, K.P. Stevens, and E.W. Williams.

981. COUNCILLOR F.D. JONES

In the continuing absence of the Chair, Councilor F.D. Jones, the Vice Chair Councillor R.W. Hughes chaired the meeting.

982. URGENT MATTER

The Chair gave notice of the following item which, in her opinion, should be considered at the meeting as a matter of urgency pursuant to Section 100(B)(4) of the Local Government Act, 1972:-

ENFORCEMENT MATTER, VICTORIA ROAD, RHYL

983. 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

03/1999/0939/PS

Removal of agricultural occupancy condition previously imposed under planning permission code no. 3/3895 (Glyndwr District Council) at The Willows, Holyhead Road, Llangollen.

15/1999/0829/PF	<p>(Following consideration of 1 additional letters of representation from Clwydian Range AONB Joint Advisory Committee)</p> <p>Development of radio base station on existing telecommunication tower including 3 cross polar antennae, communication dish and ground level equipment cabin at Police Tower, Boncyn y Waen, Grogen, Graigfechan, Ruthin.</p>
15/2000/0076/PF	<p>(Following consideration of 1 additional letter of representation from Llanarmon yn Ial Community Council)</p> <p>Amended details of replacement dwelling previously granted under code no 15/649/96/PF at Foel Las, Eryrys Road, Mynydd Du, Mold.</p>
27/2000/0027/PF	<p>(Councillor Tobin declared an interest in the following application and left the Chamber during consideration thereof). Erection of two stable blocks at site of former Pentrefelin Bungalow, Pentrefelin, Llangollen. SUBJECT to the following amended condition nos. 2, 3, 6 and new condition no. 7.</p> <p>2. The proposed external wall finish shall not be a pebbledash as proposed but shall be a rendered or roughcast render, the type, finish and colour of which shall be agreed in writing by the Local Planning Authority prior to the commencement of the development.</p> <p>3. Prior to the buildings hereby permitted being brought into use, the roof sheeting shall be coloured black and shall be maintained in that colour at all times thereafter.</p> <p>6. The buildings hereby permitted shall be used solely for the stabling of the applicant's horses, and shall not be used at any time as a livery or horse riding centre.</p> <p>7. None of the buildings shall be brought into use until details of the means of disposal of waste materials have been submitted for the consideration of, and are approved in writing by the Local Planning Authority and the scheme has been completed in accordance with the approved details.</p> <p>REASON - In the interests of the amenities of occupiers of neighbouring properties.</p>
27/2000/0022/PF	<p>Conversion of domestic store/garage to form one dwelling at garage/store adjoining Can y Gwynt, Llantysilio, Llangollen.</p>
42/2000/0084/PF	<p>(Following consideration of 1 additional letter of representation from Dyserth Community Council).</p> <p>Change of use of Class A1 Shop to form extension to existing dwelling at 1 Hiraddug Building, High Street, Dyserth.</p>
43/2000/0098/TP	<p>(Following consideration of 1 additional letter of representation from CCW)</p> <p>Proposed pollarding of 15 no. black poplar trees covered by Borough of Rhuddlan (White Rose, Prestatyn) Tree Preservation Order 1977 at land at Queens Court, White Rose Close, Prestatyn.</p> <p>SUBJECT to the following new condition no. 2</p> <p>2. The tree works hereby permitted shall only be carried out between the period 1st October in any year and 30th April the following year.</p>

REASON - To prevent disturbance to breeding birds or roosting bats.

43/2000/0112/PF

(SUBJECT to the receipt of no further representations raising planning matters not already covered in the report by 31st March 2000).

(Following consideration of 1 additional letter of representation from A Mack, 11 Aberconwy Parc. (N.B. Two letters of representation were discovered to be bogus (including one purporting to be from K Millward, 8 Parc Aberconwy) and another received after report was written).

Erection of pitched roof over existing flat roof dwelling and provision of 4 no. dormer windows in roofspace at 28 Tudor Avenue, Prestatyn.

Correspondence has indicated that bats may be present on the site. If this is the case you need to be aware of the protection afforded by the wildlife and countryside Act 1981 - it is an offence to kill, injure or disturb bats found in the non-living areas of a dwelling.

45/2000/0143/PF

(Following consideration of 2 additional letters of representation from Economic Development Officer and Head of Highways).

Change of use of class B1 light industrial unit to Class A3 cafe at former council stores, Unit 17 Parc Ffordd Las, Ffordd Las, Rhyl.

(The following Members wished it to be noted that they voted against the grant of permission in this case, for local employment reasons: Councillors P. Douglas, D.W. Davies, J. Butterfield, A.E. Fletcher Williams, F. Shaw.)

46/1999/0902/PO

(Following consideration of 1 additional letter of representation from St. Asaph Town Council).

Demolition of existing building and development of 0.05 ha of land by erection of 5 no. dwellings, construction of new vehicular accesses and provision of associated car parking area (outline application at The Royal British Legion, Luke Street, St. Asaph.

SUBJECT to the following new condition no. 5.

5. Notwithstanding the provisions of part 1 of schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 any integral garages incorporated in the details submitted under Condition No. 1 of this permission shall only be used for the parking of cars and shall not be converted to habitable accommodation.

REASON - to ensure that sufficient off-street car parking is provided within the scheme in the interest of highway safety.

(ii) refusal

Application No.

Description and Situation

44/1999/0485/PO

(Following consideration of 2 additional letters of representation from Rhuddlan Town Council (on amended plans) and Head of Highways).

Development of 0.59 hectares of land by the erection of a foodstore and construction of new vehicular/pedestrian access

(outline application) at Part of Former Thomas Motor Mart, Marsh Road, Rhuddlan, Rhyl.

FOR the following amended reason nos. 1 and 2.

1. The proposed foodstore would be contrary to Policies S2, S7 and S10 of the Rhuddlan Borough Local Plan and Policies RET1, RET3, RET7 and MDA6 of the emerging Denbighshire County Council Unitary Development Plan and national policy as contained within Planning Guidance (Wales) - Planning Policy as it would not represent town centre or edge of centre site and by reason of its size and location the proposal would have a detrimental impact on the vitality and viability of established shopping centres in the area.

2. Add "Policy G4 of the Clwyd County Structure Plan, and Policies CON1 and 7 of the emerging Denbighshire County Council Unitary Development Plan".

Note to Applicant: The plans considered by the Council in determination of this application are those listed on this decision notice and do not include the A4 site and elevation plans faxed to the Local Planning Authority on 21st March 2000.

45/1999/0911/PF

Erection of 3 no. pole-mounted dual band dual polar antennae to roof top, erection of counterbalanced hand railing to roof edge and hooped access ladder with associated internal equipment room at 133 High Street, Rhyl.

FOR the following amended reason:-

To read "unsympathetic to the setting, form, scale, mass and materials of the original building."

45/1999/0910/LB

Erection of 3 no. pole-mounted dual band dual polar antennae to roof top, erection of counterbalanced hand railing to roof edge and hooped access ladder with associated internal equipment room at 133 High Street, Rhyl.

FOR the following amended reason:-

To read "unsympathetic to the setting, form, scale, mass and materials of the original building."

- (b) *In consideration of Members being minded to grant planning permission the following application be deferred to the full Council as a Departure from Policy in accordance with Minute No. 5 of the Planning and Economic Development Committee of 15th February, 1996:-*

Application No.

Description and Situation

40/1999/0930/PF

Demolition of existing dwelling and buildings and erection of replacement dwelling with new sewage treatment plant at Little Pengwern, Nant y Faenol Road, Bodelwyddan.

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

Application No.

Description and Situation

03/1999/0931/PF

(Following consideration of 1 additional letter of representation from petition signed by approximately 600 residents).

Amended details of conversion, alteration and extension of outbuilding previously granted planning permission for tourist/leisure developments under code no. 26/893/97/PF to form 10 dwelling units, 2 dwellings (incorporating studio

facilities), 3 holiday accommodation units, riding stables and re-alignment of internal service road at Bryn Dethol Farm, Holyhead Road, Llangollen.

REFUSE for the following reasons:-

1. It is the opinion of the Local Planning Authority that the proposals represent a significant change in emphasis from the scheme with an extant planning permission for a tourist/employment development on the site, to one involving new residential development, and that key elements are unacceptable in this attractive open countryside location within a Green Barrier and Outstanding Landscape Area (Glyndwr District Local Plan) and a Special Landscape Area (Clwyd County Council Structure Plan: First Alteration) specifically:

(a) The provision of 6 new built residential units, which are considered to be unacceptable in principal in the open countryside in the absence of any essential need, and contrary to Policy B8 of the County Structure Plan: First Alteration

(b) The outward expansion of the complex beyond that previously approved, in particular by way of the new build residential units and associated accesses and parking areas, the enlarged menage area and the potential impact of development associated with other residential uses which are considered to be unacceptable in terms of visual impact on the open character of the Local Landscape, designated as a Green Barrier, Outstanding Landscape Area and Special Landscape Area, and contrary to policies H2, H3 and H5 of the County Structure Plan: First Alteration; and policies L1, L2 and L3 of the Glyndwr District Local Plan

(c) The overdevelopment of the site and the scale of development, which are considered likely to impact adversely on the character and setting of the Listed Buildings and Landscape, contrary to policy G7 of the County Structure Plan: First Alteration and to advice in Welsh Office Circular 61/96 relating to listed buildings.

(d) The absence of any proposals linking the development to the restoration of the listed buildings.

Notes to Applicant : Copies of the policies referred to in the reason for refusal are attached.

The Local Planning Authority accepts there remains an exact planning permission on the site and you are asked to discuss alternative ideas for the development based more closely on the previously approved mixed use scheme involving conversion and adaptation of existing buildings.

42/2000/0059/AD

(Following consideration of 1 additional letter of representation from Head of Highways and Transportation).

Retention of 2 no. externally-illuminated free standing signs and 4 no. flag-pole signs (retrospective application) at Anglia House, Station Yard, Newmarket Road, Dyserth.

REFUSE for the following reason:

The signs and flag pole signs are located close to a bend in a dip on the A5151 outside the built up area and would be likely to cause a distraction to drivers of vehicles on the main road to the detriment of the safety of all highway users and would represent an unduly commercial element in the rural scene in this Special Landscape Area.

Note to Applicant : The Highway Authority advise that their records indicate that the signage has been erected within the adopted highway. The Highway Authority have requested that the signage be removed from the adopted highway.

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

<u>Application No.</u>	<u>Description and Situation</u>
01/1999/0891/PF	(Following consideration of 2 additional letters of representation from NFU Cymru and ADAS). Change of use of agricultural land to form extension to school playing fields at Howells Preparatory School, Park Street, Denbigh. (DEFER at the Officers' request to allow clarification of the proposed use and to allow ADAS to respond).

984. REVISED SUBMISSION FOR PROPOSED WINDFARM DEVELOPMENT AT MOEL LLYN/MOEL RHIWLOG, DENBIGH MOORS, NEAR PENTREFOELAS - CONSULTATION BY CONWY COUNTY BOROUGH COUNCIL

(Following consideration of an additional letter of representation from Snowdonia Society/Cymdethias Eryri).

The Head of Planning Services submitted his written report (previously circulated) seeking the Committees observations on a planning application submitted to Conwy County Borough Council in December, 1999 on which Denbighshire had been consulted as a neighbouring County Council and indicating the background to the application; the current application; relevant planning considerations; comments on the proposal as they would impact on Denbighshire; and his conclusions and recommendations.

RESOLVED that Denbighshire County Council strongly object to the proposals in terms of the likely visual impact on the local landscape and on the National Park, and to the likely impact on the Mynydd Hiraethog Site of Special Scientific Interest.

(It should be noted that the following Members abstained from voting on this issue: Councillor P.O. Williams, G. Kensler, N.J. Hughes)

985. DATE OF SITE VISIT

There being no site visits required, this item was withdrawn.

986. 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 5th February, 2000 and 3rd March, 2000.

RESOLVED that the report be received.

987. STATUS OF THE DENBIGHSHIRE UNITARY DEVELOPMENT PLAN

The Head of Planning Services submitted his written report (previously circulated) advising upon the current status of the emerging Unitary Development Plan and its use in development control.

RESOLVED that the report be received.

988. URGENT ENFORCEMENT MATTER

Victoria Business Park (formerly Creamery), Victoria Road, Rhyl

Unauthorised car repairs

The Head of Planning Services submitted his written report (circulated at the meeting) detailing the enforcement action to be taken under Emergency powers as contained in the Revised Delegation Scheme.

RESOLVED that:-

- (a) *the report be received for information and that the Officers be thanked for their prompt action in this matter, and*
- (b) *other units in this area be monitored.*

989. EXCLUSION OF PRESS AND PUBLIC

RESOLVED that pursuant to Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during discussions of the following items on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 7 of Schedule 12A of the Act.

990. ADAS APPRAISAL

- (i) 3/1999/939/PS The Willows, Holyhead Road, Llangollen.

RESOLVED that the report be received.

991. 40/1999/930/PF LITTLE PENGWERN, NANT Y FAENOL ROAD, BODELWYDDAN

In response to questioning the Head of Planning Services confirmed that a Certificate purporting to grant Planning Permission for the above application had been issued in error. Following Legal advice having been sought it had been confirmed that the certificate was not a valid document and that the issue had not prejudiced the eventual outcome or decision making process.

The meeting closed at 11.45 a.m.
