

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Ruthin on Wednesday, 4th October, 2000 at 10.00 a.m.

PRESENT

Councillors F.D. Jones (Chair), J. Butterfield, D.W. Davies, M.LI. Davies, P.Douglas, S. Drew (substitute for M.A. German) E.C. Edwards (Local Member), A.E. Fletcher-Williams, I.M. German, K.N. Hawkins, D.M. Holder, J.R. Hughes, N.J. Hughes, N. Hugh-Jones, G. Jones, M.M. Jones (Local Member), P.M. Jones, R.E. Jones, R.J.R. Jones, E.A. Owens, A.E. Roberts (Local Member), F. Shaw, J.A. Smith, K.P. Stevens, S. Thomas, W.G. Thomas, A.J. Tobin, K.E. Wells, C. Williams, P.O. Williams and R.LI. Williams.

ALSO PRESENT

Head of Planning Services, Legal Services Manager, Principal Planning Officer (South), Principal Planning Officer (North), Administrative Officer (G. Butler) and Administrative Assistant (A. Hughes).

APOLOGIES FOR ABSENCE WERE SUBMITTED FROM

Councillors M.A. German and R.W. Hughes.

579. URGENT MATTERS

None.

580. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by 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>
01/2000/0668/PF	Erection of an extension to existing school at St. Brigids School, Mold Road, Denbigh, Denbighshire.
01/2000/0673/PF	(Councillor P.O. Williams declared an interest in the following application). Alterations and change of use of vacant retail/domestic property to form office accommodation at 23 High Street, Denbigh, Denbighshire.
02/2000/0532/PF	(Following consideration of two additional letters of representation both from R. Owen, Bryn Awel, St Meugans, Ruthin). Erection of a first floor extension to rear of existing dwelling at Rhewl Wen, St Meugans, Ruthin, Denbighshire.

- 17/2000/0716/PO Development of 0.1 ha of land by the erection of a single dwelling, construction of a new vehicular and pedestrian accesses and the installation of a septic tank at Land Adjacent to Bryn Hyfryd, Pen Y Stryt, Llandegla, Nr Wrexham, Denbighshire.
SUBJECT to new condition no. 4 and additional note to applicant no 1:-
4. The plans of the access to the plot shall include a detailed specification of the means of construction of the access, including surfacing and drainage, from the road to the plot boundary, and development shall only be permitted to commence once the access has been constructed to a suitable standard approved by the Local Planning Authority, and the dwelling shall not be occupied until the access has been completed in its entirety in accordance with the approved plans.
REASON - To ensure the construction of a safe and satisfactory access, and to protect the interests of the joint owners of the access onto the highway.
Additional note to Applicant no. 1:-
1. You are advised to contact the Countryside Council for Wales prior to commencement of any development, to discuss measures for the protection of wildlife species on the site.
- 19/2000/0646/PR Details of two detached dwellings submitted in accordance with outline planning permission previously granted under code no. 19/621/99/PO at Land Adjoining Bryn Banadl, Llanelidan, Ruthin, Denbighshire.
- 21/2000/0810/PF (Following consideration of an additional letter of representation received from the Head of Highways).
Proposed erection of an extension to existing dwelling house and construction of a new pedestrian and vehicular access at Ty Newydd, Village Road, Maeshafn, Nr Mold, Denbighshire.
SUBJECT to new conditions nos. 6 and 7:-
6. Within the areas shown in red on the plan attached to this Certificate there shall be no obstruction to visibility including walls or planting, permitted in excess of 1.05 metres above the level of the adjoining carriageway at any time.
REASON - to ensure a suitable level of visibility for drivers of cars using the car port, in the interests of highway safety.
7. The gates shall not be hung in the position shown on the approved plan but shall be located no less than 5 metres from the edge of the nearside carriageway of the road and shall be arranged to open only into the site.
REASON - in the interests of highway safety.
- 41/2000/0365/PR (Following consideration of an amendment to report - Paragraph 2 - outline planning permission granted in October 1997 not 1987).
Details of 11 houses and landscaping submitted in accordance with condition no. 1 on planning permission ref. 41/623/97/PO at Quarry Bank, Mold Road, Bodfari, Denbigh, Denbighshire.
SUBJECT to new conditions nos. 5, 6 and 7 and additional note to applicant no. 1:-
5. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.

REASON - to safeguard the existing trees and hedges on the site, in the interests of visual amenities of the locality.

6. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

REASON - in order to ensure that trees and hedges to be retained are not damaged by building or engineering works.

7. A 1 metre high stone wall shall be erected to the north east side of the main entrance (adjacent to Plot 1) prior to the occupation of any of the dwellings hereby permitted in accordance with details to be submitted to and approved in writing by Local Planning Authority.

REASON - in the interests of the character and appearance of the area.

Additional note to applicant no. 1:-

1. In addition to the conditions set out above you are reminded of the need to comply with the outstanding planning conditions on the outline planning permission notably condition nos. 5 (implementation of landscaping) no. 6 (visibility splay) and no. 7 (restriction on vehicular access).

43/2000/0623/PF

(Following consideration of three additional letters of representation from the Applicant's Agent, Landscape Architect and Head of Highways).

Alteration and extensions to pumping station comprising storage tank extension, odour control unit, chemical dosing unit, new pumping station unit, shower unit and new fencing at Prestatyn Pumping Station, Marine Road East, Prestatyn, Denbighshire.

SUBJECT to new note to applicant no. 1

It was Resolved further that Denbighshire County Council enter into a tripartite agreement with Flintshire County Council and Welsh Water to ensure that odour controls take place to resolve the issues at Llanasa identified by the Inspector on the recent appeal, and that the demolition of the ventilation tower be included in the scheme of work.

Additional note to applicant:-

1. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 2, 5 and 10.

43/2000/0815/PF

(Subject to the receipt of no further representations raising a planning matter not already covered in the report by 9th October, 2000)

(Following consideration of four additional letters of representation from Prestatyn Town Council, Landscape Architect, the Environment Agency and the Footpaths Officer).

Change of use of land to woodland burial site at Land at OS Field No. 6721, South of Coed Bell Cemetery, Gronant Road, Prestatyn, Denbighshire.

SUBJECT to amended conditions nos. 2 and 3 and new condition no. 4 and new notes to applicants nos. 1 and 2:-

2. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of planting for the site, the scheme to include details of:-

(a) a schedule of trees to be planted in connection with any woodland burial, and

(b) hedge planting to the boundaries of the site, including confirmation of species, numbers, and location of the planting. Only trees referred to in the approved schedule of planting shall be planted.

3. The planting of the hedge referred to in (b) of Condition 2 above shall be carried out in the first planting season following commencement of the use hereby permitted.

4. Prior to the commencement of the use hereby permitted a water source survey shall be undertaken, results of which and any mitigating measures deemed necessary shall be submitted to and approved in writing by the Local Planning Authority.

REASON - to determine whether there are any water features in the area which may be at risk.

New notes to applicants:-

1. Please liaise with the Environment Agency as to the requirements of Condition no. 4 of this planning permission.

2. It is recommended that the schedule of tree planting referred to in Condition no. 2 (a) above includes the following species - large trees - oak, ash and wild cherry; small trees - field-maple, crab-apple, holly, hawthorn, hazel and rowan.

44/2000/0724/PF

Erection of single-storey pitched-roof extension to form bedroom and conservatory at rear of dwellinghouse at Greenleas, Hylas Lane, Rhuddlan, Rhyl, Denbighshire.

SUBJECT to amended condition no. 3:-

3. The extension hereby permitted shall not be occupied until such time as a 2m high screen fence or wall has been erected along the boundary with Braeside as indicated on the attached plan. The fence or wall shall thereafter be retained at a height of 2m.

45/2000/0770/PF

Change of use of Class A1 bakery to Class A3 licensed coffee-shop/ bar at ground-floor to be used in conjunction with existing first-floor licensed premises and alterations to front elevation at 78 High Street, Rhyl.

SUBJECT to amended condition no. 2, additional condition no. 3 and new note to applicant no. 1:-

2. "The use hereby permitted, both at ground and first floor level, shall not be carried out etc outside the following hours:

0800 hours - 2330 hours Monday to Saturday and 0800 hours - 2300 hours on Sundays.

3. The wrought iron railings to the front elevation shall be coloured prior to the commencement of the use hereby permitted in accordance with a colour scheme to be submitted and approved in writing by the Local Planning Authority.

REASON - in the interests of the appearance of the building in the street scene.

New note to applicant:-

1. You are advised that any placing of signs or furniture on the pavement outside the premises may be seen as an obstruction of the highway by the County Council as highway authority and is likely to be subject to action by the County Council.

45/2000/0771/TP

Crown reduction to 5 sycamore trees and crown reduction, thinning and lifting to 1 horse chestnut tree; all included in Group G12 on the plan annexed to the Rhyl Urban District Council Tree Preservation Order 1951 at Land at Maes Emlyn, Rhyl, Denbighshire.

45/2000/0787/PF

(Following consideration of three additional letters of representation from Rhyl Town Council, Head of Public Protection and Mr Sheppard, 13 Crescent Road, Rhyl).

Conversion of existing office accommodation (Class B1) to "drop-in" centre/hostel for single persons and alterations to existing front boundary and provision of ramp at 1 Marine Villa, Crescent Road, Rhyl, Denbighshire.

SUBJECT to new condition no. 2 and new note to applicant no. 1:-

2. The use hereby permitted shall be operated in accordance with the information set out in the letter dated 11th September, 2000 from the applicant's agents unless otherwise agreed in writing by the Local Planning Authority.

REASON - in the interests of residential amenities of nearby properties.

New note to applicant:-

1. You are advised to liaise with the council's Building Control Officers with regard to issues of means of escape and disabled access prior to the carrying out of the works. Amendments will need to be made to the plans to comply with building regulation requirements (This consent was granted on the casting vote of the Chairman).

(ii) Refusals

<u>Application No.</u>	<u>Description of Property</u>
18/2000/0399/PF	(Following consideration of one additional letters of representation from V. Hickman, Vale District Badger Group, Ruthin - withdrawing previous objection). Proposed erection of replacement dwelling, and change of use of adjacent agricultural field to allow for the extension of the domestic curtilage at Celynog, Llandyrnog, Denbigh.
22/2000/0602/PO	(Following consideration of an additional letter of representation from the Head of Highways). Development of 0.09 ha of land by the erection of a dwelling (outline application) at Land Adjacent to Plas Coch Bach, Gellifor, Ruthin, Denbighshire. For the following amended reason no. 2 and new reason no. 1:- 1. The site is located outside the Gellifor development boundary in the adopted Glyndwr District Local Plan and deposit version of the Denbighshire Unitary Development Plan which has been subject to public consultation, and its development would therefore be contrary to Policy B8 of the adopted Clwyd County Structure Plan, policies Strat 6, Strat 7, GEN4, GEN7 and HSG 6 of the deposit draft Unitary Development Plan, and Government advice as contained in Planning Guidance (Wales) Planning Policy First Revision, which seeks to protect and control development in the countryside. 2. The site is located on the edge of, but outside the development boundary of the village in the adopted Glyndwr District Local Plan and the deposit version of the Denbighshire Unitary Development Plan. No objections have been lodged to the development boundary in the deposit version of the Unitary Development Plan, and the Local Planning Authority considers that piecemeal amendments to the development boundary would undermine the Local Plan process, weakening the Authority's ability to refuse similar proposals which would be cumulatively detrimental to the landscape and character of villages and their settings in the County.
43/2000/0657/PO	Development of 0.145 ha of land by erection of 2 no. dwellings with detached garages and construction of vehicular access (outline application) at land at Highfield, Bishopswood Road, Prestatyn, Denbighshire. For the amended reason no. 3:-

3. The proposed development due to the narrowness of the site, and the proximity of the proposed dwellings to mature trees and existing dwellings, would lead to potential for overlooking and overbearing development and would adversely impact on the residential amenities of prospective and existing residents to the west of the site in Orme View Drive.

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

<u>Application No.</u>	<u>Description of Property</u>
18/2000/0457/PF	(Subject to the receipt of no further representations raising planning matters not already covered in the report by 10th October 2000). (Following consideration of an additional letter of representation received from W.G. & N.C. Williams, Plas Bennett, Llandyrnog). Erection of five domestic garages in connection with conversion of outbuildings to residential use at Plas Bennett, Llandyrnog, Denbighshire.

Officers wished it to be noted that an issue over land ownership had been raised and that this had been brought to the attention of affected parties. It was noted that any dispute of this nature is a civil matter and that, in the circumstances, this issue should have no bearing on the decision making process.

Following a proposal to refuse permission and following the requisite number of Members requesting a recorded vote, the Chairman invited Members to vote to grant or refuse planning permission.

For (to grant planning permission) (11)

Councillors J. Butterfield, D.W. Davies, P. Douglas, D.M. Holder, F.D. Jones, P.M. Jones, E.A. Owens, F. Shaw, K.P. Stevens, W.G. Thomas and K.E. Wells,

Against (to refuse planning permission) (17)

Councillors M.Ll. Davies, S. Drew (substitute for M.A. German), A.E. Fletcher-Williams, I.M. German, K. Hawkins, J.R. Hughes, N.J. Hughes, N. Hugh-Jones, G. Jones, R.E. Jones, R.J.R. Jones, J.A. Smith, S. Thomas, A.J. Tobin, C.H. Williams, P.O. Williams and R.Ll. Williams.

Accordingly Members voted to REFUSE planning permission.

This decision, being CONTRARY to the Officers' Recommendation of the Head of Planning Services was taken for the following reason:-

1. It is the view of the Local Planning Authority that the proposals are unacceptable in that the erection of the garages would result in a cluttered form of development adversely impacting on the character, setting and traditional pattern of the listed building complex and the Special Landscape Area, contrary to policies H14(iv) of the Glyndwr District Local Plan, G6 of the Clwyd County Council's Structure Plan: First Alteration, GEN7(i) and (ii) CON2 and HSG9(vi) of the deposit version of the Denbighshire Unitary Development Plan.

18/2000/0461/LB

(Subject to the receipt of no further representations raising planning matters not already covered in the report by 10th October 2000).
(Following consideration of an additional letter of representation received from W.G. & N.C. Williams, Plas Bennett, Llandyrnog).
Erection of five domestic garages in connection with conversion of outbuildings to residential use at Plas Bennett, Llandyrnog, Denbighshire.

Officers wished it to be noted that an issue over land ownership had been raised and that this had been brought to the attention of affected parties. It was noted that any dispute of this nature is a civil matter and that, in the circumstances, this issue should have no bearing on the decision making process.

Following a proposal to refuse permission and following the requisite number of Members requesting a recorded vote, the Chairman invited Members to vote to grant or refuse planning permission.

For (to grant planning permission) (11)

Councillors J. Butterfield, D.W. Davies, P. Douglas, D.M. Holder, F.D. Jones, P.M. Jones, E.A. Owens, F. Shaw, K.P. Stevens, W.G. Thomas and K.E. Wells,

Against (to refuse planning permission) (17)

Councillors M.L.I. Davies, S. Drew (substitute for M.A. German), A.E. Fletcher-Williams, I.M. German, K. Hawkins, J.R. Hughes, N.J. Hughes, N. Hugh-Jones, G. Jones, R.E. Jones, R.J.R. Jones, J.A. Smith, S. Thomas, A.J. Tobin, C.H. Williams, P.O. Willams and R.L.I. Williams.

Accordingly Members voted to REFUSE planning permission.

This decision, being CONTRARY to the Officers' Recommendation of the Head of Planning Services was taken for the following reason:-

1. It is the view of the Local Planning Authority that the proposals are unacceptable in that the erection of the garages would result in a cluttered form of development adversely impacting on the character, setting and traditional pattern of the listed building complex and the Special Landscape Area, contrary to policies H14(iv) of the Glyndwr District Local Plan, G6 of the Clwyd County Council's Structure Plan: First Alteration, GEN7(i) and (ii) CON2 and HSG9(vi) of the deposit version of the Denbighshire Unitary Development Plan.

18/2000/0523/PF

(Following consideration of an additional letter of representation received from W.G. & N.C. Williams, Plas Bennett, Llandyrnog and plans which were placed on display - officers also made reference to an additional point of detail relating to Unit B on page 32 of the report. Amended details of conversion of outbuildings to dwellings (previously granted under code no. 18/1016/98/PF) at Outbuildings at Plas Bennett, Llandyrnog, Denbighshire.

Following a proposal to refuse permission and following the requisite number of Members requesting a recorded vote, the Chairman invited Members to vote to grant or refuse planning permission.

For (to grant planning permission) (12)

Councillors J. Butterfield, D.W. Davies, P. Douglas, D.M. Holder, F.D. Jones, P.M. Jones, R.E. Jones, E.A. Owens, F. Shaw, K.P. Stevens, W.G. Thomas and K.E. Wells,

Against (to refuse planning permission) (15)

Councillors M.L.I. Davies, S. Drew (substitute for M.A. German), A.E. Fletcher-Williams, I.M. German, K. Hawkins, J.R. Hughes, N.J. Hughes, N. Hugh-Jones, G. Jones, R.J.R. Jones, J.A. Smith, S. Thomas, A.J. Tobin, C.H. Williams, and P.O. Willams

Abstained (1)

Councillor R.L.I. Williams.

Accordingly Members resolved to REFUSE planning permission.

This decision, being contrary to the recommendation of the Head of Planning Services was taken for the following reason:-

1. It is the opinion of the Local Planning Authority that the details of the scheme of conversion is unacceptable in terms of the impact on the character and appearance of the Listed Building, contrary to Policy H14(iv) of the Glyndwr District Local Plan, and Policy G6 of the Clwyd County Structure Plan: First Alteration.

18/2000/0524/LB

(Following consideration of an additional letter of representation received from W.G. & N.C. Williams, Plas Bennett, Llandyrnog). Amended details of conversion of outbuildings to dwellings (previously granted under code no. 18/1016/98/PF) at Outbuildings at Plas Bennett, Llandyrnog, Denbighshire.

Following a proposal to refuse permission and following the requisite number of Members requesting a recorded vote, the Chairman invited Members to vote to grant or refuse planning permission for the amended details of conversion of the outbuildings to dwellings.

For (to grant planning permission) (12)

Councillors J. Butterfield, D.W. Davies, P. Douglas, D.M. Holder, F.D. Jones, P.M. Jones, R.E. Jones, E.A. Owens, F. Shaw, K.P. Stevens, W.G. Thomas and K.E. Wells,

Against (to refuse planning permission) (15)

Councillors M.L.I. Davies, S. Drew (substitute for M.A. German), A.E. Fletcher-Williams, I.M. German, K. Hawkins, J.R. Hughes, N.J. Hughes, N. Hugh-Jones, G. Jones, R.J.R. Jones, J.A. Smith, S. Thomas, A.J. Tobin, C.H. Williams, and P.O. Willams

Abstained (1)

Councillor R.L.I. Williams.

Accordingly Members resolved to REFUSE planning permission.

This decision, being contrary to the recommendation of the Head of Planning Services was taken for the following reason:-

1. It is the opinion of the Local Planning Authority that the details of the scheme of conversion is unacceptable in terms of the impact on the character and appearance of the Listed Building, contrary to Policy H14(iv) of the Glyndwr District Local Plan, and Policy G6 of the Clwyd County Structure Plan: First Alteration.

(c) *the following applications be deferred to enable site visits to be undertaken for the reasons indicated:-*

<u>Application No.</u>	<u>Description and Situation</u>
01/2000/0661/PF	(Following consideration of an additional letter of representation from Denbigh Town Council - on amended plans). Change of use of flats (4) and erection of an extension to form a licensed guest house at 53 Vale Street, Denbigh, Denbighshire. The reason the Site Inspection Panel was appointed was to consider the potential impact of the proposed rear extension to the building on the adjoining dwelling No. 51 Vale Street, Denbigh.
40/2000/0364/OB	(Councillor K.E. Wells declared an interest in the following application and left the Chamber during consideration thereof). Application for discharge of planning obligation (Section 52 Agreement) on Application Ref. no. 2/BOD/739/79 in respect of occupancy of dwelling (managers accommodation) at Faenol Fawr, Rhuddlan Road, Bodelwyddan, Denbighshire. Reason: to consider the relationship of the group of the buildings with the hotel and to consider the impact of the development on the Listed Building.
40/2000/0525/PF	(Councillor K.E. Wells declared an interest in the following application and left the Chamber during consideration thereof). Partial demolition of nightclub and conversion of 1 no. dwelling and conversion of holiday chalets to 1 no. dwelling at Former Nightclub and Holiday Chalets, Faenol Fawr, Rhuddlan Road, Bodelwyddan, Denbighshire. Reason: to consider the relationship of the group of the buildings with the hotel and to consider the impact of the development on the Listed Building.
40/2000/0526/LB	(Councillor K.E. Wells declared an interest in the following application and left the Chamber during consideration thereof). Partial demolition of nightclub and conversion of 1 no. dwelling and conversion of holiday chalets to 1 no. dwelling at Former Nightclub and Holiday Chalets, Faenol Fawr, Rhuddlan Road, Bodelwyddan, Denbighshire. Reason: to consider the relationship of the group of the buildings with the hotel and to consider the impact of the development on the Listed Building.
43/2000/0520/PF	(Following consideration of three additional letters of representation from Prestatyn Town Council, J.L. Marsden, 10 West Avenue, Bryn Newydd, Prestatyn and Councillor N. Hugh-Jones). Erection of pitched roof onto existing attached garage at 7 The Close, Prestatyn, Denbighshire. Reason: to consider the impact of the proposal on the neighbouring property.

(ch) *the following item was withdrawn prior to consideration*

<u>Application No.</u>	<u>Description and Situation</u>
46/2000/0561/PO	Development of 0.07 hectares of land by erection of single agricultural worker's dwelling and installation of new septic tank (outline application) at Land at Pentre Uchaf Farm, Mount Road, St. Asaph, Denbighshire.

581. 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 Friday, 13th October, 2000 and advising of the current membership of the Site Visit Panel.

RESOLVED *that the approved site visits be held on Friday, 13th October, 2000.*

582. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Head of Planning Services submitted his amended written report (circulated at the meeting) of applications for Planning Permission determined by him under delegated authority between 19th August, 2000 and 15th September, 2000.

RESOLVED *that the report be received.*

583. EXCLUSION OF PRESS AND PUBLIC

RESOLVED *that under Section 100A (4) of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12a of the Local Government Act 1972.*

584. AGRICULTURAL APPRAISALS

Relating to Application No.:-

Items No. 26 Application No. 46/2000/561/PO - Pentre Uchaf, St. Asaph.

RESOLVED *that this item be withdrawn.*

The meeting closed at 12.30 p.m.
