

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl, on Wednesday, 1st November, 2000 at 10 a.m.

PRESENT

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

ALSO PRESENT

Head of Planning Services, Legal Services Manager, Principal Planning Officer (North), Principal Planning Officer (South), Administration Assistant (A. Hughes).

APOLOGIES FOR ABSENCE WERE SUBMITTED FROM:

Councillors K.P. Stevens, A.J. Tobin and K. Wells.

685. URGENT MATTERS - NONE

686. 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 Number</u>	<u>Description and Situation</u>
03/2000/0817/PF	Conversion of Stable block building into cafe, shop, toilets and office at Plas Newydd, Llangollen.
18/2000/0789/PF	(Following consideration of 2 additional letters of representation from: Llandyrnog Community Council and Dr. B. Jackson, Min-y-Rhiw, Llandyrnog). Substitution of dwelling type previously granted under planning permission code no. 18/1999/98/PF at White Horse Inn Plot A Land Adj Llandyrnog, Denbigh.
31/2000/0812/PF	(Following consideration of one additional letter of representation from Clwyd Powys Archaeological Trust). Change of use of alterations to former dwelling to form dwelling; erection of cart shed, change of use and alterations to stable block to form residential outbuilding; construction of access track and installation of septic tank at Dolbelidr, Cefn Meiriadog, St. Asaph. SUBJECT to the following new Condition 5:- 5 No development shall take place until the applicant(s), their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which

has been submitted by the applicant and approved in writing by the Local Planning Authority. The programme of archaeological work shall include for testing and/or excavating the sub floor archaeology.

REASON - In the interests of archaeological investigation and recording.

40/2000/0525/PF Partial demolition of night-club and conversion to 1 No. Dwelling and conversion of holiday chalets 1 No. dwelling at Faenol Fawr Former Poppies Night-club and Holiday Chalets, Rhuddlan Road, Bodelwyddan, Rhyl.

40/2000/0823/PF Erection of pitched roof extension to side and provision of rooms in roof space with dormers to front and rear elevations of bungalow at Woodland View, Terfyn, Bodelwyddan, Rhyl.

43/2000/0875/PO (Following consideration of additional letters of representation from the Applicant, Head of Highways, Principal Countryside Officer, Mr. D.J. Bennett, H. Walmsley, S.A. Roberts, V. Trethowan, and the Vale of Clwyd District Badger Group).

Renewal of application reference no. 43/13/96/PO comprising development of 0.66 hectares of land by erection of 18 No. Dwellings and construction of vehicular/pedestrian access (outline) at Land adjoining Brookdale, Cefn y Gwrych, Prestatyn.

SUBJECT to the following amended conditions 5 & 8 and new conditions 10 and 11:-

5. The details of landscaping referred to in condition 1 above shall include, in addition to the other details of hard and soft landscaping, details of all existing trees, hedgerows and other vegetation on the site including the exact siting and crown spread, with details of those to be retained, and measures for their protection during development.

8. No development pursuant to the permission hereby granted shall take place until Cefn y Gwrych has been stopped up as indicated on drawing no. 96/270/104A; or until the use of Cefn y Gwrych by through vehicular traffic has been prevented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, save insofar as such development is necessary to secure the stopping up or closure to through vehicular traffic. The scheme shall include for a footpath and emergency vehicle link.

10. No housing development shall commence until the estate road and foot ways from its junction with Maes Meurig for a distance of 60m has been completed to base course level in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development pursuant to this permission.

REASON - In the interests of highway safety and residential amenity

11. Prior to the commencement of any development a comprehensive survey shall be undertaken by a competent person of the area of the application site in order to identify the presence of badgers on the site. Results of the survey shall be submitted to the Local Planning Authority and any mitigation measures approved by the Local Planning Authority prior to the commencement of any development on the site.

REASON - To take into account the possible presence of protected species on the site.

Councillors R.W. Hughes, M.A. German, J.R. Hughes and N.H. Jones wished it to be noted that they voted to refuse this proposal. Councillor M.L.I. Davies wished it to be noted that he voted to support this proposal.

44/2000/0773/PF Conversion of 2 No. Class A1 (shops) to form 2 No. Dwellings, erection of extension, alterations to front and rear and erection of balcony extension with parapet to rear at Montford House, Former High Street, Rhuddlan, Rhyl.

45/2000/0836/PF (Following consideration of 1 additional letter of representation from the Applicant's Agent).

Change of use from shop (Class A1) to cafe-bar (Class A3) and installation of new shop front at 29-31 Regency Photographic, Water Street, Rhyl.

SUBJECT to the following amended Condition no. 7:-

7. Balustrading shall be provided to the sliding doors in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

45/2000/0888/PF

(Councillor A.E. Fletcher-Williams declared an interest in the following application and left the Chamber during consideration thereof).

(Following consideration of 3 additional letters of representation from: Social Services, M. Hook and B.W. Griffith).

Erection of conservatory at rear and extension to existing after-school clubroom in rear garden at 85 Happy Days Nursery, Dyserth Road, Rhyl.

43/2000/0250/PO

(Following consideration of 6 additional letters of representation from: Prestatyn Town Council, Head of Highways, letter from Applicant's Solicitor, Mr and Mrs C.W. Taft, 222 Victoria Road (on behalf of Mr and Mrs Elliott, 2 Rhodfa Wyn, Mr Jones, 1 Rhodfa Wyn, Mr and Mrs Stocking, 226 Victoria Road), Mr and Mrs A. Austin, 170 Grosvenor Road, Prestatyn and J.P. and C.M. Pearson, 42 Berwyn Crescent, Prestatyn).

Development of 16.9 hectares of land by the erection of dwellings, formation of public open space, construction of new vehicular and pedestrian accesses and coast protection works (outline application) at former Tower Beach site, Victoria Road, Prestatyn.

SUBJECT to the following amended Condition no. 17, new Condition no. 19 and Section 106 Agreement:-

17. None of the dwellings hereby permitted shall be occupied until works for the disposal of foul and surface water have been provided on the site to serve the development hereby permitted, such works to be in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The details shall include the siting and design of the pumping stations and any noise attenuation measures for the pumping station considered necessary by the Local Planning Authority.

REASON - To ensure satisfactory facilities are available for disposal of foul and surface water.

19 - There shall be no vehicular access onto the transition road (the 7.3m wide carriageway between Victoria Road and the internal roundabout), other than to provide access to the existing properties of 222 and 224 Victoria Road and 1 and 3 Rhodfa Wyn.

REASON - In the interests of the free and safe movement of traffic on the adjacent highway.

Resolved to grant planning permission but subject to the application being referred to Full Council and the Welsh Assembly as a significant departure. Also subject to a Section 106 Obligation.

Councillors N.H. Jones and P.O. Williams wished it to be noted that they voted to refuse this proposal.

40/2000/0364/OB

(SUBJECT to a new Section 106 obligation)

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, Rhyl.

40/2000/0526/LB

(SUBJECT to consent from CADW).

(Following consideration of 1 additional letter of representation from: Conservation Architect).

Partial demolition of nightclub and conversion to 1 No. Dwelling and conversion of holiday chalets 1 No. dwelling at Faenol Fawr former Poppies Nightclub & Holiday Chalets, Rhuddlan Road, Bodelwyddan, Rhyl

(ii) Refusal

<u>Application No.</u>	<u>Description and Situation</u>
01/2000/661/PF	Change of use of flats (4) and erection of an extension to form a licensed guest house at 53 Vale Street, Denbigh.

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

<u>Application No.</u>	<u>Description and Situation</u>
47/2000/0618/PC	<p>Retention of engineering works to form levelled area for exercising of horses and access track thereto (retrospective application) at land adjoining A55 and B5429, Rhualt, St. Asaph.</p> <p>SUBJECT to the following new conditions nos. 1, 2 and 3:-</p> <ol style="list-style-type: none">1. Within 2 months of the date of this planning permission a detailed scheme of soft landscaping for the site shall be submitted to the Local Planning Authority to include details of:-<ol style="list-style-type: none">(a) Regrading and seeding of the earth bank(b) Seeding of the embankment(c) Planting of the earth bank with trees and shrubs(d) Hawthorn hedge planting to the timber post and rail fences.The scheme shall be subject to the approval in writing of the Local Planning Authority. <p>REASON - In the interests of the character and appearance of the Area of Outstanding Natural Beauty.</p> <ol style="list-style-type: none">2. All planting and seeding comprised in the approved details of landscaping shall be carried out by the end of March 2001. Any trees or plants which, within a period of 5 years of their planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. <p>REASON - In the interests of the character and appearance of the Area of Outstanding Natural Beauty landscape.</p> <ol style="list-style-type: none">3. No fencing, buildings or other structures shall be erected on the land subject to this planning permission unless previously agreed in writing by the Local Planning Authority. <p>REASON - In the interests of the character and appearance of the Area of Outstanding Natural Beauty landscape.</p> <p>The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:-</p> <p>The development would not have an unacceptable impact given the character of the immediate area and landscape features in the locality.</p>

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

<u>Application No.</u>	<u>Description and Situation</u>
47/2000/0868/PF	<p>(Following consideration of 2 additional letters of representation from: Head of Highways, Landscape Architect).</p> <p>Demolition of the existing storage building and erection of new pitched roof building for storage of vintage cars at Part Field No. 1685 Holywell Road, St. Asaph.</p> <p>The decision, being CONTRARY to the Officer's Recommendation was taken for the following reason:-</p> <ol style="list-style-type: none">1. The scale of the building now proposed would detract from the appearance of the landscape, being unrelated to existing development and

sited in a special landscape area in conflict with Policy L2 of the Rhuddlan Borough Local Plan and Policy H5 of the Clwyd County Structure Plan.

45/2000/0691/PF (Following consideration of 3 additional letters of representation from: Rhyl Town Council, P. Blackson, Mr. P. Mandler).
Erection of 17 No. Dwellings, provision of vehicular/pedestrian accesses and improvement to existing car park at Bel Market Site, West Kinmel Street, Rhyl.
The decision, being CONTRARY to the Officers' Recommendation was taken for the following reasons:-
1. The proposal would lead to the loss of established off street parking provision in conflict with Policy T5 of the Rhuddlan Borough Local Plan and Policy TRA9 of the Denbighshire Unitary Development Plan.
2. The proposal would lead to additional family housing in an area deficient in open space and with no provision for open space as part of the scheme to the detriment of the amenity of future occupiers of the dwellings.
Councillors M.LI. Davies and P.O. Williams wished it to be noted that they voted to support this proposal.

(ch) *The following applications were deferred prior to consideration for the reasons given:-*

<u>Application No.</u>	<u>Description and Situation</u>
01/2000/0750/PF	Erection of police station with associated parking and alterations to existing vehicular access at Land off Graig Road, Denbigh. REASON - to obtain further details of the development.
08/2000/0035/PS	Amendment to condition 4 imposed on permission granted under Code no 17/7916 (Glyndwr) to allow an extension in the working hours of the galvanizing plant from 0600 hrs to 2200 hrs 7 days per week - (current hours of operation 0700 hrs to 1800 hrs Mondays - Fridays, 0700 hrs and to 12 noon on Saturdays, Bank Holidays or other National Holidays) at The Smithy Ifor Williams Trailers Ltd., Cynwyd, Corwen. REASON - to assess the appropriate procedural approach to the type of application, and to allow further public consultation.

(d) *The following application was withdrawn prior to determination for the reason given:-*

<u>Application No.</u>	<u>Description and Situation</u>
43/2000/0520/PF	Erection of pitched roof onto existing attached garage at 7 the Close, Prestatyn. REASON Item withdrawn by Applicant.

687. APPLICATION FOR PERMISSION FOR DEVELOPMENT - PROPOSED WINDFARM AT TIR MOSTYN, FOEL GOCH, NANTGLYN, NEAR DENBIGH (PLANNING APPLICATION 25/710/99/PF)

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

RESOLVED that:-

Notwithstanding the recommendation of the officers, the following application be GRANTED for the reasons indicated:-

25/710/99/PF	(Following consideration of 4 additional letters of representation from BBC, Wales Tourist Board, Campaign for the Protection of Rural Wales, Huw Davies, Meifod and Saron). Wind farm at Tir Mostyn, Foel Goch, Nantglyn, Near Denbigh. SUBJECT to:
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(a) The Head of Planning Services negotiating suitable conditions and legal obligations with the applicants, and reporting these back to the Planning Committee for consideration.

(b) The consideration of and resolution on the conditions and obligations by the Planning Committee prior to the release of the Decision Certificate. The decision being CONTRARY to the Officer's Recommendation was taken for the following reasons:-

1. The proposed wind farm would not result in significant harm to the local landscape, or have an unacceptably intrusive visual impact on the area.

2. The Committee is not satisfied from the limited information provided by the RSPB that the development would lead to an unacceptable threat to black grouse or nightjar.

3. The grant of permission would reaffirm the County Council's commitment in its Unitary Development Plan to encouraging the development of clean and renewable energy sources wherever appropriate.

Councillors P. Douglas and R.W. Hughes wished it to be noted that they voted to refuse this proposal.

688. DATE OF SITE VISIT

There being no site visits required this item was withdrawn.

689. 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 16th September, 2000 until 13th October, 2000

RESOLVED - that the report be received.

690. ENFORCEMENT MATTERS

<u>Application No.</u>	<u>Description and Situation</u>
ENF/82/00/N	Land adjoining A55 and B5429 Rhualt, St. Asaph.

RESOLVED - no action in view of grant of planning permission on related planning application

The meeting concluded at 1.15 p.m.
