

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl on Wednesday, 28th February, 2001 at 10.00a.m.

### PRESENT

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

### ALSO PRESENT

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

### APOLOGIES FOR ABSENCE WERE SUBMITTED FROM

Councillors D.W. Davies, I.M. German, M.A. German, D.M. Holder, E.A. Owens, K.P. Stevens, S. Thomas and K.E. Wells together with Translator (D.B. Jones).

#### **1146. URGENT MATTERS**

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

#### FOOT AND MOUTH OUTBREAK

In view of the present situation, it was:-

**RESOLVED** that any site visit called would be subject to restrictions placed on access to the area in question.

#### **1147. 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 Advertisements 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>
08/2000/1112/PF	(Councillor C.H. Williams declared an interest in the following application and left the Chamber during consideration thereof). (Subject to the receipt of no further representations raising a planning matter not already covered in the report by 8th March 2001.) Erection of building to provide domestic leisure and swimming pool facilities - amended proposal to that previously granted planning

permission under Code No. 8/2000/46/PF at Tan Y Graig, Llangar, Corwen.

- 13/2001/0044/AC (Following consideration of one additional letter of representation from C.N. Cowen, Coedfan, Llanfwrog, Nr. Ruthin).  
Details of external colouring of 3 no. caravans as required by condition 6 of planning permission 13/2001/146/PS for additional caravans at Woodlands Hall Caravan Park, Llanfwrog, Ruthin.  
SUBJECT to Amended Condition 1:-  
1. The colours to be used on the caravans shall be:  
On the walls - Quarry Grey and Croft Green  
On the roofs - Dark Terracotta or Green  
On any decking and balustrades - Dark Stained timber
- 16/2000/1152/PO Development of 0.1 ha. of land by the erection of a dwelling (outline application) at plot of land to front of Bryn Melyn, Llanbedr Dyffryn Clwyd, Ruthin.  
SUBJECT to Amended Condition 4, Delete Condition 6 and new Notes to Applicant 1 and 2:-  
4. The access shall not be brought into use until full details of the position of any access gates, the height of the boundary walls, visibility splays and surfacing of the access, have been submitted to and have been approved in writing by the Local Planning Authority, and the approved details have been implemented in their entirety.  
Delete Condition 6  
Re-number Condition 7 as 6  
New Notes to Applicant -  
1. You are advised that the Local Planning Authority's attention has been drawn to the presence of a foul water sewer and water supply pipe and electricity cable which runs across the site, and that the grant of permission does not authorise the diversion or interference with any of these services. You should ensure that the relevant consents to divert are obtained and that the detailed plans take these matters into account.  
2. You are advised to discuss sketch ideas for the development with the case officer prior to the submission of detailed plans, in view of the relationship of the site with the adjacent property.
- 21/2001/0023/PF Amended Description - Erection of a bungalow and domestic garage, construction of a new vehicular and pedestrian access (renewal of planning permission previously imposed under code no. 31/15283 - Glyndwr) at land adjacent to Bryn Gerllig, Maeshafn, Mold
- 21/2001/0022/PF (Following consideration of one additional letter of representation from Llanferres Community Council)  
Erection of a detached dwelling and formation of a new vehicular access at land adjacent to Bryn Gerllig, Maeshafn, Mold.  
SUBJECT to New Conditions 7 and 8:-  
7. The windows in the two first floor bathrooms on the road elevation and the window in bedroom 3 shall be glazed with obscure glass at all times unless alternative detailing is agreed in writing by the Local Planning Authority.  
REASON - in the interests of privacy and amenity.  
8. The finished height of the main ridge of the roof shall not exceed that of the ridge of the adjacent dwelling 'Bryn Gerllig'.  
REASON - in the interest of visual amenity.

- 43/2000/0743/PO (Following consideration of two additional letters of representation from Dawn Edwards, 12 Gronant Road, Prestatyn and Prestatyn Town Council).  
Development of 0.05 hectares of land by erection of a new pair of semi-detached dwellings and construction of new vehicular/pedestrian access (outline application) at land between 10 and 12 Gronant Road, Prestatyn.  
Following a proposal to GRANT permission and following the requisite number of Members requesting a recorded vote, the Chairman invited Members to vote for or against the proposal to "Grant planning permission for development of 0.05 ha. of land by the erection of a pair of semi-detached dwellings and construction of new vehicular pedestrian access (outline application) at land between 10 and 12 Gronant Road, Prestatyn."  
FOR THE PROPOSAL (21)  
Councillors J. Butterfield, M.Ll. Davies, P. Douglas, A.E. Fletcher-Williams, K.N. Hawkins, N.J. Hughes, R.W. Hughes, D. Jones, F.D. Jones, G. Jones P.M. Jones, R.E. Jones, R.J.R. Jones, F. Shaw, J.A. Smith W.G. Thomas, A.J. Tobin, W.R. Webb, C.H. Williams, P.O. Williams and R.Ll. Williams.  
AGAINST THE PROPOSAL (2)  
Councillors J.R. Hughes and N. Hugh-Jones.  
Accordingly, Members resolved to GRANT planning permission in accordance with the officers' recommendation  
SUBJECT to additional condition 7:-  
7. The access and visibility splays shall be provided as indicated on the submitted layout plan (received 21 February 2001) prior to the occupation of either dwelling hereby permitted.  
REASON - in the interests of highway safety.
- 43/2001/0062/PF Change of use of part of leisure complex into store (Class B8) for temporary period of two years at Ffrith Beach Festival Gardens, Victoria Road West, Prestatyn.  
SUBJECT to Amended Condition 1:-  
1. The use hereby permitted shall be discontinued on or before 28th February 2003.
- 43/2001/0067/PF (Following consideration of two additional letters of representation from Prestatyn Town Council and Head of Public Protection).  
Installation of 6 No. Antennae on existing mast, 1 equipment cabin and 1 meter cabinet at NTL Transmitter Station, Gwaenysgor, Rhyl.
- 43/2001/0092/PF (Subject to the receipt of no further representations raising planning matters not already covered in the report by 1st March 2001).  
(Following consideration of one additional letter of representation from Prestatyn Town Council).  
Change of use from Class A1 shop to Class A2 office at 194 - 196 High Street, Prestatyn.
- 45/2000/1113/PS (Councillor A.E. Fletcher-Williams declared an interest in the following application and left the Chamber during consideration thereof).  
Variation of Condition No.1 on planning permission Ref. No. 45/904/97/PF to allow increase in number of children from 40 to 59 at 85 Dyserth Road, Rhyl.  
SUBJECT to Amended Conditions 4 and 5:-  
4. The existing outside equipped play area towards the southern boundary of the site shall be re-sited towards the north of the garden area prior to the implementation of this permission in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON - in the interests of the amenity of occupiers of nearby residential property.

5. No more than 10 children shall be outside in the rear garden area of the premises at any one time.

REASON - in the interests of the amenity of occupiers of nearby residential property.

SPECIFIC REQUEST FROM COUNCILLORS - that the planting required by condition no.3 shall not include fast growing conifers (leylandii).

(Councillor R.E. Jones wished it to be noted that he attended the Site Visit).

(Councillors also expressed disappointment at the guidance given by the County Highways Authority and requested that a member of Highways be asked to attend Planning Committees. The Head of Planning Services advised that Highways observations were included in the Planning Officer's report but an officer of the Highways Department could be invited to attend if appropriate to the case in question).

43/2000/0743/PO

Change of use of premises to 4 No. Self-contained flats and 2 No. Dwellinghouses and extensions and alterations at Clwyd Press Ltd., Bedford Street, Rhyl.

SUBJECT to Amended Condition 4 and New Condition 5:-

4. "submitted to and approved".

5. Prior to the commencement of the development a scheme for the soft and hard landscaping of the courtyard shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme of landscaping shall be carried out prior to the occupation of any of the flats or dwelling houses hereby permitted.

REASON - in the interests of the residential amenity of future occupiers of the development.

45/2001/0006/PF

Erection of Doctors Surgery, pharmacy and convenience store and construction of new vehicular/pedestrian access at land off Ffordd Elan, Rhyl.

47/2000/1129/PF

(Following consideration of two additional letters of representation from: Tremeirchion/Cwm/Waen Community Council and G. Jones, Bryn Carneddau, Nantydd Road, Abergele).

Erection of 3 No. Detached dwellings, construction of new vehicular/pedestrian access and installation of new septic tank at Part Field No. 1685 adjoining Mount View, Holywell Road, Rhualt, St. Asaph.

(ii) Refusal

Application No.

Description and Situation

44/2000/1085/PF

Renewal of planning permission ref: 2/RHU/31/96 for conversion of ground floor shop unit to self-contained flat at Elliott House, Rhyl Road, Rhuddlan, Rhyl.

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

Application No.

Description and Situation

05/2000/0909/PF

(Following consideration of change to report: delete "no material change" in report).

All year round camping and touring caravan site at O.S. Field No. 6752 (South of Pen Y Bont) North of A5 on B5437, Carrog, Corwen.

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

1. The scale of the development is limited.
2. The site is not visible in the landscape.
3. This application is not compatible with the refusal of planning permission in 1977.
4. There is a need for touring caravan sites in the area.
5. The highway network is acceptable.

SUBJECT to New Conditions 1, 2, 3, 4, 5 and 6:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The site shall only be used for caravans on tour and no caravan shall stay on the site for any period longer than 21 days.
3. No caravans shall remain on site between the 31st October in any one year and the 1st March in the following year.
4. The number of touring caravans to be located on the site shall not exceed 32 at any one time.
5. No caravans shall be permitted on the site until full details of the proposed layout, the landscaping/planting of the site, the proposed surfacing of access tracks and caravan pitches, and the improvement of the access onto the B Road have been submitted for the consideration of the Local Planning Authority and have been approved in writing by the Authority.
6. Within 6 months of the date of this permission, the improved access onto the B Road and the internal site road have been completed, and the landscaping and planting approved in accordance with condition 5 shall be completed in accordance with the approved plan. All landscaped areas shall be planted and caravan bays seeded in accordance with the approved schedule of planting. Any trees, hedgerow and plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species within a period of five years of the development.

REASONS:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. & 3. The use of the land as a static caravan site or for caravan storage would be contrary to the development plan which contains a strong presumption against further static caravan developments in the area.
- 4.5.& 6. In the interests of amenity and highway safety.  
(Councillor M.LI. Davies wished it to be noted that he voted in accordance with Officers' recommendation).

(c) *the following application was deferred for the reasons indicated:-*

<u>Application No.</u>	<u>Description and Situation</u>
23/2000/1016/PF	<p>(Following consideration of two additional letters of representation from P. Jackson, The Oaks, Llanrhaeadr Y.C. and E.P. Rowlands, Ty Coch Farm, Llanrhaeadr Y.C.).</p> <p>Use of land as touring caravan site, including erection of amenity block and alterations to existing vehicular access at Oak Vale Garden Centre, Llanrhaeadr, Denbigh.</p> <p>REASON - to await application to vary occupancy condition on dwelling.</p> <p>(Councillor P.O.Williams wished it to be noted that he voted in favour of deferral).</p>

(ch) *the following application be deferred to enable site visit to be undertaken for the reasons indicated:-*

<u>Application No.</u>	<u>Description and Situation</u>
03/2000/0884/PF	(Following consideration of one additional letter of representation from G. Jones, The Pines, Abbey Road, Llangollen). Development of land by the construction of overnight mooring for up to 32 canal boats and the construction of a footbridge and associated ramp at Llangollen Mooring Basin, Dinbren, Llangollen <b>RESOLVED</b> that the Head of Regulatory Services be consulted on the latest situation regarding the Foot and Mouth Restrictions in this area.

#### **1148. DATE OF SITE VISITS**

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 Monday, 5th March 2001 and advising of the current membership of the Site Visit Panel.

**RESOLVED** that the approved site visits be held on Monday, 5th March 2001, subject to the advice of the Head of Regulatory Services with regard to restrictions imposed as a result of the Foot and Mouth Disease.

#### **1149. ENFORCEMENT MATTERS**

(i) ENF/240/99/S - Abbey Grange, Llangollen - Non-return of PCN

**RESOLVED** that as the Planning Contravention Notice had not been returned within the time period specified and no reasonable excuses had been submitted, that authorisation be granted to instigate prosecution proceedings against the recipient of the Notice for failure to comply with the requirements of the relevant Planning Contravention Notice served under Section 171C of the Town and Country Planning Act 1990.

(ii) ENF/534/99/S - Castle Woods, Corwen Road, Ruthin - Non-replacement of TPO Trees

**RESOLVED** that:-

(a) a Notice under Section 207 of the 1990 Act be served on the occupier of the land requiring the planting of 3 No. common lime trees, 1 to 1.5 metres in height to replace the 3 No. mature lime trees, covered by the Tree Preservation Order No. 25, which were felled because they were diseased and considered to be unsafe. Each tree shall be protected by a standard stock-proof fence erected at least 2 metres from the trees, and

(b) should the Notice requiring the replacement of the trees not be complied with, Officers should arrange for the planting of the trees and the erection of the stock-proof by entering the land and subsequently reclaiming all costs from the owner/occupier of the land.

#### **1150. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS**

The Head of Planning Services submitted his report (previously circulated) of applications for Planning Permission determined by him under delegated authority between 13th January 2001 and 9th February 2001.

**RESOLVED** that the report be received.

**1151. 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 item 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.*

**1152. ENFORCEMENT MATTER**

**ENF/133/00/S** - Llyn Cyfynwy, Llandegla - Alleged unauthorised Residential Use.

***RESOLVED** that Officers continue with their investigations into the alleged breach of planning control including the service of a Planning Contravention Notice.*

The meeting closed at 11.45a.m.

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