

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, Town Hall, Ruthin on Wednesday, 28th March 2001 at 10.00a.m.

PRESENT

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

ALSO PRESENT

County Clerk, Head of Planning Services, Principal Planning Officer (South) (I. Weaver), Assistant Planning Officer (G. Jones), Principal Planning and Enforcement Officer (G. Boase) and Administration Officer (G. Butler).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors D.W. Davies, P. Douglas, J.R. Hughes, F.D. Jones and W.G. Thomas.

CHAIRMAN

In the absence of Councillor F.D. Jones, Councillor R.W. Hughes took the Chair.

PETITION

Councillor A.J. Tobin presented a petition of approximately 500 names objecting to the proposed development at Bryn Dethol Farm, Holyhead Road, Llangollen (Ref. 3/2000/1010/PF).

SUBSTITUTE

Councillor E.R. Jones, substituting for Councillor S. Thomas, arrived after the start of the meeting but the Committee accepted the late substitution.

1276. 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>
01/2000/1180/PF	Erection of 10 dwellings and construction of new vehicular and pedestrian accesses at Site 10a Parc Alafowlia, Denbigh. SUBJECT to the following amended condition no. 6, new condition no. 9 and new note to applicant no.1:-

6. The footway/cycle way link to Ysgol y Parc shall be completed up to the site boundary prior to the occupation of any of the dwellings hereby permitted, in accordance with such details, including width, final surfacing and fencing as are submitted to and are approved in writing by the Local Planning Authority, no later than 3 months from the commencement of the development.

9. Prior to the commencement of the development, plans showing the position and details of the boundary fence between the plots numbered 61 - 64 and the ditch shall be submitted for the further consideration of the Local Planning Authority, to include for a minimum 1 metre distance from the edge of the stream and the provision of suitable childproof fencing. The approved details shall be implemented prior to occupation of any of these units.

REASON - in the interests of the safety of occupiers of the dwellings and to allow for reasonable ease of access to the ditch in the event of blockage or future schemes to culvert the ditch.

1. you are advised to ensure that all reasonable steps are taken to prevent access from any of the plots to the small ditch outside the site boundary.

02/2001/0122/PF

(Following consideration of one additional letter of representation from Ruthin Town Council).

Erection of 4 dwellings and associated works at land to the rear of Rhos Street, Ruthin.

03/2000/1150/PF

Proposed erection of a dwelling and formation of a new vehicular access at plot of land, Brook Street, Llangollen.

SUBJECT to the following amended condition no. 3:-

3. The access arrangements shall not be as shown on the submitted plans, but shall be in accordance with such details as are submitted to and as are subsequently approved in writing by the Local Planning Authority, to include for a turning area and space for the parking of two vehicles within the plot, prior to the commencement of development.

03/2001/0103/AD

Amended Description - Replacement of existing signage by the display of (a) illuminated lettering on new fascia sign and (b) internally illuminated globe sign on front elevation at Barclays Bank House, Castle Street, Llangollen.

(This decision was made on the Casting Vote of the Chair).

SUBJECT to the following amended condition no.4, new condition no.5 and new note to applicant no.1:-

4. The fascia panel referred to as (b) on the submitted plan shall be finished in a matt off white colour (or such other colour as may be approved in writing by the Local Planning Authority), and shall not be illuminated at any time: the sole illumination being of the individual letters of the word *Barclays* on this fascia board.

5. None of the signs hereby granted consent shall be displayed until all the signs shown on the submission to be removed have been taken off the building.

REASON - in the interests of visual amenity.

1. Your attention is drawn to the amended description of the application which includes solely those signs it is considered require advertisement consent from the Local Planning Authority.

05/2001/0128/PF

Change of use of the existing shop to include A3 use (Hot food - Not Takeaway) at Gwalia Gifts, The Square, Corwen.

SUBJECT to amended condition no.2, new condition no.3 and notes to applicant 1 and 2.

2. The use of the ground floor area forming the subject of this application shall be restricted to the sale of hot food for consumption on the premises between the following hours:

0830 - 2300 Monday to Saturday

0830 - 2230 Sunday

and there shall be no sale of hot food for consumption off the premises.

3. The window on the side elevation shall be glazed with obscure glass at all times.

REASON - in order that there is no unreasonable interference with the users of the passageway and to avoid interference with the enjoyment of users of the shop.

1. The Local Planning Authority's attention has been drawn to the fact that the passageway running alongside the proposed new window is in separate ownership and that its use is outside the applicant's control. The grant of planning permission does not convey any private consent(s) which may be required to install a window on a boundary wall in these circumstances.

2. You are also advised that the proposals require separate Building Regulations consent and you should ensure this and any other regulatory approvals are obtained as soon as possible as the grant of the planning permission does not authorise uses which are subject to separate legislation.

- 43/2001/0069/PF Erection of two-storey pitched-roof extension to rear of dwelling-house at 10 Orme View Drive, Prestatyn.
- 43/2001/0072/PO (Following consideration of 3 additional letters of representation from: Head of Highways, Principal Countryside Officer and Vale and District Badger Group).
Demolition of existing derelict dwelling and development of 0.08 hectares of land by erection of 1 dwellinghouse and construction of new vehicular access (outline application) at land at former Mountain View, Ffordd Penrhwyfa, Prestatyn.
SUBJECT to new condition no.11 and new note to applicant.
11. Prior to the commencement of any of the development hereby permitted the site shall be surveyed by a badger consultant for the presence of badgers on the site and if their presence is confirmed, details of a mitigation plan shall be submitted to and approved in writing by the Local Planning Authority.
REASON - in the interests of nature conservation.
New note to applicant -
For further information on condition no.11 contact the Vale and District Badger Group on 01824 707471.
- 45/2001/0112/PF (Following consideration of 1 additional letter of representation from Head of Highways).
Change of use from Class C2 residential institution to Class B1 offices with car park and provision of access from existing council car park in Churton Road at 1 Fronfraith, Boughton Avenue, Rhyl.
- 46/2001/0082/PF (Subject to the receipt of no further representations raising a planning matter not already covered in the report by 6th April 2001).
(Following consideration of 1 additional letter of representation from New Development Consultants).
Erection of two-storey pitched-roof extension to side of dwellinghouse at 11 Hillside, St. Asaph.
- 47/2001/0035/PF Erection of pitched-roof extensions to side and rear, provision of dormers to front elevation, conservatory to rear of dwellinghouse and detached double garage at Awelog, Waen, St. Asaph.

(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>
03/2000/1010/PF	<p>(Following consideration of 1 additional letter of representation from Darby Mollan Lewis, Solicitors acting for applicants and petition (500 signatories) presented by Councillor A.J. Tobin).</p> <p>Conversion, alteration and extension to range of existing former farm buildings, to form 13 dwellings, business centre, riding centre and associated landscaping together with improvements to an existing vehicular access (amended details of planning permission previously granted under code no. 26/893/96/PF) at Bryn Dethol Farm, Holyhead Road, Llangollen.</p> <p>The decision, being CONTRARY to the Officers' Recommendation was taken for the following reasons:-</p> <p>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 a significant element of residential development by way of new build units and conversions, 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:-</p> <p>(a) The provision of 3 new build residential units, which are considered to be unacceptable in principle in the open countryside in the absence of any essential need, and contrary to Policy B8 of the County Structure Plan : First Alteration.</p> <p>(b) The conversion of existing buildings into 10 dwelling units, which in addition to the 3 new build dwellings would effectively create a residential hamlet in the countryside, with associated developments and domestic paraphernalia, potentially harmful to the character and appearance of the area, which is designated a Green Barrier, Outstanding Landscape Area, and Special Landscape Area, contrary to policies H2, H3 and H5 of the County Structure Plan : First Alteration and policies L1 and L3 of the Glyndwr District Local Plan.</p> <p>(2) The scheme with the extant planning permission, formed a cohesive package of tourist/business related proposals, bringing potentially significant economic benefits to the area, and together with restoration of the listed buildings were considered to outweigh any harm to the environment from the development. The current proposal is predominantly residential in character, bringing more limited economic benefit to the area and is likely to have a harmful impact on the character and appearance of the landscape, particularly the new build elements, namely the stable block, business centre and the three new build dwellinghouses.</p>

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

<u>Application No.</u>	<u>Description and Situation</u>
03/2000/0884/PF	<p>(Following consideration of 12 additional letters of representation from:</p> <ol style="list-style-type: none">1. Llangollen Tourism Association, Town Hall, Llangollen2. Middlewich Narrowboats, Old Canal Depot, Canal Terrace, Middlewich3. Welsh Lady Cruises, Ellesmere Road, Whittington, Shropshire

4. Alvechurch Boat Centres Ltd., Wrenbury Mill, Wrenbury, Cheshire
5. Anglo-Welsh, 5 Pritchard Street, Bristol
6. N. Simpson, Claymoore Navigation, The Wharf, Preston Brook, Warrington
7. Thomas Telford Narrow Boat Aqueduct Trips, The Wharf, Llangollen
8. The Lyneal Trust, The Shirehall, Abbey Foregate, Shrewsbury
9. Marine Services, Chirk Marina, Chirk, Wrexham
10. Black Prince Holidays Ltd., The Wharf, Harbury Road, Bromsgrove, Worcestershire
11. Shrewsbury & Atcham Access Group, Chavel, Ford, Shrewsbury
12. Llangollen & District Chamber of Trade, Cloud Hill, Pentre, Chirk).

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 Road, Llangollen.

REASON - to allow further negotiation with the Applicants to delete the footbridge from the scheme.

30/2001/0038/PF

(Subject to the receipt of no further representations raising planning matters not already covered in the report by 12th April 2001).

(Following consideration of 4 additional letters of representation from County Ecologist, A. Thomas and Mrs. C.E. Higginson, 1 Ffordd Pen y Maes, Mrs. J. Ryding, 6 Parc Bach, A. Jones (AM) Vale of Clwyd).

Erection of 1 No. dwelling and construction of new vehicular access at land at Trefnant Isa fronting Ffordd Pen Y Maes, Parc Grosvenor, Trefnant, Denbigh.

REASON:-

- (i) to allow further investigation of existence of great crested newts on land
 - (ii) to allow consultation with CCW
- To consider the impact of:-
- (iii) New scheme for foul water drainage received
 - (iv) Application on adjoining land received.

42/2000/1115/PF

(Subject to the receipt of no further representations raising planning matters not already covered in the report by 5th April 2001).

(Amended location plan distributed).

(Following consideration of 2 additional letters of representation from Head of Highways, Vale and District Badger Group).

Erection of 79 No. dwellings with associated roads and open space with 2 hectare site for primary school site at Plas Newydd Estate, off Ffordd Pantycelyn, Prestatyn.

REASON - to obtain further information on flooding risk from Environment Agency.

44/2001/0110/PF

(Following consideration of amendment to Paragraph 4, page 64 and 1 additional letter of representation from Head of Highways).

Change of use of vacant land to use as static holiday caravan park at Plot 2 Former Riverside Camp, Marsh Road, Rhuddlan, Rhyl.

REASON - to investigate with Environment Agency mitigation measures for this greenfield site.

45/2000/0498/PF

(Following consideration of amendment to Paragraph 4, page 69 (objection to policies) and 1 additional letter of representation from New Development Consultants).

Erection of 90 No. Two-storey dwellings and construction of associated estate roads at land off Rhodfa Maen Gwyn, Rhyl.

REASON - To consider

The amenity area should be overlooked by houses to deter vandalism, provision of emergency access, provision of shops and a bus service.

1277. ST. ASAPH BUSINESS PARK - DESIGN GUIDE

(Councillor E.R. Jones declared an interest in the following application and left the Chamber during consideration thereof).

The Head of Planning Services submitted his report (previously circulated). Following consideration of one additional letter of representation from the Head of Highways, it was:-

RESOLVED that the design guide be approved as supplementary planning guidance for the business park to replace the guide approved in 1995. The extent of approval be subject to the comments made at paragraph 3.4 of the report.

1278. LAY-BY TRADING IN DENBIGHSHIRE - EXCLUDING THE A.55

The Head of Planning Services submitted his report (previously circulated). Having regard to the temporary nature of the use of the lay-bys on the A494 and A525 and the existing character of the area, it was:-

RESOLVED that no action be taken at this time but that the use of these lay-bys be monitored and should they become permanent features then separate reports be presented to the Committee at that time.

1279. ENFORCEMENT MATTERS

ENF/434/99/N

Use of land for the stationing of a mobile unit for the purpose of serving refreshments and associated vehicle parking at 4 no. laybys on the A.55 at Rhualt Hill.

RESOLVED that authorisation be granted to the Special Enforcement Notices authorised by the Planning Committee on 26th July 2000 being served to bring about the cessation of the unauthorised catering use and removal from the land of the mobile units and all other associated facilities alongside the A55. A period of compliance with the Notice shall be 12 months from the date of service of the Notice.

(Councillor N. Hugh-Jones asked it to be noted that he voted against the officers' recommendation).

ENF/413/99/N

Unauthorised change of use of land to a mixed use of residential, office (Class B1) and Builder's depot/operations centre at Tan Y Bryn, Cwm, Dyserth.

RESOLVED that authorisation be granted for the following:-

- (a) serve an Enforcement Notice or other relevant Notice to ensure the cessation of the unauthorised use and the removal from the land of all the associated items, and
- (b) instigate prosecution proceedings or other appropriate action under the Planning Acts against the person or persons on whom any Notices are served or against whom any legal action is taken should they fail to comply with the requirements thereof.

1280. DATE OF SITE VISITS

There being no site visits required this item was withdrawn.

1281. 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 10th February 2001 and 9th March 2001.

***RESOLVED** that the report be received.*

1282. ITEM FOR INFORMATION

Recent Planning Policy Publications

The Head of Planning Services circulated a report advising Members of available new and existing Planning Policy Documents.

***RESOLVED** that the report be accepted.*

The meeting closed at 12.45p.m.
