

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl on Wednesday, 25th April 2001 at 10.00 a.m.

PRESENT

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

ALSO PRESENT

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

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors J. Butterfield, D.W. Davies, R.W. Hughes, J.R. Hughes, N. Hugh-Jones, K.P. Stevens and K. Wells.

1412. 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>
01/2001/0048/PF	(Following consideration of one additional letter of representation from Drainage Engineers). Erection of a two storey extension to existing sports hall to form a physiotherapists laboratory and gymnasium at Howells School, Denbigh. SUBJECT to new condition no.3:- 3. The development shall not commence until full details of the method of disposal of roof water from the extension have been submitted to and have been approved in writing by the Local Planning Authority. REASON - to ensure a satisfactory drainage arrangement in the interests of amenity.
15/2000/1025/PS	Variation of condition 2 on planning permission 25/13934 relating to hours of operation of agricultural and commercial vehicle garage, to permit 24 hour operation within the building only, using specified plant and machinery (permitted hours of use 0800 - 1800 Monday - Friday, 0800 - 1300 Saturdays, no operation on Sundays or public holidays) at Burley Hill Garage, Pant Du Road, Eryrys, Mold. SUBJECT to an amendment to the wording condition no.1 - in consultation with the Council's Legal Service.

- 22/2001/0277/PF (Following consideration of an amendment to the report - P37 P3(i) - extension is on the opposite side to the one previously refused - no adverse impact on neighbouring property).
Erection of a conservatory to rear of dwelling at Bro Clwyd, Gellifor, Ruthin.
- 23/2000/1016/PF (Councillors S. Thomas and R.E. Jones declared an interest in the following application and left the Chamber during consideration thereof).
(Following consideration of three additional letters of representation from Community Council - objecting and two other letters received on 23/2001/263/PO).
Use of land as touring caravan site, including erection of amenity block and alterations to existing vehicular access at Oak Vale Garden Centre, Llanrhaeadr Y.C., Denbigh.
SUBJECT to the inclusion of the existing dwelling house known as Oakvale within the application site, and
SUBJECT to amended condition no.14 and new condition no. 15.
14. The existing hedgerow and the proposed new section required to block off the access along the road frontage of the site shall not be topped until it has reached a height of 3m above the level of the road and it shall not thereafter be reduced below 3m in height.
15. On commencement of the touring caravan site use, the occupation of the dwelling Oakvale shall be limited to a person (or persons) who is (are) engaged in the running and supervision of the touring caravan site, including the family and any dependants of that (those) person(s).
REASON - to ensure the existing dwelling is retained and occupied in connection with the operation of the touring caravan site.
- 40/2001/0097/PC Continuation of use of premises as taxi booking office (retrospective application) at Victoria Works, Abergele Road, Bodelwyddan, Rhyl.
SUBJECT to the following amended conditions 2 and 3:-
2. From the date of this decision notice other than to provide access and egress to vehicles used by person(s) operating the radio control centre, no vehicles related to the use hereby permitted shall pass through the existing security gates etc.....
3. From the date of this decision notice the existing open hard surfaced areas etc.....
- 41/2001/0180/PS Removal of condition no. 12 on planning permission Ref. No. 41/2000/0912/PF relating to public use of car park at Part OS Field No. 2320 The Glebe, Bodfari, Denbigh.
SUBJECT to the deletion of condition no 1 on the report.
- 42/2000/1115/PF (Following consideration of one additional letter of representation from Environment Agency).
Erection of 79 No. dwellings with associated roads and open space with 2 hectare site retained for primary school site at Plas Newydd Estate, Off Ffordd Pantcelyn, Prestatyn
SUBJECT to amended condition nos. 3 and 9, new condition no. 10 and notes to applicant 1, 2 and 3:-
3. Delete "on the site"
9. shall be implemented in accordance with a programme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
10. Prior to the commencement of the development details of the finished floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the dwellings shall be built in accordance with the approved details.

REASON - to take into account the location of the site within the indicative flood plain.

Notes to Applicant:

1. The Environment Agency advise that the application site is within a defended tidal flood plain.
2. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 2, 4, 5 and 10.
3. The Highway Authority advise that there will be a need for a Section 278 Agreement under the Highways Act to be entered into prior to the commencement of the development.

44/2001/0299/PF

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

Change of use of Class A1 shop to beauty salon at 6 High Street, Rhuddlan, Rhyl.

45/2000/0498/PF

(Following consideration of three additional letters of representation from M. R. Desmond, 18 Pen y Llys, Rhyl; Rhyl Town Council and The Countryside Council for Wales).

Erection of 90 No. two-storey dwellings and construction of associated estate roads at Land Off Rhodfa Maen Gwyn, Rhyl.

SUBJECT to amended condition nos. 4,7, 9,10 and 11 and additional note to applicant.

4. A detailed layout showing the design, means of traffic calming, signing, drainage, street lighting, provision for bus stops and construction of the internal estate roads and emergency access shall be submitted to and approved by the Local Planning Authority prior to the commencement of any site works. The emergency access shall be provided before the occupation of more than 50 dwellings hereby permitted.

7. The hatched area indicated between plots 49 and 50 on Site Layout Drawing No. DX0500/00131/2D shall be safeguarded to allow future vehicular access to the land to the east and shall not be incorporated into the garden/curtilage area of any dwelling.

REASON - in the interests of the proper planning of the area.

9. Add "The surface water drainage system shall be designed in accordance with sustainable urban drainage techniques."

10. Details of the design and construction of the pumping station including noise and smell attenuation measures shall be submitted to the Local Planning Authority prior to the commencement of the development hereby permitted.

11. Add "The play area shall be provided prior to the occupation of any of the dwellings on plots 27 - 29, 33 - 34, 46 or 75 - 78.

Note to applicant -

The surface water drainage scheme required by condition no.9 shall incorporate the existing ditches and land drainage on the northern boundary of the site.

45/2001/0207/PF

(Following consideration of three additional letters of representation from Rhyl Town Council, M. Davies, 151 Vale Street, Rhyl and Head of Highways).

Change of use of private dwelling to child care and day nursery; erection of single-storey pitched roof side extension; erection of two-storey pitched roof rear extension and alterations to existing vehicular/pedestrian access at 159 Vale Road, Rhyl.

SUBJECT to amended condition nos.2, 6 and 7 and to new notes to applicant: 1 and 2:-

2. "...site plan received by the Local Planning Authority on the 10th April 2001"

6. All fencing, walling and other treatment comprised in the approved details of landscaping shall be carried out prior to the commencement of the use.

7. No development shall take place until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the walls of the development hereby permitted and no materials other than those approved shall be used.

Notes to Applicant:

1. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 2, 4, 5 and 10.

2. Reference has been made in representations to the presence of a natural spring under the premises subject to this planning permission. Measures will need to be incorporated within the scheme to ensure that the course of the natural spring is not adversely affected or alternative provision is made within the scheme.

(Councillor M.LI.Davies abstained from voting on this proposal).

- 45/2001/0250/PF (Councillor M. German declared a non pecuniary interest in the following application).
Change of use from hairdressers to offices (Class B1) on ground floor at 116 Wellington Road, Rhyl.
- 45/2001/0259/PF Change of use of premises to Class A1 retail and Class B1 light industrial (to rear) and installation of roller shutters (partly retrospective) at The Grange, Grange Road, Rhyl.
SUBJECT to amended condition no.3:-
3. Add "and the roller shutters shall be colour coated in accordance with the approved colour finish prior to their installation."
- 45/2001/0268/PF Erection of first-floor pitched-roof extension over existing single-storey extension at rear of dwellinghouse at 2 Patagonia Avenue, Rhyl.
- 45/2001/0267/PF Change of use of part of ground floor from Class A1 shop to form extension to existing residential accommodation at 26 Diane Drive, Rhyl.
SUBJECT to new condition no.3:-
3. The alterations to the front elevation as indicated on plan no. 1349/2/MAY/00 shall be completed prior to the occupation of the extended residential accommodation hereby permitted.
REASON - in the interests of visual and residential amenity.
- 45/2001/0283/PF Change of use of former guest house to single dwelling-house at 26 John Street, Rhyl.
- 46/2001/0111/PF Installation of roller shutters to open-front church entrance porch at St. Winefrides Catholic Church and Presbytery, Chester Street, St. Asaph.
SUBJECT to amended condition no.2:-
2. add "which shall be applied prior to the erection of the roller shutter".

(ii) Listed Building Consent (Subject to referral to Cadw and it not being called in by National Assembly for Wales).

<u>Application No.</u>	<u>Description and Situation</u>
01/2001/0158/LB	Part demolition and reduction of wall, construction of new wall, layout of car park, associated lighting, landscaping and erection of gates at Howells School, Denbigh. SUBJECT to new condition no.4:- 4. The hours of operation of the lights shall be agreed with the Local Planning Authority prior to their first use. REASON - in the interests of visual amenity.

01/2001/0120/LB Demolition and extension of existing vacant flats into 2 dwellings at 53 Vale Street, Denbigh.
SUBJECT to amended condition no.6:-

6. The method of glazing shall be linseed oil putty, single glazed with finishes to be an "off white" gloss OYSTER Colour (BS Code 10B15), unless otherwise agreed in writing with the Local Planning Authority. Also the details shall be submitted for approval for the method of sash opening, detail of insertion method including extent of recessing of the frame within the reveal lintel detail, cill detail and method of shedding water from the lower rail of frames; with the approved details thereafter implemented before the dwellings are brought into use.

(iii) Refusal

<u>Application No.</u>	<u>Description and Situation</u>
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45/2001/0168/PC	Retention of satellite dish (retrospective application) at 76 Marsh Road, Rhyl.
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(b) *the following decision of the Committee to grant planning permission in respect of an application from a Council Member be referred to full Council in accordance with Minute No.5 of 15th February 1996:-*

<u>Application No.</u>	<u>Description and Situation</u>
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44/2001/0255/PF	(Councillor S. Thomas declared an interest in the following application and left the Chamber during consideration thereof). (Following consideration of one additional letter of representation from Rhuddlan Town Council). Change of use of land to form extension to existing touring park and siting of 6 No. Touring caravans at land adjoining Clwyd View, Marsh Road, Rhuddlan, Rhyl. SUBJECT to new conditions nos. 1 and 2. 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. 2. No touring caravans shall be accommodated (including stored) on the site outside the following period: 1 April - 31 October in any year (previously condition 1).
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(c) *Notwithstanding the recommendation of the Officers, the following application be refused for the reasons indicated:-*

<u>Application No.</u>	<u>Description and Situation</u>
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03/2000/0884/PF	(Following consideration of 4 additional letters of representation from Llangollen Town Council, Llangollen Civic Society, British Waterways and Wirral Community Narrowboat Trust). Development of land by the construction of overnight moorings for up to 32 canal boats and the construction of a footbridge and associated ramp at Llangollen Mooring Basin, Dinbren Road, Llangollen. The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:- REASON - that the design detailing of the bridge would be unacceptable in this location.
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(ch) *notwithstanding the recommendation of the officers, the following applications be deferred for the reasons indicated:-*

<u>Application No.</u>	<u>Description and Situation</u>
23/2001/0263/PC	(Councillors S. Thomas and R.E. Jones declared an interest in the following application and left the Chamber during consideration thereof). Variation of condition 5 of planning permission granted under Code No. 34/11074, restricting occupancy of dwelling to persons employed in the running of adjacent Garden Centre, to restrict occupancy to a person (or persons) who is (are) engaged in the running and supervision of the touring caravan site forming the family and any dependants of that (those) persons(s) at Oak Vale Garden Centre, Llanrhaeadr, Denbigh. REASON - to negotiate withdrawal of this application in the light of the decision in Application No. 23/2000/1016/PF.
30/2001/0181/PF	(Following consideration of 1 additional letter of representation from Head of Highways). Demolition of existing cottage and erection of replacement dwelling and construction of new vehicular access at Dolwar, Trefnant, Denbigh. REASON - for further discussions with applicant as to possibility of accessing site from Llys y Erwain to the north.
46/2001/0280/LB	Installation of 2 No. Solar water heating collectors to roof of Grade II listed building at 2 Rosehill House, Glascoed Road, St. Asaph. REASON - to allow further appraisal of impact of works on the listed building.
47/2001/0310/PF	(Following consideration of 1 additional letter of representation from Tremeirchion/Cwm/Waen Community Council). Installation of 20m high monopole tower, antennae, equipment cabin and compound at Fachwen Farm, Waen, St. Asaph. REASON - to look at possibility of tree-effect pole or resiting to nearby electricity pylon.

(d) *notwithstanding the recommendation of the officers the following applications be deferred to enable site inspections to be undertaken.*

<u>Application No.</u>	<u>Description and Situation</u>
15/2001/0186/PO	(Following consideration of 12 additional letters of representation from A.J. & B. Rigby, Bronallt, Llanarmon yn Ial, Llanarmon Community Council, Llanarmon and District Conservation Society and 9 individuals). Development of a 0.1 ha. of land by the erection of a dwelling and formation of a new vehicular access (outline application) at land adjoining Cam-Yr-Alyn, Llandegla Road, Llanarmon-yn-Ial.
23/2001/0031/PF	(Councillor S. Thomas declared an interest in the following application and left the Chamber during consideration thereof). (Following consideration of 1 additional letter of representation from County Landscape Architect). Siting of additional 6 touring caravans and associated tenting to total 18 touring caravans (12 touring caravans and camping site previously allowed on appeal under code 34/4243), landscaping proposals and alterations to existing vehicular and pedestrian access at Caer Mynydd Caravan Park, Saron, Denbigh.

23/2001/0032/PF

(Councillor S. Thomas declared an interest in the following application and left the Chamber during consideration thereof).
Erection of an amenity building (toilets and laundry) and installation of a new septic tank and associated works at Caer Mynydd Caravan Park, Saron, Denbigh.

1413. 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.1 to be held on Monday, 30th April, 2001 and advising of the current membership of the Site Visit Panel.

RESOLVED that the approved site visits be held on Monday, 30th April 2001.

1414. ENFORCEMENT MATTER

ENF/101/01/N

Unauthorised Satellite Dish at 76 Marsh Road, Rhyl

RESOLVED that authorisation be granted for the following:-

- (a) *Serve an Enforcement Notice to secure the removal of the unauthorised satellite dish, and*
- (b) *Instigate prosecution proceedings, or other appropriate action, under the Planning Acts against the person, or persons, upon whom any Enforcement Notice or other such Notice is served, or against whom legal action is taken should they fail to comply with the requirements thereof.*

1415. NATIONAL ASSEMBLY FOR WALES - DRAFT PLANNING POLICY (WALES)

The Head of Planning Services' written report (previously circulated) was submitted seeking a Council response to the NAW Draft Planning Guidance (Wales) and detailing the main changes and issues and detailed suggested comments for submission to National Assembly.

RESOLVED that:-

- (a) *the principal points raised in the Report along with the detailed matters raised in the attached Appendix form the basis for the Council's response, to include further issues relating to the Welsh dimension, and*
- (b) *responses received from other departments and services be passed on to NAW.*

The Officers were thanked for the comprehensive report.

1416. 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 10th March 2001 until 6th April 2001.

RESOLVED that the report be received.

The meeting closed at 12.15 p.m.
