

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Ruthin on 23rd May, 2001 at 10.00a.m.

PRESENT

Councillors J. Butterfield, P. Douglas, 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), F.D. Jones, G. Jones, M.M. Jones (Substitute for M.L.I. Davies), P.M. Jones, R.E. Jones, R.J.R. Jones, E.A. Owens, F. Shaw, J.A. Smith, W.G. Thomas, A.J. Tobin, W.R. Webb (Observer), C.H. Williams, P.O. Williams and R.L.I. Williams.

ALSO PRESENT

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

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors D.W. Davies, M.L.I. Davies, J.R. Hughes, K.P. Stevens, S. Thomas and K.E. Wells.

98. APPOINTMENT OF CHAIR

RESOLVED that Councillor F.D. Jones be appointed Chair for the ensuing year.

99. APPOINTMENT OF VICE-CHAIR

RESOLVED that Councillor R.W. Hughes be appointed Vice-Chair for the ensuing year.

100. URGENT ITEMS

In accordance with the requirements of Section 100B(4) of the Local Government Act 1972 the Chairman declared that he intended to include for discussion the following item requiring urgent attention:-

Satellite Dishes in Conservation Areas.

101. 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

Application No.

Description and Situation

01/2001/0198/PO

(Following consideration of one additional letter of representation from Mr. and Mrs. D. Griffiths, 18 Abbey Court, Denbigh)

Development of land by the erection of a single storey bungalow and alterations to existing vehicular access (outline application) at land to the rear of Llys Myfyr, Ruthin Road, Denbigh

01/2001/0222/PF

(Following consideration of two additional letters of representation from Head of Public Protection and Babbie Drainage Consultants) Erection of 5 (4 bedroom) dwellings and associated garages, alterations to vehicular accesses at St. David's Lane and Park Street road junction, reinstatement of existing walls to former heights and thinning of crown of Holm Oak protected under the Tree Preservation Order at site of Former Ystrad House, Park Street, Denbigh.

SUBJECT to the following amended condition nos. 4, 5 and 13:-

4. No work shall be permitted to commence on the superstructure of any of the dwellings or any other walls within the site, including boundary walls, until the type of brick and stone, mortar and copings it is proposed to use have been agreed in writing by the Local Planning Authority, and the development shall be undertaken strictly in accordance with the approved details.

5. No work in connection with the construction of the window cills, the brick detailing over windows, block pavers, kerbing and other hard landscaping shall be permitted to commence until the details have been approved in writing by the Local Planning Authority, and the development shall be undertaken strictly in accordance with the approved details.

13. The Holm Oak tree 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 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.

02/2001/0356/TP

Pruning works on trees covered by Tree Preservation Order at 9a Llys y Berllan, Ruthin

SUBJECT to the following new condition no.3:-

3. No work shall be permitted to commence on the pruning of the trees until the full extent of work has been agreed in writing by the Local Planning Authority.

REASON - for the avoidance of doubt.

03/2001/0246/PF

(Councillor A.J. Tobin declared an interest in the following application and left the Chamber during consideration thereof).

Erection of a single storey warehouse extension to existing factory and associated landscaping scheme at Smurfit Print (UK), Berwyn Works, Holyhead Road, Llangollen.

SUBJECT to the following amended condition nos. 4 and 7 and new condition no.5:-

4. The proposed extension shall not be brought into use until details of all the following have been agreed in writing by the Local Planning Authority, and have been implemented in their entirety:

a) Measures to reduce the noise generated by vehicles/activity associated with the collection and removal of waste paper from any external skips/bins, including the silencing of reverse warning mechanisms on vehicles.

b) Measures to reduce the noise from the vacuum and transformer house, and the external ducting systems on the roof of the existing building.

Delete Condition 5.

7. Notwithstanding the details shown on Plan 2375/01, the extension hereby permitted shall not be brought into use until full details of the landscaping scheme for the site has been approved in writing by the Local Planning Authority, to include numbers and species of planting; the agreed scheme shall be implemented in its entirety in the first planting season following the bringing into use of the extension, and any trees or plants which, within a period of five years of planting, die, are removed or become seriously damaged shall be replaced in the next planting season with others of similar size and species.

5. No roofing or cladding sheets shall be erected until the written approval of the Local Planning Authority has been obtained to the precise external colouring proposed.

REASON - in the interests of visual amenity.

05/2001/0355/PF

(Councillor C.H. Williams declared a (non pecuniary) interest in the following application)

(Following consideration of one additional letter of representation from M. Hughes, Waen Sidan, Carrog, Corwen.)

Erection of a dwelling and alterations to existing vehicular access at land adjacent to Maesywaen, Carrog, Corwen.

The recommendation is subject to the completion of a Section 106 Obligation within 6 months of the date of the Planning Committee meeting, controlling the initial cost of the dwelling (including subsequent sale price) together with the qualifying criteria for the subsequent occupancy of the dwelling unit to persons meeting the local need criteria of Policy H8. In the event of failure to complete the obligation, the application would be considered against the relevant policies and material considerations at that time. The planning decision certificate would only be issued on completion of the Section 106 Obligation.

SUBJECT to the following amended condition no.3:-

3. The dwelling shall not be occupied until the access and parking arrangements shown on Drawing 1993.3a, have been completed in their entirety, to include for the parking and manoeuvring of vehicles for disabled persons.

09/2001/0235/PF

(Following consideration of one additional letter of representation from the applicant)

Proposed change of use of agricultural land to form equestrian area and erection of a single stable block at Glan Yr Afon, Bodfari, Denbigh.

SUBJECT to the following amended condition no.2 and new condition no.5:-

2. The equestrian area and stables shall be used solely for purposes incidental to the enjoyment of the adjoining dwelling Glan yr Afon, and at no time for any business or commercial purpose.

5. No fences, jumps or other obstacles shall be permitted to be placed on the equestrian area without the prior written approval of the Local Planning Authority to the detailing thereof.

REASON - in the interests of visual amenity.

09/2001/0236/PF

(Following consideration of one additional letter of representation from the applicants)

Erection of an extension to existing dwelling at Glan Yr Afon, Bodfari, Denbigh.

15/2001/0186/PO

(Following consideration of five additional letters of representation from three individual residents, Llanarmon and District Conservation Society and Llanarmon yn Ial Community Council).

Development of 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, Mold.

SUBJECT to the following amended condition no.5 and new condition no.11 and new Note to Applicant:-

5. No development shall be permitted to commence until full details of the access have been submitted for the consideration of the Local Planning Authority, including visibility splays, gradients, levels and landscaping behind the visibility splay, and the formal written approval of the Authority has been obtained to the detailing.

REASON - in the interests of highway safety.

11. The submitted site plan and description at scale 1:100 has been treated for purely illustrative purposes, with any reference to a dormer bungalow, not forming part of this permission.

REASON - in the interests of adjacent residential amenity and privacy and in the interests of clarity as to what has been approved.

Note to Applicant - The applicant is advised to discuss sketch ideas of the proposed dwelling with the case officer prior to formal submission of detailed plans, in particular to ensure the scale, design and use of materials is of a high standard and sympathetic to the locality. You are advised to meet the Case Officer in the Development Control Section to discuss the detailing of the development, in particular the access arrangements, design detailing and the relationship with adjacent property.

16/2001/0373/PO

Erection of two detached dwellings (outline application) at land adjoining Cysgod Yr Yd, Llanbedr Dyffryn Clwyd, Ruthin.

22/2001/192/PF

Erection of a detached domestic garage for three vehicles at Green Cottage, Gellifor, Ruthin.

23/2001/0031/PF

(Following consideration of one additional letter of representation from the applicant's agent)

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 34/3243), landscaping proposals and alterations to existing vehicular and pedestrian access at Caer Mynydd Caravan Park, Saron, Denbigh.

SUBJECT to the following amended condition nos. 4, 7 and 9 and new condition no.8:-

4. No vehicles or equipment, barbecues or caravanning structures shall be permitted to be left at any time within the area edged green on the plan attached to this Certificate.

7. All touring caravans shall be sited in the locations shown on the approved plan ref. 4309/7/A.

9. None of the additional caravans shall be sited until details of the alterations to the access, including lowering of the hedge either side of the access, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to any additional caravans being permitted on the site.

8. No lighting shall be permitted on any part of the site other than in strict accordance with such details as are submitted for the consideration of the Local Planning Authority, to include design, height and position, intensity of lighting and hooding, and no lights approved shall be operated until the formal written approval has been obtained from the authority. Any lights permitted shall not be allowed to operate between 12 midnight and 0600 hours on any day.

Note To Applicant

You are advised to contact the Case Officer in the Development Control Section to discuss details of the landscaping and lighting prior

to submission of the necessary plans in compliance with conditions of this permission.

23/2001/0032/PF

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

SUBJECT to the following new condition no.6:-

6. There shall be no external lighting on the building other than in accordance with details which are submitted for the consideration of the Local Planning Authority, to include design, position, intensity of lighting and hooding, and no lights shall be operated between 12 midnight and 0600 hours on any day.

REASON - In the interests of visual amenity.

30/2001/0181/PF

(Following consideration of one additional letter of representation from the applicant - access to remain as submitted)

Demolition of existing cottage and erection of replacement dwelling and construction of new vehicular access at Dolwar, Trefnant, Denbigh.

SUBJECT to the following new note to applicant:-

The consent of the Environment Agency will be required for any works under, over or adjacent to a watercourse. Please note that this development shall be drained on a separate system. For further information please contact Babtie New Development Consultants on 01745 805815 or e-mail: babtie@denbigh.com

No new connection to the public sewerage system will be permitted without prior approval and supervision of Babtie New Development Consultants. For further information please contact Babtie New Development Consultants on 01745 805815 or e-mail: babtie@denbigh.com

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 and 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway/verge under Section 184 of the Highways Act 1980.

40/2001/0331/PF

(Following consideration of one additional letter of representation from the applicant)

Importation of inert materials to increase rear garden level at Elwy Crossing Cottage, St. Asaph Road, Rhuddlan, Rhyl.

SUBJECT to the following amended condition no.3, new condition nos. 4 and 5 and new Note to Applicant:-

3. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

(a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;

(c) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform.

4. 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 12 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.

5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

New Note to Applicant - You are advised to liaise with the Environment Agency as to the need for a licence for the importation and tipping of inert material on the site.

41/2001/0251/PF Change of use of post office to form extension to existing dwelling at Bodfari Post Office, Bodfari, Denbigh.
The Committee also requested that The Post Office be contacted regarding a replacement facility in the village of Bodfari.

43/2001/0320/PF (Following consideration of one additional letter of representation from Head of Highways)

Demolition of part of front stone boundary wall and formation of vehicular access and hardstanding at 5 Ffordd Talargoch, Prestatyn.
SUBJECT to amended/additional conditions nos. 3 and 5 and notes to applicant:-

3. Delete "and the section of stone boundary wall to the south of the access has been lowered to 1m in height".

5. Notwithstanding the plans submitted with the application the vehicular access hereby permitted shall be limited to 3m in width and the existing stone boundary wall to the south of the proposed access along the frontage of the property shall not be lowered in height.

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

Notes to applicant - your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 and 10.

Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway/verge under Section 184 of the Highways Act 1980.

43/2001/0322/PF Change of use from Class A1 retail to form extension to cafe-bar/restaurant (Class A3) at 147 - 151 High Street and installation of new shop front at 145 High Street, Prestatyn.

SUBJECT to the following new condition no.6 - Disabled Access Provision:-

6. Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to the building shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is first brought into use.

43/2001/0338/PC Retention of conservatory at rear of dwellinghouse (Retrospective application) at 2 Clwyd Avenue, Prestatyn.

43/2001/0417/PF (Following consideration of one additional letter of representation from Prestatyn Town Council)

Erection of single-storey pitched roofed extensions to side and rear of dwellinghouse at 1 Graham Avenue, Prestatyn.

45/2001/0325/PF

(Following consideration of one additional letter of representation from Head of Highways)

Erection of 2 no. single-storey retail units and provision of associated parking/servicing area at Shops Site adjoining Aldi, Wellington Road, Rhyl.

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

5. No single retail unit hereby permitted shall exceed 450 sq.m. gross floorspace and the units shall not be used for the sale of food, convenience goods or comparison goods other than where ancillary to the main retail use or unless otherwise agreed in writing by the Local Planning Authority.

Notes to applicant - No new connection to the public sewerage system will be permitted without prior approval and supervision of Babtie New Development Consultants. For further information please contact Babtie New Development consultants on 01745 805815 or e-mail: babtie@denbigh.com.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 and 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

45/2001/0405/PF

Change of use from vacant retail to working amusement museum (Class D1) at Unit F, Rhyl Children's Village, West Parade, Rhyl.

SUBJECT to the following amended conditions:-

The Committee resolved that conditions should strongly reflect the view that this use should be that of a museum and that all displays should be of a static nature and that no gaming should be possible. They further requested that the local members be consulted on the wording of the amended conditions prior to the certificate being issued.

Councillor N. Hughes abstained from voting.

43/2001/0410/PF

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

Change of use of Class A1 shop to self-contained flat at ground floor and external alterations at 12 Station Road, Prestatyn.

45/2001/0403/PO

(Following consideration of 2 additional letters of representation from the Head of Highways and Environment Agency)

Development of 0.49 hectare of land by erection of single-storey light industrial units and refurbishment of existing buildings (Class B1). Erection of 3 no. CCTV columns (outline application) at Denbighshire County Council Depot, Ffordd Las, Rhyl.

SUBJECT to the following amended condition no.1, new condition no.9 and new Note to Applicant:-

1. Add "and CCTV columns" after "buildings".

9. Vehicular access to the development shall be limited to the existing access via Parc Fforddlas and the existing access directly off Fforddlas adjacent to 66 Fforddlas shall be permanently closed and the footway reinstated before the development hereby permitted is brought into use. Details of the closure of the access and reinstatement of the footway shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

REASON - to ensure that an access of appropriate standard is utilised for the development.

Notes to Applicant - The Environment Agency advise that their consent will be required for any works or structures within 7m of the top of the bank of Rhyl Cut adjacent to the site.

The Environment Agency also advise that as the site lies close to an area used for the deposition of waste material (Rhyl Tip) investigations into the presence of landfill gas on the site would be advisable.

(ii) Refusal

<u>Application No.</u>	<u>Description and Situation</u>
45/2001/0330/PF	Change of use of retail unit to amusement arcade at Unit A Rhyl Children's Village, West Parade, Rhyl.

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

<u>Application No.</u>	<u>Description and Situation</u>
16/2001/0366/PF	(Following consideration of one additional letter of representation from Clwydian Range AONB Joint Advisory Committee) Proposed replacement dwelling at Hillside, Llanbedr Dyffryn Clwyd, Ruthin. REASON - to await further details of design, considering the prominent location within the AONB.
45/2001/0300/PF	(Following consideration of one additional letter of representation from Conservation Officer) Erection of flat-roofed extension to first floor and new fire escape to rear at 17 Water Street, Rhyl. REASON - to investigate impact on Townscape Heritage Initiative.

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

<u>Application No.</u>	<u>Description and Situation</u>
43/2001/0095/PR	(Following consideration of four additional letters of representation from Prestatyn Town Council, J.P. and C.M. Pearson, 42 Berwyn Crescent, County Ecologist, Mr. & Mrs. Hannaby, 44 Berwyn Crescent) Details of 230 dwellings, access roads landscaping and laying out of public open space submitted in accordance with Condition Nos. 1, 5, 8, 12, 13 and 16 on outline planning permission reference: 43/2000/250/PO at Former Tower Beach Site, Victoria Road, Prestatyn. (REASON - to consider the issues raised in the letters of objection relevant to the reserved matters application. In particular the relationship of the development to existing properties in Berwyn Crescent.

102. **MOBILE CLASSROOMS**

The Head of Planning Services submitted his information report (previously circulated) advising members on the need for planning permission for the siting of temporary/mobile classrooms on County Council land.

RESOLVED that the report be received.

103. CONWY UNITARY DEVELOPMENT PLAN CONSULTATION DRAFT

The Head of Planning Services submitted his written report (previously circulated) seeking a Council response to the consultation draft of the Conwy UDP.

The Principal Planning Officer (Policy) introduced this item and answered Members' queries.

RESOLVED that the Planning Committee report be forwarded to Conwy County Borough Council, as this Council's response on the draft Conwy UDP.

That this Council objects to:

- (i) *policy ST8 regarding the opportunity site to the east of Abergele, as detailed in paragraph 3.1.4 of this report.*
- (ii) *policy IND4 regarding large scale employment development, as detailed in paragraph 3.5.4 of this report.*
- (iii) *policy E6 regarding Areas of Landscape Value, as detailed in paragraph 3.3.4 of this report.*

Members further RESOLVED to:

- (a) *Support the Tir Llwyd Employment land Kinmel Bay proposal subject to (a) Associated improvements to those proposed on St. Asaph Avenue also to be undertaken along A547 from Borth Crossroads to Rhuddlan roundabout with A525 (b) that traffic - (especially HGV) - from Tir Llwyd development must be prevented from gaining access from A55 via interchange at Bodelwyddan, then along C47 known as "Ty Fry" (c) that a weight restriction be placed on C47 to prevent HGV using it; and*
- (b) *requested that the nature conservation/wildlife site designations on the River Clwyd saltmarsh in the Denbighshire UDP - east side - are matched with similar environmental protection policies on the west side.*

104. NATIONAL ASSEMBLY FOR WALES CONSULTATION DRAFT - REVISED TECHNICAL ADVICE NOTE 18 - TRANSPORT

The Head of Planning Services' report (previously circulated) was submitted.

The Principal Planning Officer (Policy) advised that this report had been compiled in consultation with County Highways and that internal training on the impact of this T.A.N. would be arranged.

RESOLVED that officers be thanked for the report and that the report be forwarded to The National Assembly for Wales as this Council's response on the Draft TAN 18 (Transport).

105. 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 Wednesday, 30th May 2001 and advising of the current membership of the Site Visit Panel.

RESOLVED that, notwithstanding the officer recommendation, the approved site visit be held on Wednesday, 6th June, 2001.

106. 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 7th April 2001 and 4th May 2001.

RESOLVED that the report be received.

107. SATELLITE DISHES IN CONSERVATION AREAS

(This matter was considered as a matter of urgency, notice having been given by the Chair at the commencement of the meeting).

A special information report by the Head of Planning Services was circulated at the meeting, advising Members of the proactive enforcement exercise in Denbigh in particular, and the legislative background to this issue in general. Members were also issued with copies of the National Assembly/DETR handbook "A householder's planning guide for the Installation of Satellite Television Dishes".

RESOLVED that -

- (a) the report be received;
- (b) officers contact the Satellite dish Industry, and local retailers, reminding them of their obligation to advise customers of planning regulations; and
- (c) all other Councillors be furnished with copies of the Information Report and booklets circulated at Planning Committee.

108. 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 8 of Part 1 of Schedule 12A of the Local Government Act 1972.

109. BRYN DETHOL, LLANGOLLEN

The Head of Planning Services submitted his confidential report (previously circulated) regarding the receipt of an appeal following Committee's refusal of application Code No. 3/ 2000/1010/PF against the officer's recommendation.

RESOLVED that the report be received and that an external planning adviser be appointed to represent the Authority at the Bryn Dethol appeal inquiry subject to allocation of funds by Cabinet.

The meeting concluded at 12.35p.m.
