

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl on Wednesday, 5th September 2001 at 10.00a.m.

PRESENT

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

ALSO PRESENT

Head of Planning Services, Legal Services Manager, Principal Planning Officer (North), Senior Planning Officer (South), Administration Officer (G. Butler) and Administrative Assistant (S. Parry).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors D.W. Davies, J.R. Hughes, G. Jones, R.J.R. Jones, W.G. Thomas and A.J. Tobin.

CHANGE IN COMMITTEE MEMBERSHIP

The Chair announced that Councillor S. Drew would replace Councillor J.R. Hughes as the DAW representative on the Planning Committee with immediate effect.

499. 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>
01/2000/0993/PF	(Following consideration of one additional letter of representation from R.M. Jones, Berian, Llanefydd, Nr. Denbigh.) Conversion of outbuildings to 5 dwellings including the erection of garage facilities (amended details to that previously granted planning permission under code no.01/123/96/PF) at Barns and Stables, Lleweni, Mold Road, Denbigh. SUBJECT to the removal of reference to the need for a Section 106 Obligation, provided new Condition 11 is strictly applied; and amendment to condition no.10 and new condition no.11:- 10. No development shall commence until the vehicular access from Whitchurch Road to Lleweni has been improved in accordance with such details as shall be submitted to and approved in writing by the Local Planning Authority. REASON - to ensure that the development is served by a satisfactory form of access in the interests of highway safety and amenity.

11. There shall be no vehicular access for residents' vehicles nor shall any construction vehicles be permitted to travel along the track running past Maes y Parc to the Mold Road (A543) and no development shall commence until such details of the means of restricting such access including for the provision of a physical barrier, e.g. lockable gate or bollard(s) and its position is submitted for the consideration and written approval of the Local Planning Authority. The barrier subsequently approved shall be sited prior to the commencement of development.

REASON - in order to protect the privacy/amenity of the residents of Maes y Parc, this track being considered inadequate to serve the development.

The following Members wished it to be noted that they abstained from voting - Councillors P.O. Williams and R.LI. Williams.

01/2001/0470/PF

(Following consideration of one additional letter of representation from R.M. Jones, Berian, Llanefydd, Denbigh)

Formation of vehicular passing places to provide improved access arrangements to serve the proposed conversion of buildings at Lleweni Farm into residential units at lane leading from Whitchurch Road to Lleweni Farm, Mold Road, Denbigh.

01/2001/0603/PF

(Following consideration of one additional letter of representation from R.M. Jones, Berian, Llanefydd)

Alterations and conversion of outbuildings to form 11 residential units at the Carriage Yard, Lleweni, Mold Road, Denbigh

SUBJECT to the removal of reference to the need for a Section 106 Obligation, provided new Condition 11 is strictly applied; and amendment to condition no.10 and new condition no.11:-

10. No development shall commence until the vehicular access from Whitchurch Road to Lleweni has been improved in accordance with such details as shall be submitted to and approved in writing by the Local Planning Authority.

REASON - to ensure that the development is served by a satisfactory form of access in the interests of highway safety and amenity.

11. There shall be no vehicular access for residents' vehicles nor shall any construction vehicles be permitted to travel along the track running past Maes y Parc to the Mold Road (A543) and no development shall commence until such details of the means of restricting such access including for the provision of a physical barrier, e.g. lockable gate or bollard(s) and its position is submitted for the consideration and written approval of the Local Planning Authority. The barrier subsequently approved shall be sited prior to the commencement of development.

REASON - in order to protect the privacy/amenity of the residents of Maes y Parc, this track being considered inadequate to serve the development.

01/2001/0602/PF

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

Continued use of land as extension to residential curtilage and erection of conservatory (retrospective application) at Llys Haf, The Green, Denbigh.

SUBJECT to new condition nos. 1 and 2:-

1. Notwithstanding the provisions of Part 1 Classes E, F of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no development permitted by the said Classes shall be carried out without further grant of planning permission of the Local Planning Authority.

REASON - in the interests of residential and/or visual amenity.

2. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping as shown on approved drawing no. 05/05/01 shall be carried out in the planting season from November 2001 to March 2002 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.
REASON - to ensure a satisfactory standard of development, in the interests of visual amenity.

02/2001/0059/PF

(Councillor K.P. Stevens declared an interest in the following application.)

(Following consideration of one additional letter of representation from Paul McWade, Social Services (circulated at the meeting)).

Erection of an extension to existing nursing home at Llys Marchan Residential Home, Mwrog Street, Ruthin.

SUBJECT to new note to applicant:-

The applicant's attention is drawn to the attached comments in the letter dated 26th January 2001 from the Environment Agency Wales which shall be strictly adhered to.

You are advised that this permission does not indicate the Local Planning Authority's acceptance to an increase in bed spaces from the 16 approved as part of the previous permission issued under Code No. 2/10,071. Any increase in numbers will require the submission of an application which will need to be assessed by the Local Planning Authority.

03/2001/0429/PF

Proposed change of use of Phase 1 extension from B8 Use Class (Warehousing) to B2 Use Class (Manufacturing) at Smurfit Print(UK) Berwyn Works, Holyhead Road, Llangollen.

SUBJECT to amended condition nos. 3 and 4:-

3. the extension shall not be brought into use for manufacturing purposes until it has been adapted to ensure that no residential premises will be subject to noise in excess of 45 dB Laeq (1 hour freefield) for any period of 1 hour or a maximum of 50 dB (A)(fast) at any time.

4. the extension shall not be brought into use for manufacturing purposes until details of all the following have been agreed in writing by the Local Planning Authority and 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.

REASON - to safeguard the amenities of the occupiers of nearby residential properties.

09/2001/0015/PF

Extension to existing dwelling at Glan Clwyd Isa, Waen, Bodfari, Denbigh.

20/2001/0583/PF

Replacement of single storey flat roof and extension with two storey extension, rear conservatory and alterations to existing front elevation at Old Shop, Graigfechan, Ruthin.

23/2001/0571/PF

Retention of CCTV cameras on existing dwelling at Golygfa, Llanrhaeadr, Denbigh.

SUBJECT to amended condition no.1 :-

1. The cameras hereby approved shall not give rise to overlooking of neighbouring properties and shall remain fixed in the position shown on the approved plan at all times. Access to the

monitoring screens shall be permitted for nominated officers of the Local Planning Authority on written request.

REASON - in order to protect the privacy and amenity of occupiers of adjoining neighbouring properties.

(The following Members wished it to be noted that they abstained from voting on this application - Councillors N.J. Hughes, M.M. Jones and C.H. Williams).

24/2001/0581/PF

Development of land for the erection of a dwelling house and construction of a vehicular and pedestrian access (outline application) at land adjacent to Drovers Cottage, Rhewl, Ruthin.

43/2001/0587/PF

(Subject to the receipt of no further representations raising a planning matter not already covered in the report by 12th September, 2001.)

Erection of 4 No. dwellings (bungalows) and construction of new vehicular/pedestrian access at land in Ffordd Ffrith, rear of Spyderys Cottage, 139 Victoria Road, Prestatyn.

SUBJECT to new conditions nos. 10 and 11:-

10. No development shall take place until details of the extended turning head and footpath link have been submitted to and approved in writing by the Local Planning Authority, the details to include lighting and means to prevent vehicular traffic from using the footpath. The footpath link and extended turning head shall be provided in accordance with the details prior to the occupation of any of the dwellings hereby permitted.

REASON - in the interests of highway and pedestrian safety and security.

11. Provision shall be made during construction of the development to allow pedestrian movement along the whole length of Ffordd Ffrith to its junction with Seabank Drive in accordance with a Method Statement to be submitted to and approved in writing prior to the commencement of any development.

REASON - to ensure that the public right of way is maintained.

44/2001/0669/PF

Development of 0.064 ha of land by erection of 1 detached dwelling and garage and formation of new vehicular/pedestrian access (Outline application) at land at (Part garden of) Bryn Mai, Pentre Lane, Rhuddlan, Rhyl.

SUBJECT to new condition no.10 and new note to applicant:-

10. Notwithstanding the details indicated on the submitted plan No. 1429/1/MAR/01 a new hedge shall be planted to the site frontage during the first planting season following commencement of the erection of the dwelling hereby permitted. Details of the species, numbers and location of the trees and plants within the hedgerow shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Any plants or trees within the hedgerow which, within a period of five 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.

REASON - in the interests of the appearance and character of the street scene.

Note 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.

45/2001/0340/PF

Erection of a steel footway/cycleway bridge and approach/embankments at land east of Road Bridge, Tynewydd Road, Rhyl.

SUBJECT to new condition no.4 and new note to applicant:-
 4. Details of the design, finish and colour of the metal work and metal panels to the new bridge shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the bridge shall be constructed in accordance with the approved details.
 REASON - in the interests of visual amenity.
 Note to applicant - Please ensure that the comments of Rail Track (letter dated 27th July 2001) are taken into account in the construction details.

45/2001/0728/PO (Following consideration of one additional letter of representation from Head of Highways)
 Development of 0.037 ha of land by erection of 1 dwelling (outline application) at land (Part Garden of 20 Rhuddlan Road) fronting Bryn Coed Park, Rhyl.
 SUBJECT to new notes to applicant:-
 1. Your attention is drawn to the attached Highway Supplementary Notes nos. 1, 3, 4, 5 and 10.
 2. 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.

46/2001/0551/PO Development of 0.09 hectares of land by erection of community centre (outline application) at Community Centre, The Roe, St. Asaph.
 SUBJECT to amendment to condition no.4 - "600mm".

47/2001/0563/PR (Councillor R.LI. Williams declared an interest in the following application and left the Chamber during consideration thereof).
 (Following consideration of clarification of part of the officer's report - paragraph 11, page 99, disregard i, ii, iii Badgers are a protected species under British Law but not under European Law Therefore, the legislation mentioned is not relevant.)
 Details of 1 no. dwelling with detached garage and landscaping submitted in accordance with Condition No.1 of outline planning permission Ref. No. 47/1008/98/PO (Reserved Matters) at Min y Nant, Rhuallt, St. Asaph.
 SUBJECT to an amendment to condition no.2 - delete "copy".
 (Councillor S. Drew wished it to be noted that she abstained from voting on this application.)

(ii) Refusals

<u>Application No.</u>	<u>Description and Situation</u>
01/2001/0745/PF	(Following consideration of four additional letters of representation from Head of Highways, the Applicants, C.F. Watkins, Cythynog, Abbey Road and S.M. Mather, 18 Abbey Road, Denbigh.) Erection of two storey office/storage building at Car Park opposite Copyrite House, Vale Road, Denbigh. Further resolved that Economic Regeneration should be contacted to offer the applicants advice on alternative premises.
30/2001/0038/PF	(Following consideration of one additional letter of representation from J. Ryding, Ty Nant, 6 Parc Bach, Trefnant and alteration to the report reflecting Councillor R.E. Jones' attendance at the site visit). 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.

(Councillor P.O. Williams wished it to be noted that he voted to grant this application)

30/2001/0304/PO (Following alteration to the report to reflecting Councillor R.E. Jones' attendance at the Site Visit)
Development of 0.037 hectares of land by erection of detached and construction of new vehicular access (outline application) at land at 1 Ffordd Pen y Maes, Parc Grosvenor, Trefnant, Denbigh.

43/2001/0646/PF (Following consideration of six additional letters of representation from: CCW, Cllr. S. Drew, Care for the Wild International, Eric Lewis-Jones, 27 Princes Avenue, Prestatyn, Petition of 890 signatories submitted by Ann Jones AM, and a Badger Survey submitted on behalf of the applicants,)
Erection of 20 no. dwellings, construction and alteration of estate road and provision of public open space (amendment to previously approved scheme) at land at Melyd Avenue, Prestatyn.

AMENDED REASON 4:-

4. The applicant has not provided a full ecological survey of the site to ascertain whether or not the site is a habitat of protected species, notably badgers, bats and great crested newts. In the absence of sufficient information the Council are unable to properly consider the issue of protected species and whether or not the development as proposed would be likely to result in any harm to protected species or their habitats.

44/2001/0749/PF Retention of dormer roof extension to rear of dwelling house (Retrospective application) at Bedw Arian, Princes Road, Rhuddlan, Rhyl.

(b) *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>
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42/2001/0666/PF	(Following consideration of four additional letters of representation from Dyserth Community Council, Occupiers of Pen R'allt, Bryn Einion, Rosemount, 2 Old School Hall, High Street, Dyserth, Chelsea McGrath and G. Lunt, 2 Old School Hall and the Applicant). Excavation work, erection of retaining walls and steel railings and provision of hard-standing to provide car parking area for No.1 Old School Hall (revised scheme to that approved under Ref No. 42/2001/190/PF). (Partly in retrospect) at land rear of Old School Hall, High Street, Dyserth, Rhyl. It was further resolved that Site Visit takes place at the end of the school day, when the footpath is in use.
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(c) *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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47/2001/0721/PO	(Councillor R.Lloyd Williams declared an interest in the following application and left the Chamber during consideration thereof). (Following consideration of one additional letter of representation from Environment Agency) Renewal of Application Ref. No. 47/248/98/PO comprising replacement of dwelling (Outlined application) at Part OS Field No. 7280 adjoining Bryn Clwyd, Holywell Road, St. Asaph. SUBJECT to new condition no.9 and new note to applicant:-
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9. The details required by Condition No.1 shall include for finished floor levels set at a minimum of 600mm above existing ground level.

REASON - to reduce flood risk.

Note to Applicant - you are advised that the replacement dwellings should not be substantially different from the original by virtue of its scale, design and character to accord with Policy HSG8 of the Denbighshire County Council Unitary Development Plan. In this respect my records indicate that the original dwelling had a floor area of around 160 square metres.

500. BURLEY HILL QUARRY, MAESHAFN

The Head of Planning Services submitted his report (previously circulated). Following consideration of twelve additional letters of representation from the Applicant; Mrs. Fraser, Llanferres; B.A. Corus; Clwydian Conservation Campaign; A.P. King, Bryn Tirion, Pant y Mwynion, Maeshafn; Llanferres Community Council; North Wales Wildlife Trust (2); Llanarmon and District Conservation Society; Maeshafn and District Rural Association; Coleg Lllyfasi and GMB Trade Union, the application for the extension of current limestone extraction operations incorporating reclamation and after-care proposals (Originals December 1999 proposal amended in September 2000. September 2000 proposal amended April 2001) at Burley Hill Quarry, Pant Du, Eryrys, Maeshafn was **refused**.

The Chair thanked officers, Roger Bennion (former Minerals Officer), Bob Sheffield (Minerals Officer, Wrexham County Borough Council for his technical input) and the applicants for the work put into bringing this application before Committee today.

The Head of Planning Services referred Members to the additional report circulated, itemising late representations received. He advised Members that late representations had been incorporated into Bob Sheffield's report to include representations raised by the Bat Group and Badger Group.

RESOLVED that the application for the extension of current limestone extraction operations incorporating reclamation and after-care proposals at Burley Hill Quarry, Pant Du, Eryrys, Maeshafn be refused.

(Councillors M. German, K.P. Stevens, N.J. Hughes abstained from voting on this proposal)

501. ENFORCEMENT MATTER

ENF/2001/006

Dormer roof extension to rear of dwelling at Bedw Arian, Princes Road, Rhuddlan.

RESOLVED that authorisation be granted for the following:-

- (a) serve an Enforcement Notice to secure the removal of the unauthorised dormer extension;
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.

502. 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 10th Sept and advising of the current membership of the site Visit Panel.

RESOLVED that the approved site visit be held on

503. **FOR INFORMATION**
APPLICATIONS DETERMINED BY HEAD OF PLANNING SERVICES UNDER DELEGATED
POWERS

The Head of Planning Services submitted his amended report (circulated at the meeting) of applications for Planning Permission determined by him under delegated authority between 2nd July 2001 and 18th August 2001.

RESOLVED that the report be received.

The meeting concluded at 12.15p.m.
