

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Ruthin on Wednesday, 3rd October 2001 at 10.00a.m.

PRESENT

Councillors F.D. Jones (Chair), J. Butterfield, G.A. Clague, A.E. Fletcher-Williams, M.A. German, K.N. Hawkins, N. Hugh-Jones, G. Jones, M.M. Jones (Substitute for M.LI. Davies), P.M. Jones, R.E. Jones, R.J.R. Jones, G.M. Kensler (Substitute for N.J. Hughes), E.A. Owens, W. Roberts (Substitute for P. Douglas), F. Shaw, J.A. Smith, W.G. Thomas, A.J. Tobin, 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), Principal Planning and Enforcement Officer, Administration Officer (G. Butler) and Clerk (Mrs. R. Hughes).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors D.W. Davies, M.LI. Davies, P. Douglas, S. Drew, I.M. German, D.M. Holder, N.J. Hughes, R.W. Hughes, J.S. Kerfoot-Davies, K.P. Stevens and S. Thomas.

Councillor N. Hugh-Jones tendered the apologies of Councillor S. Kerfoot-Davies who was to substitute for Councillor S. Thomas.

Councillor Hugh-Jones requested that the Committee consider accepting the substitution during the course of the meeting should Councillor Kerfoot-Davies arrive. Councillor Kerfoot-Davies wished to speak on a local issue in Dyserth and Councillor Hugh-Jones further requested that this item be delayed to as late as possible in the meeting agenda.

The Committee:-

RESOLVED:-

- (a) *that the item on land at Old School Hall, Dyserth be debated as the last planning application on the agenda;*
- (b) *that Councillor Kerfoot-Davies could speak as Local Member on his arrival, and*
- (c) *that the substitution be NOT accepted once the meeting had commenced as that would set a precedent.*

Melyd Avenue, Prestatyn

The Head of Planning Services announced that this item would not be put to Committee today. Councillor N. Hugh-Jones wished it to be noted that he regretted that this item would not be discussed.

638. 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>
07/2001/0663/PF	<p>(Following consideration of amended report circulated at the meeting and two additional letters of representation from: A. & P. Granville, 4 Rhos Llan, Llandrillo and P. & S. Lines, Penrhos, Llandrillo). Erection of two dwellings and alterations to existing vehicular and pedestrian access at Land adjoining Llys Y Coed, Llandrillo, Corwen. SUBJECT to the following new condition:- The detailing of the window shown serving bedroom 3 of units 1 and 2 on the plan attached to this certificate shall not be of dormer type construction but shall be of a Velux type, the details of which shall be as may be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. REASON - In order to safeguard the privacy/amenity of the occupiers of nearby residential properties.</p>
30/2001/0765/PF	<p>(Following consideration of two additional letters of representation from Trefnant Community Council and Head of Highways) Erection of 1 split-level dwelling with integral garage on land between 4 and 5 Clwydian Park View, St. Asaph. SUBJECT to new note to applicant:- Your attention is drawn to the attached Highway Supplementary Notes Nos. [1, 2, 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.</p>
42/2001/0666/PF	<p>(Following consideration of one additional letter of representation from the Footpaths Officer) 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. SUBJECT to amended condition 1 and amended note to applicant:- 1. add "and shall not be used for the storage of vehicles, materials or for any other purpose". REASON - in the interests of highway safety and residential and visual amenities. Amended note to applicant:- Add "It is suggested that you contact the Council's Rights of Way Officer, Adrian Walls (01824 706871) before any further work is carried out to confirm the route of the path across the land and your working method. (Councillor N. Hugh-Jones wished it to be noted that he voted against the proposal to Grant planning permission)</p>

(ii) Listed Building Consent

	<p>Resolved: That Listed Building Consent be granted, subject to referral of the applications to Cadw and the applications not being called in for determination by the National Assembly for Wales.</p>
08/2001/0707/LB	<p>Repairs to external and internal roof, wall, floor, alteration to windows, extension to form new boiler room and replacement of canopy,</p>

replacement of entrance canopy with lead covered canopy at Plas Yn Faerdref, Cynwyd, Corwen.

46/2001/01069/LB (Following consideration of two additional letters of representation from Ancient Monuments Society and County Councillor A. Thomas) Demolition of existing building at Elwy Bank, High Street, St. Asaph.

(iii) Refusal

Application No. Description and Situation

43/2001/0860/PF (Following consideration of one additional letter of representation from Prestatyn Town Council)
Development of 0.25ha of land by erection of one dwelling and construction of new vehicular access (Outline application) at land at 74 Rear of 76/78 Gronant Road, Prestatyn.
SUBJECT to amended reason:-
Substitute "undesirable" for "unwanted".
(The following Members wished it to be noted that they abstained from voting on this proposal - Councillors C.E. Williams, G. Kensler and P. Tobin - and Councillor N. Hugh-Jones voted to Grant permission)

(b) *the following applications be deferred to enable site visits to be undertaken for the reasons indicated:-*

Application No. Description and Situation

42/2001/0761/PF Conversion, extension and alterations to existing outbuilding to form self-contained residential annexe to be used as ancillary to the main dwelling at Bodnant Forge and erection of detached double garage at Bodnant Forge, Penisa, Dyserth, Rhyl.
(To assess the scale of the development and proximity of existing dwellings)

45/2001/0799/PF (Following consideration of one additional letter of representation from Robert Jones and Brookes Parry, Solicitors on behalf of Mrs. Fox, 46 Lynton Walk.)
Erection of two-storey pitched-roof extension to side of dwelling house at 44 Lynton Walk, Rhyl.
(To assess the impact of the proposed extension on neighbouring property)

639. ENFORCEMENT MATTER

ENF/525/97/S

Breach of Enforcement Notice and Stop Notice in relation to Condition No.15 of Planning Permission Code No. 15/400/97/S - Vibration resulting from blasting exceeding the maximum permitted level of 12 mm per second peak particle velocity at Pant y Gwlanod Quarry, Eryrys, Nr Mold.

RESOLVED that authorisation be granted for the following:-

(a) *having regard to all the material factors it is considered not expedient to pursue formal prosecution proceedings or any other formal action against the breaches of the Enforcement Notice and Stop Notice;*

(b) *Officers should assess the vibration readings provided by the quarry operator for the period 29th March 2001 to 8th July 2001, when they become available and report the findings back to Committee should they reveal significant and frequent breaches of the 12mm per second*

vibration limit. This would allow Members to consider further additional information not available at this time, should it be considered that the information may impact on any decision taken, and

- (c) *should operations recommence at the site, then Officers are to monitor as many blasts as possible in conjunction with the quarry operator, and report back to a future Committee should it be considered by Officers that the level and frequency of any breaches warrant further action.*

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

RESOLVED *that the approved site visits be held on Monday, 5th October 2001.*

641. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Head of Planning Services submitted his written report (previously circulated) of applications for Planning Permissions determined by him under delegated authority between 19th August 2001 and 14th September 2001.

RESOLVED *that the report be received.*

Councillor E.A. Owens asked that it be noted that the decision to approve a mobile telephone mast at Rhyl Golf Club should not be seen as condoning the principal of erecting masts in public places. Denbighshire County Council, as landowner, would continue to oppose the positioning of such structures on Council owned land.

642. EXCLUSION OF PRESS AND PUBLIC

RESOLVED *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 includes the likely disclosure of exempt information as defined in Paragraph 12 of Schedule 12A of the Act.*

643. MELYD AVENUE, PRESTATYN

The Head of Planning Services explained that it was not possible to present this report to committee today as -

- (i) It was felt the Members should have adequate time to consider the report;
- (ii) recent case law may have a direct relevance and needs to be researched, and
- (iii) Counsel's opinion would be sought on the validity of the planning permission granted in 1980.

It was appreciated that this issue should be resolved as soon as possible and a report would be put to the next Planning Committee on 31st October 2001.

The meeting closed at 11.20a.m.
