

PLANNING COMMITTEE

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

PRESENT

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

ALSO PRESENT

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

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors J. Butterfield, D.W. Davies, M.LI. Davies, A.E. Fletcher-Williams, I.M. German, M.A. German, D.M. Holder, R.W. Hughes, R.J.R. Jones, J.A. Smith, S. Thomas and K.E. Wells.

960. URGENT MATTERS

The Chair gave notice of the following item which in his opinion should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972 -

Call in Application - Windfarm at Tir Mostyn/Foel Goch, Nantglyn.

961. 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>
02/2001/0243/AD	(Following consideration of one additional letter of representation from Head of Highways) Display of 19 advertisement signs at Co-op (Formerly LO-Cost Stores Ltd.), Station Road, Ruthin SUBJECT to deleting condition no.3; new conditions 3 and 4 and new note to applicant:- 3. No light source shall be directly visible to drivers of vehicles using the adjoining highway. REASON - to prevent glare or dazzle in the interest of traffic safety. 4. The surface brightness of the proposed signs shall not exceed 2,000cd/m ² (584ft.L.).

REASON - to prevent glare or dazzle in the interest of traffic safety.
Note to Applicant - You are asked to contact the Case Officer in the Planning Services section to discuss local concerns over the floodlighting of the premises.
Your attention is drawn to the attached Highway Supplementary Notes (1 and 10)
And the New Roads and Street Works Act 1991 (Part N Form)

03/2001/0955/PF Extension of existing single storey dwelling to a two storey dwelling by the addition of a first floor at Cip o'r Bont, Mill Street, Llangollen.
SUBJECT to amended condition no.3:-
3. No external wall materials shall be applied until the written approval of the details have been obtained from the Local Planning Authority.

03/2001/0840/PF (Councillor C.H. Williams declared a non pecuniary interest in the following application)
Retention of part of existing building, conversion of front and redevelopment of rear to form 15 new flats at Grapes Hotel, Regent Street, Llangollen.
SUBJECT to amended condition no.3 and new condition nos. 5 and 6:-
3. No work shall be permitted to commence on the external walls of the buildings until the written approval has been obtained from the Local Planning Authority to the type of brickwork and mortar mix, render finish and colour, and stonework and mortar, it is proposed to use.
New Conditions -
5. No work shall be commenced on the development until there has been submitted to and approved in writing by the Local Planning Authority a detailed methodology statement showing how the original Grapes Hotel building is to be protected and its stability ensured in the course of development; and the approved scheme shall be implemented in its entirety in progression of the scheme.
REASON - to ensure the original building is retained and not endangered by demolition and redevelopment works
6. No work shall be commenced on the development until the written approval of the Local Planning Authority has been obtained to details of the materials to be used in the frames of the windows and doors, the detailing of the window reveals including the extent of recessing of frames from the external wall face, and the detailing of the rainwater goods, including means of masking the downspouts on the road elevations of the building.

REASON - to ensure a satisfactory standard of development in the interests of visual amenity.

17/2001/0841/PF (Following consideration of two additional letters of representation from M.J. Holder, Old Ty Hir Farm, Llandegla (3rd Letter) and Scientific Services Officer (Public Protection).
Erection of an agricultural livestock building at Ty-Hir, Pen Y Stryt, Llandegla, Wrexham.

20/2001/1029/PF Erection of balcony/verandah/stairs to rear of building at Three Pigeons Inn, Graigfechan, Ruthin.
SUBJECT to amended condition no.3:-
3. (spelling error) "Inn"

24/2001/0911/PF Erection of agricultural storage building for fodder and equipment at Field No. 7481 (7480), formerly part of Ty Coch, Llanyynys, Denbigh.

- 27/2001/0580/PF Retention of polytunnel at Abbey Grange, Llantysilio, Llangollen.
- 43/2001/0919/PF (Following consideration of one additional letter of representation from Environment Agency)
Erection of bungalow and detached garage and alterations to existing vehicular access at Aber Pwll Y Bont, Meliden, Prestatyn.
SUBJECT to amended condition nos. 2 and 5 and new Note to Applicant:-
2. the dwelling shall not be occupied until space, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority, has been laid out within the site for cars to be parked and for cars to turn so that they may enter and leave the site in a forward direction.
5. "finished".
Note to Applicant -
You are advised that the Environment Agency consider that the proposed dwelling would be at high risk from flooding.
- 45/2001/0920/PF Construction of room in retrospect with dormers to side elevations and erection of extension at rear of dwelling house with balcony over at 22 Eaton Avenue, Rhyl.
SUBJECT to amended condition no.2:-
2. add "including the tile hanging to the dormers which shall match the existing roof tiles".
- 45/2001/0973/PF (Councillors A. Owens, P. Douglas, W.G. Thomas and F. Shaw declared an interest in the following application as school governors).
(Following consideration of one additional letter of representation from the Head of Highways).
Development of land within school site to create additional 59 No. car parking spaces at Rhyl High School and Leisure Centre, 86 Grange Road, Rhyl.
SUBJECT to new condition no.5:-
5. Prior to the commencement of the development hereby permitted details of the surfacing of the proposed car park and surfacing and marking out of the proposed and existing car park shall be submitted to and approved in writing by the Local Planning Authority, such marking out to include a minimum of 6% of spaces for the disabled of appropriate size and siting.
REASON - to ensure that the car park is used to its full capacity and that provision is made for the disabled.
Councillor S. Drew asked that it be noted that she had voted to refuse planning permission.
- 45/2001/1045/PF Erection of store extension and new staircase access to flats at rear of amusement arcade at 16-17 West Parade, Rhyl.
- 46/2001/1006/PF Erection of single-storey pitched-roof extension to side and rear of dwelling house and formation of new vehicular access at 29 Tan Y Bryn, St. Asaph.
SUBJECT to the following amended reason no.3:-
3. "in the interests of residential amenity".
- 47/2001/0663/PF (Following consideration of amended location plan circulated and one letter of representation from Head of Highways)
Erection of replacement dwelling and installation of new septic tank at Fachwen Farm, Waen, St. Asaph.
SUBJECT to amended condition no.4, new condition nos 7, 8 and 9 and new Note to Applicant:-
4. the hedging to be provided to the northern and western boundaries of the site as indicated on Drawing no. 01/46/1 Revision A

shall comprise the following - 80% Hawthorn, 10% Blackthorn, 5% Hazel, 3% Holly, 2% Dog Rose, planted 45-60cm high, 4 per metre planted in 2 staggered rows with stock proof fencing. All planting, seeding, turving etc...

7. the proposed septic tank and ancillary soakaway system shall conform to BS6297 and no part of the system shall be sited within 10 metres of any watercourse.

REASON - to ensure the proper drainage of the site and to minimise the risk of pollution.

8. Notwithstanding the provisions of Class G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, no container for the storage of oil shall be erected or provided within the curtilage of the dwelling house unless it is sited on an impervious base and surrounded by impervious bund walls. The volume of the bunded compound shall be at least the equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage.

REASON - to prevent pollution of the water environment.

9. None of the trees or hedgerows shown on the approved plans as being retained shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Any trees or hedgerow plants which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing with the Local Planning Authority.

REASON - To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.

Special Notes to Applicant.

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

47/2001/1000/PF

(Following consideration of an additional letter of representation from the Head of Highways)

Renewal of Application Ref. No. 47/718/96/PF comprising change of use from market garden to touring caravan and chalet park with associated road widening and alterations to existing vehicular access and installation of new septic tank at Waen Market Gardens, Waen Road, Rhuddlan, Rhyl.

SUBJECT to amended condition nos. 2 and 13, new condition nos. 15 and 16 and additional Notes to Applicant:-

2. The caravans using the site shall only be caravans on tour and no caravans shall stay on the site for any period longer than 21 days.

13. The occupancy of the chalets hereby permitted shall be limited to holiday use only and the chalets shall not be used as a sole/main unit of living accommodation. A register shall be kept of chalet occupancy and this shall be made available for inspection on request by the Local Planning Authority.

15. Facilities shall be provided and maintained within the site for the loading and unloading, parking and turning of vehicles in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority; and such scheme shall be completed prior to the commencement of the use hereby approved.

REASON - in the interests of amenity and highway safety by ensuring that adequate space is available for all vehicles visiting the property to park and turn clear of the highway.

16. The visibility splays shown on the approved plans shall at all times be kept free of any planting, tree or shrub growth, or any other obstruction in excess of 1.05 metres above the level of the adjoining carriageway

REASON -in the interests of highway safety.

Special Notes to Applicant -

The Applicant must carry out soil porosity tests in accordance with the procedures laid down in the Water Resources Act 1991 in order to determine the suitability of the sub-soil and area of land required for the soakaway. Should such test indicate that the soil conditions are unsuitable for the effective disposal of sewage effluent then the applicant should liaise with the Environment Agency regarding an acceptable alternative method of sewage treatment/disposal.

If the developer intends to discharge effluent from the septic tank/sewage treatment plant by other than a soakaway system, they must contact this Authority regarding the requirement for a discharge consent pursuant to the Water Resources Act 1991.

You are advised of the need to obtain a caravan site licence from the Council's Head of Public Protection under the Caravan Sites and Control of Development Act.

The Denbighshire Access Group have requested specifications relating to disabled persons facilities. Please seek advice from the Group at e-mail - denbaccess@aol.com.

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

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.

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

(ii) Refusals

Application No.

Description and Situation

45/2001/1010/PC

Retention of shop front as constructed at 29-31 Water Street, Rhyl.

Following the requisite number of members requesting a RECORDED VOTE, the Chair invited Members to vote for or against the officer's recommendation to REFUSE planning permission for the proposal.

For the recommendation to Refuse (15)

P.A.Dobb, P. Douglas, K.N. Hawkins, N.J. Hughes, N. Hugh-Jones, E.R. Jones, F.D. Jones, G. Jones, M.M. Jones, R.E. Jones, E.A. Owens, F. Shaw, A.J. Tobin, C.H. Williams, P.O. Williams

Against the Recommendation (5)

S. Drew, P.M. Jones, K.P. Stevens, W.G. Thomas, R. Ll. Williams

Abstained (1)

D.A. Thomas

(b) *the following application was deferred for the reasons indicated:-*

Application No.

Description and Situation

31/2001/0963/PF

Conversion and alterations to outbuildings to form 2 No. Dwellings and installation of new septic tank at Outbuildings at Pen Y Bryn, Wigfair, St. Asaph.

REASON - to consider planning policies and to allow consultation with Building Regulations.

- (c) *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>
22/2001/0853/PF	Erection of extension to previously approved conversion of dairy building to dwelling house granted under Code No. 22/2001/0291/PF at Plas Yn Rhos Farm, Llanychan, Ruthin. Councillor P. Douglas asked that it be noted that he voted against having a site visit.

962. ENFORCEMENT MATTERS

ENF/147/98/S

Condition of land adversely affecting the amenity of the neighbourhood at Station Yard, Station Road, Denbigh.

RESOLVED that authorisation be granted for the following:-

- (a) *serve a Notice under the provisions of Section 215 of the Act requiring such steps as necessary to be taken to remedy the condition of the land;*
- (b) *instigate prosecution proceedings or other appropriate action under the Planning Acts if the person or persons on whom any Notice is served or against whom legal action is taken fail to comply with the requirements thereof.*

ENF/100/01/N

Unauthorised shop front at 29-31 Water Street, Rhyl.

RESOLVED that authorisation be granted for the following:-

- (a) *serve an Enforcement Notice to ensure an appropriate colour finish to the shop front as installed;*
- (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, within six months of the Notice, with the requirements thereof.*

963. TELECOMMUNICATIONS DEVELOPMENT

The Head of Planning Services submitted a report (previously circulated) updating Members on current issues relating to telecommunications development and officers' response on the National Assembly's proposal on an Interim Regulatory Impact Assessment.

RESOLVED that this report be received for information.

Councillor N. Hugh-Jones advised Committee of the benefit of the telecommunication seminar held in Caernarfon, and suggested another session be organised for North East Wales.

Councillor Hugh-Jones also referred to those who attended the Caernarfon Seminar and proposed that the Planning Committee recommend to Cabinet that travelling expenses be honoured.

RESOLVED that Cabinet be asked to approve relevant expenses for those who attended the Telecommunications Seminar in Caernarfon on 19th October 2001.

964. 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 5th December 2001 and advising of the current membership of the Site Visit Panel.

***RESOLVED** that the approved site visits be held on 5th December 2001.*

965. 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 11th October 2001 and 9th November 2001.

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

**966. CALL-IN APPLICATION
PROPOSED 25 TURBINE WIND FARM AT TIR MOSTYN/FOEL GOCH, NANTGLYN
PLANNING APPLICATION 25/710/99/PF**

A report by the Head of Planning Services was circulated detailing proposed amendments to the siting of some of the windfarm turbines and seeking Committee views on the amendments and the impact of those amendments on the conditions and Section 106 Obligation previously approved.

***RESOLVED** that the Planning Inspectorate be advised that Denbighshire County Council as Local Planning Authority raise no objection to the amendments proposed and request that planning permission be granted for the wind farm subject to the inclusion of suitable conditions and a Section 106 Obligation in line with the Documents DCC1 and DCC2 approved at the November 2001 Committee.*

The meeting concluded at 11.30a.m.
