

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl on Wednesday, 19th December 2001 at 10.00a.m.

PRESENT

Councillors J. Butterfield, M.LI. Davies, P.A. Dobb (Substitute for D.M. Holder), P. Douglas, A.E. Fletcher-Williams, I.M. German, M.A. German, K.N. Hawkins, N.J. Hughes, R.W. Hughes, N. Hugh-Jones, G. Jones, M.M. Jones (Observer), P.M. Jones, R.E. Jones, R.J.R. Jones, E.A. Owens, F. Shaw, J.A. Smith, S. 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), Senior Planning Officer (Development Plan) and Administration Officer (Gwen Butler).

APOLOGIES FOR ABSENCE WERE SUBMITTED FROM

Councillors D.W. Davies, S. Drew, D.M. Holder, F.D. Jones K.P. Stevens and W.G. Thomas.

1027. APPOINTMENT OF CHAIR FOR THE MEETING

RESOLVED that in the absence of Councillor F.D. Jones, Councillor R.W. Hughes take the Chair for the meeting.

BEST WISHES

It was the Committee's wish that best wishes be sent to Councillor F.D. Jones for a speedy recovery.

NEW OFFICER

The Head of Planning Services introduced Jonathan Cawley, who had recently joined Planning Services as Senior Planning Officer (Development Plan and Policy).

GREEN PAPER (PLANNING REFORMS)

Mr. Phillips referred to the recently published Green Paper on Planning Reform in England and informed Members that a report would be presented to a future Planning Committee.

1028. 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>
01/2001/0650/Full Planning	Erection of dwelling for Head of School (Principal's House) at Howells School, Denbigh. SUBJECT to approval of U.D.P. Inspector's Report and to New Condition no.6:- 6. Facilities shall be provided and maintained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme subsequently approved shall be completed prior to the proposed development being brought into use. REASON - in the interests of highway and traffic safety.
01/2001/0653/Full Planning	Erection of building to provide overnight accommodation facilities for visiting dignitaries and entertaining guests at Howells School, Denbigh. SUBJECT to approval of U.D.P. Inspector's Report and to New Condition no.6 and new Note to Applicant:- 6. Facilities shall be provided and maintained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme subsequently approved shall be completed prior to the proposed development being brought into use. REASON - in the interests of highway and traffic safety. Note to Applicant You are advised that no development shall commence until a detailed survey has been submitted in accordance with a scheme to be approved by the Local Planning Authority to establish the presence of bats within existing trees on the site. Where evidence of bats is established and the development is likely to damage the breeding site or nesting place of any species, an application for a licence shall be made to the National Assembly for Wales in accordance with the requirements of Circular 23/2001.
01/2001/1119/Full Planning	Proposed change of use from Place of Worship (D1) to Dwelling House (C3) incorporating the erection of a first floor conservatory to rear of building at former Salem Methodist Chapel, Ruthin Road, Denbigh.
02/2001/0744/Outline	Development of land for residential purposes (Outline Application) at Tennis Club, Bryn Goodman, Ruthin. (the proposal is considered acceptable in principle and is recommended for approval subject to conditions, and subject to the completion of a legal agreement with the Council to secure the provision of a replacement recreational space within Ruthin, at which time the decision certificate would be issued.) SUBJECT to amended Condition no.6:- 6. There shall be no development within the branch spread of the mature tree located on the eastern boundary to the site, and this tree 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 artefacts of any description shall be burnt or placed on the ground that lies between the 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. REASON - in order to ensure that the tree to be retained is not damaged by building or engineering works.
17/2001/0875/Full Planning	Erection of two storey extension to existing dwelling at 8 Tai Newyddion, Llandegla, Wrexham.
21/2001/0829/Full Planning	Demolition of existing dwelling and erection of a replacement detached dwelling at 16 Bryn Artro Avenue, Tafarn-y-Gelyn, Llanferres, Mold.
25/2001/0898/Full Planning	Conversion of outbuilding to form a dwelling unit at Bwthyn Penllan, Nantglyn, Denbigh.
43/2001/0923/Full Planning	(Following consideration of one additional letter of representation from Head of Highways) Change of use of 2 No. Self-contained flats into bathroom and kitchen showrooms and flat roofed single-storey extension to front to form shop front at 48 Marine Road, Prestatyn. SUBJECT to New Note to Applicant:- Your attention is drawn to the attached Highway Supplementary Notes 1, 3, 4, 5 and 10.
43/2001/1054/Full Planning	Erection of pitched-roof extension to dwelling, detached garage, excavation works and change of use of land to form extension of garage area (partly in retrospect) at Quarry Cottage, Tan yr Allt, Prestatyn. SUBJECT to Amended Condition nos. 3, 4 and 5 and New Condition no.6 - 3. Within 3 months of the date of this decision a scheme for the retention, reinstatement and landscaping of the excavated area to the rear (south) of the extension hereby permitted shall be submitted to the Local Planning Authority for approval in writing. REASON - in the interests of the character and appearance of the Area of Outstanding Natural Beauty. 4. 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. 5. Prior the commencement of the development, a sample panel of the type of application it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority; and the render to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel. 6. No sheds, structures or buildings shall be erected on the extended curtilage area to the rear of the existing dwelling house as indicated on the plan attached to and forming part of this permission without approval in writing by the Local Planning Authority. REASON - in the interests of the character and appearance of the Area of Outstanding Natural Beauty. (Councillor R.W. Hughes asked that it be noted that she voted against the granting of this planning permission.)

- 43/2001/1121/Full Planning (Following consideration of correction to report - (Royal Victoria Hotel is on Sandy Lane) and three additional letters of representation from: Prestatyn Town Council, Mr. and Mrs. K. Hedley, 2 Bastion Road, Prestatyn and Mrs. J. Dutton).
Change of use from Class A1 to Class A3 hot-food take away at 4 Bastion Road, Prestatyn.
SUBJECT to Amended Condition no.2:-
2. "10.00 - 23.30 hours" and "10.00 - 23.00 hours".
- 43/2001/1140/Full Planning (Subject to the receipt of no further representations raising a planning matter not already covered in the report by 21st December 2001)
(Following consideration of 2 additional letters of representation from Prestatyn Town Council and Babbie)
Change of use of Ground Floor Class A1 shop and first flat to Class D1 dental surgery at 222-224 High Street, Prestatyn).
SUBJECT to New Condition No.3:-
3. The reception area shall be provided to the ground floor of the premises fronting the High Street as indicated on the floor plan forming part of this permission unless otherwise agreed in writing with the Local Planning Authority.
REASON - to ensure that the frontage contributes to the vitality of the High Street.
- 44/2001/1102/Full Planning (Subject to the receipt of no further representations raising a planning matter not already covered in the report by 25th December 2001).
(Following consideration of 5 additional letters of representation from Rhuddlan Town Council, Head of Highways, County Ecologist, Head of Public Protection and Rhyl Environmental Association).
Erection of 2 No. Industrial units (Class B1 and B2) and construction of car parking areas and extension to existing estate road to create new vehicular/pedestrian access at Units 14 and 15 Cefndy Employment Park, Cefndy Road, Rhyl.
SUBJECT to New Condition nos. 4, 8, 9, 10 and 11.
4. 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.
8. the pond buffer zone and all existing trees, hedges and other landscaping as shown on the plan attached to and forming part of this permission shall be retained as part of the development. Prior to the commencement of any site clearance and construction work 1 metre high fencing shall be erected 1 metre outside the outer most limits of the buffer zone and branch spread of trees, hedges and other landscaping. No construction materials or articles of any description shall be burnt or placed on the ground that lies between any trees, landscaping or hedges and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, unless previously agreed in writing by the Local Planning Authority.
9. 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 materials to be used on the driveway(s), paths and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding land form;

(e) proposed positions, design, materials and type of boundary treatment.

10. 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.

11. Neither of the units hereby permitted shall be occupied until provision has been made within the site for enclosed refuse storage in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

12. Prior to the first occupation of the building(s) hereby permitted, the written approval of the Local Planning Authority shall be obtained in respect of the siting and design of the vehicular access to the site, and the access shall be completed strictly in accordance with the approved details.

13. The access road indicated on the block plan Drawing No. AL(0) 02 shall not be provided beyond the point of access to units 14 and 15 until such time as proposals for the land to the north-east (The Blessed Edward School Playing Fields) have been submitted as a planning application and that planning application has been approved. REASON - to ensure that the access road is designed to reflect its purpose and to ensure that provision reflects a need for the link road.

44/2001/1103/Full
Planning

(Subject to the receipt of no further representations raising a planning matter not already covered in the report by 25th December 2001)

(Following consideration of five additional letters of representation from Rhuddlan Town Council, Head of Highways, County Ecologist, Head of Public Protection, Rhyl Environment Association).

Erection of 2 No. Industrial Units (Class B1 and B2) at Units 12 and 13 Cefndy Employment Park, Cefndy Road, Rhyl.

SUBJECT to Amended Condition nos. 4, 8, 9 and 10:-

4. The use of the units hereby permitted shall not commence until the parking areas have been modified to provide 6% of the spaces for disabled parking and service access to the units hereby permitted in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

8. the pond buffer zone and all existing trees, hedges and other landscaping as shown on the plan attached to and forming part of this permission shall be retained as part of the development. Prior to the commencement of any site clearance and construction work 1 metre high fencing shall be erected 1 metre outside the outer most limits of the buffer zone and branch spread of trees, hedges and other landscaping. No construction materials or articles of any description shall be burnt or placed on the ground that lies between any trees, landscaping or hedges and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe

runs excavated, unless previously agreed in writing by the Local Planning Authority.

9. 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 materials to be used on the driveway(s), paths and other hard surfaced areas;
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding land form;
- (e) proposed positions, design, materials and type of boundary treatment.

10. 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.

11. Neither of the units hereby permitted shall be occupied until provision has been made within the site for enclosed refuse storage in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

44/2001/1046/Section
73A (Continuation/
Retention)

Retention of conservatory at rear of dwelling house (Re prospective application) at 3 Pine Tree Walk, Rhyl.

44/2001/1081/Full
Planning

(Subject to the receipt of no further representations raising a planning matter not already covered in the report by 25th December 2001)
(Following consideration of two additional letters of representation from Head of Highways and Denbighshire Action Group)

Demolition of existing buildings and erection of new block of 28 flats with garaging under and associated car parking and landscaping at 58 - 62 inc. West Parade, Rhyl.

SUBJECT to New Condition no.10 and New Notes to Applicant:-

10. None of the flats hereby permitted shall be occupied until provision has been made within the site for enclosed bin stores and drying areas, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Notes to Applicant -

(i) Your attention is drawn to the attached Highways Supplementary Notes 1, 3, 4, 5 and 10;

(ii) Your attention is drawn to the attached Part N Form (New Road and Street Works Act 1991);

(iii) It is noted that the proposals include provision for flats for the disabled. It is recommended that you liaise with the Denbighshire Access Group as to the details of the flats, entrances, garaging and car parking. Contact details are as follows:- e.mail -denbaccess@aol.com, tel. no. 01745 853092.

45/2001/1106/Full Planning	Change of use from ground floor shop (Class A1) to offices (Class A2) at 74 High Street, Rhyl.
46/2001/0965/Outline	(Subject to the receipt of no further representations raising a planning matter not already covered in the report by the date of the expiry of the notice served on the landowner). (Following consideration of additional plan and one additional letter of representation from the Housing Services). Development of 0.04 ha of land by erection of 1 No. Dwelling (Outline Application) at Part Garden of 1 and 2 West View, Penrhewl, St. Asaph.
47/2001/1044/Full Planning	Erection of two-storey pitched-roof extension to rear of dwelling house and detached pitched-roof double garage/studio at Arllwyn, Tremeirchion, St. Asaph. SUBJECT to Amended Condition no.4:- 4. delete "separate or unrelated".

(ii) Refusal

Application No.

Description and Situation

22/2001/0853/Full
Planning

Erection of extension to previously approved conversion of dairy building to dwelling house granted under Code No. 22/2001/291/PF at Plas yn Rhos Farm, Llanychan, Ruthin.
Following a proposal to GRANT planning permission and 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 permission.

For (to refuse planning permission) (17).

Councillors J. Butterfield, M.LI. Davies, P. Douglas, A.E. Fletcher-Williams, I.M. German, M.A. German, R.W. Hughes, P.M. Jones, R.J.R. Jones, E.A. Owens, F. Shaw, J.A. Smith, S. Thomas, A.J. Tobin, K.E. Wells, C.H. Williams and P.O. Williams.

Against (to grant planning permission) (5).

Councillors P.A. Dobb, K.N. Hawkins, N. Hugh-Jones, G. Jones and R.LI. Williams.

Abstentions (1).

Councillor R.E. Jones.

Accordingly Members voted to REFUSE planning permission.

(Councillor N.J. Hughes asked that it be noted that he did not vote on this proposal).

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

Application No.

Description and Situation

46/2001/1080/Full
Planning

Change of use of land to form touring caravan site for 10 touring caravans and storage of 16 caravans (partly in retrospect) at Spring Gardens, The Roe, St. Asaph.
REASON - to consider access, policy, history and footpath issues.

(c) *the following applications were withdrawn:-*

<u>Application No.</u>	<u>Description and Situation</u>
02/2001/0744/Listed Building Consent	Change of use of retail shop to take away food shop at 12 St. Peters Square, Ruthin.
2/2001/736/PF	Change of Use of retail shop (class A1) to take away food shop (class A3) for the sale of pizzas at Vanity Fayre, 12 St Peter's Square, Ruthin

1029. WALES SPATIAL PLAN - PATHWAY TO SUSTAINABLE DEVELOPMENT - CONSULTATION BY NATIONAL ASSEMBLY FOR WALES

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

RESOLVED that the report, including reference to public transport policy and the future of the Welsh language, be agreed as the Council's formal response to the National Assembly's consultation document 'Wales Spatial Plan: Pathway to Sustainable Development'.

1030. STATUS OF THE UNITARY DEVELOPMENT PLAN

The Head of Planning Services submitted a report (previously circulated). During consideration of the report, Members agreed to the following correction - 4.3 not 4.4.

RESOLVED that the approach set out in this report to the status of the UDP and its use in development control be accepted.

1031. YNYS MON UDP - DEPOSIT

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

RESOLVED that the report be accepted as Denbighshire County Council's response to Ynys Mon UDP, raising no objections.

1032. THE CONSULTATION BY CADW ON LISTED BUILDING CONSENT DELEGATION AND LOCAL HERITAGE STRATEGIES

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

RESOLVED that -

(a) *the moves towards greater delegation be welcomed as this would improve the speed of handling listed building applications; and*

(b) *Officers respond to the consultation document accordingly.*

1033. DATE OF SITE VISIT

RESOLVED that as there was no requirement for site visits, this item was withdrawn.

1034. STREET NAMING OF NEW DEVELOPMENTS

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

RESOLVED that the report be accepted.

1035. APPLICATIONS DETERMINED BY THE HEAD OF PLANNING SERVICES UNDER DELEGATED POWERS - 10TH NOVEMBER - 30TH NOVEMBER 2001

The Head of Planning Services submitted his report (previously circulated) of applications for Planning Permission determined by him under delegated authority between 10th November, 2001 and 30th November, 2001.

RESOLVED that the report be accepted.

1036. SPECIAL PLANNING COMMITTEE (UDP)

Councillor R.W. Hughes tendered apologies for the meeting to follow the Planning Committee.

Councillor S. Thomas was nominated and seconded as Chair of the Special Committee. There being no further nominations, it was -

RESOLVED that Councillor S. Thomas chair the Special Planning Committee (UDP) to commence at 12 noon.

The meeting concluded at 11.25a.m.
