

**PLANNING COMMITTEE**

Minutes of the meeting of the Planning Committee held on the 22nd May, 2002, at 10 a.m. in the Council Chamber, Russell House, Rhyl.

**PRESENT**

Councillors M.LI. Davies, P. Douglas, S. Drew, A E. Fletcher-Williams, M.A. German, K.N. Hawkins , D.M. Holder, N.J. Hughes, N. Hugh-Jones, E.R. Jones, F.D. Jones, G. Jones, R.E. Jones, R.J.R. Jones, E.A. Owens, F. Shaw, J.A. Smith, S. Thomas, W.G. Thomas, K.E.Wells, C.H. Williams, P.O. Williams, R.LI. Williams.

**ALSO PRESENT**

Head of Planning Services, Legal Services Manager, Principal Planning Officer (North), Senior Planning Officer (D. Beggan), Administration Officer (G. Butler) Administration Assistant (L. Fletcher).

**APOLOGIES FOR ABSENCE WERE SUBMITTED FROM**

Councillors J. Butterfield, P. Jones, I. German, R.W. Hughes, K.P. Stevens .

**12. URGENT ITEMS**

None.

**13. MEMBERSHIP OF PLANNING COMMITTEE**

It was announced that Councillor E.R. Jones will replace Councillor P. Tobin as Independent representative on the Planning Committee.

**14. APPOINTMENT OF CHAIR**

Councillor M. German proposed that in light of the uncertainty of Members' Cabinet responsibilities, a chair be appointed for today's meeting only. On being put to the vote, this motion was defeated. Nominations for the position of Chair were received on behalf of Councillor F. D. Jones.

***RESOLVED** that Councillor F D Jones be appointed Chair of Planning Committee for the ensuing year*

**15. APPOINTMENT OF VICE CHAIR**

Nominations for the position of Vice Chair were received on behalf of Councillor M.LI. Davies and Councillor R. LI. Williams.

On being put to the vote it was :-

***RESOLVED** that Councillor R. Lloyd Williams be appointed as Vice Chair of Planning Committee for the ensuing year.*

**16. ANNOUNCEMENTS/WELCOME**

Councillor F.D. Jones thanked the Committee for the honour of continuing as Chair.

The Chair welcomed Declan Beggan, Senior Planning Officer (South) who was attending Committee in the absence of Ian Weaver.

The Chair also welcomed Lisa Fletcher, Admin Assistant attending Committee as part of her Staff Development.

**17. 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, by confirmed and planning consent 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>
30/2002/0346/Full Planning	(Following consideration of revised location plan circulated) Erection of single-storey pitched-roof extension to side and conservatory to rear of dwellinghouse at 2 Llys Caradog, Allt Goch, St. Asaph. SUBJECT to the amended conditions 2 & 4 2. Delete "unless otherwise agreed by the Local Planning Authority" 4. Insert "in the side (north) elevation"
43/2001/1011/Outline	(Following consideration of 2 additional letters of representation from Prestatyn Town Council and R.E. Senior, 238A Victoria Road, Prestatyn) Development of 1.22ha of land by erection of retail units with flats above, day nursery, restaurant, doctors' surgery and pharmacy, and associated access roads and parking (Outline Application) at Former Tower Beach Site, Victoria Road, Prestatyn. SUBJECT to amended condition 6 and new conditions 19, 20, 21 and 22 6. "Buildings" (not building) 19. Prior to the occupation of any of the retail units or the restaurant hereby permitted a scheme for the control of litter shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented concurrently with the commencement of use of any of the retail units or the restaurant and shall be operated thereafter REASON - In the interests of visual and residential amenity 20. The buildings for the doctors' surgery and day nursery (Class D1 Use) shall be erected and the uses commenced prior

to or concurrently with the commencement of use of any of the retail units (Class A1) or restaurant (Class A3).

REASON - to ensure a mixed development incorporating community facilities is provided on the site.

21. No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or storage areas that have been approved in writing by the Local Planning Authority for this purpose.

22. There shall be no sale of comparison goods or "white" goods from the retail units hereby permitted

REASON - To limit the range of goods to be sold to protect nearby town and other shopping centres.

(Members requested that Legal Services issues advice on the role of Planning Committee Members who also sit on Town/Community Councils, with particular regard to their participation in Town/Community Councils discussions on planning matters)

43/2002/0127/Outline

(Following consideration of: alteration to the report to reflect Councillor R.E Jones' attendance at the Site Visit;

revised plan received;

and one additional letter of representation from The Mineral Valuer

Development of 0.49ha of land by demolition of existing dwelling and erection of 7 no. Dwellings and construction of new vehicular accesses to Gronant Road and Tudor Avenue (Outline Application) at 72 Gronant Road, Prestatyn

SUBJECT to new conditions 10 and 11

10. Prior to the occupation of the dwellings accessing from Gronant Road the existing vehicular access from Gronant Road shall be closed off in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON - In the interests of visual amenity and highway safety.

11. Prior to the commencement of the development the site shall be investigated and assessed to determine any risks associated with underground workings beneath the site. The assessment shall incorporate any necessary mitigation measures against risks identified which shall be approved in writing by the Local Planning prior to the commencement of the development. Any mitigation measures shall be fully incorporated into the development.

REASON - to determine the stability of the ground and identify any remedial measures required to deal with any instability.

Members further resolved to impose a Tree Preservation Order on the Horse Chestnut tree fronting Gronant Road as a matter of urgency.

Councillor N Hugh Jones wished it to be noted that he voted to refuse planning permission.

43/2002/0329/Section 73A (Continuation/Retention)	<p>(Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof).</p> <p>(Following consideration of one additional letter of representation from Head of Highways)</p> <p>Continuation of use of land as touring caravan site for 30 No. Units (retrospective application) at Nant Hall Hotel, Prestatyn Road, Prestatyn</p> <p>SUBJECT to amended conditions 1 and 3 and new condition 6</p> <p>1. The site shall only be used for holiday purposes and the use shall be restricted to units on tour and no more than 30 touring caravans be on the site at any one time.</p> <p>3. "In the hatched areas indicated"</p> <p>6. Touring caravans shall only access and egress the site from the main entrance to the hotel from the A548 (Prestatyn Road), central to the site frontage onto the A548.</p> <p>REASON - In the interests of highway safety.</p>
43/2002/0345/Full Planning	<p>(Following consideration of 1 additional letter of representation from Head of Public Protection)</p> <p>Installation of 1 No. 1.2 m dish at 19m height and 1 No. 1.2 m dish at 26.3m height on existing BT mast at BT Transmitter Station, Gwaenysgor, Rhyl.</p> <p>Councillor Sophia Drew wished it to be noted that she voted to refuse planning permission.</p>
45/2002/0197/Full Planning	<p>(Following consideration of 3 additional letters of representation from Rhyl Town Council, Head of Highways and L Roberts of 7 Gordon Avenue, Rhyl). Change of use from residential Class C3 to educational use Class D1 at 6 Gordon Avenue, Rhyl.</p>
45/2002/0419/Section 73A (Variation of Condition)	<p>Removal of Condition No. 4 on Planning Permission Ref. No. 45/2001/0799/PF relating to the side elevation of the property being coloured white at 44 Lynton Walk, Rhyl.</p> <p>SUBJECT to the deletion of condition 1.</p>
47/2001/1163/Full Planning	<p>Change of use of land and buildings to civil engineering contractor's depot, recycling station and associated ancillary offices at Land at and Adjoining Golfa/Trefaldwyn, Holywell Road, St Asaph.</p> <p>SUBJECT to Amended Conditions 7 &amp; 9:</p> <p>7. No plant, machinery, raw materials or other materials, waste or other products shall be stored on the site at a height exceeding 3 metres above ground level</p> <p>9. Correct spelling of "until"</p>
02/2002/0234 Approval of Reserved Matters	<p>(Following consideration of 2 additional letters of representation from the Head of Highways and the Conservation Architect).</p> <p>Details of three terraced dwellings (submitted in accordance with Outline Planning Permission code No 2/2001/531/PO) at</p>

former Builders Yard (Turners & Williams) off Wynnstay Road, Ruthin.

SUBJECT to New Conditions 1 and 2 and New Note to Applicant.

(1) Notwithstanding the submitted window detail, all windows shall be painted timber with paint colour to be agreed before development commences and implemented before the dwellings hereby approved are brought into use.

REASON: In the interests of visual amenity of the conservation area.

(2) The area to the rear and side of the proposed dwelling on the northern boundary to the site shall be exclusively reserved for the storage of refuse bins for all three dwellings.

REASON: In the interests of residential amenity

Note to Applicant - Your attention is drawn to the requirement to comply with previous conditions on the outline permission.

09/2002/0374/Full  
Planning

(Following consideration of 4 additional letters of representation from Head of Highways, Head of Public Protection; Ramblers Association and Clwyd Archaeological Trust).

Erection of extension and alterations to existing dwelling, conversion of barn to form additional living accommodation, erection of detached three-bay domestic garage and workshop building, change of use of agricultural land to form an extension to domestic curtilage to accommodate new driveway at Cil Llwyn, Llandyrnog, Denbigh.

SUBJECT to New Conditions 1 and 2 and New Note to Applicant.

(1) No development shall be permitted to commence until details of a survey of the capacity of the septic tank and soakaway system have been submitted for the consideration of the Local Planning Authority, and the written approval of the Authority has been obtained that the capacity is acceptable to accommodate the development.

REASON: To ensure the drainage system serving the development is acceptable.

(2) Development shall not begin until an appropriate photographic survey of the existing building on the site has been carried out in accordance with details to be submitted to and approved by the Local Planning Authority.

REASON: In order to preserve a minimal record of locally significant building.

New Note to Applicant - Highway Supplementary Note 2 - New Street and Street Works Act 1991 Part N Form.

15/2002/0162/Full  
Planning

(Councillor Selwyn Thomas declared (in advance) an interest in the following application and had left the Chamber prior to consideration thereof).

(Following consideration of 4 additional letters of representation from M W Davies of 2 Ochr y Foel; A Roberts of Crudy Gwynt; Llanarmon yn Ial Community Council and Llanarmon and District

Conservation Society). Repositioning of three caravans within existing caravan site at Eryrys Caravan Park, Bryn Awelon, Eryrys, Mold.

15/2001/0235/Outline

(Following consideration of a correction to report - part of site (garden and part of access) is outside development boundary and representations received from Llanarmon yn Ial Community Council and Llanarmon and District Conservation Society). Development of land by erection of one dwelling (outline application) at Cam Yr Alyn, Llandegla Road, Llanarmon-Yn-Ial, Mold.

SUBJECT to New Condition 10.

10. Any dwelling on the proposed site shall be located within the development boundary for the village of Llanarmon-yn-Ial.

REASON: In the interests of visual amenity and the proper planning and development of the area.

(Councillor Sophia Drew wished it to be noted that she voted against granting Planning Permission.)

16/2001/0989/Full  
Planning

(Following consideration of 1 additional letter of representation from Head of Highways (Drainage). Formation of a new vehicular access at Glenhaven, Llanbedr, Dyffryn Clwyd, Ruthin.

SUBJECT to New Conditions and New Note to Applicant.

(1) The gradient of the access shall not be as shown on the plans supplied but shall be further agreed in writing by the Local Planning Authority before any work commences on site.

REASON: In the interest of highway safety.

(2) Before the development commences the external finish to the retaining walls shall be agreed in writing with the Local Planning Authority and the agreed finish implemented before the access is brought into use.

REASON: In the interests of the visual amenity of the Area of Outstanding Natural Beauty.

Note to Applicant - Applicant's attention is drawn to the enclosed Advisory Notes which should be strictly adhered to

(i) Highway Supplementary Notes Nos 1, 2, 3, 4, 5, and 10.

(ii) New Roads & Street Works Act 1991 Part N Form.

17/2001/0275 Full  
Planning

(Following consideration of 1 additional letter of representation from Dewi Thomas, St Asaph Diocesan Inspector) Demolition of existing garage and erection of a new detached domestic double garage (retrospective application) at The Rectory, Llandegla, Wrexham.

(Councillor Sophia Drew wished it to be noted that she voted to refuse Planning Permission)

20/2001/0845/Outline

(Following consideration of 2 additional letters of representation from Head of Highways and Mr M E & Mrs M M Jones of Wern, Pentrecelyn). Land adjacent to Cilgwyn Pentrecelyn, Ruthin.

SUBJECT to New Conditions and New Note to Applicant

(4) The foul drainage from the proposed development shall be discharged to a septic tank and soakaway system, which meets the requirements of British Standards BS6297:1983 and which complies with the following:-

- There must be no connection to any ditch, watercourse or drainage system
  
- No part of the septic tank or soakaway must be within 50 metres of a potable water supply e.g. A well, spring or bore hole.
  
- Adequate land must be available for the length of the soakaway needed, and the soakaway must be designed and installed to reflect the results of the porosity tests.

REASON: Prevention of pollution to the aquatic environment.

(5)(ii) Notwithstanding the provision of the Town and Country Planning General Development Order (or any order revoking or re-enacting that order) no tank for the storage of oils, fuels or chemicals shall be erected within the curtilage of a dwellinghouse unless it is sited on an impervious base and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage.

REASON: To prevent pollution of the water environment.

(6) Notwithstanding the provision of Classes A,B, C, D, E, F and G of Part 1 and Classes A and B of Part 2 of Schedule 2 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 approval in writing of the Local Planning Authority.

REASON: In the interests of residential and/or visual amenity.

(7) The dwelling shall not be occupied until the parking/forecourt area and access have been laid out and constructed in accordance with the approved plans.

REASON: To provide for the parking of vehicles clear of the highway in the interest of traffic safety.

(8) The surface of the proposed access shall be paved with a bituminous material for a distance of 5.0m behind the highway boundary and the whole of the access frontage adjacent to the highway shall be reinforced with bluenose kerbs to the Local Authority's approval.

REASON: To ensure that no deleterious material is carried onto the highway.

(9) The wall either side of the proposed access shall be no higher than 1.05m above the adjacent carriage and nothing shall be planted or erected above this height within 2.0m

REASON: To ensure that adequate visibility is provided at the proposed point of access to the highway.

Note to Applicant - the applicants attention is drawn to the enclosed Advisory Notes which should be strictly adhered to

(i) Highway Supplementary Notes Nos 1,3, 4, 5 and 10

(ii) New Roads and Street Works Act 1991 - Part N Form.

23/2002/0133/Full  
Planning

(Following consideration of 1 additional letter of representation from the applicant). Erection of an extension to existing agricultural building for livestock, fodder and equipment at Bryn Bella, Saron, Denbigh.

SUBJECT to New Note to Applicant - If an application to revoke or change condition 3 is made to the Council, then any such application shall be referred to the Planning Committee for their consideration.

24/2002/0269 Full Planning

(Mrs G Butler declared an interest in the following application and left the chamber during consideration thereof).

(Following consideration of 3 additional letters of representation from Llanynys Community Council, Babtie and Hooson & Co)

Demolition of existing garage and erection of a two storey extension and conservatory to existing dwelling at Ashley House, Rhewl, Ruthin.

SUBJECT to New Condition and New Note to Applicant.

(7) No development shall take place until the applicant has demonstrated to, and had such confirmed in writing by the Local Planning Authority either that the development proposed will not detrimentally affect the public sewer, or that a suitable alternative sewer arrangement is appropriate. Any such agreed works to the sewer shall be implemented in full before the development is first occupied.

REASON: To ensure access to the public sewer is maintained and to protect the building's foundations if access is required.

Notes to Applicant - You are advised that an oak tree on the boundary of the site should be protected during construction works and no lopping or topping of the tree should occur as a result of the development.

(ii) Refusals

Application No.

Description and Situation

44/2002/0439/Section 73A  
(Continuation/Retention)

Subject to the receipt of no further representations raising planning matters not already covered in the report by 29 May 2002

(Following consideration of additional letters of representation by Rhuddlan Town Council, Mrs Gill Beechwood of Princes Road; Mr and Mrs Bickerstaff of Longthorn and Mr & Mrs J D

Williams of Dolydd, Princes Road). Retention of dormer roof extension at rear (amendment to previous scheme) at Bedw Arian, Princes Road, Rhuddlan, Rhyl.

(Councillors Ann Owen and P. Douglas wished it to be noted that they voted to grant planning permission).

The decision being CONTRARY to the Officers' Recommendation was taken for the following reason:

(1) The proposed dormer roof extension would, by reason of its scale, design and detailing, detract from the character and appearance of the building and the Rhuddlan Conservation Area within which it lies, in conflict with Policy C3 of the Rhuddlan Borough Local Plan, Policy G3 of the Clwyd Structure Plan, Policies CON 6 and HSG 12 of the Denbighshire County Council Unitary Development Plan (Proposed Modifications Version) and Government Advice in Welsh Office Circular 61/96. The proposal, if permitted, would make it more difficult for the Local Planning Authority to resist similar extensions elsewhere in the locality to the further detriment of the conservation area.

**18. BURLEY HILL QUARRY, LLANARMON YN IAL**

Application for Review of Mineral Permissions (ROMPS).

Application No 21/2002/9/MA.

Application for determination of new conditions under Schedule 14 of the 1995 Environment Act.

Location - Tilcon (South) Ltd, Burley Hill Quarry, Llanarmon yn Ial.

Submitted - report by the Head of Planning Services.

**RESOLVED** (following consideration of an alteration to the report - timelimit should read "2021") that the new conditions set out in the report be **APPROVED**

Subject to the following alterations to conditions:-

1. Date to read "2021" not 2001
3. (iii) There shall be no loading or movement of vehicles outside the times specified in 3(i) except for that required for the movement of vehicular traffic, whether laden or not required for or in connection with the operation of the tarmacadam plant which will be restricted to the operational times specified in 3(ii) unless otherwise agreed in writing by the Mineral Planning Authority.
8. List to include "All other properties : 45DBLAeq 1 hour"

**19. RHYL FLATS OFFSHORE WINDFARM**

Submitted - report by Head of Planning Services detailing consultation papers received from The Department of Trade and Industry.

**RESOLVED:** that Denbighshire County Council raise no objection to the proposed Rhyl Flats Offshore Windfarm.

**20. WELSH ASSEMBLY GOVERNMENT PLANNING POLICY WALES (2002)**

Submitted report by Head of Planning Services informing Members of the publication of a new Planning Policy Wales (March 2002).

**RESOLVED** that the report be received and copies of the document be provided for the Political Group Rooms

Members raised the issue that the Planning Policy Wales advises that Mobile Homes are to be considered as dwellings for planning purposes, and asked advice as to whether this would affect the housing provision within the Denbighshire UDP.

Officers advised that this issue could be considered when the UDP was reviewed.

**21. DATE OF SITE VISIT**

There being no site visit required, this item was withdrawn.

**22. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS**

The Head of Planning Services submitted his written report (previously circulated) of the applications for Planning Permission determined by him under delegated authority between 9th April 2002 and 3rd May 2002.

**RESOLVED** that the report be received.

Meeting closed at 1.20 pm

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