

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held on the 24th July , 2002, at 10 a.m. in the Council Chamber, Russell House, Rhyl.

PRESENT

Councillors F.D. Jones (Chair), J. Butterfield, M.Ll. Davies, Sophia Drew, A.E. Fletcher-Williams, I.M. German, M.A. German, K.N. Hawkins, D.M. Holder, R.W. Hughes, N. Hugh-Jones, E.R. Jones, F.D. Jones, G. Jones, P.M. Jones, R.E. Jones, R.J.R. Jones, S. Kerfoot-Davies, F. Shaw, D.A. Thomas, S. Thomas, K.E. Wells, C.H. Williams and R.Ll. Williams.

ALSO PRESENT

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

APOLOGIES FOR ABSENCE WERE SUBMITTED FROM

Councillors N. Hughes, A. Owens and J. Smith.

COUNCILLOR PETER DOUGLAS

It was with regret that the Chair referred to the recent death of Committee Member Peter Douglas. Councillor Douglas' contribution to Planning Committee was always fair and balanced and would be missed.

In tribute to Councillor Douglas, the Committee stood for a minutes silence.

COUNCILLOR FRANK SHAW

Councillor Shaw was welcomed back following his recent indisposition.

BEST VALUE

The summary from the Best Value Report was circulated for Members' information. Planning Services was awarded a "good" 2 star rating with promising prospects for improvement.

The Head of Planning Service will ensure that each Group Room has a full copy of the Report.

290. URGENT ITEMS

None

291. UNITARY DEVELOPMENT PLAN

(i) Status and Use for Development Control

(ii) Replacement of all other plans

(Report by Head of Planning Services for Members' Information).

Head of Planning Services introduced this item and referred to three corrections to the Report;

Page 1 Background:-

- The Plan was formally adopted on 3rd July 2002 (not 4th July as stated)
- The six week challenge period ends on 21st August 2002 (not 14th August)
- The adopted plan will not be published until 21st August 2002.

The adopted Unitary Development Plan replaces all other Plans (Clwyd County Structure Plan and the Rhuddlan Borough, Glyndwr District and Colwyn Borough Local Plans).

The printed version will be available in September 2002.

Denbighshire are the first Authority in Wales to adopt their UDP.

Councillor Selwyn Thomas, Chair of the UDP Panel offered his congratulations to the staff on this achievement. The contribution made by the late Councillor Peter Douglas was acknowledged and it was a source of regret that he was not here to witness the adoption.

Councillor M. German congratulated the UDP Panel on the result of their hard work.

In response to questions, Head of Planning Services explained that the UDP had gained status at each stage and been given additional weight in determining planning applications. All applications determined from 3rd July 2002 (including all those on today's Committee) would be considered on the policies of the new Unitary Development Plan

RESOLVED that the report be received for information

292. 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 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

Application No.

Description and Situation

30/2002/0054/Approval of Reserved Matters

(Following consideration of an amended location plan circulated and a correction to report - the pond is 350m from site not 1½kms. Additional letters of representation received from Mrs J. Ryding, Ty Nant, 6 Parc Bach and The Head of Public Protection).

Demolition of dwellinghouse and details of 12 No. dwellings and means of access submitted in accordance with Condition No. 1 of Outline planning permission Ref. 30/2000/0918/PO at The Haven, Trefnant, Denbigh.

SUBJECT to amended conditions 5 and 11 and new note to Applicant

5. The final two dwellings of the development etc

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development, including permitted development, involving etc

Note to Applicant - You are reminded of the need to submit a landscaping scheme under the terms of the outline planning permission for approval by the local planning authority.

Your attention is drawn to legislation which makes it an offence to deliberately kill or disturb a European Protected Species, or to damage or destroy the breeding site or resting place of such an animal. There are known breeding ponds within 500 metres of the development site therefore you should

have regard to the need to not cause an offence in the implementation of this approval.

Trefnant Community Council have written to us requesting that the development be known as Pwll Y Clai. Please take into account this request when submitting your proposals for street naming for the development.

Members in considering the application stated a preference for the use of natural slate on the roofs of the development. Please could you consider this request when you submit materials to comply with condition number 1.

(Councillors Sophia Drew and Neville Hugh-Jones wished it to be noted that they voted against the granting of Planning Permission)

43/2002/0089/Full Planning

(Following consideration of additional letters of representation from Head of Highways).

Change of use from petrol filling station, car wash and car sales to car wash and valet and car sales (partly in retrospect) at Beach Service Station, Victoria Road, Prestatyn.

SUBJECT to amended conditions 1, 2, 3, 6 and 7 and new conditions 8 & 9.

1. "20 cars"

2. Within three months of the date of this permission new fencing shall be erected to the western, northern and eastern boundaries of the application site, including a 2.4 metre high spray screen to the western side of the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

3. The access and internal circulation arrangements as indicated on the approved Drawing No. R.730/2 shall be retained at all times.

REASON - In the interests of highway safety

6. The car wash activity shall not operate before 0800 hours or after 1800 hours on Mondays to Saturdays and at any time on Sundays.

7. Within three months of the date of this permission an oil interceptor shall be installed to deal with all surface water drainage from parking areas and hardstandings, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the interceptor shall thereafter be retained and be used at all times.

8. Within three months of the date of this permission positive means to prevent the run off of water from the site to the highway shall be provided in accordance with details submitted to and approved in writing by the Local Planning Authority and such provision shall thereafter be retained.

REASON - In the interests of highway safety and to prevent damage to the highway.

9. Car valeting shall take place within the building only as indicated on approved Drawing No.R.730/2.

REASON - In the interests of the amenity of the occupiers of adjacent properties.

43/2002/0111/Section73A
(Continuation/Retention)

(Following consideration of one additional letter of representation from David Gibbon (on behalf of Mr MacLeod).

Retention and regrading of tipped material (retrospective application) at Land adjoining Quarry Cottage, Tan Yr Allt, Prestatyn.

SUBJECT to amended condition 6 and new note to Applicant.

6. "Remains"

Note to Applicant - It has been brought to the attention of the Local Planning Authority that a Mr MacLeod is claiming an ownership interest in the application site. Mr MacLeod can be contacted via David Gibbon, Church House Studios, Hudnall Lane, Little Gaddesden, Herts HP4 1QE.

- 43/2002/0417/Full Planning (Councillor Sophia Drew declared an interest in this application).
Erection of single-storey pitched-roof extension at rear of dwellinghouse providing ground-floor accommodation and accommodation in roofspace and dormer to front elevation at 2 Clayton Drive, Prestatyn
SUBJECT to new condition 4
4. Prior to the commencement of the development hereby permitted details of the boundary treatment to the north east boundary shall be submitted to and approved in writing by the Local Planning Authority, such treatment to include for the retention of existing trees and shrubs. The boundary treatment shall be provided in accordance with the approved details prior to the occupation of the extension hereby permitted and thereafter retained.
- 43/2002/0426/Full Planning Erection of a single-storey pitched-roof extension to rear of dwellinghouse at 6 West Close Prestatyn.
- 43/2002/0542/Advertisement Consent Retention of externally-illuminated pole-mounted V-shaped sign (retrospective application) at 35 The Avenue, Prestatyn.
SUBJECT to the deletion of condition 1.
- 44/2002/0516/Full Planning (Following consideration of one additional letter of representation from Mr and Mrs Taylor, 22 Kerfoot Avenue, Rhuddlan).
Erection of extension to existing open porch at side of dwellinghouse at 24 Kerfoot Avenue, Rhuddlan, Rhyl.
- 45/2002/0029/Full Planning Erection of 12 No. Dwellings and construction of new vehicular access at Land adjacent to Avondale, 22 Avondale Drive, Rhyl
SUBJECT to the applicants entering into a Section 106 Agreement to ensure adequate commuted sums for open space provision
and new condition 9
9. All trees and hedges to be retained as part of the development hereby permitted 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 articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow 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.
- 45/2002/0441/Full Planning Change of use of class A1 shop kiosk to Class A3 hot-food takeaway kiosk at 53 West Parade, Rhyl.
SUBJECT to new condition 4.

<p>4. The Class A3 hot foot takeaway hereby permitted shall only be carried out within the kiosk area shown on the floor plan approved as part of this permission. REASON - to control the scale of the use in the interests of residential amenity and UDP policy implementation.</p>	
<p>Erection of first-floor pitched roof extension over existing flat-roofed element to provide owner's accommodation at 2 Seabank Road, Rhyl. SUBJECT to amended condition 5 and amended note to Applicant.</p> <p>5. The first floor extension hereby permitted shall be used at all times as living accommodation by persons employed at the day nursery and at no time shall be used as a dwelling separate from the day nursery or as part of the day nursery (D1) use. Amended note to Applicant - Note 2 reasons no. 4 (the further expansion of the day nursery use would not be acceptable on this site within a nearby residential area). (Councillor Sophia Drew wished it to be noted that she voted against the granting of Planning Permission).</p>	45/2002/0529/Full Planning
<p>Continuation of use of part OS Field Nos. 5000 and 6300 as sawmill/timber works, retention of covered stacking area, recladding to existing workshop building, formation of new vehicular access and track, provision of parking and turning areas and associated landscaping (partly in retrospect) at Part OS Field Nos. 5000 and 6300 at Pen-Y-Bryn Glascoed Road St. Asaph. SUBJECT to the deletion of condition 1 and amended conditions 2, 5 and 6.</p> <p>2. Delete "the" after "seasons".</p> <p>5. Within three months of the date of this permission the improved access indicated on Drawing NO. MC05 shall be completed in accordance with details of layout, design, signing, road markings, kerbing and construction to be submitted to and approved in writing by the Local Planning Authority and to include a hard surfaced area a minimum of ten metres back from the adjoining carriageway. Delete condition 6 and renumber the following conditions</p>	46/2001/0520/Section 73A (Continuation/Retention)
<p>(Following consideration of two additional letters of representation from Babbie and Mrs G Kensler (owner) Conversion of shop and flat into three residential flats at 42 Vale Street, Denbigh</p>	01/2002/0586/Full Planning
<p>(Following consideration of two additional letters of representation from Llangollen Town Council and P. Moren, 11 Bishop's Walk, Llangollen). External enhancement works, including provision of new windows and doors, erection of pitched roof over extension, erection of terrace decking and creation of new pedestrian access onto bridge parapet at The Royal Hotel, Bridge Street, Llangollen. SUBJECT to amended condition 2.</p> <p>2. No work shall be permitted to commence on the proposed decking and railings until the written approval of the Local Planning Authority has been obtained to the material(s) and final colour thereof.</p>	03/2002/0490/Full Planning

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| 08/2002/0163/Full Planning | Change of use of agricultural land to form extension to existing domestic curtilage, alterations to existing vehicular access and formation of driveway at Hafod Wen, Cynwyd, Corwen. |
| 17/2002/0238/Full Planning | (Following consideration of two additional letters of representation from County Archaeologist and Head of Highways).
Amended Description : Development of land by the erection of a bungalow at Plot 3 Erw Las, Llandegla, Wrexham. |
| 21/2002/0463/Full Planning | (Following consideration of one additional letter of representation from A. Raba, 16 Rectory Lane, Llanferres).
Alterations and extension to existing dwelling at 14 Rectory Lane, Llanferres, Mold. |
| 23/2002/0484/Full Planning | Erection of single-storey extension to dwelling at Tyddyn Uchaf, Llanrhaeadr, Denbigh.
(Councillor Sophia Drew wished it to be noted that she abstained from voting). |
| (ii) Listed Building consent - subject to referral to CADW | |
| 03/2002/0491/LB | (Following consideration of two additional letters of representation from Llangollen Town Council and P. Moren, 11 Bishop's Walk, Llangollen).
External enhancement works, including provision of new windows and doors, erection of pitched roof over extension, erection of terrace decking and creation of new pedestrian access onto bridge parapet at The Royal Hotel, Bridge Street, Llangollen.
SUBJECT to amended condition 2.
2. No work shall be permitted to commence on the proposed decking and railings until the written approval of the Local Planning Authority has been obtained to the material(s) and final colour thereof. |
| (iii) Refusals | |
| 15/2001/0673/Outline | (Following consideration of one additional letter of representation from Agent - requesting deferral to allow reappraisal by ADAS - applicant has now obtained more land and livestock).
Erection of farmhouse at Mountain Hall Farm, School Lane, Llanarmon-Yn-Ial, Mold
For the following amended Reason
REASON - delete "in the Denbighshire Unitary Development Plan" and add "also contrary to policy ENV2 of the Denbighshire Unitary Development Plan relating to development in the AOB."
Head of Planning Services advised Members that ADAS did not consider the holding to be viable at present. Additional land and livestock should be an established part of a holding before viability is assessed again. The applicant could re-apply for planning permission within 12 months without incurring an additional fee.
(Councillors Sophia Drew and Neville Hugh-Jones wished it to be noted that they abstained from voting). |

15/2002/0150/Full Planning	<p>(Following consideration of one additional letter of representation from Brynle Williams, Cefn Melyn Farm, Cilcaen).</p> <p>Use of land and buildings as an HGV operations centre (for 2 wagons and 2 trailers) (In retrospect) at land adjoining Tyn Y Mynydd, Abbeyland, Llanarmon Yn Ial, Mold.</p>
19/2002/0272/Outline	<p>(Following consideration of four additional letters of representation from: F.U.W.; Tudor Jones, Ffynnon Tudur, Llaneliden; B. Lloyd, Rhewl Wen, Llanelidan; and Glenys E. Jones).</p> <p>Development of land by the erection of a dwellinghouse, construction of new vehicular access and installation of septic tank (outline application) at Land to the rear of Bryn Dedwydd, Rhyd-Y-Meudwy, Ruthin.</p> <p>For the following amended reasons 1. and 2.</p> <p>1. It is the view of the Local Planning Authority that the erection of a dwelling on the site would not constitute an infill development as it does not form a small gap between buildings within a continuously developed frontage, and as the site is not part of an identifiable group of houses, it's development would be in conflict in particular with Unitary Development Plan Policy HSG 5 (Criteria (i) and (ii) and Policy GEN 5, as it constitutes isolated development in the countryside, adversely impacting on the character and appearance of the countryside.</p> <p>2. In the absence of an essential Agricultural or Forestry need for a new dwelling, the proposal would be in conflict with policy HSG 6 of the Denbighshire Unitary Development Plan relating to new dwellings in the open countryside. (Councillors M.LI. Davies, S. Drew, N. Hugh-Jones, G. Jones and C. Williams wished it to be noted that they voted for the granting of Planning Permission).</p>
21/2002/0664/Full Planning	<p>(Following consideration of two additional letters of representation from Welsh Assembly Transport Directorate and Babbie).</p> <p>Development of 0.2ha of land by the erection of a bungalow (outline application) at Land adjoining Loggerheads Garage, Ruthin Road, Loggerheads, Llanferres, Mold.</p>
22/2002/0573/Full Planning	<p>(Following consideration of three additional letters of representation from: Llangynhafal Community Council (in support); Councillor P. Dobbs (requesting deferral) and the applicant's agent (also requesting deferral).</p> <p>Erection of extension to existing dwelling (former barn) - Bungalow at Plas Yn Rhos Farm, Llanychan, Ruthin. (Councillor Sophia Drew wished it to be noted that she voted for the granting of Planning Permission).</p>
(iv) Site Visits 47/2002/0514/Full Planning	<p>(Following consideration of seven additional letters of representation from: The Applicant's agent; The Georgian Group; CADW Historic Gardens; Welsh Gardens Trust; Garden History Society; Denbighshire History Society; and Flintshire History Society)</p> <p>Erection of new orangery and link building to side, and alterations to terrace, steps and paths at Bryn Bella, Tremerchion, St. Asaph.</p>

(Site Visit to consider the impact of the proposed orangery and link on the character and appearance of the Grade 2* Listed Building and on its landscaped surrounds)

47/2002/0515/Listed Building Consent

(Following consideration of seven additional letters of representation from The Applicant's agent; The Georgian Group; CADW Historic Gardens; Welsh Gardens Trust; Garden History Society; Denbighshire History Society; and Flintshire History Society)

Erection of new orangery and link building to side, and alterations to terrace, steps and paths at Bryn Bella, Tremerechion, St. Asaph.

(Site Visit to assess impact of proposal on Listed Building and garden)

17/2002/0511/Full Planning

(Following consideration of two additional letters of representation from Head of Highways and County Archaeologist).

Development of land by the erection of two dwellings and construction of associated vehicular access at Plot 3 Erw Las, Llandegla, Wrexham.

(Site Visit to assess whether the site is large enough to accommodate two dwellings)

(v) Defer

40/2002/0382/Full Planning

Conversion of 2 No. outbuildings to 8 No. Dwellings and installation of new sewage treatment plant. Erection of detached double garage block at Pen Y Ffrith, Terfyn, Bodelwyddan, Rhyl.

Defer to allow details of passing places, structural integrity and design improvement.

(Councillor Neville Hugh-Jones wished it to be noted that he voted against the Deferral).

293. ENFORCEMENT MATTER

Application Number

ENF/287/00/S

Description and Situation

Tyn Y Mynydd, Abbeylands, Llanarmon Yn Ial, Nr Mold
(Use of land and buildings as a HGV operations centre for 2 wagons and 2 trailers)

RESOLVED:

(i) Serve an Enforcement Notice to ensure that the unauthorised use ceases and returns to its previous authorised use.

(ii) Instigate prosecution proceedings or other appropriate action under the Planning Acts against any 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.

294. 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 Thursday 1st August 2002 and advising of the current membership of the Site Visit Panel.

RESOLVED that the approved site visits be held on 1st August 2002

295. CONSULTATION BY WREXHAM COUNTY BOROUGH COUNCIL

Construction of Three Wind Turbines, Cefn Coed, Glyn Ceiriog.

(Additional location plan circulated).

The Head of Planning Services submitted a report advising of the proposed wind turbines which would, in part, be visible from Denbighshire. It was acknowledged that the impact on Denbighshire would not be great.

*RESOLVED that Denbighshire County Council as neighbouring local planning authority offer **no objection** to this proposal as the proposed wind turbines would not impact adversely on the landuse, amenities or interests of residents of Denbighshire, provided there is no adverse impact on television reception enjoyed by residents of Denbighshire*

296. SUPPLEMENTARY PLANNING GUIDANCE (SPG) 25 : STATIC CARAVANS & CHALETS: CONSULTATION DRAFT

(Councillor S Thomas declared an interest in this item and left the Chamber).

Received, report by Head of Planning Services advising that Supplementary Planning Guidance 25 is required to support and provide clarity to the adopted UDP Policy TSM 9.

This item will be reported to Cabinet and it will then be subject to a six week public consultation period.

RESOLVED that the draft SPG 25 be approved as a consultation draft which will be subject to a six week public consultation period.

297. APPEAL DECISION UPDATE

The Head of Planning Services submitted a report for Members' information advising of recent appeal decisions.

RESOLVED that the report be received.

298. STREET NAMING OF DEVELOPMENT

The Head of Planning Services submitted a report advising Members of new developments in Prestatyn and Rhyl recently named by Planning Services.

RESOLVED that the report be received.

299. 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 8th June 2002 and 5th July 2002.

RESOLVED that the report be received.

The Meeting closed at 12.25 p.m.
