

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl on 2nd October 2002 at 10.00 a.m.

PRESENT

Councillors F.D. Jones (Chair), J. Butterfield, M.LI. Davies, P. Dobbs (arrived at 11.15 a.m.), Sophia Drew, E.C. Edwards, A.E. Fletcher-Williams, I.M. German, M.A. German, N.J. Hughes (arrived 10.25 a.m.), R.W. Hughes, N. Hugh-Jones, D. Jones, E.R. Jones, G. Jones, R.E. Jones, R.J.R. Jones, E.A. Owens, J.A. Smith, D.A. Thomas, D.A.J. Thomas, S. Thomas, C.H. Williams, and R.LI. Williams.

ALSO PRESENT

Head of Planning Services, Legal Services Manager, Principal Planning Officer (North), Senior Planning Officer (South)(D. Beggan), Senior Planning Officer (North)(P. Lloyd), and Administrative Officer (G. Butler).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors D.M. Holder, K.N. Hawkins, P.M. Jones, F. Shaw and K.E. Wells.

541. URGENT MATTERS

None

542. CHANGES TO COMMITTEE MEMBERSHIP

The Chair announced the following changes to the Committee Membership with immediate effect:-

Councillor D.A.J. Thomas will fill the Labour Group vacancy.
Councillor D. Jones replaces Councillor K.P. Stevens as Labour representative.

543. WELCOME

The Chair welcomed Mr Peter Lloyd, Senior Planning Officer (North) to his first Planning Committee.

544. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

Item 18 (Tan Y Bryn Llanbedr Dyffryn Clwyd Ruthin) was brought forward at the request of Councillor E.C.Edwards.

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 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

Application No.

Description and Situation

30/2002/0731/PF

(Following consideration of 2 additional letters of representation from Trefnant Community Council and Principal Countryside Officer).

Erection of 20m high telecommunications mast with associated antennae, dishes, equipment cabinets and fenced compound at Maes Elwy Copse, Maes Elwy Farm, Upper Denbigh Road, St. Asaph

SUBJECT to amended conditions 3, 5, 6 and New Note to Applicant

3. 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. The existing and proposed landscaping shall be managed in accordance with the Management Plan for Landscaping dated August 2002 and received by the Local Planning Authority on 6th September 2002 unless otherwise agreed in writing by the Local Planning Authority.

REASON - In the interests of visual amenity.

6. Details of the colour finish to the mast, cabins and fencing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall only be carried out in accordance with the approved colour finishes.

REASON - In the interests of visual amenity.

Note to Applicant - 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 for Great Crested Newts within 500 metres of the development site and therefore you should have regard to the legislation in the implementation of this approval.

Councillor S. Drew wished it to be noted that she voted to refuse planning permission.

40/2002/0382/PF

(Following consideration of 1 additional letter of representation from Bodelwyddan Town Council and subject to the receipt of no further representations raising a planning matter not already covered in the report by 14th October 2002)

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

SUBJECT to amended condition 2, new condition 4 and additional notes to Applicant.

2. "over land" (two words)

4. Passing places shall be provided along the county road leading to the site from the east direction in accordance with details to be submitted to and approved in writing to the Local Planning Authority. The passing places shall be constructed in accordance with the approved details and attached standard detail prior to the commencement of any development on the application site itself.

Additional notes to Applicant -

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

2. Your attention is drawn to the attached standard detail for passing places (see condition no. 4).

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| | Councillor S Drew wished it to be noted that she voted to refuse planning permission. |
| 40/2002/0873/PF | Erection of porch with slate roof to front of dwelling at Bailiffs House, Faenol Fawr, Rhuddlan Road, Bodelwyddan. Councillor S Drew wished it to be noted that she voted to refuse planning permission. |
| 43/2002/0110/PR | Details of 1 detached dwelling and means of access submitted in accordance with Condition No. 1 of Outline planning permission Ref No. 43/483/99/PO at (land adjoining No. 2) 2a Mount Ida Road, Prestatyn. SUBJECT to New note to Applicant Note to Applicant - You are reminded of the need to comply with the terms of the outline planning permission reference 43/483/99/PO dated 28th October 1999 including the requirements of condition no. 1 (landscaping) and 6 (samples of materials). |
| 43/2002/0685/PC | (Following consideration of 1 additional letter of representation from J.T. Tibbells, Clarence House, Bryniau) Erection of garage/store (amendment to previously approved scheme). (Partly in Retrospect) at Quarry Cottage, Tan Yr Allt Prestatyn SUBJECT to amended conditions 1 and 2 1. The garage/store building hereby permitted shall be used for purposes incidental to the enjoyment of the existing dwellinghouse at Quarry Cottage and not as a separate unit of living accommodation or for business purposes. REASON - To allow the Local Planning Authority to control the use of the building in the interest of the visual and residential amenity and highway safety. 2. Prior the application of any colour finish to the external render, details of the colour finish to be used should be submitted to and approved in writing by the Local Planning Authority and only that colour finish shall be used. REASON - In the interest of visual amenity. Councillor S Drew wished it to be noted that she voted to refuse planning permission. |
| 43/2002/0748/PF | (Following consideration of 1 additional letter of representation from T.C. Baker, 5 Clos Aberconwy, Prestatyn). Erection of pitched-roof extensions to front, side and rear, erection of conservatory at rear and triple garage at 5 Talton Court, Prestatyn. Councillor S Drew wished it to be noted that she voted to refuse planning permission. |
| 45/2002/0750/PO | (Councillor D.A.J. Thomas did not participate in consideration of this application as he had been involved in discussions at Town Council level). Development of 0.022ha of land for residential development (Outline Application) of land between Nos 1 & 3 Bedford Street, Rhyl. SUBJECT to new condition 7 and New note to Applicant. 7. No dwelling shall be occupied until parking spaces and access thereto have been laid out in accordance with details to |

be submitted to, and approved in writing by the Local Planning Authority.

Note to Applicant - You are advised to discuss the details of any reserved matter application prior to its submission to ensure that the development takes into account its Conservation Area location. The development should constitute frontage development corresponding to the terrace properties immediately to the south west with parking provision to the rear.

01/2002/0303/PF

(Following consideration of 4 additional letters of representation from Denbigh Town Council, Head of Highways, Babbie, E.G. Jones (Headmaster, Twm o'r Nant) and subject to the receipt of no further representations raising a planning matter not already covered in the report by 10th October 2002).

Change of use of hostel to key stage 1 & 2 facilities for Ysgol Plas Brondyffryn and provision of new car parking facility at Tyn Fron Hostel (Former Ysgol Y Dyffryn) Rhyl Road, Denbigh. SUBJECT to amended conditions 3 (f & g) and 6, new condition 8 and new note to Applicant.

3. (f) Fencing details to the north-eastern boundary of the car park.

(g) Details of locations of guard-rails.

6. The access road, parking areas and footways, drainage, erection of guard railings, road markings on the existing and proposed car parking areas shall be completed and surfaced to final wearing course prior to the school building being first brought into use.

8. No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to and approved by, the Local Planning Authority and the approved scheme shall be completed before the building(s) is(are) first occupied.

REASON - To ensure satisfactory facilities are available for disposal of foul and surface water.

Note to Applicant - The applicant's attention is drawn to the following:

1. During construction, the site shall be securely fenced off to prevent access by children who attend nearby schools or live in the locality.

2. The works for the proposed new footpath for Rhyl Road should be carried out in conjunction with the works hereby approved in order to minimise inconvenience to local residents.

02/2002/0816/PF

(Following consideration of 1 additional letter of representation from Ruthin Town Council).

Conversion and extension of existing garage for use as additional living accommodation at Isgoed, Prior Street, Ruthin.

The development hereby approved shall be used for purposes incidental to the residential enjoyment of Isgoed and shall not be occupied as a separate unit of accommodation/dwelling.

REASON - In the interests of adjacent residential amenity.

16/2002/0616/PF

Amended description of the Erection of garage and stable (in retrospect) at Llys Y Fenlli, Lon Cae Glas, Llanbedr Dyffryn Clwyd, Ruthin

SUBJECT to deletion of condition 1, amended conditions 2, 3 and 5, and new conditions 6 and 7 regarding landscaping

2. Notwithstanding the submitted details, the metal door to the garage and roof fascia/barge boards and stable hereby approved shall be painted a dark green colour BS Code 14C39 (Cypress) unless otherwise agreed in writing with the Local Planning Authority.

REASON - In the interests of visual amenity

3. No trees along the boundaries of the site edged in red shall be lopped, topped or felled without the written approval of the Local Planning Authority.

REASON - In the interests of the visual amenities of the Clwydian AONB.

5. The external colour of the render of the garage hereby approved shall not be as indicated on the submitted details, but shall be coloured dark green BS Code 14C39 (Cypress), unless otherwise agreed in writing with the Local Planning Authority.

REASON - In the interests of visual amenity.

New condition 6 - 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 and other vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting.

(c) proposed material 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 landform.

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

7. 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 occupation of the dwelling/completion of the development/commencement of the development/next planting and seeding season) 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.

16/2002/0775/PO

Partial demolition of existing dwelling and erection of new dwelling (Outline Application) at land adjoining 41 (Plot 21a) Tan Y Bryn, Llanbedr Dyffryn Clwyd, Ruthin
SUBJECT to the deletion of condition 7.

(ii) Listed Building Consent - subject to referral to CADW

Application No.

Description and Situation

40/2002/0874/PF

Construction of porch with slate roof to front dwelling at Bailiff's House, Faenol Fawr, Rhuddlan Road, Bodelwyddan.
SUBJECT to amended condition 4

4. "columns and rainwater goods for the porch and the scheme shall be carried out strictly in accordance with the approved details".

Councillor S Drew wished it to be noted that she voted to refuse planning permission.

(iii) Refusals

| <u>Application No.</u> | <u>Description and Situation</u> |
|------------------------|--|
| 43/2000/1037/PO | Development of 2ha of land for residential (1.4ha) and hotel with leisure group (0.6ha)(Outline Application) at Former Kwik Save Group Plc., Warren Drive, Prestatyn Councillor Ann Owens wished it to be noted that she abstained from voting. |
| 43/2002/0462/AC | Details of Condition No. 3 (landscaping scheme) on Planning Permission Ref. No. 2/PRE/392/78 land at Melyd Avenue, Prestatyn |
| 47/2002/0228/PO | (Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof). Development of 0.091ha of land by erection of 1 dwelling and installation of new septic tank (Outline Application) at The Croft, Caerwys Road, Rhualt, St. Asaph. |

(iv) Refusals against Officers' Recommendation

| <u>Application No.</u> | <u>Description and Situation</u> |
|------------------------|---|
| 47/2002/0693/PF | (Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof). (Following consideration of 1 additional letter of representation from Applicant's Agent). Change of use of land to form extension to existing touring caravan site at Penisa'r Mynydd Caravan Park, Caerwys Road, Rhualt, St. Asaph <i>The decision being contrary to the Officers' Recommendation was taken for the following reason:</i> Potential impact on the visual amenity of the area and the site visit members felt there was the possibility of an adverse impact on the adjacent highway network. Councillors J. Butterfield, I. German, M. German, R. Hughes, F.D. Jones, A.E. Owens and D.A.J. Thomas wished it to be noted that they voted to grant planning permission. Councillor S. Drew wished it to be noted that she voted to refuse planning permission. |
| 16/2002/0622/PR | Details of dwelling, garage and access submitted in accordance with outline planning permission 16/2002/819/PO at Plot 13 (No.25) Tan y Bryn, Llanbedr Dyffryn Clwyd, Ruthin. <i>The decision being contrary to the Officers' Recommendation was taken for the following reason:</i> The details of the dwelling and its siting by virtue of its scale and height would have an overbearing impact on the enjoyment of adjoining properties and harm the appearance and rhythm of the housing estate. The proposal would therefore be detrimental to the visual and residential amenities of the area. The proposal would be contrary to policies STRAT 5, GEN 6 |

and HSG4 of the adopted Denbighshire Unitary Development Plan and government advice as contained in Planning Policy Wales March 2002.

(v) Site Visits

| <u>Application No.</u> | <u>Description and Situation</u> |
|------------------------|---|
| 45/2002/0631/PF | (Councillor D.A.J. Thomas did not participate in consideration of this application as he had been involved in discussions at Town Council level). (Following consideration of 3 additional letters of representation from Rhyl Town Council, C. Damiani, 8 Llys Tudor, M.N. Jones, 19 Llys Y Twysog, Rhyl). Erection of two storey pitched-roof extension to front, first floor pitched-roofed extension over existing garage at rear of dwellinghouse at 20 Llys Y Tywysog, Rhyl. The site visit was proposed by Councillor Ann Owens to consider the impact on visual and residential amenity. |
| 17/2002/0703/PF | (Following consideration of 5 additional letters of representation from Llandegla Community Council, Head of Highways, Janet Ryder (AM) (2 letters), Mr & Mrs M Mayers, 5, Tai Newyddion, and Councillor D. Holder (requesting a site visit).) Erection of garage/store at Garden area of 8 Tai Newyddion Llandegla Wrexham. Site visit proposed by Councillor R.E. Jones to assess the visual impact of the proposal on the area of outstanding beauty. |

(vi) Withdrawn

| <u>Application No.</u> | <u>Description and Situation</u> |
|------------------------|---|
| 43/2000/0038/PO | Development of 1.22ha of land by erection of foodstore with associated parking and servicing (Outline Application) at Kwik Save Store, Kwik Save, Nant Hall Road, Prestatyn |

545. TREE PRESERVATION ORDER 2/2002 - TAFARN Y GELYN, LLANFERRES

Submitted - Report by the Head of Planning Services advising that an Emergency Tree Preservation Order had been made under delegated powers and requesting that this be confirmed by Committee.

RESOLVED - that the Tree Preservation Order 2/2002, Tafarn y Gelyn, Llanferres be confirmed without modification.

546. GWYNEDD COUNTY UNITARY DEVELOPMENT PLAN CONSULTATION DRAFT

Submitted - Report by Head of Planning Services setting out the Council's proposed response to the Consultation Draft version of the Gwynedd Unitary Development Plan and offering specific comment on individual Policies.

RESOLVED - to accept the report as Denbighshire County Council's response to the Gwynedd Consultation Draft Unitary Development Plan, raising no objections.

547. 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 7th October, 2002 and advising of the current membership of the Site Visit Panel.

RESOLVED - *that the approved site visits be held on the morning of Monday 7th October 2002.*

548. 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 10th August 2002 and 13th September 2002.

RESOLVED - *that the report be received.*

The Meeting closed at 12.20 p.m.
