

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Town Hall, Ruthin on Wednesday 18th December 2002 at 10.00 a.m.

PRESENT

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

ALSO PRESENT

Legal Services Manager, Principal Planning Officer (South), Principal Planning Officer (North) and Administrative Officer (G. Butler), Senior Planning Officer (South) (Iwan Lloyd).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors E.R. Jones, J.S. Kerfoot-Davies, D.A. Thomas, R.W. Hughes, D. Holder, D. Jones and Head of Planning Services (A.O. Phillips).

855. URGENT MATTERS

None

856. WELCOME

The Chair welcomed Iwan Lloyd (Senior Planning Officer, South) to the Planning Committee.

857. CORNERSTONE TRUST

Members were informed that application 45/2002/984/PF Conway House, 115 Russell Road, Rhyl - change of use to sheltered/supported hostel accommodation for single homeless men had been withdrawn by Cornerstone Trust.

858. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN

Members were informed that the final UDP document is now available. Copies have been despatched to Councillors and Community Councils and would be deposited in the Members' Group Rooms, Local Libraries and will be available on the Denbighshire Web Site.

859. APOLOGY

Legal Services Manager apologised to Members for the inclusion of the wrong Membership list on the Welsh Agenda.

860. LOCAL MEMBERS' INVOLVEMENT IN PLANNING COMMITTEE

In response to Members questions it was agreed that Officers prepare an explanatory report on Local Ward Members rights to attend and speak at Planning Committee.

861. 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 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 Adverts 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>
02/2002/1098/PF	(Following consideration of 1 additional letter of representation from Ruthin Town Council) Erection of shed at Playing field Llys Famau Ruthin.
03/2002/0337/PF	(Following consideration of alteration to report - the track is from North West and Rhysgog Farm is to the North East. Conversion of disused stable and coach house to form two dwellings, new vehicular access and installation of two septic tanks (Renewal of Planning Permission previously approved under Code No. 03/204/97/PO) at outbuildings at Plas Berwyn Berwyn Llangollen.
03/2002/0611/PR	(Following consideration of 1 additional letter of representation from Llangollen Town Council - inviting Cabinet Member and AM to a Site Visit). Details of twenty five dwellings, construction of vehicular and pedestrian accesses, and open space (submitted in accordance with Outline Planning Permission granted under Reference No. 03/224/99/PO) at Land South of Greenacres Fron Bache Llangollen. SUBJECT to Amended Condition 5, 7 & 8 5. No development authorised by this approval shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority and such scheme shall be implemented before the construction of any impermeable surfaces draining to this system. 7. There must be no discharge of surface water at any time to the combined sewer system. 8. No building works shall be commenced until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the walls and roofs of the dwellings and garages hereby permitted, and no materials other than those approved shall be used.
08/2002/0892/PF	Reconstruction of previously demolished wing of store barn and replacement roof on existing wing of barn at Tan y Graig Llangar Corwen. (Councillor Sophia Drew wished it to be noted that she voted against the granting of planning permission).
16/2002/1072/PF	(Following consideration of 1 additional letter of representation from P. Williams, Trenalls, Tan y Bryn (2nd letter)). Erection of a dwelling and construction of a new vehicular access at 31 Tan Y Bryn, Llanbedr, Dyffryn Clwyd, Ruthin. SUBJECT to Amended Conditions 4 and 6. 4. The hedge along the site frontage shall not be permitted to exceed a height of 1.05m above the level of the adjacent carriageway at any time,

and no planting or structures above this height shall be permitted anywhere within 2.0m of the back of the footway running along the southern boundary of the site.

6. The finished ground floor level of the dwelling shall not be as shown on the submitted plans but shall be as may be agreed in writing by the Local Planning Authority prior to the commencement of any development. (Councillor N. Hugh-Jones wished it to be noted that he abstained from voting)

- 16/2002/1155/PF Details of house, garage and new vehicular access submitted in accordance with outline planning permission 16/2001/0819/PO at Plot 13 (No. 25) Tan Y Bryn, Llanbedr, Dyffryn Clwyd, Ruthin.
- 25/2002/1107/PO Development of land by the erection of 3 dwellings and construction of associated access and service road (renewal of permission granted under code no. 25/588/99/PO) at Land opposite Penlan, Nantglyn, Denbigh.
- 42/2001/0872/PF Erection of 3 No. Two-storey holiday chalets at Nos 1-4 inc. and retention of 7 No. two-storey holiday chalets at Nos. 5-11 inc. (33 self-catering units total), construction of new vehicular access and formation of car parking area (partly in retrospect) at Graig Park Country Club Ltd, Allt Y Graig, Dyserth, Rhyl
SUBJECT to Amended reason for Condition 9 and New Note to Applicant.
Reason 9. The chalets would not be suitable for full time occupancy
NEW NOTE TO APPLICANT : You are advised that no further development should be carried out on the site until the relevant conditions attached to this planning permission have been complied with, notably condition no 3 (full details of the access) and condition no. 8 (presence of contracted archaeologist on site). Failure to comply with the terms of this planning permission will result in the Council taking action including the serving of a breach of condition notice.
(Councillors Sophia Drew and Neville Hugh-Jones wished it to be noted that they voted against the granting of planning permission).
- 42/2002/1082/PF (Following consideration of 1 additional letter of representation from R. Williams, 5 Rhodfa Pedr, Dyserth).
Erection of 1 No. Detached dwelling and construction of new vehicular access at 1 Rhodfa Pedr, Dyserth, Rhyl.
SUBJECT to Amended Conditions 7 and 8 and New Condition 9.
7. No development shall commence until the approval of the local planning authority has been obtained to the finish of the fenestration for the dwelling hereby permitted, and only the approved finish shall be used.
REASON : To ensure the details are satisfactory in relation to the character and appearance of the building.
8. Notwithstanding the provisions 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 windows additional to those shown on the approved plans shall be inserted at any time.
REASON : To maintain a reasonable standard of privacy in the adjoining dwelling and gardens in the interests of amenity.
9. Before building operations commence the developer shall examine the site for any evidence of landfill gas and shall report the findings of the investigation to the local planning authority. Any precautions arising out of the investigations to be incorporated within the construction of the

dwelling shall be approved in writing by the local planning authority and the construction shall be carried out in accordance with the approved details.

REASON : To ensure that the presence of any landfill gases are taken into account.

43/2002/1188/PF

(Following consideration of 1 additional letter of representation from Head of Highways).

Substitution of house type to 3-storey town houses and creation of 4 additional plots at Tower Gardens Estate Plots 12-18 and 113-116 Anwyls Victoria Road, Prestatyn.

SUBJECT to Additional Condition 5 and New Note to Applicant.

5. The parking spaces shown on the approved plan shall be kept available for that purpose at all times.

REASON : In the interest of highway safety.

NEW NOTE TO APPLICANT : The Denbighshire Access Group draw your attention to the use of low threshold entrances, unobstructed approaches, and a downstairs toilet accessible to wheelchair users to meet Lifetime Homes of 2000 requirements.

The granting of Planning Permission was granted on the Chair's casting vote.

44/2002/1050/PF

(Following consideration of 2 additional letters of representation from the Applicants Agent and Rhyl Environmental Association).

Conversion and extensions to redundant farm buildings to form 8 No dwellings and 3 No. garages, erection of 5 No. garages and construction of 2 No. passing places on approach road (amended application to that approved under Code Ref. 44/1999/0758/PF) at Outbuildings at Pen Y Bryn Farm, Morfa Cwybr, Rhyl.

SUBJECT to the following amendment to Condition 12 and Additional Note to Applicant.

12. Add .."the results shall be submitted in writing to the local planning authority and any works of mitigation considered necessary by the local planning authority to protect any species and their habitat shall be undertaken prior to the commencement of any development and/or incorporated into the development"

REASON : To ensure that the development commences in the period corresponding to the extant planning permission in view of material changes in policy and flood risk considerations.

ADDITIONAL NOTE TO APPLICANT : Your attention is drawn to the fact that the Environment Agency advise that the site may be at risk from flood waters or the site may be effectively cut in the event of a flood.

45/2002/1120/PR

(Following consideration of 1 additional letter of representation from Head of Highways).

Detail of design and external appearance of buildings and CCTV columns and landscaping of the site, as required by Condition No. 1 of outline planning permission Ref. No. 45/2001/0403/PO) at Denbighshire County Council Depot, Ffordd Las, Rhyl.

SUBJECT to Additional Condition 1.

1. A screen wall or fence shall be provided to the south east boundary of the site prior to the occupation of any of the units hereby permitted in accordance with details to be submitted to and approved in writing by the local planning authority.

REASON : In the interests of residential and visual amenity.

46/2002/0758/PF

Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof.

(Following consideration of amendment to report - central reservation has not yet been closed off).

Change of use of land to touring caravan site and alterations to vehicular access at Spring Gardens, The Roe, St. Asaph.

SUBJECT to Amendment to Conditions 3, 7 and 9, New Condition 13 and New Note to Applicant.

3. Add"construction, closing of central reservations and extending etc..."

7. The use hereby permitted shall not commence until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the local planning authority and the approved scheme shall be completed and available for use prior to the use of the site by touring caravans.

REASON : To prevent pollution and flooding.

9. add...."seeding seasons following commencement of the development."

13. The use hereby permitted shall not commence until a scheme for the erection of flood risk warning notices and the implementation of flood risk warning and evacuation plans has been submitted to and approved in writing by the Local Planning Authority and the scheme shall be fully operated whenever the site is in use.

REASON : To reduce the risk of flooding for users of the site.

ADDITIONAL NOTE TO APPLICANT : The Environment Agency advise that the site is at risk from flooding and suitable warning signs should be erected on the site to warn those using the site.

46/2002/0764/PF

(Following consideration of 1 additional letter of representation from Clwyd Powys Archaeological Trust - watching brief required).

Resiting of existing boundary wall (up to 1.5m high) to allow widening of existing footways at St Asaph Cathedral, High Street, St Asaph.

SUBJECT to Amended Condition 4 - Delete "the felling".

47/2002/0514/PF

(Following consideration of additional letters of representation from Applicants Agent, Applicants Landscape Architect, Flintshire Historical Society (objecting on impact).

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

SUBJECT to New Conditions 2 and 3 and New Note to Applicant.

2. 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 landform;

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

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.

NEW NOTE TO APPLICANT : You are hereby reminded that the works to which this permission relates also require Listed Building Consent and that it does not necessarily follow that such Consent will be granted. It is a criminal offence for demolition works or other operations affecting the character of a listed building (including internal alterations) to be carried out without Listed Building Consent; no such works should therefore be carried out until Listed Building Consent has also been granted.

(ii) Refusals

09/2002/1099/PC

Councillor M.A. German declared an interest in the following application and left the Chamber during consideration thereof.

(Following consideration of two additional letters of representation from Applicant requesting deferral and Mr & Mrs T L Morris, Railway Terrace, Afonwen).

Continuation of use of land for storage of railway memorabilia and related items (Retrospective application) at former Railway Land adjoining Aberwheeler Nurseries, Mold Road, Bodfari, Denbigh.

For the following amended reason for refusal 2 - add... "thus the proposal would be contrary to Policy TRA6 of the Denbighshire Unitary Development Plan".

(iii) Listed Building Consent (Subject to referral to CADW)

03/2002/1014/LB

Erection of extensions, alterations and partial demolition of buildings at Trevor Old Mill, Bryn Howell Lane, Trevor, Llangollen

47/2002/0515/LB

(Following consideration of 3 additional letters of representation from Applicants Agents, Applicants Landscape Architect and the Flintshire Historic Society.)

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

(iv) Defer for reasons given

06/2002/0782/PF

(Following consideration of 2 additional letters of representation from Environment Agency Wales - asking for deferral for flood risk assessment and Karen Sinclair (AM)).

Erection of twelve (12) dwellings, construction of new pedestrian and vehicular access, widening of Deunant Estate Road, provision of car spaces for Deunant Estate, provision of children's play area, and construction of bridge with associated culvert at Land at Bryn Llan, Gwyddelwern, Corwen.

DEFERRED to await flood risk assessment information.

45/2002/1057/PF

(Following consideration of receipt of revised plans and 3 additional letters of representation from Principal Countryside Officer, Head of Highways, Applicants - Management Company being set up).

Erection of 20 No. two-storey flats and alterations to existing vehicular/pedestrian access at Fraith Villa, 2a Boughton Avenue, Rhyl.

DEFERRED to allow publicity period on revised plans to expire.

- (v) Site Visits
- 43/2002/1084/PF Erection of 21 dwellings and construction of new vehicular/pedestrian access at Site 3 Bodnant Park Estate, Nant Hall Road, Prestatyn. Site Visit proposed to assess impact of construction traffic on the adjacent residential area.
- 43/2002/0946/PF (Following consideration of 3 additional letters of representation from Mr & Mrs G. Gordon, 1 Clos Aberconwy, W.G. Ball, 2 Clos Aberconwy and Guy Woodcock & Co (on behalf of Mr Gordon, 1 Clos Aberconwy). Erection of single storey extensions to front, rear and side of dwelling at 40 Parc Aberconwy, Prestatyn. Site Visit proposed to consider impact on neighbouring properties.
- 41/2002/0808/PC (Following consideration of 3 additional letters of representation from the Applicant and Head of Highways, JAC AONB). Retention of hardstanding and earth bund and continued use of land for mixed forestry-related uses incorporating storage of machinery/materials in connection with Landscape Contractor's business, timber storage, cutting, bagging and storage of fuelwood, charcoal production, tree nurser, coppice crafts, and woodland-based education and training. Erection of polytunnel. (Retrospective application) OS Parcels No. 2958 & 3256 Adj Warren House, Mold, Bodfari, Denbigh. Site Visit proposed to assess impact on AONB and adequacy of the access.
- (vi) Enforcement Matters
- ENF/2002/0026 (i) Change of use of land to sui generis use including importation and storage of timber. Charcoal burning, preparation of timber for retail sale and other uses associated with a timber yard
(ii) Change of use of land by the stationing of two static caravan units in association with (i) above
(iii) Unauthorised operational development, including alterations to levels of land, creation of a hard standing and an earth bund
At Bodfari charcoal (OS Parcels No. 2958 & 3256), the Caravan Site, the Warren, Mold Road, Bodfari, Denbigh.
DEFER to await the outcome of the Planning application which will be the subject of a Site Visit.
- ENF/2002/0043 Use of land for storage or railway memorabilia and related items at Former Railway Land adjoining Aberwheeler Nurseries, Mold Road, Bodfari, Denbigh.
That authorisation be granted for the following:
(i) Serve an Enforcement Notice to secure the cessation of the unauthorised storage use, removal of all stored items from the land and to reinstate the land to its former condition and appearance.
(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.

862. COMMITTEE PROCEDURES - HIGHWAY OFFICER INVOLVEMENT

Submitted, Report by Head of Planning Services, explaining the role of Highways in the planning process and requesting Members' advice on future involvement of Highways Officers. A range of options were given and it was

RESOLVED that a combination of options 1 and 2 be approved namely :-

1. **Consultation responses** - that the Head of Highways include more detail in his responses including the reason for arriving at a recommendation. The more detailed responses would then be reported to the Planning Committee under consultation responses.
2. **Occasional attendance at Planning Committee** - attendance would be in response to a specific request from the Head of Planning Services or a Member to deal with highway issues arising from a particular application. With regard to Member requests, these would be included within the written request to refer the planning application to Planning Committee.

863. 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 6th January 2003 and advising of the current membership of the Site Visit Panel.

RESOLVED that the approved site visits be held on Monday 6th January 2003.

864. 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 7th November 2002 and 22nd November 2002.

RESOLVED that the report be received.

The meeting closed at 12.20 p.m
