

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Russell House, Rhyl on 29 January 2003 at 10.00 am.

PRESENT

Councillors J. Butterfield, M.L.I. Davies, P. Dobb (observer/local member), S. Drew, A.E. Fletcher-Williams, M.A. German, K.N. Hawkins, D.M. Holder, N.J. Hughes, 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, D. M. Morris (observer/local member), E.A. Owens, W. Roberts,(observer/local member), F. Shaw, J. A. Smith, D.A. Thomas, D.A.J. Thomas, S. Thomas, K.E. Wells, C.H. Williams, P. O. Williams (observer/local member), and R.L.I. Williams

ALSO PRESENT

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

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors E. Edwards, I. M. German, D. Jones (E. A. Owens who will attend later).

994. COUNCILLOR W. G. THOMAS

Chair referred to the recent death of Councillor W.G. Thomas, Rhyl. The Committee stood for 1 minute in silent tribute.

Sympathy was also extended to Bryn Jones who's mother had recently died.

995. DISTRIBUTION OF CORRESPONDENCE TO MEMBERS

Councillor J Butterfield requested guidance on the rules governing distribution of correspondence by individuals to Councillors at Committee. .

Further guidance will be given at a future meeting.

(i) Consents

Application No.

Description and Situation

40/2002/0870/PF

Councillor N. Fletcher Williams declared an interest in the following application and left the Chamber during consideration thereof.

Following consideration of clarification of planning history and alternative to Section 106 Obligation.

Erection of 106 dwellings and construction of new vehicular access at land adjacent to Parc Castell Estate, Ffordd Parc Castell, Bodelwyddan, Rhyl.

Resolved to GRANT but subject to Section 106 Obligation or payment of Commuted Sum prior to issue of Decision Notice.

Amended/Additional Conditions

7. "Prior to the commencement of the development hereby permitted details of a route for construction traffic and a management scheme of construction traffic etc".

12. Add "The scheme of surface water drainage shall include for a surface water regulation system regulating surface water run off rates to a maximum of 5L/S/HA."

15. Any piling required in connection with the construction of the development hereby permitted shall be carried out between the hours of 0900 to 1800 on Mondays to Fridays and at no times on Saturdays, Sundays or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interests of the residential amenity of neighbouring occupiers.

Notes to Applicant - 1. Delete paragraphs beginning "The local sewerage undertaker..." " A full ecological survey..." "The Agency recommends...".

2. Your attention is drawn to Highway Supplementary Notes 1, 2, 4, 5 & 10. 3. Your attention is drawn to the attached Part N Form (New Road & Street Work Act 1991).

42/2002/1244/PF

Following consideration of 1 additional letter of representation from Mrs A C Minshull of 12 Bro Deg, Dyserth. Erection of one dwelling and construction of new vehicular access at land adjoining Santoy, High Street, Dyserth, Rhyl.

Subject to Amended Condition 5 - add"Surface water shall be dealt with by soakaways".

43/1999/0634/PF

Following consideration of 6 additional letters of representation from Prestatyn Town Council, Head of Public Protection, Alan Tomlinson, Mr & Mrs Render 25 Ffordd Ffynnon; Andrew Keep, Head of Prestatyn High School; and Mr & Mrs D Pierce, 8 The Circle, Prestatyn.

Construction of all-weather pitch together with associated floodlights, fencing and car parking (amended proposals including revised drainage scheme) at Prestatyn High School, 2 Princes Avenue, Prestatyn.

Subject to Amended Condition 10:

10 - The pitch, access way and car parking area shall be lit and monitored by CCTV and the CCTV shall be operated at all times when the pitch is in use in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of use of the pitch.

And new Condition 15:

15. Details of the colour of the lighting columns shall be submitted to and approved in writing by the Local Planning Authority. The lighting columns shall be coloured to the approved specification prior to the commencement of use of the all weather pitch and thereafter retained in the approved colour.

Reason - in the interest of visual amenity.

(Councillors A Owens, Ll. Williams and S. Thomas abstained from voting)

43/2002/1084/PF

Following clarification of report regarding an alternative to a Section 106 Obligation in the form of a commuted sum. Erection of 21 dwellings and construction of new vehicular/pedestrian access at 3 Bodnant Park Estate, Nant Hall Road, Prestatyn.

Subject to Section 106 Obligation or payment of Commuted Sum prior to issue of Decision Notice.

- 43/2002/1226/AC Following consideration of correction to report (further dwellings commenced) and following consideration of 1 additional letter of representation from the Principal Countryside Officer.
Details of Condition No. 3 (landscaping) - planning permission Ref. 2/PRE/392/78 land at Melyd Avenue, Prestatyn.
Councillors Sophia Drew and Neville Hughes Jones voted against the granting of planning permission.
- 44/2002/1121/PF Councillor F D Jones declared an interest in the following application and left the Chamber during consideration thereof and Councillor R. Ll. Williams took the Chair. Following consideration of 2 additional letters of representation from the Head of Highways and T J & Mrs V Williams, Gwylfa, Rhyl Road, Rhuddlan. Installation of multi-use games area incorporating 6 No. 8m high floodlight columns, 3.9m (overall) high security fencing and associated storage facility at The Admiral's Playing Field, Rhyl Road, Rhuddlan.
Subject to Amended Condition 7.
7. add... "being restricted levels within CIBS and ILE Zone 3 providing an average luminance level of the playing surface not exceeding 170 lux."
- 45/2002/1215/PF Change of use from 1 dwelling to 2 dwellings at 4 Grange Park, Rhyl.
Subject to Amended Condition 3.
3. No dwelling shall be occupied until the parking space(s)/garage and access thereto have been laid out/constructed in accordance with the approved plans.
- 45/2002/1307/PF Following consideration of 1 additional letter of representation from Head of Highways - no objection.
Renewal of Application Ref No: 45/958/97/PF comprising of change of use of retail shop to take-away/eatery at part of ground floor
Subject to New Note to Applicant - Grease traps should be installed on the drainage system serving the takeaway/cafe/restaurant.
- 47/2002/1286/PC Retention of double garage with store over (retrospective application) at Barnsfield, Holywell Road, Rhualt, St Asaph.
- 01/2002/1091/AC Following consideration of 1 additional letter of representation from Denbigh Town Council
Details of public open space submitted in accordance with condition 1 of permission code no 1/2000/43/PS at Site 10 Parc Alafowlia, Denbigh.
- 01/2002/1134/PS Ms Jane Kennedy declared an interest in the following application and left the Chamber during consideration thereof.
Variation of Condition 2 of planning permission granted under appeal under code no 1/1999/0891/PF (requiring the provision of stabling for 18 horses or ponies prior to the use of land for keeping of horses or ponies to a maximum of 18 at any time), to allow the provision of stabling for 9 horses instead of 18 at Stables and land at Howells School, Denbigh.
Subject to Amended Condition 1.
1. "The change of use hereby permitted shall not be commenced until there has been provided at Howell's School,

Denbigh, stabling for the number of horses or ponies it is intended to be kept at the school or on the land, subject to a maximum of 18 at any one time; and no horse or pony to be kept on the land shall be owned or under the control of a person other than a pupil or member of staff of the school.

01/2002/1196/TP

Following consideration of 1 additional letter of representation from applicant - informing of the planted 17 new trees. Proposed pruning of 2 trees and felling of one tree protected by Tree Preservation Order at Tir y Dail, Park Street, Denbigh.

Subject to Amended Condition 3.

3. Replanting shall take place no later than the first planting season following the removal of the trees, in position to be agreed in writing with the Local Planning Authority, to include for the planting of no fewer than 3 trees including beech, hornbeam or lime trees no smaller than 1.8m in height, all staked and tied; and any such replacements which within a period of 5 years of replanting, die, or are damaged, shall be replaced with trees of the same or other agreed species in the following planting season.

01/2002/1205/PF

Following consideration of 2 additional letters of representation from Denbighshire Access Group and M & S Humphreys, 3 Parc Cambrian, Old Colwyn.

Erection of three residential care units with ancillary works, and alterations to Glasfryn ward block at Gwynfryn Hospital Site, Nantglyn Road, Denbigh.

Subject to New Conditions 9 & 10 and New Note to Applicant.

9. The three residential units hereby approved shall be occupied solely as care units for high dependency pupils in connection with the education and care facility for autistic children at the Gwynfryn site.

Reason: The site is in open countryside and the erection of dwelling units unconnected to an existing enterprise would be contrary to planning policies.

10. None of the units hereby approved shall be occupied until the completion of the following:-

(a) The provision of parking and turning facilities, in accordance with such detailed plans as are submitted to, and as are approved in writing by, the local planning authority.

(b) The provision of improvements to visibility at the point of entry to the classified road, to 2.4 metres x 33 metres in either direction.

Reason: In order to ensure adequate and safe access and parking facilities.

New Notes to applicant:

Your attention is drawn to Highway Supplementary Notes 1, 2, 4, 5 & 10.

Your attention is drawn to the attached Part N Form (New Road & Street Work Act 1991).

16/2002/0985/PO

Following consideration of corrected location plan circulated and 2 additional letters of representation from Llanbedr Community Council and the Head of Public Protection. Development of land by the erection of a dwelling to include construction of new vehicular and pedestrian access, and

installation of septic tank (outline application)at Kingsmead, Llanbedr Dyffryn Clwyd, Ruthin.

Subject to Amended Condition 10, New Condition 11 and New Notes to Applicant 1, 2 and 3.

10. The position and detailing of the foul and surface water drainage system shall be in accordance with such details as may be submitted to and approved in writing by the local planning authority

11. The type of dwelling to be erected shall be a bungalow.

Reason: In the interests of visual amenity and to ensure a proper relationship with adjoining development.

NOTES TO APPLICANT

You are advised to prepare and discuss sketch ideas for the dwelling with the Development Control Case Officer prior to the submission of detailed plans, in particular to address the siting in relationship to adjacent development.

Local Planning Authority's attention has been drawn to the presence of foul/surface water drainage systems within the plot and you should ensure no development commences until all relevant consents are obtained to the details of the system; the grant of planning permission does not convey any consent to interfere with private legal arrangements for the use of the land by adjacent properties for drainage purposes.

Your attention is drawn to Highway Supplementary Notes 1, 2, 4, 5 & 10.

Your attention is drawn to the attached Part N Form (New Road & Street Work Act 1991).

21/2002/0911/PF

Subject to the receipt of no further representations raising planning matters not already covered in the report by 4th February 2003. Following consideration of 1 additional letter of representation from Welsh Water. Erection of 2 semi-detached dwelling houses and construction of new vehicular access at land adjacent to Swyn y Coed, Village Road, Maeshafn, Mold.

Subject to New Condition - No surface water shall be permitted to discharge to the public foul sewer at any time.

(ii) Refusals

Application No.

Description and Situation

01/2002/1131/PF

Erection of two storey office/storage building at Car Park opposite Copyrite House, Vale Road, Denbigh.

(iii) Grant Against Recommendation
For Reason Given

Application No.

Description and Situation

41/2002/0808/PC

Following consideration of 2 additional letters of representation from JAC AONB, Principal Countryside Officer, Forestry Commission, Applicant Mr & Mrs Collins, Glascoed, Bodfari.

The Committee resolved to grant planning permission subject to conditions for:

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 nursery, coppice crafts and woodland-based education and training. Erection of polytunnel (Retrospective application) at OS Parcel No. 2958 & 3256 Adjacent to Warren House, Mold Rod, Bodfari, Denbigh. The resolution, being CONTRARY to the Officer's Recommendation was taken for the following reason: That Members considered that conditions could be imposed to ensure that any impact on the landscape, residential amenity and the local highway network would be acceptable. The details of the conditions would be reported to a subsequent meeting for agreement. The application requires referral to Full Council as a significant departure from the development plan.

(iv) Refuse Against Recommendations

Application No.

Description and Situation

43/2002/0964/PF

Following consideration of 3 additional letters of representation from Mr & Mrs Gordon 1 Clos Aberconwy (2 letters) P W G Bell, 2 Clos Aberconwy, Prestatyn. Erection of single storey extensions to front, rear and side of dwelling at 40 Parc Aberconwy, Prestatyn. REFUSE for the following reason: 1. The proposed side and rear extensions would, by reason of their siting and height relative to adjoining properties, result in a loss of light and overpowering impact on No.'s 1 & 2 Clos Aberconwy to the detriment of the residential amenity of the occupiers of those properties and in conflict with Policies GEN6 and HSG12 of the Denbighshire Unitary Development Plan. The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason: Over intensification of the land and Loss of Amenity to adjacent properties.

45/2002/1057/PF

Councillor N F Williams declared an interest of the following application and left the Chamber during consideration thereof. Following consideration of correction to report re alternative to Section 106 Obligation and 7 additional letters of representation from the Head of Highways, Principal Countryside Officer, Ann Jones (A. M.), G. D. Hornby 1 Russell Court (2 letters), Gwyn Jones 12 Russell Court, D Ellis Chesterton Care Home, 2 Boughton Avenue. Erection of 20 No. two storey flats an alterations to existing vehicular/pedestrian access at Frait Villa, 2a Boughton Avenue, Rhyl. The decision, being CONTRARY to the Officer's Recommendations was taken for the following reason(s): The access to the development due to its width would be inadequate to serve the development. Member also recommended that a Tree Preservation Order be served. Resolve to REFUSE the planning application on grounds of inadequate access. (The need to refer the application to Full Council due to the possibility of costs being awarded at appeal should the application be retained in its present form was stated). Councillors G. Jones and N. Hughes abstained from voting.

45/2002/1183/PO

Development of 0.15ha of land by demolition of existing buildings and redevelopment for retail use and alterations to existing vehicular access (outline application) at 18-20 Vale Road, Rhyl.

The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason(s): Highways Safety. 1. The proposal would lead to increased use of a vehicular access at a busy traffic light control junction at the corner of Marsh Road and Vale Road. Thus it would be likely to lead to increased vehicular movements into the site in conflict with traffic movements at the junction and pedestrian use of the footway to the detriment of the safety and convenience of all highway users and in conflict with Policies GEN6 and TRA6 of the Denbighshire Unitary Development Plan.

(v) Site Visit

Application No.

Description and Situation

03/2002/1204/PF

Following consideration of 1 additional letter of representation from Applicant's agent. Change of use of existing public house to 4 dwelling units at Jenny Jones Hotel, Abbey Road, Llangollen. To allow Members the opportunity to assess:

- The access, highways and parking
- Amenity implications and impact on neighbouring properties

(vi) Defer for Reason Given

Application No.

Description and Situation

15/2002/1245/AC

Following consideration of 5 additional letters of representation from Llanarmon yn Ial Community Council, Andrew Roberts Crudy Gwynt, Andrew Milligan Arfryn, M P Boyett Tyn y Union, J Fay, Pen y Lot Cottage Eryrys.

Details of size and external detailing of the caravan submitted in accordance with condition number 3 of planning permission 15/2001/230/PO at Eryrys Caravan Park, Bryn Awelon, Eryrys, Mold. Defer to consult with AONB Joint Advisory Committee.

The meeting being not quorate at 2.10 pm, the following items to be referred back to the next Planning Committee.

996. ENFORCEMENT ITEM: ENF/2002/26 - BODFARI CHARCOAL, THE WARREN, BODFARI.

Terms of 106 Obligation, land at Pant Glas, St Asaph.

Proposed 25 Turbine Windfarm, Tir Mostyn, Foel Coch, Nantglyn.

Meeting closed at 2.10 pm
