

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee, held in the Council Chamber, Russell House, Rhyl on 23rd July 2003 at 10.00 am.

PRESENT

Councillors F. D. Jones (Chair), J. Butterfield, S. Drew, A. E. Fletcher-Williams, I. M German, M. A. German, K. N. Hawkins, D. M. Holder, N. J. Hughes, R. W. Hughes, N. Hugh Jones, E. R. Jones, G. Jones, M.M. Jones (observer/local member), P. M. Jones, R. J. R. Jones, E. A. Owens, A. E. Roberts (observer/local member), D. A. Thomas, K. E. Wells, C. H. Williams, P. O. Williams and R. Ll. Williams.

ALSO PRESENT

County Clerk, Acting Head of Planning Services, Principal Planning and Enforcement Officer, Principal Planning Officer (South), Senior Planning Officer (North), and Administrative Officer (Gwen Butler).

APOLOGIES FOR ABSENCE

Councillors S. Kerfoot Davies, J. Smith, F. Shaw, R. E. Jones, D.A.J. Thomas and S. Thomas

307 URGENT MATTERS

The Chair introduced Planning Assistant Lyndsey Bowman and Paul Mead (Senior Planning Officer (North))

The Chair referred to the indisposition of Councillors R. E. Jones and F. Shaw and the committee wished them a full recovery.

The County Clerk referred to recent discussions on Code of Conduct for Members. The National Assembly has not yet finalised the guidance, but the Local Authority Ombudsman is dealing with a number of maladministration cases in Wales relating to declarations of interest. The County Clerk advised Members to seek advice if in doubt.

The Acting Head of Planning Services advised Members that the RTP1 is holding the National Summer School in Bangor this year. Any Members interested in attending should contact Planning Services.

The Acting Head of Planning Services advised Members that the Planning Workshop had been arranged for Friday 24th October 2003. Further details to follow, but this will involve a tour of interesting sites followed by a workshop to discuss relevant planning issues. Councillor D.A. Thomas suggested that a member of staff from Highways be involved in the workshop session.

Councillor D.A. Thomas sought support for Contract Services' open day at Bodelwyddan on 25 July 2003. Councillors welcome to attend between 10am and 4pm

308 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, be 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 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**

Application No. Description and Situation

30/2002/0880/PF (Councillor A.E. Fletcher-Williams declared an interest in the following application and left the Chamber during consideration thereof). Following consideration of 1 additional letter of representation from Councillor M L Davies.

Erection of extension to factory outlets, formation of car and coach parking, servicing and play areas at Tweedmill Factory Shopping, Llannerch Park, St Asaph.

Subject to Referral to Full Council as a significant departure.

Additional Condition No. 16 -

16. Prior to the commencement of the development hereby permitted details of an additional line of security fencing to the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority and such fencing shall be erected within 1 month of details being agreed and retained thereafter.

Reason: In the interests of residential amenity.

Notes to Applicant -

1. No development shall take place until the water distribution which is in the site of the proposed development is diverted at least 3m away from any proposed development in accordance with a scheme to be submitted to BAPTIE (Welsh Water).

2. Please ensure every attempt is made to incorporate fully bilingual signage at the site in accordance with the intention of the Welsh Language Act and to enhance the tourist experience.

30/2003/0033/PR

Following consideration of 1 additional letter of representation from Councillor N Hugh Jones. Details of 14 No. dwellings, means of access and landscaping submitted in accordance with Condition No. 1 of outline application Ref. No. 30/2000/918/PO at land at The Haven, Trefnant, Denbigh.

Subject to: Amended Condition 11 - "Any piling operations shall be carried out strictly in accordance with a Method Statement to include details of times and hours of operation of such activity which shall be submitted to and approved in writing before hand by the Local Planning Authority.

Reason: In the interests of amenities of existing neighbouring residents. (Councillor S. Drew voted to refuse planning permission)

43/2003/0274/PF

Following consideration of amendment to paragraph 5 and 2 additional letters of representation from Mr P Rich, 7 Linden Walk, Prestatyn and Prestatyn Town Council. Erection of 2 No. dwellings and alterations to existing vehicular access at land at rear of 18 Gronant Road, Prestatyn. (Councillor S. Drew voted to refuse planning permission)

(The Case Officer to advise Head of Highways of Members' request for no overtaking (white lines) symbol on road outside site at brow of hill to prevent parking on either side of the busy stretch of road.)

43/2003/0768/PC

Following consideration of a revised location plan circulated. Retention of conservatory at rear of dwellinghouse (retrospective application) at 42 Parc Aberconwy, Prestatyn.

45/2003/0477/PF

Following consideration of 3 additional letters of representation from the Head of Highways; S A Rollason, 38 Spruce Avenue, Rhyl and additional information from Head of the School.

- Erection of free-standing unit for provision of out-of-hours accommodation for breakfast, after-school and holiday club together with associated car park at Ysgol Bryn Heddyd, 42 Spruce Avenue, Rhyl.
- 45/2003/0613/PF Following consideration of 1 additional letter of representation from Rhyl West Marine Residents Association. Change of use of flatlet house to supported respite holiday accommodation incorporating ground-floor office/mentoring facility for local social needs at 23 Westbourne Avenue, Rhyl.
- 45/2003/0642/PF (Councillor Ann Owens declared an interest in the following application) (Following consideration of 3 additional letters of representation from Welsh Water; Access Officer and Mr and Mrs Adams of 10 Grange Park, Rhyl).
Alterations and extensions to sports centre to form new entrance and store-room. Erection of new boundary fencing and upgrading of lighting scheme to reduced-size-all-weather pitch. Construction of all-weather running track with fencing and lighting. Formation of parking areas and footways with additional lighting at Rhyl High School and Leisure Centre, 86 Grange Road, Rhyl.
Subject to: Additional Condition No. 9 - Prior to the commencement of any development hereby permitted the pedestrian gate link from the school/site at the rear of Grange Park shall be closed off and an alternative link provided further north in accordance with details to be submitted to and approved by the Local Planning Authority.
Reason: In the interests of residential amenity.
Note to Applicant - BBTIE - No land drainage run off will be permitted, either directly or indirectly to discharge into the public sewerage system. No additional surface water shall be allowed to connect to the public sewerage system.
- 45/2003/0700/PF Removal of nightclub extension and change of use and alterations to hotel to form 20 no. apartments, formation of new vehicular access and parking areas at Marina Hotel, 11-13 Marine Drive, Rhyl.
To be referred to Full Council as a significant departure.
Note to Applicant - For further avoidance of doubt the permission relates only to the change of use/conversion of the existing building to 20 No. flats. Comments of Disabled Access Officer to be added. (Councillor Sophia Drew wished it to be noted that she voted to refuse planning permission.)
- 02/2003/0222/PO Following consideration of revised officer's report circulated. Development of land for residential use including means of access (outline application) at Nursery, Off Greenfield Road, Ruthin.
Subject to: Correction of Councillor Cefyn Williams' name in the report. The Planning Committee resolve to attach a Section 106 Legal Agreement or Planning Obligation to the resolution to grant planning permission in respect of affordable housing. In effect, this means that;
(a) the planning permission decision certificate cannot be issued until this legal agreement has been signed.
(b) the legal agreement cannot be signed until the affordable housing issue on the site has been clarified.
If there is a proven need and if this site can contribute feasibly and economically then the housing agencies will then negotiate as to what and how local affordable housing can be provided. If there is no need and the site is not feasible/suitable then the matter will be taken back to the Planning Committee for the Section 106 obligation to be discharged. The planning permission decision certificate can then be issued.

Amended Condition 5 - None of the dwellings on the site shall be occupied until the access from the site onto the track leading to Greenfield Road has been constructed in accordance with such details as are approved in writing by the Local Planning Authority.

Amended Condition 9 - None of the dwellings on the site shall be occupied until the written approval of the Local Planning Authority has been obtained to the detailing of a screen wall or fence along the eastern boundary of the site, and the wall or fence has been erected in accordance with the approved plans.

(Councillor P. O. Williams abstained from voting.)

(ii) **Refusals**

02/2002/1159/PO

Erection of dwelling, detached garage and associated works at land adjacent to Tyn y Caeau, Llanrhydd, Ruthin.

Amended Reason - 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 the existing collection of houses in the vicinity of the site does not comprise a continuous line of built up residential frontage, a clearly identifiable group or focus of dwelling units on an identifiable cross-roads or cul-de-sac, and does not contain six or more dwellings; and its development would be in conflict with Unitary Development Plan Policy HSG 5, Policy GEN 3 and Policy GEN 4 and advice in Planning Policy Wales (March 2002) as it will lead to the consolidation of sporadic and scattered development in the countryside, detrimental to its character and appearance.

18/2003/0086/PF

Erection of a dwelling and detached garage, and construction of new vehicular access and septic tank at land at Celynog, Llandyrnog, Denbigh.

Amended Reason - 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 the existing collection of houses in the vicinity of the site does not comprise a continuous line of built up residential frontage, a clearly identifiable group or focus of dwelling units on an identifiable cross-roads or cul-de-sac, and does not contain six or more dwellings; nor would it comprise the infilling of a small gap between buildings of a comparable scale and size in adjacent properties; and its development would be in conflict with Unitary Development Plan Policy HSG 5, Policy GEN 3, and Policy GEN 4 and advice given in Planning Policy Wales (March 2002), as it will lead to the consolidation of sporadic and scattered development in the countryside, detrimental to its character and appearance.

18/2003/0531/PF

Development of land by the erection of a dwelling (outline application) at land adjoining 3 Bancar Cottages, Llandyrnog, Denbigh.

Amended Reason - 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 the existing collection of houses does not comprise a continuous line of built up residential frontage, a clearly identifiable group or focus of dwelling units on an identifiable cross-roads or cul-de-sac, and does not contain six or more dwellings; and its development would be in conflict with Unitary Development Plan Policy HSG 5, Policy GEN 3, Policy GEN 4 and advice in Planning Policy Wales (March 2002) as it will lead to the consolidation of sporadic and scattered development in the countryside.

- 24/2003/0473/PO Development of land by the erection of 2 no. dwellings, construction of new vehicular pedestrian access (outline application) at land adjoining Berllan Glyd, Llanynys, Denbigh.
Amended Reason - It is the view of the Local Planning Authority that the erection of a dwelling on the site would conflict with Policy HSG 5 of the Denbighshire Unitary Development Plan insofar as the development would not comprise the infilling of a small gap between buildings within a continuously developed frontage, as the loose collection of houses comprises more than one group interspersed by an individual field parcel, the plot is not comparable in scale and size to adjacent properties and plots, and would unacceptably affect the amenity of occupiers of nearby dwellings given the proximity of Plot 2 to No 6 Glyn Castell; and the development would lead to the consolidation of sporadic and scattered development in the countryside, conflicting with Unitary Development Plan Policy HG 5, Policy GEN 6(v), Policy GEN 3, Gen 4 and guidance in Planning Policy Wales, (March 2002.)
- (iii) **Site Visits**
- 47/2003/0476/PF Following consideration of 4 additional letters of representation from MM Bibby, Cartref, Tremeirchion; T & P Bryer, Dyffryn Glas; J Alan Wright (on behalf of T & P Bryer); J & J Mort, Bryn Haf, Tremeirchion.
Erection of 2 no. detached dwellings (change of house types by substitution of sun lounges for conservatories, alterations to elevations, provision of terraces & details of garden profiling) (partly retrospective) at land adjoining Groesffordd, Tremeirchion, St Asaph.
Site Visit - to assess impact of amendments on amenity of neighbouring dwellings.
- 03/2003/0464/AD Installation of internally illuminated ATM box panel sign on existing ATM at Barclays Bank Plc, 9 Castle Street, Llangollen.
Site Visit - to assess the impact of this illuminated sign on Llangollen Town Conservation Area.
- 03/2003/0417/PF Following consideration of 3 additional letters of representation from Llangollen Town Council; Head of Highways; Llangollen and District Royal British Legion.
Conversion of garage to servery, construction of terraced area, new pedestrian access onto footway and associated landscaping and seating association with use of garden as outdoor eating area at land opposite The Royal Hotel, Bridge Street, Llangollen.
Site Visit - to assess the impact of this development on Llangollen Town Conservation Area, the War Memorial and neighbouring properties.
- (iv) **Defer for Reasons Stated**
- 46/2003/0158/PF Councillor Andrew Thomas declared an interest in the following application and left the Chamber during consideration thereof. Following the consideration of 1 additional letter of representation from Dr A P J Lake, 21 Bishops Walk, St Asaph. Erection of 39 No. dwellings and formation of new vehicular access at land adjoining Elwy Park Estate off Llys Dyffryn, St Asaph.
Defer - to allow further discussions between applicant and officers with an aim of securing the required on site play area/public open space.
- (v) **Enforcement Matters**

- ENF/2002/43 Former Railway at Ty Draw, land adjacent to Aberwheller Nurseries, Mold Road, Bodfari.
Erection of palisade fencing in excess of 2m in height.
Authorise the following
(i) Serve an Enforcement Notice to secure the removal of the unauthorised fencing and gates.
(ii) Instigate prosecution proceedings, or other appropriate action under the Planning Act, against any person or person 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.
- ENF/2003/9 Casgan Fishery, Ruthin Road, Llandegla.
Change of use of land by the stationing of a static caravan for residential purposes and the storage of other items including touring caravan and motor vehicles.
That authorisation be granted for the following:
(i) Serve an Enforcement Notice to secure the removal of the static caravan from the land, the cessation of the residential use, and the removal of all other stored items from the land.
(ii) Instigate prosecution proceedings, or other appropriate action under the Planning Acts, against the person or persons upon whom any Enforcement Notice, or other such Notices served, should they fail to comply with the requirements thereof.

309 RENAMING/RENUMBERING OF PROPERTIES IN LARKMOUNT ROAD, RHYL

Submitted, report by Acting Head of Planning Services advising Members of proposed changes to numbering and street names at the above development.

Notwithstanding the officers recommendations it was resolved to DEFER this item to resolve the issue of better signage and another name for the development which does not include the word Larkmount.

310 APPEAL DECISIONS JANUARY-JUNE 2003

Submitted report by Acting Head of Planning Services for information.

RESOLVED that the report be received.

311 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 1st August 2003 and advising of the current membership of the Site Visit Panel.

RESOLVED that the approved site visits be held on 1 August 2003.

An alternative proposal of 4 August 2003 was defeated.

312 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 1 June 2003 and 20 June 2003.

RESOLVED that the report be received.

Meeting closed at 1.25 p.m.
