

PLANNING COMMITTEE

Minutes of Planning Committee held at Council Chamber, Russell House, Rhyl on 29th October 2003 at 10.00 am.

PRESENT

Councillors F.D. Jones (Chair), J. Butterfield, M.LI. Davies, S. Drew, A.E. Fletcher-Williams, I.M. German, M.A. German, K.N. Hawkins, D.M. Holder, N. Hugh-Jones, D. Jones, G. Jones, M.M. Jones, R.E. Jones, R.J.R. Jones, J.S. Kerfoot-Davies, D.M. Morris, E.A. Owens, F. Shaw, D.A.J. Thomas, W.R. Webb, C.H. Williams, P.O. Williams, R.LI. Williams.

ALSO PRESENT

Acting Head of Planning Services, Legal Services Manager, Development Control Manager, Principal Planning Officer (South), Head of Transport and Infrastructure (S. Kent), Administrative Officer (G. Butler), D.B. Jones. (Translator).

BEREAVEMENT

The Chair referred to the recent death of Mrs Gwen Butler's mother and the meeting stood for one minutes silence.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors. E.R. Jones, S. Thomas, J. Smith, N. Hughes, E.C. Edwards, P.M. Jones.

602. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Acting 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 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

<u>Application No.</u>	<u>Description and Situation</u>
02/2003/0923/PF	Following consideration of correction to report (Head of Highways response). Erection of building containing 15 flats, with associated parking area and landscaping. Land at Market Street Ruthin.
02/2003/0937/PF	(Following consideration of 1 additional letter of representation from Head of Highways). Demolition of The Mount and erection of replacement dwelling, construction of new vehicular access and installation of new septic tank. The Mount, Llanfwrog, Ruthin Subject to Amended Conditions 3 and 5

3. In respect of demolition works, none shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to:-
(a) The full extent of demolition (to include The Mount and all boundary walls along the highways frontage up to the Coach House) and the arrangements for accessing the site to carry out the demolition works.

(b) The proposed after treatment of the land at and around the demolished buildings/walls, to incorporate the highway visibility improvements required in connection with the remainder of the development, details of the highway verge treatment, removal of trees/hedges, the proposed levels, proposed landscaping/planting and the means of defining the boundary of the site, and the means of closure of the existing access(es) off the highway into the site.

5. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to all of the following:-

a) The materials to be used on the external walls and the roofs of the new dwelling, the frames of all windows and doors, the balustrades and railing, the steps and the surfacing of the driveway.

b) The final floor levels of the dwelling, the levels of the gardens and driveway.

c) The proposed height, design, materials and mortar mix of all garden and boundary walls.

d) A comprehensive levels and tree survey of the existing site.

e) The extent of tree removal and retention, and proposals, and proposals for protection significant trees in the course of the development.

f) The species, height and density of landscaping/planting within the garden.

g) The proposed garage doors, which shall not be as shown on the submitted plans.

h) The detailing of any proposed pedestrian accesses onto the highway.

i) The detailing of the new vehicular access visibility splays along the highway and the treatment of the highway boundary which shall not be shown on the submitted plans, the details to include for an improved visibility splay for the access of 2.4m x 120m in the westerly direction (or such alternative as agreed by the Local Planning Authority) and full details of the treatment of the highway verge between the proposed access and the retained Coach House, including the removal of highway embankments, hedgerow/trees, and the details of the remodeling of the verge area to provide improved visibility along the highway.

j) The timing of completion of all the works required by a) – i) of this condition; and the development shall be carried out strictly in accordance with the plans and details approved in connection with this condition.

(Councillor N. Hugh-Jones wished it to be noted he abstained from voting).

03/2003/0991/AC

Details of hard and soft landscaping, wildlife surveys and photographic survey of existing mooring basin submitted in accordance with condition number 6, 10, and 11 of planning permission no. 03/2001/622/PF. Llangollen Mooring Basin Dinbren Road, Llangollen.

05/2001/0137/PR

Details of three detached dwellings and formation of vehicular accesses submitted in accordance with outline planning permission previously granted under code no 05/1073/97/PO. Land adjoining The Crescent, Corwen

07/2003/0929/PF

(Following consideration of 1 additional letter of representation from owner/occupier of Berth Lwyd, 5 Tyn y Groes, Llandrillo).
Erection of 2 no. detached bungalows and associated works.
Plots 2 and 2A Maes Hir Llandrillo Corwen.

- 14/2003/0976/PF Erection of 2 dwellings and 1 bungalow and construction of new vehicular access.
Land adjoining Maes Y Delyn Cyffyllog, Ruthin.
- 18/2003/1050/PO (Following consideration of 1 additional letter of representation from Cymdeithas Tai Clwyd).
Development of land for residential purposes and construction of new vehicular access (outline application).
Land adjoining Tyn Llan Farm, Llandyrnog, Denbigh.
Subject to the completion and signing of a Section106 obligation within 12 months requiring the transfer of part of the site for affordable housing and the provision of commuted sums for maintenance of on site open spaces or the voluntary payment to cover maintenance.
- 18/2003/1074/PF (Following consideration of 1 additional letter of representation from Head of Public Protection).
Continued use of former agricultural buildings as workshop for assembly of agricultural livestock transporters and widening of existing vehicular access and associated works.
Speddyd Llandyrnog, Denbigh.
(Councillor S. Drew wished it to be noted that she voted to refuse planning permission).
- 20/2003/0971/PO (Following consideration of 1 additional letter of representation from Environment Agency Wales).
Development of land by the erection of a dwelling, alterations to existing vehicular access and installation of a new septic tan (outline application).
Bryn Anos Pentre Celyn, Ruthin.
(Councillors N. Hugh-Jones and Sophie Drew wished it to be noted that they voted to refuse planning permission).
- 23/2003/0974/PF Following consideration of spelling corrections to report and the following correction: "timing of receipt of representations" was the only reason for delay
Erection of extension to existing dwelling
20 Cae'r Felin Llanrhaeadr YC, Denbigh.
- 31/2003/1079/PF (Following consideration of 1 additional letter of representation from the applicant who has now had a licence). An update to the report regarding radio/TV interference, (not considered a basis for refusal). No reply received from Cefn Meiriodog Community Council.
Erection of 9.5m high (maximum) extendable and demountable lattice mast and radar antenna.
Unit 12 Ffordd Richard Davies St. Asaph Business Park St. Asaph.
Councillor Sophie Drew wished it to be noted that she voted to refuse planning permission.
- 43/2003/0981/PC (Following consideration of 1 additional letters of representation from: Cadw (Welsh Historical Monuments)) and an addition to the report regarding the relevant planning history).
Erection of 8 no. dwellings (amendments to dwelling design incorporated gabled dormers granted under planning permission reference: 2/PRE/392/78) (partly retrospective).
Plots 12-19 inc. land at Melyd Avenue, Prestatyn.
(Councillor Cefyn Williams abstained from voting).

- 43/2003/1018/PF Following consideration of 5 additional letters of representation from Applicant's agent; The applicant; Denbighshire Local Health Board; Access Officer; Mrs S Cawley, 7 Highbury Avenue.
Erection of single-storey extensions to residential home to provide 7 additional bedrooms, dayroom and sunroom, and front office extension.
Priory House Residential Home 61-63 Gronant Road
Prestatyn.
Subject to amendment to condition 2 add "in their entirety"
New Note to Applicant
Denbighshire County Council Access Officer recommends the following:-
i) Entrance to property to be low threshold
ii) Level or ramped access, 1:20 or 1:15 preferred (1:12 only where other gradients cannot be met)
iii) En-suite bathrooms to allow for wheelchair user use. (recommendations British Standards 8300)
iv) Public Accessible WC to meet specification of British Standards 8300.
(Councillor N. Hugh-Jones and Sophie Drew wished it to be noted they voted to refuse planning permission).
- 43/2003/1124/PF (Following consideration of 1 additional letter of representation from Prestatyn Town Council).
Erection of conservatory at rear of dwellinghouse.
21 Stephen Road, Prestatyn.
(Councillor Sophie Drew wished it to be noted she voted to refuse planning permission).
- 45/2003/0948/PF Erection of single-storey flat-roofed extension for shed at side of dwellinghouse (partly retrospective).
39 Viola Avenue, Rhyl.
(Councillor Sophie Drew abstained from voting).
- 45/2003/0956/PF Following consideration of 1 additional letter of representation from Access Officer.
Conversion of former holiday flatlets to 10 No. self-contained flats, rear extensions and car parking arrangements.
48/49 West Parade Rhyl.
Subject to New Condition 7 and New Note to Applicant
7. Details of the materials and colour finish of all rain water goods shall be submitted to and approved in writing by the Local Planning Authority and only the approved rainwater goods shall be used as part of the scheme of conversation and alteration.
Note to applicant
You are advised that the means of escape from fire indicated on your proposals are considered to be unsatisfactory under the provisions of the Building Regulations 1991. Please ensure that this matter is addressed prior to the implementation of this planning permission and any necessary Building Regulations approvals. Please confirm the provision of internal staircases in this respect.
(Councillor C. Williams abstained from voting)
- 45/2003/1125/PF Subject to the receipt of no further representations raising a planning matter not already covered in the report by 11th November 2003.
Following consideration of 1 additional letter of representation from Rhyl Town Council.
Erection of two-storey and single-storey pitched-roof extensions at side of dwellinghouse 13 Lon Ystrad, Rhyl.

Following consideration of 9 additional letters of representation from:
Environment Agency; Head of Public Protection; Land Drainage Section,
Highways and the following individuals:

1. Mr D J Gormley, Brynllithrig Stables, Rhualt
 2. Mrs Thompson, Flat 1b Maes Rathbone, Waen
 3. Mrs Riley, Fron, Rhualt Road, Cwm
 4. Bryn Williams, Derwyn Bach, Plas yn Cwm,
St Asaph
 5. Captain and Mrs S Baxter, The Marl, Cwm
- Change of use of land to form caravan site for 10 No. touring caravans and landscaping.

White House Hotel Holywell Road Rhualt St. Asaph.

Subject to Amended Condition 2 and 4.

2. Add "The landscaping scheme shall include for planting to the northern boundary of the application site".

4. "The site shall only be used for 10 caravans on tour etc".

New Conditions 9,10, 11 and 12.

9. Prior to the commencement of the use hereby permitted all existing structures on the site, including the polytunnel, greenhouses and sheds to the northern part of the site, shall be removed and all debris cleared from land in the control of the applicant.

10. Provision shall be made within the overall White House site for a dog walking area to serve the proposed and existing caravan site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The dog walking area shall be provided prior to the commencement of the touring caravan site use.

11. Provision shall be made for a height barrier to the western most vehicular access to the White House site prior to the commencement of the touring caravan site use in accordance with details to be submitted and approved in writing by the Local Planning Authority.

12. The touring caravan site use hereby permitted shall not be commenced before provision has been made within the site for the disposal of foul and surface water drainage to serve the proposed use and existing uses on the White House site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

New Notes to Applicant

(1) The Environment Agency advise as following:

It is the responsibility of the applicant to ensure that the development will not affect any existing legal water interests in the area.

The foul drainage system should be sited so as not to cause pollution of any watercourse, well, borehole, spring or groundwater.

The applicant should ensure that the existing septic tank is in a good state of repair, regularly desludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of this proposal.

If the developer intends to discharge effluent from the septic tank/sewage treatment plant other than by a soakaway system, they must contact The Agency regarding the requirement for a discharge consent pursuant to the Water Resources Act 1991.

The Agency would require an application for consent to discharge effluent from this development under the provisions of the Water Resources Act 1991, and such a consent may not be granted. As there is an existing septic tank already on the site, the Agency may also require an application to discharge effluent under the provisions of the Water Resources Act 1991, should the proposed development scheme not be approved or completed.

The applicant is advised to contact the Agency to discuss this requirement.

Only domestic sewage should be discharged to the septic tank.
 Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environmental Protection Act 1990.
 If during construction/excavation works any contaminated material is revealed then the movement of such material either on or off site should be in consultation with the Agency.
 Movements of Special Waste from the site must be accompanied by Special Waste consignment notes.
 The activity of importing waste into the site for use as, for example hardcore, must be registered by the Environment Agency Wales as an exempt activity under the Waste Management Licensing Regulations 1994.
 Site operator should ensure that there is not possibility of contaminated water entering and polluting surface of underground waters.
 (2) You are reminded of the need to obtain a site licence under the Caravan Sites and Control of Development 1960 from the Councils Public Protection. (Councillor Sophie Drew voted to refuse permission).

REFUSALS

45/2003/0157/PC Retention of 1.8m high (overall) boundary fence to front and side of dwellinghouse (retrospective application).
 80 Marsh Road Rhyl.
 (Councillor Sophie Drew abstained from voting).

SITE VISITS

05/2003/0945/PF (Following consideration of petition signed by 33 persons).
 Retention of UPVC windows.
 Church House London Road Corwen
 Subject to a Site Visit to assess the impact of the development on the Conservation Area.

18/2003/0434/PF Erection of livestock building and construction of access track.
 Glanywern Isaf Llandyrnog, Denbigh.
 Subject to Site Visit to assess the impact of the scale of the development on neighbouring properties.

47/2002/0982/PO (Following consideration of report update on affordable housing issues and public open space requirement).
 Development of 0.58 hectares of land by erection of 13 dwellings and construction of new vehicular access (outline application),
 Land off Dyffryn Teg Rhuallt, St. Asaph.
 Subject to Site Visit to assess the impact of the development on the village.

603. ENFORCEMENT MATTERS

ENF/2003/24 Installation of Upvc Windows
 Church House, London Road, Corwen.
RESOLVED that this item be deferred to await the decision on the planning application.

ENF/2003/47 Erection of 1.8m high boundary fence
 80 Marsh Road, Rhyl
RESOLVED

1. *Serve an enforcement notice to secure the removal of the unauthorised fence.*
2. *instigate prosecution proceedings or other appropriate action under the Planning Acts against the person or persons upon whom any enforcement notice or other such notice be served, should they fail to comply with the requirements thereof.*

**604. TREE PRESERVATION ORDER
TPO 3/2003 LAND AT FRON FRAITH, RHYL**

Submitted: Report by Acting Head of Planning Services detailing trees to be the subject of a Tree Preservation Order, requesting confirmation by the Committee.

RESOLVED *that TPO 3/2003, :Land at Fron Fraith, Boughton Avenue, Rhyl be confirmed without modification.*

605. APPEAL DECISION UPDATE

Submitted: Report by Acting Head of Planning Services for Members information detailing recent appeal decisions.

RESOLVED *that the report be received.*

Councillor A. Owens requested that consideration be given to the budget from which payment of costs awarded against the council is to be made.

606. DATE OF SITE VISIT

The Acting 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 3rd November 2003 and advising of the current membership of the Site Visit Panel.

RESOLVED *that the approved site visits be held on Monday 3rd November 2003.*

607. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Acting Head of Planning Services submitted his written report (previously circulated) of applications for Planning Permission determined by him under delegated authority between 1st September and 30th September 2003.

RESOLVED *that the report be received.*

Meeting Closed at 1.15 pm.
