

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Rhyl on 21st April 2004 at 10.00 a.m.

PRESENT

Councillors F.D Jones (chair) J. Butterfield, M.LI. Davies, (local Member) Sophia Drew, A.E. Fletcher-Williams, M.A. German, D.M. Holder, N.J. Hughes, R.W. Hughes, N. Hugh-Jones, E.R. Jones, D. Jones, G. Jones, P. Jones, M.M. Jones, (observer), R.E. Jones, G. Kensler, (local Member), A. Owens, F. Shaw. J.A. Smith, D.A. Thomas, D.A.J. Thomas, S. Thomas, K.E. Wells, C.H. Williams, P.O. Williams and R.LI. Williams.

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Acting Principal Planning and Enforcement Officer, Principal Planning Officer (South), Administrative Officer (G. Butler), Assistant Admin Officer (A. Hughes) and D.B. Jones (Translator).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors I.M. German, K.N. Hawkins, E.C. Edwards, R.J.R. Jones and J.S. Kerfoot-Davies.

1185 URGENT MATTERS

PUBLIC SPEAKING AT PLANNING COMMITTEE

Chair announced the start of the pilot scheme for public speaking and welcome the participants. The Chair explained the agreed protocol. Each speaker would be allowed 3 minutes to put their case, the person speaking against the proposal going first.

1186 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Head of Planning and Public Protection 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 consent 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>
02/2004/0244/PF	Change of use of existing Dwelling/Bed & Breakfast establishment into 4 no. residential flats. Location 100/100A Mwrog Street Ruthin. Subject to amended condition 2 2. The north east window to the kitchen in flat 4 shall be fitted with obscure glazing before that flat is first brought into use, and the obscure glazing shall be retained at all times thereafter.

02/2004/0244/PF

Following consideration of 1 additional letter of representation from Head of Transport and Infrastructure.

Change of use of part of archive store to offices, retention of access from Trem Clwyd and relocation of bollards along Canol Y Dre.

Former Lifeguard Factory Hen Lon Parcwr Ruthin.

Subject to New Conditions 3 and 4.

3. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be agreed with the Local Planning Authority, and which shall be completed prior to the commencement of the proposed lease.

4. The bollards shall be relocated to the position shown on the submitted plan prior to the commencement of use hereby permitted.

Reasons for conditions:

3. To provide for the loading, unloading and parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.

4. In the interest of traffic safety.

14/2004/0151/PF

Following consideration of 2 additional letters of representation from: Head of Transport and Infrastructure; and P. Cassidy, Penrhyn, Cyffylliog.

Erection of 5 no. dwellings and construction of new service road (previous permission for 3 no. dwellings granted under Code No. 14/2003/0976/PF)

Land off Maes Y Delyn Cyffylliog Ruthin.

Subject to New Condition 7

7. None of the dwellings hereby approved shall be occupied until the turning head and footway have been constructed to base course level.

Reasons

In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.

(subsequent conditions to be renumbered).

15/2003/1458/PF

Following consideration of 1 additional letter of representation from: Llanarmon yn Ial CC

Public Speaker:

Mr Andy Roberts (applicant) spoke in favour of the development.

Erection of agricultural building for the house of sheep and youngstock.

Dalar Wen Llandegla Road Llanarmon-Yn-Ial Mold.

Subject to Amended Condition 3 and 4.

3. Prior to the building being first brought into use a landscaped bund shall be formed on the western and northern side of the building in accordance with details to be submitted and agreed in writing by the Local Planning Authority. The bund shall be planted with quickthorn hedgerows and trees at 1 metre centres planted in a double staggered rows no later than the first planting and seeding season following the first use of the building 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 other of similar size and species.

4. The external faces of all the walls doors, and the roof of the building shall be clad entirely in profiled sheets coated Olive Green BS12B27, or other such colour as may be agreed in writing to the LPA prior to construction, and the sheets shall be retained at all times thereafter.

18/2004/0157/PF

Demolition of prefabricated bungalow and garage, construction of new semi-detached bungalows and new vehicular access.
Ty Nant Gardens at 3 & 4 Nant Glyd Llandyrnog Nr Denbigh.
Subject to New Condition 5

5. The bathroom window in the south east end elevation shall be glazed with obscure glass before that dwelling is first brought into use, and the obscure glazing shall be retained at all times thereafter.

20/2004/0155/PF

Erection of polytunnel for community gardening project.
Ysgol Llanfair Dyffryn Clwyd, Ruthin.
Public Speaker: Mrs Whitehead (applicant) spoke in favour of the development.

30/2002/1129/PF

Following consideration of 2 additional letter of representation from Mrs J Ryding and Brynle Williams (AM).

Erection of 26 no. dwellings, construction of means of access and formation of open space, play area and landscaping, construction of pumping station and formation of nature conservation mitigation areas.

Land off (forming continuation of) Ffordd Pen y Maes, Parc Grosvenor, Trefnant.

Public Speakers:

Mrs J. Ryding (local resident) – Against the development.

Mr Brockway (agent) – in favour of the development.

New Condition 12 – method statement for construction and construction traffic. Councillor M.LI. Davies requested that additional conditions be included which require screening to be installed near existing properties.

“Following the requisite number of Members requiring a recorded vote, the Chairman invited Members to vote FOR or AGAINST the officers’ recommendation to Grant Planning Permission

Recorded Votes

For the granting of Planning Permission **(17)** J. Butterfield, M.A. German, D. Holder, N.J. Hughes, R.W. Hughes, , D. Jones, E.R. Jones, F.D. Jones, P.M. Jones, R.E. Jones, E.A. Owens, J.A. Smith, D.A. Thomas, S. Thomas, K.E. Wells, P.O. Williams, R.LI. Williams.

Against (6) S. Drew, A.E. Fletcher-Wililams, N. Hugh-Jones, G. Jones, F. Shaw, C.H. Williams.

Abstained from voting **(1)**

D.A.J. Thomas.

Accordingly, permission is granted

(The resolution is subject to the applicant first entering into a Section 106 planning obligation to provide for:

(i) a scheme to ensure the maintenance of the population of the species of GCN which presently utilises the application site at a

	<p>“favourable conservation status” to as to property mitigate the effect of the loss of foraging territory to housing development;</p> <p>(ii) a commuted sum in respect of affordable housing;</p> <p>(iii) a commuted sum for maintenance of on-site open space)</p>
40/2003/1437	<p>Demolition of farm building, conversion of and alterations to vacant outbuildings to form a mixed development of 8 No. dwellings and office space, formation of parking areas, alterations to means of access (including formation of passing places and roundabout). Outbuildings at Gwernigron Farm The Roe St. Asaph.</p> <p>Subject to Amended Condition 9 and New Condition 12</p> <p>9. Add “of Part 1 and Class A of Part 2”</p> <p>12. The offices hereby permitted as part of this permission shall only be used as offices within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and not for any industrial purpose.</p> <p>Amend Note To Applicant to read “Condition No, 11”</p> <p>New Note to Applicant</p> <p>You are advised that a public right of way lies adjacent to the development. The right of way must not be disrupted during the duration of building works.</p> <p>(Sophia Drew wished it to be noted she voted to refuse planning permission).</p>
43/2004/0023/PF	<p>Installation of multi-use of games area (MUGA) with 3.9 metre high (overall) security fencing, associated storage facilities and 4 no. 8 metre high floodlight columns.</p> <p>Playing Field Adj Ysgol Melyd Ffordd Pennant Prestatyn.</p> <p>Subject to Amended Condition 4 and 5 New Condition 6</p> <p>4. Notwithstanding the submitted details, no development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained as to the location and provision of parking areas and surfacing materials and the development shall be completed in strict accordance with the details agreed prior to the bringing into use of the MUGA.</p> <p>5. Substitute “Shall” for “will”</p> <p>6. Prior to the commencement of the development, details of the finished levels of the MUGA shall be submitted to and approved in writing by the Local Planning Authority and the MUGA shall only be constructed in accordance with the approved levels.</p> <p>Reasons: In the interests of visual and residential amenity.</p>
43/2004/0098/PF	<p>Change of house type by erection of extension to side of originally approved dwelling.</p> <p>Plot 17 Bodnant Park Estate Nant Hall Road Prestatyn.</p>
43/2004/0114/PF	<p>Construction of cycleway.</p> <p>Land at east side of Barkby Avenue Prestatyn.</p>
45/2003/1330/PF	<p>Change of use from hotel to single dwelling unit.</p> <p>Tremorfa Hotel 38 Marine Drive Rhyl</p> <p>Councillors Nancy Fletcher Williams and Sophia Drew wished it to be noted that they voted to refuse permission.</p>

- 45/2003/1331/PF Demolition of existing dwelling and erection of 1 No detached dwelling and construction of new vehicular access.
3 Brynhedydd Bay Rhyl.
- 45/2004/0076/PF Raising of roof height to form two-storey dwelling with additional accommodation at first floor level.
47 Rhuddlan Road Rhyl
Councillor Sophia Drew wished it to be noted that she voted against the granting of Planning Permission.
- 45/2004/113/PF Following consideration of 1 additional letter of representation from Applicant.
Change of use from Class A1 retail to Class B1 offices.
Unit A Rhyl Children's Village West Parade Rhyl
Subject to New Condition 2
2. The offices hereby permitted shall only be occupied by staff employment in connection with tourism, culture and leisure services unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the use is linked to the adjacent Tourist Information Centre use in view of the potential conflict with Unitary Development Plan Policy.
Councillor Sophia Drew wished it to be noted that she voted to refuse planning permission.
The application by the County Council is a departure from policy and the grant of permission requires ratification by the Welsh Assembly Government.
- 45/2004/0116/PF Councillor Ann Owens declared an interest in the following application and left the Chamber during consideration thereof.
Demolition of existing shop premises and erection of new hot food takeaway premises (A3) with living accommodation over.
165-167 Wellington Road Rhyl.
Subject to New Conditions 5,6 and 7.
5. The living accommodation hereby permitted shall only be occupied by persons employed in the hot food takaway on the ground floor of the premises.
6. No demolition shall take place before a contract for carrying out the works of redevelopment on the site has been made for the redevelopment for which the contract provides.
7. No demolition work shall take place outside the following hours: 0800 to 1900 hours on Mondays to Fridays, 0800 to 1300 hours on Saturday and at no time on Sundays.
- 45/2004/0119/PF Following consideration of 1 additional letter of representation from the Applicant.
Change of use from offices to taxi booking office at ground floor.
45 Kinmel Street Rhyl.
Subject to New Conditions 6 and 7.
6. The car parking area indicated on the approval plan shall be retained for the parking and turning of vehicles at all times.
Parking shall be restricted to staff vehicles only and the car park shall be signed as such before it is brought into use.
7. The use hereby permitted shall not be open for member of the public by any means.
Reasons: In the interests of residential amenity.

REFUSALS

- 02/2004/0086/AD Following consideration of 1 additional letter of representation from the Applicants.
Retention of illuminated fascia sign
46 Well Street Ruthin.
- 15/2004/0109/PF Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof.
Following consideration of 2 additional letters of representation from Llanarmon yn Ial Community Council and the Applicant.
Siting of additional static caravans on west boundary of Field 3, and one additional caravan on east boundary of Field 2.
Eryrys Caravan Park Bryn Awelon Eryrys Mold.
Public Speakers: Community Councillor B. Barton spoke against the development and Mr S. Jenkins (Applicant) spoke in favour of the development.
A proposal by Councillor D. Holder for a site visit, duly seconded, was lost.
- 15/2004/0166/PF Following consideration of 3 additional letters of representation from: Llanarmon yn Ial Community Council; the Applicant, Head of Transportation and Infrastructure.
Erection of perimeter fence and gates (partly retrospective).
5 Ochr Y Foel Eryrys Mold.
Public Speaker Community Councillor Bob Barton (for Community Council) spoke in favour of the development.
Councillor S. Drew abstained from voting.
- 24/2004/1306/PO Development of land by the erection of five dwellings and construction of vehicular and pedestrian accesses (outline application).
Rhyd Y Byll, Rhewl Nr Ruthin.
Councillors A. Owens and N. Hugh-Jones abstained from voting.
- 43/2004/0121/AD Retention of free-standing direction/business sign (retrospective application).
Camelot Creations Sandy Lane Prestatyn.
Councillor N. Hugh-Jones wished it to be noted he voted to grant Planning Permission.

DEFER

- 42/2003/1478/PF Councillor Sophia Drew declared an interest in the following application and left the Chamber during consideration thereof.
Erection of detached dwelling and construction of new vehicular access.
Land at 6 Rhodfa Heilyn Dyserth Rhyl.
Deferred for further discussion and reconsultation.

SITE VISITS

- 01/2004/0180/PO Following consideration of 3 additional letter of representation from Denbigh Town Council; CADW; Highways Information Manager.
Redevelopment of land by the demolition of existing building and erection of dwellinghouse (outline application).
Land adjoining Plas Castell Bull Lane Denbigh.

Subject to Site Visit to assess the potential impact of the dwelling and the issue of planning gain.

41/2004/0074/PF

Following consideration of 1 additional letter of representation from Mr and Mrs Puhar, Llety'r Eos Ganol Bodfari
Erection of two-storey pitched-roof extension to side and single-storey flat-roofed extension with balcony over to front of dwellinghouse.

Llety Yr Eos Isa Mold Road Bodfari Denbigh.

Subject to Site Visit to assess the impact on neighbouring property
Public Speakers: Mr Puhar (neighbour) spoke against the development.

Mr Williams (applicant) spoke in favour of the development.

43/2003/1446/PF

Following consideration of 1 additional letter of representation from the Applicant.

Formation of rooms in roofspace with dormer to east elevation and change of use of land by the demolition of existing garage and erection of detached office building at side.

54 Linden Walk Prestatyn.

Subject to Site Visit to assess the impact of the development on neighbouring property and the levels of the land.

1187 ENFORCEMENT MATTERS

ENF/2004/0033

5 Ochr Y Foel Eryrys

Unauthorised Fence

RESOLVED

(i) Serve an Enforcement Notice requiring the removal of the fence.

(ii) Instigate prosecution proceedings, or other appropriate action, against any person(s) upon whom an Enforcement Notice has been served should he/she/they fail to comply with the requirements of the Notice.

ENF/2004/0035

Well Street Clinic Ruthin.

Unauthorised Advert Sign

RESOLVED

Instigate prosecution proceedings or other appropriate action under the Planning Acts to secure the removal of the externally illuminated fascia sign.

ENF/2003/0058

4 Aspen Walk Rhyl

Unauthorised Satellite Dish

RESOLVED

(i) Serve an Enforcement Notice to secure the removal of the larger satellite dish which has a 1 metre diameter.

(ii) Instigate prosecution proceedings, or other appropriate action under the Planning Act, against any person, or persons, upon whom any Enforcement Notice, or other Notice is served, or against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice.

ENF/302/00/N	37-39 Pendyffryn Road Rhyl. Neglect of a Listed Building (i) Serve a Repairs Notice under Section 48 of the Planning (Listed Buildings & Conservation Areas) Act 1990 to ensure that the necessary works are carried out for the proper preservation of the building.
C43/2004/05	Camelot Creations Sandy Lane, Prestatyn Unauthorised Direction Sign RESOLVED That authorisation be given for the following: (i) Instigate prosecution proceedings, or other appropriate action, under the Planning Acts to secure the removal of the unauthorised sign. Action to be withheld for a period of 3 months to allow negotiations to take place.
ENF/2004/34	Following consideration of 2 additional letters of representation from: The Applicant, Chris Ruane MP. 2 Tan Y Maes Melidan Prestatyn. Unauthorised Fence. RESOLVED (i) Serve an Enforcement Notice to secure the removal of the fence. (ii) Instigate prosecution proceedings, or other appropriate action under the Planning Act, against any person, or persons, upon whom any Enforcement Notice, or other Notice is served, or against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice. (Councillor Sophia Drew voted against taking action).

1188 DENBIGHSHIRE UNITARY DEVELOPMENT PLAN SE RHYL MAIN DEVELOPMENT AREA POLICY MDA 1. MASTERPLAN AND URBAN DESIGN EXERCISE

Submitted – Report by Head of Planning and Public Protection introducing a Masterplan for the South East Rhyl Main Development Area.

The Head of Planning and Public Protection explained that this area was allocated in the adopted Denbighshire UDP for housing, school development and open spaces.

An Urban design guide had been commissioned and a draft copy was available for inspection.

The Masterplan proposals, showing areas for development, roadways and open spaces was also made available.

RESOLVED

To support the overall approach as a basis for submitting subsequent planning applications.

To invite the views of Rhyl Town Council.

To embark upon a consultation exercise (including exhibitions/workshops) with local groups and residents.

1189 APPEAL DECISIONS UPDATE

Submitted: Report by Head of Planning and Public Protection Services detailing appeal decisions received between January and March 2004.

RESOLVED *that the report be received for information.*

1190 DATE OF SITE VISIT

The Head of Planning and Public Protection Services' written report (previously circulated) was submitted seeking approval for site visits arising from Agenda Item No. 2 to be held on 30th April 2004 and advising of the current membership of the Site Visit Panel.

RESOLVED that the approved site visits be held on 30th April 2004.

1191 LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Head of Planning and Public Protection Services submitted his written report (previously circulated) of applications for Planning Permission determined by him under delegated authority between 1st and 31st March 2004.

RESOLVED that the report be received.

The meeting closed at 12.48 p.m.
