

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber on the 14th July 2004 at 10.00 a.m.

PRESENT

Councillors R.E. Barton, J. Butterfield, J. Chamberlain Jones, D. Cooper, G.C. Evans, H.H. Evans, S. Frobisher, M.A. German, D. Hannam, K.N. Hawkins, T.K. Hodgson, T.R. Hughes, N. Hugh-Jones, D. Jones, E.R. Jones, H. Jones, M.M. Jones, P.W. Owen, G.J. Pickering, N.P. Roberts, G.O. Rowlands, D.A.J. Thomas, S. Thomas, J. Thompson-Hill, M.A. Webster, C.H. Williams, R.U. Williams.

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Principal Planning Officer (South), and Administrative Officer (G. Butler) D. Bryn Jones (Translator).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors N.J. Hughes and P. Dobb.

28. URGENT MATTERS

None

29. APPOINTMENT OF CHAIR

Councillor Selwyn Thomas was appointed Chair of Planning Committee for the ensuing year.

30. APPOINTMENT OF VICE CHAIR

Councillor Lloyd Williams was appointed Vice Chair of Planning Committee for the ensuing year.

The Chair thanked the committee for electing him. He welcomed the new Councillors and the Members of the public. He explained the protocol for public speaking and advised all Members that as the agenda was long, he would expect Councillors to confine their comments to relevant remarks and avoid duplicating comments made by others.

31. 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 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 proposal by the following plans subject to the conditions enumerated in the schedule now submitted:-*

(i) Consents

Application No.

Description and Situation

- 02/2003/1052/PF Following consideration of 1 additional letter of representation from Public Protection Manager.
Construction of two lane, single carriageway road connecting the A525 from the roundabout adjacent to the Livestock Market to Lon Parcwr, with association structures and bunding [Environmental Assessment application].
Land at Glasdir Ruthin.
Subject to New Condition
19. No development shall be permitted to commence on the construction of the road until the written approval of the local planning authority has been obtained to specific proposals for the attenuation of noise from the passage of vehicles thereon in relation to existing and future developments on land adjoining; to include as necessary for bunding, acoustic fencing, suitable surfacing materials, landscaping and planting and an evaluation of the impact of the road on the occupiers of adjacent property. The approval details shall be implemented in their entirety prior to the fence bringing into use of the road.
Reason: In the interests of the amenities of occupiers and users of existing and possible future properties in the vicinity of the road.
- 03/2004/0559/PF (Applicant is Denbighshire County Council).
Councillor D A J Thomas declared an interest in the following application and left the Chamber during consideration thereof.
Following consideration of additional letter of representation from Llangollen Town Council.
Erection of sculpture at Royal International Pavilion Abbey Road Llangollen.
Amended Condition 3:
3. the existing advertisement on site shall be removed prior to the erection of the sculpture hereby permitted.
(Councillor B. Barton requested that consideration be given to displaying relevant material at Committee).
- 03/2004/0643/PF Following consideration of 1 additional letter of representation from Llangollen Town Council.
Erection of 4 no. "gateway" sculptures.
Southern Boundary of A539 East of Llangollen.
- 05/2004/0626/PF Following consideration of alteration to the report – no representation received from Corwen Town Council.
Conversion of redundant outbuilding to 1 no. dwelling and installation of a new septic tank.
Penycoed Uchaf (Unit A) Near Betws G G Corwen.
Subject to Amended Condition 4:
4. Before the commencement of any work, the building must be surveyed for bats and birds by specialist consultants, and the report and any proposals for mitigation measures shall be submitted to, and approved in writing by the Local Planning Authority. Any mitigation proposals in connection with the development shall be carried out strictly in compliance with the approved details.
- 05/2004/0627/PF Following consideration of alteration to the report, no representation received from Corwen Town Council.

	<p>Conversion of redundant outbuilding to 1 no. dwelling and installation of a new septic tank. Penycoed Uchaf (Unit B) Near Betws G G Corwen.</p>
08/2004/0628/PF	<p>Following consideration of alteration to report, no representation received from Corwen Town Council. Conversion of redundant outbuilding to 1 no. dwelling and installation of a new septic tank. (Upper Unit) Hafod Y Calch Nr Cynwyd Corwen.</p>
18/2004/0526/PF	<p>Following consideration of no alteration to report: representations received from Llandyrnog Community Council. Erection of dwelling (amended details to those previously approved and commenced under code no 28/199. Land near Coed Copi Fancer Llandyrnog Denbigh.</p>
22/2004/0280/PO	<p>Development of land by the erection of a dwelling and alterations to existing vehicular access (outline application). Land to rear of Bodhyfryd Gellifor Ruthin.</p>
24/2004/0272/PF	<p>Erection of conservatory to be used in connection with existing business and change of use of outbuilding to kitchen and storage facilities. Drovers Arms Rhewl Ruthin.</p>
28/2004/0371/PS	<p>Details of arrangements for screening proposed for side elevation window in relation to condition number 2 of planning permission code no. 28/2003/1292/PF. 10 Bryntirion Henllan Denbigh.</p>
40/2004/0513/PF	<p>Speaker against Bodelwyddan Town Council (J. Warner). Following consideration of additional letters of representation from Applicant; Chris Ruane MP and Public Protection Manager. Retention of gas boiler, water treatment plant, cooling towers, silos refrigeration equipment (retrospective application) Hotpoint Ltd Kinmel Park Abergele Road Bodelwyddan Rhyl. Amended Condition 1 and 2 New Condition 3 1. Within one month from the date of this planning permission a scheme shall be submitted to and agreed in writing by the Local Planning Authority that provides an assessment of the potential impact of the proposed plant and equipment and the deliveries of material to the silos and specifies the provisions to be made for the control of noise emanating from the site. The provisions and noise levels approved shall then not be exceeded at any time as measured on the northern boundary of the site adjoining Artillery Row. 2. No delivery of material to the silos, including unloading of material into the silos, shall take place outside the following hours: 0900 to 1800 hours on Mondays to Saturdays and at no times on Sundays or Bank Holidays. Condition 3: Notwithstanding the submitted details, the silos shall be coloured to a colour scheme to be submitted and approved in writing within one month of the date of this decision. The approved colour shall be applied within two months of the approval of the colour scheme by the Local Planning Authority. (The local Member to be kept informed/ consulted on conditions imposed).</p>

Erection of vehicle testing and maintenance centre.

Speaker Against:

Bodelwyddan Town Council (J Warner)

Speaker in Favour:

Steve Kent (for applicants)

Land at Expressway Business Park Abergele Road
Bodelwyddan Rhyl

Amended Conditions 3, 6 and 9 and new conditions 11 – 14.

3. Add “nor at any time on Sundays or Bank Holidays other than in emergencies”.

6. “turning areas”

9. “shall be widened to a minimum of 5 metres width”.

New conditions

11. 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 or proposed mounding to existing vegetation and surrounding landform;

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

12. 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 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.

13. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered or any trenches or pipe runs excavating, without prior written consent of the Local Planning Authority.

14. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges

and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata.
To prevent pollution of the water environment.

40/2004/0653/PF

Councillor E.R. Jones and G.O. Rowlands declared an interest in the following application and left the Chamber during consideration thereof.

Erection of dwelling and garage for agricultural worker and installation of private treatment sewage plant.

Part Field No.0002 Pengwern Farm Nant Y Faenol Road Bodelwyddan Rhyl.

Amended Condition 3

3. delete "shall be limited to the occupancy of the dwelling".

42/2003/1512/PC

Continuation of use of premises as Class A3 Café (retrospective application).

Units 4 and 5 Craig Fawr Industrial Estate, Talargoch Melidan Road Dyserth Rhyl.

New Note to Applicant

Additional Note to Applicant

It is noted that signs are being placed on the highway close to the entrance of the site. Please remove all such signs to avoid the need for the Council to pursue formal legal action.

43/2003/0341/PO

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

Speaker For:

Emyr Williams (Liberty Properties)

Following consideration of 4 additional letters of representation from: Prestatyn Town Council; Applicant; Head of Transportation; Mouchel Parkman (for Tesco).

Development of 4.1ha of land by the erection of food and non-food retail units (8400 sq.m gross floorspace), post office sorting office, and business centre and formation of vehicular and pedestrian accesses and parking and servicing areas (Outline application).

Land at Nant Hall Road and High Street Prestatyn.

Amended Condition 13

"Commencement of Use"

Subject to a 106 Obligation covering the following issues:-

i) off site highway works including improvements to Church Lane and the High Street/Nant Hall Road and Bridge Road/High Street junction.

ii) the provision of and/or a contribution towards a Tourist Information Centre.

iii) the implementation of a schedule of works for the listed station building to allow beneficial use.

iv) site improvements to Gas Works Lane and the highway network to facilitate cycle links.

v) availability of the car park for combined town centre trips for shopping.

vi) provision of CCTV on the site to link with the town centre system.

vii) provision of information panels for tourism purposes to the site frontage.

- viii) improvements to Church Lane to enhance rear service access to the Scala.
- ix) ensuring the bringing forward of the employment development concurrently or in advance of the retail development.

- 43/2004/0429/PF
Following consideration of 1 additional letter of representation from: Prestatyn Town Council.
Correction to report "65 Gronant Road" not "63".
Erection of kitchen and dining-room extension at rear of premises.
Priory House Residential Home 61-63 Gronant Road Prestatyn.
Councillor N. Hugh-Jones wished it be noted that he abstained from voting.
- 43/2004/0449/PF
Following consideration of 1 additional letter of representation from: Prestatyn Town Council.
Demolition of existing garage and erection of new garage and store.
16 Glan Y Gors Prestatyn.
- 43/2004/0463/PF
Following consideration of 2 additional letters of representation from: Prestatyn Town Council, Environment Agency.
Conversion and adaptation of outbuildings to form 4 no. three-storey town houses and 5 no. two-storey terraced houses.
Outbuildings rear of Royal Victoria Public House, 3 Bastion Road Prestatyn.
Amended Condition 3 and 10
3. Delete "parking areas shown as"
10. Annotate (a) (b) (c)
New Condition 12:
No development shall take place until a programme and methodology for the carrying out of construction works on the site has been submitted to an approved in writing by the Local Planning Authority, such methodology to include for details of construction times. The construction of the development shall be carried out in accordance with the approved programme and methodology unless otherwise agreed in writing with the Local Planning Authority. No burning shall take place on the site during the construction period.
This permission is subject to 106 obligation relating to affordable housing.
- 43/2004/0613/PF
Retention of extension to dormer roof to provide first-floor study with balcony to front elevation of dwellinghouse (amended to application ref: 43/2002/0639/PF).
60 Gronant Road Prestatyn.
New Note to Applicant
You should ensure that the scheme is modified to accord with this planning permission or with the previous planning permission reference 43/2002/0639/PF as soon as possible and not later than 2 months from the date of this decision to avoid prosecution for failure to comply with the enforcement notice.
Councillor N. Hugh-Jones voted against planning permission.
Councillor P. Owen abstained from voting.
- 44/2004/0454/AD
Display of 3 No. non-illuminated pole-mounted developers advertisement boards.

Ysgol Tir Morfa Juniors Melidan Road Rhuddlan Rhyl.

- 45/2004/0379/PF Change of use from Class A1 shop to Class A2 estate agents office.
164 Rhuddlan Road Rhyl.
- 45/2004/0448/PF Following consideration of 1 additional letter of representation from:
the applicant's agent.
Erection of two-storey pitched-roof extension at rear of dwellinghouse.
6 Bryntirion Avenue Rhyl.
- 45/2004/0739/PF Following consideration of 1 additional letter of representation from: Rhyl Town Council.
Conversion of former guest house into 8 no. self contained flats.
69 West Parade Street Rhyl.
New Notes to Applicant
1. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 and 10.
2. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).
- 46/2004/0656/PF Erection of first-floor pitched-roof extension over existing from porch.
5 Rhodfa Glenys St. Asaph.
Councillor N. Hugh-Jones voted against the granting of planning permission.
- 47/2004/0236/AC Retention of lairage extension at front of premises (retrospective application).
The Abattoir Holywell Road St. Asaph.
New Note to Applicant
Please ensure that the conditions attached to this planning permission, and all previous permission, particularly relating to landscaping, are complied with. Otherwise the Council are likely to proceed with formal enforcement action to secure compliance with the terms of this and previous planning permissions.
Councillors requested that officers ensure that a comprehensive landscaping scheme is submitted to cover this planning permission and previous permission e.g. the parking area and that all other previous permissions and conditions have been complied with.
On receipt of a comprehensive landscaping scheme to include local native species officers to consult with the local Member.

REFUSALS

- 18/2004/0598/PO Development of land for residential purposes (outlined application).
Land at Kinmel Farm Llandyrnog Denbigh.
Public Speaker:
Mr G. Roberts (For)

Councillor G.C. Evans proposed a site visit, seconded by Councillor B. Barton. On being put to the vote, this proposal was defeated.
Councillor B. Barton wished it be noted he abstained from voting.

Notwithstanding the Officers' recommendation Resolved that the following applications be REFUSED for the reasons given:-

03/2004/0475/PF

Following consideration of 1 additional letter of representation from: Councillor S.A. Davies.

Revisions to scheme for 23 dwellings granted permission under Code No. 03/2003/1340/PF involving the substitution of 40 no. bungalows on plot 10, 11, 20 and 21 by 4 no. houses.
Land South of Greenacres Fron Bache Llangollen.

Public Speakers:

B. Jones (Against)

M. Gilbert (For)

The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:

It is the view of the Local Planning Authority that the location of substantial houses so close to the Fron Bache boundary of the site would have an overpowering physical impact, unacceptably reducing the amenities of occupiers of existing dwellings to the west, and adversely affecting the character of this attractive lane.

45/2004/0542/PF

Following consideration of 3 additional letters of representation from:

R.W. Logan; Sumner Radio (petition of 450 names); Ann Jones (AM).

Change of use from café-bar (Class A3) to day centre (Class D1).

17/19 Water Street Rhyl.

Public Speakers Against:

Mr Sumner

Mr F Burns

The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:

The proposal would lead to a use which would not comprise retail or commercial development within the Rhyl Town Centre boundary and would in the opinion of the Local Planning Authority detract from the viability and vitality of the town centre.

Thus the proposal would conflict with Policies RET 1 and RET 6 of the Denbighshire Unitary Development Plan. It is also considered that the use would be likely to lead to activities in close proximity to the premises that would make the shopping and commercial area a less attractive location for shopping and other town centre activity, to further detriment of the viability and vitality of the area.

"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 **(1)** R.E. Barton

Against (18) J. Butterfield, J. Chamberlain Jones, D. Cooper, G.C. Evans, H.H. Evans, D. Hannam, K.N. Hawkins, T.R. Hughes, N. Hugh-Jones, E.R. Jones, M.M. Jones, P.W. Owen,

N.P. Roberts, G.O. Rowlands, D.A.J. Thomas, S. Thomas, J. Thompson-Hill, M.A. Webster.
Abstained from voting **(3)** M.A. German, D. Jones, R.LI. Williams.

SITE VISITS

- 09/2004/0564/PF Following consideration of 1 additional letter of representation from:
Dr J.M and Mrs R.D. Roberts (applicants).
Reconstruction of outbuilding to form holiday accommodation unit (previous consent for conversion granted under code no. 09/2003/0553/PF).
Bwlch Bach Bwlch Isaf Llandyrnog Denbigh.
Public Speaker:
Dr J. Roberts (For)
Site visit to allow assessment of planning policy issues and impact on the local landscape.
- 15/2004/0478/PO Development of land by the erection of a dwelling (outline application).
Land adjoining Tyn Y Mynydd Abbeyland Llanarmon Yn Ial Mold.
For the following reason:
Defer for a site visit and to allow officers to arrange a survey for the presence of Great Crested Newts
- 16/2004/0377/PF Following consideration of no representations received from Llanbedr DC Community Council.
Installation of solar panel to south facing elevation of existing dwelling.
Hillside Llanbedr Dyffryn Clwyd Ruthin.
Site Visit to allow assessment of the potential impact of the solar panel on the dwelling and the character of the AONB.
- 43/2004/0595/PO Development of 0.03ha of land by erection of 1 dwelling and construction of new vehicular/pedestrian access (outline application).
Land at (part garden of) 1 Bosworth Grove Prestatyn.

DEFER

- 47/2003/1481/PF Councillor H. Evans declared an interest in the following application and left the Chamber during consideration thereof.
Erection of agricultural building and formation of vehicular access/
Pant Y Wacco Part OS Field No. 6044 Caerwys Road Rhualt St. Asaph.
Deferred at the request of Officers to seek further information on agricultural activity on the site and to allow further assessment of the proposed access.

32. EXTENSION TO FACTORY OUTLET TWEEDMILL, TREFNANT

Submitted, report by the Head of Planning and Public Protection advising Members of the forthcoming appeal schedule for 21st – 23rd September 2004 and updating Members on progress on a second planning application.

Members were advised that as the application which is the subject of appeal was refused at Full Council, it would be inappropriate to ask a Member of Planning Committee to attend on behalf of the Council.

It is therefore proposed that a Planning Consultant be appointed to represent the Council.

RESOLVED that a retail planning consultant be appointed and an officer of the Council act as a witness on behalf of the Council at the forthcoming appeal.

33. DENBIGHSHIRE UNITARY DEVELOPMENT PLAN REVIEW

Submitted – report by Head of Planning and Public Protection advising Member of the review and requesting nominations to sit on the Review Working Group.

Environment Scrutiny had agreed the membership of the Working Group should consist of the following:-

The Leader (covering Economic Regeneration)

Lead Member for Environment.

Lead Member for Health and Social Wellbeing

5 Members from Planning Committee

1 Member from Environment Scrutiny Committee

1 Member from Resources Committee

but that all Members could attend on an ad hoc basis.

Planning Committee **RESOLVED** that is be represented by:

Chair and Vice Chair (both Independent Group Members)

Plus 5 other members of Committee, - one from each of the remaining political groups.

**34. DENBIGHSHIRE UDP
POLICY MDA 1 – RHYL SOUTH EAST MASTER PLAN**

Submitted, Report by Head of Planning and Public Protection updating Members on progress.

RESOLVED that this item be received for information.

35. NEW HOUSING DEVELOPMENT QUESTIONNAIRE SURVEY FINDINGS

Submitted report by Head of Planning and Public Protection advising Members of the finding of a postal questionnaire.

There had been a 42% response rate.

RESOLVED: received for information.

36. USE CLASSES ORDER

Submitted report by Head of Planning and Public Protection advising Members of the proposed changes to the USE CLASSES ORDER.

RESOLVED: report received for information.

37. NORTH WALES HOSPITAL, DENBIGH

Head of Planning and Public Protection gave verbal report.

Prince Charles, Prince of Wales, President of the Phoenix Trust, visited the Hospital Site on Monday 12th July 2004 to launch a public consultation exercise into proposals for the Hospital buildings and site. A copy of the Prince's speech was circulated for information.

Members suggested that Denbigh Town Council should be involved in the process of consultation and redevelopment.

There were also concerns expressed at the vandalism which has taken place, and fears for the safety of children who may enter the premises during school holidays. It was suggested that better security arrangements are a priority to prevent access.

38. SUPPLEMENTARY PLANNING GUIDANCE (SPG)

Officers gave verbal report, advising members of the new loose-leaf format now available and which is also on Denbighshire's web site.

Some Members felt that hard copies of the SPG and the UDP were useful when out on site and they should be made available if required.

RESOLVED that the report be received for information and that Members advise staff if they require hard copies of the SPG or UDP documents.

39. ENFORCEMENT COMMITTEE AUTHORISATIONS – CASE REVIEW REPORT

Submitted Report by Head of Planning and Public Protection detailing enforcement cases and progress thereof.

RESOLVED that the report be received for information.

40. DATE OF SITE VISITS

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 28th July 2004 and advising of the current membership of the Site Visit Panel.

At the request of Councillor N. Hugh-Jones officers provided alternative dates. Councillor N. Hugh-Jones proposed that 19th July be considered. On being put to the vote, this proposal was defeated.

RESOLVED that the approved site visits be held on 28th July 2004.

41. 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 May 2004 and 11th June 2004.

RESOLVED that the report be received.

PART II Item

This item was deferred.

The meeting closed at 6.10 pm
