

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 29th September 2004 at 10.00 a.m.

PRESENT

Councillors S. Thomas (Chair), R. Bartley, B. Barton, B. Blakeley (observer), J. Butterfield, D. Cooper, J.M. Davies, M.LI. Davies, S.A. Davies, H.H. Evans, I.M. German, M.A. German, D. Hannam, K.N. Hawkins, T.K. Hodgson, N.J. Hughes, T.R. Hughes, N. Hugh-Jones, D. Jones, H. Jones, P.W. Owen, N.P. Roberts, D.A.J. Thomas, J. Thompson-Hill, C.H. Williams, E.W. Williams, R.LI. Williams.

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Planning Officer, (D. Beggan), Senior Support Officer (G. Butler) and S. Williams (translator).

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G.E. Evans, S. Frobisher, J. Chamberlain-Jones, E.R. Jones, M.M. Jones, M. Webster, R.LI. Williams.

229 URGENT MATTERS

Members raised the following issues:

- Delay in supplying Welsh Committee report. Officers to look into the matter.
- Membership List on the Agenda incorrect.
 - Officers to ensure this is corrected.
 - Changes to group nominations and the need to inform other groups of changes to be discussed at Corporate Governance Committee.
- Status of Unitary Development Plan.
 - Officers to produce a report for next Planning Committee explaining the status of the UDP as against the new Local Development Plan (LDP).

PUBLIC SPEAKERS AT COMMITTEE

Members agreed to take all applications for permission for development where members of the public were scheduled to speak, at the commencement of the agenda item.

230 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 recommendation 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 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>
01/2004/1041/PF	<p>Erection of 2 storey office unit (class B1) and alteration to existing vehicular access Phase 3 Colomendy Industrial Estate, Rhyl Road, Denbighshire County Council Subject to New Condition 8 and Amended Conditions 3 4 5 and 7 8. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Amended Conditions 3. ".....shall be provided in accordance with the approved plans and thereafter retained for the said purposes". 4. Renumber "(a) to (d)" not "(b) to (e)". 5. ".....for the external cladding panels and render, in connection with which sample panels of the proposed materials should be erected on site for inspection" "samples". 7. Prior to the commencement of use of the offices hereby permitted, cycle parking shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Reason: To encourage trips other than by private care.</p>
12/2004/0747/PF	<p>Following consideration of 2 additional letter of representation from: Derwen Community Council and Welsh Water. Erection of two storey residential dwelling and construction of a new vehicular access. Land Opposite Telephone Exchange Clawddnewydd, Ruthin. Subject to Amended Conditions 4. Delete "the Environment Agency or" and "Agency" substitute "Local Planning Authority". 5. "inserted" not "submitted". 7. "following the occupation of the dwelling" – delete remainder of section within brackets.</p>
18/2004/0685/PF	<p>Siting of spectator stand and two dugouts in connection with football field (retrospective application). Cae Nant, Llandyrnog, Denbigh Subject to New Condition 1. The spectator stand shall be removed to the approved location within 3 months of the date of this decision. Reason: In the interests of residential amenity.</p>
21/2004/0472/PF	<p>Following consideration of correction of report (para 6(d)) and 1 additional letter of representation from: CADW. Public Speaker For: D Clough</p>

Development of land to create a recreational activity lake, paths and other associates works.
Colomendy Centre For Outdoor Education Ruthin Road,
Loggerheads, Llanferres, Mold.

21/2004/073/PF

Following consideration of 5 additional letters of representation from: Llanferres Community Council; CCW; Ramblers Association; Welsh Historic Gardens Trust; JAC/AONB.
Provision of recreational facilities, associated works and diversion of public footpaths within existing woodland/grounds.
Colomendy Centre For Outdoor Education, Ruthin Road, Loggerheads, Llanferres, Mold.

Subject to Amended/Additional Conditions
9. ".....the details of diversion and engineering works and any fencing required for the 2 no. public footpaths etc"

Substitute "commenced" for "brought into use".
No development works of any kind shall begin until the presence of a contracted archaeologist has been secured on-site according to the prescriptions set out in a curatorial design brief and approved in writing by the Local Planning Authority. Access, at any reasonable time, shall be given to this archaeologist to enable the observations and recording or any archaeological remains uncovered during the early stages of development. A report of any archaeological records made must be deposited within County Sites and Monuments Record, Clwyd-Powys Archaeological Trust, 7a Church Street, Welshpool, Powys, SY21 7DL (01938-553670) within one month of the completion of this work with a summary of records send to the Local Planning Authority at the same time.

Councillor E. Williams and C Williams wished it to be noted that they abstained from voting.
In response to a query on voting rights, Members wished it to be noted that those who were also Members of Joint Advisory Committee of the AONB (JAC) did not discuss or vote on this proposal when it was brought before the JAC.

30/2004/0970/PF

Following consideration of 1 additional letter of representation from: Trefnant Community Council.
Erection of detached dwelling with attached garage and construction of new vehicular access.
Land at (part garden of) Davance Upper Denbigh Road, St. Asaph.

Subject to Additional Condition 10
10. The existing access shall be closed off prior to the occupation of the dwelling hereby permitted in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety.
Notes to Applicant

	<ol style="list-style-type: none"> 1. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 2, 4, 5 and 10. 2. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991). 3. Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980.
43/2004/0988/PF	<p>Following consideration of 1 additional letter of representation from: Prestatyn Town Council. Erection of two-storey pitched-roof extension at side and conservatory at rear of dwellinghouse (revised scheme). 143 Llandaff Drive, Prestatyn.</p>
43/2004/1054/PF	<p>Following consideration of 1 additional letter of representation from: Prestatyn Town Council. Erection of conservatory and dormer window at rear of dwellinghouse. 4 Talton Crescent, Prestatyn. (Councillors I. German and M. German were not present when this item was considered).</p>
45/2004/0694/PF	<p>Councillor D.A.J. Thomas declared an interest in the following application and left the Chamber during consideration thereof. Public Speaker Against: Mrs J. Twist Following consideration of 1 additional letter of representation from: Rhyl Town Council. Replacement of existing gates and barrier with proposed 5m high (overall) steel gateway entrance feature. Entrance to Brickfield Pond Nature Reserve, Ffordd Derwen, Rhyl. Subject to New Note to Applicant <ol style="list-style-type: none"> 1. Your attention is drawn to the attached Highway Supplementary Notes Nos. [1, 2, 4, 5 and 10]. 2. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991). </p>
45/2004/1060/PF	<p>Councillor B. Blakeley declared an interest in the following application and left the Chamber during consideration thereof. Erection of fence at front of property. 12 Cambrian Walk, Rhyl.</p>
46/2004/0445/PF	<p>Councillor S Thomas declared an interest in the following application and left the Chamber during consideration thereof. In the absence of the Vice Chair Councillor D.A.J. Thomas took the Chair for this item Change of use from touring caravan site and agricultural land to static caravan site with associated amenity block and installation of new septic tank. Spring Gardens, The Roe, St. Asaph. Subject to Amended Conditions</p>

3. Add after "construction", "closure of central reservation".

4. "caravan units".

5. "1st March" for "1st June".

Note to Applicant Highway Notes as per highway response

47/2004/0693/PC

Continuation of use of land for the recycling/dismantling of caravans, storage or touring caravans, storage, cutting and distribution of timber and as a depot for the storage of recovery vehicles (Retrospective application). Pen y Palmant, Waen, St, Asaph.

Subject to Amended/Additional Conditions

1. "...the area outlined green on the site plan etc".

3. "distribution".

7. Within 3 months of the date of this decision a detailed scheme of soft landscaping for the site shall be submitted to the Local Planning Authority to include details of:

a) All existing trees, hedgerows and other vegetation on the site and details of any to be retained.

b) Proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, number and location.

c) Proposed positions, design, materials and type of boundary treatment.

8. All planting, seeding, fencing, walling or other treatment comprising the approved details of landscaping shall be carried out by 30th April 2005 and any trees or plants which, within a period of 5 years of the development, die, are removed or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size species.

Reasons: In the interest of visual amenities of the area.

43/2004/0924/PF

Erection of two-storey pitched roof extension as side of dwelling house.

11 Bryntirion Drive, Prestatyn.

45/2004/0910/PO

Following consideration of 1 additional letter of representation from: Welsh Water.

Development of 0.04 hectares of land by demolition of lock-up garages and erection of dwelling (outlined application).

Land between 3 and 11 West Kinmel Street, Rhyl.

Subject to:

Resolved to **GRANT** planning permission but subject to the applicants first entering into a Section 106 obligation to seek a proportion of affordable housing on the site (30%).

Additional Conditions

7. Prior to the dwellings hereby permitted being occupied details of flood mitigation measures shall be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to occupation.

Reason: To reduce flood risk.

8. None of the building(s) shall be brought into use until the drainage works have been completed in accordance with the plans hereby approved.

9. The dwellings hereby permitted shall be two storey with accommodation at ground and first floor only.

Reason: In the interests of residential and visual amenity.

45/2004/0914/TP

Felling of 1 sycamore tree numbered T10 on plan annexed to the Borough of Rhuddlan (Garage Park, Rhyl) Tree Preservation Order No. 1.1987.

11 Grange Court, Rhyl.

Subject to:

1. "details of the planting of a replacement tree (to be a minimum of a tall standard tree).

REFUSE

13/2004/0906/PF

Following considered of 2 additional letters of representation from:

- W Fisher Holt & D Fisher Holt, Llanerch Pwllglas.
- Head of Transportation

Speaker against: Mrs Fisher-Holt

Erection of dwelling and detached garage/workshop to replace existing caravan and containers.

Land at Felin Einion, Pwllglas, Ruthin.

Notwithstanding Officers Recommendation the following applications be REFUSED for reason given

03/2004/1051/PF

Councillor S. Davies declared an interest in the following application and left the Chamber during consideration thereof.

Following consideration of 2 additional letters of representation from: Head of Transportation and Infrastructure; AH & C Pritchard, Beechlands Fron Bache.

Erection of 4 no. houses in place of 4 no, bungalows previously approved as part of planning permission for 23 dwellings, Code No. 02/2003/1340/PF.

Land South of Greenacres, Fron Bache, Llangollen.

Subject to:

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".

Planning Committee agreed that the Local Members would be best able to represent the Planning Committee at the appeal lodged on a previous refusal for this proposal.

43/2004/0768/PF

Following consideration of 2 additional letters of representation from: Senior Grounds Maintenance Officer and the Applicant.

Demolition of existing buildings and erection of 2 No. 1-bedroom apartments and 10 No. 2-bedroom town houses, new access road and associated parking. Meliden Garden Centre, 113 Ffordd Talargoch, Prestatyn.

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

REFUSED

1. The proposal would lead to an overdevelopment of the site with inadequate separation between proposed and existing dwellings, inadequate private garden areas, and a cramped form of development in conflict with criteria i) and v) of Policy GEN 6 of the Denbighshire Unitary Development Plan and guidance within the Council's SPG on Standards for New Residential Development. Thus, the proposal would adversely impact on the visual amenities of the area and the residential amenity of neighbouring residents and future occupiers of the development.

2. It is the Local Planning Authority's view that the proposal makes insufficient provision for affordable housing. The Council has undertaken a local housing needs assessment and the assessment has found a substantial need for affordable housing in all parts of the County. As a result the Council have resolved to seek a minimum of 30% provisions in accordance with this working arrangement and thus it is considered contrary to Policy HSG10 and SRAT15 of the Denbighshire Unitary Development Plan.

DEFER the following application for reasons given

43/2004/1047/PF

Erections of two-storey pitched-roof extension at rear of dwellinghouse.

24 Bryntirion Drive, Prestatyn.

Defer to allow consultation on amended plans.

SITE VISIT

43/2004/01686

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

Alterations and extensions to shops and flats to form additional flats at first and second-floor levels, alterations to parking arrangements and vehicular access.

Ffrith Corner, Victoria Road West, Prestatyn.

Site Visit

To assess the access at the busy road junction Committee requested that an officer from Transport and Infrastructure be invited to attend the site visit.

231. ENFORCEMENT COMMITTEE AUTHORISATION – CASE REVIEW REPORT – SEPTEMBER 2004

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

RESOLVED that the report be received for information.

232. NAMING OF NEW ROAD AT TREFNANT

Submitted: Report by Head of Planning and Public Protection giving alternative suggestions for name of a new development in Trefnant.

Councillor M.LI. Davies (Local Member) gave his view that the development be named Pwll y Clai to reflect the historic past of the site. Councillor N Hugh Jones proposed the alternative name of Trem y Dyffryn and was seconded by Councillor N. Hughes.

On being put to the vote the Committee **RESOLVED**

That the development under construction on Bodfari Road Trefnant be named Trem y Dyffryn.

233 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 4th October 2004 and advising of the current membership of the Site Visit Panel. Alternative suggestions of 5th October or 11th October were made. On being put to the vote it was:-

RESOLVED that the approved site visits be held on Monday 4th October 2004 starting at 9.00 am.

234 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 August and 31st August 2004.

RESOLVED that the report be received.

The meeting closed at 12.30 pm
