

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on Wednesday 27th October 2004 at 10.00 a.m.

PRESENT

Councillors S. Thomas (Chair), R. Bartley, B. Barton, J. Butterfield, J. Chamberlain Jones, D. Cooper, J.M. Davies, M.Ll. Davies (observer), S.A. Davies, G.C Evans, H.H. Evans, S. Frobisher, 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, M.M. Jones, G.M. Kensler, P.W. Owen, N.P. Roberts, D.A.J. Thomas, S. Thomas J. Thompson-Hill, M.A. Webster, C.H. Williams, E.W. Williams, R.Ll. Williams.

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Principal Planning Officer, (Major), Principal Planning Officer (Minor) Senior Support Officer (G. Butler), Admin Officer (Judith Williams) and Bryn Jones (translator).

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors E.C. Edwards and E.R. Jones

333. URGENT MATTERS

Member raised the following issues:

- Location Maps need to be clearer
- Affordable Housing – Example copy of 106 agreement to be sent to Councillor J. Butterfield for information
- That an explanatory report be brought to committee regarding the Provision of affordable housing, including a simple chart showing the numbers of affordable houses required in each case

334. 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

Application No.
43/2004/0066/PF

Description and Situation
Following consideration of 1 additional letters of representation from: Public Protection.

Demolition of existing building and car sales and erection of 4 No. dormer bungalows and alterations to existing vehicular access. Beach Service Station, Victoria Road, Prestatyn.

Subject to:

Resolved to **GRANT** planning permission but subject to the applicants first entering into a 106 obligation on affordable housing provision.

Additional Amended Condition

6. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be completed in accordance with a recognized code of practice such as *British Standards Institution Code of Practice, 'The Investigation of potentially Contaminated Sites', BS10175:2001*. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any (residential) unit hereby permitted is first occupied (for use where soil contamination is known or suspected).

43/2004/0186/PF

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. Resolved to **GRANT** planning permission but subject to the applicants first entering into a 106 obligation on affordable housing provision.

Amended /Additional Conditions

Delete Condition 2.

6. The use of the premises hereby permitted shall not commence until the parking spaces shown on the approved plan have been surfaced and marked out and shall be kept available for that purpose at all times.

Reason: To provide for the parking of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered necessary in the interest of traffic safety.

7. Before any development starts on site a scheme for marking out a loading/unloading

area within the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme shall be completed prior to the commencement of the use hereby permitted.

Reason: To provide for the loading/unloading of vehicles clear of the highway in the interest of traffic safety.

8. Full details of the closing of the existing access off Ceg Y Ffordd and the exact position and type of bollards adjacent to parking spaces 1 – 6 shall be submitted to and approved by the Local Planning Authority prior to the commencement of any site works and the work shall be carried out in accordance with the approved details before the development is brought into use.

Reason: In the interests of highway safety.

43/2004/1173/PO

Development of 0.122 hectares of land by erection of 1 dwellinghouse and construction of new vehicular access (Outline application).

Land at 93 Meliden Road, Prestatyn.

45/2004/0043/PO

Councillor J. Butterfield declared an interest in the following application and left the Chamber during consideration thereof. Following consideration of 4 additional letters of representation from: Rhyl Town Council, North Wales Fire and Rescue, Head of Transport and Infrastructure, Building Control Manager.

Development of 0.22 ha of land by part demolition of existing buildings and erection of 10 No. dwellings and alterations to existing vehicular access (Outline application).

Former North Wales Saab Centre, Morville Garage 27 – 28 East Parade Rhyl.

Public Speaker for: G. Kenyon

Speaker against: H. Martin.

The following Members wished it to be noted that they voted against the granting of planning permission:

B. Barton, N. Hugh-Jones, D.A.J Thomas, S. Thomas, E. Williams and M. Webster.

Subject to:

Resolved to **GRANT** planning permission but subject to the applicants first entering into a 106 obligation on affordable housing and commuted sum for open space provision.

Amended /Additional Conditions

9. Notwithstanding the submitted details, no development or demolition works shall be permitted to commence until;

a) The written approval of the Local Planning Authority has been obtained to:

- i) The detailing of the proposed access arrangements including the proposals for achieving the requisite height clearance to allow construction and emergency vehicles to gain access to the centre of the site from East Parade, below the Morville Hotel Ballroom; including details of existing and proposed ground, road and footway levels, access gradients, means of drainage, position of support columns and height restriction warning signs.
- ii) The proposed means of preventing vehicular access to and from the site off Bath Street
- iii) A Method Statement for the removal of any columns supporting the Morville Hotel Buildings, and proposals for any new support columns, demonstrating how the structural stability of that building will be secured.

b) The completion of all the works approved in connection with a) (i), (ii) (iii) of this condition.

Delete Condition 10

Note to Applicant

You are advised to contact the Development Control Case Officer and Building Control Manager to discuss the details required in connection with Condition 9 of this permission, prior to formal submission of any plans.

45/2004/0469/PS

Following consideration of 1 additional letter of representation from: Rhyl Town Council. Variation of Condition No. 2 on Planning Permission Ref. 45/2004/13/PF to allow use of existing access off Vale Road to serve offices and workshop granted by that permission.
Land between 159 and 165 Vale Road, Rhyl.

45/2004/1032/PF

Continuation of use of part of site for retail sales of up to 4 vehicles and erection of 2m high steel boundary fence and 2m high front gate (partly in retrospect).

	Coastal Cars, 116 Vale Road, Rhyl. Amended Condition 2(i) – delete the word “steel”.
45/2004/1093/PF	Proposed extension of existing stub tower from 4 metres to 5.75 metres (1.75 metre height increase) to provide telecommunication lattice tower, 3 antenna and equipment cabinet. Vanguard Communications Plc, Vanguard Technology Park, Ffordd Derwen, Rhyl.
47/2004/0675/PF	Renewal of Application Ref. No. 47/128/99/PF comprising conversion of redundant mill to residential dwelling, construction of new vehicular/pedestrian access and installation of private sewage treatment plant. Grove Mill, Marian Mills, Trelawnyd, Rhyl.
47/2004/0738/PF	Conversion and extension of existing shippon/farmhouse to form a single dwelling house, alterations to existing vehicular access and installation of private sewage treatment plant Pant Ifan Newydd, Holywell Road, Rhualt, St. Asaph.
01/200/1203/PF	Councillor Gwilym Evans declared an interest in the following application and left the Chamber during consideration thereof. Following consideration of one additional letter of representation from Denbigh Town Council. Change of house types by erection of sun-rooms at rear of proposed dwellings. Plots 4 and 5 at former Wynne’s Park Nursing Home, Brookhouse Road, Denbigh. (Councillor N. Hughes abstained from voting).
03/2004/1070/TP	Felling of trees within ancient woodland the subject of a Tree Preservation Order. Pen y Coed Llangollen. (APPROVED)
03/2004/1119/PF	Following consideration of one additional letter of representation from S.J. Miles (by e-mail). Erection of dwelling and construction of new vehicular access. Land adjoining Waverley Aber Adda, Llangollen. Public Speaker Against – Carole Davies

03/2004/1132/PF	Erection of woodland sculpture. Southern Boundary of A539 East of Llangollen
14/2004/0801/PF	Erection of residential dwelling Land adjoining Derfel, Cyffylliog, Ruthin.
16/20024/0776/PF	Following consideration of one additional letter of representation from Llanbedr DC Community Council. Erection of swimming pool and garage, change of use of paddock to domestic cartilage and new vehicular access Llys y Wennol, Llanbedr Dyffryn Clwyd, Ruthin.
16/20024/0681/PO	Development of land by the erection of a dwelling and construction of a new vehicular access (outline application). Land adjoining The Ranch House, Lon Cae Glas Llanbedr Dyffryn Clwyd Ruthin.
17/2004/0792/PF	Following consideration of one additional letter of representation from Countryside Council for Wales. Erection of building for use as office/store in connection with Lakehill Fishery and Farm. Lakehill Fishery and Farm, Llandegla, Wrexham. <i>Subject to Amended Conditions –</i> 1. The development hereby permitted shall be completed no later than the 4 th April 2006. <i>Reason</i> The permission is granted to allow the opportunity to provide a permanent facility to replace a temporary caravan which has to be removed no later than the stated date. Insert the following as Condition 2 and renumber the rest. 2. No development shall be permitted to commence on the building until the written approval of the Local Planning Authority has been obtained to all the following: a) The precise siting and orientation of the building, which shall not be as shown on the submitted plans but in accordance with such detail as is acceptable to the authority in order to avoid intrusion into the candidate Special Area of Conservation. b) Specific proposals for the protection of fauna during and after construction phase of the building and septic tank, and for the restoration of fauna following the completion of the building and the septic tank.

Reason To ensure adequate measures are taken to protect the Special Area of Conservation and vegetation in the SSSI. The condition now number 7 should be revised to read: This permission relates solely to the provision of the facilities shown within the approved building and the floor plans received by the Local Planning Authority on the 9th June 2004, in connection with the Lakehill Fishery and Farm, and the building shall not be permitted to be used for any other purpose without the formal permission of the Local Planning Authority.

22/2004/1022/PF

Erection of extension and porch to existing dwelling and pitched roof over existing garage.
Hafod y Coed, Gellifor, Ruthin.

REFUSE

43/2004/1172/AD

Retention of externally-illuminated fascia sign and internally illuminated projecting box sign (retrospective application).
16 High Street, Prestatyn.
For the following Amended reason:
add...."have an unacceptable impact on visual amenity, in particular".....
Councillor N. Hugh-Jones wishes it noting that he voted **AGAINST** the refusal of planning permission.

02/2004/0993/PF

Introduction of ceramic tile cladding to shop front (retrospective application).
Ruthin Kebab and Burger House 54 Well Street, Ruthin.

12/2004/0946/PO

Development of land for residential purposes and construction of new vehicular access (outline application).
Land at Bryn Coch, Clawddnewydd, Ruthin.
Subject to Deletion of reason 2

Notwithstanding the Officers Recommendation the following application be REFUSED for reason given

43/2004/1091/PF

Following consideration of 1 additional letters of representation from: Head of Transport and Infrastructure.
Land East of Drivers Limited and South of Prestatyn Road, Prestatyn.
REFUSED for the following reasons:
1. The proposed extension to the garage forecourt would involve an unacceptable

development into a designated Green Barrier impacting on the open character of the Green Barrier, contrary to policies GEN 3 and GEN 5 of the Denbighshire Unitary Development Plan, setting an undesirable precedent for similar encroachments elsewhere.

2. The proposed extension of the garage forecourt, the formation of a new vehicular access and repositioning of an agricultural access would be likely to lead to increased traffic movements on to and from a busy Class A road in close proximity to existing road junctions, to the detriment of highway safety, contrary to policy TRA 6 of the Denbighshire Unitary Development Plan. Resolved to **REFUSE** contrary to officers recommendation on grounds of encroachment into Green Barrier and access/vehicular movement impact on highway safety

DEFER for reasons given

46/2004/0678/PC

Councillor J. Chamberlain Jones declared an interest in the following application and left the chamber during consideration thereof.

Following consideration of 1 additional letter of representation from: Applicant's agent. Retention of dwelling for temporary period of five years (Retrospective application). Part OS Field Nos. 5000 and 6300 at Pen-Y-Bryn, Glascoed Road, St. Asaph. Defer to allow opportunity to assess agent's information and to re-present to November Committee.

03/2004/0010/PF

Following consideration of six additional letters of representation from Head of Transportation & Infrastructure; Environment Agency; Llangollen Town Council; J. Gwyn-Jones, 12 Maesmawr Road; A & D Skinner, 28 Maesmawr Road and Mr Ffolkes Jones, Arosfa Maesmawr Road.

Erection of 14 dwellings and garages and construction of new entrances and adopted road and installation of sewerage pumping station.

Land adjacent to 10 Maesmawr Road, Llangollen.

Defer for Welsh Water issues to be considered.

SITE VISITS

43/2004/0317/PF	Demolition of existing farm outbuildings and erection of 6 mews cottages and garage block and installation of new septic tank (retrospective application). Llys Farm, Meliden Road, Prestatyn. Site Visit Members requested that the Conservation Architect be invited to attend the Site Visit.
43/2004/1047/PF	Following the consideration of 1 additional letter of representation from: Mr. J. C. Prout, The Croft, Oakhill Lane, Prestatyn. Erection of two-storey pitched-roof extension at rear of dwellinghouse. 24 Bryntirion Drive, Prestatyn. Subject to Site Visit to consider impact on neighbouring property.
01/2004/0219/PF	J. Kennedy declared an interest in the following application and left the Chamber during consideration thereof. Following consideration of corrections to report. Change of use of agricultural land for the keeping of horses for school use (Field No. 8028, 7342 and 6344). Land at Howells School, Denbigh. Subject to Site Visit to consider traffic access, parking and possible over development.
01/2004/0545/PF	Demolition of existing building and erection of 15 flats for the elderly, construction of new pedestrian and vehicular accesses. Old Cinema Site, Highgate, Denbigh. Subject to Site Visit to assess the impact on adjoining dwellings, traffic and parking issues.
01/2004/715/CA	Demolition of Cinema building (Conservation Area application) Old Cinema Site, Highgate, Denbigh. Subject to Site Visit to assess the impact on adjoining dwellings, traffic and parking issues.

335. ENFORCEMENT ITEMS

Submitted Report by Head of Planning and Public Protection Services

- i. ENF/2004/00052 – The Best, 16 High Street, Prestatyn.

Display of externally illuminated fascia sign and internally illuminated projecting box sign

Instigate prosecution proceedings or any other appropriate action under the Planning Acts to secure the removal of the unauthorised signs.
(Hold in abeyance for 2 months to allow negotiation)

- ii. ENF/2004/00053 – Ruthin Kebab and Burger House, 54 Well Street, Ruthin
Introduction of Ceramic tile cladding to shop front.

Serve an Enforcement notice to secure the removal of the unauthorised ceramic tile cladding and any other works required to remedy the breach.

- iii. ENF/2004/00012 – Part OS Field Nos. 5000 and 6300 at Pen Y Bryn, Glascoed Road, St. Asaph.

Erection of dwellinghouse

Defer to await decision on planning application

336. TWEEDMILL, ST. ASAPH

Report by Head of Planning and Public Protection detailing the recent planning history and the forthcoming appeal, and requesting consideration of the appointment of Counsel to assist with the appeal and the nomination of two Planning Committee Members to represent the Council at the appeal inquiry.

*The Committee **RESOLVED:***

- *That Counsel be employed*
- *That Councillor R Barton represent the Council together with one of the following: Chair, the Proposer or Seconder of the motion to refuse permission for the planning application*

337. REVIEW OF THE SCHEME OF DELEGATION FOR PLANNING APPLICATIONS

Report by the Head of Planning and Public Protection Services detailing the proposed changes to the Scheme of Delegation.

On discussion, members were not content with review area b – which recommended that Members could only request an application determined by committee if it was in their Ward.

Further it was proposed by B. Barton and seconded by G.C. Evans that a working group be set up to consider issues relating to the delegation scheme.

*The committee **RESOLVED:***

That the Scheme of Delegation be supported in terms of a, c and d on the report and that a working group be set up. This support be conveyed to Full Council for ratification.

338. EXPLANATION OF THE ROLE OF THE UNITARY DEVELOPMENT PLAN AND LOCAL DEVELOPMENT PLAN IN DENBIGHSHIRE

Submitted report by Head of Planning and Public Protection Services in response to Members' queries regarding the UDP and LDP in Denbighshire.

*The committee **RESOLVED**:*

That the report be received for information

339. INFORMATION ITEMS

Submitted report by the Head of Planning and Public Protection Services informing members of items of interest, key documents and their source for future reference:

- Scheme of Delegation
- Code of Best practice for Councillors and Officers dealing with Planning applications
- Guidelines for Site Panels
- Public Speaking at Committee

*The committee **RESOLVED**:*

That the report be received for information.

Members welcomed this initiative and suggested future items to include Building Regulations when appropriate.

340. 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 and advising of the current membership of the Site Visit Panel.

An alternative date of 29th October 2004 was proposed and seconded . On being put to the vote it was:

RESOLVED *that the approved site visits be held on Friday 29th October 2004*

341. 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 September 2004 – 30th September 2004

RESOLVED *that the report be received*

The meeting closed at 1.30 p.m.
