

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 24th November 2004 at 10.00a.m.

PRESENT

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

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Planning Officer (Iwan Lloyd), Senior Support Officer (G. Butler), Admin Officer (Judith Williams), Bryn Jones (Translator) and County Clerk (Ian Hearle) present for Howells School application and Sue Broadway present for Howells School and Old Cinema, Denbigh applications.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors E.R. Jones, Jeanette Chamberlain-Jones, Sharon Frobisher and Mark Webster.

403. URGENT MATTERS

Windfarm, Gwyddelwern

Head of Planning and Public Protection advised Members that the application for the proposed Windfarm in Wern Ddu, Gwyddelwern is likely to be on the January Committee Agenda. Members were asked if they considered it advisable to arrange a site visit before then.

RESOLVED that Officers arrange a briefing session and site visit to the proposed Windfarm site early in December.

404. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Head of Planning and Public Protections 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 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**

Application No.

Description and Situation

03/2004/1369/PF

Subject to the receipt of no further representations raising a planning matter not already covered in the report by 20th November 2004.

Following consideration of two additional letters of representation from Llangollen Town Council and Mr & Miss T.A. Gibson, 4 Wern Road, Llangollen.

Replacement of existing rooflights with dormer windows. Whiteoaks 3 Wern Road, Llangollen.

14/2004/1225/PF

Following consideration of one additional letter of representation from Cyffylliog Community Council.
Erection of detached dwelling.
Land at Plot 6 adjacent to Maes y Delyn Cyffylliog Ruthin.

(Councillors Morfydd Jones & N. Hughes both abstained from voting).

Subject to Amended Conditions – Delete condition no. 1 and renumber remainder.

4. Within two months of the date of this permission there shall be 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) Proposed new trees, hedgerows, shrubs or vegetation including confirmation of species, numbers, and location and the proposed timing of the planting;

(b) Proposed materials to be used on the driveways, paths and other hard surfaced areas;

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

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).

3. Welsh Water advise that a water main crosses the site. Please contact Welsh Water for more information. They can be contacted on 01745 815815 (reference 2004/babti/15910).

15/2004/1290/PR

Following consideration of two additional letters of representation from Llanarmon yn Ial Community Council and Enid Butler, Ty Newydd Abbeyland Llan y Ial, and public speaker – Mr Rogers (in favour).

Details of the erection of a dwelling (previously approved under outline application no. 15/2004/0478/PO).

Land adjoining Tyn y Mynydd Abbeyland Llanarmon yn Ial.

Subject to New Note to applicant – Please note that the details submitted only addressed the following reserved matters – design and external appearance. Further details are required of the means of access and landscaping. You are also required to comply with the condition no. 4, 9, 10, 13 and 14 of the outline planning permission ref: 15/2004/0478/PO before the development commences. Failure to comply with any of the conditions may invalidate the planning permission.

Officers to check whether there are any trees on the site worthy of a Tree Preservation Order (request by Councillor) or whether any works are in breach of any TPO.

43/2004/1047/PF

Following consideration of three additional letters of representation from Mr J Pront (by e-mail) and Councillor N. Hugh-Jones.

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

24 Bryntirion Drive, Prestatyn.

(Councillor N.H. Jones abstained from voting)

Subject to Amended Conditions 3, 5 and 6 –

3. Delete “north elevation of the extension hereby permitted.”
5. SC23C add “in the north elevation of the extension hereby permitted.”
6. Notwithstanding the submitted details surface water drainage shall be directed to the mains drainage system and not to a soakaway – *Reason* – To prevent flooding of adjacent properties.

47/2003/1538/PF

Revised scheme of conversion of outbuilding to holiday cottage with new vehicular access and new bridge (partly in retrospect).
Outbuilding 2 at Holywell Road Rhualt St. Asaph.

47/2003/1186/PF

Erection of dwelling and construction of new vehicular access.
The Orchard Land adjoining Marl Cottage Rhualt Road Cwm Dyserth Rhyl.
(Councillors R. Barton and R.LI. Williams abstained from voting).
Subject to Amended condition 7 – Prior to the commencement of the development, sample panel of the type of [stonework, mortar and pointing/render] it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority; and the [stonework, mortar and pointing/render] to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.

Refusals

01/2004/0219/PF

Notwithstanding the Officers recommendation the following be refused

Speaker against – Edward Landor, Speaker in favour – Christine Roberts.

Jane Kennedy, Legal Services Manager, declared an interest in the following application and left the Chamber during consideration thereof.

Following consideration of additional plan circulated and one additional letter of representation from R. Gwynn Parry, Tan y Gaer, Park Street, Denbigh.

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.

Following a proposal to refuse permission and the requisite number of members requesting a recorded vote, the Chair asked members to vote FOR or AGAINST the proposal to refuse planning permission.

Against (12) Councillors J. Butterfield, D. Cooper, J.M. Davies, S.A. Davies, M.A. German, D. Hannam, K.N. Hawkins, N. Hugh-Jones, P.W. Owen, N.P. Roberts, S. Thomas, J. Thompson-Hill.

For (13) Councillors J.R. Bartley, R.E. Barton, G.C. Evans, H.H. Evans, T.K. Hodgson, N.J. Hughes, T.R. Hughes, D. Jones, M.M. Jones, D.A.J. Thomas, C.H. Williams, E.W. Williams, R.LI. Williams.

The decision, being contrary to the Officers' Recommendation was taken for the following reasons:

Resolved to Refuse the application on the following grounds:

1. Inadequate highway access to the site.
2. Impact on the viability of Goblin Farm.
3. Loss of agricultural land (Policy ENV11)
4. Impact on the landscape.

Due to previous appeal decision and suggested reasons for refusal need to refer report to Full Council due to cost implications.

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.

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

1. The proposal, by reason of the height, scale, and lack of space around the buildings, would represent an overdevelopment of the site that would detract from the visual and residential amenities of the area and the character and appearance of the Denbigh Conservation Area in conflict with Policies GEN 6 and CON 5 of the Denbighshire Unitary Development Plan.

01/2004/0715/CA

Demolition of cinema building (Conservation Area consent)

Old Cinema Site Highgate Denbigh.

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

1. The proposal would be contrary to Policy CON 7 of the Denbighshire Unitary Development Plan in that an acceptable redevelopment proposal has not been approved and demolition would lead to a vacant gap site within the street scene and Denbigh Conservation Area.

03/2004/0010/PF

Speaker against – John Ffoulkes-Jones.

Following consideration of amendment to paragraph 16 and one additional letter of representation from Transport and Infrastructure.

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.

(Councillors E. Williams, M. German, D. Cooper, Joan Butterfield, T. Hodgson and Janet Chamberlain-Jones voted to grant – J. Thompson-Hill abstained from voting).

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

1. The proposal would lead to the encroachment of a development site beyond the settlement boundary of Llangollen. The residential garden use of a prominent area of land above the A5 would be visually intrusive. The proposal would therefore be contrary to Policies GEN 1, GEN 3, ENV 2 and HSG 16 of the Denbighshire Unitary Development Plan and national planning guidance in Planning Policy Wales.

45/2004/1248/PF

Change of use and subdivision of Unit 2 to part Class A1 retail and part Class A3 (pizza take-away).

Unit 2(18) at 18/20 Vale Road Rhyl.

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

1. The proposed Class A3 takeaway use would lead to additional noise, disturbance, fumes and activity particularly in the evenings, to the detriment of the residential amenity of properties in the surrounding area, particularly on Vezey Street. The proposal would be contrary to Policy RET 16 (criteria (iii)) of the Denbighshire Unitary Development Plan.

Site visits

- 15/2004/1214/PF
Following consideration of two additional letters of representation from Llanarmon yn Ial Community Council and Transport and Infrastructure.
Demolition of existing flat-roofed extension and construction of new public house car park. Erection of detached dwelling on part of former car park and construction of new vehicular access.
Sun Inn Village Road Eryrys Mold.
Site visit impact on Area of Outstanding Natural Beauty.
- 17/2004/1211/PO
Following consideration of four additional letters of representation from Llandegla Community Council; Welsh Water; Transport and Infrastructure and The Applicant.
Details of finished floor level of dwelling submitted in accordance with condition number 6 of planning permission no. 16/2004/557/PF.
Land adjacent to Bryn Hyfryd Pen y Stryt Llandegla Wrexham.
Subject to Site visit to consider the steep nature of the site, visual impact and impact of neighbours and layout of land.
- 20/2004/1129/PF
Following consideration of four additional letters of representation from JAC – AONB; Principal Countryside Officer (Trees); Applicants Agent and Llanfair DC Community Council.
Erection of shed for the storage/maintenance of machinery and helicopter.
Pentrecelyn Hall Pentre Celyn Ruthin
Subject to Site visit to consider visual and amenity impact.
- 21/2004/0838/PF
Following consideration of one additional letter of representation from Llanferres Community Council.
Erection of replacement dwelling.
Ty Pren Hendre Foelas Pant Du Road Eryrys Mold.
Subject to Site visit to assess the condition of the “dwelling” and impact of development on Area of Outstanding Natural Beauty and trees on site.
- 45/2004/0813/PO
Following consideration of addition to report re: commuted sum figure and two additional letters of representation from Dr I.S. Futchler, 61 Russell Road, Rhyl and Environment Agency.
Development of 0.19 hectares of land by demolition of existing buildings and erection of 22 No. 2-bedroom apartments, construction of new vehicular/pedestrian access and blocking up of 2 No. existing vehicular/pedestrian accesses (Outline application).
Northgate School 55-59 Russell Road Rhyl.

- Subject to* Site Visit to consider impact on visual and residential amenity and highway issues.
- 45/2004/0999/PF
 Following consideration of 10 additional letters of representation from Ann Jones (AM); Jean Hodgson, 8 Hilton Drive (by e-mail x 2); Rhyl Town Council; P. Harrison, 25 Hilton Drive; G. Hollinshead, 27 Hilton Drive; J.G. Nolan, 3 Hilton Drive; R & M Jones 11a Hilton Drive; Mrs M. Pepper, 2 Tynwydd Road; J. Sandman, 19 Hilton Drive; P. Jones, 11 Hilton Drive.
 Demolition of former hotel and restaurant and erection of 19 No. two-storey apartments, associated roads, parking areas, drainage and landscaping works.
 Point Hotel Hilton Drive, Rhyl.
Subject to Site visit to assess impact on visual and residential amenity.
- 46/2004/0678/PC
 Following consideration of one additional letter of representation from Craig Perch, Henllys, Gilfach Road, Penmaenmawr.
 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.
Subject to Site visit to consider impact of temporary building and potential temporary use and employment elements of the scheme.
- Defer**
- 16/2004/1374/AC
 Following consideration of three additional letters of representation from Paul Williams, 19 Tan y Bryn, Llanbedr x 2 and the Applicant.
 Details of finished floor level of dwelling submitted in accordance with condition number 6 of planning permission no. 16/2004/557/PF.
 31 Tan y Bryn Llanbedr Dyffryn Clwyd Ruthin.
 Defer to allow consultation period to elapse and for consultation responses to be reported to Committee.
- 43/2004/0317/PF
 Speaker in favour – David Jones.
 Demolition of existing farm outbuildings and erection of 6 mews cottages and garage block and installation of new septic tank.
 Llys Farm Meliden road Prestatyn
 Defer to await Listed Building application and consider at the same time.
- 44/2003/1477/PC
 Following consideration of three additional letters of representation from Councillor M. German; Sue Broadaway (Transport & Infrastructure) and Principal Compliance Officer.
 Continuation of use of agricultural outbuilding as storage and repair of motor rally cars.
 Outbuilding at Four Winds Farm Ffordd Ffynnon Prestatyn.
 Defer - consultations with Prestatyn Town Council.
- 46/2004/0831/PF
 Following consideration of two additional letters of representation from I Paynter and N McHugh, Oriol Bungalow, St. Asaph Town Council.

Continuation of use of land for storage of building materials and equipment (partly in retrospect).
Former Pavilion Site Oriel House Upper Denbigh Road St. Asaph.
Defer – policy and highway implications and visual impact.

405. ENFORCEMENT ITEM

ENF/2004/12 Part OS field 5000 and 6300 Pen y Bryn Glascoed Road St. Asaph

***RESOLVED** that this item be held in abeyance to await the outcome of the Planning application.*

406. 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 29 November 2004 and advising of the current membership of the Site Visit Panel.

***RESOLVED** that the approved site visits be held on 29 November 2004*

Officers were concerned about the number of Site Visits and offered to review procedure if Members could highlight any areas for improvement, such as more detailed reports. Officers will forward the present protocol to Committee Members for information.

407. ITEMS FOR INFORMATION

The Head of Planning and Public Protection written report (previously circulated) giving information on:

- (i) a new Technical Advice Note on Renewable Energy (TAN 8)
- (ii) Planning Fees – advising of a general increase in fees, details of which are on the web site.
- (iii) New Residential Schemes and Affordable Housing – The Consultants full Report can be found on the web site.

Members again requested a simple table showing the numbers of affordable houses to be provided in each case.

Officers are preparing a Supplementary Planning Guidance and will include a table within that document.

408. LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

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

***RESOLVED** that the report be received.*

The meeting closed at 1.15 p.m.
