

## **PLANNING COMMITTEE**

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 15<sup>th</sup> December 2004 at 10:00 a.m.

### **PRESENT**

Councillors S. Thomas (Chair), J.R. Bartley, R.E. Barton, J. Butterfield, J. Chamberlain Jones, J. Davies, M. LL. Davies (Observer), P. C. Duffy (Observer), G.C. Evans, H.H. Evans, I.M. 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, P.W. Owen, N.P. Roberts, D.A.J. Thomas, J. Thompson-Hill, M.A. Webster, C.H. Williams, E. W. Williams, R.LI. Williams.

### **ALSO PRESENT**

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

### **APOLOGIES FOR ABSENCE WERE RECEIVED FROM**

Councillors M. German, E. R. Jones, S. Frobisher and S. Davies.

### **483 URGENT MATTERS**

With immediate effect, Councillor Isobel German will represent Democratic Alliance Group on Planning Committee in place of Councillor D. Cooper.

### **NORTH WALES HOSPITAL, DENBIGH**

Officers advised their intention to arrange a site visit and briefing on proposals for North Wales Hospital.

**RESOLVED** that:-

This be arranged for January 2005.

Members referred to anonymous letters received and were in agreement that the content would not be taken into account when dealing with the application. Councillor D. A. J. Thomas referred to phone calls received, apparently from the applicants and asked officers to send the code of conduct to them regarding the lobbying of Councillors.

### **484. 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, be 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.**

**Description and Situation**

43/2004/1311/PO

Development of 0.04 hectares of land by erection of 1 dwelling and garage (Outline application).  
Land at (Part garden of) 1 Bryntirion Avenue fronting Stoneby Drive.

Subject to Additional Condition:

7. Any excavation works in relation to the driveway within the spread of the adjacent copper beech tree shall be carried out solely through digging by hand, and the tree shall be fenced off with suitable barriers set at a minimum of 1 metre from the trunk at all times during construction works.

Reason: To protect the adjacent tree in the interests of visual amenity.

Notes to Applicant:

1. In the implementation of this permission you are requested to ensure that any construction is carried out having regard to the amenities of nearby residents. Construction during unsociable hours should be avoided.
2. Your attention is drawn to the attached Highway Supplementary Notes Nos. [1, 3, 4, 5 and 10]
3. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

43/2004/1392/PF

Subject to the receipt of no further representations raising a planning matters not already covered in the report by 23<sup>rd</sup> December 2004.

Following consideration of 3 additional letters of representation from: Welsh Water, Public Protection and the Applicant.

Change of use from Class A1 shop to Class A3 hot-food take-away.

24 High Street, Prestatyn.

Subject to Additional Conditions:

4. The use hereby permitted shall not commence until the written approval of the Local Planning Authority has been obtained for arrangements for the disposal of litter, and the agreed arrangements shall be provided from commencement of use and at all times thereafter.

Reason: In the interests of visual amenity.

5. Grease traps shall be installed on the drainage system serving the takeaway prior to the commencement of the use hereby permitted to prevent the discharge of grease into the public sewer and the grease trap shall be maintained at all times thereafter.

Note to Applicant:

Babtie, New Development Consultants, advise that a public sewer crosses the site. Please contact Babtie for more information before you proceed with the development. Babtie can be contacted on 01745 815815 or e-mail Babtie@denbigh.com.

45/2004/0813/PO

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.  
Resolved to **GRANT** planning permission but subject to the applicant first entering into a Section 106 obligation dealing with affordable housing (7 units) and off site open space.  
Subject to Additional Condition:  
11. Cycle parking shall be provided prior to the occupation of any of the flats hereby permitted in accordance with details to be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure provision for cyclists to encourage journeys other than by private car.

45/2004/0999/PF

Following consideration of 1 additional letter of representation from: Mrs J Hodgeson.  
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.  
Public Speakers:  
C. Grattan (For)  
R. Jones (Against)  
Resolved to **GRANT** planning permission but subject to the applicants first entering into a Section 106 obligation dealing with affordable housing (5 units) and public open space.  
And Subject to Amended Condition:  
8. The siting and detailing of the proposed parking area to the north west of the proposed building and the position of the security gates onto Tynwydd Road shall not be shown on the submitted plan but shall be in accordance with further details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. The details approved under this condition shall be implemented in their entirety before any of the flats hereby permitted are first occupied.  
Reason: In the interests of highway safety and residential amenity.  
The following Councillors wished it to be noted that they voted against the grant of planning permission:  
J. Chamberlain-Jones, M. Webster, Joan Butterfield.

06/2004/1331/PF

Following consideration of 2 additional letters of representation from: Public Protection and Gwyddelwern Community Council.  
Relocation of 2 existing cyclones, erection of 1 new cyclone and erection of burner and timber drying plant.  
The Sawmills, Gwyddelwern, Corwen.  
Public Speaker:  
Mr Fry (For).

15/2004/1214/PF

Following consideration of 1 additional letter of representation from Llanarmon Yn Ial Community Council.  
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.  
Public Speaker:  
Michael Davies (Against).

Subject to Amended Condition:

7. "stone boundary walling to the site frontage etc" Add. "The frontage wall shall be no higher than 1.05 metres above the adjacent carriageway and nothing shall be planted or erected above this height within 2.4 metres of the wall."

Subject to New Conditions 9 and 10:

9. Demolition of the existing flat roofed extension to the Sun Inn shall not commence until written approval of the Local Planning Authority has been obtained to the detailed treatment of the exposed walls of the Sun Inn. The treatment of the exposed walls shall be carried out in accordance with the approved details within 3 months of the demolition.

Reason: In the interest of visual amenity.

10. The detailing of the gable ends to the dwelling hereby permitted shall not be as shown on the submitted plans which shall be in accordance with further details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved gable end details shall then be implemented in their entirety prior to the occupation of the dwelling.

Reason: In the interest of visual amenity.

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. You are asked to contact the relevant Planning Officer to discuss the details required by conditions 2, 4 and 10 prior to the preparation of any plans.

The following Councillors voted against the grant of planning permission:

R. E. Barton and N. Hugh-Jones.

15/2004/1264/PF

Councillor Selwyn Thomas declared an interest in the following application and left the chamber during consideration thereof. Councillor Lloyd Williams took the Chair. Erection of extensions to existing clubhouse. Parc Farm Caravans, Graianrhyd Road, Llanarmon Yn Ial, Mold.

16/2004/1374/AC

Following consideration of 1 additional letter of representation from P. S. and A. M. Williams, 19 Tan Y Bryn, Llanbedr 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.

Public Speakers:

Mr Clark (For)

Mr Williams (Against)

17/2004/1211/PO

Development of 0.157 ha of land by the erection of a dwelling, construction of a new vehicular access and installation of a new septic tank (Outline application).

Land adjacent to Bryn Hyfryd, Pen Y Stryt, Llandegla, Wrexham.

21/2004/1262/PO

Following consideration of 1 additional letter of representation from Llanferres Community Council.

Development of 0.66 ha of land for a single dwelling (Outline application).

Land opposite Miners Arms, Village Road, Maeshafn, Mold.

Subject to New condition:

7. The dwelling shall not be occupied until space, in accordance with details to be submitted to, and approved in writing by the Local Planning Authority, has been laid out within the site for cars to be parked and for cars to turn so that they may enter and leave the site in a forward direction.

Additional Note to Applicant:

You are advised to ensure that the adjacent vehicular access is not obstructed at any time by construction activities on the site and that following construction the access lane is made good.

### **NO OBJECTION**

01/2004/1401/TC

Felling of silver birch tree in the Denbigh Conservation Area.  
44 Vale Street, Denbigh.

### **LISTED BUILDING CONSENT BE GRANTED**

45/2004/0817/LB

Demolition of stables within curtilage of Grade II Listed Building.  
Land at Pendyffryn House, 14/16 Pendyffryn Road, Rhyl.

Subject to Additional Condition:

5. No demolition shall take place until the written approval of the Local Planning Authority has been obtained to the proposed details of the means of making good of the exposed sections of the building, and the making good approved shall be carried out within three months of the demolition of the part of the building subject to this consent.

Reason: To ensure that the curtilage building is appropriately reinstated in the interests of the setting of the listed building.

This resolution is subject to the referral of this application to CADW and their raising no objection to consent being given.

### **REFUSALS**

46/2004/0678/PC

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.

Public Speaker:

Christine Roberts (For)

### **Notwithstanding the officers recommendation the following be REFUSED**

20/2004/1129/PF

Following consideration of 2 additional letters of representation  
from J. and J. Williams, Glan Aber, Pentrecelyn and Joint  
Advisory Committee AONB.

Erection of shed for the storage/maintenance of machinery and  
helicopter.

Pentrecelyn Hall, Pentre Celyn, Ruthin.

Public Speaker:

Aled Rees (NFU) (Against).

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

**REFUSED** for the following reason:

1. It is the view of the Local Planning Authority that the proposed building would be unacceptable in this location due to its size, design and siting. The building would adversely impact on the amenity of occupiers of neighbouring properties, the setting of the listed building of Pentrecelyn Hall, and the overall landscape of the area, in conflict with Policies GEN 6, ENV 2 and CON 1 of the Denbighshire Unitary Development Plan.

**DEFERRED FOR REASONS GIVEN**

44/2003/1477/PC

Following consideration of 1 additional letter of representation from Prestatyn Town Council.

Continuation of use of agricultural outbuilding as storage and repair of motor rally cars.

Outbuilding at Four Winds Farm, Ffordd Ffynnon, Prestatyn.

**DEFERRED** for alleged commercial use to be investigated and for planning history to be clarified.

The following Councillor voted against deferral:

N. Hugh-Jones.

11/2004/1156/PF

Use of land for timber storage purposes and reinstatement of vehicular access.

Field Number 4884, Clawddnewydd Road, Ruthin.

**DEFERRED** to seek further information on the planning history of the site to confirm whether a lawful use exists or not.

**485. ENFORCEMENT MATTERS**

ENF/2004/12 – Part OS Fields No 5000 and 6300 at Pen Y Bryn, Glascoed Road, St. Asaph

Erection of a dwelling house.

**RESOLVED** to:-

- (i) Serve an Enforcement Notice to secure demolition and removal of the unauthorised dwelling and any other works required to remedy the breach, subject to a two year compliance period.
- (ii) Instigate prosecution proceedings, or other appropriate action under the provisions of the Planning Acts, 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.

**486. ENFORCEMENT COMMITTEE AUTHORISATIONS**

Case Review Report December 2004.

Submitted report by the Head of Planning and Public Protection detailing enforcement cases which have been reported to committee, and updating on progress.

**RESOLVED** that :-

The report be received for information.

**487. DATE OF SITE VISIT**

There being no site visits required this item was withdrawn.

**488. 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 1<sup>st</sup> November 2004 – 20<sup>th</sup> November 2004.

**RESOLVED** that:-

The report be received.

The meeting closed at 1.10 p.m.

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