

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 23rd February 2005 at 10.00 a.m.

### PRESENT

Councillors S. Thomas(Chair), J.R. Bartley, R.E. Barton, J. Butterfield, J. Chamberlain-Jones, M.LI. Davies (Observer) P.C. Duffy, (Observer) G.C. Evans, S. Frobisher, D. Hannam, K.N. Hawkins, T.K. Hodgson, N.J. Hughes, N. Hugh-Jones, D. Jones, E.R. Jones, H. Jones (arrived 12.15 p.m.), M.M. Jones, P.W. Owen, N.P. Roberts, J.A. Smith, (Observer) D.A.J. Thomas, J. Thompson-Hill, C.H. Williams, E.W. Williams, R.LI. Williams.

### ALSO PRESENT

Legal Services Manager, Development Control Manager, Team Leader (Major Applications), Senior Support Officer (G. Butler), Admin Officer (Judith Williams) and Bryn Jones (Translator).

### APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors J.M. Davies, H.H. Evans, M.A. German, I.M. German, T.R. Hughes, Hugh Jones, (arrived 12.15 p.m.), M.A. Webster.

### 661 URGENT MATTERS

#### Training Sessions

The Chair referred to the training course for new Councillors held recently and expressed disappointment at the low attendance. It was important for Councillors to take advantage of these sessions.

Councillor R.J. Bartley said it was an excellent day and would recommend it to all Members.

### 662 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Head of Planning and Public Protection Services (previously circulated) was submitted enumerating plans submitted and required 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 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

40/2004/1569/PF

(Following consideration of 1 additional letter of representation from: Countryside Council for Wales )  
Councillor E.R. Jones declared an interest in the following application and left the Chamber during consideration thereof.  
Alteration and extension to existing redundant communications buildings to form a canine hydrotherapy unit and construction of a new vehicular access.

**Land at Coed Erw'r Gaseg Nant Y Faenol Road Bodelwyddan Rhyl.**

GRANT: Subject to:

Amended Conditions 6 & 7:

6. "and/or"

7. Delete "to the Highway Authority's approval"

and New Conditions 10, 11 and 12

10. No development shall take place until a scheme of foul drainage and surface water drainage has been submitted to, and approved by, the Local Planning Authority and the approved scheme shall be completed before the building(s) is(are) first occupied.

11. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. The resulting photographs shall be deposited with the Local Planning Authority within one month of completion.

12. Reasonable avoidance measures to safeguard protected species shall be implemented on site during the development as set out in the submitted report from Tim J Hodnett dated July 2004.

*Reason: In the interests of any protected species on the site.*

*And new Notes to Applicant 1 and 2*

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).

(Councillor R.E. Barton wished it be noted that he abstained from voting).

42/2004/1553/PF

Erection of two-storey pitched-roof extension to dwellinghouse.

**Mount House Bryniau Dyserth Rhyl.**

GRANT: Subject to New Condition 3

3. Notwithstanding the details indicated on the proposed site plan, no trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing by the Local Planning Authority. (Councillor R.E. Barton wished it to be noted that he abstained from voting).

43/2004/1250/PF

(Following consideration of 3 additional letters of representation from:

Prestatyn Town Council

Allan Tomlinson 6 Princes Avenue, Prestatyn

Sion Goldsmith Leisure Centre Manager)

Erection to two-storey pitched-roof extension to school incorporating new classrooms, stores, theatre areas and disabled access points.

**Prestatyn High School, 2 Princes Avenue, Prestatyn.**

GRANT: Subject to Amended Condition 3 and New Conditions 5, 6, 7, 8 and 9

3. Add: " The submitted details shall include for provision of disabled parking, the marking out of parking spaces and provision of reserved parking for the leisure centre, for the overall site."

5. The additional parking areas indicated on site plan drawing no. P1-03-02 shall be subject to a detailed scheme of hard and soft landscaping, such scheme to 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 of proposed mounding to existing vegetation and surrounding landform;
- (e) proposed positions, design, materials and type of boundary treatment.

6. All planting, seeding, turfing, fencing, walling or other treatment comprising in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the 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.

7. Cycle parking shall be provided within the school site (to replace the cycle racks lost by the development and to provide additional cycle parking for the proposals) prior to the commencement of use of the building in accordance with details to be submitted to and approved in writing to the Local Planning Authority.

Reason: To ensure suitable provision for cyclists.

8. Prior to the development hereby permitted being occupied, measures and a programme to be used to implement a Green Travel Plan for the overall school site shall be submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved programme.

Reason: To ensure that a sustainable transport plan is implemented to reduce the pressure for parking on the site.

9. The area indicated for temporary parking on site plan drawing no. P1-03-02 shall be provided prior to the carrying out of any construction works on the extension in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any parking spaces lost during the construction period.  
(Councillors R.E. Barton, S. Frobisher, N. Hugh-Jones and J. Thompson-Hill wished it to be noted that they abstained from voting and took no part in the debate).

43/2004/1525/PF

Demolition of existing garage and erection of two-storey pitched-roof extension at front/side of dwellinghouse.

**113 Meliden Road Prestatyn**

GRANT

43/2004/1572/PF

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

**4 Eden Avenue Prestatyn.**

GRANT

43/2004/1607/PF

Following consideration of correction to report.

Erection of single-storey detached dwelling and formation of vehicular/pedestrian access with driveway and turning area.

**Land adjacent to Claremont Meadows Lane Prestatyn.**

GRANT: Subject to New Conditions 5 and 6

5. All planting, seeding, turfing, fencing, walling or other treatment comprising in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling 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.

6. Facilities shall be provided and retained within the site and within the curtilage of Claremont for the parking and turning of vehicles etc.  
Notes to Applicant 1 and 2

1. You are advised that a public right of way lies adjacent to the development. The right of way must not be disrupted during the duration of building works.

2. Foul effluent only should be drained to the public sewer. Surface water will need to drain to soakaways or, if available, a ditch/watercourse in the vicinity of the site.

45/2004/1190/PF

Erection of single storey pitched-roof extension to rear of dwelling and erection of dormer extension to side elevation.

**18 Ridgeway Avenue Rhyl.**

GRANT

45/2004/1516/PF

Following consideration of 1 additional letter of representation from:  
Environment Agency.

Demolition of existing retail and leisure buildings, part redevelopment and alteration of existing buildings to provide new retail unit with storage and support facilities.

**Flanaghans, Market Street, Warehouse, Market Street, & 23-27 Queen Street Rhyl.**

GRANT: Subject to New Condition 9

9. The finished floor level of the building shall not be set at 6.3m AOD as shown on the submitted plans but at 6.5m AOD.

Reason: To minimize the risk from flooding.

Additional Note to Applicant:

You are reminded of the traffic order which is in force on Market Street, which prohibits vehicles on the adopted highway other than between 5.00 pm and 10.00 am, when loading and unloading to service the development can take place.

45/2004/1561/PF

Erection of flat-roofed extension and formation of dormer at rear of dwellinghouse.

**3 Ascot Drive Rhyl.**

GRANT: Subject to Amended Condition 3

3. "...in the side elevations of the dormer hereby permitted".

45/2004/1635/PF

Conversion of former shop into self-contained flat at ground floor

**2 Crescent Square Rhyl.**

GRANT

45/2004/1648/PF

(Following consideration of correction to report.)

Erection of 53 residential units with communal care facilities and associated car parking

**76-83 West Parade Rhyl.**

Resolved to GRANT but subject to the applicant first entering into a Planning Obligation or making an advance payment /commuted sum for open space provision.

Subject to additional conditions as follows:

10. Age restriction to limit occupancy to over 55s only.
11. Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to the building shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is first brought into use. (Councillor R.E. Barton wished it to be noted that he abstained from voting).

46/2004/1611/PR

Details of 9 dwellings, associated vehicular and pedestrian accesses, submitted in accordance with outline planning permission code no. 46/2003/0074/PO

**Land rear of Kentigern Arms fronting Gemig Street St. Asaph.**

GRANT: Subject to Amended Condition 1

1. Add "and the development shall be carried out strictly with the approved brickwork".

Delete conditions 3, 4, 6 & 7 and re-number remaining conditions.

And New Notes to Applicant:

1. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).
2. Foul effluent only should be drained to the public sewer. Surface water will need to drain to soakaways or, if available, a ditch/watercourse in the vicinity of the site.
3. 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](mailto:babtie@denbigh.com).

47/2004/1601/PF

Conversion of outbuildings to dwelling, installation of new septic tank and related access/parking arrangements.

**Outbuildings at Bryn Gronw Rhualt St. Asaph**

GRANT: Subject to Amended/Additional Conditions:

4. "Space for the parking and turning of three motor vehicles etc..."
  5. "The dwelling shall not be occupied etc..."
  8. 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 following the occupation of the dwelling 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 other of similar size and species.
  9. Any existing wall opening(s) to be blocked up and/or existing walls/stonework to be restored in accordance with the approved plans shall be carried out with materials which match those used on the existing walls of which they form part, in texture, type, colour, mortar and pointing.
  10. No development shall commence until the written approval of the Local Planning Authority has been obtained to the precise detailing of the type, materials and finish of the fenestration for the development.
  11. Notwithstanding the submitted details, the elevations shall be finished in stonework and/or limewash and not white coloured render.
- Reason: In the interests of the appearance of the AONB.

- 03/2004/1435/PF                      Erection of two-storey pitched-roof extension at rear of existing dwelling  
**3, Craig Y Don Queen Street Llangollen**  
 GRANT: Subject to Amended Condition 3  
 3.            Add "in the side elevations of the extension hereby permitted at first floor level".
- 11/2004/1635/PF                      (Councillor E.W. Williams declared an interest in the following application and left the Chamber during consideration thereof.)  
 Erection of steel portal-framed livestock shed  
**Land at Field No. 4323 adjoining Plas Clocaenog, Clocaenog Ruthin**  
 (Following consideration of one additional letter of representation from: Geraint Lewis - for owners of Plas Clocaenog  
 GRANT: Subject to Additional Condition 2:  
 2.            The building hereby permitted shall not be used until such time as an access has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- 15/2004/0834/PO                      **Public Speakers:**  
**Against – G. Carter**  
**In Favour – R Jones**  
 (Following consideration of 9 additional letters of representation from:  
 1.            Llanarmon & District Conservation Society  
 2.            Luis Prtak by e-mail  
 3.            Mr & Mrs Leighton, 8 South Close, Marlow  
 4.            Mr & Mrs Morris, Delfryn, Bryn Alyn, Llanferres  
 5.            Tim Miller, 8 Riverside Court, Exeter  
 6.            Gordon Carter, Cae Harri, Bryn Alyn, Llanferres  
 7.            PE MacGilvray, Mangwyn, Bryn Alyn, Llanferres  
 8.            Iain MacGilvray, Mangwyn, Bryn Alyn, Llanferres  
 9.            D Watts, Allt Alyn, Bryn Alyn, Llanferres)  
 Erection of cattery buildings with office/reception area, provision of parking and new driveway to incorporate change of use of existing agricultural building for dog kennels (outline application)  
**Bryn Difyr Llanferres Mold**  
 GRANT: Subject to Amended/Additional Condition  
 8.            The maximum number of animals to be boarded at the site at any one time shall be 30 cats and 10 dogs unless otherwise approved in writing by the Local Planning Authority.  
 10.          Delete "Following the commencement of use of either the kennel or cattery building"  
 12.          "0830 to 1830 Monday to Saturday"  
 14.          No external pens for the dogs shall be permitted to be constructed or used without the formal written approval of the Local Planning Authority.  
 Reason: In the interests of the amenities of occupiers of residential property in the locality and in the interests of visual amenity.  
 (Councillor R.E. Barton and N. Hugh-Jones wished it be noted that they voted against planning permission).
- 18/2004/1365/PR                      Details of siting, design and external appearance of buildings, the means of access and landscaping for the erection of 11 dwellings (in accordance with Condition 1 of outline planning permission 18/2003/1050/PO) **(Plots 5-15 inc.)**  
**Land Adjoining Tyn Llan Farm Llandyrnog Denbigh.**

(Councillor N. Hugh-Jones wished it be noted that he abstained from voting).  
GRANT

18/2004/1016/PF Demolition of outbuildings and erection of dwelling (Plot 4), erection of garage (Plot 3) and alterations to existing vehicular and pedestrian accesses  
**Land adjacent to Tyn Llan Farm Llandyrnog Denbigh.**  
GRANT  
(Councillor N. Hugh-Jones wished it be noted that he abstained from voting).

18/2004/1440/PF Erection of 3 no. dwellings (**Plots 1-3**)  
**Land adjacent to Tyn Llan Farm Llandyrnog Denbigh**  
GRANT: Subject to Section 106 agreement on affordable housing and open space provision  
(Councillor N. Hugh-Jones wished it be noted that he abstained from voting)..

18/2004/1017/PF Demolition of existing farmhouse and erection of 2 no. dwellings (**Plots 16 and 17**)  
**Land adjacent to Tyn Llan Farm Llandyrnog Denbigh.**  
GRANT: Subject to Section 106 agreement on affordable housing and open space provision  
(Councillor N. Hugh-Jones wished it be noted that he abstained from voting).

## REFUSAL

41/2004/0415/PO Development of 0.49 hectares of land by erection of 10 no. dwellings and alterations to existing vehicular access (outline application)  
**Land at rear of Dinorben Arms, Bodfari Denbigh**  
**Public Speaker in Favour: D. Rowlands**  
  
(Councillor N. Hugh-Jones wished it to be noted that he abstained from voting).

## REFUSAL AGAINST OFFICERS' RECOMMENDATION

01/2004/1465/PS Amendments to condition 11 imposed on planning permissions for (a) conversion of outbuildings to 11 residential units (former Carriage Yard, Lleweni, Denbigh) – application code no. 01/2001/0603/PF (b) conversion of outbuildings to 5 residential units (former Barns and Stables, Lleweni, Denbigh) – application code no. 01/2000/0993/PF, to allow for the introduction of advanced “access prohibition” signs and realignment of driveways onto access track, to restrict use of track past Maes y Parc to Mold Road by construction vehicles and residents vehicles.  
**Lleweni Mold Road Denbigh**  
**Public Speaker Against: David Watkin Jones**  
The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:  
**REFUSE** for the following reason:  
1. It is the opinion of the Local Planning Authority that the proposed variations to condition number 11 do not offer adequate safeguards to

prevent the use of the access track between the site and the Mold Road by residents and other vehicles associated with the development, and thus would result in additional use of an unsatisfactory access, detrimental to the amenities of occupiers of the dwelling, Maes y Parc.

## SITE VISITS

18/2004/1492/PF

Following consideration of 1 additional letter of representation from:  
Head of Transport and Infrastructure  
Erection of steel-framed implement store associated with forestry/agricultural land maintenance.

### **Land at Green Covert Llandyrnog Denbigh**

**DEFERRED** for Members' Site Visit due to concerns about inadequate access and impact on highway safety. Highways Officer to be present at Site Inspection Panel meeting.

28/2005/0031/PO

(Following consideration of 5 additional letters of representation from: Principal Countryside Officer; Head of Transport; Environment Agency; Public Protection; Mrs Stankiewicz 2 Ffordd Bryn y Garn)  
Development of 0.1 Ha land for 2 dwellings and construction of new vehicular access (Outline Application)

### **Land at Ffordd Bryn y Garn, Henllan, Denbigh.**

**DEFERRED** for Members' Site Visit due to concerns about inadequate access and impact on highway safety. Highways Officer to be present at Site Inspection Panel meeting

## DEFER

44/2004/1660/PF

(Councillor Selwyn Thomas and Julian Thompson-Hill declared an interest in the following application and left the Chamber during consideration thereof. Councillor Lloyd Williams took the Chair for this item)

### **Public Speaker Against the proposal: D. Trout**

Change of use to store and repair, maintenance and ancillary retail of caravans and motor homes to trade and occasionally to the public.

### **Old Welsh Water Depot Abergele Road Rhuddlan Rhyl**

(Following consideration of 2 additional letters or representation from: Mr & Mrs D Trout, 3 Long Acre, Rhuddlan  
Mr & Mrs Eales, Castle View, Rhuddlan)

**DEFERRED** to allow for consideration of conditions to be imposed to include:

1. Control on retail (ancillary)
2. Repair only within the buildings
3. No caravans stored on parking area adjacent to Long Acre
4. Hours of operation to control repair/maintenance activities and any retail sales.

47/2004/1180/PF

Erection of agricultural building and polytunnels and construction of new vehicular access.

### **Field Nos. 2717, 2800 and 3113 Waen St. Asaph**

**DEFERRED** to allow further assessment against Policy EMP13 and in particular visual impact. Also need to consider the need for additional conditions, to deal with retention of existing hedgerows/trees and filling of any gaps, and to consult Clwyd Powys Archaeological Owing Trust/ County Archaeologist (Fiona Gale) owing to potential archaeological interest raised by Members.



16/2004/1578/PF

Conversion of outbuildings to residential dwelling and installation of new septic tank.

**Outbuilding at Pen Yr Allt Llanbedr Dyffryn Clwyd Ruthin**  
**DEFERRED** to allow consultation with WAG and Transport and Infrastructure.

**663 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 Tuesday 1<sup>st</sup> March 2005 and advising of the current membership of the Site Visit Panel.

The Chair reminded Councillors that as this panel is politically balanced, the Groups should make every effort to send a representative.

***RESOLVED** that the approved site visits be held on Tuesday 1<sup>st</sup> March 2005, starting at 9.00 a.m.*

**664 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 1<sup>st</sup> January 2005 and 31<sup>st</sup> January 2005.

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

The meeting closed at 12.30 p.m.

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