

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 24th March, 2005 at 10.00 a.m.

PRESENT

Councillors S. Thomas(Chair), J.R. Bartley, R.E. Barton, B. Blakeley (Observer), J. Butterfield, J. Chamberlain-Jones, J.M. Davies, M.Ll. Davies (Observer), S.A. Davies, G.C. Evans, H.H. Evans, I.M. German, M.A. German, K.N. Hawkins, N.J. Hughes, T.R. Hughes, N. Hugh-Jones, E.R. Jones, H. Jones, M.M. Jones, G.M. Kensler (Observer), P.W. Owen, G.J. Pickering (Observer), N.P. Roberts, D.A.J. Thomas, J. Thompson-Hill, M.A. Webster, C.H. Williams, E.W. Williams and R.Ll. Williams (arrived 11.30 a.m.)

ALSO PRESENT

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

In attendance for North Wales Hospital item – Conservation Architect and Policy Research & Information Manager.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors S. Frobisher, D. Hannam, T.K. Hodgson, D. Jones and R.Ll. Williams (arrived 11.30 a.m.).

785 URGENT MATTERS

None.

786 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

<u>Application No.</u>	<u>Description</u>
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03/2005/0032/PF	
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Public Speaker Against – Mr. Ffoulkes-Jones

Councillor C H Williams declared an interest in the following application and left the Chamber during consideration thereof.

Erection of 14 dwellings and garages and construction of new entrances and private drive and installation of sewage pumping station.

Land adjacent to 10 Maesmawr Road, Llangollen

GRANT subject to the applicants first entering into a Section 106 obligation as recommended in paragraph 17 of the report and amended condition 16:

16. Prior to the commencement of the erection of any dwellings the public sewer in Maesmawr Road shall have been repaired and/or upgraded to a standard considered acceptable by the Local Planning Authority to accommodate the foul drainage from the site.

18/2004/1492/PF

Public Speaker For: Mr D Law

Erection of steel-framed implement store associated with forestry/agricultural land maintenance.

Land at Green Covert, Llandyrnog, Denbigh.

GRANT.

21/2004/1627/PF

Public Speaker For: Mr D Clough

Demolition of 5 no. four storey accommodation towers and 10 no. single storey buildings and erection of 17 no. two storey and 2 no. single storey timber clad accommodation blocks, reception centre, new fencing, refurbishment of Glan Alyn and associated works.

Colomendy Centre for Outdoor Education, Ruthin Road, Loggerheads, Llanferres, Mold.

GRANT subject to New Conditions:

Additional conditions on provision of parking areas including grasscrete parking areas.

21/2004/1628/LB

Public Speaker For: Mr D Clough

Alterations to Colomendy Hall to provide accommodation at 1st floor and ancillary facilities at ground; alterations to coach house to provide accommodation; demolition of curtilage buildings, (Listed Building application).

Colomendy Centre for Outdoor Education, Ruthin Road, Loggerheads, Llanferres, Mold.

GRANT subject to Referral to CADW and New Condition relating to retention of cobbles and other traditional materials taken from the existing building.

21/2005/0158/PF

Public Speaker For: Mr D Clough

(Following consideration of an additional letter of representation from AONB JAC).

Engineering works associated with the construction of six ponds on 0.3ha grazing land in connection with mitigation measures for protected species required by planning permission ref: 21/2004/0473/PF,

Fields South West of Glan Alyn Colomendy Centre for Outdoor Recreation, Ruthin Road, Loggerheads, Llanferres, Mold.

GRANT subject to amended condition 5:

5. To allow work on ponds prior to diversion of public footpath.

44/2004/1660/PF

Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof. (Councillor Lloyd Williams took the Chair).

(Following consideration of amended plan circulated and two additional letters of representation from Rhuddlan Town Council and CCW).

Change of use to store and repair, maintenance and ancillary retail of caravans and motor homes to trade and occasionally to the public (partly in retrospect).

Old Welsh Water Depot, Abergele Road, Rhuddlan, Rhyl.

GRANT subject to amended conditions 4, 6, and 7:

4. No repairs to caravans other than light maintenance, shall take place outside the building.

6. No retail sales shall be conducted from the application site and no caravans shall be displayed for sale on the application site.

7. No works to any building on the site, including demolition, shall be carried out until such time as the affected buildings have been surveyed for the presence of bats. The results of any such necessary surveys together with reasonable avoidance measures to deal with any presence of bats, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of such works.

REASON: In the interests of any protected species on the site.

(Councillor Neville Hugh-Jones wished it to be noted that he voted against the application).

REFUSALS AGAINST OFFICERS' RECOMMENDATION:

01/2004/1445/PO

Public Speakers:

Against – Dr G Thomas; A Duddle

For – A Cassidy

Restoration and partial demolition and change of use of former North Wales Hospital to residential, business and community uses, and development of adjacent land and buildings for residential, commercial and parkland uses, including change of use to B1 (Business Use), creation of new access and landscaping (outline application).

Former North Wales Hospital, Nantglyn Road, Denbigh.

Following a proposal to refuse planning permission and following the requisite number of Members requesting a recorded vote, the Chairman invited Members to vote for or against the officers' recommendation to grant planning permission.

Voted For (to grant) - 12: Councillors Joan Butterfield, James Davies, Stuart Davies, Gwilym Evans, Isobel German, Ken Hawkins, Richard Jones, Peter Owen, David Thomas, Selwyn Thomas, Julian Thompson Hill and Mark Webster.

Voted Against (to refuse) – 13: Councillors Ray Bartley, Bob Barton, J Chamberlain Jones, Hugh Evans, Mike German, Neville Hughes, Rhys Hughes, Neville Hugh-Jones, Hugh Jones, Morfudd Jones, Nigel Roberts, Cefyn Williams and Eryl Williams.

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

Resolved to **REFUSE** on basis of amount of housing compared to employment and impact on Denbigh including services and language and culture. Given the significance of development and implications of refusal need to report back to the next Planning Committee with suggested reasons for refusal and potential enforcement implications.

03/2004/1427/PO

Public Speaker Against – Mr M Law

(Following consideration of three additional letters of representation from Llangollen Town Council, Welsh Water and the Applicant).

Development of 0.47ha of land for residential purposes and alterations to existing pedestrian and vehicular accesses (outline application).

OS Plot 634 Cae Hir, Fron Bache, Llangollen.

The decision being CONTRARY to the Officer's Recommendation was taken for the following reason:

REFUSE for the following reason:

The proposal would result in the development of unannotated land which is valuable to the community in terms of an area of open space providing visual relief. In addition the proposal would lead to increased vehicle movements on a highway network that is inadequate by modern day

standards. Thus, the proposal would be contrary to Policies GEN2 and TRA6 of the Denbighshire Unitary Development Plan.

15/2004/0842/PF

Public Speaker Against – Glenys Roberts (Llanarmon Community Councillor)

(Following consideration of plan circulated and one additional letter of representation from County Land Drainage Section).

Extension of domestic curtilage (retrospective application).

Bracken Wood, Village Road, Eryrys, Mold.

REFUSE and Enforcement Action approved to reinstate land to its former condition.

The decision being CONTRARY to the Officer's Recommendation was taken for the following reason:

The proposal would lead to an encroachment of domestic garden on to an area protected as open space and lying within a Site of Nature Conservation Interest and the Clwydian Range Area of Outstanding Natural Beauty. The proposal would therefore conflict with Policies ENV2, ENV5, REC3 of the Denbighshire Unitary Development Plan, through the encroachment of the garden area and the loss of the original natural boundary and drainage features of the Hen Ardd Common and set a precedent for proposals of a similar nature in the future.

15/2004/1165/PF

Public Speaker Against – Glenys Roberts (Llanarmon Community Councillor)

(Following consideration of plan circulated and one additional letter of representation from AONB Countryside Officer).

Extension of domestic curtilage (retrospective application).

Ash Grove, Eryrys Road, Mynydd Du, Mold.

REFUSE and Enforcement Action approved to reinstate land to its former condition.

The decision being CONTRARY to the Officer's Recommendation was taken for the following reason:

The proposal would lead to an encroachment of domestic garden on to an area protected as open space and lying within a Site of Nature Conservation Interest and on land utilised as part of the Hen Ardd Common. The proposal would thus conflict with Policy ENV2 of the Denbighshire Unitary Development Plan, detract from the overall amenity of the common and set a precedent for proposals of a similar nature in the future.

REFUSAL

47/2004/1111/PF

Public Speaker For: Mr D Middleton

Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof. (Councillor Lloyd Williams took the Chair).

(Following consideration of an additional letter of representation from the Applicant's Agent).

Proposed siting of 41 static holiday caravans in lieu of 35 touring caravans and erection of 6 traditional build chalets (approved under 47/2001/1000/PF) and installation of a new septic tank.

Oakleigh House Park, Waen Road, Rhuddlan, Rhyl.

REFUSE.

SITE VISIT

11/2004/0642/PF

Public Speaker Against: Mr A Studdings

(Following consideration of an additional letter of representation from the Environment Agency).

Erection of agricultural building for the housing of livestock and storage of fodder.

Land known as Graig Wen, Clocaenog, Ruthin

SITE VISIT - to consider drainage implications.

Meeting closed for lunch at 1.15 p.m.

RECONVENED PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 24th March, 2005 reconvened at 1.45 p.m.

PRESENT

Councillors S. Thomas(Chair), J.R. Bartley, R.E. Barton, B. Blakeley (Observer), J. Butterfield, J. Chamberlain-Jones, J.M. Davies, G.C. Evans, H.H. Evans, I.M. German, M.A. German, K.N. Hawkins, N.J. Hughes, N. Hugh-Jones, M.M. Jones, P.W. Owen, D.A.J. Thomas, M.A. Webster, 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, Senior Planning Officer (D. Beggan), Senior Support Officer (G. Butler), Admin Officer (Judith Williams) and Bryn Jones (Translator).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors S. Davies, S. Frobisher, D. Hannam, T.K. Hodgson and D. Jones.

(i) Consents

<u>Application No.</u>	<u>Description</u>
15/2004/1615/PF	Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof. Councillor R LI Williams took the Chair. Variation of Condition No. 1 on planning permission Ref. No. 15/46/97.PS to provide for 10½ month occupation between 1st March in any one year and 14 January in the following year. Parc Farm Caravans, Graianrhyd Road, Llanarmon-Yn-Ial, Mold GRANT
19/2004/1629/PF	Conversion and extension of outbuilding to dwelling and construction of new vehicular access. Rhewl Wen, Llanelidan, Ruthin GRANT
28/2004/1429/PF	Erection of 2 dwellings and construction of new vehicular and pedestrian access. Land to the rear of Bryn Teg, Parc Y Llan, Henllan, Denbigh GRANT

- 28/2005/0031/PO (Following consideration of an amended plan circulated and 1 additional letter of representation from Henllan Community Council).
Development of 0.1hectares of land for 2 dwellings and construction of new vehicular access (outline application).
Land at Ffordd Bryn Y Garn, Henllan, Denbigh
GRANT
Councillors queried whether the potential of this site is being maximised and asked that officers explore the possibility of getting more dwellings on site.
- 45/2004/1376/PO (Following consideration of a correction to report re split of affordable units).
Development of 17.68 ha of land for residential development with associated open space, school, community centre and means of access (outline application).
Land at Rhyl South East between Bro Deg and Dyserth Road, Rhyl
GRANT
Subject to 106 Agreement on open space, affordable housing, provision of off site nature conservation areas and amended / additional conditions:
6. Delete existing condition number 6 and then renumber.
12. To include for restrictions on construction traffic including via Rhodfa Maengwyn
18. Provision of recycling facilities on the site.
(Councillors R E Barton, J Chamberlain-Jones and P Owen wished it to be noted that they voted against the application).
- 45/2004/1691/PF Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof.
(Councillor Lloyd Williams took the Chair).
Amended Description – replacement of chalets with 13 residential caravans and associated landscaping and lighting.
Stafford Park, 108 Marsh Road, Rhyl
GRANT
Subject to additional conditions 8 and 9:
8. Retention of trees
9. Restriction on numbers of units on site (not to exceed 13 in total).
- 47/2004/1013/PC Retention of triple garage, attached kennel block, entrance gates, pillars and CCTV columns. Continuation of use of land as extension to residential curtilage for extended drive and additional vehicular access (retrospective application).
Toledo Cottage, Rhualt, St. Asaph
GRANT
(Councillors R E Barton and R.LI. Williams wished it to be noted that they voted against the application)
- 47/2004/1180/PF (Following consideration of an additional letter of representation from the County Archaeologist).
Erection of agricultural building and polytunnels for horticultural business and construction of new vehicular access.
Field Nos. 2717, 2800, 3113 Waen, St. Asaph
GRANT
Subject to the following additional condition:
No retailing of produce shall take place from the site.

Reason – in the interests of the rural character of the area and highway safety.

REFUSAL

23/2004/0940/PF Change of use of existing agricultural building to storage and distribution (retrospective application).
Outbuildings at Bryn Eglur, Llanrhaeadr, Denbigh
REFUSE and enforcement action approved to require cessation of the use and removal of all items relating to the use from the site.

REFUSALS AGAINST OFFICERS' RECOMMENDATION:

43/2004/1513/PO Development of 0.14ha of land by the erection of a detached dwelling.
Land at (Part Garden Of) 166 Victoria Road, Prestatyn.
REFUSE
The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:
The proposal would result in an overdevelopment of the site with inadequate space around the dwelling and limited separation distance from adjoining properties and their gardens. Thus the proposal would be detrimental to visual amenity and the residential amenity of occupiers of adjacent dwellings and future occupiers of the proposed dwelling in conflict with criterion (v) of Policy GEN6 of the Denbighshire Unitary Development Plan.

45/2004/1591/PF (Following consideration of an additional letter of representation from Mrs G C Davies, 151 Vale Road, Rhyl).
Change of use of existing dwelling house to create an extension to existing day nursery (Class D1) incorporating single-storey rear extension and alterations to vehicular access/parking area.
Sams Learning Tree 157/159 Vale Road, Rhyl.
REFUSE
The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:
The proposal would lead to a large scale children's nursery with up to 90 children present at the overall premises at any one time. This would lead to increased activity and disturbance at the site to the detriment of the residential amenity of nearby occupiers and in conflict with criterion (v) of the Policy GEN 6 of the Denbighshire Unitary Development Plan and, given the terraced nature of the property, conflict with the advice within Denbighshire Supplementary Planning Guidance Note No.3 – Children's Day Care.

45/2004/0083/PF Change of use of land for siting of storage containers and construction of new vehicular access.
Land adjacent to H Bridge between Kwik Save and Railway, Marsh Road, Rhyl
REFUSE
The decision, being CONTRARY to the Officers' Recommendation was taken for the following reasons:
1. The proposed use of the land for the siting of storage containers would result in a poor quality appearance to the site which lies in a prominent location adjacent to the railway line and H bridge. The proposal would thus be contrary to criteria (ii) and (iii) of Policy GEN 6 of the Denbighshire Unitary Development Plan.

2. The site is allocated for employment development under Policy EMP 1 of the Denbighshire Unitary Development Plan. The proposal would result in a low level of employment generation and a proposed use that would be in conflict with the intentions of Policy EMP1 and the specific allocation of the site.

SITE VISITS

- 42/2004/1068/PR Details of siting, design and external appearance of 3 dwellings submitted in accordance with Condition No. 1 of Outline Planning Permission Ref. No. 42/2003/1494/PO.
Land adjoining No. 19 Rhodfa Gofer, Dyserth, Rhyl
SITE VISIT – to consider density of the development in the area.
- 43/2004/0496/PF Erection of 2 no. detached dwellings and garages.
Land at Plots 8 and 9 Melyd Avenue, Prestatyn
SITE VISIT – to consider the density of the development.
- 43/2004/0581/PF Erection of 2 no. semi-detached bungalows and garages.
Plots 34 and 35 Melyd Avenue, Prestatyn
SITE VISIT – to consider density of development in the area.

DEFER

- 45/2004/1468/PF (Following consideration of an additional letter of representation from the Applicant).
Change of use from residential day centre/training centre and residential flatlet.
5 Abbey Street, Rhyl
DEFER for further consultation with resident groups.

787 CONFIRMATION OF TPO 3/2004 GLEBE FIELD, LLANFAIR DC, NR RUTHIN

The written report of the Head of Planning and Public Protection Services (previously circulated) was submitted seeking confirmation of Tree Preservation Order 3/2004.

***RESOLVED** that the TPO be confirmed without modification.*

788 ENFORCEMENT MATTERS

ENF/2005/26, ENF2005/27, ENF2005/28 - (Following consideration of an additional plan). Change of use of agricultural land for domestic use.
22, 26 and 24 Trem y Coed, Clawddnewydd

***RESOLVED** to invite planning applications from the 3 occupiers (or one single application) in order to consider imposition of conditions relating to provision of a hedge and removal of PD rights.*

If application is not received within 2 months then report back to Committee for enforcement action.

ENF/2005/29 – Fence over 1m high adjacent to highway in Conservation Area
9 Castle Street, Rhuddlan

That authorisation be granted for the following Action:-

- (i) serve an Enforcement Notice requiring the removal of the fence or a reduction in its height to 1m or less
- (ii) instigate prosecution proceedings, or other appropriate action, against any person(s) upon whom an Enforcement Notice has been served should he/she/they fail to comply with the Requirements of the Notice.

**789 ENFORCEMENT COMMITTEE AUTHORISATIONS
CASE REVIEW – MARCH 2005**

The Head of Planning and Public Protection Services submitted his written report (previously circulated) detailing Enforcement Cases previously reported to Committee, giving an update on progress.

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

790 DATE OF SITE VISIT

The written report of the Head of Planning and Public Protection Services (previously circulated) was submitted seeking approval for site visits arising from Agenda Item No. 2 to be held on Friday 1st April 2005, and advising of the current membership of the Site Visit Panel.

***RESOLVED** that the approved site visits be held on Friday 1st April 2005 starting at 9.00 a.m.*

*Members further **RESOLVED** that a site visit to Drivers Garage, Prestatyn be arranged. All Committee Members to be invited.*

791 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 February 2005 and 28th February 2005.

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

The meeting closed at 3.30 p.m.
