

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on April 20th 2005 at 10.00 a.m.

PRESENT

Councillors S. Thomas (Chair), J.Bartley, R.E. Barton, J. Butterfield, J.M. Davies, G.C. Evans, S. Frobisher, I.M. German, M.A. German, K.N. Hawkins, T.K. Hodgson, N.J. Hughes, N. Hugh-Jones, H. Jones, M.M. Jones, P.W. Owen, N.P. Roberts, J. Thompson-Hill, C.H. Willilams, R.LL. Williams.

ALSO PRESENT

Head of Planning and Public Protection Services, 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. Chamberlain-Jones, D. Jones, D.A.J. Thomas, H. Evans, D. Hannam, E.R. Jones, T.R. Hughes and M. Webster.

856 URGENT MATTERS

North Wales Hospital, Denbigh

Legal Services Manager referred to an additional report (circulated) from the Monitoring Officer regarding North Wales Hospital. This supercedes the officer's report at item 3 on the agenda.

Following discussion it was:-

RESOLVED that:-

- (i) *it be noted that this matter be referred to Full Council in accordance with the Monitoring Officer's report, and*
- (ii) *if Council was minded to refuse permission for the proposed development at NW Hospital, the reason for refusal in the Monitoring Officer's report be suggested as the resolution of Planning Committee.*

857 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 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 and Situation</u>
42/2004/1068/PR	<p>Councillor Peter Owen declared an interest in the following application and left the Chamber during consideration thereof (previous involvement at Community Council level).</p> <p>Public Speaker Against: P Wilkinson</p> <p>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.</p> <p>Land adjoining No. 19 Rhodfa Gofer Dyserth Rhyl.</p> <p>Subject to New Condition 2</p> <p>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 approval scheme shall be completed before the building(s) are first occupied.</p> <p>The drainage details shall include an assessment of the capacity of the existing ditch/culvert at the foot of the site to accommodate any increased surface water flows.</p> <p>Additional Note to Applicant</p> <p>The Landscaping details required by Condition No. 1 on the original permission shall include for dense planting to the eastern part of the site.</p> <p>The access details required by Condition No. 1 shall include details of the gradients of the driveways and parking spaces serving the properties.</p> <p>You are advised to ensure that the drainage ditch and culvert are properly maintained to ensure that future flooding problems do not occur at the site or further downstream.</p> <p>The Members required that further reserved matters applications to be reported to Planning Committee, included drainage details and access.</p> <p>Highways Officers to be requested to attend Committee when access details are being discussed.</p>
42/2004/0140/PR	<p>Councillor Peter Owen declared an interest in the following application and left the Chamber during consideration thereof.</p> <p>Details of design and external appearance of block of 4 town houses submitted in accordance with Condition No. 1 of outline planning permission Ref</p> <p>Land at junction of Pandy Lane and High Street Dyserth Rhyl.</p>
43/2004/0496/PF	<p>Erection of 2 No. detached dwellings and garages.</p> <p>Land at Plots 8 and 9 Melyd Avenue Prestatyn.</p> <p>(Councillors N.H. Jones and H. Jones wished it be noted that they voted against granting planning permission).</p>
43/2004/0581/PF	<p>Following consideration of correction to report.</p> <p>Erection of 2 No. detached dwellings and garages.</p> <p>Plots 34 and 35 Melyd Avenue Prestatyn.</p>

43/2004/1632/PF

Following consideration of 2 additional letters of representation from: Transport and Infrastructure and L McKenna, 5 Aberconwy Road, Prestatyn.

Erection of detached 4-bedroom dwelling and construction of new vehicular and pedestrian access.

Land at (part garden of) 1 Bosworth Grove Prestatyn

Subject to New Notes to Applicant

1. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1,2,3,4,5 and 10.
2. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).
3. Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway/verge under Section 184 of the Highways Act 1980.

43/2004/1645/PF

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

Councillor Rhiannon Hughes was in attendance for this item, as local Member.

Erection of 2 dwellings in lieu of 1 dwelling (amendment to application Ref. No. 43/2003/472/PF)

Land at rear of Meliden Garden Centre, 113 Ffordd Talargoch Prestatyn.

Subject to Amended Condition 4 and New Condition 5

4. add condition "the parking spaces and access thereto.."
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows additional to those shown on the approved plans shall be inserted at any time in the North East Side elevation of the dwelling on Plot A hereby permitted at first floor level, unless otherwise agreed in writing by the Local Planning Authority.

(Councillor B Barton abstained from voting. Councillor J Thompson-Hill voted against granting planning permission.)

43/2005/0109/PO

Councillor Julian Thompson-Hill declared an interest in the following application and left the Chamber during consideration thereof.

Development of 0.038 hectares of land by erection of 1 dwelling and construction of new vehicular/pedestrian access to Gronant Road (Outline application).

Land at (part garden of) 11 Kirby Avenue Prestatyn.

Amended Condition

6. "in accordance with the approved plan, Drawing No. 3335/03c prior to the new dwelling being occupied. Thereafter the flat roofed area shall not be used as a balcony".

Notes to Applicant

1. You are advised that a suitable legal agreement will be required for the formal introduction of the footway. For further details please contact the highway authority.
2. The details required by Condition No. 1 shall include for comprehensive landscaping including the provision of trees to the western and southern boundaries of the site.

3. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1,2,3,4,5 and 10
4. Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

44/2005/0081/PF

Following consideration of 2 additional letters of representation from: Rhuddlan Town Council and Cadw
Erection of 38 dwellings, provision of open space and construction of new roadway from existing amended access.
Abbey Nurseries Abbey Road Rhuddlan Rhyl.
Resolved to GRANT planning permission but subject to the applicant first entering into a Section 106 Obligation to deal with affordable housing and on site and off site open space. Relevant figures for commuted sum are for provision of off site open space £30,828 and for maintenance both off site and on site open space £26,372.
Members expressed concerns about the size of the open space areas. Officers to explore possibility of combining the open space into one area on the site to produce a more meaningful area.

11/2004/0642/PF

Following consideration of 1 additional letter of representation from: Mr & Mrs Stubbings Plas Cwttta Clocaenog, Ruthin.
Public Speaker Against: Rosemary Richards
Erection of agricultural building for the housing of livestock and storage of fodder.
Land known as Graig Wen Clocaenog Ruthin.
Subject to New Condition and New Note to Applicant
Additional Condition
5. No work shall be permitted to commence on the building, the associated fodder/storage areas and hardstandings until the written approval of the Local Planning Authority has been obtained to full details of the means of dealing with roofwater from the building and the containment of run off from the fodder/storage area and from the vehicle hardstanding. The development shall be carried out strictly in accordance with the approved plans before the building, storage areas and hardstandings are first brought into use.
Additional Note to Applicant:
In relation to Condition No. 5, no water shall be discharged from the application site into the adjacent road side ditch. Surface water must be disposed of into the field and away from the road. Any effluent tank/drainage should also be on the field side well away from the road. A detailed drawing showing construction details of the drainage system will be required.
(Councillor N Hugh-Jones voted to refuse planning permission).

21/2004/1486/PC

Following consideration of 3 additional letters of representation from: JAC AONB, Llanferres Community Council Environment Agency.
Public Speaker Against: D Clough (Community Council)
Public Speaker For: Mr Arya Manesh (Applicant)
Alterations and extension to existing dwelling, demolition of single detached garage and erection of double garage (Retrospective application)
Park House Ruthin Road, Loggerheads Llanferres Mold

Subject to Amended and New Condition

4. Notwithstanding the details of landscaping shown on the submitted plan, the extensions hereby permitted shall not be brought into use until the approval of the Local Planning Authority has been obtained to a detailed scheme of planting for the site, and the approved scheme shall be implemented in its entirety, no later than the first planting season following the first occupation of the extensions. Any trees of plants which, within 5 years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

5. Prior to the commencement of the application of any external render a sample panel of the type of 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 render to be used on the building(s) shall be strictly of the same type, texture and colour as the approved sample panel.

6. Details of the finishing to the dormer features shall be submitted to and approved in writing prior to the application to the final finish and the finish shall only be carried out in accordance with the approved details.

7. The garage hereby permitted shall be used for purposes incidental to the enjoyment of the dwelling house and not as a separate dwelling or for business purposes.

Reasons

5 & 6. In the interests of the appearance of the dwelling in the AONB.

7. In the interests of amenity and to ensure that a further dwelling is not created on the site in conflict with policy.

Site will be proactively monitored.

(Councillor B Barton voted to refuse planning permission).

REFUSALS

15/2005/0116/PC

Following consideration of 2 additional letters of representation from: Mr & Mrs R.B. Jones, 1 Ochr y Foel
Michael W Davies, 2 Ochr Y Foel

**Public Speaker For: Llanarmon Yn Ial Community Council
Mike Davies.**

Retention of 1.8m high replacement timber fencing and erection of gates (partly retrospective application)

5 Ochr Y Foel Eryrys Mold

Councillor R.E. Barton voted to grant (refused on Chair's casting vote).

REFUSAL AGAINST OFFICERS RECOMMENDATION

43/2004/0370/PS

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

Variation of Condition No. 1 on planning permission Ref. No. 43/2002/0089/PF relating to the area of land to be used for car sales and the number of cars displayed at any one time (retrospective application)

Telegraph Filling Station Victoria Road Prestatyn.

Refuse The decision being contrary to the office recommendation was taken for the following reason:-

1. The proposed increase in the area for car sales and the number of vehicles to be displayed for sale, together with requirements for staff and customer parking, access and egress, and car wash facilities, would lead to over intensive use of the site, to the detriment of the visual amenities of the areas and the residential amenity of nearby occupiers, by reason of overcrowding and increased activity and disturbance, in conflict with criterion (iii), (c) of Policy RET 11 of the Denbighshire Unitary Development Plan.

Resolved also to take enforcement action against the existing breach of planning control and consideration be given for action in relation to other breaches of conditions.

43/2005/0141/PF

Following consideration of 2 additional letters of representation from: W Evans and Son Midnant Farm Prestatyn and Prestatyn Town Council.

Change of use of land to provide extension to the garage forecourt for display of cars for sale, formation of new vehicular access to serve the proposed forecourt, repositioning of agricultural access and road, and resurfacing of land opposite for use as staff parking area.

Land East of Drivers Limited and South of Prestatyn Road Prestatyn.

Refuse The decision being contrary to the office recommendation was taken for the following reason:-

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 increase traffic movements on to and form 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.

DEFER

43/2005/0106/PF

Erection of 1 no. stainless steel sail feature.
Verge Fronting Victoria Road West Prestatyn.
DEFERRED for the application to refer the proposals to the appropriate County Council Committee/Panel.

45/2004/1160/PF

Councillor Huw Jones declared an interest in the following application and left the Chamber during consideration thereof
Following consideration of correction to report and 2 additional letters of representation from: DWA Chartered Architects, Hawarden; and Gamlins, Solicitors requesting deferral.

Public Speaker For: R.A. Salisbury

Erection of 18 No. dwellings and construction of new vehicular/pedestrian access.

Land in Brookdale Road Rhyl
Defer at request of applicants to seek resolution of the reasons for refusal.

11/2004/1535/PF

Erection of agricultural worker's dwelling
Land at Mountain Hall Farm School Lane Llanarmon Yn Ial Mold
Defer to allow inclusion of Adas Report in Committee Report.

At this point (1.45 pm) a lunch break was proposed by the Chair. However due to the length of proceedings and the number of applications still to be discussed, it was agreed that the following applications be deferred to be brought back to a subsequent meeting. The following applications were therefore not determined.

The following applications were **not determined**

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|-----------------|--|
| 44/2005/0056/PF | Change of use of land to form extension to residential curtilage and erection of pitched-roof to existing garage
Trevor Avenue Rhuddlan Rhyl |
| 44/2005/0095/PF | Erection of 2 no. stainless steel sail features.
Roundabout Junction of Bypass with Rhyl Road Rhuddlan Rhyl. |
| 45/2004/1468/PF | Change of use from residential to day centre/training centre and residential flatlet.
5 Abbey Street Rhyl |
| 45/2005/0060/PS | Variation of Condition No. 1 on planning permission Ref. No. 4370 to allow caravan park to open between 28 th February and 14 th January in any one year.
Mountain View Caravan Park 423-425 Rhyl Coast Road Rhyl |
| 45/2005/0096/PF | Erection of 1 no. stainless steel sail feature.
Roundabout Junction West Parade and Wellington Road Rhyl |
| 45/2005/0115/PF | Change of use from retail (Class A1) to youth training centre and community offices
69/71 Wellington Road and 1 Elwy Street Rhyl |
| 45/2005/0122/PF | Erection of three-storey extension at front of nursing home (amendment to previously-approved scheme under Ref. 45/474/99/PF)
77 Dyserth Road Rhyl |
| 01/2005/0125/PF | Alterations to existing roof structure to form Mansard roof for means of escape in case of fire and replacement of existing defective window frames.
Regency 21 Bridge Street Denbigh |
| 18/2004/1185/PO | Development of land for residential purposes and alterations to existing vehicular access (outline application)
Land at rear of 1-4 Brondyffryn Terrace Llandyrnog Denbigh |
| 21/2005/0131/PC | Retention of storage shed (retrospective application)
the Playing Field adjoining 5 Rock View Village Road Maeshafn Mold |

23/2004/1451/PF

Erection of steel portal-framed livestock/fodder and implement building
Glan Aber Farm Llanrhaeadr Denbigh

858 NORTH WALES HOSPITAL

Report withdrawn.

859 DATE OF SITE VISIT

There being no site visits required, this item was withdrawn.

860 INFORMATION ITEMS FOR PLANNING COMMITTEE

Report submitted for information.

861 APPEAL DECISIONS UPDATE

Report submitted for information.

862 LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS BETWEEN 1ST – 31ST MARCH 2005

Report submitted for information.

Meeting closed at 1.45 pm
