

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 22 June 2005 at 9.30 a.m.

### PRESENT

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

### 139 URGENT MATTER

Head of Public Protection and Planning Services reminded Members of the workshop arranged for 1<sup>st</sup> July 2005 and asked that they sign the circulating list to confirm attendance.

### 140 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

(i) Consents

<u>Application No.</u>	<u>Description</u>
31/2005/0194/PO	Development of 0.62 hectares of land for crèche facility <b>Land in Ffordd Richard Davies St. Asaph Business Park St. Asaph.</b> <b>GRANT</b>
31/2005/0391/PF	(Councillor M.L.I. Davies declared an interest in the following application and left the chamber during consideration thereof) Erection of extension to existing dwelling <b>6 Mairwen Cefn St. Asaph</b> <b>GRANT</b>
42/2004/0102/PF	<b>Public Speaker For: Steve Goodwin</b> Following consideration of details of the decisions made at Asset Management and Full Council relating to purchase of land for a primary school to the west of Prestatyn Erection of 44 No. dwellings, construction of new vehicular access, car parking, open space area and landscaping <b>Plas Newydd Estate Land off Ffordd Pantycelyn Prestatyn</b> <b>GRANT</b> subject to the applicant first entering into a Section 106 obligation within 12 months of the date of the Planning Committee, requiring the following:- <ul style="list-style-type: none"><li>• A financial contribution towards education provision for each non-affordable dwelling at £1800 per dwelling equating 36 housing units by £1800, totalling £64,800.</li><li>• To facilitate access, should it be required, for a primary school on the adjacent site, within the Public Open Space on the site and the adjoining NEAP linking to Ffordd Pantycelyn,</li></ul>

if called upon to do so within 5 years of the commencement of development (or longer by agreement).

- Commuted sum for maintenance of open space £51,237.
- Provision of 8 affordable housing units.

(Councillor R.E. Barton wished it to be noted that he voted against granting planning permission)

(Councillors J. Butterfield, J. Chamberlain-Jones and M.A. Webster did not vote as they arrived after the debate had commenced)

44/2005/0107/PF

**Public Speaker Against: Mara Jones**

Following consideration of additional letters of representation from: G.H. Roberts, 2 Hendre Close; G. Peers, Honey Fields Rhyl Road, K and S. Hall, 4 Hendre Close Rhuddlan, H and Miss M Jones, Glasynys Rhyl Road, Rhuddlan

Demolition of existing nursing home, erection of 24 self-contained apartments and associated works

**Abbey House Rhyl Road Rhuddlan Rhyl**

**GRANT** subject to 106 Agreement covering a sum for open space provision in the region of £70,000 and provision of 7 units of affordable housing

Amended Conditions 6 and 9 (drainage and cycle parking)

Amended/Additional Conditions

6. To include for development not to be occupied until off site drainage works have been carried out.

9. A secure cycle parking area shall be provided as part of the development in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking area shall be provided prior to occupation of any of the flats hereby permitted.

(Councillor R LL Williams wished it to be noted that he voted to refuse the application)

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

*Reason*

9. To encourage means of travel other than by the private car.

45/2005/0317/PF

Erection of extension and internal alterations

**Millbank Inn Grange Road Rhyl**

**GRANT** - Members requested that local Members and adjacent residents be kept informed of the details of the boundary treatment as required by Condition 3.

45/2005/0501/PO

Following consideration of 1 additional letter of representation from: Head of Transport and Infrastructure

Development of land for residential purposes (outline application)

**Tower Garden Centre 81 Rhuddlan Road Rhyl**

**GRANT SUBJECT TO**

New Conditions and New Note to Applicant

5. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i) The numbers, type and location on the site of the affordable housing provision to be made;
- ii) The timing of the construction of the affordable housing;
- iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing;
- iv) The occupancy criteria is to be used for determining the identity of prospective and successive occupiers of the affordable

housing, and the means by which such occupancy criteria shall be enforced, through appropriate arrangements;

v) The affordable housing shall be provided in accordance with the approved arrangements.

6. should the details of the development required by Condition No. 1 of the permission result in 10 or more dwellings being provided on the site, the development shall not begin until a scheme for the provision of open space as part of the development has been submitted to and approved in writing by the Local Planning Authority. Such details shall include:

i) The arrangements to ensure the provision of open space either within the site or off site and the payment of commuted sums for future maintenance and/or provision of the open space, through appropriate arrangements;

ii) The open space shall be provided in accordance with the approved arrangements

7. Vehicular access to the adjoining highway shall be limited to the existing access from Tower Gardens and all existing vehicular access points off Rhuddlan Road shall be permanently closed in accordance with the agreed details before any of the dwellings hereby permitted are occupied.

*Reason*

5. To ensure provision of affordable housing in accordance with Council policies.

6. To ensure provision of open space in accordance with Council policies.

7. In the interests of highway safety.

*Notes to applicant*

Your attention is drawn to the enclosed Highway Supplementary Notes – 1, 3, 4, 5 & 10

Yours attention is drawn to the attached Part N form (New Road and Street Works Act 1991)

45/2005/0511/PF

**Public Speaker For: Nick Powell**

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**

Members requested that Highways be consulted regarding the possibility of imposing a vehicular length restriction on the H Bridge.

46/2005/0271/PC

Following consideration of report on Site Visit held on 17/06/05, and letter from Principal Countryside Officer .

Change of use of land to create parking area (retrospective application)

**Land to front of 53 Ashly Court St. Asaph**

**GRANT** subject to Amended Condition

1. This permission shall enure for the applicant only and only for such time as he resides at 53 Ashly Court and at the same time operates the business at the health care centre. The parking area shall only be used in connection with the health care centre to the north of the site or 53 Ashly Court, unless otherwise agreed in writing by the Local Planning Authority.

47/2005/0454/PF

Following consideration of 1 additional letters of representation from: Senior Scientific Services Officer – water quality

Conversion and extension of existing outbuildings and existing dwelling to form holiday accommodation, erection of 2 log cabins for holiday accommodation and 1 log cabin as swimming pool building

	<p>for guest use (amendments to previous permission for 3 log cabins granted on 26/01/2005)</p> <p><b>Tan Yr Onnen Waen St. Asaph</b></p> <p><b>GRANT</b> - local Members asked for proactive monitoring particularly to ensure that existing mature landscaping around the site is retained</p>
01/2005/0156/PF	<p>Conversion of dwelling and coach-house to 5 No. dwellings, installation of new septic tank, alterations to existing vehicular access and change of use of land to form extension to residential curtilage</p> <p><b>Plas Y Green Mold Road Denbigh</b></p> <p><b>GRANT</b> subject to:</p> <p>Amended Condition 13 – “there shall be no obstruction”</p> <p>Members requested that Highways be consulted about the speed limit along Mold Road</p>
03/2004/0668/AD	<p>Display of replacement illuminated advertisement signs (retrospective)</p> <p><b>Kwik Save Group Plc Regent Street Llangollen</b></p> <p><b>GIVE CONSENT</b></p>
05/2004/1684/PF	<p>Following consideration of 1 additional letter of representation from: County Footpaths Officer;</p> <p>Erection of detached dwelling with integral garage and alterations to existing vehicular access</p> <p><b>Land adjacent to Bryn Tawel Penybryn Corwen</b></p> <p><b>GRANT</b></p> <p>Subject to Amended Condition</p> <p>4. Add “The improvement to the access shall include for separate delineation of the public footpath from the vehicular access in accordance with details to be submitted to and approved in writing by the Local Planning Authority.</p>
05/2005/0377/PF	<p><b>Public Speaker Against: Carol Morgan</b></p> <p><b>Public Speaker For: Jane Charlton</b></p> <p>Conversion of redundant barn to dwelling, temporary use of caravan on adjacent land during construction period and installation of new septic tank</p> <p><b>Allt Y Celyn Barn Glyndyfrwy Corwen</b></p> <p><b>GRANT</b></p>
06/2005/0207/PF	<p>Erection of 2 no. dwellings and construction of new vehicular access</p> <p><b>Land adjoining Gwylfa Gwyddelwern Corwen</b></p> <p><b>GRANT</b></p>
12/2005/0518/PC	<p>Following consideration of 1 additional letter of representation from: Policy Section</p> <p>Change of use of agricultural land to domestic use (retrospective application)</p> <p><b>22, 24 &amp; 26 Trem Y Coed Clawddnewydd Ruthin</b></p> <p><b>GRANT</b> subject to</p> <p>Amended Condition</p> <p>1. insert after “Within 3 months of the date of this permission”, “a scheme for the planting of a hedge”</p>
14/2005/0057/PF	<p>Erection of new dwelling (revised scheme to Application Ref. No. 14/2004/0801/PF)</p> <p><b>Land adjoining Derfel Cyffylliog Ruthin</b></p> <p><b>GRANT</b></p> <p>Subject to Additional Condition</p>

7. No development shall be carried out until such time as a scheme of landscaping treatment to the area to the rear of the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for details of levels, any cutting back of the bank, and tree retention. The approved details shall be implemented in full, prior to the occupation of the dwelling.

*Reason*

In the interest of visual and residential amenity

16/2005/0457/PR

Following consideration of 2 additional letters of representation from: C and B Fearon, 39 Tan Y Bryn; I.G. and J.B. Du Plat Jones, 20 Tan y Bryn, Llanbedr

Details of proposed dwelling and construction of new vehicular access submitted in accordance with outline application code no. 16/2002/0775/PO

**Land adjoining 41 (Plot 21a) Tan y Bryn Llanbedr Dyffryn Clwyd Ruthin**

**GRANT**

Subject to Amended Condition 2

2. "Development of the permitted dwelling shall not commence until.."

25/2005/0180/PF

Conversion of existing outbuilding to dwelling and installation of new septic tank

**Outbuilding at Hendre Farm Nantglyn Denbigh**

**GRANT**

**Refuse Against Recommendation**

45/2005/0506/AD

Retention of non-illuminated developers signboard (retrospective application)

**Land opposite 81 Ffordd Derwen Rhyll**

**REFUSED** for the following reason:

1 The sign, by reason of its scale and siting against the backcloth of open countryside, would be out of keeping with and would detract from the surrounding rural scene and street scene to the detriment of visual amenities and in conflict with criterion (iv) of Policy GEN 11 of the Denbighshire Unitary Development Plan.

Members also resolved to take enforcement action to remove the sign.

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

**Defer for Reason Stated**

03/2004/1286/PF

Following consideration of corrections to the report

Demolition of petrol filling station and garage/bus depot, erection of 36 no. sheltered apartments for the elderly and 1 no. house manager's apartment and retention of existing chapel as shop)

**Bryn Melyn Motor Services Ltd Abbey Road Llangollen**

**Deferred** due to emerging information on affordable housing issue, a need to carry out further technical work in relation to flooding and late receipt of Town Council consultation response.

03/2004/1287/CA

Demolition of petrol filling station, garage/bus depot and demolition of side/rear chapel extensions (conservation area consent)

**Bryn Melyn Motor Services Ltd Abbey Road Llangollen**

**Deferred** due to emerging information on affordable housing issue, a need to carry out further technical work in relation to flooding and late receipt of Town Council consultation response.

**141 ENFORCEMENT MATTERS**

ENF/2005/0051 – Change of Use of annex to use as a single dwelling  
**10 Marble Church Grove, Bodelwyddan**

**RESOLVED** that authorisation be given for the following:

- (i) *Serve an Enforcement Notice to ensure that use of the extension as a single dwelling ceases*
- (ii) *Instigate prosecution proceedings, or other appropriate action under the Planning Act, 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.*

**142 ENFORCEMENT COMMITTEE AUTHORISATIONS  
CASE REVIEW – JUNE 2005**

**RESOLVED:** *That the report be received for information.*

**143 PROTOCOL FOR MEMBER INVOLVEMENT IN APPEALS**

Submitted Report by Head of Planning and Public Protection detailing a revised Protocol for Members.

**RESOLVED:** *That the Appeal Protocol be approved for immediate implementation.*

**144 DEVELOPMENT AND FLOOD RISK ADVICE – TAN NOTE 15**

Submitted: Report by Head of Planning and Public Protection outlining advice from the Welsh Assembly Government in the Technical Advice Note issued in July 2004.

**RESOLVED:** *that the report be received for information and that Technical Advice Notes be included in future training sessions for Members.*

**145 DATE OF SITE VISIT**

There being no site visits required, this item was withdrawn

**146 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> May and 31<sup>st</sup> May 2005.

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

The meeting closed at 11.45 a.m.

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