

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on Wednesday 31<sup>st</sup> August 2005 at 9.30am.

### PRESENT

Councillors: S. Thomas (Chair), J.R. Bartley, R.E. Barton, B. Blakeley (observer), J. Chamberlain-Jones, J.M. Davies, M.L.L. Davies, S.A. Davies, G.C. Evans, H.H. Evans, I.M. German, D. Hannam, K. Hawkins, T.K. Hodgson, T.R. Hughes, D. Jones, E.R. Jones, H. Jones, M.M. Jones (observer), G.M. Kensler, P.W. Owen, D.A.J. Thomas, J. Thompson-Hill, C.H. Williams, E.W. Williams, Lloyd Williams

### ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Team Leader (Major Application, Senior Support Officer (G Butler), Admin Officer (Judith Williams), Bryn Jones (Translator) and Sue Broadway (Highways Manager in attendance for application 2/2005/333 – Tesco Site, Ruthin)

### APOLOGIES WERE RECEIVED FROM

J. Butterfield, E.C. Edwards, S. Frobisher, M.A. German, N. Hugh-Jones, M.A. Webster

### 310 URGENT MATTERS

None.

### 311 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:-*

#### **Consents**

##### Application No   Description and Situation

- |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 43/2005/0567/PF | (Councillor Dr James Davies declared an interest in the following application and left the Chamber during consideration thereof).<br>Description: Demolition of existing flat roof section and erection of pitched roof extension.<br><b>Trinity Methodist Church 4 Gronant Road Prestatyn</b><br>GRANTED                                                                                                                              |
| 44/2005/0822/PF | (Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof).<br>Description: Erection of extension to existing storage barn.<br><b>Clwyd View Marsh Road Rhuddlan Rhyl</b><br>GRANTED, Subject to: Additional Condition<br>3. The extension hereby permitted shall be used for the storage of agricultural implements and related agricultural storage (but not for |

keeping livestock), unless otherwise approved in writing by the Local Planning Authority.

Reason: To control the use in the interests of residential amenity.

45/2005/0477/PR Description: Approval of design and external appearance of the buildings and landscaping submitted in accordance with Condition 1 of outline planning permission 45/2004/0043/PO  
**Former North Wales SAAB Centre Morville Garage 27-28 East Parade Rhyl**  
GRANTED

45/2005/0739/PF Following consideration of details of Site Visit held on 24<sup>th</sup> August 2005

Description: Erection of first-floor pitched-roof extension to side of dwelling and detached double garage with store over

**8 Hazel Court Rhyl**

GRANTED, subject to Additional Condition:

4. Within 2 months of the date of this decision a scheme of hard and soft landscaping for the north western boundary of the site with Ffordd Anwyl shall be submitted to the Local Planning Authority for approval, such scheme to include detail of:

- a) proposed new trees, hedgerows, shrubs or vegetation including confirmation of species, numbers and location
- b) proposed positions, design, materials and type of boundary treatment.

All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the next planting and seeding season i.e. before the end of March 2006 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.

45/2005/0763/PF **Public Speaker For: R.A. Salisbury (Gamlins)**(on behalf of the applicant)

(Hughie Jones declared an interest)

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

Description: Erection of first-floor pitched-roof extension to side of dwelling and detached double garage with store over

**Land at Brookdale Road Rhyl**

RESOLVED TO GRANT, Subject to the applicant first entering into a Section 106 obligation relating to the provisions of affordable housing and commuted sum for open space off site

and the following Amended/Additional Conditions

6. The finished floor levels of the dwelling units shall be set at a minimum of 6.75m AOD. The development shall also be carried out in accordance with the flood proof construction techniques set out in the Floor Consequences Assessment report dated November 2004 by Gifford.

9. Add "The accesses to The Cut for the Environment Agency, the footway/cycle crossing of The Cut, and access to Coronation Gardens shall be provided in accordance with the approved details prior to the occupation of the dwellings hereby permitted".

12. The landscaping details required by Condition No 7 shall include for detailed treatment of the boundary of the application site with Rhyl Cut including fencing, retention of garden areas, and planting. The treatment of the boundary with the Rhyl Cut shall be fully implemented prior to the occupation of any dwellings hereby permitted and thereafter retained.

- 47/2005/0431/PF Following consideration of correction to report  
Description: Demolition of building and erection of swimming pool enclosure  
**Toledo Cottage Rhualt St Asaph**  
GRANTED, Subject to amended/additional conditions:  
3. "permitted" "accommodation"  
4. Prior to the commencement of any development on site details of a scheme of tree and hedge planting for the overall application site, including hedge planting to the rear of the swimming pool, shall be submitted to and approved in writing by the Local Planning Authority.  
5. All tree and hedge planting etc.  
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no further development permitted by Class E of Schedule 2 of the Order shall be carried out on the application site without the grant of a further planning permission by the Local Planning Authority.  
Reason: In the interest of the character and the appearance of the Area of Outstanding Natural Beauty.  
(Officers were asked to proactively monitor the site, particularly in relation to the requirements for landscaping).
- 01/2004/1612/PO Following consideration of 1 additional letters of representation from: Head of Transport and Infrastructure.  
Description: Development of 0.23ha of land for residential purposes and alterations to existing vehicular access (outline application)  
**Abbey Garage Rhyl Road Denbigh**  
GRANTED, subject to Amended Condition:  
4.(a)(i) Affordable housing units to comprise a minimum of 30% of the housing units to be developed and a type and location to be determined.
- 01/2005/0664/PF Description: Demolition of existing building, erection of 13 flats for the elderly and construction of new vehicular/pedestrian accesses  
**Old Cinema Site Highgate Denbigh**  
RESOLVED to GRANT planning permission subject to the applicant first entering into a Section 106 obligation controlling use of the flats for elderly persons and that 30% of flats be affordable and the payment of commuted sums for off site open space provision and the following Additional Note to Applicant  
In discussing the application, the Planning Committee of the Council requested that the development be given a name with a local connection e.g. Tan y Castell
- 01/2005/0665/CA Description: Demolition of cinema building (Conservation Area Consent)  
**Old Cinema Site Highgate Denbighshire County Council**  
GRANTED
- 02/2005/0333/PF **Public Speakers Against: Rhys Davies (CO-OP)**  
**Gwyn Evans (Confederation of Small Businesses)**  
**Public Speakers For: Keith Nutter (White Young Green)**  
Councillor Cefyn Williams declared an interest in the following application and left the Chamber during consideration thereof.  
Following consideration of details of a site visit on 24.08.2005 and additional letters of representation from: Sustrans and White Young Green.  
Description: Proposed 2745 sq m food/non food store, including café, first floor for staff accommodation, external covered compound and canopy, ancillary service yard buildings and sprinkler tank and

associated car parking area, with landscaping and associated works including realignment of road.

**Former Council Car Park and Nursery Lon Parcwr Ruthin**

(Councillor I German, Councillor G M Kensler and Councillor E R Jones wished it to be noted that they abstained from voting)

(Councillor Eryl Williams wished it to be noted that he voted against)

GRANTED, subject to the following Amended Conditions:

2.(a) Management arrangements for the operation of the car park to allow customers to undertake linked trips with Ruthin Town Centre and nearby amenities.

8. "0700 hours to 2200 hours Mondays to Saturdays inclusive"

9. "0700 hours to 2200 hours Mondays to Saturdays inclusive"

13. "30%"

Additional Note to Applicant:

Your intention to install CCTV within the site is noted. The Council would wish to explore the possibility of this being compatible with proposed CCTV within Ruthin Town Centre and in this respect you should liaise with the Council's Head of Environmental Services as to the type of system that the Council will be adopting.

10/2005/0103/PO

Description: Development of 0.26ha of land for residential purposed (outlined application)

**Land Adjacent to St Tysilio Church Bryneglwys Corwen**

GRANTED, Subject to Amended Condition:

4. (a)(i) A minimum of 30% of the housing units to be affordable, the type and location to be determined.

12/2005/0725/PR

Description: Erection of dwelling and detached double garage.

**Plot 3 Land adjoining Bronallt Clawddnewydd Ruthin**

GRANTED, subject to amendment to Condition 3 – deleting the final section in brackets.

**Consent against Recommendation**

10/2005/678/PC

**Speaker For: Wyn Roberts**

Following consideration of 3 additional letters of representation from: JAC AONB, Public Protection; The Applicant

Description: Continuation of use of agricultural land as storage and distribution depot in connection with road surfacing contractors with siting of steel containers, plant and ancillary equipment (retrospective application)

**Rhoslydan Bryneglwys Corwen**

GRANTED, subject to the following reasons:

1. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 31<sup>st</sup> August 2008 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority

2. Within 2 months of the date of this decision a detailed scheme of soft landscaping for the site shall be submitted to the Local Planning Authority for approval, and such scheme shall 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) The proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers and location;

(c) Proposed positions, design, materials and type of boundary treatment.

3. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out

in the next planting and seeding season i.e. by the end of March 2006 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.

4. No more than a 5 no. steel containers shall be sited on the land subject to this permission and all containers shall be coloured dark green and thereafter retained as such.

Reasons:

(1). To allow the impact of the use to be reviewed in the interests of the AONB and highway network.

(2). To ensure a satisfactory standard of development in the interest of visual amenity.

(3). To ensure a satisfactory standard of development in the interest of visual amenity.

(4). In the interests of the appearance of the development in the AONB.

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

Limited impact on the AONB, safeguarding local employment.

#### **Defer for a Site visit**

24/2005/0593PF

(Following consideration of 1 additional letters of presentation from: Sian E Davies, Pant Glas Isa, Rhewl, Ruthin)

Description: Conversion of redundant agricultural buildings to form 5 no. dwellings and associated works.

**Outbuildings at Pant Glas Uchaf Bontuchel Ruthin**

#### **312 ENFORCEMENT MATTERS**

ENF/2005/00044

Following consideration of 1 additional letters of representation from: The Owner

Description: Change of use of land for form extension to garden.

**Land adjoining Brackenwood, Village Road, Eryrys**

Councillor Barton proposed a further deferral period. On being put to the vote this was defeated.

RESOLVED TO take no further action

ENF/2005/00045

Following consideration of 1 additional letter of representation from: The Owner

Description: Change of use of land to form extension to garden.

**Land adjoining Ashgrove, Mynydd Du Eryrys**

Councillor Barton proposed a further deferral period but on being put to the vote this was defeated.

RESOLVED TO take no further action

ENF/2004/00066

Description: Installation of roller shutters, associated metal box and plastic canopy.

**The Grapevine 87 High Street Prestatyn**

(Councillors: P Owen and J T Hill voted against taking action)

RESOLVED that authorisation is given for the following:

(i) Serve an Enforcement Notice to secure the removal of the roller shutters, metal box and plastic canopy.

(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 requirement of the Enforcement Notice.

ENF/2004/00069 Description: Installation of roller shutters, associated metal box.  
**Female Associates 102 High Street Prestatyn**  
(Councillors: P Owen and J T Hill voted against taking action)  
RESOLVED that authorisation is given for the following:  
(i) Serve an Enforcement Notice to secure the removal of the roller shutters and associated metal box.  
(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.

ENF/2004/00073 Description: Installation of roller shutters, associated metal box.  
**Regal Pictures 136 High Street Prestatyn**  
(Councillors: P Owen and J T Hill voted against taking action)  
RESOLVED the authorisation is given for the following:  
(i) Serve an Enforcement Notice to secure the removal of the roller shutters and associated metal box.  
(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.  
(Councillor P Owen voted not to take action)  
(Members were prepared to consider a more sympathetic design of shutter for the premises in the High Street Conservation Area).

### 313 RESIDENTIAL CONVERSION OF RURAL BUILDINGS TO DWELLINGS

Submitted, report by the Head of Planning and Public Protection advising members on the interpretation of policies relating to the residential conversion of rural buildings and the need for marketing tests prior to permission being considered. After some discussion it was RESOLVED that members agree the interpretation of the policies as set out in the report and that local ward members be advised when specific issues occur in their area.

Officers were requested to prepare a similar report for members' information on Policy HSG 5.

### 314 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 and advising of the current membership of the Site Visit Panel.

**RESOLVED** that the approved site visit be held on the day of the Pre Committee site visits prior to the next Planning Committee (date to be arranged).

### 315 LIST OF APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Head of Planning and Public Protection Services submitted his written report (previously circulated) of application for Planning Permissions determined by him under delegated authority between 1<sup>st</sup> July 2005 and 31<sup>st</sup> July 2005.

**RESOLVED** that the report be received.

The meeting closed at 12.45pm.

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