

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall Ruthin on Wednesday 14th December 2005 at 09.30 a.m.

PRESENT

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

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Team Leader (Major Applications), Team Leader (Support) (G. Butler) Customer Services Officer (Judith Williams) and Bryn Jones (Translator) M. Williams (Senior Engineer, Highways) for part of the meeting

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors S. Davies, J. Thompson-Hill, M.A. German, J. Butterfield, R. Hughes, N Hugh-Jones, D. Jones

1. URGENT MATTERS

The Legal Services Manager drew Members attention to the Constitution in particular sections 11.3, 18.3, 18.4 regarding conduct at meetings.

DC Manager advised Members of the submission of a consultation regarding an offshore windfarm at Gwyrty Mor Abergele. A briefing will be arranged and details are available in libraries.

2. APPLICATION 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 and Situation</u>
30/2005/0952	<p>Following consideration of correction to report and relevant planning history. Alterations to existing integral garage to provide additional accommodation and erection of detached garage</p> <p>Thatched Cottage Upper Denbigh Road St. Asaph</p> <p>GRANTED Subject to Amended Condition 4 and 5</p> <p>4. "The garage conversion hereby permitted etc"</p> <p>5. The detached garage hereby permitted shall be used for garaging of cars or other ancillary functions in connection with the residential and bed and breakfast use of Thatched Cottage and not for any form of living accommodation or any other business use.</p> <p><i>Reason: In the interests of amenity.</i></p>
31/2005/1115/PF	<p>Councillor M.LI. Davies and I.M. German declared an interest in the following application and left the Chamber during consideration thereof. Following consideration of correction to report and relevant planning history</p> <p>Extension to form 2 new classrooms and library, new disabled WC, access ramp and provision of on-site parking</p> <p>Ysgol Cefn Meiriadog Groesffordd Marli Abergele</p> <p>GRANTED Subject to Additional Condition</p> <p>5. The 2 no. mobile classrooms currently sited on the application site shall be removed in their entirety within 3 months of the occupation of the classroom extensions hereby permitted.</p> <p><i>Reason: To control the extent of the development on the site in the interests</i></p>

of highway safety and residential amenity.

31/2005/1288/PF

Public Speaker For: Mrs Regan

Public Speaker Against: Dr Stoll

Following consideration of additional letters of representation from: D. Sykes, Wern, Groesffordd Mali; Fiona Vernon, 7 Cae Onnen; Dr A.J. and Mrs S.E. Stoll, 1 Cae Onnen Glascoed

Change of use of land from agricultural to equestrian use and erection of 'L' shaped stable block and wooden store and retention of alterations to access

Field to rear of Cae Onnen Glascoed Abergele

GRANTED Subject to Amended Conditions 3, 9 and 10 and Notes to Applicant

3. "The stables hereby approved are for the personal use of the applicant or their successors in title only etc"

8. "foul waste matter"

9. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, 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) 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.

10. 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 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.

Notes to Applicant

1. Your attention is drawn to the attached Highway Supplementary Notes Nos [1, 2, 4, 5 and 10]

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

43/2005/0747/PF

Erection of tree climbing and silviculture centre

The Spinney Wood Sandy Lane Prestatyn

GRANTED Subject to New Conditions 9, 11 and 12 and New Note to Applicant 9. The development shall incorporate the flood mitigation measures set out in the Flood Consequences Assessment dated 28th September 2005 and the Environment Agency letter dated 4th November 2005, prior to the commencement of the use of the building and at all times thereafter.

11. The vehicular access shall be provided in accordance with the details indicated on drawing number 3382/03A forming part of the application, prior to the commencement of use of the building hereby permitted.

12. The surface of the access shall be paved with a bituminous material for a distance of 5 metres behind the highway boundary and the whole of the access

frontage adjacent to the highway boundary shall be reinforced with bullnose kerbs, before the development hereby permitted is occupied.

Reasons:

9. To minimise risk from flooding

11. In the interests of highway safety

12. In the interests of highway safety

Note to Applicant

1. Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 2, 4, 5 and 10.

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

45/20058/0984/PO

Following consideration of 2 additional letters of representation from: Head of Transport and Infrastructure; Board of Governors, Ysgol Emanuel, Rhyl
Demolition of existing buildings, development of 0.11 hectares of land by the erection of 13 No. apartments and construction of new vehicular and pedestrian access (outline application)

Victoria Business Part Victoria Road Rhyl

GRANTED Subject to New Conditions 10, 11 and 12 and New Note to Applicant

10. Development shall not begin until details of the junction between the proposed access road and the highway have been submitted to and approved in writing by the Local Planning Authority; and the building(s) shall not be brought into use until that junction has been constructed in accordance with the plans hereby approved.

11. The development hereby permitted shall not be brought into use until space, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, has been laid out within the site for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward direction; these areas shall not

thereafter be used for any purpose other than the parking or turning of vehicles.

12. Prior to the commencement of the development, a method statement indicating the means of construction of the development, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed in accordance with the method statement.

Reason: To ensure the construction takes into account the adjacent school and school users.

Note to Applicant

1. Your attention is drawn to the attached Highway Supplementary Nos. 1, 2, 4, 5 and 10
2. 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.

45/2005/1245/PF

Following consideration of 1 additional letter of representation from: Public Protection

Change of use from Class A1 shop to Class A3 hot-food takeaway and erection of galvanised steel duct at rear
73 Rhyl Coast Road Rhyl

GRANTED Subject to Amended Condition and New Note to Applicant

4. "Prior to the erection of the steel duct to the rear, full details of its design and materials shall be submitted and approved in writing by the Local Planning Authority. The duct and other equipment for the treatment and extraction of fumes and smells etc"

Note to Applicant

Your attention is drawn to the attached Highway Notes 1, 3, 4, 5 and 10.

47/2005/1138/PF

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

Part demolition and change of use of former derelict farmhouse to form agricultural building

Tyddyn Arthur Waen St. Asaph

GRANTED Subject to Amended Condition 2 and New Note to Applicant

2. The use of the building hereby permitted shall be for agricultural purposes (excluding accommodation of livestock or storage of slurry or sewage sludge) only or for the stabling of horses in connection with the adjacent dwelling to the east and for no other commercial use of for residential purposes.

Additional Note to Application

You are reminded that you remain in breach of condition no. 2 of planning permission reference 47/2000/0295/PF. There is a need to implement this new planning permission as soon as possible to avoid the need for the Council to serve a breach of condition notice.

01/2005/1119/CA

Public Speaker Against: Ann Dent

Following consideration of report of Site Visit on 8th December 2005

Demolition of 5 No. terraced houses

Land at the rear of 43 Love Lane Denbigh

GRANTED Subject to Amended Condition 2

Delete Condition 2 and replace with:-

2. No demolition works shall be permitted to commence until details of the proposed landscaping/aftercare of the site and its timing have been submitted to and approved in writing by the Local Planning Authority, and such details approved shall be implemented in strict accordance with the agreed time scale.

3. No development works of any kind shall begin until the presence of a contracted archaeologist has been secured on-site according to the prescriptions set out in a curatorial design brief and approved in writing by the Local Planning Authority. Access, at

any reasonable time, shall be given to this archaeologist to enable the observations and recording of any archaeological remains uncovered during the early stages of development. A report of any archaeological records made must be deposited within County Sites and Monuments Record, Clwyd-Powys Archaeological Trust, 7a Church Street, Welshpool, Powys, SY21 7DL (01938-553670) within one month of the completion of this work with a summary of records sent to the Local Planning Authority at the same time.

4. Prior to commencement of any demolition a method statement shall be submitted to and approved in writing by the Local Planning Authority as to how demolition will be undertaken, including for the retention of existing site boundary walls.

5. The demolition hereby granted consent is limited to the derelict former dwellings on the site and excludes any boundary walls.

Reason: In the interests of the character and appearance of the Conservation Area, highway safety and residential amenity.

DEFER for reasons given

44/2005/0081/PF

Following consideration of 1 additional letter of representation from: Rhuddlan Town Council

Erection of 38 dwellings, provision of open space and construction of new roadway from existing amended access

Abbey Nurseries Abbey Road Rhuddlan Rhyl

Defer to assess commuted sums.

REFUSED against Recommendation

01/2005/0865/PF

Public Speaker Against: Ann Dent

Following consideration of report of Site Visit on 8th December 2005 and additional letters of representation from:

Angela Saunders, Tan y Gwalia Residents Association

Demolition of 5 No. derelict cottages and redevelopment of site by erection of terrace of 4 No. dwellings and formation of new parking area and new vehicular access

Land at rear of 43 Love Lane fronting Tan y Gwalia Denbigh

REFUSE for the following reason:

1. The proposal would lead to increased use of a narrow lane with limited width, poor alignment, and inadequate space for turning, parking and manoeuvring of vehicles. The proposal would also be likely to lead to additional on street parking, exacerbating the inadequate highway conditions. The development would therefore be detrimental to the safety and convenience of all highway users and be contrary to criteria (vi) and (vii) of Policy GEN6, Policy TRA6, and Policy TRA9 of the Denbighshire Unitary Development Plan.

The decision, being CONTRARY to the Officers' Recommendation was taken for the reason above.

18/2005/1057/PO

Following consideration of report of Site Visit on 8th December 2005

Development of 0.04 ha of land for residential purposes and provision of parking area (amendment to application No. 18/2004/1185/PO (outline application))

Land at rear of 1-4 Brondyffryn Terrace Llandyrnog Denbigh

REFUSE for the following reason:

1. The proposal would lead to an increased use of an access point to a classified road that has poor visibility and limited width. This increased use would result in additional highway dangers and inconvenience to highway users. The proposal would therefore be contrary to criteria (vi) and (vii) of Policy GEN6, Policy TRA6, and Policy TRA9 of

the Denbighshire Unitary Development Plan.

The decision, being CONTRARY to the Officers' Recommendation was taken for the reason above.

3. 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 1st November and 25th November 2005.

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

4. INFORMATION ITEMS FOR PLANNING COMMITTEE

The Head of Planning and Public Protection Services submitted his written report for Members' information (previously circulated) on

- Members' training
- Minerals
- Local Development Plan Working Group

Members made suggestions for topics for training sessions and asked that dates be programmed well in advance.

The Meeting closed at 11.30 a.m.