

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 25th January 2006 at 9.30a.m.

PRESENT

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

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors R. Jones.

BEREAVEMENT

The Committee observed a one minute silence in memory of Mr. F.D. Jones former Denbighshire Councillor and Chair of Planning Committee who died recently.

1. 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

Application No.	Description and Situation
01/2005/1350/PF	Erection of two-storey pitched-roof extensions. Maesteg and Llys Nant, Park Street, Denbigh. GRANTED
08/2005/1347/PF	Erection of detached dwelling and revised alterations to existing vehicular access (amended scheme to Application Ref. No. 08/2005/0595/PF. Land at Bryn Hafod, Cynwyd, Corwen. GRANTED
15/2005/1297/PF	Erection of garage block and link to side of dwelling (amended details to those previously approved under application ref: 15/2005/0065/PF) (partly retrospective). Foelas Eryrys Road, Mynydd Du, Mold. GRANTED subject to: New Note to Applicant. The Planning Committee, in considering the planning application, were of the opinion that as the property has already been subject to substantial extension, it is unlikely that any further additions to the property would be permitted.
15/2005/1391/PC	Speaker In Favour: Mr Simpson Following consideration of report of a site visit held on 20 th January 2006 and additional letters of representation from Landscape Architect. Retention of conservatory extension to side of dwelling

**Armon Cottage, Bryn Alyn,
Llanferres, Mold.**

Councillors M. German, J. Butterfield, J. Chamberlain Jones and M. Webster arrived during debate on this application and did not vote.

GRANTED

17/2005/1193/PO

Development of 0.1 hectares of land by erection of 1 dwelling and alterations to existing vehicular access (outline application)

**Land at (Part garden of) Belle Vue,
Pen Y Stryt, Llandegla, Wrexham.**

GRANTED subject to: the deletion of conditions 8, 9 and 10 and insertion as Notes to Applicant and the following New 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).
3. Your attention is drawn to the attached standard details for a new vehicular access to this type of development.
4. Babtie, New Development Consultants, advise that a public sewer crosses the site. Please contact Babtie for more information before you proceed with the development.
5. Foul effluent only should be drained to the public sewer. Surface water will need to drain to soakaways or, if available, a ditch/watercourse in the vicinity of the site.

18/2005/1144/PF

Speaker Against: Joanna Linfield

Conversion of redundant farm outbuilding to dwelling, construction of new vehicular access and installation of new septic tank.

**Outbuilding at Fforddlas Isaf,
Llandyrnog, Denbigh**

(Councillor N.H. Jones voted against granting permission)

GRANTED subject to: Notes to applicant:

1. The proposed ancillary soakaway shall conform to BS6297 and no part of the system shall be sited within 10 metres if any watercourse.
2. Please see attached guidance notes from the Environment Agency.

42/2005/1325/PF

Following consideration of addendum report on common land issue and three additional letters of representation from Ian Hilliard, Hawthorn Dene, J.H and G. Williams, Dincolyn, J.T Tibbells, Clarence House, Bryniau. Erection of boundary walls/railings and hardstanding (retrospective application). **Mount House, Bryniau Dyserth, Rhyl.** GRANTED subject to: Additional Condition

2. The retaining wall to the eastern boundary of the site as indicated on the proposed site plan revised October 2005 shall be completed in accordance with the approved plan and elevation within 3 months of the date of this permission.

42/2005/1326/PC

Following consideration of three additional letters of representation from: Ian Hilliard, Hawthorn Dene, J.H and G. Williams, Dincolyn, J.T Tibbells, Clarence House, Bryniau. Rebuilding stable block to form annexe to main dwelling (retrospective application).

Mount House, Bryniau Dyserth, Rhyl
GRANTED

43/2005/1386/PF

Councillors Isobel and Mike German declared an interest in the following application and left the Chamber during consideration thereof.

	<p>Erection of dormer extension to front of dwelling, alterations to roof and alteration of sun lounge to rear. 4 Talton Crescent, Prestatyn. GRANTED</p>
45/2005/1222/PS	<p>Removal of condition no.2 of application no. 45/2001/0496/PF relating to opening hours. 32 Sussex Street, Rhyl. GRANTED</p>
45/2005/1315/TP	<p>Crown reduction by 30 percent of trees Nod. T8 – T12 inc. on plan annexed to the Denbighshire County Council (Land at Boughton Avenue, Rhyl) Tree Preservation Order No. 3, 2003. Land At 3-22 Boughton Avenue, Rhyl APPROVED subject to: Additional Condition 3. The Local Planning Authority shall be notified of the intention to carry out the works hereby approved, a minimum of 10 working days in advance of the carrying out of the works. Reason: To ensure that the Council have the opportunity to monitor the works in the interests of good arboricultural practice.</p>
45/2005/1366/PS	<p>Variation of condition no.5 of planning permission code no. 45/2003/960/PF to allow opening hours until 22.00 hrs or 22.30 hrs on Mondays to Saturdays. 78 High Street, Rhyl GRANTED</p>
45/2005/1414/PF	<p>Alterations and extensions to premises containing 7 no. self-contained flats to create 8 no. self-contained flats. 45 Brighton Road, Rhyl Councillor D.Hannam abstained from voting. Councillor M Webster and Joan Butterfield voted against granting permission.</p>

GRANTED subject to: Additional Condition

6. Notwithstanding the submitted details, no alterations shall be made to the vehicular access to the property , and no trees shall be felled or subject to any other tree work, unless otherwise approved in writing by the Local Planning Authority. Reason: To ensure the retention of existing trees in the interests of visual amenity.

Notes to applicant

1. You are reminded that the trees on the site are subject to a Tree Preservation Order and any works to these trees, without prior consent, would constitute a criminal offence.

2. Separate Building Regulation consent is required for the proposed alterations, and you should be aware that the grant of planning consent does not convey any approval for the detailing of the flats, including the adequacy of arrangements for escape from the upper floor units.

45/2005/1444/TP

Following consideration of one additional letter of representation from Principal Countryside Officer.

Land at Boughton Avenue, Rhyll

APPROVED subject to: Additional Condition

3. The Local Planning Authority shall be notified of the intention to carry out the works hereby approved, a minimum of 10 working days in advance of the carrying out of the works.

Reason: To ensure that the Council have the opportunity to monitor the works in the interests of good arboricultural practice.

Members requested the replacement trees required by Condition 2 are to be of an appropriate size – officers to monitor the site.

47/2005/1314/PF

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

Following consideration of one additional letter of representation from Applicant.

Renewal of application code no. 47/2001/1000/PF comprising change of use from market garden to touring caravan and chalet park with associated road widening and alterations to existing vehicular access and installation of new septic tank.

Oakleigh House, Waen Road, Rhuddlan, Rhyl.

Councillor R.LI Williams voted against the grant of permission.

GRANTED subject to Condition 1 to read: before the expiration of 2 years from the date of this permission.

(ii) REFUSE AGAINST OFFICERS' RECOMMENDATION

43/2005/1371/PC

Speaker Against: K. Williams

In Favour: J. Cafearo

Retention of conservatory to rear of dwelling (retrospective application).

8 Oldgate Road, Prestatyn

REFUSED for the following reason:

1. The proposed conservatory, by reason of its height, projection, design, and siting, would have an unacceptable impact on the residential amenity of adjoining occupiers, unacceptably affecting their living conditions. The proposal is considered to be contrary to criterion (iii) of Policy HSG 12 of the Denbighshire Unitary Development Plan and advice within Supplementary Planning Guidance Note No.1 – Extensions to Dwellings.

Resolved also to take enforcement action for the reasons set out in the reasons for refusal, to secure removal of the conservatory.

(Councillor J Butterfield abstained from voting).

The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason: Loss of privacy to neighbours and the size and scale of the conservatory.

(iii) REFUSED

12/2005/1439/PF

Development of 0.09ha of land for residential purposes and installation of new septic tank (outline application).

Land to rear of Glan Llyn Inn, Clawddnewydd, Ruthin.

Councillor Eryl Williams did not take part in the debate, or vote on this item.

REFUSED for the following amended Reason for refusal. After "Policy HSG5" add "of the Denbighshire Unitary Development Plan" and delete final sentence.

42/2005/1365/PC

Following consideration of corrections to report and Planning History and one additional letters of representation from Applicant.

Retention of new vehicular access (retrospective application).

Hafan Deg, Waterfall Road, Dyserth, Rhyl.

REFUSED

It was further resolved:

To serve an Enforcement Notice to remove the vehicular access and hard standing, rebuild the limestone boundary wall to the site frontage, and reinstate the front garden.

(iv) SITE VISITS

13/2005/1369/PF

Following consideration of 4 additional letters of representation from Mr and Mrs F Plows, The Old Bailiff's House, Plas Efenechtyd, Senior Scientific Services Officer, Contaminated Land Officer, Principal Countryside Officer (Trees).

Conversion of former agricultural building to dwelling, installation of new septic tank and alterations to existing vehicular access.

Outbuilding C Plas Efenechtyd, Efenechtyd, Ruthin.

SITE VISIT

Deferred for Members site visit to consider the condition and appearance of the building in the context of Policy HSG9.

42/2005/1327/PC

Following consideration of two additional letters of representation from Mr I Hillard, Hawthorn Dene Bryniau, J H and Mrs G Williams, Dincolyn Bryniau.

Construction of outbuilding for purposes incidental to use of the main dwelling (retrospective application).

Mount House Bryniau Dyserth, Rhyl

SITE VISIT

Deferred for Site Visit to consider the impact of the outbuilding on neighbouring properties and character and appearance of the AONB.

2. ENFORCEMENT MATTERS

Submitted reports by the Head of Planning and Public Protection relating to the following:

3(i) ENF/2001/7

Unauthorised storage of scrap vehicles at Ty Isoe, Maes Maelor, Llandegla.

This report provided an update of progress of the proposed Enforcement action, and detailed the action taken by the Environment Agency in taking the landowner to court, and the pending appeal.

It was resolved that the Committee acknowledges that no action can take place until the landowner's appeal is heard and the Environment Agency decides to take action as a joint operation with the Council but Head of Planning and Public Protection was asked to write to the Environment Agency to request that they move ahead, in partnership with the Council, as quickly as possible towards direct action.

Committee requested that officers keep a photographic record of any action undertaken (before and after).

3(ii). **ENF/2005/120**

Change of use of Agricultural Land for storage of cars, redundant white goods and other items

Untidy Land affecting the amenity of the area Land at Nant y Ffrith Reservoir, Llandegla.

The report details the unauthorised use of the land.

RESOLVED:

- (i) *Authorisation of the service of a Planning Enforcement Notice requiring the Landowner to clear the site and cease to use it for a similar use in the future. Officers were further authorised to take legal action as necessary including injunction and court order to allow direct action.*
- (ii) *A compliance period of 28 days from the date of service of the notice be imposed.*
- (iii) *Authorise the prosecution of any person failing to comply with any Enforcement Notice served lawfully upon him/her.*
- (iv) *Authorise direct action to clear the site in the event of non compliance and recovery of costs for so doing.*

3. OFFSHORE WINDFARM, GWYNT Y MOR

Submitted report by Head of Planning and Public Protection detailing consultation made by the Department of Trade and Industry into the proposal to site a windfarm at Gwynt y Mor, offshore near Abergele. Response had been received from the Principal AONB and Countryside Officer.

RESOLVED

That the Council as Neighbouring Planning Authority write to the DTI raising concerns about the visual impact and the impact on targets within TAN 8 and the limited involvements of the Council in the process. It was felt the visual impact could be mitigated by:

- (i) Reducing the number of turbines to the bottom of the range (150)*
- (ii) Colouring the turbines grey*
- (iii) Further clarification on the layout.*

4. PROPOSED WIND TURBINE DEVELOPMENT AT WERN DDU GWYDDELWERN

Report by Head of Planning and Public Protection outlines the basis of an application for 4 turbines at the above location and seeks members views on the handling of the application with regard to recent Welsh Assembly Government Advice and the joint development of Supplementary Guidance on Windfarm developments with Conwy County Council. A map of a Strategic Search Area was circulated.

RESOLVED:

- (i) The Wern Ddu windturbine application Ref 06/2005/1453/PF should not be reported to Planning Committee until after the formal approval of the Denbighshire/Conwy joint SPG on Windfarms, which should be a material planning consideration on the application.*
- (ii) That the applicants be advised accordingly.*

5. FORMER NORTH WALES HOSPITAL DENBIGH (Application No 1/2004/1445/PO)

Submitted report by the Head of Planning and Public Protection summarising events since the resolution by Full Council in May 2005 to grant planning permission for a mixed development at the site.

RESOLVED *that the report be received for information.*

6. APPEALS UPDATE

Submitted report by Head of Planning and Public Protection detailing Planning and Enforcement Appeal decisions received between October and December 2005.

RESOLVED that the report be received for information.

7. 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 26th November 2005 and 31st December 2005.

RESOLVED that the report be received.

The meeting closed at 1.15p.m.