

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 22<sup>nd</sup> February 2006 at 9.30 a.m.

### PRESENT

Councillors. S. Thomas (Chair) J.R. Bartley, R.E. Barton, J. Butterfield, J. Chamberlain Jones, M.Ll. Davies, S.A. Davies, P.C Duffy (observer), E.C. Edwards (observer), G.C. Evans, H.H. Evans, S. Frobisher, I.M. German, K.N. Hawkins, T.K. Hawkins, T.K. Hodgson, T.R. Hughes (arrived at 12.00pm), N.H. Jones, E.R. Jones, H. Jones, M.M. Jones, G.M. Kensler, P.W. Owen, N.P. Roberts, D.A.J. Thomas, C.H. Williams, E.W. Williams (observer/local member), R.Ll. Williams R.W. Hughes (Observer).

### 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), G. Aveyard (Principal Environmental Health Officer) in attendance for items on Corwen Forestry and Ifor Williams Trailers and Roger Bennion (Consultant Minerals Officer) for Moel y Faen Quarry.

### APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors. J.M. Davies, M.A. German, D. Hannam, D. Jones, J. Thompson Hill, M.A. Webster.

**WELCOME** to Morfudd Jones

#### 1. URGENT MATTERS

None

#### 2. 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.

**RESLOVED** 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

43/2005/1100/PF

Following consideration of 1 additional letters of representation from Applicant.

Erection of first-floor extension and alteration to existing premises.

**Saints Health And Fitness Club 8 Ffordd Talargoch Prestatyn**

GRANTED subject to: Additional Condition 4 and Note to Applicant

4. No development shall be permitted to commence until this written approval of the Local Planning Authority has been obtained to the details of the siting of any construction compound and associated construction vehicle parking, and storage. The construction compound and associated activity shall thereafter be operated in accordance with the approved details.

Reason: In the interests of residential amenity and to mitigate any impact on the public car park.

Officers to contact the Council officers responsible for car park to ensure that they are aware of Members concerns about encroachment onto public car park.

43/2005/1524/PF

Amended details of dwellings on Plots 3 and 4 to permit the erection of dormer bungalows in place of bungalows.

**Land At 72 Gronant Road, Prestatyn**

GRANT subject to New Condition 2

No development shall take place until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)]] of the development hereby permitted and no materials other than those approved shall be used.

43/2005/1534/PF

Formation of all-weather football pitch with 4 No. 10m high lighting columns, 1.8m high palisade fencing and construction of new pedestrian access.

**Prestatyn Youth Centre Dawson Drive Prestatyn**

GRANTED subject to Amended Conditions

2. The facility and associated lighting shall only be used between the hours of 0900-2130 on any day.

3. (b) The luminance and detailing of the lighting shall at all times operate in compliance with the limitations of an E3 Environmental Zone etc.

Officers need to advise the applicant to ensure that lighting is strictly controlled in relation to the planning conditions and through the Council's own control as operator to ensure limited impact on nearby dwellings.

46/2005/0918/PO

**Speaker For – Carl Roberts**

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

Following consideration of additional letters of representation from St Asaph Town Council; Cefn Meiriadog Community Council; and the Applicants. Development of 3.9ha of land for office/light industrial use (Class B1) and construction of new vehicular/pedestrian access (outline application)

**Former Pilkington Playing Fields, Glascoed Road, St. Asaph**

GRANTED

Resolved to GRANT planning permission but subject to the applicants first entering into a Section 106 obligation relating to the provision of a commuted sum for provision of equivalent community recreational benefit.

The following Members wished it to be noted that they voted against granting permission: B. Barton, J Chamberlain Jones, D.A.J. Thomas, J. Butterfield.

47/2005/1554/PC

Following consideration of revised map circulated and additional letters of representation from: Health and Private Sector Housing Manager; Agent; K. Morris, Maes Gwyn, Holywell Road, G.D. Kendrick, Brynllithris Barn, Cwm Road, Rhualt.

Retention of industrial storage building forming extension to existing workshop (retrospective application)

**Llwyn Derw, Holywell Road, Rhualt, St Asaph**

GRANT subject to: Amended Conditions

1. Within two months of the date of this permission the external walls and roof of the building hereby

approved shall be painted dark green to match the existing buildings on site. Thereafter, the external walls and roof shall be maintained in a dark green colour and any necessary recolouring to maintain an appropriate dark green colour shall be carried out as required by the Local Planning Authority.

Officers to ensure that the site is proactively monitored including compliance with Condition No's 2 & 3. Landscaping scheme required by Condition No.2 should include for larger size trees and plants and mix of ever green and deciduous with possibility of some conifers to give short term screening.

02/2005/1449/PF

Erection of 4-bedroom house

**Land at rear of Tawelfan, Bryn Goodman, Ruthin**  
GRANTED

03/2005/1494/PS

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

Following consideration of 1 additional letter of representation from: Health and Private Sector Housing Manager.

Variation of Condition No.2 on planning permission Ref. No. 03/11664 to allow hours of opening to read 1730-0100 hours Mondays-Sundays inclusive.

**SHYLET Indian Restaurant 36, Regent Street, Llangollen**

GRANTED subject to Amended Condition

1. The restaurant shall only be open for the intake of customers between 10.00 hours and 0100 hours the following day.

07/2005/0777/PC

**Speaker Against – Mr B Attwood**

Following consideration of additional information and additional letters of representation from: Llandrillo Community Council; Applicants Agent; Mr B.A. Attwood, Cilan Caravan Park, Llandrillo.

Retention of weighbridge, lean-to extension to main timber processing building and structures to house peeler plant and cutter plant (retrospective application).

**Corwen Forestry Timber Products, Llandrillo, Corwen**

GRANTED subject to Amended Condition

2. A scheme of noise attenuation relating to the developments hereby granted permission, including the provision of wall panels and boundary fencing, shall be submitted for the consideration of the Local Planning Authority no later than the 30<sup>th</sup> March 2006, and such scheme as is approved in writing by the Authority shall be implemented in its entirety no later than 31<sup>st</sup> July 2006. The approved arrangements shall be maintained as detailed at all times thereafter.

3. Details of a scheme to ensure the suppression of dust and sawdust in the area around the weighbridge shall be submitted for the consideration of the Local Planning Authority no later than 30<sup>th</sup> March 2006, and such scheme as is approved in writing by the Authority shall be implemented in its entirety no later than 31<sup>st</sup> July 2006. The approved arrangements shall be maintained as detailed at all times thereafter.

4. Details of the arrangement for the disposal of surface water drainage in the area around the weighbridge shall be submitted for the consideration of the Local Planning Authority no later than the 30<sup>th</sup> March 2006, and such scheme as is approved in writing by the Authority shall be implemented in its entirety no later than 31<sup>st</sup> July 2006. The approved arrangements shall be maintained as detailed at all times thereafter.

5. The noise levels arising from the operation of any of the machinery forming part of the development hereby permitted shall not exceed a maximum of 45 DB LAeq (1 hour freefield) for any hour when measured from the façade of any residential property.

6. Details of a scheme of management of operating practices within the site, including vehicle parking and circulation, storage of timber shall be submitted for the consideration of the Local Planning Authority no later than the 30<sup>th</sup> March 2006, and such scheme as is approved by the Authority shall be implemented in its entirety no later than 31<sup>st</sup> July 2006. The approved arrangement shall be maintained as detailed at all times thereafter.

Reasons

2. – 6.

In the interest of the amenities of occupiers of residential property in the vicinity. Officers were requested to proactively monitor the site to ensure compliance with conditions.

08/2005/0956/PF

Erection of extension to existing galvanising plant  
**Ifor Williams Trailers Ltd. Cynwyd, Corwen**  
GRANTED.

13/2005/1369/PF

Following consideration of site report and additional letters of representation from: Mr and Mrs Plows, Old Bailiff House, Plas Efenechtyd

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

**Outbuilding C Plas Efenechtyd, Efenechtyd, Ruthin**

GRANTED subject to Amended Condition

4. The dwelling shall not be occupied until the driveways and parking spaces within the curtilage etc.

**Additional Note to Applicant**

- You are advised to ensure that appropriate safeguards are implemented in the removal of any asbestos from the site (the existing roof).

- You are advised that the Local Planning Authority has granted this permission solely on the basis that the proposal involves the conversion of the building to a dwelling, to be carried out strictly in accordance with the approved plans. Any alteration or demolition work deviating from that shown on the approved plans, unless agreed by the Local Planning Authority, involving the rebuilding of part or all of the outbuilding will invalidate the planning permission.

- Officers to proactively monitor the site to ensure that the building is substantially retained and that the development is not tantamount to erection of a new dwelling. Any significant collapse or removal of walls will necessitate the submission of a further planning application which would be dealt with as a new dwelling in the countryside.

15/2005/0673/PF

**Speaker For – Mr R Jones**

Erection of cattery building with office/reception area and formation of car parking facilities

**Bryn Difyr, Bryn Alyn, Llanferres, Mold**  
GRANTED

16/2005/1432/PF

Following consideration of 1 additional letters of representation from Applicant.

Erection of dwelling and construction of new vehicular access

**Land Adjoining 41 (Plot 21a) Tan Y Bryn, Llanbedr, Dyffryn Clwyd, Ruthin**

GRANTED subject to:

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 this 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 surfaces 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.

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 occupation of the dwelling 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.

NOTE TO APPLICANT – You are advised to ensure that hedgerow planting does not include Leylandii

17/2005/1184/MA

Following consideration of report of site visit held on 20<sup>th</sup> February 2006.

Extraction of slate waste and shale and associated restoration works.

**Moel-Y-Faen Quarries, Horseshoe Pass,  
Llangollen**

GRANTED

Resolved to GRANT planning permission subject to the applicant first entering into a Section 106 obligation of the Town and Country Planning Act 1990. Heads of terms to be as para. 13 of the report.

Additional Condition

23. There shall be no external floodlighting or security lighting permitted within the site other than with the written approval of the Local Planning Authority to the detailing.

Reason: In the interest of visual amenity.

Members requested that a letter be sent to the Applicant Company, on the issue of the decision drawing attention to concerns of Members as to impact of the development on the condition of nearby roads including mud on the highway. Need to ensure that Condition No. 12 is strictly complied with.

18/2005/1217/PO

Development of 0.16 ha of land for 2 dwellings, installation of private treatment plant and construction of new vehicular access (outline application)

**Land Adjoining Bryn Dedwydd, Llandyrnog,  
Denbigh**

GRANTED

18/2005/1361/PS

Removal of Condition No.2 on planning permission Ref. No. Ruthin Rural 11/1409 restricting occupancy to persons employed or last employed in agriculture.

**Segwen, Llandyrnog, Denbigh**

GRANTED

18/2005/1523/PS

Councillor Gwilym Evans declared an interest in the following application and left the Chamber during consideration thereof.

Following consideration of additional letters of representation from Health and Private Sector Housing Manager.

Variation of Condition No. 2 of planning permission 18/2005/1068/PF restricting use of business units to



Use Class B1, to permit Classes B1 and B8 (storage and distribution) use.

**Speddyd Farm, Llandyrnog, Denbigh**

GRANTED

**(ii) LISTED BUILDING CONSENT AGAINST OFFICERS RECOMMENDATION**

02/2005/1459/LB

Retention of replacement shop windows using new glazing bars and multi panes (Listed Building application)

**14 Well Street, Ruthin**

Resolved to GRANT listed building consent on the basis that the Ruthin Conservation Area Character Appraisal identifies a variety of styles in the town centre and other examples of smaller pane shop windows exist. Thus, the proposal would fit into the street scene and not be detrimental to the character and appearance of the listed building or conservation area.

Need to refer the resolution to grant to CADW before issuing a decision notice.

The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason: It is considered that the windows are appropriate on Listed Building in the area with other similar examples nearby.

(Councillor G Kensler wished it to be noted that she abstained from voting)

**(iii) REFUSED AGAINST OFFICERS RECOMMENDATION**

22/2005/1206/PF

Following consideration of 2 additional letters of representation from: D H Williams, Bryn Defaid, Gellifor, W M Jones & Talog Davies (on behalf of D H Williams)

Erection of 1 no. detached dormer bungalow incorporating extension of existing driveway access and associated landscaping and drainage works.

**Land Adjoining Old Barn, Gellifor, Ruthin.**

REFUSED for the following reason:

1. The proposal would be accessed by a shared vehicular access passing close to the old barn and Bryn Defaid. This would lead to all vehicles travelling to and from the new dwelling being in close proximity to existing properties and leading to noise and disturbance to the detriment of the residential

occupants of this dwelling. This would be in conflict with criterion (iv) of Policy GEN 6 of the Denbighshire Unitary Development Plan. The decision, being CONTRARY to the Officers' Recommendation was taken for the reasons given.

**(iv) DEFERRED FOR REASON GIVEN**

42/2005/1327/PC

Following consideration of site visit report held on 20<sup>th</sup> February 2006 and additional letters of representation from: Dyserth Community Council. Construction of outbuilding for purposes incidental to use of the main dwelling (retrospective application).  
**Mount House, Bryniau Dyserth, Rhyl**  
DEFERRED to allow reconsultation and assessment of revised plans.

**(v) WITHDRAWN**

43/2005/1489/PS

Variation of condition no. 8 of planning permission code no. 43/2000/0875/PO relating to stopping up or closure of Cefn Y Gwyrch, to require the approval of the local planning authority to arrangements to prevent vehicle access to the section of Cefn Y Gwyrch east of the proposed new estate road.  
**Land Adjoining Brookdale, Cefn Y Gwyrch, Prestatyn.**  
WITHDRAWN BY APPLICANT.  
The Leader, Councillor R. Hughes was given leave to address the committee and requested a position statement on Cefn y Gwyrch be brought to a future Planning Committee.

**3. TREE PRESERVATION ORDER 2/2005**

Submitted report by Head of Planning and Public Protection detailing service of a Tree Preservation Order on a tree at the boundary of 6 Vicarage Road, Llangollen.

**RESOLVED** that TPO 2/2005 be confirmed without modification.

**4. INFORMATION ITEMS**

Submitted report by Head of Planning and Public Protection on the consultation draft of Technical Advice Note (TAN)(5) – Nature Conservation and Planning

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

**5. 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> January 2006 and 31<sup>st</sup> January 2006.

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

The meeting closed at 12.50 pm