

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 6<sup>th</sup> September 2006 at 9.30 a.m.

### PRESENT

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

### 325 URGENT MATTERS

#### Councillor B Blakeley

The Chair announced that with immediate effect Councillor B Blakeley would replace Councillor D Jones as Labour Group representative on this Committee.

#### Meetings

Members expressed concern that other meetings were being arranged on the same day as planning committee and made the request that planning committee should have a whole day put aside.

### 326 APPLICATION 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

30/2006/0426/PF

Erection of barn as food and fodder store and extreme-weather stock shelter.

**Land at y Gorlan Trefnant Denbigh**

**GRANT** subject to typographical error on condition 2 "Corner"

- 42/2006/0742/PF **Speaker for Michael Peters**  
Change of use of former chapel to 4 No. self-contained apartments, refurbishment of existing dwelling and construction of new vehicular access  
**Bethel Chapel Waterfall Road Dyserth Rhyl**  
Resolved to **GRANT** planning permission subject to the applicant first entering into an obligation under Section 106 of the 1990 Planning Act to secure provision of 1 no. affordable housing unit. Amended condition 3 "shall be retained"  
**Notes to applicant**  
Standard Note to Applicant relating to Public Sewer crossing the site
- 43/2006/0314/PO **Speaker for Mr W Evans**  
Development of 0.03 hectares of land by the erection of 1 No. dwelling and construction of new vehicular access and construction of new vehicular access  
**Tanrallt Cottage Tan yr Allt Prestatyn**  
**Grant** subject to amendment to condition 6 - delete "to the highway authority's approval"  
**New Note to Applicant**  
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.
- 43/2006/0462/PO  
Development of 0.07 hectares of land by the erection of a single dwelling to include siting and access (outline application)  
**Land at (part garden of) 110 Ffordd Talargoch Prestatyn**  
Grant
- 44/2006/0078/PF **Speaker against – Michael Gibson**  
(Councillor G O Rowlands declared an interest in the following application and left the Chamber during consideration thereof.)  
Erection of 2 apartment blocks comprising 16 apartments and alterations to existing vehicular access  
**Land Accessed Off Rhyl Road Adjoining Rhuddlan Cemetery New Road Rhuddlan Rhyl**  
*Resolved to **GRANT** planning permission but subject to applicants first entering into an obligation under Section 106 of the 1990 Planning Act to secure provision of 5 affordable housing units and payment of a commuted sum in lieu of on site open space*
- 44/2006/0812/PF  
Change of use of ground floor of existing dwelling to dental surgery  
**Mona Villa Rhyl Road Rhuddlan Rhyl**  
**Grant** subject to the following new condition :  
"Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the permission relates to the use of the building as a Dental or Medical Surgery only and no other use within Class(es) D1 of the Town and Country Planning (Use Classes) Order 1987"
- 46/2005/0918/PO  
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**  
*Resolved to **Grant** planning permission subject to the applicants first entering into an obligation under Section 106 of the Planning Act to require the payment of £90,000 as a commuted sum for the provision and/or improvement of open space in St Asaph on completion of the Section 106 obligation.*

46/2006/0358/PR	<p>Details of siting, design and external appearance of the building, means of access and landscaping submitted in accordance with Condition No. 1 of outline planning permission Ref No. 46/2003/1078/PO (alteration to previously-approved application Ref. No. 46/2005/0383/PR) (Reserved Matters)</p> <p><b>Land adjacent to Summerhill Luke Street St Asaph</b> <b>APPROVED</b></p>
01/2006/0380/PF	<p>Amended details of conversion of dwelling building, outbuildings and coach-house to 5 No. dwellings, previously approved under code no. 01.2005/0156/PF</p> <p><b>Plas Y Green Mold Road Denbigh</b> <b>Grant</b> subject to amending the typographical error in the Note to Applicant "nesting"</p>
02/2006/0708/PF	<p>Demolition of existing dwelling and erection of 2 no. semi-detached dwellings and construction of new vehicular access</p> <p><b>Bryn Greenfield Road Ruthin</b> Grant subject to new conditions</p> <p>3. 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:</p> <p>(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</p> <p>(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;</p> <p>(c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;</p> <p>(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;</p> <p>(e) Proposed positions, design, materials and type of boundary treatment</p> <p>5. 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 commencement 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</p> <p>7. No works shall commence on site, including demolition, until such time as the site and buildings have been surveyed for the presence of bats and birds. The results of the surveys together with reasonable avoidance measures to deal with the presence of bats and birds shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.</p> <p><i>Reason: In the interest of any protected species on the site</i></p> <p><b>Amended Notes to Applicant</b></p> <p>1. 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.</p> <p>1. The grant of planning permission does not override the need to obtain a separate license for any works which disturb protected species</p>

03/2005/0693/PR	<p><b>Speaker for Paul Sedgewick</b>  Details of siting, design, external appearance, means of access and landscaping for development of 20 apartments granted outline planning permission under Code No. 03/2004/0720/PO  <b>Bryn Derwen Abbey Road Llangollen</b>  <b>GRANT</b>      <b>Subject to the following new Note to applicant :</b>  It is noted that both the outline planning application and reserved matters submission refer to foul drainage being taken to the public sewer. Both applications have been determined on this basis and any variation from this means of foul drainage will require the submission of a further planning application. However, it is confirmed that taking foul drainage to the public sewer appears to be the only acceptable option.</p>
03/2006/0780/PF	<p><b>Speaker for Rebecca Roberts</b>  Change of use of open space land to form extension to residential curtilage, erection of retaining wall and wooden fence with planted screen  <b>Land adjacent to 1 Min y Coed Llangollen</b>  <b>GRANT</b></p>
07/2006/0406/PF	<p>Erection of agricultural worker's dwelling and construction of new vehicular access and installation of new septic tank  <b>Land at Field No 9817 Ty Isa Dinam Llandrillo Corwen</b>  <b>GRANT</b> subject to :  <b>Amended Condition 2</b>  2. Notwithstanding the permitted details, the external walls of the dwelling hereby permitted shall be constructed in natural stone or a mix of natural stone and render, the details of which shall be approved in writing by the Local Planning Authority before they are applied and no materials other than those approved shall be used.</p>
13/2006/0746/PC	<p><b>Speaker for Mr Richard Thompson</b>  Revised scheme for retention of outbuilding (retrospective application) and continuation of use of land as residential curtilage  <b>Llanerchgron Barn Pwllglas Ruthin</b>  <b>GRANT</b> subject to Officers proactively monitoring the site</p>
23/2006/0594/PF	<p>Conversion of kitchen showroom/office to 1 bedroomed flat with associated parking and amenity space  <b>Pentre Kitchens Brookside Pentre Llanrhaeadr Denbigh</b>  <b>GRANT</b></p>
23/2006/0827/PF	<p>Erection of steel portal-framed implement and fodder store  <b>Glan Aber Farm Llanrhaeadr Denbigh</b>  <b>GRANT</b></p>
<b>REFUSALS</b>	
46/2006/0418/PF	<p>Internal and external alterations to dwelling, rebuilding to structure to rear and alterations to adjoining shop to create access  <b>Elwy Bank High Street St. Asaph</b>  <b>REFUSE</b>  <b>The decision, being CONTRARY to the Officer's Recommendation was take for the following reason:</b>  1. The formation and use of the proposed access onto the public highway, by reason of the restricted visibility from and of vehicles emerging, would be likely to result in additional danger to all users of the highway, including both pedestrians and vehicle users, and interfere with the free flow of traffic, in conflict with</p>

### Listed Building Consent

46/2006/0419/LB

Internal and external alterations to dwelling, rebuilding of structure and alterations to adjoining shop to create access (Listed Building application)

#### **Elwy Bank High Street St.Asaph**

Grant subject to reference to CADW and their raising no objection

### Deferred for Site Visits

44/2006/0177/PF

#### **Speaker against: Brian Williams**

(Councillor P Owen declared an interest in the following application and left the Chamber during consideration thereof.)

Conversion of redundant barn to single dwelling

#### **Barn at Rhydyddauddwr Farm Abbey Road Rhuddlan Rhyl**

(Following consideration of an additional letter of representation from Mr E B Williams Rhydyddanddwr Farm)

#### **Deferred for Site Visit**

Members requested that Mr B. Williams be invited to speak again on the application when it is reported back to Committee in October

44/2006/0178/LB

Following consideration of 1 additional letter of representation from E B Williams as before

Partial demolition, external and internal alterations to convert redundant barn to single dwelling

#### **Barn at Rhydyddauddwr Farm Abbey Road Rhuddlan Rhyl**

#### **Deferred for Site Visit**

46/2006/0510/PF

Following consideration if an additional letter of representation from Countryside Council for Wales

Erection of detached single-storey dwelling for use as vicarage and construction of new vehicular access

#### **Land at (part garden of) The Deanery Upper Denbigh Road St.Asaph**

#### **Deferred for a Site Visit**

(Members requested that County Archaeologist and Ecologist be invited to attend the site visit)

### Deferred for Reasons Given

02/2006/0247/PF

Following consideration of a report of the site visit on 31<sup>st</sup> August, additional letters of representation from: Development Services; Applicants' Agent; Petition of 200 signatories; Dynlop Haywards (for Somerfield); White Young Green (for applicants); CDN Planning (for The Co- Op)

Demolition of existing industrial buildings, erection of 4126 sq m food/non food store, including cafe, external covered compound and canopy, ancillary services yard buildings and sprinkler tank and associated car park area ( expansion of previously approved 2745 sq m gross floor area store, application reference 02/2005/0333/PF)

#### **Site adjacent to Lon Parcwr, Ruthin**

**DEFERRED** for further clarification on retail impact, taking into account late representations received on behalf of Co-Op and Somerfield. Officers need to seek further advice from Roger Tym

and Partners on contents of letters to ensure that their conclusions remain as before.

**327 NON DETERMINATION APPEAL 4 WIND TURBINE DEVELOPMENT WERN DDU GWYDDELWERN**

Report submitted requesting Members' views and confirmation of the stance taken following a consultation exercise during the summer recess.

The timing of the deadline for submission of the statement of case necessitated contacting Members during the recess.

This report update members on the result of the consultation exercise and asks for formal ratification by Committee.

**RESOLVED** that Members ratify the recommendation in the Planning Officer's report on application 6/2005/1453/PF in that if the committee had been in a position to determine the application, it would have **REFUSED** Planning permission.

**328 DATE OF SITE VISITS**

Submitted report by Head of Planning and Public Protection advising of the date that site visits would take place.

**RESOLVED** that site visits prior to the next committee will take place on the 28<sup>th</sup> September 2006

**329 INFORMATION ITEMS**

Submitted reports for Members' information on:

- Technical Advice Notes (TAN 1 and TAN 2) and Interim Planning Policy Statement 01/2006 – Housing
- Change to the Development Control systems in Wales
- Member training

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

**330 LIST OF APPLICATION DEALT WITH UNDER DELEGATED POWERS**

The Head of Planning and Public Protection Services submitted his written report (previously circulated) of application for Planning permission, determined by him under delegated authority between 1<sup>st</sup> July 2006 and 18<sup>th</sup> August 2006.

**RESOLVED** that the report be received.

The meeting closed at 12:30

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