

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on Wednesday 4<sup>th</sup> October 2006 at 09:30 a.m.

### PRESENT

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

### 490 URGENT MATTERS

None.

### 491 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

#### (i) CONSENT

<u>Application No:</u>	<u>Description</u>
01/2006/0875/PF	Following consideration of a report on a site visit on 28 <sup>th</sup> September 2006 Erection of pitched-roof and alteration to garage to form en-suite bedroom, erection of pitched-roof extension at rear and formation of new vehicular access. <b>1 Llys Clwyd, Denbigh</b> GRANTED
02/2004/1388/PF	Councillor Morfydd Jones declared an interest in the following application and left the Chambers during consideration thereof. Part refurbishment to existing Sixth Form house to provide 3 No. tutorial rooms and WC areas. Construction of 2 No. classroom extension with link block <b>Ysgol Brynhyfryd, Mold Road, Ruthin</b> GRANTED subject to archaeological evaluation being completed
02/2005/1356/PO	Development of 0.02 ha of land by the erection of a dwelling and alteration to existing vehicular access (outline application) <b>Land Off Record Street, Ruthin</b> GRANTED subject to 1. Your attention is drawn to the attached Highways Supplementary Notes Nos. 1,2,4,5 and 10. 2. Your attention is drawn to the attached Part N form (New Road Street Works Act 1991)

3. The indicative plans submitted with the application show brick as the main material to the elevation. It is considered that the use of natural stone or render would be more appropriate in this location and this should be taken into account in the application for reserved matters (detail) approval.

02/2006/0910/PF

Following consideration of 2 additional letters of representation from Head of Transport and Infrastructure, Public Protection

Erection of two-storey pitched-roof extension to surgery to provide new waiting room/reception, additional consulting room and office

**Hayhurst & Jones, Wern Veterinary Surgery, Wern Fechan, Ruthin**

**GRANT**

Member requested that, in relation to Condition 3, account should be taken of the use of the site by vehicles with trailers; and the need for disabled parking bays.

05/2005/1539/PO

**Speaker For – I. Lebbon**

Following consideration of report of site visit held on the 28<sup>th</sup> September.

Development of 0.1 hectares of land for erection of detached dwelling and alterations to existing access (outline application)

**Land at (Part garden of) Pentir, Carrog, Corwen.**

GRANTED subject to Additional condition

8. No construction works on the application site itself shall commence until a scheme of access for construction vehicles has been submitted to and approved in writing by the Local Planning Authority and the construction access has been provided in accordance with the approved scheme.

**REASON** In the interest of residential amenity and highway safety.

06/2006/0261/PF

**Speaker For – Helen Rowe**

Conversion of existing outbuilding to form single residential dwelling and installation of new septic tank

**Outbuilding at Maerdy-Mawr, Gwyddelwern, Corwen**

GRANTED

(Councillor Rhys Hughes abstained from voting).

06/2006/0465/PO

Development of 0.02 hectares of land by erection of single dwelling (outline application)

**Cartrefle, Gwyddelwern, Corwen**

GRANTED subject to New Condition 6: "6. The building(s) proposed to be erected on the site shall be of single storey construction only, with all habitable rooms at ground floor level".

12/2006/0843/PF

Erection of garden shed

**Land at rear of Awelon, 5 Maes Anedd Derwen, Corwen**

GRANTED

15/2006/0584/PF

**Speaker Against – Sheila Hughes for Llanarmon Community Council**

Following consideration of site visit report on the 28<sup>th</sup> September 2006 and further representations from Llanarmon

Community Council; Head of Transport and Infrastructure;  
AONB Joint Advisory Committee.  
Conversion of part of public house to dwelling and erection of  
extension to provide additional living accommodation  
**Raven Inn, Ffordd Rhiw Ial, Llanarmon-Yn-Ial, Mold**  
GRANTED subject to Amended Condition 5. Notwithstanding  
the submitted details, the fenestration to the development  
hereby permitted is not approved. No windows....etc.

16/2006/0535/PO

**Speaker Against – Tamsin Cowley**

**Speaker for – Mr. D. Jones**

Following consideration of a letter from Brynle Williams (AM)  
withdrawing previous comments.

Development of 0.11ha of land by the erection of a detached  
dwelling and construction of new shared vehicular access  
(outline application)

**Land at (Part garden of) Robin Hill, Llanbedr, Dyffryn  
Clwyd, Ruthin**

GRANTED subject to New Condition subsidence and  
design/bonds

**Amended/Additional Conditions**

8. "following the commencement of the development"

9. Detail submitted to the Local Planning Authority in  
respect of the matters reserved for subsequent approval  
shall include details of site investigation and an assessment  
of the residual effects of mining activities previously carried  
out in the vicinity of the site, and are required in the  
construction of the dwelling and adjacent dwellings."

10. The sketch elevations submitted with the  
application are for illustrative purposes only and do not form  
part of this permission.

**Reason** for the avoidance of doubt.

**Notes to applicant**

1. Your attention to the attached Highway  
Supplementary Notes Nos. 1,3,4,5 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 notes  
relating to application for consent to construct a vehicular  
crossing over a footway/ verge under Section 184 of the  
Highways Act 1980.

4. In granting outline planning permission, the  
Council draw your attention to the need to ensure that the  
detailed scale and design of the dwelling takes into account  
the relationship with the adjoining property, the woodlands,  
which lies on lower ground.

Councillor B. Barton requested that it be noted that he voted  
to refuse planning permission.

16/2006/0872/PF

**Speaker Against – Llanbedr D.C. Community Council (Mr  
Ingham)**

Following consideration of site visit held on the 28<sup>th</sup>  
September 2006, and additional letter of representation from  
AONB JAC.

Conversion and alteration of existing flats and restaurant to  
20 no. self contained flats and construction of associated  
parking areas

**Llanbedr Hall, Llanbedr Dyffryn Clwyd, Ruthin**

GRANTED subject to Amended Conditions

2. Notwithstanding the submitted details, the parking area to the northern end of the application site ( parking spaces 12-38) is not approved. A revised scheme of parking shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The revised scheme shall include for:..... as existing condition from (i).

6. Vehicular access to the site shall be made available via the existing routes from the west from B5429 and the east from Bwlch Pen Baras, prior to the occupation of any of the flats hereby permitted and thereafter in perpetuity. These routes shall be kept open at all times, with no obstruction or impediment to vehicular or pedestrian access.

8. "... And the construction vehicle routes shall be solely via the existing drive approaching the hall from westerly direction from the B5429."

22/2006/0024/PF

Councillor Morfydd Jones declared an interest in the following application and left the Chamber during consideration thereof.  
 Conversion of redundant farm building to dwelling and installation of new septic tank.  
**Outbuilding at Bryn Tirion, Llangynhafal, Ruthin**  
 GRANTED

43/2006/0977/PF

Change of use from Class A1 shop to tattoo studio.  
**136 High Street, Prestatyn**  
 GRANTED  
 (Councillor I M German wished it to be noted that she voted to refuse planning permission)Councillors J Davies and N Hugh-Jones were not present when this application was discussed.

45/2006/0240/PF

**Speaker Against – Edward Landor (Edmund Kirby)**  
 Erection of four-storey building to provide 9 no. self contained dwelling units.  
**Rear of Palace Apartments 83/84 West Parade, Rhyl.**  
 GRANTED subject to 106 Agreement.  
**New Condition:**  
 Development shall not begin until an appropriate photographic survey of the existing building on the site has been carried out in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. The resulting photographs should be deposited with the County Sites and Monuments record, operated by THE CLWYD-POWYS ARCHAEOLOGICAL TRUST (7a Church Street, Welshpool, Powys, SY21 7DL. Tel. 01938 553670).  
**Notes to applicant**  
 You are advised that as planning Permission has been refused (application Ref 44/2006/0177/PF) this consent cannot be implemented. Standard note to applicants PHO "Condition No.4 of this consent etc.  
 The recommendation is subject to the applicant first entering into a Section 106 Obligation requiring the following:-

- Commuted sum for provision and maintenance of open space of £17,769.60 – apportioned as follows:

CROS Provision Costs	£5,240.16
CROS Maintenance Costs	£5,503.68
Childs provision Costs	£5,191.20

Childs maintenance Costs        £1,834.56

- Provision of 6 affordable housing units for the whole site
- Flood management plan for the whole site

45/2006/0755/PF

Change of use from Class A1 shop to Class A3 restaurant, new shop front and roller shutters.

**14 Wellington Road, Rhyl**

GRANTED

45/2006/0825/PF

Retention of increased height floodlighting columns and lights

**Rhyl High School And Leisure Centre, 86 Grange Road, Rhyl**

GRANTED

45/2006/0868/PF

Change of use of ground-floor flat to children's day nursery for 25 children with living accommodation over

**37 Marina Drive, Rhyl**

GRANTED

Councillor Chamberlain-Jones wished it to be noted that she voted to refuse application.

46/2006/0878/PF

Construction of pedestrian/cycleway to river flood embankment between The Plough Inn and Roe Parc Estate

**Land at River Elwy Embankment adjacent to St Asaph Library The Roe, St Asaph**

GRANTED

47/2006/0798/PS

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

Variation of condition no.7 of planning permission code no. 47/2006/0037/PF to allow the retention of the outbuildings for agricultural storage purposes and conversion of Wern Ddu house to an agricultural store/farm workers amenity area.

**Land at Wern Ddu, Waen, St. Asaph**

Councillors S Thomas, I M German and Gwilym Evans abstained from voting

Resolved to GRANT planning permission but subject to the applicant first entering into Section 106 Obligation to prevent future proposals for the residential use of the farm house and other outbuildings at Wern Ddu farm yard and to require demolition of the building should the agricultural use cease.

(ii) **Listed Building Consent**

44/2006/0178/LB

**Speaker Against – Brian Williams**

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

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

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

GRANTED subject to referral to CADW and their raising no objectors and the following conditions:

Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with the details to be

submitted to, and approved in writing by the Local Planning Authority. The resulting photographs should be deposited with the County Sites and Monuments Record, operated by THE CLWYD-POWYS ARCHAEOLOGICAL TRUST(7a Church Street, Welshpool, Powys, SY21 7DL. Tel. 01938 553670).

**Notes to applicant**

You are advised that as planning application has been refused (application Ref 44/2006/0177/PF) this consent cannot be implemented.

Condition No. 4 of this consent requires the carrying out of a photographic survey. The applicant is expected to pay for and complete the photographic survey. Professional photographs may be used where access to a camera or technical difficulties are encountered but the applicant should be aware that this will be significantly increase the cost of the survey.

Photographs should be taken using either a 35mm or digital camera.

35mm format colour print film (e.g. Kodak or Fuji film) of ASA/ISO 200 speed is a good standard for most light conditions, but ASA 400 should be used where internal lighting is poor. 24 or 36 exposure film should be used in all cases and at least one whole film normally be exposed.

Digital photographs will only be accepted where the resolution of the digital camera is above four mega pixels and the photographs have been taken at the highest resolution setting available on the camera (usually Fine). The saved photographs must be copied to a good quality branded CD in the jpeg/jpg file format. Digital photographs presented on normal paper or photographic paper will not be accepted as they are not archivally stable.

The use of a standard flashgun is recommended indoors to light the interior views.

If available a measured scale should be placed within each photo view.

Photographs should be taken of all exterior and interior wall elevations which are affected by the development together with photographs of interior roof detail where this is altered. Features of particular interest (e.g. obvious differences in wall makeup, windows and doors whether blocked up or not, fireplaces, timber framing, stairwells, cellars) should also be fully photographed.

The applicant should indicate where the views taken are positioned on an architect's floor plan of the building.

Location references numbers on the plan/s should be copied onto the back of the prints together with brief descriptive details of the location.

The photographs should then be sent to: Mark Walters, Development Control Section, Clwyd-Powys archaeological Trust, 7A Church Street, Welshpool, Powys, SY21 7DI (Tel: 01938 553670) CPAT will confirm receipt of your photographs and inform the planning authority that the condition has been satisfied.

(iii) **Refuse Against Officers' Recommendations**

02/2006/0247/PF

**Speaker Against – Gwyn Evans (Confederation of Small Business)**  
**Mark Taylor**

**Speaker For – Stephen Hyland (White Young Green)**

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

Following consideration of additional letters of representation from: Ruthin Town Council and Gwyn Evans (Federation of Small Businesses).

Demolition of existing industrial buildings, erection of 4126sq m food/non food store, including café, 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**

Following a proposal to REFUSE planning permission and the requisite number of Members requesting a recorded vote, the Chair invited Member to vote For or Against the proposal to REFUSE planning permission

FOR the refusal: 18

(J R Bartley, R E Barton, B Blakeley, J Butterfield, J Chamberlain-Jones, J M Davies, S A Davies, G C Evans, H H Evans, S Frobisher, I M German, M A German T R Hughes, M M Jones, N P Roberts, J A Smith, D A J Thomas and S Thomas.

AGAINST refusal: 1

(P W Owen)

Abstained from voting: 2

(G M Kensler and R LI Williams)

Accordingly, Members RESOLVED to REFUSE Planning Permission on the basis of retail planning policies and retail impact and loss of employment land. Officers to consider whether the reason for refusal relating to retail impact would be reasonable and thus whether the application needs to be referred to Full Council.

The decision being CONTRARY to the officer's Recommendations was taken for the following reasons; Retail Planning policies, retail impact and loss of employment land.

44/2006/0177/PF

Councillor Peter 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**

REFUSE for the following reasons:

The proposed dwelling would not provide a satisfactory living environment for future occupiers and would also be likely to prejudice operation of the tenanted farm by introducing a residential use in close proximity to the farm yard and removing existing buildings from agricultural use. Thus, the proposal would be in conflict with criteria (v) and (ix) of Policy GEN6 and criterion (iv) of Policy HSG9 of the Denbighshire Unitary Development Plan and national guidance in Planning Policy Wales and Tan6 – agricultural and Rural Development.

The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason: Conflict with TAN6 and UDP policies Gen 6 & HSG 9.

45/2006/0510/PF

**Speaker against – Charles Leach**

(Subject to the receipt of no further representations raising planning matters not already covered in the report by 16<sup>th</sup> October 2006).

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.**

REFUSE contrary to officer recommendation for the following reason:

The proposal would result in built development on an open parcel of land which currently contributes to the character and appearance of the conservation area, has local wildlife interest and is of archaeological interest in conflict with criterion(ii) of Policy GEN 6, Policy ENV 7, Policy CON 5, and Policy CON 11 of the Denbighshire Unitary Development Plan, and advice within Planning Policy Wales and Welsh Office Circulars 60/96 and 61/96.

(iv) **Defer for the reasons given**

15/2006/0806/PF

Following consideration of a report on the site visit held on the 28<sup>th</sup> September and additional letters of representation from: Llanarmon Community Council (x2) AONB Joint Advisory Committee.

And:

1. Mrs P Howarth, Uhuru, 18 Maes Lal (x2)
2. Denise Deegan, Maes y Llan Bach, Plas Lane
3. D&W Steele, The Meadows, Mill Lane
4. Mr & Mrs A Denny, Maes y Llan Farm, Mill Lane
5. B&S Hughes, Bro Gynan, Mill Lane
6. Mr J A Howarth, 18 Maes Lal
7. Mr & Mrs A Keating, 21 Maes y Lal
8. Mr & Mrs Coleman, 20 Maes y Lal (x2)
9. Martyn L Holland, 19 Maes y Lal (x2)

Change of use of agriculture land to private equestrian use, erection of stable block, construction of manège and associated works.

**Horseshoe Cottage, Mill Lane, Llanarmon-Yn-Ial, Mold**

DEFER for report to be updated to reflect the late representation and to respond to points raised, including planning history.

(Cllrs Butterfield, Chamberlain-Jones, Blakely and D.A.J Thomas wished it to be noted that they abstained from voting).

(v) **Withdrawn Application**

15/2004/1535/PF

Erection of agricultural worker's dwelling

**Land at Mountain Hall Farm, School Lane, Llanarmon-Yn-Ial, Mold**

Withdrawn by the Applicant

**492 ENFORCEMENTS ITEMS**

Enf/2006/00076

Unauthorised UPVC Windows and doors.

**20/22 Chapel Street, Denbigh**

That authorisation be granted for the following:

- (i) Serve an Enforcement Notice to secure the removal of the unauthorised UPVC windows and doors and their



replacement with traditional timber sliding sash style windows and timber panelled doors.

(ii) Instigate prosecution proceedings, or the appropriate action under the Planning Acts against the person, or persons upon whom any Enforcement Notice, or other such Notice is served, or against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice.

Direct owners towards grant aid and group repairs scheme.

Enf/2006/00080

Unauthorised change of use of dwelling to taxi business/operating centre.

**1 Llys Clwyd, Denbigh**

That authorisation be granted for the following:

(i) Serve an Enforcement notice to secure the cessation of the unauthorised operation of a taxi business and the parking/storing of commercial taxi and limousine vehicles at 1 Llys Clwyd.

(ii) Instigate prosecution proceedings, or the appropriate action under the Planning Acts against the person, or persons upon whom any Enforcement Notice, or other such Notice is served, or against whom legal action is taken should they fail to comply with the requirements of the Enforcement Notice.

**493 DATE OF VISIT**

The Head of Planning and Public Protection Services submitted his written report (previously circulated) recommending a suitable date for any site visits required prior to the next Planning Committee.

**RESOLVED** that the site visits be held on 3<sup>rd</sup> November 2006.

**494 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 Permission determined by him under delegated authority between 19<sup>th</sup> August and 10<sup>th</sup> September 2006.

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

The meeting closed at 2:30 p.m.

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