

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held on the Council Chamber, County Hall, Wynnstay Road, Ruthin, Denbighshire on Wednesday 13th December 2006 at 9.30a.m.

PRESENT

Councillors S Thomas (Chair), R E Barton, B Blakeley, J Butterfield, J Chamberlain-Jones, J M Davies, M LI Davies, S A Davies, G C Evans, H H Evans, M A German, D Hannam, T R Hughes, N Hugh-Jones, E R Jones, H Jones, M M Jones, P W Owen, N P Roberts, J A Smith, D A J Thomas, J Thompson-Hill, C H Williams, E W Williams (Observer) and R LI Williams.

ALSO PRESENT

County Clerk, Head of Planning and Public Protection Services, Development Control Manager, Team Leader (Support)(G Butler), Customer Services Officer (Judith Williams), Bryn Jones (Translator) and Senior Planning Officer (S Stubbs).

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors I M German, G M Kensler, S Frobisher, M A Webster, T K Hodgson and R Bartley.

708 URGENT MATTERS

Windfarm Appeal

Development Control Manager advised that the Windfarm (Foel Goch) Appeal commenced today but is likely to be postponed due to the indisposition of one of the appellant's legal team.

Tesco Prestatyn

Development Control Manager advised that confirmation of the Compulsory Purchase Order relating to the Tesco site in Prestatyn is expected soon.

709 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

<u>Application No</u>	<u>Description and Situation</u>
12/2006/0416/PF	(G Boase declared an interest in the following application and left the Chamber during consideration thereof). Erection of extension to existing garage to form first-floor accommodation. Foel Fach Cottage, Clawddnewydd, Ruthin GRANTED
27/2006/0628/PF	(Following consideration of 1 additional letter of representation from Llantysilio Community Council)

Extension and alternations to existing dwelling, construction of new vehicular access and associated engineering works and extension to domestic cartilage.

Oernant Isa, Horseshoe Pass, Llangollen.

GRANTED

40/2006/0500/PO

Speaker Against: S Goddard

Speaker For: R Griffith (Agent)

(Following consideration of 5 additional letters of representation from: S Goddard, Faenol Fawr, Bodelwyddan; Penny Roderhurst, Talardy Hotel, St Asaph; M Tierney, 48 Ffordd Parc Castell, Bodelwyddan; Mr & Mrs L Linley, 18 Lowther Court, Bodelwyddan; R Pearson, Isgoed House, Bodelwyddan).

Development of 0.98 hectares of land by the erection of a hotel/restaurant, associated car parking and constructions of new vehicular access (outline application)

Gas Governor House Site, Land off Abergele Road, Bodelwyddan, Rhyl

GRANTED

It was further resolved to serve a Tree Preservation Order on the Oak Tree on site.

43/2006/0943/PF

Speaker Against: J Morris

Speaker For: P Williams (Applicant)

(Following consideration of a report of the site visit held on 8th December 2006 and 3 additional letters of representation from: M Roach, The Steps, Bishopswood Road, Prestatyn; A Davenport & I Davenport, Woodlands, Bishopswood Road, Prestatyn).

Removal of fencing and hedging to Bishopswood Road and erection of random stone boundary wall, decking area, summerhouse barbecue and additional tree planting

49 Cambrian Drive, Prestatyn

GRANTED subject to new condition:

“Prior to the commencement of the development, a sample panel of the type of stonework it is proposed to use on the external surfaces of the walls shall be constructed on the site, and the development shall only proceed in accordance with such sample as may be approved in writing by the Local Planning Authority: and the stonework, mortar and pointing to be used on the building shall be strictly of the same type, texture and colour as the approved sample panel”.

Amended Condition:

2. Add “The planting shall comprise plants at a density of 4 per metre planted in two staggered rows. Planting shall be protected by a post and wire fence for three years from when it is carried out”.

43/2006/1208/PR

(Following consideration of 1 additional letter of representation from Councillor Glyn Jones).

Details of siting, design, external appearance, means of access, drainage, lighting, plan and highways works of primary school submitted in accordance with condition no's 1,4,7,8,12 and 14 of the planning permission code no. 43/2005/1067PO.

Plas Morfa Farm, Ffordd Penrhwyfya, Prestatyn

GRANTED

45/2006/0816/PF

(Following consideration of 1 additional letter of representation from Head of Transport and Infrastructure).

Erection of 18 No. dwellings and constructions of new vehicular access.

Land at Brookdale Road, Rhyl

GRANTED

The recommendation is subject to the completion of an obligation under Section 106 of the 1990 Planning Act to secure:

(a) The provision of 5 affordable housing units and the retention of these units for affordable purposes

(b) The payment of a commuted sum for provision and maintenance of open space of £53,308.80 apportioned as follows:

CROS Provision Costs £15,720.48

CROS Maintenance Costs £16,511.04

Childs Provision Costs £15,573.60

Childs Maintenance Costs £5,503.68

The Certificate of Decision would only be released on completion of the legal obligation, within 12 months of the date of the Planning Committee Meeting and on failure to complete within that time period, the application would be represented to the Committee and determined in accordance with the policies of the Council applicable at the time of re-determination.

47/2006/1163/PF

Raising roof height to form pitched roof with dormers to front and rear elevations to create living accommodation in roof space (revised scheme).

Hendre Sian, Rhualt, St Asaph

GRANTED

(ii) Refusals

Application Number

Description and Situation

17/2006/1142/PO

(Following consideration of additional letters of representation from the Applicant's Agent, Plas Meddyg, Doctors Surgery, Ruthin; Louis Hughes, Llyn Rhys Farm, Llandegla; David and Pamela Roberts, Pantyfedwen, Pen Llan, Llandegla; Bob and Rhian Robson, Tyn y Mynydd, Ruthin Road, Llandegla; E E Edwards. Bodanwydog, Llandegla; Rev P Bromley Rees, Maeshyfyd, Coedpath; E & M Lewis, Bryn Grug, Wern Uchaf, Ruthin; M Wilson, Min Y Chwarel, Old Gate Lane, Llandegla; Meena Rees, Afallon, Llandegla, and 7 letters without addresses).

Development of 0.08 hectares of land by erection single-storey dwelling and construction of new vehicular access (Outline application).

Adjacent to Afallon, Old Gate Lane, Llandegla

REFUSED

Following a proposal to grant permission, and the requisite number of members requesting a recorded vote, The Chair invited Members to vote for or against the proposal to grant planning permission.

FOR (7): B Barton, M LI Davies, G C Evans, H H Evans, T R Hughes, E R Jones, M M Jones

AGAINST (14): B Blakeley, J Butterfield, J Chamberlain-Jones, J M Davies, S A Davies, M German, D Hannam, H Jones, P Owen, N P Roberts, J Smith, DAJ Thomas, J Thompson-Hill, S Thomas

ABSTAINED (1): R LI Williams

It was therefore **RESOLVED TO REFUSE PERMISSION**

It was further **RESOLVED** to impose a Tree Preservation Order on the Ash trees on the site.

(iii) Consents (Against Recommendation)

Application Number

Description and Situation

06/2006/1224/PO

Speaker for: Lloyd Evans (Wynn Rogers).

(Following consideration of a report of site visit held on 8th December 2006 and additional letters of representation from Gwyddelwern Community Council).

Development of 0.034ha of land for 1 no. dwelling and construction of new vehicular access (outline application).

Ty Canol & Isawel, Bryn Saith Marchog, Corwen

GRANT

Resolved to grant planning permission against recommendation on the basis that the hamlet comprised a clearly identifiable group of 6 or more dwellings and that the proposal represented infill.

Officers will need to consider whether proposal constitutes a significant departure and therefore requires referral to Full Council
The decision, being CONTRARY to the Officers' Recommendation was taken for the reason given above.

710 ENFORCEMENT ITEMS

Application Number

Description and Situation

ENF/2006/87

Land at and adjoining Pennant Mine and Ty'r Ali Rhualt, St Asaph
Breach of Conditions and Section 106 Obligation relating to Planning
Permission ref: 47/240/97/PF

RESOLVED

(i) *Serve Breach of Condition Notice(s), or Enforcement Notice(s) against failure to comply with Condition 11 of planning permission reference 47/240/97/PF*

(ii) *Take action under Section 106 of the Town and Country Planning Act to seek compliance with the terms of the Section 106 Obligation*

(iii) *Instigate prosecution proceedings against a failure to comply with the terms of any Breach of Condition Notice, Enforcement Notice or failure to meet the Section 106 Obligation.*

711 FEES AND CHARGES

Submitted a report by the Head of Planning and Public Protection detailing the proposed fees and charges for 2007.

RESOLVED

Pre Application Advice

That a fee of £70.00 be set for pre-application site visits.

Need for Planning Permission

That a fee of £25.00 be charged for this service where a written response is required. Verbal advice is to remain free.

Development Monitoring

That a "Compliance Certificate" be subject to a charge of £100.00.

That Officers agree a monitoring regime with Flintshire with regard to mining and landfill sites.

High Hedges

Notwithstanding the Officers' recommendations, the fee should not be raised to £320.00.

RESOLVED *that the recommendations be confirmed, with the exception of the High Hedges fee, and that officers be given delegated authority to apply index linking to the fees and charges on an annual basis.*

712 DATE OF SITE VISIT

Submitted a Report by Head of Planning and Public Protection suggesting a date for the next site visits.

RESOLVED *that the site visits be held on Friday 19th January 2007.*

713 ENFORCEMENT REPORT

Submitted a report by the Head of Planning and Public Protection for Members' information detailing progress on Enforcement cases.

RESOLVED that the report be received.

714 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 14th October 2006 and 20th November 2006.

RESOLVED that the report be received.

The meeting closed at 12.55p.m.
