

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 21st February 2007 at 9.30 am

PRESENT

Councillors S Thomas (Chair), J R Bartley, 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, S Frobisher, I M German, M A German, D Hannam, T K Hodgson, E R Jones, H Jones, M M Jones, G M Kensler, P W Owen, N P Roberts, D A J Thomas, S Thomas, J Thompson-Hill, 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 WERE RECEIVED FROM

Councillors N Hugh-Jones, J Smith and M Webster.

963 URGENT MATTERS

Head of Planning and Public Protection advised Members that the date of the July meeting may be subject to change. The likely date will be 1st August 2007.

964 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>
06/2006/0354/PF	Change of use of land to form extension to existing residential curtilage and erection of detached garage/hobby workshop Melin Meiarth, Bryn Saith Marchog, Corwen GRANT Amended Condition 4 "hereby" Note To Applicant You are advised that a public right of way lies adjacent to the development. The right of way must not be disrupted during building works.
17/2006/1346/PC	Following consideration of report of a site visit held on 16 th February 2007 and clarification of the report relating to the conditions. Continuation of use of building as a holiday cottage (retrospective) Old Cottage at, Ty Hir, Pen y Stryt, Llandegla GRANT

- 20/2006/1488/PF Following consideration of 1 additional letter of representation from the Environment Agency
Erection of detached dwelling (amendment to previously approved scheme under Ref. No. 20/2003/1434/PF)
Land Adjacent To Cilgwyn, Pentre Celyn
GRANT
Subject to additional conditions:
10. Positive means to prevent the run off of surface water onto the adjacent highway shall be provided prior to the occupation of the dwelling hereby permitted in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
11. Details of a foul drainage system to reflect ground conditions and the land under the control of the applicant shall be submitted to and approved in writing by the Local Planning Authority prior to any installation of foul drainage.
Reasons:
10. To ensure that surface water from the site does not drain onto the adjacent highway.
11. To ensure that a satisfactory method of foul drainage is achieved.
- 42/2006/1440/PF Erection of detached dwelling and construction of new vehicular access on 0.032 hectares of land (revised scheme)
Land at junction of Pandy Lane and High Street, Dyserth
GRANT
Subject to amended conditions:
4. The access and parking and turning areas shall be constructed and laid out in accordance with the submitted plan prior to the occupation of the dwelling hereby permitted. Thereafter, the access and parking and turning areas shall be retained for the intended purpose.
NEW NOTES TO APPLICANT
1. Your attention is drawn to the attached Highway Supplementary Notes Nos. [1,2,4,5 and 10 VARIABLE]
2. Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway/verge under Section 184 of the Highways Act 1980
- 43/2006/1262/PF **SPEAKER AGAINST MR MARK MOSSLEY**
Following consideration of report of site visit held on 16th February and 3 additional letters of representation from Prestatyn Town Council, Councillor N Hugh-Jones and Councillor J Cahill (Prestatyn Town Council)
Erection of two storey extensions to front and side of dwelling and erection of replacement garage
14, Calthorpe Drive, Prestatyn
GRANT
(Councillors M German and I German wish it to be noted they abstained from voting)
Subject to new condition
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows additional to those shown on the approved plans shall be inserted at any time in the North elevation of the extension hereby permitted at first floor level, unless otherwise agreed in writing by the Local Planning Authority.
- 43/2006/1330/PF Following consideration of 1 additional letter of representation from E Williams, 17 Ffordd Talargoch

Erection of first floor extension (amended scheme incorporating enclosed fire escape)

**Saints Health and Fitness, 8 Ffordd Talargoch, Prestatyn
GRANT**

Subject to:

Note to Applicant:

It is noted that at the time of the original application to extend the premises it was indicated that there would no increase in membership. It is now noted that it is likely that membership will increase. There is already significant car parking taking place on the adjoining roads by club members. It would be appreciated if club members could be advised to use the available car park where possible and where it is necessary to park off site, to do so with consideration for neighbours.

43/2006/1437/PF

SPEAKER AGAINST LINDA MURACA

Following consideration the report of a site visit held on 16th February 2007 and additional letters of representation from Councillor N Hugh-Jones

Erection of two-storey and single-storey pitched-roof extensions at side of dwelling

**11 Mostyn Avenue, Prestatyn
GRANT**

45/2006/0886/PF

Change of use from HMO to 4 no. self-contained flats, internal and external alterations including demolition of garage/store to form car parking area, bin store and drying area

**106 Crescent Road, Rhyl
GRANT**

Subject to Amended Condition:

3. The bin store area shown on the approved plan shall be provided prior to the occupation of any of the flats hereby permitted and thereafter retained for bin store purposes at all times

45/2006/1445/PF

Change of use from domestic garage to showroom for home cake-decoration business and external alterations

**28 Sisson Street, Rhyl
GRANT**

Subject to Amended Condition 4

4. "The premises shall not be open to customers outside of the following hours and days: etc"

45/2006/1482/PF

Following consideration of 1 additional letter of representation from the Applicant

Erection of modular building for pre-school children

**Ysgol Dewi Sant, Rhuddlan Road, Rhyl
GRANT**

Temporary Planning Permission

45/2007/0041/TP

Crown lift and crown reduction by up to 25 per cent of 3 Horse Chestnut trees and felling of 1 Horse Chestnut tree in Area G12 on the plan annexed to the Rhyl Urban District Council Tree Preservation Order 1951

**36 Y Gorlan, Rhyl
GRANT**

Subject to Amended Condition

1. "Prior to the felling of the tree..."

46/2006/1251/PC

Continuation of use of part of premises as children's clothing and accessories on-line shopping facility (retrospective application)

**Mews Cottage at Angorfa Court, Upper Denbigh Road, St.Asaph
GRANT**

Subject to amended conditions 3 & 4

3. "Other than the applicant or members of the household"
4. "The premises shall not be open to the public outside etc

Note to Applicant

As previously advised the signage on the building is considered unacceptable and should be removed as soon as possible. Should you wish to discuss alternative signage for the business please contact the Case Officer Emer O'Connor on 01824 706783, emer.o'connor@denbighshire.gov.uk

46/2006/1413/PS

Councillors J Butterfield and B Blakeley (Licensing Committee Members) declared an interest in the following application and left the Chamber during consideration thereof.

Variation of Condition No. 2 of planning permission Code No. 2/APH/0004/94/P to allow opening hours until 0000 hours on Mondays – Saturdays and 2345 hours on Sundays

St. Asaph Kebab & Burger House, Glan Clwyd, High Street, St. Asaph

GRANT

Subject to Amended Condition:

1. The use hereby permitted shall only be carried out between the hours of 0800 and 0000 hours on Mondays to Saturdays and 0800 and 2345 on Sundays

Reasons:

1. In the interests of the residential amenities of nearby occupiers.

46/2006/1494/PF

Following consideration of the site visit which was held on 16th February 2007.

Change of use of former cemetery chapel (Class D1) to office accommodation (Class B1) and associated works

Cemetery Chapel, Mount Road, St. Asaph

GRANT

Subject to Additional Condition:

2. No alterations to the building shall be carried out, including removal of existing features, other than the alterations indicated on the approved plans, unless otherwise approved in writing by the Local Planning Authority.

Reason:

3. To preserve the character and appearance of the building. Members requested that the Conservation Architect considers whether building is worthy of listing and advise CADW.

(ii) Refusals

05/2006/1443/PC

SPEAKER IN FAVOUR: DYLAN WILLIAMS

Retention of single-storey extension to front with verandah over and additional dormer windows to front and rear of dwelling (Retrospective application)

Hendre, Hill Street, Corwen

REFUSE

Amended reasons for refusal

"that the proposal to retain French doors and the single storey flat roofed extension with associated balcony feature is contrary to criterion (ii) of Policy GEN 6, criterion (iii) of Policy HSG 12, and Policy CON 5 etc"

Authorisation was also given to:

1. Serve an enforcement notice to secure the demolition of the single storey front extension and veranda. To remove the 2 no.

- sets of French doors inserted to the 2 no. original gabled front dormers. To reinstate the ground floor, slate roof bay with 2 no. sets of timber sliding sash windows and timber entrance door.
2. Instigate prosecution proceedings or other appropriate action under the Planning Acts against any person or persons upon whom any Enforcement Notice, or other notice, is served or against whom legal action is taken should they fail to comply with the requirements of the Notice.
 3. Period for Compliance: 12 months.

43/2007/0059/PF

SPEAKER IN FAVOUR: JAMIE SMYTH

Following consideration of Prestatyn Town Council, Conwy and Denbighshire NHS Trust, Care Standards Inspectorate and Mr and Mrs Holmes 47 Highbury Avenue, Prestatyn

Erection of conservatory to side of residential care home for use as residents' lounge and relaxation area

Highcroft Residential Care Home, 49 Highbury Avenue, Prestatyn
REFUSE

965 ENFORCEMENT MATTERS

- (i) **REFERENCE:** ENF/2003/00041
LOCATION: Land Known as Coral Springs Ruthin Road Llandegla Wrexham

INFRINGEMENT: Unauthorised use of land to site static caravan for residential use

RESOLVED That authorisation be granted for the serving of an Enforcement Notice with a 3 month compliance period ordering the cessation of use of the caravan as a residence and furthermore, the removal of the caravan from the land.

- (ii) **REFERENCE:** ENF/2007/0009
LOCATION: 69 High Street Prestatyn
INFRINGEMENT: Installation of roller shutters, associated metal box and plastic canopy

This item was withdrawn from the agenda as the shutters have been in place more than four years

- (iii) **REFERENCE:** ENF/2006/00004
LOCATION: Land at Tan Y Foel, Bryneglwys, Corwen
INFRINGEMENTS: 1. Siting and Residential Use of Caravan
 2. Unauthorised installation of septic tank

RESOLVED that authorisation be granted for the serving of an Enforcement Notice with a one Month compliance period ordering;

- (i) *the cessation of use of the caravan as a residence within that period,*
- (ii) *the removal of the caravan from the land, also within that period and*
- (iii) *the removal of the unauthorised septic tank, also within that period.*

- (iv) **REFERENCE:** ENF/2006/00108
LOCATION: 2 Penfforddwr Rhewl Ruthin
INFRINGEMENT: (1) Operation of Repair Business from residential property
 (2) Siting of Containers and Vehicles
 (3) Unauthorised use of adjacent land for siting of containers and vehicles and use for repair business

That authorisation be granted for the serving of an Enforcement Notice with a 3 Month compliance period ordering the cessation of operation of a business from the residential property and for the removal of the containers used in association with that business and the unroadworthy vehicles.

966 DATE OF SITE 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 Friday 16th March 2007 it was further resolved to submit a full list of future dates to the next committee

967 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 1st and 31st January 2007

RESOLVED that the report be received

968 LIST OF DECISIONS MADE UNDER DELEGATED POWERS

Head of Planning and Public Protection Services submitted his written report (previously circulated) seeking the views of committee whether to continue including the list of delegated applications on the committee agenda.

RESOLVED that the practice of providing a list of decisions made under delegated powers as part of the Planning Committee report cease but Members receive the information by other means (electronic where possible).

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 12 and 13 or Part 4 of Schedule 12A of the Local Government Act 1972.

969 PROHIBITION NOTICES

Submitted – confidential report by the Head of Planning and Public Protection regarding the serving of Prohibition Notices on seven mineral extraction sites in Denbighshire.

RESOLVED authorise the serving of Prohibition Orders to prevent the resumption of mineral working on the following sites:

Colomendy	Cadole, Nr Mold
Pistyll Gwyn	Llanarmon yn Ial
Craig Lelo	Gwyddelwern
Dyserth	Dyserth
Moel Findeg	Maeshafn
Tan y Graig	Eryrys
Wern Ddu	Gwyddelwern

All as shown on the plans attached to the appendices accompanying this report.

The meeting concluded at 1.05 pm
