

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on 18th April 2007 at 9.30 am

PRESENT

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

ALSO PRESENT

Head of Planning and Public Protection Services, Senior Solicitor, Team Leader (Minor Applications,) Team Leader (Major Applications), Team Leader (Support) (G Butler), Customer Services Officer (Judith Williams) and Bryn Jones (Translator), Medwyn Williams (Highways) and M Hall (Community Leisure) attended part of the meeting

APOLOGIES WERE RECEIVED FROM

Councillors J M Davies, H H Evans, S. Frobisher, I M German, T K Hodgson and R. Hughes

1167 URGENT MATTERS

TESCO RUTHIN PLANNING APPEAL

Head of Planning and Public Protection advised committee of the result of the recent appeal by Tesco against the refusal of planning permission for an extension to the Lon Parcwr Supermarket in Ruthin. The appeal had been allowed by the Planning Inspectorate. The details of the decision will be circulated.

M. GERMAN

The Chair welcomed Councillor M. German back after his recent indisposition and thanked him for his prompt and effective help in a local issue in the Chair's ward.

1168 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

Application No

Description and Situation

01/2006/1432/PF

Change of use of, and two-storey pitched-roof extension to existing dwelling to form new restaurant/bistro with self-contained accommodation to first-floor and 2 No. bedrooms for B & B purposes. Formation of new car park. Replacement of flat roof to dining-room

with pitched roof and erection of extension to dining-room and existing balcony at rear of dwelling.

Alafowlia Farm, Rhyl Road, Denbigh

GRANTED

Additional Conditions

11. There shall be no sale of food or drink for consumption off the premises hereby permitted.

Reason: In the interests of residential amenity.

12. Notwithstanding the details shown on the submitted layout plan, no development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailing of the parking layout, associated hard and soft landscaping and planting and the delineation of pedestrian routes and access to the building (including provision for access by persons with disability). The building shall not be brought into use until the approved details have been completed.

Reason: In the interests of visual amenity and to allow safe and convenient vehicular and pedestrian access to the site and buildings.

13. Any stonework reclaimed from the buildings to be demolished on the site shall be re-used to erect stone wall boundaries to the north and south perimeters of the site, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to development on the extensions hereby permitted are commenced.

Reason: In the interests of visual and residential amenity.

Note to Applicant

You are advised to contact the case officer to discuss sketch ideas for the details required by Condition 4 of this permission.

02/2006/1302/PR

Following consideration of amended site plan circulated and a letter from Head of Transport and Infrastructure.

Details of siting, design and external appearance of 3 dwellings, means of access and landscaping submitted in accordance with Condition No. 1 of outline planning permission Ref No.

02/2001/0744/PO,

Tennis Club, Bryn Goodman, Ruthin

GRANTED subject to

Amended/Additional Conditions

1. "...and the development shall be carried out..."

2. Notwithstanding the submitted details, none of the dwellings shall be occupied until the written approval of the Local Planning Authority has been obtained to the proposals for landscaping and planting of the site, and the detailing of all screen and boundary walls and fences; and all planting, seeding, turving, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following occupation of the final dwelling 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.

9. The proposed access off Wern Ucha shall remain free of any gates or barriers at all times.

Reason: In the interests of free and safe movement to traffic on the adjacent highway, and to ensure the formation of a safe and satisfactory access.

Notes to Applicant

Your attention is drawn to the attached Highway Supplementary Notes Nos 1,2,4,5 and 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

- 02/2006/1305/PF Creation of outdoor seating/smoking areas on existing flat roof sections.
Corporation Arms, Stryd y Castell, Ruthin
GRANTED
- 16/2007/0233/PF Erection of sun-room and terrace over existing flat-roofed area at rear of dwelling.
18 Tan Y Bryn, Llanbedr Dyffryn Clwyd, Ruthin
GRANTED
- 17/2006/0800/PO Following consideration of a report on a site visit held on 13th April 2007 and additional plan showing the development boundary. Development of 0.83 hectares of land for residential purposes and construction of new vehicular/pedestrian access (outline application)
Land Adjacent to Pen Y Stryt Farm, Llandegla
GRANTED
Subject to the following additional conditions
7. No development shall be permitted to commence until there has been carried out, at the developers expense, a detailed survey of the sewage treatment plant and related drainage system to ascertain the availability of capacity to accommodate the proposed development; and in the event that improvement works are necessary to allow the development to proceed, details for the necessary works including responsibility for implementation and the timing of the works. No development shall commence until the written approval of the Local Planning Authority, in consultation with Welsh Water/Dwr Cymru, has been obtained to the survey and any associated arrangements necessary to improve the works or system.
11. The layout plans submitted with the application have been treated for illustrative purposes only and do not form part of this permission.
Reason: For avoidance of doubt.
12. The development shall proceed strictly in accordance with a phasing plan, to be agreed in writing by the Local Planning Authority prior to the commencement of any development.
Reason: To allow the Local Planning Authority to retain control over the amount of development.
Notes to Applicant
In the preparation of detailed plans you are advised to incorporate a replacement hedgerow along the site frontage, behind the relevant visibility splays.
The permission conveys no indication of the Authority's acceptance of the site layout plans, numbers of dwellings, etc. You should contact the planning section to discuss draft plans prior to the submission of any detailed proposals.
In relation to Condition 7 of this permission, you are advised to contact Dwr Cymru/Welsh Water to establish a suitable way forward.
- 20/2007/0080/PF Councillor J. Thompson-Hill declared an interest in the following application and left the Chamber during consideration thereof. Following consideration of 1 additional letter of representation from: Llanfair DC Community Council.
Conversion of an extension to shippon to form 2 No. two-storey dwellings, installation of private treatment plant and alterations to existing vehicle access. Formation of new vehicular access to Faenol Farmhouse and demolition of disused barn.
Faenol, Pentre Celyn, Ruthin

- GRANTED** subject to
Members expressed concern that Council schemes should promote affordable/low cost housing – responsible officers to be advised of this view.
- 41/2007/0130/PF Following consideration of 2 additional letters of representation from: Bodfari Community Council, and AONB Joint Advisory Committee. Demolition of existing single-storey dwelling and erection of two-storey dwelling and detached garage with store over
Yew Tree, Bodfari, Denbigh
GRANTED
- 42/2007/0106/PR **Public Speakers:**
Against – Peter Wilkinson
In Favour – Richard Broughton
Following consideration of 4 additional letters of representation from: Head of Transport and Infrastructure; K J and D C Adams 19 Rhodfa Gofer, Dr F Campbell 23 Parc Gwelfor, A Daley, S Rhodfa Gofer Dyserth
Details of siting, design and external appearance of 3 dwellings, landscaping and means of access submitted in accordance with Condition No. 1 of Outline Planning Permission Ref. No. 42/2003/1494/PO (Revision of Application Ref. No. 42/2004/1068/PR)
Land Adjoining No. 19 Rhodfa Gofer, Dyserth
GRANTED subject to
Amended Condition
Replace Condition No. 3 with:
3. Notwithstanding the submitted plans, no development shall be permitted to commence until the written approval of the Local Authority has been obtained to all of the following, including the timing of completion of the respective developments:
a) Full details of all boundary and screen walls, fences and driveways, including details of any retaining walls and associated plans/sections illustrating existing levels of that site, and the proposed levels.
b) Full details of the proposed planting and landscaping of the site, including species, size and density of planting.
c) Full details of the proposed use and treatment of the area between the Plot 3 dwelling and No. 23 Parc Gwelfor which shall not be permitted for use as part of the residential curtilage of the Plot 3 dwelling, and should be set out as a landscaped buffer area. Such details as are approved a), b) and c) of Condition 3 shall be implemented strictly in accordance with the timing specified therein.
Additional Note to Applicant
In connection with Condition 3 of this approval, you are advised to prepare sketch plans for discussion with the planning section prior to any formal submission.
- 43/2007/0054/PF Following consideration of 1 additional letters of representation from: Prestatyn Town Council.
Details of design and external appearance of dwelling and landscaping submitted in accordance with condition No. 1 of outline planning permission code no. 43/2006/0462/PO
Land at (part garden of) 110 Ffordd Talargoch, Prestatyn
GRANTED
- 43/2007/0174/PF **Public Speaker Against: Mr C Taylor**
(Councillor M German declared an interest in the following application and left the Chamber during consideration thereof.)

Following consideration of report of a site visit held on 13th April 2007 and additional letters of representation from: Prestatyn Town Council, Town Councillor J. Cahill; C and D Taylor, Firbank Prestatyn Replacement of flat roof dining-room with pitched roof and erection of extension of dining-room and existing balcony at rear of dwelling
Walden, Bishopswood Road, Prestatyn
GRANTED

43/2007/0210/PF

Removal of existing play area and construction of new multi use games area and play area.

Festival Gardens, Ffrith Beach, Victoria Road West, Prestatyn
GRANTED subject to

Additional Condition:

3. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the details of a scheme of making good/after treatment of the existing play area to be replaced. The approved scheme shall be completed no later than 6 months from the bringing into use of the new multi use games area and play area.

Reason: In the interests of visual amenity

45/2005/0862/PF

Change of use from Class A1 shop to 1 No. self-contained flat.

169 Wellington Road, Rhyl

GRANTED subject to

Additional Condition

4. Prior to the occupation of the flat hereby permitted the existing shopfront shall be re-designed to reflect the residential use in a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to allow privacy for any future occupiers.

45/2006/1200/PF

Public Speaker in Favour: Mr M. Ralph (Modus)

(Following consideration of 3 additional letters of representation from: Environment Agency Wales, Rhyl Business Group, and "Better Bikes" 213 Wellington Road, Rhyl)

Demolition and redevelopment of 7.625 hectares of land to provide a mixed use development comprising 217 residential apartments, hotel, assembly and leisure, business, retail, cafes, restaurants and public houses, car parking, new public realm and ancillary uses together with associated highways and other works, including 10 no. 6kw wind turbines and 3 no. potential PV solar installations.

Ocean Beach Site, Wellington Road, Rhyl

Resolved to **GRANT** planning permission subject to:

1. The applicants first entering into a Section 106 obligation to cover the following issues.

i) "Revocation" of the existing Asda store at Kinmel Bay and replacement with suitable local centre, employment and open space uses.

ii) Management and maintenance of public open space on the site, particularly the new promenade and the urban park.

iii) Provision of CCTV on the site to link to the Rhyl Town Centre system.

iv) Recruitment strategy for businesses on the site to target long term unemployed in the area.

v) Sustainable approach to buildings and site infrastructure.

vi) Payment of commuted sums into a 'regeneration' pot.

2. The referral of the application to FULL COUNCIL as the application represents a significant departure from the development plan.

3. The referral of the application of Welsh Assembly Government
 - as a departure application, partly on Council owned land
 - as a retail application with retail floor space exceeding 10,000m²

Suggested revised/additional conditions

Extend phasing to infrastructure and construction

Controls over demolition

Specify approved flood mitigation measures

Wind turbine noise levels

Hours of trading – retail store

Access for disabled persons – details across various elements

Retail store car park management

Renewable energy generation schemes

47/2006/1252/PF

Following consideration of a report on the site visit held on 13th April 2007

Erection of 1 no. polytunnel and installation of new septic tank

Pant y Wacco, Part OS Field No. 6044, Caerwys Road, Rhualt

GRANTED Subject to New Conditions

4. No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed 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 the development;
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, number, and location and the proposed timing of the planting;
- (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
- (d) proposed earthwork, 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 position, design, materials and type of boundary treatment.

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 occupation of the dwelling/completion of the development/commencement of the development/next planting and seeding season] 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.

GRANTED AGAINST RECOMMENDATION

45/2007/0137/PO

Public Speaker in favour: – Barry Jones

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

Following consideration of a report of the site visit held on 13th April 2007.

Development of 0.068 hectares of land by demolition of existing workshop and garages and erection and siting of 1 dwelling and means of access (outline application)

Land at Merilyn Farm, 23 Dyserth Road, Rhyl

Casting vote to **GRANT Against Recommendation**

Subject to the following conditions

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

2. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

3. Approval of the details of the design and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the commencement of any development.

4. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plans and which shall be completed prior to the proposed development being brought into use.

Reason: To provide for the parking of vehicles clear of the highway and to ensure that reversing of vehicles into or onto the highway is rendered unnecessary in the interests of traffic safety.

5. The dwelling hereby permitted shall be single storey only.

Reason: To protect the amenity of nearby residents and the character of the area.

6. Notwithstanding the provisions of Classes A,B,D,E of Part 1 of Schedule 2 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 development permitted by the said Classes shall be carried out without approval in writing of the Local Planning Authority.

Notes to Applicant

Foul water and surface water discharges shall be drained separately from the site to protect the integrity of the Public Sewerage System. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system to prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system to prevent hydraulic overload of the public sewerage system and pollution of the environment.

The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer to protect the integrity of the public sewer and avoid damage thereto.

REFUSE

47/2006/1342/PF

Public Speaker in favour: – Adrian Parry Jones

Following consideration of 2 additional letter of representation from: Head of Transport and Infrastructure, and Evelyn Courier (applicant's agent)

Demolition of redundant outbuilding and erection of two dwellings.

**Outbuildings at Llwyn Derw, Holywell Road, Rhualt
GRANTED**

DEFER for the reason given

45/2006/0236/PF

Conversion and alterations including ground floor extension of existing hotel to form 8 no. self-contained apartments.

39/41 Aquarium Street, Rhyl

Item **DEFERRED** at officers request.

Reason:

- 1. To allow opportunity to clarify the lawfulness of the existing use*
- 2. To allow further assessment of concerns on the 'over intensification' of development*
- 3. To allow opportunity to resolve the Council's approach to self contained flats applications*

APPLICATION withdrawn

45/2007/0136/PO

Development of 0.036 hectares of land by erection of block of 2 self-contained flats (Outline application to include siting and means of access)

**Land at rear of Larkmount House, Larkmount Road, Rhyl
Withdrawn by the Applicant**

The meeting finished at 1.15 p.m.
