

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on Wednesday 1st August 2007 at 09.30 a.m.

PRESENT

Councillors R E Barton, B Blakeley, J Chamberlain-Jones, J M Davies, M LI Davies, E C Edwards, G C Evans, H H Evans, S Frobisher, I M German, M A German, D. Hannam, T K Hodgson, , N Hugh-Jones, E R Jones, M M Jones, G M Kensler, P J Marfleet,(observer) N P Roberts, J A Smith, 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, Team Leader (Minor Applications), Team Leader (Support) (G. Butler) Customer Services Officer (Judith Williams), Planning and Compliance Officer (E. O Connor), Senior Planning Officer (Shan Jones) and Bryn Jones (Translator)

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors J. Butterfield, S.A. Davies, P W Owen, T.R. Hughes

290 URGENT MATTERS

Legal Services Manager reminded Members of The County Clerk's letter recently sent to all regarding protocol and best practice when voting. The letter advised Members they should be present for the whole debate in order to make a balanced judgement when voting.

291 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

43/2007/0441/PF

Public Speaker Against: Geoff Rayner

Following consideration of relevant planning history and additional letter of representation from: Prestatyn Town Council.

Erection of detached dwelling and construction of new vehicular access. **Part garden of 2 The Avenue Bryn Newydd fronting Gronant Road Prestatyn**

GRANT

Subject to

Amended condition No. 8

8. The wall/hedge either side of the access and across the Gronant Road frontage shall be lowered and maintained at a

height of 0.6m and nothing shall be planted or erected above this height within a 2m area back from that point.

Additional Note to Applicant

Please endeavour to retain and protect the tree on the highway outside the proposed access to the site. Highways approval would be required should you intend to remove the tree.

45/2007/0302/PS

Public Speaker Against: David Jackson

Public Speaker For: Tony Thomas

Variation of Condition No. 2 on Planning Permission Ref. No. 45/2006/0868/PF to allow increase in number of children from 25 to 32

37 Marine Drive Rhyl

GRANT

Additional Note to Applicant

You are requested to give consideration to alerting your customers/clients to adhering to the parking restrictions on the main road and encouraging the safe practice of dropping off and collecting children.

02/2007/0638/PF

Following consideration of additional letter of representation from: County Archaeologist; Public Protection; confederation of Small Businesses.

construction of a new industrial building for creating wood pellets with ancillary storage shed for raw materials; installation of new septic tank and construction of new vehicular access.

Clifford Jones Timber Ltd. Brickfield Lane Denbigh Road Ruthin

GRANT

Subject Amended Conditions

Additional conditions

1. No dust shall leave the process boundary. Where, in the opinion of Denbighshire County Council, there is evidence of airborne dust/ particulate matter from the activity off-site, then:

- Where the source is identifiable, corrective active shall be taken immediately
- Where the emission source is uncertain, the Operator shall carry out ambient dust monitoring to identify the source. The monitoring method to be used shall be agreed in advance with Denbighshire County Council.

Reason: *In order to safeguard the amenities of the locality*

2. A maximum noise level, measured at any position on the site boundary line, as follows:

Day	Period	Level (freefield)
Monday to Friday	07.00hrs to 18.00hrs	60dB LAeq, 1hr
	18.00hrs to 21.00hrs	50dB LAeq, 1hr
	21.00hrs to 07.00hrs	40dB LAeq, 5mins
	Outside the period 08.00hrs to 13.00hrs	40dB LAeq, 5mins
	08.00hrs to 13.00hrs	60dB LAeq, 1hr
	All day	40dB LAeq, 5mins

Unless otherwise agreed in writing with the LPA.

Reason: *In order to safeguard the amenities of the locality*

3. Hours of construction work for the new development shall be limited to 07.30 – 19.00hrs Monday to Friday and 08.00 –

13.00hrs on Saturday with no working allowed on Sundays or Bank Holidays.

Reason: *In order to safeguard the amenities of the locality of the locality and in the interests of highway safety.*

4. No fires shall be burned on the site.

Reason: *In order to safeguard the amenities of the locality*

The above conditions to cover Public Protection issues.

5. The buildings hereby approved shall be used in conjunction with the existing on site timber manufacturing and storage business.

Reason: *In order to safeguard the amenities of the locality and in the interests of highway safety.*

Amended Condition

21. The use hereby permitted shall not commence until the means of vehicular access and all spaces approved for parking, loading unloading and turning of vehicles have been constructed in accordance with the approved plan and shall be retained thereafter.

05/2007/0674/PF

Following consideration of additional letters or representation from: Head of Transport & Infrastructure; Welsh Water
Erection of detached dwelling and alterations to existing vehicular access (approx 0.1ha of land)

Land at (Part garden of) Pentir Carrog Corwen

GRANT

Subject to New Conditions

The Condition(s) is(are):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. No external wall or roof materials shall be applied until the written approval of the Local Planning Authority has been obtained to the proposed materials to be used for the external surfaces of the [walls [and roof(s)]] of the development hereby permitted and no materials other than those approved shall be used.

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:

(a) all existing trees, hedgerows and vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, 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 earthworks, 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 positions, design, materials and type of boundary treatment

4. 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/completing 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.

5. Before any development commences on site, full details of the proposed turning head, visibility improvements and access to the site including the detailed layout, design, drainage and construction, shall be submitted to and approved by the Local Planning Authority, and the turning head visibility improvements and access shall be constructed and carried out in accordance with the approved details.

6. Facilities shall be provided and retained within the application site for the parking and turning of vehicles in accordance with a scheme to be agreed with by the Local Planning Authority, and which shall be completed prior to the proposed dwelling being occupied.

7. 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.

Special Notes to Applicant

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

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

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.

24/2006/0442/PF

Conversion of outbuildings to form 6 no. dwellings with associated curtilages, installation of private treatment plant and demolition of utilitarian agricultural buildings and slurry tower.

Outbuildings at Plas y Ward Rhewl Ruthin

GRANT

Additional Condition

9. No development shall commence until details of vehicular passing places have been agreed in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the occupation of any of the dwellings hereby approved

(ii) **REFUSALS**

31/2007/0627/PO

Following consideration of report of site visit held on 30/07/07.

Development of 0.06ha of land for residential purposes (outline application)

Keepers Cottage Wigfair St. Asaph

REFUSE

07/2006/1347/PO

Speaker For: Mr Gwyn Roberts

Development of 0.09 hectares of land for erection of agricultural worker's dwelling (Outline application)

Land at Rhyd Gethin Llandrillo Corwen

REFUSE

Note to Applicant

You are advised to contact the case officer should you wish to discuss the application further.

20/2007/0507/PO

Speaker For – Mr Elwyn Hughes

Development of 0.047 hectares of land by erection of single affordable dwelling (outline application)

REFUSE

Note to Applicant

You are advised to contact the case officer to discuss the issue of affordable housing and the potential for submitting a scheme which may comply with current adopted policies and guidance.

REFUSED AGAINST OFFICERS' RECOMMENDATION

24/2007/0694/PS

Public Speaker For – Police Inspector Mark Radcliffe

Following consideration of additional letters of representation from: Ruthin Town Council; Llanynys Community Council; Head of Transport & Infrastructure.

Description: Variation of Condition No. 3 of planning permission code no. 24/518/99/PS and condition no. 5 on Planning Permission Ref. No. 24/0834/98/PF to allow use of the Firearms Training Centre site and buildings in compliance with the following restrictions:- i) Any organisation using the site and buildings shall be authorised and supervised by North Wales Police ii) The hours of use to be restricted to between 0830hrs and 1730hrs on any day with the provision for a maximum of 12 days in any 12 month period where the hours to be permitted between 0830hrs and 2000hrs (within which shooting activity shall not be permitted to exceed a maximum of 5 hours) iii) The site and buildings shall not be used on Christmas, Boxing or New Years Day iv) There shall be no firing of high or low velocity weapons or activities involving explosions within the site on Saturdays, Sundays or public Holidays and no sound amplification equipment shall be used outside buildings within the site on these days

Firearms Training Complex Craig y Ddywart Quarry Rhewl Ruthin

REFUSE

Resolved to **REFUSE** contrary to officer recommendation.

Reason:

1. The proposed variations of condition to allow increased use of the site at weekends and certain Bank Holidays for additional organisations to North Wales Police and other Emergency Services would lead to an unacceptable intensification of use at the site beyond the original grant of permission, having a detrimental impact on the general amenity of the area contrary to criteria i) and v) of Policy GEN 6 of the Denbighshire Unitary Development Plan.

The meeting was closed at 1.00 pm for a lunch break to be reconvened at 1.30 pm

PLANNING COMMITTEE

Minutes of the meeting of the Reconvened Planning Committee held in the Council Chambers, Ruthin on Wednesday 1st August 2007 at 1.30 pm.

PRESENT

Councillors R E Barton, B Blakeley, J Chamberlain-Jones, J M Davies, M LI Davies, , E C Edwards, G C Evans, I M German, M A German, D. Hannam, N Hugh-Jones, E R Jones, M M Jones, G M Kensler, N P

Roberts, J A Smith, D A J Thomas, S Thomas, J Thompson-Hill, M Webster, C H Williams E.W. Williams (observer) and R LI Williams

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Team Leader (Minor Applications), Team Leader (Support) (G. Butler) Customer Services Officer (Judith Williams), Planning and Compliance Officer (E. O Connor), Senior Planning Officer (Shan Jones) and Bryn Jones (Translator)

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors J. Butterfield, S.A. Davies, S. Frobisher, P. Owen, T.R. Hughes, T.K. Hodgson, H. Jones and H.H. Evans.

292 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:-

(b) *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 Advertisements 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:-*

(ii) **CONSENTS**

Application No.

Description and Situation

41/2007/0489/PF

Following consideration of 1 additional letter of representation from: the applicant.
Retention of field shelter and hardstanding for parking area and erection of hay barn and use of land for manege (Partly in retrospect)

Tyn y Ffordd Isa Bodfari Denbigh

GRANT

Amended Condition

2. The use of the manege and stable hereby approved shall inure for the owner/occupier of Ty'n y Ffordd Isa only and they shall at no time be used for any commercial equine use without the further granting of planning permission.

Reason: In order that the Local Planning Authority can retain control.

43/2007/0687/PF

Following consideration of 2 additional letters of representation from: Prestatyn Town Council; Welsh Water
Erection of a two-storey dwelling

Land at (Part Garden Of) 166 Victoria Road Prestatyn

GRANT

Subject to Amended Condition

Notwithstanding the provisions of Class(es) [ABCE] OF Part 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

	<p>out without further grant of planning permission of the Local Planning Authority. Councillor I. German and M. German wished it to be noted that they voted against the granting of planning permission.</p>
45/2007/0644/PF	<p>Following consideration of correction to the report. Erection of extensions to provide additional accommodation to existing residential nursing home Bryn Estyn 85 Russell Road Rhyl GRANT</p>
45/2007/0755/PF	<p>Councillor B. Blakeley declared an interest in the following application and left the Chamber during consideration thereof. Erection of conservatory at rear of dwelling. 12 Cambrian Walk Rhyl GRANT</p>
01/2007/0517/PF	<p>Change of use of form Class A3 café on ground floor and self-contained maisonette on upper floors. Chirbury House Back Row Denbigh GRANT Subject to Amended Condition 2. The café hereby permitted shall not be open to customers outside the following times: 0800hrs to 1800hrs on any day. <i>Reason: In the interests of residential amenity.</i> Additional Condition 4. The new door and railings shown to be inserted at first floor level on the south-west elevation of the building shall be fitted as shown on drawing no. 27801 P1 and finished in a colour to be as further agreed in writing with the Local Planning Authority prior to the use of the maisonette. <i>Reason: In the interests of visual amenity.</i></p>
05/2007/0299/PF	<p>Erection of single-storey extension and conservatory to rear of dwelling and change of use of part of dwelling to self-contained holiday unit. Ty Isar Plwyf Glyndyfrdwy Corwen GRANT</p>
16/2006/1325/AD	<p>Following consideration of 2 additional letters of representation from: Head of Transport & Infrastructure; AONB JAC Display of 3 No. advance direction signs on A494 to farm shop. Land at Rhesgoed Farm Llanbedr Dyffryn Clwyd Ruthin GRANT</p>
16/2007/0420/PO	<p>Development of 0.05 hectares of land for residential purposes and alterations to existing vehicular access. Land at (part garden of) Plas Isaf Old Barn Llanbedr Dyffryn Clwyd Ruthin GRANT Amended Condition 6. Before any work is commenced on the dwelling hereby granted outline consent the access to the site shall be laid out, constructed and maintained in accordance with the approved plan 0172/1 Revision A. The visibility splays shall thereafter be retained in accordance with the plan with no</p>

obstruction in excess of 900mm above the level of the adjoining carriageway.

17/2007/0384/PF

Following consideration of additional details circulated and additional letters of representation from: Paul Mitchell and Rachel Turner; Llandegla Community Council. Erection of 2 No. two-storey detached dwellings, alterations to existing vehicular/pedestrian access and formation of access road.

Land between Pisgah Chapel and Tan y Bryn Old Gate Lane Llandegla Wrexham

GRANT

Amended Condition 3

"The access Drawing No 6295-L(9)01 Rev E"

DEFER

40/2007/0790/PF

Erection of lean-to extensions to dwelling.

Pengwern Farm Nant y Faenol Road Bodelwyddan Rhyl

DEFER for clarification of the submitted plans.

293 THE FORMER NORTH WALES HOSPITAL DENBIGH

Submitted, report by the Head of Planning and Public Protection updating Members on progress at the site.

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

294 PLANNING APPEALS RELATING TO PROPOSED WIND TURBINE DEVELOPMENT AT WERN DDN GWNDDELWERN

Submitted, report by the Head of Planning and Public Protection advising Members of the outcome of the above appeals recently allowed at a Planning Inquiry.

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

295 PLANNING COMMITTEE PROTOCOL

Submitted, report by the Head of Planning and Public Protection revising Planning Committee Protocol to take account of the use of electronic voting equipment.

***RESOLVED:** that the revisions to the Planning Committee Protocol be approved.*

296 APPEAL DECISION UPDATE

Submitted report by the Head of Planning and Public Protection advising Members of outstanding Planning Appeals and decisions received between 1st April and 30th June 2007.

***RESOLVED** to receive the report for information.*

297 ENFORCEMENT MATTERS

297(i) ENF/2007/00058 – Star Inn, 73 Ffordd Talargoch Prestatyn

Erection of unauthorised front extension

RESOLVED:

That authorisation be granted for the following:

- (i) *Serve an Enforcement Notice to secure the removal of the unauthorised canopy and associated fixings and make good the fabric of the building.*
- (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.*
- (iii) *Period for compliance 3 months.*

297(ii) ENF/2007/00011

School House Prion Denbigh

Unauthorised Extension of Garage and Garden Store

RESOLVED:

- (i) *Serve an Enforcement Notice to secure the removal of the unauthorised garage and store.*
- (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.*
- (iii) *Period for compliance; 6 months.*

The meeting closed at 2.30pm
