

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 5<sup>th</sup> September 2007 at 09.30am

### PRESENT

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

### APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillor H Evans

#### 304 URGENT MATTERS

The DC Manager reminded Members of the North Wales Hospital Working Group Meeting on 11<sup>th</sup> September and the Members training arrange for 17<sup>th</sup> September.

The Chair advised the Committee that this would be the DC Manager Mark Dakeyne's last Planning Committee before leaving to take up a post with the Planning Inspectorate. Each group and all Members wished Mark Dakeyne well in his new job and expressed the view that he would be missed by Members and staff alike and thanked him for his work for Denbighshire.

#### 305 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

01/2006/0961/PF

Erection of 25 no. dwellings, construction of new pedestrian and vehicular access to the site and alterations to existing access/visibility splay at Lon Llewellyn

##### **Land adjoining St Joseph's Church, Bryn Stanley, Denbigh GRANT**

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

- (a) The provision of 8 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 £74,040.00 apportioned as follows:

CROS Provision Costs £21,834.00

CROS Maintenance Costs £22,932.00

Childs Provision Costs           £21,630.00  
Childs Maintenance Costs       £7,644.00

The Certificate of Decision would only be released on completion of the legal obligation, and on failure to complete within the time period, the application would be re-presented to the Committee and determined in accordance with the policies of the Council applicable at that time, should material circumstances change beyond a period of 12 months after this Committee.

**Amended/Additional Conditions**

7. The visibility splay at the junction of Lon Llewellyn and Bryn Stanley as indicated on the approved access plan drawing no. HH/NW/BS/001.1 Rev B shall be completed before the first house is occupied, including the rebuilding of the stone boundary wall to match the existing boundary wall.

10. No development works of any kind shall begin until the presence of a contracted archaeologist has been secured on-site according to the prescriptions set out in a curatorial design brief and approved in writing by the Local Planning Authority. Access, at any reasonable time, shall be given to this archaeologist to enable the observations and recording of any archaeological remains uncovered during the early stages of development. A report of any archaeological records made must be deposited within County Sites and Monuments Record, Clwyd-Powys Archaeological Trust, 7a Church Street, Welshpool, Powys SY21 7DL (01938-553670) within one month of the completion of this work with a summary of records sent to the Local Planning Authority at the same time.

12/2007/0634/PF

Following consideration of 1 additional letter of representation from Housing Services

Erection of 4 no. dwellings and construction of new vehicular access (site area 0.09ha)

**Land Opposite Telephone Exchange, Clawddnewydd, Ruthin  
GRANT**

Resolved to GRANT planning permission subject to the applicant first entering into a Section 106 obligation relating to the provision of 1 no. affordable dwelling (shared ownership or low cost home for sale).

15/2007/0182/PF

**Speaker Against: Glenys Roberts  
(Llanarmon Community Council)**

**For J Howard Davies**

Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof and Lloyd Williams took Chair.

Following consideration of report of Site Meeting held on 31<sup>st</sup> August additional letters of representation from Llanarmon yn Ial Community Council.

Realignment of existing access road and siting of 4 No. additional static caravans associated parking area, additional landscaping and installation of new septic tank.

**Land adjacent to Ffynnon Y Berth, Llanarmon Road, Llanferres,  
Mold  
GRANT**

**Amended/Additional Conditions**

5. Notwithstanding the submitted details a further scheme of landscaping shall be submitted to and approved in writing prior to the siting of the additional 4 no. static caravans hereby approved. The landscaping scheme shall include for planting of trees and/or a hedge along the embankment to the north of the existing and proposed static caravans. All planting etc... in the first planting and seeding season following the siting of any additional caravans

7. No more than 13 no. static caravans shall be stationed on the site and the siting shall be as indicated on the plans forming part of this approval received on 21<sup>st</sup> June 2007.

*Reason:* To control the number of caravans and their siting in the interests of the appearance of the development within the AONB.

15/2007/0682/PF

**Speaker Against: Glenys Roberts  
(Llanarmon yn Ial Community Council)**

Following consideration of Report of site visit on 31<sup>st</sup> August additional letters of representation from Llanarmon Community Council and Housing Project Team

Additional location plan circulated.

Structural repairs to Airey PRC house types. Replacement of pre-cast concrete cladding panels and structural pre-cast concrete column with a timber frame structure clad with mineral fibre insulation and render finish.

**3, 4, 13&14 Cae'r Odyn, Eryrys, Mold  
GRANT**

22/2007/0721/PF

**Speaker For: Kerry James**

Following consideration of 1 additional letter of representation from Transport and Infrastructure

Erection of dormer bungalow

**Land to Rear of Bodhyfryd, Gellifor, Ruthin**

**GRANT**

Amended/Additional Conditions

4. Remove brackets where appropriate

6. The first floor windows on the north (rear) elevation shall be glazed with obscure glass prior to the occupation of the dwelling and thereafter retained as such.

*Reason:* In the interests of the privacy of adjoining occupiers.

7. The dwelling shall not be occupied until its parking space and the access thereto have been laid out in accordance with the approved plans.

23/2006/1341/PF

Following consideration of 1 additional letter of representation from Landscape Architect

**Ty'n Y Ddol, Llanrhaeadr, Denbigh**

**GRANT**

Amended/Additional Conditions

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 other vegetation on the land, details of any to be retained, and measure 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/completion of the development/commencement of the development/next planting and seeding season] and any trees of 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. The vehicular access hereby approved shall be completed and be available for use prior to the commencement of work on the outbuilding and extension subject to planning permission ref: 23/2004/0191/PF.

40/2007/0709/PF

Councillor E R Jones declared an interest in the following application and left the Chamber during consideration thereof.

Erection of lean-to extensions to dwelling

**Pengwern Farm, Nant Y Faenol road, Bodelwyddan, Rhyl  
GRANT**

43/2007/0698/PF

Demolition of existing care home and redevelopment of land by the erection of extra care facility, to include 61 no. 1 and 2 bedroom flats

**Llys Nant, Marine Road, Prestatyn**

**GRANT**

Resolved to GRANT planning permission subject to the applicant first entering into a Section 106 obligation relating to payment of a commuted sum before release of decision notice.

Amended Condition

7. The occupancy of the self contained flats hereby permitted shall be limited to persons aged 55 and over other than 8 no. units to be used for health, intermediate care and respite.

Additional Note to Applicant

Your commitment to providing a BREEAM excellent rating for the development is fully supported by the Planning Committee of the Council. It is hoped that this intention will be fully implemented in the development, construction and management of the project.

43/2007/0790/PF

Change of use from Class A1 Shop to Class A2 financial/professional office (Cheque Centre)

**Alec Edwards, 56 High Street, Prestatyn**

**GRANT**

Additional Condition

2. A shop window display shall be maintained at all times following commencement of the use hereby permitted.

*Reason:* To maintain the vitality of the shopping frontage.

45/2007/0742/PF

Erection of extension and alterations to provide additional workshop area

**Bridge Garage, 129 Marsh Road, Rhyl**

**GRANT**

46/2006/0557/PO

Development of 0.519 hectares of land including the demolition of the existing hotel for residential purposes with alterations to the existing vehicular access (outline application)

**Bod Erw Hotel, The Roe, St Asaph**

**GRANT**

Amended/Additional Conditions

7. "submitted"

14. "permitted"

15. The reserved matters submissions required by condition no. 1 shall be accompanied by an assessment of the impact of noise and other pollution from the proximity of the site to the A55 and a petrol filling station. Any mitigation measures arising from the assessment

shall be incorporated within the siting, layout and detailed design of the residential development hereby permitted.

*Reason:* To ensure that an acceptable living environment is provided.

47/2007/0757/PF

Following consideration of 1 additional letter of representation from Estate Agents relating to limited marketability for tourism.

Change of use from holiday cottage to residential dwelling and incorporation of existing detached garage at Pant Ifan Goch within curtilage

**Holiday Cottage (Bridgemere) Pant Ifan Goch, Holywell Road, Rhuallt, St Asaph**

**GRANT**

Amended Condition

5. Remove brackets.

Ensure site is proactively monitored including compliance with condition no's 1, 3 and 4. Any breach of condition should result in immediate formal action.

(ii) GRANTED Against Recommendation

05/2007/0369/PO

Following consideration of report of site visit held on 31<sup>st</sup> August 2007

Development of 0.066 hectares of land by erection of 1 dwelling and alteration to existing vehicular access (Outline application including access)

**Land at rear of Heulwen, Penybryn, Corwen**

**GRANT**

Subject to:

1. Approval of the details of the siting, 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.

2. 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.

3. 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.

4. The dwelling shall not be occupied until space, in accordance with details to be submitted to, and approved in writing by the Local Planning Authority, has been laid out within the site of both the new dwelling and existing dwelling Heulwen, for cars to be parked and for cars to turn so that they may enter and leave the site in a forward direction.

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 commencement 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.

The decision, being CONTRARY to the Officer's Recommendation was taken for the following reason:

- Highways objections could be overcome
- Impact will be minimal

(iii) REFUSALS Against Recommendations

03/2007/0718/PF

Erection of free-standing decorative glazed shelter to front of premises

**Bridge End Hotel, Mill Street, Llangollen**

**REFUSE**

The decision being CONTRARY to the Officers' Recommendation was taken for the following reason:

REFUSE for the following reason:

1. The proposed shelter would be a prominent feature in the Llangollen street scene and conservation area, leading to increased activity and disturbance in this prominent location, and be likely to lead to customers spilling out onto the narrow pavement, to the detriment of visual and residential amenity and pedestrian safety and in conflict with criteria (i), (ii) and (vi) of Policy GEN 6 and Policy CON 5 of the Denbighshire Unitary Development Plan.

45/2007/0851/PF

Change of use of former first floor licensed club to form extension to adult amusement centre

**First Floor, 78 High Street, Rhyl**

**REFUSE**

The decision, was CONTRARY to the Officers' Recommendation

This application to be referred to Full Council.

(iv) DEFER for reasons given

43/2007/0934/PF

Following consideration of addendum report on Site Visit held on 31<sup>st</sup> August and additional letter of representation from Councillor N Hugh-Jones, Chris Rhuane MP SW and Central Prestatyn Residents Association.

Erection of 51 no. dwellings, construction of new vehicular and pedestrian access and associated works (site area 2.3 hectares)

**RECORDED VOTE**

**Land off Tip Lane, Prestatyn**

**DEFER**

(v) **WITHDRAWN**

05/2007/0783/PF

Change of use to form indoor children's adventure play/party centre

**Corwen Day Nursery, Green Lane, Corwen**

**WITHDRAWN by the applicant**

**306 ENFORCEMENT ITEMS**

306.1 ENF/2005/00025

Bryn Coli Nursery, Llanrhaeadr, Denbigh

Use of wooden shed as a dwelling

*RESOLVED:*

That authorisation is given for the serving of an Enforcement Notice ordering:-

- (i) The cessation of the use of the land for permanent residential occupation.
- (ii) The removal of the wooden structure and associated chattels and making good of the land upon which it has been sited
- (iii) To instigate prosecution proceedings where any persons on whom a Notice has been served fails to comply with the provisions of the Notice
- (iv) **PERIOD OF COMPLIANCE: 12 MONTHS**

306.2 ENF/2005/00108

Eirianfa (also known as Dee Cottage), Berwyn Road, Llangollen  
Unauthorised siting and residential use of a mobile home (with  
attached conservatory)

*RESOLVED:*

That authorisation is given for the serving of an Enforcement Notice  
ordering:-

- (i) the cessation of use of the mobile home (and attached  
conservatory) as a residence within that period and
- (ii) the removal of the mobile home (and attached  
conservatory) from the land; also within that period
- (iii) To instigate prosecution proceedings where any person on  
whom a Notice has been served fails to comply with the  
provisions of the Notice
- (iv) PERIOD OF COMPLIANCE – 12 MONTHS

306.3 ENF/2006/00029

Land at entrance to Abbey Grange Hotel, Llantysillio, Llangollen  
Unauthorised Farm Shop

This item was withdrawn as a valid Planning Application has been  
received.

The meeting concluded at 1pm

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