

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Offices, Ruthin on Wednesday 20th February 2008 at 09.30am.

PRESENT

Councillors J R Bartley, R E Barton, B Blakeley, J A Butterfield, M LL Davies, S A Davies, G C Evans, S Frobisher, M A German, D Hannam, K N Hawkins, E R Jones, H Jones, P W Owen, N P Roberts, S Roberts, J A Smith, D A J Thomas, S Thomas, J Thompson Hill, C H Williams, R LL Williams

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Team Leader (Major Applications), Team Leader (Support) (G. Butler), Customer Services Officer (Judith Williams) and Bryn Jones (Translator)

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors J Chamberlain Jones, J Davies, E Edwards, I M German, R W Hughes, M M Jones, G Kensler and D Owens

783 URGENT MATTERS

CONSERVATIVE VACANCY

The Chair announced that Councillor D Owens will take the Conservative seat with immediate effect.

784 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

43/2007/1338/PC

Councillor D A J Thomas declared an interest in the following application and left the Chamber during consideration thereof
Retention of shelter to front elevation (Retrospective application)
North Wales Bowls Centre, Victoria Road West, Prestatyn
GRANT

43/2007/1486/PS

Variation of Condition No. 1 on planning permission Ref. No. 43/2007/0583/PS to allow hours of opening between 0800-0030 hours Sundays to Wednesdays and 0800 – 0100 Thursdays and 0800 – 0030 hours Fridays and Saturdays
29/31/33/33A High Street Prestatyn
GRANT

Subject to Amended Condition:

1. The premises shall only be open to the public between

the following hours:

08.00 Sunday – 00.30 Monday

08.00 Monday – 00.30 Tuesday

08.00 Tuesday – 00.30 Wednesday

08.00 Wednesday – 00.30 Thursday

08.00 Thursday – 01.00 Friday

08.00 Friday – 01.30 Saturday

08.00 Saturday - 01.30 Sunday

43/2007/1509/PC

Erection of pitched roof extension to side of dwelling, formation of dormers to front (including 3 gables) and front entrance porch (partly retrospective)

Highfield, Bishopswood Road, Prestatyn

GRANT

45/2007/0984/PF

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

Demolition of existing workshop and garages and erection of detached dwelling

Land at Merllyn Farm, 23 Dyserth Road, Rhyl

GRANT

45/2007/1442/PF

Change of use from Class A1 shop to Class A3 hot food takeaway

70 Queen Street, Rhyl

GRANT

Subject to Amended Condition:

2. The premises shall only be open to the public between 12.00 and 00.00 hours (midday to midnight)

Additional note to applicant:

You are advised of the need to comply with separate licensing legislation and you should contact the council's licensing section for advice on the procedures in connection with the use hereby approved.

45/2007/1514/PF

Construction of cycleway and new bridge over Rhyl Cut

Recreational land between Gwynfryn Avenue and Cefndy Road, Rhyl

GRANT

Councillor D A J Thomas requested that he be involved in discussions on design with regard to preventing access by quad bikes and motorcycles

47/2007/1242/PF

Erection of single-storey lean-to extension to side of dwelling

1 Bryn Ibod, Tremeirchion, St Asaph

GRANT

04/2007/0516/PF

Following consideration of 1 additional letter of representation from D & G Lewis, Nant yr Onnen & Tegfan, Betws GG

Erection of 4 no. dwellings and construction of new vehicular access (site area 0.12ha)

Land adjacent to Turnpike, Betws Gwerfil Goch, Corwen

GRANT

Subject to Amended Condition:

12. The access and visibility splays shall be laid out and constructed in accordance with the approved plan prior to the occupation of any of the dwellings, and there shall be no planting or any other obstruction to visibility within the visibility splays exceeding 1.05m in height at any time.

The recommendation is subject to the completion of a 106 obligation under the 1990 Town and Country Planning Act to secure 1 no. (one) affordable house on Site:

- The provision of one (identified as Type 2) on site for low cost, with the secondary option for RSL
- All building works, and sale of the AH unit to be undertaken prior to the occupation of any of the 3 market units

In the event that the obligation is not completed within 12 months of the date of this Committee, the application would be reported back to the Committee and determined in relation to policies and guidance applicable at that time.

05/2007/1270/PC

Councillor J Thompson Hill declared an interest in the following application and left the Chamber during consideration thereof. Restoration works on land at former quarry, including reprofiling of slopes, drainage, access/parking, and planting works (retrospective application)

Pen – Y – Pigyn Quarry, Corwen
GRANT

07/2007/0640/PF

Erection of 4 no. dwellings and construction of new vehicular access (site area 0.24 ha)

Land at Y Fedw Waun, Llandrillo, Corwen
GRANT

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

- The provision of one (1 no) affordable house (AH), identified as PLOT 3 on site, initially for private rented housing; fall back for RSL social rent and then low cost market
- The provision of PLOT 3 AH constructed and completed first, within the first phase development, and the second phase completed after completion of plot 3 and the first phase.

16. The permission would only be released on completion of the Obligation. The Obligation must be completed within 12 months of the date of the resolution by the Committee to grant permission; otherwise the application will be reported back to the Committee and determined against relevant policies and guidance at that time.

09/2007/1056/PF

Speaker For: Geraint Parry

Following consideration of 1 additional letter of representation from S.R. Hellon, The Barn, Ty Isaf, Bodfari

Conversion of redundant farm outbuilding to single dwelling and use of part of agricultural land as residential curtilage, installation of new private treatment plant and alterations to existing access

Outbuilding adjacent to Ty Isaf Cottage, Bodfari
Denbigh

GRANT

Subject to Revised Conditions

3. Notwithstanding the details on the submitted plans, the external materials to be used on the reinstatement, alteration or infilling of the walls of the buildings shall be natural stone to match the stone on the existing building.

5. The works on the junction between the proposed access road and the highway shall be completed no later than one month following the commencement of the development.

Additional Note to Applicant:

You should ensure the public footpath adjoining the site remains unobstructed at all times.

16/2007/1428/PR

Following consideration of 3 additional letters of representation from:

- Dr Ian Shaw, Tan y Gruglas, Llanbedr D.C.
- AONB Joint Advisory Committee
- G Ellis & G Griffiths (prospective buyers of Old Barn)

Details of siting, design and external appearance of dwelling and landscaping of the site submitted in accordance with Condition No. 1 of outline permission

Ref. No. 16/2007/0420/PO

Land at (part garden of) Plas Isaf Old Barn, Llanbedr, Dyffryn Clwyd Ruthin

GRANT

(ii) REFUSALS

46/2007/0781/PF

Speaker for: Berwyn Owen

Demolition of existing garage, erection of 30 no. apartments and retail store and construction of new vehicular and pedestrian access (site area 0.27ha)

Clwyd Garage, The Roe, St. Asaph

REFUSE

Additional Reason for Refusal

2. It is the opinion of the Local Planning Authority that the design and size of the proposed buildings would be unacceptable and out of keeping with the character of existing development in the locality, and would have a detrimental impact on the views into and out of the adjacent Conservation Area, on a major route into the Cathedral city. The proposals are considered contrary to Policies CON 6 and GEN 6 (i) and (ii) of the Denbighshire Unitary Development Plan.

(iii) REFUSED Against Officer Recommendation

45/2007/1448/PO

Development of 0.07ha of land by the erection of single dwelling and detached garage (Outline application including siting, design, external appearance and access)

Land at rear of 51 Brighton Road, Rhyl

REFUSE AGAINST RECOMMENDATION

Resolved to refuse for the following reason:

1. In the opinion of the Local Planning Authority, the erection of the proposed dwelling would result in an over intensification of development, and an unacceptable form of backland development at the rear of an existing property, being likely to have an adverse impact on the character of development in the locality, unacceptably reducing the amenity space and parking provision for No.51 Brighton Road, and creating the potential for additional activity and disturbance to the occupiers of No.51 and adjacent property, contrary to Policy GEN 6 (i), (v), (vi) of the Denbighshire Unitary Development Plan.

The decision being CONTRARY to the Officers' Recommendation was taken for the above reason.

(iv) DEFERRED for Reasons Given

45/2007/1233/PR

Details of phase 1 development including siting, design and external appearance of 149 dwellings, landscaping, access roads and associated works submitted in accordance with condition no's 1 and 7 of outline planning permission code no. 45/2004/1376/PO

Land at Rhyl South East between Bro Deg and Dyserth Road, Rhyl

DEFER

Deferred to allow officers opportunity to investigate the distribution of affordable housing units within phase 1 and remaining phases.

02/2007/0177/PF

Following consideration of 1 additional letter of representation from applicant and

- Clarification of Cadw's response

Erection of 15 no. woodland lodges for leisure leasing and or letting and installation of new sewage treatment tanks

Ruthin Castle, Stryd Y Castell, Ruthin

DEFERRED at applicant's request to allow opportunity for further negotiations with CADW over options for a lodge development and the links with a Charitable Trust to conserve the medieval Castle Walls.

785 ENFORCEMENT MATTERS

ENF/2003/00041

Coral Springs, Ruthin Road, Llandegla

Unauthorised use of land to permanently site a Touring Caravan used for residential purposes.

RESOLVED

That authorisation is given for the Service of an Enforcement Notice Order

- i) *the cessation of the use of the touring caravan for residential purposes*
- ii) *the removal of the touring caravan from the land*
- 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 : 3 MONTHS*

ENF/2008/00011

Abbey House, Rhyl Road, Rhuddlan

Felling of 5 Trees in Breach of Tree Preservation Order

RESOLVED

- i) *The submission of an amended landscaping scheme is to be sought, for determination by Committee, showing the planting of mature replacement trees for those that have been felled.*
- ii) *The replacement of the removed trees should be monitored to ensure it is undertaken as approved.*

Town Council and ward Members to be kept informed.

786 FORMER NORTH WALES HOSPITAL DENBIGH UPDATE

Submitted information report by Head of Planning and Public Protection to update members on progress at the above site.

RESOLVED *that the report be received for information.*

The meeting closed at 11.50am
