

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Offices, Ruthin on Wednesday 19th March 2008 at 09.30am.

PRESENT

Councillors R E Barton, B Blakeley, J A Butterfield, J Chamberlain Jones, M LL Davies, E C Edwards, G C Evans, N J Hughes, T R Hughes, N H Jones, E R Jones, H Jones, M M Jones, G M Kensler, D Owens, N P Roberts, S Roberts, G O Rowlands, J A Smith, D A J Thomas, S Thomas, J Thompson Hill, C H Williams, E W Williams and R LL Williams

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Acting Development Control Manager, Senior Planning Officer (Major Applications), Highways Technician (M Parker) Team Leader (Support) (G. Butler), Customer Services Officer (Judith Williams); Catrin Gilkes and Bryn Jones (Translators)

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors D Hannam, J Davies, P Owen and S Davies

880 URGENT MATTERS

None

881 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 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:-*

(i) Consents

Application No.

Description and Situation

01/2007/0750/LB

Following consideration of 2 additional letters of representation from:

- Applicant
- CADW

Listed Building consent for partial demolition of former hospital buildings

Former North Wales Hospital Nantglyn Road, Denbigh GRANT

Subject to an Amended Condition to ensure the timescales on the condition are the same as those in the 106 Agreement

01/2007/0933/PF

Speaker for: Trevor Irvin

Following consideration of agent's letter regarding sheltered housing scheme to be withdrawn in the event of this application being granted

Demolition of existing building, erection of 8 no. self contained apartments, construction of new vehicular/pedestrian access and basement parking area

Old Cinema Site Highgate Denbigh

GRANT

Subject to Additional conditions:

5. In the event that any areas of unexpected contamination become evident in the course of the development, all works in the vicinity of that contamination shall be suspended immediately, and the Local Planning Authority shall be notified within 24 hours. No work shall be permitted to continue in the affected area until the written agreement of the Local Planning Authority has been obtained as to the details of the measures proposed to remove or contain any hazard presented by the contaminants, and the method of rendering harmless such contamination. The development shall only be permitted to proceed in accordance with details approved.

Reason: To ensure that suitable measures are taken to deal with contaminated land in connection with the development.

6. Prior to the commencement of the application of any colour finish to the building details shall be submitted to and approved in writing of the precise colour finish to be used and only those colours approved shall be used and maintained thereafter.

Reason: In the interests of visual amenity.

01/2008/0088/PF

Following consideration of 2 additional letters of representation from:

- County Archaeologist
- Denbigh Civic Society

and additional revised layout plan circulated

Erection of 3 no. dwellings and alterations to existing vehicular access (site area 0.1ha)

Land Adjacent to Waterworks House Love Lane Denbigh

GRANT

The recommendation is subject to the completion of a S.106 obligation under the 1990 Planning Act to secure affordable housing provision in accordance with the details outlined in Section 7 (vi) of the report.

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

Additional Condition:

15. 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 archeologist 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 with the County Sites and the 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.

Reason: In the interests of archaeological investigation and recording

02/2007/1533/PF

Erection of two-storey community facility providing 4 no. changing rooms and first floor fitness suite

Land adjacent to Llanfwrog Community Centre Lon Fawr Ruthin

GRANT

03/2007/1062/PF

Speaker against: Shaun Jones

Speaker for: Paul Burton

Following consideration of 3 additional letters of representation from:

- County Archaeologist
- CCW
- Shaun Jones The Granary, Trevor

Change of use and alterations to existing outbuildings to create 3 no. dwellings

Outbuildings at Plas Yn Pentre Bryn Howell Lane Trevor Llangollen

GRANT

Subject to Additional Condition:

6. No external burglar alarms, satellite dishes, aerials, garden sheds/ greenhouses or oil tanks shall be fixed, erected or constructed on the site without the further granting of planning permission

Reason: to preserve the historical character and appearance of the outbuildings.

03/2007/1063/LB

Speaker for: Paul Burton

Speaker against: Shaun Jones

Change of use and alterations to existing outbuildings to create 3 no. dwellings (Listed Building Application)

Outbuildings at Plas Yn Pentre Bryn Howell Lane Trevor Llangollen

GRANT

Subject to reference to CADW

And the deletion of condition 6

15/2007/1281/PF

Speaker against: Glenys Roberts (Llanarmon yn Ial Community Council)

Following consideration of a report on the site visit held on 14th March 2008

Conversion of, and erection of extension to, redundant store and garage to form dwelling

Raven Inn Ffordd Rhiw Ial Llanarmon Yn Ial Mold

GRANT

Subject to Additional Notes to Applicant

Footpaths. The developer must ensure that:

1. There is no diminution in the width of the right of way
2. No building materials are stored on the right of way
3. No damage or substantial alteration to the surface of the right of way
4. No interference by vehicles on the public right of way
5. No additional barriers are placed across the public right of way
6. The safety of members of the public using the right of way is ensured at all times

In relation to compliance with Condition No. 5 of this permission the applicant is requested to show Georgian style glazing bars by way of detail for the proposed French Doors

20/2007/1036/PF

Alterations to existing vehicular access, construction of 3m wide track with associated hedging/fencing and culverting of stream (partly in retrospect)

Land at Pentre Coch Farm Pentre Coch Ruthin

GRANT

41/2007/1198/PF

Continuation of use of land as car park for church and alteration of existing vehicular access

Part OS Field No. 2320 The Glebe Bodfari Denbigh

GRANT

Subject to Additional Condition

8. Within one month of the date of this permission the surface of the access shall be paved with a concrete or bituminous material for a distance of 5.0m behind the highway boundary and the whole of the access frontage adjacent to the highway shall be reinforced with bullnose kerbs to the Local Planning Authority's approval before it is bought into use.

Reason: To ensure that no deleterious material is carried on to the highway in the interest of highway safety

42/2007/1521/PF

Renewal of Application Ref. No. 42/2002/1270/PF comprising erection of detached dwelling and garage and construction of new vehicular access

Land at Pentre Bach Farm Lower Foel Road Dyserth Rhyl

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 0800-0130 hours Fridays and Saturdays

29/31/33/33A High Street Prestatyn

GRANT

Subject to note to applicant

The applicant is advised to contact the Licensing Section of the Council, 01824 706451 in order to apply to vary the existing license should you wish to operate the newly approved hours of operation for Thursdays

44/2008/0100/TP

Crown reduction of horse chestnut tree subject to Tree Preservation Order No.1/2004

15 Tirionfa Rhuddlan Rhyl

GRANT

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

GRANT

Members requested that the case officer contact Highways and Local Members to clarify Section 106 details on highway works

(ii) REFUSALS

40/2007/1473/PF

Speaker against: John Hutchinson

Speaker for: Peter Davies

Following consideration of 4 additional letters of representation from:

- Cefn Meiriadog Community Council
- R D Owen, Equine Clinic, St Asaph
- Hillcrest Court Bodelwyddan (19 name petition)
- John Hutchinson, Gloddfa Bodelwyddan

Development of equine treatment and therapy centre, and stud farm including ancillary stabling and educational training facility, use of adjoining pasture land for grazing of horses and sheep, installation of private treatment plant, closure of existing access and formation of new vehicular access

Tytynyrch Land Glascoed Bodelwyddan

REFUSE

The vote being tied, the Chair used his casting vote to REFUSE the application

43/2007/1305/PC

Retention of balcony at rear of dwelling

33 Alexandra Drive Prestatyn

REFUSE

Subject to Enforcement Action

Authorisation was also given to request removal of the balcony within a 6 months compliance period

(iii) GRANTED AGAINST RECOMMENDATION

47/2007/1396/PC

Continuation of use of land for pheasant rearing and retention of pens

Fields at Pen-y-Mynydd Bach Rhualt St. Asaph

GRANT

Subject to landscaping condition

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

- i. Members felt that the development could be adequately screened

(the Enforcement report was withdrawn)

(iv) REFUSED AGAINST RECOMMENDATION

15/2007/0676/PF

Speaker against: Glenys Roberts (Llanarmon yn Ial Community Council)

Following consideration of a report on the site visit held on 14th March 2008

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 cladded with mineral fibre insulation and render finish

3 and 4 Maes Garmon Llana rmon – Yn – Ial Mold

REFUSE

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

- i. It is the opinion of the Local Planning Authority that the proposed render finish to the properties would be out of keeping with the site and surroundings contrary to criterion i) of Policy GEN 6 of the Denbighshire Unitary Development Plan

882 ENFORCEMENT ITEMS

i) ENF/2007/97

Morville Hotel, 25 East Parade Rhyl

Unauthorised Smoking Canopy

RESOLVED

- i. That authorisation be granted for the serving of an Enforcement Notice with a 3 month compliance period, ordering for the removal of the smoking shelter.
- ii. To instigate prosecution proceedings where any person(s) on whom a Notice has been served fails to comply with the provisions of the Notice.

ii) ENF/2008/23

School House Prion Denbigh

Unauthorised Engineering Operation/ Excavation of Material

RESOLVED

That authorisation be granted for the following:

- i. Serve an Enforcement Notice to secure the re-instatement of the garden at original ground levels
- 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; 4 months.

The meeting closed at 12.40pm
