

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on Wednesday 25<sup>th</sup> November 2009 at 09:30am.

### PRESENT

Councillors I W Armstrong, J R Bartley, J B Bellis, B Blakeley, J Chamberlain Jones, W L Cowie, J M Davies, M LI Davies (observer), M Eckersley, G C Evans, I A Gunning, D Hannam, C Hughes, H LI Jones, G M Kensler, P W Owen, D Owens, A G Pennington, B A Smith, D I Smith, D A J Thomas, S Thomas, C H Williams.

Together with the Head of Planning and Public Protection; Legal Services Manager; Development Control Manager; Principal Planning Officer (Ian Weaver) G Butler (Team Leader – Support) and Bryn Jones (Translator)

### APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors P Dobb, J A Davies, N J Hughes, T R Hughes, E R Jones, L M Morris, J Thompson Hill.

#### 519 RESULT OF PLANNING APPEAL, GORSEDD BRAN WINDFARM, NANTGLYN

Circulated, report by the Head of PP for Members' information detailing the Welsh Office Planning Inspectorate decision to dismiss the planning appeal ref 25/2007/642/PF.

**RESOLVED** that the report be accepted for information.

#### 520 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 not 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

<b>Application No.</b>	<b>Description and Situation</b>
41/2009/0620/PO	Development of 0.19ha of land by the erection of 5 no. dwellings (outline application including means of access, all other matters reserved) <b>Old Forge Garage Mold Road Bodfari Denbigh</b> <b>GRANT</b> Amended Condition 9 <b>Minor Rewording of Condition 9</b> "Notwithstanding the provisions of Schedule 2 Part 1 Classes A-H of the Town and Country Planning Act (General Permitted Development) Order 1995 no buildings, structures, or raising of ground levels shall be permitted at any time within 7 metres of the main river (Afon Wheeler) <b>Additional Note to Applicant</b> In view of the position of the river you are advised to consult with the Environment Agency Wales to clarify any requirements for works to

safeguard the development, prior to the preparation of any detailed plans.

**Note to Applicant**

You are advised to contact the case officer in the Planning section to discuss ideas for the detailing of the development, in particular to address local concerns over the acceptability of the size of the proposed dwellings in relation to others in the vicinity, in this prominent edge of village location.

16/2009/1226/PO

Following consideration of 1 additional letter of representation from DCC Head of Transport and Infrastructure  
Development of 0.08ha of land by the erection of a dwelling (outline application – all matters reserved) (revised application)

**Plot of Land to front of Bryn Melyn Llanbedr Dyffryn Clwyd Ruthin**  
**GRANT**

(ii) Refusals

44/2009/0996/PF

**SPEAKER FOR: ELFED WILLIAMS**

Councillors S Thomas vacated the chair during consideration of this item and Ray Bartley took the chair.

Following consideration of 2 additional letters of representation from Ann Jones (AM); and DCC Valuation and Estates Manager

Amendment to development of 38 No. dwellings in detached, terraced and apartment formats, previously approved under Code No. 44/2005/0081/PF, to allow provision of 6 No. affordable housing units to be transferred off-site and 4 No. affordable housing units to remain on-site on Plots 12, 13, 16 & 17

**Former Abbey Nurseries Land at Maes y Castell Estate (Castlefields) Rhuddlan Rhyl**  
**REFUSE**

44/2008/0566/PF

**SPEAKER FOR: ELFED WILLIAMS**

Councillor S Thomas vacated the chair during consideration of this item. Councillor Ray Bartley took the chair

Erection of 10 no. dwellings and construction of new vehicular/pedestrian access

**Land accessed off Rhyl Road adjoining Rhuddlan Cemetery New Road Rhuddlan Rhyl**

**REFUSE**

**AGAINST RECOMMENDATION**

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

**Reason**

1. In the opinion of the Local Planning Authority, the proposal to provide 7 affordable housing units on the site would lead to an over provision and over concentration of such accommodation, contrary to the intentions of Policy HSG10 of the Unitary Development Plan; guidance in Supplementary Planning Guidance Note 22: Affordable Housing in New Developments, and in Technical Advice Note 2: Planning and Affordable Housing, which seek to achieve an appropriate mix of housing types distributed throughout new developments

45/200/0437/PF

**SPEAKER AGAINST: RAY BECKINSALE**

Following consideration of additional plans circulated and additional letters of representation from: W.A.G.; Environment Agency; Welsh Water; and DCC Drainage Engineer

Development of 0.85 hectares of land by erection of residential care home (Class C2) and ancillary development of day nursery (Class D1) and community centre (Class D2), ancillary parking areas and associated access road (Outline application)

**Land off Ffordd Elan Rhyl**

**REFUSE**

**Additional Reason**

2. In the opinion of the Local Planning Authority, the proposal to develop a 60 bed residential care home on the site would be contrary to the intentions of Policy CF4 of the Denbighshire Unitary Development Plan insofar as it is of such a scale that it cannot be considered to be a community facility serving the needs of the locality

**521 ENFORCEMENT ITEM**

Access and track across field: Land to South East of 2 & 3 Bryn Derwen, Rhewl Llangollen (copy attached)

**RESOLVED** that the Planning Committee authorise the service on an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990, with a 6 month compliance period, requiring:-

- (i) *the unauthorised access to be permanently closed up and the substantial length of roadside hedge, which has been removed, to be restored by replacing it by the end of the earliest planting season within the compliance period.*
- (ii) *the unauthorised track to be removed and the field to be restored to its previous state as an agricultural field.*

To instigate prosecution proceedings where any person on whom a Notice has been served fails or refuses to comply with the provisions of the Notice.

Officers to check Removal of Hedgerow regulations.

**522 REPORTS FOR INFORMATION**

**(a) Call in Applications – Clwyd Street, Ruthin**

(a) To receive a report by the Head of Planning and Public Protection **RESOLVED:** Committee to write to WAG to express concern at delay in issuing decisions on called in applications.

**(b) Town and Community Council Training Programme for 2010**

To receive a report by the Head of Planning and Public Protection (copy attached)

**RESOLVED**

Officers to consider venues in the North of the County, and to consider longer sessions.

**(c) Infrastructure Planning Commission (IPC)**

To receive a report by the Head of Planning and Public Protection (copy attached)

**RESOLVED:**

Officers to request a Welsh version of the report.

The Reports were received for Information

Meeting closed at 10:50am.

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