

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 16th December 2009 at 09:30am.

PRESENT

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

ALSO PRESENT

Head of Planning and Public Protection Services, Legal Services Manager, Development Control Manager, Team Leader (Major Applications), Team Leader (Support) (G Butler), Customer Services Officer (Judith Williams) and Catrin Gilkes (Translator) together with Sean Awbrey (Pollution Control) for part of the meeting.

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors A Pennington, N Hughes, G Kensler, I Gunning, J Davies, P Duffy, P Dobb, E R Jones.

594 URGENT MATTERS

INFORMATION ITEM (circulated) PROPOSED CLOCAENOG FOREST WINDFARM

Circulated, Report by the Head of Planning and Public Protection to inform Members of developments relating to the proposed windfarm application at Clocaenog Forest.

The Members were advised that this application will be submitted to the Infrastructure Planning Commission, after 1st March 2010 and not to the Local Authority. The Committee will be kept informed.

RESOLVED to receive the report for information.

595 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

01/2009/1483/TC

Following consideration of 1 additional letter of representation from Forestry Wildlife Advisory Group (no objection)
Felling of 1 no. mountain ash tree
**44 Vale Street Denbigh
GRANT**

(ii) Refusals

<u>Application No.</u>	<u>Description and Situation</u>
23/2009/1368/PS	<p>Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof and Councillor R Bartley took the Chair</p> <p>Variation of condition no. 3 of planning permission code no. 23/2004/0749/PF to allow 12 month occupation of static caravans for holiday purposes</p> <p>Llwyn Afon Caravan Park Llanrhaeadr Denbigh REFUSE</p> <p>The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:</p> <p>In the opinion of the Local Planning Authority, the proposed variation of the condition would effectively permit year round residential use of the caravans in an open countryside location, imposing unacceptable pressures on local services and resources, contrary to basic principles of sustainable development planning, as outlined in Policy STRAT 1 of the Denbighshire Unitary Development plan and Planning Policy: Wales</p>
45/2009/1230/PC	<p>Continuation of use of former café as residential self-contained flat (Retrospective application)</p> <p>Former Take A Break Café 3 Kinmel Street Rhyl REFUSE</p>
45/2009/1301/PF	<p>SPEAKER AGAINST NATASHA BARKER</p> <p>Erection of steel frame to rear outrigger to house 10 no. ait source pumps</p> <p>65 West Parade Rhyl REFUSE</p> <p>The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:</p> <p>In the opinion of the local planning authority, there is insufficient information to allow full assessment of whether the air source pumps can operate within acceptable noise limits in such close proximity to residential units, and hence whether there would be unreasonable detriment to the residential amenity occupiers, contrary to Policy GEN 6 (v) of the Denbighshire Unitary Development plan</p>
45/2009/1302/PF	<p>SPEAKER AGAINST NATASHA BARKER</p> <p>Erection of steel frame to rear outrigger to house 10 no. air source pumps</p> <p>68 West Parade Rhyl REFUSE</p> <p>The decision, being CONTRARY to the Officers' Recommendation was taken for the following reason:</p> <p>In the opinion of the local planning authority, there is insufficient information to allow full assessment of whether the air source pumps can operate within acceptable noise limits in such close proximity to residential units, and hence whether there would be unreasonable detriment to the residential amenity of occupiers, contrary to Policy GEN 6 (v) of the Denbighshire Unitary Development plan</p>
46/2009/0932/PF	<p>SPEAKER AGAINST MR PETER REID SPEAKER FOR DAVID MIDDLETON</p> <p>Councillor Selwyn Thomas declared an interest in the following application and left the Chamber during consideration thereof. Councillor R Bartley took the Chair</p>

Following consideration of notes of site visit held on 12/12/09 at 8:30am and additional letters of representation from Mr E Rees, Bryn, St Asaph letter signed by 12 persons
Change of use of land by the siting of 21 no. timber clad holiday caravans (lodges) and associated works

Land to rear of The Croft known as Clwyd Lofts Upper Denbigh Road St Asaph

REFUSE

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

In the opinion of the local planning authority, the holiday lodge development would have an unacceptable impact on the landscape and visual amenity in this location within a Local Landscape Area on the edge of the historic city of St Asaph, contrary to strategic and detailed policies of the Denbighshire Unitary Development Plan (in particular STRAT 1, 6, 7; ENV 2 and 3, TSM 9 and GEN 6), Supplementary Planning Guidance Note 20 – Static Caravan and Chalet Development, and guidance in Planning Policy: Wales

The proposed development is considered likely to give rise to additional vehicular and pedestrian movements close to existing residential properties near the entrance onto Upper Denbigh Road, and would generate unacceptable levels of disturbance adversely impacting on the amenities of occupiers, contrary to Policies STRAT 5, STRAT 7 and STRAT 9 and GEN 6 of the Denbighshire Unitary Development Plan

(iii) Enforcement Item

Application No.

Description and Situation

ENF/2009/00060

Change of use of Café to residential use

Former Take A Break Café 3 Kinmel Street Rhyl

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

(i) the cessation of the unauthorised residential use of the former A3 café

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

The meeting finished at 11:15am.
