

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on 17th February 2010 at 9:30am.

PRESENT

Councillors J R Bartley, J B Bellis, B Blakeley, J Chamberlain Jones, W L Cowie, J A Davies, M LI Davies, P A Dobb, M J Eckersley, G C Evans, H H Evans, D Hannam, C Hughes, T R Hughes, H LI Jones, G M Kensler, P W Owen, D Owens, B A Smith, D I Smith, D A J Thomas, J Thompson-Hill, 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)

APOLOGIES FOR ABSENCE WERE RECEIVED FROM

Councillors S Thomas, L M Morris, A G Pennington, N J Hughes, E R Jones, J G Yorke

746 URGENT MATTERS

- Councillor R Bartley chaired the meeting in the absence of Councillor S Thomas
- Officers reminded Members of the need to maintain their training commitment and advised of two forthcoming training sessions:
8th March 2010 on Sustainable Housing and
20th April on Protocol for Town & Community Councils
- Additional item for information circulated:
Call-in applications – 47-49 & 51, Clwyd Street, Ruthin

747 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

03/2009/0854/PF	Clwyd Powys Archaeological Trust, and DCC Conservation Architect Change of use of Mill building into 6 No. apartments & 2 live work units and installation of sewage treatment plant. Erection of detached dwelling and installation of sewage treatment plant. Alterations to vehicular access and provision of parking area and landscaping of the site. 2 Mile End Mills, Berwyn Street, Llangollen GRANT
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Amended condition: 8 & 13

New condition: 17, 18, 19, 20, 21, 22, 23, 24, 25

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

- Affordable Housing – the provision of 2 affordable housing units and their retention thereafter for affordable housing purposes for local needs

The permission will 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.

Revised Conditions:

8. The lower ground floor area of the units shall only be used for domestic storage of goods and for no other uses unless otherwise agreed in writing by the Local Planning Authority.

13. None of the apartments, including the live work units, and dwelling shall be occupied and the sewerage disposal and drainage works shall not be brought into operation until final details of the sewerage treatment plans, including finished land levels and surface treatment have been submitted to and approved in writing by the Local Planning Authority. The land levels and surface treatment work shall be carried out within 3 months of the installation of the approved schemes.

Additional Conditions:

17. Visibility splays shall be laid out as shown on the submitted drawing and maintained clear of any obstruction greater than 1.05m height above the existing carriageway level.

18. PRE-COMMENCEMENT CONDITION

Full details of the alterations to the existing vehicular accesses, realignment of the boundary wall and the associated highway works as indicated on the approved plan shall be submitted to and approved in writing by the Local Planning Authority before any works start on site. The details to be approved shall include the detailed design and construction and the works shall be fully constructed in accordance with the approved details before any part of the development is brought into use.

19. The accesses shall be completed before the development is brought into use.

20. Adequate provision shall be maintained within the development sites in accordance with the approved plan to enable vehicles to turn around so that they may enter and leave the site in a forward gear, and this shall be completed prior to the proposed development being brought into use.

21. Parking spaces shall be provided within the development site in accordance with the approved plan, and these shall be completed prior to the proposed development being brought into use.

22. PRE-COMMENCEMENT CONDITION

No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to the applicant and approved in writing by the Local Planning Authority. The archaeological work shall be undertaken to the standards laid down by the Institute of Field Archaeologists. On completion of site work and any post-excavation analysis a report on the investigation will be submitted to the Local Planning Authority and the Curatorial Section of the Clwyd-Powys Archaeological Trust for approval.

23. PRE-COMMENCEMENT CONDITION

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 measures 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

24. All plants, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the occupation of the first unit. Any trees or plants which within 5 years of the completion 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 or as otherwise agreed in writing with the Local Planning Authority.

25. PRE-COMMENCEMENT CONDITION

No development shall take place until a scheme for the management and maintenance of the landscaping scheme for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and the development shall thereafter be carried out in strict accordance with the approved schedule.

Reasons for conditions 17-25:

17-21. To ensure the safety and free flow of trunk road traffic, to ensure the formation of a safe and satisfactory access and provide for the parking and turning of vehicles clear of the highway.

22. To ensure adequate steps are taken to allow archaeological investigation.

23, 24, 25. In the interests of visual amenity.

Additional conditions:

26. No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the materials and finishes of the external surfaces of the new walls and the roofs of buildings. Reason: In the interests of visual amenity.

27. The finished floor level of the single dwelling shall be set 150mm above the level of the pavement on Berwyn Road.

28. No demolition or works in implementation of this permission shall be commenced until a suitable photographic record of the buildings has been undertaken, in a format to be agreed in writing by the Local Planning Authority, and such record has been deposited with the Clwyd Powys Archaeological Trust.

Reason: To ensure a suitable record of the building.

Additional notes to applicant

No drainage from the development site shall be connected to or allowed to discharge into the trunk road drainage system and the proposed accesses shall be constructed such that they do not drain onto the trunk road.

The works undertaken within or forming part of the highway shall meet the requirements of Section 184 of the Highways Act 1980 and

shall only be commenced with the specific agreement of the Highway Authority.

The Applicant shall agree with the Highway Authority a system of temporary road signing in accordance with Chapter 8 of the Traffic Signs Manual and the New Roads and Streetworks Act 1991. Any temporary traffic orders required to undertake the works will require up to 16 weeks to process.

Denbighshire County Council Supplementary information:

i) proposed materials to be used on the driveway(s), paths and other hard surfaced areas

ii) New Roads and Street Works Act 1991 – Part N Form

iii) Highways Act 1980 Section 184 consent to alter a vehicular crossing over a footway

You are advised to contact the Development Control Case Officer to discuss the options for roof materials, including green roof options.

You are reminded that this permission does not convey any consent to carry out works which may impact on protected species and which may require separate formal licensing from Welsh Assembly Government

19/2009/1201/PF

Erection of storage building (partly in retrospect)
Land adjoining Beudy Bodlywydd, Llanelidan
GRANT

28/2009/0705/PO

Following consideration of 1 additional letter of representation from Henllan Community Council

Demolition of existing buildings and development of 1.6 hectares of land for residential purposes and alterations to existing vehicular access (outline application including access with all other matters reserved)

Henllan Training Centre, Henllan, Denbigh
GRANT

Amended condition 6

6. The visibility splays shown on the approved plan shall at all times be kept free of any planting, tree or shrub growth, or any other construction in excess of 1.05 metres above the level of the adjoining carriageway.

Additional note to applicant

You are reminded in relation to Condition 19 that Welsh Water/Dwr Cymru have set a strict limit on the number of habitable dwellings which can connect to the public sewerage system, and any detailed plans will need to ensure this number is not exceeded. You should contact Welsh Water/Dwr Cymru to discuss details of the foul and surface water systems before preparing any plans.

Additional note to applicant

You are advised to contact the Council's Highways Officers to discuss measures to encourage reduced traffic speeds along the B road, including signage and speed restriction devices.

With regard to Condition 16, you are advised to contact the Council's Affordable Housing Officer to discuss the requirement for affordable provision on the site.

28/2006/1416/PF

Speaker against – Kit Dear
Speaker for – Arwel Davies

Following consideration of notes of a site visit held on 12th February 2010 at 9.45 am Additional letters of representation from Henllan Community Council; A Lidiat, 47 Glasfryn; Mr & Mrs Mitchell, 49 Glasfryn & I Bangh, 51 Glasfryn, Henllan

Erection of two storey pitched roof extension to side of dwelling
26 Glasfryn, Henllan, Denbigh

GRANT

30/2009/0344/PF

Speaker against – Ed Zielonka

Speaker for – A Davies

Development of static caravan park

Thatched Cottage, Upper Denbigh Road, Trefnant, St Asaph

GRANT

Additional conditions

11. Prior to commencement of development on site a habitat survey shall be carried out using specialist consultants at an appropriate time of year and development shall only proceed following the submission and approval of details including any mitigation measures considered necessary to address conflicts with protected species etc by the Local Planning Authority.

Reason: To ensure adequate investigation and protection of wildlife.

42/2009/1628/PF

Speaker for: Craig Davies

Following consideration of notes of site visit held on 12th February 2010

Erection of new ground-floor and lower ground-floor bedroom/roof terrace extension and first-floor conservatory to existing dwelling house

Morwylfa, Lower Foel Road, Dyserth

GRANT

(ii) Refusals

11/2009/1122/PC

Speaker against – K Atherton

Circulated – additional elevation plans for information

Retention of detached domestic garage with store over (revised designed to the previously approved building under Code No. 11/2007/0726/PF)

Ty Isa Cottage, Clocaenog, Ruthin

REFUSE

748 ENFORCEMENT ITEM

Application No.

Description and Situation

ENF/2010/0004

Enforcement report relating to unauthorised garage with store over not built in accordance with approved plans (under code no 11/2007/0726/PF)

Ty Isa Cottage, Clocaenog, Ruthin

RESOLVED: *That the Planning Committee authorise the services of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 with a six month compliance period, requiring the building to be demolished and if the owner so chooses, to rebuild it in accordance with the approved plans attached to the planning permission number 11/2007/0726/PF.*

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.

749 APPEAL DECISIONS

Submitted report by Head of Planning & Public Protection detailing the recent Appeal decisions received.

RESOLVED: *To receive the report for information*

750 URGENT ITEM – CALL-IN APPLICATIONS

47/49 & 51 Clwyd Street, Ruthin
(Refs: 2/2008/1153/PF, 2/2008/592/PF, 2/2009/447/LB, 2/2009/446/LB)

Circulated, report by Head of Planning and Public Protection advising committee that the above applications have been called in by the Welsh Assembly and that the Planning Inspectorate has been appointed to determine the applications by way of a Hearing.

RESOLVED: *To receive the report for information. Officers to advise Members of the date of the hearing when it is confirmed.*

The meeting finished at 11:30am
