

## PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, Ruthin on Wednesday 29<sup>th</sup> September 2010 at 09:30am.

### PRESENT

Councillors J R Bartley, J B Bellis, B Blakeley, J Chamberlain Jones, W L Cowie, M LI Davies, P A Dobb, M J Eckersley, G C Evans, R L Feeley, I A Gunning, D Hannam, C Hughes, H LI Jones, G M Kensler, P J Marfleet, L M Morris, P W Owen, D Owens, A G Pennington, B A Smith, D I Smith, D A J Thomas, S 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

Councillor I Armstrong, J A Davies, J M Davies, P Duffy, N Hughes and T R Hughes.

### 343 URGENT MATTERS

ENF/2010/00081

Neglect of a Listed Building, Commerce House, Bridge Street, Corwen. Request for authorisation to serve Listed Building Urgent Works Notice.

### 344 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

01/2010/1055/PF

**SPEAKER AGAINST SELWYN WILLIAMS**

**SPEAKER FOR G KENSLER**

Councillors Ray Bartley and C Hughes (both as Denbigh Town Councillors), and Councillor G Kensler (as a supporter of the project) declared an interest in the following application and left the Chamber during consideration thereof.

Following consideration of 2 additional letters of representation from: Denbigh Town Council and Regeneration and Tourism Officer.

Siting of life-size bronze statue of Henry Morton Stanley (Explorer)

**Forecourt in front of Denbigh Library Museum and Gallery Hall Square Denbigh.**

**GRANT**

**Changes to recommended conditions/reasons for refusal:**

Please revise list of approved plans to refer to:

1:100 scale General Arrangements Plan received by the Local Planning Authority on the 24<sup>th</sup> September 2010.

**Changes to recommended Notes to applicant:**

Add new note:

You are advised to contact the County Council's Legal and Highways Sections prior to any work on the site, to ensure the relevant consents/arrangements are agreed to the siting of the statue and the relocation of highway furniture.

02/2010/0914/PR

**SPEAKER AGAINST NICHOLAS JONES**

Details of appearance, scale, layout and landscaping submitted in accordance with Condition No. 1 on Outline planning permission Code No. 02/2009/738/PO (Reserved Matters)

**Land between Pentre Newydd and Bryn Eglur Galltegfa Ruthin  
GRANT**

**Changes to recommended Notes to Applicant:**

Additional Note:

You are advised that the Local Planning Authority's attention has been drawn to a private legal dispute concerning the ownership/definition of the plot boundary, and that whilst these are for resolution between the respective parties, you should be aware that the approval of the plans does not over ride any separate legal constraints which may invalidate the permission of prevent its implementation.

23/2010/0884/PF

**SPEAKER FOR PETER LLOYD**

Use of detached outbuilding as holiday accommodation

**Bryn Llwyn Y Godwys Llanrhaeadr Denbigh  
GRANT**

The reasons for the Committee's resolution to grant permission contrary to the recommendation of the planning officer were in light of the particular circumstances applying at the property, the desire to encourage use of a vacant building and to recognise the potential value of a holiday unit in support of the Council's Tourism policies.

GRANT – subject to the following conditions:

1. The building shall be used for holiday accommodation purposes only.

*Reason:* To ensure the building is used for the purposes applied in compliance with the Council's tourism policies.

2. The holiday accommodation unit shall remain part of the planning unit of the dwelling Bryn Llwyn y Godwys, and shall not be subsequently sold off or disposed of as a separate unit.

*Reason:* The building has been constructed from new for purposes incidental to an existing dwelling and its subdivision from the dwelling unit would represent a clear departure from the Council's rural restraint policy.

**ACTIONS**

Before issuing any decision, Officers to contact agent to discuss options for conditioning permission to tie the holiday unit to Bryn Llwyn y Godwys/prevent it being sold off as a separate unit of accommodation.

43/2010/0437/PF

**SPEAKER AGAINST HAROLD MARTIN**

Erection of pitched roof extension and replacement porch and demolition and replacement of existing domestic garage at rear of dwelling.

**37 Harlech Crescent Prestatyn  
GRANT**

43/2010/0560/PF      Erection of hipped-roof double garage and alterations to existing vehicular access.  
**1 Brynlllys West Prestatyn**  
**GRANT**

(ii) Refusals

02/2010/0110/PC      Continuation of use of land as car park (Retrospective)  
**Ruthin School, Ruthin**  
**REFUSE**

ENF/2010/00079      Unauthorised use of school tennis courts for car parking  
**Ruthin School Tennis Courts. Mold Road, Ruthin**  
**RESOLVED**  
*3.1 That the Planning Committee authorise the service of an Enforcement Notice under S.172 of the Town and Country Planning Act 1990, with a one month compliance period, requiring the cessation of use of the tennis courts as a car park.*  
*3.2 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.*

47/2010/0650/PO      Development of 0.04 ha of land by the erection of 1 no. dwelling (outline application - all matters reserved)  
**Land at (part garden of) Bryn Mawr, Rhualt Road, Cwm, Dyserth**  
**REFUSE**

47/2010/0726/PF      **SPEAKER FOR KEVIN PENWRIGHT**  
Erection of two-storey pitched-roof extension and balcony to side of dwelling and alterations to existing vehicular access.  
**Bryn Siriol Rhualt St Asaph**  
**REFUSE**

47/2009/1381/PF      **SPEAKER AGAINST MORAG JELLY**  
**SPEAKER FOR ADRIAN PARRY JONES**  
Change of use of land to form an 85 pitch touring caravan site with associated reception and toilet buildings, landscaping and installation of package treatment plant  
**Land to rear of Fifth Wheel Company Holywell Road Rhualt St Asaph**  
**REFUSE**

**Changes to recommended reason for refusal:**

1. It is the local planning authority's view that the proposed touring caravan site would be unacceptable in terms of the scale of the use of this open countryside location, and its potential landscape and visual impact, given its position in an area of high visual sensitivity, visible from higher ground within the Clwydian Range Area of Outstanding Natural Beauty 600 metres to the east, including offa's Dyke Long distance Footpath. The proposals are considered to conflict with Policy STRAT 9, ENV 2, TSM 12 Criteria i), and iv), GEN 6 Criteria ii) and iii) of the Denbighshire County Council Unitary Development Plan, guidance contained in Planning Policy Wales, Edition 3 2010 and TAN 12 Tourism (October 1997).

**345 ITEMS FOR INFORMATION**

Submitted Reports by the Head of Planning and Public Protection for Information:

- a. Mywydd Mynylliod Wind farm – Draft statement of Community Consultation.
- b. Llangollen and Corwen Railway Orders 2010.
- c. Call-in Applications – Clwyd Street Ruthin

Report circulated at the meeting advising of the cost claim relating to the Call-in Applications at Clwyd Street Ruthin.

**RESOLVED** that the reports be received for information.

**346 URGENT ITEM**

Submitted Report by the Head of Planning and Public Protection (circulated at the meeting).

ENF/2010/00081

Neglect of Listed Building

**Commerce House Bridge Street Corwen**

**RESOLVED** that

3.1 *With the aim of securing the building from further immediate deterioration, that the Planning Committee authorise the service of a Listed Building Urgent Works Notice, to ensure it is safe and made weather-tight from the elements.*

3.2 *Should the owner fail to carry out the requisite urgent works, to carry out works in default and subsequently seek to recover from the owner all reasonable costs incurred in carrying out works in default.*

Meeting closed at 11.45 a.m.

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