

ADDENDUM REPORT BY HEAD OF PLANNING AND PUBLIC PROTECTION

**AGENDA, LATE INFORMATION AND AMENDMENTS TO
 PLANNING COMMITTEE REPORTS**

The following sheets set out the agenda to be followed for the meeting, subject to the discretion of the Chair. They also provide a summary of information received since the preparation of the reports, and matters of relevance to individual items, which will be referred to prior to their consideration.

Where requests for public speaking on individual planning applications have been made, those applications will normally be dealt with at the start of that part of the meeting.

AGENDA FOR THE MEETING

1. APOLOGIES
2. DECLARATIONS OF INTEREST
3. URGENT MATTERS AS AGREED BY THE CHAIR
4. MINUTES (Pages 11-32)

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (Pages 33-162)

ORDER OF APPLICATIONS

PART 1

ITEM No

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The letter (c) after a Local Member's name denotes a Member of Planning Committee.

ITEM 5 <u>06/2014/0996/PF</u>	Oror Farm, Gwyddelwern, Corwen Erection of an agricultural cattle shed, feed silo and handling facilities	Page 33
<p>LOCAL MEMBER: Councillor Hugh Evans</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>LATE REPRESENTATIONS Consultees : Biodiversity Officer Accepts that the location of the building is not in a sensitive area so no valuable habitat has been lost as a result of site clearance works. No additional problems are anticipated as a result of the proposal on adjacent woodland .</p>		

ITEM 6 <u>15/2014/0888/PF</u>	Land adjoining Canol y Cae, Village Road, Eryrys, Mold Erection of agricultural building for storage and stock shelter	Page 47
<p>LOCAL MEMBER: Councillor Martyn Holland</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>No late information.</p>		

ITEM 7

19/2014/0702/PFT

Maes Truan Llanelidan Ruthin

Installation of a wind turbine 30.5m hub height and 45.07m to blade tip, control box and associated works

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LOCAL MEMBER: Councillor Hugh Evans

OFFICER RECOMMENDATION IS TO REFUSE

Public Speaker: *Against* : Mr M. Brooker

Public Speaker: *For* : Mr A. Jones

ADDITIONAL PLAN : See WHITE colour sheet

The plan shows the relative location of consented and operational wind turbines in the locality, and the recently refused Lletty turbine to the west of the site

LATE REPRESENTATIONS

Consultees :

Council's Senior Scientific Services Officer

No objections, but draws attention to steps necessary to limit any impact from turbine construction operations on sources of water supply, which would need to be covered by condition if permission is granted.

Natural Resources Wales

Object to the proposal. A turbine of the proposed scale at the location indicated would introduce a prominent structure which would significantly affect the special qualities of uninterrupted views and sense of tranquillity experienced from the Clwydian Range and Dee Valley AONB.

The report should have appended the following conclusions of the Council's Landscape Consultant's assessment in the Consultee responses section. This is included as part of the review of landscape / visual impact in the Officer report, on pages 78-80.

- The installation of a single small sized wind turbine could reduce the sensitivity of the Edeirion Hills landscape unit to wind energy development and set an example for future proposals within the area. There are no similar small-scale wind turbines at this south eastern edge of the Edeirion hills, the nearest being in Gwyddelwern, in an area which is influenced by the A494 corridor and National grid pylons.

The Landscape Consultant considers that the proposal would have a moderately detrimental impact on an area of high scenic value. The local area is not yet influenced by wind energy development. When viewed from the wider landscape, from the south-west in particular, the turbine would add to the spread of wind turbines in this part of Denbighshire and may set a precedent for further development should it be permitted.

The turbine site is close to the Clwydian Range and Dee Valley AONB. It would affect the setting of the AONB, in terms of inward and outward views, and also those from across the two regions of the AONB. In conclusion, the Landscape Consultant advises the application should be refused.

Private individuals

In support, from:

G. Jones, Director, Lelo Metal Recycling Ltd, Unit 11 Graig Lelo, Bryn S.M. Corwen

N.W. Morris, Bryn S.M. Service Station, Corwen

B. Jones, Direct Desk Manager, For Farmers, Colomendy Industrial Estate, Denbigh

M.E. Roberts, NFU Cymru Area Secretary, 28 Well Street, Ruthin

G Lloyd, Director, Corwen Forestry Timber Products Ltd, Ty'n Llidiart Industrial Estate, Corwen

A.J. Edwards, Agricultural Merchant, Smithy Garage, Maerdy, Corwen

A. J. Edwards, Proprietor, The Goat Hotel, Maerdy, Corwen

- Summary of representations

- Diversification benefits for farm business and knock on benefits for other local businesses

- Assists achieving targets for renewable energy and reduction of greenhouse gasses

J. and H. Gravells, Cefn y Wern, Llanelidan

- No concerns over noise from the turbine

In objection, from:

Mr. M. Brooker, Bryn Ysguboriau, Llanelidan

- Summary of representations :
- Refers to submission circulated to Members, drawing attention to concerns over landscape / visual impact and over the information and assessment of noise levels associated with the turbine type
- Separate note drawing attention to the contents of the landscape consultant's report quoted in the report:
 - a) Bryn Ysguboriau is confusingly bracketed with Blaen Cwm and Ty'n y Pant as being uninhabitable
 - b) It is not accepted that from Cae'r Drewyn the proposed turbine 'may not breach the skyline', as it is considered that from the summit the turbine would be silhouetted against the Clwydian Hills and the sky, and from the lower slopes, practically all the turbine would break the skyline.

ADDENDUM REPORT

The application was subject to a Site Inspection Panel meeting at 1.15pm on Thursday 09/10/2014

In attendance were:

CHAIR – Councillor Ray Bartley

LOCAL MEMBER – Councillor Hugh Evans

The Officer present was Mr Ian Weaver

The reason for calling the site panel was to assess the visual impact on the landscape.

The Site Inspection panel meeting considered the following matters:

1. The detailing of the proposed development, including the location and size of the turbine.
2. The character of the area in which the turbine is proposed.
3. The proximity to other turbines in the area, including operational and approved sites, and to the Clocaenog Forest Strategic Search Area.
4. The proximity to other dwellings and farms in the area.
5. Representations received on the application

In relation to the matters outlined :

1. Members walked onto the site to the approximate location of the proposed turbine. It was noted the proposal was for a turbine with a height of 45 metres to blade tip, with associated works, on land to the south east of the farmhouse at Maes Truan. The Planning Officer confirmed there was a current planning permission for a 15Kw, 19.8 metre high turbine at Maes Truan, on a field to the east of the site proposed for the 45m high turbine.

2. It was observed that the turbine would be located in open countryside above and to the east of Gwyddelwern village, in an area of undulating topography, with improved grassland and coppices of trees. The approximate location of the AONB boundary (some 1.5km to the east and south), Nantclwyd Hall , and the hill fort at Cae'r Drewyn were referred to in the course of the visit.

3. The location of existing turbines at Ty'n y Celyn (approximately 3m to the south west) was noted. Reference was made to the refusal of permission for a turbine at Lletty, 2km to the west, and the grounds on which an appeal inspector had dismissed an appeal against that refusal in January 2014. Members were also aware of the location of the Wern Ddu windfarm in the Strategic Search Area (approximately 5km to the north west). There was discussion on the respective scale and impact of turbines of the height and rotor diameter proposed, on land stretching away from the Strategic Search Area, and the matters of cumulative landscape/visual and noise impacts.

4. Attention was drawn to the location of residential properties in the vicinity of the site, and the

location of those properties with a financial interest in the application.

5. The Planning Officer outlined the basis of responses from objectors and those supporting the application, and the main points raised by consultees, including the AONB Committee and the Council's Landscape Consultant in objection to the application, and the comments of the Pollution Control Officer in relation to noise issues.

OFFICER NOTES

Having regard to the late objection from Natural Resources Wales, Officers have reworded the recommended reason for refusal in the report and are suggesting a second reason for refusal based on the NRW response:

1. The Local Planning Authority consider the proposal would introduce wind energy development to a rural area which has a high scenic value and is not yet influenced by wind energy development or other major infrastructure. The ridge which the proposed turbine would appear on interrupts views of the Clocaenog Forest area beyond, and may screen views of the consented windfarm developments within the Clocaenog Forest SSA-A. Local undulations in terrain interrupt the visibility between Maes Truan and the operational sub-local authority scale turbines in Gwyddelwern and therefore the proposed turbine would appear to be visually distinct from other consented and operational turbines in the area. The Authority therefore considers the proposal would contribute to the spread of wind energy development unacceptably beyond the Clocaenog Forest SSA-A which would harm its ability to conserve the integrity of the wider Denbighshire landscape in the longer term and result in a detrimental visual impact on an area of high scenic quality. The proposal is therefore considered contrary to Local Development Plan policy VOE9, Planning Policy Wales Edition 7 and TAN8.
2. The Local Planning Authority consider the turbine would have an adverse effect on the Clwydian Range and Dee Valley AONB's special qualities. Whilst the supporting information submitted with the application shows the turbine has the potential to be seen from two key locations within the AONB (Bwlch y Groes and Caer Drewyn), the Authority consider this underplays the potential impact of the proposal on the character and setting of the AONB, and, when viewed from the summit of Caer Drewyn within the AONB. It is therefore considered that the turbine would have prominence and impact by virtue of its position within a key sightline of the Clwydian Hills, which would adversely impact upon the integrity of the view and sense of tranquillity. A turbine at this location would create a potential for a new nucleus of wind energy development, stepping beyond the existing windfarm landscape and into an area of important view lines, between, and of, the AONB. The proposal is therefore considered contrary to Local Development Plan policies VOE 2, VOE9, Planning Policy Wales Edition 7 and TAN8.

ITEM 8
31/2013/1079/PFHY

Land at Elwy Meadows Lower Denbigh Road St Asaph
Installation of micro hydro electric scheme

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LOCAL MEMBER: Councillor Meirick Ll. Davies (c)

OFFICER RECOMMENDATION IS TO GRANT

Public Speaker: *Against* : Mr Ian McDonald

Public Speaker: *For* : Mr Richard Rees

OFFICER REQUEST FOR DEFERRAL

Officers will make a formal request for the DEFERRAL of the application to enable additional consultations to be carried out.

ITEM 9

41/2013/0857/PF

Dinorben Arms Public House Bodfari Denbigh

Change of use and conversion, with partial demolition, of former public house to form 1 No. dwelling and erection of detached garage at rear

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LOCAL MEMBER: Councillor Barbara Smith

OFFICER RECOMMENDATION IS TO GRANT

Public Speaker: *Against* : Mr. Alan Williams

Public Speaker: *For* : Mr. Tony Thackeray

LATE REPRESENTATIONS**Consultees**

DENBIGHSHIRE COUNTY COUNCIL –

Conservation Architect (Comments on Listed Building Consent application)

No objection, supports the proposals to reinstate and renovate the Listed Building subject to conditions requiring additional details of the scheme.

Private individuals

In objection, from:

J. and G. Barnes, Hafod Tan Eglwys, Bodfari, Denbighshire

- Summary of representations :
- Repeats many of the points already summarised in the report on page 116 – opposes loss of village pub, impact on vibrancy of community, inadequate attempts to market property (only marketed once outline permission was granted to develop the car park / and overvalued), allowed to decay to make the housing option more attractive, unacceptable alterations likely to impact on Conservation Area, no need for more substantial housing.

OFFICER NOTES

Suggested revised condition(s):

Condition 1

The development to which this permission relates shall be begun no later than 2 years beginning with the date of this permission.

Reason – In order to address concerns over the condition of the building and the site, and to secure the early restoration of the Listed Building.

<p>ITEM 10 41/2013/0858/LB</p>	<p>Dinorben Arms Public House Bodfari Denbigh Listed Building Application for conversion, partial demolition and alterations of former public house to form 1 dwelling with new detached garage at rear</p>	<p>Page 125</p>
<p>LOCAL MEMBER Councillor Barbara Smith</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>OFFICER NOTES</p> <p>Suggested revised condition(s):</p> <p>Condition 1 The development to which this consent relates shall be begun no later than 2 years beginning with the date of this permission.</p> <p>Reason – In order to address concerns over the condition of the building and the site, and to secure the early restoration of the Listed Building.</p>		

<p>ITEM 11 43/2014/0906/AD</p>	<p>79 High Street Prestatyn Installation of 2 externally illuminated fascia signs and 1 no. externally illuminated projecting sign</p>	<p>Page 143</p>
<p>LOCAL MEMBER: Councillors Julian Thompson – Hill (c) and James Davies</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>LATE REPRESENTATIONS Consultees : Conservation Officer Has no objections to the approach to the new signage but considers the yellow colour proposed to be garish and suggests this element be subject to further control.</p> <p>OFFICER NOTES</p> <p>Suggested revised condition(s):</p> <p>1. The advertisement signs shall not be displayed until the written consent of the Local Planning Authority has been obtained to the precise colours to be used thereon.</p> <p>Reason – In the interests of visual amenity.</p>		

ITEM 12 46/2014/0710/PF	Gwylfa Bronwylfa Square St Asaph Change of use of Class A1 shop to Class A3 restaurant and takeaway	Page 149
<p>LOCAL MEMBER: Councillor Bill Cowie (c)</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>LATE REPRESENTATIONS</p> <p>Private individuals In support, from: T. Proffitt, 4 Cae Onnen, Glascoed, Abergele E. Carciro, Irish Square, Upper Denbigh Road, St Asaph</p> <ul style="list-style-type: none"> - Summary of representations - Good quality fish and chip shop would benefit St Asaph and the local community. - Visual improvement to currently run down shop <p>OFFICER NOTES</p> <p>Suggested new condition(s) :</p> <p>2. The premises shall not be open to customers outside the hours of 0900 and 2100 Monday to Saturday, and 1100 to 2000 on Sundays.</p> <p>Reason – In the interests of the amenities of users / occupiers of nearby properties.</p> <p>3. The premises shall not be permitted to open for trade until the written approval of the Local Planning Authority has been obtained to :</p> <ul style="list-style-type: none"> a. Details of a system of fume extraction, which shall be installed and operated at all times food is being prepared on the premises; and b. Details of arrangements for the disposal of litter by customers, which shall be retained at all times the shop is operating. <p>Reason – In the interests of the amenities of users of nearby property.</p>		

SPECIAL REPORTS

13. ADOPTION OF DRAFT SUPPLEMENTARY PLANNING GUIDANCE NOTE: 'PARKING REQUIREMENTS IN NEW DEVELOPMENTS' (Pages 163 - 206)

To consider a report recommending adoption of the draft Supplementary Planning Guidance 'Parking Requirements in New Developments' in line with the proposed amendments for the determination of future planning applications and appeals.

14. HOT FOOD TAKEAWAYS SUPPLEMENTARY PLANNING GUIDANCE - CONSULTATION DRAFT (Pages 207 - 220)

To consider a report recommending Members agree the draft SPG on hot food takeaways as a basis for public consultation.

15. POSITION STATEMENT: MINERALS LANDBANK IN DENBIGHSHIRE (Pages 221 - 226)

To consider a report recommending Members agree a position statement in light of the publication of the Regional Technical Statement 1st Review and Clarification Letter CL-04-14 to demonstrate Denbighshire's commitment to contributing towards demand for minerals.

16. PLANNING COMPLIANCE CASE UPDATE (Pages 227 - 238)

To consider a report updating Members on planning compliance cases.