

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin on Wednesday, 21 January 2015 at 9.30 am.

PRESENT

Councillors Ian Armstrong, Raymond Bartley (Chair), Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Meirick Davies, Richard Davies, Stuart Davies, Peter Evans, Huw Hilditch-Roberts, Rhys Hughes, Alice Jones, Barry Mellor, Win Mullen-James (Vice-Chair), Bob Murray, Peter Owen, Dewi Owens, Merfyn Parry, Paul Penlington, Arwel Roberts, David Simmons, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams and Huw Williams

Councillor Bobby Feeley attended on behalf of Local Member, Councillor Hugh Evans. Lead Member, Councillor Dave Smith .

ALSO PRESENT

Head of Planning and Public Protection (GB); Principal Solicitor – Planning and Highways (SC); Development Manager (PM); Principal Planning Officer (IW); Senior Engineer, Traffic and Transportation (MP); Head of Legal, HR and Democratic Services (GW); Development Planning and Policy Manager (AL) and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Ann Davies, Pat Jones and Cheryl Williams

2 DECLARATIONS OF INTEREST

Councillor Alice Jones – Personal Interest – Agenda Item 5
Councillor Dewi Owens – Personal Interest – Agenda Item 5
Councillor Huw Hilditch-Roberts – Personal Interest – Agenda Item 7

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES

The minutes of the Planning Committee's meeting held on 10 December 2014 were submitted.

Councillor Meirick Lloyd Davies requested that when referring to a previous Agenda item within the minutes, the Agenda item number be noted for ease of reference

RESOLVED that, subject to the above, the minutes of the meeting held on 10 December, 2014 be approved as a correct record.

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 – 14)

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information (blue sheets) received since publication of the agenda which related to particular applications. In order to accommodate public speaking requests, it was agreed to vary the agenda order of applications accordingly.

5 APPLICATION NO. 40/2013/1585/PO - LAND EAST OF BODELWYDDAN, RHYL

[Councillor Alice Jones declared a personal interest because she owns land adjacent to the applicant site and is also a member of the Bodelwyddan Development Action Group].

[Councillor Dewi Owens declared a personal interest because the owners of the land highlighted for development are known to him].

An application was submitted for an outline planning application at land east of Bodelwyddan, for the development of 1,715 dwellings, including affordable dwellings, up to 80 bed care home and 50 close care flats (Class C2 use), up to 100 bedroom hotel (Class C1 use), new primary school, 2 local centres (including Class A1, A2, A3, C3, D1 and D2 uses), 26 hectares of employment land (comprising a mix of B1, B2 and B8 uses), new highway infrastructure including the formation of a new access and a link between A55 Junction 26 and Sarn Road, pedestrian and cycle routes, areas of formal and informal open space, green space and structural landscaping and drainage infrastructure.

Public Speakers –

Reverend Andrew Miller (**Against**) – reiterated the basis of his objection and stated the development was too large for the village location. The Reverend Miller also stated he had submitted a formal complaint against Denbighshire County Council alleging misconduct in public office by Planning Officers.

Mr John Hutchinson, Bodelwyddan Development Action Group (**Against**) – clarified the Bodelwyddan Development Action Group had no connection with the Reverend Miller. Mr Hutchinson stated the development was based on outdated information on population growth. The development would be too big for real housing needs for local people. It would destroy agricultural land. Flood risk would also be a major concern.

Mr Owen Jones, Boyer Planning (Agent), (**For**) – clarified that the LDP had been adopted in 2013. There had been considerable work on this scheme for over 5 years. The submitted plans followed Policy and the development brief.

General Debate – In reply to issues raised in discussion, the Planning Officer provided some background information and context to the application. The Planning Officer explained the application was for Outline Planning Permission. Therefore, the development would take place over a number of phases. Each

phase would be brought back to Planning Committee at a later date to work through reserved matters and detailed conditions. Planning Officers were currently working with Solicitors to ensure all the elements within the scheme would be delivered. The adopted LDP requires a number of detailed elements to be provided as part of the scheme. These include a minimum of 10% affordable housing, employment land, a primary school and others requirements. The key Policy BSC 5 sets all this out and is included in the report. Flooding and drainage issues have been addressed in the submitted documents and have been fully assessed by the Council's Senior Flood Risk Engineer and Natural Resources Wales (NRW). None of the specialists had any concerns with regard to flood risks on the land. A sustainable urban drainage system would be installed at the development.

The outline planning permission would be subject to a Section 106 Agreement. Planning Officers had been liaising closely with the Betsi Cadwaladr University Health Board (BCUHB) as to what health facilities should be provided on site. This element amongst others will be dealt with in further planning submissions which will be brought back to Committee.

Lead Member Dave Smith confirmed to the Committee his agreement to the development. He raised the issue of economic opportunities which would be brought into the area to boost the local economy.

Councillor Alice Jones (Local Member) explained she represented the Bodelwyddan Development Action Group. Councillor Jones recommended refusal of the development. A large number of Bodelwyddan residents were against the proposed development because of concern about flooding issues and the development was being proposed for the wrong area. Regarding affordable housing, there would only be 173 affordable properties built. The population growth had not been as prolific as expected as the 2011/2012 census proved. The actual size of the development was too big for the village of Bodelwyddan. A referendum had taken place in 2009 and the result had been a resounding "no" to the development.

Proposal – Councillor Alice Jones proposed refusal of the application, against the recommendation of officers, seconded by Councillor Arwel Roberts.

VOTE:

GRANT – 15

ABSTAIN – 1

REFUSE - 9

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report.

6 APPLICATION NO. 16/2014/1020/PF - LLANBEDR HALL, LLANBEDR DC, RUTHIN

An application was submitted for the demolition of Llanbedr Hall and erection of 9 no. three-storey dwellings, and associated works.

Public Speakers –

Mr Guy Alford (**Against**) – explained Llanbedr Hall had been purchased in 2003 but since that time the building had become neglected and not viable for letting. The development would not be fulfilling a local need. The proposed development in an AONB contravened the Planning Policy and Llanbedr Hall was of local interest.

General Debate – Councillor Huw Williams (Local Member) explained Llanbedr Hall had an extensive planning history. The siting of the block of dwellings had been revised. The properties to be built would not be for local people. A development of 80 houses was already earmarked for Llanbedr. Access would be an issue as the road from the Hall to Lon Cae Glas had been closed for the last 12 months due to slippage. There was no affordable housing included within in the development.

A viability report had been carried out and the building inspector had agreed both the building and interior had been in such a bad state of repair that it could not be saved. The Senior Engineer confirmed that with regards to the construction traffic, the management plan would be approved prior to commencement of any work. There were not sufficient passing areas and, therefore, access through the council houses would be a preferred option. Additional parking areas could be included as an additional condition within the planning application. The LDP policy stated that if less residential units were to be built than were originally demolished then affordable housing did not need to be included. Members could impose a further condition that affordable housing be provided. There had been no provision for a Section 106 Agreement. The Planning Officer confirmed additional conditions could be included to the planning application to include the concerns raised.

Proposal – Councillor Dewi Owens proposed to refuse the recommendation (contrary to Planning Officers recommendations), seconded by Councillor Huw Williams.

Proposal – Councillor Dave Simmons proposed to grant subject to additional planning conditions and/or Section 106 Agreement, to cover:

- (a) Affordable Housing
- (b) Additional parking spaces, and
- (c) Passing places on access road

VOTE:

GRANT (with additional conditions) – 16

ABSTAIN - 0

REFUSE - 8

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report subject to additional planning conditions to be imposed.

7 APPLICATION NO. 20/2014/0965/PF - OUTBUILDINGS AT BRYN COCH, LLANFAIR DYFFRYN CLWYD, RUTHIN

[Councillor Huw Hilditch-Roberts declared a personal interest as he lives in Pentrecelyn].

An application was submitted for the conversion of outbuildings into 1 no. dwelling at Bryn Coch, Llanfair Dyffryn Clwyd, Ruthin.

Public Speakers –

Mr Owen Evans (**For**) – detailed the reasoning for the conversion of the outbuilding into one dwelling.

General Debate – Councillor Bobby Feeley addressed the Committee on behalf of the Local Member, Councillor Hugh Evans, who was unable to attend. Councillor Feeley reiterated Councillor Evans' reasons for the application to be granted. No objections had been received from neighbours, Community Council, Highways, or any other party. The applicants were a young, Welsh speaking couple with two children who, after 15 years away from Ruthin, had returned to the area to bring up their children. Pentrecelyn was in need of young Welsh speaking families to preserve its schools, businesses and values.

The Planning Officer drew members' attention back to the Policy. The principle of the conversion was unacceptable, as the application failed to show how the requirements of Policy PSE4 Re-use and Adaption of Rural Buildings in the Open Countryside were met, in that it had not been demonstrated that an employment use was not viable or that the dwelling was affordable to meet local needs, and there was no material planning consideration to justify a departure from adopted planning policy. A number of Members stated their support of the application throughout the meeting.

Proposal - Councillor Stuart Davies proposed to grant the application, against the Planning Officers recommendation to refuse, seconded by Councillor Huw Hilditch-Roberts.

VOTE:

GRANT (contrary to Officer recommendation) - 20

ABSTAIN - 0

REFUSE - 3

RESOLVED that permission be granted, contrary to officer recommendation, for conversion of outbuildings into 1 no. dwelling at Bryn Coch, Llanfair Dyffryn Clwyd, Ruthin.

8 APPLICATION NO. 01/2013/1599/PF - THE FORUM, 27 - 29 HIGH STREET, DENBIGH

An application was submitted for conversion of first and second floors to form 2 no. self-contained flats at The Forum, 27-29 High Street, Denbigh.

General discussion – Councillor Meirick Lloyd Davies addressed the Committee on behalf of the Local Member, Councillor Gwyneth Kensler.

Proposed – Councillor Meirick Lloyd Davies proposed the granting of the application to convert the first and second floors of “The Forum”, 27-29 High Street, Denbigh, to form 2 no. self-contained flats. Seconded by Councillor Richard Davies.

VOTE:

GRANT - 20

ABSTAIN - 0

REFUSE - 0

***RESOLVED** that the application be **GRANTED** in accordance with officer recommendations as stipulated within the report.*

9 APPLICATION NO. 01/2013/1601/LB - THE FORUM, 27 - 29 HIGH STREET, DENBIGH

A Listed Building application was submitted for conversion of first and second floors to form 2 no. self-contained flats at The Forum, 27-29 High Street, Denbigh.

Proposed – Councillor Meirick Lloyd Davies proposed the granting of the Listed Building application to convert the first and second floors of “The Forum”, 27-29 High Street, Denbigh, to form 2 no. self-contained flats seconded by Councillor Win Mullen James..

VOTE:

GRANT - 20

ABSTAIN - 0

REFUSE - 0

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report.*

10 APPLICATION NO. 03/2014/1067/PO - LAND AT (PART GARDEN OF) ADENHURST, ABBEY ROAD, LLANGOLLEN

An application was submitted (outline application – inc. access) for the development of 0.06ha of land at (Part garden of) Adenhurst, Abbey Road, Llangollen, by the erection of a dwelling.

Proposed - Councillor Stuart Davies proposed the granting of the outline application and Councillor Meirick Lloyd Davies seconded.

VOTE-

GRANT - 19

ABSTAIN - 0

REFUSE - 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report.

11 APPLICATION NO. 24/2014/1246/PS - FIREARMS TRAINING COMPLEX, CRAIG Y DDYWART QUARRY, RHEWL, RUTHIN

An application had been submitted for the variation of condition no. 3 of planning permission code no. 24/2007/0694 (granted under appeal) to allow other organisations as authorised by North Wales Police to be permitted to use the site at the Firearms Training Complex, Craig y Ddywart Quarry, Rhewl, Ruthin

General Discussion - Councillor Merfyn Parry (Local Member) stated that local residents had expressed concern regarding Condition 3. (i) The site entrance would be considered too dangerous on the highway bend due to the additional traffic. (ii) the additional noise pollution created by the additional shooting on site would not be acceptable (iii) the hirers would not be supervised.

The Planning Officer clarified noise issues were covered within the report. The site access had been accepted as adequate and the Local Authority had no control over the intensity of use during permitted hours of operation.

Proposed by Councillor Merfyn Parry that the application for the variation of condition 3 of the planning permission code no. 24/2007/0694 be refused, contrary to the officer recommendation. The ground for refusal was indicated as concern over (i) control of users on site and (ii) increase in crime locally and nationally from who is training for firearms use. Seconded by Councillor Huw Williams.

Proposed by Councillor Meirick Lloyd Davies an additional condition be added for a Supervisor be on site at all times when outside bodies are in attendance at the site. Seconded by Councillor Dewi Owens.

Firstly a vote took place to agree the amendment proposed by Councillor Meirick Lloyd Davies

VOTE:

Agree to amendment - 15

No to amendment - 5

Amendment carried.

Vote then took place whether to grant the application including the amendment to the condition

VOTE:

GRANT - 8

ABSTAIN - 9

REFUSE - 12

RESOLVED that permission be **REFUSED** contrary to officer recommendation.

12 APPLICATION NO. 44/2014/0953/PF - 6 GROVE TERRACE, PRINCES ROAD, RHUDDLAN, RHYL

The application had been withdrawn prior to the meeting.

13 APPLICATION NO. 45/2014/1125/PF - 20 MARINE DRIVE, RHYL

An application had been submitted for the change of use of dwelling and flat to self-catering holiday let unit at 20 Marine Drive Rhyl.

Proposed – by Councillor Barry Mellor to grant the application and seconded by Councillor Win Mullen James.

VOTE:

GRANT - 20

ABSTAIN - 0

REFUSE - 0

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report.*

14 APPLICATION NO. 45/2014/1202/PF - 47 HIGHFIELD PARK, RHYL

An application had been submitted for the erection of a 2m high timber fence adjacent to the highway at 47 Highfield Park, Rhyl

General discussion – it had been agreed by members that the fencing be splayed at the access point of the property and this condition to be added to the application.

Proposed by Councillor Barry Mellor that the erection of a 2m high timber fence be granted but to include the additional condition that the fencing be splayed at the access point of the property. Seconded by Councillor Jeanette Chamberlain-Jones

VOTE:

GRANT - 20

ABSTAIN - 0

REFUSE - 0

***RESOLVED** that permission be **GRANTED** but, as stated above, to include the additional condition that the fencing be splayed at the access point of the property.*

The meeting concluded at 1.00 p.m.