

## PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 12 November 2014 at 9.30 am.

### PRESENT

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

Local Members – Councillor Martyn Holland attended for agenda item 10

Councillor David Smith, Lead Member for Public Realm attended for agenda items 5 – 8

### ALSO PRESENT

Head of Planning and Public Protection (GB); Principal Solicitor – Planning and Highways (SC); Development Manager (PM); Principal Planning Officer (IW); Development Planning & Policy Manager (AL); Conservation Project Officer (KH); Planning Policy Officer (KB) and Committee Administrator (KEJ)

#### 1 APOLOGIES

Councillors Jeanette Chamberlain-Jones, Bill Tasker and Julian Thompson-Hill

#### 2 DECLARATIONS OF INTEREST

No declaration of personal or prejudicial interest had been raised.

#### 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 15 October 2014 were submitted.

***RESOLVED** that the minutes of the meeting held on 15 October 2014 be approved as a correct record.*

#### 5 ADVERTISEMENTS SUPPLEMENTARY PLANNING GUIDANCE - CONSULTATION DRAFT

Councillor David Smith, Lead Member for Public Realm and the Development Planning and Policy Manager (DPPM) submitted a report presenting the draft Advertisements Supplementary Planning Guidance (SPG) as a basis for public consultation. Councillor Smith explained the different stages in the process before final adoption of SPG documents by the Planning Committee.

Members were advised of the need to update SPG documents in light of legislative changes and adoption of the Local Development Plan (LDP). This SPG provided guidance on the various types of advertisements requiring consent together with other aspects such as bilingual signage and appropriate lighting. Members sought assurances that adequate measures were in place to deal with forecourt trading and the DPPM referred to paragraph 5.6 within the draft document relating to forecourt signage. She reminded members they would have further opportunity to comment on the SPG during the public consultation period before the matter was brought back to the committee for adoption.

**Proposal** – Councillor Meirick Davies proposed the officer recommendation, seconded by Councillor Win Mullen-James. It was unanimously –

**RESOLVED** that members agree the draft Supplementary Planning Guidance on Advertisements as a basis for public consultation.

## **6 LISTED BUILDINGS SUPPLEMENTARY PLANNING GUIDANCE - CONSULTATION DRAFT**

Councillor David Smith, Lead Member for Public Realm and the Conservation Project Officer submitted a report presenting the draft Supplementary Planning Guidance (SPG) document on listed buildings as a basis for public consultation.

The draft SPG provided clear and concise guidance based on up-to-date national policy on listed buildings and would be a material planning consideration when assessing listed building consent applications and planning applications affecting listed buildings and their setting.

**Proposal** – Councillor Meirick Davies proposed the officer recommendation, seconded by Councillor Bill Cowie. It was unanimously –

**RESOLVED** that members agree the draft Supplementary Planning Guidance on listed buildings as a basis for public consultation.

## **7 CONSERVATION AREAS SUPPLEMENTARY PLANNING GUIDANCE - CONSULTATION DRAFT**

Councillor David Smith, Lead Member for Public Realm and Conservation Project Officer submitted a report presenting the draft Supplementary Planning Guidance (SPG) document on conservation areas as a basis for public consultation. The SPG would assist in the proactive management of conservation areas and the determination of planning applications affecting conservation areas.

During discussion the following points were raised –

- trees in conservation areas were generally protected and officers agreed to amend paragraph 5.2 of the document to clarify that consent was required to cut down a tree or to carry out tree pruning work in a conservation area, even if the tree was not subject of a Tree Preservation Order (TPO) – reference should also be made to the possibility that a tree may already be subject of a TPO
- controls over landscaping issues would be covered as part of the planning application
- it would not be possible to amalgamate guidance covering conservation areas, areas of outstanding natural beauty and world heritage sites because each was subject to different statutory requirements and national policies – the different authorities responsible for those areas worked together to try and ensure aspirations and management were complementary
- Councillor Cefyn Williams highlighted reference to The Terrace, London Road, Corwen within the document and expressed his disappointment that permission had been granted for a parking space outside the terrace which he believed was not in keeping with character. Officers confirmed listed building consent had been granted in that case and due regard had been given to conservation area status alongside other planning issues as part of that process.

**Proposal** – Councillor Cefyn Williams proposed the officer recommendation, seconded by Councillor Dewi Owens. It was unanimously –

**RESOLVED** that members agree the draft Supplementary Planning Guidance on conservation areas as a basis for public consultation.

## 8 DRAFT SITE DEVELOPMENT BRIEF: RHUDDLAN TRIANGLE

Councillor David Smith, Lead Member for Public Realm and the Planning Officer (KB) submitted a report recommending members agree the draft Site Development Brief (SDB) for the 'Rhuddlan Triangle' site and the accompanying Strategic Environmental Assessment Screening document for public consultation. An exhibition would be held at Rhuddlan Library on 10 December and 17 January as part of the consultation process and members were encouraged to attend.

Councillor Ann Davies (Local Member) spoke in favour of the SDB to attract potential business and employment to the area and supported the exhibition as a means of involving local people. She proposed the officer recommendation as detailed within the report which was seconded by Councillor Arwel Roberts (Local Member). In welcoming the SDB Councillor Roberts put forward a number of ideas including the establishment of a tourist centre, retail and souvenir shops in order to attract visitors into the town together with landscaping measures near the riverside and a jetty. He also questioned residential provision and mitigation measures to manage flood risk. Members discussed those issues further during general debate and sought clarification in that regard. Councillor Alice Jones expressed concern about the increase of traffic and sought assurances that existing problems experienced by agricultural workers would be addressed as part of the process.

In response to issues raised the Planning Officer advised that –

- raising individual land levels on site had not been considered an acceptable option to address flooding due to the potential to displace flood waters and cause adverse flood risk impacts on adjoining landowners – he agreed to consult further with Natural Resources Wales regarding this issue and the suggestion to raise the building level to a specific height to mitigate risk
- in light of contradictory advice provided regarding the potential for tidal flooding from the Clwyd estuary he agreed to consult with the Flood Risk Officer to ensure paragraph 5.6 of the SDB was factually correct prior to consultation
- TAN 15 – Development and Flood Risk set out certain types of development criteria for flood risk and the Strategic Flood Consequence Assessment undertaken had shown that residential development would not be an option for the site, this view was supported by Natural Resources Wales who had advised that the site would be suitable for light industrial use
- the Council did not own any of the land on the site but would assist in discussing development proposals and in the planning process
- the nature of future development was dependent upon submissions put forward by potential developers which would be subject to justification tests and acceptability of consequences for particular types; landscaping measures to enhance the area could also be discussed with applicants during that process
- due to the Rhuddlan Bridge weight restriction it may not be suitable for use by heavy goods and business vehicles entering Station Road from the town centre – he agreed to look jointly with Highways into road use by agricultural vehicles
- the necessary information would be made available at the exhibition event and Planning Officers could also be contacted at the office for consultation.

**Proposal** – Councillor Ann Davies proposed the officer recommendation, seconded by Councillor Arwel Roberts. It was unanimously –

**RESOLVED** that members agree the draft Site Development Brief for the ‘Rhuddlan Triangle’ site and the accompanying Strategic Environmental Assessment screening document (as attached to the report) for public consultation.

At this juncture (10.25 a.m.) the meeting adjourned and reconvened at 11.00 a.m.

## **9 APPLICATION NO. 02/2014/0990/PF - RUTHIN SCHOOL, MOLD ROAD, RUTHIN**

An application was submitted for siting of 1 no. temporary classroom unit (retrospective application) at Ruthin School, Mold Road, Ruthin.

### **Public Speakers –**

Mr. D. Fitzsimon (**For**) – endorsed officers’ written report to committee and responded to the concerns raised advising that the mobile unit had a modest footprint and would be located close to the main school. The siting of the unit was temporary pending completion of school refurbishment works.

**General Debate** – Councillor Huw Hilditch-Roberts (Local Member) advised he had not personally received any objection to the application. The Planning Officer responded to questions confirming it was a retrospective planning application for a

recently sited mobile unit and granting the application for a two year period was considered reasonable.

**Proposal** – Councillor Huw Hilditch-Roberts proposed the officer recommendation to grant the application, seconded by Councillor Stuart Davies.

**VOTE:**

GRANT – 23

REFUSE – 1

ABSTAIN – 0

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

**10 APPLICATION NO. 31/2013/1079/PFHY - LAND AT ELWY MEADOWS, LOWER DENBIGH ROAD, ST. ASAPH**

An application had been submitted for installation of micro hydro electric scheme at land at Elwy Meadows, Lower Denbigh Road, St. Asaph.

Councillor Dewi Owens referred to the complaint made to Natural Resources Wales by Rhyl and St. Asaph Angling Association regarding their response to hydro proposals at Elwy Weir. He proposed that the application be deferred pending investigation of the complaint. In seconding the proposition Councillor Meirick Davies expressed his regret over the delay in determining the application which had been ongoing for some time.

**Proposal** – Councillor Dewi Owens proposed, seconded by Councillor Meirick Davies, that the application be deferred pending investigation of the complaint.

**VOTE:**

FOR DEFERRAL – 22

AGAINST DEFERRAL – 2

ABSTAIN – 0

**RESOLVED** that the application be **DEFERRED** pending investigation of the complaint made to Natural Resources Wales.

**11 APPLICATION NO. 45/2013/1510/PO - OCEAN BEACH SITE, WELLINGTON ROAD, RHYL**

An application for development of 5.3 hectares of land for mixed-use re-development to include provision of a foodstore (Class A1), large format non-food retail/leisure units (Classes A1, A3, D2), cafe/restaurant units (Class A3), hotel (Class C1), public house (Class A3), petrol filling station (sui generis), with associated access, car parking, infrastructure (including new sub-station) and landscaping (outline application including access - all other matters reserved) at Ocean Beach Site, Wellington Road, Rhyl.

**Public Speakers –**

Mr. M. Ralph (**For**) – elaborated upon the complex nature of the application and recent measures to address areas of concern. The Applicant was committed to the scheme and had agreed the conditions put forward by Planning Officers.

**General Debate** – The Planning Officer provided some background information and context to the application and detailed the reasons behind the officer recommendation to grant the application.

Councillor Joan Butterfield (Local Member) referred to the history of the site and previous lack of action by the Applicant leading to a loss of confidence that the development would proceed. She felt there should be greater ambition for such a key development site and expressed concern regarding the retail impact on the town centre's viability and sustainability of transport links. Consequently she proposed that the application be refused. Councillor Peter Owen seconded the proposition highlighting Rhyl as a holiday resort which required a development to enhance tourism rather than retail provision.

During a detailed debate members considered the history of the site and discussed the merits of the current application, noting extant planning permission for a mixed use development similar to the one now proposed and the main differences between the two. Whilst the previous lack of action was concerning to note members did not wish to see the site remain derelict and undeveloped and it was generally accepted that granting the application would give rise to further opportunity to attract developer interest and investment and enable the poor appearance of the site to be addressed sooner. To help expedite delivery of the scheme officers had recommended the timescale to start development be shortened to three years but implementation of the scheme could not be enforced. Assurances were sought regarding the electricity supply and the Planning Officer confirmed a new substation formed part of the planning application which would generate sufficient electricity for phase 1 of the development. Members discussed the economic benefits of allowing the scheme, potential impact on the viability of Rhyl Town Centre, and considered whether concerns regarding transport links could be effectively addressed via planning condition. Reference was made to the Welsh Language Policy and it was agreed that, if the application was granted, a further condition be imposed regarding the use of Welsh Language and bilingualism for street naming and signage.

**Proposal** – Councillor Joan Butterfield proposed, seconded by Councillor Peter Owen that the application be refused, contrary to officer recommendation, based on the potential retail impact of the development on Rhyl Town Centre and sustainability in terms of vehicle, pedestrian and cycle links.

**VOTE:**

GRANT – 18

REFUSE – 5

ABSTAIN – 1

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers together with the requirement for a Welsh Language Strategy approved by the Council.

**12 APPLICATION NO. 15/2014/0969/PF - LLYS ARMON, LLANARMON YN IAL, MOLD**

An application was submitted for conversion of existing terraced house to form two separate one bedroom terraced houses and associated works at Llys Armon, Llanarmon Yn Ial, Mold.

**General Debate** – Councillor Martyn Holland (Local Member) raised no objection to the application believing there was a demand for small one bedroom properties in the area and bearing in mind the alterations would be in keeping with the property.

In response to questions the Planning Officer advised that the proposed new condition stipulated that painted timber would be used in the frames of the new windows and doors. To insist on particular colour paint would be unreasonable considering that the building was not listed.

**Proposal** – Councillor Huw Williams proposed the officer recommendation to grant, seconded by Councillor Arwel Roberts.

**VOTE:**

GRANT – 22

REFUSE – 0

ABSTAIN – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

**13 APPLICATION NO. 45/2014/1079/PF - 10 - 24 ABBEY STREET AND 3 - 29 GRONANT STREET, RHYL**

An application was submitted for demolition of Nos 10 – 24 Abbey Street and 3 – 29 Gronant Street and erection of 11 2-bed houses and 9 3-bed houses with associated gardens, parking and hard landscaping.

**General Debate** – Councillor Joan Butterfield (Local Member) spoke in favour of the application highlighting the regeneration ambitions for West Rhyl in terms of providing better quality living accommodation. She referred to condition 9 highlighting concerns raised by residents of both 7 & 8 Gordon Avenue and asked that she be involved in ensuring those concerns were addressed satisfactorily. The Planning Officer indicated that he was happy to incorporate the wishes of the Local Member when considering the impact on those neighbouring properties. He also confirmed that a new condition had been proposed in order to protect the interests of nature conservation in the event that bats were found during the works.

**Proposal** – Councillor Joan Butterfield proposed the officer recommendations to grant the application, seconded by Councillor Ian Armstrong.

**VOTE:**

GRANT – 20

REFUSE – 0

ABSTAIN – 1

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

The meeting concluded at 12.10 p.m.