

## PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 18 May 2016 at 9.30 am.

### PRESENT

Councillors Raymond Bartley (Chair), Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Meirick Davies, Stuart Davies, Peter Evans, Huw Hilditch-Roberts, Rhys Hughes, Alice Jones, Barry Mellor, Merfyn Parry, Pete Prendergast, Arwel Roberts, Anton Sampson, David Simmons, Cefyn Williams and Cheryl Williams

Councillor Barbara Smith attended for items 8 & 9

Councillor Martyn Holland attended for item 10

### ALSO PRESENT

Head of Planning and Public Protection (GB); Principal Solicitor – Planning and Highways (SC); Development Manager (PM); Traffic, Parking & Road Safety Manager (MJ); Planning Officer (EO'C) and Committee Administrator (SLW)

#### 1 APOLOGIES

Apologies for absence were received from Councillors Ian Armstrong, Pat Jones, Bob Murray, Dewi Owens, Bill Tasker, Julian Thompson-Hill, Joe Welch and Huw Williams

#### 2 DECLARATIONS OF INTEREST

No declaration of personal or prejudicial interest had been raised.

#### 3 APPOINTMENT OF CHAIR

Nominations were sought for the position of Chair of the Planning Committee for 2016/17. Councillor Huw Hilditch-Roberts proposed, seconded by Councillor Joan Butterfield that Councillor Raymond Bartley be appointed Chair.

All members present expressed their agreement to the proposal.

**RESOLVED** that Councillor Raymond Bartley be appointed Chair of the Planning Committee for the ensuing year.

#### 4 APPOINTMENT OF VICE-CHAIR

Nominations were sought for the position of Vice-Chair of the Planning Committee for 2016/17. Councillor Peter Evans proposed, seconded by Councillor Meirick Lloyd Davies that Councillor Bill Cowie be appointed Vice-Chair.

All members present expressed their agreement to the proposal.

**RESOLVED** that Councillor Bill Cowie be appointed Vice-Chair of the Planning Committee for the ensuing year.

## **5 URGENT MATTERS AS AGREED BY THE CHAIR**

The Chair raised one urgent matter regarding North Wales Hospital and the recent press reports of the sale by auction due to take place on 26 May 2016. He stated an update would be given to Members from the Head of Planning and Public Protection.

The Head of Planning and Public Protection (HofP&PP) updated Members with the relevant information for the Compulsory Purchase Order (CPO) process which would go ahead regardless of the prospective sale. The CPO would run with the land and not the actual owner. The Council intended to pursue the CPO. The Head of Planning and Public Protection confirmed officers would contact the Auctioneers to inform them of the history of the site. If Members had any questions or queries to contact the HofP&PP direct.

Councillor Joan Butterfield requested an update on the former Rhyl Funfair site.

The HoP&PP confirmed an update would be presented at a Rhyl Member Area Group meeting and a formal report could be presented at a future Planning Committee if a decision was required.

## **6 MINUTES**

The minutes of the Planning Committee's meeting held on 20 April 2016 were submitted.

**RESOLVED** that the minutes of the meeting held on 20 April 2016 be approved as a correct record.

## **APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 7 - 13)**

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.

## **7 APPLICATION NO. 09/2016/0346 - YSGUBOR ISAF, BODFARI**

An application was submitted for erection of extension to side and rear of dwelling (re-submission) at Ysgubor Isaf, Bodfari.

### **Public Speaker –**

Mrs Karen Jones (**For**) – detailed the merits of the application in providing much needed additional living space to enable support of family members. Since the

original planning application refusal, the size of the extension had been reduced. Mrs Jones confirmed hedgerows would to be planted and no obstruction would be caused to any of the neighbouring properties.

**General Debate** – The Planning Officer (EO’C) explained the reasons for the officer recommendation to refuse the application.

In-depth discussion took place and Councillor Merfyn Parry (Local Member) stated that by adding the extension, the property would still be a relatively small house and it would not cause any adverse impact on the neighbouring properties. The family had applied for an extension to their home due to the change in their family circumstances.

**Proposal** – Councillor Merfyn Parry proposed the application be granted, against officer recommendations, as it would not have any adverse impact on the neighbouring properties or the environment. Seconded by Councillor Stuart Davies.

**VOTE:**

GRANT – 16

REFUSE – 2

ABSTAIN – 0

**RESOLVED** that permission be **GRANTED** contrary to officer recommendation for the reason that the extension would not have any adverse impact on the neighbouring properties or the environment.

**8 APPLICATION NO. 41/2015/1229 - THE WARREN, MOLD, BODFARI**

An application was submitted for removal of condition number 2(a) of planning permission 41/2010/1177/PF restricting woodland based education and training centre use to a maximum of 200 days in any calendar year at Warren Woods Ltd., The Warren, Mold Road, Bodfari.

Councillor Barbara Smith (Local Member) requested that the application be deferred to allow further discussion to take place.

**Proposal** – Councillor Huw Hilditch-Roberts proposed, seconded by Councillor Arwel Roberts that the application be deferred to allow further discussion to take place.

**VOTE:**

FOR – 16

AGAINST – 3

ABSTAIN - 0

**RESOLVED** that the application be **DEFERRED** to allow further discussion to take place.

**9 APPLICATION NO. 41/2016/0027 - THE WARREN, MOLD ROAD, BODFARI**

An application was submitted for the erection of a classroom, store, wc and creation of passing places at The Warren, Mold Road, Bodfari.

**Public Speaker –**

Mrs Elena Fowler (**Against**) – explained to Members her concerns regarding the application. The loss of privacy, increased sound, the traffic passing place planned to be opposite her garden gate which she opposed. Also the increase in visitors to the site would cause traffic problems. She felt her home would no longer be the private, peaceful property she envisaged when she originally moved in.

Mr Rob Waterfield (**For**) – detailed the merits of the application. He explained the caravan site had been in use for over 25 years. Work took place on the site with both children and adults with learning difficulties throughout the week. The additional classroom was required as it was not always appropriate to have vulnerable children and adults in an area where there was public access.

**General Debate** – Councillor Barbara Smith (Local Member) explained it was a worthwhile enterprise but there were concerns regarding the residential amenity of the neighbours. Screening to increase privacy had been an issue, also the position of the passing place could be relocated to avoid being opposite the home of Mrs Fowler.

Discussion took place and it was confirmed that consultation had taken place with the neighbours and that additional conditions could be added regarding landscaping and to look at alternative sites for the passing places. Members were assured that additional work with the applicant, resident and local member would take place.

**Proposal** – Councillor Stuart Davies proposed the application be granted pending the two further conditions regarding landscaping and the position of passing places be added. Seconded by Councillor Peter Evans.

**VOTE:**

GRANT – 18

REFUSE – 1

ABSTAIN – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as detailed within the report together with the two additional conditions for additional landscaping and the re-positioning of passing places.

**10 APPLICATION NO. 15/2016/0009 - PEN Y COED, ERYRYS, MOLD**

An application was submitted for erection of a replacement dwelling at Pen Y Coed, Eryrys, Mold.

**General Debate** - Councillor Martyn Holland (Local Member) explained he had no objections to the proposal and that the re-development of the site would be an improvement.

**Proposal** – Councillor Arwel Roberts proposed the officer recommendation to grant the application, seconded by Councillor Barry Mellor.

**VOTE:**

GRANT – 18

REFUSE – 1

ABSTAIN – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendation as detailed within the report.

**At this juncture (10.45 a.m.) there was a break.**

**The meeting reconvened at 11.00 a.m.**

**11 APPLICATION NO. 45/2016/0201 - 14 GARETH CLOSE, RHYL**

An application was submitted for the retention of raised decking area at the rear of 14 Gareth Close, Rhyl.

**Proposal** – Councillor Cheryl Williams (Local Member) proposed the officer recommendation to grant the application, seconded by Councillor Jeanette Chamberlain Jones (Local Member).

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendation as detailed within the report.

**12 APPLICATION NO. 45/2016/0208 - HAFOD WEN AND HAILWOOD, BRYN CWNIN ROAD, RHYL**

An application was submitted for the felling of 3 no. Oak trees T1, T2 and T3 and crown reduction of 1 no. Oak tree T4 subject of a Tree Preservation Order at Hafod Wen and Hailwood, Bryn Cwnin Road, Rhyl.

**General Debate** – Councillor Jeanette Chamberlain Jones (Local Member) presented a statement in favour of the retention of the trees.

Members expressed concern for developers to ensure they protect trees on development sites so as not to eventually have the trees cut down due to damage during the ground works which took place.

Assurance was given that the crown reduction of the fourth tree would be carried out to industry standards.

The Development Manager confirmed that a review needed to be taken of all TPO's as some of the protected trees had already died and been removed.

**Proposal** – Councillor Jeanette Chamberlain Jones proposed to refuse the application, contrary to officer recommendation, and that the Local Development Plan Policy VOE1 and the Planning Policy Wales, Section 5 should both apply. Seconded by Councillor Cheryl Williams.

**VOTE:**

GRANT – 2

REFUSE – 16

ABSTAIN – 0

**RESOLVED** that permission be **REFUSED** contrary to officer recommendation, for the reasons that the Local Development Plan Policy VOE1 and the Planning Policy Wales, Section 5 should both apply to this application.

**13 APPLICATION NO. 46/2016/0198 - TALARDY PARK HOTEL, THE ROE, ST. ASAPH**

An application was submitted for the felling of 1 no. Horse Chestnut tree annexed to the Talardy Hotel, Tree Preservation Order 1975 ref A1.

**General Debate** – Councillor Bill Cowie (Local Member) first of all made the point that within the report it stated that the Local Member had been consulted regarding the application. Councillor Cowie confirmed this had not been the case and he had not been involved with the consultation.

**Proposal** - Councillor Bill Cowie requested the application be deferred to the 22 June 2016 Planning Committee meeting to enable St. Asaph City Council to appoint an independent tree specialist to assess the tree. Seconded by Councillor Meirick Lloyd Davies.

**VOTE:**

FOR – 18

AGAINST – 0

ABSTAIN - 0

**RESOLVED** that the application be **DEFERRED** to the 22 June, 2016 Planning Committee meeting to allow St. Asaph City Council to appoint an independent tree specialist to assess the horse chestnut tree annexed to the Talardy Hotel, TPO 1975 ref A1.

**14 APPLICATION NO. 43/2015/0315 - SITE AT SANDY LANE, PRESTATYN**

The Development Manager, presented a report recommending the proposed Heads of Terms of a Section 106 Agreement and planning conditions to be attached to a permission for the site at Sandy Lane development.

**General Debate** - Councillor Peter Evans queried the commuted sum of £140,000 to be paid to the Council in lieu of the provision of affordable housing and open spaces within the site. Councillor Evans expressed concern that the figure was too low. The Development Manager confirmed that the developers had carried out a viability appraisal, following which the figure of £140,000 had been agreed.

It was suggested by Councillor Stuart Davies that the Council obtain a Bond to secure the payment. The Principal Solicitor confirmed she had been in discussions with the developer's solicitors who had refused to provide a Bond. The issue of security could be raised with them again.

**Proposal** – Councillor Peter Evans proposed the officer recommendation to grant the Section 106 Agreement and Planning Conditions be attached to the planning permission for the site at Sandy Lane, Prestatyn. Seconded by Councillor Anton Sampson.

**VOTE:**

GRANT – 17

REFUSE – 1

ABSTAIN – 0

**RESOLVED** that permission be **GRANTED** in accordance with the officer recommendation as detailed within the report.

## 15 SCHEME OF DELEGATION REVIEW

The Development Manager presented a Revised Scheme of Delegation Report.

The Welsh Government had introduced changes which had been reflected within the Scheme of Delegation.

**VOTE:**

AGREE – 13

AGAINST – 3

ABSTAIN – 1

**RESOLVED** that Members agree the updated Scheme of Delegation.

## 16 HIGHFIELD PARK, LLANGWYFAN APPEAL

The Development Manager presented Planning Appeal – Highfield Park, Llangwyfan report.

Information was provided to Members on the Appeal regarding Highfield Park, Llangwyfan. The Committee were also requested to appoint two Members to represent the Council at the Appeal and defend the reasons for refusal.

Councillor Huw Hilditch-Roberts proposed Councillor Merfyn Parry, Seconded by Councillor Meirick Lloyd Davies.

Councillor Huw Hilditch-Roberts proposed Councillor Joe Welch, Seconded by Councillor Brian Blakeley.

**VOTE:**

FOR – 15

AGAINST – 0

ABSTAIN – 0

***RESOLVED*** that Councillors Merfyn Parry and Joe Welch represent the Council at the Appeal and defend the reasons for refusal.

**The meeting concluded at 11.45 a.m.**