

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 22 June 2016 at 9.30 am.

PRESENT

Councillors Raymond Bartley (Chair), Brian Blakeley, Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie (Vice-Chair), Meirick Davies, Rhys Hughes, Barry Mellor, Bob Murray, Dewi Owens, Merfyn Parry, Arwel Roberts, Anton Sampson, David Simmons, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams and Cheryl Williams

Councillor Barbara Smith attended for items 8 & 11

Councillor Ann Davies attended for item 9

Councillor David Smith attended for items 12 & 13

Observers: Councillors Gareth Sandilands and Mark Young

ALSO PRESENT

Head of Planning and Public Protection (GB), Principal Solicitor – Planning and Highways (SC), Senior Engineer (MP), Principal Planning Officer (IW), Senior Planning Officer (LG), Development Control Officer (PG), and Committee Administration (SLW).

1 APOLOGIES

Apologies for absence were received from Councillors Ian Armstrong, Stuart Davies, Huw Hilditch-Roberts, Alice Jones, Pat Jones, Pete Prendergast and Huw Williams

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 18 May 2016 were submitted.

Page 17 – Item 11 – Application No. 45/2016/0201 – 14 Gareth Close, Rhyl. Councillor Meirick Lloyd Davies stated that the record of the vote had not been included in this item. The result of the vote had been:

GRANT – 15
ABSTAIN – 1
REFUSE – 2

***RESOLVED** that subject to the above, the minutes of the meeting held on 18 May, 2016 be approved as a correct record.*

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 - 11)

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. 03/20160063 - ROSS NEWYDD, ABBEY ROAD, LLANGOLLEN

An application was submitted for the erection of a first floor rear extension at Ross Newydd, Abbey Road, Llangollen.

Public Speakers –

Mr Edward De Groote (**Against**) – detailed his objections to the application due to the proposed extension of the neighbouring property being just 4-6 inches from his wall which contained a stained glass window. The extension would cause loss of light through the window, Mr De Groote being unable to open the window, and no possibility of being able to carry out maintenance to the area of his property due to the close proximity of the extension.

Mr Chris Roberts (**For**) – detailed the reasons for the requirement of the application for an extension to the property. Advice had been obtained from a representative of Real Planning, Wrexham who had many years' experience in this field. The applicant was willing to include a maintenance contract to appease the neighbour. The applicant also advised Members that the neighbour had been aware of the proposed extension prior to moving into the property.

General Debate - The Local Member, Councillor Rhys Hughes, confirmed that he had attended a site inspection at the properties concerned together with Councillors Raymond Bartley, Bill Cowie, Town Councillor Bob Lube and the Planning Officer Paul Griffin. The reason for the site visit had been to assess the impact of the proposal on the amenities of occupiers of the neighbouring property. Councillor Hughes expressed thanks to Mr De Groote for allowing the site panel to access his home to assess the window and corridor concerned.

Discussion took place and it was confirmed that legislation was in place for access to maintain properties but this was outside the Planning Committee remit.

Proposal - Councillor Rhys Hughes proposed the application be granted contrary to Officer recommendation due to the fact the window affected served an uninhabited space of the property. Seconded by Councillor Arwel Roberts.

VOTE:

GRANT – 7

ABSTAIN – 1

REFUSE – 11

RESOLVED that the application be **REFUSED** in accordance with the officer recommendation as detailed within the report.

6 APPLICATION NO. 09/2016/0205 - EFAIL Y WAEN, BODFARI

An application was submitted for the erection of an agricultural building at land adjacent to Efail Y Waen, Bodfari, Denbigh.

Public Speaker –

Huw Evans (**For**) – explained to Members that the applicant had asked Mr Evans to give assurances regarding the intended use of the agricultural building. This was due to mis-information being distributed during the consultation. The applicant intended using the building for agricultural use only. The size and construction of the building would be in keeping with other buildings and keep in character with the surrounding area.

General Debate - The Principal Planning Officer confirmed that on page 54 of the report, paragraph 1.6.1, the statement was incorrect. Looking at the presentation photographs, the land on the north side of the hedge had been sold to the applicant. The land on the south side had been subject to offer, but remained in the ownership of Denbighshire.

Proposal – Councillor Merfyn Parry proposed the Officer recommendation to grant the application, seconded by Councillor Rhys Hughes.

VOTE:

GRANT – 19

ABSTAIN – 0

REFUSE – 0

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

7 APPLICATION NO. 41/2015/1229 - THE WARREN, MOLD ROAD, BODFARI

An application was submitted for the variation of condition number 2(a) of planning permission 41/2010/1177/PF restricting woodland based education and training centre use to a maximum of 300 days in any calendar year at Warren Woods Ltd., The Warren, Mold Road, Bodfari, Denbigh.

Public Speaker – Rod Waterfield (For) – detailed the merits of the application. He explained currently the planning permission allowed 200 days in any calendar year and because of this they were turning away work due to the restriction. Therefore, they were asking for an increase to 300 days in any calendar year, to make proper use of the facility.

General Debate – Lead Member for Modernisation & Housing, Councillor Barbara Smith, offered apologies from Mrs Elena Fowler, the neighbour who had spoken at the previous meeting against another application submitted by Warren Woods Ltd. Councillor Smith confirmed Mr Waterfield had agreed to grow the hedge on the bund to increase the privacy for Mrs Fowler’s property. It had been agreed to move the passing place which was due to be added outside Mrs Fowler’s entrance to her property.

The Principal Planning Officer confirmed that the condition regarding passing places had been amended to take into account concerns of the neighbour. The condition to use the site 300 days would require the applicant to maintain a register of the number of days training was held so that a control was in place to monitor the days of opening.

Proposal – Councillor Meirick Lloyd Davies proposed the application be granted in accordance with Officer recommendation as detailed within the report, seconded by Councillor Rhys Hughes.

VOTE:

GRANT – 19

ABSTAIN – 0

REFUSE – 0

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

8 APPLICATION NO. 44/2016/0200 - LAND AT MARSH ROAD, RHUDDLAN

An application was submitted for the erection of foodstore (Class A1) at (Rhuddlan Triangle) Land at Marsh Road, Rhuddlan, Rhyl.

Public Speaker –

Bryn Richards, Aldi Property Director for mid and north Wales (**For**) – detailed the merits of the application. The store would provide much needed jobs for local people, taking pressure off the Rhyl & Prestatyn stores and reducing customer travel times. The developer had agreed to put in place a traffic management system to assist with traffic concerns.

General Debate – Local Member, Councillor Arwel Roberts, confirmed that he had received a number of messages from local residents in support of the development. A large number of elderly people resided in Rhuddlan and the development would ease the pressure of them travelling to Rhyl or Prestatyn for their shopping.

Local Member, Councillor Ann Davies, also confirmed she had received letters of support from local residents for the development. The site was in need of development and a good opportunity to create jobs and encourage investment to the village.

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

VOTE:

GRANT – 19

ABSTAIN – 0

REFUSE – 0

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

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

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

Public Speaker –

Colin Hardy (**Against**) – explained to Members he was a local resident and also a City Councillor. He detailed the merits of retaining the tree. A private independent tree expert had been employed on behalf of the City Council. Whilst there had been some minor damage to the tree, the expert recommended with a 50% height reduction and a canopy spread reduction back to the main stem resulting in an overall pollarding of the tree, regeneration was almost guaranteed.

General Debate – discussion took place and Councillor Bill Cowie informed Members that a tree on the site had previously been felled in 2015 and a replacement tree was yet to be planted. Referring to the Independent Tree Consultant report, it was confirmed that there was no signs of rot, fungal growth, water starvation or disease. There was an abundance of epicormic growth on the stems of the tree which would remain, suggesting that regeneration was almost guaranteed. The removal of weight and leverage would leave a healthy, sustainable tree in a safer condition.

Councillors Julian Thompson Hill and Meirick Lloyd Davies expressed their support to save the tree and to refuse the application.

Proposal – Councillor Bill Cowie proposed the application be refused, against Officer recommendation, seconded by Councillor Dewi Owens.

VOTE:

GRANT – 5

ABSTAIN – 1

REFUSE – 13

***RESOLVED** that permission be **REFUSED** contrary to Officer recommendation for the reason of the amenity value of the tree and the proposal not justified to remove the tree.*

10 APPLICATION NO. 47/2016/0186 - CASTELL, WAEN, ST. ASAPH

An application was submitted for alterations to the existing vehicular access at Castell Waen, St. Asaph.

Public Speaker –

Mrs Day (**For**) – detailed the merits of the application due to the dangers of the narrow track which was struggling to cope with the large vehicles and delivery vehicles which blocked the road. The neighbouring properties would still have full access and the applicant would follow instructions from Denbighshire County Council Planning Department.

General Debate – Local Member, Councillor Barbara Smith confirmed the access to Castell was very dangerous and the planning documents clearly detailed the issues involved. The loss of agricultural land was small and safety was paramount.

Proposal – Councillor Meirick Lloyd Davies proposed the officer recommendation to grant the application, seconded by Councillor Merfyn Parry.

VOTE:

GRANT – 17

ABSTAIN – 0

REFUSE – 0

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

At this juncture (11.00 a.m.) there was a break.

Meeting re-convened at 11.15 a.m.

11 APPLICATION NO. 01/2016/0239 - WM MORRISON SUPERMARKETS PLC., DENBIGH

An application was submitted for the variation of condition number 10 of planning permission ref 01/867/97 to read “The delivery of goods to the store shall be restricted to hours between 05:00 – 23:00 daily and delivery of goods to the petrol filling station and kiosk shall be restricted to hours between 06:30 and 22:00 daily” at WM Morrison Supermarkets Plc., Smithfield Road, Denbigh.

Proposal – Councillor Meirick Lloyd Davies proposed the Officer recommendation to grant the application, seconded by Councillor Merfyn Parry.

VOTE:

GRANT – 19

ABSTAIN – 0

REFUSE – 0

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

12 DRAFT SUPPLEMENTARY PLANNING GUIDANCE NOTE: RESIDENTIAL DEVELOPMENT - CONSULTATION DOCUMENT

Councillor David Smith, Lead Member for Public Realm, submitted a report presenting the draft Supplementary Planning Guidance (SPG) on Residential Development as a basis for public consultation. Councillor Smith reminded Members of the different stages in the process before final adoption of SPG documents by the Planning Committee.

Proposal – Councillor Meirick Lloyd Davies proposed the Officer recommendation, seconded by Councillor Bob Murray.

VOTE:

FOR – 18

ABSTAIN – 0

AGAINST – 0

RESOLVED that Members agree the draft Supplementary Planning Guidance on Residential Development, as attached at Appendix 1 to the report, for public consultation over a minimum of eight weeks.

13 DRAFT SUPPLEMENTARY PLANNING GUIDANCE NOTE: PLANNING OBLIGATIONS - CONSULTATION DOCUMENT

Councillor David Smith, Lead Member for Public Realm, submitted a report presenting the draft Supplementary Planning Guidance (SPG) on Planning Obligations as a basis for public consultation. Councillor Smith reminded Members of the different stages in the process before final adoption of SPG documents by the Planning Committee.

Proposal – Councillor Merfyn Parry proposed the Officer recommendation, seconded by Councillor Julian Thompson Hill.

VOTE:

FOR – 19

ABSTAIN – 0

AGAINST – 0

RESOLVED that Members agree the draft Supplementary Planning Guidance on Planning Obligations, as attached at Appendix 1 to the report, for public consultation over a minimum of eight weeks.

At this juncture, Councillor David Smith confirmed that the next LDP Steering Group would be held at 10.00 a.m. on 20 July in Ruthin.

The meeting concluded at 11.30 a.m.