

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin on Wednesday, 16 November 2016 at 9.30 am.

### **PRESENT**

Councillors Raymond Bartley (Chair), Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie (Vice-Chair), Meirick Davies, Stuart Davies, Peter Evans, Huw Hilditch-Roberts, Rhys Hughes, Pat Jones, Barry Mellor, Bob Murray, Pete Prendergast, Anton Sampson, Gareth Sandilands, David Simmons, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams, Cheryl Williams, Huw Williams and Mark Young

**The Leader** – Councillor Hugh Evans for item 8

**Lead Member for Public Realm** – Councillor David Smith for items 9, 10 and 11

**Ward Member** – Councillor Colin Hughes for items 5 and 6

**Observers** – Councillors Gwyneth Kensler, Win Mullen-James and Alan James

### **ALSO PRESENT**

Head of Planning & Public Protection (GB), Team Leader – Places (SC), Development Manager (PM), Strategic Planning & Housing Manager (AL), Principal Planning Officer (IW), Senior Planning Officer (LG), Policy Planning Officer (LD), and Committee Administrator (SLW).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Brian Blakeley, Alice Jones, Dewi Owens, Merfyn Parry and Arwel Roberts

#### **2 DECLARATIONS OF INTEREST**

Councillor Raymond Bartley – Personal Interest – Agenda Items 5,6 & 7

Councillors Meirick Lloyd Davies and Mark Young – Personal Interest – Agenda Items 5 & 6

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

No urgent matters had been raised.

#### **4 MINUTES**

The minutes of the Planning Committee meeting held on 12 October 2016 were submitted.

*RESOLVED that the minutes of the Planning Committee meeting held on 12 October 2016 be approved as a correct record.*

## **APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (AGENDA ITEMS 5 - 8)**

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information (blue sheets).

### **5 APPLICATION NO. 01/2014/1330/PF - FORMER NORTH WALES HOSPITAL, DENBIGH**

[Councillors Raymond Bartley and Mark Young declared a personal interest because they were members of the Denbigh Town Council.]

[Councillor Meirick Lloyd Davies declared a personal interest because he worked at the hospital previously.]

An application was submitted for conversion, restoration, part demolition and adaptation of main range of listed buildings to residential use (34 dwellings), and development of land within the hospital grounds for mixed uses as enabling development, including up to 200 no. residential units and up to 1114 square metres of business units, access and associated works at the former North Wales Hospital, Denbigh.

**General Debate** – The Planning Officer (IW) provided some background information touching on the history of the site, including closure in 1995 and the listed status of the buildings, which were considered by CADW to be the best example of their type in Wales. Planning policies had been developed which allowed for enabling development to help generate capital to assist with the restoration of the buildings. The application was similar in nature to one granted permission in 2006.

It was confirmed that the current owner of the site was Freemont (Denbigh) Ltd., but the applicant for the planning application was the Prince's Regeneration Trust (PRT) acting on behalf of the North Wales Building Preservation Trust (NWBPT). The Compulsory Purchase Order (CPO) had been confirmed, but a General Vesting Declaration (GVD) remained to be served, which would require authorisation from Planning Committee. On execution of the GVD and the passing of the vesting date, then the title would pass to the council. Once the council had taken ownership of the site, they would pass it on immediately to the NWBPT. The Trust had been set up to deal with complicated and large Listed Buildings throughout the UK. Once the ownership was transferred to NWBPT they may be able to access various grant aid to assist with the development.

There was no affordable housing provision as part of the application, although there would be opportunity for a Housing Association to purchase some of the land to build homes.

Highways officers had no objection to the application subject to inclusion of standard conditions requiring approval of full details of highway works, internal

estate roads and associated infrastructure, construction method statement(s), and improvement of cycle and pedestrian links with the town.

The development proposals involved the restoration of the main Listed Building. Some buildings on the site would be demolished. There were no specific proposals in the application in relation to the Nurses Home, the Chapel, Mortuary or Aled Ward buildings which were indicated as “buildings which could be retained if a suitable end use was found and viability allowed”.

The Head of Planning and Public Protection confirmed that at this stage the costings were essentially a ‘paper exercise’ as when the land was purchased and houses were built and started to sell, there would be more confidence in the housing market and prices may increase. If expectations were exceeded, the Trust would allocate the finance to save other buildings within the site.

In relation to the issue of bats, it was confirmed that mitigation measures would be implemented to address impacts on European protected species.

Councillor Colin Hughes, (Ward Member) offered his support for the development of the site and stated its importance to the town of Denbigh. Councillor Hughes urged Planning Committee to vote in favour of the planning application. At this juncture, he expressed his gratitude to all the councillors, officers and the Prince’s Regeneration Trust who had been involved with the project over a number of years.

Officers confirmed that proposals for the promotion / enhancement of the Welsh language as part of the development would be included within the legal agreement related to the planning permission. As this was a large development site, it was confirmed that risks were to be monitored and reports would continue to be presented to Planning Committee. The current owners were still able to sell the site until the GVD had been served. The charitable Trust wanted to save the listed buildings and not make a profit.

**VOTE:**

GRANT – 21

ABSTAIN – 0

REFUSE – 0

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

At this juncture, the Chair, Councillor Raymond Bartley expressed his gratitude to all officers, Phil Ebbrell who has since retired and the late Jane Kennedy, Senior Solicitor for all their work on the project.

**6 APPLICATION NO. 01/2014/1331/LB - FORMER NORTH WALES HOSPITAL, DENBIGH**

[Councillors Raymond Bartley and Mark Young declared a personal interest because they were members of the Denbigh Town Council.]

[Councillor Meirick Lloyd Davies declared a personal interest because he worked at the hospital previously.]

An application was submitted for proposed works on main range buildings including partial demolition and reconstruction, and demolition of buildings to rear and north of main range (Listed Building Application) at the former North Wales Hospital, Denbigh.

Councillor Colin Hughes (Ward Member) – confirmed he had been fully re-assured that as many buildings as possible were to be retained. There would be the loss of some buildings which had deteriorated beyond repair and some which were not relevant to future development. Again he encouraged the Planning Committee to vote in favour of the Listed Building application.

The Lead Member for the Public Realm, Councillor David Smith also expressed his agreement with the proposals and stated that these were a way forward for the hospital site.

**Proposal** – Councillor Meirick Lloyd Davies proposed the officer recommendation to approve the Listed Building application, seconded by Huw Hilditch-Roberts.

**VOTE:**

FOR – 21

ABSTAIN – 0

AGAINST – 0

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

**7 APPLICATION NO. 01/2016/0924/PR - LAND REAR OF 4 LON WYNNE BETWEEN 39 & 41 FFORDD CELYN, DENBIGH**

[Councillor Raymond Bartley declared a personal interest because he is a member of Denbigh Town Council.]

An application was submitted for details of appearance and landscaping submitted in accordance with condition number 1 of outline planning permission 01/2013/0969 (reserved matters application) at land rear of 4 Lon Wynne between 39 and 41 Ffordd Celyn, Denbigh.

**Proposal** - Councillor Mark Young proposed the officer recommendation to approve the application, seconded by Councillor Bill Cowie.

**VOTE:**

FOR – 22

ABSTAIN – 0

AGAINST – 0

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

**8 APPLICATION NO. 10/2015/0936/PS - LAND ADJACENT TO TYN-Y-BEDW, BRYNEGLWYS, CORWEN**

An application was submitted for variation of condition nos. 2 and 3 of outline planning permission code no. 10/2012/0610 to allow extension of time for submission of reserved matters and date of commencement at land adjacent to Tyn-y-Bedw, Bryneglwys, Corwen.

Councillor Hugh Evans (Ward Member) – expressed concerns regarding public transport links as these were in decline and needed to be addressed. Also he expressed concern regarding Dwr Cymru Welsh Water who had objected to the development as they advised it would overload the waste water treatment works and no improvements were planned within their Capital Investment Programme.

Councillor Hugh Evans confirmed his support of the officer recommendation to enable development of the site to progress.

**General Debate** - it had been suggested that the condition “the development hereby permitted shall be begun either before the expiration of five years from the date of this permission ..... “ be changed to three years to progress development of the site sooner. It was clarified by Planning Officers that shortening of the period would not improve the speed of the development. Discussions were taking place with Dwr Cymru Welsh Water to encourage them to address their Capital Investment Programme.

**Proposal** - Councillor Joe Welch proposed the officer recommendation to grant the application, seconded by Councillor Bill Cowie.

**VOTE:**

FOR – 22

ABSTAIN – 0

AGAINST – 0

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

**At this juncture (10.50 a.m.) there was a 20 minute break.**

**Meeting reconvened at 11.10 a.m.**

**9 DRAFT SITE DEVELOPMENT BRIEF: UPPER DENBIGH SITES**

Councillor David Smith, Lead Member for Public Realm submitted a report presenting the draft Site Development Brief: Upper Denbigh Sites, as a basis for public consultation. Councillor Smith reminded members of the different stages in the process before final adoption of the Site Development Brief by the Planning Committee.

The Senior Planning Officer confirmed that the consultation period would be for 9 weeks due to the Christmas period and would be carried out from 5 December 2016 until 3 February 2017.

Councillor Colin Hughes (Ward Member) expressed his gratitude to the Senior Planning Officer and the rest of the team for their work on the Draft Site Development Brief.

**Proposal** - Councillor Meirick Lloyd Davies proposed the officer recommendation for the Draft Site Development Brief be approved for public consultation, seconded by Councillor Mark Young.

**VOTE:**

FOR – 22

ABSTAIN – 0

AGAINST – 0

**RESOLVED** that Members agree the Draft Site Development Brief – Upper Denbigh Sites as attached at Appendix 1 to the report, for public consultation.

**10 DRAFT SUPPLEMENTARY PLANNING GUIDANCE NOTE: PLANNING OBLIGATIONS - ADOPTION OF FINAL DOCUMENT**

Councillor David Smith, Lead Member for Public Realm submitted a report recommending adoption of the draft Supplementary Planning Guidance (SPG): Planning Obligations. He reminded Members of the different stages in the process before final adoption of SPG document by the Planning Committee.

Following an eight week consultation period, a number of amendments had been proposed in response to representations received which had been highlighted in the final document and detailed in the consultation report.

The Strategic Planning and Housing Manager drew Members attention to the main changed proposed.

The SPG: Planning Obligations was a new document, although it did repeat elements of existing adopted guidance, such as Affordable Housing and Planning and the Welsh Language. If adopted, the new guidance note would supplement LDP Policy BSC3 “Securing Infrastructure Contributions from Developments”.

Discussion took place and following some Members expressing their concern regarding the costs element of the document, it was suggested by Councillor Huw Hilditch-Roberts that on page 248 Section 14.1 following the wording “..... wide ranging” there should be a full stop and the remainder of the sentence deleted together with the six bullet points. Therefore, the paragraph would read as follows:

“14.1 Denbighshire enjoys a rich and diverse environment and there is a need to protect and enhance the character of the countryside, landscape and built environment. There are many elements that can fall into the term ‘environment’ so contributions under this area can be wide ranging”.

The Strategic Planning and Housing Manager confirmed the proposed amendment would be feasible.

**Proposal** - Councillor Barry Mellor proposed Members adopt the SPG including the amendment as stated above, seconded by Councillor Joan Butterfield.

**VOTE:**

FOR – 21

ABSTAIN – 0

AGAINST – 0

**RESOLVED** that Members adopt the draft Supplementary Planning Guidance Note: Planning Obligations attached as Appendix 1, with recommended amendments together with the amendment proposed and agreed today, for use in the determination of planning applications.

**11 DRAFT SUPPLEMENTARY PLANNING GUIDANCE NOTE: RECREATIONAL PUBLIC OPEN SPACE - CONSULTATION DOCUMENT**

Councillor David Smith, Lead Member for Public Realm submitted a report presenting the Draft Supplementary Planning Guidance Note: Recreational Public Open Space, as a basis for public consultation. Councillor Smith reminded members of the different stages in the process before final adoption of the by the Planning Committee.

The Strategic Planning and Housing Manager confirmed that the consultation period would be for 9 weeks due to the Christmas period and would be carried out from 5 December 2016 until 3 February 2017.

General discussion took place Councillor David Smith thanked the Planning Policy Officer for such an indepth piece of work for open spaces to be utilised by youngsters and people of all ages.

Councillor Smith also encouraged Members to raise any issues with the document before it came back to Planning Committee for adoption.

**Proposal** - Councillor Joan Butterfield proposed that Members approved the draft Supplementary Planning Guidance document: Recreational Open Space, attached at Appendix 1, to be the subject of public consultation over a minimum of 9 weeks.

**VOTE:**

FOR – 21

ABSTAIN – 0

AGAINST – 0

**RESOLVED** that Members approved the Draft Supplementary Planning Guidance document: Recreational Open Space, attached as Appendix 1 to go out to public consultation over a minimum of 9 weeks.

**The meeting concluded at 11.58 a.m.**