

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 14 June 2017 at 9.30 am.

### **PRESENT**

Councillors Ellie Chard, Ann Davies, Meirick Davies, Peter Evans, Alan James (Vice-Chair), Brian Jones, Huw Jones, Pat Jones, Tina Jones, Christine Marston, Bob Murray, Merfyn Parry, Tony Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

**Observers** – Councillors Mabon ap Gwynfor, Huw Hilditch-Roberts, Arwel Roberts, Glenn Swingler, Rhys Thomas and Eryl Williams

### **ALSO PRESENT**

Head of Planning & Public Protection (GB), Head of Legal, HR & Democratic Services (GW), Development Manager (PM), Principal Planning Officers (IW & SS), Senior Engineer – Highways (MP) and Committee Administrator (SLW) Councillor Mabon ap Gwynfor, Councillor Huw Hilditch-Roberts, Councillor Arwel Roberts, Councillor Glenn Swingler, Councillor Rhys Thomas and Councillor Eryl Williams

### **1 APOLOGIES**

Apologies for absence were received from Councillors Gwyneth Kensler and Peter Scott

### **2 DECLARATIONS OF INTEREST**

Councillor Joe Welch declared a personal interest in Agenda items 8 and 12  
Councillor Julian Thompson-Hill declared a prejudicial interest in Agenda item 12  
Councillor Merfyn Parry declared a personal interest in Agenda item 12

### **3 APPOINTMENT OF CHAIR**

Nominations were sought for the position of Chair of the Planning Committee for 2017/18. Councillor Merfyn Parry proposed, seconded by Councillor Peter Evans that Councillor Joe Welch be appointed Chair.

There was a unanimous show of hands in agreement to the proposal.

**RESOLVED** that Councillor Joe Welch 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 2017/18. Councillor Bob Murray proposed, seconded by Councillor Pat Jones that Councillor Alan James be appointed Vice-Chair.

There was a unanimous show of hands in agreement to the proposal.

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

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

No urgent items.

#### **6 MINUTES**

The minutes of the Planning Committee meeting held on 12 April 2017 were submitted.

***RESOLVED** that the minutes of the meeting held on 12 April 2017 be approved as a correct record.*

#### **APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 7 - 18)**

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information 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. 11/2016/0324/PF - LAND TO THE NORTH OF CLOCAENOG, CLOCAENOG, RUTHIN**

Councillors Joe Welch and Merfyn Parry declared a personal interest. Councillor Julian Thompson-Hill declared a prejudicial interest as he had been a member of the Modernising Education Board.

At this juncture, the Chair, Councillor Joe Welch stated that children from his ward attended Carreg Emlyn School and he had recently attended a photoshoot following which, some members of the public could have the opinion he had a pre-determined view of the application. Because of this, the Chair felt it appropriate he did not take part in the debate or vote and subsequently left the Chamber for this item.

The Vice-Chair, Councillor Alan James took over the Chair of the Planning Committee for this one item.

An application was submitted for development of 0.95ha of land by the erection of a new community primary school including external play areas, habitat area, car

parking with drop off area and formation of new vehicular access at land to the north of Clocaenog.

### **Public Speaker –**

Mr Kenny Atherton (**Against**) - stated he had no objections to a new school but he did have concerns regarding the foul drainage and did not agree with the proposal to use a cess pool. He stated the school design should be modern and economically green.

Mr Peter Lloyd (**Against**) – stated he represented the Clocaenog Residents Group who did not support the development on the application site. The Group had expressed concerns the development would be in close vicinity to the Church. Concern was expressed about the proposed cess pool which was considered environmentally unsustainable.

Mr Huw Wyn Jones (**For**) – stated he represented the Clocaenog New Build Support Group. He explained it had been almost 3 years since the two schools had merged and the new school would be more beneficial to the pupils and ensure the community thrived. He also expressed the point that the Support Group had no objections or concerns regarding the cess pool.

Mrs Sarah Jones (**For**) – stated she was a resident of the community, a parent, School Governor and teacher at the school. She embraced the new school application. The current school on 2 separate sites was proving unsustainable. The Children deserved a building and resources fit for a changing world.

**General Debate** – The Development Manager presented an overview of the history of the site. He explained that drainage had been an issue which had caused a delay but National Resources Wales and Dwr Cymru had held in-depth discussions and both bodies were agreeable to the cess pool, subject to conditions.

Regarding the siting of the school, the main building would be 140 metres from the Church. CADW had raised no objection to the application.

Further debate took place and the following points were raised:

- Due to the fact that 3 and 4 year old children were having to travel up to an hour to school, this new building would improve travelling time.
- The building would be a modern school with a lift for accessibility, a proper football pitch and outside space.
- Various members of the Committee expressed the fact they were in favour of the building of a new school and urged every member to support the application.

**Proposal** – Councillor Ann Davies proposed, seconded by Councillor Merfyn Parry that the application be granted in accordance with officer recommendation.

At this juncture, Councillor Meirick Lloyd Davies requested a recorded vote. The Head of Legal, HR and Democratic Services explained that one sixth of the Committee membership must support the request. For Planning Committee (19

Members) it would be 3 Members. Councillors Mark Young, Merfyn Parry, Peter Evans, Meirick Lloyd Davies and Ann Davies supported the request for a recorded vote.

A recorded vote took place as follows:

**GRANT** - Councillors Ann Davies, Meirick Lloyd Davies, Peter Evans, Alan James, Tina Jones, Huw Jones, Pat Jones, Christine Marston, Bob Murray, Merfyn Parry, Tony Thomas, Emrys Wynne and Mark Young.

**ABSTAIN** – None

**REFUSE** - None

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendation.*

**At this juncture (10.45 a.m.) there was a 5 minute break.**

**The meeting reconvened at 10.50 a.m.**

At this juncture, the Chair, Councillor Joe Welch retook his seat to continue with the remainder of the meeting.

**8 APPLICATION NO. 01/2017/0235/PF - JUNCTION OF FFORDD Y FAIR/SMITHFIELD ROAD, LON LLEWELYN, DENBIGH**

An application was submitted for installation of a telecommunications column with shrouded antennas, 1 no. 0.6 radio link dish, 2 no. equipment cabinets at ground level and ancillary development at the junction of Smithfield Road, Lon Llewelyn, Denbigh.

**Public Speaker –**

Jennie Hann (**For**) – stated that internet coverage was poor throughout areas of the county and the scheme would benefit customers of Vodafone and Telefonica. CADW had no objections to the column and the design was in keeping with other urban structures.

**General Debate** – the Local Member, Councillor Glenn Swingler, put forward several technical questions which were responded to by the Principal Planning Officer. It was suggested many of the questions were best addressed to the Operator, and would be passed on to the representative who was in attendance at the meeting.

The following points were raised during debate:

- The applicant had provided a declaration of conformity with guidelines of the International Commission of Non-Ionizing Radiation (ICNIRP) with respect to the proposed telecommunications installation. Central to Public Health England advice is that exposures to radio waves should comply with the ICNIRP guidelines.

- Alternative location of the telecommunications installation had not been raised in any previous representation.

**Proposal** – Councillor Meirick Lloyd Davies proposed, seconded by Councillor Huw Jones that the application be granted in accordance with officer recommendation, subject to an amendment to the development commencing no later than 14<sup>th</sup> June 2019 and not 2022.

The Head of Legal, HR and Democratic Services explained that the vote would take place on the proposed amendment by Councillor Meirick Lloyd Davies. If the vote was not carried then the vote would take place on the original recommendation.

**VOTE:**

GRANT – 13

ABSTAIN – 0

REFUSE – 2

**RESOLVED** that permission be **GRANTED** in accordance with the officer recommendation subject to the following amendment:

*The Development to which this permission relates shall be begin no later than 14<sup>th</sup> June 2019.*

**9 APPLICATION NO. 05/2017/0239/PF - LAND ADJACENT (TO EAST OF) TYN Y LLIDIART INDUSTRIAL ESTATE**

An application was submitted for the erection of a food manufacturing plant (Class B2) with integrated warehousing and distribution (Class B8) and office facilities (Class B1); ancillary employee wellbeing unit (Class D2); means of vehicular and pedestrian access, parking, cycle spaces, servicing, bin storage, plant, electricity sub-station, private package treatment works, landscaping and associated works at land adjacent (to the east of) Tyn Y Llidiart Industrial Estate, Corwen.

**Public Speaker –**

Justin Paul (Agent) (**For**) – highlighted the history of the Company since 1986. The projected turnover of the Company aimed to be £40million by 2019. The existing plant was capacity constrained. The company aimed to open the new factory in 2018. The company focused equally on their staff as well as the products they manufactured. They planned to invest in well-appointed staff welfare, wellbeing, training and development facilities. Both staff and families were to have access to the health wellbeing facilities as well as free Welsh language courses.

**General Debate** - Councillor Huw Jones (Local Member) expressed his support for the application but sought clarification from officers on the following issues:

- A footpath was in use for children walking to Ysgol Caer Drewyn and it was confirmed that it was proposed to add another length of footpath.
- A bus stop was positioned approximately 400m from the proposed site.
- The planning officer confirmed he would ascertain whether the Welsh language proposal applied to both the new scheme and the current scheme.

- A Noise Impact Assessment had been submitted in support of the application in order to assess the potential for adverse impacts.. The Council's Pollution Control Officer had been consulted on the relevant technical documentation and raised no objection to the proposal subject to the inclusion of planning conditions to ensure compliance with the Noise Assessment. If nearby residents had an issue regarding noise pollution it should be communicated to either the Town or County Council.
- The Local Member and the Planning Department to meet with Wholebake regarding the Archaeological issues raised.

**Proposal** – Councillor Huw Jones proposed, seconded by Councillor Meirick Lloyd Davies that the application be granted in accordance with the officer recommendation.

**VOTE:**

GRANT – 15

ABSTAIN – 0

REFUSE – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendation.

**10 APPLICATION NO. 20/2016/1137/PF - LAND WEST OF WREXHAM ROAD, LLANFAIR DYFFRYN CLWYD, RUTHIN**

An application was submitted for erection of 63 dwellings with formation of new vehicular access and associated works at land west of Wrexham Road, Llanfair Dyffryn Clwyd, Ruthin.

**Public Speaker –**

Alan Edwards (**Against**) – raised concerns regarding elements of the application including the footpath and crossing of the A525. He expressed concern regarding the LPG storage tank location, and over the impact on the trees identified as War Memorials. .

Matt Gilbert (**For**) - **noted** the fact that it was an allocated site. The site required access and the trees would be replaced on the frontage. The layout had been revised and provided for pedestrian access. Access along the A525 had been provided in accordance with the advice of the Highways officers. Details of the LPG tank would be in accordance with regulations.

**General Debate** – The Principal Planning Officer clarified the details of the mixed development which would include six affordable housing units.

Councillor Hugh Evans (Local Member) confirmed that the application had caused a lot of anxiety for local residents. He raised various issues which were responded to during the debate.

The following issues were covered in debate:

- A site meeting had recently taken place during which some concerns had been allayed. Details submitted for approval in relation to conditions for the development could be brought back to the Planning Committee.
- A transport statement had been included with the application. An extension of the 30 mph zone would be put in place. The highway detailing on the A525 met established standards.
- The proposal was for the erection of 63 dwellings on a site area of 2.6ha, representing a density of 24.2 dwellings per hectare based on the gross site area. This was below the 35 dwellings per hectare figure sought in Policy RD1. Having regard to the context of the surrounding area, the extensive areas of open space proposed, alongside the nature and density of existing housing development on the fringe of the village, it was considered that the density of development proposed would be in keeping with the character of existing housing in the area.
- Phasing of the development would be controlled and the application for approval of the Phasing/Strategy Plan would be brought back to the Planning Committee for determination.
- Accessibility and integration – Developers had shown on their plan a potential link into adjacent development in the village. Further development of the link would require planning permissions. This would also be brought back to the Planning Committee for determination.
- Archaeology – the Historic Environment Record had been checked and there were no known archaeological sites in the immediate area, although Roman artefacts had been found some distance away. No technical objections to the application had been received.
- Councillor Merfyn Parry raised the issue regarding the sewage works close to the development as there was an overflow problem on the site. He requested more work take place between Denbighshire and Dwr Cymru.
- Protected trees on the site – no objection had been received from the Tree Specialist, subject to the inclusion of conditions requiring the submission of an Arboricultural Method Statement and detailed replanting and soft landscaping details.
- The trees fronting Wrexham Road were close to being designated as a War Memorial. A War Memorial was not a planning designation and the proposed loss and replacement of the trees had been dealt with earlier.
- The proposed residential development, based on recognised calculations, was expected to generate a need for 15 primary and 11 secondary pupil places. It had been confirmed that based on the latest school roll information, there was surplus of 20 primary and 268 secondary places within the nearest primary and secondary schools. This would mean sufficient capacity to accommodate the proposed development and a financial contribution would, therefore, not be required.
- The amount of financial contribution from the developer in respect of affordable housing was fully explained by Planning Officers as it had been a contribution relating to the calculated 6.3 affordable housing unit requirement – which was for on site provision of 6 units and a contribution of £27k in relation to the outstanding 0.3 proportion.

Councillor Hugh Evans (Local Member) repeated concerns regarding some issues which had been addressed and confirm he felt the application had implications on the village.

**Proposal** – Councillor Mark Young proposed, seconded by Councillor Julian Thompson-Hill that the application be granted in accordance with Officer recommendation, subject to further discussions taking place with the Community Council and the Local Member, Councillor Hugh Evans.

**VOTE:**

GRANT – 8

ABSTAIN – 0

REFUSE – 7

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendation subject to further discussions taking place with the Community Council and the Local Member, Councillor Hugh Evans.*

**At this juncture (12.30 p.m.) there was a 20 minute break.**

**The meeting reconvened at 12.50 p.m.**

**11 APPLICATION NO. 21/2017/0045/PF - 4 BRYN ARTRO AVENUE, LLANFERRES**

An application was submitted for the erection of a replacement dwelling at 4 Bryn Artro Avenue, Llanferres, Mold.

**Public Speaker –**

Roy Astbury (**Against**) – stated he resided at 2 Bryn Artro Avenue, Llanferres. The replacement dwelling would be 400mm away from his property boundary and be overbearing. He had requested an increase to 1m distance from his property.

**General Debate** – Councillor Julian Thompson-Hill, spoke on behalf of Councillor Martyn Holland (Local Member) who could not attend as he was on holiday.

The Principal Planning Officer explained that given the width of the plot, if a 1m gap was provided in relation to the boundary with No 2, this would impact on the distance from the boundary on the opposite side of the replacement dwelling, no 6. At this juncture, Councillor Julian Thompson-Hill questioned whether a compromise of 800mm could be sought on both sides of the replacement dwelling.

In relation to the compromise suggestion, the Development Manager confirmed an application procedure could be pursued to achieve a solution and that that the applicant could be approached with this idea.

**Proposal** - Councillor Merfyn Parry proposed, seconded by Councillor Julian Thompson Hill that the application be granted in accordance with officer recommendation, subject to pursuing the option of the replacement dwelling being sited 800mm equidistant between the boundaries on both sides.



**VOTE:**

GRANT – 14

ABSTAIN – 0

REFUSE – 1

**RESOLVED** that the permission be **GRANTED** in accordance with officer recommendation, subject to putting a note before the applicant suggesting the replacement dwelling be 800mm equidistant between the neighbouring properties either side.

**12 APPLICATION NO. 46/2017/0270/PF - LAND AT (PART GARDEN OF) PERTH Y TERFYN, MOUNT ROAD, ST. ASAPH**

An application was submitted for erection of 1 no. detached dwelling and construction of a new vehicular access at land at (part garden of) Perth Y Terfyn, Mount Road, St. Asaph.

**Public Speaker –**

Maria Jones (**Against**) – stated she was objecting to the position of the property on the plot. The close proximity of the property meant their garden would be overlooked and the development would feel oppressive. It would be more advantageous if the new build was built more centralised on the plot.

Officers considered that the proposal would not impact unacceptably on the amenity of existing or proposed occupiers or conflict with the relevant amenity related planning policies.

**Proposal** – Councillor Merfyn Parry proposed, seconded by Councillor Christine Marston, that the application be granted in accordance with officer recommendation.

**VOTE:**

GRANT – 14

ABSTAIN – 0

REFUSE – 1

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendation.

**13 APPLICATION NO. 01/2016/0911/PS - LLEWENI CARAVAN TOURER PARK, LLEWENI PARC, MOLD ROAD, DENBIGH**

An application was submitted for variation of condition number 3 of Glyndwr District Council Planning Permission ref 1/11632 to increase the maximum number of caravans from 10 to 20 at Lleweni Caravan Tourer Parc, Mold Road, Denbigh.

**Proposal** – Councillor Mark Young (Local Member) proposed, seconded by Councillor Bob Murray, that the application be deferred to allow opportunity to address matters of health & safety.

**VOTE:**

IN FAVOUR OF DEFERRAL – 15

ABSTAIN – 0

AGAINST DEFERRAL – 0

**RESOLVED** that the application be **DEFERRED**.

**14 APPLICATION NO. 01/2017/0171/PF - FORGE COTTAGE, 9 BROOKHOUSE COTTAGES, BROOKHOUSE ROAD, DENBIGH**

Councillor Joe Welch declared a personal interest.

An application was submitted for erection of extension and alterations to dwelling at Forge Cottage, 9 Brookhouse Cottages, Brookhouse Road, Denbigh.

**Proposal** – Councillor Meirick Lloyd Davies proposed, seconded by Councillor Merfyn Parry that the application be granted in accordance with officer recommendation.

**VOTE:**

GRANT – 15

ABSTAIN – 0

REFUSE – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendation

**15 APPLICATION NO. 05/2017/0266/PC - STATION CAMP SITE, CARROG, CORWEN**

An application was submitted for an extension to existing camp site to provide pitches for two camping pods and nine pitches for touring caravans/tents and associated works (retrospective application) at Station Camp Site, Carrog, Corwen.

**General Debate** – Councillor Huw Jones (Local Member) confirmed his support for the application but requested conditions be considered to differentiate between tents, yurts, caravans etc.

Clarification was also sought as to the measures in place to ensure the site would only be used for caravans on tour and that no caravan could stay on the site for any period longer than 21 days. It was agreed necessary to oblige a register be kept by the operator of the arrival and departure date of visitors.

**Proposal** – Councillor Huw Jones proposed, seconded by Councillor Emrys Wynne that the proposal be granted in accordance with officer recommendation, subject to

additional conditions relating to the type of pods and a register of arrival and departure dates.

**VOTE:**

GRANT – 14

ABSTAIN – 0

REFUSE – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendation, subject to additional conditions stating the type of pods and to include a register to be kept on site of the arrival and departure dates.

**16 APPLICATION NO. 20/2016/1242/PO - LAND ADJACENT TO PARADWYS, GRAIGFECHAN, RUTHIN**

An application was submitted for development of land for residential purposes including access (outline application all other matters reserved) at land adjacent to Paradwys, Graigfechan, Ruthin.

**General Debate** – Councillor Hugh Evans (Local Member) expressed concern over the impact on Graigfechan.

The following points were raised during discussion:

- Concern had been raised regarding the impact on a well located within the site and the development's potential impact upon the supply to dwellings to the north. In Officers opinion, this was a civil matter and it would be the developers responsibility to ensure rights were maintained.
- The arrangements for drainage on the site would follow Denbighshire and national guidelines and the details for treatment of sewerage and surface water would be set out in the detailed application.
- It was the applicant's choice to put forward only part of the allocated housing site for development at this point. Conditions and / or advisory notes could be included to ensure that arrangements were agreed for affordable housing and open space provision for the whole site.
- Traffic calming measures had recently been put in place in Graigfechan to address traffic issues.
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**Proposal** – Councillor Merfyn Parry proposed, seconded by Councillor Meirick Lloyd Davies, that the application be granted in accordance with officer recommendation.

**VOTE:**

GRANT – 14

ABSTAIN – 0

REFUSE – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendation.

**17 APPLICATION NO. 23/2017/0256/PS - LAND ADJACENT TO LLYS GWILYM, LLANRHAEADR, DENBIGH**

An application was submitted for variation of condition no's 2 and 3 of outline planning permission code no. 23/2014/0375 to allow an additional 2 years within which to submit an application for approval of reserved matters at land adjacent to Llys Gwilym, Llanrhaeadr, Denbigh.

**Proposal** - Councillor Meirick Lloyd Davies proposed, seconded by Councillor Merfyn Parry that the application be granted in accordance with officer recommendation.

**VOTE:**

GRANT – 14

ABSTAIN – 0

REFUSE – 0

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendation.*

**18 APPLICATION NO. 24/2017/0069/PF - BOD YNYS, RHEWL, RUTHIN**

An application was submitted for construction of a new farm entrance at Bod Ynys, Rhewl, Ruthin.

**Proposal** – Councillor Bob Murray proposed, seconded by Councillor Peter Evans that the application be granted in accordance with officer recommendation.

**VOTE:**

GRANT – 13

ABSTAIN – 1

REFUSE – 0

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendation.*

**19 CONFIRMATION - DENBIGHSHIRE COUNTY COUNCIL TREE PRESERVATION ORDER NUMBER 01/2017 IN RELATION TO LAND ADJACENT TO GLASFRYN, GELLIFOR**

A Tree Preservation Order Number 01/2017 Report was submitted relating to land adjacent to Glasfryn, Gellifor.

It was requested by the Principal Planning Officer that the item be deferred to enable proper procedure to be followed in respect of contact with land owners. The tree would be protected by the existing Order until September 2017 before which time, the report for confirmation of the Order would be presented back to Planning Committee.

**Proposal** – Councillor Meirick Lloyd Davies proposed, seconded by Councillor Julian Thompson-Hill that the report be deferred.

***RESOLVED*** that the TPO be ***DEFERRED***.

**The meeting concluded at 1.45 p.m.**