

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 14 November 2018 at 9.30 am.

PRESENT

Councillors Ellie Chard, Meirick Davies, Peter Evans, Alan James (Vice-Chair), Brian Jones, Huw Jones, Tina Jones, Gwyneth Kensler, Christine Marston, Bob Murray, Pete Prendergast, Andrew Thomas, Tony Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

Local Member - Councillor Richard Mainon

ALSO PRESENT

Team Leader – Places Team (SC): Development Control Manager (PM); Principal Planning Officer (IW); Senior Engineer – Highways (MP); Public Protection Business Manager (AL); and Committee Administrator (SJ)

1 APOLOGIES

Apologies for absence were received from Councillors Ann Davies and Merfyn Parry

2 DECLARATIONS OF INTEREST

None.

3 URGENT MATTERS AS AGREED BY THE CHAIR

None.

4 MINUTES

The minutes of the Planning Committee held on the 17th October 2018 were submitted.

It was noted that Councillor Alan James was in attendance at the 17th October 2018 Planning Committee meeting, his name should be deleted from the list of members submitting apologies.

RESOLVED that the minutes of the meeting held on 17 October 2018 be approved as a correct record, subject to the above.

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 - 9) -

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. 16/2018/0659/ PR - LON CAE GLAS, LLANBEDR DYFFRYN CLWYD, RUTHIN

An application was submitted for details of appearance, landscaping, layout and scale of 1 dwelling submitted in accordance with condition number 1 of outline permission code 16/2017/1074 (reserved matters application); parking and turning scheme and details of foul and surface water drainage submitted in accordance with condition 7 and 11 of outline permission code 16/2017/1074 at Land at (Part garden of) Cae Glas, Lon Cae Glas, Llanbedr Dyffryn Clwyd, Ruthin (copy attached).

Public Speakers –

Dr David Edwards (**For**) – stated the two objections to the planning application had both been raised previously and an answer had been provided by Mr M. Roberts of Sustain Architecture (agent) to the objectors.

It was stated that it had never been the intention to use a septic tank for the foul drainage, and the proposal had always been a disc-system sewage plant. The discharge from such a plant would meet the UK and European requirements and was accepted by Welsh Water.

The speaker stated in his opinion it had not been a requirement to have turning space for delivery vehicles on a single-dwelling site during construction.

General Debate –

Councillor Huw Jones asked if the opinion of the AONB had been taken into consideration when Officers had assessed the application. It was questioned whether there was a case to oblige use of stone on the walls and slates on the roof. Councillor Jones sought clarification of the AONB's opinion and the reasons for the conditions imposed.

The Principal Planning Officer confirmed the comments of the AONB had been considered and that the use of materials had been assessed in the context of those used on properties in the locality.

Proposal – Councillor Gwyneth Kensler proposed the officer recommendation to grant the application, seconded by Councillor Julian Thompson- Hill.

VOTE:

GRANT – 17

REFUSE – 0

ABSTAIN – 0

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

6 APPLICATION NO. 40/2018/0151/ PF - THE REAL PETFOOD COMPANY, UNIT 2, ROYAL WELCH AVENUE, BODELWYDDAN, RHYL

An application was submitted for the erection of 1 No. freestanding 35 metre high and 2m diameter free standing chimney stack sited to the North of the factory at The Real Petfood Company, Unit 2 Royal Welch Avenue, Bodelwyddan.

Public Speaker –

Sioned Edwards (Cadnant Planning) (**For**) – stated the business employs over seventy people and was committed to addressing the concerns of local residents, by providing the best long term solution. The speaker stated The Real Petfood Company wanted to be a good neighbour in the community and had listened to concerns of local residents and companies. Amendments to the original application to address the odour concern had been submitted.

It was stated the main considerations for the proposal were heritage, landscape and visual effects and residential amenity and odour. Additional information had been sought from consultees during the application process and had been included in the application. It was highlighted that the landscape and visual impact would not be significant. No objections had been received from the statutory consultees which had included CADW, Clwyd-Powys Archaeological Trust or the Council's Landscape Consultant in relation to effects on heritage, landscape and visual impact. In noting that that an existing odour issue arising from the pet food production process was impacting on residential amenity, that the proposal sought to manage this. The applicant considered the conditions suggested by officers to be acceptable.

The Chair confirmed a site visit had taken place on the 9th November 2018.

General Debate – Local Member, Councillor Richard Mainon gave members a brief background to the application. He stated he was present to represent the residents of Bodelwyddan, who had been very dignified and patient throughout the process. Councillor Mainon stated he was pleased to see the addition of the scrubbers and filters to the application. The Town Council had acknowledged and appreciated the application had been amended to address concerns, but had requested assurance on actions if the company was found in breach of conditions if the proposals were approved.

The Development Manager guided members to the information on the late information sheet in relation to the application. It was highlighted that there were two consenting regimes that apply to the premises - the first being the planning application for the chimney and second the environmental permitting process. The industrial use at the site was long established. In his opinion, the stronger control over activity on the site was the environmental permitting legislation.

The Public Protection Business Manager explained the issues at the site had been the subject of detailed scrutiny, and in relation to the environmental permit situation, it had been recommended that the erection of a chimney be considered to disperse

the emissions. If the chimney was erected with an abatement plant in place, suitable enforcement and controls could be imposed at the site.

Councillor Mark Young asked for clarity on the time frame for undertaking the proposed works, and sought assurance over pursuance of enforcement action if necessary.

The Public Protection Business Manager confirmed that period for undertaking the project would be included in the permit, and within a workable timescale. The system had the capacity to accommodate increased production.

Councillor Andrew Thomas sought assurance on how realistic the requirement was to remove the chimney if the factory was to cease operation. The Development Manager suggested the planning condition would add weight to the environmental permitting process and that considered it would be reasonable to enforce removal.

Councillor Gwyneth Kensler raised concerns that elements such as wind can affect the direction of odour and distance it travels. Clarification of the planning use was sought from the Development Manager, who advised that the consultants had specified a chimney height of two and a half times the size of the nearest building would be required to disperse the emissions created. The abatement plant would be in place to treat any high odour- low volume emissions to reduce the concentration of the odour.

Councillor Brian Jones highlighted the importance of engaging with company at the outset if any concerns are raised.

Proposal – Councillor Tony Thomas proposed the officer recommendation to grant the application, seconded by Councillor Brian Jones.

VOTE:

GRANT – 16

REFUSE – 0

ABSTAIN – 1

RESOLVED that permission be **GRANTED** in accordance with officer recommendations, together with the additional conditions, as detailed within the report.

7 APPLICATION NO. 40/2017/1133/ PF - THE REAL PETFOOD COMPANY, UNIT 2, ROYAL WELSH AVENUE, BODELWYDDAN, RHYL

An application was submitted for the erection of an extension to the existing factory to provide additional office accommodation at The Real Petfood Company, Unit 2, Royal Welsh Avenue, Bodelwyddan.

Councillor Brian Jones proposed the item be deferred pending the erection of the chimney.

A brief discussion on the reason for deferral took place. The Development Manager explained to members the potential risks and consequences of deferring the application.

Proposal – Councillor Brian Jones proposed deferral of the application, seconded by Councillor Julian Thompson- Hill.

VOTE:

DEFER – 7

NOT TO DEFER – 9

ABSTAIN - 1

Following the vote it was confirmed not to defer the item and proceed with the consideration of the application.

General Debate - Local Member Richard Mainon expressed his disappointment over the vote not to defer.

Proposal – Councillor Tony Thomas proposed the officer recommendation to grant the application, seconded by Councillor Alan James.

VOTE:

GRANT – 13

REFUSE – 1

ABSTAIN – 3

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

At this junction (10:45 a.m.) there was a comfort break.

The meeting reconvened at 11:10 a.m.

8 APPLICATION NO. 45/2018/0341/ PF - DERWEN HOUSE, FFORDD DERWEN, RHYL

An application was submitted for the siting of storage containers at Derwen House, Ffordd Derwen, Rhyl.

General Debate – Councillor Ellie Chard (Local Member) spoke in objection to the application due to over intensification of use of the car park. She considered the proposal would change the character of the area, and there were residents concerns regarding the loss of local trees, and over risk of flooding. Councillor Chard proposed refusal of the application on the basis of over intensification.

The Chair confirmed a site visit had taken place on the 9th November 2018. Councillor Bob Murray requested that a condition be imposed that the containers be

coloured green. The Chair clarified that suggested conditions included the colour of the containers be green and the applicant would be asked to submit proposals for the colour for discussion with planning officers and the Local Members. Clarification was given that the trees at the site were protected under a tree preservation order.

Councillor Mark Young enquired if a restriction on hours of operation for Sunday and Bank Holidays could be imposed. The Development Officer stated this could be included as an additional condition if members agreed.

Councillor Gwyneth Kensler sought assurance that the storage containers would be used to compliment the business. Officers clarified that Condition 5 stated that the containers were for business use only. Councillor Meirick Lloyd Davies requested the wording on the restrictions on use of the containers be made clear and robust.

Proposal – Councillor Tony Thomas proposed the officer recommendation to grant the application, seconded by Councillor Christine Marston.

VOTE:

GRANT – 15

REFUSE – 1

ABSTAIN – 0

RESOLVED that permission be **GRANTED** together with the additional conditions, in accordance with officer recommendations as detailed within the report.

9 APPLICATION NO. 45/2018/0822/ PF - 41-42 EAST PARADE, RHYL

An application was submitted for the construction of 41 housing association apartments for local residents over the age of 55 years of age together with new and altered vehicular and pedestrian accesses, associated parking provision and related works at 41-42 East Parade, Rhyl.

General Debate – Local Member, Councillor Tony Thomas expressed his support for the application. He highlighted the need for housing in the Rhyl area. In his opinion parking in the area was limited, but if approved the development would not have a negative impact on the situation.

Councillor Brian Jones sought assurance that the concerns of individuals who had raised concerns / objections had been addressed. Councillor Tony Thomas confirmed he had been in contact with the Veterinary practice and two local residents who had raised the objections. It was appreciated the need for housing in the area was significant and that parking had been an ongoing issue.

The Senior Engineer – Highways, confirmed that the application met relevant highways/ parking standards.

Councillor Mark Young sought clarity over how the age of residents would be managed, and how education contributions had been assessed. Councillor Meirick Lloyd Davies inquired if the boundary wall could be preserved. The Chair asked for clarification on open space contributions.

Officers responded to the issues raised from members as follows –

- the apartments would be managed by a Housing Association, who would screen residents
- the supplementary planning guidance note outlined the calculation of financial contributions in relation to schemes, and where concessions may be justified. It was for Members to determine whether to review the guidance in association with the new Local Development Plan.
- confirmation was provided that the majority of the existing boundary wall would be retained as part of the development, and this could be dealt with by way of an additional condition.
- the proposal had been for 34 one bed units so would be unlikely to house families with children.

Proposal – Councillor Tony Thomas proposed the officer recommendation to grant the application, seconded by Councillor Alan James.

VOTE:

GRANT – 17

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** together with the additional preservation of existing wall condition in accordance with officer recommendations as detailed within the report.

The meeting concluded at 11:50 a.m.