

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 12 December 2018 at 9.30 am.

PRESENT

Councillors Ellie Chard, Meirick Davies, Alan James (Vice-Chair), Brian Jones, Huw Jones, Tina Jones, Gwyneth Kensler, Christine Marston, Bob Murray, Merfyn Parry, Andrew Thomas, Tony Thomas, Joe Welch (Chair), Emrys Wynne and Mark Young.

Local Members – Councillors Brian Blakeley, Bobby Feeley, Huw Hilditch-Roberts, Hugh Irving and Cheryl Williams

ALSO PRESENT

Team Leader – Places Team (SC); Development Control Manager (PM); Principal Planning Officer (IW); and Committee Administrator (SLW)

Prior to commencement of the meeting, it was confirmed that the meeting would be delayed as there had been a road traffic accident in St. Asaph which was delaying a number of members getting to the meeting in time.

At 9.40 a.m. it was decided to commence with the meeting as there were sufficient members present to be quorate.

1 APOLOGIES

Apologies for absence were received from Councillors Ann Davies, Peter Arnold Evans, Pete Prendergast and Julian Thompson-Hill

2 DECLARATIONS OF INTEREST

Councillor Emrys Wynne declared a personal interest in Item 5 as his nephew works for Grwp Cynefin.

3 URGENT MATTERS AS AGREED BY THE CHAIR

None.

4 MINUTES

The minutes of the Planning Committee held on 14 November 2018 were submitted.

Page 11 – Item 6 - Councillor Meirick Lloyd Davies confirmed that he had attended the site visit which had taken place on 9 November 2018.

Page 12 – Item 6 – Councillor Meirick Lloyd Davies stated that the recommendation had been for the work to commence within 6 months and not the usual period of time stated.

RESOLVED that, subject to the above, the minutes of the meeting held on 14 November 2018, be approved as a correct record.

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (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) 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. 02/2018/0952/PF - 48 BRYN RHYDD, RUTHIN

Councillor Emrys Wynne declared a personal interest in this item as his nephew works for Grwp Cynefin.

An application was submitted for the erection of extension and alterations to dwelling at 48 Bryn Rhydd, Ruthin.

Public Speaker –

Kerry Jones (**Against**) – stated she was in attendance on behalf of a number of residents of Bryn Rhydd. The proposed extension appeared to be overbearing and dominant. It would have a detrimental impact on number 49 Bryn Rhydd due to loss of light to the kitchen and bathroom window which was in constant use, and also loss of privacy. There would be similar detrimental impact on number 47 Bryn Rhydd due to the size of the extension. 50 Bryn Rhydd was built at a lower level, and the windows in the rear elevation of the extension would face directly towards the living area windows causing an overbearing and overshadowing impact. In conclusion, the development would have a detrimental impact and Ms. Jones requested the application be refused.

Huw Evans (**For**) – stated he had been requested to attend on behalf of the applicants. The reason behind the application was to accommodate a person with disabilities, hence the internal alterations together with the extension to ensure free movement for a wheelchair user. Significant amendments to the application had been made to satisfy the concerns of neighbours. The development would have an impact but would not be overbearing or dominating. The extension would be single storey and not overlook any of the neighbouring properties. The application complied with policy with little impact and provided for a person with disabilities.

The Chair confirmed a site visit had taken place on the 7th December 2018.

General Debate - Local Member, Councillor Emrys Wynne confirmed meetings had taken place with the applicant, objectors and officers to seek solutions. He explained that if the application was refused, the applicant could build a slightly

smaller extension under permitted development rights which would could be built without the revisions now proposed to the roof design.

It was confirmed that the 25 degree guide did not apply to side elevations of houses. Grwp Cynefin had endeavoured to alleviate the impact on the neighbouring properties but the extension had been required to accommodate a disabled tenant.

There would be an impact on the neighbours when the building works began due to construction vehicles, but that would be expected from any building development.

At this juncture, it was confirmed that Councillors Ellie Chard, Gwyneth Kensler and Bob Murray would not take part in the vote due to their late arrival and not hearing the full discussion regarding the application.

Proposal – Councillor Merfyn Parry proposed the officer recommendation to grant the application, seconded by Councillor Andrew Thomas.

VOTE:

GRANT (including the additional condition in the blue sheet) – 11

ABSTAIN – 1

REFUSE – 0

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

6 APPLICATION NO. 45/2018/0999/PF - 50 CLIFTON PARK ROAD, RHYL

An application was submitted for the erection of extension to dwelling at 50 Clifton Park Road, Rhyl LL18 4AW.

Public Speaker –

Stephanie Wotton (**Against**) – stated she resided at number 52 Clifton Park Road, which was attached to the applicants property. She had lived in the property for almost 20 years. If the extension to number 50 Clifton Park Road were to be erected, it would have an impact on the light through her window. The bespoke window in question was 3m x 2.5m and had been in the property over 20 years. If the extension were to be built there would be a 12 cm gap between the window and the extension wall. There would also be an impact on the upstairs bedroom due to the extension taking away an amount of daylight. Rhyl Town Council were against the application and Ms Wotton felt it would seriously affect her wellbeing and health if the application were to be granted.

The Chair confirmed a site visit had taken place on the 7th December 2018.

General Debate – Local Member, Councillor Brian Jones asked members to consider the point about guidance and informed Committee he was against the

application. He stated that due to the size of the two storey extension, it would be unacceptable for someone to lose so much light.

Ward Members (non-Committee Members), Councillors Brian Blakeley and Cheryl Williams both shared the concerns of Ms Wotton as the extension would cut off light to her property and the fact she would also be looking out at a brick wall. They believed the application was out of context and overbearing.

The Development Control Manager confirmed that the previous plan submitted had been for an extension which was larger than the size of what was before the Committee. The report had detailed the 45 degree guide and the ground floor extension had been clipped so as not to breach the 45 degree guide.

Councillor Mark Young stated the application should be refused due to the overbearing impact on the neighbour.

Proposal – Councillor Brian Jones proposed refusal of the application, against officer recommendation, due to the loss of daylight/sunlight and overbearing impact on the neighbour, seconded by Councillor Tony Thomas.

VOTE:

GRANT – 3

ABSTAIN -2

REFUSE – 10

RESOLVED that permission be **REFUSED**, against officer recommendations, due to the loss of daylight/sunlight and overbearing impact on the neighbour.

At this juncture (10.45 a.m.) there was a 15 minute break.

The meeting reconvened at 11.00 a.m.

7 APPLICATION NO. 43/2018/0900/PF - 1 THE DELL AND LAND TO REAR OF THE DELL

An application was submitted for the demolition of existing dwelling and erection of 15 no. unit residential apartment block; construction of a new vehicular access and associated works at 1 The Dell and Land to rear of The Dell, Prestatyn LL19 8SS.

General Debate - the Chair confirmed a site visit had taken place on the 7th December 2018.

Local Member, Councillor Tina Jones confirmed both she and Councillor Hugh Irving (non-Committee Member) had been included in all the discussions regarding the development. The application had taken into account concerns of the residents. Currently anti-social behaviour was a problem on the site and residents had also reported rats had been seen on the site.

The Chair stated that the Welsh Government had confirmed that the application should be determined by the Planning Committee and not called in for determination by the Welsh Ministers.

The distance between the proposed building and the rear of the two-storey dwellings on The Dell meant an acceptable level of amenity would remain for the occupiers of those existing dwellings. With regard to the concerns of local residents, the adopted Residential Development SPG suggested the minimum distance which should be sought between the backs of residential properties to limit overlooking etc. should be 21m. The distance had clearly been achieved in this case as there was a distance of 31m between the new development and the rear elevations of numbers 3 and 5 The Dell.

In relation to numbers 7 and 9 The Dell it had not been considered that the proposal would result in any significant adverse impact on the level of amenity currently enjoyed by the properties. Whilst it was accepted that the outlook of these properties would be affected, it was not considered that the degree of harm would be sufficient to justify a refusal of permission.

The County Ecologist had advised that the ecological report for this application had been thorough and whilst badgers may use the site to forage, there were no setts present which would need to be mitigated as part of the development. Therefore, it was not considered that this development posed a threat to local badger populations, or individual badgers or setts.

Dwr Cymru Welsh Water had reviewed the drainage strategy and a proposed drainage layout, which proposed for foul flows to be disposed of via the public sewerage system and surface water was to be discharged into the public surface water sewer at a rate not exceeding 5 litres per second. 2 attenuation tanks were indicated on the drainage layout plan.

On the basis that the site was not within a flood zone, and with regard to the responses of the drainage consultees, it was not considered there to be any flooding or drainage concerns on the site.

Proposal – Councillor Tina Jones proposed the officer recommendation to grant the application, seconded by Councillor Bob Murray.

VOTE:

GRANT – 14

ABSTAIN – 0

REFUSE – 1

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

An application had been submitted for erection of stables for private use (retrospective application) at Bryn Awel, Cwm, Rhyl LL18 6HU.

General Debate - Local Member, Councillor Christine Marston confirmed she was in favour of this retrospective application.

The Denbighshire County Council Register of Common Land showed that the section of the land was not registered as Common Land. The site would be on the edge of the common land.

The arrangements for the storage / removal of waste had been confirmed and it had been advised that this would not be stored on site, but removed to a shared storage location on the adjacent farm via personal quadbike. Councillor Merfyn Parry asked if it was a relevant consideration that there was a need for the facility to be on the site.

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

VOTE:

GRANT with additional condition -13

ABSTAIN – 0

REFUSE – 0

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

PLANNING POLICY WALES EDITION 10

For information, there had been a late information item included within the Blue sheets.

Welsh Government officials had notified Local Planning Authorities in Wales, on 5 December 2018 that a new edition of Planning Policy Wales had been published, superseding Edition 9 of that document from that date. Therefore, from that date, Planning Policy Wales Edition 10 would be the edition referred to within Officers reports.

The meeting concluded at 11.45 a.m.