

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in via VIDEO CONFERENCE on Wednesday, 12 May 2021 at 9.30 am.

PRESENT

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

Observers – Councillors Meirick Lloyd Davies and Cheryl Williams,

ALSO PRESENT

Team Leader – Places Team (TD); Planning Officers (PG, LD and TH), Committee Administrators (RTJ, KJ, SJ)

1 APOLOGIES

No apologies were received.

2 DECLARATIONS OF INTEREST

Councillor Melvyn Mile declared a personal interest in agenda item 5, as there was a work connection with regards to the applicant.

Councillor Pete Prendergast declared a personal and prejudicial interest in agenda item 9, as he was the applicant.

Councillor Emrys Wynne, queried with the committee how members would obtain the declarations of interest forms whilst the meetings were held through hybrid methods, the chair informed the committee that they could be completed digitally, and that the democratic team would circulate the form to those who needed them.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES

The minutes of the Planning Committee held on 14 April 2021 were submitted.

RESOLVED that the minutes of the meeting held on 14 April 2021 be approved as a correct record.

5 APPLICATION NO. 03/2018/1141 - TYN Y WERN, MAESMAWR ROAD, LLANGOLLEN

An application was submitted for the demolition of the existing hotel and erection of 16 dwellings at Tyn Y Wern Hotel, Maesmawr Road, Llangollen LL20 7PH.

Public Speaker

Richard Corbett (For) – thanked the committee for being allowed to speak, and thanked officers for the in-depth report. The only consideration for the development was the location which was partly outside of the Local Development Plan (LDP) for Llangollen. The Tyn Y Wern site, was a rundown hotel, which had been on sale for 10 years, and has not sold. The lack of interest made it apparent that a hotel and restaurant development was being unfeasible.

The site, was suitable for a housing development which would meet the needs of the people of Llangollen, and would supply a boost for Denbighshire and Llangollen. The split with the land was that 52% of the land was outside of the LDP development boundary while the remaining 48% was within the LDP development boundary. The applicant emailed the committee with emailed the committee highlighting national planning policy 11, which would support the development on previously developed land (brown field land).

Mr Corbett stated that Denbighshire's LDP did not align with the national planning policy, as such it was a material planning consideration, which outweighed the reason for refusal. The committee were informed of numerous planning applications which were granted across North Wales to address the housing needs. The Welsh Government were clear that the delivery of housing was required. Whilst the proposal was against the local LDP, the need for housing on brown field sites were strongly in favour of granting the application.

General Debate –

Councillor Melvyn Mile (local member) informed the committee of two other sites within Llangollen which had not been developed and had since fallen into disrepair and were affecting the visual appeal of the town. The reason for raising the other properties was to highlight concern that if work was not to be carried out on the Tyn y Wern hotel, that the site would become another eyesore in the town.

The committee queried whether the development would be carried out on a brown field site, and how much weight should be given whilst debating the application in respect of the housing need in Denbighshire.

Officers responded that the site was a brown field site and the Welsh Government (WG) does emphasise using brown field sites, but this does not mean the site should be developed outside of the LDP development boundary. The housing need was for the 5 year supply, and the Corporate Plan was to build 1000 dwellings between 2017 and 2021, this target had been met. The planning officers recommended following the LDP which had been approved by the Council.

PROPOSAL Councillor Melvyn Mile proposed the application be granted contrary to officer recommendations, seconded by Councillor Ellie Chard.

The reasoning for the proposal was because of the guidance from WG from February 2021, which was for the development for brown sites with regard to housing shortage, also for the enhancement of the visual amenities of the town. The site has already begun to look dilapidated and if the site was not developed this would continue. Looking at the next LDP development, the site plan in page 46 was not accurate, and the site was no longer in the open countryside.

Vote –

Grant – 2

Abstain – 1

Refuse – 15

RESOLVED that permission be **REFUSED** in accordance with officer recommendations as detailed within the report and supplementary papers.

6 APPLICATION NO. 42/2020/0923 - FORMER QUARRY OFF HIGH STREET, DYSERTH

An application was submitted for the erection of a multi-storey dwelling with detached garage with store over, erection of a single storey lodge dwelling and associated works at Land at the Former Quarry, off High Street, Dyserth, Rhyl.

Public Speaker –

Eleanor Carpenter (Agent) (For) -

Thanked the committee for the opportunity to speak, the application was to erect a spacious family dwelling, and a second smaller dwelling for close family members, in a small portion of the former tarmac quarry site at Dyserth. The applicant was interested in protecting the ecology for the rest of the quarry and where possible improving it. The site was within the settlement boundaries of Dyserth, due to the scale and the location considerable consideration has been put into the design and the materials planned for the development. A modern development was intended as a smaller design would be dwarfed by the location of the development. The site would also be well screened and would not have a detrimental effect on the Area of Outstanding Natural Beauty (AONB). The development would be sustainable.

The flooding at the site were historic and not recent. The application was in accordance with all planning policies. The applicant were willing to work alongside any additional conditions which were added by the committee, alongside any Section 106 agreements.

General Discussions -

Councillor David Williams (Local Member) – had no objections to the application, however he could not see how the water could be dealt with as the vast majority of the site was rock and a soak away would not be effective.

Officers advised that they understand the concerns about flooding, however the drainage would need to be agreed externally to the planning authority, and the Sustainable Drainage Systems (SuDS) would need to be agreed by the SuDS Approving Body (SAB) which would deal with those issues.

Councillor Merfyn Parry advised of his concerns in respect of SuDS and SAB as it was something the planning committee had no control over. He queried whether the matter be taken higher to ensure that the planning authority had more of an impact on matters, and that they were dealt with prior to coming to planning committee. Would like to add a condition that the local member be included with discussions with SuDS and SAB.

Officers responded that planning could not apply the condition to SAB, however could request discussions with the local members. The matter could be duplicating legislation which could be challenged.

PROPOSAL - Councillor Merfyn Parry proposed the application be granted with an additional condition that SAB and groundwater flooding be discussed with the local member prior to any development

The committee agreed with the comments raised by Councillor Merfyn Parry. However requested that a historical record be carried out of the site as was requested by Councillor Emrys Wynne.

Officers thought a condition for photographic historical records could be included in the decision but a condition with regards to the SAB was not legally binding. However the report could be submitted to the local member prior to development being commenced on the site.

Vote –

Grant – 18

Abstain – 0

Refuse – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations and the additional condition set out in the proposal.

7 APPLICATION NO. 45/2020/0844 - SANDY LODGE, 83 DYSERTH ROAD, RHYL

An application was submitted for the alteration and adaptation of an existing nursing home to include extension of two additional bedrooms on the first floor, two fire escape stair enclosures and entrance canopy at Sandy Lodge, 83 Dyserth Road, Rhyl, LL18 4DT.

Councillor Brian Jones, proposed the application be deferred until a site visit had been carried out at the site, as it would be beneficial to the committee prior to the application being debated. Councillor Brian Jones also highlighted that he was not pleased that the local members had received no correspondence from officers since the application was submitted at the last meeting.

Proposal – Councillor Brian Jones proposed the application be deferred, seconded by Councillor Ann Davies.

Vote –

Grant – 13

Abstain – 0

Refuse – 4

RESOLVED that the application for the alteration and adaptation of existing nursing home at Sandy Lodge, Rhyl be deferred to a future meeting for the reasons set out by Councillor Brian Jones above.

8 APPLICATION NO. 43/2021/0275 - 36 NANT HALL ROAD, PRESTATYN

An application was submitted for the erection of a two storey pitched roof extension to the side of a dwelling at 36 Nant Hall Road, Prestatyn.

Councillor Julian Thompson-Hill (local member) had no objections to the application and was happy for propose the application for approval.

Proposal – Councillor Julian Thompson-Hill proposed the application be granted in accordance with officer recommendations, seconded by Councillor Gwyneth Kensler.

Vote –

Grant – 17

Abstain – 0

Refuse – 0

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

9 APPLICATION NO. 45/2021/0195 - 53 BRYN CWNIN ROAD, RHYL

An application was submitted for the erection of an extension to the rear of a dwelling at 53 Bryn, Cwnin Road, Rhyl.

Councillor Ellie Chard (local member) had no objection to the officer recommendation and was happy to endorse the application.

Proposal – Councillor Ellie Chard proposed the application be granted in accordance with officer recommendations, seconded by Councillor Melvyn Mile.

Vote –

Grant – 17

Abstain – 0

Refuse – 0

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

10 GENERAL MATTERS REPORT - OBJECTIONS TO TREE PRESERVATION ORDER NO. 4 (2020) MADE BY DENBIGHSHIRE COUNTY COUNCIL

The report was to inform members of the committee that the council had received several objections to provisional Tree Preservation Order No.4 (2020) Land at 118 Bro Deg, Ruthin, made on 9th December 2020 and to recommend confirmation of the Tree Preservation Order. The Tree Preservation Order (TPO) afforded protection to a single mature oak (T1) in the rear garden of the property.

The chair informed the committee of the recommendation which was that the Tree Preservation Order No. 4 (2020) Land at 118 Bro Deg, Ruthin be confirmed without modification to afford the mature oak continued protection.

The officer highlighted that the tree had an emergency TPO for 6 months and this would expire in June. The tree consultant has realised that there were some physical defects with the tree, if they had not been treated it could have been hazardous, those concerns had been addressed, and the tree should be able to revitalise.

Councillor Emrys Wynne (local member) praised how the issues were resolved with regards to the tree, however he stated that the tree was looking very different to the images in the report. However, he had no objections to extending the TPO. Whilst having no objections to extending the TPO Councillor Wynne queried whether there was a likelihood of the roots of the tree causing any harm to nearby drainage. Officers responded that the report was with regards to the TPO, however if the issue with drainage were to occur they would be dealt with accordingly.

Proposal – Councillor Julian Thompson-Hill proposed the Tree Preservation Order No. 4 (2020) Land at 118 Bro Deg, Ruthin be confirmed without modification to afford the mature oak continued protection, seconded by Councillor Alan James.

Vote –

Grant – 16

Abstain – 0

Refuse – 0

RESOLVED that TPO be confirmed without modification to afford the mature oak continued protection.

11 PLANNING FOR DARK NIGHT SKIES' - SUPPLEMENTARY PLANNING GUIDANCE FOR LIGHTING IN THE CLWYDIAN RANGE AND DEE VALLEY AONB - CONSULTATION DRAFT

This report related to draft Supplementary Planning Guidance (SPG) for lighting in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) which, if adopted, would be used in the determination of planning applications.

The chair read out the recommendations for the report which were that the Planning Committee agree the draft SPG 'Planning for Dark Night Skies -Supplementary

Planning Guidance for lighting in the Clwydian Range and Dee Valley AONB' for public consultation.

Tony Thomas as the chair of the AONB committee fully endorse the report, and proposal for the report, Councillor Mark Young fully supported and happy to second the recommendation.

All members in attendance were happy for the report to go out for public consultation.

RESOLVED that the planning Committee agree the draft SPG 'Planning for Dark Night Skies - Supplementary Planning Guidance for lighting in the Clwydian Range and Dee Valley AONB' and that the report go out to public consultation.

The meeting concluded at 11:05am