

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in VIA VIDEO CONFERENCE on Wednesday, 12 January 2022 at 9.30 am.

PRESENT

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

Observers - Councillors Meirick Davies and Alan James

ALSO PRESENT

Team Leader - Places Team (TD); Development Control Manager (PM); Planning Officer (PG); Principal Support Officer (JW), and Committee Administrators (RTJ and SJ [Webcaster])

1 APOLOGIES

Apologies for absence were received from Councillors Alan Hughes and Merfyn Parry.

2 DECLARATIONS OF INTEREST

No declaration of interests were raised.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters were raised.

4 MINUTES

The minutes of the Planning Committee held on 15 December 2021 were submitted.

Matters of accuracy –

Members highlighted two errors within the minutes. Page 10 Natural Resources Wales was typed incorrectly, and Councillor Christine Marstons full name was not included.

RESOLVED that the minutes of the meeting held on 15 December 2021 be approved as a correct record.

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 contained additional information relating to those applications. In order to accommodate public speaking requests, it was agreed to vary the agenda order of applications accordingly.

5 APPLICATION NO. 23/2021/0852 - LAND AT THE LODGE, LLANRHAEDR, DENBIGH

An application was submitted for the erection of 6 no. holiday accommodation units, site office, and associated works (amended scheme) at Land at The Lodge, Llanrhaeadr, Denbigh.

Public Speaker –

Andrew Sumner (For) – thanked the committee for the opportunity to speak in support of the application. The scheme was for six bespoke cabins, which would provide holiday accommodation. The proposed application would complement other activities at the Lodge and the local area by increasing footfall.

The public speaker was aware that the previous proposals at the site had caused some concerns regarding the effect on the historical landscape. CADW stated the concerns as the development was on the former Llanrhaeadr Hall parkland. The fears which CADW raised made the applicant change the design of the proposal. The application which was being proposed had been worked upon during discussions with CADW officers.

In closing the public speaker highlighted that the scheme was to conserve some historical landscapes and incorporate them into the design of the proposed application. The application aimed to support the local area. The project was a significant investment and would help keep the historical value of the village, biodiversity, and to be a boon to the local economy.

General Debate –

Councillor Joe Welch (local member) gave members of the committee background on the application, which was being discussed. The application had been submitted previously. However, it was recalled to allow the application to be amended. The community council was split upon the application, with half showing support while the others objected. The local member wanted to know what mitigations could be done to ensure that the development would not be made into permanent housing in the future.

Councillor Welch continued by querying whether the concerns raised by the conservation officer had been addressed in the application, as there were apprehensions with the application previously. The chair also asked why planning policy PSE 12 (Chalet, static and touring caravan and camping sites) has been considered in the report, also had planning policy PSE 5 (Rural economy) been taken into account.

Lastly, Councillor Joe Welch stated that he would like to include an additional condition on the application if it were approved, which was as followed – “The development hereby approved shall remain as the same planning unit as the Lodge, as shown edged blue on the location plan, which was the drawing received on the 17th October 2021, and should not be sold off as a separate planning unit”. This would ensure that there was a degree of control kept over the land

Responding officers clarified that a planning application would need to be submitted if the site were to become a permanent housing development. The planning committee would decide upon the matter at that time. The conservation officer was happy with the resubmitted application. Regarding planning policy PSE 12 officers felt that it was not relevant to the application as it referred to static caravans, the units proposed were not static caravans. The application also would support the rural economy as was stated within planning policy PSE 5.

Members queried whether the sewerage pipes running underneath the site were of concern, officers responded that the matter would need to be agreed upon between the applicant and Dwr Cymru. It was also enquired whether there would be a section 106 agreement with the application, officers responding that the agreement was unnecessary for the application.

Responding to queries about whether the site could be used throughout the year, officers clarified that there were no restrictions on the site.

Proposal – Councillor Mark Young proposed the application be granted with the additional condition offered by Councillor Joe Welch, seconded by Councillor Melvyn Mile.

Vote –
FOR – 14
AGAINST – 0
ABSTAIN – 4

RESOLVED that permission be **GRANTED** in accordance with officer Recommendations as detailed in the report, including the condition set out by Committee.

6 APPLICATION NO. 46/2019/0806 - BOD HAULOG, THE ROE, ST ASAPH

An application was submitted for the development of 0.75 ha of land for residential purposes (outline application including access) at Bod Haulog, The Roe, St Asaph.

Public Speaker –

Gwyn Davies (For) – The public speaker highlighted that the single issue with the application was flood risk. Natural Resources Wales’s (NRW) response to the Council was based on their interpretation of Technical Advice Notes (TAN15) that were unreasonable and extreme. The public speaker highlighted that NRW had ignored a vital section of the application’s flood consequence assessment.

Mr Davies said that there were two elements to flood risk. One was flood risk on sites. The areas within the proposed development would be raised where necessary, so if a breach were to occur, all the dwellings would remain flood-free. The second element was the flood risk on other dwellings due to the development. Flood modelling demonstrated if new buildings obstruct flood water flow, which would lead to deeper flood water elsewhere.

The public speaker stated that the response from NRW only commented on half of the report from the applicant. The public speaker stated that NRW's objections were based entirely on one flood risk analysis, which was whether the site was a greenfield site with no boundaries. However, by that assessment, any developments would cause a higher risk of floodwater. The public speaker highlighted that the proposed application was on a brownfield site and boundaries already existed. The pre-existing walls would already impact any flooding. However, the application would remove some areas of the wall, which would cause the flood levels elsewhere to drop. The boundary wall on the site, were present during the 2012 floods, proved their integrity.

General Debate –

The chair invited members of the committee who attended the site meeting to speak before the local member.

Councillors Christine Marston and Ellie Chard were both committee members who attended the site meeting. Both agreed that the site meeting was essential to realise the size of the site and the geography.

Councillor Peter Scott (local member) thanked the chair for the opportunity to speak. The proposed application was for a development on a brownfield site; from a local standpoint, there had been only six objections to the application. There was a demand for housing for younger people in the community. The information shared by NRW looked at the matter, as if the flooding defences would to fail, and if the stance was taken with all applications in the area, they would all be refused. Councillor Scott highlighted that Denbighshire's planning committee had gone against NRW's recommendations previously. The applicant had shown flood mitigations within the plans.

Proposal – Councillor Peter Scott proposed the application be granted contrary to officer recommendations, as the identified flood risks would be mitigated through the application. Councillor Brian Jones seconded the proposal.

The officers responded to the raised points and praised all who spoke on the matter. The local member had highlighted the benefits of the application. However, the fundamental issue with the application was whether the development could increase flood risk to those who were already living in St. Asaph. Officers stressed that this was the clear guidance from NRW on the matter and that, on balance, Officers had to recommend refusal on that basis. The officers reminded members that, should they wish to go against their recommendation, they would need to provide clear reasons. Should this happen, conditions could be imposed on the development and agreed with the local member.

VOTE –
FOR – 17
AGAINST – 1
ABSTAIN – 0

RESOLVED that permission be **GRANTED** contrary to officer recommendations detailed within their report.

7 APPLICATION NO. 07/2021/0684 - LAND EAST OF MYNYDD MYNYLLOD, LLANDRILLO, CORWEN

An application was submitted for the erection of a 90m meteorological mast for a temporary period of three years at Land at Mynydd Mynyllod, Llandrillo, Corwen.

Proposal – Councillor Gwyneth Ellis proposed the item be deferred until a later date, as she stated that there had not been enough local consultation on the matter, seconded by Councillor Emrys Wynne.

VOTE:
FOR - 10
AGAINST - 7
ABSTAIN - 0

RESOLVED that the application for the for the erection of a 90m meteorological mast for a temporary period of three years at Land at Mynydd Mynyllod, Llandrillo, Corwen be deferred to a future meeting for the reasons set out by Councillor Gwyneth Ellis above.