

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 15 June 2022 at 9.30 am.

### **PRESENT**

Councillors Brian Blakeley, Karen Edwards, Gwyneth Ellis, James Elson, Jon Harland, Huw Hilditch-Roberts, Alan James, Delyth Jones, Julie Matthews, Terry Mendies, Win Mullen-James, Merfyn Parry, Pete Prendergast, Gareth Sandilands, Peter Scott, Andrea Tomlin, Elfed Williams and Mark Young

Observers – Councillor Michelle Walker

### **ALSO PRESENT**

Head of Legal, HR and Democratic Services (Monitoring Officer) (GW), Planning Officer (PG), Conservation Officer (EV), Senior Planning Officer (LG), Committee Administrators (RTJ) (SW – Host)

#### **1 APOLOGIES**

No apologies were received.

#### **2 DECLARATIONS OF INTEREST**

None.

#### **3 APPOINTMENT OF CHAIR**

Nominations were sought for the position of Chair of the Planning Committee for 2022/23.

Councillor Gwyneth Ellis proposed Councillor Mark Young be appointed as chair for the 2022/2023 municipal year, seconded by Councillor Merfyn Parry.

Councillor Pete Prendergast proposed Councillor Alan James be appointed for the position of chair for the 2022/2023 municipal year, seconded by Councillor Brian Blakeley.

#### **Vote –**

Councillor Mark Young – 10

Councillor Alan James – 7

There was one abstention.

**RESOLVED** that Councillor Mark Young 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 Vice-Chair of the Planning Committee for the 2022/2023 municipal year.

Councillor Terry Mendies proposed that Councillor Peter Scott be appointed Vice-Chair of the Planning Committee for the 2022/2023 municipal year, seconded by James Elson.

Councillor Win Mullen-James proposed Councillor Alan James be appointed Vice-Chair of the Planning Committee for the 2022/2023 municipal year, seconded by Councillor Pete Prendergast/

**Vote –**

Councillor Peter Scott – 9

Councillor Alan James – 8

There was one abstention.

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

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

None.

#### **6 MINUTES**

The minutes of the Planning Committee held on 20 April 2021 were submitted.

**Matters arising –**

Councillor Merfyn Parry raised that at the previous Planning Meeting, writing a letter to the trunk road agency was discussed as their procedures could lead to delays with the planning applications, and wondered why the matter was not being addressed in the committee. In response, the Planning Officer responded that the issue was agreed to be discussed once the new planning committee was in place; he agreed to discuss the matter with Councillor Parry and formulate a letter.

**RESOLVED** that the minutes of the meeting held on 20 April 2021 be approved as a correct record.

#### **7 APPLICATION NO. 10/2021/0091 - DEIO UCHAF, BRYNEGLWYS, CORWEN**

An application was submitted for the Variation of condition no. 2 of planning permission code no. 10/2019/0443 to allow minor material amendments to the approved scheme.

### **Public Speaker –**

Mr Craig Donellan (For) thanked the committee for the opportunity to speak regarding the application. The change of layout block of the stables needed to be done for health and safety reasons. The stable was designed to accommodate the typography; however, the new stable was the same size as the previously accepted application. Mr Donellan stated that the gate into the land had been moved back 10 feet into the site to allow easier access. However, highways had no concerns regarding the original entrance way. The gates had no impact on drivers due to visibility. The applicant had conformed to all the conditions on the applications.

There were no buildings overlooking the site, and the pre-approved lighting was only on when required. The applicant had been transparent through the process, responding to complaints raised.

### **General Debate –**

Councillor Huw Hilditch-Roberts spoke on behalf of the local member Councillor Hugh Evans, who could not be present. Councillor Hugh Evans felt that the application had disregarded the dark skies policy, and there had been no regard to the tree cutting policy either. He added that it would be beneficial to maintain enforcement at the site.

Responding to queries from the committee, the planning officer (PO) indicated that personal information regarding public opinion was kept private in this matter and was not the standard procedure. However, in this case, it was deemed best to keep the information confidential.

Councillor Jon Harland queried how many trees had been felled with the application; the PO responded that no trees had been felled for the current application; however, works had been carried out at the site previously.

Councillor Huw Hilditch-Roberts queried the wording within the highway report; the matter was confusing; he sought clarity on whether highway officers thought the application was acceptable or unacceptable from a highway point of view. The PO responded, stating that highway officers deemed the application satisfactory.

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

### **Vote –**

Grant – 17

Abstain – 0

Refuse – 0

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

**8 APPLICATION NO. 43/2022/0051 - LAND ADJACENT TO ALEXANDRA DRIVE, PRESTATYN**

An application was submitted for the details of the Construction Method Statement, and Highway Works submitted in accordance with conditions 4 and 5 of Planning Permission 43/2020/0521/PF at Land Adjacent to Alexandra Drive, Prestatyn.

**Public Speaker –**

Mr Stuart Andrews (for) thanked the chair for the opportunity to speak. He spoke on the already approved application. As was explained within the report, the discussion was related to the proposed construction plan and highway work.

The plan being put to members had been agreed to be completely acceptable, including a communication plan to be implemented, which would include writing to affected Councillors ahead of any works, and with key elements of the project. Communication with Councillor Gareth Sandilands had already taken place to assist with implementing the communication plan.

Mr Andrews highlighted there were no objections from highway officers to the plan, the approval of the report would allow 102 properties to be built in Prestatyn, and these would be energy efficient. There would be various styles of houses to enable all residents to benefit from the project. The scheme was an ample provision of affordable housing in Denbighshire.

**General Debate –**

Councillor Gareth Sandilands was supportive of the application; the applicant was very forthcoming with communication; it would bring much-needed housing to Denbighshire. The applicant was happy to hold meetings with the public to discuss the matter further.

Councillor Andrea Tomlin highlighted concern regarding the route by which the goods would be transported to the site, as it would be going through a residential area. There was an alternative route which could be taken using a farm track.

The planning officer responded to the concerns by highlighting that the contractors could use the route within the report as it was a public highway and could be used by anyone. However, there were time slots for construction vehicles that would mitigate residents' impacts.

**Proposed** – Councillor Win Mullen-James proposed the application be granted in accordance with officer recommendation, seconded by Councillor Peter Scott.

**VOTE –**

Grant – 15

Abstain – 1

Refuse – 1

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

**9 APPLICATION NO. 44/2022/0130 - THE RISE, RHYL ROAD, RHUDDLAN, RHYL**

An application was submitted for the erection of 4 no. dwellings together with access road and associated works at Land at (Part garden of) The Rise Rhyl Road Rhuddlan Rhyl.

**Public Speaker –**

Roberts Jones (For) – thanked the committee for allowing him to speak. The application followed the refusal of an outline planning application by the committee in August 2021. Mr Jones highlighted that the application in front of members today and the outline application were identical in design and content; the outline application was refused for two reasons which were impact on the surrounding buildings alongside highway safety.

Following the refusal, an appeal was submitted, and in November 2021 the appeal was dismissed. Mr Jones thought it was vital to draw reference to the planning inspectorates' findings after considering all the evidence before him, concluding in favour of the appellant that there would be no detrimental impacts on public amenities and highways. Ultimately the appeal failed. This was due to triggers with open space contributions and affordable housing. Therefore the reasons for refusal which were highlighted before were not appropriate and would be unreasonable reasons for refusal.

**General Debate –**

Councillor Peter Scott (on behalf of the local member Ann Davies) highlighted concerns with the width of the entry road as it was not wide enough for emergency vehicles, and there would be overdevelopment of the area. The planning officer highlighted that the concerns raised by Councillor Davies were addressed within the report. There would be a legal agreement for £55k for affordable housing and £5k for open spaces, the application would not be released until the agreement was signed.

**Proposal** – Councillor Merfyn Parry proposed that the application be granted in accordance with officer recommendations as set out in the report, seconded by Councillor Huw Hilditch-Roberts.

**VOTE:**

FOR – 15

AGAINST – 0

ABSTAIN – 2

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

**10 APPLICATION NO. 15/2021/1028 - SALEM CHAPEL, ERYRYS, MOLD**

An application was submitted for the conversion of the chapel to form a holiday let accommodation unit and associated works at Salem Chapel, Eryrys, Mold.

**General Debate –**

Councillor Terry Mendies (local member) was aware of Salem Chapel and thought that the proposed application would be beneficial to Eryrys by bringing an unused tired building back into use. The application would change the building into an asset for the village, which would help the local economy by having footfall to the local pub.

Members queried whether there could be an amendment made to the application in respect of parking on the site. Officers clarified that the current use of the building would allow multiple people to park at the location; the highway officers had no concerns with the parking arrangements proposed with the application.

**Proposed** – Councillor Terry Mendies proposed the application be granted in accordance with officer recommendations, seconded by Merfyn Parry.

**VOTE –**

GRANT – 15

ABSTAIN – 0

REFUSE – 0

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

**11 APPLICATION NO. 16/2022/0335 - PLAS ISA MANOR, LLANBEDR DYFFRYN CLWYD, RUTHIN**

An application was submitted for the erection of an extension to the side of the dwelling to form a ground floor garage with a bedroom above at Plas Isa Manor, Llanbedr Dyffryn Clwyd, Ruthin.

At this juncture, the Planning Officer introduced the Conservation officer, who would assist with any queries relating to the application.

Councillor Merfyn Parry spoke on behalf of the local member, Councillor Huw Williams, who could not be present; the local member agreed with the application, as were the officers.

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

The conservation officer clarified that officers recommended the application be granted as the proposed application had good designs, and there were no detrimental impacts on other residents.

**VOTE –**

Grant – 16  
Abstain – 0  
Refuse – 0

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

**12 APPLICATION NO. 16/2022/0336 - PLAS ISA MANOR, LLANBEDR DYFFFRYN CLWYD, RUTHIN**

An application was submitted for the Erection of extension to side of dwelling to form ground floor garage with bedroom above (Listed Building Application).

The planning officers clarified to the committee that the application was similar to the previous application; however, they would need to be taken separately as this application was a listed building application.

**Proposal** Councillor Peter Scott proposed the application be granted in accordance with officer recommendation, seconded by Councillor Merfyn Parry.

VOTE –  
Grant – 16  
Abstain – 0  
Refuse – 0

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

**13 APPLICATION NO. 45/2021/0738 - 7 LLYS WALSH, RHYL**

A retrospective application was submitted for a change of use of dwelling (Use Class C3) to form a house of multiple occupancy (HMO) (Use Class C4) for four people at 7 Llys Walsh Rhyll.

At this juncture, the chair and officers agreed to take the 7 Llys Walsh Rhyll, 1 Lon Taylor Rhyll and 3 Lon Taylor Rhyll at once as all three applications were all for the same change of use for the dwellings.

Councillor Brian Blakeley highlighted an error with the reports as it stated Councillor Cheryl Williams and himself as the local members, which was incorrect. The local members were Councillors Win Mullen-James and Michelle Walker.

Councillor Win Mullen-James (local member) raised concern with the applications and the use of HMOs as it was against planning policy BSE 7. Planning officers interjected that the application was for Class C4 of HMO, a smaller class of HMO and was allowed within policy.

Councillor Joan Butterfield outlined concerns with the retrospective nature of the application. It was also highlighted that the Council had tried avoiding using HMOs. There were concerns with housing people in HMOs as it was classed as

substandard accommodation. There were also concerns raised as the health board did not have any forward planning with housing for their staff hence the need for HMOs. Councillor Butterfield was worried that a precedent would be set across the County by allowing HMOs once again.

**Proposal** - Councillor Gareth Sandilands proposed that the application be granted in accordance with officer recommendations as set out in the report, seconded by Councillor Win Mullen James.

Councillor Brian Blakeley, as the homeless champion in Rhyl, highlighted concerns with the amount of homelessness issues people housed in hotels; it causes distress for people in the Rhyl area.

The planning officer responded by informing the committee that Cartrefi Conwy purchased the properties on the open market. These were not tied to affordable housing, and there were no restrictions in place for the houses. If the application were refused, it would not mean the houses would not be open for people on the housing waiting list. He understood the concerns; there would need to be arguments about the impacts, the condition on planning application would only be for five years, and an assessment of the effect could be made at the end of that period.

Members queried whether only health workers could use the houses. Officers stated that it would be a condition on the application.

Some committee members highlighted that the health board were trying to house professionals professionally. A question was asked whether a homeowner would also be able rent some rooms. The planning officers stated it was something which could be done, and if multiple rooms were rented, then it would become an HMO. The planning officer reiterated how he understood the concerns raised by members; however, highlighted that if the application was refused, nothing stopped Cartrefi Conwy from renting to three people; the application before members gave the Council some control over the situation.

**Proposal** – Councillor Brian Blakeley proposed the application be refused on the grounds of loss of housing for residents, seconded by Councillor Andrea Tomlin.

Councillor Gareth Sandilands withdraw his original proposal of approval for the application.

The housing was for the workers for the health board and not for their family members,

The vote was taken on block for –

Agenda item 13 Application No. 45/2021/0738/ Pc - 7 Llys Walsh, Rhyl

Agenda item 14 Application No. 45/2021/0739/ Pc - 1 Lon Taylor, Rhyl

Agenda item 15 Application No. 45/2021/0740/ Pc - 3 Lon Taylor, Rhyl

**VOTE:**

FOR – 3

AGAINST – 11  
ABSTAIN –2

**RESOLVED** that permission be **GRANTED** in accordance with the officer Recommendations as detailed in the report, including the conditions set out in the report

**14 APPLICATION NO. 45/2021/0739 - 1 LON TAYLOR, RHYL**

A retrospective application was submitted for the change of use of dwelling (Use Class C3) to form a house of multiple occupancy (Use Class C4) for four people at 1 Lon Taylor Rhyl

**VOTE:**  
FOR – 3  
AGAINST – 11  
ABSTAIN –2

**RESOLVED** that permission be **GRANTED** in accordance with officer Recommendations as detailed in the report, including the conditions set out in the report

**15 APPLICATION NO. 45/2021/0740 - 3 LON TAYLOR, RHYL**

A retrospective application was submitted for the change of use of dwelling (Use Class C3) to form a house of multiple occupancy (Use Class C4) for four people at 3 Lon Taylor Rhyl.

**VOTE:**  
FOR – 3  
AGAINST – 11  
ABSTAIN –2

**RESOLVED** that permission be **GRANTED** in accordance with officer Recommendations as detailed in the report, including the conditions set out in the report

**16 SPECIAL REPORT - LAND NORTH OF MELIDEN ROAD AND WEST OF FFORDD TY NEWYDD, MELIDEN, PRESTATYN**

The planning officer informed members that the item provided members with information on a recent planning appeal decision received from the Planning and Environment Decisions on behalf of the Welsh Ministers for two planning applications for development at Mindale Farm, Meliden.

The matters had been to appeal, the applicant had lost however there were costs against the Council. Members were informed that the costs figures would be shared with members once they were known.

**RESOLVED** that the Planning Committee note the Planning Appeal Decisions –  
Mindale Farm, Prestatyn.