

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 15 February 2023 at 9.30 am.

PRESENT

Councillors Karen Edwards, Gwyneth Ellis, James Elson, Alan James, Delyth Jones, Terry Mendies, Merfyn Parry, Peter Scott (Vice-Chair), Andrea Tomlin and Mark Young (Chair)

Local Members - Councillors Hugh Evans, Paul Keddie and Huw Williams

ALSO PRESENT

Legal Officer (CL), Development Control Manager (PM); Principal Planning Officer (PG); Planning Officer - Career Grade (LM); Zoom Host (KJ); Committee Administrator (RTJ).

Public Speakers -
Ian Hemming
Matthew Davies
Tanya Reaich

1 APOLOGIES

Apologies were received by Councillors Gwyneth Ellis and Chris Evans.

2 DECLARATIONS OF INTEREST

Councillor Karen Edwards (Agenda item 5) raised a personal interest as her partner was related to the owner of the shop.

Councillor Huw Williams (non-committee member) (Agenda item 7) raised a personal interest as he has signage for his business on the sawmill site which was owned by the applicants family.

3 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent matters.

4 MINUTES

The minutes of the Planning Committee held on 11 January 2023 were submitted.

There were no matters arising or accuracy raised.

RESOLVED that subject to the above, the minutes of the meeting held on 11 January 2023 be approved as a correct record.

5 APPLICATION NO. 21/2022/0980 - THE PADDOCK, LLANFERRES

An application was submitted for the change of use of land and part of the building to form a donkey trekking business and associated works (partly retrospective) at The Paddock, Llanferres, Mold (previously circulated)

Public Speakers –

Ian Hemming (**Against**)– The public speaker was a resident who lived adjacent to the donkey trekking site and spoke on behalf of the others living locally. There were many concerns, including additional lighting, and increased traffic and loss of amenity through noise and disturbance. The loss of privacy was highlighted as some who went trekking could see into their gardens; this concern was further exacerbated as the site would be open until 9:00 pm. There had been some suggestions from Planners and the applicant to alleviate some concerns. However, the public speaker wanted these to be confirmed before approval. In closing, the public speaker highlighted that the Council had a duty of care for all the residents.

Matthew Davies (**For**) –the application was aimed to get people to walk with six miniature rescue donkeys within the AONB, all within the boundary of the applicant's land. The focus was the well-being benefits of being in the countryside and bonding with an animal. There had been a trial with the trekking carried out at the site under permitted development in June, July and August of 2022.

The applicant was overwhelmed by the response to the trial; it attracted people from outside the county, leading them to go into surrounding towns and villages. The site has been highly praised at award shows and by the Welsh Parliament. The message was that ventures such as this should be celebrated due to its benefits to the rural economy; many bodies had contacted the applicant to share the benefits. The applicants were partners with the North Wales Wildlife Trust and, in spring, started the conservation of the area with the planting of trees and the sowing of wildflower meadows. Denbighshire County Council's strategy aimed to promote and grow diversity within the tourism sector; the farm has had a history of diversification.

In closing, the applicant quoted the Clwydian Range AONB website – Communities should make the area a personable, welcoming location full of life adventure and personality and thriving communities and successful businesses need the freedom to develop; the applicant felt that the application strongly abided by this.

General Debate –

Councillor Huw Williams (**Local Member**) – supported the officer's recommendation to grant the application. He stated that the officers and the applicant had discussed the finer detail regarding the application. He felt that mitigation had been carried out with the conditions aimed to ease concerns which have been raised. He stated the application benefited the area, as it was a business diversification and would retain further generations of the family to remain in the area.

The committee sought clarity on the opening times with the business if the application was granted. In response, officers highlighted condition four within the report, which stated

“The site shall not be open for visitors to the donkey trekking business outside the hours:

- Mondays to Fridays - 5 pm to 8 pm.
- Saturdays - 10 am to 3 pm & 5 pm to 8 pm.
- Sundays & Bank Holidays - 10 am to 5 pm.

The site shall only operate between the 1st of April to 31st of December.”

It was also clarified that the business could not operate in the dark and reassured the committee if the applicant wanted to add lighting to the area, the matter would need to come back to planning to be agreed upon.

Councillor Terry Mendies commented that he felt the applicant was missing an opportunity by not having toilets at the site.

Councillor Huw Williams (**Local Member**) – thanked the committee for the discussion; he stated that it would be suitable for the applicant to co-work with education. In closing, Councillor Williams stated those who had raised objections had not been ignored if they had any concerns, they could contact their local councillors to assist with any issues.

Proposal – Councillor Merfyn Parry proposed the application be **GRANTED** in accordance with officer recommendations within the report, seconded by Councillor Alan James.

VOTE:

FOR – **17**

AGAINST – **0**

ABSTAIN – **0**

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

6 APPLICATION NO. 20/2022/0983 - GRAIG COTTAGE, GRAIGADWYWYNT, RUTHIN

An application was submitted for the Erection of 1 affordable dwelling, installation of a new septic tank and associated works at Land at Graig Cottage, Graigadwywynt, Ruthin (previously circulated)

Public Speaker –

Tanya Reaich (For) – thanked the committee for the opportunity to speak. The speaker highlighted the proposed house would remain in affordable housing status for perpetuity and would provide a lifetime home for another family in the future.

General Debate –

The chair asked councillors who attended the site visit whether they had any comments before the debate began.

Councillor Peter Scott, who attended the site visit, said his concerns with surface water and drainage were alleviated, and he felt that the application would be a good build.

Councillor Hugh Evans (local member) thanked the public speaker for her speech and the officers for the work carried out. However, Councillor Evans highlighted concern with the materials used in the build and whether they would be in keeping with the area.

Officers responded, suggesting that although the materials used would be different to existing properties, they would not cause any harm to visual amenities in the area.

The committee queried whether a condition could be put in place that a sample of materials be looked at before being incorporated into the build; officers responded that the matter could be conditioned into the application.

Proposal – Councillor Peter Scott proposed the application be **GRANTED** with an additional condition that the material colouring could be assessed before any work being carried out on the site, seconded by Councillor Alan James.

VOTE:

FOR – 17

AGAINST – 0

ABSTAIN – 0

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

7 APPLICATION NO. 03/2022/0862 42 MARKET STREET, LLANGOLLEN

An application was submitted for the Change of use from a shop (Use Class A1) to shop (Use Class A1) with an ancillary coffee shop (Use Class A3) at 42 Market Street, Llangollen (previously circulated)

General Debate –

The chair called upon those who had attended the site visit to share their views on the application; Councillor Peter Scott, who participated in the site visit, highlighted how the site was small; however, the plan was only to have two tables for the coffee shop. Therefore from a planning standpoint, Councillor Scott had no concerns.

Councillor Paul Keddie (**Local Member**) did not raise any concern with the planning application as detailed within the report.

Councillor Karen Edwards (**Local Member**) raised concerns with the use of the building as, to her knowledge, permission had not been granted for the building to be used for retail use. She sought clarity on the use of the building. Concerns were also outlined for the lack of information pertaining to the potential customer numbers to the site if granted and the impact it could have on parking; in closing, it was also stated that the town council objected to the application.

Officers responded that in their view the site had been a retail unit in the past, and the previous change of use was permitted and lawful. This application was for a modest ancillary A3 use; the scale proposed meant the impact on residents would be low, and the area was a mixed site with residential and business. There were conditions proposed for the controls with hours on the site, which would lessen the impact on residents.

Members queried whether there had been any fire risk assessments carried out for the site. Officers clarified that the building regulations controlled fire assessments if needed.

Proposal – Councillor Peter Scott proposed the application be **GRANTED** in accordance with officer recommendations and conditions detailed within the report, seconded by Councillor Andrea Tomlin.

VOTE:

FOR – **16**

AGAINST – **0**

ABSTAIN – **0**

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