

## PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 21 February 2024 at 9.30 am.

### PRESENT

Councillors Ellie Chard, Karen Edwards, Gwyneth Ellis, James Elson, Justine Evans, Jon Harland, Huw Hilditch-Roberts, Alan James, Delyth Jones, Julie Matthews, Terry Mendies, Raj Metri, Win Mullen-James, Merfyn Parry, Gareth Sandilands, Andrea Tomlin, Cheryl Williams, Elfed Williams and Mark Young (Chair)

### ALSO PRESENT

Legal Officer (CL); Principal Planning Officer (PG); Senior Highways Engineer (MP); Zoom Host (RT-J) and Committee Administrator (SLW).

**Public Speaker** – Ian Pick (Agent) for Item No. 5

**Observer** - Councillor Diane King

#### 1 APOLOGIES

Apologies for absence were received from Councillors Chris Evans and Arwel Roberts.

#### 2 DECLARATIONS OF INTEREST

Councillor Cheryl Williams declared a personal interest in Item 6 as her brothers property backs on to the property in question.

#### 3 URGENT MATTERS AS AGREED BY THE CHAIR

No items of an urgent nature had been raised with the Chair prior to the commencement of the meeting.

#### 4 MINUTES

The minutes of the meeting held on 17 January 2024 were submitted.

**RESOLVED** that the minutes of the meeting held on 17 January 2024 be received and approved as a true and correct record of the proceedings.

#### 5 APPLICATION NO. 23/2023/0468/ PF - BRYN GOLAU, SARON, DENBIGH

An application was submitted for the demolition of existing poultry farm and erection of a poultry unit for turkey breeding comprising 2 no. linked poultry units with associated feed bins, tractor shed, hardstandings, access road, new vehicular access and associated works at Bryn Golau, Saron, Denbigh LI16 4TH.

## **Public Speaker –**

Ian Pick – Agent (for) – Mr Pick put forward some context to the planning application. Aviagen Turkeys Limited have secured, subject to planning, option on this site and the other site in Saron. There were two poultry units in Saron they were both existing broiler units and Aviagen Turkeys had bought them subject to planning. The Planning Permission had been granted on the other site at Pen y Ffrydd. The proposal was that the laying turkeys were to be reared at Pen y Ffrydd and then moved to Bryn Golau where they would operate as a laying unit. The Pen y Ffrydd one was approved under delegated powers in December with exactly the same conditions in terms of hours of operation that are proposed within the officer's report for this application. In terms of the Bryn Golau site, it is an existing broiler rearing unit which had been there for a long time. It holds a permit from National Resources Wales to accommodate up to 87000 broiler chickens. The existing use of that site currently not being used as pending the outcome of this planning application, but it is perfectly functional. It was just currently mothballed until there was a resolution on this application. In terms of the existing use, that generated 83 lorries during the night. On all poultry units across the country poultry is caught in the night for welfare reasons, it is quieter, there is less stress on the bird for catching in the night, so the existing lawful use of this site require 83 lorries during the night. The proposal at Bryn Golau was a massive reduction in the intensity of the operation, moving from a rearing site to a laying site. The flock cycle is 36 weeks whereas the existing flock cycle is 7 weeks so the proposed development required 9 lorries in the night. The current use of the site was currently 83 lorries so there was a substantial reduction. The other issue mentioned at the previous Committee was the location of the access. Our highways consultants designed the access to meet the needs of the site. The access was put forward at the pre-application stage with the Denbighshire Highways Engineers and they have offered no objection to that access location and the design of the access within this planning application. In terms of the issues why this application was deferred, we can't agree to have no lorries in the night.

## **General debate –**

Councillor Elfed Williams (local member) raised concerns regarding the positioning of the access and the operational hours of the site. Councillor Williams expressed his disappointment that the application had been re-submitted to Planning Committee again so soon following the deferral at the previous meeting in January.

Councillor Williams confirmed he still had concerns regarding the working hours and proposed lorries able to use the site until midnight. Also proposing during June, July and August, that time changed to possibly 1.00 a.m. Lorries moving in and out Monday – Friday 7.00 a.m. – 5.00 p.m. and Saturday 7.00 a.m. – 1.00 p.m. and on Sundays and Bank Holidays 10.00 a.m. – 4.00 p.m. and think that is reasonable. Councillor Williams accepted there were no business conditions in place but with this being a new application, there should be the possibility of conditions being in place as stated.

The current unit had 83 deliveries per night time per year. Condition Number 9 stated within the report the transport of live poultry from the site would be limited to

6 vehicles per 36 week production period. This would be a considerable improvement on existing transport movements. There had been no issues with the current deliveries.

The Senior Highways Engineer understood the local concerns. The new access would be created north of the site closer to the main road through Saron. Thereafter, the existing access would be closed. It was concluded that there would not be an unacceptable impact on the local highways in terms of highway safety and no reason to refuse the current application.

### **Proposal –**

Councillor Elfed Williams **PROPOSED** the application be granted with the additional conditions –

- (i) Conditions about access to the site, more details to be forthcoming in terms of how you close the current access and open up the new one and the widening the road for new access. More details required before the work starts.
- (ii) Hours of operation from 7.00 a.m. - 5.00 p.m. Monday to Friday; 7.00 a.m. – 1.00 p.m. Saturday; and 10.00 a.m. – 4.00 p.m. Sundays and Bank Holidays.  
Delivery of turkeys between 7.00 a.m. and 12.00 a.m. September – May  
7.00 a.m. – 1.00 a.m. June, July and August.

**SECONDED** by Councillor Gwyneth Ellis

At this juncture, Councillor Win Mullen-James put forward a proposal as follows –

Councillor Win Mullen-James **PROPOSED** grant the application given the conditions that the officers have stated and there is consultation regarding Highways.

**SECONDED** by Councillor Andrea Tomlin.

Vote to take place on the proposal put forward by Councillor Elfed Williams

VOTE –  
For – 9  
Against – 10  
Abstain – 0

Therefore, the proposal put forward by Councillor Elfed Williams was lost.

Vote to take place on the proposal put forward by Councillor Win Mullen-James

VOTE –  
For – 19  
Against – 0  
Abstain – 0

***RESOLVED** that the application be **GRANTED** in accordance with officer recommendation with an additional condition around the access details.*

**6 PLANNING APPEAL HEARING - KYNSAL HOUSE, VALE ROAD, RHYL - APPLICATION NO. 45/2021/0516/ PF**

To seek the support and involvement of Member(s) in defending the Local Planning Authorities decision to refuse planning permission for the:

“Change of use of land and ancillary buildings to form residential Traveller site for 6 caravans, with the existing dwelling Kynsal House retained for owners / managers accommodation; including formation of internal pathways and parking, landscaping and associated works”.

The appeal was to be held as an Informal Hearing and would take place in Russell House in Rhyl, and scheduled to be held on 30<sup>th</sup> April 2024.

Following the sad passing away of Councillor Pete Prendergast, there was a need for a member to attend the Appeal Hearing.

Councillor Ellie Chard offered to represent the Planning Committee at the Appeal Hearing.

There was unanimous support for Councillor Chard to attend the Appeal Hearing on behalf of the Planning Committee.

**THE MEETING CONCLUDED AT 10.07 A.M.**