

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 20 March 2024 at 9.30 am.

### **PRESENT**

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

### **ALSO PRESENT**

Legal Advisor (CL); Development Management & Building Control Manager (PM); Principal Planning Officer (PG); Senior Highways Engineer (MP); Legal Officer (SR); Conservation Project Surveyor (CE); Zoom Host (NH) and Committee Administrator (RhTJ).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Delyth Jones and Cheryl Williams.

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

Councillor Arwel Roberts declared a personal interest in agenda item 5 and 6 as he member of the Menter Iaith committee board.

Councillor Mark Young declared a personal interest in agenda item 5 and 6 as he was a member of one of the mentioned charities within the application, however, was not a member of the property board.

Councillor Chris Evans declared a personal interest in agenda item 5 and 6 as he was a member of one of the mentioned charities within the application, he was not a member of the board at the charity.

#### **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 21 February 2024 were submitted.

***RESOLVED*** that the minutes of the meeting held on 21 February 2024 be received and approved as a true and correct record of the proceedings

**5 APPLICATION NO. 01/2023/0715 - CROWN WORKSHOP (FORMER BUTTERMARKEt), DENBIGH**

An application was submitted for the Alterations and reparations to the roof, including the removal and making good of the existing skylight, the insertion of rooflights, solar PV panels and associated works at the Crown Workshop (Former Buttermarket), Crown Lane, Denbigh.

Public Speaker - Paul Moore (for) thanked the committee for the opportunity to speak in support of the application for the Buttermarket in Denbigh. The public speaker clarified they would not be discussing the technical aspects of the application and legislation, as that has already been presented; they'd focus on the importance of this building to the community. After being vacant and falling into disrepair for almost seven years, the hope was to see it return to life. The applicant's vision was to create a mental health heritage and cultural centre, operated by the third sector and charities, which would provide crucial services to the people of Denbighshire.

Given the current financial climate, delivering any service was extremely challenging, particularly for the third sector, which was facing ongoing cuts and difficult decisions daily. The aim was to reduce operational overheads and focus on delivering outcomes. For instance, the development aimed to provide a much-needed mental health service for at least five days a week, along with volunteer opportunities. The applicant also aspired to develop the services and become accredited while promoting our culture with Menter Iaith.

The public speaker acknowledged that Denbighshire has greatly supported their vision, and we're grateful for the funding available through the Shared Prosperity Fund. The Buttermarket had significant potential to become a vital community hub.

**General Debate –**

Councillor Mark Young allowed Councillor Arwel Roberts to speak on behalf of Councillor Delyth Jones (local member), who could not attend. "As a local member of the ward where the building was located, I wanted to share my thoughts. The proposal is to develop the building, which has already received planning permission, into an office, educational centre, museum, and community facility. This plan aligns with the Shared Prosperity Fund's objectives and is in an appropriate location. Therefore, I fully support this project.

I have no objections to the proposed conservation of roof lights or the nesting box on the site. It's crucial to ensure that the roofing materials used are appropriate for the site, such as Welsh Slate, as mentioned in the report. While I support the project, I have concerns regarding adding solar panels to the building. Renewable energy is vital for the future, but the location's size and scale may not be appropriate for an array of 40 panels. I urge the panel members to carefully consider this aspect before deciding. As the site was in a conservation area where listed buildings are prevalent, the location and visibility of any new construction are crucial considerations. The proposed site, being prominently positioned and visible

from numerous footpaths throughout the town, including those leading to Denbigh Castle, requires special attention.

Any development in this area poses a risk of setting a precedent for future projects, which could have an adverse impact on conservation efforts. Denbigh boasts the highest number of listed buildings in Wales, making it even more imperative to preserve and safeguard the town's unique character. The Finance CFFR finance is at risk if the proposed scheme includes solar panels, which was a matter of concern. The development plan should have considered the area's historical and conservation significance to avoid any potential harm to the community's heritage."

The chair also allowed Councillor Merfyn Parry to speak on behalf of Councillor Pauline Edwards (local member). "As a local member of this ward, I was pleased to learn about the funding granted to support the much-needed community facility in Denbigh. However, my delight was dampened when I read about the concerns raised regarding the planned Solar Panel PV system. I have gone through the heritage impact statement and found that the interactive solar PV system proposed for the building's roof tiles is a thoughtful solution to address any possible impact on the appearance of the building. The solar panels would only be fitted to the most modern parts of the building and would not be visible from the original Buttermarket Structure. They would not be predominantly publicly visible from the Highways.

I understand that the proposed PV Panels are a requirement for the building to support the UK Government's net Zero policy. This aligns with our environmental goals and would benefit the buildings, including reduced running costs. It is worth noting that Denbigh Town Council and Cadw have no objections to the plans."

Officers informed the committee that the Council's Conservation Officer attended the meeting to answer any queries regarding the application.

Members highlighted that the application was beneficial to bring an unused building back into use for the community; the proposed solar panels would assist the location with running costs and align with the green agenda that both local and nationwide were pursuing. It was also added that the conversation concerns had been considered through the application.

Councillor Merfyn Parry highlighted that there could be a condition that if more advanced technology is implemented in the future, which would render the solar panels obsolete, the roof could be returned to the original design.

The Conservation Officer highlighted that the panels were visible and could hamper the visual amenities of the town, as well as they could set a precedent for any future developments in the area.

Officers clarified to members that the discussion regarding setting a precedent was complex; the application did ensure that the panels would be placed in the less prominent areas. Officers clarified that each application would need to be discussed on its own merits; however, if the application were approved, it would make any similar arguments more difficult moving forward.

The Conservation Officer added that he agreed that the panels which were proposed were the best option; however, they were still plastic and not the traditional roofing materials which would have been used; responding to whether the panels could be seen from street level, the officer clarified they could be seen from the street and the carpark.

Alternative heating was raised, such as air source or ground source heating and whether they had been looked at as an alternative heating method. Councillor Parry added to the matter by highlighting that they were good heating sources; however, they required power to run, and without panels they could be financially unviable as heating. Officers had raised the matter with the agent and application; however, there had been no further comments on the situation.

The Legal Advisor clarified the condition suggested regarding reinstating the roof to its previous state if the solar panels became redundant; they would be brought back to the committee in the future and could be included if the application was granted. Officers would also discuss any conditions with the local members if the application for planning permission was granted.

**Proposal** – Councillor Elfed Williams proposed the application be granted contrary to officer recommendation because the environmental policies outweighed the heritage aspect of the policies; the proposal included the condition that the solar panels be removed should they become redundant, seconded by Councillor Merfyn Parry.

**VOTE –**

For – 17

Against – 1

Abstain – 0

**RESOLVED** that the application be **GRANTED** contrary to officer recommendation.

**6 APPLICATION NO. 01/2023/0716 - CROWN WORKSHOP (FORMER BUTTERMARKE T), DENBIGH (LISTED BUILDING APPLICATION)**

A listed building application was submitted for the Alterations and reparations to the roof, including the removal and making good of the existing skylight, the insertion of rooflights, solar PV panels and associated works at the Crown Workshop (Former Buttermarket), Crown Lane, Denbigh.

Public Speaker - Paul Moore (for) thanked the chair for being allowed to address the committee, adding to what was said earlier; the application aimed to support the redevelopment of the building, the aim to bring it up to modern standards and make it more functional while also highlighting its potential for the future. The applicant wanted to ensure the building could be used for a long time by implementing appropriate efficiencies.

**Proposal** – Councillor Merfyn Parry proposed the application be granted contrary to officer recommendation, with conditions being discussed with local members if granted, seconded by Councillor Elfed Williams.

Before the vote took place, Councillor Gwyneth Ellis queried whether any consideration had been given to the fact the building was a listed building during the debate; also, she raised whether she could vote on the application as although she had missed the previous discussion, she had been present from the start of this one.

Officers clarified that during the previous debate consideration had been given to the listed building status of the building. Councillor Ellis decided not to vote.

**VOTE –**

For – 17

Against – 1

Abstain – 0

**RESOLVED** that the application be **GRANTED** contrary to officer recommendation.

**7 APPLICATION NO. 09-2023-0669 - HAFOD Y PARC, BODFARI, DENBIGH**

An application was submitted for the demolition of an existing storage building, and conversion of an existing cow shed to form one dwelling, including the erection of single-storey extensions, formation of parking, installation of a package treatment plant, landscaping and associated works at Outbuildings at Hafod Y Parc, Bodfari, Denbigh.

**Public Speaker** - Gethin Jones (agent) (For) Thanked the committee for being allowed to speak. He clarified he would be presenting a proposal on behalf of Jones Planning consultants, who represent the applicants who have deep roots in Hafod Park.

The applicants were currently serving North Wales Police, and a former North Wales Police officer now working with Natural Resources Wales, wish to relocate to Aberwheeler due to their strong family connections to the area. However, financial limitations have made relocation impractical for them. The economic challenges also limit the local communities' ability to welcome vibrant young families like theirs, who have deep family connections to the area.

The proposed site was located northeast of Aberwheeler and was part of the Historic Grove Hall Estate. The site was formerly home to the lodge, which was relocated to the end in the early 1900s.

The site includes a building locally called the Cow Shed, which CPAP recognises as a building of local interest. The adjoining storage building was once an enclosed weatherproof structure, as seen in historical photographs from the 1970s. The application proposes to convert the site into residential accommodation with a sensitive and thoroughly considered approach. The proposal aligns with the existing parameters and has received great support from the local community, including 17 letters of support and endorsement from the local community council.

The proposed development aims to enhance the area and provide a residence for a young couple with deep roots in the community. However, the site's current state, including the deteriorating cow shed and disorderly storage building, detracts from the overall visual appeal of the AONB. Despite this, the elevated views from the Offa's dyke provide a perspective that highlights the importance of blending the proposed development with an agricultural volume that matches the surrounding area. Although the proposal may not meet the conversion point required by Policy PSE 4, the historical and architectural significance of the cow shed presents a compelling case for its reuse. The applicant believes it was important to balance policy and heritage conservation and has asked members to consider this balance in their decision-making process carefully.

### **General Debate –**

Councillor Merfyn Parry (local member) – informed the committee that they should have received late documentation with pictures relating to the site and raised his frustration with the lack of pictures available during the committee, as there had been previously Councillor Parry raised that within the application, the cow shed was located in the curtilage of the old Grove Hall Farm. The proposal was to convert it into a dwelling, which would not only preserve the historic fabric but also enhance the local heritage landscape. The community council favoured this proposal, and there have been no objections. Grove Hall was a club in the 50s and a farm until the 70s. However, all the buildings have now been made into residential flats, apartments, and houses.

**Proposal –** Councillor Merfyn Parry proposed the application be granted contrary to officer recommendations, seconded by Councillor Huw Hilditch-Roberts.

The committee debated the merits of including conditions on the use of material on the development; some members wanted to ensure that the material was matching the pre-existing properties at the site, whilst others believed that having two differing materials would highlight the older elements of the site. Members also raised that they were concerned the development could sometime in the future become a holiday let, and if the application was granted, and wondered whether it could be included as a condition.

The officers gave members background regarding policy; the development site in question falls outside the development boundary and is subject to exception policies, such as converting rural buildings (Policy PSE 4). However, the building to be converted was only 36 square meters, below the minimum space standard for a small dwelling (50 square meters). The officer clarified that to make the application compliant, an extension of nearly 100 square meters is proposed to-be built, effectively making it a new dwelling and failing the rural exception policy. Referring to the possibility of conditioning materials if permission is granted against the officer's recommendation, the materials used could be agreed upon with further conditions. Officers also addressed Councillor Ellis's point about the recent legislation changes that identify Holiday Lets as a separate use class from dwelling. While the Local Planning Authority can remove the permitted development through a planning condition, the conditions can be discussed with the local member if the committee go against the officers' recommendation

Members agreed with the possible conditions to ensure the property did not become a holiday let. Conditions on the potential phasing of the construction to ensure the cow shed conversion occurred concurrently with the new build were raised, and officers stated that conditions would be discussed with the local members if the application was granted.

The chair welcomed Councillor Hilditch-Roberts to speak as he seconded the proposal and whether he was content with the inclusion of additional conditions; he was not content with the conditions as he felt there was a family who wanted to build a house, and the committee making the whole process harder with the proposed conditions. He felt the plans were good and the proposed development would benefit the area. He thought that materials could be conditioned, but the other suggested conditions on phasing made the process difficult.

Officers informed members that the conditions did not need to be discussed with the committee. If the decision was to go against the recommendations, there would need to be clear reasoning provided by Committee Members.

During the debate, some members raised concerns with the application as it was felt the proposal was tantamount to erecting a new dwelling in the open countryside. This was evident from the amount of new build versus the conversion of the small cow shed.

Councillor Parry highlighted his reasons for going contrary to officer recommendations. They were that the development proposed would retain some local heritage, and the development would mitigate any negative visual amenities if the building remained vacant and would fall into disrepair.

**VOTE –**

For – 19

Against – 0

Abstain – 0

***RESOLVED*** that the application be **GRANTED** contrary to officer recommendation and that the conditions be detailed with local members and be brought back to committee later.

**8 APPLICATION NO. 14-2023-0371 - LAND AT LLYS HEULOG, CYFFYLIOG**

An application was submitted for the Erection of 7 dwellings including access, internal estate roads, landscaping and associated works at Land at Llys Heulog, Cyffylliog, Ruthin.

Councillor Elfed Williams (local member) thanked the chair for the opportunity to speak; he queried when the application had been previously discussed; however, he wanted to know why the access was an issue previously and now was not mentioned as a concern. He also queried whether solar panelling could be included in the new houses.

Responding officers clarified that there were no previous concerns with the highway safety and the entrance to the site back in 2019 when the application was initially considered.

Officers informed the committee that there would be no affordable housing units built at the site. However, there would be a financial contribution by way of a commuted sum which would be used to support the provision of affordable housing in the locality. The sum would be controlled via a section 106 agreement. Likewise there would be a financial contribution towards open space the amount was calculated according to the open space calculator, which equated to roughly £1200 per unit. Members were also reassured that if the money could not be used in the immediate area, then it would go to support the surrounding area.

Officers also clarified to members that they could not force the developers to put solar panels on the units. However, they could encourage them via a note to applicant.

**Proposal** – Councillor Elfed Williams proposed the application be granted in accordance with officer recommendations, which Councillor Merfyn Parry seconded.

**VOTE –**

For – 19

Against – 0

Abstain – 0

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