

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 19 June 2024 at 9.30 am.

### **PRESENT**

Councillors Ellie Chard, Karen Edwards, James Elson, Chris Evans, Jon Harland, Huw Hilditch-Roberts, Alan James, Delyth Jones, Julie Matthews, Terry Mendies, Merfyn Parry, Arwel Roberts, Gareth Sandilands, Andrea Tomlin, Cheryl Williams and Mark Young (Chair)

### **ALSO PRESENT**

Legal Advisor (CL), Development Management and Building Control Manager (PM), Principal Planning Officer (PG), Senior Minerals and Waste Officer (RWW), Zoom Host (RT-J, and Committee Administrator (NH)  
Public Speaker – Richard Jones (Agent) for item 5  
Public Speaker – Pete Lloyd (Agent) for item 6

**Observer:** Councillor Ann Davies

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Gwyneth Ellis and Elfed Williams.

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

Councillor Alan James declared a personal interest in item 7 as he had met the agent representing the application previously.

Councillor Merfyn Parry declared a personal and prejudicial interest in item 8 as he works directly with applicant submitting the application.

#### **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 Planning Committee meeting held on the 22 May 2024 were submitted. It was:

##### **Accuracy –**

Councillor Karen Edwards submitted her apologies for the previous meeting however, these were not noted on the minutes.

The minutes from the Planning Committee meeting held on the 22 May 2024 to include apologies from Councillor Karen Edwards.

No matters arising were raised.

It was:

**RESOLVED:** *that, subject to the above, the minutes of the meeting held on the 22 May 2024 be received and approved as a true and correct record of the proceedings.*

**5 APPLICATION NO: 15/2021/0318 - LAND ADJACENT ERW GOED, LLANARMON YN IAI, MOLD**

An application was submitted for the details of the appearance, landscaping, layout and scale of 12 dwellings submitted in accordance with condition 1 of outline permission code no. 15/2013/1080 (Reserved Matters application).

**Public Speaker** – Richard Jones (for) the proposed sustainable housing scheme consisted of six, three bedroomed four, four bedroomed and two, five bedroomed family homes. The site was located within the Llanarmon Yn Iai settlement boundary, was allocated with the Local Development Plan and had development permission for 0.6 hectares of land for residential purposes.

The application was supported by all statutory consultees including National Resources Wales (NRW) and the Area of Outstanding Natural Beauty (AONB) Joint Committee on sensitive design matters such as, the appearance of the proposed access and materials, new tree planting, planting of hedgerows at site boundaries and all external lighting was to conform with the Dark Skies initiative. The scheme had been amended due to responses from neighbouring properties as requested by Planning Officers and included revised boundary fencing treatments, new planting of specific trees and hedges and the proposed heights of the properties had been lowered.

After 18 months of proactive liaison and sampling with with NRW and Welsh Water a Phosphate permit being issued. The construction of the scheme would commence shortly after determination to assist with much needed general needs housing. The application was in line with the Planning Departments PPW12 Ecology Policy.

**General Debate –**

The Principal Planning Officer reminded members that this was a Reserved Matters application and was focused on the appearance, landscaping, layout, and scale of the 12 proposed dwellings.

The Local Member, Councillor Terry Mendies stated that this was an historical application that complied with planning regulations and added that if the dwellings were built in line with the proposed plans, he could see no objections from the local community.

**Proposal** – Councillor Alan James proposed that the application be granted in accordance with officer recommendation, **SECONDED** by Councillor Karen Edwards.

**Vote –**

For – 16

Against – 0

Abstain – 0

***RESOLVED:*** that the application be **GRANTED** in accordance with the officer recommendation.

**6 APPLICATION NO: 44/2023/0783/ PF - LAND ADJACENT TO CHURCH YARD ENTRANCE FRONTING CHURCH STREET RHUDDLAN**

An application was submitted for the land adjacent to Church Yard Entrance fronting Church Street, Rhuddlan.

**Public Speaker** – Pete Lloyd (for) considerable thought and care had been given to the scale, position, size, plan, roof shape and materials of the dwelling to ensure that views across the site would be retained. The reduced scale and formation of the roof opened the space across the church gates.

During the course of the application the proposals had been further refined and Planning officers were thanked for their assistance with this. Following a site visit, further revisions to the materials had been made, adding more stone and reducing the height of the sleeper boundaries. This was a sustainable form of development that had resolved in full, all previous concerns and benefitted from significant material considerations that favoured the planning balance to grant permission for the application.

**Site meeting** – Friday 14 June at 10am

Members who attended the site visit were invited to address the Planning Committee.

Councillor Ann Davies stated that the site meeting was beneficial and many of her concerns were addressed, particularly the building materials being used, and this was now noted within the revised plans.

Councillor Arwel Roberts stated that it was important to protect the entrance to the church. He also expressed his desire that this dwelling would not be used as a holiday home in the future. Two conditions to the application being submitted were raised –

- Work to commence between 9am – 5pm only.
- Work was stopped when there was a service at the church such as a wedding.

The Development Management and Building Control Manager explained that in the addendum report circulated by officers prior to the meeting, a number of amended and additional conditions had been recommended, one specifically relating to the potential use of the dwelling in the future. There was a condition on the stone boundary wall, to ensure that it was maintained and a condition on a construction method statement being submitted to the Planning Team prior to the start of construction. Therefore, no additional conditions on the proposal were needed and the Lead Member was thanked for the issues that he raised.

#### **General Debate –**

Members highlighted potential constraints being put on the contractor by only allowing work to be conducted between 9am- 5pm. It was stated that many contractors in the area were onsite from 7.30am onwards and this condition may increase the costs and the time the construction took to be completed.

The Development Management and Building Control Manager referred to the condition that stated a construction statement was to be submitted to officers prior to the commencement of any work. Once the construction statement had been received, officers would liaise with local members.

**Proposal –** Councillor Arwel Roberts proposed the application be granted in accordance with officer recommendation, **SECONDED** by Councillor Andrea Tomlin.

#### **Vote –**

For – 16

Against – 0

Abstain – 0

***RESOLVED:*** that the application be **GRANTED** in accordance with the officer recommendation.

#### **7 APPLICATION NO. 03/2024/0102/ PF - CEIRIOG, BIRCH HILL, LLANGOLLEN, LL20 8LN**

An application was submitted for the subdivision of existing dwelling to form one ground floor flat and one flat on the second and third floors including retrospective extension of parking area.

Local Member Councillor Karen Edwards expressed her concerns regarding parking on Birch Hill and stated that concerns had been raised by residents. However, the application now included two additional parking spaces and bicycle storage. After discussions with officers raising her concerns involving the property being used as a holiday let in the future, it was requested that an additional condition relating to this be added to the proposal. It was noted that an additional condition to address this point was recommended by officers in the addendum report circulated by officers prior to the meeting.

**Proposal** – Councillor Karen Edwards proposed the application be granted in accordance with officer recommendation, **SECONDED** by Councillor Merfyn Parry.

**Vote –**

For – 16

Against – 0

Abstain – 0

***RESOLVED:*** that the application be **GRANTED** in accordance with the officer recommendation.

**8 APPLICATION NO: 47/2023/0796/ PS - BIOGEN WAEN, HOLYWELL ROAD, RHUALLT, ST ASAPH**

An application was submitted for the variation of condition 3 of planning permission code no. 47/2012/1120 to include “the anaerobic digestion of food waste and/or non-waste crops”.

Councillor Merfyn Parry left the meeting after declaring a personal and prejudicial interest in this agenda item.

The Senior Minerals and Waste Planning Officer gave a brief background to the application.

This was an application to allow greater variance in feedstock to fuel an Anaerobic Digester developed and contractor to deal with residual food waste collected by Conwy, Denbighshire and Flintshire Local Authorities.

The plant became operational in 2014 and the basic Concept was –

Putrescible food waste was brought to site, it was macerated, broken down anaerobically by microorganisms where the gas was extracted and used to fuel a generator to produce in the region of 1MW of electricity annually. The material left over still contained the nutrients such as nitrogen, phosphorous and potassium which was then utilised by local farmers to spread on land as manure.

This application was to vary the feedstock to allow for the processing of non-waste crops e.g. grasses, rye, maize in addition to food waste within the facility. It was stressed that this was not an application to increase the capacity of the plant. It was purely an application to vary and process more consistent feedstock.

The site was regulated and controlled by way of planning conditions and Environmental Permit.

As part of the planning process objections were received in relation to possible negative effects the feedstock variance would have on Farming, The Welsh language and Culture locally, the lack of landscaping, effects on local amenity by way of noise and odour and highway impacts.

Some of these concerns were material and others immaterial to the application process however, had been addressed within the report presented to committee.

### **General Debate –**

Members highlighted that the site currently used 80% of its capacity and this application would allow for the remaining 20% capacity to be used. Members added that the cereal and the maize being brought to the site would only be from a small radius in the locality which assisted in keeping the Carbon Footprint of the operation low.

Councillor Chris Evans expressed his concerns regarding the surrounding farmland and that the proposal did not adhere to the first planning application that was granted in 2013, regarding the landscaping of the area and questioned the commitment of the contractor that this would be adhered to going forward.

The Development Management and Building Control Manager explained that they were aware of some concerns around the original consent and the compliance with the planning conditions. This matter was dealt with under the Planning Compliance process, and this would be looked at. At this present time, he was not aware of any significant complaints that had been submitted recently in regard to landscaping however, officers had passed this onto the Planning Compliance Team to investigate. This would not prevent the planning application being granted as it related to a different condition within the plan. There were planning conditions that limited the use of the plant which were dealt with by environmental permits and regulations. If any further concerns were raised there were processes in place to investigate them.

**Proposal –** Councillor Alan James proposed the application be granted in accordance with officer recommendation, **SECONDED** by Councillor Delyth Jones.

### **Vote –**

For – 15

Against – 0

Abstain – 0

**RESOLVED:** *that the application be **GRANTED** in accordance with the officer recommendation.*

Meeting concluded at 10.20am