

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 22nd January 2014 at 9.30am.

PRESENT

Councillors, I W Armstrong, J.R. Bartley (observer), J A Butterfield, J Chamberlain-Jones, W L Cowie, , M Ll. Davies, R J Davies, S.A. Davies, P A. Evans, M.L. Holland (observer), H Hilditch-Roberts, C. Hughes, T.R. Hughes., E.A. Jones W M Mullen-James (Chair) , R M Murray, P W Owen,. D Owens, T M Parry, A Roberts, W.N. Tasker, J Thompson-Hill , J S Welch, C H Williams, C L Williams and H O Williams

ALSO PRESENT

Principal Solicitor (Planning and Highways) (Susan Cordiner), Principal Planning Officer (Ian Weaver) Team Leader (Support) (Gwen Butler), Customer Services Officer (Judith Williams) and Translator (Catrin Gilkes).

Angela Loftus (Local Development Plan Manager) attended part of the meeting

1 APOLOGIES

Apologies for absence were received from Councillors J.M. Davies, P. Duffy, P M Jones, M. McCarroll and D Simmons.

It was confirmed that Councillor C.L Guy had withdrawn as a Member of Planning Committee with immediate effect.

Head of Planning and Public Protection (Graham Boase), and Development Control Manager (Paul Mead) also tendered apologies for absence.

2 DECLARATIONS OF INTEREST

None

3 URGENT ITEMS: None

4 MINUTES OF THE MEETING HELD ON 11th December 2013.

Agreed as a true record:

5 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Head of Planning, and Public Protection (previously circulated) was submitted enumerating applications submitted and requiring determination by the Committee.

RESOLVED that:-

- (a) *the recommendations of the Officers, as contained within the report submitted, be confirmed and planning consents or refusals as the case may be, be issued as appropriate under the Town and Country Planning Act 1990, Town and Country Planning (General Permitted Development) Order 1995, Planning and Compensation Act 1991, Town and Country Planning Advert Regulations 1991 and/or Planning (Listed Buildings and Conservation Areas) Act 1990 to the proposals comprising the following applications subject to the conditions enumerated in the schedule submitted:-*

Application No: 01/2012/1607/PO

Location: Former Wool Depot Grove Road Denbigh

Description: Development of 0.6 ha of land for residential purposes
(outline application including access)

A page omitted from the committee report was circulated
Representations were reported from Denbighshire County Council Civil Contingencies
Manager

Public Speakers:

FOR: Mr Conor Flanagan (agent) spoke in favour of the development, thanking officers for their assistance and referring Committee to the favourable recommendation in the report.

Councillor Ray Bartley spoke on behalf of the local member (Councillor G Kensler) in proposing that the development be granted.

Members raised the following issues: that the entrance to the site should be made safe at the earliest opportunity; whether there was sufficient open space; whether archaeological remains of the railway may be present and the potential for flooding

Councillor Colin Hughes advised on the flood alleviation scheme in the area and considered the local culvert to be adequate.

Principal Planning Officer Ian Weaver explained that this was an outline application and as such, issues such as open space would be dealt with at detailed stage. However, the access was included for approval. A Note to Applicant could be added in relation to the issue of potential archaeological remains.

Councillor Colin Hughes proposed that Permission be Granted
This was seconded by Councillor Richard Davies

On being put to the vote
21 voted to Grant
0 Voted to Refuse
0 Abstained

RESOLVED THEREFORE THAT PERMISSION BE GRANTED

Subject to the following additional Note(s) to Applicant:
Prior to the commencement of any development you are advised to contact the County Archaeologist, Fiona Gale on 01824 708262 or fiona.gale@denbighshire.gov.uk to discuss arrangements for inspecting the site at clearance/soil stripping stage, should this be justified for archaeological recording purposes.

In accordance with Welsh Government Circular 07/12, if the Committee resolve to grant permission, the application has to be referred to Welsh Government for confirmation the permission can be issued. This is a national requirement where a proposal involves housing development of 10 or more units on land in a C2 flood zone.

Location: Lleweni Hall, Denbigh

Description: Conversion and extension of stable wing to form 1 no dwelling and installation of a package treatment plant

Councillor R Davies spoke on behalf of the local members who were in favour of this development.

Other Members of Committee raised issues relating to the provision of affordable housing and the risk of flooding in this area.

Principal Planning Officer Ian Weaver replied that provision of affordable housing was not viable in this particular case due to the cost of conversion. The area is prone to flooding but Natural Resources Wales (NRW) have recommended floor levels be set at a height to mitigate the risk. He explained that it is ultimately the responsibility of the developer to ensure the risk is adequately addressed.

Councillor M. Lloyd Davies proposed that permission be GRANTED. This was seconded by Councillor A. Roberts.

On being put to the vote:

21 Voted to GRANT

0 Voted to REFUSE

1 Abstained

RESOLVED THEREFORE THAT PERMISSION BE GRANTED

Subject to the following revised condition –

Condition 3, line 3 .

New sentence should read – “In particular the finished floor level *shall* be set.....” etc.(not *should* be set)

Suggested revised Note to Applicant:

Second note under title ‘Biodiversity’ -

Delete the following line “The Biodiversity Officer had advised your attention should be drawn to the following.”

Application No: 07/2013/1233/PF

Location: Rhos Isa, Llandrillo, Corwen

Description: Erection of replacement two-storey dwelling with detached garage/workshop and alterations to existing vehicular access

Councillor Cefyn Williams gave Committee his views in support of this application for a local person to live in the area, and proposed permission be GRANTED. This was seconded by Councillor M. Lloyd Davies.

On being put to the vote

22 Voted to GRANT
0 Voted to REFUSE
0 Abstained

RESOLVED THEREFORE THAT PERMISSION BE GRANTED

Application No: 43/2013/1305/PF

Location: **Outbuildings at Tyn Y Wal Ffordd Penrhwyfa Meliden**
Prestatyn

Description: Conversion of redundant outbuilding to form 1 no.
dwelling. Formation of pitched roof over existing workshop

There was no debate on this item.

Councillor Peter Evans moved officers' recommendation that permission be Granted. This was seconded by Councillor Bob Murray. On being put to the vote:

20 voted to GRANT
0 voted to Refuse
0 Abstained

RESOLVED THEREFORE THAT PERMISSION BE GRANTED

Subject to: the following revised condition:

4. All development shall take place in accordance with the recommendations set out within the protected species survey unless otherwise agreed in writing by the Local Planning Authority

SUPPLEMENTARY PLANNING GUIDANCE

Ms Angela Loftus (LDP Manager) was in attendance for these items and explained the background to the programme of review of all Supplementary Planning Guidance (SPGs) following adoption of the Local Development Plan.

Ms Loftus presented two Draft SPGs for Members' comments and authorisation to proceed with public consultation

ITEM 6

Draft Supplementary Planning Guidance: Parking Requirements

Submitted – Report seeking Members' approval to consult on the draft "Supplementary Planning Guidance (SPG): Parking Requirements", which sets out draft new parking standards to be applied in the County. Once adopted, this will replace the existing "SPG 21: Parking Requirements in New Developments", and will provide further up to date guidance for developers, Officers and Members

Ms Loftus advised that Planning and County Highways colleagues had worked closely to produce this document. The proposal includes a differentiation between rural and urban parking requirements and ensures standard provision for disabled, motorcycle and bicycle parking.

The public consultation period is proposed to start in February 2014 for 8 weeks and the results will be reported back to Planning Committee.

There followed considerable debate during which Members asked specific questions on the following:

- 4.3 - requires clarification
- 4.4 –request made to increase provision in West Rhyl
- 4.6 - request for a general increase in maximum parking provision standards
- 5.3 - requires clarification
- 5.4 - requires clarification
- A2.20 - requires clarification

Further queries included clarification on the development of parking spaces in place of front gardens in residential areas.

Ms Loftus answered questions and stated her view that the proposed standards were reasonably generous. It was also pointed out that there was a specific SPG for West Rhyl. The "operational standards" related to deliveries to businesses and shops while "non operational standards" referred to staff and visitors

Members requested that specific standards be considered for Bodelwyddan Key Strategic site and Colomendy Industrial Estate in Denbigh. Also that motorcycle spaces be smaller than car space standards and (in order to aid drainage) that a porous "grasscrete" surface be specified as being preferable to tarmac surface treatment. It was also requested that the character of communities be considered.

PROPOSAL

Councillor Bill Cowie proposed that the document be approved for public consultation subject to the inclusion of an appendix listing queries raised by Planning Committee, to inform public debate.

On being put to the vote:

22 voted in favour of the proposal

0 voted against the proposal

0 abstained

Members requested that the agreed appendix be circulated to committee members prior to the public consultation exercise.

ITEM 7

Conversion of Rural Buildings Supplementary Planning Guidance – Consultation Draft

Ms Angela Loftus introduced this item, explaining that following the adoption of the LDP on 4th June 2013, Council agreed to carry forward the existing series of SPGs, including SPG 16 – Conversion of Rural Buildings. However, given the significant differences between the previous Unitary Development Plan (UDP) and LDP policies relating to conversion of rural buildings, the introduction of the requirement for affordable housing, and the need for further guidance, it is necessary to produce an updated SPG on this topic. When adopted, the SPG will be a material planning consideration when assessing planning applications. This document also covers shops, public houses and community facilities and requires market testing in order to encourage business use. Affordable housing for people with local connections would be the next priority. The guidance was proposed to be more lenient for Listed Buildings “at risk” and also lists those buildings not considered to be suitable for conversion.

The public consultation period would be a minimum of 8 weeks and is anticipated to start in the last week of January 2014. The results of the consultation will be reported back to Planning Committee with a final SPG for adoption.

Members raised queries on the following issues:

- the timescale for market testing (considering 12 months to be excessive)
- concern over the inclusion of marketing throughout Merseyside, Liverpool, Manchester and Cheshire, preferring it to be ring-fenced to North Wales (a contrary view being that a wider marketing exercise could result in more local jobs being created)
- Unrealistic financial viability requirements resulting in buildings not being redeveloped at all
- Flooding issues not being adequately addressed

Councillor Bill Cowie proposed that the proposed Draft SPG on Rural Conversion be accepted for public consultation. This was seconded by Councillor Richard Davies

On being put to the vote

21 voted to accept the proposal

2 voted not to accept the proposal

0 abstained

Resolved therefore that Members agree the draft SPG on conversion of rural buildings as a basis for public consultation.

ITEM 8

Draft Planning (Wales) Bill and Positive Planning consultation

Ms Angela Loftus introduced this item to make Members aware of the Welsh Government's consultation on a Draft Planning Bill and supplementary document entitled 'Positive Planning'. The consultation closes on February 26th 2014. The documents can be viewed via the Welsh Government website. A copy would be sent electronically on request.

Ms Loftus explained the key issues of the Bill to modernise the planning process as it is seen to be too regulatory and should encourage development.

Ms Loftus gave a presentation on the main elements of the Bill.

Members raised a number of issues, regretting the proposed move away from community involvement in elements of the planning process. Doubt was expressed at the involvement of Town/Community Councils.

Specific issues included:

- This would result in an increase in layers of policy leading to confusion
- The A55 corridor proposal does not include boundaries
- The proposal does not take account of the potential for Local Government Reorganisation in the near future
- Reducing the representation on Planning Committee would erode local democracy

After some debate, it was proposed by Councillor Alice Jones and seconded by Councillor Huw Hilditch Roberts that:

The document be forwarded to all Councillors. Individual views to be sent to Ms Angela Loftus to be included in a Council response to the consultation paper.

ITEM 9

NORTH WALES WIND FARMS CONNECTIONS MAJOR INFRASTRUCTURE PROJECT

UPDATE REPORT FOR INFORMATION

Submitted: report to update Members on the current status of the North Wales Wind Farms Connections project, and to seek a resolution regarding the extent to which the Council should participate in the planning process for this project.

Mr Ian Weaver (Principal Planning Officer explained the background to this report and requested the views of Members on the resource implications. Any application for overhead lines from Clocaenog wind farm to St Asaph electricity sub station would not be dealt with by the Local Authority but the County would be consulted. There would be no planning fee but staff would be expected to attend public meetings and provide a response to the consultation in due course. However, funding would be available for the Authority to employ consultants where the County lacks particular professional expertise.

Members of Committee expressed the view that it was important for the County to engage in the process and staff should be involved in the consultation with affected local communities.

Councillor Colin Hughes proposed that officers engage in the process and the resources be made available. In seconding this motion, Councillor M. Lloyd Davies made the following suggestions:

- That funding be requested from Welsh Government
- That the Companies involved be asked to contribute
- That County Council reserves be utilized where appropriate

On a show of hands this proposal was agreed. The key dates contained within the report were noted and the report received for information. Officers were requested to report back to Committee in due course.

**ITEM 10
PLANNING APPEAL DECISION**

**ERECTION OF PITCHED ROOF DORMER STYLE EXTENSION AT REAR AND
CONSERVATORY AT SIDE OF DWELLING**

**ERW LAS, PANT DU ROAD, ERYRYS
APPLICATION NO. 21/2013/0797/PF**

This report, for Members information, related to an appeal decision from the Planning Inspectorate on the Council's refusal of planning permission for the above development.

The appeal decision raises important matters of interpretation of the Local Development Plan policy relating to extensions to dwellings, and there are a number of conclusions in the appeal Inspector's decision letter which are material to Members and Officers considerations of similar proposals in the County.

Resolved: That the report be received for information

THE MEETING CONCLUDED AT 12:40 pm