

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 19th March 2014 at 9.30am.

PRESENT

Councillors I W Armstrong, J.R. Bartley (observer), J A Butterfield, J Chamberlain-Jones, W L Cowie, J.M. Davies , R J Davies, S.A. Davies, P A. Evans, H Hilditch-Roberts, C. Hughes. T.R. Hughes, P M Jones, M. McCarroll ,W M Mullen-James (Chair) , R M Murray, P W Owen,. D Owens, T M Parry, A Roberts, D Simmons, B. Smith (local member / observer) J Thompson-Hill, C H Williams, and H O Williams

ALSO PRESENT

Head of Planning and Public Protection (Graham Boase), Development Control Manager (Paul Mead) , Principal Solicitor -Planning and Highways (Susan Cordiner), Principal Planning Officer (Ian Weaver), Highways Officer (Mike Parker), Team Leader (Support) (Gwen Butler), Customer Services Officer (Judith Williams) and Translators (Catrin Gilkes and Bryn Jones).
Angela Loftus (Local Development Plan & Policy Manager) and Martha Savage (Minerals and Waste Officer) attended part of the meeting

1 APOLOGIES

Apologies for absence were received from Councillors M LI. Davies, E.A. Jones, W.N. Tasker , J S Welch and C L Williams

2 DECLARATIONS OF INTEREST

None

3 URGENT ITEMS: None

4 MINUTES OF THE MEETING HELD ON 19th February 2014.

Agreed as a true record, subject to an addition to the item on River Lodge, Llangollen – Councillor Stuart Davies wished it to be noted that he had expressed the opinion during debate that the applicants should be financially responsible for the provision of controlled crossings.

5 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

It was noted that an overflow room was available for the public.
The item 31/2013/1069/PF (Proposed Crematorium, Glascoed Road, St Asaph) was heard first

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 Advertisements 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: 31/2013/1069/PF

Location: **Land West of St. Asaph Business Park on South side of Glascoed Road, St. Asaph**

Description: Erection of a crematorium with associated car park, access road and gardens of remembrance, construction of a new vehicular access and installation of a package treatment plant

A number of representations, notes of a Member briefing, and Officer notes were circulated in the late representations sheets. The representations were from

Mrs L. Griffiths, Cottage Villa, Glascoed Road, St. Asaph
David Cummings, by email
Gareth Jones, by email
Mark Evans, Pebble Hill Property Ltd, Conwy Business Centre, Llandudno Junction, Conwy
Mrs K Barlow, 4 Elwy View, Mill Street, St. Asaph
Mr M Barlow, 5 Maes Robert, Cefn, St. Asaph
G. Roberts, Funeral Director, Vale Cottage, Waen, St. Asaph
Cefn Meiriadog and Glascoed Road Residents and Users Group.

Public Speakers:

AGAINST

Mr Martin Barlow

Mr Barlow started by acknowledging there may be need for a crematorium in Denbighshire but felt it should be rejected because this site had not been included in the Local Development Plan (LDP). It was also against the LDP because it was not possible to walk to the site nor was there a bus service which would be costly to provide.

Mr Barlow felt the submitted site assessment was weak as it only looked at Glascoed Road. An independent assessment was requested.

He felt it was important to protect the high grade agricultural land and was concerned about the effect on children who would be passing on a daily basis. He considered the development would have an impact on the character of the area. He stated that this was a community already under siege from development.

Mr Huw Evans

Mr Evans stated that Cefn Meiriadog is a beautiful area and a close community which has been his home all his life. The village had suffered development related to offshore windfarms including cabling in recent years. Mr Evans felt that this was the wrong place for a crematorium, as it should be nearer centres of population. He

referred to highways concerns and that no planning policies seem to cater for the feelings of local people.

FOR

Mr Rhys Davies

Mr Davies spoke in favour stating that crematoria become part of the community and there is proven need for such a facility.

This site is considered suitable because of its central location and would be sensitively screened.

There were no highway objections and Mr Davies emphasised that crematoria do not produce any odour or smoke due to modern processes.

Local concerns against crematoria in other areas have proved groundless and they have received no objections once the sites have been developed.

Mr Davies urged committee to consider the benefit this will bring to the County.

Mr Jameson Hodgson.

Mr Hodgson told committee that the applicants "Memoria" were a family firm and had developed crematoria in many locations in the United Kingdom while retaining close links with the local community.

He advised that there had been careful selection of the site. It was not considered there would be adverse impact on the Business Park or the location.

He stated that funeral traffic could be diverted away from the Business Park but the funerals would only take place between 10am and 3pm. The building would not be visible once landscaping had been established and there was an offer to consider contributions to improve bus services and to provide bus stops. Mr Jamieson explained the history of discussions with the Officers going back to 2009, including the search for a suitable site.

He concluded by reading a letter from The Bishop of St. Asaph, in support of the proposal.

Chair referred to a Member Briefing which had been very helpful.

Councillor B. Cowie was of the opinion that there may be a need for a crematorium as the 2-3 week waiting time for a funeral was unacceptable. However his research had shown that this was not the best location for it. Councillor Cowie felt it should be nearer the centre of the County with better accessibility including bus links. He suggested development on high quality agricultural land should be restricted.

Councillor B. Smith referred to the quality of the agricultural land to be lost and raised questions over the quantitative need case, whether overriding need had been proven, whether the site was genuinely accessible and whether the proposed improvements to public transport links could be delivered by the suggested planning

conditions. She questioned the site selection process and whether the scheme was truly a “community facility”.

Councillor M. Parry stated the lack of support for this location among the funeral directors in the area and also felt it should be sited further south as the Mochdre Colwyn Bay Crematorium was only 10 miles away. He also regretted the absence of a bus service and the effect of the development on the morale of workers in the Business Park .

Councillor J. Thompson Hill considered there was a need for the crematorium but had concerns about access matters.

Councillor Cefyn Williams was interested in the effect of emissions and reported no local complaints at Pentrebychan, Wrexham, despite his observation of smoke from the chimneys

Councillor Arwel Roberts was concerned at the loss of agricultural land and transport issues. He questioned whether the development should be within a development boundary.

Councillor J. Davies suggested that this was a regional facility with strong views in favour and against. He questioned whether there were any control possible over the routes of funeral processions, and whether there was any impact likely on occupiers of dwellings.

Councillor Colin Hughes was unhappy at being lobbied prior to committee but also considered the proposed location to be ill-advised, contrary to the Local Development Plan, and could impact on the profile of the Business Park.

Councillor H. Hilditch Roberts felt it was important not to depart from the Local Development Plan as it would set a precedent.

Councillor H. O Williams agreed.

Councillor D. Owens questioned the consultation process and agreed that the location was not suitable.

Officers stated there was a clear recommendation in favour but understood it was not an easy decision. It was important to deal with the application on its merits. The land in question was grade 3A agricultural land, the same as other land identified in the site search assessment.

Mike Parker (Highways) explained that there was no objection on highway grounds. The access roads are not narrow or particularly busy. It would be necessary to know where bus stops were proposed in order to comment on that element. It may be possible to suggest an access route for corteges, avoiding the business park but it could not be the subject of a condition.

Proposals:

Councillor Bill Cowie proposed that permission be **REFUSED**, against Officers recommendation.

Councillor Cowie referred to the matters raised in debate on the application and made specific mention of conflicts with the Local Development Plan, loss of agricultural land, highway safety, landscape and visual impact.

This was seconded by Councillor Arwel Roberts.

On being put to the vote

4 voted to GRANT

15 voted to REFUSE

4 Abstained

The permission was therefore **REFUSED** contrary to officer recommendation.

This resolution, being contrary to officers recommendation was taken for the following reasons:

Conflict with the Local Development Plan, loss of agricultural land, highway safety, landscape and visual impact

Full reasons for refusal to be drafted by the Officers.

Application No: 24/2013/1461/PF

Location: Land adjoining Hafod Ynys Rhewl Ruthin

Description: Erection of 10 no. dwellings, associated garages, vehicular access, public open space and public car parking area

Report of a site visit which took place on Friday 14th February 2014 was included in the late information sheets.

Councillor M. Parry expressed his appreciation for the site visit which addressed issues such as parking and the provision of a pavement, and the availability of a commuted sum for school use. Councillor Parry asked that the car park and estate entrance be brought into use first.

Proposals:

Councillor M Parry proposed permission be GRANTED
This was seconded by Councillor S. Davies

VOTE:

21 Voted to GRANT

0 voted to REFUSE

0 Abstained

PERMISSION WAS THEREFORE GRANTED

Subject to: the following Amended Condition

The development shall not be permitted to commence until the arrangements for the future management and maintenance of the parking area have been approved in writing by the Local Planning Authority, and the parking area shall be completed before the occupation of the first dwelling.

And new Note(s) to Applicant:

You will be aware that the Local Planning Authority has received representations from the owners of Hafod Ynys, drawing attention to the delineation of the site boundary. Whilst the Authority cannot act as an arbiter in any civil dispute over the position of a property boundary, you should ensure there are no private constraints over the implementation of the planning permission, or any basis for challenge to the validity of the application or grant of permission based on materially inaccurate or misleading claims on land ownership, or failure to complete the appropriate Notice(s) to accompany the planning application.

Your attention is drawn to the possibility that the tree survey / report may contain reference to trees in separate ownership, hence you should ensure any works to

trees or hedgerows on or close to the property boundary are within your ownership.

Application No: 43/2013/1352/PF

Location: Land off Graham Avenue Meliden Prestatyn

Description: Erection of 2 no. detached dwellings and construction of a new vehicular access

The following additional letters of representations were referred to in the late information sheet:

Natural Resources Wales; Prestatyn Town Council; Gibbons, Clairville Ffordd Penrhwyfya; and D Ashton 4 Graham Avenue, Meliden.

Councillor Peter Evans (local member) hoped that the hedge at the Bowling Green side would be retained.

Councillor Peter Evans proposed permission be GRANTED
This was seconded by Councillor H Hilditch Roberts.

VOTE:

22 voted to GRANT

0 voted to REFUSE

0 Abstained

PERMISSION WAS THEREFORE GRANTED

Subject to:

New Condition(s)

No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailing of the foul and surface water drainage arrangements. The development shall be carried out strictly in accordance with the approved details prior to the occupation of the first dwelling.

Reason – To ensure a satisfactory drainage system in connection with the development.

No development shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to a detailed site plan showing the final levels of the whole site, including the finished floor levels of the dwellings, all pathways, driveways and parking areas, and the re-contouring of the areas proposed as the gardens for the dwellings. Those details subsequently approved shall be implemented in full thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason – For the avoidance of doubt and to ensure the acceptability of the different elements of the scheme.

Application No: 45/2013/1452/PS

Location: **Unit 2 and 3 Glan Aber Works Glan Aber Trading Estate, Vale Road Rhyl**

Description: Variation of condition numbers 2, & 5 of planning permission ref 45/2012/0280/PF to permit use of part of unit 3 as office, cladding to front of unit 3, storage of empty skips in front of unit 2 and shipping container to rear of unit 3

A clearer plan was circulated to outline the proposals.

Martha Savage (Minerals & Waste Officer, Flintshire) was in attendance for this item and explained the background of monitoring this site which resulted in this application to regularise the breach of condition discovered. It was emphasised that there was no conflict with the consent relating to stored asbestos at the site.

Proposals:

Councillor Pat Jones proposed this be Granted
This was seconded by Councillor M. McCarroll on the understanding that the conditions are strictly adhered to.

On being put to the vote.

VOTE:

20 voted to GRANT

0 voted to REFUSE

1 Abstained

PERMISSION WAS THEREFORE GRANTED

Subject to the receipt of no additional representation from Rhyl Town Council by the 22nd March 2014 raising land use planning matters not already dealt with in the Officer report.

Application No: 47/2013/1478/PC

Location: Track from Terfyn to Marian Mills Cwm Dyserth Rhyl

Description: Maintenance work to track using recycled aggregate to level the area and topped with soft product (Retrospective application)

Councillor Barbara Smith explained the history of this issue, that the applicant had surfaced the track (which had been muddy and boggy) in ignorance of the need for planning permission. It was noted that there had been a request that a depth of 150 mm (6 inches) of topping be required, but this was not specified in the officer's recommendation.

Proposals:

Councillor S Davies proposed that this be GRANTED without the proposed condition

This was seconded by Councillor D. Owens

On being put to the vote:

VOTE:

19 voted to GRANT without the proposed condition

2 voted to REFUSE

0 Abstained

PERMISSION WAS THEREFORE GRANTED

Subject to the deletion of Condition No. 1

ITEM 6

Draft LDP Site Development Brief 2: Bodelwyddan Key Strategic Site

Submitted Report by Angela Loftus, Planning & Public Protection Policy Manager, to inform Members of the draft Site Development Brief for Bodelwyddan Key Strategic Site and to seek Members' approval to undertake consultation on the draft Site Development Brief with statutory bodies and the public. If approved, the Site Development Brief will be used in the determination of any planning applications on the site.

Ms Loftus introduced the report and explained the process of workshops and debate on this issue and drew Members' attention to the proposed alterations detailed on the circulated addendum.

Councillor S Davies express concern at the process of Member consultation but proposed that the draft Site Development Brief for Bodelwyddan Key Strategic Site be agreed for public consultation

This was seconded by Councillor B Cowie

On being put to the vote

21 voted to agree the draft Site Development Brief for Bodelwyddan Key Strategic Site for public consultation for an 8 week period

agree the draft Site Development Brief for Bodelwyddan Key Strategic Site for public consultation 0 Abstained

It was therefore resolved to agree the draft Site Development Brief for Bodelwyddan Key Strategic Site for public consultation.

ITEM 7

Welsh Language Supplementary Planning Guidance – Adoption of final document

Submitted, report by Angela Loftus, Planning & Public Protection Policy Manager, summarising responses from the recent consultation on the draft SPG Planning and the Welsh Language and recommends adoption without modifications enabling the guidance to be used in the determination of planning applications.

Angela Loftus introduced this item, explaining that the SPG was subject to public consultation for 10 weeks between 2nd December and 10th February 2014 and drew Members' attention to the consultation report detailing the results of the consultation and responses received which had been circulated.

Members discussed the spread and usage of the Welsh language in the area - Councillor Stuart Davies proposed that Members adopt the final SPG on Welsh language for use in the determination of planning applications. This was seconded by Councillor Julian Thompson – Hill

On being put to the vote

20 voted to adopt

1 voted not to adopt

0 Abstained

Resolved therefore that the final SPG on Welsh language be adopted for use in the determination of planning applications

**ITEM 8
INFORMATION ITEM**

**SUBMITTED: REPORT BY THE HEAD OF PLANNING AND PUBLIC
PROTECTION
WELSH GOVERNMENT CONSULTATION -
THE USE OF CONDITIONS FOR DEVELOPMENT MANAGEMENT**

Paul Mead (DC Manager) explained that Welsh Government were looking to standardise planning conditions and further information was available on the web site www.wales.gov.uk

Comments were sought by the deadline of 25th April 2014

Resolved that the report be received for information

ADDITIONAL ITEM

As a result of questions from Committee THE HEAD OF PLANNING AND PUBLIC PROTECTION Graham Boase offered to update all Members on the progress of the Compulsory Purchase Order on the Former North Wales Hospital, Denbigh. He also reminded committee of the Section 55 Appeal which starts on 8th April 2014 in Denbigh Town Hall.

The meeting closed at 12 noon