

## **PLANNING COMMITTEE**

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 18<sup>th</sup> June 2014 at 9.30am.

### **PRESENT**

Councillors J.R. Bartley (Chair), I W Armstrong, J A Butterfield, J Chamberlain-Jones, W L Cowie, J A Davies, M LI Davies, R J Davies, S A Davies, C. Hughes, T.R. Hughes, P M Jones, G M Kensler (observer), M. McCarroll, W M Mullen-James, R M Murray, P W Owen, D Owens, T M Parry, P Penlington, A Roberts, D Simmons, J Thompson-Hill, J S Welch, C H Williams, C L Williams and H O Williams

### **ALSO PRESENT**

Head of Planning and Public Protection (Graham Boase) Principal Solicitor (Planning and Highways) (Susan Cordiner), Principal Planning Officer (Ian Weaver), Senior Support Officer (Judith Williams) and Translator (Sandra Williams).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors A Jones and B Tasker

It was noted that Councillor Ann Jones has replaced Councillor James Davies as representative of the Conservative Group on Planning Committee with immediate effect. Councillor Paul Penlington was also welcomed onto the Committee.

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

Councillor M LI Davies declared an interest in Agenda Item 6

#### **3 URGENT ITEMS: Late report – Protocol for Site Inspection Panels**

#### **4 MINUTES OF THE MEETING HELD ON 14<sup>th</sup> May 2014.**

Agreed as a true record with an amendment to record that Councillor Stuart Davies asked that in relation to item 10 (Supplementary Planning Guidance on Affordable Housing), the notes be revised to refer to his request for consideration of changes to Planning Policies.

#### **5 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT**

Report by the Head of Planning and Public Protection (previously circulated) relating to applications submitted and requiring determination by the Committee were considered.

*It was RESOLVED that:-*

- (a) the recommendations of Officers, as contained within the reports submitted, be confirmed and planning consents or refusals as the case may be, be issued as appropriate under the relevant legislation in relation to:-*

**Application No:** 18/2014/0225/PF**Location:** The Creamery, Llandyrnog, Denbigh**Description:** Erection of 6 no. silos and associated engineering works**Public Speakers:****Mr J. Grieve (For)**

Mr Grieve spoke on behalf of the applicants in his capacity of Site Director. The main reasons behind the 6 silos being proposed were to achieve the company's aim of saving energy by recovering hot and cold water and improving the quality of the end product. The company had achieved many successes recently and had employed an extra 40 local people, and had increased their productivity from 15,000 tonnes to 30,000 tonnes per year. The company was aware of the local concerns and has considered these fully in the improvements being made. They had commissioned a full noise survey to ascertain where the noise was coming from.

**General Debate:**

Councillor Mervyn Parry supported the application as he felt it was important to the local community in that the site had provided 40 additional good quality jobs for local people which pay more than the minimum wage and the company may employ more. He felt that the noise issues related mainly to older equipment which the company were seeking to improve. Once the new equipment was in place, he understood that the pumps on the old boilers would be switched off. He urged the Committee to support the application.

Councillor Bill Cowie supported the application but requested that the Committee be made aware of the results of the noise survey as this aspect needed to be resolved from the beginning.

Ian Weaver (Principal Planning Officer) explained that it was up to the Members as to what information they required to come back to Committee or whether they would be happy to accept that the information comes back to the Local Member for approval.

Councillor Cowie agreed that he was happy for the information to be referred back to the Local Member rather than come back to the Committee.

**Proposals:**

Councillor Mervyn Parry proposed that permission be GRANTED. This was seconded by Cllr Cowie.

**VOTE:**

On a unanimous show of hands, the vote was carried.

**PERMISSION WAS THEREFORE GRANTED SUBJECT TO THE CONDITIONS IN THE OFFICERS REPORT.**

**Application No:** 43/2013/1318/PF

**Location:** **Plas Deva Caravan Park, Ffordd Talargoch, Meliden, Prestatyn**

**Description:** Change of use of land for the siting of up to 43 park homes for permanent residential occupation including access improvements and retention of existing building for site managers accommodation

The following additional information was reported to Committee:

**Consultees :**

Prestatyn Town Council  
"No objection"

**Private individuals**

In objection, from:

J. Huxley, 15 Morfa Ddu, St James Drive, Prestatyn

- Summary of representations :  
Repeats concerns over road layout, drainage, and site maintenance issues.

**Public Speakers:**

**Mr A. Knott (agent) - For**

Mr Knott explained that the proposed park homes were for retired and semi-retired people over the age of 50, the units themselves would be high quality, and the site would be well landscaped throughout. The site had been vacant since 2006 and in 2007 outline permission was granted for residential development on the site. This permission was never implemented and the site has now been given a housing allocation within the Denbighshire Local Development Plan. The proposal offers the opportunity for older people to downsize into small manageable bungalows. This would hopefully allow residents in Meliden to stay within the area. The applicants already had similar schemes in Meliden.

**General Debate:**

Paul Mead (Development Management and Compliance Manager), introduced the item with the assistance of the photographic display. He explained that this was a difficult application in that it did raise positive and negative issues. It was suggested the LDP policies seek a mix of housing types and tenures including open space, but that was not what was being proposed. It was understood Park Homes fall within the definition of caravans, and therefore obliges consideration of policy PSE12 – Chalet, static and touring caravan and camping sites, which does not allow the change of use of tourist use to residential. Officers could not support the application in its current form.

Cllr Win Mullen-James (Vice Chair) had attended the pre-committee site visit and supported what the Officer had said. Cllr Mullen-James felt that there was no need for more bungalows in that area.

Cllr Ray Bartley (Chair) had also attended the site visit and agreed with Cllr Mullen-James.

Cllr Joe Welch stated that permanent caravans should not be allowed.

Cllr Huw Hilditch Roberts asked that the situation regarding the payment of Council Tax be clarified and whether the last use as a caravan site could be implemented again should this application fail.

Paul Mead replied that Council tax was not a relevant material planning consideration. However, he pointed out that the site would require a site licence under the site licence regime.

Cllr David Simmons supported the Officer recommendation as he felt that this proposal could set a precedent.

Cllr Stuart Davies suggested the application raised interesting issues and wondered whether this is simply another way of providing homes, which perhaps merited support.

Cllr Meirick Lloyd Davies proposed refusal as he felt that this application would open the door to similar applications.

Cllr Huw Hilditch-Roberts was not necessarily in favour of the proposal but wondered whether there was a flaw in the LDP policy which would allow full time holiday accommodation but would not support permanent residential use.

Paul Mead responded by explaining that Park Homes could be considered to meet housing need in certain locations. However, in this location policy suggested that a mix of housing is preferable. In relation to other sites having 12 months occupancy, these related to use for holiday purposes and not as a permanent place of residence.

Graham Boase (Head of Planning and Public Protection) explained that there was a risk that if this proposal was accepted, other developers could use this form of housing rather than providing quality permanent dwellings on allocated sites in the County.

**Proposals:**

**Cllr Meirick Lloyd Davies proposed that permission should be REFUSED. This was seconded by Cllr Mervyn Parry**

**VOTE:**

**The application was refused on a show of hands.**

**Refuse – 24**

**Abstain - 3**

**PERMISSION WAS THEREFORE REFUSED FOR THE REASONS IN THE OFFICER REPORT**

**Application No:** 43/2014/0013/PS**Location:** Prestatyn Football Club Bastion Gardens Prestatyn**Description:** Variation of condition no. 2 of planning permission code no. 43/2008/0072 to permit the use of the floodlights between 1430hrs and 2200hrs on no more than 3 days in any 7 day period**General Debate:**

Paul Mead (Development Management and Compliance Manager), introduced the item and explained that the club had been on the site for 30 years. League requirements have changed over the years and this has had an impact through the requirement to televise certain matches. Conditions had been used previously to restrict the use of the flood lights but clearly this was something that is difficult to control and there have been some breaches. The suggested times of use in this proposal are from 2.30 p.m. to 10 p.m. for up to 3 days in any 7 days. The Officers consider the impact of the lights to be acceptable subject to controls.

Cllr Julian Thompson-Hill stated that he supported the club but felt that this was a difficult proposal to accept. He felt that 12 occasions for late matches should be sufficient for use of the flood lights and that the current proposal gives potential for the lights being used for a maximum of 156 days per year. He felt that this would mean that the lights would not be used simply for matches, but would be used for other events such as training and this would lead to an unacceptable impact on the amenity of the neighbours. Cllr Thompson-Hill then moved that the application be refused on the grounds that it would have an unacceptable increase on the level of residential amenity of adjacent properties. Cllr Bob Murray seconded this proposal.

Cllr Paul Penlington stated Prestatyn Town Council had recognised the fact that objections had been raised regarding the proposal when they considered the application.

Paul Mead accepted the difficulties of formulating suitable conditions. Planning had encouraged the club to liaise with neighbours as much as possible. However, it was now for the Committee to consider the application that was before them.

**Proposals:**

Cllr Thompson-Hill moved that the application be refused on the grounds that it would have an unacceptable increase on the level of residential amenity of adjacent properties. Cllr Bob Murray seconded this proposal.

**VOTE:****REFUSE 6****GRANT 19**

**The application was therefore GRANTED subject to the conditions in the Officers report.**

**Application No:** 31/2014/0432/PF

**Location:** Land south of St. Asaph Business Park (south)  
Glascoed Road St. Asaph

**Description:** Continued use of land as a construction compound for up to 5 years to be used in association with Burbo Bank extension onshore works

**General Debate:**

Ian Weaver (Principal Planning Officer) introduced the item and explained that this site currently had consent for a construction compound for works connected with offshore wind farms, and a recent permission won on appeal for caravan storage. An issue relating to footpaths had been raised previously and it was explained that this issue would be dealt with outside of the planning process.

Cllr Meirick Lloyd Davies explained the stance of Cefn Meiriadog Council. The previous application for caravan storage had been refused by the local authority and the Community Council felt that this application was no better or worse so they felt that this application should also be refused. However, Cllr Lloyd Davies moved the Officers recommendation. This was seconded by Cllr Bill Cowie.

Cllr Dewi Owens felt that the access would be using up good agricultural land and could not understand why they were proposing to change the access.

Ian Weaver replied that he understood that the applicants were going to continue using the existing access and did not propose any change in this detail.

**Proposals:**

Cllr Meirick Lloyd Davies proposed that the application be GRANTED. Cllr Cowie seconded the proposal.

**VOTE:**

On a show of hands, the application was GRANTED.

**Permission was therefore GRANTED subject to the conditions in the Officer report, amendment in the late representation sheet and the addition of controls over external lighting.**

**Application No:** 46/2014/0438/PC

**Location:** 7 Deans Walk St Asaph

**Description:** Retention of garden storage shed (retrospective application)

**Public Speaker:**

**Mr Bill Martin (For)**

Mr Bill explained that the proposal was for a good quality garden shed which had already been erected on site. When the applicant moved into the house, there was already a pagoda in place and the area was sheltered by trees. The shed was purchased as a kit and stored on the driveway for some time before being erected. Once the shed was erected, his neighbours then cut their trees around the boundary which then made the shed visible. Mr Bill also pointed out that he felt that the condition suggested that related to the removal of the window adjacent to the fence was not feasible as the window was part of the structure.

**General Debate:**

Cllr Cowie supported the Officer recommendation but asked that an additional condition be added to ensure that rain water from the shed does not drain in to the neighbours garden.

Cllr Dewi Owens asked if there was a business being run from the premises.

Paul Mead replied that he was not aware of any evidence to show that there was a business being run from the application site.

**Proposals:**

Cllr Bill Cowie proposed that the application be GRANTED subject to the inclusion of an additional condition to ensure that rain water does not drain to the neighbours garden. Cllr Richard Davies seconded the proposal.

**VOTE:**

The application was GRANTED on a show of hands.

**PERMISSION WAS THEREFORE GRANTED**

**Subject to:**

- Deleting condition 1 in the Officer report
- Revising condition 2 to recognize the nature of the construction, but to ensure the window was permanently blocked up
- Adding a condition to require approval of the disposal of roof water

**AGENDA ITEM NO. 6**

**REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION**

**PLANNING APPEAL**

**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**

**LAND WEST OF ST, ASAPH BUSINESS PARK ON SOUTH SIDE OF  
GLASCOED ROAD, ST. ASAPH**

**APPLICATION NO. 31/2013/1069/PF**

Ian Weaver (Principal Planning Officer), explained that although the authority had been made aware of an appeal being lodged by the appellant, confirmation had not yet been received that it has been accepted as valid by the Planning Inspectorate and no date had been set for the public inquiry.

Cllr Colin Hughes proposed that the proposer and seconder for the original refusal are nominated to represent the Council at the public inquiry. This was seconded by Cllr Win Mullen-James.

On being put to the vote it was agreed:

- a) That the Planning Committee appoints Councillors Bill Cowie and Arwel Roberts to give evidence at the Inquiry.
- b) That the Planning Committee agree to the engagement of a Barrister and Planning Consultant to defend the reasons for refusal.



## **AGENDA ITEM NO. 7**

### **PLANNING APPEAL ANALYSIS 2013/14**

The report provided a detailed analysis of planning appeal decisions which have been made from April 2013 to date.

Members noted the contents of the report and did not raise any questions.

## **URGENT ITEM – Late report**

## **AGENDA ITEM NO. 8**

### **PROTOCOL FOR SITE INSPECTION PANELS**

The report attached a revised protocol for the staging of Site Inspection Panels.

Paul Mead (Development Management and Compliance Manager), explained what the current procedure is. He pointed out that the proposed changes would be reviewed in 6 months.

Councillor David Simmons pointed out that there was no facility for a substitute to attend if the local member is not available.

Councillor Bill Cowie proposed that paragraph 3.1 should be amended to include a representative from each political party as well as the Chair, Vice Chair and Local Member and paragraph 3.3 should be amended to take out “with the agreement of the Chair” and replace with “notify Chair”. This was seconded by Councillor Julian Thompson Hill.

Officers agreed to incorporate the suggested amendments

The meeting closed at 11.30 a.m.