

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 18 February 2015 at 9.30 am.

PRESENT

Councillors Raymond Bartley (Chair), Joan Butterfield, Jeanette Chamberlain-Jones, Bill Cowie, Ann Davies, Meirick Davies, Richard Davies, Huw Hilditch-Roberts, Rhys Hughes, Alice Jones, Win Mullen-James (Vice-Chair), Bob Murray, Peter Owen, Dewi Owens, Merfyn Parry, Paul Penlington, Arwel Roberts, David Simmons, Bill Tasker, Julian Thompson-Hill, Joe Welch, Cefyn Williams and Huw Williams

Observers: Councillors Martyn Holland, Huw Jones and Gwyneth Kensler

ALSO PRESENT

Head of Planning and Public Protection (GB), Principal Solicitor – Planning and Highways (SC) Development Manager (PM), Principal Planning Officer (IW), Development Planning and Policy Manager (AL), Traffic, Parking and Road Safety Manager (MJ) and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Ian Armstrong, Stuart Davies, Peter Evans, Pat Jones and Barry Mellor

2 DECLARATIONS OF INTEREST

Councillors Merfyn Parry and Huw Williams – Personal Interest – Agenda Items 7 & 8
Councillors Bob Murray, Paul Penlington, and Julian Thompson-Hill – Personal Interest - Agenda Item 12

3 URGENT MATTERS AS AGREED BY THE CHAIR

None.

At this juncture, Councillor Joan Butterfield requested an update from Planning Officers regarding Scarborough Development at the Ocean Beach site, Rhyl.

The Head of Planning and Public Protection confirmed there were a number of issues ongoing but an update would be sent out to the Rhyl Member Area Group (Rhyl MAGs) following the Planning Committee meeting.

4 MINUTES

The minutes of the Planning Committee meeting held on Wednesday, 21 January, 2015, were submitted.

Councillor Huw Hilditch-Roberts queried the fact that not all Councillors, who contributed during debates, were cited in the minutes. Councillor Hilditch-Roberts had also raised the issue at a previous Council meeting and he was of the opinion comments should be recorded accordingly.

***RESOLVED** that, subject to the above, the minutes of the meeting held on 21 January, 2015, be approved as a correct record.*

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 -11)

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information (blue sheets) received since publication of the agenda which related to particular applications. In order to accommodate public speaking requests, it was agreed to vary the agenda order of applications accordingly.

At this juncture, Councillor Win Mullen-James (Vice-Chair) took over the Chair for Item 5 to enable Councillor Raymond Bartley (Chair) to address the Committee as a Denbigh Ward Member

5 APPLICATION NO. 01/2014/0705/PF - ST DAVIDS CHURCH, ST DAVIDS LANE AND BROOKHOUSE ROAD DENBIGH

An application was submitted for construction of a multi-user active travel route at land between St. Davids Church, St. Davids Lane and Brookhouse Road, Denbigh.

Public Speakers –

Mr Kevin Ringer (**Against**) – explained the reasons residents were against the construction of the multi-user active travel route being (i) highway safety (ii) visual amenity (iii) anti-social behaviour (iv) impact on protected trees and the (v) the accuracy of the plans. Mr Ringer confirmed residents supported having a cycle path but were against the proposed route.

Mr Clwyd Wynne (**For**) – explained the reasons why he and other residents were in favour of the multi-user active travel route. Denbigh was one of the only towns in Denbighshire not to have a cycle path. The proposal would provide a safe traffic free route for both local residents and tourists. It would promote physical activity for all ages.

Local Member, Councillor Raymond Bartley addressed the Committee endorsing the reasons why he would be voting against the proposal.

Local Member, Councillor Richard Davies addressed the Committee explaining the reasons he would be in favour of the proposal as he would be representing the voice of the majority of his constituents and not the minority.

General Debate - In response to issues raised, members held a lengthy and indepth debate. The proposed route was shown in the application submitted. An alternative route would not be for the Committee to debate during the current meeting. In terms of the issues raised regarding increased crime and anti-social behaviour and highway safety, evidence would be required to support those statements. The Traffic, Parking and Road Safety Manager (TP & RSM) confirmed data information had been received and all junctions had been checked. An Independent Road Safety Audit had been carried out and the report had been included with the papers circulated. In response to a query as to why no correspondence from the Police had been included within the application papers, the TP & RSM confirmed the Police would only attend when the audit progressed to Stage 3. No lighting on the route was to be included as part of the proposal. A consultation exercise had been undertaken in 2012, of which 80% of respondents had been in favour of a traffic-free route.

Proposal – Councillor Raymond Bartley proposed refusal of the application, against the recommendation of Officer, on the following grounds:

- (i) Highway safety concerns by reason of limited visibility
- (ii) Impact on neighbour amenity by reason of increased disturbance

Seconded by Councillor Bill Cowie

VOTE:

GRANT	-	9
ABSTAIN	-	0
REFUSE (contrary to Officer recommendation)	-	14

RESOLVED that permission be **REFUSED** contrary to Officer recommendation for construction of a multi-user active travel route at land between St. Davids Church, St. Davids Lane and Brookhouse Road, Denbigh.

At this juncture (10.45 a.m.) there was a break.

Meeting re-convened at 11.00 a.m.

6 APPLICATION NO. 01/2014/1390 - 51 MYTTON PARK, DENBIGH

An application was submitted for the erection of extensions and alterations to the dwelling at 51 Mytton Park, Denbigh.

Public Speaker –

Mr Mark Evans (**Against**) – Mr Evans spoke on behalf of his mother, Mrs Freda Evans of 11 Dalar Wen, Denbigh. Mr Evans explained the reasons why he was against the proposed extension as it would have a detrimental effect on his mother's health.

Proposed – Councillor Rhys Hughes proposed to grant the erection of extensions and alterations to the dwelling at 51 Mytton Park, Denbigh. Seconded by Councillor Bill Tasker

VOTE:

GRANT - 20
ABSTAIN - 2
REFUSE - 1

RESOLVED that permission be **GRANTED** in accordance with officer recommendation as stipulated within the report.

7 APPLICATION NO. 21/2014/0032/PF - CLWYD FOREST, MAESHAFN

An application was submitted for the erection of a wooden tool store and shelter for managing the woodland (retrospective application) at the Big Covert, Clwyd Forest, Maeshafn, Mold.

Public Speaker –

Mr Allan Morgans (**Against**) – gave reasons why he was against the granting of the application and was especially concerned regarding the protection of the woodland.

General Debate – The Planning officer explained that some types of development within forests were permitted. Persons requiring such structures for forestry related work would submit a notification to the Local Planning Authority (LPA) before erecting them. The LPA then determined whether the development would be permitted or whether a planning application would be required. In this case, the structure had been erected and a planning application submitted. The application was supported by a Woodland Management Plan. Officers felt, on balance, this showed the structure was reasonably required for forestry. Other structures discovered in forest areas may not be as genuine.

The Local Member, Councillor Martyn Holland explained reasons he would be asking for refusal. He explained the issue had been occurring over a number of years and was also happening throughout woodland across Wales. Big Covert was being sold off in plots and some were being used as holiday retreats which went against the legislation and exceeded what is necessary to manage a small area of woodland. It was agreed that legislation needed to be clarified and Councillor Martyn Holland urged members to write to Assembly Member to request a change to the planning guidance for woodlands in Wales and to stress the need for legislation to be changed.

Proposed - Councillor Merfyn Parry proposed refusal of the application, contrary to officer recommendation, on that grounds that:

- (i) Not for genuine forestry activity
 - (ii) Visual impact on the AONB
- Seconded by Councillor Dewi Owens.

VOTE:

GRANT	-	1
ABSTAIN	-	2
REFUSE (contrary to officer recommendation)	-	20

RESOLVED that the application be **REFUSED**, contrary to officer recommendation, for erection of a wooden tool store and shelter for managing the woodland (retrospective application) at the Big Covert, Clwyd Forest, Maeshafn, Mold.

8 APPLICATION NO. 21/2014/0096/PC - CLWYD FOREST, MAESHAFN

An application was submitted for the retention of existing shed and erection of wood store (partly in retrospect) at Clwyd Forest, Big Covert, Maeshafn, Mold

Public Speaker –

Mr Allan Morgans (**Against**) – gave reasons why he was against the granting of the application. Mr Morgan informed the Committee that proliferation of the woodlands had begun. Hedges had been planted, toilets installed and general rubbish left in areas of the woodland.

General Debate – Local Member, Councillor Martyn Holland explained the reasons he would be asking for refusal. The National Trust were also involved as they had control of a majority of forests in Denbighshire. Councillor Holland confirmed he had met with the National Trust.

Proposed - Councillor Dewi Owens proposed refusal of the application, contrary to officer recommendation, on that grounds that:

- (i) Not for genuine forestry activity
 - (ii) Visual impact on the AONB
- Seconded by Councillor Bill Cowie.

VOTE:

GRANT	-	2
ABSTAIN	-	2
REFUSE (contrary to officer recommendation)	-	20

RESOLVED that the application be **REFUSED**, contrary to officer recommendation, for the retention of existing shed and erection of wood store (partly in retrospect) at Clwyd Forest, Big Covert, Maeshafn, Mold.

9 APPLICATION NO. 18/2014/0793/PF - PENTRE MAWR COUNTRY HOUSE HOTEL, LLANDYRNOG, DENBIGH

Councillors Merfyn Parry and Huw Williams declared a personal interest in this item.

An application was submitted for the change of use of outbuildings to form 2 no. self-contained suites of hotel letting accommodation, demolition of steel silo, steel framed agricultural building and stone wall; installation of a package treatment plant and associated works.

Proposed – Councillor Merfyn Parry proposed the granting of the application. Seconded by Councillor Julian Thompson-Hill

VOTE:

GRANT - 21
ABSTAIN - 1
REFUSE - 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation as stipulated within the report.

10 APPLICATION NO. 18/2014/0794/LB - PENTRE MAWR COUNTRY HOUSE HOTEL, LLANDYRNOG, DENBIGH

Councillors Merfyn Parry and Huw Williams declared a personal interest in this item.

A Listed Building application was submitted for the change of use of outbuildings to form 2 no. self-contained suites of hotel letting accommodation, demolition of steel silo, steel framed agricultural building and stone wall; installation of a package treatment plant and associated works.

Proposed – Councillor Huw Hilditch-Robers proposed the granting of the Listed Building application. Seconded by Councillor Julian Thompson-Hill.

VOTE:

GRANT - 21
ABSTAIN - 1
REFUSE - 0

RESOLVED that the Listed Building application be **GRANTED** in accordance with officer recommendations as stipulated within the report.

11 APPLICATION NO. 24/2014/1246/PS - CRAIG Y DDYWART QUARRY, RUTHIN

Application was submitted for the reconsideration of the previous refusal of the variation of condition no. 3 of planning permission code no. 24/2007/0694 (granted under appeal) to allow other organisations as authorised by North Wales Police to be permitted to use the site at the Firearms Training Complex, Craig y Ddywart Quarry, Rhewl, Ruthin.

The application had been returned to Committee by Officers following the resolution to refuse made by Members at the January 2015 meeting. The covering report with this item explained the reasons for this. The Planning Officer explained that where Officers had a real concern that a decision of Committee could result in an award of costs on appeal, the Scheme of Delegation allowed them to return an item for further consideration. In this case, Members raised concerns about a fear of crime relating to the proposal. Officers felt that, as this was an application made by North Wales Police, such a fear may be difficult to justify in an appeal.

General Debate – Local Member, Councillor Merfyn Parry reiterated his concerns to the Committee and again proposed the application be refused.

Proposal - Councillor Merfyn Parry proposed to refuse the application, contrary to Planning Officer recommendation. Seconded by Huw Williams.

Proposal – Councillor Alice Jones proposed to grant the application. Seconded by Councillor Rhys Hughes.

VOTE:

GRANT	-	14
ABSTAIN	-	0
REFUSE (contrary to Officer recommendation)	-	7

RESOLVED that permission be **GRANTED** in accordance with Officer recommendation as stipulated within the report.

12 TY NANT DEVELOPMENT BRIEF

Councillors Bob Murray, Paul Penlington and Julian Thompson-Hill declared a personal interest in this item.

The Development Planning and Policy Manager submitted a report recommending members agree the draft Site Development Brief for Ty Nant, Nant Hall Road, Prestatyn and the accompanying Strategic Environmental Assessment Screening document for public consultation.

A public consultation period would be a minimum of 8 weeks with an anticipated start in March 2015. Exhibitions / drop-in events would be held in Prestatyn Library (details to be announced as early as possible). The results of the consultation to be reported back to Planning Committee with any changes proposed as a result of the comments received.

The aim of the site development brief was to set out a framework to guide the potential redevelopment of the site. It would allow for demolition or retention of the existing Ty Nant building. The frontage to Nant Hall Road and the existing Council Chamber should be retained and re-used, if possible, but there was scope for innovative design on the remainder of the site. The development brief allows for a mixture of uses which could include retail, leisure, residential, commercial, offices, health, education and public open space and requires good pedestrian links to the High Street. Land ownership was split between Denbighshire County Council and the Church in Wales, who would be involved with the future development of the site.

Proposal – Councillor Julian Thompson-Hill proposed the officer recommendation, seconded by Councillor Paul Penlington.

It was unanimously,

RESOLVED that members agree the draft Site Development Brief for Ty Nant, Nant Hall Road and the accompanying Strategic Environmental Assessment screening document (as attached to the report) for public consultation.

Meeting concluded at 12.25 p.m.