

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 11 October 2017 at 9.30 am.

PRESENT

Councillors Ellie Chard, Ann Davies, Meirick Davies, Peter Evans, Alan James (Vice-Chair), Brian Jones, Huw Jones, Pat Jones, Tina Jones, Gwyneth Kensler, Christine Marston, Bob Murray, Merfyn Parry, Peter Scott, Tony Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

ALSO PRESENT

Head of Planning & Public Protection (GB); Team Leader – Places Team (SC); Development Manager (PM); Principal Planning Officer (IW); Senior Engineer – Highways (MP); Strategic Planning & Housing Manager (AL), Strategic Planning Officer (KB), Local Housing Strategy and Development Officer (JA), and Committee Administrator (SLW)

1 APOLOGIES

No apologies for absence were received.

2 DECLARATIONS OF INTEREST

None.

At this juncture, Councillor Christine Marston requested that Councillor Meirick Lloyd Davies assure Members he did not need to declare an interest in Agenda Item 13, Waen Chapel, due to the fact he was a Trustee of the Charity of Elizabeth Williams who worked with and in close association with Waen Chapel. Councillor Meirick Lloyd Davies confirmed he was a Trustee and the Trust had nothing to do with Waen Chapel.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

4 MINUTES

The minutes of the Planning Committee meeting held on 13 September, 2017 were submitted.

RESOLVED that the minutes of the meeting held on 13 September 2017 be approved as a correct record.

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 - 13)

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information 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.

5 APPLICATION NO. 01/2016/0911 - LLEWENI CARAVAN TOURER PARK, LLEWENI PARC, MOLD ROAD, DENBIGH

An application was submitted for variation of condition number 3 of Glyndwr District Council Planning Permission ref 1/11632 to increase the maximum number of caravans from 10 to 20 at Lleweni Caravan Tourer Park, Lleweni Parc, Mold Road, Denbigh.

Public Speaker –

Mr Rodney Witter (**For**) – stated he had become the owner and steward of Lleweni Park 30 years previously. He explained the land in the past had been abandoned but work had taken place and was continuing to reclaim the land including sculpture trails and walking memberships. The increase of 10 units would ensure the employment of a full time groundsman. Assistance had been received from Natural Resources Wales, Environmental Health and Planning Officers.

Additional information had been provided on the blue sheet.

Proposal – Councillor Mark Young proposed, seconded by Councillor Merfyn Parry that the application be granted in accordance with officer recommendation.

VOTE:

GRANT - 17

ABSTAIN - 2

REFUSE - 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation.

6 APPLICATION NO. 07/2017/0559 - LAND AT RHOS HELYG, LLANDRILLO, CORWEN

An application was submitted to modify the original planning obligation which applied to three properties: by discharging the agreement relating to specifically 11 Rhos Helyg, Llandrillo.

Public Speaker –

Mr Alwyn Jones Parry (**for**) – stated that 11 Rhos Helyg was not an affordable house and the owner could not sell due to the strict S106 obligation on the property. Most lenders would not provide mortgages on a property with a S106 obligation.

Grwp Cynefin had been approached to purchase the property but a response was still awaited.

General Debate – The Local Member, Councillor Mabon ap Gwynfor, put forward his views in supporting the application for the removal of the S106 obligation from the property. The S106 obligation placed on 11 Rhos Helyg had been one of the first of its kind within Denbighshire and the Local Member stated that rather than assisting families to move up the property ladder, the S106 restricted them. There would be an issue for any prospective purchaser to be able to get a mortgage on the property due to the restrictive nature of the S106. The family concerned had stated upon the sale of the property they would make a contribution to the community as they wanted to move to a larger house to accommodate their growing family within the same estate. They had purchased the house as an affordable house and were not looking to make a profit. The family would be supported by the Community Council if Grwp Cynefin bought the property and it could become an affordable rental within the community.

Councillor Tony Thomas suggested deferral of the application but the Development Manager explained the Applicant was keen for the matter to be discussed at the Committee meeting due to the time element. At this juncture, Councillor Thomas withdrew his request for a deferral.

The Development Manager thanked the Local Member for his explanation of the situation as it was a complex issue. He introduced the Local Housing Strategy and Development Officer who was in attendance as she was an expert on affordable housing.

As the property had not been marketed it had been difficult to ascertain whether any local people would be interested or able to purchase the property. There was no-one registered currently on the affordable housing register for Llandrillo, but it was possible there were people registered within the wider area referred to in the S106 Agreement.

The S106 currently in place on the property obliged the owner to advertise the property in the local paper and to restrict the sale of the property to a local person in housing need for a period of 12 months. It was possible to reduce the length of the restrictive marketing period down to 20 weeks if the current owner had requested it. The owner had been advised of this during discussions.

There was a suggestion a Deed of Variation could be drawn up to address the issues the owner felt was preventing a sale rather than removing the S106. Marketing the property through the Affordable Housing Register and Rightmove/On the Market rather than advertising in the local paper, as internet advertising was now the first point of call for people seeking to purchase a property would be more appropriate.

Grwp Cynefin who own the other two affordable properties on the development were currently undertaking a financial viability and housing need assessment, prior to confirmation of their willingness to purchase the property.

Proposal – Councillor Merfyn Parry proposed not to remove the Section 106, seconded by Councillor Peter Evans.

VOTE:

REMOVE THE SECTION 106 -	1
ABSTAIN -	5
NOT TO REMOVE THE SECTION 106 -	13

RESOLVED that permission be **REFUSED** in accordance with the officer recommendation.

7 APPLICATION NO. 16/2017/0628 - TYN Y CELYN, LLANBEDR DYFFRYN CLWYD

An application was submitted for the demolition of the existing dwelling and outbuildings and the erection of a replacement dwelling at Tyn Y Celyn, Llanbedr Dyffryn Clwyd, Ruthin.

The Principal Planning Officer explained that a response had been received from the Clwyd Powys Archaeological Trust (CPAT) for a pre-determination archaeological assessment of the heritage value of the building proposed for demolition, which was necessary before they could formally respond regarding the impact and any mitigation that may be required. It was also suggested that this investigation would provide CADW with enough information to assess whether listing should be considered, that the item be deferred to clarify the outstanding issues and to seek CADW's assessment of the case for listing.

The Local Member, Councillor Merfyn Parry was not in favour of the deferral of the application.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Mark Young not to defer the application.

VOTE:

DEFER -	10
ABSTAIN -	0
NOT TO DEFER -	9

RESOLVED that the application be deferred to a later date.

At this juncture, Councillor Huw Williams expressed his displeasure at the fact that the Local Member had not been allowed to speak regarding the application.

8 APPLICATION NO. 47/2017/0792 - WAEN CHAPEL, WAEN, ST. ASAPH

An application was submitted for the formation of a Chapel car park and construction of means of access at Waen Chapel, Waen, St. Asaph.

Public Speaker –

Community Councillor Michael Dodd (**Against**) – stated he was objecting to the application on behalf of the Community Council. He expressed his concerns as the access would be on a fast road and the Chapel was used infrequently. The Chapel was in an open agricultural area and the car park would urbanise the view. He also raised an issue as the Chapel was in ownership of a Trust and the land by a separate owner.

Mr Dewi Davies (**For**) - stated he was a regular attendee at the Chapel for both day and evening services and there were also twice weekly day care provisions for older people, some of whom were aged 90 and above. The road was problematic for pedestrians and road users alike due to the lack of pavement and street lighting. The Chapel had always been recognised as being on a dangerous highway and having the car park next to a well used community facility would ensure that users of the Chapel could access it safely.

General Debate – the Local Member, Councillor Christine Marston, stated she was not in support of the application as the car park appeared to be unnecessarily large for a little used Chapel. In her opinion, the application would add a second bad access and cause road safety issues.

During the debate the following issues were addressed:

- Councillor Merfyn Parry recommended that a condition be put on the land which was to be developed as a car park that if the Chapel ceased to be utilised for the purpose it was currently, that the land reverted back to agricultural land. The Officers and the Legal Officer agreed the condition could be imposed in this situation.
- The issue of the access was raised and the Senior Engineer – Highways, confirmed a new access would be created had been assessed with regard to the adequacy of the visibility standards. A speed survey had been carried out on the highway which had showed figures of 39 mph in one direction and 42 mph in the other. The existing access was adjacent to a bend but the new access proposed would be 100m from the bend. He confirmed the proposal was far safer than what was currently in place.
- The size of the car park equated to 36 spaces which was a logical number to refrain visitors from parking on the highway as currently.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Bob Murray that the application be granted in accordance with officer recommendation subject to an additional condition that if the Chapel ceased to be utilised for the purpose it was currently that the land reverted back to agricultural land.

The Legal Officer confirmed that the vote take place for the additional condition firstly and then the vote for the application.

VOTE:

IN FAVOUR OF IMPOSING ADDITIONAL CONDITION -	18
ABSTAIN -	0
TO REFUSE THE ADDITIONAL CONDITION -	0

VOTE:

GRANT APPLICATION WITH ADDITIONAL CONDITION -	11
ABSTAIN -	1
REFUSE THE APPLICATION -	7

RESOLVED that permission be **GRANTED** in accordance with officer recommendation subject to the following additional condition:
if the Chapel ceases to be utilised for the purpose it is currently that the land reverts back to agricultural land.

At this juncture (11.00 a.m.) there was a 20 minute break.

The meeting reconvened at 11.20 a.m.

9 APPLICATION NO. 18/2017/0652 - GLAN Y WERN LODGE, WHITCHURCH ROAD, LLANDYRNOG, DENBIGH

An application was submitted for the alterations to existing vehicular access and replacement boundary wall at Glan Y Wern Lodge, Whitchurch Road, Llandyrnog, Denbigh.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Gwyneth Kensler that the application be granted in accordance with officer recommendation.

VOTE:

GRANT	-	19
ABSTAIN	-	0
REFUSE	-	0

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

10 APPLICATION NO. 43/2017/0548 - 47 SOUTH AVENUE, PRESTATYN

An application was submitted for a change of use of existing dwelling to a mixed use dwelling and cattery, removal of existing shed and erection of replacement cattery building at 47 South Avenue, Prestatyn.

Proposal - Councillor Tina Jones proposed, seconded by Councillor Julian Thompson-Hill, that the application be granted in accordance with officer recommendation.

VOTE:

GRANT	-	19
ABSTAIN	-	0
REFUSE	-	0

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

11 APPLICATION NO. 44/2017/0705 - DEANSFIELD, HYLAS LANE, RHUDDLAN, RHYL

An application was submitted for erection of extensions to side and rear and installation of dormer windows at Deansfield, Hylas Lane, Rhuddlan, Rhyl.

General Debate – the Local Member, Councillor Ann Davies, expressed concerns regarding the size and height of the rear extension with a pitched roof as she stated it would have an impact on the adjoining property's privacy, outlook and light. The Local Member questioned why a flat roof had not been considered.

Local Member, Councillor Arwel Roberts stated he was in support of the application following a recent Site Inspection Panel meeting.

Clarification was given to Members that the roof lights referred to on the rear extension and the two small obscure glazed windows would be to provide light into the kitchen only, with no impact on the neighbouring property.

The application was for a design of a rear extension with a pitched roof and had to be determined on this basis.

Proposal – Local Member, Councillor Ann Davies proposed, seconded by Councillor Christine Marston to refuse the application on the grounds of the impact on adjoining property's privacy, outlook and light.

VOTE:

GRANT	-	11
ABSTAIN	-	1
REFUSE	-	7

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

12 APPLICATION NO. 45/2017/0351 - MARINA QUAY RETAIL PARK, WELLINGTON ROAD, RHYL

A retrospective application was submitted for the display of 2 internally illuminated fascia signs at Unit 6 (Poundworld) Marina Quay Retail Park, Wellington Road, Rhyl.

General Debate - the fact that the Welsh wording on the sign was considerably smaller than the English version was raised as an issue by Members. The officers informed Members of the initial application which had been in English only and the Company had been told the signage would need to be bilingual.

Members requested that the Policy be investigated and it to be made clear that any bilingual signage should be of equal font size so there was no discrimination against either the Welsh or English language.

Proposal – Councillor Merfyn Parry proposed, seconded by Councillor Mark Young that the application be granted but with an additional condition which stated that the fonts in both Welsh and English be exactly the same size.

VOTE:

GRANT (with the additional condition) -	19
ABSTAIN -	0
REFUSE -	0

RESOLVED that permission be **GRANTED** in accordance with the officer recommendation subject to the additional condition :
The bilingual signage to be of equal font size.

13 APPLICATION NO. 45/2017/0710 - LAND AT GREENFIELD PLACE, RHYL

An application was submitted for the removal of condition no. 6 of planning permission code no. 45/2001/0562 in relation to the method of control and management of the car park at land at Greenfield Place, Rhyl.

General Debate – Local Member, Councillor Pat Jones explained the condition had been included in the original planning permission to encourage footfall into the town. To remove the condition would discourage footfall and have a detrimental effect on the town centre. She stated that she would not supporting this application.

It was confirmed that if the application was refused, the applicant would have the right to appeal, but there was a possibility that they could come back to the Committee with free parking for a certain length of time and, thereafter, parking would be charged.

Proposal – Councillor Pat Jones proposed to refuse the application, seconded by Councillor Bob Murray as it would be detrimental to Rhyl Town Centre and sever links into the town.

VOTE:

GRANT	-	4
ABSTAIN	-	0
REFUSE	-	15

RESOLVED that the application be **REFUSED** contrary to officer recommendation.

14 DRAFT ANNUAL MONITORING REPORT

Councillor Brian Jones, Lead Member for Highways, Planning and Sustainable Travel, presented the report and confirmed the draft document would be translated following Committee approval.

Councillor Gwyneth Kensler congratulated the officers on the quality of the report.

Following a unanimous show of hands, it was

RESOLVED that Members noted the contents of the Local Development Plan 2006-2021: Draft Annual Monitoring Report 2017 attached as Appendix 1 to the report.

15 DRAFT AONB SUPPLEMENTARY PLANNING GUIDANCE

Councillor Brian Jones, Lead Member for Highways, Planning and Sustainable Travel introduced the report presenting the draft Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) – consultation document. Councillor Jones confirmed the document would be translated following Committee approval.

A decision was required on the matter of public consultation on the draft SPG to progress towards document adoption. The Welsh Government had confirmed that following public consultation and subsequent Local Planning Authority document adoption, the SPG could be treated as material planning consideration when determining planning applications or appeals.

The consultation period would last for 8 weeks, commencing this autumn.

Following a unanimous show of hands, it was

RESOLVED that:

- *Members approve the draft SPG, Appendix 1 to be subject to public consultation over a period of eight weeks.*
- *The Committee confirms that it had read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.*

At this juncture, Members wished Graham Boase, Head of Planning and Public Protection well in his newly appointed role as Corporate Director.

The meeting concluded at 12.25 p.m.