

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 14 March 2018 at 9.30 am.

### **PRESENT**

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

**Observers** – Councillors Bobby Feeley, Hugh Irving and Huw Hilditch-Roberts

### **ALSO PRESENT**

Team Leader – Places Team (SC), Development Manager (PM), Principal Planning Officer (SS), Senior Engineer: Development Control (MP), and Committee Administrator (SLW)

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Meirick Davies, Brian Jones and Julian Thompson-Hill

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

Councillor Merfyn Parry declared a personal interest in item 7 – Ysgubor Isaf, Bodfari.

Councillors Emrys Wynne, Merfyn Parry and Mark Young declared personal interests in item 8 – Glan y Wern Farm, Whitchurch Road, Llandyrnog.

Councillor Tina Jones declared a personal interest in item 9 – 8 Birch Grove, Prestatyn.

#### **3 URGENT MATTERS AS AGREED BY THE CHAIR**

No urgent matters.

#### **4 MINUTES**

The minutes of the Planning Committee meeting held on 14 February 2018 were submitted.

***RESOLVED*** that the minutes of the meeting held on 14 February 2018 be approved as a correct record.

## **APPLICATIONS FOR PERMISSIONS 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.

### **5 APPLICATION NO. 02/2018/0065/PF - LAND AT TAN Y GERDDI, MWROG STREET, RUTHIN**

An application was submitted for the erection of a detached dwelling, alterations to the existing vehicular access and associated works (amended scheme to that previously approved under application code no. 02/2015/0995) at land at (part garden of) tan Y Gerddi, Mwrog Street, Ruthin.

The Ward Member, Councillor Emrys Wynne explained that following a site visit with the other Ward Members, Councillors Bobby Feeley and Huw Hilditch-Roberts, matters had arisen which needed to be raised with the Conservation Officer and therefore requested the item be deferred.

**Proposal** – Councillor Emrys Wynne proposed, seconded by Councillor Mark Young, that the application be deferred.

#### **VOTE:**

FOR DEFERRAL – 16

ABSTAIN – 0

AGAINST DEFERRAL – 0

**RESOLVED** that the application be deferred to a later date.

### **6 APPLICATION NO. 05/2016/0115/PF - TY COED, COED DYFRDWY AND COED HIR, GLYNDYFRDWY, CORWEN**

An application was submitted for One Planet Development including dwellinghouse, earth sheltered greenhouse, drying barn, stable, animal shelter and temporary structures at Ty Coed, Coed Dyfrdwy and Coed Hir, Glyndyfrdwy, Corwen.

#### **Public Speaker –**

Mr Thomas Fowles (**For**) – explained he had owned the woodland for the past 8 years and had built up a woodland business. Educational courses were also ran at the woodland. The structure of the building would be made from natural materials which would be environmentally friendly. He further explained the self-generation of power, water and disposal of waste. The family were an integrated part of the community who grew and reared over 30% of their existing food. A requirement of the One Planet Development (OPD) was if the plan failed then the house would be dismantled and the land put back to its original state.

**General Debate** – Councillor Huw Jones (Local Member) explained the application had been referred to Planning Committee due to the fact it had been the first

application of its type in Denbighshire. No objections had been received and the closest neighbour was in support of the project.

**Proposal** – Councillor Huw Jones proposed the officer recommendation to grant the application, seconded by Councillor Ellie Chard.

**VOTE:**

GRANT – 16

ABSTAIN – 0

AGAINST – 0

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

**7 APPLICATION NO. 09/2018/0019/PF - YSGUBOR ISAF, BODFARI**

An application was submitted for the erection of an extension to dwelling and associated works at Ysgubor Isaf, Bodfari, Denbigh.

**Public Speaker –**

Karen Jones (**For**) – explained that within the approved measurements a structural engineer had recommended the extension would require underpinning but if the extension were to be constructed 2.5 metres from the main building rather than the approved 1.5 metres there would be no requirement for underpinning. The additional space would enable the family in the future to provide care for their elderly parents and also assist with the child care of their grandchildren.

**General Debate** – The Development Manager explained the history of the previous applications. He confirmed that from an officer perspective it was felt that the projection of the length of the proposed extension was not acceptable in terms of the scheme which had previously been refused.

The Local Member confirmed that the existing cottage was extremely small and due to the structural engineers report it would make it difficult to extend to the original measurements. The second storey of the extension would be dug into the ground and the applicant would be willing to work with officers to mitigate the terms of the AONB including erecting screens to enable minimal impact on the environment.

Officers raised the point of whether a significant extension should be allowed as it reduced the number of smaller properties in a rural area and the impact on the wider landscape.

**Proposal** – Councillor Merfyn Parry (Local Member) proposed to grant the application against officer recommendation, seconded by Councillor Mark Young. The reason for the proposal would be the visual impact would not be as great as stated and extra screening would alleviate the affect on any visual impact.

**VOTE:**

GRANT (contrary to officer recommendation) – 10

ABSTAIN – 0

REFUSE – 5

The Development Officer confirmed that conditions would be agreed with the Local Member rather than being submitted to Planning Committee.

**RESOLVED** that permission be **GRANTED** contrary to officer recommendations.

**8 APPLICATION NO. 18/2017/1225/PO - GLAN Y WERN FARM, WHITCHURCH ROAD, LLANDYRNOG**

An application was submitted for the development of 0.09 ha of land by the erection of a rural enterprise dwelling, installation of a new septic tank and associated works (outline application including access) at Glan Y Wern Farm, Whitchurch Road, Llandyrnog, Denbigh.

**Public Speaker –**

Mari Evans (**For**) – stated the application was for a family home. Glan y Wern was a family business and there was a need to be on hand 24 hours every day of the year to provide a high standard of animal care. The family had 3 young daughters with Welsh being their first language. They were active members of the community with Mrs Evans being a teacher and Mr Evans being a farmer.

**General Debate** - the Development Manager explained the need for a second dwelling at the business and the services of an independent agricultural consultant had been employed. There would be controls of the occupancy of the existing dwelling and agricultural conditions would be addressed.

The Local Member supported the application confirming there would be a need for the family to live on the farm to assist with the animals on a daily basis.

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

**VOTE:**

GRANT – 16

ABSTAIN – 0

AGAINST – 0

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

**9 APPLICATION NO. 43/2017/1212/PF - 8 BIRCH GROVE, PRESTATYN**

An application was submitted for the erection of a first floor extension to the rear of the dwelling at 8 Birch Grove, Prestatyn.

## **Public Speaker –**

Steve Joyce (**Against**) - stated he had lived at his property for 20 years. He explained there would be a loss of natural sunlight and privacy to the rear of his property which would also affect the adjoining neighbour to the other side of 8 Birch Grove. A natural spring ran under the properties and the increased flood risk would be a major factor. He expressed concern regarding the possible drop in valuation of his property due to the issues stated.

Jason Meelan (Applicant) (**For**) - stated the objections raised had been addressed by the Planning Department who had not considered the extension to be detrimental to the area. He explained the need for the extension and confirmed it would not be over-development of the current property.

**General Debate** – Councillors Peter Scott and Hugh Evans confirmed a site meeting had taken place and expressed concerns at the size of the extension and the loss of natural sunlight to both numbers 6 and 10 Birch Grove.

The Local Member, Councillor Hugh Irving also confirmed he had concerns regarding the size of the extension and the loss of natural light to neighbours.

The Development Manager the application confirmed conditions were proposed to minimise the impact on the neighbouring properties.

The Development Manager stated that upper Prestatyn buildings were built on a hillside which cast shadows to neighbouring properties. There were a number of springs in the area and both Welsh Water and National Resources Wales were aware of the issues.

**Proposal** – Councillor Peter Scott proposed to refuse the application due to residential amenity, contrary to officer recommendation, seconded by Councillor Christine Marston.

### **VOTE:**

GRANT – 4

ABSTAIN – 4

REFUSE (contrary to officer recommendation) – 8

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

**At this juncture (10.40 a.m.) there was a 20 minute break.**

**Meeting reconvened at 11.00 a.m.**

**10 APPLICATION NO. 44/2018/0028/PF - LAND ADJACENT TO CASTLE HILL, HYLAS LANE, RHUDDLAN**

An application was submitted for the erection of 1 no. dwelling with detached garage and construction of a new vehicular access (amended details to previously approved under planning permission reference 44/2017/0072) at land adjacent to Castle Hill, Hylas Lane, Rhuddlan, Rhyl.

**General Debate** - Local Members, Councillors Ann Davies and Arwel Roberts expressed concerns regarding the proposed development. The main concerns were:

- The siting of the entrance to the development which could cause safety issues on the Lane for both pedestrians and vehicle users. It was requested that a 20 mph limit be placed on the section of road outside Ysgol Castell as a safety precaution.
- A length of wall (18 foot) was planned to be removed and there would then just be just 1 metre between the new build and the hedge. Therefore, there was a likelihood damage could occur to the hedge and in those circumstances what would be the repercussions?

Officers responded as follows:

- The application sought planning permission for some basic changes to the previously approved scheme. The changes were considered wholly acceptable under the relevant policies and unlike previous proposals on the site, there were no objections to the scheme. As such, the application was considered acceptable and recommendation was to grant.
- Highway officers had visited the site and an in-depth report prepared. The access would be laid in accordance with the approved plan and completed before the commencement of any site works. Facilities would be provided and retained within the site for the loading, unloading and parking of vehicles in accordance with the approved plan prior to the dwelling being occupied. It was confirmed that there would be an area to the side of the dwelling for parking. During school drop-off and collection times, Hylas Lane would be busy but outside those times there were spaces for parking. The access had been granted previously and considered to meet the standards on the type of road and all the other residential properties. The officer stated there was no highway reason to refuse the application. It was also confirmed during discussion that the 20 mph limit could be assessed separately to the planning application.
- The building would be 1.7 metres from the hedge and therefore, there would be space to add a fence. Should any hedge be damaged or deceased, it would have to be replaced and there would be a planning condition imposed to outline this.
- Conditions would be imposed on the application to ensure control of the development.

**Proposal** - Councillor Ann Davies proposed refusal of the application on the grounds of the conservation area and highway safety, seconded by Councillor Arwel Roberts.

**VOTE:**

GRANT (in accordance with officer recommendation) – 13

ABSTAIN – 2

AGAINST – 1

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

**11 APPLICATION NO. 47/2017/0839/PF - BRYNTIRION FARM, RHUALLT, ST. ASAPH**

An application was submitted for the erection of an agricultural building for lambing at Bryntirion Farm, Rhualt, St. Asaph (previously circulated).

**General Debate** - the Local Member, Councillor Christine Marston stated she had been in agreement with both the Tremeirchion, Cwm and Waen Community Council and the AONB Joint Committee who had raised objections that the proposed agricultural building would be too large and would be overdevelopment of the site.

At this juncture, Councillor Marston recommended the additional conditions:

- Amendment to Condition 3 – for groups of mature standard size local trees to be planted in the vicinity of the proposed agricultural building for it to be screened off immediately
- The building to be used for agricultural purposes only and, if it ceased to be used as such, it should be removed and the land reinstated to agricultural land
- Low level lighting to be requested in writing, especially as the AONB were promoting Dark Skies initiative.

Officers confirmed the 3 conditions could be included if the application were to be granted.

**Proposal** - Local Member, Councillor Christine Marston proposed granting of the application with the additional three conditions as stated, seconded by Councillor Peter Scott.

**VOTE:**

GRANT (in accordance with officer recommendation) – 13

ABSTAIN – 0

AGAINST – 3

**RESOLVED** that the application be **GRANTED** subject to the above conditions, in accordance with officer recommendation as stipulated within the report.

**12 INFORMATION REPORT - PLANNING APPEALS UPDATE**

An information report was submitted outlining the recent decisions by the Planning Inspectorate on Planning Appeals lodged against determinations on planning applications by the County Council. The information report covered the period of

September 2017 to date. Members were encouraged to contact the relevant officers outside the meeting if they required additional information.

***RESOLVED*** that the information report be received and noted.

**The meeting concluded at 11.35 a.m.**