

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 20 June 2018 at 9.30 am.

### **PRESENT**

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

**Observers** – Councillors Pat Jones, Barry Mellor and Graham Timms.

### **ALSO PRESENT**

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

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Gwyneth Kensler and Pete Prendergast

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

Councillor Joe Welch declared a personal interest in items 9 and 10 on the Agenda.

Councillor Merfyn Parry declared a personal interest in item 7 on the Agenda.

Councillor Emrys Wynne declared a personal and prejudicial interest in item 7 on the Agenda.

Councillor Mark Young declared a personal interest in item 5 on the Agenda.

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

No urgent matters.

#### **4 MINUTES**

The minutes of the Planning Committee meeting held on 23 May 2018 were submitted.

***RESOLVED*** that the minutes of the meeting held on 23 May 2018 be approved as a correct record.

#### **APPLICATIONS FOR PERMISSIONS FOR DEVELOPMENT (ITEMS 5-12) -**

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.

**5 APPLICATION NO. 01/2018/0262 - YSTRAD ISA COTTAGE, YSTRAD ROAD, YSTRAD, DENBIGH**

Councillor Mark Young declared a personal interest as he fund raises for St. Kentigerns Hospice with the applicant.

An application was submitted for the demolition of existing dwelling, erection of a replacement dwelling, erection of garage and change of use of land to extend domestic curtilage at Ystrad Cottage, Ystrad Road, Ystrad, Denbigh LL16 4RL.

**Public Speaker –**

Mr Rhys Davies (Agent) **(For)** – stated the property had not been included in the statutory register by CADW and did not appear on any list of buildings of local interest. A specialist historic advisor had been commissioned to assist with the proposal who concluded the building had some qualities but none sufficient for protection. The application had full support of the local community. Demolition and provision of a home sustainable for the future would be the way forward.

**General Debate** - during discussion the following points were raised:

- A Site Inspection Panel meeting had taken place on Wednesday 13 June to allow opportunity to view the buildings on the site, and to appreciate issues relating to planning policy for replacement dwellings.
- The building was considered by some to be very small and in a poor state of repair and the cost for renovation would be in excess of £300k which would be cost prohibitive for a one bed home.
- Some Members felt the building held no local historic interest and factually was not a listed building. To demolish and erect a replacement dwelling would be investment in an area requiring housing stock.
- Councillor Julian Thompson-Hill requested a condition be included that the material used for the new building be in keeping with the surrounding properties if the application was to be granted. It was confirmed by the Development Manager that if the application were to be granted, a set of planning conditions would be agreed following consultation with the local member.

**Proposal** – Councillor Mark Young proposed granting of the application contrary to officer recommendation as the existing building was of poor design and did not make any contribution to the historical importance of the area, seconded by Councillor Tony Thomas.

**VOTE:**

GRANT contrary to officer recommendation – 15

ABSTAIN – 0

REFUSE in accordance with officer recommendation – 2

**RESOLVED** that the application be **GRANTED** contrary to officer recommendation for the reasons set out in the Proposal above.

**6 APPLICATION NO. 03/2018/0374 - 4 DOLAFON VILLAS, ABBEY ROAD, LLANGOLLEN**

An application was submitted for the retention of safety railings to roof of existing building at 4 Dolafon Villas, Abbey Road, Llangollen LI20 8SU.

**Public Speaker –**

Mr Huw Evans (on behalf of Grwp Cynefin and Llys Bran residents) **(Against)** – confirmed he was speaking on behalf of a number of residents. The infringement on the privacy of neighbouring properties was severe. The visual impact was also severe. The railings were installed due to health & safety reasons but there was no requirement for the decking as it was being utilised as a seating area.

Mr John Morgan **(For)** – stated that the breach of privacy had been embellished. The outbuilding was high and required railings for health and safety reasons whilst accessing the roof. The outbuilding was a very old building and due to the general topography of the area did overlook neighbouring new buildings.

**General Debate** – Local Member, Councillor Graham Timms stated Abbey Road was a difficult site as they had a very steep bank behind them. A number of houses had high patios. The railings were new and, therefore, stood out more as they were not yet weather beaten.

A site visit had taken place on Wednesday 13 June to assess the structure.

It was stated that an additional condition be included to ensure the decking be removed no later than two months from the date of this permission. This was to reduce the extent of overlooking of the rear gardens and rooms at the rear of the Llys Bran properties.

**Proposal** – Councillor Huw Jones proposed the officer recommendation to grant the application, with additional condition relating to the decking removal as stated, seconded by Councillor Merfyn Parry.

**VOTE:**

GRANT – 15

ABSTAIN – 0

REFUSE – 2

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendations, together with an additional condition, as stipulated within the report.

**7 APPLICATION NO. 18/2018/0356 - GLAN Y WERN FARM, WHITCHURCH ROAD, LLANDYRNOG**

Councillor Merfyn Parry declared a personal interest as the Company he works for does business with A. Evans.

Councillor Emrys Wynne declared a personal and prejudicial interest as he knows the family and the father of the applicant is his second cousin. He therefore left the Chamber for the debate of the application.

An application was submitted for the details of appearance landscaping, scale and layout of the agricultural workers dwelling submitted in accordance with condition no. 1 of outline planning code no. 18/2017/1225 at Glan y Wern Farm, Whitchurch Road, Llandyrnog, Denbigh LL16 4HL.

**Public Speaker –**

Mrs Mari Evans (**For**) – stated that the home would be for her, her husband and their three children. Students would also live with them who work on the farm during the summer. By law they were required to have a medicine room and also provide toilets and washing facilities for the workers. Access directly to the office from the farm would be more convenient.

**Proposal** – Councillor Merfyn Parry proposed the officer recommendation to grant the application, seconded by Councillor Meirick Lloyd Davies.

**VOTE:**

GRANT – 16

ABSTAIN – 0

REFUSE – 0

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

**At this juncture (10.40 a.m.) there was a 15 minute break**

**The meeting reconvened at 10.55 a.m.**

**8 APPLICATION NO. 23/2017/1218 - BRYN MORFYDD HOTEL, LLANRHAEADR**

Councillor Joe Welch declared a personal interest as he was a member of the same running club as the owner of Bryn Morfydd.

Councillor Alan James, Vice-Chair, took over the Chair for the following item.

An application was submitted for demolition of existing hotel buildings and construction of new 39 bedroom hotel; revisions to layout of commenced 42 unit holiday lodge park to accommodate a total of 58 lodges, extension of the holiday lodge park involving use of 3 parcels of land for the siting of 31 additional lodges (making a total of 89 lodges); and associated works including new and altered

vehicular accesses, highway works, passing places, drainage, retaining structures, bat mitigation building, provision of recreational areas and landscaping at Bryn Morfydd Hotel, Llanrhaeadr Y.C., Denbigh.

### **Public Speaker –**

Mr John Paul Williams (**Against**) – stated concerns had been expressed regarding scale, impact on the community, road safety, noise pollution, air pollution and possible dog issues due to the close proximity of grazing/agricultural land around Bryn Morfydd. The scale of the development would be excessive and have a detrimental effect on the character of the site and create a negative view from the village and surrounding areas.

Ms Georgia Crawley (Agent) (**For**) – stated proposals had been designed to ensure a viable redevelopment of the site. The redevelopment would secure 20 full time jobs for local people. The Economic and Business Regeneration section have confirmed the development would be in line with the Tourism Growth Plan. Building the hotel together with the 89 lodges meant the redevelopment would be a viable business. It was confirmed that no development would take place within the ancient woodlands.

**General Debate** – The Chair confirmed a site visit had taken place on Wednesday 13 June to assess the visual impact of the development and also to look at the suitability of the highway network.

Local Member, Councillor Joe Welch – initially thanked the Principal Planning Officer for his work in compiling the 45 conditions attached to the application.

During discussion the following points were raised:

- It was confirmed that negotiations had taken place during the assessment process to ensure planting of trees to screen the lodges to enhance the area.
- The development would be non-residential and therefore, it was necessary to ensure people did not reside in the lodges. Condition No. 19 within the report dealt with the use of the lodges for holiday purposes only.
- Financial viability – the applicant's original viability information had been reviewed by the Council's Commercial Development Manager. The hotel development would be partly dependent on a level of cross subsidy from the profitable parts of the scheme and that the now 89 lodge proposal providing a rate of return to the developer and shareholders that reflected the risk of the scheme whilst funding the delivery of the hotel and meeting the estimated costs.
- Dwr Cymru were satisfied the drainage system on the site was adequate and a condition could be included that the applicant provided Dwr Cymru with details of surface water drainage which would be in place.
- It was confirmed by the Senior Highways Engineer, that passing places would be installed on the highway and the junction would be widened. Within the additional notes contained in the blue sheet provided at the meeting, Condition 21 in relation to Highway works would be re-evaluated and more details added.

**Proposal** – Councillor Peter Evans proposed the application together with the amendment to Condition 21 as stated by the Senior Highways Engineer, seconded by Councillor Brian Jones.

**VOTE:**

GRANT – 15

ABSTAIN – 0

REFUSE – 2

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

At this juncture, the Vice-Chair, Councillor Alan James extended his thanks to the Principal Planning Officer, the Senior Highways Engineer and the officers within their Departments for all the work involved with the application.

**9 APPLICATION NO. 41/2018/0199 - 1 DERWEN TERRACE, BODFARI, DENBIGH**

At this juncture, Councillor Joe Welch continued as Chair for the remainder of the meeting.

Councillor Joe Welch declared a personal interest as he was a member of the same running club as the daughter-in-law of the objector (neighbour) to the application.

An application was submitted for the erection of first floor rear extension to rear of dwelling at 1 Derwen Terrace, Bodfari, Denbigh.

**Public Speaker –**

Mrs. Ashlea Rowlands (**For**) – stated her and her husband were applying for a first floor extension to the rear of the property to include an additional bedroom and upstairs bathroom. They were expecting their first child in August and in the future hoped for more children and did not want to move from the area. They wanted their family to grow up in the village and enjoy village life. No windows would be installed on the first floor extension level looking on to 2 Derwen Terrace. It was also noted that number 6 Derwen Terrace had been granted planning permission for an extension.

The Local Member, Councillor Christine Marston confirmed the applicants had scaled down the plan to alleviate the neighbours concerns. The 45° rule had been applied and the first floor extension had passed the ruling.

**Proposal -** Councillor Christine Marston proposed the officer recommendation to grant the application but with a further condition to restrict work to only take place Monday to Friday until 5.00 p.m., seconded by Councillor Tony Thomas.

The Development Manager confirmed an addition condition could be added to state that the work took place at reasonable hours of the day.

**VOTE:**

GRANT – 16

ABSTAIN – 0

REFUSE – 0

**RESOLVED** that the application be **GRANTED** together with the additional working hours condition, in accordance with the officer recommendation as stipulated in the report.

**10 APPLICATION NO. 43/2018/0353 - 25 GRONANT ROAD, PRESTATYN**

An application was submitted for erection of rear extension with roof terrace above, demolition of existing garage and erection of new garage at 25 Gronant Road, Prestatyn.

**Public Speaker –**

Mr David McChesney (Agent) **(For)** – stated the principal of the extension had been deemed acceptable. He gave various examples of properties along Gronant Road with extensions and conservatories. He confirmed that the applicant had worked closely with the neighbours of number 23 and 27 Gronant Road to ensure the proposed extension caused as little impact as possible.

**General Debate –** Local Member, Councillor Julian Thompson-Hill explained the properties in the mentioned area of Prestatyn were built on various levels due to being built on the hillside.

**Proposal -** Councillor Julian Thompson-Hill proposed the officer recommendation to grant the application, seconded by Councillor Mark Young.

**VOTE:**

GRANT – 16

ABSTAIN – 0

REFUSE – 0

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

**11 APPLICATION NO. 25/2018/0263 - VICTORIA BUSINESS PARK, VICTORIA ROAD, RHYL**

An application was submitted for demolition of existing building and redevelopment of land by the erection of 18 apartments and associated works at Victoria Business Park, Victoria Road, Rhyl.

**Public Speaker –**

Mrs Helen Richards **(Against)** – stated residents had real concerns regarding the 4 storey building due to the overall size and not being in keeping with the properties in the area. There had been no contingency for emergency evacuation in the event

of a flood. There was a proven need for social housing in the area, but there would be no play area for the children. The additional number of cars would cause problems in an already busy area.

Mr Peter Lloyd (**For**) – stated there was a strong officer recommendation to grant the application for 18 apartments by Cartrefi Conwy, as it would contribute to the need for social housing. The development was to take place in late 2018 and the design would be in keeping with the area. Flood risk had been taken into account, therefore, the ground floor would be car parking with accommodation being on the next three floors. Cartrefi Conwy had confirmed that extreme emergency evacuations would be in place. A Section 106 had been agreed for open space.

**General Debate** - Local Member, Councillor Pat Jones expressed her support of the application and explained that consultation had been carried out with local residents. The delivery of affordable housing would be necessary in the area.

Councillor Barry Mellor also expressed his support of the application. He agreed with his fellow Councillor Pat Jones and mentioned that the development would be built by a local contractor using local labour, which would be positive for the area.

**Proposal** – Councillor Brian Jones proposed the officer recommendation to grant the application, seconded by Councillor Alan James.

**VOTE:**

GRANT – 16

ABSTAIN – 0

REFUSE – 0

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

**12 APPLICATION NO. 22/2018/0358 - HYFRYDLE, GELLIFOR, RUTHIN**

An application was submitted for the erection of a detached dwelling and associated works at land adjoining Hyfrydle, Gellifor, Ruthin LL15 1SF.

**Proposal** – Councillor Merfyn Parry proposed the officer recommendation to grant the application, seconded by Councillor Peter Evans.

**VOTE:**

GRANT – 16

ABSTAIN – 0

REFUSE – 0

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



**13 LLWYN AFON, LLANRHAEADR, DENBIGH**

The Development Manager introduced a report to seek a resolution on the Heads of Terms of a Section 106 Obligation and the planning conditions to be attached to Planning Permission 23/2018/0268 at Llwyn Afon, Llanrhaeadr, Denbigh.

**Proposal** – Councillor Merfyn Parry proposed to agree to the terms contained within the report, seconded by Councillor Mark Young.

**VOTE:**

AGREE TO THE TERMS WITHIN THE REPORT – 15

ABSTAIN – 0

DISAGREE WITH THE TERMS WITHIN THE REPORT – 1

**RESOLVED** that Members of the Planning Committee **AGREE** to the Heads of Terms of a Section 106 Obligation and planning conditions to be attached to Planning Permission 23/2018/0268.

**The meeting concluded at 12.30 p.m.**