

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 17 June 2020 at 9.30 am.

PRESENT

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

Observers - Councillor Joan Butterfield and Councillor Meirick Lloyd Davies

ALSO PRESENT

Head of Legal, HR and Democratic Services (GW), Head of Planning and Public Protection (EJ), Development Control Manager (PM), Planning Officer - Career Grade (PG), Solicitor (AS), Democratic Services Manager (SP), Committees Administrator (, RTJ)

1 APOLOGIES

Councillor Pete Prendergast.

The Planning Committee sent condolences to Councillor Pete Prendergast.

2 DECLARATIONS OF INTEREST

Councillor Merfyn Parry – agenda item 5 - declared a personal interest due to applicant being a customer for a company Councillor Parry worked for.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES

The minutes of the Planning Committee held on 11 March 2020 were submitted.

Members requested that points raised about drainage arrangement on the application were noted in the minutes. In particular, Members wished for their request for a meeting with Officers to discuss drainage be recorded in the minutes. Officers reassured members that such a meeting is to be arranged but delays had been experienced due to Covid-19.

RESOLVED that, subject to the above, the minutes of the meeting held on 11 March 2020 be approved as a correct record.

5 APPLICATION NO. 09/2020/0167 - EFAIL Y WAEN, BODFARI

A retrospective application was submitted for the Extension to existing agricultural building at Land adjacent to Efail Y Waen Bodfari Denbigh.

General Debate –

Councillor Merfyn Parry (Local Member) – clarified to the committee that the application was being discussed due to concerns raised by the Community Council about the retrospective nature of the proposal and the size and scale of the extension.

The legal officer informed the committee that just because the application was retrospective does not make the development proposed unacceptable. The application should be dealt with on its merits.

The committee queried whether the extension to the shed had an impact on local houses nearby. It was also raised whether there had been any further comments received by the AONB Committee about the development.

Officers responded and confirmed that there had been no objections received by the local residents to the development. With regards to the AONB there had been no comments from the AONB committee or officers, it was clarified that the application was not within the AONB however it was visible from the AONB.

Proposal - Councillor Mark Young proposed the application be granted in accordance with officer recommendations, seconded by Councillor Alan James.

VOTE:

GRANT – 14

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

6 APPLICATION NO.45/2020/0096/ PF - 64 BRIGHTON ROAD, RHYL

An application was submitted for the change of use and alterations to former offices to form a 61 bed, 6 ward hospital for residential nursing and health care at 64 Brighton Road Rhyl LL18 3HN.

Officers informed the committee, that planning officers had received some late representations which were objection letters, from surrounding residents. Concerns raised in the letters of objection related to the lack of justification for the

development, the lack of a clear management plan and fears over site security and potential crime and disorder.

The chair informed the committee that local member Councillor Barry Mellor could not attend the meeting however it was asked if the chair could query points with officers on his behalf. He queried why the petition for the previous application was not mentioned within the report for the new development.

Officers responded to the query, and clarified that Committee was dealing with a new planning application. No petition had been submitted as part of this application. The previously refused planning application was subject to a planning appeal which had been dismissed. Regard was had to the petition submitted at the time of the previous planning application but this could not be considered for a new planning application.

Councillor Tony Thomas (local member) informed the committee that many local residents thought that the application was the same, and thought that the petition would still stand. The local member agreed with the concerns of local residents as there was no clear management plan within the application. The over intensification of care homes in the area was queried and whether there had been any correspondence with surrounding care homes to assess the capacity. It was also highlighted that if the hospital was built it could be in direct competition with the local surrounding businesses. Lastly the local members highlighted that Betsi Cadwaladr University Health Board (BCUHB) had not highlighted a local need for the development.

Proposal – Councillor Tony Thomas proposed refusal, seconded by Councillor Brian Jones.

The chair clarified that clear reasoning for the proposed refusal would be sought once other members had discussed the application.

Councillor Brian Jones agreed with the comments that were raised by Councillor Tony Thomas. It was also raised that the current application was of interest to many people of Rhyl, who would have attended the meeting in County Hall, and stated he would prefer contentious items be discussed in physical meetings rather than remote meetings. It was also stated that the same reasons for refusal from the previous application were still applicable. Additionally Councillor Jones advised, that bringing people to the hospital from outside the area could have an impact on local amenities, alongside that some patients could pose a risk to the safety of surrounding residents. The uncertainty following the COVID outbreak was outlined and whether the building could have any use following the pandemic.

Following the points raised, officers responded to say that the statutory public consultation had been carried out, in accordance with planning legislation. However

officers understood the concerns of local residents. The new application had more detail, as the appropriate reviews and assessments had been carried out.

Members discussed the application and that the building was a nuisance for North Wales police due to anti-social behaviour, and that the derelict building was becoming a risk. It was also becoming an eyesore in the local area. Some members did agree that the lack of a business case within the application caused some concern. Councillor Alan James reminded the committee that the business case was not a planning matter and should not impact on the decision of the committee. It was also highlighted how the committee would need to be cautious with the negative connotations when discussing potential patients.

Officers acknowledged and understood the concerns raised by local residents to the application. With regards to the business case and the long term use of the building it would be to change the unused office building into a C2 class hospital. Members were also informed that proper marketing had been carried out on the site, and there had been no additional interest with the site.

Councillor Mark Young agreed with comments raised by Councillor Alan James.

Proposal – Councillor Mark Young proposed the application be granted in accordance with officer recommendations, seconded by Councillor Alan James.

Members raised the parking at the site and whether there would be sufficient spaces at the site should the application was approved. It was also queried whether there would be additional noise pollution from the hospital to compare with when the offices were open. Members also stated that they wanted to ensure that any cladding on the property was fire proof

Officers responded informing the committee that there was sufficient parking at the site, this would include the staff, visitors and deliveries at the site. With noise pollution, the deliveries could be organised at specific times, to lessen noise pollution. The refurbishment of the building would need to comply with Building Regulations.

The legal officer reminded the committee that clear reasoning for refusal was required before proceeding to the vote.

Councillor Tony Thomas, clarified the reasoning would be the impact on of the development on local residents, there would also be an effect on local amenities. Lastly there was an over intensification of care homes in the area.

VOTE:

GRANT – 9

REFUSE – 8

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as detailed within the report and supplementary papers.

The meeting concluded at 10:42am