

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held BY VIDEO CONFERENCE on Wednesday, 9 March 2022 at 9.30 am.

### **PRESENT**

Councillors Joan Butterfield, Ellie Chard, Ann Davies, Gwyneth Ellis, Alan Hughes, Brian Jones, Tina Jones, Gwyneth Kensler, Christine Marston (Vice-Chair), Bob Murray, Merfyn Parry, Pete Prendergast, Peter Scott, Tony Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

**Observers** - Councillors Alan James, Glenn Swingler, Barry Mellor, Rhys Thomas, Bobby Feeley, Huw Hilditch-Roberts, Martyn Holland, Pat Jones and Meirick Lloyd Davies

### **ALSO PRESENT**

Team Leader – Places Team (TD), Development Control Manager (PM), Planning Officer (PG), Strategic Planning and Housing Manager (AL), Senior Planning Officer (LG), Local Housing Strategy and Development Officer (JA), Planning Officer (LD), Programme Manager - Housing Development (MD), Planning Officer (EO'C), Trainee Legal Officer (SR), Flood Risk Engineer (WH), Principal Support Officer (JW), Zoom Host and Webcast (RTJ), and Committee Administrator (SJ)

**Public Speakers** - Robert Jones (Item 6), Helga Viswanathan (Item 5), Stuart Andrew (Item 5) and Scott Drummond (Item 9).

### **1 APOLOGIES**

Apologies for absence were received from Councillors Melvyn Mile and Peter Evans.

### **2 DECLARATIONS OF INTEREST**

The Team Leader – Places Team informed the committee that some members may have played a part in previous discussions and decisions in relation to the land in agenda item 5 – Land adjacent to Ysgol Pendref, Denbigh. He stated those members needed to be satisfied that they could approach that application with an open mind.

Councillor Emrys Wynne declared a personal interest in agenda item 6 - Land at (part garden of) Llys Gwyn, Bryn Goodman, Ruthin as he knew some of the objectors to the application.

Councillor Julian Thompson-Hill declared a personal and prejudicial interest in agenda item 5- Land adjacent to Ysgol Pendref, Denbigh, as he was the Lead Member for Housing and had initially proposed the land to be sold for housing.

Councillor Brian Jones requested further guidance regarding agenda item 5 – Land adjacent to Ysgol Pendref, Denbigh as he had been on the Cabinet debate. Following guidance from the Team Leader it was in his opinion he was able to make an informed decision with an open mind.

Councillor Brian Jones declared a personal interest in agenda item 9 - Kynsal House, Vale Road, Rhyl as he had previously been contacted by residents regarding concerns at the site.

Councillor Mark Young confirmed that he had also been on the Cabinet debate regarding Agenda item 5 – Land adjacent to Ysgol Pendref, Denbigh but was of the opinion he would make a decision today with an open mind.

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

No urgent matters were raised.

### **4 MINUTES**

The minutes of the Planning Committee held on 9 February 2022 were submitted.

**RESOLVED** that the minutes of the meeting held on 9 February 2022 be approved as a correct record.

Councillor Meirick Lloyd Davies thanked the Clerks for making the amendments to the previous minutes.

### **APPLICATIONS FOR PERMISSIONS FOR DEVELOPMENT (ITEMS 5 - 9) -**

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 the publication of the agenda, which contained additional information relating to those applications. In order to accommodate public speaking requests, it was agreed to vary the agenda order of applications accordingly.

### **5 APPLICATION NO. 01/2021/0950/ PF - LAND ADJACENT TO YSGOL PENDREF, GWAENYNOG ROAD, DENBIGH**

An application for the erection of 110 dwellings, construction of a new vehicular access, landscaping and associated works at land adjacent to Ysgol Pendref, Gwaenynog Road, Denbigh.

Councillor Julian Thompson-Hill left the meeting for the duration of this agenda item as he had declared a personal and prejudicial interest.

**Public Speakers** – Helga Viswanathan (**Against**) informed the committee that the field was part of a working farm. Welsh Government agricultural land classification map illustrated the field to be grade 3a considered best and most versatile land. Planning Policy Wales stated that such land was a finite resource and should be conserved for the future and should only be developed upon if there was an

overriding need. It was stressed developing the field for a further 110 houses could not be considered as an overriding need when 550 plus houses had been agreed in Denbigh alone, which was a large proportion of the recommended total for the whole county. The climate emergency, Brexit and war in Europe all bring uncertainties of food supplies from overseas therefore it was stressed the importance of conserving farm land. It was stated in 2019 Denbighshire County Council declared a climate emergency, the authority's green policy stated that all decisions had to be made with climate crisis and environment in mind. Developing sites such as this proposal would release tonnes of carbon stored deeply with the soil directly contributing to climate change totally at odds to the declaration made by DCC. It was recently reported that the UK only had 52% of its biodiversity left, destroying fields and hedgerow added to its decline. The Environment Wales Act 2016 required that public authorities must seek to maintain and enhance biodiversity, and in doing so promote the resilience of ecosystems. It was stressed the measure set out in the developer's proposal of providing bird and bat boxes and the planting of saplings would in no way mitigate the loss of the established wildlife habitat and biodiversity on this 7-acre site.

It was stated that road safety would be affected as the entrance to the development would be situated on a sharp bend that already had 2 junctions. It was felt that neighbouring roads would struggle to cope with the additional road use. It was thought the proposed 110 houses would equate to up to 300 extra vehicles. With the combination of the agreed planning at the North Wales Hospital site, it would potentially increase cars in Denbigh by over 1000 extra vehicles creating the potential for added congestion in Lenton Pool. The extra traffic would lead to an increase in noise and air pollution and would have a detrimental effect on the health and well-being of existing residents and particularly the school directly adjacent to the site. All planned developments combined would increase the population of Denbigh by thousands and would put added strain on existing doctors, dentists and other services who already have limited capacity whilst job opportunities were also limited. The majority of houses planned for Denbigh including the proposed development would all be in the same ward one of the most deprived in Wales. It was also felt local residents in need of housing would not benefit as the cost of the properties exceeded the affordability for many residents. Further objections were stressed being the removal of hedgerow, flood risk, loss of privacy, loss of amenity and the negative affect on the Welsh Language.

Mr Stuart Andrew (Agent) (**For**) confirmed he was the design and planning director of Castle Green homes. He confirmed the site was owned by Denbighshire County Council and was allocated for residential development within the Local Development Plan. The Council had previously produced a formal development brief for the site in March 2017 and had marketed the site for sale on the basis of residential development. He confirmed Castle Green homes had produced the planning application for the scheme that was entirely policy compliant and offered double the amount of affordable houses in the development. 22 affordable homes would be available for Denbighshire County Council for disposal to local residents on the Council housing needs register. Significant financial contributions of over £160k had been agreed to help fund road and footpath improvement around Ysgol Pendref and new play facilities in the local park. It was noted that local objections had been received, generally based on the concerns on the principal of development and infrastructure at the site. The speaker stressed the principal of development had been agreed by the authority and been in place for a number of years. There were no

objections for the proposal by any council officers or special consultees. Members heard it was the views of professional employed by the council, NRW, Welsh Water and several others including the County Ecologist there was no technical reasons to object the application, agricultural land issues were not an issue as the land was allocated for residential development. Members heard that the proposed development would provide a £2million receipt to the council. Members were made aware of the potential cost to the authority that would be imposed if the application was refused and won by appeal.

The Chair reminded members that if they could, to address the committee only once and for five minutes. He asked members to be mindful of what other members raise and not to duplicate comments or concerns. The Development Control Manager (DCM) informed members a number of officers were in attendance to offer support and address members questions. He stated unfortunately the highways officer could not be in attendance and also the county ecologist was not present.

**General Debate** –It was confirmed a site visit had taken place prior to the committee meeting. Councillor Christine Marston had been in attendance at the site visit. The visit had been arranged for members to establish the setting and character of the area, access on to the proposed site, the potential impact on the surrounding residents and infrastructure, drainage implications and traffic flow. Those in attendance were invited to walk the site. Appreciation of the local feeling was noted with many local residents being present at the site visit, respectfully expressing their concerns. Councillor Peter Scott had also been in attendance at the site visit. He informed members upon arrival he first noted the removal of the hedgerow which in his opinion was premature. The field was a large open field. He confirmed a number of local residents were also at the site. He was subject to overhearing comments that were rude and not accurate. He confirmed he had attended the site to ascertain facts and assess the site in the proposal. Councillor Mark Young thanked the officers for arranging and attending the site visit. He also thanked the peaceful protesters that had been at the site with the one comment heard by Councillor Scott it was a respectful protest. He commented the site was situated on a bad bend. In his opinion it was a very good site visit. The thoughts of the other members were echoed by Councillor Rhys Thomas also at the site visit. He wanted to highlight to members the topography of the site in relation to the surroundings. It was almost looking down on Denbigh Castle, it raised concerns on the potential change to the skyline over Denbigh.

The Chair guided members to the late information that had been submitted and shared on the supplementary papers.

Councillor Glenn Swingler (Local Member) thanked all that had been in attendance at the site meeting. It was confirmed the hedgerow had been removed on the last day of February, before the requirement to apply for a license was needed. It was disappointing the ecology officer was not present at Committee as he had not raised concerns about the hedgerow removal. Cheshire Ecology Services employed by Castle Green, stated the site was generally of no ecological value with the exception of the species rich hedgerow, which had the potential to qualify as important under the wildlife and landscape criteria of the Hedgerow Regulations 1997. A section of the hedgerow was proposed to be removed to facilitate the development. He

informed members once the hedgerow had been removed, a drystone wall was found. It had the possibility of being the previous town boundary. It was the local member's opinion that further investigation on the wall was needed.

Councillor Swingler reminded members that Denbighshire County Council had declared a climate change and ecological emergency, he asked how could members agree to the development on graded agricultural land. He confirmed the site was included in the LDP in 2012. Which he stated was out of date.

The additional properties in Denbigh would increase the traffic flow especially down Smithfield Road towards Lenton Pool, an already congested roundabout. The added traffic will also go down Vale St which is already the third most polluted street in Denbighshire.

As previously stated the development site was in an elevated position, the proposed houses would stand out and above the skyline. A big detriment to the area. It was stressed numerous objections to the application had been made.

Councillor Peter Scott agreed with all the concerns conveyed by Councillor Swingler. Councillor Scott proposed to refuse the application on the grounds of over intensification, building on open countryside grade 3A farming land. This proposal was seconded by Councillor Mark Young. Councillor Young in addition to the reasons suggested by Councillor Scott requested an additional Highways reason be included. He stated Planning Policy Wales Edition 11, February 2021, stated that planning authorities must seek to reduce the level of speed of traffic in and around new developments, with streets in the area having a 20 mile per hour speed limit.

Councillor Rhys Thomas echoed the views expressed by fellow Councillors. He highlighted to members the Council for Protection Rural Wales along with Denbigh Town Council had objected to the application. He raised concerns on the sizing of the affordable houses included in the proposal being smaller than what was set out in Beautiful homes and spaces standard. He also stated that 110 houses would have no open space. He raised concerns that local residents would not be able to afford even the affordable houses proposed. Councillor Thomas provided members with information contained within the LDP annual monitoring report. He requested members gave consideration to that.

Councillor Gwyneth Kensler offered, in her opinion, some material planning considerations to oppose the application. Those were climate change, reorganisation of schools in Denbigh and the current war in Ukraine with regard to food security.

In response to the concerns raised by members officers offered some further guidance. The Strategic Planning and Housing Manager (SPHM) confirmed that the site was allocated within the adopted LDP. The site also had an approved site development brief approved by Council in 2017. A ministerial letter had been received in September 2020 clarifying the current LDP remained in place until a new LDP was agreed and adopted. Clarification was provided that the information on housing numbers discussed related to the preparation for the replacement LDP. The figures discussed had been the residual requirement looking at new population. The residual figure of 833 that took into account completions that had already happened, sites under construction and took into consideration figures for the former North Wales hospital in Denbigh. Members heard the medium income for household in the area was £22,635 per annum.

The agreed site development brief suggested commuted sums would be acceptable for open space. It was the understanding of the SPHM that within the revised plans that had been submitted, the sizes of the affordable houses met the standards of the beautiful homes and spaces. Policy RD1 in the adopted LDP referred to density stating that making most efficient use of land by achieving densities of a minimum of 35 dwellings per hectare for residential development. This was a guide and intended to make best use of the land. The senior Planning Officer confirmed that the capacity of the local school was 180 with currently 111 enrolled at the school. As such, there was capacity to accommodate additional pupils from this development. Members were also informed the closest Welsh medium school had capacity of 286 pupils with 267 pupils currently enrolled. Regular contact with the education department to ensure they were aware of potential developments took place. Members heard when the site had been put forward for the LDP in 2013 the agricultural land issue had been discussed and accepted.

The DCM advised caution when discussing funding towards active travel. It was his understanding that it was the authority that applied for the active travel funding, to improve roads. The funding applied for and received was provided by central Government. It was confirmed officers had reviewed the application in light of active travel and had offered no objections.

Following further discussion Councillor Merfyn Parry stated he was disappointed with the highways report it was his opinion that the entrance to the site could have been made safer. It was disappointing that the suggestion of a roundabout at the site had not been assessed. He requested that the safety of the entrance to the site if approved be completed at the start of the development and not during the development at the site. Further information how officers calculated affordability costs with changing lifestyles and inflation, was sought.

The Lead Member for climate change Councillor Brian Jones stated he was disappointed that the climate change reference in the report was light within the papers.

The DCM guided members to the suggested condition 16 that addressed some concerns raised with regard to the entrance to the site. It was confirmed that close discussion took place prior to the application and throughout the procedure. Members were also informed information in the supplementary papers addressed concerns on potential prosecution of the applicant for the removal of the hedgerow. The Local Housing and Strategy Development Officer confirmed that affordability was calculated as per the affordable housing SPG which related to the local income. It did take in to account the Welsh Government guidance.

**Proposal** – Councillor Peter Scott proposed, seconded by Councillor Mark Young to refuse the application contrary to officer recommendations on the basis of the following reasons; the unacceptable and unnecessary loss of the best and most versatile agricultural land, the potential negative impact on highway safety and the impact the proposal would have on the climate change and ecological emergency. It was agreed that the precise wording of any reasons for refusal would be agreed with local members before being issued.

**VOTE:**

FOR – 0

AGAINST – 16

ABSTAIN – 1

**RESOLVED** that permission be **REFUSED** against officer recommendation for the reasons in the proposal above.

At this point 11.20 am the meeting adjourned for a 10 minute break.

The meeting reconvened at 11.30 am.

**6 APPLICATION NO. 02/2021/1179/ PF - LAND AT (PART GARDEN OF) LLYS GWYN, BRYN GOODMAN, RUTHIN, LL15 1EL**

An application for the erection of 2 no. detached dwellings and associated works at land at (part garden of) Llys Gwyn, Bryn Goodman, Ruthin.

**Public Speakers** – Mr Robert Jones (Agent) (**FOR**), informed the committee he was a qualified architect registered with the ARB and a member of the RIBA with over 16 years' experience in the industry. He confirmed he had led the design development of the application. He stated in 2021 an application was submitted to the LPA for the erection of 2 residential properties to the rear of Llys Gwyn, Bryn Goodman following a positive pre-application in 2019. The proposal followed the approval of two residential properties to the rear of Pennant in January 2020. He stated this proposal which had also included a subsequent application for an extension, was almost identical to the previous applications in respect of the siting, layout, scale, design, character, materials and aspect. The application presented had been prepared in line with the local planning policy and supplementary guidance. The application had been supported by the LPA with the recommendation to grant. It was stressed interfacing distances to neighbouring properties had been exceeded to not affect the visual amenities of local residents. Properties directly West to the site would be in excess of 32 metres, significantly exceeding the minimum requirement identified in the SPG. This condition was typical for 12 out of the 14 properties adjoining the trunk road to the West of the site. At each of the locations the eastern most properties would be elevated above the western following the local topography of the area. The speaker noted officers were of the opinion that the scheme was acceptable and would not result in unacceptable overlooking or overbearing impact of the neighbouring properties. It was also noted that no objections had been received from the internal consultation process.

**General Debate** – Councillor Christine Marston informed members that at the site visit, members reviewed the geography and topography of the site, the impact on the surrounding neighbours and the access on to Bryn Goodman. Attendees explored the site and were allowed access to a neighbour's property to ascertain any visual impact. Councillor Marston felt the site visit was very beneficial to those in attendance. Councillor Peter Scott was also in attendance at the site visit and concurred with Councillor Marston's views.

Councillor Emrys Wynne (Local Member) confirmed he was also at the site visit. He stated he felt it was important for members to view the site. He informed members

that one question that arose at the visit had been in regard to the status of the supporting wall at the rear of the land. Councillor Wynne made reference to the planning permission granted to the neighbouring property stating a main difference being that development did not overlook into any neighbouring properties. Members at the site visit asked for confirmation on the accuracy of the property levels within the report. He informed members that a number of trees had already been removed from the area, prior to the application being presented to members. He confirmed the proposed new builds would be higher than existing properties and certainly would impact visually the neighbours. A number of windows would overlook nearby properties and affect the privacy of the neighbours. He raised concern that the skyline would be changed from trees to housing and would be less visually attractive. Councillor Wynne requested if members were in favour of the application that a condition be imposed to include fencing to ascertain a certain level of privacy. Councillor Emrys Wynne proposed to refuse the application against officer recommendations on privacy and overlooking grounds. Councillor Gwyneth Kensler seconded the proposal for refusal.

Local Member Councillor Bobby Feeley, stated she supported Councillor Wynne in his objection against the application. She informed members that the plots in the area had large houses on large plots approval of the application would mean 3 houses on 1 plot. In her opinion it was illogical for the proposed properties to overlook neighbouring houses and gardens. Councillor Feeley also raised concern on the standard of the road as it was in extremely poor condition. Access to the property had been made by splitting the existing driveway, with unattractive fencing. It was stressed further development of sites in this area would change the character of the area.

Councillor Huw Hilditch-Roberts (Local Member) highlighted the map of the proposed housing, he stated the one house on one plot was bigger than the two houses proposed put together illustrating the close proximity of the proposed houses. In his opinion the two proposed houses were too big for the plot and did not offer enough space for green space.

The Planning Officer (PO) thanked members for attending the site visit and started by offering further information at the concerns raised at the visit. He informed the committee the site levels of the site had not been surveyed, the information contained in the report was broadly considered sufficiently accurate to enable members to make a decision. The diagrams within the report provided members an illustration of the elevated height of the properties. The trees in the diagram were greyed out to demonstrate the trees being set back on the plot.

The status of any supporting wall was a legal requirement on the developer to ensure no damage to third party land was caused during construction. The wall sat outside the planning application boundary. The guidance states to have a distance of 21 meters, this application was more than that minimum. In officer's opinion it would be difficult to sustain a refusal on a loss of privacy due to the distances involved and the level changes. The PO directed members to the suggested conditions in the report which included a landscaping plan.

It was highlighted the proposed properties would lie next to Bryn Goodman and former Council properties and would continue the line of dwellings along Haulfryn. It was stated that contractors would have to show consideration to not damage the access road.

Planning policy suggests that sites should be developed at 35 dwellings per hectare unless the character of the area suggested differently. The proposal would be less dwellings per hectare if agreed. There were similar sized buildings in the near facility.

In response, Councillor Bobby Feeley stressed the importance of preventing trees and hedgerow being removed before planning applications were presented to committee. Councillor Huw Hilditch-Roberts urged members to refuse this application it was his opinion that the properties would not be keeping with the character of the area and would be overbearing.

Councillor Gwyneth Ellis asked officers for further information regarding parking spaces allocated on the land. She stated her understanding standards say each house should have space for 3 cars and additional visitors with turning space at the site. In response the PO confirmed no objections had been received from the highway officer in terms of turning space and parking. In the report it showed spaces at the front of the dwellings where parking would be. Officers were confident that there was sufficient parking and turning space at the site.

Councillor Emrys Wynne stated the houses would be facing west towards lovely views. It was a great concern that the proposed properties would impact the privacy of the existing properties.

The Development Control Manager thanked the local members for their perspective and acknowledged the concerns and opinions of local members. He stated if members felt the application would have an unacceptable impact on residential amenity by way of overlooking or privacy. That would be an acceptable material planning reason to refuse.

With regard to members general concerns about the removal of trees or hedgerows prior to development taking place Officers emphasised that they can only use the controls available in terms of Preservation Orders and hedgerow regulations. It was also confirmed that the site was not in a Conservation Area.

**Proposal** – Councillor Emrys Wynne proposed, seconded by Councillor Gwyneth Kensler that the application be refused against officer recommendation as the development would have an unacceptable impact on the residential amenity of nearby residential properties by reason of siting, design and potential loss of privacy.

**VOTE:**

FOR – 6

AGAINST – 9

ABSTAIN – 2

**RESOLVED** that permission be **REFUSED** against officer recommendation for the reasons stated in the proposal above.

**7 APPLICATION NO. 45/2021/0516/ PF - KYNSAL HOUSE, VALE ROAD, RHYL, LL18 2PG**

An application was submitted for the change of use of land and ancillary buildings to form residential Traveller site for 6 caravans, with existing dwelling Kynsal House

retained for owners / managers accommodation; including formation of internal pathways and parking, landscaping and associated works at Kynsal House, Vale Road, Rhyl.

**Public Speaker –**

Mr Scott Drummond (**Against**) confirmed the concerns he wished to put forward were regarding the site uses. He provided objections on behalf of some residents local to the site including the proposed plan did not offer suitable turning space for large vehicles. The plan was an over intensification of the site. Access to and from the site from Vale Road is and would be a danger to existing businesses and pedestrians. He stressed in his opinion that the change of use of the land to form residential gypsy and traveller site, in close proximity to existing residential properties would give rise to the potential for increased activity on site. Which was in conflict with the criteria within the Local Development Plan policy BSC10 which required proposals for sites not to be detrimental to the amenity of occupiers of adjacent properties. It was his opinion that the size and location of the site proposed, the size of caravans proposed and including car parking and nearby buildings would have an adverse impact on the health and wellbeing of the occupants. The same considerations that would be expected to be considered should an applicant submit an application for a building on the plot. He informed members the application should be a retrospective application as two static caravans had been on site since 2019, with no planning permission. He also raised the removal of trees, shrubbery and hedges had taken place and a dropped curb installed all without planning permission. Since 2019 when the development was first established, no attempt to engage with the immediate community had taken place, with any concerns or engagement by local residents ignored or challenged by the occupants. He informed members some local residents had experienced anti-social behaviour, including noise and light pollution. It was felt that the many vehicles and noise produced at the site were from business activities and not purely residential.

**General Debate** – The Chair informed members a site visit had taken place at the site on Friday 4<sup>th</sup> March. Councillor Christine Marston had been in attendance at the site visit. Councillor Marston concluded the visit had been to establish the setting and character of the area, the proximity of the neighbours and the access at the site and neighbouring properties.

Councillor Pete Prendergast (Local Member) urged planning committee members to object to the planning application. He stated since 2019 all hedging and shrubbery had been removed and a drop curb installed to gain access to the site, two static caravans had been installed on the land and all done without any planning permission from the authority. He confirmed the vehicular access off Knowlsley Avenue had been blocked up by fencing but the dropped kerb remained. He informed the committee that to date all local businesses and residents had all been subject to anti-social behaviour and had raised concerns about light and noise pollution. Councillor Pete Prendergast proposed the application be refused against officer recommendations for the following reasons, the siting of six static caravans and the occupied house on the site would be over intensification of the site. The proposed layout of the site did not conform with model 2008 standards for adequate turning space to accommodate large vehicles such as ambulances and fire engines. Access to the site, via Vale Road would be dangerous to both traffic and pedestrians. A change in use of this site

in close proximity to residential buildings would give rise for the potential for increased disturbance and activity in the area which was in conflict of the criteria 5 of the LDP Policy number BSC10.

Councillor Prendergast further raised policies he felt relevant to the objection of the application, including Policy RO5 the Welsh language and the social and cultural fabric of communities, Policy BSC 3, Securing Infrastructure contributions from the development, Policy BSC 11, Recreation and Open Space, Policy VOE 5, Conservation of Natural Resources, Policy ASA3 Parking Standards and TAN 11 Noise 1997 and TAN 12 design 2016. He reminded members the application had been fully opposed by Rhyl Town Council. Councillor Ellie Chard Seconded the proposal to refuse the application.

Local member Councillor Pat Jones confirmed that the local residents and businesses in the area had experienced, obstructions and noise issues since 2019. Councillor Jones echoed the thoughts of Councillor Prendergast.

Councillor Ellie Chard asked if the proposal was successful would residents have to pay a higher rate of council tax.

Councillor Joan Butterfield stated she was in full agreement with the ward members and the reasons for the object against the application. She confirmed the hedgerow had been removed and had reduced the quality of life at the area. It was confirmed the site was close to the town centre and would be detrimental to the residents.

Councillor Christine Marston, confirmed at the site visit the attendees walked the plot, and informed members the applicant had planted trees at the rear of the site. Councillor Marston asked if lighting at the site could be controlled with a condition if granted.

In response to the questions and comments raised the Development Control Manager (DCM) confirmed a detailed report and site visit had been provided for members. The DCM provided further information on the application stating an amendment had been made as part of the application process. The model standards for the siting of caravans had been met. Communication with the fire service had taken place and the fire officer had no objections with the spacing at the proposed site. He confirmed that there were no highway objections for the proposal.

Concerns raised on unacceptable noise and disturbance at the site had been raised by members the DCM confirmed that no concerns were noted from North Wales Police. It was also confirmed that no reported noise complaints from the public protection officers had been received.

The applicant was fully accepting and willing to comply with the authority's policies in relation to open space contributions. It was also stressed that no objections had been received from any local businesses. It had only been residential objections raised. It was also confirmed that if the proposal was successful the residents at the site would be required to pay any council tax and amenities for the site. Conditions could be imposed to soften the impact of the development via a landscaping and lightening scheme.

Councillor Brian Jones asked if a previous application for a change of use of the land had been refused. The DCM stated there was no recent planning history. The application presented to committee was within the development boundary of Rhyl, meaning development of housing was acceptable.

Councillor Joan Butterfield suggested three conditions be imposed on the application if the proposal was successful. Councillor Butterfield listed them as follows:

Proper and adequate housing for gas bottles; electric cables are put into housing and correct and protected plug in area and the drop curb that had been installed was re installed at the site.

In response to the proposed conditions suggested by Councillor Butterfield the DCM directed members to the proposed conditions already suggested for the application. It was the opinion of the DCM that the conditions suggested had been included in the proposed conditions for the application detailed within the report.

The DCM suggested if the application was successful officers would confirm with the local members the wording of the conditions and bring the amended conditions back to committee to agree.

It was highlighted that the application was for a private application for 6 pitches to meet a need for the family. The task and finish group had been established to assess the need for Gypsy and Traveller needs.

**Proposal** – Councillor Pete Prendergast proposed, seconded by Councillor Ellie Chard that the application be refused against officer recommendation, for the following reasons, over intensification in the use of the site, concerns about the impact on highway safety with the access at Vale Road and concerns on unacceptable impact on neighbours by reason of increased noise and disturbance.

The DCM reminded members of a policy included in the Local Development Plan, around the provision of Gypsy and Traveller sites. The policy included a specific criterion was included in the policy, officers had consulted with a number of specialists and considered the criteria in the policy was met.

**VOTE:**

FOR – 2

AGAINST – 13

ABSTAIN – 2

**RESOLVED** that permission be **REFUSED** against officer recommendation for the reasons stated in the proposal above.

**8 APPLICATION NO. 15/2021/0681/ PF - GRAIANRHYD FARM HOUSE, LLANARMON YN IAL, MOLD**

An application for the erection of proposed extension to provide annexe accommodation at Graianrhyd Farm House, Llanarmon Yn Ial, Mold.

The Chair referred members to the additional information included in the supplementary papers.

**General Debate** – Councillor Martyn Holland (Local Member) urged members to support the application. He explained the application was to allow a family to accommodate older relatives. The original application had been amended following

planning officer's guidance. The proposal site did not overlook any other properties with no immediate neighbours and was not located within the Area of Outstanding Natural Beauty.

**Proposal** – Councillor Emrys Wynne proposed that the application be granted in accordance with officer recommendations as set out in the report, seconded by Councillor Christine Marston.

**VOTE:**

FOR – 15

AGAINST – 0

ABSTAIN – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as detailed within their report.

**9 APPLICATION NO. 43/2021/1279/ PF - 1 LLWYN MESEN, MELIDEN, PRESTATYN**

An application was submitted for alterations and extension to existing outbuilding to form annex accommodation ancillary to existing dwelling and associated works at 1 Llwyn Mesen, Meliden, Prestatyn.

The Chair explained the reason the application had been presented to the committee was due to the applicant being Councillor Peter Evans.

**Proposal** – Councillor Merfyn Parry stated the application presented was a straightforward application and proposed that the application be granted in accordance with officer recommendations as set out in the report, seconded by Councillor Bob Murray.

**VOTE:**

FOR – 15

AGAINST – 0

ABSTAIN – 0

**RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as detailed within their report.

The Chair offered thanks and best wishes on behalf of the committee to the Legal Officer – Tim Dillon. He explained this was the last committee meeting that Tim would be attending before leaving the authority. He wished him well in his new position and thanked him for his work during his time working for Denbighshire County Council.

**10 RESPONSE TO STATUTORY PRE-APPLICATION CONSULTATION**

The Chair introduced the Hynet North West carbon dioxide pipeline- nationally significant infrastructure project report (previously circulated). It was explained to members the report was presented to committee for members agreement not to

submit formal observations in response to the pre-application consultation on behalf of Denbighshire County Council. The Chair guided members through the reasons for this recommendation.

Councillor Brian Jones informed the members he had involved in discussions regarding this project. He urged members to monitor the process of the project.

Councillor Mark Young proposed the recommendation included in the report that; *'Denbighshire County Council, as neighbouring authority does not wish to make any observations on the proposed carbon dioxide pipeline PEIR at this time, however the Council reserves the right to comment on the proposal at application stage, and to make representations on other component parts of the HyNet North West Project.'* This proposal was seconded by Councillor Peter Scott.

All members were in agreement with the proposed recommendation.

***RESOLVED*** that the planning committee agree for the wording detailed above, be approved as the response to the pre-application consultation.

**The meeting concluded at 13.10 p.m.**