

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 7 September 2022 at 9.30 am.

PRESENT

Councillors Ellie Chard, Karen Edwards, Gwyneth Ellis, James Elson, Chris Evans, Jon Harland, Huw Hilditch-Roberts, Alan James, Delyth Jones, Julie Matthews, Terry Mendies, Raj Metri, Win Mullen-James, Merfyn Parry, Pete Prendergast, Peter Scott (Vice-Chair), Andrea Tomlin and Mark Young (Chair)

Observers – Councillors Hugh Irving and Huw Williams

ALSO PRESENT

Gary Williams (Monitoring Officer), Paul Mead (Development Manager), Paul Griffin (Principal Planning Officer), Georgia Crawley (Planning Officer), Mike Parker (Senior Engineer – Development Control), Angela Loftus (Planning and Public Protection Manager), Rhodri Tomos Jones (Zoom Host and Sharon Walker (Committee Administrator).

Public Speakers – Hannah Munroe, Phil Lewis and Kerry James.

1 APOLOGIES

Apologies for absence were received from Councillors Brian Blakeley and Elfed Williams

2 DECLARATIONS OF INTEREST

Councillor Jon Harland declared a personal interest as he is a friend with the speaker (against) for item 10 (17 Clayton Drive, Prestatyn)

3 URGENT MATTERS AS AGREED BY THE CHAIR

None.

4 MINUTES

The minutes of the Planning Committee held on 13 July 2022 were submitted.

Councillor Jon Harland referred to page 20 (final item – Early Learners Day Nursery, Dyserth Road, Rhyl) in the minutes states it fell under the Care Standards Inspectorate for Wales (CSIW) who would ensure there would be enough space for the additional children, members thought the CSIW would have completed full investigations on the space and numbers to accept the application. Officers confirmed CSIW were content with the proposal. We were wrong to assume, as a group, that they had said they were content with the proposal as they had not

assessed it at that stage. Cllr Harland had received an email confirming CSIW had not approved anything at the site and enquiries were ongoing. Councillor Harland was not aware whether it had been approved recently and, therefore, as a Committee, that assumption should not have been made.

Paul Mead – we can speak to the case officer of the planning application if information put in the report in error. Whether that prejudiced the planning decision was questionable. We were dealing with planning issues of the application. If any information had been put in the report in error the officer would take that up with the case officer but re-iterated he did not think it would have prejudiced the decision at Planning Committee.

RESOLVED that subject to the above, the minutes of the meeting held on 13 July 2022 be approved as a correct record.

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.

At this juncture, it was explained that Councillor Metri would not be able to vote at the Planning Committee meeting as he had not completed the Planning training.

5 APPLICATION NO. 15/2021/0320/PF - Y BEUDY, SCHOOL LANE, LLANARMON YN IAL, MOLD

An application was submitted for change of use of land from agricultural to equestrian erection of stables and manége for private use, together with associated hardstanding track, fencing and alterations to existing vehicular access at Y Beudy, School Lane, Llanarmon Yn Ial, Mold.

Public Speaker –

Hannah Munroe (For) – explained she had grown up in the area. The Community Council had raised objections regarding the floodlights and the minimum size of the manége. The property had been bought from her father and once purchased she put in a planning application for stables. The applicant clarified the changes to the original application and confirmed there would be no floodlights and the size of the manége was acceptable for the 3 horses. The stables would be for personal use only and not commercial use.

General Debate –

Councillor Terry Mendies (Local Member) confirmed his approval of the application but suggested if the application were to be granted an additional condition could be added that it complies with the SUD and drainage proposal.

Georgia Crawley (planning officer) clarified that the SUDs approval came under a separate legislation which could not be duplicated under a condition but a note to the applicant could be included that she would require that prior to commencement of development.

An explanation of “phosphorus sensitive” was requested. Officers confirmed that the River Dee was an area of special conservation and NRW had set a catchment area around that of water courses which led into that water body so any development which could increase phosphate either needed mitigation so it would be a neutral impact or a betterment. NRW consulted on the application and they did not consider this development would increase phosphate and there would not be a risk in this instance.

Proposal – Councillor Merfyn Parry proposed the application be granted in accordance with officer recommendation, seconded by Councillor Huw Hilditch-Roberts who also requested a condition be amended which stated that the manège be used by the dwelling known as Y Beudy, and no commercial or business use. This condition should be amended to be utilised for personal pleasure rather than linked to the dwelling. The Planning Officer confirmed she would meet with the local member and agree the wording of the condition.

VOTE –

For – (14 votes cast in the Chamber 3 votes cast via zoom) – 17

Abstain – 0

Refuse - 0

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

6 APPLICATION NO. 43/2022/0377/PF - 17 CLAYTON DRIVE, PRESTATYN

An application was submitted for erection of single storey rear extension. Alterations and extension of roof including the formation of first floor rear balcony. Alterations to fenestrations and associated works at 17 Clayton Drive, Prestatyn.

Public Speaker -

Phil Lewis (Against) – representing 19 and 22 Clayton Drive together with 6 Bryntirion Avenue who all object to the application. This was the third application put forward for Planning as the first two had been withdrawn. Mr Lewis raised points of concern –

- He should be entitled to the right of light, residential amenity and outlook.
- He had focused on the 45° horizontal test as on the plans submitted this application failed the test. The applicants stated it was minimal impact but Mr Lewis disagreed.
- It was also mitigated by the applicant by having a second window in the room and Mr Lewis stated the window was also impacted by the 45° rule. It was questioned why this was not being applied.
- No consultation had taken place with the neighbours.

- The balcony proposed would overlook the garden and rear 6 Bryntirion Avenue which would have a detrimental impact on their privacy.
- Regarding 22 Clayton Drive, there had been issues regarding parking at the front of the property but this had been addressed with the proposal to put parking spaces at the front of the house. Concerns were raised regarding the design of the spaces and whether it would be used on a day to day basis.

Kerry James – (for) (Kerry James Planning). Following receipt of objections from the adjacent occupiers the proposals have been amended twice. The application is to provide accommodation for three generations of one family. The key issues to consider in the determination of the planning application are the impact on visual amenity, residential amenity and highway safety. Concerns had been raised by the residents of number 19 Clayton Drive regarding design. The design is considered appropriate for the area. The extensions would not represent an overdevelopment of the site. It would not impact on visual amenity and complied with RD1 and RD3 of the LDP. Concerns were also raised that the development would restrict their light and outlook and affect privacy. The single storey extension is the same size as that which would be permitted under permitted development. The balcony had been repositioned centrally with opaque glazed privacy screens at the height of 1.8m. The development would not have any detrimental impact to the amenities of adjacent properties. The occupiers at number 22 Clayton Drive raised concerns regarding off street parking. This issue has been addressed and the proposal has been amended to include four off street parking spaces. The Highways Officer has no objection to the proposed development as it would not have any detrimental impact on highway safety.

General Debate –

A site meeting had taken place on 2nd September 2022. Committee members and the Local Member who attended the site meeting did not find the proposed application would cause issues as the extension, apart from the balcony, could have been constructed under permitted development.

Proposal – Councillor Peter Scott proposed that the application be GRANTED in accordance with officer recommendation, seconded by Councillor Alan James.

VOTE

For (13 votes cast in the Chamber, 3 votes cast via zoom) 16

Abstain – 0

Against - 1

RESOLVED that the application be GRANTED in accordance with officer recommendation.

7 APPLICATION NO. 03/2022/0358/PF - 2 & 9 MINFFORDD, MILL STREET, LLANGOLLEN

An application was submitted for change of use and alterations to existing guest house and outbuildings (C1) to form house of multiple occupation (Sui Generis) at 2 & 9 Minffordd, Mill Street, Llangollen.

Councillor Karen Edwards, Local Member, stated she was aware of concerns of HMO's across the county. She acknowledged that the proposal was contrary to policy but understood there were other material considerations to be taken into account for this application. The property would be to house key care workers needed to support the care home operated by Dee Vale Health Care.

In order to provide safeguards Councillor Edwards proposed suggested that the HMO be approved subject to the following conditions –

- (a) The use being solely to house key care workers employed by Dee Vale Health Care as described in the planning policy statement.
- (b) The use being for the benefit of employees of Dee Vale Health Care providing essential key care workers accommodation only for a period of three years following the date of this permission.
- (c) Should the use of the property for the use of essential care workers employed by Dee Vale Health Care cease at any time, the property will revert to C1 use.

Planning Officers confirmed that suggested planning conditions were within the pack but reasonable if the local member wished to amend the conditions as a proposition and officers agreeable to the suggested conditions.

Proposal – Councillor Karen Edwards proposed the application be GRANTED with the inclusion of the suggested conditions, seconded by Councillor Huw Hilditch-Roberts.

VOTE –

For – (14 votes cast in the Chamber, 3 votes cast via zoom) 17

Abstain – 0

Refuse – 0

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

BREAK – 10:30 AM – 10:40 AM

8 APPLICATION NO. 16/2021/1109/PF - LAND BETWEEN THE RECTORY AND BRACKENDENE, LLANBEDR DYFFRYN CLWYD, RUTHIN

An application was submitted for Erection of 18 no. dwellings, construction of a new vehicular access and associated works at land between The Rectory and Brackendene, Llanbedr Dyffryn Clwyd, Ruthin.

The Local Member, Councillor Huw Williams expressed his agreement to the development as it had been four years in the making. The scheme would link the two parts of the village and improve the area.

Proposal – Councillor Merfyn Parry proposed the application, seconded by Councillor Peter Scott.

VOTE –

For – (13 votes cast in the Chamber, 3 votes cast via zoom) 16

Abstain – 1

Refuse – 0

***RESOLVED** that the application be granted in accordance with officer recommendation.*

9 APPLICATION NO. 40/2021/0825/PF - LAND OPPOSITE GLAN CLWYD HOSPITAL, RHUDDLAN ROAD, BODELWYDDAN, RHYL

An application was submitted for Erection of 108 dwellings, construction of a new vehicular access and associated works at land opposite Glan Clwyd Hospital, Rhuddlan Road, Bodelwyddan.

At this juncture, Councillor Merfyn Parry requested the application be deferred to allow all Planning Committee members to receive further information regarding an understanding of the infrastructure around the site given the previous issues around infrastructure and the LDP.

Proposal – Councillor Merfyn Parry proposed the application be DEFERRED, seconded by Councillor Ellie Chard.

VOTE

For Deferral – (14 votes cast in the Chamber, 3 votes cast via zoom) 17

Abstain – 0

Refuse – 0

***RESOLVED** that the planning application be DEFERRED*

10 APPLICATION NO. 43/2016/0717/PO - LAND AT TRIGG HOUSE, WARREN DRIVE, PRESTATYN

An application was submitted for Development of 0.3 hectares of land by the erection of industrial / commercial units and associated servicing areas (outline application with all matters reserved) at land at Trigg House, Warren Drive, Prestatyn.

Proposal – Councillor Andrea Tomlin proposed to grant the application in accordance with officer recommendation, seconded by Councillor Merfyn Parry.

VOTE –

For – (14 votes cast in the Chamber, 3 votes cast via zoom) 17

Abstain – 0

Refuse – 0

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

THE MEETING CONCLUDED AT 11.00 A.M.