

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 14 December 2022 at 9.30 am.

### **PRESENT**

Councillors Ellie Chard, Karen Edwards, Gwyneth Ellis, James Elson, Jon Harland, Huw Hilditch-Roberts, Delyth Jones, Julie Matthews, Terry Mendies, Win Mullen-James, Merfyn Parry, Pete Prendergast, Gareth Sandilands, Andrea Tomlin and Mark Young (Chair).

**Local Members** - Councillor Bobby Feeley and Councillor Emrys Wynne.

### **ALSO PRESENT**

Legal Officer (RJ); Development Manager (PM); Principal Planning Officer (PG); Senior Engineer (Development Control) (MP); Zoom Hosts (SLW and NPH); Committee Administrator (SJ).

Public Speakers –  
Mr Joe Salt (Agenda item 6)

#### **1 APOLOGIES**

Apologies were received from Councillors Alan James, Elfed Williams, Chris Evans and Peter Scott.

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

There were no declarations raised.

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

There were no urgent matters.

#### **4 MINUTES**

The minutes of the Planning Committee held on 09 November 2022 were submitted.

Matters of Accuracy – None

Matters Arising – Councillor Merfyn Parry informed the committee that a number of personal posts regarding Councillors had been made on social media. He suggested the authority be vigilant to such comments, as in his opinion they were intimidating and bullying.

The Legal Officer informed members that social media platform's do have a complaints procedure which could be followed if comments are deemed inappropriate. He encouraged members to follow those procedures for investigation.

Councillor Merfyn Parry suggested that Denbighshire County Council issue a statement, with guidance for members on how to proceed with social media bullying. The Development Control Manager confirmed he would relay members concerns to Liz Grieve to potentially issue a general statement on the Code of Conduct around social media.

**RESOLVED** that subject to the above, the minutes of the meeting held on 09 November 2022 be approved as a correct record.

## **APPLICATIONS FOR PERMISSIONS FOR DEVELOPMENT (ITEMS 5 - 7) -**

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. 21/2021/1049/ PF- HEATHER BANK, LLANFERRES**

An application was submitted for the erection of a replacement dwelling and associated works at Heather Bank, Llanferres.

#### **Public Speaker –**

Mr Joe Salt (agent) (FOR) – explained he was in attendance on behalf of the clients Mr and Mrs Dermody. The officer report provided members with a detailed report on the work that had been conducted between the applicant and planning officers. Appreciation had been given to the concerns raised by nearby residents during the application process. The applicant was of the opinion the proposal did not cause over development of the site, there would be no overlooking issues and the existing property would be enhanced by the proposal. The application would improve access to the site and provide a safer route to the property. Members were informed it was the aspiration of the owners to reside in the area for a number of years. Appreciation was given to the considerable work completed by Planning Officers.

**General debate –** Councillor Merfyn Parry had been asked by Councillor Huw Williams (Local Member) to offer his support to the application. It was the opinion of Councillor Williams the proposal would be a modern energy efficient property.

**Proposal –** Councillor Merfyn Parry proposed that the application be granted in accordance with officer recommendations as set out in the report, seconded by Councillor Huw Hilditch-Roberts.

**VOTE:**

FOR – (7 votes cast in the Chamber, 8 votes cast via Zoom) - **15**

AGAINST – **0**

ABSTAIN – **0**

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

**6 APPLICATION NO. 02/2022/0736/ PF - LAND AT (PART GARDEN OF) 149 MWROG STREET, RUTHIN, LL15 1LE**

An application was submitted for the erection of 1 no. detached dwelling, provision of parking area for no. 149 and associated works at Land at (Part garden of) 149 Mwrog Street, Ruthin.

**General debate** - Councillor Bobby Feeley (Local Member) stated she was in support of the planning officers recommendation to grant the application. She informed members she had attended the site and was satisfied that with the proposed conditions the proposal would be a suitable site for a dwelling. Councillor Emrys Wynne (Local Member) stated he also supported the application. He asked for assurance that the conditions would be adhered to and monitored.

The Senior Engineer – Highways Development Control confirmed an in-depth review of the site had taken place. Historically the site had accommodated a vehicular garage. The Welsh Government Document Technical Advice Note 18 stated that when planning applications are received on existing development sites, served by an existing substandard access there should be scope for a limited redevelopment that incorporated a substantial access improvement. Even though the improved access would still be below standard, he confirmed that with the additional conditions there was no reason to refuse the application.

The Planning Officer confirmed officers had noted the Fire Service's response and informed members the response was an advisory note. Officers felt the development could comply with the Fire Service's general requirements.

Councillor Huw Hilditch-Roberts (Local Member) confirmed he had visited the site. He noted the work that had been conducted between the officers and the applicant. He provided members with background information on the listed building at the site.

Members asked if more detailed images could be shared in the Chamber for members to view. They also queried the role of any contracted archaeologist.

The Planning Officer addressed members concerns and confirmed the archaeologist could pause the work if needed until the process of recording any artefacts had concluded.

**Proposal** – Councillor Merfyn Parry proposed that the application be granted in accordance with officer recommendations as set out in the report, seconded by Councillor Huw Hilditch-Roberts.

**VOTE:**

FOR – (7 votes cast in the Chamber, 8 votes cast via Zoom) - **15**

AGAINST – **0**

ABSTAIN – **0**

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

**7 TREE PRESERVATION ORDER NO 02/2022 - LAND AT 46 BRO DEG, RUTHIN**

A report for confirmation request of Tree Preservation Order No. 2 (2022) made by Denbighshire County Council at Land at 46 Bro Deg, Ruthin was submitted.

The Planning Officer provided members with some background information on the report. In the summer a request had been made by the land owner for a tree on his site to be afforded protection. Officers and tree inspectors visited the site and conducted an assessment to determine if the tree should be protected. Consultation with the neighbouring residents had taken place. As an objection to the proposed tree protection order had been received, it was brought to committee to resolve. If members were minded to protect the tree, it did not prevent reasonable work being undertaken to the tree. The owner would have to apply for any proposed work to the tree.

**General debate** - Councillor Terry Mendies raised concern on the boundary fence and who would be responsible for any damage caused by the tree. The Planning Officer confirmed that the fencing was part of the objection raised by the neighbouring property. It was the opinion of the neighbour that the tree was preventing work on the boundary fence to take place.

It was highlighted that if the tree was worthy of being protected then the order could be placed on the tree. Any required works to a boundary fence would then have to have regard to potential impacts on the protected tree. If the protection order was confirmed any work on the tree would need consent in advance of the work taking place. An application for tree preservation order is free of charge. The liability on the Authority was nil. The images included in the papers had been provided from the objector.

Further guidance on the TEMPO assessments was provided, members heard two tree inspectors had assessed the tree and both had concluded the tree scored enough points (above 12) to merit a tree preservation order. The objectors had sight to the TEMPO assessments. Clarification was provided that if the order was agreed it would protect the entire tree including the roots.

**Proposal** - Councillor Merfyn Parry proposed the application be granted in accordance with officer recommendation, seconded by Councillor James Elson.

**VOTE:**

FOR – (7 votes cast in the Chamber, 8 votes cast via Zoom) - **15**

AGAINST – **0**

ABSTAIN – **0**

**RESOLVED** that the Tree Preservation Order No. 02/2022 be **APPROVED** without modification, in accordance with officer recommendations as detailed within the report.

The Chair, Members and Officers observed a minute silent reflection on the recent passing of Councillor Brian Blakeley, a valued member of the Planning committee.

## **ADDITIONAL ITEM**

### **8 LOCAL DEVELOPMENT PLAN 2006 TO 2021: ANNUAL MONITORING REPORT 2022**

The Chair introduced the information report (previously circulated) confirming the report was to be noted by Members.

The Development Control Manager confirmed the contact details of the lead officer Angela Loftus had been included with the papers. Members were encouraged to contact her with detailed questions or further information.

Councillor Win Mullen-James as Lead Member for Local Development and Planning, offered her thanks to officers for the work and consideration.

**RESOLVED** that members **noted** the Local Development Plan 2006 to 2021: Annual Monitoring Report 2022.

The Development Control Manager thanked all the officers for the dedicated hard work to conduct the Planning meetings. He offered his thanks to members for the continued support and dedication and wished all a Merry Christmas and a happy New Year.

The Chair echoed the thoughts of the Development Control Manager, in his opinion members had questioned and challenged officers well and had worked well together. He wished all Merry Christmas and all the best for the New Year.

**The meeting concluded at 10.23 a.m.**