

## PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 17 January 2024 at 9.30 am.

### PRESENT

Councillors Ellie Chard, Karen Edwards, Gwyneth Ellis, James Elson, Chris Evans, Justine Evans, Jon Harland, Huw Hilditch-Roberts, Alan James, Delyth Jones, Julie Matthews, Terry Mendies, Win Mullen-James, Arwel Roberts, Gareth Sandilands, Andrea Tomlin, Cheryl Williams, Elfed Williams and Mark Young (Chair)

### ALSO PRESENT

Paul Mead – Development Control Manager, Paul Griffin – Principal Planning Officer, Clare Lord – Legal Officer, Sue Rees – Legal Officer, Local Member – Councillor Huw Williams, Zoom Host – Rhodri Tomos-Jones and Committee Administrator – Nicola Hughes.

#### 1 APOLOGIES

Apologies for absence were received from Council Merfyn Parry.

#### 2 DECLARATIONS OF INTEREST

None.

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

No items of an urgent nature had been raised with the Chair prior to the commencement of the meeting.

#### 4 MINUTES

The minutes of the Planning Committee meeting held on the 13 December 2023 Were submitted. It was:

**RESOLVED:** *that the minutes of the meeting held on the 13 December 2023 be received and approved as a true and correct record of the proceedings.*

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information received since the publication of the agenda, which contained additional information relating to those applications.

#### 5 APPLICATION NO. 21/2021/0903/ PF - LAND ADJACENT TO THE Paddock, LLANFERRES, MOLD, CH7 5SH

An application was submitted for the change of use of land by the sitting of 4 no. holiday accommodation units, installation of a package treatment plant, formation of

parking, internal track, pedestrian footbridge and associated works on land adjacent to the Paddock, Llanferres in Mold.

**Public Speaker –**

Paul Dyson (AGAINST) – Mr Dyson informed the Committee that the application had been pending for approximately 2 ½ years and details of external lighting at the site were only made available on 12 January 2024. The recent amendment in the application had not given residents the opportunity to respond with any objections or comments. Mr Dyson therefore requested a **deferral** of the application to allow residents and other concerned parties to respond.

There were already two holiday accommodation sites on the narrow lane, Bryn Bowlio and Camp Alun. There was no demand for additional holiday accommodation in the area and sites already in operation remained vacant for many months of the year. The application would encourage more tourism to the area which was already at its capacity. The location of the site was not suitable as there were no shops, public houses, footpaths or streetlighting on the road.

The Area of Outstanding Natural Beauty (AONB) Dark Skies initiative should be considered with the lighting scheme proposed within the application. Noise from visitors would impact the tranquillity of the AONB landscape. The noise screening plans proposed in the application would take many years to establish and would not suppress the noise. The application would have the possibility of generating noise over a 24-hour period with hot tubs at the site generally being used in the evening along with the consumption of alcohol which could lead to conflict between visitors and residents.

The Local Development Plan (LDP), Policy PSE12 states that there would be no new campsites in Denbighshire unless demand could be clearly indicated.

A **deferral** of the application was requested.

**Public Speaker –**

Gethin Jones (Agent) (FOR) – the application was for four luxury accommodation units within the ground adjoining the applicant's home. The vision was to create a unique holiday experience for visitors in the Clwydian Range and AONB area. As a young family the applicants aim was to grow and diversify the business to create something special within the community.

Throughout the planning process the units have been strategically positioned to maximise screening and minimise the visual impact within the area. A focus had been placed on retaining and enhancing existing ecology and acknowledging the significance of preserving biodiversity. The County Ecologist and the Footpaths Officer had raised no objections to the application. During the planning process the applicant had invested a significant amount of funds working with Water Co Ltd,

who were experienced water and drainage engineers to address queries raised from Natural Resources Wales (NRW) regarding the application. NRW had now confirmed their willingness to grant a permit to proceed with a private treatment site on site once the development commenced. The applicant anticipated an increase in revenue for local businesses including shops, public houses, and local eateries within the area. The application would also contribute to the wider economy creating employment opportunities.

### **General debate –**

Councillor James Elson sought clarity on the conflict between Policies PSE5 and PSE12 within the LDP.

The Principal Planning Officer explained to the Committee that Policy PSE5 related to a development that benefits the rural economy and PSE 12 related to camping, static and touring caravan sites. The proposal in front of the Committee related to lodges. Officers had taken a balanced view when determining which policy supported the application. Officers had come to the conclusion that the impact on the visual landscape could be mitigated through a landscaping condition. With reference to the lighting proposed for the site a condition had been put in the application that required further agreement prior to any lighting being installed. A response from the Public Right Of Way Officer had been received confirming that they agreed with the proposal, providing that there was no harm to the amenity of the area. The application report on balance concluded officers support for Policy PSE 5 in relation to the application.

Councillor Delyth Jones thanked officers for the comprehensive report and late representations. Councillor Jones noted the objections for the application in the report and sought clarity that the consultation process had been followed.

The Principal Planning Officer informed the Committee that the most recent information received related to a lighting and drainage scheme which was a direct response from statutory consultees. It was officers' opinion that relevant parties had been consulted on the objections raised. Residents had been given the opportunity to comment and had been notified in accordance with legislation and therefore, officers were content that they had followed the process in this regard.

Councillor Delyth Jones questioned the conditions that were in place for an applicant to show the demand for the development in an AONB.

The Principal Planning Officer explained, referring back to Policies PSE5 and PSE12, there was no condition where applicants needed to show the demand for the application within the area however, the applicant needed to demonstrate the benefit to the rural economy.

Councillor Arwel Roberts expressed his surprise that AONB were in agreement with the application due to their Dark Skies status. The Principal Planning Officer referred

members to condition 10 of the report ensuring that any lighting would be down lit to avoid negative impacts on bats and this recognised the AONB Dark Skies status.

Councillor Chris Evans raised concerns regarding record keeping of visitors to such holiday sites and requested information on who enforces it. The Development Control Manager stated that Welsh Government, as part of their National Planning Policies, encouraged year round tourism. The onus was on the applicants and operators of the holiday sites to keep a log and this required confirmation of council tax for all visitors to the site. This was a standard process in place across the whole of the County. This was a planning enforcement issue and reference was made to condition 3 of the application which would hopefully provide members with the security that this was being managed.

Councillor Huw Hilditch- Roberts stated that lots of due diligence had gone into the application and felt confident that officers had taken into consideration what the application was offering and its location. The Business Survey for Denbighshire highlighted the demand for tourism accommodation within the area which attracted 250,000 visitors per year.

#### **Proposal –**

**PROPOSED** by Councillor Huw Hilditch-Roberts that the application is granted.  
**SECONDED** by Councillor Alan James.

Councillor Huw Williams (**local member**) expressed his support for the application stating that the holiday lodges proposed in the application were very popular within the area and there was a growing demand for them. This application would bring money into the local economy.

#### **Vote –**

For – 19

Against – 0

Abstain – 0

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

#### **6 APPLICATION NO. 23/2023/0468/ PF - BRYN GOLAU, SARON, DENBIGH, LL16 4TH**

An application was submitted for the demolition of existing poultry farm and erection of a poultry unit for turkey breeding comprising 2 no. linked poultry units with associated feed bins, tractor shed, hardstandings, access road, new vehicular access and associated works on Bryn Golau, Saron in Denbigh.

## **Public Speaker –**

Sam Harrison (Agent) (For) – the existing farm had 7 poultry houses and operates with an environmental permit which was issued and controlled by NRW for the rearing of broiler chickens, the site currently had a capacity of 87,200 birds with around 7.5 flocks each year. It is proposed to demolish the existing farm and replace it with a modern turkey breeder unit which would be designed with the best techniques, unlike the current units in situ. Following the development, the farm would operate as a turkey laying unit producing fertile eggs for hatching. The capacity of the new farm would be 6000 birds consisting of 5,500 hens and 500 stag turkeys and the new development would create 5 full time jobs on the site.

The development was a far less intensive use of the existing broiler units. The turkey cycle is based on the 36 week turkey breeding cycle, with birds being housed for approximately 28 weeks following the site then being emptied for cleaning and preparation for 8 weeks. The proposal amounts to breeding 1.6 flocks per annum opposed to the existing 7.5 flocks per annum.

The impact of the development had been assessed through various technical reports covering odour, noise, ammonia, ecology, transport and waste management. The development would implement a number of improvements including, but not limited to, a reduction in odour and ammonia, the reduction of nighttime catching operations and a reduction in daytime traffic. The appraisal had been fully appraised from a technical standpoint by NRW, Highways, Ecology and Environmental Health, all of whom had raised no objections subject to conditions.

## **General debate –**

Councillor Elfed Williams (**local member**) raised concerns regarding the operational hours of the site and the position of the entrance/ access to the site. Referring to **condition 10** –

Notwithstanding the hereby approved plans and documents, all deliveries, the transport of live poultry from the site (with the exception of live bird transport which can be undertaken outside these hours) shall take place Monday -Friday 07.00-19.00hrs, Saturday 07.00 – 17.00hrs and Sundays and Public Holidays 10.00-16.00hrs only.

It was felt unreasonable for the operational hours to be late at night during the week and a request was made that the operational hours were changed from 19.00 to 17.00hrs during the week, due to the noise disturbance this could cause local residents. It was highlighted that for a period of 6 weeks throughout the year lorries could arrive anytime over a 24hour period.

The biggest concern for local residents and Llanrhaeadr Yng Nghinmeirch Community Council was access to the site. The proposed new access to the site was in close proximity to a set of crossroads which was not appropriate for large

vehicles entering and leaving the site. It was requested that the access proposed for the site was moved to a different area away from the crossroads and neighbouring properties.

The Development Control Manager informed members of the Committee of their options as follows –

- The local member could propose alternative wording for condition 10. Granting the application subject to condition 10 being amended.
- The access point was a fundamental part of the proposed application and members of the Committee could not change the access as shown. Members would need to assess the information from Officers and Highways Engineers before them and conclude whether the access shown was acceptable. If it was felt to be unacceptable, members would need to refuse the application.
- The application be deferred to allow officers to conduct discussions with the applicant regarding amending the proposal in terms of the location of the access to the site and hours of operation.

Councillor Alan James questioned the distance between the current access to the site and the new proposed access to the site. The Principal Planning Officer referred members to the ariel view plan within the application and highlighted the existing and proposed new access to the site.

Councillor Huw Hilditch-Roberts questioned operational hours currently at the site. The Principal Planning Officer stated that there were currently no controls over the delivery or operational hours on the existing permission on the site.

#### **Proposal –**

Councillor Elfed Williams **PROPOSED** the application be deferred until Officers contacted the applicant in relation to access to the site and operational hours. Councillor Delyth Jones **SECONDED** the application be deferred.

#### **Vote –**

For – 14

Against – 4

Abstain – 1

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

#### **7 APPLICATION NO. 43/2023/0549/ PF - 9 CADNANT AVENUE, PRESTATYN LL19 7HW**

An application was submitted for the provision of dormer roof windows to front and rear elevations and associated works at 9 Cadnant Avenue in Prestatyn.

Councillor Andrea Tomlin (**local member**) informed the Committee that the photographs within the report application clearly detailed the proposed changes to

the property. The property did not look over another property at the front and changes had been made by the applicant to have obscure glass in the rear windows of the property following residents' concerns. The proposed changes to the property would have little impact within the area and on neighbours.

PROPOSED by Councillor Andrea Tomlin that the application is granted.  
SECONDED by Councillor James Elson.

**Vote –**

For – 19

Against – 0

Abstain – 0

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

Meeting concluded at 10.30am