

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 22 May 2024 at 9.30 am.

PRESENT

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

ALSO PRESENT

Legal Advisor (CL); Development Management & Building Control Manager (PM); Principal Planning Officer (PG); Zoom Host (RT-J); and Committee Administrator (SLW)

Public Speaker – Kelly James (Agent) for items 7 and 8.

1 APOLOGIES

No apologies for absence were received.

2 DECLARATIONS OF INTEREST

None.

3 APPOINTMENT OF CHAIR

Nominations were sought for the position of the Chair of the Planning Committee for the 2024/25 municipal year.

Councillor Alan James proposed Councillor Mark Young to be appointed as Chair for the 2024/25 municipal year, seconded by Councillor Arwel Roberts.

RESOLVED that Councillor Mark Young be appointed Chair of the Planning Committee for the 2024/25 municipal year.

4 APPOINTMENT OF VICE-CHAIR

Nominations were sought for the position of the Vice-Chair of the Planning Committee for the 2024/25 municipal year.

Councillor Mark Young proposed Councillor Alan James to be appointed as Chair for the 2024/25 year, seconded by Councillor Ellie Chard.

RESOLVED that Councillor Alan James be appointed Vice-Chair of the Planning Committee for the 2024/25 municipal year.

5 URGENT MATTERS AS AGREED BY THE CHAIR

At this juncture, the Chair, Councillor Mark Young paid tribute to the late Councillor Win Mullen-James who had sadly passed away recently. A minute of silent reflection was held.

6 MINUTES

The minutes of the meeting held on 20 March 2024 were submitted.

During the break of the meeting, Councillor Andrea Tomlin raised the fact that on page 13, Hafod y Parc, the vote should state –

For – 16

Against – 3

Abstain – 0

Rather than as stated –

For – 19

Against – 0

Abstain – 0

The Legal Officer and Planning Officers confirmed Councillor Andrea Tomlin was correct and a note of the correct vote would be added to the accuracy of the minutes.

RESOLVED that, subject to the above, the minutes of the meeting held on 20 March 2024 be received and approved as a correct record of the proceedings.

7 APPLICATION NO. 16/2022/0894/PC - CLWYD GATE MOTEL, LLANBEDR DYFFRYN CLWYD LL151YF

An application was made for the provision of external alterations, lighting and associated works (retrospective application) at Clwyd Gate Motel, Llanbedr Dyffryn Clwyd.

Public Speaker – Kelly James (Agent) (for) – the building previously had operated as a Motel. The site had been vacant for over 12 years until the current owners purchased the site in 2020. At that time, the building was in a very poor state of repair and the grounds were neglected. The building had undergone extensive refurbishment costing over £1million to provide high quality tourism accommodation. The owners recruited local contractors for the refurbishment and continue to use local tradesmen. They also employ 8 cleaners, gardeners, handymen, window cleaners, carpet cleaners and painters who are all local to the area. Visitors to Clwyd Gate Manor also contribute to the local economy by spending in local shops and restaurants. It was understood that the main issue surrounding the application was the effects of the external lighting upon ecology, the dark sky and residential amenity. There were no objections to the external alterations to the building. With regards to visual impact of the lighting upon the dark sky, a detailed lighting assessment has been submitted which recommended reducing the extent of lighting and amending existing specifications. Following consultation, the lighting scheme has been amended further. The Public Protection

Officer and the AONB Joint Committee raised no objections to the amended scheme.

To address concerns over the feature window the owner will install a tint material to reduce the light from the internal chandelier. It was not considered that the development would have any detrimental impact upon the AONB dark sky.

With regard to the impact upon ecology, the application was accompanied by an ecological report confirming that the adjacent generator building was a bat roost. A dark corridor to the rear of the motel building would be retained to provide a link from the roost to the nearby woodland. The proposals had been drawn up in consultation with the ecology officer who raised no objections. It was not considered that the development would have any detrimental impact upon ecology.

With regard to residential amenity the proposed changes included the insertion of the feature window within the existing front elevation. Given the relationship between the building and adjacent occupiers, it was not considered that the development would result in any overlooking.

With regards to any potential noise nuisance the application relates to external alterations only and not the use of the site.

Having regard to the above, the development would comply with policies RD1, VOE2 and VOE5 of the LDP and with regards to design and residential amenity and ecology.

Proposal – Councillor Merfyn Parry proposed the application be granted in accordance with officer recommendation, **SECONDED** by Councillor Arwel Roberts.

Vote –

For – 19

Against – 0

Abstain – 0

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

8 APPLICATION NO. 16/2021/1233/PF - OUTBUILDINGS AT CLWYD GATE MOTEL, LLANBEDR DYFFRYN CLWYD LL15 1YF

An application was made for the conversion of a former generator building to form one holiday accommodation unit, formation of lay-by and associated works at outbuildings at Clwyd Gate Motel, Llanbedr Dyffryn Clwyd.

Public Speaker – Kelly James (Agent) (for) – Permission was sought for the conversion of the redundant building for form holiday accommodation. The site was in the same ownership as the adjacent Clwyd Gate Motel. It was understood that the main issues surrounding the application were the principal development, the impact of the development on ecology, the dark sky, residential amenity and highway safety.

There were no objections to the proposed external alterations to the building which were limited. With regards to the principal of development the proposals accord with policies PSE4, PSE5 and PPW which support the re-use of rural for tourism development.

With regards to lighting and the dark sky the concerns received relate to the adjacent Clwyd Manor and not the generator building itself. The applicants would welcome a planning condition requiring the submission of external lighting details. The scheme would be drawn up having regard to the dark sky status.

With regard to impact upon ecology, the application is accompanied by an ecological report confirming that the building is a bat roost. The proposals will provide for the retention of the bat roost within the roof space, a dark corridor to the rear of the motel building would be retained to provide a link from the roost to the nearby woodland. The proposals have been drawn up in consultation with the ecology officer who raises no objections.

It is not considered that the development would have any detrimental impact upon ecology and bats.

In accordance with PPW the proposal would provide for biodiversity gain, with the provision of sparrow and wren bird boxes.

With regard to residential amenities there are no immediate residential properties that would be impacted by the proposed development. It was not considered that the development would result in any nuisance relating to light or noise pollution.

The applicants intend to install an opaque glazed window to the bathroom to ensure no loss of privacy.

With regards to highway safety, the proposal to provide for a pull-in drop off area adjacent to the building and a car parking space within the existing car park at the adjacent Manor. The Highways Officer and Welsh Government raised no objections. It is not considered that the development would have any detrimental upon highway safety.

Having regard to the above, the development would comply with Policies RD1, PSE4, PSE5, VOE2, VOE5, and SAA3 of the LDP with regards to design, ecology, residential amenity and highway safety.

Proposal – Councillor Merfyn Parry proposed the application be granted in accordance with officer recommendation, **SECONDED** by Councillor Alan James.

Vote –

For – 19

Against – 0

Abstain – 0

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

9 S106 LEGAL AGREEMENT TERMS AND UPDATED PLANNING CONDITIONS FOR HYBRID PLANNING APPLICATION 01/0315/PF AT FORMER NORTH WALES HOSPITAL

The Development Management and Building Control Manager, Paul Mead, introduced the S106 legal agreement terms and updated planning conditions for hybrid planning application 01/2020/0315/PF at former North Wales Hospital, Denbigh.

Officers recommendation was to defer the item. Updated information had been provided on the late representation sheets. The reason for the recommendation to defer was due to Legal advice being received. On a development of this size the S106 Legal Agreement which set out the controls and delivery mechanisms of the whole project, was extremely complex and, therefore, there were discussions which had been ongoing for a number of years in relation to that. Communication had been continued up until the beginning of the current week between the developers, the council and specialist consultees including NRW. Where there was ongoing communication and lack of precise detail in the terms of the S106 it was felt that officers needed to defer this item until all points were clarified.

For clarity, if the application had been determined at the Committee today, the S106 Legal Agreement would still have needed to be finalised and signed before a planning certificate could be issued. This would not delay matters in that regard as still working towards the signed legal agreement containing all the relevant details. It was emphasised that in relation to the project delivery, funding and the project happening, this would not cause any delays or problems.

Some members expressed their concern at deferring the item due to the delay of the project and possible risks regarding funding.

Officers confirmed there would be no delay to the project and no risk regarding funding.

Communication would continue and agreement of the final details of the S106 Legal Agreement were very close and hoping to be confirmed within the next month or two.

Proposal - Councillor Delyth Jones proposed the application be deferred to a future Planning Committee meeting, **SECONDED** by Councillor Eryl Williams.

Vote –

For – 14

Against – 5

Abstain – 0

RESOLVED that the application be **DEFERRED** to a future Planning Committee meeting.

**At this juncture (10:20 a.m.) there was a 10 minute break.
The meeting reconvened at 10:30 a.m.**

10 PLANNING CONDITIONS REPORT: APPLICATION REFERENCE NUMBER 09/2023/0669 - OUTBUILDINGS AT HAFOD Y PARC, BODFARI

The Chair introduced the report for conditions to be imposed on the planning consent of outbuildings at Hafod-y-Parc, Bodfari.

Proposal – Councillor Merfyn Parry proposed the conditions be approved, **SECONDED** by Councillor Elfed Williams.

Vote –

For – 18

Against – 1

Abstain – 0

RESOLVED that members **APPROVE** the conditions to be imposed on the planning consent, Outbuildings at Hafod-y-Parc, Bodfari.

11 GENERAL MATTERS REPORT - OBJECTIONS TO TREE PRESERVATION ORDER (TPO) NO. 1 (2024) AT LAND AT TOWN HALL, CASTLE STREET, LLANGOLLEN

The Principal Planning Officer, Paul Griffin, summarised the reason for the report being presented to the Planning Committee.

The tree was within the conservation area in Llangollen. Previously applications had been made for works to be carried out to the tree under the Conservation Area Act and in assessing the applications the Tree Officer had stated that as it was such an important, valuable tree, it would need a higher standard of protection with a Tree Preservation Order (TPO). The TPO would offer greater control over the works carried out to the tree.

An objection had been received from Llangollen Town Council as their opinion was that the existing controls under the Conservation Area Act was sufficient.

Due to an objection to the TPO being received, the item had been brought before Planning Committee to confirm the TPO.

Proposal – Councillor Merfyn Parry proposed the Tree Preservation Order be confirmed, **SECONDED** by Councillor Alan James.

Vote –

For – 18

Against – 0

Abstain – 0

RESOLVED that the Tree Preservation Order be **CONFIRMED** for the tree at land at Town Hall, Castle Street, Llangollen.

**12 REQUEST FOR MEMBER INVOLVEMENT AT UPCOMING PLANNING APPEAL
- 01/2022/05223/MA - GRAIG QUARRY, GRAIG ROAD, DENBIGH**

The support and involvement of Members were requested in defending the Local Planning Authorities at the Planning Appeal 01/2022/0523/MA – Graig Quarry, Graig Road, Denbigh

Councillor Delyth Jones confirmed she would take up one of the roles to support the Local Planning Authority at the Planning Appeal.

Councillor Arwel Roberts PROPOSED Councillor Mark Young, SECONDED by Councillor Elfed Williams.

Councillor Mark Young confirmed he would work with Councillor Delyth Jones and the Local Planning Authority at the Planning Appeal.

RESOLVED that Councillors Delyth Jones and Mark Young support the Local Planning Authority at the Planning Appeal 01/2022/0523/MA – Graig Quarry, Graig Road, Denbigh

THE MEETING CONCLUDED AT 10:46 A.M.