

PLANNING COMMITTEE

Minutes of the meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday 23rd January 2013 at 9.30am.

PRESENT

Councillors D Owens (Chair), I W Armstrong, J A Butterfield, W L Cowie, J.M. Davies M LI. Davies (vice chair), R J Davies, S.A. Davies, H.H. Evans (local member), R L Feeley, C. L. Guy-Davies , M Holland (local member), H Hilditch-Roberts, C. Hughes, T.R. Hughes, H. Llewelyn Jones, (observer) P M Jones, M McCarroll, , R M Murray, P W Owen, D Simmons, D.I. Smith, (local member) W.N. Tasker , J Thompson-Hill, J S Welch, C L Williams and H O Williams

ALSO PRESENT

Head of Planning (Graham Boase), Development Control Manager (Paul Mead), Principal Planning Officer (Ian Weaver), Principal Solicitor – (Planning and Highways) (Susan Cordiner), Senior Team Leader (Support) (Gwen Butler), Customer Services Officer (Judith Williams) and Translator (Catrin Gilkes). Planning Officers, Local Development Plan (Lara Griffiths and Bryn Bowker), attended part of the meeting

1 APOLOGIES

Apologies for absence were received from Councillor B Blakeley J.A. Davies, E.A. Jones, W M Mullen-James, T M Parry, A Roberts and C H Williams

2 DECLARATIONS OF INTEREST

None

3 URGENT ITEMS: None

4

MINUTES OF THE MEETING HELD ON 19TH DECEMBER 2012.

These were agreed as a true record

5 APPLICATIONS FOR PERMISSION FOR DEVELOPMENT

The report by the Head of Planning, and Public Protection (previously circulated) was submitted enumerating applications submitted and requiring determination by the Committee.

RESOLVED that:-

- (a) *the recommendations of the Officers, as contained within the report submitted, be confirmed and planning consents or refusals as the case may be, be issued as appropriate under the Town and Country Planning (General Permitted Development) Order 1995, Planning and Compensation Act 1991, Town and Country Planning Advert Regulations 1991 and/or Planning (Listed Buildings and Conservation Areas) Act 1990 to the proposals comprising the following applications subject to the conditions enumerated in the schedule submitted:-*

Application No: 02/2012/1324/PF

Location: **Ruthin Leisure Centre, Ysgol Brynhyfryd,
Mold Road, Ruthin**

Description: Erection of extension to existing leisure centre comprising fitness suite and changing facilities with provision of additional car parking spaces on former all-weather pitch area. Construction of new all-weather pitch (synthetic grass surface suitable for tennis, hockey, football and netball) with proposed perimeter fencing and floodlighting.

Late Information reported to Committee

Additional letters of representation were received from:

A. Davies, 2 Ffordd Cunedda, C. & N. Jones, 8 Ffordd Cunedda, N. M. & M. S. Hitchings, 6 Ffordd Cunedda, Ruthin.

Public Speakers: -In Favour - : Mr Jamie Groves, Head of Leisure and Libraries

Mr Groves explained to committee that Denbighshire County Council had been investing in its leisure stock for the last 4 years. There had already been improvements made to Prestatyn, Rhyl and Denbigh leisure centres. However, facilities in Ruthin were not up to standard for public or pupils of the school. He outlined the process of consultation and choices made and felt it was important to invest in Ruthin to improve and increase community participation in sport by improving the facilities. He acknowledge the objections received but felt that they were relatively few in number and changes to the scheme had been made to address the objections made.

Councillor D. I. Smith wished it to be noted that he is a Governor of Ysgol Brynhyfryd but as a non voting visitor to planning committee he would like to speak in favour of the application. Councillor Smith stated that he had spoken in favour of a similar application for Prestatyn Leisure Centre, and felt it was essential for education to provide the best facilities possible. He explained that at the moment, public visitors use the same facilities as the children which reduce the amount of time the school can use it. He was also concerned that Ruthin Ladies Hockey team had to play and practice in Mold or Denbigh. The proposed full size all weather pitch would change that. Councillor Smith referred to the objections but advised committee that additional trees would be planted, and lights will be shaded to reduce disturbance.

Councillor H. Hilditch Roberts hoped the proposed conditions would reduce the objectors' fears. He urged support for the project as he felt it was the best opportunity for the children of Ruthin.

Councillor Bobby Feeley also expressed her support and felt it was an exciting project for Ruthin.

Councillor R. Hughes recalled similar objectors to the Prestatyn Leisure Centre development and asked if there had been any subsequent complaints.

Paul Mead , D C Manager reported that he was not aware of any negative feedback relating to the Prestatyn development.

Proposals:

Councillor H. Hilditch Roberts proposed that permission be GRANTED.
This was seconded by Councillor B Feeley

On being put to the vote

21 voted to GRANT

1 voted REFUSE

0 Abstentions

PERMISSION WAS THEREFORE GRANTED

Application No: 06/2012/1322/PF

Location: **Tyn y Celyn, Gwyddelwern, Corwen**

Description: Proposed Slurry Lagoon & Silage Store

Late Information reported to Committee

Additional letters of representations were received from:

Environment Agency
B & C Johnson 17 Garreg Lwyd, Gwyddelwern

Public Speakers: AGAINST: Mr Colin Johnson (neighbour)

Mr Johnson said he wanted a peaceful life in accordance with his human rights and was concerned about the smells and nuisance of this development. He hoped the Committee would ensure the slurry lagoon was a sealed unit.

IN FAVOUR : Mr John Roberts(applicant)

Mr Roberts explained that the Environment Agency had advised that the existing clamp was not suitable. It was necessary to ensure effluent was safely stored and not allowed to pollute the environment. Mr Roberts explained that the farm had expanded and now had more cattle, therefore producing more effluent. It is a requirement to store 4 month's worth of slurry so a large tank was needed. The slurry lagoon was chosen because of cost, but it would also blend into the landscape more effectively.

Councillor Huw Williams stated there were only two dairy farms left in the area and he would not want to see this one to close. He was aware that the farm had been there many years and the houses only built in the last 20 years.

Councillor Hugh Evans (local ward Councillor) felt it was right to debate this at committee as there had been a number of objections. He explained that as the farm had grown there was a legal requirement to increase slurry storage. He considered that odour would be reduced by having a large container as less disruption of the slurry would be necessary. The lagoon will prevent contamination of the environment and landscaping would disguise the development. He asked that officers review consultation processes but felt strong conditions would protect residents. The farm had no option but to provide this slurry store but had worked to find solutions to the objections.

Councillor J Butterfield asked for more background information.

Principal Planning Officer Ian Weaver explained the extent of the consultation exercise on the application with local residents. This had been extended following the case officer's site visit. Amended plans had resulted in a second round of consultations.

He advised that it was not possible to guarantee there would be no smells but the Pollution Control Officer had raised no objection.

Proposals:

Councillor H. Williams proposed permission be GRANTED
This was seconded by Councillor J. Welch

On being put to the vote

22 voted to GRANT

0 voted to REFUSE

0 Abstentions

PERMISSION WAS THEREFORE GRANTED

Application No: 15/2011/0692/PF

Location: **Maes y Droell Quarry, Graianrhyd Road
Llanarmon yn Ial Mold**

Description: Importation of inert waste materials for recycling and use in restoration of quarry workings

General Debate:

Officers requested deferral of this item as bad weather had prevented the requested site visit.

Proposals:

Councillor Colin Hughes proposed this item be **DEFERRED**

This was seconded by Councillor J. Thompson-Hill
On a show of hands, this was passed unanimously.

Resolved, therefore to defer this application.
The rearranged site visit is to take place on 1st February 2013

Application No: 18/2008/0289/PF

Location: **Land at Pentre Mawr, Llandyrnog, Denbigh**

Description: Construction of 6 no. tented bedrooms, landscaping and pedestrian access routes ("partly retrospective")

Councillor Bobby Feeley read a statement on behalf of local ward member (Councillor M Parry) who said the landowner had made every effort to comply with the requirement of the planning department and was committed to the restoration of the Listed dairy building.

Principal Planning Officer Ian Weaver explained that following negotiations a Bond had been offered but this would still need to be subject to a legal agreement if the Committee resolved to Grant planning permission.

Proposals:

Councillor H. Williams proposed that permission be GRANTED

This was seconded by Councillor S. Davies

On being put to the vote

18 voted to GRANT

1 voted to REFUSE

1 Abstained

PERMISSION WAS THEREFORE GRANTED SUBJECT TO:

The completion of an Obligation under Section 106 of the 1990 Planning Act within 6 months of the date of this resolution by Planning Committee, to include the following Heads of Terms:

- 1) Payment of a £3,000 bond to Denbighshire County Council, to be reimbursed on the satisfactory completion of repair works on the dairy building
- 2) Works on the dairy to be undertaken in accordance with the Robert Burgess schedule
- 3) Detailed records of works undertaken to be forwarded to Denbighshire County Council at agreed intervals.

The Certificate of Decision granting permission and imposing conditions as detailed in the report will be released only on completion of the Obligation, and on failure to complete within the 6 month period, the application would be re-presented for consideration by Planning Committee against planning policies and consideration relevant at that time.

Application No: 43/2012/1583/PF

Location: **4 East Avenue, Prestatyn**

Description: Erection of single-storey lean-to hipped-roof extension at side of dwelling

Proposals:

Councillor B. Murray proposed permission be GRANTED

This was seconded by Councillor M. LI. Davies

On being put to the vote

19 voted to GRANT

0 REFUSE

1 Abstained

PERMISSION WAS THEREFORE GRANTED

Application No: 45/2012/1378/PF

Location: **13 Weaver Avenue, Rhyl**

Description: Construction of a first floor balcony above existing flat roof to rear

There was no debate on this item

Proposals:

Councillor B. Tasker proposed permission be GRANTED

This was seconded by Councillor D. Simmons

On being put to the vote

19 voted to GRANT

0 voted to REFUSE

1 Abstained

PERMISSION WAS THEREFORE GRANTED

Item: 7

Application No: 46/2012/0712/PO

Location: **Land at north side of Bryn Gobaith, Bryn Gobaith,
St. Asaph**

Description: Development of 1.1 hectares of land for residential purposes (Outline application including access)

Late Information reported to Committee

Representations were reported from

Denbighshire County Ecologist

Applicant's Agent

Public Speakers:

Speaker Against: Mr Gene Grube (neighbour).

Mr Grube spoke against this application and asked that the following issues were taken into account:

Flood Defence and Surge Prevention, - It was suggested an attenuation pond of 100 – 150 cubic metres would be necessary.

Sewage Disposal: It was suggested that a pumped system would be required as the site lies below the public sewer level.

Speaker For – Mr Matt Gilbert (applicant's agent)

Mr Matt Gilbert spoke in favour of the application, stating that Welsh Guidance (TAN 1) requires a local authority to have a 5 year supply of housing land. Mr Gilbert suggested that as Denbighshire County Council does not have that supply and as the Local Development Plan is not yet “adopted” it is expected that applications outside the plan should be granted. He expressed surprise that this land has not been put forward as an allocation as part of the Local Development Plan.

Development Control Manager Paul Mead explained that Planning consults The Environment Agency and Welsh Water for technical advice on flooding and drainage issues. There was no recommendation to refuse the application on flooding grounds.

Lara Griffiths (Senior Planning Officer Local Development Plan) acknowledged that the Council has less than 5 years supply of housing land but was confident the Local Development Plan would be adopted later this year, so addressing the supply issue. In reply to Mr Gilbert's comment that this land was not put forward for inclusion on the

Local Development Plan Ms Griffiths stated that the re examination of the plan had concluded that the H. M. Stanley Hospital site would be better land for development. Councillors asked for information regarding the location of the application site which was provided by the Local Member. Councillors then discussed the location and the potential for the site to contribute to the spread of St Asaph towards the A55 Trunk Road.

Proposals:

Councillor M. LI. Davies proposed that permission be REFUSED.
This was seconded by Councillor H. Williams

VOTE:

On being put to the vote

1 voted to GRANT
10 voted to REFUSE
0 ABSTAINED

PERMISSION WAS THEREFORE REFUSED

AGENDA ITEM 6

PLANNING ENFORCEMENT UPDATE REPORT

Circulated, Report by the Head of Planning and Public Protection advising on action taken on Enforcement cases previously presented Committee

Resolved: to receive the report for information.

Members were advised that individual queries can be discussed with the case officers.

AGENDA ITEM 7

REPORT BACK ON THE CONSULTATION OF THE WEST RHYL SUPPLEMENTARY PLANNING GUIDANCE NOTE

Councillor D.I. Smith (Lead Member) introduced this item, explaining that the Guidance Note had been updated as a result of consultation responses and the changes noted in the report. It is intended to present the final document to Full Council in February 2013, together with any changes Planning Committee may wish to add.

Planning Officer (LDP) Bryn Bowker advised Committee of the consultation exercise undertaken. This included press notices, an on-line survey and articles on the website. There had also been a mail shot of 390 residential properties and meetings with the Town Council with the document being made available in the local libraries. The Guidance now also includes National Policy, Conservation Areas and Flooding Risk

Councillor Joan Butterfield expressed appreciation for the work done.

It was **Resolved** that the Planning Committee supports the report and that Full Council be advised of this support .

The Meeting Closed At 10:45 am