

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in the Council Chamber, County Hall, Ruthin on Wednesday, 13 December 2017 at 9.30 am.

PRESENT

Councillors Ellie Chard, Ann Davies, Meirick Davies, Peter Evans, Alan James (Vice-Chair), Brian Jones, Huw Jones, Pat Jones, Tina Jones, Gwyneth Kensler, Christine Marston, Bob Murray, Merfyn Parry, Peter Scott, Tony Thomas, Julian Thompson-Hill, Joe Welch (Chair), Emrys Wynne and Mark Young

Observers: Councillor Mabon ap Gwynfor, Pete Prendergast and Huw Williams

ALSO PRESENT

Team Leader – Places Team (SC), Development Manager (PM), Principal Planning Officer (IW), Planning Officer (PG), Senior Engineer – Highways (MP), and Committee Administrator (SJ)

1 APOLOGIES

None

2 DECLARATIONS OF INTEREST

Councillor Gwyneth Kensler – Personal and Prejudicial Interest – Agenda items 5 and 6.

Councillor Meirick Lloyd Davies – Personal Interest – Agenda item 12

Councillor Huw Jones – Personal Interest – Agenda item 7

Councillor Mabon AP Gwynfor – Personal Interest – Agenda item 7

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

4 MINUTES

The minutes of the Planning Committee meeting held on 15 November, 2017 were submitted.

***RESOLVED** that the minutes of the meeting held on 15 November 2017 be approved as a correct record.*

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5-14)

Applications received requiring determination by the Committee were submitted together with associated documentation. Reference was also made to late supplementary information received since publication of the Agenda which related to particular applications. In order to accommodate public speaking requests, it was agreed to vary

the Agenda order of applications accordingly.

5 APPLICATION NO. 21/2017/0957- 4 BRYN ARTRO AVENUE, LLANFERRES, MOLD

An application was submitted for the erection of replacement dwelling at 4 Bryn Artro Avenue, Llanferres, Mold.

Public Speaker –

Mr Bob Barton (**Against**) – stated he had been a member of Llanferres Community Council and had been present at the Community meeting when this planning application had been discussed. Mr Barton informed the committee he had previously served on the Planning Committee during 2004-2008 and had recently attended a Planning Aid Wales course to refresh his training. Mr Barton informed members he had quoted the Residential Development SPG in his letter of objection but this was not included on the blue information sheets. He concluded that he felt 300mm gap was inadequate. From his previous training the importance of leaving a 1m gap to allow adequate room for emergency services to have access and manoeuvre had been adopted.

General Debate - In the absence of the Local member Councillor Martyn Holland, Councillor Julian Thompson-Hill stated the local member had no objection to the application stating ideally he would have liked to see the 750mm distance between the properties run the length of the dwellings, but appreciates the ex-stamp planning was in place.

Councillor Meirick Lloyd Davies stated the rear of the property the distance at the rear door was currently 950mm and asked officers if it could be increased to 1m, for better access to the rear entrance to the property.

The Development Officer highlighted information on the blue sheet, guiding members to information regarding previous approved planning permission at the same site. The Development Officer informed members that officers were satisfied with the application as it was proposed.

Proposal – Councillor Peter Evans proposed, seconded by Councillor Bob Murray that the application be granted in accordance with officer recommendation.

VOTE:

GRANT – 19

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendation as stipulated in the report.

6 APPLICATION NO. 46/2017/0944- QUEENSLAND HOUSE, THE ROE, ST ASAPH

An application was submitted for the retention of existing sheds used as a workshop (B1 light industrial use) and for personal use at Queensland House, The Roe, St Asaph.

Public Speaker –

Mr Philip Hellyer (**For**) – stated he was representing his son Mr Peter Hellyer the applicant. He explained Mr Peter Hellyer has no plans to expand his business from what already exists. Activities that took place at the site generate minimal noise and for short periods of time. A noise management plan would be obtained in the requested time scale and in support of this, noise insulation would be investigated by the applicant. No painting work was carried out at the premises. The agreed hours of working will be adhered too. Exceptional circumstances to carry out work on Sundays and bank holidays had been requested for customers who may be travelling a distance.

General Debate – The Local Member, Councillor Peter Scott, put forward his views in supporting the application. It was explained to members that objections from the city Council have dispersed with no members of the public in objection to the application. The addition of a tenth condition and amendments to the application conditions following a site visit had been proposed to be included in the application. Councillor Peter Scott stated he had no objection in the application subject to all conditions being met.

Councillor Meirick Lloyd Davies, stated following the site visit he was happy to support the application.

The Development Manager clarified to members that the condition was for work to be carried out between Mondays to Saturday 08:00-18:00 hours of trade.

Proposal – Councillor Peter Scott proposed, seconded by Councillor Meirick Lloyd Davies that the application be granted in accordance with officer recommendation subject to the additional conditions.

VOTE:

GRANT – 18

REFUSE – 0

ABSTAIN – 1

RESOLVED that permission be **GRANTED** in accordance with officer recommendation subject to the conditions imposed.

7 APPLICATION NO. 23/2016/1218- CAER MYNYDD CARAVAN PARK, SARON, DENBIGH

Councillor Meirick Lloyd Davies declared a personal interest as he had family buried in Saron Chapel Cemetery and had historic connections to the village.

At this junction, the Chair Councillor Joe Welch stated as Local Member of the application he would be speaking regarding the proposal. He decided he would vacate the Chair for this application.

The Vice-Chair, Councillor Alan James took over the Chair of the Planning Committee for this one item.

An application was submitted for the extension of existing Holiday Park to allow for the siting of 35 Static Holiday Caravans in lieu of 41 Mixed Touring Pitches with the relinquishing of the northern element of the park, at Caer Mynydd Caravan Park, Saron, Denbigh.

Public Speaker – Mr Philip Jones (**For**) stated he was the applicant's agent. He informed Members the park has been in place for nearly 50 years and benefits the local economy, it was the opinion of the applicant the proposal would benefit the local area. The applicant stated a Visual Impact assessment had been completed. The applicant stated that additional landscaping would be incorporated if approved to aid in improving the visual impact. He also stated the applicant was aware of the conditions that had been imposed to the application and would adhere to comply, if the application was approved.

General Debate - The Local Member, Councillor Joe Welch, introduced the report stating the application had been in discussion for a period of time. Councillor Welch emphasised the surrender of the Northern side of the park moving the business away from local residents. The Community Council and residents of Saron expressed concerns regarding the running of the Park, noise levels, drainage issues and that the Park being used for residential use. Councillor Welch referred to Policy PSE12 regarding changing the use of sites, with a negative opinion of changing a touring sites to a static site.

Councillor Christine Marston stated that having attending the site, the spread out nature of the site would benefit from having all caravans on one site away from the village.

The Development Officer made reference to the Condition 12 and 13 on the blue information sheet which accommodated Natural Resources Wales Comments. The Officer explained that drainage would have to be completed prior to the siting of a static caravan. Discussion with the owners of the Parks to place ownership back on the Park to maintain record of individual's duration of stay at the park. Officers will communicate with our partners to ensure other organisations are aware of individuals who may be using the caravan site as permanent residency. With regard to policy PSE12 the policy purpose included protecting the natural landscape and visual impact. Officers felt the level of landscaping proposed was of a satisfactory level. Members were informed that if planning is approved the Licence holder would have to apply for a new licence.

Proposal – Councillor Ellie Chard proposed, seconded by Councillor Pat Jones that the application be granted in accordance with officer recommendation with the inclusion of the conditions and to endeavour to bring to Committee any information regarding the drainage at site.

VOTE:

GRANT – 14

REFUSE – 0

ABSTAIN – 2

***RESOLVED**, that permission be **GRANTED** in accordance with officer recommendation with the inclusion of the additional conditions and a drainage report brought back to planning Committee.*

At this juncture (10.45 a.m.) there was a 15 minute break.

The meeting reconvened at 11.00 a.m.

At this juncture, the Chair Councillor Joe Welch retook his seat to continue with the remainder of the meeting.

8 APPLICATION NO. 01/2017/0901 - DENBIGH MUSEUM, GROVE ROAD, DENBIGH

[As applicant, Councillor Gwyneth Kensler declared a personal and prejudicial interest in this item and left the meeting during consideration of the application]

An application was submitted for alternations and extension to form new entrances together with ancillary works including new signage and the demolition of external stairs for Denbigh Museum, Grove Road Denbigh.

Proposal - Councillor Merfyn Parry proposed the officer recommendations to grant the application, seconded by Councillor Alan James.

VOTE:

GRANT – 15

REFUSE – 0

ABSTAIN – 0

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report.*

9 APPLICATION NO. 01/2017/0902- DENBIGH MUSEUM, GROVE ROAD, DENBIGH

[As applicant, Councillor Gwyneth Kensler declared a personal and prejudicial interest in this item and left the meeting during consideration of the application]

An application was submitted for the Conservation are consent for the demolition of external stairs at Denbigh Museum, Grove Road, Denbigh.

Proposal – Councillor Ellie Chard proposed the officer recommendations to grant the application, seconded by Councillor Pat Jones.

VOTE:

GRANT – 15

REFUSE – 0
ABSTAIN – 0

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report.*

10 APPLICATION NO. 08/2017/0896- LAND AT (PART GARDEN OF) PEN Y DALAR, GODRER COED, CYNWYD, CORWEN

Councillor Huw Jones declared a Personal interest in this agenda item as members of his family had submitted objections to the application. Councillor Jones decided he did not wish to take part in the debate and excused himself for this agenda item. Councillor Mabon ap Gwynfor, Local member declared a personal interest as he had worked with the applicant.

An application was submitted for the erection of 1 no. dwelling and associated works at Pen Y Dalar (part garden), Godrer Coed Cynwyd, Corwen.

General debate - the Local Member, Councillor Mabon ap Gwynfor stated he was in support of the application as housing in the village is highly sought of. He acknowledged the objections received regarding the application. In his opinion the development of an additional dwelling would benefit local residents.

Proposal – Councillor Gwyneth Kensler proposed the officer recommendations to grant the application, seconded by Councillor Ellie Chard.

VOTE:
GRANT – 15
REFUSE – 0
ABSTAIN – 0

***RESOLVED** that permission be **GRANTED** in accordance with officer recommendations as stipulated within the report.*

11 APPLICATION NO. 15/2017/0809- LAND SOUTH OF AND INCLUDING PARC FARM CARAVAN PARK, GRAIANRHYD ROAD, LLANARMON-YN-IAL, MOLD

An application was submitted for a variation of condition no.3 of planning permission code no. 15/2011/0651, to allow alternative static caravan units to be sited at the Land south of and including Parc Farm Caravan Park, Graianrhyd Road, Llanarmon- Yn-Ial, Mold.

General debate- Councillor Julian Thompson- Hill on behalf of local member Martyn Holland introduced the application. He stated the local member had no objection in the application and was happy to support the variation.

Councillor Gwyneth Kensler requested that the word 'Current' be included in the variation of condition in line with Officer Recommendation.

Proposal - Councillor Julian Thompson-Hill proposed the officer recommendation with the inclusion of the word 'current' in the condition to the application. The proposal was seconded by Councillor Alan James.

VOTE:

GRANT – 16

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations with the inclusion of 'Current' in the variation of condition no. 3 as stipulated within the report.

12 APPLICATION NO. 15/2017/0893- PARC FARM HOLIDAY PARK, LLANARMON YN IAL, MOLD

An application was submitted for the erection of a boundary wall with inset sign and display area at Parc Farm Holiday Park, Llanarmon Yn Ial, Mold.

General debate- Councillor Julian Thompson- Hill on behalf of local member Martyn Holland introduced the application. He stated Councillor Holland had concerns the signage on the application was too large for the nature of this development.

Councillor Merfyn Parry stated he had no concerns on the application, however asked that the sign be made bilingual with the same sized fonts used.

Councillor Christine Marston questioned the site of the proposed signage. She asked if the sign was at the entrance or slightly away from the property.

The Development Officer confirmed the font size of the signage could be included as a condition to the application. Officers stated they were satisfied both from a visual and a highway perspective the application would have no negative implication. Clarification was given that the sign was 150m away from the entrance to the site.

It was confirmed that if the application was refused, the concerns of members regarding visual impairment could be used as the reason for refusal.

Proposal - Councillor Gwyneth Kensler proposed, seconded by Councillor Ellie Chard that the application be granted but with an additional condition which stated that the fonts in both Welsh and English be exactly the same size.

VOTE:

GRANT – 14

REFUSE – 2

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with the officer recommendation subject to the additional condition:
The bilingual signage to be of equal font size.

13 APPLICATION NO. 20/2017/0819- GLEBE LAND OPPOSITE BRON Y CLWYD, LLANFAIR DYFFRYN CLWYD, RUTHIN

An application was submitted for the development of 1.24ha of land by the erection of a new primary school including external play areas, habitat are, formation of new vehicular access, car park with drop off area, landscaping, bin store, LPG and sprinkler tanks at Glebe Land opposite Bron Y Clwyd, Llanfair Dyffryn Clwyd, Ruthin.

General Debate – Councillor Julian Thompson-Hill gave apologies of Local Member Hugh Evans and introduced the application to members. Councillor Thompson- Hill stated that the Local Member would have been speaking in favour of the proposal.

Councillor Huw Jones questioned the reasoning why LPG had been requested as part of the application. Councillor Gwyneth Kensler proposed the use of renewable energy sources to supply energy should be adopted where possible.

Members agreed the need for the school in the area and the need to provide a safe route for pedestrians to access the school.

The Development Officer confirmed that within the local facility there is no mains gas. Communication is ongoing with departments and contractors regarding gas in the area. With regard to the use of renewable energy resources the officer said feedback to Education and design departments would ensue members concerns were heard.

Proposal - Councillor Emrys Wynne proposed, seconded by Councillor Alan James that the application be granted in accordance with officer recommendation.

VOTE:

GRANT – 16

REFUSE – 0

ABSTAIN – 0

RESOLVED that permission be **GRANTED** in accordance with officer recommendations as stipulated in the report.

14 APPLICATION NO. 45/2017/1029- LAND AT GREENFIELD PLACE, RHYL

An application for a variation of condition no.6 of planning permission code no. 45/2001/0562 to allow 2 hour free parking period followed by charging.

General Debate – Local Member Pat Jones and Pete Prendergast expressed objections against the introduction of charging consumers. Both Councillor's felt that 2 hours would not be long enough and a 3 hour free stay should be adopted. Local residents oppose the application.

Proposal – Councillor Pat Jones proposed to refuse the application, seconded by Councillor Bob Murray as it would be detrimental to Rhyl Town Centre and sever links to the town.

The Development Officer made reference to the appeal in place with the recent application refusal to charge at the site. If this application is refused for the same reasons as the previous application the applicant can appeal this proposal decision.

VOTE:

GRANT – 8

REFUSE – 7

ABSTAIN – 1

RESOLVED that permission be **GRANTED** in accordance with the officer recommendation as stipulated in the report.

15 REPORT TO SEEK A RESOLUTION ON THE PLANNING CONDITIONS TO BE ATTACHED TO PLANNING APPLICATION NO. 16/2017/0628

A report was submitted seeking a resolution on planning conditions to be attached to planning application no. 16/2017/0628.

Proposal- Councillor Mark Young proposed officers suggested conditions to be attached to the planning application, seconded by Councillor Merfyn Parry.

VOTE:

GRANT – 15

REFUSE – 0

ABSTAIN – 0

RESOLVED that – the suggested Conditions be attached to Planning application 16/2017/0628 as stipulated in the report.

16 MEMBER/OFFICER PROTOCOL - COMMUNICATION ON MAJOR APPLICATIONS

A report was submitted introducing the internal protocol document for the handling of major development proposals within the County.

The Development Officer clarified that the major planning applications can be complicated, the new protocol document was designed to give Officers and Members a consistent approach to communication, which can be amended as required.

Councillor Huw Jones stated in his experience the protocol had been used successfully. Councillor Jones asked Officers how the protocol document would be made available to members and Officers.

Councillor Gwyneth Kensler raised concerns regarding how a decision on NMA was taken in Councillor Kessler's opinion change is key to the development.

The Development Officer informed members if a decision was made today, a link to all members would be sent and a link online would be made available. Training would be provided to Members in a future formal member training session.

Clarification that specific criteria within planning legislation for what would be a Non Material Amendment to a planning application was given. Communication with Local Members regarding Non Material Amendment applications would take place illustrating the proposal and asking for agreement regarding a NMA.

The protocol is in place to encourage communication between officers and Local Members at the earliest stage right through the application stage until the end of the development. Members can refer to the protocol to bring questions and concerns to officers.

Following a unanimous show of hands, it was

RESOLVED that, the contents of the protocol document be noted and the protocol document for use of major development proposals be implemented with immediate effect.

17 IMPLICATIONS OF TAN 20 : PLANNING AND THE WELSH LANGUAGE - IN RELATION TO THE CONSIDERATION OF PLANNING APPLICATIONS

A report was submitted to update members on issues in relation to the consideration of planning applications from the publication of Welsh Government's Technical Advice Note 20 (TAN20): Planning and the Welsh Language in October 2017.

The Principal Planning Officer introduced the report updating members on issues arising in relation to the consideration of planning applications from the publication of Welsh Government's Technical Advice Note 20 (TAN 20): Planning and the Welsh Language in October 2017.

Officers believe the introduction of TAN 20 will have an impact on the implementation of the policy in the current development plan. In many ways it is contrary to the current policy RD5. The Principal Planning officer explained the report is trying to highlight that Welsh Government believed that when assessing applications within development boundaries sites on allocated sites there would be no requirement for a Welsh Language assessment to be carried out, an assessment would have been carried out by the authority in line with the Local Development Plan (LDP) allocation in the form of a sustainability assessment. With applications that are not within an allocated site a Welsh Language assessment would still be required.

Councillor Emrys Wynne stated he felt that the Council Policy would be superior to the TAN 20 policy set out by Welsh Government. Expressing he felt inconsistencies could be observed within the Welsh Governments proposal.

The Development Officer informed members on applications not in an allocated sites or within the development boundary with more than 10 dwellings then both TAN 20 and our policy would take place to complete assessments. Communication with developers will still take place to enhance the Welsh Language when making planning applications. When reviewing the new LDP plan members could align the plan to work alongside TAN 20 including any updates members requested.

Councillor Emrys Wynne asked that a condition be imposed that when reviewing the LDP members debate TAN 20.

Proposal - Councillor Peter Evans proposed, seconded by Councillor Alan James the report contents be noted and approved the approach to assessment of impacts of planning applications on the Welsh Language be undertaken in accordance of TAN 20 pending further debate and review of the LDP and policy RD5.

VOTE:

GRANT – 15

REFUSE – 0

ABSTAIN - 0

***RESOLVED** that, the contents of the report be noted, that TAN 20 be implemented with further debate when reviewing the LDP and Policy RD5.*

18 ROYAL TOWN PLANNING INSTITUTE (RTPI) WALES PLANNING AWARD 2017

An information report was submitted to inform Planning Committee to the news that, at the Royal Town Planning Institute Cymru annual dinner, the new Rhyl High School project won the prestigious Wales Planning Award for 2017.

The Chair praised officers involved in the project and offered his Congratulations on the award.

***RESOLVED** that Members noted the contents of the report.*

At this juncture, Councillor Merfyn Parry raised concerns regarding the recent Brookhouse development appeal. He stated a lot of work had been undertaken regarding the proposal. Councillor Parry asked if members could question the outcome of the appeal.

The Development Officer, informed members we can challenge the inspectorate's decision but has to be a point of law. We can challenge the costs, we scrutinize the proposal for costs to come to an agreement. If an agreement cannot be made we can present the case to the Senior Court Costs Claim Officer to investigate the costs claim. Planning Officers will bring a detailed report back to the Planning Committee to discuss and scrutinize.

The Chair wished officers and members a merry Christmas and all the best for the New Year.

The meeting concluded at 12.35 p.m.