

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 9 October 2024 at 9.30 am.

### **PRESENT**

Councillors Michelle Blakeley-Walker, Ellie Chard, Karen Edwards, Gwyneth Ellis, James Elson, Justine Evans, Jon Harland, Huw Hilditch-Roberts, Alan James (Vice-Chair), Julie Matthews, Terry Mendies, Merfyn Parry, Gareth Sandilands, Andrea Tomlin, Elfed Williams and Mark Young (Chair)

### **ALSO PRESENT**

Legal Advisor (CL), Monitoring Officer (GW), Principal Planning Officer (PG), Development Manager (PM) Principal Planning Officer (SS), Senior Engineer (MP) Trainee Solicitor (EC) Committee Administrator (NH) and Senior Committee Administrator: Zoom Host (KJ)

Local Member Councillor Bobby Feeley

### **1 APOLOGIES**

Apologies for absence were received from Councillors Chris Evans, Delyth Jones, Raj Metri, Arwel Roberts and Cheryl Williams.

### **2 DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Chris Evans, Delyth Jones, Raj Metri, Arwel Roberts and Cheryl Williams.

### **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 4 September 2024 were submitted.

No matters relating to the accuracy of the minutes were raised.

### **Matters arising –**

North Wales Hospital – The Chair requested an update regarding public engagement on a previous application: the North Wales Hospital site. The Principal Planning Officer stated that the team had been in close contact with the applicants and things were moving forward with a Section 106. Once the Section 106 had been completed and finalised officers would decide how to update the public and Members.

**RESOLVED:** *that subject to the above, the minutes of the meeting held on the 4 September be received and approved as a true and correct record of the proceedings.*

**5 APPLICATION NO: 43/2024/1086: LAND AT MIDNANT FARM GRONANT ROAD, PRESTATYN**

An application was submitted for the variation of condition no.2 of Planning Permission code no. 43/2023/0071 to vary the list of approved plans to include amendments to housetypes and layout.

**Public Speaker – Stuart Andrew:** Design and Planning Director: Castle Green (applicant) (for) - The site in question was allocated for housing by Denbighshire County Council in its LDP in 2013. The allocation was for 65 dwellings, however the scheme was only for 45 homes, which was considered a suitable number for a site of this size. 10% of the dwellings already approved to be built would be affordable in accordance with the Council's adopted Policy.

Planning permission for the site was granted by the Committee late last year, and this application was to make minor amendments to part of the site to allow a surface water drainage scheme that would better comply with SuDs Standards. At the time of the previous application, the applicant was unable to access the site fully to obtain some ground investigation information which was required to finalise the surface water drainage strategy for the site. That additional survey work was able to be completed following the original granting of planning permission, and the investigation done proved that the storage of surface water proposed would be better done in a different place within the development boundaries. This had then led to the second application for a material amendment to the original planning permission, the main aim of which was to relocate the public open space proposed, within which storage cells for surface water would be buried, to better suit a final version of the surface water drainage design.

The mix of housing proposed, amount of affordable housing and public open space, and the financial contributions of over £155,000 offered as part of the original scheme were all completely unchanged.

The applicant was aware from the Planning Officer that at the time of the Committees visit to the site last week, concerns were raised over its current condition. It was stressed that the applicant did not own the site at present, as the applicant required the aforementioned detailed drainage strategy to be agreed prior to taking ownership. The applicant had no part in the partial clearance of the site carried out over recent weeks, although they were aware that this had been done by the former tenant farmer, with the permission of the current landowner.

The applicant shared the concerns over the state the site had currently been left in, and if permission was granted, it had been arranged with the landowner that a licence would immediately be put in place with them to allow access the site, to properly secure and clear it in advance of the applicant taking ownership of the land fully at the end of this month. Work to develop the site would then commence as soon as possible thereafter.

The material amendment to the original planning permission had of course been subject to a full planning consultation, and all statutory consultees and Council Officers involved had confirmed that they had no objections to the approval of the scheme. It was therefore recommended by Planning Officers that consent for this amendment to the original planning permission be granted.

#### **General Debate –**

The Principal Planning Officer clarified due to land ownership and access issues the applicant was unable to undertake the correct surveys to ensure that the drainage system worked. Now that access had been gained, the surveys had now been completed and the application related to the changes in the layout in the proposal. The key changes in the layout were on the western boundary and to the northern point of the site. The changes to the layout had been proposed to allow the drainage of the site to be efficient.

The Chair informed the Committee that a site inspection had taken place on the 2 October 2024 and was beneficial however, concerns were raised regarding the current state of the site. The Principal Planning Officer stated that the applicant's intention was to access the site as soon as possible and make the site safe. An additional condition had been recommended by officers stating that within 4 weeks of the applicant gaining access to the site, the applicant submitted details of how the site was to be made good and safe.

Local Member, Councillor Andrea Tomlin was grateful for the explanation on why the application had been brought back to the Planning Committee. Some properties close to the site, due to the change in layout, would be adversely affected and was content that everything had been done to mitigate this for residents as practicable. Questions were raised regarding an additional condition being added to the proposal. Councillor Tomlin proposed that the dwellings on the site be declared as for residential use only (C3 use) in view of the high demand for residential properties within Prestatyn. The Principal Planning Officer stated that a condition of C3 use restriction could be placed on the site and this would prevent a property being bought and used as a holiday let. Members would need to be certain that there was evidence of the need for residential properties within the area. Adding the condition of C3 only would not restrict a buyer of a property on the site in the future submitting an application for the condition to be removed. The Chair stated that there was a residential housing need in the area as the site had been accepted for dwellings outside of the Local Development Plan (LDP) area.

Councillor Merfyn Parry seconded the C3 condition being added to the application.

Councillor Merfyn Parry questioned the use of hip roofs on the dwellings close to the western boundary. The Principal Planning Officer, Sarah Stubbs clarified that the dwellings nearest to the boundary on Ffordd Onnen would have hipped roofs.

Councillor Jon Harland requested that the additional condition proposed and seconded be removed and the application be granted as it was submitted, due to legislation already being in place by Welsh Government to discourage the ownership of holiday let properties. The Principal Planning Officer clarified that that the legislation was not in place in Denbighshire currently, some Councils had put in

place an article 4 direction which prevented the change of C class and Denbighshire Council were looking at pilot schemes which were taking place in other areas. Councillor Jon Harland withdrew his proposal.

Councillor Alan James was present at the site visit and was happy that the condition of the site had been raised.

**Proposal** – Councillor Alan James proposed that the application be GRANTED in accordance with officer recommendations SECONDED by Councillor Andrea Tomlin.

**Vote –**

For – 16

Against – 0

Abstain – 0

**RESOLVED:** *that –*

- *An additional condition of the dwellings used for C3 use only be added to the application and*
- *the application be GRANTED in accordance with Officer recommendations.*

**6 APPLICATION NO. 02/2024/1010: OLD CHAPEL RHOS STREET RUTHIN**

An application was submitted for the change of use of part of depot to café installation of access ramp and associated works.

**Public Speaker** – Catherine Howatson (applicant) (for) – The application was to open a Coffee Shop based on a similar working pattern of other high street brands, supplying a range of quality coffee-based beverages and food. Food would be sourced and made locally off site.

The goal was to create a safe and welcoming place for customers, especially the youth of the surrounding schools. The building was originally built to bring people together and it was the ambition of the applicant to bring the building back in use for the enjoyment of the community.

It was anticipated that many customers would be on foot however, there was a car park to the side of the building and a public car park 40 metres away.

The business was to be family run and the opening hours would be 8am-5pm to accommodate school children offering eat in and takeaway options.

Local member, Councillor Bobby Feeley welcomed the application and the Chapel being brought back into use in the community.

Local member Huw Hilditch- Roberts also welcomed the building being brought back into use and commented that it would be an asset and safe place for school children in the area.

**Proposal** – Councillor Huw Hilditch-Roberts proposed that the application be GRANTED in accordance with officer recommendations SECONDED by Councillor Terry Mendies.

**Vote –**  
For – 16  
Against -0  
Abstain – 0

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

**7 APPLICATION NO: 21/2021/1157: CAMP ALYN, TAFARN Y GELYN, LLANFERRES**

An application was submitted for the erection of 4 no. timber framed holiday units and associated works.

No questions were raised by the Chair or members of the Planning Committee.

**Proposal** – Councillor Huw Hilditch-Roberts proposed that the application be GRANTED in accordance with officer recommendations SECONDED by Councillor Merfyn Parry.

**Vote –**  
For – 16  
Against – 0  
Abstain -0

**RESOLVED:** *that the application be GRANTED in accordance with Officer recommendations.*

**8 APPLICATION NO: 41/2024/0115 THE WARREN, BODFARI, DENBIGH**

An application was submitted for the erection of a rural dwelling, installation of a septic tank and associated works.

No questions were raised by the Chair or members of the Planning Committee

**Proposal** – Councillor Terry Mendies proposed that the application was GRANTED in accordance with officer recommendations, SECONDED by Councillor Andrea Tomlin.

**Vote –**

For – 16  
Against – 0  
Abstain – 0

**RESOLVED:** *that the application be GRANTED in accordance with Officer recommendations.*

**9 APPLICATION NO: 46/2024/1200 GREEN GATES CWTTIR LANE, ST ASAPH**

To consider an application for the demolition of existing building, change of use of land from agricultural land to a new nature reserve and habitat creation comprising of the restoration of existing ponds, the creation of new ponds, the creation of a wetland area adjacent to two small watercourses and creation of woodland and grassland habitat areas, construction of a permissive pathway and engineering works to create a raised viewing area together with associated works.

The Principal Planning Officer, Sarah Stubbs explained that the site was allocated in the LDP for employment use and the application was for the change of use of land. The application was for the creation of a nature reserve and was important for crested newts.

No questions were raised by the Chair or members of the Planning Committee.

**Proposal –** Councillor Gareth Sandilands proposed that the application be GRANTED in accordance with officer recommendations SECONDED by Councillor James Elson.

**Vote –**  
For – 16  
Against – 0  
Abstain – 0

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

**10 INFORMATION REPORT: DENBIGHSHIRE COUNTY COUNCIL LOCAL DEVELOPMENT PLAN 2006-2021: ANNUAL MONITORING REPORT 2024**

Members were presented the information report, Denbighshire County Council Local Development Plan 2006-2021: Annual Monitoring Report 2024.

**RESOLVED:** *that the Planning Committee note the Denbighshire County Council Local Development Plan 2006-2021: Annual Monitoring Report 2024.*

Meeting concluded at 10.20am