

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held in Council Chamber, County Hall, Ruthin and by video conference on Wednesday, 12 February 2025 at 9.30 am.

PRESENT

Councillors Ellie Chard, Karen Edwards, James Elson, Chris Evans, Justine Evans, Jon Harland, Huw Hilditch-Roberts, Alan James, Delyth Jones, Julie Matthews, Raj Metri, Merfyn Parry, Arwel Roberts, Anton Sampson, Gareth Sandilands, Andrea Tomlin, Cheryl Williams, Elfed Williams and Mark Young.

ALSO PRESENT

Legal Advisor (RJ), Principal Planning Officer (PG), Development Manager (PM), Trainee Solicitor (EC), Senior Engineer- Highways Services (MP), Flintshire County Council Officer (JS), Flintshire County Council Officer (JR), Committee Administrator (NH) and Committee Administrator: Zoom Host (SW)

Observers: Councillors Pauline Edwards, Ann Davies and Peter Scott

1 APOLOGIES

Apologies for absence were received from councillors Michelle Blakeley-Walker and Terry Mendies.

2 DECLARATIONS OF INTEREST

Councillor Huw Hilditch-Roberts declared a personal interest in business item 5 as the public speaker was known to him.

Councillor James Elson declared a personal interest in business item 5 as the public speaker was known to him.

Councillor Mark Young declared a personal interest in business item 6 as he knew the family of the applicant.

Councillor Chris Evans declared a personal interest in business item 6 as the applicant was a friend.

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 15 January 2025 were submitted. It was:

RESOLVED: *that the minutes of the meeting held on the 15 January 2025*

be received and approved as a true and correct record of the proceedings.

5 APPLICATION NO. 47/2023/0708 - FORMER RHYL RUGBY CLUB, WAEN ROAD, RHUDDLAN

An application was submitted for the change of use of land and existing club building to form glamping site including the siting of 9 glamping pods, relocation of existing access, formation of internal roads and pathways, installation of 2 No. package treatment plants and associated works.

Public Speaker – Gethin Jones (Agent) - (For) – The applicant sought approval for 9 luxury holiday Pods in the grounds of the former Rhyl Rugby Club.

As a local business the aim was to diversify offerings within the area and offer something special to the sporting community. The vision was to create a unique holiday destination in an Area of Outstanding Natural Beauty (AONB) whilst restoring the abandoned Rugby Club along with creating part time and full-time jobs.

As outlined in previous documents the site had recently faced issues with unauthorised access and fly tipping. Previously Denbighshire County Council (DCC) Officers had supported an application for 46 units on the site. The new scheme had been significantly scaled back.

A key focus of the proposal was to enhance the existing club house, offering local businesses and entrepreneurs the opportunity to use the building as offices at discounted rates. Natural Resources Wales (NRW) had already approved the drainage plan for the site and recently local football teams had expressed an interest in using the football pitches.

The proposal differed significantly from other developments within the area and aimed to provide holiday makers with an opportunity to explore the local landscape. The business plan outlined the benefits the development would bring to the local community.

It was strongly disagreed that many visitors to the site would rely on using cars to travel around the local area. Given the site's proximity to the Offa's Dyke footpaths, it was anticipated that many visitors to the site would be walkers travelling to local villages and towns on foot following signposts within the area. It was important to note that the previous application submitted would have generated far greater car travel usage with no objections being submitted from Highway Services.

Public Speaker – Deirdre Williams (Resident) – (Against) – The Pods were classed as static caravans and therefore were not supported by Planning Policy. The site was in the open countryside and surrounded by BMV agricultural land.

The site was not in a sustainable location as it was not readily accessible other than by motor car. The pedestrian links to settlements were not suitable and would discourage people from walking due to the nature of the highway conditions.

The Welsh Minister had previously refused permission for a larger lodge development (40 units), however, the principle of this decision still applied to this smaller application.

The proposal would result in more cars using the roads around the site and visitors may not drive according to road conditions.

There were existing holiday uses within the local vicinity and there was no evidence of the need for the proposed pods.

General Debate –

The Chair stated that a site meeting had taken place and welcomed members who attended to give feedback to the Committee.

Councillor Chris Evans stated that the site meeting was well attended. The plans for the site had massively changed and there were concerns from residents regarding the roads around the site.

Councillor Merfyn Parry attended the site meeting and expressed his sadness at the current state of the site. It was evident that burning had taken place on the site and had been left. It was interesting to walk around the site and see what the layout plans were.

Councillor Ellie Chard stated that she was very pleased to receive the plans for the site and hoped that the site could become a community area for local football teams and clubs.

Councillor Jon Harland noted that the Highways Services had no objections to the application however, PROPOSED the application was refused on the grounds that the roads around the site were not suitable for the increase in usage of cars and could be dangerous.

Councillor Arwel Roberts SECONDED the proposal being refused stating that that site would result in more cars using the highways around the site which were dangerous.

Councillor Delyth Jones requested Officers confirmed the current status of the site including accessing the site. The Principal Planning Officer stated that the site was under the same ownership and access to the football pitches was maintained by the owners.

Many Members raised concerns and questions regarding the highways surrounding the site.

In response to questions asked the Principal Planning Officer stated that there were two aspects to the highway issues arising from the application, highway safety and highway sustainability which related to the accessibility of the site. Concerns had been raised around the surrounding roads not being safe to walk on.

Legislation stated that there needs to be encouragement for the use of sustainable routes of transport and to discourage the use of private motor cars. The Inspector stated, which was echoed by the Welsh Minister, that the location of the site would only increase the use of the private motor cars and the distance of the routes to the nearby local settlement were not sustainable.

Councillor Andrea Tomlin questioned if a condition could be put on the business case if the application was granted to ensure a more robust business case was submitted. Further comments were made regarding the weight being given to a previous application submitted for the site and transport issues not being a concern in the past.

Councillor Huw Hilditch-Roberts seconded the proposed condition by Councillor Andrea Tomlin and added that there were many similar sites across the County. If the application was not granted there was the possibility of the site falling into further disrepair and proposed that the application be granted.

Councillor Alan James questioned where parking would be available on the site as there were no provisions for parking in the application. The Principal Planning Officer explained that if permission was granted for the proposal a condition could be added to the application, stating that if the football pitches were brought back into use, then details of parking arrangements would need to be submitted.

Councillor Chris Evans specified that there had been no reported incidents on the surrounding highway of the site and the objections received regarding highways could be controlled by placing planning conditions on the application. He continued to highlight his concerns regarding encouraging visitors to walk to and from the site, using the busy surrounding highway and questioned if work could be undertaken to provide a footpath along the road. The Senior Engineer appreciated the local concerns around the highway however, there had been no recorded accidents on the road to merit Highway Services refusing the application. It would not be feasible for work to be undertaken on a footpath.

Councillor Huw Hilditch-Roberts proposed that the application be GRANTED against Officer recommendations, SECONDED by Councillor Andrea Tomlin.

The Development Manager explained that due to there being two proposals put forward, one for and one against Officer recommendations there was a need to undertake two votes.

Proposal – Councillor Arwel Roberts proposed that the application be REFUSED according to Officer recommendations, SECONDED by Councillor Jon Harland.

Vote –

For – 5

Against – 14

Abstain – 0

Proposal - Councillor Huw Hilditch-Roberts proposed that the application be GRANTED against Officer recommendations, SECONDED by Councillor Andrea Tomlin

Vote –

For – 14

Against – 5

Abstain – 0

RESOLVED: *that the application be GRANTED against Officer recommendations on the grounds of no evidence regarding highway or transport concerns and the site had the possibility of falling into further disrepair.*

6 APPLICATION NO. 47/2024/1288 - LAND BETWEEN RHUALLT BARN HALL AND MILL COTTAGE, RHUALLT

An application was submitted for the erection of a temporary agricultural workers dwelling and associated works.

Public Speaker – Sion Roberts (Agent) – (For) - The application was for the erection of a temporary dwelling for agricultural workers on an agricultural site. There was currently no dwelling on the land and the applicant was currently renting a property 10 miles away, off site, which resulted in them needing to travel to and from the site every day to attend to livestock on the land.

If the application was approved the agricultural workers would be continually on site enabling them to deal with any emergencies, should they arise.

The application was being presented to the Planning Committee due to objections from Tremeirchion, Cwm and Waen Community Council relating to the impact on the AONB however, Technical Advice Note 6 (TAN 6) which was the key Welsh Government guidance allowed for the erection of agricultural dwellings, subject to guidance being met. Information was provided in the application which confirmed how the proposal conformed to TAN 6.

This was a scheme for the temporary siting of a caravan to enable the farm business to grow. Should it grow sufficiently in 3 years to justify a permanent dwelling on the site a further planning application would need to be submitted.

General Debate –

Local Member Councillor Chris Evans reiterated that the application was for a temporary dwelling only. Clarification was requested on the importance of TAN 6 from Officers.

The Principal Planning Officer stated that TAN 6 was a document issued by Welsh Government which related to the rule for allowing a new dwelling in the open countryside for an agricultural worker to reside in. Stringent tests were used within the document and related to the requirements to be onsite, the number of livestock and the amount of land. Consideration was also given to whether another building on the site could be used to reside in. The applicant was seeking permission for the erection of a temporary dwelling as the business was growing. A possible permanent dwelling may be applied for in the future depending on the success of the business. The temporary dwelling would be standing for 3 years and the conditions for the end of the 3-year period were detailed in the report.

Councillor Merfyn Parry stated it was important that plans were in place for the end of the 3-year period to ensure the conditions of the proposed application were adhered to.

Councillor Andrea Tomlin highlighted the report stated that the number of livestock was anticipated to double and questioned what would happen if this did not transpire.

The Principal Planning Officer stated that the application was for the dwelling to be on the site for 3 years. At the end of the 3-year period information would need to be presented by the applicant portraying that the livestock numbers were no longer a projection but were fact in keeping with national guidelines.

Proposal – Councillor Karen Edwards proposed that the application be GRANTED in accordance with Officer recommendations, SECONDED by Councillor Merfyn Parry.

Vote –

For – 18

Against – 0

Abstain – 1

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

**7 APPLICATION NO. 47/2024/1557 - SEWAGE DISPOSAL WORKS,
TREMEIRCHION, ST ASAPH**

An application was submitted for the change of use of land and construction of an Integrated Constructed Treatment Wetland (ICTW) including the installation of 2 No. underground septic tanks, creation of 3 No. wetland cells and planting, welfare facility, new internal access roads, fencing, landscaping and associated works.

Public Speaker – Jenny Coxon – (Agent) - (For) – At present treated water from Tremeirchion wastewater treatment works would flow into the adjacent river

The proposed development consisted of the construction of three wetland cells and associated infrastructure adjacent to the existing works. Before the wastewater reached the cells it would pass through septic tanks to remove any large debris. The water would then pass slowly through the cells, with the wetland plants cleaning the water at each stage dealing with any discharge.

The proposed development had been designed to achieve stricter phosphate targets set by NRW along with increasing biodiversity on the site.

The proposed development was a trial for Welsh Water and a first in North Wales however, the technology used was proven and there were several successful schemes in the UK.

The existing works would remain in place for 3 years and once the wetland was operating successfully and the works permanently ceased, they would be removed.

There had been concerns regarding the potential for odour to come from the site, and it was made clear that the change in the treat plant would not increase the risk of any odour. The water in the wetlands would run constantly and once the plants were fully established the wetland plants would be less than 20% open water, limiting the potential pathway of odours.

The proposal would not result in any greater risk of noise and the scheme had been designed to ensure that there was no risk of flooding into the surround area.

The applicant would submit further details in a revised construction environmental development plan addressing the concerns raised by NRW's consultation response.

Due to the high level of screening to the woodland to the north and the small scale nature of the proposal, the impact on the surrounding landscape would be minimal.

The application was in line with the key principles of Planning Policy Wales as well as adopted policies such as the Local Development Plan (LDP)

General Debate –

Local Member Councillor Chris Evans addressed concerns regarding construction traffic around the area and to the site and sought clarity on the plan for vehicles accessing the site. It was also noted that there were already issues with water in Tremeirchion.

The Senior Engineer stated that the application included a construction traffic management plan. The entrance to the site was in existing use and no problems had been reported previously.

Regarding concerns around the potential for odour to come from the site, the Principal Planning Officer stated that the new system that was proposed was an upgrade of the system already in place and therefore no issues relating to odour were anticipated. If odour issues did arise the Public Protection Team would investigate and deal with the matter.

Councillor Merfyn Parry welcomed the positive application and requested close working relationships with Welsh Water on the new scheme to advise any potential future applications going forward.

Proposal – Councillor Jon Harland proposed that the application be GRANTED in accordance with Officer recommendations, SECONDED by Councillor Alan James.

Vote –

For – 18

Against – 0

Abstain – 0

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

8 APPLICATION NO. 40/2024/1079 - LAND ADJACENT TO MAES OWEN, BODELWYDDAN

An application was submitted for the erection of 49 No. affordable dwellings and associated infrastructure works including roads and footpaths, public open space, landscaping and drainage including a new pumping station.

Public Speaker – Steve Grimster (Agent) - (For) – The application was for the erection of 49 affordable, energy efficient dwellings which were much needed in Bodelwyddan.

The dwellings would be managed by Adra Housing and would be made available for Social Housing and Intermediate Rent to local residents. The dwellings would comprise of 4 apartments and 3 bungalows capable of reaching the needs of a large percentage of the local population. The dwellings would be set within the Green Infrastructure Framework providing access to usable public open spaces and pedestrian routes to enable safety.

Throughout the planning process the scheme had been adapted to address as many consultees and residents' comments as possible. There were policy requirements including design, open space, ecology and drainage which had informed the schemes design. The application was a balanced solution to each of the above matters and there were no objections from any statutory consultees.

Concerns had been raised regarding highways, flooding, drainage and education and all the concerns raised had been considered to ensure the development was safe, self-efficient and sustainable without causing harm to neighbouring residents and the environment. This included financial contributions to education and off-site play spaces.

Adra would deliver the scheme in 24 months and the dwellings would immediately address the affordable housing shortage in Bodelwyddan.

General Debate –

The Chair highlighted the concerns that had been raised regarding highways within the area and sought clarity from Officers.

The Principal Planning Officer stated discussions had taken place regarding highway issues on developments in Bodelwyddan previously which were no longer moving forward. The key strategic site previously was proposed for 1700 dwellings and the applications dealt with in the last few months had amounted to only 187 dwellings. The discussions around link roads which were required previously were related to a much larger proposal. Sewage works capacity on previous applications was also a concern and, on this application, sewage would be taken to Rhuddlan treatment works where there was capacity and this had been confirmed by Welsh Water.

Local Member Councillor Raj Metri welcomed the application stating that the application was for much needed housing in the area. 49 energy efficient homes would be created and very few residents had raised any concerns regarding the application. There were some concerns regarding the capacity of local amenities such as schools and GP surgeries however, these had been addressed by Officers.

Councillor Andrea Tomlin further highlighted the concerns regarding the capacity of schools and GP surgeries within the area and asked if the Council were corresponding with the Health Board to seek their views on applications within the area.

The Development Manager stated that some policies within the LDP required infrastructure contributions. These would normally be around the provision of affordable housing and open spaces and in some cases education provision. If there was an issue of impact from a development there would be a requirement for the developer to make financial contributions to try and improve the capacity, for

example in schools. Liaising with the Health Board would be undertaken through the planning process under the LDP. A consultation process would have taken place with the relevant health bodies which would have given them the opportunity to contribute to any discussions taking place regarding the development at that time.

Councillor Delyth Jones questioned what the result would be if the capacity in schools was reached.

The Development Manager stated the Education Service were consulted when an application was received to consult on the extra capacity of a school within the area. Supplementary Planning Guidance was available to calculate the extra capacity needed in a school following on from the completion of a development. The Education Services welcomed the financial contributions from the developer in Bodelwyddan which would help with adaptations to the existing school.

Proposal – Councillor Raj Metri proposed that the application be GRANTED in accordance with Officer recommendations, SECONDED by Councillor Alan James.

Vote –

For – 16

Against – 2

Abstain – 0

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

9 APPLICATION NO. 40/2024/1141 - YSBYTY GLAN CLWYD, BODELWYDDAN

An application was submitted for the erection of a new sub station, new incoming electrical supply plant room, external compound for generators, new car park and all associated landscape alterations.

Public Speaker – Ruth Stiles – (BCUHB Applicant) (For) – The proposal was for a new electrical sub station which included parking to compensate for the building being built on part of the existing car park.

Ysbyty Glan Clwyd was currently at electrical capacity which had recently been increased by Scottish Power and there was no option to increase the capacity any further without this development.

Life critical services were at risk of going into blackout on the site. Health care was accommodated on the site for the whole of North Wales including the North Wales Cancer Treatment Centre and Vascular Services.

The application had been amended following consultation with the Ecology Officer recommending that parking was moved to a different area of the site which would

take into consideration the concerns that had been raised previously. Additional acoustic reports had been provided to provide assurance.

Future proofing had been provided in the application to allow for the de-carbonisation of the site which would contribute to Welsh Governments targets set for 2030.

General Debate –

Local Member Councillor Raj Metri proposed that application be granted. The application was welcomed by residents and staff near to the site and concerns raised in the report had been addressed by Officers.

The Chair highlighted concerns regarding wildlife and potential health risks and sought clarity from Officers. The Principal Planning Officer stated that a landscaping condition was imposed on the application and Officers would relay directly to the applicants that it should include additional planting along the boundary. Referring to any health risks associated with the application, information published by the Electricity Industry's Electric Magnetic Field Unit (EMF) stated that the industry was tightly regulated and strict compliance policies were in place that applied to all developments in the electricity networks, in the interests of preserving public health.

Councillor Merfyn Parry addressed the concerns raised regarding the potential noise from the construction of the development. The Principal Planning Officer stated that a noise assessment had been conducted and the noise levels were acceptable.

Proposal – Councillor Raj Metri proposed that the application be GRANTED in accordance with Officer recommendations, SECONDED by Councillor Merfyn Parry.

Vote –

For – 18

Against – 0

Abstain – 0

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

EXCLUSION FROM PRESS AND PUBLIC

Resolved: that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 14 and 16 of Part 4 of Schedule 12A of the Local Government At 1972.

10 APPLICATION NO. 01/2022/0523 - UPDATE ON GRAIG QUARRY, DENBIGH, PLANNING APPEAL

The Development Manager presented a confidential report and recommendations regarding the Denbigh Quarry Planning Appeal.

Members debated the suggested approach.

Following a detailed discussion the Development Manager guided Members through the recommendations, requesting Members voted For or Against the recommendations.

Vote –

For – 18

Against – 0

Abstain – 0

RESOLVED: that the Planning Committee *SUPPORTED* the Officer recommendations and instructed the Council proceed to defend the Denbigh Quarry Planning Appeal on the grounds of reason for refusal 3 only and by actioning the approach suggested in the report.

Meeting concluded at 12.10pm