

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE
HELD IN COUNCIL CHAMBER, GUILDHALL ON MONDAY, 3 DECEMBER 2018**

MEMBERS

Councillor M G Morris, Chair
Councillor Marc Jones, Vice-Chair

Councillor	Bryan Apsley	Councillor	John McCusker
"	* I David Bithell, MBE	"	Paul Pemberton
"	Michael Dixon	"	John Phillips
"	Frank Hemmings	"	Ronnie Prince
"	Adrienne Jeorrett	"	John Pritchard
"	Gwenfair Jones	"	Paul Roberts
"	Paul Jones	"	Graham Rogers
"	* David Maddocks	"	Paul Rogers
"	* Tina Mannering	"	* Andy Williams

*Absent

Also Present – Councillors David Kelly and Mark Pritchard.

40 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors I David Bithell MBE, David Maddocks and Tina Mannering.

41 BEREAVEMENT

The Chair referred, with deep regret, to the recent deaths of ex-Councillor Ian Roberts and Mrs Kay Edwards, the wife of ex-Councillor Michael Edwards, and extended the Committee's deepest sympathy to their respective families. Members and officers stood in silence as a mark of respect.

42 CONFIRMATION OF MINUTES

The Minutes of the meetings held on 5 November 2018 and 16 November 2018 were submitted.

5 November 2018: With reference to Planning Application Code No. P/2017/0687 the Local Member (Councillor Mark Pritchard) expressed concern that Esclusham Community Council had not been consulted on the planning application prior it being considered by the Committee.

RESOLVED – That the Minutes of the meetings held on 5 November 2018 and 16 November 2018 be signed as a correct record.

43 DECLARATIONS OF PERSONAL INTERESTS, IF ANY

Members were reminded of their responsibility, under paragraph 11 of the Members'

Code of Conduct, to declare any interests in relation to any business to be transacted at this meeting. The following declarations were made:

Agenda Item 4 - Development Control Applications

Councillor John Pritchard – Personal and prejudicial – Application Code No. P/2018/0700 being a Member of the same Committee / School Governors as the application. The Councillor withdrew from the meeting for this item taking no part in the discussion and voting thereon.

Councillor Paul Pemberton – Personal and prejudicial – Application Code No. P/2018/0846 as he knew the applicant and the person speaking against the application. The Councillor withdrew from the meeting for this item taking no part in the discussion and voting thereon.

Peter Douthwaite, Senior Development Control Engineer – Personal and prejudicial – Application Code No. P/2018/0700 as he knew the applicant. The Officer withdrew from the meeting for this item taking no part in the discussion thereon

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DEVELOPMENT CONTROL APPLICATIONS

The Head of Environment and Planning submitted a report (HEP/12/18) for Members' consideration of planning applications and attention was drawn to his Addendum report where relevant.

Application Code No. P/2005/0263 – Amendment to existing Planning Obligation Nos. 50 and 54 Broughton Heights, Pentre Broughton, Wrexham.

RESOLVED – That the Council enters into an Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 to vary the relevant sections of the extant Planning Obligation to enable nos. 50 and 54 Broughton Heights to be occupied as intermediate rented properties and shared ownership. The Head of Environment and Planning be given delegated authority to determine the final form and content of the Obligation.

Application Code No. P/2018/0139 – Application for Outline Planning Permission for residential development on land South of Pinecroft, Afoneitha Road, Pen-y-cae, Wrexham.

The Local Member (Councillor John Phillips) indicated his support for the Officer recommendation.

RESOLVED -

- (1) That an Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 be required to secure the management and maintenance of the river corridor edged blue on drawing no. WR/1/A Location Plan and that the Head of Environment and Planning be given**

delegated authority to approve the final form and content of the obligation.

- (2) Upon completion of the Section 106 obligation permission be **GRANTED** in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18 of the Addendum Report.
- (3) That, if Section 106 obligation is not completed within 6 months of the date of the Committee resolution, the Head of Environment and Planning be given delegated authority to **REFUSE** planning permission for the following reason:

Reason

The development makes inadequate provision for the long term maintenance of the Afon Eitha river corridor and as such does not accord with policy EC6 of the Wrexham Unitary Development Plan.

Application Code No. P/2018/0588 – Demolition of existing shop and storage unit and Outline Application for residential development (13 dwellings) at 120 Rhosnesni Lane, Rhosnesni, Wrexham.

Mr Daniel Jones (neighbour) spoke against the application.

Mr Stuart Hatherall (agent) spoke in support of the application.

The Chair commented that, if Members were minded to grant permission, an additional sentence be included to notify the applicant that, if the obligation had not been completed within six months of the Committee resolution, planning permission be refused and the reason for refusal given. This was agreed by the Committee.

RESOLVED -

- (1) That an Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 be required to secure a financial contribution of £13,000 towards the upgrading and improvement of Acton Park play facilities and that the Head of Environment and Planning be given delegated authority to approve the final form and content of the obligation.
- (2) Upon completion of the Section 106 obligation permission be **GRANTED** in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18.
- (3) That, if Section 106 obligation is not completed within 6 months of the date of the Committee resolution, the Head of Environment and Planning be given delegated authority to **REFUSE** planning permission for the following reason:

Reason

No contribution has been made towards the provision of public open space. In the absence of a contribution the development does not accord with policy CLF5 of the Wrexham Unitary Development Plan.

Application Code No. P/2018/0634 – Demolition of former Maelor Youth Club, outline application for residential development and construction of new access at Maelor Youth Club, Llangollen Road, Acrefair, Wrexham.

The Acting Planning Control Manager commented that the Education department had indicated that there was a shortfall in local primary school provision within the area. As clarification was still being sought as to whether a financial contribution to meet this shortfall was required from the applicant, he requested that, if the Committee was supportive of the application, the Head of Environment and Planning be given delegated authority to grant permission. This was agreed by the Committee.

RESOLVED

- 1(a) That, if a financial contribution towards primary school provision was not required, the Head of Environment and Planning be given delegated authority to give notice, in accordance with the National Assembly for Wales Circular 20/01, to the Health and Safety Executive of his intention to grant planning permission.**
- 1(b) If, following a period of 21 days from this notice, the Head of Environment and Planning has not been informed of any request by the Health and Safety Executive for the Welsh Ministers to call-in the application for their own determination, planning permission be GRANTED subject to the conditions as set out in report HEP/12/18.**
- 2(a) That, if a financial contribution toward primary school provision was required, the Head of Environment and Planning be given delegated authority to give notice, in accordance with the National Assembly for Wales Circular 20/01, to the Health and Safety Executive of his intention to grant permission subject to the completion of a Section 106 Agreement.**
- 2(b) If, following a period of 21 days from this notice, the Head of Environment and Planning has not been informed of any request by the Health and Safety Executive for the Welsh Ministers to call-in the application for their own determination, the Council enters into an Obligation under Section 106 of the Town and Country Planning Act 1990 to secure a financial contribution towards primary school provision. The Head of Environment and Planning be given delegated authority to determine the final form and content of the Obligation.**
- 2(c) Upon completion of the Section 106 obligation, permission be GRANTED subject to the conditions set out in report HEP/12/18.**
- 2(d) That, if the Section 106 obligation is not completed within six months of the Committee resolution, the Head of Environment and Planning is given delegated authority to REFUSE the application for the following reason:**

Reason

No contribution has been made towards the provision of additional primary school capacity to cater for the development. As such the development does not accord with policy GDP2 of the Wrexham Unitary Development Plan

Application Code No. P/2018/0700 – Erection of 1 No. two-storey cottage style house on land adjoining 31 Greenfield, Wrexham.

(Member declaration of interest in relation to this application is set out in Minute 43 above).

The Local Member (Councillor Marc Jones) expressed concern that the separation distance between the proposed development and existing residential properties did not meet the Council's adopted planning guidance. In his opinion, the substandard separation distance would have an adverse impact on the residential amenities of occupiers of the existing neighbouring properties, therefore, he requested that permission be refused.

After hearing the views of Members it was

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18 together with the further condition contained within the Addendum Report.

Application Code No. P/2018/0729 – Erection of boundary wall (in retrospect) at Min Y Dwr, Canalside, Froncysyllte, Llangollen.

Mr Stuart Hatherall (agent) was present having indicated his intention to speak in support of the application, but in the event did not do so.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18.

Application Code No. P/2018/0732 – Erection of new raw material storage for animal feed factory at Lloyds Animal Feeds, Bridge Street Road North, Wrexham Industrial Estate, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18.

Application Code No. P/2018/0778 – Retention of rear garden building (in retrospect) at 5 Friars Close, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18.

Application Code No. P/2018/0806 – Display of 3 internally illuminated fascia signs and 9 internally illuminated other signs at approved coffee shop with driv-thru facility at Ruabon Business Park, site adjacent to A483, Ruabon, Wrexham.

Mr Nick Heard (agent) had indicated his intention to speak in support of the application but was not present at the meeting.

The Chair suggested that, if Members were minded to grant permission, an additional note be included to advise the applicant that the signage should be bilingual. This was agreed by the Committee.

RESOLVED – That Advertisement Consent be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18 with the following addition thereto:

Add Note to Applicant

You are advised to ensure that the signs are bilingual and contain both Welsh language and English language.

Application Code No. P/2018/0815 – Display of signage for petrol filling station comprising of 1 totem sign, 4 No. fascia signs, 5 No. double sided road traffic signs and 3 No. single sided road traffic signs at Ruabon Business Park, site adjacent to A483, Ruabon, Wrexham.

The Chair commented that Mr Paul Blackmore (agent) had withdrawn his request to speak in support of the application.

The Chair suggested that, if Members were minded to grant permission, an additional note be included to advise the applicant that the signage should be bilingual. This was agreed by the Committee.

RESOLVED – That Advertisement Consent be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18 with the following addition thereto:

Add Note to Applicant

You are advised to ensure that the signs are bilingual and contain both Welsh language and English language.

Application Code No. P/2018/0846 – Sun room extension to rear of dwelling at Llwyn Isa, Stanley Road, Ponciau, Wrexham.

(Member declaration of interest in relation to this application is set out in Minute 43 above).

Mr Nicholl (neighbour) spoke against the application.

During consideration of the application, several Members indicated their objection to the application as, in their opinion, the proposed extension due to its scale and location, will have a detrimental impact upon the standard of amenity afforded to the occupiers of the dwelling to the rear by way of loss of privacy and by being visually overbearing, therefore, they suggested that permission be refused. This was agreed by the Committee.

RESOLVED – That permission be REFUSED

Reason

Due to the scale of the extension and the substandard separation distance the proposed extension will have a detrimental impact upon the standard of amenity afforded to the occupiers of the dwelling to the rear by way of loss of privacy and by being visually overbearing. The development is therefore contrary to policy GDP1(f) of the Wrexham Unitary Development Plan.

Application Code No. P/2018/0848 – Extension to existing agricultural unit for storage of hay and muck at Springfield Farm, Marford Hill, Marford, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18.

Application Code No. P/2018/0877 – Conversion of former vehicle repair and workshop to hair and beauty salon, with residential flat above, at Former Chapel, The Homestead, Mount Street, Rhostyllen, Wrexham.

The Local Member (Councillor Mark Pritchard) indicated his support for the Officer recommendation.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/18 together with the further condition contained within the Addendum Report.

Councillor M G Morris
Chair