

ADDENDUM REPORT BY HEAD OF PLANNING AND PUBLIC PROTECTION

AGENDA, LATE INFORMATION AND AMENDMENTS TO PLANNING COMMITTEE REPORTS

The following sheets set out the agenda to be followed for the meeting, subject to the discretion of the Chair. They also provide a summary of information received since the preparation of the reports, and matters of relevance to individual items, which will be referred to prior to their consideration.

Where requests for public speaking on individual planning applications have been made, those applications will normally be dealt with at the start of that part of the meeting.

AGENDA FOR THE MEETING

1. APOLOGIES
2. DECLARATIONS OF INTEREST
3. URGENT MATTERS AS AGREED BY THE CHAIR
4. MINUTES (Pages 11-22)

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (Pages 23-264)

SUMMARY OF ORDER OF APPLICATIONS

ITEM No			PAGE
Public Speaker items			
5	40/2013/1585/PO	Land east of Bodelwyddan	23
9	16/2014/1020/PF	Llanbedr Hall, Llanbedr DC, Ruthin	175
10	20/2014/0965/PF	Outbuildings at Bryn Coch, Llanfair DC, Ruthin	201
Other applications			
6	01/2013/1599/PF	The Forum, 27-29 High St, Denbigh	129
7	01/2013/1601/LB	The Forum, 27-29 High St, Denbigh	147
8	03/2014/1067/PO	Land at (Part garden of) Adenhurst, Abbey Road, Llangollen	163
11	24/2014/1246/PS	Firearms Training Complex, Craig y Ddywart Quarry, Rhewl, Ruthin	219
12	44/2014/0953/PF	6 Grove Terrace, Princes Road, Rhuddlan	231
13	45/2014/1125/PF	20 Marine Drive, Rhyl	241
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In relation to the information on individual applications following, the letter (c) after a Local Member's name denotes a Member of Planning Committee.

<p>ITEM 5 40/2013/1585/PO</p>	<p>Land East of Bodelwyddan, Rhyl Outline planning application for the development of 1,715 dwellings including affordable dwellings, up to 80 bed care home and 50 close care flats (Class C2 use), up to 100 bedroom hotel (Class C1 use), new primary school, 2 local centres (including Class A1, A2, A3, C3, D1 and D2 uses), 26 hectares of employment land (comprising a mix of B1, B2 and B8 uses), new highway infrastructure including the formation of a new access and a link between A55 Junction 26 and Sarn Road, pedestrian and cycle routes, areas of formal and informal open space, green space and structural landscaping and drainage infrastructure</p>	<p>Page 23</p>
<p>LOCAL MEMBER: Councillor Alice Jones (c)</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>Public Speaker: <i>Against</i> : Councillor Andrew Miller, Bodelwyddan Town Council Mr John Hutchinson, Bodelwyddan Development Action Group</p> <p>Public Speaker: <i>For</i> : Mr Owen Jones, Boyer Planning (agent)</p> <p>LATE REPRESENTATIONS Consultees :</p> <p>Private individuals In objection, from: Lowri Churchill, 9 Lon Llewelyn, Tan Y Gopa, Abergele, Conwy, LL22 7DG</p> <p>- Summary of representations : Negative Impact on Welsh Language and Culture, public do not want the development, queries on housing figures.</p> <p>Officers have been made aware of an e-mail from a Mr Andrew Miller dated 19th January 2015 sent to all Denbighshire County Councillors. The e-mail claims to represent the views of Bodelwyddan Town Council although this has not been confirmed at the time of writing by the Clerk.</p> <p>The e-mail raises concerns about the role Officers have had in the engagement with the Town Council, suggesting the application should be deferred on this basis. They are aggrieved that Officers briefed County Councillors before the Town Council in December 2014.</p> <p>A formal complaint has been lodged with the Council by the same person citing the same issues. This is being dealt with under the Council's Complaints procedure and should have no bearing on the determination of a valid planning application.</p>		

ADDENDUM REPORT

A pre-planning committee briefing took place at 2pm on Thursday 15th January 2015 in Caledfryn, Denbigh. The briefing was a repeat of the one given on 12th December 2014 to Informal Council in County Hall, Ruthin. Those Members in attendance at the 15th January 2015 briefing were as follows:-

Cll Ray Bartley (Chair), Cll Alice Jones (Local Member), Cll Merfyn Parry, Cll Bill Cowie.

Members were given a presentation by the Development Manager and Planning Policy Manager. The presentation provided relevant background information on the Key Strategic Site (KSS) in terms of the LDP allocation, Site Development Brief and the outline application.

Officers provided factual information about the outline application, publicity undertaken and responses received. They were also able to explain the assessment which has been undertaken. Members were able to ask relevant questions of Officers. They sought some clarification on various matters as follows:-

- The local connections policy for affordable housing - The local connections policy for affordable housing states that first preference is for someone from the local Town or Community Council area where the planning application has been made, if there's no eligible household in that area it would extend to the adjoining town or community councils, if there's no eligible households in the adjoining areas, the search would extend by 5 miles radii until an eligible household is identified.
- Employment proposal in KSS – Officers explained that the proposal includes a mix of B1, B2 and B8 uses shown to the south side of the KSS. The St..Asaph Business Park is restricted to B1 uses only.
- The size of the land opposite the hospital on Sarn Road which is included in the KSS allocation but not in the outline application – this parcel of land measures 3.3ha.

Members also sought assurance from Officers that the details of the internal estate roads and any crossings thereon would be as further agreed. Officers confirmed this. In addition Members also wanted assurances that any s.106 agreement will clearly set out how training, enterprise and local labour will be incorporated into the development. Officers explained that this will be presented back to Members in due course when the precise terms of the s.106 have been formulated.

OFFICER NOTES

Revised List of up to date DCC Supplementary Planning Guidance
To replace those in main report:

Bodelwyddan KSS Development Brief
Landscaping New Developments
Open Space Requirements in New Developments
Trees and Development
Residential Space Standards
Conservation Areas
Listed Buildings
Nature Conservation and Species Protection
Parking requirements in New Developments
Residential Development Design Guide
Affordable Housing
Planning and the Welsh Language
Archaeology

Revised List of Relevant Technical Advice Notes (TAN's)
To replace those in main report:

TAN 2 – Planning and Affordable Housing (2006)
TAN 5 – Nature Conservation and Planning (2009)
TAN 10 – Tree Preservation Orders (1997)

TAN 11 – Noise (1997)
TAN 12 – Design (2014)
TAN 15 – Development and Flood Risk (2004)
TAN 16 – Sport, Recreation and Open Space (2009)
TAN 18 – Transport (2007)
TAN 20 – Planning and the Welsh Language (2013)
TAN 21 – Waste (2014)
TAN 22 – Sustainable Buildings (2010)
TAN 23 – Economic Development (2014)

Suggested additional condition(s) :

Ground, Noise, Air Quality

37. Reserved Matters applications pursuant to the development hereby approved shall, as necessary, incorporate the noise mitigation measures identified in the approved Noise Assessment (AECOM, December 2013, Section 6).

Reason: For the avoidance of doubt and in the interests of residential amenity.

38. Reserved Matters applications pursuant to the development hereby approved shall, as necessary, incorporate the mitigation measures identified in the approved Air Quality Assessment (AECOM, November 2013, Section 7)

Reason: For the avoidance of doubt and in the interests of residential amenity and the environment.

Welsh Language

42. The development hereby approved shall be undertaken in accordance with, and implement measures identified in, the Welsh Language Impact Assessment submitted by the Applicant (Barwood, December 2014) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and enhance the Welsh Language and Culture.

Then renumber conditions:

37. becomes 39.

38. becomes 40.

39. becomes 41.

LOCAL MEMBER: Councillor Gwyneth Kensler

OFFICER RECOMMENDATION IS TO GRANT

ADDENDUM REPORT

The application was subject to a Site inspection panel meeting at 9am on Friday 16/01/2015

In attendance were:

CHAIR – Councillor Raymond Bartley

VICE CHAIR – Councillor Wyn Mullen James

LOCAL MEMBER – Councillor Gwyneth Kensler

GROUP MEMBERS - Councillor Meirick Lloyd Davies and Councillor Richard Davies

COMMUNITY COUNCIL – Councillor Margaret Bowe

The Officers present were Ian Weaver and David Roberts

The reason for calling the site panel was to allow investigation of the detailing of the proposals including the layout of the proposed units, means of escape, and the alterations to important historic features.

At the Site Inspection panel meeting, Members considered the following matters:

1. The detailing of the proposed development including proposed layouts of the existing commercial use, the proposed apartments, and communal residential space.
2. Arrangement of routes of fire escape proposed for both the existing commercial and the proposed residential units.
3. The detailing of the development in relation to key historic features including the central staircase.
4. Comments from the Town Council, Highway Officer and Conservation Officer.

In relation to the matters outlined :

1. Members noted the alterations that would be required to the ground floor commercial unit to allow separate means of fire escape
2. Members noted that the second floor of the building had been used previously for residential purposes and the first floor had previously been used for commercial purposes associated with the tearooms that operated on the ground floor
3. Members noted that Building Control Officers had advised that satisfactory arrangements in relation to means of escape were achievable subject to appropriate detailing.
4. Members noted that other premises in the locality had residential uses above ground floor commercial uses.
5. Members noted that parking was available to residents within a car park to the rear of the property with restrictions lifted after 5pm. Officers advised that there were no objections to the proposals from the Highways Officer and the Conservation Officer.

<p>ITEM 7 01/2013/1601/LB</p>	<p>27-29 High Street, Denbigh Conversion of first and second floors to form 2 no. self-contained flats (Listed building Consent application)</p>	<p>Page 147</p>
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LOCAL MEMBER: Councillor Gwyneth Kensler

OFFICER RECOMMENDATION IS TO GRANT

Public Speaker: *Against* :

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4. Members noted that other premises in the locality had residential uses above ground floor commercial uses.
5. Members noted that parking was available to residents within a car park to the rear of the property with restrictions lifted after 5pm. Officers advised that there were no objections to the proposals from the Highway Officer and the Conservation Officer.

<p>ITEM 8 03/2014/1067/PF</p>	<p>Adenhurst, Abbey Road, Llangollen Development of 0.06ha of land by the erection of a dwelling (outline application – inc. access)</p>	<p>Page 163</p>
<p>LOCAL MEMBERS: Councillors Stuart Davies (c) and Rhys Hughes (c)</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>No late information</p>		
<p>ITEM 9 16/2014/1020/PF</p>	<p>Llanbedr Hall, Llanbedr DC Demolition of Llanbedr Hall and erection of 9 no. three-storey dwellings, and associated works</p>	<p>Page 175</p>
<p>LOCAL MEMBER: Councillor Huw O. Williams (C)</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>Public Speaker: <i>Against</i> : Mr Guy Alford Public Speaker: <i>For</i> : Ms Georgia Crawley</p> <p>-----</p>		
<p>ITEM 10 20/2014/0965/PF</p>	<p>Bryn Coch, Llanfair DC, Ruthin Conversion of outbuildings into 1 no. dwelling</p>	<p>Page 201</p>
<p>LOCAL MEMBER: Councillor Hugh Evans</p> <p>OFFICER RECOMMENDATION IS TO REFUSE</p> <p>Public Speaker: <i>For</i> : Mr Owen Evans</p> <p>-----</p>		

ITEM 11 24/2014/1246/PS	Craig y Ddywart Quarry, Rhewl Variation of condition no. 3 of planning permission code no. 24/2007/0694 (granted under appeal) to allow other organisations as authorised by North Wales Police to be permitted to use the site	Page 219
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<p>LOCAL MEMBER: Councillor Mervyn Parry (c)</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <p>-----</p> <p>LATE REPRESENTATIONS Consultees : Llanynys Community Council “The Members of Llanynys Community Council oppose the above Planning Application due to the following reasons:-</p> <ol style="list-style-type: none"> 1. The site entrance is too dangerous on the highway bend due to the additional traffic on site. 2. The additional noise pollution created by the additional shooting on site would not be acceptable. 3. The hirers would not be supervised which is not acceptable. 4. The Members fully support the local opposition to the planning application.” <p>OFFICER NOTES</p> <p>The Community Council’s comments raise concerns over highways and noise impacts and over the supervision of the facility. Noise issues are covered in the Officer report. The site access has been accepted as adequate to accommodate the use previously and the Officer report highlights the fact there is no control over the intensity of the use during permitted hours of operation, which are not being changed in this application. It is not considered that the potential additional use of the facility during already consented hours of use is a sustainable ground of refusal. Section 1.6.2 of the Officer report sets out the detailed site management framework which would be in place to oversee use of the facility, which Officers suggest is adequate to address concerns over supervision.</p>		
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ITEM 12 44/2014/0953/PF	6 Grove Terrace, Princes Road, Rhuddlan Construction of new vehicular access involving removal of front boundary wall to create parking for one vehicle	Page 231
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<p>The application has been WITHDRAWN</p>		
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ITEM 13 45/2014/1125/PF	20 Marine Drive, Rhyl Change of use of dwelling and flat to self-catering holiday let unit	Page 241
<p>LOCAL MEMBERS: Councillors Barry Mellor (c) and David Simmons (c)</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <hr/> <p>OFFICER NOTES</p> <p>Suggested new condition :</p> <p>3. In relation to the use of the property:</p> <ul style="list-style-type: none"> (i) it shall be occupied solely for holiday purposes. (ii) it shall not be occupied at any time as a person's sole or main place of residence. (iii) the owner shall keep a log of the names and permanent home addresses of all the guests staying overnight at the property, and shall submit a copy of the log on 1st October each year to the Local Planning Authority. <p>The reason for the condition is:-</p> <p>3. To ensure the property is occupied for holiday purposes only and to allow the Local Planning Authority suitable opportunity to monitor the use.</p>		

ITEM 14 45/2014/1202/PF	47 Highfield Park, Rhyl Erection of 2m high timber fencing adjacent to highway	Page 253
<p>LOCAL MEMBERS: Councillors Barry Mellor (c) and David Simmons (c)</p> <p>OFFICER RECOMMENDATION IS TO GRANT</p> <hr/> <p>No late information.</p>		

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