

# Agenda Annex

## PLANNING COMMITTEE

Date - 11<sup>th</sup> January 2017

### ADDENDUM REPORT BY HEAD OF PLANNING AND PUBLIC PROTECTION

### AGENDA ORDER, LATE INFORMATION AND AMENDMENTS TO PLANNING COMMITTEE REPORTS

The following sheets are an addendum to the main agenda for the Committee. They set out the order in which items will be taken, subject to the discretion of the Chair, and they provide a summary of information received since the completion of the reports, and matters of relevance to individual items which should be taken into account 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 (Pages 9 - 10)
3. URGENT MATTERS AS AGREED BY THE CHAIR
4. MINUTES (Pages 11 - 18)

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT  
(Item numbers 5 – 10)

#### ORDER OF APPLICATIONS

#### PART 1

	<b>Application no.</b>	<b>Location</b>	<b>Page</b>
<b>Public Speaker items</b>			
<b>6</b>	16/2016/1045	Llanbedr Hall, Llanbedr Dyffryn Clwyd	43
<b>5</b>	16/2016/1044	Llanbedr Hall, Llanbedr Dyffryn Clwyd	19
<b>7</b>	31/2016/1003	Tyddyn Eos, Groesffordd Marli, Abergele	59
<b>8</b>	40/2016/0256	Fields South-West of Borth Crossroads, Abergele	79
<b>9</b>	43/2016/0512	74 Gronant Road, Prestatyn	101
<b>Other items</b>			
<b>10</b>	43/2016/1083	2 Lichfield Drive, Prestatyn	129

## PUBLIC SPEAKER ITEMS

<b>ITEM No 6</b> Page 47	<b>Code no.</b> 16/2016/1045 <b>Location</b> Llanbedr Hall, Llanbedr Dyffryn Clwyd <b>Proposal</b> Variation of condition number 12 of planning permission ref 16/2016/0545 to allow continued use of both accesses to the development, removing the requirement to restrict the use of Lon y Mynydd access
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**LOCAL MEMBER:** Councillor Huw O. Williams (c )

**OFFICER RECOMMENDATION IS TO GRANT**

**Public Speaker: For - Rhys Davies**

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**No late information**

<b>ITEM No 5</b> Page 19	<b>Code no.</b> 16/2016/1044 <b>Location</b> Llanbedr Hall, Llanbedr Dyffryn Clwyd <b>Proposal</b> Conversion of garages into single dwelling at Llanbedr Hall, Llanbedr Dyffryn Clwyd, Ruthin
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**LOCAL MEMBER:** Councillor Huw O. Williams (c )

**OFFICER RECOMMENDATION IS TO GRANT**

**Public Speaker: For - Rhys Davies**

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**No late information**

<b>ITEM No 7</b> Page 59	<b>Code no.</b> 31/2016/1003 <b>Location</b> Tyddyn Eos, Groesffordd Marli, Abergel <b>Proposal</b> To consider an application for conversion of outbuilding to form 1 no. dwelling (amended design to that previously approved under code no. 31/2005/1468
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**LOCAL MEMBER:** Councillor Meirick Lloyd Davies (c )

**OFFICER RECOMMENDATION IS TO GRANT**

**Public Speaker: For - Arfon Pierce**

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**No late information**

**ITEM No 8**  
Page 79

**Code no.** 40/2016/0256

**Location**

Fields South-West of Borth Crossroads, Abergele

**Proposal**

Retention of and change of use of agricultural building to allow wood processing and use of yard for wood storage (retrospective application)

**LOCAL MEMBER:** Councillor Alice Jones (c )

**OFFICER RECOMMENDATION IS TO REFUSE**

**Public Speaker: For - Berwyn Owen**

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**LATE REPRESENTATIONS**

**Darren Miller MP**

**Summary of representation:**

1. Access to the site is poor.
2. The permission would result in a loss of prime agricultural land which is suitable for arable use.
3. There are alternative suitable sites from which to operate this business in the locality. Tir Llwyd in Kinmel Bay has light and heavy industrial/manufacturing space and buildings which could be used to operate a timber business without the access and noise concerns associated with this site as does HTM Business Park in Rhuddlan. The business could be re-located.
4. Noise from the current unlawful operations is adversely impacting the quality of life and amenity of residents living near to Borth Crossroads. The cumulative impact of this noise in addition to general traffic noise is unacceptable.
5. Granting permission would set a dangerous precedent in the County. This application is not justified from a farm diversification perspective. Farm diversification to support the economic viability of a farm or other rural enterprise cannot be demonstrated by the applicant.

**Further comments received from the applicants agent in response to the latest DCC Highway Engineer response:**

**1.1 - Impact of drawbar vehicle upon roundabout if another vehicle was waiting to enter site** - This is a highly unlikely scenario as the nature of the proposed use means that there are limited movements of large delivery vehicles (12-20 per year) and that their arrival at the site is known well in advance to the site operators. The remaining movements are by site operators themselves, or trade customers, both of which are also within the operators control. As such the operators can ensure that there is no such issue;

1.2 - Notwithstanding the above, I fail to see how this would differ from the fallback use of the site for agricultural purposes which could equally result in similar scenarios but with a much higher volume of movements by both large and smaller vehicles than the use subject of this application.

**2.1 - Swept path** - I note that reference has been made to the fact that large vehicles entering and leaving the site would impinge upon the opposing carriageway. However, I note that no reference has been made to the detail on large agricultural vehicles supplied on the same drawing, which would have at least an equal effect. Crucially as set out by SCP in their comments of the 20/07 (attached) an agricultural use can be expected to generate around "50 two-way trips per week, or 7 two-way trips per day. Previous survey work carried out by SCP suggests that as much as 40% or more of farm traffic can be HGV based". As per my point above this fallback position must be considered, and I would submit that it weighs heavily in favour of the application.

**3.1 - Conditions** - No reference has been made to the opportunity to use conditions to control the use of the site in order to limit vehicle sizes and frequency, and indeed if required such a condition could also encompass a travel plan to ensure that the timing of deliveries to the site is controlled to avoid the concerns

set out in the Highway Authority's memo.

**4.1 - Conclusion** - Overall I would submit that the proposal would not result in the harmful impacts claimed by the Highway Authority and in fact that it would be a material improvement from the fallback situation at the site in respect of its impact upon the highway. As such any refusal of permission on this basis would be unsound.

**OFFICER NOTES**

**For clarity the third paragraph of section 4.2.1 of the main report should be disregarded. Details of the planning history of the site including the existing building on the site are contained within section 2 “Details of Planning History” in the main report and on the separate yellow sheet.**

**ITEM No 9**  
Page 101

**Code no.** 43/2016/0512

**Location**  
74 Gronant Road, Prestatyn

**Proposal**  
Erection of 5 no. apartments, 6 no. detached dwellings and associated works

**LOCAL MEMBERS:** Councillors Anton Sampson (c ) and Julian Thompson Hill (c )

**OFFICER RECOMMENDATION IS TO GRANT**

**Public Speaker: Against – Caroline Jones**

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**OFFICER NOTES**

**Clarification in respect to planning history**

In 2005 planning permission was granted on this site for the demolition of a large existing dwelling and the erection of 7no. dwellings.

This permission was given under the former Unitary Development Plan (UDP) and involved the provision 2 detached dwellings fronting Gronant Road with 5 detached dwellings to the rear portion of the site. The properties were all large 4 or 5 bed units. The existing dwelling on the site was demolished in order to facilitate the 7no. dwelling scheme. However, the site was mothballed and has lay in a semi-derelict state ever since. This planning permission is of relevance.

Policies in the UDP at that time did not require provision of on-site open space. However, 2no. off-site affordable dwellings were secured within the relevant s.106 agreement.

**Revised Section 4.2.9 of the main report**

4.2.9 Open Space

Local Development Plan Policy BSC 3 seeks to ensure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

**The recently adopted DCC Planning Obligations SPG (adopted November 2016) states that, to ensure usable recreation space is provided for residential developments of 30 or more dwellings, the Council will require children’s playing space to be provided on-site and a contribution to be provided towards sports facilities. Areas of on-site open space should be sufficiently large to be usable for recreation. Financial contributions will be required for developments of less than 30 dwellings and we will not expect on-site provision to be made. On-site provision for outdoor sport would only be required for developments of 200 or more dwellings.**

**Tudalen 4**

The Council’s Open Space requirement for a development of 11 dwellings is a total of 607.2 sqm comprising of

404.8 sqm of Community Recreation Open Space (CROS) and 202.4 sqm of Children's Play Areas (CPA).

The proposal does not provide any on-site CROS or CPA and seeks to meet the Council's open space policy by the payment of a commuted sum which on the basis of a development of 11 dwellings is £13,609.38.

Given the scale and location of the development, the approach to open space is considered acceptable. The site is within a **500m** walking distance of an existing playground and recreation site near Ysgol Bodnant and therefore the offer of a commuted sum is considered acceptable in this instance.

**Suggested revised condition(s):**

Condition 1:

The development to which this permission relates shall be begun no later than 3 years from the date of this permission. (The date of the permission will reflect the completion of the S106)

Condition 4:

No highway works shall be permitted to commence until the written approval of the Local Planning Authority has been obtained to the detailed design, layout, construction, drainage, street lighting and associated highway works of the internal estate road and the timing of completion of the works in relation to the occupation of the dwellings / apartments. The works shall be completed in accordance with the approved details.

## OTHER ITEMS

**ITEM No 10**  
Page 129

**Code no.** 43/2016/1083

**Location**

2 Lichfield Drive, Prestatyn

**Proposal**

Erection of extension to rear of dwelling (re-submission)

**LOCAL MEMBERS:** Councillors Bob Murray (c ) and Gareth Sandilands (c )

**OFFICER RECOMMENDATION IS TO GRANT**

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**No late representations**

**ADDITIONAL PLAN**

Members are referred to the WHITE sheet. The plan shows an outline of the proposed rear extension and the previously refused side extension on a larger scale site plan; and the details of the refused side extension.

# SPECIAL REPORTS

## ITEM 11

### **RATIFICATION OF 14 DECEMBER 2016 PLANNING COMMITTEE RESOLUTION ON APPLICATION NO. 03/2016/0300/PF - LAND AT VICARAGE ROAD, LLANGOLLEN** (Pages 145 - 178)

To consider a report seeking ratification of the Planning Committee resolution on an application for erection of 95 dwellings, together with associated roads, open space and related works at land at Vicarage Lane, Llangollen.

#### **Additional responses received from;**

Llangollen Civic Society, Can-y-Gwynt, Tower Road, Llangollen

Summary of representations received;

Query contributions proposed in relation to Education and Open Space.

#### **Officer Comments**

Officers would seek to clarify that the purpose of reporting this application back to Planning Committee is only to seek ratification of the previous resolution (Planning Committee 14<sup>th</sup> December 2016). The resolution of the December Committee was to grant planning permission in accordance with the Officer recommendation subject to the developer agreeing to provide 10% affordable housing on the 95 dwellings proposed.

Notwithstanding the above, Officers would respond to the additional representation from the Civic Society as follows.

It was advised in the previous report to Planning Committee that Officers consider the contributions proposed are acceptable.

In relation to open space, Officers considered that the amount and quality of open space to be provided on site, alongside the proposed commuted sum is acceptable. Members accepted this. In relation to Education contributions, Officers would re-confirm their advice that a contribution in relation to the 45 additional units proposed, would be acceptable. This is having regard to the extant permission in place for 50 dwellings. It is considered by Officers that seeking additional contributions would not be reasonable, having regard to the history of the site. Members did not dispute this position at the December meeting.

The applicant has confirmed that, in accordance with the resolution of the December Committee, they are willing to provide the additional Affordable Housing. However, the applicant has also specified that they do not concede that the request is reasonable in planning terms. As such, the applicant is not proposing to increase contributions in relation to Education or open space.

## ITEM 12

### **SUPPLEMENTARY PLANNING GUIDANCE: 'CARAVANS, CHALETS & CAMPING' - CONSULTATION DRAFT** (Pages 179 - 206)

To consider a report recommending members agree the draft Supplementary Planning Guidance on caravans, chalets and camping as a basis for public consultation.

#### **PART 2 - CONFIDENTIAL ITEMS**

EXCLUSION OF PRESS AND PUBLIC

## ITEM 13

### **FORMER NORTH WALES HOSPITAL DENBIGH - CPO - GENERAL VESTING DECLARATION** (Pages 207 - 224)

To consider a confidential report seeking authorisation for the making of the General Declaration to complete the compulsory purchase of the former North Wales Hospital