

To: Chair and Members of the Planning Committee

Date: 7 September 2017

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Dear Councillor

I refer to this agenda for the meeting of the **PLANNING COMMITTEE** to be held at **9.30 am** on **WEDNESDAY, 13 SEPTEMBER 2017** in **THE COUNCIL CHAMBER, COUNTY HALL, RUTHIN** and enclose the following report(s).

**Agenda Item  
No**

**APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (ITEMS 5 -11) -**

Yours sincerely

G Williams  
Head of Legal and Democratic Services

## **MEMBERSHIP**

### **Councillors**

Ellie Chard  
Ann Davies  
Meirick Davies  
Peter Evans  
Alan James  
Brian Jones  
Huw Jones  
Pat Jones  
Tina Jones  
Gwyneth Kensler

Christine Marston  
Bob Murray  
Merfyn Parry  
Peter Scott  
Rhys Thomas  
Tony Thomas  
Julian Thompson-Hill  
Joe Welch  
Mark Young

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## Town and Community Councils

## PLANNING COMMITTEE

Date - 13<sup>th</sup> September 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)
5. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT  
(Item numbers 5 – 11)

#### ORDER OF APPLICATIONS

##### PART 1

	<b>Application no.</b>	<b>Location</b>	<b>Page</b>
<b>5</b>	01/2016/1243	<b>Middle Lane, Denbigh</b>	19
<b>6</b>	02/2017/0688	<b>15 Heulfryn, Ruthin</b>	43
<b>7</b>	15/2017/0573	<b>Ty Minffordd, Eryrys, Mold</b>	55
<b>8</b>	16/2017/0628	<b>Tyn Y Celyn, Llanbedr Dyffryn Clwyd, Ruthin</b>	73
<b>9</b>	43/2017/0541	<b>1 Linden Close, Prestatyn</b>	97

10	45/2017/0335	21 Stanley Park Avenue, Rhyl	117
11	45/2017/0575	8/9 Market Street, Rhyl	133

## LATE INFORMATION

<b>ITEM No 5</b> Page 19	Code no. 01/2016/1243  Location Denbigh Technology And Vocational Education Centre, IXW Middle Lane, Denbigh  Proposal Demolition of former school buildings
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**LOCAL MEMBER:** Councillor Gwyneth Kensler (C)

**OFFICER RECOMMENDATION IS TO GRANT**

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**ADDENDUM REPORT**

The application was subject to a Site Inspection Panel meeting at 9am on Friday 8<sup>th</sup> September 2017.

In attendance were:

CHAIR – Councillor Joseph Welch

VICE CHAIR – Councillor Alan James

LOCAL MEMBER(S) – Councillor Gwyneth Kensler

GROUP MEMBERS –

Conservative group – Councillor Tony Thomas

Independent group - Councillor Mark Young

Labour group – represented by Councillor Alan James

Plaid Cymru Group – Councillor Rhys Thomas

COMMUNITY COUNCIL – Councillor Roy Tickle

The Officers present were Ian Weaver (Development Management) and Chris Evans (Conservation)

The reason for calling the site panel was to allow opportunity to view the buildings on the site and to seek clarification of the case for demolition; and to assess the merits of the original school building and arguments for its retention.

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

1. The basis of the application for Conservation Area Consent.
2. The background to the consideration of the application by Denbighshire County Council.
3. Representations on the application
4. Other material considerations

In relation to the matters outlined :

1. It was clarified that the application was for Conservation Area Consent, i.e. consent to demolish buildings in a Conservation Area. Officers confirmed that the application was to remove all the buildings on the site, including the original stone built school and a range of extensions and freestanding buildings, in order to facilitate a redevelopment of the land in the form of an extra care housing scheme. An outline was given of the case for demolition as submitted by the applicants, which dealt with the qualities and condition of the original school building, the practicality of its retention and the viability issues arising from insistence on retention.
2. Members were advised that following legal advice, Welsh Government officials had confirmed that determination of the application rested with the County Council.
3. The site panel was informed of the basis of comments on the application from consultees, including CADW, who had forwarded information to Welsh Government during the latter's administration of the application. CADW had ultimately recommended that the applicant should take the opportunity to enhance the character and appearance of the conservation area by incorporating the original school building within the proposed development. The Conservation Officer explained his understanding of the background to the development of the plans for the extra care scheme, and the reasons he was supportive of the application.
4. Members were advised that the grant of planning permission for the redevelopment scheme in February 2017 was a relevant material consideration to be taken into account in weighing the merits of the application.

In the course of the site panel meeting, Members walked around the site to view the range of buildings, and they were able to access the enclosed 'courtyard' containing the front entrance of the original stone school building. Questions were asked in relation to site ownership, CADW's position, and how in the event of demolition, significant architectural features may be salvaged and incorporated into the redevelopment scheme.

#### **OFFICER NOTE**

Questions were raised at the site panel over the following:

- Ownership of the site.

Officers can confirm that the County Council is the owner of the site.

- Why the application is being presented to Planning Committee

Members will recall that they were presented with a report on the Conservation Area Consent application to demolish in February 2017. Members resolved to accept the proposal to demolish but understood that Welsh Government would then need to make the final decision on the application, hence the application was referred to them for determination. Welsh Government have subsequently referred the application back to the Council to determine but have advised that in doing so the Council should have regard to comments received from Cadw on the proposal. As such, the application is now being referred back to Planning Committee to enable Members to further assess the proposals having regard to the input of Cadw.

<p><b>ITEM No 6</b> Page 43</p>	<p>Code no. 02/2017/0688</p> <p>Location 15, Haulfryn, Ruthin</p> <p>Proposal Formation of vehicular access and parking area to front of dwelling</p>
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**LOCAL MEMBERS:** Councillors Bobby Feeley, Huw Hildich Roberts and Emrys Wynne (C)

**OFFICER RECOMMENDATION IS TO GRANT**

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**OFFICER NOTES**  
Apologies to Councillor Emrys Wynne for missing the 'e' off his name at the head of the report.

<p><b>ITEM No 7</b> Page 55</p>	<p>Code no. 15/2017/0573</p> <p>Location Ty Minffordd, Eryrys, Mold</p> <p>Proposal Erection of a detached double garage with first floor accommodation</p>
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**LOCAL MEMBER: Councillor Martyn Holland**

**OFFICER RECOMMENDATION IS TO GRANT**

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**SUGGESTED ADDITIONAL CONDITION**

3. The garage shall be used solely for purposes incidental to the enjoyment of the occupiers of the dwelling Ty Minffordd and not as any self contained living accommodation or separate business use.

Reason: To ensure the garage is used solely in connection with the use of the main dwelling.

<b>ITEM No 8</b> Page 73	Code no. 16/2017/0628  Location Tyn Y Celyn, Llanbedr Dyffryn Clwyd, Ruthin  Proposal Demolition of existing dwelling and outbuildings and erection of a replacement dwelling
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**LOCAL MEMBER:** Councillor Huw O. Williams

**OFFICER RECOMMENDATION IS TO REFUSE**

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**Request for DEFERRAL**  
The applicant's agent has requested that consideration of the application be deferred to allow sufficient time to gather information in reply to CPAT's objection/comments to the proposal.

<b>ITEM No 9</b> Page 97	Code no. 43/2017/0541  Location 1 Linden Close, Prestatyn  Proposal Alterations and extension to dwelling
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**LOCAL MEMBERS:** Councillors Anton Sampson and Julian Thompson Hill (C)

**OFFICER RECOMMENDATION IS TO GRANT**

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**ADDITIONAL PLAN**  
Members are referred to the YELLOW sheet which illustrates the revisions to the detailing of the screens to be erected around the balcony, to reduce the potential for overlooking. This arrangement is in accordance with the requirements of condition 3 of the recommendation. It shows the proposed 1.7m high screens projecting from the dwelling on both sides of the balcony would be 'returned' for 1 metre in length across the balcony (i.e. across its north west facing elevation).

<p><b>ITEM No 10</b> Page 117</p>	<p>Code no. 45/2017/0335</p> <p>Location 21 Stanley Park Avenue, Rhyl</p> <p>Proposal Development of 0.05 ha of land by the erection of 1 no. dwelling (outline application including access, layout and scale)</p>
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**LOCAL MEMBERS:** Councillors Brian Blakeley, Brian Jones (C) and Cheryl Williams

**OFFICER RECOMMENDATION IS TO GRANT**

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**LATE CORRESPONDENCE**

Email from applicant's agent

The agent has read the two representations noted as 'In Objection' in the report, and asks that it be drawn to members' attention that these are not actually worded as objections, as they express support for the erection of a bungalow, but raise 'concerns' over the wall on the site, fencing erected and land ownership matters.

<p><b>ITEM No 11</b> Page 133</p>	<p>Code no. 45/2017/0575</p> <p>Location 8/9 Market Street, Rhyl</p> <p>Proposal Change of use of No. 9 (Class A1 retail shop) to class A2 financial and professional services with ancillary accommodation at the rear of No 8, and change of use of remainder of No.8 (Class A2 financial and professional services) to A1 retail shop.</p> <p>Note - This is a revised description which accords with what is specified on the application forms</p>
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**LOCAL MEMBERS:** Councillors Alan James (C) and Joan Butterfield

**OFFICER RECOMMENDATION IS TO GRANT**

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**OFFICER NOTES**

The Ward name referred to at the head of the report should be Rhyl West, not Rhyl Central.

Members' attention is drawn to the revised description of the application which clarifies that the proposal is to introduce an A1 use into No.8 Market Street. Condition 3 as drafted in the report is intended to further address the concerns voiced by the Town Council over the loss of an A1 use in this location, by preventing the take up of the A2 use in No. 9 until the cessation of the existing A2 use in No. 8.



## **SPECIAL REPORTS**

### **ITEM 12**

#### **PLANNING APPEALS UPDATE** ( Page 145)

An information report providing feedback on planning appeal decisions received since September 2016.

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