

# Agenda Annex

## PLANNING COMMITTEE

Date - 12<sup>th</sup> September, 2018

### 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. 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
3. URGENT MATTERS AS AGREED BY THE CHAIR
4. MINUTES
5. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT  
(Item numbers 5 – 10)

#### ORDER OF APPLICATIONS

##### PART 1

Item No.	Application no.	Location	Page
6	21/2018/0166	12, Bryn Artro Avenue, Llanferres, Mold	31
5	01/2018/0607	Cae Topyn off Old Ruthin Road, Ffordd Eglwyswen, Denbigh	17
7	21/2018/0293	16, Rectory Lane, Llanferres, Mold	51
8	43/2018/0328	1-5, Parc Dyffryn Industrial Estate, Prestatyn	69
9	43/2018/0439	45, Beach Road West, Prestatyn	79
10	43/2018/0522	Four Winds Farm Caravan Site, Ffordd Ffynnon, Prestatyn	93

# PUBLIC SPEAKER ITEM

**ITEM No. 6**  
Page 31

**Code no.** 21/2018/0166

**Location :** 12, Bryn Artro Avenue, Llanferres, Mold

**Proposal :** Erection of single storey rear extension

**LOCAL MEMBERS:** Councillor Martyn Holland

**OFFICER RECOMMENDATION IS TO GRANT**

**PUBLIC SPEAKERS: Against – Mr Bob Barton**  
**For – Mrs Sally Harris**

---

## **LATE REPRESENTATIONS**

B. Barton, Glan Alyn, Llanferres Road, Llanarmon yn ial

Summary:

Welcomes the removal of the chimney, but main objections remain unchanged.

Draws attention to typographical errors in the report and requests these be corrected (see Officer notes below).

Expresses concerns at the differences between the diagram produced in the report for the April meeting and the one in the current report illustrating the 45 degree guide, and asks for precise measurements of the distances between no 12 and no 14, and the position of windows in No 14.

## **ADDENDUM REPORT**

The application was subject to a Site Inspection Panel meeting at 10.00am on Friday September 7th 2018.

In attendance were:

CHAIR – Councillor Joseph Welch

VICE CHAIR – Councillor Alan James

LOCAL MEMBER – Councillor Martyn Holland

COMMUNITY COUNCIL – Not represented

The Officer present was Ian Weaver (Development Management)

The reason for calling the site panel was to allow opportunity to consider the impact of the proposed extension on the neighbouring properties.

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

1. The details of the application for the erection of a ground floor rear extension to the existing dwelling.
2. Representations on the application
3. The relevant planning policies and guidance applicable to householder extensions
4. The relationship with neighbouring dwellings and issues arising in relation to the application

Continued.....

In relation to the matters outlined :

1. The Officer outlined the proposals which involved an extension projecting out from the rear elevation, running across the width of the existing dwelling; a 'lean to' roof with rooflights, a new kitchen window in the gable wall of the existing dwelling, and a new utility room door in approximately the same position as an existing window in the other gable wall. Members were advised the original scheme had been revised to clarify the respective location of neighbouring dwellings and more recently by way of the removal of a flue intended to serve a wood burning stove within the extension.
2. The site panel was informed of the basis of comments received on the application, including from the Community Council and private individuals. These included concerns over the impact of the proposed extension on the neighbouring properties in terms of loss of light, overshadowing and overbearing impact, overdevelopment, the design of the extension and loss of garden space.
3. The Officer advised on the applicable Development Plan policies and guidance contained in the Residential Development SPG.
4. In the course of the site panel meeting, Members noted the relative position of the existing dwelling and those neighbouring it, the proposed extent and dimensions of the proposed extension, with particular regard to the relationship with Nos.10 and 14 and relevant site features including the location and detailing of boundary fences and trees / shrubs. Factual questions were asked in relation to the proposals and the application of policy and guidance.

#### OFFICER NOTES

In relation to the late representations:

Page 41

- The section headed 'Summary of Resubmission' (half way down the page) should read 'Comments on resubmission'. The following paragraphs are a summary of representations on the revised application.
- In the section in italics headed '*Impact on residential amenity of neighbours*', there is reference to 'At least 26% of the side of the proposed extension would be visible from centre point of neighbouring properties'. The final word should be 'property', as the comment relates to the impact on No.14.

The plan in the report illustrating the 45 degree guide is based on the revised site plan provided by the applicant's agent, which Officers consider contains an accurate representation of the respective positions of the dwellings either side of the application site. The position of windows in neighbouring dwellings is taken from observation on site and is considered sufficiently accurate to allow a reasonable interpretation of the 45 degree guide.

## OTHER ITEMS

**ITEM No. 5**  
Page 17

**Code no.** 01/2018/0607

**Location :** Cae Topyn off Old Ruthin Road, Ffordd Eglwyswen, Denbigh

**Proposal :** Details of the scheme for the disposal of foul and surface water, sustainable drainage principles and provision of subsequent management and maintenance arrangements submitted in accordance with condition 8 of planning permission code 01/2016/0374/PF

**LOCAL MEMBERS:** Councillors Mark Young (c ) and Rhys Thomas

**OFFICER RECOMMENDATION IS TO APPROVE**

-----  
**No late information**

**ITEM No. 7**  
Page 51

**Code no.** 21/2018/0293

**Location :** 16, Rectory Lane, Llanferres, Mold

**Proposal :** Demolition of porch and erection of an attached garage (amended scheme)

**LOCAL MEMBERS:** Councillor Martyn Holland

**OFFICER RECOMMENDATION IS TO GRANT**

-----  
LATE REPRESENTATIONS

From B. Barton, Glan Alyn, Llanferres Road, Llanarmon yn ial

Summary:

Highway safety concerns

If approved, proposals would leave a very dangerous access and egress to no 18. Concur with comments of Community Council and the objector. Officer suggestion that the objector could adapt the area to the front of the dwelling to manoeuvre into the drive is unbelievable and reinforces concerns on the amenities of No.18.

Proposal conflicts with criteria vii) of LDP Policy RD 1 - Sustainable Development and Good Standard Design. The access and parking for no 18 are neither Sustainable nor Good Design.

**OFFICER NOTES**

For clarification:

The application form indicates the proposal is for permission for an extension to the dwelling, and makes no reference to the works involved in the associated reduction of ground levels, the erection of a retaining wall between nos.16 and 18, or associated alterations to the driveway /access arrangements.

Officers have checked the situation here and would advise that that the erection of the retaining wall and its associated revisions to the access arrangements would in themselves be 'permitted development' (not requiring the permission of the local planning authority). They could be carried out regardless of the decision on this planning application.

However, whilst bearing this in mind as a 'fallback' situation, Officers take the view that as the retaining wall and ground levelling works are necessary to enable the construction of the garage and its subsequent use, then they should be considered to be an integral part of the application and subject to due assessment as part of the determination of the application.

Notwithstanding the above, the Officer recommendation remains as in the report that the proposals are reasonable and should be approved.

**ITEM No. 8**  
Page 69

**Code no.** 43/2018/0328

**Location :** 1- 5, Parc Dyffryn Industrial Estate, Prestatyn

**Proposal :** Construction of new surface level car park and associated works

**LOCAL MEMBERS:** Councillors Hugh Irving and Tina Jones (c )

**OFFICER RECOMMENDATION IS TO GRANT**

-----

### **LATE REPRESENTATIONS**

**Late response from the agent in relation to the representations on the application:**

**In relation to:**

**Vehicular Traffic**

It cannot be disputed that Gas Works Lane is busy during certain times of the day, especially on market days, however any new vehicles accessing Gas Works Lane as a result of the new car park will be contained within the gated parking area. The proposed store will be open between 7am and 10pm Monday to Saturday and for six hours between 10am and 5pm on Sundays. These opening times ensure that the majority of staff trips will fall outside of the busiest periods on Gas Works Lane.

Minimum vehicular visibility splays can't be achieved from the access; but as the access is controlled by a locked bollard (which it is proposed will be relocated further to the left of the access), approaching vehicles would have to stop on the approach to the car park access from both directions ensuring that vehicle speeds within the vicinity of the car park are low.

**Pedestrian Traffic**

There is nothing contained within the proposals that would place any additional risk to pedestrians being able to use the highway safely. A review of the most recent 5 year accident history data has been undertaken based on information found on the Crashmap website. This confirms that no vehicular or pedestrian accidents have been recorded during the last five years on Gas Works Lane.

In order to maintain pedestrian and vehicle visibility splays either side of the access, the proposal would include the provision of low level landscaping, which will be restricted to 600mm in height. This would allow anyone leaving the car park to see across the frontage of the site to check for pedestrian and vehicles leaving/arriving on Gas Works Lane before entering the highway.

**Lack of Parking**

Based on the size of the store it is envisaged the store will employ approximately 30 staff in both full and part time roles. However, given the nature of the development, shift patterns and size of the store and confirmation from Lidl on their operational policy, it is likely that only 6-8 staff members will be on site at any one time. Although unlikely, should every member of staff drive to this site this provision enables enough space within the car park for every member of staff on shift at any one time to utilise a parking space. A Travel Plan will also be implemented at the store from opening which will encourage a reduction in single occupancy car trips and encouraging alternative sustainable travel modes with the aim of reducing the numbers of staff who drive.

**Insufficient turning circle into car park entrance**

A plan showing a large car accessing and egressing from the proposed car park access has been submitted and accepted by the Highway Officer which provides evidence that that there will not be an issue in this location. All vehicles will be able to enter and exit the site in forward gear.

**No Pavement provision**

It is claimed that there is no pavement on Gas Works Lane within two of the objections. However, a circa.1m wide footpath is provided opposite the site curtilage for pedestrians and terminates at to the end of the Worthington and Jones Ltd building. The footpath is then reinstated approximately 10m further down the northern side of Gas Works Lane which gradually increases to circa.2m in width after the H&B Joinery building and continues for the length of Gas Works Lane.

Continued.....

**Car park gates**

Controlled access to the staff car park is proposed by using lockable gates. Removing the gates would not be advisable and would encourage non-Lidl staff to utilise the parking area.

The entrance also provides a revised access route for Wales & West to service the gas governor. This is deemed as advantageous to the residential property adjacent to the car park as access would no longer be required directly next to their property and further away from the cottage in case of an out of hours call out.

**ITEM No. 9**  
Page 79

**Code no.** 43/2018/0439

**Location :** 45 Beach Road West, Prestatyn

**Proposal :** Demolition of existing garage and change of use of domestic curtilage to accommodate a static caravan for use as a holiday let

**LOCAL MEMBERS:** Councillors Rachel Flynn, Tony Flynn and Paul Penlington

**OFFICER RECOMMENDATION IS TO REFUSE**

-----  
**ADDENDUM REPORT**

The application was subject to a Site Inspection Panel meeting at 8.30am on the 7<sup>th</sup> September 2018.

In attendance were:

CHAIR – Councillor Joseph Welch

VICE CHAIR – Councillor Alan James

LOCAL MEMBER – Councillor Tony Flynn

The Officers present were Paul Mead and Emer O’Connor

The reason for calling the site panel was to assess the impact of the development on the area and to consider the flood risk issue.

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

1. The detailing of the proposed development.
2. The location of the proposal in relation to nearby development and site features.
3. Representations received on the application.

In relation to the matters outlined:

1. Members were shown the detailed plans of the proposals to subdivide the residential site to accommodate the proposed caravan. It was explained that the application was to change the use of part of the curtilage of no. 45 Beach Road West to accommodate a caravan for use as a holiday let.
2. Members noted the location of adjacent residential and tourism development. Discussion took place in relation to the use of the caravan and the fallback position of siting a caravan within the curtilage for use ancillary to the dwelling only.

Continued.....

3. The Planning Officer outlined the basis of representations received on the application, including the concerns of Natural Resources Wales on flooding grounds.
4. The local Member pointed out that the Ffrith Beach Caravan site is located in close proximity to Beach Road West where new a new camping development has been approved recently. Officers suggested that the application site was not comparable with the Ffrith as it is located entirely within a flood zone C1, it is not justified development in terms of the tests in TAN15, and a fully detailed Flood Consequences Assessment has not been submitted in support of the scheme.

<p><b>ITEM No. 10</b> Page 93</p>	<p><b>Code no.</b> 43/2018/0522</p> <p><b>Location :</b> Four Winds Farm Caravan Site, Ffordd Ffynnon, Prestatyn</p> <p><b>Proposal :</b> Removal of condition no. 3 of planning permission code no. 43/2018/0030 ('The site shall only be used for caravans on tour and no caravan shall stay on the site for any period longer than 21 days')</p>
<p><b>LOCAL MEMBERS:</b> Councillors Gareth Davies and Bob Murray (c)</p> <p><b>OFFICER RECOMMENDATION IS TO GRANT</b></p> <p>-----</p> <p><b>No late information</b></p>	

## SPECIAL REPORT

ITEM 11  
**INFORMATION REPORT – PLANNING APPEALS UPDATE**

Addendum report – separate document on WHITE paper containing a summary of two appeal decisions received following completion of the main report.

This page is intentionally left blank