

PLANNING COMMITTEE

Date - 17th July 2019

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 (Pages 11 - 14)
5. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT
(Item numbers 5 – 11)

ORDER OF APPLICATIONS

PART 1

	Application no.	Location	Page
Public Speaker items			
8	25/2018/1216	Bwlch Du, Nantglyn, Denbigh	77
9	25/2018/1217	Bwlch Du, Nantglyn, Denbigh	129
6	21/2019/0197	Tan Y Graig, Maeshafn, Mold	33
10	45/2019/0156	64 Brighton Road, Rhyl	161
Other items			

5	14/2019/0233	Llys Heulog, Cyffylliog, Ruthin	15
7	22/2014/0626	Peniarth, Gellifor, Ruthin	57
11	45/2019/0415	Land at Brookdale Road, Rhyl	193

PUBLIC SPEAKER ITEMS

Item No.8

Page 77

Code No. 25/2018/1216

Location : Bwlch Du, Nantglyn, Denbigh

Proposal : Alterations and rear extension to existing building, demolition of curtilage structure, erection of ancillary building, retention of log cabin (for temporary period), boundary fencing and gates, and provision of on-site parking and turning area

LOCAL MEMBER : Councillor Joseph Welch (c)

OFFICER RECOMMENDATION IS TO REFUSE

Public Speaker: For – Mr Peter Jones-Hughes

LATE REPRESENTATIONS

Committee Members will be aware of correspondence sent by the applicant's solicitors (email sent at 17.26pm, Monday July 15th). The document contains:

- a covering note from the solicitors, referring to attached Counsel advice on the issue of abandonment, and copies of documents referred to in that advice. The note requests the documents are considered in time for the meeting citing historic applications at both the application site and elsewhere. It also submits the Officer report fails to comply with statutory requirements in relation to considerations to be applied to listed buildings and their settings and a balancing of material considerations.
- An 11 page document containing legal Counsel advice on the validity or otherwise of the reasons for refusal numbered 1 and 4 in the officer report, dealing in detail with the lawful use of the property / abandonment issue. It concludes...'I do not consider the Property to ever have abandoned its residential use in planning terms and therefore neither the first nor the fourth reasons are grounds for refusing Application No. 25/2018/1216/PF.'
- A 37 page document containing the reference material referred to in the Counsel advice.

Having regard to the detailed contents of the late information, and its significance in relation to the application in front of the Committee, Officers would recommend, in fairness to all parties, that the most appropriate course of action here is to DEFER consideration of the Bwlch Du items. This would be to afford Officers a reasonable opportunity to review the submissions, to seek legal advice as necessary on the issues arising, and to revise, if necessary, the contents of the Officer reports on the items, for future presentation to Committee.

Item No.9
Page 129

Code No. 25/2018/1217

Location : Bwlch Du, Nantglyn, Denbigh

Proposal : Alterations and rear extension to existing building, and demolition of curtilage structure
(Listed Building application)

LOCAL MEMBER : Councillor Joseph Welch (c)

OFFICER RECOMMENDATION IS TO GRANT

Public Speaker: For - Mr Peter Jones-Hughes

LATE REPRESENTATIONS

See notes on previous application.

Item No.6
Page 33

Code No. 21/2019/0197

Location : Tan Y Graig, Maeshafn, Mold

Proposal : Erection of a replacement dwelling, detached garage and associated works

LOCAL MEMBER : Councillor Martyn Holland

OFFICER RECOMMENDATION IS TO REFUSE

Public Speaker: For – Bethan Smith

No late information

Item No.10
Page 161

Code No. 45/2019/0156

Location : 64, Brighton Road, Rhyl

Proposal : Change of use and alterations to former offices to form a 61 bed, 6 ward bespoke hospital

LOCAL MEMBERS : Councillors Barry Mellor and Tony Thomas (c)

OFFICER RECOMMENDATION IS TO REFUSE

Public Speaker: For – Mr John Horden (agent)

LATE REPRESENTATIONS

A petition containing 128 signatures has been received. This is headed 'Petition against the development of an independent mental health hospital on Brighton Road, Rhyl', and the text states ...'Please sign this petition to OBJECT to planning permission being given in relation to ...application 45/2019/0156.'

There are no land use planning grounds of objection referred to in the petition.

From the applicant's agent:

The agent has asked that attention be drawn to problems being encountered at the property from break-ins and vandalism, despite perimeter fencing and the site being made secure. It is appreciated that this does not have a direct bearing on the planning consultation process, but it is suggested that it would be in everyone's interest if the application can be brought to a favourable conclusion, to allow the project to proceed.

OFFICER NOTE

For clarification, the application is referred to Committee by the Development Manager having regard to the issues arising on the application.

OTHER ITEMS

Item No.5
Page 15

Code No. 14/2019/0233

Location : Llys Heulog, Cyffylliog, Ruthin

Proposal : Development of 0.48ha of land for residential purposes (outline application including access)

LOCAL MEMBER : Councillor Joseph Welch (c)

OFFICER RECOMMENDATION IS TO GRANT

OFFICER NOTES

Important correction to section 4.2.9 of the report, which deals with Open Space.

Paragraphs 4 and 5 in this section should be disregarded, as they do not relate to the application (they have been inadvertently copied from the report on Item 7 relating to an outline application in Gellifor).

The following paragraph should be inserted after the third paragraph in 4.2.9:

The relevant open space contribution can only be calculated when the final number of dwellings is known, hence officers suggest this matter is best covered by condition, if a permission is to be granted.

Item No.7

Page 57

Code No. 22/2014/0626

Location : Peniarth, Gellifor, Ruthin

Proposal : Development of 0.55ha of land for residential purposes and provision of school car parking area (outline application with all matters reserved)

LOCAL MEMBER : Councillor Huw O. Williams

OFFICER RECOMMENDATION IS TO GRANT

No late information

Item No.11

Page 193

Code No. 45/2019/0415

Location : Land at, Brookdale Road, Rhyl

Proposal : Application for Deed of Variation to remove Plot 5 from Section 106

Obligation relating to affordable housing provision in connection with planning permission

45/2006/0816/PF

LOCAL MEMBERS : Councillors Pete Prendergast (c) and Pat Jones

OFFICER RECOMMENDATION IS TO GRANT

No late information

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