

PLANNING COMMITTEE

Date – 13TH JULY 2022

ADDENDUM REPORT BY HEAD OF PLANNING, PUBLIC PROTECTION AND COUNTRYSIDE SERVICE

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 9 - 17)
5. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (Item numbers 5 – 10)
6. ADDITIONAL ITEMS (Items)

ORDER OF APPLICATIONS

PART 1

	Application no.	Location	Page
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PUBLIC SPEAKER ITEMS

Item No.5 - Page 19

Code No: 18/2021/1260/PF

Location: Land adjacent to Maes Llan, Llandyrnog, Denbigh

Proposal: Erection of 40 dwellings, construction of a new vehicular access, landscaping and associated works

LOCAL MEMBER: Cllr Merfyn Parry (c)

OFFICER RECOMMENDATION IS TO **GRANT**

Public Speaker Against – Emyr Morris (virtual attendance)

Public Speaker For – Helen Morgan (applicant) (attending in person)

ADDENDUM REPORT

The application was subject to a Site Inspection Panel meeting at 09:00 on Friday 8th July 2022.

In attendance were:

CHAIR – Cllr Mark Young

VICE CHAIR – Cllr Peter Scott

LOCAL MEMBER – Cllr Merfyn Parry

GROUP MEMBERS –

Conservative Group – represented by Cllr Terry Mendies

Green Group – no representative

Independent Group – represented by Cllr Merfyn Parry

Labour group – no representative

Plaid Cymru Group – no representative

LLANDYRNOG COMMUNITY COUNCIL – Cllr Gwen Butler

The Officers present were Paul Griffin (Development Management) and Mike Parker (Highway Officer)

The reason for calling the site panel was to allow opportunity to view the site and its context, to appreciate issues relating to highways infrastructure and the impact on adjacent residential dwellings and to consider drainage arrangements.

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

1. The basis of the application for the erection of 40 dwellings, site access and associated works and concerns raised by residents
2. The location of the proposed accesses and the existing accesses in the area.
3. The relationship of the proposed dwellings to the existing dwellings on Maes Llan.

4. Drainage proposals for the site.

In relation to the matters outlined:

1. Cllr Parry, as local Member, explained the reasons for calling the site panel meeting. The development proposals, which involved the construction of the new accesses, the erection of 40 dwellings including 4 affordable semi-detached dwellings were outlined. In addition detailed concerns raised in the community in relation to the access arrangements, impact on neighbouring dwellings, public right of way and drainage arrangements were also explained. The previous planning permission on the site for 40 dwellings was also referred to.
2. The site panel inspected the road frontage along the development site and the position of the proposed accesses. The Highway Officer informed members of the considerations taken into account when making his recommendations and showed members the scope of the visibility splays achievable. Members also observed the location of the proposed new 30mph zone signs.
3. Members walked the boundary of the development site where it abuts existing dwellings on Maes Llan. Members considered the distance between the proposed dwellings and the existing dwellings, in particular the closest points between 13 and 14 Maes Llan and plot 37 of the proposal. Officers advised what the recommended separation distance should be in this type of situation (side to rear) as set out in adopted Planning Guidance.
4. Members asked for clarification over how the surface water would be dealt with. Officers advised that it would be dealt with through separate legislation which is required to be completed prior to works starting on site. The location of the attenuation area/basin was observed and the design considered.

Late representations received:

Llandyrnog Community Council:

“Road Safety - The number of dwellings facing Llangwyfan Road has been reduced from nine on the original proposal to eight however the number of parking increased to 24 only one of the properties has the facility to turn around within the boundary of the property thus the community council’s view has not changed on road safety issues

The community council are also curious as to why in 2010 the owner of 18 Maes Llan application 18/2010/0103 when the said application was made for a vehicular access onto the same road was asked to ensure that there was a turning space within the boundary of his home ‘ in the interest of free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access’ Number 18 is literally next door to this site and yet here there will be potentially twenty four vehicles accessing the main road potentially in reverse.

If DCC were mindful of granting this permission the community council would like the County Council to consider requesting the developer to enter into a S278 agreement re off site highway improvements ensuring there is a safe passage to the village via drop kerbs etc – the report prepared by the

Highways officer seems to imply that the proposal is in line with RD1 which clearly it is not – there is no safe way to access the bus stop across the road or clear path down to the village hence the need to take a step back and look in more detail at the surrounding area. The report states that there will be an improved link with the bus stop which has not been demonstrated in detail.

There are also concerns about the increased amount of traffic which will be expected to travel through a very congested village and the impact on the junction between Gladstone Terrace junction and the B5429 – buses already have to do three point turns on that junction – the community council feel that the Highways Report has been too focused on the site itself and has not considered in much detail the impact of the additional traffic on the village as a whole – the CC do not agree that the proposal complies with criteria Vii of Policy RD1 as stated in the Highways report

A point was made on the earlier consultation that no provision had been made for wheelie bin storage – although the number of dwellings has been reduced to eight there will still potentially be twenty four bins on the pavement at any one time

Mix – although the matter has been addressed partly it is in clear contradiction to the Council's own policy BSC 1 – it does not meet the needs of the community in terms of bungalows which would give the opportunity of owners of larger houses to downsize and create some fluidity in the local housing market Policy BSC 1 - Growth Strategy for Denbighshire New housing within the County will be required to meet the needs of local communities and to meet projected population changes. In order to meet these needs the Local Development Plan makes provision for approximately 7,500 new homes to 2021. Developers will be expected to provide a range of house sizes, types and tenure to reflect local need and demand and the results of the Local Housing Market Assessment. It is not felt that the proposal meet the needs of the local community.

Surface water discharge – although the applicant's Engineer has put forward a proposal at the time of the CC meeting on the 28th there was very limited response from DCC Officers or NRW only that the SuDS will be the submitted and approved prior to commencement on site – it has not been demonstrated that site attenuation could not be achieved without the need for lagoons or swales which will be a long term maintenance burden and possibly a health and safety issue – maybe oversized pipes and attenuation crates could be used instead

Although there has been reference to improving the surface of Path 1 from the site towards the village there are no details of what is proposed- will lighting be provided for example?

Conclusion – the community council are unable to support the application in it's current form.

Local representations:-

1.G. Connell, Afallon, Llandyrnog

Summary of response received:-

- Note the mix has changed but still biased towards larger homes; there have been no changes to access arrangements off Llangwyfan Road; the drainage principles have not changed; the concerns of the local residents have not been taken on board.

2.Emyr Morris, Penisa'r Waen, Llandyrnog

Summary of response received:-

- Whilst the number of houses facing the Llangwyfan Road have reduced from 9 to 8 it has in fact increased not decreased the number of cars that could potentially be reversing in and out from their driveways directly onto the road; any vehicles that could potentially park on the roadway next to the

pavement would obscure the visibility to such an extent that it would make it extremely dangerous for road users, walkers and cyclists.

- No attempt has been made to plan for the disposal of the surface water on site through an attenuation crates system which would negate the requirement to connect to a culvert

- Improvement in the overall mix of house types and number of bedrooms but there is a lack of provision for disabled, those with limited mobility and those requiring ground floor living in later years.

- The road access points to the development is still a concern - whether from the Kinmel Roundabout of up Gladstone Terrace. The lack of pavement and the narrow width of the access routes make it difficult for other road users, particularly buses, agricultural vehicles and walkers.

3. Rachel Davies, 14 Maes Llan, Llandyrnog

Summary of response received:-

Highways/Access

Access points on the Llangwyfan Road reduced to 8 houses but now represent 22 entry points – an increase of 3 and whilst one property now has a turning point included from the plan provided it looks an unworkable addition.

The Highway concerns in terms of the increased traffic through a narrow element of Gladstone Terrace that has no pavement and already creates a massive problem for people with mobility issues especially those using mobility scooters, wheelchairs or any form of mobility aid and particularly our elderly population that live in the nearby Nant Glyd Estate. The recent Highway Department report goes no way to address these issues and concerns and is not acceptable that this is being ignored.

Housing mix

Despite some effort in the most recent application amendment to provide more two bedroom properties there are no provisions for bungalows as was being proposed in the outline planning application; this negates the inclusivity of disabled, those with mobility issues or even those who may require to downsize to a more convenient style of property but still stay in the village.

Disposal of surface water from the development

It is proposed that an attenuation pond be created and a discharge from that into a culvert located in a main road which is then piped into a stream known as Nant Seimon, a tributary to the River Clwyd. The culvert was created to alleviate road flooding and to this day this is not always successful. Adding more water flow into this will only exasperate the problem.

Right to Light and Right to privacy

The site plan lacks measurement detail but seems to show in particular plots 31 and 37 are 'very' close to the boundary which is shared with number 13 and 14 Maes Llan and number 15 and 16 to a slightly lesser extent. Concerns that it would be overpowering for both of these houses due to distance, height and levels and would also impact on privacy.

Officer Notes

Access/highway, drainage and housing mix are all matters that have been considered within the main Officer report.

In relation to the concerns over privacy and measurements on the submitted site layout plan, the measurements are set out below and have been measured at the closest points:-

From rear of 18 Maes Llan to side of plot 1 (housetype 3 - no side windows) - 18.1 m

The rear of 17 Maes Llan faces the rear garden of plot 1, the distance to the garden boundary is 15m

From rear of 16 Maes Llan to side gable of plot 31 (housetype 15 - non habitable/side landing window) - 18m

From rear of 15 Maes Llan to side gable of plot 31 (housetype 15 - non habitable/side landing window) - 17.4 m

From rear of 14 Maes Llan to side gable of plot 37 (housetype 15 - non habitable/side landing window) - 12.4 m

Rear of 13 Maes Llan to side gable of plot 37 (housetype 15 - non habitable/side landing window) - 12m

In a rear to side elevation situation with no windows, SPG guidance suggests there should be a minimum distance of 15m between those elevations.

House type 3 at proposed plot 1 has no side window and exceeds 15m to the nearest existing properties (17 and 18 Maes Llan).

Housetype 15 at plots 31 and 37 has a side window within the gable facing 13,14, 15 and 16 Maes Llan. The window proposed would serve a landing (non-habitable room).

The distance of plot 31 to 15 and 16 Maes Llan exceeds 15m.

The distances of proposed plot 37 to 13 and 14 Maes Llan ranges from 12 to 12.4m. This is below the 15m guidance. However, in this case Officers consider this to be acceptable given the positioning of the property on plot 37. The full gable elevation of the proposed property at plot 37 would not be located immediately behind 13 or 14 Maes Llan but half way between the 2 and therefore not considered to be overbearing on either property.

Additional Information

Officers are aware of e-mails from Rachel Davies of 14 Maes Llan, Llandyrnog sent to Tony Ward (Head of Highways, Facilities and Environmental Services) dated 23rd March, 2022 and 8th July, 2022 concerning highway matters.

Officer Notes

Highway Officers were aware of the email dated 23rd March, 2022 before formally responding and the comments have therefore been considered and included within the Officer report.

The subsequent email dated 8th July, 2022 specifically quotes the Highway Officers response and questions the highway assessment of the proposal.

Additional Information

Members will also be aware of an email dated 4th July 2022 which was sent to all members of Planning Committee from Rachel Davies of 14, Maes Llan, Llandyrnog. The content of the email, which was also submitted as a formal representation on the planning application has been summarised above.

Item No.6 - Page 71

Code No: 45/2021/1248/PF

Location: The Coastal Frontage at Rhyl Golf Club, Rhyl Coast Road, Rhyl

Proposal: Development of 5 Ha of land to form Coastal Defence scheme comprising of the formation of flood embankments, ramps, outfall structures and rock armour including landscaping, habitat enhancements, works to existing culverts and associated works ('Central Prestatyn Coastal Defence Scheme')

LOCAL MEMBERS: Cllr Barry Mellor
Cllr Justine Evans

OFFICER RECOMMENDATION IS TO **GRANT**

Public Speaker For - Tony Ward (applicant)

Additional Information –

Officer Note –

Members are advised that the separation distances between the proposed embankment and nearest dwellings have been incorrectly stated in the residential amenity section of Committee report (Section 4.2.3).

The separation distances are actually greater than stated in the report, and therefore the conclusions of impact on residential remain valid, as impact on neighbours would actually be less as a result of greater separation distances:

Correct separation distance should read as follows:

Distance between the nearest residential property, 61 Green Lanes, and the embankment at the closest point:

To the property boundary:

- c. 12m from the base of the embankment
- c. 20m from the crest of the embankment

To the property front elevation:

- c. 19m from the base of the embankment
- c. 27m from the crest of the embankment

Distance between the nearest residential property, 49 Green Lanes, and the ramped section over the eastern section of the embankment:

To the property boundary:

- c. 42m from the start of the ramped section at the base of the embankment
- c. 117m from the ramped section at the crest of the embankment

To the property front elevation:

- c. 50m from the start of the ramped section at the base of the embankment
- c. 125m from the ramped section at the crest of the embankment

Officers also note there were minor errors in the drawing numbers stated for six of the plans listed in condition 2. For accuracy, Officers propose to amend the following criteria in condition 2 to read as follows:

- (ii) General Arrangement (Drawing No. CP-JBA-01-00-DR-C-2001 Rev P08) - Received 9 June 2022
- (iv) Site Plan 1 Sheet 1 of 8 (Drawing No. CP-JBA-01-00-DR-C-2101 Rev P09) - Received 9 June 2022
- (v) Site Plan 2 Sheet 2 of 8 (Drawing No. CP-JBA-01-00-DR-C-2102 Rev P08) - Received 9 June 2022
- (vii) Site Plan 4 Sheet 4 of 8 (Drawing No. CP-JBA-01-00-DR-C-2104 Rev P08) - Received 9 June 2022
- (x) Site Plan 7 Sheet 7 of 8 (Drawing No. CP-JBA-01-00-DR-C-2107 Rev P07) - Received 9 February 2022
- (xi) Site Plan 8 Sheet 8 of 8 (Drawing No. CP-JBA-01-00-DR-C-2108 Rev P08) - Received 9 June 2022

Item No.8 - Page 155

Code No: 45/2022/0271/PF

Location: Central Rhyl Coastal Defences Scheme, Rhyl

Proposal: Construction of coastal protection scheme, incorporating; new sea wall, repair works and engineering operations including scour protection to existing sea wall. Installing new concrete step revetments. Raising and widening of promenade including new and amended accesses, landscaping and associated works. Ecological mitigation and access works at Barkby Beach

LOCAL MEMBERS: Cllr Joan Butterfield & Cllr Alan James (c) (Rhyl West)
Cllr Justine Evans & Cllr Barry Mellor (Rhyl East)

OFFICER RECOMMENDATION IS TO **GRANT**

Public Speaker Against – Nick Laister (attending virtually)

Public Speaker For - Tony Ward (applicant)

Late representations received:

Laister Planning Ltd on behalf of the SeaQuarium of Rhyl Limited

Summary of response received:

Summary of SeaQuarium's position on the application is as follows:

1. SeaQuarium supports the principle of the proposed development of the flood defences and its long-term ambitions for the protection of Rhyl.
2. The application as currently submitted, with a lack of appropriate understanding of potential impacts resulting from the construction phase and any appropriate mitigation measures, would result in significant adverse impacts on the health and well-being (including actual physical harm) of the animals at the SeaQuarium site. This is not acceptable both from ethical, moral and business standpoints.
3. The consequences of approving the application as currently proposed, which in light of a lack of appropriate assessment to demonstrate otherwise, would be to the significant detriment SeaQuarium's animals' and the intrinsically linked success of the business. The potentially catastrophic impacts on the future viability of the prominent SeaQuarium visitor attraction business would have wider impacts for the area, including the significant role that SeaQuarium plays in both Rhyl's tourism offering and the local economy.
4. The proposed development as currently submitted is contrary to the policies of the Development Plan, the starting point for decision making process, and contrary to the Council's long-term visions and strategy for the regeneration of Rhyl. However, with further assessment and constructive engagement it is considered that such policy conflict could be overcome, with the development of an appropriate mitigation strategy.
5. The issue of the potential impacts on SeaQuarium, its animals and the business are fundamental to the consideration of the acceptability, or otherwise, of the application and too significant an issue to be left for future consideration as part of any subsequent approval of conditions application.

Officer Note –

None

Item No. 9 - Page 225

Code No: 46/2021/1161/PF

Location: Land off Upper Denbigh Road St. Asaph

Proposal: Erection of 113 dwellings, construction of a new vehicular access, landscaping and associated works

LOCAL MEMBERS: Cllr Martyn Hogg

OFFICER RECOMMENDATION IS TO **GRANT**

Public Speaker For - Stuart Andrew (applicant) (attending in person)

ADDENDUM REPORT:

The application was subject to a Site Inspection Panel meeting at 10.00am on Friday 8th JULY 2022.

In attendance were:

CHAIR – Councillor Mark Young

VICE CHAIR – Councillor Peter Scott

LOCAL MEMBER – Councillor Martyn Hogg

GROUP MEMBERS –

Conservative Group – represented by Councillor Peter Scott and Councillor James Elson

Labour group – no representative

Plaid Cymru Group – no representative

Green Party Group – represented by Councillor Martyn Hogg

Independent Group – represented by Councillor Mark Young

ST. ASAPH. CITY COUNCIL – represented by Vice Chair and Local Member

The Officers present were Denise Shaw (Development Management) and Mike Parker (Highways Development Control).

The reason for calling the site panel was to allow opportunity to view the site and its context, and to appreciate issues relating to highways infrastructure and drainage.

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

1. The basis of the application for the erection of 113 dwellings, site access and associated works.
2. The nature of representations received on the application.
3. The proposed access arrangements, and surrounding highway infrastructure.
4. The proposed drainage arrangements for the site.
5. Ecological and landscaping features, including trees and hedgerow.
6. Other matters

In relation to the matters outlined:

1. The Officers outlined the proposals which involved the construction of the new access and the erection of 113 dwellings (including 11 affordable units). Members considered the site layout and the access.
2. Members referred to objections received from the City Council and members of the public, in particular with regards to the need for the development, highways, drainage and ecology and Officers outlined how such concerns have been addressed.
3. Members viewed the site and the proposed access arrangements. The Highway Officer explained the design of the access and the proposed improvements to the public highway

required in association with the development, including a right turning lane, new crossings and passing place along the minor lane to the south. Discussion also considered options to create a public footpath within the site, set behind the hedgerow. Highways Officers confirmed works to the public highway can be secured through a combination of planning conditions and the Section 278 highway agreement.

4. The Highway Officer outlined the SUDS approval process for surface water drainage and explained how Highway and Drainage Officers work together on secondary highways and SUDs consents. Officers explained the proposed drainage arrangements, including an onsite attenuation pond. Members noted the applicant is also offering to make improvements to road drainage further along the lane. Officers explained that, as this being offered by the applicant to improve existing surface water flooding issues, not to mitigate harm caused by the development, it cannot be conditioned, but it can be provided through the separate SUDs approval process.

5. Members observed the presence of existing trees and hedgerow onsite and Officers identified the 3 trees and sections of hedgerow that are proposed for removal. Members asked for clarification on the landscape buffer to the rear of St. Kentigerns hospice; Officers identified its location and confirmed it would not be accessible to the public, and would be maintained as a buffer to protect the amenity of the hospice. Officers confirmed new planting and landscaping is proposed within the site and conditions have been proposed to ensure trees and hedgerows are retained.

6. Members asked for clarification over affordable housing provision. Officers confirmed 11 onsite affordable units are being provided, and confirmed they can be secured by legal agreement. Members also asked for clarification on public open space; Officers explained informal open space and a children's play area have been provided, and a legal agreement can secure financial contributions towards the residual shortfall.

Late representations received:
Natural Resources Wales (NRW)

Summary of response received:

NRW consider the further bat and Great Crested Newt (GCN) surveys are satisfactory, but should be listed as approved documents.

NRW note they had raised concerns with regards to GCN post construction monitoring in previous response, dated 19/04/2022, however this has not been addressed. Therefore, NRW advise that the following conditions should be attached if planning permission is granted:

Following Great Crested Newt conditions to be imposed:

Condition 1: Prior to the occupation or operation of the development or phase of development, a long-term monitoring plan for GCN shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken.
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- Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required.
- Timescales for submission of monitoring reports to the LPA e.g. annually.
- Details of any necessary contingency and remedial actions and timescales for actions.
- Details confirming that the contingency and remedial actions have been carried out (Ecological Compliance Audit).

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason: A GCN long-term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on GCN.

Condition 2: No development or phase of development, including site clearance, with the potential to impact on GCN, shall commence until a pre-construction GCN survey has been carried out for the development or phase of development. If the survey confirms the presence of GCN the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

Reason: To ensure the potential presence of GCN is confirmed prior to construction and where necessary remedial measures are implemented for their protection.

Officer Note –

In response to NRW's final re-consultation response, Officers would note the protected species survey reports are already listed as documents to be subject of the approval in proposed condition number 2, and other conditions have been imposed to ensure compliance with the recommendations of the protected species reports.

Officers would proposed the following conditions should also be attached to the decision should planning permission be granted:

19. No development, including site clearance, with the potential to impact on Great Crested Newts shall commence until a pre-construction Great Crested Newt survey has been carried out for the development or phase of development. If the survey confirms the presence of Great Crested Newt, the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be carried out in accordance with the approved details.

Reason 19: In the interests of protecting the favourable conservation status of protected species.

20: Prior to the first occupation of the development hereby approved, a long-term monitoring plan for Great Crested Newts shall be submitted to, and approved in writing by the Local Planning Authority. The long-term monitoring plan shall include:

- a) Details of the methods and triggers for action to be undertaken.
 - b) Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required.
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- c) Timescales for submission of monitoring reports to the Local Planning Authority.
- d) Details of any necessary contingency and remedial actions and timescales for actions.
- e) Details confirming that the contingency and remedial actions have been carried out (Ecological Compliance Audit).

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason 20: In the interest of protecting the favourable conservation status of protected species in the long term.

Highways Officers have also requested proposed condition 4 is amended to specifically refer to junction improvements.

Officers therefore suggest condition 4 is amended as follows:

PRE-COMMENCEMENT DEVELOPMENT

4. Prior to the commencement of the development, the detailed means of traffic calming, upgrading of existing street lighting, extension of existing 30mph zone, footway/active travel links and crossings, passing places, junction improvements and associated highway works (including the timing of the implementation of the approved works) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall proceed in accordance with such approved details.

Reason 4: In the interest of the free and safe movement and traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.

Additional background information

For members information, whilst surface water drainage would be dealt with through the separate SUDs Approval Body (SAB) process, the applicant has notified the SAB Officers that revised SAB details will be submitted to include off-site land drainage works.

Item No. 10 - Page 287

Code No: 47/2022/0239/PF

Location: Bodlonfa Lodge, Rhualt, St. Asaph

Proposal: Erection of extension and alterations to dwelling

LOCAL MEMBERS: Cllr Chris Evans (c)

OFFICER RECOMMENDATION IS TO **GRANT**

Public Speaker Against – Alexandra Clay (attending virtually)

Public Speaker For – Eva Walters (applicant) (attending virtually)

Late representations:

TREMEICHION, CWM & WAEN COMMUNITY COUNCIL

RESOLVED: The Council has no objection to this application with the proviso that the concerns about 'overlooking' are addressed

OTHER ITEMS

Item No.7 - Page 143

Code No: 45/2022/0226/PS

Location: Early Learners Day Nursery, 13 Dyserth Road, Rhyl

Proposal: Variation of Condition 2 of planning permission 45/2010/0171/PF to read no more than 43 children shall be accommodated at the Children's day nursery at any one time

LOCAL MEMBER: Cllr Diane King
Cllr Pete Prendergast (c)

OFFICER RECOMMENDATION IS TO **GRANT**

ADDENDUM REPORT:

The application was subject to a Site Inspection Panel meeting at 11.00am on Friday 8th JULY 2022.

In attendance were:

CHAIR – Councillor Mark Young

VICE CHAIR – Councillor Peter Scott

LOCAL MEMBER – Councillor Pete Prendergast and Councillor Diane King

GROUP MEMBERS –

Conservative Group – represented by Councillor Peter Scott

Labour group – represented by Councillor Peter Scott

Plaid Cymru Group – no representative

Green Party Group – no representative

Independent Group – represented by Councillor Mark Young

RHYL TOWN COUNCIL – no representative

The Officers present were Emer O'Connor (Development Management) and Mike Parker (Highways Development Control).

The reason for calling the site panel was to allow opportunity to view the site and its context, and to appreciate issues relating to highways safety.

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

1. The basis of the application to vary the planning condition relating to occupancy numbers on the site.
 2. The nature of the Town Councils concerns with the application.
-

3. The access arrangements and surrounding highway infrastructure.

In relation to the matters outlined:

1. The Officer outlined the proposal which involved an increase in child occupancy numbers at the nursery from 26 to 43 children at any one time. The reason a control on occupancy numbers was imposed was due to the potential impacts on highway safety.

2. Members were referred to the objection received from the Town Council regarding highways safety. Members were advised that the site has been in operation since the 1980's as a nursery. The use was expanded in 2010, when the planning condition restricting the child numbers to 26 was imposed. The Highways Officer was not aware of any complaints or concerns relating to highway safety matters since the expansion. Furthermore monitoring has been undertaken recently at the site the results of which showed no significant highways safety issues.

3. Members viewed the site from Grosvenor Road and Dyserth Road, discussed the nature of the use and dropping/off picking up scenarios, and the existing access and parking arrangements.

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