

PLANNING COMMITTEE

Date – 9th OCTOBER 2024

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

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 (pages 7 - 8)
3. URGENT MATTERS AS AGREED BY THE CHAIR
4. MINUTES (Pages 9 – 14)
5. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT (Items 5 - 9)
6. INFORMATION REPORT (Item 10)

ORDER OF APPLICATIONS

PART 1

	Application no.	Location	Page
Public speaker items			
8	43/2024/1086/PS	LAND AT MIDNANT FARM, GRONANT ROAD, PRESTATYN	103
5	02/2024/1010/PF	OLD CHAPEL, RHOS STREET, RUTHIN	15
Non-Speaker Items			
6	21/2021/1157/PF	CAMP ALYN, TAFARN Y GELYN, LLANFERRES	43
7	41/2024/0115/PF	THE WARREN, BODFARI, DENBIGH	81

9	46/2024/1200/PF	GREEN GATES, CWTTIR LANE, ST ASAPH	157
10	INFORMATION REPORT	DENBIGHSHIRE COUNTY COUNCIL LOCAL DEVELOPMENT PLAN 2006-2021: ANNUAL MONITORING REPORT 2024	191

PUBLIC SPEAKER ITEMS

Item No.8 – Page 103

Code No. 15/2023/0029/PS

Location: Land at Midnant Farm, Gronant Road, Prestatyn

Proposal: Variation of condition no. 2 of planning permission code no. 43/2023/0071 to vary the list of approved plans to include amendments to house types and layout.

LOCAL MEMBER: Councillor Ellen Heaton
Councillor Andrea Myatt-Tomlin (C)

OFFICER RECOMMENDATION: TO GRANT

PUBLIC SPEAKER FOR – Stuart Andrew (applicant)

Addendum Report –

The application was subject to a Site Inspection Panel meeting at 09:45 on Wednesday 2nd October 2024.

In attendance were:

CHAIR – Councillor Mark Young

VICE CHAIR – Councillor Alan James

LOCAL MEMBER – Councillor Andrea Myatt- Tomlin and Councillor Elen Heaton

GROUP MEMBERS –

Conservative Group – None

Green Group – None

Independent Group – represented by Councillor Andrea Myatt- Tomlin

Labour Group – represented by Councillor Alan James

Plaid Cymru Group – None

COMMUNITY COUNCIL – None

The Officer present was Sarah Stubbs (Development Management).

The reason for calling the site panel was to allow opportunity to view the nature of the surrounding area, to consider the layout of the proposed amendments and to observe the relationship to neighbouring properties.

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

1. The basis of the revised application for the erection of 45 dwellings with full planning permission and the reason why a revised application has been submitted.
2. Representations received on the application.
3. The site in relation to the surrounding area and the amended siting and design of the dwellings.
4. The physical condition of the site.

In relation to the matters outlined:

1. The Officer described the consented scheme and outlined the proposed changes sought to the development, highlighting the siting and design of the proposed dwellings.
2. The Officer explained that concerns had been raised by some local residents regarding the relationship of the new dwellings proposed by the revised layout.
3. Members observed the distances of the proposed dwellings to neighbouring properties and noted SPG guidance.
4. Members observed the condition of the site. With the consent of the landowner (Bodnant Estates) the previous tenant farmer has demolished some agricultural buildings on the site.

Health & Safety concerns were raised as there are several piles of rubble, sharp metal, exposed electric cables etc and with no site security present to prevent public access to the site it is potentially dangerous.

Whilst demolition does constitute 'development', in this case the demolition works that have taken place are by the previous tenant farmer with permission from the landowner responsible for the site. The demolition works have not taken place by the applicant (Castle Green) with the intention of implementing the planning permission and therefore Officers are not of the view that the planning permission has commenced.

An additional condition is suggested (Condition 27 below) to ensure the site is secured, services disconnected and the site cleared in order to make it safe.

Late representations –

Shirley Sheen, 6 Rhodfa Celyn, Prestatyn.

Concerns regarding the revised layout and location of new dwellings to the rear of no 6 regarding the loss of the rear view, overlooking and light.

Additional Information – None

Officer Note –

Following receipt of an additional local objection: -

In relation to the impact of the revised layout on the dwellings on Rhodfa Celyn.

The approved scheme shows a detached dwelling with its side gable end facing the rear of Rhodfa Celyn, located within approximately 2m of the boundary.

The revised layout shows a terrace of properties orientated with a back to back relationship with Rhodfa Celyn and the proposed dwellings have been set back 12 to 13m away from the boundary, achieving the 21m minimum standard.

It is acknowledged that the re-siting and positioning of the dwellings in this location results in a different relationship, with a back to back relationship and a bedroom window sited on the rear elevation of the new properties. However, giving consideration to the distances in between the properties which achieve minimum SPG standards, the extent of overlooking/loss of privacy and light would not be significant.

An additional condition is considered necessary relating to the need to submit details of the design, materials and heights of boundary fencing and the requirement to plant some additional landscaping along this boundary. There are also existing conifer trees in this area of the site that have not been maintained for many years, however existing residents may not want complete removal. It is therefore suggested that the additional condition includes the rear boundary with Rhodfa Celyn and side boundary with no 13 and 15 Ffordd Onnen which would allow consultation to take place with the relevant local residents. (Condition 26 suggested below)

Amended/ additional conditions –

Amended condition

2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:

Plans

- (i) House Types Pack received 16 September 2024
- (ii) Location plan (Drawing No. GRPR-LP,01) received 16 September 2024
- (iii) Proposed site plan (Drawing No. GRON-PRS-SP01 Rev. N) received 17 September 2024
- (iv) Topographic and GPR Survey (Drawing No. B481-02) received 2 February 2023
- (v) Landscape Layout (Drawing No. 4169 101 Rev L) received 23 September 2024
- (vi) Planting Plan 1 of 3 (Drawing No. 4169 201 Rev K) received 23 September 2024
- (vii) Planting Plan 2 of 3 (Drawing No. 4169 202 Rev J) received 23 September 2024
- (viii) Planting Plan 3 of 3 (Drawing No. 4169 203 Rev K) received 23 September 2024
- (ix) Boundary Treatment Plan (Drawing No. GRON-PRS-BTP01 Rev. D) received 2 February 2023
- (x) Screen Fencing, 1.8m, Standard Effect (Drawing No. SD-700) received 2 February 2023
- (xi) Gate Within Screen Fence, 1.8m High (Drawing No. SD-701) received 2 February 2023
- (xii) Free Standing Brick Walls, 215mm Wide (Drawing No. SD-709) received 2 February 2023
- (xiii) Proposed Site Access Arrangement Plan (SCP/220361/D 01 Rev C) received 6 June 2023
- (xiv) Site Section Plan (plot 21 to 15 Ffordd Onnen (GRON – PRS – SEC01 Revision A) Received 17 September 2024

Drainage

- (i) Flood Consequences Assessment and Drainage Strategy (Coopers ref: 8007_FCA updated June 2024) received 12 June 2024
- (ii) Foul Calculations (8007 N1 FW01) received 2 February 2023

- (iii) Surface Water Calculations (8007 N1 SW01) received 2 February 2023
- (iv) Drainage Strategy Plan (Drawing No. 8007-SK03 Rev D) received 25 September 2024
- (v) Highway Long sections (Drawing No. 8007-SK04 Rev C) received 25 September 2024
- (vi) Castle Green letter to DCWW with proposed site plan (Ref CGH/MFP/SWTS dated 25/9/2023) re: Existing drainage status and farmhouse roof surface area calculation for reduction in net increase Received 26 September 2023
- (vii) Site Section plan – plot 21 to 15 Ffordd Onnen Received 24 September 2024

Documents

- (i) Planning, Design and Access Statement (Grimster Planning dated December 2022) received 2 February 2023
- (ii) Pre-Application Consultation Report (Grimster Planning dated January 2023) received 2 February 2023
- (iii) Arboricultural Impact Assessment (AIA) (Amenity Tree Version 8) received 3 September 2024
- (iv) Preliminary Ecological Appraisal and Daytime Building Inspection for Bats (Ascerta Ref P.1715.22 Dated August 2024) received 3 September 2024
- (v) Transport Statement (SCP Ref: CT/220361/TS/05 dated June 2024 revised Sept 2024) received 23 September 2024
- (vi) Desktop Study Report (Coopers Chartered Consulting Engineers dated 12 May 2023) received 15 May 2023
- (vii) Market Demand Report (Grimster Planning dated March 2023) received 6 June 2023
- (viii) Noise Impact Assessment (Hepworth Acoustics Report Ref P23-178/R02v1 dated May 2023) received 17 May 2023
- (ix) Arboricultural Method Statement (Ascerta Ref P. 1715.23.02 Rev C) received 3 October 2024
- (x) Nocturnal Surveys for Bats (Ascerta Ref P.1715.22 dated July 2023) received 19 July 2023
- (xi) Nocturnal Surveys for Bats (Ascerta Ref P.1715.22 Revision A dated 23rd August 2023) received 24 August 2023

ADDITIONAL CONDITION

Condition 26

No development shall be permitted to commence above slab level on the dwellings at plots 21, 22, 23 and 24 until the written approval of the Local Planning Authority has been obtained to details of the design, height and materials of the boundary fencing along with the soft landscaping details along the rear boundary of the site with Rhodfa Celyn and side boundary of the site with 13 and 15 Ffordd Onnen.

The approved details shall be implemented in full prior to the occupation of any of the dwellings and thereafter retained as such.

Reason: In the interests of visual and residential amenity

Condition 27

Within 1 month from the date of this decision the site shall be cleared, the relevant services disconnected and the site made safe and secure in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented in full prior to the commencement of any development in connection with the planning permission.

Reason: In the interest of visual and residential amenity

Item No.5 – Page 15

Code No. 02/2024/1010/PF

Location: Old Chapel, Rhos Street, Ruthin

Proposal: Change of use of part of depot to café, installation of access ramp and associated works

LOCAL MEMBERS: Councillor Bobby Feeley
Councillor Huw Hilditch-Roberts (C)
Councillor Emrys Wynne

OFFICER RECOMMENDATION: TO GRANT

PUBLIC SPEAKER FOR – Christine Howartson (applicant)

PUBLIC SPEAKER AGAINST – None

Late representations – None

Additional Information – None

Officer Note – None

Amended/ additional conditions – None.

Non-Speaker Items

Item No.6 – Page 43

Code No. 21/2021/1157/PF

Location: Camp Alyn, Tafarn Y Gelyn, Llanferres

Proposal: Erection of 4 no. timber framed holiday units and associated works

LOCAL MEMBERS: Councillor Huw Williams

OFFICER RECOMMENDATION: TO GRANT

Late representations – Mrs and Mrs Fernyhough, Bryn Bowlio, Llanferres

“My wife and I have several objections to this proposal:

There will be no on-site supervision on this development we believe that this contravenes the Health and Safety at Work Act as BBQ’s could be left unattended and cause fires, accidents could happen, and no-one would be present to help

Parking on the road could cause problems if the clients have visitors as the road is used by ourselves & local farmers with tractors & trailers

The access to the road is at best precarious and is used constantly by people who are unfamiliar with these types of lanes going up to Moel Fammau and the Donkey Centre

No-one will be supervision the noise level day or night and alcohol could be involved

We are very concerned that any problems will lead to the general public thinking that the facility is part of Bryn Bowlio Caravan Park as part of the entrance is on the same piece of land,

Also that people using the facility will come to us with any problems they have or start using our facilities if they have any problems with theirs and no-one is on site to take care of them.”

Additional Information – None

Officer Note – With regard to the late representations received, Officers consider that matters relating to disturbance and conduct of visitors fall outside of the control of the planning department – they are matters that can be controlled through site management and statutory nuisance legislation. With regard to the highway implications Officers consider that the main report covers the highway impact.

Amended/ additional conditions – None.

Item No.7 – Page 81

Code No. 41/2024/0115/ PF

Location: The Warren, Bodfari, Denbigh

Proposal: Erection of a rural enterprise dwelling, installation of a septic tank and associated works – AGREEMENT OF PLANNING CONDITIONS TO BE IMPOSED ON THE PERMISSION.

LOCAL MEMBERS: Councillor Robert Chris Evans (C)

OFFICER RECOMMENDATION: That Members agree to impose the suggested planning conditions detailed in the Officer’s report.

Late representations – None

Additional Information – None

Officer Note – None

Amended/ additional conditions – None.

Item No.9 – Page 157

Code No. 46/2024/1200/PF

Location: Green Gates, Cwttir Lane, St. Asaph

Proposal: Demolition of existing buildings, change of use of land from agricultural land to a new nature reserve and habitat creation comprising of the restoration of existing ponds, the creation of new ponds, the creation of a wetland area adjacent to two small watercourses and creation of woodland and grassland habitat areas, construction of a permissive pathway and engineering works to create a raised viewing area together with associated works.

LOCAL MEMBERS: Councillor Peter Scott

OFFICER RECOMMENDATION: TO GRANT

Late representations –

RE-CONSULTATION RESPONSE

WELSH GOVERNMENT HIGHWAYS (TRUNK ROAD)

Welsh Government as highway authority for the A55 trunk road withdraws its present holding direction and hereby directs that any permission granted by your authority shall include the following condition:

The applicant is required to submit a method statement detailing the proposed form of screening and traffic management to facilitate the demolition of buildings within the proximity of the A55 trunk road, to minimise any disruption to the free flow of trunk road traffic.

The method statement shall be to the satisfaction of the Highway Authority and shall be submitted prior to the commencement of any demolition works.

Additional Information – None

Officer Note – None

Amended/ additional conditions –

9. Prior to the commencement of development, a method statement detailing the proposed form of screening and traffic management to facilitate the demolition of buildings within the proximity of the A55 trunk road, shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority. The method statement shall demonstrate how any disruption to the free flow of trunk road traffic resulting from works associated with the demolition of the buildings will be minimised. The development shall only proceed in accordance with those details as approved.

Reason: To maintain the safety and free flow of trunk road traffic.

INFORMATION REPORT:

Item No.10 – Page 191

Code No. N/A

Location: N/A

Proposal: Denbighshire Local Development Plan 2006 – 2021: Annual Monitoring Report 2024

OFFICER RECOMMENDATION: That Members note the content of the Annual Monitoring Report 2024

Additional Information – None

Officer Note – None

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