

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 7 - 22)
5. APPLICATIONS FOR PERMISSION FOR DEVELOPMENT
(Item numbers 5 - 7)

ORDER OF APPLICATIONS

PART 1

	Application no.	Location	Page
Public Speaker items			
7	40/2021/0309/PF	Plot C7 St Asaph Business Park St Asaph	97
Items without Public Speakers			
5	20/2021/0637/PS	Land At Clover Bank Llanfair Dyffryn Clwyd Ruthin	23
6	22/2021/0754/PF	Land Adjacent to Glasfryn Gellifor Ruthin	59
Other Items			
8	N/A	AWEL Y MOR OFFSHORE WINDFARM – NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT	143

9	N/A	DENBIGHSHIRE LOCAL DEVELOPMENT PLAN 2006-2021 – ANNUAL MONITORING REPORT 2021	171
Late item	47/2020/0593 *Update*	Former Rhyl Rugby Club, Waen Road, Rhuddlan, Rhyl.	N/A

PUBLIC SPEAKER ITEMS

Item No.7 - Page 97

Code No. 40/2021/0309/PF

Location: Plot C7 St Asaph Business Park St Asaph

Proposal: Erection of a 198 bed Registered Care Home (Use Class C2), landscaping, parking facilities and associated works (Resubmission)

LOCAL MEMBERS: Cllr Richard Mainon

OFFICER RECOMMENDATION IS TO **GRANT**

Public Speaker: Against – None

Public Speaker: For – Mr Dylan Southern (Applicant)

ADDENDUM REPORT:

Late Information From Applicant

The applicant has submitted a “Technical Note” in response to the Strategic Planning and Housing Team assessment of the planning application.

The applicant has also submitted a “Committee Late Representations for applicant” note which responds to the conclusions set out in the main Committee Report.

The late representations from the applicant state that, to address issues of internal noise, the proposal is to install non-opening windows (i.e. blank glazing units with no mechanisms to be opened) in all residential rooms. This, it is felt, has not been addressed in the Committee Report.

The agent representing the applicant considers requiring non openable windows to be installed in all residential rooms and the installation of a mechanical ventilation system to control cooling, warming and ventilation would address the issue of noise and can be controlled adequately by planning conditions which would meet the tests set out in the Conditions Circular.

The agent also states that clients for the Care Facility will typically be aged 80 and over, with varying levels of dependency and limited mobility. The agent also makes reference to the late representation made by the neighbouring TRB facility.

The late information from the applicant states that residents would not be able to leave the site unaccompanied due to their care needs and the proposal is put forward as a standalone facility with its own onsite ancillary facilities and outdoor amenity space. This, it is considered, would meet the amenity and well-being needs of residents.

LATE REPRESENTATIONS:

Representations received from:

Phil Riley, Deputy General Manager, TRB Ltd, 1 TRB Drive, St Asaph Business Park.

Summary of representations made:

The late representation has been submitted to clarify previous comments made on this application by TRB Ltd.

One of the concerns raised by TRB Ltd was in relation to the construction of a roundabout to the nearby road which feeds the logistic park to TRB Ltd. The applicant has contacted TRB to discuss this and satisfied their previous concerns.

For clarification, TRB Ltd operate from 08.30am to 4.48pm Monday to Friday shift.

There are approximately 10 to 15 HGV trucks per week loading and unloading goods at the park.

They do anticipate an evening shift to run until 22.43pm Monday – Friday, but any HGV traffic would be limited to the normal day shift.

TRB Ltd also wish to bring to the Council's attention that TRB employees who intend on working the evening shift raised concerns over their safety when leaving the premises late in the evening. Whilst TRB Ltd intend on investing in more lighting and security cameras to deal with this having increased activity created by the development proposed will help towards making our employees feel safer.

TRB Ltd have advised their proposed shift pattern will be:

Shift 1 – 06:00 – 14:18

Shift 2 – 08:30 – 16:48

Shift 3 – 14:25 – 22:43

Any HGV traffic will be limited to Shift 2 only.

OFFICER NOTES:

Officers consider the issues raised in applicants "Technical Note" have not raised any new material considerations which aren't already been covered in the main report.

In terms of installing non-openable windows in all residential care home bedrooms, Officers would note this had not been set out as mitigation in the submitted Noise Assessment Report supporting the application. Officers do, however, acknowledge that this suggestion was set out within the submitted Planning Supporting Statement and should have been mentioned in the main Officer report.

Whilst the proposal is put forward as a facility to provide specialist re-enablement and nursing home care for mainly people of 80 years of age and older, Officers would stress the application is for an unrestricted C2 use class. This would encompass a range of uses including residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. As such, within a C2 use class residential bedrooms could provide accommodation for different types of residents on a long term basis.

Officers remain of the view that not being able to open windows in residential bedrooms due to exposure to adverse levels of noise would not provide a satisfactory standard or amenity.

Officers would propose the suggested reason for refusal in the main report is amended as follows:

1. It is the opinion of the Local Planning Authority that, owing to the location of the site in close physical proximity to a major trunk road and an existing B2 Use Class facility, both of which would generate noise and general disturbance, the levels of amenity enjoyed by future residents of a Class C2 Residential Care Facility would be unacceptable. The noise mitigation proposed, which is to install non-openable windows in all habitable rooms and to rely upon mechanical ventilation for heating, cooling and ventilation, is also considered to result in an unsatisfactory standard of amenity of future care home occupants. The care home proposed is therefore considered to be an incompatible use in this location, in conflict with the advice and guidance contained in the Development Management Manual paragraph 9.4.3, Policy 6 of Future Wales: The National Plan 2040, Sections 5.4.15, 6.7.2, 6.7.3, 6.7.19 and 6.7.20 of Planning Policy Wales (Edition 11, February 2021) and Technical Advice Note (TAN) 11: Noise (1997)

ITEMS WITHOUT PUBLIC SPEAKERS

Item No.5 - Page 23

Code No. 20/2021/0637/PS

Location: Land At Clover Bank Llanfair Dyffryn Clwyd Ruthin

Proposal: Variation of condition 2 of planning permission code 20/2018/0448 to vary the list of approved plans to allow amended design and access details.

LOCAL MEMBERS: Cllr Hugh Evans

OFFICER RECOMMENDATION IS TO **GRANT**

LATE REPRESENTATIONS: None

OFFICER NOTES: None

Item No.6 - Page 59

Code No. 22/2021/0754/PF

Location: Land Adjacent to Glasfryn, Gellifor, Ruthin

Proposal: Erection of 1 no. detached dwelling, construction of a new vehicular access and associated works

LOCAL MEMBERS: Cllr Huw O Williams

OFFICER RECOMMENDATION IS TO **GRANT**

LATE REPRESENTATIONS: None.

OFFICER NOTES: None.

OTHER ITEMS

Item No.8 - Page 143

AWEL Y MOR OFFSHORE WINDFARM – NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT

RESPONSE TO STATUTORY PRE-APPLICATION CONSULTATION

LATE REPRESENTATIONS:

N/A

OFFICER NOTES:

The following documents which relate Item 8 have been attached to the agenda on the Committee pages of the website in advance of the Committee meeting:

- APPENDIX 3 - The draft Council's formal response to the statutory pre-application consultation;
 - APPENDIX 4 - The independent landscape consultant's review of the Seascape, Landscape and Visual Impact Assessment (SLVIA), which has been carried out on behalf of the seven North Wales local planning authorities;
 - APPENDIX 5 - Presentation slides which show the proposed plans for onshore works;
 - APPENDIX 6 - A copy of the developer's public consultation leaflet which outlines the proposed windfarm and onshore works.
-

LATE REPRESENTATIONS:

N/A

OFFICER NOTES: None

Late Item

Member Update on application 47/2020/0593

Proposal: Development of land to form holiday park including the conversion of existing clubhouse to form reception building, erection of new clubhouse building, bunkhouse building, 7 holiday pod accommodation units, 23 two bedroom holiday lodges, 7 three bedroom lodges and 7 four bedroom lodges. Works to existing access, formation of internal pathways, 2 wildlife ponds, parking, landscaping and associated works.

Location: Former Rhyl Rugby Club, Waen Road, Rhuddlan, Rhyl.

LATE REPRESENTATIONS:

N/A

OFFICER NOTES:

Members will recall that the above planning application was deferred by Planning Committee to allow time for the Welsh Ministers to consider whether to call the application in for determination by Ministers.

This is an informative to notify members of Welsh Government's decision to call-in the planning application above for determination by Welsh Ministers. The application therefore has now been referred to Welsh Ministers who will now be responsible for determining the application and the Council has sent copies of the application documents to Welsh Government.

At this time, Officers are waiting for the Welsh Government to determine if the application is to be determined through the Written Representations process, or through a Hearing.
