

Report to	Planning Committee
Date of meeting	15 th December 2021
Lead Member / Officer	Emlyn Jones, Head of Planning, Public Protection and Countryside Services
Report author	Denise Shaw
Title	Application No: 47/2020/0593. 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. Former Rhyl Rugby Club, Waen Road, Rhuddlan.

1. What is the report about?

- 1.1. This report relates to a planning application which has been called-in for determination by Welsh Ministers prior to Planning Committee making a formal resolution on the application.

2. What is the reason for making this report?

- 2.1. As the application has not previously been debated at Committee, this report seeks a resolution from the Planning Committee on the content of the Council's Statement of Case.

3. What are the Recommendations?

Resolution sought.

3.1. Members are requested to take a vote on the following options and to make a resolution on the content of the Council's Statement of Case:

- A) Resolve to support the Grant of planning permission in accordance with previous Officer recommendations set out in the Committee Report presented to the April Committee, and use the Committee Report as the basis for the Council's Statement of Case.
- B) Resolve to support the Refusal of planning permission. Members are advised that grounds for supporting the refusal of planning permission, contrary to Officer recommendations would need to be clearly stated to inform the Council's Statement of Case.

3.2. The Committee Report presented to the April Committee Report is attached as APPENDIX 1 to this report, and the April Committee 'Late Sheets' Report is attached as APPENDIX 2.

4. Report details

Background information

- 4.1. Members will recall planning application ref: 47/2020/0593 was originally referred to the April Planning Committee, held on the 14 April 2021. The Officer recommendation was to grant planning permission, subject to the imposition of conditions and a legal agreement being entered into to secure contributions towards sustainable modes of transport.
- 4.2. On the 13 April 2021 Welsh Ministers issued an Article 18 Direction following a request to call in the application. The Article 18 Direction directed the Council to not grant planning permission for application, to enable time for Ministers to consider whether or not the application should be referred to the Welsh Ministers for their determination.
- 4.3. The Article 18 Direction was included on the April Planning Committee 'Late Sheets' Report.

- 4.4. At the April Planning Committee, Members resolved to defer the application to a future meeting once Welsh Ministers had made a decision on the call-in request.
- 4.5. On 24 September 2021, Welsh Government issued a call-in decision letter advising the Minister for Climate Change directs that the planning application should be determined by the Welsh Ministers. A copy of the call-in decision letter is attached as APPENDIX 3 to this report.
- 4.6. The Council has now formally referred the application to Welsh Ministers, and it will be considered following the same procedure as a called-in planning appeal, meaning a Planning Inspector will be appointed to assess the application and make a recommendation to Ministers, but it will be for Welsh Ministers to make the final decision.
- 4.7. Welsh Government has yet to confirm the procedure to be followed (i.e. Written Representations, Hearing or Inquiry), however the Council will be invited to submit a Statement of Case.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. Not applicable

6. What will it cost and how will it affect other services?

- 6.1. Officer time will be required to draft the Statement of Case.
- 6.2. Should the call-in appeal proceed by way of a Hearing or Inquiry, Officers and / or Members would be required to attend sessions and site visits.
- 6.3. Consultancy services may also be required to defend the Council's position.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development

(or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

- 7.2. The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

8. What consultations have been carried out with Scrutiny and others?

- 8.1. The planning application was consulted upon in accordance with statutory duties set out in the planning legislation.

9. Chief Finance Officer Statement

- 9.1. Not applicable.

10. What risks are there and is there anything we can do to reduce them?

- 10.1. The Statement of Case provides the Council the opportunity of bringing to the attention of Welsh Ministers key issues and planning considerations. Failure to submit a Statement of Case may present a missed opportunity for the Council to bring to key issues and planning considerations to the attention of Welsh Ministers.

11. Power to make the decision

- 11.1. In accordance with Part 2 of the Council's Scheme of Delegation, the planning application required referral to Planning Committee for formal determination.

- 11.2. Accordingly, as the planning application was not formally determined by the Council, the content of the Council's Statement of Case requires a resolution of Planning Committee.