

MINUTES OF DEBATE ON APPLICATION NO. 45/2021/0516/ PF - KYNSAL HOUSE, VALE ROAD, RHYL

An application was submitted for the change of use of land and ancillary buildings to form residential Traveller site for 6 caravans, with existing dwelling Kynsal House retained for owners / managers accommodation; including formation of internal pathways and parking, landscaping and associated works at Kynsal House, Vale Road, Rhyl.

Public Speaker –

Mr Scott Drummond (**Against**) confirmed the concerns he wished to put forward were regarding the site uses. He provided objections on behalf of some residents local to the site including the proposed plan did not offer suitable turning space for large vehicles. The plan was an over intensification of the site. Access to and from the site from Vale Road is and would be a danger to existing businesses and pedestrians. He stressed in his opinion that the change of use of the land to form residential gypsy and traveller site, in close proximity to existing residential properties would give rise to the potential for increased activity on site. Which was in conflict with the criteria within the Local Development Plan policy BSC10 which required proposals for sites not to be detrimental to the amenity of occupiers of adjacent properties. It was his opinion that the size and location of the site proposed, the size of caravans proposed and including car parking and nearby buildings would have an adverse impact on the health and wellbeing of the occupants. The same considerations that would be expected to be considered should an applicant submit an application for a building on the plot. He informed members the application should be a retrospective application as two static caravans had been on site since 2019, with no planning permission. He also raised the removal of trees, shrubbery and hedges had taken place and a dropped curb installed all without planning permission. Since 2019 when the development was first established, no attempt to engage with the immediate community had taken place, with any concerns or engagement by local residents ignored or challenged by the occupants. He informed members some local residents had experienced anti-social behaviour, including noise and light pollution. It was felt that the many vehicles and noise produced at the site were from business activities and not purely residential.——

General Debate – The Chair informed members a site visit had taken place at the site on Friday 4th March. Councillor Christine Marston had been in attendance at the site visit. Councillor Marston concluded the visit had been to establish the setting and character of the area, the proximity of the neighbours and the access at the site and neighbouring properties.

Councillor Pete Prendergast (Local Member) urged planning committee members to object to the planning application. He stated since 2019 all hedging and shrubbery had been removed and a drop curb installed to gain access to the site, two static caravans had been installed on the land and all done without any planning permission from the authority. He confirmed the vehicular access off Knowlsley Avenue had been blocked up by fencing but the dropped kerb remained. He informed the committee that to date all local businesses and residents had all been subject to anti-social behaviour and had raised concerns about light and noise pollution. Councillor Pete Prendergast proposed the application be refused against officer recommendations for the following reasons, the siting of six static caravans and the occupied house on the site would be over intensification of the site. The proposed layout of the site did not conform with model 2008 standards for adequate turning space to accommodate large vehicles such as ambulances and fire engines. Access to the site, via Vale Road would be dangerous to both traffic and pedestrians. A change in use of this site in close proximity to residential buildings would give rise for the potential for increased disturbance and activity in the area which was in conflict of the criteria 5 of the LDP Policy number BSC10.

Councillor Prendergast further raised policies he felt relevant to the objection of the application, including Policy RO5 the Welsh language and the social and cultural fabric of communities, Policy BSC 3, Securing Infrastructure contributions from the development, Policy BSC 11, Recreation and Open Space, Policy VOE 5, Conservation of Natural Resources, Policy ASA3 Parking Standards and TAN 11 Noise 1997 and TAN 12 design 2016. He reminded members the application had been fully opposed by Rhyl Town Council. Councillor Ellie Chard Seconded the proposal to refuse the application.

Local member Councillor Pat Jones confirmed that the local residents and businesses in the area had experienced, obstructions and noise issues since 2019. Councillor Jones echoed the thoughts of Councillor Prendergast.

Councillor Ellie Chard asked if the proposal was successful would residents have to pay a higher rate of council tax.

Councillor Joan Butterfield stated she was in full agreement with the ward members and the reasons for the object against the application. She confirmed the hedgerow had been removed and had reduced the quality of life at the area. It was confirmed the site was close to the town centre and would be detrimental to the residents.

Councillor Christine Marston, confirmed at the site visit the attendees walked the plot, and informed members the applicant had planted trees at the rear of the site. Councillor Marston asked if lighting at the site could be controlled with a condition if granted.

In response to the questions and comments raised the Development Control Manager (DCM) confirmed that all the information requested had been provided for members. The DCM provided further information on the application stating an amended report had been submitted during the application process. The model standards for the siting of caravans had been met. Communication with the fire officer at the place and the fire officer had no objections with the spacing at the proposed site. He confirmed that the proposal met the requirements of the proposal.

Concerns raised on unacceptable noise and disturbance at the site had been raised by members the DCM had been advised of concerns noted from North Wales Police. It was also confirmed that no reported noise complaints from the public had been received.

The applicant was fully accepting and willing to comply with the authority's policies in relation to operation of the site. The DCM stressed that no objections had been received from any local businesses. It had only been residential concerns that had been raised. The DCM confirmed that if the proposal was successful the residents at the site would be required to pay any costs incurred. Conditions could be imposed to soften the impact of the development via a landscaping and lighting scheme.

Councillor Brian Jones asked if a previous application for a change of use of the land had been refused in the recent planning history. The application presented to committee was within the development boundaries and the use of the land for housing was acceptable.

Councillor Joan Butterfield suggested three conditions be imposed on the application if the proposal was successful. Butterfield listed them as follows:

Proper and adequate housing for gas bottles; electric cables are put into housing and correct and protected gas pipes that had been installed was re installed at the site.

In response to the proposed conditions suggested by Councillor Butterfield the DCM directed members to consider the conditions already suggested for the application. It was the opinion of the DCM that the conditions suggested had been considered and the conditions for the application detailed within the report.

The DCM suggested if the application was successful officers would confirm with the local members that the conditions had been agreed. The DCM would bring the amended conditions back to committee to agree.

It was highlighted that the application was for a private application for 6 pitches to meet a need for the site. A study had been established to assess the need for Gypsy and Traveller needs.

Proposal – Councillor Pete Prendergast proposed, seconded by Councillor Ellie Chard that the application be refused against officer recommendation, for the following reasons, over intensification in the use of the site, concerns about the impact on highway safety with the access at Vale Road and concerns on unacceptable impact on neighbours by reason of increased noise and disturbance.

The DCM reminded members of a policy included in the Local Development Plan, around the provision of Gypsy and Traveller sites. The policy included a specific criterion was included in the policy, officers had consulted with a number of specialists and considered the criteria in the policy was met.

VOTE:

FOR – 2

AGAINST – 13

ABSTAIN – 2