

**REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION AND
COUNTRYSIDE SERVICES**

**Request for Member involvement at upcoming
Planning Appeal Hearing
45/2021/0516/ PF - KYNSAL HOUSE, VALE ROAD, RHYL**

1. PURPOSE OF REPORT

To seek the support and involvement of Member(s) in defending the Local Planning Authorities decision to refuse planning permission for the:

“Change of use of land and ancillary buildings to form residential Traveller site for 6 caravans, with the existing dwelling Kynsal House retained for owners / managers accommodation; including formation of internal pathways and parking, landscaping and associated works”

The appeal is to be held as an Informal Hearing, and will take place in Russel House in Rhyl, and scheduled to be held on 30th April 2024.

2. BACKGROUND

Planning permission was sought in 2022 for the:

“Change of use of land and ancillary buildings to form residential Traveller site for 6 caravans, with the existing dwelling Kynsal House retained for owners / managers accommodation; including formation of internal pathways and parking, landscaping and associated works”

Officers recommended to Planning Committee in March 2022 that planning permission should be granted for the above planning proposal. After a lengthy and full debate Members resolved to refuse planning permission against Officer recommendation. The refusal was proposed by the late Councillor Peter Prendergast and seconded by Councillor Ellie Chard. The reason for refusal was:

1. *It is the opinion of the Local Planning Authority that the change of use of land site would result in an over-intensification of the use of the site. The cumulative impact of the creation of a 6 pitch site residential Traveller site alongside the dwelling on the 0.2 ha site would represent an overintense form of development in*

close proximity to residential properties on Knowsley Avenue which would give rise to the potential for increased disturbance and activity in the area and resulting in a detrimental impact on the health and well being of residents. As such the proposal is considered to be in conflict with criterion vi) of policy RD 1 and criterion iv) of Policy BSC10 of the Local Development Plan Policy BSC10, which require proposals not to be detrimental to the amenity of the occupiers of adjacent properties.

2. It is the opinion of the Local Planning Authority that the proposal would formalise the increased use of an access onto Vale Road which is considered substandard. The use of the access for the scale and nature of the development proposed would result in a danger to pedestrians and road users on Vale Road contrary to criteria vii) and viii) of policy RD 1 of the Local Development Plan.

The vote was 13 to refuse planning permission, 2 to grant planning permission and 2 abstentions.

In preparing for the upcoming appeal, Officers have secured the services of a Planning Consultant (Mr Philip Garner) to lead the Council's case. To this end he has already prepared a Statement of Case which was agreed with the late Councillor Peter Prendergast, and local Member Councillor Dianne King. This statement has been submitted to PEDW.

Following the sad passing of Councillor Pete Prendergast, Officers are now asking for Members to nominate a member (or members) of planning committee to represent the Council at the planning appeal alongside the Planning Consultant.

A copy of the original Officer report is attached as Appendix A, a copy of the minutes of the meeting as Appendix B, and a copy of the decision to refuse is attached as Appendix C.

3. RECOMMENDATION

That Planning Committee nominate up to 2 Members to represent the Local Planning Authority, with relevant Officer support, at the forthcoming Planning Appeal. That those Members attend the appeal hearing and provide relevant input in the defence of the Planning Committee decision.