

At a **MEETING of the PLANNING COMMITTEE** held on Wednesday 5th June 2019 in the Council Chamber, Wellington Community Centre, Rhyl following the preceding meeting of Finance and General Purposes Committee.

PRESENT

Councillor Mrs W. Mullen James (Chair)

Councillors B. Blakeley, Mrs J. Butterfield JP MBE, Mrs J. Chamberlain-Jones, A. S. Johnson, K. R. Jones, Mrs P. M. Jones, Mrs D. L. King, B. Mellor, Ms V. Roberts, R. J. Turner and Miss C. L. Williams.

Mr G. J. Nickels – Town Clerk

Also in attendance:

Councillor T. Thomas

1. APOLOGIES

Apologies were submitted from Councillors J. Ball, Ms J. L. McAlpine, A. J. Rutherford and Miss S. L. Roberts.

2. PLANNING APPLICATIONS DETERMINED SINCE THE LAST MEETING

A schedule of applications determined since the last meeting on behalf of the Committee by the Town Clerk in consultation with the Chair and Vice-Chair was submitted for the information of Members.

RESOLVED that the schedule of applications determined below be noted

Note 1: The Local Planning Authority is advised that the Rhyl Town Council wish to state that where appropriate all applications listed below relating to locations such as offices, businesses, shops and supermarkets should be required to erect bilingual signage of equal prominence, reflecting the linguistic nature of the Rhyl area.

PLANNING APPLICATIONS SCHEDULE	
2.1	<p><u>RECONSULTATION</u></p> <p><u>SITE LOCATION:</u> 64 Brighton Road, Rhyl</p> <p><u>WARD:</u> Plastirion</p> <p><u>WARD CLLRS:</u> K.R. Jones T. Thomas</p> <p><u>APPLICATION No:</u> 45/2019/0156</p> <p><u>DESCRIPTION:</u> Change of use and alterations to former offices to form a 61 bed 6 ward bespoke hospital</p> <p><u>APPLICANTS :</u> Mr. Nadarajah Pragash, JPH Architects Ltd. Headlands Nursing Home, Tower Road, Llangollen</p>

	<p><u>DECISION:</u> <i>No objection - The Council is pleased to see that the facility will provide support to local people.* SEE BELOW</i></p>
2.2	<p><u>SITE LOCATION:</u> 26 Walnut Crescent, Rhyl</p> <p><u>WARD:</u> Tynewydd</p> <p><u>WARD CLLRS:</u> B. Blakeley B. Jones Miss C.L. Williams</p> <p><u>APPLICATION No:</u> 45/2019/0263</p> <p><u>DESCRIPTION:</u> Erection of a garden room</p> <p><u>APPLICANTS :</u> Mr. Stuart Iolan of the above address</p> <p><u>DECISION:</u> <i>No objection</i></p>
2.3	<p><u>SITE LOCATION:</u> 18 Grove Park Avenue, Rhyl</p> <p><u>WARD:</u> Brynhedydd</p> <p><u>WARD CLLRS:</u> B. Mellor R. Turner</p> <p><u>APPLICATION No:</u> 45/2019/0363</p> <p><u>DESCRIPTION:</u> Erection of extensions to dwelling</p> <p><u>APPLICANTS :</u> Mr. James Hughes of the above address</p> <p><u>DECISION:</u> <i>No objection</i></p>
2.4	<p><u>SITE LOCATION:</u> 44 Bedford Street, Rhyl</p> <p><u>WARD:</u> Bodfor</p> <p><u>WARD CLLRS:</u> Ms J. Hughes Ms J. McAlpine</p> <p><u>APPLICATION No:</u> 45/2019/0370</p> <p><u>DESCRIPTION:</u> Change of use from photographic studio to veterinary surgery; including replacement of windows to front, rebuilding of external rear store and internal alterations.</p> <p><u>APPLICANTS :</u> Mr. Kieren Barlow, RSPCA, of the above address</p> <p><u>DECISION:</u> <i>No objection</i></p>
2.5	<p><u>SITE LOCATION:</u> 76/78 High Street, Rhyl</p> <p><u>WARD:</u> Bodfor</p>

WARD CLLRS: Ms J. Hughes
Ms J. McAlpine

APPLICATION No: 45/2019/0416

DESCRIPTION: Change of use of part of betting office to adult amusement centre.

APPLICANTS : Mr. Mark Webber of the above address

DECISION: *Defer for further information relating to:*

- *Clarification as to the difference between a book makers and an Adult Gaming Centre*
- *Is the application necessary as it is reinstating the previous position?*
- *Are there any licensing requirements*
- *Sui Generis' is an odd term when the business appears to be Class A2?*

* In respect of application No. 45/2019/0156 the Chair advised the Committee that having viewed the responses via the Planning Portal of the North Wales Police, Betsi Cadwaladr University Health Board, Denbighshire County Council Strategic Housing, Planning and Public Protection Services and Denbighshire County Council 's Head of Community Support Services there appeared to be discrepancies between information contained within the application and the views of these consulted bodies.

The Chair advised that she considered that the Town Council's response had been based on the information provided by the applicant and if that information was now deemed to be potentially inaccurate or misleading then the Town Council should review its response.

In particular the comments of the above consulted bodies had raised questions over:

- Loss of land safeguarded for employment use B1 – B8 uses.
- The proposed use not falling within LDP Policy BSC 12 due to it being a bespoke facility rather than a community one
- The proposed development being dependent on attracting patients from beyond the local and North Wales area
- The lack of sufficient information being available within the application so as to enable the North Wales Police to provide an assessment of the development's impact on the community in terms of crime and disorder.

The Town Clerk advised that it would be for the Denbighshire County Council Planning Committee as the Local Planning Authority to determine the accuracy or otherwise of the statements made within the application.

Having spoken to officers of the Planning Department it was not possible for the Town Council to withdraw its previously submitted recommendation on the application as this had been published. However the Council could submit a further response highlighting its concerns in respect of the above issues.

FURTHER RESOLVED that a further response be submitted to the Local Planning Authority in respect of Application No. 45/2019/0156 stating:

The Town Council previously responded to the above application based on the information and statements contained within the application form and associated documentation submitted by the applicant and agent.

However having now had opportunity to review the responses of the other statutory consultees it is noted that the information provided by the applicant might be considered to be incorrect in terms of the application being in accordance with planning policies and the actual level of benefit likely to be derived from the facility by the local population.

The Town Council's previous response of "No objection - The Council is pleased to see that the facility will provide support to local people" was made on the basis of information contained within the application and associated papers. The responses of the other statutory consultees suggest that the assertions made by the applicant may not in fact be deliverable as intended.

3. **PLANNING APPLICATIONS**

[The Chair declared her personal and prejudicial interest in application no. 45/2019/0414 due to a personal friendship with the Agent and left the Chamber during discussion and voting thereon.

In the absence of the Chair and Vice-Chair Councillor A.J. Johnson took the Chair]

[Councillor R. Turner declared his personal and prejudicial interest in application no 45/2019/0337 due to the applicant being a neighbour and left the Chamber during discussion and voting thereon]

Members gave consideration to the received planning applications as shown below and **RESOLVED** as now marked thereon.

Note 1: The Local Planning Authority is advised that the Rhyl Town Council wish to state that where appropriate all applications listed below relating to locations such as offices, businesses, shops and supermarkets should be required to erect bilingual signage of equal prominence, reflecting the linguistic nature of the Rhyl area.

PLANNING APPLICATIONS SCHEDULE	
3.1	<u>SITE LOCATION:</u> 76/78 High Street, Rhyl <u>WARD:</u> Bodfor <u>WARD CLLRS:</u> Ms J. Hughes Ms J. McAlpine <u>APPLICATION No:</u> 45/2019/0416 <u>DESCRIPTION:</u> Change of use of part of betting office to adult amusement centre. <u>APPLICANTS :</u> Mr. Mark Webber of the above address

	<p><u>PREVIOUS DECISION:</u> <i>Defer for further information relating to:</i></p> <ul style="list-style-type: none"> - Clarification as to the difference between a book makers and an Adult Gaming Centre - Is the application necessary as it is reinstating the previous position? - Are there any licensing requirements - Sui Generis' is an odd term when the business appears to be Class A2? <p><u>DECISION:</u> <i>No objection</i></p>
3.2	<p><u>SITE LOCATION:</u> Land at Brookdale Road, Rhyl</p> <p><u>WARD:</u> Pendyffryn</p> <p><u>WARD CLLRS:</u> Mrs. D.L. King A.J. Rutherford</p> <p><u>APPLICATION No:</u> 45/2019/0415</p> <p><u>DESCRIPTION:</u> Application for Deed of Variation to remove Plot 5 from Section 106 Obligation relating to affordable housing provision in connection with planning permission 45/2006/0816/PF</p> <p><u>APPLICANTS :</u> J & T. Gizzi Builders Ltd., The Gatehouse, Bodoryn Fawr Farm, St. George, Abergele</p> <p><u>DECISION:</u> <i>Object: While the Council appreciates the reasons for the request to verify the Section 106 the Council is concerned that if the development had been completed within a reasonable timescale of the original application (45/2006/0816) being approved then the agreed affordable housing would have been provided. No reason or justification for the delay in delivering the development has been provided by the applicant. Therefore the Council must conclude that the delay was the responsibility of the applicant and as such the S106 obligation should be honoured.</i></p> <p><i>In the event that the Local Planning Authority determine that the variation should be approved then the Town Council would request that the developer be required to provide a suitable commuted sum for community facilities.</i></p>
3.3	<p><u>SITE LOCATION:</u> 22 Vale Road, Rhyl</p> <p><u>WARD:</u> Cefndy</p> <p><u>WARD CLLRS:</u> J. Ball Mrs. P.M. Jones P. Prendergast</p> <p><u>APPLICATION No:</u> 45/2019/0414</p> <p><u>DESCRIPTION:</u> Alterations to shop front to form separate entrance to first floor flat and erection of escape stairs to rear</p> <p><u>APPLICANTS :</u> Mr. Peter Lessiter, Plas Y Gerddi, Lloc, Nr. Holywell</p>

	<p><u>DECISION:</u> <i>No objection</i></p>
3.4	<p><u>RECONSULTATION</u></p> <p><u>SITE LOCATION</u> 17/19 Westbourne Avenue, Rhyl</p> <p><u>WARD:</u> Foryd</p> <p><u>WARD CLLRS:</u> Mrs. J. Butterfield A.R. James</p> <p><u>APPLICATION No:</u> 45/2019/0181</p> <p><u>DESCRIPTION:</u> Refurbishment and conversion of two derelict houses to form 5 x 1 bed apartments on the first floor to provide supported accommodation for the homeless and offices on the ground floor</p> <p><u>APPLICANTS</u> : Mr. Lyndon Wilson of Adullam Homes Housing Association Limited, 69/87 Bolton Road, Bury.</p> <p><u>PREVIOUS DECISION:</u> <i>Objection on the following grounds</i></p> <ol style="list-style-type: none"> 1. <i>Parking – There is insufficient parking available either on site or in the immediate vicinity for the proposed employees or the clients to the detriment of adjoining property occupiers. The Council considers that the application is contrary to policy ASA 3 of the adopted local plan.</i> 2. <i>Over-intensification of this type of use in Westbourne Avenue and West Rhyl generally.</i> 3. <i>Concern that if approved residential occupiers will not be supervised 24 hours per day leading to potential problems with users</i> <p><i>In the event that the application is approved the Council would request that a condition is applied restricting occupation to persons registered as homeless by Denbighshire County Council.</i></p> <p><u>DECISION:</u> <i>No objection</i></p>
3.5	<p><u>SITE LOCATION:</u> 22 Avondale Drive, Rhyl</p> <p><u>WARD:</u> Tynewydd</p> <p><u>WARD CLLRS:</u> B. Blakeley B. Jones Miss C.L. Williams</p> <p><u>APPLICATION No:</u> 45/2019/0337</p> <p><u>DESCRIPTION:</u> Demolition of existing dwelling, erection of 2 detached dwellings, alterations to existing vehicular access and associated works</p> <p><u>APPLICANTS</u> : Mrs Eirwen Brierley of the above address</p> <p><u>DECISION:</u> <i>Objection the Town Council considers that the development will represent over intensification of the site and create highway issues on an</i></p>

	<i>unadopted narrow road.</i>
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4. **COASTAL FRONTAGE OF EAST RHYL ADJACENT TO GARFORD ROAD, RHYL**

The chair submitted details of correspondence received from Denbighshire County Council Planning Department advising that an application for an Environmental Impact Assessment had been granted in relation to the above area.

RESOLVED *that the determination be noted.*

5. **CLOSURE OF MEETING**

There being no further business, the Chair declared the meeting closed.

Signed:

Date: