

At a **MEETING of the PLANNING COMMITTEE** held on Wednesday 4<sup>th</sup> December 2019 in the Council Chamber, Wellington Community Centre, Rhyl following the preceding meeting of the Finance and General Purposes Committee.

**PRESENT**

Councillor Ms J. L. McAlpine (Chair)

Councillors B. Blakeley, Mrs J. Chamberlain-Jones, A.S. Johnson, K.R. Jones, Mrs. P.M. Jones, Mrs D. L. King, and A.J. Rutherford.

Mr G. J. Nickels – Town Clerk

Also present

Councillor B. Jones (observer)  
 Councillor P. Prendergast (observer)  
 Councillor T. Thomas (observer)

**31. APOLOGIES**

Apologies for absence was submitted from Councillors J. Ball, Mrs. J. Butterfield JP MBE, B. Mellor, Mrs W. Mullen James Miss S. Roberts, Ms V. Roberts, R. Turner and Miss C.L. Williams.

**32. PLANNING APPLICATIONS**

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.

<b>PLANNING APPLICATIONS SCHEDULE</b>	
32.1.	<p><b><u>RECONSULTATION</u></b></p> <p><b><u>SITE LOCATION:</u></b> 9 Bodfor Street, Rhyl</p> <p><b><u>WARD:</u></b> Bodfor</p> <p><b><u>WARD CLLRS:</u></b> Ms J. Hughes Ms J. McAlpine</p> <p><b><u>APPLICATION No:</u></b> 45/2019/0537</p> <p><b><u>DESCRIPTION:</u></b> Conversion of first and second floors to form 3-no self contained flats and formation of separate access at front of existing retail unit</p> <p><b><u>APPLICANTS :</u></b> Mr. Richard Addison, Cash Converters, 9 Bodfor Street, Rhyl</p>

	<p><b><u>REVISED DECISION</u></b> <i>Objection on the grounds that the development represents over-intensification of the site which is considered to small to accommodate three flats.</i></p>
32.2	<p><b><u>RECONSULTATION</u></b></p> <p><b><u>SITE LOCATION</u></b> Land at former Crown Bard, Ffordd Derwen, Rhyl, L118 2RI</p> <p><b><u>WARD:</u></b> Derwen</p> <p><b><u>WARD CLLRS:</u></b> Mrs. J. Chamberlain Jones Mrs. E.M. Chard Miss S. Roberts</p> <p><b><u>APPLICATION No:</u></b> 45/2019/0592</p> <p><b><u>DESCRIPTION:</u></b> Erection of Drive Thru takeaway restaurant, associated car parking, landscaping, customer order displays, child's play area and associated works</p> <p><b><u>APPLICANTS :</u></b> McDonald's Restaurant's Limited, 11- 59 High Road, East Finchley,</p> <p><b><u>DECISION:</u></b> <i>Objection on the following grounds:</i></p> <ol style="list-style-type: none"> <li>1. <i>It is considered that the proposed access and egress to the restaurant from Ffordd Derwen will have significant impact on traffic flows for vehicles seeking to join or leave the A525 particularly at peak travel times. Although it is noted that the original entrance to the Crown Bard was located in a similar position the volume of traffic utilising that establishment was not comparable to the likely usage of a drive through restaurant. Currently at peak traffic movement times it is normal for traffic queues waiting to join the A525 from Ffordd Derwen to extend beyond the entrance to the HB Leisure facility. This is likely to cause difficulties to vehicles leaving the site exasperating the existing traffic flow problems to the detriment of other road users and neighbouring residents and businesses.</i></li> </ol> <p><i>It should be noted that the traffic audit for the plan was conducted prior to commencement of the operation of the regular car boot sales located on the Rhyl Show Field which generates significant increased traffic in the area. In addition, one off events such as the Annual Community Bonfire are also likely to generate significant increase business at the site with the potential to create tailbacks onto the A525.</i></p> <p><i>It is submitted that the current proposal would be contrary to Criteria viii) of Policy RD 1 of the adopted Local Development Plan which advises that proposals should not have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and incorporates traffic management/calming measures where necessary and appropriate</i></p> <p><i>It is also noted that the proposed entrance will cut through the existing designated cycle path which would also appear to be potentially</i></p>

*contrary to criteria vii of the above policy RD 1 and the Denbighshire County Council "Safer Routes to School" initiative*

In the event that the application is approved the Council would request that the proposed pedestrians and cyclists crossing point at the entrance/exit should include appropriate mechanisms/markings to avoid traffic waiting to leave the site obstructing the cycle/pedestrian crossing. Traffic leaving the site will inevitably wait nose to tail resulting in waiting pedestrians and cyclists seeking to move round the vehicles by entering on to the highway

*NB The Town Council considers that the above could be resolved by linking the development to the current Clwyd Retail Park spine road which is adjacent to the application site.*

2. *The application for planning permission states that there are no protected and priority species affected by the proposal however local members have advised of the possibility of water vole and hedgehogs in this area.*

*It is therefore considered that the application could be contrary to Policy VOE 5 – Conservation of natural resources. Development proposals that may have an impact on protected species or designated sites of nature conservation will be required to be supported by a biodiversity statement which must have regard to the County biodiversity aspiration for conservation, enhancement and restoration of habitats and species.*

3. *The application will require the removal of a significant number of healthy trees from land adjoining Ffordd Derwen. Some of these trees are the subject of Tree Preservation Orders. These trees currently act as a visual and sound buffer between residential properties on Ffordd Derwen and the Clwyd Retail Park and their loss would be considered detrimental to the residential amenities currently enjoyed by the residents and persons using Ffordd Derwen to enter the town.*
4. *The application form claims that the hours of opening are not relevant to the proposal. The Town Council would strongly dispute this.*

*The proposed hours of operation are 24 hours per day with deliveries/servicing of the restaurant by articulated lorries to be scheduled to occur 3 times per week within a time frame of 6:00 am and 10 pm*

*The Town Council therefore consider that the 24-hour operation of the site within close proximity to a number of residential properties would be contrary to criteria (iv) of policy RD 1 in that the 24-hour operation and potential early morning and or late evening deliveries would be detrimental to the residential amenities of neighbouring residential properties. In addition, the Council are also concerned at light pollution from the site affecting near-by properties.*

*In the event that the application is approved the Town Council would request that the hours of operation be restricted as was done in the case of Application Nos. 45/2011/1512/PF and 45/2018/0341/PF at the*

	<p><i>nearby Derwen House. It is also noted that when permission was granted by the then Planning Authority for a Fish and Chip shop in close proximity on Rhuddlan Road a condition restricting opening hours was placed on the business. By permitting the current application to operate 24 hours it is difficult to see how future applications to vary the opening hours of these other businesses could be defended.</i></p> <p><i>It is therefore considered that the application is contrary to criteria's (iii), (iv) and (vi) of Policy RD 1</i></p> <p>5. <i>Recent incidents of flooding have occurred in the vicinity of the application site particularly from rain water along Ffordd Derwen. The Council is concerned that the removal of land which may currently assist with a natural soakaway would potentially exasperate future flooding.</i></p> <p>6. <i>The proposed Litter Management plan does not take account of litter which will be carried to the Car Boot sales and other events held on Showfield and the nearby circus field and the pedestrian routes between the sites. If the application is approved the Litter Management Plan should be amended to reflect the potential increase in litter between the sites when events are held.</i></p>
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**33. CLOSURE OF MEETING**

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

Signed: .....

Date: .....