

PLANNING & DEVELOPMENT CONTROL COMMITTEE

25 JULY 2012

Minutes of the meeting of the Planning & Development Control Committee of Flintshire County Council held at Alyn & Deeside Room, County Hall, Mold CH7 6NA on Wednesday, 25th July, 2012

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Chris Bithell, Derek Butler, David Cox, Ian Dunbar, Carol Ellis, David Evans, Jim Falshaw, Veronica Gay, Alison Halford, Ron Hampson, Patrick Heesom, Christine Jones, Richard Jones, Richard Lloyd, Mike Peers, Neville Phillips, Gareth Roberts and Owen Thomas

SUBSTITUTIONS:

Councillor: N.R. Steele-Mortimer for R. Hughes and M. Lowe for W. Mullin

ALSO PRESENT:

The following Councillors attended as local Members:-

Councillor R. Johnson - agenda items 5.1, 5.2 and 5.3. Councillor C.S. Carver - agenda item 5.4. Councillor C. Legg – agenda item 5.8. Councillor D. Hutchinson – agenda item 5.10.

IN ATTENDANCE:

Head of Planning, Development Manager, Interim Team Leader (Policy), Senior Engineer - Highways Development Control, Team Leader Major Developments, Senior Planners, Senior Minerals and Waste Officer, Democracy & Governance Manager and Committee Officer

36. **DECLARATIONS OF INTEREST**

Councillor A.M. Halford declared a personal and prejudicial interest in the following application as governor of the school referred to:-

Agenda item 5.4 – Full application – Erection of 11 no. dwellings at 105 The Highway, Hawarden (049448)

Councillor R.C. Bithell and C.M. Jones declared a personal interest in the following application in view of their cabinet portfolio:-

Agenda item 5.7 – Erection of additional educational/residential facilities to compliment existing school provision for children with autistic spectrum disorder at Kinsale Hall, Llanerch-y-Mor, Holywell (048115)

37. **LATE OBSERVATIONS**

The Chairman allowed Members an opportunity to read the late observations which had been circulated at the meeting.

38. **MINUTES**

The draft minutes of the meeting of the Committee held on 20 June, 2012 had been circulated to Members with the agenda.

Councillor P.G. Heesom referred to page 2 and queried whether an inquiry had been undertaken into the decision for 12 Banks Road, Mancot. The Head of Planning responded that he understood that Councillor Heesom was to consider whether to write to the Monitoring Officer and therefore no investigation had been carried out.

Councillor R.C. Bithell referred to the third paragraph on page 15 on Croes Atti and queried whether an investigation had been undertaken. The Head of Planning responded that advice had been sought from Counsel and that applications for Croes Atti were included on the agenda for today's meeting.

The Head of Planning referred to minute number 30 and said that Councillors M.J. Peers and A.M. Halford had raised issues about the hours of opening at the Recycling Facility, Spencer Industrial Estate, Buckley. He confirmed that information had been requested from Steve Jones, the Head of Streetscene on whether there was a need for the longer hours and that discussions would take place prior to the decision notice being issued. Councillor Peers confirmed that he had been contacted by the Head of Streetscene and was pleased that the Authority had noted the concerns of the local Member and that the situation was being reviewed.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chairman.

39. **ITEMS TO BE DEFERRED**

The Head of Planning advised that none of the applications were recommended for deferral by officers.

40. **GENERAL MATTERS APPLICATION - VARIATION OF CONDITION NO.3 ATTACHED TO OUTLINE PLANNING PERMISSION REF: 035575 TO ALLOW 7 YEARS FOR THE SUBMISSION OF RESERVED MATTERS FROM THE DATE OF THE OUTLINE PLANNING PERMISSION BEING GRANTED RATHER THAN THE 5 YEARS PREVIOUSLY PERMITTED AT LAND AT (WHOLE SITE) (049426)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 23 July 2012. The usual consultations had been undertaken and the responses received detailed in the report.

The officer explained that a public inquiry on a duplicate application was to be heard in August 2012. The report was asking the Committee to determine whether it wanted to maintain its previous stance of deferring determination of the application to await the outcome of the public inquiry or whether in the light of the

changed circumstances which were reported the Committee now wished to determine the application.

Councillor P.G. Heesom proposed that option 2 (to continue to defer determination pending the appeal decision on application reference 049154 notwithstanding the changed circumstances) be approved which was duly seconded. He stated that it was reported that if the current application was determined positively then the non determination appeal would be withdrawn and serious consideration would be given to the applicant not applying for an award of costs against the Council for unreasonable behaviour; he felt that inducements were being offered to pass the application. The application for 700 houses which had been allocated in the Unitary Development Plan (UDP) had not been delivered and the reserved matters consent had now expired. Councillor Heesom felt that the affordable housing element of the application should be 30% and not 10% as was indicated in the report and he felt that the BREEAM standards should also be brought up to date. He said that there was no alternative but to let the Inspector take the course he wanted to and proposed that the Committee choose option 2.

The local Member, Councillor R. Johnson addressed the Committee and agreed that option 2 was the most appropriate and concurred with the concerns about the appropriateness of the offer costs not being sought if the application was approved. She felt that it was an attempt to renew approval of the reserved matters and added that the five year consent had expired without any reasonable progress being made on the site. She added that, to ensure proper scrutiny of the application, it be allowed to progress to appeal and be heard in the Public Inquiry.

Councillor R.C. Bithell said that legal advice had been sought and that it should be followed; Councillor D. Butler concurred with the comments. Councillor W.O. Thomas felt that policy should be followed on the application and Councillor D. Cox said that the outline planning permission had been in place for a significant period and that it was now time to move forward and determine the application.

In response to comments made, the officer explained that the outline planning permission was still extant and did not expire until July 2013. The route taken by the applicant was a legitimate request and the officer reminded Members that no objections had been raised to the duplicate application so it was appropriate to deal with this application today.

The Democracy & Governance Manager said that Counsel's advice had been sought and he had drawn to Member's attention the risks associated with not dealing with the application which was next on the agenda; he advised that he shared the view of the barrister.

In summing up, Councillor Heesom said that the site had been allocated for housing and that Members had a duty to ensure that the proposal was brought forward in line with current policy. He raised concern about how the application reference 049154 which was the subject of the appeal had been dealt with. He said that the Inspector was bound to look at the application in line with current planning policy.

Councillor Heesom requested a recorded vote and was supported by the requisite five Members. On being put to the vote, the proposal to accept option 2 (to continue to defer determination pending the appeal decision on application reference 049154 notwithstanding the changed circumstances) was refused by 13 votes to 8 with the voting being as follows:-

FOR – ACCEPTING OPTION 2

Councillors: V. Gay, A.M. Halford, R.G. Hampson, P.G. Heesom, R. Lloyd, M.J. Peers, N.R. Steele-Mortimer and W.O. Thomas

AGAINST – ACCEPTING OPTION 2

R.C. Bithell, D. Butler, D. Cox, I. Dunbar, C.A. Ellis, D. Evans, J. Falshaw, C.M. Jones, R.B. Jones, M. Lowe, N. Phillips, H.G. Roberts and D.E. Wisinger

As the vote was lost, a vote was taken to accept option 1 and was CARRIED.

RESOLVED:

That option 1 be accepted to determine the application (which was next on the agenda) at this Committee meeting.

41. **FULL APPLICATION - VARIATION OF CONDITION NO.3 ATTACHED TO OUTLINE PLANNING PERMISSION REF: 035575 TO ALLOW 7 YEARS FOR THE SUBMISSION OF RESERVED MATTERS FROM THE DATE OF THE OUTLINE PLANNING PERMISSION BEING GRANTED RATHER THAN THE 5 YEARS PREVIOUSLY PERMITTED AT LAND AT (WHOLE SITE) (049426)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 23 July 2012. The usual consultations had been undertaken and the responses received detailed in the report.

The officer said that following on from the vote on the previous application, this report proposed to vary condition 3 and update the conditions.

Councillor R.C. Bithell proposed the recommendation for approval which was duly seconded. He said that there was still an extant permission on the site and that it was not unusual to ask for additional time.

Mr. J. Yorke spoke against the application saying that outline permission had been granted in July 2004 with the Section 106 agreement being signed in 2006. He said that the reserved matters application should have been submitted within 5 years of the date of the agreement being signed. He referred Members to the previous application where it was reported that the applicant had indicated that if this application was approved, then the non determination appeal would be withdrawn and serious consideration would be given to not applying for an award of costs against the Council for unreasonable behaviour; he felt that this was unacceptable and set a precedent. He referred to condition 2 and said that new

information on this had been received earlier this week and he also spoke of the traffic survey which had been undertaken.

Mr. S. Goodwin, the agent for the applicant, confirmed that extant planning permission was in place and that the application was seeking to extend the time for the reserved matters to June 2013. The Committee had considered its stance on the appeal in the June 2012 meeting of the Committee and he reminded Members that this application was identical. He said that he had been authorised by the applicant to say that if the application was granted, there would be no application for costs against the Authority. He added that there was no logic in continuing to defer the application as there were no objections to the original one.

The local Member, Councillor R. Johnson, spoke against the application and said that she did not feel that the application should be approved as the consent was out of date. She said that the site had been allocated for 700 houses but at this time there was no evidence that the developer wanted to proceed with building the houses. She said that the Authority had a duty to deliver the houses up to policy requirements and that currently less than half of the site had been allocated and none of the proposed houses had been built.

Councillor P.G. Heesom highlighted paragraph 1.06 on Section 73 and also referred to circular 35/95 Section 4 which explained that a reserved matters application could not be re-approved. He felt that there had been a significant amount of change in planning guidance since the application had been submitted and highlighted in particular the provision of 10% of dwellings for affordable housing when the policy now required 30% affordable housing. He said that the application complied with policy HSG2 but not with energy standards and proposed that the application be refused.

Councillor M.J. Peers referred to the recommendation and suggested that it should be brought up to date to reflect that guidance indicated that 30% affordable housing should be provided.

Councillor Heesom put forward an amendment to defer the application and await the decision of the Inspector. He added that he wanted the development to occur on this site. The Democracy & Governance Manager advised that this was not a valid amendment as it had been resolved on the previous item that this application would be determined at this committee .

In response to a query from Councillor A.M. Halford, the officer drew Members' attention to the section 106 agreement detailed in the resolution where it was reported that in lieu of an educational contribution, 1.5 hectares was to be set aside and transferred for a school site with an extension to the school site of not less than 1 hectare.

Councillor C.A. Ellis referred to paragraph 1.05 and queried whether the legislation applied in Wales. In response, the Head of Planning said that the Welsh Government (WG) were in the early stages of drawing up a planning bill, so Members should not assume that what happened in England would not apply in Wales. Councillor Ellis also asked why the condition on affordable housing could not be changed from 10% to 30% to bring it in line with current guidance. The officer responded by referring Members to paragraphs 7.05 and 7.06 where

it was reported that an agreed Development Brief for the site stipulated that a maximum of 10% affordable housing would be required on the site.

The officer said that this was a duplicate application and the outline planning permission which was granted in 2006 would expire in July 2013 so was extant and live. On the issue of affordable housing, he said that the Committee had resolved not to oppose the application which was subject to appeal and that the Council's stance was to apply the requirement for 10% affordable housing.

Councillor Heesom proposed that the figure for affordable housing in the Section 106 Obligation reported in the recommendation be amended from 10% to 30%, which was duly seconded.

In summing up, Councillor Bithell said that this was an extant permission. He added that policies had changed and had been developed but the conditions which were applied at the outline application stage could not be amended and said that current policies could not be applied retrospectively.

Councillor Heesom requested a recorded vote to approve the application with the affordable housing element being amended to 30% and was supported by the requisite five Members. On being put to the vote, planning permission was granted by 14 votes to 7 with the voting being as follows:-

FOR – GRANTING PLANNING PERMISSON WITH 30% AFFORDABLE HOUSING BEING REQUIRED

Councillors: C.A. Ellis, D. Evans, J. Falshaw, V. Gay, A.M. Halford, R.G. Hampson, P.G. Heesom, R.B. Jones, R. Lloyd, M.J. Peers, N. Phillips, H.G. Roberts, N.R. Steele-Mortimer and W.O. Thomas

AGAINST – GRANTING PLANNING PERMISSION WITH 30% AFFORDABLE HOUSING BEING REQUIRED

Councillors: R.C. Bithell, D. Butler, D. Cox, I. Dunbar, C.M. Jones, M. Lowe and D.E. Wisinger

RESOLVED:

That condition No. 3 attached to the outline planning permission ref. 035575 be varied to allow 7 years for the submission of reserved matters from the date of outline planning permission being granted. That all previous planning conditions attached to the outline planning permission are re-imposed and subject to the conditions detailed in the report of the Head of Planning and subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking to re-impose all the requirements of the original legal agreement attached to the outline planning permission, with 30% being substituted for 10% for affordable housing:

- Scheme to be in general conformity with the Revised Development Brief,
- Construct or to reimburse the Council for the reasonable cost of a footpath/cycleway linking the site with Leadbrook Drive,
- Phasing/occupation of housing,

- Setting aside of 1.5 hectares of land and its transfer for a school site and an extension to the school site of not less than 1.0 hectare,
- Setting aside of land for a shop site,
- Setting aside of a site of 0.45 hectares for a health centre,
- Setting aside of a site of 0.25 hectares for a community centre and its transfer
- Provision of 4.5 hectares of open space including an enclosed equipped children's play area, a landscape strategy, a management strategy for open space areas including establishment of a management company
- Provide for a maximum of 30% of number of dwellings for affordable use

42. **VARIATION OF CONDITION NO.15 ATTACHED TO PLANNING PERMISSION REF: 046595 AT LAND AT (WHOLE SITE) CROES ATTI, CHESTER ROAD, OAKENHOLT (049425)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 23 July 2012. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

Councillor P.G. Heesom proposed refusal of the application against officer recommendation which was duly seconded.

Mr. J. Yorke indicated that the closing date for consultation which had been reported in the local press was 26 July 2012, the day after this meeting, and queried whether it was possible to determine the application before the consultation period had expired.

The Democracy & Governance Manager advised that the application should not be determined today if the consultation period had not expired and said that the application should be deferred to the next meeting of the Committee. In response to a query from Councillor A.M. Halford about how this had occurred, the Chairman said that he would discuss it with officers after the meeting.

RESOLVED:

That the application be deferred until the next meeting to allow the consultation period to expire.

43. **FULL APPLICATION - ERECTION OF 11 NO. DWELLINGS AT 105 THE HIGHWAY, HAWARDEN. (049448)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and explained that following deferment at the previous meeting, the requisite amendments to the planning application form had been made and submitted to the Local Planning

Authority and the requisite Notice of Application had been served upon the Council as both landowner and Local Highway Authority.

Councillor A.M. Halford said that she was declaring an interest as a School Governor and that she would not take part in the debate but would not be leaving the meeting. The Democracy & Governance Manager requested a short adjournment to allow him to advise Councillor Halford.

Following a short adjournment, Ms. K. James spoke against the application on behalf of residents. She queried the presumption in favour of development under Policy HSG3 as she felt that other employment uses had not been fully considered. The site was not needed for housing and the scale of the development would have a detrimental impact on residents and the density was too high at 53 dwellings per hectare. The application would overdominate the area and would be detrimental to highway safety and in her opinion was considered to be inappropriate.

Councillor Cheryl Carver on behalf of Hawarden Community Council spoke against the application. She felt that the application should be refused on the grounds of the development being out of character for the location and the density on the site being too high. She said that the development should mirror the properties in the immediate vicinity and referred to the listed building situated across the road from the site and to the rear of the site was Birch Rise which consisted of Georgian style detached houses. She could not see any resemblance to the layout being reflective of the Queen Mary Cottages which were located to the east of the site, as was indicated in the report. Councillor Carver said that the density of dwellings would add to the parking problems of residents' cars in Hawarden as she felt that some of those living in the development, and any visitors, would not park in the gated courtyard. She asked Members to refuse the application.

Councillor D. Evans proposed refusal of the application against officer recommendation which was duly seconded.

The local Member, Councillor C.S. Carver spoke against the application. His main concern related to the density of the development and explained that six of the dwellings in terrace form would front on to The Highway with a further terrace of three dwellings fronting onto Birch Rise with a pair of semi detached dwellings fronting onto a private road which was accessed off Birch Rise. He felt that the proposal was out of character with the immediate area as even though there were areas in Hawarden which had high density terraced housing abutting the highway, those properties were not in the vicinity of the application site. He also raised concern about the development harming the setting of the Grade II listed building which was located opposite the application site. The development would provide for two parking spaces for each dwelling which would lead to increased on street parking and Councillor Carver felt that the parking courtyard was too small to accommodate the required number of parking spaces and an adequate turning area. He felt that the layout of the parking court could impede access for emergency services and would be detrimental to the free flow of traffic and highway safety. He also raised concerns about drainage issues on the private road behind the application site leading to 101 and 103 The Highway. He had provided Members with copies of photographs showing that the existing

soakaway road drainage gulleys, despite being interlinked, did not work. Councillor Carver highlighted paragraph 7.10 where it stated that whilst Welsh Water would allow a foul sewer connection, they would not allow for a surface water connection into the public surface water sewer which implied that a soakaway system was needed; he queried where this would be located. He asked Members to refuse the application.

Councillor R.C. Bithell said that the site was within the settlement boundary, the application met the space around dwellings requirements and there were no highway objections. He said that there were no objections to the mix of properties on the site and there were two parking spaces allocated per dwelling which complied with standards. However, he raised concern about the density on the site as it was 0.21 of a hectare and in line with guidance of 30 dwellings per hectare, there should be six dwellings on the site. He felt that due to overdevelopment of the site, the application should be refused.

Councillor M.J. Peers asked for clarification on Policy HSG8 and highlighted paragraph 7.08 where the issue of density was reported. He also referred to paragraph 7.04 on the provision for growth of 8-15% in the Unitary Development Plan (UDP) for the settlement and asked what the figure would be if these 11 properties were included.

Councillor H.G. Roberts commented on drainage issues which he felt would increase if the development was permitted. He said that there was a need to ensure proper provision for surface water drainage and queried whether a 'Grampian Style' condition would be put in place. Councillor R.B. Jones raised concern about the density and drainage issues and said that to comply with guidance there should be six affordable dwellings on the site. He referred to the wording on the draft conditions (which had been copied to Members prior to the Committee) and suggested that condition 5 should be amended to replace the reference to "first occupation of any of the dwellings" with "prior to commencement".

In response to the comments made, the officer said that the surface water could be dealt with by a soakaway condition and by an appropriate 'Grampian Style' condition and if the applicant could not comply, then the scheme could not be implemented. He said that no issues had been raised by Highways and the application complied with parking standards; he referred Members to paragraph 7.12 of the report. On the issue of density, the officer said that Birch Rise had larger detached properties which was not reflective of all properties in the area and that the density did vary in the locality.

The Interim Team Leader (Policy) referred to Policy EM6 stating that as the site had been marketed for employment use it would be difficult to argue that its loss would be harmful and it was not located within an area identified for commercial or employment uses nor was it a building which would, in itself, merit retention for architectural or historic reasons in a commercial or employment function; it was therefore reasonable to assume that it could be used for residential development.

In response to comments made on the issue of housing supply and the comment that the housing was not needed on the site, he said other sites had not

come forward so there was a need for flexibility and that windfall sites were an important part of the supply. On the issue of density, there was a need to make the most efficient use of the land and because of this, density figures could be more or less than the guidance figure. The properties met all of the Council's standards and this development would only cause a slight increase in the growth rate figure for the settlement.

Following a question from Councillor C.A. Ellis on whether the application complied with space around dwellings standards, the officer referred Members to paragraph 7.07 where it was reported that the layout had been the subject of discussion between the applicant and officers and had been amended in response to concerns such as separation distances complying with those required by the Council's standards. He added that standards had been reduced for private amenity space but overall it was an acceptable scheme.

On the issue of drainage, the Head of Planning said that this would be dealt with by 'Grampian Style' condition prior to commencement of the development.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning (with draft condition 5 amended as suggested), the additional condition detailed in the late observations and subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking to provide the following:-

- a) Payment of an educational contribution of £10,500 towards primary educational provision/improvements to local education facilities at Hawarden Infants School and £7,000 towards similar secondary education level provision at Hawarden High School. The contributions shall be paid prior to occupation of the first dwelling.
- b) Ensure payment of a commuted sum payment in lieu of on site recreation/open space provision of £12,100 with such monies to be used to enhance existing play and recreation facilities within the community. Such sum payable upon sale or occupation of the fifth dwelling.

44. **FULL APPLICATION - OPERATION OF AN OUTDOOR RECREATION ACTIVITY KNOWN AS SPHEREING AT LAND OPPOSITE BRYN COCH FARM, WHITFORD, HOLYWELL (049709)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report explaining that determination of the application had been deferred at the meeting held on 20 June 2012 to allow officers to look at conditions including one requiring management of the development site to avoid conflict with the use of the bridleway. Conditions had now been looked at and a management plan submitted. He drew Members' attention to the late observations which included

additional comments from the British Horse Society and where permission for 12 months was recommended by the Rights of Way Section; two additional highway conditions were also reported. The officer explained that it was recommended that condition four be amended to include “unless otherwise agreed in advance by the Local Planning Authority”. Discussions had taken place with the applicant and the hours of operation had been amended and a management plan had been put in place. Monitoring was to be put in place to ensure the operation of the ball ceased when the bridleway was in use and signage was also to be put up on the bridleway. The officer added that enforcement action could be taken if the conditions were breached.

Mrs. A. Chamberlain spoke against the application and said that she had no objection in principle to the application. She said that the operation of the bridleway had been closed down at weekends and that a material consideration in refusing the application was the bridleway could not be moved but the application site could be relocated elsewhere. Mrs. Chamberlain said that there were no management conditions in place to make the bridleway safe to use. She also felt that the activity would not bring tourism to the area as she did not feel that those who attended the site would stay in the local vicinity.

Mr. R. Wotton, the applicant, spoke in support of the application. He asked that if permission was granted, it be for five years and not three years as was proposed in the report in order to provide greater security for the 10 staff and to allow site improvements. He also asked that the hours of opening on a Friday be either 10am to 4pm or 4pm to 8.30pm. as they never operated within both slots. Detailed meetings had been held with the planning officer to try and alleviate all of the concerns raised by the British Horse Society and he had also spoken with Mrs. Chamberlain. Mr. Wotton felt that horse riders and those undertaking sphereing could co-exist.

Councillor B. Hughes from Whitford Community Council spoke in support of the application and explained that there had been no objection from Whitford Community Council. He said that he felt that there were other bridleways in the area which were located near to schools and were noisier than this one.

Councillor J. Falshaw proposed the recommendation for approval which was duly seconded. He was in agreement with the application and felt that it would be good for the county and would bring in business to the area. Councillor R.C. Bithell concurred that the two activities could co-exist and he felt that this could be accomplished by the plan that had been put in place. Councillor W.O. Thomas welcomed the submission of the management plan and said that he was sure that agreement could be reached. Councillor I. Dunbar concurred with the comments made.

Councillor A.M. Halford raised concern about the size of the sphereing ball and asked for more information on how the activity would be monitored. She also queried how many riders had been put off using the bridleway compared to the 1300 who had used the sphereing activity. In response to concerns raised by Councillor Halford about the request from the applicant to increase permission to five years, the Head of Planning said that the application before Members was to grant permission for three years from the date of the decision notice which officers felt was appropriate.

Councillor D. Evans felt that allowing three years was too long and that to allow further monitoring, permission should be granted for 12 or 18 months if the application was approved. Councillor R.B. Jones queried whether condition 5 (activity should take place in strict accordance with the submitted and agreed management plan) was enforceable. In response to the comments made, the officer said that the onus was on the developer to implement the activity in accordance with the management plan and conditions and that if they were breached, enforcement action could be taken. He felt that allowing temporary permission of three years would allow for the activity to be monitored.

RESOLVED:

That temporary planning permission be granted subject to the additional highway conditions detailed in the late observations sheet, condition four being amended to include “unless otherwise agreed in advance by the Local Planning Authority” and subject to the conditions detailed in the report of the Head of Planning.

45. **FULL APPLICATION - ERECTION OF A DETACHED RESIDENTIAL BLOCK AT KINSALE SCHOOL, LLANERCH Y MOR, HOLYWELL (048983)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 23 July 2012. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

By way of introduction the officer explained that this application and the next one on the agenda were both deferred from the Planning & Development Control Committee meeting on 20 June 2012 to allow for a site visit to take place. He said that both applications were linked and were complimentary to each other. Councillor P.G. Heesom felt that the applications should not be discussed together and the Democracy & Governance Manager advised that there would be a debate and a vote on each application but that it was at the discretion of the Chairman as to whether the presentation by the officer could cover both applications. The Chairman agreed that an overview on both applications could be presented together and that the applications would be debated and voted on separately.

The officer said that on this application, the applicant operated a school on the existing site for children/young adults aged 8 to 25. The proposal was to provide an additional residential block to encourage independent living for those aged 16 to 25. The next application on the agenda was by a separate applicant and proposed to erect an education facility for adults and it was proposed that the development would take place on the lower part of the site.

Councillor P.G. Heesom proposed the recommendation for approval for this application which was duly seconded. He said that he felt that this application was unrelated to the next application on the agenda.

Councillor R.B. Jones referred to 12 draft conditions and queried why there were only 10 conditions in the report. The officer responded that one of the draft conditions had been duplicated and the Democracy & Governance Manager

referred Members to the additional condition in the late observations on the facilities for parking, turning and unloading of vehicles.

Councillor A.M. Halford highlighted paragraph 7.02 where it was reported that the site lay within an open countryside location and queried why the application was reported for approval. The Interim Team Leader (Policy) explained that applications in the open countryside were controlled but that Policy GEN 3 criteria 'g' and 'j' permitted development in the open countryside in certain circumstances which this application complied with. Councillor Halford also asked for further information on paragraph 7.12 and in response the officer said that historically permission had been granted under reference 045395 for additional residential educational blocks but as the site was not in the applicant's ownership at the time, the facility could not be made available.

Councillor Heesom said that the school had previously been a hotel and reiterated his concerns that both applications should be kept separate.

RESOLVED:

That planning permission be granted subject to the additional condition detailed in the late observations and the conditions detailed in the report of the Head of Planning.

46. **FULL APPLICATION - ERECTION OF ADDITIONAL EDUCATIONAL / RESIDENTIAL FACILITIES TO COMPLIMENT EXISTING SCHOOL PROVISION FOR CHILDREN/YOUNG ADULTS WITH AUTISTIC SPECTRUM DISORDER AT KINSALE HALL, LLANERCH Y MOR (048115)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 23 July 2012. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer highlighted paragraphs 7.09 and 7.10 which detailed the proposal and he added that the majority of the development was on the lower part of the Kinsale site.

Ms. A. Dishman, spoke in support of the application and said that there was currently very limited provision for adults with autism. The proposal would develop a facility to allow them to work with a structure appropriate to their needs with the main focus being a tourist facility which people with autism would manage with co-workers. Adults with autism would be placed at the facility and funded by local authorities. The site would employ 100 local people as support workers and to work on the site and she felt that the service was much needed.

The local Member, Councillor P.G. Heesom, proposed refusal of the application against officer recommendation, which was duly seconded.

Councillors C.M. Jones and R.C. Bithell sought advice from the Democracy & Governance Manager about whether, in view of Ms. Dishman's comments, they had to declare an interest in the application and a short

adjournment took place for advice to be provided. Following the adjournment, Councillors Bithell and Jones indicated that they were declaring a personal interest in the application. Councillor A.M. Halford queried why she had been advised that she had a personal and prejudicial interest in agenda item 5.4 and the Democracy & Governance Manager advised accordingly.

Councillor Heesom drew Members' attention to the site history on page 89 where it was reported that application 047095 had been withdrawn in October 2010. He felt that the application was unauthorised development in the open countryside and did not comply with policies GEN 3 and GEN 4. Councillor Heesom said that there was no need for this facility in the area and that what was proposed was not in keeping with what was already on the site.

Councillor Halford concurred with the comments about the site being in the open countryside and that it should not be permitted because of this. Councillor M.J. Peers highlighted paragraph 7.10 where it was reported that two of the four accommodation blocks were already consented but were proposed to be re-sited. In response, the officer said that permission had been granted on appeal for a tourist related development including 78 holiday lodges and application 045395 proposed the removal of 30 of the previously approved lodges. He provided details of where the four accommodation blocks would be sited if the application was permitted.

Councillor R.C. Bithell said that certain developments could be permitted in the open countryside and referred Members to paragraph 7.14 where the exclusions were detailed; they included an extension to an existing facility which this application was. However, he asked whether, as the development was in a different ownership, it could legally be deemed to be an existing facility. In response, the Democracy & Governance Manager said that the land ownership was a private legal matter and should not be taken into account by Members when considering the application. The Interim Team Leader (Policy) said that there was a clear link with the existing facility and that this application provided a follow-on facility so it was felt that the proposal was acceptable.

Councillor D. Butler raised concern about the land use and felt that the scale and size of the development would be difficult to control in the future. He also queried whether alternative sites had been considered. Councillor R.B. Jones raised concern about there only being 17 conditions included in the report but there being 19 in the draft conditions.

The officer said that historically there had always been the presumption that the buildings were permanent but could give the appearance of temporary structures and added that this formed part of the appeal in October 2007. The subsequent application (045395) had been designed in a similar way so that if there was a change of circumstances, the buildings could be removed without the need for significant groundworks. The intention for this development was to put down a concrete base and to construct a metal structure on top. In response to the comments from Councillor Butler, the officer advised that a sequential test had been undertaken by the applicant. The officer referred Members to point iv in paragraph 7.20 where it was reported that alternative sites had been considered but were unacceptable in practical terms and were not economically viable given remedial costs involved.

In summing up, Councillor Heesom said that the facilities were not linked and raised concern on the comments of the officer on temporary nature of the current buildings on the site. He said that this would be a permanent building and that a permanent brownfield site was being created. He added that the application should be refused on the grounds of permanent development in the open countryside which was detrimental to the character of the area.

On being put to the vote, the proposal to refuse the application, against officer recommendation, was CARRIED.

RESOLVED:

That the application be refused on the grounds of the application being detrimental to the character of the area and the landscape.

47. **FULL APPLICATION - DEMOLITION OF STORE BUILDING AND STORAGE COMPOUNDS AND ERECTION OF A SALT STORE AT FULBROOKE BUILDINGS, HALKYN (049796)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The Development Manager detailed the background to the report and explained that the main issues for consideration included the principle of the development, the appropriateness of the scale and design of the building and the impact on the amenity of adjoining occupiers.

Mr. R. Roberts spoke against the application saying that he understood the need for the store but that the location was a concern as it was next to a conservation area and on the boundary of three listed buildings. He said that the proposed building was 2.5 times higher than the original salt dome and that the entrance to the depot site was substandard. He felt that it was an industrial style building more suited to an industrial area and added that it would be bright orange and would not fit in with other buildings. It was situated above the snow line so depending on where snow fell, vehicles may not be able to access the site.

Mr. R. Daly, the applicant, spoke in support of the application. He spoke of the strategy by Welsh Government (WG) to provide salt to local authorities and the requirement to store the salt until it was needed. He commented on the temporary stores in Queensferry and Blaenau Ffestiniog and that the site at Halkyn had been identified by the authority as a permanent store site. He said that the applicants had met with local residents before the application was submitted and some of the issues which had been identified were addressed. He added that if the application was approved, more screening could be put in place.

The Chairman used his discretion to allow the local Member, Councillor C. Legg to speak on the application. Councillor Legg said that he had initially been in favour of the salt store reserve but that consultation had raised concern. He queried how much it had cost WG and what would happen to the salt if there was an absence of severe weather. He commented on the inadequacy of the

approach road to the site and said that the entrance to the site was not ideal. He said that the proposed building was of a significant size and queried whether this was the best site for the development.

Councillor A.M. Halford proposed refusal of the application against officer recommendation which was duly seconded. Councillor M.J. Peers agreed that there was a requirement for the building but said that locating the building on this site would be detrimental to the area. He agreed with Mr. Roberts that it was a large building which would be better suited to another location and queried why there was a need to replace the snowdome which was already in place on the site.

Councillor W.O. Thomas spoke of the difficulties due to access to and egress from the A55 for large vehicles and the need for them to travel along roads in the conservation area to reach the site. He felt that it would be better to be located closer to the A55 and that other sites should be considered. Councillor H.G. Roberts concurred and said that he would like to see the application refused or deferred to allow more appropriate locations to be considered. Councillor R.B. Jones said that the site was outside the settlement boundary and was in the open countryside but had been considered to comply with Policy GEN3 as it allowed for the provision of new appropriate and essential development in the open countryside in special circumstances. He felt that the application did not comply with policies D1, D2 or L1 and that the wording in the report did not allow for approval of the application.

In response, the Development Manager referred Members to the late observations sheet where it was reported that Halkyn Community Council no longer supported the application. He explained that the site had been chosen as the preferred location due to it being an existing Council depot. Officers had worked with the applicant on the design and additional screening would be put in place if the application was permitted.

The Senior Engineer - Highways Development Control confirmed that there were no objections from Highways to the application subject to the conditions detailed in the report which included the submission and agreement of a traffic management plan.

In summing up, Councillor Halford raised concern about the size of the building and said that she felt that the easy option had been taken by identifying an existing site as the location. She felt that the application should be refused on the grounds of overbearing impact and highway safety and added that it would have a detrimental impact on the local residents.

On being put to the vote, the proposal to refuse the application, against officer, recommendation was CARRIED.

RESOLVED:

That the application be refused on the grounds of highway safety and overbearing and detrimental impact of local residents.

48. **APPLICATION FOR OUTLINE PLANNING PERMISSION - FOR ERECTION OF A DWELING ON LAND REAR OF ISLWYN, TRELOGAN, HOLYWELL (049665)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report.

The Development Manager explained that the Committee had deferred this application at the previous meeting to allow the local Member to be present and had been the subject of a site visit on 18 June 2012. The plot was capable of supporting a dwelling but the principle of development did not comply with Policy HSG3. The Unitary Development Plan (UDP) Policy HSG3 only allowed for new build local needs housing in category C settlement where the growth rate had not exceeded 10%; in the case of Trelogan & Berthengam the growth rate was 16.7%.

The local Member, Councillor N.R. Steele-Mortimer, proposed approval of the application against officer recommendation which was duly seconded. He said that he considered the site to be a windfall site and highlighted the consultations and publicity sections of the report where it was reported that no objections had been received. He also referred to paragraphs 7.06, 7.07 and 7.08 where it was reported that the growth rate was 16.7% and said that he felt that this was a retrospective figure. He added that prior to the adoption of the UDP, developments of this nature had been considered on their merits.

Councillor W.O. Thomas said that the site was within the boundary of the village and was an infill site. He referred to the percentage growth calculation and said that, in his opinion, the policy did not appear to be followed for all applications. Councillor R.C. Bithell said that the policy was in place to limit the development in settlements and that for a category C settlement, the growth rate should not exceed 10%. However, he added that it already exceeded this rate because of previous applications which had been completed or committed to since 2000 (which was the base date of the UDP) when the figures were calculated. He felt that to permit the application would set a precedent and the policy in place should be adhered to and the application be refused. Councillor H.G. Roberts concurred that the application should be refused.

The Interim Team Leader (Policy) said that on the issue of spatial distribution in the county the UDP Inspector had looked at what would be most sustainable and had allowed higher percentage growth rates for larger settlements and had allocated a 10% growth rate for smaller settlements. Where the percentage had been exceeded he advised that new development might be accommodated where there was a clear local need but in this instance there was no evidence presented of any local need, which meant that it did not comply with Policy HSG3.

The Head of Planning said that growth rates continued to be monitored on an annual basis.

In summing up, Councillor Steele-Mortimer said that a current policy was being applied retrospectively to the detriment of the village and that in his opinion, the application should be approved.

On being put to the vote, the proposal to approve the application, against officer recommendation, was CARRIED.

RESOLVED:

That planning permission be granted subject to conditions to be determined by the Head of Planning.

49. **FULL APPLICATION - PROPOSED DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION AND GARAGE AND REPLACEMENT WITH A NEW SINGLE STOREY REAR EXTENSION TO PROVIDE BEDROOM, BATHROOM AND LIVING SPACE FOR WHEELCHAIR ACCESS AT 15 HAWARDEN DRIVE, BUCKLEY (049623)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 23 July 2012. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The Development Manager detailed the background to the report and explained that the applicant had submitted an appeal against non determination of the application. Because of this, the application was not for determination by the Committee at this meeting, but that a steer from the Committee was being sought on how to progress the appeal. He explained that the proposed extension to the bungalow was to be built in an 'L' shape with the extension being three metres on the left hand side and 12 metres on the right hand side and was very close to the side extension of the adjacent property. A previous application had been withdrawn in January 2012 and this resubmission took the extension away from the boundary even though there was no requirement to do this in planning terms, pointing out that the extension on the adjoining property came up to the boundary. The main issue for consideration was the scale of the development which amounted to an overall percentage increase of 78%. The Council's Local Planning Guidance Note – House Extensions and Alterations made reference to a general guidance figure of 50% for new extensions, however other factors needed to be considered and it was felt that the scale of the proposed development was acceptable in these circumstances.

Councillor M.J. Peers referred to the reason the application had been deferred at the previous meeting as it was reported that this had been for a site visit. He highlighted page 3 of the minutes for that meeting which had been approved earlier as the reason he had proposed deferment at the meeting was due to information being received at the late observations stage which was relative to the application which the local Member had not had the opportunity to consider. The Development Manager said that a site visit had also been requested.

Mrs. Edwards spoke against the application and indicated that the extension was 105% of the original floor space, with the guidance being 50%. The physical gap between this and the adjoining property would reduce. There was no means of escape from the rear of the extension and the extension would result in the loss of a large part of the garden. Mrs. Edwards felt that a design

could be submitted which would comply with policy and urged the Committee to refuse the application.

The Chairman used his discretion to allow one of the local Members, Councillor D. Hutchinson to speak on the application. Councillor Hutchinson supported refusal of the application due to the extension being overbearing and not in keeping with the streetscene. The extension was more than twice the size of the original dwelling and did not comply with policy. He said that present guidance meant that extensions could be more than 50% in certain circumstances in the open countryside but this was an urban setting and therefore did not comply with policy. He said that small extensions had been permitted on other properties in the area but that the proposal in this application was unacceptable. Councillor Hutchinson said that the minimum guideline distance for space around dwellings in planning guidance was two metres but the amount proposed in this application was 0.5 metres.

Councillor Peers proposed refusal of the application against officer recommendation, which was duly seconded. The Democracy & Governance Manager advised that it was not for the Committee to approve or refuse the application as an appeal had been submitted but that the stance by the Council at appeal needed to be considered. Councillor Peers proposed that the Committee oppose the appeal. The proposal was to demolish the garage and previous extension and build the extension detailed in the application but as identified earlier, this would result in an increase of the original floorspace of 105%. He said that the extension at 17 Hawarden Drive was not comparable to this application.

Councillor H.G. Roberts said that in his opinion there was no reason to refuse the application. Councillor R.C. Bithell concurred with the comments and said that the adjoining property had an extension as was proposed in the application. He said that the gap of 400mm between the two properties was small but not a reason to refuse the application.

In summing up, Councillor Peers reiterated his comments that the extension on 17 Hawarden Drive could not be compared to this proposal. The proposed extension was a large and overpowering extension with the size being that of adding another bungalow onto the original dwelling. He said that it was out of character with the area, was detrimental to other properties and the design was not sympathetic to policy.

On being put to the vote, the proposal to oppose the appeal was CARRIED.

RESOLVED:

That the appeal be opposed due to the detrimental impact on the neighbouring property and the development being out of character with the local area.

50. **FULL APPLICATION - CONSTRUCTION OF WASTE TRANSFER BUILDING AND CONTINUATION OF NON-HAZARDOUS WASTE MANAGEMENT OPERATION AT "OLD BRIDGE INN", STATION LANE, PADESWOOD, MOLD (049617)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The Senior Minerals and Waste Officer explained that this application was to consolidate the existing waste recycling operations and assist with monitoring the site operations and facilitate a greater level of control than existed at present. The aggregate recycling had been operating for over 10 years. It was proposed to relocate an existing screening bund on the eastern boundary to facilitate a larger working area which would assist with improving site management, and as a result, lower stockpile height on the site. The officer highlighted the late observations where concerns from a neighbour were reported about incremental expansion and development of the site in the open countryside.

The report had been written prior to the publication of the Collections, Infrastructure and Markets Sector (CIMS) Plan but the application accorded with the principles of the national waste strategy and the main points of the CIMS Plan had already been taken into account when considering the application. Comments from Councillor R.B. Jones had also been reported in the late observations on the issues of potential noise that would result from the application, use of the word 'household' waste in the report and the potential for food waste to be stored on the site; responses to the comments made were reported in the late observations.

Councillor R.C. Bithell proposed the recommendation for approval which was duly seconded.

Councillor R.B. Jones said that the application was an attempt to consolidate the existing facility and welcomed the comments made in the late observations. In response to a query from Councillor Jones about noise mitigation, the officer detailed the noise limits which were being proposed. She added that permission was subject to the applicant entering into a Section 106 Agreement and consideration would be given to how the tests would be carried out.

Councillor W.O. Thomas said that there was a similar facility in Ewloe and raised concern about the creation of traffic movements into the area and pollution of the countryside. In response, the officer said that there were no objections from Highways on the proposed number of vehicular movements into the site and that a vehicular restriction would be attached if the application was approved. There was a need for the site which was an existing operation and the application would facilitate control.

In response to a query from Councillor C.A. Ellis about whether, if the application was granted, it would be used as evidence of an additional facility in the appeal on the landfill site, the Head of Planning confirmed that it would be included in the submission.

RESOLVED:

That planning permission be granted subject to the applicant entering into a Section 106 Agreement to effectively revoke planning permission 4/0/16514 and to the conditions detailed in the report of the Head of Planning, with:-

- i) imposition of a condition as detailed in the late observations on noise mitigation
- ii) inclusion of the words 'and excluding food waste' on condition 7.

Councillor P.G. Heesom indicated that he wished it to be recorded in the minutes that he voted against the granting of planning permission.

51. **GENERAL MATTERS - RESIDENTIAL DEVELOPMENT CONSISTING OF 51 NO. DWELLINGS, NEW ROAD AND CREATION OF MITIGATION LAND IN RELATION TO ECOLOGY ON LAND BETWEEN AND BEHIND MAISON DE REVES AND CAE EITHIN, VILLAGE ROAD, NORTHOP HALL (048855)**

The Committee considered the report of the Head of Planning in respect of this application. Additional comments received since the preparation of the report were circulated at the meeting.

The Development Manager detailed the background to the report explaining that a consultant had been engaged to prepare a case for the appeal following the four reasons for refusal of the application put forward at the 14 March 2012 Committee. He had concluded that none of the reasons was sustainable at appeal and each of these was addressed in turn in the report. A view was now sought from Members on the stance to be taken by the Council at the appeal

Councillor H.G. Roberts proposed the recommendation not to pursue the four reasons for refusal put forward at the 14 March 2012 meeting which was duly seconded. Councillors R.C. Bithell and M.J. Peers concurred with the recommendation and Councillor Peers highlighted the density of the development in particular as not being a strong reason for refusal.

RESOLVED:

That the reasons for refusal proposed within the original resolution on application reference 048855 (relating to ecology, highway safety, density and lack of a geological survey) are not pursued by the Council in the preparation of a case in relation to the appeal against the non determination of the application.

52. **FULL APPLICATION - ERECTION OF NON-FOOD RETAIL UNITS UTILISING EXISTING VEHICULAR ACCESS POINTS, SERVICE YARD, CUSTOMER CAR PARK AND PEDESTRIAN LINK AND REMOVAL OF EXISTING PETROL FILLING STATION CANOPY AT SALTNEY RETAIL PARK, RIVER LANE, SALTNEY, CHESTER (049292)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the

responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The Development Manager detailed the background to the report explaining that the application proposed five non food units with the existing car park being reconfigured and landscaped in addition to other landscape/highway works on/adjacent to the site.

Miss C. Dickinson spoke in support of the application on behalf of the applicant. She welcomed the support of officers in their recommendation and said that the proposal would encourage more shoppers to the town. The proposed landscaping works would improve the visual amenity of the area and the development would also provide for the partial rebuilding of an existing footbridge within the site which linked the site into Bridge Street.

The local Member, Councillor R. Lloyd, proposed the recommendation for approval which was duly seconded. He said that the proposal would regenerate the riverside area and would create extra employment and bring new shoppers to the area. He sought confirmation that the existing fuel tanks would be removed and queried whether the voluntary payment of £20,000 for provision of public art as part of the Section 106 Agreement could be better used to improve the riverside environment, such as benches along the river bank. Councillor Lloyd also referred to paragraph 7.10 and queried whether the proposed units would be open on Saturdays as opening hours for Saturdays were not reported. He welcomed the development which he felt would visually improve the site.

Councillor V. Gay queried condition 7 and the removal of the mezzanine floors. She supported Councillor Lloyd's suggestion on other use of the public art money, asking whether this could help fund a new library. Councillor Gay raised concern about the pedestrian link under the bridge and asked if a rail could be provided under the bridge to keep pedestrians safe. The Senior Engineer - Highways Development Control explained that different surfaces on the road would denote where vehicles and pedestrians should be as it would not be practical to put in a rail. However an assessment could be undertaken to look at the issue and the findings reported back to the local Member. It was proposed that heavy goods vehicles would not be directed along Bridge Street and the Senior Engineer - Highways Development Control said that larger vehicles would access the site from the signal controlled road on the Chester border. Councillor Lloyd asked whether the pavement would be moved out to direct traffic away from pedestrians and the Senior Engineer - Highways Development Control responded that discussions were ongoing on options and that she would discuss these with the local Member if required.

In response to the comments made, the Development Manager said that the pavement would be built out and that condition 22 addressed the issue of redundant fuel tanks. He confirmed that the proposed units would be open on Saturdays. On the issue of mezzanine flooring, he said that there was an element of mezzanine floors in the proposal but that condition 7 referred to the removal of the right to create any more mezzanine floors which would allow the amount of floorspace to be controlled. He added that discussions could take place on the use of the proposed public art provision and the Head of Planning suggested that the recommendation could be amended to read that the Section

106 agreement for the use of the voluntary payment provision be discussed with the applicant and Local Members. Councillor Lloyd proposed the suggested amendment and on being put to the vote, the proposal was CARRIED.

RESOLVED:

That planning permission be granted subject to the completion of a Section 106 Agreement, receipt of a Unilateral Undertaking, or issuing an advance voluntary payment of £20,000 with the use to be discussed with the applicant and local Members and subject to the conditions detailed in the report of the Head of Planning.

53. **FULL APPLICATION - FOR THE CONVERSION OF FORMER PUBLIC HOUSE WITH ASSOCIATED LIVING ACCOMMODATION TO FOUR DWELLINGS OF WHICH THREE ARE FOR AFFORDABLE RENTAL HOUSING AT LLYN Y MAWN INN, BRYNFORD (049641)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

Councillor R.C. Bithell proposed the recommendation for approval which was duly seconded.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning and subject to the applicant entering into a Section 106 Obligation, unilateral undertaking and/or advance payment of commuted sum, in respect of the following matters:-

1. to ensure the three new properties are retained for local people who require affordable rentable housing, and
2. in lieu of on site play provision a commuted sum of £2199.00.

54. **DURATION OF MEETING**

The meeting commenced at 1.00 p.m. and ended at 6.35 p.m.

55. **MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There were 37 members of the public and 2 members of the press in attendance.

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Chairman