

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: Cllr David Wisinger (Chairman)

CS/NG

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

12 March 2013

Tracy Waters 01352 702331
tracy.waters@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **PLANNING & DEVELOPMENT CONTROL COMMITTEE** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 20TH MARCH, 2013 at 1.00 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **LATE OBSERVATIONS**
- 4 **MINUTES** (Pages 1 - 28)

To confirm as a correct record the minutes of the meeting held on 20 February 2013.

- 5 **ITEMS TO BE DEFERRED**

County Hall, Mold. CH7 6NA
Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NR
Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

6 **REPORTS OF HEAD OF PLANNING**

The report of the Head of Planning is enclosed.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO
CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

The following item is considered to be exempt by virtue of Paragraph 16 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)

The report information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is not possible to discuss the item without revealing that advice, and until any/all potential legal proceedings in respect of the application are resolved it is not appropriate for the advice to be made public.

7 **RESERVED MATTERS - APPLICATION FOR APPROVAL OF RESERVED
MATTERS FOR THE ERECTION OF 312 RESIDENTIAL DWELLINGS AND
ASSOCIATED WORKS AT LAND AT (WHOLE SITE) CROES ATTU,
CHESTER ROAD, OAKENHOLT, FLINT** (Pages 89 - 122)

Report of the Head of Legal and Democratic Services enclosed.

REPORT OF HEAD OF PLANNING
TO PLANNING AND DEVELOPMENT CONTROL COMMITTEE
ON 20 MARCH 2013

Item No	File Reference	DESCRIPTION
<u>Applications reported for determination (A=reported for approval, R=reported for refusal)</u>		
6.1	050291 - A	Full Application - Erection of 2 No. Two Bedroom Semi Detached Dwellings with Parking to Front and Rear at Fern Leigh, Brook Street, Buckley (050291) (Pages 29 - 38)
6.2	050312 - A	Full Application - Demolition of Existing Garage and the Erection of a One Bedroom Annex at 18 Vaughan Way, Connah's Quay (050312) (Pages 39 - 44)
6.3	050252 - A	Full Application - Erection of a Single Storey Convenience Store and Associated Car Parking Following the Demolition of Existing Storage Building on Land at Morris's Garage, Wrexham Road, Mold (050252) (Pages 45 - 56)
6.4	050169 - R	Outline Application - Erection of a Detached Bungalow at Belmont, South Street, Caerwys (050169) (Pages 57 - 64)
6.5	050400 - A	Full Application - Substitution of 16 Plot Types on Application 048892 for the Erection of 87 Dwellings at White Lion Public House, Chester Road, Penymynydd (050400) (Pages 65 - 74)
6.6	043097	General Matters - Demolition of Existing Three Storey Office Building and Erection of a 4 Storey Apartment Block Comprising of 34 No. 2 Bedroom Units and Dedicated On-Site Parking at "Flint House", Chapel Street, Flint (043097) (Pages 75 - 78)

Item No	File Reference	DESCRIPTION
<u>Appeal Decision</u>		
6.7	049042	Appeal by JD Owen Transport Services Against the Decision of Flintshire County Council to Refuse Planning Permission for Outline - Secure Truck Parking Facility with Ancillary and Complementary Development at Land at Crossways Road, Pen y Cefn, Caerwys (049042) (Pages 79 - 84)
6.8	049447	Appeal by Mr. Delwyn Humphries Against the Refusal of Planning Permission by Flintshire County Council for Outline - Erection of a Dwelling at Land Adjacent Tyddyn Ucha, Sandy Lane, Bagillt (049447) (Pages 85 - 88)

This page is intentionally left blank

PLANNING AND DEVELOPMENT CONTROL COMMITTEE 20 FEBRUARY 2013

Minutes of the meeting of the Planning and Development Control Committee of the Flintshire County Council held at County Hall, Mold on Wednesday, 20 February 2013

PRESENT: Councillor D.E. Wisinger (Chairman)

Councillors: D. Cox, I. Dunbar, C.A. Ellis, J. Falshaw, V. Gay, A.M. Halford, R.G. Hampson, P.G. Heesom, R. Hughes, C.M. Jones, R.B. Jones, R. Lloyd, M.J. Peers, N. Phillips, H.G. Roberts and W.O. Thomas

SUBSTITUTIONS:

Councillor: P. Shotton for R.C. Bithell and M. Lowe for D. Butler

ALSO PRESENT:

The following Councillors attended as local Members:-

Councillor R.P. Macfarlane - agenda item 6.1. Councillor R. Johnson - agenda item 6.2. Councillor G.H. Bateman - agenda item 6.5. Councillor N.M. Matthews - agenda item 6.9. Councillor C. Legg - agenda item 6.11

APOLOGIES:

Councillors: D. Evans and W. Mullin

IN ATTENDANCE:

Head of Planning, Development Manager, Planning Strategy Manager, Senior Engineer - Highways Development Control, Team Leader Major Developments, Senior Planners, Planning Support Officers, Senior Minerals and Waste Officers, Principal Solicitor and Committee Officer

147. DECLARATIONS OF INTEREST

Councillor A.I. Dunbar declared a personal and prejudicial interest in the following application:-

Agenda item 6.1 – Full application – Erection of 20 No. semi-detached dwellings, part reconfiguration of existing (unadopted) road and extending to form new road layout at land off Fair Oaks Drive, Connah’s Quay (048610)

Councillors R.G. Hampson and N. Phillips declared a personal interest in the following application:-

Agenda item 6.3 – Reserved Matters Application – Erection of a health care facility at former Ysgol Belmont Special School, Mill Lane, Buckley (050284)

The Principal Solicitor explained that Councillors Hampson, Phillips had been granted dispensation by the Standards Committee to speak but not vote on the application.

Councillor W.O. Thomas declared a personal interest in the following application:-

Agenda item 6.4 – Variation of condition 3 of planning permission 3/240/94 to permit asphalt production from 0400 hours and the supply of asphalt outside current permitted hours on up to 45 occasions a year at Tarmac Central Limited, Pant Quarry, Halkyn (050313)

Councillor D.E. Wisinger declared a personal interest in the following application:-

Agenda item 6.17 – Full application – Erection of a 3 car garage with store room above and conversion of existing garage into games room at White House, Sealand (050339)

148. LATE OBSERVATIONS

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

149. MINUTES

The draft minutes of the meeting of the Committee held on 16th February 2013 had been circulated to Members with the agenda.

In response to a query from Councillor P.G. Heesom on the Bank Farm, Penyffordd (050003) application, the Head of Planning explained that at the last meeting he had reported that a stop notice had been received from Welsh Government. He had received notification the previous day that the application was to be called in by the Welsh Government. A decision regarding the process of determining the application was awaited.

RESOLVED:

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

150. ITEMS TO BE DEFERRED

The Chairman indicated that he was vacating the chair for this item as he had a personal interest in the item to be proposed for deferment by the officers.

The Development Manager advised that deferment of the following application was recommended:

Agenda item 6.17 - Full application – Erection of a 3 car garage with store room above and conversion of existing garage into

games room at White House, Sealand Road, Sealand (050339) -
He advised that reconsultation on an amended plan was required.

On being put to the vote, the application was deferred.

The Vice-Chairman then vacated the chair for the Chairman to retake the chair for the remainder of the meeting.

151. FULL APPLICATION – ERECTION OF 20 NO. SEMI-DETACHED DWELLINGS, PART RECONFIGURATION OF EXISTING (UNADOPTED) ROAD AND EXTENDING TO FORM NEW ROAD LAYOUT AT LAND OFF FAIR OAKS DRIVE, CONNAH’S QUAY (048610)

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. Councillor A.I. Dunbar, having earlier declared an interest in the application, left the meeting prior to its discussion.

The officer detailed the background to the report explaining that the application had been deferred from the meeting in January 2013 as officers were seeking further clarification and comments from the Valuation Office Agency in relation to the viability assessment. The comments had now been received. On the basis of this additional clarification and comments, together with evidence and discussions with the applicant that it was the intention to develop the land to the north of the site as well, the recommendation had been changed from approval to refusal.

Mr. C. Price spoke against the application on behalf of the residents of Fair Oaks Crescent but said that they had no objection to the development of the land as it had been allocated for housing in the Unitary Development Plan. However, they were opposed to the style and layout of the development and he referred to the 158 letters of objection which had been received; to the power cables above the site; and the fact that legal advice had been obtained regarding the access to Fair Oaks Crescent. He asked for a layout which was less intrusive and more sympathetic.

Councillor H.G. Roberts proposed the recommendation for refusal which was duly seconded.

One of the local Members, Councillor R.P. Macfarlane spoke of the deferment of the application at the previous meeting but said that there were still some issues which remained unresolved. He supported refusal of the application. Councillor R.B. Jones raised concern that other reasons for refusal were not being put forward in addition to the reason reported as he felt that this would be the only reason discussed if an appeal was submitted.

The Development Manager said that the reason for refusal was the fact that the proposal in its current form did not bring forward community benefits such as affordable housing and educational contributions. A further

application for the whole of the site might also not bring forward all of the benefits but they would need to be reassessed on the basis of a larger development. Councillor Jones referred to the topography of the site, and in response, the Development Manager explained that the layout had been amended and that discussions would take place with the applicant for the layout of the whole site if an application was submitted. Councillor P.G. Heesom said that it was important to ensure that all reasons identified were raised at any future appeal.

Councillor M.J. Peers said that the third party speaker had spoken of the house types not being in keeping with the local area. He asked if house types would be discussed with the applicant for a more sympathetic design in keeping with the area. The other local Member, Councillor P. Shotton, spoke of the need to consider all issues on any future application, and referred to that fact that it was the residents who had ascertained that the applicant had an interest in the northern part of the site. He also felt that the application should be refused.

The Development Manager said that if the Committee felt that there were inadequacies in the layout then this could be added as a reason for refusal but the officer recommendation was that the layout was now acceptable and met standards. He reiterated that there was no guarantee that a larger application would bring forward community benefits but the need for them would be reassessed.

In summing up, Councillor H.G. Roberts felt that the application should be refused for the reason reported in paragraph 2.01 as other refusal reasons could weaken the remainder of any case which might be put forward by the the Council in any appeal.

RESOLVED:

That planning permission be refused for the reason detailed in the report of the Head of Planning.

152. APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR THE ERECTION OF 312 RESIDENTIAL DWELLINGS AND ASSOCIATED WORKS AT LAND AT (WHOLE SITE), CROES ATTI, CHESTER ROAD, OAKENHOLT (050300)

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 the number of dwellings had reduced to 306 from 312 dwellings as a result of discussions with the applicant.

Mr. J. Yorke spoke against the application which he felt failed on road safety grounds. He said that children on the estate would need to cross five roads to get to school and that the proposal would create a rat run for traffic. It was reported that the development was in line with the Design Brief but he said that its approval was not recorded anywhere. He spoke of a traffic impact assessment which had been undertaken and that the figure of three to four vehicle movements on the site had been reported to Committee. He said that the figure of 1400 extra vehicles would be in the area by 2020.

Mr. T. Astle, agent for the applicant, spoke in support of the application. He explained that outline permission had been granted in 2006 and that there was an extant permission in place. He spoke of the consultation which had been undertaken and explained that the statutory consultees had not raised any objection to the application and that nine letters of objection had been received which showed that there was a large level of local support. The intent was to create an exceptional development with much needed affordable housing and open space.

Councillor P.G. Heesom proposed the recommendation for approval with an additional condition which required that there be a constraint or restriction of access and egress to the site at Coed Onn Road which was duly seconded.

The local Member, Councillor R. Johnson, said that the application was a bolt-on development conceived fifteen years ago and she raised concern that a rat run would be created through the site. She considered that the outline permission had been obtained by incorrect traffic information, that proper consideration to this aspect had not been given by officers, and that her view as Local Member had not been given proper weight. She reiterated the request by Councillor Heesom for the traffic to be restricted.

Councillor Heesom said that an application had been made to the Welsh Government to call-in the application as he felt that it did not comply with national policy local policy and a decision was awaited. He said that there were also heritage issues and that refusal of the application would be sought if the impacts on residents were not mitigated. He considered that the length of time the development had taken had not helped matters and any application to be approved by the Council should be sustainable and conform with community interests. He said that the traffic impact report was contrary to UDP policy GEN1 and that the development would create thousands of vehicular movements per day. Whilst traffic through the site represented disamenity, the proposed three access points to the site were not at issue. He also spoke on the issue of flooding in Croes Atti Lane and highlighted the comments raised by the Coal Authority on the application. He considered those comments to be unsatisfactory.

Councillor A.M. Halford commented on the impacts of the development on residents and said that officers did not appear to be listening to Councillor Heesom who had gone the extra mile to try and protect the residents. She

referred to the accusation by the applicant regarding the decision on the previous application being 'ultra vires'.

The Principal Solicitor reminded Members of the advice given at the Committee meeting on 12 December 2012 on the previous application which had been the subject of an appeal that the condition to install barriers at Prince of Wales Avenue could not be sustained. His advice to the Committee today was that if they imposed a condition to regulate the traffic on Coed Onn Road then this could also not be sustained at appeal.

Councillor D. Cox commented upon the number of times this issue had been raised and replies given by officers. He proposed that the Committee move to vote on the item.

In response to a question from the Head of Planning as to the type of constraint/restriction envisaged by Councillor Heesom, he replied that he was content for officers to identify an appropriate mechanism for its provision.

Councillor R.B. Jones asked for further information on condition 14 and felt that an additional condition requiring an assessment to be undertaken to assess the stability of the land should also be included. In response, the officer said that condition 14 related to ecology issues and that the Coal Authority had now responded and were no longer objecting to the application.

In summing up, Councillor Heesom felt that the advice of the legal officer was open to challenge. There was no dispute regarding the capacity of the proposed access. His concern was the impact of a large number of vehicles through the communities adjoining the Croes Atti site which was why he had asked for the traffic to be regulated at Coed Onn Road. He also reiterated the additional condition proposed by Councillor Jones that the stability of the land be assessed.

RESOLVED:

That reserved matters approval be granted subject to the conditions detailed in the report of the Head of Planning with additional conditions to constrain or restrict access/egress at Coed Onn Road.

153. RESERVED MATTERS APPLICATION – ERECTION OF A HEALTH CARE FACILITY AT FORMER YSGOL BELMONT SPECIAL SCHOOL, MILL LANE, BUCKLEY (050284)

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 18 February 2013. The usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report explaining that consultation had been undertaken and no objections had been received.

Mrs. R. Jones spoke as the Headteacher of Elfed High School to express her opinions regarding the proposed development. As the High School would be its nearest neighbour, she had concerns regarding the conflict of movement of pedestrians and vehicles. She supported the development of the health centre and said that many modifications had been made including moving the vehicular access to Alltami Lane which she felt was a significant improvement. The pedestrian access to the health centre was on the same road as the vehicular access to the school and the leisure centre. She asked that the pedestrian access for the health centre be moved to a point further away from the school.

Mr. M. Hall spoke in support of the application and said that work on the design of the health centre had been ongoing for a number of years. He spoke of the doctors' practices that would be located in the health centre along with other health care requirements. Funding approval had been received and work would commence on the site in early April 2013 if approval was granted. Mr. Gaty of the Architects said that the centre met the needs of residents and made a positive contribution to the area. The building had been designed around the needs of the patients, staff and the local community, and the landscape proposals had responded to the location and were in keeping with the character of the area.

Councillor M.J. Peers proposed the recommendation for approval which was duly seconded.

The local Member, Councillor C.A. Ellis said that the town of Buckley had been waiting for over 12 years for the new health centre even though this was not their chosen location. Residents had concerns over the impact of traffic in the area but she added that she did not want to delay the process. The junction at Alltami Road was already a problem and she asked that it be noted that she had concerns over the junction onto Liverpool Road and Mill Lane. Councillor Ellis also raised concern about the pedestrian access with which there was an issue, but she felt that this could be addressed by Highways and Lifelong Learning. She said that there was not enough car parking on the site and that this would result in users of the centre parking elsewhere. She proposed an additional condition on traffic issues.

Councillor Peers said that it was a long overdue development and the design had significantly improved from that originally put forward. He felt that it had been well accepted in the community. He took note of the concerns raised by Mrs. Jones about the conflict of movement and said that there was a need to deter any parking at the entrance to Elfed High School. He sought assurance that these concerns could be ironed out by the planning authority but did not want to delay the scheme. Councillor R.G. Hampson said that the existing health centre was not up to standard and that the new centre would generate less traffic than when the Belmont School was on the site.

Councillor R.B. Jones referred to condition 15 and said that he felt that the submission of a full travel plan should be agreed with the local planning authority. He also had concerns about the highways and referred to the

comments of Buckley Town Council which included the suggestion that a site visit be undertaken at peak usage time; this request had not been adhered followed. Councillor N. Phillips spoke of the long process to achieve a health centre in Buckley and said that the view of Mrs. Jones was not the view of the governors at the Elfed High School. He paid tribute to Buckley Town and County Councillors and referred to consultation undertaken by Betsi Cadwaladr University Health Board on their proposals for North Wales which did not include any reference to Buckley. Councillor W.O. Thomas said that it was not the ideal location and that traffic would be the main concern. He asked that traffic be monitored.

In response to the comments made, the officer said that the main issues of access and traffic had been considered at the outline application stage. The point of access had been considered and the application had been accompanied by a traffic impact assessment based on four doctors' practices being located at the site along with the Local Health Board. This proposal was now for only two doctors' practices and the Local Health Board. The conflict with pedestrians and vehicles was discussed at the site visit and the access into Elfed High School was not a public highway so the Council could not impose a condition. On the issue of parking outside the application site, it had been suggested that a letter be sent to the Director of Lifelong Learning asking what could be done to stop vehicles stopping in that area. On the points made by Mrs. Jones, he referred to paragraphs 7.20 to 7.22 of the report.

In summing up, Councillor Peers said that it was an overdue and essential facility with the main concern being the conflict of movement between pedestrians and vehicles. He asked that the local planning authority look at this issue again with the highway authority. In response, the Head of Planning said that the use and potential traffic conflict would be discussed with the Head of Lifelong Learning to explore a solution and would be monitored.. Councillor Ellis sought assurance that this would happen and confirmed that she was happy for it not to be the subject of a condition.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning.

154. VARIATION OF CONDITION 3 OF PLANNING PERMISSION 3/240/94 TO PERMIT ASPHALT PRODUCTION FROM 0400 HOURS AND THE SUPPLY OF ASPHALT OUTSIDE CURRENT PERMITTED HOURS ON UP TO 45 OCCASIONS A YEAR AT TARMAC CENTRAL LIMITED, PANT QUARRY, HALKYN (050313)

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 officer detailed the background to the report explaining that the existing condition allowed ad hoc approaches from the applicant and it had been felt that there was a need to become more transparent so the applicant had been asked to submit an application to vary the condition. This application requested that the hours of working be changed to permit asphalt production from 0400 hours and to supply asphalt outside the permitted hours on 45 occasions per year.

Mr. J. Wilday spoke against the application on behalf of local residents. He said that the application did not address the concerns raised about the use of the B5123 route to the A55 or the impact on the conservation area. He referred to Policies AC13 and GEN5 which he felt had not been complied with as the amenity of local people would be affected if the application was approved. He questioned how the proposal would be monitored and said that condition 3 in the original application should not be amended.

Mr. A. Kent, the agent for the applicant, spoke in support of the application. He said that Tarmac had operated site since 1996 and had a good relationship with the community. He explained that it was not intended that the 0400 start time would be required every morning but that flexibility was needed. He explained why the variation in condition was required and said that no objections had been received from the statutory consultees and even though consultation had raised concerns, he felt that these had been addressed.

Councillor W.O. Thomas proposed the recommendation for approval which was duly seconded. Councillor R.B. Jones felt that there was a need to monitor noise and dust levels and the impact on the residents and proposed a temporary permission for 12 months. The proposition was not seconded.

In response to comments made, the officer said that the Council could not put any controls on the highway and the amount produced at the site had vastly reduced so that vehicular movements were no more than eight per hour. The impact on the local area was reported in paragraphs 7.22 and 7.23. She highlighted condition 4 which required the planning authority to be notified prior to each occasion of use outside the permitted hours so this would also be monitored on a regular basis. On the issue of a temporary permission, the officer explained that the site had been operating on the proposed basis since 2009.

In summing up, Councillor W.O. Thomas said that as the Chair of the Liaison Committee he had received very few complaints.

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 legal agreement under the terms of the Town & Country Planning Act 1990 (as amended) Section 106 to:-

1. allow vehicles associated with asphalt production and transportation to use the existing quarry access road during permitted out of hours operation
2. provide a scheme for routing of HGVs to avoid travelling through Pentre Halkyn when travelling to and from the A55 during the permitted out of hours.
3. Revoke planning permission 3/240/94.

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

155. FULL APPLICATION – FOR THE ERECTION OF SINGLE STOREY CONVENIENCE STORE AND ASSOCIATED CAR PARKING FOLLOWING THE DEMOLITION OF EXISTING STORAGE BUILDING AT MORRIS GARAGE, WREXHAM ROAD, MOLD (050252)

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 consultation had been undertaken.

Mr. S. Stokes spoke against the application as an objector to planning consent for another food and drink retailer in Mold. He said that Wrexham Street was known as takeaway alley and that evidence of this was the amount of litter and uneaten food in the area which would result in a high risk of vermin. He said that shoppers had significant choice of where to shop and spoke of a new convenience store which had opened recently in the area which had previously been a takeaway establishment. An additional store was not needed.

Councillor P.G. Heesom proposed the recommendation for approval with amended hours of opening which was duly seconded. He said that most units in the area would be closed by 10pm and suggested that this store close at 9pm, with opening at 8am.

The local Member, Councillor G.H. Bateman said that he had received a petition of 60 signatures against the store and the proposed opening hours in a quiet residential area opposite sheltered housing. He felt that he suggested hours would have an adverse impact on the residents and proposed that the opening hours be 7am to 9pm Monday to Saturday and 7am to 4pm on Sundays and Bank Holidays which would meet those concerns. He also raised concern at the selling of junk food and alcohol so close to the nearby schools. He referred to a policy put in place by Wrexham County Borough Council that such establishments should not be permitted within 80 metres of schools.

Councillor M.J. Peers referred to the delivery times requested by Mold Town Council of 7am to 7pm and asked whether this would be a problem on Sundays and Bank Holidays if the opening hours were restricted to 4pm. He felt that the delivery times needed to be referred to in the conditions.

The Principal Solicitor explained that the proposal from Councillor Heesom was for the store to be open from 8am to 9pm but there was no distinction between Monday to Saturdays and Sundays/Bank Holidays. Councillor Bateman had asked for opening hours to be 7am to 9pm on Monday to Saturdays and 7am to 4pm on Sundays and Bank Holidays but reminded Members that this was not the proposal before them. Councillor Heesom said that he would amend the proposal to the hours requested by the local Member.

Councillor H.G. Roberts asked for details of the opening hours for other premises in the area. If the proposal reflected those hours, he would be happy to support it. Councillor W.O. Thomas said that the site was adjacent to two schools and felt that if approved, it could encourage obesity in schools. He also felt that there were enough fast food establishments in Mold and said that he was surprised that there had not been any objections from Highways as there was a number of dangerous junctions in the vicinity. Councillor C.A. Ellis supported the local Member's suggested hours of opening as the application was in a residential area.

The officer said that it was appropriate that he advise Members that he proposed hours of opening were likely to be the subject of an appeal. He explained that even though Wrexham Council had a policy in place about opening hours, there was no such policy in force in Flintshire. He reminded Members that the proposal was for a convenience store not a fast food establishment and that the sale of alcohol was a licensing matter which was not something which Members needed to take into account when determining the application.

On the issue of highways, the Senior Engineer - Highways Development Control said that Highways had no objections subject to the suggested conditions and advised that the proposal would improve the junction.

On being put to the vote, the proposal to allow the application with amended opening hours of 7am to 9pm Monday to Saturday and 7am to 4pm on Sundays and Bank Holidays was CARRIED.

RESOLVED:-

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning with condition 14 being amended to opening hours of 7am to 9pm Monday to Saturday and 7am to 4pm on Sundays and Bank Holidays, and subject to the applicant entering into a Section 106 Obligation, Unilateral Undertaking of the making of an advance payment to provide the payment of £3500 to provide for the cost of a Traffic Regulation

Order and the associated parking restriction lining along Wrexham Road, Brook Street and Conway Street.

156. FULL APPLICATION – PROVISION OF OVERSPILL CAR PARKING AT CHURCH OF JESUS CHRIST LATTER DAY SAINTS, ST. DAVID’S PARK, EWLOE (050161)

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 18 February 2013. The usual consultations had been undertaken and the responses received detailed in the report.

The Development Manager detailed the background to the application explaining that the proposal was to extend the existing car park. The church was in an extensive landscaped area and the need to do so had been demonstrated.

Mr. S. Preugschat, the agent for the applicant, spoke in support of the application. He said that the provision had been sought as the congregation of the church had increased and would reduce the parking on the surrounding streets and roads by existing users. He provided details of the materials that would be used in the car park area and said that the surface would have a minimal impact and was sympathetic to the existing environment. The car park would not impact on the public right of way and the requirements of the Unitary Development Plan had been taken into consideration.

Councillor R.B. Jones proposed the recommendation for approval which was duly seconded.

The local Member, Councillor A.M. Halford, spoke on behalf of the residents. She said that the proposed 30 additional vehicles would cause traffic congestion in the area and would be close to a route to school. She felt that the need had not been demonstrated as there were other car parks in the area which were empty on a Sunday which could be utilised for the extra visitors to the church. She said that the residents deserved consideration and needed space to walk their dogs.

Councillor H.G. Roberts queried why the application had not been dealt with by delegated powers and why a site visit had been required. He felt that the application would provide additional parking for those who worked in the area during the week. Councillor M.J. Peers queried whether the site was on the same level as the existing car park or whether it rose up on the bank. Councillor W.O. Thomas asked whether a condition had been imposed on the original application that no further applications would be allowed. The officer responded that there were no such restrictions on the original application.

In response to the other comments made, the officer said that there was ample space to accommodate any change in level but if members were concerned, this could be covered by condition. He said that there was nothing in the application to suggest that further development was to follow and that

this application had been submitted to reflect the increase in the number of church members.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning and subject to an additional condition requiring the levels to be approved.

157. OUTLINE APPLICATION – ERECTION OF 73 NO. HOUSES INCLUDING DETAILS OF ACCESS, APPEARANCE, LAYOUT AND SCALE (LANDSCAPING RESERVED FOR FUTURE APPROVAL) AT BYCHTON HALL FARM, MAES PENNANT ROAD, MOSTYN (047951)

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 18 February 2013. 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 there had been lengthy and detailed negotiations in relation to the viability of the site in terms of its ability to yield the level of planning gains identified in the Unitary Development Plan (UDP) for affordable housing, educational contributions and recreation provision. An independent assessment had been carried out by the Valuation Office Agency which had concluded that the viability assessments were accurate.

Mr. H. Jones spoke in support of the application which was an allocated site for housing in the UDP, of which there were relatively few in the north of the county. Permission was being sought for 71 dwellings of 3 or 4 bedroom and the design scheme had been consulted on with officers and the Design Commission, and was sympathetic to the surroundings. Highways, landscape and nature conservation interests were not adversely affected. Commuted sums were proposed to be paid to the Council towards educational provision and upgrade of existing recreational facilities within the locality. The Valuation Office Agency had confirmed that the proposed sums were reasonable.

Councillor P.G. Heesom proposed refusal of the application against officer recommendation which was duly seconded. He said that the application was for 50% more than the allocation in the UDP and urged Members to refuse the application. He felt that the development was totally alien and was not in character with the area; was overdevelopment of the site, with 50% more housing than would be allocated by the UDP; and that further work on highways issues was also required.

In response to a question from the Head of Planning, Councillor Heesom advised that he was proposing that only the first two matters referred to above should be reasons for refusal.

Councillor A.M. Halford reiterated the concerns and said that the development exceeded the 30 dwellings per hectare required in the UDP as referred to in paragraph 7.09. Councillor M.J. Peers asked whether it was a Category B Settlement and what the growth figure had been since 2000. He agreed that 71 dwellings on the site was too high and that the reasons for the high density reported in paragraph 7.10 were unacceptable. He felt that the layout of the site could have been more imaginative to reduce the density and said that he would be unable to approve the application. Councillor H.G. Roberts said that he was also concerned about the density but added that the 30 dwellings per hectare referred to in the UDP was a minimum guideline not a maximum. He said that the proposed development was representative of the whole of Maes Pennant. Councillor R.B. Jones raised concern that it was proposed that there were anticipated pupil numbers of 18 but that the commuted sum suggested was much lower than the £220,000 which would be required under the *Supplementary Planning Guidance Document No. 23 – Developer Contributions to Education* (SPG) for this number of pupils. Councillor C.A. Ellis asked about the numbers on the housing waiting list for Mostyn.

In response to the comments made, the officer said that the provision in the UDP for density was a minimum figure not a maximum. The layout of Maes Pennant had separation standards which far exceeded what would be found today, but the buildings were grouped together. It was considered that the proposal was not out of character. In relation to Councillor Halford's query, he said that Maes Pennant was the lowest cost housing area in the county. He confirmed that it was a Category B settlement and that he did not know the details of growth figures but said that he was confident that they had not been exceeded. He said that there was an issue of viability and accepted that educational contributions were lower than the SPG but reminded Members that the assessment of the viability case was undertaken at a time pre-dating the adoption by the Council of the SPG.

The Planning Strategy Manager advised that the policy allowed for good design to achieve a higher density, referring to the existing density in Mostyn. He confirmed that this site was part of the planning commitment for the area.

In summing up, Councillor Heesom said that the application should be refused on the grounds of overdevelopment due to the proposals being 50% over the allocated site and being out of character with the area. He said that it was an interesting site with a number of challenges.

RESOLVED:

That planning permission be refused on the grounds of overdevelopment due to the proposals being 50% over the indicative density envisaged by the UDP and being out of character with the area.

158. APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL FOR 58 NO. DWELLINGS ON LAND SIDE OF GLAN Y DON, HOLYWELL (050213)

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 explained that the application was for a 100% affordable housing scheme.

Mr. C. Sparrow spoke in support of the application, as a representative of the applicant. He said that it was a partnership project with Flintshire County Council with funding being by way of a grant and private finance. The mix of properties had been derived from work with the Council's Housing Team and the dwellings would be highly energy efficient, including a number of dwellings for wheelchair users. The funding was for this financial year and if the application was approved it was hoped it would be completed in April or May 2014.

The officer drew Members' attention to paragraph 7.17 on drainage issues and said that advice from the Acting Head of Engineering Services was reported in the late observations.

Councillor H.G. Roberts 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 to the additional Grampian condition referred to in the late observations.

159. FULL APPLICATION – FOR THE ERECTION OF 18 NO. DWELLINGS WITH ASSOCIATED ROADS, SEWERS AND OPEN SPACES AT SIGLEN UCHAF, RUTHIN ROAD, GWERNYMYNYDD (048850)

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 18 February 2013. 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 provided further information about the height of the retaining walls and the level of the site which would require some filling. He also drew Members' attention to the two additional conditions proposed in the late observations.

Mr. D. Fitzsimon, on behalf of the neighbouring owner, spoke against the application and raised concern about the design, the importation of materials to maximise the development potential of the site, and the impact on the character of the area generally and in relation to the adjoining haulage site. He referred to Planning Policy Wales and commented on the duty to have regard to the area designated as the Area of Outstanding Natural Beauty (AONB). Mr. Fitzsimon spoke of the four metre retaining wall and said that an assessment had not been undertaken to establish whether this was sustainable and the impact that it would have on the character of the area. He urged the Committee to refuse the application.

Mr. M. Gilbert, agent on behalf of the applicant, spoke in support of the application. He said that there were already houses in the area at higher levels to those proposed on the site so the proximity to the AONB and the impact on its setting were no different for this development. Mr. Gilbert confirmed that the existing boundary hedges were mostly to be retained and also referred to the Committee's determination of the previous item on the agenda which was also for a site of differing levels which had been permitted.

Councillor P.G. Heesom proposed refusal of the application against officer recommendation which was duly seconded. He said that the application damaged the AONB and the landscape and the site was one of the last remaining pieces of open space in Gwernymydd. He said that, in taking into account the guidance in the policies, the overriding principle was the irreversible harm the application would have on the open site area. He felt also that a danger would be created on the highway.

Councillor M.J. Peers said that the site visit had been useful particularly on the issue of the sloping site. He referred to page 138 of the report where it was reported that on the north-west boundary of the site it was structurally practical for the retaining wall to be situated closer to the boundary. However, he referred to an email which reported problems with the north eastern boundary of the site. He raised concern at the proposal to include retaining walls and considered that a development should be drawn up to fit the topography of the site.

The local Member, Councillor N.M. Matthews said that the application did not contain any details of the site and raised concern at the number of conditions which required submission of further details, assessments or further information which required approval by the authority. She highlighted conditions 4, 10 and 17 which all related to drainage. The surface water system was already at capacity in Gwernymydd. At the site visit, the officers had referred to a connection on agricultural land, but no discussions had taken place with the owner. The Mold Flood alleviation works engineers had identified that the watercourse as being at full capacity and so was not an option. Any overflow would cause problems at St. Mary's Park in Mold. Councillor Matthews hoped for a development that would recognise the topography of the site. The current proposal was for a 20 foot high wall, and infilled land with houses on top, and she asked whether a structural report had been undertaken to assess the strength and reliability of the retaining walls

and also raised concern about the problems of highway access on to the A494. She also said that there was no mention in the report on the mine shaft on the site.

Councillor W.O. Thomas said that the site was, in a way, in open countryside and raised concern about the potential for flooding in the area as he felt that approval of the site would create additional drainage problems. Councillor A.I. Dunbar sought clarification on the comments at the site visit about discussions with the landowner about diverting the drain on the site. Councillor H.G. Roberts said that this was an allocated site within a settlement boundary and met the highway requirements for a visibility splay. He said that the issue of drainage had been commented on by Welsh Water who intended to complete planned improvement works on the waste water treatment works by 1 April 2014.

In response to the comments made, the officer said that the site was in a village and not in the open countryside. He explained that the lower elements of the site would be separated by hedging and reiterated that it would be a difficult site to develop due to the levels. The separation distances from properties at the haulage yard had been complied with and were in line with council policies. On the issue of highways, he said that the A494 was a fast road but the access and egress to the site also complied with policies. Statutory consultees had not objected to the application and the Drainage Engineer had indicated that a Grampian style condition was required so that the development could not commence until full surface drainage details had been submitted and approved.

The Principal Solicitor said that it was his understanding that the drainage solution involved land in the ownership of a third party. This did not prevent the local planning authority from imposing a Grampian condition and whether the development proceeded was down to negotiations with the affected landowner.

The Planning Strategy Manager said that sustainability and community impact were essential parts of the the UDP and reiterated the approval by Committee of the previous application which was also on a sloping site. He said that it was not unusual for a developer to use retaining walls where the topography of the site allowed for them.

On the issue of highways, the Head of Planning said that two highways consultants had said that there was no evidence to support refusal of the application on highway grounds. In response to a query from Councillor W.O. Thomas, he said that the settlement period for the land would depend on how compacted the infill was.

On being put to the vote, the proposal to refuse the application on the grounds of irretrievable harm to the character of the area, including the AONB, due to its visual impact, and the overbearing impact in relation to neighbouring properties was CARRIED.

RESOLVED:

That the application be refused on the grounds of irretrievable harm to the character of the area, including the AONB, due to its visual impact, and the overbearing impact in relation to neighbouring properties.

160. OUTLINE APPLICATION – ERECTION OF A DWELLING ON LAND ADJACENT TO FERN BANK, THE OLD WARREN, BROUGHTON (049966)

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 18 February 2013. The usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report and highlighted the reasons for refusal reported in paragraph 2.01.

Mr. H. Evans, as agent, spoke in support of the applicant. He commented on the four proposed reasons for refusal. He said that the site was in the open countryside but was part of a continuous built-up frontage joined to the community boundary; it was an appropriate infill site as referred to in policy HSG5, as it was a gap in a frontage of a number of large dwellings; there was no reference to policy STR10 which required best use of resources by the use of brownfield land; and the 12 hectares of housing land allocated in Broughton, which would meet the need for affordable housing, did not provide for executive-style dwellings: this development would do so. He said that the proposal complied with policy and did not constitute a departure from the UDP.

Councillor W.O. Thomas proposed approval of the application against officer recommendation which was duly seconded. He felt that the building on the site would end up being derelict if the application was refused. He said that he could not see how it could not be classed as infill and said that it would improve the area. It was a brownfield site which could be adapted for housing.

Councillor H.G. Roberts said that the site was in the open countryside, was outside the settlement boundary and was not infill. It did not mean that the application should be approved just because it was a brownfield site. He said that he would be voting against the proposal to approve the application. Councillor P.G. Heesom said that ribbon development was not a reason for refusal and asked whether the new dwelling would sit on the same footprint as the current building. The officer explained that as the application was for outline permission, the siting of the building had not yet been agreed.

Councillor R. Lloyd considered that the development would be an improvement on the existing situation.

The Planning Strategy Manager said that it was not the case that because the site was brownfield that it should be allowed in policy. The site

was in the open countryside and the exceptions in the UDP had been considered. Whether the application was suitable infill had been considered and was premised by whether there was proven local need. There was none here. Criterion C of the infill policy said that an application must respect adjacent properties and the surrounding area. To grant permission would be to perpetuate sporadic and unsustainable infill. He spoke of the separation distances to the next nearest building and added that there was no need for an executive-style dwelling as there was planning permission for nearly 300 properties for Broughton which he was sure would include that market criterion.

The officer said that the site visit had been advantageous to allow Members to see the site in the context of the area. He said that Laburnum Cottage represented visual termination in the streetscene and took away from the definition of infill. He referred Members to paragraph 7.07 where the main issues for consideration were reported. In response to a query from Councillor Thomas, the officer said that a design and access statement had been submitted in support of the application.

On being put to the vote, the proposal to approve the application was LOST. Councillor H.G. Roberts then moved refusal of the application in line with the officer recommendation and on being put to the vote, the proposal was CARRIED.

RESOLVED:

That planning permission be refused for the reasons detailed in the report of the Head of Planning.

161. OUTLINE APPLICATION – ERECTION OF A LOCAL NEEDS DWELLING AT WERN ROAD, RHOSSESMOR (049839)

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 18 February 2013. 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 this was a site in the open countryside and even though there were policies in place in the UDP which allowed dwellings in the countryside in exceptional circumstances, this application did not comply with policies HSG11 or HSG4. The application was submitted on the basis of the personal circumstances of the applicant but the advice in national policy was that this was seldom, if ever, justification to override a strong policy context against residential development in the open countryside and the recommendation was therefore for refusal.

Mr. H. Evans spoke in support of the application and explained that the applicant's current home had to be sold which would mean she would have

nowhere to live. Whilst the applicant qualified for a local housing need, here were no affordable units in Rhosesmor for sale or rent so the applicant had felt that the only option was to build a modest dwelling, which would not be prominent in the landscape, on land that she owned. It would be a departure from policy but it was felt that the application was justified. He referred to Policy HSG11 of the UDP which allowed developments in exceptional circumstances but in a freedom of information request, he had identified that not one had been granted in the 10 years since the plan had been put on deposit. He also referred to TAN6, which he considered more sensitive to rural needs, and said that there was also agricultural need in this case which could be justified. On the issue of local need all of the criteria of policy HSG11 could be met. He asked that the application be approved.

Councillor H.G. Roberts proposed the recommendation for refusal which was duly seconded. He said that it was clear that this was a new build in the countryside and was not even a brownfield site. He raised concerns that other applications in the open countryside would have to be approved if this application was granted. He said that, whilst it was very close to the settlement boundary, the application could not be justified.

The local Member, Councillor C. Legg, said that the applicant was a very well respected member of the community who was a widow and had been forced to sell her property, and would only receive one-third of its value. He said that the applicant would be on the waiting list for a Council property if the application was refused and that it was important to remember that the applicant, who was an agricultural worker, owned the land. He said that this was a unique case and he highlighted paragraph 8.01. The applicant was happy to agree to any conditions. He urged the Committee to approve the application.

Councillor W.O. Thomas spoke of TAN6 and said that only the Lixwm site which was in the open countryside had been permitted under policy HSG11. He said that this was an opportunity to have a local need dwelling which, with a section 106 agreement, could be held in perpetuity.

In response, the Planning Strategy Manager said that the authority could be flexible if the policy allowed it but all of the criteria in Policy HSG11 had to be complied with to ensure that the open countryside was protected. He spoke of criterion C which required that suitable sites should be about the settlement boundary and he reiterated that the application did not comply with HSG11. The Committee were being asked to decide if the personal circumstances of the applicant were unique and the fact that the applicant owned the land did not mean that this was the case.

Councillor A.M. Halford felt that the application went against policy but said that the applicant's standing in the community had to be taken into account. She felt that the policies could be moved to allow the application.

In response to a request by a Member, the Development Manager detailed the personal circumstances of the applicant which had been presented with the application.

Councillor P.G. Heesom said that an application for an agricultural worker's dwelling could not be sustained and the personal circumstances of the applicant should not be taken into account. He felt that there were no grounds to approve the application unless it was an agricultural worker application. Councillor M.J. Peers asked whether an agricultural assessment had been undertaken and highlighted paragraph 7.06. He felt that as there was an affordability element to the proposal and queried whether it might be held in perpetuity by a Section 106 agreement. Councillor R.B. Jones said that policy HSG11 was not satisfied, the applicant's circumstances were not unique, and the application should be refused. Councillor J. Falshaw queried whether the applicant would be able to be housed in a property in the area if the application was refused and queried who would look after her sheep if this was not possible.

In response to the comments made, the officer said that there was no case made or justification to permit the application as an agricultural worker's dwelling and it had been accepted that it did not comply with the relevant policy. The personal circumstances were not unique and if the application was refused then the applicant was potentially homeless. However, there were other ways of addressing this and it was not a reason to go against policy.

RESOLVED:

That planning permission be refused for the reason detailed in the report of the Head of Planning.

162. FULL APPLICATION – CONSTRUCTION OF THE SOUTHERN CONVERTER STATION COMPRISING VALVE HALLS, A CONTROL BUILDING AND A SPARES BUILDING TOGETHER WITH OUTDOOR ELECTRICAL EQUIPMENT AND ASSOCIATED ACCESS IMPROVEMENTS, INFRASTRUCTURE, EARTHWORKS, SECURITY FENCING, LANDSCAPED AREAS AND HABITAT CREATION AT CONVERTER STATION, LAND SOUTH OF WEIGHBRIDGE ROAD, DEESIDE INDUSTRIAL ESTATE, DEESIDE (050340)

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 officer detailed the background to the report and drew Members' attention to the comments of Connah's Quay Town Council who had no objections to the application.

Councillor C.M. Jones proposed the recommendation for approval which was duly seconded. She welcomed the application which would be

sited on an industrial park and would have minimal visual impact, the noise levels would be low and there would be no detrimental impact on the area.

Councillor A.I. Dunbar said that the original application site had impacted on the residents of the area adjoining that site, but the company had taken account of residents' concerns and had looked at sites on the industrial estate. Councillor P. Shotton welcomed and supported the application. Councillor R. Lloyd queried whether the appeal on the original site would still go ahead if this application was approved. In response, the Principal Solicitor advised Members that the appeal should not be a consideration in their determination of this application, but that the appeal was still current.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning.

163. FULL APPLICATION – ALTERATIONS TO THE FASCIA/FAÇADE AT FORMER TOWN HALL, HIGH STREET, HOLYWELL (049993)

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 officer detailed the background to the report.

Councillor H.G. Roberts 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.

164. RENEWAL OF PLANNING PERMISSION REF: 046257 TO ALLOW THE ERECTION OF A BUNGALOW AT LAND TO THE REAR OF 8 MANCOT LANE, MANCOT (050166)

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 officer detailed the background to the report.

Councillor A.M. Halford 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.

165. GENERAL MATTERS – DEMOLITION OF EXISTING THREE STOREY OFFICE BUILDING AND ERECTION OF A 4-STOREY APARTMENT BLOCK COMPRISING OF 34 NO. 2-BEDROOM UNITS AND DEDICATED ON-SITE PARKING AT FLINT HOUSE, CHAPEL STREET, FLINT (043097)

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 officer detailed the background to the application and explained that the section 106 agreement had never been signed. He added that the previous application requested 30% affordable housing but this was now no longer a requirement as the development was for those over the age of 55.

Councillor P.G. Heesom queried whether there had to be further full consultation as the resolution to grant planning permission was in March 2008. He felt that there might be changes in circumstances and suggested that there should be further consultation upon the application. He proposed deferment of the application on that basis, which was duly seconded.

The Planning Strategy Manager advised that the application was part of the Flint Masterplan and the development had been put forward as part of the wider regeneration project. He added that all of the local Members were supportive of the changes. Councillor Heesom felt that this was unacceptable and said that the application should go through the full planning process.

The Principal Solicitor explained that it was not unusual for an applicant to sit on a site for a number of years but added that it was a matter of planning judgement whether or not there had been material changes to the planning circumstances which necessitated further consultation.

On being put to the vote, deferment of the application was CARRIED.

RESOLVED:

That the application be deferred to allow reconsultation.

Prior to the determination of the next item, the Chairman vacated the chair and the Vice-chairman took over chairing the meeting.

166. FULL APPLICATION – CONSTRUCTION OF AN ANAEROBIC DIGESTION PLANT FOR THE PURPOSES OF WASTE TREATMENT AND GENERATION OF 500KW RENEWABLE ENERGY CONSISTING OF A RECEPTION BUILDING, 2 DIGESTION TANKS, A DIGESTATE PRODUCT STORAGE TANK, 3 DELIVERY STORAGE TANKS, 2 PASTEURISERS,

CHP GENERATION EQUIPMENT INCLUDING AN EXHAUST STACK, ELECTRICAL GRID CONNECTION INFRASTRUCTURE, AND AUXILIARY SHIELDED FLARE, ODOUR MANAGEMENT EQUIPMENT AND CONCRETE BUNDED WALLS AT FORMER GRASSER WORKS, FACTORY ROAD, SANDYCROFT (050249)

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 18 February 2013. 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 Officers detailed the background to the report explaining that the application was in line with local and national policy and guidance and was in an area identified for employment use in the UDP. The principle of the development was acceptable and the proposal had been considered in detail along with the potential impact from noise and odour on neighbouring residential properties. Statutory consultees had raised no objection to the application and, with the proposed mitigation measures in place, the recommendation was to approve the application.

Mr. K. Harris spoke against the application. He explained that his property was next to the application site and one of the bedroom windows of his property overlooked the site. The height of the window meant that he would still be able to see the site over the proposed four metre screening. The screening would also cast shadows over his garden except in winter when the trees would be without leaves and he would be able to see the digester from his garden. He raised concern about the proposed trees to be planted as the deeds to his property specified that he was not able to plant trees due to a possible subsidence problem. The odours which were currently emitted from the site were nauseating at times, and Mr. Harris felt this would increase. He also raised concerns about a large highly flammable gas storage facility next to his house.

Mr. R. Carter, the agent for the applicant, spoke in support of the application. He said that the application complied with policy and the proposal was supported by Welsh Government sustainable development policy. He spoke of the job creation in the principal employment zone and reiterated the comments that the site was allocated for employment use in the UDP. He said that there had been concerns about the visual and noise impacts on local residents and amendments to the proposal had been made because of those concerns to reduce the impact.

Councillor P.G. Heesom said that the proposal was compliant with policy but raised concern about the impact on the residents. He asked whether any offers had been made by the applicants to buy out the owners of the neighbouring properties. He felt that the impact had not been fully addressed with and that further advice was needed before Members made a decision on the application. The Principal Solicitor advised the Committee that the issue raised by Councillor Heesom was not relevant for their

deliberations and that the application should be determined based on the information before them.

Councillor D.E. Wisinger proposed the recommendation for approval which was duly seconded. He said that the company had been on the site for a number of years and employed several people. He said that compromises had been made by the applicant which had resulted in amendments to the proposals such as painting the units to fit in with the landscape. An independent assessment had been undertaken on the issue of landscaping and the 4 metre high conifer hedge which was originally proposed had now been amended in the plan for a 7.5 metre strip of native shrub and tree species between the site and the properties. On the issue of noise and odours Councillor Wisinger said that all of the units would be sealed so it was hoped that there would not be any smells, and conditions were proposed to monitor the noise and odour levels.

Councillor W.O. Thomas referred to slurry tanks and asked if the same guidance that the tips needed to be a certain distance from residential properties had been taken into account in consideration of this application. The Development Manager replied that planning permission was required for slurry tanks which were within 500 metres of residential properties.

Councillor A.M. Halford asked if conditions 6 and 7 could be changed to give more support to the residents. She said that there was a duty of care to the people who lived next to the facility and she hoped that the noise would be controlled and the smells eradicated. Councillor R. Lloyd referred to the state of Factory Road and asked if there were any proposals for the Council to adopt it. The Senior Engineer - Highways Development Control advised that the road was adopted and that she could raise the concerns with the Head of Streetscene about its condition. Councillor Heesom sought assurances that the correct distances had been applied between the site and the properties and said that he understood that the units should be sited at least 250 metres from any dwellings.

In response to the comments made, the Senior Minerals and Waste Officers said that the noise and odour levels would be monitored and would be controlled by set limits. On the issue of odour, the Environment Agency would be the primary regulators as the site would require a permit. She said that there was no minimum distance limits stipulated in national or local policy about the siting of the units from neighbouring properties. She reminded Members that the full conditions had been placed in the Members' room for their information. Following a query from Councillor M.J. Peers, the officer said that discussions had taken place with the agent about the location of the storage tanks, and due to the way the process worked, it was the only place to put the tanks to minimise the impact on the properties.

On being put to the vote, there was an equality of voting and the Vice-Chairman (in the chair) used his casting vote to approve the application.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning.

167. **APPEAL BY MR STEPHEN BAILEY AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE AN APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED USE OR DEVELOPMENT – SITING A MOBILE LOG CABIN ON THE LAND FOR USE AS ANCILLARY RESIDENTIAL ACCOMMODATION PENTRE BACH FARM, FFORDD PENTRE BACK, NERCWYS (048799)**

RESOLVED:

That the decision of the Inspector to dismiss this appeal be noted.

168. **APPEAL BY MR. & MRS. S.A. WRIGHT AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE CHANGE OF USE OF LAND FOR THE SITING OF TWO STATIC CARAVANS ON LAND ADJACENT WOOD VIEW, LLYN HELYG, LLOC (048922)**

RESOLVED:

That the decision of the Inspector to allow this appeal be noted.

169. **APPEAL BY MR. GARY AMES AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF 10 NO. TWO BEDROOM APARTMENTS AT RISBORO, NANT MAWR ROAD, BUCKLEY (049451)**

RESOLVED:

That the decision of the Inspector to allow this appeal be noted.

170. **APPEAL BY MISS. LIZ MCFARLANE AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION AND CONSTRUCTION OF NEW SINGLE STOREY EXTENSION TO PROVIDE BEDROOM, BATHROOM AND LIVING SPACE FOR WHEELCHAIR ACCESS AT 15 HAWARDEN DRIVE, BUCKLEY (049623)**

RESOLVED:

That the decision of the Inspector to allow this appeal be noted.

171. **DURATION OF MEETING**

The meeting commenced at 1.00 p.m. and ended at 6.50 p.m.

172. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were 48 members of the public and 3 members of the press in attendance.

.....
Chairman

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**
DATE: **20TH MARCH 2013**
REPORT BY: **HEAD OF PLANNING**
SUBJECT: **FULL APPLICATION – ERECTION OF 2 NO. TWO BEDROOM SEMI DETACHED DWELLINGS WITH PARKING TO FRONT AND REAR AT FERN LEIGH, BROOK STREET, BUCKLEY**
APPLICATION NUMBER: **050291**
APPLICANT: **MR. ANDREW CROSTON**
SITE: **LAND OFF FERN LEIGH, BROOK STREET, BUCKLEY**
APPLICATION VALID DATE: **19TH DECEMBER 2012**
LOCAL MEMBERS: **COUNCILLOR A. WOOLLEY**
COUNCILLOR R. JONES
TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**
REASON FOR COMMITTEE: **MEMBER REQUEST**
SITE VISIT: **NO.**

1.00 SUMMARY

1.01 This is a full application for the erection of 2, 2 bedroom semi-detached dwellings with parking to the front and rear at land off Fern Leigh, Brook Street, Buckley. The issues for consideration are the principle of the development in planning policy, the highway implications, the effects upon the character and appearance of the area the effects upon the amenities of the adjoining residents and public open space provision. The highway issues have now been resolved and thus the application is now considered acceptable.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 That conditional planning permission be granted subject to the

applicant entering into a Section 106 Agreement, unilateral undertaking or advance payment of a commuted sum in lieu of on site public open space of £1,100 per dwelling.

Conditions

1. Time limit on commencement.
2. In accordance with approved plans.
3. Prior to commencement of development, samples of all external materials submitted and agreed. Agreed details implemented in full thereafter.
4. Land drainage run off not permitted to discharge, either directly or indirectly into public sewerage system.
5. No surface water to be allowed to connect, directly or indirectly, to public sewage system.
6. Foul and surface water discharges shall be drained separately from site.
7. Car parking spaces laid out as detailed on proposed plans and available for use at all times thereafter.
8. Removal of PD rights – extensions and alterations.
9. Removal of PD rights – ancillary buildings.

3.00 CONSULTATIONS

3.01 Local Member

Councillor A. Woolley

Requests that the application is reported to committee due to concerns over traffic congestion, access, over crowding and loss of amenity.

Councillor R. Jones

No response received to date.

Buckley Town Council

No observations.

Head of Assets and Transportation

Upon receipt of amended plans, no further objection to the proposal.

Head of Public Protection

No adverse comments to make.

Public Open Spaces Manager

Based upon the information received in accordance with PGN No. 13 Public Open Space Provision, a commuted sum payment of not less than £1,100 per dwelling would be required in lieu of on site POS.

Welsh Water/Dwr Cymru

Advises that suggested notes and conditions are placed upon any planning permission granted.

Wales & West Utilities

No observations, however apparatus may be at risk during construction works and should planning permission be granted required to developer to contact them to discuss their requirements.

SP Energy Networks

No response received to date.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

Five letters of objection received. The grounds of objection being:-

- Future occupiers need to be aware that a club is located next door.
- Increase in traffic will lead to a detrimental impact on pedestrian and highway safety.
- Seems a 'tight fit' for limited size of plot.
- Congestion may arise in the area whilst properties are being constructed.
- Development would change the quiet and peaceful character of the area.
- Lack of parking.
- Noise pollution.
- Unnecessary development for area.
- Could invite anti social behaviour during build.
- Overlooking of nearby properties.
- Damage to road surface.

5.00 SITE HISTORY

5.01 **44989** – Erection of a three bedroom dwelling house and improved vehicular access to No. 6 Fern Leigh – Granted 2nd December 2008.

24723 – Outline Application for the erection of a dwelling – Refused 7th November 1995.

66/199 – Proposed erection of garage – Granted 21st October 1966.

65/15 – Outline application for erection of a dwelling – Refused 21st April 1965.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design Quality, Location & Layout.

Policy D2 – Design.

Policy AC13 – Access & Traffic Impact.

Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries.

Policy tw13 – Nuisance.

Policy IMP1 – Planning Conditions & Planning Obligations.

Local Planning Guidance Note 2 ‘Space Around Dwellings’.

Local Planning Guidance Note 13 ‘Open Space Requirements’.

The site is located within the settlement boundary of Buckley which is a Category A settlement as identified in the adopted Flintshire Unitary Development Plan. Policy GEN2 specifies that development will usually be permitted in such locations. Policy HSG3 directs that on unallocated sites within settlement boundaries, new housing development will be permitted provided that it does not conflict with the Flintshire Unitary Development Plan housing provision for the county or result in tandem or overdevelopment of the site. Therefore, it is considered that in principle, in planning policy terms the developments are considered acceptable. Policies GEN1, D1, D2, AC13 and EW13 deal with detailed matters of the development which are also considered acceptable.

7.00 PLANNING APPRAISAL

7.01 Site Description & Proposal

The site comprises of a triangular plot of 400 sq. m. situated adjacent to No. 1 Rosemount, Buckley. To the west lies Buckley Workingmen’s Social Club, the east No. 1 Rosemount, the south the rear of Fernleigh and north the access track to the rear of the properties 92-70 Chester Road. Vehicular access to the plot is gained by an existing track between the Workingmen’s Club and Fern Leigh which in turn is off Brook Street. There is an existing single garage situated at the front of the site which provided parking for No. 6 Fern Leigh.

7.02 The proposals involve the creation of 2, 2 bedroom semi-detached dwellings with two parking spaces proposed at the front of the dwellings and 3 spaces proposed at the rear (1 of which will be for No. 6 Fern Leigh). Each dwelling will measure approximately 8 m x 4.5 m

x 8.5 m and will be constructed within brick and concrete roof tiles.

7.03 Issues

The main issues to consider within the determination of this application are the principle of development in planning policy, the highway implications, the effects upon nearby residential amenity and the effects upon the character and appearance of the area.

7.04 Background

Members may recall that planning permission for the erection of a three bedroom dwelling house and improved vehicular access to No. 6 Fernleigh was granted on this site on 1st December 2008. This permission, therefore, expires on 1st December 2013 and includes the provision of an off road parking space for No. 6 at the side of the property.

7.05 Due to the economic climate, the site remains undeveloped with the application proposing an additional unit on the site to improve its prospect for development in providing two new affordable homes with parking being proposed to both the front and rear now.

7.06 Principle of Development

The site is located within the settlement boundary of Buckley which is a Category A settlement as identified in the adopted Unitary Development Plan. Policy GEN2 specifies that development will usually be permitted in such locations.

7.07 Policy HSG3 directs that on unallocated sites within settlement boundaries, new housing development or the replacement of existing dwellings will be permitted provided that it does not conflict with the UDP housing provision for the County or result in tandem or overdevelopment of the site. The bringing forward of windfall sites such as this reflects the UDP Inspectors conclusions that housing development should be directed to Category A settlements in line with the Plan's spatial strategy of bringing about sustainable development in the County's larger settlements where there are a range of facilities, services and infrastructure. Therefore it is considered that the developments are acceptable in principle and therefore the main issues are matters of detail in respect of this application.

7.08 Highways

The plans show that two car parking spaces will be provided for each dwelling with an additional space being provided also for No. 6 Fern Leigh. One space will be provided at the front and the rear of each of the dwellings together with a space for No. 6 being provided at the rear of the dwellings of the rear access to the properties on Chester Road. This space is divorced from the property but is only a short distance away and linked by the existing footpath alongside the club and the site. These provisions together with the access arrangements are now considered acceptable to the Head of Assets &

Transportation.

7.09 Effects upon the Amenities of Adjoining Occupiers

The site is located immediately adjacent to the east of the blank gable elevational wall of the Workingmen's Club, 22 m away from the rear of the properties on Chester Road to the north and approximately 10 m away from the rear of No. 6 Fern Leigh. Although, it is located only a short distance away from the rear of No. 6, this property is sited at an angle. Given the above, it is considered that the proposals will not have a significant detrimental impact upon the amenities of adjoining residents in terms of loss of light, privacy etc.

7.10 In relation to the effects upon the amenities of the proposed occupiers of the dwellings due to noise disturbance from the Workingmen's Club, there are no windows presently upon this side of club so as not to cause any significant disturbance to these proposed occupiers. There have been no complaints from the existing occupiers to our Pollution Control department about any existing noise disturbance emanating from the club.

7.11 Effects upon the Character and Appearance of the Area

The proposals are to be located within an area of existing terraced properties which are tightly grouped together. They also meet the separation distances between dwellings and the guidelines for private amenity areas as stated within the Local Planning Guidance 'Space Around Dwellings'. The design, materials, scale etc will be similar to those within the immediate area. Given the above, it is considered that the proposals will not have a significant detrimental visual impact upon the character and appearance of the area.

7.12 Public Open Space

As the proposals are for two dwellings and no public open space is being provided on the site, the Public Open Spaces Manager advises that a payment of £1,100 per dwelling is required. This will be paid directly to the Council by the applicant.

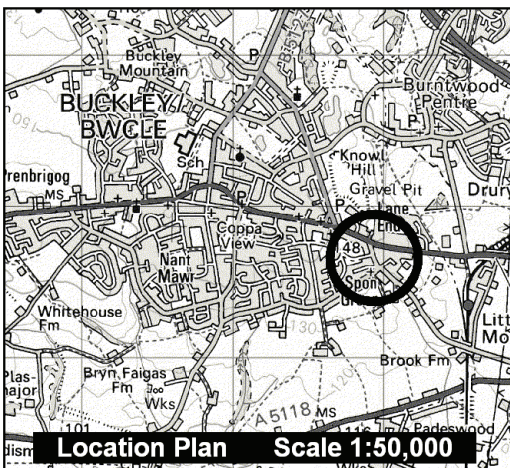
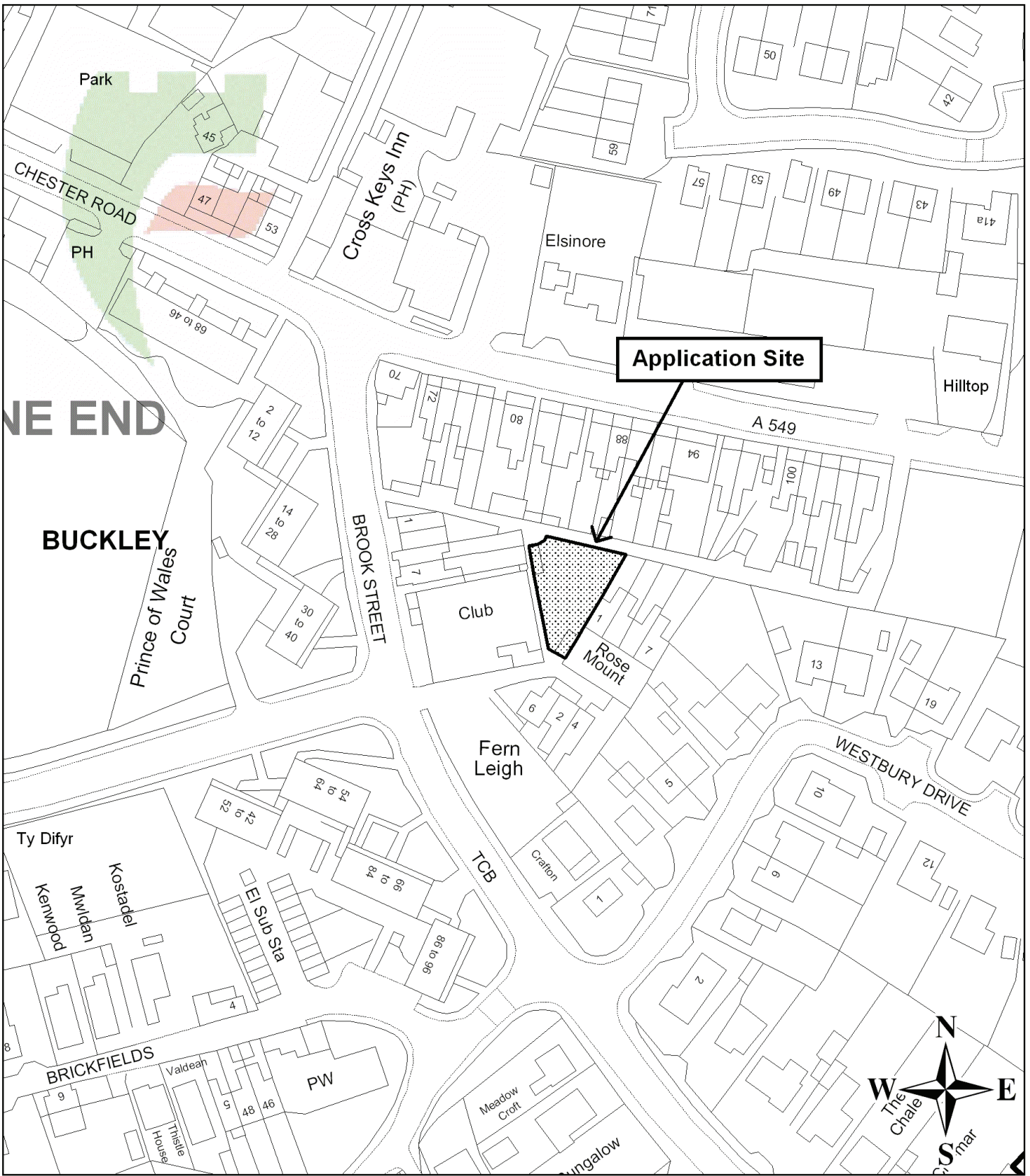
8.00 CONCLUSION

8.01 For the above reasons it is considered that the proposals are acceptable in relation to the principle of the development, highways, the effects upon the amenities of adjoining occupiers together with the effects upon the character and appearance of the area and public open space requirements.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

Contact Officer: Alan Wells
Telephone: (01352) 703255
Email: alan.wells@flintshire.gov.uk

This page is intentionally left blank



Environment Directorate,
Flintshire County Council, County Hall,
Mold, Flintshire, CH7 6NF.
Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
Development Plan
Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2013.

Map Scale 1:1250

OS Map ref SJ 2863

Planning Application **50291**

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE:

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **DEMOLITION OF EXISTING GARAGE AND THE ERECTION OF A ONE BEDROOM ANNEX at 18 VAUGHAN WAY, CONNAH'S QUAY, DEESIDE**

APPLICATION NUMBER: **050312**

APPLICANT: **MR NOEL POPPLEWELL**

SITE: **18 VAUGHAN WAY, CONNAH'S QUAY, DEESIDE**

APPLICATION VALID DATE: **12/12/2012**

LOCAL MEMBERS: **COUNCILLOR I SMITH**
COUNCILLOR I DUNBAR

TOWN/COMMUNITY COUNCIL: **CONNAHS QUAY TOWN COUNCIL**

REASON FOR COMMITTEE: **COUNCILLOR SMITH HAS REQUESTED THAT THE APPLICATION BE REFERRED TO THE PLANNING COMMITTEE BECAUSE THE PROPOSAL IS TANDEM DEVELOPMENT**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This application seeks planning permission for the demolition of an existing garage and the erection of an annex to the rear of 18 Vaughan Way, Connah's Quay to provide ancillary accommodation for a family member.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 The proposal is recommended for approval subject to the following conditions:

1. Time limit on commencement.
2. In accord with approved detail.
3. Materials to be agreed.
4. Removal of permitted development rights for new openings on West elevation.
5. Annex shall only be occupied for purposes ancillary to the dwelling

3.00 CONSULTATIONS

3.01 Local Member

Councillor I Smith

Requested that the application be referred to the Planning Committee because the proposal is tandem development and a site visit should be carried out so members can see the site.

Councillor I Dunbar

No comments received

Connah's Quay Town Council

Concern that it is tandem development.

Head of Assets and Transportation

No objection.

Head of Public Protection

No adverse comments.

4.00 PUBLICITY

4.01 Neighbour Notification

3no. letters of objection have been received. The grounds of objection are as follows:

- The existing properties are already as close as they should be
- The proposed driveway is not necessary
- Loss of privacy

5.00 SITE HISTORY

5.01 049128 – Demolition of garage and the erection of an annex (refused 6th December 2011)

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
GEN1 – General Requirements for Development

7.00 PLANNING APPRAISAL

7.01 Application Site

The application site is located within the settlement boundary of Connah's Quay as defined in the Flintshire Unitary Development Plan (UDP). The site comprises a dormer bungalow with a large detached double garage located behind the rear building line of the dwelling.

7.02 The character of the streetscape is defined by a mixture of detached single storey and two storey dormer bungalows of varying designs.

7.03 Planning permission has previously been refused (049128) for a larger, two-storey annex. The application was refused on the grounds of the impact on the single storey properties to the rear and that it was tantamount to the erection of a new dwelling.

7.04 Main Issues

In principle, the existing garage could be used for accommodation ancillary to the main dwelling without the need for planning permission and therefore the only material considerations are the design of the proposed building and the impact the building has on the amenities of the neighbouring properties and the character of the area.

7.05 Design

The proposal seeks to demolish the existing double garage and replace it with a single storey detached annex to provide accommodation for a family member of the applicant.

7.06 The existing garage measures approximately 6.5m x 6.6m and has an asymmetrical pitched roof measuring 3.2m in height at the ridge and 2.1m at the eaves. The proposed annex will measure 7m x 8.1m and will have a regular pitched roof measuring 4m in height at the ridge and 2.1m to the eaves. As such, the proposed building will be 0.8m higher than the existing building.

7.07 The existing garage is located on the boundary with the adjacent dwelling, no.16 Vaughan Way. The proposed garage will be sited on the same footprint as the existing garage only extending 1.5m to the rear and 0.5m to the side. This will result in the proposed annex being approximately 3m distance from the 1.8m high close boarded fence boundary with the neighbouring properties to the rear. There will be no windows on the west elevation.

7.08 Amenity

Given that the proposal will have no windows on the west elevation, which faces no.16, and that the proposal is only single storey, it is

considered that there will not be any detrimental overlooking or over bearing impact on the property. Furthermore, although there are windows in the rear elevation of the proposed annex, due the boundary fence to the rear, and the fact that the neighbouring properties to the rear are also single storey, it is considered that there would not be any undue over looking or overbearing impact on the properties to the rear.

7.09 Other Considerations

Objections have been received stating that the proposal is tandem development. However, the proposal is for annex accommodation and not a separate dwelling and therefore it will not result in tandem development.

7.10 The facilities contained within the proposed annex include for a bathroom, bedroom and living room. It is anticipated that the main dwelling will be relied upon for the kitchen facilities, which would ensure the proposal remains ancillary to the main dwelling.

7.11 Objections have also been received concerning the loss of property value; however, this is not a material planning consideration.

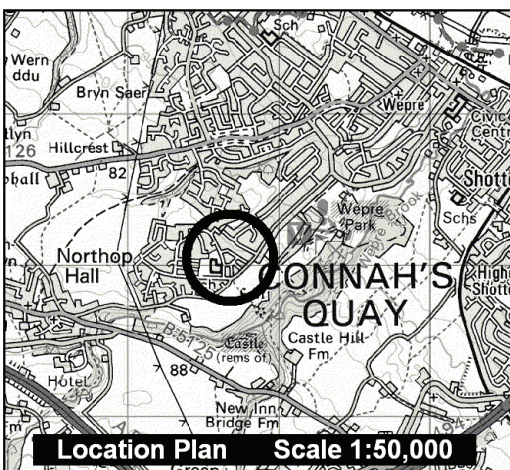
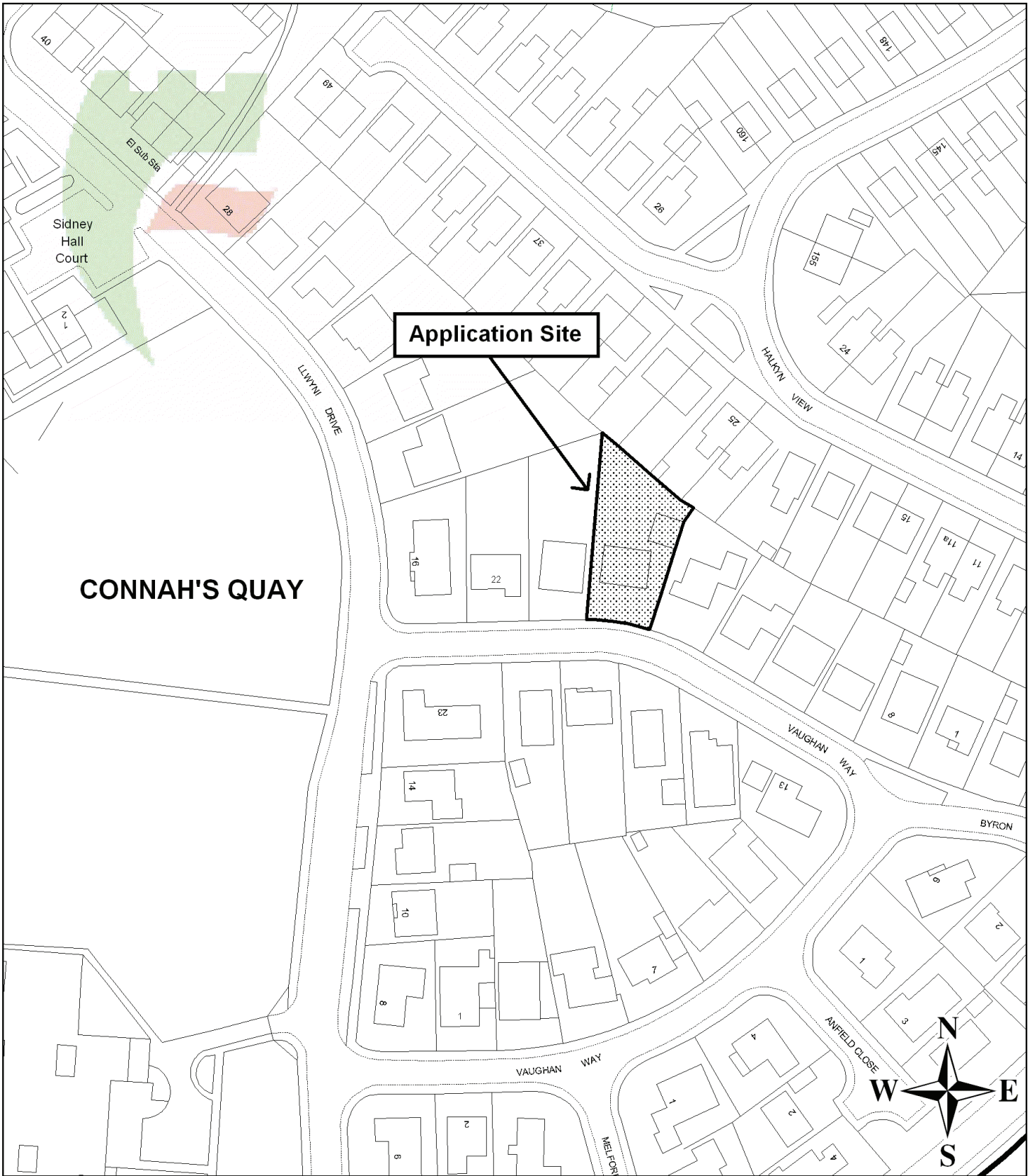
7.12 Furthermore, an objection has also been received regarding the proposed new driveway. The proposed driveway itself does not require planning permission, however; it will provide additional parking which will be lost through the demolition of the existing double garage and therefore the proposal complies with policy AC18 of the UDP.

8.00 CONCLUSION

8.01 It is considered that the proposal will not have a detrimental impact on the amenities of the occupants of the neighbouring properties, nor will it have a detrimental impact upon the character of the streetscene.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

Contact Officer: Alex Walker
Telephone: 01352 703299
Email: alex.walker@flintshire.gov.uk



Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2013.

Map Scale 1:1250

OS Map ref Sj 2868

Planning Application 50312

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **20th MARCH 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **ERECTION OF A SINGLE STOREY CONVENIENCE STORE AND ASSOCIATED CAR PARKING FOLLOWING THE DEMOLITION OF EXISTING STORAGE BUILDING ON LAND AT MORRIS'S GARAGE, WREXHAM ROAD, MOLD, FLINTSHIRE.**

APPLICATION NUMBER: **050252**

APPLICANT: **OM PROJECTS LTD**

SITE: **LAND AT MORRIS'S GARAGE, WREXHAM ROAD, MOLD, FLINTSHIRE.**

APPLICATION VALID DATE: **2ND NOVEMBER 2012**

LOCAL MEMBERS: **COUNCILLOR H. BATEMAN**

TOWN/COMMUNITY COUNCIL: **MOLD TOWN COUNCIL**

REASON FOR COMMITTEE: **THE PROPOSALS REQUIRE A S.106 AGREEMENT IN RELATION TO A TRAFFIC REGULATION ORDER, POWERS FOR WHICH ARE NOT DELEGATED.**

SITE VISIT: **NO**

Members will recall that this application was considered at the Committee held on the 20th February 2013 where it was resolved to grant planning permission subject to conditions. Specifically, members resolved to vary the condition addressing the hours of opening of the proposed store and imposed restrictions as set out below:

0700 hours – 2100 hours Monday to Saturday.
0900 hours – 1600 hours Sundays and Bank Holidays.

This amendment has been considered by the applicant who has requested, in the light of the determination of the Licensing Committee held on the 28th February 2013 in respect of a licence to sell alcohol and the conditions in respect of hours resolved to be imposed, that an amended proposal in terms of the opening hours is considered by Members.

Members should be aware that the Licensing Committee resolved to permit the sale of alcohol from the premises during the following hours:

0700 hours - 2300 hours Monday – Saturday.

0700 hours - 2200 hours Sundays and Bank Holidays.

In view of this, the Applicant considers that the following opening hours are not unreasonable and requests that Committee resolve upon the basis of the same:

0700 hours - 2300 hours Monday to Saturday.

0700 hours - 2200 hours Sundays and Bank Holidays.

Members will be aware that the resolution of the Licensing Committee is not binding upon the decisions of the Planning and Development Control Committee. However, Members should be mindful that their reasoning, in coming to any decision alternative to that suggested above, must be made upon a clear and sound planning basis.

I am advised by the applicant that should Members be minded other than to resolve in accordance with the suggested hours, then the applicant wishes for the determination to be made in accord with the above terms and not a variation upon this suggestion.

My recommendation in the light of this matter remains as set out below with exception of the amended opening hours as detailed above.

1.00 SUMMARY

1.01 This full application seeks permission for the demolition of the existing building upon the site and the redevelopment of that part of the site fronting onto Wrexham Road for the purposes of the erection of a single storey convenience store and associated service and customer parking areas.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 That conditional planning permission be granted subject to the applicant entering into either a Section 106 Obligation, Unilateral Undertaking or the making of an advance payment to provide the following:-

- The payment of £3500 to provide for the cost of a Traffic Regulation Order and the associated parking restriction lining along Wrexham Road, Brook Street and Conway Street.

1. Time limit
2. In accord with approved plans
3. Details of highway amendment and improvement works prior

- to commencement
4. No other works until access works are completed
 5. Details of site access prior to works commencement
 6. Access completed to base course and internal tangent of entrance radii prior to any other site works
 7. Site served by single access with all other access closed prior to first use of site.
 8. Provision of parking facilities prior to first use.
 9. Submission of Construction Management Plan.
 10. Submission of Operational Traffic Management Plan
 11. Restrictions to delivery times.
 12. Submission of site contamination investigation and associated remediation measures. Implementation of identified and agreed remediation prior to any other site works.
 13. Verification and validation of remediation scheme.
 14. Opening Hours – 0600 hours – 2300 hours Monday – Saturday. 0700 hours – 2200 hours Sundays and bank holidays.
 15. Notwithstanding submitted details, boundary details to be submitted and agreed.
 16. Implementation of landscaping scheme prior to use and maintenance for 5 years thereafter.
 17. Samples of materials to be submitted and agreed.
 18. Noise control measures upon external plant to be agreed prior to installation.

3.00 CONSULTATIONS

3.01 Local Member
Councillor G. H. Bateman
No response at time of writing.

Mold Town Council

Supports the proposal in principle. Requests conditions preventing 24 hour operation and delivery times restricted to be between 7am and 7pm. Also requests the addition of double yellow lines to the junction of Wrexham Road, Brooke Street and part of Conway Street.

Head of Assets and Transportation

No objection subject to the imposition of conditions and the applicant entering into a S.106 agreement (or similar) to secure the funding to provide for the cost of a Traffic Regulation Order and associated parking restriction lining along Wrexham Road, Brook Street and Conway Street.

Head of Public Protection

No objection. Requests the imposition of conditions requiring a site investigation of the site for potential contamination arising from the previous historical contaminative use of the site. Also requests that

condition require the imposition of such remediation measures identified and agreed.

Also, advises that scheme of noise levels and such required mitigation as may be identified in respect of proposed external plant.

Environment Agency Wales

Considers the flood risk to be acceptable upon the basis of the proposals representing a 'like for like' change of use in terms of vulnerability to risk. Requests the imposition of notes requiring the incorporation of flood proofing measures and participation in the flood warning service

4.00 PUBLICITY

4.01 The proposals has been advertised by way of a site notice and neighbour notification letters.

4.02 4 No. letters received. Comments and objections relating to the following matters were raised;

- Opening hours to be restricted
- Delivery times to be restricted
- Potential for proposals to result in antisocial behaviour
- Detrimental impacts upon residential amenity arising from noise
- Adverse impacts upon highway network and pedestrian safety
- Site contamination
- Proliferation of 'supermarkets'

5.00 SITE HISTORY

5.01 **038466**

Demolition of garage and erection of 3 and 4 storey residential development.

Refused 27/2/2006

045341

Change of Use from garage site to self storage container site.

Refused 9/12/2008

045711

Outline application – Erection of 24 apartments.

Approved 23/3/2009.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 - New Development

Policy STR5 - Commercial Development

- Policy GEN1 - General Requirements for Development
- Policy GEN2 - Development inside Settlement Boundaries
- Policy D1 - Design Quality, Location and Layout
- Policy D3 - Landscaping
- Policy AC13 - Access and Traffic Impact
- Policy AC15 - Traffic Management
- Policy AC18 - Parking Provision and New Development
- Policy S3 - Integrating New Commercial Development
- Policy S4 - Small Scale Shopping Within Settlements

7.00 PLANNING APPRAISAL

7.01 Introduction

The application seeks permission for a new A1 retail building. The building is proposed as a single storey construction and appears modular in its proposed construction. The site layout provides parking and maneuvering space for 20 cars to serves staff and customers. In addition, parking and maneuvering space for delivery vehicles is also provided. Access is proposed via Brook Street.

7.02 Site Description

The site comprises an area of land containing the former vehicle repair garage, its curtilage forecourt and areas of hardstanding and a number of other structures within the curtilage. The site has been used for the siting of shipping containers, facilitating and unauthorised storage use at the site.

7.03 The site itself is flat across its both its axis. The site is bounded to the north by the adjacent highways known as Brook Street and Wrexham Road. There is largely no formal demarcation of this boundary as it served as the access to the forecourt of the garage although at present, security style fencing prevents access to the site along these boundaries. The southerly boundary of the site comprises an established hedge and associated fence to the property known as Garfield. The eastern boundary of the site abutting Conway Street is open along the most northern extreme of the boundary with the more southerly extremes comprising of a combination of corrugated sheet metal screening, an established hedgerow and a stone wall. A combination of wall and some hedges mark the western boundary of the site with the properties on Stryd Henardd.

7.04 The site surroundings are densely developed and are characterised as a mix of residential and education facilities. The residential component of the surroundings comprises 2 storey terraced dwellings on Conway Street, modern semi detached 2 storey dwellings to the west on Stryd Henardd and a 3 storey sheltered housing apartment block on the junction of Brook Street and Wrexham Road to the north. In addition to the detached residence, Garfield, to the south, the site also lies in close proximity to Ysgol Maes Garmon and the Alun School.

7.05 Principle of Development

The principle of proposals of this type is specifically addressed within policies S3 and S4 of the Flintshire Unitary Development Plan. These policies concern themselves with the integration of new commercial development and the location and scale of small shopping proposals within existing settlement boundaries. The proposal is compliant with all of the criterion identified within these policies with the exception of criterion i) of Policy S4, which states that such proposals should be limited to 300 sq metres in floor space. However, this policy does allow for variation up to 500sq metres in certain circumstances.

7.06 Whilst the proposal provides for an outlet of 372sq. metres, it should be borne in mind that the existing premises amounts to 260sq. metres and therefore the proposals actually represent an increased floorspace of only 112 sq. metres. Also, compliant with Policy S3, the proposals will result in a proposal which will integrate much more satisfactorily within the area in visual terms than the site does at present. Given this, I consider the floorspace in excess of the 300sq metres specified with Policy S4 is justified and acceptable in principle.

7.07 Highway Issues

The site is presently served by 2 existing points of vehicular access, one off Conway Street adjacent to its junction with Wrexham Road, and the other off Brook Street, again, just adjacent to its' junction with Wrexham Road although in connection with the current unauthorised activities at the site, only the access via Brook Street is utilised. The proposals seek to close the access onto Conway Street permanently and improve the access off Brook Street to serve the proposed convenience store.

7.08 The proposals have been the subject of consultation with the Head of Transportation and Assets who has advised that the proposal is acceptable subject to the conditions identified in Section 2 of this report and the provisions of the proposed S.106 agreement.

7.09 In consideration of this issue, regard has been had to the nature of the proposed use and the volume of traffic likely to arise from such a use. This has been balanced against the levels of traffic likely were the site to revert to its' approved use as a petrol filling station and vehicle repair garage. It is considered that the level of generated traffic would not amount to a level which would amount to a detrimental impact upon highway safety.

7.10 However, it is appreciated that without appropriate controls at the junctions of Brook Street and Conway Street with Wrexham Road, there is the potential for customers to simply park on these streets, in close proximity to the junctions, thereby causing a highway danger to vehicles wishing to enter or emerge from these junctions and creating potential obstructions to visibility. Therefore it is proposed that the applicant will enter into a S.106 Agreement requiring the payment of

£3500 to provide for the cost of Traffic Regulation Order and associated parking restriction lining at the identified junctions. This scheme would result in double yellow lines being imposed in the areas along Brook Street and Conway Street abutting the site.

7.11 Regard has also been had to the management of operational traffic related to the proposed store. It is considered that given the close proximity of the site to nearby schools, delivery vehicles should not be permitted to arrive at the site at times which relate to the opening and closing times of the school in the interests of minimising the risk of conflicts with other vehicles at peak traffic flow times. Therefore, I propose to condition that delivery vehicles shall not be permitted to arrive between 0815 and 0915 hours and 1445 hours and 1630 hours on Mondays through to Fridays inclusive.

7.12 In addition, it is considered that whilst adequate parking and turning provisions are made at the site for such vehicles, the addition of further vehicles travelling westwards towards Mold Town Centre would be unacceptable. Therefore a condition will be imposed requiring the submission, agreement and adherence to an Operational Traffic Management Plan. Such a plan will identify the means and methods to be employed to ensure that all service vehicles arriving and departing the site do so from and to the east, via Wrexham Road, and do not perform a left turn out of Brook Street towards the town centre. During the development phase of the proposals, a similar plan will be sought by condition for all construction traffic, with similar provisions expected to be incorporated.

7.13 Impacts Upon Amenity - Residential

Concerns have been raised in respect of the potential impacts upon existing residential amenity arising from this proposal. This concerns relate to the following issues;

1. Delivery vehicle times;
2. Noise from external plant; and
3. Opening hours and serving of alcohol.

7.14 Whilst the conditions proposed in respect of the control of delivery vehicles delivery times arising from highway safety considerations will assist in the management of impacts, I consider that this requirement will require further amendment in order to minimise adverse impacts upon existing residential amenity. To this end, I propose to prohibit vehicles from delivering before 0700 hours and after 0800 hours.

7.15 In recognisance of the potential for there to be adverse amenity impact arising from the noise of external plant and machinery such as air conditioning and refrigeration units, I am minded to impose the condition requested by the Head of Public Protection in respect of this matter which requires that if silencing is identified to be necessary, it will be required to be installed prior to operation.

7.16 Concerns have also been raised in respect of opening hours and, more particularly, in respect of the hours within which alcohol will be permitted to be sold. I do not consider the proposed opening hours to be excessive or such that would adversely affect amenity in itself. I appreciate the view expressed in respect of the potential for alcohol sales to give rise to antisocial behaviour or congregation of youths in the area. However, I am of the view that controls of the sale of alcohol are best addressed through the licensing regime and do not consider that attempting to restrict such sales through planning legislation would satisfy the criteria for the use of conditions as set out in Circular 35/95 – Use of Planning Conditions. This circular sets out the tests for a condition to satisfy in order for it to be considered enforceable. Of relevance is the need for a condition to be relevant to planning. The sale of alcohol, or attempts to control the same, is not a planning matter. I do not therefore propose to impose any condition to this effect.

7.18 Impacts Upon Amenity – Visual

The site is presently a collection of buildings and structures, with no overall discernable function apparent. The site has various vehicles and shipping containers located within its' boundaries in varying states of use. In addition, the site boundaries, the interface of the site with its' surroundings are varied and extremely unsightly given the predominantly residential character of the area. These vary from corrugated sheeting and security steel mesh fencing to the remnants of historical stone walls. It is clear that the development of the site as proposed will serve to enhance the visual appearance of the site overall, and its interrelationship with its surroundings in visual terms in particular. Landscaping and new boundary treatments are proposed but nonetheless, I require the precise details to be submitted and agreed and I propose to condition the same.

7.19 I am satisfied that these proposals will serve only to enhance the visual quality of the site.

7.20 Land Contamination

The proposals have been considered by the Head of Public Protection and, given the historical potentially contaminative use of the site as a garage and petrol filling station, both a Phase 1 and Phase 2 land contamination survey would be required to be undertaken upon the site prior to the commencement of the development. These reports should establish the extent of any contamination arising from the previous use and will identify the methods and means of decommissioning of any subterranean fuel tanks within the site.

7.21 It is therefore proposed that any permission granted should be the subject of a condition requiring the above stated investigations, together with details of any required remediation works and the provision of appropriate validation and verification reports in

accordance with the approved remediation strategy.

7.22 Other Matters

The site is located entirely within a C2 flood zone. The proposals have been considered by EAW who have advised that whilst TAN15: Development and Flood Risk (July 2004) seeks to direct development away from such zones, they are mindful of the lawful planning use of the site as a vehicle garage and repair premises in their consideration of the proposals.

7.23 A view has been taken that the risks arising from the proposals are of a similar to that presented by the existing use and therefore the potential risks posed in the event of a flood are considered no greater. Therefore, no objection is raised subject to any permission granted being the subject of additional notes in respect of flood proofing and the EAW flood warning system. I propose to add such notes.

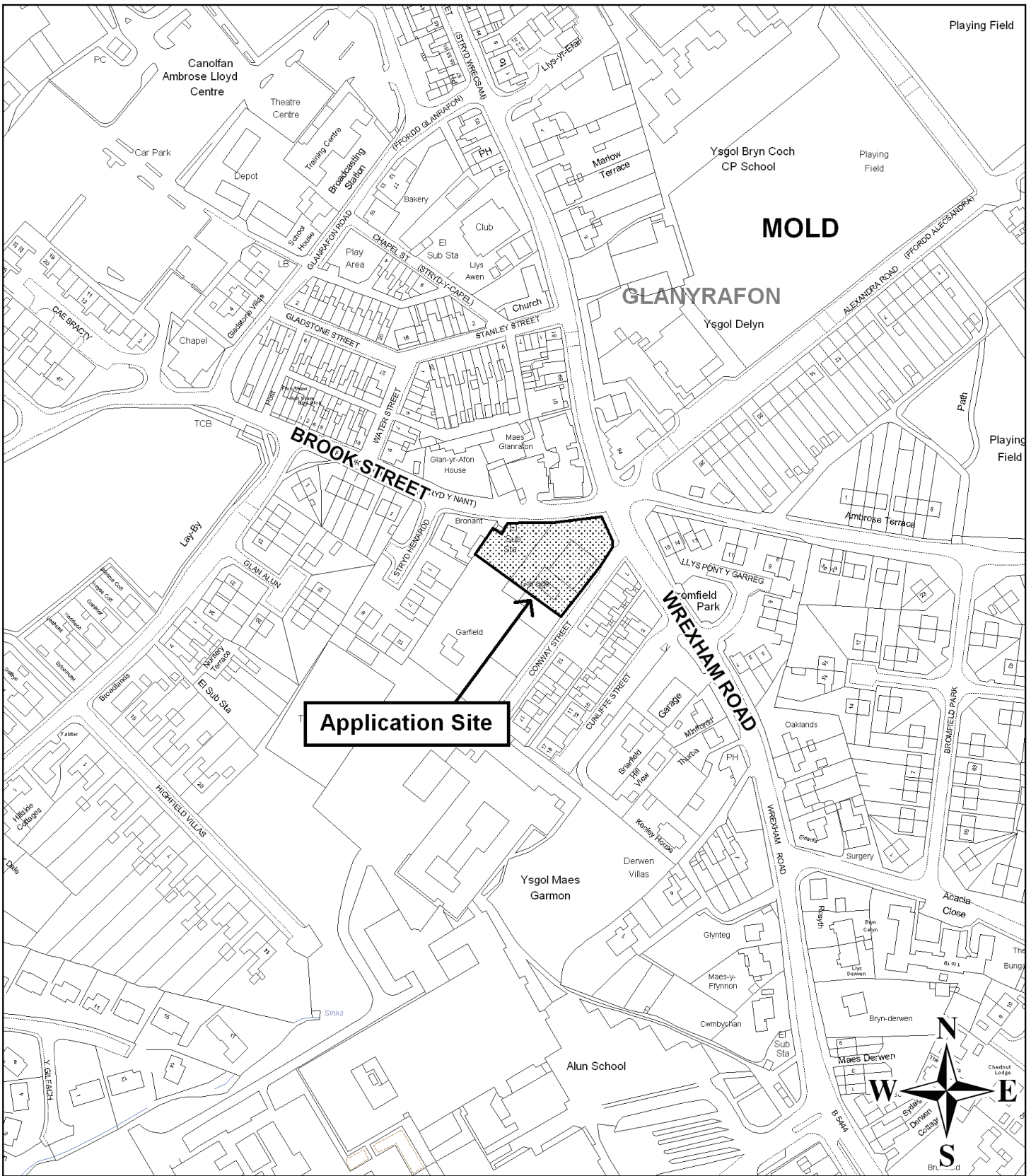
8.00 CONCLUSION

8.01 I am satisfied, having had regard to the provisions of the applicable policies and all other material considerations, that this proposal would accord with the provisions of the same and would, through the suggested agreement and conditions, represent an appropriate and acceptable form of development in this location.

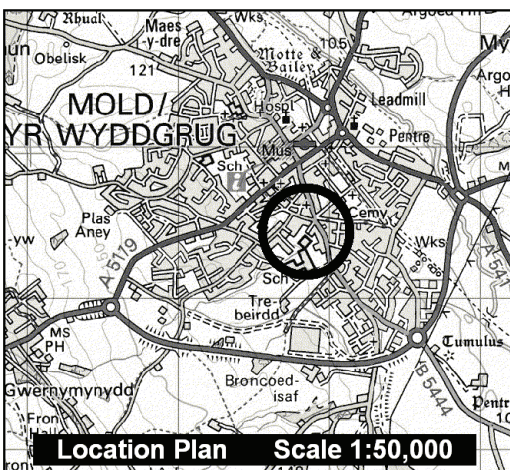
8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

Contact Officer: David Glyn Jones
Telephone: 01352 703281
Email: glyn_d_jones@flintshire.gov.uk

This page is intentionally left blank



Application Site



Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2013.

Map Scale 1:2500

OS Map ref SJ 2363

Planning Application 50252

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY, 20TH MARCH 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **OUTLINE - ERECTION OF A DETACHED BUNGALOW AT "BELMONT", SOUTH STREET, CAERWYS, MOLD**

APPLICATION NUMBER: **050169**

APPLICANT: **MR C MAGGS**

SITE: **LAND TO THE REAR OF BELMONT ,SOUTH STREET, CAERWYS, MOLD CH7 5AL**

APPLICATION VALID DATE: **28 SEPTEMBER 2012**

LOCAL MEMBERS: **COUNCILLOR J E FALSHAW**

TOWN/COMMUNITY COUNCIL: **CAERWYS TOWN COUNCIL**

REASON FOR COMMITTEE: **REQUEST BY LOCAL MEMBER**

SITE VISIT: **UNDERTAKEN PRIOR TO DECEMBER COMMITTEE**

Members will be aware that this application was reported to committee in December when its determination was deferred as the applicant had indicated that an archaeological investigation was to be undertaken. As no further information has been received the application is presented back to committee with my original recommendation of refusal.

1.00 SUMMARY

- 1.01 This outline application seeks planning permission for the erection of a detached bungalow on a plot of land to the rear of Belmont, fronting onto Heol y Capel (Chapel Street) in Caerwys. All matters of detail are

reserved for further approval although the submitted plans show the siting of a single storey dwelling.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

Reasons:

1. The proposed development by virtue of its scale and massing in conjunction with the limited plot depth will lead to a cramped form of development, out of character with the surrounding spacious form of plots, resulting in over development of the site which does not preserve or enhance the character and appearance of the Caerwys conservation area, contrary to policies GEN1, GEN2, D1 and HE1.
2. The UDP identifies the housing requirements for Caerwys and the applicant has not submitted sufficient information regarding local housing need to allow the proposal to be considered under Policy HSG 3.
3. The application contains insufficient information upon which to consider the impact of development upon subsurface archaeology that is anticipated to have survived on the plot and as such the proposal is considered to be contrary to policies HE7 and HE8.

3.00 CONSULTATIONS

3.01 Local Member Cllr J E Falshaw

Requests committee referral and committee site visit, as the proposal is to build a small bungalow to the rear of Belmont, size of plot and past usage. (Site visit was undertaken prior to the December Committee meeting).

Caerwys Town Council

The area of land allocated is such that it may not be able to make adequate provision for a dwelling and therefore may be contrary to policy on density of development.

The development should allow for adequate off road parking and garden as referred to in LPG Note No2 Space Around Dwellings. The site history should be investigated as there is no local knowledge of any business being given planning consent to operate at this location, as stated in the Design and Access Statement.

Head of Assets and Transportation

Raises no objection as there appear to be two points of access serving the rear of the property, one of which can serve the proposed dwelling.

Request conditions with regards to setting the building line back 2.5m back from the carriage way channel, any proposed boundaries being less than 1m in height and facilities being provided and retained within the site for the parking of vehicles with both the existing and proposed property and these being completed prior to the development being brought in to use.

Head of Public Protection

Confirm no adverse comments to make regarding this proposal.

Clwyd Powys Archaeological Trust

Information retained within the Historic Environment Record indicates that the proposal will be located within the medieval historic core of Caerwys. The plot lies within the long burgage plot of Belmont and on similar plots along North Street medieval and post medieval domestic and industrial archaeology has been found during pre- determination evaluation work and it is anticipated that sub surface archaeology will have survived on the plot to the rear of Belmont. There is insufficient information to be able to determine the application, and therefore recommend that a pre-determination archaeological evaluation be completed to supply this information and allow subsequent discussion on mitigation.

Community Services Housing Strategy

Have advised the applicant of the affordability requirements in respect to this development.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

No response received at time of writing.

5.00 SITE HISTORY

5.01 **035964**

Outline detached dwelling Withdrawn 26.07.91

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 New Development

GEN1 General Requirements for Development

GEN2 Development Within Settlement Boundaries

HE1 Development Affecting Conservation Areas

D1 Design, Location and Layout

HSG3 Housing on Unallocated Sites Within Settlement Boundaries

HE7 Other Sites of Lesser Archaeological Significance

HE8 Recording of Historic Features

7.00 PLANNING APPRAISAL

7.01 The Application Site

The application site is located within the settlement boundary of Caerwys, set within the designated Conservation area and the medieval historic core. The plot is located to the rear of the existing dwelling Belmont and has been segregated from Belmont by a wooden fence, delineating the plot, the rear boundary also comprises of wooden fence as is the side boundary. The frontage of the plot presently has a stone wall approximately 2m high, with the vehicular access presently in situ to the side corner of the plot. There is a small ancillary detached building on the site but there is no planning history relating to any alternative use of this land.

7.02 Scheme

The outline submission includes an illustrative scheme indicating the scale of the development and its location of the plot itself. The footprint of the development is proposed to be 65 m², allowing a garden space of 87 m², with two parking spaces provided to the side of the bungalow which is to be set 2 m. back from the highway and leaves a rear garden depth of just over 4m depth.

7.03 Conservation Area

The application site lies within the conservation area and is proposed to be located to the rear of the existing house Belmont. The plot is considered to be an original medieval 'burgage' plot having a historical significance in contributing to part of the original form of the town. Whilst it is noted that the Caerwys conservation area is characterised by a mixture of plot sizes and location of properties in relation to the street, in this instance it is considered that the limited plot depth, out of character with the spacious surrounding plots which form the characteristic medieval feature of the town and its Conservation Area.

7.04 It is also considered that the proposed modern wide gabled bungalow, would be out of character with the narrow gabled steep roofed buildings of the area and the development would over dominate the frontage building, thus reversing the building hierarchy where the main street fronting building should be of greater visual prominence.

7.05 This limited depth of plot is considered to result in a development which will be cramped on the plot and lead to an overdevelopment, which is out of character with the surroundings. The set back of 2.5m from the adjoining carriageway channel which is required in Highway terms would further compound the limited rear plot depth. Highways also request that any highway boundary be limited to a height of 1m, further impacting upon the character of the Conservation Area.

7.06 Local Housing Need

Caerwys is a Category B Settlement which has reached 19.7% growth and policy HSG3 advises that where development has exceeded the 15% growth band, that the proposal can only be approved where the development is for a specified local housing need. Caerwys has exceeded its growth rate and as such any new development will be required to cater for a proven local housing need. The applicant has not forwarded any supporting information on this aspect to suggest that the development would comply with this requirement but he claims that as the application is for a small bungalow, its value will be limited and that it would not be viable if the Policy was to be complied with. It is not considered that this is sufficient justification to override the policy requirements under HSG3 in regard of local housing provision.

7.07 Archaeological Importance of the Plot

The application site lies within an important archaeological medieval area and as such it is anticipated that subsurface archaeology could survive on the plot. Without a pre-determination archaeological evaluation being carried out and submitted to the local planning authority, the Clwyd Powys Archaeological Trust consider that there is insufficient information upon which to consider and discuss mitigation on this matter and recommend that the application is refused.

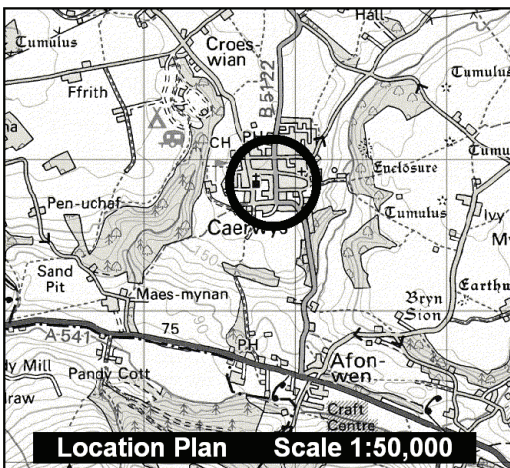
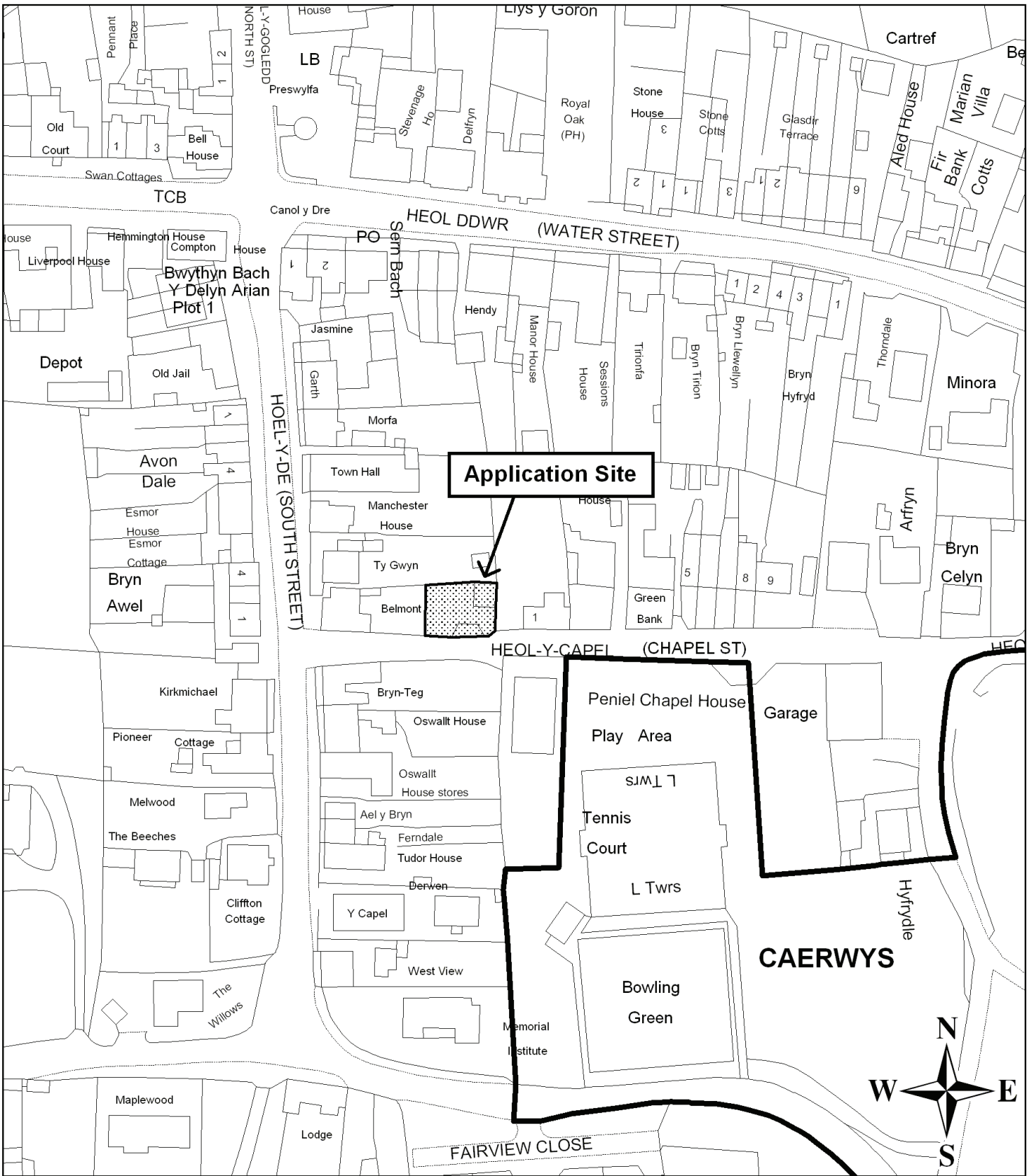
7.08 As referred to above, the application had been deferred pending submission of the archaeological evaluation but, to date, this has not been submitted and neither the agent or the applicant have contacted advised that one is being prepared. It was indicated in December that this would be submitted to address reason no. 3, but the lack of this information means that this remains within my recommendation. It should, however, be noted that this is only one aspect and there are considered to be other strong reasons for resisting this development, referred to in reasons 1 and 2 of the recommendation.

8.00 CONCLUSION

8.01 Having regard of the illustrative outline scheme submitted, it is apparent that the plot has a very limited plot depth; this has direct implications upon how the plot could be developed. It is considered that the development proposed would harm the spatial hierarchy and special character of the conservation area and there is insufficient information to assess the archaeological significance of the site. In addition there is no evidence of local need to allow the proposal to be considered under Policy HSG 3 and I recommend accordingly.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

Contact Officer: Barbara Kinnear
Telephone: 01352 703260
Email: Barbara.kinnear@flintshire



Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2012.

Map Scale 1:1250

OS Map ref SJ 1272

Planning Application 50169

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**
DATE: **20TH MARCH 2013**
REPORT BY: **HEAD OF PLANNING**
SUBJECT: **FULL APPLICATION – SUBSTITUTION OF 16 PLOT TYPES ON APPLICATION 048892 FOR THE ERECTION OF 87 DWELLINGS AT WHITE LION PUBLIC HOUSE, CHESTER ROAD, PENYMYNYDD.**
APPLICATION NUMBER: **050400**
APPLICANT: **REDROW HOMES NW LTD**
SITE: **LAND AT FORMER WHITE LION PUB, CHESTER ROAD, PENYMYNYDD, FLINTSHIRE**
APPLICATION VALID DATE: **11th JANUARY 2013**
LOCAL MEMBERS: **COUNCILLOR MRS. C.HINDS**
COUNCILLOR D. T. M. WILLIAMS
TOWN/COMMUNITY COUNCIL: **PENYFFORDD COMMUNITY COUNCIL**
REASON FOR COMMITTEE: **THE APPLICATION REQUIRES LINKING TO THE S.106 AGREEMENT PREVIOUSLY AGREED IN RELATION TO THE DEVELOPMENT OF THIS SITE**
SITE VISIT: **NO**

1.00 SUMMARY

1.01 This Section 73 application seeks permission to amend the approved house types upon 16 of the previously approved plots. The amendments do not result in any difference in the numbers of dwellings to be erected at this site.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 That conditional planning permission be granted, subject to the applicant entering into a supplemental S.106 agreement which links the permission granted under this planning application to the provisions of the S.106 agreement entered into under Permission Ref: 048892, providing for the following;

- a. The provision of 6No. affordable homes to be presented to the Council as gifted units and allocated in accordance with a local lettings policy to pilot the Council's Rent to Save to Homebuy scheme to applicants on the affordable Homeownership Register.
- b. Ensure the payment of a contribution of £261,560 towards affordable homes provision.
- c. Ensure the transfer of wildlife mitigation land to a suitable body, together with the precise methods and means for the securing of its future management, monitoring and funding.
- d. Payment of £73,500 towards primary level educational provision/improvements at St. John the Baptist V.A school and £52,500 towards secondary level educational provision/improvements at Castell Alun High School.
- e. Payment of £2,500 for costs incurred for amending Highway Access Restriction Order.

Conditions

1. Time limit on commencement.
2. In accord with approved plans.
3. Samples and/or precise details of all external materials of dwellings, hard surfaces, footpaths and driveways to be submitted and approved.
4. Landscaping scheme to be submitted and agreed prior to occupation of any dwellings hereby approved. Such scheme to include supplementary planting/hedgerow between on site ecological mitigation space and Footpath 9.
5. Implementation of landscaping proposals.
6. Code for Sustainable Homes "Interim Certificate" to be submitted before work commences.
7. Code for Sustainable Homes "Final Certificate" to be submitted before houses occupied.
8. Scheme for 10% reduction of carbon outputs.
9. No development to commenced until developer has proposed a scheme for the comprehensive drainage of foul, surface and land waters from site had been approved in writing by the Local Planning Authority.
10. The foul drainage point of connection shall be agreed in writing and in accordance with a hydraulic modelling exercise, prior to the commencement of development.
11. None of the dwellings approved shall be occupied until the off site foul drainage infrastructure works have been completed.
12. Photographic study of building to be undertaken prior to works
13. No site clearance works during bird nesting season
14. No dwellings shall be occupied until the approved mitigation scheme is implemented .
15. Scheme of Reasonable Avoidance Measures to be submitted and agreed prior to works commencement. Such scheme to

- include measures for reduction of potential amphibian capture during and post construction.
16. Scheme for hours of working to be agreed.
 17. Construction traffic management and routing scheme to be agreed. To include facility for wheel wash and measures to keep road free from mud arising from development site.
 18. Protective fencing as per Arboricultural report to be provided before works commencement.
 19. Remediation measures to be undertaken in accordance with scheme agreed and prior to occupation of dwellings. Validation and verification reports to be provided prior to occupation of the dwellings.
 20. Submission and agreement of scheme for equipping, layout, landscaping, management and maintenance of the play area and surrounding space prior to works commencement.
 21. Notwithstanding the submitted details, prior to commencement a scheme for entrances walls to be submitted and agreed.
 22. Archaeological watching brief for area of public house.
 23. Accoustic measures to be submitted and agreed.
 24. Detailed design, layout, signage, lighting and construction details of highway to be submitted and agreed.
 25. No development until A5104 improvements submitted and agreed.
 26. No development until timings, phases and duration of A5104 works submitted and agreed.
 27. Access details onto A5104 to be agreed before work commences.
 28. Visibility splays of 2.4m x 43m.
 29. Access formation completed to base course before other site works.
 30. Parking and turning facilities.
 31. Scheme for surface run-off prevention to be submitted and agreed.
 32. Scheme for protecting Footpath 9.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Mrs. C. Hinds

No response at time of writing.

Councillor D. T. M. Williams

No objection to a delegated determination. Observes that he considers the proposals acceptable provided they do not impact upon previously agreed provision of affordable dwellings and semi detached dwellings.

Penyffordd Community Council

Supports the application.

Head of Assets and Transportation

No objection. Requests a note is added to any permission subsequently granted.

Head of Public Protection

No adverse comments.

Welsh Water/Dwr Cymru

No objection subject to the imposition of conditions.

Environment Agency

No adverse comments.

Countryside Council for Wales

No objection.

Clwyd Powys Archaeological Trust

No objection.

Airbus

No objections.

The Coal Authority

No objections. Standard advice applies.

4.00 PUBLICITY

4.01 The application has been publicised by way of a press notice, site notice and neighbour notification letters.

4.02 At the time of writing, No responses have been received as a result of the above publicity of this application.

5.00 SITE HISTORY

5.01 445/64

Outline - residential development
Refused.

72/501

Outline - residential development
Withdrawn.

4/12/18113

Outline - residential development
Withdrawn 21.7.1992

04/038605

Erection of 115 dwellings and ancillary works

Refused 18.4.2005

11/048892

Erection of 88 dwellings and ancillary works

Permitted subject to S.106 Agreement 26.10.2012

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 - New Development

Policy GEN1 - General Requirements for Development

Policy GEN2 - Development inside settlement boundaries

Policy HSG1(51) - New Housing Development Proposals

Policy HSG8 - Density of Development

Policy HSG9 - Housing Type and Mix

Policy HSG10 - Affordable Housing within Settlement Boundaries

Policy D1 - Design Quality, Location and Layout

Policy D2 - Design

Policy D3 - Landscaping

Policy AC2 - Pedestrian Provision and Public Rights of Way

Policy AC13 - Access and Traffic Impacts

Policy AC18 - Parking Provision and New Development

Policy SR5 - Outdoor Playing Space and New Residential Development

Policy EPW2 - Energy Efficiency in New Development

Policy EWP3 - Renewable Energy in New Development

Policy TWH1 - Development affecting Trees and Woodlands

Policy TWH2 - Protection of Hedgerows

Policy WB1 - Species Protection

7.00 PLANNING APPRAISAL

7.01 Introduction

This application is submitted under S.73 of the Act and seeks permission for the variation of the approved scheme via the substitution of house types upon 16No. plots upon the site. No other modifications are sought via this application.

7.02 The Proposed Development

The proposals seek to substitute the house types approved upon 16 of the plots upon this site. The plots in question, Nos 40, 42, 43, 47, 48, 51, 67, 69, 70, 71, 74, 76, 80, 82, 83 and 85 all presently provide for detached 4 bedroom dwellings. The dwellings proposed to be substituted are also detached 4 bedroom dwellings.

Principle of Development

7.03 The principle of the development of this site is established via the recent grant of planning permission under Reference 048892. This application proposes no other modifications to the proposed development in any other regard and therefore there is no objection in principle to the proposals.

Design, Layout, Housing Mix & Affordability

- 7.04 The proposed dwellings to be introduced into this site are consistent with the design and appearance of the dwellings previously approved upon the identified plots. There are differences in the composition of the dwellings and some elevational differences but their design and appearance is consistent with the scheme as a whole. The proposals involve no alteration to the layout of the development site as a whole.
- 7.05 A query has been raised as to whether these proposals would impact upon the mix of dwellings offered via this scheme. I would advise that all of the plots to which the proposed substitution of house types provide for 4 bed detached houses and the proposed changes ensure that there is no variation to this provision. The proposals do not relate to any of the dwellings previously agreed to be affordable dwellings and the substitutions do not result in the loss of any semi-detached dwellings.

S.106 Matters

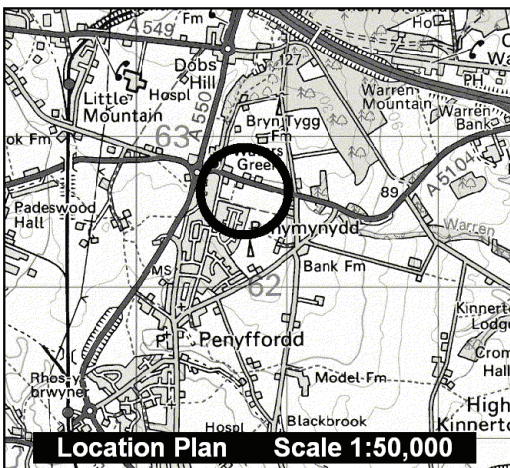
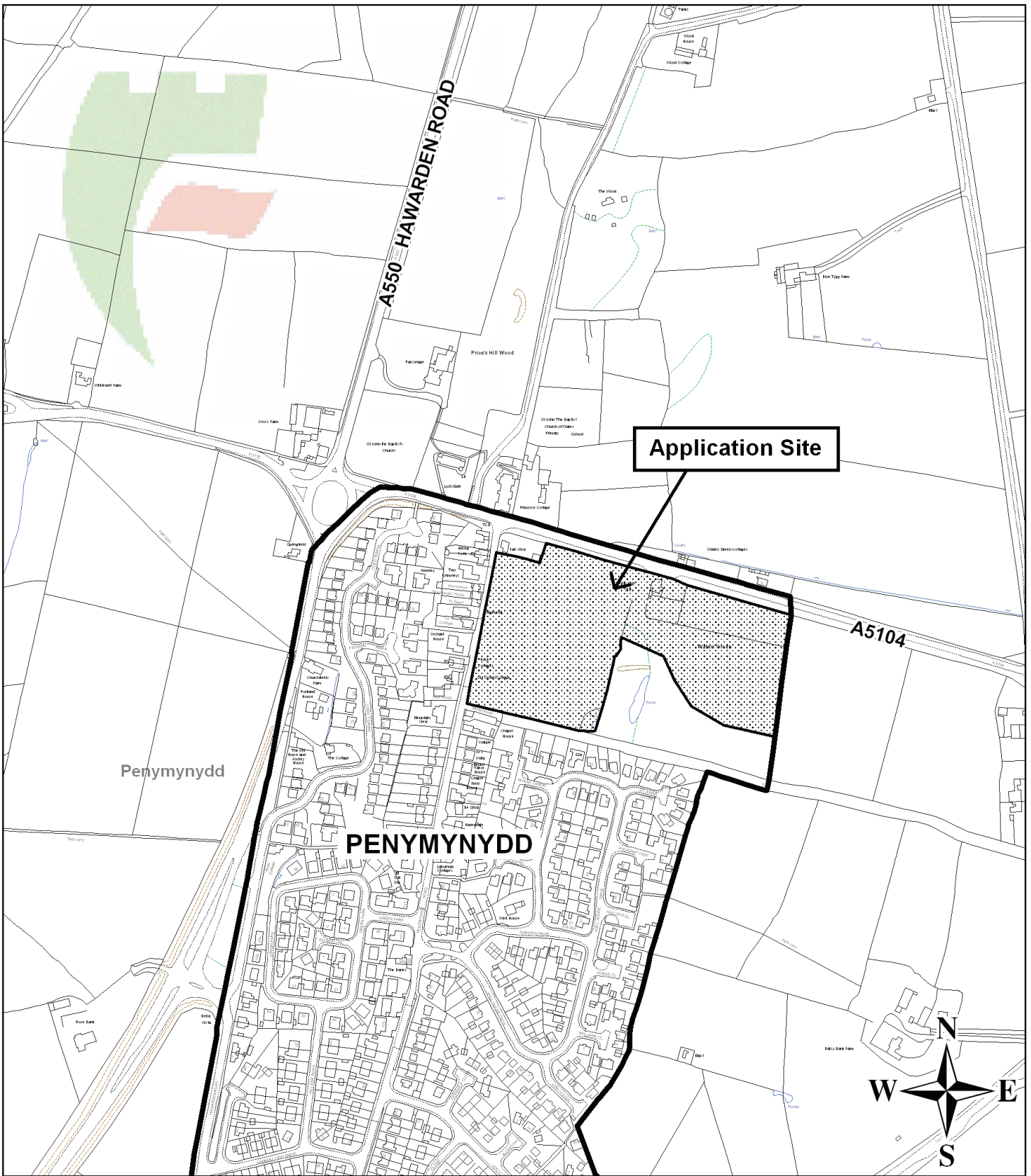
- 7.06 Members are advised that this application brings about no changes to the provisions secured via the S.106 agreement under reference 048892.
- 7.07 However, Members will appreciate that a permission granted under a S.73 application has the effect, upon implementation, of rendering the application the operative permission for the site. In those circumstances, unless a supplementary S.106 agreement is secured in the terms set out in Section 2 of this report, the requirements of the original S.106 agreement are no longer linked to the operative permission and therefore the Authority would have no basis to compel compliance with such an agreement as the site is being developed pursuant to a different permission not linked to that agreement.
- 7.08 Members should be reassured that the proposed supplemental S.106 agreement will ensure that such a situation will not arise.

8.00 CONCLUSION

- 8.01 The proposals are in line with the applicable policy context and accord with the aims of the earlier granted planning permission for this site. I consider that, subject to the imposition of the previously agreed suite of conditions and the applicant entering into a supplemental S.106 agreement, the scheme is acceptable.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

Contact Officer: David Glyn Jones
Telephone: 01352 703281
Email: glyn_d_jones@flintshire.gov.uk

This page is intentionally left blank



Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2013.

Map Scale 1:5000

OS Map ref SJ 3062

Planning Application 50400

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY, 20 MARCH 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **043097 GENERAL MATTERS - DEMOLITION OF EXISTING THREE STOREY OFFICE BUILDING AND ERECTION OF A 4-STOREY APARTMENT BLOCK COMPRISING OF 34 NO. 2-BEDROOM UNITS AND DEDICATED ON-SITE PARKING AT "FLINT HOUSE", CHAPEL STREET, FLINT**

1.00 APPLICATION NUMBER

1.01 **043097**

2.00 APPLICANT

2.01 ANWYL CONSTRUCTION CO LTD

3.00 SITE

3.01 FLINT HOUSE, CHAPEL STREET, FLINT

4.00 APPLICATION VALID DATE

4.01 30/03/07

Members will recall that this report was presented to the February 20th. Meeting of committee, where it was deferred to allow further consultation. This has now been undertaken along with further publicity and no responses have been received. My report and recommendation are unchanged.

5.00 PURPOSE OF REPORT

5.01 To inform Members of changes to the nature of the proposed residential scheme to occupation by persons aged over 55, which has consequences for the requirements of the S106 agreement.

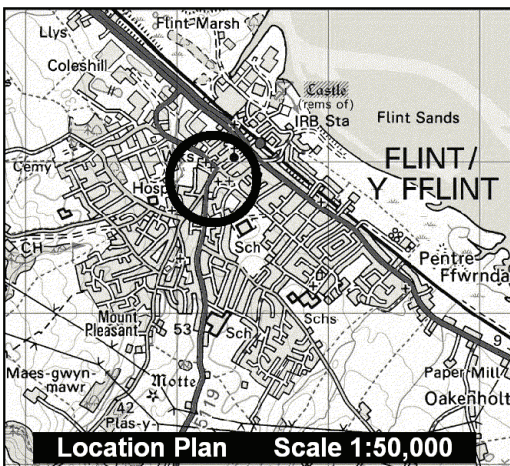
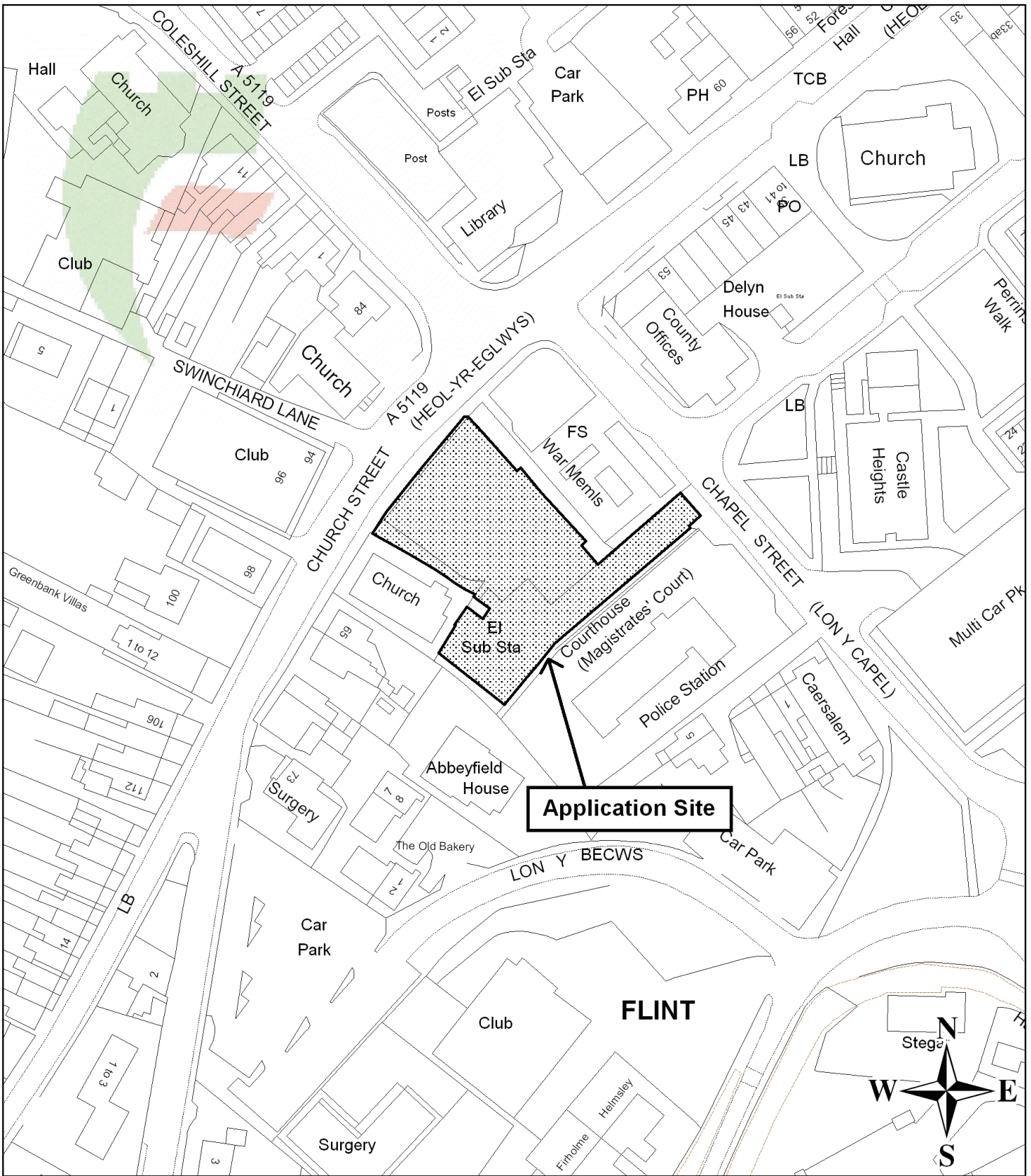
6.00 REPORT

- 6.01 Planning Committee resolved to grant permission for the erection of a block of 34 apartments subject to the completion of a S106 agreement on 5th March 2008. The S106 agreement covered mechanisms to secure 30% of the units as affordable, a commuted sum of £733 per unit towards off-site open space and a contribution towards the enhancement of the public open space in front of Flint House.
- 6.02 Since the committee resolution, the S106 agreement has not been signed due to decline in market demand for the proposed units. However, the developer now wishes to proceed with the development in the form of an over 55's development. The nature of the development has therefore changed, which has implications for the requirements of the legal agreement.
- 6.03 The Head of Housing Strategy has been consulted on the proposed change to an over 55's scheme. It is considered that a requirement of 30% affordable units would not be required on the current proposal, as the age limit restriction on the properties would narrow the potential market demand for the units and therefore would make them affordable. An additional condition restricting the age of occupants would therefore be added.
- 6.04 The other contributions for open space and the enhancements to the public open space in front of Flint House would still remain relevant. It would not be pertinent to request an education contribution from this form of development as the nature of the development would not generate any children of school age.

7.00 RECOMMENDATIONS

- 7.01 That Conditional Planning permission be granted subject to the addition of an age limit condition restricting occupancy to over 55's and on completion of a Section 106 Agreement to cover the following matters:
- Enhancement of public open space in front of Flint House
 - Recreational open space contribution in lieu of on-site provision. A commuted sum of £733 per unit shall be paid to the Authority upon 50% sale or occupation of the development

Contact Officer: Emma Hancock
Telephone: 01352 703254
Email: emma.hancock@flintshire.gov.uk



Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2013.

Map Scale 1:1250

OS Map ref SJ 2472

Planning Application **43097**

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **20th MARCH 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY JD OWEN TRANSPORT SERVICES AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE OUTLINE PLANNING PERMISSION A SECURE TRUCK PARKING FACILITY WITH ANCILLARY AND COMPLIMENTARY DEVELOPMENT AT LAND TO THE NORTH EAST OF CROSSWAYS ROAD, CROSSWAY, CAERWYS.**

1.00 APPLICATION NUMBER

1.01 **049042**

2.00 APPLICANT

2.01 **J D OWEN TRANSPORT SERVICES**

3.00 SITE

3.01 **LAND TO THE NORTH EAST OF CROSSWAYS ROAD, CROSSWAY, CAERWYS.**

4.00 APPLICATION VALID DATE

4.01 12/09/2011

5.00 PURPOSE OF REPORT

5.01 To inform members of the appeal decision against Committee's refusal of outline planning permission for a secure truck parking facility with ancillary and complementary development. The appeal was considered by way of an exchange of written representations and was DISMISSED.

6.00 REPORT

6.01 The Inspector considered the main issues to be the effect of the

proposal on the character and appearance of the area; the effect on the settings of the listed buildings; and if harm was found in respect of either of the two issues whether that harm would be outweighed by the need for the proposal.

- 6.02 The Inspector noted the site is located in open countryside with a number of properties in the vicinity including listed buildings.
- 6.03 The Inspector noted that whilst UDP Policy AC20 (Lorry Parks) is worded permissively for such development in the open countryside, he was not entirely convinced by the appellant's assertion that most sites for such development would have to be in open countryside.
- 6.04 As regards effects on the character and appearance of the area the Inspector was of the opinion that mounding required in connection with the development would be readily identified as an unnatural and incongruous feature which would not harmonise with the surrounding area, and improvement works to the B5122 including the proposed access and street lighting would have the effect of urbanising the road having a considerable negative impact on the character of the area. The Inspector was of the opinion that lighting involved with the proposal would have an additional adverse impact on the area's character. The Inspector was of the opinion that the submitted Environmental Statement underestimated the adverse impact of the scheme in terms of landscape and visual assessment and concluded that even after taking into account proposed mitigation measures (including landscape screening), it would result in significant harm to the character and appearance of the area contrary to Policy AC20.
- 6.05 As regards the impact on the settings of the nearby listed buildings, the Inspector did not accept that appellant's claims these buildings would not be viewed in the context of the proposal. The Inspector was of the opinion that landscaping would take a number of years to become effective as a screen/filter. The Inspector was of the opinion that such a large scale commercial development would have an adverse impact on the rural setting of listed buildings at Plas Cerrig and Ty Coch.

7.00 CONCLUSION

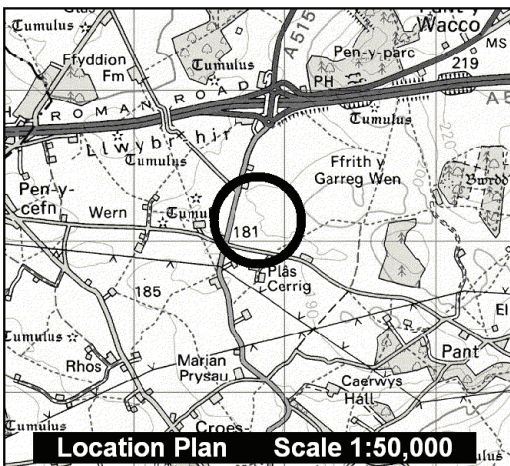
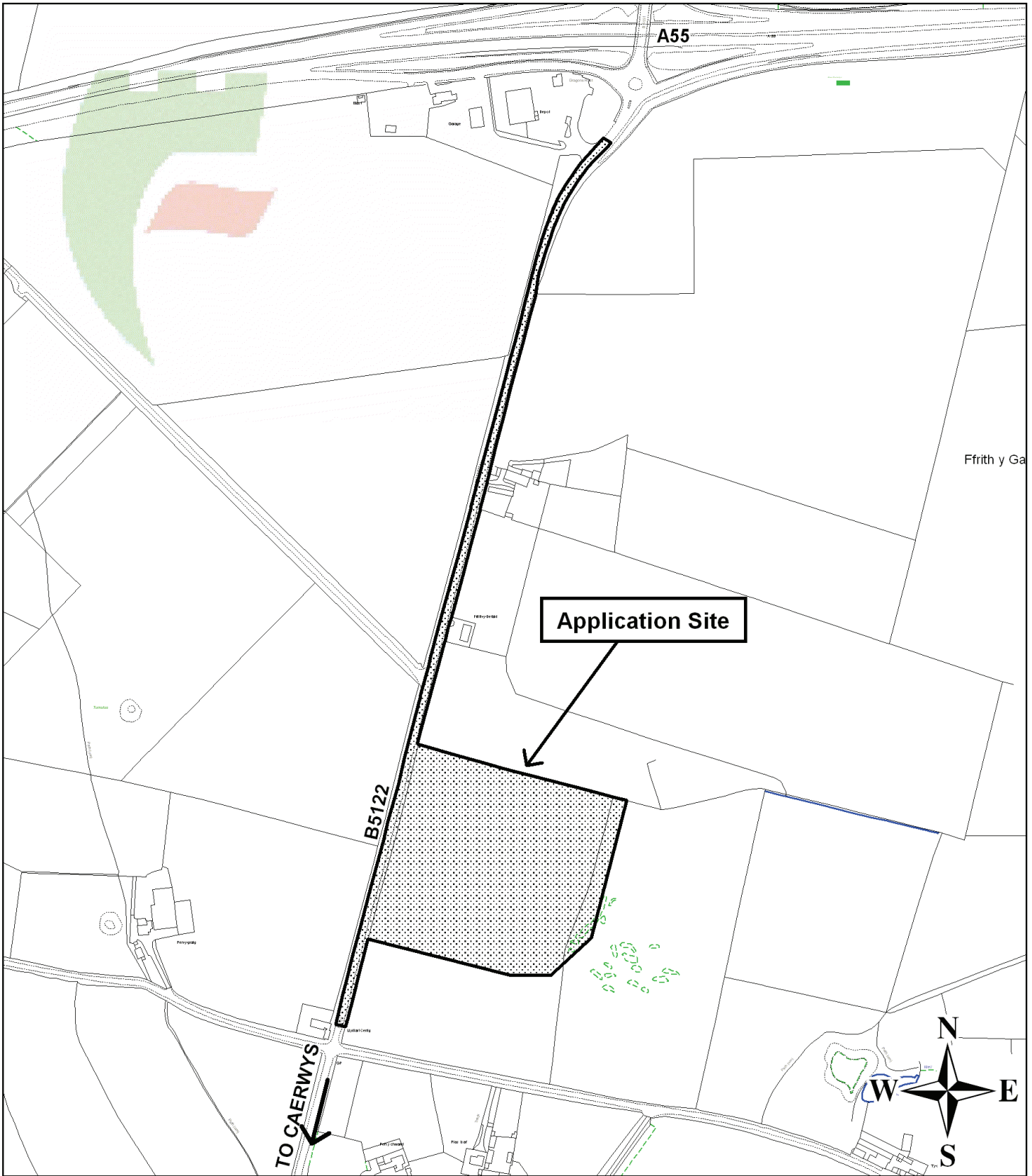
- 7.01 Whilst the Inspector was of the opinion that there is a pressing need for the proposal and the provision of a lorry park would serve a strategic and public interest, that need is heavily outweighed by the significant visual harm (both short and long term) that would result from the development of the site which lies some distance from the A55 and existing commercial development, and the harm to the setting of the nearby listed buildings.

Contact Officer: Declan Beggan

Telephone:
Email:

3250
Declan.beggan@flintshire.gov.uk

This page is intentionally left blank

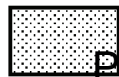


Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2013.

Map Scale 1:5000

OS Map ref SJ 1275

Planning Application 49042

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **20th MARCH 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY MR. DELWYN HUMPHRIES AGAINST THE REFUSAL OF PLANNING PERMISSION BY FLINTSHIRE COUNTY COUNCIL FOR OUTLINE – ERECTION OF A DWELLING AT LAND ADJACENT TYDDYN UCHA, SANDY LANE, BAGILLT**

1.00 APPLICATION NUMBER

1.01 **049447**

2.00 APPLICANT

2.01 **Mr Delwyn Humphries**

3.00 SITE

3.01 **Tyddyn Ucha, Sandy Lane, Bagillt CH6 6EY**

4.00 APPLICATION VALID DATE

4.01 **21/02/2012**

5.00 PURPOSE OF REPORT

5.01 To inform Members of the appeal decision against refusal of outline planning permission under delegated powers for the proposed erection of a dwelling. The appeal was considered by way of an exchange of written representations and was DISMISSED.

6.00 REPORT

6.01 The Inspector considered the main issue to be the effect of the proposal on policies designed to control the provision of housing and protect the countryside.

6.02 The Inspector notes that the site lies outside the established

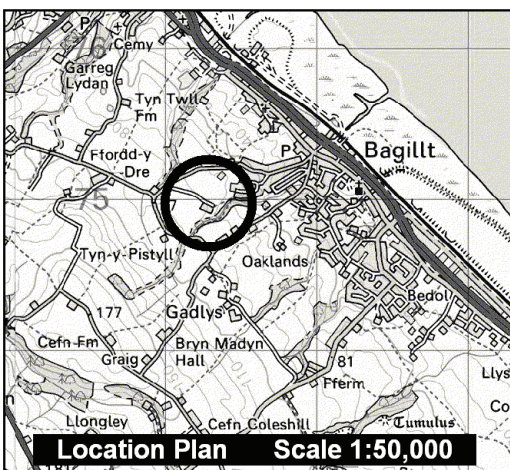
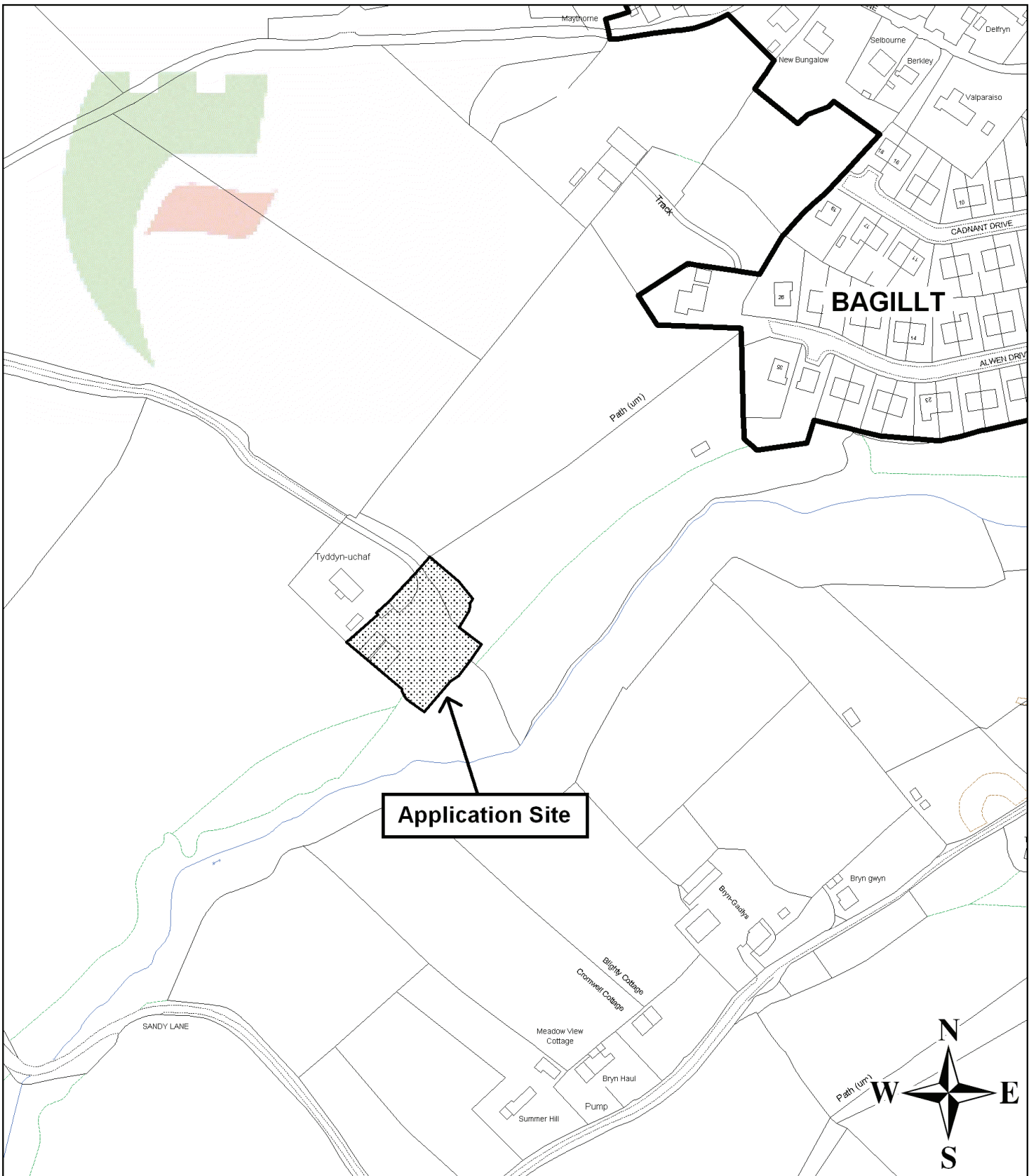
settlement boundaries with open countryside and is currently used for a motor repair business.

- 6.03 The Inspector refers to Unitary Development Plan (UDP) Policies HSG4, HSG5 and National guidance in Technical Advice Note (TAN) 6 which only permit new dwellings in the open countryside under certain circumstances and states that none of these apply in this case. The Inspector stated that no case had been made for the need for a dwelling in association with agriculture, forestry or other rural enterprises as contained with TAN 6.
- 6.04 The Inspector refers to a previous appeal on the site, where the appellant's intention was to retire and close the commercial business. In that instance no S106 had been submitted and the Inspector in that instance gave little weight to the closure of the business as no mechanism had been proposed to ensure the business would close if a dwelling was allowed. As noted by the Inspector the submission of a unilateral undertaking under S106 with this appeal does provide such a mechanism.
- 6.05 Nevertheless the Inspector refers to policy STR3 of the UDP seeking the retention of existing employment sites. The Inspector notes that the undertaking is not supported by evidence that the current business is unviable or unnecessary. Moreover, he accepts the Council's contention that there are sufficient sites for housing within nearby settlements and that the existing business is well established and makes a contribution to the local economy.
- 6.06 The Inspector acknowledges that the existing commercial use may intensify and there may be lesser impacts in terms of traffic generation from a dwelling on site. Even so, he considers on balance that there is little evidence that the commercial activity on the site would not continue to make a valuable contribution to the local economy or that there is a specific need that would justify the erection of dwelling, despite the submission of a S106 undertaking.

7.00 CONCLUSION

- 7.01 The Inspector concludes that the siting of an additional dwelling within this setting would undermine the area's open rural character by introducing new built development into open countryside. The proposed dwelling would be in a prominent position, visible from surrounding countryside and would be out of character with the countryside of which it is a part. For these reasons the Inspector considers the proposal to be contrary to policies HSG4 and HSG5 of the UDP and the appeal should be dismissed.

Contact Officer: Celeste Ringrose
Telephone: 01352 703235
Email: celeste_ringrose@flintshire.gov.uk



Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Legend



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary



Application Site Extent

This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2013.

Map Scale 1:2500

OS Map ref SJ 2174

Planning Application **49447**

This page is intentionally left blank

By virtue of paragraph(s) 16 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 16 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 16 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 16 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank

By virtue of paragraph(s) 16 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted - Not for Publication

This page is intentionally left blank