

PLANNING & DEVELOPMENT CONTROL COMMITTEE

12 OCTOBER 2016

Minutes of the meeting of the Planning & Development Control Committee of Flintshire County Council held at Council Chamber, County Hall, Mold CH7 6NA on Wednesday, 12th October, 2016

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Chris Bithell, Derek Butler, Ian Dunbar (Vice-Chairman), Carol Ellis, Ray Hughes, Christine Jones, Richard Lloyd, Mike Peers, Gareth Roberts, David Roney, Owen Thomas, Chris Dolphin, Veronica Gay, Ron Hampson, Hilary McGuill and Paul Shotton

SUBSTITUTIONS:

Councillors: Chris Dolphin for Neville Phillips, Veronica Gay for Richard Jones, Ron Hampson for David Evans, Hilary McGuill for Nancy Matthews and Paul Shotton for Billy Mullin

APOLOGIES:

Councillors: Marion Bateman and Mike Lowe.

ALSO PRESENT:

The following Councillors attended as local Members:

Councillor Sara Parker for agenda item 6.1

Councillor Carolyn Thomas for agenda item 6.4

IN ATTENDANCE:

Chief Officer (Planning and Environment), Planning Strategy Manager, Development Manager, Senior Engineer – Highways Development Control, Senior Planners, Planning Support Officer, Housing and Planning Solicitor and Team Manager – Committee Services

76. DECLARATIONS OF INTEREST

Councillor Hilary McGuill declared a personal and prejudicial interest in agenda item number 6.1 – Minute Number 80.

Councillors Ellis, McGuill, Peers and Thomas declared personal and prejudicial interests in agenda item number 6.5 – Minute Number 83.

Councillor Ray Hughes declared a personal interest in agenda item number 6.8 – Minute Number 86.

77. LATE OBSERVATIONS

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

78. MINUTES

The draft minutes of the meeting of the Committee held on 7th September 2016 had been circulated to Members with the agenda.

Accuracy

Councillor Peers requested that the words “secured by a commuted sum” be added to his comment on minute number 59 which was agreed.

RESOLVED:

That subject to the above amendment the minutes be approved as a correct record and signed by the Chairman.

79. ITEMS TO BE DEFERRED

The Chief Officer (Planning and Environment) advised that deferment of the following application was recommended:

Agenda item 6.3 – Full Application – Proposed Development of a Hospital and Re-Ablement Centre for People Disadvantaged by an Autistic Spectrum Disorder and/or Learning Disability Including Proposed Residential Blocks and Independent Living Building (Previously Approved Under Planning Permission 045395 at Alyn Works (Former) Kinsale Golf Course (Part), Mostyn – Deferred at the request of the applicant agent in order to allow the budgetary implications of the proposed development on local health care providers to be clarified.

Councillor Roney said at the site visit Members had been informed that they would receive copies of the letters from the NHS and he requested that they be provided prior to the meeting when the application would be considered.

RESOLVED:

That application 053310 be deferred.

80. FULL APPLICATION - ERECTION OF 24 NO. DWELLINGS WITH ASSOCIATED GARAGES, PARKING GARDEN AREAS AND OPEN SPACES WITH DEMOLITION OF EXISTING SERVICE STATION AND OUTBUILDINGS AT ARGOED SERVICE STATION, MAIN ROAD, NEW BRIGHTON (055310)

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting. Councillor Hilary McGuill, having earlier declared a personal and prejudicial interest in the application, left the meeting prior to its discussion.

The officer explained that the application was deferred at the meeting on 20th July 2016 pending clarification of some matters. The application was subsequently deferred on 7th September 2016.

That information was now contained in the report before the Committee. He added that concerns had been raised that a direct footpath link between the site and the footpath that ran to the south of the site was not provided for within the scheme. He explained that access to the footpath and the play area beyond

could be obtained via the link from the southern end of Argoed Avenue to the east of the site. That link was within easy walking distance of the site and did not involve any need to cross any major roads. He added that the introduction of a footpath link in the southern part of the site would result in a further reduction of the dwellings.

On density, he explained that the site was proposed to be developed in compliance with Policy HSG8 and at a density that reflected the density of nearby and recently approved developments.

The Councils Housing Strategy Manager had commented on the issue of affordable housing in that the demand for intermediate affordable housing was minimal in New Brighton and therefore affordable housing provision should not be sought in this scheme.

Councillor Sara Parker, as the local Member, spoke in support of the application which she felt would benefit the village. She welcomed the proposed development of the site which had not received any opposition from local residents. She also concurred with the view that affordable housing was not required on the site. She provided reassurance to the Committee that the bungalow on the site would not be developed as part of the application.

Mr White spoke against the application on the following basis: he did not accept that the introduction of a footpath link to the southern part of the site would reduce the number of dwellings; it was unacceptable for school children to walk around the perimeter of the site as opposed to the inclusion of a 20 metre footpath.

Mr Connolly spoke in support of the application based on the following: paragraph 7.21 of the report referred to the size of site which was incorrect as it included the part of the site which was occupied by the owner of the bungalow; there had never been any intention of that home being part of the proposed development therefore, the size of the site was 0.94 hectares - this meant that affordable housing was not required on the development; the site would contribute to the provision of educational facilities for primary and secondary education in the area of over £135,000; the site was also allocated as a residential site in the adopted Unitary Development Plan.

Councillor Peers proposed refusal of the application, against officer recommendation, which was duly seconded by Councillor Roberts.

Councillor Peers said the application was first considered by Committee in 2010. It was the same site area, the same number of houses but a different applicant. In 2010 officers advised that the site would be expected to yield in excess of 25 houses, therefore affordable housing applied. He felt that the site had been sub-divided to ensure that it fell below the threshold of having to provide affordable housing. A Flood Assessment had been undertaken which showed an additional 6 houses on the site of the bungalow. In June 2015 a report had been considered at Cabinet on Supplementary Planning Guidance which stated "it was not acceptable to sub-divide a site in a development to avoid the provision of affordable housing", which he felt was the intention in this case.

He concluded by saying he felt that based on the size of the site there should be 8 affordable homes provided as part of the development.

Councillor Bithell concurred with the comments of Councillor Peers and also spoke in support of the objectors comments on children being required to walk along a main road due to no footpath link. He also concurred with the view of Councillor Peers on sub-division to avoid the provision of affordable housing. He queried whether the newly agreed wording by the Planning Strategy Group was to be used in relation to Section 106 agreements on school usages.

Councillors Butler and Roberts also concurred with the comments made and felt the site was being split to avoid the need for a provision of affordable housing, saying that affordable housing need was not just based on the people currently living in that area, in addition to a general lack of knowledge on the affordable housing register. Councillor Butler also agreed with the comments of the objector on where the footpath was situated.

The Officer explained that whilst it was the same site, it was a different proposal which needed to be considered on its own merits, not on what had happened in the past. On supplementary planning guidance, he said SPG9 had not yet been adopted so carried little weight. The report covered all of the concerns raised on the footpath.

The Planning Strategy Manager asked Members to carefully consider the application before them, citing that there were approximately 900 people currently on the affordable housing register but there was no local need in this area. That was the first consideration in applying the policy on affordable housing; if there was no local need then the rest of the policy was not invoked. In addition to that, the site size did not meet the threshold of being required to supply affordable housing. He also referred Members to the comments of the local Member who provided reassurance that the bungalow currently on the site would not be developed.

Councillor Peers summed up the reasons for refusal citing there was a lack of provision of affordable housing, insufficient level of residential density achieved on the site and an inappropriate mix of housing type. He said he would welcome a further application in the future which would address those issues.

On being put to the vote, refusal of the application was carried, against officer recommendation.

RESOLVED:

That planning permission be refused, against officer recommendation, on the grounds of lack of provision of affordable housing; insufficient level of residential density and an inappropriate mix of housing type.

After the vote had been taken, Councillor Hilary McGuill returned to the meeting and was advised of the decision by the Chairman.

81. REMOVAL OF SECTION 106 AGREEMENT AT FIELD HOUSE, PLATT LANE, PENYFFORDD (055364)

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report.

The Officer advised that the application sought permission to remove the Section 106 Legal Agreement associated with the 1992 permission for erection of a bungalow and stable block for the care of horses and ponies at land now known as 'Field House' Platt Lane, Penyffordd.

Councillor Roberts proposed the recommendation for approval which was duly seconded. He said every effort had been made by the applicant to advertise and sell the property in the required manner to no avail. Those comments were concurred with by Councillor Dunbar.

Councillor Bithell said this demonstrated a case whereby an application had been approved based on the personal needs of an applicant and said Members needed to be cautious on approving such applications in the future.

RESOLVED:

That Section 106 Agreement, dated 27th April 1992 be removed to allow unfettered occupation of the dwelling.

82. SITING OF 1 YURT AND 3 SHEPHERD'S HUTS AND A SHED FOR SHOWER, TOILET AND STORAGE FACILITY FOR USE AS HOLIDAY ACCOMMODATION, INCLUDING SITE LANDSCAPING AND PLANTING AT PENYFFORDD FARM, FFORDD Y FELIN, TREUDDYN (055631)

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application which had been the subject of a site visit on 10th October 2016. The usual consultations had been undertaken and the responses received detailed in the report.

The Officer explained that the application was for the siting of 1 yurt and 3 shepherds huts for use as holiday accommodation which was deemed acceptable in the location. It would not give rise to any significant adverse impacts on the amenity of nearby residents or adjacent land users.

The proposed yurt would accommodate 4 guests and the shepherd's huts would accommodate 2 each, making a total of 10 guests at full capacity. A shed would house the shower and toilet for the yurt visitors. All of the units would be equipped with log burning stoves and have a small outdoor fire pit. The site would be accessed via the existing private drive with parking for 5 cars within the existing application site. The application was for operation from mid-February to 1 January but the recommendation by officers was for operation from 1 March to 1 January which was deemed more appropriate.

Mr Peace spoke against the application on behalf of local residents on the following basis: access would be required via his land; the application was not

compliant with many aspect of the UDP, citing access issues, impacts on local residents, loss of privacy and disturbance; the nature of the application encouraged outdoor living which by its very nature would be intrusive. The Solicitor explained that any issues relating to Rights of Way were not for consideration by the Committee.

Mr Levy spoke in support of the application based on the following: a small glamping facility which was eco-friendly and back to nature; the site had been significantly improved following a planting programme of willow hedging which would provide appropriate screening; maximum occupancy on the site was 10 people; any noise issues would be dealt with immediately by them as they resided on site; contractual agreement at the time of booking would be specific about levels of noise.

Councillor Roberts proposed the recommendation for approval which was duly seconded. Following attendance at the site visit he felt the application could not be refused on highways ground and the issue raised by the objector the Right of Way access was a civil matter. The application site would also not result in any windows overlooking neighbouring properties.

Councillor Bithell said that people booking such a facility would be seeking a quiet retreat and it was also in the interests of the applicant to promote a peaceful site as they also resided on the site. He felt that, on balance, the objections listed in the report were outweighed by the proposal.

The local Member, Councillor Carolyn Thomas said she had received numerous phone calls and emails from residents about the application. She had also met the applicant on site but still had a number of concerns which related to: no passing places for cars; query on sufficient space for 5 vehicles; traffic; effect on a tranquil area; flooding issues; safety and accessibility for emergency vehicles; possible future mains electricity to the units; and alternative suitable sites in Treuddyn.

Councillor Owen Thomas queried the number of cars that could be expected on the site as 1 hut might attract more than one car which would result in the available car parking being insufficient. Councillor Peers concurred with this comment which could also result in problems for residents accessing their properties. He asked how waste would be removed from the site and how vehicles such as those carrying logs for the log burners would access the site.

Councillor Lloyd asked if the operational months were in line with similar applications.

The Officer explained that the supply of electricity could not be controlled through a planning condition but lighting could be. On parking, it was considered that 5 spaces were adequate for the core units. The months of operation were in line with other touring and camping site applications. Waste on the site would be removed by National Resources Wales. On the supply of wood, the use of the log burners and consequently the delivery of such logs would be controlled by the applicant.

The Chief Officer (Planning and Environment) suggested that a temporary planning permission could be considered to allow the application to be monitored. As mover of the recommendation Councillor Roberts agreed with this and suggested a two year temporary permission which was agreed with by the seconder, Councillor Bithell.

RESOLVED:

That planning permission be granted for a 2 year temporary period subject to the conditions detailed in the report of the Chief Officer (Planning and Environment).

83. FULL APPLICATION - ERECTION OF WIND TURBINE UP TO 77 M VERTICAL TIP HEIGHT WITH ASSOCIATED CRANE PAD, SUBSTATION BUILDING, FORMATION OF NEW TRACK AND NEW ENTRANCE JUNCTION OFF UNCLASSIFIED ROAD AND PROVISION OF TEMPORARY CONSTRUCTION COMPOUND AT MOUNT FARM, FFRITH (051143)

The Committee considered the report of the Chief Officer (Planning and Environment) 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. Councillors Ellis, McGuill, Peers and Thomas, having earlier declared a personal and prejudicial interest in the application, left the meeting prior to its discussion.

The Officer explained that the site was elevated in its surroundings and had some small blocks of woodland on the hillside. There were 15 residential properties within a 1km radius of the turbine location with the nearest properties being approximately 600 metres to the east and 600 metres to the south west.

Policy EWP4 of the Adopted Flintshire UDP set out the criteria for assessing the impacts of wind turbine development. It was considered that the main issues to be taken into account, which were covered in full in the report were:

- The principle of development
- Impact on the character of the landscape
- Impact on Scheduled Ancient Monuments and Historic Landscapes
- Impact on Aircraft Safety
- Impact on Residential Amenity
- Adequacy of access to serve the development
- Impact on ecology

The Civil Aviation Authority (CAA) had been involved in prolonged discussions between the applicant and Hawarden Aerodrome/Airbus as a mediator. The CAA supported the view of Hawarden aerodrome and the operator and competent authority in safeguarding their aerodrome. The CAA considered that since the proposed turbine infringed the approach and take-off climb slopes and that it was not shielded, that went against international standards and certification specifications as well as UK CAA policy. However, the CAA did state that the wind turbine should not adversely impact upon the

airport and would not affect its continuing certification under the relevant regulations.

Mr Hughes spoke against the application on behalf of the local residents in Llanfynydd based on the following reasons: objected to at the Community Council meeting three years previous; ultra-low frequencies emitted from wind turbines and the link to depression; shadow flickering; prevailing wind would result in noise pollution; under the flight path of the Beluga aircraft; impact on wildlife; all letters of support appearing to be from a standard template which could be traced back to the company submitted the application.

Mr Fearnley spoke in support of the application, explaining that the most contentious issue was the one relating to aviation activity. He explained the following points: the number of turbines had been reduced following discussions with Hawarden Airport; the size of the proposed turbine had been reduced; appeal submitted to the CAA – he accepted it exceeded the height of an acceptable turbine but where it would be situated was hilly, with many of those hills being higher than the proposed turbine; it would not adversely impact upon Hawarden Airport. He concluded by repeating the comment from the Officer that the CAA did state that the wind turbine should not adversely impact upon the airport and would not affect its continuing certification under the relevant regulations.

Councillor Bithell proposed the recommendation for refusal which was duly seconded. He said the application did meet local and national policies for the creation of energy from renewable resources. Also the majority of the consultees did not object to the application. However, the objection from Airbus had to override any support for the application based on their concerns regarding aircraft.

Councillor Roberts concurred with Councillor Bithell on the grounds for refusal, adding that a further significant reason for refusing the application was the effects on local wildlife. Councillor Lloyd also supported the refusal based on the comments from Airbus.

The Officer clarified that CAA had acted as a mediator in the process and whilst they supported Hawarden Airport, if it was erected they did not think it would have an adverse effect. However, the Airport was not obliged to withdraw their objection based on any advice from the CAA. They maintained their objection which included being based on any future operations and their ability to gain a licence in the future.

RESOLVED:

That Planning Permission be refused for the reason outlined in the report of the Chief Officer (Planning and Environment).

After the vote had been taken, Councillors Ellis, McGuill, Peers and Thomas returned to the meeting and were advised of the decision by the Chairman.

84. FULL APPLICATION - ERECTION OF 3 NO. TWO BED AFFORDABLE HOUSES AT LLYN Y MAWN INN, BRYNFORD (054523)

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report.

The application was for the erection of 3 two bedroom affordable dwellings at land to the rear of the Llyn y Mawn public house in Brynford and it was considered that there was an identified local need for the proposed 3 dwellings. The affordability of the dwellings could be secured by legal agreement. It was not considered that the siting of the dwellings would have a detrimental impact on the amenity of surrounding occupiers.

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

RESOLVED:

That Planning Permission be granted subject to the applicant entering into a Section 106 agreement / unilateral undertaking of earlier payment for the following contributions, and subject to the conditions detailed in the report of the Chief Officer (Planning and Environment):

- £733 per unit for recreation enhancements in lieu of on-site provision towards improvements at Brynford Village Green; and
- Ensuring that the properties are sold at 70% of the market value at time of sale; or
- The properties are rented at an affordable rent at the Local Housing Allowance (LHA) rate for the area.

85. FULL APPLICATION - CHANGE OF USE TO HOUSE IN MULTIPLE OCCUPATION (RETROSPECTIVE) AT 24 THE BRACKENS, BUCKLEY (055579)

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application which had been the subject of a site visit on 10th October 2016. The usual consultations had been undertaken and the responses received detailed in the report.

The application was made in retrospect for the change of use of a 6 bedroom dwelling to a 7 bedroom house of multiple occupation.

Mr Cox spoke against the application on behalf of the residents of The Brackens. He commented on the following: The Brackens was quiet cul de sac; the property had multiple inhabitants and had been rented for the past 4 years without permission; insufficient parking spaces, including when friends and family visited, and the removal of a wall to provide additional parking would still not be sufficient; supported living accommodation next door but one to the proposed site which emergency vehicles struggled to gain access to; newly built flats and apartments within 250 metres; each room was rented out to young adults and teenagers which resulted in trouble in the area.

Councillor Hampson proposed refusal of the application which was against officer recommendation, which was duly seconded. He said this was not a suitable area for a house of multiple occupation, explaining that the access was poor and there was insufficient parking. On the same estate there were two blocks of 1 and 2 bedroom flats which had vacancies and based on that, he felt this application was unnecessary. There had been no permission for the dwelling of multiple occupancy over the last 4 years. There were no fire doors installed at the property and the Police had been called to incidents on a number of occasions. The supported living accommodation on The Brackens was there due to it being a quiet area however this was no longer the case because of this property. Councillor Dolphin said he was substituting for Councillor Phillips but asked that the views of Councillor Phillips in supporting refusal of the application be noted on a human and social conscience level. The Solicitor advised that the committee should consider planning land use and issues, and not human and personal levels.

Councillor Peers commented on the useful site visit that had taken place. The road was a quiet one and he had concerns on the impact on amenity due to the residential area and the supported living accommodation on that road. He accepted that people needed to live somewhere but said that needed to be considered carefully; he felt the impact on amenity outweighed that need.

Councillor Ellis supported the views of Councillor Hampson in an area of which the houses were built as family homes. She also raised concerns on the parking facilities, highlighting the comment from the Head of Assets and Transportation in the report which said there was an issue with parked cars obstructing the highway. She expressed her concern on the access for emergency vehicles attending the supported living accommodation and concluded that the type of building the property had been turned into was not suitable for the area.

Councillor Bithell said the application was for residential accommodation in a residential area. It was a large property which in previous years would have housed a large family. This was no longer the case and an alternative use needed to be sought for a property of such a size. Whilst he sympathised with the views of the Members who spoke against the application, he felt a lot of the comments had been made based on assumptions. He also felt that if the application was refused then the applicant could go to appeal which he felt would be lost based on the reasons given, along with potential costs awarded against the authority.

Councillor Butler concurred with Councillor Bithell that whilst local Members should be listened to and their views carefully considered, there were no planning grounds on which the application could be refused. This was also the view of Councillors Dunbar and Lloyd who said they had similar homes of multiple occupancy in their wards.

Councillors Roberts and Roney also agreed that there were no planning grounds on which the application could be refused and felt that any appeal would be lost.

Councillor McGill queried whether the application was being submitted retrospectively was due to the forthcoming legislation on Rent Smart Wales. The Solicitor advised that legislation not related to planning was not relevant and was not material to the decision of Members.

Councillor Thomas commented that it was difficult to manoeuvre on the road at the recent site visit and felt that taking down walls and/or hedges to provide additional parking changed the character of the estate.

The Officer commented that it was a residential application in a residential area. The fact that there were nearby flats and apartments was not a consideration for Members in determining this application. There was the space for additional parking to be provided as cited in the report. On claims of anti-social behaviour raised, this was covered by alternative legislation by other organisations. In relation to the character of the building, the appearance of the dwelling was in keeping with the area.

The Senior Engineer - Highways Development Control said there were no current parking standards on houses of multiple occupancy but the authority would seek to include a condition to maximise the parking on the site. Access road was more than adequate for service and emergency vehicles so based on highways grounds, there were no reasons to refuse the application.

The Planning Strategy Manager asked Members to consider what the planning harm was over and above the existing residential use that existed there. The property could sell on the open market and Members would have no control over the occupancy or the number of vehicles at that property.

Councillor Hampson summed up and cited his reasons for moving refusal of the application as: it was out of keeping with the area; it would create traffic problems; it would create access issues for the existing nearby supported living accommodation; and the impact on residential amenity.

On being put to the vote, refusal of the application was carried, against officer recommendation.

RESOLVED:

That planning permission be refused, against officer recommendation, on the grounds of being out of keeping with the area; creation of traffic problems; creation of access issues for the existing nearby supported living accommodation; and the impact on residential amenity.

86. APPLICATION FOR CHANGE OF USE TO MIXED USE INCLUDING AGRICULTURAL, RESIDENTIAL AND BUSINESS AND REPLENISHMENT OF EXISTING STONE HARD STANDING AT BRYNSANNAN COTTAGE, BRYNSANNAN, BRYNFORD (055470)

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application which had been the subject of a site visit on 10th October 2016. 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 application sought consent for the change of use to a mixed use including, residential and business use and the replenishment of an existing stone hardstanding (in retrospect).

The business was well established and involved carrying out of works off site including hedge cutting and slurry spreading. The owner operated tractors and a commercial van, all of which were stored on the application site. Equipment and machinery for the tractors were stored on site which consisted of cutting equipment, ploughs and a slurry tanker.

Objections had been received from local residents on the grounds of safety; potential fire hazard; change of use; noise and light pollution and 'replenishment' being used deceptively in the application. Responses to each of those objections were detailed in the report.

Mrs James spoke in support of the application and provided details covering the following: full permission was being sought for agricultural, residential and business use; the business served local farms and other rural businesses; small scale sole trader; one transit van, two tractors and other usual agricultural machinery was on site; clarification of the hours of operation, which was not 24 hours a day; Welsh Government guidance advised against temporary permissions when the application accorded to the development plan which this did; highway concerns could be dealt with by condition; support received from the immediate neighbour to the application site and full planning permission was sought as opposed to the 18 months recommended.

Councillor Thomas proposed the recommendation for approval which was duly seconded. He knew the area well which previously was a smallholding. Much of the area of Flintshire was agricultural so vehicles such as tractors were to be expected and associated storage. He recommended that full permission should be granted, not a temporary permission for 18 months.

Councillor Peers said there was not a lot of equipment on site and the applicant provided a service to the local community. Only one objection had been received and the business had been operating successfully for the past 12 months. He duly seconded the approval of a full application.

Councillors Bithell and Butler both commented that whilst agricultural businesses were encouraged by the Authority, a condition in the report related to the restriction of commercial vehicles to be parked on the site. Agricultural vehicles were not small by their very nature and they asked if the business grew, was that condition sufficient to restrict large agricultural machinery moving on and off the site.

Councillor Roberts said he knew the site which he felt was suitable for what was being considered. He also supported full approval of the application.

Councillor Lloyd said he encouraged sole traders and following the site visit, the only issue appeared to be the position of the security light. The

Chairman said that the applicant had advised he would move the light to an alternative position.

The officer commented on the condition in the report and Members comments which related to the restriction of commercial vehicles and suggested that the words “and agricultural” be included after the words “commercial” in the wording. This was supported by the proposer and seconder of the motion.

RESOLVED:

That full planning permission be granted subject to the following conditions:

1. In accordance with the approved plans
2. Personal permission to the owner
3. Restrictions on hours of operating
4. Landscaping scheme
5. Restrictions on the commercial and agricultural vehicles to be parked on site
6. Facilities shall be provided and retained for parking and turning of vehicles
7. Lighting details and position to be agreed

87. APPEAL BY WHITE ACRE ESTATES AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE OUTLINE APPLICATION FOR THE ERECTION OF UPTO 40 RESIDENTIAL DWELLINGS WITH ASSOCIATED ACCESS AND ALL OTHER MATTERS RESERVED AT RHOS ROAD, PENYFFORDD – ALLOWED (053656)

The Development Manager explained that the Inspector considered that the main issues were: the effect of the proposed development on the character and appearance of the area and the countryside; and whether there was a 5 year supply of housing land and, if not, whether any detriment to the open countryside would be outweighed by the need to increase housing supply.

RESOLVED:

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

88. APPEAL BY MR. D. BIRCHAM AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR A TRIPLE GARAGE WITH ANCILLARY ACCOMMODATION OVER AT THE OLD BARN, PADESWOOD LAKE ROAD, PADESWOOD – ALLOWED (054344)

The Development Manager said this was an example of appeals that saw a trend of Inspectors supporting ancillary accommodation.

RESOLVED:

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

89. APPEAL BY MR. JAMES O'LEARY AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR CHANGE OF USE FROM A GUEST HOUSE TO A SMALL GROUP RESIDENTIAL

**CHILDRENS HOME AT GERDDI BEUNO, WHITFORD STREET, HOLYWELL –
ALLOWED (054594)**

The Development Manager said this was an example of how Inspectors viewed decisions taken on perception, in particular how that could be evidenced.

Councillor Roberts said he was surprised at the outcome of the Inspector as he felt his representation at the appeal was based on strong evidence which he detailed.

RESOLVED:

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

90. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were 17 members of the public and 1 member of the press in attendance.

(The meeting started at 1.00 pm and ended at 4.05 pm)

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Chairman