

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



To: Cllr David Wisinger (Chairman)

CS/NG

Councillors: Mike Allport, Bernie Attridge,
Chris Bithell, Derek Butler, Ian Dunbar,
Veronica Gay, Gladys Healey, Patrick Heesom,
Kevin Hughes, Paul Johnson, Christine Jones,
Richard Jones, Richard Lloyd, Mike Peers,
Neville Phillips and Owen Thomas

7 January 2021

Sharon Thomas / 01352 702324
sharon.b.thomas@flintshire.gov.uk

Dear Sir / Madam

**NOTICE OF REMOTE MEETING
PLANNING COMMITTEE
WEDNESDAY, 13TH JANUARY, 2021 at 1.00 PM**

Yours sincerely

Robert Robins
Democratic Services Manager

Please note: Due to the current restrictions on travel and the requirement for physical distancing, this meeting will not be held at its usual location. This will be a remote meeting and 'attendance' will be restricted to Planning Committee Members. The meeting will be recorded.

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

Virtual Planning Committee Meeting - Public Participation

Members of the public, objectors to or supporters of applications will not be able to address the remote Committee. Their views will be sought in advance of the meeting and their statements included within this Committee report pack.

AGENDA

1 **APOLOGIES**

2 **DECLARATIONS OF INTEREST**

3 **LATE OBSERVATIONS**

4 **MINUTES** (Pages 3 - 8)

To confirm as a correct record the minutes of the meeting on 2 December 2020.

5 **ITEMS TO BE DEFERRED**

6 **REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)**

The reports of the Chief Officer (Planning, Environment & Economy) are enclosed.

REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY) TO PLANNING COMMITTEE ON 13 JANUARY 2021

Item No	File Reference	DESCRIPTION
<u>Applications reported for determination (A = reported for approval, R= reported for refusal)</u>		
6.1	061263 - A	Full application - Development of existing waste recycling facility to extend existing building, demolish three buildings, and install new wash plant material processing equipment, storage bays, additional weighbridge, ticket office and new drainage system at Dee Bank Industrial Estate, Bagillt (Pages 9 - 28)
6.2	060614 - A	Reserved Matters - Application for approval of reserved matters following outline approval at land side of 61 Brunswick Road, Buckley (Pages 29 - 56)
6.3	061919 - R	Full application - Erection of 18no. detached dwellings including means of access & landscaping of the site at Bod Hyfryd Nursing Home, Northop Road, Flint (Pages 57 - 82)

PLANNING COMMITTEE **2 DECEMBER 2020**

Minutes of the remote meeting of the Planning Committee of Flintshire County Council held on Wednesday, 2 December 2020.

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Mike Allport, Bernie Attridge, Chris Bithell, Derek Butler, Ian Dunbar, Veronica Gay, Gladys Healey, Patrick Heesom, Kevin Hughes, Paul Johnson, Christine Jones, Richard Jones, Richard Lloyd, Mike Peers, Neville Phillips and Owen Thomas

ALSO PRESENT: Councillors: Marion Bateman, Adele Davies-Cooke, Dave Hughes, Ian Roberts and Aaron Shotton (as observers)

IN ATTENDANCE:

Chief Officer (Planning, Environment & Economy); Development Manager; Service Manager - Strategy; Legal Services Manager, Planning Officers; Senior Engineer - Highways Development Control; and Democratic Services Officers

Prior to the start of the meeting the Chairman expressed condolences on behalf of the Committee to Councillor Kevin Hughes on the sad loss of a close family member.

07 DECLARATIONS OF INTEREST

Councillor Neville Phillips declared a personal and prejudicial interest on agenda item 6.1 (061572) as a nearby property was owned by a family member.

Councillor Mike Peers also declared a personal and prejudicial interest on agenda item 6.1 (061572) as a family member was employed by Clwyd Alyn (the joint applicant).

The following Members declared that they had been contacted on three or more occasions by either the applicant, agent, or objectors, on agenda item 6.2 (059396):
Councillors: Bernie Attridge, Ian Dunbar, Kevin Hughes, Christine Jones, Richard Jones, Paul Johnson, Richard Lloyd, Mike Peers, Owen Thomas, and David Wisinger (Chairman).

Councillor Mike Peers declared a personal and prejudicial interest on agenda item 6.4 (061720) as he was the owner of the property. Councillor Peers advised that he had been granted a dispensation by the Standards Committee on 30 November 2020, to write directly to officers and the Planning Committee regarding his application.

08 LATE OBSERVATIONS

The Chairman explained that the late observations had been circulated to Members of the Committee prior to the meeting, a copy of which was appended to the agenda on the Flintshire County Council website:

<https://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MId=4853&Ver=4&LLL=0>

09 MINUTES

The draft minutes of the meeting on 28 October 2020 were confirmed as a correct record, as moved by Councillor Chris Bithell and seconded by Councillor Ian Dunbar.

RESOLVED:

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

10. ITEMS TO BE DEFERRED

No items were recommended for deferral.

11. REPORTS OF THE CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)

RESOLVED:

That decisions be recorded as shown on the Planning Application schedule attached as an appendix.

12. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press present.

(The meeting started at 1.00 pm and ended at 3.32 pm)

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Chairman

Meetings of the Planning Committee are webcast and can be viewed by visiting the webcast library at: <http://flintshire.public-i.tv/core/portal/home>

PLANNING COMMITTEE ON 2 DECEMBER 2020

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
061572	Argoed Community Council	Full Application – development of 56 dwellings including new roadway, parking areas, landscaping and drainage connections including formation of swale at land to the rear of 66a Mold Road, Mynydd Isa	<p>A statement of objection from the Local Member, Councillor Hilary McGuill, was appended to the report in the agenda.</p> <p>A statement of objection from the Local Community Council was appended to the report in the agenda.</p> <p>A statement of objection from a local resident was appended to the report in the agenda.</p> <p>A statement of support from the Agent for the application was appended to report in the agenda.</p> <p>A statement of support from local residents was appended to the report in the agenda.</p>	<p>That planning permission be granted subject to the applicant entering into a Section 106 Obligation to provide the following:</p> <ul style="list-style-type: none"> • an undertaking to ensure that the affordable dwellings, at the tenures identified by the approved documents, remain affordable in perpetuity; • Primary and Secondary school contributions in accordance with SPGN 23 – Developer contributions to Education; • Public Open Space commuted sums of £733.00 per dwelling, in lieu of on-site provision; <p>and the conditions within the report, in accordance with the officer's recommendation.</p>

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
059396	Gwernaffield Community Council	Full Application – erection of 80 dwellings, convenience store and associated development at Coppy Farm, Cilcain Road, Gwernaffield.	<p>A statement of objection from the Local Member, Councillor Adele Davies-Cooke, was appended to the report in the agenda.</p> <p>A statement of objection from the Local Community Council was appended to the report in the agenda.</p> <p>A statement of objection from the Local Residents Group was appended to the report in the agenda.</p> <p>A statement of support from the Agent for the application was appended to the report in the agenda.</p> <p>A statement of support from a local resident for the application was appended to the report in the agenda.</p>	That planning permission be refused, in accordance with the officer's recommendation, for the reasons as set out in the report and subject to the following amendment to paragraph 2.01, reason 1: the wording "settlement boundary of Mold" to read "settlement boundary of Gwernaffield".

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
Page 7		General Matters – proposed amendment to Section 106 Agreement – Residential Development at Croes Atti, Flint		<p>That the Section 106 Agreement relating to the Land be varied to provide:</p> <ul style="list-style-type: none"> • an increase in the land constituting the School Site from 0.6ha to 1.05ha and requiring that land to be transferred to the Council; • removal of the requirement to retain 0.45ha of land for use as a Health Centre; • an increase in the school extension land from 1.00ha to 1.45ha; • to extend the date required for commencement of development of the school on the school site to 10 years from the date of varied agreement.
061720	Buckley Town Council	General Matters - Full Application – sun room and garage extension with bedroom extension above at 7 Pinewood Road, Drury		That planning permission is in compliance with the development plan and no other material considerations would have led to planning permission being refused by the Committee, and the planning permission should not therefore be revoked.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **13th JANUARY 2020**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **DEVELOPMENT OF EXISTING WASTE RECYCLING FACILITY TO EXTEND EXISTING BUILDING, DEMOLISH THREE BUILDINGS, AND INSTALL NEW WASH PLANT MATERIAL PROCESSING EQUIPMENT, STORAGE BAYS, ADDITIONAL WEIGHBRIDGE, TICKET OFFICE AND NEW DRAINAGE SYSTEM.**

APPLICATION NUMBER: **061263**

APPLICANT: **GTR AGGREGATES & RECYCLING LIMITED**

SITE: **WASTE RECYCLING FACILITY, DEE BANK INDUSTRIAL ESTATE, BAGILLT**

APPLICATION VALID DATE: **15th JULY 2020**

LOCAL MEMBERS: **CLLR K RUSH**

TOWN/COMMUNITY COUNCIL: **BAGILLT COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT RELATIVE TO DELEGATION SCHEME**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a full application for development of existing waste recycling facility to extend existing building, demolish three buildings, and install new wash plant material processing equipment, storage bays, additional weighbridge, ticket office and new drainage system.

The main planning issues are considered to be:

- Principle
- Sustainability/Need
- Visual Impact and Design
- Highways

- Ecology
- Air Quality
- Noise
- Contaminated Land
- Flood Risk
- Drainage

The development proposal also seeks to provide for a site throughput capacity of 250,000 tonnes per annum (tpa), comprising approximately 75,000 tpa of skip waste and 175,000 tpa of construction, demolition and excavation waste.

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

- 2.01
1. Commencement of Development
 2. In accordance with plans
 3. Tonnage restricted to 250,000 tpa
 4. The remedial and operational measures detailed within the Particulate Emissions Management Plan shall be implemented in full and retained for the lifetime of the development.
 5. The mitigation measures detailed within the Noise Assessment shall be implemented in full and retained for the lifetime of the development.
 6. Details of any external lighting shall be submitted and approved prior to its installation and use on site.
 7. Height of stockpiles
 8. The wheel washing facilities shall be implemented as approved and shall thereafter remain available and be used by all vehicles exiting the site.
 9. Hours of operation limited to Monday to Saturday between the hours of 07.00 and 18.00.
 10. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning vehicles
 11. Submission of a Construction Environmental Management Plan (CEMP) to include the following details:
 - General Site Management,
 - Soil Management: details of topsoil strip, storage and amelioration for re-use,
 - CEMP Masterplan,
 - Control of Nuisances,
 - Resource Management,
 - Pollution Prevention, and
 - Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details

12. Preliminary Risk Assessment, Site Investigation Scheme, Remediation Strategy and Verification Plan in relation to ground contamination of the adjacent controlled water
13. Verification Report in relation to above condition
14. Long-term monitoring plan for protected sites and local water quality shall be submitted and approved
15. Unidentified contamination
16. No infiltration of surface water drainage into the ground is permitted
17. No development shall commence until details of piling or any other foundation designs using penetrative methods have been submitted to the LPA
18. Materials to match existing building
19. Prior to commencement submission of foul drainage scheme
20. Prior to commencement the assessment and remediation of ground contamination.

3.00 CONSULTATIONS

3.01 Local Member

Cllr K Rush – No Response at the time of writing

Town/Community Council

No Response at the time of writing

Highways Development Management

On the basis of the information submitted as part of the Transport Statement there is no objection to the proposal. Recommend the following condition is included:-

- Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles.

Community and Business Protection

As the Council is the primary regulator for land contamination, it will be important that all potential risks to receptors (not limited to the prevention of pollution of controlled waters) are identified, understood and addressed. The site does have an extensive history of potentially contaminative land uses and the potential risks to human health and the environment will need to be adequately assessed and addressed where necessary.

Welsh Water/Dwr Cymru

No Objection subject to conditions in relation to foul water drainage.

Natural Resources Wales

We recommend you should only grant planning permission if you attach the following conditions to the permission. Otherwise, we would object to this planning application:

- Condition 1: Construction Environmental Management Plan (CEMP)
- Condition 2: Preliminary Risk Assessment, Site Investigation Scheme, Remediation Strategy and Verification Plan
- Condition 3: Verification Report
- Condition 4: Long-term monitoring plan
- Condition 5: Unidentified contamination
- Condition 6: Surface Water Drainage
- Condition 7: Piling

4.00 PUBLICITY

4.01 Press Notice, Site Notice and Neighbour Notification

No responses received at the time of writing

5.00 SITE HISTORY

5.01 GTR Aggregates & Recycling Ltd (GTR) operates an existing skip waste and aggregate recycling facility at Dee Bank Industrial Estate, Bagillt. The site functions under two planning permissions:

- a) 044149 granted in February 2009 for: Regulation of existing planning permissions and new building for waste recycling facilities and skip hire (“the skip waste recycling facility”); and
- b) 048608 granted in August 2011 for: Change of use from concrete batching plant to an inert waste recycling facility. Erection of bays and partial demolition of an existing building (“the aggregate and soil recycling facility”)

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1: New Development

STR3: Employment

GEN1: General Requirements for Development

D1: Design Quality, Location and Layout

D2: Design

AC13: Access and Traffic Impact

AC18: Parking Provision and New Development

EM1: General Employment Land Allocations

EM3: Development Zones and Principle Employment Areas

EM7: Bad Neighbour Industry

EWP7: Managing Waste Sustainably

EWP: Control of Waste Development and Operations
EWP12: Pollution
EWP13: Nuisance
EWP17: Flood Risk

Supplementary Planning Guidance

Supplementary Guidance Note 11: Parking Standards
Supplementary Guidance Note 29: Management of Surface Water for New Development

Planning Policy Wales Edition 9

Technical Advice Notes

Technical Advice Note 11 – Noise
Technical Advice Note 12 – Design
Technical Advice Note 15 – Development and Flood Risk
Technical Advice Note 18 – Transport
Technical Advice Note 21 – Waste
Technical Advice Note 23 – Economic Development

7.00 PLANNING APPRAISAL

7.01 The Site and the Proposed Development

7.02 This application is for full planning permission for the development of existing waste recycling facility to extend existing building, demolish three buildings, and install new wash plant material processing equipment, storage bays, additional weighbridge, ticket office and new drainage system.

7.03 The existing industrial unit extends to approximately 0.86 hectares and features the following:

- A weighbridge inside the gated entrance to the north of the site;
- A waste transfer building along the southwestern boundary;
- An open feedstock and skip unloading area in the southern corner;
- Two storage and processing buildings and an enclosure/covered bay on the southeastern boundary;
- An office and workshop building, storage bays and parking areas in the northern part;
- Concreted and compacted hardcore surfacing;
- Enclosure of fencing and walling; and
- Banks of trees and vegetation on the northeastern and southeastern boundaries.

7.04 There are various components to the proposed development of the site as follows:

- Demolition of the three buildings on the southeastern boundary;
- Extension of the existing waste transfer building around the southern corner of the site, to create one waste recycling building and enable all skip waste processing operations to take place under cover;
- Installation of an additional weighbridge and a ticket office at the entrance to the site;
- Installation of new processing machinery and storage bays within the northeastern and southeastern part of the site. The new equipment would comprise a processing plant with state of the art washing and sizing capability for producing high grade recycled aggregates and maximising recovery of waste materials;
- Vehicle parking provision; and
- New site drainage.

7.05 The development proposal also seeks to provide for a site throughput capacity of 250,000 tonnes per annum (tpa), comprising approximately 75,000 tpa of skip waste and 175,000 tpa of construction, demolition and excavation waste.

7.06 Principle
The application lies outside of the development boundary and is not allocated for any particular use within the UDP. Policy EM5 supports the expansion of existing concerns subject to a number of detailed tests, including that the proposed extension is subsidiary to the existing operations. Policy EM5 also requires that the development is in keeping with both the site and its surroundings and any new site boundary is logical, utilising existing features or incorporating suitable boundary treatments. The existing industrial estate is relatively well assimilated into the surrounding landscape

7.07 The adopted UDP identifies a number of 'areas of search for new waste management facilities' in Policy EWP6 but this does not apply to this site as this is not a new waste facility. Nevertheless, the policy states 'Where a proposal is made for the development of a site within any of the locations identified, as listed above, then permission will be granted subject to that proposal meeting other relevant plan policies, particularly EWP7 & EWP8' which provide relevant context for considering the proposal.

7.08 Policy EWP7 of the adopted Flintshire Unitary Development Plan seeks to ensure that proposals for waste management facilities are rigorously tested to ensure that the facilities proposed are required to meet an identified need within the Regional Waste Plan. Since the Unitary Development Plan was adopted, the requirement to consider the Regional Waste Plan during consideration of proposals for waste management facilities has been removed through the publication of a revised Technical Advice Note (TAN) 21. The

revised TAN 21 instead requires consideration of proposals against national waste policy.

- 7.09 Given the change in national policy and guidance and the fact that the data upon which the Regional Waste Plan 1st Review is based is over 10 years old it is considered that it is appropriate to look beyond the 1st Review when assessing need. This is the view that an Inspector took when considering a waste management application previously and is considered to continue to be an appropriate stance in relation to this application.
- 7.10 The development proposal seeks to provide for a site throughput comprising approximately 75,000 tpa of skip waste and 175,000 tpa of construction, demolition and excavation waste. In respect, of construction, demolition and excavation waste, which is produced in large volumes, but tends only to be recycled for low grade uses, the proposed new wash plant technology represents the opportunity for this waste stream to be turned into high quality recycled aggregate, thereby obtaining optimum levels of re-use, because the recycled products are fit for higher-value applications
- 7.11 With regard to the improved skip waste recycling facilities, the processing and storage of materials could all take place fully under cover which would assist the segregation of individual items for onward recycling. The kind of items that are conventionally placed in skips, such as wood, cardboard, paper, garden waste, metals, glass, plastics, textiles, plasterboard and other builders' materials are priority materials for recovery.
- 7.12 The Natural Resources Wales data for 2018 recorded that non-hazardous waste landfills in Wales accepted 750,000 tonnes of household/industrial/commercial waste and for the North Wales Region 186,000 tonnes. In addition, the Survey of Industrial and Commercial Waste Generated in Wales 2018 reported that the North Wales region generated 710,000 tonnes of industrial and commercial waste with approximately 65% currently recycled.
- 7.13 In light of the above, it is considered that the proposal would not lead to overprovision within the region.
- 7.14 Living Conditions of neighbouring occupiers
The proposal site is located within an existing industrial estate. The nearest residential properties are located approximately 200m to the north of the proposal site, separated from the site by the A494 and the industrial estate.
- 7.15 There are a number of UDP policies which necessitate consideration of the impact of a proposal of this nature on residential living conditions, including GEN1 (d), EM3 (iii), EM7(iv), EWP8(b). Policies GEN 1 and EM3 state that there should be no significant

adverse impact on the amenity of nearby residents and other users of the land through increased activity, disturbance, noise, dust or adverse effects of pollution, while policy EWP8, supports proposals which do not detrimentally affect the health and amenity of neighbouring land users.

7.16 Dust

The application is supported by a Particulate Emissions Management Plan and has been subject to consultation with Environmental Health Officer. The site is set at some distance from the nearest residential properties and it is considered possible to limit dust through good site management as outlined with management plan. The implementation of the remedial and operational measures detailed within the plan will be controlled by condition to ensure they are implemented throughout the lifetime of development.

7.17 Noise

Although the site is set at some distance from the nearest residential properties it is considered noise could potentially become a nuisance due to the types of machinery and the nature of the activities that would take place on the site. There are noise conditions attached to planning permission reference 044149 which limit noise levels arising from the site at the nearest residential properties, as well as a condition restricting hours of operation

7.18 In addition, the application is supported by a Noise Impact Assessment which concludes that the proposed operations would not cause an unacceptable degree of disturbance, and would not lead to an intensification or greater intrusion of noise upon sensitive receptors, the proposed operations will satisfy the requirements of the Planning Guidance Wales, Technical Advice Note 11.

7.19 Whilst there is an unlikely to be any noise impact, the Operator has considered additional mitigation that can be practicably implemented. Mitigation will be implemented into the working procedures to minimise noise emissions as far as reasonably practical. These precautionary measures are set out below:

- Reduction of drop heights of materials, particularly to avoid metal on metal impact.
- Vehicle route surfaces to be maintained to be kept smooth and free of debris.
- Prohibition of unnecessary engine idling and revving.
- Regular checks of plant and equipment to reduce excessive noise due to maintenance issues.
- Site management to ensure all staff receive training on appropriate methods to be used to avoid noise impact, including minimising drop height of materials, keeping vehicle routes maintained, avoiding unnecessary revving of engines,

starting up plant and vehicles sequentially, where practicable. Notices and signs should be displayed to remind staff.

- Site management to regularly patrol the site boundary, to check for potentially problematic noise, and take additional action where necessary.
- The operator will implement white noise or an equivalent on all site based vehicle

7.20 Character and appearance

The proposal site is located away from residential properties and whilst distant views of the site are possible from residential properties, any impact is not considered sufficient to cause significant harm to residential amenity. Any visual impact is considered to be relatively minor and unlikely to harm the amenity of local residents.

7.21 Stockpiles of materials within the site and proposed extension are considered likely to be the most intrusive elements of the proposed development. In order to minimise the visual impact of stockpiles of waste material it is recommended that an overall height limit is secured by condition.

7.22 Highways

The application site is located to the immediate east of the A548 / A5026 signal junction. The eastern arm of this junction provides access to the site. The site takes the general form of an L-shape with the A548 along its western boundary and the North Wales Coast Railway passing along its eastern boundary.

7.23 To the north of the site is a petrol station, car wash and some light industrial land uses such as a vehicle depot and a vehicle repair shop. These uses also take access from the A548 /A5026 signal junction as well as an entry only slip road off the southbound carriageway of the A548.

7.24 In a worst case scenario, the proposal would give rise to an average of about 244 heavy vehicle movements per day or about 24 movements per hour, assuming that for one trip either in or out of the site the lorry is empty. However, there would in reality be a proportion of lorries that would be fully loaded for both movements in and out of the site, for example returning from a delivery of recycled aggregates with a load of waste materials or vice versa. This backloading is likely to reduce average vehicle, movements by about 25%, and on this basis daily traffic movements would on average amount to about 230 per day.

7.25 The application is supported by a Transport Statement and consultation has been undertaken with Highways Development Management. The Highways Officer raises no objection to the proposal subject to a condition in to ensure that facilities s for the

loading, unloading, parking and turning of vehicles are retained within the site.

7.26 Flood Risk

The site lies almost entirely within Zone C1 and Zone B as defined by the Development Advice Map (DAM) referred to under Technical Advice Note (TAN) 15 Development and Flood Risk (July 2004) and our Flood Map confirms the site to be located almost entirely within the 0.5% (1 in 200) and 0.1% (1 in 1,000) annual exceedance probability (AEP) event flood outlines.

7.27 The development proposal is for the extension of the existing waste recycling facility which occupies the site, and the demolition of several buildings. The land use vulnerability of the site would remain unchanged. The overall change in building footprint is minor, with a net increase of approximately 193m². A Flood Consequences Assessment (FCA) has been submitted in support of the application, which has been prepared by AA Environmental Limited.

7.28 The FCA considers flood risk from a range of sources and gives some consideration to the flood risk posed to the site in a tidal breach event. The FCA indicates that some flooding of the site would be expected in a breach event, but it is not clear how the flood depths quoted have been determined. The FCA does not fully quantify the potential flood risk posed to the site in a breach event when considering the impacts of climate change, and the FCA therefore fails to comply with A1.14 of TAN15. The FCA does recommend that the operators of the site should sign up to receive flood alerts and that a Flood Plan should be prepared. It also confirms that site levels at the site will not be changed following the proposed works.

7.29 Despite the FCA failing to comply with the requirements of TAN15, it should be noted that the proposed involves an extension to an existing building, and the overall change in footprint is only in the region of 193 m². Therefore, given the scale and nature of the proposals, NRW have no objection to this application on flood risk grounds.

7.30 Ecology

The proposal is within 30 metres of the Dee Estuary Special Area of Conservation (SAC), Dee Estuary Special Protection Area (SPA), Dee Estuary Ramsar and the Dee Estuary Site of Special Scientific Interest (SSSI).

7.31 The proposal would involve the redevelopment of the waste management operations within the site including an extension to allow for skip waste to be sorted inside along a redesign of the existing yard to allow install new wash plant material processing

equipment, storage bays, additional weighbridge, ticket office and new drainage system.

- 7.32 With regards to the Habitat Regulation Assessment any likely significant effects can be overcome providing appropriate reasonable avoidance measures and a mitigation scheme are undertaken. Mitigation is proposed, however, it is recommended that conditions are imposed to secure the implementation of such mitigation and to ensure the necessary detail is submitted.
- 7.33 The application has been subject to consultation with Natural Resources Wales who have requested that the applicant should prepare a Construction Environmental Management Plan in order to prevent and minimise any potential water quality and waste management impacts on the adjacent sites.

7.34 Land Contamination

Policy GEN 1 (i) states that development should not be susceptible to problems related to contamination. Policy EWP 14 supports the reclamation and reuse of contaminated land subject to a number of detailed tests, to ensure that appropriate measures are taken to deal with any contamination which exists on the site and to ensure that no residual risk remains on site for future receptors.

- 7.35 The land use on site has varied significantly in land use in the last 150 years. The site formed part of a lead works operating from the late 1800's up until the early 1960's when the land was cleared. The site operated as a batching plant until 2011, when planning permission was granted for an inert crushing facility. Given the potential for land contamination, Natural Resources Wales have concerns with the proposed development, due to the possibility of significant contamination from the historical use as a lead works, the adjacent drainage outfall, and the proximity to the Dee Estuary SAC/SPA/RAMSAR/SSSI. They have advised that further information is required in respect of controlled waters, which are of high environmental sensitivity in this location, and this should be secured via condition. In addition, the Council's Land Contamination Officer has considered the proposal and suggested conditions in relation to assessment and remediation of any land contamination.

8.00 CONCLUSION

The proposal would involve redevelopment of an existing waste management site, which would allow waste to be managed in a sustainable way, diverting it from landfill and maximising recovery, in line with Technical Advice Note 21. The proposal has the potential to impact on protected sites, residential amenity, highway safety, landscape, and contaminated land, however, as discussed in the

body of the report above, it is considered these matters can be satisfactorily addressed through the use of appropriately worded conditions.

Subject to the inclusion of conditions to address the matters identified above, the proposal is considered acceptable, in line with policies of the adopted Flintshire Unitary Development Plan.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

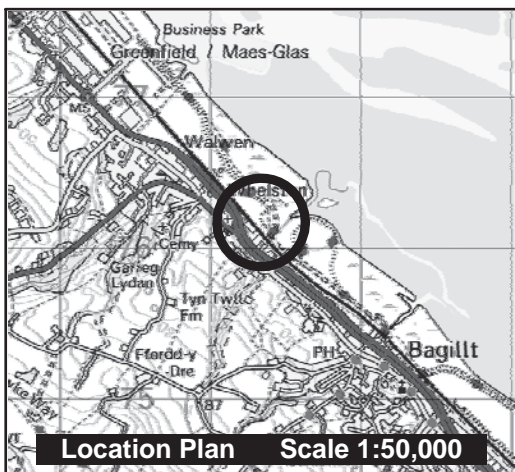
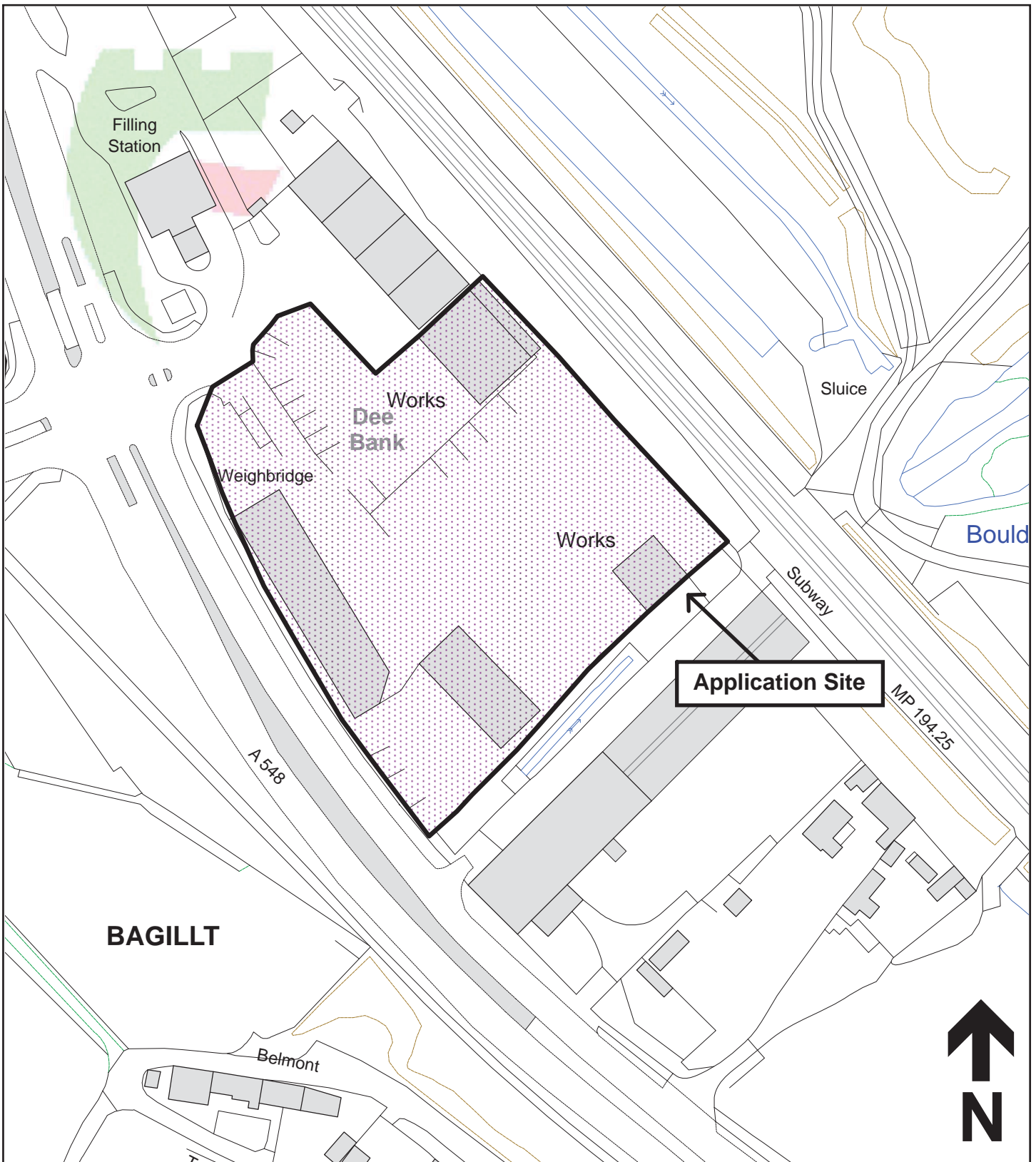
LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: Daniel McVey

Telephone: 01352 703266

Email: Daniel.Mcvey@flintshire.gov.uk



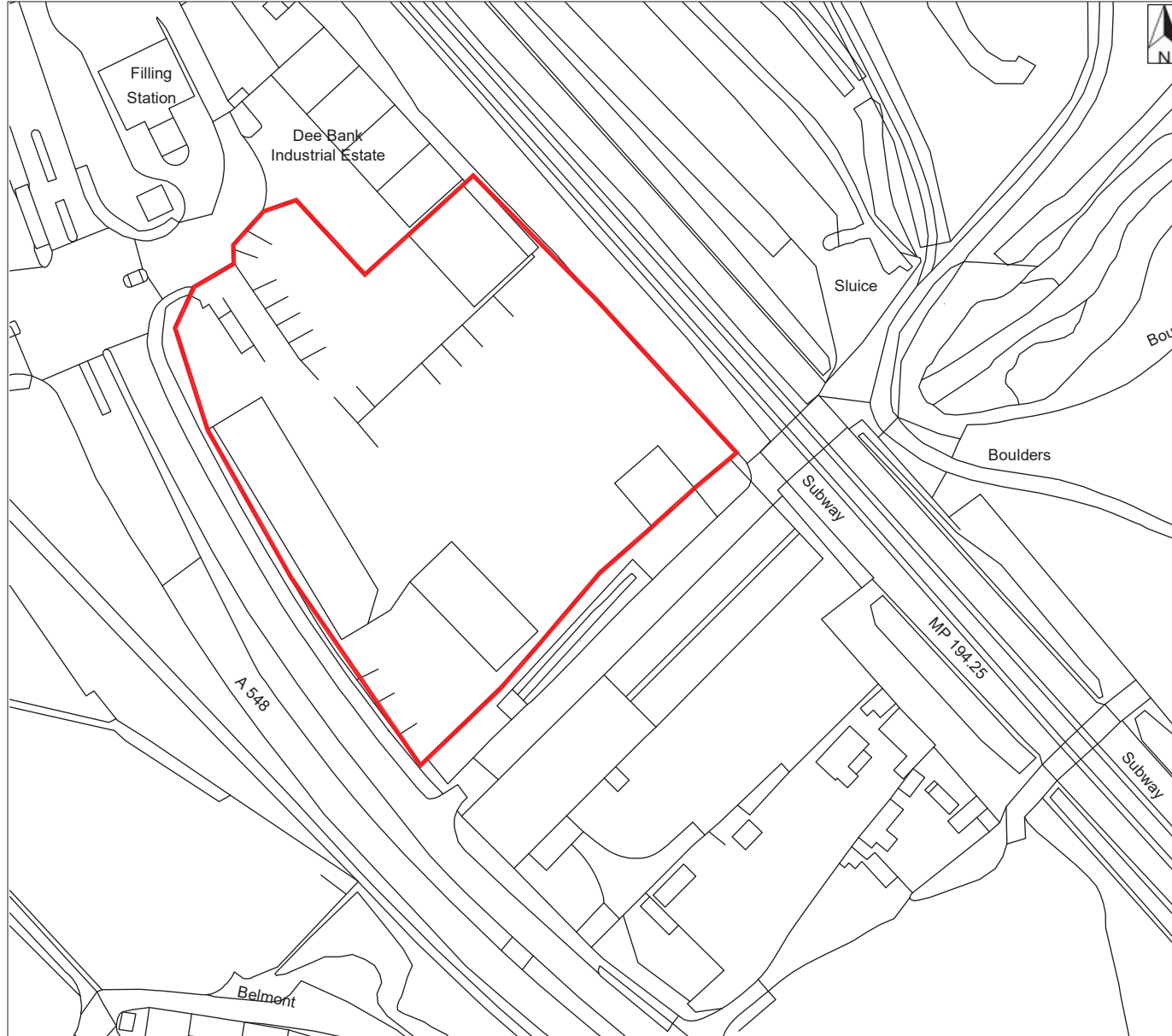
Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:1250
OS Map ref	SJ 2176
Planning Application	61263



KEY:
— Site Boundary



Rev.	Details	Drawn Chkd.	Date
Project 203021 Waste Recycling Facility Bagillt			
Title Site Location Plan			
		AA Environmental Ltd Units 4-5 Chotswell Court Shippon Abingdon Oxon OX13 6HX T: (01235) 536042 F: (01235) 523849 info@aae-htd.co.uk www.aae-htd.co.uk	
Scale 1:1000(A3)	Date Apr'20	Drawn EB	Chkd. ML
Drg. No. 203021/D/001		Rev.	



KEY:

- Site Boundary
- Section Lines

Page 23



Rev.	Details	Drawn Chkd.	Date
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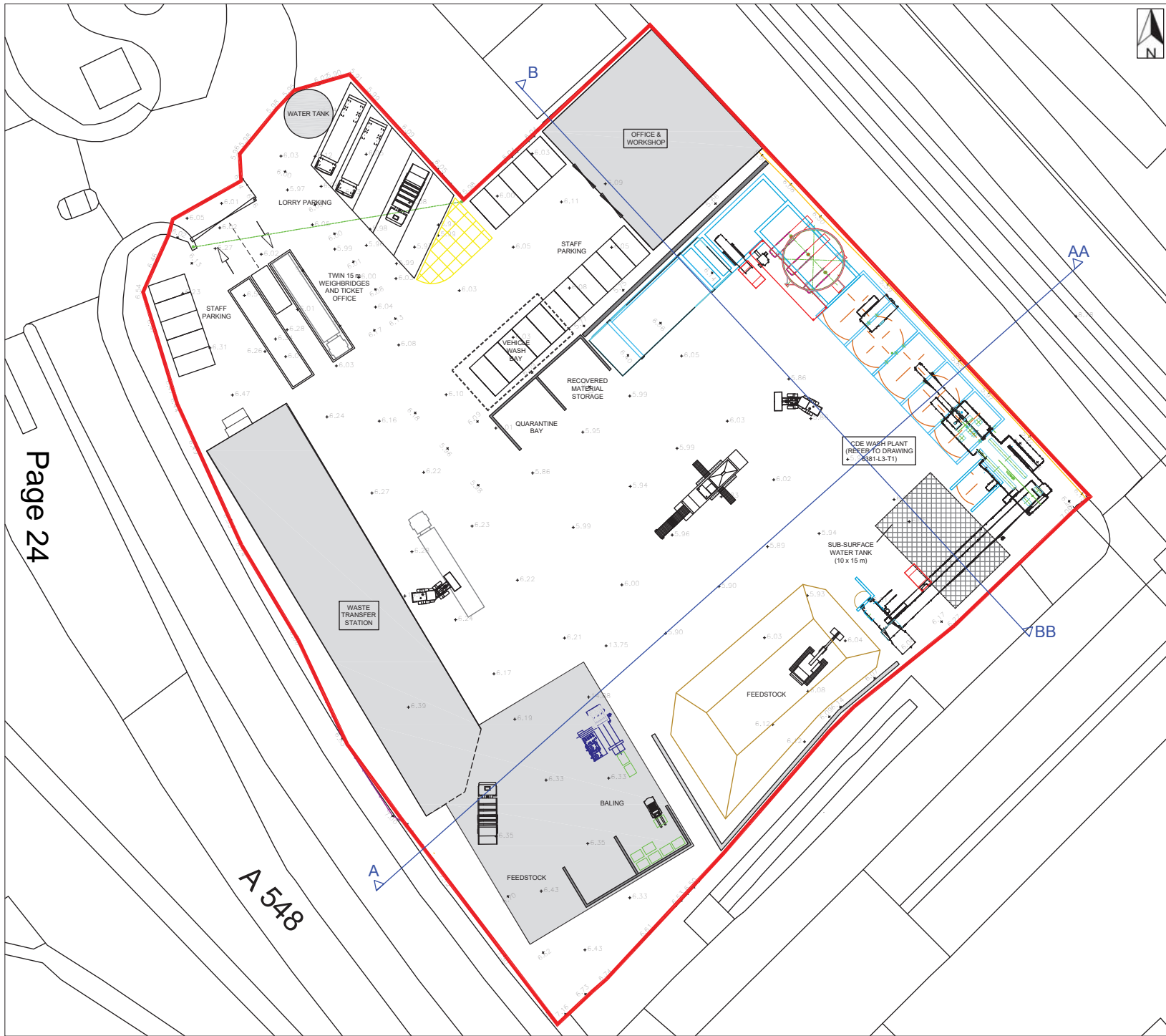
Project
203021
Waste Recycling Facility
Baglitt

Title
Existing Site Layout



AA Environmental Ltd
Units 4-5
Chotswell Court
Shippon Abingdon
Oxon OX13 6HX
T: (01235) 536042
F: (01235) 523849
info@aae-td.co.uk
www.aae-td.co.uk

Scale	Date	Apr'20	Drw. No.	Rev.
1:500(A3)	Drawn	JNT	Chkd.	ML
			203021/D/002	



KEY:

- Site Boundary
- Section Lines

Page 24

A 548



Rev.	Details	Drawn Chkd.	Date
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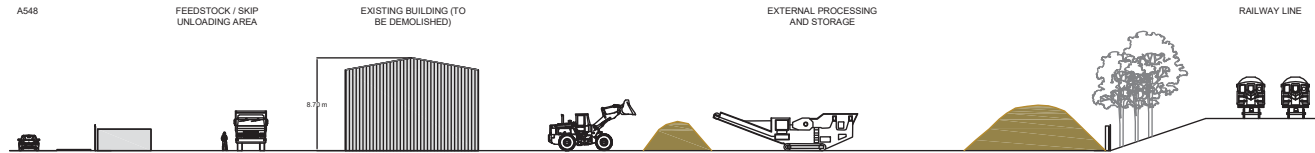
Project
203021
Waste Recycling Facility
Baglitt

Title
Proposed Site Layout

AA Environmental Ltd
Units 4-5
Chotswell Court
Shippon Abingdon
Oxon OX13 6HX
T: (01235) 536042
F: (01235) 523849
info@aae-llp.com
www.aae-llp.com

Scale	Date	Jun'20	Drw. No.	Rev.
1:500 (A3)	Drawn	JNT	Chkd.	ML
			203021/D/004	A

SECTION A-AA

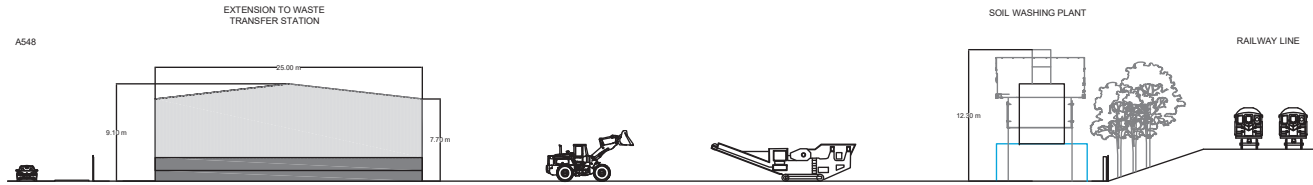


SECTION B-BB

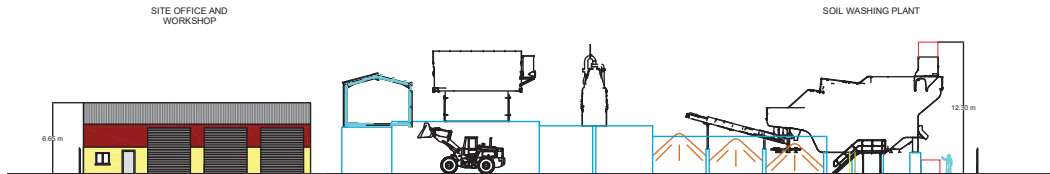


Rev.	Details	Drawn Chkd.	Date
Project 203021 Waste Recycling Facility Baglitt			
Title Existing Elevations			
		AA Environmental Ltd Units 4-5 Cholswell Court Shippon Abingdon Oxon OX13 6HX T: (01235) 536042 F: (01235) 523849 info@aae-td.co.uk www.aae-td.co.uk	
Scale 1:500(A3)	Date Apr'20	Drawn JNT	Chkd. ML
Drg. No. 203021/D/003		Rev.	

SECTION A-AA



SECTION B-BB



Rev.	Details	Drawn Chkd.	Date
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Project
203021
Waste Recycling Facility
Bagillt

Title
Proposed Elevations

AA Environmental Ltd
Units 4-5
Cholswell Court
Shippon Abingdon
Oxon OX13 6HX
T: (01235) 536042
F: (01235) 523849
info@aee-lip.com
www.aee-lip.com

Scale	Date	Apr'20	Drwg. No.	Rev.
1:500 (A3)	Drawn JNT	Chkd. ML	203021/D/005	A

Statement from Local Ward Member

I wish to submit a statement on the proposal for the Waste Re-cycling Facility Dee Bank Industrial Estate Bagillt CH6 6HJ.

1 Not seen or had any correspondence for an impact assessment on the local community.

2 Increase of traffic (Heavy vehicles) on this busy junction.

3 Debris being dropped on the road at this junction (at this present time)

4 Dust hazard local residents complaining to a constant smell of soot / ground down bricks they say you can taste it in the air.

Thank you.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **13th JANUARY 2021**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **RESERVED MATTERS FOR THE ERECTION OF A TWO AND A HALF STOREY BUILDING COMPRISING 9 NO FLATS FOLLOWING OUTLINE APPROVAL (055581)**

APPLICATION NUMBER: **060614**

APPLICANT: **WALES AND WEST HOUSING ASSOCIATION**

SITE: **LAND SIDE OF 61 BRUNSWICK ROAD BUCKLEY**

APPLICATION VALID DATE: **26TH OCTOBER 2019**

LOCAL MEMBERS: **COUNCILLOR M J PEERS**
COUNCILLOR D HUTCHINSON

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST IN ORDER TO ASSESS THE IMPACT ON LIVING CONDITIONS OF OCCUPIERS OF ADJACENT PROPERTIES**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This reserved matters application proposes the erection of a building to accommodate 9 No flats on land to the side of 61 Brunswick Road, Buckley. Amended plans have been received in progression of the application on which further consultation has been undertaken.

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

That conditional planning permission be granted. subject to the applicant entering into a Section 106 Obligation, Unilateral Undertaking or advance payment of £733 per flat, the monies being used to enhance toddler play provision at Higher Common Play Area

- 2.01
- 1 Time Limit on Commencement
 - 2 In accordance with approved plans
 - 3 Materials to be submitted and approved.
 - 4 Siting, layout, design of access to be submitted and approved
 - 5 Forming of access not to commence until design has been approved
 - 6 Existing site access that becomes redundant to be re-instated to full kerb height
 - 7 Parking / turning facilities to be provided and retained
 - 8 Construction Traffic Management Plan to be submitted and approved
 9. Existing and finished floor levels

3.00 CONSULTATIONS

3.01 Local Members

Councillor M J Peers:

Request planning committee determination in order to assess the impact of development on the living conditions of occupiers of properties at Victoria Court.

Councillor D Hutchinson:

Request planning committee determination in order to assess the impact of development on the living conditions of occupiers of properties at Victoria Court.

Buckley Town Community Council

The following observations are made:-

- i) with reference to the west elevation of the proposed development, the 2 ½ storey building would be overlooking at least 1,2, & 3 Victoria Court
- ii) the overlooking aspect would impact upon the amenity of those three properties and potentially other properties

Highway Development Control

The site has previously had outline permission for the erection of flats at this location and until 2017 was used in connection for the parking of vehicles associated with a taxi business opposite the site. There is currently an application for continued use of the taxi

premises without the use of the land, and there are no objections subject to the imposition of conditions in respect of access, parking and the submission of a Construction Traffic Management Plan.

Community and Business Protection

No adverse comments

Conservation Officer

No objection – considers the scale /form/design of the building to be acceptable at this location.

Public Rights of Way (PROW)

Public Footpath 25 abuts the site. Applicant may be required to apply for a Temporary Closure Order during construction

Welsh Water/Dwr Cymru

Awaiting Response

Airbus:

No aerodrome safeguarding objection

AURA (Leisure Services):

Request the payment of £733 per apartment in lieu of on site Public Open Space. The monies would be used to enhance toddler play provision facilities at Higher Common Play Area.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

No responses received.

5.00 SITE HISTORY

5.01 053718 – Outline application for the erection of 9 No two bedroom apartments and associated parking and amenity space.
Refused 28th August 2016.

055581 – Outline application for the erection of two and a half storey flats and associated parking and amenity space on existing vacant land. Granted 26th October 2016.

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 and Layout
Policy D2 – Design
Policy AC13 – Access and Traffic Impact
Policy AC18 – Parking Provision and New Development
Policy HSG3 – Housing on Unallocated Sites Within Settlement Boundaries
Policy HSG8 – Density of Development
Policy HE2 – Development affecting Listed Buildings and their Settings.

Additional Guidance

Planning Policy Wales (PPW) – Edition 10
Supplementary Planning Guidance Note 2 – Space About Dwellings
Technical Advice Note 12 - Design

7.00 PLANNING APPRAISAL

7.01 Introduction

The site the subject of this application is located on the northern side of Brunswick Road, Buckley, opposite the Tivoli Nightclub a Grade II Listed Building and existing properties 28/30 Brunswick Road. The site which is currently vacant is adjacent to 61 Brunswick Road. To the north –west are existing dwellings 1-3 Victoria Court, to the north 12-14 Pemba Drive and north –east 1-9 Foundry Cottages.

7.02 For members information outline permission was previously obtained under 055581 on 26/10/16 for the erection of a 2.5 storey building on the site, to accommodate 10 No flats. Indicative plans were submitted as part of this application to show how the site could potentially be developed, but as all matters were reserved for subsequent approval, these carried limited weight in the assessment process.

7.03 Proposed Development

The plans submitted as part of this reserved matters application proposes the erection of a total of 9 No flats within a building which comprises :-

- i) a 2 No storey element fronting onto Brunswick Road and
- ii) a 2.5 storey link to the rear of the main frontage

It is proposed that the building be constructed having facing brick external walls and a slate roof.

7.04 Main Planning Considerations

It is considered that the main considerations to be taken in to account in determination of this application focus on:-

- a) Principle of development.
- b) Character and appearance and relationship to existing development including The Tivoli Nightclub which is Grade II Listed,
- c) Impact on the living conditions of occupiers of nearby residential properties
- d) Adequacy of access /parking.

7.05 Principle of development

The site is located within the settlement boundary of Buckley as defined in the Flintshire Unitary Development Plan, and also has the benefit of outline permission for a 2.5 storey residential development. The principle of development is established and attracts considerable weight in the overall planning balance, subject to compliance with development management considerations.

7.06 Character and appearance

It is noted and acknowledged that the site has the benefit of outline permission for the erection of a 2.5 storey building on the site accommodating 10 No flats. This reserved matters application proposes a reduction in this number to 9 units, and the building has been designed so that it is 2 No storey (approximately 8m high) fronting onto Brunswick with a 2.5 storey link to the rear which incorporates a stairwell to serve the units this being approximately 10m in height.

7.07 Consultation on the application has been undertaken with the conservation officer who has critically assessed the proposed scale, design, and massing of the building including its roof profile and considers this to be acceptable and sympathetic to the site its surroundings and its relationship to The Tivoli a listed building.

7.08 Impact on living conditions

It is noted and acknowledged that there are a number of existing properties located adjacent to the application site boundaries and in close proximity to the site. The impact on the living conditions of occupiers of existing and proposed dwellings is of fundamental importance in consideration of this application having regard to Supplementary Planning Guidance Note 2 – Space Around Dwellings (SPGN2).

7.09 Having regard to the above, the separation distances between the frontages of existing properties at 28/30 Brunswick Road and the proposed development would be approximately 21m. In addition

the distance between the closest point of the rear wing of the proposed building to No 3 Victoria Court which shares a common site boundary with the application site would be approximately 22.5m. There is however no direct interface relationship as the properties are on different planes effectively running parallel to each other. This does not therefore trigger the application of SPGN2.

7.10 Whilst properties at Pemba Drive and Foundry Cottages also share common site boundaries with the application site, there is no direct inter-relationship between habitable windows and therefore the application of SPGN2 is not relevant and applicable in this instance.

7.11 Within densely populated urban areas, including on sites where there is a difference in levels, a degree of overlooking is not unusual. It is accepted however that it would be possible from the upper floors of the proposed building to look down on existing properties from an acute angle, but as there is no direct interface relationship between habitable windows this would not it is considered warrant refusal on this basis.

7.12 Adequacy of access /parking
Consultation on the application has been undertaken with the Highway Development Control Manager, who raises no objection to the development, subject to the imposition of conditions. It is noted by way of the planning history at this location however that the land was previously leased / conditioned for use for the parking of vehicles, in connection with a taxi office operated from a premises adjacent to the Tivoli.

7.13 As the site has been fenced off for security purposes at various intervals since 2017, the taxi business has continued to operate without the use of this area of land for the parking of vehicles. The business have however submitted a further planning application which is under assessment, to enable it to continue, given changes to their operational practice. This is currently being assessed and its acceptability falls to be established as part of this separate process, and not this application.

7.14 In these circumstances it is not considered that this should preclude determination of this application given that outline permission exists on the site, establishing the principle of the proposed development at this location.

8.00 CONCLUSION

The principle of development at this location is not disputed by virtue of the background of planning history as referenced. The scheme as submitted as part of this reserved matters application is

considered to be acceptable in terms of its design, scale and massing and can be supported.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

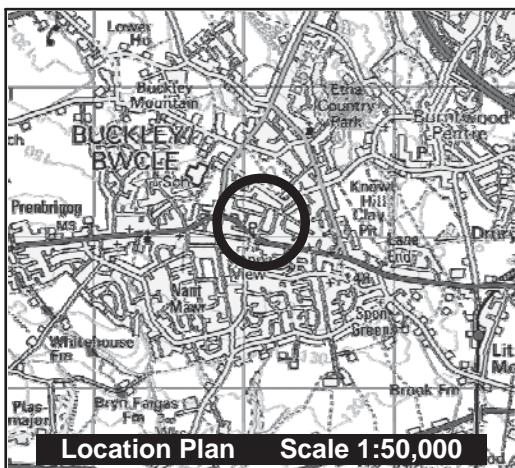
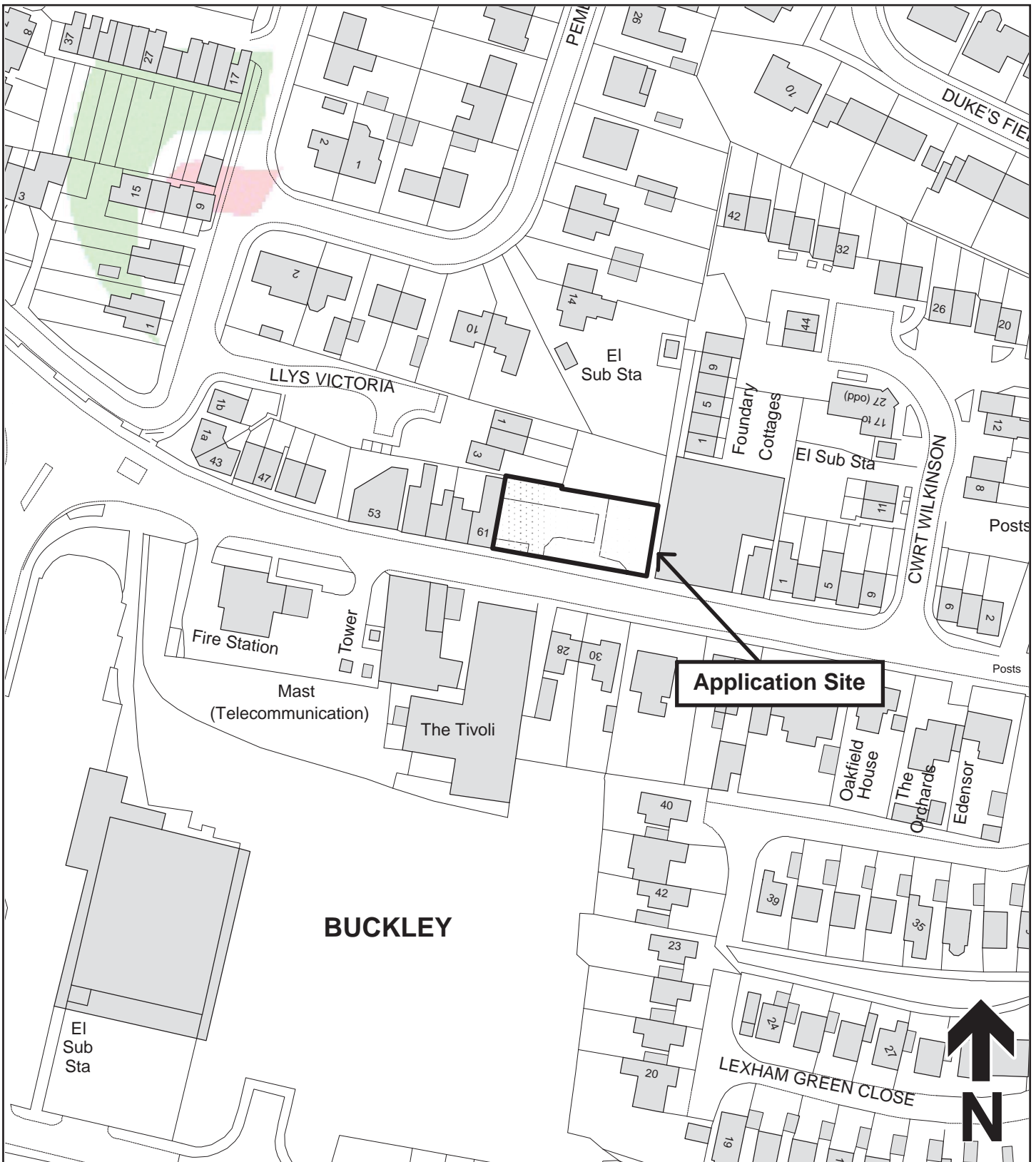
Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer:

Telephone:

Email:

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Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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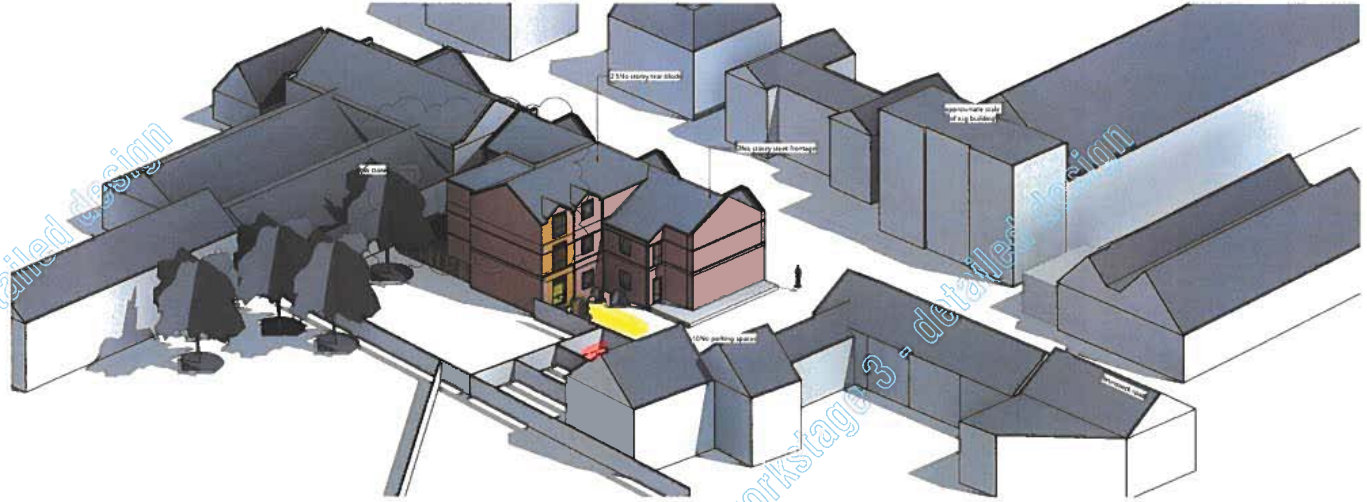
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Planning Application	60614



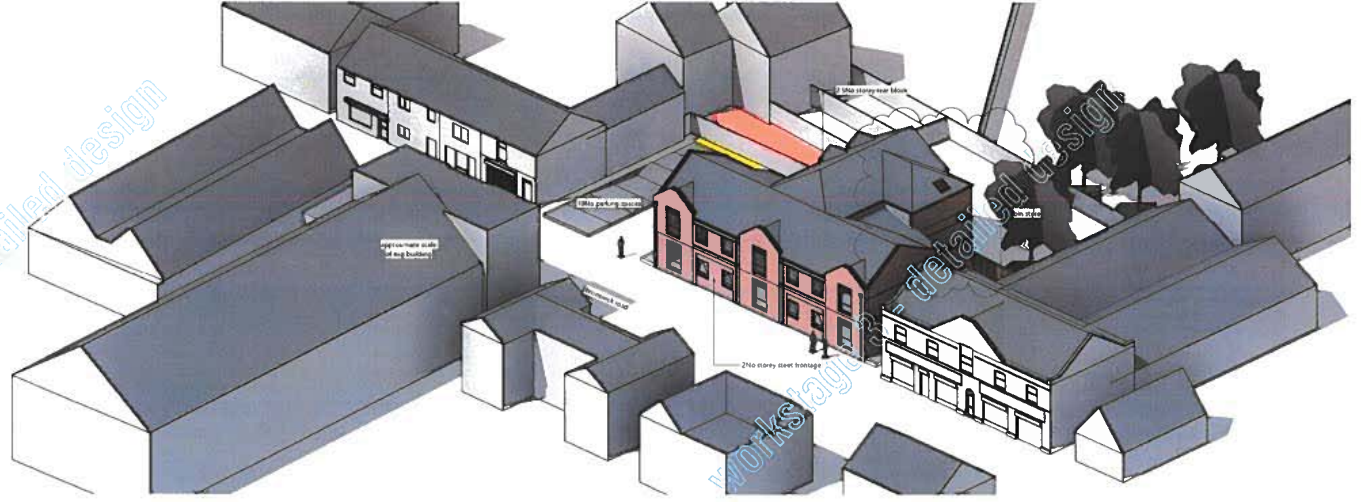
hover a mobile camera over a qr code to download a 3d panorama



PRELIMINARY NORTH WEST VIEW



PRELIMINARY SOUTH EAST VIEW



Revision	Description	Date of Revision	Issued by
I	interwall revised following consultation with allwedd	2020.03.09	AJR
H	final revised 3d panarama for future implementation	2020.07.06	AJR
G	sketch development of general of square level	2020.06.22	AJR
F	will not issue as code added for street panarama	2020.06.04	AJR
E	concept drawings added for scale and message clarity	2020.06.04	AJR
D	amendments to layout and elevations	2019.11.24	JRW
C	issued for comment	2019.10.17	JRW
B	level 02 apartment managed	2018.06.20	AJR
A	preliminary schematic	2018.12.18	AJR



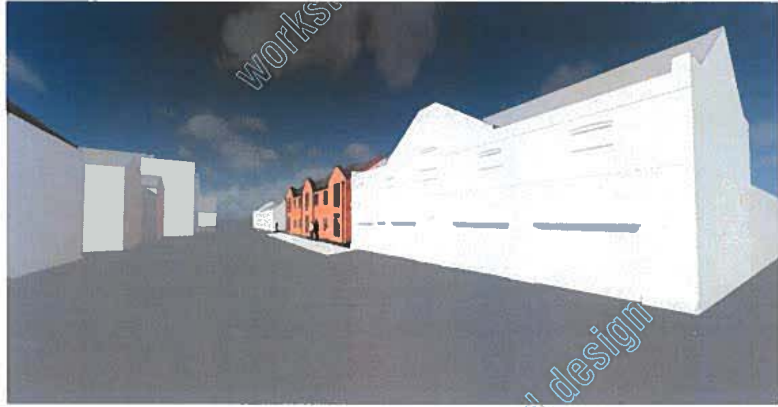
west view of the site



east view of the site



view from far west



view from far east



view from adjacent garden

workstage 3 - detailed design

workstage 3 - detailed design

Revision	Description	Date of Revision	Issued by
B	Revised with sanction of retail from adjacent garden	2020.12.18	JRW
A	Issued to client	2020.12.02	JRW

Project: LAND ADJACENT TO 61 BRUNSWICK ROAD, BUCKLEY

CREU_Drawing list_000								
Sheet Number	Sheet Name	Sheet Size	Scale	Issued	First issue	Current Revision	Current Revision Date	Current Revision Description
000	DRAWING ISSUE SHEET	A1	N/A	Yes	2018.12.18	I	2020.12.21	revised view
001	LOCATION PLAN	A1	1:500	Yes	2018.12.18	B	2020.06.04	w&wh issue. qr code added for street panorama
002	EXISTING SITE PLAN	A1	1:100	Yes	2019.10.17	B	2020.06.04	w&wh issue. qr code added for street panorama
008	PROPOSED SITE PLAN 1 OF 2	A1	1:100	Yes	2018.12.18	I	2020.10.01	distance between parking bays increased and 1No parking bay designated for turning only
009	PROPOSED SITE PLAN 2 OF 2	A1	1:100	Yes	2018.12.18	H	2020.07.17	stairwell revised following consultation with allwedd
010	PROPOSED ELEVATIONS	A1	1:100	Yes	2019.10.17	H	2020.07.17	stairwell revised following consultation with allwedd
016	SERVICES PLAN	A1	N/A	Yes	2019.10.17	B	2020.06.04	w&wh issue. qr code added for street panorama
017	HAZARD/RISK PLAN	A1	1:100		2020.06.04	A	2020.06.04	w&wh issue. qr code added for street panorama

CREU_Drawing list_100								
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100	SERIES 100 ISSUE SHEET				2020.07.14	A	2020.07.14	issued to W&WH and allwedd
106	PLAN LEVEL 00				2020.07.14	B	2020.07.17	stairwell revised following consultation with allwedd
107	PLAN LEVEL 01				2020.07.14	B	2020.07.17	stairwell revised following consultation with allwedd
108	PLAN LEVEL 02				2020.07.14	B	2020.07.17	stairwell revised following consultation with allwedd

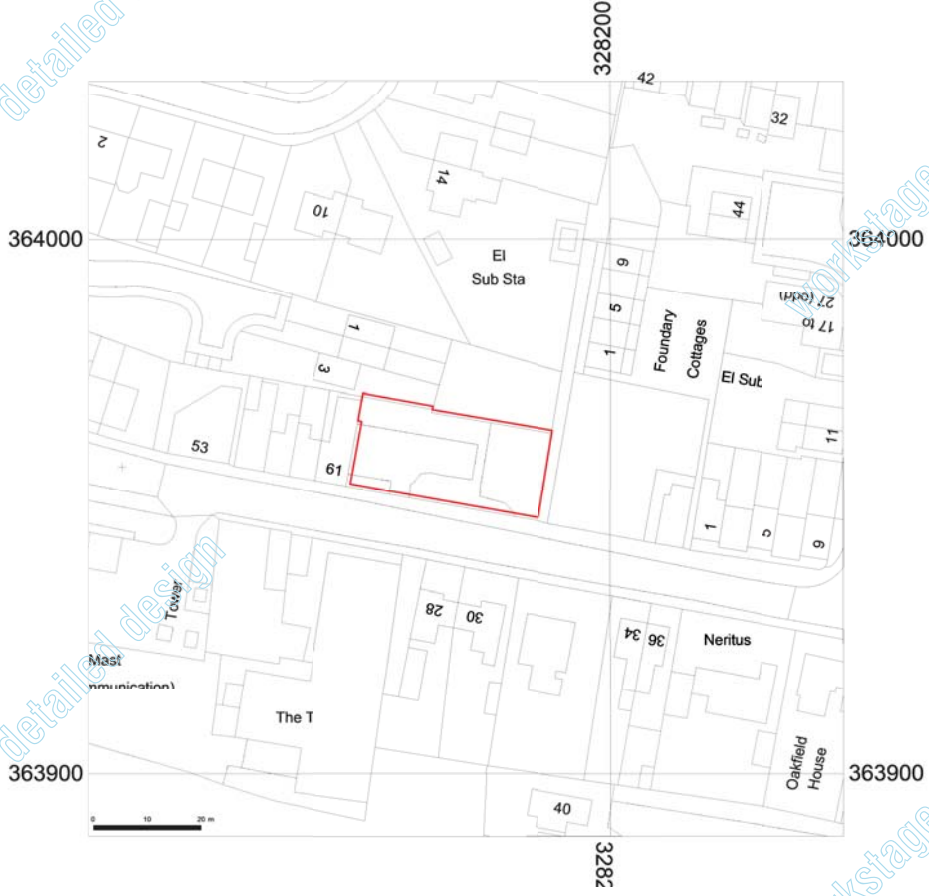
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Sheet Number	Sheet Name	Sheet Size	Scale	Issued	First issue	Current Revision	Current Revision Date	Current Revision Description
901	SWOT ANALYSIS				2020.06.05	E	2020.06.22	refined to W&WH requirements
902	COMMUNITY AND INFRASTRUCTURE DIAGRAM				2020.06.04	A	2020.06.04	w&wh issue. qr code added for street panorama
910	ROOF AXONOMETRIC 1	A1	N/A	Yes	2018.12.18	I	2020.07.17	stairwell revised following consultation with allwedd
911	EXTERNAL PERSPECTIVES				2020.12.02	C	2020.12.21	revised view

Revision	Description	Date of Revision	Issued by
I	revised view	2020.12.21	JRW
H	revised with addition of visual from adjacent garden	2020.12.18	JRW
G	issued to w&wh	2020.12.02	JRW
F	stairwell revised following consultation with allwedd	2020.07.17	AJR
E	reference plan added	2020.06.10	AJR
D	amendments to layout and elevations	2019.10.24	JRW
C	issued for comment	2019.10.17	JRW
B	level 02 apartment changed	2019.06.20	AJR
A	preliminary schematic	2018.12.18	AJR



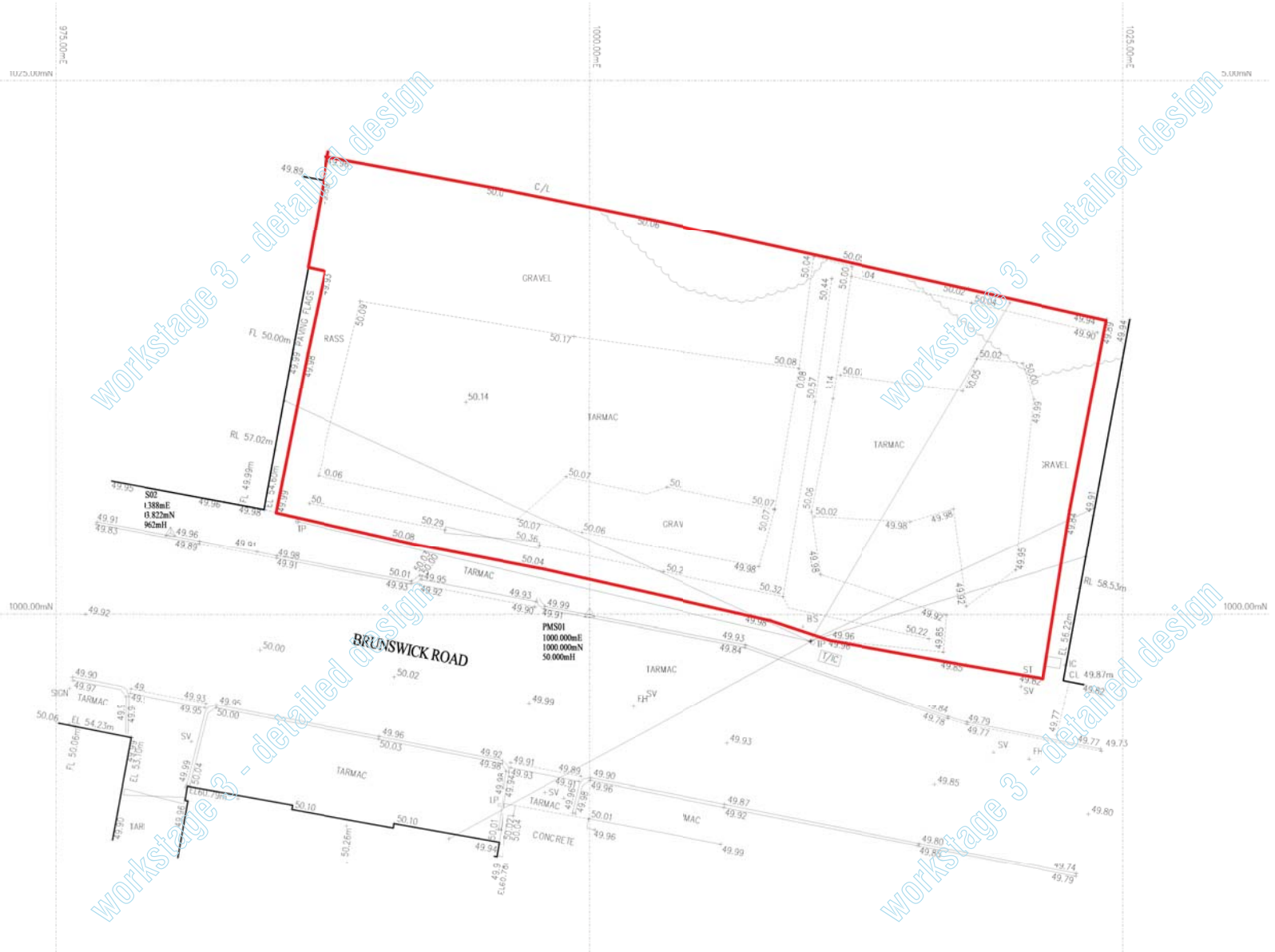


workstage 3 - detailed design



workstage 3 - detailed design

B	Issue issue, or code added for street panorama	2020.09.04	AJR
A	preliminary schematic	2018.12.18	AJR
Revision	Description	Date of Revision	Issued by



Revision	Description	Date of Revision	Issued by
B	Initial issue, or code added for street panorama	2020.06.04	AJR
A	Issued for comment	2019.10.17	JRW



LEVEL 01

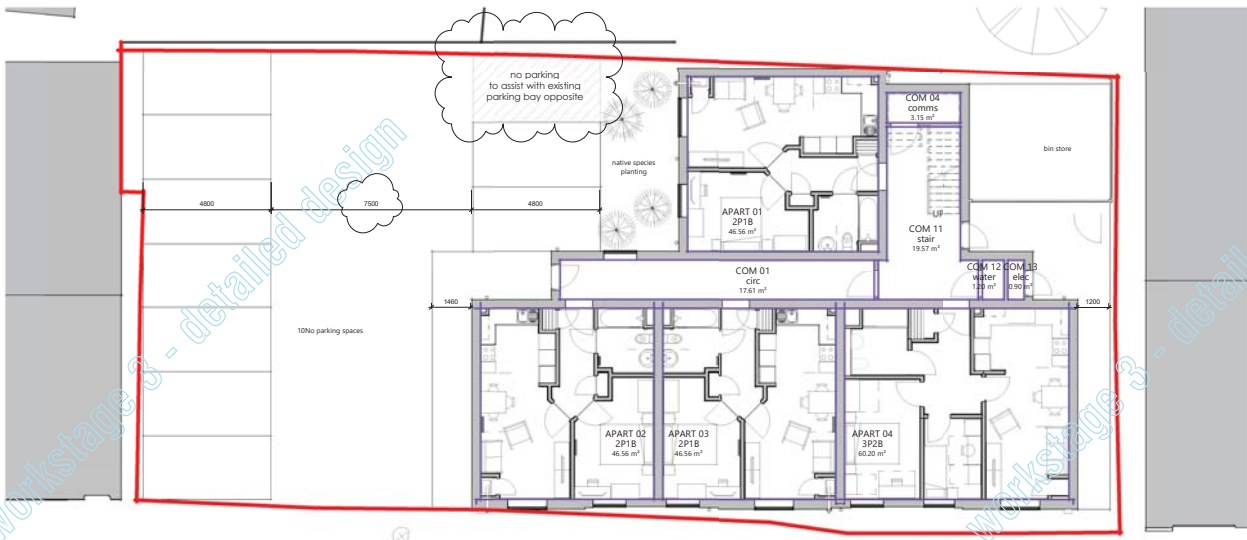


Area Schedule (Rentable)			
Level	Number	Area	Name
LEVEL 00	APART 01	47 m ²	2P1B
LEVEL 00	APART 02	47 m ²	2P1B
LEVEL 00	APART 03	47 m ²	2P1B
LEVEL 00	APART 04	60 m ²	3P2B
LEVEL 00	COM 01	18 m ²	circ
LEVEL 00	COM 04	3 m ²	comms
LEVEL 00	COM 11	20 m ²	stair
LEVEL 00	COM 12	1 m ²	water
LEVEL 00	COM 13	1 m ²	elec

LEVEL 01	APART 05	47 m ²	2P1B
LEVEL 01	APART 06	47 m ²	2P1B
LEVEL 01	APART 07	47 m ²	2P1B
LEVEL 01	APART 08	60 m ²	3P2B
LEVEL 01	COM 05	18 m ²	circ
LEVEL 01	COM 06	23 m ²	stair
LEVEL 01	COM 14	2 m ²	clnr

LEVEL 02	APART 09	47 m ²	2P1B
LEVEL 02	COM 09	11 m ²	STAIR
LEVEL 02	COM 15	5 m ²	spr tank

LEVEL 00

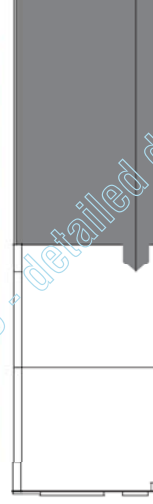
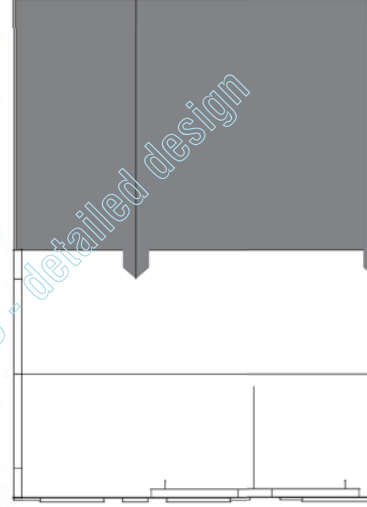
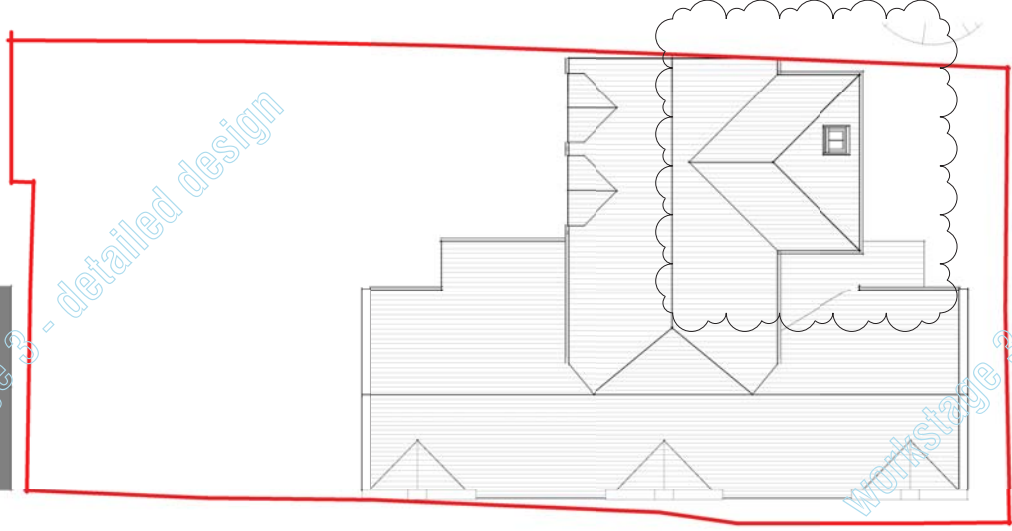
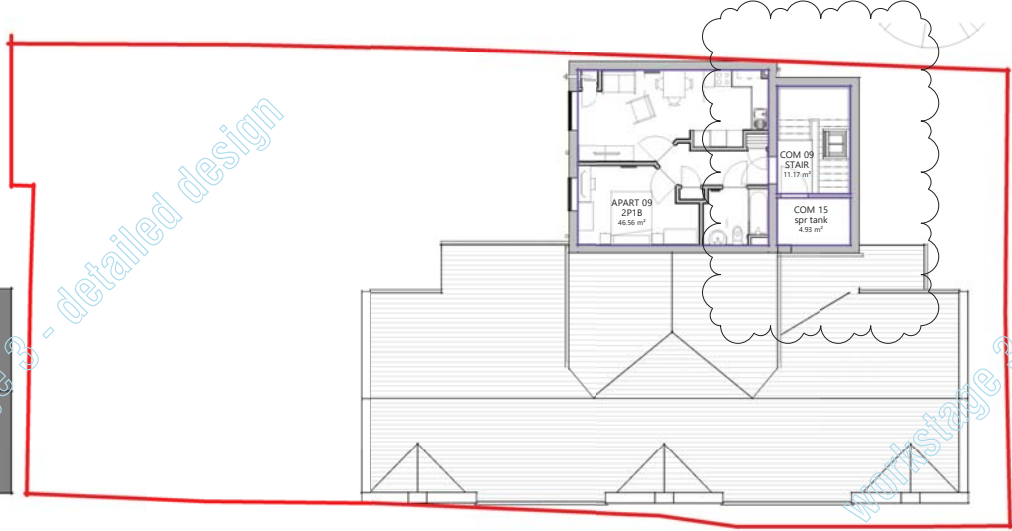


Revision	Description	Date of Revision	Issued by
I	distance between parking bays increased and 1No parking bay designated for turning only	2020.10.01	AJR
H	changes revised following consultation with allwedd	2020.07.17	AJR
G	issued to W&WH and allwedd	2020.07.14	AJR
F	2 bed apartment layout shown	2020.06.07	AJR
E	depth issue, or code added for street panorama	2020.06.04	AJR
D	amendments to layout and elevations	2019.10.24	JRW
C	issued for comment	2019.10.17	JRW
B	level 02 apartment changed	2019.09.29	AJR
A	preliminary schematic	2018.12.18	AJR

LEVEL 02



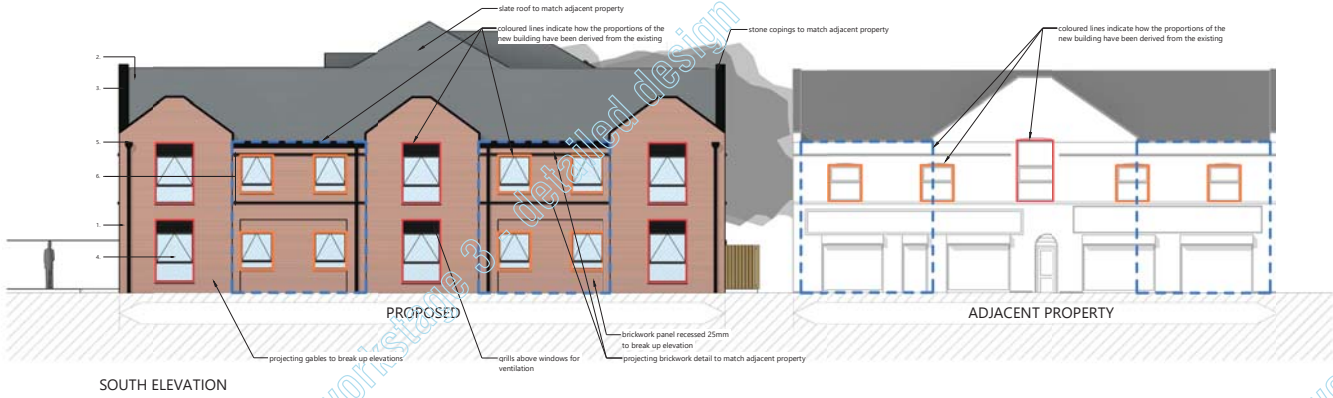
LEVEL ROOF



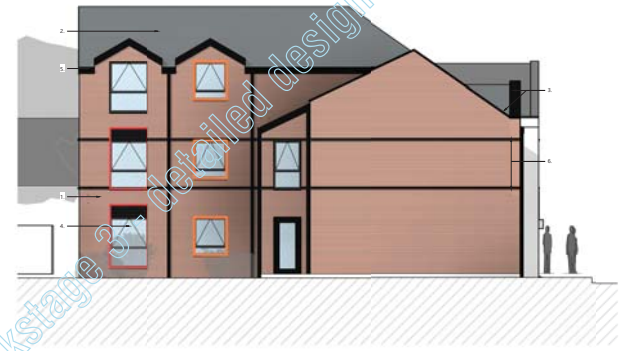
Area Schedule (Rentable)			
Level	Number	Area	Name
LEVEL 00	APART 01	47 m ²	2P1B
LEVEL 00	APART 02	47 m ²	2P1B
LEVEL 00	APART 03	47 m ²	2P1B
LEVEL 00	APART 04	60 m ²	3P2B
LEVEL 00	COM 01	18 m ²	circ
LEVEL 00	COM 04	3 m ²	comms
LEVEL 00	COM 11	20 m ²	stair
LEVEL 00	COM 12	1 m ²	water
LEVEL 00	COM 13	1 m ²	elec
LEVEL 01	APART 05	47 m ²	2P1B
LEVEL 01	APART 06	47 m ²	2P1B
LEVEL 01	APART 07	47 m ²	2P1B
LEVEL 01	APART 08	60 m ²	3P2B
LEVEL 01	COM 05	18 m ²	circ
LEVEL 01	COM 06	23 m ²	stair
LEVEL 01	COM 14	2 m ²	clnr
LEVEL 02	APART 09	47 m ²	2P1B
LEVEL 02	COM 09	11 m ²	STAIR
LEVEL 02	COM 15	5 m ²	spr tank

Revision	Description	Date of Revision	Issued by
H	stairwell revised following consultation with allwedd	2020 07 17	AJR
G	issued to W&WH and allwedd	2020 07 14	AJR
F	roof revised at boundary for future maintenance	2020 07 06	AJR
E	redraft issue, or code added for street panorama	2020 06 04	AJR
D	amendments to layout and elevations	2019 10 24	JRW
C	issued for comment	2019 10 17	JRW
B	level 02 apartment changed	2019 09 29	AJR
A	preliminary schematic	2018 12 18	AJR

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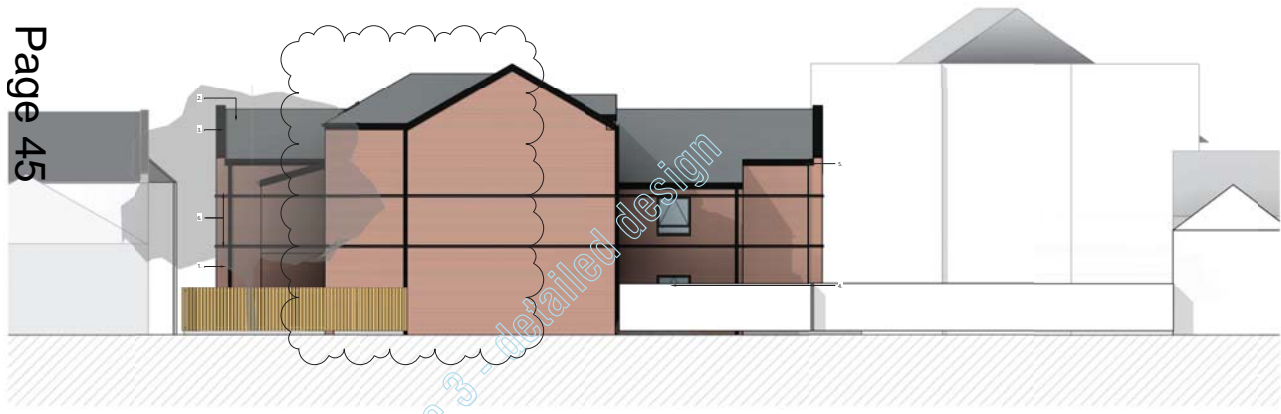


SOUTH ELEVATION



WEST ELEVATION

Page 45



NORTH ELEVATION



EAST ELEVATION

MATERIAL KEY

1. brick to match adjacent property.
2. slate to match adjacent property.
3. artstone copings.
4. dark grey upvc windows and doors
5. dark grey upvc fascia, soffit and rainwater goods.
6. cant brick detailing.

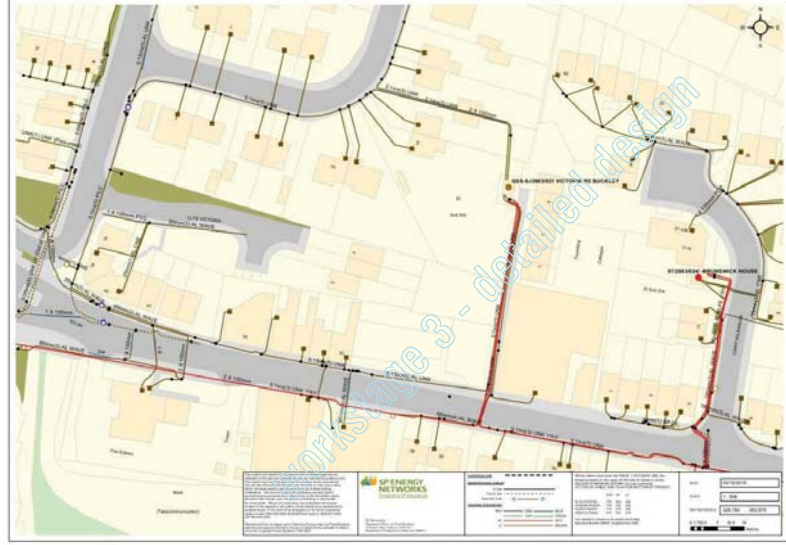
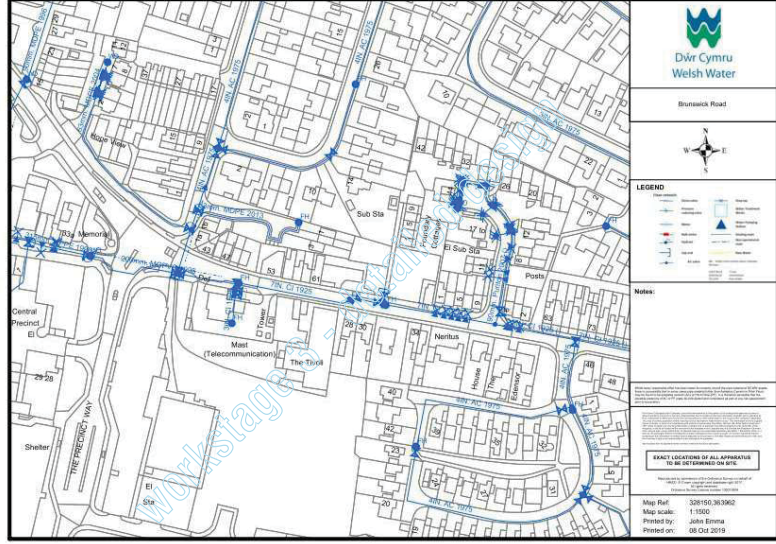


hover a mobile camera over a qr code to download a 3d panorama

workstage 3 - detailed design

workstage 3 - detailed design

Revision	Description	Date of Revision	Issued by
H	drawings revised following consultation with allwedd	2020.07.17	AJR
G	issued to W&WH and allwedd	2020.07.14	AJR
F	roof revised at boundary for future maintenance	2020.07.06	AJR
E	leah's issue, or code added for street panorama	2020.06.04	AJR
D	annotation added	2020.06.03	AJR
C	context analysis highlighted	2020.05.01	AJR
B	amendments to layout and elevations	2019.10.24	JRW
A	issued for comment	2019.10.17	JRW

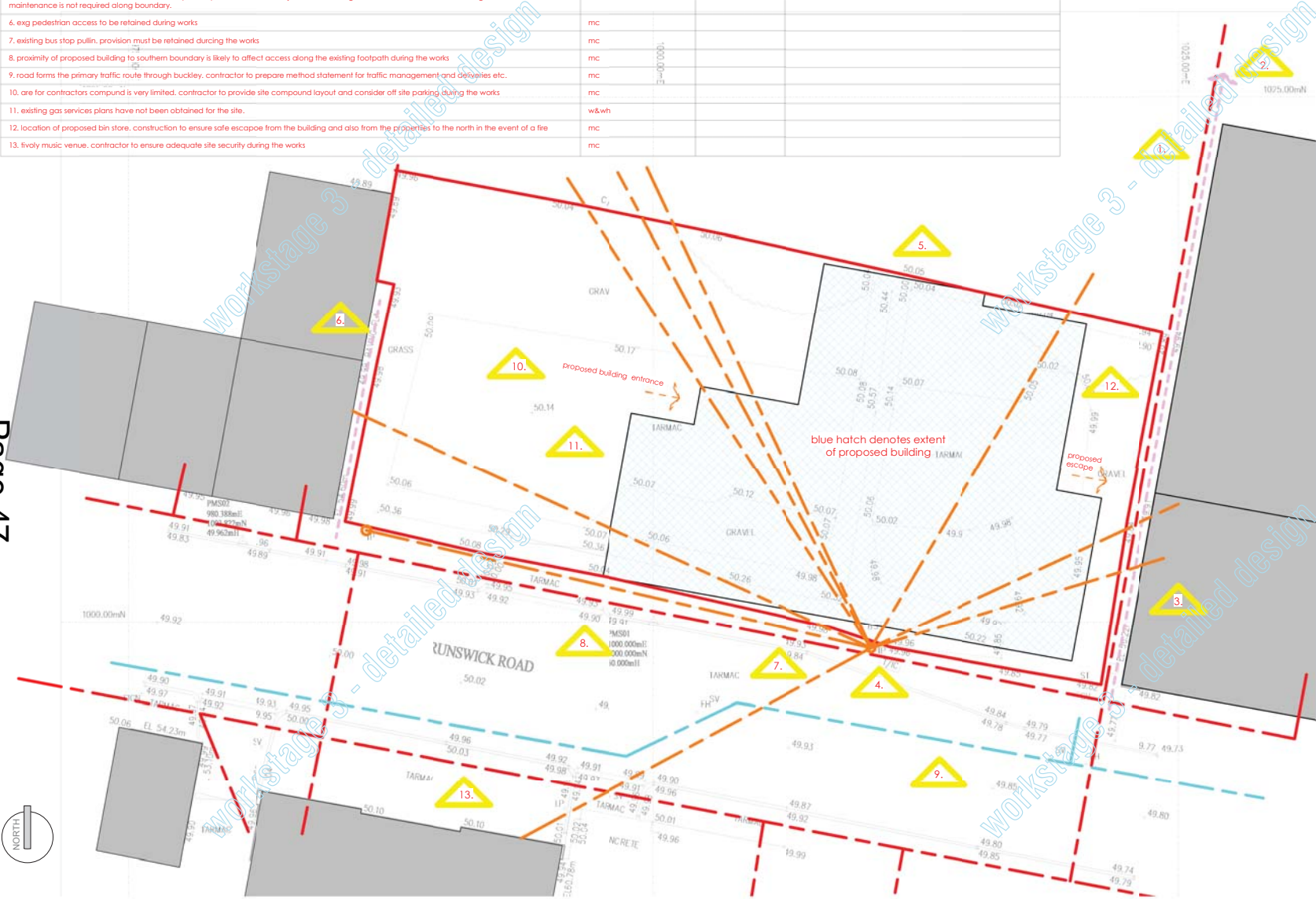


workstage 3 - detailed design

Revision	Description	Date of Revision	Issued by
B	Welsh issue, or code added for street panorama	2020.09.04	AJR
A	Issued for comment	2019.10.17	JRW

project risk register	action responsibility	actioned date	comment
1. elec main to sub station to the north	mc		
2. pedestrian access to existing dwelling frontages will need to be retained during the works	mc		
3. possible easment for electric main may affect building line	w&wh		
4. existing telecoms inspection chamber, pole and overhead lines will need to be resolved as enabling works prior to commencement.	w&wh		
5. proximity of proposed building to the boundary will require access to the adjacent land during construction. construction detailing to ensure future maintenance is not required along boundary.	w&wh		
6. exg pedestrian access to be retained during works	mc		
7. existing bus stop pullin, provision must be retained during the works	mc		
8. proximity of proposed building to southern boundary is likely to affect access along the existing footpath during the works	mc		
9. road forms the primary traffic route through buckley, contractor to prepare method statement for traffic management and deliveries etc.	mc		
10. are for contractors compound is very limited. contractor to provide site compound layout and consider off site parking during the works	mc		
11. existing gas services plans have not been obtained for the site.	w&wh		
12. location of proposed bin store. construction to ensure safe escapee from the building and also from the properties to the north in the event of a fire	mc		
13. lively music venue. contractor to ensure adequate site security during the works	mc		

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21/12/2020 12:06:55



Revision	Description	Date of Revision	AJR Issued by
A	addish issue or code added for street panorama	2020.06.04	AJR



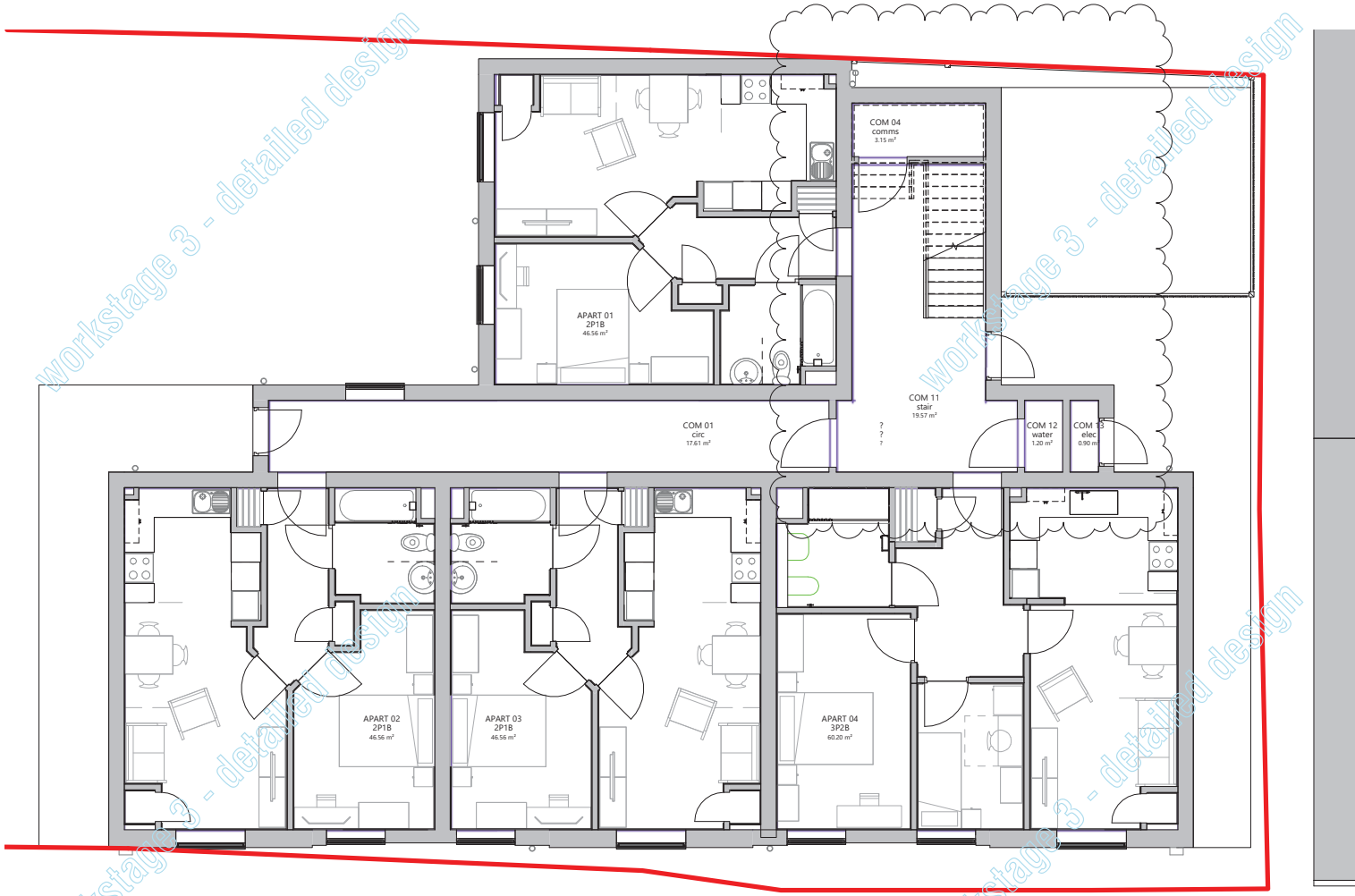
Project No C415 Drawing No 017

Revision A

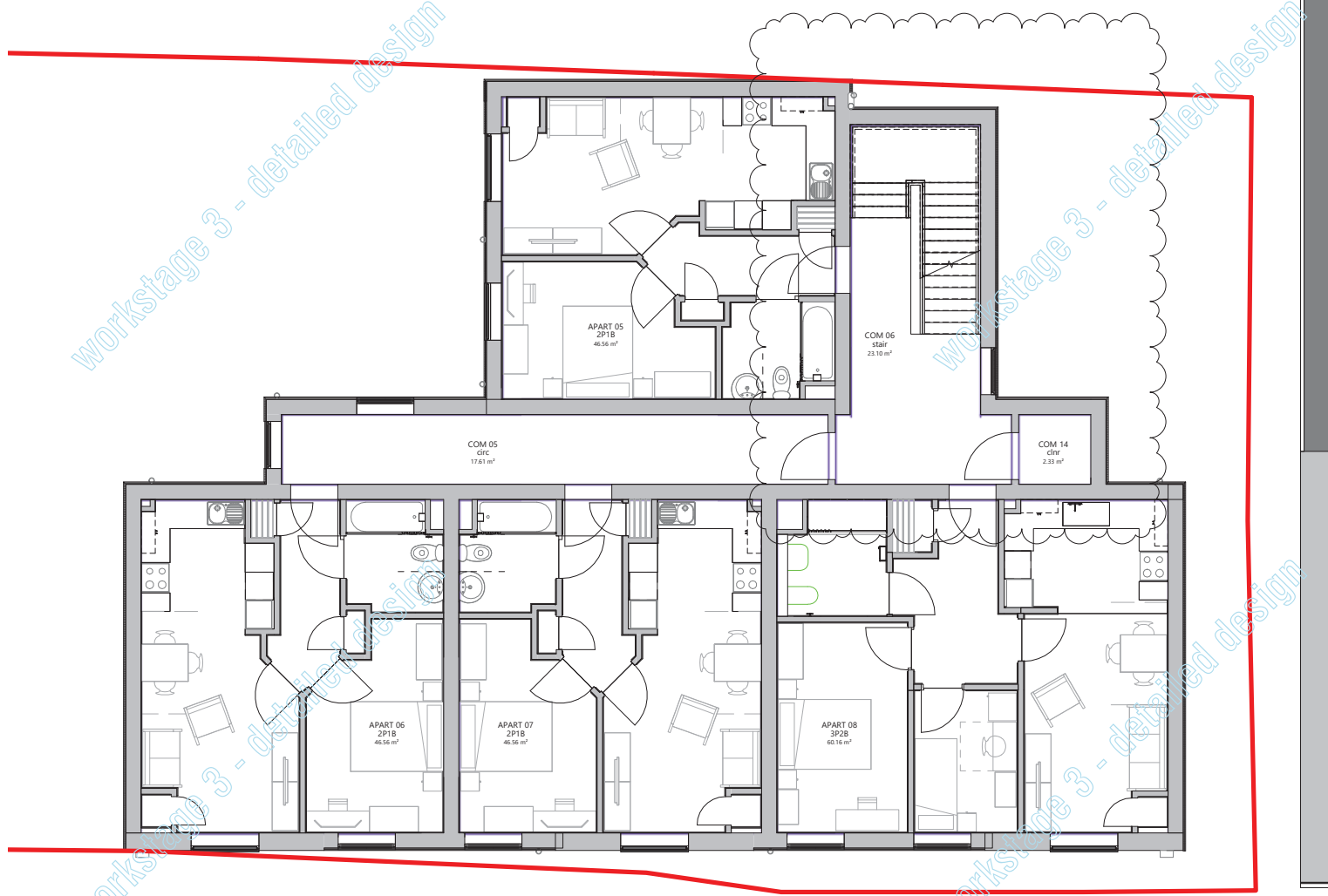
Scale@A1: 1 : 100
Date: 2020.06.04

Project: LAND ADJACENT TO 61 BRUNSWICK ROAD, BUCKLEY
Sheet name: HAZARD/RISK PLAN

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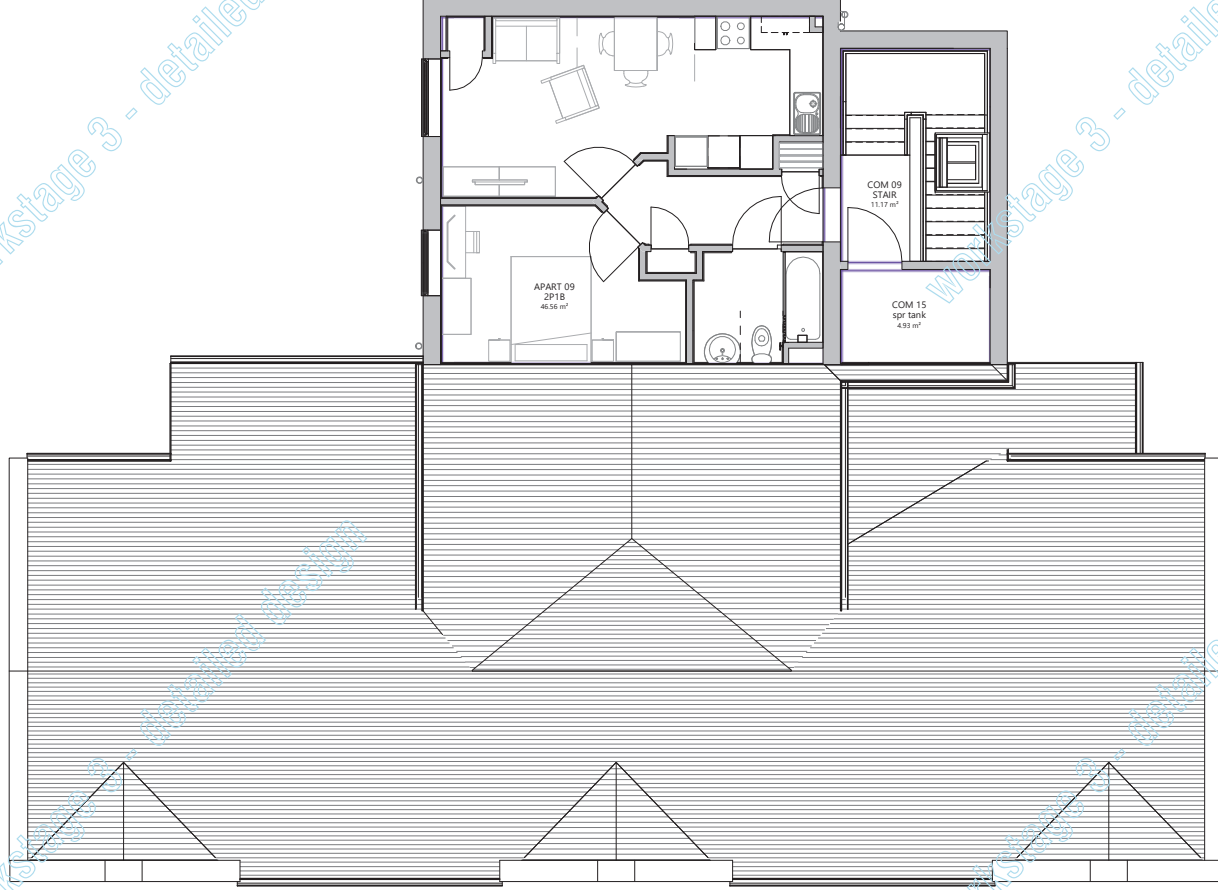
Revision	Description	Date of Revision	Issued by
B	stair/well revised following consultation with allwedd	2020.07.17	AJR
A	issued to W&WH and allwedd	2020.07.14	AJR



Revision	Description	Date of Revision	Issued by
B	stairwell revised following consultation with allwedd	2020.07.17	AJR
A	issued to W&WH and allwedd	2020.07.14	AJR

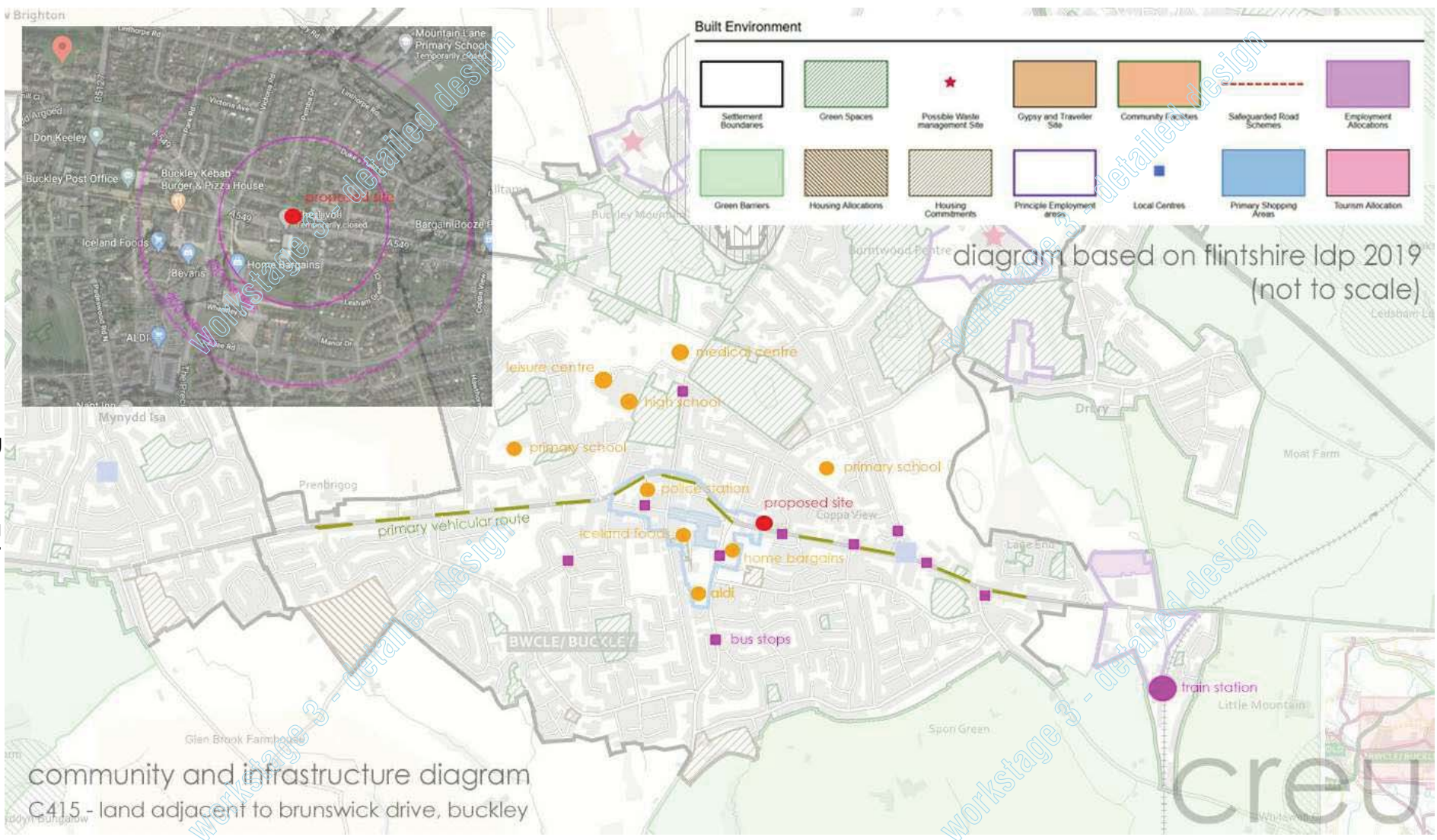


workstage 3 - detailed design



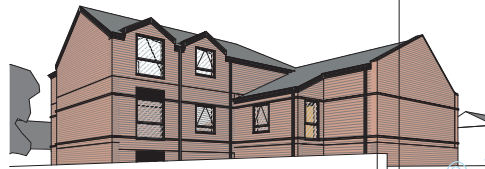
workstage 3 - detailed design

Revision	Description	Date of Revision	Issued by
B	stairwell revised following consultation with allwedd	2020.07.17	AJR
A	issued to W&WH and allwedd	2020.07.14	AJR



Revision	Issue or code added for street panorama	Date of Revision	AJR
A	Issue or code added for street panorama	2020.06.04	AJR
	Description	Date of Revision	Issued by

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hover a mobile camera over a qr code to download a 3d panorama

workstage 3 - detailed design



PRELIMINARY SOUTH EAST VIEW



PRELIMINARY NORTH WEST VIEW

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Revision	Description	Date of Revision	Issued by
I	startwell revised following consultation with allowed	2020 07 17	AJR
II	land reserved at boundary for future maintenance	2020 07 08	AJR
G	sketch demonstrating potential of adjacent land	2020 06 22	AJR
F	sketch issue of code added for street panorama	2020 06 04	AJR
E	located buildings added for scale and massing study	2020 05 01	AJR
D	amendments to layout and elevations	2019 10 24	JRW
C	issued for comment	2018 10 17	JRW
B	level 02 apartment changed	2018 09 20	AJR
A	preliminary schematic	2018 12 18	AJR





west view of the site



east view of the site



view from far west



view from far east



view from adjacent garden

workstage 3 - detailed design

workstage 3 - detailed design

Revision	Description	Date of Revision	Issued by
C	revised view	2020.12.21	JRW
B	revised with addition of visual from adjacent garden	2020.12.18	JRW
A	issued to w&h	2020.12.02	JRW

Statement from Applicant

Written Statement for Planning Committee

Statement of the applicant

Planning application 055581 "Outline Application for the erection of two and half storey flats and associated parking and amenity space on existing vacant land" was granted in October 2016 and approved the principle of residential development on the site in the form of a block of apartments.

SARTH shows a high demand for this type of accommodation in this location. As of October 2020 there were 302 applicants for a one bed flat and 57 for two bed flats in Buckley. The scheme would provide 9 units (seven 1 Bed 2 Person, two 2 Bed 3 Person) for social rent in a highly sustainable location which would contribute albeit in a small way to meeting this housing need.

WWHA have carefully considered the site and its surroundings to create a high quality form of development within the remit of the outline consent which will complement the historic pattern and style of development on Brunswick Road whilst minimising overlooking to existing residential properties. The proposed scheme is two storeys along the site frontage to reflect the height of the existing buildings on the street with a limited two and a half storey element at the rear. The 3-d modelling of the scheme shows that there would be no significant adverse impacts on residential amenity in terms of overlooking or the visual impact on the streetscene. The scheme provides 10 parking spaces for 9 units which is considered policy compliant in this town centre location.

Kind Regards,

Statement from Buckley Town Council

Buckley Town Council raises the following observations in relation to the above planning application:-

1. With reference to the western elevation of the proposed development, the 2 ½ storey building would be overlooking at least the residential properties at 1, 2, and 3 Victoria Court, Buckley.
2. The overlooking aspect would impact upon the amenity of those three properties and potentially other properties on the western side of the proposed building.

The above information and observations were provided to Flintshire County Council Planning Department on 28th October 2020 via a letter.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **WEDNESDAY 13TH JANUARY 2021**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **061919 - FULL APPLICATION - ERECTION OF 18NO. DETACHED DWELLINGS INCLUDING MEANS OF ACCESS & LANDSCAPING OF THE SITE AT BOD HYFRYD NURSING HOME, NORTHOP ROAD, FLINT**

APPLICATION NUMBER: **061919**

APPLICANT: **EDWARDS HOMES**

SITE: **LAND ADJACENT BOD HYFRYD NURSING HOME NORTHOP ROAD FLINT**

APPLICATION VALID DATE: **9/10/20**

LOCAL MEMBERS: **COUNCILLOR MRS V PERFECT COUNCILLOR P CUNNINGHAM**

TOWN/COMMUNITY COUNCIL: **FLINT TOWN COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT RELATIVE TO DELEGATION SCHEME**

SITE VISIT: **NO**

1.0 SUMMARY

- 1.1 This full application proposes the erection of 18 No dwellings on land adjacent to Bod Hyfryd Nursing Home, Northop Road, Flint
- 1.2 The site the subject of this application is located adjacent to but outside of the settlement boundary of Flint, as defined in the Flintshire Unitary Development Plan (FUDP). It does however form

part of a larger allocated housing site (HN4.1), within the emerging Local Development Plan (LDP)

2.0 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1) The proposed development does not represent positive place making or embrace the objectives of good design as the development fails to respond to the existing site and its surrounding context in terms of how and what appropriate density development can be successfully integrated as part of a much larger housing allocation in the emerging Local Development Plan. The incremental development of this relatively small proportion cannot be considered as sustainable development. The applicant simply seeks to introduce development on this site alone, without making serious efforts to bring the whole site forward in a co-ordinated and sustainable manner .The proposal is therefore contrary to the guidance in Section 3 of Planning Policy Wales (PPW) Edition 10 in relation to place making and good design.

2) The form, and layout of the proposed development is unacceptable and would be detrimental to character of the site and surrounding area. The proposal fails to respect the potential for the site to be developed in conjunction with that which forms part of its wider allocation under LDP Policy HN1.4 including matters relating to the formation of a single means of highways access, ecological mitigation, provision of affordable housing and a site wide drainage strategy and as such does not represent a sustainable form of development in its own right.. The proposal is therefore contrary to Planning Policy Wales (PPW) – Edition 10, Technical Advice Note 12 – Design, Technical Advice Note 18 – Transport and Policies STR1, STR7, GEN1, D1, D2, AC18, HSG3 and HSG8 of the Flintshire Unitary Development Plan and Supplementary Planning Guidance Note 2 Space Around Dwellings.

3) The proposal has the potential to cause disturbance to the habitat of Great Crested Newt and badgers. In the absence of adequate surveys, mitigation and reasonable avoidance measures it is not possible to demonstrate that the proposal adequately takes account of the European Protected Species and as such to contrary to policies GEN 1 and WB1 of the FUDP. Furthermore the proposal fails to safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their conservation status as required by TAN5 and Planning Policy Wales 10.

3.0 CONSULTATIONS

3.1 Local Members

Councillor Mrs V Perfect

Awaiting response at time of preparing report.

Councillor Mr P Cunningham

No objection subject to compliance with appropriate policies and development considerations..

Flint Town Council

The Town Council wishes to express several reservations as follows:-

- Proposal is contrary to the existing UDP policy framework as the site is located outside the defined settlement boundary of Flint
- Although forming part of a wider allocation within the Emerging LDP that until this has been through examination, only limited weight should be attached to the LDP in determination of the application.
- Lack of a 5 year housing land supply is no longer relevant with the disapplication of paragraph 6.2 of Technical Advice Note 1
- Application only relates to part of the wider housing land allocation in the LDP, and development should be planned holistically to address open space, ecological and affordable housing requirements.

Highway Development Control

No highway objection subject to the completion of a Section 106 to secure improved bus stop facilities and the imposition of conditions in respect of access, visibility

Community and Business Protection

No objection in principle but there are potential noise concerns associated with vehicular movements from the A5119 and garage services opposite the site. Recommend the imposition of a condition to address the need for acoustic measures to be provided.

Welsh Water/Dwr Cymru

No objection subject to the imposition of conditions in respect of foul, surface and land drainage.

Natural Resources Wales

Request the submission of an ecological survey to assess the impact of development on Great Crested Newts with appropriate mitigation where required.

Clwyd- Powys Archaeological Trust

Consider the plot of land adjacent to Bod Hyfryd Nursing Home to have less archaeological potential in comparison to the wider site to the west.

Education

Advises that the schools affected by the proposal are as follows:-

Flint St Mary's Catholic Primary School

Capacity (at January 2020) 317 (excluding nursery)

Current NOR (at January 2020) 227 (excluding nursery).

Number of Surplus Places = 90.

Percentage of Surplus Places 28.39 %.

Does not meet the trigger to require a developer contribution.

Flint High School (Secondary)

Capacity (at January 2020) 797

Current NOR (at January 2020) 839.

Number of Surplus Places = - 42.

Percentage of Surplus Places – 5.27%

Secondary School Calculation

School Capacity $797 \times 5\% = 837$

Trigger for Contributions 757

Number of units $18 \times \text{Secondary Multiplier } 0.174 = \text{Child Yield } 3.13$
(3)

Child Yield 3 x Cost Multiplier £18,469.00 = Developer Contribution
£55,407

Council Ecologist

In the absence of ecological surveys, it is not possible to demonstrate that protected species and their habitats will be safeguarded as part of the proposed development. In the absence of this information, with appropriate mitigation /compensation, it is recommended that the application be refused.

Housing Strategy Manager

Attached below are the housing need figures for Flint.

Housing Need Flint 2020

	<u>SARTH</u>	<u>Intermediate Rent</u>	<u>Intermediate Purchase</u>
1 bed flat	317		
2 bed flat	18	4	
2 bed house	122	15	5
3 bed house	31	19	7
4 bed house	39	2	
5+ bed house	11		
1 bed bungalow	65		
2 bed bungalow	16		

The specialist housing register also demonstrates that there is a need for housing for people who need an adapted level access property or larger than average home (6 applicants require properties ranging from 1-6 bedrooms.)

The planning application is for 18 No dwellings and located on part of a wider development area allocated in the emerging LDP. The application for 18 No units will not trigger the affordable housing requirement as listed within UDP Policy HSG10. However, as this is part of a larger allocated site, SPG9 advises that it is not acceptable to subdivide or phase the total development of a site to avoid the provision of affordable housing.

AURA

Due to the scale and form of development proposed, recommend the payment of a commuted sum of £1100 per dwelling. The monies would be used to enhance toddler play facilities at the children's play area at Pen Goch.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

72 letters of objection received, the main points of which can be summarised as follows:-

- Proposal is contrary to existing planning policy
- Inadequacy of access
- Detrimental impact on open character
- Site should be retained as a greenspace at entrance to the town
- Detrimental impact on living conditions of occupiers of existing properties and Nursing Home adjacent to the site
- Adequacy of drainage

5.00 SITE HISTORY

- 5.01 057565 – Erection of 20 No detached dwellings including means of access and landscaping. Withdrawn 5/1/21

Adjacent Site

058314 – Outline – Proposed residential development for up to 145 dwellings including highway access. Currently undetermined

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
Policy STR1 – New Development.
Policy STR4 – Housing.
Policy STR7 – Natural Environment.
Policy GEN1 – General Requirements for Development.
Policy GEN2 – Development Inside Settlement Boundaries.
Policy GEN3 – Development in the Open Countryside.
Policy GEN4 – Green Barriers.
Policy D1 – Design Quality, Location & Layout. Policy D2 – Design.
Policy D3 – Landscaping.
Policy TWH1 – Development Affecting Trees & Woodlands.
Policy TWH2 – Protection of Hedgerows.
Policy WB1 – Species Protection.
Policy WB2 – Sites of International Importance.
Policy WB4 – Local Sites of Wildlife & Geological Importance.
Policy AC13 – Access & Traffic Impact.
Policy AC18 – Policy Provision & New Development. Policy HSG1 – New Housing Development Proposals.
Policy HSG3 – Housing on Unallocated Site Within Settlement Boundaries.
Policy HSG8 – Density of Development.
Policy HSG9 – Housing Mix & Type.
Policy HSG10 – Affordable Housing within Settlement Boundaries
Policy RE1 – Protection of Agricultural Land.
Policy SR1 – Sports Recreation or Cultural Facilities.
Policy SR5 – Outdoor Playing Spaces & New Residential Development.
Policy EWP15 – Development of Unstable Land.
Policy IMP1 – Planning Conditions & Planning Obligations.

Additional Guidance

Planning Policy Wales (PPW) Edition 10 (December 2018).

Technical Advice Note 2 – Planning & Affordable Housing.
Technical Advice Note 5 – Nature Conservation & Planning.
Technical Advice Note 6 – Planning for Sustainable Rural Communities.

Technical Advice Note 12 – Design. Technical Advice Note 18 – Transport.
Technical Advice Note 24 – The Historic Environment.
Local Planning Guidance Note 13 – Open Space Requirements
Supplementary Planning Guidance Note 2 – Space Around Dwellings.
Supplementary Planning Guidance Note 3 – Landscaping.
Supplementary Planning Guidance Note 8 – Nature Conservation & Development.
Supplementary Planning Guidance Note 9 – Affordable Housing.
Supplementary Planning Guidance Note 11 – Parking Standards.
Supplementary Planning Guidance Note 13 – Outdoor Playing Space & (under Review).
Supplementary Planning Guidance Note 23 – Developer Contributions to Education.

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application proposes the erection of 18 No 2 storey dwellings on approximately 0.9 hectares of land, located outside but adjacent to the southern boundary of the settlement of Flint, as defined in the Flintshire Unitary Development Plan.

7.02 The site is located to the west of the A5119 (Northop Road) and the petrol service station at the entrance to the town from the A55, and to the south of Bod Hyfryd Nursing Home. Whilst the topography is relatively flat along the frontage with the A5119, it does slope from east to west within the site.

7.03 Background

For Members information there is currently an undetermined application on the land adjacent which has been submitted by Anwyl Homes, under 058314 It is acknowledged that the land the subject of 058314 is however in separate ownership to that forming this application, and is an outline application that covers the remainder and much larger portion of the whole site allocated in the emerging LDP..

7.04 Proposed Development

The plans submitted as part of this application propose the erection of a total of 18 No 2 storey dwellings forming a frontage development of 11No units onto Northop Road, and the remaining 7 No units within the site accessed, from a new vehicular access off Northop Road. It is proposed that the dwellings are constructed having render /facing brick external walls and concrete tile roofs.

- 7.05 Main Planning Considerations
It is considered that the main planning considerations to be taken into account in relation to this application area:-
- a) The principle of development
 - b) Place making and design
 - c) Housing land supply
 - d) Character and appearance
 - e) Impact on ecological habitats and sufficiency of mitigation measures.
 - f) Adequacy of sustainability of proposed means of highways access.
 - g) Provision of affordable housing
 - h) Impact on Living Conditions
 - i) Open space provision.
 - j) Provision of Education Contributions.
- 7.06 Principle of Development
As previously referenced, the site is currently located outside the settlement boundary of Flint in the Unitary Development Plan. It together with the larger parcel of land to the west form a single allocation HN1.4 'Northop Road, Flint' in the Deposit Draft Local Development Plan (LDP). The allocation is for a total of 170 dwellings and is accompanied by the following summary design guidance within this policy:
'Single access off Northop Rd / pedestrian linkages to Halkyn Road / retention of strong hedgerow boundaries / ecological mitigation measures'.
- 7.07 The LDP has not yet been adopted as it has not yet been through Examination stage but it has been submitted for Examination and accepted by the Planning Inspectorate and this will begin shortly at the start of 2021. In agreeing to the Plans submission for Examination, the Council have not made any specific changes to the Deposit LDP and this site remains part of the plan that the Council considers is sound and capable of being found so at Examination and adopted. Notwithstanding the sites allocation in the LDP, as this is not yet adopted it is therefore necessary to consider whether the development represents sustainable development as well as any other material considerations.
- 7.08 Having regard to the above, it is a significant factor that the application site is not an allocation in its own right, it is only a small proportion of the LDP allocation HN1.4, and needs to be considered together and in conjunction with the larger portion of the allocation under HN1.4, the subject of the currently undetermined outline application 058314. Otherwise to take a piecemeal and incremental approach to bringing an LDP site forward cannot be considered to represent good placemaking

following the principles of good design set out in PPW, and nor does it represent a sustainable or holistic approach to demonstrate the deliverability of an LDP site. Given the low level of public objection to the LDP site allocation, an opportunity exists to consider this site positively, but only in the context of it coming forward as a single collaborative entity, and also fulfilling the presumption in favour of sustainable development. At this time and based on the approach taken by the applicant with this application, it does neither.

7.09 Despite the repeated attempts by officers to encourage a collaborative and sustainable approach to be taken by respective owners and developers over this LDP allocation, to bring the site forward on an agreed and co-ordinated basis, the developer does not wish to adopt this approach. The developer has instead requested that the application site is now brought forward for consideration in advance of and in isolation to that on the wider site. As part of this approach it would seem this application has been submitted with the intention of either driving determination within the minimum time period, or alternatively appealing the application on the grounds of non – determination. The approval of this application would result in the isolation of part of a larger allocated site. This would therefore mean the allocated site as a whole would fail to deliver a collaborative approach to demonstrating deliverability or an LDP site or of good place making.

7.10 Place Making and Design
PPW states in paragraph 3.3 that good design is fundamental to creating sustainable places where people want to live, work and socialize. It also states that design must include how space is used, how buildings and the public realm support this use, as well as its construction, operation, management and its relationship with the surrounding area. In paragraph 3.4 PPW urges that for all those involved in the development process (which includes the applicant), the aim for all should be to meet the objectives of good design, applied to all development at all scales.

7.11 Returning to the principles of good design set out in PPW it is considered that the proposed development has failed to respect the principles of place making and good design in terms :-

- Character – there is no clear rationale or strong vision as required in paragraph 3.9 of PPW that explains the design decisions made, based on site and context analysis, to explain why the development of just a small portion of a much larger LDP allocation can sustainably come forward in isolation and advance of the rest of the site. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. Divorcing the

development from this land from the larger allocation does not seem to be either rational or sustainable.

- Movement – Paragraph 3.12 of PPW states that good design is about the creation of car based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. This application takes an opposite view to this by proposing an unnecessary duplicitous approach to achieving highways access into the whole allocation, as well as then because of its limited scale, limiting the options available to design development that provides genuine travel choices.

- Appraising context – Paragraph 3.14 of PPW explains that site and context analysis should be used to determine the appropriateness of a development proposal in responding to its surroundings. It goes on to state that this process will ensure that a development is well integrated into the fabric of the existing built development. The Local Planning Authority considers that the applicant has failed in this assessment and in presenting a design that responds appropriately to the existing environment and context, having also failed to explain the need to develop only a small part of the much larger site allocated in the LDP when there are so many factors that require an integrated approach to development, that include matters such as ecological mitigation a site wide drainage strategy, single sustainable highways access and the provision of affordable housing. This application is virtually silent on all of these matters.

7.12 Planning Policy Wales states that good design is fundamental to creating sustainable places and is not simply about the architecture of a building or development, but the relationship between all elements of the natural and built environment and between people and places. It is important therefore that this proposal, makes a positive and sensitive response to the character, context, accessibility, and environmental sustainability of the site and its surroundings. These are some of the main objectives of good design referred to in PPW, yet the proposal because of it being advanced independently to the wider allocation in the LDP is in conflict with these objectives from the outset, as it fails to create a positive and legible relationship between the site and its surroundings.

7.13 The design and access statement fails to make detailed reference to relevant context and guidance found in Planning Policy Wales - Edition 10 and Technical Advice Note 12 Design. There are other omissions from the supporting statements that have a direct relationship to the principle of place making and good design

7.14 The application specifically asks the Local Planning Authority to approve dwellings on a small part of the site allocated under

HN1.4 which would result in a density of development of approximately dwellings per hectare 20 (dph)..

- 7.15 The issue of density however needs to be read in conjunction with the site layout submitted, having regard to the nature of the existing development in proximity to the site in which it is located. As a result the layout extenuates development along the site frontage, extenuating ribbon development at the entrance to the town and fails to address ecological concerns and affordable housing provision. It is my view that the proposal does not represent good design or place making in response to site context, and is instead simply an exercise in attempting to bring forward part of the allocated site in isolation to that to the west which is not a sustainable approach to development.
- 7.16 It is my view that the layout fails to respect the existing character both adjacent to existing development and the site's edge of settlement location resulting in a predominantly linear form of frontage development which would be detrimental to the well-being of future residents and the surrounding community.
- 7.17 Housing Land Supply
The requirement in Planning Policy Wales 10 (PPW 10) and Technical Advice Note 1 for Local Planning Authority's (LPA's) to monitor their housing land supply and maintain a 5 year supply of genuinely available housing land was removed on 26th March 2020 and replaced by a requirement for LPA's to monitor housing delivery. Revisions to PPW10 and the Development Plan Manual 3 require that LPA's monitor the delivery of their housing development plan housing requirement based on a housing trajectory contained in the development plan.
- 7.18 The LPA included in a Background Paper accompanying the Deposit Local Development Plan (LDP), a housing trajectory to illustrate how the Plans housing requirement would be delivered over the 15 year Plan period. Whilst the revised national guidance does not provide a specific method for an LPA to monitor supply where the LDP is not yet adopted, the LPA is continuing to prepare the LDP in line with the new guidance. Given that there is now no other means of monitoring supply, the LPA considers that it is entitled to give weight to the principle of using the Deposit LDP trajectory to demonstrate the progress of the Plan in delivering housing and whether there is a shortfall of delivery against the trajectory.
- 7.19 The updated trajectory clearly demonstrates that the LDP housing can and is being delivered as planned throughout the plan period. In the light of the revised guidance in the final Development Plan Manual 3, the Deposit LDP housing trajectory has been revised

and the completions achieved in the early years of the Plan period demonstrate that there is no shortfall of housing land in Flintshire.

7.20 Given that this and the larger site that this application forms part of is an allocation in the LDP, and the fact that the Council has submitted the LDP for examination (including this allocation) on the basis that the plan is sound and capable of adoption, this should have provided this applicant with a positive context and opportunity to advance the site against the presumption in favour of sustainable development. Instead, and despite the broader principle of development being acceptable because of the sites LDP allocation the applicant has taken an incremental and piecemeal approach to subdividing the LDP allocation to try to bring forward 18 dwellings, and in doing so has ignored all the wider principles of delivering the site sustainably, by failing to engage with the larger site owner to establish obvious site wide requirements for efficient layout and positive placemaking, ecological mitigation, highways access, drainage and affordable housing. These specific deficiencies with this proposal are expanded upon in turn below.

7.21 Character and appearance

It is fairly common for an allocated housing site to be developed by more than one developer, but this is undertaken on the basis of a co-ordinated scheme for the whole site in order to achieve a high quality layout and design. By promoting development of this site in isolation to that forming its wider allocation in the LDP, the site layout does not achieve adequate safeguards for the protection of ecological interests, provision of affordable housing and open space. The proposed density of development of 20dph is lower than the 30dph that it is sought to achieve on allocated housing sites. As referenced however there are specific constraints to its development most notably from an ecological perspective. Whilst the design of the 2 storey detached properties would be acceptable in the context of existing development at this location, there is no integration with that forming part of application 058314, and the layout as proposed seeks to concentrate the siting of units along the site frontage which would lead to an extenuation of ribbon development along Northop Road, which it is considered would on its own, be detrimental to the character of the site at a key focal point at the entrance to Flint.

7.22 Impact on Ecological Habitats

Consultation on the application has been undertaken with both Natural Resources Wales (NRW) and the Council's Ecologist, in order to address the potential direct/indirect impact, on protected species and their habitats at this location.

- 7.23 Of particular concern in this respect is a) the presence of a badger sett in close proximity to the western boundary of the application site, adjacent to that forming part of the wider LDP allocation, the subject of application 058314 and b) the presence of Great Crested Newts within the overall allocated site.
- 7.24 Both the Council's Ecologist and NRW consider that In the absence of an ecological survey(s), it is unclear in respect of :- i) the means of avoidance /mitigation associated with the impact of development on the badger sett, including its translocation to facilitate an acceptable form of development. Whilst this is shown on the submitted plans within the south –west corner of the application site it is considered from an ecological perspective that this would need to be secured within the wider LDP allocation. This is reliant on agreement with other land owners as part of application 058314, to bring forward development in a co-ordinated manner and ii) the means of protection mitigation associated with the presence of Great Crested Newts. Neither of these issues have been addressed as part of the application.
- 7.25 I therefore consider that the proposal would have potential to have a significant adverse effect on important species and their habitat. As such the proposal would be contrary to policies GEN1 and WB1 of the Flintshire Unitary Development Plan, as well as the advice within TAN 5 Nature Conservation and Planning and paragraph 6.4.2 of PPW10.
- 7.26 Adequacy of Access
Consultation on the application has been undertaken with Highway Development Control who have assessed the proposal having regard to a submitted Transport Technical Note and changes to the position of the proposed access and a reduction in the speed limit at this location subsequent to 057565 (now withdrawn) It has been concluded that the proposed access is acceptable to serve that the subject of this application and the wider LDP allocation, there being no objection from a highway perspective subject to the imposition of conditions. In addition, it is proposed that a separate new access is proposed off Northop Road, to independently serve the application submitted by Anwyl Homes under 058314. Whilst this is duly noted, it is considered from a development management perspective, that this would not represent positive place making. The allocation as a whole should in my view be accessed through a single access point, which would help to provide for a well balanced /sympathetic development at this location promoting a co-ordinated and well integrated development on the site.
- 7.27 Provision of Affordable Housing
For Members information the scheme as submitted does not include any affordable housing provision. The context for the

potential development of the site, is that it is part of an allocation within the Emerging Deposit LDP, where there is a requirement for it to deliver an element of affordable housing. The application site is an integral part of the larger allocation and should not be considered exempt from a requirement to proportionately deliver affordable housing. The explanation to Policy HN3 of the Deposit LDP clearly references in paragraph 11.7

“ Any attempts to deliberately sub-divide or phase sites to avoid the need to deliver affordable housing will not be acceptable”

- 7.28 The promotion of this site in advance /isolation to the remainder of the LDP allocation, does not negate the requirement for affordable housing provision to be secured or an expectation that this will be addressed by the applicant /developer as part of 058314.
- 7.29 The lack of provision of affordable housing within this proposal further diminishes the sustainable credentials of this development.
- 7.30 Impact on Living Conditions
The submitted site layout plan forming part of this application proposes that plots 1-6 of the proposed development have their rear elevations facing the northern site boundary, relative to that at Bod Hyfryd Nursing Home. The closest dwelling would be sited approximately 24m from the existing building, the depth of the associated rear curtilage area of the proposed dwelling being approximately 11m.
- 7.31 It is considered that the relative distances as referenced would be acceptable to safeguard the living conditions of residents within both the existing nursing home and occupiers of the proposed development having regard to Supplementary Planning Guidance Note 2 – Space Around Dwellings
- 7.32 Open Space Provision
The site layout submitted as part of this application, does not propose a designated area of public open space within the development. It is considered from a leisure perspective that in line with Local Planning Guidance Note 13, as the proposal involves the development of less than 25 units, and given the recognised constraints /limited site area, that a commuted sum payment would be more appropriate in this instance. Whilst this is noted, it is considered that this approach for the payment of a commuted sum, is reflective of the fact that the scheme should not be considered in isolation to its wider LDP allocation, which provides the context for open space to be provided as an integral part of its overall development

- 7.33 Provision of Education Contributions
Given that there is adequate school capacity at Flint St. Mary's Catholic Primary School, if the application were recommended for approval it would not be intended to seek a contribution in this respect. There is however a requirement for A Secondary School Contribution for Flint High School for £55,407
- 7.34 The infrastructure and monetary contributions that can be required from a planning application through a S.106 agreement have to be assessed under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'.
- 7.35 It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following regulation 122 tests;
1. be necessary to make the development acceptable in planning terms;
 2. be directly related to the development; and
 3. be fairly and reasonably related in scale and kind to the development.
- 7.36 While the Authority does not yet have a charging schedule in place, the CIL Regulations put limitations on the use of planning obligations. These limitations restrict the number of obligations for the funding or provision of an infrastructure project / type of infrastructure. From April 2015, if there have been 5 or more S106 Obligations relating to an infrastructure project / type of infrastructure since 2010, then no further obligations for that infrastructure project /type of infrastructure can be considered in determining an application.
- 7.37 I am advised that since the advent of the CIL Regulations that no more than 5 contributions have been made to Flint High School, and I am satisfied that a scheme to increase capacity at Flint High School would meet the regulation 122 tests. impact.
- 7.38 Surface Water Drainage
This re-submitted application is now subject to the requirements of Schedule 3 of the Flood and Water Management Act in relation to surface water drainage and its management as part of SuDS (Sustainable Urban Drainage System). No details have been submitted in this respect as part of a wider strategy for development of the site and therefore the impact of this aspect of the development cannot be adequately assessed.

8.00 CONCLUSION

- 8.01 The context for the potential development of this site is that it forms part of a larger allocation in the Deposit LDP under Policy HN4.1. Despite the overall allocation considered to be a logical and sustainable urban extension in a main settlement and service centre, the specific development proposal fails falls short in a number of respects. This includes satisfying the principle of good design and placemaking whose piecemeal and un- coordinated approach to affordable housing provision, ecological mitigation, and drainage falls far short of satisfying the presumption in favour of sustainable development required to consider approving this application..

Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

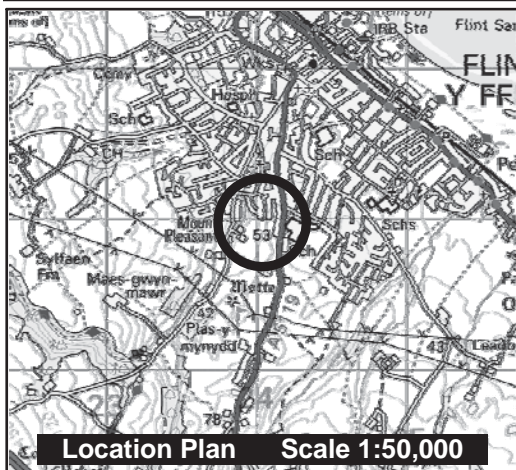
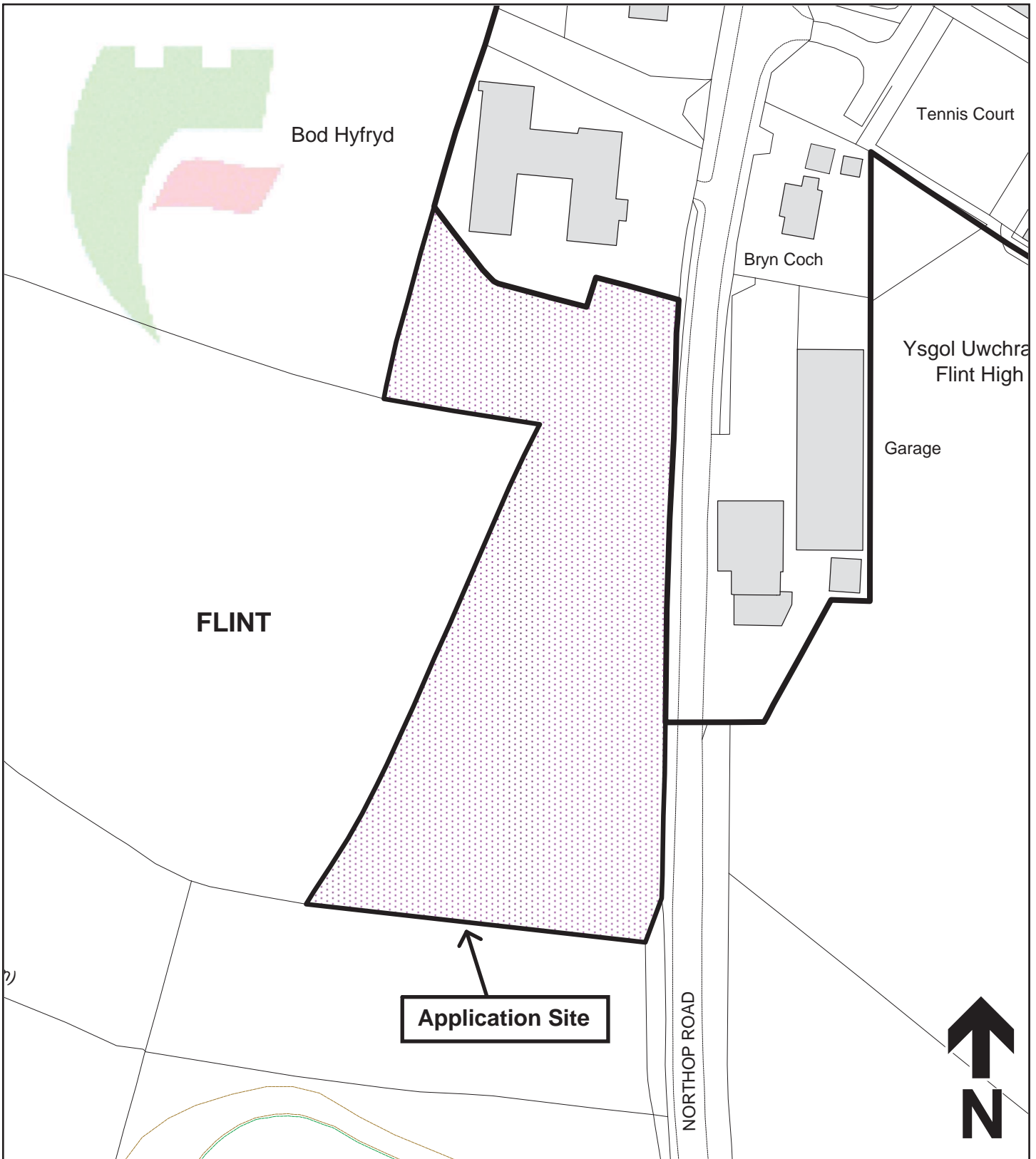
LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer:



Telephone:

Email:



Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

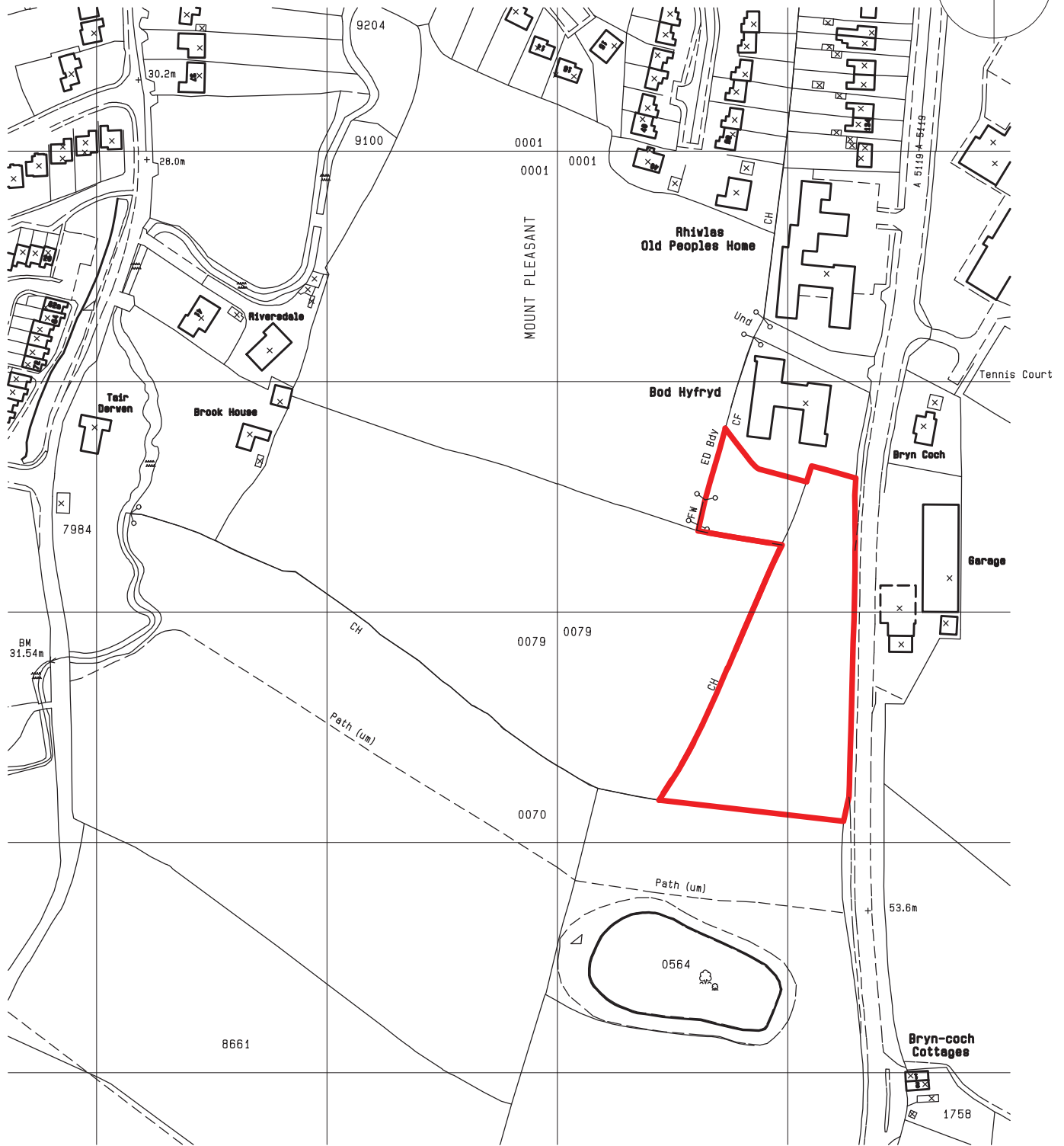
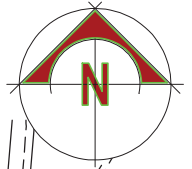
-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale 1:1250

OS Map ref SJ 2471

Planning Application **61919**

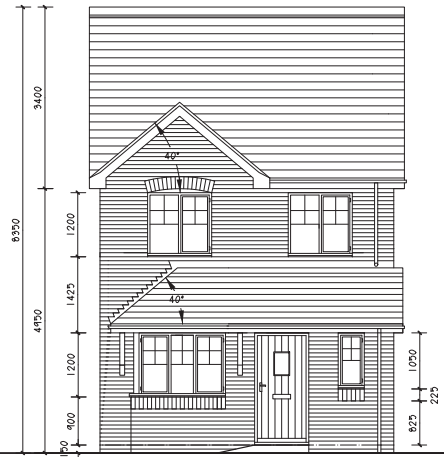


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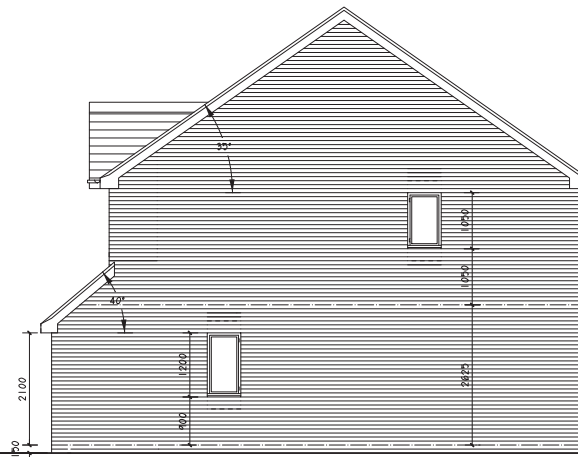
PROPOSED RESIDENTIAL
DEVELOPMENT AT
NORTHOP ROAD,
FLINT,
FLINTSHIRE.

LOCATION PLAN.

Scale 1:2500@A4.



FRONT ELEVATION.



SIDE ELEVATION.

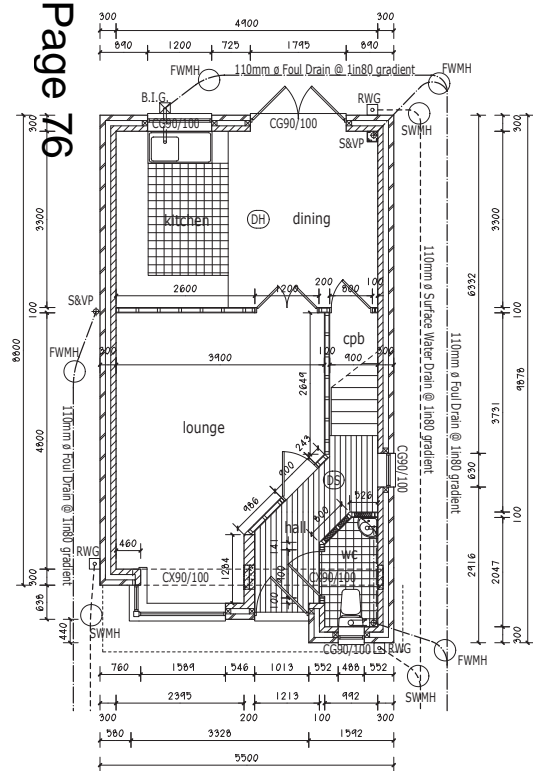


REAR ELEVATION.

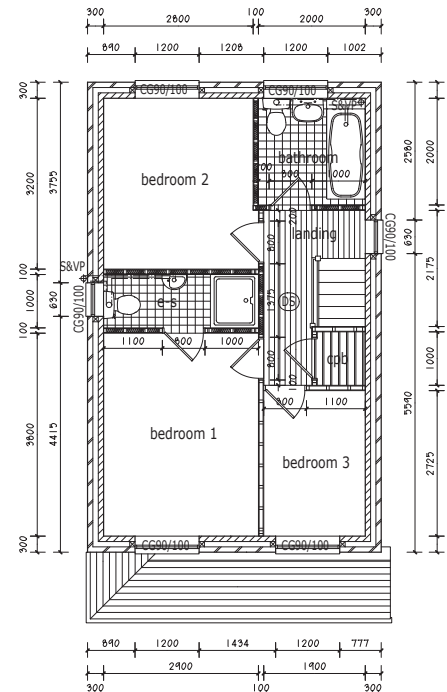


SIDE ELEVATION.

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PROPOSED GROUND FLOOR PLAN.



PROPOSED FIRST FLOOR PLAN.

EXTERNAL MATERIALS.
 Roof coverings to comprise smooth grey interlocking concrete roofing tiles, type "Edgemere" by Marley. Ridge tiles to be terracotta in contrast.
 Fascias, soffits and barge boards to comprise uPVC products all coloured white.
 Facing brick to main elevations to comprise Grainger Antique by Ibstock subject to supplying samples and LPA approval. Bricks to be laid in stretcher bond with natural toned mortar with a struck pointing finish. Provide smooth red brick-on-edge detailing above and below window openings to front elevation only as indicated.
 Windows to comprise sealed double glazed units set in uPVC frames coloured white to match adjoining properties in opening layouts / frame styles as indicated.
 Rainwater goods to comprise uPVC half round gutters and circular downpipes coloured black.

Internal Floor Area =
 83.6m² (900sq ft).



Project:
PROPOSED RESIDENTIAL DEVELOPMENT on land to the west of **NORTHOP ROAD, FLINT, CH6 5LH.**

Title: **THE KEMPTON - PLANS & ELEVATIONS.**

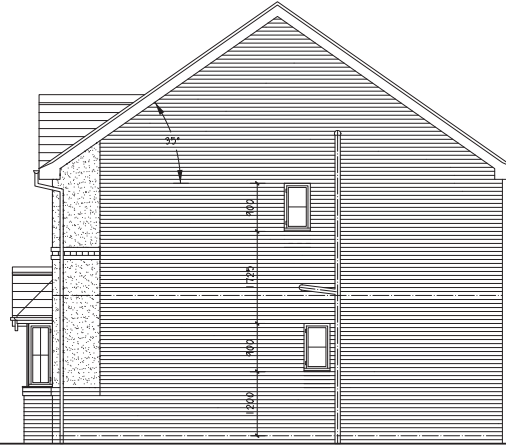
Drawing No. 10162.Kemp.01.dsj

Date: May 2017. Scale: 1:50@A1.

D.S. Jones & Co.
 Architectural & Planning Consultants.
 The Studio,
 26, Prospect Drive,
 Coedpoeth, Wrexham, LL11 3PE.
 Tel : 01978 750195 / 07880 874522.
 E : dsjonesandco@live.co.uk



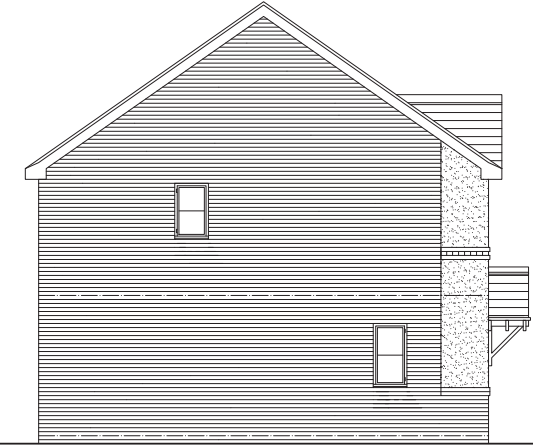
FRONT ELEVATION.



SIDE ELEVATION.

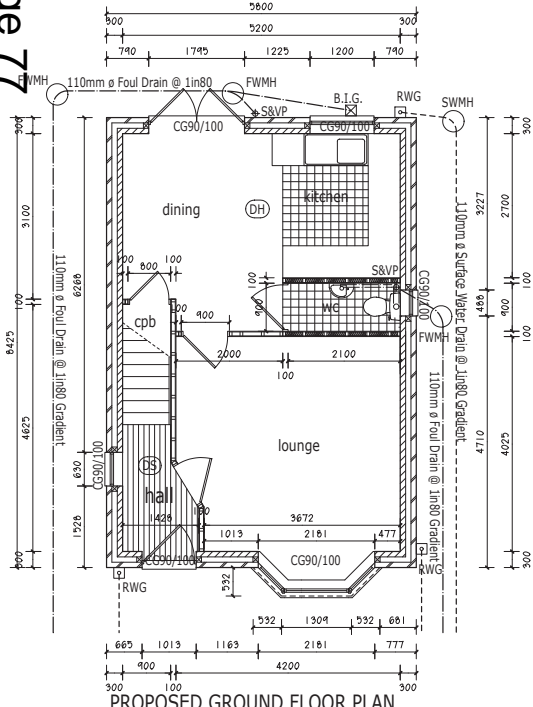


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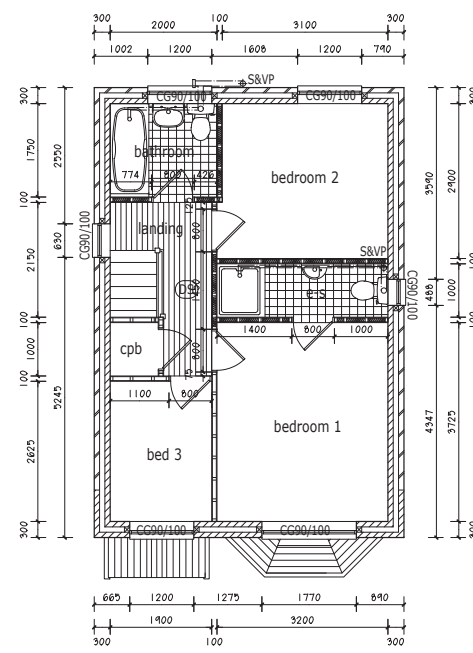


SIDE ELEVATION.

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PROPOSED GROUND FLOOR PLAN.



PROPOSED FIRST FLOOR PLAN.

EXTERNAL MATERIALS.
 Roof coverings to comprise Old English Dark Red interlocking concrete roofing tiles, type "Edgemere" by Marley. Ridge tiles to be Old English Dark Red to match.

Fascias, soffits and barge boards to comprise uPVC products all coloured white.

Facing brick to main elevations to comprise Grainger Antique by Ibstock subject to supplying samples and LPA approval. Bricks to be laid in stretcher bond with natural toned mortar with a struck pointing finish. Provide smooth red brick-on-edge detailing above and below window openings to front elevation only as indicated.

Rendered finish to front elevation to comprise 2-coat rough cast finish, self coloured system by Weber to specification. All coloured white.

Provide 3-course brickwork string course detail to front elevation as indicated returned to side elevations.

Windows to comprise sealed double glazed units set in uPVC frames coloured white to match adjoining properties in opening layouts / frame styles as indicated.

Rainwater goods to comprise uPVC half round gutters and circular downpipes coloured white.

Internal Floor Area =
 82.2m² (884sq ft).



Project:
PROPOSED RESIDENTIAL DEVELOPMENT on land to the west of NORTHOP ROAD, FLINT, CH6 5LH.

Title: **THE LINGFIELD - PLANS & ELEVATIONS.**

Drawing No. 10162.Ling.01.dsj

Date: May 2016. Scale: 1:50@A1.

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 26, Prospect Drive,
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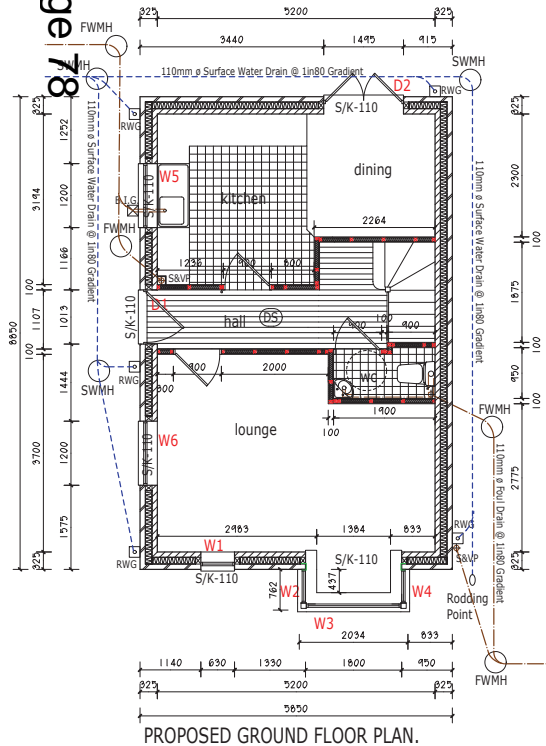
FRONT ELEVATION.

FRONT ELEVATION (Aspect).

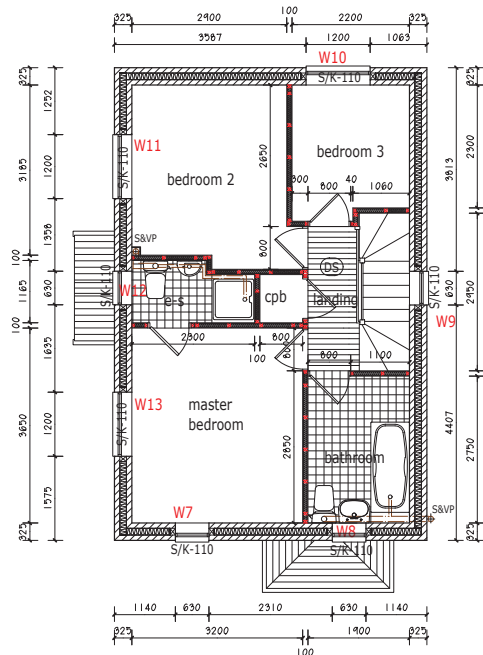
REAR ELEVATION.

SIDE ELEVATION.

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PROPOSED GROUND FLOOR PLAN.



PROPOSED FIRST FLOOR PLAN.

EXTERNAL MATERIALS.
 Roof coverings to comprise Dark Red interlocking concrete roofing tiles, type "Edgemere Duo" by Marley. Ridge tiles to be Dark Grey in contrast.

Fascias, soffits and barge boards to comprise uPVC products all coloured white.

Facing brick to main elevations to comprise "Gramplan Red Mixture" by Ibstock subject to supplying samples and LPA approval. Bricks to be laid in stretcher bond with natural toned mortar with a struck pointing finish. Provide smooth red brick-on-edge detailing above and below window openings to front and dual aspect elevations only as indicated.

Rendered finish to all elevations to comprise 2-coat rough cast finish, self coloured system by Weber to specification. All coloured white.

Provide 2-course brickwork string course detail to all elevations below openings at first floor level as indicated.

Windows to comprise sealed double glazed units set in uPVC frames coloured white to match adjoining properties in opening layouts / frame styles as indicated.

Rainwater goods to comprise uPVC half round gutters and circular downpipes coloured white.

Internal Floor Area - 86.2m² (927sq ft).



Project.
PROPOSED RESIDENTIAL DEVELOPMENT on land to the west of NORTHOP ROAD, FLINT, CH6 5LH.

Title. THE WEXFORD - PLANS & ELEVATIONS.

Drawing No. 10162.Wex.01.dsj

Date. Oct 2020. Scale. 1:50@A1.

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Statement from Local Ward Member

Please find my reservations on the above.

The principle of residential development in this location is not currently acceptable, the reason being the site lies outside the defined Settlement Boundary of Flint , as defined by by the adopted Flintshire Unitary Development Plan, and therefore within the Open Countryside, where a presumption against an open market residential development exists. It does not amount to “White Land” as suggested by the applicant.

Policy STR1 of the UDP directs new Open Market residential development to existing settlement boundaries. This is supported by by HSG4 which states that new dwellings outside settlement boundaries will only be permitted where they are essential to house a rural enterprise worker, who must live at or very near to their workplace rather than a nearby settlement.

I have concerns which relate specifically to the detail of the proposal. It relates only to the front section of the wider site of the proposed LDP housing allocation.

It is also noted, that the size of the application site and the number of homes falls under the 1Hectare and 25 unit trigger for the proposal of affordable housing, outlined in HSG10 of the UDP.

It is my view, that if the wider site was to be confirmed as a Housing Allocation, following the examination in public, then the whole site should be planned holistically. This would ensure a well ordered and connected layout, with usable open space and ecological mitigation, along with the appropriate delivery and distribution of affordable housing.

I trust these comments will be taken into consideration when determining this application.

Yours

Statement from Agent

Application No. 061919.

The application proposes the erection of 18 detached dwellings as a gateway development to the larger development site to the west. Both sites form part of a proposed land allocation in the emerging LDP and the principles of good place-making dictate that this site should form a first phase of development leading to the land to the west.

Accordingly access to the land to the west is proposed as part of the proposals and this will be constructed to adoptable standards and subsequently be offered for adoption to ensure that there is no restriction on access to the land to the west of the application site.

With regard to the matter of Ecology in terms of Badgers and Great Crested Newts, the proposal is to retain the existing Badger Sett to the south wester corner of the site and this approach is accepted by NRW in an email dated the 22nd of December which has been copied to the Case Officer.

Statement from Local Resident

RMH/061919

OBJECTOR.

Regarding the houses adjacent to bod hyfryd nursing homes, i object as flint roads,sewers,services cannot cope with anymore housing , untill the council update everything! Alot of greenland has dissappeared over last few years down oakenhalt .we need to keep it as it is not damage it with housing .the infrastructure cannot cope now on northop road ,

Sent from my Galaxy

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