

FLINTSHIRE COUNTY COUNCIL

REPORT TO: PLANNING & DEVELOPMENT CONTROL
COMMITTEE

DATE: WEDNESDAY, 4 SEPTEMBER 2013

REPORT BY: HEAD OF PLANNING

SUBJECT: GENERAL MATTERS - OUTLINE APPLICATION -
DEMOLITION OF EXISTING PUBLIC HOUSE,
BETTING OFFICE AND DWELLING AND ERECTION
OF 8 NO. APARTMENTS AT 11 HIGH STREET &
'BAGILLT ARMS', HIGH STREET, BAGILLT.

1.00 APPLICATION NUMBER

1.01 047389

2.00 APPLICANT

2.01 MR. & MRS B.E. & M.C. RICHARDSON

3.00 SITE

3.01 11 HIGH STREET & 'BAGILLT ARMS',
HIGH STREET,
BAGILLT.

4.00 APPLICATION VALID DATE

4.01 31ST MARCH 2010

5.00 PURPOSE OF REPORT

5.01 The purpose of the report is to obtain a resolution from Members as to the decision to be made on this application which currently remains undetermined.

6.00 REPORT

6.01 Members may recall that consideration of this application was undertaken at the Planning & Development Control Committee held on 13th July 2011. It was resolved by members that conditional planning permission be granted subject to the applicants entering into

a Section 106 Obligation/Unilateral Undertaking or advance payment of a commuted sum of £733 per unit in lieu of on site open space provision. A copy of the report to the Planning & Development Control Committee held on 13th July 2011 is attached as Appendix A.

- 6.02 There has been a significant amount of correspondence/exchanges with the applicant during the last 2 years to try and progress this matter.
- 6.03 The applicant's agent has however advised that it will not be possible to complete the necessary legal Obligation due to complexities recently discovered with regard to the ownership of the site.
- 6.04 In these circumstances it is considered that the proposal would be contrary to Policies SR5 - Outdoor Playing Space and New Residential Development and IMP1 - 'Planning Conditions and Planning Obligations' of the adopted Flintshire Unitary Development Plan. The purpose of the report is therefore to obtain a resolution from Members as to the decision to be made on this application as it is my recommendation that as there is no progress being made on the payment of a commuted sum that permission be refused.

7.00 RECOMMENDATIONS

- 7.01 That planning permission be refused for the following reason:

That proposed development does not make provision for the completion of a Section 106 Obligation/Unilateral Undertaking or advance payment of a commuted sum of £733 per apartment in lieu of on site open space provision. This it is considered would therefore be contrary to Policies SR5 and IMP1 of the Flintshire Unitary Development Plan.

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