

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 3 SEPTEMBER 2014**

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

SUBJECT: **GENERAL MATTERS - ERECTION OF 9 NO HOUSES AT THE THREE PIECE SUITE CENTRE, CHESTER ROAD, BUCKLEY.**

1.00 APPLICATION NUMBER

1.01 049096

2.00 APPLICANT

2.01 Mr T Britton & Mr R Hannon

3.00 SITE

3.01 Three Piece Suite Centre,
Chester Road, Buckley.

4.00 APPLICATION VALID DATE

4.01 17/10/2007

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 11th January 2012. 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 £1,100 per dwelling in lieu of on site open space provision – a total sum of £9,900 and an educational

contribution of £7,000 towards provisions at Mountain Lane Primary School, Buckley. A copy of the report to the Planning & Development Control Committee held on 11th January 2012 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 It is apparent that the applicant will not be in a position to complete the necessary legal Obligation due to complications with regard to the ownership/title 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.
- 6.05 For Members information, since the previous committee resolution on the application, the Council have adopted for use Special Planning Guidance in relation educational contributions and the Chief Officer (Education & Youth) has confirmed that a commuted sum payment of £24,514 would now be required for Mountain Lane Primary School as it is close to its capacity numbers. Should an application be resubmitted for this site in the very near future the stance as advocated by the adopted SPG would be pursued.

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 £1,100 per dwelling in lieu of on-site open space provision and an educational contribution of £7,000. This it is considered would therefore be contrary to Policies SR5 and IMP1 of the Flintshire Unitary Development Plan.

Contact Officer: Declan Beggan
Telephone: (01352) 703250
Email: Declan.beggan@flintshire.gov.uk