

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **WEDNESDAY, 21<sup>ST</sup> JANUARY 2015**

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

**SUBJECT:** **GENERAL MATTERS - ERECTION OF 3 NO. CLASS B1 INDUSTRIAL UNITS AND ASSOCIATED CAR PARKING AND AMENDED VEHICULAR ACCESS AT UNIT 2, THE HAVEN GARAGE, THE NANT, PENTRE HALKYN**

**1.00 APPLICATION NUMBER**

1.01 051580

**2.00 APPLICANT**

2.01 THE NANT (NORTH WALES) LTD.

**3.00 SITE**

3.01 LAND AT BILLY JEAN'S CAFÉ,  
UNIT 2, THE HAVEN GARAGE, THE NANT,  
PENTRE HALKYN, HOLYWELL.

**4.00 APPLICATION VALID DATE**

4.01 30<sup>TH</sup> DECEMBER 2013.

**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 12<sup>th</sup> March 2014. It was resolved by Members that conditional planning permission be granted subject to the applicant entering into a

Section 106 Obligation to ensure that the permission was not implemented until such time as a related permission had been implemented. A copy of the report to the Planning & Development Control Committee held on 12<sup>th</sup> March 2014 is attached as Appendix A. Paragraphs 7.13 – 7.15 are especially relevant.

- 6.02 There have been repeated attempts by both the Planning and Legal Departments to secure the required agreement with the applicant since the resolution. However, this action has failed to secure the required agreement and the application remains undetermined.
- 6.03 In these circumstances it is considered that the proposal would be contrary to Policies GEN1, AC13, AC18 and IMP1 of the adopted Flintshire Unitary Development Plan.
- 6.04 As the purpose of the report is to obtain a resolution from Members as to the decision to be made on this application in the light of the failure on the part of the applicant to enter into the required S.106 Agreement, my recommendation that planning permission be refused.

## **7.00 RECOMMENDATIONS**

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

The proposed development would result in a loss of parking and turning facilities on the adjoining Cafe site known as Billy Jeans and would therefore encourage articulated vehicles to park on the adjacent A55 east bound slip road to the detriment of highway safety and interference with the free flow of traffic. Accordingly the proposals are contrary to the provisions of Policies GEN1, AC13, AC18 and IMP1 of the Flintshire Unitary Development Plan.

## **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity  
Committee Report Agenda Item 6.9 – Planning & Development Control Committee 12<sup>th</sup> March 2014.

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