

FLINTSHIRE COUNTY COUNCIL

REPORT TO: PLANNING AND DEVELOPMENT CONTROL COMMITTEE

DATE: 20 JUNE 2012

REPORT BY: HEAD OF PLANNING

SUBJECT: Full Application - Erection of a detached residential block at Kinsale School, Llanerch y Mor, Holywell

APPLICATION NUMBER: 048983

APPLICANT: Options Group

SITE: Kinsale Hall,
Llanerch-Y-Mor,
Holywell,
CH8 9DX

APPLICATION VALID DATE: 24/08/2011

LOCAL MEMBERS: Councillor P. Heesom

TOWN/COMMUNITY COUNCIL: Mostyn Community Council

REASON FOR COMMITTEE: Member request given background history, scale of development and sensitivity of landscape

SITE VISIT: No.

1.00 SUMMARY

1.01 This full application proposes the erection of a building for additional residential accommodation at the Options Group (Kinsale) School which is an existing school for providing residential, day care and education for autistic children/young adults. The application has been resubmitted following the refusal of a previous application for an additional residential accommodation building at this location under Code No. 046920 on 14th October 2010.

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

- 2.01
1. Time limit on commencement.
 2. In accordance with approved details.
 3. Facilities to be used by and limited to persons up to the age of 25.
 4. Construction materials to be submitted for consideration and approval.
 5. Details of hard/soft landscaping to be submitted and approved.
 6. Details of management/maintenance of landscaping to be submitted and approved.
 7. All trees/hedgerows to be retained to be protected during engineering/construction works.
 8. Site levels to be submitted and approved.
 9. Details of external lighting to be approved.
 10. Safeguarding of public sewer which crosses the site.

3.00 CONSIDERATIONS

3.01 Local Member

Councillor P. Heesom

Request planning committee determination given background of planning history, scale of development and sensitivity of landscape at this location.

Mostyn Community Council

Oppose the application as it is contrary to the planning policy identified for this location.

Head of Assets & Transportation

Recommend that any permission includes conditions relating to parking and turning of vehicles within site.

Welsh Water

Request that any permission includes a condition to ensure the safeguarding of a public sewer which crosses the site.

Lifelong Learning (Advisor for Autism)

Confirm that there is a recognised need for additional transitional educational placements for young adults (18 – 25 years) at this location.

4.00 PUBLICITY

4.01 Site, Notice, Neighbour Notification

No responses received at time of preparing report.

5.00 SITE HISTORY

5.01 **674/84**

Change of use to golf Course - Permitted 30th June 1986.

118/93

Golf course, club house and driving range - Permitted 18th May 1993.

98/1112

Alteration/extension to provide for equipment store - Permitted 18th November 1998.

041549

Change of use from hotel to C2 use residential institution for establishing an independent school for young people with complex Autistic Spectrum Disorder age 10 to 19 - Permitted 3rd August 2006.

040402

Layout of trails for walking, jogging and cycling; extension of existing clubhouse to provide gymnasium, swimming pool, sauna, steam room and creche; new putting course, tennis court, siting of 78 holiday lodges and sales lodge; associated access drives, car parking, modifications to golf course and comprehensive landscaping scheme - Appeal to The Planning Inspectorate allowed 18th October 2007.

045395

Construction of 5 No. 4 x person accommodation buildings, 3 No. linked two person independent living buildings and a communal centre to replace 30 previously approved holiday lodges to provide specialist placements for young children with autism - Permitted 11th December 2008.

047095

Erection of an autistic college facility including associated residential units - Withdrawn 5th October 2010.

046920

Erection of a detached residential building - Refused 14th October 2010.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 - New Development

Policy STR2 - Transport and Communications

Policy STR6 - Tourism

Policy STR7 - Natural Environment

Policy STR8 - Built Environment

Policy GEN1 - General Requirements for Development

Policy GEN3 - Development Outside Settlement Boundaries

Policy CF2 - Development of New Community Facilities

Policy D2 - Location and Layout

Policy D3 - Building Design

Policy D4 - Landscaping

Policy D5 - Outdoor Lighting

Policy D6 - Crime Prevention
 Policy TWH2 - Development Affecting Trees and Woodlands
 Policy TWH3 - Protection of Hedgerows
 Policy TWH4 - Woodland Planting and Management
 Policy L1 - Landscape Character
 Policy WB5 - Undesignated Wildlife Habitats, Flora and Fauna
 Policy WB6 - Enhancement of Nature Conservation Interest
 Policy HE1 - Development Affecting Conservation Areas
 Policy HE5 - Protection of Landscapes, Parks and Gardens of Special Historic Interest
 Policy AC1 - Facilities for the Disabled
 Policy AC2 - Pedestrian Provision and Public Rights of Way
 Policy AC3 - Cycling Provision
 Policy AC13 - Access and Traffic Impact
 Policy AC14 - Traffic Calming
 Policy AC18 - Parking Provision and New Development
 Policy HSG4 - New Dwellings in the Countryside
 Policy SR1 - Sports, Recreation or Cultural Facilities
 Policy SR2 - Outdoor Activities
 Policy SR3 - Golf Facilities
 Policy T1 - Tourist Attractions
 Policy T4 - New Static Caravans and Chalets
 Policy T7 - Holiday Occupancy Conditions

7.00 PLANNING APPRAISAL

7.01 Introduction

Options Group (Kinsale) School, a residential home for autistic children/young adults between the ages of 8-25 is located within the open countryside, to the south of the A548 at Llanerch y Mor. The school which currently has 25 bedspaces was initially established in 2007, as a result of the conversion of the former Kinsale Hall Hotel and comprises a significant range of existing educational facilities within the site including for example a number of vocational classrooms, horticultural centre, adventure playground and sports hall.

7.02 Site Description/Background History

The site lies within an open countryside location outside any settlement boundary but partly within a conservation area as defined in the Flintshire Unitary Development Plan.

7.03 For Member's information there is a complex background of planning history relating to development at this location which is referred to in paragraph 5.00 of this report.

In summary, planning permission was allowed on appeal to The Planning Inspectorate under Code No. 040402 on 18th October 2007 for a tourism development at Kinsale Golf Course comprising: the layout of trails for walking, jogging and cycling, extension of the existing clubhouse to provide a gymnasium, swimming pool, sauna, steam room

and creche; the provision of a new putting course, tennis courts, siting of 78 holiday lodges and a sales lodge, associated access drives, car parking and modifications to the golf course.

- 7.04 The 78 holiday lodges are proposed to be sited in two areas, on the periphery of the golf course, these being:-
- a. The Lower Lodge site to the south of Rhydwen House alongside the main entrance driveway to the school and golf course.
 - b. The Upper Lodge site to the west of Mostyn Isaf a Grade II Listed Building next to the highest part of the golf course.
- 7.05 At the time that the above application and appeal were under consideration Kinsale Hall, a former hotel, had been bought by the New Options Group and converted into a residential home for autistic children, this being granted under Code No. 045139 on 3rd August 2006.
- 7.06 Following the grant of planning permission in 2007 for a holiday lodge development, permission was subsequently granted under Code No. 045395 on 11th December 2008 for 8 No. independent living accommodation buildings and a communal centre to replace 30 previously approved lodges, providing specialist placement for children with autism in connection with the existing school. This permission proposed the replacement of 24 previously approved holiday lodges on the upper part of the site and 6 lodges on the lower part.
- 7.07 The applicants and their agent have however advised that due to recent management changes at the (Options Group) with associated land ownership implications, the previously approved independent living accommodation units granted under Code No. 045395 are no longer available for use by the existing school.
- 7.08 A previous application for the erection of a building to compensate for the loss of the units to the Options School was refused under Code No. 046920 on 14th October 2010. This was on the grounds that it was considered that permission currently exists for the erection of transitional accommodation buildings at this location and as there is no prospect of a legal agreement being entered into to relinquish this permission, the proposed development could lead to the duplication of such facilities at this location.
- 7.09 Proposed Development
This resubmitted application proposes the erection of a building to provide additional residential accommodation for 10 young adults, together with classroom facilities to enable the school to offer transitional options for older pupils (16 – 25) to move towards semi-independent living in a planned structured manner. The Council's Senior Advisor for Autism has been consulted on the application and confirmed that there

is a need for additional transitional educational placements for young adults (18 – 25 years) at this location.

- 7.10 The two-storey building measures approximately 30 m x 18.5 m x 7.5 m (high) and would be located adjacent to the main entrance driveway, at 90 degrees to existing vocational classrooms and approximately 23 m to the north of the existing sports hall. It is proposed that the building be constructed having a zinc roof, and stone/timber cladding external walls to reflect those used in the construction of the sports hall, which in turn was designed to reflect a range of ancillary buildings so as not to detract from the prominence and architectural significance of the original Kinsale Hall.
- 7.11 Planning Policy/Principle of Development
Policy CF2 of the Flintshire Unitary Development Plan provides guidance on the development of new community facilities. These policies direct such facilities to locations within defined settlement boundaries. Outside settlement boundaries, such development will only be permitted through (a) the conversion of existing buildings (b) by an extension to an existing facility or (c) on land with a previous built use.
- 7.12 Despite being given a further opportunity to enter into a dialogue with the landowner to secure the use of the previously consented residential accommodation units granted under Code No. 045395, it is clear that these will not be made available for use by the existing school.
- 7.13 Policy CF2 provides a clear policy context for the extension of an existing community facility, subject to other policies which seek to control detailed planning considerations. The existing school has become well established over a number of years and it has been confirmed by the Council's Senior Advisor for Autism that there is a need for additional transitional placements at this location. There is therefore no in principle policy objection to the expansion in the form of the extension to the existing facility subject to the safeguarding of relevant amenity considerations.
- 7.14 Impact on Landscape/Conservation Area
The site is located on the eastern side of the main access drive with the topography at this location being such that it is at a much lower level than the existing sports hall, which forms a backdrop to the development. The site is well screened by existing trees/hedgerows and partly by an existing linear range of outbuildings. It is considered that the development can be assimilated into the landscape and subject to the imposition of conditions to ensure the use of satisfactory materials and supplemental landscaping, the application can be supported.
- 7.15 Design
The design of the proposed building has been influenced by its functional requirements given the specialist educational requirements of the school and the character of existing development on the site most

notably the sports hall extension which forms a visual backdrop to this current proposal. The acceptability of the design of the building has been carefully considered and can be supported subject to control over the use of materials to ensure that the development is sympathetic to the character of existing development at this location.

8.00 CONCLUSION

- 8.01 It is my view that the principle of development at this location can be supported as it meets the requirements of Policy CF2 of the Flintshire Unitary Development Plan, which allows for consideration to be given for an extension to an existing community facility within an open countryside location. The site is extremely well screened by existing buildings/landscaping which help to minimise its visual impact and subject to controls over the use of satisfactory materials. I therefore recommend that conditional planning permission be granted.
- 8.02 In considering this planning application 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.

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