

FLINTSHIRE COUNTY COUNCIL
PLANNING COMMITTEE
LATE OBSERVATIONS
COMMITTEE DATE: 6th July 2022

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.1	064256 – A - JZP	FULL APPLICATION FOR DORMER LOFT CONVERSION WITH SINGLE STOREY EXTENSION AT 26 MUIRFIELD ROAD, BUCKLEY		
6.2	061368 – A - DJM	CHANGE OF USE OF LAND TO RESIDENTIAL (GYPSY TRAVELLER COMMUNITY). THE SITE TO CONTAIN ONE STATIC CARAVAN, ONE TOURING CARAVAN, A WATER TREATMENT PLANT, AND PARKING FOR TWO CARS WITH ASSOCIATED HARDSTANDING AND INFRASTRUCTURE AT CHURCH LANE, EWLOE.		<p><u>Corrections</u></p> <p>Page 2 Item 6.2 of the agenda should read ‘Change of use of land to residential (Gypsy Traveller site).The site to contain one static caravan, one touring caravan, a water treatment plant and parking for two cars with associated hardstanding and infrastructure at Land side of Ashwood House, Church Lane, Aston Hill, Ewloe’</p> <p>Page 18 para 3.01 the response from Highways Development Management should include the following ‘The Highways Development Manager has no objection subject to the imposition of a condition limiting the commercial use of the existing stable building, for use sole for the occupiers of the site. This condition has been included within section 2.01 above’</p> <p>Page 22 para 5.01 should include ‘037998- outline erection of a dwelling- refused 21.10.2004’</p> <p>Page 23 Para 7.01 should read ‘This full application proposes the change of use of approximately 0.05</p>

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			Third Party Representations	<p>hectares of land adjacent to Land Side of Ashwood House, Church Lane, Aston Hill, Ewloe, for the siting of 1 No Gypsy/Traveller pitch and associated development.'</p> <p>Page 29 para 7.29 mistakenly refers to Ashwood House as a bungalow, this paragraph sentence should read 'The proposed caravans are located away from the boundary with Ashwood House, a two storey detached dwelling, and an enhanced boundary treatment could be secured by condition to introduce additional screening along this common site boundary which would help to safeguard the living conditions of both existing residents and proposed occupants at this location'</p> <p>5 further letters of objection have been received, the points raised within these correspondence are summarised below.</p> <p>Loss of Amenity/Residential Amenity</p> <p>The proposed development is in close proximity to Ashwood House and as such has a negative impact on its outlook, privacy and potential for increased disturbance. Ashwood house has 6 windows which overlook the development with existing lighting currently having a negative impact on Ashwood House. The Human Rights Act in particular Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. The proposed development would have a dominating impact effect the quiet enjoyment of property. Article 8 of the Human</p>

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				<p>Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS (1997 JPL 617) the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.</p> <p>The development is close to the dual carriageway and subject to elevated levels of traffic noise.</p> <p>Character and Appearance</p> <p>The application for change of use does not respect local context would out of character with the rural area, to the detriment of the local environment. Whilst landscaping conditions are proposed, the applicant has been subject to landscaping conditions previously. These conditions have not been complied with the site being unsafe, unattractive in appearance and not in keeping with the surrounding environment. Not believe that enough weight has been given to this material planning consideration. The development is contrary to policy in relation to development within the open countryside.</p> <p>Planning History</p> <p>The site has been subject to two planning refusals, in 2001 and 2004. Both refusals stated that in the opinion of the local planning authority, any approval of these developments will create an unacceptable precedent that will make it difficult to resist similar applications in the area.</p>

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			<p>WPS on behalf of Liverpool Bay CCS/Hynet</p> <p>05/07/2022</p>	<p>Gypsy and Traveller status and use of conditions</p> <p>Little detail or information has been submitted to evidence the applicants gypsy status. The word of the agent is not sufficient evidence to show that there are material considerations that outweigh the development plan policy objections and justify the granting of planning permission. Consideration should be given to a personal or temporary consent.</p> <p>Potential of further expansion of the site and to set a precedent for further development</p> <p>Ecology</p> <p>Proposed development will have an impact on the wildlife, reports of bat, foxes, badgers, rabbits, newts and buzzards - this will have a detrimental effect on foraging opportunities.</p> <p><u>Councils Response</u></p> <p>The issues raised within the third party comments are discussed within Section 7 of the committee report.</p> <p>There is a conflict between the land proposed for this application and the proposed Order Limits for the HyNet Carbon Dioxide Pipeline which is classed as a Nationally Significant Infrastructure Project (NSIP) and is currently undertaking final consultation on some limited design changes and will be subject to a Development Consent Order (DCO) application in Autumn 2022. WPS have met with the applicant to</p>

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				<p>discuss the proposed pipeline route and we will continue engagement to attempt to resolve the overlap between the developments. However, the development applied for would be situated within the pipeline corridor in land which will be required for construction, and within the area where surface development will need to be restricted throughout the life of the pipeline in order to protect and to maintain access to the pipeline.</p> <p><u>Councils Response</u></p> <p>The HyNet Carbon Dioxide Pipeline Development Consent Order application is still in the pre-application stage. Conflict between the proposed development and the Hynet Project, at this stage, has limited weight.</p>
6.3	061388 – A - DGJ	OUTLINE - DEMOLITION OF FORMER POLICE STATION AND CURTILAGE BUILDINGS AND ERECTION OF 10 NEW BUILD APARTMENTS AND ASSOCIATED PARKING AT BUCKLEY POLICE STATION, MOLD ROAD, BUCKLEY		
6.4	064316 – A - JZB	CONVERSION OF EXISTING RESIDENTIAL PROPERTY TO FORM 7 BEDROOM HMO AT ROMAN CATHOLIC PRESBYTERY, BRUNSWICK ROAD, BUCKLEY	Applicant 5/7/2022	The Applicant would like members to be made aware that this project, should this be approved, has been earmarked for inclusion in the Flintshire Ukrainian Scheme. We understand that the Authority are under immense pressure to meet the needs of this cohort and Dave Jolly, the Resettlement Coordinator, confirms that this property and location will be invaluable.

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