

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **1ST FEBRUARY 2023.**

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

SUBJECT: **FULL APPLICATION – ERECTION OF 12NO
HOLIDAY LODGES WITH RECEPTION BUILDING
/ SHOP AND ASSOCIATED WORKS**

**APPLICATION
NUMBER:** **063810**

APPLICANT: **BALING WIRE PRODUCTS LTD**

SITE: **LAND AT NORTHOP COUNTRY PARK**

**APPLICATION
VALID DATE:** **24/12/21**

LOCAL MEMBERS: **COUNCILLOR M BATEMAN
COUNCILLOR L THEW**

**TOWN/COMMUNITY
COUNCIL:** **NORTHOP COMMUNITY COUNCIL**

**REASON FOR
COMMITTEE:** **LOCAL MEMBER REQUEST GIVEN SITES
SENSITIVE LOCATION WITHIN AN HISTORIC
COUNTRY PARK.**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full application proposes the development of land at Northop Country Park, Northop, for the siting of 12 No holiday lodges, with a reception /shop and associated works.
- 1.02 For Members information, amended plans have been received in progression of the application on which further consultation has been undertaken

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

- 2.01
1. Time Limit on Commencement
 2. In accordance with Approved Plans
 3. Materials to be submitted and approved
 4. Occupation of lodges/ chalets for holiday accommodation only
 5. Register of occupation to be kept / available to the Local Planning Authority
 6. Site /Finished Floor Levels to be submitted and approved
 7. Detailed landscaping scheme incorporating additional planting on site's western boundary to be submitted and approved
 8. Implementation of landscaping scheme
 9. Details of external lighting to be submitted and approved
 10. Details of parking /turning /unloading to be submitted and approved.
 11. Details of foul drainage connection point to be submitted and approved.
 12. Development to be undertaken in accordance with Great Crested Newt Management Plan
 13. Scheme for Giant Hogweed management to be submitted and approved.
 14. Scheme for bat mitigation /lighting to be submitted and approved
 15. Disposal of water from hot tubs to be undertaken via the public sewerage system or the transfer off site by registered operators.

3.00 CONSULTATIONS

3.01 **Local Members**
Councillor M Bateman

Request Planning Committee determination, given the sensitivity of the site's setting within an historic country park.

Councillor L Thew

Request Planning Committee determination. Do not consider that this application should be determined until the current appeal lodged with Planning Environment Decisions Wales (PEDW) for a holiday lodge chalet development within the Country Park submitted under 063500 has been formally determined, as it is considered that the applications are intrinsically linked.

Northop Community Council

Members have the following objections to the applications:

- proposal will act as a catalyst to further applications at this location
- overdevelopment of the site
- increase in traffic movements associated with the development

- site is inappropriate for tourist development which would not benefit Northop or the local area

Welsh Government (Economy – Trunk Roads)

Do not wish to issue a direction

Highway Development Control Manager

No objections in principle. Recommend that any permission includes conditions in respect of parking, unloading and turning of vehicles with the inclusion of highway supplementary notes upon the grant of any permission.

Community and Business Protection

No objection

Welsh Water/Dwr Cymru

Following the submission of a sewer survey, raise no objection to foul flows being linked into the existing system. Request that details of the connection point are secured by condition.

Natural Resources Wales

Recommend that any permission includes conditions in respect of Great Crested Newt (GCN) protection/mitigation and biosecurity in relation to Giant Hogweed Management.

Clwyd Powys Archaeological Trust (CPAT)

Confirm that there are no identified impacts to non-designated archaeology within the site and the archaeological potential is low.

Built Conservation Officer

No objection subject to the imposition of a condition securing further landscaping on the site's western boundary

Council Ecologist

No objection subject to the imposition of a condition securing adequate Great Crested Newt (GCN) mitigation within the adjacent woodland

Trees Officer

No objection – consider the Arboricultural Impact Assessment and Method Statement submitted as part of the application to be acceptable with all key trees to be retained.

CADW

Following the submission of amended plans accompanied by a Heritage Impact Assessment, raise no objections subject to the imposition of a condition to secure additional tree planting within the site.

Welsh Historic Gardens Trust

No response received at time of preparing report. Formal consultation on application /amended plans undertaken on 19/1/22 & 8/8/22. Subsequent chaser e-mails sent on 10/11/22 & 19/1/23. In addition, separate telephone discussions taken place on 19/1/23 and 23/1/23 to seek to obtain a response.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification 40 No letters of objection received, the main points of which can be summarised as follows:

- proposal is contrary to the established planning policy framework
- detrimental impact on the character of the site, wider surroundings and the Grade II* Listed Soughton Hall, Historic Park & Garden.
- detrimental impact on ecology and habitats
- safety concerns given relationship of site to existing golf course.
- Impact on living conditions of occupiers of nearby dwellings
- disposal of water containing high chemical concentration from hot tubs could adversely impact on eco -systems
- inadequacy of access

5.00 SITE HISTORY

5.01 1345/89 – Outline – Proposed 18 -hole golf course with club house, 4500m² office accommodation, 42 detached dwellings, a 200 -bed hotel with leisure facilities and a 9 -hole golf course with an equestrian centre. Granted July 1991

98/30/1334 – This application which in part relates to the extant permission on this particular section of the site, was for the approval of reserved matters for the erection of a 198 -bed hotel with ancillary conference and leisure facilities. The application also included details of the office blocks and 16 detached dwellings

98/30/1345/ – Outline application for hotel, leisure and golf development, housing and offices. Granted 22/7/91

051782 – Outline planning permission with all matters reserved for the erection of 3 tourist/leisure let accommodation units and associated works Withdrawn.

059999 – Outline with some matters reserved for the development of land to provide a lodge/chalet park to include single storey and two storey lodges, a site office with shop/convenience store and cycle hire facility. Refused 20/9/20

063500 – Outline Development of land to provide lodge/chalet park and site office

Appeal to Planning Environment Decisions Wales (PEDW) on the grounds of non-determination currently undetermined

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 New Development

STR6 Tourism

GEN1 General Requirements for Development

GEN3 Development in the Open Countryside

GEN5 Environmental Assessment

D1 Design Quality, Location and Layout

TWH1 Development Affecting Trees and Woodlands

L1 Landscape Character

WB1 Species Protection

HE5 Protection of Landscapes, Parks and Gardens of Special Historic Interest

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

RE1 Protection of Agricultural Land

T4 New Static Caravans and Chalets Holiday Sites

EWP17 Flood Risk

Flintshire Local Development Plan

STR4 – Principles of Sustainable Development, Design and Placemaking

STR5 – Transport and Accessibility

STR6 - Services, Facilities and Infrastructure

STR7 - Economic Development, Enterprise and Employment

STR10 – Tourism, Culture and Leisure

STR13 – Natural and Built Environment, Green Networks and Infrastructure

STR14 – Climate Change and Environmental Protection

PC1 – The Relationship of Development to Settlement Boundaries

PC2 – General requirements for Development

PC3 – Design

PC4 – Sustainability and Resilience of New Development

PC5 – Transport and Accessibility

PC12 – Tourist Accommodation, Facilities and Attractions

EN4 – Landscape Character

EN6 – Sites of Biodiversity Importance
EN7 – Development Affecting Trees, Woodlands and Hedgerows.

Supplementary Planning Guidance (SPGN)

Supplementary Planning Guidance Note 3 – Landscaping

Supplementary Planning Guidance Note 4 – Trees and
Development

Supplementary Planning Guidance Note 8 – Nature Conservation
and Development

National Planning Policies

Planning Policy Wales (PPW)

Future Wales- The National Plan 2040

Technical Advice Note 5 – Nature Conservation and Planning

Technical Advice Note 12 - Design

Technical Advice Note 13 – Tourism

Technical Advice Note 18 - Transport

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full application for the proposed siting of 12 No single storey holiday lodges with an associated reception building /shop on land at Northop Country Park, Northop. Amended plans have been received in progression of the application proposing a reduction in the number of lodges from 13-12 units and deletion of a workshop building, from that proposed within the initially submitted scheme.

7.02 Site Description

The application site which amounts to approximately 2.6 hectares in area, is located within the grounds of the Northop Country Park and the setting of the Grade II* Listed Soughton Hall Historic Park and Gardens. It is located to the south of the A55, at junction 33A, approximately 1.6 km to the west of Northop.

7.03

The site is located to the west of the main arterial route through the country park. The proposed lodges are proposed to be located on land to the north of the Northop Golf Course Clubhouse, Driving Range and the Celtic Arms Public House. The reception /shop are proposed to be located on an area of land to the west of the Celtic Arms. That part of the site where the lodges are proposed to be located, comprises an open parcel of land that is currently covered by shrubs and small groups of mature trees.

7.04 Planning History

By way of the previous planning history within the Country Park as referenced in paragraph 5.00 of this report, it is important to note there are a range and mix of existing well established uses, comprising leisure, commercial, residential, and a Public House. There was in addition an intention for a tourism development, in the form of a hotel within the park, although this has not materialised due to changes in economic circumstances since the grant of outline permission.

7.05 Proposed development

The amended plans submitted as part of this full application propose:

- i) the erection of 12 No single storey lodges measuring approximately 10.2m x 15m x 4.6m (high)
- ii) the erection of an L-shaped reception /shop measuring approximately 13m x 9.6m x 4.6m (high)

The buildings are proposed to be constructed having timber clad external walls and dark fibre cement roofs

7.06 Main Planning Considerations

The main planning considerations to be considered in determination of this application include-

- i) the principle of development
- ii) scale /design/form
- iii) impact on the character of the landscape, in particular the Historic Park and Garden and Scheduled Ancient Monuments
- iv) adequacy of access
- v) impact on ecology
- vi) impact on the living conditions of occupiers of nearby residential properties.
- vii) drainage

7.07 Principle of development

The Northop Country Park is in open countryside as defined in the Flintshire Unitary Development Plan. Consideration of the proposed development is principally undertaken having regard to Policy T4, where proposals for new static caravan / chalet holiday sites are required to satisfy the following criteria.

- a) the scale of the proposal together with the number, siting and layout of units, circulation roads and service buildings is appropriate to the characteristics of the site and locality;
- b) the scheme incorporates substantial internal and structural

- landscaping.
- c) the proposal would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value
- d) where appropriate, the site is easily accessible from the local highway network and is accessible by a choice of modes of travel, particularly by foot, cycle or public transport; and
- e) the proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general.

7.08 Policy PE13 in the LDP adopts a simplified set of criteria but is generally consistent with the approach in the UDP

- i) there would be no material harm to the landscape character and environmental quality of the surrounding area and no adverse effects on European Sites either individually or cumulatively with other sites in the vicinity and
- ii) the scale of the proposal together with the number, siting and layout of the units, circulation roads and service buildings is appropriate to the characteristics of the site and locality and
- iii) the scheme incorporates substantial internal and structural landscaping

7.09 It is also important to consider the proposed development in the context of the previous planning history on the site, initially dating back to 1989 by virtue of an outline planning application for a mixed residential, commercial and leisure development, set within the country park.

7.10 The request to defer consideration of this application until the appeal decision from PEDW in relation to application 063500 is noted. It is however considered that the current application stands to be determined on its own merits recognising: i) it is on a different part of the Northop Country Park to that the subject of the appeal ii) the site is in different ownership to that forming 063500. The applications, though similar in terms of what is being proposed, are not linked and this current application is a stand alone application to be determined on its own individual merits.

7.11 Scale / Form / Design

A tree survey report has been submitted as part of the planning application to aid formulation of the design /layout advanced. As a result, the site layout secures the retention of key existing trees and hedgerows and landscape features with there being a requirement for additional supplemental planting which can be secured by condition.

The proposed amendments to the layout which have reduced the number of lodges / removed a proposal for a workshop building help to provide for a better -balanced layout within a wooded concept. The proposal is therefore considered acceptable having regard to criteria a & b of Policy T4 and Policies D1, D2 of the UDP.

- 7.12 Impact on Soughton Hall Historic Park and Garden
The site is located within the essential setting of the Grade II* Listed Soughton Hall Historic Park and Gardens. Consultation on the application has been undertaken with The Welsh Historic Gardens Trust (WHGT), Cadw and the Council's Built Conservation Officer.
- 7.13 Whilst no formal response on the application has been received from WHGT, following the receipt of additional information by way of an updated Heritage Impact Assessment / revised layout, it is considered by Cadw and Council's Built Conservation Officer, that the proposed reduced / amended scale of development will not have any impact on the Historic Park and Gardens, when considered in combination with the existing topography vegetation cover and supplemental planting which can be secured by condition.
- 7.14 This is therefore considered acceptable having regard to Policy HE5 – Protection of Landscapes, Parks and Gardens of Special Historic Interest and criterion c of Policy T4 of the Flintshire UDP together with Planning Policy Wales (PPW 11) Cadw's guidance – Setting of Historic Assets in Wales May 2017.
- 7.15 Highways
The Highway Authority have been consulted on the proposal and confirm that there is no objection to the principle of development or the proposed access arrangements being put forward. The imposition of a condition relating to facilities for parking, turning, loading and unloading is requested on any grant of planning permission. In addition, there is no objection from Welsh Government (Economy – Trunk Roads)
- 7.16 The proposal is therefore considered acceptable from a highway perspective having regard to criterion d of Policy T4 and AC13 & AC18 of the Flintshire Unitary Development Plan.
- 7.17 Impact on Ecology
Consultation on the application has been undertaken with Natural Resources Wales (NRW) and the Council's Ecologist.
- 7.18 This current application has been supported by Ecological Surveys to assess the impact of development primarily on Great

Crested Newts, bats, birds and water vole. Both NRW and the Council Ecologist are supportive of the ecological mitigation measures advanced to safeguard the species referenced and their habitats. It is noted that some of the enhancements / mitigation measures required particularly in respect of the breeding ponds associated with the GCN population will need to take place outside the application site boundary, this is still on land within the applicant's ownership and the measures specified can as a result be secured by condition.

- 7.19 Of additional concern is the issue of Giant Hogweed Management within the country park with measures currently in place to seek to address this matter both on the application site and wider area.
- 7.20 It is considered that there is a need for a blanket approach to seek to control its spread, but care is required when securing its removal in the interest of health and safety this being undertaken in a managed environment. It is considered that this should be the subject of the imposition of a condition consistent with other developments within the locality where this approach has been adopted. This can be secured by planning condition.
- 7.21 Impact on the Living Conditions of Occupiers of Nearby Properties
Of particular importance in consideration of this application is to ensure that the living conditions of occupiers of existing residential properties located in proximity to the site are safeguarded.
- 7.22 The nearest residential properties to the site are Lower Soughton Hall and The Pippins located approximately 230m to the west, separated from the site by one of the holes at Northop Country Park Golf Club. In addition, approximately 470m to the south is the dwelling Hillside House which forms part the main spine of residential properties developed in accordance with the initial outline permission. This is separated from the application site both in physical /visual terms by the Northop Golf Club House and Celtic Arms which act as a visual break at this location.
- 7.23 Consultation on the application has been undertaken with the Pollution Control Officer who has raised no objection to the Development. There is however considered to be a requirement to control external lighting associated with the development which can be secured by condition, and enhanced landscaping on the sites western boundary will help to minimise the impact of development.
- 7.24 Drainage
Progression of the application has been impacted by the

requirement from Dwr Cymru Welsh Water, to confirm the precise connection point of the proposed foul drainage into the existing system. Following the undertaking of additional survey work, this has now been satisfactorily addressed and can be secured by condition.

- 7.25 A specific area of concern that has been raised by third parties focusses on the potential introduction of hot tubs associated with the chalets/lodges with the possible disposal of water with high concentrations of chemicals into the wider eco-system.
- 7.26 Whilst the introduction of these facilities does not constitute development as they are not classed as building or engineering operations, it is recognised by NRW, that it is important to ensure that the water does not adversely impact on protected species or their habitat, through entry from field drainage patterns.
- 7.27 Whilst this is a situation that would fall to be controlled by separate legislation applied by NRW, it is recommended that a planning condition be imposed to seek to ensure disposal of water into the main foul drainage system or that it be disposed of off -site and not into field drainage ditches.

8.00 CONCLUSION

- 8.01 It is noted and accepted that the initial design ethos in support for a mixed development of the county park, was for the development of a 198- bedroom hotel, specifically aimed at tourism.
- 8.02 Significant economic changes in the intervening period have however resulted in reconsideration of those initial proposals, there also being no legal or other requirement for a hotel to be developed at this location.
- 8.03 The current proposal for holiday /tourist accommodation is proposed on a different part of the site within the Northop Country Park to that initially proposed for a hotel or holiday lodges under 063500, and therefore needs to be assessed having regard to the current national / local planning framework.
- 8.04 The scale of development / amended site layout offers an acceptable and sympathetic form of development at this location which is acceptable having regard to its impact on heritage, ecology and highways considerations. It is therefore recommended that planning permission be granted subject to the imposition of conditions as referenced in paragraph 2.00 of this report.

9.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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