

## **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

**14 MAY 2014**

Minutes of the meeting of the Planning & Development Control Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold CH7 6NA on Wednesday, 14th May, 2014

### **PRESENT: David Wisinger (Chairman)**

Councillors: Chris Bithell, Derek Butler, David Cox, Ian Dunbar, Jim Falshaw, Alison Halford, Ron Hampson, Ray Hughes, Christine Jones, Richard Jones, Brian Lloyd, Richard Lloyd, Mike Peers, Gareth Roberts, Carolyn Thomas and Owen Thomas

### **ALSO PRESENT:**

The following Councillors attended as local Members:-

Councillor Robin Guest - agenda item 6.1. Councillor David Mackie - agenda item 6.3. Councillor Peter Curtis - agenda item 6.4. Councillor Amanda Bragg - agenda item 6.5. Councillor Veronica Gay (adjoining ward Member) - agenda item 6.6. Councillor Tim Newhouse - agenda item 6.8.

The following Councillors attended as observers:

Councillors: Helen Brown, Chris Dolphin and George Hardcastle

### **APOLOGIES:**

Councillor: Billy Mullin and Neville Phillips.

### **IN ATTENDANCE:**

Head of Planning, Development Manager, Planning Strategy Manager, Senior Engineer - Highways Development Control, Team Leaders, Senior Planners, Conservation & Design Officer, Planning Support Officer, Democracy & Governance Manager, Housing & Planning Solicitor and Committee Officer

## 185. **DECLARATIONS OF INTEREST**

Councillor Alison Halford declared a personal and prejudicial interest in the following application as she was a School Governor at Hawarden High School. She had been granted dispensation by the Standards Committee to speak for five minutes and vote on the application:-

**Agenda item 6.3 – Full application – Erection of 41 No. dwellings, open space and access works at Old Hall Road/Greenhill Avenue, Hawarden (051613)**

The Democracy & Governance Manager advised that Councillor David Mackie also had a personal and prejudicial interest in application 6.3 as he was governor at both schools who would receive educational contributions if the application was approved. He had been granted dispensation to speak on the application, but he must leave the chamber after addressing the Committee.

The Democracy & Governance Manager advised that Councillor Peter Curtis was school governor at Holywell High School and he therefore had a personal and prejudicial interest in the following application:-

**Agenda item 6.4 – Erection of a new school building including primary school, secondary school and sports hall facility associated site redevelopment including new pedestrian and vehicular access and playing surfaces and demolition works to existing high school building at Holywell High School, Strand Walk, Holywell (051719)**

However, Councillor Curtis had not submitted a request for dispensation and he was therefore permitted to speak for three minutes and must also leave the chamber following him addressing the Committee. Councillor Curtis indicated that he had submitted a request but the form had not been received.

186. **LATE OBSERVATIONS**

The Chairman allowed Members an opportunity to read the late observations which had been circulated at the meeting.

He also welcomed Matt Georgiou, the Housing & Planning Solicitor, to the meeting and explained that he would be taking over from David Davies, who had retired from the Council. A letter from Mr. Davies had been circulated to the Committee prior to the start of the meeting.

Councillor Derek Butler expressed his gratitude for the advice that had been provided to the Committee by Mr. Davies during his many years as Principal Solicitor. He asked that a letter be sent to Mr. Davies from the Chairman on behalf of the Committee to thank him for his contribution.

**RESOLVED:**

That a letter be sent to Mr. David Davies to thank him for his contribution to the Committee during his time as Principal Solicitor.

187. **MINUTES**

The draft minutes of the meeting of the Committees held on 4 April 2014 (special meeting) and 9 April 2014 had been circulated to Members with the agenda.

**9 April 2014**

**Accuracy**

In referring to page 21, Councillor Alison Halford raised concern that a serious issue had been omitted from the minutes. She said that Councillor Chris Bithell had made a suggestion that she was in connivance with the applicant of Deer Lodge, Cymau. She had also been accused of attacking officers and she declared that she had not been aggressive at the meeting. She suggested that the following words be included in the minutes on page 21, in the paragraph starting 'Councillor Richard Jones':-

“Councillor Bithell indicated that Councillor Halford had something to do with the owner of Deer Lodge which was why he kept bringing the application back to Committee rather than submitting an appeal. Rather

than listening to officers, she had attacked them in such a way that her behaviour should be reported to the Standards Committee”.

Councillor Halford indicated that she had defended herself in response to the comments made.

The Democracy & Governance Manager advised that the matter was recorded on page 22 and suggested that this was a more appropriate place to include the words that she had indicated. He asked if Councillor Halford was asking that the wording be in place of the paragraph on page 22 or in addition to it. She proposed that it be an addition to page 22 and this was duly seconded.

In response, Councillor Chris Bithell said that he had not made an allegation of connivance between the applicant and Councillor Halford but had commented that the applicant could have appealed against the decision of refusal. He believed that the paragraph on page 22 was an accurate summary of the discussion at the meeting. He added that he raised concern about the comments of Councillor Halford to the officers and the way she had taken issue with the advice that they had provided.

Councillor Derek Butler concurred that the issue had been accurately summarised on page 22 of the minutes and that the debate had begun when he had spoken about Council policies and had commented on Councillor Halford using the wrong policy in the wrong place.

The Democracy & Governance Manager advised that officers felt that the draft minutes were a correct record of the meeting and that it was for the Committee to decide if the proposed paragraph should be included.

On being put to the vote, the proposal to include the wording suggested by Councillor Halford was LOST. Councillor Ian Dunbar proposed that the minutes included in the agenda were a correct record and this was duly seconded. On being put to the vote, the proposal was CARRIED.

#### **RESOLVED:**

That the minutes of the meetings held on 4 April and 9 April 2014 be approved as correct records and signed by the Chairman.

#### 188. **ITEMS TO BE DEFERRED**

The Head of Planning advised that the following items on the agenda were recommended for deferral by officers.

**Agenda item 6.9 – Change of use of land and buildings from B1 use with storage in connection with that use, to use of the building for a mixed B1/B8 use and the land for ancillary storage in connection with that use and for caravan storage at Owl Halt Industrial Estate, Manor Road, Sealand (051501) – a site visit had been arranged for 12 May 2014 but it had not been possible to gain access to the site**

**Agenda item 6.11 - Full application – Construction of earthworks and retaining structures to provide raised and tiered garden areas to the rear of plots 52-56, Field Farm Lane, Buckley (partly retrospective) –** following the site visit on 12 May 2014, it had been identified that there may be potential for further negotiation with the developer for a more acceptable design of properties

Councillor Owen Thomas indicated that a comment had also been made about whether the dwellings had been erected in the correct positions. The Head of Planning indicated that if the application was deferred, the position of the properties could also form part of the negotiations.

On being put to the vote, application 6.9 (Owl Halt Industrial Estate) and 6.11 (Plots 52-56 Field Farm Lane, Buckley) were deferred.

**RESOLVED:**

That applications 6.9 (Owl Halt Industrial Estate) and 6.11 (Plots 52-56 Field Farm Lane, Buckley) be deferred.

189. **FULL APPLICATION - APPLICATION FOR THE ERECTION OF 23 NO. DWELLINGS AND ASSOCIATED WORKS AT LAND AT (SIDE OF FFORDD HENGOED), UPPER BRYN COCH, MOLD (051105)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting along with suggested amendments to conditions 22 and 28 and an additional condition 31.

The officer detailed the background to the report and explained that the application had been deferred from the meeting held on 9 April 2014 for officers to negotiate highway amendments to the scheme and afford residents adequate time to comment upon any amended plans received. The main issues for consideration included the principle of development, highway implications and amenities of the adjoining residents. The majority of the site was allocated for housing in the Unitary Development Plan (UDP) and the proposal had now been amended to show residential development on the allocated part of the site, which was acceptable in principle in planning terms.

Mr. L. Collymore spoke against the application. He explained that his property was behind the proposed plot 23 and he asked that the plot either be moved or removed as the space around dwellings distances could not be achieved if it was included. A dwelling built on this plot would overshadow existing dwellings, and the elevated nature of the dwelling would mean that it would overlook the garden of number 4. He referred to policies STR1, GEN1 and HSG8 and reiterated his comment that plot 23 should be removed as it was an overdevelopment of the site. Mr. Collymore added that he felt that plot 6 had been shoehorned into the proposals and plot 7 did not comply with space around dwellings guidelines and the back garden of plots 11, 12 and 18 were too short.

Mr. A. Parry from Mold Town Council also spoke against the application. He said that the site had been allocated for 15 houses in the UDP so to apply for

23 was 50% above the permitted figure and added that 15 dwellings would relate well to the development. The proposal for 23 dwellings would generate substantially more traffic and would create future problems for the junction nearby. Residents had raised concern about the access which was opposite to a playing field and was in a single track lane. Mold Town Council had suggested that the access to the site would be better at the western end of the site and would allow vehicles to have direct access to Ruthin Road where the 30mph speed limit could be extended to include the junction. He raised concern about issues of flooding and commented on the culverting of the watercourse which would result in flooding across nearby fields.

Councillor Richard Jones proposed refusal of the application, against officer recommendation, which was duly seconded.

The Local Member, Councillor Robin Guest, spoke against the application. He requested that amendments to the plans on the website for all planning applications be dated so that they could clearly be identified as the latest version. He said that the application for 23 four and five bed houses was on a 1.3 hectare site but because of the need to protect an area of green space, the site area was 0.9 hectares with no reduction in the number of dwellings. The proposal indicated that four dwellings would back onto Ffordd Hengoed and the result of the reduction in site area meant that more properties had been shoehorned in than the site could accommodate. Several changes for plot 23 had been made by the applicant but Councillor Guest felt that the best solution could be to delete the plot altogether. He suggested that a mix of dwellings across the site could achieve a better layout and would achieve space around dwellings guidelines. He raised concern that space around dwellings calculations had been taken from the original existing properties and not from any extensions that may have been erected. In referring to impact on the amenity of the existing residents, he asked that the application be refused. He commented on the considerable improvements on the access to the site following concerns raised and asked that consideration be given to protect the hedge on the eastern boundary of the site if the application was approved and that a condition be included to delete plot 23 from the proposal.

Councillor Chris Bithell said that he did not object to the principle of development of the site which was allocated in the UDP and was in the settlement boundary but he did feel that the proposal was an overdevelopment of the site. Due to constraints on the site to provide a green space, the site area had reduced but the number of properties had not. He referred to plot 23 which would have a significant impact on existing residents and would dominate properties on Ffordd Hengoed. He also had concerns about the access and egress and indicated that the Development Plans Panel had suggested that a straight road through the development would be better as the well used lane was very narrow. The Panel had also suggested that bollards be put on the lane so that it could be used by cyclists and walkers but not vehicles. He agreed that the 30mph speed limit on Ruthin Road could be extended.

Councillor Mike Peers said that he was not in favour of the application because of the layout of the site. He noted that the density of 21 dwellings per hectare was lower than the Council's guidance and suggested that a different mix of dwellings to include 1 and 2 bedroom properties would be better and would

provide a greater density. He raised concern that there was no affordable housing on the site and suggested that a different mix of dwellings would allow for the provision of affordable housing. He also asked where the nearest off site play provision was and queried what was meant by alternative planning provision.

In response to the comments made, the officer referred members to paragraph 7.25 where the issue of density was reported. Policy HSG8 advised that Category A settlements should be a minimum of 30 dwellings per hectare but individual circumstances could vary this. Due to the smaller site area and the constraints on the site, 21 dwellings per hectare was considered acceptable. The proposal met space around dwellings guidelines except on plot 23 to the rear extension of number 2 but as it was at an angle and the distances had been calculated from the original building, then it was acceptable. Plot 23 was also at an angle to number 4 so did not have a detrimental impact or loss of amenity for that property. The Senior Engineer - Highways Development Control confirmed that there were no objections from Highways subject to conditions. She also indicated that there was no reason to refuse the application on highway grounds.

On the request to condition the removal of plot 23, the officer said that officers considered the plot to be acceptable and reminded Members that they should consider the application before them.

The Development Manager said that a meeting had taken place with the Local Member and residents. He spoke of the conflicting issues that had been raised by Members, some suggesting a lower density and others that the proposal was overdevelopment of the site. He said that the applicable guidance should not mean that applications were considered as 'planning by numbers' and in commenting on the issue of whether it was overdevelopment of the site said that if the guidance was strictly applied then the site did meet the criteria; this would therefore make a refusal on this ground difficult to defend at appeal. On the mix of development, negotiations had taken place with the developer and it was felt that the proposals were appropriate for the site.

In summing up, Councillor Jones said that guidance had been considered but that implications on existing residents should also be taken into account. He felt that the application should be refused due to the overbearing impact on properties on Ffordd Hengoed and the non-compliance with separation distances of plot 23. He proposed refusal on the grounds of inadequate separation distances leading to an overbearing impact on properties in Ffordd Hengoed, which would be detrimental to residential amenity.

On being put to the vote, the proposal to refuse the application against officer recommendation was CARRIED.

**RESOLVED:**

That planning permission be refused on the grounds of inadequate separation distances leading to an overbearing impact on properties in Ffordd Hengoed, which would be detrimental to residential amenity.

190. **RETROSPECTIVE APPLICATION FOR THE ERECTION OF AUTOMATIC NUMBER PLATE RECOGNITION CAMERAS AT ENTRANCE/EXIT TO CONTROL THE LENGTH OF STAY IN CAR PARK AND VARIATION TO SECTION 106 AGREEMENT OF PLANNING PERMISSION REF: 026269 TO ALLOW THE ABOVE DEVELOPMENT AT ALDI FOODSTORE LIMITED, KING STREET, MOLD (051655)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report and explained that the original application had included a Section 106 obligation for monitoring of the car park through the use of a Patrol Officer and the provision of a £20,000 commuted sum. Two objections had been received but the officer recommendation was for approval.

Mr. C. Murphy spoke against the application on behalf of an objector who was unable to attend. He said that the Aldi car park management scheme and the use of cameras had been operating for many months without approval. He objected because the applicant was attempting to get rid of the transparent process and replace it with cameras. He felt that this would not be an improvement and that this scheme bore no resemblance to the original Section 106 agreement. Mr. Murphy said that the cameras did not monitor the use of the car park and did not assist users in finding car park spaces but captured the car registration numbers at the entrance. He felt that it created a lucrative revenue stream for the operator. He spoke of a similar scheme in Northumbria Health Authority which had been installed but had since been removed.

The Democracy & Governance Manager explained that neither the fact that the application was retrospective nor the arrangements at Northumbria Health Authority were relevant to the Committee's decision.

Councillor Derek Butler proposed refusal of the application, against officer recommendation, which was duly seconded. He said that this application was an abuse of the Section 106 agreement. He commented on the £20,000 as part of the original agreement and said that part of that application was that the car park should be able to be used for general parking and not just those who shopped at Aldi or visited McDonalds. He said that the signs that had been erected could not be read and the disabled bays had been removed. He did not think that there had been any mention of a time limit for parking in the original application. He felt that the application should be opposed on material grounds as it did not adequately reflect the needs of the people of Mold. He added that there had not been any evidence that there had been any gross abuse of parking in the car park and without any evidence he felt that the section 106 agreement could not be rewritten. Councillor Mike Peers felt that the 106 agreement originally in place was adequate and was operating well and should not be amended. He suggested that anybody that had been fined as a result of the cameras should be refunded as the cameras did not have planning permission.

Councillor Chris Bithell explained that the car park had originally been provided by Aldi for its customers at no charge and no fines were imposed but

this had led to abuse of the system and people had parked there all day for free. He felt that the main issue for consideration was the siting of the cameras and the poles. Shoppers were still able to park there for two hours. Councillor Gareth Roberts said that technology had advanced and that this was a fairer and safer system. Aldi needed to be able to control their car park and he felt that the application should be approved.

The officer said that the original agreement was for a Patrol officer to monitor stays in the car park but it was felt that cameras were now more appropriate. The cameras did not pose any visual impact and therefore the recommendation was for approval.

The Democracy & Governance Manager said that the issue for the Committee was the visual appearance of the cameras and he reiterated the fact that the application was retrospective, the withdrawal of a similar scheme by Northumbria Health Authority and fines already imposed were not relevant to their consideration.

Councillor Richard Lloyd suggested that if the application was approved, then the signage could be made larger. Councillor Richard Jones asked if the car park could still be used by general shoppers and the Development Manager advised that the original section 106 agreement allowed short term use by shoppers.

In summing up, Councillor Derek Butler said he was not aware of the two hour stipulation on the original Section 106 agreement. His objection to the application was because the signs were difficult to see and he was not aware whether they specified a maximum of two hours parking.

On being put to the vote, the proposal to refuse the application against officer recommendation was LOST.

Councillor Lloyd proposed approval with improved signage, which was duly seconded. Councillor Owen Thomas felt that the signs should be located at the entrance to the car park.

On being put to the vote, the proposal to approve the application was CARRIED.

**RESOLVED:**

That planning permission be granted with improved signage and subject to the conditions detailed in the report of the Head of Planning and subject to the applicant entering into a Section 106 obligation/unilateral undertaking to replace the Section 106 Agreement dated 28 September 1999 in respect of the car parking management. The new Section 106 agreement to omit those parts of the existing Section 106 that are specific to monitoring through the use of a Patrol Officer and the requirement of the £20,000 commuted sum as this has already been paid.



191. **FULL APPLICATION - ERECTION OF 41 NO. DWELLINGS, OPEN SPACE AND ACCESS WORKS AT OLD HALL ROAD/GREENHILL AVENUE, HAWARDEN (051613)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 12 May 2014. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and explained that the site was adjacent to the defined settlement boundary for Ewloe. Officers had been faced with a difficult decision on the application which was a departure from policy but on balance it was difficult to refuse the application. He drew Members' attention to the late observations where a summary of the 65 letters of objections were reported. A revision to condition 8 had also been suggested and an additional condition that a Construction Traffic Management Plan be submitted was also requested.

Mr. J. Dathan spoke against the application and said that he felt that it should be rejected because the site was outside the Unitary Development Plan (UDP). Since 2000, there had been 18.1% growth in the settlement of Ewloe and if this application was approved this figure would increase to nearer to 20%. He referred to the JHLA [*Joint Housing Land Availability*] statement which indicated that there was shortfall in the five year housing supply but said that if all of the developments that had permission were completed in Flintshire then the deficit would not exist. The land on the site had been described by DEFRA as good agricultural land in a study undertaken in 2013 and Mr. Dathan queried whether this was the best site for the application. He queried the affordability of, and the need for, the 14 five bedroomed houses and raised concern that the figure of only 17 pupils coming from the proposed 41 had been identified as he felt that this would be at least 100 pupils. He asked that the Committee refuse the application.

Mr. S. Goodwin, the agent for the applicant, spoke in support of the application. He said that the site had been previously allocated in the UDP which had been fully supported by the Inspector and had only been recommended for deletion because an agricultural land survey had not been undertaken using the correct guidance. This had now been carried out and the land had been graded as 3B and therefore had no protection which meant that the reason for its deletion had been overcome. The services and facilities in the area were adequate and the highway was suitable. He referred to the Council not having a five year housing supply and said that if the application was approved, this windfall site should assist in the shortfall in housing. Mr. Goodwin said that a condition that the site be started within two years had been suggested and added that there had been no objections from professional consultees even though there had been objections from other parties.

Councillor Alison Halford proposed refusal of the application against officer recommendation which was duly seconded. She referred to debates which had been held at the December 2013 and January 2014 Planning Committee meetings on an application at 37 Wood Lane, Hawarden, where the applicant had

to prove that the property was required for local need. It had been indicated that this was the only way that properties in the area could be built as the growth in the settlement of Ewloe had already exceeded 15% and Councillor Halford felt that this proposal for 41 dwellings was already known about when that application was determined. In referring to the shortfall in the five year housing supply, which she felt was a moveable feast, she said that this was not a suitable excuse to build outside the UDP. She quoted from the report to the Committee in January 2014 about policy HSG3 and reiterated earlier comments that the growth in the settlement had already reached 18.1%, which was in excess of the growth figure of 15% for the settlement and that any additional properties in the area should be for local need only. Councillor Halford felt that the needs of the residents should be considered and that this application in a busy road should be refused.

Councillor Mike Peers felt that there was one rule for developers and one rule for everyone else. He said that the application was not finely balanced as the site was outside the settlement boundary and should therefore not be permitted. He sought clarification on the wording in the statement about the five year housing supply and suggested the ward of Ewloe had already provided its share of properties and that this application to increase the growth to more than the current level of 18% was not acceptable. He referred to the application for 37 Wood Lane, Hawarden which had been granted permission for a property for local need but a charge of 30% had been put on the property which would be paid back to the Council if the dwelling was sold. He asked if a charge of 30% would also be put on these properties if the application was approved. He felt that the application should be refused on the grounds of it exceeding the growth figure of 15% and because the site was outside the settlement boundary.

Councillor Chris Bithell raised concern that the application was reported for approval against the UDP which had been approved by the Council and which residents of Flintshire would expect to mean something. He said that it was currently not in the plan and should not be considered as a fair site and he commented that many other sites had also been deleted from the plan due to their unsuitability. On the issue of the lack of a five year housing supply, he asked about the proposals which had already been granted permission but which had not been developed. The recommended growth figure for the Category A settlement was 15% and even before this application, the growth was already at 18.1% which Councillor Bithell felt was significant and he concurred that the application should be refused as the site was outside the settlement boundary.

The other Local Member, Councillor David Mackie, spoke against the recommendation and referred to issues which he felt had not been covered in the report. The main issue was the five year land supply and there were a number of ways to address this, particularly where development progresses faster than envisaged. He referred to dwellings proposed on the Northern Gateway site and other applications which had been approved and he felt that the five year supply had been met and therefore this development was not required, particularly as there were a number of similar sites to be considered. As he had earlier declared a personal and prejudicial interest in the application, the Democracy & Governance Manager advised that part of the dispensation from the Standards Committee was that Councillor Mackie now had to leave the meeting for the remainder of the debate.

Councillor Derek Butler felt that the issue of the five year land supply needed to be addressed and indicated that he had asked Councillor Aaron Shotton, the Leader of the Council to raise the issue with the Welsh Government. He felt that landbanking by developers needed to be addressed and said that the Council had five and a half years of permissions which would more than meet the land supply. This application was not for a windfall site and was not in the settlement boundary and he felt that it was premature to grant permission and that it should be considered as part of the Local Development Plan (LDP) process. Councillor Butler said that there was a need to prevent 'bolt-on' planning applications and in reiterating the comments about the Northern Gateway site said that there was no shortage of housing and that supply of houses was being held up by developers not commencing.

Councillor Gareth Roberts raised concern at the recommendation for approval of the application against Council policy and said that if it was granted then the implications for the area and Flintshire were horrendous. He commented on the calculation for the land supply and said that the Council had 13.6 years of sites at completion so for the Welsh Government (WG) to suggest that there were only 4.5 years of supply was incorrect and it meant that any application had to be considered for approval. He referred to the statements of the Minister for Housing and Regeneration in paragraph 7.21 about the need to increase the supply of housing and the objection from the local MP to the application.

In response to the comments made the officer said that:-

- the material consideration for the need for a five year land supply outweighed the fact that the site was outside the settlement boundary
- WG used the residual method to calculate land supply
- the growth rate for any settlement was for guidance and each application should be judged on its own merits
- a recent land classification survey had indicated that there was only a small area of 3A quality
- a traffic assessment had been undertaken and there were no fundamental highway concerns
- on paragraph 7.21 and the comments of the Minister and WG, the recent statement had endorsed the need to increase housing supply
- the application was finely balanced

The Planning Strategy Manager said that officers could not force developers to build on sites that had already been granted planning permission and added that there were sites that the Committee had taken too long to determine and which therefore should be further forward. The five year supply was not a moveable feast and he said that it defined how national policy could override the UDP. He had discussed the residual calculation method, which he felt was not working, with WG but until it was changed, the land supply figure would continue to be calculated in this way. He commented on TAN1 guidance which indicated that Councils must maintain a five year supply and were required to use the residual method. As the LDP was at least five years away then the authority would need to expedite planning on suitable sites. This site had been deemed to be suitable in 2003 and had been included in the UDP but had been

recommended for deletion by the UDP Inspector based on a concern about the possible loss of best and most versatile agricultural land. The Planning Strategy Manager said that no comments on what harm exceeding the growth figure would bring had been expressed and added that the Inspector had indicated that a 2% growth would not make a significant difference to a sustainable settlement. He disagreed that the site was a 'bolt-on' site and said that the site was infill and that even though Councillor Roberts had said that the implications for the area would be horrendous, he had not said what harm would be created by approving the application.

Councillor Richard Jones asked if there would be enough properties for a five year housing supply if all of the sites allocated in the UDP were developed and queried whether the applicants for this application owned any of those sites. In response, the Planning Strategy Manager said that the developer was not relevant but that the applicant did own other sites as did other developers. He commented on the rates at which developments were undertaken and said that if all sites allocated were developed, then this would result in more than the five year supply.

In response to a question from Councillor Peers about whether a charge of 30% would be put on these properties, the Planning Strategy Manager said that the context of the two applications could not be compared but that it was for Members to judge if the charge should apply on this application. He added that the Housing Strategy Manager had considered that the gifting of four units met the requirement of Policy HSG10 on affordable housing.

In summing up, Councillor Halford said that the site was not in the settlement boundary and that the Council's policies should not be ignored. She commented on the five year supply and concurred with Councillor Butler that determination of the application was premature and that it should be considered as part of the LDP process. She proposed that the application should be refused on the following grounds:-

1. the site lay outside the UDP settlement boundary and granting permission would be contrary to UDP policies
2. it would be premature to grant permission for the site rather than it being considered as part of the LDP process
3. permission would result in the loss of grade 3a agricultural land
4. there was an insufficient case to say that there was a deficit in the 5 year residential land supply in Flintshire
5. the housing growth level for Ewloe had already exceeded 15% and granting permission for the site would increase the growth rate to 19.8%.

Councillor Roberts requested a recorded vote but was not supported by the required number of Members. On being put to the vote, the proposal to refuse the application, against officer recommendation, for the reasons shown above was CARRIED.

**RESOLVED:**

That planning permission be refused for the following reasons:-

1. the site lay outside the UDP settlement boundary and granting permission would be contrary to UDP policies
2. it would be premature to grant permission for the site rather than it being considered as part of the LDP process
3. permission would result in the loss of grade 3a agricultural land
4. there was an insufficient case to say that there was a deficit in the 5 year residential land supply in Flintshire
5. the housing growth level for Ewloe had already exceeded 15% and granting permission for the site would increase the growth rate to 19.8%.

192. **FULL APPLICATION - ERECTION OF A NEW SCHOOL BUILDING INCLUDING PRIMARY SCHOOL, SECONDARY SCHOOL AND SPORTS HALL FACILITY, ASSOCIATED SITE RE-DEVELOPMENT INCLUDING NEW PEDESTRIAN AND VEHICULAR ACCESS AND PLAYING SURFACES AND DEMOLITION WORKS TO EXISTING HIGH SCHOOL BUILDING AT HOLYWELL HIGH SCHOOL, STRAND WALK, HOLYWELL (051719)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 12 May 2014. The usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report and explained that the new school would provide a combined through school for infants, junior and secondary school pupils. The proposed primary school would be single storey with the secondary school being three storey and a video of the proposals was displayed for the Committee and those present to view. He commented on the Scheduled Ancient Monuments which would be dealt with by CADW and added that all of the issues around the application had been considered extensively.

Mr. A. Green spoke in support of the scheme but he was disappointed that the area currently used by the community for activities such as dog walking was not being retained in the proposal. He said that the area was often used and was an important facility for the community and its removal would affect the wellbeing of the community. He suggested that an area be retained to allow walking and dog walking to continue.

Councillor Peter Curtis, the Local Member welcomed the application which would be one of the biggest investments in Holywell and the building would be for the children of the future. He said that some of the concerns raised had been addressed but others had not reached a satisfactory conclusion such as the loss of the playing field, which he hoped could be rectified. The traffic situation was also of great concern, particularly on Strand Walk and Penymaes Road. He requested that he be advised and consulted on any proposals to complete the works on the road, which he felt was dangerous. He sought a cast iron guarantee that the area where the current school sat would be used for sports facilities when the school was knocked down and not for housing. Councillor Curtis, having earlier declared an interest then left the meeting.

Councillor Gareth Roberts proposed the recommendation for approval which was duly seconded. He congratulated all who had been involved with the

application and welcomed the exciting scheme. He spoke of the three areas of concern which were the play area, the capacity at the school and the access to the site, all of which had been addressed.

Councillor Chris Bithell welcomed the comments made and said that the proposal would address a number of issues. He said that a 'walk-through' tour had been well received by Members, parents and teachers and had given a huge injection of confidence. In referring to paragraphs 7.32 to 7.34 on the community use, he was confident it would continue but said that as the safety of the children was paramount, free access into the school grounds should not be permitted and exercising dogs on the sports field was unacceptable. However, use of the facilities by local teams could continue. Councillor Mike Peers also welcomed the proposal but said that community involvement was important. He asked why the proposal appeared to only show solar panels on the roof of the high school area.

In response to the comments made, the officer said that the panels would be put onto the taller building to prevent any overshadowing from trees and what had been proposed exceeded BREEAM standards. On the issue of community involvement, the sport facilities would be available outside of school hours and would be managed. However there would be a period during the development process (September 2016 to February 2017) where the pitches would not be available for use by the school or the community. The teams that used the pitches had been made aware of the situation and had been advised that they would need to make alternative arrangements. The area referred to by Councillor Curtis where the school was currently positioned was to become an all weather pitch and would therefore not be used for housing. On the issue of dog walking, he concurred that access onto the school grounds could not be permitted but said that the site was surrounded by footpaths and woods and dog walkers would be encouraged to use the paths to exercise their dogs instead of using the school field. The proposal included a new footpath on part of Penymaes Road which would link with Abbots Way. A traffic impact assessment had considered all aspects and traffic calming was proposed near where the access would be created.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning.

193. **GENERAL MATTERS - APPEAL AGAINST NON-DETERMINATION OF FULL APPLICATION FOR THE CONSTRUCTION OF 13 NO. DETACHED HOUSES AND ASSOCIATED WORKS AT LAND TO THE REAR OF ROCK BANK, MAIN ROAD, NEW BRIGHTON (051424)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report along with matters of clarification were circulated at the meeting.

The officer detailed the background to the report. The application had been deferred at the Planning Committee held on 12 March 2014 to confirm

surface water drainage proposals to serve the proposed development, the implications for the development given the previous mining history on the site and in order to further assess the impact of the two storey development on occupiers of existing bungalows at Argoed View. The applicant had lodged an appeal on non-determination so the decision on the planning application would be made by the Planning Inspectorate and this report to Committee sought to establish the Authority's stance on the appeal. The officer recommended that the Planning Inspectorate be advised that the Council raise no objection to the development subject to conditions, an Unilateral Undertaking to ensure the payment of £1,100 per dwelling in lieu of on site play provision and a Section 106 Obligation to secure the payment of £36,771 for primary school places at Mynydd Isa primary School and £36,938 for secondary school places at Argoed High School (as reported in the late observations).

Mrs. J. Walters spoke against the application on behalf of the 27 residents who had signed a petition on the amended scheme but added that they were opposed to this application, but were not opposed to development of the site. The proposal was for three and four bedroomed houses on higher ground than the existing properties of which 70% were bungalows. No amount of screening would allow the residents to maintain their privacy and Mrs. Walters would be able to see numerous windows of the new dwellings from her property if approval was granted. She commented on an earlier layout for development on the site which was to be recommended for refusal due to space around dwellings guidelines not being complied with. Mrs. Walters said that the officer had since indicated that space around dwellings guidance had been relaxed for this development and there had been no insistence to build bungalows. The ridge height was to be four metres higher than the existing dwellings. A mining report which had been undertaken indicated that entry to a mine shaft was under the site and that building on plot 1 should be avoided but the applicant proposed to build on this plot. She also raised concern about surface water and the proposed access to the site which would be at the end of the dual carriageway. She added that the application was in contravention of the UDP and she asked the Committee to refuse the application.

Mr. S. Jones spoke in support of the application on behalf of the applicant. He reinforced the positive report of the Planning Officer. When the design decision was taken it was felt that the character of the development should reflect the two storey dwellings on the front of the site but account had also been taken of the properties on Argoed View which were mostly one or one point five storey bungalows. The issue had been discussed with the officer and the floor levels had been reduced and proposed dwellings moved within the layout but space around dwellings guidelines had been complied with. The other issues which had caused concern were drainage and mining. A pipe system had been designed and agreed with Welsh Water and Natural Resources Wales and conditions 6, 7, 8, 9 and 21 addressed the concerns. The developer had addressed the issue of mining and the Coal Authority had not raised any objections. He commended the report and asked the Committee not to raise any objection to the appeal.

Councillor Gareth Roberts proposed the recommendation that the Council raise no objection to the appeal; this was duly seconded. Councillor Roberts said that the concerns had been addressed. Councillor Chris Bithell concurred and said that there was a mixture of dwellings on the site which reflected surrounding

properties. There had been no issues on highway grounds and there was no basis to uphold any objection to the appeal.

The Local Member, Councillor Amanda Bragg, said that she was not against development but she had material concerns about this development. She quoted from an email sent in December 2013 which indicated that the two storey dwellings had a lesser distance to the border than was required in the Council's policy and the development would therefore be detrimental to the privacy and amenity of the existing dwellings. The ridge heights had not been reduced and the development would have a significant impact on the residents of Argoed View. The two storey dwellings would overshadow the existing properties and would overlook into the bungalows. She referred to a bungalow which had been approved on the neighbouring site in 2010 as it had not been overbearing and was not overdominant or contrary to amenity. Councillor Bragg felt that reducing the ridge heights would be more in line with the character of the area and she referred to TAN12 on the scale of developments compared to surrounding areas. She spoke of the Tree Canopy Report where it was reported that Tree Preservation Orders were in place, but this was not the case. She had contacted the Coal Authority who had confirmed that there was a mine entry under the proposed plot 1 and had indicated that it was likely there would be more mine entries in the area. She stated that properties on the main road could not get a mortgage because of subsidence and were sold for cash.

Councillor Ron Hampson said that the developer had made no attempt to reduce the ridge height and some of the properties were to be built over a mine shaft which could result in subsidence. He felt that the developer had not made any attempt to meet the demands and concerns of the residents and therefore the application should be refused.

Councillor Mike Peers sought clarification on the proposed plot over the mine shaft and asked if details of what the developer had originally proposed and what changes had been undertaken by the developer since then.

In response to the comments made, the officer said that:-

- the applicant had been aware of the concerns of residents about the ridge height on the common boundary with Argoed View. They had taken the comments on board and in plots 1 to 4 the garden depth had been significantly short of the requirements in the guidelines so the layout had been adapted accordingly.
- there was a mix of house types on the boundary
- he explained that it would not have been appropriate to insist on bungalows, but that would have been an option for the applicant and agent
- space around dwellings guidance related to where main habitable windows faced each other but in this instance, the guidance did not apply because the properties were at a 45 degree angle to the existing dwellings, but in any case the distances were far in excess of the requirements.
- it was recognised that there were two mine shafts (one at the access and one under plot 1) but there were no objections from the Coal Authority. The issue could be addressed by capping the mine shaft



- a proposal for piped surface water onto agricultural land had been identified and there had been no objections from Welsh Water to the proposal

In summing up, Councillor Gareth Roberts referred to ways that the issue of the mine shaft could be overcome which were by infilling or putting a concrete slab over it.

**RESOLVED:**

That the Planning Inspectorate be advised that the Council raise no objection to the development subject to the recommended conditions, an Unilateral Undertaking to ensure the payment of £1,100 per dwelling in lieu of on site play provision and a Section 106 Obligation to secure the payment of £36,771 for primary school places at Mynydd Isa primary School and £36,938 for secondary school places at Argoed High School (as reported in the late observations).

194. **FULL APPLICATION - ERECTION OF 54 NO. HOUSES AT 142 HIGH STREET, SALTNEY (051840)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 12 May 2014. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report which included four gifted properties and an area of public open space for a village green. A similar application for 58 units with 17 affordable homes had been granted in April 2013. He highlighted the late observations where the education contribution of £47,802.00 for St. Anthony's RC primary school was reported. On the issue of affordable housing, Councillor Richard Lloyd had requested that the four gifted properties not be split and remain in their original position which the Housing Strategy Manager found acceptable. The density of the site equated to 36 dwellings per hectare.

Mr. S. Jones spoke in support of the application. He welcomed the positive report and reiterated that an extant permission was in place and therefore the principle of development had been established. He commented on the suggestion that a second access to the site could be created through St. David's Retail Park but it was felt that this would create a rat run; he reminded the Committee that the extant permission had been granted with only one access. The number of dwellings had been reduced from 58 to 54 to allow the creation of an informal public open space to complement the play area. He commended the report to the Committee.

Councillor Richard Lloyd proposed the recommendation for approval which was duly seconded. He welcomed the proposal which would improve the central area of Saltney and would allow four families to be housed in the gifted properties. He preferred the gifted units to remain in their original position and not be split, as grouping them together would make future maintenance easier.

He sought clarification that tenants of the four gifted properties would not be permitted to buy the dwellings. He spoke of concern raised about access to the site and hoped that this could be resolved by Highways in the future. The village green would provide open space and the school would benefit from the educational contributions. He asked that the local history group be involved in the naming of streets on the site.

Councillor Chris Bithell felt that it was a good development. He raised concern about the affordable housing being grouped as it was normal practice to spread them across a development and sought clarification about paragraph 7.21 on the positioning of the dwellings.

The adjacent Ward Member, Councillor Veronica Gay, said that the proposal was welcomed by Saltney residents but raised concern about the extra pressure that the access would put on the high street. There were currently no restrictions on where vehicles could park and this created a problem as several properties in the area did not have off street parking. Problems would occur near Park Avenue which was almost opposite the access to the site and a high hedge and parked vehicles already reduced visibility when vehicles were turning left onto the high street. Buses had to cross the main carriageway and as the road served as an access to the A55 and Broughton Retail Park, it was extremely busy. Councillor Gay referred to the Highway Code, codes 221, 223 and 238 to 244, which she did not feel were being complied with and asked that stricter rules be enforced and yellow lines be provided. She felt that a full traffic management assessment was needed and suggested that a pedestrian crossing in addition to the one on Bridge Street be provided to make access to the two nearby schools safer.

Councillor Owen Thomas concurred that the gifted units should remain together and welcomed the suggestion for a further pedestrian crossing.

In response to the comments made, the officer provided details of where the gifted units would be situated based on the advice of the Housing Strategy Manager which was reported in paragraph 7.21 and said that the grouping meant that they would be delivered at the same time thus making the handover easier.

The Head of Planning said that the applicant could not be asked to provide a pedestrian crossing but he could write to Highways on behalf of the Committee to ask them to assess the need for a crossing.

In summing up, Councillor Richard Lloyd said that the positioning of a crossing was important and even though adding another crossing in the area could be difficult, the safety of the children was paramount. He reiterated his comments that plots 47 to 50 not be split.

### **RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning and subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking to provide the following:-

- (a) payment of £47,802 towards educational provision/improvements at St. Anthony's RC primary school. The timing of such payment to be agreed with the Director of Lifelong Learning
- (b) Payment of a 10 year maintenance commuted sum to be agreed by the Public Open Spaces Manager
- (c) The provision of 4 no. homes (Plots 47,48, 49, 50) to be presented to the Council as gifted units and allocated in accordance with the local lettings policy.

195. **LISTED BUILDING & FULL APPLICATION - RESIDENTIAL DEVELOPMENT OF 47 NO UNITS INCLUDING PART DEMOLITION OF EXISTING MODERN BUILDINGS, CONVERSION OF RETAINED MODERN BUILDINGS INTO 8 NO. THREE BEDROOM TOWN HOUSES, CONVERSION OF LISTED BUILDINGS INTO 1 NO FOUR BEDROOMED DETACHED HOUSE (CHAPEL) AND 26 NO APARTMENTS (7 NO ONE BED AND 16 NO TWO BED) AND ERECTION OF 12 NO THREE BEDROOM TERRACED HOUSES AT LLUESTY HOSPITAL, OLD CHESTER ROAD, HOLYWELL (051727 & 051728)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 12 May 2014. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and explained that for ease of reference, application 051727 for planning permission would be presented, debated and voted upon first and then the listed building application (051728) would be considered.

**051727**

The officer explained that the site was an allocated site in the Unitary Development Plan and he indicated that the red brick building on the site was not part of this application. No objections had been received from statutory consultees but one objection had been received following third party consultation. He explained that ordinarily, an application of this nature would attract a section 106 obligation for community benefits but the site had been the subject of a detailed viability study and it had been resolved that if the normal request was undertaken, then the scheme would cease to be viable. The issue of education places had been considered in the report but the provision of a new school in Holywell had superseded the comments provided. The officer drew Members attention to the late observations where a time limit for commencement within two years was proposed.

Councillor Chris Bithell proposed the recommendation for approval which was duly seconded. He spoke of the wonderful old building and commended the architect and officers for their work on the application. He concurred that applying a section 106 obligation to the scheme would make it unviable and welcomed the scheme for future generations.

Councillor Gareth Roberts commented on the worthwhile site visit and said that the scheme was a culmination of a few years of hard work and paid tribute to the Planning Officer and Senior Engineer - Highways Development Control. He said that the open area to the south of the site would remain and in speaking on the access and egress, said that improvements to the inadequate junction could be considered when an application for the other part of the site was submitted.

Councillor Owen Thomas commented on the magnificent building and welcomed the building being brought back into use. Councillor Richard Jones requested that investigations into any asbestos on the site be carried out. Following Councillor Bithell's agreement to include this in his proposal, the Development Manager confirmed that it would be considered when dealing with other contaminants on the site.

The Planning Strategy Manager referred to the late observations and explained that the additional condition requiring the submission and agreement of a phasing plan for the development would include the renovation of the Listed Building prior to occupation of the new building. He also introduced Jerry Spencer, the Conservation and Design Officer, to the Committee and commented on his input into consideration of the application.

051728

The officer explained that the Listed Building Consent recommendation would require a number of additional conditions to ensure that the required level of detail was secured to safeguard the integrity of the listed building. It was requested that the formation, scope and nature of such conditions be delegated to the Head of Planning and that documentation on the listed building application be submitted to CADW. The scheme had been the subject of a heritage statement and officers were satisfied that the proposal did not damage the integrity of the listed building and would bring the building back into use.

**RESOLVED:**

051727

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning, the two additional conditions referred to in the late observations and a two year time limit for commencement of the development.

051728

That listed building consent be granted and that delegated authority be given to the Head of Planning for the formation, scope and nature of such conditions and that the documentation be submitted to CADW.

196. **RETROSPECTIVE APPLICATION TO RETAIN TIMBER STABLING AND STORAGE, ADDITIONAL STOREROOM AND HARDSTANDING AT 25 RHYDDYN HILL, CAERGWRLE (051753)**

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 12 May 2014. The

usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report and explained that the application was retrospective and it was considered that the works undertaken were acceptable in terms of the principle of development and the impacts of the proposed development on the character of the area and the amenities of nearby residential properties.

Mrs. D. Woolrich spoke against the application. She commented on the impact of the proposal on the residents and spoke of the lights, music and CCTV which had now been included on the development and said that the site was very intrusive to the residents at numbers 27 to 47. Mrs. Woolrich referred to the site history and highlighted the first application for a 40 metre by 20 metre riding area with six stables for private use, which it was felt was excessive for private use. The hardstanding area had not originally been requested or agreed to, but had since been put in place and the gate to the site had been changed to a large security gate. Mrs. Woolrich requested that the application be refused.

Councillor Carolyn Thomas proposed refusal of the application, against officer recommendation, which was duly seconded. Councillor Carolyn Thomas felt that the field should be put back to what it was originally with the hardstanding being removed and replaced with grass. Councillor Christine Jones concurred that there should be no hardstanding in the field.

The Local Member, Councillor Tim Newhouse, spoke against the application. He explained that he had met with the applicant in 2011 and had indicated that he had no objection to the application as long as no hardstanding was laid and that natural screening was offered by the applicant in a straight line back from the boundary between numbers 25 and 27. At the Planning Committee meeting in December 2011, a speaker for the applicant said that the site would be properly maintained and that screening would be offered and as a result of this, the application was approved by the Committee. However, in April 2012, hardstanding was dumped on the site which was contrary to the permission that had been granted and since then, the applicant had submitted and withdrawn numerous planning applications to prevent her having to restore the site. Councillor Newhouse felt that if there was to be any hardstanding on the site it should be grasscrete and should not extend beyond the straight line back from the boundary between numbers 25 and 27. He felt that the applicant should comply with the permission granted and should maintain the site and provide screening as suggested in December 2011.

Councillor Derek Butler raised significant concern that the applicant could be granted permission and then fail to comply with what had been approved. He felt that the proposal should be thrown straight out and in highlighting paragraph 7.13 said that the application must be refused and the applicant be asked to comply with the original approval.

Councillor Owen Thomas felt that the extension to the stables was difficult to see and therefore did not impact on any of the neighbours. He suggested that the hardcore area was a turning space and had been installed for safety reasons.

He said that the area was not unsightly and could be conditioned to apply topsoil and reseed the area and therefore not refuse the application.

Councillor Mike Peers expressed his amazement at what had been undertaken at the site, contrary to the planning approval that had been granted. He applauded the Local Member for his investigations and agreed that the application should be refused and returned to what had originally been permitted.

The officer said that the application was not necessarily wrong just because it was retrospective. Negotiations had been undertaken to reduce the size of the hardstanding and a condition that grasscrete be used could be imposed if Members were minded to approve the application. The Development Manager reiterated that negotiations had taken place with the applicant which included discussions on conditions. The hardstanding on site exceeded what was required and discussions had also taken place about the turning circle to establish what was necessary.

Councillor Carolyn Thomas reiterated her earlier comment that the hardstanding should be removed and the screening put in line with the boundary between numbers 25 and 27 as approved in the original application. She added that she felt that the application was overdevelopment of the land and not in compliance with the planning permission that had been granted. She also referred to the earlier comment from the third party speaker that there were lights on the site. The officer explained that the plan before the Committee showed what the reduction would be if this application was approved. He added that lights on the site had not been part of the original application and that an application would have to be submitted if they were to remain on the site as the lights were currently unauthorised.

Councillor Mike Peers suggested that the application before the committee be refused and the applicant be asked to submit a new application. The Development Manager sought clarification from the committee that the reason for refusal was that the area of hardstanding was not reasonably required in connection with the authorised use of the land and building.

**RESOLVED:**

That planning permission be refused due to the area of hardstanding going beyond what is reasonably required in connection with authorised use of the land and the building.

197. **FULL APPLICATION - APPLICATION FOR THE SITING OF A WIND TURBINE AT ORSEDD FARM, GORSEDD, HOLYWELL (051315)**

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and explained that the application had been deferred at the 11 December 2013 meeting pending comments from Natural Resources Wales and the Ecologist with regards to

potential impact on bats and birds. No objections had been received from CADW, Natural Resources Wales or Clwyd Powys Archaeological Trust but Whitford Community Council had objected to the initial scheme due to a number of concerns about the siting of the turbine. Their observations on the amended scheme were reported in the late observations.

Councillor Gareth Roberts proposed the recommendation for approval which was duly seconded.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning.

198. **APPEAL DECISION FOR GABION WALLS AND CONCRETE POST AND BASE PANEL FENCE WITH WOODEN BOARD AT CWM Y GRAIG, RHEWL - ALLOWED (050154)**

**RESOLVED:**

That the decision of the Inspector to allow this appeal be noted.

199. **APPEAL BY MR. M. ROONEY AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE USE OF LAND FOR THE STATIONING OF CARAVANS FOR THE RESIDENTIAL PURPOSE FOR 5 NO. GYPSY PITCHES TOGETHER WITH THE FORMATION OF ADDITIONAL HARDSTANDING AND UTILITY/DAYROOMS ANCIALLY TO THAT USE AND RETAINING EXISTING STABLES AT EWLOE BARN WOOD, MAGAZINE LANE, EWLOE - ALLOWED (050463)**

The Head of Planning advised that this appeal would be considered in detail at a future meeting of the Planning Strategy Group.

Councillor Gareth Roberts raised concern about the decision of the Inspector to allow a development in the green barrier. Councillor Chris Bithell concurred and commented on the survey of Gypsy and Traveller needs undertaken by Bangor University. He said that only Flintshire, Wrexham and Gwynedd Councils had provided pitches for Gypsy and Travellers and it seemed that the other authorities had no intension of allowing such developments. He suggested that a workshop or training session be undertaken.

**RESOLVED:**

That the decision of the Inspector to allow this appeal be noted.

200. **APPEAL BY MR. J. WOODCOCK AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE CHANGE OF USE FROM AGRICULTURAL TO CARAVAN PARK WITH 27 SPACES INCLUDING THE CONVERSION OF SHED INTO CAMPSITE ND FISHING FACILITIES, CONVERSION OF BARN INTO SITE MANAGERS DWELLING, FORMATION OF AN ACCESS, CONSTRUCTION OF FISHING**

**POOLS, PARKING AND ANCILLARY WORKS AT STAMFORD WAY FARM,  
STAMFORD WAY, EWLOE - DISMISSED (050839)**

The Head of Planning advised that this appeal would be considered in detail at a future meeting of the Planning Strategy Group.

**RESOLVED:**

That the decision of the Inspector to dismiss this appeal be noted.

201. **MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were 81 members of the public and 2 members of the press in attendance.

(The meeting started at 1.00 pm and ended at 5.25 pm)

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**Chairman**