

# Public Document Pack

**Gareth Owens LL.B Barrister/Bargyfreithiwr**  
Chief Officer (Governance)  
Prif Swyddog (Llywodraethu)



To: Cllr David Wisinger (Chairman)

CS/NG

Councillors: Marion Bateman, Chris Bithell,  
Derek Butler, David Cox, Ian Dunbar, Carol Ellis,  
David Evans, Alison Halford, Ray Hughes,  
Christine Jones, Richard Jones, Richard Lloyd,  
Mike Lowe, Nancy Matthews, Billy Mullin,  
Mike Peers, Neville Phillips, Gareth Roberts,  
David Roney and Owen Thomas

7 October 2015

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Dear Sir / Madam

A meeting of the **PLANNING & DEVELOPMENT CONTROL COMMITTEE** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 14TH OCTOBER, 2015** at **1.00 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

## **A G E N D A**

1 **APOLOGIES**

2 **DECLARATIONS OF INTEREST**

3 **LATE OBSERVATIONS**

4 **MINUTES** (Pages 5 - 24)

To confirm as a correct record the minutes of the meeting held on 9<sup>th</sup> September 2015.

5 **ITEMS TO BE DEFERRED**

6 **REPORTS OF CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

The report of the Chief Officer (Planning and Environment) is enclosed.

**REPORT OF CHIEF OFFICER (PLANNING AND ENVIRONMENT)**  
**TO PLANNING AND DEVELOPMENT CONTROL COMMITTEE ON**  
**14<sup>TH</sup> OCTOBER 2015**

Item No	File Reference	DESCRIPTION
<b><u>Applications reported for determination (A=reported for approval, R=reported for refusal)</u></b>		
6.1	052180	052180 - A - Full Application - Strategic Flood Alleviation Scheme for the Town of Mold (Pages 25 - 48)
6.2	054095	054095 - A - Full Application - Proposed New Vehicular Access to Serve Plot 5 Only of Previously Consented Gypsy Site at Ewloe Barn Wood, Magazine Lane, Ewloe (Pages 49 - 56)
6.3	054096	054096 - A - Full Application - Erection of Day Room/Amenity Building on Plot 5 in Lieu of Previously Approved Day Room as Approved by Permission 050463 at Ewloe Barn Wood, Magazine Lane, Ewloe (Pages 57 - 62)
6.4	052329	052329 - A - Full Application - Change of Use from Shop to 2 No. Residential Units at Deespeed Motor Factors, 100-102 Chester Road East, Shotton (Pages 63 - 70)
6.5	053545	053545 - A - Full Application - Erection of Detached Garage and Formation of Access at 13 Bron Haul, Trelawnyd (Pages 71 - 76)
6.6	053468	053468 - A - Full Application - Conversion of the Former Church to Create 3 No. Dwellings, Demolition of the Church Hall and Construction of 3 No. Dwellings at St. David's Church, Chester Road, Oakenholt (Pages 77 - 88)
6.7	053534	053534 - A - Full Application - Erection of a Pair of Semi Detached Bungalows at Heatherdene, Vicarage Road, Rhydymwyn (Pages 89 - 98)
6.8	054139	054139 - A - Full Application - Proposed External Insulation and Render at Richard Heights, Holywell Road, Flint (Pages 99 - 104)
6.9	054140	054140 - A - Full Application - Proposed Insulated Render and Installation of New Windows at Bolingbroke Heights, Flint (Pages 105 - 110)
6.10	054141	054141 - A - Full Application - Proposed Insulated Render and Installation New Windows at Castle Heights, Chapel Street, Flint (Pages 111 - 116)
6.11	053208	053208 - General Matters - Erection of 59 Dwellings, Open Space, Access and Associated Infrastructure at Issa Farm, Mynydd Isa (Pages 117 - 118)



## **PLANNING AND DEVELOPMENT CONTROL COMMITTEE** **9 SEPTEMBER 2015**

Minutes of the meeting of the Planning and Development Control Committee of the Flintshire County Council held at County Hall, Mold on Wednesday, 9 September 2015

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

Councillors: Marion Bateman, Derek Butler, David Cox, Ian Dunbar, Carol Ellis, David Evans, Alison Halford, Ray Hughes, Richard Jones, Richard Lloyd, Mike Peers, Neville Phillips, Gareth Roberts and David Roney

### **SUBSTITUTIONS:**

Councillor: Ron Hampson for Christine Jones and Jim Falshaw for Owen Thomas

### **ALSO PRESENT:**

The following Councillor attended as local Members:-

Councillor Hilary McGill - agenda item 6.1.

The following Councillors attended as observers:

Councillor Christine Jones

### **APOLOGIES:**

Councillors: Chris Bithell, Mike Lowe and Billy Mullin

### **IN ATTENDANCE:**

Chief Officer (Planning and Environment), Development Manager, Planning Strategy Manager, Interim Team Leader Policy, Senior Engineer - Highways Development Control, Team Leader, Senior Planners, Senior Minerals and Waste Officer, Planning Support Officer, Housing & Planning Solicitor and Committee Officer

## **51. DECLARATIONS OF INTEREST**

Councillor Ray Hughes declared a personal and prejudicial interest in the following application as he was a School Governor:-

**Agenda item 6.3 – Outline application - Erection of 19 dwellings at Ty Carreg, Stryt Isa, Hope (053445)**

Councillor Derek Butler declared a personal interest in the following application because he was on the board of the Area of Outstanding Natural Beauty:-

**Agenda item 6.7 – Full application – Change of use from agricultural storage area to residential and erection of 1 no. dwelling at Ffordd y Waen, Nannerch (053293)**

**52. LATE OBSERVATIONS**

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

**53. MINUTES**

The draft minutes of the meetings of the Committee held on 24<sup>th</sup> June 2015 and 22<sup>nd</sup> July 2015 had been circulated to Members with the agenda.

**RESOLVED:**

That the minutes be approved as a correct record and signed by the Chairman.

**54. ITEMS TO BE DEFERRED**

The Chief Officer (Planning and Environment) advised that none of the items on the agenda were recommended for deferral by officers.

**55. FULL APPLICATION – ERECTION OF 59 DWELLINGS, OPEN SPACE, ACCESS AND ASSOCIATED INFRASTRUCTURE AT ISSA FARM, MYNYDD ISA (053208)**

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application which had been the subject of a site visit on 7 September 2015. 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 submitted to Committee for determination due to the size of the development, the requirement for a Section 106 Agreement and Local Member request. The site was outside, but adjacent to, the settlement boundary for Mynydd Isa and had previously been allocated by the Council for residential use during the Unitary Development Plan (UDP) process and therefore the principle of development had been accepted. However, the UDP Inspector, having considered the site's location, shape, landscape and the surrounding topography, and incursion into the rural area, de-allocated the site. The application had therefore been advertised as a departure from the UDP policy. However, it was considered that the absence of a five year land supply was a material consideration which outweighed the fact that the development was not within the settlement boundary.

Observations had been made by 'Flintshire Land Use Needs Care' and a number of objections had been received from individual objectors and 'Bryn Residents Against New Development' (BRAND), along with a petition of 209 signatures. Five letters of support for the proposal had also been received. The officer provided details of the location of the site and advised that the site would be accessed from Llys Gwynant via Parc Issa from Bryn Road with a

proposed pedestrian/cycle way connecting the site with Llys y Graig. The proposal consisted of two, three and four bed properties and the site would include 30% affordable homes which totalled 18 two and three bed properties. The planning history was detailed in the report which explained that the UDP Inspector had de-allocated the site but had not extended the green barrier to include this site. At the time of the UDP inquiry, an allocation at Rose Lane, Mynydd Isa along with other completions and commitments gave Mynydd Isa a 6% growth rate but the site at Rose Lane had not yet come forward and was the subject of an appeal. The issue of drainage and highways that had been considered by the UDP Inspector were also reported.

Mynydd Isa, as a Category B settlement, had an indicative growth band of 8 to 15% over the plan period but as at April 2014 the settlement had a theoretical growth rate of 7.2%. If the Rose Lane application did not come forward this would result in a growth rate of 4.3% for the area based on completions and a small number of commitments. The latest published Housing Land Supply for Flintshire showed a 3.7 year land supply using the residual method and it was unlikely that the Council would be able to demonstrate a five year land supply until the Local Development Plan (LDP) was adopted. It was reported that Technical Advice Note (TAN) 1 stated that considerable weight should be given to applications that complied with the development plan and national planning policies where the current land supply was below the five year requirement and therefore this had been considered in the determination of the application. Details of the growth rate for Mynydd Isa and other category B settlements were reported and the officer explained that the Council had developed a Developer Guidance Note due to the current land supply situation and the timeframe for the UDP Housing strategy and this application had been assessed in line with that guidance note, which it had met. The agricultural land was Grade 3b and therefore did not need to be protected and on the issue of highways, BRAND had carried out a survey and the outcome from this was reported. Highways colleagues had been consulted as part of the determination of the application and they did not consider the proposal to cause a problem on the network.

An independent landscape architect had been consulted on the application and she had considered that the approach taken by the Council was acceptable and followed current guidance. It was also considered that the proposed planting to the site boundaries would mitigate any potential views of the site from the north and east. No objections had been received from Welsh Water and work was to be undertaken on the pumping station which would take five months to complete and would be secured by condition. Surface water was to be dealt with by a sustainable drainage system. Consideration of affordable housing and open space had been undertaken and were detailed in the report. The application was considered to be sustainable and therefore the recommendation was for approval with conditions which included a two year time limit and a Section 106 obligation, as detailed in the report.

Mr. R. Madders spoke against the application as secretary of BRAND. He felt that the drainage system in the area could not cope with any additional

dwellings and said that the schools in the area were full. He raised concern that the application, which was a departure from policy, was being recommended for approval. He felt that the lack of five year housing supply was not a reason to accept the application and he spoke about other sites owned by the applicant which had been approved but had not been developed. Mr. Madders commented on the issue of noise that would be faced by the existing residents in the area during construction of the site. He also expressed concern that approval of the application would be contrary to the UDP which was the current plan in place and had been accepted by Members. He said that the application should be refused.

Mr. D. Jenkins of Argoed Community Council spoke against the application. He said that the greenfield site was protected in the UDP and reiterated the comments that the schools were oversubscribed. The proposal would result in a considerable increase in traffic which would include construction traffic and this would add to the poor state of the roads in the area and could lead to the sewer collapsing. He referred to the provision of a play area which was included as part of the Section 106 agreement and queried whether this could be used by all children in Argoed or whether it was solely for the use of children from the development. On the issue of affordable housing, he felt that there should be a specific number of properties on each development and that they should be built and sold at cost without any profit to third parties. He also felt that they should be a range of two, three and four bed properties to be interspersed across the development. Mr. Jenkins also felt that the proposal was not specific about a requirement to employ local contractors or labourers.

Mr. M. Waite, the applicant, spoke in support of the application. He explained that the application process had commenced in January 2015 and pre-application discussions had also taken place. Bloor Homes had built many properties in Buckley and Broughton and if the application was approved, it was their intention to bring forward the site as soon as possible. He endorsed the report submitted by the officer and concurred that the site had initially been included in the UDP but had been deleted by the Inspector. The applicant had originally consulted on an application for 67 dwellings and had received a number of responses and following the consultation had reduced the proposal to 59 dwellings. He welcomed the comments of the independent landscape consultant that the development could be achieved. Neither Welsh Water nor Highways had any objections to the application which would include the provision of 18 affordable dwellings, contributions towards schools in the area and the provision of a play area.

Councillor Alison Halford proposed refusal of the application, against officer recommendation, which was duly seconded. She congratulated the officer for her excellent report but added that she felt that she had come to the wrong conclusion. The site was a departure from the UDP, was outside of the settlement boundary and was in the green belt and no consideration had been given to the impact on the character of the open countryside. In referring to the weight that should be given to planning policy and the UDP, Councillor Halford felt that the application did not comply and even though she was not



against dwellings being built in the area, she did not feel that they should be on a green field site. She spoke of the comments of the Welsh Minister in June 2014 about the need for housing in Wales and she suggested that no piece of land was safe from development. She felt that the Committee should adhere to the Council's policies and refuse the application.

In referring to the lack of a five year housing land supply, Councillor Gareth Roberts commented on the last item on this agenda which was an appeal for one dwelling which had been refused by Committee and the appeal had been dismissed. He quoted from the report about the Inspector not feeling that the lack of a five year land supply justified setting aside the UDP spatial distribution of growth. He also referred to an appeal on an application in Northop Hall and to a report submitted to the Council's Planning Strategy Group which indicated that Welsh Government owned a site in Buckley but had not brought it forward for development. In conclusion, Councillor Roberts felt that the Committee was justified in refusing the application and that in his view if the applicant appealed the decision, costs would not be awarded against the Council.

Councillor Hilary McGuill, who was speaking as Local Member, in the absence of Local Member Councillor Amanda Bragg, spoke against the application. She said that the site was outside the settlement boundary, was in the green belt and was a clear departure from the UDP. She explained that in 2007, residents had fought hard to have the site removed from the UDP and she referred to the comments of the UDP Inspector that she found the site to be poorly related to the existing pattern of development and was an incursion into the rural area. Councillor McGuill spoke of policies HSG1 and HSG4 which permitted dwellings in such an area for farm or forestry workers only and commented on GEN3 which related specifically to the protection of the countryside. The proposed site would have a single access and would cause a detrimental impact on existing residents with a minimum of 59 extra vehicle movements each day. Bryn Road had been a cause for concern for a number of years and even though the speed limit had been reduced to 30mph there had still been a number of accidents in the area. Councillor McGuill said that Bloor Homes had indicated that there had only been two accidents in five years but she had been advised that there had been five recorded accidents. The road was already congested due to Bryn Road being where the Argoed High School was situated. Councillor McGuill said that Bloor Homes had indicated that the site was in Mynydd Isa but it was in Bryn y Baal and concern had been raised that the proposal would cause the villages to merge and would result in Bryn y Baal losing its identity.

Councillor Derek Butler felt that the main issues for consideration were the Inspector's decision to remove the site from the UDP and the Council's lack of a five year housing supply. He commented on the problem of developers land-banking and said that a large number of properties had been built in the early years of the plan. He concurred that it was a departure from policy and spoke of the weight that had been given to the lack of five year land supply. The appeal that Councillor Roberts had referred to had been for one property which would only make a minimal contribution to meeting the shortfall

but this application was for 59 properties which was significant. Mynydd Isa was well below the growth rate for a Category B settlement, having achieved less than half of its proposed growth for the plan period, and he queried where housing land would come from if applications such as this were refused.

In referring to the lack of five year housing land supply, Councillor Richard Jones queried whether approval of applications which did not comply with policy could be justified. He felt that policies should be adhered to and concurred with the comments of Councillor Roberts on the appeal decision included in this agenda. It was reported that Mynydd Isa was a large settlement which was close to Buckley but he felt that Buckley did not have the appropriate infrastructure and that approval of this application should not be permitted, which would take into account the views of local people.

Councillor Mike Peers concurred that the site was outside the settlement boundary and sought clarification on the weight attached to the lack of five year supply to recommend approval of the application against policy. He commented on the growth rate in the area which was currently 4% and suggested that the area would need to take its share of growth and he referred to a site in Drury which was a greenfield site which had been approved by an appeal Inspector for 51 dwellings. In referring to the UDP, he said that one of the principles was that the Council had a five year supply and suggested that this was as a result of developers not developing sites. He spoke of the balance between refusing the application as it was contrary to the UDP or approving it because of the lack of a five year housing land supply. He felt that if the application was permitted, any piece of land could be put forward for development. Councillor Neville Phillips concurred and said that the LDP would not be adopted until 2017 and therefore the Committee could face another two years of defending applications that Members felt were inappropriate but were reported for approval because of the reduced land supply. He agreed that policy should be adhered to and therefore the application should be refused. Councillor Jim Falshaw spoke of land-banking undertaken by developers and suggested that a condition should be included in recommendations of how long developers could retain land without developing it; he suggested that the figure for banked land currently stood at 6.5 years supply.

Councillor Carol Ellis felt that the policy needed to be changed by Welsh Government to prevent land being banked and spoke of the growth rate of 16% in Buckley for the plan period. There were a large number of houses in the area and she regularly received complaints from residents about the number of dwellings but the lack of infrastructure to serve the area. Councillor Ellis spoke of the successful bid to obtain funding for a footpath to the Argoed School and suggested that approval of the proposal would put additional pressure on adjoining towns such as Buckley.

In response, the Planning Strategy Manager said that national planning policy outweighed local planning policy and even if Welsh Government changed the policy in the future, it would not apply when considering this application. A recent change had meant that only the residual method of

calculating land supply could be used which resulted in Flintshire having a 3.7 year land supply and he added that where there was a lack of a five year supply TAN1 was a significant factor in that it contained a shift to a presumption in favour of sustainable development. He referred to the comments of BRAND that the housing could be built elsewhere but he queried where that would be as other areas had more than achieved their predicted growth rate. He provided details of the percentage rates achieved which were between 16 and 27%; Mynydd Isa had so far contributed 3.5%. He spoke of the comments by Councillor Roberts on the appeal decision by the Inspector but he said that as that application was only for one dwelling, it could not be compared to this proposal. He also referred to an application in Ewloe for 49 dwellings outside the settlement boundary which the Inspector approved on appeal because of the lack of five year housing supply. The Planning Strategy Manager added that there had not been any objections from statutory consultees and Members had not given any reasons why the proposal was not sustainable. Therefore there was no reason to refuse the application and there was a likelihood of costs being awarded against the Authority on appeal. He added that the land was not in the green barrier as had been indicated earlier but it was outside the settlement boundary.

In summing up, Councillor Halford said that the decision was finely balanced and agreed that Argoed needed a play area but suggested that if one was provided, it would not be adopted by the Council and therefore the residents would have to pay to maintain it. She commented on the growth rate in Ewloe which was greater than in Flint or Holywell. She spoke of the appeal decision referred to by the Planning Strategy Manager for 41 dwellings in Ewloe and said that she did not care if costs were awarded against the Council if refusal of this application went to appeal. She clarified the reasons for refusal which were:-

- Departure from the UDP
- Outside the settlement boundary
- In the green belt
- Did not comply with policies GEN3 and HSG3
- The need of residents not being addressed
- Duty to protect planning policy

The Housing & Planning Solicitor advised that the site was not in the green barrier. Councillor Halford agreed to remove this as a reason for refusal.

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

In response to a comment from the applicant that he did know why the application had been refused, the Chairman advised him to speak to officers following the meeting.

## **RESOLVED:**

That the application be refused for the following reasons:-

- Departure from the UDP
- Outside the settlement boundary
- Did not comply with policies GEN3 and HSG3
- The need of residents not being addressed
- Duty to protect planning policy.

**56. EXTENSION OF THE EXISTING WASTE MANAGEMENT SITE TOGETHER WITH THE RETENTION OF A NEW WASTE TRANSFER BUILDING AND ERECTION OF PRODUCT STORAGE BAYS, RETENTION OF A NEW WEIGHBRIDGE AND RETENTION OF A BUILDING TO PROVIDE OFFICE ACCOMMODATION AT FLINTSHIRE WASTE MANAGEMENT, EWLOE BARN INDUSTRIAL ESTATE, MOLD ROAD, EWLOE (052359)**

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application which had been the subject of a site visit on 7 September 2015. 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 Senior Minerals and Waste Officer detailed the background to the report and explained that the site was within a well-established industrial estate in the Buckley Mountain ward. She provided details of the location of the site and explained that the remainder of the industrial estate was in the ownership of other land owners. The site was located close to the boundaries of the Buckley Claypits and Commons Special Scientific Interest (SSSI) and Deeside and Buckley Newt Sites Special Area of Conservation (SAC). A number of late observations were reported which included objections from two local residents and an officer comment that an additional condition regarding drainage should be included. Concerns had been raised about dust and noise levels as a result of the proposal and also about the retrospective nature of the application. The officer reminded Members about Technical Advice Note (TAN) 9 and the obligation by the Local Authority to regularise the planning situation on the site. A main issue for consideration was whether the proposal was an acceptable use of the land and the officer had concluded that it was, subject to conditions. The existing waste management facility was allocated in the Unitary Development Plan under policy EM3. The proposal included land to the south of the existing industrial estate outside the allocation. The expansion of allocated sites is supported by policy EM5 subject to a number of detailed tests. The site would require a permit from Natural Resources Wales as regulator for issues such as dust and noise pollution and conditions attached to an approval of the application were reported.

The officer explained that the transfer building extended above the tree line and a condition to paint the building in green to blend in with the trees was included. Concerns had been raised by local residents and Buckley Town

Council about the access to the site but the officer advised that the access was private and onto the A494 which was a trunk road. The Trunk Road Agency had been consulted on the application and they did not have any objections but had requested a number of conditions including restricting the number of vehicles that could access the site to 104 and the provision of a wheel wash facility. Conditions relating to ecology had also been included in the recommendation to secure the implementation of proposed mitigation and to ensure the necessary detail was submitted. Additional landscaping was also to be provided and no objections had been received from statutory consultees on the issue of ecology. The late observations included the suggestion of an additional condition on drainage. The officer explained that part of the site had previously been used for landfill and a land investigation had been undertaken in support of the application and NRW had requested a condition to ensure that contaminated land was adequately addressed. In conclusion, the officer said that the proposal would enable waste to be managed sustainably and the proposal complied with TAN21.

Mr. J. Williams, the agent for the applicant, spoke in support of the application, which he felt complied with the Unitary Development Plan (UDP). He said that the proposal to extend the existing waste management facility would create 12 new jobs and would allow sustainable waste management which would increase recycling rates. The nearest houses were 200 metres away and it was felt that the impact on these properties was negligible. Mr. Williams suggested that the proposal was not detrimental to highway safety and did not affect the amenity of the area. He suggested that there would be a greater impact if the site was changed to B8 use which would not require planning permission. Concerns raised about ecological issues and contaminated land had been addressed and in conclusion, Mr. Williams said that the application complied with national and local policy and constituted a sustainable development.

Councillor Derek Butler proposed the recommendation for approval which was duly seconded. He expressed significant concern that the application was retrospective but acknowledged that it was the correct location for such a proposal. He suggested that any landscaping that was included should consist of mature trees to minimise the impact of the building for nearby residents. Councillor Gareth Roberts said that there were no planning reasons to refuse the application.

The Local Member, Councillor Carol Ellis, also raised significant concern about the application being retrospective and about the fact that the Council were notified by a member of the public that building work on the site had commenced without permission. The stockpile of waste at the site was up to about 14 metres when the Committee visited the site earlier in the week even though permission was sought for up to 5 metres and a wood pile was approximately 18 metres high which Councillor Ellis felt was a health and safety issue. She highlighted the conclusion at paragraph 8.01 and suggested that appropriately worded conditions would not protect the amenity of the residents or the landscape and wildlife in the area. She added that the building was too high.

Councillor Mike Peers suggested that the conditions were too vague and suggested that further detail was required. He queried whether conditions would be complied with as the applicant had not applied for permission and had started to erect the building without consent. He queried whether the building would be demolished if permission was refused by the Committee. Councillor Peers raised concern at the type of waste that was to be stored inside the building and queried whether the provision of a sprinkler system was to be included. Clarification was sought on the incursion over the site boundary and on the drainage solution for surface water on the site which was referred to in paragraph 7.28. Councillor Peers suggested that the final sentence in paragraph 7.09 should read that 'further landscaping would be secured by condition'.

Councillor Alison Halford said that the applicant had failed to apply for permission for the extension to the existing waste management site and that even though the development would create jobs, the decision needed to be balanced against the impact of the proposal on residents. She queried whether the applicant would be asked to remove the building if the application was refused and highlighted the significant number of local resident comments reported in the late observations.

In referring to the request for more detailed conditions, Councillor Richard Jones indicated that officers had previously provided information on the conditions in Member Services. He suggested that two additional conditions should be included for the provision of fencing and highway movement but suggested that it was difficult for the Enforcement Team to carry out checks on whether conditions were complied with.

In response to the comments made, the Housing & Planning Solicitor reminded Members that it was acceptable procedure and practice for an applicant to submit a retrospective application and this was not a valid reason for refusal. Regarding the issue of whether monitoring compliance with conditions may be difficult because of available resources, this was not a reason to refuse the application.

Councillor Richard Lloyd raised concern about the height of the stockpile and queried whether the environmental permit had already been issued by Natural Resources Wales.

The Senior Minerals and Waste Officer confirmed that detailed conditions were included in Member Services. A condition on landscaping was included but she could not confirm whether mature trees could be provided as had been suggested by Councillor Butler. She appreciated that there were a large number of conditions in the report and added that account could not be taken of previous failures to comply with conditions or the submission of a retrospective application when determining the application but it was hoped that this proposal would regularise the use of the site. The stockpile height had been in excess of five metres when Members visited the site and therefore the applicants had been written to and they had advised that it would be reduced. The officer explained that fire prevention measures

needed to be detailed and undertaken in line with the permit issued by NRW which would also cover the monitoring of dust and noise. She also acknowledged the comments about the height of the building which extended above the tree line. She felt that conditioning that the colour of the building to be green would allow the building to blend into the landscape. The officer reminded Members that the proposal was for waste management on a site which was adjacent to an existing site for waste management and which was included in the UDP for employment use under policy EM3 and identified as an area of search for waste management under policy EWP 6 and whilst some of the site extended outside the UDP allocation it was considered that the proposal complied with policy EM5. She referred to a planning contravention notice that had been issued and advised that further action would depend on the outcome of this application and if the application was refused, then enforcement action would be progressed which could culminate in the removal of the building. On the issue of the development boundary, the red line boundary had been amended since the submission of the application to include an additional area of land to the south of the proposal site, adjacent to the SAC. She confirmed that there were only two local residents who had submitted late observations but they had been reported separately to allow the issues to be considered individually. If Members disagreed with the height of the building, the officer suggested that the Committee could either refuse the application or defer the decision pending the possible submission of a revised application with a reduced building height but she explained that the applicant had requested the height of the building as it was not unusual for the proposed use. On the request for further conditions by Councillor Jones, the officer indicated that the provision of fencing and highway movements were both covered in the detailed conditions. She confirmed that the buildings would be more prominent in winter but would be viewed in the context of an industrial estate setting. She added that an environmental permit had been issued for the site.

In response to a query from Councillor Marion Bateman, the officer explained that the applicant intended to store residual waste at this site before moving it to another site in Abergele. The officer confirmed that any contractual arrangements with the Council in respect of waste management should not be relevant to the planning decision.

The Planning Strategy Manager advised the Committee that the site was allocated in the UDP for employment use and indicated that the provision of conditions by the Council and the monitoring of the site by NRW would ensure that the site was operated appropriately.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Chief Officer (Planning and Environment) and subject to the additional condition referred to in the late observations.

**57. OUTLINE APPLICATION – ERECTION OF 19 DWELLINGS AT TY CARREG, STRYS ISA, HOPE (053445)**

The Committee considered the report of the Chief Officer (Planning and Environment) in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Councillor Ray Hughes, having earlier declared an interest in the application, left the meeting prior to its discussion.

The officer detailed the background to the report and explained that even though this was an outline application, details of access and scale had been provided by the applicant. There had been no objections to the proposals from statutory consultees but 50 letters had been received which raised objections to the proposal and these were detailed in the report. He drew Members' attention to paragraph 7.01 where it was reported that the site was 0.72 hectares; this was incorrect as the site was 0.65 hectares. The officer explained that a number of the objections referred to the refusal of a planning application on the site but he confirmed that there was no history for the site. The site had been included in the development stage of the Unitary Development Plan (UDP) but was deleted from the allocation following representations that were received at that stage because of issues with the road network. Since the consideration of these matters there had been a change in circumstances in relation to the status of the road network and the estate roads had now been adopted so there were no longer any highways or access concerns.

The proposal would not have a detrimental impact on the amenity of the area and therefore the proposed development was considered acceptable in design and appearance terms subject to approval of precise details at the Reserved Matters stage. The officer provided details of the requested Section 106 (S106) obligation that formed part of the conditions in the recommendation explaining that an amount could be requested from the developers for Castell Alyn High School as it was for an identified specific project and that no obligations had been entered into before for that project. This complied with Community Infrastructure Levy (CIL) regulations 122 and 123.

Councillor Mike Peers proposed the recommendation for approval which was duly seconded. He acknowledged that the site was in the settlement boundary, had a proposed density of 29.25 dwellings per hectare and the growth for Hope was 10.3%. He sought clarification on paragraph 7.09 where it was reported that the site was located in the settlement boundary but was not allocated for residential development. He also queried whether the proposed dwellings would count towards the Council's five year housing land supply figure and asked about the Speculative Housing Development Proposals referred to in paragraph 7.09.

The officer confirmed that the dwellings would form part of the five year housing land supply as the site had previously not been specifically allocated for housing. He added that the Speculative Housing Development Proposals



had not been considered on this application as the site was within the settlement boundary.

In referring to the S106 obligation for specialist Art teaching accommodation at Castell Alyn High School, Councillor Richard Jones sought clarification that this could not be legally challenged. The Housing & Planning Solicitor confirmed that the request complied with CIL requirements as it was for a specific infrastructure project that no other Section 106 obligations related to. The Chief Officer (Planning and Environment) said that if the applicant did not agree with the S106 obligation, then they would not sign the agreement, but it had been suggested that the applicant was willing to enter the necessary agreement.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Chief Officer (Planning and Environment) and subject to the applicant entering either into a Section 106 agreement, a unilateral undertaking or making of an advance payment to satisfy the following requirements:-

1. Ensure the payment of a commuted sum equivalent to £1100 per dwelling in lieu of on site play and recreation provisions. Such sum to be paid to be used as a contribution towards the provision of a wheeled sports facility at The Willows Recreation Ground, Hope. Such sum to be paid upon occupation of 50% of the approved dwellings.
2. Ensure the payment of a commuted sum of £55,407 which is required to provide specialist Art teaching accommodation at Castell Alyn High School. Such sum to be payable before the commencement of development.

If the obligation pursuant to Section 106 of the Town & Country Planning Act 1990 is not completed within six months of the date of the committee resolution, the Chief Officer (Planning and Environment) be given delegated authority to REFUSE the application.

After the vote had been taken, Councillor Ray Hughes returned to the meeting and the Chairman advised him of the decision.

**58. FULL APPLICATION – CHANGE OF HOUSE TYPES ON PLOTS 146-154, 157-159, 162-171, 173-174 AND ADDITION OF 2 NO. PLOTS AT CROES ATTI, CHESTER ROAD, OAKENHOLT (053783)**

The Committee considered the report of the Chief Officer (Planning and Environment) 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 site formed part of the overall site and a change of layout of the site had resulted in a request for a change of house types and two additional plots.

Councillor Derek Butler 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 Chief Officer (Planning and Environment) and subject to the application entering into a Section 106 obligation/Unilateral Undertaking to reimpose all the requirements of the original legal agreement attached to the outline planning permission i.e.

- Scheme to be in general conformity with the Revised Development Brief
- Construct or to reimburse the Council for the reasonable cost of a footpath/cycleway linking the site with Leadbrook Drive
- Phasing/occupation of housing
- Setting aside 1.5 hectares of land and its transfer for a school site and an extension to the school site of not less than 1.0 hectare
- Setting aside of land for a shop site
- Setting aside of a site of 0.45 hectares for a health centre
- Setting aside of a site of 0.25 hectares for a community centre and its transfer
- Provision of 4.5 hectares of open space including an enclosed equipped children's play area, a landscape strategy, a management strategy for open space areas including establishment of a management company
- Provide for a maximum of 10% of number of dwellings for affordable

**59. FULL APPLICATION – ERECTION OF SINGLE STOREY DWELLING AND ASSOCIATED WORKS ON LAND ADJOINING SEA VIEW, LLANASA ROAD, GRONANT (053789)**

The Committee considered the report of the Chief Officer (Planning and Environment) 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 that the application was to be considered by Committee due to the requirement for a Section 106 Obligation as the existing private access road required visibility improvements over adjoining land.

Mrs. P. Roberts spoke against the application. She raised significant concern that the road was dangerous and about the access to the site which she felt was inadequate. The road, which provided access to Gronant and Prestatyn, was frequently used by commercial vehicles for a nearby business and was narrow and did not have a footpath. There had been a number of

vehicle collisions in the area and it had once been deemed a traffic blackspot. Mrs. Roberts felt that traffic had increased in the area due to the provision of a retail park in Prestatyn and as a result of nearby planning applications being approved. She referred to the issue faced by cars on the lane and commented on the impact of the proposal on the properties North Pines and Orchard End, in particular the separation distance to North Pines which she felt was only 12 metres to the conservatory which was below the required standard. She added that the elevated position of the plot in relation to neighbouring properties could result in a reduction in privacy. Mrs. Roberts felt that the application was out of context with the surrounding dwellings and requested that the application be refused.

Councillor Gareth Roberts proposed the recommendation for approval which was duly seconded. He felt that there did not appear to be any compelling reasons to refuse the application.

In acknowledging the comments that traffic in the area was a concern, Councillor Derek Butler said that this was not sufficient to refuse the application on planning grounds. He also sought clarification on the issue of land levels. Councillor Mike Peers asked for further information on the separation distances between the proposed property and the dwelling at North Pines.

The Senior Engineer - Highways Development Control confirmed that Highways did not have any objections to the proposals subject to conditions and the Section 106 Agreement. She explained that the access was an existing access serving two existing properties and complied with policy TAN18. The provision of securing a visibility sight line in perpetuity in a westerly direction as detailed in the Section 106 obligation would give a vast improvement to the existing and new properties.

In response to the comments made, the officer explained that the issue of levels had been addressed in the consideration of the application and was reported in paragraph 7.09 where it was noted that the difference in levels was not detrimental to amenity. The properties at Orchard End and North Pines were situated side on to the site and the guidance for separation distances indicated that this should be 12 metres to the gable. The proposal was 22 metres from Orchard End and 18 metres to North Pines and therefore complied with policy. Councillor Richard Jones queried whether the distances took account of the conservatory at North Pines and was advised by the officer that separation distances were applied to the gable of the main dwelling and not the conservatory.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Chief Officer (Planning and Environment) and subject to the applicant entering into a Section 106 Agreement or Unilateral Undertaking to secure a visibility sight line in perpetuity in a westerly direction, with no obstruction in excess of 1.00m above the level of the nearside channel.

If the obligation pursuant to Section 106 of the Town & Country Planning Act 1990 is not completed within six months of the date of the committee resolution, the Chief Officer (Planning and Environment) be given delegated authority to REFUSE the application.

60. **FULL APPLICATION – CHANGE OF USE TO EQUESTRIAN AND CARAVAN STORAGE AT TYDDYN Y GWYNT FARM, RHYDYMWYN (053794)**

The Committee considered the report of the Chief Officer (Planning and Environment) 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 application needed to be determined by Committee as the site exceeded the delegated powers available to the Chief Officer (Planning and Environment). He explained that the site consisted of outbuildings with an historical element and more modern steel framed agricultural barns with profiled sheet steel cladding. The application had been the subject of consultation and no issues had been raised by the statutory consultees and no letters of objection had been received. The main issues for consideration were the principle of development and the effect on the character and appearance of the open countryside. The only aspect of the proposals which would introduce a visually new element within the landscape was the proposed manege but it was not proposed that this area would be illuminated and therefore the impact on the wider landscape would be minimal.

Councillor Derek Butler proposed the recommendation for approval which was duly seconded.

In seconding the proposal, Councillor Mike Peers said that the proposal, which would allow rural enterprise to make use of redundant buildings, should be supported.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Chief Officer (Planning and Environment).

61. **FULL APPLICATION – CHANGE OF USE FROM AGRICULTURAL STORAGE AREA TO RESIDENTIAL AND ERECTION OF 1 NO. DWELLING AT FFORDD Y WAEN, NANNERCH (053293)**

The Committee considered the report of the Chief Officer (Planning and Environment) 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 drew Members' attention to the late observations where a revised comment from the Housing Regeneration & Strategy Manager, an amendment to the recommendation and a deletion from paragraph 7.10 were reported. He explained that the proposal was for a single storey dwelling for a specific local need and the details provided in relation to the design, size, scale, form and materials to be used were considered to be in keeping with the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty, adjacent Nannerch Conservation Area and setting of the listed building. It was felt that the proposal would not have a detrimental impact upon the adjacent occupier due to the proposal being for a single storey dwelling.

Councillor Ian Dunbar proposed the recommendation for approval which was duly seconded. He said that the proposal was for the erection of a dwelling for a specific need and would not have an impact due to overlooking or loss of light. The land was currently used for storage of machinery and the current house owned by the applicant failed to meet the daily needs of the family.

In referring to the comments of Natural Resources Wales (NRW), Councillor Richard Lloyd queried whether they had provided a response since the report had been published. The officer confirmed that additional information had been sent to NRW but a response had not been received. The Council's Ecology Officer did not have any objections to the application subject to conditions.

Councillor Gareth Roberts referred to paragraph 7.20 and sought clarification on whether the application would have a detrimental impact on the amenities of the proposed residents and the occupiers of the neighbouring properties as reported. The officer confirmed that there was no detrimental impact and that the word 'not' had been missed from the sentence concerned.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Chief Officer (Planning and Environment), the additional conditions referred to in the late observations and subject to the applicant entering into a Section 106 Agreement ensuring occupation by the three ladies and upon subsequent disposal of the dwelling offered either to the Council or to a Registered Social Landlord at market value.

**62. FULL APPLICATION – CHANGE OF USE OF GROUND FLOOR TO 3 NO. FLATS AT CROSS KEYS, CHURCH STREET, CONNAH'S QUAY (053381)**

The Committee considered the report of the Chief Officer (Planning and Environment) 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 application had been submitted to Committee because the delegation scheme

did not permit a decision on this type of application to be delegated to the Chief Officer (Planning and Environment).

Councillor Ian Dunbar proposed the recommendation for approval which was duly seconded. He commented that the public house had been empty for a number of years and despite marketing, it had not been taken over. The building was in a state of disrepair and was becoming an eyesore and the proposals in the application would be an improvement on what was currently in place. He also welcomed the five reserved parking spaces which would be marked out for the occupiers of the proposed flats.

**RESOLVED:**

That planning permission be granted subject to the conditions detailed in the report of the Chief Officer (Planning and Environment) and subject to the applicant entering into a Section 106 Obligation, Unilateral Undertaking or advance payment of £733 per apartment towards improvements to the existing play area at York Road, Connah's Quay.

63. **APPEAL BY MR. DAVID READ AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF A SINGLE WIND TURBINE (45 METRE HUB HEIGHT, 67 METRE BLADE TIP HEIGHT) TWO METERING UNITS, ACCESS TRACK, ASSEMBLY AND CRANE AREAS AT TY COCH, CROSSWAYS ROAD, PEN Y CEFN, CAERWYS (051826)**

**RESOLVED:**

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

64. **APPEAL BY MR. & MRS. M JONES AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR REPLACEMENT OF EXISTING BUILDINGS WITH 1 NO. ECO DWELLING AT MARSH FARM, CHESTER ROAD, OAKENHOLT (052504)**

**RESOLVED:**

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

The Chief Officer (Planning and Environment) spoke about applications where the Committee voted against officer recommendation. He acknowledged that it was part of the democratic process but reminded Members that it was important that members of the public and press who were in attendance at the meetings were certain of the reasons and which policies applications were being refused on. He added that protocol enabled officers to bring reports on decisions against officer recommendation back to the subsequent Committee to confirm the reasons for refusal.

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

There were 28 members of the public and two members of the press in attendance.

(The meeting started at 1.00 pm and ended at 3.48 pm)

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**Chairman**

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## FLINTSHIRE COUNTY COUNCIL

REPORT TO: PLANNING AND DEVELOPMENT CONTROL COMMITTEE

DATE: 14<sup>TH</sup> OCTOBER 2015

REPORT BY: CHIEF OFFICER (PLANNING AND ENVIRONMENT)

SUBJECT: FULL APPLICATION – STRATEGIC FLOOD ALLEVIATION SCHEME FOR THE TOWN OF MOLD

APPLICATION NUMBER: 052180

APPLICANT: FLINTSHIRE COUNTY COUNCIL

SITE: LAND LOCATED BETWEEN THE A5119/A494 (RUTHIN ROAD) TO THE SOUTH WEST OF MOLD AND A541 DENBIGH ROAD (NORTH WEST) AND PLAYING FIELDS AT YSGOL GLANRAFON/MAES BODLONFA, MOLD

APPLICATION VALID DATE: 20<sup>TH</sup> MAY 2014

LOCAL MEMBERS: COUNCILLOR G.H. BATEMAN  
COUNCILLOR C. BITHELL  
COUNCILLOR MS A.J. DAVIES-COOKE  
COUNCILLOR R. GUEST  
COUNCILLOR C. LEGG  
COUNCILLOR B. LLOYD  
COUNCILLOR N. MATTHEWS

TOWN/COMMUNITY COUNCIL: GWERNYMYNYDD COMMUNITY COUNCIL  
HALKYN COMMUNITY COUNCIL  
MOLD TOWN COUNCIL

REASON FOR COMMITTEE: SCALE OF DEVELOPMENT RELATIVE TO DELEGATION SCHEME

SITE VISIT: YES  
REQUEST FOR FURTHER SITE VISIT IN ADDITION TO THAT UNDERTAKEN ON 20<sup>TH</sup> JULY 2015, TO VIEW POINT OF DISCHARGE INTO THE RIVER ALYN

**Members may recall that this application was deferred from consideration at the Planning & Development Control Committee held on 22<sup>nd</sup> July 2015, in order to include further clarification on the potential impact of the flood alleviation works on the River Alyn. This report has therefore been updated accordingly with further details included on this aspect of the proposed development.**

## **1.00 SUMMARY**

- 1.01 This full application which has been submitted by Flintshire County Council proposes the construction of a strategic flood alleviation scheme for the town of Mold.
- 1.02 The nature of the proposed works principally involves the formation of new culverts with associated intake/outfall structures across agricultural land on the fringe of the town, extending from the south west to the north west together with the introduction of 3 No. new underground attenuation tanks on land within the town itself, on recreational land and open space at Ysgol Glanrafon and Maes Bodlonfa.
- 1.03 The proposed works are on land within the community/town council boundaries of Gwernymynydd, Halkyn and Mold. As a result the community/town councils and Local Members representing each ward boundary have been consulted on the application.

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

- 2.01
1. Time limit on commencement.
  2. In accordance with approved details.
  3. Details of phasing scheme to be submitted and approved
  4. No development other than the formation of a site compound/storage area for machinery/plant to be undertaken during site construction works on land adjacent to A5119/A494 Roundabout (edged on attached plan) without the further grant of planning permission.
  5. No direct access for construction traffic, from the site, onto the trunk road without further written approval.
  6. No development including site clearance to take place until a Construction Traffic Management Plan has been submitted and approved.
  7. Prior to the commencement of any site works the siting, layout and design of the means of access to be submitted and approved.
  8. Stated visibility splays at proposed point of access to be kept free from obstructions for duration of site works.
  9. Details of interception culvert including the design of intake screens to be submitted and approved, prior to the commencement of development.

10. Details of attenuation storage system to be submitted and approved prior to the commencement of development.
11. Existing foul sewer to be safeguarded in accordance with details to be submitted and approved.
12. No land drainage run-off to discharge into public sewerage system.
13. No surface water to connect into public sewerage system.
14. No development including site clearance to commence until a specification/timescale for the undertaking of works and re-establishment of playing fields and open space at Maes Bodlonfa and Ysgol Glanrafon has been submitted and approved.
15. Archaeological Watching Brief to be submitted and approved prior to commencement of development.
16. Notwithstanding details contained within Ecological Appraisal no development to commence until a scheme for wildlife mitigation has been submitted and approved.
17. No development to commence until details of proposed tree removal/remedial works including where required replacement planting have been submitted and approved.
18. Timescale for implementation of landscaping scheme.
19. Footpath 1 to be protected during site construction works.
20. Details of security fencing adjacent to open culvert to be submitted and approved.
21. Details of site restoration including timescale of works across agricultural land to be submitted and approved.
22. No development to commence until a scheme incorporating flood resistance measures for Bridge Cottages has been submitted and approved. Development to be carried out in accordance with approved details within timescale to be agreed.

### **3.00 CONSULTATIONS**

#### **3.01 Local Member**

##### Councillor G.H. Bateman

Request site visit and planning committee determination in order to assess the impact of development on the character of the landscape, agricultural land and amenity of residents in the locality.

##### Councillor C. Bithell

Request site visit and planning committee determination. It is acknowledged that the scheme is important to the town and may relieve flooding within certain areas but there is potential that this will impact and increase flooding on the River Alyn to the west of Mold. Require assurances that this will not happen before the application can be supported.

##### Councillor Ms A.J. Davies-Cooke

No response received at time of preparing report.

Councillor R. Guest

No response received at time of preparing report.

Councillor C. Legg

Request site visit and planning committee determination in order to assess the impact of development on the character of the landscape, agricultural land and amenity of residents in the locality.

Councillor B. Lloyd

Request site visit and planning committee determination in order to assess the impact of development on the character of the landscape, agricultural land and amenity of residents in the locality.

Councillor N. Matthews

Express concerns that the proposed scheme

- Will not provide adequate capacity during heavy rainfall to cater for the volume of water from Hafod Moor/Bryn Gwyn Hill.
- Will result in development on high quality agricultural land.

Mold Town Council

The Council agreed that they would support stage one of this application on the condition that the attenuation measures are put in place to slow the flow of water. The Council had no objections to Stage 2 of the planning application. In addition the Council asked that consideration is given to the introduction of tree planting to assist with flood management and sought assurances for good management of the culverts into the future. The Council quoted Monmouth as a good example, where they had used a dam process to deviate streams in the headlands.

Halkyn Community Council

No response received at time of preparing report.

Head of Pollution Control

No adverse comments.

Welsh Government Transport

Direct that any permission granted includes the following conditions:-

1. There shall be no direct access for construction traffic, from the site, onto the trunk road, without further written approval.
2. No development shall take place, including site clearance works, until a Construction Traffic Management Plan has been submitted and approved by the Highway Authority.

Highways Development Control Manager

Recommend that any permission includes conditions in respect of access, visibility and the need for a Construction Traffic Management Plan.

Dwr Cymru/Welsh Water

Recommend that any permission includes conditions in respect of land and surface water drainage and need to safeguard impact of development on line of existing sewer which crosses the site.

Natural Resources Wales

Do not object to:-

- a) the proposal from a flood attenuation perspective subject to the imposition of conditions regarding the design of the system.
- b) the proposal on ecological grounds as the proposal will not cause any adverse major impacts on ecology. Consider that the ditched sections if appropriately managed will enhance the wildlife interest of the application site.

Public Open Spaces Manager

Wish to advise that in respect of:-

a. Maes Bodlonfa Recreation Ground

The proposed works will impact on the availability of football pitches for two seasons and the existing football clubs that use the site will need to relocate to other fields on educational sites which will require upgrading to bring them up to a playing standard.

b. Ysgol Glanrafon

The proposed scale of works will have a major impact on the availability of open space for use by the school.

Having regard to the above, consider that the timing of such works is therefore important to ensure the minimum disruption/re-establishment of playing fields and therefore a timescale/specification should be agreed prior to the commencement of development.

Environment Directorate

(Rights of Way)

Public Footpath 1 crosses the site. The applicant may be required to apply for a Temporary Closure Order to protect the public during the construction.

Head of Pollution Control

No adverse comments.

Ramblers Association

Subject to safeguards with regard to construction works, the proposal is supported as a means of alleviating the serious flood problems that have been experienced. Consider that temporary alternative footpath routes may be required during construction works.

Clwyd – Powys Archaeological Trust

Request the imposition of a condition to ensure that an archaeological watching brief is undertaken.

Cadw

Consider that the design of the culvert has been modified to ensure that there is no impact on the edge of the essential setting of the Grade II\* registered park and garden at Rhual.

**4.00 PUBLICITY**

4.01 Press Notice, Site Notice, Neighbour Notification

Three letters of objection received the main points of which can be summarised as follows:-

- Lack of consultation on the proposed development.
- The proposed scheme will cause problems and floodrisk downstream of the new discharge points to the River Alyn.
- The installation of 'open cut' drains to catch over ground flow is excessive and unwarranted.
- Concerns that excavated material from the site will be deposited on a triangular area of land adjacent to the A5119/A494 roundabout.

One letter of support received which considers that the proposed scheme offers the best solution to the problems of flooding within the town.

**5.00 SITE HISTORY**

5.01 None relevant.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development

Policy STR10 – Resources

Policy GEN1 – General Requirements for Development

Policy GEN2 – Development Inside Settlement Boundaries

Policy GEN3 – Development in the Open Countryside

Policy D1 – Design Quality, Location & Layout

Policy TWH1 – Development Affecting Trees & Woodlands

Policy TWH2 – Protection of Hedgerows

Policy L1 – Landscape Character

Policy WB1 – Species Protection  
Policy WE5 – Protection of Registered Landscapes, Parks & Gardens of Special Historic Interest  
Policy AC13 – Access & Traffic Impact  
Policy EWP17 – Flood Risk

Additional Guidance

Planning Policy Wales (PPW) 2014

Technical Advice Note 5 – Nature Conservation & Planning

Technical Advice Note 6 – Planning for Sustainable Rural Communities.

Technical Advice Note 15 – Development & Flood Risk.

The proposal would generally comply with the above policies.

**7.00 PLANNING APPRAISAL**

**7.01 Introduction**

This application which has been submitted by Flintshire County Council seeks planning permission for the construction of a strategic flood alleviation scheme for the town of Mold. The application has been submitted as Mold has experienced extensive flooding during the last 35 years particularly in 2000 and 2012.

7.02 Consultants employed by Flintshire County Council have identified that the source of the flooding and flood risk is from two principal sources (a) fluvial flooding from the River Alyn and (b) fluvial flooding from smaller culverted watercourses running off the strip catchments to the west of the town. These catchments deliver storm flows into the existing culverted watercourses and surface water sewers and the current drainage infrastructure is unable to cope with these flows resulting in flooding during periods of heavy rainfall.

**7.03 Background**

Following the October and November 2000 floods in Mold, options to manage the risk were pursued both for the River Alyn and the more urbanised ordinary watercourse and surface water systems. The Environment Agency (EA) (now Natural Resources Wales) (NRW) using powers under the Water Resources Act looked to progress a flood alleviation scheme for the River Alyn with the Council looking to progress a scheme for urban systems using similar powers under the Land Drainage Act.

7.04 In 2005 the Environment Agency implemented a scheme involving localised river widening and the construction of walls and embankments along the River Alyn. At that same time Flintshire County Council's Project Appraisal Report had identified the preferred solution of a bypass channel intercepting flows from the western catchments diverting them to the River Alyn at Rhyd Y Goleu thereby reducing flows to the urbanised watercourses and surface water

systems. Discussions were undertaken with Environment Agency (EA) and their consultants at the time in relation to the impact of flows on the River Alyn. The effect was considered acceptable in principle given the timing of the relative flood peaks and given the increase in protection now provided by the Environment Agency Wales (EAW) works. In more recent years a great deal of additional hydrological and hydraulic modelling has been undertaken to investigate the potential impacts of this approach more comprehensively.

7.05 Evolution of Scheme Design and Consideration of Alternative Options as is standard practice and in accordance with Department for Environment Food & Rural Affairs/Welsh Government guidance, the 2005 prefeasibility studies and Project Appraisal Report (PAR) considered many possible options for reducing flood risk from the systems in Mold. Alternative approaches included a new watercourse to the east of the town discharging flows downstream of Mold, upgrades to the existing culverts/watercourses, upstream attenuation etc. Whilst there are clear advantages to some of these approaches on technical grounds, many could be discounted early on, due to the associated high costs making it impossible to meet acceptable benefit-cost ratios.

7.06 The most realistic options were taken forward for additional benefit cost analysis and a route to the west of Mold was identified as *“far and away the most cost effective of all schemes that met the indicative standard”* with costs for alternative strategies being 3 to 3.5 times more expensive. Further assessment and refinement of western route options was undertaken resulting in a preferred option of a cut off channel following the now proposed route.

7.07 In May 2011 as the design was refined it was identified that in addition to the bypass channel, sub surface attenuation would also be necessary within public open spaces within Mold to store floodwater to meet the required design criteria of the 100 year (+ climate Change event). The additional investigations listed below were undertaken to ensure that the revised and now larger scheme continued to be viable by meeting benefit-cost and design standards.

- *Mold Flood Alleviation Scheme – Project Appraisal Addendum Report (Feb 2013)*
- *Mold Surface Water Model Results Discussion - Report (December 2013)*

7.08 Although an open cut off channel remains the technically preferable solution, the design was amended significantly in 2013 in recognition of the potential impact of an open channel on upstream landowners' farming practices. The revised design saw the majority of the bypass channel being piped/culverted and smaller feeder ditches introduced to capture flows where needed. This compromise approach minimised the longer term impact on the land yet retained the ability of the



bypass culvert to intercept the flows necessary to meet design standards.

#### 7.09 Proposed Development

For Members information, there are two distinct parts to the proposed scheme which now forms part of this application and seeks to address the flooding issues highlighted. This includes:-

- a. An Overland Flow Cut-Off Drain to the West of Mold  
This will involve the formation of a culvert and in part an open ditch/channel together with intake and outfall structures stretching from the A494 near Gwernymynydd, northwards through a series of five farms, passing under the Gwernaffield Road and the A541, before discharging into the River Alyn, through the Poole House Culvert. The culvert would pass across agricultural land approximately 585 m which is Grade 3a and 1900 m of Grade 3 which are defined as being a mix of good/moderate quality.
- b. Underground Attenuation Tanks Near Caer Bracty & Maes Bodlonfa  
The installation of 3 No. underground attenuation tanks each with a storage capacity of approximately 3,000m<sup>3</sup> on playing fields/open space at Maes Bodlonfa and Ysgol Glanrafon. At Maes Bodlonfa there will be a single attenuation tank while at the school fields at Ysgol Glanrafon the storage area will consist of two tanks. It is proposed that ground levels will be raised by approximately 500 mm to facilitate their installation.

In addition to the standard application forms and plans, the application is accompanied by:-

- A Design & Access Statement.
- An Arboricultural Assessment.
- An Ecological Survey.

#### 7.10 Main Planning Considerations

It is considered that the main issues to be taken into account in consideration of this application are:-

- a. The principle of development.
- b. Assessment of Flood Consequences Risks and Potential Impacts of the Proposed Scheme.
- c. Impacts on River Alyn.
- d. The impact of development on the character of the landscape.
- e. Impact on amenity of occupiers of existing properties.
- f. Impact on playing fields at Maes Bodlonfa and Ysgol Glanrafon.
- g. Adequacy of access.

- h. Agricultural Land Classification (ALC).
  - i. Impact on ecology.
- 7.11 In commenting in detail in response to the main planning considerations outlined above, I wish to advise as follows:-
- 7.12 Principle of Development  
The principle of the development which is proposed to alleviate instances of significant flooding within the town, is in my view acceptable in line with the established planning policy framework. This is however subject to ensuring that there is no detrimental impact on the character of the landscape/ecology/highways and the safeguarding of relevant amenity considerations.
- 7.13 Assessment of Flood Consequences, Risks and Potential Impacts of the Proposed Scheme  
Whilst the intention of flood alleviation schemes is clearly not to cause increases in incidental flooding, the Land Drainage Act 1991 and Flood & Water Management Act 2010 gives powers to local authorities to undertake such works where some incidental flooding elsewhere is unavoidable and where on balance it provides betterment to an existing situation. This reflects the unique nature of flood risk management projects and allows schemes to deliver the greatest improvements across wider communities at risk. By their nature flood alleviation schemes are set apart from typical development where the criteria of Technical Advice Note 15 – Development & Flood Risk apply and no increases in flood risk elsewhere would be acceptable.
- 7.14 Assessments suggests that some 360 properties have a degree of flood risk from the ordinary watercourses and surface water systems in Mold. Of these 167 properties are expected to be completely taken out of flood risk following the implementation of the proposed scheme and many others will have flood risk reduced. It is for the Council as a Flood Risk management Authority to determine whether or not on balance, the proposed development represents betterment across the wider community of Mold.
- 7.15 Impacts on the River Alyn  
As the proposed scheme introduces flows to the River Alyn above the town there are legitimate concerns within the community given that the River Alyn has flooded prior to the implementation of the EA/NRW scheme in 2005. It is entirely proper that these issues were identified and taken account of within the scheme design and that Flintshire County Council demonstrate that the consequences or reduction of flooding resulting from the scheme are clear so that the acceptability of the proposals can be considered. The Council instructed that the existing information such as the EA/NRW River Alyn numerical computer models and river hydrology etc. be reviewed in collaboration with EA/NRW staff. In addition new modelling was undertaken to

improve confidence in the outputs and to assess the implications on flood risk resulting from the proposed addition of storm flows to the river from the bypass culvert. Full details of the model build process, assumptions, calculations, calibrations and outputs are provided within the separate modelling study reports:

- *River Alyn Modelling Study - Report (March 2014)*
- *River Alyn Modelling Addendum - Report (March 2014)*

7.16 The flood risk implications of the above model outputs are considered and discussed within the Flood Consequence Assessment:

- *Mold Flood Alleviation Scheme - Flood Consequence Assessment Final (May 2014)*

7.17 A key factor mitigating the impact of the scheme on the River Alyn flood levels relates to the differences in the relative catchment response times for the Alyn catchment and those of the western Mold catchments. This effectively means that for the design event (100 year + climate change) the proposed bypass channel is expected to deliver its maximum flows some hours prior to the River Alyn reaching its maximum flows.

7.18 Notwithstanding the above mitigation, some increases in flow rates in the River Alyn are inevitable and the modelling indicates that as a result of the scheme there are likely to be relatively small general increases in flood depths across the Alyn floodplain of 1 to 12cm. The majority of the increases are so marginal (less than 5cm for the 100 year + climate change flood event) as to be thought insignificant when considered in the context of model accuracies and the scale and nature of such an event.

7.19 Four locations were identified where flood levels could increase by some 7 to 26cm. This potential impact was investigated in more detail and property floor levels surveyed. Two of these properties have now been re-developed as part of the Pen Y Bont Farm (Marston Brewery) site and will be protected from flooding by means of a new flood defence wall agreed as part of the development. Modelling shows that for the two properties at Bridge Cottages the flood levels would be increased. It is therefore proposed that should planning be granted and the scheme progressed, flood resistance measures will be offered at these properties to reduce the flood consequences.

7.20 At the request of NRW a precautionary approach was taken and an extreme but unlikely 'worst case scenario' situation was considered where the peak flows of the River Alyn and proposed flood alleviation channel coincide. Although considered to be beyond the design criteria of the flood alleviation scheme this approach provided a useful tool to identify unforeseen consequences that could otherwise be

overlooked. No significant new flood risks were highlighted and increase in levels in the River Alyn compared with the more likely scenario were shown to be minor.

#### 7.21 Other Potential Impacts and Risks

Further to the more obvious concerns in relation to the River Alyn, implementing the proposed scheme introduces some generic risks inherent in most flood alleviation scheme projects. These include:

- Introduction of new (unforeseen) risks arising from failure or blockage of the new systems e.g. the new bypass channel - which could result in overland flows into areas of town that are not currently at flood risk. This has predominantly been addressed in the design through culverting and large (over-designed) screens on open channel sections.
- Availability of adequate Council resources to implement proper inspection and maintenance regimes required over the lifetime of the proposed scheme.
- The proposed scheme will be implemented for the most part on land in private ownership (predominantly actively farmed agricultural land to the west of Mold). In the absence of compulsory purchase powers being used, access arrangements to facilitate proper inspection and maintenance regimes over the lifetime of the scheme are required.

7.22 These risks are considered to be wider management issues and outside the technical scope of the detailed design and planning application. Should planning permission be obtained, and funding made available for the scheme to be progressed, the Council has committed to undertake additional investigation and review of the above matters prior to scheme implementation.

#### 7.23 Impact on Character of Landscape

During the construction phase, it is acknowledged that disturbance, movement and additional noise would affect the landscape character of the site and locality. However the impact of the construction works will be for a temporary period only and with the exception of a short section of an open ditch/channel, the culverts and attenuation tanks will be installed underground. This will, in my view, minimise the visual impact of the development proposed.

7.24 For Members information the application site includes a triangular area of land adjacent to the A5119/A494 roundabout on the north-western edge of Mold. This area of land has been included within the site on the rationale that the land in question, given its proximity to the line of the new culverts/channel, could be used as a contractor's site or compound for the storage of machinery whilst works are being undertaken.

- 7.25 During the construction phase of the development, it is also recognised that there will be a volume of excavated material produced, with any excess quantities proposed to be removed from the site. The third party concerns regarding the potential deposit of any surplus material on the triangular area of land adjacent to the A5119/A494 roundabout are duly noted. It is my view that such activity would have a detrimental appearance on the character of the landscape and entrance to the town of Mold. If Members are mindful to support the application then a condition should be imposed to restrict the use of this land for the siting of a contractor's compound or storage of machinery only, this being limited for the duration of the site works.
- 7.26 Impact on Amenity of Occupiers of Existing Dwellings  
The proposed development seeks to alleviate the impact of flooding for residents and their properties within the town of Mold, but it is recognised that during construction works that there will be a level of disturbance for residents. This will primarily be as a result of the movement of plant/machinery, noise from site operations and removal of excavated material from the site. It is however considered that with the imposition of conditions to control hours of use as part of the Construction Traffic Management Plan, that this will safeguard the privacy/amenity of existing residents.
- 7.27 Impact on Existing Playing Fields at Maes Bodlonfa/Ysgol Glanrafon  
As highlighted in paragraph 7.03 (b) of this report, the proposed development would involve the installation of underground attenuation tanks on playing fields/open space at Maes Bodlonfa and Ysgol Glanrafon.
- 7.28 During construction works this will result in these areas being unavailable for use and consultation on this aspect of the development has been undertaken with the Council's Public Open Spaces Manager.
- 7.29 It is acknowledged that the existing users of the recreational ground at Maes Bodlonfa will have to relocate to other site(s) whilst the work is undertaken and the availability of open space within the Ysgol Glanrafon will be impacted upon for a period of time. However, the nature of the site works proposed will result in the unavailability of these facilities for a short period of time only and provided the work can be timed and programmed to ensure minimum disruption, can in my view be supported.
- 7.30 Adequacy of Highways  
Given the relationship of the site to the existing highway network including the A494 Trunk Road, consultation on the application has been undertaken with both Welsh Government Transport and the Council's Highways Development Control Manager.

- 7.31 An assessment of vehicular movements associated with the development from construction vehicles, the movement of excavated material from the site and the safeguarding of access for any future maintenance work has been undertaken.
- 7.32 Whilst there is no objection to the principle of development from a highway perspective, and it is considered that there is likely to be minimal disruption to the operation of the highway network following completion of the works, Welsh Government Transport have directed that any permission includes conditions to:-
- a. Ensure that there is no direct access from the site onto the Trunk Road without further written approval, and
  - b. No development including site clearance work is to take place until a Construction Traffic Management Plan has been submitted and approved to control, the scale/nature of vehicular movements.
- 7.33 The Highways Development Control Manager concurs with the conclusions of this direction and if Members are mindful to grant permission, specific details of the Construction Traffic Management Plan including e.g., access/egress routes and hours of operation can be controlled through the imposition of a condition.
- 7.34 Agricultural Land Classification  
Clarification on the Agricultural Land Classification (ALC) across which the proposed development is to take place, has been undertaken with the Land Use Planning Unit (Welsh Government).
- 7.35 It has been confirmed that the proposed culvert would pass across approximately 585 m of Grade 3a and 1900 m of Grade 3 agricultural land. Whilst there are national and local policies which seek to protect the 'best and most versatile agricultural land, the development does not require on the basis of the area involved consultation with Welsh Government (Agriculture).
- 7.36 It is acknowledged that during site works there there will be some disruption on farming activities that are currently undertaken with some land being unavailable for use during this period. It is important to ensure that the level of disruption and impact on farming operations is minimised during this period and after completion of the works the site is restored to its previous condition with measures for aftercare secured. If members are mindful to grant permission this can be secured through the imposition of planning conditions.
- 7.37 Ecological Considerations  
The proposed route of the proposed culverts/ditches and associated structures across agricultural land, has been the subject of an ecological assessment and a species survey has been submitted as

part of the application. This has focussed on the potential impact of development on Great Crested Newts, Bats, Badgers, Birds, Water Voles and Reptiles including Lizards and Slow Worms.

- 7.38 The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places, in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is no satisfactory alternative and no detriment to the maintenance of the species population at favourable conservation status in their natural range.
- 7.39 The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994, now the 2010 Regulations, which contain two layers of protection a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and a licensing system administered by the Welsh Ministers.
- 7.40 Planning Policy Wales (Edition 7, paragraph 5.5.11) advises Local Planning Authorities that: “The presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its Habitats”.
- 7.41 Technical Advice Note 5 - Nature Conservation and Planning (2009) states at para. 6.3.6 :- “Regulation 3(4) of the Habitats Regulations [Regulation 9 (5) in the Habitats Regulations 2010] requires all local planning authorities, in the exercise of their functions, to have regard to the provisions of the Habitats Directive so far as they might be affected by the exercise of those functions. Consequently, the Directive’s provisions are relevant in reaching planning decisions where a European protected species may be affected and it is therefore important that such planning decisions are reached in a manner that takes account of, and is consistent with, the Directive’s requirements. Those requirements include a system of strict protection for European protected species, with derogations from this strict protection being allowed only in certain limited circumstances and subject to certain tests being met. These requirements are transposed by the provisions of the Habitats Regulations. The issues of whether development could give rise to a breach of the Regulations’ requirements, and whether there may be a potential need for a licence to avoid such a breach, are therefore a material consideration in a relevant planning decision, and where a licence may be needed, the three licensing ‘tests’ required by the Directive should be considered by the local planning authority. Paragraph 6.3.7

then states:- “It is clearly essential that planning permission is not granted without the planning authority having satisfied itself that the proposed development either would not impact adversely on any European protected species on the site or that, in its opinion, all three tests for the eventual grant of a regulation 44 (of the Habitats Regulations) licence are likely to be satisfied”.

7.42 For Members information, the submitted report/survey concludes that the proposed route of the flood alleviation scheme does not have any major impact on any habitats or protected species listed. On completion of the scheme the report also advises that the ditched sections of the route will if managed appropriately enhance the species diversity along this corridor.

7.43 The proposed development and conclusions of the ecological survey have been assessed by Natural Resources Wales (NRW) who have confirmed that the development will not have an impact on the species listed, subject to the undertaking of appropriate mitigation in respect of badgers. In addition NRW have also confirmed that the ditched sections if appropriately managed, will enhance the wildlife interest of the application site. The aspects of the development can be addressed through the imposition of appropriately worded conditions if Members are minded to support the proposed development.

## **8.00 CONCLUSION**

8.01 It is my view that given recent instances of heavy flooding within the town of Mold, that a strategic scheme to try and alleviate the consequences for individuals and their properties is to be welcomed and supported. Of particular importance however is the need to ensure for landowners, across whose land the additional works are required to be undertaken, that the impact on the character of the landscape and their farming interests are minimised and ecological interests safeguarded through a scheme of appropriate mitigation. In addition there is a need to recognise that during construction operations that there will be an inevitable impact on the existing highway network through increased vehicular movements and that the impact of these movements needs to be strictly controlled. I therefore recommend that conditional permission is granted as outlined in paragraph 2.01 of this report.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.



**LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents

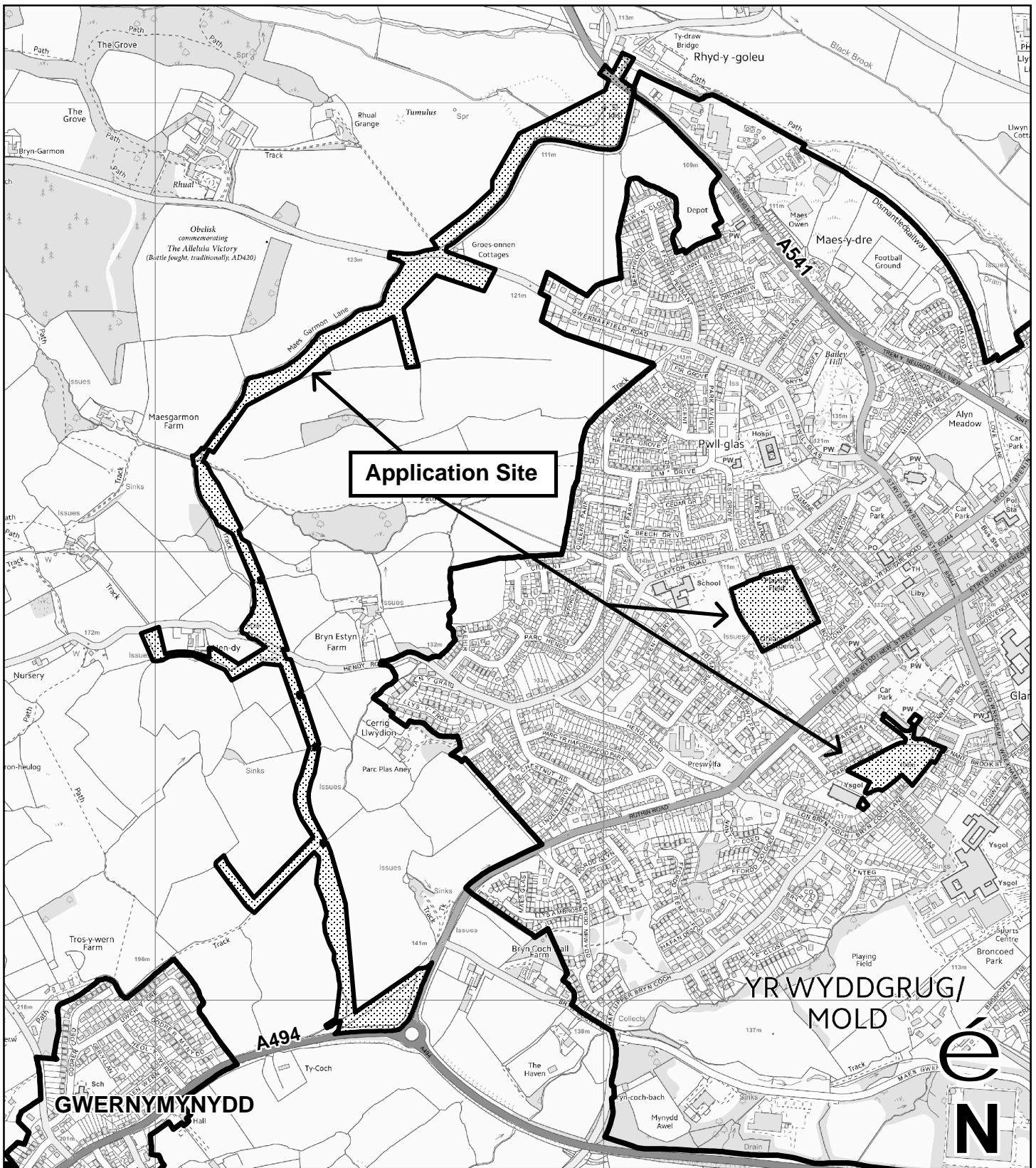
National & Local Planning Policy

Responses to Consultation

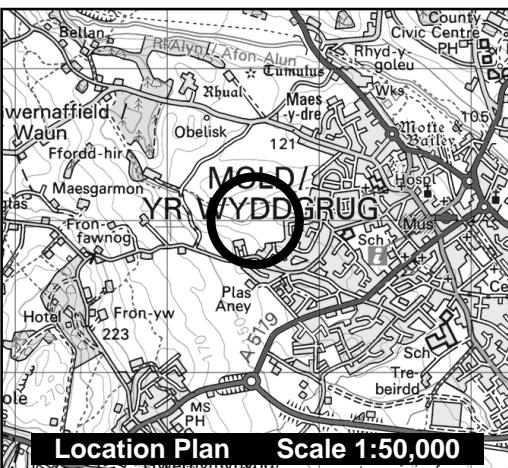
Responses to Publicity

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**Application Site**

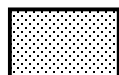


**Location Plan Scale 1:50,000**



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 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**



Planning Application Site



Adopted Flintshire Unitary  
 Development Plan  
 Settlement Boundary

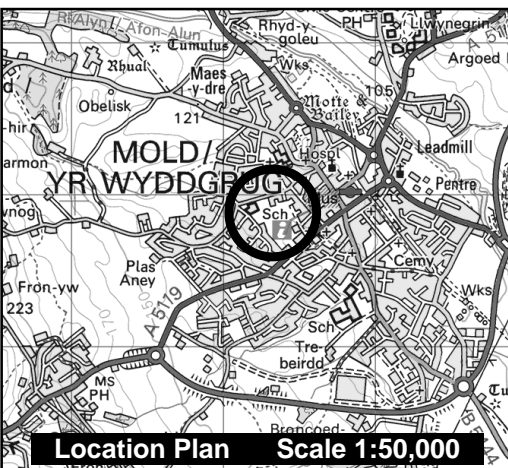
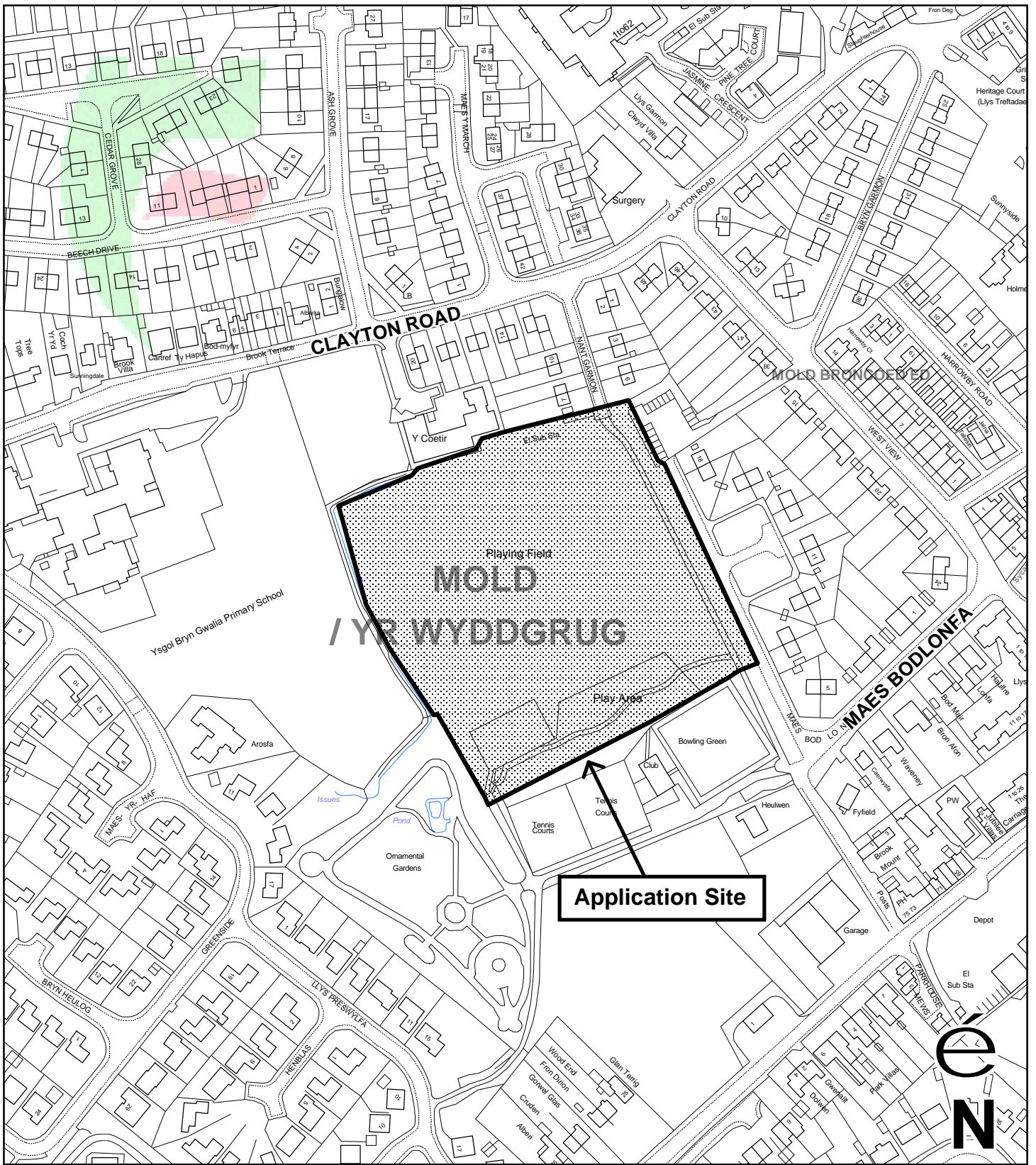
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Map Scale 1:12,000

OS Map ref SJ 2264

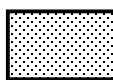

Planning Application **52180**

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 Chief Officer: Mr Andrew Farrow

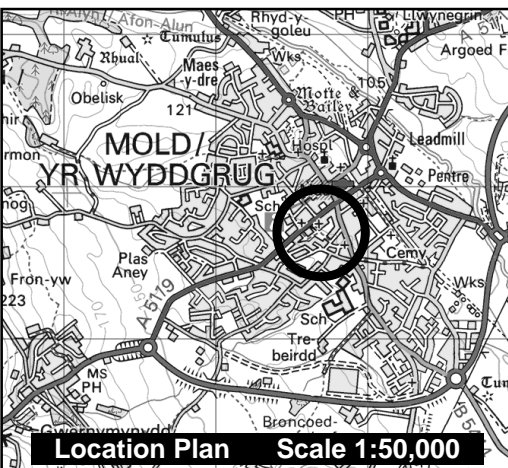
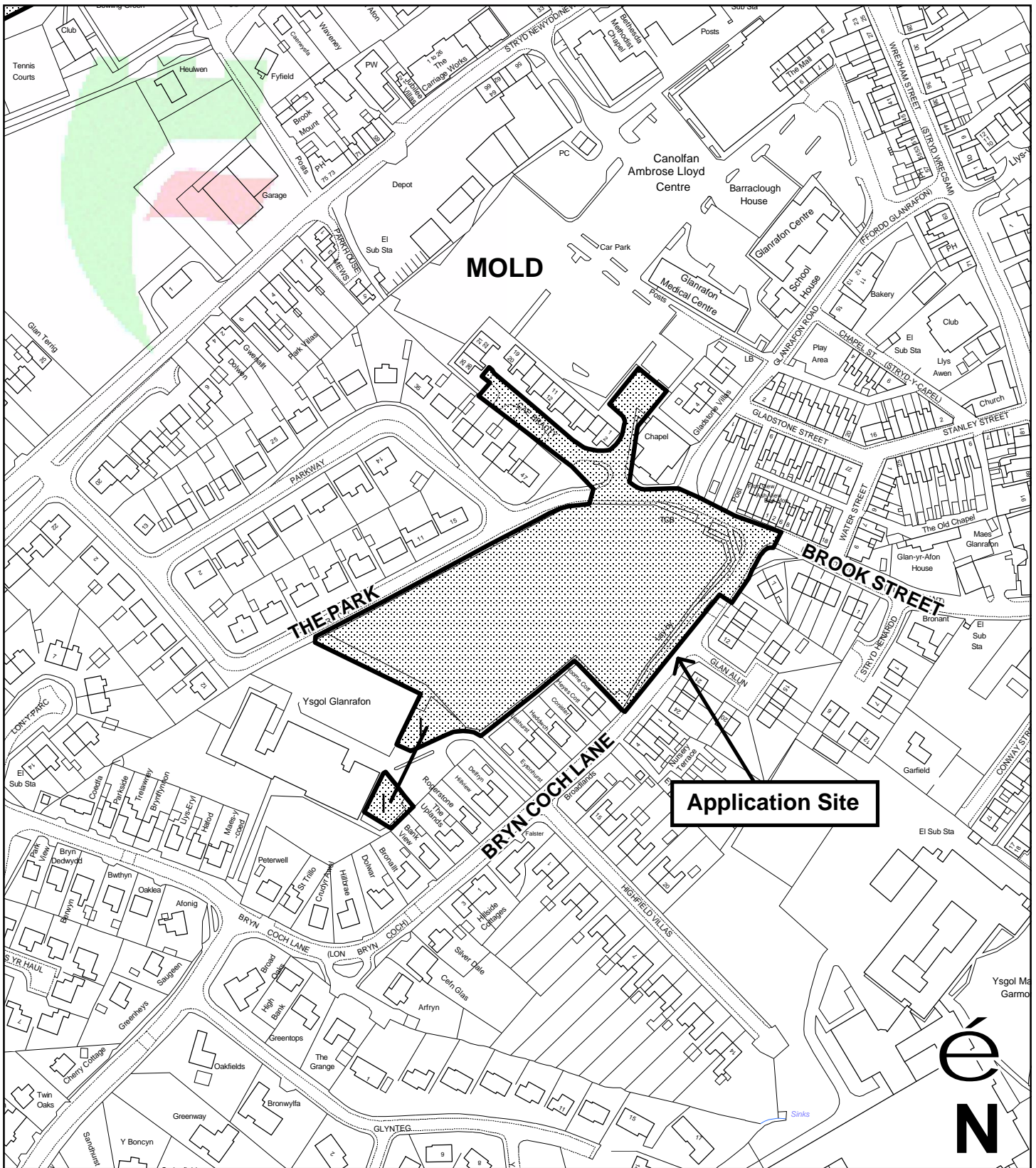
**Legend**

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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**Sir y Fflint**  
Flintshire  
COUNTY COUNCIL

Planning & Environment,  
Flintshire County Council, County Hall,  
Mold, Flintshire, CH7 6NF.  
Chief Officer: Mr Andrew Farrow

**Legend**

- Planning Application Site
- Adopted Flintshire Unitary Development Plan Settlement Boundary

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>th</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – PROPOSED NEW VEHICULAR ACCESS TO SERVE PLOT ONLY OF PREVIOUSLY CONSENTED GYPSY SITE AT EWLOE BARN WOOD, MAGAZINE LANE, EWLOE.**

**APPLICATION NUMBER:** **054095**

**APPLICANT:** **MR M ROONEY**

**SITE:** **LAND ADJACENT TO EWLOE BARN WOOD, MAGAZINE LANE, EWLOE**

**APPLICATION VALID DATE:** **30.07.15**

**LOCAL MEMBERS:** **COUNCILLOR D MACKIE**  
**COUNCILLOR A HALFORD**

**TOWN/COMMUNITY COUNCIL:** **HAWARDEN**

**REASON FOR COMMITTEE:** **LOCAL MEMBER REQUEST DUE TO LOCAL CONCERNS**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This is a full planning application for a new vehicular access and gates to serve Plot 5 only of the consented gypsy/traveller site for 5 pitches. The creation of the access would require the removal of a section of hedge, however as the site has a wide roadside verge, the amount of hedge required to be removed would only be 4.5 metres. No further hedgerow would need to be removed to provide the required visibility splays.

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

- 2.01
1. Time Commencement
  2. Plans
  3. Gates shall open inwards and positioned clear of the adopted highway
  4. Details of gates as approved unless otherwise agreed in writing
  5. The gates opening inwards and positioned clear of the adopted highway network
  6. Forming and construction of the means of site access shall not commence unless and until the detailed design for the culverting of the existing ditch over which the access will be formed is submitted and approved by the LPA
  7. Access will have a visibility splay of 2.4m x 40m in both directions with no obstruction in excess of 0.6m

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor Mackie

Agrees to the determination of the application under delegated powers as the changes are minor.

Councillor Halford

Requests Committee determination due to concerns from local residents that the development has already been carried out and general concerns about any developments on the site and to show transparency.

Hawarden Community Council

Object to the development of this site and as such objects to all proposals relating to its intended use.

Highways Development Control Manager

No objections subject to;

- The gates opening inwards and positioned clear of the adopted highway network
- Forming and construction of the means of site access shall not commence unless and until the detailed design for the culverting of the existing ditch over which the access will be formed
- Access will have a visibility splay of 2.4m x 40m in both directions with no obstruction in excess of 0.6m

Public Protection Manager

No adverse comments to make.

#### **4.00 PUBLICITY**

- 4.01 10 objections on the grounds of;
- Why is another entrance required
  - Hedgerow removal has already taken place
  - Will turn it into a transit site leading to more traffic
  - The lane is too narrow for lorries
  - Restriction of natural water drainage
  - Removal of hedgerow
  - Would remove screening of the site
  - The hedge is thinner than it was prior to the appeal
  - It's in the green barrier and a new access will cause more harm
  - Sound barriers have not been erected
  - Would set a precedent for more access points

Council for the Protection of Rural Wales  
No observations.

#### **5.00 SITE HISTORY**

- 5.01 047896 - Change of use of land for the stationing of caravans for the residential purpose for 5no. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use and retention of existing stables. Refused 12.01.12.

049152 - Change of use of land for the stationing of caravans for the residential purpose for 5no. gypsy pitches together with the formation of additional hardstanding and utility/dayrooms ancillary to that use and retention of existing stables. Refused. Dismissed on appeal 08.10.12.

050463 - Use of land for the stationing of caravans for the residential purpose for 5No. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use and retaining existing stables. Refused. Allowed on appeal 10.04.14.

#### **6.00 PLANNING POLICIES**

- 6.01 Flintshire Unitary Development Plan  
GEN1 - General Requirements for Development  
GEN3 – Development in the Open Countryside  
GEN4 – Green barrier  
AC13 – Access and Traffic Impact  
AC18 – Parking Provision and New Development  
HSG14 – Gypsy Sites

The proposal accords with the above policies.

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This is a full planning application for a new vehicular access to serve Plot 5 only of the consented gypsy/traveller site for 5 pitches.

### **7.02 Site description**

The application site is located to the south west of Magazine Lane, with Ewloe barn wood to the west and the A55 to the south. There is agricultural land to the east. The site has consent for a gypsy traveller site of 5 pitches. Plot 5 is the western most plot. The planning permission 050463 has been partially implemented in that the landscaping bund is in place and the power cables have been relocated. Hard core has also been laid across the site.

### **7.03 Proposed development**

The consent for a gypsy traveller site 050463 made provision for a shared single point of access off Magazine Lane, with an internal access road within the site serving each plot.

7.04 It is proposed to create a separate access to serve Plot 5 off Magazine lane with wooden close boarded gates. The configuration of the plot has been amended with a separate application of the resiting and increase in size of the day room. The location of the static caravan has also been amended as is permitted by condition 5 of permission 050463.

### **7.05 Green barrier and impact on the character of the countryside**

The consented gypsy site will have an impact on the green barrier and an urbanising effect on the open countryside as recognised by the appeal Inspector, however the need for more gypsy and traveller sites outweighed that harm.

7.06 The creation of the access would require the removal of a section of hedge, however as the site has a wide roadside verge, the amount of hedge required to be removed would only be 4.5 metres. No further hedgerow would need to be removed to provide the required visibility splays.

7.07 Residents have referred to 'thinning' of the hedge and removal of vegetation. There is an existing drainage ditch running in front of the hedge and vegetation has been removed to clear this ditch in order for it to function as a ditch.

7.08 A close boarded fence will be erected behind the existing roadside hedgerow within the site as boundary treatment. The proposed gates are close boarded timber panels 1.8 metres in height, which would match the internal fence. Highways have requested that the gates open inwards to prevent any obstruction on the highway and its verge if they were to be left open.

7.09 The visual impact of the creation of the access would be the removal of 4.5 metres of hedge and the insertion of wooden gates. As the principle of development is accepted it is not considered that the proposed development would have an unacceptable impact on the green barrier or the open countryside location.

7.10 Highways

Highways have no objection to the proposed access subject to conditions as set out in their response. The access would not lead to any increase in traffic as it is to serve the consented site.

7.11 Other matters

Residents have raised the issue that this might set a precedent for other access points to the other plots. Each application needs to be considered on its own merits and there are no planning reasons why this application should be refused.

**8.00 CONCLUSION**

8.01 The proposed additional access is not considered to have any significant additional harm to the green barrier and there are no highways objections to its siting.

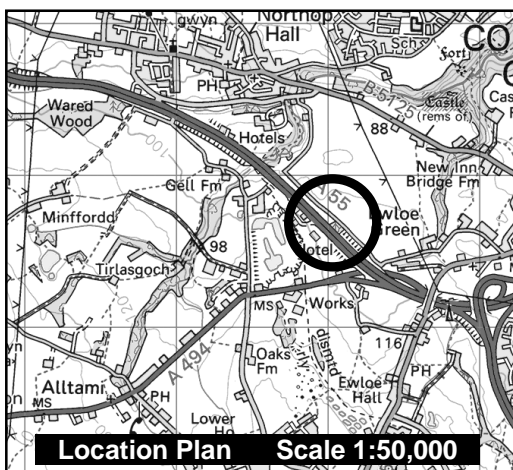
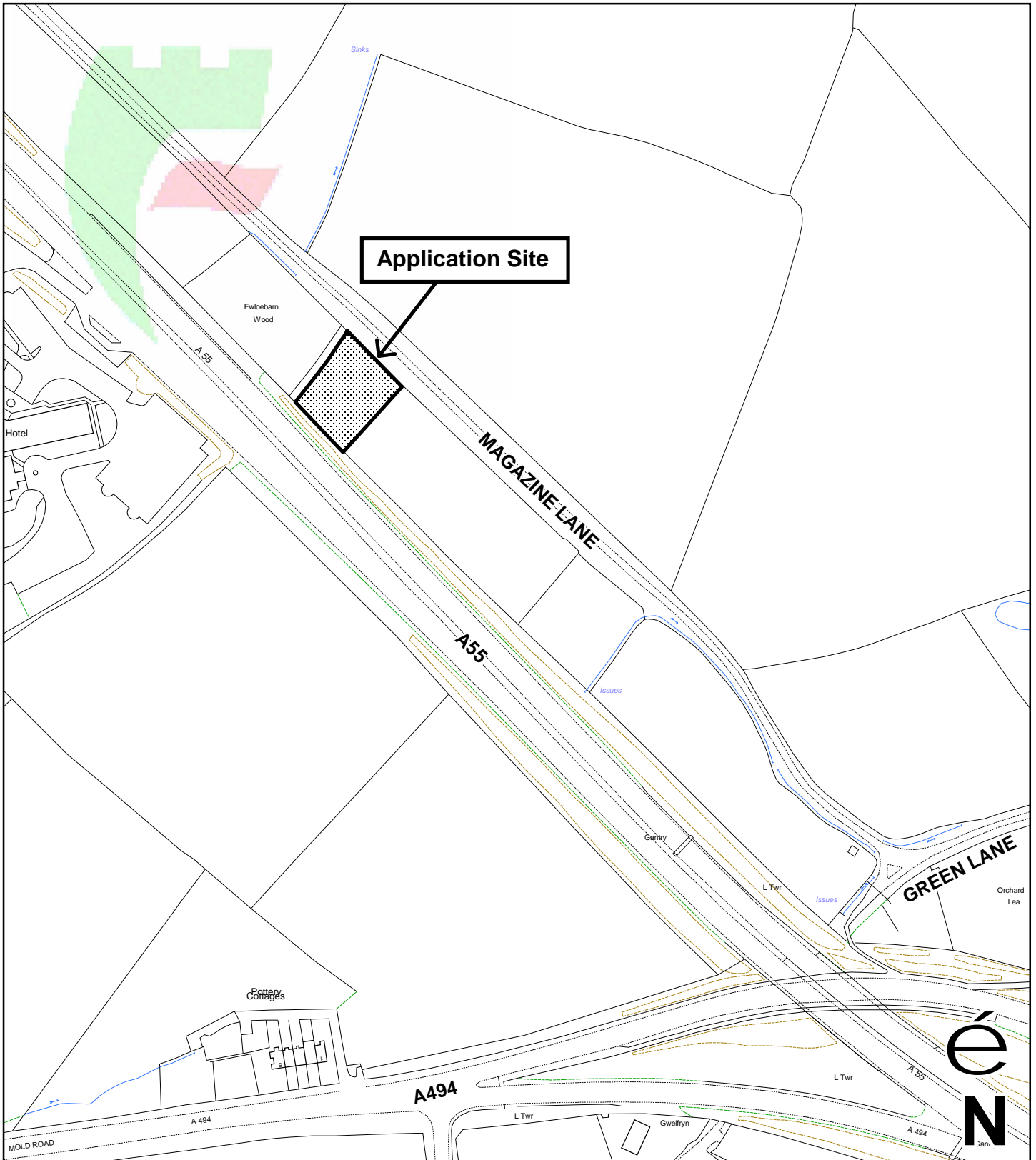
8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

**LIST OF BACKGROUND DOCUMENTS**

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

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Planning & Environment,  
 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**



Planning Application Site



Adopted Flintshire Unitary  
 Development Plan  
 Settlement Boundary

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Planning Application **54095**

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>th</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – ERECTION OF A DAY ROOM/AMENITY BUILDING ON PLOT 5 IN LIEU OF PREVIOUSLY APPROVED DAYROOM AS APPROVED BY PERMISSION 050463 AT EWLOE BARN WOOD, MAGAZINE LANE, EWLOE.**

**APPLICATION NUMBER:** **054096**

**APPLICANT:** **MR M ROONEY**

**SITE:** **LAND ADJACENT TO EWLOE BARN WOOD, MAGAZINE LANE, EWLOE**

**APPLICATION VALID DATE:** **30.07.15**

**LOCAL MEMBERS:** **COUNCILLOR D MACKIE**  
**COUNCILLOR A HALFORD**

**TOWN/COMMUNITY COUNCIL:** **HAWARDEN**

**REASON FOR COMMITTEE:** **LOCAL MEMBER REQUEST DUE TO LOCAL CONCERNS & S106 AGREEMENT**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This is a full planning application for the erection of a day room/amenity building to replace the previously consented amenity building/dayroom and to relocate it within the plot. This relates to Plot 5 only of the consented gypsy/traveller site for 5 pitches.
- 1.02 The consented buildings were 5m x 8m and were located within the centre of each pitch. It is proposed to resite and amend the size of the amenity building on plot 5 to 6m x 9m and to locate it adjacent to the road side hedge in the north eastern corner of plot 5.

1.03 The proposed increase in size of the day room/amenity building is not considered to have any significant additional harm to the green barrier and its re-siting adjacent to the hedge and fence would reduce the impact of the built development on the site.

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

The applicant entering into a S106 agreement to agree that this building is constructed in lieu of the previously consented dayroom/amenity building on 050463.

- 2.01
1. Time limit on commencement
  2. In accordance with plans
  3. Materials to be agreed

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor Mackie

Agrees to the determination of the application under delegated powers as the changes are minor.

Councillor Halford

Requests Committee determination due to concerns from local residents about any developments on the site and to show transparency.

Hawarden Community Council

Object to the development of this site and as such objects to all proposals relating to its intended use.

**4.00 PUBLICITY**

- 4.01 2 Objections on the grounds of;
- There is no requirement of a bigger building, the consented ones are sufficient
  - It would be overdevelopment of the small site and affect the wildlife in the surrounding area especially bats, with lighting and noise
  - Would lead to more creeping development on the site
  - There is no need for this site

Council for the Protection of Rural Wales

No objection to the design, form, scale and materials. Should have adequate connection to a sewerage system and a mains water supply.

## **5.00 SITE HISTORY**

5.01 047896 - Change of use of land for the stationing of caravans for the residential purpose for 5no. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use and retention of existing stables. Refused 12.01.12.

049152 - Change of use of land for the stationing of caravans for the residential purpose for 5no. gypsy pitches together with the formation of additional hardstanding and utility/dayrooms ancillary to that use and retention of existing stables. Refused. Dismissed on appeal 08.10.12.

050463 - Use of land for the stationing of caravans for the residential purpose for 5No. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use and retaining existing stables. Refused. Allowed on appeal 10.04.14.

## **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
GEN1 - General Requirements for Development  
GEN3 – Development in the Open Countryside  
GEN4 – Green barriers  
D1 – Design Quality, Location and Layout  
D2 – Design  
HSG14 – Gypsy Sites

The proposal accords with the above policies.

## **7.00 PLANNING APPRAISAL**

7.01 Introduction  
This is a full planning application for the erection of a day room/amenity building to replace the previously consented amenity building/dayroom and to relocate it within the plot. This relates to Plot 5 only of the consented gypsy/traveller site for 5 pitches.

7.02 Site description  
The application site is located to the south west of Magazine Lane, with Ewloe barn wood to the west and the A55 to the south. There is agricultural land to the east. The site has consent for a gypsy traveller site of 5 pitches. Plot 5 is the western most plot. The planning permission 050463 has been partially implemented in that the landscaping bund is in place and the power cables have been relocated. Hardcore has also been laid across the site.

7.03 Proposed development

The consent for a gypsy traveller site 050463 made provision for an amenity building/day room with washing and toilet facilities on each pitch. These took the form of brick buildings with pitched slate roofs. The consented buildings were 5m x 8m and were located within the centre of each pitch.

7.04 It is proposed to resite and amend the size of the amenity building on plot 5 to 6m x 9m and to locate it adjacent to the road side hedge in the north eastern corner of plot 5. The materials, design and height of the building would remain the same. The building would accommodate a shower room with toilet facilities and a laundry room with a separate room with washing facilities for dishes and food preparation.

7.05 Green barrier and impact on the character of the countryside  
The consented gypsy site will have an impact on the green barrier and an urbanising effect on the open countryside as recognised by the appeal Inspector, however the need for more gypsy and traveller sites outweighed that harm.

7.06 The proposed increase in size of the day room/amenity building is not considered to have any significant additional harm to the green barrier and its re-siting adjacent to the hedge would reduce the impact of the built development on the site, particularly when viewed from the A55, where views of the site are most prominent. Also when viewed from Magazine lane only the roof of the building will generally be visible.

## **8.00 CONCLUSION**

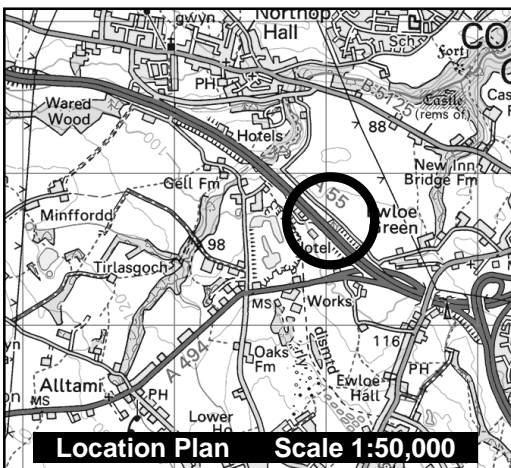
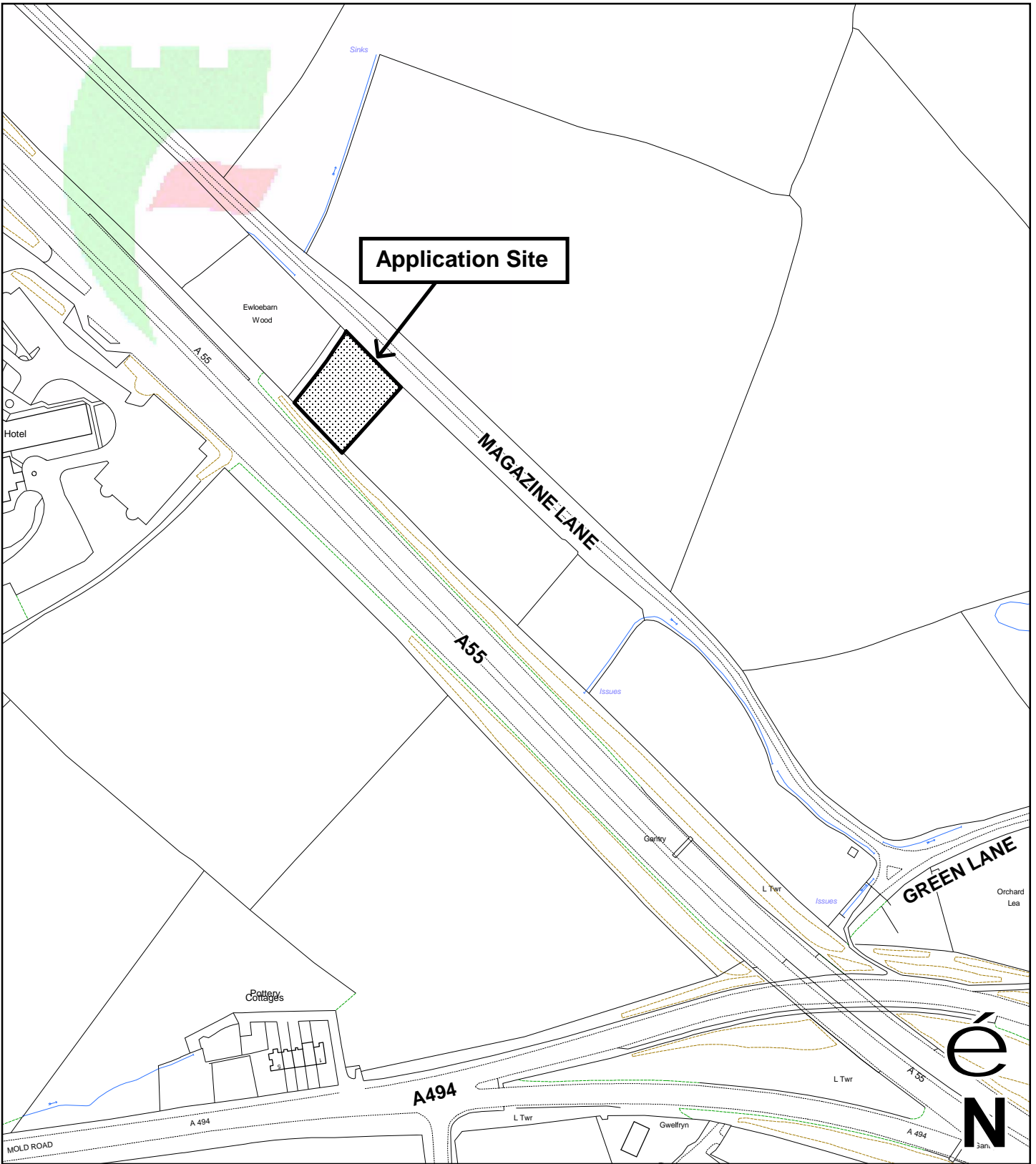
8.01 The proposed increase in size of the day room/amenity building is not considered to have any significant additional harm to the green barrier and its re-siting adjacent to the hedge and fence would reduce the impact of the built development on the site.

In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

### **LIST OF BACKGROUND DOCUMENTS**

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

**Contact Officer:** Emma Hancock  
**Telephone:** (01352) 703254  
**Email:** emma\_hancock@flintshire.gov.uk





**Location Plan Scale 1:50,000**



Planning & Environment,  
 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:2500
OS Map ref	SJ 2866
Planning Application	<b>54096</b>

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>TH</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – CHANGE OF USE FROM SHOP TO 2 NO. RESIDENTIAL UNITS AT DEESPEED MOTOR FACTORS, 100 – 102 CHESTER ROAD EAST, SHOTTON**

**APPLICATION NUMBER:** **052329**

**APPLICANT:** **ARROW ELECTRICAL**

**SITE:** **DEESPEED MOTOR FACTORS, 100 – 102 CHESTER ROAD EAST, SHOTTON**

**APPLICATION VALID DATE:** **07.07.14**

**LOCAL MEMBERS:** **COUNCILLOR DAVID EVANS**

**TOWN/COMMUNITY COUNCIL:** **SHOTTON**

**REASON FOR COMMITTEE:** **S106 AGREEMENT/EARLY PAYMENT OF OPEN SPACE MONEY**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

1.01 This is an application to convert an existing retail unit into 2 flats. It is considered that the loss of the retail use is acceptable in this location and the principle of residential use is acceptable.

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

2.01 The proposal is recommended for approval subject to the following:-  
Subject to entering into a S106 agreement/unilateral undertaking or earlier payment for the following contributions;

- £733 per unit for enhancements to 'toddler play provision' at North Street Plan Area, Shotton in lieu of on-site provision

Conditions

1. Time Commencement
2. Plans
3. A scheme of enhanced double glazing for living/bed rooms overlooking the High Street

If the Obligation pursuant to Section 106 of the Town & Country Planning Act 1990 is not completed within six months of the date of the committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to REFUSE the application.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor D Evans

No response received.

Shotton Town Council

No objections

Highways Development Control Manager

No objection

Public Protection Manager

No objections in principle to this application. However the proposed development overlooks the junction of Chester Road East and Shotton Lane. Brief noise readings taken in this area indicate that the site is within Noise Exposure Category (NEC) B during the daytime under Technical Advice Note 11. This means that specific measures are necessary to protect the amenity for future residents. Recommend a condition requiring a suitable scheme of enhanced double glazing for living/bed rooms overlooking the High Street.

Natural Resources Wales

Standard Advice.

Play Unit

£733 per unit in lieu of on-site open space provision towards off site recreation facilities for enhancements to 'toddler play provision' at North Street Plan Area, Shotton.



## **4.00 PUBLICITY**

### 4.01 Site Notice and Neighbour Notification

1 letter of objection on the grounds of;

- When they converted the first floor flats they damaged our wall internally which caused a crack. Concerned that this might happen on ground floor
- Lack of parking space for five flats on a busy main road near crossroads
- Noise pollution with a large number of flats in a small location
- Thickness of internal walls and sound proofing

## **5.00 SITE HISTORY**

5.01 Subdivision of existing shop into 2 no shop units and conversion of first floor into two self-contained flats. Approved 09.06.08

## **6.00 PLANNING POLICIES**

### 6.01 Flintshire Unitary Development Plan

STR1 New Development

STR 4 Housing

GEN1 General Requirements for Development

GEN2 Development Inside Settlement Boundaries

D1 Design Quality, Location and Layout

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

HSG3 Housing on Unallocated Sites within Settlement Boundaries

S11 Retention of Local Facilities

The proposal **would** comply with the above policies.

## **7.00 PLANNING APPRAISAL**

### 7.01 Introduction

This is an application to convert an existing retail unit into 2 flats. The application is brought to Committee in order for the applicant to be able to make early payment of the off-site open contribution.

### 7.02 Site Description

The application site is situated on the corner of Shotton Lane and Chester Road East. The building is part of a terrace which runs along Chester Road. There is rear access to the property. To the south is St. Ethelwold's Church on Shotton Lane and to the north east of the site on Chester Road East are a number of commercial and residential properties in terraced and semi-detached buildings. The site is a vacant shop and the first floor is already converted to 2

apartments.

7.03 Proposed development

It is proposed to convert the existing retail unit into 2 flats with storage areas. The internal layout would be altered to convert the shop, office and storage into 2 one bedroom flats. Externally the existing shop front on Chester Road would be altered to provide a residential frontage with a central front door and windows either side, an additional window would be added to the side elevation and the roller shutters on the rear would be replaced with a window. It is proposed to render the bottom half of the building.

7.04 Principle

The application site is within the Shotton settlement boundary within the Flintshire UDP which is a Category A settlement where residential development is focused. The site is not located within any core retail area. Although this is a prominent retail unit at a junction there is no policy reason to resist it and there are other facilities elsewhere within the settlement. The principle of residential development is therefore acceptable as it is a sustainable location.

7.05 Parking

The site has one parking space to the rear. The first floor is converted to 2 flats so in total with this permission the building would accommodate 5 1 bedroom flats. While insufficient parking is provided within the site, it is located within the town centre and is on a main transport corridor. There are a number of bus stops in the vicinity of the application site and the site is on a main bus route. The site is also within approximately 350 metres of Shotton train station. There are a number of services and facilities within walking distance. The site is close to the retail park which houses a supermarket, pet shop, DIY store, discount store and restaurants. It is therefore considered that the site is in a sustainable location therefore reduced parking requirements can be justified in line with Policy AC18. Also the previous use of the building as a retail unit would have generated the need for a similar level of parking spaces than the proposed use.

7.06 Other matters

An objector has raised concerns regarding the proposed conversion work and impact to his property. This is not a planning matter and is covered by the Part Wall Etc Act 1996. Other matters to do with noise would be dealt with by building regulations and insulation requirements.

7.07 A contribution of £733 per apartment would be required to enhance open space in local area in lieu of on-site provision. This would be for enhancements to 'toddler play provision' at North Street Play Area, Shotton. By bringing this application to committee it gives the applicants the choice to pay the money upfront given the small nature of the scheme and negate legal costs.

## **8.00 CONCLUSION**

- 8.01 It is considered that the loss of the retail use is acceptable in this location and the principle of residential use is acceptable.

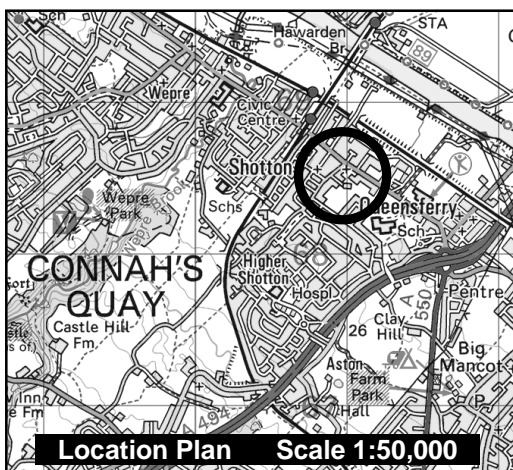
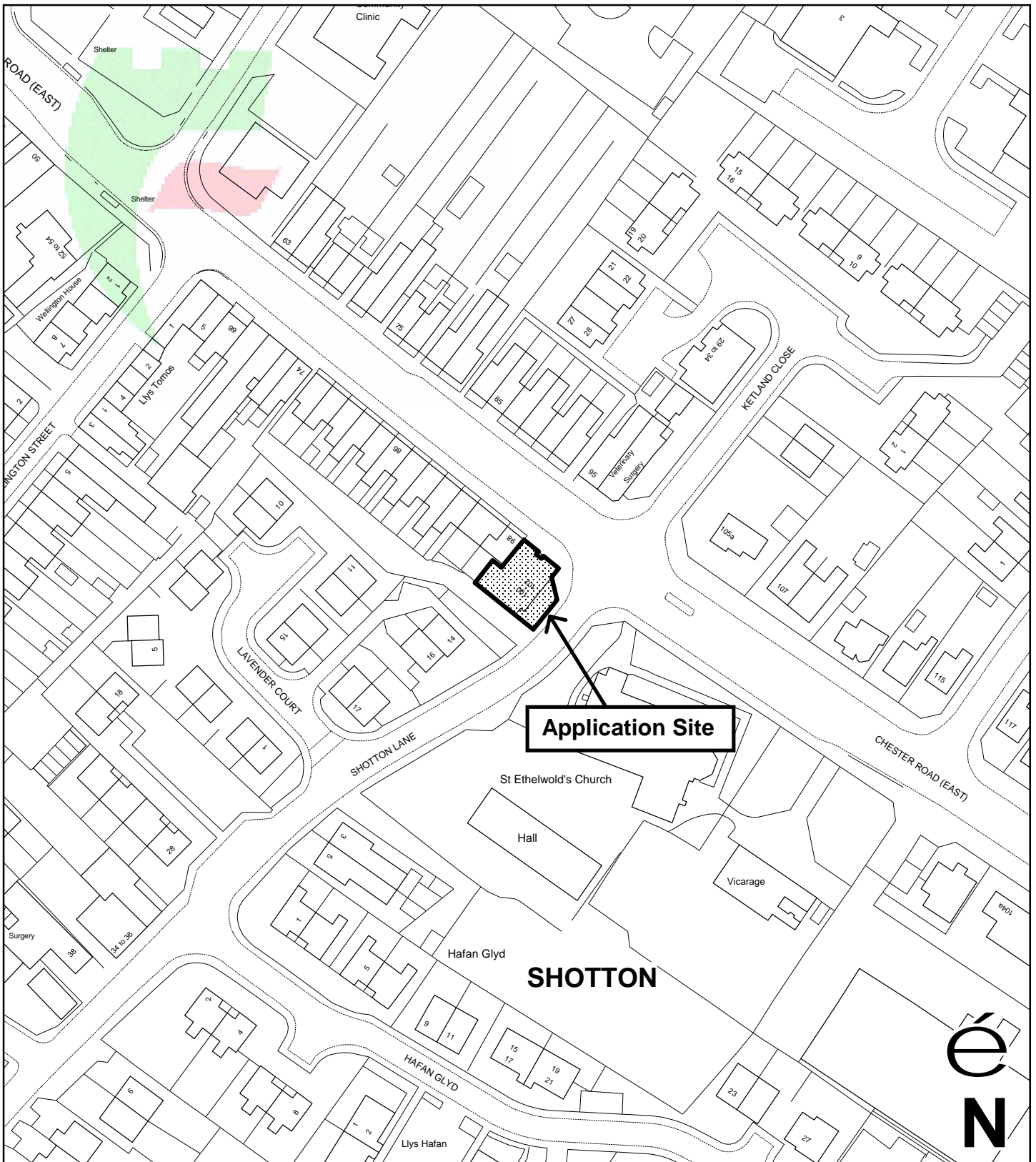
In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

### **LIST OF BACKGROUND DOCUMENTS**

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

**Contact Officer:** Emma Hancock  
**Telephone:** (01352) 703254  
**Email:** [emma.hancock@flintshire.gov.uk](mailto:emma.hancock@flintshire.gov.uk)

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Planning & Environment,  
 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:1250
OS Map ref	SJ 3168
Planning Application	<b>52329</b>

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>TH</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – ERECTION OF DETACHED GARAGE AND FORMATION OF ACCESS AT 13 BRON HAUL, TRELAWNYD**

**APPLICATION NUMBER:** **053545**

**APPLICANT:** **MISS G JONES**

**SITE:** **13 BRON HAUL, TRELAWNYD**

**APPLICATION VALID DATE:** **4 AUGUST 2015**

**LOCAL MEMBER:** **COUNCILLOR N. STEELE-MORTIMER**

**TOWN/COMMUNITY COUNCIL:** **TRELAWNYD & GWAENYSGOR**

**REASON FOR COMMITTEE:** **LOCAL MEMBER REQUESTED THAT THE APPLICATION BE REFERRED TO COMMITTEE AS THE ACCESS IS ON TO A PRIVATE ROAD WITH OUT THE AGREEMENT OF THE OWNERS**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This application seeks planning permission for the erection of a detached garage that is proposed to be served by a new vehicular access from the private road to the rear of 13 Bron Haul, Trelawnyd.

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

- 2.01
1. Commencement within five years.
  2. In accordance with the approved plans.
  3. There shall be no raising or lowering of ground levels within the permitted safety zone of the public main sewer which crosses the site.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor N. Steel-Mortimer

Request that the application is referred to Committee as the access is on to a private road, the maintenance of which is carried out by the property owners on London Road.

Trelawynd & Gweanysgor Community Council

No response received at time of writing this report.

Head of Public Protection

No adverse comments to make regarding this proposal.

Welsh Water/Dwr Cymru

Confirm that the application site is crossed by a public main crossing. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line

**4.00 PUBLICITY**

4.01 Neighbour Notification

7 objection letters received objecting to the proposal on the following grounds;

- The private road belongs to the properties on London Road.
- Parking will become a problem.
- Surface water.
- Maintenance of the road.

**5.00 SITE HISTORY**

5.01 No relevant site history.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

GEN1 - General Requirements for Development

HSG12 - House Extensions and Alterations

D2 - Design



## **7.00 PLANNING APPRAISAL**

- 7.01 The application site comprises of the curtilage to an end terrace, two storey dwelling, located at the end of a cul-de-sac within the settlement boundary of Trelawnyd, as defined in the Flintshire Unitary Development Plan.
- 7.02 The proposal is for the erection of a detached single garage measuring 4.48m wide by 6.29 m long with a ridge height of 4.21m. The garage will be rendered to match the dwelling and roofed in concrete tiles. The proposed vehicular access to the garage will be via a new access on to a private road adjacent to the rear boundary of the site.
- 7.03 In terms of the visual impact the proposal will have, the design of the garage is subordinate to the main dwelling and there will not be any adverse impact on the amenities of the neighbouring adjoining properties.
- 7.04 Objections have however been raised by a number of local residents who reside in the dwellings fronting London Road, but have their vehicular access off the private drive to the rear of the dwellings, on to which it is proposed that the new vehicular access will be created. Given that the road is private, the formation of the access does not in itself require planning permission and the use of it is a civil matter, as it is a land ownership issue between the owners and the applicant, outside the remit of planning. In granting planning permission we would make it clear to the applicant that it would not authorise any rights over private land and that these would have to be negotiated separately to allow the access to be used
- 7.05 There is also a claim that the access would be hard surfaced and contribute to surface water drainage issues in the locality but this would be negligible and would not have any significant impact on the adjoining road.

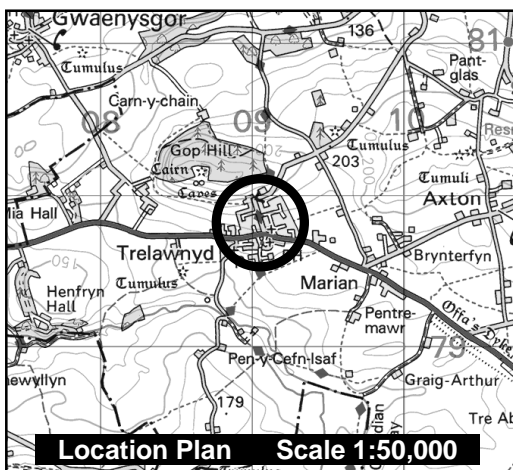
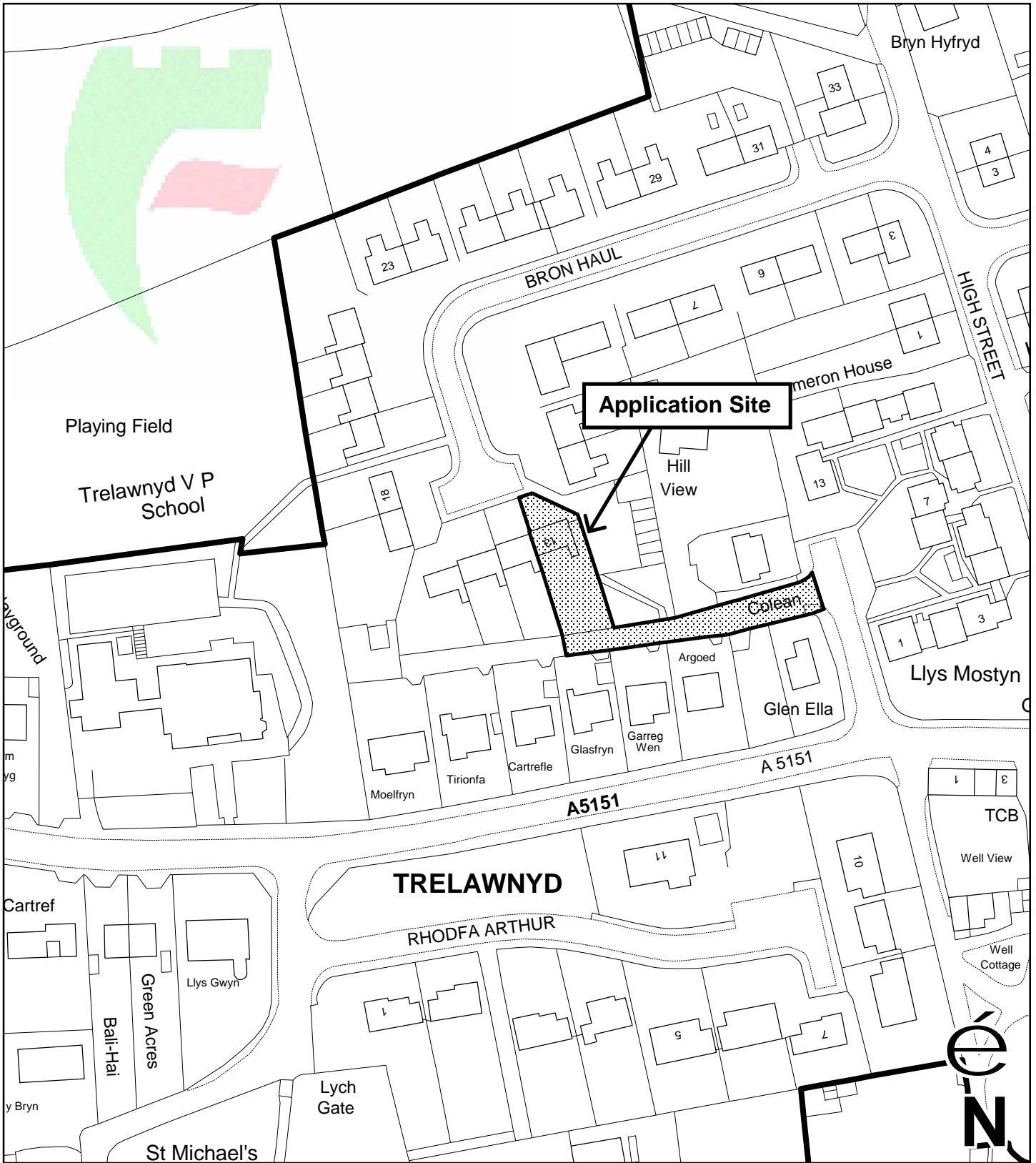
## **8.00 CONCLUSION**

- 8.01 In conclusion, the scale and form of the development does not have an unacceptable and adverse impact on the character of the area, compliant with the above policies and it is recommended for approval accordingly.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

## **LIST OF BACKGROUND DOCUMENTS**

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

**Contact Officer:** Barbara Kinnear  
**Telephone:** (01352) 703260  
**Email:** [Barbara.kinnear@flintshire.gov.uk](mailto:Barbara.kinnear@flintshire.gov.uk)

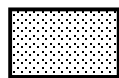


**Location Plan Scale 1:50,000**



Planning & Environment,  
 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**



Planning Application Site



Adopted Flintshire Unitary  
 Development Plan  
 Settlement Boundary

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Planning Application **53545**

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>TH</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – CONVERSION OF THE FORMER CHURCH TO CREATE 3 NO. DWELLINGS, DEMOLITION OF THE CHURCH HALL AND CONSTRUCTION OF 3 NO. DWELLINGS AT ST. DAVID’S CURCH, CHESTER ROAD, OAKENHOLT.**

**APPLICATION NUMBER:** **053468**

**APPLICANT:** **MR. N. CLARKSON**

**SITE:** **ST. DAVID’S CURCH,  
CHESTER ROAD,  
OAKENHOLT,  
FLINT**

**APPLICATION VALID DATE:** **4<sup>TH</sup> APRIL 2015**

**LOCAL MEMBERS:** **COUNCILLOR MS. R. JOHNSON**

**TOWN/COMMUNITY COUNCIL:** **FLINT TOWN COUNCIL**

**REASON FOR COMMITTEE:** **LOCAL MEMBER REQUESTS COMMITTEE DETERMINATION IN VIEW OF ACCESS CONCERNS**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This is a full application for the conversion of the existing church to form 3 dwellings, demolition of the existing church hall and redevelopment of that part of the site to provide 3No. 2 storey dwellings, together with the amendment of vehicular access and parking arrangements.

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

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking to provide the following:-

- a. Ensure the payment of a contribution of £5499 to the Council in lieu of on site play and recreation provision. Such sum to be paid to the Council prior to the occupation of any dwelling hereby approved and to be used to upgrade existing facilities within the community (to be specified).

2.02 Conditions

1. Time limit.
2. Archaeological Watching brief.
3. Boundary treatments to be submitted and agreed.
4. Materials, colours and finishes to be agreed.
5. Schedule of works to existing walls to be agreed. Implementation prior to occupation.
6. Removal of Permitted Development Rights.
7. Exact window and door repair/replacement details to be submitted and agreed prior to installation.
8. Notwithstanding submitted details, no planting within area hatched on plan.
9. Car parking facilities to be retained in perpetuity.
10. Details of all foul, surface and land drainage to be submitted and agreed prior to commencement.
11. Development to be undertaken in strict accord with recommendations of ecology and archaeology reports.
12. No external lighting without prior approval of Local Planning Authority.
13. Scheme for timing of demolition and conversion work to the church to be submitted and agreed with Local Planning Authority.
14. Scheme for the retention and protection of internal floor tiled dedication to be submitted and agreed.

2.03 If the Obligation pursuant to Section 106 of the Town & Country Planning Act 1990 is not completed within six months of the date of the committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to REFUSE the application.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor Ms. R. Johnson

Considers the proposals will result in adverse impacts upon highway safety at the junction of Croes Atti Lane and the A548 as a

consequence of increased traffic.

Flint Town Council

No response at time of writing.

Highways DC

No adverse comments. Improvements to visibility sought where this does not affect historic fabric. Requests conditions in respect of restrictions to planting in the visibility splay and notes to ensure Footpath 48 is unaffected.

Pollution Control

No adverse comments

Welsh Water/Dwr Cymru

No adverse comments. Requests the imposition of conditions requiring drainage proposals to be submitted and agreed.

Natural Resources Wales

No response at time of writing.

CPAT

Requests the imposition of an archaeological watching brief condition.

Public Open Spaces Manager

Considers that on site provision of play and recreation facilities is not required. Seeks a commuted sum of £5499 in lieu of the same. Await details of exact play area location.

#### **4.00 PUBLICITY**

4.01 The application has been publicised by way of a press notice, site notice and neighbour notification letters.

4.02 At the time of writing, 1No. letter of objection has been received raising concerns in respect of the impact of additional traffic on both highway and pedestrian safety

#### **5.00 SITE HISTORY**

5.01 No previous site history.

#### **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
Policy STR1 – New Development  
Policy STR7 – Natural Environment  
Policy STR8 – Built Environment  
Policy GEN1 – General Requirements for Development  
Policy GEN2 – Development Inside Settlement boundaries

Policy D1 – Design Quality, Location and Layout  
 Policy D2 – Design  
 Policy WB1 – Species Protection  
 Policy HE4 – Buildings of Local Interest  
 Policy HE6 -- Scheduled Ancient Monuments  
 Policy HE8 -- Recording of Historic Features  
 Policy AC13 – Access and Traffic Impact  
 Policy AC18 -- Parking provision & new development  
 Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries  
 Policy CF1 – Retention of Existing Facilities  
 Policy EWP17 – Flood Risk

Planning Policy Wales  
 TAN12 - Design  
 TAN15 - Flood Risk

The proposal is considered to be in accordance with the above national and local planning policies and guidance.

## **7.00 PLANNING APPRAISAL**

### **7.01 The Site and Surroundings**

This 0.17 hectare site is presently occupied by St. David's Church and its associated church hall and car park. It occupies a prominent position upon the main A548 on the approaches to Flint from the east. The church is set in its own grounds but has no associated burial ground. The site is flat across each axis and is reflective of the adjacent topography.

7.02 The site is bounded to the North by the A548, with residential dwellings situated beyond that; to the south by existing 2 storey residential dwellings and their associated curtilage areas on Croes Atti Lane; to the east Croes Atti lane itself, with an area of open space associated with the adjacent bowling green beyond; and to the west by other 2 storey dwellings fronting both the A548 and Mill Croft.

### **7.03 The Proposed Development**

It is proposed to convert the existing church into 2No. 2 bed dwellings and 1No. 3 bed dwelling. In addition, following demolition of the adjacent modern church hall, it is proposed to erect 3No. 2 storey terraced dwellings. It is proposed to insert a first floor to provide additional accommodation. Roof lights would be inserted to provide light to the first floor. The existing wall along the frontage of the site will be rebuilt and retained.

7.04 The development would be served by a single point of access located centrally along the frontage of the site with Croes Atti Lane. The existing access to the car park (located further along Croes Atti Lane) is to be closed up. The existing wall along the frontage of the site will



be rebuilt and retained. 12No. car parking spaces would be provided within the site in front of the buildings and a further 3No. spaces are available within proposed garaging to the new dwellings.

7.05 It is proposed to demolish the church hall and erect 3No. 3 bed dwellings. Private amenity space to the new build and converted units will be provided on the west side of the site.

7.06 Main Issues

The main issues to consider are:

- the principle of residential development;
- the impact of the conversion on the character of the building;
- archaeological implications;
- design and amenity considerations;
- Ecological impacts; and
- highways impacts

7.07 Principle of residential development

The site is located within the settlement boundary of Flint which is defined as a Category A settlement within the adopted Flintshire Unitary Development Plan. Policy GEN2 identifies a presumption in favour of the development of such sites but identifies that in the case of unallocated 'windfall sites' there are limitation imposed via policy HSG3.

7.08 Policy HSG3 directs that upon unallocated sites within settlement boundaries, new housing development will be permitted in Category A settlements where it does not conflict with the planned housing provision for the County, as set out in the UDP, and does not conflict with Policy GEN1.

7.09 The bringing forward of such windfall sites is consistent with the strategic aims of the UDP and the UDP Inspector's conclusions in relation to housing, in that housing development should be primarily directed towards sustainable settlements such a Category A settlements. This is because there are a greater range of facilities, services and infrastructure within such settlements in the County.

7.10 Accordingly, the principle of residential development through the proposed conversion and new build is acceptable.

7.11 Impact of the character of the building

St. David's Church is a good example of a late Victorian Church with attached church hall and includes ornate polychrome brick detailing to windows, doors and walls which are a feature that carries through to the attached church hall. The original church hall is an integral part of and is contemporary with, the church itself and it is important that this is retained. The building adds character to the street scene and it is therefore important, for the above listed reasons, that the building is

retained and these features protected.

- 7.12 The conversion of the building makes some alterations to the external fabric of the building. The main changes are the insertion of roof lights on a concealed roof slope to the church hall and to utilise existing roof vent openings in the church to insert a glazing system to allow light to penetrate to the newly inserted first floor. In addition, the insertion of a pair of additional windows in the link between the church and the church hall is proposed. Two of the existing church windows on the north western elevation are proposed to be truncated to allow door openings into the new adjacent residential curtilages. A new door is to be formed to allow access to Unit 1. This had been discussed at length and it was felt that the opening should be clearly identifiable as being new and therefore it is distinctively different to reflect this fact.
- 7.13 There are no other proposed alterations to any of the window or door features of the building. The external fabric of the building is sound and it is proposed to utilise the existing windows, with scheme of repair or replacement to be submitted and approved via condition and where appropriate.
- 7.14 The church has many interesting internal features, especially decorative floor tiling. Of particular note is a decorative tile dedication dating back to the founding of the church which is set into the floor of the steps to the former altar of the church. This is proposed to be retained within the scheme and protected. The exact methods to be used will be the subject of a condition.
- 7.15 The conversion creates 3 dwellings and private amenity spaces to each are to be formed on the north western side of the church. This ensures that the private amenity spaces do not detract from the landmark role of the building with the street scene. Whilst these areas do not provide the depth of garden which would be sought in connection with new build dwellings, they do provide the area required and, taking into account the constraints of working with such a building, are considered acceptable.
- 7.16 Accordingly, it is not considered that the proposed alterations significantly affect the character of the building.
- 7.17 Archaeological considerations  
The site occupies a position immediately to the north of a scheduled ancient monument known as Pentre Bride Roman Site which contains extensive evidence of a 1<sup>st</sup> – 3<sup>rd</sup> century AD Roman industrial settlement. It is considered that the evidence of this settlement extends into the development site and there is strong possibility of good sub surface preservation of Roman remains. Accordingly, it was considered that there would be a need for the site to be the subject of an archaeological assessment to support the application to identify where there may be a potential impact upon any surviving remains.

- 7.18 The assessment has been undertaken and a report (dated July 2015) into the same produced. The archaeological evaluation located two undated features including the remains of a metalled road surface and a wide but shallow ditch. The suspicion is that these features are likely to be Roman in date, but just did not produce any definitive dating evidence from the small sample area investigated. These features would form part of the wider Roman settlement at Pentre Ffwrndan and Croes Atti which extends either side of the modern main road.
- 7.19 There is still a potential for Roman period archaeology here, including additional evidence of the two features described above, but it is likely to be well truncated and of moderate value if some dating material can be recovered.
- 7.20 It is therefore recommend that a condition requiring an archaeological watching brief is imposed upon any planning permission. I propose to condition accordingly.
- 7.21 Design and impacts upon amenity  
The proposals provide for the erection of 3No. dwellings on the site of the modern church hall. The design of these dwellings has been the subject of lengthy discussion and negotiation and it was concluded that rather than attempt to create a pastiche of the church and its features within these dwellings, the dwellings should be visually distinct and separate from the older more ornate church and hall.
- 7.22 Accordingly the dwellings are modern in appearance, scale and form. The only way in which they pay any respect to the adjacent building is that roof ridges reflect the church hall and therefore gables are presented to the street scene.
- 7.23 As with the converted units, private garden space is provided to the rear. Both adequate depth and area are provided and I satisfied that there will be no adverse impacts upon either existing or future amenities as a consequence. The dwellings provide the required separation distances to existing properties to the rear.
- 7.24 Ecological Impacts  
There are no national or international wildlife sites within or adjacent to the site. The site has been the subject of an ecological assessment and species surveys. These have established that the church is acting as a roost to a small number of Common and Soprano Pipistrelle Bats. The surveys have identified that there is no evidence of the presence of other protected species upon the site itself.
- 7.25 European Protected Species (EPS) and their breeding sites and resting places are protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 (as amended) and under Article 12 of the EC Directive 92/43/EEC in the United Kingdom. Plans

or projects that could affect EPS must satisfy the appropriate Article 16 derogation and two mandatory tests. Disturbance to an EPS whilst occupying a place of shelter and/or obstruction of access to a place of shelter are also prohibited under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

- 7.26 Regulation 9 (1) and 9 (5) of the Conservation of Habitats and Species Regulations 2010 (as amended) requires public bodies in exercise of their functions, to ensure compliance with and to have regard to the provisions of the 1992 'Habitats' Directive (92/43/EEC). Consequently the Local Planning Authority decision making must be undertaken in accordance with the compliance of the Habitats Directive.
- 7.27 The local authority must be satisfied that a proposal satisfies the appropriate Article 16 derogation and two mandatory tests as part of the planning decision process. The need is to consider this derogation is specifically identified in TAN 5 and Regulation 53 of the Conservation of Habitats and Species Regulations 2010.
- 7.28 In consideration of these requirements I consider that the proposals seek to establish the acceptability of the use of the site for the purposes of residential accommodation utilising the fabric of a building deemed of local historic or architectural merit. Planning policies in respect of such buildings direct that the preference is for the re-use and retention of such buildings
- 7.29 The site has been assessed to establish the ecological component and this has revealed that the site is acting as a roost for EPS bats. However, the buildings are currently vacant and deteriorating in condition. Unless the site is brought into beneficial use, the condition will deteriorate to such an extent that the buildings will no longer be suitable to meet the needs of the EPS.
- 7.30 It is proposed to secure the continued favourable conservation status of the species in question via the installation of bat boxes within the fabric of the converted church to allow the continued use of the building as a roost. The applicant has provide a mitigation report which outlines the detail of the mitigation, together with a scheme of Reasonable Avoidance Measures which are considered to be acceptable. However, the works in connection with the conversion of the building where it relates to the EPS will be required to be undertaken under license.
- 7.31 In addition, it is suggested that all external lighting needs to be carefully controlled to ensure that conditions are maintained to maintain favourable conditions for bats. Furthermore, demolition and conversion works should be undertaken in the period October – March to avoid disturbance of the roost. Both of these matters can be conditioned.

- 7.32 The application is accompanied by survey data to indicate that the proposals would not adversely affect European Protected Species (EPS). In considering this data, together with the proposed mitigation measures and schemes of reasonable avoidance measures and future management and monitoring of the mitigation areas, the Local Planning Authority are satisfied that there are no adverse effects upon the EPS. It is considered that this proposal will ensure that the favourable conservation status of the species and habitat is secured and protected.
- 7.33 Highway Impacts  
Concerns have been raised in response to consultation that the proposals will give rise to unacceptable highways impacts due to the nature of and visibility at the junction of Croes Atti Lane with the A548. The concern is that increased use of this access as a consequence of the proposals will increase the risk to highway safety for vehicular users and also increase the risk to pedestrian safety.
- 7.34 The proposals have been considered by Highways DC in the usual manner and I am advised that there is no highway objection to the proposals. The position of the existing church boundary wall adjacent to the access point has been considered and I am advised that its position does not impede visibility. Consideration of whether the wall and pillar heights ought to be reduced has been undertaken. This consideration recognises that the wall varies in height between 0.9 m and 1.3 metres in height and that a scheme of repair is proposed. I am satisfied that the repair scheme could include the reduction of the height of the wall to a consistent height of 1 metre and propose to condition accordingly.
- 7.35 However, the gate pillars are an historic feature of the building which ought to be retained and not amended under the above scheme. Highways DC accept this position and as they do not impede visibility detrimentally, a condition to control landscape planting within the frontage area is proposed.
- 7.36 Other matters  
Consultation with the Public Open Spaces Manager has revealed that rather than formal provision within the site for play and recreation, a commuted sum should be sought to be utilised in connection with projects for play and recreation within the community.
- 7.37 The consultation has established that the sum requested should be used in connection with a project in the locality. In accordance with the requirements of the Community Infrastructure Levy Regulations (CIL) 2010, this sum, when pooled would not exceed 5 contributions towards a single project.

7.38 Accordingly and in line with LGPN 13: Open Space Requirements, I recommend that a contribution equivalent to £1100 for each of the new build dwelling and £733 for each of the dwellings formed by conversion, reflecting that the conversion safeguards a BLI, is sought via a S.106 agreement to satisfy this requirement. This equates to £5499.

## **8.00 CONCLUSION**

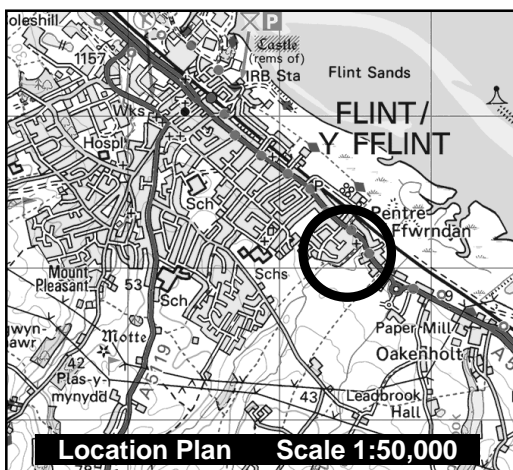
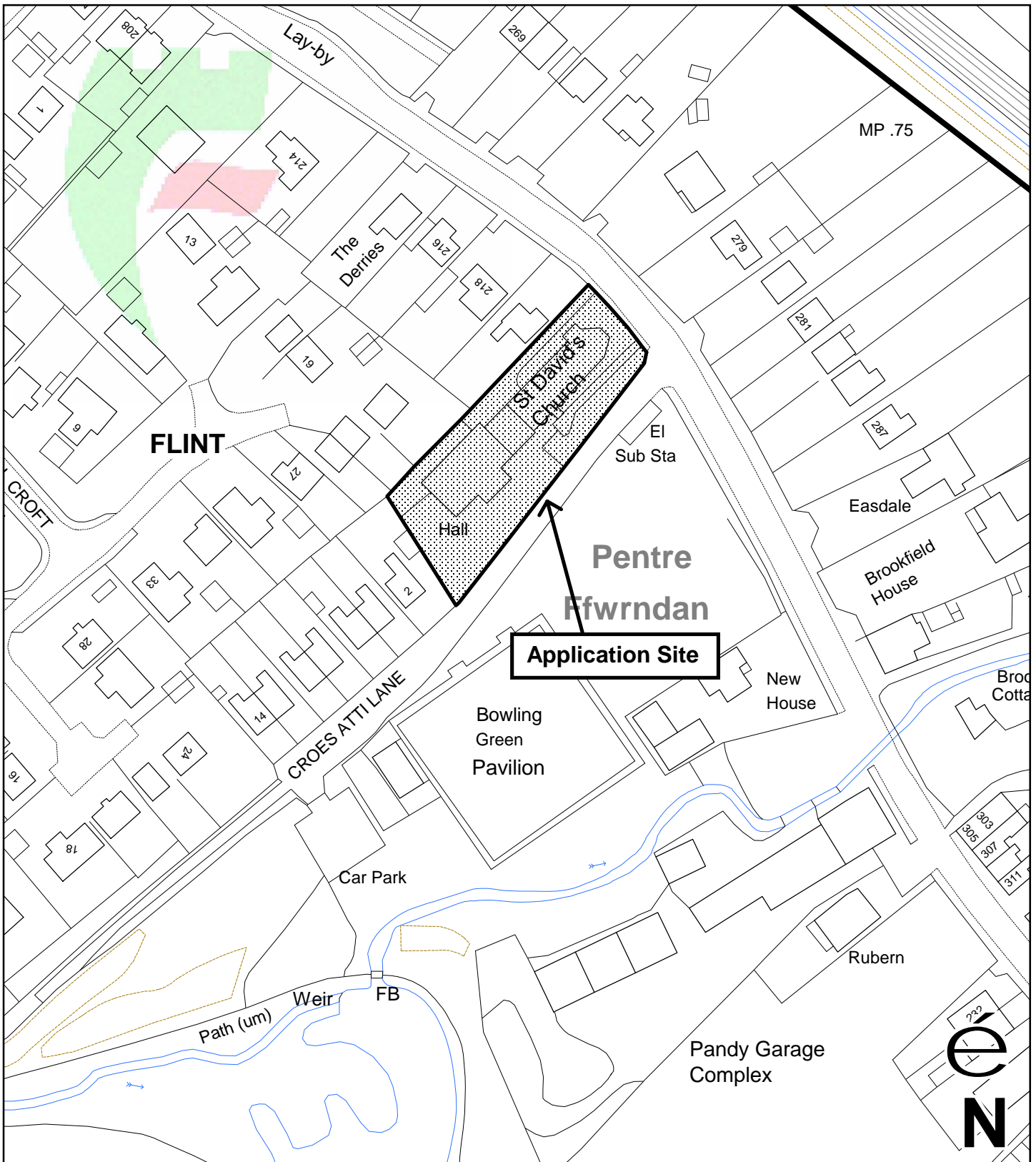
8.01 The proposed scheme is a sympathetic conversion which would retain a building of local interest. It is considered that the proposed conversion provides adequate access and parking arrangements for the number of dwellings arising from both the conversion and new build elements of the proposals in this location. Accordingly, I consider that the proposals would be acceptable taking all matters into account.

8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

### **LIST OF BACKGROUND DOCUMENTS**

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

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**Telephone:** 01352 703281  
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Planning & Environment,  
 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**



Planning Application Site



Adopted Flintshire Unitary  
 Development Plan  
 Settlement Boundary

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OS Map ref SJ 2572

Planning Application **53468**

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>TH</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – ERECTION OF A PAIR OF SEMI DETACHED BUNGALOWS AT HEATHERDENE, VICARAGE ROAD, RHYDYMWYN**

**APPLICATION NUMBER:** **053534**

**APPLICANT:** **MR ROBERT DRILLSMA**

**SITE:** **HEATHERDENE, VICARAGE ROAD, RHYDYMWYN**

**APPLICATION VALID DATE:** **13.04.15**

**LOCAL MEMBERS:** **COUNCILLOR OWEN THOMAS**

**TOWN/COMMUNITY COUNCIL:** **CILCAIN COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **S106 AGREEMENT TO ENSURE THE DWELLINGS ARE AFFORDABLE**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This is a full application for the erection of a pair of semi-detached bungalows with access parking and private amenity spaces off Dolfechlas Road, Rhydymwyn. The application site is within Rhydymwyn which is Category C settlement within the Flintshire Unitary Development Plan. Any development therefore needs to meet an identified local housing need. The applicant is willing to enter into a S106 to ensure that the dwellings are affordable by either affordable rent or sale.

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

2.01 The applicant entering into a S106 agreement/unilateral undertaking or earlier payment for the following contributions;

- £733 per unit for recreation enhancements in lieu of on-site provision towards teenager play provision at 'Donkey field' Rhydymwyn; and
- Ensuring that the properties are sold at 70% of the market value at time of sale; or
- The properties are rented at an affordable rent at the Local Housing Allowance (LHA) rate for the area

2.02

1. Time Commencement
2. Plans
3. Surface water drainage method
4. Foul drainage
5. Land drainage
6. The proposed development site is crossed by a public sewer with the approximate position being marked on the Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.
7. Materials
8. Final site levels to be 150mm above existing ground levels
9. Visibility splay of 2.4m x 43m
10. Provision and retention of parking spaces
11. Provision of a 1.8m wide footway along the sites frontage
12. Positive means to prevent surface water run off
13. Finished floor levels are 150mm are above existing ground levels.

If the Obligation pursuant to Section 106 of the Town & Country Planning Act 1990 is not completed within six months of the date of the committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to REFUSE the application.

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor O Thomas  
Agrees to the determination of the application under delegated powers.

Cilcain Community Council  
No response received at time of writing.

#### Highways Development Control

No objection in principle subject to conditions covering;

- Visibility splay of 2.4m x 43m
- Provision and retention of parking spaces
- Provision of a 1.8m wide footway along the sites frontage
- Positive means to prevent surface water run off

#### Head of Public Protection

No adverse comments to make.

#### Housing Strategy

Given that there is limited opportunity for development in this areas as per the current UDP, I am satisfied that demand exists for this type of accommodation and would support it subject to an appropriate S.106 agreement being in place.

#### Welsh Water/Dwr Cymru

No objection subject to standard conditions relation to foul and surface water drainage. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

#### Play Unit

£733 per unit for recreation enhancements in lieu of on-site provision towards teenager play provision at 'Donkey field' Rhydymwyn.

#### Natural Resources Wales

Have reviewed the Flood Consequences Assessment and updated blockage modelling report. In terms of the River Alyn, we are satisfied that the proposed development site has been shown to be flood-free in the 1% AEP plus climate change event allowing for possible failures occurring on components of the River Alyn food alleviation scheme.

We have received additional outputs from the applicant's consultant Waterco showing that the site is expected to be flood free during the 1% AEP plus climate change event with 100% blockage at the Nant Road culvert on Dolfechlas Brook.

We are therefore satisfied that the risks and consequences of flooding to the proposed development can be acceptably managed in line with TAN 15 Development & Flood Risk (2004).

### **4.00 PUBLICITY**

#### **4.01 Site Notice and Neighbour Notification**

No responses received.

## **5.00 SITE HISTORY**

5.01 **050037** – Outline erection of a dwelling. Refused 12.06.14

## **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

STR1 - New development

STR4 - Housing

GEN2 - General Requirements for Development

GEN2 - Development Inside Settlement boundaries

D1 - Design Quality, Location and Layout

D2 - Design

HSG3 - Housing on Unallocated Sites Within Settlement boundaries

HSG8 - Density of Development

EWP - 17 Flood risk

The development is in accordance with the above policies.

## **7.00 PLANNING APPRAISAL**

7.01 Introduction

This is a full application for the erection of a pair of semi-detached bungalows with access parking and private amenity spaces off Dolfechlas Road, Rhydymwyn.

Site Description

7.02 The application site is a parcel of land between two existing residential properties off Dolfechlas Road, Rhydymwyn. The site is surrounded by residential development to the north, east and south with Dolfechlas Road bounding the site to the south west. The application site is in a predominately residential area of bungalows and two storey properties. Heatherdene to the north west is a bungalow while the development to the southeast and east are two storey houses.

7.03 The site gently slopes from the road to the rear of the site by 0.80m. The site is currently vacant and is surrounded by boundary fences.

7.04 Proposal

It is proposed to erect a pair of two bedroom semi-detached bungalows. The dwellings would be rendered with concrete tiled roofs and solar panels. The proposed dwellings would have a shared parking and turning area to the front of the properties. Each dwelling would have a private amenity space to the rear. The proposed dwellings would have ridge height of 5 metres.

7.05 Issues

Principle of development

The application site is within Rhydymwyn which is Category C settlement within the Flintshire Unitary Development Plan. Any development therefore needs to meet an identified local housing need. The previous application on this site by a different applicant failed to demonstrate that the affordable housing need could be met and led to a recommendation of refusal.

7.06 There are 5 applicants on the affordable housing register for affordable ownership and 10 applicants on the register for affordable rental. These are a mixture of single people and couples. People on the register have been through a full assessment in terms of their eligibility. Further demand likely to exist not but not formally on the register. In addition to this there are also people on the Council Housing Register.

7.07 The applicant has stated that there is no similar accommodation of this type available in the village. The applicant has also been in discussion with a Housing Association. The applicant would enter into a S106 agreement to ensure that the dwellings remain affordable either through discounted market rented or discount market sale (70%). Affordable rental would be properties rented at the Local Housing Allowance (LHA) rate for the area, which is currently £111.57 – per week for a 2 Bedroom property.

7.08 Flood risk

The application site lies within Zone C2 as defined in TAN 15 Development & Flood Risk (2004) and shown on Welsh Government's Development Advice Map.

7.09 The Zone C2 designation is a result of the site having flooded in November 2000 from the River Alyn and Dolfechlas Brook, and the consequent inclusion of the flooded area in Natural Resources Wales' Flood Zone 2 (areas at risk of flooding in the 0.1% AEP event and areas within recorded flood event outlines), on which the Welsh Government's Development Advice Map is based. Since this flood event, a flood alleviation scheme has reduced the flood risk associated with the River Alyn. As a result, Natural Resources Wales' Rhydymwyn flood risk mapping study (2011) shows that the development site lies outside the 0.1% AEP modelled flood outlines. However, based on local knowledge of the site and the Alyn flood alleviation system, there are a number of possible failure mechanisms (which are kept to a minimum). These include blockage of the gates/screens in the flood bypass channel, failure of the flood defence wall, and failure of the security screen at the weir to lift, and consequently, for the channel at this location to become blocked with debris.

- 7.10 In addition to the residual risks from the River Alyn, NRW's flood risk modelling shows that a key flood flow associated with Dolfechlas Brook results from overtopping of the culvert under The Nant road and water flowing down the A541 towards Rhydymwyn; it is possible that a blockage at this culvert could also result in increased flood risk for the site.
- 7.11 Appendix 1 of TAN 15 (paragraph A1.6) recognises that 'debris can sometimes cause a damming effect on bridges, hedgerows, fence-lines and at the entrance to culverts', and states that 'consideration should be given to the possibility of flooding caused by blockage and particular attention given to the flooding consequences of such blockage on the development'. Paragraph A1.17 point 17 requires that the FCA report should include potential blockages and breaching of defences.
- 7.12 In view of the above, the applicant therefore needs to demonstrate through the submission of a Flood Consequence Assessment (FCA), which considers these residual flood risks to the site and proposes appropriate mitigation measures. This will ensure that all parties are aware of the risks to, and from, the development, and ensure that if practicable, appropriate conditions to manage the risks can be incorporated in any planning permission.
- 7.13 A Flood Consequence Assessment to this end was therefore commissioned by the applicant along with a Hydraulic Modelling Report by WaterCo. The consultants have undertaken hydraulic modelling to determine the flood risk associated with failure mechanism associated with the flood alleviation scheme, and the risk from culvert blockage. This has shown that the site is not at risk during all modelled failure/blockage scenarios coinciding with the 1% AEP+ climate change event. The fluvial risk of flooding to the site is therefore considered to be low. A flood free safe access and egress route is available via Vicarage Road/Dolfechlas Road to comply with sections A1.14 and A1.15 of TAN15. The site falls outside the 0.1% flood extent and is not located in the functional flood plain, therefore the development of this site would not be depriving flood storage space from the floodplain. It is recommended that finished floor levels are 150mm above existing ground levels.
- 7.14 Have reviewed the Flood Consequences Assessment and updated blockage modelling report. In terms of the River Alyn, NRW are satisfied that the proposed development site has been shown to be flood-free in the 1% AEP plus climate change event allowing for possible failures occurring on components of the River Alyn food alleviation scheme.

- 7.15 At the request of NRW additional outputs were undertaken by the applicant's consultant Waterco which demonstrate that the site is expected to be flood free during the 1% AEP plus climate change event with 100% blockage at the Nant Road culvert on Dolfechlas Brook.
- 7.16 NRW are therefore satisfied that the risks and consequences of flooding to the proposed development can be acceptably managed in line with TAN 15 Development & Flood Risk (2004).
- 7.17 Surface water management  
The applicant has indicated that they proposed to dispose of surface water via infiltration if ground conditions allow. Alternatively this will be discharged to the public sewer at an agreed discharge rate. This would be dealt with by condition as no infiltration test have yet been carried out to see if this method is suitable.
- 7.18 Space Around Dwellings and Impact on the Character of the Area  
The surrounding dwellings are a mixture of types and architectural styles, both single storey and two storey. The proposed dwellings would be in keeping with the street scene which is a mixture of brick and render dwellings of one and two storey in height.
- 7.19 The proposed dwellings have in excess of the required 50m<sup>2</sup> rear garden areas for two bedroom dwellings and sufficient parking for 2 cars for each dwelling at the front of the properties. The dwellings have adequate separation distances from surrounding properties, as the proposed dwellings are bungalows and there is 2 metre high boundary fence around the perimeter of the site.
- 7.20 Commuted Sum  
Due to the scale of the development and the nature of the dwellings as affordable units a commuted sum of £733 per unit for recreation enhancements in lieu of on-site provision teenager play provision at 'Donkey field' Rhydymwyn is required.

## **8.00 CONCLUSION**

- 8.01 The proposed dwellings would provide local need housing in a Category C settlement and the risk of flooding have been adequately dealt with. The proposed dwellings would be in character with the surrounding area.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

**LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents

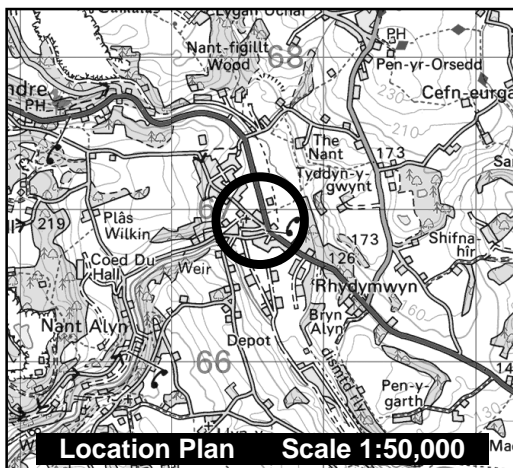
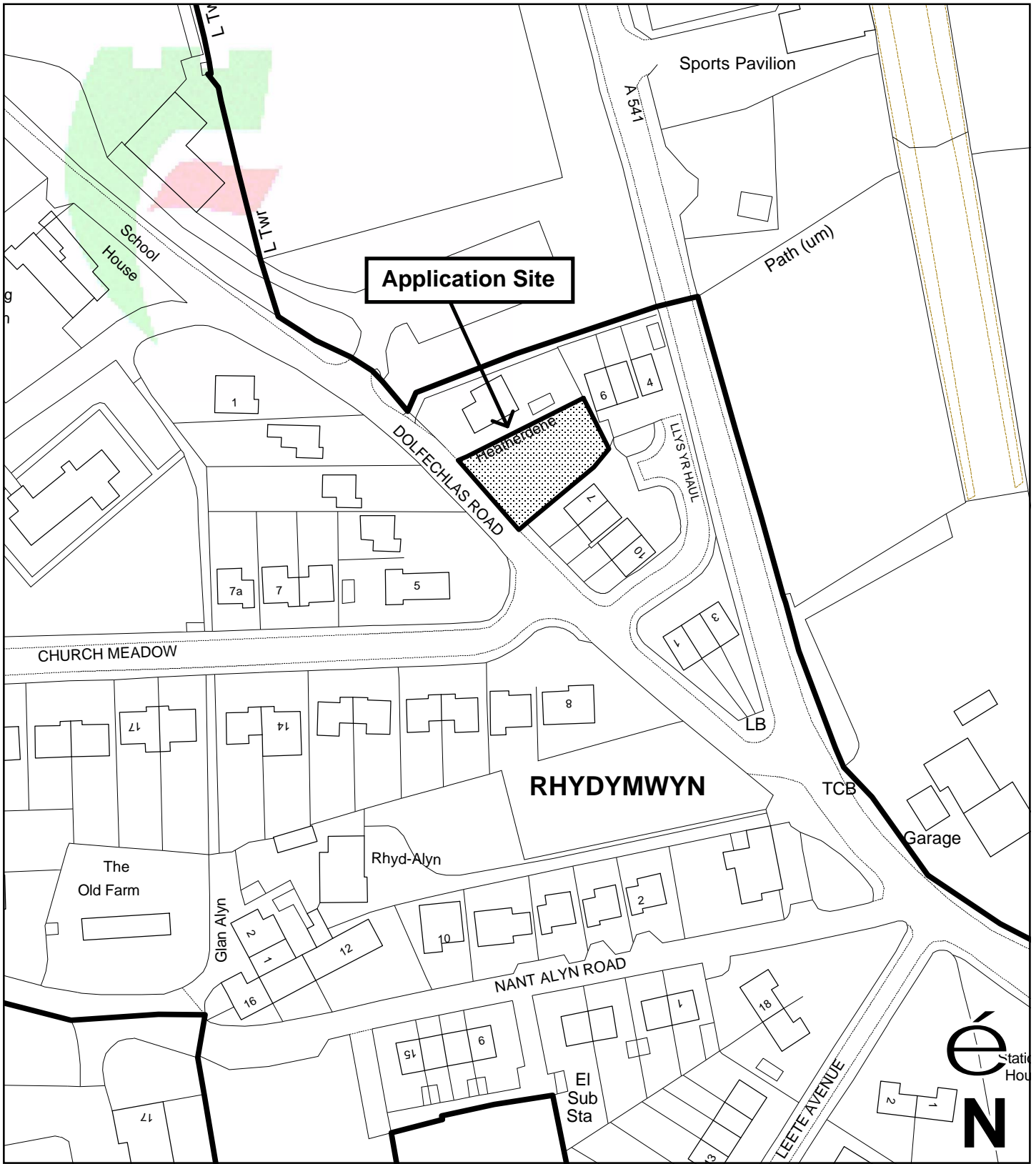
National & Local Planning Policy

Responses to Consultation

Responses to Publicity

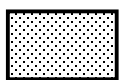

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**Email:** [emma.hancock@flintshire.gov.uk](mailto:emma.hancock@flintshire.gov.uk)





Planning & Environment,  
Flintshire County Council, County Hall,  
Mold, Flintshire, CH7 6NF.  
Chief Officer: Mr Andrew Farrow

**Legend**

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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OS Map ref	SJ 2066
Planning Application	<b>53534</b>

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>TH</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – PROPOSED EXTERNAL INSULATION AND RENDER AT RICHARD HEIGHTS, HOLYWELL ROAD, FLINT.**

**APPLICATION NUMBER:** **054139**

**APPLICANT:** **FLINTSHIRE COUNTY COUNCIL**

**SITE:** **RICHARD HEIGHTS, HOLYWELL.**

**APPLICATION VALID DATE:** **10<sup>TH</sup> AUGUST 2015**

**LOCAL MEMBERS:** **COUNCILLOR D. COX**  
**COUNCILLOR A. ALDRIDGE**

**TOWN/COMMUNITY COUNCIL:** **FLINT TOWN COUNCIL**

**REASON FOR COMMITTEE:** **SCALE/HEIGHT OF DEVELOPEMNT**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This proposal relates to the application of mechanically fixed insulation including render board and a render to the outside of the existing flats and the replacement of windows, at Richard heights, Holywell Road, Flint, Flintshire. The plans as submitted show the side elevations and returns painted with a contrasting colour.

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

- 2.01
1. Time commencement.
  2. In accordance with plans.
  3. Painting to be agreed.

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor D Cox  
No response at time of writing.

Councillor A Aldridge  
No response at time of writing.

Flint Town Council  
No response at time of writing.

Head of Public Protection  
No adverse comments to make regarding this proposal.

**4.00 PUBLICITY**

4.01 Press Notice, Site Notice,  
No response at time of writing.

**5.00 SITE HISTORY**

5.01 None relevant.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
Policy GEN1 - General Requirements for Development.  
Policy D1 - Design Quality, Location and layout.  
Policy D2 - Design.

**7.00 PLANNING APPRAISAL**

7.01 The full planning application is one of three planning applications relating to the existing tower blocks located in the town of Flint. This application relates to Richard Heights which is located between Earl Street to the North, Feathers Street to the South East and Holywell Street to the East. Bolingbroke Heights which forms one of the other tower blocks applications is located adjoin this site to the South West.

7.02 The Tower block is approximately 38 metres high 26 metres wide and a depth of approximately 18.68 metres with two recessed areas on either side. Built in the 70s the flats were constructed using concrete section method, which has poor heat retention. The construction method also results in a structure that clearly shows the sectional panels being visible from round and about the town clearly a construction method of its time. In policy terms one of the objective of energy policy is not only to secure, diverse and sustainable supplies of energy but also the promotion of energy efficiency. The Welsh Government advises that all local planning authorities should facilitate not only the development of all forms of renewable energy but also energy efficiency and its conservation by use of trying to reduce the need for energy use such as the use of cladding as proposed in this application.

7.03 The proposal involves two aspects, firstly the application and mechanically fixing of insulation, and render to the external elevations of the tower block. The insulation and render will have a depth of 100mm overall made up of 80mm insulation and 20 mm render board/render coat finish. The second aspect of the proposal is the replacement of the existing windows with grey UPVC double Glazed Windows. The external solid wall insulation aspect of the application is a measure designed to improve the energy efficiency of the flats. As noted the insulation forms a layer of material fixed to the outside walls and then covered with a protective layer of render. As part of the proposal and to add contrast to the building the plans also show the painting of the recessed areas on either side of the building. While the application of colour will break up the elevations the colour to be used needs to be agreed and this aspect of the application is subject of a condition.

## **8.00 CONCLUSION**

8.01 It is considered that the proposed application of insulation to the outside of the building and UPVC windows will improve the carbon footprint of the building. The proposal will be compliant with the relevant Unitary Development Plan Policies. The proposal will not lead to adverse impact upon residential amenities and will improve the visual appearance of the building and its carbon footprint.

8.02 It is therefore considered that permission be granted, subject to the conditions referred to earlier in the report.

8.03 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

**LIST OF BACKGROUND DOCUMENTS**

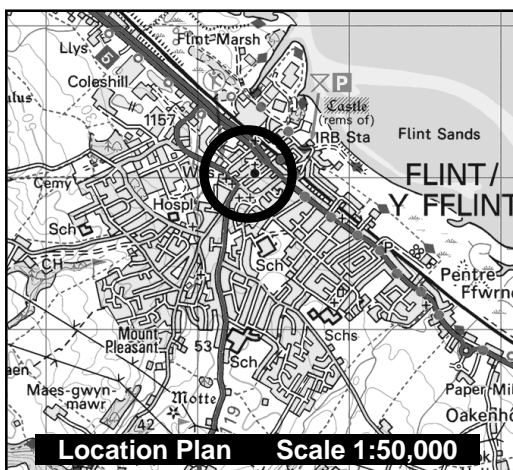
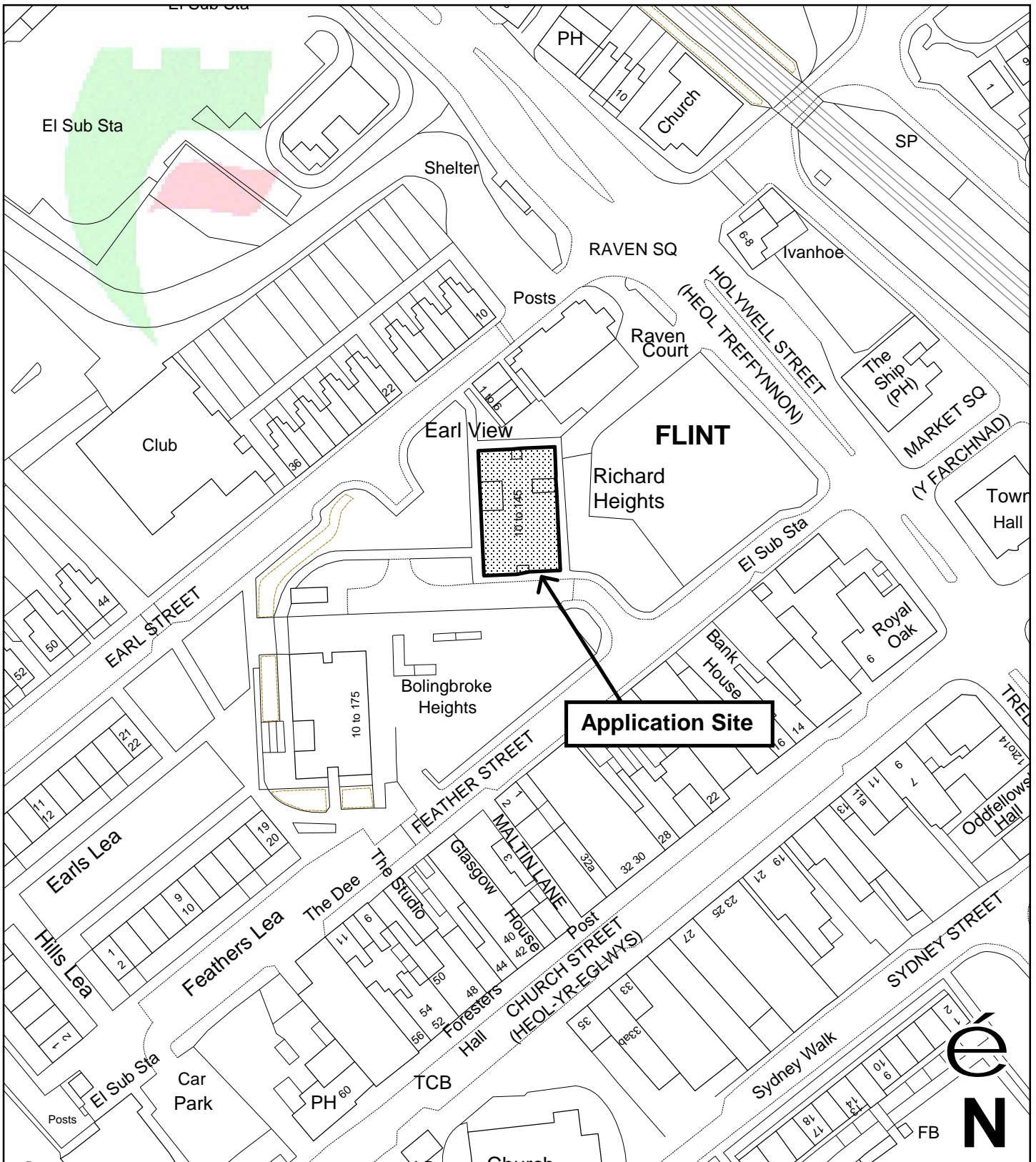
Planning Application & Supporting Documents




National & Local Planning Policy

Responses to Consultation

Responses to Publicity

**Contact Officer:** Karl Slater  
**Telephone:** (01352) 703259  
**Email:** [karl.slater@flintshire.gov.uk](mailto:karl.slater@flintshire.gov.uk)



	<p>Planning &amp; Environment, Flintshire County Council, County Hall, Mold, Flintshire, CH7 6NF. Chief Officer: Mr Andrew Farrow</p>						
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<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Planning Application Site</li> <li> Adopted Flintshire Unitary Development Plan Settlement Boundary</li> </ul>	<table border="1"> <tr> <td>Map Scale</td> <td>1:1250</td> </tr> <tr> <td>OS Map ref</td> <td>SJ 2473</td> </tr> <tr> <td>Planning Application</td> <td><b>54139</b></td> </tr> </table>	Map Scale	1:1250	OS Map ref	SJ 2473	Planning Application	<b>54139</b>
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Planning Application	<b>54139</b>						
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## FLINTSHIRE COUNTY COUNCIL

REPORT TO: PLANNING AND DEVELOPMENT CONTROL COMMITTEE

DATE: 14<sup>TH</sup> OCTOBER 2015

REPORT BY: CHIEF OFFICER (PLANNING AND ENVIRONMENT)

SUBJECT: FULL APPLICATION – PROPOSED INSULATED RENDER  
AND INSTALLATION OF NEW WINDOWS AT  
BOLINGBROKE HEIGHTS, FLINT.

APPLICATION  
NUMBER: 054140

APPLICANT: FLINTSHIRE COUNTY COUNCIL

SITE: BOLINGBROKE HEIGHTS,  
FLINT.

APPLICATION  
VALID DATE: 10<sup>TH</sup> AUGUST 2015

LOCAL MEMBERS: COUNCILLOR D. COX  
COUNCILLOR A. ALDRIDGE

TOWN/COMMUNITY  
COUNCIL: FLINT TOWN COUNCIL

REASON FOR  
COMMITTEE: SCALE/HEIGHT OF DEVELOPEMNT

SITE VISIT: NO

### **1.00 SUMMARY**

1.01 This proposal relates to the application of mechanically fixed insulation including render board and a render to the outside of the existing flats and the replacement of windows, at Bolingbroke Heights, Feathers street, Flint, Flintshire. The plans as submitted show the side elevations and returns painted with a contrasting colour.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,**

**SUBJECT TO THE FOLLOWING:-**

- 2.01 1. Time commencement.  
2. In accordance with plans.  
3. Painting to be agreed.

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor D Cox  
No response at time of writing.

Councillor A Aldridge  
No response at time of writing.

Flint Town Council  
No response at time of writing.

Head of Public Protection  
No adverse comments to make regarding this proposal.

**4.00 PUBLICITY**

4.01 Press Notice, Site Notice,  
No response at time of writing.

**5.00 SITE HISTORY**

5.01 None relevant.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
Policy GEN1 - General Requirements for Development.  
Policy D1 - Design Quality, Location and layout.  
Policy D2 - Design.

**7.00 PLANNING APPRAISAL**

7.01 The full planning application is one of three planning applications relating to the existing tower blocks located in the town of Flint. This application relates to Bolingbroke Heights which is located between Earl Street to the North, Feathers Street to the South East and Holywell Street to the East. Richard Heights which forms one of the other tower blocks applications is located adjoin this site to the North East.

7.2 The Tower block is approximately 38 metres high 26 metres wide and a

depth of approximately 18.68 metres with two recessed areas on either side. Built in the 70s the flats were constructed using concrete section method, which has poor heat retention. The construction method also results in a structure that clearly shows the sectional panels being visible from round and about the town clearly a construction method of its time. In policy terms one of the objectives of energy policy is not only to secure, diverse and sustainable supplies of energy, but also the promotion of energy efficiency. The Welsh Government advises that all local planning authorities should facilitate not only the development of all forms of renewable energy but also energy efficiency and its conservation by use of trying to reduce the need for energy use such as the use of cladding as proposed in this application.

- 7.3 The proposal involves two aspects, firstly the application and mechanical fixing of insulation, and render to the external elevations of the tower block. The insulation and render will have a depth of 100mm overall made up of 80mm insulation and 20 mm render board/render coat finish. The second aspect of the proposal is the replacement of the existing windows with grey UPVC double Glazed Windows. The external solid wall insulation aspect of the application is a measure designed to improve the energy efficiency of the flats. As noted the insulation forms a layer of material fixed to the outside walls and then covered with a protective layer of render. As part of the proposal and to add contrast to the building the plans also show the painting of the recessed areas on either side of the building. While the application of colour will break up the elevations, the colour to be used needs to be agreed and this aspect of the application is subject to a condition.

## **8.00 CONCLUSION**

- 8.01 It is considered that the proposed application of insulation to the outside of the building and replacement of the windows into UPVC double glazed windows will improve the carbon footprint of the building. The proposal will be compliant with the relevant Unitary Development Plan Policies. The proposal will not lead to adverse impact upon residential amenities and will improve the visual appearance of the building and its carbon footprint.
- 8.02 It is therefore considered that permission be granted, subject to the conditions referred to earlier in the report.
- 8.03 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

**LIST OF BACKGROUND DOCUMENTS**

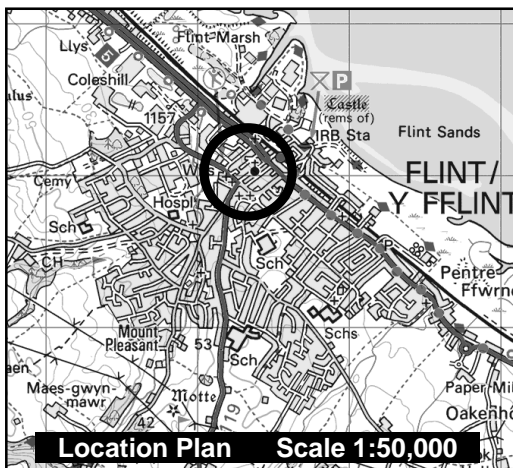
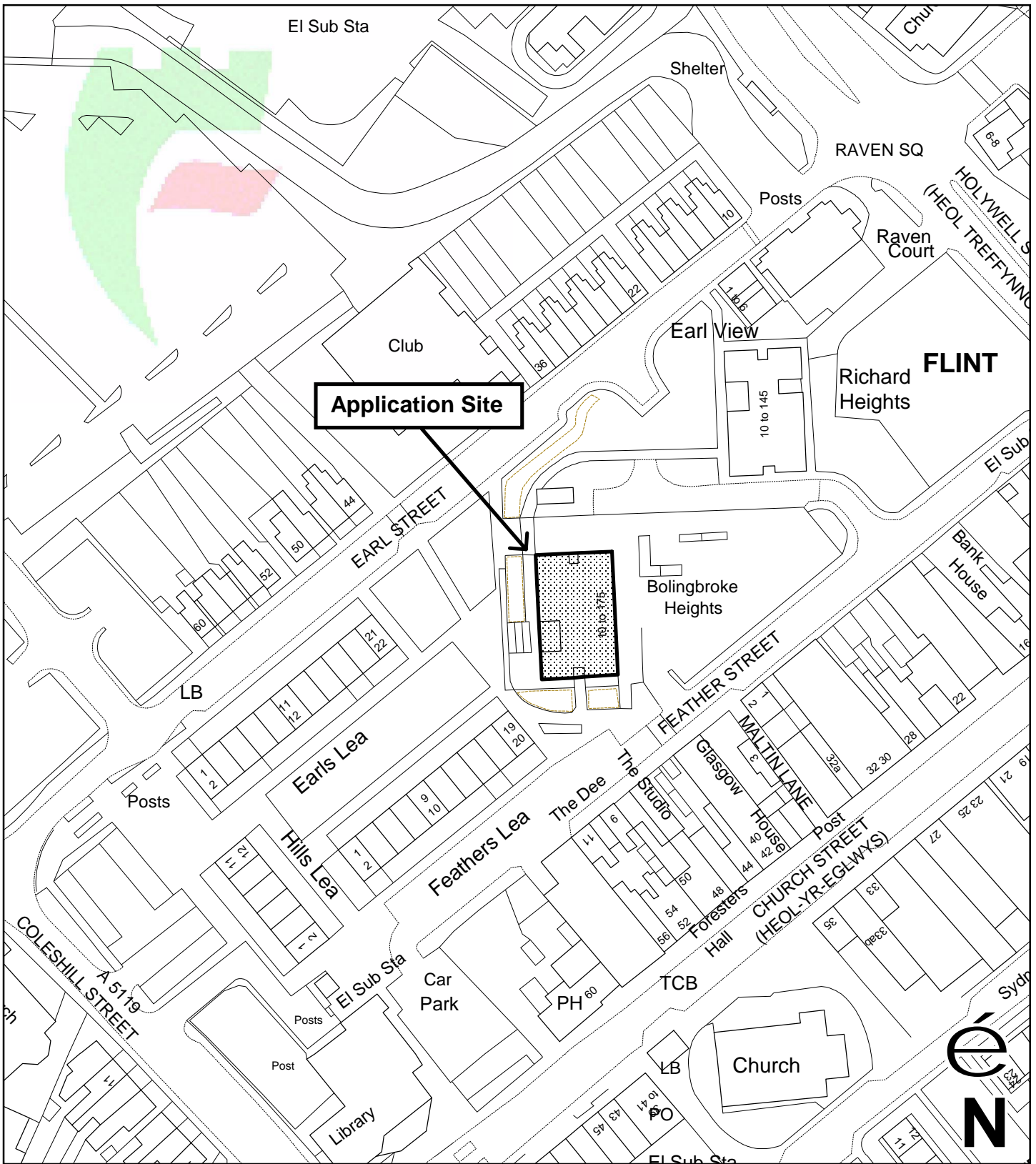
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**Contact Officer:** Karl Slater  
**Telephone:** (01352) 703259  
**Email:** karl.slater@flintshire.gov.uk



Planning & Environment,  
 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**



Planning Application Site



Adopted Flintshire Unitary  
 Development Plan  
 Settlement Boundary

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 Flintshire County Council, 2015.

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OS Map ref SJ 2473

Planning Application **54140**

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **14<sup>TH</sup> OCTOBER 2015**

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

**SUBJECT:** **FULL APPLICATION – PROPOSED INSULATED RENDER AND INSTALLATION NEW WINDOWS AT CASTLE HEIGHTS, CHAPEL STREET, FLINT.**

**APPLICATION NUMBER:** **054141**

**APPLICANT:** **FLINTSHIRE COUNTY COUNCIL**

**SITE:** **CASTLE HEIGHTS, CHAPEL STREET, FLINT.**

**APPLICATION VALID DATE:** **10<sup>TH</sup> AUGUST 2015**

**LOCAL MEMBERS:** **COUNCILLOR I. ROBERTS**

**TOWN/COMMUNITY COUNCIL:** **FLINT TOWN COUNCIL**

**REASON FOR COMMITTEE:** **SCALE/HEIGHT OF DEVELOPMENT**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This proposal relates to the application of mechanically fixed insulation including render board and a render to the outside of the existing flats and the replacement of windows, at Castle Heights, Chapel Street, Flint, Flintshire. The plans as submitted show the side elevations and returns painted with a contrasting colour.

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

- 2.01 1. Time commencement.  
2. In accordance with plans.  
3. Painting to be agreed.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor I. Roberts

At the time of writing the consultation period has not elapsed and subject to no adverse comments being received it is recommended the recommendation be approved.

Flint Town Council

No response at time of writing.

Head of Public Protection

No adverse comments to make regarding this proposal.

**4.00 PUBLICITY**

4.01 Press Notice, Site Notice, Neighbour Notification

No response at time of writing.

**5.00 SITE HISTORY**

5.01 None relevant.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

Policy GEN1 – General Requirements for Development.

Policy D1 – Design Quality, Location and Layout.

Policy D2 – Design.

**7.00 PLANNING APPRAISAL**

7.01 The full planning application is one of three planning applications relating to the existing tower blocks located in the town of Flint. This application relates to Castle Heights which is located at the junction of Chapel Street and Sydney Street.

7.02 The Tower block is approximately 38 metres high 26 metres wide and a depth of approximately 18.68 metres with two recessed areas on either side. Built in the 70s the flats were constructed using concrete section method, which has poor heat retention. The construction method also results in a structure that clearly shows the sectional panels being visible from round and about the town clearly a construction method of its time. In policy terms one of the objective of energy policy is not only to secure, diverse and sustainable supplies of energy but also the promotion of energy efficiency. The Welsh



Government advises that all local planning authorities should facilitate not only the development of all forms of renewable energy but also energy efficiency and its conservation by use of trying to reduce the need for energy use such as the use of cladding as proposed in this application.

7.03 The proposal involves two aspects, firstly the application and mechanically fixing of insulation, and render to the external elevations of the tower block. The insulation and render will have a depth of 100mm overall made up of 80mm insulation and 20 mm render board/render coat finish. The second aspect of the proposal is the replacement of the existing windows with grey UPVC double Glazed Windows. The external solid wall insulation aspect of the application is a measure designed to improve the energy efficiency of the flats. As noted the insulation forms a layer of material fixed to the outside walls and then covered with a protective layer of render. As part of the proposal and to add contrast to the building the plans also show the painting of the recessed areas on either side of the building. While the application of colour will break up the elevations the colour to be used needs to be agreed and this aspect of the application is subject of a condition.

## **8.00 CONCLUSION**

8.01 It is considered that the proposed application of insulation to the outside of the building and UPVC windows will improve the carbon footprint of the building, and will be compliant with the relevant Unitary Development Plan Policies. The proposal will not lead to adverse impact upon residential amenities and will improve the visual appearance of the building.

8.02 It is therefore considered that permission be granted, subject to the conditions referred to earlier in the report.

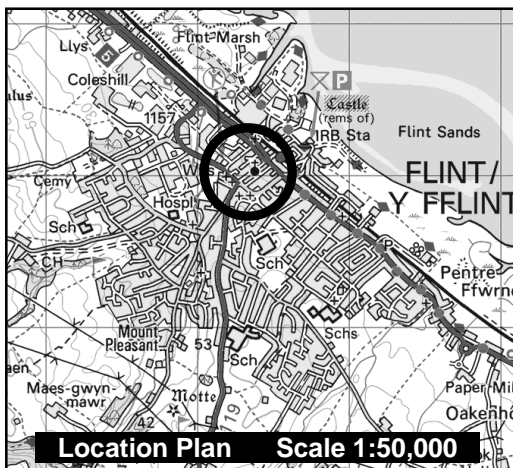
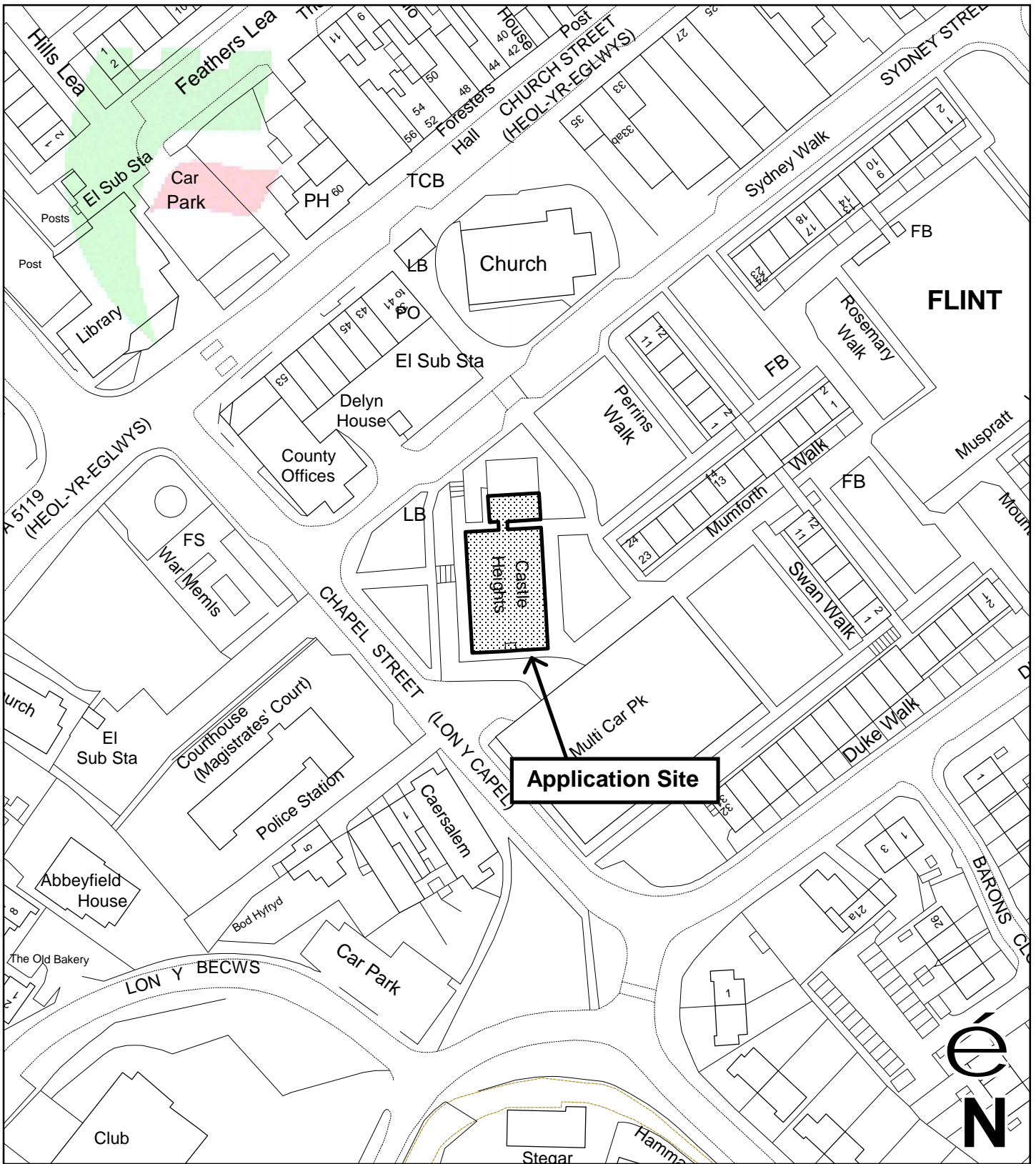
8.03 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

## **LIST OF BACKGROUND DOCUMENTS**

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

**Contact Officer:** Karl Slater  
**Telephone:** (01352) 703259  
**Email:** karl.slater@flintshire.gov.uk





Planning & Environment,  
 Flintshire County Council, County Hall,  
 Mold, Flintshire, CH7 6NF.  
 Chief Officer: Mr Andrew Farrow

**Legend**



Planning Application Site



Adopted Flintshire Unitary  
 Development Plan  
 Settlement Boundary

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 Flintshire County Council, 2015.

Map Scale 1:1250

OS Map ref SJ 2473

Planning Application **54141**

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **WEDNESDAY, 14 OCTOBER 2015**

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

**SUBJECT:** **053208 - GENERAL MATTERS - ERECTION OF 59 DWELLINGS, OPEN SPACE, ACCESS AND ASSOCIATED INFRASTRUCTURE AT ISSA FARM, MYNYDD ISA**

### **1.00 APPLICATION NUMBER**

1.01 053208

### **2.00 APPLICANT**

2.01 Bloor Homes

### **3.00 SITE**

3.01 Issa Farm, Mynydd Isa.

### **4.00 APPLICATION VALID DATE**

4.01 03.02.15

### **5.00 PURPOSE OF REPORT**

5.01 To seek clarification from members on the reason for refusal following the resolution at Planning and Development Control Committee on 9<sup>th</sup> September 2015.

### **6.00 REPORT**

6.01 Following the debate and resolution to refuse planning permission at Planning and Development Control Committee on 9<sup>th</sup> September 2015 and consideration of the minutes from the meeting, officers have drafted the following reason for refusal;

“The proposal constitutes development in the open countryside outside a settlement boundary and would have unacceptable impact on the character of the countryside contrary to Policy GEN3 of the Flintshire Unitary Development Plan.”

6.02 This report is to seek clarification that this reflects the views of the Committee.

**7.00 RECOMMENDATIONS**

7.01 That the decision be issued with the above reason for refusal.

**LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

**Contact Officer:** Emma Hancock  
**Telephone:** (01352) 703254  
**Email:** emmahancock@hotmail.com