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



To: Cllr David Wisinger (Chairman)

CS/NG

Councillors: Marion Bateman, Sean Bibby,
Chris Bithell, Derek Butler, David Cox,
Adele Davies-Cooke, Ian Dunbar, Carol Ellis,
David Evans, Veronica Gay, Patrick Heesom,
Dave Hughes, Christine Jones, Richard Jones,
Richard Lloyd, Billy Mullin, Mike Peers,
Neville Phillips and Owen Thomas

25 April 2019

Sharon Thomas 01352 702324
sharon.b.thomas@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 1ST MAY, 2019** at **1.00 PM** to consider the following items.

Yours sincerely

Robert Robins
Democratic Services Manager

WEBCASTING NOTICE

This meeting will be filmed for live broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items.

Generally the public seating areas are not filmed. However, by entering the Chamber you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and / or training purposes.

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

AGENDA

1 **APOLOGIES**

2 **DECLARATIONS OF INTEREST**

3 **LATE OBSERVATIONS**

4 **MINUTES** (Pages 5 - 10)

To confirm as a correct record the minutes of the meeting held on 3 April 2019.

5 **ITEMS TO BE DEFERRED**

6 **REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)**

The reports of the Chief Officer (Planning, Environment & Economy) are enclosed.

**REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY) TO
PLANNING COMMITTEE ON 1 MAY 2019**

Item No	File Reference	DESCRIPTION
<u>Applications reported for determination (A = reported for approval, R= reported for refusal)</u>		
6.1	059217 - A	Full Application - Extension to Existing Touring Caravan and Camping Site to Provide Additional Tourist Accommodation and Associated Landscaping and Infrastructure at The Ridings, The Village, Babel. (Pages 11 - 26)
6.2	059399 - A	Full Application - Proposed Erection of 51 Dwellings Including Highways, Public Open Space, Landscaping and All Associated Works at Croes Atti, Chester Road, Oakenholt. (Pages 27 - 38)

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PLANNING COMMITTEE
3 APRIL 2019

Minutes of the meeting of the Planning Committee of Flintshire County Council held at County Hall, Mold on Wednesday, 3 April 2019

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Marion Bateman, Derek Butler, David Cox, Ian Dunbar, David Evans, Veronica Gay, Patrick Heesom, Dave Hughes, Kevin Hughes, Christine Jones, Richard Jones, Richard Lloyd, Billy Mullin, Mike Peers, Neville Phillips and Owen Thomas

APOLOGIES: Councillors: Sean Bibby, Chris Bithell, Carol Ellis and Adele Davies-Cooke

ALSO PRESENT: The following attended as local Members:

Councillors Cindy Hinds and David Williams - for Agenda Items 6.1 and 6.7 (057396 and 059431)

Councillor Mike Reece - for Agenda Item 6.2 (059174)

Councillor Paul Johnson - for Agenda Item 6.4 (057006)

Councillor Glyn Banks on behalf of Councillor Sian Braun - for Agenda Item 6.5 (059124)

Councillor Gladys Healey - for Agenda Item 6.6 (059428)

Councillor Bernie Attridge - for Agenda Item 6.8 (059409)

IN ATTENDANCE:

Chief Officer (Planning, Environment & Economy); Development Manager; Service Manager - Strategy; Team Leader - Planning; Senior Planners; Senior Engineer - Highways Development Control; Solicitor; and Democratic Services Officers

56. DECLARATIONS OF INTEREST

None.

57. LATE OBSERVATIONS

The Chairman allowed Members an opportunity to read the late observations which had been circulated at the meeting and were appended to the agenda on the Council's website:

<http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MI d=4301&LLL=0>

58. MINUTES

The draft minutes of the meeting on 6 March 2019 were submitted and confirmed as a correct record.

RESOLVED:

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

59. ITEMS TO BE DEFERRED

The Chief Officer (Planning, Environment & Economy) advised that no items were recommended for deferral.

60. REPORTS OF THE CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)

RESOLVED:

That decisions be recorded as shown on the Planning Application schedule attached as an appendix.

61. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

On commencement of the meeting, there were 14 members of the public and one member of the press in attendance.

(The meeting started at 1.00pm and ended at 4.15pm)

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Chairman

Meetings of the Planning Committee are webcast and can be viewed by visiting the webcast library at: <http://flintshire.public-i.tv/core/portal/home>

PLANNING COMMITTEE ON 3 APRIL 2019

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY SPEAKERS / ACTION	RESOLUTION
057396	Penyffordd Community Council	Application for Approval of Reserved Matters for the Erection of 40 Dwellings Following Outline Approval Ref: 053656 at Rhos Road, Penyffordd.	Mr. R. Merrills, the Agent, spoke in support of the application. As Local Members, Councillors D. Williams and C. Hinds raised a number of concerns on the application.	That planning permission be granted subject to the applicant entering into a Section 106 Obligation, as set out in the report, in line with the officer recommendation.
059174	Bagillt Community Council	Full Application - New Build Extensions and Alterations to the Existing Pen y Bryn EMI Residential to Provide 36 No. Bedrooms and Additional Lounge Space and Services, to include Additional Car Parking at Pen y Bryn EMI Residential, Fron Deg, Bagillt.	Mr. D. Woodfine, the Agent, spoke in support of the application. Councillor C. Williams of Bagillt Community Council spoke against the application. Councillor M. Reece, as Local Member, spoke against the application.	That planning permission be granted subject to the conditions set out in the report and in line with the officer recommendation.
059277	Sealand Community Council	Full Application - Development of Existing Highway Land to a Park & Ride Facility with Associated Infrastructure at Proposed Park & Ride, Shotwick Road, Sealand.		That planning permission be granted subject to the conditions set out in the report and in line with the officer recommendation.

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY SPEAKERS / ACTION	RESOLUTION
057006	Holywell Town Council	Full Planning - Residential Development Including 15 No. New Housing Units and the Change of Use/Conversion of the Former Llesty Hospital Infirmary Wing to provide 14 No. Residential Units (total 29 No. dwellings) on land at Llesty Hospital, Old Chester Road, Holywell.	Councillor P. Johnson, as Local Member, spoke in support of the application.	That planning permission be granted subject to the applicant entering into a Section 106 Obligation, and subject to the conditions set out in the report, in line with the officer recommendation.
059124	Llanasa Community Council	Full Application - Demolition of Existing Dwelling and Erection of 3 No. Town Houses and Garages and Construction of New Vehicular Access at Parkfield, Llanasa Road, Gronant.	Mr. B. Wilcox spoke against the application. Councillor G. Banks (on behalf of the Local Member) spoke against the application.	That planning permission be refused, against the officer recommendation, on the following grounds: Adverse impact of the development on the character and appearance of the area and highway safety, not compliant with policies GEN1a, f and e.
059428	Hope Community Council	Full Application - Erection of a Detached Dwelling and Garage (Retrospective) at The Spinney, Huxleys Lane, Hope.	Councillor S.L. Davies of Hope Community Council spoke against the application. Councillor G. Healey, as Local Member, spoke against the application.	That planning permission be refused, against the officer recommendation, on the following grounds: Harm created by the perception of overlooking and the adverse impact that the garage has on the character and appearance of the area.

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY SPEAKERS / ACTION	RESOLUTION
059431	Penyffordd Community Council	Full Application - Erection of Two Storey Extension at 16 Priory Close, Penyffordd.	Mr. C. Worthington, the applicant, spoke in support of the application. As Local Members, Councillors D. Williams and C. Hinds spoke against the application.	That planning permission be granted subject to the conditions set out in the report and in line with the officer recommendation.
059409	Connah's Quay Town Council	Full Application - Change of Use from Residential Institution to 8 No. Bedsits at Kingdom Hall, Tuscan Way, Connah's Quay.	Councillor B. Attridge, as Local Member, spoke against the application.	That planning permission be refused, against the officer recommendation, on the following grounds: Overdevelopment of the site and substandard provision of parking spaces.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **1st MAY 2019**

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

SUBJECT: **FULL APPLICATION – EXTENSION TO EXISTING TOURING CARAVAN AND CAMPING SITE TO PROVIDE ADDITIONAL TOURIST ACCOMMODATION AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE AT THE RIDINGS, THE VILLAGE, BABELL.**

APPLICATION NUMBER: **059217**

APPLICANT: **MR & MRS B PARRY**

SITE: **THE RIDINGS, BABELL**

APPLICATION VALID DATE: **15TH NOVEMBER 2018**

LOCAL MEMBERS: **COUNCILLOR T JONES**

TOWN/COMMUNITY COUNCIL: **YSCEIFIOG COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST – DUE TO THE SCALE AND IMPACT OF THE PROPOSAL**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This is a full planning application for the extension of an existing caravan and camping site on land at The Ridings, Babel. The proposal would allow for an increase of 3 no. touring pitches, the addition of 5 no. new holiday chalets, replacement amenity building with associated landscaping works and infrastructure.

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

2.01 That conditional planning permission be granted subject to:

Conditions

1. Time Commencement
2. In accordance with approved plans
3. Permission relates to the use of the site for 18 touring caravans/ motor homes and associated vehicles and for 5 chalets for holiday purposes only
4. Chalets for holiday letting purposes only and shall not be occupied by any family, group or individual for more than three months (cumulative) in any one calendar year
5. Occupancy of the touring caravan pitches shall be restricted to the period from 14th February to the 14th January in the following calendar year
6. There shall be no winter storage of any touring caravans or any other static vans other than those illustrated on the Amended Site Layout DWG no. 18-PL-003 Rev.F
7. Approval of materials and finish colours for Amenity Building
8. Details of hard landscaping to be submitted and approved (hard and paved surfacing)
9. Implementation of soft landscaping Scheme
10. Development in accordance with the Ecological Appraisal recommendations and Badger Method Statement
11. No development within 30m of the Badger Sett unless a Method Statement has been submitted and approved, detail to be in line with the requirements for an NRW licence
12. A forward visibility sightline of 70m shall be provided for vehicles waiting to turn right into the site
13. No part of the proposed walls or footway in the vicinity of the access shall encroach onto the adopted highway
14. The proposed exit shall have a visibility sightline of 2.4m x 43m in a northerly direction within which there should be no obstruction
15. Facilities for parking, turning loading and unloading
16. Positive means to prevent surface water run-off onto the highway
17. Scheme for external lighting to be submitted and approved.

3.00 CONSULTATIONS

3.01 Local Member

Councillor T Jones

Requests the application be determined at Planning Committee, and that a site visit is undertaken for the following reason(s):

- Scale of the development
- Concern regarding the impact upon neighbouring land uses

- Level of opposition received

Councillor C Dolphin

Acting on behalf of the Local Member due to a prejudicial interest and as advised by the Monitoring Officer, it is requested that the application is determined at Planning Committee to include a site visit.

The following concerns are noted:

- Scale of the development
- Concern regarding the impact upon neighbouring land uses
- Variety of tourist accommodation proposed

Ysceifiog Community Council

Objects to the application raising the following concerns:

- The current number of camping and static caravans on the site do not appear to have planning consent. An investigation should be undertaken by the Planning Authority to determine what current camping and caravan pitches have formal consent.
- The existing poultry farm is adjacent to the boundary of the proposed development site. Consideration should be given to the impact of providing accommodation units so close to the poultry buildings would have on health and wellbeing on residents using the park facilities and accommodation.
- Currently there is a high voltage overhead power line crossing part of the site. Concerns have been raised as to a minimum safe distance any holiday units should be located adjacent to this power line. The Community Council is informed that this should be a minimum of 20 metres.
- The existing entranceway provides very poor visibility for traffic entering or exiting the site. The highway adjacent to the site has no pedestrian footways and increased traffic volumes and movements will need to be catered for in a safe manor by improvements to the highway. In addition, currently there is no public transport service being provided to this community.
- A seasonal time limit for the use of the site should be determined and made a condition of the planning consent.
- The Community Council has been made aware that there is currently a badger sett in the hedgerow boundary of the development site. An impact assessment should be undertaken and a plan to mitigate any disturbance that may be caused.
- The application shows a water treatment plant to be installed. The land adjacent to the plant location is a lower ground level and is not in the ownership of the applicant. What measures are being put in place to ensure no land contamination is incurred to the adjacent land.
- The Community Council considers the application to be over development of the current site having significant impact on the open countryside and adjacent dwellings, and does not

conform to the Planning Authority Policy for this type of development.

- The Community Council requests that the Planning Application is put before Full Planning Committee and that a site visit is undertaken by Planning Committee Members.

Head of Assets and Transportation

No objection subject to conditions:

- Facilities for parking, turning loading and unloading
- Positive means to prevent surface water run-off onto highway
- Forward visibility sightline of 70m to be provided (right turn vehicles)
- No part of the proposed walls or footway shall encroach onto the adopted highway
- Proposed exit shall have a visibility sightline of 2.4m x 43m in a northerly direction within which there should be no obstruction

Head of Public Protection

No adverse comments to make, however, the Applicant is reminded that a Caravan Site Licence will be required in order to operate the site.

Welsh Water/Dwr Cymru

Welsh Water have assessed the proposal and note the developer proposes to dispose of foul flows via a private treatment works. Welsh Water raises no objection, however advises the applicant to contact NRW who may have an input in the regulation of this method of drainage disposal.

Natural Resources Wales

No objections subject to the imposition of conditions which ensure compliance with the recommendations of the Ecological Appraisal and NRW licence requirements for works within 30m of an active badger sett is submitted, and the submission of an appropriate external lighting plan.

NRW advises that the proposed method of drainage disposal will necessitate the need for an environmental permit.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

At the time of writing, 19no. Letters of objection have been received from third parties in response to the consultation exercise in respect of the proposals. These responses raise objection upon the following grounds:

- Result in an excessive increase in touring caravans which is an overdevelopment of the site
- More than 10% increase contrary to policy T6
- Increase in the usage of internet which already has a slow connection
- The local highway network is inadequate to accommodate the increase in traffic
- Increase in the number of vehicles towing caravans within the vicinity of the site and through the village
- The local highway network does not have any pavements or street lighting
- The site is not serviced by public transport therefore increasing the dependency on the private car
- The increase in traffic will impact other vulnerable road uses such as pedestrians, cyclists and horse riders.
- Impact on the operation of neighbouring land uses
- Increase in noise and light pollution
- The proposed development will have a significant adverse impact on the amenity of nearby residents
- There are already enough caravan and camping sites in the local area
- The local economy will not benefit from the increase in tourist accommodation
- The adjacent chicken farm presents a biohazard and health issues for occupants of the site
- Not in keeping with the character of the area
- High voltage powerlines cross the site
- Impact on the existing Badger sett
- There is no evidence need for more caravans
- The Black Lion Public House is closed

5.00 SITE HISTORY

5.01 054953 Application for the approval of details reserved by condition no.s 5 (highway boundary) and 7 (hedgerow) attached to planning permission ref: 053414 – Approved 23.02.16

053414 Use of existing certificated touring caravan site as a touring caravan site for up to 15 touring caravans, including amenity blocks, retention of touring caravan storage area – Approved 20.01.16

047103 Construction of an equestrian manege with two floodlights for private use- Approved 08.04.10

045955 Installation of a waste holding tank suitable for storage of chemical toilet for 5 touring caravans – Approved 10.03.09

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 New Development

STR6 Tourism

STR7 Natural Environment

GEN1 General Requirements for Development

GEN3 Development in the Open Countryside

D1 Design Quality, Location and Layout

D3 Landscaping

TWH1 Development Affecting Trees and Woodlands

L1 Landscape Character

WB1 Species Protection

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

T4 New Static Caravans and Chalet Holiday Sites

T6 Touring Caravan Sites

T7 Tent Camping Sites

T8 Holiday Occupancy Conditions

EWP12 Pollution

EWP13 Nuisance

SPGN no. 8 Nature Conservation and Development

SPGN no. 11 Parking Standards

Planning Policy Wales Edition 10 (December 2018)

TAN 13 Tourism

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the extension of an existing caravan and camping site on land at The Ridings, Babel. The proposal would allow for an increase of 3 no. touring pitches, the addition of 5 no. new holiday chalets, replacement amenity building with associated landscaping works and infrastructure.

7.02 Site Description

The Ridings is a small holding which extends for 1.61ha (4 acres). The Ridings also operates an established caravan and camping site, located on the outskirts of Babel. The application site excluding the dwelling house and associated curtilage extends for 1.16 ha and comprises the existing touring caravan site, winter storage area, the riding arena to the east and the paddocks to the north of the dwelling. The application site lies outside the recognised settlement boundary and as such in an area of open countryside.

7.03 The Ridings comprises a well maintained single storey property of four double bedrooms served by its own access off the adjacent highway. Externally there are a range of outbuildings which include a

static caravan, garages, workshop, small carport, chicken shed and a stable block of four loose boxes, tack and feed store.

- 7.04 The caravan and camping area comprises a relatively flat field which slopes gently to the south. The existing site is situated to the south of the property and is bound by a mixture of hedging, wooden fencing and mature trees. The site is licenced for 15 touring caravans, with electric hook ups provided for 8 caravans. The caravan and camping area has a separate entrance to the site off the adjacent highway. The southern part of this area is used for winter storage for 12 touring caravans. A mobile unit provides Ladies and Gentlemen's WC / shower and external washing up area.
- 7.05 To the east of the property lies a floodlit riding area measuring 20m x 40m and has a sand and rubber surface and is bound with kick board and wooden post and rail fencing around the perimeter.
- 7.06 The paddocks to the north envelope around the holding, and have in the past been used for equestrian purposes and are bound by mature hedging and semi mature trees.
- 7.07 Proposed Development
This is a full planning application for the extension of an existing caravan and camping site to provide an additional 3 no. touring pitches, increasing the existing capacity to 18 no. seasonal pitches, whilst retaining the existing area for winter storage. The proposal also includes the introduction of 5 no. holiday chalets to the north paddock along with associated landscape works and infrastructure.
- 7.08 In order to facilitate the proposed scheme, the existing outbuildings, amenity building and riding arena will be removed and replaced with soft landscaped areas, additional parking bays (6) to include a disabled space, replacement amenity building with refuse disposal area to serve the site and a children's equipped play area.
- 7.09 The access into the site will take advantage of the two existing access points from the adjacent highway. The northerly access which currently serves the dwelling will be improved in order to provide the necessary visibility splays. This access will become the main entrance to the site with an internal track circulating through the site to serve the premise. This route will be operated on a one way system exiting from the existing access to the south of the site which currently serves the touring site.
- 7.10 Principle of Development
This application relates to a proposal that combines both an extension to an existing caravan touring site and the addition of holiday chalets. Therefore policy T4 and T6 are of most relevance. With respect to the UDP policies as stated above, the criteria for both policies is fundamentally the same, with the exception to two additional points

in T6 specifically relating to touring sites. For the purposes of assessing the proposal, the criteria of both policies will be considered at length with the specific points set out in policy T6 included. These will be addressed in turn below:

- 7.11 a) *The proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general:*

The closest neighbouring residential property to the site is Merllyn Bach, an established poultry farm unit. The north field proposed for the 5 holiday chalets would share its eastern boundary with Merllyn Bach; the site layout illustrates that this area which backs onto the party boundary is clear of development albeit with the exception of the turning head and access track which will serve the site. With reference to my site visit and the site layout, there is an existing hedgerow which serves as the party boundary, this combined with the additional planting proposed would provide additional screening, therefore reducing any adverse impacts upon the amenity in terms of overlooking and loss of privacy.

Both The Ridings together with the Touring Site and the Poultry Unit at Merllyn Bach are all existing land uses which have operated without compromising the other. I therefore do not envisage the proposed extension and addition of further tourist accommodation at The Ridings to cause undue impact towards the operations of the poultry unit or vice versa.

Consideration is given to the proposed use and the resultant noise that would be generated, as such the Local Planning Authority cannot impose a reasonable condition that could control this. Instead the site would need to operate in accordance with the Statutory Noise Regulations and in accordance with any licence issued following the grant of permission.

- 7.12 b) *The scale of the proposal, together with the number, siting and layout of pitches and circulation roads is appropriate to the characteristics of the site and locality;*

- *Any increase in the number of pitches is marginal*
- *Any physical extension of the site is modest:*

The site benefits from an existing planning permission ref 053414 which allows the use of the western field as a touring caravan site and provides 15 pitches, including amenity blocks and use of the field to the east for the winter storage of touring caravans. This was a partly retrospective permission for the retention of the amenity blocks and the storage of the touring caravans, presumably from the site's subsequent success. The site has therefore grown to reflect the demand, regularising the site as a touring caravan site and providing

an additional 10 pitches to the initial 5. In addition to the touring site, provision has been made for the winter storage for up to 12 tourers.

The proposed scheme would involve a modest extension, to include additional land, encompassing the holding to facilitate a new land use arrangement. The scheme would result in a total of 18 touring caravan pitches being provided on site, along with the addition of 5 new holiday chalets to the north paddock. Whilst in terms of scale/numbers, the proposal would amount to an increase of approximately 53%, I am mindful that the proposal is to include the holding as a whole which also comprises the introduction of 5 holiday chalets. This is a new element to The Ridings, which is considered to be a reasonable means of offering alternative holiday accommodation aimed at the visitor.

I note the objections received which raise concerns of the scale and growth of the site, and in terms of the existing touring pitches, the increase equates to 20%. I accept that this exceeds the 10% stated in the commentary of policy T6, however the addition of 3 touring pitches is considered to be marginal. Policy T6 continues to state that any increase is dependent upon the ability of the site to accommodate the extension and the suitability of utilising existing boundaries, screening and reinforcing this with appropriate landscaping. To address the extension to the existing touring site and the introduction of holiday chalets, the site is already well screened on all of its boundaries, however, it is proposed to provide further supplementary planting in these areas, which will only serve to reinforce these boundaries and therefore reduce the overall impact of the scheme.

The existing touring site would allow the number of pitches to increase by an additional 3, whilst the paddock to the north will accommodate 5 new holiday chalets. It would appear that the proposed overall site has the capacity to comfortably accommodate the proposed number of pitches/holiday accommodation in accordance with regulatory standards. The increase is therefore considered to be acceptable.

I am equally mindful that the tourism sector is extremely important to the economy in Flintshire, especially in the northern parts of the County. With reference to the planning history, the principle of the site providing tourist accommodation has been established. Therefore the introduction of additional caravan pitches and other means of tourist accommodation would both contribute to the growth of the existing business and the wider economy.

- 7.13 c) *The proposal would not have a significant adverse impact on features or areas of landscape, nature conservation or historic features;*

The site is located in open countryside, which is not subject to any

form of designation. There are also no protected historic or landscape features or listed buildings on or in proximity that would otherwise require consideration in respect of the proposal.

Whilst the site is predominantly improved agricultural grassland which is otherwise not considered to be of high ecological value, the existing hedgerows which serve as the boundaries to the site have potential for nesting birds and foraging bats.

The application is supported by an Ecological Appraisal undertaken by PJ Ecological Solutions dated July 2018. The study confirms that the proposed project would result in the loss of small areas of improved grassland, the removal of two trees and the removal of a section of a species poor hedgerow which divides the touring site with the north paddock proposed for the holiday chalets. All boundary hedgerows are to be retained and reinforced with further planting as a means of encouraging ecological enhancements. The internal loss of these small areas are considered to be of relatively low ecological value, however further supplementary landscaping will provide compensation to the loss experienced.

The study confirms that the outbuildings proposed for demolition to facilitate the scheme do not currently contain bat roosts and therefore adverse impacts to roosting bats from the proposed development works are unlikely. The study also confirms that there is a subsidiary badger sett located within the hedgerow boundary to the south of the existing touring site; for which works associated with the proposed scheme are intended within 30m of the identified sett. As such a Badger Licence will be required from Natural Resource Wales in order to undertake the proposed works within this buffer zone. Nevertheless, the Ecological Appraisal proposes appropriate mitigation measures which will ensure that there are no long term effects of the development upon the badgers in this locality.

The existing hedgerows upon the boundaries of the site will be retained and therefore there will be no detrimental impact upon these habitats for bats, badgers or breeding birds. I therefore propose the imposition of conditions which ensures the development accords with the recommendations made in the supporting Ecological Appraisal and that a Badger Method Statement is submitted and approved for a scheme for working within the 30m buffer zone.

7.14 d) *The scheme incorporates substantial internal and structural landscaping:*

The site has established hedgerow boundaries to all boundaries and additional boundary planting is proposed. Towards the eastern boundary, in the proposed position of the amenity block, new internal site planting is proposed to help to soften the impact of this structure. During consideration of the application, regard has been had to the

character of the landscape in this location. In recognisance to the visual character of field patterns in the locality, it was considered that the introduction of areas of planting and landscaping within the site boundaries would unacceptably alter the character of the site, in particular to the touring caravan field.

I am mindful of ensuring that this part of the site retains the appearance of a field when not in use as a caravan site. The introduction of additional internal landscaping and planting would, I consider, result in a somewhat manicured appearance which would not accord with the surrounding landscape. For this reason, landscaping is restricted to a scheme of supplementary planting to site boundaries. As such, the proposed landscaping is considered to be acceptable.

- 7.15 e) *It is in close proximity to and can be easily accessed from the local highway network;*

The Ridings is accessed off the North Wales trunk road from the north by the A55 (Chester to Holyhead) and to the south by the A541 (Mold to Denbigh).

The access into the site will take advantage of the two existing access points onto the highway. The north access to The Ridings will be altered to form the main entrance with a circulation track into the touring caravan area, which will be designated as a one way system and will provide access to the remaining parts of the site, exiting from the south access.

Concerns have been raised by third parties in respect of the adequacy of the existing local highway infrastructure to accommodate the traffic arising from the proposals. I am advised by the Highway Authority that, subject to the imposition of conditions, the proposal is acceptable.

- 7.16 f) *It is used for touring caravan purposes and any touring caravans are removed from the site for periods when not in use;*

I propose to condition that caravans are only present upon the site when in holiday use, that there is no seasonal storage and that there is no additional storage over the winter period. In order to maintain consistency with the occupancy restrictions imposed upon the present caravan site, it is proposed that the site would operate from 14th January in one year to 14th February in the following year.

The holiday chalets would also be subject to a similarly worded condition which would seek to control the occupancy of the units for the purposes of holiday accommodation and therefore preventing the use of the units as permanent residential accommodation, which would otherwise be restricted in such locations of open countryside.

- 7.17 g) *Any essential service buildings that are needed can be provided within existing buildings or appropriately sited and designed small new buildings.*

The proposal includes the provision of a service building which would provide toilets, showers, disabled facilities, vegetable preparation areas, and a dish wash and drying area. The proposed building would cover an area of 96m², is domestic in scale, single storey in height and proposes the use of a palette of naturally occurring materials that will allow the building to assimilate to its surroundings in time.

The scale of the building and its proposed floor area is not dissimilar to the existing building it proposes to replace. The building would form a fundamental part to the proposed scheme providing essential facilities/amenity in accordance with the regulatory body. In addition, appropriate facilities for recycling and refuse disposal are also provided and sited appropriately.

Landscape Impact

- 7.18 The scale and layout of the proposal has been designed to minimise the impact on residential amenity and the impact on the landscape. The previous planning permission ref 053414 permitted the touring pitches to be slabbed with surrounding grassed areas and reinforced planting to the boundaries. Having visited the site during the close season, the existing hard surfacing is considered to possess a low profile to the topography and remains inconspicuous. The touring pitches will therefore be retained as such with the additional 3 pitches following suit. Any visual impacts of the development would therefore be limited to within the operating season and the site would have a 'green' appearance during the winter months.

- 7.19 The site undulates to the east, however is generally flat in nature, the amenity building, chalets and pitches are sited so as to maximise the screening benefit of the existing site boundaries in order that the impacts of the proposals upon any views of the site would be minimised. The site layout seeks to mitigate the impact on the landscape and to enhance the natural hedgerow features of the site through further planting.

Other Matters

- 7.20 During the course of the application a planning enforcement complaint was received raising concerns that the applicant had begun implementing the application currently under consideration. The complaint was investigated in accordance with Flintshire's Planning Enforcement Policy with a site visit undertaken. The investigating officer noted that ground works had been carried out, which included the removal of top soil and releveling works.

- 7.21 With reference to the planning history, an extant planning permission exists on the site that has been subject to the ground works. The relevant ref is 053414 which was approved on the 20/01/16. The permission includes the use of the site as a touring caravan site for up to 15 touring pitches and retention of winter touring caravan storage. Whilst the use of the site has been in accordance with the permission, the approved works to include the cement wheel bases for the touring pitches and crushed stone track had not been implemented in full. The site has therefore remained a grassed area since this approval was issued.
- 7.22 It was therefore concluded that the works undertaken were within the scope of the extant permission. Whilst the application currently under consideration includes this area within the redline, It was not considered that the works had progressed to the extent that the Local Planning Authority could reasonably argue that the proposed scheme was being implemented prior to consent being issued.
- 7.23 As such, it was not considered that the works undertaken had progressed to an extent beyond the approved permission 053414 or that it was evident that a breach of planning control had occurred.
- 7.24 Further matters have been raised by third parties with regard to increase in internet use adversely affecting current network capacity, proximity to the overhead cable, and that the local pub had closed. In relation to the proposed use these matters do not attract enough weight in the overall planning balance to necessitate a recommendation of refusal. With regards to the potential or alleged contamination of ground water and the potential biohazard of the poultry farm there is no evidence to substantiate these matters.

8.00 CONCLUSION

It is considered that the proposed development of an existing caravan touring site is in an appropriate location close to the local highway network and within accessibility of existing services upon both the site and within the surrounding locality. Whilst the site is in the open countryside, the proposed landscaping and surface materials would reduce the impact on the landscape. The proposal complies with the relevant development plan policies for this type of development.

I therefore recommend that planning permission is granted subject to the conditions as set out within paragraph 2.01 of this report.

8.01 Other Considerations

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

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

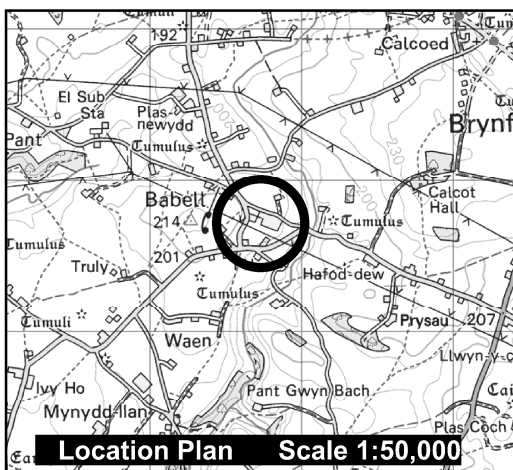
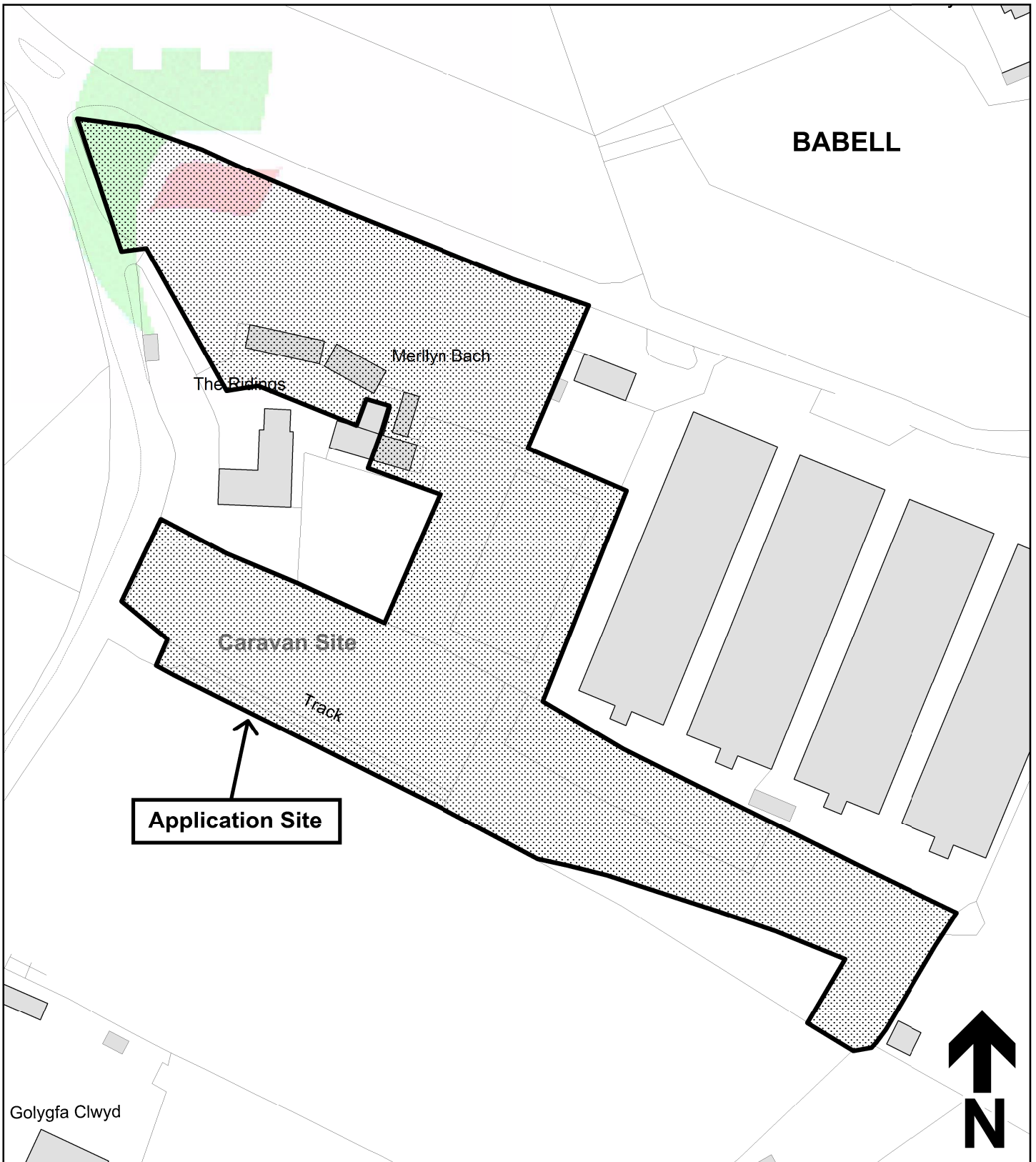
The Council has had due regard to its public sector equality duty under the Equality Act 2010.

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

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: Katie H Jones
Telephone: (01352) 703527
Email: katie.h.jones@flintshire.gov.uk



Planning, Environment & Economy,
 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 **59217**

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **1ST MAY 2019**

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

SUBJECT: **FULL APPLICATION – PROPOSED ERECTION OF 51 DWELLINGS INCLUDING HIGHWAYS, PUBLIC OPEN SPACE, LANDSCAPING AND ALL ASSOCIATED WORKS AT CROES ATTI, CHESTER ROAD, OAKENHOLT.**

APPLICATION NUMBER: **059399**

APPLICANT: **ANWYL HOMES LTD**

SITE: **"CROES ATTI", CHESTER ROAD, OAKENHOLT**

APPLICATION VALID DATE: **2ND JANUARY 2019**

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

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

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT PROPOSED**

SITE VISIT: **No**

1.00 SUMMARY

- 1.01 The application site forms part of an overall development of 27 hectares which was granted outline planning permission (035575) for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping, education and community facilities. This outline approval was subject to a unilateral undertaking which committed the developer to a number of requirements through this and future applications. The previously granted outline scheme and reserved matters applications were subject to extensive negotiations between the applicant and the Council and this was influenced by a revised Development Brief to

secure a comprehensive approach to the development. The design concept for the site is that of providing modern residential neighbourhoods which have a strong local identity and encourage a sense of community.

- 1.02 The area of land now the subject of this full application relates to a 1.24 hectare area of the 27 hectare site. Previously a reserved matters application for the phase two of the development was granted for 132 No. dwellings under reference 046595 on this part of the site. The application before members today relates to a full application for the erection of 51 dwellings on only part of the site previously approved including highways, public open space, landscaping and all associated work. This part of the site is known as phase 4B, and Members will recall phase 4A being the subject of an earlier application to amend the design of the house types and layout on phase 4A under planning reference 059055 which was approved by Planning Committee on 14th February 2019.
- 1.03 In summary this is a new full application relating to the replacement and rearrangement in the house types and layout approved previously for Anwyl Homes although due to changes the layout results in one less dwelling on this part of the site.

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

- 2.01
1. Time commencement.
 2. As per approved plan.
 3. Landscaping to be submitted and agreed.
 4. Landscaping to be undertaken.
 5. Materials to be agreed.
 6. Submission and approval of a scheme for foul and surface water and land drainage.
 7. Land drainage not permitted to public sewerage system.
 8. Surface/foul water to drain separately to the newly constructed sewers on Chester Road.
 9. The forming and construction connection with Prince of Wales Avenue to be submitted and agreed.
 10. Facilities to be provided and retained for parking and turning.
 11. Garages to be set back minimum distance.
 12. Details of traffic calming, surface water to be submitted and agreed.
 13. Positive means to prevent surface water run-off.
 14. Prior to occupation of 75% of the dwellings on the Thomas land spine road for the overall development shall be made up to base wearing course level from the main entrance on the A548 Chester Road to its junction with Coed Onn Road
 15. Windows to be fixed and obscure glazed

3.00 CONSULTATIONS

3.01 Local Member
Councillor Ms R Johnson
No objections received to the proposal

Flint Town Council
No response at time of writing.

Highways Development Control
No objections based on the imposition of conditions on any permission granted.

Welsh Water/Dwr Cymru
No response at time of writing.

Wales & West Utilities
No response at time of writing.

Natural Resources Wales
No response at time of writing.

CPAT
Initially request that a pre-determination evaluation is required prior to any determination. The applicant has been contacted and investigations have now been undertaken. The Clwyd Powys Archaeological Trust have been re-consulted and have confirmed that no significant archaeology has been recorded on this part of the site and they have no objections to the proposal.

Pollution Control
Have no objections to the application

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification
The proposed development has been the subject of a wide level of consultation. The application has been publicised by way of site notices, press Notice and neighbour notification letters. At the time of writing objections from the same resident has been received relating the house designs proposed on plots 42 (Cenarth) and 52 (Beaumaris) the site layout has been amended changing the house type on plot 42 and additional consultations have been undertaken and the following objections have been received relating to the following:-

Overlooking from first floor window.

House on plot 52 (Beaumaris would be no more than eight metres which is not in accord with accord with space about dwelling standards distance required.

Plans do not show first floor level of objectors property which have windows facing plot, as a result plans do not show the impact that dwelling will have on objectors property.

5.00 SITE HISTORY

5.01 98/17/1308

Outline residential development and associated recreational, community and retail was originally reported to committee on 14.12.99 which resolved to approve subject to a Section 106 Agreement – No decision was ever issued due to changed circumstances of the applicants.

035575

Outline application for a mixed use development including residential, open space, infrastructure, landscaping, education and community facilities was reported to committee on 19.7.2004 which resolved to approve subject to a Section 106 Agreement - the agreement was signed and the permission issued on 11th July 2006.

044033

Reserved matters application -residential development consisting of 189 no. dwellings, public open space, new roundabout and all associated works at Croes Atti, Oakenholt -Granted on 11th July 2008.

044035

Highway improvements, street lighting and all associated works, on land at Croes Atti, Chester Road, Oakenholt, in connection with the outline planning permission (ref. 035575) -Granted permission on 23rd April 2008.

046595

Reserved matters application for residential development consisting 132 no. dwellings, new roads, open space and all associated works on land at Croes Atti, Chester Road, Oakenholt, granted on 19th January 2012.

049154

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – appeal submitted for non-determination, this was considered by way of a public inquiry on 21st/22nd August 2012 –the appeal was allowed and the planning permission was varied to allow 7 years for the

submission of reserved matters.

050300

Application for approval of reserved matters for the erection of 312 residential dwellings and associated works.-granted 3rd April 2013.

050967

Application for approval of reserved matters following outline approval. (035575) granted 21/10/13.

051002

Application for approval of reserved matters following outline approval. (035575) - granted 4/12/13.

051716

Approval of details reserved by condition no.11 (landscape management plan) attached to planning permission ref: 35575 – approved 15/10/14.

052062

Approval of details reserved by condition Nos 3 (materials), 4 (programme of archaeological work), 5 (landscaping details), 7 (existing and proposed ground levels and finished floor levels), 10 (detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate roads), 11 (prevention of run-off of surface water) and 12 (wheel wash facilities) attached to planning permission ref: 50967 – partly discharged 6/6/14.

052757

Application for the approval of details reserved by conditions 3, 4, 9 and 12 attached to planning permission ref: 050300 partially discharged 12/12/14.

053058

Variation of condition Nos. 5 and 15 of planning permission ref: 050300 to allow the construction of plots 175 to 198 before complying with conditions 5 & 15 - Approved 2/3/15.

053126

Application for the approval of details reserved by condition 13 (Scheme for reasonable avoidance measures and methodology) attached to planning permission ref: 050300 12/2/15.

053662

Proposed residential development to consist of 20 No. semi-detached houses, 2 No. semi-detached bungalows and 1 No. special needs bungalow together with access road and parking

059055

Proposed erection 78 dwellings including highways, public open space, landscaping and all associated works at Croes Atti, Chester Road, Oakenholt- Approved.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 – New Development.

Policy STR4 - Housing

Policy STR8 - Built Environment

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development inside Settlement Boundaries.

Policy HSG2 – Housing at Croes Atti, Flint.

Policy HSG8 – Density of Development.

Policy HSG9 – Housing Type and Mix.

Policy HSG10 Affordable Housing

Policy D1 – Design Quality, Location and Layout.

Policy D2 – Design.

Policy D3 – Landscaping.

Policy AC13 – Access and Traffic Impacts.

Policy AC18 – Parking Provision and New Development.

Policy SR5 – Outdoor Playing Space and New Residential Development.

Policy EWP17 - Flood Risk Local/Supplementary Planning Guidance Notes

LPGN2 – Space around dwellings

LPGN 11 – Parking Standards.

LPGN 13 – Open Space Requirements SPG 23 Developer Contributions to Education.

National Policy Wales

Technical Advice Note 12 Design

Technical Advice Note 18 Transport

Planning Policy Wales Edition 910

7.00 PLANNING APPRAISAL

7.01 Site Location

The application site consists of 1.24 hectares of land forming part of the wider Anwyl/Persimmon development known as 'The Oaks' located in Croes Atti to the south east of Flint. The overall site is subject to outline planning permission 035575, which was granted on 11th July 2006. This full application looks to amend the house types already granted on planning application reference 046595 which allowed for 132 No. dwellings on the larger area of 3.95 hectares forming phase two of the overall development commonly known as the Thomas Land.

- 7.02 Proposed Development/Principle of Development
The principle of residential development on this site is established by the outline and reserved matters applications which cover the site. The current application does not seek to increase the number of houses although involves substituting various house types and changes in the layout which is acceptable in principle subject to design/appearance and impact on existing/proposed residential living conditions.
- 7.03 Layout, Scale, Design & Appearance
The proposed density of the development is 34 dwellings per hectare. Policy HSG8 of the UDP seeks to ensure that housing development reflects the characteristic of the area. The amended design brief for the site seeks to ensure an overall density of 30 to 35 dwellings per hectare proportionally across the whole site. This present application does not involve an increase in number of dwellings and therefore the overall the site will deliver a density of 33 dwellings per hectare which meets the expectations of the design brief and in turn Policy HSG8.
- 7.04 The proposal includes some two storey terraces, semi-detached and detached dwellings which add a variety of design and roof heights. The proposed dwellings as amended are considered sympathetic to existing development which has been undertaken recently on the adjoining plots/phases. The proposed designs include simple pitched roofs, detailed brick band courses, variations to head/cill treatments, contrasting ridge tiles, and a unifying palette of materials including brick and render. This meets the design expectation of the brief and UDP Policy relating to design. In terms of house types the new layout provides fourteen four bedroom dwellings and 31 three bedroom dwellings and six two bedroom dwellings
- 7.05 Highways
The proposed development will have its principal access point into the previously permitted distributor road of the site which in turn will ultimately feed into other points of access at the A548 Chester Road, Prince of Wales Avenue and Coed Onn Road.
- 7.06 Over the course of the overall development, the access component of the Croes Atti development has been the subject to negotiations as part of the original permissions in place. The Highway Development Control Manager has been consulted on the amended scheme and raises no objections subject to the imposition of conditions.
- 7.07 Footpath
The proposal is the same as that shown on the original approval and The route is the same as that shown on the original approval and in policy terms the proposal to retain this right of way is acceptable.

- 7.08 Affordable Housing
The original outline planning permission for the entire development was accompanied by a unilateral undertaking which committed the developer to requirements both set out in the original and subsequent full and reserved matter applications. The undertaking requires that the developer will provide for affordable housing for the number of dwellings justified by the Housing Needs Survey up to a maximum of 10% of the dwellings proposed on the applicant's parts of the site.
- 7.09 The Council must demonstrate through the result of a Housing Needs Survey the scale and extent of Affordable Housing need in the town of Flint and the type of such housing which is needed. Housing Strategy Officer has been consulted and confirms that there is an identified need for affordable housing provision in Flint The housing need in Flint has been identified as affordable rented property as 5 number 1 bedroom, 17 number 2 bedroom and 5 number 3 bedroom. In terms of shared equity the requirement is for 2 number 1 bedroom, 23, two bedroom and 4 no three bedroom units.
- 7.10 The application is for 51 houses so the maximum units which could be required on this part of the site for affordable housing is 5. The affordable Housing must be developed in association with the Council, a recognised Housing Association or other social body satisfactory to the Council or such other body or company approved. Previously the Councils nominated agents, Grwp Cynefin Housing Association who have delivered a number of shared-equity properties within the development which are now occupied. As with previous phases of the development the proposed affordable units required under this phase will be delivered in association as previously with Grwp Cynefin Housing Association.
- 7.11 Flooding/Drainage Issues
No response at time of writing although in the original submission no objection was made.
- 7.12 Provision of Public Open Space
The site would benefit from the previously approved formally laid out "village green" which would include a mini soccer pitch, a junior play area, a toddlers/picnic area, a Multi-Use Games Area (MUGA) which forms part of the wider open space allocation for the overall site which is 4.5 hectares in area. The proposed public open space across the site is generally well overlooked as regards passive surveillance from nearby dwellings, and also benefits from active frontages which assist in providing safer environments.
- 7.13 Education
As part of the original outline planning approval the development was required to incorporate a variety of community facilities and suitable sites were identified on the plan approved. As part of the community facilities identified an area of land of 1.5 hectares has been shown set

aside for the provision of a school being the contribution from the developer for education requirements. This facility meets the required policy standards and its delivery is secured by virtue of the unilateral agreement.

- 7.14 In terms of the concerns and objections received since the submission of the original scheme amended plans have been submitted which shows a change in the house type shown on plot 42 from a Cenarth house type to a Cardigan DA house type. The change in house type overcomes the issues of overlooking and impact on the boundary with the objectors house and the loss of a tree noted.

The dwelling on plot 52 is the same as that originally approved and the proposal shows no change in the position. The dwelling is side on to the adjacent dwelling and in terms of policy the dwelling complies with the space about dwelling standards and is considered to be acceptable.

8.00 CONCLUSION

The proposed development in broad terms would allow for the replacement of existing permitted dwellings that have already been approved with amended house styles/layout which are in keeping with development already undertaken on the wider site and is therefore considered acceptable in principle and design.

8.01 Other Considerations

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

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

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

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

LIST OF BACKGROUND DOCUMENTS

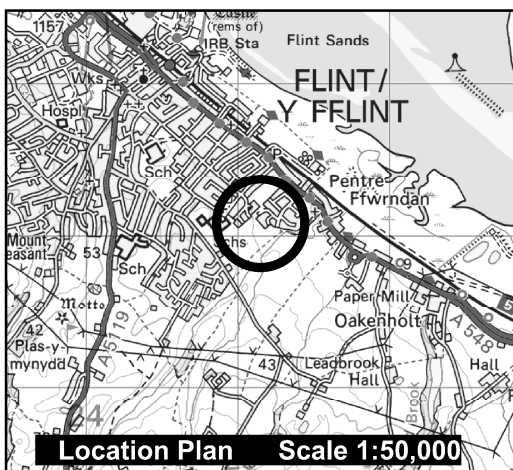
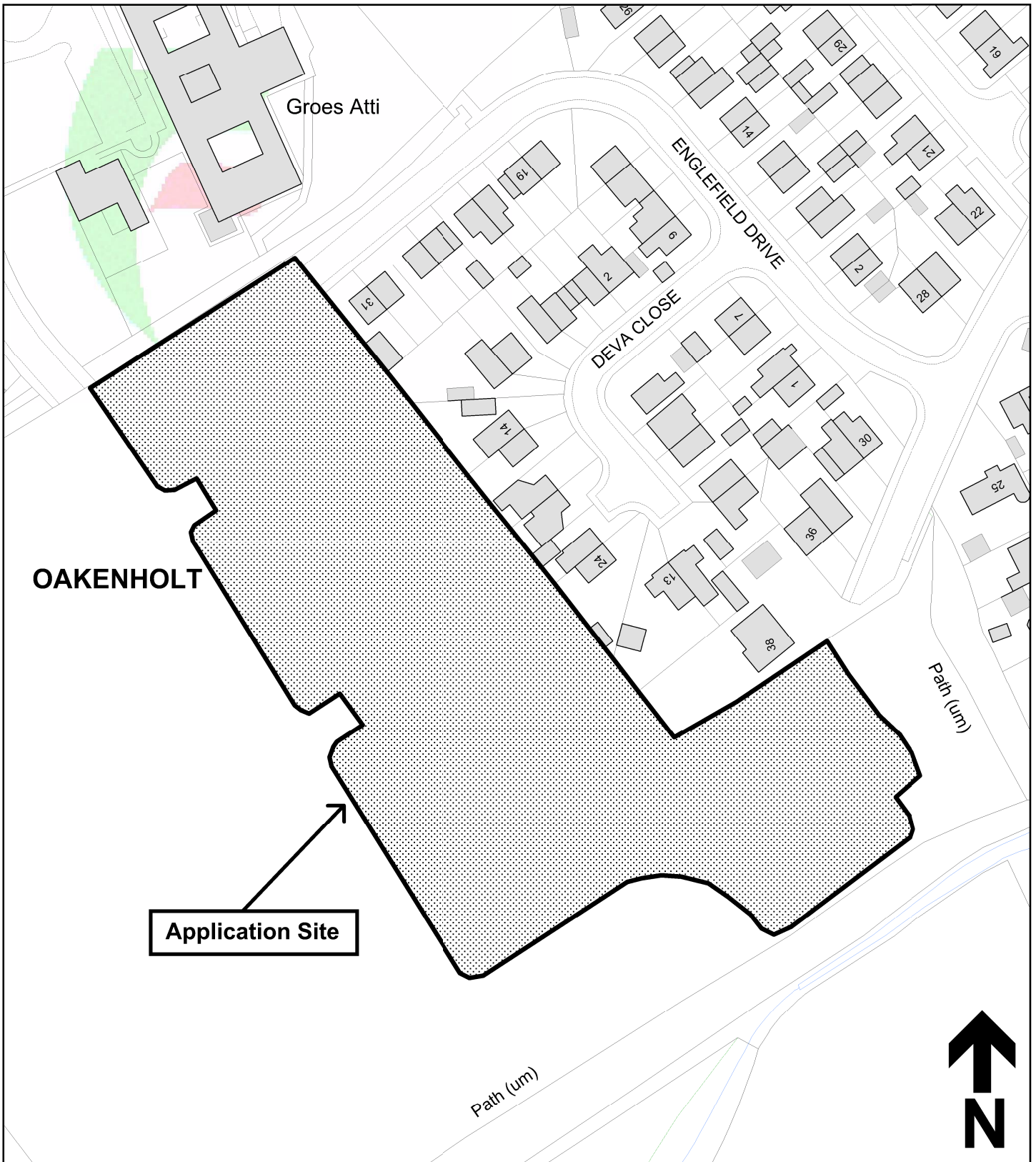
Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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



Planning, Environment & Economy,
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 **59399**

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