

Public Document Pack

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



To: Cllr David Wisinger (Chairman)

CS/MP

Councillors: Mike Allport, Bernie Attridge,
Marion Bateman, Chris Bithell, Derek Butler,
David Cox, Adele Davies-Cooke, 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

21 April 2020

Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

Dear Sir / Madam

During the emergency situation, we have adapted our processes so that urgent decisions can be made. We have introduced 'Individual Chief Officer' decision making so that such decisions are taken transparently and with due accountability. Chief Officer decisions will be made in consultation with the Chair of the Planning Committee, Chair of the Council and Leader of the Council.

However, **the views of all members of the Planning Committee will be a very important part of that decision making process.**

Please find attached two reports relating to planning applications. These are applications that will otherwise fall outside the period of time that the Local Planning Authority have to determine them, and the applicants are not able to wait until the next time the Committee meet for the decision of the local planning authority to be made. The applicants ability to appeal against the LPA's non-determination of the application are also severely limited as the Planning Inspectorate's activities are also limited by the impacts of the Covid-19 virus.

Members are kindly requested to read the attached urgent reports and to provide their representations in writing, by email to the Chief Officer (Planning, Environment & Economy), by **5pm on Thursday 23rd April, 2020.**

Yours sincerely

Robert Robins
Democratic Services Manager

1 REPORTS OF SENIOR PLANNING OFFICER

The following reports of the Senior Planning Officer are enclosed:-

Item No	File Reference	DESCRIPTION
<u>Applications reported for determination (A = reported for approval, R= reported for refusal)</u>		
1.1	060006 – A	Full Application - Part Amendment to Layout Previously Permitted Under 046067, To Allow For the Erection of 19 Apartment Units in 3 Blocks at Flint Working Mens Club, Woodfield Avenue, Flint (Pages 5 - 28)
1.2	060782 – R	Full Application - Regrading of Existing Agricultural Land at Nant-Y-Gro, Gronant (Pages 29 - 42)

Item No	Application Reference	Description	Local Member	Member of the Public	Applicant /agent
1.1	060006	Full Application - Part Amendment to Layout Previously Permitted Under 046067, To Allow For the Erection of 19 Apartment Units in 3 Blocks at Flint Working Mens Club, Woodfield Avenue, Flint.	Response attached from Cllrs Johnson and Cunningham, shown at Appendix 3 of the report. No response from Cllr Perfect.	No response	Response attached, shown at Appendix 2 of the report.
1.2	060782	Full Application - Regrading of Existing Agricultural Land at Nant-Y-Gro, Gronant.	No response from Cllr Braun	No response	Response attached, shown at Appendix 2 of the report.

Members are specifically requested to set out the following information for each report:

- a) state if you would be minded to vote in favour of the officer's recommendation; or
- b) state if you would be minded to vote against the officer's recommendation, and if so clearly set out reasons why you would be minded to vote against the officer's recommendation, or
- c) state if you would be minded to vote in favour of the officer's recommendation, but subject to clarification of certain issues, and please set those issues out.

Those members who choose option c) above will be contacted by the Chief Officer by email to clarify the issues of concern and he will seek the input of the legal officer if needed. If the Chief Officer does not receive further communication from that member within 24 hours, he will assume that member is content with the clarification provided and that member would be minded to vote in favour of the officer's recommendation.

The Chief Officer will send an email to all Planning Committee Members to confirm the decisions made. The decisions will be published on the Council's website on **Thursday 30th April, 2020.**

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FLINTSHIRE COUNTY COUNCIL

DATE: 29TH APRIL 2020

REPORT BY: SENIOR PLANNING OFFICER MR R M HARRIS
TO THE CHIEF OFFICER (PLANNING,
ENVIRONMENT AND ECONOMY)

SUBJECT: FULL APPLICATION – PART AMENDMENT TO
LAYOUT PREVIOUSLY PERMITTED UNDER
046067, TO ALLOW FOR THE ERECTION OF 19
APARTMENT UNITS IN 3 BLOCKS AT FLINT
WORKING MENS CLUB, WOODFIELD AVENUE,
FLINT.

**APPLICATION
NUMBER:** 060006

APPLICANT: WOODLAND NW DEVELOPMENTS

SITE: FORMER FLINT WORKINGMENS CLUB

**APPLICATION
VALID DATE:** 20TH MAY 2019

LOCAL MEMBERS: COUNCILLOR MS R. JOHNSON
COUNCILLOR P. CUNNINGHAM (adjoining)
COUNCILLOR MRS V. PERFECT (adjoining)

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

**REASON FOR
EMERGENCY
DECISION** SCALE OF DEVELOPMENT RELATIVE TO
DELEGATION SCHEME AND THE ECONOMIC
IMPACT TO THE DEVELOPER IF THE
APPLICATION IS NOT DETERMINED BY THE
CHIEF EXECUTIVE DELEGATING HIS
EMERGENCY POWERS TO THE CHIEF OFFICER
OF PEE

1.00 SUMMARY

- 1.01 This full application proposes the erection of 19 apartments in 3 No. separate blocks, on part of the site associated with the former Flint Workingmen's Club, Woodfield Avenue, Flint.

1.02 The application has been submitted as a part amendment to a scheme previously permitted for the erection of 15 No. dwellings in total, under 046067 on 20th October 2010. For information, 4 No. of the previously permitted 15 No. units fronting Woodfield Avenue have been completed, and are now occupied.

1.03 Amended plans have been received in progression of this application on which further consultation has been undertaken. The application site/approach roads are on the convergence of 3 No. wards within this area of Flint, and the relevant Local Members have been formally consulted in this respect.

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

2.01 That subject to the applicant entering into a Section 106 Obligation or making an advance payment of £733 per apartment in lieu of on-site recreational provision, the monies being used to enhance toddler play provision at Pen Goch Play Area, that planning permission be granted subject to the following conditions.

1. Time limit for commencement.
2. In accordance with approved plans.
3. Materials to be submitted and approved.
4. Finished site /floor levels to be approved.
5. Carriageway width to be increased to 6.0m from its junction with Woodfield Avenue for a minimum 10m into the site.
6. No boundary or planting shall be placed within 2.5m of the Woodfield Avenue carriageway kerb line to the north east of the proposed access.
7. Positive means to prevent the run off of surface water from any part of the site onto the highway to be submitted and approved
8. Land contamination survey to be submitted and approved with appropriate mitigation where necessary.
9. Landscaping scheme to be submitted and approved
10. Implementation of landscaping scheme
11. Windows in gable to be fixed / obscure glazed

2.02 If the Obligation pursuant to Section 106 of the Town & Country Planning Act (as outlined above) is not completed within six months 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 R. Johnson
No objection to determination under delegated powers.

Councillor Paul Cunningham

No objections.

Councillor V. Perfect

No response received.

Flint Town/Council

No response received.

Highway Development Control

Following the receipt of amended plans raise no objection subject to the imposition of conditions in relation to access width, planting and surface water run off

Community and Business Protection

No objection.

Aura

Request the payment of £733 per apartment, the monies being used to enhance toddler play provision at Pen Goch Play Area.

Education

Advises that the schools affected by the proposed development are as follows:-

School Affected Primary School: Flint St Mary's

Current Number on roll (@ January 2019) 226 (excluding nursery).

Capacity (@ January 2019) 317 (excluding Nursery).

No. Surplus Places: 91.

Percentage of Surplus Places: 28.71 %.

Schools Affected Secondary School: St Richard Gwyn RC High School

Current number on roll (@ January 2019) is 776

Capacity (@ January 2019) is 969

No. surplus places is 193

Percentage of Surplus places is 19.92%

Primary School Pupils

School capacity 317

Trigger point for contributions is 301 pupils

(No of units) 19 x 0.24 (primary formula multiplier) = 4.56 (5) No. of pupils generated) x £12,257 per pupil (Building Cost Multiplier) = £61,285.

Actual pupils (from the multiplier) = does not meet the trigger.

Contribution requirement would be £0.00.

Secondary School Pupils

School capacity 969

Trigger point for contributions is pupils.

(No. of units 19 x 0.174 (secondary formula multiplier) = 3.3 (3 No. pupils) generated 3 x £18,469 per pupil (Building Cost Multiplier) = £55,407.00.

Actual pupils (from the multiplier) = does not meet the trigger
Contribution requirement would be £0.00

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

3 No. letters of objection received, the main points of which can be summarised as follows:-

- Inadequacy of parking.
- There is a need for housing in the locality not flats.
- Impact on privacy/amenity by way of overlooking.

5.00 SITE HISTORY

5.01 046067 - Erection of 15 No. dwellings – Permitted 20th October 2010.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design Quality.

Policy D2 – Location & Layout.

Policy D4 – Landscaping.

Policy AC13 – Access & Traffic Impact.

Policy AC18 – Parking Provision and New Development.

Policy HSG3 – Housing on Unallocated Sites.

Policy HSG8 – Density of Development.

Policy HSG9 – Housing Mix & Type.

Additional Guidance

Planning Policy Wales (PPW) – Edition 10

Supplementary Planning Guidance Note 2 – Space Around Dwellings.(SPGN2)

Supplementary Planning Guidance Note 23 – Developer Contributions to Education

Local Planning Guidance Note 13 – Open Space Contributions

Technical Advice Note 12 – Design.

Technical Advice Note 18 – Transport.

7.00 PLANNING APPRAISAL

7.01 Introduction

The site the subject of this application amounts to approximately 0.2 hectares in area, and is located at the end of Woodfield Avenue, Flint, to the north of Clarks Drive and south of Maes y Dre Avenue. The site was previously occupied by the former Flint Borough Working Men's Club which has been demolished. 4 No. dwellings on the site frontage with Woodfield Avenue have subsequently been constructed and occupied, in accordance with a previous permission which formed part of a wider development for a total of 15 No. dwellings on the site. This was permitted under 046067 in 2010.

7.02 Planning Policy / Background

The site is located within the settlement boundary of Flint as defined in the Flintshire Unitary Development Plan. As indicated, it has also had the benefit of planning permission for residential development on a wider site amounting to approximately 0.4 hectares in area. The principle of residential development on the site is therefore well established, and this is a material planning consideration which attracts significant weight.

7.03 Proposed Development

The plans submitted as part of this application which have been amended since initial submission, propose the erection of 19 No apartments in 3 No. separate blocks configured in an L-shape, around a central parking court. The proposed blocks which are a mix of 2 and 2.5 storey's in height would be constructed having facing brick external walls and concrete tile roofs.

7.04 For information the 3 No. blocks, the subject of this application are referenced below:-

Block A

This measures approximately 17m x 10m x 9.5m (high) is located to the rear of the 4 No dwellings that have been constructed fronting onto Woodfield Avenue.

Block B

This measures approximately 17m x 10m x 9.5m (high) and would be located to the north –west of Block A referenced above.

Block C

This measures approximately 28m x 10m with a ridge height between 9-9.5m. This block would be sited along the sites north western boundary.

- 7.05 Main Planning Considerations
It is considered that the main planning considerations to be taken into account in determination of this application are:-
- a) The principle of development.
 - b) Character and appearance
 - c) Living conditions
 - d) Adequacy of access/parking
 - e) Aura/educational contributions
- 7.06 Principle
As indicated the site is located within the settlement boundary of Flint and has had the benefit of planning permission for residential development which has commenced in accordance with planning permission 046067. The principle of residential development at this location is therefore well established.
- 7.07 Character and Appearance
The proposed density and site layout would provide for a form of development which would be sympathetic to the character of existing development in proximity to the site within this urban context. The density of development amounts to approximately 59 dph. This it is acknowledged is higher than the 30dph that Policy HSG8 of the Flintshire Unitary Development Plan seeks to achieve on allocated housing sites, but is considered acceptable in the context of the density of existing development and site's location within a Category A settlement. Although this existing density amounts to approximately 29 dph, the site layout proposes development in a number of separate blocks. This helps to break up and reduce the massing of buildings at this location and help to assimilate it into the wider surroundings.
- 7.08 In design terms the elevational plans submitted propose the use of facing brick external walls and concrete roofs to reflect the materials used in existing development at Woodfield Avenue. The ridge height of Block A would be approximately 0.5m higher than existing units at Woodfield Avenue which combined with a reduction in land levels of approximately 0.3m would help to minimise its impact.
- 7.09 Living Conditions
Of fundamental importance in consideration of this application is ensuring that the living conditions of the occupiers of existing /proposed dwellings are safeguarded as part of the application having regard to Supplementary Planning Guidance Note 2 – Space Around Dwellings.
- 7.10 Having regard to this guidance, there are a number of existing dwellings in proximity to the proposed site the relationship summarised as follows:-

The gable elevation of Block A of the proposed development would be located approximately 12m from the rear of existing properties Nos 1 & 2 Woodfield Avenue. Within the gable elevation of this block relative to these dwellings, it is proposed to introduce a first floor obscure /fixed window which can be conditioned to avoid overlooking of these existing properties. This is considered acceptable having regard to SPGN2

- 7.11 The frontage elevations of Blocks A & B would be located approximately 27m from the common site boundary associated with curtilages of existing properties at 100 Woodfield Avenue and 35 Maes –Y - Dre Avenue. This is considered acceptable having regard to SPGN2.
- 7.12 The gable elevation of Block C would be located in proximity to the sites north eastern boundary, the closest properties being located at Nos 35 & 60 Maes –Y- Dre. Whilst there would be no direct interface relationship between the dwellings, which would not oblige consideration in accord with SPGN2, it is proposed to introduce a first floor obscure fixed window into the gable elevation of this unit relative to these properties, to minimise the impact of development. This can be secured by condition if the proposed development is supported.
- 7.13 The L-shaped form of development would result in a close relationship between Block B & C, whereby part of the frontage /gable associated with these units would be within approximately 2m of each other. In design of these units at this corner of the site, the windows have been positioned so there would be no direct inter-relationship between habitable rooms and the amenity /living conditions of the occupiers can be safeguarded. This is acceptable having regard to SPGN2.
- 7.14 Access and Parking
Consultation on the application has been undertaken with the Highway Development Control Manager, who has requested amendments to the initially submitted layout, to ensure the satisfactory functioning of the parking /turning facilities proposed. It is acknowledged that the level of parking provision within the site to serve the development, exceeds maximum standards in accordance with Technical Advice Note 18, and although there is a shortfall of 3 No spaces, the principle of development within this sustainable location is acceptable from a highway perspective. To this effect, and following the receipt of amended plans, there is no objection to the development, subject to the imposition of conditions as referenced in paragraph 2.01 of this report the application is supported.

7.15 Open Space

Aura recommends the payment of a commuted sum for the enhancement of existing recreation facilities within the locality in lieu of on-site provision. This requires the payment of £733 per apartment which would need to be controlled by a Section 106 Obligation, Unilateral Undertaking or advance payment the monies

7.16 Education

Primary and Secondary formula multipliers have been applied to assess the potential impact of the proposal on the capacity of both Primary and Secondary Schools. Both schools have 5% surplus spaces threshold as set out in SPG23, I am advised by Education colleagues that the section 106 trigger points have not been met and contributions would not be sought in this respect.

7.18 Other Matters

A third party has written in expressing that there is a need for housing and not flats. As advised in the report the partial implementation of a previous planning permission for 15 houses has been carried out with the four houses built out on the site. However, the developer has chosen to redevelop the remainder of the site for flats. There is no evidence or adopted planning policy to support the view that houses and not flats are required, and therefore this matter can attract very little weight in the overall planning balance.

8.00 Conclusion

Having regard to the planning history of the site and the fact that the proposal meets the Council's requirements in terms of density, design and separation distances, the proposed development is considered acceptable for the reasons set out above.

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

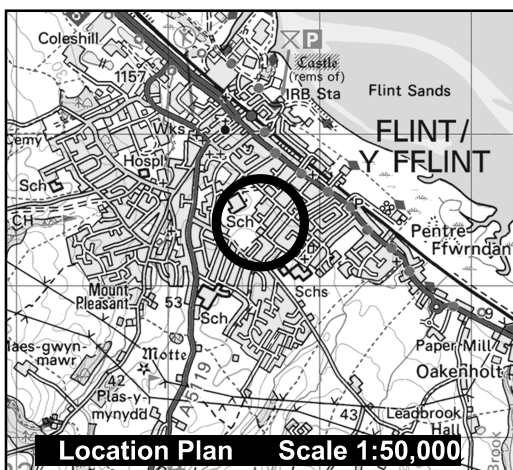
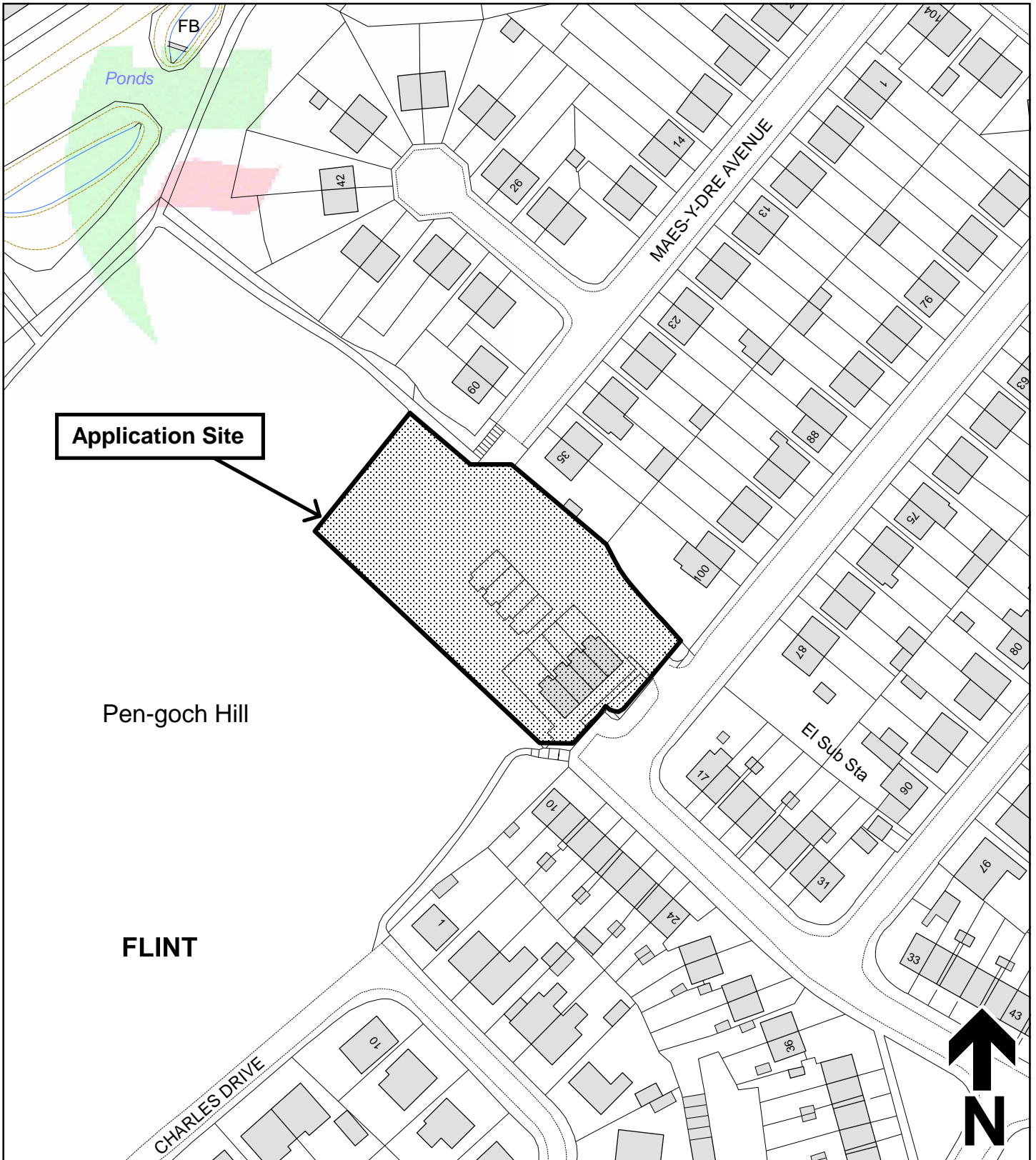
National & Local Planning Policy

Responses to Consultation

Responses to Publicity



Contact Officer: Mark Harris
Telephone: (01352) 703269
Email: Robert.m.harris@flintshire.gov.uk

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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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Map Scale	1:1250
OS Map ref	SJ 2472
Planning Application	60006

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Our ref: MDP/2019/7010
Your ref: 060006
Date: 17 April 2020

Chartered Architect
Project Managers
Planning Supervisor
Planning Consultant
Design Consultant

**2B Dee Hills Park
Chester
Cheshire
CH3 5AR**

Mandy Lewis
Development Manager/Rheolwr Datblygu
Development Service/Gwasanaeth Datblygu
Flintshire County Council/Cyngor Sir y Fflint
County Hall/Neuadd y Sir
Mold/Yr wyddgrug CH7 6NF

**Tel/fax: 01244 312383
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for the urgent attention of Mandy Lewis

- a) Application reference 060006 - Flint Working Men's Club, Woodfield Avenue, Flint
- b) Keith Major
- c) major.design@live.co.uk
- d) Agent

This is a proposal for the construction of 19 Apartments as infill development on the site of the former Working Men's Club on Woodfield Avenue in Flint. The site is well suited to sympathetic and well-planned development with a number of high-quality apartments in line with the National Planning Policy Framework, which states that there should be a wide choice of high-quality affordable homes to meet people's need. This development would help to meet the demand for such housing in Flint.

Flint is in dire need of affordable 1 / 2-bedroom apartments and there are currently only a handful of affordable units available. There is considerable demand for this type of housing in the Woodfield Avenue area and all of the homes on this site will be affordable. This development will make a positive contribution to meeting Flint County Council's affordable housing needs.

The developer retains an agreement with Help to Buy (Wales) for application of the funding scheme to the Woodfield site.

This development will not impact on the existing road network. The siting of this proposal is in line with the National Planning Policy Framework. It makes provision for travel by sustainable means: town facilities would be easily accessible by foot or bicycle, and bus stops for travelling to nearby towns and villages are within easy walking distance of the proposed entrance to the development.

The site for this development is well chosen and will be welcomed by local residents who believe the site has been left vacant for too long and have expressed a wish to see the development completed.

The development will have secured car parking away from the main road, offering safe and secure passage into the residential unit. The existing infrastructure will be as existing, which provides easy access into the site. The relationship between access to the site, car parking, the building and open spaces ensure that places connect with one another and are easy to move through. The routes are attractive and safe to use by the occupants, including the disabled and elderly. Provision has been made for pedestrians and general service vehicles, as well as the motorcar. All potential users, no matter what their disability, age or sex, will not be segregated and will be able to enter the site, move around the area and enter the dwellings, without detours.

The needs of the disabled and elderly people will be met by using level surfaces wherever possible and non-slip materials. Paving surfaces will use resin-bound aggregate to provide a smooth, even and well-laid surface to avoid tripping.

[Type here]

Landscape elements and decisions in the detailed design with regard to surface treatment, material use, design of steps and ramps, kerbs, boundary treatment, lighting and visual contrast, will be carefully designed, as its thoughtful detailing will help everyone use and enjoy the space.

The applicant is committed to sustainable development and will ensure that this project will have minimising environmental and social impacts. It is the intention, wherever possible, to save energy, reduce waste and adopt environmentally friendly forms of construction that would reduce the need for energy and resource consumption. Recycled materials will be used wherever possible i.e. following site clearance and demolition of the existing building, bricks / blocks will be used as hardcore for the proposed buildings. The apartments will be constructed with energy saving measures as part of the building regulation process, including sound and draught proofing by sealing around junctions of openings with walls, use of 'K' glass as double glazing, upgraded insulation within the floor, walls and roof and energy efficient lighting and fittings.

Overall the proposal represents a development, which will reduce the usage of energy by targeting the main sources of heat loss. The development will therefore also reduce carbon emissions and the impact on the environment.

The proposed scheme will also adopt best practice in its design and construction in order to minimise waste generation. This will help to minimise the impact on the environment as well as reducing financial construction costs.

The applicant will aim to source construction materials locally or from manufacturers with a quality mark for sustainability, such as timber with a FSC certification or from a woodland assurance scheme. The block manufacturer will be a company involved in making incremental changes to existing products through technological improvements to product manufacture. The blocks chosen will be 'A' rated. The realistic use of locally produced materials will also be given precedence.

When the new dwellings are in use and in an effort to reduce the consumption of energy, the amount of waste produced will be addressed. On occupation, the owners will be encouraged to re-use products and minimise their generation of waste. Materials such as paper, cardboard, plastics, clothing, aluminium cans etc. will be recycled in line with the authority's policy.

Proposed planted areas within spaces will be planted out as natural landscaping to ensure a wide range of biodiversity, providing food stocks for all native animal and insect species.

CONCLUSION

The proposals for the scheme seeks to promote good design in buildings, creating an attractive and safe place where people choose to live and which enhances the character of the immediate and local area.

The proposal will provide a positive impact on the regeneration of this site and aims to create sustainable buildings, meeting all the needs for modern, energy efficient, comfortable, affordable family homes.

Written statement of Councillor Rita Johnson

I just wish to put on record that I believe there could be a problem with that amount(19) apartments and the situation at woodfield ave as it is. However, as highways don't seem to be concerned with this I leave it to delegated powers..unless I have an urgent representation from residents.

Councillor Paul Cunningham (adjoining ward member) verbally confirmed his support for Councillor Johnson's view.

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FLINTSHIRE COUNTY COUNCIL

DATE: **29TH APRIL 2020**

REPORT BY: **SENIOR PLANNING OFFICER MR M HARRIS TO THE CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL APPLICATION – REGRADING OF EXISTING AGRICULTURAL LAND AT NANT-Y-GRO, GRONANT**

APPLICATION NUMBER: **060782**

APPLICANT: **WATES CONSTRUCTION LTD**

SITE: **NANT-Y-GRO, GRONANT.**

APPLICATION VALID DATE: **4TH DECEMBER 2019**

LOCAL MEMBERS: **COUNCILLOR MS S BRAUN**

TOWN/COMMUNITY COUNCIL: **LLANASA COMMUNITY COUNCIL**

REASON FOR EMERGENCY DECISION: **SCALE OF DEVELOPMENT RELATIVE TO DELEGATION SCHEME AND THE ECONOMIC IMPACT TO THE DEVELOPER IF THE APPLICATION IS NOT DETERMINED BY THE CHIEF EXECUTIVE DELEGATING HIS POWERS TO THE CHIEF OFFICER OF PEE**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This full planning application proposes the regrading of approximately 4.81 hectares of existing agricultural land at Nant –y- Gro, Gronant, utilising material that has been excavated from the adjacent site that is currently under construction for 41 No dwellings. This development was permitted under 058304 in August 2018 and forms part of the Council's (SHARP) Strategic Housing & Regeneration Programme

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

2.01 1. Time limit for commencement

2. In accordance with approved plans
3. Assessment of condition of recipient and donor site to be undertaken to secure adequate mitigation from pollution /contamination if necessary.
4. Construction Management Plan to ensure protection of construction workers, general public and neighbouring occupiers from airbourne pollution during the construction phase.
5. Construction Traffic Management Plan to be submitted and approved.
6. Regrading to be set back 3m from existing tree and hedgerow root systems
7. Method statement for protection of sewer crossing site

3.00 CONSULTATIONS

3.01 Local Member
Councillor Ms S Braun
No response received.

Llanasa Community Council
No response received

Highway Development Control
No objection subject to the imposition of a condition requiring the submission /approval of a Construction Traffic Management Plan.

Community and Business Protection
Recommend that an assessment of the condition of both the donor and recipient sites is needed to allow the potential effects upon human and animal health and the environment to be undertaken before development commences.

Natural Resources Wales
Protected Species – no objection.

Waste – it is noted the proposal proposes to bring earth material onto the site which will originate from an adjacent development site within the same ownership. In this case, the soil from the residential development would not be classed as waste as it is to be used within the whole site curtilage.

Welsh Water/Dwr Cymru
No objection in principle subject to the submission of a method statement /risk assessment for the protection of the structural condition of the public sewer crossing the site.

Council Ecologist
Ecologically the land is primarily agriculturally improved grassland and there is no objection to the regrading.

Council Forestry Officer

No objection subject to the regrading being offset from the hedges and tree canopies/root protection areas by 3m.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

3 No letters of objection received the main points of which can be summarised as follows:-

- potential risks of land contamination
- increased traffic generation
- impact on residents from noise disturbance

5.00 SITE HISTORY

5.01 058304 – Proposed erection of 41 No dwellings and associated gardens and car parking. Permitted 3/8/ 2018

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development

Policy STR7 – Natural Environment

Policy STR10 – Resources

Policy GEN1 – General Requirements for Development

Policy GEN2 – Development Inside Settlement Boundaries

Policy TWH1 – Development Affecting Trees and Woodlands

Policy TWH2 – Protection of Hedgerows

Policy L1 – Landscape Character

Policy AC13 – Access and Traffic Impact

Policy AC18 – Parking Provision and New Development

Policy RE1 – Protection of Agricultural Land

Policy EWP8 – Control of Waste Development and Operations

Policy EWP12 – Pollution

Policy EWP16 – Water Resources

Additional Guidance

Planning Policy Wales (PPW) – Edition 10

Environmental Protection Act 1990

PPG6 – Working at Construction and Demolition Sites

7.00 PLANNING APPRAISAL

7.01 Introduction

This full planning application proposes the regrading of approximately 4.81 hectares of existing agricultural land at Nant –y- Gro, Gronant. It is intended to utilise material that has been excavated from the adjacent site that is currently under construction for 41 No dwellings

permitted under 058304. This residential scheme forms part of the Council's (SHARP) Strategic Housing & Regeneration Programme

7.02 Site /Surroundings

The L-shaped site the subject of this application is located to the north of the residential scheme referenced, and currently under construction at Nant y Gro, to the east of Gronant Hill and south of residential properties at Mostyn Road. The site levels vary with there being a general incline to the north, with hedgerows/low fencing defining the site boundaries.

7.03 Proposed Development

It is proposed that the existing agricultural land is regraded based on its current contouring, and will result in an overall and consistent increase in the land levels across the site by approximately 400mm, utilising material excavated from the adjacent site. It is proposed that the end use remains as existing for agricultural purposes.

7.04 Main Planning Considerations

It is considered that the main issues to be taken into account in determination of this application can be summarised as follows:-

- i) Principle of development
- ii) Impact on character of the landscape
- iii) Nature of operations
- iv) Adequacy of highways
- v) Impact on living conditions of occupiers of nearby properties
- vi) Impact on landscape features /ecology

7.05 Principle

The principle of the regrading of the existing landform to retain its agricultural use is acceptable in accordance with the planning policy framework referenced, subject to relevant development management considerations.

7.06 Impact on Character of Landscape

The proposed deposit of approximately 19,000m³ of material over approximately 4.81 hectares, would result in an increase in land levels by some 400mm over the total site area. It is considered that in visual terms this increase would be acceptable and can be assimilated into site/wider surroundings whilst maintaining the existing character. Subject to ensuring that the root systems of existing trees /hedgerows are safeguarded, the application can be supported.

7.07 Nature of Operations

Consultation has been undertaken with both Natural Resources Wales (NRW) and the Council's Contaminated Land Officer. It has been confirmed by NRW that they have no objection to the application on the basis of the details submitted.

7.08 The Council's Contaminated Land Officer does however have concerns regarding the need to ensure that the material to be deposited is inert and recommends that an assessment of the condition of both the donor and recipient sites is needed to allow the potential effects upon human and animal health and the environment to be undertaken before development commences. This can be secured by planning condition,

7.09 Highways

Consultation on the application has been undertaken with Highway Development Control. No objection to the proposal has been raised from a highway perspective as the proposal involves the movement of material onto an adjacent site. It is however recommended that any permission includes a condition to secure the submission /approval of a Construction Traffic Management Plan (CTMP), to control vehicle movements in the interests of highway safety.

7.10 Impact on Living Conditions

Of fundamental importance in consideration of this application is ensuring that the impact of development on the living conditions of the occupiers of nearby residential properties is safeguarded. This is particularly relevant in respect of avoiding any potential pollution of the site and managing construction traffic. A proposal for further testing of the soil is set out in paragraph 7.08 and a condition has been imposed. To manage construction traffic a construction traffic management plans is required. Whilst it is considered that this will address /control vehicle movements from a highway safety perspective and construction management plans is also required to allow the Council to control the days /hours of operation in order to minimise disturbance to residents at Mostyn Road, Gronant Hill and Nant y Gro respectively.

7.11 Impact on Ecology / Trees / Hedgerows

Consultation on the application has been undertaken with the Council's Ecologist and Forestry Officer. It has been confirmed that there is no objection to the development from an ecological perspective. It is however recommended that in order to safeguard existing trees /hedgerows on the site that regrading is offset from the hedges and tree canopies/root protection areas by 3m. This can be secured by the imposition of a planning condition.

7.12 Other Matters

Third parties have raised concerns regarding noise. Any noise generated by the development will be for a limited time and it would not be anticipated that this would exceed normal levels of noise generated by construction. Although noise generated by construction can cause some disturbance, this is normally minor and short-lived and does not outweigh the benefit that the provision of much needed new housing facilitated by this proposal.

8.00 CONCLUSION

In conclusion it is considered that the principle of development can be supported. This is however subject to the imposition of conditions to address pollution, highway, & amenity matters referenced and secure the health of existing trees hedgerows which form important landscape features at this location. I therefore recommend accordingly.

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

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PLANNING STATEMENT

NANT Y GRO 060782

Good Afternoon Councillors, Officers of Flintshire County Council, Ladies & Gentlemen

On behalf of the applicant we are making a representation for a positive determination on the above application.

The site is located north of the village of Gronant and sits two miles east of the town of Prestatyn. The site slopes down from north to south towards Nant Y Gro highway itself as can be seen from the submitted location plan with the site edged in red and the adjacent land ownership owned by the same applicant edged in blue.

The planned proposal is to enhance the agricultural usability of the above land utilizing a continuous spread of 400mm of additional enhancement material.

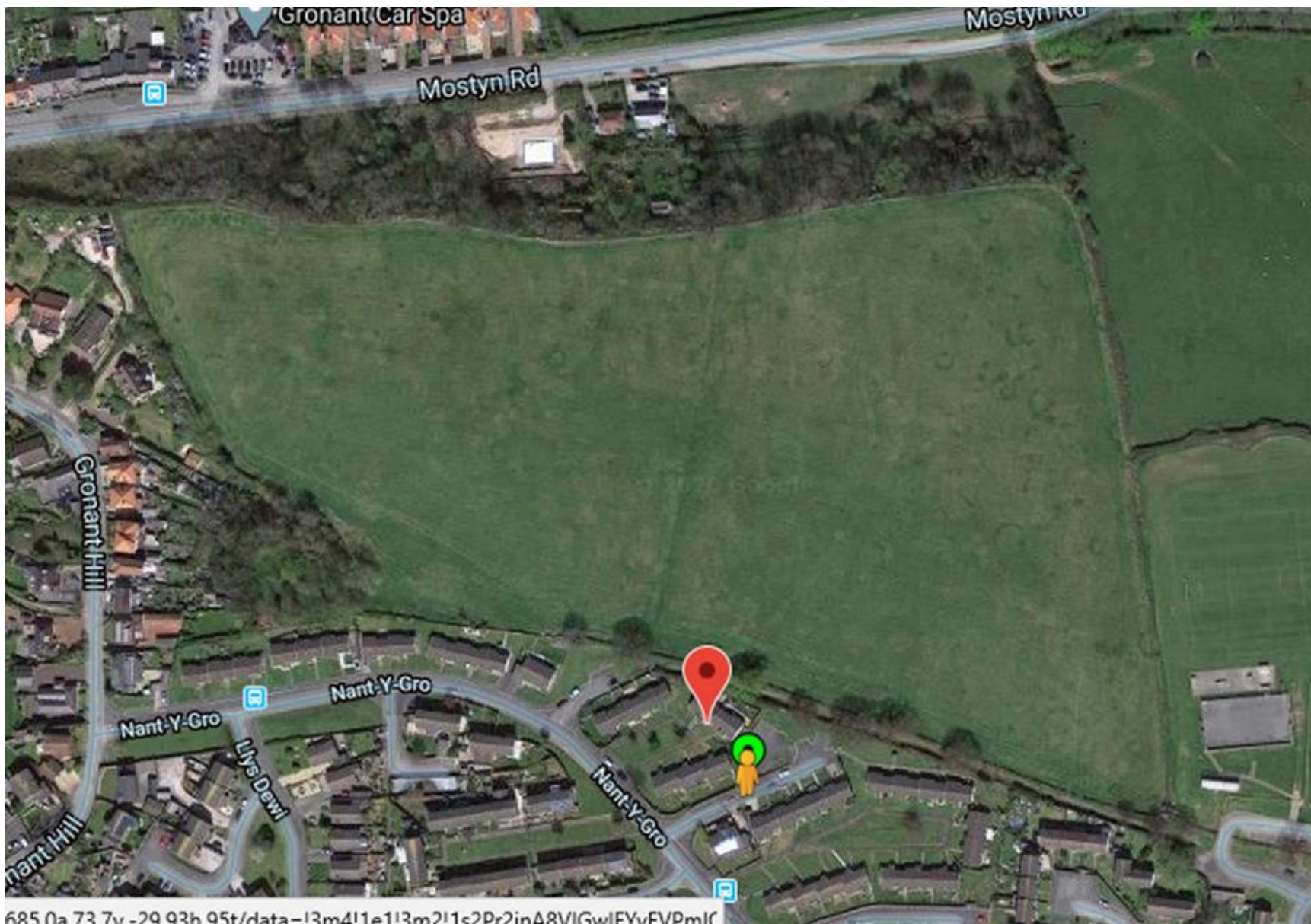
The resultant design will respect the existing contouring of the field and will be spread over the complete 11.9 acres of the application site, all as indicated on the existing drawings.

The site will be accessible via a singular vehicular entrance from Nant Y Gro.

As part of this application an ecological appraisal has been submitted with this application, as well as a Phase 1 desktop report and a contamination report to support the application.

Where possible as applicant and agent we have responded and replied to all matters related to the application and following recommendation for approval from the Planning Officer, we would recommend this application is positively determined.

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Page 41

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