

# Public Document Pack

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



To: Cllr David Wisinger (Chairman)

CS/NG

Councillors: Mike Allport, Bernie Attridge,  
Chris Bithell, Derek Butler, Ian Dunbar,  
Veronica Gay, Gladys Healey, Patrick Heesom,  
Kevin Hughes, Paul Johnson, Christine Jones,  
Richard Jones, Richard Lloyd, Mike Peers,  
Neville Phillips and Owen Thomas

24 September 2020

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

Dear Sir / Madam

**NOTICE OF REMOTE MEETING  
PLANNING COMMITTEE  
WEDNESDAY, 30TH SEPTEMBER, 2020 at 1.00 PM**

Yours sincerely

Robert Robins  
Democratic Services Manager

Please note: Due to the current restrictions on travel and the requirement for physical distancing this meeting will not be held at its usual location. This will be a remote meeting and 'attendance' will be restricted to Planning Committee Members . The meeting will be recorded.

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

## Virtual Planning Committee Meeting - Public Participation

Members of the public, objectors to or supporters of applications will not be able to address the remote Committee. Their views will be sought in advance of the meeting and their statements included within this Committee report pack.

### AGENDA

1 **APPOINTMENT OF VICE-CHAIR**

2 **APOLOGIES**

3 **DECLARATIONS OF INTEREST**

4 **LATE OBSERVATIONS**

5 **MINUTES** (Pages 3 - 8)

To confirm as a correct record the minutes of the meeting on 2 September 2020.

6 **ITEMS TO BE DEFERRED**

7 **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 30 SEPTEMBER 2020**

Item No	File Reference	DESCRIPTION
<b><u>Applications reported for determination (A = reported for approval, R= reported for refusal)</u></b>		
7.1	059999	059999 - R - Outline Application with Some Matters Reserved for the Development of Land to Provide Lodge/Chalet Park to Include Single Storey and Two Storey Lodges, a Site Office with Shop/Convenience Store and Cycle Hire Facility at Northop County Park, Northop (Pages 9 - 42)
7.2	061154	061154 - R - Full Application - Proposed residential development for 90 no. residential units of accommodation (of which 40% will be affordable and supported living), public open space, landscaping, means of highway and pedestrian access, local highway and pedestrian infrastructure improvements at Plas Anney, Ruthin Road, Mold (Pages 43 - 92)
7.3	061429	061429 - A - Outline - New dwelling at 2 Wood Green, Mold (Pages 93 - 112)
<b>BREAK – 10 Minutes</b>		
7.4	061158	061158 - A - Full application - Change of use - ground floor shop to residential unit (Pages 113 - 128)
7.5	058946	058946 - A - Full Application - Proposed residential development at Factory 2, Ponybodkin Hill, Leeswood (Pages 129 - 166)
7.6	061171	061171 - A - Full Application - Construction of a New Two Storey Utility Building and Surrounding Hard Standing Area at Valspar, Parkway, Deeside Industrial Park. (Pages 167 - 180)



## **PLANNING COMMITTEE** **2 SEPTEMBER 2020**

Minutes of the remote meeting of the Planning Committee of Flintshire County Council held on Wednesday, 2 September 2020.

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

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

**APOLOGIES:** Councillors: Dave Cox and Kevin Hughes

### **IN ATTENDANCE:**

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

## **82. DECLARATIONS OF INTEREST**

Councillors Bernie Attridge and Marion Bateman declared that they had been contacted on more than three occasions by the Local Member on Agenda item 6.5 (061296).

## **83. LATE OBSERVATIONS**

The Chairman explained that the late observations had been circulated to Members of the Committee prior to the meeting, a copy of which was appended to the agenda on the Flintshire County Council website:

<http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MIId=4714&Ver=4&LLL=0>

The Chief Officer (Planning, Environment & Economy) advised that he would read out the late observations following the presentation for each Agenda item during the meeting.

## **84. MINUTES**

The draft minutes of the meeting on 5 August 2020 were confirmed as a correct record, as moved and seconded by Councillor Bernie Attridge and Councillor Chris Bithell.

Councillor Marion Bateman requested that the third party speakers detailed in the appendix of the minutes be amended for future minutes to show observations made and included in the agendas rather than those made only during the meeting. It was agreed that this be amended for future minutes.

**RESOLVED:**

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

**85. ITEMS TO BE DEFERRED**

No items were recommended for deferral.

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

**RESOLVED:**

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

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

There were no members of the press or public present.

(The meeting started at 1.00 pm and ended at 4.10 pm)

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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 2 SEPTEMBER 2020**

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
061392	Buckley Town Council	Full application - Application for the demolition of a dwelling & the erection of 56 dwellings, access, parking, open space & associated at 81 Drury Lane, Buckley	<p>A statement of objection from a local resident had been appended to the report in the agenda.</p> <p>A statement of support from a local resident had been appended to the report in the agenda.</p> <p>A summary of two letters received from neighbouring properties were included in the late observations as circulated.</p>	That the appeal be resisted on the grounds outlined within the report on the basis that no further material planning issues have been raised in response to the statutory notifications.
060765	Connah's Quay Town Council	Full Application - Installation and Operation of a Ground Mounted Solar Panels and Associated Infrastructure at Crumps Yard, Dock Road, Connah's Quay.	Comments of support from Councillor Bernie Attridge, as Local Member, were appended to the report in the agenda, with additional comments of support included in the late observations as circulated.	That planning permission be granted, subject to the conditions set out in the report and confirmation from Network Rail that the proposals do not impact upon the railway network, in line with officer's recommendations.
061081	Caerwys Town Council	Full application - Change of use form a public house & hotel with manager's accommodation into a single holiday letting unit for larger groups & alterations &	A statement of objection from the Local Member, Councillor Tudor Jones, was appended to the report in the agenda.	That planning permission be granted, subject to the conditions set out in the report, in line with officer's recommendations.

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
		construction of a covered area to create a seven bedroom letting unit in the main Pwllgwyn building & to improve the five existing holiday letting guest accommodation units in the stable range & creation of an additional single bed letting unit at the Pwllgwyn Hotel, Afonwen	A statement from the agent was included in the late observations as circulated.	
061296 Page 6	Broughton and Bretton Community Council	Full application – Single storey side extension at Fern Bank, Old Warren, Broughton	No third party observations were included in the agenda or included in the late observations circulated.	That planning permission be granted, subject to the conditions set out in the report, in line with officer's recommendations.
060475	Whitford Community Council	Full Application - Erection of Drive-Thru Restaruant Unit and Drive-Thru Coffee Shop Unit (Use Class A3), Access, Landscaping and Associated Works at McDonalds, St. Asaph Road, Lloc	<p>A statement of objection from Councillor Chris Dolphin, as Local Member, was appended to the report in the agenda, with additional comments of objections included in the late observations as circulated.</p> <p>A statement of objection from a local resident had been appended to the report in the agenda.</p>	<p>That planning permission be refused against the officer's recommendation on the following grounds:</p> <ul style="list-style-type: none"> <li>• Inappropriate development in the open countryside; and</li> <li>• Highway safety concerns</li> </ul>

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
060792	Hope Community Council	Application for a Change of Use from a Dwelling/house (Use Class C3) to a Home for 11 Children (Use Class C2), Including the Conversion of the Garage Annex to On-Site Education Facility, and the Demolition of an On-Site Building and its Replacement to Provide a Self-Contained Unit for One of the Children (11 Children In All). Also to Include Car Parking at Oaklea Grange, Sandy Lane, Higher Kinnerton.	<p>A statement of objection from Councillor Gladys Healey, as Local Member, were appended to the report in the agenda.</p> <p>A statement of objection from a local resident group had been appended to the report in the agenda.</p> <p>A statement from the agent was included in the late observations as circulated.</p>	That planning permission be granted, subject to the conditions set out in the report, in line with officer's recommendations.
060741	Saltney Town Council	Application to Modify Section 106 Agreement at Morrisons, High Street, Saltney.	<p>A request for deferral from Councillor Veronica Gay, was included in the late observations as circulated.</p> <p>A summary of objections from two Saltney Community Councillors was included in the late observations as circulated.</p>	That modification of the S106 agreement such that the paragraph 3 to the first schedule is deleted is agreed in accordance with officer recommendation.

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **WEDNESDAY, 30 SEPTEMBER 2020**

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

**SUBJECT:** **059999 - OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR THE DEVELOPMENT OF LAND TO PROVIDE LODGE/CHALET PARK TO INCLUDE SINGLE STOREY AND TWO STOREY LODGES, A SITE OFFICE WITH SHOP/CONVENIENCE STORE AND CYCLE HIRE FACILITY AT NORTHOP COUNTY PARK**

**APPLICATION NUMBER:** **059999**

**APPLICANT:** **MR GIZZI**

**SITE:** **LAND AT NORTHOP COUNTRY PARK, NORTHOP, MOLD**

**APPLICATION VALID DATE:** **4<sup>TH</sup> JUNE 2019**

**LOCAL MEMBERS:** **COUNCILLOR M BATEMAN**

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

**REASON FOR COMMITTEE:** **SCALE OF DEVELOPMENT & LOCAL MEMBER REQUEST**

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

### **1.00 SUMMARY**

- 1.01 This is an outline planning application with matters reserved for subsequent approval except access and scale. The proposal concerns the principle of tourism development in the form of a lodge/chalet holiday park, comprising the siting of 30 no. lodges with a mix of single and two storey accommodation types, site office with convenience store and cycle hire facility on land at Northop Country Park, Northop.

**2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS**

- 2.01
1. The Local Planning Authority considers the proposal comprises an undesirable form of development, which by virtue of its scale and siting, would be at odds with the surrounding rural character. The proposal would result in an absolute change to a currently undeveloped area of land resulting in a significant expansion of built form into the countryside replica of an isolated modern housing estate. As such the proposal would be harmful to the character and appearance of the immediate and surrounding area and is therefore contrary to Policy STR7, GEN1 and T4 of the Flintshire Unitary Development Plan.
  2. It is considered that the proposed development will have an adverse impact upon the zone of essential setting of the Grade II\* Listed Soughton Hall Historic Park and Garden. It is considered that the proposed holiday lodge accommodation would be incongruous to the historical character and essential setting of the historic garden therefore conflicting with paragraph 6.1.18 of PPW10 which seeks to value, protect, conserve and enhance the special interest of parks and gardens and their settings. As such the proposal would be contrary to Policy HE5 of the Flintshire Unitary Development Plan.
  3. The Local Planning Authority has been advised that there is insufficient information in relation to ecology matters concerning the protection of Great Crested Newt (GCN) populations. In the absence of further surveys and long-term compensation and mitigation, it has not been demonstrated that the proposed development will not be detrimental to the maintenance of the favourable conservation status of GCN. As such the proposal is contrary to Policy WB1 of the Flintshire Unitary Development Plan.

**3.00 CONSULTATIONS**

- 3.01 Local Member – Councillor M Bateman  
Requests the application be reported to planning committee.

Northop Community Council

Objects to the proposed development on the following grounds:

- The proposal is out of character with the existing site which has a number of residential properties;
- The development would result in an increase in the volume of traffic on the narrow site road and through Northop village – for access to the on and off slip roads of the A55 at junction 33.



- The original planning permission for the development of Northop Country Park precluded any further development of the site.

#### Highways Development Control

No objections subject to the imposition of a condition in relation to parking, turning, loading and unloading facilities together with the inclusion of advisory notes upon any grant of planning permission.

#### Community and Business Protection

No adverse comments to make.

#### Welsh Water/Dwr Cymru

Notes that the drainage proposals are absent, therefore requests confirmation as to whether the proposed scheme would require a connection to the public sewerage system for foul only flows.

#### Natural Resources Wales

Objects to the application. NRW require further survey and assessments to be undertaken to ensure that the favourable conservation status of the GCN is maintained. In addition a long-term compensation and mitigation scheme is required as part of the application.

#### Welsh Government (Trunk Roads)

Advises that the Welsh Government as Highways Authority for the A55 trunk road does not issue a direction in respect of the application.

#### Welsh Government – Land Quality Advisory Service (LQAS)

A detailed ALC survey for the site has been completed by Land Research Associates Ltd. dated October 2019 (Ref: 1606/1 – 2<sup>nd</sup> October 2019). This survey has been previously validated by the department and can be accepted as an accurate reflection of the land quality on site. The survey concluded the site to be ALC subgrade 3a, 3b and non-agricultural land.

#### Clwyd-Powys Archaeological Trust

Confirms that there are no archaeological implications for the proposed development at this location.

#### CADW

The scheduled monuments as set out below are located inside 3km of the proposed development, however intervening topography, buildings and vegetation will block all views between them. Consequently, the proposed development will not have an adverse impact on any of the setting of the scheduled monuments as listed.

- FL023 Llys Edwin Medieval Fortified House Site
- FL082 Wat's Dyke: Section from Coed Llys to Chester-Holywell Road

- FL083 Wat's Dyke: Section from the Chester-Holywell Road to Soughton Farm
- FL084 Wat's Dyke: Section SE of Clawdd Offa
- FL085 Wat's Dyke: Section N & E of New Brighton
- FL165 Taylor's Pottery
- FL166 Site of Pinfold Lane Pottery

Welsh Historic Gardens Trust

The application site is situated to the NE of Soughton Hall, which is a Grade II\* on the Register of Historic Parks and Gardens, and lies within the essential setting of the Hall. It is also to the SE of Lower Soughton which is Grade II on the Register.

The outline proposal for lodges has the appearance of a suburban housing estate which if permitted would add to the uncoordinated appearance of the park. The Welsh Historic Garden Trust objects to the proposed development due to its location within the essential setting of Soughton Hall.

**4.00 PUBLICITY**

4.01 Press Notice, Site, Notice, Neighbour Notification

27 no. letters of objection received upon the following grounds:

- Not in keeping with local area
- Impact on the character and appearance of the Country Park
- No demand for resort style holiday resorts
- Scale of development
- Will destroy open countryside
- Safety access – Northop Country Park is accessed via a high speed road and there are no footpaths to the site with access having restricted visibility
- Increase volume of traffic and congestion
- Impact on local residents by loss of privacy, increased noise and pollution
- Concerns for local safety
- Loss of habitat and impact on local wildlife
- Increased free roaming, with potential holiday makers intruding onto residential property
- Loss of privacy
- No on site facilities or activities, increasing the use of private car to visit further afield
- Overdevelopment
- This is a private park
- No justification for the proposed tourism development

**5.00 SITE HISTORY**

- 5.01 051782 – Outline planning permission with all matters reserved for the erection of 3 tourist/leisure let accommodation units and associated works Withdrawn.

1345/89 – Outline application for hotel, leisure and golf development, housing and offices. (Granted on 22<sup>nd</sup> July 1991)

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

## **6.00 PLANNING POLICIES**

### **6.01 Flintshire Unitary Development Plan**

STR1 New Development

STR6 Tourism

GEN1 General Requirements for Development

GEN3 Development in the Open Countryside

GEN5 Environmental Assessment

D1 Design Quality, Location and Layout

TWH1 Development Affecting Trees and Woodlands

L1 Landscape Character

WB1 Species Protection

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

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

RE1 Protection of Agricultural Land

T4 New Static Caravans and Chalets Holiday Sites

EWP17 Flood Risk

### **Planning Policy Wales Edition 10 (December 2018) (PPW10)**

TAN13 Tourism

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This is an outline planning application with matters reserved for subsequent approval except access and scale. The proposal concerns the principle of tourism development in the form of a lodge/chalet holiday park, comprising the siting of 30 no. lodges with a mix of single and two storey accommodation types, site office with convenience store and cycle hire facility on land at Northop Country Park, Northop.

### **7.02 Site Description**

The application site extends for 2.42ha located within the grounds of the Northop Country park. The site is overgrown in parts and presents some prominent tree lined boundaries. The piece of land to the North, closest to the existing commercial units, is less screened than its counterpart and separated by the expansive tree line running along a ditch through the centre on the site.

7.03 The site is accessed off a private drive off the B5126. The site is to the north east of the existing housing and to the west of the existing industrial unit. There is an office development, golf course and public house on the site accessed from the access road.

7.04 Proposed development

The application relates to the proposed development of a piece of land adjacent to 'Springfields' which is located within the Northop Country Park. The application seeks outline consent for the principle of tourism development in the form of a lodge/chalet holiday park. The matters of scale and access are included for consideration as part of the outline consent.

7.05 The application is supported by a series of indicative sketches, site layout, lodge types and landscaping proposals. The detailed scheme would include the construction of an office and on-site convenience shop together with bike hire facility. .

7.06 The indicative layout has subsequently been arranged around the existing site constraints, these being identified as established trees. Access to the North West area of the site (over the ditch) would necessitate tree felling, however, the loss would be mitigated through the addition of mature tree planting and structural landscaping as an enhancement and additional screening. As such the illustrations identify the landscaping proposals which assist in creating the wooded concept for the lodge park.

7.07 The scheme indicatively suggests the site could facilitate a development providing 30 lodges. The indicative plans also provide unit type footprints to show the scale and density which the application seeks to approve, alongside the principal of the development. The design of the lodges would be synonymous with this type of high quality lodge / chalet park and would offer a mix of 2 / 3 bed units arranged as single storey and 2 storey units.

7.08 Planning History

The principal for this development has been derived from the existing extant planning permission which formed part of a wider application, to construct 1140m<sup>2</sup> of office space and ancillary accommodation, 16 houses, associated roads and sewers. Reserved matters approval was granted under planning ref 98/30/1334 some 20 years ago, which suggested that the principal of mixed use development was suitable for these particular areas of the country park.

- 7.09 20 years on and the most part of this permission (98/30/1334) has been realised along with other schemes such as office, leisure and residential developments across the country park. The applicant has held the land for a number of years, however considers a 198 bed hotel would not be viable in this location. The Applicant also considers the current extant approval for a hotel is not coherent with the current unitary development plan and it is thought that the setting would be more conducive to a lodge style park. I do not share this view.
- 7.10 Principle of development  
The Northop Country Park is located in open countryside in terms of the adopted UDP where both national and local planning policies seek to control new development.
- 7.11 The submitted statement refers to an outline planning permission for B1 office development and a hotel. This suggests that in the late 1980's there was an overall vision for the County Park including the golf course and associated facilities, executive housing, hotel and office development, set within an attractive parkland setting. However, nearly 30 years later the planning context for the site both locally and nationally is quite different. There now appears to be overall vision for the site, with proposals arising on a piecemeal and ad hoc basis. This proposal is promoting holiday development on a small part of the overall site in the context of being within the spirit of that previous approval. However, the proposal is unclear whether that existing planning permission can be rescinded. If not, then it is matter for debate as to how much weight can be attached to the fall-back position of the planning permission.
- 7.12 That being said, it is considered that the construction of a hotel and its associated infrastructure is quite different to the development of a site wide lodge/chalet park. It could be argued that whilst the principle of tourism accommodation has been established at this site, the development of a hotel would be more befitting to a country park and through its development, the majority of the impact could be contained within one or a number of attached buildings, retaining more the application site as open space together with landscaping which compliments the existing trees and overall parkland setting of the Country Park. The hotel development would be more grandeur and portray an element of class and lifestyle that reflects the existing development within the locality.
- 7.13 In recognition of this, the Council seeks to establish a masterplan for the site as a whole with respect to the existing consents and future vision for the site, this would allow for a better understanding for the plan led approach rather than submitting applications on the back of a planning history that has yet to be fully realised, avoiding schemes that do not bode with the ethos of the Country Park and ensuring future permission are implementable and viable for the long term.

- 7.14 Policy T4 provides guidance on new static caravan and chalet holiday sites and proposals need to satisfy the following criteria:
- a) the scale of the proposal together with the number, siting and layout of units, circulation roads and service buildings is appropriate to the characteristics of the site and locality;
  - b) the scheme incorporates substantial internal and structural landscaping;
  - c) the proposal would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value;
  - d) where appropriate, the site is easily accessible from the local highway network and is accessible by a choice of modes of travel, particularly by foot, cycle or public transport; and
  - e) the proposal would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community in general;
- 7.15 The proposed scheme has the appearance of a dense housing development and not a tourism development due to the scale and density of the layout. The site is proposed to be developed up to all of its boundary limits which would necessitate significant landscaping in order to reduce the impact of the development. The density of the development and its built up nature creates a sprawl of development across the site though I acknowledge that some screening would soften the appearance. However, the proposal would result in an absolute change to a currently undeveloped area of land in this predominantly rural setting. The introduction of permanent chalet buildings, a formal play areas and office, shop and leisure facility would substantially increase the built-up appearance of the site. This would be further increased by the introduction of access roads and parking which, although designed to have a low profile, would result in a more formalised layout and appearance which would be at odds with the surrounding rural character.
- 7.16 Although the positioning of the chalets would be spaced out, this would disperse development throughout the site and towards the boundaries and would result in a significant expansion of urbanising built form into the countryside and foreground of views across the Country Park. The external materials proposed would give the chalets and amenity/leisure buildings a muted appearance, however, this would not negate the increased prominence of the chalet site within the surrounding area and resultant harm to the rural landscape. Notwithstanding the acceptability of the tourism element, I conclude that this type of tourism accommodation proposal would be harmful to the character and appearance of the surrounding area and conflicts with Policy T4 of the UDP which, amongst other things, seeks to ensure the scale of new chalet holiday sites are appropriate to the characteristics of the site and locality. This view is in line with recent

appeal decisions for similar types of tourist accommodation within the County.

- 7.17 Impact on Historic Park and Garden – Soughton Hall Grade II\*  
The whole of the site is located within the essential setting of the Grade II\* Listed Soughton Hall Historic Park and Garden. UDP policy HE5 covers the 'Protection of Landscape, Parks and Gardens of Special Historic Interest'. It states that developments affecting registered landscapes particularly their zones of essential setting will only be permitted if there is no adverse effect on their special historic character, appearance or setting.
- 7.18 Recent housing and leisure developments within the country park have altered the original profile of the landscape and it has become questionable if this area still has relevance to the historic park and garden. It also has to be said that the strip of residential development to the South of the proposed development site with its estate roads and typical suburban boundary treatment has created a significant obstacle that now silhouettes the horizon and forms a barrier right through this part of the historic gardens essential setting. Whilst this could be argued, it remains that the site lies within the essential setting of Soughton Hall, which is Grade II\* on the register of Historic Parks and Gardens.
- 7.19 Whilst Soughton Hall is over 500m away from the application site, the issue of setting to the historic asset is unlikely to be considered a constraint. However, taking note from Cadw's 'Setting of Historic Assets in Wales' May 2017 guidance, the setting of a historic asset includes the surroundings in which it is understood, experienced and appreciated, embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset and its surroundings evolve. Setting often extends beyond the property boundary of a historic asset and into the surrounding landscape or townscape. Although many historic assets are visible and their settings are obvious, those that are buried also have a setting. In this case distance from the physical asset or view of, does not alter how the setting is measured, experienced or valued. In this case, the proposed type of tourism development is considered to be more reflective of a suburban housing estate, isolated within the rural landscape and at odds with the ethos of the country park and wider historic special character. Therefore the development being proposed in this application should be seen as adverse and one that will affect the zone of essential setting of the historic garden, this view is shared by the Welsh Historic Gardens Trust and the Council's Conservation Officer.
- 7.20 PPW10 requires planning authorities to value, protect, conserve and enhance the special interest of parks and gardens and their settings included on the register of historic parks and gardens in Wales. Paragraph 6.1.19 of PPW10 addresses this issue and considers the

effect of a proposed development on a registered park or garden, or its setting, is a material consideration in the determination of planning applications. From the observations and objection received I therefore afford sufficient weight to this matter within the planning balance and reflect this in the reasons to refuse the application.

7.21 Ecology & Trees

The application is supported by various ecological reports prepared by Clwydian Ecology and Stephen Cutmore. In consultation with NRW, it is considered that the protected species most likely to be impacted by the proposals is Great Crested Newts (GCN), however the ecological surveys for this species were of limited scope and are outdated, with some being over two years old. Reliance on old survey data runs the risk of failing to capture and understand the ecological factors and implications of the site, including the changes to such species groups identified which may have occurred during this time that the site remains undeveloped and undisturbed.

7.22 NRW consider the ecological reports are not satisfactory for the purposes of informing the planning decision, and they appear to relate to a totally different application site, though located within the country park. NRW advise that it cannot be demonstrated that the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of GCN and additional information and further survey work is required at the application site.

7.23 The Applicant has been made aware NRW's comments and request for further survey and assessment of the site. Ample opportunity has been allowed for such work to be carried out and the findings provided, however no such information has materialised to date. Given the length of time this application has remained in the system, under consideration and the opportunities to resolve the objection, I consider it reasonable to close the matter and address the lack of sufficient information as a further reason to refuse planning permission.

7.24 The application is supported by a Tree Condition Survey, prepared by Stephen Cutmore Arboricultural & Ecological Services dated October 2019. The report notes that the trees to be lost as a result of the proposal are mainly low category because of their poor condition or small size, or to alleviate damage or excessive nuisance. One moderate category B tree and a small section of a group will be removed to facilitate the proposed development. All the significant boundary tree cover will remain intact. There is sufficient space for tree planting to enhance the site and a comprehensive new tree planting scheme is feasible. The construction activity and proposed changes have the potential to affect the trees to be retained, unless appropriate protective measures are taken to protect them. However, if the appropriate precautions to protect the retained trees are specified and implemented through the arboricultural method



statement included the overall impact of the proposal on local character will be limited to the short term only.

7.25 Highway Matters

The proposal shows access to the site from the private driveway—an arrangement that currently exists within the Country Park. The applicant holds right of way to all areas necessary for site access. All roads within the development will be private and sufficient parking will be allocated as indicated in communal arrangements/adjacent to the lodges.

7.26 Hard standings for parking and paths leading to the units will form part of the master plan / landscaping design and it is thought that an organic and natural theme should be maintained with minimal hard landscaping. The Highway Authority have been consulted on the proposal and confirm that there is no objection to the principle of development or the proposed access arrangements being put forward. The imposition of a condition relating to facilities for parking, turning, loading and unloading is requested on any grant of planning permission.

7.27 In addition to the access, and within the scope of policy T4, the proposal includes a bike hire facility. Whilst such activities and modes of sustainable transport are encouraged, I question the extent of which visitors will utilise bikes or other sustainable transport modes outside of the lodge/chalet park. The country park itself is serviced by a private drive, with limited pedestrian footways and no cycling lane provision. This is another clear reason for a masterplan to come forward which would further allow an assessment of the country park to explore opportunities of meeting active travel and promoting sustainable travel which in turn contributes to health and wellbeing in line with the future generations act.

7.28 Returning to the point, public transport access from the site is limited, local amenity facilities and services outside of the park are again limited within Northop, meaning visitors will be required to travel further to access such, in turn increasing the private car use out of convenience. I acknowledge the proposal of an on-site shop, but it is a reasonable to argue that given the overall lack of tourist attractions and services within the immediate vicinity of the application site and country park, visitors will naturally travel elsewhere.

7.29 It is likely therefore, that the proposal would generate the need for travel by private car in order to access services and facilities. This adversely affects the sustainable credentials of the proposed scheme.

7.30 Other Matters

Third party objections have raised issues with regard to loss residential amenity and loss of privacy. However, due to the physical

separation of the proposed site from the surrounding built form it is considered that very little weight should be attached to these concerns.

- 7.31 Further issues were raised with regard to flooding, loss of trees and habitats. However, as advised above sufficient weight is attached to these matters as relevant statutory consultees have raised their concerns and objections to the proposal.

## **8.00 CONCLUSION**

For the reasons explained above, the proposed development is not considered to be reflective of the country park nor would the type of accommodation being proposed allow the fall-back position of the extant planning permission to be strengthened. The proposed development would significantly increase the urbanising built form within this rural landscape and in turn detract from the zone of essential setting of the Grade II\* Park and Garden of Soughton Hall to which it is situated within.

Whilst opportunities to promote tourism are welcomed, and this includes the benefits this has on the local economy and employment, the location, type and scale of tourist accommodation needs to be appropriate to the characteristics of the site and locality. The appraisal evidences that this is not the case, and 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.

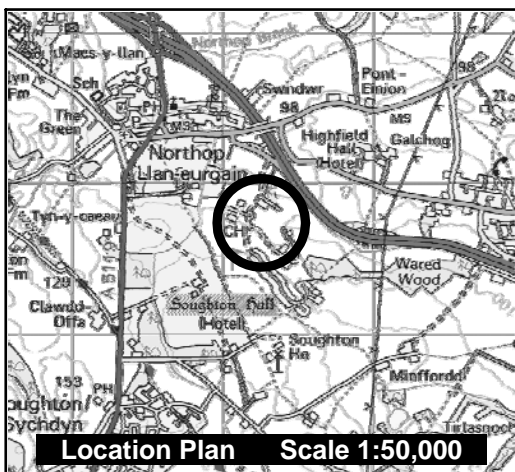
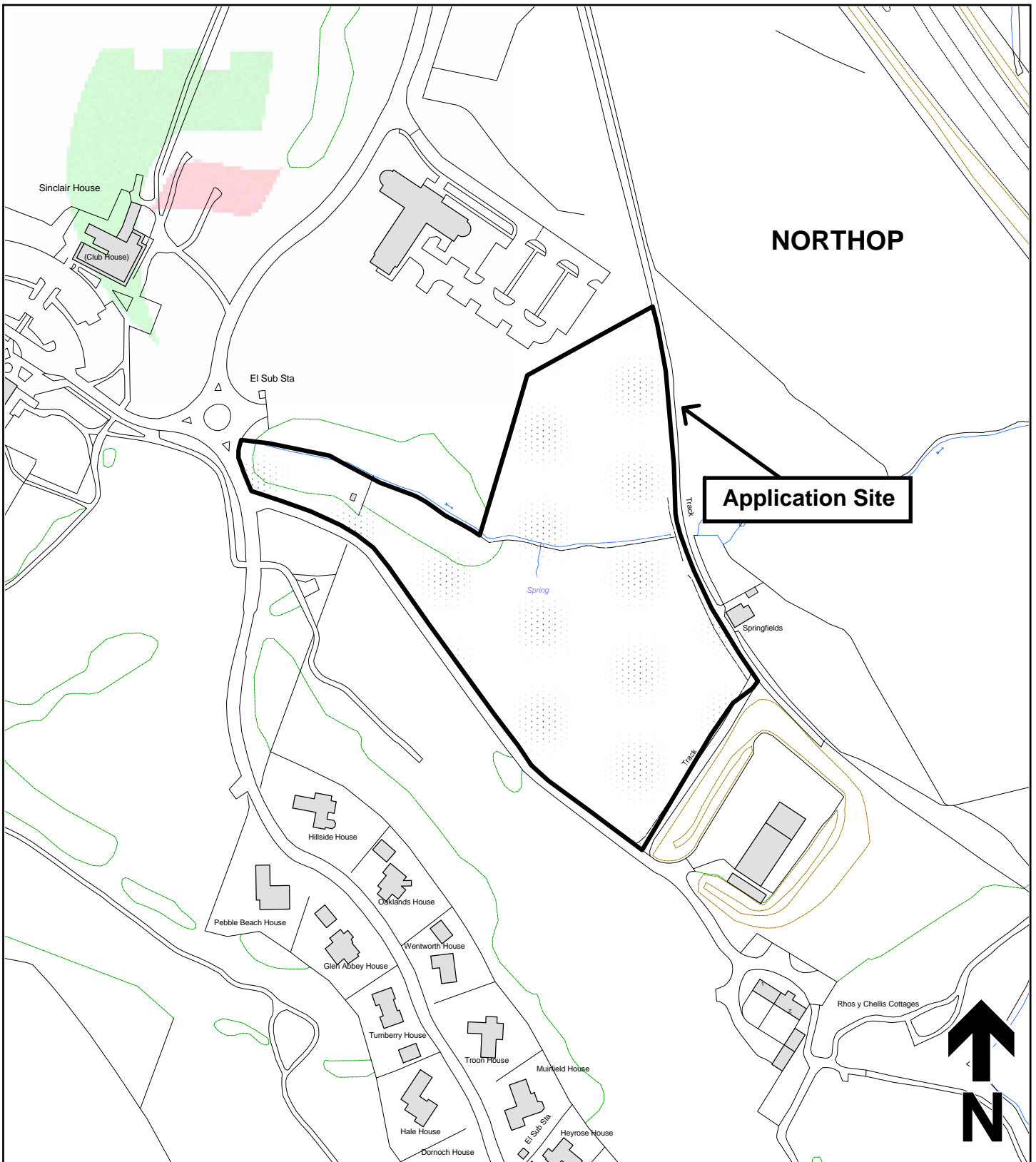
## **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents

National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

**Contact Officer:** Katie H Jones  
**Telephone:** (01352) 703257  
**Email:** [katie.h.jones@flintshire.gov.uk](mailto:katie.h.jones@flintshire.gov.uk)

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	Planning, Environment & Economy, Flintshire County Council, County Hall, Mold, Flintshire, CH7 6NF. Chief Officer: Mr Andrew Farrow	
	<p><b>Legend</b></p> <p> Planning Application Site</p> <p> Adopted Flintshire Unitary Development Plan Settlement Boundary</p>	
<p>This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2020.</p>		<p>Map Scale 1:2500</p> <p>OS Map ref SJ 2567</p> <p>Planning Application <b>59999</b></p>

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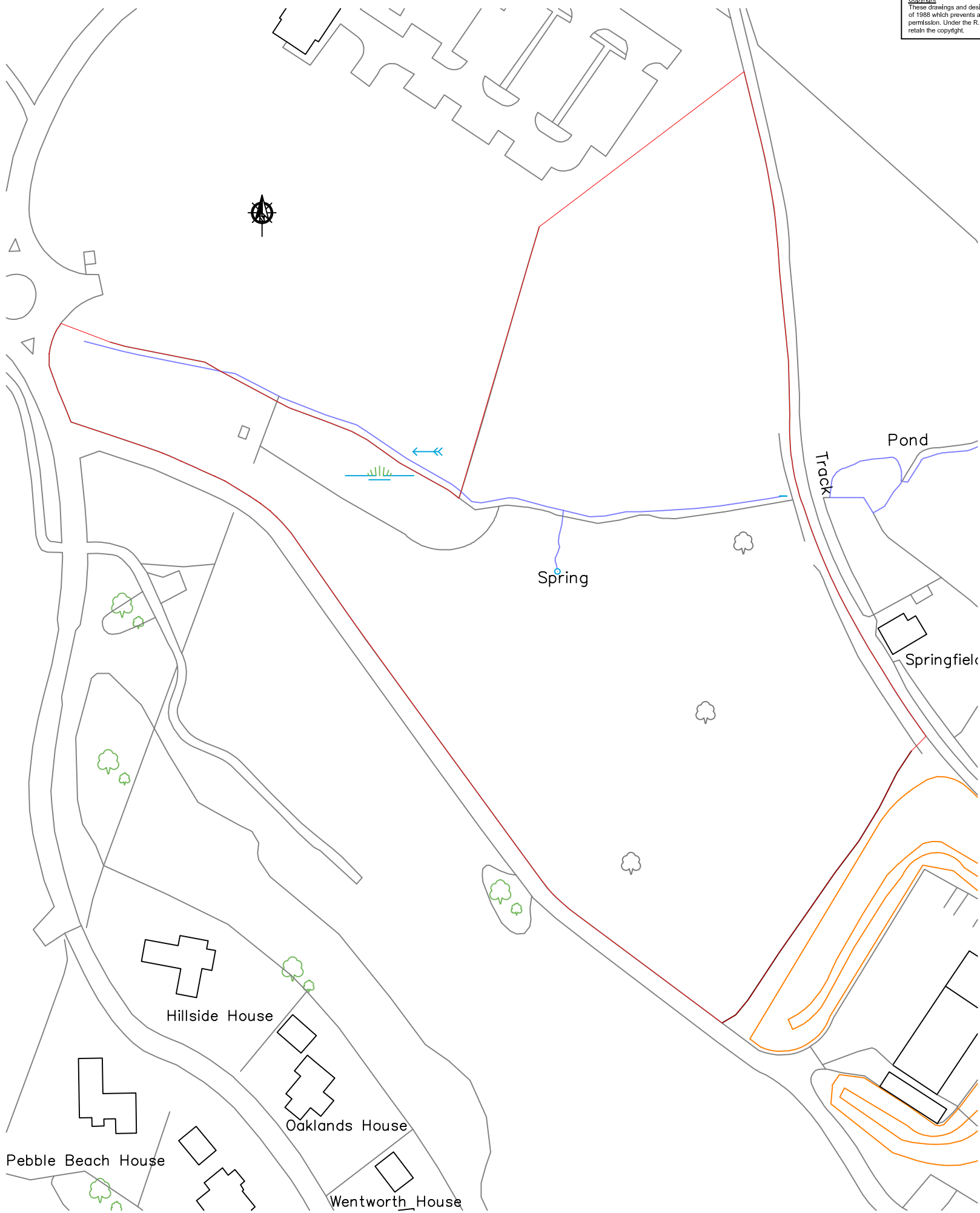
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LOCATION PLAN (Scale 1:1250)

DATE	REV	DESCRIPTION	DWN	CHECK

DRAWING NO: **EX01**

CLIENT: <b>J&amp;T GIZZI</b>	PROJECT: <b>NORTHOP</b>
WORK DESCRIPTION: <b>LODGE PARK</b>	DRAWING TITLE: <b>LOCATION PLAN</b>

DATE: 21.02.19	SCALE: 1/1250 @ A3	PROJECT NO: 21_15
CAD REF: EX01	FILE NO: PXREF	DRAWING TYPE: P

**JPH**  
R.I.B.A

**J  
P**

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Existing Site Plan (Scale 1:500 @ A1)

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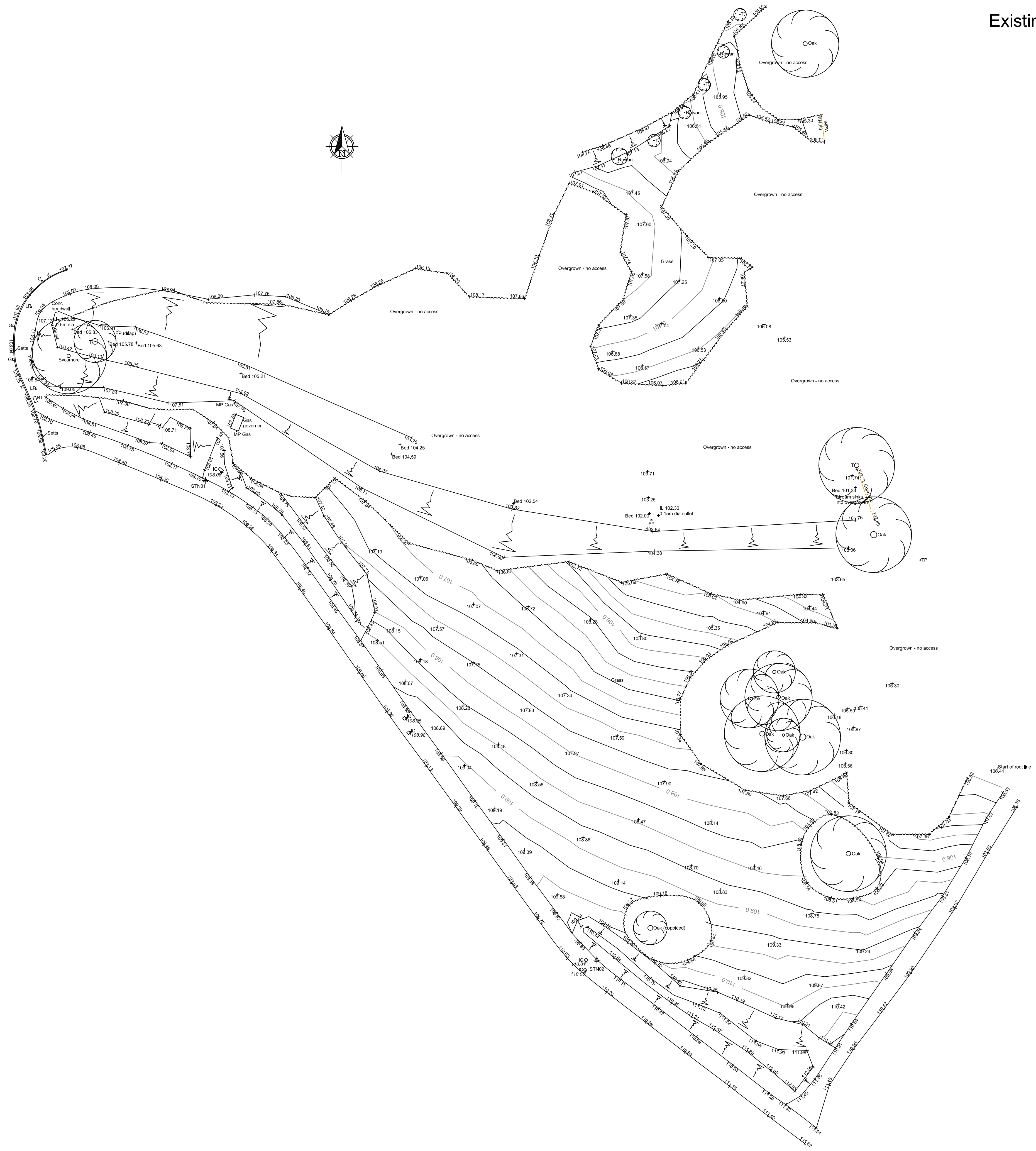
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DATE	REV	DESCRIPTION	DWN	CHECK

DRAWING NO: **EX00**

CLIENT: <b>J&amp;T GIZZI</b>	PROJECT: <b>NORTHOP</b>
WORK DESCRIPTION: <b>LODGE PARK</b>	DRAWING TITLE: <b>EXISTING SITE PLAN</b>

DATE: 21.02.19	SCALE: 1/500 @ A1	PROJECT NO: 21_15
CAD REF: EX00	FILE NO: PXREF	DRAWING TYPE: P

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Indicative Site Plan (Scale 1:500 @ A1)

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**UNIT LEGEND**

- 4 X 2 BEDS 2 STOREY
- 14 X 3 BEDS 2 STOREY
- 6 X 2 BED 1 STOREY
- 6 X 3 BED 1 STOREY

RECEPTION / MAINTENANCE & STORAGE (TBC) 112M<sup>2</sup>



DATE	REV	DESCRIPTION	DATE	BY

**DRAWING NO: P01**

CLIENT	J&T GIZZI	PROJECT	NORTHPOP
WORK LOCATION	LODGE PARK	DRAWING TITLE	INDICATIVE SITE PLAN
DATE	27.11.19	SCALE	1:500 @ A1
DATE REVISION		FILE NO	PR01
		PROJECT NO.	27.15
		DRAWING TYPE	

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 Tel: (01742) 500000  
 Fax: (01742) 500002  
 Email: info@jpa.com.au, www.jpa.com.au

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Indicative Site Plan (Scale 1:500 @ A1)

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DATE	REV	DESCRIPTION	DATE	BY

**DRAWING NO: P01 B**

CLIENT	J&T GIZZI	PROJECT	NORTHPOP
WORK LOCATION	LODGE PARK	DRAWING TITLE	INDICATIVE SITE PLAN
DATE	27.11.19	SCALE	1:500 @ A1
DATE REVISION		FILE NO	PR01
		PROJECT NO.	27.15
		DRAWING TYPE	

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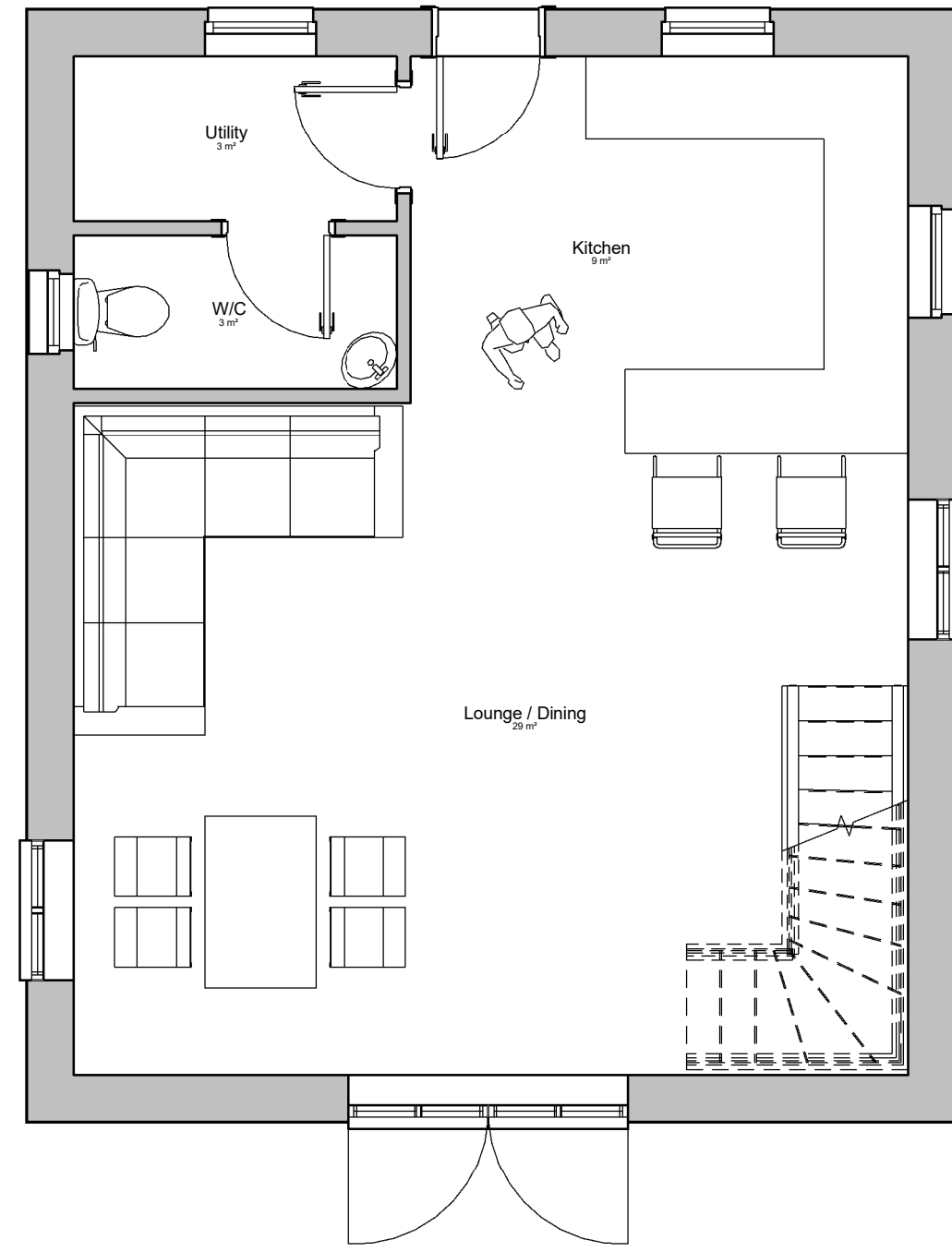
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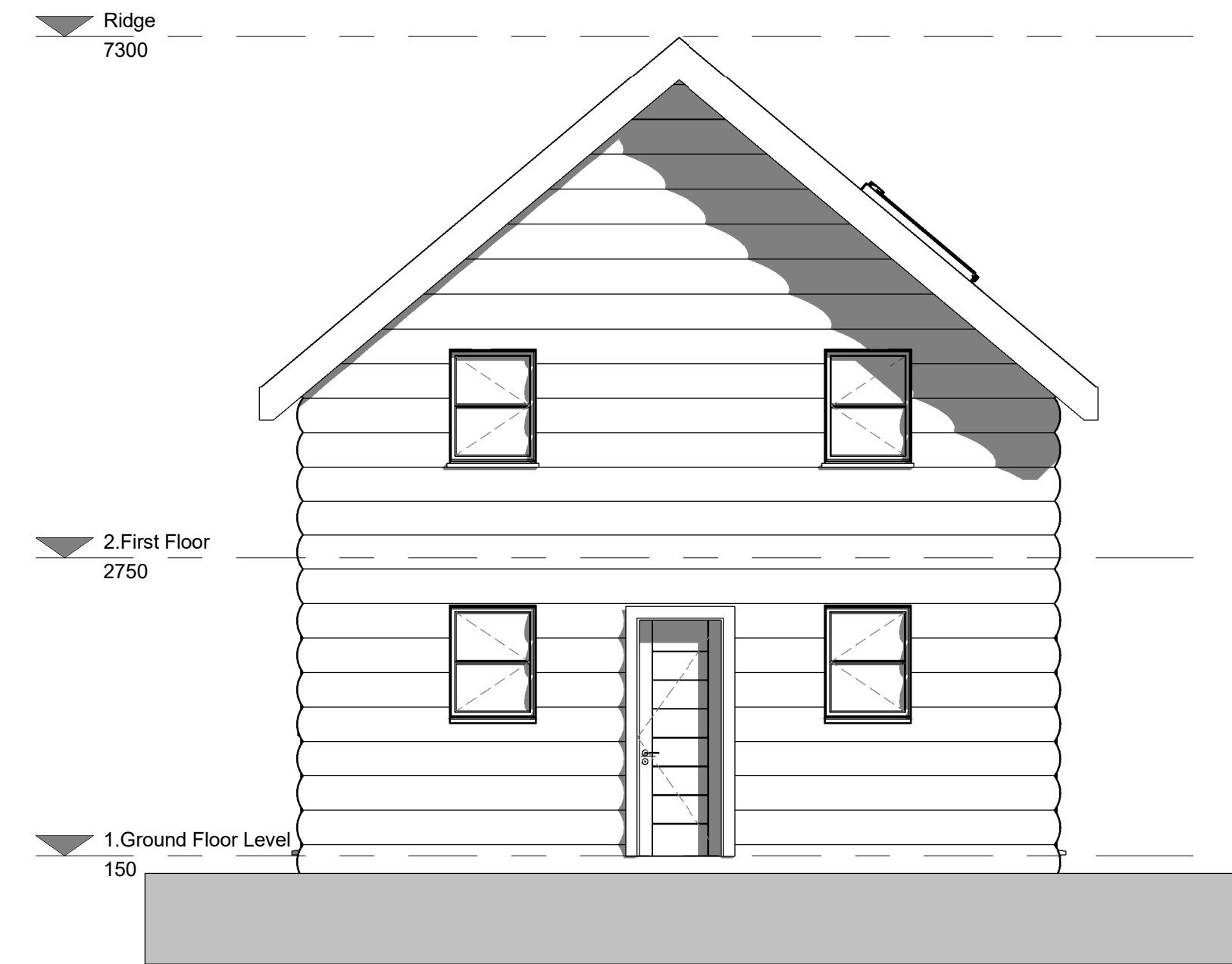
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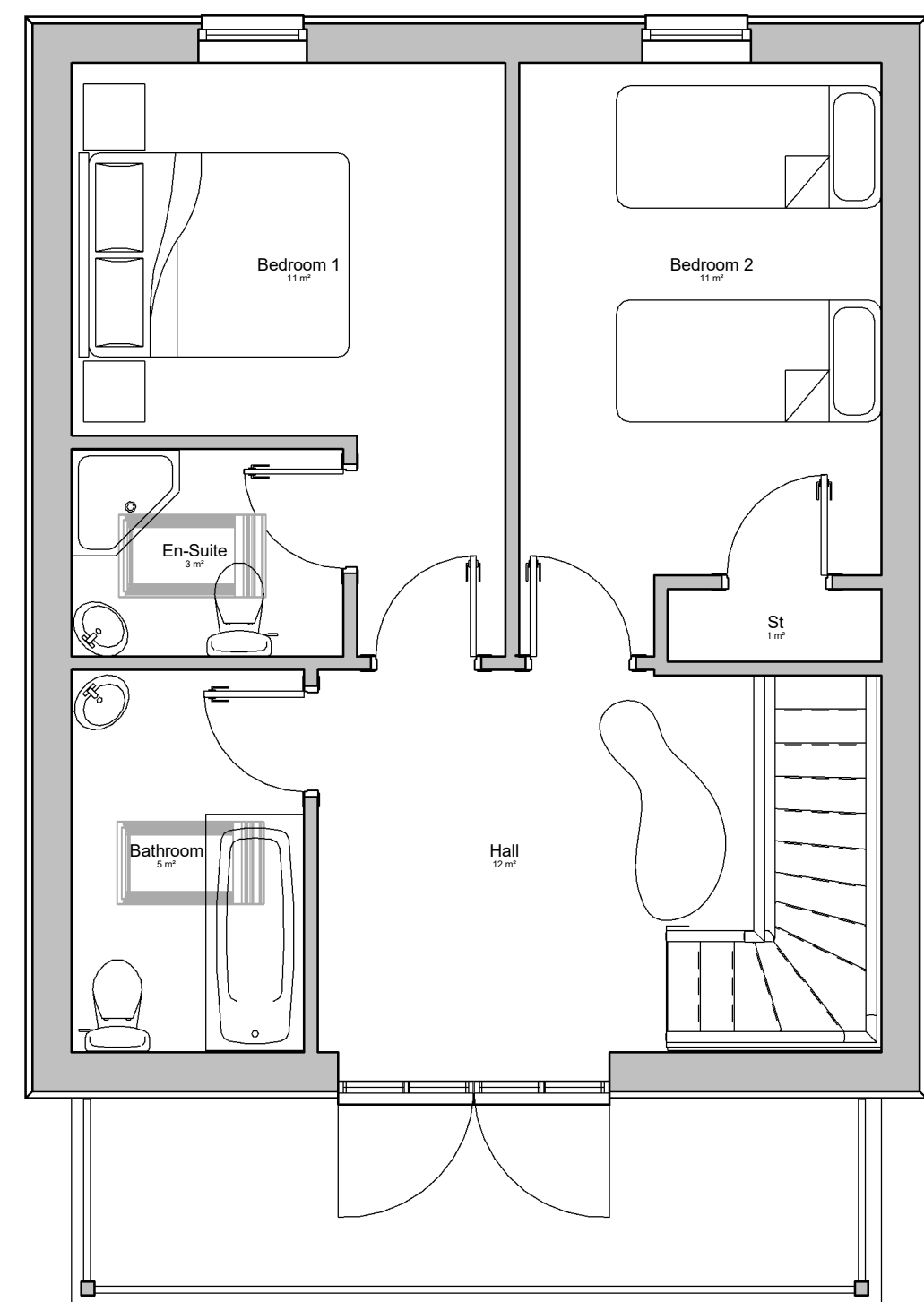
**1.Ground Floor Level**  
1 : 50



**Side 1 Elevation**  
1 : 50



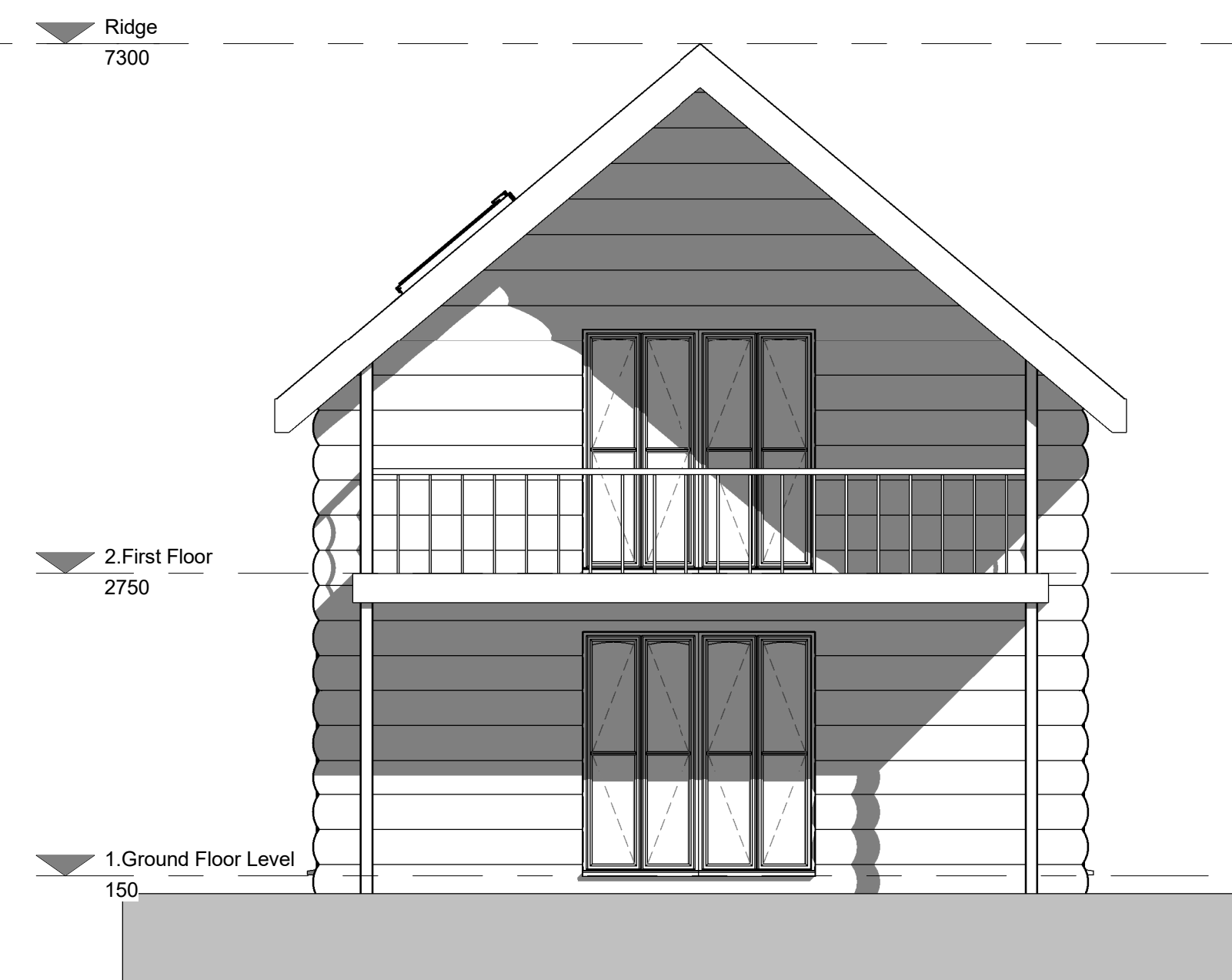
**Rear Elevation**  
1 : 50



**2.First Floor**  
1 : 50



**Side 2 Elevation**  
1 : 50



**Front Elevation**  
1 : 50

**2 BED 2 STOREY**

DATE	REV	DESCRIPTION	WG	DWN	CHECK

DRAWING NO: P03

CLIENT: J&T GIZZI	PROJECT: NORTHOP COUNTRY PARK
WORK DESCRIPTION: LODGE PARK	DRAWING TITLE: INDICATIVE UNIT TYPE

DATE: 21.02.19	SCALE: Varies @A1	PROJECT NO:27_17
CAD REF:SK03	FILE NO:PXREF21.02.19	DRAWING TYPE:P

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INDICATIVE UNIT TYPES

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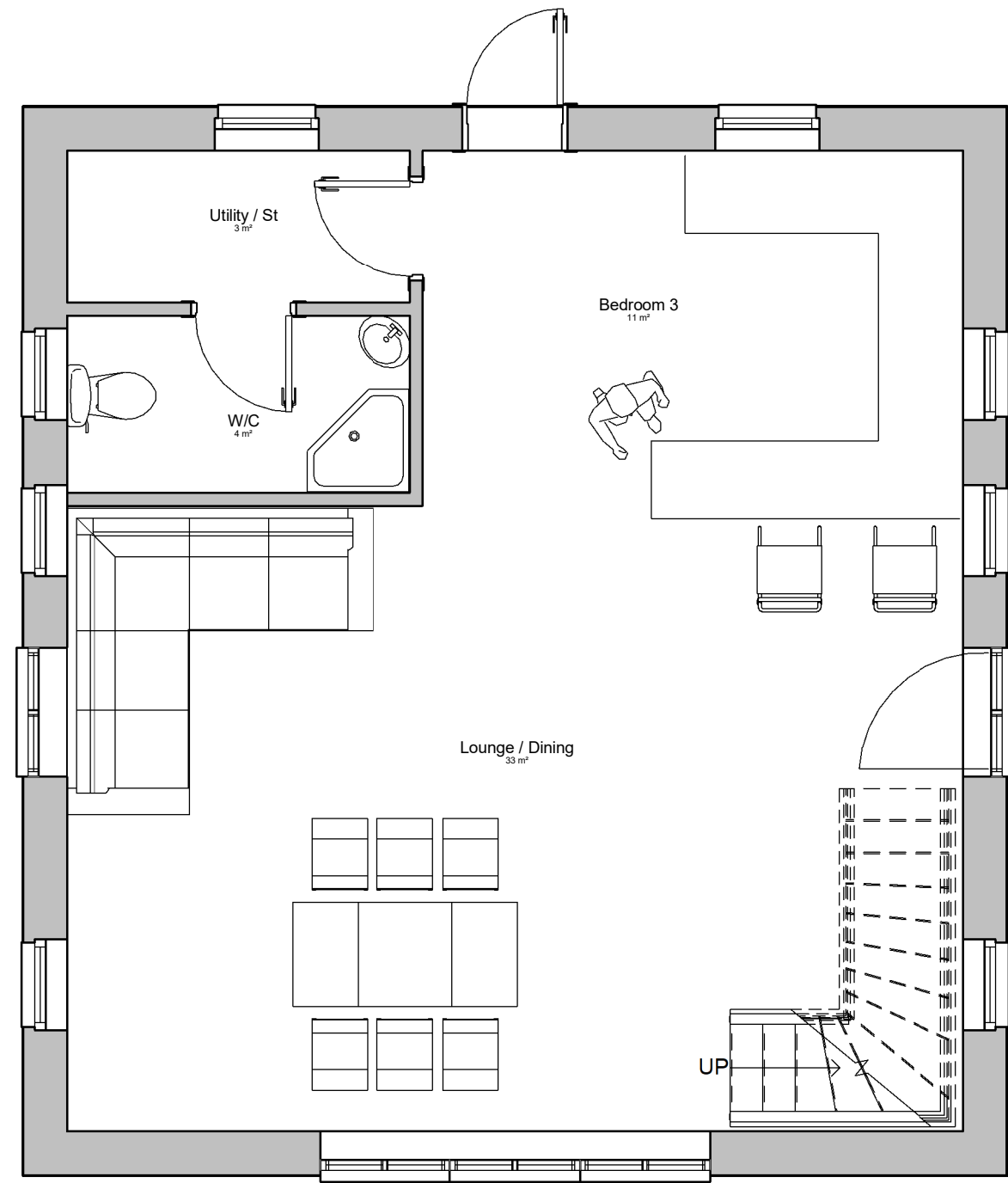
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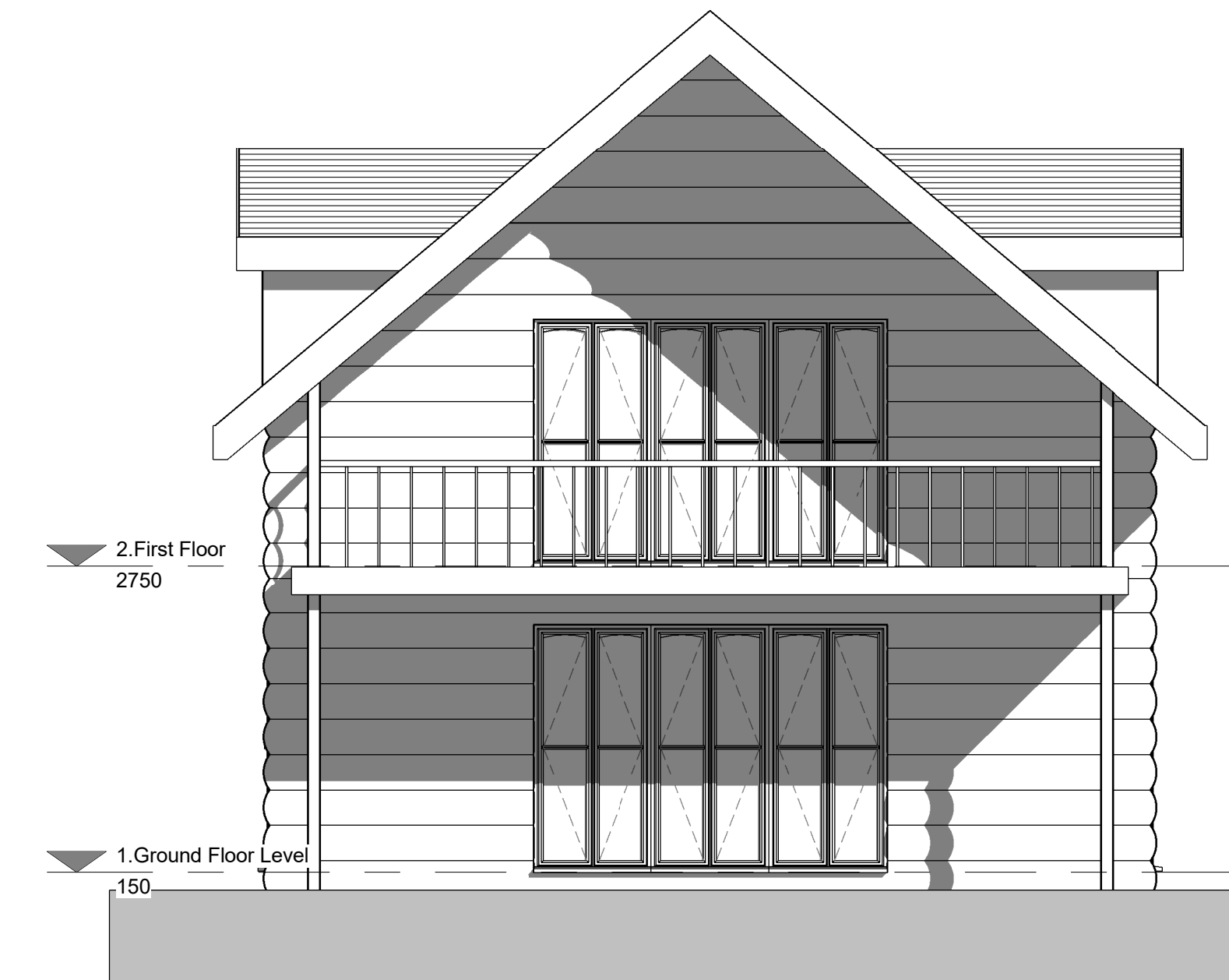
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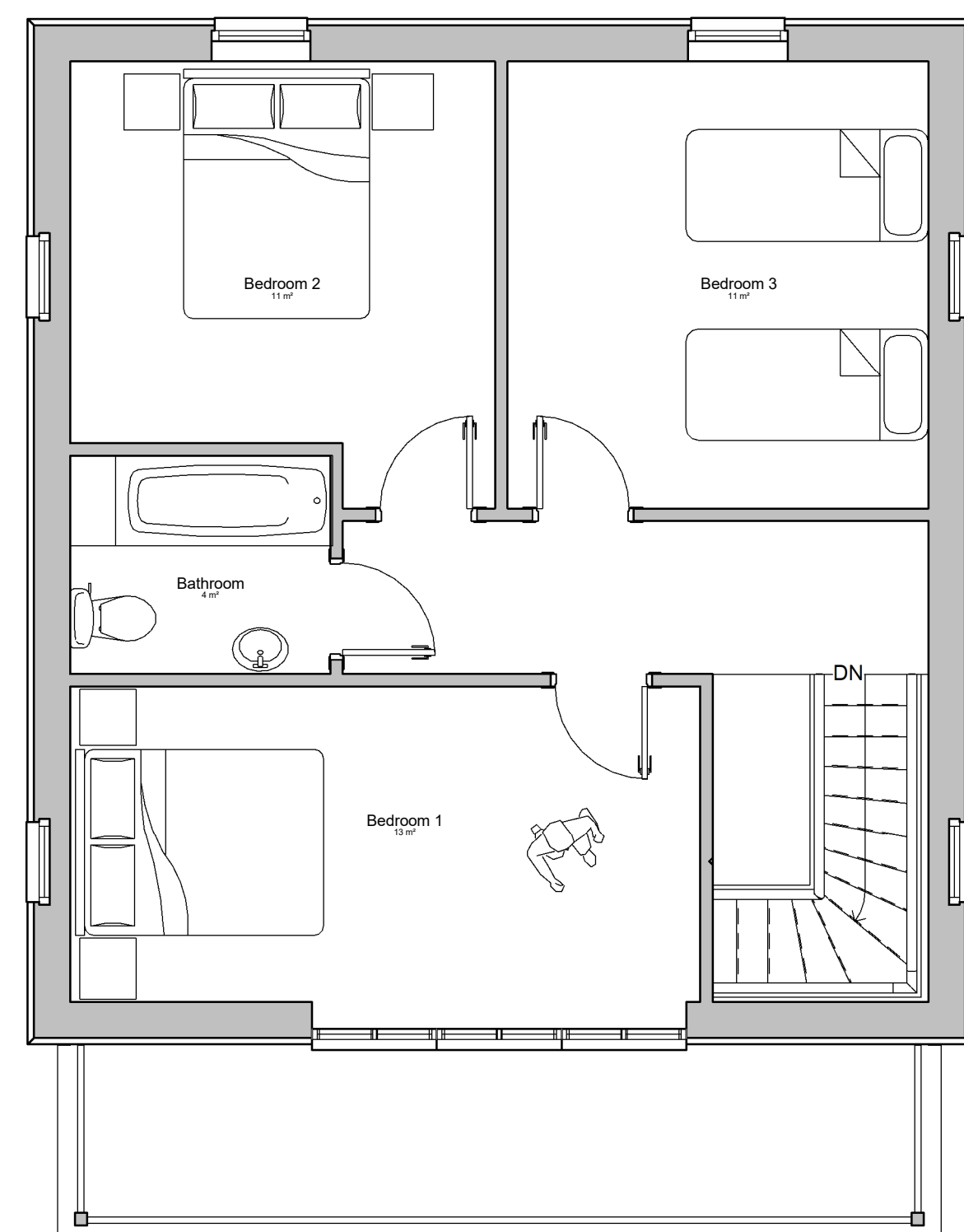
**1.Ground Floor Level**  
1 : 50



**Side 1 Elevation**  
1 : 50



**Front Elevation**  
1 : 50



**2.First Floor**  
1 : 50



**Side 2 Elevation**  
1 : 50



**Rear Elevation**  
1 : 50

INDICATIVE UNIT TYPES

3 BED 2 STOREY

DATE	REV	DESCRIPTION	WG	DWN	CHECK

DRAWING NO: P02

CLIENT: J&T GIZZI	PROJECT: NORTHOP COUNTRY PARK
WORK DESCRIPTION: LODGE PARK	DRAWING TITLE: INDICATIVE UNIT TYPE

DATE: 21.02.19	SCALE: Varies @A1	PROJECT NO: 27_17
CAD REF: P02	FILE NO: PXREF21.02.19	DRAWING TYPE: P

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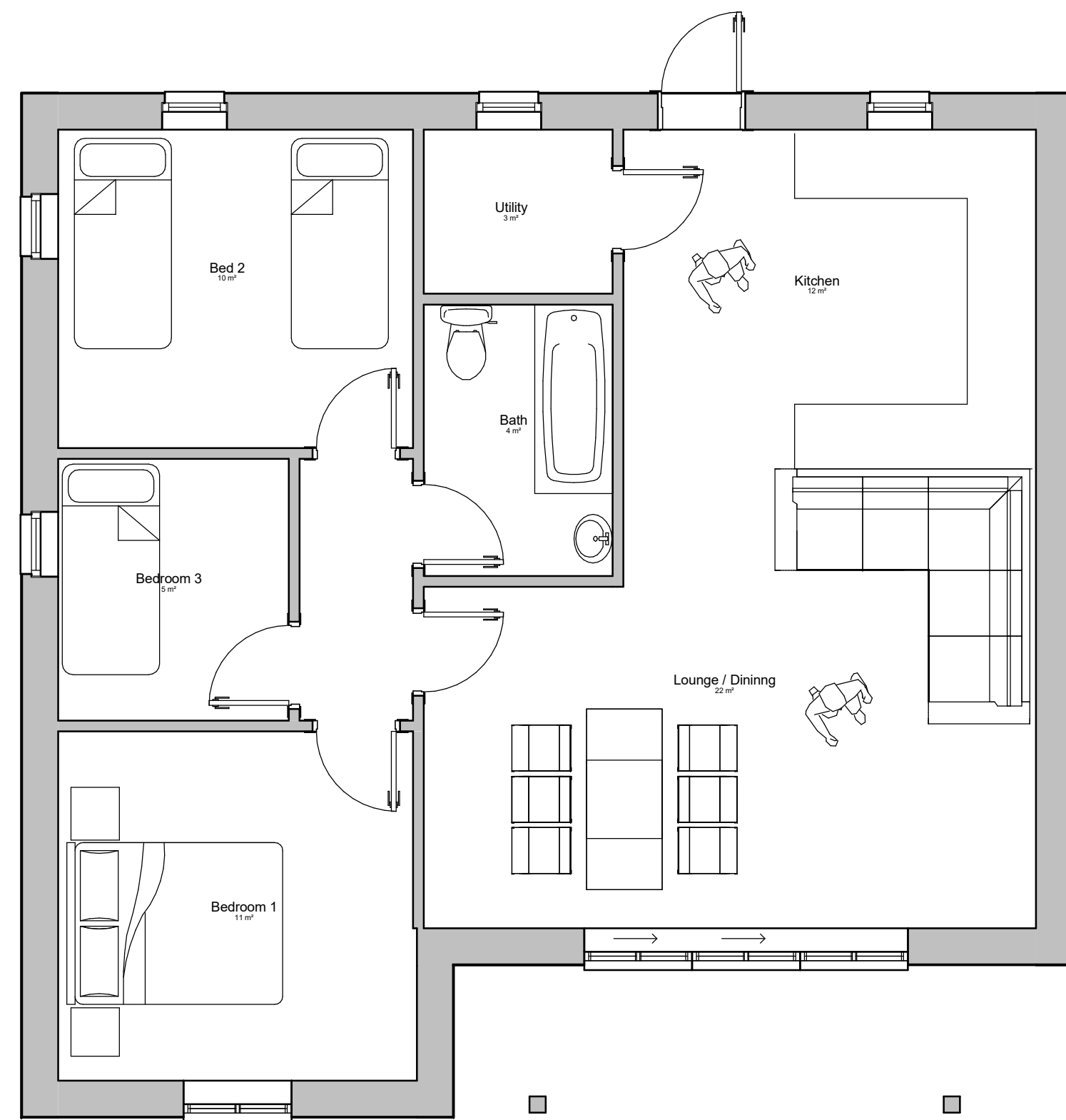
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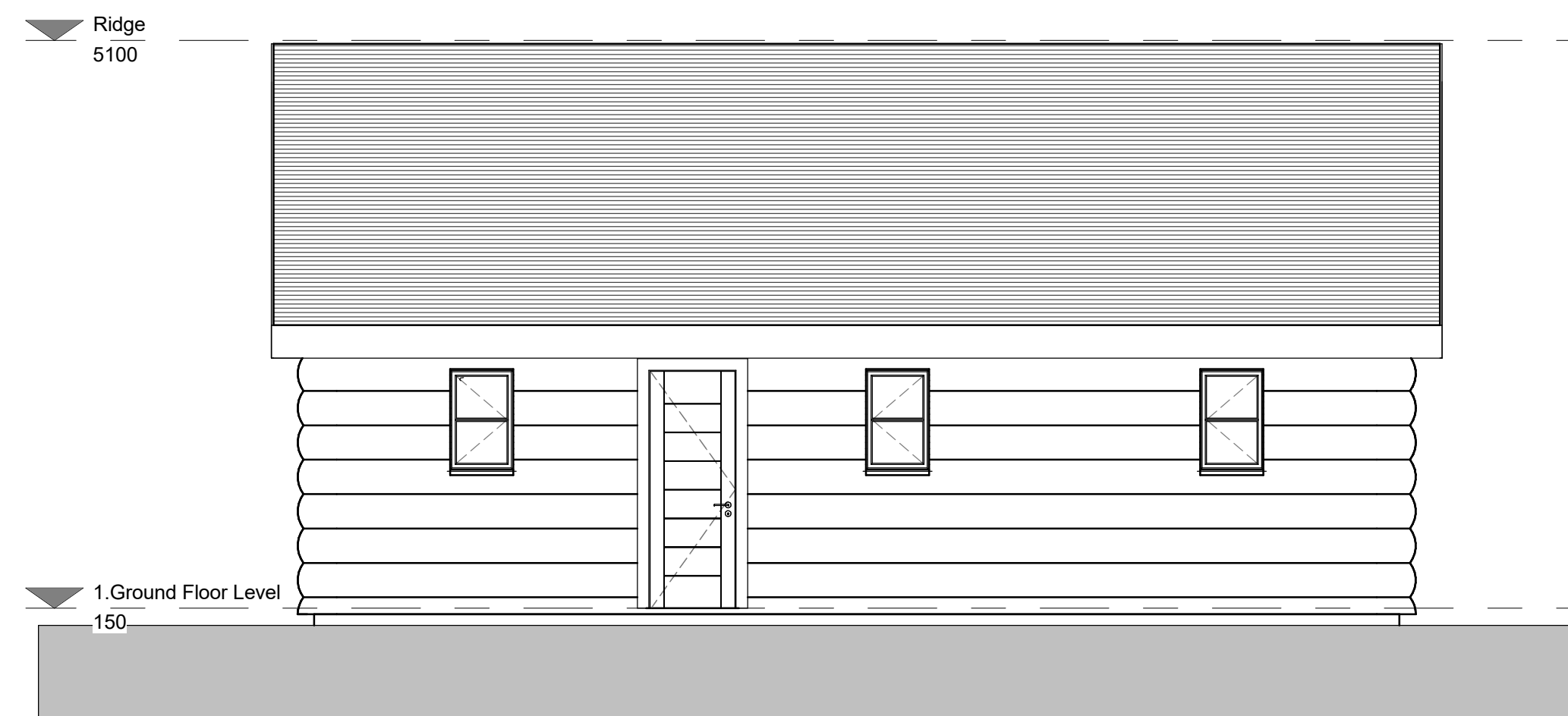
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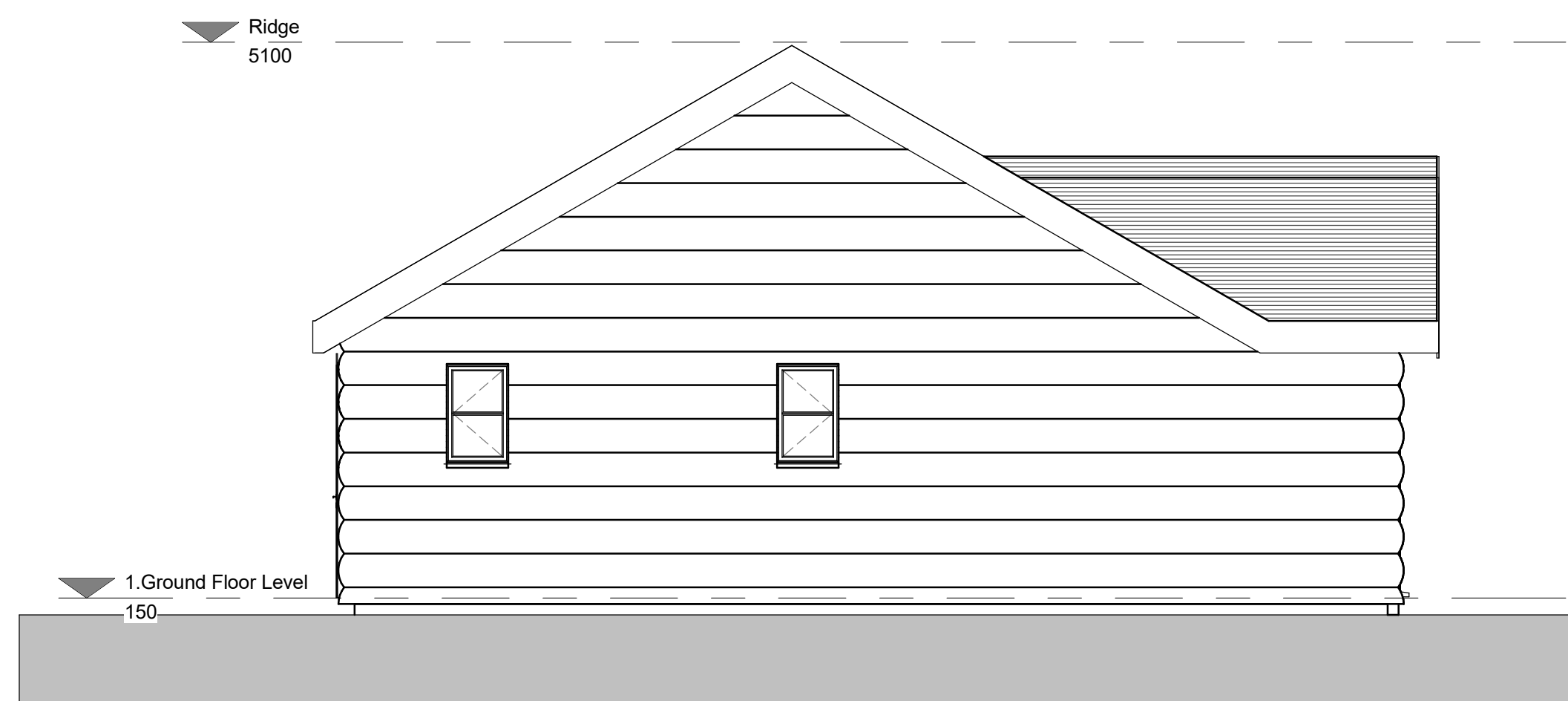
**1.Ground Floor Level**  
1 : 50



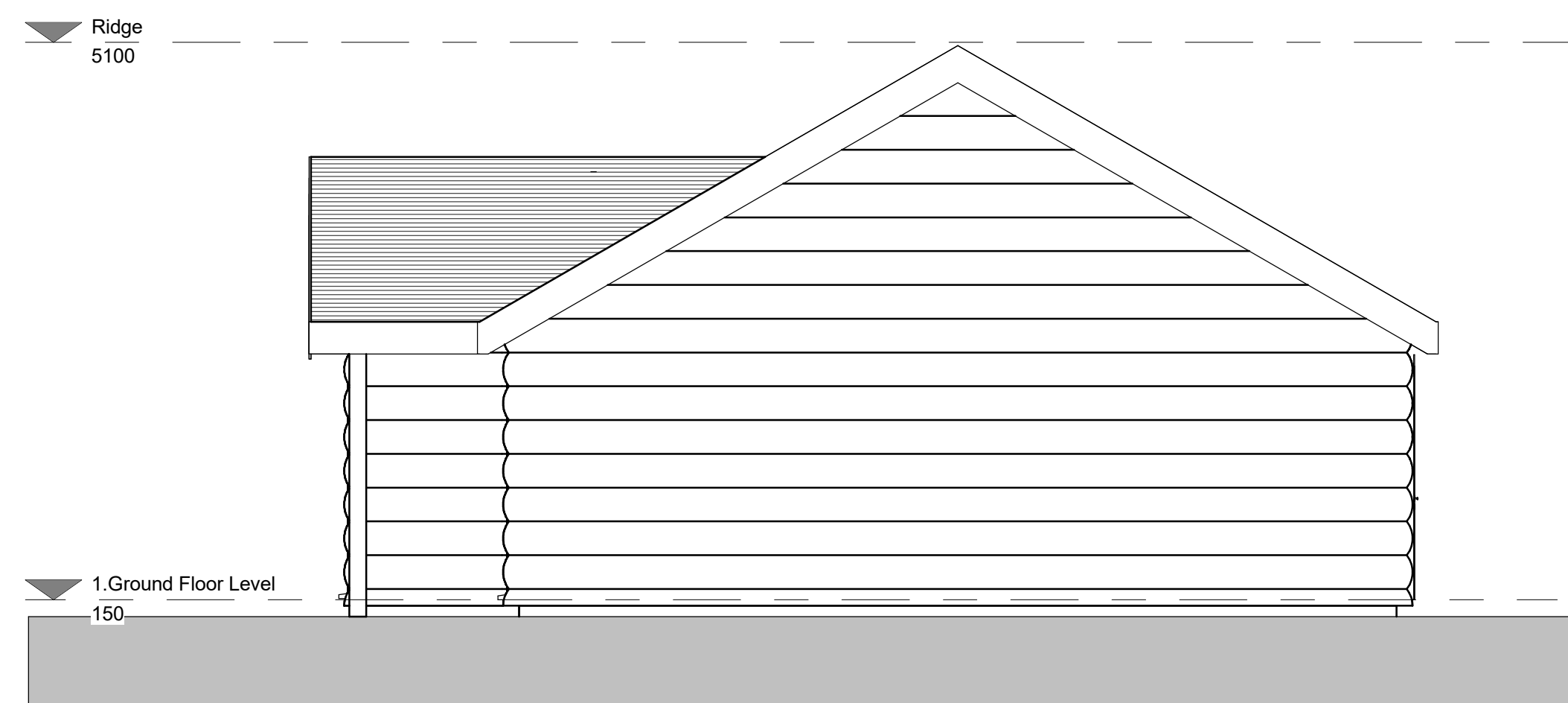
**Front Elevation**  
1 : 50



**Rear Elevation**  
1 : 50



**Side 2 Elevation**  
1 : 50



**Side 1 Elevation**  
1 : 50

INDICATIVE UNIT TYPES

3 BED 1 STOREY

DATE	REV	DESCRIPTION	DWN	CHECK
DRAWING NO: P05			WG	
CLIENT: J&T GIZZI		PROJECT: NORTHOP COUNTRY PARK		
WORK DESCRIPTION: LODGE PARK		DRAWING TITLE: INDICATIVE UNIT TYPE		
DATE: 21.02.19	SCALE: Varies @A1	PROJECT NO: 27_17		
CAD REF: P05	FILE NO: PXREF21.02.19	DRAWING TYPE: P		

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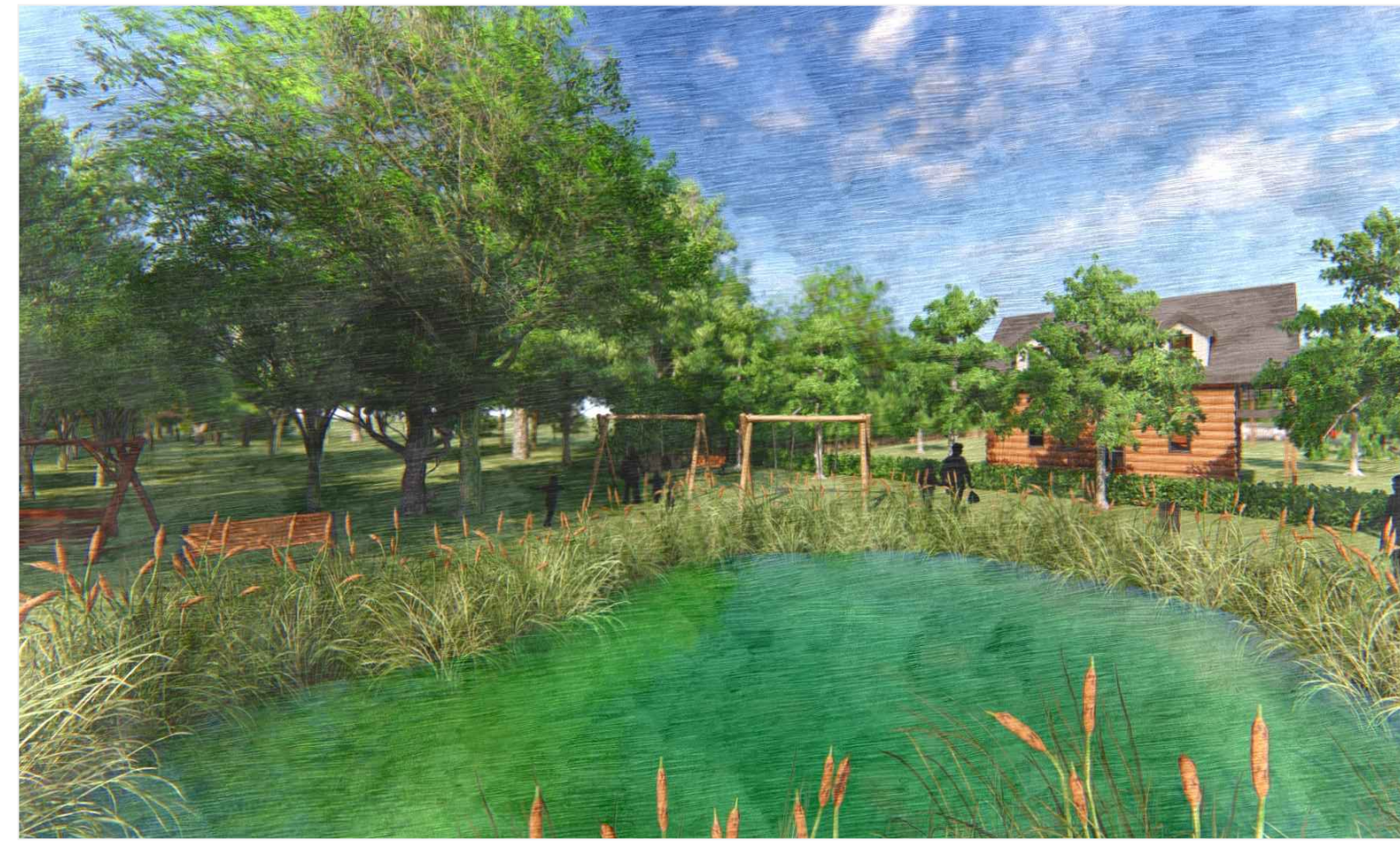
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# NORTHOP COUNTRY PARK - ILLUSTRATIONS

















## Statement from Ward Member

Planning Application 059999 Northop Country Park, Northop

My comments on planning application 059999 Northop Country Park, Northop:

- As Ward Member for Northop and on behalf of the residents of NCP and the village of Northop, I respectfully ask the Committee to follow the officer's recommendation and refuse this application.
- This outline scheme is not fitting of this Country Park setting of residential homes and a private golf club.
- This scheme would have an adverse impact on the amenity of the residents producing noise nuisance and conflict between the extra traffic, pedestrians and cyclists.
- This application is not in keeping with the original, agreed, master plan for the Country Park

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

## Statement from Local resident

a) **Application Reference Number and Site Address -**  
Planning Application Number 059999  
Site Address is Northop Country Park (NCP), Northop, Mold,

**Status - Ojector**

### **Statement**

The application contains contradictory statements and disclosures. These will lead to an unsafe, uncontrolled and disruptive environment conflicting with the nature and status of the park.

The development can not be integrated into a private, managed and restricted environment. NCP is not a country park. It has no facilities to support tourism.

We question the use of extant planning permission for a hotel to justify its transfer to a totally different visitor environment.

Visitors deserve a safe environment during their stay. The application is littered with opportunities for unsafe and dangerous encounters. The development will not have adequate controls, amenities or attractions.

Visitors will not be able to roam freely. No direct access to rights of way exist. The development is bounded by privately owned areas. Roaming visitors will encounter flying golf balls, roads with no footpaths and no lighting, dense woodland and ponds. Pedestrian arrivals require a walk along fast (70mph) public roads with no footpaths or lighting. In the park the visitors will encounter traffic on narrow roads, absent footpaths and limited lighting.

Over intensification from the 30 lodges will overwhelm the site services. A dramatic increase in site traffic is expected. Parking spaces are limited. Especially for admin employees and visitor arrivals. Parking privileges do not extend to surrounding external roadways and private land.

A large influx of visitors will inevitably lead to a loss of control, privacy, security and will impact negatively upon the local environment and residential community through potentially disruptive, inconsiderate and dangerous acts.



## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **WEDNESDAY, 30 SEPTEMBER 2020**

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

**SUBJECT:** **PROPOSED RESIDENTIAL DEVELOPMENT FOR 90 NO. RESIDENTIAL UNITS OF ACCOMMODATION (OF WHICH 40% WILL BE AFFORDABLE AND SUPPORTED LIVING), PUBLIC OPEN SPACE, LANDSCAPING, MEANS OF HIGHWAY AND PEDESTRIAN ACCESS, LOCAL HIGHWAY AND PEDESTRIAN INFRASTRUCTURE IMPROVEMENTS**

**APPLICATION NUMBER:** **061154**

**APPLICANT:** **GOWER HOMES LTD & CLWYD ALYN**

**SITE:** **LAND AT PLAS ANEY, RUTHIN ROAD, MOLD**

**APPLICATION VALID DATE:** **27<sup>TH</sup> MARCH 2020**

**LOCAL MEMBERS:** **COUNCILLOR G COLLETT**

**TOWN/COMMUNITY COUNCIL:** **MOLD TOWN COUNCIL**

**REASON FOR COMMITTEE:** **DEPARTURE, SCALE OF DEVELOPMENT & LOCAL MEMBER REQUEST**

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

### **1.0 SUMMARY**

- 1.0 This is a full planning application for the development on land at Plas Aney to provide a residential scheme of 90 no. dwellings together with public open space, landscaping and infrastructure improvements. As the site is outside the settlement boundary of Mold, the application has been advertised as a departure from the Development Plan.

## **2.0 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS**

- 2.0
1. It is considered that there is insufficient evidence to identify the need to bring forward this speculative site outside the settlement boundary of Mold. In the absence of the evidence of need, and in light of the satisfactory levels of residential housing completions, commitments and allocations as set out in the planned housing trajectory in the Deposit LDP, the Council does not attach considerable weight to the need to increase housing delivery. The proposal therefore conflicts with the principles set out in section 4.2 of PPW 10 as it would prejudice the plan-led system with respect to the most appropriate housing sites from being brought forward as set out in the Deposit LDP.
  2. The Local Planning Authority considers that insufficient evidence has been provided to identify the very exceptional circumstances necessary to justify inappropriate development within an area of open countryside and Green Barrier given the proposals would result in a form of unsustainable development which would unacceptably harm the openness of the Green Barrier in this location. Accordingly the proposal conflicts with paragraphs 3.69 and 3.71 of PPW 10 and Policies STR1, STR7, GEN1, GEN3 and GEN4 of the Flintshire Unitary Development Plan.
  3. The Local Planning Authority considers that the proposals would result in the unjustified loss of 3.39ha (0.58ha of ALC Grade 2 and 2.81ha Subgrade 3a) of Best and Most Versatile (BMV) agricultural land. Accordingly, it is considered that the proposals conflicts with paragraphs 3.54 and 3.55 of PPW10 and is contrary to the provisions of Policies STR1, STR7, STR10, GEN1 and RE1 of the Flintshire Unitary Development Plan.

## **3.0 CONSULTATIONS**

### **3.0 Local Member – Councillor G Collett**

In regard to the above planning application I request that this application be referred to the Planning Committee. I have many objections to this development which include:

- a) This development is located in a Green Barrier area. The Green Barrier in this specific area has been recently reviewed by the Planning Committee who have confirmed that this area should remain undeveloped to avoid coalescence between Mold and Gwernymynydd.

- b) This area is not part of the development planned for Mold in the current LDP plan which is being considered by WG. Considerable time and effort has been spent by FCC and Mold TC in developing this plan and this area was not considered to be an appropriate area for development.
- c) There are approximately 350 houses with planning permission in Mold this excludes the additional 250 houses (Total 600 houses) this already represents a massive increase in the size of the town of Mold (current no. of houses in Mold is approximately 4000) and these numbers will take a great deal of assimilation without the additional pressures on services from this development.
- d) Access to this site is from Ruthin Road. A recent development opposite this proposed development was refused access on Ruthin Road for Safety Reasons.

### Mold Town Council

#### **Objection**

1. The site is outside the Mold settlement boundary in the Flintshire UDP and it has Green Barrier designation.
2. It is not a site allocated for housing in the Mold Town Plan 2017-2030 as Mold Town Council, in consultation with residents over 18 months, wants to avoid further coalescence with Gwernymynydd.
3. The application does not constitute 'special needs' because the emerging Flintshire LDP meets the Welsh Government requirements for affordable housing in the county.
4. With the changes to TAN 1 any lack of five years' housing supply should not be given weight, and the emerging Flintshire LDP meets the Welsh Government requirements for housing in the county.
5. This proposal does not accord with either Planning Policy Wales or Flintshire UDP as a sustainable development.
6. Sites have been identified in West Ward, that developers are actively planning, which will deliver over 100 residential units. These are in sites identified for development in the Mold Town Plan and the emerging Flintshire LDP.
7. There is very little green space within the proposed site, or tree planting, or places for people to sit and children to play. There is no community growing area or community orchard. The benefits of these are all well researched and part of the Welsh Government well-being agenda, through the Well Being of Future Generations Act, and included in several FCC policies and the Mold Town Plan.

8. The house types are standard off-the-page designs, as can be seen from their names, there is no attempt to create a bespoke modern 'Mold' style.
9. Surface water:
  - a. On the application water run-off from roofs will not be harvested and recycled in the dwellings, instead each property will be fitted with a water butt, suitable for garden needs. If these are not emptied regularly or the diverters become blocked, then water just flows into the drain.
  - b. The applicant's drainage report shows that the land is not suitable to have soakaways from the dwellings. It proposes a dry retention basin end of the pipe solution with all surface water run offs from highways, roof and private drives to be collected in gravity piped networks and discharged into the surface water public sewerage networks at restricted flow rates agreed with Welsh Water.  
Yet Welsh Water has already told Gower that no surface water from highways or land drainage run off will be permitted to discharge directly or indirectly into the public sewerage system. FCC now has a SuDS Approving Body.
10. Renewable energy: from the plans it appears that there are no renewable energy measures, such as solar PV, or district heating schemes proposed for the site. Even though at 90 dwellings it falls just outside the national and local authority recommendations, that sites of over 100 dwellings should include such measures, it would still be beneficial to residents to have these cost-cutting energy saving measures in place and to help reduce the CO2 emissions in Mold. We should be planning for the future and using all available technology to build sustainably.
11. With a 1 in 7 gradient across the site, sloping to the south east, it is disingenuous to only provide a street view of a single row of proposed dwellings which are next to the Ruthin Road. Dwellings on the site will have a visual impact on all sides, especially on entering and leaving Mold on the Ruthin Road, and for residents on the Lon Cae Del estate and spur roads off.
12. Sustainable travel:
  - a. The application states that 'there is a good cycle-friendly' infrastructure in the area'. This is a false statement. There are roads for cars and virtually no off road or designated cycle lanes in Mold. Using S106 and adding such down the Ruthin Road with safe links to

the Alun campus, primary schools and into the town centre would be necessary.

- b. Only one 'potential' pedestrian link in the top right of the development between proposed dwellings 24 and 25 to between 59 and 38 Lon Cae Del. This is inadequate for a new estate of this size on the very outskirts of Mold, especially as the people living in the affordable housing may have limited access to private transport.
- c. The nearest bus stop on Ruthin Road is just by the gas/electric substation by where the grass verge on Ruthin Road begins on the left hand side of the road before St Mary's junction. The developer states that this is 350m from the proposed site, which may be the case from the entrance to the site, but is certainly not the case to walk from dwellings at the top end of the site. There is an old bus stop sign buried in the hedge just opposite the Upper Bryn Coch lane junction, just up from where the new entrance junction to the proposed development is planned. The bus stops would need to be improved and moved closer to service any proposed development.

#### Gwernymynydd Community Council

Refers to the above planning application and proposed development of which I do emphasise that this Council strongly objects. Members of the Council have discussed the proposal via the internet due to the present Coronavirus situation and as such have expressed strong views and comments about the planning application.

Therefore, the Members of this Council have emphatically resolved to object to this proposal for the following reasons and draw reference from the Associated Documents given in the application, e.g. the Agricultural Report LRA, the Archaeological Report DBA-LPA, the Landscaping Report, the Transport Statement, Tree Solutions and the Ecological Report.

#### **1. Transport/Highway issues:**

- (a) A ghost island is suggested as a means of access to the road going into Mold. If this is a mini roundabout, then this could add to traffic congestion. Recently when there were temporary traffic lights near this proposed ghost island this led to problems at the large roundabout at the bottom of the Gwernymynydd hill. The traffic was backed up in all directions. As the new access to the site is suggested at the bottom left of the site this could mean that it is facing a junction to the road with the old prison thus adding to the congestion probabilities.
- (b) The suggested vehicle movements are 55/65 2-way movements daily. It is also suggested that these would only be

one or two per hour. It is more likely that all these vehicles would be between 8-9am and between 4-6pm. This would add to traffic congestion in Mold which already struggles to deal with the existing traffic. It is more likely that these vehicles will be going north ie.to Mold or the A55 onwards than south to Ruthin as there are more employment opportunities to the North of Mold than to the South.

**2. Green barrier issues:**

(a) The document with 337 pp on page 98 lists other possible housing areas within Mold to the north of the town which should be utilised before other green barrier areas are used.

(b) Flintshire's LDP 2015-2030 (not yet adopted but quoted in the applicants' paperwork) states on pages 16/17 that following a Green Barrier review the green barrier between Gwernymynydd and Mold should be retained. It mentions that there is a possibility of limited housing infill development to meet proven housing need or the affordable housing exception scheme. Ninety (90) houses is NOT limited housing infill.

(c) The application form states that to overturn a green barrier policy designation would require special circumstances. In addition, the application form indicates that support would not be forthcoming from the Planning Policy Officer from FCC.

(d) the Agricultural land report states that the proposed site consists of Grade 2 land 15%, Grade 3a 75% and Grade 3b 10%. The report states that Grade 2 and Grade 3a (which is 90% of the site) should only be considered if no other sites are available as these should be conserved as a finite resource for the future page 9, para 4.1

**3. Environmental issues:**

(a) the Archaeological Report states that there are historic hedgerows on the site – the north boundary hedgerow is shown on 1839 tithe map, the east boundary hedgerow dates to between 1872-1899; in addition there is a small section of historic hedgerow on the southern boundary.

(b) there is an ancient tree in the middle of the site with some decay and fungal fruiting which should be retained.

(c)The Ecological report states section 4.4.3 page 22 that there are bat roosts on the site. This report also states 5.1.1 that the historic hedgerows should be retained. It also states that there are badgers nearby who use the site as a run. It also mentions that birds use the historic hedging for roost or nests.

**4. Education/Health issues:**

(a) It is understood that the nearest local Primary schools within Mold are oversubscribed so this would mean that the children would have to travel further afield and not within pram pushing distance.

(b) There is a shortage of GP's within the Mold area and difficulty in joining a GP Practice. There is a similar shortage of Dentists within the Mold area with a resulting difficulty in joining a Dental Practice.

Finally, the inclusion of various planning appeals from within the Wrexham area and within Wales that have been overturned by Welsh Government Ministers, namely Julie James, Lesley Griffiths and Carwyn Jones, appears to be a bullying tactic to ensure that there is no democratic response or protest concerning this application.

This Council respectfully requests that this planning application be refused reference to the above points of objection and that any such appeal against refusal should it be taken to Welsh Government be decisively and vigorously detested.

#### Highways Development Control

The highway authority have previously received notification of this application direct from the developer and have provided early comment; a number of issues have been amended to address initial concerns. As a result, the detail of the application largely corresponds to highway requirement.

Due to the length of the cul-de-sac and lack of turning facility, the proposed road layout serving plots 11-13 does not meet highway adoptable standard and should be amended. The provision of a turning head or reduced status to that of shared private drive would be acceptable.

The site access and proposed visibility splays have been designed in accordance with existing speed limits however construction of the development would justify a review of existing restrictions. The Applicant has agreed to fund the review and any required changes; a Section 106 agreement to the value of £4500 will be required to cover anticipated costs.

Public footpath no. 7 runs to the east of the site, this path has been identified as route M16 on the Active Travel Integrated Network Map. The path is surfaced and although the width is limited, any improvements are beyond the control of the Applicant; the Applicant has however agreed to fund a street lighting scheme which would be of benefit to all users.

Woodland Rise is the closest bus stop to the site however this is not provided with a shelter or raised boarding kerbs; in order to encourage the use of public transport, the Applicant has agreed to fund improvements.

The Applicant has offered to fund off-site improvements by means of a Section 106 agreement however it has not been possible to ascertain values and it is suggested that these requirements be covered by a condition requiring the submission and approval of proposed details.

In respect of the above, the Highways Authority has no objection subject to the imposition of conditions.

Community and Business Protection

No adverse comments to make.

Welsh Government – Land Quality Advisory Service (LQAS)

Having considered this proposal in light of the Welsh Government's Planning Policy Wales provision for the protection of BMV agricultural land (paragraphs 3.54 & 3.55); Schedule 4 of the 2012 Order; and, TAN 6 (Chapter 6 & Annex B5 & 6), the Department for Environment, Energy & Rural Affairs **objects** to the proposal in the long term national agricultural interest for the following reasons:

The Department considers that the potential loss of BMV agricultural land is significant and unjustified for the following reasons: -

- The Department considers the proposed development to have significant agricultural implications (TAN6, Annex B5). It is not allocated for development under the UDP or the proposed LDP. The allocation, if granted, would raise significant questions regarding the soundness of the proposed Flintshire LDP in terms of BMV agricultural land national planning policy application (PPW 3.54 and 3.55).
- The recent progress of developing the proposed LDP identifies sufficient land to deliver the required growth.
- The proposed LDP has considered the losses of BMV agricultural land in allocations for the whole plan, over the plan period (LDP Background Paper 9 – Minimising the Loss of BMV Agricultural Land). This site has not been considered for allocation and therefore has not been considered as part of that process.
- In recent years the Authority has permitted housing developments on lower grade land. A number of non-BMV sites have been put forward within the un-adopted LDP. Lower grade agricultural land is available and the planning statement conflicts with PPW and Policy RE1 of the UDP. Appeal Decision - APP/A6835/A/17/3171383 supports this view.
- The Applicant has not applied BMV agricultural land national planning policy (PPW 3.54 and 3.55) in justifying overriding need and application of the sequential test.
- This expression of view is consistent with the Department's response to the Pre-Application Consultation on this case (dated 4th September 2019).



Welsh Water/Dwr Cymru

No objection subject to the imposition of conditions in relation to foul flows.

Natural Resources Wales (NRW)

Whilst NRW raise significant concerns in relation to the ecological constraints of the site, they would be satisfied that appropriate measures are in place provided the development is carried out in accordance with the recommendations of the supporting ecological report, ref Kingdom Ecology, KE18.402, 7 August 2019, Updated Ecological Survey Report.

County Ecologist

Confirms that the recommendations made within the supporting ecological report are sufficient, however notes that there are further opportunities for safeguarding in addition to further ecological enhancements. The suggestion of additional conditions to be imposed are requested in relation to a detailed scheme for tree and hedgerow protection and future management, reasonable avoidance measures (RAMS) for protected species, biodiversity enhancements (e.g. bat and bird boxes) and a lighting plan to minimise light spill.

Airbus

Confirms there is no aerodrome safeguarding objection to the proposed development.

Education

In response to the consultation of this planning application, Education have confirmed that the proposed development would trigger the need for financial contributions at the nearest and most suitable primary school, Ysgol Glanrafon. The proposed development would generate the addition of 17 primary pupils and therefore a total of £208,369.00 (17 x £12,257.00) is requested.

Education have also confirmed that in respect of secondary education, the proposed development would not trigger the need for financial contributions at the nearest and most suitable high school, Ysgol Maes Garmon. No developer contribution is therefore sought.

Aura

For a development of this size confirmation is required that the on-site public open space equates to 56m<sup>2</sup> of open space per dwelling. The provision is to include an equipped play area with a range of age specific play items which conform to the latest BS/EN 1176 AND BS/EN 1177 standards for play equipment and safer surfacing. Note Individual play items have to be supplied with individual certificated proof of compliance to BS/EN 1176 and to be supplied prior to an approval by the Authority. The play area requires link pathways for inclusive access, seating areas and information/ advisory signs

stipulating who manages the site all of which would need to be in accordance to a specification approved by the Authority.

The boundaries for all of the play space need to be approved, in particular roadside boundaries and gates including maintenance access gates, fencing next to private boundaries needs to be approved and confirmation of the legal ownership/responsibility.

The open space/play area needs to be ready for public use when 50% of the development is sold or occupied. The open space/play space needs to be free from overhead powerlines, substations and open water. The open space/play space needs to have good drainage suitable for play and recreation. The open space boundaries next to dwellings need to provide sufficient privacy with a buffer zone. Upon completion of the play area a RoSPA post-installation inspection report is to be provided to the Authority this helps to ensure that the playground meets modern standards and has been correctly installed.

Given the above information should the developer require the Council to adopt and maintain the POS then a 10 year commuted sum is to be paid. The figure for this commuted sum can be provided at a later stage and on request.

Housing Strategy

Gower Homes are proposing an affordable housing contribution of 40% which is above current requirements and is acceptable to housing strategy. However it is acknowledged that this site is outside of the Mold settlement boundary and may be unacceptable in planning terms.

Preferred Mix of units:

The SARTH and Tai Teg registers suggest there is considerable demand in Mold for social and affordable housing. With regards to the supported housing, enquiries have been made with social services who advise that Mold is a popular location for housing for people with learning difficulties due to the local facilities and social links and they have worked for a number of years with Cornerstones.

We suggest the mix being proposed by Gower Homes could be improved by including some units for intermediate rent. This would provide a broad variety and mixed community and housing strategy would support the following:

Dwelling type	Social Rented	Intermediate Rent	LCHO	Supported housing	Total
1 bed flat	4	2	2	6	
2 bed flat					
2 bed house	4	3	3		

<b>2 bed bungalow</b>					
<b>3 bed house</b>	7	2	3		
<b>4 bed house</b>					
<b>Total</b>	15	7	8	6	36

#### 4.0 PUBLICITY

##### 4.0 Press Notice, Site, Notice, Neighbour Notification

The application was advertised as a **departure** from the development Plan.

118 no. Letters of objection received upon the following grounds:

- Surface water problems
- Lack of school places
- Other sites in the settlement are being developed
- Overdevelopment
- Unsustainable location
- Landscape and visual impact of developing the open countryside
- The site is a greenfield site outside the settlement boundary and within a designated Green Barrier
- The proposal if approved will lead to further development and encroachment
- Loss of productive agricultural land
- The development does not contribute to the Well-being of Future Generations (Wales) Act
- Would lead to additional traffic and Congestion on Ruthin Road into Mold which already does not provide adequate in town parking
- Impact on the sewage system, water supply and other services
- Dependency on private car as a means of transport
- Impact on dentists and doctors, current services full to capacity
- There is an overriding need for 2-3 bed affordable dwellings not large 4 or 5 bed roomed properties
- Noise impacts from the development;
- Potential drainage impacts form surface water on nearby properties
- The proposed development would be dominant and out of keeping with its surroundings, and would therefore harm the character and appearance of the immediate and wider area of the open countryside
- Cause overlooking and loss of privacy to the adjacent properties

37 no. Letters of Support received.

## **5.0 SITE HISTORY**

5.0 No previous site history.

## **6.0 PLANNING POLICIES**

### 6.0 Flintshire Unitary Development Plan

STR1 New Development

STR4 Housing

STR7 Natural Environment

GEN1 General Requirements for Development

GEN3 Development in the Open Countryside

GEN4 Green Barriers (GEN4 10)

D1 Design Quality, Location and Layout

D2 Design

D3 Landscaping

TWH1 Development Affecting Trees and Woodlands

TWH2 Protection of Hedgerows

L1 Landscape Character

WB1 Species Protection

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

HSG4 New Dwellings outside Settlement Boundaries

HSG8 Density of Development

HSG9 Housing Mix and Type

HSG10 Affordable Housing Within Settlement Boundaries

RE1 Protection of Agricultural Land

SR5 Outdoor Playing Space and New Residential Development

SPGN no. 2 Space Around Dwellings

SPGN no. 9 Affordable Housing

SPGN no. 11 Parking Standards

SPGN no. 23 Developer Contributions to Education

PGN no. 13 Outdoor Space Requirements

### **Planning Policy Wales Edition 10 (December 2018) (PPW10)**

TAN6 Planning For Sustainable Rural Communities

## **7.0 PLANNING APPRAISAL**

### 7.01 Introduction

This is a full planning application for the development on land at Plas Aney to provide a residential scheme of 90 no. dwellings together with public open space, landscaping and infrastructure improvements.

7.02 Site Description

The application site is located on the south-western edge of Mold and extends for an area of 4.31ha comprising undeveloped agricultural land. The Mold Bypass (A494) is the main arterial route running around the town and linking with the key routes into the town, including the Ruthin Road (A5119) along which this site lies.

7.03 The site is located and has direct vehicular access off the western side of the A5119.

7.04 The site itself comprises a regularly shaped and topographically level field with a fall from its north west to south eastern lower end at its roadside frontage. It is visually contained and enclosed by a mature oak lined drive (once serving the Plas Aney house to the north) to the east and north and native hawthorn hedgerows to its northern, eastern and southern perimeters, with residential development to the northern and eastern boundaries. Additionally, its southern boundary is defined by the Ruthin Road over which more housing is located.

7.05 Proposed Development

The proposed development comprises the erection of 90 no. dwellings to include 1, 2, 3 and 4 bed housing types on land at Plas Aney, Ruthin Road, Mold.

7.06 The proposal utilises a main access point from Ruthin Road leading to a looped primary route around the site. Properties are arranged to maximise views to the west and to minimise the impact on properties to the east. A large area of public open space (POS) is located to the north west and south east of the site, providing both a buffer zone against Ruthin Road and an area for drainage attenuation at a low point within the site. The proposed scheme would have a gross density of 20.9 dwellings per ha and a net density of 31.4 dwellings per ha which includes the two areas of POS covering a total of 6,132sqm.

7.07 The proposed development includes the provision of 54 no. open market residential units, with the remaining 36 units being affordable. The delivery of 40% affordable units of accommodation (delivered by Gower Homes partners (Clwyd Alyn Housing Association and Cornerstone Flintshire) is proposed with a mix split of 50% socially rented and 50% shared equity and a small scheme of supported living.

7.08 In addition to the above, the scheme proposes infrastructure improvements to the vehicular access to the site, with access taken off a new priority junction formed on Ruthin Road including a ghost island to aid vehicles turning right. A robust landscaping scheme is provided in addition to the POS, with all existing trees to be retained

and Tree Protection Areas respected. The landscaping proposals include complementary new feature trees and shrub planting.

7.09 Principle of Development

The site is located outside the settlement boundary of Mold and within a green barrier in the adopted UDP and therefore the proposed development is clearly contrary to the development plan. It is acknowledged that parts of the UDP are now outdated, particularly in respect of settlement boundaries, as reflected in a number of appeal decisions that were made prior to July 2018. However, when the Minister dis-applied para 6.2 of TAN1 and launched her call for evidence into the provision of housing via the planning system, which has now concluded with the deletion of TAN1 in its entirety as it was not fit for purpose.

7.10 The key determining factor is whether the proposal represents sustainable development and whether there are material planning considerations which would outweigh the development plan. A further factor, which is given considerable weight by the applicant, is whether weight should be attached to increasing housing land supply.

7.11 Sustainability – Green Barrier

There is no dispute that Mold is a sustainable location to accommodate development during the LDP Plan period. The UDP contained housing allocations and the Deposit LDP also contains allocations at Maes Gwern (160 units) which is 500m to the south east of the site and on land between Denbigh Rd and Gwernaffield Rd (246 units) which lies approximately 1km to the north. The Plan is therefore already providing for the needs of Mold over the Plan period in a balanced, sustainable and plan-led manner. Such sites have identified clear evidence of deliverability and do not cause significant planning harm, in contrast to this application site.

7.12 Looking more broadly at the settlement of Mold, it clearly has a number of constraints which informs the location of future development. The southern edge of Mold has a firm and defensible boundary formed by the A494(T) bypass (and the character break between residential and open countryside formed by Mold Business Park). To the east and north is an area of flood risk associated with the River Alyn. This part of Mold also features a green barrier which serves to protect the gap between Mold and its outlying settlements of Mynydd Isa, New Brighton and Sychdyn. The south western edge of Mold also features a green barrier which works to protect the narrow gap between Mold and Gwernymynydd. This leaves the strategic direction of growth as it is free from such constraints. This is recognized in both the Mold Town Plan and the Deposit LDP.

7.13 The application site was previously proposed for development in the UDP in the form of an omission site. In her Report, the Inspector commented that 'The site consists of 2 fields and is an integral part

of the open countryside in both character and appearance. As such it is part of the rural setting of Mold and part of a narrow neck of prominent countryside between Mold and Gwernymynydd which is designated as green barrier in order to prevent the coalescence of the two settlements. Because of its size, location and topography development on it would be far more intrusive in the rural area than to the east of Ruthin Road which is more modest in scale and not as prominent'. In preparing the LDP a Green Barrier Review has been undertaken, which concludes that the site still forms an integral part of the green barrier which seeks to retain the narrow gap between Mold and Gwernymynydd, thereby confirming the clear view of the UDP Inspector at this location, evidencing that nothing has changed in terms of the planning context since the Inspector came to that view.

- 7.14 The Applicant, in the supporting Planning Statement repeats the LDP objection, which concludes that the review of the green barrier is based upon a crude assessment and is not fit for purpose, and that there is no sound justification for the continued green barrier designation. However in doing this Applicant's own assessment is superficial and ignores the views of the UDP Inspector referred to above, the proper site context in terms of its contribution as a green barrier, and also fails to recognize the guidance in PPW10 relating to the actual purpose and function of green barriers.
- 7.15 The significance of the site's location within the green barrier is clearly highlighted in PPW10 which has strengthened the presumption against inappropriate development. Welsh Government identify that housing development (including affordable housing) is inappropriate development within a green barrier. Para 3.70 states 'Inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge'.
- 7.16 Given the weight attached to protecting designated green barriers in PPW10, and the clear harm to the openness of the green barrier and harm to open countryside that this proposal would cause, it is not considered that the proposal represents sustainable development. Given that the site sits within a designated green barrier in the adopted UDP makes the Applicant's 'objections' to the green barrier designation a moot point in the context of its materiality to the consideration of this application.
- 7.17 Housing Land Supply  
Since the application was submitted, Welsh Government has announced it has permanently revoked TAN1. The result of this is that there is no longer a requirement to maintain a 5 year supply of housing land. Instead, housing delivery for each authority will be measured against the trajectory in the adopted LDP. This is a significant material change in relation to the Applicant's case which

promotes a site on the basis of an exception to green barrier policy as it would help meet a shortfall in the 5 year housing land supply. This is no longer a directly relevant consideration.

- 7.18 In relation to the new approach to measuring housing provision against the LDP trajectory, whilst the LDP is not yet adopted, Welsh Government have confirmed that the use of the draft LDP trajectory is a material consideration in assessing applications such as this proposal. In terms of present LDP performance in enabling the delivery of housing, in the first 4 years of the LDP Plan period, the County has seen annual completions of 662 (2016), 421 (2017), 608 (2018) and 454 (2019) which gives a total of 2,145 completions or an average of 536 units per annum. This is in excess of the Plan requirement of 6950 dwellings (or 463 units per annum) and is very close to the Plan's housing provision of 7,950 dwellings (or 530 units per annum). The LDP is therefore on track to deliver the amount of housing it is required to meet.
- 7.19 In respect of the previous terms of TAN1, the Council could not formally undertake or demonstrate a 5 year supply calculation, as it does not have an up to date adopted development plan. The Council can however provide informal calculations of supply. Firstly a measurement of supply against past completions has been undertaken which shows that over a 5 year period the land supply is 5.59 years and over a 10 year period the land supply is 6.79 years. Secondly, a measurement against the Plan's annual average requirement has been undertaken which shows against an average requirement of 463 units there is a land supply of 6.6 years. Although these figures have no formal standing, either at the time TAN1 was in force, or since its permanent revocation, they clearly demonstrate that the County does indeed have a supply of housing land not only available, but also being delivered.
- 7.20 In addition to the position set out in the above Monitoring Report there is also the additional supply provided by allocations in the Deposit LDP. A Background Paper on Housing land Supply was published alongside the LDP which explains the various components of housing land supply and sets out a Housing Trajectory to illustrate delivery over the Plan period. Appendix 4 and 5 of that background paper shows a 5 year supply can be achieved on adoption. The evidence base alongside the Deposit LDP clearly demonstrates that a 5 year housing land supply can be delivered.
- 7.21 In the context of the new arrangements for monitoring housing provision, notwithstanding that the LDP is not yet adopted, evidence of actual housing provision in the first four years of the plan period demonstrates that the plan is in line with its draft trajectory, which is a material consideration in determining this application for a site in green barrier and not allocated in the UDP or emerging LDP. It is also important to mention that Welsh Government, in their formal



representations on the Deposit Plan have no fundamental concerns about the soundness of the Plan. In their covering letter Welsh Government states 'The Welsh Government is generally supportive of the spatial strategy and level of homes and jobs proposed and has no fundamental concerns in this respect'. In the supporting document the Welsh Government 'support in principle' the scale and location of homes and jobs. This formal response does not suggest that there are concerns about the Plan 'not delivering' or being unsound.

7.22 Relevant Appeal decisions

The agent has appended several appeal decisions where housing development has been approved on appeal, despite being within existing green barriers. It is noted that several of these are in Wrexham CBC. On the one hand WCBC are further progressed with their LDP having reached examination although progress may be impacted due to the Inspector's findings regarding Gypsy / Traveller sites. However, on the other hand, WCBC is simply not delivering housing to the same extent that Flintshire is, or more significantly in line with the requirement set out in its LDP. The amount of housing to be delivered in the remaining years of the Wrexham Plan period is approaching the point where delivery is likely to be challenging. In contrast, housing delivery is being achieved in Flintshire in line with what the Plan sets out as a requirement.

7.23 The Applicant has failed to note a further significant difference in relation to the context for the appeal decisions in Wrexham that does not exist in Flintshire. This is where an Inspector considered that none of the allocations in the Wrexham LDP had an early prospect of delivering housing, whereas in Flintshire a significant number of its allocated sites either have permission or are delivering housing on site (including over 400 units on the Strategic site allocated at Northern Gateway) and are therefore capable of early delivery. Whilst there may have been 'very exceptional circumstances' presented by the lack of supply in a Wrexham context, this is simply not the case in Flintshire. Given that housing is being delivered in Flintshire in line with the LDP trajectory, both at a County level and within 500m of the application site, it is unclear what the 'very exceptional circumstances' are that would justify the significant erosion of a green barrier to permit this development.

7.24 An appeal decision within Flintshire provides a useful counter view to those appended by the Applicant. An appeal for residential development at Bryn y Baal Rd Mynydd Isa (ref APP/A6835/A/17/3175048) was dismissed on 31/08/17. In respect of the need to establish 'very exceptional circumstances', the Inspector commented 'This is a stringent and demanding test, and the planning balance is different to that applicable for land outside the green barrier'. The Inspector concludes *'My conclusions are that the development would be harmful to the openness of the green barrier and to the character and appearance of the area and would erode*

*the gap between Mynydd Isa and New Brighton. These harmful effects warrant considerable weight. I also conclude that there is a lack of a 5 year supply of housing land, and that the need to increase the supply of housing land warrants considerable weight, provided the development would comply with development plan and national policies. If the site was not located in a green barrier, these arguments would be finely balanced. However, the proposal is for inappropriate development in the green barrier, and PPW advises that such development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm the development would do to the green barrier. That demanding balance would not be achieved in this case, and I conclude that the development would be contrary to development plan and national policy’.*

7.25 Quality of Agricultural Land

PPW10 seeks to conserve the BMV agricultural land as a finite resource for the future. Considerable weight should be given to protecting such land from development and land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable or available lower grade land has an environmental value. TAN6: Planning for Rural Sustainable Communities states that once agricultural land is developed, even for “soft” uses such as golf courses, its return to agriculture as BMV agricultural land is seldom practicable.

7.26 The Agricultural Land Classification Map (1983) published by MAFF, indicates the site as comprising Grade 2 agricultural land (i.e. very good agricultural land with minor limitations which affect crop yield, cultivation or harvesting). The Applicant carried out more detailed assessments in May 2019. The application is supported by a ‘Soils and Agricultural Quality of Land’ report prepared by Land Research Associates dated June 2019. The report evidences that from the total application site of 4.31ha, 0.58ha is Grade 2, 2.81ha is Subgrade 3a, 0.45ha is Subgrade 3b and 0.14ha is considered to be of non-agricultural value. The Land at the site has been found to be of best and most versatile quality in subgrade 3a.

7.27 In responding to the application the Welsh Government’s Land Quality Advisory Service (LQAS) confirms that the survey carried out and provided is a true reflection of the land quality at the proposed site, and therefore has no reason to contend with the findings. As such the LQAS objects to the proposed development as it considered that the development of this site would result in the loss of BMV land much to the expense to the agricultural industry and would conflict with paragraphs 3.54 and 3.55 of PPW10 which clearly states that considerable weight should be given to protecting such land from development, because of its special importance.

- 7.28 In comparison to the exhaustive arguments made by the Applicant in respect of the Green Barrier designation and the LDP, the planning statement is almost entirely silent on the matter of BMV land. Instead the Applicant's claim focuses on the lack of a 5 year housing land supply, out of date policies and that the Green Barrier designation is no longer fit for purpose and does not amount to the same protections bestowed on land designated as Green Belt. The Applicant's attention is therefore drawn to paragraph 3.64 of PPW10 which confirms Green wedges (Green Barriers) are local designations which essentially have the same purpose as Green Belts. Notwithstanding this disappointment, the importance and value of BMV land is completely overlooked as part of the Applicant's assessment of the site and I therefore consider it essential to reaffirm this importance by giving considerable weight to its protection within the balance of this determination.
- 7.29 UDP policy RE1 states that the loss of land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable or available lower grade land has an environmental value. As I have concluded that the site comprises BMV land, PPW10 requires such land to only be developed where, amongst other things, land in lower agricultural grades is unavailable. The Applicant however contends that the most important factor is the delivery of housing and this should outweigh the harm caused to the loss of both Green Barrier and BMV land. As explained above, it is considered that sufficient allocations for Mold have already been made both within the UDP and emerging LDP. The Plan is therefore already providing for the needs of Mold over the Plan period in a balanced, sustainable and plan-led manner. Such sites have identified clear evidence of deliverability and do not cause significant planning harm, in contrast to this application site. I consider there to be little need to carry out any form of sequential test in relation to lesser grade land and therefore reflect the matter of BMV land in my reason for refusal.
- 7.30 Affordable Housing  
In relation to this application the applicant is proposing that the scheme can deliver 40% affordable housing which is in excess of the existing UDP policy, but complies with the emerging LDP policy. However, in the Applicant's objections to the deposit LDP in relation to this site they state that 40% is not achievable or viable. I am confused by these conflicting statements made by the same Applicant for this site in relation to affordable housing. In submissions on the Deposit LDP the same Applicant 'As it stands the increase over the Adopted UDP rate of 30% is considered to be far too challenging and unviable'. The fact that a site is now being proposed which meets the 40% affordable housing suggests either the LDP comments were unfounded and incorrect or, it questions the viability of the development now proposed. No new evidence has been

provided that either retracts the position stated for the deposit LDP, or now illustrates how 40% is achievable and viable. Given these are duly made public statements both cannot be correct, and the Council is concerned that this confusion simply illustrates a lack of conviction in relation to the viability and deliverability of this site, notwithstanding the significant national and local policy conflicts.

- 7.31 Notwithstanding the above, the scheme does propose a 40% affordable housing contribution which is apparently reflective of the current demand and needs within the settlement of Mold and wider parts of the County. However, in response to the consultation of this planning application, Housing strategy though supportive are concerned if 40% is achievable in the first instance and if so would suggest that the provision arrangements are improved by including some units for intermediate rent. This would provide a broader variety and mixed community for the intended provision.
- 7.32 In addition to the Housing Strategy response, the application has received a moderate return in support for the development more specifically in relation to the need for more affordable homes. However, members should be mindful that affordable homes should be viewed in terms of both the availability of affordable open market property for those who do not meet the criteria of the register and the accessibility of affordable social homes managed by RSLs and the Council alike.
- 7.33 Highway Matters  
Access to the site would be directly off Ruthin Road, with internal estate roads servicing the proposed dwellings. The highway authority have previously received notification of this application direct from the Applicant and have provided early comment; a number of issues have been amended to address initial concerns. As a result, the detail of the application largely corresponds to highway requirement with some exceptions.
- 7.34 The Highways Authority comment, due to the length of the cul-de-sac and lack of turning facility, the proposed road layout serving plots 11-13 does not meet highway adoptable standard and should be amended. The provision of a turning head or reduced status to that of shared private drive would be acceptable. The site access and proposed visibility splays have been designed in accordance with existing speed limits however construction of the development would justify a review of existing restrictions. The Applicant has agreed to fund the review and any required changes; a Section 106 agreement to the value of £4500 will be required to cover anticipated costs.
- 7.35 Public footpath no. 7 runs to the east of the site, this path has been identified as route M16 on the Active Travel Integrated Network Map. The path is surfaced and although the width is limited, any improvements are beyond the control of the Applicant; the Applicant

has however agreed to fund a street lighting scheme which would be of benefit to all users.

- 7.36 Woodland Rise is the closest bus stop to the site however this is not provided with a shelter or raised boarding kerbs; in order to encourage the use of public transport, the Applicant has agreed to fund improvements.
- 7.37 The Applicant has offered to fund off-site improvements by means of a Section 106 agreement however it has not been possible to ascertain values and it is suggested that these requirements be covered by a condition requiring the submission and approval of proposed details. In respect of the above, the Highways Authority has no objection subject to the imposition of conditions.
- 7.38 Ecology & Trees  
The application is supported by an Ecological Survey prepared by Kingdom Ecology dated August 2019. The report notes that the majority of the site comprises of intensively farmed, improved grassland. This habitat is considered to be of negligible conservation value. Habitats of greater value mainly comprise of the hedgerows/tree lines around the site boundaries and the stream along the site's southern boundary.
- 7.39 Evidence of badgers has been found within habitats adjacent to the site. No badger setts were identified within the study site itself however a badger outlier sett was identified approximately 25m from the western boundary of the site at Target Note 8 on Figure 2. The proposed development will result in the loss of potential badger foraging habitat within the affected grassland however such habitat is ubiquitous around the Mold area. Therefore, the effects of habitat loss on badgers are considered to be negligible.
- 7.40 Whilst no field signs indicative of roosting bats were found, field survey identified two trees which support suitable bat roosting features. These trees will be retained as part of the overall development, employing the necessary Tree Root Protection methods as recommended.
- 7.41 The 2019 bat activity surveys have identified the site as a whole to be of relatively low importance for bats with the site supporting common bat species in low numbers. Nevertheless, features of greatest value for bat are considered to be the field boundaries along the northern, eastern and western boundaries of the site. An increase in light spill onto these areas could decrease the value of these habitats for bats. It is therefore recommended that the negative impacts of artificial lighting on these habitats is avoided.
- 7.42 The concluding parts of the survey recommends that a bat box scheme is produced for the site. Bat boxes should be built into the

south facing gable ends of new houses ideally adjoining the northern and western site boundaries. The County Ecologist confirms that the recommendations made within the supporting ecological report are sufficient, however notes that there are further opportunities for safeguarding in addition to further ecological enhancements. The suggestion of additional conditions to be imposed are requested in the event of any grant of permission; relating to a detailed scheme for tree and hedgerow protection and future management, reasonable avoidance measures (RAMS) for protected species, biodiversity enhancements (e.g. bat and bird boxes) and a lighting plan to minimise light spill.

7.43 NRW concur with the conclusions of the Ecological Report and support the views of the County Ecology. NRW therefore confirm that there is no objection to the scheme provided the mitigation measures recommended are employed should the scheme be granted planning permission.

7.44 CIL Compliance

Members will be aware that where it is recommended that planning permission be granted, I would set out the consideration of this issue in relation to the CIL Regulations and its impact upon any suggested S.106 Agreement. However, in view of the recommendation that permission be refused, I have in this case refrained from so doing at this stage.

**8.0 CONCLUSION**

The basis for making decisions on planning applications should be in accordance with the development plan unless other material considerations deem otherwise.

8.01 For the reasons explained, the proposal clearly represents inappropriate development that will harm the openness of an existing green barrier. Despite the Applicant's arguments that the proposal is justified in terms of lack of housing land supply and delivery, it is a fact that the Plan is delivering as demonstrated i) by completions over the first 4 years of the Plan period and ii) by the trajectory which forms part of the Housing Land Supply Background Paper which accompanies the Deposit LDP and is now the method of monitoring provision following deletion of TAN1. When this is taken alongside the existence of a site for 160 units, which is under construction and within 500m of the application site, it is not considered that the proposed development demonstrates 'very exceptional circumstances' such as to warrant harm to the green barrier.

8.02 In this instance, it is considered that the proposal amounts to unjustified residential development within an area of open countryside and designated Green Barrier, whereby the proposed development would be detrimental to its setting and openness. The proposed scheme would result in the irreplaceable loss of BMV land and

finite resource, and its replacement with built development and associated human activity. This is considered to have a significant adverse impact on the rural quality of the landscape, increasing the built form of development outside the settlement boundary, at the expense of the surrounding open countryside and undermines the principles of the Green Barrier designation within the context of PPW10. In these terms, the proposed development would conflict with National Planning Policy and UDP policy STR1, STR7, STR10, GEN1, GEN3, GEN4 and RE1 of the Flintshire Unitary Development Plan.

- 8.03** From the above, it has been demonstrated that little weight should be afforded to the lack of a housing land supply in the overall planning balance, as the constraints of the site and as evidence in supporting information is not sufficient to outweigh the harm to the Green Barrier, loss of BMV land or the overall impact this development would have on the immediate and wider character and appearance of the rural landscape that envelopes the settlement of Mold. The proposal simply does not accord with the development plan and national planning policies. 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**

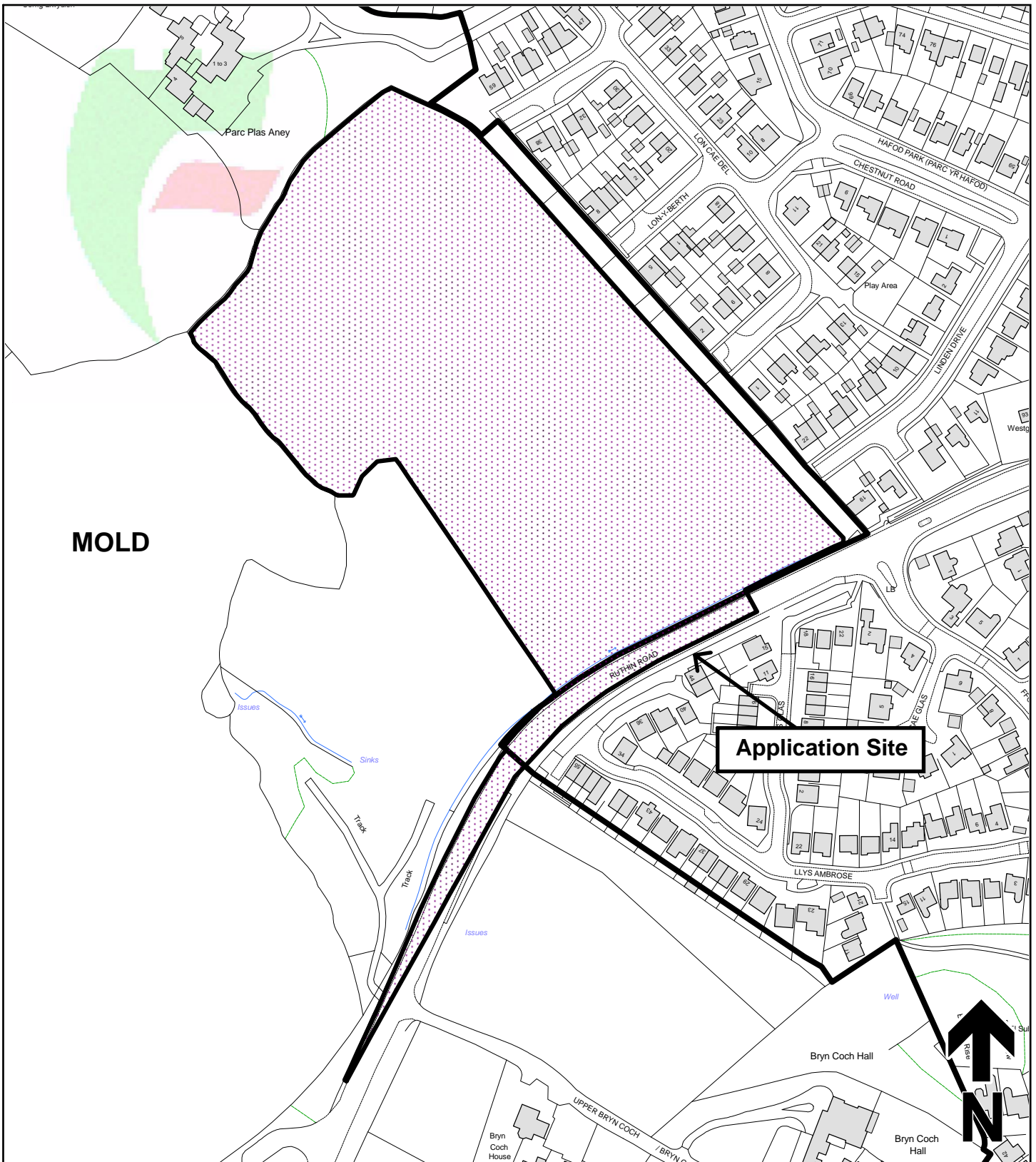
Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

**Contact Officer: Katie H Jones**

**Telephone:**  
**Email:**

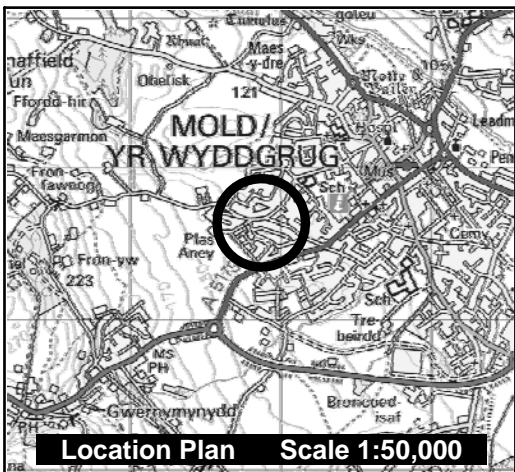
**(01352) 703257**  
katie.h.jones@flintshire.gov.uk







MOLD

**Application Site**



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

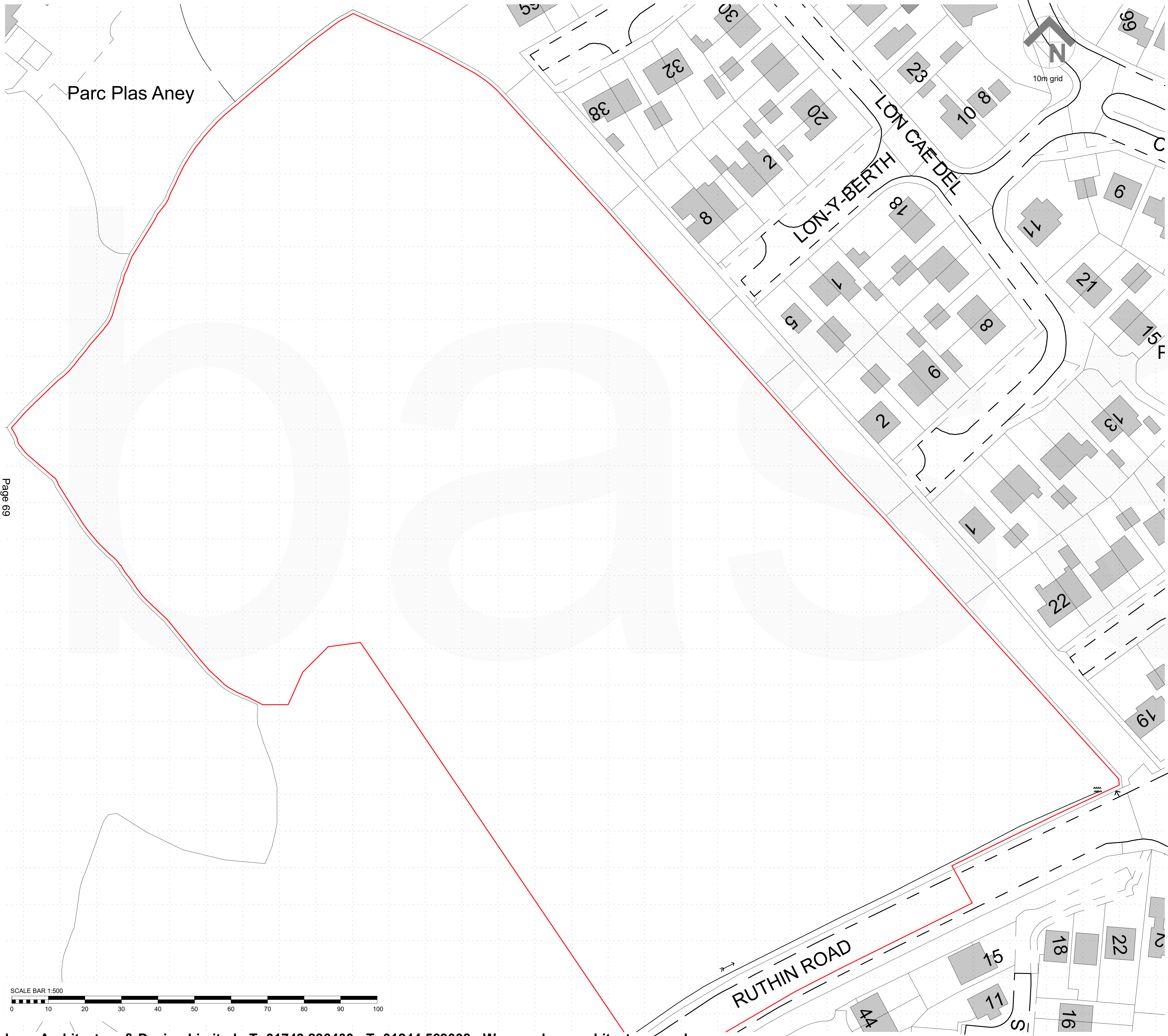
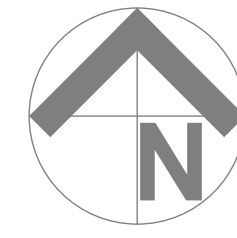
This plan is based on Ordnance Survey Material with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100023386. Flintshire County Council, 2020.

Map Scale	1:2500
OS Map ref	SJ 2263
Planning Application	<b>61154</b>

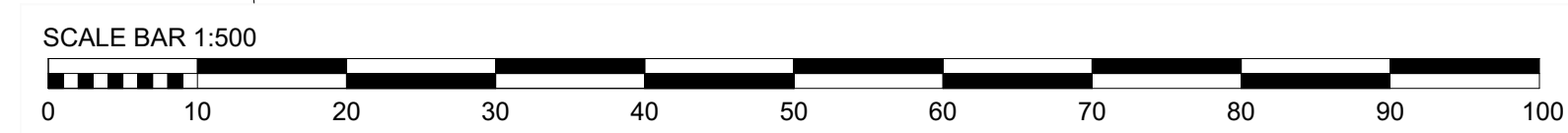








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Rev No.	Date	Rev.	By.	Chk.

**PLANNING**

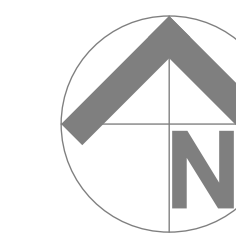
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Client.	GOWER HOMES LTD.		
Drawing Title.	<b>EXISTING SITE PLAN</b>		

Project No.	BA2090	Drawing No.	PL-002	Revision.	-
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**Accommodation Schedule**

**Affordable Housing Schedule**

- Penrhyn (549sqft) 1 Bed (8 no.)
- Kendal (694sqft) 2 bed (6 no.)
- Denbigh, Holt (800sqft) 3 Bed (3 no.)
- Ewloe (693sqft-905sqft) 2 bed (6 no.)
- Flint (647sqft) 3 bed (4 no.)
- Criolcieth (1011sqft) 3 bed (3 no.)



Cornerstone Supported Living (549sqft) (6 no.)

Total: 36 units (40%)

**Open Market Schedule**

- Beaumaris (1035sqft) 3 bed (9 no.)
- Chirk Hybrid (1430sqft) 4 bed (3 no.)
- Conwy (1095sqft) 4 bed (6 no.)
- Powis (1595sqft) 4 bed (5 no.)
- Rhuddlan (1217sqft) 4 bed (11 no.)
- Harlech (1335sqft) 4 bed (8 no.)
- Hawarden (910sqft) 3 bed (4 no.)
- Caernarfon (1300sqft) 4 bed (4 no.)
- Montgomery (2,000sqft) 4 bed (3 no.)

Denbigh, Holt (800sqft) 3 Bed (1 no. - Plot 68)

Total: 54 units (60%)

**Overall Total: 90 units**

Site Boundary = 4.31ha (10.65 acres)  
Development Density = 21no. units/ha

- Pedestrian link to existing houses
- Public Open Space 66000sqft (6132m<sup>2</sup>)
- Required POS (Calculated at 56.65m<sup>2</sup>/unit) = 54879.8sqft (5098.5m<sup>2</sup>)
- Proposed Landscape Buffer to adjacent land parcel

G	23.03.20	ALL INSTANCES OF CHIRK REPLACED WITH CHIRK HYBRID (REVISED) ACCOMMODATION SCHEDULE REVISED TO SHOW 1 NO. OPEN MARKET DENBIGH HOLT	JS	AO
F	28.01.20	UPDATED DISTRIBUTION OF PLOTS 47-56, AMENDED SIZES OF UNIT TYPES IN LINE WITH DOR REQUIREMENTS, UPDATED DETAIL OF PROPOSED AFFORDABLE UNITS	JS	AO
E	21.01.20	UPDATED ACCOMMODATION SCHEDULE WITH AMENDED AFFORDABLE MIX, AMENDED POS REQUIREMENT IN LINE WITH NEW UNITS.	JS	AO
Rev No.	Date	Rev.	By	Chk.

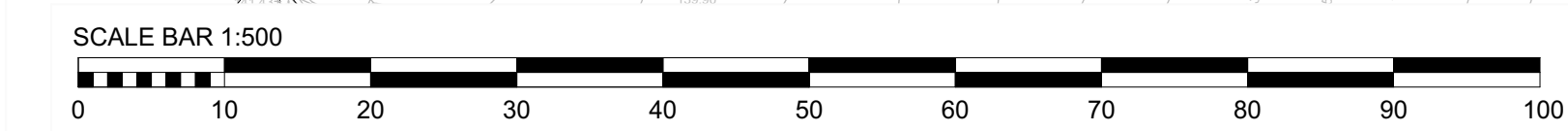
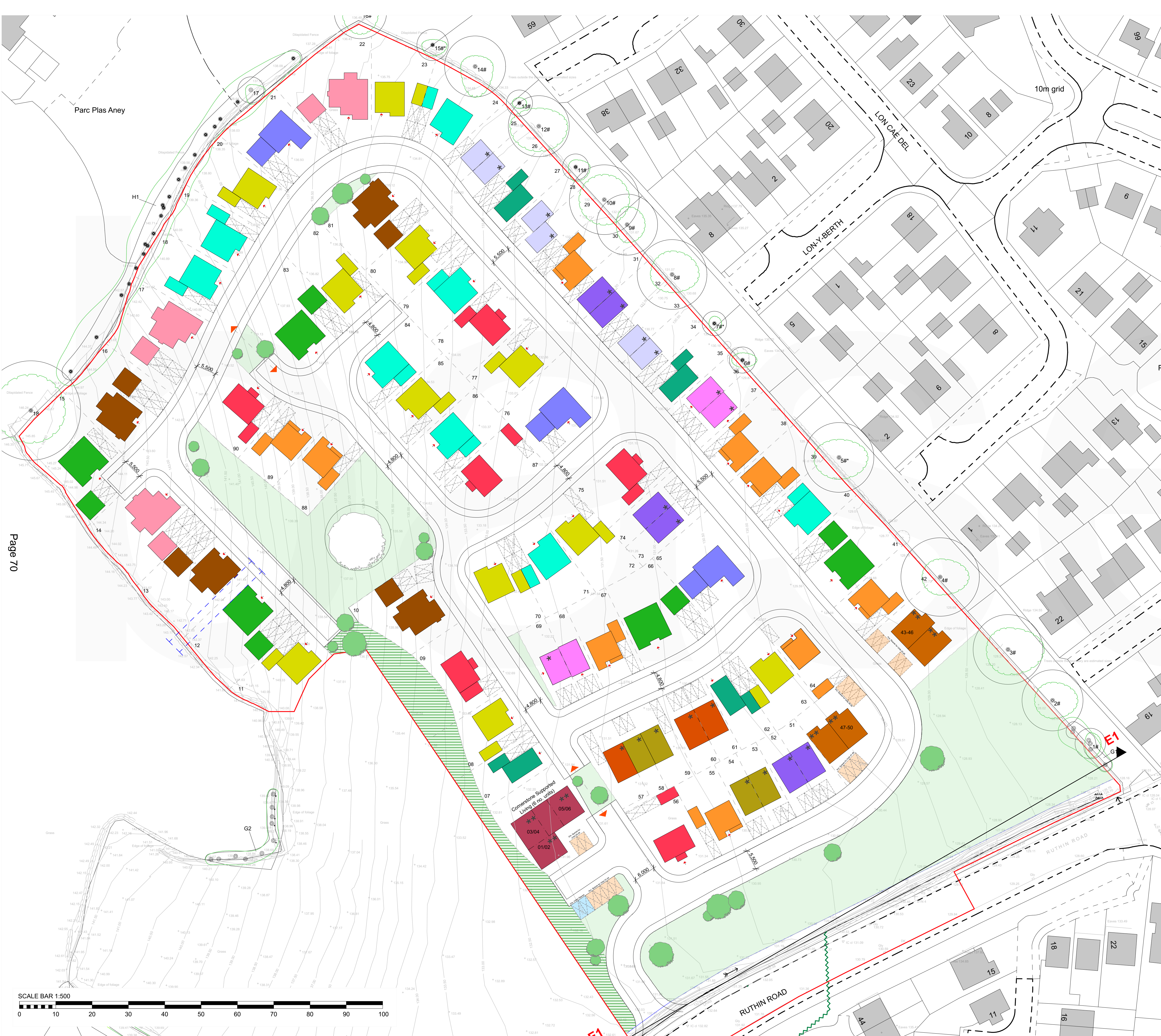
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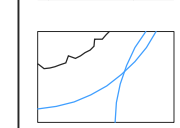
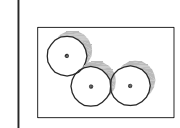
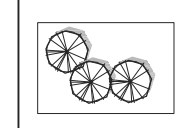
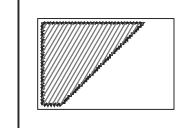
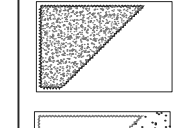
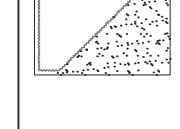
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Client:	GOWER HOMES LTD.		
Drawing Title:	INDICATIVE SITE LAYOUT PLAN		
Project No.	BA2090	Drawing No.	PL-003
		Revision:	G

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**KEY**

-  Existing trees and hedges to be retained and protected (refer to arborists report & recommendations)
-  Existing tree and hedge Root Protection Areas (refer to arborists report & recommendations)
-  Proposed Extra Heavy Standard tree planting
-  Proposed informal feathered tree groups
-  Proposed medium / tall hedge and structure planting
-  Proposed medium / low amenity shrub planting
-  Proposed amenity grass areas

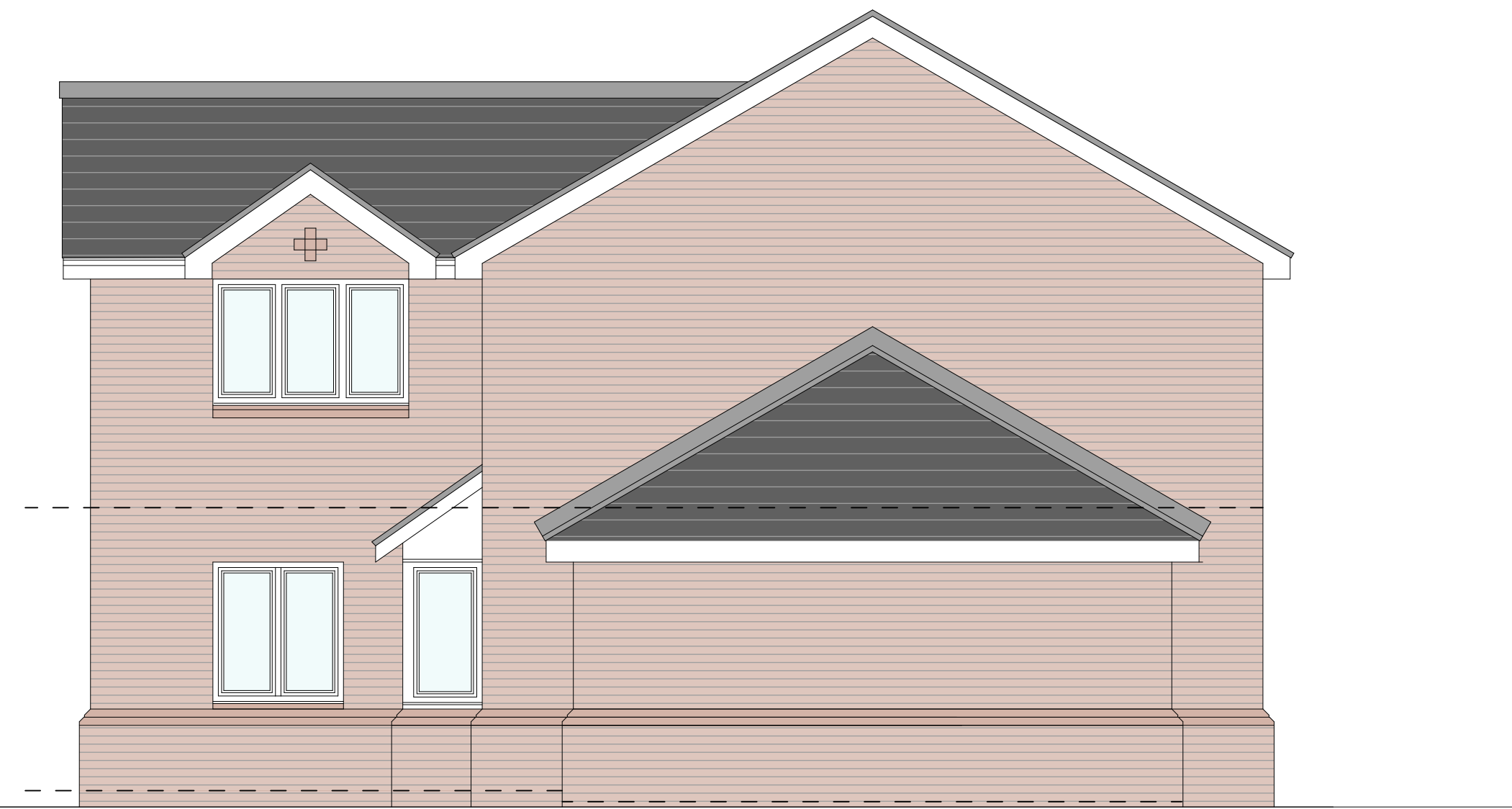


revision v1.2 - layout updated (02/2020)  
 revision v1.1 - annotation amended (03/2019)

	<b>The Ark Company Landscape Architects</b> <small>9 The Highway, Hawarden, Flintshire, CH5 3DG Tel: 01244 955978        www.thearkcompany.co.uk info@thearkcompany.co.uk</small>		
	<b>Gower Homes Ltd.</b> <small>Land off Ruthin Road - Mold</small>		
	<b>Proposed residential development</b> <b>Proposed landscape layout</b>		
Dwg.No. 09/101/01	v1.2	A1 @ 1/500	July 2019



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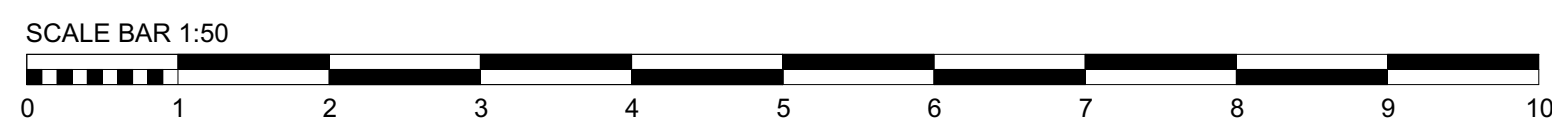
Page 73



Brick detail to window head



**CHIRK HYBRID HOUSE TYPE**  
 4 bedroom detached dwelling  
 GIA = 133sqm / 1430sqft



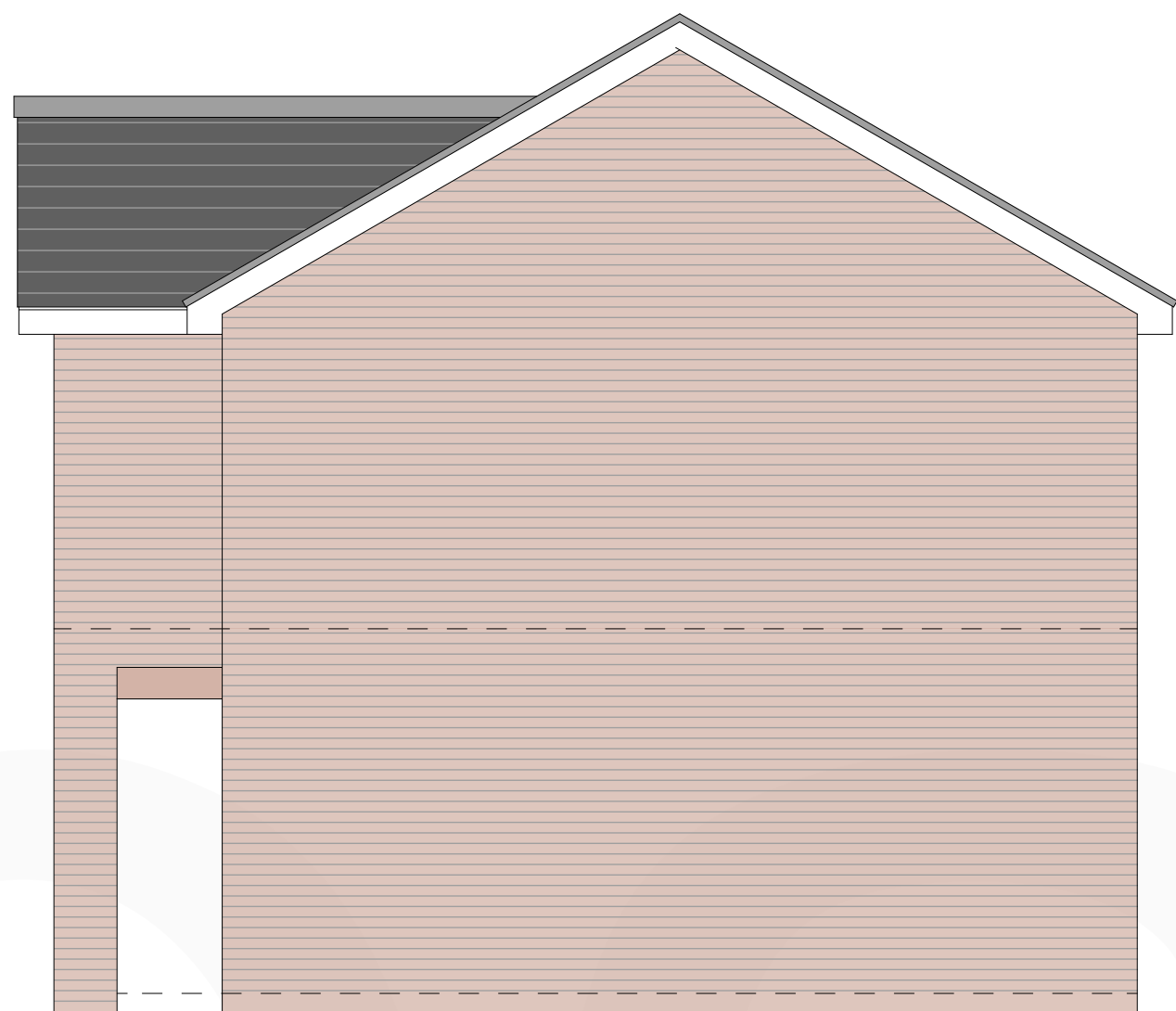
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Rev No.	Date	Rev.	By.	Chk.

**PLANNING**

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Project Title.	Plas Aney, Mold		
Client.	Gower Homes		
Drawing Title.	Chirk Hybrid Proposed Elevations		
Project No.	BA2090	Drawing No.	PL-023
		Revision.	A



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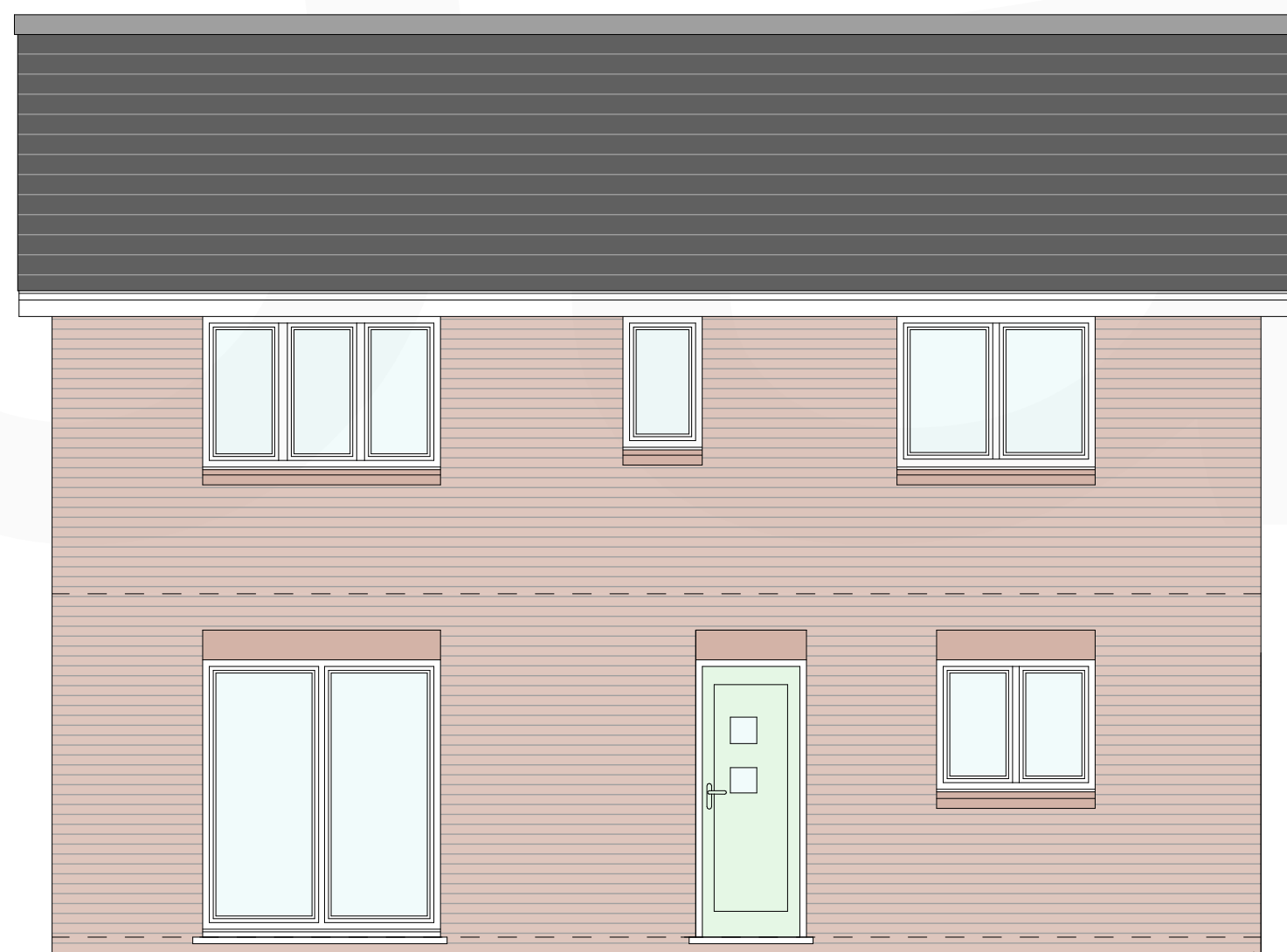


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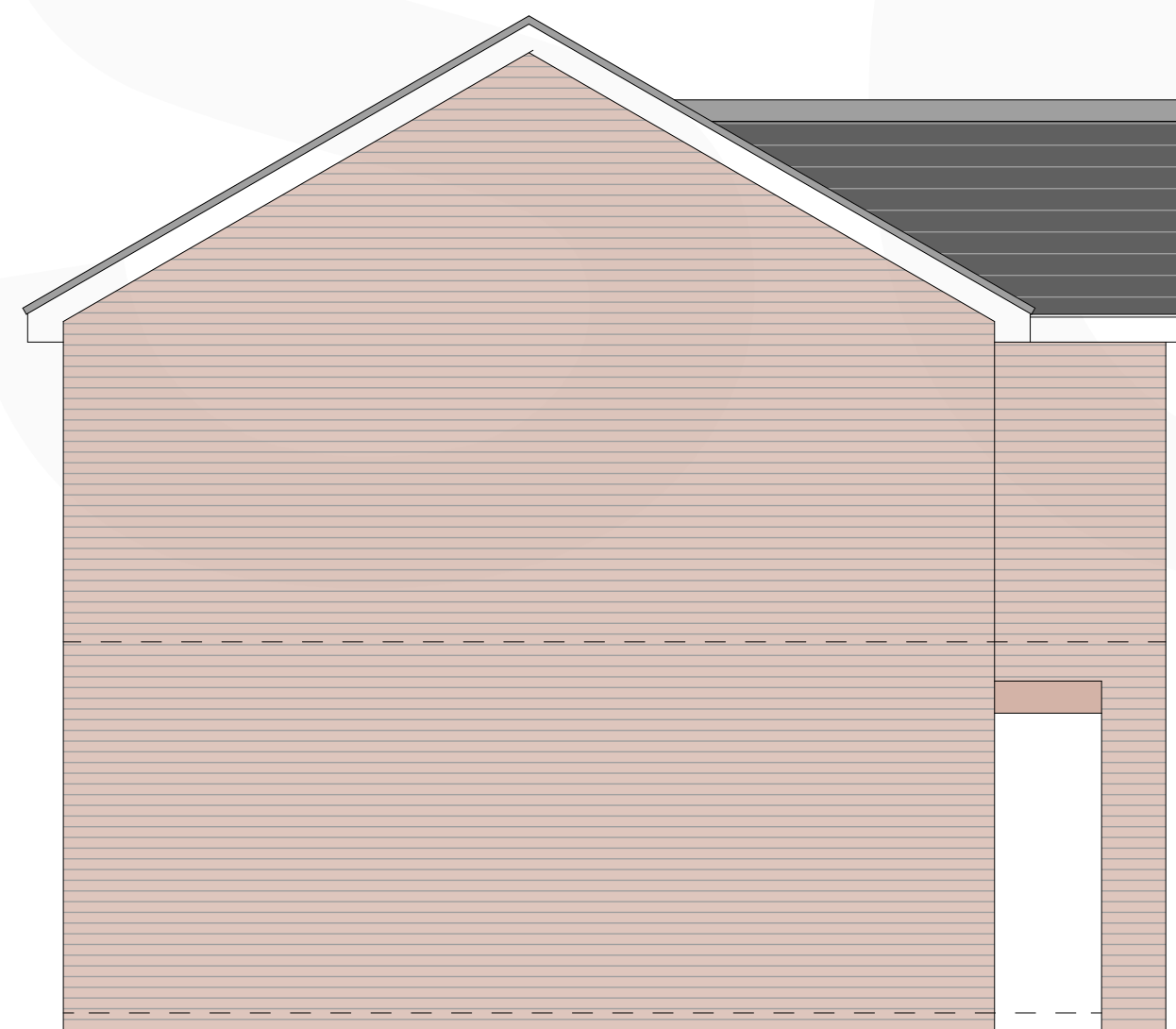
Slate tile - subject to  
 LA Approval

Brick detail to window  
 head

Facebrick - subject to  
 LA Approval



Rear Elevation



Side Elevation

Rev No.	Date	Rev.	By	Chk.

PLANNING

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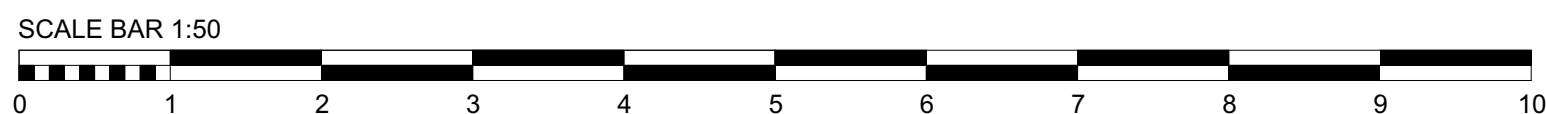


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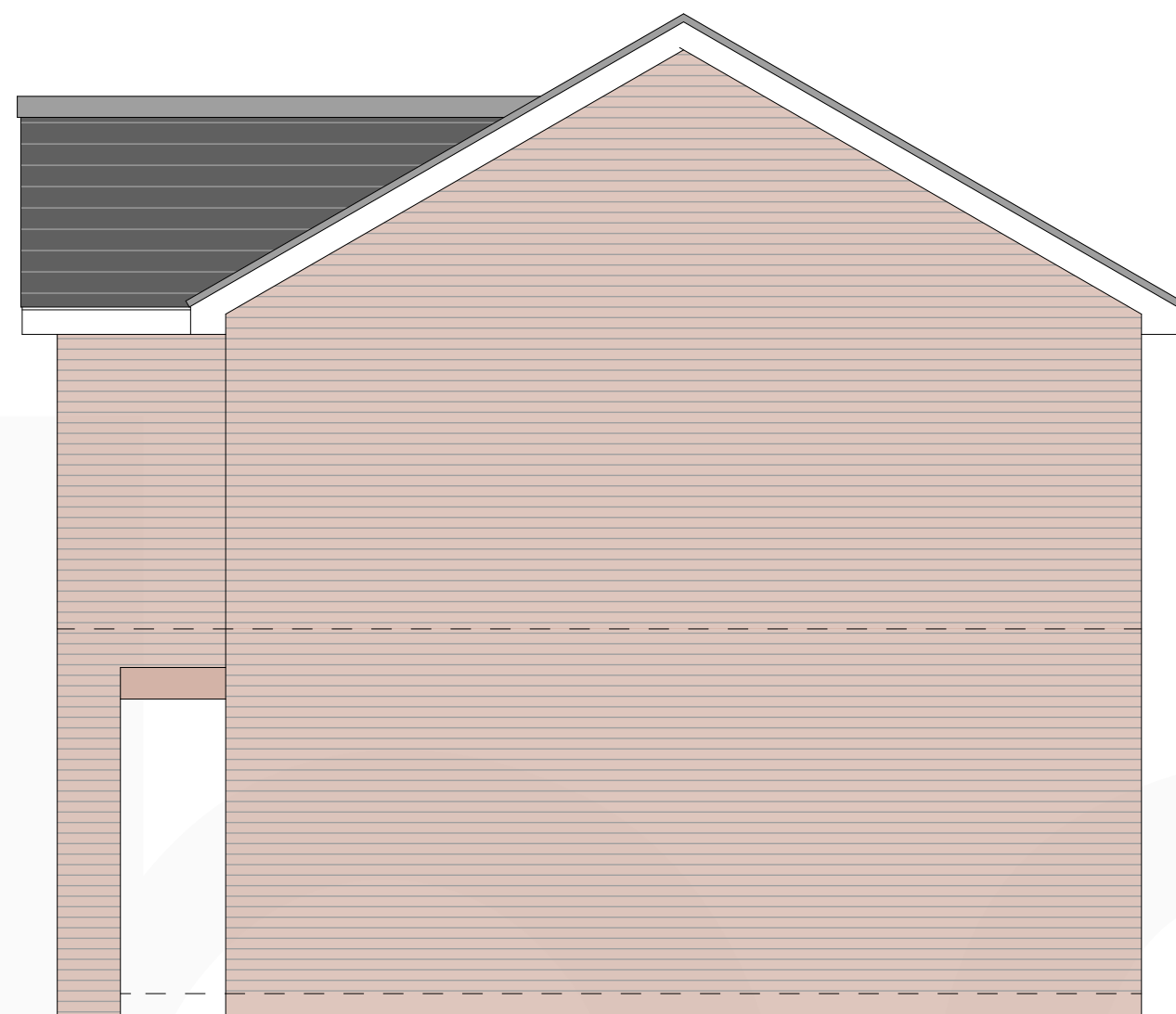
Client. Gower Homes Ltd.

Drawing Title. Conwy No Garage Elevations

Project No.	BA2090	Drawing No.	PL-044	Revision.	-
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Side Elevation



Front Elevation

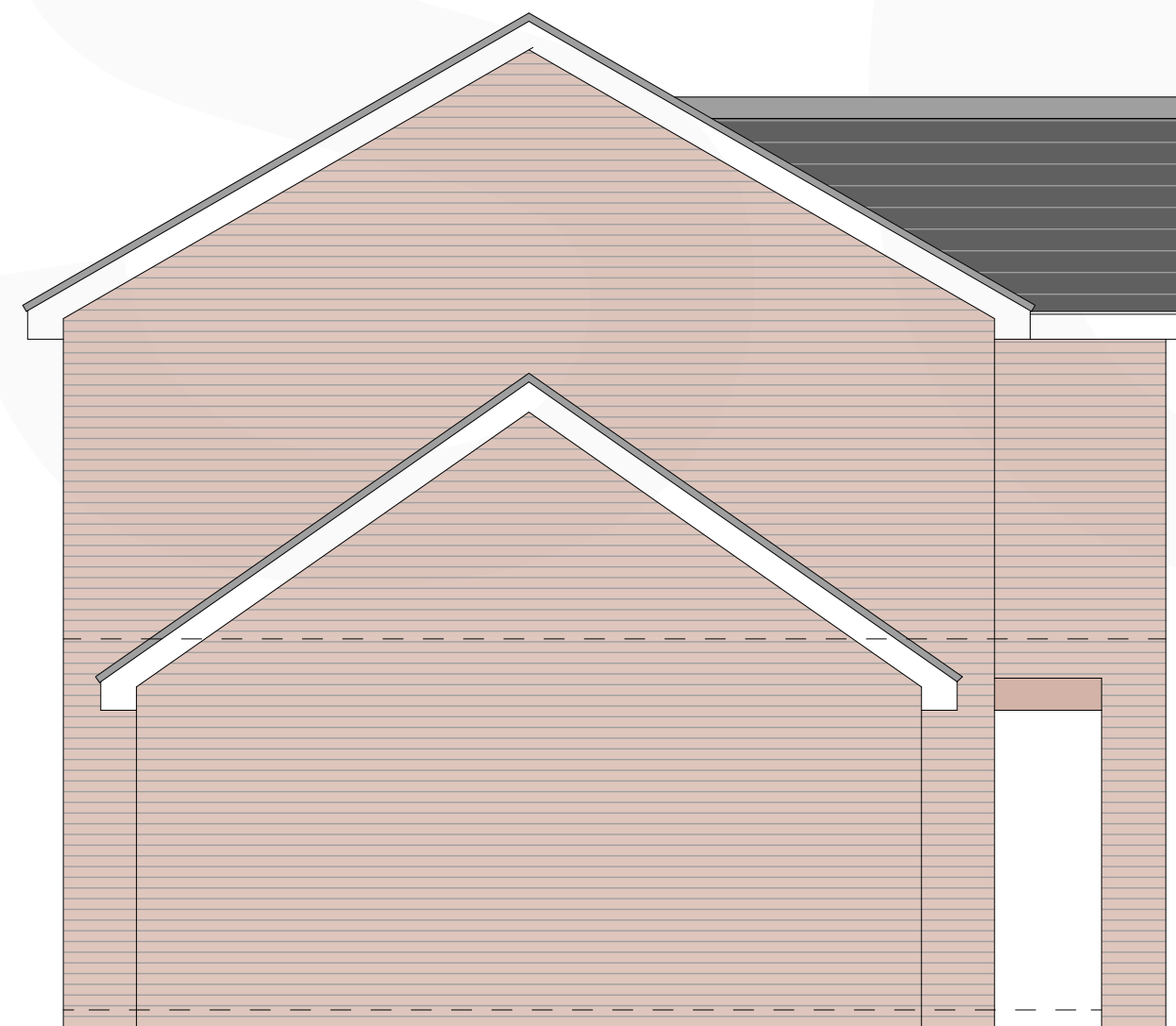
Slate tile - subject to  
LA Approval

Brick detail to window  
head

Facebrick - subject to  
LA Approval



Rear Elevation



Side Elevation

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Rev No.	Date	Rev.	By	Chk.

**PLANNING**

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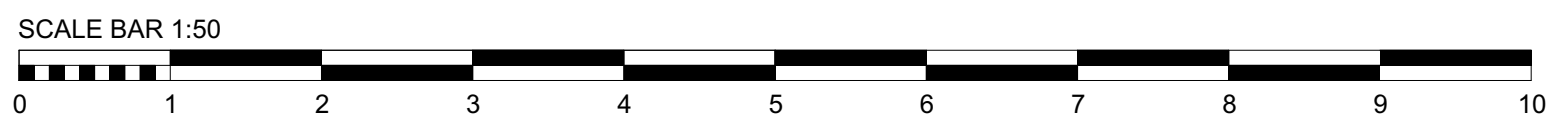


Project Title.  
Plas Aney, Mold

Client.  
Gower Homes Ltd.

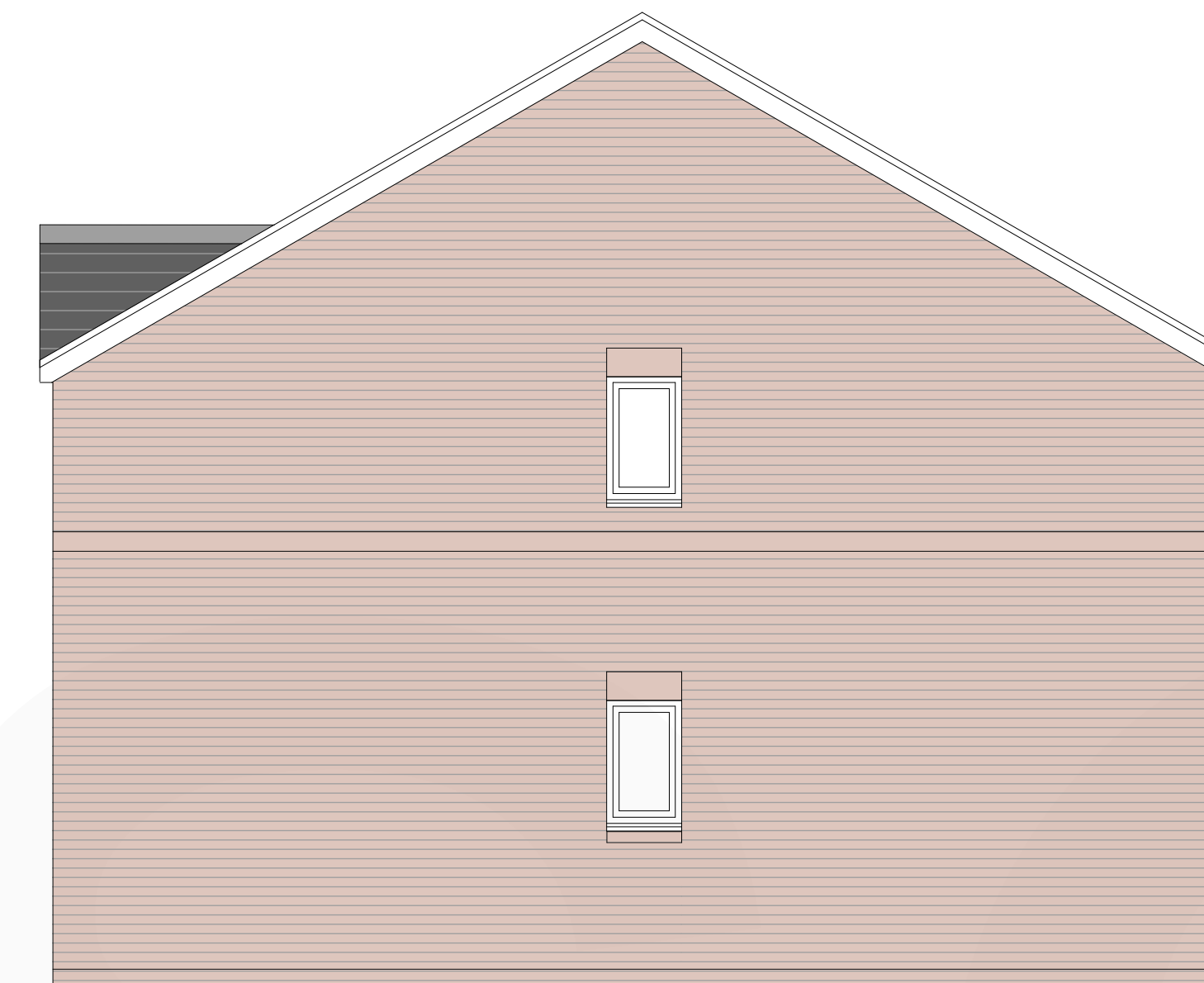
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Project No.	Drawing No.	Revision.
<b>BA2090</b>	<b>PL-015</b>	<b>A</b>

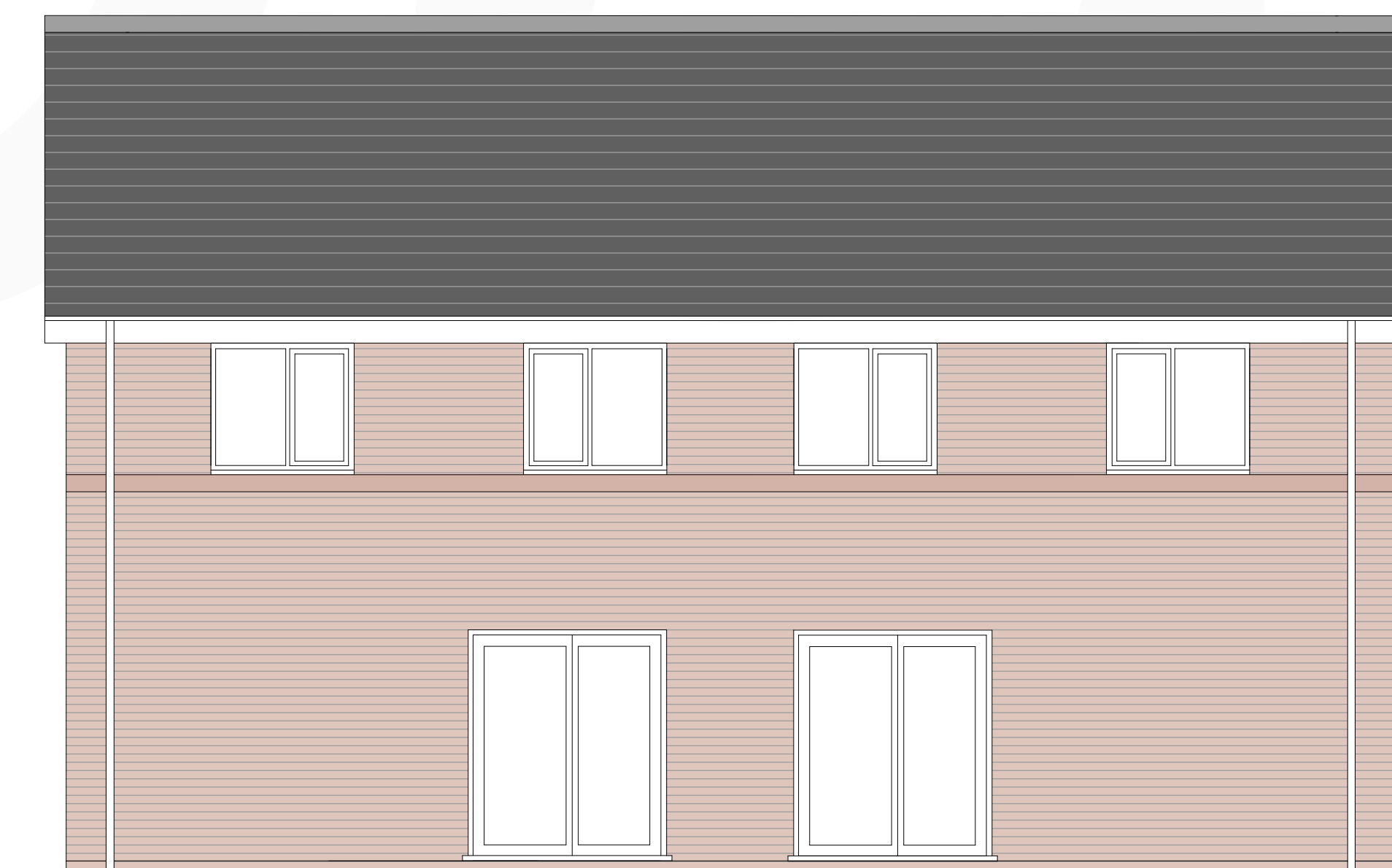




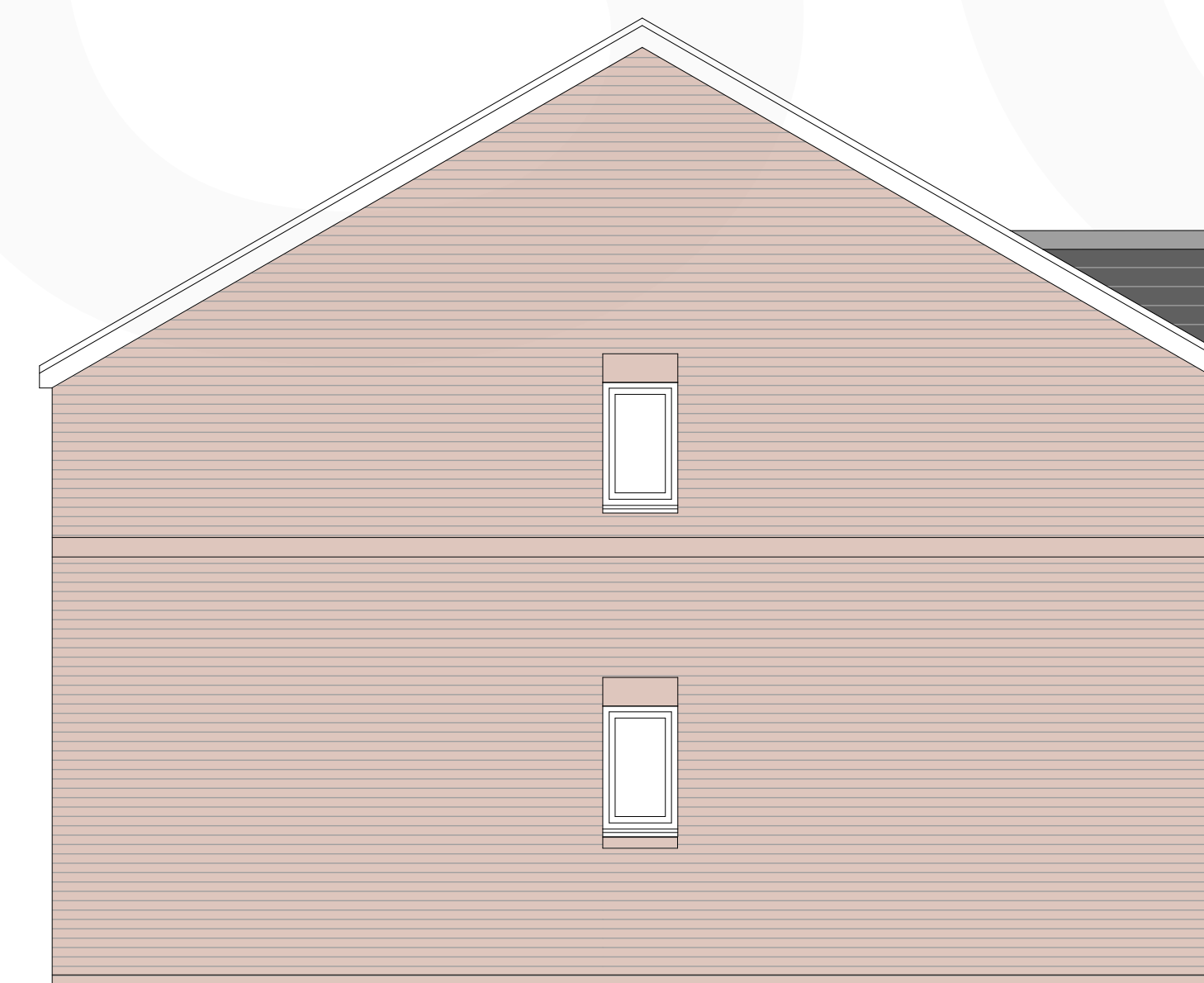
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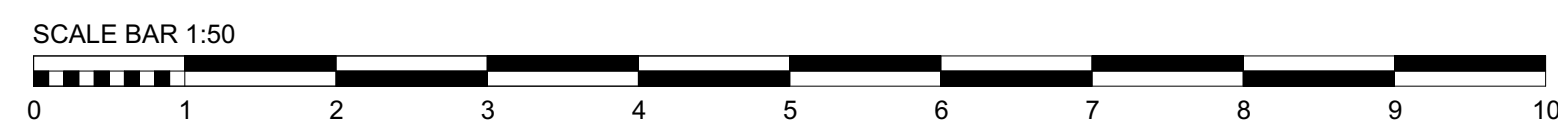
Side Elevation



Rear Elevation



Side Elevation



Rev No.	Date	Rev.	By.	Chk.
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**PLANNING**

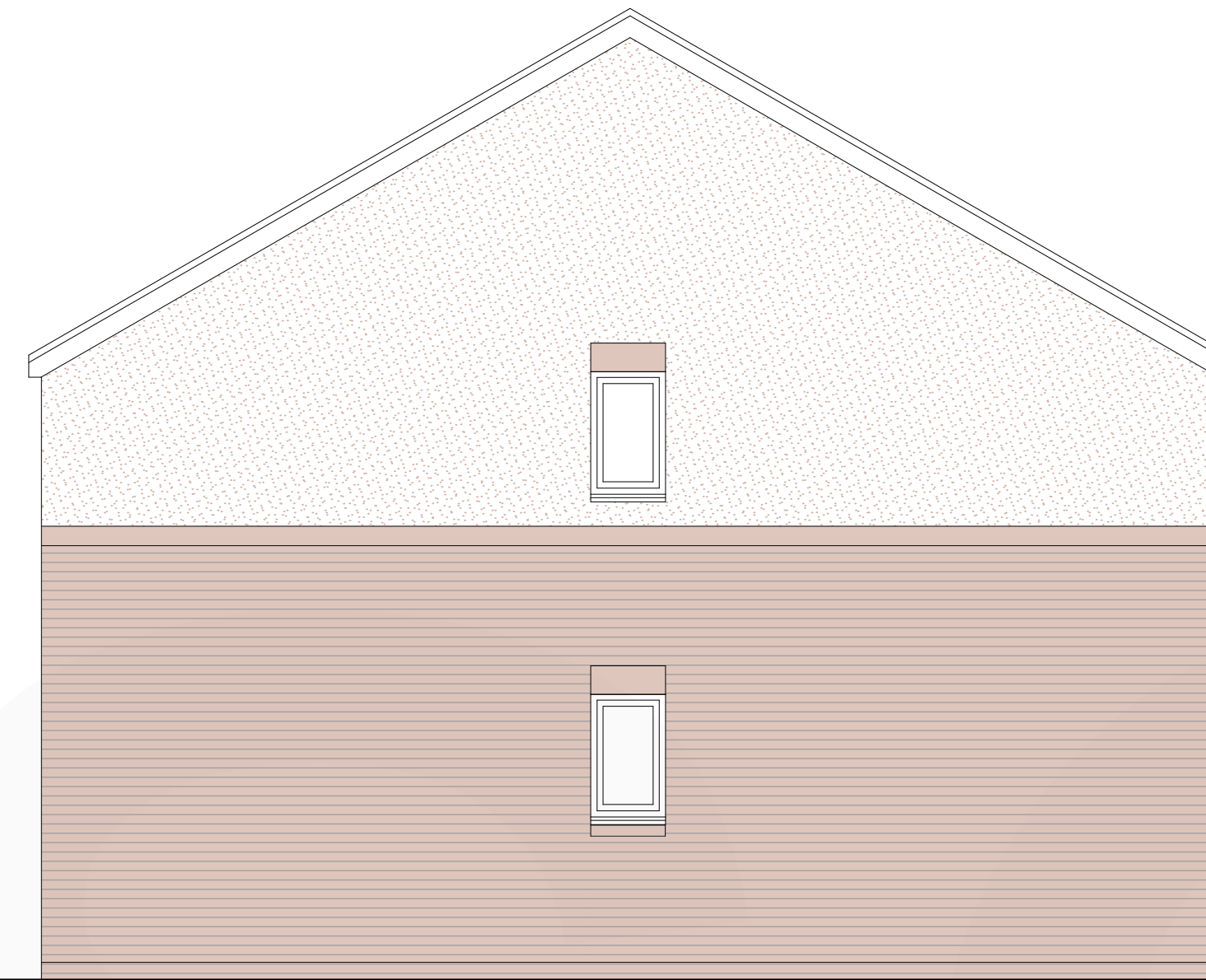
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Client. Gower Homes Ltd.		
Drawing Title. <b>Cricciech Proposed Elevations</b>		
Project No. <b>BA2090</b>	Drawing No. <b>PL-038</b>	Revision. <b>A</b>



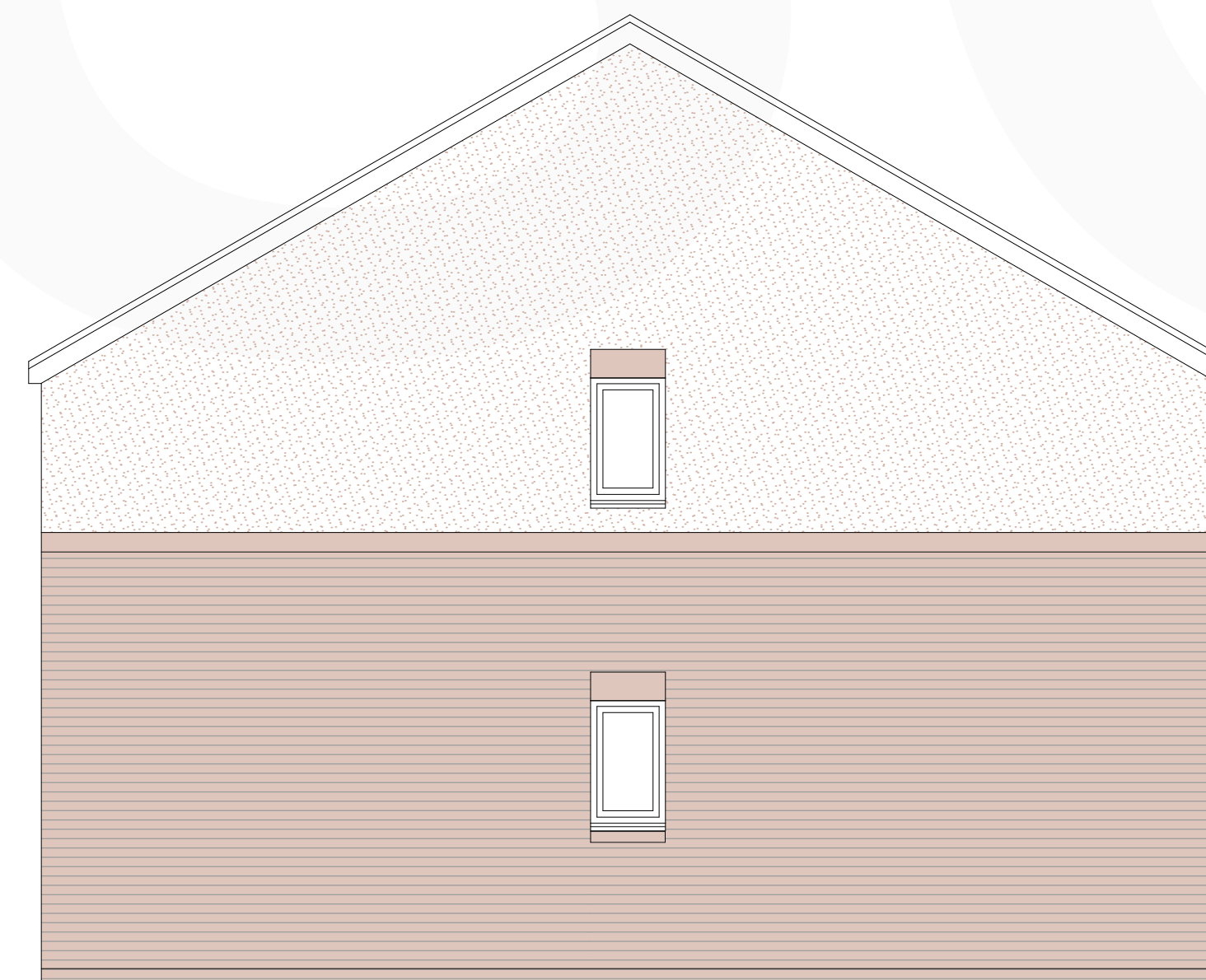
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

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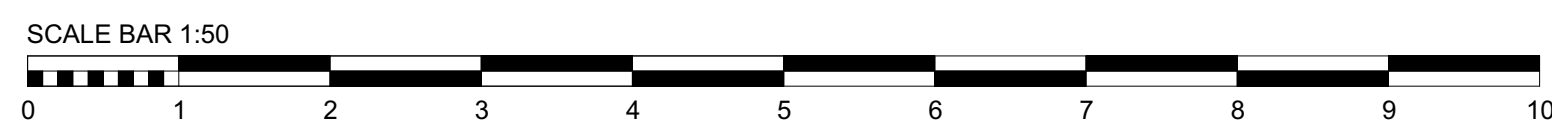
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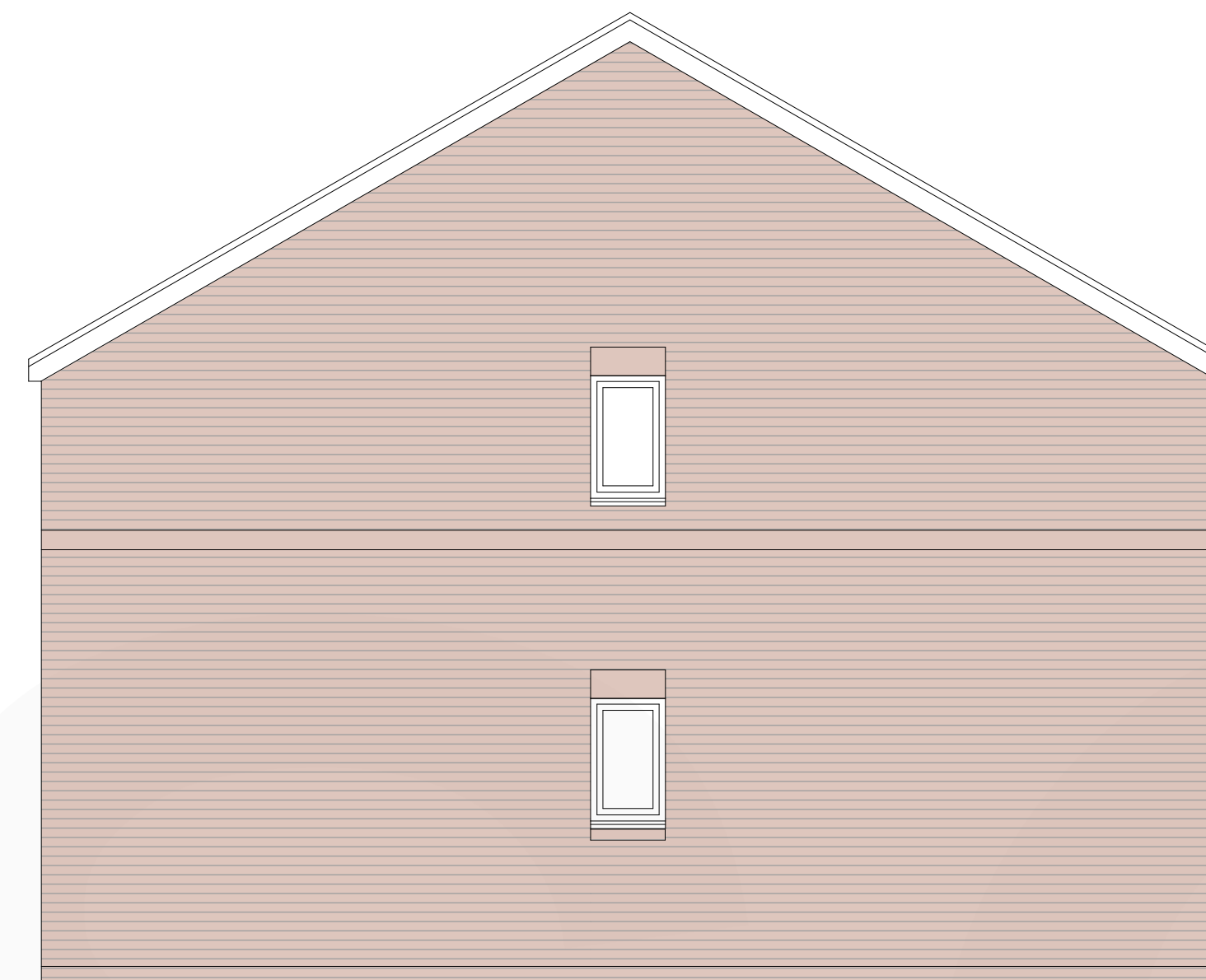
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Project No. BA2090	Drawing No. PL-036	Revision. A

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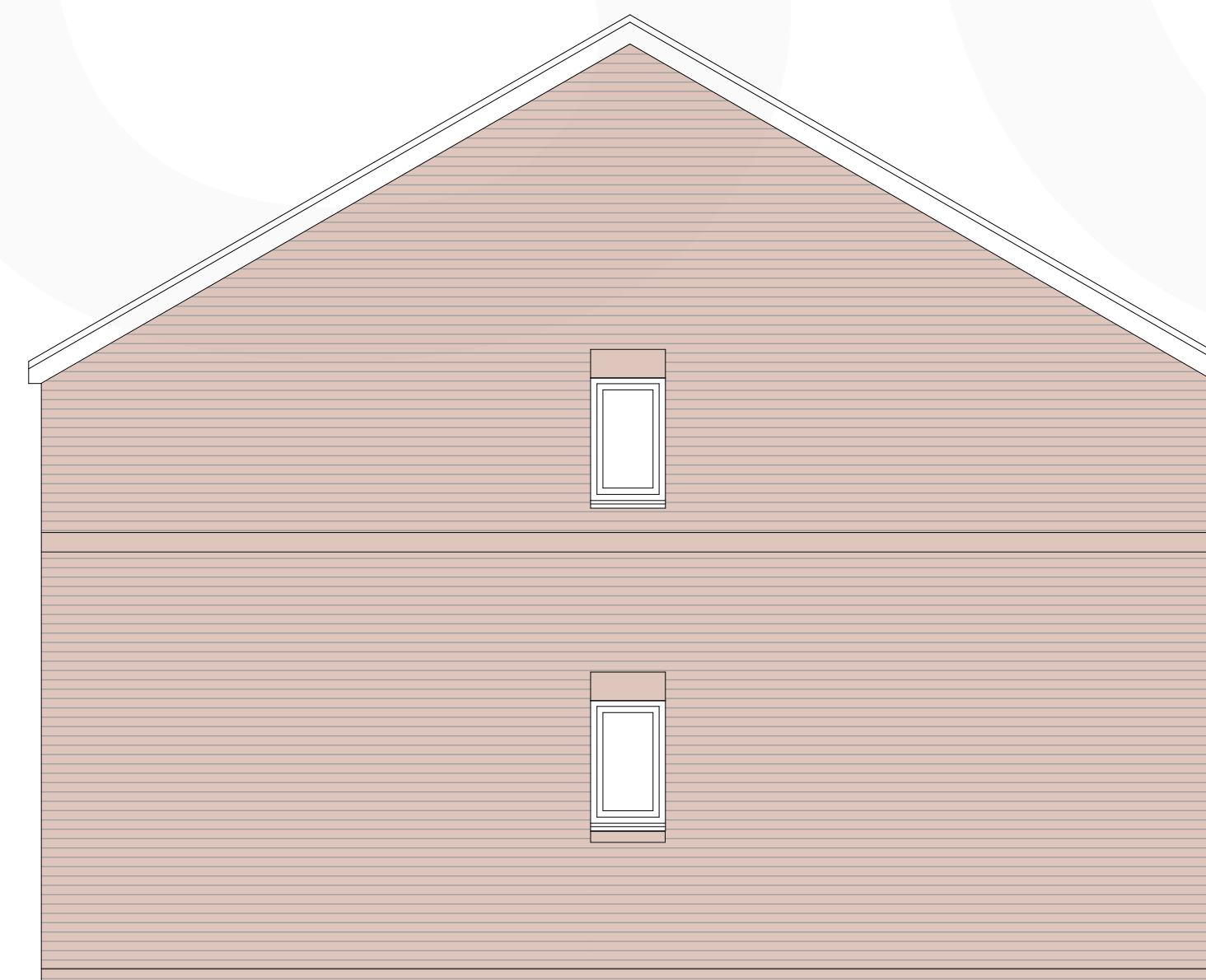
Front Elevation



Side Elevation

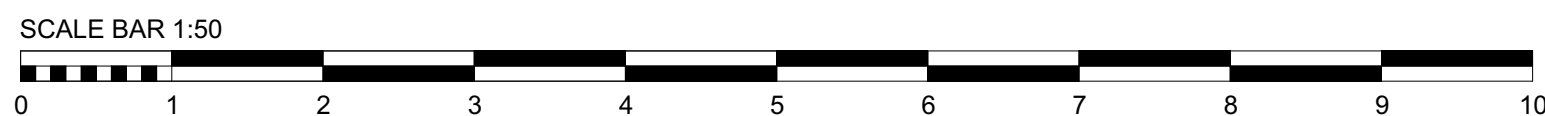


Rear Elevation



Side Elevation

Page 78



Rev No.	Date	Rev.	By.	Chk.
A	23.03.20	Windows added to side elevation to match floor plans	BGE	JW

**PLANNING**

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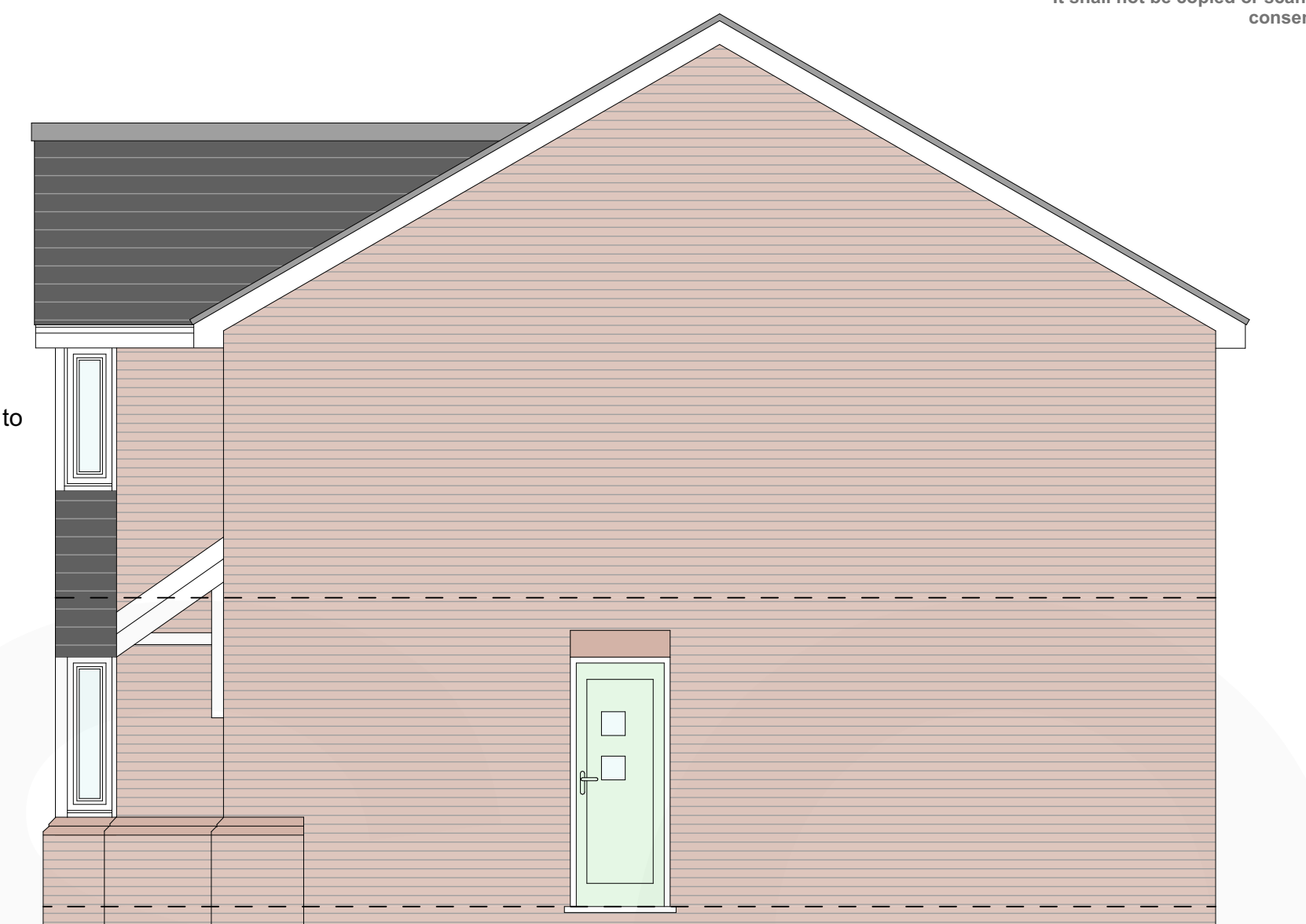


Project Title.	Plas Aney, Mold		
Client.	Gower Homes Ltd.		
Drawing Title.	Ewloe Proposed Elevations		
Project No.	Drawing No.	Revision.	
BA2090	PL-031	A	

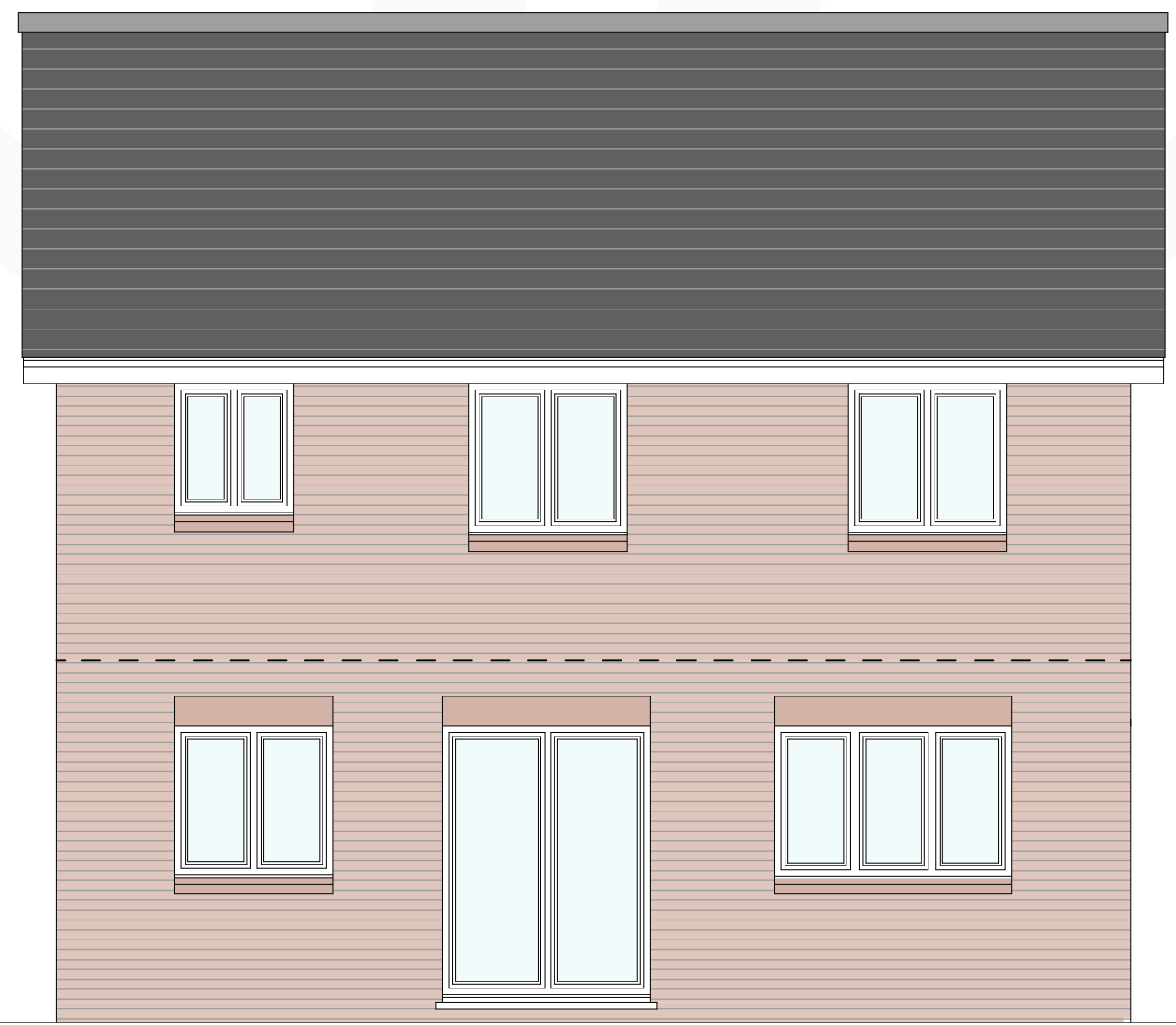




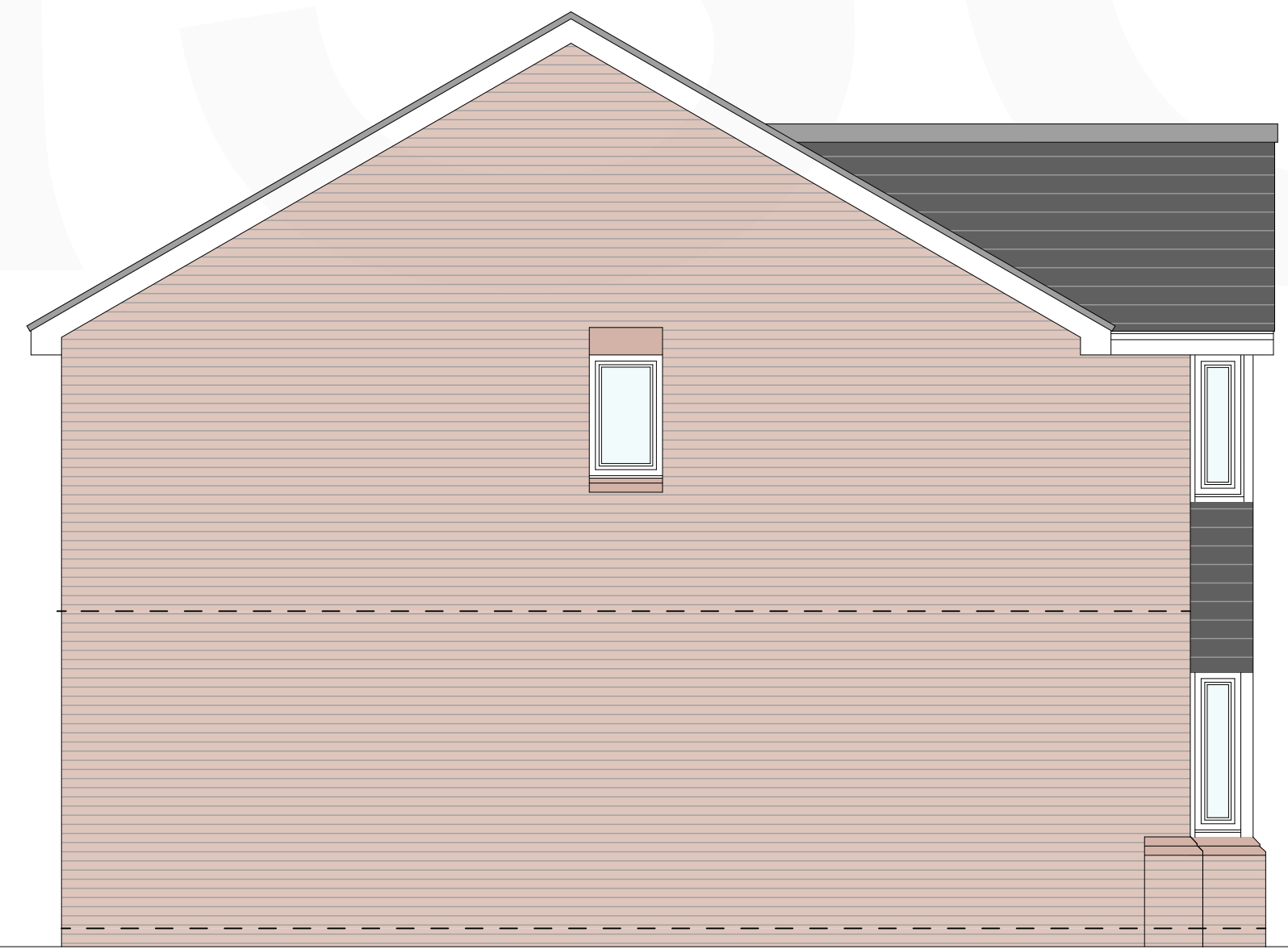
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

**HARLECH HOUSE TYPE**  
 4 bedroom detached dwelling  
 GIA = 124sqm / 1335sqft

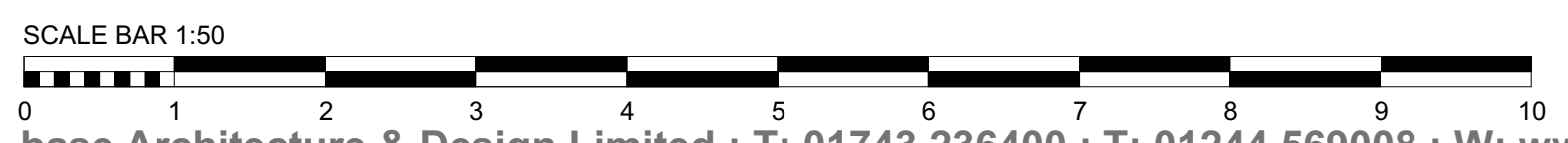
Rev No.	Date	Rev.	By.	Chk.

**PLANNING**

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1:50@A2	Jul 2019	JS	AO



Project Title. Plas Aney, Mold		
Client. Gower Homes Ltd.		
Drawing Title. Harlech No Garage Elevations		
Project No. BA2090	Drawing No. PL-048	Revision. -





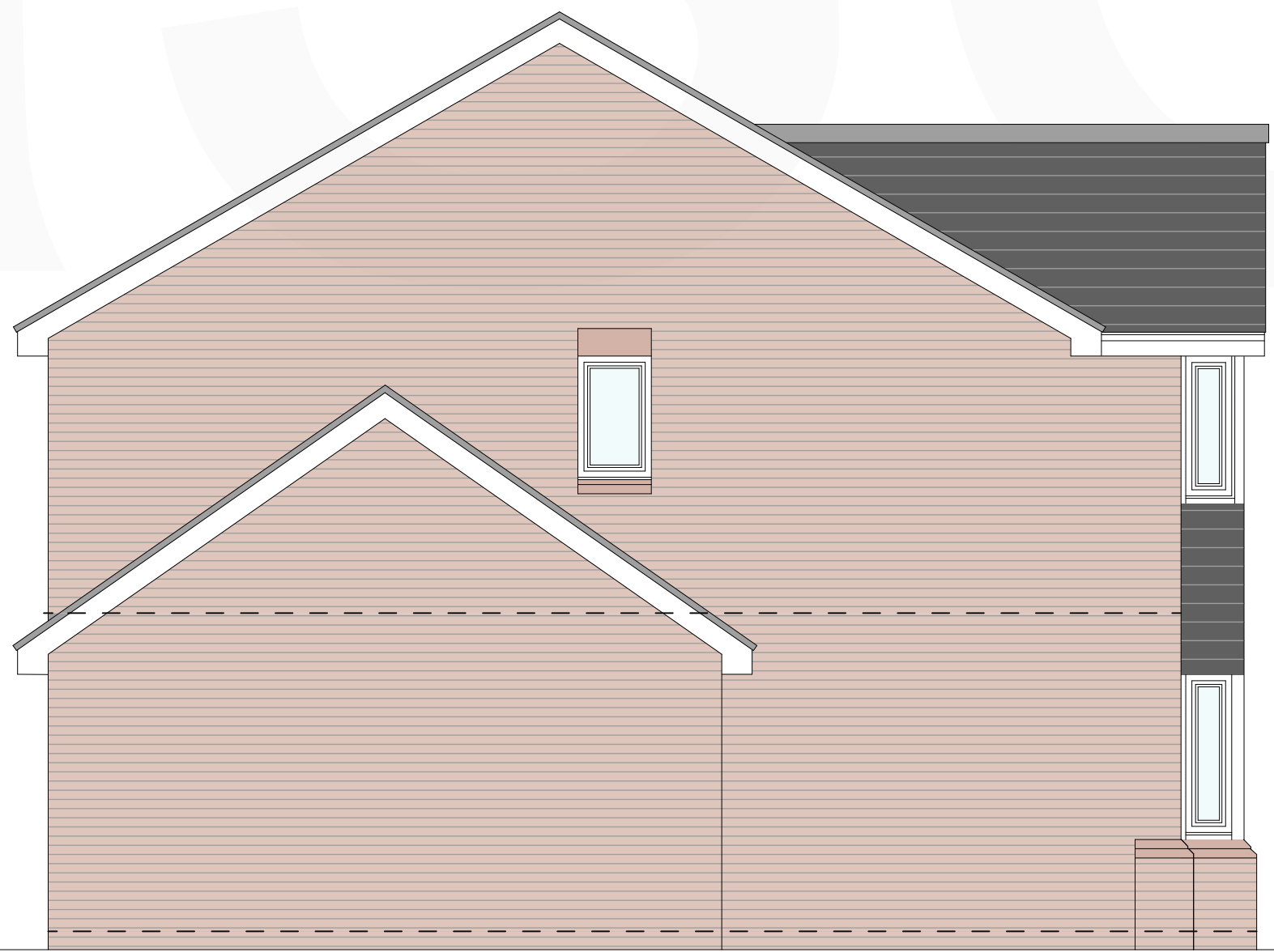
Front Elevation

Side Elevation

Page 80



Rear Elevation



Side Elevation

**HARLECH HOUSE TYPE**  
 4 bedroom detached dwelling  
 GIA = 124sqm / 1335sqft

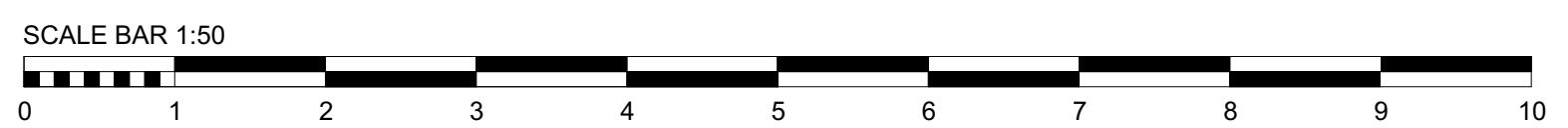
Rev No.	Date	Rev.	By.	Chk.
A	23.03.20	Bay window added to side elevations. Rear garage door added.	BGE	JW

**PLANNING**

Scale.	Date.	Drawn by.	Chk.
1:50@A2	Jul 2019	JS	AO

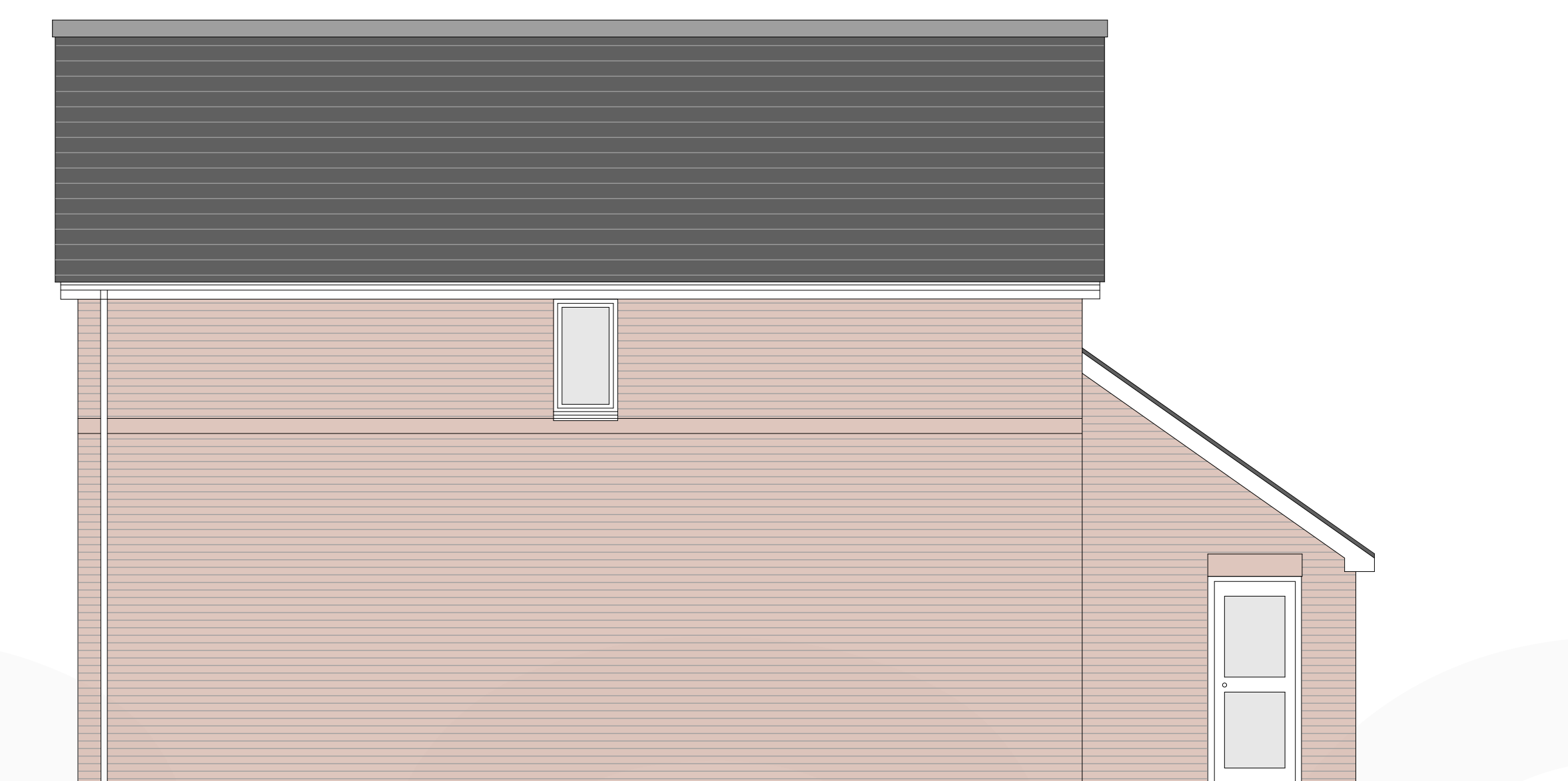


Project Title. Plas Aney, Mold		
Client. Gower Homes Ltd.		
Drawing Title. Harlech Proposed Elevations		
Project No. BA2090	Drawing No. PL-019	Revision. A

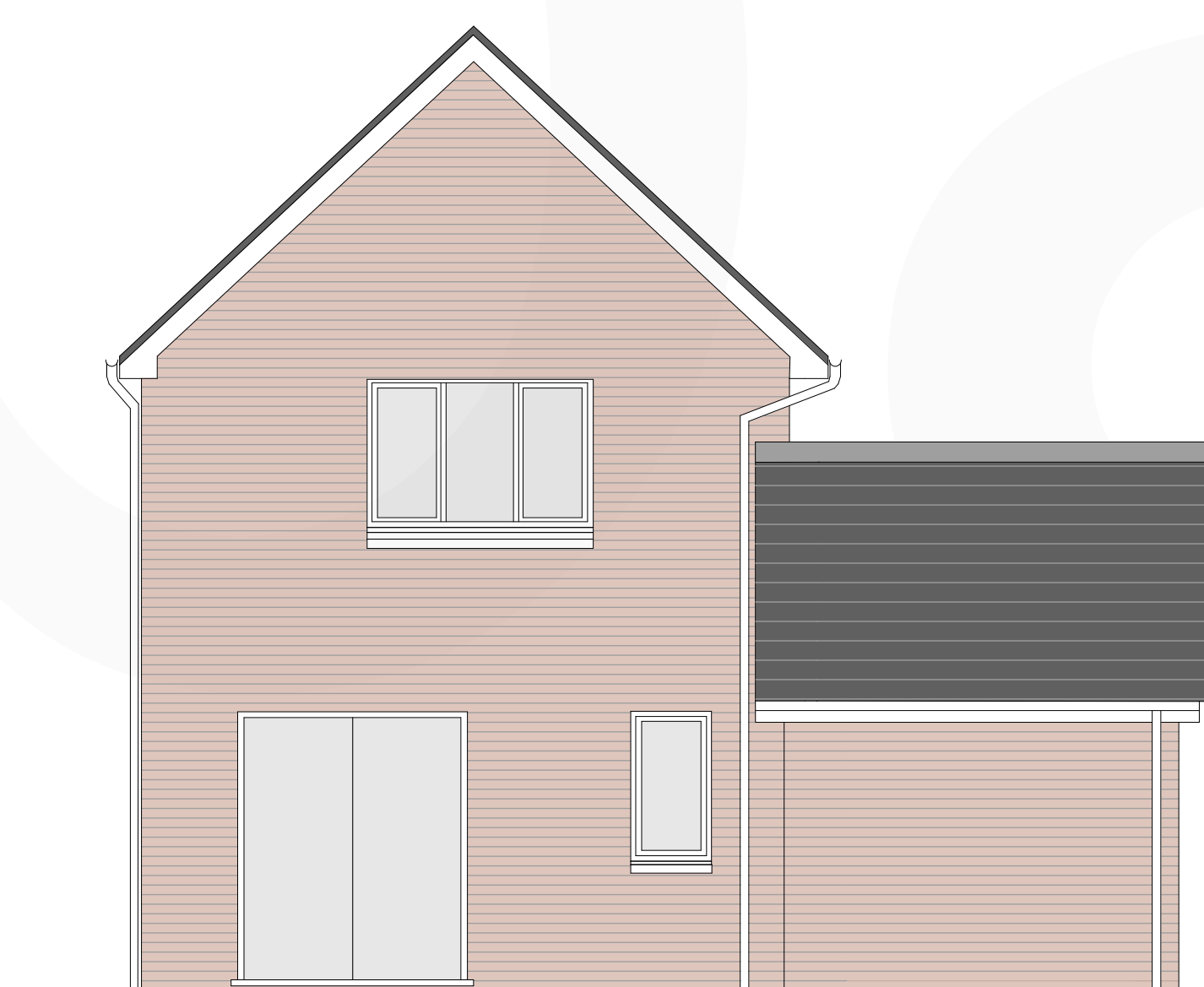




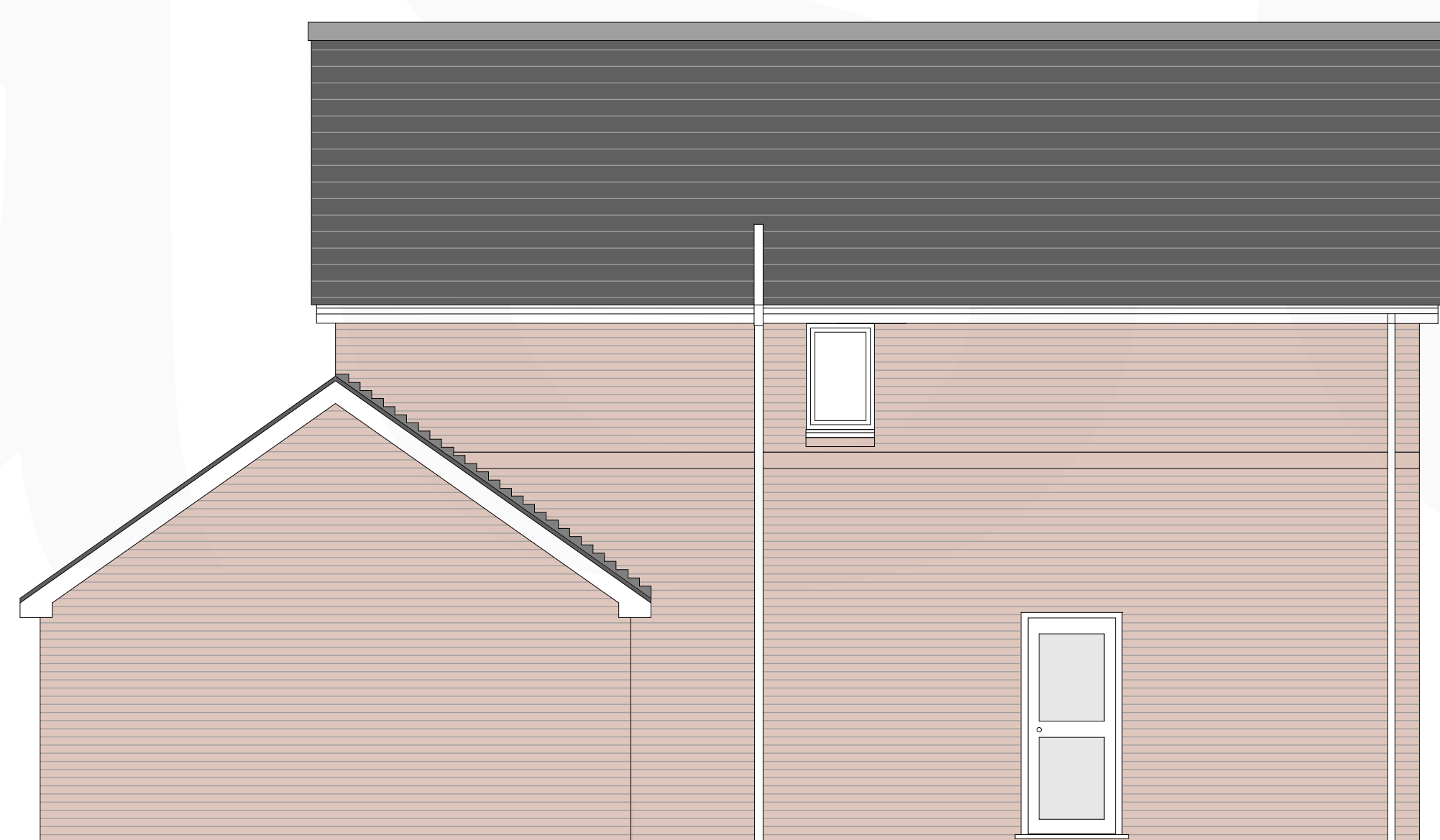
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Rev No.	Date	Rev.	By.	Chk.
A	23.03.20	Garage door added.	BGE	JW

PLANNING

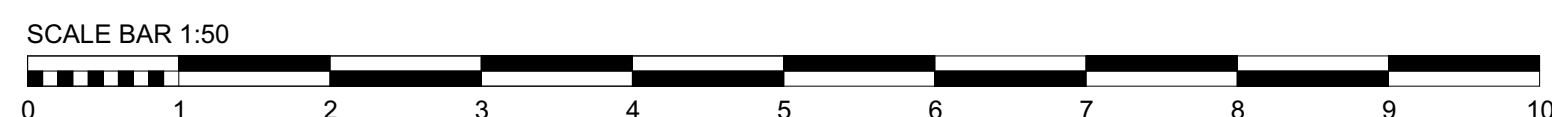
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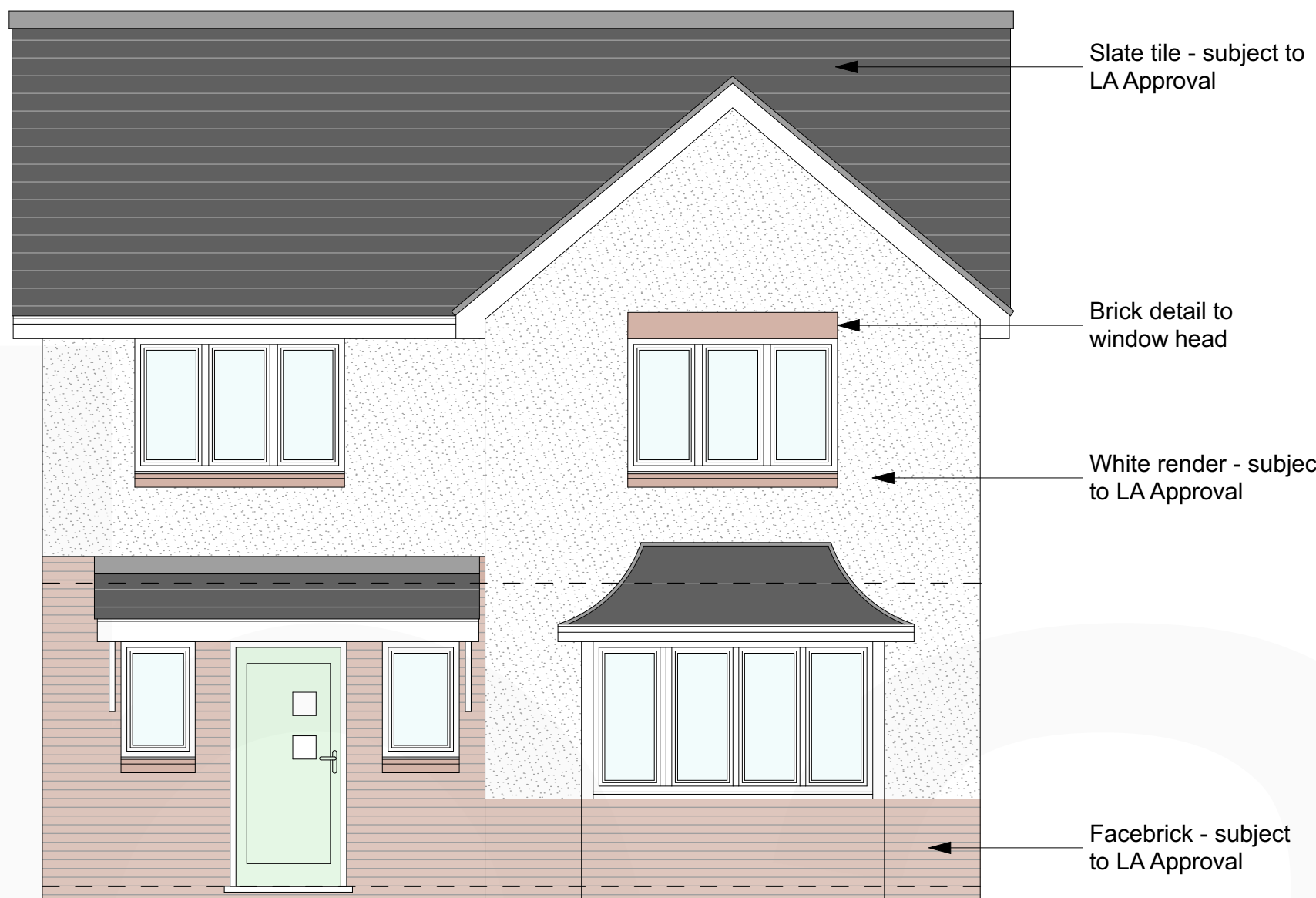


Project Title.	Plas Aney, Mold		
Client.	Gower Homes Ltd.		
Drawing Title.	Hawarden Proposed Elevations		
Project No.	Drawing No.	Revision.	
BA2090	PL-033	A	

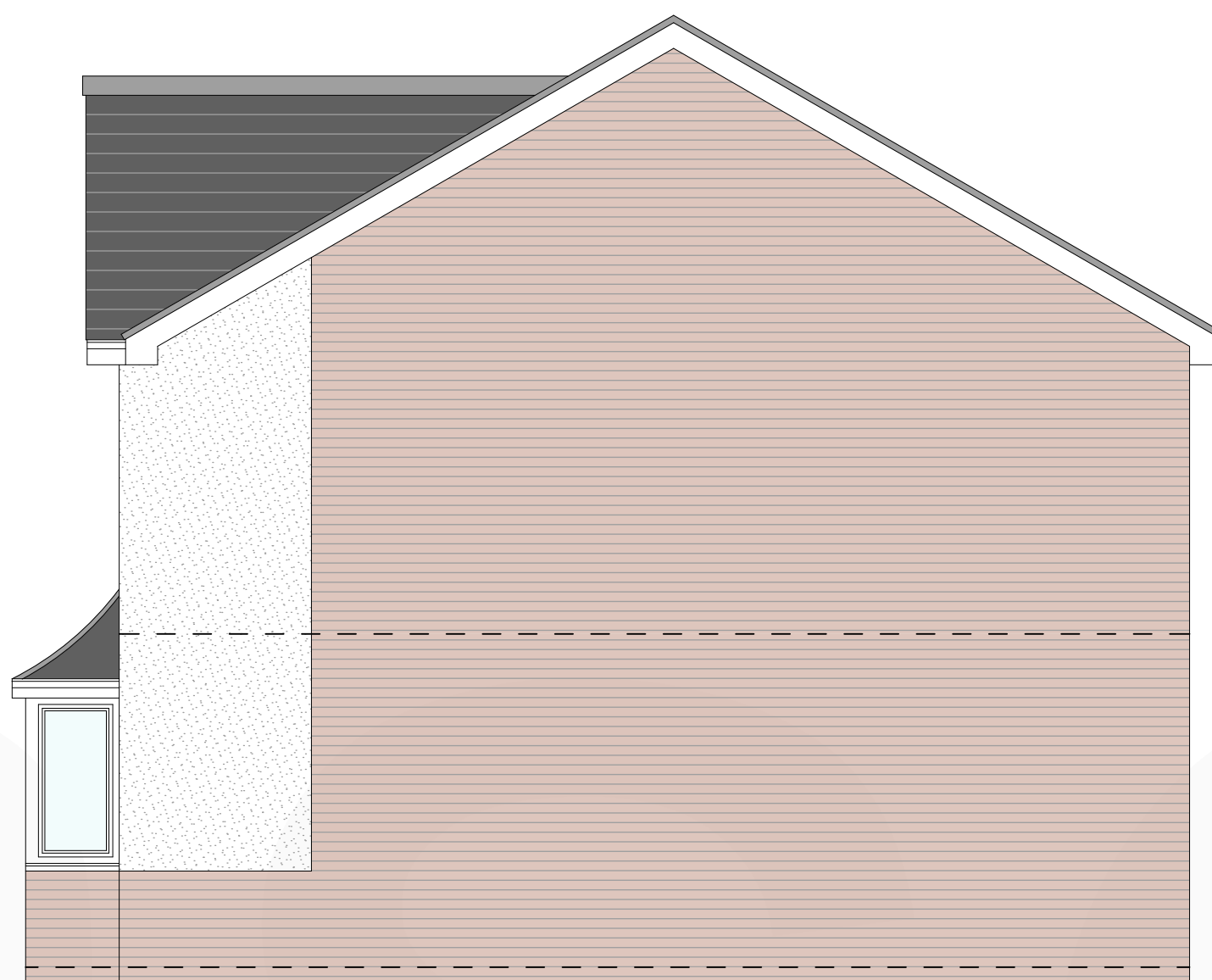
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HAWARDEN HOUSE TYPE  
 3 bedroom detached dwelling  
 GIA = 84sqm / 904sqft

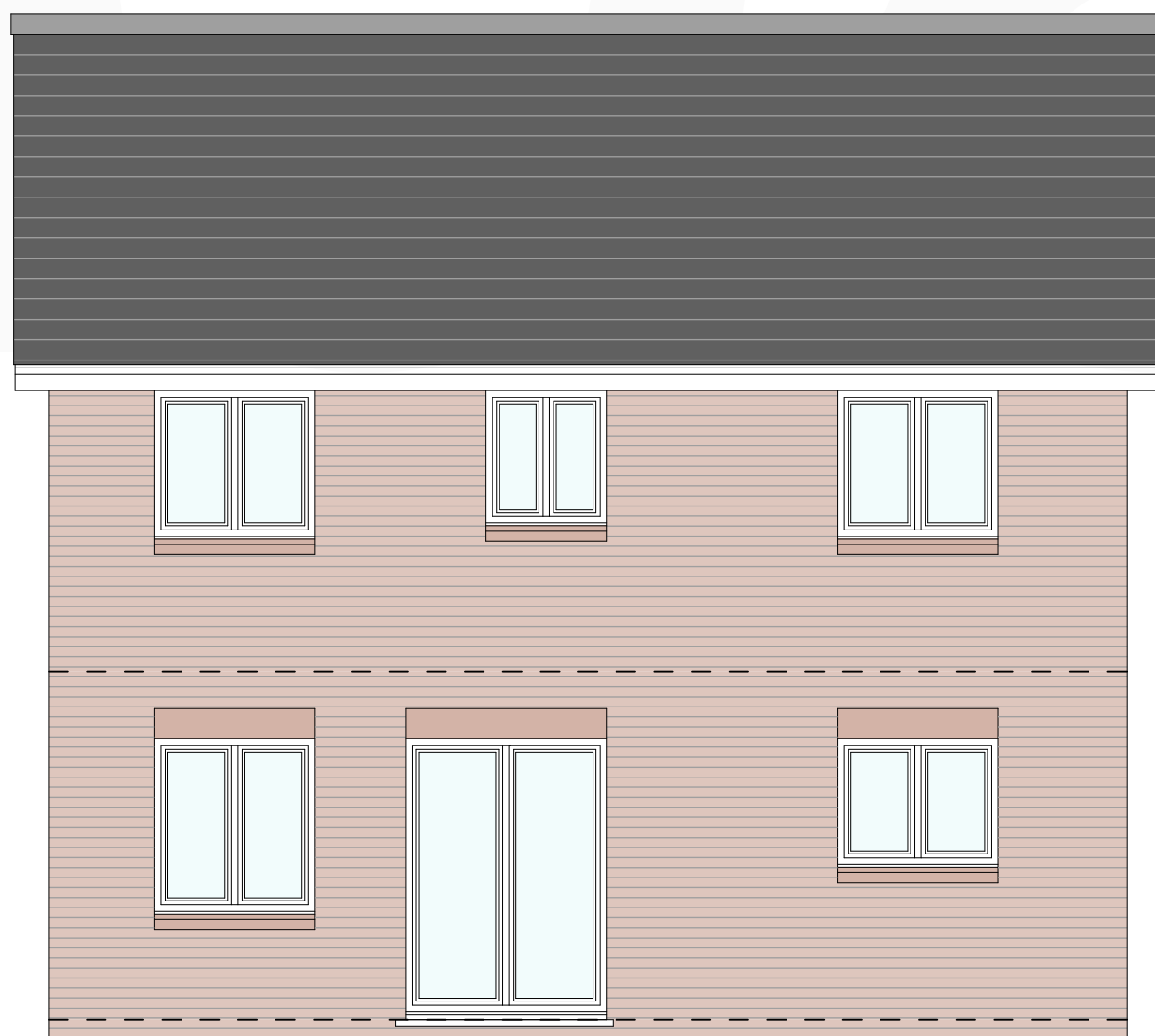




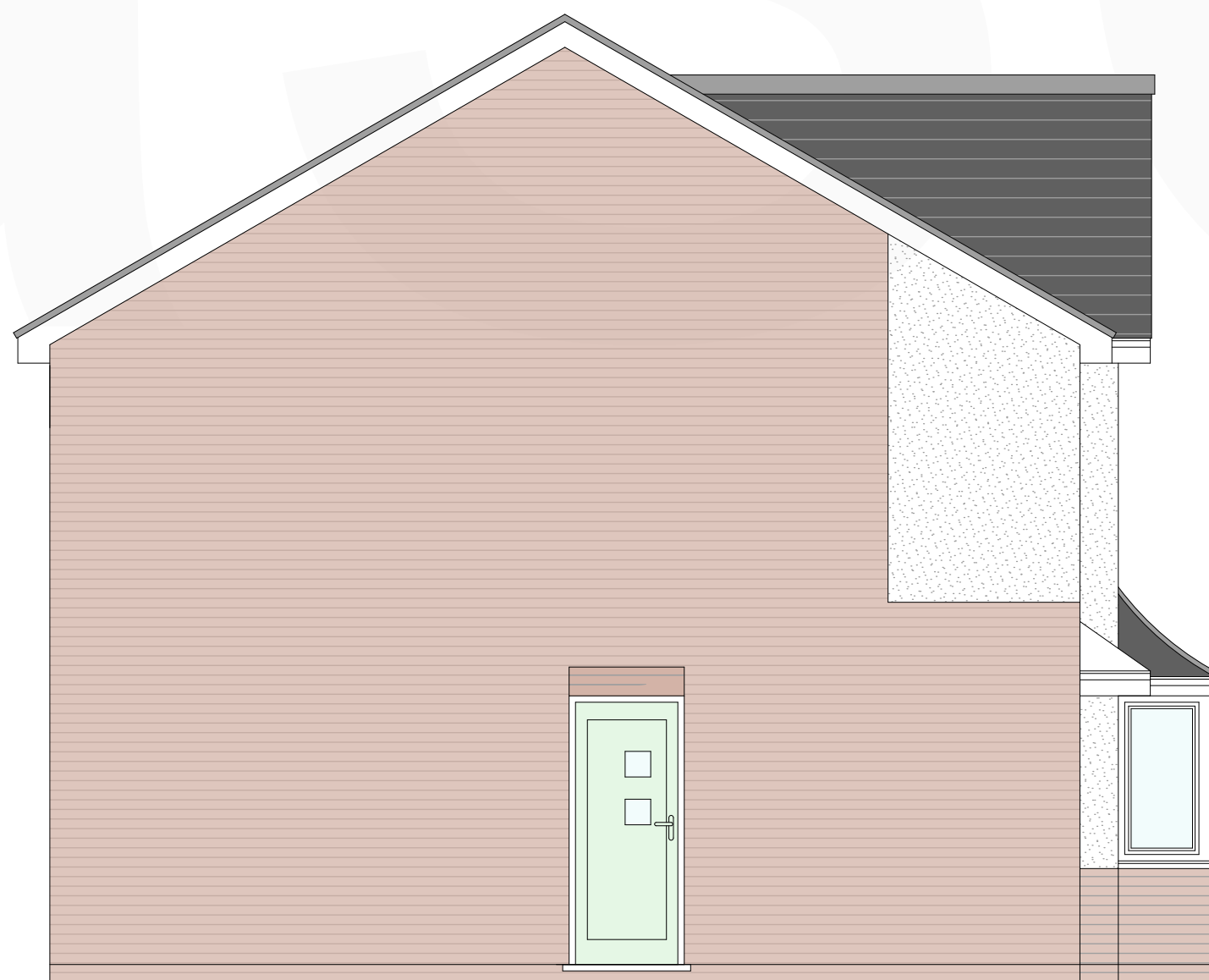
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Page 82

**RHUDDLAN HOUSE TYPE**  
 4 bedroom detached dwelling  
 GIA = 113sqm / 1217sqft

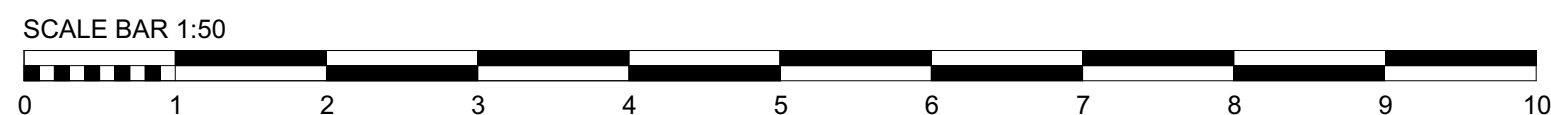
Rev No.	Date	Rev.	By.	Chk.

**PLANNING**

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1:50@A2	Jul 2019	JS	AO



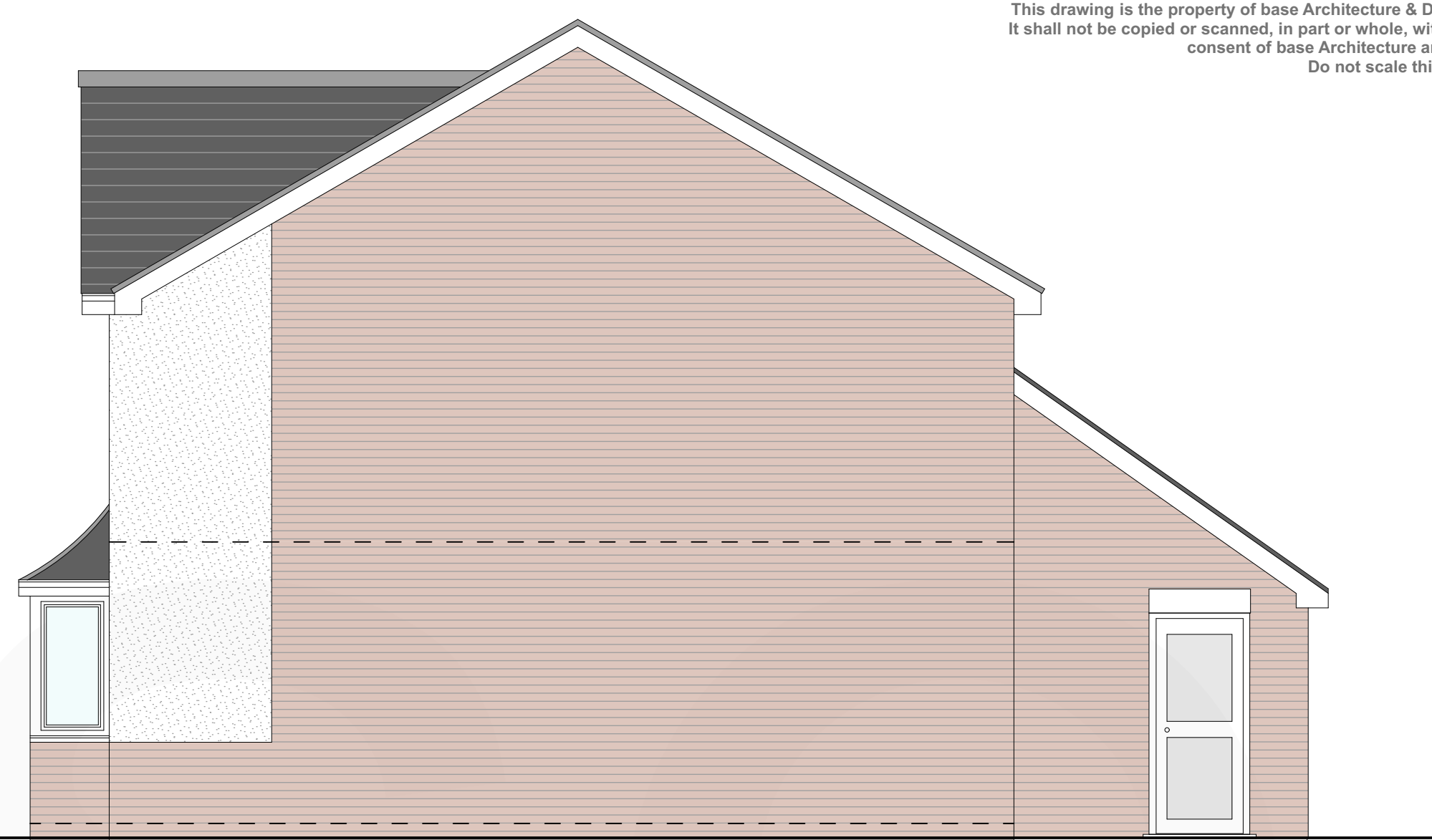
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Client. Gower Homes Ltd.		
Drawing Title. <b>Rhuddlan No Garage Elevations</b>		
Project No. <b>BA2090</b>	Drawing No. <b>PL-046</b>	Revision. -





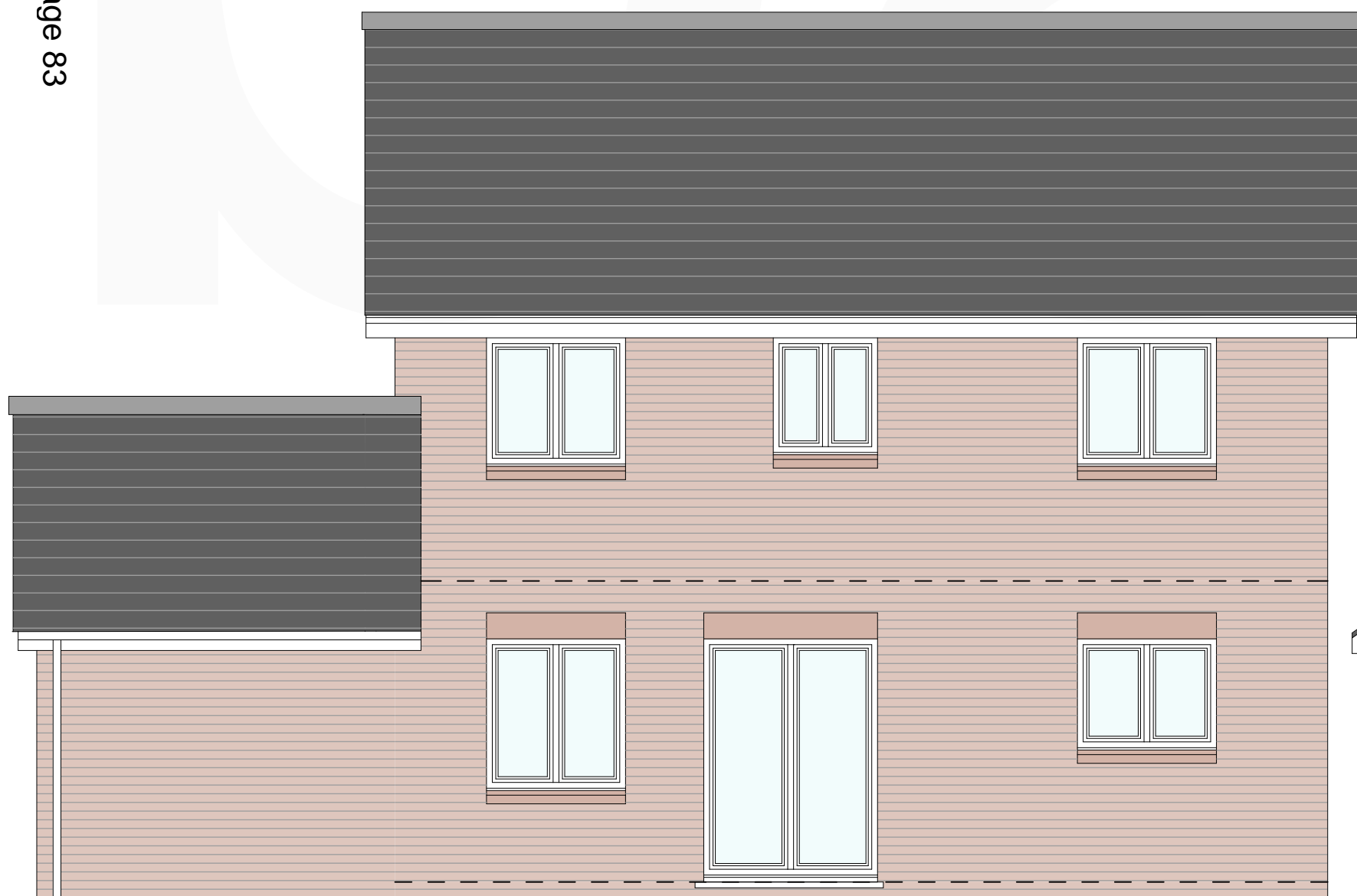


Front Elevation

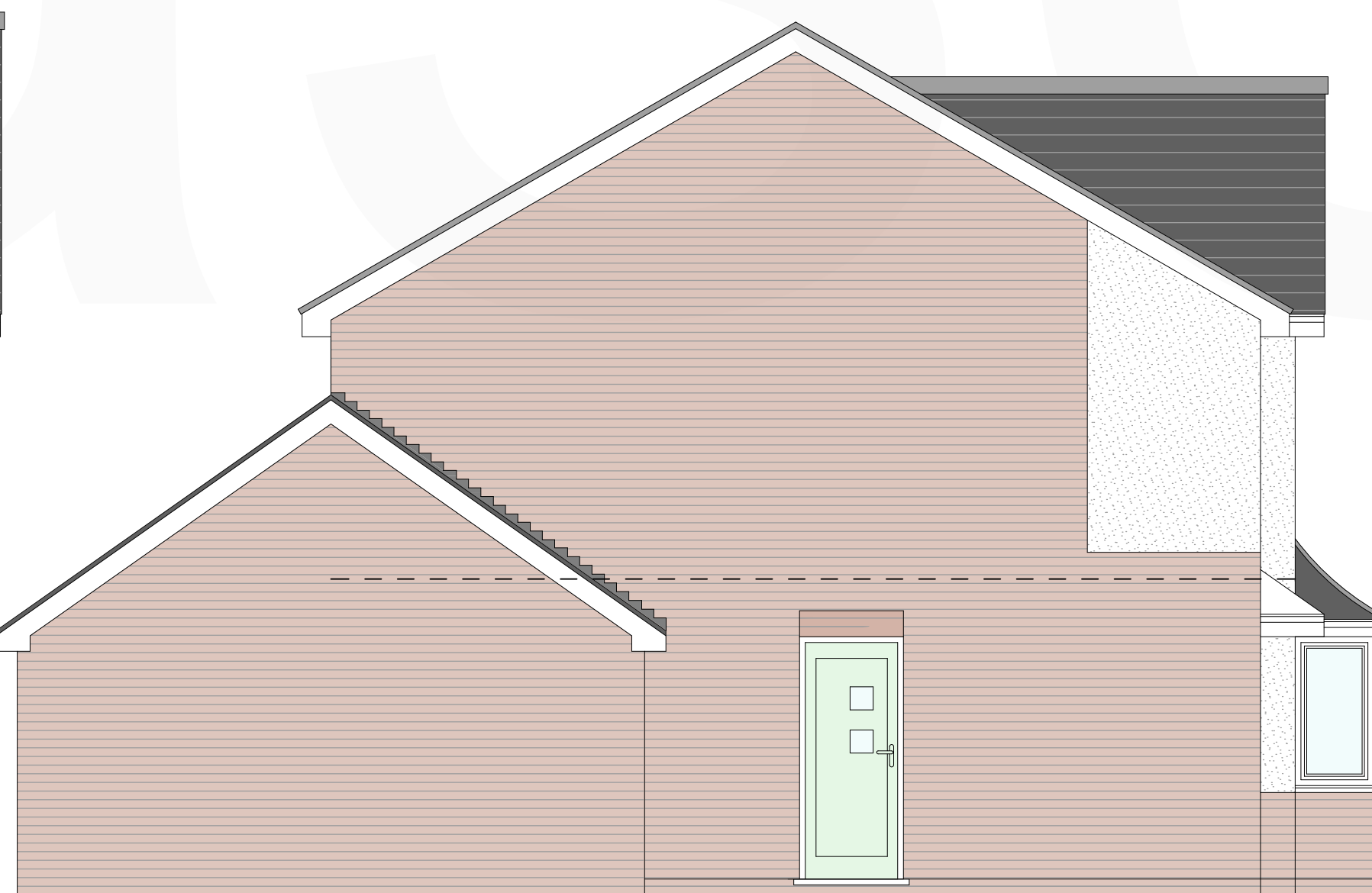


Side Elevation

Page 83



Rear Elevation



Side Elevation

**RHUDDLAN HOUSE TYPE**  
 4 bedroom detached dwelling  
 GIA = 113sqm / 1217sqft

Rev No.	Date	Rev.	By	Chk.
A	23.03.20	Garage added to elevations	BGE	JW

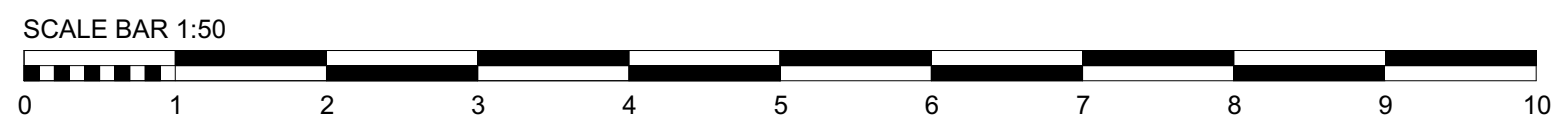
**PLANNING**

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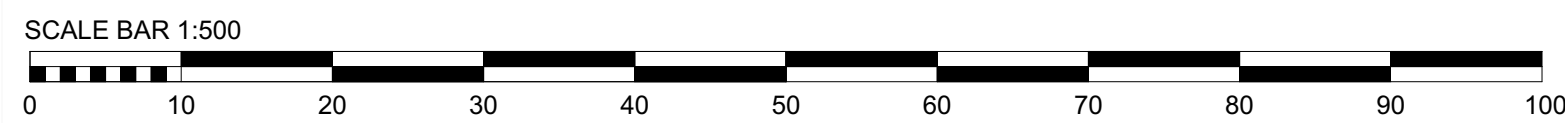
Project Title	Plas Aney, Mold		
Client	Gower Homes Ltd.		
Drawing Title	Rhuddlan Proposed Elevations		
Project No.	Drawing No.	Revision.	
BA2090	PL-017	A	

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ELEVATION 01 - Proposed Street scene from Ruthan Road



Rev No.	Date	Rev.	By.	Chk.
A	29.01.2020	Amended in line with updated masterplan	JS	AO

**PLANNING**

Scale.	1:200@A1	Date.	23.07.19	Drawn by.	Chk.
				JS	BE



Project Title.	LAND AT MOLD		
Client.	GOWER HOMES LTD.		
Drawing Title.	INDICATIVE SITE LAYOUT PLAN		
Project No.	BA2090	Drawing No.	PL-034
		Revision.	-













## Statement from Local Ward Member

Ward:- Mold South

Planning application No. :- 061154

Address of proposed development:- Land opposite Plas Aney, Ruithin Road, Mold

As the County Councillor representing Mold South and on behalf of the residents of Mold South I write this submission to strongly object to the above planning proposals for the following reasons:-

### 1. Location of the proposed development

This development is proposed on an area which is designated as a Green Barrier. The purpose of this designation is to prevent coalesce of Mold and Gwernymynydd. The status of the Green Barrier has recently been reviewed in the Local Development Plan and considered to be essential to be maintained. Access onto this area is from Ruithin road with poor sight lines in an area where a previous development on the opposite side of Ruithin road was refused an access point for safety reasons.

### 2. Other developments in Mold

An extensive survey has been carried out in and around the town of Mold and areas have been identified for the future development in Mold, by the soon to be adopted, Local Development Plan. This area was considered and rejected in this full and extensive process. Adequate development areas have been identified within the boundaries of the town of Mold to provide sufficient houses for the foreseeable future all these proposed development areas are in more suitable locations than these proposals.

### 3. Flood risk

Existing housing adjacent to this proposed development have been subject to flooding problems. This development, if approved, will exacerbate this problem and could cause more future problems.

### 4. Surface water discharge

The plans submitted show that the surface water, although slightly attenuated, will be discharged into the existing surface water main in Ruithin Road. This sewer has already failed in the past to contain storm surges with manhole covers in Ruithin road being blown onto the road by the excessive flows in the sewer. These proposals will only add to these problems. This site should fully deal with all surface water on site and not discharge any rainwater off the confines of the proposed site.

### 5. Existing services in the area

Services which include doctors surgeries, dentists and schools are currently full (some of the local schools do have some vacancies but not sufficient to take all the potential children from this development). It is

already difficult to see a doctor in Mold and this development does not provide any help in this already unsatisfactory situation.

I hope the Planning Committee will carefully consider all the points raised above and reject this planning application.

## **Statement of from Local Resident**

This proposed development seems inappropriate and unnecessary on a beautiful piece of green rim land which effectively forms the last field separating the Mold conurbation from Gwernymynydd.

In this part of Mold over the past few years we have been inundated with new housing from two Stuart Milne developments and the massive Mears Construction development currently underway.

Of particular concern is the ability of local GP surgeries to cope with this extra demand when it is already very difficult to obtain a timely appointment. Also, how will local schools be able to cope with this extra workload?

If this extra housing is deemed necessary, there seem to be a number of brownfield sites in and around Mold which could be utilised rather than destroying the character of our market town.

## Statement from Local Resident

The development in Mold will deliver a range of homes to suit local needs, including 26 affordable properties. There is a great demand for housing in the area of Mold especially affordable housing which at this time the pandemic has proved to be more important than ever. It is our duty to ease this demand the development would help fill a large gap.

But in a setting with other homes well designed and to suit all, situated close to the town which will bring income to the town centre without the need for cars to be used.

There is a demand for housing that supports vulnerable people

Gower Homes has agreed to provide six Flats in one building to Cornerstone Flintshire in partnership with a housing association and a care provider for exclusive use of the charity.

Cornerstone Flintshire is a community supporting people with and without learning disability.

We have six adults with learning disability who have expressed a wish to live together and support each other.

They work and socialise in Mold area and need the continuity. Their social life is important to their wellbeing. The Gower plans encompass their needs including access to the town and each other along with their friends.

During this Pandemic many adults with learning disability have been isolated in flats own their own with little or no support.

This would not be the case in the Gower home of six flats where support would be provided for all six adults.



## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **30th SEPTEMBER 2020**

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

**SUBJECT:** **OUTLINE ERECTION OF NEW DWELLING**

**APPLICATION NUMBER:** **061429**

**APPLICANT:** **Mr HAMPSON**

**SITE:** **2 WOOD GREEN , MOLD**

**APPLICATION VALID DATE:** **08.07.20**

**LOCAL MEMBERS:** **COUNCILLOR C BITHELL**

**TOWN/COMMUNITY COUNCIL:** **MOLD TOWN COUNCIL**

**REASON FOR COMMITTEE:** **COUNCILLOR REQUEST ,CONERN OVER SIZE AND ORINETATION OF DWELLING, CREATION OF NEW DWELLING , LOCATION OF SITE TO GREEN BARRIER LAND TO REAR.**

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

### **1.00 SUMMARY**

- 1.01 This application, submitted in Outline with all matters except access Reserved for future determination, seeks permission for the erection of a new dwelling and creation of new shared access derived from Wood Green. Whilst the application provides the upper and lower parameters of scale, Members are reminded that layouts details provided are indicative only, other than in respect of the access and no weight is attached to the layout at this stage.

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

2.01 Conditions

1. Time limit for commencement
2. Submission of Reserved Matters within three years of date of permission of outline consent
3. In accordance with the approved plans
4. No surface or land drainage to connect to public sewerage system unless agreed
5. Prior to commencement details of the drainage scheme for the site shall be submitted and approved in writing
6. Existing and proposed site levels

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor C Bithell

Requested referral of the application to planning committee for determination as he has concerns over the design of the proposal. Considers that as the adjacent estate comprises of bungalows, any new development should be a bungalow. Concerns have been raised with regards to the scale and orientation of the dwelling on the plot and in relation to other dwellings. The creation of the shared access to serve the existing and proposed development is also of concern.

Councillor Bithell notes that the land to the rear of the application site is green barrier, currently outside the settlement boundary of Mold.

Mold Town Council

Objects to the proposal on the following grounds :

- Potential danger on highway grounds with poor access and egress to the site;
- The sites close proximity to an archaeological sensitive site; and
- Proposal is considered to be back land development, as its not in accordance with the building line and would set a precedent for similar applications in the vicinity.

Highways Development Control

No objection

Community and Business Protection

No adverse comments

Welsh Water/Dwr Cymru

Advises that the site is crossed by sewer. Recommends any permission is conditioned to prevent surface water / land drainage water connection to sewer. Also requires the imposition of a condition requiring a

drainage scheme to be submitted to and agreed in writing by the Local Planning Authority .

Natural Resources Wales

No objection

Airbus

Proposal does not conflict with aerodrome safeguarding criteria, and therefore they have no objection to proposal.

SP Energy

No objections to proposal.

**4.00 PUBLICITY**

4.01 The application was publicised via the issuing of Neighbour Notification letters. At the time of writing this report, 9No. letters have been received raising objections on the following grounds:

- Building not in keeping with area, as all bungalows, any development should be bungalow .
- Location of proposal inappropriate
- Adverse impact upon value of properties
- Impact upon privacy and overlooking of gardens
- Sewer already at capacity and problems with it already
- Site close to the Golden Cape find and burial area of British Prince
- Area known to flood
- Access on to narrow / tight corner dangerous to pedestrians and emergency traffic
- Additional traffic would be dangerous
- No public notification on application
- Not in accordance with a development plan
- No demand for dwelling
- 2 Mature trees on site
- Impact upon wildlife

**5.00 SITE HISTORY**

5.01 No previous planning history.

**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, Location and Layout  
Policy HSG3 - Housing on Unallocated Sites Within Settlement

Boundaries  
Policy AC18 - Parking Provision and New Development  
Policy EWP17 – Flood Risk

Supplementary Planning Guidance Note No2 Space Around Dwellings

**7.00 PLANNING APPRAISAL**

**7.01 The site & surroundings**

The application site comprises some 0.068 hectares of garden area situated to the rear of 2 Wood Green, an existing detached single storey dwelling. The site is comparatively flat across both axis and is presently laid to grass. The site is bounded by existing hedgerows to the sides with 2 No. mature trees within the western boundary of the site. The rear boundary of the site is formed by a low picket style wooden fence. The boundary with the rear of the existing dwelling is unmarked. The land to the rear of the application site forms part of the Green Barrier designated under Policy GEN4 (11) - Mold - Mynydd Isa/Sychdyn/New Brighton. The site itself is not within the Green Barrier.

**7.02 The proposal**

The application proposes one detached dwelling, served via a new access to be created alongside the existing access which presently serves No.2 Wood Green. The application is submitted in outline with only access to be considered at this stage. The application has been supported by parameter of scale only as no floor plans or elevational details are required to be submitted at this stage. The application is accompanied by an indicative site layout plan.

**7.03 The Main Issues**

The main issues in the consideration of this proposal are;

- The principle of the development;
- Access and highway safety;
- Drainage and flood risk;
- Character and Appearance;
- Trees and ecology; and
- Archaeological impacts

**7.04 Principle of Development**

This outline application, with some matters reserved, seeks consent for the erection of one detached dwelling. The application site is set within the settlement boundary of Mold, a category A settlement. The adjoining land comprises of established residential development, predominantly of a bungalow design. Policies STR1, GEN1 and GEN2 guide development such as this to such locations.

7.05 Policy HSG3 of the Flintshire Unitary Development Plan , is permissive of development on unallocated housing sites within settlement boundaries with in category A Settlements, providing that the proposal does not lead to significant impact upon amenity , highway safety , and

does not lead to back land or tandem development. These matters will, where relevant to the consideration of this application, be examined within the body of the appraisal.

7.06 Access and Parking Provision

Matters of access have not be reserved for subsequent determination and thus, fall to be considered in details at this stage of the application process. The proposals provide for the creation of a separate access driveway to serve the proposed dwelling, with the existing driveway access retained adjacent to this. The scheme proposes that each property will utilise the existing point of access with Wood Green.

7.07 Highways Development Control colleagues have assessed the application and, despite concerns being received with regards to these matters, there is no objection raised to the proposal in terms of either the form and position of the access nor the proposed parking arrangements at the existing premises. Accordingly, I consider that the proposals would satisfy the requirements of Policies GEN1 and AC18 in this regard.

7.08 Drainage and flood risk

The site is proposed to link in to the existing mains drainage facilities for both foul and surface water. Dwr Cymru/Welsh Water have not raised any objection to the proposals on drainage grounds. They have confirmed the presence of a public sewer crossing the site, which will be safeguarded by condition requiring the confirmation of its precise position before the commencement of any works upon site.

7.09 Reference to the Developer Advice Maps in relation to flood risk establishes that the site is not located within an area identified to be at risk from either surface or fluvial flooding. Accordingly, consultation with NRW in respect of the proposals has established that there is no objection upon flood risk grounds.

7.10 Accordingly the proposals in respect of drainage and flood risk are considered to comply with Policies GEN1 and EWP17 of the Flintshire Unitary Development Plan

7.11 Character and Appearance

As identified previously, the site is presently part of the garden area to an existing single storey dwelling upon street of dwellings of similar design and scale. The application is accompanied by an indicative layout plan, but as advised, given the fact that matters of design, appearance, layout and landscaping are all Reserved Matters, this plan has no weight other than in relation to the details it provides in respect of access.

7.12 The application has provided the required parameters of scale and these indicate proposals for a dwelling of between 14.615m and 15.065m in length; 7.64m and 7.865m in width; and 6.75m and 6.95m



in height. The design and access statement indicates that the accommodation is potentially to be arranged over 2 floors.

- 7.13 Concerns have been raised in relation to the proposed dwelling not being in character with the existing surrounding properties, being bungalows. At this stage, this assessment of acceptability cannot be undertaken as the details of the dwelling are not before us, save an indication of accommodation being across 2 floors. However, in the absence of the detailed design of the dwelling, the acceptability of this in terms of impacts upon the character of the area cannot be undertaken.
- 7.14 Concerns have also been raised in relation to whether a dwelling would give rise to adverse impacts upon adjacent living conditions and loss of privacy. At this stage, it is not possible to assess such an impact as the position of the dwelling upon site is not before us for consideration. Similarly, the internal layout and arrangement of rooms within the building and the arrangement of associated fenestration is not before us for consideration at this stage.
- 7.15 I have considered whether to condition such a dwelling to be single storey. However, such a condition pre-determines the design of the dwelling and precludes a design which may provide accommodation within the roof in such a way as safeguards existing adjacent living conditions. Given that such matters will be available for consideration upon the submission of a Reserved Matters application, I am not convinced that such a conditional limitation at this stage would be appropriate.
- 7.16 A concern has been voiced that the proposal represents backland development. Whilst the proposals would indeed be a form of backland development, that in itself is not a basis for refusal. It should be noted that the existing dwellings on Wood Green are part of a backland development to the rear of the properties fronting Chester Road. Policy HSG3 stipulates that development is acceptable provided (amongst other matters) that it does not result in tandem development. Tandem development is different to backland development in that tandem development occurs where one dwelling is situated to the rear of another and is served by the same access arrangements. These proposals are not tandem development as access driveways are separate. The proposal is backland development but I am satisfied that sufficient space is available to ensure that a suitably designed dwelling would be capable of being accommodated in compliance with the policy guidelines and the advice set out in SPGN 2 : Space Around Dwellings.
- 7.17 Accordingly, and in terms of principle of residential development within this area, I am content that the proposals would satisfy the requirements of Policy STR1 and HSG3.

7.18 Trees & Ecology

The site is enclosed on 2 sides by mature, well established hedgerows, with 2 mature trees within the western boundary. Concerns have been raised that the proposal will adversely affect these existing natural features. As mentioned previously, the site layout is not a matter for consideration. Notwithstanding this however, the trees are upon the boundary of the proposed access and I note that the layout in this regard indicates the tree and hedgerow retained. I am therefore satisfied that then proposals would satisfy the requirements of policy GEN1 in this regard.

7.19 Archaeological Implications

Comments have been received with regard to the archaeological sensitivity of the site. Members should be noted that the site is not the subject of any national or local designation as an archaeologically sensitive site. As such, the site is not required to be the subject of consultation with either Cadw or the Clwyd Powys Archaeological Trust.

8.00 **CONCLUSION**

The proposed development of the site is considered to be compliant with the provisions of the identified Flintshire Unitary Development Plan Policies. The site is located within the settlement boundary of Mold, where there is a presumption in favour of such development. I 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.

8.02 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.

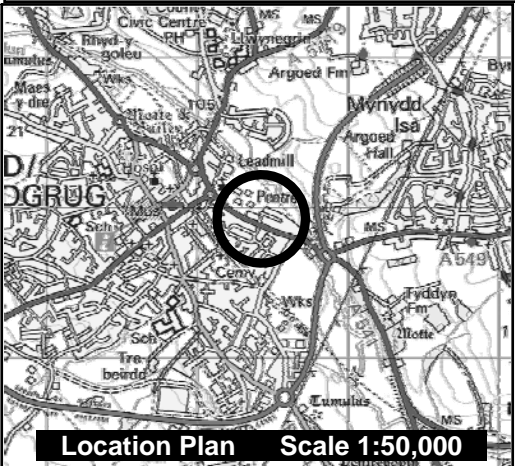
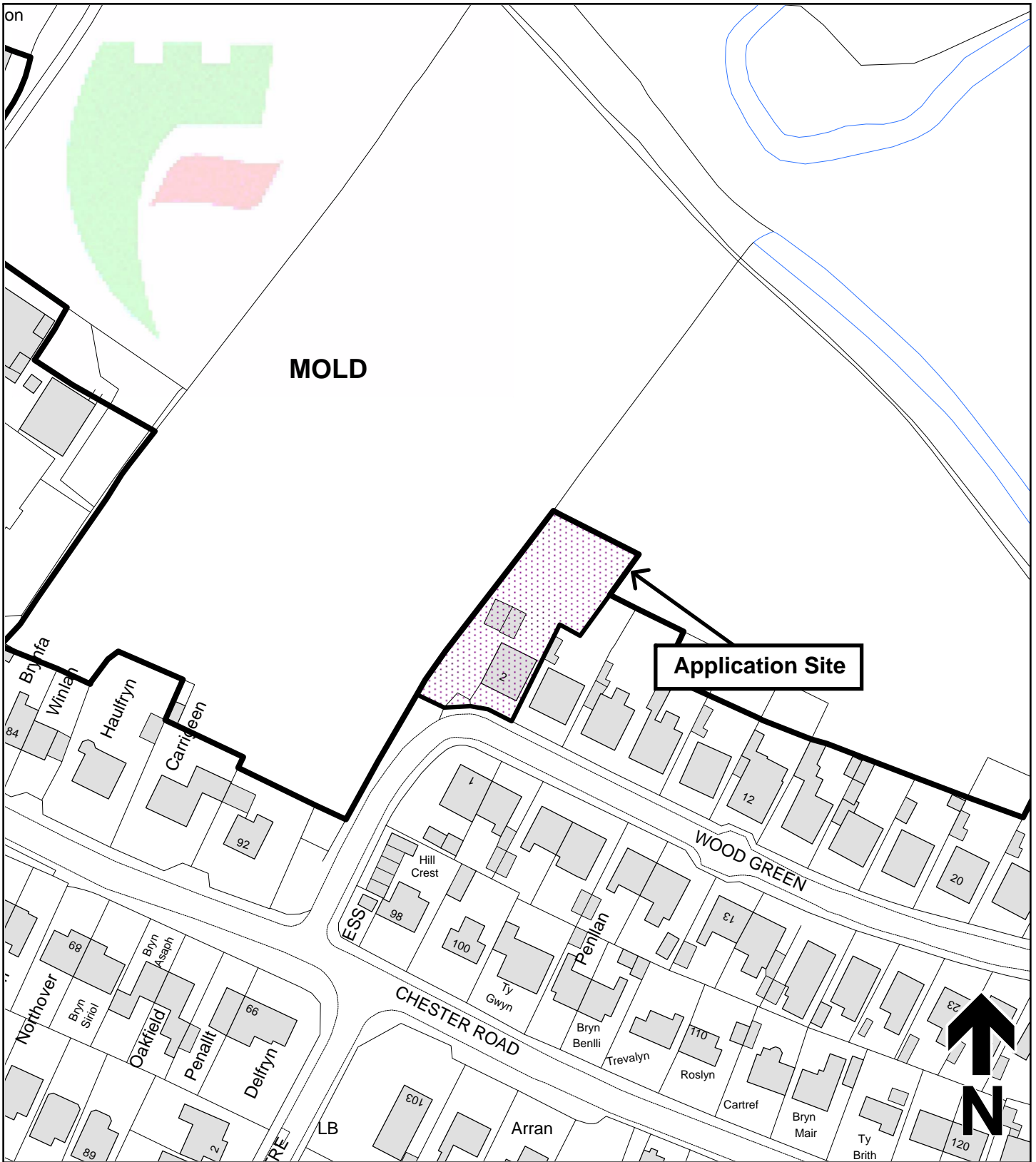
8.03 The Council has had due regard to its public sector equality duty under the Equality Act 2010.

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



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

**Legend**



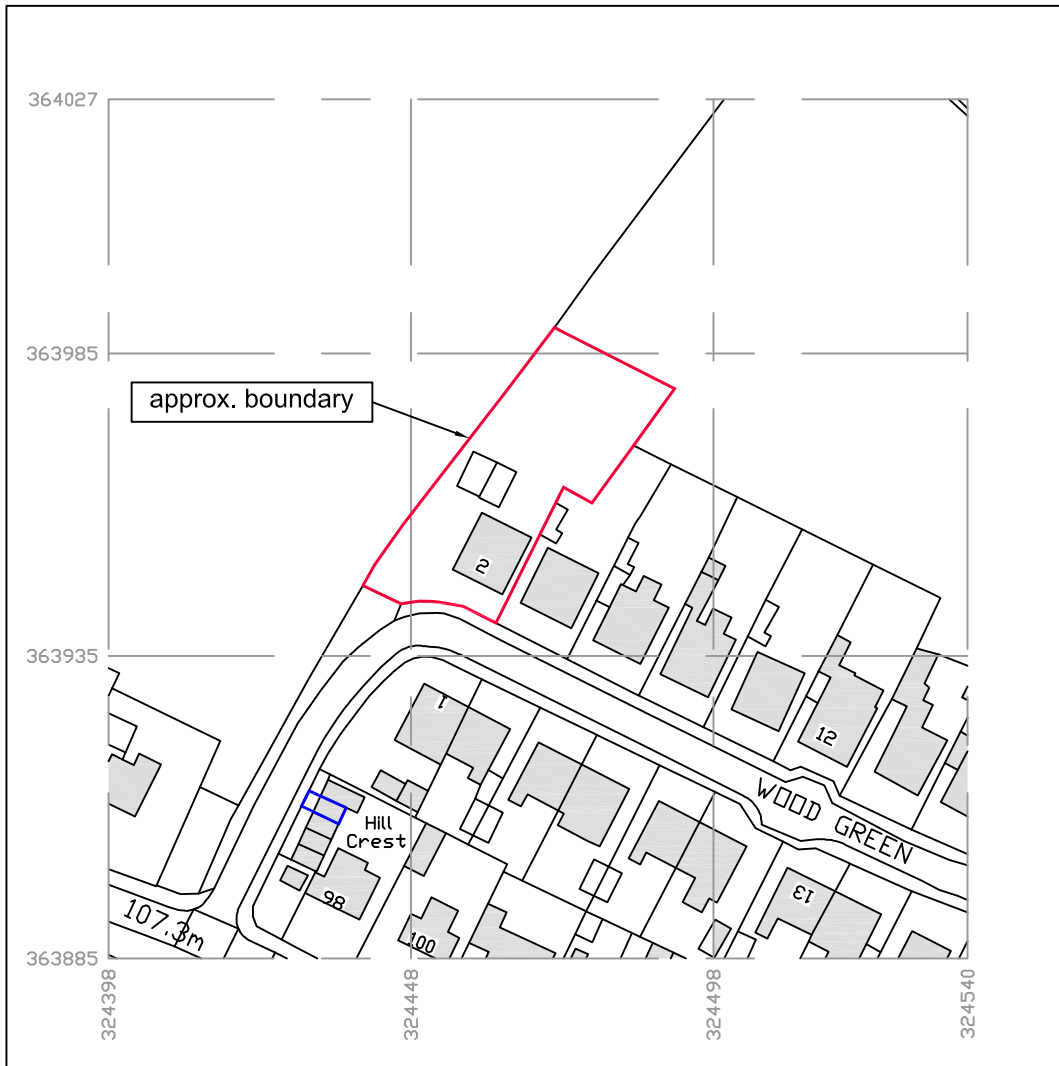
Planning Application Site



Adopted Flintshire Unitary  
 Development Plan  
 Settlement Boundary

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Map Scale	1:1250
OS Map ref	SJ 2463
Planning Application	<b>61429</b>



Location Plan - Scale 1:1250 @ A4

rev	description	date	dr by	ap by
-	-	-	-	-

**Sustain ARCHITECTURE** 

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 W: www.sustain-architecture.com

client <b>The Hampson Family</b>			
project <b>2 Wood Green, Mold, Flintshire, CH7 1UG</b>			
drawing <b>Location Plan</b>			
drawing number <b>20-016 LP01</b>	scale <b>As Shown</b>	rev <b>-</b>	issue status <b>Planning</b>

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approx. boundary

car port

garage

hardstanding parking

Dwelling

garden

garden

vehicle entrance

Wood Green

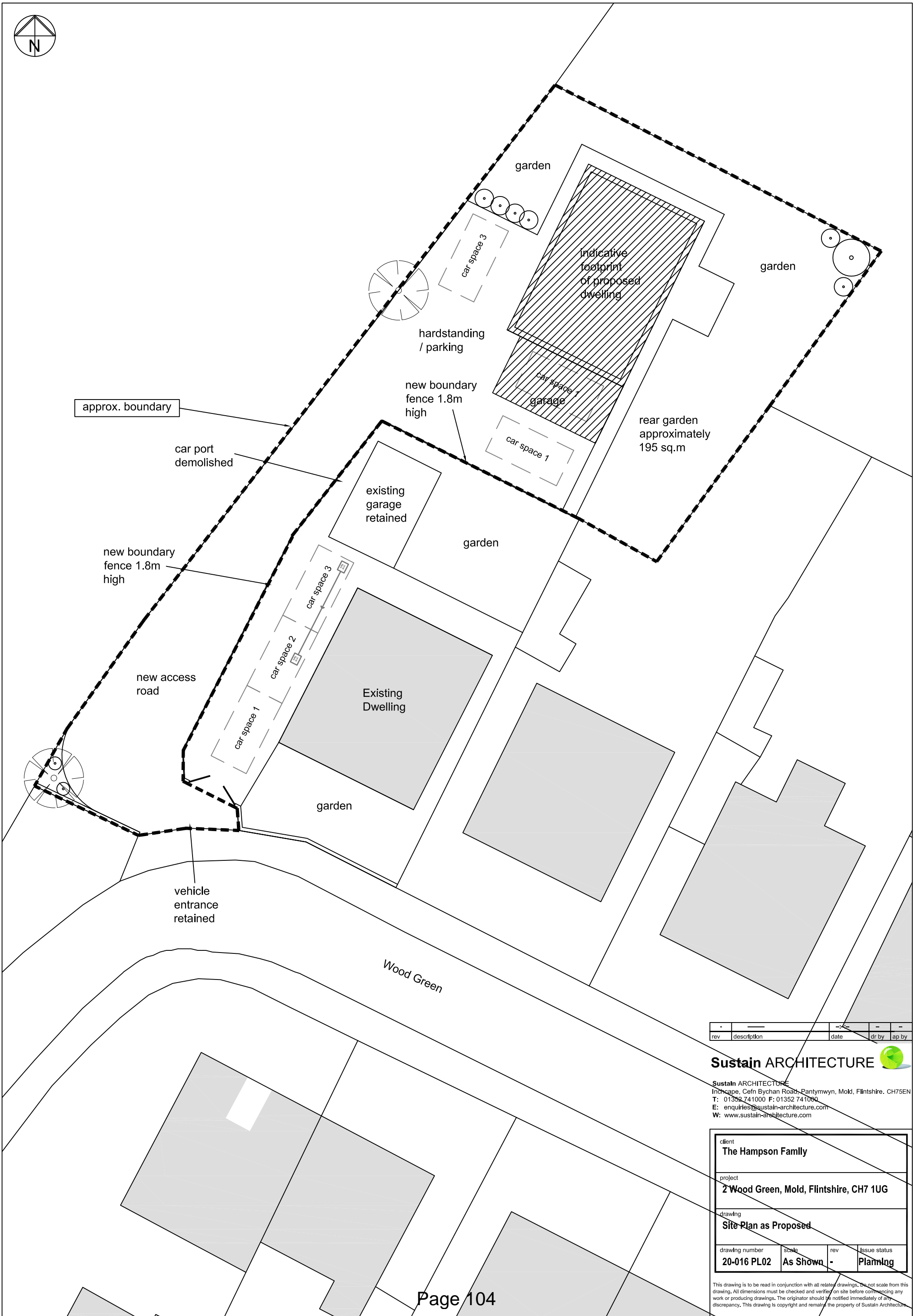
garden

rev	description	date	dr by	ap by
-	-	-	-	-

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 W: www.sustain-architecture.com

client	<b>The Hampson Family</b>			
project	<b>2 Wood Green, Mold, Flintshire, CH7 1UG</b>			
drawing	<b>Site Plan as Existing</b>			
drawing number	scale	rev	issue status	
<b>20-016 PL01</b>	<b>As Shown</b>	<b>-</b>	<b>Planning</b>	

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rev	description	date	dr by	ap by

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client <b>The Hampson Family</b>			
project <b>2 Wood Green, Mold, Flintshire, CH7 1UG</b>			
drawing <b>Site Plan as Proposed</b>			
drawing number <b>20-016 PL02</b>	scale <b>As Shown</b>	rev <b>-</b>	issue status <b>Planning</b>

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# Statement from Local Residents Group

Planning application Ref: 061429 2 Wood Green, CH7 1UG

Hi everyone,

In regards to the outline planning application for No.2 Wood Green, Mold, CH7 1UG, please accept this as the full objection to the current planning permission application.

## Statement of objections

On behalf of the residents

Our objections to the planning permission application are:

1. The current main sewerage system for the street is already acknowledged to be insufficient. When it was installed over 40 years ago, the necessary standard specifications were not followed, and the diameter of waste pipe used was much smaller than it should have been, resulting in an increased number of issues, with more regular attendance by Welsh Water, to investigate and resolve issues and blockages, for a number of the residences. Any additional load would just make the situation much worse, and the current drainage system is such that any work to increase capacity would require major works which Welsh Water have already said is not feasible given the infrastructure in place. There is doubt that Welsh Water would approve a connection to any additional properties in the street at this time. The current driveway is 57 feet in length. With the average car being 15 feet long, the planning application shows that with three cars on the current driveway, and allowing just 2 feet between cars, which is a realistic expectation, this adds to 49 feet, leaving the space for a new entrance and sufficient space for a car to manoeuvre round, almost unfeasible and also demonstrates that the submitted plans may be deceptive in terms of appearance to actual measurements.
2. The entrance of the main road into Wood Green is already a dangerous junction, as a staggered crossroads with the housing estate opposite, and any additional traffic will just increase the concerns and issues.  
With the recent opening of the new Home Bargains, The Food Warehouse, and the new B&M store, the traffic flow has increased heavily within recent weeks, and is already a cause for concern with frequent queueing to get into Mold along the main road, and a growing problem of fast moving vehicles travelling away from Mold, approaching the hidden turning into the street. In addition to residents, there are also a large number of visits by healthcare workers to the street, which has already increased traffic loads in the street itself.
3. The street itself is an established collection of single story dwellings, and the proposed two storey dwelling is totally out of keeping with the surroundings, not to mention being crammed in with very little garden area, at a time where the council is trying to promote a more environmentally sensitive approach, and the proposed building is in a position to dominate the view of existing residences, being completely behind the existing settlement boundary line, and invading the privacy of both the existing property at No.2 as well as that of No.4, as the proposed plot covers the rear of both properties
4. It would also be encroaching onto the field to the rear, which has been identified as unsuitable for development, being so close to flood plains, and being bog-like in places, which may also affect any foundations for a proposed building.
5. There is a concern that should an emergency occur at the proposed property, that necessitated the attendance of an emergency vehicle such as a fire appliance or an ambulance, this could be very difficult or impossible with the proposed driveway, especially if there were vehicles parked on the driveway of the existing No.2 property.
6. There are already a number of vacant properties available for sale in the street



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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **30.09.2020**

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

**SUBJECT:** **CHANGE OF USE GROUND FLOOR SHOP TO RESIDENTIAL**

**APPLICATION NUMBER:** **061158**

**APPLICANT:** **Mr P SWAIN**

**SITE:** **71 CHURCH ROAD, BUCKLEY ,FLINTSHIRE**

**APPLICATION VALID DATE:** **29.06.20**

**LOCAL MEMBERS:** **CLLR. M PEERS**  
**CLLR. D HUTCHINSON**

**TOWN/COMMUNITY COUNCIL:** **BUCKLEY TOWN COUNCIL**

**REASON FOR COMMITTEE:** **COUNCILLOR'S REQUEST DUE TO PROMINENCE AND POSITION OF PROPERTY, OUTBUILDINGS, LOCATION IN RELATION TO NEWLY INSTALLED TRAFFIC LIGHTS AND PARKING RESTRICTIONS IN VICINITY**

**SITE VISIT:** **REQUESTED**

### 1.00 SUMMARY

- 1.01 This full application seeks permissions for the change of the ground floor of a now vacant former retail unit. The existing building is part shop and part residential unit. The existing residential element exists on the first floor of the existing building. The scheme, if granted, would lead to two independent residential units being accommodated within the existing building.



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

2.01 Conditions

1. Development commencement within five years of date of permission
2. The development be carried out in accordance with the approved plans

**3.00 CONSULTATIONS**

3.01 Local Members

Councillor M Peers / Councillor D Hutchinson

Both these Members raised concerns over accuracy of the application forms, omission of information on the application forms, apparent omissions of buildings on the site plans and lack of details for parking arrangements. In addition concerns have been raised with regards to structural integrity of the existing outbuildings on the site and their proximity to footpath and the highway.

Buckley Town Council

No response received at time of writing

Highways Development Control

The highways officer has confirmed that there are no highway objections to the proposal and that they do not wish to make a recommendation on highway grounds.

Public Rights of Way

Confirmed that there are no Public Footpaths near to the site and therefore have no comment to make.

Community and Business Protection

No adverse comments to make

Natural Resources Wales

Confirm that the matter does not affect a list on the NRW consultation topics list and therefore have no comment to make.

Airbus

No aerodrome safe guarding objection to the proposal.

**4.00 PUBLICITY**

4.01 The application was publicised via the issuing of Neighbour Notification letters. At the time of writing this report, 2No. letters have been received raising objections on the following grounds:

- Object to lack of parking

- Own drive way extended to provide off road parking provision
- Yellow lines outside so no parking available
- Two outbuildings in poor repair, these could be demolished to provide parking provision.
- The proximity of the outbuildings to footpath and highway of concern in relation to safety.

## **5.00 SITE HISTORY**

### **5.01 021801**

Illuminated projecting sign and 2 fascia signs  
Approved 2.22.93

### **021315**

Change of use part ground floor to shop and alterations to shop front  
Approved 01.06.93

### **013351**

Internally illuminated projecting sign  
Approved 06.07.89

## **6.00 PLANNING POLICIES**

### **6.01 Flintshire Unitary Development Plan**

Policy GEN1 - General Requirements for Development  
Policy GEN2 - Development Inside Settlement Boundaries  
Policy HSG3 - Housing on Unallocated Sites within Settlement Boundaries  
Policy AC18 - Parking Provision and New Development  
Policy S11 - Retention of Local Facilities

## **7.00 PLANNING APPRAISAL**

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

The application site is located to the back edge of a junction off Church Road and Knowle Lane. The building is a semi-detached two story building of red brick and slate roof construction. The lower ground floor windows on to Knowle Lane are blocked up as part of the existing elevations and pedestrian access exits off Knowle Lane.

7.02 In addition to the shop unit and residential unit the two outbuildings are also located to the back of Knowle Lane. The outbuildings comprise of a single storey part brick /corrugated material and a two storey part multi brick, with roller shutter door and side window bricked up with breeze blocks and a red brick building. These outbuildings do not form part of the application site.

7.03 The Proposals

This full planning application seeks the change of use of the vacant former retail area of the property to residential to create a self-contained 2 bedroom unit. The existing upper floor is already an independent unit and this is to be retained. The internal reconfiguration allows the creation of a living unit and there are few external changes, including the blocking up of the shop window on Church Road and the insertion of a residential door and window within the front elevation to replicate the elevation as it would have appeared before conversions into a shop. Similarly, closed up windows in the side elevation are proposed to be re-opened to facilitate the change of use.

7.04 The Main Issues

The main issues in the consideration of this proposal are;

- The principle of the development;
- Highway and parking issues;
- Building stability; and
- Application inadequacies and inaccuracies.

7.05 Principle of development

The proposed development is located within the settlement boundary of Buckley. GEN2 states that development will normally be permitted within settlement boundaries. The site is not within a designated core retail area and other similar facilities exist in the vicinity to provide for the community. As such the principle of the change of use of part of this vacant former retail unit to a residential use is considered acceptable under the provisions of policies GEN1, GEN 2, S11 and HSG3 of the Flintshire Unitary Development Plan.

7.06 Highway and parking issues

Concerns have been raised with regard to parking provision for the application. In addition there are existing yellow lines outside the site that prohibit roadside parking.

7.07 The highways officer has confirmed that the site is within the Settlement of Buckley, a highly sustainable location in terms of employment, public transport links and access to shops. The highways officer considers that existing highway restrictions, double yellow lines outside, ensure that highway safety would not be compromised by vehicles associated with the development.

7.08 The existing use of the site as a former shop is likely to have generated demand for parking equivalent or in excess of parking demand for the residential unit, therefore a recommendation of refusal could not be substantiated at appeal. Accordingly, the proposal is considered to be compliant with policies GEN1 and AC18 of the Flintshire Unitary Development Plan in this regard.

- 7.09 Building stability  
The matter of structural integrity have been raised in connection with the application, in respect of both the application site and the adjacent outbuildings. These concerns have subsequently been investigated by both Street Scene and Building Control Officers.
- 7.10 In terms of risk to highways users, I am advised that whilst there is evidence of some spoiling of brick work, there is nothing to suggest that there is imminent risk to highway users. A building control officer visited the site on the 31.07.20, during the course of which the outbuildings were viewed from Knowle Lane. I am advised that no actions were required under Sections 77 / 78 of The Building Act 1984 in respect of a dangerous building.
- 7.11 Accordingly, I am content that the buildings are not structurally unsafe and appear to be in a stable condition. The changes proposed as part of this scheme are limited and will not have a detrimental impact upon the visual character of the surrounding area.
- 7.12 Application inadequacies and inaccuracies.  
Concerns were raised in response to consultation with regards to the accuracy of the application form, omission of information with regards to parking, drainage and outbuildings not being shown on the plans submitted.
- 7.13 Issue of parking have been addressed elsewhere in this report and do not therefore require repeating here.
- 7.14 The application form has been considered to have been adequately completed with regards to clarification of drainage in that the application form refers to using main sewer. This is what would be expected in this urban area.
- 7.15 The location plan submitted with the application shows the building and the area to be used as the yard outlined in red (The application site). The 2No. outbuildings referenced in the concerns relating to stability are outlined in blue, as land in the same ownership but, outwith the application site.
- 7.16 In light of this, it is considered that the application has been completed with sufficient information and clarity to enable consideration of the same.
- 7.17 Other Matters  
A query was raised as to whether Permitted Development Rights should be removed from the resultant premises in the interests of ensuring that inappropriate frontage development did not take place under the provisions of Permitted Development Rights in the future.



7.18 It should be noted that Permitted Development Rights do not confer upon properties which are apartments and therefore any such future proposals would require the submissions of a planning application and the grant of planning permission.

## **8.00 CONCLUSION**

8.01 As the application site is within in mixed use area, predominantly residential in nature, the use of the whole of the building for a residential use is consistent with surrounding area. The design of the unit is reflective of the adjoining property and does not adversely impact upon living conditions.

8.02 The change of use proposed is therefore considered to be compliant with the provisions of Policies GEN1, GEN2, HSG3, S11 and AC18 of the Flintshire Unitary Development Plan.

### **8.03 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.

8.04 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.

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

8.06 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.

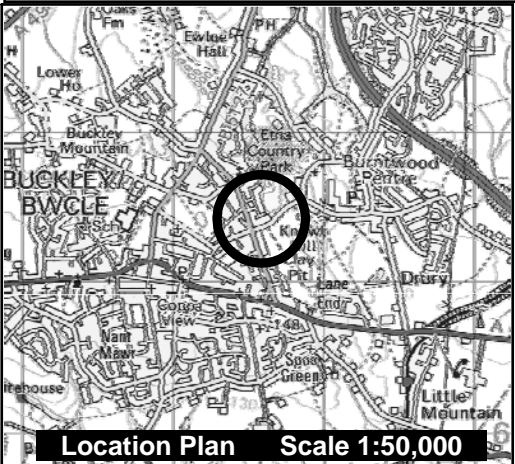
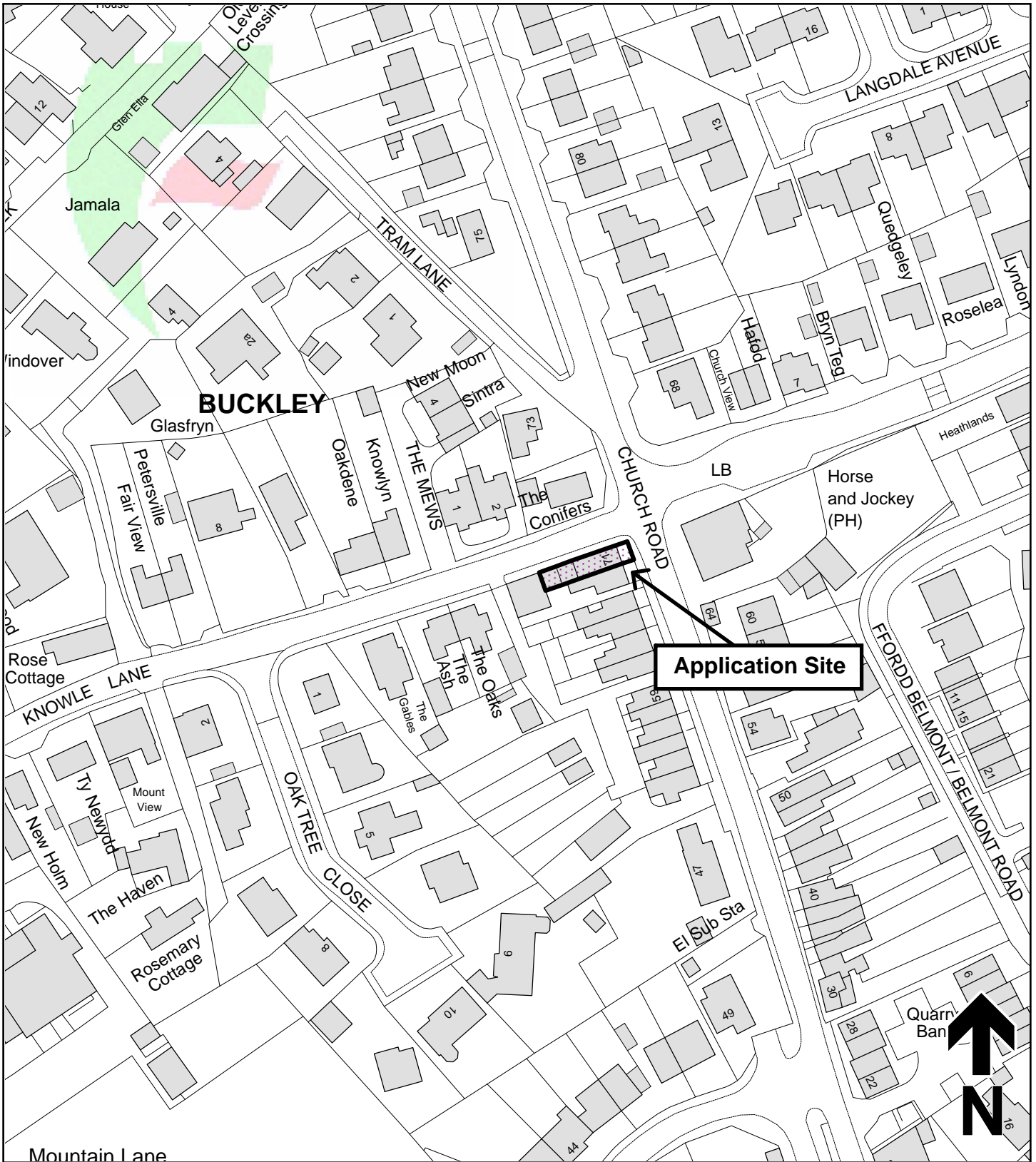
## **LIST OF BACKGROUND DOCUMENTS**

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

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

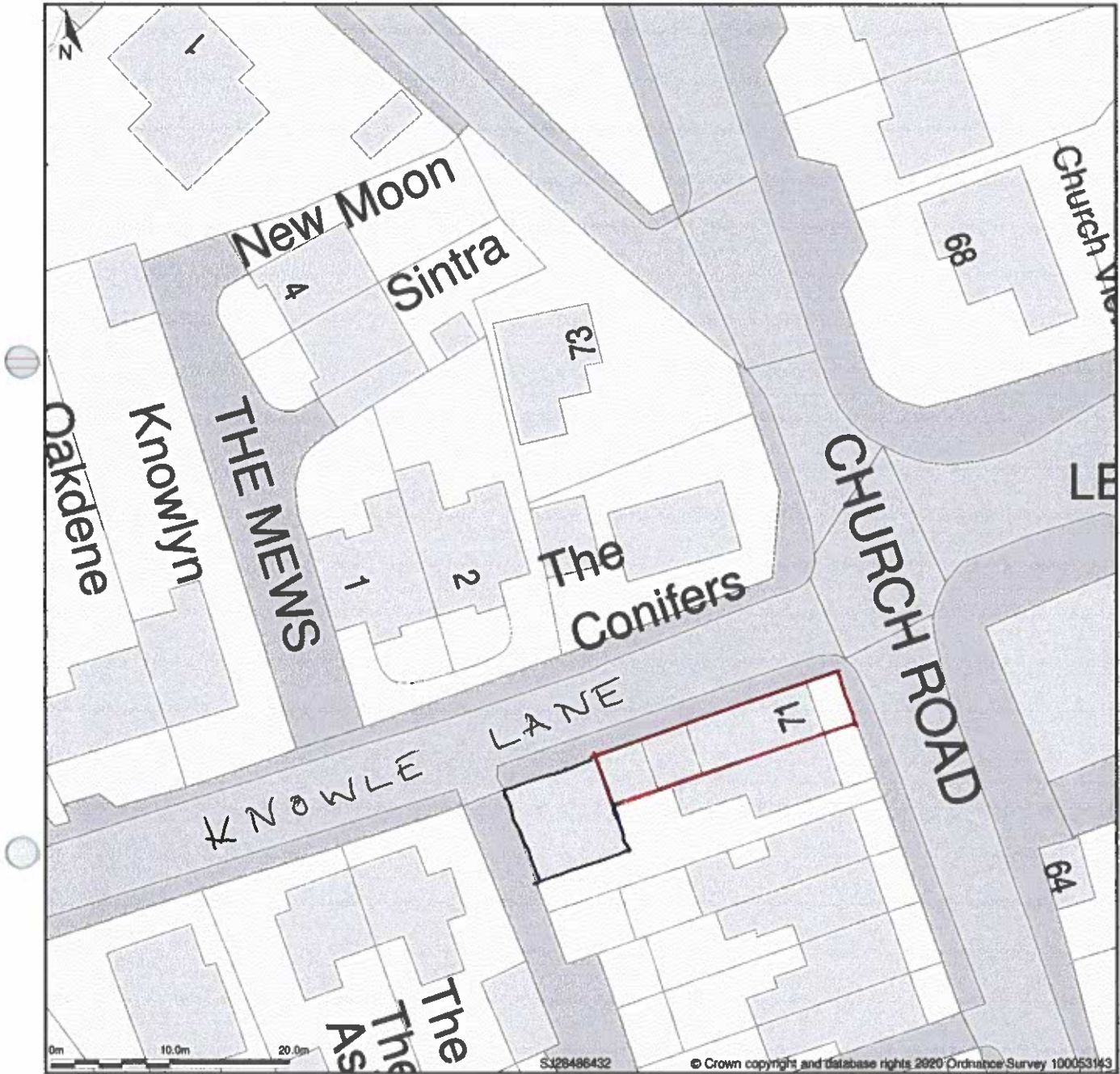
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Planning Application **61158**



061158

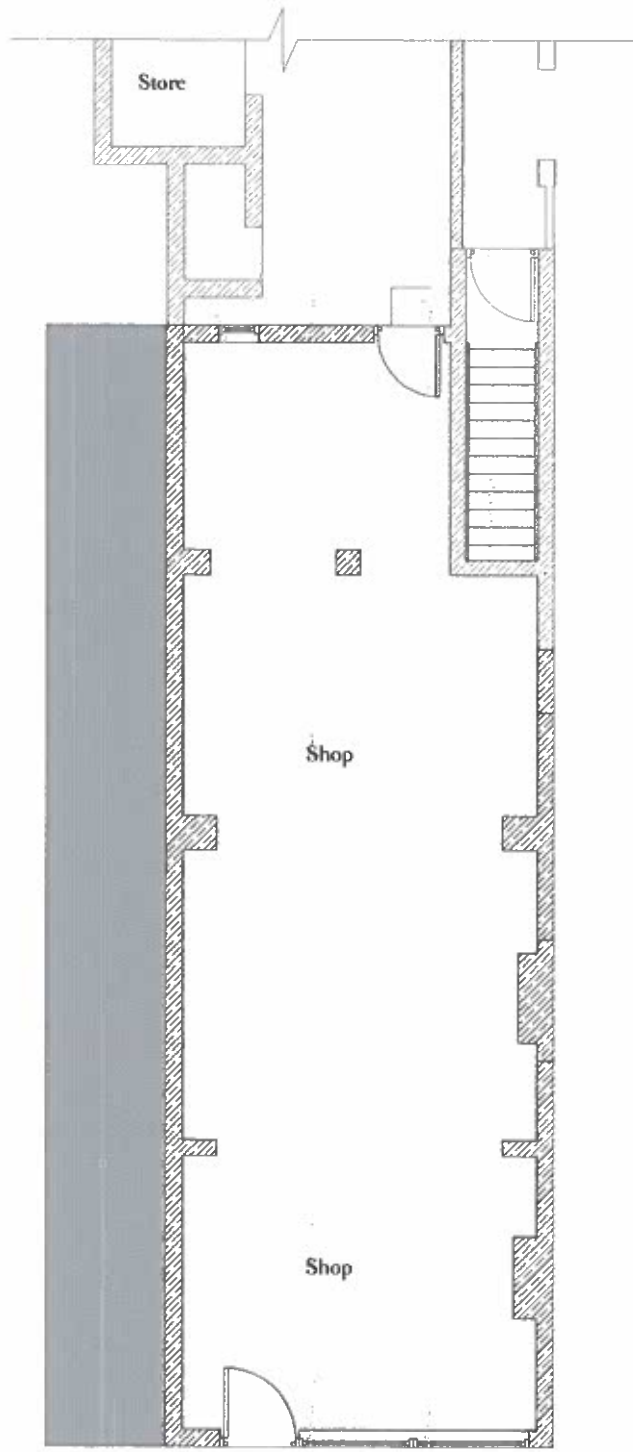
71, Church Road, Buckley, Flintshire, CH7 3JG



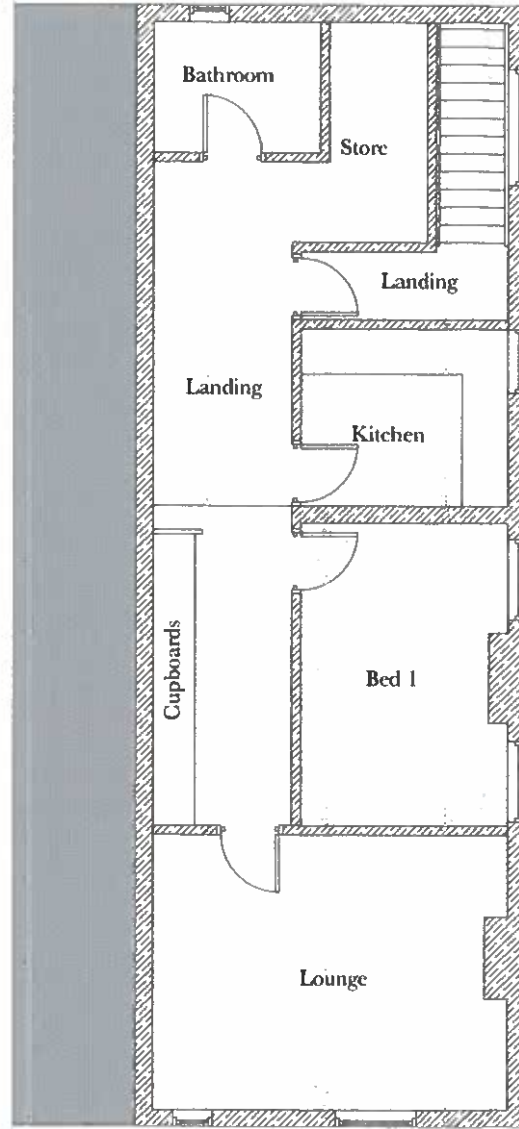
Block Plan shows area bounded by: 328439.0, 384284.87 328529.0, 384374.87 (at a scale of 1:500), OSGridRef: SJ28486432. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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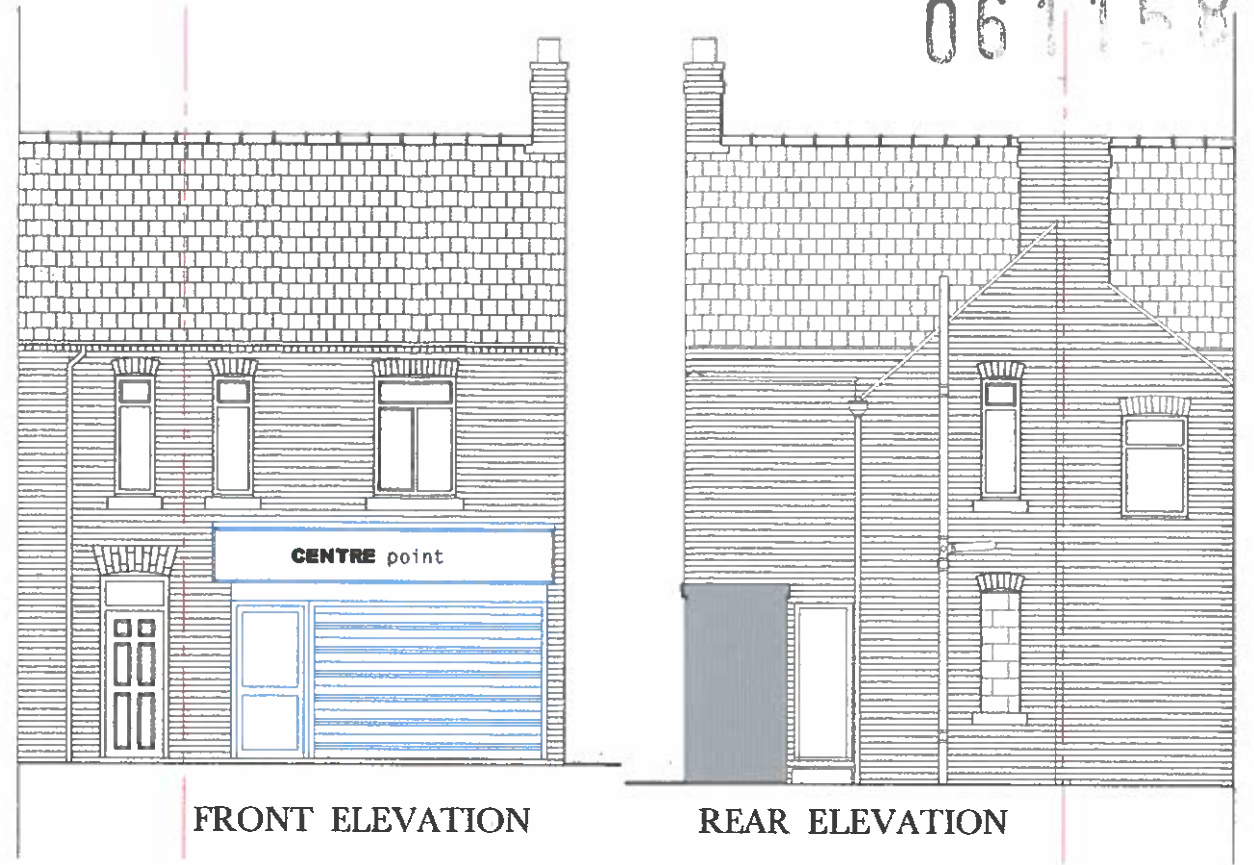
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GROUND FLOOR PLAN

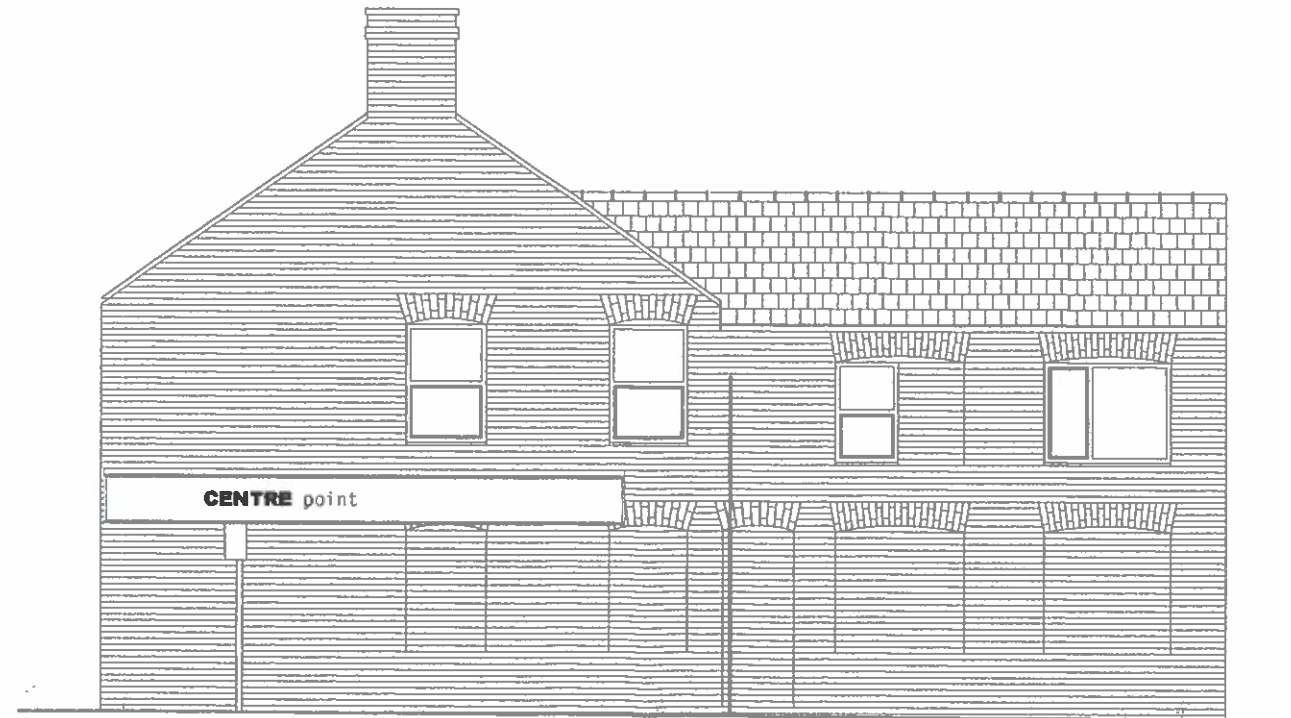


FIRST FLOOR PLAN



FRONT ELEVATION

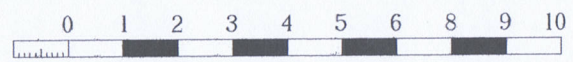
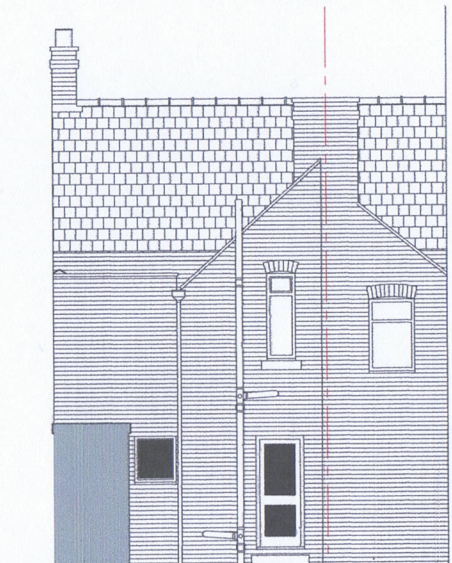
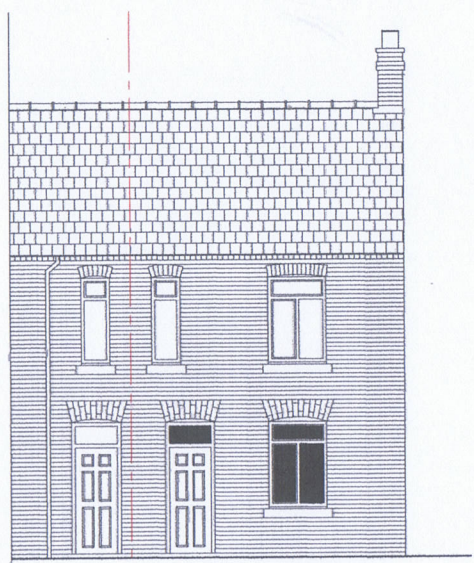
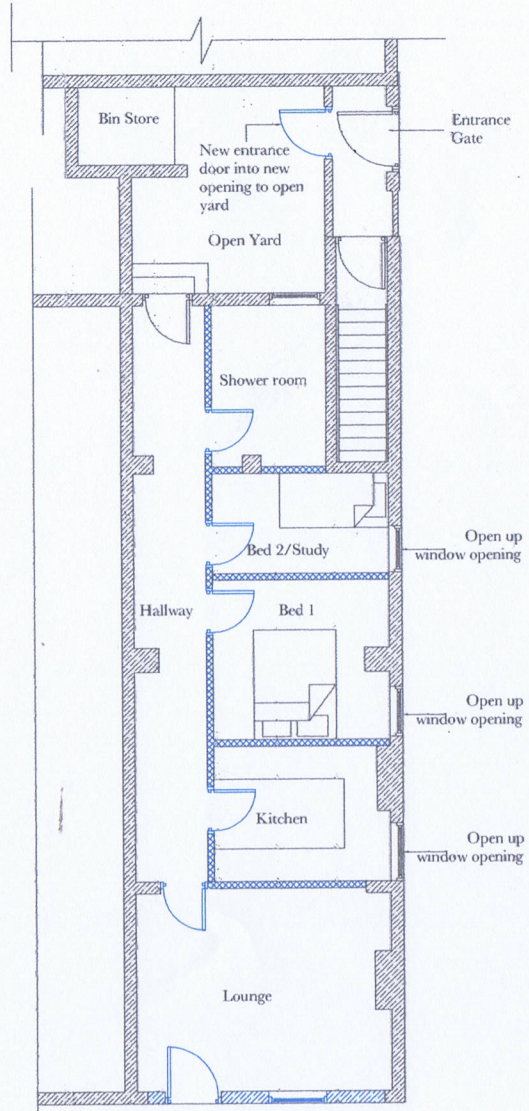
REAR ELEVATION



SIDE ELEVATION

EXISTING





PROPOSED









## Statement from Local Resident

Application No: 061158

Site Address: [71 Church Road](#), Buckley, Flintshire. CH7 3JG.

Objector.

Whilst we have no objection to the conversion of the property into a two bedroom flat, we object to the plans on the grounds that the proposal does not allow for any vehicular parking spaces.

In [2019, Knowle Lane](#) was altered to a one-way system with double yellow lines and limited time controlled parking along its length.

Church Road also had double yellow lines extended - as such on-road parking in the vicinity is difficult / non-existent.

After speaking to our local Town Councillors, we were told that any development has to have a minimum provision of car parking spaces.

There is already an existing flat conversion above the proposed development (which again does not have any car parking provision). Should all of the occupants of these flats be car owners, it could be reasonable to expect that possibly 5 extra cars would have nowhere to park except on the roads in the vicinity.

Both ourselves and our neighbours have redeveloped our properties to allow for off road parking at our own expense as on road parking is practically impossible.

There are two double storey outbuildings which belong to (and are attached) to the rear of the shop at the rear of the property (joined by the one storey extension), which are in a very poor state of repair and are an eyesore. These could be demolished to provide off-road parking for the proposed flat conversion and the existing flat above.

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **30<sup>th</sup> September 2020**

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

**SUBJECT:** **FULL APPLICATION – PROPOSED RESIDENTIAL DEVELOPMENT AT FACTORY 2, PONTYBODKIN HILL, LEESWOOD.**

**APPLICATION NUMBER:** **058946**

**APPLICANT:** **FOXBURY DEVELOPMENTS**

**SITE:** **FACTORY 2, PONTYBODKIN HILL, LEESWOOD**

**APPLICATION VALID DATE:** **10<sup>TH</sup> SEPTEMBER 2018**

**LOCAL MEMBERS:** **COUNCILLOR R. HUGHES**

**TOWN/COMMUNITY COUNCIL:** **LEESWOOD COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **SCALE OF DEVELOPMENT RELATIVE TO DELEGATION SCHEME**

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

### **1.00 SUMMARY**

- 1.01 This full application proposes the erection of residential development comprising a total of 24 No. dwellings on the site of the former Laura Ashley Factory, Pontybodkin Hill, Leeswood. Amended plans have been received in progression of the application, on which further consultation has been undertaken.
- 1.02 For Members information the site is allocated for residential development in the Flintshire Unitary Development Plan by virtue of Policy HSG1 (30). It had also had the benefit of outline planning permission which has been renewed on a number of occasions between 2003 – 2015 as referenced in paragraph 5 of this report.

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

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation to:-

- a) Ensure the payment of an off site leisure contribution of £1,100 per dwelling (total £26,400) the monies being used to enhance provision at Ffordd Siarl, Leeswood.
- b) Ensure the payment of secondary school educational contribution of £92,345 towards the enhancement of school facilities at Castell Alun High School

Conditions

1. Time limit on commencement.
2. In accordance with approved plans.
3. Materials to be submitted and approved.
4. Foul drainage scheme to be submitted and approved.
5. Existing and Finished Floor Levels to be submitted and approved
6. Landscaping scheme to be submitted and approved
7. Land contamination report to be submitted with appropriate mitigation where required
8. Site access to be in accord with submitted details
9. Works associated with site access to be kerbed and completed to base course layer up to internal tangent point prior to commencement of other site works
10. Maximum gradient of site access shall not exceed 1:12
11. Access to have a visibility splay of 2.4m x 43m in both directions.
12. Facilities to be provided and retained for the parking /turning of vehicles
13. Construction details of internal estate road to be submitted and approved
14. Construction Management Plan to be submitted and approved.
15. Travel Plan / Transport Implementation Strategy ( TIS ) to be submitted and approved.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor R. Hughes

No response at time of preparing report.

Leeswood Community Council

No response received at time of preparing the report.

Natural Resources Wales

Do not consider that the proposal affects any protected interests.  
Raise no objections.

#### AURA

Request the payment of £1,100 per dwelling in lieu of on-site recreational provision. The monies would be used to enhance provision at Ffordd Siarl, Leeswood.

#### Highway Development Control

Following confirmation of the proposed site levels and access gradient – raise no objection subject to the imposition of conditions in respect of access, visibility, construction detail and submission of a Construction Management Plan, Travel Plan and Transport Implementation Strategy ( TIS )

#### Capital Projects & Planning

##### Schools Affected

Primary School: Ysgol Derwenfa, Leeswood

Current Number on Roll @ 118 (excluding Nursery)

Capacity 159 (excluding Nursery)

No. Surplus Places: 41

Percentage of Surplus Places: 25.77%.

Secondary School: Castell Alun High School

Current Number of Roll is 1,351.

Capacity: 1,240

No. of Surplus Places is: 111

Percentage of Surplus Places is: 8.95%.

##### Primary School Pupils

School Capacity 159 x 5% = 7.95 (8).

159 – 8 = 151 – Trigger point for contributions is 151 pupils (No. of units) 26 x 0.24 (primary formula multiplier) – 6.24 (6) No of Pupils.

Actual pupils 118 x 6 (from the multiplier) = 124 does not meet the trigger of 151.

Contribution requirement would be 0.

##### Secondary School Pupils

School Capacity of 1,240 x 5% = 62 (rounded up or down) 62

Capacity 1,240 – 62 = 1,178 (Trigger point for contributions is 1,178 pupils).

(No. of Units) 26 x 0.174 (secondary formula multiplier) = 4.52 (5 No. pupils).

Generated x £18,469 per pupil (Building Cost Multiplier) = £92,345.

Actual pupils 1,351 x 5 = 1,356 does meet trigger of 1,178.

Contribution requirement would be £92,345.

#### Community and Business Protection



Given the sites historic usage, request the submission of a Land Contamination Assessment with appropriate mitigation where required.

#### **4.00 PUBLICITY**

##### **4.01 Press Notice, Site Notice, Neighbour Notification**

1 No letter received which considers that the amended plans which propose introducing bungalows on the site adjacent to existing residential development will offer an improvement to the living conditions of existing occupiers from that initially submitted

1 No letter received which objects to the development given limited parking provision on Pontybodkin Hill and as proposed as part of the development.

#### **5.00 SITE HISTORY**

##### **5.01 035532**

Demolition of factory unit and change of use for residential development – Permitted 31<sup>st</sup> July 2003.

##### **041446**

Renewal of outline planning permission ref. 035552 to allow demolition of redundant factory unit and change of use of site for residential development – Permitted 2<sup>nd</sup> August 2006.

##### **046361**

Renewal of outline planning permission ref. 041446 to allow residential development – Permitted 26<sup>th</sup> September 2011.

##### **052599**

Renewal of outline permission 046362 to allow residential development – Permitted 3<sup>rd</sup> March 2015.

#### **6.00 PLANNING POLICIES**

##### **6.01 Flintshire Unitary Development Plan**

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design quality, Location & Layout.

Policy D2 – Design.

Policy D3 – Landscaping.

Policy AC13 – Access & Traffic Impact.

Policy AC18 0- Parking Provision & New Development

Policy HSG1 (30) – New Housing Development Proposals.  
Policy EWP14 – Derelict & Contaminated Land.  
Policy IMP1 – Planning Conditions & Planning Obligations.

Additional Guidance

Planning Policy Wales (PPW) – Edition 10.

Supplementary Planning Guidance Note 2 – Space Around Dwellings

**7.00 PLANNING APPRAISAL**

7.01 Introduction

This full application proposes the erection of a total of 24 No. dwellings on the site of the former (now demolished) Laura Ashley Factory, Pontybodkin Hill, Leeswood.

7.02 The site which amounts to approximately 0.57 hectares in area forms part of a larger allocation of 1 hectare for residential development in the Flintshire Unitary Development Plan by virtue of Policy HSG1 (30). The remainder of the allocation is however currently occupied by a vacant industrial unit, previously occupied by “Nu Image Packaging”

7.03 Site Description

As indicated above, the site the subject of this application amounts to approximately 0.57 hectare in area and is located on the western side of Pontybodkin Hill, Leeswood.

7.04 The site is located to the rear of existing bungalow ‘Anhegraig’ and 2 storey dwelling ‘Eyton Cottage’ adjacent to the site’s eastern boundary. It is also to the north of a former industrial unit ‘Nu Image Packaging’. Vehicular access to serve the development is proposed from an existing spine road off Pontybodkin Hill, which initially served both Laura Ashley and Nu Image Packaging.

Proposed Development

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

- a) the erection of 7 No pairs of 2 storey semi –detached dwellings
- b) the erection of 2 No terraces each comprising 4 No dwelling units with under croft parking
- c) the erection of a pair of semi-detached bungalows adjacent to an existing bungalow Anhegraig

It is proposed that the dwellings be constructed having facing brick /render external walls and concrete tile roofs, the dwellings being contemporary in their design.

7.06 It is considered that the main issues to be taken into account in assessment of this application include:-

- a) Principle of development
- b) Character and appearance
- c) Adequacy of Access.
- d) Living conditions
- e) Commuted Sum Payments
- f) Affordable Housing

7.07 Principle of Development

For Members information, the site is located within the settlement boundary of Leeswood, and forms part of a larger housing allocation of 1 hectare by virtue of Policy HSG1 (30) which also includes that part of the site currently occupied by the former industrial unit 'Nu Image Packaging'.

7.08 The site has also had the benefit of outline planning permission for residential development, this being renewal on a number of occasions between 2003 – 2015 and has remained undeveloped to date, due to economic circumstances. The principle of development on the site is therefore well established subject to the safeguarding of relevant development management considerations.

7.09 Character and Appearance

As an allocated housing site and in accordance with Policy HSG8 of the Flintshire Unitary Development Plan, it is expected to achieve a minimum density of 30 dwellings per hectare. In this respect the 24 No. units on approximately 0.57 hectares would result in a density of 44 dwellings per hectare.

7.10 Whilst this is set at a higher level than that referenced in Policy HSG8, it is considered that this can be satisfactorily accommodated on the site having regard to the mix of house types proposed, its former employment related usage and in the context of the site and its surroundings.

7.11 In taking into account the site topography and relationship to existing development, amended plans have been received which propose a mix of bungalows, two storey dwellings and a number of 3 storey units on the site frontage which incorporate undercroft garaging. It is considered that these units would maintain the character of the site and surroundings

7.12 Adequacy of Access

Consultation on the application has been undertaken with the Highway Development Control Manager who in progression of the application, has subsequently secured confirmation that the

associated levels and site gradients are feasible to serve the development from both a practical and safety perspective.

The objection received in respect of the inadequacies of parking on Pontybodkin Hill is noted however the proposed development provides sufficient parking in accordance with the council's parking guidelines.

7.13 Living Conditions

For Members information, it is important to note that the site has a plot depth of approximately 45m. As a result it is difficult to make the most efficient use of this allocated site and maximise the density of development, without a marginal reduction in the separation distances and associated garden depths. Therefore a number of the proposed plots within the layout have slightly less than the standard set out in the Supplementary Planning Guidance Note 2 – Space Around Dwellings. ( SPGN2 ).

- 7.14 Within the site layout, this results in the separation distances between plots 1-10 & 11- 22 being approximately 18m, a reduction from the 22m specified in SPGN2. In addition the garden areas associated with plots 5 -9 would at approximately 33m<sup>2</sup> in area be less than the 50m<sup>2</sup> specified for a 2 bed unit as referenced in this guidance. It is however considered that the site layout remains well balanced given the constraints identified, and the reductions would be an acceptable balance to facilitate and bring forward development of this allocated site at an acceptable density with a mix of different house types.

7.15 Affordable Housing

The originally proposed development was in excess of 25 dwellings and would have triggered a requirement to provide affordable housing. However, that proposal was unacceptable as it included an apartment block adjacent to an existing bungalow and significantly reduced living conditions for future occupiers.

- 7.16 Negotiations have taken place to reduce the volume of residential units and introduce two bungalows. This has maximised the efficient use of land whilst achieving acceptable living standards. However, as the number of units has fallen below 25 and the site area is less than 1 hectare and affordable housing provision will not be required.

7.17 Commuted Sum Payments

As there would be no on-site recreational provision within the application site, this requires the payment of on-site leisure commuted sum payment of £1,100 per dwelling. The total of £26,400 would be used to enhance facilities at Ffordd Siarl, Leeswood. It has been confirmed that the pooled contribution thresholds have not been exceeded in this respect.



- 7.18 Given that there is adequate school capacity at Ysgol Derwenfa, Leeswood, it is not intended to seek a contribution in this respect. There is however a requirement for a Secondary School Contribution for Castell Alun High School for £92,345.
- 7.19 It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following regulation 122 tests;
- Be necessary to make the development acceptable in planning terms;
  - Be directly related to the development; and
  - Be fairly and reasonably related in scale and kind to the development.
- 7.20 While the Authority does not yet have a charging schedule in place, with CIL Regulations puts limitations on the use of planning obligations. These limitations restrict the number of obligations for the funding or provision of an infrastructure project/type of infrastructure. From April 2015 if there have been 5 or more S.106 obligations relating to an infrastructure project/type of infrastructure since 2010 then no further obligations for that infrastructure project/type of infrastructure can be considered in determining an application
- 7.21 I am advised that since the advent of the CIL Regulations that no more than 5 obligations have been entered into regarding Ffordd Siarl therefore I am satisfied that on application of the tests set out above that the contribution to open space provision would satisfy these requirements.

With regard to Castell Alun Secondary School more than 5 contributions have already been made to specifically increase capacity. These contributions are largely associated with the new teaching block. I am satisfied that education services have identified a new and distinct infrastructure project, an additional new toilet block which when applying the tests set out above I am satisfied do not breach the CIL regulations the Council can require the payment of £92,345 towards the create of new toilets at Castell Alun High School.

## **8.00 CONCLUSION**

- 8.01 In conclusion, the principle of development on this allocated housing site is not disputed given its allocation for residential development in the Unitary Development Plan and the site's background of outline planning permissions. The scheme has been amended during its progression, to seek to balance the need to seek an appropriate

density of development on the site whilst maintaining satisfactory living conditions and a development which is sympathetic to the character of the site and its surroundings. It is my view that this has been satisfactorily achieved with the amendments secured and can be supported subject the commuted sum payment for open space and conditions referenced in paragraph 2.00 of this report.

#### Other Considerations

- 8.02 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.

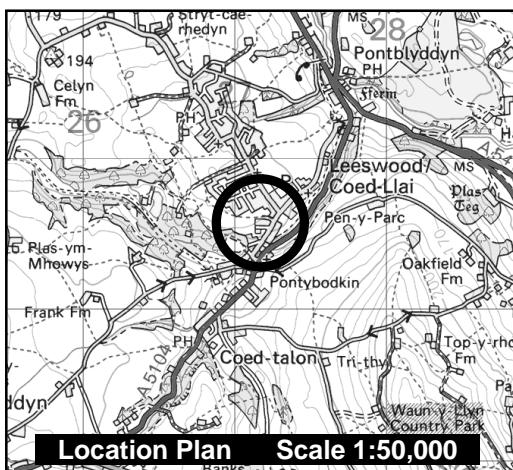
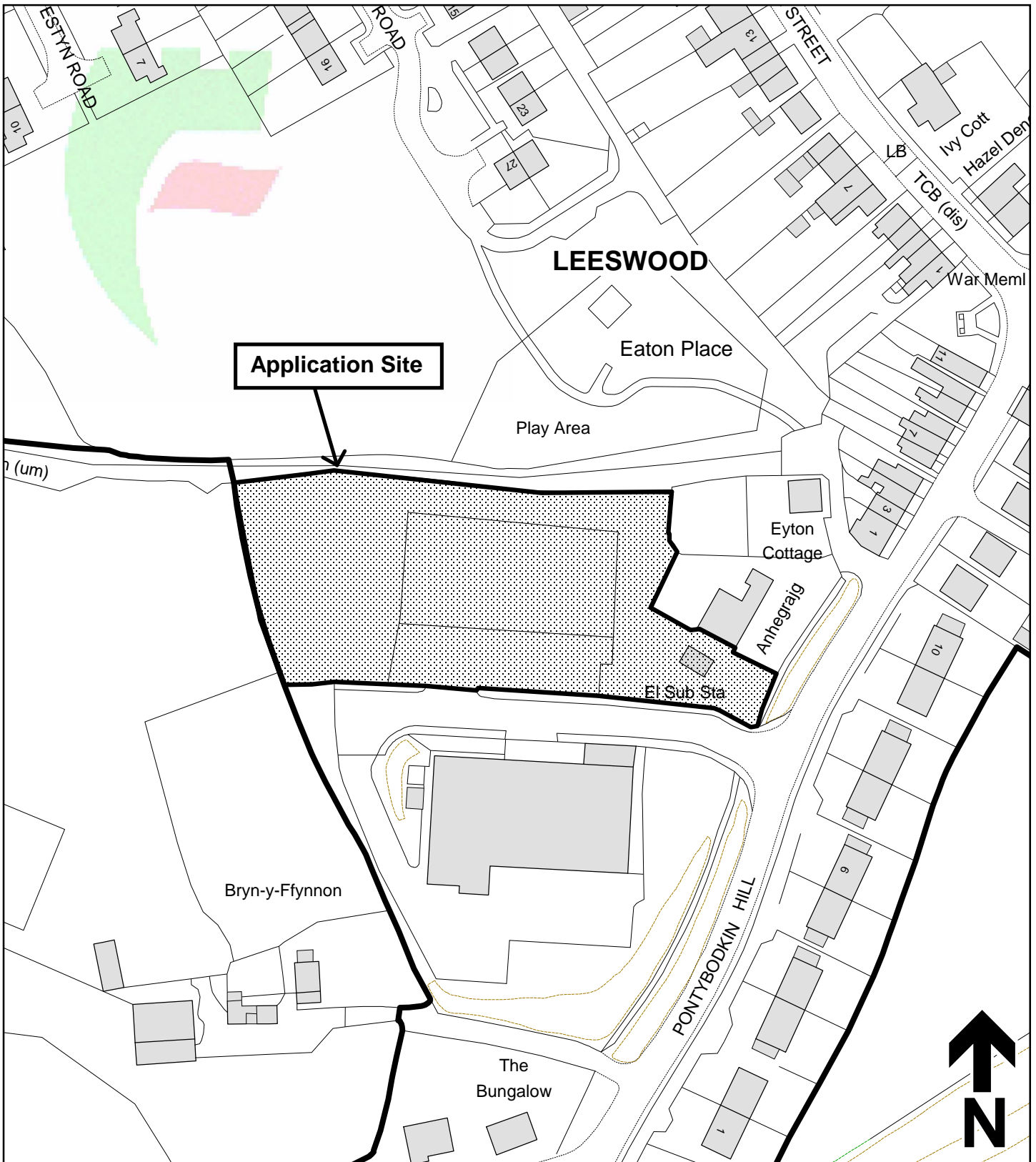
The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

#### **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

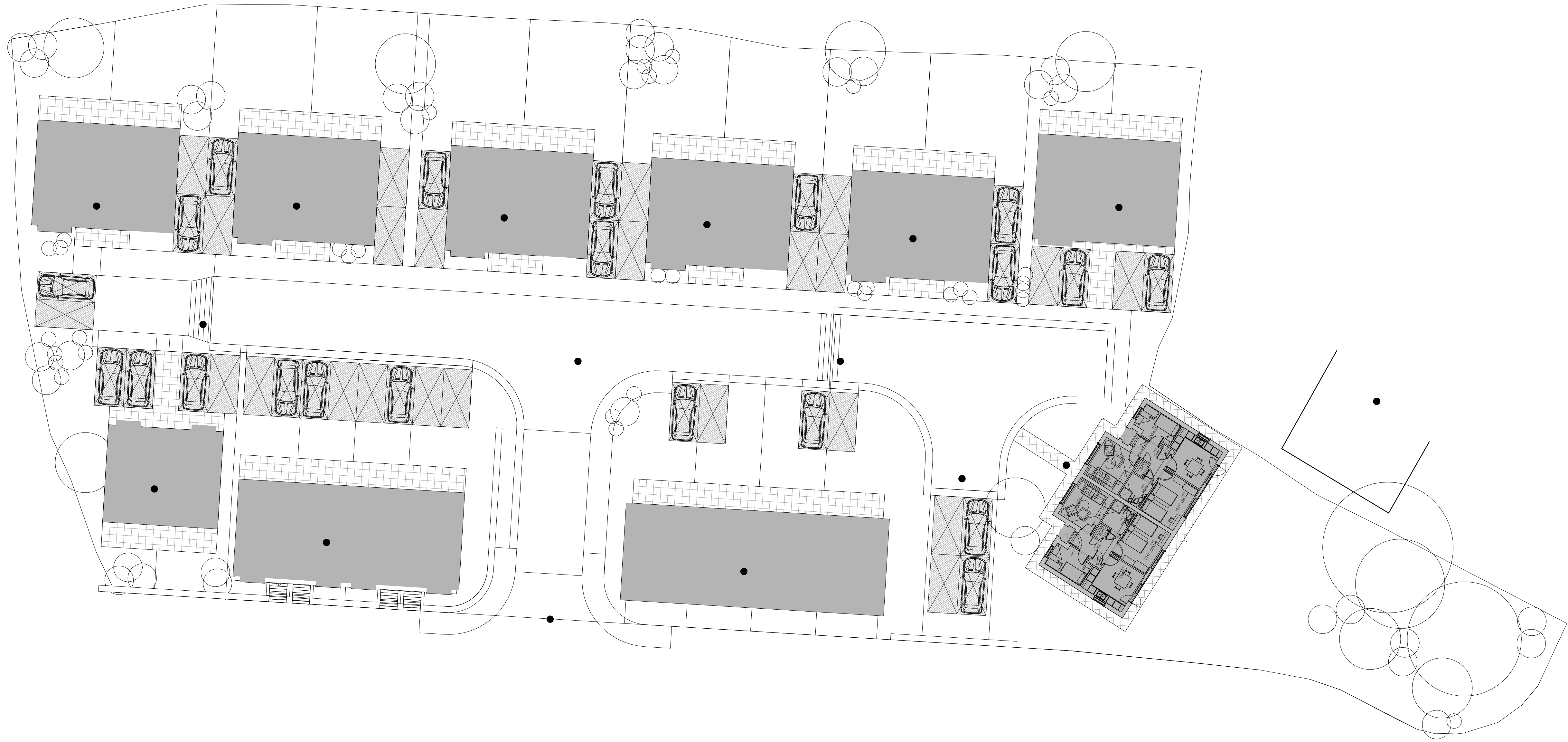
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Map Scale 1:1250

OS Map ref SJ 2759

Planning Application **58946**







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A	Planning Sub.	05.09.18

Scheme Title:  
**Pontybodkin - Housing Development**  
 Drawing Reference:  
**Front View A**

Scale @ A3: **1 : 1**  
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 Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
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### Front View B

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**Front View B**

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**Front View A**

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**Front View A**

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**Front View B**

Scale: 1 : 1

Scheme Title:  
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Drawing Reference:  
**Front View B**

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**Front View A**

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**Front View A**

Scale: 1 : 1

Scheme Title:  
**Pontybodkin - Housing Development**  
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**Front View A**

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**Front View B**

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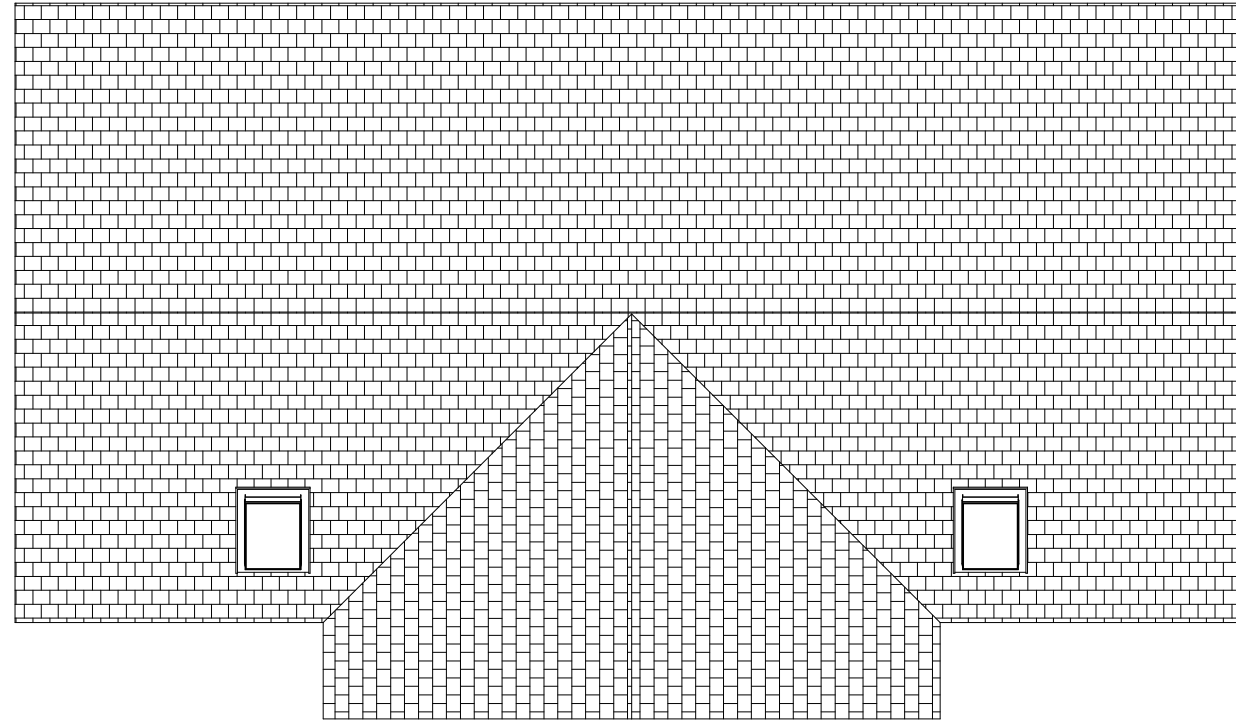
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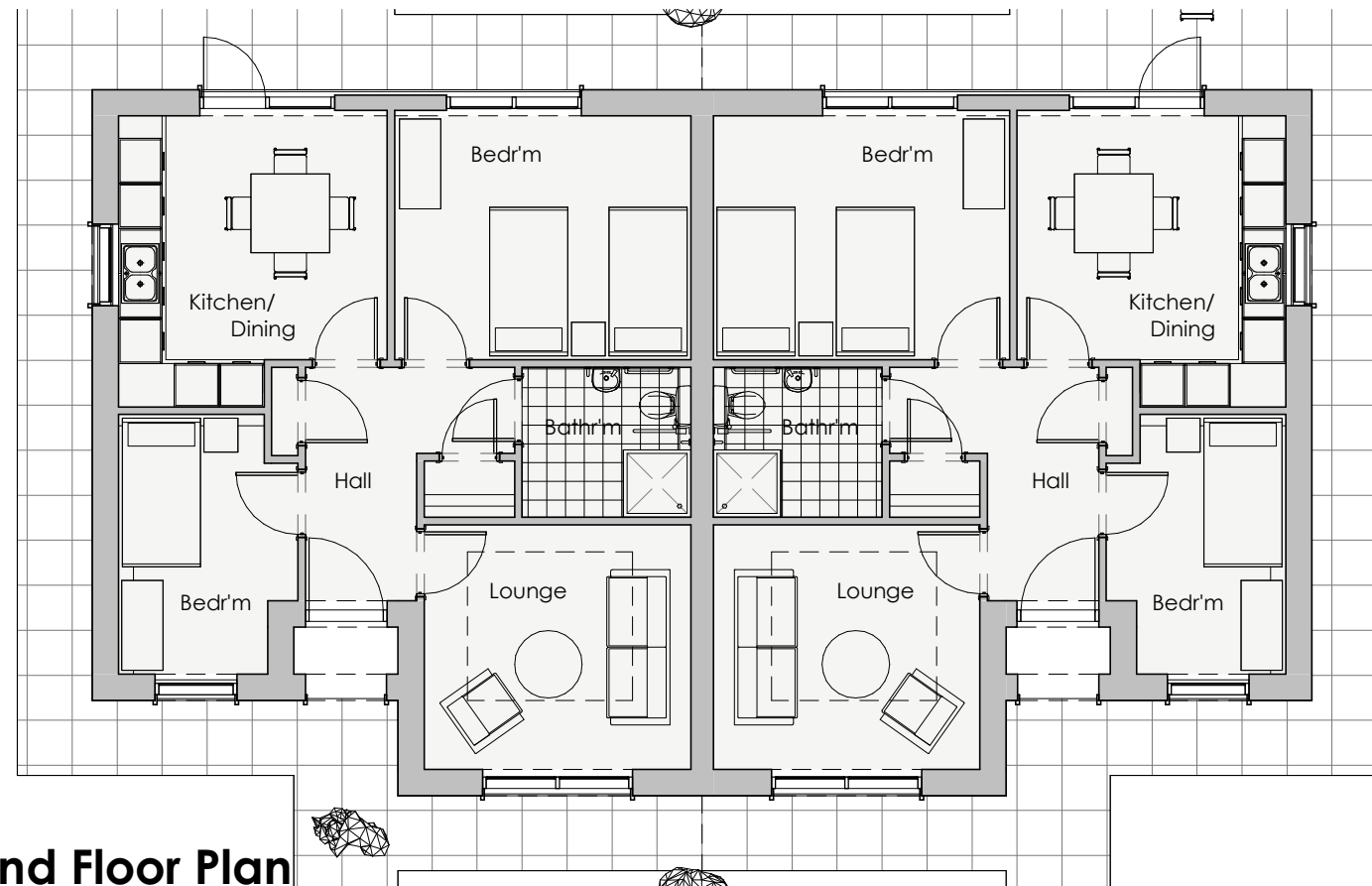
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### Proposed - First Floor Plan

Scale: 1 : 100



### Proposed - Ground Floor Plan

Scale: 1 : 100

Scheme Title:  
**Pontybodkin - Housing Development**  
Drawing Reference:  
**HT 01 - Floor Plans**

Scale @ A3: **1 : 100**  
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Project Number:	Drawing Number:	Revision:
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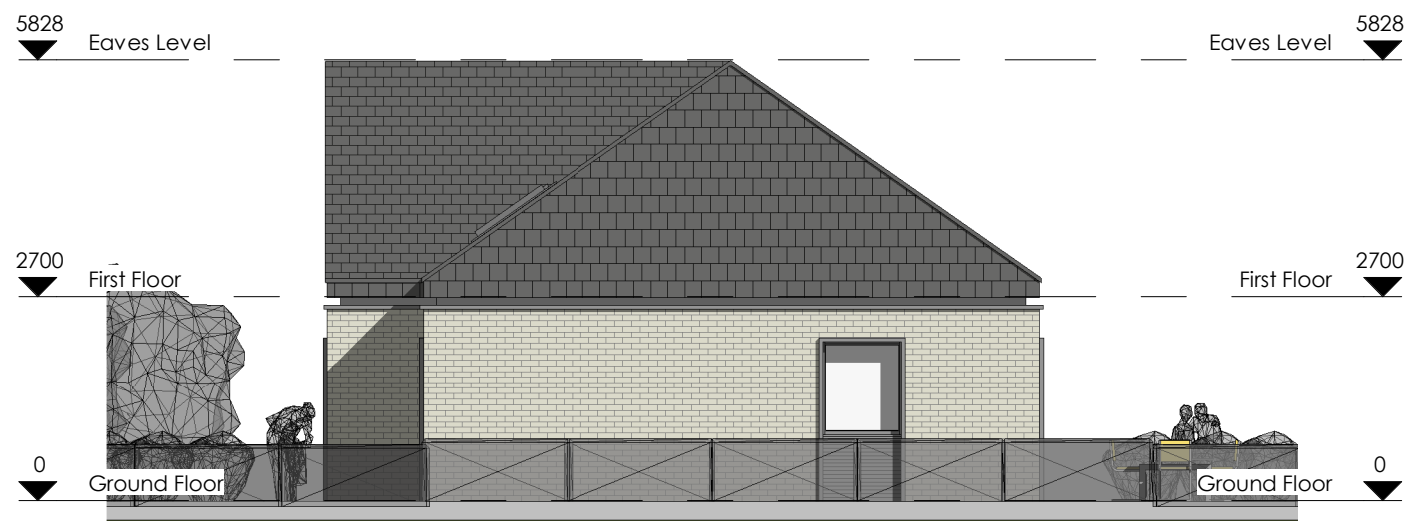
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**Proposed - Front Elevation**

Scale: 1 : 100



**Proposed - Side Elevation A**

Scale: 1 : 100

Scheme Title:  
**Pontybodkin - Housing Development**  
Drawing Reference:  
**HT 01 - Elevations**

Scale @ A3: **1 : 100**  
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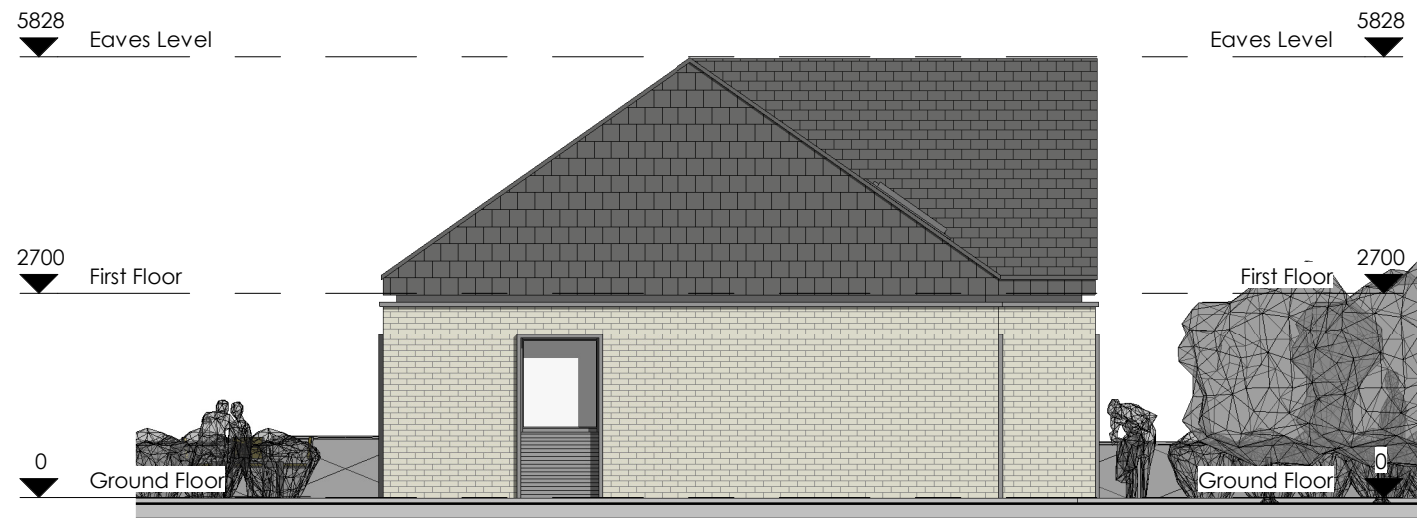
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**Proposed - Rear Elevation**

Scale: 1 : 100



**Proposed Side Elevation B**

Scale: 1 : 100

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Scheme Title:  
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 Drawing Reference:  
**HT01 - Elevations**

Scale @ A3: **1 : 100**  
 Drawn by: **RAL**  
 Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL47</b>	<b>A</b>

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**Front View A**

Scale: 1 : 1

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Rev:	Description:	Date:
X	Planning Issue.	18.06.18
A	Planning Sub.	05.09.18

Scheme Title:  
**Pontybodkin - Housing Development**  
 Drawing Reference:  
**Front View A**

Scale @ A3: **1 : 1**  
 Drawn by: **RAL**  
 Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL48</b>	<b>A</b>

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### Front View B

Scale: 1 : 1

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A	Planning Sub.	05.09.18

Scheme Title:  
**Pontybodkin - Housing Development**  
 Drawing Reference:  
**Front View B**

Scale @ A3: **1 : 1**  
 Drawn by: **RAL**  
 Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL49</b>	<b>A</b>



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### Rear View A

Scale: 1 : 1

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X	Planning Issue.	18.06.18
A	Planning Sub.	05.09.18

Scheme Title:  
**Pontybodkin - Housing Development**  
 Drawing Reference:  
**Rear View A**

Scale @ A3: **1 : 1**  
 Drawn by: **RAL**  
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Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL50</b>	<b>A</b>

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**Rear View B**

Scale: 1 : 1

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A	Planning Sub.	05.09.18

Scheme Title:  
**Pontybodkin - Housing Development**  
 Drawing Reference:  
**Rear View B**

Scale @ A3: **1 : 1**  
 Drawn by: **RAL**  
 Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL51</b>	<b>A</b>



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A	Planning Sub.	05.09.18



**Street View A**  
Scale: 1 : 1

Scheme Title:  
**Pontybodkin - Housing Development**  
Drawing Reference:  
**Street Images**

Scale @ A1: **1 : 1**  
Drawn by: **RAL**  
Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL05</b>	<b>A</b>

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**Street View B**  
Scale: 1 : 1

Scheme Title:  
**Pontybodkin - Housing Development**  
Drawing Reference:  
**Street Images**

Scale @ A1: **1 : 1**  
Drawn by: **RAL**  
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Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL06</b>	<b>A</b>

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A	Planning Sub.	05.09.18



**Street View C**  
Scale: 1 : 1

Scheme Title:  
**Pontybodkin - Housing Development**  
Drawing Reference:  
**Street Images**

Scale @ A1: **1 : 1**  
Drawn by: **RAL**  
Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL07</b>	<b>A</b>

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A	Planning Sub.	05.09.18



**Street View D**  
Scale: 1 : 1

Scheme Title:  
**Pontybodkin - Housing Development**  
Drawing Reference:  
**Street Images**

Scale @ A1: **1 : 1**  
Drawn by: **RAL**  
Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL08</b>	<b>A</b>

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**Site Entrance**  
Scale: 1 : 1

Scheme Title:  
**Pontybodkin - Housing Development**  
Drawing Reference:  
**Street Images**

Scale @ A1: **1 : 1**  
Drawn by: **RAL**  
Checked by: **MOH**

Project Number:	Drawing Number:	Revision:
<b>5494</b>	<b>PL09</b>	<b>A</b>

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **30<sup>TH</sup> SEPTEMBER 2020**

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

**SUBJECT:** **FULL APPLICATION FOR THE CONSTRUCTION OF A TWO STOREY UTILITY BUILDING AND ASSOCIATED WORKS INCLUDING TWO EXHAUST STACKS.**

**APPLICATION NUMBER:** **061171**

**APPLICANT:** **VALSPAR**

**SITE:** **VALSPAR, PARKWAY, DEESIDE INDUSTRIAL PARK.**

**APPLICATION VALID DATE:** **29<sup>th</sup> MARCH 2020**

**LOCAL MEMBERS:** **COUNCILLOR MRS C JONES**

**TOWN/COMMUNITY COUNCIL:** **SEALAND**

**REASON FOR COMMITTEE:** **HEIGHT OF THE PROPOSED DEVELOPMENT IS OUTSIDE THE SCOPE OF DELEGATED POWERS**

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

### **1.00 SUMMARY**

- 1.01 This full application relates to a proposal for a new utility building with associated exhaust stacks and formation of a new internal roadway at an existing industrial premises Valspar, Parkway, Deeside Industrial Park. Progression of the application has been delayed pending the submission of a Flood Consequences Assessment ( FCA ) .

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

- 2.01 1 Time limit on commencement  
2 In accordance with approved plans  
3 Materials to be submitted and approved  
4 Landscaping Scheme to be submitted and approved.  
5 Implementation of landscaping scheme  
6 No surface water to connect to public sewerage network

**3.0 CONSULTATIONS**

- 3.01 Local Member  
Councillor C Jones  
No response received at time of preparing report

Sealand Community Council:  
No objections

Highway Development Control  
No objection. The proposed development is remote from the adopted highway, it will be served via an existing access off Second Avenue and is unlikely to have a significant highway impact

Community and Business Protection  
No adverse comments

Dwr Cymru /Welsh Water  
No objection – attention drawn to advisory notes

Natural Resources Wales:-  
Following submission of a Flood Consequences Assessment ( FCA ) raise no objection to the development

Economic Development:  
Supportive of the proposal as development of a new utility building will ensure Valspar a large multinational employer, will continue to operate on Deeside Industrial Park.

Airbus:-  
No aerodrome safeguarding objection..

**4.0 PUBLICITY**

- 4.0 Press Notice, Neighbour Notification



No responses received at time of writing report

## **5.0 SITE HISTORY**

**5.01** 056574- Application for a Hazardous Substances Consent – consent granted 8<sup>th</sup> November 2018

056454- Tank farm expansion including temporary car parking and construction contractors compound, new access to rear of site- Approved 3<sup>rd</sup> April 2017.

047098- Vertical expansion of resin building and MCC building, new utility building, expansion of tank farm and additional pipe racks, additional car parking, additional road area and new entrance gate (no change of use).-Approved 15<sup>th</sup> February 2015.

041223- Erection of new development building comprising of paint mixing facility and warehouse storage-Approved 26<sup>th</sup> June 2006.

030138- Erection of an organic peroxide store-Approved 5<sup>th</sup> August 1999

023541-Erection of a storage unit-Approved 6<sup>th</sup> December 1994.

## **6.00 PLANNING POLICIES**

**6.01** Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR3 - Employment.

GEN1- General Requirements for Development.

Policy D1 – Design Quality, Location and Layout.

Policy D2 – Design.

Policy AC13 – Access and Traffic Impact.

Policy EM3 – Development Zones and Principal Employment Areas.

Policy EM5 – Expansion of Existing Concerns

Policy EWP17 – Flood Risk.

### Additional Guidance

Planning Policy Wales ( PPW ) – Edition 10

Technical Advice Note 15 – Development and Flood Risk

Technical Advice Note 23 – Economic Development

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This application has been submitted by Valspar a packaging and resin coating manufacturer who occupy a total site area of approximately 3.2 ha. The site is located on a key focal point at the junction of Second Avenue and Parkway within Zone 2 on Deeside Industrial Park ( DIP ), a Development Zone as defined by Policy EM3 of the Flintshire Unitary Development Plan. It is also within a C1 Flood Zone as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15 – Development and Flood Risk.

- 7.02 For Members information there are a range of existing buildings on the site including offices, a laboratory, warehousing, workshops and an external tank farm

### **Proposed Development**

- 7.03 The plans submitted as part of this application proposes :-
- a) the erection of a new 2 storey utility building measuring approximately 28m x 20m x 10.7 m ( high ). The building would be constructed having colour profiled external sheeting to match existing buildings within the site
  - b) the erection of two exhaust stacks 27m in height adjacent to the proposed building from proposed steam generators
  - c) the formation of a new internal roadway to connect the utilities building to the existing gate on Second Avenue at Deeside Industrial Park.

### **Main Planning Considerations**

- 7.04 It is considered that the main planning considerations to be taken into account in relation to this application are:-
- a) The principle of development
  - b) The scale /form/design and impact on character
  - c) Adequacy of access
  - d) Flood risk

### **Principle of Development**

- 7.05 The site is located within a Development Zone as defined in the Flintshire Unitary Development Plan. The proposal forms an extension to an existing operational industrial use, and the principle of development is therefore acceptable having regard to Policies EM3 and EM5 subject to the safeguarding of relevant amenity considerations.

### **Character and appearance**

- 7.06 The scale and form of the proposed building is in my view similar and reflective of existing development within the site and wider Industrial Park. Whilst acknowledging that the proposal involves the proposed erection of 27m high exhaust stacks, these are features which are required on many premises within such locations and can be assimilated into the site and surroundings given the nature of existing development at this location.



#### Adequacy of access

- 7.07 Consultation on the application has been undertaken with the Highway Development Control Manager who raises no objection to the development on this well - established industrial estate

#### Flood Risk

- 7.08 A Flood Consequences Assessment ( FCA ) subsequently submitted as part of this application has been assessed by Natural Resources Wales given the sites location with a C1 Flood Zone. It has been confirmed by NRW that there is no objection to the development in this respect.

### **8.00 CONCLUSION**

In summary, it is considered that the proposed extension to the existing industrial unit is acceptable. There are no objections from a highway /flood risk perspective following the submission of an FCA. Subject to the imposition of conditions as referenced in paragraph 2.00 of this report it is recommended that the development be approved.as the total cumulative development would be in keeping with existing operations within the site and wider employment development on Deeside Industrial Park.

#### **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.

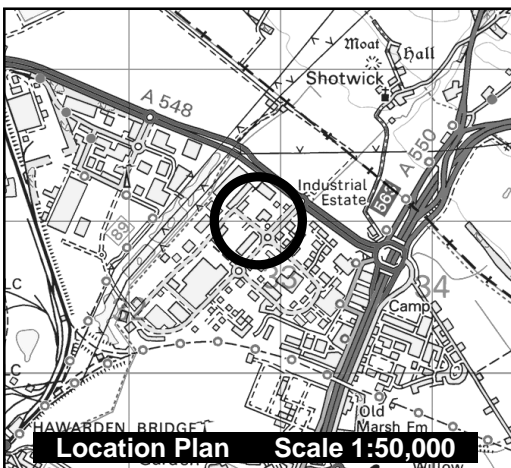
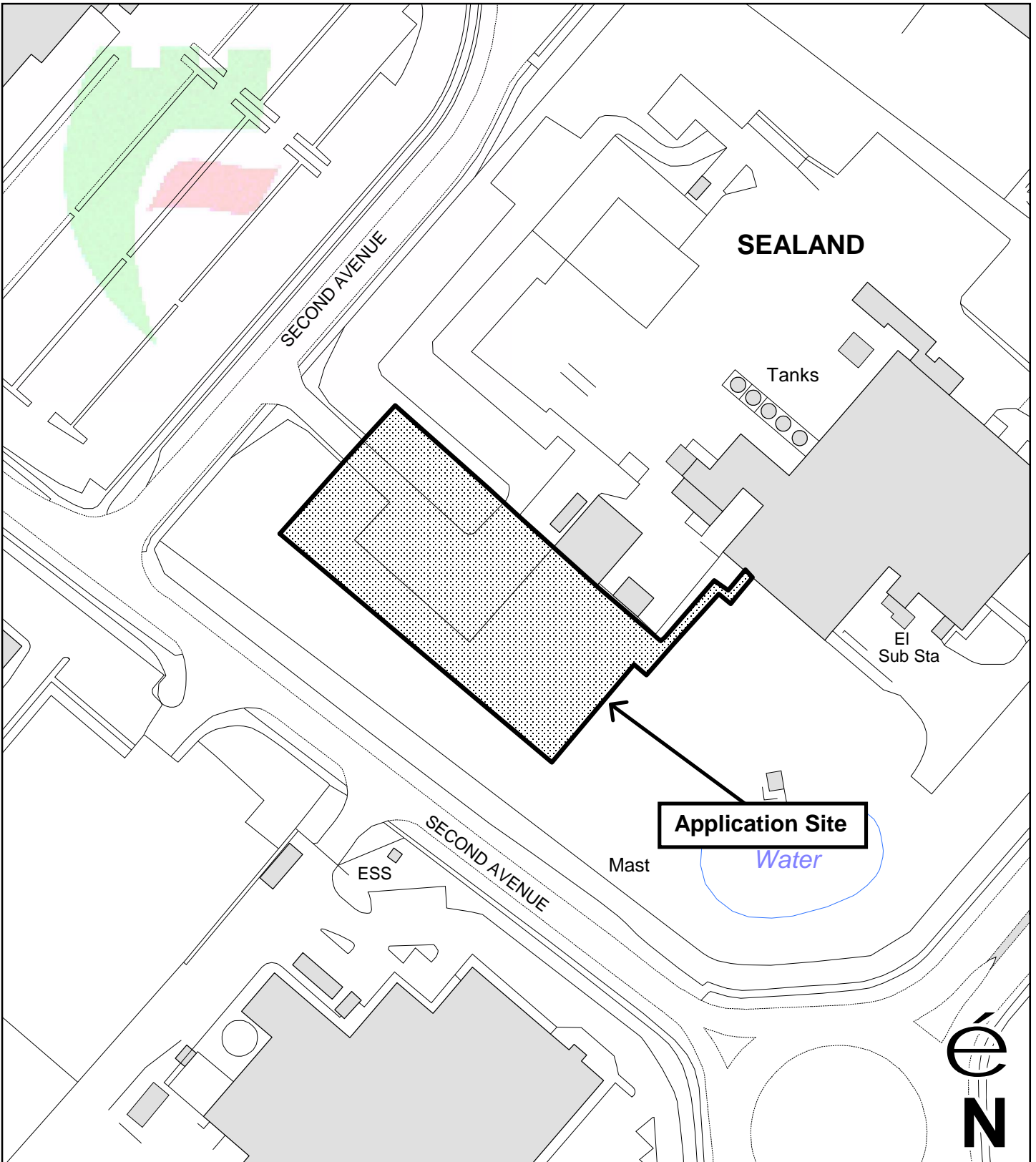
#### **LIST OF BACKGROUND DOCUMENTS**

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

**Contact Officer:**

**Telephone:**  
**Email:**





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

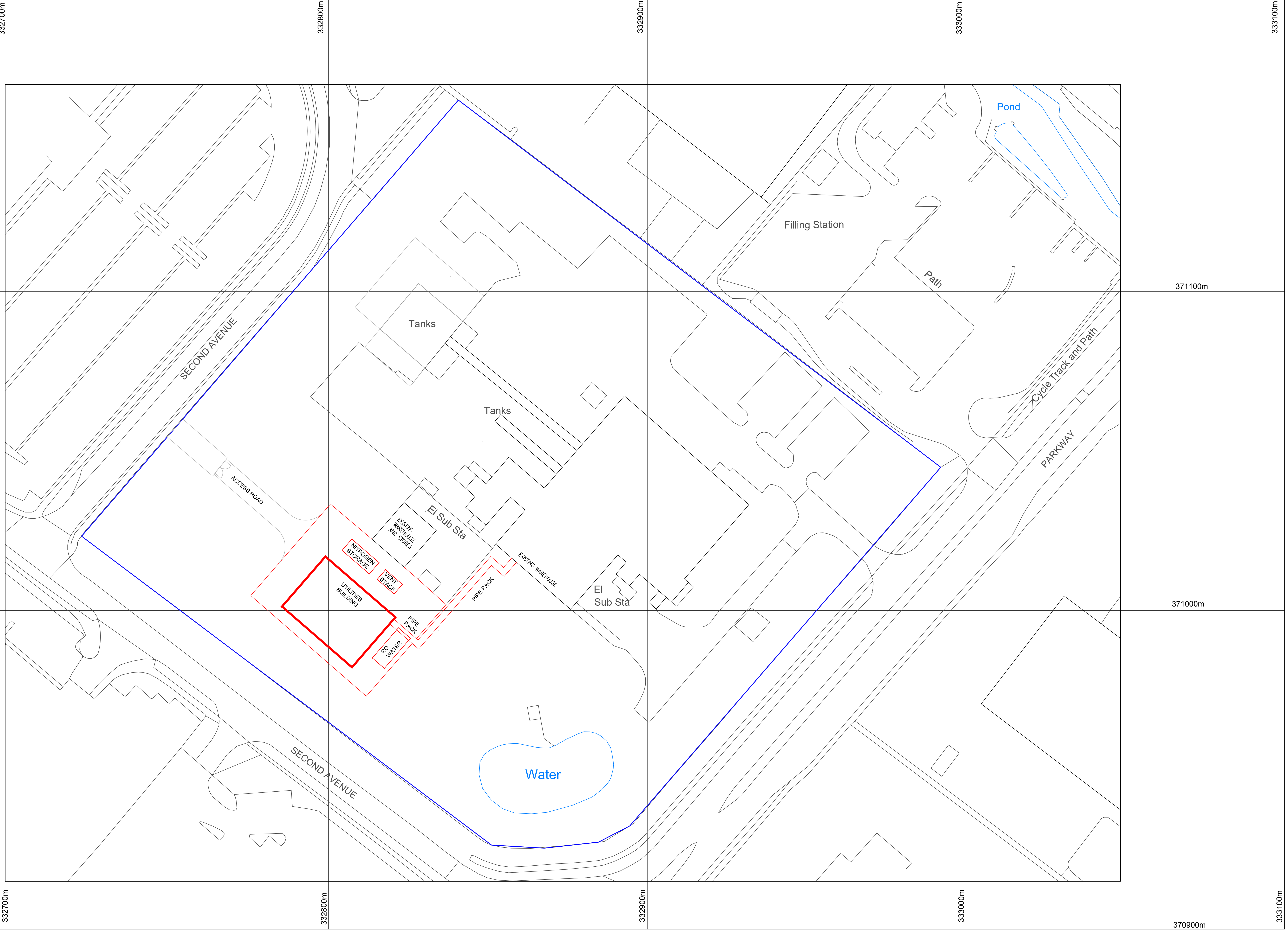
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Map Scale 1:1250

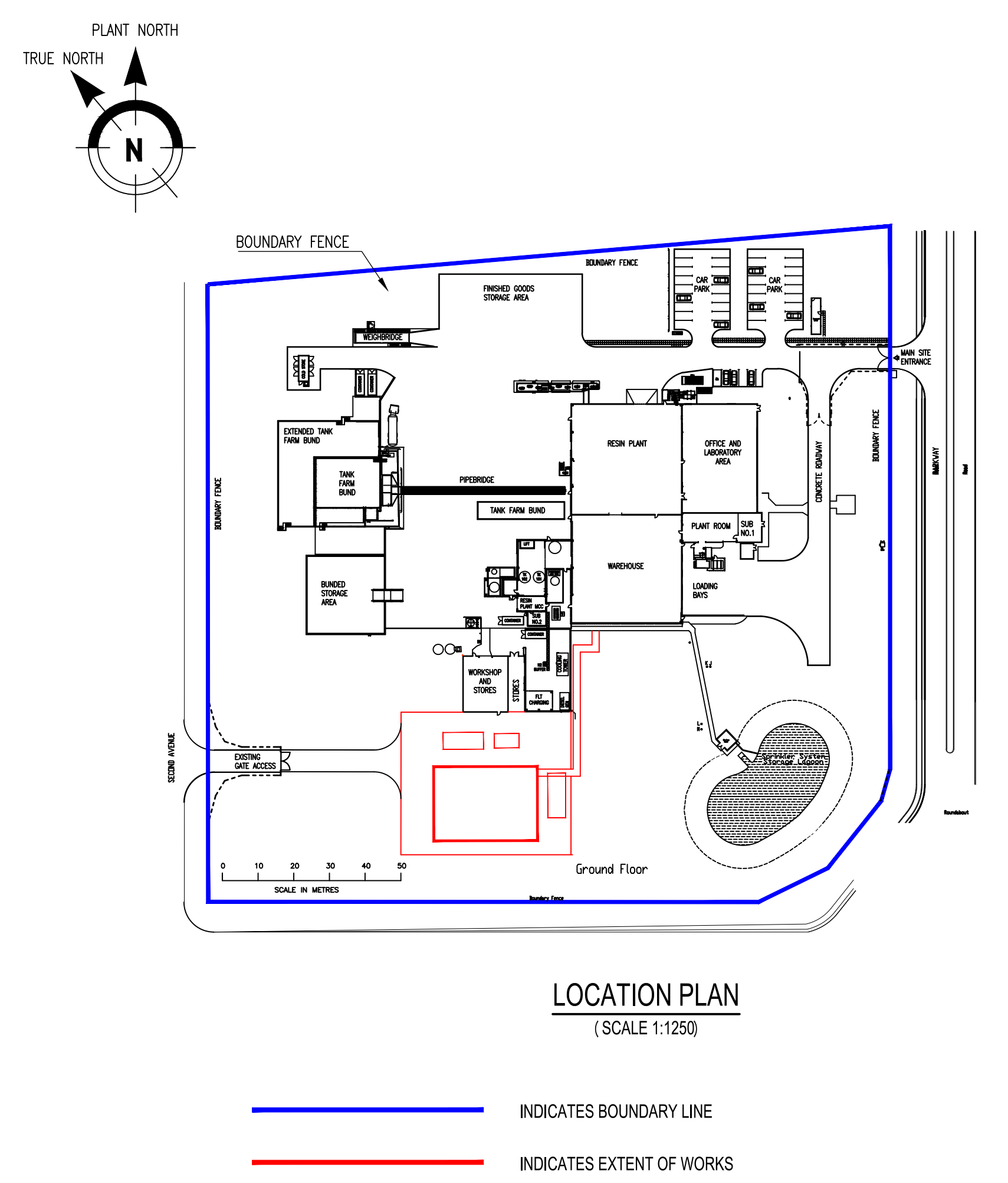
OS Map ref SJ 3271

Planning Application **61171**





**BLOCK PLAN**  
(SCALE 1:500)



**LOCATION PLAN**  
(SCALE 1:1250)

— INDICATES BOUNDARY LINE  
— INDICATES EXTENT OF WORKS

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JOB No.	DRAWING NUMBER	ISSUE	
19-169	SHW-19-450-0001	A	

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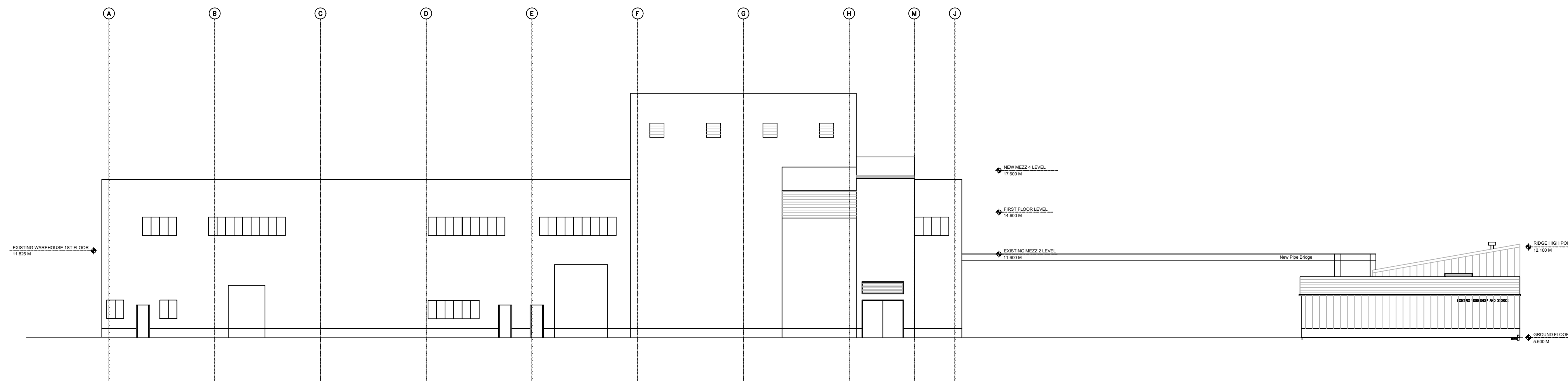
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PLANT SECTION

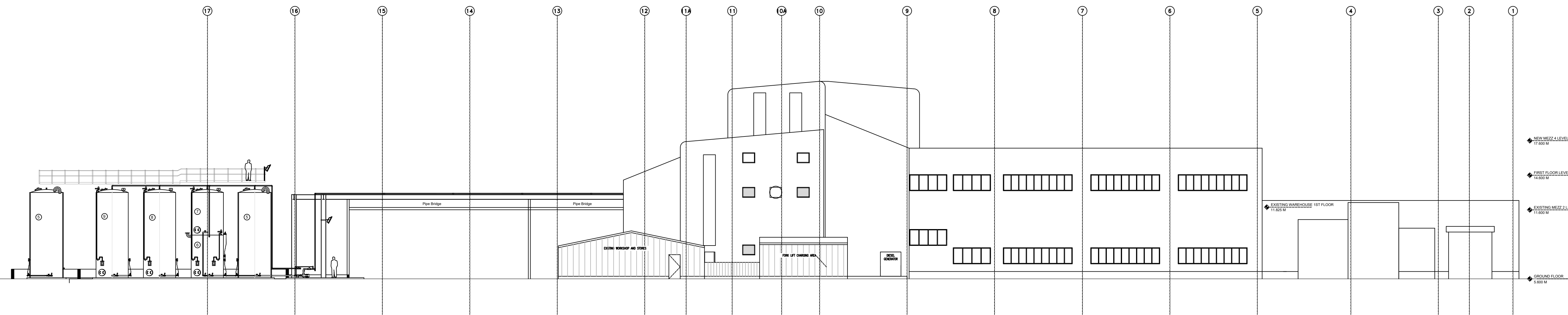
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 BLOCK PLANS

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EXISTING NORTH ELEVATION



EXISTING WEST ELEVATION



EXISTING SOUTH/WEST ELEVATION

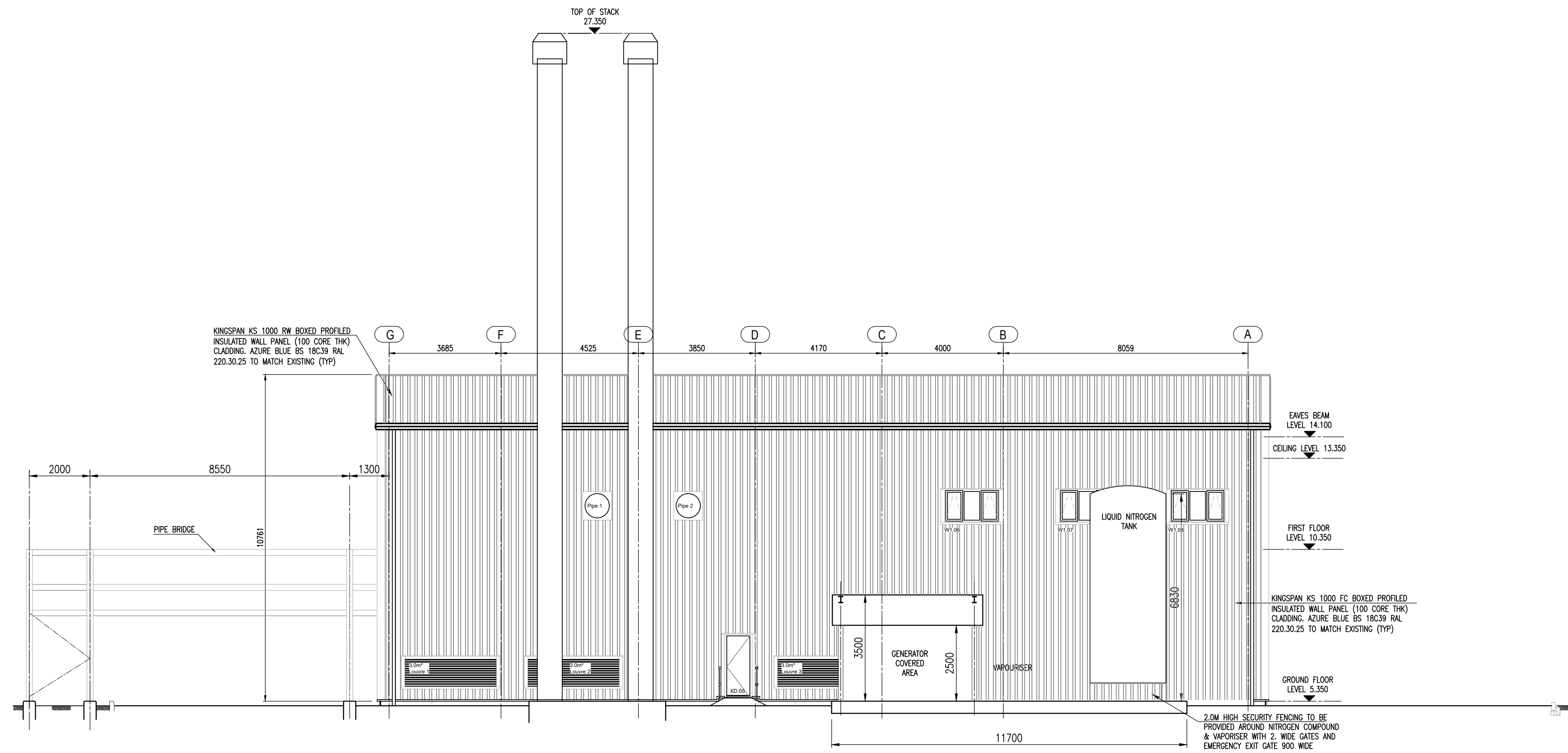


EXISTING SOUTH ELEVATION

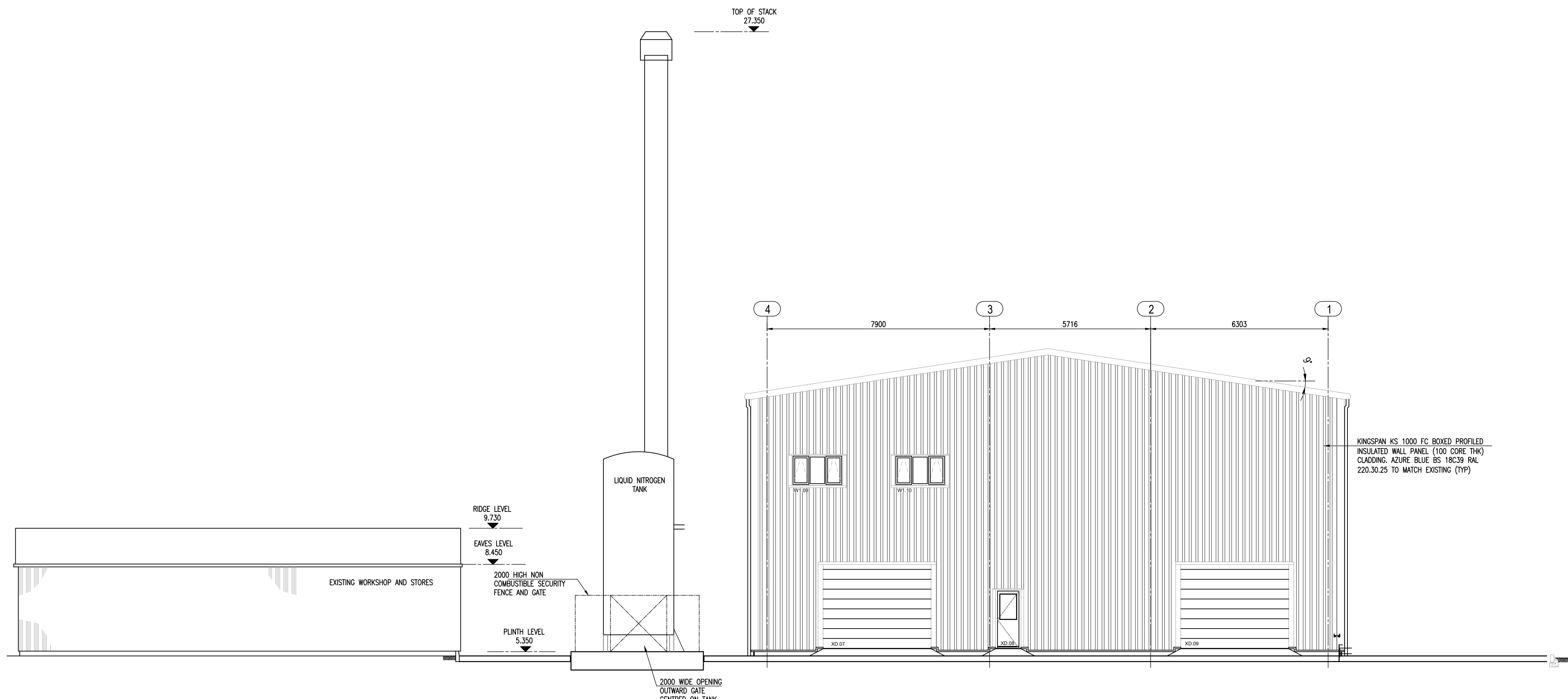
Page 17/5

A	18.03.20	ISSUED FOR PLANNING	AS SC
P2	15.07.19	ISSUED FOR PLANNING	JM CG
P1	10.07.19	PRELIMINARY ISSUE FOR CLIENT DISCUSSION	JM
ISSUE	DATE	DESCRIPTION OF ISSUE OR REVISION	BY CHK
<b>Elizabeth House, Daresbury Park, Warrington, Cheshire WA4 4BB.</b>			
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PROPOSED EAST ELEVATION

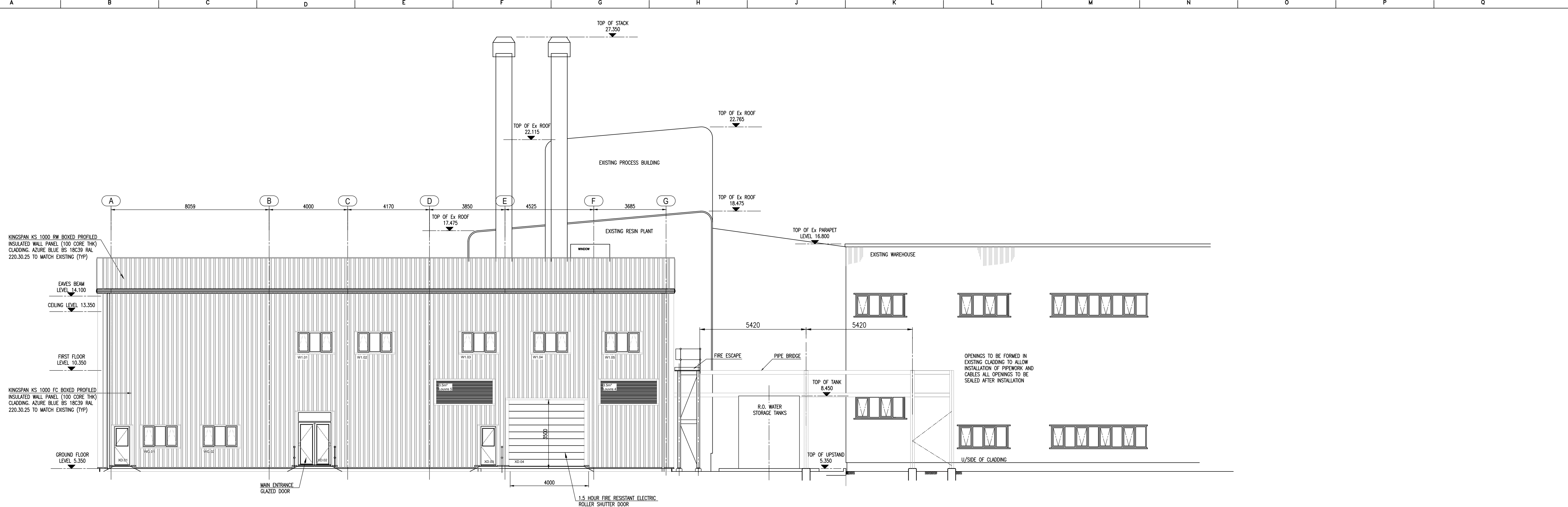


PROPOSED NORTH ELEVATION

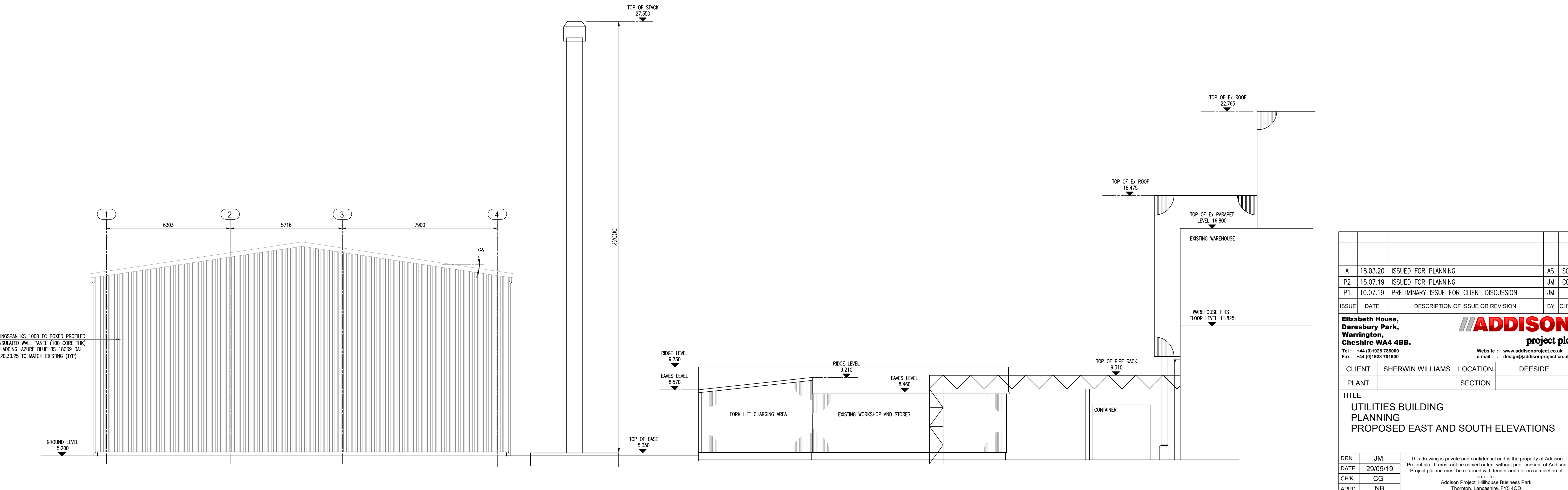
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A	18.03.20	ISSUED FOR PLANNING	AS SC
P2	15.07.19	ISSUED FOR PLANNING	JM CG
P1	10.07.19	PRELIMINARY ISSUE FOR CLIENT DISCUSSION	JM
ISSUE	DATE	DESCRIPTION OF ISSUE OR REVISION	BY CHK
<b>Elizabeth House, Daresbury Park, Warrington, Cheshire WA4 4BB.</b> Tel: +44 (0)1928 786000 Fax: +44 (0)1928 701900		 Website: www.addisonproject.co.uk e-mail: design@addisonproject.co.uk	
CLIENT	SHERWIN WILLIAMS	LOCATION	DEESIDE
PLANT		SECTION	
TITLE <b>UTILITIES BUILDING PLANNING EAST AND NORTH ELEVATIONS</b>			
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DATE	29/05/19		
CHK	CG		
APPD	NB		
PROJECT TITLE UTILITIES BUILDING			
SCALE	1:100	SIZE A1	
JOB No.	DRAWING NUMBER	ISSUE	
19-169	SHW-19-450-0004	A	





PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION

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Tel: +44 (0)1928 786000 Fax: +44 (0)1928 701900		Website: www.addisonproject.co.uk e-mail: design@addisonproject.co.uk	
CLIENT	SHERWIN WILLIAMS	LOCATION	DEESIDE
PLANT		SECTION	
TITLE <b>UTILITIES BUILDING PLANNING PROPOSED EAST AND SOUTH ELEVATIONS</b>			
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DATE	29/05/19	Addison Project, Hillhouse Business Park, Thornton, Lancashire, FY5 4QD.	
CHK	CG		
APPD	NB		
PROJECT TITLE		UTILITIES BUILDING	
SCALE	1:100	SIZE A1	
JOB No.	DRAWING NUMBER	ISSUE	
19-169	SHW-19-450-0003	A	











