

Public Document Pack

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



CS/NG

20 April 2023

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

To: Cllr Richard Lloyd (Chair)

Councillors: Mike Allport, Bernie Attridge,
Chris Bithell, Helen Brown, Paul Cunningham,
Rob Davies, Adele Davies-Cooke, Carol Ellis,
Gladys Healey, Dave Hughes, Paul Johnson,
Richard Jones, Hilary McGuill, Ted Palmer,
Mike Peers and Dan Rose

Dear Sir / Madam

NOTICE OF HYBRID MEETING
PLANNING COMMITTEE
WEDNESDAY, 26TH APRIL, 2023 am 1.00 PM

Yours faithfully

Steven Goodrum
Democratic Services Manager

Please note: Attendance at this meeting is either in person in the Lord Barry Jones Council Chamber, Flintshire County Council, County Hall, Mold, Flintshire or on a virtual basis.

Public speakers have been asked if they would like to address the Committee in English or Welsh.

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

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

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **LATE OBSERVATIONS**
- 4 **MINUTES** (Pages 3 - 8)

To confirm as a correct record the minutes of the meeting held on 29 March 2023.

- 5 **ITEMS TO BE DEFERRED**
- 6 **REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)**

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

REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY) TO PLANNING COMMITTEE ON 26 APRIL 2023

Item No	File Reference	DESCRIPTION
<u>Applications reported for determination (A = reported for approval, R= reported for refusal)</u>		
6.1	FUL/000037/23	FUL/000037/23 - A - Full application - Redevelopment of the former Cottage Hospital site to provide a new care home comprising of 56 no. bedrooms, complete with new road access and parking, green space and landscaping at Flint Community Hospital, Cornist Road, Flint (Pages 9 - 26)
6.2	FUL/000779/22	FUL/000779/22 - A - Full application - Retention of general purpose storage building, stables and menage including the change of use of land for equine at land south of Drury Farm, Drury Lane, Buckley (Pages 27 - 36)

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours

PLANNING COMMITTEE
29 MARCH 2023

Minutes of the Planning Committee of Flintshire County Council held as a hybrid meeting on Wednesday, 29 March 2023

PRESENT: Councillor Richard Lloyd (Chair)

Councillors: Mike Allport, Bernie Attridge, Chris Bithell, Helen Brown, Paul Cunningham, Rob Davies, Adele Davies-Cooke, Carol Ellis, Gladys Healey, Dave Hughes, Paul Johnson, Richard Jones, Hilary McGuill, Ted Palmer (for application 063778), Mike Peers and Dan Rose

APOLOGIES: None

ALSO PRESENT: The following attended as Local Members:

Councillor Mel Buckley - agenda item 6.1 (FUL/000776/22)

Councillor Glyn Banks - agenda item 6.3 (FUL/000434/22)

Councillor Sean Bibby - agenda item 6.5 (063778)

IN ATTENDANCE: Chief Officer (Planning, Environment & Economy), Service Manager - Strategy, Service Manager - Development, Senior Engineer - Highways Development Control, Senior Planning Officers, Solicitor and Democratic Services Officers

56. DECLARATIONS OF INTEREST

Councillor Richard Jones declared a personal interest on agenda item 6.4 (064109) as he had been contacted on more than three occasions.

Councillor Bernie Attridge declared a personal interest on agenda item 6.5 (063778) as he had been contacted by five objectors.

57. LATE OBSERVATIONS

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

<https://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MId=5284&LLL=0>

58. MINUTES

The minutes of the meeting held on 1 March 2023 were confirmed as a correct record, as moved and seconded by Councillors Bernie Attridge and Rob Davies.

RESOLVED:

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

59. ITEMS TO BE DEFERRED

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

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

RESOLVED:

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

61. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were five members of the public present at the start of the meeting.

(The meeting started at 1pm and ended at 3.45pm)

.....
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 29 MARCH 2023

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
FUL/ 000776/22	Flint Town Council	Full application - New, two storey 240 FTE Place Welsh Medium Primary School building and 30 Place PTE Nursery. New, partial two storey wrap around childcare, Welsh Immersion and Community building. Project associated external works, inclusive of boundary treatments, new pedestrian access points, new car parking arrangements and extended vehicular access off Ffordd Dewi, Flint	Councillor Mel Buckley (Local Member) spoke in support of the application. The Chief Officer agreed to liaise with Education colleagues regarding comments on the green belt maintenance fee.	That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation.
FUL/ 000562/22	Buckley Town Council	Full application - The erection of a Solid Recovered Fuel Facility, together with ancillary development including an electricity/power room, pipeline and conveyor system at Castle Cement, Padeswood, Mold	-	That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation.

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
FUL/ 000434/22	Llanasa Community Council	Full application - Change of use of existing property to a holiday accommodation for 185 days per calendar year and to allow residential use for remainder of year at Arosfa, Axton, Holywell	<p>Nikki Foulkes (Resident) spoke against the application.</p> <p>Dean Scott (Applicant) spoke in support of the application.</p> <p>Councillor Glyn Banks (Local Member) spoke against the application.</p>	<p>That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation, subject to the following changes:</p> <ul style="list-style-type: none"> • Condition 1: One year temporary permission (instead of two years). • Additional condition 'Maximum occupancy to be restricted to 16 people' as included in the late observations. • Conditions to be implemented from the time that permission is granted.
064109	Buckley Town Council	Full application - Amendment to planning permission 062649 to allow the repositioning of the erection of one dwelling with integral garage (in retrospect) at Tabernacle Street, Buckley	A statement of objection was read out on behalf of Malcolm Parry (Resident).	That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation.

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
063778	Shotton Town Council	Full application - Conversion of vacant commercial premises to form a mixed used commercial (A1, A2) at ground floor with HMO (Unique Use) unit behind and above at 11 Chester Road West, Shotton	<p>A statement of objection was read out on behalf of Sheila Kavanagh (Resident).</p> <p>Nick Daccus (Agent) spoke in support of the application.</p> <p>Councillor Sean Bibby (Local Member) spoke against the application.</p>	That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation.

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **26th APRIL 2023**

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

SUBJECT: **REDEVELOPMENT OF THE FORMER COTTAGE HOSPITAL SITE IN FLINT TO PROVIDE A NEW CARE HOME COMPRISING OF 56 NO. BEDROOMS, COMPLETE WITH NEW ROAD ACCESS AND PARKING, GREEN SPACE AND LANDSCAPING.**

APPLICATION NUMBER: **FUL/000037/23**

APPLICANT: **FLINTSHIRE COUNTY COUNCIL**

SITE: **FLINT COMMUNITY HOSPITAL, CORNIST ROAD, FLINT, FLINTSHIRE, CH6 5HG**

APPLICATION VALID DATE: **23rd JANUARY 2023**

LOCAL MEMBERS: **COUNCILLOR P CUNNINGHAM**
COUNCILLOR MRS V PERFECT
COUNCILLOR MS M PERFECT

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

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full planning application for the redevelopment of the former Cottage Hospital site in Flint to provide a new care home comprising of 56 no. bedrooms, complete with new road access and parking, green space and landscaping.
- 1.02 The new facility will be run in conjunction with the Betsi Cadwalader University Health Board (BCUBH) and will house long term residents

as well as those people who no longer need to be in hospital but require short term support before being discharged to their own home (Discharge to Assess Patients).

- 1.03 The building will have spaces to assess therapeutic support as well as being available to long term residents.
- 1.04 The application proposes a building of contemporary design comprising a predominantly 4-storey linear block with a 3-storey wing projecting ninety degrees from the rear elevation towards Cornist Road.
- 1.05 The intervening space between the rear of the building and Cornist Road will be used as secure garden/seating area for residents, with more open garden areas provided to the north, retained woodland area and enhanced planting of native species to encourage wildlife.
- 1.06 A new site access is to be formed off Cornist Road to access the proposed car park and the front elevation and main entrance of the care home and adult day care centre. The large car park will provide off street car parking for vehicles visiting the site as well as staff car parking. The existing access into the site is to be retained and will provide access for service vehicles. A condition will be imposed to promote active travel to and from the site.
- 1.07 In addition to the proposed use and design, other material planning considerations including ecological matters, amenity and flood risk have been assessed and are considered acceptable.
- 1.08 The application is therefore recommended for approval as set out in Paragraph 2.0 of this report.

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

- 2.01
 - 1. Time limit on commencement
 - 2. Compliance with the approved plans
 - 3. Submission and approval of materials
 - 4. Submission and approval of external lighting scheme
 - 5. Submission and approval of working method associated with the Reasonable Avoidance Measures for wildlife
 - 6. Submission and approval of Biodiversity enhancement scheme
 - 7. Submission and approval of Levels
 - 8. Submission and approval of Landscape/planting strategy
 - 9. Mitigation proposals contained within noise and air quality reports shall be adhered to.

10. No surface water shall be allowed to drain directly or indirectly to the public sewerage system
11. Submission and approval of remediation strategy if contamination not previously identified is found
12. Submission and approval of the formation of the proposed access, alterations to the existing access and provision of the pedestrian crossing point across Cornist Road.
13. Prior to first use adequate facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles.
14. Submission and approval of positive means to prevent the run-off of surface water onto the highway
15. A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within 12 months of first occupation.
16. Submission and approval of Construction Traffic Management Plan
17. Submission and approval of Schedule of road markings to be installed and covered by an appropriate Traffic Regulation Order
18. Submission and approval of measures to encourage active travel to and from the site

3.00 CONSULTATIONS

3.01 **Local Member Councillor P Cunningham:** No response at the time of writing

Local Member Councillor Mrs V Perfect: No response at the time of writing

Local Member Councillor Ms M Perfect: No response at the time of writing

Flint Town Council: No written response received

Community and Business Protection: No objections - The Air Quality and Noise reports attached to the application have been assessed and the conclusions are agreed. The mitigation proposals contained within the reports are comprehensive and will assist in minimising any emissions particularly during the construction phases of the development.

Welsh Water/Dwr Cymru: No objections subject to a condition to ensure no surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system. (NB. The proposals will require a separate application to the SuDs Approving Body (SAB) for the approval of the means to manage the disposal of surface water from the site).

Natural Resources Wales: No objections have been raised subject to a condition to ensure that if, during development, contamination not previously identified is found then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority.

Airbus: No aerodrome safeguarding objection to the proposal

Ecology: The recommendations set out in the Ecology Preliminary Ecological Appraisal V2 2023 accompanying the application are deemed acceptable subject to conditions for details of bird and bat boxes, a landscape and management plan as well as a lighting plan.

Highways Development Control: No objection subject to the provision of parking restrictions along Cornist Road to protect and ensure large vehicles may access the site as well as conditions to ensure safe and satisfactory means of access and layout, appropriate visibility splays, surface water drainage, travel plan, construction traffic management plan.

Forestry Officer: Concerns have been expressed about the loss of mature trees on the site but also acknowledged that they do not benefit from any form of protection.

4.00 PUBLICITY

4.01 48 Neighbour Notification letters were sent to adjoining and nearby properties. The application was also publicised by display of Site Notice and a Press Notice was placed in a local newspaper. At the time of writing no responses have been received following publicity of the application.

5.00 SITE HISTORY

5.01 There is no relevant planning history associated with the development.

6.00 PLANNING POLICIES

6.01 Local Development Plan (LDP)
STR4 Principles of sustainable development, design and place making
STR5 Transport and Accessibility
STR6 Services, Facilities and Infrastructure
STR7 Economic Development, enterprise and Employment

PC1 The Relationship of development to settlement boundaries
PC2 General Requirements for Development
PC3 Design
PC4 Sustainability and Resilience of New Development
PC5 Transport and Accessibility
PC6 Active Travel
PC12 Community Facilities
PE6 Protection of Employment Land
EN2 Green Infrastructure
EN7 Development Affecting Trees, Woodlands and Hedgerows
EN18 Pollution and Nuisance

Supplementary Planning Guidance (SPG)
SPG No11- Parking standards
SPG No12- Access for all
SPG No19- Sustainable drainage systems

National Planning Policy (NPP)
TAN 12- Design
TAN 18- Transport
Planning Policy Wales Edition 11

7.00 PLANNING APPRAISAL

7.01 Site Description

The site is classed as a brown field site having has a previous use as the former Cottage Hospital. It comprises a large open area of bare ground, gravel and hardstanding that is beginning to be colonised by early successional plants.

7.02 The hospital building has now been demolished, leaving a flat open expanse. The site lies on the edge of an industrial area (to the north and east) with residential streets and gardens to the south and west.

7.03 Immediately to the north is a large industrial building with open grassland and trees to the northeast. The northwest side the site is connected, via the council owned parkland, to a large area of woodland running up the western side of the industrial area.

7.04 Proposed Development

The application is a Flintshire County Council scheme that seeks planning permission for the redevelopment of the site to provide a new care home consisting of 56 residential units with ancillary support services, communal facilities as well as associated landscaping, amenity and parking. It is intended that the development will provide a modern replacement building for the Croes Atti care home on Prince of Wales Avenue in Flint.

7.05 The application proposes a modern, part 4 storey, part 3 storey building with communal kitchenettes and lounge areas on each floor,

assisted bathrooms, a commercial kitchen, therapeutic support rooms, laundry, a day care centre with its own dedicated entrance and wc provision, as well as ancillary spaces including staff rooms, meeting rooms, stores etc.

7.06 The proposal includes an extensive scheme of landscaping as well as replacement planting for the trees to be removed on site to accommodate the development. There will be a dedicated parking area at the rear of the site with 42 parking spaces that will access the main entrance, and dedicated cycle and motorcycle storage, served by a new site access off Cornist Road.

7.07 The existing stone wall that fronts onto Cornist Road will be retained and repaired. A significant landscaped buffer is proposed between the building and car park and Cornist Road running almost the full length of the site boundary, to soften the mass of the building and separate the proposed use from road users.

7.08 The main issues are considered to be:

- The principle of development
- Character, Scale and appearance
- Landscaping and trees
- Impact on living conditions
- Highway safety
- Drainage and flood risk
- Ecology

7.09 Principle of Development

The application site is located within the settlement boundary of Flint which is a Tier 1 Main Service Centre as set out within the Local Development Plan.

7.10 Policy PC12 of the Local Development Plan relates to the provision of community facilities and confirms that the development of new education, health and community facilities will be permitted on suitable sites within settlement boundaries.

7.11 The northern part of the proposed site extends into the landscape setting around an existing industrial unit within the designated principal employment area, Ashmount Industrial Estate (Policy PE2.13). Although the landscape setting is an integral part of the estate, the development of the cottage hospital within this part of the designation would not result in the loss of employment land or buildings and as such it doesn't conflict with policy PE6.

7.12 The proposal also partly sits within the Old London Road greenspace designation (Policy EN2.63) within the LDP. Policy EN2 states that where the loss or damage of existing green infrastructure is

unavoidable, appropriate mitigation and compensation will be required.

- 7.13 There are a number of established trees on site that will be removed to accommodate the new building and the associated external works. Whilst every effort has been made to retain as many trees as possible, there are a number of constraints on site that have driven the siting of the proposed care home including the presence of a major surface water drain that runs centrally through the site requiring a 5m easement either side (10m total). Welsh Water confirmed that it would be unfeasible to divert the large drain and as such the siting of the building was limited to outside the 10m buffer surrounding the drain. This has resulted in a number of mature trees needing to be removed. Whilst none of the trees are protected by TPO's they are part of an established landscape feature in the locality.
- 7.14 Following the concerns raised by the Forestry Officer, a compensation planting scheme to mitigate the loss of trees is proposed on the open space to the west of the development site, which also lies within the Council's ownership. This will provide a biodiversity net benefit in line with the requirements of LDP policy EN7.c.
- 7.15 Given the requirement to redevelop the site to provide a replacement for the existing Croes Atti care home, and taking account of the above considerations, the proposed development is considered acceptable in principle.
- 7.16 Character, Scale and Appearance
LDP policy PC2 encourages all development to seek to harmonise with or enhance the character, local distinctiveness and appearance of the site, existing building(s) and surrounding landscape/ townscape. In addition, Policy PC3 - Design states that all new development should, where appropriate be of a high quality, distinctive and inclusive design which respects and enhances the site and its surroundings in terms of its siting, layout, scale, height, design, density, use of materials and landscaping, and creates a sense of place.
- 7.17 Relating these policy tests to the proposal, the building has been designed to accommodate the required number of rooms and associated facilities, as prescribed by the Council in association with BCUHB to cater for current and future needs for services, whilst also considering the context of the site and the associated constraints.
- 7.18 The building has also been stepped from four to three storey in the southern wing to lessen the impact upon the residential properties located along Cornist Road. The closest properties are approximately 22m from the proposed building. Given the layout of the proposal and topography of the land, the overall impact is considered to be within acceptable limits. The proposed landscaping scheme along the site

boundary will also help to lessen the impact and will be secured by condition.

- 7.19 The main four storey block running west to east is 62m long and approximately 15m wide, with a single storey entrance block extending approximately 5m towards the eastern boundary. The southern wing is also 15m wide and extends 17m at its furthest point towards Cornist Road.
- 7.20 The building has a flat roof which will lessen the overall massing impact and measures approximately 16m tall at its highest point. The building then steps down to the three storey wing measuring approximately 12m in height from finished floor level. The single storey entrance wing measures just under 5m in height. The proposed gross internal area of the care home is 3924m².
- 7.21 The topography of the land surrounding the site falls from the South West to the North East, resulting in the dwellings on Cornist Road being at an elevated position to the finished floor level of the proposed care home. Given the proposal is between 3 and four storey in height this will reduce the impact of the proposal and help to preserve residential amenity.
- 7.22 In terms of appearance the building will be finished in facing brick sympathetic to the local area with brick feature panels around the main entrance to add texture and interest. The upper storey of the 4 storey main block will be clad in metal cladding with a standing seam and laid vertically to help reduce the massing of the building. A suitably worded condition will be imposed to secure the details of the materials.
- 7.23 The proposed design and massing of the development is therefore mindful of the visual impact on both the landscape and residential properties neighbouring the site and is considered to make a positive contribution to place making and local distinctiveness. It is therefore considered that in terms of character and design the proposal is compliant with policies PC2 and PC3 of the Flintshire Local Development Plan.
- 7.24 Landscaping and Trees
LDP Policy EN7 states that where the removal of trees is considered necessary, suitable replacements shall be provided elsewhere within the site.
- 7.25 As stated earlier, significant site constraints have restricted the developable areas of the site which has meant that to achieve the required footprint for the development, a number of established trees will need to be removed from the site. Concerns have been raised by the Forestry Officer over the loss of the existing mature trees though it is also acknowledged that these trees do not have any form of

protection such as a TPO. Whilst it is regrettable that a number of mature trees are to be removed to accommodate the development, the benefits in this instance outweigh the harm. The brown field site currently lies vacant and detracts from the character of the area. In addition the proposal will provide a much needed replacement care home for that lost at Croes Atti, providing modern state of the art facilities to facilitate current and future need.

- 7.26 In compliance with LDP policy EN7, the parcel of land to the west of the site, within the ownership of the Council, will undergo a programme of new planting to replace those lost as a result of the development.
- 7.27 The development also comprises a planting scheme which includes a series of new 'avenue' trees planted along the boundary to Cornist Road to help assimilate the proposal into the landscape. In addition, the holly hedge at the top of the boundary wall will be retained and new planting will be included to fill any gaps. This will provide a buffer to Cornist Road and screen part of the new façade from the dwellings on the opposite side of the road.
- 7.28 Native wildflower mixes will be introduced to the north of the parking area and the natural woodland to the north of the church will be retained. Hard landscaping will include a new footpath to the main entrance as well as around the perimeter of the site linking the building with the soft landscaping as well as a new memorial garden in memory of the cottage hospital in the central island north of the main entrance.
- 7.29 Overall, it is considered the proposal complies with the principles set out in LDP Policies EN4 and EN7 and will in the overall balance, result in a net biodiversity benefit in line with the requirements of criterion c of LDP policy EN7.
- 7.30 Impact upon Living Conditions
LDP Policy PC2 states that all development should, where appropriate, not have a significant adverse impact on the safety and living conditions of nearby residents, other users of nearby land/property, or the community in general, through increased activity, disturbance, noise, dust, vibration, hazard, or the adverse effects of pollution.
- 7.31 In addition, SPGN No2. Space-Around-Dwellings whilst requiring update to fully align with the LDP, still provides material guidance in support of the above policy. It highlights the need to allow a satisfactory degree of privacy and daylight and that adequate separation distances between buildings are required.
- 7.32 The closest residential properties are located along Cornist Road. These dwellings are elevated from the ground level of the site due to

the topography of the land. Ty Llidiart located to the south of the site is between 20 and 22m (approximately) from the proposed building and has its side elevation adjacent to the application site, with the main frontage facing onto Cornist Drive. Whilst there are two obscurely glazed windows at first floor and a bay window serving a living room at ground plus rear conservatory, the proposed building has been sited and designed to ensure adequate separation distances are provided between the proposed care home and this property. An enhanced landscaping scheme will also help to reduce the impact.

- 7.33 The single storey bungalow to the east of the site (Roasedale) is approximately 22m from the proposed building at its closest point. The building has been designed to ensure there is no direct overlooking and is a sufficient distance to preserve amenity. As such there are no concerns with over-looking, dominance or loss of amenity.
- 7.34 The closest dwelling within Cilfan to the south of the entrance to the site is located approx. 21m from the main entrance to the care home and again will be partially screened by the landscaping scheme. The building has been designed so that there are no windows that introduce overlooking.
- 7.35 High Banks and Holcomb to the southeast are set back from the road and again are elevated from the site ground level. These properties are located in excess of the required separation distances and as such adequate amenity is preserved.
- 7.36 It is considered all minimum separation distances as set out in the policy guidance are met, and the proposed development complies with LPD policy PC2.
- 7.37 Highway Safety
LDP Policy PC5 states new development must be supported by appropriate transport infrastructure as well as, when applicable, reduce reliance on car, mitigate any significant effects on the transport network, do not compromise the safe, effective efficient use of the highway network as well as providing adequate parking.
- 7.38 It is considered that the highways serving the site are in adequate condition, with a minimum width of 2m for footways and carriageways at approximately 6.3m in width. The proposal includes two access points into the site for motorised vehicles including one that was previously used as the main entrance into the site, which will be used as the refuse and deliveries entrance. The second entrance will be newly constructed and will be the main staff, resident and visitor entrance into the site.
- 7.39 Pedestrians and cyclists will have a singular point of entry into the site, alongside the main staff, resident and visitor entrance.

- 7.40 The new site will have 31 standard car parking spaces, 4 electric vehicle charging spaces, five Blue Badge spaces, two spaces for minibuses/ambulances and two motorcycle parking spaces.
- 7.41 This number is considered to be adequate for the general site use, even at peak times during shift changeover when the number of care staff will double.
- 7.42 This provision will ensure no overspill parking occurs on the existing highway network.
- 7.43 There are a number of bus stops within walking distance of the proposed site, in addition to Flint Railway Station being circa 0.9km from the site, making the proposed site for the new Residential Home building reasonably well connecting to the existing public transport infrastructure.
- 7.44 Although no formal cycling infrastructure exists on the highways close to the site, the roads surrounding the proposed are primarily residential in nature, with low traffic volumes, thereby being more conducive to cycling.
- 7.45 The trips generated by the development will have a negligible impact upon the highway network and do not compromise the safe, effective and efficient use of the highway network and do not have an adverse impact on highway safety or create unacceptable levels of traffic generation. It is therefore considered that the proposal complies with LDP Policy PC5.
- 7.46 Drainage and Flood Risk
A flood consequence assessment has been carried out in accordance with TAN 15. The site is not at risk of flooding from a major source (fluvial/tidal) as the site is located within Flood Zone A.
- 7.47 Welsh Water have confirmed the proposed drainage plan indicates that foul water flows will connect to an existing on site sewer, and surface water flows to an onsite surface water sewer at a rate of 4.5 l/s. In principle there are no objection to this proposal subject to a condition that states that no surface water to enter the public sewer.
- 7.48 A proposed sustainable urban drainage scheme has been developed to accompany the application (SuDS). This will include attenuation crates under the car park and a catchpit and vortex flow control device to limit flow before it enters the existing system.
- 7.49 It is worth noting that Schedule 3 to the Flood and Water Management Act 2010 (the 2010 Act) provides a framework for the approval and adoption of surface water systems serving new developments. Give the proposal size, an application demonstrating compliance with the

- 7.50 Statutory SuDS Standards for the design, construction, operation and maintenance and operation of surface water systems serving new developments, must be submitted to the SAB.
- 7.51 The proposal is deemed acceptable having regards to policy EN14 – Flood Risk of the LDP.
- 7.52 Ecological Implications
LDP Policy STR13 (iv) requires development to promote opportunities to enhance biodiversity and ensure resilience.
- 7.53 LDP Policy PC3 requires new development, where appropriate to retain existing landscape and nature conservation features and incorporate opportunities to enhance biodiversity and ecological connectivity.
- 7.54 Protected Species
- 7.55 Dee Estuary Ramsar site / Special Area of Conservation (SAC) / Special Protection Area (SPA)
From the information provided, it is considered that the proposal is not likely to have a significant effect on the Dee Estuary Ramsar site / SAC / SPA.
- 7.56 Dee Estuary Site of Special Scientific Interest (SSSI)
Based on the information submitted, it is considered that the proposed development is not likely to damage the features for which the Dee Estuary SSSI is of special interest.
- 7.57 The application is supported by an Ecological Appraisal which identifies that there is a protected species located on site.
- 7.58 In order to facilitate the development, the habitat will need to be relocated to an alternate position on the site. The siting and location of the proposed habitat has been assessed by the County Ecologist and NRW and is deemed acceptable in this instance.
- 7.59 Bats
The trees that are to be felled to accommodate the proposal have low potential for roosting bats and therefore the reasonable avoidance measures as detailed in the report will be conditioned should pruning/felling be required.
- 7.60 Both NRW and the County Ecologist confirm that providing the measures detailed in the report are adhered to, it is considered that the development is not likely to be detrimental to the maintenance of the population of the species.

- 7.61 Amphibians
The whole area provides foraging habitat, but there was no breeding habitat and so amphibians are unlikely to be resident on site.
- 7.62 Birds
All trees and scrub within the site must be considered potential nesting habitat, and so any felling or clearance must be carried out outside the nesting season (April-September), or the area must be checked by an ecologist prior to any works. If active nests are found the works will be delayed until the checks have fledged.
- 7.63 Habitats and Flora
Lowland mixed deciduous woodland is a Habitat of 'principal importance' in Wales under the Environment (Wales) act 2016, as well as a UKBAP priority habitat. The woodland within the site does fall under this definition, though it is of relatively low value. Therefore, the works will result in the loss of an area of priority habitat, requiring mitigation. As set out above, a replacement planting scheme will be carried out on the land to the west of the site within the council's ownership. Details of which will be submitted to and agreed in writing with the LPA.
- 7.64 Reasonable avoidance measures
Reasonable avoidance measures have been recommended for reptiles and amphibians, mammals, bats and nesting birds. These include lighting recommendations; pre-works checks and general measures if animals are found within the works area.
- Subject to conditions to secure the enhanced landscaping scheme, habitat relocation and reasonable avoidance measures as outlined above the proposal is considered acceptable having regards to LDP Policy STR13 and PC3.
- 7.65 Other Matters
LDP Policy PC4 states development should, amongst other criteria, make efficient use of resources through sustainable construction techniques and materials, including layout, siting and orientation to maximise solar gain, water conservation and waste reduction; and e. it incorporates renewable energy technologies and carbon sinks where appropriate.
- 7.66 A BREEAM (Building Research Establishment Environmental Assessment Method) Pre-Assessment report has been commissioned which concludes a predicted score and rating of Excellent (second highest rating possible). This will result in a highlight sustainable building as a consequence of sustainable management practices, health and wellbeing for occupants, energy efficient building solutions, sustainable water use in the operation of the building and its site, access to sustainable means of transport for building users, highly sustainable construction materials as well as

sustainable management (and reuse where feasible) of construction, operational waste and waste through future maintenance and repairs associated with the building structure, sustainable land use and the prevention and control of pollution and surface water run-off associated with the building's location and use.

7.67 The proposal is therefore considered to be compliant with LDC Policy PC4.

8.00 CONCLUSION

This application seeks planning permission for the redevelopment of the former Cottage Hospital site in Flint to provide a new care home comprising of 56 no. bedrooms, complete with new road access and parking, green space and landscaping.

Careful use of design both of the building and external areas results in a high quality scheme which is beneficial for the residents of Flint and the surrounding area. There will be no negative impact on neighbouring amenity or highway safety.

There have been no concerns raised by local residents and all other material planning matters have been considered and are deemed acceptable. The application is compliant with both local and national planning policy.

Members are requested to support the recommendation as set out in Paragraph 2.0 of this report and grant planning permission subject to the imposition of conditions.

8.01 Other Considerations

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

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

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

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

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

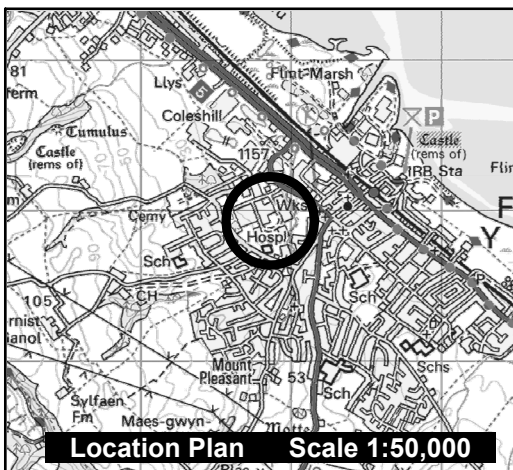
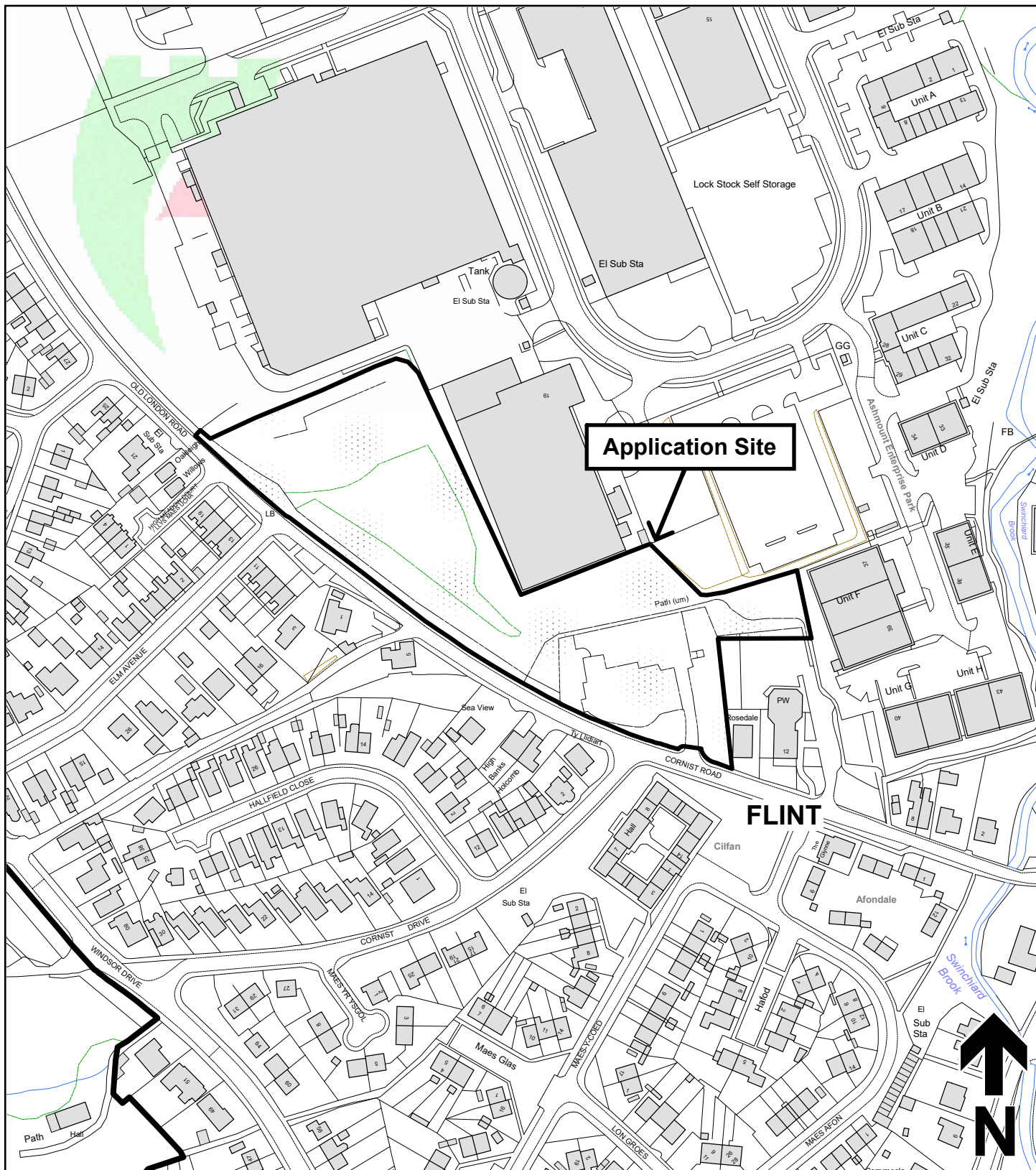
Responses to Publicity

Contact Officer: Karl Spilsbury

Telephone: 07721649855

Email: karl.spilsbury@flintshire.gov.uk

This page is intentionally left blank



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, 2022.

Map Scale 1:2500

OS Map ref SJ 2372

Planning Application FUL/000037/23

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **26th APRIL 2023**

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

SUBJECT: **FULL APPLICATION- RETENTION OF GENERAL PURPOSE STORAGE BUILDING, STABLES AND MANEGE INCLUDING THE CHANGE OF USE OF LAND FOR EQUINE**

APPLICATION NUMBER: **FUL/000779/22**

APPLICANT: **L THOMPSON**

SITE: **LAND SOUTH OF DRURY FARM, DRURY LANE, BUCKLEY, FLINTSHIRE, CH7 3DX**

APPLICATION VALID DATE: **16TH DECEMBER 2022**

LOCAL MEMBERS: **COUNCILLOR M PEERS**
COUNCILLOR D HUTCHINSON

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

REASON FOR COMMITTEE: **RETROSPECTIVE NATURE OF DEVELOPMENT IN OPEN COUNTRYSIDE AND GREEN WEDGE**

SITE VISIT: **YES- TO SEE THE IMPACT ON THE COUNTRYSIDE AND GREEN WEDGE**

1.00 SUMMARY

1.01 This is a full application for the retention of general purpose storage building, stables and manège including the change of use of land for equine at land South of Drury Farm, Drury Lane, Buckley, Flintshire, CH7 3DX

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

2.01 1. In accordance with approved plans

2. The existing vehicular footway crossing proposed to serve the stables shall be resurfaced in accordance with the attached specification
3. The proposed access shall have a visibility splay of 2.4m x 30m in a northerly direction measured along the nearside edge of the adjoining carriageway and 2.4m x 43m in a southerly direction measured 1.0m out from the nearside channel. The sightlines shall be over land within the control of the Applicant and/or Highway Authority and within which there shall be no obstruction to visibility in excess of 1.0m above the nearside channel level of the adjoining highway
4. Facilities shall be provided and retained within the site for the loading, unloading, parking and turning of vehicles in accordance with a scheme to be submitted to and approved by the County Council prior to the commencement of any site works. Such facilities being completed prior to the proposed development being brought into use
5. Notwithstanding the details hereby approved details of the manner of disposal of manure and waste materials associated with the Equestrian use shall be submitted to the Local Planning Authority for approval within 3 months of the date of this permission, and henceforth adhered to following the written approval of the Local Planning Authority

3.00 CONSULTATIONS

3.01 **Local Member Councillor M Peers:** The buildings and stables are already constructed in an area of open countryside and green barrier. Previous enforcement action implied the removal of the buildings and stables.

Local Member Councillor D Hutchinson: No response at time of writing

Buckley Town Council: No observations

Highways DC: Raise no objection in principle, request conditions

Community and Business Protection: no objection to the proposed development

Natural Resources Wales: No objection to the proposed development

Airbus: no aerodrome safeguarding objection to the proposal

4.00 PUBLICITY

4.01 20 Neighbour Notifications were sent to adjoining/nearby properties. The application was also publicised by way of Site Notice. At the time of writing, no responses have been received following publicity of this application.

5.00 SITE HISTORY

5.01 None relevant

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan
Policy STR2: The Location of Development
Policy STR4: Principles of Sustainable Development Design and Placemaking
Policy STR5: Transport and Accessibility
Policy STR13 Natural and Built Environment, Green Networks and Infrastructure
Policy PC1: The Relationship of Development to Settlement Boundaries
Policy PC2: General Requirements for Development
Policy PC3 Design
Policy EN11 Green Wedges

National Planning Policies
Planning Policy Wales Edition 11 (February 2021)
Future Wales 2020 – 2040

It is noted and acknowledged that the national planning framework as set out within Planning Policy Wales Edition 11 and Future Wales: The National Plan 2040 sets out the most up to date planning principles against which to consider development proposals. The Development Plan and associated supplementary planning guidance remain broadly consistent with these changes to legislation

7.00 PLANNING APPRAISAL

7.01 Proposal
This is a full application for the retrospective development of no. 2 stable blocks comprising of no. 10 stables, a general purpose barn and the formation of a manège. The stables are constructed in timber with profile metal sheeting roof over. The 6no. bay stable block is positioned behind existing hedgerow and existing buildings adjacent to the site with the 4no. bay stable block in a perpendicular position. The equestrian use is operated on a commercial basis.

7.02 Site

The site is located south of the existing farm shop at Drury Farm on the edge of the settlement of Drury outside of the settlement boundary. The application site is in an area of open countryside and was formerly agricultural land. There is residential development to the north and east. The application site and the land further to the west is rural in character with hedgerows lining both sides of the site and open fields to the west. The site is located within a designated green wedge in the Flintshire Local Development Plan.

7.03 Principle of Development

Flintshire Local Development Plan policy PC1 advises that “Appropriate development in the open countryside will include those types of development which by virtue of their scale and nature, can sit comfortably in an open countryside location without harming its character and appearance.” Equestrian development, whilst not falling within the definition of agriculture in the Town and Country Planning Act, is a form of development commonly seen in open countryside locations.

7.04 The proposal is located outside of the well-defined settlement boundary which clearly demarcates this land as being open countryside. Whilst the proposed use is not a traditional agricultural one, it is still a common use found in open countryside locations such as this and given the scale and nature of what is proposed, does not represent inappropriate development or an unnecessary incursion into open countryside. This view is supported by the utilitarian style and design of the proposed structures which to all intents and purposes are very similar in appearance to agricultural structures that are prevalent in locations such as this. For this reason what is proposed is not considered to be out of character with the location.

7.05 The site lies within a designated green wedge, identified in the Local Development Plan as EN11 (16). This designation has been made in recognition of the need to preserve the relatively narrow gap between the settlements of Buckley and Drury in this location.

7.06 One of the main thrusts of the policy is the need to ensure that any development maintains the openness of the green wedge and does not conflict with the purposes of including the land within the designation.

7.07 Given the proposed use and the form and layout of the proposal it is considered that there is no detrimental impact on the openness of the green wedge in this location. This is due to the design of the structures which are appropriate in an open countryside location, and also the fact that their footprint and mass is minimised to that necessary to facilitate the proposed use. As has already been referenced, the structures are of a simple, utilitarian design and construction, akin to agricultural style buildings found in many similar

locations to this one. Their low ridge height and degree of separation also assist in mitigating any impact on the general openness of the green wedge. The buildings are to be used to support a horse related use, which is a use which is in itself open and appropriate in a green wedge location. The appropriateness of an equestrian use in an open countryside location was acknowledged in a recent appeal at Pen Y Ball Hill, Holywell (Planning Ref. 058299 Appeal Ref APP/A6835/A/18/3215475). The green wedge in this location is already interspersed with and washes over other existing buildings and structures, which was a point raised with the Inspector at the LDP Examination, but this has not resulted in a change to the principle or the extent of the green wedge designation.

- 7.08 PPW11 states, in paragraph 3.73, that: “*When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply.*” It goes on to clarify that:

“The construction of new buildings in a Green Belt or green wedge is inappropriate development unless it is for the following purposes:

- *justified rural enterprise needs;*
- *essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purpose of including land within it;*
- *limited extension, alteration or replacement of existing dwellings;*
or
- *small scale diversification within farm complexes where this is run as part of the farm business.”*

- 7.09 These points are replicated in the criteria to Policy EN11 and the proposal is considered to be compliant with those, and specifically the first two which are criteria a. and b. of Policy EN11. It is considered that an equestrian business is an acceptable rural enterprise that requires an open countryside location given the requirements of land for grazing, stabling and exercising of horses. As such it is considered that it is an appropriate form of development to be located within a green wedge.

- 7.10 Impact upon neighbouring amenity

The area of the application site within the red line extends to 0.34ha but the majority of this is undeveloped open land for the grazing of horses. The built element of the application, the stables, barn and manège, are located on the northern portion of the site adjacent to the Farm shop and close to the edge of the built form of the adjoining settlement. The agricultural appearance of the buildings helps to integrate the development into the Farm shop complex. The stables building is approximately 35 metres away from the rear of dwellings on Newton Drive, the closest residential properties.

- 7.11 The application is in retrospect and there does not appear to have been any substantiated complaints regarding nuisance received by the Council. It is noted that Business and Community Protection has raised no objection to the proposal. It is noted that the manège has no lighting element, which may otherwise have an impact upon the adjacent residential development.
- 7.12 In order to ensure that neighbouring amenity is protected a condition is proposed ensuring that waste deriving from the use shall be appropriately disposed of, including restricting the location of the storage of manure to areas away from adjacent residential properties.
- 7.13 Access
There is a field gate leading to the grazing area of the application site from Drury New Road, the access to the buildings, however, comes through Drury Farm.
- 7.14 Highways have not raised any objections to the proposal but have requested a number of conditions be imposed on any permission, which are listed in the report.
- 7.15 The site is located on the edge of the settlement of Drury, which is linked to adjacent settlements by public transport, is easily accessible and represents a sustainable location for this form of development whilst offering the amount of open land necessary for this form of enterprise.
- 7.16 Ecology
The development has the potential to affect the Deeside and Buckley Newt Sites Special Area of Conservation (SAC), and Buckley Claypits and Commons Site of Special Scientific Interest (SSSI) given its location in proximity to these designations . The application is located within 10 metres of the southern extent of the SAC and SSSI boundary.
- 7.17 The nature conservation designations are located to the west of Drury New Road, and the highway bisects the application site from the SSSI/SAC boundary. Also of significance is the former agricultural use of the land that forms this application site. It is noted that the development does not involve the loss of hedgerows or trees, there are also no bodies of water or waterways within the site boundary. After taking all these matters into consideration it is considered that the impact of the development on likely habitats and protected species and in terms of on the designated area are likely not to be significant.

8.00 CONCLUSION

Notwithstanding the retrospective nature of the development it is considered that the development is an appropriate form of

development in the open countryside and designated green wedge and the development does not harm the openness of the designation or its function in maintaining the gap between Buckley and Drury. There are no concerns with regard to its impact upon neighbouring amenity or upon the general character of the locality. As such it is recommended that the application is approved subject to the recommended conditions.

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.

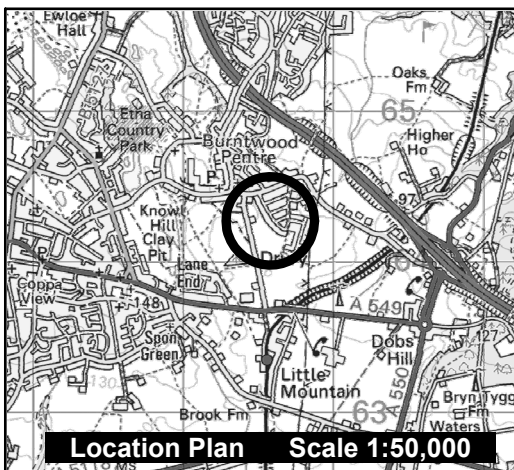
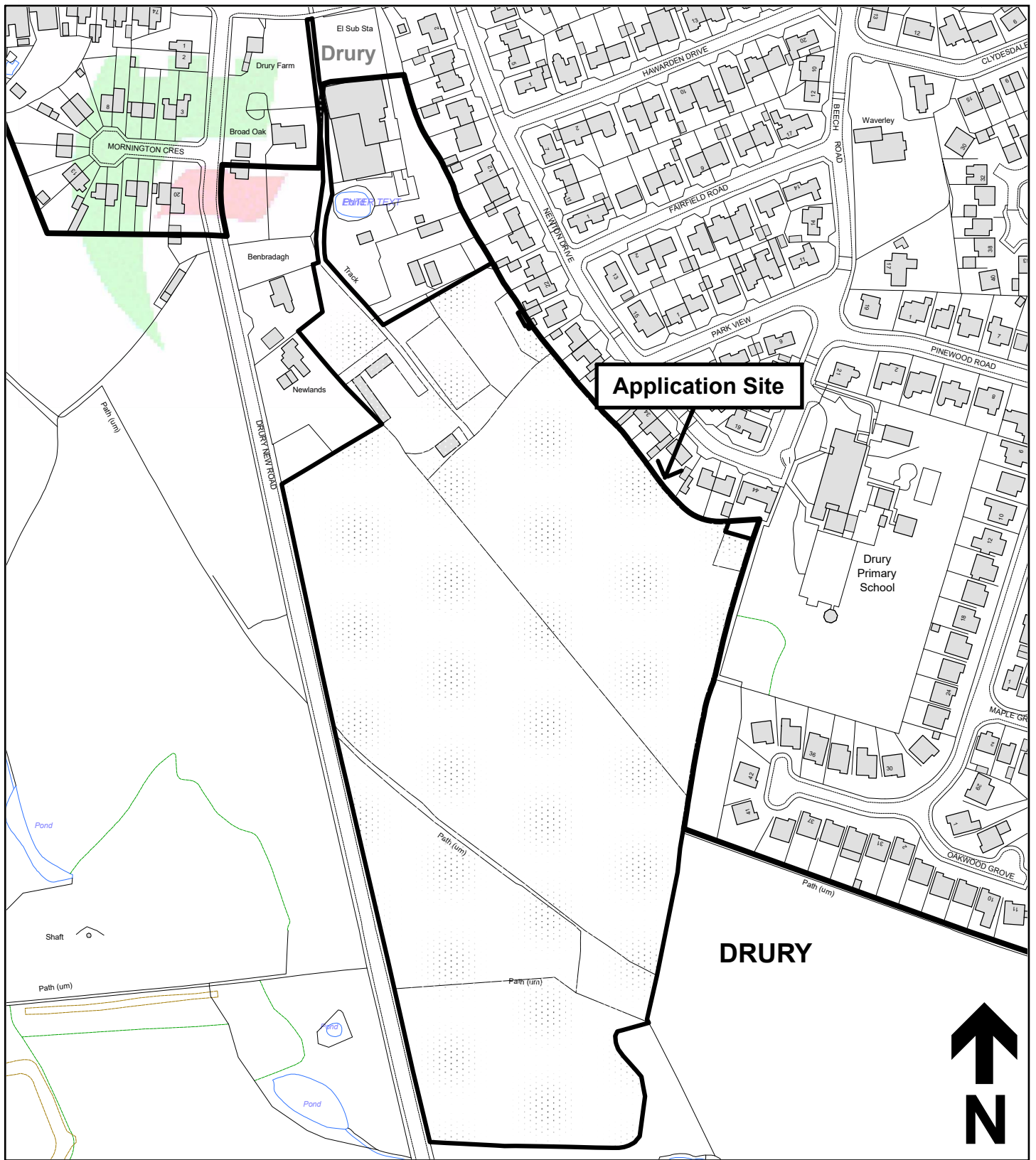
The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: James Beattie
Telephone: 01352 703262
Email: james.beattie@flintshire.gov.uk

This page is intentionally left blank



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, 2022.

Map Scale 1:2500

OS Map ref SJ 2964

Planning Application FUL/000779/22

This page is intentionally left blank