

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
10 OCTOBER 2012

Minutes of the meeting of the Planning and Development Control Committee of the Flintshire County Council held at County Hall, Mold on Wednesday, 10 October 2012

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Chris Bithell, Derek Butler, Ian Dunbar, David Evans, Jim Falshaw, Veronica Gay, Alison Halford, Ron Hampson, Patrick Heesom, Ray Hughes, Christine Jones, Richard Lloyd, Billy Mullin, Mike Peers, Gareth Roberts and Owen Thomas

SUBSTITUTION:

Councillor: Marion Bateman for Carol Ellis

ALSO PRESENT:

The following Councillors attended as local Members:-

Councillors Peter Macfarlane and Paul Shotton - agenda item 6.1. Councillor Dave Mackie - agenda item 6.3. Councillor Ann Minshull - agenda item 6.7.

The following Councillors attended as observers:

Councillors: Bernie Attridge and Haydn Bateman

APOLOGY:

Councillor Richard Jones

IN ATTENDANCE:

Head of Planning, Development Manager, Planning Strategy Manager, Senior Engineer - Highways Development Control, Team Leaders, Senior Planner, Principal Solicitor and Committee Officer

72. DECLARATIONS OF INTEREST

Though he was not a Member of the Committee, Councillor R.P. Macfarlane declared a personal and prejudicial interest in the following application:-

Agenda item 6.1 – Full application – Erection of Kelsterton Converter Station comprising valve halls, a control building and a spares building together with outdoor electrical equipment and associated infrastructure, security fencing, landscaped areas and habitat creation at Connah’s Quay Power Station, Kelsterton Road, Connah’s Quay (049981)

Councillor D.I. Mackie declared a personal and prejudicial interest in the following application, even though he was also not a Member of the Committee:-

Agenda item 6.3 – Full application – Change of use from agricultural to caravan park with 27 No. spaces including the

conversion of barn into residential and agricultural shed into campsite facilities, demolition of existing outbuildings, formation of an access, construction of three fishing pools, parking and ancillary works at land opposite Stamford Way Farm, Stamford Way, Ewloe (049803)

73. LATE OBSERVATIONS

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

74. MINUTES

The draft minutes of the meeting of the Committee held on 5 September, 2012 had been circulated to Members with the agenda.

Councillor A.M. Halford referred to minute number 60 on Croes Atti, Chester Road, Oakenholt and said at the meeting she had stated that the application was back before the Committee because the applicant had said that the decision taken in December 2011 was ultra vires. This had also been mentioned by Mr. J. Yorke when he had addressed the Committee. She added that the Democracy and Governance Manager, who had been the legal adviser at the meeting, had confirmed that the decision taken in December 2011 was not ultra vires.

The Principal Solicitor advised that he would speak to the Democracy and Governance Manager to insert an amendment into the minutes to reflect the discussion.

RESOLVED:

That subject to the foregoing, the minutes be approved as a correct record and signed by the Chairman.

75. ITEMS TO BE DEFERRED

The Head of Planning advised that none of the applications were recommended for deferral by officers.

76. FULL APPLICATION – ERECTION OF KELSTERTON CONVERTER STATION COMPRISING VALVE HALLS, A CONTROL BUILDING AND A SPARES BUILDING TOGETHER WITH OUTDOOR ELECTRICAL EQUIPMENT AND ASSOCIATED INFRASTRUCTURE, SECURITY FENCING, LANDSCAPED AREAS AND HABITAT CREATION AT CONNAH'S QUAY POWER STATION, KELSTERTON ROAD, CONNAH'S QUAY (049981)

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 8 October 2012. The usual consultations had been undertaken and the

responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and drew Members' attention to the late observations.

Mr. G. Bennett spoke against the application on behalf of Golftyn Residents' Association. He stated that the Association was not opposed in principle to the development but was against its siting being so close to residential properties. He referred to information on the web from National Grid and others which indicated that converter stations should not be close to residential areas due to factors which included noise and dust; he felt that National Grid were going against their own advice, being driven purely by cost. Mr. Bennett also raised concern about the visual impact and the noise which would be generated by the converter station 24 hours per day, referring to the outline application which had been refused for these reasons. He also referred to the contaminated nature of the site and to dust of an unknown nature which had appeared on cars in the locality. In referring to Article 8 of the Human Rights Convention he considered that alternative sites should be explored on the other side of the river to this site.

Mr. M. Williams, the Project Manager from National Grid, spoke in support of the application. He referred to the increased challenges to provide renewable energy and said that there was a history of power generation on this site. He said that other sites had been explored but they were not technically viable for the western link. The converter station was of a bespoke design, having the support of the Design Commission for Wales, which reflected local materials and on-site landscaping would also be provided to make the area more visually appealing. He stated that there would be no increase in the prevailing background noise as a result of the converter station, even at night and when the station was at production levels. He added that there was a need for the development and that a significant amount of work had been undertaken since the application was refused in February 2012 significantly to reduce the footprint and height of the building. He concluded that this was the best site for the site scheme and that this would be the most advanced converter station in the world.

One of the ward Members, Councillor P. Shotton spoke against the application as he felt that the noise and visual impact which had been the reasons for refusal of the outline application would still cause a detrimental impact to residents. Golftyn residents felt that the building was still too high and would be a blot on the landscape. The noise levels were still a concern as the levels would not be known until the building was in place, which would be too late. Councillor Shotton also said that residents had concerns about contamination of the power station site which would be disturbed by the development. Hundreds of residential properties had been built locally since the closure of the power station. He questioned why the converter station could not be located on the other side of the River Dee referring to the nine sites which had been considered. He implored National Grid to scrap the scheme and build on the northern side of the Dee.

Councillor R.P. Macfarlane, the other ward Member, spoke of the need to travel through the residential area to reach the site when Members attended the site visit and said that this application would dominate the community and was not the right site for those that lived nearby. The outline application had been refused in February 2012 and substantially nothing had changed since then although the height of the building had been reduced. He queried how adequate the noise mitigation scheme would be. He added that if this application was refused, a public inquiry would be a better opportunity for all of the information to be looked at. Councillor Macfarlane, having earlier declared an interest in the application, left the meeting prior to its discussion.

Councillor D. Evans proposed refusal of the application, against officer recommendation, which was duly seconded. He stated that the site was in the wrong location and was too close to a built-up area.

Councillor I. Dunbar referred to the screening, mature trees and bund which was to be put in place on the site and queried whether this would be sufficient as the building as proposed was 75 foot high. He referred to the report which spoke of the welfare of bats, badgers and newts in the area, suggesting that these were being given precedence over people. He commented on the curved building with curved walls which he felt would be out of character with the area. He queried whether the building had to be so high and felt that this site should be looked at along with other sites. He asked that the height aspect be further considered before a decision was made.

Councillor W.O. Thomas felt that it was an excellent site but he had concerns about whether the building should be built so close to residential properties. He said that the number of jobs to be created was minimal and asked whether the residents of Connah's Quay would gain anything from the application.

Councillor P.G. Heesom said that the building would obliterate the view for the local residents and would not enhance the landscape. He added that he had not heard any arguments about why it could not be located on the other side of the river. The impact on the local environment was a reason for refusal.

Councillor A.M. Halford said that the building had been lowered by 15 feet since the refusal of the outline application. She said that everybody needed to use electricity and queried where it would be sited if not at this location. She felt that it was on an industrial site and that the proposal was workable.

Councillor R.G. Hampson concurred that there had been improvements in the height but said that there were still issues of noise, dust and visual impact. He agreed that it should be sited on the other side of the river. Even if that would be more costly, the views of the local residents should be supported.

Councillor M.J. Peers referred to the location which he felt was an issue. He referred to National Grid's publication *Western Link News* which said that having the converter station to the north of the river would be more difficult to develop, but not impossible. He had been told that the building needed to be so high because of the plant and equipment which was located within it and the volume of space needed above the equipment. Having regard to its size, an alternative site to the north of the river should be looked at.

Councillor R.C. Bithell felt that the application would affect many residents and that residents' concerns could not be ignored. Councillor D. Butler considered that the report was dismissive regarding the evidence about alternative sites. He questioned where the evidence was to show that the alternative sites were not suitable.

In response to comments made, the officer confirmed that the height of 25 metres was required due to the plant in the building. On the issue of the lack of employment, he indicated that the site would provide for a small number of maintenance staff but reminded Members that the site would be in the employment area. Other sites had been discounted for a variety of reasons and these were reported. He confirmed that the noise would be below the current background levels, and referred to the relevant paragraphs in the report. A rationale had been provided to justify the visual appearance, which, on balance, meant that the building would not be out of character.

The Planning Strategy Manager said that the location had been mentioned as a concern, but he reminded Members that the site was allocated for employment use in the Unitary Development Plan which could include B8 use for warehouse type buildings. He also reminded Members that the public inquiry scheduled for December 2012 was in respect of the appeal against the refusal of the outline application and if permitted could result in a development which was less acceptable than this one. He queried whether Members were indicating that an application to the north side of the river would be permitted, no matter what size it was. The Planning Strategy Manager agreed that there would be little job creation but it would provide cheap energy for the Deeside Industrial Park and elsewhere in the county and this should be taken into account.

In summing up, Councillor Evans felt that the application should be refused on the grounds of its height and location. He added that, at the moment, the noise element of the development was an unknown quantity.

RESOLVED:

That planning permission be refused on the grounds of the potential effect on residential amenity by way of noise and visual impacts by virtue of the scale and design of the development in proximity to residential properties, particularly in that alternative sites had not been fully explored.

77. RETROSPECTIVE APPLICATION – CHANGE OF USE FROM AGRICULTURAL LAND TO TOURING CARAVAN AND CAMPING FACILITY WITH ANCILLARY BUILDINGS/STRUCTURES AT FRON FARM, RHESYCAE ROAD, HENDRE (049756)

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 8 October 2012. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and referred Members to the late observations where a letter of support and one of objection were reported along with two points of officer clarification.

Mr. I. Betts spoke against the application as a nearby resident of the site. He referred to the profound detrimental impact of the application on residential amenity and spoke of problems of poor site design, noise, dust, fumes, traffic and pedestrians. He requested that Members visit his property to see the effect for themselves. He also did not feel that the site complied with the Unitary Development Plan. He suggested that a solution to the problems could be to use fields to the side of Hendre Lane, which could include the use of the existing large buildings as facilities for the site and the use of a different access/egress. Mr. Betts referred to the Section 106 agreement which was in place in respect of the application approved in February 1993 for 25 caravans on the site which had been requested to protect the amenity of neighbours; he felt that the agreement had been ignored. He urged the Committee to refuse the application until the alternatives had been explored.

Mr. J. Williams, the agent for the applicant, spoke in support of the application. He said that the applicants wanted to diversify and that he felt that other businesses would benefit from the tourism brought into the area. He said that the reputation of the site had been built up on the basis of a family business. He said that 75% of clients stayed on the site on a repeat basis. He recognised that the other element to the application, the facilities for campers and backpackers, had the potential for anti social behaviour but this had been addressed by CCTV which operated for 24 hours per day and a strict curfew was in operation. He added that the site boundary had been moved 150 metres away from the residential property. Mr. Williams said that there had been no objections from statutory consultees and the 85 objections had been submitted by one family on grounds which were unsubstantiated. He commended the officer's report to the Committee.

Prior to speaking on the application, Councillor W.O. Thomas said that he had in the context of an earlier application signed an affidavit to confirm that the caravan park had been in place for a number of years but that he had had no involvement with the caravan park. In order to put Councillor Thomas's remarks in context, the Principal Solicitor drew Members' attention to application 049598 for a lawful development certificate for an existing use

as a touring caravan park and caravan storage and which was reported in the site history section of the report. The affidavit referred to by Councillor Thomas dealt with the factual information about the length of time that the site had been in operation. However, it also referred to Councillor Thomas knowing the applicant and that he had visited the site on many occasions. The Principal Solicitor suggested that Councillor Thomas might wish to clarify the position.

In response, Councillor Thomas said that he had lived in the area all of his life as part of the farming community, was familiar with the farm, and knew the family who ran it due to their being part of that community. Over time, he had visited the farm on a weekly basis due to his involvement with his own family's haulage business. The Principal Solicitor asked Councillor Thomas to confirm that, on the basis of what he had said, he did not have a personal interest in relation to the application. Councillor Thomas confirmed that to be the position.

Councillor Thomas proposed the recommendation for approval which was duly seconded. He said that most of the dwellings adjacent to the site were in his ward and indicated to Members that he had never received any complaints about the site. He said that there were a number of accesses into the site and that when the Committee had visited the site, caravans could not be seen until they entered the site as they were well hidden and secluded. It was kept tidy and safe and there were ample services available. Councillor Thomas felt that clients of the site would use the local shop, post office and public house which depended on visitors to the area and that diversification of the farm into the tourism industry should be welcomed. He thanked the officer for his work on the application.

Councillor D. Butler said that this application was as a result of an enforcement notice being served and that there had been ample opportunity for the applicant to comply with the notice but had not done so. He said that diversification was welcomed but felt that approval of this application would send the wrong message.

Councillor R.C. Bithell raised concern that the change of use had already taken place without permission and that the increase to 120 touring caravans and 40 camping pitches was a significant increase. In relation to the Clwydian Range Area of Outstanding Natural Beauty (AONB), he commented that if it could be seen from the site, the site could be seen from the AONB. It was open countryside and this was an aspect of the application which concerned. He asked if comments had been received from the AONB Joint Advisory Committee.

In response to the comments made, the officer drew Members' attention to the consultation response from the AONB Joint Advisory Committee which felt that the impact on the AONB would be minimal. At the site visit which had been held, Members had been close to Mr. Betts' property so had been able to judge the impact. The application needed to be determined on its own merits, the site was well screened and existing

landscaping would be augmented. The application reflected the applicant's wish to regularise the position, but if the application was not approved, further enforcement notice would proceed. The application site had been moved away from the residential area and the application was in line with tourism policies.

In summing up, Councillor Thomas confirmed that the site was well hidden and that the caravans had been moved from the nearest residential properties. He added that the application should be encouraged to create tourism and diversification for farmers.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning and to the amended conditions 4 and 5 as detailed in the late observations.

78. FULL APPLICATION – CHANGE OF USE FROM AGRICULTURAL TO CARAVAN PARK WITH 27 NO. SPACES INCLUDING THE CONVERSION OF BARN INTO RESIDENTIAL AND AGRICULTURAL SHED INTO CAMPSITE FACILITIES, DEMOLITION OF EXISTING OUTBUILDINGS, FORMATION OF AN ACCESS, CONSTRUCTION OF THREE FISHING POOLS, PARKING AND ANCILLARY WORKS AT STAMFORD WAY FARM, STAMFORD WAY, EWLOE (049803)

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 8 October 2012. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and the main issues to be considered and drew Members' attention to the late observations where the matters raised at the site visit were addressed. She felt that the application did not cause unacceptable harm to the open countryside location and therefore approval of the application was recommended.

Mrs. J. Angell spoke against the application on behalf of residents. She said that the application site was outside the settlement boundary of Ewloe. She felt that it was not in accordance with the Unitary Development Plan (UDP) and that there was no need for the development in its entirety, although some elements were acceptable. Although she acknowledged that some controlled development might be suitable within green barriers, she considered that the overall development did not fall within any of the acceptable categories. The proposed development would harm the openness of the green barrier and she asked whether there had been compliance with the conditions of the sale of the land at auction. Mrs. Angell also queried whether it was a requirement for the land to be advertised for 12 months before the change of use could be considered.

One of the ward Members, Councillor A.M. Halford, proposed the recommendation for approval which was duly seconded. She thanked the officer for her report which she felt was methodical and thorough. The report indicated that the application would be good for tourism and she felt that the facilities were greatly needed and would bring business to the shops and other establishments in Ewloe.

In seconding the proposal, Councillor J. Falshaw said that the development would benefit the local economy and provided for the retention of two buildings on the site.

Councillor D.I. Mackie, the other ward Member, spoke against the application. He said that any development in the green barrier should not harm its open character and appearance as detailed in Policy GEN 4. He referred to an earlier application for an access which had been dismissed on appeal in October 2010 where the Inspector considered that a 5.5m wide access with 10m. radii would represent an urbanising and incongruent feature that would be harmful to the character and appearance of the surrounding rural area and therefore conflicted with policies in the UDP. Councillor Mackie said that even though the Inspector's comments could be viewed in two ways, he felt that the application should be refused for the same reasons. He urged Members to do so. Councillor Mackie, having earlier declared an interest in the application, left the meeting prior to its discussion.

Councillor P.G. Heesom urged the Committee to take the advice of Councillor Mackie and refuse the application. He said that the scale of the proposed development was way beyond what was credible in the open countryside. The application amounted to a new dwelling in the countryside and in the green barrier and, if permitted, would destroy any credibility in the Council's policies.

Councillor W.O. Thomas said that the land had not been advertised commercially for 12 months as policy required and queried whether there was a need for such a facility. He said that the applicant did not own all of the land and that the owner of part of the site was not aware of the application. The previous application had been dismissed by the Inspector and Councillor Thomas felt that the advice of the Inspector should be taken and this application refused for the same reasons.

Councillor H.G. Roberts said that if this application was approved, it would allow other applications to come forward for caravan sites in the open countryside and green barrier, and would contribute to the coalescence of communities. He added that there were several other fishing establishments in the area and he felt that the correct decision would be to refuse the application.

Councillor R.G. Hampson felt that tourism should be encouraged into the area and that the application met highway requirements and should be supported.

In referring to an application which had been permitted earlier on the agenda, Councillor R.C. Bithell raised concern about consistency in determining applications. The earlier application had related to the diversification of an existing farm business: this site had been bought speculatively. He also queried why the earlier application had been conditioned to open for 11 months of the year when this application was only being recommended to open for eight months from 1 March to 31 October.

Councillor D. Butler commented that the proposal was neither a diversification nor ancillary to a farm and queried why the business information had been included in the planning application. He asked whether the Economic Development officers had considered the information. He also raised concern about the funding for the enterprise as detailed within the report.

In response to the comments made, the officer said that the appropriate notice had been served on the owner of part of the site. The four month closure per year had been requested by the applicant as part of the application. The business plan had been submitted as part of the planning application.

The Development Manager said that the previous application had been dismissed by the Inspector because the access improvements were considered to go beyond what was required for agricultural use. Following this the applicant had been advised to submit details of his proposals for tourist use and this was the context for the current application. He said that with regard to policy, tourism developments of this type could be permitted in the green barrier, citing a similar but far larger facility in Sealand. He added that if it was accepted that the principle was acceptable, then each of the elements of the development met the requirements of the relevant policies. Although vacant, the authorised use of the land and buildings was agricultural and it would inevitably be used for some commercial purpose in compliance with policy. The Senior Engineer - Highways Development Control confirmed that there were no objections to the application, adding that a significant amount of work had been undertaken to design the access.

In summing up, Councillor A.M. Halford raised concern about some of the comments made by Members. She said that there were exceptions to the green barrier policy which allowed certain development and that this application would bring tourism to the area.

On being put to the vote, the proposal to approve the application was LOST.

Councillor P.G. Heesom felt that the reason for refusal should be that the application was unacceptable development in the green barrier and open countryside. Councillor H.G. Roberts added that it could lead to coalescence and erosion of the open character.

RESOLVED:

That planning permission be refused on the grounds of unacceptable use within this area of open countryside designated as green barrier which would lead to coalescence and erosion of the open character.

79. FULL APPLICATION – SITING OF 18 NO. STATIC CARAVANS ON LAND AT PENNANT PARK GOLF CLUB, SAITHFFYNNON, WHITFORD (049812)

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report. Additional comments received since the preparation of the report were circulated at the meeting.

The officer detailed the background to the report and reminded Members that the application had been deferred at the Planning Committee meeting on 5 September 2012 to allow consultations with Whitford Community Council and Councillor C. Dolphin to take place.

Mr. T.M. Bond, the agent for the applicant, spoke in support of the application. He said that the application was in accordance with Policy T4 in the UDP. The golf club already had permission for 15 units with six timber-clad units having been sold and the remaining nine for sale for long-term private ownership. That development had not provided that anticipated level of income. The applicant now wished to attract tourists seeking holiday lets to the site and was seeking permission for a second site to be marketed for letting for short breaks. The golf club had put in a significant investment to bring tourism into the area and it was felt that the caravans would be used by those also wanting to play golf. Mr. Bond said that Highways had raised no objections to the application, visual impact had been carefully addressed through screening and the development would not affect residential amenity.

Mr. B. Hughes spoke against the application as a representative of Whitford Community Council. He felt that the use of the narrow roads in the area by those using the golf club was a problem. There was no bus service in the area and no shops, with the nearest town being 2.5 miles away. Mr. Hughes said that the applicant did not own the entrance or driveway to the site and that the owner had not given his permission for its use. He said that tourism was important but not at the expense of losing green fields in the area. The Council had approved a barn conversion and new riding stables nearby which had increased the level of traffic on the surrounding roads.

Councillor P.G. Heesom moved refusal of the application against officer recommendation which was duly seconded. He said that there was a need to look at the policy of caravans in the open countryside and said that the site was very exposed and impossible to screen. Only six of the permitted 15 spaces had been used on the other part of the golf club and he felt that the application was premature or speculative. In referring to the "Proposed Development" section of the report, he commented that the site was to be separately commercially managed. Councillor Heesom said that it was

virtually impossible for two cars to pass on the feeder roads to the area and proposed that the application be refused as it would set a precedent in the open countryside for caravan parks, and create landscape, environmental and highway safety issues.

Councillor M.J. Peers felt that the application would take land for the sake of it. The development was speculative and there was no demonstrated need. He raised concerns that there were still unsold units on the other part of the golf club and suggested that these could be used as holiday lets.

In response to the comments made, the officer said that there were proposals to provide bunding and enhanced landscaping on the site and that the visual impact of the site would be low-key. The units which had already been permitted at the golf club were for permanent use and were for sale but this application proposed units for rental use.

Following a question from Councillor M. Bateman about the ownership of the driveway and access to the site, the Principal Solicitor said that land ownership was a separate issue and did not affect determination of this application.

The Senior Engineer - Highways Development Control confirmed that Highways had no objections to the proposals subject to the conditions detailed in the report. She added that there had been significant improvements in 1996 in connection with the application for the golf club.

The Planning Strategy Manager said that, in principle, the open countryside was not an inappropriate location for this type of application and this was reflected in UDP policies. He added that, if Members were minded to refuse permission, it should be on grounds of visual impact, not need or precedent in an open countryside location.

In summing up, Councillor Heesom said that the site could not be screened as it was very exposed and that it would create a visual impact. He reiterated his concerns over the inadequacy of the wider road network, landscape and environmental issues and said that the existing site would meet the level of need in the area. He said that this development would set a precedent in the open countryside and that the application should be refused.

RESOLVED:

That planning permission be refused on the grounds of:-

- visual impact
- highway safety issues on the wider road network
- the existing permission not being fully implemented and should not therefore release any more land
- setting a precedent for unjustified development in the open countryside

80. FULL APPLICATION – ERECTION OF A PROTECTIVE NET BARRIER AT MOLD GOLF CLUB, CILCAIN ROAD, PANTYMWYN (049694)

The Committee considered the report of the Head of Planning in respect of this application which had been the subject of a site visit on 8 October 2012. The usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report and said that the net barrier as originally submitted measured 10 metres but the application had since been amended to propose a 7.5 metre high net. He detailed the consultation and publicity responses and advised that the recommendation was to approve the application.

Mr. J. Clewarth spoke against the application. He said that Members at the site visit would have noted that the 14th green on the golf course was only 10 metres away from his property. Consequently, golf balls frequently ended up in his garden arising from the second shot from the top of the hill to the green and had resulted in damage to his roof. He felt that neither the 7.5 nor 10 metre net would solve the problem and asked if there had been any expert advice about its effectiveness. He said that nets had not been successful at other golf clubs and were now redundant at the Northop golf club as the hole had been moved. Mr. Clewarth said that net would not be sympathetic to the area as it was to be 50 metres long and supported by stanchions, having the appearance of an institution and would cause overshadowing on his garden. He felt that the problem was not of his making but was the result of a badly designed golf course: that the situation could be resolved by moving the green.

Mr. J. Scott, Captain of Mold Golf Club, spoke in support of the application. As a result of recent complaints the risk assessment had been reviewed and had identified that the likelihood of injury from the golf balls was very low. The number of complaints had only increased following the removal of a beech tree and the regular trimming of the hedges by Mr. Clewarth. Signs had been erected, the 150 metre marker had been moved back, out of bounds markers had been put in place to discourage balls being hit in the direction of Mr. Clewarth's property, and a hardstanding path had also been removed to reduce the risk. Mr. Scott said that the erection of a net was a last resort and that environmental issues such as the impact of the netting on birds and bats was key to the proposal.

Councillor W.O. Thomas proposed the recommendation for approval which was duly seconded. He said that it was difficult to move the holes around on the long established golf course but added that safety was a key issue. He said that the net and the supports should be in a material that blended into the area and that they should be maintained to prevent them becoming unsightly.

Councillor I. Dunbar proposed an amendment that temporary permission be granted for two years to allow the effectiveness of the net to be

monitored and also suggested that it be conditioned that the net be properly and frequently maintained. The proposal was duly seconded.

Councillor D. Butler asked whether the installation of semi-mature trees would be cheaper and more effective than the installation and maintenance of a net. The officer responded that there was no space to put trees but felt that a temporary permission would allow for monitoring of the net to gauge if it was satisfactory.

RESOLVED:

That planning permission for a temporary period of two years be granted subject to the conditions detailed in the report of the Head of Planning and subject to the following additional conditions:-

- Supports/materials to be agreed
- Net to be maintained in the interest of appearance/effectiveness.

81. FULL APPLICATION – ERECTION OF A SINGLE 5KW DOMESTIC-SCALE MICRO WIND TURBINE AT MOSS GIEL, CALCOED LANE, BABELL (050014)

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report and highlighted the consultation and publicity sections where the objections which had been received were detailed.

Councillor J. Falshaw proposed the recommendation for approval which was duly seconded. He felt that the objections had been addressed and that the application complied with policy.

RESOLVED:

That planning permission be granted subject to the conditions detailed in the report of the Head of Planning.

82. FULL APPLICATION – PLACEMENT OF A TELECOMS MAST FOR A PERIOD OF SIX MONTHS AT TELEPHONE MASTS, BRIDGE STREET, SHOTTON (050016)

The Committee considered the report of the Head of Planning in respect of this application. The usual consultations had been undertaken and the responses received detailed in the report.

The officer detailed the background to the report and explained that the mast had originally been sited on the Shotton Lane Social Club, but had been

relocated to this site when the club burned down. A temporary mast had been put on this site for a period of six months to allow a permanent site to be found. This had now expired and an alternative location had not yet been secured. It was recommended that a temporary consent be granted for a further six months or until a new site was ready.

Councillor R.C. Bithell proposed the recommendation for approval which was duly seconded.

Councillor C.M. Jones read out a statement from Councillor A. Minshull who had been intending to speak as local Member, but had had to leave the meeting to attend a prior engagement. She said that the residents had been willing to allow consent for six months but that a further six months, as proposed, was unacceptable. There were now four masts on the site and she queried whether there was a policy of mast sharing. She asked that the application be refused by Committee.

Following a query from Councillor W.O. Thomas, the officer explained that the moving of the mast to this site had been under emergency powers and that there was a reasonable distance between the housing and the masts. It had been hoped that the mast would be relocated to a site of a garage but this had not been possible.

RESOLVED:

That planning permission be granted for a further 6 month period subject to the conditions detailed in the report of the Head of Planning.

83. APPEAL BY J.T. HEWITT & SON LIMITED AGAINST FLINTSHIRE COUNTY COUNCIL'S DECISION TO REFUSE AN APPLICATION FOR FULL PLANNING PERMISSION FOR 8 NO. DWELLINGS AT A BUILDERS YARD, MAUDE STREET, CONNAH'S QUAY (048550)

RESOLVED:

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

84. DURATION OF MEETING

The meeting commenced at 1.00 p.m. and ended at 4.13 p.m.

85. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were 36 members of the public and 2 members of the press in attendance.

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Chairman