

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **FLINTSHIRE COUNTY COUNCIL**

DATE: **TUESDAY, 27 MARCH 2012**

REPORT BY: **DIRECTOR OF ENVIRONMENT**

SUBJECT: **UNITARY DEVELOPMENT PLAN SUPPLEMENTARY
PLANNING GUIDANCE**

1.00 PURPOSE OF REPORT

1.01 To bring back to the Council for approval, supplementary planning guidance (SPG) relating to the adopted Unitary Development Plan (UDP). The guidance for approval relates to SPG covering policy S11 Retention of Local Facilities, and a development brief for the UDP housing allocation HSG1(19) Compound Site Broughton. A further development brief relating to UDP housing allocation HSG1(38) Former Sewage Works, Sychdyn will be brought to a future meeting once matters relating to the consultation on the draft brief are fully resolved.

2.00 BACKGROUND

2.01 Members will recall that during the process of progressing the UDP to adoption, the Council resolved to prepare specific supplementary planning guidance to support the adoption of the UDP. These SPG related to:

- a) the development of supplementary guidance to support the interpretation of UDP policy S11 Retention of Local Facilities, given concerns that the policy itself required more robust guidance to assist interpretation;
- b) the development of supplementary guidance in the form of development briefs to provide detailed guidance on the development of two housing sites allocated in the plan - the Compound Site, Broughton, and the Former Sewage Works, Watts Dyke Way, Sychdyn.

2.02 Each SPG has been drafted in consultation with the respective Local Members and, in line with the advice of the Welsh Government, has been the subject of a Council resolution and public consultation exercise, in order to afford the guidance significant weight as a material planning consideration in the determination of planning applications. The representations received on each brief during the consultation and any resulting changes to the guidance are shown as appendices to the attached guidance.

3.00 CONSIDERATIONS

- 3.01 Members are asked to note that only one representation was received in relation to the SPG for policy S11 Retention of Local Facilities, which made a very specific request for the need for detailed independent assessment of all applications proposing a change of use of a business such as a pub, where the assessment should assess how a business has operated and also comment on how it could be made to operate in a more viable way. In response this is not seen as either necessary or appropriate and would certainly be too onerous when applied to all applications. The current methods of assessment as set out in the guide are felt to be both adequate and proportionate.
- 3.02 Given the limited amount of change required to this SPG following consultation, Members will note that it has been set out in its 'final' format in appendix 1 for approval.
- 3.03 In contrast, the SPG relating to the development brief for the Compound Site in Broughton attracted more significant comments during the consultation exercise. Whilst the details of these comments are attached to the draft brief in appendix 2 of this report, the main issue raised relates to the degree to which the significant bund to the rear of the site can be justified for retention. This was put in place to protect the residential amenity of existing residents when the site was used as a construction compound for the shopping park.
- 3.04 Now that the site is also proposed for housing, any previous inherent conflict of uses has been removed. On this basis, it is very difficult to envisage how a case to retain this bund in its entirety can be made, particularly when the main emphasis of the brief should now be to move such 'protection' forward to the frontage of the site, where housing will now be in closer proximity to the shopping park. It is in this location that the brief should and does emphasise the need for a green 'buffer' to act as a green corridor, to visually contain the site and assist with separation from the retail park, and to also serve as a noise barrier.
- 3.05 Members are asked to note the importance of approving the content of the draft brief in appendix 2, as approximately half of the site is the subject of a current planning application and the brief is therefore important not only to set out the context for how the remaining half of the site should be designed and developed, but also to act as a material consideration in the determination of the current application.
- 3.06 Members will have noted that this brief is not in its final format, as shown for the SPG relating to S11. Subject to Members agreement of the content of the brief, which is the most critical aspect of their consideration, delegated authority is sought by officers to format the document in the house style shown for S11.

- 3.07 Finally, in relation to the SPG relating to the development brief for the Former Sewage Works site, Sychdyn, there are some outstanding matters relating to the consultation carried out on the brief still to be fully resolved. Once these are complete, the brief will be brought forward for approval by Members to a Council meeting in the near future.

4.00 RECOMMENDATIONS

- 4.01 That Members approve the attached SPG in appendix 1 relating to policy S11 Retention of Local Facilities, as supplementary planning guidance for use as a material planning consideration in determining planning applications.
- 4.02 That Members approve the attached SPG in appendix 2 relating to guidance for the development of UDP housing allocation HSG1(19) Compound Site, Broughton, as supplementary planning guidance for use as a material planning consideration in determining planning applications.
- 4.03 That Members give the Director of Environment delegated authority, following consultation with the Executive Member for the Environment, to format (and where necessary typographically correct) the wording of each SPG above into the appropriate house style for subsequent publication.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None.

6.00 ANTI POVERTY IMPACT

- 6.01 None.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None.

8.00 EQUALITIES IMPACT

- 8.01 None.

9.00 PERSONNEL IMPLICATIONS

- 9.01 None.

10.00 CONSULTATION REQUIRED

- 10.01 None.

11.00 CONSULTATION UNDERTAKEN

- 11.01 A public consultation exercise was carried out for each SPG lasting six weeks. Key stakeholders were also contacted directly.
- 11.02 The local ward Members comments have been incorporated into the Development Brief for the Compound Site, Broughton.

12.00 APPENDICES

- 12.01 Appendix 1 – SPG S11 Retention of Local Facilities
Appendix 2 – SPG Development Brief for the Compound Site,
Broughton

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

Adopted Flintshire UDP
Minutes of FCC meeting held on 11th November 2010

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