

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL
COMMITTEE**

DATE: **WEDNESDAY, 17 DECEMBER 2014**

REPORT BY: **CHIEF OFFICER, GOVERNANCE**

SUBJECT: **PLANNING APPLICATION 052369 BY ALDI STORES
LIMITED FOR FOOD STORE AT BROUGHTON
SHOPPING PARK**

1.00 PURPOSE OF REPORT

1.01 For the committee to give further consideration to the above planning application pursuant to paragraph 11.5 of the Flintshire Planning Code.

2.00 BACKGROUND

2.01 At the committee meeting on the 12 November 2014 it considered the report of the Chief Officer (Planning & Environment) on application number 052369 for a food store at Broughton Park submitted by Aldi Stores Limited. A copy of that report is attached as Appendix 1. The late observations relating to this application circulated at the meeting are attached as Appendix 2. The committee decided by 15 votes to 6 to grant permission for the application.

2.02 Following the vote the Chief Officer (Planning & Environment) explained that he believed the decision reached represented a significant departure from planning policy and that he would be asking the Democracy & Governance Manager as legal advisor present to agree with this and thereby refer the application back to the committee for further consideration. This procedure was last used in the Summer of 2010 and is now incorporated into paragraph 11.5 of the Flintshire Planning Code.

2.03 Following the committee meeting the Chief Officer (Planning & Environment) made written representations to the Democracy & Governance Manager as to why he believed the decision represented a significant departure from policy. The Democracy & Governance Manager wrote to the proposer (Councillor Mike Lowe) and the seconder (Councillor Richard Lloyd) giving them the opportunity to make representations in accordance with the practice followed on previous occasions. Both Councillors made written representations which were taken into account in reaching his decision.

3.00 CONSIDERATIONS

3.01 The decision reached by the Democracy & Governance Manager was that the committee's decision amounted to a significant departure from planning policy. The reasons for this were:-

- The application had been advertised as a departure from policy.
- The site being allocated under policy HSG1 (19) for residential development for 54 dwellings.
- The current lack of a 5 year housing land supply.
- The Planning Inspector's comments quoted in paragraphs 7.15 and 7.16 of the committee report.
- The contents of the committee report, particularly paragraphs 2.01, 7.19 and 8.01.

4.00 RECOMMENDATIONS

4.01 The committee is required to give further consideration as to whether planning application 052369 should be granted or refused.

5.00 FINANCIAL IMPLICATIONS

5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

9.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 With the Chief Officer, Planning & Environment and with the proposer and seconder of the proposal to grant permission.

11.00 CONSULTATION UNDERTAKEN

11.01 With the Chief Officer, Planning & Environment and with the proposer and seconder of the proposal to grant permission.

12.00 APPENDICES

- 12.01 Appendix 1 – Report to the Planning and Development Control Committee meeting on the 12 November 2014
Appendix 2 – Late Observations

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 BACKGROUND DOCUMENTS

Report to the Planning and Development Control Committee of the 12 November 2014

Written representations from Chief Officer, Planning & Environment, Councillors Lowe and R Lloyd.

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