

FLINTSHIRE COUNTY COUNCIL
PLANNING AND DEVELOPMENT CONTROL COMMITTEE
COMMITTEE DATE: 18TH JANUARY 2017
LATE OBSERVATIONS

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.1	055188	Royal British Legion (Former), Gadlys Lane, Bagillt.	Applicant's Agent – Received 16 th January 2017.	WITHDRAW application to allow opportunity to consider revisions to development to seek to address objections received – Noted – Speakers advised accordingly.
6.2	052063	81 Drury Lane, Buckley.	Applicant – Received 17 th January 2017.	<p>AMENDED PLAN</p> <p>An amended plan proposing revisions to the access was received on Friday 13th January 2017 at 17.26. The Council's highway engineers have provided a preliminary view in the short amount of time they have had which is set out below:-</p> <p>"The access has been considered on its suitability to serve no more than 60 dwellings as indicated in the original submission. On this basis the previous reasons for refusal may not be substantiated and it is possible conditions could overcome some or all of the issues".</p> <p>As there have been less than 3 working days in order for consultation responses to be made this is considered insufficient time to properly respond. We have requested the applicant to enter into an extension of time to enable the authority to consider the amended plan but they have not agreed to this extension.</p>

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.2	056023	81 Drury Lane, Buckley.	Applicant – Received 17 th January 2017.	Will not accept an extension of time for the application to be deferred and request that the application be determined at the 18 th January 2017 Planning & Development Control Committee. Consider that highway issues have now been resolved and that the highway reason for refusal is removed.
6.3	052364	Stoney Beach Quarry, Pinfold Lane, Alltami	Howard White, Rambler's Association - Received 16/01/2017	<p>Public Rights of Way</p> <p>Detailed comments regarding apparent inconsistencies within the report or points where clarification is required, specifically:</p> <ul style="list-style-type: none"> • Conditions 5&6 not precise; • The PROW comment does not tally with paragraphs 7.33-35; • Condition 24: Hours of working does not tally with paragraph 7.10, 7.47 and 48 on hours of work. • No mention of 'Guidance for Local Authorities on Public Rights of Way' published in October 2016. • The public right of way should be shown on a plan now. • Raises concern regarding the visual impact of works carried out by the Applicant to the south of Pinfold Lane Quarry and suggests that this area could be used to provide a parallel track for the footpath. • Raises concern regarding the safety and amenity impact on lorries on users of the footpath. <p>Officer response:</p> <ul style="list-style-type: none"> • Detailed wording is included within the conditions provided to Members. The application is proposed on the basis that

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.3	052364	Stoney Beach Quarry, Pinfold Lane, Alltami	Howard White, Rambler's Association – Received 16/01/2017.	<p>the site would manage up to 195,000tpa, as detailed within paragraph 7.18 of the report.</p> <ul style="list-style-type: none"> • The Public Right of Way runs along the private access road. Due to the width of the road it is considered that the proposal can be implemented without directly affecting the Right of Way. However, it is recognised within paragraphs 7.34 and 7.35 of the report that there are means to secure a temporary closure to facilitate the works in the event that one is deemed necessary. Such a procedure is separate to the grant of planning, as confirmed within Section 7 of the 'Guidance for Local Authorities on Public Rights of Way' 2016, referred to by the consultee. Any consent would include 'Notes to Applicant' to draw this to the Applicant's attention. • Condition 24 is more restrictive than the hours of working proposed within the application, however, this is in line with the hours of operation for other approved waste sites in the area and would help protect local amenity. <p>Other comments are addressed within the report.</p>
6.3	052364	Stoney Beach Quarry, Pinfold Lane, Alltami	Councillor Ellis, received 12/01/2017	<p>Report omits fact that Alltami Brook goes into Wepre Park and River Dee.</p> <p>Officer Response: The report identifies that the Alltami Brook joins the Wepre Brook, which in turn joins the River Dee. This is covered in paragraph 7.56 of the report.</p>

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.3	052364	Stoney Beach Quarry, Pinfold Lane, Alltami	Applicant, received 12/01/2017 and 16/01/2017	<p>Raised concern about the inclusion of a condition to restrict permitted development (PD) rights, condition 4, in summary the condition is not necessary as the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and other legislation contained in the Environmental Protection Act would protect the amenities of the area in addition to the other conditions proposed by the Council for application ref: 052364.</p> <p>Officer response: The site in question is adjacent to ancient woodland with a TPO on it and is in close proximity to the Alltami Brook which itself feeds into the Wepre Brook and ultimately the River Dee. Although there are limited residential properties within close proximity of the site, a noise assessment has demonstrated that there is the potential for the site to generate noise which could cause nuisance/impact on amenity. It is therefore considered that it is a sensitive site and, given the nature of the activities proposed within the site there is a greater potential for nuisance/amenity impacts compared to the depot and that as such permitted development rights should be restricted. Although the site would require an environmental permit, the permit would be concerned with protecting human health and the environment rather than amenity, including visual amenity. Furthermore, the condition would prevent harm from occurring which may be covered by other legislation but which would be reactive rather than preventative. The removal of PD rights would therefore give the local planning authority a greater level of control, and ensure no harm to the adjacent sensitive environment would</p>

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
				<p>occur, whilst still enabling the developer to make changes where deemed acceptable.</p> <p>Request a number of changes to the wording of the proposed conditions, including removal of condition 10 which requires details of the formation of means of site access.</p> <p>Officer response: The highways officer has agreed that the condition is no longer considered necessary because the access is acceptable as it is.</p>
6.4	052922	Kingspan Ltd., 2-4 Greenfield Business Park 2, Bagillt Road, Holywell.	Transition Holywell & District – Received 13 th January 2017.	<p>Support the application</p> <ul style="list-style-type: none"> - Public opposition is not true , there is support for wind turbines - It will not be an eyesore in this landscape - Renewable energy needs to be supported - Will create jobs - Help to tackle climate change - Should support a local business
6.4	052922	Kingspan Ltd., 2-4 Greenfield Business Park 2, Bagillt Road, Holywell.	Local resident and representative of the Board of Trustees of Greenfield Valley - Received 13 th January 2017.	<p>Objection on grounds of;</p> <ul style="list-style-type: none"> • It will be visually the most prominent structures not only in Greenfield but as far as 4 km away, this is contrary to policies GEN1, L1, EWP4 and STR7 of Flintshire Unitary Development Plan. Tan14 also states planning need to take into consideration any potential visual impact from both land and sea • There are houses within the 500 metre range of acceptance the effect on them should be considered. • Greenfield Valley Heritage Park is an area which offers the local community and visitors an environment of natural woodland and lakes, peace and tranquillity,

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
				<p>Scheduled Ancient Monuments from the 4th to the 18th century, all will be affected. The area is popular with photographers, Basingwerk Abbey for example, who wants to have a wind turbine in their prized photograph.</p> <ul style="list-style-type: none"> • close proximity to the turbines are SSSI/SAC/RAMSAR sites to protect, • the welsh coastal path is within a 500 metre range, the road to the local skip site is within yards of the turbine, this alone poses a health and safety issue. • the infrastructure of this turbine would cause enormous upheaval to the local community, the roads are simple A roads and the amount of machinery needed for a project of this size would cause more damage than any winter's weather. <p>• <i>the turbines will be carbon offset'</i>, that is not the same as using the energy generated by the turbine to power the greenfield plant</p>
6.4	052922	Kingspan Ltd, 2-4 Greenfield Business Park 2, Bagillt Road, Holywell.	Local Resident – Received 13 th January 2017	<p>Object on grounds of:-</p> <ul style="list-style-type: none"> • It will set a precedent • Close to the Wales Coastal Path. • Poses a threat to migrating birds and aircraft. • Will affect television and radio broadcasting. • Visual impact. • Noise

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.4	052922	Kingspan Ltd, 2-4 Greenfield Business Park 2, Bagillt Road, Holywell.	Agent – Received 17 th January 2017.	<p>From agent to clarify points raised by late objections and on the site visit.</p> <ul style="list-style-type: none"> • Kingspan will receive electricity directly from the turbine. When Kingspan require more electricity than is being generated by the turbine (and their solar array), they will import from the local distribution network. When the turbine is generating more than Kingspan require, the excess will be exported to the local distribution network. So, rather than offsetting carbon emissions, Kingspan will be directly preventing carbon emissions resulting from fossil fuel based generation connected to the national grid. • The new housing development at Glan Y Don is farther away than the closest receptor to T2 assessed in the noise assessment which is on Bagillt Road. This is closer to the turbine than the W&W housing, so this would be expected to receive higher noise levels. Noise impacts at this point were assessed as ETSU compliant, as confirmed by the Council's Environmental Health team.
6.5	055597	Rose Farm Livery, Well Street, Buckley.	NRW – Received 16 th January 2017.	Confirms that having reviewed this case and consulted further with internal specialist pollution/geoscience colleagues, NRW confirms that they hold no records of previous contamination at this site. In addition they confirm that they have not received notice of any contamination to controlled waters/kerosene incidents.