

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **26<sup>th</sup> OCTOBER 2022**

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

**SUBJECT:** **FULL APPLICATION PARTLY IN RETROSPECT  
FOR THE RECONFIGURATION OF EXISTING  
APPROVED GYPSY TRAVELLER SITE TO  
ALLOW AN ADDITIONAL 9 STATIC CARAVAN  
PITCHES AT MAGAZINE LANE, EWLOE,  
FLINTSHIRE, CH5 3FA**

**APPLICATION  
NUMBER:** **061722**

**APPLICANT:** **MR MARTIN ROONEY**

**SITE:** **MAGAZINE LANE, EWLOE, FLINTSHIRE, CH5  
3FA**

**APPLICATION  
VALID DATE:** **17<sup>TH</sup> DECEMBER 2020**

**LOCAL MEMBERS:** **COUNCILLOR D MACKIE  
COUNCILLOR L THOMAS**

**TOWN/COMMUNITY  
COUNCIL:** **HAWARDEN COMMUNITY COUNCIL**

**REASON FOR  
COMMITTEE:** **DEPARTURE FROM THE DEVELOPMENT PLAN**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

- 1.01 A Full planning application partly in retrospect for the reconfiguration of existing gypsy traveller site to allow an additional 9 static caravan pitches within the approved boundaries of the existing site at Magazine Lane, Ewloe.

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

- 2.01
1. Time Limit
  2. In accordance with approved plans.
  3. No more than 14 pitches on the site and on each of the 14 pitches no more than 2 caravans, only one of which shall be static.
  4. The site shall not be occupied by any persons other than gypsies and travellers as defined in the Housing (Wales) Act 2104
  5. Touring caravans not to be used as overnight sleeping accommodation
  6. No vehicle over 3.5 tonnes to be parked or stored on site.
  7. No commercial activities shall take place on the land, including the storage of materials.
  8. Details of proposed means of disposal of foul drainage

## **3.00 CONSULTATIONS**

### **3.01 Local Member Councillor D Mackie**

I note that there has been previous correspondence about this site and in particular that an agreement had been reached that a planning application would be submitted to regularise the planning situation on this site. I should be grateful if you would let me know if this application is in connection with that agreement. Enforcement issues on land outside of the application site raised. No further comments received.

### **Local Member Councillor L Thomas**

I am assured that the application uses the existing site and that everything is contained on the original site. Also that if approved, everything complies in accordance with the approved plans. I therefore do not raise any objections.

### **Hawarden Community Council**

Objection. Concerns over the amount of entrances on Magazine Lane and an increase in number of cars accessing area.

## **Community and Business Protection**

No adverse comments to make regarding this proposal.

## **Highways Development Control**

The proposed development is likely to generate some additional traffic movements on lanes that are less than ideal but increases in the number of movements will be at a low and modest level. Subject to the restrictions proposed in paragraph 2.5 and 2.6 of the submitted Planning Statement i.e. no traffic generating future extension of the site and for use by the existing residents and their families, no highway objection to this application. The full response is contained within main body of report.

## **Housing Strategy**

The Flintshire Gypsy and Traveller Accommodation Assessment (final report) April 2016 refers to an unmet accommodation need over the Plan Period for 19 additional pitches. The Flintshire Housing Strategy states ones of its priorities is *“To provide the right type of accommodation for the Gypsy and Traveller community through: Ensuring the need for residential pitches are met in Flintshire working with the community.”*

The application is to reconfigure the existing site from 5 pitches to 14 pitches, which would negate the need to expand into the green belt land which runs adjacent to existing site. This includes communal areas which reflect Welsh Government best practice. In principle Housing Strategy supports this application.

The Councils Resettlement Coordinator has raised no objections based on policy advice. The requirement for additional pitches on the existing site and its boundaries will meet the needs of the extended family of the applicants.

## **Leisure**

We have no comments to make on this planning application.

## **Education**

No concerns raised.

## **Natural Resources Wales**

We have no objection to the proposed development as submitted. Full response contained within the main body of the report.

## **Dwr Cymru/Welsh Water**

Having assessed the proposal, we note it is proposed to discharge surface water run-off into a sustainable drainage system. However, the method of foul disposal is unknown. As of the 7th January 2019 this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with national standards, and is strongly recommended that the developer engage in pre-application consultation with Flintshire County Council, as the relevant SuDS Approval Body (SAB). Please note, DCWW is a statutory consultee to this application process and would provide comments on any SAB proposals.

In light of the above and given the omission of a detailed drainage plan/ layout, we would kindly request that if you are minded to grant Planning Consent for the above development that the Condition and Advisory Notes included with the consultation response are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

### **4.00 PUBLICITY**

#### **4.01 Press Notice, Site Notice, Neighbour Notification**

25 letters of objection received which are summarized as follows:

- Increase in traffic and impact on highway safety
- Impact on green barrier and character and appearance of the area
- Insufficient local school places
- Enforcement issues on site
- Anti-social behaviour (not a planning issue)

### **5.00 SITE HISTORY**

5.01 **057352** – Proposed alterations to previously approved day centre on plot 3 of new caravan site. Approved 27.09.17

**054322** – Proposed individual vehicular access points for plots 2, 3, & 4 of previously consented gypsy site. Refused. Allowed on appeal 08.12.16

**054095** – Proposed new vehicular access to serve plot 5 only of previously consent gypsy site. Refused. Allowed on appeal 08.08.16

**052190** – Application for the approval of details reserved by condition 12 (hard and soft landscaping) attached to planning permission ref: 050463. Approved 13.06.14

**052189** – Application for the approval of details reserved by condition 9 (visibility splays) attached to planning permission ref:050463. Approved 06.06.14

**052188** – Application for the approval of details reserved by condition 8 (means of access) attached to planning permission 050463. Approved 06.06.14

**050463** - Use of land for the stationing of caravans for the residential purpose for 5No. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use and retaining existing stables. Refused. Allowed on appeal 10.04.14.

**049152** - Change of use of land for the stationing of caravans for the residential purpose for 5no. gypsy pitches together with the formation of additional hardstanding and utility/dayrooms ancillary to that use and retention of existing stables. Refused. Dismissed on appeal 08.10.12.

**047896** - Change of use of land for the stationing of caravans for the residential purpose for 5no. gypsy pitches together with the formation of additional hard standing and utility/dayrooms ancillary to that use and retention of existing stables. Refused 12.01.12.

## **6.00 PLANNING POLICIES**

### **6.01 Flintshire Unitary Development Plan**

STR1 New Development

STR2 Transport and Communications

STR4 Housing

STR7 Natural Environment

STR8 Built Environment

GEN1 General Requirements for Development

GEN3 Development in the Open Countryside

GEN4 Green Barriers

D1 Design Quality, Location and Layout

D2 Design

L1 Landscape Character

D3 Landscaping

HSG14 Gypsy Sites

AC13 Access and Development

AC18 Parking Provision and New Development

Supplementary Planning Guidance Notes (SPGN)

SPGN No.3 Landscaping

## SPGN No.11 Parking Standards

### National Policy and Guidance

Welsh Government Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites'

Planning Policy Wales Edition 11 (February 2021)

Future Wales 2020 - 2040

## **7.00 PLANNING APPRAISAL**

### 7.01 Site Description

The application site is located to the south-west of Magazine Lane, running parallel to the A55. Agricultural land lies to the north, east and south and an area of woodland adjoins the site to the north-west. The site sits outside any recognised settlement boundary in an open countryside location and is within the Green Barrier as defined in the Flintshire Unitary Development Plan. The site is however relatively close to the settlements of Ewloe and Northop Hall. Planning permission was granted on appeal following a Public Inquiry in April 2014 for a gypsy traveller site consisting of 5 static caravan pitches, day/utility rooms and associated access, and since the original approval an additional 4 access points have been approved and added to the site creating 1 access to each of the 5 plots.

### 7.02 Proposed Development

The application proposes to reconfigure the existing site, to create an additional 9 caravan pitches within the boundaries of the approved site, to provide accommodation for residents already living on site. The proposed pitches will be reconfigured within the existing plots 1-5, increasing the total number of pitches from 5 to 14. Plots 1, 2, 4 and 5 are proposed to provide 3 pitches on each plot, with each pitch comprising a total of 3 static caravans with two parking spaces and 1 tourer to each static caravan. Plot 3 provides two pitches each of which are proposed to provide 2 static caravans with two parking spaces and 1 tourer to each caravan as well as a day room. There are two unauthorised static caravans on plot 5 which form the retrospective elements of this application.

### 7.03 Principle of Development

The starting point with regard to whether the principle of the proposal is acceptable is Policy HSG14 of the Flintshire Unitary Development Plan. Policy HSG14 acknowledges the requirement for the development plan to make adequate provision for the

accommodation needs of gypsy and traveler families and is a criteria-based policy designed to judge applications such as this as need arises.

- 7.04 Advice contained within Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites' that post-dates the adoption of the UDP, in light of which criterion a. and b. of policy HSG14 are outdated, on the basis that this criteria would be unduly restrictive to the choices available to Gypsies and Travellers. However, the other criteria of Policy HSG14 are still relevant. These criteria accord with the Circular in that they essentially seek to assess the suitability of the location of the proposed additional pitches by ensuring that in a sequential sense, sustainable locations within or adjacent to existing settlements with access to local services are considered first. That said, the Circular goes on to state that 'Sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries'.
- 7.05 The above criteria not only apply to the provision of new Gypsy and Traveller sites but is also relevant when looking at the provision of new Gypsy and Traveller pitches within existing sites or on extensions to existing sites.
- 7.06 This is also compliant with policy GEN3 of the UDP, which allows for appropriate development outside settlement boundaries, and also aligns with the fact that there is an existing permitted site in this location, that the LDP seeks to allow a modest expansion to via policy HN8.
- 7.07 The Housing (Wales) Act 2014 places a legal duty upon local authorities to ensure that the accommodation needs of Gypsies and Travellers are properly assessed and that the identified need for pitches is met. More recently, Welsh Government have published a Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites which reflects provisions contained in the Housing (Wales) Act 2014, to ensure that local authorities meet the accommodation needs and provide sites for Gypsies and Travellers through the planning system.
- 7.08 It is worth noting that UDP policy HSG14 predates the 2014 Act as well as Circular 005/2018, both of which place a different emphasis on assessing applications for Gypsy and Traveller sites, and the UDP did not identify specific sites to contribute towards the identified need.
- 7.09 Whilst the LDP has a similar criteria-based policy (HN9) to the UDP, it is now nearing the end of its Examination which has resulted in its two criteria a. and b. being deleted as they do not accord with the guidance in the above Circular. This change has recently been

consulted on as part of the LDP Matters Arising Changes Consultation and attracted no representations for the Inspector to consider.

- 7.10 The above criteria required a proven need for a Gypsy and Traveller site to be demonstrated, as well as there being no suitable alternatives elsewhere. Welsh Government raised this matter in their representations to the LDP Examination Inspector, highlighting that the Circular notes that policy requirements to 'demonstrate unmet need' would act against freedom of movement for Gypsies and Travellers who may wish to develop their own sites. Such restrictions should not be placed on Gypsies and Travellers. The Circular clearly states that criteria-based policies must be fair, reasonable, realistic and effective in delivering sites and must not rule out or place undue constraints on the development of Gypsy and Traveller sites. As these are also the first two criteria in UDP policy HSG14 they are no longer valid considerations, as previously discussed, and cannot be taken into account.
- 7.11 The Council has an approved Gypsy and Traveller Accommodation Assessment (2016) (GTAA) that is still extant for the purposes of the LDP Examination evidence base and for Development Management purposes. This shows need for 19 additional pitches over the Plan Period. In addition, the LDP has made suitable site-specific provision under policy HN8 to meet this need, made via site allocations as extensions to three existing Gypsy and Traveller sites, one of which is Council owned and the others in private ownership. This application site is one of those allocated extension sites, providing an additional 9 pitches, as set out in part of the Council's evidence to the LDP Examination in Public, and in the Matters Arising Changes.
- 7.12 Notwithstanding the issue of compliance with circular 005/2018 for policy HN9 of the LDP as set out above, suitable provision to meet the level of need in the GTAA has therefore been identified in the LDP via policy HN8 and the allocations it proposes that include the application site.
- 7.13 In terms of the weight that Members should attach to the LDP, firstly the Council approved the Plan as sound and capable of being adopted when it agreed in September 2020 for it to be submitted for Examination in Public, with this site proposed as an allocation. That decision and the various governance processes that led up to that point meant that on a number of occasions Members and various formal committees have had the opportunity to scrutinise the Plan and specific proposals including the allocation of the application site. This also includes considering the responses received to formal public consultation on the Deposit Plan which were duly considered, but which did not change the Council's view that the allocation was



appropriate, albeit with changes proposed to locate additional pitches within the existing site rather than an extension at the side.

- 7.14 As part of the Examination of the LDP a specific hearing session was held by the Inspector to discuss the provision for Gypsy and Travellers development in the LDP. No evidence was submitted to that session relating to objections to this site from the local community, and no community-based objectors appeared at the hearing session to raise any points of concern to the Inspector. The Council specifically noted in its evidence to the Inspector the fact that an application had been submitted in relation to increasing the number of pitches within the existing site and stated that this was positive evidence that the site was available, viable and deliverable. This is a clear requirement of PPW11 and the Development Plans Manual, which confirm that sites allocated in development plans should be viable and capable of being delivered. The Inspector raised no issues or concerns at the session in relation to this site and has not sought any further information following the hearing session.
- 7.15 The application is in line with the proposals in the LDP for this site and the proposed development is not of a scale that goes to the heart of the Plan. As such there cannot be an issue of prematurity as there is complete alignment in terms of the principle of development between the application before Members, and the proposal to expand this existing Gypsy and Traveller site in the LDP.
- 7.16 To summarise in terms of LDP context therefore, the Council promoted the present application as evidence of the intention to develop and contribute towards the identified need for pitches. The Inspector raised no issues or concerns with this site or the Council's submitted evidence. The scale and location of the LDP expansion to the existing site has also already been considered by the Council in approving its LDP for submission, and also at the Examination where no issues were raised.
- 7.17 Paragraph 7 of Circular 005/2018 advises that the Well-being of Future Generations (Wales) Act 2015 sets a framework for local authorities to ensure the sustainable development principle is met. In terms of wellbeing goals, the guidance reference a 'Wales of cohesive communities'. Paragraph 8 goes on to advise that 'Housing is a fundamental issue that affects the lives of people across Wales, including our Gypsy and Traveller communities'. In particular the guidance requires that '...Gypsies and Travellers should have equal access to culturally appropriate accommodation as all other members of the community'.
- 7.18 Paragraph 12 recognises that 'Some Gypsies and Travellers may wish to find and buy their own sites to develop and manage'. Paragraph 14 explains that the Housing (Wales) Act 2014 places a

legal duty upon local authorities to ensure 'that accommodation needs of Gypsies and Travellers are properly assessed and that the identified need for pitches is met'.

7.19 This is the position that the Council is now in having followed the guidance above in identifying suitable and sustainable provision for Gypsy and Travellers in the LDP. Given the position that the LDP has reached and where there is no conflict between it and this application (or the adopted UDP, subject to the outdated criteria as explained above), it is the firm advice of officers that the allocation of this site to accommodate 9 additional pitches in the LDP can be given significant weight in the positive determination of this application.

7.20 It is considered that the application is compliant with the relevant policies in the Flintshire Unitary Development Plan, and both meets the specified criteria set out in the circular in relation to sustainable development for Gypsy and Travellers and also clearly aligns with the Council's intentions to allow additional pitches on the existing site in this location via the allocation in the LDP. The proposal offers the opportunity for growth within the family units on site by promoting an appropriate location for a permanent home, whilst also providing good connectivity to the local communities and the facilities they offer. The site is close to the edges of two villages, Ewloe and Northop Hall which are category B settlements in the adopted UDP. The site is relatively sustainable for new development given the availability of services and facilities and also the proximity to other settlements in Flintshire.

7.21 Best Interests of Children

As the residents of the site include children the proposal has been assessed with due regard to their best interests. The Best Interests of the Children is a primary consideration for this application. Across the entire site, there are 17 children under the age of 18 who live permanently on the site and out of those 17 children, some attend local schools not too far from the site. 6 children attend Edward Morgan Primary School in Shotton and 3 children attend Connah's Quay High School. The benefits of enabling the provision of a stable and secure environment is a material consideration in the planning balance. This has been accepted by planning inspectors with due regard to the rights to respect for family and private life as identified in Article 1 and Article 8 of Protocol 1 of the European Convention on Human Rights.

7.22 It is acknowledged that children live, and would continue to live on the site were permission to be granted, and the Local Planning Authority has a statutory duty under the Children's Act 2004, to safeguard and promote the welfare and well-being of the children. There is also a

national and international obligation under article 3(1) of the United Nations Convention of the Rights of the Child (UNCRC) “In all actions concerning children, whether undertaken by public or private or social welfare institutions, courts or law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” These considerations are therefore a primary material consideration in the determination of this application. If the application is approved then the applicant, their family and the families of those living on site will all have a settled base allowing them to meet the educational/health needs of the children. I therefore consider that the best interests of the children would be best served by having sufficient accommodation on the existing site.

### 7.23 Access and Highways

There are 5 existing approved access points to the site, one to each of the 5 plots. The application proposes no changes to the existing access arrangements, however there are a greater number of parking spaces being considered as part of the proposals. The number of proposed spaces are in line with parking standards for residential properties in that 2 spaces are required to be provided for a 2 or 3 bedroom property. The number of spaces are thus considered acceptable.

7.24 Following consultation, the Highway Authority have commented that the road giving access to the site is considered unsuitable to accommodate a significant increase in the number of traffic movements. The Inspector at the Public Inquiry into application 054322 considered and dismissed objections on highway safety and amenity grounds. The “less than ideal” nature of the road was recognised but the inspector decided that the impact of development generated traffic would be no worse than that of the large vehicles currently using the lanes. The Inspector also decided that any increase in vehicle movements would be “low level and modest” and that under such circumstances Circular 30/2007 stated that proposals should not be rejected on highway grounds. The assessed speeds and volume of traffic using Magazine Lane were substantially below the thresholds required by “Quiet Lanes” and shared pedestrian/vehicular use of the lane was considered appropriate.

7.25 Paragraphs 2.5/2.6 of the Planning Statement submitted with the current application suggest that the proposed re-development is required to accommodate the growing needs of existing residents and that the proposed re-development will remove the requirement for a site extension as originally set out in the Deposit LDP allocation.

7.26 Furthermore a Crash Map review of accident history identifies that there have been no recorded traffic accidents on Green Lane, Magazine Lane or Pinfold Lane since the inquiry in July 2012. The roads giving access to the site are considered unsuitable to serve significant increases in traffic generation due to limited width, restricted forward visibility, restricted junction visibility (Pinfold Lane/Chester Road) and lack of adequate pedestrian provision however I consider the highway implications of the proposed site re-development fall within a similar category to that previously considered at inquiry. The proposed development is likely to generate some additional traffic movements on lanes that are less than ideal but increases in the number of movements will be at a low and modest level. Subject to the restrictions proposed in paragraph 2.5 and 2.6 of the submitted Planning Statement i.e. no traffic generating future extension of the site and for use by the existing residents and their families, the Highway Authority propose no highway objection to this application.

7.27 Character and Appearance

The earlier application for 5 static caravans consisted of 5 spacious plots and though the density of development on the site will increase through the addition of 9 further pitches, it is considered that the plots are spacious enough to accommodate the additional caravans. The addition of further caravans on the site for residential occupation will provide a more efficient use of land, without having to consider extending further into the wider open countryside and green barrier which is what was originally being considered within the LDP. Additional pitches within the existing site will negate the requirement for an extension during the life of the LDP.

7.28 The site's development under the original permission was in effect in conflict with its designation as a green barrier in the UDP, but the appeal Inspector at the time deemed there to be overriding exceptional circumstances in granting planning permission. Whilst an extension to the site was originally proposed in the LDP on the basis of the previous decision and that the harm to the Green Barrier had already been caused, changes to national policy on development in Green Barriers in PPW plus the specific needs of the families already living on site, have resulted in a change to the proposed means of providing more pitches at this site via the LDP.

7.29 Of direct relevance to this is also the fact that this application has been with the Council for some time and has been material to the consideration of the most appropriate way to make additional provision via the LDP Examination, where no objectors to the proposed expansion appeared or submitted evidence. The Examination also considered and agreed in principle that the existing site and location for the expansion of this existing use, no longer

fulfilled one of the key principles of designating green barriers, which is to maintain openness. In recognition of this the Matters Arising Changes resulting from the LDP Examination recommended removal of the site from the green barrier by virtue of MAC135. Following the public consultation on the MACs there are no representations to MAC135 for the Inspector to consider.

7.30 The site is situated away from any direct neighbours. The closest dwelling on Green Lane, leading onto Magazine Lane is located approximately 270m away to the south east. Another two dwellings are located after this and further dwellings are located on Mold Road backing onto Green Lane. The main interactions from the site would come from vehicular use of Green Lane, which as stated above is considered to be acceptable. The site boundaries are relatively well screened and a landscaping condition was applied as part of the earlier application for 5 pitches, thus it not considered necessary to condition this again. The earlier landscaping scheme is sufficient to soften the effects of the proposals on the open countryside location and overall the effect of additional buildings on the site will be minimal and will not adversely affect the character and appearance of the area over and above the existing development and infrastructure.

7.31 Whilst the expansion of the site would increase the numbers of pitches from 5 to 14, the number of caravans are still considered to be appropriate for the size of the site and is not considered to be out of proportion to the nearby settled community.

7.32 Notwithstanding the above, there are residential properties in the vicinity of the site and I consider that the condition previously placed on the site prohibiting commercial activity shall also be applied to this application for the avoidance of doubt.

#### 7.33 Living Conditions of Occupiers

As noted above there are no direct neighbours to the application site and the nearest properties on Green Lane are a significant distance away. Due to the additional pitches proposed for existing residents already living on the site, the increase in traffic would be minimal and has been assessed above. There would therefore be no adverse impact on the living conditions of neighbouring occupiers from additional properties on this site.

7.34 Numerous complaints have been received in regards to antisocial behavior and crime relating to occupants on the site, however this is not a matter which can reasonably be controlled by the planning process.

7.35 The living conditions of the occupiers has been assessed on the existing site and it is considered that there is sufficient distance between caravans to avoid any adverse effect and a degree of amenity space associated with the residential use of the site which raises no concerns. Fencing was also installed as part of the previous permission to reduce the impact of noise from the A55 on the residents of the site.

7.36 Drainage

The site contains private water treatment tanks which serve the static caravans currently on site and were installed as part of previous applications as it was deemed an unreasonable cost to connect to the public sewer. These tanks have been operating under capacity ever since installation and it has been confirmed that each tank has capacity for 15 adults and there are 4 tanks installed across the existing 5 plots. A fifth tank is expected to be installed when plot 1 becomes habitable.

7.37 NRW have noted that they expect the existing treatment tanks to have sufficient capacity to cope with the proposed expansion on site, but if required, larger capacity tanks could be installed as required and this could be addressed and enforced by condition. Having considered the further information shared with NRW, no further concerns are raised regarding this matter. However, if a private drainage solution is to be progressed, the Applicant will need to apply for an Environmental Permit from NRW.

7.38 Planning Enforcement

The Council are aware of some planning enforcement issues which do not form part of this planning application, relating to the existing site and on land outside of the boundaries of the application site. Planning enforcement matters will be addressed separately and should not prejudice this current application.

**8.00 CONCLUSION**

The policy context for this site is fully supportive of the development proposed. The need for the pitches represented by this application is shown in the GTAA and for this reason the site has been allocated within the emerging LDP as the remodeling of an existing residential Gypsy site. The proposal represents the modest intensification of an established site and is in accordance with the Council's policies

regarding this type of development, as well as national planning guidance.

#### 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

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