

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **15TH JANUARY 2025**

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

SUBJECT: **FULL APPLICATION – PROPOSED RE-
CONFIGURATION OF EXISTING RESIDENTIAL
CARAVAN SITE TO ALLOW FOR THE SITING OF
26 NO UNITS**

**APPLICATION
NUMBER:** **COU/000183/24**

APPLICANT: **MR S SEDDON**

SITE: **LAND ADJOINING OLD QUAY HOUSE,
DOCK ROAD, CONNAHS QUAY**

**APPLICATION
VALID DATE:** **27/3/24**

LOCAL MEMBERS: **COUNCILLOR J B ATTRIDGE
COUNCILLOR D OWEN**

**TOWN/COMMUNITY
COUNCIL:** **CONNAH’S QUAY TOWN COUNCIL**

**REASON FOR
COMMITTEE:** **SCALE OF DEVELOPMENT RELATIVE TO
DELEGATION SCHEME**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This full application proposes the reconfiguration of an existing residential caravan site at Dock Road, Connah’s Quay to allow for the siting of 26 units. Progression of the application has been impacted following receipt of initial flood risk concerns expressed by Natural Resources Wales (NRW). As a result, amended plans have been received on which further consultation has been undertaken. the changes subsequently being considered acceptable from a development management perspective.

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

- 2.01
1. The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
 2. The development shall be carried out in accordance with the following approved plans and documents:
 - AMENDED Application forms date received 3/10/24.
 - Site Location Plan MH-129-DR-00 date received 18/3/24.
 - AMENDED Lodge Park Plan MH-129-DR-01 Rev 07 date received 3/10/24.
 - AMENDED Masterplan MH-129-DR-04 Rev 01 date received 29/10/24.
 - AMENDED Planting Plan Sheet 1 MH-129-DR-02-Rev 01 date received 3/10/24.
 - AMENDED Planting Plan Sheet 2 MH-129-DR-03-Rev 01 date received 3/10/24.
 - AMENDED Landscape Details MH-129-DR-05-Rev 01 date received 3/10/24.
 - AMENDED Landscape Details MH-129-DR-06-Rev 01 date received 3/10/24.
 - Flood Consequences Assessment
 3. Within 3 months of the date of this permission a Flood Management / Emergency Evacuation Plan shall be submitted for the consideration and written approval of the Local Planning Authority. Development shall be carried out in accordance with the approved details unless further agreed in writing by the Local Planning Authority.
 4. Notwithstanding the landscaping details as shown on plans MH-129-DR-02-Rev 01, MH-129-DR-03-Rev 01, MH-129-DR-05-Rev 01 and MH-129-DR-06-Rev 01, no development shall commence until details of a hedgerow /fencing to minimise the impact of development on the Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) has been submitted for the consideration and written approval of the Local Planning Authority. The details as may subsequently be approved shall be undertaken within the first planting and seeding season following the commencement of development or such other timescale as may be approved by the Local Planning Authority and retained thereafter.
 5. No development shall commence until a scheme of biodiversity net benefit incorporating lighting proposals, surface water management and the introduction of bat and bird boxes has been submitted to and approved in writing by

the Local Planning Authority. The scheme shall be implemented in accordance with a timescale to be approved in accordance with the approved details or any agreed variation therefrom.

6. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network
7. Within 3 months of the date of this permission, details of the means of foul drainage to serve the development shall be submitted for the consideration and written approval of the Local Planning Authority. Development shall be carried out in accordance with the approved details in accordance with a timescale as may be approved by the Local Planning Authority.

3.00 CONSULTATIONS

3.01 **Councillor J B Attridge (Local Member):** No response received at time of preparing report.

Councillor D Owen (Local Member): Supports this application and believes it is needed with the current housing situation within Flintshire. Considers that this is indeed a very important opportunity for our community and the accommodation is very much needed.

Connah's Quay Town Council: No objections subject to compliance with planning policy.

Highways Development Control: No objection and do not intend to make a recommendation on highway grounds.

Community and Business Protection (Pollution Control): No adverse comments to make from a noise and amenity perspective.

Community and Business Protection (Health and Safety): Following the submission of an amended scheme which proposes a reduction in the number of caravans from that initially proposed, in combination with the removal of caravans from within the C2 Flood Zone, raise no objection subject to controls to meet caravan site licence requirements being secured through a management plan.

Welsh Water/Dwr Cymru: Confirm that capacity exists within the public sewerage network to receive the domestic foul only flows from the proposed development site. Recommend that any permission includes a condition in respect of land /surface water drainage to prevent discharge into the main system.

Natural Resources Wales: Welcome changes to the site layout following a reduction in proposed caravan numbers and their re-siting. Recommend that the Local Planning Authority ensure that the potential flood risks associated with the development be minimised and impact on protected ecological habitats addressed including the installation of an acceptable means of foul drainage.

Airbus: No aerodrome safeguarding objection.

North Wales Fire Service: Confirm that water supplies to combat a potential fire at the site is available at the junction of Dock Road /Quay Lane. Request that internal roads are constructed in accordance with Model Standards 2008 – Caravan Sites in Wales and Caravan Sites and Control of Development Act 1960.

Public Rights of Way (PROW): Public Footpath 28 abuts the site but appears unaffected by the development. The path must be protected and free from interference from the construction.

Built Conservation Officer: Supports the proposed amended layout which provides for increased separation distances between the caravans and the former Old Quay House Public House, this enhancing and improving its setting.

4.00 PUBLICITY

4.01 Neighbour Notifications were sent to 34 neighbouring and nearby properties. The application was also publicised by way of a Press Notices and Site Notice displayed near the site.

No response(s) received at time of preparing report.

5.00 SITE HISTORY

5.01 No planning history

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan
Policy STR2 – The Location of Development
Policy STR4 – Principles of Sustainable Development, Design and Placemaking.
Policy STR5 – Transport and Accessibility
Policy STR6 – Services, Facilities, and Infrastructure
Policy STR13 – Natural and Built Environment, Green Networks, and Infrastructure.
Policy PC1 – The Relationship of Development to Settlement Boundaries
Policy PC2 – General Requirements for Development

Policy PC3 – Design
Policy PC4 – Sustainability and Resilience of New Development
Policy PC5 – Transport and Accessibility
Policy PE2 – Principal Employment Areas
Policy HN2 – Density and Mix of Development
Policy HN3 – Affordable Housing
Policy EN6 – Sites of Biodiversity Importance
Policy EN7 – Development Affecting Trees, Woodlands, and Hedgerows.
Policy EN14 – Flood Risk
Policy EN14 – Water Resources

Supplementary Planning Guidance Notes (SPGN)

SPGN2 – Space Around Dwellings
SPGN3 – Landscaping
SPGN4 – Trees and Development
SPGN8 – Nature Conservation and Development
SPGN11 – Parking Standards

National Planning Policy/Guidance

Planning Policy Wales (PPW) – Edition 12
Future Wales: The Development Plan 2020-2040
Technical Advice Note (TAN) 5 – Nature Conservation and Planning
Technical Advice Note (TAN) 12 – Design
Technical Advice Note (TAN) 15 – Development and Flood Risk
Technical Advice Note (TAN) 18 – Transport
Caravan Sites and Control of Development Act 1960.
Model Standards 2008 – Caravan Sites in Wales
Circular 008/2018 – Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewerage treatment plants.

7.00 PLANNING APPRAISAL

7.01 Introduction / Site Description

The application site amounts to approximately 0.8 hectares in area. It is located to the south of the River Dee, north of the Chester – Llandudno railway line which runs parallel to a road that accommodates the North Wales Coastal Path adjacent to the sites southern boundary, Quay Lane to the east and open greenspace to the west. The site is predominantly hardstanding and currently contains 32 static caravans used as long-standing permanent residential accommodation, with other associated mobile structures segregated by substantial lengths of steel palisade fencing.

7.02 There are currently two vehicular access points to the site from Dock Road/ Quay Lane. The main site access is located between the former Old Quay Public House (Grade II Listed) and the Heritage Centre, with a separate access serving five caravans being

located to the rear (south) of the public house, between it and the railway line.

7.03 Proposed Development

The plans initially submitted as part of this application proposed the re-configuration of the existing site, to allow for an increase for the siting of 33 caravans for residential accommodation. Amended plans have however been submitted in progression of the application which propose a reduction in the number of caravans from 33 to 26. This is principally following objections initially received from Natural Resources Wales (NRW), given concerns that the initial proposal included their retention and siting within a C2 – Flood Zone.

7.04 As a result, the site layout has been amended, and further consultation on the application has been undertaken. It is important to note that the scheme proposes the re-siting of existing caravans on the site with no new units proposed and involves the formation of a new internal road layout. A new direct access to serve seven caravans is also proposed to be obtained from the road that runs parallel to the railway line and sites southern boundary.

Main Planning Considerations

7.05 The main planning considerations to be addressed in determination of this application include:

- Principle of Development.
- Character and Appearance
- Impact on Setting of Listed Building (Former Old Quay Public House)
- Impact on Living Conditions.
- Adequacy of Access
- Impact on Ecology.
- Flood Risk.
- Foul Drainage

These issues are considered in further detail below.

7.06 Principle of Development

The site is located within the settlement boundary of Connah's Quay, which is a Tier 1 Main Service Centre as defined in the Flintshire Local Development Plan. It is also within a Principal Employment Area (PEA) at Dock Road.

7.07 In terms of the PEA, it is noted that the application site lies at the western extreme of its designation. The bulk of other industrial and commercial development is to the east of the site along Dock Road. By contrast in the vicinity of the application site there is a former public house (now a House in Multiple Occupation -HMO) and Heritage Centre, and several of the caravans that are immune from

enforcement action. The loss of this part of the PEA, is not considered to harm the remainder of the PEA designation.

- 7.08 Given the highly sustainable nature of Main Service Centres, policy STR2 permits residential development within settlement boundaries on windfall sites. Whilst the policy context is directed towards “bricks and mortar” housing development, it is accepted that residential park type developments comprising static caravan type development can in some instances meet specific housing needs, and there are several examples throughout the County.
- 7.09 The residential use of the site at this location is well established with several of the caravans having been sited since 2008/10, and as a result being immune from enforcement action. Additional caravans have been on site since 2019, having been the subject of separate Planning and Community and Business Protection investigations, with a working group being established with other departments /bodies, recognising the specific housing circumstances of the occupiers, and the potential scope to facilitate overall improvements to the site.
- 7.10 This current application has been submitted as a result, and the principle of a replan / reconfiguration of the existing site layout seeking to improve the living conditions for its occupants and visual appearance is therefore supported, in accordance with national and local planning policy, subject to the safeguarding of relevant development management considerations.
- Character and Appearance
- 7.11 It is important to note that the existing site layout that has evolved at this location is of poor quality, with several of the caravans also being in poor repair that do not meet minimum separation distances for site licencing purposes administered by Community and Business Protection (Health and Safety). The site has also evolved with no associated soft landscaping, this compromising both the living conditions for its existing occupiers and contributing to its current overall dense and stark visual appearance.
- 7.12 It is considered that there is an opportunity to bring the site up to modern living standards to comply with both modern welfare legislation and improve the layout from both design and well -being perspectives. The amended site layout proposes a significant reconfiguration of the site with the re-siting of the existing caravans, increasing fluidity and linkages between those parts of the site which currently appear segregated and isolated.
- 7.13 In addition, and with the removal of those units from within the C2 Flood Zone the layout now proposes that an area of additional landscaping is introduced as a focal feature, together with structural landscaping between the units to help assimilate the development

into the site and wider surroundings. It is considered that these changes are welcomed and supported having regard to Policies PC2 and PC3 of the Flintshire Local Development Plan. These changes will also require a separate site licence administered by Community and Business Protection (Health and Safety)

Impact on Setting of Listed Building

- 7.14 The site shares a common site boundary adjacent to the main site entrance with the former Old Quay Public House which is Grade II Listed, being of special architectural and historic interest. The current site layout accommodates several caravans within approximately six metres of the boundary there being an associated impact on the setting of the Listed Building in visual terms, particularly given the extent of associated steel fencing that has been introduced to screen the caravans.
- 7.15 The amendments to the site layout propose that the closest caravan would be within approximately 17m of the Listed Building, this being accompanied by increased landscaping and removal of associated steel fencing to soften its impact. Consultation on the application has been undertaken with the Council's Built Conservation Officer who welcomes and supports the amendments to the site layout which improve this relationship to that which currently exists.

Impact on Living Conditions

- 7.16 In re-configuring the site, it is important to ensure that the living conditions of both the occupiers of the caravans forming part of this application, and of existing residential properties in proximity to the site are safeguarded.
- 7.17 It is considered that the amended site layout will improve the living conditions for the occupiers of the existing development providing minimum separation distances of approximately six metres between the caravans which is a significant improvement to the situation which currently exists, this being supported by Community and Business Protection (Health and Safety)
- 7.18 It is also important to note that the nearest residential properties to the site are Leighton Court located on the southern side of the railway line approximately 30m from the site boundary and the residential accommodation that is associated with the former Old Quay Public House, and Riverside apartments (2a/2b) at the rear adjacent to the site's eastern boundary. A combination of the orientation of the buildings and distances involved is considered acceptable to safeguard the living conditions of the occupiers of residential accommodation both within and outside the application site boundary.

Adequacy of Access

- 7.19 The existing site is currently served by two access points as referenced, with a new access into the site to serve seven caravans in the south-western corner of the site also being proposed.
- 7.20 It is considered that this new access arrangement will provide for increased linkages within the site, allowing for fluidity for vehicular and pedestrian movements, and options for access to all caravans to be achieved irrespective of the individual access point used to enter the site, this being beneficial in emergency situations. Consultation on the details submitted has been undertaken with both the Councils Highways Development Control and North Wales Fire Service, there being no objection to the principle of development, subject to ensuring that adequate road widths are provided to serve the development, this being secured through the site licence requirements.

Impact on Ecology

- 7.21 The application site is located partially within the Dee Estuary Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) an area recognised as being an important saltmarsh transition habitat.
- 7.22 It is noted and acknowledged by both Natural Resources Wales (NRW) and the Council's Ecologist that there has been historical encroachment into this area from previous commercial activities, but as no caravans are proposed within this area, no designated features will be impacted by the proposed development.
- 7.23 It is however recommended by the Council Ecologist that it would be beneficial as part of the current proposal to minimise any potential future impact within this river /estuarine habitat by the introduction of a fence/hedge boundary, controls over lighting and surface water management. These requirements can be secured by the imposition of a planning condition.
- 7.24 In addition, Planning Policy Wales 12 (PPW) has recently been issued by the Welsh Government, requiring development to take account of green infrastructure, net benefit for biodiversity, and the protection afforded to Sites of Special Scientific Interest and trees and woodlands. These are also matters referenced in LDP policies, and in particular policies STR13 and EN2.
- 7.25 The plans submitted as part of this application propose substantial landscaping to be undertaken to help assimilate the development into the siting surroundings from both visual and ecological perspectives. It is proposed that these enhancements be secured by condition, supplemented by the introduction of bat and bird boxes within the site, these measures considered appropriate and proportionate to the development proposed having regard to the above policy context.

7.26 Flood Risk

The site the subject of this application lies partially within Zone B, Zone C1 and C2 as defined by the Development Advice Map (DAM) contained in Technical Advice Note (TAN)15.- Development and Flood Risk.

These zones as referenced above are defined as follows:

- B - Areas known to have been flooded in the past evidenced by sedimentary deposits.
- C1 - Areas of the floodplain which are developed and served by significant infrastructure, including flood defences.
- C2 - Areas of the floodplain without significant flood defence infrastructure.

7.27 It is noted and accepted that occupation of the site for residential purposes falls within the definition of “Highly Vulnerable Development” there being a number of caravans which are currently sited within the C2 flood risk area, which based on the initially submitted plans were proposed to be retained /sited in within this zone.

7.28 Paragraph 6.2 of TAN15 requires justification tests to be carried out for the proposed development as set out below.:

- i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement.
- ii) It concurs with the aims of Planning Policy Wales (PPW) and meets the definition of previously developed land and,
- iii) The potential consequences of a flooding event for the particular type of development have been considered and found to be acceptable.

7.29 It is considered that the proposal for the reconfiguration of the site satisfactorily meets criteria i) and ii) above, given the site context, it helping to sustain the settlement of Connah’ s Quay and need for significant regeneration of the site.

7.30 In addition, and following concerns expressed by Natural Resources Wales (NRW), the scheme has been amended proposing both a reduction to 26 caravans with their associated removal from within the C2 Flood Zone.

7.31 There is with a reduction in the number of caravans, no intensification of the existing residential use of the site from that which currently exists from the Local Authority’s perspective, and the re replan /reconfiguration, provides the opportunity to improve emergency evacuation procedures from the site with the introduction of a new internal road layout, vehicular and pedestrian access points and the opportunity for re-enforcement of evacuation

procedures from the site, that meet the requirements of criterion iii) which can be secured by condition.

- 7.32 Having regard to the above and whilst recognising NRW's initial and subsequent concerns regarding the management of flood risk in accordance with TAN15, it is considered that whilst the curtilage of one of the caravans (Plot C-05) would be within the C2 Flood Zone, this is a unit which is immune from enforcement action. The amended plans however seek to move the caravan which comprises the habitable accommodation from within this designation, the changes proposed offering a significant betterment to the situation that currently exists and can be supported.

Foul Drainage

- 7.33 The existing development is served by five septic tanks that have been installed within the site over a period since 2008 but have not been licenced by NRW. Consultation with NRW, advises that in accordance with Circular 008/2018 and PPW, that as the site is located within a public sewer area, that connection to the main system should be undertaken where it is acceptable and feasible to do so.
- 7.34 As the applicant proposes retention of the septic tanks to serve the development and recognising that the scheme involves a re-siting of the caravans, it will be necessary to ensure that the existing septic tanks comply with the relevant discharge requirements administered by NRW.
- 7.35 However, in the event of this not being feasible, it will be a necessary at that stage to require linkage into the main sewerage network as required by the circular and PPW advice. Both options can be satisfactorily secured by the imposition of a planning condition.

8.00 CONCLUSION

The proposed development offers the opportunity to improve the living conditions for the occupiers of this established residential caravan site, through a re-configuration of the site layout, which improves and addresses flood risk concerns in accordance with TAN15 -Development and Flood Risk over and above that which currently exists.

In addition, the proposal would secure significant visual improvements to the site and wider surroundings offering the opportunity to secure the introduction of significant areas of landscaping and improvements to the setting of the former Old Quay Public House which is Grade II Listed.

The proposal also offers additional and improved vehicular accessibility to the site including options for emergency evacuation in the event of flooding or fire. It also seeks to minimise the indirect impact of the existing development on the Special Area of Conservation and Site of Special Scientific Interest at this location, the proposal providing a package of benefits to the situation that currently exists at this location and is supported subject to the imposition of conditions as referenced in paragraph 2.00 of this report.

It is important to note that if the site is not capable of being regularised which the improvements proposed, then this creates a significant issue in terms of the need to find alternative accommodation for the existing residents, which has been weighed in the overall planning balance.

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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