

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **24<sup>TH</sup> JULY 2019**

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

**SUBJECT:** **FULL APPLICATION – ERECTION OF 23 NO.  
APARTMENTS AND ASSOCIATED WORKS AT  
BRYN AWEL HOTEL, DENBIGH ROAD, MOLD.**

**APPLICATION  
NUMBER:** **059421**

**APPLICANT:** **WALES & WEST HOUSING**

**SITE:** **BRYN AWEL HOTEL,  
DENBIGH ROAD, MOLD.**

**APPLICATION  
VALID DATE:** **4<sup>TH</sup> JANUARY 2019**

**LOCAL MEMBERS:** **COUNCILLOR B LLOYD**

**TOWN/COMMUNITY  
COUNCIL:** **MOLD TOWN COUNCIL**

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

**SITE VISIT:** **YES**

**1.00 SUMMARY**

- 1.01 This full application proposes the erection of 23 No. apartments with associated car parking on the site of the former Bryn Awel Hotel, Denbigh Road, Mold. For Members information the application has been amended since its initial submission, and a further round of publicity and consultation has been undertaken.

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

That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking or advance payment of £733 per apartment in lieu of on-site recreational provision. The commuted sum payment would be used to enhance toddler play provision at Parkfield Play Area.

If the Obligation pursuant to Section 106 of the Town & Country Planning Act (as outlined above), if not completed within six months of the Committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to **REFUSE** the application.

- 2.01
1. Time Limit on commencement.
  2. In accordance with approved plans.
  3. No demolition to commence until photographic survey of building undertaken.
  4. No development to commence until a scheme for the disposal of foul/land drainage has been submitted and approved. No unit to be occupied until the approved scheme has been implemented.
  5. No development to commence until a land contamination survey has been undertaken including measures to prevent ground water contamination.
  6. Siting, layout ,design of access to be submitted/approved.
  7. Forming and construction of access not to commence until details submitted and approved.
  8. Access to have a visibility splay of 2.4m x 43m.
  9. Facilities to be provided and retained for the parking and turning of vehicles.
  10. Traffic Management Plan to be submitted and approved
  11. Travel Plan/Transport Implementation Strategy to be submitted and approved.
  12. Construction Traffic Management Plan to be submitted and approved.
  13. Scheme for enhanced/secondary glazing to be submitted and approved.
  14. No window openings other than those approved to be introduced.
  15. Hard/soft landscaping scheme to be submitted/approved.
  16. Implementation of landscaping scheme.

### **3.00 CONSULTATIONS**

#### **3.01 Local Member Councillor B. Lloyd**

##### Original Submission

Request site visit and planning committee determination. Express preliminary concerns with regard to the scale of development and inadequacy of car parking to serve the development

##### Amended Scheme

No response at time of preparing report.

##### Mold Town Council

##### Original Submission

Object for the following reasons:-

- 3 No storey units would be out of scale/character with the form of existing development.
- Inadequacy of parking
- Design/appearance/materials are not sympathetic to site/surroundings.
- Impact on privacy/amenity.

##### Amended Scheme

No response at time of preparing report.

##### Highways Development Control

No objection subject to the imposition of conditions in respect of access, visibility, parking/turning and the submission of Travel/Construction Management Plans and a Transport Implementation Strategy (TIS).

##### Community and Business Protection

No objection in principle but given the proximity of the site to Denbigh Road, recommend that any permission includes conditions in respect of the introduction of a suitable scheme for enhanced/secondary double glazing.

##### Dwr Cymru /Welsh Water

Request the imposition of a condition to secure a scheme for the disposal of foul/land drainage.

##### Cadw

No objection regarding the potential impact of development on the Scheduled Monument FL014 The Bailey Hill, Mold.

##### Clwyd Powys Archaeological Trust

Although the development appears to have limited sub-surface archaeological implications the proposals will affect a former late 19<sup>th</sup> century – early 20<sup>th</sup> century hotel building which retains elements of an original vernacular layout with internal/external facilities that are of local archaeological significance. In order to preserve a record of the building request photographic survey before development commences.

#### Natural Resources Wales

Request that any permission includes conditions in respect of land/ground water contamination.

#### Housing Strategy Manager

The Local Housing Market Assessment (LMHA) identifies an annual shortfall of 246 affordable units. The demand on the SARTH housing register for Mold is:

53 No. households needing 1 bed accommodation and 16 No. households needing 2 bed accommodation.

The scheme forms part of the Welsh Government Housing Grant programme and will help meet housing need in Mold.

#### Education

##### **School: Ysgol Bryn Gwalia (Primary)**

**Current NOR (@ September 2016) 175 (excluding Nursery)**

**Capacity (@ September 2016) 210 (excluding Nursery)**

**No. Surplus Places: 35**

**Percentage of Surplus Places: 16.67%**

##### **School: Ysgol Maes Garmon (Secondary)**

**Current NOR (@ September 2016) is 537**

**Capacity (@ September 2016) is 711**

**No. Surplus Places is 174**

**Percentage of Surplus Places is: 24.47%**

#### Primary School Pupils

School capacity 210 x 5% = 10.5 (10)

210 – 10 = 200 Trigger point for contributions is 200 pupils

(No. of units) 22 x 0.24 (primary formula multiplier) = 5.28 (5 No. of pupils generated) x £12,257 per pupil (Building Cost multiplier) = £61,285.00

Actual pupils 175 + 5 (from the multiplier) = 180 does not meet the trigger

180-200= -20 x -£245,140 (cannot ask for more contributions that development generates)

**Contribution requirement would be £0.00**

Secondary School Pupils

School capacity of 711 x 5% = 35.55 (36)  
Capacity 711 - 36 = 675 Trigger point for contributions is 675 pupils.

(No. of Units) 22 x 0.174 (secondary formula multiplier) = 3.83 (4)  
No. of pupils) generated 4 x £18,469 per pupil (Building Cost multiplier) = £73,876.00

Actual pupils 537+4= 541 does not meet the trigger of 675

537 -675 = -138 x £18,469 = -£2,548,722.00 (cannot ask for more contributions that development generates)

**Contribution requirement would be £0.00**

**Conclusion**

**Primary – Ysgol Bryn Gwalia, Mold**

- It is **not** our intention to seek a Section 106 contribution.

**Secondary – Ysgol Maes Garmon, Mold**

- It is **not** our intention to seek a Section 106 contribution.

Public Open Spaces Manager

Report on off-site leisure contribution of £733.00 per apartment, in lieu of on-site Public Open Space. The monies being used to enhance toddler play provision at Parkfield Play Area.

**4.00 PUBLICITY**

4.01 Press Notice, Site Notice, Neighbour Notification  
Original Submission

15 letters of objection including a petition signed by 55 signatories, the main points of which can be summarised as follows:-

- overdevelopment of the site
- poor design given the sites visual prominence and impact on Bailey Hill a Scheduled Ancient Monument
- inadequacy of access/parking to serve the scale of development
- detrimental impact on the occupiers of nearby properties by way of dominance/overlooking

Letter received from David Hanson MP who requests that his constituent's objections be taken into account in determination of the application.

1 letter of support which considers that there is a need for family housing within the town.

#### Amended Scheme

1 letter received which whilst not objecting to the general principle of residential development on the site expresses concerns in respect of the adequacy of highways/parking and the scale/form of the proposed apartment blocks.

## **5.00 SITE HISTORY**

### **5.01 038267**

Change of use from 10 No. bed hotel block to 4 No. apartments, construction of pitched roof to existing flat roof – Refused 31<sup>st</sup> January 2006.

### 042746

Change of use from 10 No. bed hotel block to 4 No. apartments, construction of pitched roof to existing flat roof – Approved 30<sup>th</sup> August 2007.

### 045180

Demolition of existing hotel buildings and the erection of 22 No. apartments. Resolution to grant permission made at 29<sup>th</sup> October 2008 Planning & Development Control Committee. Refused November 2014 following a failure to sign legal agreement.

## **6.00 PLANNING POLICIES**

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

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy STR8 – Built Environment.

Policy GEN1 – General Development Considerations.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design Quality.

Policy D2 – Location & Layout.

Policy D3 – Design.

Policy D4 – Landscaping.

Policy TWH2 – Protection of Hedgerows.

Policy HE1 – Development Affecting Conservation Areas.

Policy HE6 – Scheduled Ancient Monuments & Other Nationally Important Sites.

Policy HSG3 – Housing on Unallocated Sites Within Settlement Boundaries.  
Policy HSG8 – Density of Development.  
Policy HSG9 – Housing Type & Mix.  
Policy HSG10 – Affordable Housing Within Settlement Boundaries.  
Policy SR5 – Public Open Space & New Residential Development.  
Policy EWP2 – Energy Efficiency in New Development.  
Policy AC13 – Access & Traffic Impact.  
Policy AC18 – Parking Provision & New Development.  
Policy WB1 – Species Protection.

#### Additional Guidance

Planning Policy Wales ( PPW )- Edition 10

Technical Advice Note 5 – Nature Conservation and Planning

Technical Advice Note 13 – Transport

Supplementary Planning Guidance Note 2 – Space About Dwellings.

Supplementary Planning Guidance Note 11 – Parking.

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction/Site Description**

This is a full planning application submitted by Wales & West Housing Association for the demolition of the former (now vacant) Bryn Awel Hotel, Denbigh Road, Mold and the erection of 23 No apartments for social rent with associated car parking. The development takes the form of 2 No separate apartment blocks, varying in height from 2/3 storey, given the topography at this location, which is emphasised by the difference in site levels between High Street on the western boundary of the site and Denbigh Road on the eastern boundary..

7.02 The site which amounts to approximately 0.25 hectares in area is located in a prominent location on the edge of Mold Conservation Area and in close proximity to Bailey Hill, a scheduled ancient monument. The site is visible from a number of medium /long range viewpoints in the town particularly from

- i. The land to the North-East in the vicinity of buildings/footpaths around County Hall.
- ii. The Mold-Denbigh Road with Bailey Hill as a backdrop and
- iii. From the B5444 which is an important approach to the historic town centre.

The current buildings on the site are in a poor state of repair and although dating from late 19<sup>th</sup> and early 20<sup>th</sup> century have been extended /adapted over time in a manner which has eroded its intrinsic character. The current buildings vary in height from single to two storey.

7.03 In addition, the site is within the settlement boundary but outside the town centre boundary of Mold as defined in the Flintshire Unitary Development Plan. It is bounded to the eastern boundary partly by low density residential development in the form of bungalows at Henfordd and partly by Denbigh Road. To the north the current buildings share a party wall with the two storey traditional stone residential dwelling house 'Ffynnonfa' and to the south it adjoins the residential development of Shire View which is characterised by two storey dwelling houses. The site is bounded by High street to the west, the Conservation area boundary, and opposite The Mount, a detached residential property and the Scheduled Ancient Monument of Bailey Hill behind it.

7.04 Background History

For Members' information there is a previous background of planning history at this location which is referred to in paragraph 5.00 of this report. In summary it is was resolved at the Planning and Development Control Committee in 2008, to grant permission under 045180 for the erection of 22 No apartments in 2 No 2/3 storey blocks. The permission was not however issued at that time as the required legal obligation to secure a leisure commuted sum payment was not completed.

7.05 Proposed Development

The plans submitted as part of this application, propose the erection of 23 No apartments within 2 separate blocks within the site, with associated parking for 25 No vehicles and comprises:-

Block A

This is located on the lower part of the site adjacent to the sites eastern boundary at its closest point to Denbigh Road and adjacent to existing bungalows at Henfordd. The building would measure approximately 26m x 17m x 17m high and accommodate 11 No apartments (7 No 2 bed /4 1 bed) The building would be constructed having facing brick external walls and slate roof.

Block B

This is located on the upper part of the site adjacent to the B5444 and the existing development at Shire View. The building would measure approximately 27m x 16m x 22m high and accommodate 12 No. apartments (1 No. 2 bed/11 1 bed). The building would be constructed having facing brick external walls and a slate roof.

7.06 Vehicular access to serve the development is proposed as existing from the B5444.

7.07 Main Planning Considerations

It is considered that the main issues to be taken into account in determination of this application are:-

- a) principle of development.
- b) scale /form/design.
- c) impact on Bailey Hill a Scheduled Ancient Monument.
- d) adequacy of access/parking.
- e) impact on privacy /living conditions.
- f) boundary treatment /landscaping.

7.08 Principle of Development

The site is located within the settlement boundary of Mold a Category A settlement as defined in the Flintshire Unitary Development Plan, where the principle of housing development to meet general and social housing need is acceptable subject to the safeguarding of relevant development management considerations. In addition the proposal would provide the opportunity for the regeneration of the site/demolition of existing buildings which have been in a poor physical condition for a significant period of time. Although the scheme has been advanced as a Social Housing Scheme it falls below the threshold criteria as outlined in Policy HSG10 of the Flintshire Unitary Development Plan.

7.09 Scale/Form/Design

A detailed assessment of the scale/form/design of the proposed development has been undertaken in conjunction/consultation with the Council's Conservation Officer. It is considered that the scheme is a significant improvement on that previously supported by Planning & Development Control Committee in 2008 as it significantly reduces the scale/mass of the buildings proposed at that time; and further amendments to its form/design have been secured during progression of the current application.

7.10 The indicative density threshold within the Flintshire Unitary Development Plan is that on allocated sites within Category A settlements, development should seek to achieve a minimum density of 30 dwellings per hectare which for a traditional form of housing design would result in 7/8 dwellings. It is acknowledged that the density of 98 dwellings per hectare being proposed is higher than this figure and whilst it is expected that developments of brownfield sites in settlement boundaries should make efficient use of land an assessment of whether the scale of development being proposed is appropriate for the site and surroundings must be undertaken.

7.11 To this effect and whilst the concerns raised are duly noted, the site specifies and particularly the topography of the site is a fundamental factor in determination of the application. In this context it is considered that the density proposed can be assimilated within the 2 No. apartment blocks utilising the levels as proposed without representing overdevelopment at this location.

- 7.12 Concerns were expressed in respect of the initial submissions in relation to the incorporation of a number of contemporary features/cladding materials would be inappropriate at this sensitive location. As a result the amended scheme has simplified the external appearance of the buildings with wood cladding omitted, window details removed and vertical emphases strengthened. The use of facing brick for external walls and slate roof will also help to assimilate the development into the site/wider surroundings and in my view is acceptable subject to control over the use of materials.
- 7.13 Impact on Scheduled Ancient Monument.  
Consultation has been undertaken with Cadw given the proximity of the application site to Bailey Hill, a Scheduled Ancient Monument. It has been confirmed by Cadw that there is no objection to the development. Whilst acknowledging that the development will be higher in the area closest to the castle than that which currently exists on site, Cadw consider that this will constitute a very slight change and will as a result have a slight, but not very significant impact on the setting of Bailey Hill.
- 7.14 Adequacy of Access/Parking.  
Consultation on the application has been undertaken with the Highway Development Control Manager who in accord with planning policy and Supplementary Planning Guidance Note 11 – Parking, raises no objection to the development. This is principally based on the sites location which is in close proximity to the town centre and the accessibility statement submitted as part of the application, which supports a relaxation in the maximum parking standards given the site's sustainable location.
- 7.15 Impact on Privacy/Living Conditions  
Of fundamental concern in consideration of this application is the need to ensure that the living conditions of the occupiers of existing dwellings are safeguarded from potential overlooking. To this effect there is no direct interface relationship between the proposed development and existing properties at The Mount, Henffordd and Shire View. The combination of blank gables/elevations/landscaping will help to minimise the impact of development and maintain privacy. Should members be mindful to support development it is recommended that this be subject to the imposition of a condition to prevent the introduction of new openings within the gable elevation of Block B adjacent to properties at Shire View. The interface distances between this proposal and the previous proposal are less than the scheme which Planning Committee resolved to approve in 2008.
- 7.16 Boundary Treatment/Landscaping  
It is proposed that a number of car parking spaces to serve the development are located to the rear of existing bungalows at Henffordd. There is currently a well established leylandii boundary

hedge on the application site, which offers significant screening between the site/existing properties. As part of the development it is intended to secure the retention of this hedgerow but should it be required to remove it, an adequate replacement boundary treatment will be required on this boundary which can be secured by condition.

7.17 Other Matters

Third parties have raised concerns with the inaccuracies of the PAC report. The PAC report reflects the process undertaken by the applicant prior to submitting the planning application. A report setting out the action and the response made by the applicant in relation to the PAC process must be submitted by the applicant in order to submit a valid planning application. The concerns regarding inaccuracies have been noted however, they attract minor weight in the overall planning balance.

**8.00 CONCLUSION**

In conclusion and whilst noting the concerns/objections received regarding the impact of development proposed, it is considered that the amended scheme which has been received is a significant improvement on that previously supported under 045180, and initially submitted as part of the application. The proposal represents an acceptable form of development at this location, adapted to work with the topography of the site, and acceptable to both Cadw and the Council's Conservation Officer. In addition, there is no objection from a highway perspective and subject to the imposition of conditions the application is supported.

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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