

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **WEDNESDAY, 24 JULY 2019**

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

**SUBJECT:** **056875 - GENERAL MATTERS - FULL APPLICATION - EXTENSION TO PROVIDE STORAGE IN CONNECTION WITH THE EXISTING LAWFUL USE AT MARCHER COURT, SEALAND ROAD, SEALAND.**

**1.00 APPLICATION NUMBER**

1.01 056875

**2.00 SITE**

2.01 Marcher Court  
Sealand Road  
Sealand  
CH1 6BS

**3.00 APPLICATION VALID DATE**

3.01 28/07/2017

**4.00 PURPOSE OF REPORT**

4.01 To update the Planning Committee about negotiations regarding the proposed Section 106 Agreement relating to the Committee's resolution of the 8<sup>th</sup> of November 2017 to grant permission in respect of application 056878, and to request authority to enter into an agreement on different terms to those previously authorised by the Planning Committee.

**5.00 REPORT**

5.01 Members will recall that this application was considered at the Planning Committee held on 8<sup>th</sup> November 2017, where it was resolved to grant planning permission subject to conditions and a S.106 planning obligation.

5.02 The site is an existing employment site with a lawful use within the green barrier, this application offered the opportunity to rationalise the

use, particularly in relation to the storage, by replacing the ad hoc and obtrusive type of containerised storage around the site with a single bespoke building on the site. This, in effect, positively changes the context and appearance of the site by removing the container and open storage which is alien to this setting and replaces it with a building whose design is more in keeping with that expected for this converted farm complex. It was considered that this degree of betterment combined with the established lawful use, weighed significantly in favour of the proposal and would be less harmful than open storage in this Green Barrier location.

5.03 The committee resolved to grant planning permission subject to a S.106 planning obligation which would in effect remove all external storage on the site to ensure this betterment took place. Following this resolution, the applicant has been in negotiations with the Council to in order to seek an amendment to the S106 prior to signing and issuing a decision. The applicant has stated that some limited external storage will be needed in order for the continued operation of the business. This storage take the form of the overnight parking of one heavy goods vehicles within the loading bay, and the siting of one refuse and one recycling container on the adjacent land.

5.04 It is considered that given proposal will still provide for a significant the reduction to the impact on the green barrier, by the erection of a purpose built storage building with some controlled external storage in place of unrestricted ad hoc external storage, the proposal does not conflict with the overall principles of GEN4.

## **6.00 RECOMMENDATIONS**

6.01 That planning permission be granted subject to the original conditions as previously resolved by the Planning Committee on the 8th of November 2017 and subject a S106 agreement limiting the outside storage to one HGV within the loading bay, and the siting of one refuse and one recycling container on the adjacent land.

### **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

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