

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **2<sup>nd</sup> DECEMBER 2020**

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

**SUBJECT:** **FULL APPLICATION - DEVELOPMENT OF 56 DWELLINGS ON LAND TO REAR OF 66A MOLD ROAD, INCLUDING NEW ROADWAY, PARKING AREAS, LANDSCAPING AND DRAINAGE CONNECTIONS INCLUDING FORMATION OF SWALE.**

**APPLICATION NUMBER:** **061572**

**APPLICANT:** **CLWYD ALYN HOUSING LTD**

**SITE:** **LAND TO REAR OF 66A MOLD ROAD, MYNYDD ISA**

**APPLICATION VALID DATE:** **24<sup>TH</sup> JULY 2020**

**LOCAL MEMBERS:** **CLLR H MCGUILL**

**TOWN/COMMUNITY COUNCIL:** **ARGOED COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **SCALE OF DEVELOPMENT**

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

**1.00 SUMMARY**

1.01 Full application for residential development of 56 dwellings on land to rear of 66A Mold Road, Mynydd Isa including new roadway, parking areas, landscaping and drainage connections including formation of swale.

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

2.01 The conditional planning permission be granted subject to the

applicant entering into a Section 106 Obligation to provide the following:

- An undertaking to ensure that the affordable dwellings, at the tenures identified by the approved documents, remain affordable in perpetuity.
- Primary and Secondary school contributions in accordance with SPGN 23- Developer Contributions to Education
- Public Open Space commuted sums of £733.00 per dwelling, in lieu of on-site provision.

If the Obligation pursuant to S106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 3 months of the date of the Committee resolution, the Head of Planning be given the delegated authority to REFUSE the application.

### **Conditions**

1. Time Limit
2. In accordance with Approved plans
3. Materials
4. Proposed and existing levels
5. Landscaping implementation
6. Arboricultural assessment Tree Protection Areas
7. Contaminated land survey and remediation scheme
8. Species/wildlife habitat conservation scheme
9. Site access details
10. Site access to be kerbed
11. Internal road details
12. Creation of access
13. Parking and turning
14. Highways surface water
15. Construction traffic management plan
16. Travel plan and Transport implementation strategy
17. Submission of drainage strategy

## **3.00 CONSULTATIONS**

### **3.01 Local Member**

#### **Councillor H McGill**

Refers to committee as it is a large development and will affect a major change on the area and the environment surrounding the site. Concerns about the site and the tree destruction and the traffic flow onto Mold Road.

#### **Argoed Community Council**

1. According to Flintshire's interactive map, there are at least 7 trees on this site which have the protection of a tree preservation order. However, there is insufficient provision for the retention of these trees in the plans submitted.

2. The proposed exit for this site is onto Mold Road at a place where the sight lines for exiting traffic are extremely poor and the Council remains concerned at the potential hazard this represents.

3. Mold Road also experiences heavy traffic, which will cause problems especially for those wishing to exit the site and turn right, or those travelling in the Buckley direction and wishing to turn right into the site. The Council would like consideration to be given to the installation of a mini roundabout or other traffic management solution to assist with the safety aspect of entering and exiting the site across the flow of traffic and also maintaining the flow of traffic.

### Highway Development Management

Request conditions and advisory notes

### Community and Business Protection

Requests contaminated land condition

### Housing Strategy

The LHMA for Flintshire identifies an annual shortfall of 238 affordable units.

The assessment recommends a need for the following property types:

- 1/ 2 bedroom (45.6%)
- 3 bedroom (28.3%)
- 4+ bedroom (12%)
- Older persons stock (14.1%)

And this should be split between the following tenures:

- Social rented (30%),
- Intermediate rent (30%)
- Affordable ownership (40%)

**General Needs Housing – social rent (SARTH waiting list as at 1-9-20)**

	2 bed bungalow	1 bed flat	2 bed flat	2 bed house	3 bed house	3 bed adapted bungalow
<b>Mold and Mynydd Isa</b>	<b>30</b>	<b>301</b>	<b>90</b>	<b>145</b>	<b>32</b>	<b>1</b>

### Housing Strategy Comments:

**Affordable**

**Housing Partner:** Clwyd Alyn

**Preferred Mix of units:**

24 x 2 bed houses

25 x 3 bed houses

2 x 2 bed bungalows  
1 x 3 bed wheelchair accessible bungalow  
4 x 1 bed flats  
56 total

Mold and Mynydd Isa is an area of significant housing demand and the mix of units being proposed by Clwyd Alyn is acceptable.

Housing Strategy is fully supportive of this planning application. The dwellings will be made available for social rent and the scheme has been approved by the Welsh Government and allocated social housing grant funding.

### **Education**

No response at time of writing

### **Aura**

In accordance with Planning Guidance Note No.13 POS provision, the Council should be seeking an off-site contribution of £1,100.00 per house/dwelling, in lieu of onsite POS.

The payment would be used to enhance Junior play provision at Wats Dyke Play Area.

Working with Planning Policy we have considered previous pooled contributions and we confirm that the pooled contributions thresholds have not been exceeded with regards to Wats Dyke Play Area .

### **Welsh Water/Dwr Cymru**

Advise that the proposed development site is crossed by 100mm diameter public foul gravity sewer and a 150mm diameter public surface water gravity sewer and outfall, as well as a 25mm clean public watermain. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No operational development will be permitted within 3 metres either side of the centreline of the sewers.

Requests foul water drainage condition

### **Natural Resources Wales**

Requests condition requiring a Site wide species/habitat Conservation Plan, and advisory notes.

### **CPAT**

Confirm that the proposed development site to the rear of 66a Mold Road, Mynydd Isa was evaluated for archaeology back in 2010 in relation to an earlier application (048042) which concluded there would be no archaeological impact. Although the site boundary has been slightly amended, the archaeological impact is still considered to be low.

## **4.00 PUBLICITY**

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

7 letters of objection received

- Inadequate access to development
- Loss of important trees from site
- Loss of privacy/Impact of new dwellings on amenity
- Noise and air pollution arising from development
- Cramped layout
- Land contaminated and should not be disturbed
- Great Crested Newts on site
- Highways impact upon Rose Lane from construction traffic
- Possible providing an excess of affordable housing which would mean houses going to non-local people
- Lack of market housing not compliant with HSG9 and HSG10 and creation of socially inclusive and diverse communities.

## **5.00 SITE HISTORY**

5.01 48042- Outline - demolition of 'Sunnyside' and 66A Mold Road and the erection of 58no. houses including details of access, appearance, layout and scale- Refused 10<sup>th</sup> September 2013  
Allowed on appeal 16<sup>th</sup> October 2015

058932- Application for approval of Landscaping reserved matter following outline approval 048042- Approved 6<sup>th</sup> December 2018

## **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
STR1 – New Development.  
STR4 – Housing.  
STR7 – Natural Environment.  
GEN1 – General Requirements for Development.  
D1 – Design Quality, Location & Layout.  
D2 – Design.  
D3 – Landscaping.  
TWH1 – Development Affecting Trees & Woodlands.  
TWH2 – Protection of Hedgerows.  
WB1 – Species Protection.  
HE7 – Other Sites of Lesser Archaeological Significance.  
AC13 – Access & Traffic Impact.  
HSG1 (32) – New Housing Development Proposals.  
HSG8 – Density of Development.  
HSG9 – Housing Mix & Type.  
HSG10 – Affordable Housing Within Settlement Boundaries.

SR5 – Outdoor Playing Space & New Residential Dwellings.  
EWP12 – Pollution.  
EWP14 – Derelict & Contaminated Land.

## **7.00 PLANNING APPRAISAL**

### **7.01 Proposal**

This application is for the erection of 56 no. affordable dwelling units including a new roadway, parking areas, landscaping and drainage connections including formation of a swale.

### **7.02 Site**

The site is located to the south of the properties 58 – 66 Mold Road, west of Rose Lane and east of Clwyd Avenue, all of which are located on the southern side of Mold Road, Mynydd Isa. The site is allocated for housing development in the Flintshire Unitary Development Plan HSG1 (32) – Rose Lane, Mynydd Isa.

7.03 The site is unused and overgrown and is measured at 2.06 hectare in area, it comprises unmanaged grassland fields, mature hedgerows, marshy grassland and swamp habitat with a pond located just off site at the southeast corner. There is a derelict dwelling located on the eastern portion of the site.

7.04 The topography of the site slopes approximately 6.0m from west to southeast with a pronounced slope generally running down the centre of the site. The base of the slope on the eastern part of the site marks the western edge of a natural deep infilled alluvial valley.

7.05 The site is bounded on the west by properties on Rose Lane, a mixture of two storey dwellings and bungalows, and bungalows on Overdale Road and Clwyd Avenue to the east of the site. The site frontage is onto Mold Road A549, which has a mix of semi and detached two storey dwellings.

### **7.06 Principle**

The Site is located within the settlement boundary for Mynydd Isa in the Flintshire Unitary Development Plan which is a Category 'B' settlement with an array of facilities and services and the sites allocation for residential development reflects both the strategy of the Flintshire Unitary Development Plan and the principles of sustainable development embodied in Planning Policy Wales. In this context therefore, there is a clear policy framework supporting the principle of residential development on the site.

### **7.07 Planning history**

A previous application, reference number 048042, for 58 houses and applied for in outline although considering all matters other than Landscaping, was refused by the Planning Committee on the 10<sup>th</sup> September 2013 on the following grounds:

- 7.08 1. The Council considers the proposals as submitted do not provide for 30% affordable housing within the scheme, thereby restricting the community's accessibility to the facilities and thereby contrary to Policy HSG10 of the Flintshire Unitary Development Plan and Local Planning Guidance Note 9 'Affordable Housing'.
- 7.09 2. The proposed development would be likely to result in an increase in the volume of traffic which is likely to include the conflict in traffic movements close to existing junctions to the detriment of highway safety and contrary to Policy GEN1 and Policy AC13 of the Flintshire Unitary Development Plan.
- 7.10 3. The Council considers the proposals as submitted do not make adequate provision for public open space, thereby restricting the community's accessibility to the facilities and thereby contrary to Policy GEN1 and Policy SR5 of the Flintshire Unitary Development Plan and Local Planning Guidance Note 13 'Open Space Requirements'.
- 7.11 4. The Council considers that the shortfall in the maximum parking standards of the development has not been justified resulting in inadequate parking provision and thereby detrimental to highway safety, contrary to Policy AC13 of the Flintshire Unitary Development Plan.
- 7.12 The scheme was subsequently allowed on appeal on the 16<sup>th</sup> October 2015. A reserved matters application for the landscaping of the site was approved on the 6<sup>th</sup> December 2018. As such the site has extant permission for 58 dwellings and previously raised issues have been considered acceptable by a Planning Inspector. This is a material consideration when considering the current proposal, as whilst the proposal currently before you differs from the approved scheme in many ways certain things, such as matters of principle and the access (reason for refusal number 2), are the same as that previously approved.

7.13 **Affordable dwellings and Housing Mix**

The current proposal has been submitted by Clwyd Alyn Housing Association and is an 100% affordable scheme. The scheme provides:

21no 2bed inverted dwellings 2 storey high,  
3no 2 bed terrace dwellings 2 storeys high,  
25no 3 bed dwellings 2 storeys high,

2no 2 bed bungalows  
1no 3 bed wheelchair accessible bungalow  
4no 1 bed walk up flats 2 storeys high

- 7.14 A third party has raised concerns over the number of affordable dwellings proposed and whether this exceeds local need. If this were to be the case then it may be that tenants would be brought in from outside areas to take up vacant units. As has been demonstrated by the SARTH figures provided by Housing Strategy for the Mold and Mynydd Isa area there is a high demand for the types of dwellings proposed. This demand comes from the local area and the development will help to address this need significantly.
- 7.15 In accordance with policy HSG10 of the Flintshire Unitary Development Plan, where there is a demonstrable need for affordable housing to meet local needs the Council will take account of this as a material consideration when assessing the housing proposal. The scheme has been developed to meet Clwyd Alyn Affordable housing requirements as well as the needs of the SARTH waiting list. Housing strategy have given the scheme their support.
- 7.16 Concern has been raised that an affordable scheme of the size of the proposal does not meet the requirements of policy HSG9 in creating a mixed and socially inclusive community, as all of the units are affordable. It has been queried whether some of the units should be market housing in order to create a socially mixed development. This is, in my view, a misreading of the policy. The policy states that 'housing developments should provide an appropriate mix of dwelling size and type in order to create mixed and socially inclusive communities'. The development does provide a good mix of dwelling sizes and types, including bungalows, 1 bed flats, 2 and 3 bed dwellings and in that way can be said to meet the requirements of the policy. Whilst the tenure offered will be ones which meet the definition of affordable dwellings the proposal should be viewed in the context of the wider Mynydd Isa community. The majority of housing in the locality is owner occupier. As has been mentioned above there is a large demand for affordable dwellings of various types and sizes in this location. Para 4.2.32 of PPW10 does allow for 100% affordable housing schemes reflecting local circumstances. As such the proposal can be seen as being of great importance to creating a socially diverse and inclusive community in accordance with UDP policy HSG9 as well as with National policy.
- 7.17 **Design, Impact upon locality, and neighbouring amenity**

The proposed layout features the spine road on a north-south axis bisecting the site. Dwellings are arranged in a linear fashion from this spine road, with a spur road on the southern corner of the site. This layout ensures that in most cases the proposed dwellings are rear

facing towards dwellings on Rose Lane, on the western half of the site, and towards Overdale Close and Clwyd Avenue on the eastern half of the site.

7.18 On the eastern portion of the site the area set aside for surface water drainage measures as well as informal, landscaped, public open space ensures that the proposed dwellings are set a significant distance from existing dwellings. On the western portion of the site the developer has ensured that the interface distances in every case meet the prescribed distances in SPGN 2 – Space around dwellings, taking into account a 1 metre difference in land level from the proposed dwellings to existing, namely 24 metres where the interface is rear elevation facing rear elevation and 14 metres where the interface is rear to flank wall.

7.19 The proposed garden area are acceptable in terms of area provided. In general they meet the suggested depth of 11 metres. Where this is not provided this is mitigated by adjacent neighbours having large rear gardens. In all cases the provided garden depths are acceptable.

7.20 In the vicinity of the site there are a mixture of housetypes, of various ages and designs. The dwellings on Rose lane are a mixture of early 20<sup>th</sup> century brick built semi detached properties, which is a style particularly characteristic of Buckley. There are also a number of detached mid 20<sup>th</sup> century bungalows, and later developments to the east of the site. External materials are generally brick with render. The designs chosen for the development are appropriate and ensure that the development compliments the character of the locality whilst ensuring that the development itself is attractive and appropriate.

7.21 I do not consider that the proposal would have an unacceptably detrimental impact upon neighbouring amenity, or otherwise cause overshadowing or impinge on privacy. The proposal accords with applicable Council guidance regarding interface distances, and as such it accords with the relevant development plan policies concerning issues of neighbouring amenity. The designs are appropriate for the locality and will create an attractive development.

### **Landscaping and Trees**

7.22 The landscape proposal comprises a comprehensive mix of soft and hard landscaped areas throughout the site.

7.23 The hedgerow boundary to the site will be retained and enhance with new hedgerow planting where required. New secure by Design approved fencing along the West of the site in keeping with the surrounding housing is also proposed. This fencing will provide a consistent visual buffer between the site and existing housing in place of what is at present an ad hoc collection of different types of boundary treatment.

7.24 A new landscaped public open space will be provided along the East of the site with new trees and hedgerows. A pedestrian access will be located at the entrance to the site with hard and soft landscaping and a proposed pedestrian kissing gate and locked vehicular maintenance access gate.

7.25 The planting has been chosen to provide year-round interest and colour and will include evergreen and ornamental species. Landscaped buffer zones are provided to neighbouring buildings across the site in key areas

7.26 Existing trees have been retained on site, where this has been possible. The submitted Arboricultural assessment demonstrates that the majority of trees to be removed are of low quality. The scheme will, however, require the loss of 3 high quality specimens, all Oak trees, and 5 specimens of moderate quality, consisting of one Oak, three Ash and one sycamore. Policy TWH1 of the Unitary Development Plan states that 'where the removal of trees is considered acceptable, suitable replacements that are appropriate to the character of the area shall be established elsewhere within the site.' Within the landscaping scheme there is an extensive amount of new trees being planted within the open space area. The trees to be planted are native species including Alder, Whitebeam, Poplar, Birch, Walnut, Bird Chery and Rowan. This planting will establish itself and introduces an attractive facet of the development as well as aiding with the biodiversity of the site itself. I consider that the proposal is in accordance with policy TWH1.

7.27 Protection measures to be followed to ensure the safety of existing trees have been set out within the arboricultural assessment. A condition will ensure that these measures are followed throughout the phase of construction.

7.28 It is acknowledged that the loss of existing trees from the site, in particular good quality specimens, will have a significant effect upon the local landscape and this is a material consideration with regard to this proposed development. I consider that this has been accurately assessed and that, in the planning balance, the loss of trees is acceptable with regard to relevant policies, being both unavoidable due to the necessary site layout and with due regard to other development constraints on site, and proportionately mitigated against by the landscaping of the scheme.

### **Highways**

7.29 The access for the development is created by the demolition of 66A Mold Road and the creation of a new vehicular access. This new access point is identical to that proposed on the previously approved

scheme. Highways Development Control are satisfied that this is an acceptable solution to ensure vehicular access to the site.

7.30 A construction traffic management plan is suggested as a condition, to ensure that the development phase causes as little disruption to the adjoining highways network as possible.

Pre commencement conditions suggested by the Highways Authority will ensure that the access meets highways requirements.

7.31 As the access arrangements are identical to those approved on the previous planning approval on site, and with the support of the

7.32 Highways Authority, I consider that the access arrangements are acceptable.

### **Drainage**

7.33 DCWW advise that the proposed development site is crossed by a 100mm diameter public foul gravity sewer and a 150mm diameter public surface water sewer and outfall. Having reviewed the sewer record plan supplied, the only foul sewer that DCWW can be referring to is the one located in the alley off Rose Lane between Plots 1a and 1. There are no works planned in this area and access is to be maintained for the neighbouring properties on Mold Road. Also as it is the intention to demolish Plot 66A Mold Road as advanced works to provide access to the site it is assumed that this route will not be used for access to the development area during construction and therefore there is no risk to this sewer. There are no other foul sewers identified as crossing the site on the record.

7.34 Regarding the surface water sewer and outfall, there is a pipe entering the site from Clwyd Avenue and initial investigations have identified a connection very close to the site boundary. The sewer connects to a culverted watercourse and consultation with various parties during the design development has identified that none of the statutory bodies assume ownership responsibility for the watercourse. Therefore as riparian owner Clwyd Alyn will assume responsibility. The existing culverted watercourse is in a poor state of repair and as part of the proposed works the existing pipe will be repaired/replaced.

7.35 DCWW also advise that a 25mm clean public watermain crosses the proposed development however having reviewed the supplied asset record the main cannot be identified. The developer have been made aware of these concerns and have been careful to avoid interfering with any of DCWWs assets. Any work that will connect to public sewer or water systems will be subject to separate regulatory measures.

7.36 Having now reviewed the proposed foul drainage layout through the planning process DCWW are advising that the proposal to communicate the foul flows with the combined storm overflow is not permissible. They are now proposing that the communication with the

public sewer from the development should be at or downstream of manhole reference SJ25638801 which is located approximately 200m from the site. There are two combined sewers in Mold Road adjacent to the site entrance, a higher level carrier sewer and the lower level combined storm overflow. The initial proposals were to construct a pumped foul drainage system to communicate with the higher level sewer which would be adopted by DCWW. This was agreed following a modelling exercise carried out in 2015 to assess the impact discharge from the new development would have on the sewer. However, following further design, a feasible option was developed which could provide a gravity network which could connect onto the overflow sewer. The developer discussed this with DCWW and it was developed to avoid the need for an adoptable pumping station. Welsh Water's concern is that the velocity of the flow entering the larger 225mm diameter sewer may be reduced which could potentially result in sedimentary deposits forming in the pipe. The applicant has revisited the model and added the downstream length of 225mm diameter overflow sewer into the model up to the next chamber in Mold Road. The model details attached show that the gradient of the existing combined overflow sewer is 1 in 87.2 with a velocity of 1.23m/s. The minimum required velocity is 0.75m/s and therefore self-cleansing velocities can be maintained. The applicant will re-consult with DCWW to share their design review and seek their approval for the connection onto the overflow sewer. This regulatory system lies outside of the planning regime. I am satisfied that the drainage solution on site is acceptable.

### **Planning Obligations**

7.37 The infrastructure and monetary contributions that can be required from a planning application through a S.106 agreement have to be assessed under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'.

7.38 It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following regulation 122 tests;

7.39 

1. be necessary to make the development acceptable in planning terms;
2. be directly related to the development; and
3. be fairly and reasonably related in scale and kind to the development.

7.40

As the development offers 100% Affordable housing, it would be appropriate to require an agreement to be entered into in order to retain the units as affordable dwellings in perpetuity.

7.41 The Legal agreement will need to address developer contributions to education and public open space.

### **Education contributions**

7.42 In accordance with the advice contained within SPGN23- Developer Contributions to Education, and with regard to the limitations of Regulation 123 of the CIL Regulations, discussed above, the Local Education Authority advises whether or not contributions should be sought. The response of Education has not provided in time for the publication of this report. This information will be reported as a Late Observation.

### **Public Open Space**

7.43 The development has a good amount of informal open space as part of the proposal, situated on the eastern portion of the site. It does not, however, provide an area of equipped play space. It should be noted that the site is in fairly close proximity to a number of play areas.

7.44 Leisure have confirmed that in accordance with Planning Guidance Note No.13 POS provision, the Council should be seeking an off-site contribution in lieu of onsite POS. In accordance with this guidance this would be £733.00 per affordable dwelling.

7.45 The payment would be used to enhance Junior play provision at Wats Dyke Play Area which they have confirmed have not been exceeded the pooled contributions thresholds. I am therefore satisfied that the request would be in accordance with Regulation 123 of the CIL regulations

7.45

### **Other matters**

7.46 Clwyd Powys Archaeological Trust have confirmed that the development has little to no archaeological impact. This confirms the findings from the earlier planning application.

7.47 Checks carried out by the developer against the Definitive flood maps held by Natural Resources Wales indicate that the site is outside of the (Zone c) flood plain and that there is very low risk from flooding (less than 1 in 1000 each year) chance of occurring each year from rivers or from the sea.

7.47

The majority of the site is situated in Zone A, although there is a lower central areas of the site situated in Zone B. According to TAN15 Zone A is considered to be at little or no risk of fluvial or tidal / coastal flooding and there is no need to consider flood risk further. Zone B

indicates areas known to have been flooded in the past evidenced by sedimentary deposits. As a precautionary approach site levels in or close to this area have been checked against the extreme flood levels as part of the drainage strategy. Natural Resources Wales have raised no objection to the scheme or requested any conditions with regard to Flood Risk.

7.48

At the time of the original planning appeal on site, in 2015, the site ecology was appraised and considered acceptable, with the development having a low impact upon ecological assets. Natural resources Wales have been consulted on the current proposal and subject to the surveys of 2015, updated with further surveys from 2020, they have raised no objection to the proposal from an ecological point of view. They have requested a condition to provide a site wide Species/wildlife habitat conservation and management scheme as a pre commencement condition of any approval. I consider that the proposed condition is acceptable and have included this in my recommendation. Given the relatively low ecological impact of the proposal, and with the previous appeal decision in mind, I do not propose to request financial contributions through the legal agreement.

## **8.00 CONCLUSION**

The development is acceptable in principle, being a housing allocation within the Flintshire Unitary Development plan. The scheme represents a residential development that meets an identified housing need and has been designed to mitigate any potential adverse impacts upon existing neighbouring residents. Many of the issues raised as objections have previously been considered by the Planning Inspector when they assessed the previous scheme, and found to be acceptable. Subject to the Planning obligations and conditions specified in paragraph 2.01 I recommend that the proposal is approved.

### **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

**Contact Officer:** James Beattie

**Telephone:** 01352 703262

**Email:** [james.beattie@flintshire.gov.uk](mailto:james.beattie@flintshire.gov.uk)