

Pecyn Dogfen Gyhoeddus

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



At: Cyng David Wisinger (Chairman)

CS/NG

Cynghorwyr: Marion Bateman, Sean Bibby,
Chris Bithell, Derek Butler, David Cox,
Adele Davies-Cooke, Ian Dunbar, Carol Ellis,
David Evans, Veronica Gay, Patrick Heesom,
Dave Hughes, Kevin Hughes, Christine Jones,
Richard Jones, Richard Lloyd, Billy Mullin,
Mike Peers, Neville Phillips and Owen Thomas

Dydd Mercher, 28 Chwefror 2018

Nicola Gittins 01352 702345
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Annwyl Syr / Fadam

Bydd cyfarfod o'r **PWYLLGOR CYNLLUNIO** yn cael ei gynnal yn **SIAMBR Y CYNGOR, NEUADD Y SIR, YR WYDDGRUG CH7 6NA** am **DYDD MERCHER, 7FED MAWRTH, 2018** am **1.00 PM** i ystyried yr eitemau a ganlyn.

Yn ddiffuant

Robert Robins
Rheolwr Gwasanaethau Democraidd

HYSBYSIAD GWEDDARLLEDU

Bydd y cyfarfod hwn yn cael ei ffilmio a'l ddarlledu'n fyw ar wefan y Cyngor. Bydd y cyfarfod cyfan yn cael ei ffilmio oni bai fod eitemau cyfrinachol neu wedi'u heithrio dan drafodaeth.

Yn gyffredinol ni fydd y manau eistedd cyhoeddus yn cael eu ffilmio. Fodd bynnag wrth i chi ddod i mewn i'r Siambr, byddwch yn cydsynio i gael eich ffilmio ac i'r defnydd posibl o'r delweddau a'r recordiadau sain hynny ar gyfer gweddarlledu a/neu ddibenion hyfforddi.

Os oes gennych chi unrhyw gwestiynau ynglŷn â hyn, ffoniwch aelod o'r Tîm Gwasanaethau Democraidd ar 01352 702345.

RHAGLEN

1 **YMDDIHEURIADAU**

2 **DATGAN CYSYLLTIAD**

3 **SYLWADAU HWYR**

4 **COFNODION** (Tudalennau 5 - 12)

I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 7 Chwefror 2018.

5 **EITEMAU I'W GOHIRIO**

6 **ADRODDIADAU'R PRIF SWYDDOG (CYNLLUNIO A'R AMGYLCHEDD)**

Mae adroddiad y Prif Swyddog (Cynllunio a'r Amgylchedd) yn amgaeedig.

ADRODDIAD Y PRIF SWYDDOG (CYNLLUNIO A'R AMGYLCHEDD)
AR GYFER Y PWYLLGOR CYNLLUNIO 7 MAWRTH 2018

<u>EITEM RHIF</u>	<u>CYFEIRNOD FFEIL</u>	<u>DISGRIFIAD</u>
<u>CEISIADAU I'W HADRODD AR GYFER GWNEUD PENDERFYNIAD</u>		<u>Ceisiadau sy'n cael eu hadrodd er penderfyniad (A= adroddiad er cymeradwyaeth, R= adroddiad er gwrthodiad)</u>
6.1	057689 – A	Cais Llawn – Codi 4 annedd yn Dovedale, Ffordd Alltami, Bwcle (Tudalennau 13 - 24)
6.2	057808 – A	Cais am gymeradwyaeth i faterion wedi'u cadw'n ôl sef gwedd, cynllun, maint, gwaith tirlunio a mynediad er mwyn adeiladu 6 annedd yn dilyn rhoi caniatâd amlinellol (052887) yn 31 Welsh Road, Garden City. (Tudalennau 25 - 34)
6.3	057898 – A	Cais Llawn – Codi Cyfleuster Sefydliad Gweithgynhyrchu ac Ymchwil Uwch yn Airbus, Ffordd Caer, Brychdyn. (Tudalennau 35 - 44)
6.4	057514 – A	Cais Llawn – Codi rheiliau ar hyd y ffin ddeheuol yn Neuadd Hawkesbury, Mill Lane, Bwcle. (Tudalennau 45 - 52)
6.5	057295 – A	Cais Adeilad Rhestredig ar gyfer gosod rheiliau i'r ffin ddeheuol yn Neuadd Hawkesbury, Mill Lane, Bwcle. (Tudalennau 53 - 60)
<u>APELIADAU</u>		
6.6	055871	Apêl gan Mr P. Edwards yn erbyn penderfyniad Cyngor Sir y Fflint i wrthod caniatâd cynllunio ar gyfer gwelliannau ac estyniad i drac fferm, cynllun y llawr caled ar gyfer parcio a symud cerbydau, gwella'r cyfleusterau toiled, golchi ac ymolchi, darparu cysylltiadau i ddarparu ymwelwyr (gan gynnwys man gwaredu dŵr llwyd) a thirlunio (ôl-weithredol) yn Fferm Ynys Hir, Ffordd Picton, Picton, Treffynnon – CANIATAWYD. (Tudalennau 61 - 68)

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 4

PLANNING COMMITTEE **7 FEBRUARY 2018**

Minutes of the meeting of the Planning Committee of Flintshire County Council held at County Hall, Mold on Wednesday, 7 February 2018

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Marion Bateman, Sean Bibby, Chris Bithell, Derek Butler, David Cox, Adele Davies-Cooke, Ian Dunbar, David Evans, Veronica Gay, Patrick Heesom, Kevin Hughes, Christine Jones, Richard Jones, Richard Lloyd, Mike Peers, Neville Phillips and Owen Thomas.

APOLOGIES: Councillors Carol Ellis and Billy Mullin

ALSO PRESENT:

The following attended as local Members:

Councillors David Williams and Cindy Hinds for agenda item 6.3 (057599), Councillor Tudor Jones for agenda item 6.4 (057623), and Councillor Carolyn Thomas for agenda item 6.5 (055798)

IN ATTENDANCE:

Chief Officer (Planning and Environment); Development Manager, Service Manager - Strategy; Senior Planners; Senior Engineer - Highways Development Control, Senior Solicitor and Committee Officer.

The Senior Solicitor advised that he had received notification that Councillor David Williams wished to speak on agenda item 6.3 (057599), Councillor Tudor Jones wished to speak on agenda item 6.4 (057623), and Councillor Carolyn Thomas wished to speak on agenda item 6.5 (055798).

57. DECLARATIONS OF INTEREST

Councillor Christine Jones declared a personal and prejudicial interest on agenda item 6.2 (057719) as she was a member of the Partnership Board. She advised that she would speak for three minutes and leave the room prior to debate and vote on the application.

Councillor Chris Bithell also declared a personal and prejudicial interest on agenda item 6.2 (057719) as he was a member of the Partnership Board and said he would leave the room prior to debate and vote on the application.

Councillor Derek Butler declared a personal and prejudicial interest on agenda item 6.4 (057623) as he was a member of the Board of AONB and said he would leave the room prior to debate and vote on the application.

Councillor Owen Thomas also declared a personal and prejudicial interest on agenda item 6.4 (057623) as he was a member of the Board of

AONB and said he would leave the room prior to debate and vote on the application.

58. LATE OBSERVATIONS

The Chairman allowed Members an opportunity to read the late observations which had been circulated at the meeting and were appended to the agenda on the Flintshire County Council website:

<http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MIId=4142&Ver=4&LLL=0>

59. MINUTES

The draft minutes of the meeting held on 10 January 2018 were submitted.

RESOLVED:

That the minutes be approved as a true and accurate record and signed by the Chairman.

60. ITEMS TO BE DEFERRED

The Chief Officer (Planning & Environment) recommended that agenda item number 6.5 – (055798) - Full Application – reserved matters (Access, Appearance, Landscaping, Layout and Scale) required by Condition No.2 of outline planning permission ref. 051831 at Station Yard, Corwen Road, Coed Talon, be deferred. The Chief Officer explained that he recommended the application be deferred to gain further clarification from the applicant regarding the S106 Obligation or Unilateral Undertaking and play area specification.

On being put to the vote, the item was deferred.

RESOLVED:

That agenda item number 6.5 – (055798) - Full Application – reserved matters (Access, Appearance, Landscaping, Layout and Scale) required by Condition No.2 of outline planning permission ref. 051831 at Station Yard, Corwen Road, Coed Talon, be deferred

61. REPORTS OF THE CHIEF OFFICER (PLANNING AND ENVIRONMENT)

RESOLVED:

That decisions be recorded as shown on the Planning Application schedule attached as an appendix,

62. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

On commencement of the meeting, there were nine members of the public and one member of the press in attendance.

(The meeting started at 1.00pm and ended at 3.14pm)

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Chairman

Meetings of the Planning Committee are webcast and can be viewed by visiting the webcast library at: <http://flintshire.public-i.tv/core/portal/home>

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	ACTION	RESOLUTION
			Councillor Christine Jones spoke for three minutes on the application and left the room prior to discussion and vote.	
057599	Penyffordd Community Council	Full Application – Erection new build primary school, associated external works, additional vehicular access point and formation of temporary site access to existing Penyffordd Infants School site at Ysgol Penyffordd, Abbotts Lane, Penyffordd.	<p>Mr. J. Sumner, representing Abbotts Lane Resident Association, spoke against the application.</p> <p>Mrs. J. Mulvery, Headteacher, spoke in support of the application.</p> <p>Councillor David Williams, as an adjoining local Ward Member, spoke for five minutes against the application.</p>	That planning permission be granted subject to the conditions listed in the officer's report, and in accordance with the officer recommendation.
057623	Caerwys Town Council	Change of use of land to mixed-use holiday and leisure park at Maes Mynan Quarry, Denbigh Road, Afonwen.	<p>Having declared a personal and prejudicial interest Councillors Derek Butler and Owen Thomas left the room prior to discussion and vote on the application,</p> <p>Mr. P. Barlow, the applicant, spoke in support of the</p>	<p>That planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral undertaking to provide the following: That the operation of the touring caravan element of this permission be delayed until such time as HGV movements to the adjacent quarry have ceased</p> <p>In accordance with the officer</p>

Tudalen 9

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	ACTION	RESOLUTION
			application. Councillor Tudor Jones, as local Ward Member, spoke for five minutes against the application.	recommendation and with the additional condition as set out in the late observations sheet and the further condition agreed by the Committee in relation to a scheme for safety measures around the area of open water.
055798	Treuddyn Community Council	Reserved Matters (Access, Appearance, Landscaping, Layout and Scale) required by Condition No. 2 of outline planning permission Ref: 051831 at Station Yard, Corwen Road, Coed Talon.	Deferred	That the item be deferred to gain further clarification in relation to play space.
APPEALS		ALL NOTED		
6.6	056215	Appeal by Jones Engineering & Construction Ltd against the decision of Flintshire County Council to refuse planning permission for removal of existing dwelling and erection of 3 No. dwellings at Cornerways, Cefn Bychan Road, Pantymwyn – DISMISSED.		
6.7	056703	Appeal by Mr. O. McKay against the decision of Flintshire County Council to refuse planning		

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	ACTION	RESOLUTION
		permission for the erection of 3 No. dwellings at Centre Point Garage, Denbigh Road, Afonwen – DISMISSED.		

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 7

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH MARCH 2018**

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

SUBJECT: **FULL APPLICATION - ERECTION OF 4 DETACHED DWELLINGS LAND AT ALLTAMI ROAD, ALLTAMI**

APPLICATION NUMBER: **057689**

APPLICANT: **ANWYL**

SITE: **LAND AT ALLTAMI ROAD, ALLTAMI**

APPLICATION VALID DATE: **10.11.17**

LOCAL MEMBERS: **COUNCILLOR C ELLIS**

TOWN/COMMUNITY COUNCIL: **BUCKLEY**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST DUE TO ADDITIONAL TRAFFIC ON ALLTAMI ROAD, POTENTIAL OVERLOOKING AND LOSS OF GREEN SPACE. OVERDEVELOPMENT.**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This is a full planning application for the erection of 4 detached dwellings at Alltami Road, Alltami. The erection of 4 dwellings on this site would be acceptable subject to a S106 agreement covering commuted sums for open space, education and ecological land mitigation management. The proposed site was not any formal designated open space as part of the larger development. It therefore has no formal protection and was intended as a landscaped area.

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

- 2.01 The completion of a S106 agreement for unilateral undertaking or earlier payment covering;
- Open space provision - £1,100 per dwelling to improve the community playing field surface located adjacent to Cheshire Lane, Elfed High School, Buckley.
 - Education provision - £12,257 primary school towards Mountain Lane Primary School
 - Mitigation land - £1,000 per dwelling to overcome indirect impacts on SAC for the long term management of the mitigation land

Conditions

1. Time commencement.
2. Plans.
3. Materials.
4. Land contamination.
5. Drainage.

3.00 CONSULTATIONS

3.01 Local Member Councillor C Ellis

Requests a committee site visit and committee determination on the grounds of additional traffic on Alltami Road, potential overlooking, and loss of green space. Overdevelopment.

Buckley Town Council

Object on the grounds of:

- The plan if approved will result in a total of 28 houses on the original site and if taken as a whole does not comply with Policy HSG9
- Would not comply with HSG10 as 30% affordable housing not provided
- Would be 24 4 bedroom properties on the site
- Trying to get round planning policies

Highways Development Control Manager

No objections.

Public Protection Manager

The site is adjacent to a depot where fuels and other potential sources of contamination are/ have been present. The site is also adjacent to an area of land which, when assessed before it was itself developed, had been used to dispose wastes historically in discrete areas within that site. The waste deposits are unrecorded and may be present within the subject site. The site is also within an area where coal was

mined in the past and workings may be present within or very close to the subject site. A pre-commencement land contamination assessment should be undertaken.

Welsh Water/Dwr Cymru
Drainage conditions required.

Natural Resources Wales
No site specific comments to make about land contamination on this site as the controlled water at this site are not of the highest environmental sensitivity.

Education

SCHOOLS AFFECTED PRIMARY

School: Mountain Lane Primary School
Current NOR (@ January 2017) is 408
Capacity (@ January 2017) is 409
No. Surplus Places is 1
Percentage of surplus Places is 0%
The contribution would go towards improved toilet provision.

Play unit

A contribution of £1,100 per dwelling in lieu of onsite play provisions towards improvements to the community playing field surface located adjacent to Cheshire Lane, Elfed High School, Buckley.

4.00 PUBLICITY

- 4.01 Press Notice, Site, Notice, Neighbour Notification
Objection on the grounds of;
- Overdevelopment of the estate
 - Overlooking of existing properties
 - Loss of green space
 - Not in keeping with Policy HSG9 – housing mix
 - Should be affordable housing on the site as a whole if this goes ahead
 - Development has been staggered on purpose

5.00 SITE HISTORY

5.01 **043626**
Outline residential development. Refused. Dismissed on appeal.

047624
Outline residential development. Permission granted.

051481

Removal of condition 14 to restrict development to the north of the hammerhead. Refused 12.03.14 Allowed on appeal.

052914

Reserved matters application for 24 dwellings with details of access, appearance, landscaping, layout and scale following outline approval 047624 and variation of condition application 051481. Approved 06.03.15.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 - New Development

STR4 - Housing

GEN1 - General Requirements for Development

GEN2 - Development Inside Settlement Boundaries

D1 - Design Quality, Location and Layout

D2 - Design

D3 - Landscaping

WB1 - Species Protection

AC13 - Access and Traffic Impact

AC18 - Parking Provision and New Development

HSG3 – Housing on Unallocated Sites within Settlement Boundaries

HSG8 - Density of Development

SR5 - Outdoor Playing Space and New Residential Development

EWP3 - Renewable energy in New Development

EWP14 - Derelict and Contaminated Lane

The proposal is in accordance with the above development plan policies.

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the erection of 4 detached dwellings at Alltami Road, Alltami.

7.02 Site Description

The site is situated within a residential area adjacent to Alltami Road, within a recently completed residential development within Buckley. The proposed site is on the north eastern part of the site to the east of the spine road into the site.

7.03 Proposed development

It is proposed to erect 4 detached dwellings with garages and parking. Access would be from the existing spine road to the south of the turning head with a private drive arrangement. The dwellings are a three bedroom Porthmadog with integral garage, a four bedroom

Dolwen with integral garage and two four bedroom Cardigan house types with detached garages.

7.04 Principle of development

The application site is within a Category A Main settlement as defined within the UDP. It is in a highly sustainable location within walking distance of education, sports and leisure and health facilities. The principle of development in this location is therefore accepted. The Council does not have a 5 year land supply and therefore the additional 4 plots on this development in a sustainable location would contribute towards that.

7.05 The proposed site was not any formal designated open space as part of the larger development. It therefore has no formal protection and was intended as a landscaped area.

7.06 Comments have been made in terms of the mix of dwellings on the site. The proposed 1 three bed and 3 four bed dwellings would add to the existing 20 four bed houses and 4 three bed houses. The proposed dwellings are of 3 different house types and are in keeping with the other dwellings types on the site.

7.07 Highways

There are no highways objections to the additional four dwellings. Each house has a garage and driveway parking.

7.08 Space Around Dwellings

The proposed layout and house types have been amended during the course of the application in order to address concerns raised regarding overlooking. This was particularly in relation to plot 28 and the relationship with the existing dwelling on the eastern boundary Phillips Court. The dwelling on plot 28 has now been sited so that there is 12 metres between the elevation of Phillips Court and the proposed dwelling the Dolwen. This has a blank wall facing the existing dwelling and is partially screened by existing landscaping. This is in accordance with the Council's Space Around Dwellings. The layout gives rise to no other overlooking issues between existing and proposed properties.

7.09 Land contamination

Public protection have requested a pre-commencement condition for the submission of a contaminated land assessment due to the previous site history. The site is within the Coal Authority Standing advice area and therefore formal consultation was not required. The previous site investigation undertaken found no evidence of any voids or former coal mine workings.

7.10 Ecology

The majority of the site has already been developed (Ref 047624 & 052914) so the principle of development has been established. Great Crested Newts and the nearby Deeside and Buckley Newt Sites Special Area of Conservation (SAC) which was designated December 2004 for its great crested newts and oak woodland and the associated Buckley Clay Pits and Commons Site of Special Scientific Interest (SSSI) were considered.

- 7.11 With regards to the SAC, the LPA has undertaken a “Test of Significance” to demonstrate that the development will not have a significant effect on the SAC features, namely the great crested newt population. This considered the following issues and where relevant include measures to avoid/ mitigate/ compensate for the following:
- a) Direct loss of GCN terrestrial and aquatic habitat within SAC
 - b) Direct loss of terrestrial habitat outside of SAC through development.
 - c) Indirect loss of GCN terrestrial habitat through operational/recreational activities
 - d) Disturbance/Loss of great crested newts during construction.
 - e) Loss of habitat connectivity, Isolation and range.
- 7.12 The site has already been cleared following Reasonable Avoidance Measures, there are no issues in relation to loss of GCN terrestrial or aquatic habitats within or outside the SAC or in relation to habitat connectivity. The S106 included the provision of land for conservation purposes at Stoneybeech wood to offset the potential indirect effects of recreation of the population of 24 houses. It is therefore considered that to account for the proposed additional four the proposal requires additional compensation through an additional commuted sum towards the management of the existing off-site compensation area. This has been established as £1,000 per plot for the original site and therefore should be extended for these for plots for the same period of 21 years. This is in accordance with SPG Note 8 Nature Conservation and Development and SPG8a Great Crested Newt Mitigation Requirements.
- 7.13 Affordable housing
The original outline 047624 was 1.29 hectares and showed 21 dwellings. Members imposed a condition on the outline to prevent any development north of the hammerhead on the illustrative layout. This reduced the developable area of the site so the threshold for affordable housing would not be met.
- 7.14 A subsequent application, 051481 was submitted to remove this condition. Members resolved to refuse this application due to concerns over land instability and the potential contamination of third party land. The applicants appealed this decision and the appeal was allowed and the condition removed. The approved reserved matters layout 052914 for 24 dwellings utilised the whole of the site but the

shown developable area was less than 1 hectare. In any event any affordable housing should have been secured at the outline stage, although at this time the site did not meet the threshold due to the site constraints and conditions imposed.

- 7.15 This new application is for 4 dwellings and is partially within the red line of the previous outline. It is submitted as a full planning application. The initial development subject to the outline and reserve reserved matters permission is now completed. It is therefore not considered that we can apply the requirement for affordable housing on the completed development site through this new application. It is not reasonable to retrospectively apply the policy. It was not intentional to subdivide or split the site but the development of the site has evolved over time.
- 7.16 S106 contributions and CILG compliance
The application requires commuted sums for off-site open space improvements, an education contribution and a commuted sum for the ongoing management of the off-site ecological mitigation.
- 7.17 The infrastructure and monetary contributions that can be required from the Proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'.
- 7.18 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:
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.
- 7.19 It is considered that the S106 requirements in relation to open space, education and ecological management satisfy the regulations and circular.
- 7.20 Open Space
Supplementary Planning Guidance Note No.13 Open Space Requirements (LPGN13) and Policy SR5 Play Areas and New Housing Development of the Adopted Flintshire Development Plan sets out the Council's requirements in terms of new residential development and the provision of recreational open space.
- 7.21 The original site paid an off-site commuted sum for open space of £1,100 per dwelling. There was no formal open space provided on the site. This area of land was undeveloped and to be maintained as the developer desired as informal open space. The development of

this land for four dwellings would therefore require an additional £1,100 per unit which would be towards improving community playing field surface located adjacent to Cheshire Lane, Elfed High School, Buckley. We have not requested more than 5 contributions for this project therefore the contribution is CILG compliant.

Education

- 7.22 Supplementary Planning Guidance Note No.23 Developer Contributions to Education (SPGN23) sets out the Council's requirements in terms of new residential development and education contributions. The outline consent required an education contribution towards Mountain Lane Primary School. The formula was written into the legal agreement of the outline consent. 24 dwellings x 0.24 generates 5.76 which equates to 6 pupils. The proposed 4 dwellings generates an additional pupil and as there still remains an issue with capacity at the school in accordance with SPGN23 a contribution is required for one additional pupil.

Ecology

- 7.23 Supplementary Planning Guidance Note 8 Nature Conservation and Development and Supplementary Planning Guidance Note 8a Great Crested Newt Mitigation Requirements set out the background for ecological contributions. In this case the development of the whole site provided a mitigation area at Stoneybeech wood which is being managed to compensate of the indirect impacts on the SAC as part of the S106. As this development is for the proposed 4 dwellings it is therefore reasonable to ask for an additional contribution of £1,000 per dwelling from this development towards the management of this site.

8.00 CONCLUSION

- 8.01 The erection of 4 dwellings on this site would be acceptable subject to a S106 agreement covering commuted sums for open space, education and ecological land mitigation management. The proposed site was not any formal designated open space as part of the larger development. It therefore has no formal protection and was intended as a landscaped area.

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.

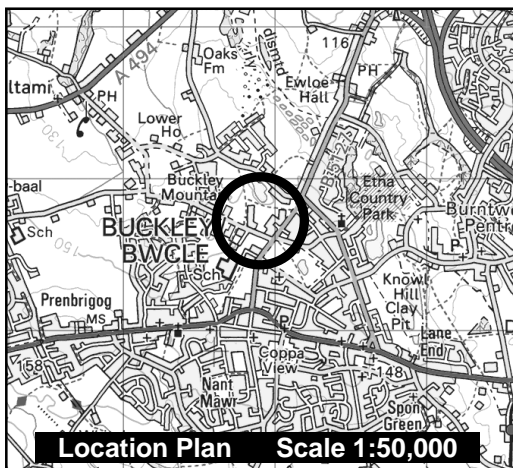
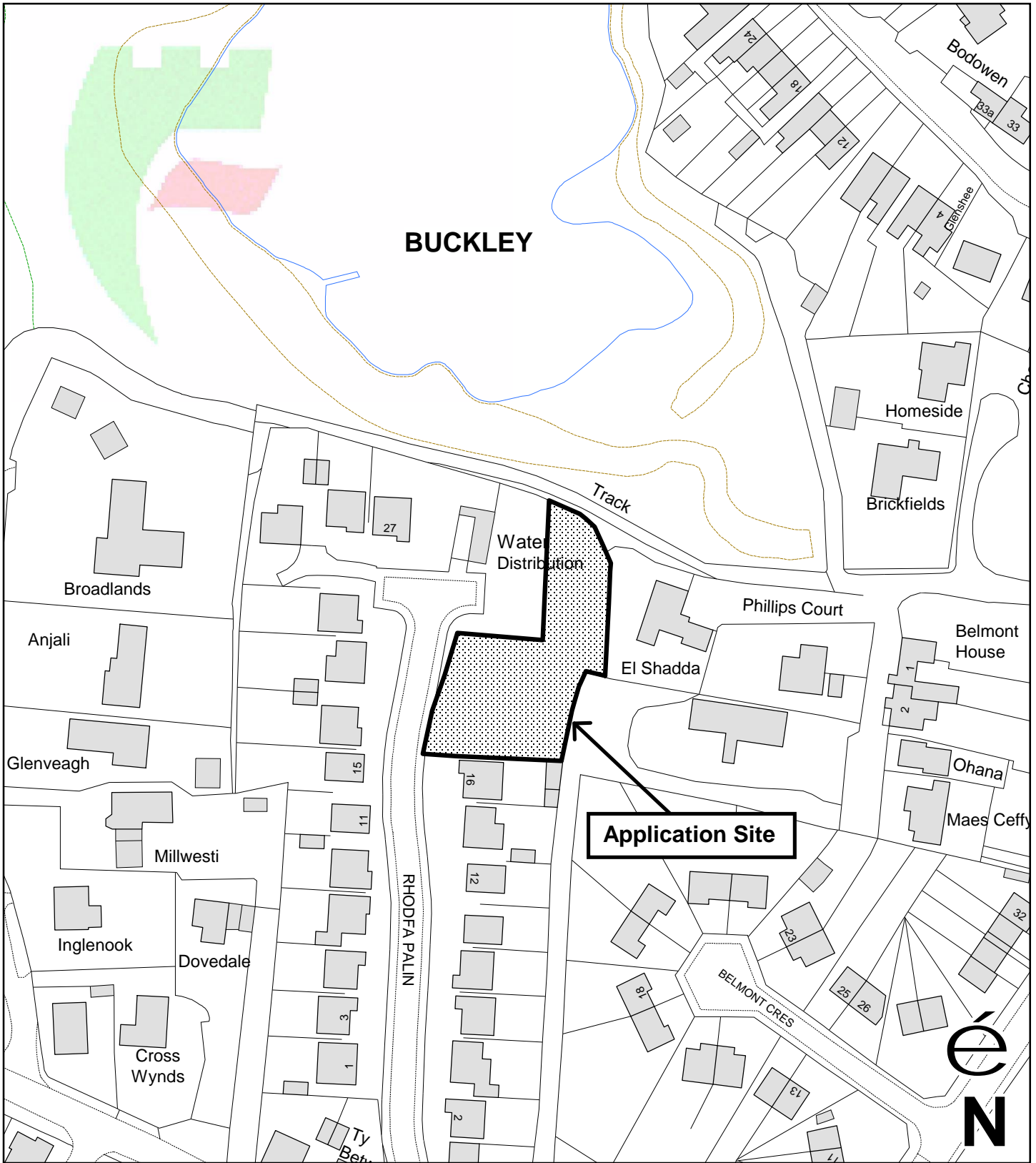
The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: Emma Hancock
Telephone: 01352 703254
Email: emma.hancock@flintshire.gov.uk

Mae'r dudalen hon yn wag yn bwrpasol



Planning & Environment,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary

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Map Scale 1:1250

OS Map ref SJ 2764

Planning Application **57689**

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 8

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH MARCH 2018**

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

SUBJECT: **APPLICATION FOR APPROVAL OF RESERVED MATTERS APPEARANCE, LAYOUT, SCALE, LANDSCAPING AND ACCESS FOR THE ERECTION OF 6 DWELLINGS FOLLOWING OUTLINE APPROVAL (052887) AT 31 WELSH ROAD, GARDEN CITY**

APPLICATION NUMBER: **057808**

APPLICANT: **MR RICHARD WILLIAMS**

SITE: **31 WELSH ROAD, GARDEN CITY**

APPLICATION VALID DATE: **05.12.17**

ACTING LOCAL MEMBER: **COUNCILLOR I DUNBAR**

TOWN/COMMUNITY COUNCIL: **SEALAND**

REASON FOR COMMITTEE: **REQUEST OF ACTING LOCAL MEMBER TO SEE SITING OF DWELLINGS, SEPARATION, GARDEN PROVISION, PARKING**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a reserved matters application for the appearance, layout, scale, landscaping and access for the erection of 6 dwellings following the grant of outline approval 052887. It is considered that the submitted details are acceptable and the siting of the dwellings complies with Local Planning Guidance Note Space Around Dwellings.

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

2.01 1. Materials

3.00 CONSULTATIONS

3.01 Nominated Local Member
Councillor I Dunbar

Requests a Site Visit and Determination by Planning Committee.

My reasons for determination are as follows.

1. Actual siting of dwellings.
2. Separation.
3. Garden Provision.
4. Parking.

Sealand Community Council

No response received.

Highways Development Control Manager

No objections to the proposed details however conditions 12, 14, 15 and 18 on the outline permission still apply.

Public Protection Manager

No comments to make.

Welsh Water/Dwr Cymru

The existing public sewer network has sufficient capacity to accommodate the proposed foul water and we welcome the introduction of soakaways as a means to dispose of surface water by sustainable means therefore the principle of the proposal are acceptable. We note that a few private drains are proposed to cross over the public sewer and the plan has been amended to maintain sufficient access to the public sewer.

Under the Welsh Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No operational development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer.

Natural Resources Wales

We are satisfied that the proposed plans demonstrate that all property finished floor levels will be set no lower than 5.56m above Ordnance Datum which complies with the requirements on 052887.

Condition 17 on the outline permission 052887 relates to the development not commencing until such time as the flood

strengthening works to the tidal Dee flood embankment are completed. These works are now completed.

Airbus

No aerodrome safeguarding objection.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

2 letters of objection on the grounds of;

- Overdevelopment of the site - cramped
- Direct overlooking and detrimental to surrounding properties
- Proposal is contrary to GEN1 criteria b, d and e
- Loss of privacy and light to surrounding properties
- Limited access to the site which is shared by the post office and convenience store
- Conflict with access to the properties and deliveries to the shop
- Public sewers run along the rear gardens of several properties along Sealand Avenue which would no longer be accessible in the event of a blockage
- There is no need for this housing in this area as there are large allocations of housing on RAF Sealand
- No infrastructure - John Summers High School has been closed down, GP and dental practice over subscribed
- Limited parking available in the area and this site used to be parking
- Strain on the water supply
- Previous use of the site was single storey garages the scale of the proposed development is not acceptable
- Will restrict access to property from rear gate

5.00 SITE HISTORY

5.01 052887- Outline planning permission for the erection of 6 dwellings. Approved following S106 agreement 10.02.17

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 - New Development

STR4 - Housing

GEN1 - General Requirements for Development

GEN2 - Development Inside Settlement Boundaries

D1 - Design Quality, Location and Layout

D2 - Design

D3 - Landscaping

AC13 - Access and Traffic Impact

AC18 - Parking Provision and New Development

HSG3 – Housing on Unallocated Sites within Settlement Boundaries

HSG8 - Density of Development
SR5 - Outdoor Playing Space and New Residential Development
EWP17 - Flood Risk

The proposal is in accordance with the above development plan policies.

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a reserved matters application for the appearance, layout, scale, landscaping and access for the erection of 6 dwellings following the grant of outline approval 052887. Outline planning consent was granted by Planning and Development Control Committee on 20th May 2015 and the completion of a S106 agreement on 10th February 2017.

7.02 Site Description

The application site is situated to the north of Welsh Road and is accessed via a shared access between 31 Welsh Road which is a residential property and 35 Welsh Road which is a Spar convenience store. The site was formerly a garage site owned by the Council which has been sold to a third party. The site is surrounded to its north east west and south by residential properties which are all two storey. There is a Welsh Water pumping station located directly to the east of the site.

7.03 Proposed development

It is proposed to erect 6 dwellings in the form of three pairs of 3 bedroom semi-detached dwellings. The dwellings are two storey with rear gardens and a shared parking court with 14 spaces. The dwellings are brick with tiled roofs.

7.04 Principle of development

The principle of the development of 6 houses on this site was established by permission 052887 which was an outline application for 6 houses with all matters reserved. This application deals with the details of the scheme. The outline application was accompanied by a Flood Consequences Assessment. This established that development of the site in a C1 area was acceptable and set the finished floor levels at 5.56m AOD which have been applied in this application. A further condition on the outline was for the submission of a Flood Management/Emergency Evacuation Plan. This has been submitted as part of this application.

7.05 Drainage

Residents have raised issues relating to drainage. Welsh Water have not raised any concerns with regards to the capacity of the network or treatment facilities' it would serve. Welsh Water are satisfied that

the siting of the proposed dwellings does not affect the easements of the two sewers which cross the site. Surface water drainage details have also been provided and the proposed soakaways do not affect the easements. Welsh Water therefore have no objections.

7.06 Access

Vehicular access to the site is via an un-adopted access from Welsh Road which runs between 31 and 35 Welsh Road. The access is between a residential property and a Spar Shop/post office and chemist. As part of the outline consent there is a requirement for the appropriate management and maintenance of the access.

7.07 Highways raised no objections to the principle of the development and have no objections to the proposed siting of the dwellings and the proposed parking and turning arrangements. There are therefore no highways objections. Highways conditions are imposed on the outline consent covering; details of site access; parking layout, surface water runoff, and a Construction Traffic Management Plan.

7.08 14 parking spaces are provided for 6 three bedroom dwellings. The Council's parking standards requires 2 spaces per dwelling. While the parking provided is in excess of what is required for the houses the site has been informally used for parking in association with the shop.

7.09 Residents have raised the issue of the current pedestrian access obtained through Sealand Avenue through the site as a short cut to the shops and the bus stop on Welsh Road. This is not a definitive public right of way but is a legacy from when the majority of the area was owned by the Council and was Local Authority housing with associated garages. This access path has been retained by the Council for pedestrian use only and has bollards at its entrance onto Sealand Avenue. The 'short cut' does now cross private land although the Council retains a right of access by foot and vehicles along the access way between 31 Welsh Road and 35 Welsh Road. The submitted plans show that this access is to be retained with a 1.8 metre high boundary fence around the remaining boundaries. Other rights of access are shown to be retained although this is not a planning matter.

7.10 Residents on Welsh Road have also raised concerns about retaining vehicle access to their properties at the rear. Access to properties is a civil matter but this is shown to be retained on the plans. Access to the pumping station is also maintained.

7.11 Impact on residential amenity and neighbouring properties

The submitted layout shows three pairs of semi-detached dwellings Slightly staggered running from north to south in the middle of the site with private garden areas to the west and a shared parking and turning area to the south.

- 7.12 The proposed layout accords with the separation distances set out in Local Planning Guidance Note 2: Space Around Dwellings. There are 22 metres between habitable rooms and 12 metres between blank gables and habitable rooms.
- 7.13 The finished floor levels of the dwellings are recommended to be set at 5.56m AOD following the recommendations in the FCA and the comments from NRW. The topographical survey shows the actual existing site levels to be 4.45AOD – 4.74 AOD. The finished floor levels would not be met by raising the site but by increasing the finished floor levels of the living accommodation within the dwellings by having steps up to the front doors. It also provides private garden areas with raised patio areas to account for the finished floor levels. The ridge heights of the proposed dwellings are 8.6 m and therefore are in keeping with the other properties in the area despite the stepped entrances.
- 7.14 Other Matters
The outline permission secured by S106 agreement £1,100 per unit for recreation enhancements in lieu of on-site provision; and secures the resurfacing and future maintenance of the access road to the site.

8.00 CONCLUSION

- 8.01 It is considered that the submitted details are acceptable and the siting of the dwellings complies with Local Planning Guidance Note Space Around Dwellings.

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

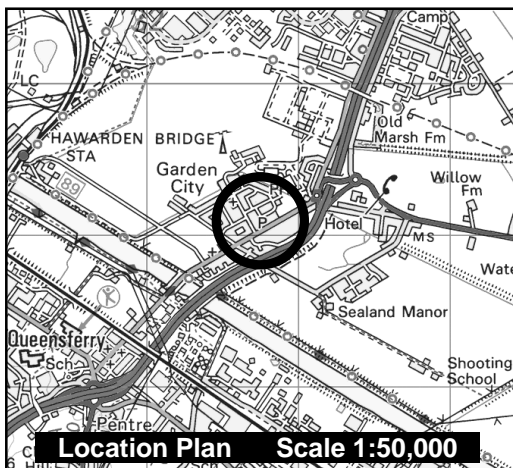
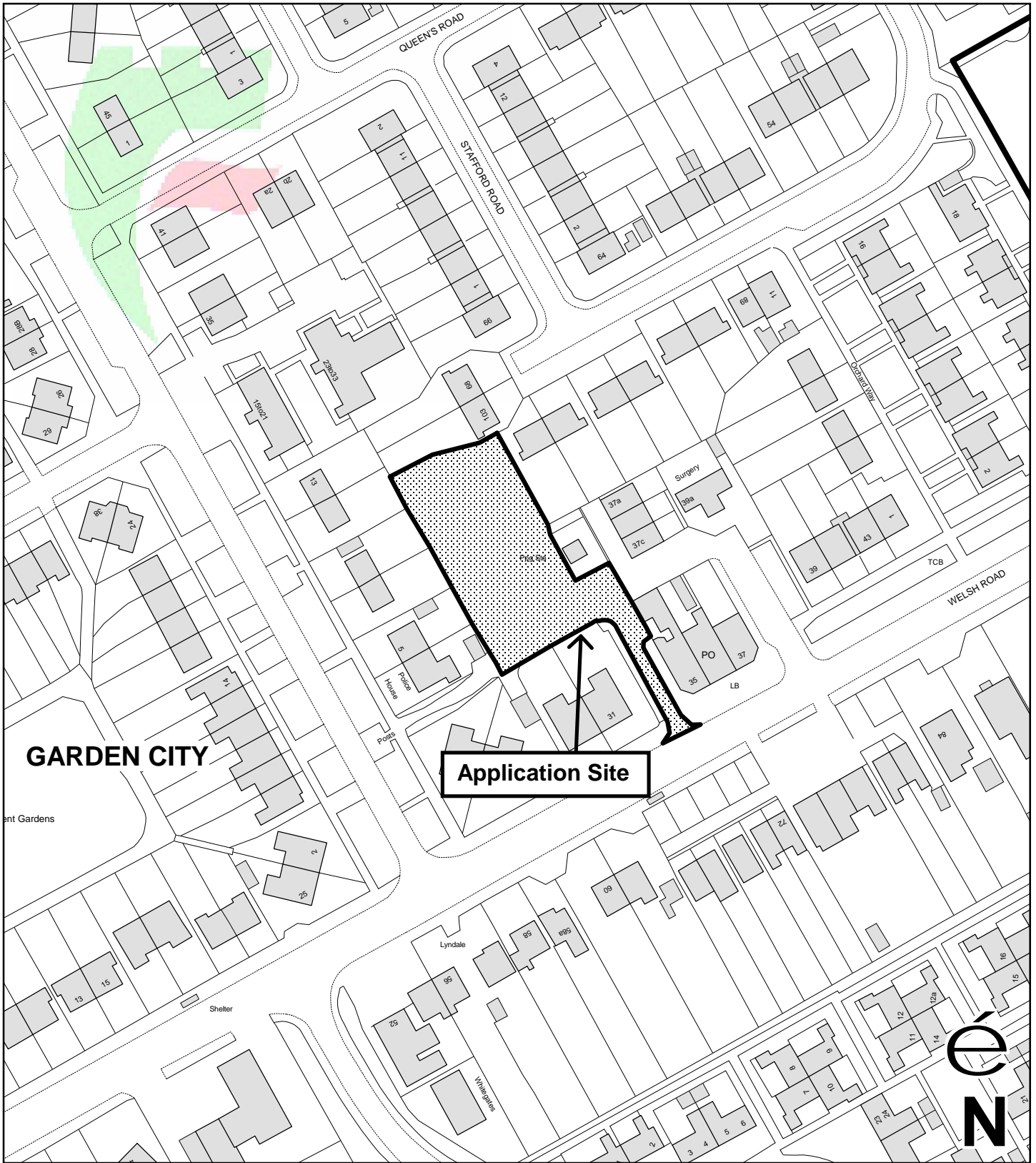
National & Local Planning Policy

Responses to Consultation

Responses to Publicity



Contact Officer: Emma Hancock
Telephone: 01352 703254
Email: emma.hancock@flinthshire.gov.uk

Mae'r dudalen hon yn wag yn bwrpasol



Planning & Environment,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:1250
OS Map ref	SJ 3269
Planning Application	57808

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 9

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH MARCH 2018**

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

SUBJECT: **FULL APPLICATION – ERECTION OF ADVANCED MANUFACTURING AND RESEARCH INSTITUTE (AMRI) FACILITY AT AIRBUS, CHESTER ROAD, BROUGHTON.**

APPLICATION NUMBER: **057898**

APPLICANT: **WELSH GOVERNMENT**

SITE: **LAND AT CHESTER ROAD BROUGHTON CH4 0DR**

APPLICATION VALID DATE: **26TH JANUARY 2018**

LOCAL MEMBERS: **COUNCILLOR W MULLIN**

TOWN/COMMUNITY COUNCIL: **BROUGHTON & BRETTON COMMUNITY COUNCIL**

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

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full application proposes the erection of an Advanced Manufacturing and Research Institute (AMRI) facility, on land at Chester Road (A5104), Broughton.
- 1.02 The application is being reported to the Planning & Development Control Committee for formal determination, as the scale of the development proposed, exceeds, the threshold within the Council's delegation scheme.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,

SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time limit on commencement.
 2. In accordance with approved plans.
 3. Samples of construction materials to be submitted and approved.
 4. No development to commence until a bird hazard management plan has been submitted and approved.
 5. No development to commence until a Construction Management Strategy has been submitted and approved.
 6. No development to commence until a Lighting Scheme to be submitted and approved.
 7. No development to commence until an assessment of capacity of existing drainage system to cater for the proposed development has been undertaken. Infrastructure works to be undertaken if required prior to commencement of development.
 8. No development to commence until an integrated drainage scheme for the site has been submitted and approved.
 9. Hard/soft Landscaping Scheme to be submitted/approved.
 10. Implementation of landscaping.
 11. Finished Floor Levels of building to be set no lower than 6.10 m Above Ordnance Datum.
 12. No development to commence until noise management plan has been submitted and approved.

3.00 CONSULTATIONS

3.01 Local Member

Councillor W Mullin

No response received at time of preparing report.

Broughton & Bretton Community Council

No objections. Ensure however that the statutory consultation process takes place with Natural Resources Wales (NRW). Review request for a new interchange – current infrastructure cannot cope with future increase in traffic.

Head of Assets and Transportation

No objection and do not intend to make a recommendation on highway grounds.

Head of Public Protection

No objection subject to the imposition of a condition requiring the submission of a noise management plan to minimise impact of development on residential properties during construction phase.

Welsh Water / Dwr Cymru

No objection subject to the imposition of a Grampian condition to prevent commencement of development until any required off site infrastructure works have been completed

Natural Resources Wales

Following the submission of a Flood Consequences Assessment, (FCA) raise no objection to the development subject to the imposition of a condition in respect of the setting of Finished Floor Levels of the building and the registration of future occupiers for Natural Resource' Wales' Flood Warning Service.

Airbus

Request the imposition of conditions in respect of wildlife habitats, landscaping and lighting in order to comply with airport safeguarding criteria given the proximity of the site to Hawarden Airport.

4.00 PUBLICITY

- 4.01 Press Notice, Site, Notice, Neighbour Notification
No responses received at time of preparing report.

5.00 SITE HISTORY

- 5.01 **048785**
New traffic signal controlled access at gate 3 of Airbus UK North factory with changes to R1 roundabout/highway and other associated works – Permitted 3rd November 2011.

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
Policy STR1 – New Development.
Policy STR3 – Employment.
Policy STR8 – Built Environment.
Policy GEN1 – General Requirements for Development.
Policy D1 – Design Quality.
Policy D2 – Location & Layout.
Policy D3 – Design.
Policy D4 – Landscaping.
Policy AC13 – Access & Traffic Impact.
Policy AC18 – Parking Provision.
Policy EM3 – Development Zones and Principal Employment Areas
Policy EM5 – Policy EM5 – Expansion of Existing Concerns
Policy EWP17 – Flood Risk

Additional Guidance

Technical Advice Note 11 – Noise.
Technical Advice Note 12 – Design.

Technical Advice Note 15 – Development & Flood Risk.

Technical Advice Note 23 – Economic Development.

The proposal **would** generally comply with the above policies.

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application which has been submitted by Welsh Government, proposes the erection of a 6000m² building for use as an Advanced Manufacturing Research Institute (AMRI) on land at Chester Road (A5104), Broughton

7.02 Site/Surroundings

The site the subject of this application falls outside any recognised settlement boundary as defined in the Flintshire Unitary Development Plan (FUDP). It amounts to approximately 3 hectares in area, and sits between Chester Road and the Airbus factory to the north of the site, commercial development to the west, with the recently constructed access road to Gate 3 of the factory defining the eastern edge of the site.

7.03 Proposed Development

The plans submitted as part of this application propose the erection of a detached building measuring approximately 80 m x 60 m x 20 m (high), to be constructed having concrete, metal and glazed panel external walls. It is proposed that the building is used as a centre of excellence in the fields of aerospace, automotive and process engineering and electronics with 170 full time posts being proposed. Vehicular access to serve the development is proposed from the recently constructed access road to Gate 3 of the Airbus factory.

7.04 The application is accompanied by:-

- A Design & Access Statement.
- A Transport Statement & Travel Plan.
- A Flood Consequences Assessment.
- A Drainage Statement.
- A Noise Statement.
- A Phase 1 Ecology Assessment.
- A Preliminary Geo-Technical Appraisal.
- An Economic Impact Assessment.
-

7.05 Main Planning Considerations

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

- The principle of development.
- The impact on the character of the surrounding area and the

- privacy/amenity of occupiers of nearby residential properties.
- Adequacy of access/parking.
- Drainage.
- Impact on airport safety.

7.06 In commenting in detail in response to the Main Planning Considerations outlined above, I wish to advise as follows:-

7.07 Principle of Development

Notwithstanding that the site falls outside any defined settlement boundary in the UDP, the character of the site and surroundings are to a large extent urban. This urbanising effect is principally due to the residential, retail and employment development focussed along Chester Road and Broughton Retail Park.

7.08 The Airbus factory and Hawarden Airport are included in the Airport Development Zone (ADZ) designation in the UDP, by virtue of Policy EM3. The ADZ abuts the site of the proposed research facility and then extends north-westwards from the site to include Hawarden Industrial Estate and the UDP employment allocations EM1(1) Chester Aerospace Park and EM1(2) Hawarden Park extension.

7.09 Whilst it is acknowledged that the research facility being proposed, does not currently fall within the ADZ, in my view it appears logical to consider employment development on the site given that a) it is abutting this zone, b) the proposed use is complimentary to the nearby airport uses, and c) the site although currently undeveloped sits within an area of urban development and has defensible boundaries provided by the recently constructed access road which would limit further expansion in an easterly direction.

7.10 It is understood that the proposal would be built and owned by Welsh Government and would operate on the basis of a joint tenancy between Airbus UK and The University of Sheffield's Advanced Research Centre. It is therefore my view, that consideration of this application should be undertaken having regard to Policy EM5 of the UDP which makes provision for the expansion of existing employment operations.

7.11 Having regard to the specific criteria listed in Policy EM5 it is considered that the proposed development is acceptable in principle as :-

- a) the site abuts the boundary of existing operations at Airbus
 - b) the proposal is both subsidiary and complimentary to existing operations undertaken at Airbus
- Criteria c d e & f of this policy however relate to site specific design principles which are addressed in paragraph 7.14 – 7.21 of this report.

7.12 For Members information the site has also been advanced as a

candidate site as part of the Local Development Plan process (BR0U005) for employment related development and if Members are mindful to support the principle of development at this location, it would appear appropriate to include the site as part of a wider ADZ in the emerging Local Development Plan.

7.13 The economic benefits from job creation associated with the development and contribution in positioning Flintshire as a centre for advanced manufacturing on a local, regional and national scale are duly noted. The proposed facility is also recognised as being of particular importance to the County in accordance with the aims of para 7.4.2 of Planning Policy Wales which advises that Local Planning Authorities seek to support the development of innovative business and technology clusters. It is also recognised that the site falls within the boundary of the Deeside Enterprise Zone. As such the proposed development is reflective of the economic importance of this area within the growth hub recognised in the Wales Spatial Plan.

7.14 It is however considered that the issue of job creation/technological advancement needs to be carefully balanced against the impact of development on the character of the locality and the amenity of the occupiers of nearby residential properties

7.15 Impact on Character of Site / Surroundings / Amenity

As previously highlighted there is a mix of industrial/retail and residential development in proximity to the application site. Whilst the building the subject of this application is of a contemporary design and would be approximately 20 m high, it would in visual terms act of an important focal point within this area, relating to and softening the impact of the existing Airbus factory which acts as a backdrop to the development. This would it is considered help to assimilate development into the site and wider surroundings.

7.16 A fundamental consideration in determination of this application is ensuring that the privacy/amenity of the occupiers of nearby residential properties are safeguarded. The nearest residential properties to the site are Springfield Farm on the southern side of Chester Road and Holmfield to the east of the new access to Gate 3 of the Airbus Factory. Springfield Farm is set back from the road behind a screen of trees and hedgerows, whilst Holmfield is separated from the site by the access road, surface water lagoon and landscaping bund created at gate 3 of the Airbus factory. The relative distances from these properties to the site of approximately 70 m & 90 m would, it is considered, be acceptable subject to the imposition of a noise management plan to minimise impact of development on the privacy/amenity of the occupiers of these dwellings during the construction phase.

7.17 Adequacy of Access/Parking

The Highway Development Control Manager raises no objection to the development proposed as it would not lead to any adverse impact on the existing transport network.

7.19 Adequacy of Drainage/Flood Protection

For Members information the site is located within a C1 Flood Zone where in accordance with Technical Advice Note 15 – Development & Flood Risk it comprises an area of the flood plain which are developed and served by significant infrastructure, including flood defences. Within a C1 Flood Zone general industrial, employment and commercial development which is classified as “less vulnerable development” can be considered subject to justification tests including appropriate mitigation.

7.20 Consultation on the submitted FCA has been undertaken with Natural Resources Wales. As a result there is no objection to the development by NRW subject to the (a) the imposition of condition to ensure that the floor level of the proposed building is set by 6.10 AOD to provide mitigation against potential flooding of the site and (b) registration to Natural Resources Wales’ Flood Warning Service.

7.21 Consultation has also been undertaken with Dwr Cymru Welsh Water. Who have advised that there is a need to undertake further hydraulic modelling of the existing drainage network to confirm adequate capacity to serve the proposed development but are agreeable to this aspect of the development. They do not however object to the principle of development subject being covered by the imposition of a “Grampian Condition” which would require the upgrading of the necessary infrastructure if required prior to the commencement of development.

It is therefore considered that there are suitable drainage and flood risk mitigation measures which are capable of being imposed on the development to ensure there are no adverse drainage or flood risk issues.

7.22 Impact on Airport Safety

Consultation on the application has been undertaken with Airbus given the proximity of the proposed development to Hawarden Airport. Airbus have confirmed that there is no objection to the principle of development, subject to the need to control aspects of the proposed scheme to avoid conflict with safeguarding criteria. This would include planting proposals, a Construction Management Strategy and proposed lighting and can be covered by conditions if Members are mindful to support the application.

8.00 CONCLUSION

8.01 In conclusion, it is my view that the general principle of employment development is supported as a complimentary use adjacent to the existing Airbus factory at Chester Road, Broughton. The

contemporary design of the proposed building is considered acceptable in the context of existing employment / commercial development at this location and there is no objection from the Highway Development Control Manager. Although located within a C1 Flood Zone, there is no objection from NRW and Dwr Cymru Welsh Water subject to the imposition of conditions.

8.02 It is also acknowledged that from an economic development perspective, that a number of highly skilled jobs are proposed which is welcomed in the current economic climate, and this is a significant factor in support of the application.

8.03 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.

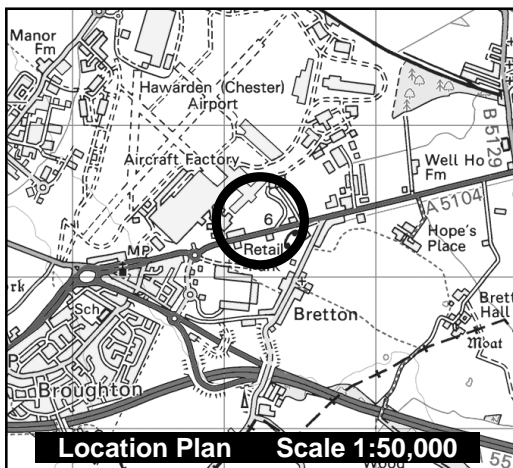
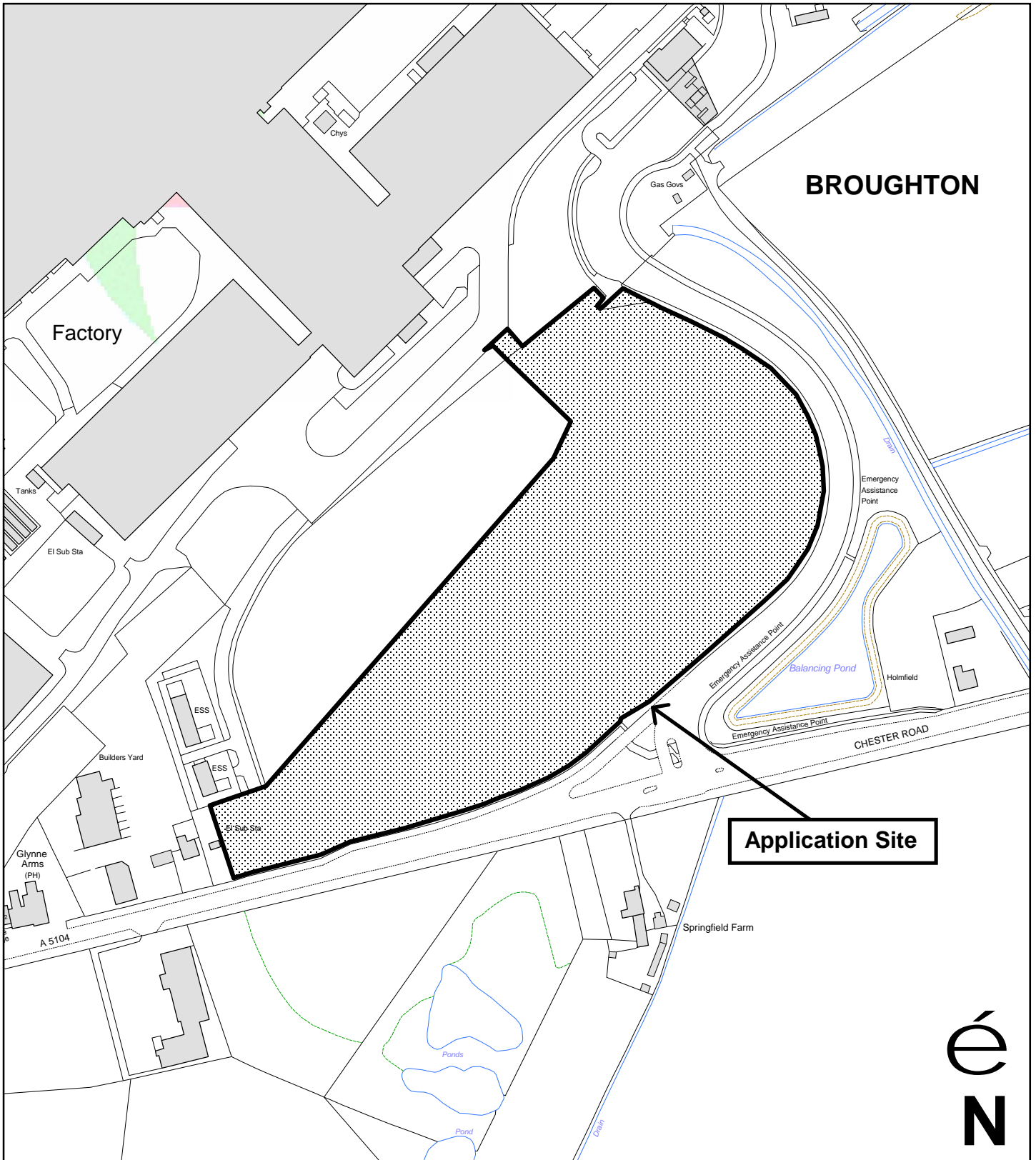
The Council has had due regard to its public sector equality duty under the Equality Act 2010.

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: Mark Harris
Telephone: (01352) 703269
Email: robert.m.harris@flintshire.gov.uk



Planning & Environment,
Flintshire County Council, County Hall,
Mold, Flintshire, CH7 6NF.
Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
Development Plan
Settlement Boundary

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Map Scale 1:2500

OS Map ref SJ 3564

Planning Application **57898**

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 10

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH MARCH 2018**

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

SUBJECT: **FULL APPLICATION – ERECTION OF RAILINGS ALONG THE SOUTHERN BOUNDARY AT HAWKESBURY HALL, MILL LANE, BUCKLEY**

APPLICATION NUMBER: **057514**

APPLICANT: **MR DERMOT FENNELL**

SITE: **HAWKSBURY HALL, MILL LANE, BUCKLEY**

APPLICATION VALID DATE: **21st SEPTEMBER 2017**

LOCAL MEMBERS: **CLLR ELLIS**

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST - CONCERN REGARDING ACCESS TO COMMUNITY CENTRE**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full planning application for the installation of railings to south boundary of Hawksbury Hall, Mill Lane Buckley.

The issues for consideration are the principle of development, highways considerations, and the impact on the setting of the Grade II listed Hall.

Members are advised that this proposal relates to item 6.5 of the agenda which is the tandem listed building application.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,

SUBJECT TO THE FOLLOWING:-

- 2.01 1. Time limit on commencement
2. In accordance with approved plans and details.

3.00 CONSULTATIONS

3.01 Local Member

Cllr C Ellis – Objects to proposal on the grounds that the proposal fencing will impact on the safe access to the Community Centre and Skate Park. The proposal will result in the narrowing on the existing access which will mean large emergency service vehicles will be unable to access the site

Buckley Town Council

Objects to proposal on the grounds that the proposal fencing will impact on the safe access to the Community Centre and Skate Park. The proposal will result in the narrowing on the existing access which will mean large emergency service vehicles will be unable to access the site.

Highways Development Management

Raises no objection to the proposal

Pollution Control

No Objection

Planning Conservation

No Objection subject to conditions

4.00 PUBLICITY

4.01 Press Notice and Site Notice

One letter of objection received raising concern that the proposal will impact upon the right of access to the Hawksbury Little Theatre.

5.00 SITE HISTORY

5.01 047712

Listed Building Application to Renovation work to bring Hawkesbury Hall from its existing near derelict state to suitable domestic accommodation.

Consent Granted 3rd January 2011

047711

Proposed renovation work to bring Hawkesbury Hall from its existing near derelict state to suitable domestic accommodation. Withdrawn 22nd July 2010

4/0/18224

Application for listed building consent for demolition of caretakers cottage within curtilage of Hawkesbury Hall. Consent granted 23rd January 1990.

4/0/14026

Demolition of Hawkesbury Hall. Refused 22nd December 1986.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy HE2 - Development Affecting Listed Buildings and Their Settings

It is considered that the proposed external works to the listed building have no adverse effects on the building's special architectural or historic character and appearance and therefore accord with the above policies.

7.00 PLANNING APPRAISAL

7.01 Site Description and Proposals

The site comprises of a dwellinghouse, Hawkesbury Hall which is a Grade II listed building. It is listed for its early 19th century origins and important historic associations with Jonathan Catherall. The main physical interest lies in the use of left over and second hand materials such as pieces of dressed stone randomly mixed with different types of broken bricks and even floor tiles from the brickworks in the construction of the walls of the house. The building had suffered a long period of non-use and lack of maintenance and was place in the 'at risk' category. The building has subsequent undergone an extensive scheme of redevelopment, both internally and externally, to bring the building back to a modern day living standard.

The building comprises of the original hall built in 1801 and two later extensions to the east and west. The eastern wing housed Catherall's Chapel whilst the western wing was a caretakers cottage.

It is 2 storeys with roughcast and cement rendered elevations under a slate roof. All the window openings have now been blocked up but were former sashes with glazing bars. The main part of the building has broad pilasters flanking each bay. The building is located between the more modern buildings of a community centre at the front to the south eastern side and the little theatre building at the rear

to the north. The community centre and associated uses are accessed off a driveway which in turn is off Liverpool Road, Buckley. The theatre building is principally accessed off the lane servicing the Elfed High School.

Proposal

The application is seeking consent to install metal railings to the elevation that faces the shared access and carpark. The railing only require planning permission because they are to be sited within the curtilage of the listed building. It is proposed that the railings will run from the existing timber gate, located on Mill Lane and terminate at the corner of the left-hand wing. There are proposed to be two openings within these railings, the first to allow an access for the front entrance door and the second to allow vehicular access to the rear of the building. The railings are to be designed in a Georgian style and comprise of classically inspired, ornate flattened posts with simple rails and bars. The posts to the two openings are designed to complement the posts but are square in section.

Main Issues

The main issues to consider within the determination of this application is whether or not the proposed external works have an adverse effect on the buildings special architectural or historic character and appearance, and if the proposed worked would have an impact on the safe use of the highway.

Impact on the Listed Building

The applicants had been in consultation with the conservation department a potential boundary treatment for this elevation and it was considered that the most appropriate material for use would be suitable designed and detailed metal railings. The main reasons for this choice being that it would be secure, it comprised of a traditional material that was appropriate for a period building and that it would not actually obscure the Listed structure. The design of railings and posts that has been submitted in the current amended scheme are well designed and detailed for use in this sensitive location. The amended scheme allows for the railings to extend in front of the left hand side wing thus creating an attractive and well balanced view of what is considered to be the principle elevation. It is considered that the current aspect of this three-bay elevation will be dramatically enhanced visually and architecturally with the implementation of the work as detailed in this application. As a result the conservation department support the proposal subject to the conditions outlined above.

Highways Safety

The highways department raises no objection to the proposal. Objections have been received from the Local Member, Town Council and a third party. These objections are regarding the potential impact the proposed development will have on the width of the existing

shared access and in turn the ability for the emergency services to access the community centre. As the shared access is not adopted highway but owned by Flintshire County Council, any impact on this access is a civil matter between the two parties. For the avoidance of doubt the applicant has signed the ownership certificate confirming that all the land falls within their ownership.

8.00 CONCLUSION

It is considered proposed works will have no adverse effect on the building's special character and there are no other matters which would warrant the refusal of this application. The proposal complies with planning policy HE2 of the Flintshire Unitary Development Plan

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

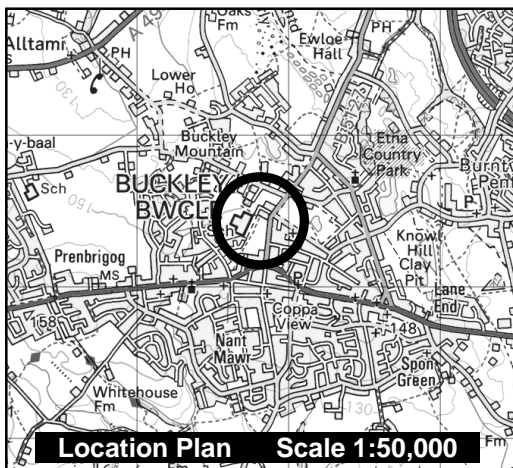
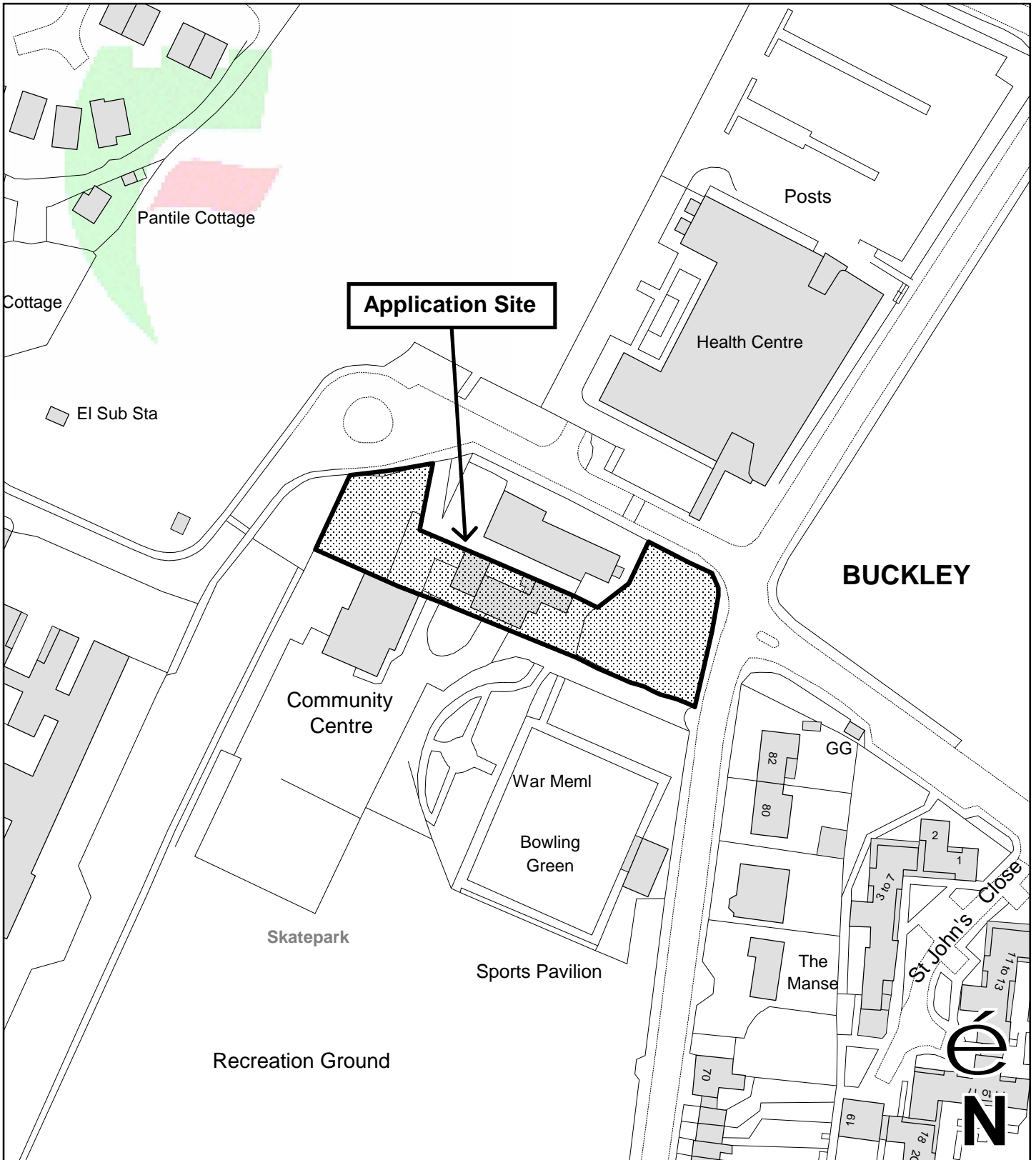
Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer:

Telephone:

Email:

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Planning & Environment,
Flintshire County Council, County Hall,
Mold, Flintshire, CH7 6NF.
Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
Development Plan
Settlement Boundary

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Planning Application **57514**

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Eitem ar gyfer y Rhaglen 11

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH MARCH 2018**

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

SUBJECT: **LISTED BUILDING APPLICATION FOR THE INSTALLATION OF RAILINGS TO SOUTH BOUNDARY AT HAWKESBURY HALL, MILL LANE, BUCKLEY**

APPLICATION NUMBER: **057295**

APPLICANT: **MR DERMOT FENNELL**

SITE: **HAWKSBURY HALL, MILL LANE, BUCKLEY**

APPLICATION VALID DATE: **1ST AUGUST 2017**

LOCAL MEMBERS: **CLLR ELLIS**

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST - CONCERN REGARDING ACCESS TO COMMUNITY CENTRE**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This is a listed building application for the installation of railings to south boundary of Hawksbury Hall, Mill Lane Buckley.
- 1.02 The issues for consideration are the principle of development, highways considerations, and the impact on the setting of the Grade II listed Hall.
- 1.03 Once Committee have made their recommendation on the application this is then forwarded to CADW for their decision.

Members are advised that this proposal relates to item 6.4 of the

1.04 agenda which is the tandem planning application.

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

- 2.01
1. Time limit on commencement
 2. In accordance with approved plans and details.
 3. Prior to commencement details of the square posts, angled rear supports (if required), details of how the fence will terminate at the wall of the hall as well as the Mill Lane boundary, and the details of any concrete foundation will be submitted to the LPA

3.00 CONSULTATIONS

3.01 Local Member

Cllr C Ellis – Objects to proposal on the grounds that the proposal fencing will impact on the safe access to the Community Centre and Skate Park. The proposal will result in the narrowing on the existing access which will mean large emergency service vehicles will be unable to access the site

Buckley Town Council

Objects to proposal on the grounds that the proposal fencing will impact on the safe access to the Community Centre and Skate Park. The proposal will result in the narrowing on the existing access which will mean large emergency service vehicles will be unable to access the site.

Highways Development Management

Raises no objection to the proposal

Pollution Control

No Objection

Planning Conservation

No Objection subject to conditions

RCAHM

No Response

Ancient Monument Society

No Response

The Georgian Group

No Response

SPAB

No Response

The Victorian Society

No Response

4.00 PUBLICITY

4.01 Press Notice and Site Notice

One letter of objection received raising concern that the proposal will impact upon the right of access to the Hawksbury Little Theatre.

5.00 SITE HISTORY

5.01 047712

Listed Building Application to Renovation work to bring Hawkesbury Hall from its existing near derelict state to suitable domestic accommodation.

Consent Granted 3rd January 2011

047711

Proposed renovation work to bring Hawkesbury Hall from its existing near derelict state to suitable domestic accommodation. Withdrawn 22nd July 2010

4/0/18224

Application for listed building consent for demolition of caretakers cottage within curtilage of Hawkesbury Hall. Consent granted 23rd January 1990.

4/0/14026

Demolition of Hawkesbury Hall. Refused 22nd December 1986.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy HE2 - Development Affecting Listed Buildings and Their Settings

It is considered that the proposed external works to the listed building have no adverse effects on the building's special architectural or historic character and appearance and therefore accord with the above policies.

7.00 PLANNING APPRAISAL

7.01 Site Description and Proposals

The site comprises of a dwellinghouse, Hawkesbury Hall which is a Grade II listed building. It is listed for its early 19th century origins and important historic associations with Jonathan Catherall. The main physical interest lies in the use of left over and second hand materials such as pieces of dressed stone randomly mixed with different types of broken bricks and even floor tiles from the brickworks in the construction of the walls of the house. The building had suffered a long period of non-use and lack of maintenance and was placed in the 'at risk' category. The building has subsequently undergone an extensive scheme of redevelopment, both internally and externally, to bring the building back to a modern day living standard.

7.02 The building comprises of the original hall built in 1801 and two later extensions to the east and west. The eastern wing housed Catherall's Chapel whilst the western wing was a caretakers cottage.

It is 2 storeys with roughcast and cement rendered elevations under a slate roof. All the window openings have now been blocked up but were former sashes with glazing bars. The main part of the building has broad pilasters flanking each bay. The building is located between the more modern buildings of a community centre at the front to the south eastern side and the little theatre building at the rear to the north. The community centre and associated uses are accessed off a driveway which in turn is off Liverpool Road, Buckley. The theatre building is principally accessed off the lane servicing the Elfed High School.

7.03 Proposal

The application is seeking consent to install metal railings to the elevation that faces the shared access and carpark. It is proposed that the railings will run from the existing timber gate, located on Mill Lane and terminate at the corner of the left-hand wing. There are proposed to be two openings within these railings, the first to allow an access for the front entrance door and the second to allow vehicular access to the rear of the building. The railings are to be designed in a Georgian style and comprise of classically inspired, ornate flattened posts with simple rails and bars. The posts to the two openings are designed to complement the posts but are square in section.

7.04 Main Issues

The main issues to consider within the determination of this application is whether or not the proposed external works have an adverse effect on the buildings special architectural or historic character and appearance, and if the proposed works would have an impact on the safe use of the highway.

7.05 Impact on the Listed Building

The applicants had been in consultation with the conservation department a potential boundary treatment for this elevation and it was considered that the most appropriate material for use would be suitable designed and detailed metal railings. The main reasons for this choice being that it would be secure, it comprised of a traditional material that was appropriate for a period building and that it would not actually obscure the Listed structure. The design of railings and posts that has been submitted in the current amended scheme are well designed and detailed for use in this sensitive location. The amended scheme allows for the railings to extend in front of the left hand side wing thus creating an attractive and well balanced view of what is considered to be the principle elevation. It is considered that the current aspect of this three-bay elevation will be dramatically enhanced visually and architecturally with the implementation of the work as detailed in this application. As a result the conservation department support the proposal subject to the conditions outlined above.

7.06 Highways Safety

The highways department raises no objection to the proposal. Objections have been received from the Local Member, Town Council and a third party. These objections are regarding the potential impact the proposed development will have on the width of the existing shared access and in turn the ability for the emergency services to access the community centre. As the shared access is not adopted highway but owned by Flintshire County Council, any impact on this access is a civil matter between the two parties. For the avoidance of doubt the applicant has signed the ownership certificate confirming that all the land falls within their ownership.

8.00 CONCLUSION

It is considered proposed works will have no adverse effect on the building's special character and there are no other matters which would warrant the refusal of this application. The proposal complies with planning policy HE2 of the Flintshire Unitary Development Plan

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.

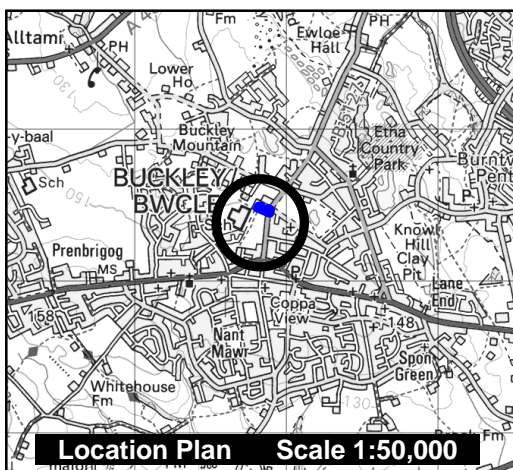
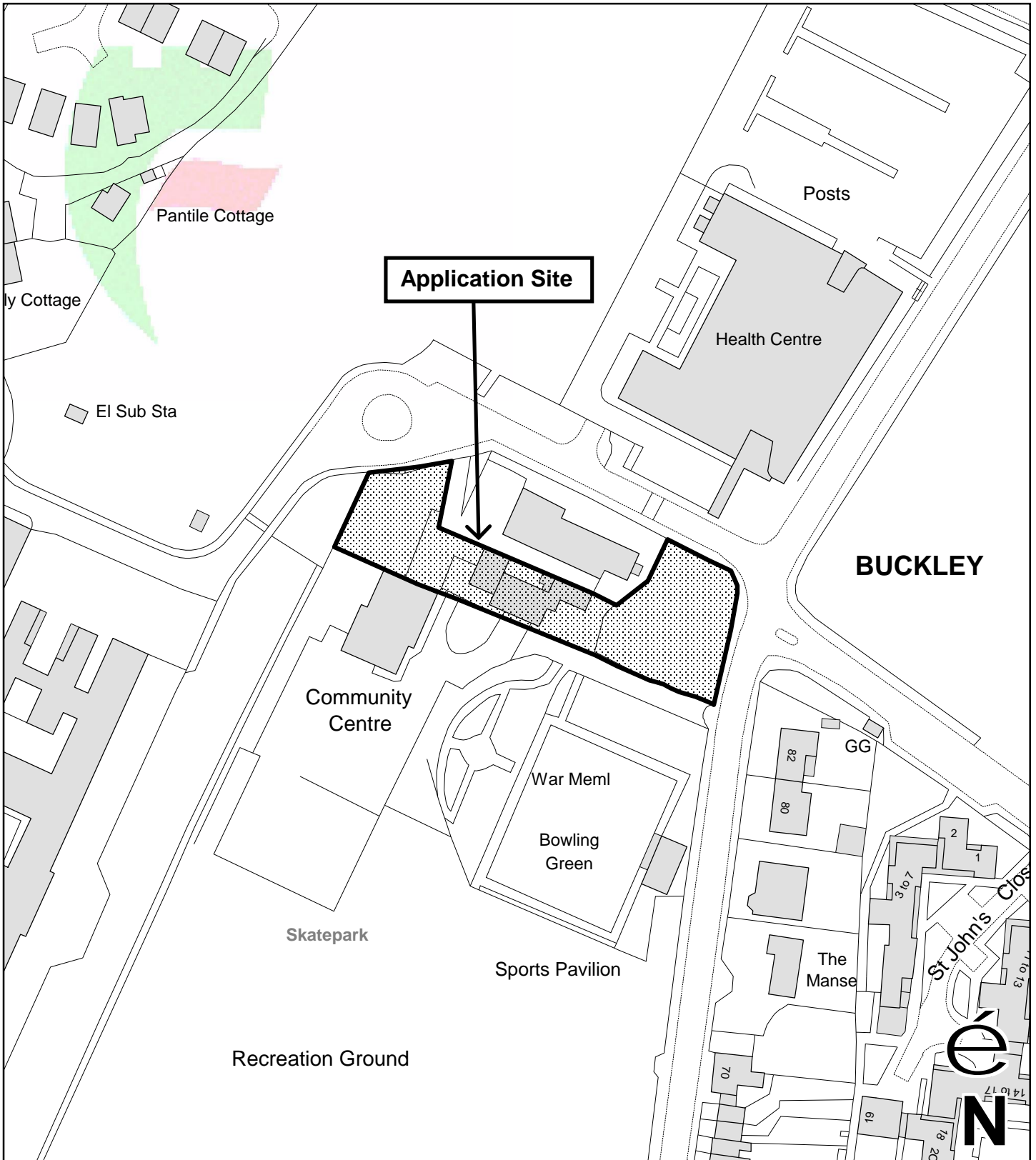
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LIST OF BACKGROUND DOCUMENTS

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

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Planning & Environment,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend

-  Planning Application Site
-  Adopted Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:1250
OS Map ref	SJ 2764
Planning Application	57295

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Eitem ar gyfer y Rhaglen 12

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH MARCH 2018**

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

SUBJECT: **APPEAL BY MR. P. EDWARDS AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE IMPROVEMENTS AND EXTENSION TO FARM TRACK, LAYOUT OF HARDSTANDING FOR THE PARKING AND MANOEUVRING OF VEHICLES, IMPROVEMENT OF TOILET, WASHING AND BATHING FACILITIES, PROVISION OF HOOK UPS FOR POTENTIAL VISITORS (INCLUDING A GREY WATER DISPOSAL POINT) AND LANDSCAPING (IN RETROSPECT) AT YNYS HIR FARM, PICTON ROAD, PICTON, HOLYWELL – ALLOWED.**

1.00 APPLICATION NUMBER

1.01 055871

2.00 APPLICANT

2.01 Mr. P. Edwards

3.00 SITE

3.01 Ynys Hir Farm, Picton Road,
Picton, Holywell.

4.00 APPLICATION VALID DATE

4.01 16th August 2016

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspector's decision into the refusal to grant planning permission for improvements and extension to farm track, layout of hardstanding for the parking and manoeuvring of vehicles, improvement of toilet, washing and bathing facilities, provision of hook-ups for potential visitors (including a grey water disposal point)

and landscaping all in the support of a certificate site application submitted to the camping and caravanning club for five caravans and ten tents at Ynys Hir Farm, Picton Road, Picton CH8 9JG. The application was refused by committee contrary to Officer recommendation. The appeal was dealt with by way of written representations and was **ALLOWED**. The Inspector was Clive Sproule.

6.00 REPORT

6.01 Background

Members may recall that this application was reported to Planning Committee on 7th June 2017, and was refused on the basis that the developments would/do have a detrimental impact upon the landscape and highway safety.

6.02 Issues

The Inspector considered the main issues to be the effect of the development proposed on the character, and appearance of the site and the locality, the effect of the development proposed on highway safety and whether the proposal is an appropriate form of development in the open countryside.

6.03 Members may recall that Ynys Hir Farm includes a farmhouse and associated buildings, one of which has been converted to holiday accommodation. These stand next to 40 acres of land that is used for the grazing of cattle and sheep. The report on the application confirmed the proposal to be retrospective. It concerns the extension of existing tourist accommodation; and, the use in relation to touring caravans and tents does not require planning permission. Part of the land now includes the track, 'hook-up' points and grey water disposal point, which are new structures and plant, while other works have extended existing facilities on the farm. It was apparent to the Inspector that much of the development that was the subject of the appeal was also used in connection with the agricultural activities at Ynys Hir Farm.

6.04 Character & Appearance

Policy RE5 deals with 'small scale farm diversification' and through Criterion 'D', it is permissive of development that would not have a significant adverse impact on features or areas of landscape, nature conservation or historic value.

6.05 The site is on a hillside that overlooks the coast. Low lying land is present between the shore and the raised ground that includes the site, and the raised ground extends along this section of the coast. Views from the site are principally of the coast, intervening countryside, the occasional development within it, transport infrastructure and a number of commercial and industrial sites. Commercial development includes caravan parks and one of these is

downslope and in close proximity to the appeal site. Upslope of the appeal site is: open countryside with occasional agricultural and residential development within it; and, a school which is near to the appeal site and located at the junction of rural roads that provide some of the routes to and from Ynys Hir Farm.

- 6.06 For the most part the works carried out, and that which comprise the proposal, sit easily within the landscape, the Inspector considered. This is because the works have resulted in structures that would be expected to be found in an agricultural environment and not unusual for agricultural tracks to have trees planted along them. Planning permission is not required for trees to be planted in a layout that could be considered to have a degree of formality.
- 6.07 The notable exceptions to structures that would be expected to be found in an agricultural environment are the eight hook-up points that have been introduced on two adjoining sides of a field boundary. These are features that would not be expected in an agricultural field. Nevertheless, their visual impact (and that of the grey water disposal point) is very limited given their size, and their positioning at considerable distance from any neighbouring or public viewing point, the Inspector felt.
- 6.08 Three of the field boundary hook-up points are not within the area delineated as the 'Certificated Application Site'. Their use, which the Inspector considered noted to involve trailing extension leads to tents in the Certificated Application Site, would be complicated in comparison to the straightforward connections to any caravans positioned next to the hook-up point in the Certificated Application Site. Caravans reasonably would be expected to be located in such a position as it would enable the occupiers to take full advantage of the coastal views from the Certificated Application Site. Even if the nature of any certificated site accreditation were to result in these three hook-up points (normally) being redundant, they have a negligible effect on the character and appearance of the locality and their retention would not result in unacceptable harm in this respect.
- 6.09 In views from the higher ground to the south, there is already a hedge of sufficient height to screen the works on the Certificated Application Site. In any event and within the context of the land uses in the surrounding area, it is apparent the Inspector considered that the development does not result in unacceptable harm to either the character or appearance of the site and the locality.
- 6.10 Highway Safety
The Inspector considered that the development would assist tourism and recreation in an area that already has caravan and camping sites. Some of these sites are much closer to the main highway network than Ynys Hir Farm. However, the nearest caravan park to the appeal site is accessed from the same junction with the A548 as that

highlighted within the proposal's Transport Statement. The A548 would be the route most likely to reduce the incidence of caravans and other wide vehicles/trailers travelling to and from the site encountering other wide vehicles on narrow sections of the highway.

- 6.11 It is possible that wide vehicles/caravans accessing the site would choose to travel by routes other than those set out in the Transport Statement. If this were to occur it could increase the likelihood of wide vehicles/caravans approaching each other on the narrow rural roads in the locality. These are public highways where agricultural and heavy goods vehicles, of a similar width to a caravan, are likely to meet and it is not evident that this has resulted in problems in the past. Even so, the A548 would provide a predictably straightforward route that people travelling to and from the appeal site reasonably would be expected to seek to use. If this appeal were to be allowed, a planning condition could assist this through the implementation of the Transport Statement. For these reasons, it is not apparent that the development would be likely to be harmful to highway safety, the Inspector considered.
- 6.12 However, it was explained why the works that have been carried out could be considered to be 'other development' as they concern matters that fall squarely within UDP Policy GEN3 'g'.
- 6.13 The scheme would have social benefit for those whose camping/caravanning activities would be facilitated by the development. Concerns have been raised regarding the possibility of loss of privacy and other impacts on local living conditions resulting from activity associated with the development. However, the Council report on the proposal noted that the nearest homes to be 150 m from the campsite described in the application, and that the Head of Public Protection had no adverse comments to make on the proposal. At this appeal stage, it had not been shown that noise, cooking odours and any other associated potential impacts have been, or would be likely to be unacceptably harmful to local living conditions.
- 6.14 In addition and in regard to the first reason for refusal, it has not been shown the Inspector noted that the development has resulted in a significantly adverse impact on the natural environment for there to be conflict with UDP policy STR1. Nor, for the reasons given above, has it had an unacceptable impact on the built environment. The development complied with UDP policy GEN3, including its criterion 'g', which is the Council's adopted planning policy for development in the open countryside.
- 6.15 Other Considerations
The scheme is intended to facilitate activity that would benefit the local economy and it has a neutral impact on culture.

7.00 CONCLUSION

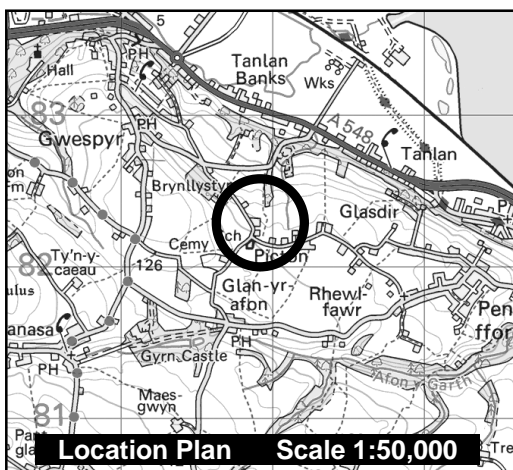
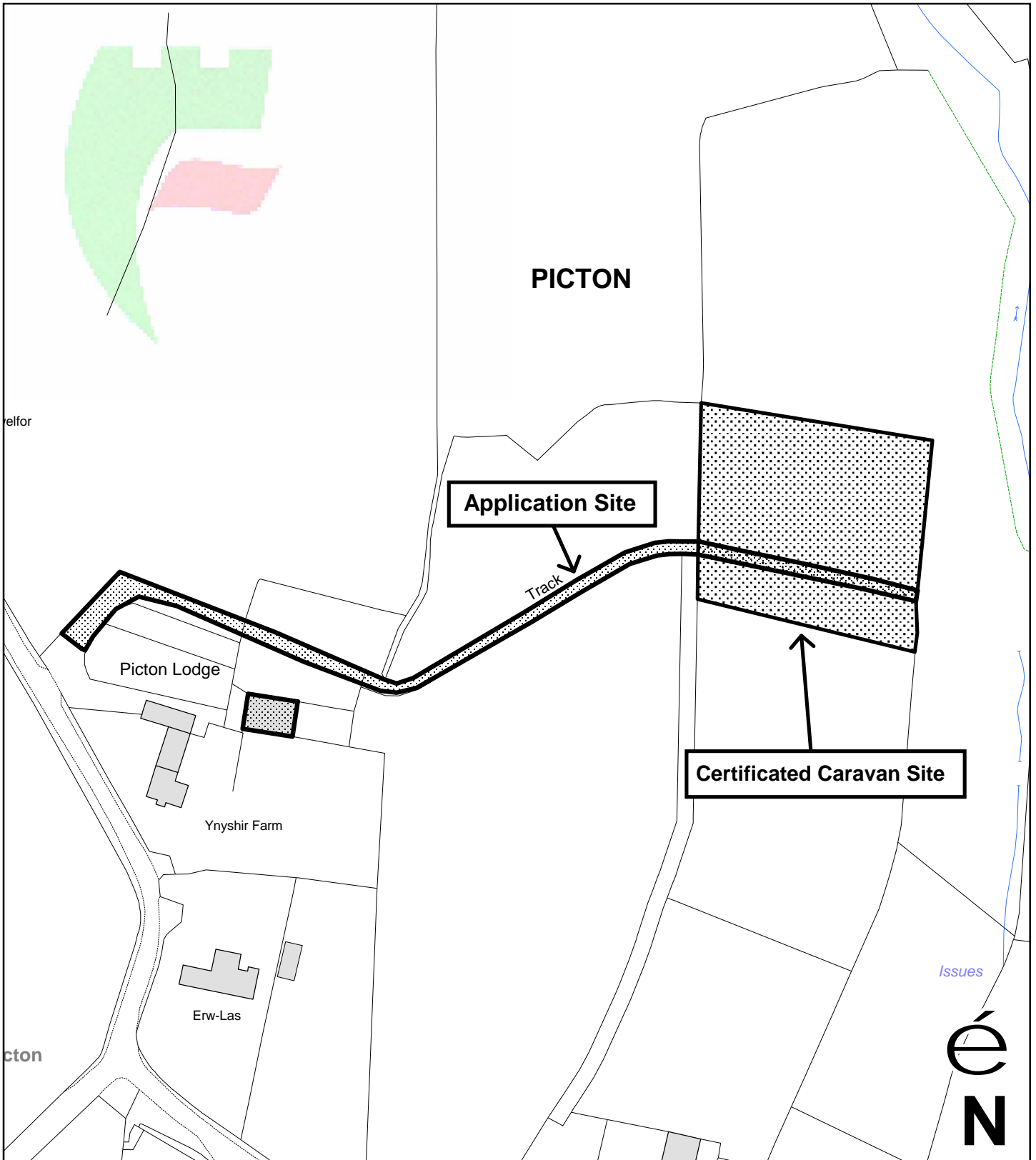
7.01 For the above reasons, the Inspector considered that the development has an acceptable effect on: the character and appearance of the site and the locality; highway safety; local living conditions; the natural environment; and, is an appropriate form of development in the countryside. All representations were taken into account and no matters had been found to outweigh the identified lack of harm and policy compliance. Accordingly, the appeal was **ALLOWED**.

LIST OF BACKGROUND DOCUMENTS

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

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