

Pecyn Dogfen Gyhoeddus

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



At: Cyng David Wisinger (Cadeirydd)

CS/NG

Cynghorwyr: Mike Allport, Bernie Attridge,
Marion Bateman, Chris Bithell, Derek Butler,
David Cox, Adele Davies-Cooke, Ian Dunbar,
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 Iau, 4 Mehefin 2020

Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

Annwyl Syr / Fadam

**HYSBYSIAD O GYFARFOD RHITHIOL
PWYLLGOR CYNLLUNIO
DYDD MERCHER, 10 FED MEHEFIN, 2020 am 1.00 PM**

Yn ddiffuant,

Robert Robins
Rheolwr Gwasanaethau Democraidd

Sylwch: Oherwydd y cyfyngiadau presennol ar deithio a'r gofyniad am gadw pellter cymdeithasol, ni chynhelir y cyfarfod hwn yn y lleoliad arferol. Bydd hwn yn gyfarfod rhithiol a bydd 'presenoldeb' yn gyfyngedig i Aelodau'r Pwyllgor Cynllunio yn unig. Bydd y cyfarfod yn cael ei recordio.

Os oes gennych unrhyw ymholiadau, cysylltwch ag aelod o'r Tîm Gwasanaethau Democraidd ar 01352 702345

Cyfarfod Rhithiol y Pwyllgor Cynllunio – Cyfranogiad y Cyhoedd

Ni all aelodau'r cyhoedd, gwrthwynebwyr na chefnogwyr y ceisiadau gyfarch y pwyllgor rhithiol. Gofynnir am eu safbwyntiau cyn y cyfarfod a bydd eu datganiadau'n cael eu cynnwys o fewn pecyn adroddiad y Pwyllgor.

R H A G L E N

1 **YMDDIHEURIADAU**

2 **DATGAN CYSYLLTIAD**

3 **SYLWADAU HWYR**

4 **COFNODION** (Tudalennau 3 - 6)

I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 4 Mawrth 2020.

5 **EITEMAU I'W GOHIRIO**

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

Mae adroddiad y Prif Swyddog (Cynllunio, Amgylchedd ac Economi) yn amgaeedig.

ADRODDIAD Y PRIF SWYDDOG (CYNLLUNIO, AMGYLCHEDD AC ECONOMI) AR GYFER Y PYLLGOR CYNLLUNIO 10 MEHEFIN 2020

Rhif yr eitem	Cyfeirnod y Ffeil	DISGRIFIAD
<u>Ceisiadau sy'n cael eu hadrodd er penderfyniad (A= adroddiad er cymeradwyaeth, R= adroddiad er gwrthodiad)</u>		
6.1	060671	060671 - A - Cais cynllunio ôl weithredol ar gyfer estyniad arfaethedig i eiddo. Estyniad dormer i'r cefn sy'n fwy na'r un a gymeradwywyd dan gais cynllunio rhif 056862 yn 2 Etna Court, Bwcle. (Tudalennau 7 - 26)
6.2	060811	060811 - A - Materion a Gadwyd yn ôl Amlinellol - Dymchwel bloc teras 4 Fictoraidd ac ailddatblygu at ddibenion preswyl yn 80 - 86 Ffordd Yr Wyddgrug, Bistre, Bwcle. (Tudalennau 27 - 50)
Rhif yr eitem	Cyfeirnod y Ffeil	DISGRIFIAD
<u>Materion Cyffredinol</u>		
6.3	059568	059568 - Materion Cyffredinol - Cais Amlinellol ar gyfer adeiladu annedd gweithwyr amaethyddol ar Fferm Maes Alyn, Ffordd Loggerheads, Cilcain.. (Tudalennau 51 - 66)

Eitem ar gyfer y Rhaglen 4

PLANNING COMMITTEE **4 MARCH 2020**

Minutes of the meeting of the Planning Committee of Flintshire County Council held at County Hall, Mold on Wednesday, 4 March 2020

PRESENT: Councillor David Wisinger (Chairman)

Councillors: Mike Allport, Derek Butler, David Cox, Adele Davies-Cooke, Ian Dunbar, David Evans, Patrick Heesom, Dave Hughes, Kevin Hughes, Christine Jones, Richard Jones, Richard Lloyd, Billy Mullin, Mike Peers, Neville Phillips and Owen Thomas

APOLOGIES: Councillors: Marion Bateman, Chris Bithell and Veronica Gay

ALSO PRESENT:

Councillor Andy Williams attended as local Member for Agenda Item 6.1 (060253).
Councillor Tim Roberts attended as local Member for Agenda Item 6.2 (060357)

Councillor Haydn Bateman attended as an observer

IN ATTENDANCE:

Chief Officer (Planning, Environment & Economy); Development Manager; Service Manager - Strategy; Team Leader - Planning; Senior Planners; Senior Engineer - Highways Development Control; Senior Solicitor; and Democratic Services Officers

57. DECLARATIONS OF INTEREST

Councillor Neville Phillips declared a personal interest on Agenda Item 6.1 (060253) as he lived in Tabernacle Street, Buckley, which was near to the application site.

Councillors Christine Jones and David Wisinger declared a personal and prejudicial interest on agenda item 6.3 (060411) as both were governors at Sealand CP School which would benefit from a gift of a parcel of land to the Council to enable the school site to be expanded. Councillor Christine Jones said she would speak on the item for 3 minutes and leave the room prior to the debate and vote. Councillor David Wisinger said he would also leave the room prior to debate and vote on the item.

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&MId=4597&Ver=4&LLL=0>

59. MINUTES

The draft minutes of the meeting on 5 February 2020 were confirmed as a correct record, as moved and seconded by Councillors Richard Lloyd and Ian Dunbar.

RESOLVED:

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

60. ITEMS TO BE DEFERRED

No items were recommended for deferral.

61. REPORTS OF THE CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)

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 12 members of the public and no members of the press in attendance.

(The meeting started at 1.00 pm and ended at 3.34 pm)

.....
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>

PLANNING COMMITTEE ON 4 MARCH 2020

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY SPEAKERS / ACTION	RESOLUTION
060253	Buckley Town Council	Full Application – Change of use to 3 No. Apartments at 15 -17 Mold Road, Buckley	Councillor Andy Williams, Local Member, spoke against the application.	That planning permission be refused against the officer recommendation.
060357	Trelawnyd & Gwaenysgor Community Council	Change of use of land to Equestrian, Erection of Stables and Field Shelters in Retrospect and Proposed Erection of Barn at Hyfrydle, Marian, Trelawnyd	Ms. J. Cain, Agent, spoke in support of the application. Councillor Tim Roberts, as Local Member, spoke against the application	That planning permission be granted subject to the conditions listed in the report, in accordance with the officer recommendation, and with condition 3 deleted as it is repeated in full at condition 6.
060411	Sealand Community Council	Application for Approval of Reserved Matters Following Outline Consent for the Erection of 129 No. Dwellings on Land at Former Corus Site, Garden City	Mr. Cemel, Agent, spoke in support of the application. Councillor Christine Jones spoke as a public speaker in support of the application and left the room after speaking.	That planning permission be granted subject to the applicant entering into a Section 106 Obligation and the conditions within the report, in accordance with the officer recommendation.
	-	General Matters – Public Services for Ombudsman for Wales Report	-	That the report be noted.

Tudalen 5

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.1

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **10TH JUNE 2020**

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

SUBJECT: **HOUSEHOLDER APPLICATION FOR EXTENSION TO PROPERTY, REAR DORMER EXTENSION LARGER THAN THAT APPROVED UNDER APPLICATION 056862 AT 2 ETNA COURT, BUCKLEY**

APPLICATION NUMBER: **060671**

APPLICANT: **MR S HALLIWELL**

SITE: **2 ETNA COURT, BUCKLEY**

APPLICATION VALID DATE: **06.11.2019**

LOCAL MEMBERS: **COUNCILLOR MIKE PEERS**
COUNCILLOR D. HUTCHINSON

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

REASON FOR COMMITTEE: **MEMBER REQUEST – OVERBEARING IMPACT UPON THE LIVING CONDITIONS OF THE ADJOINING OCCUPIERS**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a retrospective planning application which seeks permission for a dormer extension which has been constructed larger than that previously approved under application number 056862 upon the rear elevation of No. 2 Etna Court, Buckley.

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

2.01 1. In accordance with approved plans.

3.00 CONSULTATIONS

3.01 Local Members: Councillor M J Peers

Request for this application to be referred to Planning Committee for them to consider the consequences and impact of this retrospective planning application against which was originally approved under 056862. Requests a site visit for Members to see the actual setting of this development and local impact above that previously approved. Has the preliminary views that from what was approved to be a modest increase in width of the existing dormer without any extension out toward the rear building line, the works carried out without permission have changed the dormer window into French door with proposed Juliet balcony in proximity of No. 1 Etna Court. This can be considered to have an overbearing impact on the amenity of the residents of No. 1 Etna Court.

Councillor D Hutchinson:
No response received to date.

Buckley Town Council:
It would appear that the original window on the side of the property has now become a French door with a Juliet Balcony. This has resulted in an overbearing aspect in relation to the next door neighbour.

Community and Business Protection
No adverse comments to make regarding the proposal.

Natural Resources Wales:
Do not consider that the proposed development affects a matter listed on their consultation topics and therefore do not have any comment to make on the proposed development.

4.00 PUBLICITY

4.01 Neighbour Notification

1 letter of objection received raising the following issues

- Not in keeping with the surrounding properties of Etna Court
- Loss of privacy to the rear garden of their property.
- The application is retrospective and the owner have not built in line with the plans approved previously.
- Devaluation of their property.

5.00 SITE HISTORY

5.01 056862 – Proposed extension – Granted 19th June 2017.

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
Policy GEN1 – General Requirements for Development
Policy D2 – Design
HSG12 – House Extensions and Alterations

SPGN No1. Extensions and Alterations to Dwellings
SPGN No2. Space Around Dwellings.

National:

Planning Policy Wales Edition 10 December 2018.
Technical Advice Note (TAN) 12: Design (2016).

7.00 PLANNING APPRAISAL

7.01 Site Description and Proposal

The site application relates to the rear elevation of No. 2, Etna Court, Buckley, which is a detached dormer bungalow constructed of brick walls and tiled roof. It is set within a small courtyard development of three bungalows constructed of a similar design and materials. It is located off Etna Road.

- 7.02 This is a retrospective application to regularise works for a rear dormer extension which has been constructed larger than that previously approved under planning reference 056862.

- 7.03 The dormer now measures approximately 2.8m x 4m x 3.4m (height to ridge) and is constructed within white UPVC clad walls with a slate roof. The increase in size is approximately 0.7 m x 1.7 m x 1.3 m (height) over that which was approved under 056862.

7.04 Background

Planning permission was granted under delegated powers, reference 056862 for a proposed side extension together with an extension to the pitched roof dormer nearest No. 1 Etna Court. The application which was approved was a dormer measured approximately 2.1m x 2.3m x 2.1m (height to ridge) and constructed within white UPVC clad walls with a slate roof.

- 7.05 The development has been completed but the extension to the pitched roof dormer has not been built in accordance with the approved plans in that it has been built larger in size. The dormer, as built, has been constructed partly off the raised wall plate and is nearer to the gable end of the roof nearest No.1 Etna Court. In addition, the glazing upon the rear elevation has changed to two french doors with a Juliet balcony. This retrospective application is submitted seeking to regularise the development.

- 7.06 **Main issues**
It is considered the main issues within the determination of this application are the effects upon the character and appearance of the building and surrounding area together with the effects upon the living conditions of the occupiers of existing adjacent dwellings.
- 7.07 **Character and Appearance**
The development is larger in size and scale, is not set down from the main ridge and built off part of the rear wall plate of the dwelling to that previously approved.
- 7.08 However, the dormer as built is subsidiary in scale and form when compared to the existing dwelling and the overall roofscape. This is because even though the dormer is set in line with the main ridge of the dwelling, it is set in from the western gable and still incorporates a pitched roof and constructed within matching materials to those of the dormer upon the eastern gable. These measures ensure that the dormer as built does not represent overdevelopment of the site. The proposal therefore accords with part a of Policy HSG12.
- 7.09 The proposal is also located upon the rear elevation which is not visible from the estate road which minimises its impact on the design and setting of the existing dwelling and surroundings area. It is also important to note that the general vernacular of Etna Court as a modern infill development means the proposal respects the design and setting on the area. The proposal is also therefore considered to comply with part b of Policy HSG12.
- 7.10 In addition, paragraph 6.6 of SPGN No. 1 advises that dormer windows should be kept as small as possible, not occupy more than 40% of the area of the roof slope and must be recessed in from the sides by at least 750 mm. It is considered that the development accords with this paragraph in SPGN No. 1.
- 7.11 **Impact upon Living Conditions of the Neighbouring Occupiers.**
The dormer now is closer to the neighbouring property No. 1 Etna Court upon its western side by approximately 0.5 m and further forward by approximately 0.9 m. It also includes French doors and a Juliet balcony upon the front elevation.
- 7.12 The development will only overlook the rear garden of No. 1 Etna Court and not to any of their habitable rooms. This is a not dissimilar arrangement to the dormer approved under 056862.
- 7.13 Notwithstanding the decreases in distances between the development and No. 1 Etna Court, the alterations are not considered to be so significant as would warrant refusal. It should be noted in this regard that the guidance set out in SPGN No. 2 : Space About Dwellings only introduces protection to habitable rooms. A degree of overlooking of

rear garden spaces from upper adjacent floors is not uncommon. Indeed, Members will recall that this was the view taken by the Inspector on the appeal at Bryn Llwyd Yard, North Street, Caerwys (055725). Therefore, it is considered that the development does not have a significant increased detrimental impact upon the living conditions in terms of overlooking into their garden.

7.14 **Other Matters**

The application is retrospective and the owner has not built in accordance with the plans approved previously, however, the legislation allows for retrospective applications to be submitted.

7.15 In terms of loss in value to neighbouring properties, the planning system is not in place to protect a private interest and therefore significant weight cannot be attached to this matter in the overall planning balance.

8.00 CONCLUSION

It is therefore considered that all of the matters in the consideration of this development are acceptable and that planning permission should be granted.

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.

8.02 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.

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

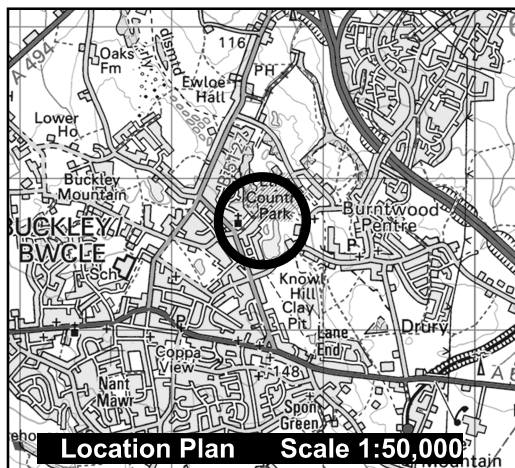
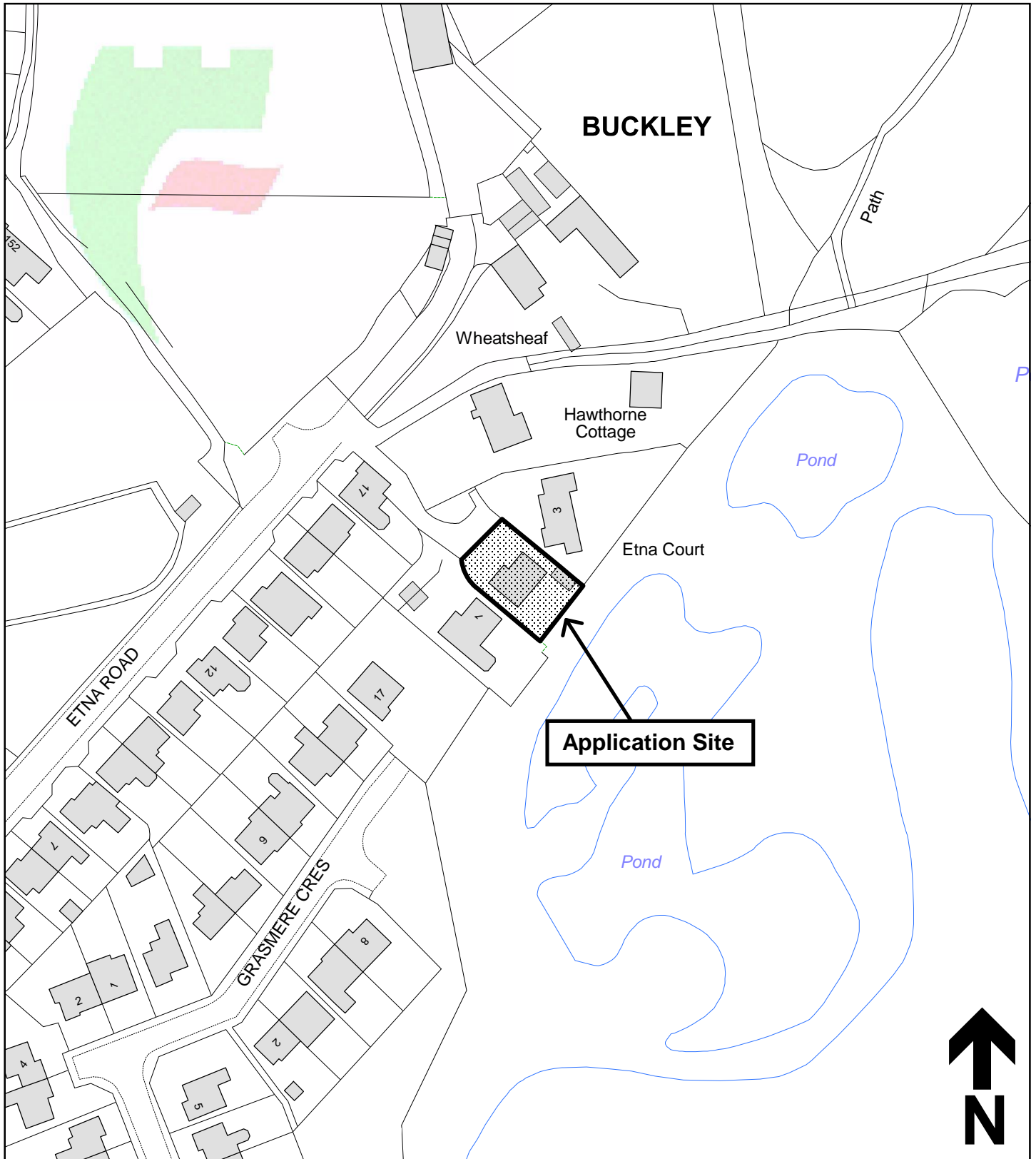
8.04 The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

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



Contact Officer: Stacey Wynne
Telephone: 01352 703254

Email: Stacey.wynne@flintshire.gov.uk



Planning, Environment & Economy,
 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 2864
Planning Application	60671

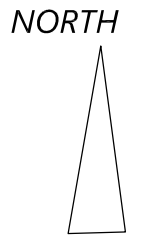
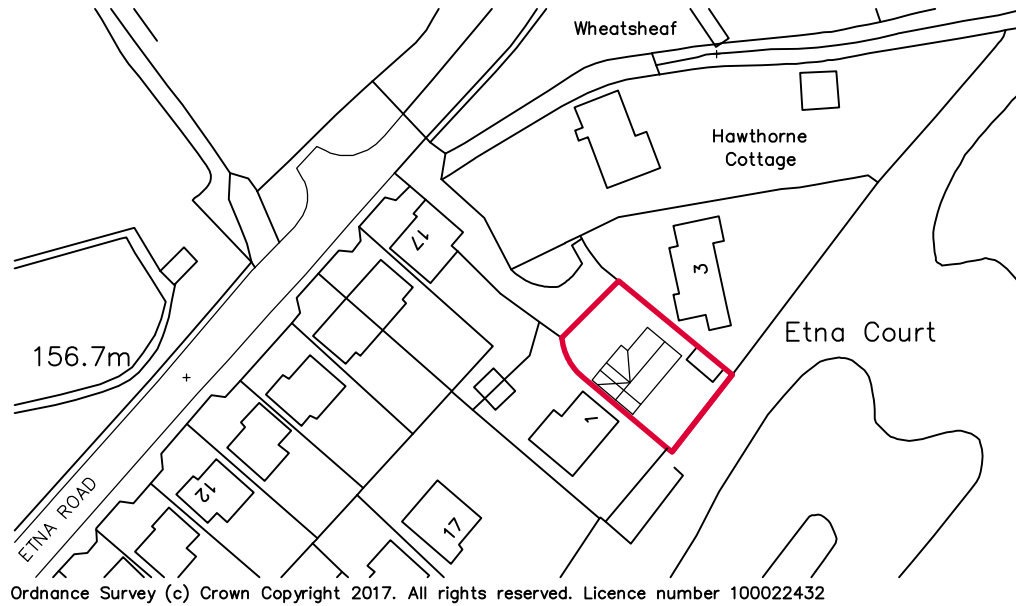
Mae'r dudalen hon yn wag yn bwrpasol

Application reference:

Ref: 060671

Retrospective Planning Application for Proposed Extension to Property. Rear Dormer Extension Larger than Approved under Planning Application No 056862 at 2 Etna Court, Buckley.

Tudalen 16



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Parry Davies Architects.

Chartered Architects.

PROJECT TITLE

2 ETNA COURT BUCKLEY

DATE

APRIL 2017

SCALE

1:1250@A4

DRWN

RSG

CHK

DRWG. TITLE

LOCATION PLAN

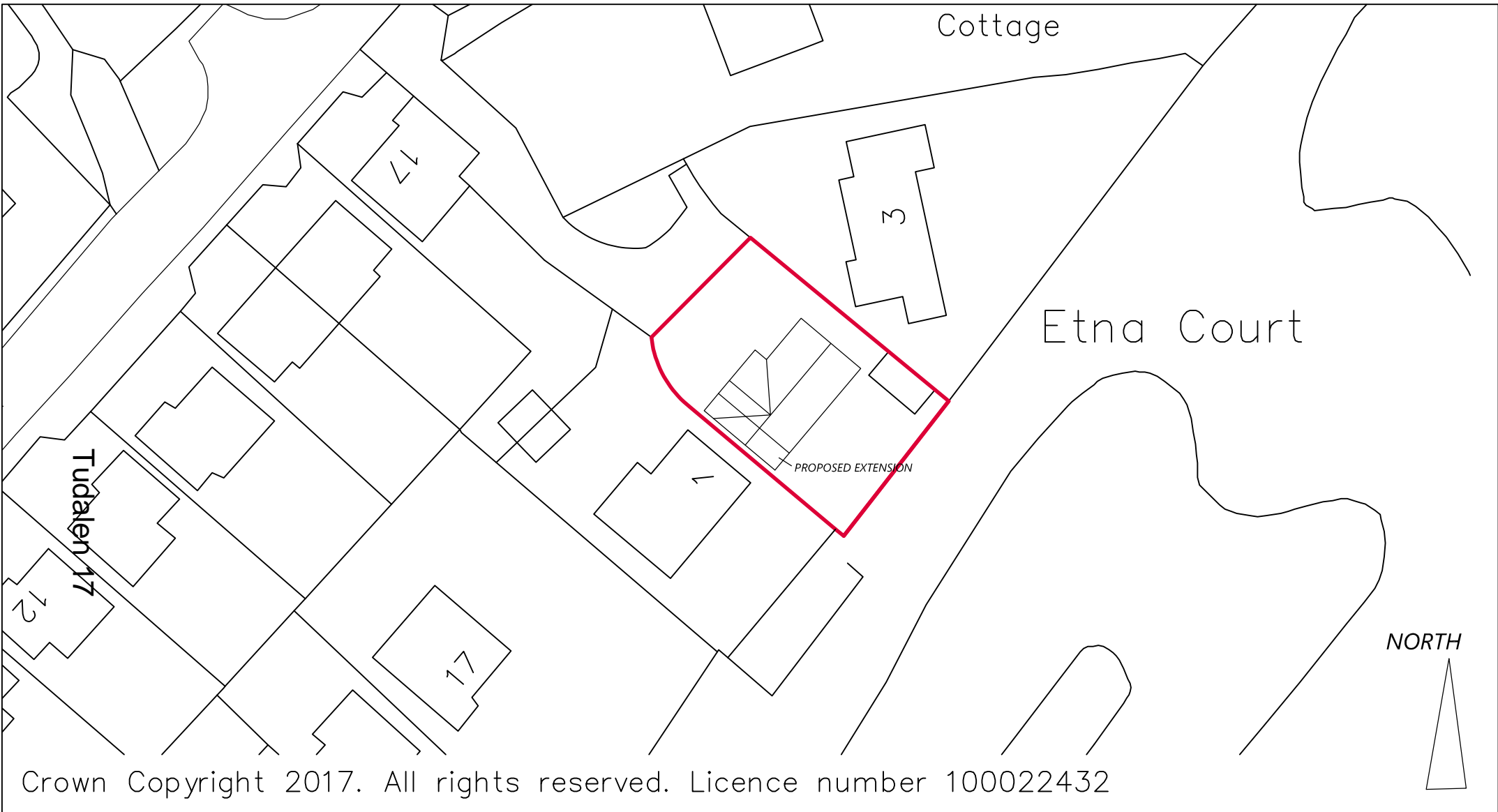
DRWG. NOS.

17.5749/L1

REV

Studio 55:20 North Wales Buisness Park Abergele LL18 7LJ

Tel:01745 585517 E-mail: PDPArchitects@aol.com



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Parry Davies Architects.

Chartered Architects.

PROJECT TITLE 2 ETNA COURT BUCKLEY	DATE APRIL 2017	SCALE 1:500@A4	DRWN RSG	CHK
	DRWG. NOS. 17.5749/B1			REV
DRWG. TITLE BLOCK PLAN				

Studio 55:20 North Wales Buisness Park Abergele LL18 7LJ

Tel:01745 585517 E-mail: PDPArchitects@aol.com



GABLE ELEVATION

PART REAR ELEVATION

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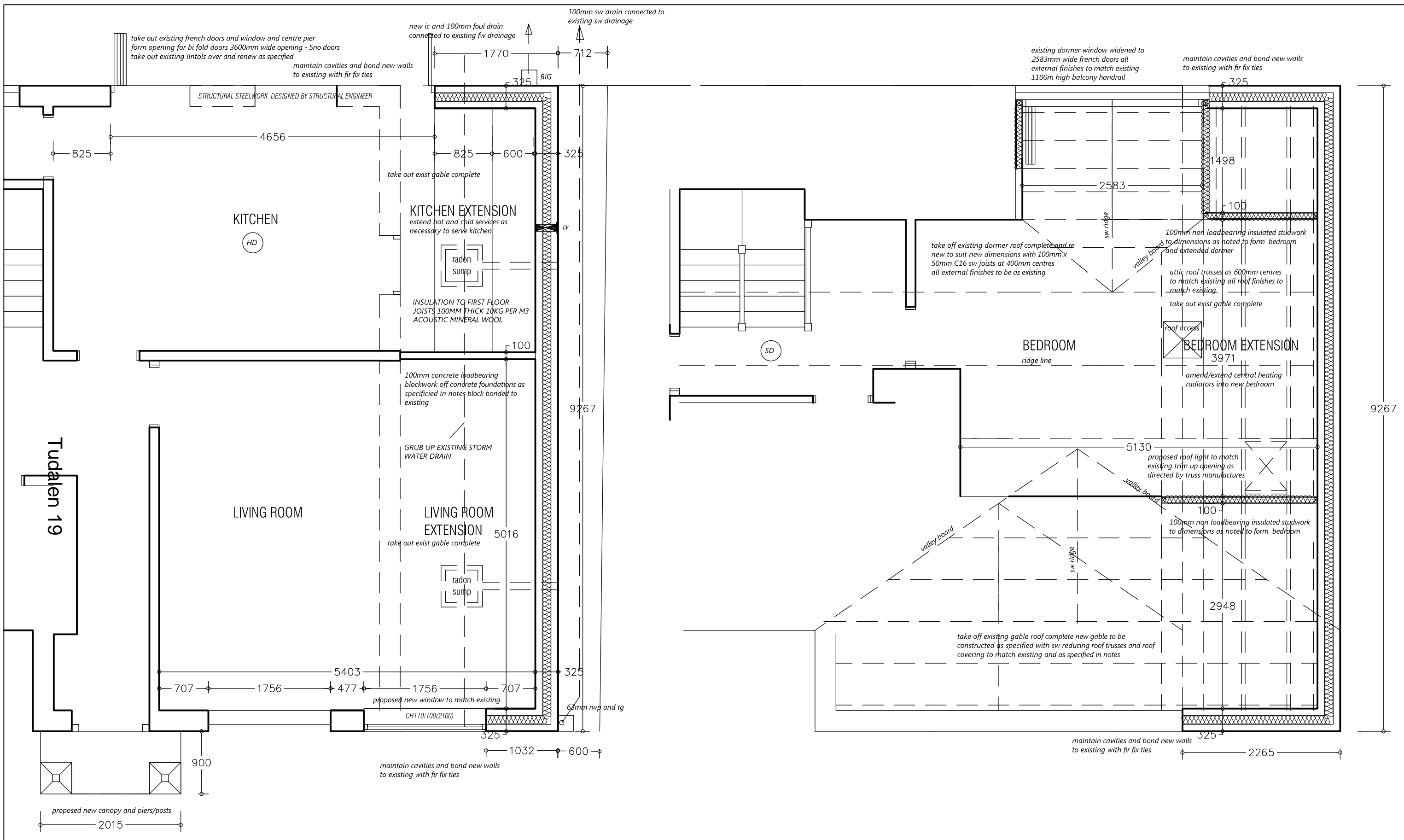
Parry Davies Architects.

Chartered Architects.

PROJECT TITLE <i>2 ETNA COURT BUCKLEY</i>	DATE MARCH 2017	SCALE 1:50@A3	DRWN RSG	CHK
DRWG. TITLE <i>PROPOSED ELEVATIONS</i>	DRWG. NOS. <i>17.5753/4 2 OF 2</i>			REV <i>B</i>

Studio 55:20 North Wales Business Park Abergele LL18 7LJ

Tel:01745 585517 E-mail: PDPArchitects@aol.com



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Parry Davies Architects.		Chartered Architects.		
PROJECT TITLE	2 ETNA COURT BUCKLEY	DATE	SCALE	DRWN
		AUG 2017	1:50@A3	RSG
DRWG. TITLE	PROPOSED PART FLOOR PLANS	DRWG. NOS.	REV	
		17.5749/3	B	
Studio 55:20 North Wales Buisness Park Abergele LL18 7LJ		Tel:01745 585517 E-mail: PDPArchitects@aol.com		



2
ETNA
COURT









ITEM 6.1

REF 060671 – ETNA COURT

STATEMENT OF THE PUBLIC

May 25, 2020

Your ref: 060671

For the urgent attention of Lesley Ambrose

Alan and Carole Davies, 1 Etna Court, Buckley, Flintshire CH7 3JY

Objectors

We as neighbours object in the strongest possible terms to the unauthorised development carried out at 2 Etna Court, Buckley, in the summer/autumn of 2019.

It is described as a Juliette balcony, but it is more akin to a shed or a hay loft.

It is an ugly and intrusive eyesore which will rob our back garden of its previous privacy. The grotesque structure will effectively mean our neighbours will share our garden.

The back garden at 2 Etna Court is lit up like Blackpool Illuminations every night. If this retrospective plan is approved the applicant has the wiring in place to light up the hideous structure so we will have to endure its ugliness day and night.

We bought 1 Etna Court in 2006 because it is backed by the Mount Pool and we knew nothing would ever be built there to overlook our garden. Now our neighbour has flouted planning regulations to build this monstrosity.

It is a great pity that there will not be a site visit so you could see for yourselves what a massively negative impact this horrendous development has on our home.

We trust the original plan for 2 Etna Court be adhered to and our neighbour be forced to revert to the authorised three-pane dormer window further up the roof.

We also trust you as members of Flintshire Planning Committee will recognise our neighbour's flagrant breach of clearly laid out rules and refuse this retrospective application. To do otherwise would be to reward an applicant all too ready and willing to ignore planning laws.

Regards

Alan and Carole Davies

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.2

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **10TH JUNE 2020**

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

SUBJECT: **OUTLINE ALL MATTERS RESERVED – DEMOLITION OF TERRACE BLOCK OF 4 VICTORIAN HOUSES AND REDEVELOP FOR RESIDENTIAL PURPOSES.**

APPLICATION NUMBER: **060811**

APPLICANT: **MR ANTHONY PARRY**

SITE: **80 – 86 MOLD ROAD, BISTRE, BUCKLEY**

APPLICATION VALID DATE: **13TH JANUARY 2020**

LOCAL MEMBERS: **COUNCILLOR MRS C A ELLIS**

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

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST DUE TO SCALE OF DEVELOPMENT, IMPACT ON PUBLIC HIGHWAY AND LOSS OF HISTORIC INTEREST.**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is an outline planning application with all matters reserved for subsequent approval. It proposes the demolition of an existing terrace of 4 dwellings to facilitate the redevelopment of the site for residential purposes.

Whilst all matters are reserved, the applicant has provided an indicative site layout, indicating a residential scheme of 12 no. 2 storey dwellings, with the dominant house type being a 2 bed semi-detached unit. Members are reminded that these details are purely indicative. The main issue for discussion in this case is the

acceptability of the principle of residential development in this location.

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

2.01 Conditions

1. Outline – Time limit
2. Outline – Details of reserved matters
3. In accordance with approved plans
4. Outline – Submission and approval of existing and proposed finished floor levels to include site sections
5. Siting, layout and design of the means of site access
6. Forming and construction of the means of site access
7. Visibility splays of 2.4m x 43m
8. Visibility splays shall be made available and kept free from obstruction
9. Facilities shall be provided and retained within site for the parking and turning of vehicles
10. Submission of detailed siting, layout and design, means of traffic calming, surface water drainage, street lighting and construction of internal estate roads prior to commencement
11. A 2.0m wide footway shall be provided along the site frontage
12. Positive means to prevent surface water run-off onto the highway
13. Construction Traffic Management Plan
14. Foul Drainage Scheme
15. Level 3 Building Survey

3.00 CONSULTATIONS

3.01 Local Member

Councillor Mrs C A Ellis

Raises concerns in respect of highway impact, scale of development and overdevelopment of the site and the loss of properties with historic interest. Accordingly a site visit and a request for the application to be heard at planning committee has been made.

Buckley Town Councillor

Councillor David Ellis

Raises objections to the proposed development upon the following grounds:

- Increase opportunity for overlooking and result in a loss of privacy to surrounding residents
- Not in keeping with the surrounding area
- The development will lead to an increase in noise and disturbance during the demolition and construction phase
- Residents will lose visual amenity from their properties as the development of the site will take away views and natural light

- Concerns in respect of highway safety and parking
- Loss of historic architecture

Buckley Town Council

The Town Council endorsed and supported the comments made by Councillor Ellis. The Town Council questions whether or not there is a need for this development and advises the County Council that on the plans provided, the property listed as a Chapel is now a residential property. The Town Council also questions the need to remove a historical set of buildings from the streetscape.

Highways Development Control

The Highway Authority confirms no objection to the principle of development, though understands the matter of access remains a matter reserved for later approval. That being said, it is anticipated that the re-development would be serviced by an access through a single centrally located vehicular access onto Mold Road; Bistre Close is considered to be unsuitable to serve additional traffic. Existing access should be permanently closed and the footway reinstated. The footway fronting the site should be widened to 2.0m and full visibility splays should be provided. A parking layout conforming to the guidance established by SPGN11 must be provided as part of any reserved matters scheme.

No objection subject to the imposition of conditions.

Community and Business Protection

No adverse comments to make.

Clwyd Powys Archaeological Trust

The buildings proposed for demolition are not recorded within the Historic Environment Record but include a terrace block of Victorian brick houses built between 1884 and 1899. The buildings appear to be in good condition with minor modern alterations. Whilst not listed or within a conservation area, the buildings do have some architectural interest. As the proposed demolition will result in the complete loss of the terrace, CPAT requests that a Level 3 Building Survey is carried out prior to demolition in order to retain a full record of the structures. No objection subject to the imposition of a condition as explained.

Welsh Water/Dwr Cymru

No objection subject to the imposition of a condition relating to the submission of a foul drainage scheme.

Natural Resources Wales

No objection.

Airbus

Confirms there is no aerodrome safeguarding objection to the proposal.

Coal Authority

Advises that standard advice applies. Accordingly, The Coal Authority raises no objection to the proposed development and no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

22 no. of objection received upon the following grounds:

- Increase in the volume of traffic
- Congestion already a problem within the area
- Increase in on-street parking
- Insufficient parking
- Increase in noise levels during construction and by associated vehicles
- Loss of historical buildings and character and appearance of the area
- Overdevelopment of the site
- Previous renovations to the terrace properties would all be a waste
- New build development would lack character and identity
- Poor visibility available
- Speed is a problem
- Inadequate drainage
- Impact on residential amenity
- Loss of light
- Impact on community facilities extending to school capacities, healthcare and refuge collection

5.00 SITE HISTORY

5.01 No recent history.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
Policy STR1 - New Development
Policy STR4 - Housing
Policy GEN1 - General Requirements for Development
Policy GEN2 - Development Inside Settlement Boundaries
Policy D1 - Design Quality, Location and Layout
Policy AC13 - Access and Traffic Impact

Policy HSG3 - Housing on Unallocated Sites within Settlement Boundaries
EWP14 - Derelict and Contaminated Land

Planning Policy Wales Edition 10 (December 2018) (PPW10)

7.00 PLANNING APPRAISAL

7.01 Introduction

This is an outline planning application with all matters reserved for subsequent approval. It proposes the demolition of an existing terrace of 4 dwellings to facilitate the redevelopment of the site and wider limit for residential purposes.

7.02 Site Description

The application site extends for an area of 0.3ha and lies to the west of the town centre of Buckley. The site is bounded on the western side by the former chapel (No.96 Mold Road) and Bistre Close residential road. To the north the site is bound and backs onto residential rear gardens of Linderick Avenue and to the east by a residential property, Ash Lyn.

7.03 The application site is predominately flat, with a slight increase in gradient sloping towards the north. The site comprises a terrace block of 4 dwellings, together with large grassed areas with a block of garages to the rear, situated along the western boundary.

7.04 The site is accessed off Mold Road.

7.05 Proposed Development

This outline application proposes the demolition of the existing terrace block to facilitate the development of the site for residential purposes. All matters of detail are reserved for future consideration.

7.06 Indicative details submitted suggest that the site could be developed for up to 12 no. dwellings, together with the creation of a new central vehicular access off Mold Road. Members are reminded that the matters of amount, scale and access are reserved for future consideration, and therefore any indicative plans provided are to help visualise how the site could be developed. I therefore reiterate that this outline consent is all matters reserved and therefore only the principle of residential development on this site is for consideration.

7.07 Principle of Development

The application site is within the settlement of Buckley which is a main town, Category A Settlement within the Flintshire Unitary Development Plan. It is therefore a focus for growth and residential development. The site is brownfield land with an existing residential use. The site is within a predominantly residential area and is white land within the settlement boundary. It is considered that the

redevelopment of the site for the purposes of residential use would be compatible with the adjoining uses, and an efficient use of resources which includes land which is currently not maximising its potential to accommodate a greater density of housing, and otherwise supporting the delivery of the housing supply within settlement boundaries. The redevelopment of this previously developed windfall site, underpins sustainable development as recognised by Planning Policy Wales 10 (PPW10).

- 7.08 Policy HSG3 enables the consideration of 'windfall' housing proposals on unannotated sites provided that i) it does not result in tandem development or overdevelopment in relation to the character of the site and surrounding area ii) it does not conflict with the UDP housing provision for the County over the Plan period and ii) the proposal complies with policy GEN1. There is no objection in principle to this windfall development as such proposals will contribute to the overall housing land supply within the LDP Plan period.
- 7.09 Whilst objections have raised the loss of a historical asset and the harm this will cause on the character and appearance of the streetscene, I must remind members that the terrace block is not a designated listed building or situated within a conservation area. Therefore the protection of this terrace does not have the same restrictions bestowed upon those on the historic register. It is however, acknowledged that the terrace block possesses architectural features of interest and this view is shared by CPAT who request a Level 3 Building Survey to be undertaken prior to demolition, and a condition to address this is suggested accordingly.
- 7.10 Members should however, be mindful that this application seeks only the approval of the principle of residential development, and that detailed matters to include layout, appearance, scale, landscaping and access are reserved for subsequent approval. That said, in the context of the focus on place making in PPW10 it will be important for the prospective developer to reflect on this previous context and site setting, in designing a development that respects these factors, and that provides a design that is sympathetic with the surrounding area. Therefore there is an opportunity to proactively work with future developers of this site, to provide a development that reflects the existing vernacular, incorporates features of architectural merit and uses materials that allows the development to sympathetically harmonise within its immediate setting and reinforce local distinctiveness. This again is subject to the agreement of the detailed design as part of any future reserved matters application. The principle of residential development is therefore considered acceptable.
- 7.11 The proposed site is considered to comply with the key principles of PPW10 in terms of the presumption in favour of sustainable development, and the sequential approach taken to the re-use of

previously developed land in preference to greenfield sites. In accordance with paragraph 3.51 of PPW10, land within settlements should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints identified can be overcome.

7.12 Highways

The submitted indicative layout suggests the creation of a new central vehicular access point off Mold Road. The Highway Authority notes that the application is in outline only, with all matters including access reserved. The principle of creating a new access off Mold Road is not opposed. The Highway Authority therefore confirms that there is no objection subject to the imposition of conditions.

7.13 I note objections raise concerns regarding the noise and disruption that would be caused during the development of this site, in particular during construction. As such, a condition is recommended requiring submission and approval of the controls of a Construction Traffic Management Plan, which would seek to control and minimise disruption where possible.

7.14 A number of objections raise concerns that the development of this site would further exacerbate the on-street parking problems currently experienced. Members are reminded that this application is in outline with all matters reserved, therefore only the principle of development is for consideration at this stage. The reserved matters details will include the provision of access and parking arrangements which will be required to be in accordance with the relevant planning policies and Supplementary Planning Guidance Note no. 11 Parking Standards. The level of parking is however dependent on the exact number of dwellings and the site layout which are again reserved for subsequent approval.

7.15 Furthermore, I have considered the merits of the site location and conclude that the site is well positioned and supports the key planning principles set out in PPW10, in particular the theme 'Active and Social Places' chapter 4, which states that developments should be located where they encourage a "modal shift and be easily accessible by walking, cycling and public transport, by virtue of their location, design and provision of on and off site sustainable transport infrastructure." By doing so, sustainable forms of development such as this, help to reduce the reliance on travel by private car, and the adverse impacts of motorised transport on the environment and people's health.

7.16 Other Matters

Concerns have been raised in respect of the adequacy of the existing drainage infrastructure to accommodate further flows from new development. Dwr Cymru/Welsh Water have been consulted upon the drainage aspects of the proposal and advise that a condition is imposed requiring the submission of a foul water drainage scheme

for the site. No objection to the proposals has been raised by Dwr Cymru/Welsh Water in relation to system capacity concerns. Members should be advised that surface water requirements are now dealt with under SAB regulations with additional approval required by the Applicant prior to commencement on site. This will be reiterated on any future reserved matters submission.

- 7.17 Concerns have also been raised regarding the impact of the proposal on the residential amenity of neighbouring properties. As the proposal is in outline form it is not possible to consider issues relating to privacy and overlooking as if the application were approved these would be examined in accordance with SPGN no. 2 Space Around Dwellings in a later reserved matters application.

8.00 CONCLUSION

The application site is within the settlement of Buckley which is a main town, Category A Settlement within the Flintshire Unitary Development Plan. It is therefore a focus for growth and residential development. The site is within a predominantly residential area and white land within the settlement boundary. It is considered that the redevelopment of the site for the purposes of residential use would be compatible with the adjoining uses, and an efficient use of resources which includes land, which is currently not maximising its potential to accommodate a greater density of housing, and otherwise supporting the delivery of housing supply within settlement boundaries. The redevelopment of this previously developed windfall site, underpins sustainable development as recognised by Planning Policy Wales 10 (PPW10).

It is considered that the proposal complies with planning policy. Accordingly, I recommend that planning permission is granted subject to conditions as set out within paragraph 2.01 of this report.

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: **Katie H Jones**
Telephone: **(01352) 703257**
Email: katie.h.jones@flintshire.gov.uk

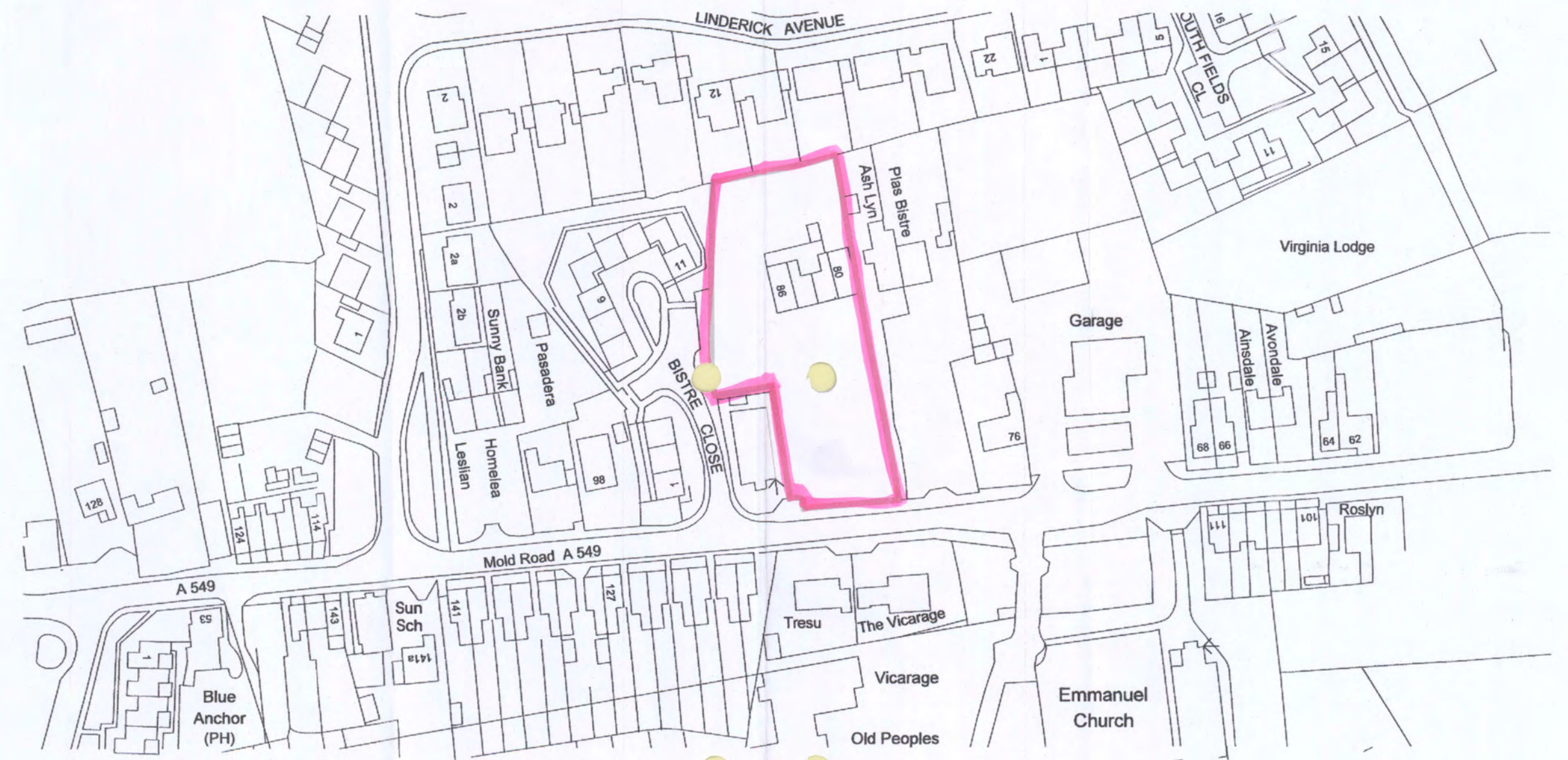
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Application reference:

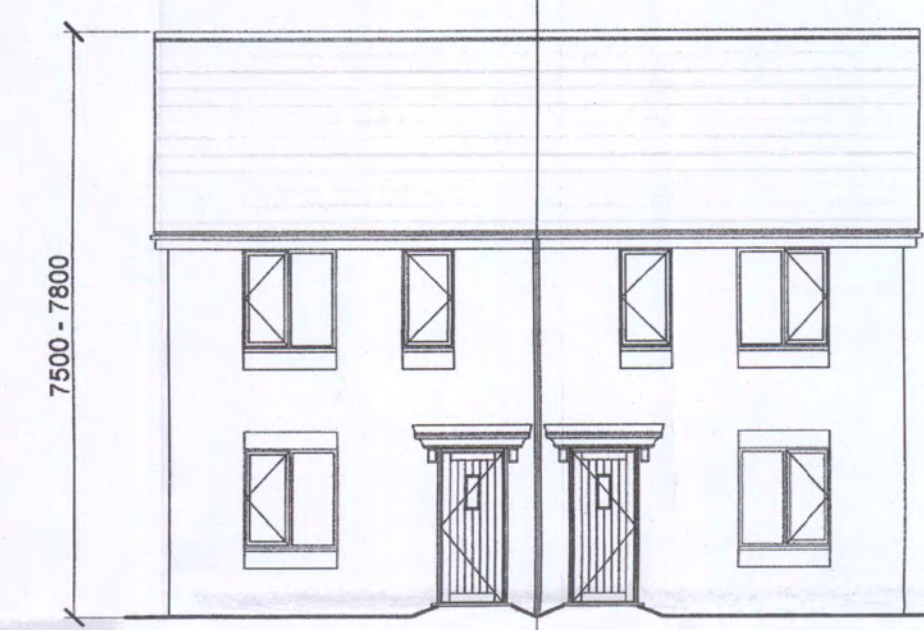
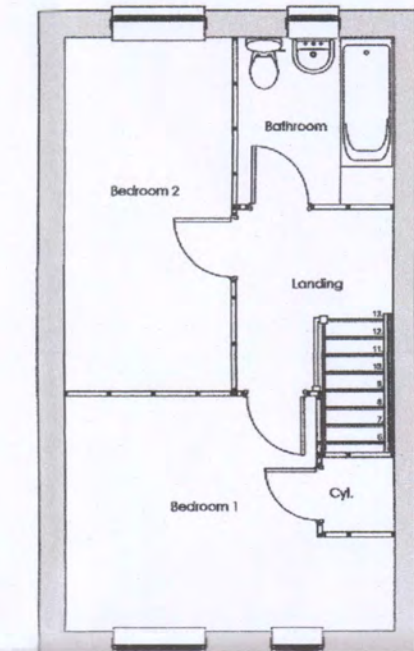
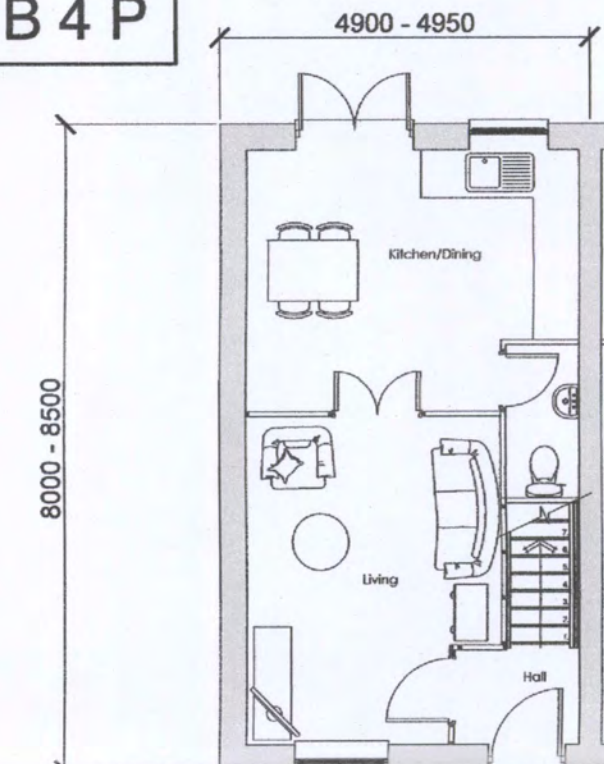
Ref: 060811

Outline All Matters Reserved – Demolition of Terrace Block of 4 Victorian Houses and Redevelop for Residential Purposes on Land at 80 – 86 Mold Road, Bistre, Buckley.

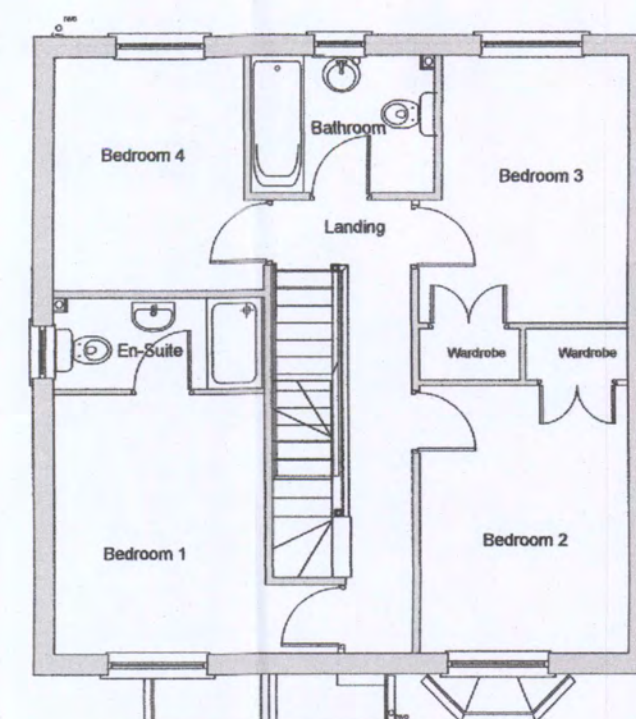
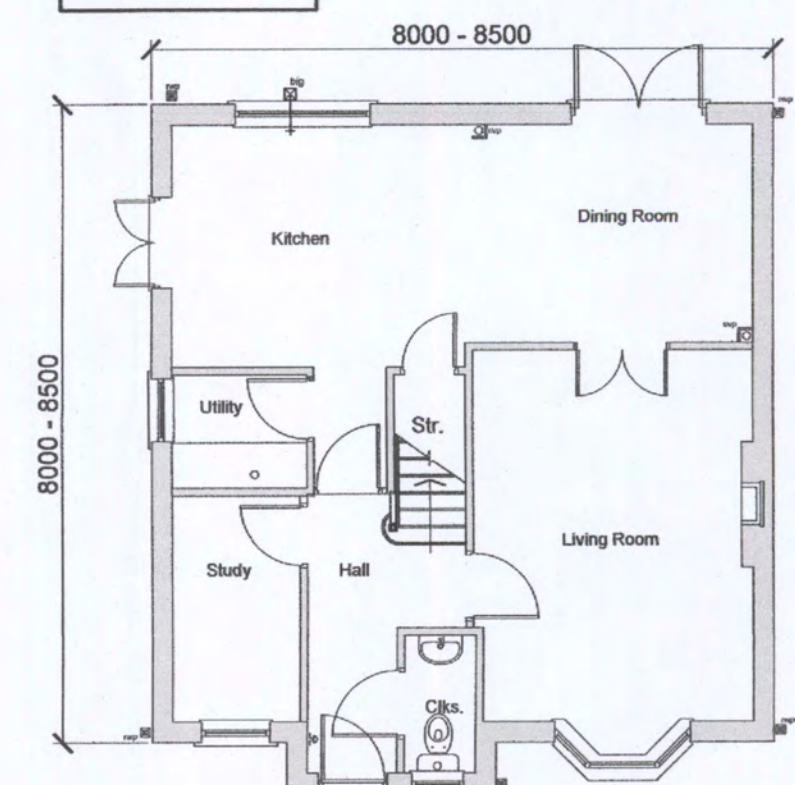
DO NOT SCALE



2 B 4 P



4 B 6 P



Design and access statement.

The proposed development lies to the West of the town centre of Buckley. The site is bounded on the western side by the former chapel (No 96 Mold Rd) and Bistre Close residential road, to the northern side by residential gardens of Linderick Avenue and to the Eastern side by residential property of Ash Lyn (Mold Rd). The site is approximately 3000m² in size and flat sloping gradually to the rear, mainly grass with mature shrubs and trees around the boundary. To the rear right of the site there is a row of 4 adjoining Victorian house which have become run down and in need of repair. To the western rear left boundary there is a block of garages which have also come into disrepair.

~~118-50~~
060811
13/01/20

Rev.	Date	Revised to suit comments	
B	Jan 20		
Client For Anthony Parry Esq			
Project OUTLINE APPLICATION FOR RE DEVELOPMENT FOR 80 - 86 Mold Road 01			
Drawing Number Bistre, Buckley			
SCALE @A1 1:200 1:1250		DATE	Nov 19
Drawing Title PROPOSED SITE LAYOUT			REVISION B

Tudalen 38





Tudalen 40



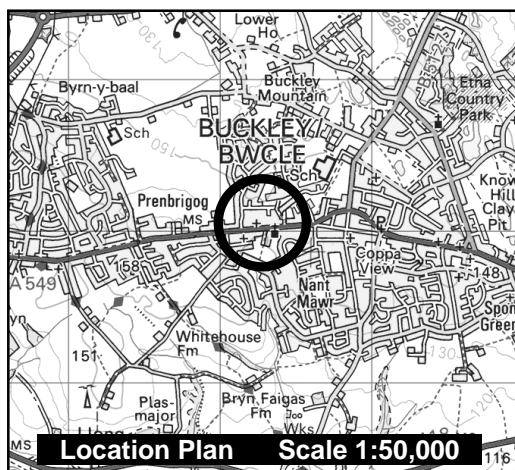
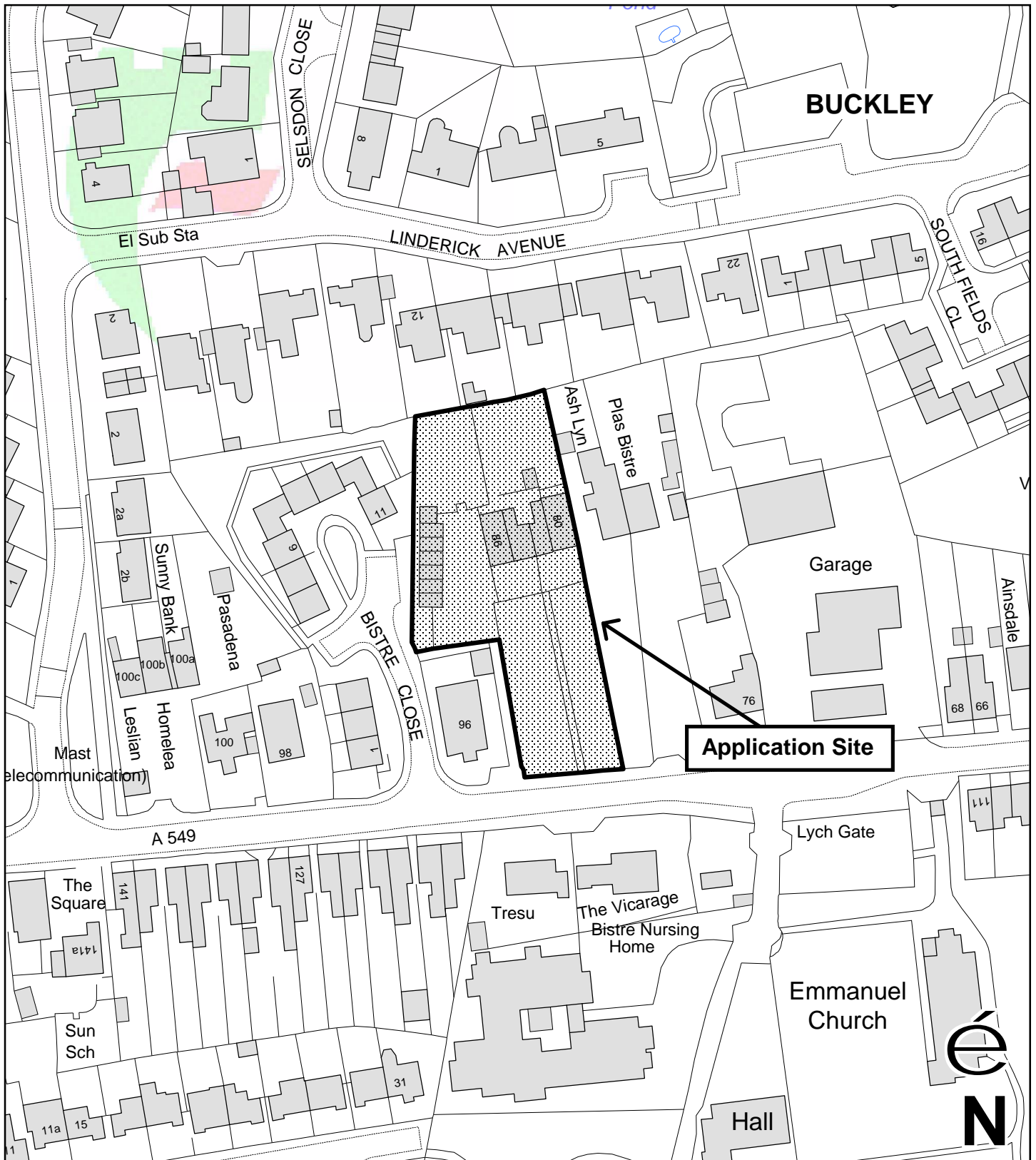
Tudalen 41



Tudalen 43



Mae'r dudalen hon yn wag yn bwrpasol



Planning, Environment & Economy,
 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	60811

Tudalen 45

Mae'r dudalen hon yn wag yn bwrpasol

Sylvia Thelwell

Subject: Re: Planning Application 060811 for residential development at 80-86 Mold Road, Buckley

These plans do not show that there is adequate car parking spaces per household when most people today have 2 or more cars and either they will end up parking on a busy main road or selfishly use the Bistre church car park which is becoming like a public car park so much so than when anyone attending church, for whatever reason be it worship or funeral looking for a space. This is unfair to elderly and anyone with walking problems.

Sent from my iPad

Mae'r dudalen hon yn wag yn bwrpasol

From: Carol Ellis
Sent: 02 June 2020 16:17
To: Katie H Jones <katie.h.jones@flintshire.gov.uk>
Subject: RE: App ref: 060811 80-86 Mold Road, Bistre, Buckley - Planning Committee
Importance: High

Hello Katie

Regarding the above Planning Application I do wish to speak as Ward Member.

The houses set for demolition do have a historic value hence the name Jubilee Villas.

Local concern includes size and scale of the development. Mold Road is notorious for the problems relating to parking the houses across the Road mostly have no parking spaces and use the road outside of Bistre Close Sheltered Accommodation

Which is next to the application site. Currently Street Scene are trying to come up a scheme to try to overcome the current problems with parking. The thought of further cars parking in Bistre Close is indeed a concern to the residents of the close with some of them considering moving. The proposal will include a road, will it be the current access to Jubilee Villas any increase in traffic on this access is deemed as a safety issue by residents as the entrance is narrow and very close to the Church which is used as a family home.

The overlooking of existing properties is also a concern of residents in Linderick Ave. Hedges on boundaries are also a concern as recently there have been some issues when overgrown trees were trimmed by the Authority. If this is granted permission can conditions be imposed relating to working times.

Regards
Carol Ellis
Sent with BlackBerry Work

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.3

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **10TH JUNE 2020**

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

SUBJECT: **GENERAL MATTERS - OUTLINE APPLICATION FOR THE ERECTION OF AN AGRICULTURAL WORKERS DWELLING AT MAES ALYN FARM, LOGGERHEADS ROAD, CILCAIN.**

1.00 APPLICATION NUMBER

1.01 059568

2.00 SITE

2.01 Maes Alyn Farm, Loggerheads Road, Cilcain.

3.00 APPLICATION VALID DATE

3.01 8th February 2019

4.00 PURPOSE OF REPORT

4.01 To update the Planning Committee with regard to the current position regarding the Section 106 Obligation /associated planning conditions to be imposed on the above development, following the committee resolution on 4th December 2019 to grant permission under 059568 for an agricultural workers dwelling.

5.00 REPORT

5.01 Members will recall that this application was considered at the Planning Committee held on 4th December 2019. It was resolved at this meeting to grant permission for the development. The occupation and land transfer was to be secured via an appropriate S106 Obligation (if necessary) and associated planning conditions delegated to the Chief Officer to determine, in liaison with the applicant and local member. A report on the S106/ suggested planning / occupancy conditions was to be brought back to the Planning Committee for approval.

- 5.02 In the intervening period since December 2019, the applicant's agent has provided documentary evidence from solicitors acting on behalf of the applicant, to confirm that the applicant (Mr S Griffiths) is now the main partner in the farm business, holding a controlling interest with a 51% share. In these circumstances, there is considered no need for a legal obligation to be entered into in this respect to control formal transfer of the business to the applicant, as this has now been satisfactorily secured.
- 5.03 There remains however, a need to supplement this through the imposition of conditions on the associated planning decision certificate, in order to control the appearance of the proposed dwelling and occupation of both the dwellings on site which form part of the farm unit.
- 5.04 Technical Advice Note 6 – Planning for Sustainable Rural Communities (Paras 4.13.1 – 4.13.3) does promote the use of planning conditions to control the occupancy of rural enterprise dwellings, and it is possible to widen the condition to ensure that occupation of both existing/future dwellings on the enterprise can be controlled
- 5.05 Having regard to the above, it is considered that a suite of conditions worded as follows, would be acceptable to control the appearance of the proposed dwelling the subject of this application and occupancy of the dwellings within the farm unit :-
1. *Details of the , appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development commences and the development shall be carried out as approved.*
 2. *(i) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission*
(ii) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters, whichever is the later.
 3. *No development shall commence until details of the materials to be used in the construction of the external walls and roofs of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.*

4 *“The occupancy of the existing and proposed dwellings on the enterprise shall be restricted to those:*

a) solely or mainly working or last working on a rural enterprise in the locality where there is/was a defined functional need; or if it can be demonstrated that there are no such eligible occupiers, to those;

b) who would be eligible for consideration for affordable housing under the local authority’s housing policies: or if it can be demonstrated that there are no persons eligible for occupation under either (a) and (b);

c). widows, widowers or civil partners of the above and any resident dependants.

5 No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority details of existing and proposed site and finished floor levels of the buildings. Development shall be carried out in accordance with the approved details.

6.00 RECOMMENDATION

- 6.01 That in determination of this application and in line with the resolution of Members at the Planning Committee on 4th December 2019 the suite of conditions referenced in paragraph 5.05 of this report be accepted and imposed on the decision certificate to be issued under 059568.

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

Mae'r dudalen hon yn wag yn bwrpasol

Application reference:

Ref: 059568

Outline Application for the Erection of an Agricultural Workers Dwelling at Maes Alyn Farm, Loggerheads Road, Cilcain.

**SITE LOCATION PLAN
AREA 5 HA
SCALE 1:2500 on A4
CENTRE COORDINATES: 318290, 364274**



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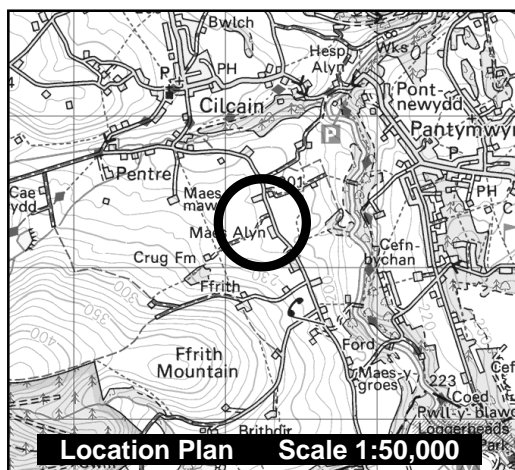
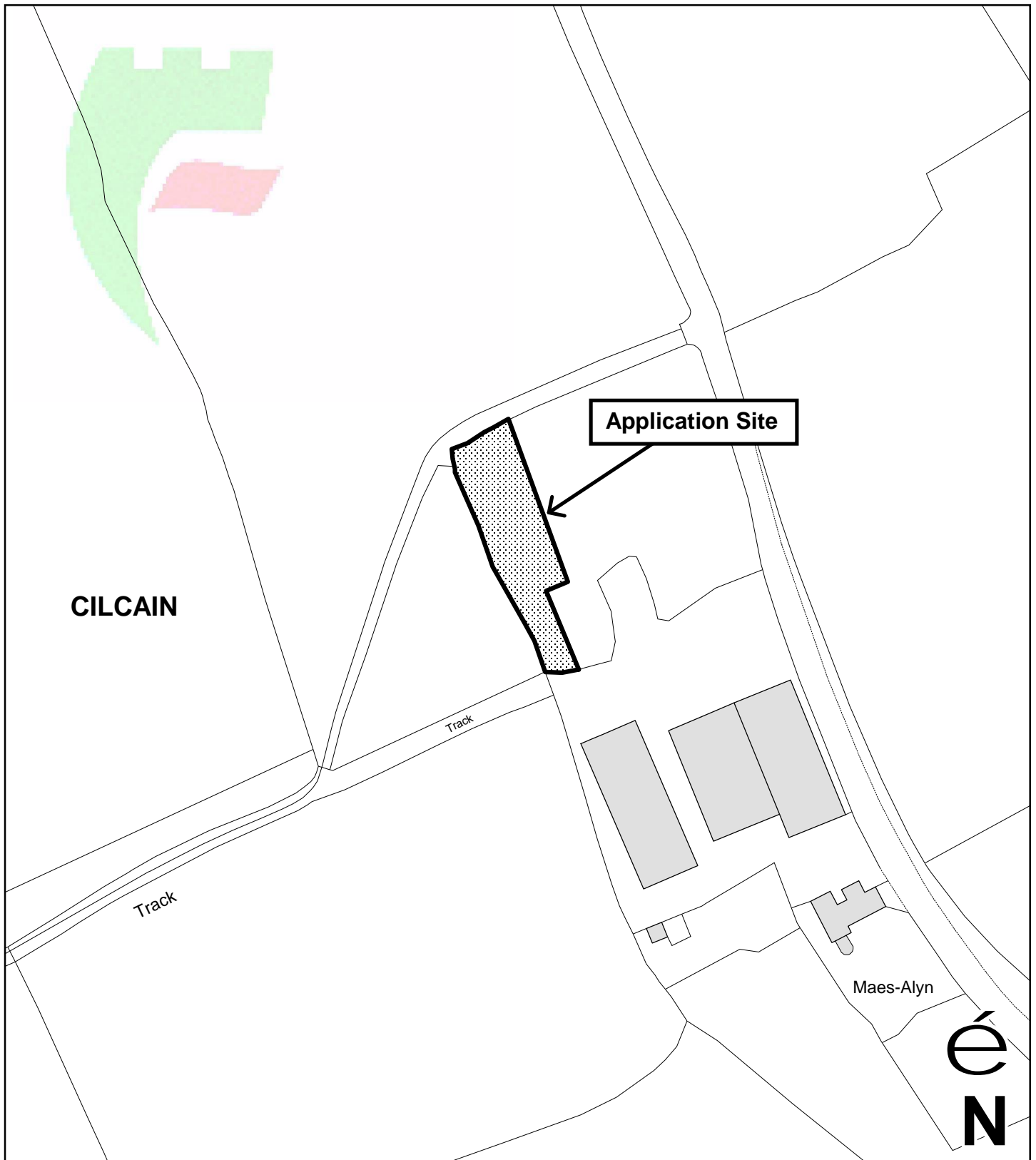
- 7 FEB 2019

**SITE LOCATION PLAN
AREA 5 HA
SCALE 1:2500 on A4
CENTRE COORDINATES: 318290, 364274**



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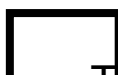


Planning, Environment & Economy,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary

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Map Scale 1:1250

OS Map ref SJ 1864

Planning Application **59568**

Mae'r dudalen hon yn wag yn bwrpasol

**APPLICATION FOR OUTLINE PLANNING PERMISSION FOR THE
ERECTION OF AN AGRICULTURAL WORKER'S DWELLING ON LAND
AT MAES ALYN FARM, CILCAIN**

APPLICATION REF. 059568

At its meeting of 4 December 2019, Flintshire County Council's Planning Committee resolved:

'That outline planning permission be granted, subject to appropriate conditions and/or S106 obligation. Such conditions to be delegated to the Chief Officer to determine in liaison with the applicant and Local Member. A report on the conditions to be brought back to a future meeting of the Planning Committee'.

The Council is in receipt of a letter from Llewellyn-Jones Solicitors dated 16 March 2020 confirming that the management of Maes Alyn Farm has been transferred from Mr & Mrs Griffiths Senior to their son, Sam Griffiths (the Applicant). In light of this, Mark Harris, the Case Officer, has confirmed that a S106 Obligation is not necessary.

The Case Officer has since provided a suite of draft planning conditions, including a condition which limits the occupancy of the dwelling to a rural enterprise worker and their dependants, in line with the advice contained within Welsh Government TAN6 and policy HSG4 of the Flintshire UDP.

The conditions are entirely agreeable to Mr Griffiths. As a result, it is respectfully requested that the Planning Committee ratifies the conditions so that the outline planning permission can be issued.

David Fitzsimon (Agent) info@fitzsimonplanning.co.uk

27 May 2020

Mae'r dudalen hon yn wag yn bwrpasol

CYNGOR CYMUNED CILCAIN CILCAIN COMMUNITY COUNCIL

A. Evans C Eng. MICE
Clerc y Cyngor
Clerk of the Council
Eich Cyf: Your Ref : 059568
Ein Cyf: Our Ref : PL-20-06
Ffon: Tel: 01352 761241

Gwel Hyfryd
Pentre Hill
Flint Mountain
Flintshire
CH6 5QN

01 June 2020

Andrew Farrow
Chief Officer
(Planning Environment and Economy)
County Hall, Mold

Dear Sir

Written Statement to support Outline Planning Application

- (a) Application Reference Number - 059568
Maes Alyn Farm, Loggerheads Road. Cilcain
- (b) Statement by Alun Evans, Clerk of Cilcain Community Council
- (c) E-Mail address - alun_evans_gov@hotmail.com
- (d) Cilcain Community Council - supporter of the application
- (e) Statement of Support:
 - (i) Cilcain has no alternative accommodation for first time buyers.
 - (ii) Farm workers have to care for animal welfare by living close to the farm for lambing, farrowing and calving.
 - (iii) Maes Alyn is a substantial farm farm so an agricultural worker is needed / justified.
 - (iv) There is a need to provide accommodation of this nature for young farmers who intend starting a career in farming.
 - (v) Cilcain has traditionally been a farming community. In order to sustain the farming community in the Cilcain area, every encouragement needs to be given to overcome the difficulty experienced by young persons who want to start farming.
 - (vi) The Community Council notes that the Planning Committee has already resolved that outline planning permission be granted for an agricultural dwelling at Maes Alyn farm.
 - (vii) The Community Council is satisfied that the draft conditions outlined by the Case Officer are acceptable.

Yours faithfully

Alun Evans

From: Owen Thomas

Sent: 02 June 2020 21:40

To: Robert M Harris <Robert.M.Harris@flintshire.gov.uk>

Subject: RE: Prroposed Erection of Agricultural Workers Dwelling - Maes Alyn Farm, Cilcain - 059568

Application for outline planning permission for the erection of an agricultural worker's dwelling on land at Maes Alun Farm,Cilcain. Application Ref. 059568.

At the meeting of 4th December 2019.Flintshire County Council,s Planning Committee resolved.

That outline planning permission be granted,subject to S106 obligation.Such conditions to be delegated to the Officer to determine in liaison with the applicant and the Local Member. A report on the conditions to be brought back to a future meeting of the planning committee.

The Council is in receipt of a letter from Llewelyn-Jones Solicitors dated 16th March 2020 confirming that the management of Maes Alun Farm has been transferred from Mr &Mrs Griffiths Senior to their son,Sam Griffiths, in the light of this ,Mark Harris, the Case Officer, has confirmed that S106 obligation is not necessary.

The Case Officer has since provided a draft planning conditions,including a condition which limits the occupation of the dwelling to a rural enterprise worker and their dependants,in line with the advice contained within Welsh Government TAN6 and policy HSG4 of the Flintshire UDP.

Cllr Owen Thomas

Sent with BlackBerry Work

Mae'r dudalen hon yn wag yn bwrpasol