

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **28TH JUNE 2017**

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

SUBJECT: **FULL APPLICATION – PROPOSED
DEVELOPMENT OF A HOSPITAL AND RE-
ABLEMENT CENTRE FOR PEOPLE
DISADVANTAGED BY AN AUTISTIC SPECTRUM
DISORDER AND/OR LEARNING DISABILITY
INCLUDING PROPOSED RESIDENTIAL BLOCKS
AND INDEPENDENT LIVING BUILDING
(PREVIOUSLY APPROVED UNDER PLANNING
PERMISSION 045395) AT ALYN WORKS
(FORMER) KINSALE GOLF COURSE (PART)
MOSTYN.**

**APPLICATION
NUMBER:** **052119**

APPLICANT: **HOLYWELL ESTATES LTD**

SITE: **ALYN WORKS (FORMER) KINSALE GOLF
COURSE (PART), MOSTYN**

**APPLICATION
VALID DATE:** **9TH MAY 2014**

LOCAL MEMBERS: **COUNCILLOR P. HEESOM**

**TOWN/COMMUNITY
COUNCIL:** **MOSTYN COMMUNITY COUNCIL**

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

SITE VISIT: **YES
(SITE VISIT PREVIOUSLY UNDERTAKEN 10TH
OCTOBER 2016. FURTHER VISIT REQUIRED TO
ALLOW NEW COMMITTEE MEMBERS TO VIEW
THE SITE)**

This application was deferred at the Planning & Development Control Committee on 12th October 2016, at the request of the applicant/agent in order to allow the budgetary implications of the proposed development on local health care providers to be clarified. As a result further

consultation on the application has been undertaken with the Council's Social Services Department and Betsi Cadwallader University Health Board (BCUHB) and the report has been updated accordingly.

1.00 SUMMARY

1.01 This full application proposes the development of a hospital and re-ablement centre for people disadvantaged by an autistic spectrum disorder and/or learning disability including proposed residential block and independent living building on the site of the former Alyn Works and land to the south and east of the former Kinsale Golf Course, Mostyn.

1.02 For Members information, progression of the application has been protracted pending the receipt of consultation responses from local health care providers following the submission of additional information by the applicant.

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

- 2.01
1. Time limit on commencement.
 2. In accord with approved plans.
 3. Details of materials to be submitted for consideration and approval.
 4. Finished floor levels to be set no lower than 7.9 m AOD.
 5. Existing bund to be retained at current height.
 6. New access bridge to have a soffit level set at 10.16 AOD and deck and raised approaches to bridge set at 10.5 AOD.
 7. Earthworks adjoining new access bridge to tie into existing bund at 10.5 AOD.
 8. Emergency access route onto Hafod y Ddol Road to be established at a minimum 7.6 AOD.
 9. Surface water run-off to be managed in accordance with approved Flood Consequences Assessment.
 10. Facilities to be provided for the loading, unloading, parking and turning of vehicles prior to the development being brought into use.
 11. Travel Plan and Transport Implementation Strategy (TIS) to be submitted and approved prior to bringing into use the development.
 12. No land drainage run-off to discharge into public sewerage system.
 13. No surface water to connect into public sewerage system unless otherwise agreed in writing by the Local Planning Authority.
 14. Foul and surface water to be discharged separately.
 15. No development to commence until a scheme for the integrated drainage of the site has been submitted and approved.
 16. Hard/soft landscaping to be submitted for consideration and

- approval.
17. Timescale for implementation of hard/soft landscaping.
 18. Land Contamination report to be submitted and approved with remediation measures where required.
 19. Recording of former store and office to be undertaken before demolition and watching brief maintained during initial ground excavation works.
 20. No development to commence on the construction of the educational building permitted until a phasing programme for the development of the former Alyn Works and re-instatement of golf course has been submitted to and approved by the Council in writing. The development shall be carried out in accordance with the approved phasing plan and retained thereafter.

3.00 CONSULTATIONS

- 3.01 Local Member
Councillor P. Heesom
Awaiting formal response.

Mostyn Community Council

Members are extremely concerned that this is one of the first structures visible on the approach to Mostyn and is an eyesore making this area look neglected and potentially unsafe thus making it detrimental to the local amenity. Member request that a Section 215 Notice to improve the appearance of the site be served on the owner.

Clwyd – Powys Archaeological Trust

Prior archaeological assessment of the site in 2009 indicated that the majority of a former lead smelting works on the site has been demolished and built over by the current factory units. The potential for sub-surface archaeology relating to the demolished lead works is considered to be high but given the fact that the new development will use the existing factory unit footprints on raised levels, the impact is low. The rest of the site was occupied by a former mill pond which is considered to have low archaeological potential. Recommend the imposition of conditions to ensure that the former store office/store building on the site frontage should be recorded before demolition and a watching brief maintained during initial ground excavation works, so that any evidence of the former lead smelting complex can be investigated and recorded.

Highway Development Control Manager

Recommend that any permission includes conditions in respect of parking, unloading and turning of vehicles and the need for the submission of a full Travel Plan and Transport Implementation Strategy.

Head of Pollution Control

No adverse comments.

(Rights of Way)

Public Footpath 72 crosses the site but appears unaffected by the development. The path must be protected and kept free from construction.

Dwr Cymru/Welsh Water

Request that any permission includes conditions in respect of foul, surface and land drainage.

Natural Resources Wales

Following the receipt of a revised Flood Consequences Assessment (FCA) it has been confirmed that the risks and consequences to and from the development can be acceptably managed. There is no objection subject to the imposition of conditions to control the Finished Floor Levels of the buildings the new access bridge and existing earth bund together with controls over surface water run-off and land contamination.

North Wales Learning Disability Partnership Group (NWLDPG)

Object (See main report).

Betsi Cadwallader University Health Board (BCUHB)

Object (See main report).

Social Services (Locality Services)

Object (See main report).

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

Five letters of objection received, the main points of which can be summarised as follows:-

- Proposal would be contrary to established planning policy framework.
- The introduction of residential facilities would not be sympathetic to the agricultural environment.
- Proposal would have a detrimental impact on the parkland setting.

5.00 SITE HISTORY

5.01 **674/84**

Change of use to golf course – Permitted 30th June 1986.

118/93

Golf course, club house and driving range – Permitted 18th May 1993.

98/1112

Alteration/extension to provide equipment store – Permitted 18th November 1998.

041549

Change of use from hotel to C2 use residential institution for establishing an independent school for young people with complex Autistic Spectrum Disorder age 10 to 19 – Permitted 3rd August 2006.

040402

Layout of trails for walking, jogging and cycling; extension of existing clubhouse to provide gymnasium, swimming pool sauna, steam room and crèche; new putting course, tennis court, siting of 78 holiday lodges and sales lodge; associated access drives, car parking, modifications to golf course and comprehensive landscaping scheme – Appeal to The Planning Inspectorate allowed 18th October 2007.

045395

Construction of 5 No. 4 x person accommodation buildings, 3 No. linked two person independent living buildings and a communal centre to replace 30 previously approved holiday lodges to provide specialist placements for young children with autism – Permitted 11th December 2008.

047095

Erection of an autistic college facility including associated residential units – Withdrawn 5th October 2010.

046920

Erection of a detached residential building – Refused 14th October 2010.

048115

Erection of adult educational/residential facilities to complement existing school provision for children/young adults with autistic spectrum disorder – Refused 1st August 2012.

For Members information the permission (040402) relating to the erection of lodges on the site allowed on appeal is now extant although the consent issued under 045395 in 2008 for independent living accommodation has since expired.

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
Policy STR1 – New Development.
Policy STR2 – Transport & Communications.
Policy STR6 – Tourism.
Policy STR7 – Natural Environment.

Policy STR8 – Built Environment.
Policy GEN1 – General Requirements for Development.
Policy GEN3 – Development Outside Settlement Boundaries.
Policy CF2 – Development of New Community Facilities.
Policy D2 – Location & Layout.
Policy D3 – Building Design.
Policy D4 – Landscaping.
Policy D5 – Outdoor Lighting.
Policy D6 – Crime Prevention.
Policy TWH2 – Development Affecting Trees & Woodlands.
Policy TWH3 – Protection of Hedgerows.
Policy TWH4 – Woodland Planting & Management.
Policy L1 – Landscape Character.
Policy WB5 – Undesignated Wildlife Habitats, Flora & Fauna.
Policy WB6 – Enhancement of Nature Conservation Interest.
Policy HE1 – Development Affecting Conservation Areas.
Policy HE5 – Protection of Landscapes, Parks & Gardens of Special Historic Interest.
Policy AC1 – Facilities for the Disabled.
Policy AC2 – Pedestrian Provision & Public Rights of Way.
Policy AC3 – Cycling Provision.
Policy AC13 – Access & Traffic Impact.
Policy AC14 – Traffic Calming.
Policy HSG4 – New Dwellings in the Countryside.
Policy SR1 – Sports, Recreation or Cultural Facilities.
Policy SR2 – Outdoor Activities.
Policy SR3 – Golf Facilities.
Policy T1 – Tourist Attractions.
Policy T4 – New Static Caravans & Chalets.
Policy T7 – Holiday Occupation Conditions.

Additional Guidance

Planning Policy Wales (PPW).
Technical Advice Note 5 – Nature Conservation & Planning.
Technical Advice Note 12 – Design.
Technical Advice Note 15 – Development & Flood Risk.
Technical Advice Note 18 – Transport.
Technical Advice Note 24 – The Historic Environment.

It is considered that the proposal would broadly comply with the above policies.

7.00 PLANNING APPRAISAL

7.01 Introduction

The site the subject of this application amounts to approximately 2.8 hectares in area. It comprises 3 No distinct parts which include:-

- a. The site of the former Alyn Works (previously occupied by Solar Fires) which is to the south of the A548 at Llanerch y Mor
- b. An area of land which is to the south and adjacent to Alyn

Works. This part of the site is to the north of Kinsale School and east of the former Kinsale Golf Course and

- c. The upper lodge site to the west of Mertyn Isa a Grade II listed building next to the highest part of the former golf course.

7.02 For Members information Kinsale School referred to above, is run by The Options Group and is a residential home/school which caters for up to 34 children/young (from age 10 to 19) adults who suffer from Autistic Spectrum Disorder. For clarification there is no formal link between the existing school and the current application.

7.03 The school and former golf course occupy an area of approximately 40 hectares of which the golf course covers approximately 26 hectares. The school and former golf course are approached by a private driveway which passes through open land comprising the golf course to the west and open land to the east. Whilst the Kinsale School is located within a Conservation Area, none of the development proposed as part of this application falls within this designation.

7.04 Background History

For Member's information there is a complex background of planning history relating to development at this location which is referred to in paragraph 5.00 of this report.

7.05 In summary, planning permission was allowed on appeal by the Planning Inspectorate under reference No. 040402 on 18th October 2007 for a tourism development at Kinsale Golf Course comprising: the layout of trails for walking, jogging and cycling, extension of the existing clubhouse to provide a gymnasium, swimming pool, sauna, steam room and crèche; the provision of a new putting course, tennis courts, siting of 78 holiday lodges and a sales lodge, associated access drives, car parking and modifications to the golf course.

7.06 The 78 holiday lodges are proposed to be sited in two areas, on the periphery of the golf course, these being:-

- a. The Lower Lodge site to the south of Rhydwen House alongside the main entrance driveway to the school and golf course.
- b. The Upper Lodge site to the west of Mertyn Isaf a Grade II Listed Building next to the highest part of the golf course.

7.07 At the time that the above application and appeal were under consideration Kinsale Hall, a former hotel, had been bought by the New Options Group and converted into a residential home for autistic children, this being granted under reference No. 045139 on 3rd August 2006.

- 7.08 Following the grant of planning permission in 2007 for a holiday lodge development, permission was subsequently granted under reference No. 045395 on 11th December 2008 for independent living accommodation buildings and a communal centre to replace 30 previously approved lodges, providing specialist placement for children with autism in connection with the existing school. This permission proposed the replacement of 24 previously approved holiday lodges on the upper part of the site and the replacement of 6 holiday lodges on the lower part.
- 7.09 A subsequent application submitted under reference No. 047095 for the erection of an autistic college facility including associated residential units on land to the south of the former Alyn Works was included on the agenda for consideration by the Planning & Development Control Committee meeting held on 6th October 2010. This was however withdrawn by the applicants given officer's recommendation at that time for refusal given officer concerns about the impact of development on the character of the landscape at this location.
- 7.10 The application was however resubmitted under reference No. 048115 in order to seek to address the concerns previously highlighted. This application was considered at the Planning & Development Control Committee meeting on 25th July 2012 but was refused contrary to officer recommendation given concerns about the impact of development on the character of the landscape.
- 7.11 As outlined in paragraph 5.00 of this report and in conclusion permission has previously been granted for a C2 use at this location to provide care for up to 34 children and young adults at Kinsale School. In addition to this 30 lodges have been approved on the site for independent living. The principal of a C2 use, specifically for the residential care of children and young adults with autism at the site has been well established and is a material planning consideration to which I attach significant weight.
- 7.12 Proposed Development
This application which has been submitted by Holywell Estates Ltd., proposes the development of a hospital and re-ablement centre for people disadvantaged by an autistic spectrum disorder and/or learning disability including proposed residential blocks and independent living buildings. In addition to the standard application forms and plans, the application is accompanied by:-
- A Planning Design & Access Statement.
 - Ecological Surveys.
 - An Archaeological Assessment.
 - An Arboricultural Assessment.
 - A Hydrology Assessment including Flood Consequences Assessment (FCA)

- A Transport Assessment.

7.13 In terms of detailing, the proposed elements of the application can be summarised as follows:-

- a. Alteration of the 3 No. existing buildings on the site of the former Alyn Works to provide a total of 44 No. hospital bedroom spaces and 24 No. step-down bed spaces with associated administration hub and ancillary support accommodation. It is proposed to utilise the footprints of the existing buildings but remodel the external appearance of the buildings which are predominantly flat roof in design by the introduction of new window openings with contrasting cladding on the external walls. It is also proposed that an area of external amenity space is provided for patient use with additional planning/landscaping undertaken in this area providing nature trails and a habitat for flora and fauna.
- b. The erection of a 2 storey H shaped monopitch educational block to the south of the former Alyn Works and an existing residential property Rhydwen House. The building would measure approximately 40 m x 37 m x 10 m high and it is proposed that it would be constructed having zinc/slate external walls. Although not forming part of the current application the educational block would be located in proximity to holiday lodges on the lower site previously allowed on appeal under reference 040402.
- c. On the upper lodge site removal of 24 No. lodges previously allowed on appeal under reference 040402 and replacement by 3 No residential blocks measuring approximately 30 m x 16 m x 5.7 m (high), a communal centre measuring 12 m x 12 m x 5 m (high) and 3 No. 2 bed units each measuring 18 m x 8.5 m x 5 m (high) linked by a corridor. It is proposed that the accommodation blocks be constructed having timber clad/stone external walls and slate roofs. For Members information these buildings were previously granted under reference 045395 on 11th December 2008 and proposed for use in connection at the time with Kinsale School.

7.14 In support of the application, the applicant's agent has advised as follows:-

- The proposal is to re-develop the former Alyn Works site to become a new 44 bed hospital and 24 bed step down unit. The step down facility comprises re-habilitation beds for patients who are discharged from the acute beds but still need additional support and treatment to re-engage with their current circumstances, lifestyle and environment within the community. Others may be admitted direct into the reablement facility from

a community placement elsewhere.

- From here the young adults will be able to access the educational building to participate in courses to provide skills to allow access to the wider community.
- The buildings to the south are residential buildings where those who move on from re-ablement services may live longer term or may be referred from their local authority. These buildings are as previously proposed and approved under application reference 045395.

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

- Principle of development having regard to the planning policy framework.
- Adequacy of access to serve the development proposed.
- Scale/design and impact on character of landscape.
- Addressing drainage/flooding risks.
- Other material considerations including the consultation responses received from the Council's Social Services Department/Betsi Cadwaladr University Health Board (BCUHB).

7.16 In commenting in detail in response to the main planning considerations outlined above, I advise as follows:-

7.17 Principle of Development

The consideration of an application for the erection of new community facilities, must be undertaken having regard to Policy CF2 of the Flintshire Unitary Development Plan (FUDP) which specifically addresses proposals for new facilities.

7.18 This policy seeks to direct such facilities to locations within defined settlement boundaries. Outside settlement boundaries such development will only be permitted through (a) the conversion of existing buildings (b) by an extension to an existing facility or (c) on land with a previous built use. The proposed facility is outside the settlement but located on land with a previous built use and therefore the proposal complies with this policy.

7.19 Consideration must also be given to Part 1 Policies STR1 and General Development Policy GEN3 of the FUDP where new development proposals outside settlement boundaries, within the open countryside and on brownfield sites can be given consideration, particularly where development is appropriate to the open countryside.

7.20 Policy STR1 part g is of particular relevance as it requires new development to be assessed in terms of a precautionary approach

whereby development proposals that would have a significant or uncertain environmental, social, economic or cultural impact, will be refused, in the absence of the best available information. Later in the report the response from North Wales Learning Disability Partnership Group, Beti Cadwallader University Health Board and Social Services will be examined and considered in light of this policy and the planning balance.

- 7.21 Policy GEN3 is a general policy addressing development in the open countryside and the proposal broadly complies with part c of this policy as the majority of development is based around the adaption and extension of the Alyn Works buildings. Furthermore, the applicant has advised that an open countryside location is beneficial for the proposed use, as residents can benefit from the recreational activities on site in addition to its tranquil environment which satisfies the requirement set out in part j of Policy GEN3. In addition, the development would not be detrimental to the character of the Conservation Area focussed around Kinsale School and would be acceptable in line with Policy HE1 and Technical Advice Note 24 – The Historic Environment.
- 7.22 Beyond local planning policy, which is the starting point for determining any planning application it is important to consider the wider sustainability credentials of the site and any other material planning considerations. It is located on a main communications route within the County (A548), and bus services on this key route which make it accessible both to those who reside locally and further afield. It is considered therefore that the proposal is in a sustainable location which offers a realistic choice to travel, not reliant on the private motor car.
- 7.23 Another significant material consideration is that the golf course on site is no longer operational, which has an adverse impact on the landscape in the vicinity. The applicant's agent has advised that it is intended to use the golf course as a facility for the therapeutic care of patients, and work to bring the golf course back into a playable condition with such work to be carried out in conjunction with the development proposed.
- 7.24 The intention to re-instate the golf course as part of the development is noted and supported, but it is my view that no development should commence on the construction of the educational building until the development on the Former Alyn Works and re-instatement of the golf course has been completed in accordance with a phasing plan to be submitted and approved and I have accordingly proposed such a condition.
- 7.25 For Members information development on the site of the former Alyn Works was previously explored as part of application 048115, but at the time development of the site was not in the ownership/control of

the applicant and there were concerns that the development would be unacceptable in economic terms, given remedial costs involved.

7.26 This current application however has addressed this particular constraint to development and bearing in mind (i) the planning history of the site (ii) its evolution since the appeal decision in respect of the policy context established by Policy CF2 and (iii) phasing of the development which would require the development of the brownfield site before undertaking other elements of the proposal as referred to in paragraph 7.24 above, it is considered that the proposed development is acceptable in principle.

7.27 Adequacy of Access

Consultation on the application has been undertaken with the Council's Highway Development Control Manager who following the receipt of a Transport Assessment (TA) does not raise any objection to the scale of vehicular movements likely to be generated by the proposal or the adequacy of parking provision to serve the development. If Members are however mindful to grant permission for the development it is recommended that any permission be subject to conditions in respect of parking and the submission of a Full Travel Plan and Transport Implementation Strategy before bringing into use the development. The proposal therefore complies with Policy STR2.

7.28 Scale/Design & Impact on Character of Landscape

Of particular importance in consideration of this application is the impact of the proposed development on the character of the landscape at this location. It is acknowledged that permission has been allowed on appeal under reference 040402 for a tourist related development with a subsequent permission (045395) allowing for development of residential accommodation blocks on the upper and lower site.

7.29 In allowing the appeal under reference 040402, the Inspector essentially concluded that the Kinsale Site "is largely a man-made landscape of terracing and slopes with free planting around and between fairways. It has neither a natural appearance nor the farmland character of much of the surrounding landscape. Members are advised that the design/form of the buildings proposed in the upper part of the site have previously been permitted under reference 045395 and in my view as a result of this background there is therefore no objection to this element of the scheme.

7.30 In addition it is my view that current buildings on the former Alyn Works site have no architectural or heritage value and the principle of their adaption is to be welcomed on this brownfield site. It is considered that this site has long since been absorbed into the semi-urban character of the coast road and whilst the design of the buildings proposed including the educational block to the south of the former Alyn Works are contemporary in nature, the use of slate as a

cladding material seems more appropriate to an upland environment along this coastal corridor. It is considered that the visual appearance of these buildings could be improved through the use of local sandstone or limestone and the use of timber would also help to provide for a more sympathetic form of development at this location which would respect the relationship of the site to the Abakhan building on the southern side of the A548. This will it is considered help to significantly improve the visual appearance of the site which has remained vacant and unused in recent years. If Members are mindful to grant permission the use of the proposed materials can be covered by condition. It is therefore considered the proposal broadly complies with Policies STR7 and 8 and Policies TWH2, 3 and 4 and L1 of the UDP.

7.31 Drainage

A Flood Consequences Assessment (FCA) and Hydraulic Modelling Report (HMR) have been submitted as part of the application and formally assessed by Natural Resources Wales (NRW).

7.32 The conclusion is that the FCA now demonstrated that the risks and consequences of flooding to and from the development can be acceptably managed and there is no objection to the development subject to the imposition of conditions to control the finished floor levels of the building and that of the proposed new access road bridge together with land levels and an existing bund on the north bank of the River Gwibnant.

7.33 Responses from Health Care Providers

Consultation on the application was initially undertaken with (a) the Council's Social Services Department and (b) Betsi Cadwallader University Health Board (BCUHB).

7.34 For Members information the Council's Social Services Department formulated a response on the application on behalf of the North Wales Learning Disability Partnership Group (NWLDPG) which is made up from representatives from Ynys Mon, Gwynedd, Conwy, Denbighshire, Flintshire, Wrexham and Betsi Cadwallader University Health Board.

7.35 The view of the NWLDPG, whilst recognising that the private sector has a key role in the provision of services to people with a learning disability and/or autism, on the basis of the initial information submitted is to object to the proposal as:-

- a. "The construction of an ASD hospital in Flintshire is not consistent in any way with the Transforming Care Agenda.
- b. North Wales already has enough hospital type provision.
- c. The construction of an institution in Flintshire does not meet

local need in terms of service commissioning.

- d. If constructed it will place additional significant burdens on local services given that it will be likely to provide placements for individuals outside North Wales.

7.36 As a result of the above response, the applicant/agent submitted further information which has subsequently been further assessed with BCUHB responding as follows:-

- There is a disparity in numbers between currently commissioned hospital places for local residents and the proposed development is so great as to demonstrate that the capacity proposed in this development significantly exceeds our understanding of demand to meet local needs.
- Should the proposed development proceed it is our view that it is highly likely to provide hospital placements to people from out of area. This could have a significant impact on local NHS services.
- The submission from NWLDPG makes clear that the strategic direction for support and care for individuals with learning disability is predicated upon access to an “ordinary life” and community-based living being fundamental rights of the individual. We do not believe that the proposed model fits with this intention and therefore we could not support such a development”.

7.37 Following deferral of the application in October 2016, further consultation has been undertaken with both the Council’s Social Services Department (Locality Services) and Betsi Cadwallar University Health Board in order to seek to quantify the level of impact the development may have on the budgets of the local health care providers.

7.38 It is important to note that the policy CF2 of the UDP, which is the specific policy in relation to considering new facilities, including facilities of the kind proposed, does not require any new education, health or community facility to demonstrate whether that facility is either a) compliant with any educational, health and community care national agenda or b) whether the facility meets local need. Furthermore, there is no test or requirement set out in Planning Policy Wales November 2016, or any technical guidance notes which require evidence of managerial agenda or local need, to be weighed in the planning balance. It is therefore considered that these objections attract little weight.. However, a development proposal which would have a significant and uncertain economic impact may be refused in the absence of the best available information under part of policy STR1 (g). The consideration of this matter and its weight in the planning balance is set out below.

- 7.39 Having regard to the above, the Council's Social Services Department have advised that the proposed use would potentially impact on primary care/community service in staff resource/financial terms, both during a patients stay at the facility and post discharge, should the individuals decide to stay in Flintshire and become resident in the County.
- 7.40 To this effect Social Services have advised that the potential cost in relation to specialist/ASD purchased services could be vary from £50,000 to £100,000 depending on whether an individual receives care at home, with domiciliary support or as a day visitor of the unit or as an on-going resident. Social Services have estimated the following:-
- Day Service per person £37,000.
 - Residential Services per person £100,000.
 - Social Worker Assessment per person £5,000.
 - Domiciliary Support £14.85 per hour.
- 7.41 The concerns from Social Services is that the scale of development proposed would generate costs which would greatly exceed the Social Services' available budgets. Social Services have specifically advised that in 2016/17 that the Learning Disability Budget is fully allocated.
- 7.42 The applicant/agent has been presented with a breakdown of the above figures and the applicant challenges the calculations as being misleading. The applicant advises that 'Fees for placements will be assessed on a sliding scale dependent upon a number of factors that will inform an individual plan for each placement. The fees will be met by the placing authority. Put simply, the cost of an acute bed package is highly likely to be more than a reablement package, which in turn will be greater than a residential package. Some of the most dependant patients who are discharged from an acute bed along their individualised pathway plan will go back into the care and facilities of the placing authority, as their needs and dependence will remain high. However, these patients are more likely to be discharged into the reablement unit and maybe on to the residential unit which will provide opportunities for further education and vocational placements on site, as part of the individual pathway. By the time anyone leaves this facility at the end of their residential care package, they will no longer be high dependency. In the event that someone did choose to remain in Flintshire, they will not be a significant drain on care resources. The figures produced by Social Services and BCUHB will not and cannot ever materialise. We cannot over emphasise this point".
- 7.43 It is acknowledged that there is a significant difference of opinion between the applicant and local service providers regarding the potential impact on current and future budgets for health care provision.

- 7.44 In addition, and in order to further quantify the potential budgetary implications of the proposed use, both BCUHB and Social Services have been requested to clarify from their experience in the operation of albeit smaller scale facilities, the numbers of patients who have opted to remain in the county or adjacent authorities post discharge. Whilst this is not prescriptive, it would help in giving an indication of the potential pressure that has occurred on available budgets over a specific time period.
- 7.45 Following this request for statistical information, BCUHB have responded as follows: *“it would be impossible to provide actual figures of the number of people settled in N Wales – we know it happens but it is certainly not something we would capture”*
- 7.46 As the potential costs associated with the provision of the service cannot be quantified following 6 months of detailed consultation with the relevant services with regard to either a) the precise impact on the total annual budget/ surplus for Social Care administered by the council and b) the likely scale of post discharge stay from within Flintshire/ N Wales it is considered that every effort has been made to establish the best available information and to ensure that precaution has been made on obtaining evidence of an economic impact.
- 7.47 It is considered that empirical evidence which has been presented by Social Services, Betsi Cadwallader and North Wales Learning Disability Partnership Group in relation to significant economic costs is largely based on assumptions. To conclude, the level of residents who would continue to reside in Flintshire after leaving the unit is unknown, and there is no evidence to support if this would happen and if so how many people this would be each year. Furthermore the assumptions have all been made on 90 bed spaces requiring the continual highest standard of care. No evidence has been presented of how much funding is required from Social Services in association with smaller units which exist in Flintshire to bear out the view that the ongoing costs from day to day operation will have a significant economic impact. The evidence which has been presented is assumption based, linked to anecdotal concern and this cannot be afforded significant weight in the planning balance.

8.00 CONCLUSION

- 8.01 Having regard to the background of planning history at this location, the development as proposed on a previously developed/redundant brownfield site and part of the wider site area at this location that has previously had the benefit of planning permission for a tourist/educational facility for persons affected by Autistic Spectrum Disorder, is a significant material planning consideration which is

considered to hold significant weight in the planning balance.

8.02 The development is compliant or broadly compliant with Part 1, General and specific policies within the UDP described above and there are no objections from statutory consultees including Natural Resources Wales, Dwr Cymru/Welsh Water and the Highway Development Control Manger. This policy compliant position attracts significant weight in the planning balance.

8.03 The concerns/objections from the Social Services, NWLDPG and BCUHB are noted, which advise that the proposal would not be in line with the current approach to the provision of health care within Wales, and there would be an associated impact on available resources to support this facility. Members should be advised that licencing of the facility by Welsh Government lies outside the remit of the planning process, and the budgetary implications of the development have not been quantified and no empirical evidence has been provided which in planning balance outweighs the planning land-use merits of the proposal.

8.04 It is my view that subject to a phasing programme for the development that the scheme as proposed would sit comfortably within the planning policy framework and the original concept of a comprehensive tourist, recreational and educational environment for those people with Autistic Spectrum Disorder. I therefore recommend accordingly.

8.05 **Other Considerations**

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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

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

LIST OF BACKGROUND DOCUMENTS

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

Responses to Publicity

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