

FLINTSHIRE COUNTY COUNCIL
PLANNING COMMITTEE
COMMITTEE DATE: 8TH NOVEMBER 2017
LATE OBSERVATIONS

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.1	056742	Maes Gwern, Mold.	<u>Ramblers Cymru - Received 6.11.2017</u>	<p>Consider that 'Active Travel' issues are poorly covered within the report. Reference is made to suggestions in respect of conditions relating to the provision of cycle paths, footpaths and links to existing of the same. Reference made to FCC the re-surfacing of Broncoed Lane.</p> <p>Response: None of the suggested conditions are considered reasonable, or required, given that these elements will be provided as part of the proposed scheme. I am content that the currently suggested conditions will ensure the provisions of these links at an appropriate point during the course of the development.</p>
6.1	056742	Maes Gwern, Mold.	<u>Chief Officer - Planning and Environment</u>	<p>Further to the October Planning Committee, at which a request that the further views of the Design Commission for Wales were sought, the report relating to the Design Review Panel held on 24.10.2017 has been produced.</p> <p>The report identifies that the approach to highway layout and design does not accord with principles as set out in Manual for Streets 2 (MFS2) and highlights this as being a major inhibitor to the design of the scheme overall achieving an exemplar scheme. The report identifies that this limits the design in terms of interaction between built form and junctions; relationship of built form to footpaths in respect of surveillance; and limits options in terms of a strategy for car parking.</p> <p>Furthermore, the report suggests that the landscape design, in terms of the areas of P.O.S within and abutting the site,</p>

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6.1	056742	Maes Gwern, Mold.	Chief Officer - Planning and Environment	<p>connection with this scheme. Parking courts are proposed where they relate well to the built form already within the scheme, principally in relation to proposed apartment blocks. However, it is not considered appropriate to this location in other respects as it is considered that this will compromise the functionality and legibility of the scheme for future occupiers of both market and affordable dwellings.</p> <p>The future layout and management/maintenance of the wooded area as part of all other areas of play and recreation space is a matter which will be addressed in submissions pursuant to the suggested landscape condition. As set out in the committee report, the developer has indicated that the wooded area will be enhanced, managed and maintained as part of the overall regime for the site and the detail of this is a matter usually addressed via condition. It is accepted that the wooded area presents opportunities for play. However, it is not considered that this should be play in a formal equipped sense. Rather that the area affords opportunities to explore and play within a natural environment and under parental supervision.</p> <p>In summary, whilst the report of the DCFW does highlight areas of concern and areas where there may be opportunity to further enhance this scheme, it is considered that weighing design considerations in the overall planning balance with all other material considerations, including the provision of affordable housing; play and recreation provision/contributions; contributions towards education enhancement; ecological constraints and the need to maintain scheme viability, the proposals represents the best scheme that can reasonably be secured in this context.</p>

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6.1	056742	Maes Gwern, Mold.	Chief Officer Planning & Environment	<p><u>TYPOGRAPHICAL ERRORS</u></p> <p>Paragraph 7.13 Reference to 0.89 hectares should read 5.71 hectares.</p> <p>Paragraph 7.44 The sum referenced should read £453,509</p>
6.2	057343	Hanson (Castle Cement) Works, Padeswood.	Penyffordd Community Council – Received 02/11/2017	<p>The Council acknowledge the employment benefits of Hanson and support the application with the following late observations:</p> <ol style="list-style-type: none"> 1) The protection of jobs and employment in the area. 2) To request that Hanson secures a more robust independent monitoring of the air, noise pollution and dust emissions. 3) Noise Pollution. Concerns of the noise generated from the loading and moving of trains. 4) Clarification and reassurance required on the proposed 'mothballing' of the existing mills. It is understood that these mills will only be used whilst the new mill is undergoing maintenance.
6.2	057343	Hanson (Castle Cement) Works, Padeswood.	Ramblers Association - Received 06/11/2017	<p>Comments have been made relating to the effects of the development on a footpath claim which has been submitted to the Council, where a section of the route of the path being claimed crosses the rail siding leading into the site. A condition has been suggested to safeguard the interests of users of the path being claimed with the intention of seeking a safe crossing solution or alternative routing.</p> <p>Officer Response. The proposed development has very little bearing on the footpath claim. The point where the path crosses the rail siding appears to fall outside of the planning application site, and the proposed development is operational development within the body of the cement works, and is not an application for a material change of use. There is no recorded public right of way at this time</p>

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6.2	057343	Hanson (Castle Cement) Works, Padeswood.	Ramblers Association - Received 06/11/2017	<p>and the route crossing the rail siding is not in use as it is closed off for safety reasons. The impact of the development outside of the site may give rise to a very modest increase in the use of the rail line. The rail siding is currently used for the delivery of coal. The export of cement by train will only add 4-5 weekly trains using the siding. The development does not appear to add a permanent or physical impediment of the path. The imposition of a condition to restrict the use of the rail siding the circumstances is considered to be unnecessary and should not be imposed. In the event that the path claim is successful, existing powers may be used to provide a safe or alternative routing.</p>
6.2	057343	Hanson (Castle Cement) Works, Padeswood.	Natural Resources Wales – Received 02/11/2017.	<p>Comments made on additional information received on 12/10/17 and superseded the response of 14/09/17. No objection provided conditions relating to 1) Contaminated land requiring the methodology of the submitted Technical Memorandum should be implemented and works adhere to current best practice and 2) Invasive species requiring submission and implementation of a biosecurity risk assessment, are attached to the planning permission.</p> <p>Contaminated Land – the Technical Memorandum has been reviewed and does not contain the level of detail which should be contained within a full piling risk assessment, and does not satisfy current best practice. However as per previous response, Natural Resources Wales does not consider this site as a ‘high priority’ and the development is contained within the boundary of the Environmental Permit and contamination of soil and groundwater arising from site operations will be considered as part of the ongoing baseline monitoring and future permit surrender. The CFA pile construction is a lower risk method and the source pathway receptor linkages will be minimal.</p>

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				<p>Biosecurity – require standard controls and measures for invasive non-native invasive species to prevent establishment during the duration of the development and restoration.</p> <p>Protected Species. Acknowledge that a Protected Species Licence has been obtained for the development and associated works and the requirement of the works to adhere to an associated long-term management plan for the site. NRW Confirm that due to the incorporation of Reasonable Avoidance Measures into the Method Statement to which the Protected Species Licence has been based upon that they are satisfied that Conditions 1 & 2 from their response of 14/09/17 need no longer be imposed on any planning permission. The development and subsequent operation is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of Great crested newts provided the Conditions of the Protected Species Licence are adhered to.</p>
6.3	057588	13 Health Street, Shotton.	Local Resident	<p>Strongly objects due to:</p> <ul style="list-style-type: none"> • Parking concerns as the land to the side of the dwelling provides access for emergency vehicles and should not be used for parking. • Anti-social behaviour associated with this form of development. • Too many HMOs in close proximity.
			Shotton Town Council – Received 7 th November 2017.	The full Town Council unanimously agreed to object to the planning application.
6.4			Highways Development Control Manager – Received 2 nd November 2017.	The submitted information adequately addressed the concerns related to parking.

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6.5	056875	Marcher Court, Sealand Road, Chester.		Standard highway conditions on the outline would apply relating to highway design details.
6.5	056875	Marcher Court, Sealand Road, Chester.		<p>CLARIFICATION</p> <p>1. The last line of 7.02 should read "be considered as very exceptional circumstances."</p> <p>2. Para 5 of section 7.03 should read "However 4.8.15 of PPW states that inappropriate development can be granted planning permission in <u>very</u> exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Barrier."</p>
6.5	056875	Marcher Court, Sealand Road, Chester.		Following advice from the Legal Officer, the proposed condition no. 4 cannot adequately control the lawful external storage use of the site. To ensure that the proposed development guarantees a betterment to the green barrier, permission should only be granted subject to a Section 106 agreement inviting the applicant to rescind their lawful use rights on the land edged red and blue on the submitted site plan.
6.6	056415	Ael y Bryn, Moel y Crio, Holywell.		"Recommendation: To grant Planning Permission subject to a section 106 Agreement that secures the future affordability of the dwelling in accordance with the requirements of the Local Planning Authority by restricting future sales of the property to 90% of its open market value and only to a person in housing need with a local connection or with a criteria as agreed by the local planning authority and the following conditions:-"
6.6	056415	Ael y Bryn, Moel y Crio, Holywell.		<p>AMENDMENT TO REPORT</p> <p>" The local need is; Affordable rent 1 person for a one bed and 2 persons for a two bedroom property. Affordable ownership 1 looking for a two bed and 1 looking for a three bed. The applicants satisfy the local need</p>

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6.6	05615	Ael y Bryn, Moel y Crio, Holywell.		<p>criteria as accepted by the Inspector at the previous appeal.”</p> <p>“The 90% OMV has been considered acceptable based on the nature of the application as a self-build. The value of a one bedroom property will be limited. The S106 will control the resale of the property to 90% following an independent valuation. The sale would then be managed through the Affordable housing register managed by Gwrp Cynefin. This has been done previously on a site for 2 local need dwellings in Rhydymwyn (053534).”</p> <p>Additional condition limiting the garden curtilage as suggested by the Inspector. Approximately 70m² would be reasonable for a one bedroom dwelling in a rural area.</p> <p>Additional condition clarify that removal of permitted development rights refers to extensions and alterations to the dwelling and changes to the roof and any buildings in the garden. Class A, B, C, D, E.</p>
6.7	057430	Waen y Lloc, Lloc		<p>CLARIFICATION</p> <p>In response to Dwr Cymru Welsh Water's comments, the sewer records have been checked and the development will not adversely affect any sewers.</p>