

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 ac Owen Thomas

2 Ionawr 2020

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Annwyl Syr / Fadam

Bydd cyfarfod o'r **PWYLLGOR CYNLLUNIO** yn cael ei gynnal yn **SIAMBR Y CYNGOR, NEUADD Y SIR, YR WYDDGRUG CH7 6NA** am **DYDD MERCHER, 8FED IONAWR, 2020** am **1.00 PM** i ystyried yr eitemau a ganlyn.

Yn ddiffuant

Robert Robins
Rheolwr Gwasanaethau Democraidd

HYSBYSIAD GWEDDARLLEDU

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

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

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

R H A G L E N

1 YMDDIHEURIADAU

2 DATGAN CYSYLLTIAD

3 SYLWADAU HWYR

4 COFNODION (Tudalennau 3 - 8)

Pwrpas: I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 4 Rhagfyr 2019.

5 EITEMAU I'W GOHIRIO

6 ADRODDIAD Y PRIF SWYDDOG (CYNLLUNIO, AMGYLCHEDD AC ECONOMI)

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

ADRODDIAD Y PRIF SWYDDOG (CYNLLUNIO, AMGYLCHEDD AC ECONOMI) AR GYFER Y PYLLGOR CYNLLUNIO 8 IONAWR 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	060360 - A	Cais Llawn - Adeiladu 2 fyngalo dwy ystafell wely a garej ddwbl ar wahân yn Greystones, Ffrwd Road, Cefn-y-Bedd, Wrecsam. (Tudalennau 9 - 22)
6.2	060374 - A	Cais Llawn - Trawsnewid bwyty/bar gwag i 13 o fflatiau/rhandai yn 14 Lôn Y Felin, Bwcle. (Tudalennau 23 - 34)
6.3	060336 - A	Cais Llawn - Estyniad newydd 32 ystafell wely i gyfleuster cartref gofal presennol ac ardaloedd gweinyddol/gwasanaeth cysylltiedig, gyda gwaith tirlunio allanol yn Marleyfield House, Nant Mawr Road, Bwcle. (Tudalennau 35 - 44)
6.4	060222 - A	Cais i gymeradwyo materion a gadwyd yn ôl yn dilyn cymeradwyaeth amlinellol (058990) yn RAF Sealand South Camp, Welsh Road, Sealand. (Tudalennau 45 - 58)

Eitem ar gyfer y Rhaglen 4

PLANNING COMMITTEE **4 DECEMBER 2019**

Minutes of the meeting of the Planning Committee of Flintshire County Council held at County Hall, Mold on Wednesday, 4 December 2019

PRESENT: Councillor David Wisinger (Chairman)

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

APOLOGIES: Councillors: Ian Dunbar and Veronica Gay

ALSO PRESENT: The following attended as local Member:
Councillor Martin White - for Agenda Item 6.1 (060356)

IN ATTENDANCE:

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

38. DECLARATIONS OF INTEREST

Councillor Attridge declared a personal interest on agenda item 6.2 (060048) as he had been contacted by objectors on more than three occasions.

On agenda item 6.4 (059665), Councillor Peers declared a personal and prejudicial interest as he was a governor of Mountain Lane CP School which would benefit from an education financial contribution if permission was granted by the Committee. Also, his co-ward Member had a material interest in the application. He left the room prior to the debate and vote on that item.

During discussion on agenda item 6.1 (060356), Councillor Kevin Hughes said that he recognised the applicant from some years ago. He explained that the applicant had played football in an under-12 team that he had managed and believed he was still a friend of his son.

Prior to discussion on agenda item 6.3 (059568), Councillor Butler declared a personal and prejudicial interest as he was a member of the Clwydian Range Area of Outstanding Natural Beauty (AONB) Joint Advisory Committee which had made representations against the application. He left the room prior to the debate and vote on that item.

39. 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&MI d=4475&LLL=0>

40. MINUTES

The draft minutes of the meeting on 6 November 2019 were submitted and confirmed as a correct record.

RESOLVED:

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

41. ITEMS TO BE DEFERRED

No items were recommended by officers for deferral.

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

RESOLVED:

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

43. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

On commencement of the meeting, there were 23 members of the public in attendance.

(The meeting started at 1pm and ended at 4pm)

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Chairman

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

PLANNING COMMITTEE ON 4 DECEMBER 2019

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY SPEAKERS / ACTION	RESOLUTION
060356	Connah's Quay Town Council	Full Application - Erection of Two Storey Extensions to Dwelling at Ty Cornel, Park Grove, Connah's Quay.	Mrs. S. Townsend spoke against the application. Mr. L. Partington (applicant) spoke in support of the application. As Local Member, Councillor M. White spoke against the application.	That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation.
060048	Hawarden Community Council	Full Application - Demolition of the Monastery Buildings, St. Damien's Lodge and Associated Outbuildings and the Redevelopment of the Site with 15 No. Houses at Poor Claire Collettine Monastery, Upper Aston Hall Lane, Hawarden.	Dr. E. Ward spoke against the application. Mr. G. Tewhella (agent) spoke in support of the application.	That planning permission be refused, against the officer recommendation, on the following grounds: The proposals amounted to inappropriate development in the Green Barrier and open countryside, and that the 'very exceptional circumstances' in section 7.21 of the report were not considered sufficient to grant permission.

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ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY SPEAKERS / ACTION	RESOLUTION
059568	Cilcain Community Council	Outline Application for the Erection of an Agricultural Workers Dwelling at Maes Alyn Farm, Loggerheads Road, Cilcain.	Having declared a personal and prejudicial interest, Councillor Butler did not speak on the item and left the room prior to the debate, returning after the Committee had determined the application. Mr. S. Griffiths (applicant) spoke in support of the application.	That planning permission be granted, against the officer recommendation, 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.
059665	Buckley Town Council	Application for Approval of Reserved Matters Following Outline Approval 055936 at Hillcrest, Mount Pleasant Road, Buckley.	Having declared a personal and prejudicial interest, Councillor Peers did not speak on the item and left the room prior to the debate, returning after the Committee had determined the application. Mr. D. Fitzsimon (agent) spoke in support of the application.	That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation.
060478	Mostyn Community Council	Full Application - Extension of an Existing Chemical Plant Structure (The AED Plant) to Contain New Processing Equipment at Warwick International Ltd., Coast Road, Mostyn.		That planning permission be granted subject to the conditions set out in the report, in accordance with the officer recommendation.

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ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY SPEAKERS / ACTION	RESOLUTION
APPEAL			NOTED	
060052		Appeal by V. Davies Against the Decision of Flintshire County Council to Refuse Planning Permission for the Proposed Erection of First Floor Rear Extension at 23 Alyn Bank, King Street, Mold - DISMISSED.		

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.1

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **8TH JANUARY 2020**

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

SUBJECT: **FULL APPLICATION – CONSTRUCTION OF 2 NO. TWO BED BUNGALOWS AND DETACHED DOUBLE GARAGE AT GREYSTONES, FFRWD ROAD, CEFN-Y-BEDD, WREXHAM.**

APPLICATION NUMBER: **060360**

APPLICANT: **ANTHONY & NISHA WILLIAMS, DARREN NESBITT & EMMA HILL**

SITE: **LAND REAR OF GREYSTONES, FFRWD ROAD, CEFN Y BEDD, WREXHAM.**

APPLICATION VALID DATE: **12TH AUGUST 2019.**

LOCAL MEMBERS: **COUNCILLOR D. HUGHES**

TOWN/COMMUNITY COUNCIL: **LLANFYNYDD COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST DUE TO CONCERNS OVER THE BLOCKING OF VIEWS, SIZE OF THE GARAGES, HIGHWAYS AND DRAINAGE.**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full application for the erection of two bungalows with garages at the front of the existing property of Greystones which is situated off Ffrwd Road, Cefn-y-Bedd, Wrexham.

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

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation Undertaking to secure the following:-

Payment of £1,100 per dwelling in lieu of on-site POS. The payment would be used to improve toddlers play provision at Wyndham Drive play area.

If the Obligation (as outlined above) is not completed within 6 months of the date of the committee resolution, the Chief Officer (Planning, Environment & Economy) be given delegated authority to **REFUSE** the application.

The proposal is recommended for approval subject to the following conditions:-

Conditions

1. Time limit on commencement.
2. In accord with approved details.
3. Samples of all external materials to be submitted and approved in writing prior to commencement.
4. Landscaping scheme to be further submitted and approved.
5. Implementation of landscaping scheme.
6. No development shall take place, including site clearance works until a construction Traffic Management Plan has been submitted to, and agreed in writing by the Local Planning Authority. The agreed details shall be implemented in full thereafter.
7. The garaging hereby approved shall be for private and domestic purposes only with no trade or business taking place from them or the site.
8. Submission and approval of proposed boundary treatment for both dwellings.
9. Prior to any work being carried out a suitable scheme of enhanced double secondary glazing shall be submitted and approved in writing.
10. Positive means to prevent discharge of surface water run-off from the site onto the highway is provided.
11. Driveway shown to be constructed in a material that is bound together to prevent the migration of loose debris onto the adjoining classified highway is provided.
12. Proposed means of access to be constructed as a vehicular footway crossing.
13. Boundary treatments to be provided.
14. Existing and finished floor levels

3.00 CONSULTATIONS

3.01 Local Member

Councillor D. Hughes

Requests this application goes to Planning Committee on the grounds that the application would appear it deviates from the original outline planning given a number of years ago which was 2 two bedroom bungalows located at the bottom of the field which would not obstruct the views of the bungalows at the rear. The question as to why the applicant has applied for much larger garages and number is of great concern. The access onto the highway and the drainage is of great concern to residents. The Community Council have had deputations of a number of the residents opposing this application on the size, positioning of these proposed dwellings but not on what was originally requested. Requests also a site visit due to the location of the properties and the number of garages on the plans.

Llanfynydd Community Council

Following observations have been put forward:-

- Location of the proposed development is on land at the front of 'Greystones' not the rear.
- Question 11 – Is the site in an area at risk of flooding. Applicant has answered No: The stream running close to the proposed development floods onto Ffrwd Road. The concern of water run-off onto the highway.
- The amended application is showing 2 extremely large bungalows covering the whole area of the plot, dominating the frontage of 'Greystones'.
- Why does a 2 bedroom bungalow require a 4 bay garage? Concern of an oversized footprint for future development. The submitted application states 'Detached double garage'?
- The property 'Greystones' was bought with a Restricted Covenant – Any new owner of the property cannot object to the building of bungalows.
- The building of 2 smaller bungalows would not have such an impact on the frontages of 'Greystones'.

Community and Business Protection

No objections in principle. Recommended condition relating to acoustic glazing is attached to any planning permission granted.

Highways Development Control

Recommends any permission to include suggested conditions and note to applicant.

Public Rights of Way

Public Footpath 4 abuts the site but appears unaffected by the development. The path must be protected and free from interference from the construction.

Aura

In accordance with Planning Guidance Note No. 13 POS provision, the Council should be seeking an off-site contribution of £1,100.00 per house/dwelling in lieu of onsite POS. The payment would be used to improve junior play provision at Wyndham Drive play area. Working with Planning Policy have considered previous pooled contributions and confirm that the pooled contributions thresholds have not been exceeded with regards to Wyndham Drive play area.

Natural Resources Wales

No objection to the proposed development.

Welsh Water/Dwr Cymru

Confirms capacity exists within the public sewerage network in order to receive domestic foul only flows from the proposed development site.

With regards to surface water, requires SAB approval.

SP Energy Networks

Developer to contact them prior to any construction works taking place for their location.

Wales & West Utilities

Development to contact them prior to any construction works taking place for their precise location.

Airbus

No aerodrome safeguarding objections to the proposals.

4.00 PUBLICITY

4.01 Neighbour Notification

Eight letters of objection received. The grounds of objection are summarised as follows:-

- Would contribute to increased flooding in the area. Assumed surface water will go into the stream which is not maintained by owners and as a watercourse not suitable to receive further surface water.
- Details of proposed package sewerage system not given. As users of springwater in garden of Bod Maelor, concerns about possible chemical or microbiological contamination of ground water due to poor design and maintenance.
- Package sewerage systems can give an unacceptable long term environmental burden. Due to the loss of fossil fuel when transporting the sewerage from the site.

- Application shows no details of excavation. Base height of the buildings is not shown. Will the extent of overlooking be within the strict regulations required for buildings built on a slope.
- Asks if application is approved that excavation should be carried out with care so as to avoid flooding problems at Bod Maelor. Also decision should indicate that care too should be taken to avoid disturbance or contamination of the source of springwater.
- Garages are far too large in size, causing them to have a negative impact on the character and appearance of the site area.
- Possible effects on road safety on the Ffrwyd Road as a result of existing run-off of water into an rear already prone to flooding.
- Loss of view.
- Do not want a septic tank at the bottom of the garden.
- Indicates that Plot 1 has 4 integral garages and also an office within the bungalow. Suggests the developer could have plans for a commercial undertaking involving vehicles. Would be obtrusive and totally out of character with surrounding properties.
- Site is at the front of Greystones and not at the rear.
- Loss of property values.

5.00 SITE HISTORY

5.01 055588

Outline application for the erection of two dwellings – Granted 11th October 2016.

05224

Variation of Condition Nos 2 & 3 of planning Ref: 047020 to extend the time period for submission of reserved matters – Granted 11th August 2014.

047020

Erection of two dwellings – Refused 16th December 2010 - Allowed on appeal 17th June 2011.

024390

Erection of directional sign – Refused 9th July 1996.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 – New Development.

STR4 – Housing.

GEN1 – General Requirements for Development.

GEN2 – Development Inside Settlement Boundaries.

D1 – Design Quality, Location & Layout.
D2 – Design.
TWH1 – Development Affecting Trees & Woodlands.
AC2 – Pedestrian Provision & Public Rights of Way.
AC13 – Access & Traffic Impact.
HSG3 – Housing on Unallocated Sites within Settlement Boundaries.
SR5 – Outdoor Playing Space & New Residential Development.
EWP12 – Pollution.
EWP13 – Nuisance.
EWP15 – Development of Unstable Land.

SPGN No. 2 – Space Around Dwellings.
SPGN No. 3 – Landscaping.
SPGN No. 4 – Trees & Development.
SPGN No. 11 – Parking Standards.
LPGN No. 13 – Open Space Requirements.

National

Planning Policy Wales Edition 10 December 2018.

Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies (2015).

Technical Advice Note (TAN) 12: Design (2016).

7.00 PLANNING APPRAISAL

7.01 Site Description & Proposals

The site comprises part of the former garden area of Greystones which is a detached two storey residential property with a detached garage. The site is bounded (indirectly) on the east by the A541 Wrexham Road and the B5102 Ffrwd Road to the South. To the North West the site is bounded by a number of residential properties which are accessed from Alundale Road. These properties are bungalows. There is a stone wall around the two road boundaries with a grass verge sloping to the footway. The site is elevated above the road on both sides.

7.02 The proposals involve the erection of two detached, two bedroom bungalows. Plot 1 will have a four car integral garage with Plot 2 having a two car detached garage. Plot 1 will form an 'L' shape and measure approximately 17 m x 19 m x 5 m (height to ridge) with Plot 2 measuring approximately 13 m x 17 m x 4.5 m (height to ridge). The detached garage will measure approximately 7 m x 6 m x 5 m (height to ridge). All buildings will be constructed with white render walls with dark grey interlocking tile roofs. The proposals also involve the construction of a new vehicular access onto Ffrwd Road.

7.03 The main issues to be considered within the determination of this application are the principle of the developments in planning policy terms, the effects upon the character and appearance of the area, the highway implications, the effects upon the living conditions of the

adjoining occupiers, the drainage implications, the Section 106 Contributions, CIL Compliance and flood risk.

7.04 Background

Members may recall that outline planning permission with all matters reserved for subsequent approval was granted for two dwellings under delegated powers on 11th October 2016 under 055518. A plan for illustrative purposes only was provided that showed the siting of the two dwellings nearer to the road than that has been shown on this current application. This application is a full detailed application as the site edged red differs from the previous red edged site which formed part of the outline approval.

7.05 Principle of Development

The site is within the settlement boundary of Hope, Caergwrle, Abermorddu and Cefn-y-Bedd which is a Category B settlement within the Flintshire Unitary Development Plan. The proposal is therefore considered as proposed housing on an unallocated site within the settlement boundary and is subject to the tests set out in Unitary Development Plan(UDP) Policy HSG3. Policy HSG3 generally support an infill proposal such as this in a sustainable location. The scale of the growth is modest and the principle of two dwellings on the site is established which attracts significant weight in the overall planning balance. It is considered that the settlement can still accommodate the scale of growth proposed.

Considering the more detailed criteria of policy HSG3, the proposal does not result in tandem development or over development as the proposed pattern of development reflects the surrounding pattern of development. Furthermore the proposal does not conflict with the plan for housing in the County as a whole and the proposal broadly complies with the policy GEN 1 so it is considered acceptable in principle.

7.06 Character & Appearance

The application site is elevated above road level and was part of the garden area which served the property known as Greystone which is a prominent dwelling in the streetscene. It is Georgian in style with white render and bay windows at ground floor with a striking entrance porch. Its principal elevations face south west overlooking the application site in part. The main garden areas are to the front with a balcony area to the west of the dwelling above a garage. There is a further private garden to the rear.

7.07 At present the garden areas to the south are open with no boundary treatment to make them private. There is a low boundary wall between the garden area and the application site with an ornate wall on top.

- 7.08 The dwelling of Bod Maelor is situated on the opposite side of Ffrwd Road. This dwelling is traditional in style with red brick, a slate roof and chimneys at each end.
- 7.09 Given the proposed dwellings are to be bungalows they respect the scale of the surrounding development. They are proposed to be sited set down from the existing dwellings on Alundale Road but particularly that of Greystones. In accordance with UDP Policy D1 the proposal therefore makes the best use of this land. The proposed bungalows are to be constructed within white render walls, it is considered that the proposed layout will create a positive and attractive buildings with imaginative parking and landscaping solutions which replicates the unusual lay out of the private garden area which serves the host dwelling Greystones.

It is considered that in accordance with Policy D1 and D2 the proposal are of a good standard of design and form and the proposal protects the character and appearance of the locality whilst adding to the distinctiveness.

7.10 Highway Matters

A new vehicular access is proposed into the site off Ffrwd Road with garages proposed for four vehicles for Plot 1 and two vehicles for Plot 2 within the site. Also within the site, drives to each plot are to be provided.

- 7.11 Amended plans have been received which detail a 5 m wide shared access together with visibility splays of 2.4 m x 30 m (minimum) in the easterly direction and 2.4 m x 43 m in the easterly direction which are considered acceptable. The proposal is not considered to pose any negative impact upon highway safety.

7.13 Living Conditions

The dwellings proposed will be bungalows and sited on a sloping site downwards from North to South and from East to West. The rear of the dwelling on Plot 1 will be located approximately 26 m away from the rear of the existing dwellings on Alundale Road which are at a higher level. The front of the dwelling of Plot 1 will be approximately 21 m away from the front of the existing two storey property of Bod Maelor located on the opposite side of Ffrwd Road. The windows upon both existing and proposed properties will also be at an angle to each other. The rear of the proposed dwelling on Plot 2 will be located approximately 26 m away from the front of the existing two storey property of Greystones. This property is also set at a higher level than the site. The proposed private amenity areas will be located at the sides of each property which also meet the requisite amount that needs to be provided within the SPGN No. 2 'Space Around Dwellings'.

- 7.14 Given the above, in that the proposals are to be bungalows, sited on a sloping site, the separation distances, existing and proposed screening along the boundaries together with the amount of proposed private amenity spaces, it is considered that there will not be a significant detrimental impact upon the living conditions of the existing and proposed occupiers of the dwellings.
- 7.15 Drainage
Upon the application forms and plans, the applicant's agent has indicated that surface and foul waters will be disposed of to the watercourse and package treatment plant respectively.
- 7.16 With regard to the disposal of the foul water, the site lies within the location of a sewer area, however due to the site ground levels, flows could not gravitate to the sewer. Therefore, a private sewerage system is proposed.
- 7.17 Details of the planned private foul drainage system have been provided and Natural Resources Wales are now satisfied that sufficient information has been provided to justify its use for the development, and as a result raise no objections.
- 7.18 In relation to surface water disposal, as the proposal involves the construction of more than one dwelling, it will require a sustainable drainage system (SuDS) designed and built in accordance with the Welsh Ministers' statutory SuDS standards, SuDS schemes will be approved by Flintshire County acting in its role as the SuDS approving body (SAB). This is entirely separate regulatory process which lies outside the planning process.
- 7.19 Section 106 Contributions & CIL Compliance
The infrastructure and monetary contributions that can be required from proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations, 2010 and Welsh Officer Circular 19/97 'Planning Obligations'. It is unlawful for a Planning Obligation to be taken into account when determining a planning application for a development, or any part of a development, if the Obligation does not meet all of the following Regulation 122 tests:
1. Be necessary to make the development acceptable in planning terms;
 2. Be directly related to the development; and
 3. Be fairly and reasonably related in scale and kind to the development.
- 7.20 An off-site commuted sum of £1,100 per dwelling in lieu of on-site provision to improve facilities at Wyndham Drive play area is required. This is in accordance with Local Planning Note 13: Open Space

Requirements which requires off-site open space contributions where on site provision is not possible. There have not been 5 contributions towards this project to date.

7.21 It is considered that the contributions required are in accordance with Regulation 122 of CIL.

7.22 Flood Risk

The site lies outside any flood risk areas based on the Development Advice Map (DAM). As such the site is not liable to any flooding. Natural Resources Wales in their consultation responses raise no issues in terms of flooding resulting from the proposals.

7.23 Other Matters

The applicant's agent has advised that the large garage will be used for the storage of classic cars. A condition has been placed upon this recommendation that the garages will be used for private and domestic purposes only and that no trade or business shall take place from them or the site.

Concerns have also been raised regarding the description of the proposal. This is the description which has been submitted by the applicant and with the accompanying plans the Council considers it is clear where the development is proposed to be sited.

A third party has raised the matter of a covenant on the site which may prevent the construction of any dwelling. A covenant is a separate legal matter for the land owner to consider outside of the planning process. The existence of a covenant does not prevent the Council from granting planning permission.

Concern has been expressed regarding the lack of details of proposed excavation. How the site will be excavated and what construction methods will be used will be subject the building regulations which is a regulatory process which lies outside of the planning process. There is no requirement for the applicant to subject such information with the planning application.

7.24 In terms of loss of views and property values resulting from the development, the planning system is not in place to protect private interests and therefore significant weight cannot be attached to these matters in the overall planning balance.

8.00 CONCLUSION

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

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.

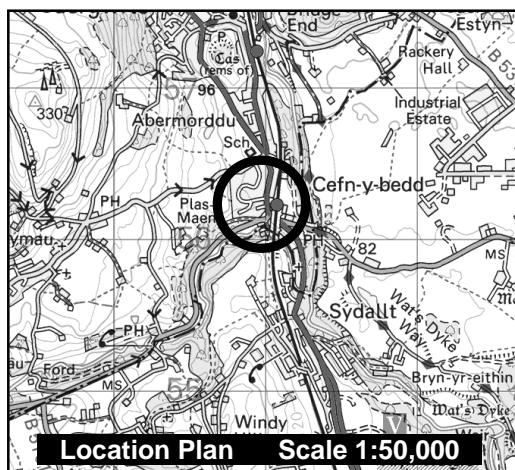
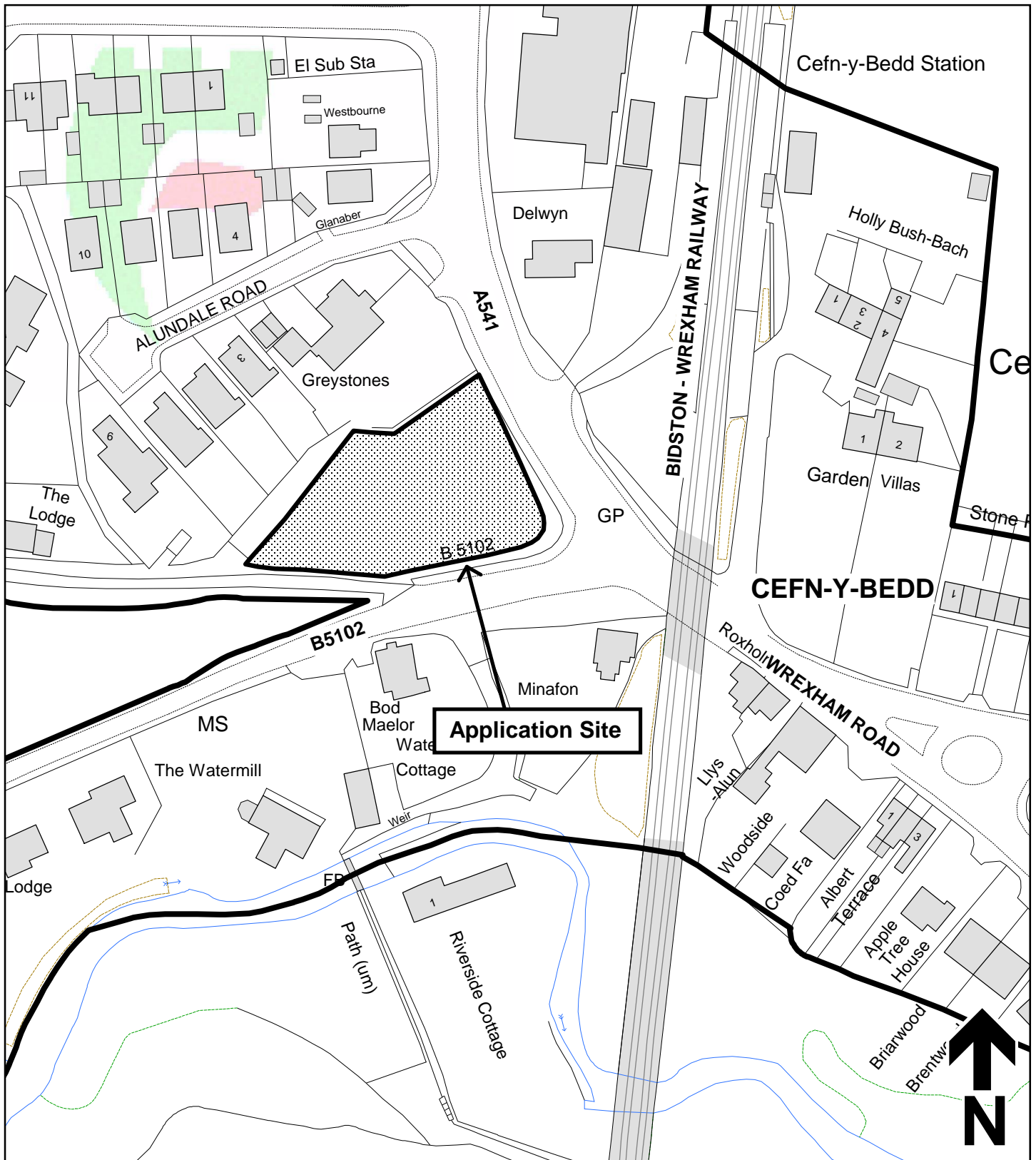
The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

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



Contact Officer: Alan Wells
Telephone: (01352) 703255
Email: alan.wells@flintshire.gov.uk

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 3056
Planning Application	60360

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.2

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **8TH JANUARY 2020**

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

SUBJECT: **FULL APPLICATION – CONVERSION OF REDUNDANT RESTAURANT/BAR INTO 13 NO. FLATS/APARTMENTS AT 14 MILL LANE, BUCKLEY**

APPLICATION NUMBER: **060374**

APPLICANT: **MR R BRAITCH**

SITE: **14 MILL LANE. BUCKLEY**

APPLICATION VALID DATE: **19TH AUGUST 2019**

LOCAL MEMBERS: **COUNCILLOR M J PEERS**
COUNCILLOR D HUTCHINSON

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

REASON FOR COMMITTEE: **SIZE OF DEVELOPMENT**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full application for the conversion of a former restaurant/bar into 13 no. apartments at 14 Mill Lane, Buckley.

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

2.01 That conditional planning permission be granted subject to the applicant either entering into a Section 106 Obligation to provide the following:

Payment of £733 per apartment in lieu of on-site public open space provision. The off-site contribution would be used to enhance existing public open space in the community; namely Higher Common Play area.

Conditions

1. Time Limit
2. Approved plans
3. Materials
4. Details of bin and recycling and bicycle storage area
5. Construction Traffic Management Plan

3.00 CONSULTATIONS

3.01 Local Member

Councillor M J Peers

Requests committee determination and site visit due to highway issues, parking issues, road safety issues and access issues.

Preliminary views as follows;(including forwarding views from residents of Millers Court;

- a) Plans show doorways in the side of the Windmill property facing Millers Court. These doors open out directly onto the roadway and into passing traffic. A kerbed pathway may be necessary to avoid conflict. Meeting requested with streetscene to discuss. (resident raise further concerns)
- b) Highways issues for the refuse and recycling vehicle. Concerns over bin storage facilities.
- c) Suggestion to re-configure the plans to incorporate internal corridor to alleviate the problem of a).
- d) Parking restrictions should be implemented to prevent car parking alongside the Windmill Bar and Grill to prevent the road being blocked and access by emergency services unrestricted.
- e) Concern over the potential number of vehicles related to the proposals. Adequate parking must be included. See also d).
- f) My suggestion would be valid if the road is of adopted standard. Requires clarification. The reference to Buckley Town Council receiving parking fine revenue is incorrect.
- g) Provides evidence that keeping the road clear alongside the Windmill Bar and Grill ensures unhindered access by the emergency services.

Buckley Town Council

Raise the following issues:

- The interests and environment of the residents of Millers Court should be protected and the development should have no adverse effect upon them.

- The flats/apartments appear to be too small, with limited parking and no provision for children to play outside.
- The development, if approved, will limit the town centres regeneration as it is an example of the loss of commercial properties within the town centre.
- There is indicated only one parking space per flat. This is below the standard required.
- The comparators used in the planning application are not equitable and refer to much larger urban conservation.
- It is acknowledged that the development will assist the need for social housing in the town.
- During the building of the development, if approved, there will be considerable environmental concerns in respect of access and egress to the site.

Highways Development Control

No objection to the proposal

Community and Business Protection

No adverse comments

Aura

In accordance with Planning Guidance Note No.13 POS provision, the Council should be seeking an off-site contribution of £1,100.00 per house/dwelling and £733 per apartment in lieu of onsite POS. The payment would be used to improve teenage provision at Higher Common Play Area. Aura have confirmed that the pooled contributions thresholds have not been exceeded with regards to Higher Common Play Area.

Education

I can confirm that Westwood CP School is the closest primary school and Elfed High School is the closest secondary school to the development.

I can also confirm that the development will not generate a Section 106 contribution for either school as the capacity trigger has not been reached.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

1 Letter of Objection received

- Site boundary shown encroaching over land belonging to the residents of Millers Court

5.00 SITE HISTORY

- 5.01 047608- Change of use of residential accommodation on first floor to offices- Approved 16/09/2010

047607- Change of use of ground floor at rear of property to be used as a day care facility with bathing area on first floor including installation of passenger lift Approved 16/09/2010

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
- | | | |
|-------------|---|---|
| Policy STR1 | - | New Development |
| Policy GEN1 | - | General Requirements for Development |
| Policy GEN2 | - | Development inside settlement boundaries |
| Policy D1 | - | Design Quality, Location and Layout |
| Policy D2 | - | Design |
| Policy D3 | - | Landscaping |
| Policy HSG3 | - | Housing on Unallocated Sites Within Settlement Boundaries |
| Policy HSG8 | - | Density of Development |
| Policy AC13 | - | Access and Traffic Impact |
| Policy AC18 | - | Parking Provision & New Development |

Local/Supplementary Planning Guidance Notes

- | | | |
|---------|---|------------------------|
| SPGN2 | - | Space Around Dwellings |
| LPGN 11 | - | Parking Standards |

National Planning Policy

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

7.00 PLANNING APPRAISAL

- 7.01 Site
The proposed development is the change of use of the 'Windmill', 14 Mill Lane, Buckley to 1 and 2 bedroom residential apartments. The proposal is for the conversion of the building into 13 no. apartments, 11 of which would be 2-bedroom with 2 no. 1-bedroom apartments.
- 7.02 The site is a former restaurant and function room which has more recently operated as a day care facility for the elderly.
- 7.03 Principle
The site is located within the settlement boundary for Buckley, a category A settlement, as identified within the Flintshire Unitary Development Plan, but outside of the core retail area, and therefore

as the conversion does not create tandem development or overdevelopment, does not conflict with the aims of the UDP and complies with the principles of GEN 3 it is considered acceptable to convert this non-residential buildings to residential, in accordance with policy HSG3.

- 7.04 The Town Council have raised concerns regarding the impact that losing a commercial property may have to the regeneration of the town. There is no local planning policy context to preclude this development as it lies outside core retail area and relates to a commercial use rather than an A1 retail use. This proposal provides a range of housing within easy reach of the town centre and it is likely that residents will utilise the town centre for their shopping needs. During the pre-application consultation process it is noted that a local business owner supported the principle of the proposal on this basis.
- 7.05 The Buckley Masterplan contains no specific proposals for Mill Lane but notes that it contains a mix of residential and secondary commercial land uses. PPW10 recognises that retail and commercial centres provide a range of shopping, commercial, leisure, employment and education facilities as well as civic identity and social interaction. PPW10 stresses that opportunities to live in these centres, combined with their good public transport links, make them the most sustainable places. In this context, PPW10 advises that 'policies should encourage a diversity of uses in centres' and refers to encouraging, where appropriate, residential development to promote lively centres during both the day and the evening.
- 7.06 Main Issues
The main issues to consider are highways issues surrounding access and parking provision, and the living conditions of residents and neighbours.
- 7.07 Highway matters
There are no proposed changes to the existing access. This access point currently serves the Windmill in its existing use, as well as providing access to the properties at Millers Court, and the rear of a number of properties on Brunswick Avenue, which are commercial units with flats above.
- 7.08 The site has a large parking area to the rear of the property which served both the restaurant and later, the care facility. The parking area is served by an existing access which also provides access to parking to the rear of the Millers Court properties. The proposal provides for 13 no. parking spaces as well as 3 no. visitor spaces.
- 7.09 As such the parking provision provided 4 spaces below the SPGN 11-Parking Standards has a maximum requirement for such development of 1 space per unit together with 1 space per 2 units for

visitors. It should be noted that the SPGN sets a maximum not a minimum standard.

7.10

The Agent has supplied Trip generation data for the existing use of the site. It is considered that highways activity for the existing use has the potential to generate significantly greater volumes of traffic than the proposed apartments. As such Highways Development Control have raised no objection to the proposal. The site is also well located in a town centre location with travel options close to hand which would allow a relaxation of the parking standards.

7.11

Following Highways advice I consider the access and parking provided by the proposal to be adequate for the development proposed.

7.12

Local and resident living conditions

The existing building has sporadic fenestration on its southern elevation. In order to allow natural light into the apartments, as well as to allow means of escape from the building, windows are to be introduced into this elevation.

7.13

At its western extent this elevation is blank and faces a blank flank wall for no. 12 Mill Lane. At the eastern section of this elevation the property faces the rear of a commercial property on Brunswick road over 30 metres away. The windows in these sections of the conversion would not give rise to any concerns over privacy or residential amenity and the development is in accordance with

7.14

In the middle section of the building the new fenestration in the southern elevation faces properties 1-5 Millers court. The distance between windows in this location is approximately 12.5 metres, facing across the access to the rear car park. SPGN2- Space Around Dwellings seeks a 22 metre interface where you have a direct interface between windows of two habitable rooms. Whilst a number of the windows, both in the proposed conversion and the Millers court properties, serve Kitchens (not considered to be habitable rooms) there are also windows serving Lounges and bedrooms, which are habitable. As a result the applicant has designed the conversion with windows deliberately offset from those facing them so as to avoid direct overlooking.

7.15

It should be noted that Millers Court has a rear to rear interface with the Brunswick road properties of approximately 12 metres. This includes direct window to window interface between the first floor accommodations.

7.16

Policy HGS8 of the Flintshire Unitary Development Plan requires new development to reflect the characteristics of the site and surrounding areas. Given the pattern of development in the vicinity I consider that the interface between the new fenestration and the properties at

Millers Court to be acceptable, particularly as the conversion has been designed to be as sensitive to this issue as it can be, placing the new windows at oblique angles to those they would otherwise be facing. This alleviates any particular concern surrounding the window interfaces.

7.17 There is no amenity space associated with the apartments, but given the town centre location and the type of accommodation provided this is not unexpected. The site is located a walkable distance away from the public open space and play area at Buckley Higher Common where the developer will make a contribution for teenage provision, as well as the skate park at Hawkesbury.

7.18 Design

Part of the proposal involves alterations to the roof of the building. The current roof of the building has a variety of various roof slopes and the proposal will rationalise this with a single, cohesive pitched roof, which follows the height and pitch of the highest part of the existing roof. The roof alterations improve the appearance of the building. Taken together with the new fenestration the converted building respects the scale of the surrounding development and makes the best use of land. The changes will create a positive and attractive building which will protect the character and amenity of the locality and add to the quality of the area. The proposal is therefore considered to broadly comply with UDP Policies D1 and D2.

7.19 Planning Obligations

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

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

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

7.20 As both primary and secondary schools have sufficient capacity a S106 contribution will not be required.

7.21 However, as no Public Open Space (POS) provision is provided on site by the development. In accordance with Planning Guidance Note 13- Public Open Space provision, it is considered that the Council should seek commuted sum payment in lieu of on-site provision,

which would enhance existing POS in the community in accordance with the SPGN it is considered that a fee of £733 per apartment is appropriate.

7.22 Aura have advised that the payment would be used to improve teenage provision at Higher Common Play Area. It has been confirmed that the pooled contributions thresholds have not been exceeded with regards to Higher Common Play Area.

7.23 It is considered that these contributions comply with the requirements of section 122 of the Community Infrastructure Levy (CIL) Regulations 2010.

7.24 Other Matters

Whilst this application is below the policy threshold for affordable housing, and therefore Housing have not been consulted formally on the proposal, the developer has approached the Housing Solutions team and was interested in working with them to provide accommodation for people in housing need. As such Housing have put forward their support for the proposal and its aims of providing much needed good quality, private rented accommodation in Buckley.

7.25 The Community Council has raised concerns that the proposed flats seem too small. The Council does not have a minimum room size policy or guidance and therefore it would be difficult to substantiate a refusal on this basis. However, it is clear that the room sizes appear to be comparable with standard housing and flat layouts received by the Council.

7.26 A query has been raised regarding land ownership, and the application area infringing on areas in the ownership of owners of Millers court. The applicant has submitted Certificate A which states that they are owners of the land subject to the application. The granting of planning permission does not invalidate any legal rights that may exist on the land. I do not consider this to be material to the determination of the planning application.

8.00 CONCLUSION

Given the location of the development, and with due regard to the relevant planning policies and to considerations of sustainability this site is considered to be an appropriate location for this form of development and I recommend accordingly.

8.01 Other Considerations

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

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

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

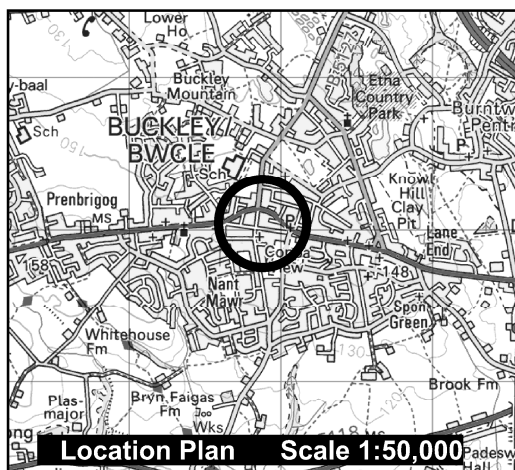
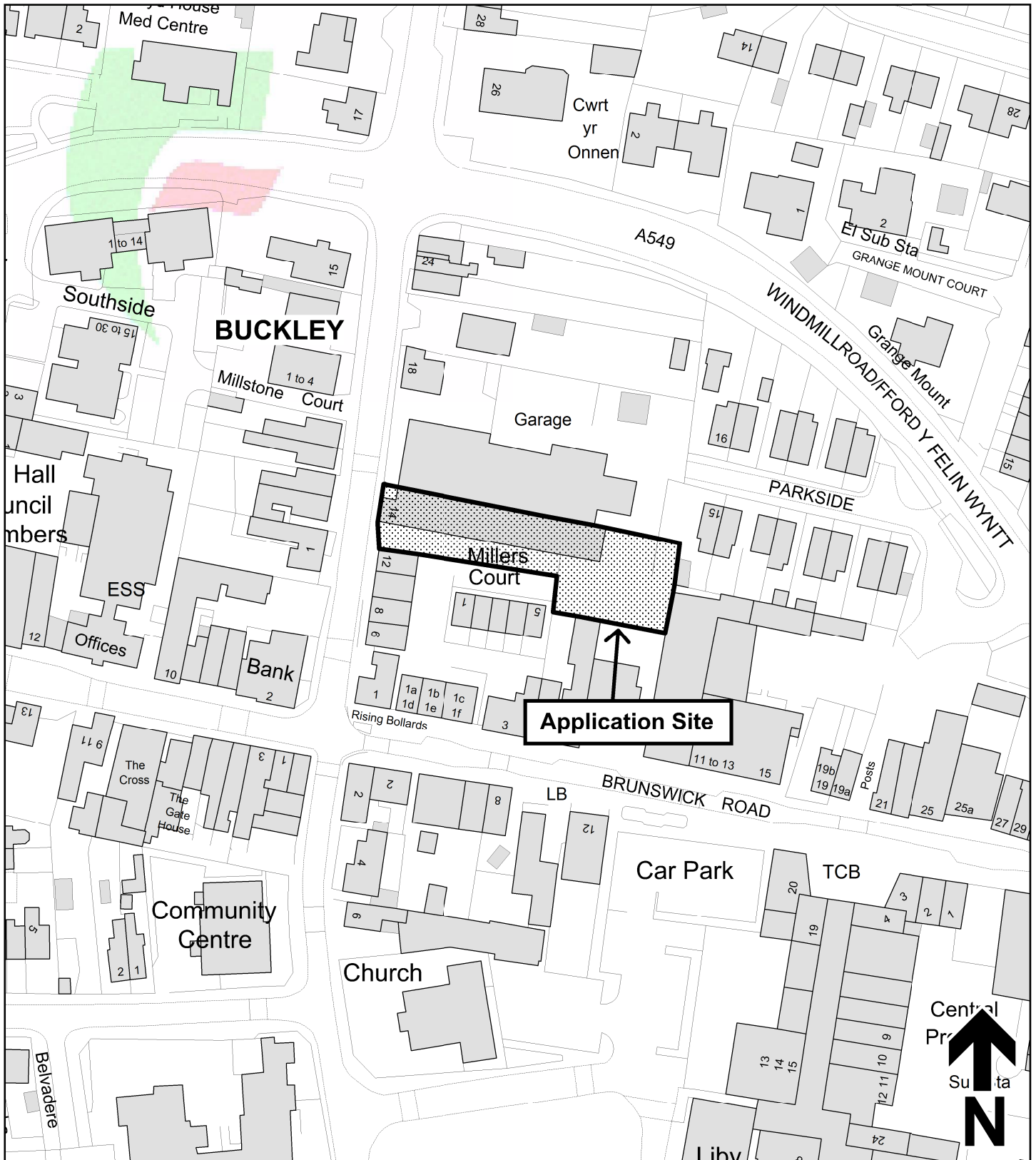
The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: James Beattie
Telephone: 01352 703262
Email: james.beattie@flintshire.gov.uk

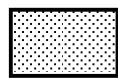
Mae'r dudalen hon yn wag yn bwrpasol



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 **60374**

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Eitem ar gyfer y Rhaglen 6.3

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **8TH JANUARY 2020**

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

SUBJECT: **FULL APPLICATION – NEW BUILD 32 BED EXTENSION TO AN EXISTING CARE HOME FACILITY AND ASSOCIATED ADMINISTRATION/SERVICE AREAS WITH EXTERNAL LANDSCAPING AT MARLEYFIELD HOUSE, NANT MAWR ROAD, BUCKLEY.**

APPLICATION NUMBER: **060336**

APPLICANT: **FLINTSHIRE COUNTY COUNCIL**

SITE: **MARLEYFIELD HOUSE, NANT MAWR ROAD, BUCKLEY**

APPLICATION VALID DATE: **12TH AUGUST 2019**

LOCAL MEMBERS: **COUNCILLOR N PHILLIPS OBE**

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

REASON FOR COMMITTEE: **SIZE OF PROPOSAL**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a full application for the erection of a 32-bed extension to an existing care home facility and associated landscaping and car parking at Marleyfield House, Nant Mawr Road, Buckley.

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

2.01 1.Time Limit

2. Approved plans
3. Materials
4. Implementation of Landscaping
5. Car parking available before first use of extension
6. Protected Species- Bats
7. Protected Species- Lighting Plan
8. Public footpath protection
9. Land contamination
10. Bike storage details
11. Existing and finished floor levels

3.00 CONSULTATIONS

3.01 Local Member
Councillor N Phillips OBE
No response at time of writing

Buckley Town Council
Endorse, support and congratulate the development

Highways Development Control
No objection to the proposal and make no recommendation on highways grounds.

Community and Business Protection
No objection. Suggests conditions regarding land contamination

Education and Youth
All units are exempt from Section 106 calculations and no contributions are being sought.

Housing
Supports application

SAB
A SAB application has been submitted

Airbus
No objection

Welsh Water/Dwr Cymru
No objection

Natural Resources Wales
Requests protected species conditions

4.00 PUBLICITY

- 4.01 Press Notice, Site, Notice, Neighbour Notification
No responses to amended scheme

5.00 SITE HISTORY

- 5.01 034720- Construction of car park with access road from within existing site curtilage- Approved 27th November 2002

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan

STR1 New Development
GEN1 General Requirements for Development
GEN2 Development Inside Settlement Boundaries
D1 Design Quality, Location and Layout
D2 Design
D3 Landscaping
L1 Landscape Character
WB1 Species Protection
AC1 Facilities for the Disabled
AC2 Pedestrian Provision and Public Rights of Way
AC13 Access and Traffic Impact
AC18 Parking Provision and New Development
CF2 Development of New Facilities

Local/Supplementary Planning Guidance Notes

LPGN 11 - Parking Standards

National Planning Policy

Planning Policy Wales (10th Edition – December 2018)

Technical Advice Note 12 : Design

Technical Advice Note 18: Transport

7.00 PLANNING APPRAISAL

- 7.01 Background

A project has been brought forward by Flintshire County Council for the extension of Marleyfield House, an existing Local Authority care home. The extension consists of 32 additional rooms with associated communal areas, medical facilities, offices and store rooms. The proposal also provides extended car parking facilities and extensive landscaping.

- 7.02

- 7.03 Part of the project includes refurbishment of the existing care home. This work does not require planning permission and falls outside of the scope of this application.

Site

- 7.04 The development site is located on an edge of settlement position abutting, but outside of, the settlement boundary of Buckley as defined in the Flintshire Unitary Development Plan. Buckley is a Category A settlement in the Flintshire Unitary Development Plan, and is one of the largest towns in Flintshire. The existing care home is inside the settlement boundary but the area upon which the extension is to be sited is in an area of open countryside.

- 7.05 The site is bounded by public footpaths on its eastern and southern boundaries. There are residential dwellings to the north east and the north west, and an existing play area immediately to the west. To the south of the site is open countryside.

Principle

- 7.06 The existing facility is considered to be a community facility under the definition of Policy CF2 in the Flintshire Unitary Development Plan. This policy allows for development in the open countryside where the proposal relates to the extension to an existing facility. The proposal is considered to be acceptable in principle.

Design

- 7.07 The proposed extension is a two storey linear extension providing 32 new en-suite bedrooms. The extension is connected to the existing care home by a connecting passageway,

- 7.08 There is a change in ground levels from the proposal site and the existing care home, with the land dropping away to the south. The extension utilises the challenges presented by the site topography, linking the first floor of the extension to the ground floor of the existing building. The extension has been designed to allow for uninterrupted views over the open countryside to the south from the existing care home as well as from the bedrooms of the extension.

- 7.09 The building has been designed with the edge of settlement location in mind. The materials proposed, with a mixture of light grey and dark grey brick creates a distinctive building which comfortably sits within the locality whilst creating an architecturally interesting feature. The use of a sedum roof integrates the building within the landscape, particularly when viewed from the existing building.

Given the innovative and creative facility that is being created by the proposal, I consider it appropriate that a distinctive architecture is being utilized. The existing care home is of a distinctive design and

replicating that would be inappropriate, and would not allow for the innovative facilities being provided.

7.10

The proposal was brought before a panel of the Design Commission for Wales (DCfW) on the 19th June 2019. The Design Commission considered that “The design has been developed positively with evidently good collaboration between the client and design team. Design decisions have been well considered and respond to a sound analysis and vision for the project.” There were a number of suggested refinements to the proposal put forward by DCfW, including further consideration of the rear of the extension and the retaining wall, which at the time had a corridor type effect. This refinement has been implemented by the amendment, which brings the extension away from the retaining structure. This has allowed the retaining structure to be reduced in size with a planted embankment taking its place, and takes away the area of concern identified by DCfW.

7.11

Impact upon Living conditions

The extension is located on a lower level than the existing care home. The extension has been carefully designed to allow existing sight lines from the original care home to be uninterrupted to the south, allowing both light and views to be retained by the care home residents.

7.12

Neighbouring dwellings are generally located at a removed distance from the extension. Consideration was given to the single storey dwelling located close to the public footpath to the east of the site as due to its orientation with windows facing the site there is potential for an adverse impact from the proposal.

7.13

The initial proposal was located closer to this property with a resultant impact. The scheme has been amended by lengthening the connecting corridor and bringing the extension away from the bank. The angle of this increase has brought the building away from this bungalow.

7.14

There is no fenestration facing towards the bungalow or its neighbours. Given the relatively modest gable elevation profile, with a height of 7 metres, together with existing boundary hedging and proposed landscaping between the proposed extension and the dwelling in question, The distance between the gable wall of the extension and the dwelling in question is 11 metres. The distance in SPGN2- Space Around Dwellings between the rear of a property and a blank flank wall is 12 metres. Given the screening between the two and the relative height of the proposal I do not consider that the

7.15 proposal would have any adverse impacts upon neighboring living conditions.

Landscaping

7.16 The proposal has been designed to utilise the existing topographical features of the site to help to create a unique scheme that is responsive to the characteristics of the site. The ground floor of the extension will sit below the existing building enabling lines of sight from the higher portion of the site through to the open countryside beyond.

7.17 The landscaping scheme submitted with this application identifies that as part of the proposed development the two existing courtyards located within the existing building will be upgraded. A terrace garden is proposed between the existing building and the proposed extension, with raised planting beds, seating and routes between the two buildings.

7.18 The proposed development will provide a new extensive garden area to the south of the extension. This garden is located here to make the most of the views and south facing elevation. The gardens will be enclosed by fencing and strategically planted to create a secure space. The garden will be planted for seasonal and sensory interest and provide sheltered seating for the residents to use.

7.19 It was noted by the Design Commission of Wales, that “This proposal integrates the benefits of a landscape approach and maximisation of benefits of views for residential quality and therapeutic value.”

7.20 Site boundaries are treated with 1.5m high mesh fencing where a secure perimeter is required. Next to the public footpath structural hedging will maintain the green corridor as it passes the site. A post and rail timber fence more appropriate to the countryside location delineates the area for sustainable urban drainage.

7.21 It is considered that the extensive and well designed landscaping proposed offer a significant benefit to the site, both for its residents and visitors, and in landscape value when the site is viewed from the adjoining areas and public footpaths.

Parking and Access

7.22 The proposal utilises the existing vehicular access to the site, which will be unchanged by the proposal. The existing pedestrian access to the site is also to be retained. The public footpaths on the site are unaffected by the development.

The proposal has been supported by a Travel Plan and transport statement. These documents, respectively, examine the options for

more sustainable transport options to and from the site including bicycle storage as well as motorcycle spaces, and review the transport related impacts of the proposal and propose requires mitigation measures.

7.23

There are currently no provisions for bicycle storage at the site. Staff travel surveys carried out in May 2019 indicate a willingness to cycle to work from a number of staff, should there be capacity to do so. The submitted Transport Statement proposed that cycle storage will be provided on the site. The proposals give a greater option to staff who may want to take up transport options other than travelling to the site by car.

7.24

The expanded care home will have 39 no. parking spaces, including 5 no. disabled spaces. The maximum number of staff working at the site is anticipated to be 23, an increase from the current maximum of 16 at present. It is acknowledged that there will be busy periods due to shift patterns, where this number is far higher. An anticipated maximum for these periods is 34 (increased from 22) for a short period of time.

7.25

In accordance with policy AC18 the car parking requirement for C2 use (residential institutions) is 1 car space per 3 bed spaces +1 car space per staff. The extended car home will have 64 bedrooms, requiring 22 car parking spaces, with 16 staff, with an anticipated rise to 23. This means that there is a maximum requirement of 38 at current staffing levels, or 45 at the anticipated staff level. As such the car parking provided is considered to be compliant with the policy.

7.26

The parking provision, supported by the Transport Plan and Travel Plan, is considered to be appropriate and Highways Development Control have raised no objection to the proposal.

7.27

Ecology

The submitted Bat report identified the presence of bats at the application site. Natural Resources Wales have considered this and concluded that the proposed development represents a lower risk for bats and that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. This is subject to conditions being applied to ensure that any impacts are appropriately mitigated should any roost disturbance be required.

8.00 CONCLUSION

This application represents much needed expansion and development of an important Council facility. The design is considered to be appropriate, and the extensive landscaping scheme

is considered to provide significant benefit to the site as a whole both visually, and more importantly to the living conditions of the residents of the site, with both amenity and therapeutic value. As such I recommend accordingly.

8.01 Other Considerations

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

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

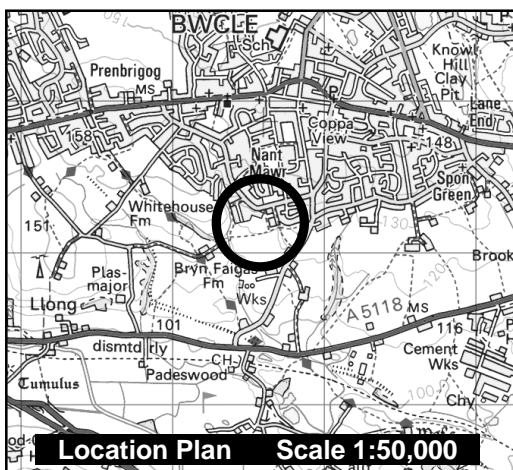
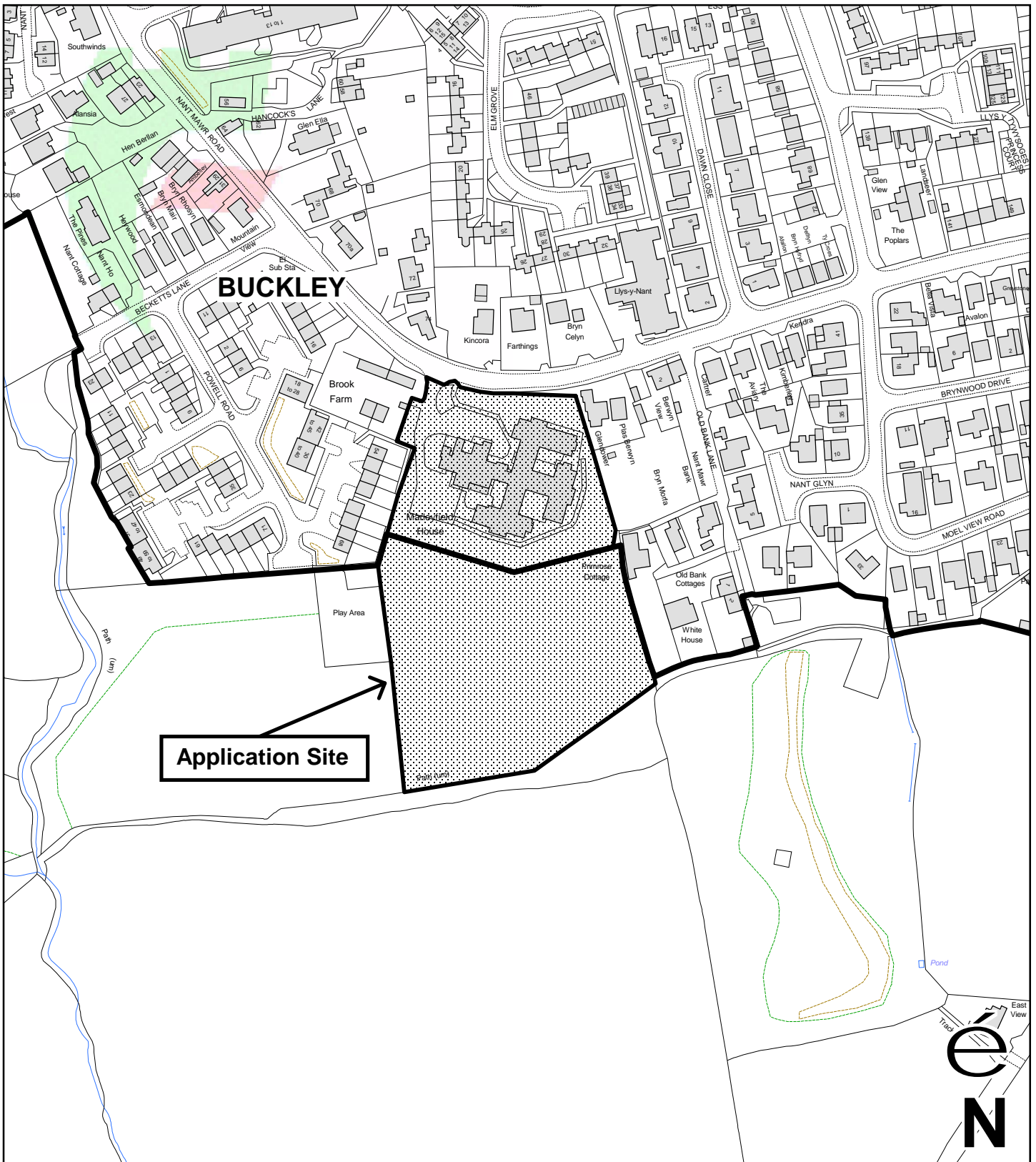
The Council has had due regard to its public sector equality duty under the Equality Act 2010.

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

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: James Beattie
Telephone: 01352 703262
Email: james.beattie@flintshire.gov.uk



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 2763
Planning Application	60336

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.4

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **8TH JANUARY 2020**

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

SUBJECT: **APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL (058990) AT PLOT A, RAF SEALAND SOUTH CAMP, WELSH ROAD, SEALAND.**

APPLICATION NUMBER: **060222**

APPLICANT: **GLEAVE PARTNERSHIP LTD.**

SITE: **RAF SEALAND SOUTH CAMP, WELSH ROAD, SEALAND.**

APPLICATION VALID DATE: **18TH SEPTEMBER 2019**

LOCAL MEMBERS: **COUNCILLOR MS. C M JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST AND SCALE OF DEVELOPMENT.**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This is a reserved matters application pursuant to outline planning permission ref: 058990 which was for the redevelopment of a strategic brownfield site for an employment-led mixed use development with new accesses and associated infrastructure including flood defences and landscaping on land at RAF Sealand south camp, Welsh Road, Sealand.
- 1.02 The outline consent was granted planning permission in 2013 and in recent years has been subject to a variation; reserved matters permission for infrastructure and enabling works; 1st phase of residential development along with the associated discharge of

conditions attached to the outline consent. The Airfields and the Former Corus, Garden City site forms part of a long-standing aspiration of Flintshire County Council and Welsh Government to bring forward a comprehensive, mixed use redevelopment in this area (also referred to as 'the Northern Gateway'), taking advantage of the strategic location and the availability of previously developed land.

- 1.03 This reserved matters application relates to the development of Plot A.
- 1.04 This site forms part of the wider mixed use strategic allocation to, Policy HSG 2A and Policy EM1(12) in the Flintshire Unitary Development Plan, the principle of development is therefore considered acceptable in planning policy terms. Issues in respect of design, layout, access, landscaping, and flood risk have been negotiated and resolved.

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

- 2.01 That conditional planning permission be granted subject to the following:

Conditions:

1. Time Commencement
2. In accordance with approved plans
3. Samples of materials for external finishes
4. AOD levels including accesses shall be
 - 4.99m AOD – existing mean ground level for Plot A
 - 4.82m AOD – platform level for Plot A
 - 4.97m AOD – finished floor level for Plot A.
5. A detailed scheme for off-site highway improvements, as identified in the TIS, shall be submitted and approved, and implemented in full prior to first occupation
6. Travel Plan shall be implemented prior to the first occupation of the development
7. Scheme of Aerodrome Safeguarding Measures

3.00 CONSULTATIONS

- 3.01 Local Member
Councillor Ms. C M Jones
Requests the application be reported to the planning committee due to the proposed scale of development and the strategic importance of the development to the area.

- 3.02 Sealand Community Council
The Community Council raises no objections to the proposed development.
- 3.03 Highways Development Control
The development site is remote from the adopted highway but accessed from a road that is to be dedicated as public highway. The submission has identified a need for off-site highway improvements, some of which will affect County Roads and the Trunk Road network. The outline consent dictated that there would be a need for off-site highway works in order to accommodate the Northern Gateway development and thus to avoid saturating the existing highway network(s). The outline consent therefore imposed conditions which list the main off site works to be carried out once triggered, and for all phases of development to be supported by an updated Schedule of Highway Works/Transport Implementation Strategy (TIS) and Travel Plan. The proposed access arrangements and highway mitigation measures are considered to be acceptable. The Highways Authority therefore raises no objection subject to the imposition of conditions.
- 3.04 Community and Business Protection
No adverse comments to make.
- 3.05 Business Development
Business Development is supportive of this application which will give rise to development of the Commercial District of the Airfields Site within the Deeside Enterprise Zone, and subsequent creation of jobs and local supply chain opportunities.
- 3.06 Welsh Water/Dwr Cymru
No objection to the proposal. There remains appropriate conditions relating to a scheme for foul, surface water and land drainage to include water supply in place which must be submitted and approved prior to the commencement of the development.
- 3.07 Natural Resources Wales
No objection to the proposed development as submitted.
Flood Risk: based on the proposed design to modify the non-return valves from the proposed outfall structures NRW are satisfied that the proposed compensatory flood storage scheme is sufficient to manage any flood risk which may arise.

NRW are also satisfied that the additional flood risk mitigation measures set out in the Flood Consequences Assessment meet the requirements established as part of the site-wide flood risk strategy at the outline planning stages. We therefore offer no flood risk objections to the development proposals.
Protected Species: NRW consider the additional information to be satisfactory in order to remove our previous requirements regarding water vole and Invasive Non-Native Species (INNS). The updated

approach is likely to have material benefits to the targeted and evidence-based delivery of water vole conservation in the long term in this locality.

Airbus

- 3.08 Airbus confirms that the proposed development has the potential to impact upon the Hawarden Aerodrome operations and safeguarding criteria, and therefore requests the imposition of a condition requiring the submission of a Construction Management Plan as a form of mitigation.

Clwyd-Powys Archaeological Trust (CPAT)

- 3.09 Confirms that there are no archaeological implications and therefore have no additional comments to make.

4.00 PUBLICITY

- 4.01 Press Notice, Site, Notice, Neighbour Notification

No representations received.

5.00 SITE HISTORY

- 5.01 **059938** Application for the approval of details reserved by condition nos. 7 (sustainable drainage scheme), 15 (landscaping) and 19 (construction environmental management plan) attached to planning permission ref. (058990) – Partially Discharges 13.08.19

059903 Application for the approval of details reserved by condition nos. 5, 7, 8, 9, 11, 12, 15, 17, 18, 19, 20, 21, 22, 23, 25, 27, 28, 29, 31, 32, 33, 35, 36 & 41 attached to planning permission ref. 058990 – Approved 19.08.19

059514 Application for approval of reserved matters following outline approval for the erection of 283 no. dwellings. – Approved 25.09.19

058990 Application for removal or variation of a condition following grant of planning permission. (049320) – Approved 25.10.18

058950 Application for approval of reserved matters phase 1 informal landscaping and POS following outline approval. (049320) – Approved 13.03.19

058531 Application for the approval of details reserved by condition no. 27 (construction management plan) attached to planning permission ref. 049320 – Approved 02.08.18

058514 Application for the approval of details reserved by condition nos. 5 (phasing scheme) 6 (development brief), 30 (highway works/transport implementation strategy), 34 (framework travel plan)

and 38 (scheme for the layout, design and timetable for implementation of works) attached to planning permission ref. 049320 – Approved 24.08.18

058508 Application for the approval of details reserved by condition nos. 5 (construction environmental management plan) and 6 (ecological compliance audit report) attached to planning permission ref. 057404 – Approved 07.08.18

058506 Non-material amendment following grant of planning permission 057404 – Approved 06.07.18

058452 Non-material amendment following grant of planning permission 057404 Amendment to shape of area for proposed temporary stockpiles of imported fill materials – Approved 14.06.18

058244 Application for approval of details reserved by condition No5 & No6 attached to planning permission ref 057404 – Partially Discharges 17.05.18

057404 Application for approval of reserved matters following outline approval 049320 for phase one enabling works comprising an access road, surface water drainage, landscaping and engineering works to create developments platforms – Approved 09.03.18

054488 Reserved matters application for phase 1 of the highway works and associated infrastructure works following outline approval 049320 for a mixed use development and associated infrastructure – Approved 01.03.16

051764 Temporary contractors compound to facilitate flood defence strengthening works – Approved 15.04.14

051139 Discharge of condition no.24 (Framework Ecological Mitigation and Enhancement Strategy) attached to planning permission ref: 049320 – Approved 25.09.13

050730 Engineering works to provide flood defence strengthening along 1.5km of the River Dee embankment, to include sheet piling to a maximum depth below ground of 12m and a minimum height of 7.2m AOD and a proposed temporary access route and site compound – Approved 25.06.13

049320 Outline application for the redevelopment of a strategic brownfield site for an employment led mixed use development with new accesses and associated infrastructure including flood defences and landscaping. – Approved 07.01.13

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
STR1 – New Development
STR3 – Employment
STR7 – Natural Environment
GEN1 – General Requirements for Development
D1 – Design Quality, Location & Layout
D2 – Design
D3 – Landscaping
L1 – Landscape Character
AC2 – Pedestrian Provision and Public Rights of Way
AC3 – Cycling Provision
AC4 – Travel Plans for Major Traffic Generating Development
AC13 – Access & Traffic Impact
AC18 – Parking Provision & New Development
HSG2A – Strategic Mixed Use Development, Land NW of Garden City
EM1 – General Employment Land Allocations (12)
EWP12 – Pollution
EWP13 – Nuisance
EWP14 – Derelict and Contaminated Land
EWP16 – Water Resources
EWP17 – Flood Risk

SPGN No. 3 - Landscaping
SPGN No. 11 – Parking Standards

National

Planning Policy Wales Edition 10, December 2018

TAN 11: Noise

TAN 12: Design

TAN 18: Transport

As the site forms part of the strategic mixed use allocation of HSG2A the principle of mixed use development including the B1 (office accommodation) and B8 (distribution) uses proposed is established.

7.00 PLANNING APPRAISAL

7.01 Introduction

The application seeks approval of reserved matters (access, appearance, landscaping, layout and scale) for the erection of a warehouse (Use Class B8) with ancillary office accommodation (Use Class B1) associated car parking, van storage, cycle parking, pedestrian and vehicular access arrangements, landscaping and infrastructure works.

- 7.02 This proposal is pursuant to outline planning permission on land at The Airfields, RAF Sealand South Camp, Sealand.

7.03 Site Description

The Airfields site is located within the urban fringe about 1.5km north of Queensferry and adjacent to Garden City. Immediately to the north is the Bangor to Chester Sustrans cycleway and footpath and Deeside Industrial Park. To the west and south west is agricultural land and the River Dee. To the east lie existing residential development and Welsh Road, with the A494 trunk road and network beyond.

7.04 The site comprises brownfield land formerly occupied by RAF buildings and green fields. Access to the site can be achieved by the now constructed spine road ref. 054488 and the residential spine road currently under construction as part of the approved 1st phase enabling works ref.057404, both access points are off Welsh Road. The site borders the existing council owned industrial units to the north of, and accessed through, Garden City.

7.05 Proposed Development

The proposed development seeks permission to provide a warehouse of 9,200sqm split into a warehouse area of 8,190sqm and ancillary office area of 1,010sqm. The unit is proposed to be served by approximately 170 car parking spaces for staff and 470 delivery van spaces for parking, waiting and loading.

7.06 The proposed unit is 139m x 67m and is 13.35m to the ridge height. It is proposed that access would be achieved using the primary access point approved under reserved matters consent 054488 for the Spine Road. Two further accesses are proposed from the south to serve HGVs and delivery vehicles, and staff parking areas respectively. An HGV yard with a dedicated turning and manoeuvring area is proposed to the north of the warehouse.

7.07 Principle of Development

The site forms part of the strategic mixed use development allocation HSG2A land North West of Garden City within the Flintshire Unitary Development Plan. As explained above, the Airfields and the Former Corus, Garden City site together make up the 'Northern Gateway', a comprehensive mixed use redevelopment which takes advantage of the strategic location and the availability of previously developed land.

7.08 Both component sites have the benefit of outline planning permission which as part of the approved mixed use includes a large commitment to providing employment generating, commercial and industrial development opportunities within the Deeside Enterprise Zone. In addition to the site's mixed use allocation, the site also falls within employment allocation EM1 (12) which allows for B1, B2 and B8 employment uses.

- 7.09 The site's allocation for mixed use reflects both the strategy of the Flintshire Unitary Development Plan and the principles embodied in Planning Policy Wales. In this context, there is a clear policy framework supporting the principle of commercial development on this site. The location of these proposed B1 and B8 uses within Plot A of the Airfields site conforms with the approved Masterplan for the site.
- 7.10 Highways
- Vehicular access to the development will be provided from the spine road which provides access to Welsh Road. A transport implementation strategy (TIS) has been prepared by Vectors and submitted with the application which adopts the principles of the site wide TIS approved on 24 August 2019 under reference 058514.
- 7.11 The proposed vehicular access points to and from the site will form junctions with the main spine road. The location of the primary access point has already been approved through the reserved matters application for the highways works (054488). The other access points are required to ensure the efficient and safe operation of the proposed development to ensure that traffic and pedestrian/cycle flows around the site can be managed
- 7.12 The access will be built to adoptable standards and all have visibility splays in accordance with a 30-mph design speed. As required by condition 25 of the outline planning permission for the wider site the first 20m of each access that may be used by construction traffic will be surfaced to a wearing course before the commencement of the development.
- 7.13 The TIS submitted with the application demonstrates that the proposed access points are of a safe and suitable standard to accommodate traffic associated with the Proposed Development. Therefore the proposal accords with Policy AC13 and there is no objection from Highway Development Control Manager.
- 7.14 In respect of parking, the proposed development includes 170 car parking spaces for workers, including 7 disabled spaces and 3 electric vehicle charging points as well as overnight van parking for up to 473 delivery vans.
- 7.15 The prospective occupier of the site would propose to use the site as a 'last mile' distribution centre, where parcels are delivered via small vans to customers in the local area. The occupier is seeking to consolidate some of their operations onto the site and this has resulted in the current proposal for the onsite overnight van storage which would house the majority of van fleet overnight while the drivers are not out on deliveries as opposed to vans being stored in the local area on separate sites. The Council's parking standards

relate to employee or visitor standards and not operational standards. It is therefore considered that the proposed use is acceptable due to the scale of the distribution proposed.

7.16 The cumulative amount of employee or visitor parking proposed of 170 parking spaces is in excess of the maximum standards of 116 spaces for the proposed development. The developer has confirmed that the proposed development would generate approximately 200 to 220 permanent/temporary jobs for office/warehouse workers. It is anticipated as set out in the travel plan that 12 to 136 staff based on the site will drive to the site by car. Therefore to avoid any issues at shift change overs and to ensure there is sufficient parking for visitors and employees not permanently based at the site 170 spaces are proposed to ensure there is no on-street parking.

7.17 Flood Risk

In accordance with the NRW Development Advice Map, the site is situated in Flood Zone C1, an area considered to be at flood risk but served by significant infrastructure, including flood defences. It has therefore been accepted that The Airfields site is at risk of flooding, with the principle source being tidal, River Dee and fluvial as secondary via Garden City Drain.

7.18 As part of securing outline planning permission in 2013 a detailed Flood Consequence Assessment (FCA) which included extensive hydraulic modelling, and engagements with Natural Resources Wales (NRW), agreed the principles that flood risk could be appropriately mitigated, ensuring the site remained flood free during an event and that flood risk elsewhere was not increased as a result. The FAC demonstrated compliance with TAN15 and informed the design of the site wide flood mitigation scheme, to which any future reserved matters should relate.

7.19 As part of the mitigation for this site, an application ref 050730 to strengthen the north River Dee embankment flood defences was submitted and approved. The scheme involved increasing the height of the defences to 7.20m AOD and reinforced the protection against a tidal breach, not only to the 'Northern Gateway' site but to the Garden City and surrounding areas. The 1st phase reserved matters application ref 057404 for the development enabling works involved implementing the agreed mitigation scheme, which included reprofiling the site and raising site levels to create development platforms. The site works completed to date have raised the site levels from 4.73m AOD to a minimum post development level of 4.96 AOD.

7.20 Further to the site-wide mitigation plan having been agreed, the outline consent attaches a condition which requires the submission of a 'specific' FCA relating to that phase to be submitted and assessed

in accordance with TAN15. This was to facilitate necessary detailed consideration of the reserved matter proposals.

- 7.21 This reserved matters application is therefore supported by a detailed FCA prepared by Pinnacle Consulting Engineers. As flood risk is a dynamic constraint, the requirement to provide an updated assessment of the flood risk relating to the end use or phase of development acts as a safeguarding mechanism, allowing a reassessment of the risks and mitigation proposed, the degree of which is subsequently dictated by the end use in terms of whether it relates to 'less' or 'highly' vulnerable development in accordance with TAN15.
- 7.22 The proposal is classified as 'less vulnerable development' in accordance with Figure 2 of TAN15. TAN 15 recognises that there is some flexibility to enable the risks of flooding to be addressed whilst recognising the negative economic and social consequences if policy were to preclude investment in existing urban areas, and the benefits or re-using previously developed land.
- 7.23 With specific reference to paragraph 6.2 of TAN15, development such as this proposed will only be justified if it can be demonstrated that:
- i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or
 - ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;
And
 - iii) It concurs with the aims of PPW and meet the definition of previously developed land and;
 - iv) The potential consequences of a flooding event for the particular type of development have been considered and are acceptable to the criteria set out in TAN15.
- 7.24 It is clear the proposal is part of significant strategic mixed use development which has been allocated in the current Unitary Development Plan and proposed to be allocated in the emerging Development Plan. The development of this strategic site is considered by the Council as the best and most sustainable way to bring forward economic development opportunities, locating housing close to employment, using previously developed land to build a cohesive community. Therefore the proposal meets the i) and ii) and iii) in terms of its regeneration of a disused derelict site, generating employment and meeting the aims of PPW re-using PDL.
- 7.25 With regards to point iv) the FCA submitted by Westwood's in May 2018 and refreshed in May 2019 identified minimum development levels as follows;

4.99m AOD – existing mean ground level for Plot A
4.82m AOD – platform level for Plot A
4.97m AOD – finished floor level for Plot A.

- 7.26 The Pinnacle Consulting Engineers FCA continues to support these proposed AOD and NRW have no objection to those.
- 7.27 The existing spine road serving the site has been constructed and provides an access junction into the site. This therefore ensures adequate access/egress from the site during any of the potential identified flood events. This is secured by a condition proposed above.
- 7.28 The FCA by Pinnacle Consulting Engineers has confirmed that the site can be developed in accordance with PPW 10 and TAN 15 and NRW supports its approach. Due to the sites location within the defended 1% Annual Exceedance Probability (AEP) fluvial/ 0.5 AEP tidal flood outline would conclude that flood risk if deemed to be low.
- 7.29 The associated Flood Mitigation Strategy and Plan, including the flood compensation required as agreed with NRW will ensure that the site shall remain dry during all modelled design events with safe/egress maintained and no flood risk increased elsewhere.
- 7.30 It is therefore considered that the proposal conforms to iv) in paragraph 6.2 of TAN15.

Other Matters

The proposed development conforms with the principles of design, including scale and layout as agreed in the Development Brief which was approved under wider planning approval 058514 in August 2018. Furthermore the proposals set out in the Landscape Proposals Plan, including replacement tree planting, meet the principles of a site wide Green Infrastructure Plan which was approved in August 2018.

8.00 CONCLUSION

The site forms part of the strategic mixed use development allocation HSG2A and EM1 (12) land North West of Garden City within the Flintshire Unitary Development Plan.

It is located within the settlement boundary of Garden City in the Flintshire UDP, which is a category B settlement the proposal reflects the sites allocation for mixed use and generating economic and employment opportunities. In this context therefore there is a clear policy framework supporting the principle of B8 development. This

report details in full the areas that required scrutiny, this being the principle of the outline consent, highways and flood risk. It is considered these matters have been satisfied and it is recommended that planning permission is granted subject to conditions

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.

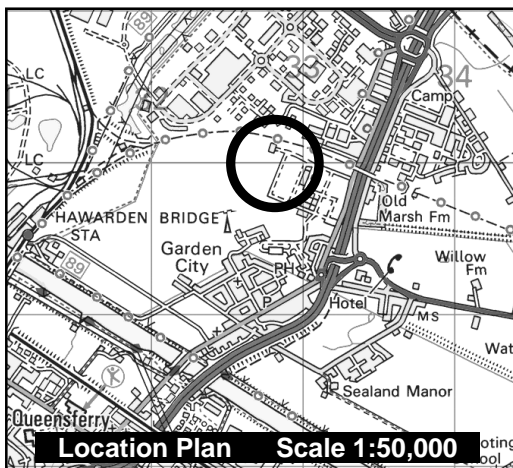
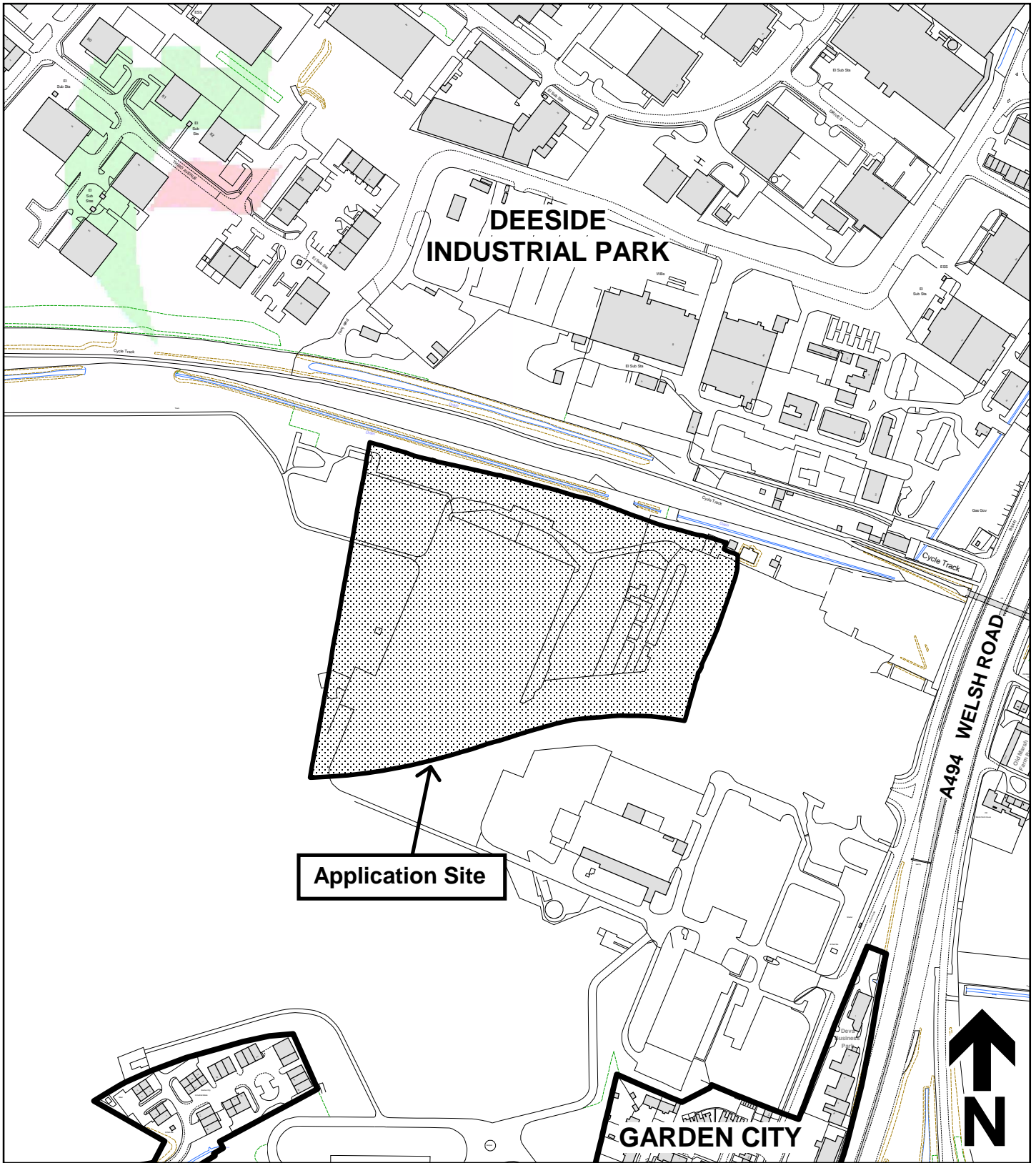
The Council has had due regard to its public sector equality duty under the Equality Act 2010.

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

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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 1:5000

OS Map ref SJ 3270

Planning Application **60222**

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