

Pecyn Dogfen Gyhoeddus

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



CS/NG

23 Mawrth 2023

Sharon Thomas 01352 702324
sharon.b.thomas@flintshire.gov.uk

At: Cyng Richard Lloyd (Cadeirydd)

Cynghorwyr: Mike Allport, Bernie Attridge,
Chris Bithell, Helen Brown, Paul Cunningham,
Rob Davies, Adele Davies-Cooke, Carol Ellis,
Gladys Healey, Dave Hughes, Paul Johnson,
Richard Jones, Hilary McGuill, Ted Palmer,
Mike Peers a Dan Rose

Annwyl Syr / Fadam

RHYBUDD O GYFARFOD HYBRID
PWYLLGOR CYNLLUNIO
DYDD MERCHER, 29AIN MAWRTH, 2023 am 1.00 PM

Yn gywir

Steven Goodrum
Rheolwr Gwasanaethau Democraidd

Sylwch: Gellir mynychu'r cyfarfod hwn naill ai wyneb yn wyneb yn Siambr Cyngor yr Arglwydd Barry Jones, Cyngor Sir y Fflint, Yr Wyddgrug, Sir y Fflint neu ar-lein.

Gofynnwyd i siaradwyr cyhoeddus a hoffent gyfarch y Pwyllgor yn Gymraeg neu Saesneg.

Bydd y cyfarfod yn cael ei ffrydio'n fyw ar wefan y Cyngor. Bydd y ffrydio byw yn dod i ben pan fydd unrhyw eitemau cyfrinachol yn cael eu hystyried. Bydd recordiad o'r cyfarfod ar gael yn fuan ar ôl y cyfarfod ar <https://flintshire.publici.tv/core/portal/home>

Os oes gennych unrhyw ymholiadau, cysylltwch ag 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 - 6)

Pwrpas: I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 1 Mawrth 2023.

5 EITEMAU I'W GOHIRIO

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

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

ADRODDIAD Y PRIF SWYDDOG (CYNLLUNIO, AMGYLCHEDD AC ECONOMI) AR GYFER Y PYLLGOR CYNLLUNIO 29 MAWRTH 2023

Rhif yr eitem	Cyfeirnod y Ffeil	DISGRIFIAD
Ceisiadau sy'n cael eu hadrodd er penderfyniad (C = Cymeradwyaeth, G = Gwrthod)		
6.1	FUL/000776/22 - C	Cais Llawn - Ysgol Gynradd Cyfrwng Cymraeg Cyfystyr â Llawn Amser i 240 o blant, deulawr newydd a Meithrinfa Rhan Amser gyda 30 o blant. Adeilad Cymunedol a Throchi'r Gymraeg ar gyfer gofal plant Gofal Estynedig deulawr rhannol newydd. Prosiect yn cynnwys gwaith allanol, gan gynnwys triniaethau terfyn, pwyntiau mynediad newydd i gerddwyr, trefniadau maes parcio newydd a mynediad ehangach i gerbydau ar Dir yn Ffordd Dewi, Fflint (Tudalennau 7 - 18)
6.2	FUL/000562/22 - C	Cais llawn - Adeiladu Cyfleuster Tanwydd Solet, ynghyd a datblygiad ategol gan gynnwys ystafell drydan/ beiriannau, system symudol a phibellau a symudol yng Nghastell Cement, Padeswood, Bwcle (Tudalennau 19 - 32)
6.3	FUL/000434/22 - C	Cais Llawn - Newid defnydd o eiddo presennol i lety gwyliau ar gyfer cyfnod o 185 diwrnod y flwyddyn galendr, ac i ganiatáu defnydd preswyl ar gyfer gweddill y flwyddyn yn Arosfa, Pump Lane, Axton, Treffynnon (Tudalennau 33 - 42)
6.4	064109 - C	Cais Llawn - Diwygio Caniatâd Cynllunio 062649 i ganiatáu ail-leoli adeiladu un o'r anheddau gyda garej integrol (ôl-weithredol) yn Tabernacle Street, Bwcle (Tudalennau 43 - 52)
6.5	063778 - C	Cais llawn - Trawsnewid eiddo masnachol gwag i ffurfio man masnachol defnydd cymysg (A1, A2) ar lawr gwaelod gydag uned tai amfeddiannaeth (Defnydd Unigryw) tu cefn ac uwchben yn 11 Chester Road West, Shotton (Tudalennau 53 - 60)

Sylwch y gall fod 10 munud o egwyl yn y cyfarfod hwn os yw'n para fwy na dwy awr

Eitem ar gyfer y Rhaglen 4

PLANNING COMMITTEE **1 MARCH 2023**

Minutes of the meeting of the Planning Committee of Flintshire County Council held remotely on Wednesday, 1 March 2023

PRESENT: Councillor Richard Lloyd (Chair)

Councillors: Mike Allport, Chris Bithell, Helen Brown, Paul Cunningham, Rob Davies, Adele Davies-Cooke, Carol Ellis, Gladys Healey, Dave Hughes, Paul Johnson, Hilary McGuill, Ted Palmer, Mike Peers and Dan Rose

APOLOGIES: Councillors: Bernie Attridge and Richard Jones.

ALSO PRESENT:

Councillor Christine Jones attended as Local Member for Agenda item 6.1 (063509)
Councillor Marion Bateman attended as an observer

IN ATTENDANCE: Chief Officer (Planning, Environment & Economy), Service Manager - Strategy, Service Manager - Development, Senior Engineer - Highways Development Control, Planning Officer, Legal Services Manager, and Democratic Services Officers

50. DECLARATIONS OF INTEREST

There were no declarations of interest.

51. LATE OBSERVATIONS

There were no late observations.

52. MINUTES

The minutes of the meeting held on 1 February 2023 were confirmed as a correct record, as moved and seconded by Councillors Mike Peers and Hilary McGuill.

RESOLVED:

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

53. ITEMS TO BE DEFERRED

None

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

RESOLVED:

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

55. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were two members of the public present at the start of the meeting.

(The meeting started at 1.00pm and ended at 1.51pm)

.....
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>

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.1

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **29th MARCH 2023**

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

SUBJECT: **FULL APPLICATION FOR THE PROPOSED ERECTION OF A NEW TWO STOREY WELSH MEDIUM PRIMARY SCHOOL, WELSH IMMERSION AND COMMUNITY BUILDING, EXTERNAL WORKS, NEW PEDESTRAIN ACCESS POINTS, NEW CAR PARKING ARRANGEMENTS AND EXTENDED VEHICULAR ACCESS AT FFORDD DEWI, OAKENHOLT.**

APPLICATION NUMBER: **FUL/000776/22**

APPLICANT: **FLINTSHIRE COUNTY COUNCIL**

SITE: **LAND OFF FFORDD DEWI, OAKENHOLT, FLINT, FLINTSHIRE, CH6 5WB**

APPLICATION VALID DATE: **14TH DECEMBER 2022**

LOCAL MEMBERS: **COUNCILLOR M BUCKLEY**

TOWN/COMMUNITY COUNCIL: **FLINT TOWN COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full planning application for the proposed erection of a new two storey Welsh Medium primary school on land at Ffordd Dewi, Oakenholt.
- 1.02 The application proposes a contemporary design building with a focus on natural light, integration with outdoor learning and sustainable

features including a rainwater garden to provide surface water drainage. In addition to the main school building a separate childcare, learning and Welsh immersion centre (CLIC) building is proposed which will provide both early years facilities, wrap around care and spaces for community use.

- 1.03 Access to the site is via Ffordd Dewi, the main spine road into the west of the development site and the proposal incorporates both staff and visitor parking together with a drop off area. Concerns from residents with regards to increased traffic have been considered but detailed traffic surveys have concluded that there will be no detrimental impact on residential amenity. In addition, a condition will be imposed to promote active travel to the site.
- 1.04 The original masterplan for the Croes Atti development including the provision of a school. The proposed application is in line with the ambitions of the original masterplan and will provide a high quality educational facility for up to 270 pupils.
- 1.05 All material planning considerations including ecological matters, flood risk and heritage assets have been assessed and are considered acceptable.
- 1.06 The application is therefore recommended for approval as set out in Paragraph 2.0 of this report.

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

- 2.01
 - 1. Time limit on commencement
 - 2. Compliance with the approved plans
 - 3. Foul water discharge shall be allowed to discharge to the public sewerage system
 - 4. Submission and approval of a drainage strategy for foul and surface water
 - 5. Submission and approval of external lighting scheme
 - 6. Submission and approval of working method associated with the Reasonable Avoidance Measures
 - 7. Provision of vehicular electrical charging points
 - 8. Facilities for the parking and turning of vehicles
 - 9. Schedule of road markings to be installed and covered by an appropriate Traffic Regulation Order
 - 10. Submission of a scheme for the positive means prevention of surface water run-off into the highway
 - 11. Submission of a Travel Plan
 - 12. Submission of a Construction Traffic Management Plan
 - 13. Site Investigation Contaminated Land
 - 14. Validation Contaminated Land

3.00 CONSULTATIONS

3.01 **Local Member Cllr Mel Buckley:** Agrees to determination under delegated powers

Flint Town Council: The Council did support this application however the Council wish convey the comments from a resident who attended the meeting and agreed with the residents' concerns. The resident shared concerns regarding the proposed entrance to the school, it is on a bend and traffic do pass at speed. Also the residents on the estate pay a green belt maintenance fee and if more people are using the estate and potentially cause damage, who will pay these costs.

Community and Business Protection: No objections

Welsh Water/Dwr Cymru: Capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. It is recommended that a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Natural Resources Wales: No objections have been raised subject to conditions to secure the measures set out in the Arbtch report are adhered to including reasonable avoidance measures regarding bats, lighting plan, maintenance plan for hedges is imposed

Ramblers Cymru: No objection to the proposal but note that public path Flint 56 adjoins the north-western boundary. It is probably not affected directly, but it is not referred to on the drawings or the transport plan. Active Travel should be encouraged for local Welsh speakers.

Highways: No objections to the proposed development subject to the imposition of conditions including parking and turning facilities; travel plan and construction traffic management plan.

Built Conservation: No objection

Airbus: No aerodrome safeguarding objection to the proposal

Ecology: Providing the measures detailed in the report are adhered to, it is considered 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.

Clwyd-Powys Archaeological Trust: The evaluation database confirms the evaluation trenching results came back negative. As such no further requirements from an archaeological point of view.

4.00 PUBLICITY

4.01 469 Neighbour Notifications were sent to adjoining/nearby properties. The application was also publicised by the posting of Site Notice. Five letters of objection have been received which can be summarised as follows:

1. Increase in traffic using the already busy estate roads
2. Yellow lines will reduce visitor parking for existing properties
3. Nuisance during construction
4. Loss of light to existing properties
5. Increased use of open spaces and roads will cause an increase in maintenance costs for residents

5.00 SITE HISTORY

5.01 **035575** – Mixed use development including residential, open space, infrastructure, landscaping, education and community facilities (Outline application) - APPROVED (subject to S106 Legal Agreement) 11.07.2006

6.00 PLANNING POLICIES

6.01 Local Development Plan

STR2 - The Location of development

STR4 - Principles of sustainable development, design and place making

PC1 - The Relationship of development to settlement boundaries

PC2 - General requirements for development

PC3 - Design

PC4 - Sustainability and Resilience of New Development

PC5 - Transport and accessibility

PC6 - Active travel

PC12 - Community facilities

EN2 - Green Infrastructure

EN6 - Sites of Biodiversity and Geodiversity Importance

EN7 - Development Affecting Trees, Woodlands and Hedgerows

EN8 - Built Historic Environment and Listed Buildings

EN18 - Pollution and Nuisance

Supplementary Planning Guidance

SPG No11- Parking standards

SPG No12- Access for all

SPG No19- Sustainable drainage systems

National Planning Policy
TAN 12- Design
TAN 18- Transport
Planning Policy Wales Edition 11

7.00 PLANNING APPRAISAL

7.01 Site Description

The application site comprises approximately 2.15 hectares of land to the south of Ffordd Dewi, Oakenholt. The site is currently undeveloped greenfield land with a point of access which was constructed during development of the adjacent residential land.

7.02 The site is bordered to the north and west by residential dwellings, with a play area to the east and open countryside to the north. Directly adjacent to the northern boundary of the application site and fronting Ffordd Dewi is a plot of land allocated for commercial development.

7.03 Proposed Development

This application proposes a new build Primary School with projecting entrance canopies and solar shading features. The building equates to 2046m² of internal floorspace. In addition to the main building a separate single storey Childcare, Learning and Immersion Centre (CLIC) building is proposed to the east of the site.

7.04 New external works wrap around the new building including hard and soft landscaping, SuDS features (rain garden), Flood lit Multi Use Games Area (MUGA), external football and rounders pitches, service compounds and natural play areas. New boundary treatments within, and to the full perimeter of the site include new wild-flower and tree planting.

7.05 The development will be served by a 96 space car park for staff and visitors, inclusive of 10 disabled parking bays, 3 electric charging bays and 4 minibus parking bays with provision for a further 25 space future expansion.

7.06 Principle of Development

The application site is located within the settlement boundary of Flint which is a Tier 1 Main Service Centre as set out within the Local Development Plan.

7.07 Policy PC12 of the Local Development Plan relates to the provision of community facilities and confirms that the development of new education, health and community facilities will be permitted on suitable sites within settlement boundaries.

7.08 Historically the site has outline consent for a mixed use development including residential, open space, infrastructure, landscaping, education, and community facilities (035575) coupled with the

masterplan for the development of the area, which includes education facilities.

- 7.09 The south of the site does overlap the settlement boundary which the applicant was made aware of during pre-application discussions. The application and site layout are mindful of this and the area of land in question is to be left open as playing fields which causes no planning harm.
- 7.10 The proposed development is considered acceptable in principle.
- 7.11 Character, Appearance and Massing
The building footprints of both the main school and CLIC building are located centrally within the site, to act as a physical barrier between public and private space, but also to set the building away from any residential curtilage to negate visual impact for residents.
- 7.12 The building footprint of the main school is roughly 60m long by 20m wide allowing for high levels of natural light into the spaces. The massing of the two halves of the building is a relatively simple rectilinear arrangement with single pitch roofscapes designed to mitigate the perceived sense of scale.
- 7.13 The building footprint of the CLIC is roughly 30m long and its angular footprint ranges from 10-15m in width. The massing of the CLIC mimics the main school building but the public facing and public servicing spaces to the north are only single storey which makes it subservient to the main school.
- 7.14 In terms of appearance at ground floor level the choice of a black brick parged with a dark mortar will add a sense of uniformity to the building. Above this is a panellised cement board façade.
- 7.15 At first floor level on the southern elevation breaks in the balcony comprising timber solar shading inserts provide shade to the outdoor areas below and create interest.
- 7.16 As the site is located between open countryside to the south and an urban residential estate to the north the defined character of the area is mixed. The proposed design and massing of the development is therefore mindful of the visual impact on both the landscape and residential properties neighbouring the site.
- 7.17 Impact upon Residential Amenity
A concern has been raised by a local resident that the proposed development will result in a loss of light to their property. Separation distances from the proposed new building and the residential properties on Ffordd Dewi vary but at its closest point the distance is approximately 67 metres.

- 7.18 The ridge height of the main school building is approximately 11.11m and the ridge height of CLIC building is approximately 10.6m. Given that the closest residential property is in excess of 65m from the main school building and over 100m from the CLIC building, the impact of the development in terms of residential amenity will be minimal.
- 7.19 The Council's Community and Business Protection Team have assessed the proposal and raise no objection.
- 7.20 Highway Safety
Access to the proposed site is derived from Ffordd Dewi with the access radii already in-situ as it was covered by the Section 38 Highways Agreement completed for the housing development. Beyond the existing access the driveway to the school is not to be adopted.
- 7.21 The proposal includes car parking facilities and drop off points, together with pedestrian linkages. Concerns with regards to an increase of traffic have been considered and the applicant has provided a comprehensive transport assessment and travel plan which aim to increase the use of sustainable transport, resulting in less impact of the private car on the local road network
- 7.22 With regards to the provision of electrical charging points in accordance with the Policy PC5 of Flintshire's Local Development Plan and Policy 12 of Future Wales Future Wales, the proposed 3 bays represent an under provision as the requirement for non-residential development is a minimum of 10% of parking spaces should have charging points. A condition will therefore be imposed to secure the appropriate provision.
- 7.23 The proposed development is considered acceptable subject to the inclusion of conditions as listed at paragraph 2.01.
- 7.24 Public Right of Way
Public Footpath No56 abuts the site to the north-western boundary. The Councils Access team have confirmed that it is unaffected by the development but it must be protected and free from interference from the construction.
- 7.25 Rambler Cymru notes that travel (walking /cycling) and is skewed to vehicle aspects. Active Travel should be encouraged for local Welsh speakers which can be appropriately conditioned.
- 7.26 Drainage and Flood Risk
Welsh Water have confirmed that capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. They recommend that a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

- 7.27 No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.
- 7.28 It is worth noting that Schedule 3 to the Flood and Water Management Act 2010 (the 2010 Act) provides a framework for the approval and adoption of surface water systems serving new developments. Give the proposal size, an application demonstrating compliance with the Statutory SuDS Standards for the design, construction, operation and maintenance and operation of surface water systems serving new developments, must be submitted to the SAB.
- 7.29 Ecological Implications
The application is supported by an Ecological Appraisal which identifies that bats are likely to utilise parts of the site for foraging and commuting, but roosting bats are unlikely to be present.
- 7.30 The report considers that trees which may be impacted by the proposals have a low potential for roosting bats and therefore the reasonable avoidance measures as detailed in the report should be adhered should pruning/felling be required. Both NRW and the County Ecologist confirm that providing the measures detailed in the report are adhered to, it is considered 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.
- 7.31 NRW note in their consultation response that the report provides some detail of a lighting specification which would be appropriate in principle. It would be useful for this information to be represented in plan/map form, showing dark corridors and zones with consideration of buffer zones around vegetation. This information can be provided through the inclusion of a suitably worded condition.
- 7.32 With regards to Great Crested Newts (GCN) the proposal at this location is unlikely to be detrimental to the population of this species. However, the Ecological report does advise a precautionary approach in the form of Reasonable Avoidance Measures (RAMs), and therefore it is considered necessary to secure the proposed working method through the inclusion of a suitably worded condition.
- 7.33 Heritage Assets
The development is located near to the Croes Atti Roman Site which is a Scheduled Ancient Monument. The monument is of national importance as a rare example of a Roman roadside industrial settlement and cemetery with few parallels in Wales. It is likely to retain extensive and well-preserved buried archaeological deposits.

7.34 The applicant has commissioned an investigation and the evaluation report concludes that the features indicated in the geophysics relate to local drainage and are not related to the Roman settlement.

7.35 CPAT have examined the evaluation database which confirms the evaluation trenching results came back negative. As such there are no further requirements from the archaeological point of view.

7.36 Other Matters

Concerns have been raised that the new development will give rise to additional maintenance costs for existing residents due to the increase in traffic. The Council's Highways department have confirmed that with the exception of residents' private drives and parking courts, all roads on the estate will eventually be adopted and maintainable at public expense not through the management company.

8.00 CONCLUSION

This application seeks planning permission for the proposed development of land to the south of Ffordd Dewi, Oakenholt to provide a two storey primary school and associated CLIC building.

8.01 The intention of the masterplan for the Croes Atti development was to provide a school on the site and the provision of this 270 place development meets with those ambitions.

8.02 Careful use of design both of the building and external areas results in a high quality scheme which is beneficial not only for future pupils but also results in no negative impact on neighbouring amenity.

8.03 Concerns raised by residents have been fully considered, as have all other material planning matters and the application is compliant with both local and national planning policy.

8.04 Members are requested to support the recommendation as set out in Paragraph 2.0 of this report and grant planning permission subject to the imposition of conditions.

8.05 Other Considerations

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

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is

necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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

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

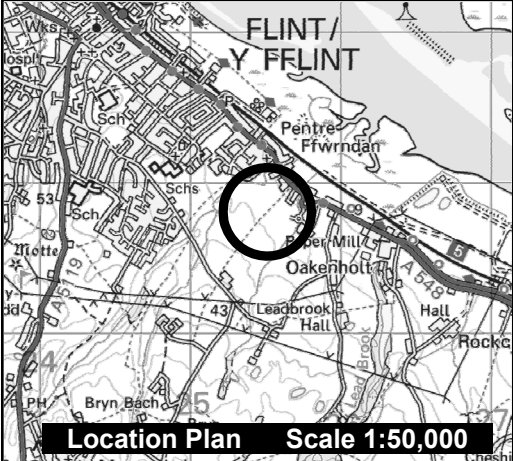
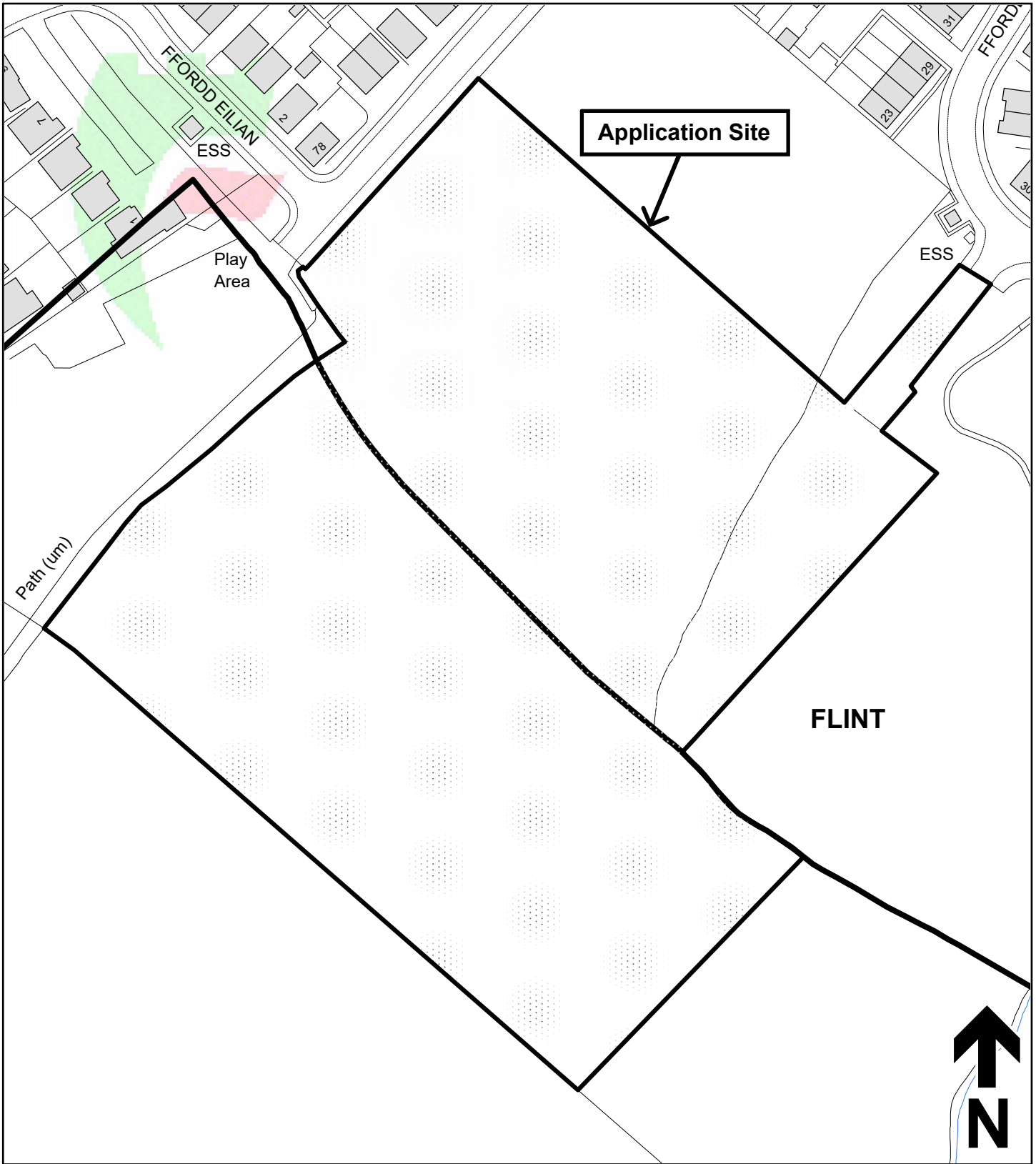
LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: Claire E Morter

Telephone: 01352 703299

Email: claire.e.morter@flintshire.gov.uk



	<p>Planning, Environment & Economy, Flintshire County Council, County Hall, Mold, Flintshire, CH7 6NF. Chief Officer: Mr Andrew Farrow</p>
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<p>Legend</p> <ul style="list-style-type: none"> Planning Application Site Adopted Flintshire Unitary Development Plan Settlement Boundary 	<p>Map Scale 1:1250</p> <p>OS Map ref SJ 2571</p> <p>Planning Application FUL/000776/22</p>

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.2

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **29th MARCH 2023**

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

SUBJECT: **THE ERECTION OF A SOLID RECOVERED FUEL FACILITY, TOGETHER WITH ANCILLARY DEVELOPMENT INCLUDING AN ELECTRICITY/POWER ROOM, PIPELINE AND CONVEYOR SYSTEM.**

APPLICATION NUMBER: **FUL/000562/22**

APPLICANT: **HANSON UK**

SITE: **PADESWOOD CEMENT WORKS, PADESWOOD**

APPLICATION VALID DATE: **14TH OCTOBER 2022**

LOCAL MEMBERS: **CLLR RICHARD JONES**
CLLR ARNOLD WOOLLEY

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

REASON FOR COMMITTEE: **HEIGHT EXCEED SCHEME OF DELIGATION**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a full application for the erection of a Solid Fuel Recovery (SRF) facility, together with ancillary development including an electricity/power room, pipeline and conveyor system. The proposed development will refine SRF to make it suitable for use in the main burner, as a replacement for coal. The development is located within the existing cement works complex.

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

- 2.01 1. Commencement
 2. In accordance with submitted plans
 3. Hours of working -construction and commissioning stage
 4. House of working -operational
 5. Biosecurity scheme
 6. Statutory protected species reasonable avoidance
 measures
 7. Facilities for the parking and turning of vehicles
 8. Ground Contamination
 9. Piling details

3.00 **CONSULTATIONS**

3.01 **Local Member Cllr A Woolley:** Agreed to determination under delegated powers.

Local Member Cllr R Jones: No response at the time of writing.

Adjacent Ward Member Cllr R Wakelam: No response at the time of writing.

Adjacent Ward Member Cllr A Ibbotson: No response at the time of writing.

Buckley Town Council: No observations

Penyfforrd Community Council: No response at the time of writing.

Highways: The detail submitted indicates the proposal potentially increases HGV movements to and from the site by 8 x 25 tonne wagons over a 24-hour period. Given the size of the site and the background flows associated with the existing use. Highways Development Control have no objection subject to facilities within the site for the loading, unloading, parking and turning of vehicles are secured via condition.

Rights of Way: Whilst a public footpath crosses the edge of the cement works, it is unaffected by the proposed development.

Ecology: No objection subject to conditions.

Community and Business Protection: The submitted assessment indicates that predicted noise levels from this proposal will have a low adverse impact on nearby residential properties according to BS4142. The increase in noise levels compared to

existing noise levels from the site are predicted to be negligible and probably not perceivable at nearby properties. Environmental Health have raised no objections to this proposal in relation to noise, dust or contaminated land.

Natural Resources Wales: Natural Resources Wales has reviewed the proposal and has concerns about the application. However, these concerns can be addressed by attaching conditions to any planning permission granted, specifically addressing ground contamination. Additionally, the Enfys Ecology letter statement (dated 3 July 2022) on Great Crested Newts (GCN) should be included in the approved plans and documents condition on the decision notice

Airbus: Hawarden Aerodrome Safeguarding has assessed against the safeguarding criteria as required by DfT/ODPM Circular 1 / 2003: Safeguarding of Aerodromes and the Commission Regulation (EU) No 139/2014 and has identified that the proposed development does not conflict with safeguarding criteria. They have no aerodrome safeguarding objection to the proposal based on the information given.

4.00 PUBLICITY

4.01 36 Neighbour Notifications were sent to adjoining/nearby properties. The application was also publicised by way of Site Notice.

Three letters of objection have been received which can be summarised as follows:

1. Additional development at the cement works may intensify existing issues, such as noise, dust, and air quality concerns.
2. Area is potentially prone to flooding.
3. Transportation of SRF to the site may lead to an increased number of HGVs entering and exiting the site, potentially causing ground vibration and increased noise levels.
4. The facility is expected to generate considerable heat, with no apparent consideration for community heating solutions.
5. Potential increase in HGV traffic, pollution, plant noise, and visual impact could negatively affect the value of neighbouring properties.
6. The proposed development may have adverse effects on the mental well-being of nearby residents.
7. Existing development is already impacting the income and enjoyment of property for nearby residents, which could be further exacerbated by the proposed development.

8. Protections for wildlife and protected species appear to be insufficient.

5.00 SITE HISTORY

- 5.01
 - Planning application 044703: Extension to existing coal store; Approved 16/06/09.
 - Planning application 052205: Extend existing packing plant building, demolition, and new replacement building; Approved 31/07/14.
 - Planning application 052927: Erection of solid recovered fuel reception facility; Approved 7/01/15.
 - Planning application 055420: New building to extend existing warehouse, hard standing area, and new entry/exit road; Approved 12/07/16.
 - Planning application 057319: Prior notification of proposed demolition; Approved 11/08/17.
 - Planning application 057343: Demolition of existing facilities, erection of new Vertical Roller Mill, rail loading facility, and railway line modifications; Approved 29/11/17.
 - Planning application 058200: Approval of details reserved by condition nos. 4, 6, 8, 15, and 19 attached to planning permission ref: 057343; Approved 11/05/18.
 - Planning application 058637: Extension to existing warehouse (retrospective); Approved 25/09/18.
 - Planning application 058689: Approval of details reserved by condition nos. 17 and 18 attached to planning permission ref. 057343; Approved 1/10/18.

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan

STR2: The Location of Development

STR5: Transport and Accessibility

STR4: Principles of Sustainable Development, Design and Placemaking

STR8: Employment Land Provision

STR14: Climate Change and Environmental Protection

STR15: Waste Management

PC1: The Relationship of Development to Settlement Boundaries

PC2: General Requirements for Development

PC3: Design

EN18: Pollution and Nuisance

EN19: Managing Waste Sustainability
EN22: Criteria for Waste Management Facilities and Operations

Supplementary Planning Guidance

Supplementary Guidance Note 3: Landscaping
Supplementary Guidance Note 8: Nature Conservation and Development
Supplementary Guidance Note 29: Management of Surface Water for New Development

National Planning Policy and Advice

Planning Policy Wales Edition 11
Technical Advice Note 5 – Nature Conservation and Planning
Technical Advice Note 11 – Noise
Technical Advice Note 12 – Design
Technical Advice Note 18 – Transport
Technical Advice Note 21 – Waste
Technical Advice Note 23 – Economic Development

7.00 PLANNING APPRAISAL

Proposed Development

- 7.01 The proposed development is located within an existing cement works, occupying an area that currently serves as a lorry trailer parking area, an internal access road, and an electricity substation.
- 7.02 The application seeks to utilise Solid Recovered Fuel (SRF) as an alternative fuel source. SRF is a type of fuel produced from the mechanical and biological treatment of waste materials. It's a saleable product that can be purchased on the market and used as a fuel source. The proposed development aims to refine SRF to make it suitable for use in the main burner, with smaller particulate being used in the main burner and larger particulate either used in the existing SRF burner or sold back to the market.
- 7.03 SRF is already being imported and used as a fuel source at the cement works. However, by refining the SRF on site, the cement works can have greater control over the quality and composition of the fuel. Additionally, by separating the larger and smaller particulate, the cement works can optimize the use of the fuel, minimizing waste. Although SRF is still defined as waste, it has already gone through an initial treatment process to recover valuable materials.
- 7.04 The development includes several key components, with the largest being a screening and dosing building measuring 308m² (23.4m in

height). This building will house material handling equipment, including an air density separator for separating the high and low-density fractions of SRF material. A reception building will also be constructed, covering an area of approximately 336m² (9.4m in height). This building will feature two trailer docking stations for unloading HGV delivery vehicles that contain SRF material. An electricity/power room will also be included, housed within a small steel container measuring approximately 21m² (2.9m in height).

- 7.05 An enclosed chain conveyor will link the reception building to the screening and dosing building, and a pipeline will connect the screening and dosing building to the entry point into the main burner building. The SRF material will be transported to the site in walking floor trailers and docked at one of two trailer docking stations in the reception building. The material will then be screened for oversized components and separated into light and heavy materials using an air/density separator. The light material will be fed pneumatically via pipeline to the main burner entry point, while the heavier material will be stored in a walking floor storage trailer for transport to an existing calciner feed SRF facility or back to the supplier.
- 7.06 Overall, the expected operational performance of the facility is 5 tonnes per hour, up to a maximum of 47,500 tonnes per annum.

Site and Surroundings

- 7.07 The development site is located within the Castle Cement (Hanson Cement UK) Padeswood Cement Works (the works) which covers a developed area of approximately 80 hectares. The works are located off the A5118 highway which borders the northern part of the works, and at its closest, it is approximately 800 metres to the south of the southern edge of the settlement of Buckley on higher ground, and 400 metres to the west of the western edge of the settlement of Penyffordd and Penymynydd. The settlement of Padeswood is immediately north of the works and forms its frontage.
- 7.08 The works are set in open countryside in a rural agricultural setting with increasing urbanisation of the settlements to the north and east.
- 7.09 The Bidston to Wrexham railway line runs north-south and borders the eastern boundary of the site. The southern boundary of the works is bordered by the disused Chester to Mold railway line. A small number of isolated dwellings and farmhouses are also located around the site.

Principle of Development and Need

- 7.10 Policy EN22 of the Flintshire Local Development Plan outlines the criteria that must be met for new waste management facilities. The

policy allows for proposals that would move waste management up the waste hierarchy or address an identified regional need for the facility type, as set out in Technical Advice Note 21: Waste.

- 7.11 TAN 21 advises that where wastes cannot be recycled, other waste recovery operations should be encouraged and that decisions should be made taking into account the waste hierarchy.
- 7.12 The proposal seeks to utilise Solid Recovered Fuel which is a type of fuel that is produced from waste materials through a mechanical and/or biological treatment process. The waste materials used to produce SRF can include non-recyclable plastics, paper, wood, and other materials that would otherwise be sent to landfill or incinerated. SRF has a higher calorific value than traditional fossil fuels, such as coal or gas, and can be used as a substitute for these fuels in industrial processes or energy production. The SRF will be imported to site, and further refined to allow for use as a fuel within the main burner. SRF is considered to be a sustainable fuel source as it diverts waste from landfill and reduces reliance on finite fossil fuels.
- 7.13 The proposed development would move the management of waste up the waste hierarchy and utilise materials which can be recovered which would otherwise be disposed of in landfill.

Visual and Landscape Impact

- 7.14 Policy EN4 of the Flintshire Local Development requires that new development should not have a significant negative effect on the landscape's character and appearance, and landscaping and mitigation measures should aim to minimize the impact and, where feasible, improve the landscape.
- 7.15 The new buildings have been designed to blend in with the existing structures at the cement works as they will be constructed using steel frames and clad in plastisol-coated steel sheeting painted to match surrounding buildings. In isolation the proposed structures and buildings are a significant scale, however, they must be assessed against the site context and backdrop of a major cement works. The adjacent main burner building is of a similar height to the proposed screening and dosing building (23.4m in height). The two tallest structures on site are the main stack, measuring 109m, and mill 5, which measures 47m.
- 7.16 Translucent sheets will be installed on the west and south elevations to allow natural light while maintaining consistency with the cladding on existing structures. The stack, used to release filtered air, will be made of steel and coated with corrosion-resistant paint. Directional lighting will be used to minimize light pollution, and a proposed lighting plan has been submitted with the application.

- 7.17 It is considered that the proposed development will not have a significant negative effect on the landscape's character and appearance and is therefore in accordance with LDP Policy EN4.

Surface Water Management

- 7.18 The existing drainage network captures rainwater and surface water run-off and stores it in the works lagoon. From there, water is pumped to the site storage tanks for use in cement making. Any excess water is discharged via the works lagoon to a tributary of Black Brook or directed to the sewer from the lorry wash out area. The cement works has implemented a water balancing plan under a sustainability initiative to minimize water consumption and maximize the use of captured rainwater/surface water run-off in the cement-making process. As the current surface water drainage arrangements are well established, no modifications are proposed.

Economic Development

- 7.19 Although the development would not create new jobs, the development represents a £4 million investments in the cement work. This would both reduce the production of carbon dioxide (CO₂), and enhance the cement works' commercial competitiveness, thereby ensuring the job security of the existing 177 employees. The development would also indirectly support local businesses and contractors, including those involved in plant and machinery repair, maintenance, and hire, as well as those involved in general work.

Ecology

- 7.20 Policy EN6 of the Flintshire Local Development Plan states that development proposals that could have a significant negative effect on designated local sites or those with biodiversity and/or geological interest, including priority species, will only be permitted if: a) the need for development outweighs the site's ecological or geological importance; b) there are no reasonable alternative locations; and c) effective mitigation measures are implemented to minimize harm and ensure no overall reduction in biodiversity value. If mitigation is not possible, compensation measures should be provided to create, restore, and enhance biodiversity.
- 7.21 The application has been subject to consultation with both NRW and the County Ecologist. The proposed development represents a low risk for Great Crested Newts (GCN), which are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). In 2017, a European Protect Species license was granted for CGN as part of the Mill 5 development. The license permits the collection and release of GCNs found in areas within the

cement works, such as cable tunnels, to suitable habitats outside the cement works' footprint, close to the source ponds within the wider site. This measure ensures the safety of GCNs that may enter the cement works from the surrounding area. The application is supported by an Ecological Appraisal which determined that the proposed works would not remove any suitable GCN habitats or negatively impact GCN populations on the site. If GCNs are present within the works area, the requirements of the existing license will be adhered to in order to minimize risks to individual GCNs.

- 7.22 The application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation. The proposed development is not expected to increase phosphorus levels in the catchment, and therefore, it is not likely to have a significant effect on the River Dee and Bala Lake SAC.
- 7.23 It is considered that the proposed development will not have a significant negative effect on designated local sites or protected species, and is therefore in accordance with LPD Policy EN6

Traffic and Highways Impact

- 7.24 The proposed development is expected to produce around eight loads per 24-hour period, utilizing HGVs with a 25-tonne capacity. Currently, the site experiences roughly 300 HGV movements daily. The use of SRF will reduce the amount of other fuels currently being utilised. It is considered that the proposed development will not have a significant negative effect on highway network and is therefore in accordance with LPD Policy STR5.

Noise and Air Quality

- 7.25 A noise assessment has been carried out to determine the impacts of operating the SRF facility. It is concluded that the tonal characteristics of the proposal would be indiscernible from the existing situation. The increase in HGV traffic is also of no significant consequence, given the existing traffic movements. Construction noise is also predicted to be below the thresholds in BS5228 at the nearest sensitive receptors. Monitoring of the existing and proposed development would be controlled via the Environmental Permit.
- 7.26 SRF produces lower emissions to coal and will utilise the existing burner with its associated air quality mitigation measures. Air quality also falls within the remit of the Environmental Permit, with air monitoring of the existing cement works is currently being undertaken as a requirement of the permit.
- 7.27 On this basis that the development will not give rise to any significant increase in noise or air quality levels, it is considered that the proposal accords with policies EN18: Pollution and Nuisance,

EN19: Managing Waste Sustainability, EN22: Criteria for Waste Management Facilities and Operations with respect to noise.

Monitoring and Regulation

- 7.28 A number of comments and queries have been made regarding the on-site and off-site monitoring of noise and in particular, dust and other emissions from the works. The new development will require a variation of the Environmental Permit for the site, as well as a planning permission, and the permitting regime is a separate regulatory regime under the jurisdiction of Natural Resources Wales. Government advice and court decisions all advise regulators not to attempt to substitute their own controls where these are the responsibility of another regulator. Any such attempt to impose controls which are the function of another regulator are open to challenge.
- 7.29 In some instances there is a degree of overlap between the planning and the permitting regime, however, in the instance of Padeswood cement works, the permit covers the entirety of the works and all processes as it is a major installation.
- 7.30 The permit requires continuous improvement, and it is noted that there has been a reduction in both noise levels from the site and the intensity of dust releases, and particularly in the past few years, leading to a reduction in complaints made to NRW and the cement works. There have been episodes of breakdowns, maintenance failures, human error, which lead to localised nuisance dust, but this is reducing and the works are generally well managed.

8.00 CONCLUSION

The development will provide a more sustainable means of powering the site, divert waste from landfill and reduce reliance on fossil fuels. There are no significant additional impacts as a result of the proposed development over and above those already associated with a major cement works, and these can be managed and controlled by planning conditions or will be controlled by the Environmental Permit for the site regulated by Natural Resources Wales. This is a major investment which will safeguard employment and manufacturing capacity of this plant in Flintshire. Recommend that planning permission is approved with conditions attached.

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

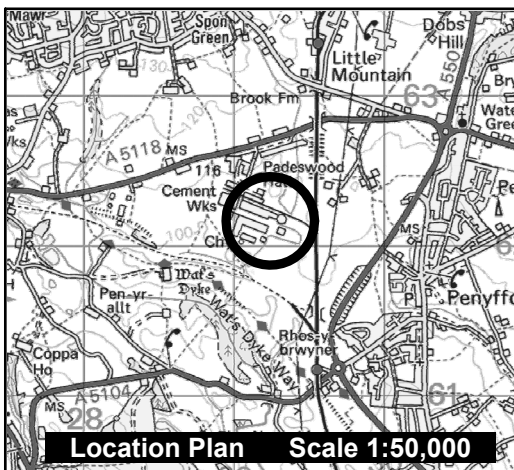
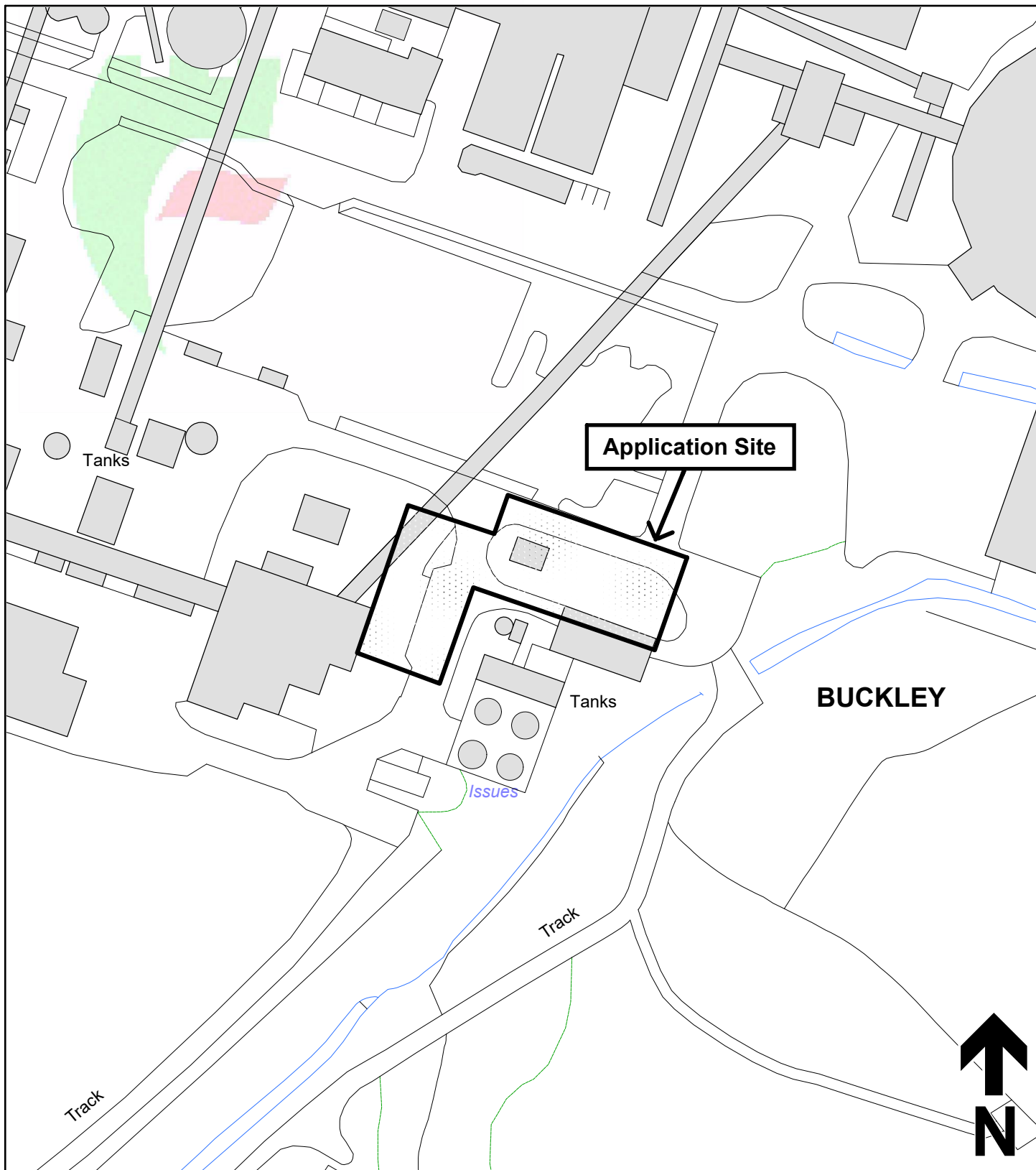
Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: Daniel McVey

Telephone: 07540193444

Email: daniel.mcvey@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

Tudalen 31

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Map Scale 1:1250

OS Map ref SJ 2962

Planning Application FUL/000562/22

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.3

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **29th MARCH 2023**

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

SUBJECT: **FULL APPLICATION – CHANGE OF USE OF EXISTING PROPRTY TO A HOLIDAY ACCOMMODATION UNIT FOR A PERIOD OF 185 DAYS PER CALENDER YEAR WITH RESIDENTIAL USE FOR THE REMAINDER. (PARTLY RETROSPECTIVE)**

APPLICATION NUMBER: **FUL/000434/22**

APPLICANT: **MR D SCOTT**

SITE: **AROSFA, PUMP LANE, AXTON, CH8 9DJ**

APPLICATION VALID DATE: **6/9/22**

LOCAL MEMBERS: **COUNCILLOR G BANKS**
COUNCILLOR G MADDISON

TOWN/COMMUNITY COUNCIL: **LLANASA COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST IN ORDER TO ASSESS IMPACT ON LIVING CONDITIONS OF OCCUPIERS OF NEARBY PROPERTIES**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This full application, which is partly retrospective, proposes the change of use of an existing dwelling “Arosfa,” Pump Lane, Axton, to allow it to be occupied for a total of 185 days in any calendar year for holiday accommodation, with it being occupied as a dwelling for the remainder of the year. The application has been submitted to seek to regularise this position following enforcement investigations.

Planning permission is required as the nature of occupation of the property by large groups is not considered to fall within a single household category (C3) as defined in the Town and Country Use Classes Order and therefore requires planning permission in its own right.

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

- 2.01
1. 2-year temporary permission
 2. Register of occupiers to be kept and made available
 3. Within 1 month of date of permission a Noise Management Plan to be submitted and approved
 4. Agreed measures to be implemented within a further 1 month.
 5. Parking scheme to be submitted and approved.

3.00 CONSULTATIONS

- 3.01 **Local Member Councillor G Banks:** Request site visit and Planning Committee determination to assess impact on the living conditions of the occupiers of nearby properties.

Local Member Councillor G Maddison: Request site visit and Planning Committee determination to assess impact on the living conditions of the occupiers of nearby properties

Llanasa Community Council: Raise objections on behalf of residents, the main points of which can be summarised as follows:

1. property has been let as holiday accommodation since 2019, without planning permission.
2. property is advertised for large groups and during this period there have been incidents of anti-social behaviour which has required the police to be called.
3. property is accessed from a narrow single-track lane which is inadequate to serve both residential /holiday accommodation at this location.

Highways: No objection given the potential and comparative nature of traffic generation associated with an eight- bedroom dwelling. There is sufficient parking space available on site to accommodate predicted vehicles, however it is recommended that any permission includes a condition to secure adequate parking facilities.

Community and Business Protection: Request that any permission includes a condition to control and manage potential noise from the premises.

4.00 PUBLICITY

4.01 7 Neighbour Notifications were sent to adjoining/nearby properties. Three letters of objection have been received the main points of which can be summarised as follows:

1. inadequacy of access to serve the proposed development
2. detrimental impact on living conditions of existing residents by way of noise and anti-social behaviour.

5.00 SITE HISTORY

5.01 None -relevant

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan

STR2 – The Location of Development

STR4 – Principles of Sustainable Development, Design and Placemaking

STR5 – Transport and Accessibility

STR10 – Tourism, Culture and Leisure.

PC1 – The Relationship of Development to Settlement Boundaries

PC2 – General Requirements for Development

PC5 – Transport and Accessibility

PE12 – Tourist Accommodation, Facilities and Attractions

EN18 – Pollution and Nuisance

Supplementary Planning Guidance. Notes (SPGN)

SPGN3 – Landscaping

SPGN11 – Parking Standards

National Planning Policies / Technical Advice Notes

Planning Policy Wales (PPW) – Edition 11

Future Wales: The National Plan 2020-2040

Technical Advice Note 11: Noise

Technical Advice Note 13: Tourism

7.00 PLANNING APPRAISAL

7.01 Introduction

The application site relates to an existing detached dormer bungalow named “Arosfa”, Pump Lane, Axton that is located within the open

countryside outside any settlement boundary as defined in the Flintshire Local Development Plan (LDP). The site is located approximately 0.7km north -west of Trelogan, 1.74km north – east, of Trelanwyd and 1.2km south of Llanasa.

- 7.02 The property shares a boundary with residential properties to the north-west, west and south- east, fronting onto a road and agricultural fields to the east. The elevated position of the site provides panoramic views of the River Dee and Wirral Peninsula to the north- east.
- 7.03 The stone / slate roof property has a total of eight bedrooms, and benefits from a large curtilage area, with an extensive garden area located to the rear.
- 7.04 Access to the site is gained off an unclassified road along the east of the property, with there being a drive and parking area sited next to the existing outbuilding which is suitable for accommodating at least eight vehicles.
- 7.05 Proposed Development
The application seeks retrospective permission for the change of use of the existing residential property into holiday accommodation for a total of 185 days in any calendar year.
- 7.06 The property has been used as a single unit of holiday accommodation since 2019 and it proposed that this continues for larger group bookings to occupy the bungalow as a single entity rather than it being split into several units. No external changes / alterations to the dwelling itself are proposed
- 7.07 Main Planning Considerations
The main considerations to be assessed in determination of this application include:
- i. the principle of development
 - ii. impact on the living conditions of occupiers of nearby properties
 - iii. adequacy of access.
- 7.08 Principle of Development
The principle of the use of the properties such as this for holiday accommodation is a common feature within rural locations which add to the tourism offer available and is acceptable in principle in accordance with Flintshire Local Development Plan Policy PE12. Where permission is required however, this is subject to the safeguarding of relevant development management considerations.
- 7.09 Impact on Living Conditions of Occupiers of Nearby Properties
It is noted that the property has been let as holiday accommodation since 2019. Third-party consultation responses advise that since this

time, there have been incidents of noise disturbance /anti-social and intimidating behaviour registered with the Police and Councils Community and Business Protection Department. These matters fall outside the remit of planning control.

- 7.10 It is understood that in the intervening period, the applicant has sought to address the concerns raised principally through the strengthening of house rules, installation of noise monitoring equipment and acoustic fencing. Consultation on the application has been undertaken with the Council's Community and Business Protection Department (Pollution Control) who advise that they are generally supportive of the measures undertaken which seek to minimise the impact of the occupation of the bungalow for holiday use, on the living conditions of occupiers of nearby properties.
- 7.11 It is however recommended by Pollution Control that these need to be secured by the imposition of a condition to ensure that these form a robust position, including for example but not mutually exclusive, additional restrictions over the hours of playing of amplified music outside, introduction of CCTV and double glazing. These issues form part of a Noise Management Plan, against which any breaches can be monitored and potentially enforced by the Council in the future.
- 7.12 From a development management perspective in looking at the timeline associated with the recent holiday accommodation use being undertaken, this has in-part coincided with limits on individuals' freedom of movement due to Covid restrictions being in place. Whilst it is understood that there have been no formally recorded instances of noise disturbance /anti- social behaviour in the intervening period, it is not possible at this stage to confirm whether the reduction in complaints associated with the occupation of the dwelling are directly attributable to a reduction in occupancy, or the incorporation of the measures undertaken.
- 7.12 In order to address any future concerns, it is therefore considered that at this stage a temporary two -year permission be granted. This will allow the full impact of the development to be carefully assessed and monitored to allow the effectiveness of the measures subsequently introduced to control behavioural patterns to be evaluated over a longer period. The applicant is agreeable to this approach.
- 7.13 Adequacy of Access
Consultation on the application has been undertaken with the Highways, who raises no objection to the development, recognising that the traffic movements associated with the proposed holiday use would be comparable to that with that associated with the eight - bedroom residential property. It is however recommended that any permission be subject to the imposition of a condition to ensure the provision /retention of adequate parking to serve the proposed holiday accommodation.

8.00 CONCLUSION

8.01 It is noted and acknowledged that there are many rural properties within Flintshire that are used for holiday accommodation purposes that satisfactorily operate having a close relationship to permanent dwellings. This is a situation that is generally supported to enhance the attractiveness of the county as a tourist destination having regard to Policy PE12 of the Flintshire Local Development Plan.

8.02 It is apparent however that there have been several instances of anti-social behaviour over recent years, emanating from occupation of the property the subject of this application for holiday use, it being considered that this is primarily as a result of the number of bedroom spaces on offer which has encouraged occupation of the bungalow by larger groups of people.

8.03 The concerns raised by residents who live near the site have been duly acknowledged by officers, and the applicant /agent who have sought to introduce mitigation /controls to secure/ improve satisfactory living conditions for the residents.

8.04 It is noted that these concerns remain, with opportunities for occupation of the property for holiday use, reduced during Covid restrictions which were in place in 2020/21. As a result, it has not been possible to fully monitor activity from the site over this period. It is therefore recommended that a temporary 2 year planning permission be granted to allow the full impact of occupation /mitigation measures that have been introduced by the applicant to be fully assessed.

8.05 Other Considerations

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

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

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

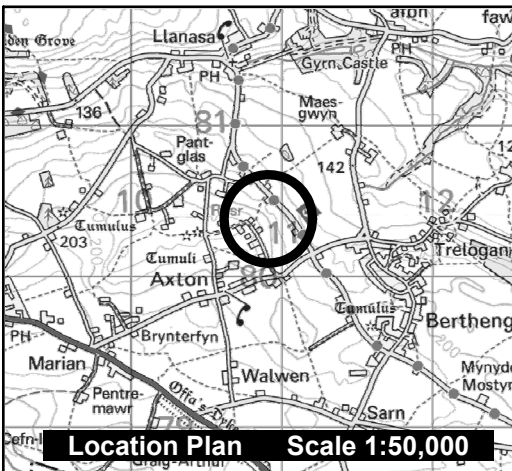
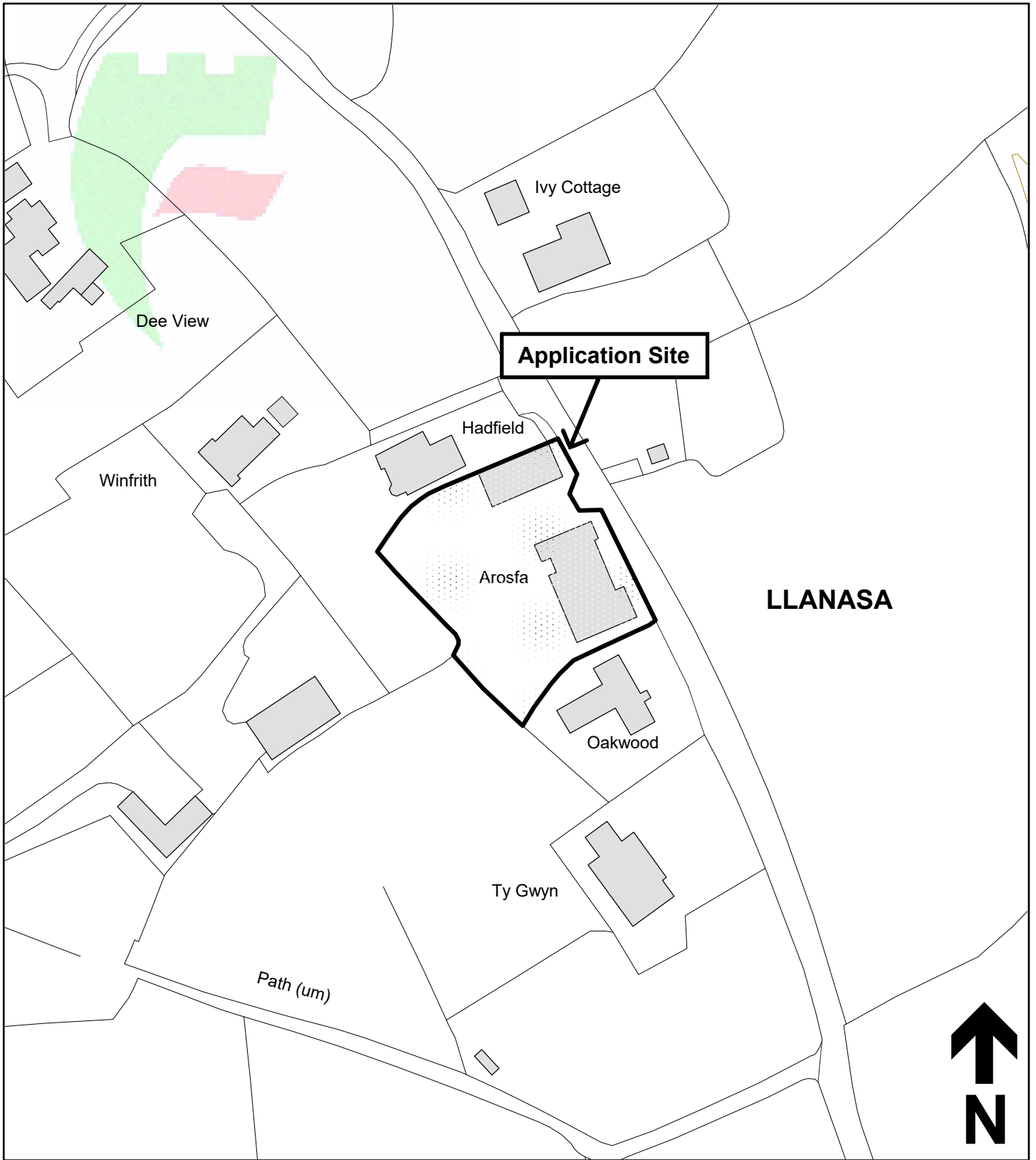
The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: Robert Mark Harris
Telephone: 01352 703269
Email: Robert.M.Harris@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 1080

Planning Application FUL/000434/22

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.4

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **29th MARCH 2023**

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

SUBJECT: **RETROSPECTIVE - AMENDMENT TO PLANNING PERMISSION 062649 TO ALLOW THE REPOSITIONING OF THE ERECTION OF ONE DWELLING WITH INTEGRAL GARAGE**

APPLICATION NUMBER: **064109**

APPLICANT: **Ms. AMANDA REDMOND**

SITE: **PLOT 2, WEST COURT, TABERNACLE STREET, BUCKLEY, FLINTSHIRE, CH7 2JT**

APPLICATION VALID DATE: **17TH FEBRUARY 2022**

LOCAL MEMBERS: **CLLR. R. JONES**
CLLR. A. WOOLLEY

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

REASON FOR COMMITTEE: **AT THE REQUEST OF THE LOCAL MEMBER WHO CONSIDERS THE APPLICATION, GIVEN THE FACT THAT THE DWELLING HAS NOT BEEN DEVELOPED AS PER A PREVIOUS PERMISSION AND IS NOW CONSIDERED TO AFFECT ADJACENT NEIGHBOURS, OUGHT TO BE CONSIDERED BY THE PLANNING COMMITTEE**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full application is submitted on a retrospective basis to regularise the differences between a previous grant of planning permission (062649) and the 'as built' development of a dwelling on Plot 2, West Court, Tabernacle Street, Buckley.

1.02 This application has been considered in terms of whether the dwelling as built would still comply with the applicable policies of the Development Plan and whether the dwelling has resulted in harm such that would otherwise be unacceptable in planning terms.

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

2.01 Conditions

1. Development to accord with the approved plans.
2. No surface water to connect to the public sewer system.

3.00 CONSULTATIONS

3.01 **Local Member Councillor R. Jones:** Considers that the application, being retrospective and affecting the neighbouring amenity, requires it to be heard at the Planning Committee.

Local Member Councillor A. Woolley: No response at time of writing.

Buckley Town Council: No observations offered.

Highways: Satisfied that there shall be sufficient provision made within the site for the parking and turning of 3 no vehicles. Confirms that there is no objection to the proposal.

Community & Business Protection: No objection.

Welsh Water/Dwr Cymru: No objection. Requests the imposition of a condition requiring that no surface water drain to the existing public sewerage system.

Natural Resources Wales: No objections.

Airbus: No aerodrome safeguarding objection.

4.00 PUBLICITY

4.01 15 Neighbour Notifications were sent to adjoining/nearby properties. Two responses have been received which are summarised as follows:

1. The original application was approved upon plans that were ultimately incorrect;
2. The proposal does not harmonise with the site and surroundings as it protrudes 2.1m to the rear of the adjacent dwelling;

3. Insufficient vehicular parking for the size of the dwelling proposed;
4. Insufficient parking and turning space, to the detriment of pedestrians;
5. Adverse impacts upon existing adjacent living conditions

5.00 SITE HISTORY

5.01 **98/1040** – Demolition of existing dwelling and erection of 4no. dwellings (Outline application) – Approved 20.10.1998

039182 – Erection of a dwelling – Approved 25.07.2005

056897 – Erection of 2no. dwellings – Approved 01.09.2017

062649 – Erection of a Detached Dwelling with Integral Garage – Approved 27.10.2021 (*n.b. This is the application implemented upon this plot and to which the application which is the subject of this report relates*).

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan
 Policy STR2 - The Location of Development
 Policy PC1 - The Relationship of Development to Settlement Boundaries
 Policy PC2 - General Requirements for Development
 Policy PC3 - Design
 Policy PC4 - Sustainability & Resilience of New Development
 Policy PC5 – Transport & Accessibility

Supplementary Planning Guidance
 SPGN No. 2 - Space around dwellings
 SPGN No. 11 - Parking Standards

National Planning Policies:
 Planning Policy Wales – Edition 11 (Feb.2021)
 Future Wales: The National Plan 2040 (FWP 2040)

PLANNING APPRAISAL

7.01 Site Description

The site is located in the defined settlement of Buckley, where there is a presumption in favour of sustainable development. The application site comprises a plot of land upon which is constructed a detached 2 storey dwelling with short private access drive leading from Tabernacle Street. The private drive provides access to three other dwellings developed under the previous permissions. The proposed dwelling is built on a moderately sized plot and has access to significant front and rear private garden space.

- 7.02 The site is bounded to the north by Horrel House and Plot 1, West Court to the South. To the south of the access drive are two dwellings granted planning permission under 056897. To the east of the site, beyond the substantial block wall is open space and parking court associated with dwellings upon Princess Avenue.
- 7.03 The surrounding area is predominantly residential with the majority of properties being detached or semi-detached two-storey dwellings. However, the design of the dwellings in the immediate vicinity of the application site is mixed. Therefore there is no dominant architectural style.
- 7.04 The dwelling which is the subject of this application is a two-storey detached dwelling with integral garage. The front elevation has two projecting gables with dual pitched roof, whereby the gable end faces eastwards toward Tabernacle Street. The dwelling is 8.6m in height to the ridge and 5m to the eaves. The footprint provides for a dwelling 15.1 m wide and 10.9m deep
- 7.05 The front elevation has windows to a sitting room on the right and a garage door to the left. The main entrance is centrally located with full height glazing across both ground and first floor. At first floor level in the front elevation there are windows to two bedrooms. The rear elevation has a door to the utility room, two windows and a set of bi-fold doors for the kitchen/dining room at ground floor and two bedroom windows and two bathroom/en-suite windows to the first floor. On the west facing side elevation there are two windows to the ground floor and one en-suite window to the first floor. To the east facing side elevation there is one en-suite window to the first floor.
- 7.06 The dwelling is constructed with facing brick external finish and concrete tiles for the roof. The windows and doors are an anthracite coloured UPVC.
- 7.07 Proposed Development
The application seeks to regularise a position whereby the dwelling is set some 2m deeper into its plot than was originally approved under 062649. In addition, the dwelling is larger in footprint than that originally approved. As approved the dwelling was 14.5m wide by 10.3m deep. As built the dwelling is 15.1m wide and 10.9m deep. The difference represents an increase in footprint of 15.24m² or an increase of 9% upon that previously approved.
- 7.08 The Main Issues
The main issues to consider are in the determination of this application:
- Principle of Development;
 - Character and Appearance; and

- Impact upon living conditions.

7.09 Principle of Development

PPW11 introduces the concept of placemaking whose positive implementation through good design seeks to ensure people's and community well-being.

7.10 The dwelling is located within the settlement of Buckley, in a street fairly typical of suburban developments. Policy PC1 states that development will be permitted within settlement boundaries.

7.11 Policies PC2 and PC3 require development proposals to harmonise with the site and surroundings in terms of the siting, scale, design, layout, use of space, materials, external appearance and landscaping.

7.12 It should be remembered that the principle of development of this type in this location has been established via previous grants of planning permission. The site had the benefit of outline planning permission for 4 dwellings in 1999 and additional full planning permission for 2 dwellings in 2017. The planning permission which this application seeks to address differences between that approved and that built was granted in 2021.

7.13 It is considered that as a matter of planning principle, the proposals would be broadly in accordance with the above planning policy context.

7.14 Impacts upon Character and Appearance

The existing street scene has a number of architecturally different properties, with the predominant building type in the street scene being two storey semi-detached properties. At the point of the application site there are a number of large, detached properties, including the detached dwelling on the adjacent Plot 1.

7.15 The dwelling is located on a sizeable plot with adequate garden areas. The dwelling does not therefore amount to an overdevelopment of the plot. The external appearance of the proposed dwelling, being brick with glazed elements beneath a concrete tile roof, reflects the modern style of the nearby dwellings and in this respect, is reflective of the character and appearance of the surroundings.

7.16 The dwelling, in its increased size, is considered to be appropriately designed for the street and is considered acceptable at this location in terms of character and appearance.

7.17 Impacts upon Existing Neighbouring and Proposed Living Conditions

The dwelling occupies a position at the head of a cul-de-sac. Its' primary outlook is along the road serving this and the nearby

dwellings and as such there is no direct interface relationship between any of the principal elevations of the proposed or nearby dwellings.

- 7.18 The nearest relationship between the front of the proposed dwelling and a dwelling located to the north is a front to side elevation which provides separation of approximately 10 metres. Whilst there is a bedroom at first floor level, the elevation opposite is blank and therefore it is considered that there are no adverse impacts upon living conditions at either the site or the opposite property.
- 7.19 There is a study/living room window in the western flank wall of the proposed dwelling. However, this window has an outlook to the 2.7m garden wall between the site and land to the west and south. As such, there is no overlooking possible from or into this window. Other windows in the flank walls serve en-suite bathrooms, which are non-habitable rooms. The rear elevation of the dwelling overlooks public open space on the estate to the rear and the 2.7m wall to the rear severely restricts views into the site.
- 7.20 Comments have been received which suggest that the set back in the site of approximately 2 metres in relation to the existing adjacent dwelling would give rise to adverse impacts upon amenity. The proposal does not afford increased opportunities of overlooking and does not impinge upon light to habitable rooms as a result of this amended siting.
- 7.21 The garden area to the rear of the dwelling is some 9.6m deep by 12 metres wide. Whilst SPGN2 – Space Around Dwellings suggests that garden depths should typically be 11m, given the absence of built form immediately to the rear, it is considered this garden depth is acceptable. It is noted that the SPGN suggests that a dwelling providing 3 or more bedrooms should have a private garden space of 70m² in area. The garden at the application site is some 115m² and therefore complies with this requirement.
- 7.22 As such, in terms of the proposal providing an adequate and usable area of private amenity space to the occupants of the dwelling, it is considered that the scheme is compliant with SPGN. No. 2 – Space Around Dwellings.
- 7.23 It is considered that the proposed dwelling would not give rise to either adverse impacts upon the living conditions of existing nearby occupants or the future occupants of the dwelling itself.
- 7.24 Highway and parking impacts
It is suggested that the site does not provide adequate space for the parking of vehicles and that space which is provided would, if cars were manoeuvring, give rise to safety risks to pedestrians on the road.

7.25 The application particulars demonstrate that, in addition to the parking spaces proposed within the garage, up to 5 off street parking spaces could be comfortably provided within the site.

7.26 The application has been the subject of consultation with Highways Development Control and the proposal has been assessed against SPGN11 parking standards. It is noted that there is sufficient space for parking of cars in line with the guidance set out in SPGN11 and no objection upon highway safety grounds are raised.

7.27 Accordingly, it is considered that the proposals would not give rise to concerns in respect of highway or pedestrian safety.

7.28 Surface Water Drainage

Members will be aware that all new developments of more than 1 house or where the construction area is of 100m² or more will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. This approval is a consenting regime that sits outside of the planning process.

7.28 Accuracy of Drawings

Concerns were raised that the plans are not an accurate depiction of the 'as built' situation on site. This discrepancy has been addressed and amended accurate plans have been the subject of a fresh consultation exercise. A comment was received in the same vein but this was because of an administrative error in the plan originally uploaded for comments. This has been addressed and the plans are confirmed to be accurate.

8.00 CONCLUSION

For the reasons set out above, the proposals are considered to be an acceptable form of development in this location and having regard to the applicable planning policies.

8.01 Other Considerations

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

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

- 8.03 The Council has had due regard to its public sector equality duty under the Equality Act 2010.
- 8.04 The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

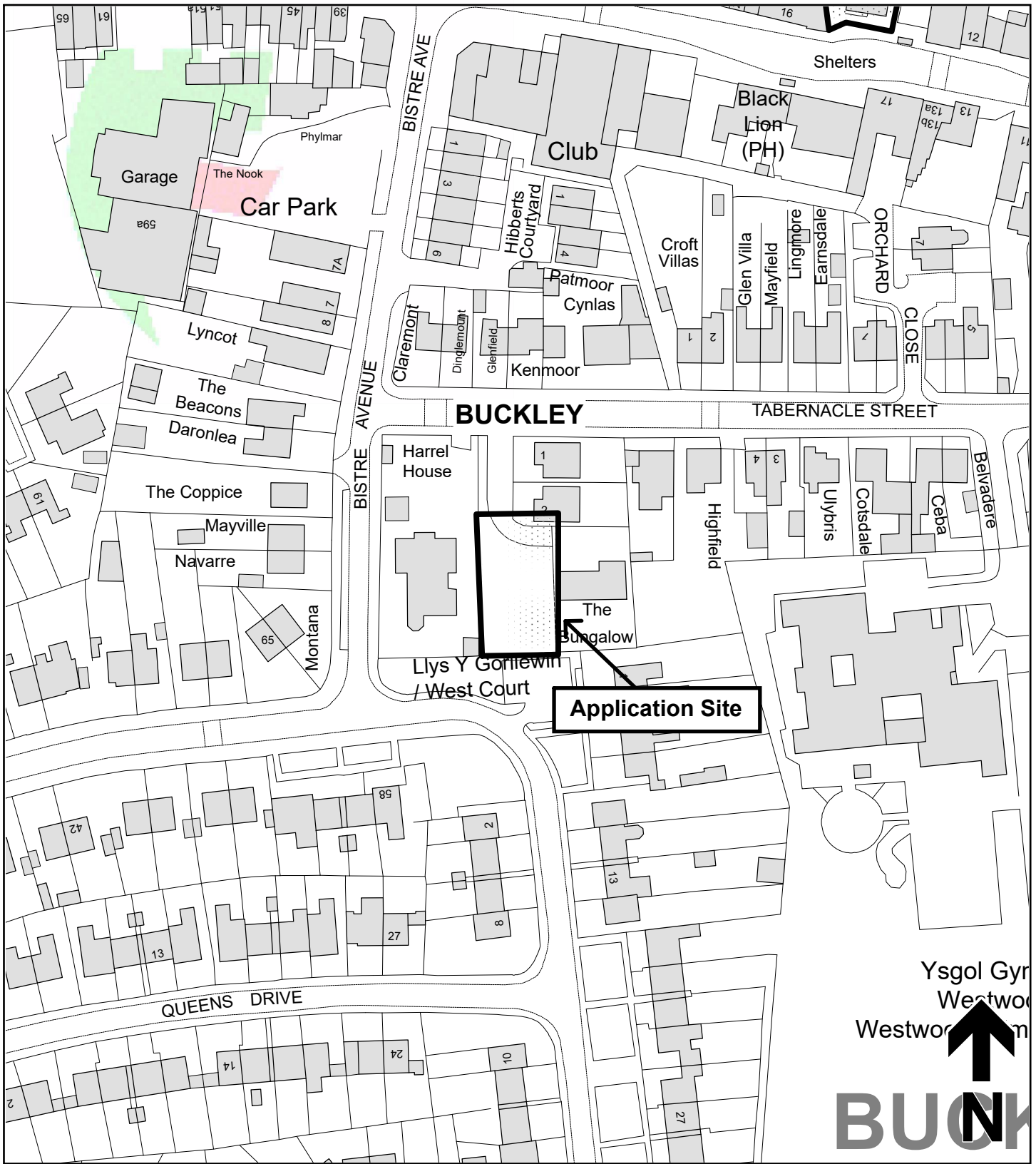
Planning Application & Supporting Documents

National & Local Planning Policy

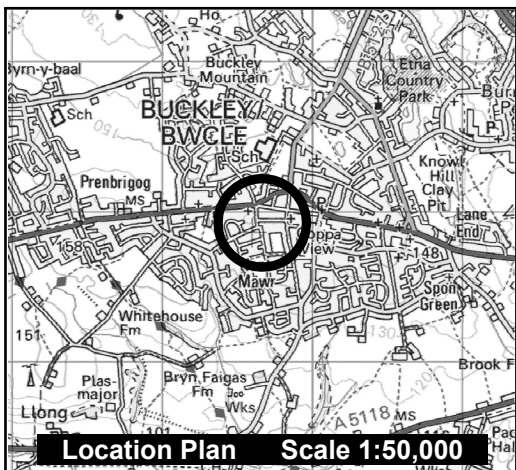
Responses to Consultation

Responses to Publicity

Contact Officer: David Glyn Jones
Telephone: 01352 703281
Email: david.glyn.jones@flintshire.gov.uk



Ysgol Gyr
Westwo
Westwo
BUCK



Location Plan Scale 1:50,000



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 **64109**

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 6.5

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **29TH MARCH 2023**

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

SUBJECT: **CONVERSION OF VACANT COMMERCIAL PREMISES TO FORM A MIXED USE OF COMMERCIAL A1 (SHOPS) / A2 (FINANCIAL SERVICES) AT GROUND FLOOR WITH HMO UNIQUE USE AT THE REAR, AND ON THE FIRST AND SECOND FLOOR**

APPLICATION NUMBER: **063778**

APPLICANT: **DR E ROSE**

SITE: **11 CHESTER ROAD WEST, SHOTTON**

APPLICATION VALID DATE: **18TH NOVEMBER 2021**

LOCAL MEMBERS: **COUNCILLOR S BIBBY**

TOWN/COMMUNITY COUNCIL: **SHOTTON TOWN COUNCIL**

REASON FOR COMMITTEE: **APPLICATION REFERRED BY COUNCILLOR SEAN BIBBY DUE TO RESIDENT CONCERNS REGARDING OVERDEVELOPMENT AND OVERCROWDING AND THE INCREASING NUMBERS OF HMO'S HAVING A DETRIMENTAL IMPACT OF THE COMMUNITY OF SHOTTON.**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full application for the change of use of a vacant former retail premises to a mixed use of A1 (shops) / A2 (financial services) on the ground floor with an 8 bedroom House in Multiple Occupation (HMO) located at the rear, and on the first and second floors at 11 Chester

Road West, Shotton. The application is considered acceptable in policy terms and will not detrimentally affect the living conditions of future occupiers and will not have an adverse effect on the character and appearance of the property or on the highway.

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

- 2.01
1. Time limit on commencement
 2. In accordance with approved details
 3. Maximum occupation to be 8 people
 4. Drainage strategy to be submitted to and approved in writing by the LPA

3.00 CONSULTATIONS

- 3.01 **Local Member Councillor Sean Bibby:** Requested this application to be referred to Planning Committee due to resident concerns regarding overdevelopment and overcrowding and the increasing number of HMO's having a detrimental impact on the community of Shotton.

Shotton Town Council: Following discussion at the full Town Council, members wish to maintain their objections to all HMO properties within the area, due to concerns regarding overcrowding within the property and the potential issues within the immediate vicinity. Members would prefer such properties to be Council/Housing association controlled in order to maintain standards. Cllr Bibby has requested this application is referred to the Planning Committee.

Highways: No objections to the proposal and no recommendations on highway grounds.

Community and Business Protection: No adverse comments to make regarding this proposal provided that the enhanced glazing for the first floor front bedroom overlooking Chester Road West is installed as described in the Design Statement.

Housing Strategy: The demand for single person accommodation is great across the county, particularly in the major towns, including Shotton. So there is a need for this type of property. There is a significant number of single person homeless applicants with over one hundred in temporary accommodation, the majority of which are one bedroom need. The provision of self-contained bedrooms with en-suite bathrooms and kitchen basics within the context of well managed lounge/communal facilities is supported by Welsh Government as "meanwhile" provision. This of course also presumes

that such HMO's are well managed as well and comply with the highest fire safety requirements.

Dwr Cymru/Welsh Water: Capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. We recommend that a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

4.00 PUBLICITY

4.01 56 Neighbour Notifications were sent to adjoining/nearby properties. Following receipt of amended plans a further full period of consultation with the same properties was undertaken and only one letter of objection has been received, which can be summarised as follows:

1. Too many HMO's
2. Impact on amenity – noise and anti-social behaviour
3. Effect on the character and appearance of the area

5.00 SITE HISTORY

5.01 **058615** - Proposed Conversion / Change of Use of Upper Floors from Retail Storage to Residential – Approved 06/08/2018

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan

STR2 - Location of Development
STR4 - Principle of Sustainable Development, Design and Placemaking
STR5 - Transport and Accessibility
PC1 - Relationship of Development and Settlements
PC2 - General Requirements for Development
PC3 - Design
PC4 - Sustainability and Resilience of New Development
PC5 - Transport and Accessibility
PE7 - Retail Hierarchy
PE8 - Development within Primary Shopping Areas
HN2 - Density and Mix of Development
HN7 - Houses in Multiple Occupation

National Policy

Planning Policy Wales Edition 11
Future Wales: The National Plan 2020-2040

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full application for the change of use of a vacant commercial premises to a mixed use of A1 (shops) / A2 (financial and professional services) at ground floor and a House in Multiple Occupation at the rear and on the first and second floors.

7.02 Amended plans have been received in progression of the application proposing a reduction in the number of bedrooms from nine to eight with combined utilisation of the second floor on which further consultation has been undertaken.

7.03 Application Site

The application site consists of a vacant former retail property located inside the Shotton settlement boundary and is also within the primary shopping area. The property has been vacant for some time and appears dated, requiring renovation works to bring the property back into use. The first-floor principal elevation is traditional in appearance with a dormer window and small gable above. The ground floor principal elevation has been altered over time and has no original features.

7.04 Proposal

The application which has been amended since the original submissions proposes the renovation of the vacant property to reinstate a retail unit on the ground floor at the front of the building back into use as an A1 (shops) / A2 (financial and professional services) use. An eight bedroom HMO is proposed at the rear and on the first and second floors. six bedrooms are proposed to have en-suite bathrooms and two bedrooms would share a bathroom. An open plan kitchen, dining and living area would be available for all residents. The total number of occupants would not exceed eight with only one occupant per bedroom.

7.05 Main Issues

The main issues are considered to be the impact of the development upon the living conditions of future occupiers, the effect on the character and appearance of the area and the impact on the highway.

7.06 Principle of Development

The application proposes to bring the building back into use by utilising the former retail unit for A1 / A2 on the ground floor and converting the rear of the premises and first and second floors into a HMO.

7.07 The proposals would bring a vacant retail premises back into use, revitalising this part of the town centre, and would create low-cost living accommodation for eight single occupants. Housing Strategy are in support of the proposals in this location and welcome eight

bedrooms due to the significant number of single person homeless applicants in the Flintshire area, over 100 of which are in temporary accommodation.

7.08 The application proposes to make the most efficient and effective use of a building within a highly sustainable settlement and town centre location, which is acceptable in principle in accordance with Policy PE8 and HN7 of the Flintshire Local Development Plan, subject to the safeguarding of relevant development management considerations.

7.09 Living conditions of future occupiers

The living conditions of future occupiers can be considered a material planning consideration. It is important to note however that there is currently no planning guidance in Flintshire on the size or layout of HMOs with regard to provision of acceptable living conditions for occupiers.

7.10 The Council's Community and Business Protection team have referred to the Welsh Government minimum standards during the assessment of this proposal and the proposed facilities and size of bedrooms are acceptable within these standards. The proposal intends to provide eight bedrooms. Six of the bedrooms would have en-suite bathrooms and two would utilise a shared bathroom. The proposed room sizes are fairly generous to allow sufficient space to house one person per bedroom and an open plan kitchen, dining and living area is proposed as shared living space. No adverse comments have been noted from Community and Business Protection.

7.11 For clarity, although the application states that the rooms are intended to be for single occupancy, a condition will be imposed to ensure that this level of occupancy is maintained for future occupiers.

7.12 Character and Appearance

There are minimal external changes proposed to the building. The proposals include some refurbishment works to the principal elevation, with materials to match the existing building, and the installation of some additional roof lights, which would not be visible from Chester Road West and would only be visible from certain viewpoints at the rear. The proposals would have no adverse effect on the character and appearance of the building or local area. It is considered that the reuse of the run down vacant property would positively enhance the character and appearance of the building and town centre.

7.13 Parking and Impact on the Highway

The site is located in a sustainable town centre location, is near to public parking facilities and close to key transport links and Active Travel Routes. It is therefore not an essential requirement to provide parking provision as part of the proposal, and this mirrors the approach taken when permission was granted for the conversion of

the upper floor to three flats in 2018. The use of the property for A1/A2 use and a HMO would not exacerbate on street-parking or increase vehicular movements to the extent that highway safety or the free flow of traffic would be materially harmed within the town centre location. The proposals also include bin storage and cycle storage at the rear of the property to allow sustainable modes of transport and to reduce reliance on car usage. As a result no objections have been raised by the Highway Authority and no recommendations have been made on highway grounds.

8.00 CONCLUSION

It is considered that the proposal is in accordance with the relevant Local Development Plan policies in that the principle of residential conversion is already established; there is minimal alteration to the external appearance of the building maintaining its character; a vacant retail unit will be brought back into productive use; and the amenity of future residents and neighbours will not be impacted. On this basis and having considered the objections received and all other matters, it is recommended that planning permission is granted.

8.01 Other Considerations

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

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.

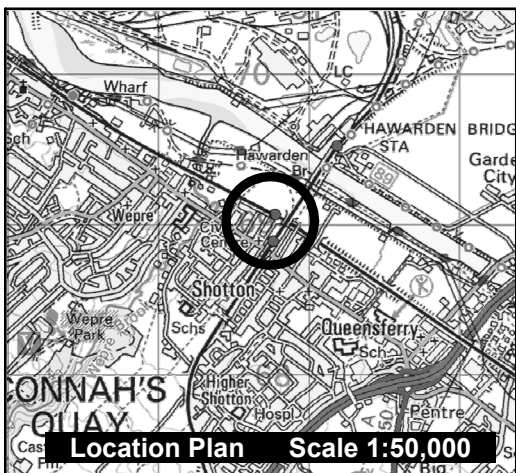
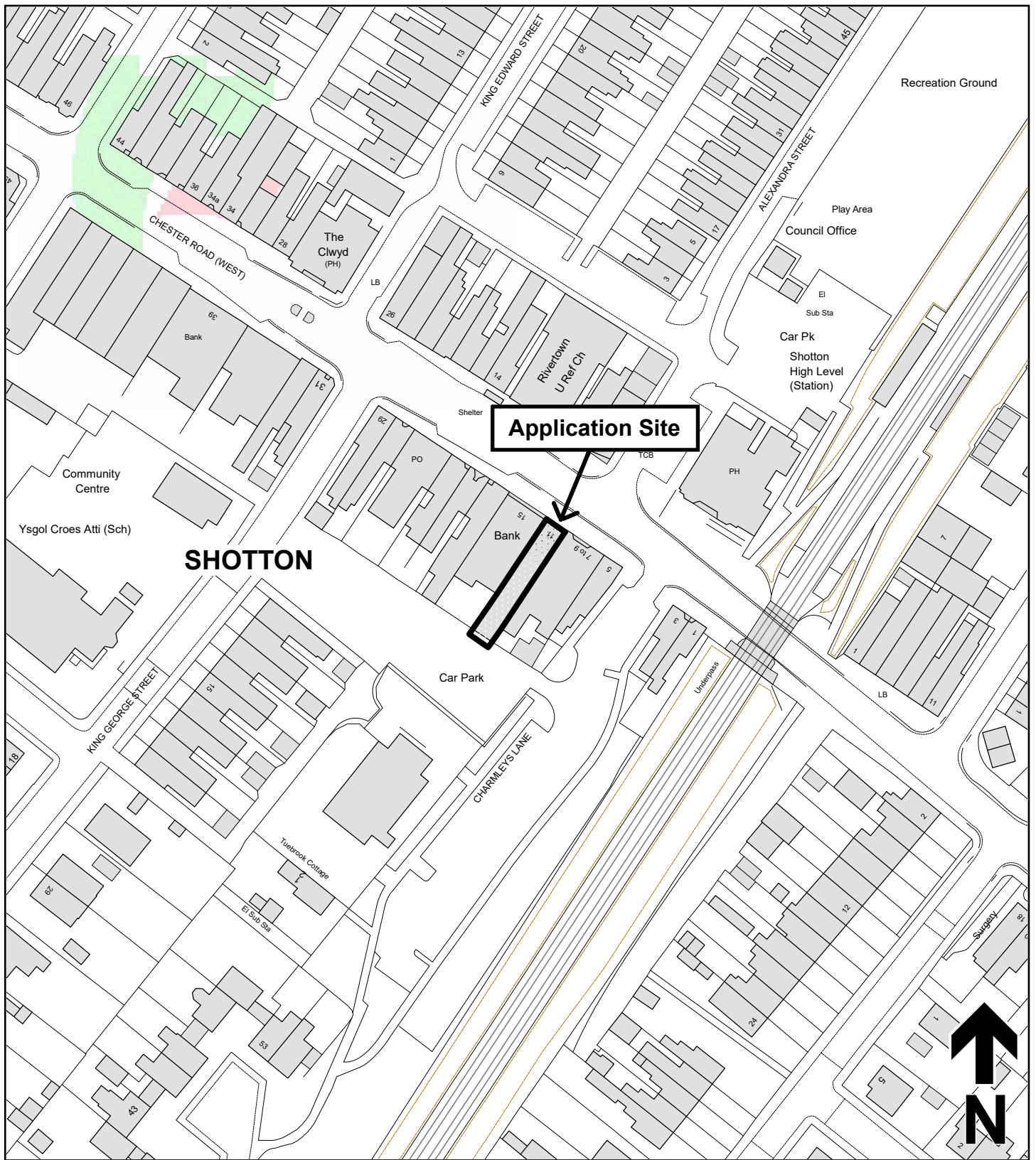
The Council has had due regard to its public sector equality duty under the Equality Act 2010.




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: Alison Dean
Telephone: 01352 702012
Email: alison.dean@flintshire.gov.uk



 <p>CYNGOR Sir y Fflint Flintshire COUNTY COUNCIL</p>	<p>Planning, Environment & Economy, Flintshire County Council, County Hall, Mold, Flintshire, CH7 6NF. Chief Officer: Mr Andrew Farrow</p>						
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<p>Legend</p> <ul style="list-style-type: none">  Planning Application Site  Adopted Flintshire Unitary Development Plan Settlement Boundary 	<table border="1"> <tr> <td>Map Scale</td> <td>1:1250</td> </tr> <tr> <td>OS Map ref</td> <td>SJ 3068</td> </tr> <tr> <td>Planning Application</td> <td>063778</td> </tr> </table>	Map Scale	1:1250	OS Map ref	SJ 3068	Planning Application	063778
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