FLINTSHIRE COUNTY COUNCIL

- REPORT TO: PLANNING COMMITTEE
- DATE: 1ST FEBRUARY 2023
- <u>REPORT BY:</u> CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)
- <u>SUBJECT:</u> GENERAL MATTERS DOLLAR PARK, BAGILLT ROAD, HOLYWELL - REQUEST FOR DELEGATED AUTHORITY TO RESPOND

1.00 PURPOSE OF REPORT

1.01 For Members information this application is the subject of an appeal lodged and validated by Planning Environment Decisions Wales (PEDW) on the grounds of non-determination. The purpose of this report is to obtain Planning Committee resolution in respect of the approach to be adopted by the Council in respect of the appeal. PEDW have advised that the appeal is initially intended to be dealt with by the **Hearing** procedure. Members are asked to endorse a recommendation that the proposal is supported subject to the imposition of conditions as referenced in paragraph 3.00 of this report with PEDW, advised accordingly.

2.00 SUMMARY

- 2.01 This is a full application for the change of use of land at Dollar Park, Holywell to provide for 7 residential gypsy plots. There is a long and complex planning history associated with the use of this land as a Gypsy and Traveller site, with the first occupation occurring in 2007.
- 2.02 Temporary planning permission was initially granted, on appeal, for the use of the land as a Gypsy and Traveller site in 2011, which was then renewed in 2016. Planning permission has only ever been granted on a temporary basis in view of the harm the Inspector identified at the time of the appeal. 12 years have elapsed since that decision was considered and the circumstances on the ground as well as the national planning context have changed since the original decision which both have a material bearing on how this application should be considered.

- 2.03 The draft Local Development Plan identifies a number of residential site allocations to meet the identified accommodation needs of Gypsy and Travellers set out in the Council's approved Gypsy and Traveller Accommodation Assessment (2016). The application site is not one of those LDP sites, and due to the temporary nature ofg the planning consent the needs of the families on this site remain unmet.
- 2.04 Concerns have previously been raised that the location of the site in the open countryside and within the wider setting of a Grade II Listed Building outweighed the benefits that would afford the occupiers of the site by granting a permanent planning permission.
- 2.05 However, this site has now been established for a period of in excess of 14 years. The residents have remained largely the same, with children and older residents residing there. The Council must consider if the previous concerns still outweigh the rights of the children and other vulnerable adults living on the site.
- 2.06 The landscape has matured both outside and within the site boundary, and this can be enhanced through the requirement for additional landscaping. National policy guidance confirms that it would be unreasonable to expect that a Gypsy and Traveller site in a location like this would not have some degree of visual presence. However, the Council are confident that this is now significantly less than when the site was first occupied.
- Critically the national planning framework in respect to the provision 2.07 of accommodation for Gypsies and Travellers has changed since the original temporary consent and subsequent renewal were granted. Following the guidance within the Hosing Wales Act, Welsh Government published circular 005/2018 alongside updated advice within Planning Policy Wales. The circular both requires Local Planning Authorities to consider and meet the identified needs of Gypsies and Travellers, expressed through the GTAA, but not at the expense of also considering any unmet need that may exist or arise that is not recorded within the GTAA. Following this the emerging Local Development Plan has a dual policy approach whereby site provision has been made sufficient to meet the pitch demand highlighted by the 2016 GTAA, as well as a criteria based policy to deal with the unmet demand that arises following the point in time baseline of the GTAA. Given the temporary nature of the permission at the application site, the need that exists there is in essence unmet.
- 2.07 Although a fine balance, given the time that has elapsed with the site in use, the changes to the national policy context, and a careful

reflection on the perceived planning harm identified at the outset, it is contended that the rights of the children and the wellbeing of the adults, some of whom have occupied the site since 2007, now clearly outweighs the little, if any, planning harm that was apparent in 2011, but that has now been significantly reduced. Accordingly it is recommended that Members endorse the recommendation to support the application as submitted, subject to the imposition of conditions.

3.00 <u>RECOMMENDATION: TO SUPPORT THE PROPOSAL</u> <u>SUBJECT TO THE FOLLOWING:-</u>

- 1. In compliance with the approved plans
- 2. Personal planning permission to the current occupiers
- 3. Restrictions on the number of plots
- 4. Restrictions on the number of static caravans per plot
- 5. No commercial activity to be undertaken from the site
- 6. No storage of commercial vehicles other than those used the occupiers
- 7. Submission of a landscaping scheme
- 8. Implementation of landscaping scheme
- 9. Visibility Splay
- 10. Parking provision for each plot

4.00 CONSULTATIONS

- 4.01 <u>Local Member</u> Cllr I. Hodge - No response received at time of writing report
- 4.02 <u>Holywell Town Council</u> Raises objection to this application on environmental grounds and has expressed concern about over development and highways accessibility issues.
- 4.03 <u>Community and Business Protection</u> No objections raised.
- 4.04 <u>Welsh Water/Dwr Cymru</u> No objections received as the applicant is utilising an alternative to mains drainage.
- 4.05 <u>Natural Resources Wales</u> No objection.
- 4.06 Highways Development Control

It would appear the principle of the current proposal was approved on a temporary basis under planning reference 053163 back in 2016. On this basis, provided the previous conditions imposed as part of planning consent 053163 are repeated then no objections raised.

4.07 Education

No financial contributions being sought for either primary or secondary education.

4.08 Aura Leisure

No comments to make regarding the proposal.

5.00 PUBLICITY

5.01 Press Notice, Site, Notice and Neighbour Notification letters posted. 6 responses received 5 letters of support and 1 letter of objection.

<u>Support</u>

- The site is kept immaculate and the residents are part of the community
- Given the length of time the residents have been on site they should be allowed to remain
- The residents support the local businesses of Holywell and Bagillt

<u>Objections</u>

- The council have suitable and appropriate alternative pitches that could be utilised
- Traffic impact
- Impact on the Listed Building
- Failure to comply with Local and National Planning Policy
- The planning process should be respected.

6.00 <u>SITE HISTORY</u>

6.01 053163 - Continuation of use of land as residential gypsy site accommodating 9 families on 7 pitches, with a total of 13 caravans (no more than 7 static caravans) and retention of the hardstanding (including block paving), gates, walls, lighting columns and fences 3no. amenity blocks and erection 1no. additional amenity block. Approved 07.04.16

- 6.02 046832 Change of use to residential caravan site for 6no. Gypsy families, each with 2no. Caravans and erection of 6no. amenity buildings, laying of hardstanding and construction of improved access (partly in retrospect) Refused 19.03.10. Allowed on appeal 5 year temporary permission 04.02.11.
- 6.03 043412 Change of use (partly in retrospect) to caravan site (10 pitches) for residential occupation (not transit)by Gypsy-Travellers families, with alterations to site access, additional hardstanding, septic tank, utility buildings, erection of fencing to site boundary and between pitches and communal building. Refused 11.02.08. Dismissed on appeal 23.02.09.

7.00 PLANNING POLICIES

- 7.01 Flintshire Unitary Development Plan
 - HSG14 Gypsy Sites
 - GEN1 General Requirements of all Development
 - GEN3 Development in the open countryside
 - D1 Design Quality, Location and Layout
 - D4 Landscaping
 - TWH1 Development Affecting Tress and Woodland
 - TWH2 Protecting Trees and Woodland
 - WB1 Species Protection
 - WB4 Local Wildlife Sites and Sites of Geological Importance
 - WB5 Undesignated Wildlife Habitats
 - L1 Landscape character
 - AC13 Access and Traffic Impact
 - HE2 Development Affecting Listed Buildings and their Settings

Local Development Plan

- STR4 Principles of Sustainable Development, Design and Placemaking
- STR5 Transport and Accessibility
- STR12 Provision for Gypsies and Travellers
- STR13 Natural and Built Environment, Green Networks and Infrastructure
- PC1 The Relationship of Development to Settlement Boundaries
- PC2 General Requirements for Development
- PC3 Design
- PC5 Transport and Accessibility
- HN9 Gypsy and Traveller Accommodation
- EN2 Green Infrastructure
- EN4 Landscape Character

- EN7 Development Affecting Trees, Woodlands and Hedgerows
- EN8 Built Historic Environment and Listed BUildings
- 7.02 <u>Supplementary Planning Guidance Notes</u>
 - SPGN No 6. Listed Buildings

7.03 <u>National Policies</u>

- Circular 005/2018 'Planning for Gypsy and Traveller Sites'
- TAN 24: The Historic Environment
- Planning Policy Wales Edition 11
- Housing Act 2014

8.00 PLANNING APPRAISAL

8.01 <u>Introduction</u> This application seeks planning permission for the continued use of land at Dollar Park, Bagillt Road, Holywell as a Gypsy and Traveller residential site.

- 8.02 The proposal is to provide seven plots each with a mobile home, touring caravan and modest utility building. The mobile homes and touring caravans all fall within the definition of a caravan as outlined in Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968.
- 8.03 The main issues to consider in determination of this application are the impact of the development on the open countryside location; impact on the vista from the Grade II Listed Glyn Abbot; highway safety and the best interests of the occupiers of the site.

9.00 SITE DESCRIPTION

- 9.01 The application site lies to the east of Holywell on the south side of the A5026 Bagillt Road which runs between Holywell and Greenfield. The total site area is approximately 0.5 hectares.
- 9.02 The site was a former coal yard, following this use there was some limited use of the site for forestry purposes in association with the management of the surrounding woodland. The previous owner of the woodland obtained a Felling Licence and Woodland Grant Scheme from the Forestry Commission to carry out selective felling in the woodland. Prior to the site's occupation by gypsies and travellers it had regenerated naturally as grassland and scrub with a plateau of land inside the entrance gate. From its former use there

was an existing access to the site which was gated with an area of hardstanding.

- 9.03 Opposite the site is an access which serves three residential properties, 2 of which (the lodge and the coach house) are situated directly adjacent to Bagillt Road. Glyn Abbot a Grade II Listed Building, is set back approximately 70 metres from the road in an elevated position. There is a watercourse which runs south of the application site within the wooded area included in the applicant's ownership.
- 9.04 Since 2007 the site has been occupied by a number of gypsy families and has developed into a residential site with associated hardstandings, including block paving, fencing, walls, gates and lighting, along with brick built amenity buildings and wooden sheds. Foul drainage is dealt with by a septic tank which was installed on site by the current residents.
- 9.05 A temporary permission for 5 years was granted on 4th February 2011 (046832) (Appeal Decision APP/A6835/A/10/2132061) for "Change of use to residential caravan site for 6no. Gypsy families, each with 2no. Caravans and erection of 6no. amenity buildings, laying of hardstanding and construction of improved access (partly in retrospect)". This application included the provision of a new access point following highway safety concerns over the original site access which was a reason for the dismissed appeal on application 043412.
- 9.06 On the 7th April 2016 a further temporary permission for 5 years was granted for the continuation of the use of the site as a residential caravan site (reference 053136).
- 9.07 The most recent temporary permission 053163 allowed for the stationing of no more than 7 static caravans and up to 13 touring caravans and the erection of amenity buildings. Additionally the consent allowed for the retention of ancillary features such as gates, walls and hardstanding. The temporary permission expired in April 2021.

10.0 <u>SITE HISTORY</u>

10.01 The land was first occupied by gypsies in March 2007. A planning application made in May 2007 for use of the land as a residential caravan site by 10 gypsy families, including various elements of ancillary operational development, was refused by the Council in February 2008 and subsequently dismissed at appeal. In May 2008

the Council issued an enforcement notice in respect of the unauthorised use and operational development.

- 10.02 Although the appeals were dismissed the occupants remained on the site and subsequently submitted planning application 046832 for "Change of use to residential caravan site for 6 gypsy families each with 2 no caravans and erection of 6 no amenity buildings, laying of hardstanding and construction of improved access (partly in retrospect) in 2009. This application was allowed at appeal and a temporary permission was granted for a period of 5 years for the change of use to a residential caravan site for 6 Gypsy families, each with 2 caravans, erection of 6 amenity buildings, laying of hardstanding and construction of improved access.
- 10.03 This temporary permission was extended through application 053163 in 2016 which granted a further 5 year temporary consent.
- 10.04 While the monitoring of the movements of families on and off Gypsy and Traveller sites such as this can be problematic, in general the site residents have remained largely the same since the temporary permission was granted.

11.00 PROPOSED DEVELOPMENT

- 11.01 The proposed site incorporates seven permanent pitches. Each pitch consists of one dayroom, one touring caravan and one mobile home. The seven pitches on the site shall be occupied only by the current occupiers and their resident dependents. The Local Planning Authority hold details of the occupiers.
- 11.02 The utility blocks are finished with a render finish, interlocking roof tile and upvc wood effect fenestration. Each block provides a kitchen and bathroom for the occupiers of the plot.

12.00 PRINCIPLE OF DEVELOPMENT AND NEED

- 12.01 As part of the preparation of the Local Development Plan (LDP) a Gypsy and Traveller Accommodation Assessment has been undertaken and approved by Welsh Government. This showed that during the Plan period there was an identifiable need to provide 19 pitches within the County.
- 12.02 Given the temporary nature of the permission at this site at the time that the Gypsy and Traveller Accommodation Assessment was

carried out, the needs of the families on this site form part of the unmet need identified in the Assessment.

- 12.03 Provision has been made for 3 residential site allocations at Magazine Lane, Ewloe, at Gwern Lane, Hope and at Riverside, Queensferry. The first two allocations are extensions or the remodelling of existing permitted sites and seek to meet the needs of existing residents and both have the benefit of planning permission. The third allocation is an extension to the existing Council run site but this extension does not yet have planning permission and is presently not available, although a planning application is presently being drawn up. The combined allocations in the LDP amount to 23 pitches which meets the identified need for pitches.
- 12.04 The current adopted Flintshire Unitary Development Plan (FUDP) contains policy HSG14 which provides guidance on proposals concerning gypsy sites. However, Members should be aware that this policy is somewhat dated and is not in line with the latest Welsh Government guidance in Circular 005/2018. In particular, the following criteria are no longer considered appropriate or applicable:
 - a. there is a demonstrable need;

b. there are no suitable alternative sites either with planning permission or allocated for such uses;

This outdated approach has been further strengthened by the responses provided by Welsh Government to HN9 policy in the Local Development Plan.

- 12.05 Circular 005/2018 adopts a sequential approach to identifying site sustainable locations within or adjacent to existing settlements with access to local services are considered first. The Circular goes on the state that 'Sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries'. The site is in open countryside between the two settlements of Holywell which is a category A settlement in the adopted Flintshire Unitary Development Plan and Bagillt which is a category B settlement. The application site is not considered to be a remote open countryside location, it is close to the above mentioned sustainable settlements where there are a range of services and facilities available. Additionally, the application site has easy access to public transport links (bus route) which serve the wider county.
- 12.06 In the context of the guidance in the Circular (005/2018), Members should be aware that the proposal must be considered on its individual merits. Further consideration regarding the impact of the development on the openness and character of the area is addressed

below as will matters including the wellbeing and personal circumstances of the residents on the site.

12.07 In terms of the principle of development and outstanding need to be met, it is considered that the application conforms with both local (draft) policy and national guidance. The key planning test is whether any planning harm exists that should prevent this application from being approved. This report now considers the principle issues that the original Inspector considered and concludes on each of them, in the context of how the site now sits and appears in its location, and in the context of the up to date national and local policy position relating to Gypsy and traveller sites.

12.08 Impact on the Open Countryside

The site is situated within the open countryside. Prior to the occupation of the site, there were no buildings on the site, and the natural regeneration of the site meant it had a greenfield appearance and blended in with the open countryside location.

- 12.09 The character of the landscape has been altered since the site has been occupied by the nature of the earthworks and the scale of the development. Each pitch is demarcated with domestic fencing and the majority of the pitches are block paved. Each pitch has a static and or touring caravan and an amenity building in the form of a brick building or wooden shed. It is acknowledged that the introduction of the caravans, boundary gates/fences and other domestic paraphernalia did impact, especially initially, on the rural landscape.
- 12.10 However, consideration needs to be given that the change of use occurred more than fifteen years ago. It is clear through online imagery that during the early occupation of the site the lack of boundary vegetation and loss of trees resulted in a stark and visually intrusive development on the rural landscape. The boundary hedgerow has been allowed to redevelop and it is now felt, even in the winter months when surrounding trees and hedgerows are not in full leaf, that the impact is significantly reduced.
- 12.11 Circular 005/2018 accepts that open countryside locations are suitable for Gypsy and Traveller sites and this guidance post-dates both the original appeal decision and the subsequent renewal. This is material both to the acceptability of the siting and sustainability of the site's location which it is considered are in line with the circular guidance. The Circular also goes to say that it would be unreasonable to expect that Gypsy and Traveller sites in rural locations and settings should not have some visual impact on their surroundings. It cannot therefore be concluded that a permanent Gypsy and Traveller site will have any greater impact than when the original permission were

granted, and in fact with the passage of time and the guidance in the circular, the previous concerns over planning harm have failed to materialise to the extent originally perceived.

- 12.12 Planning permission for this site has only ever been of a temporary nature. Given this, it was considered unreasonable to expect the occupiers to invest in significant landscaping works on a temporary consent. From a wider vista it is considered that the site has matured and assimilated into the surrounding area. This current application however seeks a permanent consent for continued occupation. Whilst as outlined above it is acknowledged that the landscaping, especially on the boundary fronting Bagillt road has matured significantly, it is considered that this could be further enhanced and as such, I would recommend that if planning permission is granted that a suitably worded condition be imposed. The inclusion of the condition would ensure that although considered minimal any visual impact caused by the development by those passing the site on foot or in a vehicle would be even further improved.
- 12.13 Impact on the Listed Building

The site is located opposite the entrance to Glyn Abbot which is a Grade II Listed building. Set in its own grounds on an elevated site the principle elevation faces south across a terraced forecourt to open countryside It retains a former stone lodge which is adjacent to an uphill drive to the building. It dates from the early to mid-nineteenth century, possibly 1830's, and has been referred to as a Classical two-storey villa with dignified and symmetrical three-bay stucco front given pediment treatment to advanced outer bays, under a hipped slate roof with rendered brick chimney stacks. The windows consist of nine-pane sash windows to first floor and small-pane tripartite camber-headed windows below. There is a central trellised porch with panelled double doors. It is listed as a fine local example of a Classical small country house.

- 12.14 Concerns have been raised during determination of the previous planning applications that the use of the land as a residential gypsy site harms the setting of the Listed Building. This matter was considered at length during the initial appeal inquiry reference 046832 (Appeal Decision APP/A6835/A/10/2132061) to establish the definition and scope of what constitutes the 'setting' of a Listed Building. It was concluded, at that stage, that the development could have an adverse impact on the wider setting of Glyn Abbot, albeit it, with acknowledgement that the existing built form and the highway of Bagillt Road would also have some affect.
- 12.15 Guidance contained within Policy HE2 of the Flintshire Unitary Development Plan confirms that the setting of a listed building may

be limited to its immediate surroundings, but can include land some distance from it. It can best be protected and enhanced through the careful control of development including highways improvements, and the sensitive design of elements such as street furniture, and landscaping.

- 12.16 Concerns have been raised that the caravans and particularly amenity blocks are incongruent with the rural landscape and therefore the outlook from the Listed Building. Circular 005/2018 provides guidance on design and layout of sites and clearly identifies the need to make provision for structures such as amenity blocks. Having regard to the modest scale and utilitarian design of the blocks as proposed at Dollar Park it is not unreasonable of the Council to consider this as an essential amenity facility to serve the site and needs of the occupants
- 12.17 As set out above, significant consideration needs to be given with regards to the maturity of the site. The stark initial development of the site has weathered, and the landscaping has been allowed to mature. The impact on the setting of the Listed Building was previously focussed on the wider vista rather than a direct impact on the building. The existing, and conditioned enhanced landscaping scheme as would be recommended, together with the maturity of the site is such that the Council no longer considers that the use of the land for the siting of caravans and additional infrastructure (amenity buildings) gives rise to any unacceptable harm on the setting of the Listed Building or its vistas.
- 12.18 <u>The best interests of the child, personal circumstances and Human</u> <u>Rights</u> No details of the applicants or the site's resident's specific personal

No details of the applicants or the site's resident's specific personal circumstances have been put forward other than that they have a need for lawful accommodation in this area where they can continue to live together as an extended family group and where they can obtain adequate health care and regular schooling for children.

- 12.19 The Council are aware through recent site visits that there are children living on the site (of school age), however the exact numbers and ages have not been provided by the applicants. As the application is subject to appeal it is possible that PEDW may request details of dependents from the applicant. It is also acknowledged that as the site has and continues to mature over time there may be more elderly or vulnerable residents.
- 12.20 In consideration of the planning application 046832 (Appeal Decision APP/A6835/A/10/2132061 paragraph 39) the Inspector stated that "The proposal would deliver clear benefits in terms of enabling a

stable and secure environment for the site's occupants in a location with accessibility to facilities and services. In particular, it would provide the present occupants with continuing access to established local arrangements for healthcare and education. Such matters are not to be discounted lightly. In addition, refusal of permission, so that the current occupants were required to vacate the site, would plainly be an interference with their rights to respect for family and private life and to the peaceful enjoyment of possessions, as identified in Article 8 and Article 1 of Protocol 1 of the European Convention on Human Rights".

- 12.21 The Council consider that this approach is still relevant and holds the same if not significantly more weight given the length of the time the site has been established as outlined further below.
- 12.22 It is acknowledged that children are living? on the site and the Local Authority has a statutory duty under the Childrens Act 2004 to safeguard and promote the welfare and well-being of the children.
- 12.23 There is also a national and international obligation contained in article 3(1) of the United Nations Convention on the Rights of the Child ("UNCRC"): "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."
- 12.24 These considerations are again significant material considerations in making a decision as to the impact any decision would have on the children residing on the site. If permission is refused then the impact of not having a settled base would need to be considered and weighed in the planning balance as a primary consideration. Essentially a refusal to grant planning permission could result in the children living in roadside locations without access to schooling, health care and community facilities.
- 12.25 There have been several letters of support from third parties in relation to the proposal. This demonstrate the intrinsic link that the residents of the site have with the communities of Bagillt and Holywell and emphasis further how a decision to refuse planning permission and uproot these families could be harmful to their wellbeing.

12.26 <u>Highway Safety</u>

It would appear the principle of the current proposal was approved on a temporary basis under planning reference 053163 back in 2016. On this basis, provided the previous conditions imposed as part of planning consent 053163 are repeated, then there are considered to be no concerns from a highway perspective. 12.27 For Members benefit those conditions included details regarding the visibility splay from the access and parking provision for each plot.

13.00 CONCLUSION

- 13.01 This application seeks planning permission for a permanent Gypsy and Traveller site on land at Dollar Park. Although there has been a long and complex planning history associated with this site, this application must be considered on its individual merits.
- 13.02 Both local and national planning policy supports the location of Gypsy and Traveller sites within the open countryside, and by virtue of the length of time this site has been established, it is now blended well into the landscape.
- 13.03 The Council has considered the previous concerns with regards to the impact of the vista from Glyn Abbott, but as with the impact on the landscape, the maturity of the site is such that I do not consider that this holds significant weight, especially when one factors in the national guidance contained within Circular 005/2018. In addition, the present national policy position as set out in circular 005/2018 post-dates both previous temporary consents, but now clearly identifies the dual requirement to make provision for identified needs by allocating sites in the LDP, as well as to consider unmet or unidentified needs on their merits, via a criteria based policy. As the existing permission is only a temporary one, the need that exists from the families on site is an unmet need that needs to be met.
- 13.04 In addition, the Council are aware that there are both children and vulnerable adults (do we know if vulnerable adults are there) living on the site. The protection of their rights is paramount and must be carefully considered in the planning balance. To uproot these families whose children attend local schools and are registered with medical practices would be harmful.
- 13.05 Overall and on balance it is considered that the reasons given for initially granting temporary planning permissions on this site do not hold the same weight. The development of local and national policy is such that the rights of the occupiers on site outweighs the limited, if any, harm caused to the visual appearance of the landscape. Do we need to mention setting of Glyn Abbott?
- 13.06 It is considered that the submitted details are acceptable and I therefore recommend that Members support the recommendation as set out in paragraph 3.00 of this report.

13.07 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.

- 13.08 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.
- 13.09 The Council has had due regard to its public sector equality duty under the Equality Act 2010.
- 13.10 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 Morter Telephone: 01352 703299 Email: Claire.e.morter@flintshire.gov.uk