

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **6<sup>TH</sup> FEBRUARY 2019**

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

**SUBJECT:** **FULL APPLICATION – RESIDENTIAL DEVELOPMENT OF 30 NO. AFFORDABLE APARTMENTS FOR PEOPLE AGED OVER 55 ASSOCIATED ACCESS, PARKING AND DEMOLITION OF FORMER ALBION HOTEL AT ALBION SOCIAL CLUB, PEN Y LLAN, CONNAH’S QUAY.**

**APPLICATION NUMBER:** **058544**

**SITE:** **ALBION SOCIAL CLUB, PEN Y LLAN, CONNAH’S QUAY**

**APPLICATION VALID DATE:** **14<sup>th</sup> JUNE 2018**

**LOCAL MEMBERS:** **COUNCILLOR J B ATTRIDGE**  
**COUNCILLOR A P SHOTTON**

**TOWN/COMMUNITY COUNCIL:** **CONNAH’S QUAY**

**REASON FOR COMMITTEE:** **SCALE OF DEVELOPMENT**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

1.01 This application was previously deferred at Planning Committee held on the 5<sup>th</sup> December 2018. Members of the Planning Committee considered there a need for clarity regarding the design of the proposal and its impact on the adjacent Listed Buildings and the shortfall in parking provision proposed. Members requested that the Local Planning Authority seek the views of the Design Commission for Wales and that their findings are reported back to Planning Committee, the details of which are detailed in this report with a copy

of the full response appended.

1.02 This is a full planning application for the demolition of the former Albion Social Club and Hotel to facilitate the erection of a single apartment building to provide 30no. self-contained units of affordable living accommodation for those aged 55 years and over. The proposal also includes an access and parking, together with cycle and refuse storage.

1.03 The proposed scheme would create a form of development both in layout and design terms which would lead to an overall betterment of the site and improve the residential amenity of existing properties. The redevelopment of the former social club site will bring about an immediate enhancement to the locality, reduce opportunities for crime and antisocial activity, and create an attractive living environment whilst securing affordable housing within Connah's Quay meeting a proven need and promoting socially inclusive communities.

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

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

- a) An off-site commuted sum of £733.00 per unit in lieu of on-site provision for recreational improvements at Central Park, Connah's Quay
- b) A payment of £8,600 for a scheme to upgrade the eastbound bus stop facility at The Swan
- c) To secure the Affordable housing provision in perpetuity. The S.106 agreement will control that the scheme is 100% affordable with the precise means, methods and tenures to be specified within the S.106
- d) Restrict occupancy to 55 and over

1. Time Commencement
2. In accordance with plans
3. Materials to be submitted and approved
4. Scheme for Hard and Soft landscaping including boundary treatment and surfacing of roadways and parking and turning areas and implementation
5. Finished floor levels to be submitted and approved prior to development
6. A drainage scheme for the disposal of foul, surface and land water including an assessment of the potential for the disposal of surface and land water by sustainable means, to be submitted and thereafter implemented.
7. No demolition to be undertaken during bird nesting season

8. Design of access
9. Forming and construction of means of access to be approved by the Local Planning Authority
10. Facilities to be provided and retained for the parking and turning of vehicles
11. Positive means to prevent surface water run-off onto the highway
12. Travel Plan and Transport Implementation Strategy (TIS) prior to first use of development
13. Construction Traffic Management Plan

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 3 months of the date of the Committee resolution, the Head of Planning be given delegated authority to REFUSE the application.

### **3.00 CONSULTATIONS**

#### **3.01 Local Member**

Councillor J B Attridge

No response at time of writing.

Councillor Aaron Shotton

Requests the application be heard at Planning Committee and that a site visit is undertaken for the following reasons:

- The application lacks sufficient parking places and contravenes the Council's own parking policies;
- The application does not sufficiently address the impact upon the setting of the three listed buildings immediately adjacent to the application and the applicants claim of natural screening is disputed by local residents;
- The application fails to address sufficiently the proposed development impacts upon the habitat of protected species (bats) in the vicinity of the proposal; and
- The application will have a severe impact upon the amenity and privacy of dwellings immediately adjacent to the proposed development.

Connah's Quay Town Council

The Town Council is concerned in relation to the development overlooking neighbouring properties and would therefore request a site visit.

The Town Council is also concerned regarding the number of flats and/or apartments being developed in the town.

Highways Development Control

The proposals include a slightly amended access to the site of the

former Social Club and as described within the Transport Statement, the development has the potential to reduce the number of vehicular movements into and out of the site. The amended access will impact on the layout of the existing layby; construction of these off-site highway works are likely to require a Section 278 style Highway Agreement.

SPGN11 Parking, suggests a maximum parking provision of 1 space per unit plus 1 additional space per 3 units for visitors ie. a total parking provision of 1.33 x no of units. In this instance, the provision of 32no. spaces falls below the maximum permitted number of 40. The Transport Assessment however, shows the site to be located in an area provided with adequate footway links and an effective bus service.

In order to encourage the use of sustainable forms of transport, the Transport Statement suggests the provision of a Residential Travel Plan; the provision, approval and implementation of such a plan should be covered by an appropriately worded condition.

The nearest bus stops to the site are located outside The Swan, approximately 150m to the east and west of the site access. The westbound stop is provided with a shelter, marked bus bay and raised boarding kerbs but the eastbound has only the marked bay. An increased reliance on the bus service by older, possibly less agile residents would justify a requirement for improved facilities at the eastbound stop.

Any consent shall be subject to a Section 106 agreement covering the funding of the bus stop improvements. The estimated cost of installing raised boarding kerbs, a shelter and remarking the bus bay of the eastbound stop at The Swan is £8600.

No objection subject to conditions covering:

- Design of access
- Forming and construction of means of access to be approved by the Local Planning Authority
- Facilities to be provided and retained for the parking and turning of vehicles
- Positive means to prevent surface water run-off onto the highway
- Travel Plan and Transport Implementation Strategy (TIS) prior to first use of development
- Construction Traffic Management Plan

#### Community and Business Protection

No adverse comments to make.

#### Housing Strategy Manager

The application is to develop 30no 1 and 2 bed apartments for the

over 55's in Connah's Quay within the social rented market. In terms of housing need, the Local Housing Market Assessment (LHMA) for Flintshire identifies an annual shortfall of 246 affordable units.

The LHMA identifies a need for primarily 1 bed (14%), 2 bed (31.6%) and 3 bed (28.5%), split relatively evenly between social rented (56.2%) and intermediate (43.8%) tenures.

The social housing register demand for 1 bed and 2 bed flats for people aged over 50 in Connah's Quay:

1 bed general needs = 72

2 bed general needs = 26

1 bed sheltered = 8

2 bed sheltered = 3

The application to provide 1 and 2 bed apartments in Connah's Quay for over 55's is therefore acceptable.

#### Ecology

The application is supported by an Ecology Assessment. No evidence of bats have been found. Given the location of the building (built up and well lit) it is not considered of high potential for bats, but it does have opportunities for nesting birds.

Recommends that demolition avoids the bird nesting season unless suitable checks have been undertaken (condition) and that a Note to Applicant is added with regards to the protection of bats.

#### Aura

In accordance with Planning Guidance Note no.13 POS Provision, the Council should be seeking payment of £733.00 per dwelling in lieu of on-site provision. This figure relates to the development being solely affordable housing. Should any part of the development be non-affordable properties, then the figure should be £1,100.00 per dwelling for those properties.

The payment would be used to enhance Central Park, Connah's Quay, taking into consideration the age group identified, the off-site contribution would be earmarked for recreation improvements at Central Park. For clarity this would take the form of access improvements, seating areas and improvements to the Multi use games area.

Working with planning policy, we have considered previous pooled contributions and we confirm that thresholds have not been exceeded with regard to Central Park Area.

#### Education

In accordance with SPGN no.23 the exemptions are "housing

specifically designed for occupation by elderly persons (ie restricted by planning condition or agreement for the occupation by those 55 years and over). Therefore there is no Education contribution sought.

#### Welsh Water/Dwr Cymru

The developer has indicated that foul flows are to be disposed of via the public sewerage system and that further work will be required to confirm the method of surface water run-off disposal. Dwr Cymru/Welsh Water advise that consideration will need to be given to the incorporation of sustainable methods of drainage into the scheme in line with Welsh Government's *'Recommended non-statutory standards for sustainable drainage (SuDS) in Wales – designing, constructing, operating and maintaining surface water drainage systems'* (2017).

These drainage arrangements are acceptable in principle. Dwr Cymru/Welsh Water requests that conditions and advisory notes are attached to any grant of planning permission.

#### Natural Resources Wales

No objection.

#### Clwyd Powys Archaeological Trust

There are no archaeological implications, however, the eastern stone boundary wall, may be part of the curtilage of the adjacent listed church and vicarage, however, it is noted that it is to be preserved within the proposed development scheme.

## **4.00 PUBLICITY**

### **4.01 Press Notice, Site, Notice, Neighbour Notification**

13no. objections on the grounds of:

- Enough flats /apartments in this area
- Not enough parking spaces
- Need for pensioners bungalows and town houses
- The height of the building would have an impact on the privacy of the surrounding properties
- The development is on a busy road and access is adjacent to a layby which is regularly used by the church and other residents. This restricts the visibility from the access onto a busy road.
- Will lead to further on-street parking
- Overlooking of rear gardens
- Concern that more apartments will lead to an increase in crime
- Loss of light
- Over dominance
- Will lead to an increase in noise
- Impact on the character and appearance of the area

- Pedestrian safety due to the increased traffic

## **5.00 SITE HISTORY**

5.01 054607 – Erection of 33 no. Apartments with associated car parking [Approve subject to S106 Legal Agreement 20.04.16]

053425 – Erection of 36 no. Apartments in 6 three and four storey blocks with associated access and car parking [Withdrawn 24.09.15]

046886 – Erection of a smoking shelter [File Closed 29.01.10]

Extension to existing sports and social club [Approved 03.09.91]

## **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

STR1 – New Development

STR4 – Housing

GEN1 – General Requirements for New Development

GEN2 – Development Inside Settlement Boundaries

D1 – Design Quality, Location and Layout

D2 – Design

WB1 – Species Protection

HE2 – Development Affecting Listed Buildings and their Settings

AC13 – Access and Traffic Impact

AC18 – Parking Provision

HSG3 – Housing on Unallocated within Settlement Boundaries

HSG8 – Density of Development

HSG10 – Affordable Housing within Settlement Boundaries

SR5 – Outdoor Plan Space and New Residential Development

S11 – Retention of Local Facilities

Planning Policy Wales 9<sup>th</sup> Edition (November 2016)

TAN 11 – Noise

Supplementary Planning Guidance Note 2 : Space around Dwellings

Supplementary Planning Guidance Note 11: Parking Standards

Local Planning Guidance Note 13: Open Space Requirements

## **7.00 PLANNING APPRAISAL**

7.01 Introduction

This is a full planning application for the demolition of the former Albion Social Club and Hotel in order to facilitate the erection of a single apartment building to provide 30no. self-contained units of affordable living accommodation for those aged 55years and over. The proposal also includes an access and parking, together with cycle and refuse storage.

- 7.02 The proposed scheme would create a form of development both in layout and design terms which would lead to an overall betterment of the site and improve the residential amenity of existing properties. The redevelopment of the former social club site will bring about an immediate enhancement to the locality, reduce opportunities for crime and antisocial activity, and create an attractive living environment whilst securing affordable housing within Connah's Quay meeting a proven need and promoting socially inclusive communities.

#### Site Description

- 7.03 The application site lies within Connah's Quay and is situated off Church Street, extending for 0.29 ha. It is bound to the north west by the residential properties on Pen y Llan Street which are in the form of terrace housing with associated rear back yards and shared passageway. To the north east the site is bounded by Osbourne Court which are semi-detached houses. To the east of the site is St.Mark's Church and The Vicarage which are both Grade II Listed Buildings. To the south of the site are detached residential properties.

- 7.04 The site is currently occupied by the Albion Social Club which is a large two storey building occupying the south west of the site and abuts the boundaries of existing residential properties on Pen y Llan Street. The building has previously been extended to create two storey hotel accommodation forming the north western boundary with the alley way between the rear yards of Pen y Llan Street and the site boundary. The remainder of the site is car parking. The site as a whole has fallen into disrepair.

#### Proposed Development

- 7.05 It is proposed to demolish the former Albion Social Club and Hotel building, to facilitate the erection of a 3 storey apartment building to provide 30no. self-contained units of affordable living accommodation for those aged 55 years and over. The proposed building will be made up of 12 no. 1 bed and 18 no. 2 bed apartments with one allocated car parking space per unit. The communal areas within the building will provide areas for mobility scooter storage and charging facilities along with elevators to access all three floors.

- 7.06 It is proposed to provide 32 resident car parking spaces, 2 of these being designated as disabled bays. The proposed amenity areas will include provision for cycle shelters and a refuse store. The proposed building will include the use of red brick and render throughout.

#### Planning History

- 7.07 The available planning history for the site dates back to 2015 and shows there have been 2 applications submitted for 36 no. apartments which was withdrawn, and a more recent application for 33 no. apartments contained within 6 no. 3 storey blocks was submitted in November 2015 ref: 054607.

- 7.08 Application ref: 054607 was heard at planning committee on the 20<sup>th</sup> April 2016 and resulted in a resolution to grant planning permission subject to the completion of a Section 106 Agreement. Whilst this remains outstanding, the principle of apartment style development at this site has been established and considered acceptable.

#### Issues

- 7.09 The main issues are the scale and nature of the development, impact on the setting of Listed Buildings and residential amenity, and highways impacts.

#### Principle of Development

- 7.10 The site is situated within Connah's Quay, which is a town and designated as a Category A settlement within the Flintshire Unitary Development Plan. The site was formerly used as a hotel and social club which is now vacant. The loss of the facility under policy S11 is accepted as the site is within a town centre with other such facilities available.

- 7.11 The site is a brownfield site located in a sustainable location and is therefore in accordance with the principles of Planning Policy Wales in terms of complying with the principles of sustainable development. The application site is predominately surrounded by residential properties, therefore the proposed residential use is considered to be appropriate in this location.

- 7.12 The bringing forward of such windfall sites is consistent with the strategic aims of the UDP and the UDP Inspector's conclusions in relation to housing in that housing development should be primarily directed towards such settlements. Members will be aware that the granting of windfall sites such as this will assist the council in maintaining a supply of housing land as it moves towards the completion of its Local Development Plan. The principle of residential development is again acceptable.

#### Impact on Listed Building and wider design matters

- 7.13 The surrounding area presents a variety of house types, ranging from traditional two storey terraced housing and semi-detached properties, to three storey apartment blocks, all of which are not uncommon within in an urban setting. Given the linear built form which travels along Church Street, built development here, is not without precedent. However, where this site differs is that it lies adjacent to St. Mark's Church with the Vicarage to the rear, which is a large two storey house with outbuildings set within in its own grounds. St Mark's Church and the Vicarage are Grade II Listed Buildings.

- 7.14 The dense and well established trees within the confines of St Mark's Church abutting the site boundary, provides the site with a significant visual screen when viewed from the roadside. It is not disputed that

the site lies within the setting of St Mark's Church and the Vicarage, CADW defines setting "*as the surroundings in which a historic asset is understood, experienced and appreciated.*" Although both the asset and proposed development would be seen together from the roadside, there is a degree of inter-visibility between the application site and the grounds of the asset, and I would argue that the strong gothic architectural character of St Mark's Church and masonry boundary wall combined with the established screening provides a clear demarcation between the two.

7.15 The layout, scale and form of the proposed development would see the apartment building set away from the roadside, for which St Mark's Church dominates. The formal entrance to St Mark's Church, the masonry wall along its south eastern boundary, and the substantial physical presence of the heritage asset itself, not to mention the visual screening, all combine to reinforce the setting to which the asset is experienced. Despite the contemporary design approach, it is not considered that the proposed development would detract from this as the architectural design is not of the same calibre to that celebrated in the heritage asset. This is not to say that the design of the proposed development is not of quality, instead it respects the significance and does not attempt to overpower the heritage asset. It brings a clear distinction between old and new and demonstrates how both can complement each other. In this respect, the proposal would not harm the significance of the setting of the heritage asset which continues to remain a strong feature within the townscape.

7.16 The Design Commission in response to the Council requesting their view on the design of the proposal and its impact on the Listed Building have reinforced the approach taken by the case officer, and in their response state "*the proposal does not appear to negatively impact the significance of the adjacent listed buildings. The scale of the proposals, obscured visibility from the street and the built and natural boundary screening along the dividing edge serve to reduce the impact to an acceptable proposition, in planning terms.*" It is concluded that the Design Commission are satisfied with the design of the building and its proposed relationship with the Listed Building are entirely acceptable. Members will note the full response of the Design Commission has been appended to the report for their reference.

7.17 The concerns raised by members relating to the relationship between the proposed development and the Listed Building have also been raised with Cadw. However, Cadw's role is that they will not comment on a planning application prior to a resolution being made therefore no response has been provided.

#### Scale and Massing

Concerns have been raised over the massing of the building, being

- 7.18 three storeys in height, finished with a flat roof. It is considered that had the development proposed a pitched roof to conform to the norm, the scale and height of the building would inevitably be greater and run the risk of the proposed development dwarfing the site and its surroundings. As mentioned above, three storey buildings are seen elsewhere within the immediate vicinity of the site and the townscape, such development is considered to be compatible with the character of the surrounding area and that it responds to the urban context.

- 7.19 I consider that through the use of quality design much of the impact of the building is mitigated, with the choice of materials and fenestration details providing a visual break. Due to the orientation of the proposed building away from the roadside and adjacent properties I consider that the building's scale and massing is acceptable in this location, and would not adversely impact upon the character and appearance of the area or neighbouring amenity. As has been mentioned previously, it has been established that this site is considered suitable for apartment style development.

Impact on living conditions for neighbouring residents

- 7.20 The proposed building has been located on the footprint of the former Social Club extending onto areas that was previously hardstanding and parking. This is considered to minimise the impact on the existing residential properties by removing all built development from the north western boundary and also respecting the listed buildings to the south east.

- 7.21 The current accommodation for the Albion Social Club and Hotel is situated on the boundary with the alley way separating the site with the rear yards of Pen y Llan Street. The existing accommodation is 10 metres from the habitable rooms of the existing buildings and has habitable rooms which directly overlooks the existing properties. The proposed building therefore greatly improves the residential amenity of these residents by moving the built form further away from the existing properties, removing any overlooking. The side elevation closest to the properties of Pen y Llan Street has been kept blank, the north west elevation which drops back to the centre of the site has habitable rooms facing towards the properties but these have separation distances of 24 metres from any habitable room. This is a further improvement to the previously approved scheme which provided a separation of 22 metres. It is therefore considered that the proposed scheme accords with Supplementary Planning Guidance Note 2: Space around Dwellings.

Housing Need and Affordability

- 7.22 The proposal is 100 % affordable and being promoted by a social landlord. Policy HSG10 in the Unitary Development Plan states that where there is a demonstrable need for affordable housing to meet local needs, the Council will take account of this as a material consideration when assessing housing proposals.

7.23 There is a clear and identified need for over 55 social housing within the social housing register. Whilst the Housing Manager has specified a preference for General need provision the proposal has been designed on the basis of meeting the identified over 55s need.

7.24 It is considered that whilst a general need is the preferred option, the provision of over 55 affordable units, which meets an identified need in the locality, is compliant with Policy HSG10 in the Unitary Development Plan.

#### Ecology Matters

7.25 An ecology assessment has been submitted with the application, undertaken by Ecological Design Consultants (EDC). Whilst the site is not considered to be of high potential for bats, being in a built up and well-lit area, there are opportunities for nesting birds to be using the building. It is therefore recommended that no demolition work should take place during bird nesting season, unless suitable checks are undertaken, and I propose a condition to this effect.

7.26 I am content that concerns in respect of ecology at the site are adequately addressed via the condition outlined in paragraph 7.23, above and therefore conclude that the development would not unacceptably impact upon the favourable conservation status of locally recorded protected species.

#### Drainage

7.27 Dwr Cymru/Welsh Water have confirmed that the proposed drainage provision, namely foul flows are to be disposed of via the public sewerage network and that further work is required to confirm the method of surface water runoff disposal. There are no problems envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from the site. However, a condition will be imposed requiring the full details of the drainage scheme to be submitted and thereafter implemented following approval by the Local Planning Authority.

#### Access & Parking

7.28 The site currently has a use as a hotel and social club with a large car park and has the potential to be used for another use within the same Use Class for hotels (C1) or social club (A3) which would generate similar vehicle movements.

7.29 The proposed access would provide a pedestrian crossing point and footway linking with the existing footway provision along Church Street. The existing singular access is to be utilised following improvements to allow for vehicles to pull in clear of the carriageway. Sufficient manoeuvring space is provided within the site for vehicles to turn and to avoid reversing out onto the highway. The improvements are likely to impact on the existing layout of the

adjacent layby which would necessitate the need for off-site works requiring additional agreements. Such works include new hatching to the right of the site in order to avoid the access being blocked. It is not considered that the proposal would create any issues with regard to pedestrian safety.

7.30 The proposal has 32 parking spaces with one for each apartment unit and 2 designated for disabled users. The level of car parking is below the maximum parking standards as set out in Supplementary Planning Guidance Note 11, which suggests a maximum parking provision of 1 space per unit plus 1 additional space per 3 units for visitors ie. a total parking provision of  $1.33 \times \text{no of units}$ . In this instance, the provision of 32no. spaces falls below the maximum permitted number of 40.

7.31 The Transport Statement May 2018 submitted in support and undertaken by Prime Transport Planning, however, justifies the position as the site is located within Connah's Quay which is a main settlement within the Flintshire Unitary Development Plan. The site is also shown to be located in an accessible area providing adequate footway links and is served by an effective bus service. The nearest bus stops are approximately 150 metres east and west of the site entrance, located outside and opposite The Swan. There is also access to the rail network from Shotton Station which is approximately 2km away and is accessible by public transport. Whilst objections in respect of lack of parking have been received, the opportunities of accessing other means of transport are immediately available from the site which would help to reduce the use and dependency of the private car, and promote sustainable transport choices.

7.32 As mentioned above, the nearest bus stops to the site are located outside The Swan, approximately 150m to the east and west of the site access. The westbound stop is provided with a shelter, marked bus bay and raised boarding kerbs but the eastbound has only the marked bay. It is recognised that there is an increased reliance on the bus service by older, possibly less agile residents, and therefore improvements to the facilities at the eastbound stop to install raised boarding kerbs, a bus shelter and remarking the bus bay would be justified in this case. It is therefore considered reasonable to request a payment of £8,600.00 for a scheme to improve the eastbound stop facilities at The Swan, secured by Section 106 Legal Agreement.

7.33 Highways raise no objections to the proposed use subject to conditions.

7.34 The Design Commission have made positive reference to the parking level provided, and considers that a reduction in the number of parking spaces, below the maximum policy allowance, should be welcomed. The Design Commission recognises that the type of

residential accommodation proposed, the accessibility of public transport and the aspiration to promote more sustainable travel modes, supports the logic to reduce the number of proposed spaces below the maximum parking standards as set out in the SPG. This approach responds to wellbeing and active travel legislation, helping to stimulate positive behaviour change.

### Education

7.35 The proposed development is for 30 no. 1 and 2 bed apartments for Over-55s. In accordance with Supplementary Planning Guidance No. 23: Developer Contributions to Education, the exemptions are “housing specifically designed for occupation by elderly persons (ie restricted by planning condition or agreement for the occupation by those 55 years and over). Therefore there is no Education contribution sought.

### S106 Contributions and CIL Compliance

7.36 The infrastructure and monetary contributions that can be required from proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 ‘Planning Obligations’. It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following Regulation 122 tests:

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

7.37 An off-site commuted sum of £733.00 per unit in lieu of on-site provision to improve facilities at Central Park, Connah’s Quay is required. This is in accordance with Local Planning Guidance Note 13: Open Space Requirements which requires off-site open space contributions where on site provision is not possible. There have not been 5 contributions towards this project to date.

7.38 A payment of £8,600.00 towards a scheme to improve the existing eastbound bus stop facility at The Swan to install raised boarding, a bus shelter and to remark the bay is required. There have not been 5 contributions towards this project to date.

It is considered that the contributions required meet the Regulations 122 tests.

### 7.39 Other Matters

7.40 Concern has been raised that bungalows are required, there is a proliferation of flats and they are likely to give rise to increased crime. There is no planning policy requirement which controls the type and

volume of residential accommodation. There is also no evidence to substantiate that flats or apartments generate greater levels of crime than any other residential use. The matter of increased noise has been raised but there is no evidence to substantiate that the volume of noise from this development would be significantly greater than any other use in this urban location.

## **8.00 CONCLUSION**

The proposed scheme would create a form of development both in layout and design terms which would lead to an overall betterment of the site and improve the residential amenity of existing properties. The redevelopment of the former social club site will bring about an immediate enhancement to the locality, reduce opportunities for crime and antisocial activity, and create an attractive living environment whilst securing affordable housing within Connah's Quay meeting a proven need, and promoting socially inclusive communities.

It is therefore considered that the proposal complies with policy. Accordingly, I recommend that planning permission is granted subject to conditions and the completion of a legal agreement as set out within paragraph 2.01 of this report.

## **8.01 Other Considerations**

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

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

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

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

## **LIST OF BACKGROUND DOCUMENTS**

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

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