

FLINTSHIRE COUNTY COUNCIL
PLANNING COMMITTEE
LATE OBSERVATIONS
COMMITTEE DATE: 2nd December 2020

Agenda No.	Application Number	Location	Consultee / Date Received	Observations
6.1	061572	66A Mold Road, Mynydd Isa	Cllr H McGuill 1st December 2020	Photograph of TPO tree on site below table
6.2	059396	Cuppy Farm, Cilcain Road, Gwernaffield	Summary of letter sent by Cadnant Planning to officers 3 rd December 2020	<p><u>Amendment to report.</u></p> <p>Para 2.01 Reason for refusal 1, reference to ‘settlement boundary of Mold’ should read ‘settlement boundary of Gwernaffield’.</p> <p style="text-align: center;">***</p> <ol style="list-style-type: none"> 1. No recent communication 2. Matters of design and layout have not been raised with the applicant 3. Due to previous negative experience early dialogue was held with officers 4. Very positive discussions were held. Agreement on action based on outcome of appeal at Penyffordd. Authority given to case officer to form a view without being unduly influenced by other officers. Disregarding historical conflict 5. View of case officer that application could be supported. Significant costs were only committed

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				<p>to on the basis of positive view. Particular view sought regarding the sustainability of the site.</p> <ol style="list-style-type: none"> 6. Reference part of an email received from case officer showing informal positive opinion 7. Reference to the case officer providing his own planning opinion 8. View that the applicant's case has been interfered with, which has led to a complete change of stance. Application registered 21st December 2018 and a detailed list of issue not sent to the agent until 30th April 2020. This included details of a request from NRW about a bat survey and report. 9. Due to the timing of the request for a bat survey on 30th April 2020 due to COVID restrictions. Request a deferment of the application to complete the works. 10. Also the email of 30th April 2020 raised issues about a centrally located playspace. Request for deferment to resolve this as Cadnant Planning have been unable to meet due to COVID restrictions. 11. Email sent to agent in April gave a deadline of June to resolve issues. 12. No meaningful correspondence from the Planning Department since that date other than refusal to release information under a Freedom of Information Request.

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				<p>13. Difficult to contact officers.</p> <p>14. Presentation of the application to committee with very minimal notice is no the response that the agents or others wish to see.</p> <p>15. The agent states as a Chartered Town Planner operating under the same Code of Conduct as the case officer it is difficult to comprehend how the same officer can set out a contradictory view. It is considered he has been instructed by others.</p> <p>16. The applicant has expended a significant amount of time and funds in this proposal, only after a positive response from Senior Officers.</p> <p style="text-align: center;">***</p> <p><u>Officer's response</u> Full details of outstanding technical matters were presented to the Agent via email on the 5th September 2019 and again on the 24th September 2019, following a meeting held to discuss the same. These points were reiterated via email on the 15th November 2019, 17th December 2019 and 24th February 2020 prior to the email of the 30th April 2020 that is mentioned in the letter.</p> <p>The application was deferred from the Planning Committee meeting of March 2020 specifically in order to allow the Agent to arrange further protected species surveys to be carried out (Between May-August). No information was submitted to the Planning Service, nor have any requests for further time been received.</p>

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				<p>It is considered that more than sufficient time has been given by the LPA to allow for this information to be submitted. This is particularly the case when you consider the time that has elapsed since the initial request for information was received, in September 2019. Reason for Refusal 1 is a fundamental matter of principle and would not be overcome by submission of further details regarding protected species or public open space. Submission of details to overcome the other reasons for refusal will require comprehensive changes to the submission. I do not consider that an additional deferral of this matter is merited or required in this instance.</p>
6.3	Croes Atti	Croes Atti, Flint	Cllr R. Johnson 26 th November 2020	<p>Hello Andrew, I've spoken to Damian regarding this item and as it's land that was for the medical centre to benefit residents here, and it's now deemed not needed by Betsi Cadwalladr I don't have any issues with it going towards the new school playing field, but I request that a bit of this land is to be allocated for some allotments...which could also benefit the new school to teach pupils self-sufficiency in a small way. Damian agreed with me on this. Best Regards, Rita"</p>
6.4	061720	7 Pinewood Road, Drury	Cllr M Peers 2 nd December 2020	See below

6.1 - 061572 - 66A, Mold Road, Mynydd Isa



Information for Flintshire County Council Planning Committee Members for the Planning Committee meeting to be held on Wednesday 2nd December 2020 at 1pm.

From: Cllr Mike Peers Flintshire County Council

I intend to declare a personal and prejudicial interest under agenda item 6.4 planning application 061720, but I have been granted dispensation by the Standards Committee (November 30th 2020) to write to members of the Planning Committee, but I was not granted dispensation to speak at Committee to say what is in my comments below.

Dear Planning Committee Members,

You will be aware that on the Planning Committee Agenda for Wednesday 2nd December 2020, an application for my property is included on page 2 under "General Matters" agenda item 6.4 application 061720.

In the Chief officer's ((Planning, Environment and Economy) report on page 87 under 1.00 Summary, section 1.01 (2nd paragraph) it states that:

"on the 19th of October 2020 planning permission was granted pursuant to this application under the delegated decision process, without the application having first been considered by the Committee".

I would like to make it clear that the delegated decision was made in error by the County Council,

It was me who alerted the County Council that they had made an error when I unexpectedly received the signed and dated Decision notice via my agent.

The County Council Planning website was also updated to confirm "Approval" under delegated officer

You will see (below) that my planning application was correctly completed under section 10 of the application form, declaring that as the applicant I was also a member of Flintshire County Council.

The submission of my application with the correctly completed section 10 of course *should* have led to the determination of the application by the Planning Committee.

10. Authority Employee/Member

With respect to the Authority, is the applicant or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

Yes No

If Yes, please provide details of the name, relationship and role:

Mr Peers is the owner of the Application property/Applicant & a Flintshire County Council Local Member/Councillor.

I expected my application to be dealt with by the Planning Committee at the outset. On 26th October 2020 I received an email from my agent stating "*Please find attached the formal Planning Approval.....*"

I was not expecting a notification of approval as the application had not yet been presented to the Planning Committee.

On the same day (26th October 2020) I contacted Mr Matt Georgiou by email to advise:

"Given my position with the Authority I expected my application to be dealt with by the planning committee for the purposes of transparency etc.

Today I have been advised that the application has been approved and permission granted by delegated officer.

The decision notice has been issued".

Mr Georgiou replied by email to advise:

"I'll speak to the planning officer and we will communicate through your agent about the way forward, given your interest".

I have not received an explanation as to why the application was determined by delegated officer and not the Planning Committee.

But, to conclude the error to approve by delegated officer was made by the Planning Authority.

My application before the Committee today is basically an amendment to the previous application 056669, which has the benefit of planning permission granted on 20th April 2017.

Kind Regards

Mike

Cllr Mike Peers

02.12.20