

# Public Document Pack

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



To: Cllr David Wisinger (Chairman)

CS/NG

Councillors: Marion Bateman, Sean Bibby,  
Chris Bithell, Derek Butler, David Cox,  
Adele Davies-Cooke, Ian Dunbar, Carol Ellis,  
David Evans, Veronica Gay, Patrick Heesom,  
Dave Hughes, Kevin Hughes, Christine Jones,  
Richard Jones, Richard Lloyd, Billy Mullin,  
Mike Peers, Neville Phillips and Owen Thomas

29 November 2017

Maureen Potter 01352 702322  
maureen.potter@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 6TH DECEMBER, 2017** at **1.00 PM** to consider the following items.

Yours sincerely

Robert Robins  
Democratic Services Manager

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## **AGENDA**

1 **APOLOGIES**

2 **DECLARATIONS OF INTEREST**

3 **LATE OBSERVATIONS**

4 **MINUTES** (Pages 5 - 10)

To confirm as a correct record the minutes of the meeting held on 8 November 2017.

5 **ITEMS TO BE DEFERRED**

6 **REPORTS OF CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

The reports of the Chief Officer (Planning and Environment) are enclosed.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC)**

The following item is considered to be exempt by virtue of Paragraph 16 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

The public interest in withholding the information outweighs the public interest in disclosing the information.

7. **056694 - APPEAL BY THE STRATEGIC LAND GROUP AND GREEN GATES HOMES (NW) LTD AGAINST REFUSAL TO GRANT PLANNING PERMISSION FOR 32 DWELLINGS ON LAND AT HAWARDEN ROAD (PLANNING REFERENCE)** (Pages 37 - 66)

Report of the Chief Officer (Governance) and Chief Officer (Planning and Environment)

As in report

**REPORTS OF CHIEF OFFICER (PLANNING AND ENVIRONMENT)**  
**TO PLANNING COMMITTEE ON 6 DECEMBER 2017**

Item No	File Reference	DESCRIPTION
<b><u>Applications reported for determination (A = reported for approval, R= reported for refusal)</u></b>		
6.1		057540 - A - Full Application - Amendments to Previously Approved House Types to Allow for 73 Dwellings (An Increase by 9) on Previous Approval (Ref:: 050300) at Croes Atti, Chester Road, Oakenholt. (Pages 11 - 26)
6.2		057633 - A - Full Application - Amendment to Previously Approved Application for Two Dwellings Ref: 055414, to Allow Change in House Types at Rhyddyn Farm, Hawarden Road, Hope. (Pages 27 - 36)

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## **PLANNING COMMITTEE** **8 NOVEMBER 2017**

Minutes of the meeting of the Planning Committee of Flintshire County Council held at County Hall, Mold on Wednesday, 8 November 2017

### **PRESENT: Councillor David Wisinger (Chairman)**

Councillors: Marion Bateman, Sean Bibby, Chris Bithell, Derek Butler, David Cox, Ian Dunbar, Patrick Heesom, Kevin Hughes, Christine Jones, Richard Jones, Richard Lloyd, Billy Mullin, Mike Peers, Neville Phillips and Owen Thomas.

**APOLOGIES:** Councillors Adele Davies-Cooke, Carol Ellis, David Evans, and Veronica Gay

### **ALSO PRESENT:**

The following attended as a local Member:  
Councillor David Williams for agenda item 6.2 (057343)

### **IN ATTENDANCE:**

Chief Officer (Planning and Environment); Service Manager - Strategy; Senior Engineer - Highways Development Control; Senior Planners; Senior Solicitor and Committee Officer.

## **THE LATE CARL SARGEANT, ASSEMBLY MEMBER**

Prior to the start of the meeting the Chair said that it had been with deep sadness to learn of the death of Carl Sargeant, Assembly Member, who had been a great asset to Flintshire with many Members having known him personally. He asked all Members, officers, and members of the press and public to take part in a minute silence in his honour and expressed his condolences and thoughts to his family and friends.

The Senior Solicitor advised that he had received notification that Councillor David Williams and Councillor Cindy Hinds wished to speak as adjoining Local Ward Members on agenda item 6.2.. However, Councillor Cindy Hinds had been unable to attend the meeting.

### **35. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **36. LATE OBSERVATIONS**

The Chairman allowed Members an opportunity to read the late observations which had been circulated at the meeting and were appended to the agenda on the Flintshire County Council website:

<http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MI d=4189&Ver=4&LLL=0>

**37. MINUTES**

The draft minutes of the meeting held on 4 October 2017 were submitted.

Matters arising

Page 9: Councillor Mike Peers suggested that in future the minutes provided an explanation of the reason why an application was deferred. This was agreed by the Committee.

**RESOLVED:**

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

**38. ITEMS TO BE DEFERRED**

The Chief Officer (Planning and Environment) recommended that agenda item number 6.4 – (057540) - Full Application – amendments to previously approved house types to allow for 73 dwellings (an increase by 9 on previous approval (ref: 050300) at Croes Atti, Chester Road, Oakenholt, be deferred. He explained that he recommended that the application be deferred in order to gain clarity regarding the provision of affordable housing.

On being put to the vote, the item was deferred.

**RESOLVED:**

That agenda item number 6.4 – (057540) - Full Application – amendments to previously approved house types to allow for 73 dwellings (an increase by 9 on previous approval (ref: 050300) at Croes Atti, Chester Road, Oakenholt, be deferred

**39. REPORTS OF THE CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

**RESOLVED:**

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

**40. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:**

That the press and public be excluded from the meeting as the following item was considered to be exempt by virtue of paragraph 16 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

**41. 055590 – APPEAL BY REDROW HOMES (THE APPELLANTS) IN RESPECT OF THE PLANNING APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT AT CHESTER ROAD, PENYMYNYDD**

**RESOLVED:**

That the Committee fully supports the Local Planning Authority's case in the Appeal, including presenting evidence to the Planning Inquiry in respect of adverse impacts on landscape, which the Committee considered formed part of its first Reason for Refusal when resolving to refuse planning permission in this matter.

**42. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

On commencement of the meeting, there were 14 members of the public and one member of the press in attendance.

(The meeting started at 1.00pm and ended at 4.05pm)

.....  
**Chairman**

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**PLANNING COMMITTEE ON 8 NOVEMBER 2017**

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	ACTION	RESOLUTION
056742	Mold Town Council	Full Application – Residential development for 160 No. dwellings and associated gardens and car parking at Maes Gwern, Mold.	<p>Mr. S. Facci spoke against the application.</p> <p>Mr. D. Halliday, agent for the applicant, spoke in support of the application.</p> <p>Councillor A. Parry, Mold Town Council, spoke against the application.</p>	That planning permission be granted subject to the completion of an agreement pursuant to Section 111 of the Local Government Act 1972 and the conditions listed in the report, in accordance with the officer recommendation and the typographical amendments in the late observations sheet.
057343	Buckley Town Council	Full Application – Demolition of the existing cement storage and loading facilities and the erection of a new Vertical Roller Mill (VRM), rail loading facility and modification to and extension of the existing railway line, together with ancillary development at Castle Cement Ltd., Chester Road, Padeswood.	<p>Mrs. L Terry spoke against the application.</p> <p>Mr. A. Bower, agent for the applicant, spoke in support of the application.</p> <p>Councillor David Williams, as local adjoining Ward Member, spoke against the application.</p>	That planning permission be granted subject to the conditions listed in the report, in accordance with the officer recommendation.
057588	Shotton Town Council	Full Application – Alterations and change of use to create a 6-bedroom house in multiple occupation at 13 Health Street, Shotton.		That planning permission be granted subject to the conditions listed in the report, in accordance with the officer recommendation, and an additional condition providing for bin storage,.



ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	ACTION	RESOLUTION
057540	Flint Town Council	Full Application – Amendments to previously approved house types to allow for 73 dwellings (an increase by 9 on previous approval (ref: 050300) at Croes Atti, Chester Road, Oakenholt.	Deferred	Item deferred to gain clarity regarding the provision of affordable housing.
056875	Sealand Community Council	Full Application – Extension to provide storage in connection with the existing lawful use at Marcher Court, Sealand Road, Chester.		That planning permission be granted subject to the conditions listed in the report (but removing condition 4), and subject to a S106 obligation that secures that outdoor storage on the application site and on the land edged blue on the application plan, will cease, in accordance with the officer recommendation.
056415	Halkyn Community Council	Full Application – Change of use and extension of outbuilding to form dwelling at Ael y Bryn, Moel y Crio, Holywell.		That planning permission be granted subject to the completion of a section 106 Agreement to ensure future affordability of the dwelling, the conditions listed in the report in accordance with the officer recommendation, and additional conditions relating to drainage and protection of the existing sewer.
057430	Whitford Community Council	Full Application – Erection of extension to existing agricultural shed at Waen y Lloc, Lloc.		That planning permission be granted subject to the conditions listed in the report, in accordance with the officer recommendation.

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	ACTION	RESOLUTION
056574	Sealand Community Council	Application for a Hazardous Substances Consent at Valspar, Parkway, Deeside Industrial Park.		That planning permission be granted subject to the conditions listed in the report, in accordance with the officer recommendation.
<b>Appeal Decisions</b>				
056879	N/A	Appeal by Lidl UK against the decision of Flintshire County Council to refuse planning permission for the display of 1 No. internally illuminated 3 m high totem sign at Lidl, Coleshill Street, Holywell – <b>DISMISSED.</b>	N/A	That the decision of the Inspector to dismiss the appeal be noted.

## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **6<sup>TH</sup> DECEMBER 2017**

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

**SUBJECT:** **FULL APPLICATION – AMENDMENTS TO PREVIOUSLY APPROVED HOUSE TYPES TO ALLOW FOR 73 DWELLINGS (AN INCREASE BY 9 ON PREVIOUS APPROVAL (REF: 050300) AT CROES ATTI, CHESTER ROAD, OAKENHOLT.**

**APPLICATION NUMBER:** **057540**

**APPLICANT:** **PERSIMMON HOMES NORTH WEST**

**SITE:** **CROES ATTI, CHESTER ROAD, OAKENHOLT**

**APPLICATION VALID DATE:** **18<sup>TH</sup> SEPTEMBER 2017**

**LOCAL MEMBERS:** **COUNCILLOR MS RITA JOHNSON**

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

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

**SITE VISIT:** **NO**

This application was deferred from the last meeting in order that further information could be obtained to clarify basis for and location of affordable housing in relation to this application, and how this complies with the overall site consent and agreements.

### **1.0 SUMMARY**

- 1.0 The application site forms part of an overall development of 27 hectares which was granted outline planning permission (035575) for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping education and community facilities. This outline approval was subject to a unilateral undertaking which committed the developer

to a number of requirements through this and future applications. The previously granted outline scheme and reserved matters applications were subject to extensive negotiations between the applicant and the Council and this was influenced by a revised Development Brief to secure a comprehensive approach to the development. The design concept for the site is that of providing modern residential neighbourhoods which have a strong local identity and encourage a sense of community.

- 1.01 The area of land now the subject of this full application relates to a 1.65 hectare section of the 27 hectare site. Previously a reserved matters application for the phase three of the development was granted for 312 dwellings under reference 050300 on this part of the site. The application before members today relates to the erection of 73 dwellings being 9 additional dwellings to that shown on the reserved matters approval (050300) for this part of the site.
- 1.02 In summary this is a new full application which increases the overall housing permitted by application 050300 from 312 houses to 321 houses. The scheme in effect results in the replacement in the house types approved previously for Anwyl Homes to those of the applicants design although these respect the previous approved house designs
- 1.03 The dwellings proposed consist of detached, semi-detached, terraced 2 storey dwellings and some 2.5 storey properties similar in design to those built under previous phases

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

- 2.0
1. Time commencement
  2. As per plans
  - 3 Landscaping to be submitted and agreed
  4. Landscaping to be undertaken.
  5. Materials to be agreed.
  - 6 Parking and turning in accordance with scheme to be Submitted.
  - 7 Garages to be set back.
  - 8 Positive means to prevent run off surface water

**3.00 CONSULTATIONS**

- 3.01 Local Member  
Councillor Ms R Johnson

Object to developers shoehorning more and more houses onto the site bought from other developers. Whose layout and numbers were different from that now proposed. Feel this will become the norm and

local residents think so.

Flint Town Council

No response at time of writing.

Highways Development Control Manager

The Highways officer has no objections. Recommends that any permission shall include conditions relating to parking and turning, garages and positive means to prevent run-off from surface water. These have been included in the list of planning conditions

Head of Public Protection

No response at time of writing.

Clwyd Powys Archaeological Trust

Confirm that there are no archaeological implications for the proposed change of house types.

Welsh Water/Dwr Cymru

No objections to the proposed development, developer should contact Welsh water regarding water supply.

Natural Resources Wales

Does not object to the amended proposal is not likely to adversely affect any of the interests noted in their response.

CADW

No archaeological implications for the proposed changes of house types.

Coal Authority

The site does not fall within the defined Development High Risk Area and is located within the defined Low Risk Area. If this proposal is granted planning permission, it will be necessary to include the Coal Authority Standing Advice within the decision notice as an informative note to the applicant in the interest of public health and safety.

**4.0 PUBLICITY**

4.0 The application was publicised by way of the posting of a press notice and the display of a site notice. At the time of writing the report one letter of objection has been received objecting on the following grounds:-

- Pre consultation notice was flawed no reference to increase by 9 dwellings
- Density of 44 per hectare plus exceeds original density granted.
- Creates another small enclave of lumped together affordable housing. Design brief explicit in pepper potting requirement for

affordable dwellings.

- Should remember that approval was granted to Anwyl's.
- Increase in dwelling numbers above that originally granted, approved transport assessment density are 35 dwellings per hectare deviation from original document.
- Increase in numbers/density should be resisted now and in the future.
- Houses leasehold.

## **5.0 SITE HISTORY**

### **5.0 98/17/1308**

Outline residential development and associated recreational, community and retail was originally reported to committee on 14.12.99 which resolved to approve subject to a Section 106 Agreement – No decision was ever issued due to changed circumstances of the applicants.

### **035575**

Outline application for a mixed use development including residential, open space, infrastructure, landscaping, education and community facilities was reported to committee on 19.7.2004 which resolved to approve subject to a Section 106 Agreement -the agreement was signed and the permission issued on 11th July 2006.

### **044033**

Reserved matters application -residential development consisting of 189 no. dwellings, public open space, new roundabout and all associated works at Croes Atti, Oakenholt -Granted on 11<sup>th</sup> July 2008.

### **044035**

Highway improvements, street lighting and all associated works, on land at Croes Atti, Chester Road, Oakenholt, in connection with the outline planning permission ( ref. 035575) -Granted permission on 23rd April 2008.

### **046562**

Substitution of house types on plots 119, 124, 128-129, 131-132, 136, 138, 139, 142-144, 146-150, 160-163, 165-166, 170-177 and 183 on land at Croes Atti, Oakenholt, granted on 11th July 2008.

### **046595**

Reserved matters application for residential development consisting 132 no. dwellings, new roads, open space and all associated works on land at Croes Atti, Chester Road, Oakenholt, granted on 19<sup>th</sup> January 2012.

### **049154**

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of

reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – appeal submitted for non-determination, this was considered by way of a public inquiry on 21<sup>st</sup>/22<sup>nd</sup> August 2012 –the appeal was allowed and the planning permission was varied to allow 7 years for the submission of reserved matters.

**049312**

Application for a Lawful Development Certificate for construction of vehicular access from Prince of Wales Avenue, Flint to serve residential development at Croes Atti, Oakenholt, permitted by outline planning permission code number 035575 dated 11th July 2006 – granted on 5<sup>th</sup> April 2012.

**049426**

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – resolved to grant planning permission at Committee on 25th July, 2012 subject to completion of S.106 Obligation.

**050258**

Proposed house type substitutions and amendments to plots 62, 62a, 63, 65-70, 72-74, 74a, 75-93, 95-103, 106-108, 110-112, 112a, 113, 116-118 and one additional plot to that approved at Croes Atti, Chester Road, Oakenholt. – still under consideration.

**050300**

Application for approval of reserved matters for the erection of 312 residential dwellings and associated works.-granted 3<sup>rd</sup> April 2013

**050385**

Erection of 2 no. pole mounted housing advertisements 20/2/2013.

**050967**

Application for approval of reserved matters following outline approval. (035575) granted 21/10/13.

**050975**

Plot substitution of house types on 4 plots-granted 25/9/13.

**051002**

Application for approval of reserved matters following outline approval. (035575) - granted 4/12/13

**051136**

Erection of 2 no. V-Boards for housing advertisement-consent

granted 28.8.13.

**051716**

Approval of details reserved by condition no.11 (landscape management plan) attached to planning permission ref: 35575 – approved 15/10/14.

**052062**

Approval of details reserved by condition Nos 3 (materials), 4 (programme of archaeological work), 5 (landscaping details), 7 (existing and proposed ground levels and finished floor levels), 10 (detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate roads), 11 (prevention of run-off of surface water) and 12 (wheel wash facilities) attached to planning permission ref: 50967 – partly discharged 6/6/14.

**052757**

Application for the approval of details reserved by conditions 3, 4, 9 and 12 attached to planning permission ref: 050300 partially discharged 12/12/14.

**053058**

Variation of condition Nos. 5 and 15 of planning permission ref: 050300 to allow the construction of plots 175 to 198 before complying with conditions 5 & 15 - approved 2/3/15.

**053126**

Application for the approval of details reserved by condition 13 (Scheme for reasonable avoidance measures and methodology) attached to planning permission ref: 050300 12/2/15.

**053438**

Change of position of house types on plots A35, A36 & A38, change of house type on plot A37 and amended car parking arrangement to plots A39 & A40-granted 13.5.15.

**053624**

Change of house types on plots 30 & 31 and change of house type position on plot 32 - granted 4/6/15.

**053662**

Proposed residential development to consist of 20 No. semi-detached houses, 2 No. semi-detached bungalows and 1 No. special needs bungalow together with access road and parking.—approved.

**053758**



Retention of existing signage and display of 2 No. totem signs consent granted 8/7/15.

**053783**

Change of house types and the provision of two additional plots – Approved.

**053820**

Compliance with condition number 3 of permission reference 053438 – agreed.

**054267**

File Closed.

**054449**

Non material amendment to application reference 044033 - approved.

**054535**

Substitution of house type on plot 36 – approved.

**054637**

Amendment to previously approved house types and layout - approved.

**054718**

Compliance with condition 6 of planning reference 050258 – approved.

**055180**

Compliance with conditions 3, 4, 5, 6, 7, 8, 9 and 10 – approved.

**055216**

Withdrawn.

**055458**

Change of house types on plots 155 and 159 Approved.

**055852**

Application for the approval of details reserved by condition nos; 3 (materials), 4 (landscaping) and 6 (scheme for the construction of roundabout junction on A548 and improvement of Coed Onn Road) attached to planning permission ref: 053783:- Approved.

**055853**

Application for the approval of details reserved by condition nos; 3 (materials), 4 (landscaping) and 6 (scheme for the construction of roundabout junction on A548 and improvement of Coed Onn Road) attached to planning permission ref: 055458:- Approved.

**056016**

Application for the approval of details reserved by condition nos; 3, 4, 6, 7, 11, 12 & 13 attached to planning permission ref: 055209:- Approved.

**056438**

Change of position of plot 120 and creation of two blocks plots 121 - 124 and 125-127:- Approved

**056439**

Change of house type on plots 94, 96, 115, 136 to 140, change of position of plot 114 and removal of rear parking courtyard:- Approved.

**056440**

Application for a non-material amendment to planning permission ref: 050300 to revise position of house types on plots 107 - 109 and to remove garages from these plots:- Approved.

**056457**

Application for the approval of details reserved by condition 3 (Archaeological Watching Brief) attached to planning permission ref: 055209:- Approved.

**056468**

Application for the approval of details reserved by condition nos; 3 - 15 inclusive and 17-23 inclusive attached to planning permission ref: 053662:- Approved.

**056756**

Change of house types to plots 70 & 71, update of house types on plots 63 & 64, 68 & 69 and change of garage position on plot 61:- Approved.

**056811**

Substitution of house types on plots 72 to 76, 292 to 293 and plots 30:- Approved.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR4 - Housing

Policy STR8 - Built Environment

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development inside Settlement Boundaries.

Policy HSG3 – Housing upon Unallocated Sites within Settlement Boundaries.

Policy HSG2 – Housing at Croes Atti, Flint.

Policy HSG8 – Density of Development.

Policy HSG9 – Housing Type and Mix.

Policy HSG10 Affordable Housing  
Policy D1 – Design Quality, Location and Layout.  
Policy D2 – Design.  
Policy D3 – Landscaping.  
Policy AC13 – Access and Traffic Impacts.  
Policy AC18 – Parking Provision and New Development.  
Policy SR5 – Outdoor Playing Space and New Residential Development.  
Policy EWP17 - Flood Risk

#### Local/Supplementary Planning Guidance Notes

LPGN2 – Space around dwellings  
LPGN 11 – Parking Standards.  
LPGN 13 – Open Space Requirements  
SPG 23 Developer Contributions to Education.

#### National Policy Wales

Technical Advice Note 12 Design  
Technical Advice Note 18 Transport

Flintshire Unitary Development Plan (FUDP) The FUDP shows the land as a housing commitment and outline planning permission has now been issued in addition to reserved matters approvals. In the context of the development as a whole a large number of the policies of the plan are relevant but the most significant policy is Policy HSG2 - Housing at Croes Atti, Flint. Other relevant policies include D1-D4 which refer to design/location/layout/landscaping and Policy GEN1 (General Requirements for Development). The proposal is considered to accord with the aims of the relevant development plan policies.

## **7.00 PLANNING APPRAISAL**

### 7.01 Site Location

The application site consists of 1.65 hectares of land forming part of the wider Anwyl/Persimmon development known as 'The Oaks' located in Croes Atti to the south east of Flint. The overall site is subject to outline planning permission. 035575, which was granted on 11<sup>th</sup> July 2006. A permission dwellings already exists on this area of the site granted under application 050300, although the overall site had 312 units this application increases the number of dwellings on this part of the site by an additional 9 units.

Persimmon are already building on land to the south and east of this site having finished the earlier phase 1 for 52 dwellings under planning permission 050967 while completion of another phase with a combined total of 75 houses is still under construction.

### 7.02 Proposed Development/Principle of Development

The principle of residential development on this site is established by the outline and reserved matters applications which cover the site. The current application seeks to increase the number of houses while substituting various house types and change the layout which is acceptable in principle subject to design/appearance and impact on existing/proposed residential amenity.

7.03 Character and Appearance

The proposed density of the development is 44 dwellings per hectare. Policy HSG8 of the UDP seeks to ensure that housing development reflects the characteristic of the area. The amended design brief for the site seeks to ensure an overall density of 30 to 35 dwellings per hectare proportionally across the whole site. Overall the site will deliver a density of 33 dwellings per hectare which meets the expectations of the design brief and in turn Policy HSG8.

7.04 The proposal includes some two storey terraces, semi-detached and detached dwellings including some 2.5 storey dwellings to add variety of design and roof heights. The proposed dwellings as amended are considered sympathetic to existing development which has been undertaken recently on the adjoining plots/phases. The proposed designs include simple pitched roofs, detailed brick band courses, variations to head/cill treatments, contrasting ridge tiles, and a unifying palette of materials including brick and render. This meets the design expectation of the brief and UDP Policy relating to design

7.05 Highways

The proposed development will have its principal access point into the previously permitted distributor road for the site which in turn will ultimately feed into other points of access at the A548 Chester Road, Prince of Wales Avenue and Coed Onn Road.

7.06 Over the course of the overall development, the access component of the Croes Atti development has been the subject of extensive negotiations as part of the original permissions in place. The Highway Development Control Manager has been consulted on the amended scheme and raises no objections although has requested additional information from the applicant in respect of parking areas. The Highway Officer has confirmed that the submitted additional information adequately addresses the earlier concerns related to parking. Other concerns raised regarding the potential use of a private drive and its use as a through route has been addressed by the submission of an amended plan.

7.07 Effect on Adjacent/Future Residential Amenities

The proposed dwellings are considered to provide adequate private amenity space in addition to space about dwellings, whilst at the same time benefiting from formal and informal public open spaces.

Affordable Housing

7.08 The original outline planning permission for the entire development was accompanied by a unilateral undertaking which committed the developer to requirements both set out in the original and subsequent full and reserved matter applications. The undertaking requires that the developer will provide for affordable housing for the number of dwellings justified by the Housing Needs Survey up to a maximum of 10% of the dwellings proposed on the applicant's parts of the site.

7.09 The Council must demonstrate through the result of a Housing Needs Survey the scale and extent of Affordable Housing need in the town of Flint and the type of such housing which is needed. Housing Strategy Officer has been consulted and confirms that there is an identified need for affordable housing provision in Flint The housing need in Flint has been identified as affordable rented property as 5 number 1 bedroom, 17 number 2 bedroom and 5 number 3 bedroom. In terms of shared equity the requirement is for 2 number 1 bedroom, 23, two bedroom and 4 no three bedroom units.

7.10 The application is for 73 houses so the maximum units which could be required on this part of the site for affordable housing is 7. The applicant has submitted a plan showing the provision of 7 affordable units on this part of the development. The affordable Housing must be developed in association with the Council, a recognised Housing Association or other social body satisfactory to the Council or such other body or company approved. Previously the Councils nominated agents, Grwp Cynefin Housing Association who have delivered a number of shared-equity properties within the development which are now occupied. The proposed affordable units on this phase will be delivered in association as previously with Grwp Cynefin Housing Association.

#### Flooding/Drainage Issues

7.11 The Flood Risk management Section have been consulted and have no adverse comments to make on the application. The NRW have also been consulted and raise no objection to the proposal

#### Provision of Public Open Space

7.12 The site would benefit from the previously approved formally laid out "village green" which would include a mini soccer pitch, a junior play area, a toddlers/picnic area, a Multi-Use Games Area (MUGA) which forms part of the wider open space allocation for the overall site which is 4.5 hectares in area. The proposed public open space across the site is generally well overlooked as regards passive surveillance from nearby dwellings, and also benefits from active frontages which assist in providing safer environments. On the previous phase undertaken by the developer an Oak tree close to a proposed dwelling not covered by a tree Preservation Order was cut down. In compensation for the loss the developer has shown on the proposed plan an area set aside for additional planting to replace the loss of the Oak tree in question.

### Education

- 7.13 As part of the original planning approval the development was required to incorporate a variety of community facilities and suitable sites were identified on the plan approved. As part of the community facilities identified an area of land of 1.5 hectares has been shown set aside for the provision of a school being the contribution from the developer for education requirements.

### Policy Context

- 7.14 Flintshire Unitary Development Plan (FUDP) The FUDP shows the land as a housing commitment and outline planning permission has been issued in addition to reserved matters approvals. In the context of the development as a whole a large number of the policies of the plan are relevant but the most significant policy is Policy HSG2 - Housing at Croes Atti, Flint. Other relevant policies include D1-D4 which refer to design/location/layout/landscaping and Policy GEN1 (General Requirements for Development). The proposal submitted is considered to accord with the aims of the relevant development plan policies.

## **8.00 CONCLUSION**

- 8.01 The proposed development in broad terms would allow for the replacement of existing permitted dwellings including additional plots and layout to that already approved with amended house styles which are in keeping with development already undertaken on the site and is therefore considered acceptable in principle and design.

### 8.02 Other Considerations

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

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

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

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

**LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents

National & Local Planning Policy

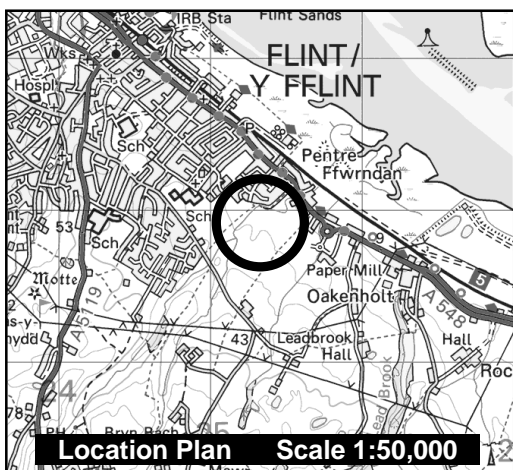
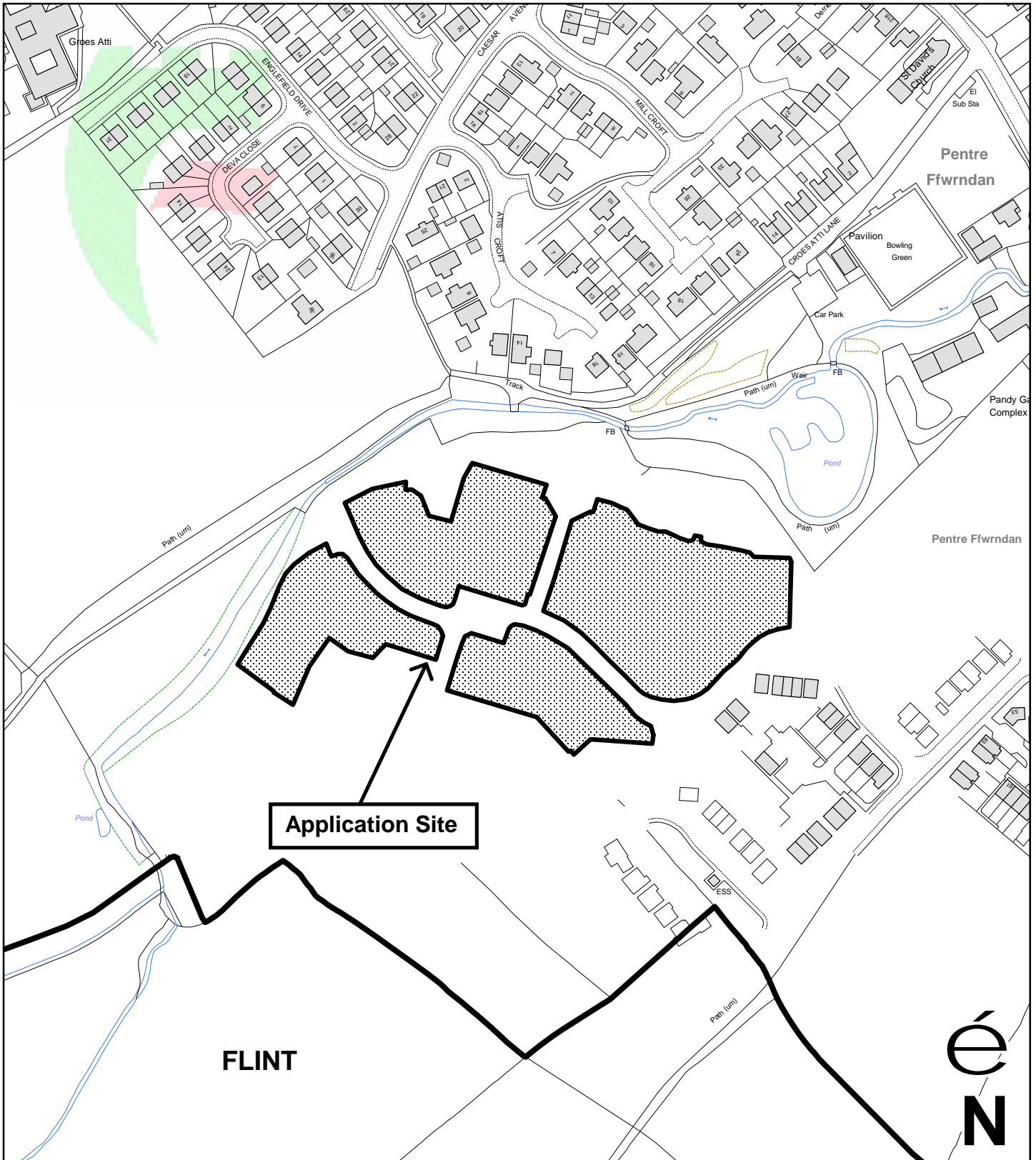
Responses to Consultation

Responses to Publicity

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Planning & Environment,  
 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 1:2500

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Planning Application **57540**

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## FLINTSHIRE COUNTY COUNCIL

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

**DATE:** **6<sup>TH</sup> DECEMBER 2017**

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

**SUBJECT:** **FULL APPLICATION – AMENDMENT TO PREVIOUSLY APPROVED APPLICATION FOR TWO DWELLINGS REF: 055414, TO ALLOW CHANGE IN HOUSE TYPES AT RHYDDYN FARM, HAWARDEN ROAD, HOPE.**

**APPLICATION NUMBER:** **057633**

**APPLICANT:** **BETHAM LIMITED**

**SITE:** **RHYDDYN FARM, HAWARDEN ROAD, HOPE**

**APPLICATION VALID DATE:** **09.10.17**

**LOCAL MEMBERS:** **COUNCILLOR G HEALEY**

**TOWN/COMMUNITY COUNCIL:** **HOPE**

**REASON FOR COMMITTEE:** **DEPARTURE FROM DEVELOPMENT PLAN**

**SITE VISIT:** **NO**

### **1.00 SUMMARY**

- 1.01 This is a full planning application for the erection of 2 dwellings with associated parking and private gardens. This is an amendment to the previously approved planning application for two dwellings 055414 on the site. The principle of development of 2 dwellings in a location outside the defined settlement boundary adjacent to a Category B settlement was established by 055414. It is considered that the change of house types generates no significant harm to the Conservation Area, on residential amenity or raises highways issues.

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

- 2.01
1. Time Commencement 2 years
  2. Plans
  3. Removal of permitted development rights for extensions, alterations to the roof and buildings in the garden.
  4. Site levels – existing and proposed
  5. Contaminated Land Assessment
  6. Materials
  7. Landscaping and boundary treatment
  8. Foul, surface water and land drainage

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor G Healey

I have received representations from a member of the ward who is concerned that the applicant is being allowed to use building materials that he says are inappropriate for use in a Conservation Area.

Hope Community Council

The Community Council objected to the original application due to safety concerns of the access.

Highways Development Control Manager

Await comments on visibility splay.

Head of Public Protection

The site is close to a former landfill site it is recommended that a site investigation is undertaken this can be secured by condition.

Welsh Water/Dwr Cymru

No objections subject to standard conditions requiring details of foul, surface water and land drainage.

Wales and West Utilities

No objection however there is equipment in the area and their apparatus may be at risk.

Public Rights of Way

Public Footpath 64 runs to the north of the application site but appears unaffected by the development.

CPAT

There are no archaeological implications for the proposed development. It would have no significant impact upon the setting of the scheduled dyke.

## **4.00 PUBLICITY**

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

The application was advertised as a departure from the development plan, affecting a public right of way and as affecting the character and appearance of a conservation area.

2 objections on the grounds of;

- Detrimental impact on the character and appearance of the conservation area
- Building should be of high quality design and traditionally constructed
- Concern about the size and height of the proposed dwellings adjacent to a bungalow
- Roof should be real slate not imitation
- Windows and doors should be wooden and not UPVC
- Chimneys should be a key feature
- Timber cladding is inappropriate
- Dwellings should be brick
- The garage should be a separate building and not integral
- Block paving is not appropriate
- Fencing should be specified with hedging along the roadside boundaries
- Should be cast iron guttering
- Concerns about the access and parking and road accidents, more parking should be provided
- Loss of open space and views to Watts Dyke and Rhyddyn Farm
- Dwellings are too large for the plots
- Should be traditional architecture not modern
- Parking should be at the rear to reduce the impact from the road
- Site would be more suitable for two semi-detached properties

## **5.00 SITE HISTORY**

5.01 355/62 Outline application for erection of houses and/or bungalows.  
Approved

51/64 Proposed erection of houses. Approved.

218/64 Outline application for erection of houses and bungalows  
Refused

055414 - Erection of 2 dwellings. Approved 05.10.16

## **6.00 PLANNING POLICIES**

- 6.01 Flintshire Unitary Development Plan  
STR1 - New Development  
STR4 - Housing  
STR8 - Built Environment  
STR10 - Resources  
GEN1 - General Requirements for New Development  
GEN3 - Development Outside Settlement Boundaries  
D1 - Design Quality, Location and Layout  
D2 - Design  
D3 – Landscaping  
HE1 – Development Affecting Conservation Areas  
TWH1 - Development Affecting Trees and Woodlands  
WB1 - Species Protection  
AC13 - Access and Traffic Impact  
AC18 - Parking Provision and New Development  
HSG4 – New Dwellings Outside Settlement Boundaries  
HSG5 – Limited Infill Development Outside Settlement Boundaries  
HSG8 - Density of Development  
HSG9 - Housing Mix and Type  
SR5 - Outdoor Play Space and New Residential Development  
EWP3 - Renewable Energy in New Development  
EWP14 – Derelict and Contaminated Land  
EWP16 – Water Resources  
Planning Policy Wales Edition 9 November 2016  
TAN 1 Joint Housing Availability Studies 2015

The compliance of the proposal with the relevant policies is set out in the planning appraisal below.

## **7.00 PLANNING APPRAISAL**

### 7.01 Introduction

This is a full planning application for the erection of two detached dwellings with associated parking and turning and private gardens on a 0.1 hectare site on land adjacent to Rhyddyn Farm, Caergwrle. This is an amendment to the previously approved planning application for two dwellings 055414 on the site.

### 7.02 Site Description

The site is located off the A550 to the north of the settlement of Hope. The site is bounded to the north by the newly constructed medical centre. To the south is an existing residential dwelling 'Wistonia' and to the east is Rhyddyn Farm house and to the north east the property of Badgers Bank. There is an access road to these properties which runs along the southern boundary of the site adjacent to 'Wistonia'. The site currently has no vehicular access points. The site is elevated above the A550 and there is a wooden post and rail fence before the land slopes down to the footway by means of a grass verge. Its eastern boundary comprises a mature conifer hedge. Along the

southern boundary is a stone wall with a hedge along the site boundary. The boundary with the medical centre to the north is demarcated with a wooden post and rail fence.

7.03 The site is located inside the Caergwrle Conservation Area and outside the settlement boundary within the adopted Flintshire Unitary Development Plan.

7.04 Proposed development

This is a full planning application for the erection of 2 detached six bedroom two storey dwellings with rooms in the roof. The proposed dwellings would be accessed via a single point of access off the A550 with parking for four cars and a turning area to serve both properties. Each property also has an integral double garage providing an additional 2 parking spaces for each dwelling. The conifer hedge on the northern boundary is located on the adjacent land but significantly overhangs the application site. It is proposed to cut back the hedge on the development side. The proposed dwellings are render with wooden cladding and an imitation slate tiled roof.

7.05 Principle of Development

The principle of development in this location outside the settlement boundary was established by planning application 055414. The previous consent for 2 houses was granted on 05.10.16 and is therefore still extant. The matters for consideration as part of this application therefore are the impact of the dwellings on the Conservation Area, impacts on residential amenity, space around dwellings and access and parking.

7.06 Design and impact on the Conservation Area

The proposal is for 2 two storey dwellings within the Conservation Area. The site is a parcel of undeveloped open land which is viewed in the context of the newly built medical centre which is a large render building and the adjacent bungalow which is brick with a concrete tiled roof. The medical centre building is higher than a domestic two storey building and has a large car park which is partially in the Conservation Area with lighting columns and fencing. There are two further two storey residential properties of Rhyddyn Farm and Badgers Bank. Rhyddyn Farm is screened from the A550 by the existing conifer hedge which is proposed to be retained. Badgers Bank is visible however this is in an elevated position from the road.

7.07 The Conservation area has the castle at its core with the surrounding pattern of red brick terraced housing which is also evident across the road from the development site. The site however is viewed in the context of the Medical Centre therefore it is considered the two storey nature of the dwellings and the choice of render finish and timber boarding is appropriate in this location. The roof covering would be similar in colour and profile to the adjacent Medical Centre and a similar tile is proposed. It is therefore considered that the proposed

development would enhance the character of the Conservation Area. The site although an open space is not an area of open space which makes any significant positive contribution to the character of the Conservation Area. An objector has stated that the proposed dwellings should be traditional in design with use of traditional materials and chimneys. However given this context of the site it is considered that the proposed design and materials would be appropriate and would enhance the Conservation Area.

- 7.08 The dwellings are two storey and would utilise the roof space with roof lights on the rear elevation only. The proposed dwellings are 9 metres in height. The proposed dwellings are to be set into the ground at +79.1 AOD to reduce the impact of the dwellings and to fit into the street scene. The consented dwellings are 7 metre in height but were set above the road level with the finished slab levels at 81.00 AOD. The proposed dwellings would therefore have the same ridge height within the street scene as the consented dwellings. At the rear the proposed dwellings would have a retaining wall with a patio area set at 79.00 AOD and the garden area at 80 AOD. This would provide useable garden areas at two levels. The previous proposal also had split level gardens.
- 7.09 The proposed dwellings are wider than the previously consented dwellings and accommodate the full width of the plot compared to the previously consented dwellings. The approved dwellings were approximately 12 metres deep and approximately 7 metres wide. The proposed dwellings are approximately 10 - 11 metres deep across the elevation and approximately 12 metres wide. The ground floor area of the approved dwellings was approximately 84m<sup>2</sup>. The ground floor area of the proposed dwellings is approximately 125m<sup>2</sup>. There would be views of the dwellings when approaching the site along Hawarden Road and from across the open medical centre car park. However it is considered that as the proposed dwellings are not as deep as the consented dwellings the impact of the dwellings would be reduced.
- 7.10 Impact on residential amenity and Space Around Dwellings  
The site is bounded to the south by the dwelling of Wistonia which is a bungalow. There is the existing access to Rhyddyn Farm and Badgers Bank between this dwelling and the application site. There is a blank elevation on the gable end of the dwelling which faces this dwelling, therefore there is no potential for overlooking. The existing boundary treatment of the fence and hedge would remain along this boundary.
- 7.11 Rhyddyn Farm house lies to the north of the proposed dwellings however this is screened by the existing conifer hedge which is on the adjacent boundary and outside the application site. This would be trimmed back and therefore would still remain to provide screening between the existing and proposed dwellings.



7.12 The proposed dwellings have rear garden areas of 192 m<sup>2</sup> and 168 m<sup>2</sup> respectively which accord with Local Planning Guidance Note 2 Space Around Dwellings. The previous dwellings had rear gardens of 112-120m<sup>2</sup> however there were also areas to the side of the dwellings. It is therefore considered that the proposed dwellings would comply with Local Planning Guidance Note 2: Space Around Dwellings in relation to separation distances and private amenity areas.

7.13 Highways

The site has no highway access at present. It is proposed to have a single point of access with parking and turning for each dwelling. There are 2 spaces proposed for each dwelling with an additional 2 spaces in an integral double garage for each dwelling providing a total of 4 spaces for each dwelling.

7.14 Policy AC18 and LPGN11 require 3 car parking spaces for houses with 3 or more bedrooms. The proposed dwellings have 4 space each and therefore are in line with the Council's Standards.

7.15 Other matters

A contribution of £1,100 per dwelling in lieu of on-site open space provision to enhance toddler play at Queens Way Play area was paid as part of the previous application 055414 and therefore a further open space contribution is not required.

**8.00 CONCLUSION**

8.01 The principle of development of 2 dwellings in a location outside the defined settlement boundary adjacent to a Category B settlement was established by 055414. It is considered that the change of house types generate no significant harm to the Conservation Area, residential amenity or highways considerations.

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.

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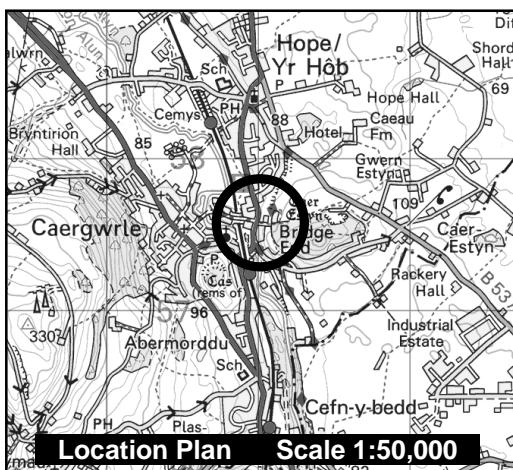
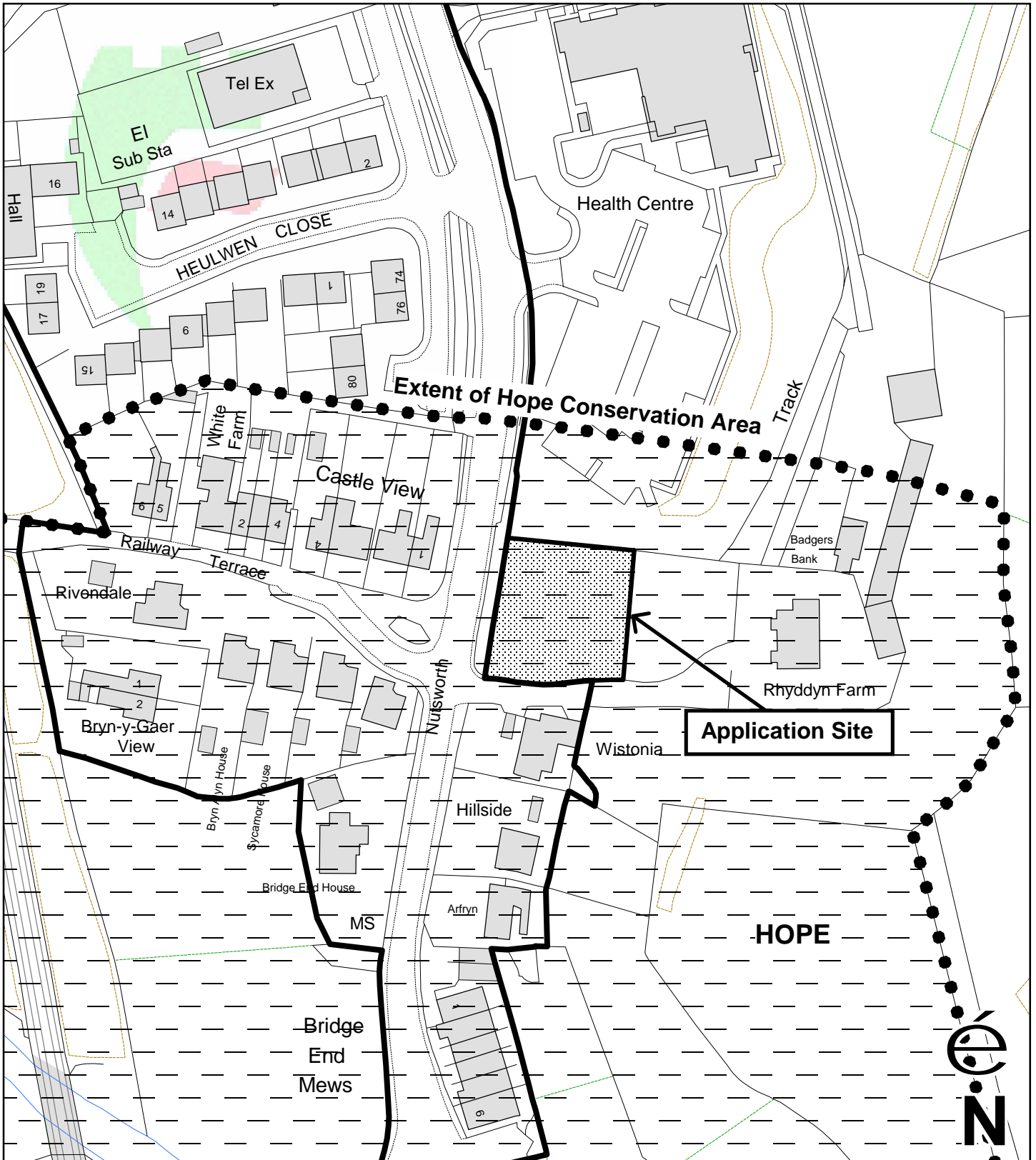
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**LIST OF BACKGROUND DOCUMENTS**



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

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**Email:** [emma.hancock@flintshire.gov.uk](mailto:emma.hancock@flintshire.gov.uk)



Planning & Environment,  
 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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