

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**  
**DATE:** **20<sup>th</sup> FEBRUARY 2013**  
**REPORT BY:** **HEAD OF PLANNING**  
**SUBJECT:** **RESERVED MATTERS – ERECTION OF 58 NO. DWELINGS ON LAND ADJACENT TO GLAN-Y-DON ESTATE, HOLYWELL, FLINTSHIRE.**  
**APPLICATION NUMBER:** **050213**  
**APPLICANT:** **WALES & WEST HOUSING ASSOCIATION**  
**SITE:** **LAND ADJACENT TO GLAN-Y-DON ESTATE, HOLYWELL, FLINTSHIRE.**  
**APPLICATION VALID DATE:** **18.10.2012**  
**LOCAL MEMBERS:** **COUNCILLOR J. JOHNSON**  
**TOWN/COMMUNITY COUNCIL:** **HOLYWELL TOWN COUNCIL**  
**REASON FOR COMMITTEE:** **NUMBER OF DWELLINGS PROPOSED EXCEEDS THE NUMBER FOR WHICH DELEGATED POWERS TO DETERMINE EXIST.**  
**SITE VISIT:** **NO**

**1.00 SUMMARY**

- 1.01 This Reserved Matters application is submitted following the grant of Outline Planning Permission for the development of this site for residential purposes.
- 1.02 Members will recall that all matters were Reserved at Outline Permission stage and therefore this submission seeks approval of matters relating to the means of access to the site, appearance, landscaping, layout and scale (The Reserved Matters).
- 1.03 This application seeks approval of details to provide 58 dwellings on the land. During the consideration of the application, issues in respect of design, visual impact, landscape, ecological impacts, affordable housing and recreation provision have been negotiated and resolved subject to the imposition of conditions as detailed elsewhere in this report.

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

2.01 That reserved matters approval be granted subject to the following conditions;

Conditions

1. Time limit on commencement.
2. In accord with outline permission.
3. Notwithstanding condition 20 upon outline permission 047535, an acoustic survey report be undertaken and submitted prior to the commencement of development. Attenuation measures identified and agreed to be incorporated prior to the occupation of the dwelling(s) to which they relate.
4. Construction Traffic Management Plan to be submitted and agreed.
5. Hours of working to be agreed.
6. Full constructional detail of proposed retaining walls to be submitted and agreed prior to commencement.
7. Implementation of the submitted landscaping scheme. To include management and maintenance regime.

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor J. Johnson  
No response at time of writing.

Councillor Mrs. R. Dolphin

Wishes to ensure that no access during construction works is permitted via Glan-y-Don Estate. Considers access from A548 should be constructed before any other work commences. Has requested that consideration be given to making trees upon the site the subject of a Tree Preservation Order.

Holywell Town Council

No objections raised. Raises the following points for consideration;

- Installation of bollards at the end of Glan-y-Don Estate to preclude vehicular access from this direction.
- No access for construction traffic via Glan-y-Don Estate.
- No physical encroachment of site onto adjacent play area.
- Consideration of trees for Tree Preservation Order.
- Provision of an acceptable drainage system.

Head of Assets and Transportation

No objection. Notes that conditional requirements in terms of the design and layout of the highway have already been imposed upon the outline permission. Requests conditions requiring the management of landscaping abutting the highway and details of the

retaining structures to be agreed.

Head of Public Protection

No adverse comments.

Public Open Spaces Manager

As per Outline planning permission, proximity of existing play area adjacent to site negates the need for on site recreation provisions. Requests contributions of £733 per dwelling towards upgrade of this existing facilities.

Also advises of need for boundaries adjacent to the play areas to be of a robust nature to safeguard amenity.

Does not consider that the adoption of any on site amenity areas would be appropriate.

Welsh Water/Dwr Cymru

No adverse comments. Requests the imposition of conditions relating to site drainage proposals and advising of the location of a public sewer in vicinity of the site.

Environment Agency Wales

No objections. Raises awareness of need for land drainage consent for the culverting of the existing watercourse.

The Countryside Council for Wales

No objection to the proposals. Requests that the proposed protected species recommendations are required to be implemented by condition.

Coal Authority

No adverse comments. Standard advice applies.

**4.00 PUBLICITY**

4.01 The application has been publicised by way of the publication of a notice within the local press, the display of a site notice in the locality and neighbour notification letters sent to directly adjacent properties.

4.02 At the time of writing this report, 1No. letter from a third party has been received. The letter raises the following matters;

- Concerns that existing estate road will act as access for plant and machinery with consequent implications for safety and impacts upon residential amenity;
- Loss of existing natural features and impacts upon the ecological value of the site;

**5.00 SITE HISTORY**

5.01 **035725**  
Outline - Residential Development.  
Permitted 29.7.2003.

**041221**  
Renewal of 035725.  
Permitted 17.1.2007.

**047535**  
Outline – Residential Development.  
Permitted 23.12.2011.

## **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
Policy STR - New Development.  
Policy STR4 - Housing.  
Policy GEN1- General Requirements for Development.  
Policy GEN2- Development Inside Settlement Boundaries.  
Policy D1 - Design, Location and Layout.  
Policy TWH1 - Tree and Woodland Protection.  
Policy AC13 - Access and Traffic Impact.  
Policy HSG1 - New Housing Development Proposals.  
Policy HSG9 - Housing Mix and Type.  
Policy HSG10- Affordable Housing within Settlement Boundaries.

## **7.00 PLANNING APPRAISAL**

7.01 Introduction  
This is an application for the approval of Reserved Matters following a previous grant of outline planning application for the development of the site for residential dwellings. The application seeks approval of a scheme for the erection of 58 No. dwellings and associated works on land at Glan-y-Don, Holywell. The site measures 1.93 hectares in area.

7.02 Site Description  
The site comprises 2 distinct field parcels of gently sloping land and is located to the south of the Ship Inn between existing residential areas at Glan y Don and Bala Avenue. It is bordered to the north east by the A548, which is at a lower level than the application site. The site was lastly in agricultural use. The site is roughly rectangular in shape and flat across its east/west axis with a significant slope from south to the northern boundary with the A548. The site is strongly bounded by existing mature and well established hedge and tree lines which broadly mark the southern, eastern and northern boundaries of the site, as well as marking the position of a watercourse which flows along the boundary of the two field parcels. The western part of the northern boundary of the site to the adjacent A548 is formed by a precast concrete retaining wall. The character of built form in the area

comprises mainly detached and semi detached 2 storey dwellings.

7.03 Proposed Development

The proposed development comprises the following;

- 58 No. dwellings which vary in design from 1 and 2 bed apartments, and 2, 3 and 4 bed detached and semi detached dwellings.
- The formation of a new point of vehicular access from the A548 to the north of the site.
- The creation of pedestrian access to the adjacent existing Children's Play Area on Clwyd Avenue.

7.04 All dwellings are proposed to achieve level 3 of the Code for Sustainable Homes and, as the houses are to be erected by a Housing Association to provide affordable housing, will also comply with Welsh Government DQR standards and Lifetime Homes Standards.

7.05 Principle of Development

Members will recall that this site benefits from outline planning permission, granted under reference 047535, which establishes the principle of residential development upon this site. Members will also appreciate that this site was considered as part of the housing requirement calculations within the UDP by virtue of the fact that it represented an existing commitment via earlier grants of permission.

7.06 Members will appreciate that, being an application for the approval of Reserved Matters, this application does not afford an opportunity to revisit the principle of the development. The consideration in this case is the extent to which the details of the Reserved Matters accord with the requirements of policy.

7.07 In considering the issue of housing development upon unallocated sites within Settlement Boundaries, the UDP directs that residential development proposals upon such sites in Category A settlements, such as Holywell, should seek to achieve a development density of 30 dwellings per hectare (dph). The proposals represent a development which accords with this aim, being 30 d.p.h.

7.08 Main Planning Issues

It is considered that the main planning issues can be summarised as follows:-

- a) Landscape and ecological issues
- b) Drainage and flood risk
- c) Highway Issues
- d) Design and impacts upon existing residential amenity.
- e) Education contributions
- f) Recreation contributions

g) Affordable Housing

7.09 Landscape and Ecology

The site lies approximately 500m. to the south of the Dee Estuary SSSI, SAC and Ramsar site. However, given the distance between this area and the site, together with the scale of the proposed development and the segregation imposed by A548 Bagillt Road, no adverse impacts are envisaged. The site is also located within 1km of 5 candidate wildlife sites although no impact is anticipated by virtue of the distance between the application site and the candidate sites and the installation of protective fencing to the southern boundary of the site during construction works.

7.10 Further to the consideration of this matter at outline stage, and pursuant to the conditions imposed upon the subsequent grant of outline planning permission, bat and bird surveys have been carried out in accordance with the requirements of those conditions.

7.11 These surveys have been undertaken and have established that the site does not offer roosting habitat to any bats and the existing trees within the site offer little opportunity for the same in the future. The survey established that the south eastern corner of the site is used for transient foraging by the Common Pipistrelle bat believed to be roosting off site in nearby houses. The reports advocates that bat roosting boxes be placed within the site to afford roosting opportunities and provisions are made for 2No. such boxes to be located within existing trees along the eastern boundary of the site.

7.12 The reports also examined the site for evidence of nesting birds. Nesting blackbirds were discovered and consequently, tree and hedgerow clearance and management work was postponed until the nesting period had expired. The report advocates the provision of bird nesting boxes in the tree belt to the east in mitigation of some of the vegetation lost in these proposals.

7.13 These reports have been considered by both CCW and the County Ecologist and, subject to the mitigation identified within these reports being implemented as per the conditional requirements of the outline permission, no objection is raised. I do not consider a further condition requiring the implementation of these measures is required as such provision is already made within the wording of the existing outline planning permission conditions.

7.14 I therefore conclude that, subject to the identified mitigation, the proposals would not adversely affect the continued favourable conservation status of any protected species.

7.15 Drainage and Flood Risk

The proposals have been the subject of consultation with Dwr Cymru/Welsh Water who advise that, subject to the imposition of

conditions in respect of the submission, agreement and implementation of detailed drainage schemes, there is no objection to the proposal upon drainage grounds. This condition was imposed upon the outline planning permission and there is no need to repeat it.

- 7.16 The site is crossed by two existing watercourses. The potential for these to present a flood risk to the site has been assessed and it is considered that the risk can be adequately managed. In response to consultation, the Environment Agency Wales has advised that subject to conditions in respect of the agreement of the proposed site drainage scheme and the prior agreement of any works affecting the watercourses, there is no objection to the granting of permission.
- 7.17 The proposals involve the diversion and culverting of the channel which presently flows from south to north through the centre of the site to the eastern ditched watercourse. This diversion is required in order that the layout can adequately accommodate the various site constraints and requirements relating primarily to the site topography and its relationship with highway gradients. The EAW have raised no fundamental objection to the proposals for the diversion but advise that as the watercourse is a 'non-main' river, the consent of the Local Lead Flood Authority is required for the works. Accordingly, consultation has been undertaken with the Council's Drainage Section. Advice in respect of this issue will be relayed to members either via late observations or verbal address by the officer at the meeting.
- 7.18 Highways  
Vehicular access to the site is proposed to be derived via a new junction with the A548 at the existing roundabout adjacent to the north western corner of the site, allowing access to the County highway network.
- 7.19 Representations have been made that the proposals will give rise to the need for construction traffic to utilise the existing point of access to the site from Glan-y-Don, with consequent impacts upon both amenity and highway safety. I am satisfied that the site can be developed without the need for the use of this access as conditions upon the outline permission both require the construction of the proposed point of access to the site prior to any other site works, and the use of only a single point of access to the site. However, In the interest of ensuring that construction traffic is managed to ensure that Glan y Don is not used, I will impose a condition requiring the submission and agreement of a Construction Traffic Management Plan, prior to the commencement of development.
- 7.20 The Head of Assets and Transportation has considered the proposals and has no objections subject to the conditions which were imposed at outline permission stage. It is considered that the details of the proposed retaining walls can be adequately assessed under the terms

of existing conditions imposed to ensure that there is no detriment to the highway.

7.21 It should be noted that the footpath which cross the site is not a defined public right of way and does not appear upon the definitive footpath map. However, in considering the design and layout of the site, the applicant has recognised that they is an obvious desire line for occupants of existing properties at Glan-y-Don to cross the site and access the play area at Clwyd Avenue. Therefore, pedestrian access is provided from Glan-y-Don, via a flight of steps, onto the proposed estate footpaths and access is proposed via the estate highway footpaths into the play area in the south west corner of the site. I am satisfied that this provision will ensure connectivity with the site and the wider community is secured.

7.22 Design and layout

This application provides the details of a development of 58no. dwellings. These are all proposed to provide 2 storey accommodation which comprises the following mix of accommodation;

- 24 x 2 bed (3 person dwelling)
- 20 x 3 bed (5 person dwelling)
- 2 x 4 bed (7 person dwelling)
- 7 x 2 bed (3 person apartment)
- 5 x 1 bed (2 person apartment)

7.23 5No. of the 2 bed apartments are provided together with the 5No. 1 bed apartments within a terrace of 10 dwelling units arranged in a split level configuration. The external appearance of this terrace from the proposed roadway within the development is as a terrace of 5No. bungalows. However, the terrace will appear as a 2 storey development when viewed from the north. The accommodation is configured such that the 1 bed units are provided with level access to suit occupation by wheelchair users, with the 2 bed units occupying the lower level.

7.24 The scheme has evolved to respond to the site characteristics and delivers a design where the form and dwellings reflect both the design of the residential areas and buildings in the locality, and provide for the above identified mix of accommodation types. The site topography is the prime constraint upon this site and this, coupled with a desire to minimise loss of existing trees and hedgerows has resulted in a layout which meanders up the slope of the site. Members will appreciate that the nature of residential development in the area is such that built form either meanders up the step slope in this area or takes the form of steeped plateaus served by either steep roads or meandering curves. This proposal is reflective of this local form.

7.25 This layout necessitates the use of retaining walls in various locations but this is unavoidable if the site is to be developed at an acceptable



level and be served by a single point of access from the A548. The use of such retaining walls eliminates the need for unsightly, costly and wasteful under build upon the proposed properties. Negotiations during the course of the consideration of the scheme has resulted in improvements to street scenes and seek to retain existing natural features where possible, whilst introducing new and supplementary planting to soften the impacts of the proposed retaining walls.

7.26 The wider area is characterised by a mixture of property types, styles and ages with a variety of arrangements of built form but has no overall dominant local vernacular. The applicant has sought to recognise this within the proposal and seeks to create a development which sits well in its locality but delivers a strong sense of identity. The layout takes full account of the existing dwellings adjacent to the site by maintaining adequate separation distances, in line with Council standards on space about dwellings and overlooking to secure privacy and amenity as well as respecting the private gardens of adjacent houses. The layout in this regard has also enabled the retention of a significant and mature tree and hedgerow buffer between the site and adjacent properties which will add to the measures employed in safeguarding amenity.

7.27 Accordingly and notwithstanding representations made, I consider the proposals provide an adequate and appropriate response to the design issues raised in connection with the consideration of this application.

7.28 Education Contributions

Members will recall that this issue was considered at Outline planning permission stage and permission ultimately granted subject to a S.106 agreement in respect of the matter. This agreement required the payment of £3500 per pupil generated from the development towards Education facility provisions at Ysgol Glan Aber, Greenfield, being the primary school located closest to the site and being within 5% of its capacity. No requirement was requested for Secondary school provisions as Holywell High School, being the closest secondary school, as this has almost 50% surplus places.

7.29 This application now enables the formula calculations to be undertaken, the development is anticipated to give rise to 14 children of primary school age. I can therefore advise Members that the sum for educational provisions at Ysgol Glan Aber will equate to £38500.

7.30 There is no requirement for a further S.106 agreement under this application as these matters are adequately addressed in the current agreement imposed upon the outline planning permission.

7.31 Recreation Contributions

Members will similarly recall that the issue of on site play provisions was considered as part of the outline planning application and it was

considered that, due to the existence of an existing play facility immediately adjacent to the south west of the site, on site provision was not required and a sum in lieu of the same would be sought. The sum sought equated to £763 per dwelling, which reflects that the scheme is proposed to provide 100% affordable dwellings and not market housing.

7.32 I can therefore advise Members that the sum to be paid in lieu of on site play facilities and to be used in upgrading the existing facility at the Clwyd Avenue Play Area is £44254.

7.33 As above, there is no requirement for a further S.106 agreement under this application as these matters are adequately addressed in the current agreement imposed upon the outline planning permission.

7.34 Affordable Housing

The scheme is proposed to be 100% affordable as the developer is Wales and West Housing Association. The scheme has secured funding from Welsh Government as part of Flintshire County Council's Social Housing Grant Programme. The properties are proposed to be available via a rental tenure. However, schemes which are the subject of Welsh Government funding operate upon a tenure neutral basis. This will enable flexibility within the scheme to make properties available via shared equity provisions should the need be identified for such provisions.

7.35 The Council has supported this affordable housing programme as the scheme proposes to provide accommodation for those persons requiring a new home as a result of the Flint Regeneration Project. The funding secured to achieve both of these aims amounts to £4m.

**8.00 CONCLUSION**

8.01 The development of this site for residential use has been accepted in principle through the granting of outline planning permission. The negotiations in relation to the design and layout of the site have resulted in a solution which provides for an acceptable scheme which respects the constraints imposed from the topography and site features. The issues considered in the above appraisal demonstrate that either they are addressed via the scheme or are appropriately addressed via conditions already imposed upon the grant of outline permission or via the suggested conditions to be imposed upon this grant of Reserved Matters approval. Appropriate provisions for contributions towards play and open space provision and education contributions have already been secured at Outline Planning Permission Stage via an appropriately worded legal agreement.

8.02 In considering this planning application 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.

**Contact Officer:** David Glyn Jones  
**Telephone:** 01352 703281  
**Email:** [glyn\\_d\\_jones@flintshire.gov.uk](mailto:glyn_d_jones@flintshire.gov.uk)