

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**
DATE: **19TH JUNE 2013**
REPORT BY: **HEAD OF PLANNING**
SUBJECT: **FULL APPLICATION – DEMOLITION OF EXISTING PUBLIC HOUSE, ERECTION OF 9 NO. APARTMENTS AND ASSOCIATED WORKS AT “CALCOT ARMS”, MILWR ROAD, HOLYWELL**
APPLICATION NUMBER: **050634**
APPLICANT: **BROOMCO 3857 LIMITED**
SITE: **“CALCOT ARMS”, MILWR ROAD, HOLYWELL**
APPLICATION VALID DATE: **19TH MARCH 2013**
LOCAL MEMBERS: **COUNCILLOR H G ROBERTS**
TOWN/COMMUNITY COUNCIL: **HOLYWELL TOWN COUNCIL**
REASON FOR COMMITTEE: **SECTION 106 AGREEMENT**
SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This application is for the demolition of the existing Calcot Arms Public House building, erection of 9 apartments and junction and access improvements.
- 1.02 The issues for consideration are the principle of development in planning policy terms, the highway implications, the effects upon the visual appearance of the area, drainage and the effects upon the amenities of adjoining residents in terms of loss of light, obtrusiveness, privacy etc.
- 1.03 It is considered that in principle, the demolition of the public house, loss of its community use and it being replaced by residential development is acceptable in planning policy terms given that the

building is not of sufficient local character or historical interest, alternative facilities are in close proximity to the site and that it is located within a Category A Settlement limit. As the proposals involve highway improvements and sufficient numbers of off road parking spaces, from a highway perspective, this aspect is also considered acceptable. It is considered that the contemporary design of the apartment blocks and use of materials will not have a significant detrimental impact upon the area. Dwr Cymru Welsh Water do not raise objections to the drainage of the scheme and due to the position of the proposed apartments, their height, the level of existing screening and the position of windows on the proposed and existing dwellings, it is considered that there will be no significant detrimental impact upon the amenities of adjoining residents.

1.04 Both the Public Open Spaces Manager and Director of Lifelong Learning have requested contributions in relation to public open space and education.

1.05 Given the above, I recommend accordingly.

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

2.01 That subject to the applicants entering into a Section 106 Agreement, providing a unilateral undertaking, or otherwise making payment in respect of:

- The sum of £733 per dwelling in lieu of on site open space towards the upgrading of existing play facilities within the locality
- The sum of £24,514 for the additional capacity at Perth y Terfyn Infants School.

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

Conditions

1. Time limit on commencement
2. Samples of all external materials of buildings to be submitted and agreed
3. In accordance with approved plans
4. No works to commence until detailed scheme for the junction improvements at Milw Road and Halkyn Road has been submitted to and approved by the Local Planning Authority
5. No works shall commence unless and until all the works specified in Condition No. 4 have been completed
6. No works shall commence unless and until full design and construction details of any structural retaining walls proposed

adjacent to the highway have been submitted to and approved by the Local Planning Authority

7. Proposed access shall be a minimum of 5.0m in width at the brick edge of footway and set out in accordance with either one of the attached structural details
8. The highway boundary means of enclosure adjacent to Milw Road shall not exceed 1.0m above the nearside channel level.
9. Existing vehicular footway crossing serving the car park shall be reinstated to full kerb height once the new access has been brought into use.
10. Facilities shall be provided and retained within the site for the parking and turning of vehicles. Facilities completed prior to the proposed development being brought into use.
11. Land drainage run off not permitted to discharge, directly or indirectly into the public sewerage system
12. No surface water to connect to the public sewerage system
13. Foul and surface water discharges drained separately.
14. Suitable scheme of enhanced double/secondary glazing to be submitted and approved prior to their installation
15. Code for Sustainable Homes Level 3 – Minimum Requirement
16. Code for Sustainable Homes – Design Stage Assessment.
17. Code for Sustainable Homes – Post Construction Stage Assessment.
18. Boundary treatments to be submitted and approved prior to commencement of development.
19. Existing and proposed levels including finished floor levels to be submitted and approved prior to commencement of development.
20. Prior to commencement of demolition, photographic survey of the existing building to be submitted and approved.

3.00 CONSULTATIONS

3.01 Local Member:
Councillor H.G. Roberts
No response received to date.

Holywell Town Council

Maintains its objection to the proposed development notwithstanding earlier planning approval subject to conditions and to the applicant's response to design concerns raised previously, also the remedial works undertaken by Welsh Water area of crossroads. The reasons are:

- Inadequate car parking provision and measures to ensure access/highway safety in relation to the site, and
- The compounding of drainage flooding projects in the local area due to lack of capacity of the existing sewerage system.

Head of Assets and Transportation

Recommends that any permission includes suggested conditions.

Head of Public Protection

No objection in principle to the application. However site is on the junction with Milwr Road and the busy Holywell Road. Specific measures are necessary to protect amenities of further residents. Suggests a suggested condition be placed upon any planning permission.

Director of Lifelong Learning

Holywell High School has more than 50% surplus spaces, so a Section 106 contribution is not required for that school. However, the impact on pupil numbers that this proposed development will have, and others in the area indicate that Perth.y Terfyn Infants School will have the greatest need for additional capacity. Therefore the financial contribution requested is £24,514 at that school.

Public Open Spaces Manager

Based upon the information received and in accordance with Planning Guidance Note No. 13 – Public Open Space Provision, the authority should be seeking a capital sum payment of £733 per unit in lieu of on site provision. The receipt would be used to enable relocation provision in the community.

Welsh Water/Dwr Cymru

Requests if minded to grant planning consent, that suggested conditions and notes are attached.

Clwyd-Powys Archaeological Trust

Requests photographic survey of existing building as a condition attached to any planning permission granted.

SP Powersystems

Have plant and apparatus in the area. Developer advised need to take appropriate steps to avoid any potential danger during any works.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

61 letters of objection received. The grounds of objection being:

- Inappropriate development to the area
- Density too great
- Milwr Road unsuitable for access and egress to the development, already too much traffic and road too narrow.
- Hazardous on road parking
- Development of a further 9 properties will put a further strain on services
- Loss of light, privacy, aspect upon adjoining residents.

- Insufficient number of parking spaces.

5.00 SITE HISTORY

5.01 49092

Renewal of planning permission Ref. 040770 for the demolition of existing public house and erection of 8 No. apartments with associated road junction improvements – awaiting signing of Section 106 Agreement.

048575

Demolition of existing public house, erection of 9 No. apartments in two blocks, construction of new vehicular access and associated parking. Refused 29th July 2011.

046999

Demolition of public house, erection of 9 No. apartments and construction of new vehicular access. Refused 20th August 2010.

040770

Demolition of existing public house and erection of 8 No. apartments with associated road junction improvements. Refused 9th June 2006 and allowed on appeal 20th December 2006.

040370

Demolition of existing public house and erection of 10 No. dwellings consisting of 5 x 2 semi detached dwelling. Withdrawn 5th December 2005.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development

Policy GEN1 – General Requirements for Development

Policy GEN2 – Development Inside Settlement Boundaries

Policy D1 – Design Quality

Policy D2 – Location and Layout

Policy D3 – Landscaping

Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries

Policy AC13 – Access and Traffic Impact

Policy CF1 – Retention of Existing Facilities

The site lies within the development boundaries for Holywell which is also classed as a Category A Settlement within the Flintshire Unitary Development Plan where there are alternative facilities in close proximity to the site. Therefore, the principle of a loss of a community use with it being replaced by residential development is acceptable on the site in planning policy terms.

7.00 PLANNING APPRAISAL

7.01 Site Description and Proposals

The site comprises of the former Calcot Arms Public House and its car park. It is roughly triangular in shape and lies at the junction of Halkyn Road and Milwr Road. The public house buildings are located at the junction of the two roads on the narrowest part of the site and the land to the south formed the car park. A domestic garage is sited on the southern boundary. The height of the public house building measures approximately 8m at its highest, to the ridge. The chimneys upon this ridge take it up to 10m in height.

7.02 The area to the south and east of the site is predominantly residential to the north and east, on the opposite side of Halkyn Road, is a working farm and the agricultural land associated with it.

7.03 Halkyn Road and Milwr Road run downhill in a generally south to north direction. The Calcot Arms is sited on the lowest part of the site. The adjacent single storey dwellings on Stamford Way, to the south, are on slightly higher ground whereas the properties located off The Beeches and Pistyll, to the west of the site, are considerably higher than the site.

7.04 The proposals involve demolishing the former public house buildings and erection of up to 9 No. apartments with associated road junction improvements and formation of a new access onto Milwr Road. The apartments will be constructed in two blocks, one three storey with the other being two storey. The three storey block will be sited within the south western corner of the site nearest No. 1 Stamford Way and will measure approximately 13m x 13m x 10m (height to ridge) with the two storey block being sited within the north western corner of the site and will measure approximately 13m x 11m x 9m (height to ridge). Both blocks will be constructed with rendered walls and slate roofs.

7.05 The main issues to be considered within the determination of this planning application are the principle of the development in planning policy terms, the highway implications, the effects upon the visual appearance of the area, drainage and the effects upon the amenities of the adjoining residents.

7.06 Background

Members will be aware that a previous application (040770) for demolition of the existing public house and the erection of 8 No. apartments with associated road junction improvements was refused under delegated powers due to the overdevelopment of the site and its impact upon the amenities of adjoining residents, that the existing building of the Calcot Arms was considered of sufficient local character to warrant its retention and that inadequate details were submitted in respect of the proposed improvements to the existing Milwr Road/Halkyn Road junction. It was subsequently allowed on

appear on 20th December 2006. This application was subsequently renewed under 049092 and is currently waiting completion of a Section 106 Agreement.

7.07 Subsequent to 040770, two applications were submitted under 046999 and 048575 for 9 apartments, again arranged in two blocks but sited differently and were of a more modern design which were refused by the Planning and Development Control Committee on the grounds of overdevelopment of the site and its impact upon the amenities of adjoining residents.

7.08 Principle of Development

The site lies within the development boundary for Holywell which is also classed as Category A Settlement. Therefore, the principle of residential development is considered acceptable.

7.09 The Inspector at appeal considered the retention of the building in terms of whether or not it was of sufficient local character and historical interest. However, it was considered that given the building had been extensively altered, these had eroded its character to such an extent, that its contribution to the area no longer merited its retention. In addition, there was no compelling evidence of its historical connections or information on whether the building had been designed by a notable architect.

7.10 With regard to the loss of the use of a community facility, this has also been accepted, given that alternative facilities are in close proximity to the site.

7.11 Therefore, given the above, the principle of demolition of the public house, loss of its community use with it being replaced by residential development remains acceptable on the site in planning policy terms.

7.12 Highways

The junction of Milwr Road with Halkyn Road is severely restricted, due to the angle of the approach, the steep downward gradient and the confined turning radius. The visibility at the junction is restricted due to the alignment of the boundary walls and the position of the public house building. Milwr Road near to the point of the proposed access is narrow but widens near the junction of Halkyn Road.

7.13 These proposals do enhance visibility and makes to and from the junction safer.

7.14 The development also involves the blocking off of the access through the former car park from Milwr Road to Halkyn Road.

7.15 Given the above improvements, it is therefore considered that the various highway alterations are acceptable in principle.

7.16 With regard to on-site parking provision, 11 parking spaces will serve the 9 apartments. Given the site is in a sustainable location near to public transport choices, this number is considered acceptable.

7.17 Appearance and Character

The scheme which gained a resolution to grant planning permission subject to a Section 106 Agreement by Committee (049092) for the renewal of planning permission 040770 was for two detached buildings forming a terrace of properties that would be constructed within rendered cavity blockwork walls with tiled roofs. The dwellings were also to be of two storey, approximately 8m in height with dormers at first floor level at the rear. The design being very simple, plain and traditional.

7.18 This current scheme also involves the erection of two buildings but with one being 3 storey, the other being 2 storey. They measure approximately 9.5m and 8m in height respectively and will be constructed within rendered walls with slate roofs. The design is contemporary, sustainable, modest and innovative. They also make the best of the views of the estuary by having the majority of the principal rooms of the apartments orientated this way. The scale and massing of both buildings is greater than those under 049092 but this is broken up to a large extent by the different types and heights of the roofs.

7.19 Therefore, given the contemporary design, better use of materials and greater separation between the two proposed buildings, these proposals, it is considered, will have no increased detrimental impact upon the appearance of the area compared to those which have been the subject of a resolution to grant planning permission.

7.20 Drainage

Dwr Cymru Welsh Water do not object to the development provided suggested conditions regarding that surface and foul waters are drained separately from the site etc are placed upon any grant of planning permission. Members will note that these are condition No's 11, 12 and 13 listed within the recommendation.

7.21 Effect Upon the Amenities of Adjoining Occupiers

It is considered that the effects of the development upon the amenities of the adjoining residents is the main issue for consideration.

7.22 Members may recall that the likely detrimental impact of the development upon the amenities of the adjoining residents were the main reasons for refusal on the previous applications 048575 and 046999. It was considered that those adjoining occupiers most affected by the developments were No's 1 and 3 Stamford Way together with Ness View. This current application shows Block A (3 Storey) being now sited within the south west corner of the site nearest No. 1 Stamford Way. The highest part of this block will be

9.6m. This block will be sited away from the main living accommodation of No 1 and along the southern boundary which is the part most well screened by trees, shrubs, hedges etc. Therefore it is considered that there will be no significant detrimental impact upon the amenities of the nearest adjoining occupiers of No. 1 Stamford Way. Block B is now wholly 2 storey and will be sited largely on the site of the Calcot Arms building. This proposed block is slightly further towards the road junction than the existing building and is approximately 1.3m higher also.

- 7.23 It is considered that the adjoining resident most affected now by this development and particularly by Block B is that of Ness View, whose property is located upon the other side of Milwr Road to the west. This property is also located at a higher level with its rear windows and conservatory looking down onto the site. This adjoining resident from the conservatory will look out onto Block B (2 storey). This block measures approximately 8.5m in height and will be approximately 18.5m away from the conservatory of Ness View. This is below the maximum guideline separation distance between dwellings of 22m. However, the majority of the aspect from the conservatory will be the gap of the proposed entrance and parking area between the two blocks. Given the above, together with the increase in height over the existing building by the proposed building is only 1.3m, it is considered that there will not be a significant increased detrimental impact upon the amenities of Ness View in terms of loss of light or obtrusiveness. In terms of any possible overlooking onto the property of Ness View, all of the proposed windows upon Block B facing this property will be from non habitable rooms.

8.00 CONCLUSION

- 8.01 It is considered that given the above, the scheme is acceptable in planning terms.

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.

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