

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY 19TH JUNE 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION - PROPOSED HOUSE TYPE SUBSTITUTIONS AND AMENDMENTS TO PLOTS 62-99, 105-107, 110-118 AND ASSCOATED WORKS AT "CROES ATTI", CHESTER ROAD, OAKENHOLT, FLINTSHIRE**

APPLICATION NUMBER: **050258**

APPLICANT: **ANWYL CONSTRUCTION CO LTD**

SITE: **LAND AT "CROES ATTI", CHESTER ROAD, OAKENHOLT, FLINTSHIRE**

APPLICATION VALID DATE: **22/11/2012**

LOCAL MEMBERS: **COUNCILLOR. RITA JOHNSON**

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

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT AND LOCAL MEMBER REQUESTS COMMITTEE DETERMINATION TO RELAY LOCAL RESIDENTS CONCERNS ABOUT THE IMPACT AND DISAMENITY OF THE PROPOSALS.**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full application as originally submitted proposed 52 No. dwellings, and associated works on land at Croes Atti, Chester Road, Oakenholt. Following negotiations with officers the layout has been amended to allow for 50 No. dwellings. The site forms part of an overall site of 27 hectares which was granted outline planning permission for a mixed use development scheme comprising residential development, public

open space, infrastructure works, landscaping and education and community facilities. The current application site forms part of the first phase of development which already has reserved matters approval for 189 no. dwellings. The previously granted outline scheme/reserved matters applications have been subject to extensive negotiations between the applicant and the Council. 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. The current application seeks to amend the house types of 50 of the previously permitted plots and in broad terms replaces 3 storey and 2 1/2 storey houses with 2 storey houses which vary in design from terraces to semi-detached and detached.

1.02 The issues for consideration are the principle of development, design/appearance, visual/residential impacts, highway impacts and flooding/drainage.

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

2.01 That conditional planning permission be granted subject to conditions and subject to the applicant entering into a section 106 obligation/Unilateral Undertaking to re-impose all the requirements of the original legal agreement attached to the outline planning permission i.e.

- scheme to be in general conformity with the Revised Development Brief,
- construct or to reimburse the Council for the reasonable cost of a footpath/cycleway linking the site with Leadbrook Drive,
- phasing/occupation of housing,
- setting aside of 1.5 hectares of land and its transfer for a school site and an extension to the school site of not less than 1.0 hectare,
- setting aside of land for a shop site,
- setting aside of a site of 0.45 hectares for a health centre,
- setting aside of a site of 0.25 hectares for a community centre and its transfer
- provision of 4.5 hectares of open space including an enclosed equipped children's play area, a landscape strategy, a management strategy for open space areas including establishment of a management company
- Provide for a maximum of 10% of number of dwellings for affordable use

Conditions

1. In accordance with approved plans.
2. Notwithstanding the submitted details, a schedule of materials to be submitted to and approved prior to being used, unless otherwise agreed in writing with the Local Planning Authority.

3. Submission of landscaping scheme for approval.
4. Implementation of submitted landscape plan.
5. Submission and approval of a scheme for foul, surface water and land drainage.
6. Foul/surface water drained separately and to relate to the newly constructed sewers on Chester Road.
7. Land drainage not permitted to public sewerage system.
8. No buildings along line of public sewer.
9. Code 3 for sustainable homes compliance.

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.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Rita Johnson

Requests Committee determination to relay local residents concerns about impact and disamenity of the proposals.

Adjacent Ward Members

Councillor. D. Cox

Agrees to determination of application under delegated powers.

Councillor. A. Aldridge

Agrees to determination of application under delegated powers.

Councillor. E.F. Evans

Agrees to determination of application under delegated powers.

Councillor. I.B. Roberts

No response at time of writing report.

Councillor. A.T. Howorth

No response at time of writing.

Flint Town Council

No response at time of writing report

Head of Assets and Transportation

No objection

Environment Directorate (Rights of Way)

The plots are not affected by any recorded public rights of way.

Clwyd Powys Archaeological Trust

The changes affect the housing block to the south of the known Roman archaeology and there would be no impact to recorded

archaeological features from these proposals.

Head of Public Protection

No adverse comments.

Welsh Government Transport

Does not wish to issue a direction.

Ramblers Association

Public rights of way should be safeguarded as part of any total development.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

The proposed development has been the subject of a wide level of consultation. Three letters of objection have been received which are summarised as follows,

1. The proposed changes in design of the house types are not compliant with those originally permitted dwellings and the massive change in house types with its visual impacts should be left to the Planning Committee to decide.
2. Number of properties with associated vehicles will be detrimental to highway safety and increase existing congestion as it would access the busy A548 in an area where there have been at least 2 fatal road accidents. It would be unreasonable and irresponsible to allow the development before the routing of traffic onto the A55 and a Flint by-pass has been resolved.
3. The site acts as a soakaway during heavy rain and developing the site would exacerbate existing flooding in the area.
4. The local services cannot cope with the additional population numbers generated by the development.

5.00 SITE HISTORY

5.01 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 11.7.06.

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.

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 11th July 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 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 19th January 2012.

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 5th April 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 granted on appeal on 10th October 2012.

049425

Variation of condition no.15 attached to planning permission ref:046595 at Croes Atti, Chester Road, Oakenholt – granted on appeal on 15th March 2013.

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 – withdrawn.

050300

Reserved matters application for erection of 312 residential dwellings and associated works at Croes Atti – granted on 3/4/2013.

6.00 PLANNING POLICIES

6.01 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 Proposed Development/Principle of Development

The site forms part of an overall site of 27 hectares which was granted outline planning permission for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping and education and community facilities. The previously granted outline scheme and reserved matters applications have established the principle of residential development on the site. 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.

7.02 In design terms the current application site forms part of the first phase of development which already has reserved matters approval for 189 no. dwellings. The previously granted outline scheme/reserved matters applications have been subject to extensive negotiations between the applicant and the Council. The current application seeks to amend the house types of 50 of the previously permitted plots and in broad terms replaces 3 storey and 2 1/2 storey houses with 2 storey houses which vary in design from terraces to semi-detached and detached dwellings.

7.03 Design and appearance

The proposed scheme is designed to link into the proposed new distributor road which is to serve the overall site. The density and character of proposed properties within the site vary in design from two storey terraces, semi-detached and detached dwellings. Generally densities across the site do not vary greatly and are considered to be reflective of that previously permitted for the overall site.

7.04 The road serving the site has been designed where the building blocks are relatively close to the road which assists in creating a sense of enclosure and active frontage. Visually the observer's eye should be drawn down the road to properties of interest. The retention

of existing field boundaries/trees reflects the historical rural character of the land.

- 7.05 The proposed dwellings as amended are considered sympathetic to existing development where the vernacular is Victorian but where more recent development is of modern designs dating from the 1950's onwards. 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.
- 7.06 Effect on adjacent/future residential amenities
The proposed development is bordered on all sides by either existing open countryside or previously permitted parcels of land which will have either housing or open space. The proposed dwellings are considered to be located at some distance away from existing residential properties and therefore are not detrimental to their amenities by way of overlooking or physical proximity.
- 7.07 As regards 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.
- 7.08 Provision of Public Open Space
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. 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.
- 7.09 Affordable Housing
The original outline planning permission for the overall site required that if justified, up to 10% of dwellings on the site should be social/affordable and was secured via a Section 106 legal agreement. The exact number/location of affordable units within the overall development has yet to be determined, however, the final figure will have to be in accordance with the terms of the Section 106 legal agreement.
- 7.10 Flooding/Drainage Issues
Whilst the representations regarding flooding in the locality are noted, however it should be noted that approx. £2.1 million has been spent for the off-site sewer works and these works include improvements to a pumping station which in addition to catering for the Croes Atti development will also generally improve drainage in the area.

7.11 Highways

The proposed development will have its principal access point into the previously permitted “spine” 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.

7.12 Over the course of the overall development, the access component of the Croes Atti development has been the subject of extensive negotiations with the applicant. Due to highway concerns raised as part of the public consultation process in a previous reserved matters application, the applicant was requested to submit an updated Transport Assessment’s modelling analysis which identified that the proposed A548 Chester Road Roundabout has adequate capacity to accommodate the expected traffic flows from the 683 dwellings. Traffic flows on the existing routes (A548, Prince of Wales Avenue, Albert Avenue and Coed Onn Road) were considered to be within theoretical capacities. Public transport links will be extended into the proposed development, subject to reaching agreement with local bus companies.

7.13 Concern has been raised regarding the level of future vehicular traffic generated by the proposed development and its detrimental impact on the A548 which objectors insist is already overloaded and where there is a history of fatalities locally. The objectors’ points are noted, however, this part of the site already benefits from planning approvals for the number of dwellings which are the subject of this application. The relatively recently updated TA and appeal decision have reinforced the use of the proposed accesses for the overall site whether that be via the A548, Prince of Wales Avenue or Coed Onn Road. As part of the consultation process for this application the Council’s Head of Assets and Transportation raised no objections to the proposed development.

8.00 CONCLUSION

8.01 The proposed development in broad terms would allow for the replacement of existing permitted dwellings with amended house styles and is therefore acceptable in principle and design.

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.

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