

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **24<sup>TH</sup> JULY 2013**

**REPORT BY:** **HEAD OF PLANNING**

**SUBJECT:** **FULL APPLICATION – RESIDENTIAL DEVELOPMENT CONSISTING OF THE ERECTION OF 11 NO. DWELLINGS AT BRYN GWALIA BOWLING CLUB, CLAYTON ROAD, MOLD**

**APPLICATION NUMBER:** **050662**

**APPLICANT:** **PARRY GRIFFITHS HOMES LIMITED**

**SITE:** **BRYN GWALIA BOWLING CLUB, CLAYTON ROAD, MOLD**

**APPLICATION VALID DATE:** **15/04/13**

**LOCAL MEMBERS:** **COUNCILLOR R GUEST**

**TOWN/COMMUNITY COUNCIL:** **MOLD**

**REASON FOR COMMITTEE:** **S106 AGREEMENT FOR EDUCATION AND RECREATION CONTRIBUTION**

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

**1.00 SUMMARY**

1.01 This is a full planning application for the erection of eleven dwellings and associated access and parking at Bryn Gwalia Bowling Green, Clayton Road, Mold. The main issues to consider are the loss of the bowling green, development in a flood risk area, impact on the surrounding area and residential amenity and impacts on ecology.

The proposal meets Policy SR4 of the Unitary Development Plan in relation to development which would result in the loss of recreational open space. The issues of flood risk have been dealt with in the Flood Consequences Assessment and the layout meets with the Council's Local Planning Guidance Note 2: Space Around Dwellings

Guidance.

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

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking to provide;

- a commuted sum of £1,100 per unit to enhance recreation provision in the area in lieu of on site open space provision.
- a payment of £24,514 education contribution towards Ysgol Bryn Gwalia

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.

The proposal is recommended for approval subject to the following Conditions.

1. Time limit
2. In accordance with plans
3. No buildings on the application site shall be brought into beneficial use earlier than 31<sup>st</sup> March 2015 unless the upgrading of the public sewerage system into which the development shall drain has been completed.
4. Land Drainage
5. Surface water drainage system
6. Foul and surface water discharges
7. The finished floor level of the dwellings shall be set at a minimum level of 112.20m AOD unless the Flood Alleviation Scheme has been implemented prior to the commencement of this development.
8. No buildings on the application site shall be brought into beneficial use earlier than 31<sup>st</sup> March 2015 unless the upgrading of the public sewerage system into which the development shall drain has been completed.
9. Landscaping including boundary treatment
10. Code for Sustainable Homes Level 3 compliant
11. Materials
12. Tarmac footpath and self closing metal gate at the site boundary with Maes Bodlonfa playing fields.

**3.00 CONSULTATIONS**

3.01 Local Member  
No response received.

Mold Town Council

No response received.

Head of Assets and Transportation

No objection in principle subject to conditions to follow.

Head of Public Protection

No adverse comments to make.

Welsh Water/Dwr Cymru

The proposed development would overload the existing public sewerage system however improvements are planned for completion by 31<sup>st</sup> March 2015. A condition should be imposed on the development to ensure that no buildings on the application site shall be brought into beneficial use earlier than 31<sup>st</sup> March 2015 unless the upgrading of the public sewerage system into which the development shall drain has been completed. Other standard drainage conditions should also be imposed.

Natural Resources Wales

The site has suffered from flooding previously from overloading of a culvert and/or a blockage on the culvert. We are aware that the local authority is promoting a Flood Alleviation Scheme for the watercourse and draft outputs from this informed the FCA.

Natural Resources Wales note that the topographic survey has a road level of 112.20m AOD and 112.03m AOD on Clayton Road adjacent to the proposed development. The FCA recommends that having FFL's 300mm above the highest part of the current site level gives a FFL of 112.05mAOD. As draft outputs were used, it is felt that the freeboard should be raised to 450mm which would give a FFL of 112.20m AOD unless clarification can be sought on the final outputs from the Council's modelling work. This would mean that the houses would be no lower than the adjacent carriageway.

Head of Public Open Spaces

In lieu of on site open space provision a payment of £1,100 per dwelling shall be paid to enhance existing recreation provision in the area. Request a tarmac footpath and self closing metal gate at the site boundary with Maes Bodlonfa playing fields.

Head of Education

The development would create the requirement for an estimated 3 Primary School Places and 2 Secondary School Places. Two of the three Primary age pupils expected from this development will take the surplus places at Ysgol Bryn Gwalia below 5% but would not have a significant effect on Secondary Education provision, namely Alun School, which has a surplus of 7%. Therefore there is a request for a financial contribution of £24,514 for Ysgol Bryn Gwalia.

## **4.00 PUBLICITY**

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

1 letter of objection on the grounds of;

- no footpath link to adjacent play areas
- should be a footpath cycle path link through the site
- inconsistencies in application with reference to hedges and surface water runoff

## **5.00 SITE HISTORY**

5.01 050043 – Outline Residential Development. Withdrawn 30/11/12

## **6.00 PLANNING POLICIES**

### **6.01 Flintshire Unitary Development Plan**

STR1 – New Development

STR4 – Housing

STR8 – Built Environment

GEN1 – General Requirements for Development

GEN2 – Development Inside Settlement Boundaries

HSG3 – Housing on Unallocated Sites Within Settlement Boundaries

D1 – Design Quality, Location and Layout

D2 – Design

D3 – Landscaping

AC13 – Access and Traffic impact

AC18 – Parking Provision and New Development

EWP17 – Flood Risk

SR4 - Protecting Recreational Open Space

The proposal is in accordance with the above development plan policies.

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This is a full planning application for the erection of eleven dwellings and associated access and parking at Bryn Gwalia Bowling Green, Clayton Road, Mold.

#### Site Description

The site is a former bowling green, small storage building and parking areas, situated in a predominately residential area of Mold. The site is bounded to the north by Clayton Road, to the west is Ysgol Bryn Gwalia, to the south is public open space and to the east is a sheltered housing scheme with further residential properties beyond. Opposite the site are a mix of residential properties. The site is bounded by a thick leylandii hedge along its boundary with Clayton Road and its western boundary with the school. The southern

boundary has a mixed species hedge with a close boarded timber fence on the eastern boundary. The site was previously accessed via a private drive to the east which now serves Y Coetir. The bowling club is no longer in use.

### Proposal

It is proposed to erect eleven 2/3 bedroom houses with associated parking provision. There are a total of 4 house types with 8 semi-detached properties and 4 detached properties. The houses would be built to Code Level 3 for Sustainable Homes. The proposed dwellings would be brick and render with tiled roofs. The development would be accessed from a new access point off Clayton Road. A pedestrian access to the adjacent public open space is to be created on the southern boundary. A Flood Consequences Assessment has been submitted with the application undertaken by Betts Associates.

### Issues

The main issues to consider are the loss of the bowling green, development in a flood risk area, impact on the surrounding area and residential amenity and impacts on ecology.

### Loss of bowling green

Policy SR4 of the Unitary Development Plan only permits development which would result in the loss of recreational open space where;

- a) there is adequate recreational open space in the surrounding area; and
- b) the Council is satisfied that the land will not be required in the longer term for school or community use; and
- c) the site has no visual or amenity value worthy of retention.

In terms of criteria a) the site is adjacent to an existing area of open space namely the Maes Bodlonfa Recreation Ground, which will be made more accessible to people in the local area by the provision of a footpath link through the site to link with the existing recreation area. This path will be paved and gated in accordance with the Council's standards.

With regard to criteria b) the bowling club ceased to operate from the site in 2009 and there is an existing bowling club at Maes Bodlonfa. It is therefore not considered to be required for use by the local community.

The site is currently well screened from Clayton Road visually by a substantial leylandii hedge and there are limited views of the site from Clayton Road through the fenced eastern boundary. It is not considered that the site has a visual or amenity value worthy of retention.

### Flood Risk

The site is within zone C2 as defined by the Development Advice Maps which accompany Technical Advice Note 15: Development and Flood Risk (TAN 15). Zone C2 is defined by areas of the floodplain without significant flood defence infrastructure.

New development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Section 6.2 of TAN15 states that development will only be justified if it can be demonstrated that;

- i. its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or
- ii. its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and,
- iii. it concurs with the aims of Planning Policy Wales (PPW) and meets the definition of previously developed land (PPW fig 4.3);and
- iv. the potential consequence of a flooding event for the particular type of development have been considered and in terms of the criteria contained in sections 5 (vulnerability of development) and 7 and Appendix 1 (Assessing the consequences of flooding) of the TAN are found to be acceptable.

In terms of justifying the development, the site is located within the settlement boundary of Mold in the Flintshire Unitary Development Plan. Mold is a category A settlement which is a main settlement within the Flintshire Unitary Development Plan. It is therefore considered this development would assist in sustaining the existing settlement in accordance with criteria (i) above.

In terms of meeting with the aims of PPW, the site is within an existing settlement on the edge of the town centre which is accessible to a wide range of employment opportunities and services. It is considered that the site does not fall within the definition of previously developed land, due to its previous recreational uses. This therefore partially meets with criteria (iii).

A Flood Consequences Assessment (FCA) has been submitted with the application in accordance with criteria (iv) undertaken by Betts Associates in April 2013. This has been assessed by Natural Resources Wales.

The area has been subject to flooding events due to a blocked outfall 100 metres west of the site, which serves a land drain to the northwest.

In terms of fluvial flooding, the site is located within Flood Zone 3 of the Cae Bradcty system. Modelling exercises have been undertaken

by the Council to inform the Mold Flood Alleviation Scheme. This shows a greatly reduced flood risk and depth of flood water for the various storm events modelled to the information provided by Natural Resources Wales Development Advice Maps. It is considered that the development would remain flood free during the extreme storm event.

In terms of tidal flooding, due to the distance from the coast and estuarine waterways of the proposed development site, the risk of flooding from tidal sources is considered low. It is also considered that the risks from pluvial flood risk and groundwater flood risk are low and there has been no reports of flooding from the sewers.

However the FCA states that in consultation with NRW it was still considered prudent to provide a freeboard and raise finished floor levels by 300mm minimum to minimise the potential flood risk to the development. The FCA proposes that the finished floor level (FFL) of the proposed dwellings is 112.050m Above Ordnance Datum (AOD). This provides a freeboard of 300mm above the current site levels. This finished floor level minimises the impact should any local flooding occur due to blocked drainage systems or other minor flooding from other sources.

Natural Resources Wales note that the topographic survey has a road level of 112.20m AOD and 112.03m AOD on Clayton Road adjacent to the proposed development. The FCA recommends that having FFL's 300mm above the highest part of the current site level gives a FFL of 112.05m AOD. As such it is felt that the freeboard should be raised to 450mm which would give a FFL of 112.20m AOD. This would mean that the houses would be no lower than the adjacent carriageway.

The 'Mold Flood Alleviation Scheme' is due to be undertaken by the Council prior to 2015. Following discussions with the Council's drainage section it is understood that once this is completed there would be no issue in relation to flood risk and therefore the requirement for NRW's finished floor levels would not be required. Due to the minor differences in levels it is therefore considered that a condition be imposed stating that the FFL's should be 112.20m AOD as advised by NRW unless the Flood Alleviation Scheme has been implemented.

It is therefore considered that the potential consequence of a flooding event for the particular type of development have been considered and in terms of the criteria contained in TAN 15 sections 5 (vulnerability of development) and 7 and Appendix 1 (Assessing the consequences of flooding) the development is acceptable.

#### Capacity of sewage system

Welsh Water has stated that there are capacity issues in the network

in the vicinity of the site and these works are scheduled to be resolved by 2015. No connection to the public sewer would be permitted before this time. A Grampian style condition is therefore requested to be imposed to ensure that the properties are not occupied prior to that time.

In terms of surface water, a separate scheme for surface water flows would need to be submitted. This would be dealt with by condition.

### Ecology

The key ecological interest on the site is the native mixed hedgerow on the southern boundary which includes hawthorn, blackthorn, hazel, holly, willow and a mature ash with abundant ivy. It is recommended that this hedge is retained and this is dealt with by condition. A surfaced path through the hedge will however need to be created to create the link to the adjacent public open space.

### Site design and layout

The layout of the houses creates street frontage development of 4 dwellings with a further 5 dwellings served off a cul-de-sac. The houses are all 2 bedroom properties with a third small room upstairs for use as a study. The layout of the houses has been designed to minimise overlooking to the adjacent Y Coetir. Plot numbers 9 and 10 therefore have an alternative house type which has no habitable rooms at first floor overlooking Y Coetir. The bedroom windows at first floor level are therefore on the respective side elevations. It is therefore considered that the layout provides sufficient separation distances and private garden areas in accordance with the Council's Local Planning Guidance Note 2: Space Around Dwellings Guidance.

## **8.00 CONCLUSION**

- 8.01 The proposal meets Policy SR4 of the Unitary Development Plan in relation to development which would result in the loss of recreational open space. The issues of flood risk have been dealt with in the Flood Consequences Assessment and the layout meets with the Council's Local Planning Guidance Note 2: Space Around Dwellings. A condition can be imposed in relation to the capacity of the sewage network to satisfy Welsh Water.

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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