

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **11<sup>TH</sup> DECEMBER 2013**

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

**SUBJECT:** **RESERVED MATTERS – DETAILS OF APPEARANCE, LAYOUT, SCALE, LANDSCAPING AND ACCESS IN ACCORDANCE WITH CONDITION 1 ATTACHED TO OUTLINE PLANNING PERMISSION REF: 041456 ON LAND OFF RHEWL FAWR ROAD, PENYFFORDD, HOLYWELL, FLINTSHIRE.**

**APPLICATION NUMBER:** **051212**

**APPLICANT:** **CYMDEITHAS TAI CLWYD**

**SITE:** **LAND OFF RHEWL FAWR ROAD, PENYFFORDD, HOLYWELL, FLINTSHIRE**

**APPLICATION VALID DATE:** **12<sup>TH</sup> SEPTEMBER 2013**

**LOCAL MEMBERS:** **COUNCILLOR G. BANKS**

**TOWN/COMMUNITY COUNCIL:** **LLANASA COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **SCALE OF PROPOSALS EXCEEDS THAT FOR WHICH DELEGATED POWER TO DETERMINE EXISTS.**

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

**1.00 SUMMARY**

- 1.01 This application seeks approval of the matters reserved for further consideration at the time of the grant of outline planning permission under ref: 048489. This application provides details of layout, scale, landscaping, access and the appearance of the proposed development of the site to provide 11 no. dwellings.
- 1.02 As the applicant is a Housing Association, all of the proposed dwellings are to be for affordable provision.

**2.00 RECOMMENDATION: TO GRANT RESERVED MATTERS APPROVAL , SUBJECT TO THE FOLLOWING:-**

2.01 That conditional Reserved Matters approval be granted, subject to the applicant entering either into a S.106 agreement, providing a unilateral undertaking or the making of an advance payment which provides for the following;

- a) Ensure payment of a commuted sum payment in lieu of on site public open space provision of £8063, such sum to be used to upgrade existing open public open spaces within the locality. This sum shall be paid upon the occupation of the 5<sup>th</sup> apartment.

Conditions

1. Time limit.
2. In accordance with plans.
3. No development within 3 metres of centre of public sewer across the site.
4. No development before a comprehensive site drainage scheme is submitted and agreed. Implemented before occupation of dwellings.
5. No land drainage water to public system.
6. No surface water to public system without prior agreement.
7. Foul and surface waters to drain separately.
8. Access siting, layout and design details to be submitted be submitted before development commences. No forming and construction of access before details are agreed.
9. Provision of parking and turning facilities in accordance with details to be submitted and agreed.
10. Access gradient for 10m into site 1 in 24 and maximum 1 in 15 thereafter.
11. Scheme for prevention of surface water run off onto the highway.
12. Landscaping scheme including boundary treatments and finished levels to be submitted and agreed.
13. Implementation of landscaping scheme.
14. Materials to be submitted and agreed.
15. Removal of Permitted Development rights.
16. Hedgerow protection scheme to be submitted and agreed.
17. Construction Traffic Management plan to be submitted and agreed.
18. Finished floor and site levels to be submitted and agreed prior to the commencement of development.

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor G. Banks  
No response at time of writing.

Llanasa Community Council  
No objections.

Head of Assets and Transportation  
No objection. Requests the imposition of conditions and notes.

Head of Public Protection  
No adverse comments.

Public Open Spaces Manager  
Requests a commuted sum equivalent to £733 per dwelling in lieu of on-site play and recreation facilities is sought.

Head of Lifelong Learning  
Advises that the local schools, Ysgol Bryn Garth and Holywell High School both have in excess of 25% spaces and therefore an education contribution is not sought.

Dwr Cymru/Welsh Water  
No objections. Requests the imposition of conditions.

#### **4.00 PUBLICITY**

4.01 The application has been publicised by way of a press notice, site notice and neighbour notification letters. At the time of writing, 3No. responses, including one bearing 29 signatures, have been received. These raise objection to the proposal upon the following material grounds;

- a) Inadequate width of access road particularly for emergency vehicles,
- b) Increased disturbance as a consequence of increased traffic,
- c) Adverse impacts upon existing highway and pedestrian safety,
- d) Insufficient affordable housing, and
- e) Opposed to intended use of the development.

#### **5.00 SITE HISTORY**

5.01 **1022/88**  
O/L Residential development - Refused 13.1.1989

**040205**  
O/L Residential development - Withdrawn 10.4.2006

**041456**  
O/L Residential development - Approved 30.10.2006

**046888**  
Renewal of 41456 - Approved 11.2.2010

**048489**

Variation of condition to allow  
further time to submit Reserved  
Matters

- Approved 15.6.2011

**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 HSG1 - New Housing Development Proposals

Policy HSG8 - Density of Development

Policy HSG9 - Housing Type and Mix

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 EPW2 - Energy Efficiency in New Development

Policy HSG10 - Affordable Housing within Settlement Boundaries

The application site is located within the settlement boundary of Pen-y-Ffordd as defined within the FUDP. The proposals would comply with the requirements of the above policies.

**7.00 PLANNING APPRAISAL**

7.01 Site Description

The site is a 0.59ha of land, roughly rectangular in shape. The site slopes gently downhill in a north easterly direction. The site is vacant, rough pasture land with access derived via a short length of unadopted road from the main Rhewl Fawr Road. The site is surrounded on 3 sides by existing residential development in linear form which follows the roads which run along the boundaries of the site. Beyond the boundary to the north west is another area of pasture land. The character of built form in the area comprises mainly detached and semi detached 2 storey and single storey dwellings.

7.02 The Proposal

This application seeks Reserved Matters approval for the development of the site to provide 11No. dwellings. 7No. of the dwellings are proposed to be 2 storey in height and the remaining dwellings are bungalows. The proposed accommodation comprises 4No. 2 bedroom dwellings arranged in 2No. semi-detached blocks. A 3 unit terrace and a further block of semi-detached units provide 5No.

3 bed dwellings. 2 detached 4 bed room bungalows are proposed to provide accommodation to meet the needs of persons with disabilities. These units provide for accommodation for a carer within the units themselves.

7.03 Plots 1 – 9 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. Plots 10 and 11 will also be to the same standards but, being serviced disability accommodation, will be constructed to BREEAM Very Good standards.

7.04 Principle of Development

Members will recall that this site benefits from outline planning permission, granted under reference 041456, 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 this earlier grant of permission.

7.05 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. As set out in Section 6 above, the proposals accord with the applicable policies.

7.06 Main Planning Issues

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

- a) Highway Issues
- b) Design and impacts upon existing residential amenity.
- c) Recreation contributions
- d) Affordable Housing

7.07 Highways

Vehicular access to the site is proposed to be derived via a new access of the existing short length of un-adopted road off Rhewl Fawr Road.

7.08 Representations have been made that the proposals will give rise to an increase in traffic which in turn will result in an adverse impact upon highway safety and pedestrian safety. Particular concern was raised in relation to the width of the existing access road. The Head of Assets and Transportation has considered the proposals and has no objections subject to the conditions set out above and in addition to those which were imposed at outline permission stage. It is

considered that the details of the proposed access and road can be adequately assessed under the terms of those conditions to ensure that there is no detriment to highway safety.

7.09 I am mindful that there is a need for construction traffic to utilise the existing point of access to the site. I am satisfied that the site can be developed without adverse impacts upon highway safety but, in the interests of safeguarding residential amenity, I will impose a condition requiring the submission and agreement of a Construction Traffic Management Plan, prior to the commencement of development.

7.10 Design and Layout

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 identified mix of accommodation types.

7.11 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 for measures to be secured via condition for the retention of those existing natural features upon the site boundaries which will add to the measures employed in safeguarding amenity.

7.12 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.

7.13 Recreation Contributions

The previous grant of outline planning permission did not provide any indication as to the level of development intended for this site. Accordingly, it was not possible at that time secure contributions towards play and recreation. I am advised by the Public Open Spaces manager that on site provision of play and recreation facilities is not required and a sum in lieu of the same is sought. The sum sought equates to £733 per dwelling, which reflects that the scheme is proposed to provide 100% affordable dwellings and not market housing.

7.14 I can therefore advise Members that the sum to be paid in lieu of on site play facilities and to be used in upgrading existing facilities within the village is £8063.

7.15 Affordable Housing

As the scheme is proposed to be 100% affordable as the developer is Cymdeithas Tai Clwyd Housing Association, there is no requirement for S.106 provisions or conditions to this effect. The properties are proposed to be available via a rental tenure and as such, would be compliant with the provisions of UDP policies in relation to the provision of affordable housing within settlement boundaries.

**8.00 CONCLUSION**

8.01 I am satisfied that, having had regard to the provisions of the applicable policies and all other material considerations, this proposal would accord with the provisions of the same and would, through the suggested conditions and Planning Obligation under Section 106, represent an appropriate and acceptable form of development in this location.

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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