

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 5.7

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**
DATE : **02 NOVEMBER 2011**
REPORT BY: **HEAD OF PLANNING**
SUBJECT : **RESERVED MATTERS APPLICATION - DEMOLITION OF EXISTING VACANT PROPERTIES AND REDEVELOPMENT OF SITE FOR AFFORDABLE HOUSING (OUTLINE PLANNING PERMISSION REF: 046185) AT ASTON MEAD ESTATE, HAWARDEN, DEESIDE.**

APPLICATION NO: **047780**
APPLICANT: **PENNAF HOUSING GROUP**
SITE: **LAND AT ASTON MEAD ESTATE, HAWARDEN, DEESIDE**
APPLICATION VALID DATE: **16/08/2010**
LOCAL MEMBERS: **COUNCILLOR H. BROWN AND COUNCILLOR G. HARDCASTLE**
TOWN/COMMUNITY COUNCIL: **HAWARDEN COMMUNITY COUNCIL**
REASON FOR COMMITTEE: **THE NUMBER OF DWELLINGS PROPOSED EXCEED THAT FOR WHICH POWERS AUTHORISING A DELEGATED DETERMINATION EXIST.**
SITE VISIT: **NOT REQUESTED.**

1.00 SUMMARY

1.01 This application seeks approval of all matters originally reserved under the outline planning permission granted upon this site. The matters of detail provide for the redevelopment of the site for 21 No. affordable dwellings.

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 ensure the payment of a commuted sum of £15,393 in lieu of on site play space provision.

2.02 Conditions

1. Time Limit
2. In accordance with details
3. Scheme for provision of affordable housing.
4. Submission, agreement and implementation of a Construction Method Statement for the control of dust, mud and noise.
5. Implementation of scheme for protection of existing hedgerows and trees during construction.
6. Submission, agreement and implementation of scheme of details for 'no dig' construction in areas around protected trees.
7. Scheme for incorporation of renewable technologies to secure reduction by 10% of projected carbon output.
8. Submission of Code for Sustainable Homes Design Stage Level 4 Conformity Certificate.
9. Submission of Code for Sustainable Homes Level 4 Conformity Completion Certificate.
10. Submission, agreement and implementation of scheme for foul, surface and land water drainage.
11. Submission, agreement and implementation of scheme of boundary treatments.
12. Removal of Permitted Development Rights.
13. Scheme for the provision of a 1.8 metre footway across site frontage and traffic calming/signage to be agreed prior to commencement.
14. Site access to have visibility splays of 2.4m by 35m. Internal private drives to have visibility of 2.4m x 3.3m. Splays to be kept free from obstruction during construction and thereafter.
15. Notwithstanding submitted details, any garage shall be set back a minimum of 5.5 metres behind the back of footway or 7.3 metres from edge of carriageway.
16. Provision of facilities for the parking/turning/loading/unloading of vehicles associated with proposal including bin storage/collection.
17. Scheme for prevention of surface water run off onto highway to be submitted and approved prior to commencement.
18. Scheme for hours of working to be agreed.
19. Construction traffic management scheme to be agreed. To include facility for wheel wash and measures to keep road free from mud arising from development site.

3.00 CONSULTATIONS

3.01 Local Member Councillor H. Yale

No objection to a delegated determination of the proposal provided that the requisite consultation exercise with neighbouring properties has been undertaken and a site notice displayed. Welcomes proposals for the homes to be affordable. Notes that the proposed access is not what would ideally be welcomed by residents but accepts it is the only practical solution.

Councillor G. Hardcastle

No objection to a delegated determination of the proposal. Welcomes proposals for the homes to be affordable. Notes that the proposed access is not what would ideally be welcomed by residents but accepts it is the only practical solution.

Hawarden Community Council

No objection to the proposals.

Head of Assets and Transportation

Advises that whilst details have been submitted, further information in respect of the formation of the access and the estate road is required. However, advises that this can be addressed via conditions and notes to the applicant.

Head of Public Protection

Has examined the proposals and the accompanying reports upon the issues of Air Quality and Noise and advises that the recommendations outlined in the reports should be conditioned to be implemented prior to the first occupation of the proposed dwellings. Also requests that a condition be imposed requesting the submission and agreement of a Construction Method Statement for the control of dust, mud and noise arising from construction works.

Leisure Services Manager

Recommends the payment of a commuted sum in lieu of on site play provision. Sum equivalent to £733 per dwelling to be used towards the upgrade of existing facilities in the localities.

Welsh Assembly Government - Transport Division

Advises that adequate noise mitigation should be incorporated into design due to proximity of site to A494(T). Also advises that site drainage shall not be permitted to connect into the trunk road drainage system.

Dwr Cymru/Welsh Water

No objection to the proposal. Requests the imposition of conditions relating to the proposed means and methods of foul, surface and land water drainage being submitted, agreed and implemented. Also requests that a variety of advisory notes are added to any subsequently granted permission for the information of the applicant.

The Coal Authority

No adverse comments. Standing advice applies.

4.00 PUBLICITY

- 4.01 The application has been publicised, on 2 occasions in view of an amendment to the proposals being subsequently submitted, by way of a press notice, site notice and neighbour notification letters.

- 7.02 Notification letters were initially sent out on the 19th August 2010 and more recently on the 24th February 2011. Press and site notices were posted to coincide with these.
- 7.03 At the time of writing this report, 9 No. letters of objection have been received from third parties in response to both consultation exercises in respect of the proposals. These responses raise objection upon the following grounds;
1. Overlooking and impacts upon residential amenity,
 2. Pollution and noise,
 3. Security concerns,
 4. Inadequate landscaping,
 5. Design and finishes out of character with area,
 6. Massing of scheme will visually detract from area, and
 7. Increased traffic will affect highway safety.
- 7.04 1 No. letter of support has been received at time of writing.

5.00 SITE HISTORY

- 5.01 **046185**
Outline - residential development
Permitted 23/12/2009.

6.00 PLANNING POLICIES

- 6.01 Clwyd Structure Plan First Alteration
Policy B5 - Allocation of land for housing development.
Policy B16 - Affordable housing.
Policy H7 - Trees and Woodlands.

Structure Plan Second Alteration: Flintshire Edition

- Policy GEN2 - General Development Policy
Policy HSG5 - Allocation of land for housing development.
Policy HSG13 - Affordable housing.
Policy CONS11 - Trees & woodlands.

Alyn and Deeside Local Plan

- Policy G1 - General requirements for development.
Policy H1 - Housing in category 'A' settlements.
Policy H14 - Affordable housing within settlement boundaries.

Emerging Flintshire Unitary Development Plan

- Policy GEN1 - General requirements for development.
Policy HSG3 - Housing on unallocated sites within settlement boundaries.
Policy HSG10 - Affordable housing within settlement boundaries.
Policy SR5 - Play areas & new housing development.
Policy D1 - Design Quality, Location & Layout.
Policy D2 - Design

Policy TWH1 - Development affecting trees & woodlands.

Policy AC13 - Access and traffic impact.

Policy SR5 - Outdoor Playing Space & New Residential Development.

Policy EWP2 - Energy efficiency in new development.

Policy EWP3 - Renewable energy in new development.

- 6.02 The site is located within the settlement of Shotton & Aston as defined in both the adopted Development Plan and the emerging Unitary Development Plan. Therefore the principal of residential development is acceptable subject to the detailed consideration of the proposal against the site specific constraints and indeed, is established by the previous grant of outline planning permission.
- 6.03 The above policies offer a general presumption in support of development proposals of this type within settlement boundaries. The site is not specifically allocated for residential development within any of the above stated plans but would amount to the redevelopment of a brownfield site which is supported by both local and national planning policy. The above policies broadly identify the criteria against which development proposals of this type will be assessed having regard to issues of tree protection and the broader design and development criteria against which all development proposals are assessed.
- 6.04 Both the housing policies in the Alyn and Deeside Local Plan and the UDP provide a context for the development of unallocated sites within settlement boundaries for residential development. It should be noted that whilst not allocated or comprising a small group of dwellings, as stipulated in the ADLP, the site would not, in relation to the requirements of the UDP, result in development which would be in conflict with the UDP projected housing figure.
- 6.05 Accordingly, I consider that the proposals would comply with the above identified policy context.

7.00 PLANNING APPRAISAL

7.01 Site and surroundings

- 10.01 The site comprises a vacant parcel of previously developed land located within the settlement boundary of Shotton and Aston as defined in both the adopted Alyn and Deeside Local Plan and the emerging Unitary Development Plan.
- 10.02 The site is located between Lower Aston Hall Lane and Mountfield Road, from which vehicular access is presently derived. This area had previously contained 39 No. one and 2 bedroomed semi detached or terraced dwellings, but these dwellings were demolished prior to the granting of outline planning permission. The site is relatively flat across each axis. The existing A494 trunk road bounds the site along its north western boundary at an elevated level. The southern and south eastern boundary are marked by a number of bushes and trees. There is no formal demarcation of the north eastern and south western boundaries of the site.

The proposed development

- 10.03 The proposal seeks to obtain approval of a development scheme to provide 21 No. dwellings at the above site, comprising 4 No. different house types. It is proposed that the dwellings are constructed to be compliant with the requirements of Level 4 of the Code for Sustainable Homes (CSH). The site is proposed to be accessed via a single point of vehicular access within the north eastern boundary with an estate road provided to adoptable standards.

The principle of development

- 10.05 As the site is located within the settlement boundary of Shotton and Aston, the principle of residential development is generally accepted. This is a Category 'A' settlement as defined in the emerging Flintshire Unitary Development Plan, where it states that working densities for the development of unallocated sites within category A settlements should be 30 dwellings per hectare. The site amounts to 0.7 hectares in area and therefore, having regard to the requirements for developments of sites such as this at an appropriate density, the proposals would be compliant with the policy.

Main Planning Issues

- 10.06 In addition to the policy considerations (already discussed in Section 6 of this report) I consider the main planning issues to be as summarised below:-

- proposed scale and design of development/house types/site layout.
- adequacy of existing highways and arrangement to serve the proposed scale of development.
- provision of affordable housing,
- impact upon trees protected by Tree Preservation Order, and
- impacts upon existing and proposed residential amenity.

Scale & Design/House Types/Site Layout

- 10.07 The plans submitted propose the erection of 21 No dwellings which comprise 20 No. two storey dwellings and a single bungalow. The proposals provide for a mix of 2, 3 and 4 bed dwellings having rear curtilage areas which range from approximately 70m² to 120m² in area. The proposals are compliant with the Councils space around dwellings standards and provide adequate separation distances both within the proposed development and in relation to adjacent existing developments.
- 10.08 The character of existing development in proximity to the site is defined by a mix of bungalows/single storey complex and two storey dwellings. It is considered that the house types proposed would be reflective of the existing character of development at this location and, notwithstanding representations to the contrary, I consider that the amenity of occupiers of existing and proposed dwellings would be safeguarded given the orientation and distances between the dwellings.
- 10.09 The proposed house types are designed to be Level 4 (CSH) compliant. Level 4 compliance is required in this instance as the properties are all proposed to be affordable and administered by a Registered Social Landlord (RSL). As such

schemes seek to utilise public funding provided by the Welsh Government, Code 4 is the required standard for such schemes.

- 10.10 The site layout has been arranged enable the proposed dwellings to, for the most part, orientate principal living areas in a south facing direction. This maximises the opportunities for passive solar gain as a means of heating of the dwellings and maximises the ability of the properties and private amenity areas to benefit from daylight. The dwellings themselves are designed to minimise energy use and reduce anticipated CO2 emissions. this is achieved primarily by maximising thermal performance via the construction of the dwellings to achieve low U-values (in conjunction with harnessing the benefits of passive solar gain) and the incorporation of energy efficient fixtures and fittings. The design of the dwellings enables the use of Low or Zero Carbon Technologies. Such technologies will be required, not only to achieve Code Level 4 but also to comply with the requirements of policy EWP3. At this stage, the options identified include Solar hot roof, Photovoltaic, recycled rainwater or Mechanical Ventilation with Heat Recovery (incorporating an integral heat exchanger with under floor heating). I propose to secure the incorporation of one or a range of these options by condition.
- 10.11 In recognising the need for such dwellings to reflect the sustainable living principles embodied within the CSH, the designs provide for the dwellings to be Lifetime Homes compliant, built to Welsh Development Quality Requirements and incorporate the principles advocated within Secure By Design.
- 10.12 The dwellings are a contemporary interpretation upon traditional 2 storey dwellings which comprise the bulk of the local vernacular. In terms of their mass, elevation width and depth of the dwellings, they relate well to the surroundings and would not appear incongruous by virtue of massing. The dwellings seek to utilise a 'chimney' feature to serve not as a chimney in the traditional sense but to act as a form of 'sun pipe' to channel sunlight into the deeper parts of the interior of the dwellings. The palette of finishes for the site consist of a thru-colour render, artificial slate, cedar boarding and a blue/black brick for detailing. I propose to condition the submission and agreement of samples prior to use.

Trees

- 10.13 The site is largely devoid of any significant existing vegetation. However, the boundaries of the site are marked in part by existing trees of some quality. Whilst these trees are located outside of the application site, their crown spread and root systems extend into the application site. The quality of 2 No. Common Ash and 1 No. Horse Chestnut has been recognised by the Council and, in response to representation, have been made the subject of a Tree Preservation Order No. 288 (2010), dated 12th October 2010. The implications of this Order were such that the layout has been amended to remove structures requiring foundations from the protection area of the trees. Whilst the present layout does still provide for areas of hardstanding, I propose to condition that theses areas are provided under a 'no dig' construction scheme to be submitted to and agreed. I shall also condition the provision of protective fencing around these trees to an agreed specification during construction works.

Highways Issues

- 10.14 Both Welsh Government Highways (responsible for adjacent trunk road) and the Local Highway Authority have been consulted upon the proposals and neither raises a principle objection to the proposals.
- 10.15 Welsh Government Highways request that suitable conditions are imposed in respect of the incorporation of noise mitigation into the detail of the proposals. Members may recall that in granting outline planning permission, a condition was imposed requiring the submission and agreement of noise mitigation measures. A report in response to the requirements of that condition was submitted as part of these Reserved Matters and has been considered by the Head of Public Protection who advises that the contents of the report are acceptable under the terms of the condition. Accordingly, in view of the fact that a condition relating to the submission, agreement and subsequent implementation of the approved attenuation measures prior to the occupation of any dwellings, was imposed, I do not consider that duplicating such provision via the imposition of a further condition is necessary.
- 10.16 The Head of Assets and Transportation has advised that whilst the exact final details in respect of the access and proposed estate road have not been agreed, he is happy that the issue can be adequately addressed via the imposition of conditions and notes to the applicant. Where the suggested conditions reflect those imposed upon the grant of outline planning permission, pursuant to which this application for Reserved Matters approval is submitted, I would not therefore propose to replicate those conditions upon any approval which may be given. I shall however condition accordingly in respect of other matters of detail.
- 10.17 Queries have also been raised in relation to the implications of this proposal upon the A494/A550 Drome Corner to Ewloe road improvement scheme. Members will be aware that this scheme remains part of Flintshire County Council road improvement programme, notwithstanding the decision of an Inspector at the Public Inquiry into the required road traffic orders, that these orders should not be made in connection with the then proposed scheme of road widening.
- 10.18 The proposal is consistent with the indications made at outline application stage in that an area of the site abutting the A494, is proposed to be safeguarded for use in connection any subsequent road improvement scheme which may come forward. This area does not form any part of the development footprint upon the site. Consequently no objection is raised in relation to the proposals impacting negatively upon future road improvements in the locality.

Affordable Housing

- 10.19 All of the proposed dwellings are proposed to be affordable via the development and subsequent management of the site by a Registered Social Landlord. The developed units are proposed to be made available via a mix of tenures appropriate to the needs of potential occupants of the units. The importance of delivering affordable housing is widely recognised and the Aston Mead Scheme is intended to partly address the Intermediate Housing need which exists in Flintshire. This scheme will be developed

without Social Housing Grant, however the Welsh Government intends to release the land at no cost and therefore this will act as part subsidy in-lieu of Social Housing Grant.

- 10.20 The dwellings delivered via this scheme will be targeted to the Intermediate housing market and first time buyers. The Intermediate rental solutions are gaining an increasing focus as they provide an appropriate response to the large and growing numbers of people in housing need who are unable to access the private rental market and whose circumstances would not qualify them to be housed in Social Rented Housing.
- 10.21 Members will recall that a condition in respect of the agreement of the affordable provisions was imposed upon the Outline permission. There is no need, given that the intended developer is an RSL, to replicate these provisions in order to secure the affordability of the scheme. However, I am mindful to protect the Council's position in respect of this issue in the event that the site is subsequently disposed of to a developer other than an RSL. Accordingly I shall impose a similarly worded condition to that previously imposed to safeguard affordable provision at this site.

Noise and disturbance implications

- 10.22 Welsh Government Highways have raised the issue of the need to ensure that appropriate noise mitigation to take account of the impacts of the A494 trunk road were incorporated into the detailed design of this scheme. Members will recall that in granting outline permission and at the request of the Head of Public Protection, a condition requiring that a Noise assessment be undertaken and submitted for consideration. As outlined above, this report has been provided and assessed and the recommended mitigation is considered to be acceptable and the implementation of the scheme prior to the occupation of the dwellings will ensure that impacts of noise upon amenity can be adequately addressed.
- 10.23 The Head of Public protection also requests that a condition be imposed requesting the submission and agreement of a Construction Method Statement to ensure the control of dust, mud and noise arising from construction works. In the interests of safeguarding the amenity of existing residents during development works, I propose to condition accordingly.

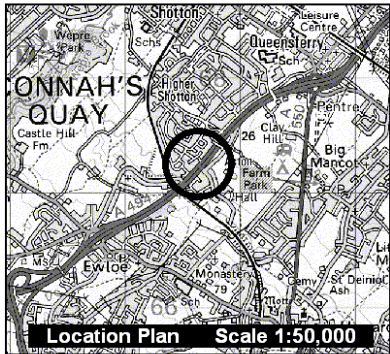
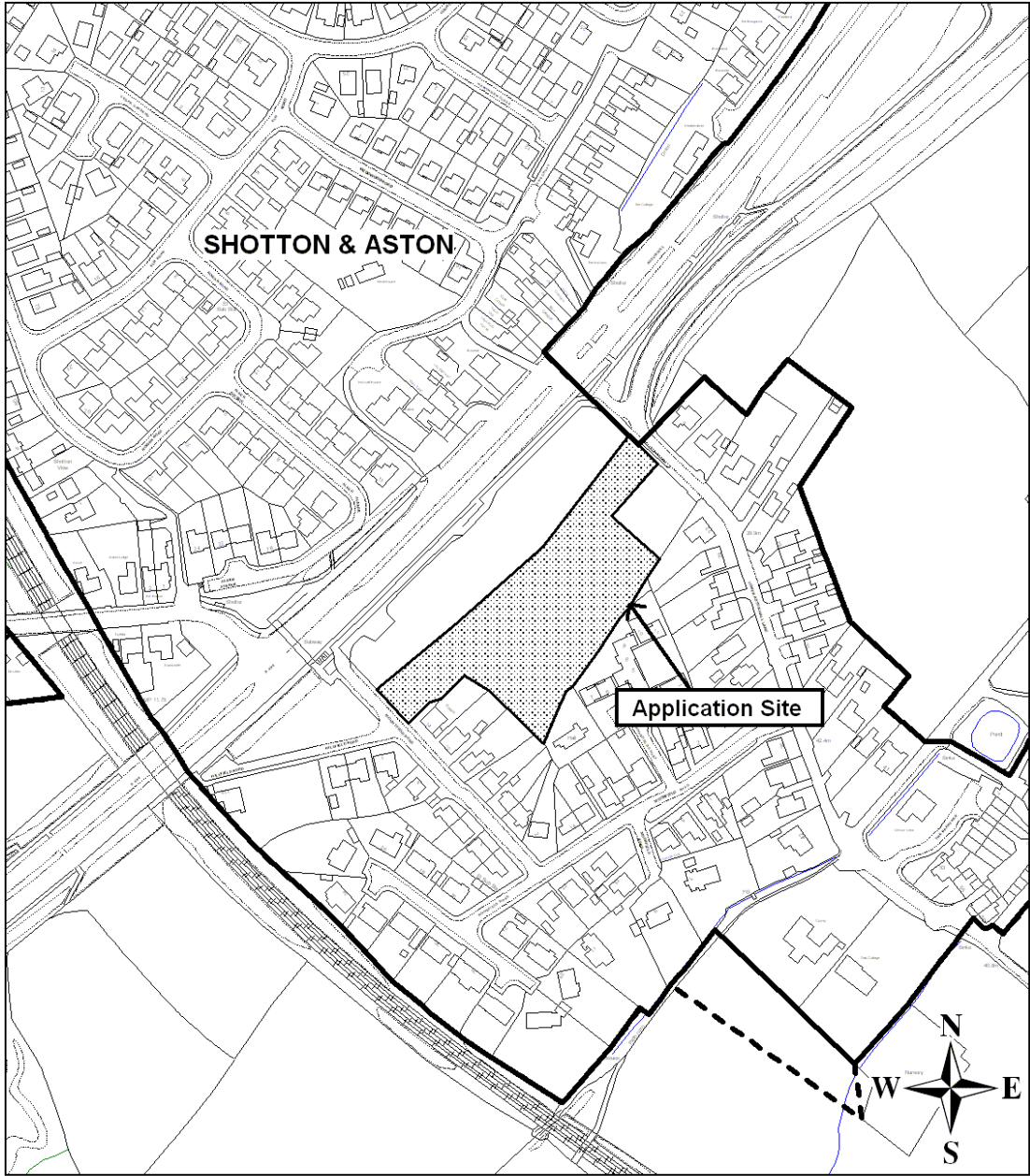
Infrastructure and other matters

- 10.24 Dwr Cymru/Welsh Water have no objection to the proposals and request the imposition of conditions relating to the proposed means and methods of drainage upon the site. I propose to condition accordingly.
- 10.25 I am advised by the Head of Leisure Services that on site provision of recreation and play facilities is not deemed necessary in this instance and that the developer should be required to pay a commuted sum of £733 per dwelling in lieu of on site provision with such sum being utilised to upgrade existing facilities in the community. I propose that this requirement be address via the applicant being required to enter into a Section Agreement to this effect.

8.00 CONCLUSION




- 8.01 The proposed development is considered acceptable having regard to the applicable policies and the terms of the previous grant of outline planning permission, subject to a legal agreement under S.106 and appropriately worded conditions.
- 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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 Flintshire County Council, County Hall,
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 Director: Mr. Carl Longland

Key to Settlement Boundaries

-  Alyn & Deeside Local Plan Settlement Boundary
-  North Flintshire Local Plan Settlement Boundary
-  Emerging Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:2500
Ordnance Survey Sheet	SJ 3067
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