

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **8<sup>TH</sup> OCTOBER 2014**

**REPORT BY:** **CHIEF OFFICER (PLANNING & ENVIRONMENT)**

**SUBJECT:** **OUTLINE APPLICATION – ERECTION OF 5 NO. TWO STOREY DWELLINGHOUSES, FORMATION OF SERVICE ROAD AND ALL OTHER ASSOCIATED WORKS AT TRAM ROAD, BUCKLEY**

**APPLICATION NUMBER:** **051906**

**APPLICANT:** **MS S. BUGUM**

**SITE:** **LAND AT TRAM ROAD, BUCKLEY, FLINTSHIRE**

**APPLICATION VALID DATE:** **20<sup>TH</sup> MARCH 2014**

**LOCAL MEMBERS:** **COUNCILLOR M.J. PEERS**  
**COUNCILLOR D. HUTCHINSON**

**TOWN/COMMUNITY COUNCIL:** **BUCKLEY TOWN COUNCIL**

**REASON FOR COMMITTEE:** **MEMBER REQUEST GIVEN LOCAL PUBLIC INTEREST AND SIGNIFICANT CHANGES PROPOSED SINCE CONSIDERATION OF A PREVIOUS APPLICATION UNDER CODE 050281**

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

**1.00 SUMMARY**

1.01 This outline application proposes the erection of 5 No. two storey dwellings, formation of service road and other associated works on land adjacent to 1 Tram Road, Buckley. All matters including access, layout, scale, appearance and landscaping are reserved for subsequent approval.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,**

## **SUBJECT TO THE FOLLOWING:-**

2.01 That subject to the applicant entering into a Section 106 Obligation, Unilateral Undertaking or advance payment of £1,100 per dwelling in lieu of on site play provision that planning permission be granted subject to the following conditions:-

1. Outline – Reserved Matters.
2. Outline – Time Limit.
3. Materials to be submitted and approved.
4. Landscaping scheme to be submitted and approved.
5. Timescale for implementation of proposed landscaping.
6. No development to commence until a scheme for the provision of a footway from the site along Tram Road to Liverpool Road has been submitted and approved.
7. No dwellings to be occupied until the works required in connection with Condition 6 have been completed.
8. Siting, layout and design of means of site access to be in accordance with details to be submitted and approved prior to the commencement of any site work.
9. Forming and construction of means of site access not to commence until detailed design has been submitted and approved.
10. Access to have a visibility splay of 2.4 m x 43 m in both directions.
11. Stated visibility splays to be kept free from obstruction during construction.
12. Facilities to be retained within the site for parking and turning of vehicles.
13. Garages to be set back 5.5 m behind back of footway.
14. Layout, design, traffic calming to be submitted for approval.
15. Gradient from edge of carriageway to be 1:24 for a distance of 10 m and a maximum of 1:15 thereafter.
16. Positive means to prevent run-off of surface water onto highway to be submitted and approved.
17. No development to take place until a Construction Traffic Management Plan has been approved.
18. No land drainage run-off to discharge into public sewerage system.
19. Surface water to connect into which drains into combined sewer unless otherwise approved.
20. Foul/surface water discharges to be drained separately.
21. Scheme for comprehensive drainage of site to be submitted and approved.
22. Scheme for installation of enhanced double glazing within dwellings and acoustic barrier along site boundary with existing garage to be submitted and approved.
23. Site and finished floor levels of building to be submitted and approved.

### **3.00 CONSULTATIONS**

#### **3.01 Local Member**

##### **Councillor D. Hutchinson**

Request planning committee determination given local public interest and significant changes proposed since consideration of a previous application submitted under Code No. 050281. Preliminary views are that plot 1 would impact on the occupiers of 1 Tram Road causing significant overlooking and that the site layout in respect of Plots 3 and 4 should be repositioned.

##### **Councillor M.J. Peers**

Request planning committee determination given local public interest and significant changes proposed since consideration of a previous application submitted under Code No. 050281. Preliminary views are that plot 1 would impact on the occupiers of 1 Tram Road causing significant overlooking and that the site layout in respect of Plots 3 and 4 should be repositioned.

##### **Buckley Town Council**

Recommend refusal of this application on the grounds that Plot 1 will overlook a neighbouring cottage property and remove any privacy from that property and Plot 2 likewise has an overbearing aspect on the neighbouring residential properties.

##### **Public Open Spaces Manager**

Request the payment of a commuted sum of £1,100 per dwelling in lieu of on site open space provision.

##### **Highways Development Control Manager**

Although the application is in outline an amended indicative site layout proposing the provision of a pedestrian footway from the site to Liverpool Road and three bedroom dwellings is considered acceptable subject to the imposition of conditions in respect of access, visibility and facilities for the parking and turning of vehicles.

##### **Head of Public Protection**

The proposed properties will be adjacent to a working garage premises which provides car sales and servicing. Noise monitoring has previously been carried out which would indicate that if planning permission is granted that conditions be imposed requiring the installation of enhanced double glazing within the dwellings and erection of a solid acoustic barrier along common site boundary.

##### **Welsh Water/Dwr Cymru**

Following the receipt and assessment of a drainage strategy for the site, request that any permission includes conditions in respect of foul, surface and land drainage.

##### **Wales & West Utilities**

No objections to the proposals however as apparatus may be at risk during construction works, should planning permission be obtained, then the promoter of the works will be required to contact Wales & West Utilities directly to discuss requirements in detail.

#### **4.00 PUBLICITY**

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

Three letters of objection received the main points of which can be summarised as follows:-

- Inadequacy of access into/from Tram Road to serve the scale of development proposed.
- Increased traffic movements and poor physical condition of Tram Road would be detrimental to highway and pedestrian safety.
- Impact on existing hedgerows on site boundaries.
- Overdevelopment which would be detrimental to the character of existing development at this location.
- Detrimental impact on privacy/amenity of occupiers of existing properties.
- Surface water drainage.

#### **5.00 SITE HISTORY**

##### **5.01 01/00317**

Outline – Proposed demolition of existing dwelling and erection of 4 No. dwellings - Refused 11.07.2001

##### **035169**

Outline – Demolition of existing dwelling house and replacement with a dwelling and double garage - Permitted 14.07.03.

##### **050281**

Outline – Residential development consisting of 3 No. four bedroom detached houses and 1 No. three bedroom detached bungalow – Permitted 8<sup>th</sup> January 2014.

#### **6.00 PLANNING POLICIES**

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

Policy STR4 – Housing

Policy GEN1 – General Requirements for Development

Policy GEN2 – Development Inside Settlement Boundaries

Policy D1 – Design Quality, Location and Layout

Policy D2 – Design

Policy AC13 – Access and Traffic Impact  
Policy AC18 – Parking Provision and New Development  
Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries  
Policy HSG8 – Density of Development  
Policy HSG9 – Housing Mix and Type  
Policy IMP1 – Planning Conditions and Planning Obligations

Additional Guidance

Planning Policy Wales (February 2014)  
Technical Advice Note 12 – Design (2009)  
Technical Advice Note 16 – Sport, Recreation & Open Space (2009)  
Technical Advice Note 18 – Transport (2007)  
Local Planning Guidance Note 2 – Space Around Dwellings  
Local Planning Guidance Note 13 – Open Space Requirements  
Local Planning Guidance Note 22 – Planning Obligations.

**7.00 PLANNING APPRAISAL**

7.01 Introduction

This outline application proposes the erection of 5 No. two storey dwellings, formation of service road and other associated works on land adjacent to 1 Tram Road, Buckley. All matters including access, layout, scale, appearance and landscaping are reserved for subsequent approval.

7.02 The site, the subject of this application is currently vacant and amounts to approximately 0.2 hectares in area. It previously accommodated a dwelling 3 Tram Road which was formed by the conversion of a pair of semi-detached dwellings which was demolished approximately 5 years ago by the current owner. It is located on the northern side of Tram Road some 60m from its junction with Liverpool Road. The character of site / surroundings along Tram Road, is mixed with semi-detached properties opposite the site and detached properties to the south and south west opposite where there is a cul de sac development at The Hollies.

7.03 To the south-east, adjacent to but outside the application site are a number of trees covered by a Tree Preservation Order.

7.04 Background History

For Members information, the background of planning history at this location is referred to in paragraph 5.00 of this report. In summary, the most recent application was an outline application for 4 No. dwellings, this being permitted under Code No. 050281 on 8<sup>th</sup> January 2014.

7.05 Proposed Development

Although the application is in outline form (with all matters reserved for subsequent approval) following officer concerns regarding the initial

site layout (given the distances shown between existing/proposed dwellings) an amended indicative site layout plan has been submitted as part of the application. The site layout indicates the erection of 5 No. detached 3 bedroom dwellings all of which front onto and gain access from a private drive and turning head arrangement, together with off-site highway improvements which include for the provision of a footpath link from the site to Liverpool Road.

7.06 The parameters contained within the Design & Access Statement indicate that the ridge height of the dwellings will be approximately 8m, taking reference from the scale of adjacent and surrounding buildings.

7.07 Main Planning Issues

It is considered that the main planning issues in relation to this application are as follows:-

- a. principle of development having regard to the planning policy framework and background of planning history.
- b. proposed scale of development and impact on character of site/surroundings.
- c. adequacy of access to serve the development.
- d. Impact on privacy/amenity of occupiers of existing and proposed dwellings.
- e. surface water drainage proposals.

7.08 Planning Policy

The site is located within the settlement boundary of Buckley as defined in the adopted Flintshire Unitary Development Plan (UDP). Within the UDP, Buckley is classified as a category A settlement where the principle of development is acceptable subject to the safeguarding of relevant amenity considerations. The proposed development does not exceed the thresholds either in terms of site area and / or number of dwelling units requiring the provision of affordable housing.

7.09 Scale of Development/Impact on Character

The character of existing development along Tram Road is defined by a mix of detached, semi-detached and a cul-de-sac development at The Hollies.

7.10 It is considered that the scale of development proposed i.e. 5 No. dwellings on a site area of approximately 0.2 hectares would not result in overdevelopment at this location. For Members information the density of development of 25 units/hectare is at a slightly lower level than the 30 dwellings per hectare which is specified as a minimum

density in Policy HSG8 of the adopted Flintshire Unitary Development Plan. The scale of development however is established taking into account the site's configuration and its relationship to existing properties where relevant amenity considerations need to be safeguarded. In addition the proposed house types would be sympathetic to and reflective of the mix of house types/forms of existing development along Tram Road which is not restricted to frontage development given that there is an existing cul-de-sac arrangement at The Hollies.

7.11 Adequacy of Access

For Members information, Tram Road is a highway maintainable at public expense and serves as access to 23 dwelling units. It is acknowledged that the surface of Tram Road is in poor condition and has been such for a number of years. Consultation on the application has been undertaken with the Highways Development Control Manager, who considers that the net increase in the scale of development being proposed from that forming application 050281 will not be significant enough to be detrimental to highway safety. Development is therefore supported subject to the imposition of conditions which relate to the formation of the means of site access and off site improvements to Tram Road and the provision of a footpath from the site to Liverpool Road.

7.12 Impact on Privacy/Amenity for Existing/Proposed Residents

The concerns relating to the impact of development on privacy/amenity are duly noted. For Members information the site is set at a lower level than existing properties opposite and adjacent to the application site, in particular the existing bungalow 1 Tram Road and a detached two storey property Clayton House, 121 Church Road. The impact of proposed development on this existing bungalow is of particular importance and it is considered that a single storey attached garage between the proposed two storey element on the dwelling on plot 1 and 1 Tram Road should be introduced to safeguard privacy/amenity of the occupiers of this existing dwelling. As a result the amended site plan incorporates this particular requirement within the layout. In addition, the distance from the dwellings proposed adjacent to the site's eastern boundary and Clayton House, 121 Church Road would be approximately 36 m. There is not in this instance (as there is no direct overlooking involved) a need to apply the guidance contained in the Council's Space Around Dwellings Local Planning Guidance Note 2 but the distances involved would in any event be in excess of the 22 m guidance, ensuring that privacy/amenity are safeguarded as part of the proposed development.

7.13 For Members information consideration of the proposed development of the site has also taken into account a current undetermined full application for the erection of 5 No. dwellings on land adjacent to the site's eastern boundary at Williams Quality Cars, 129 Church Road,

Buckley. This application submitted under Code No. 052205 is included as the following application on the agenda for determination. It is however considered that the distances between the dwellings as shown on the respective applications would ensure that the developments meet the Council's Space About Dwellings guidance (LPGN2).

7.14 Surface Water Drainage

As a result of site clearance works undertaken following the previous grant of outline permission for development of the site, it is apparent that there is a significant build up of water within the site's south-eastern corner. There are a number of factors which may be attributable to this, including for e.g., existing site levels, ground conditions, the site being at a lower level than Tram Road and a surface water pipe which previously discharged onto the site from within the rear curtilage of an existing residential property Clayton House, 121 Church Road, Buckley. It is understood that this has now been disconnected and made redundant.

7.15 The applicant's drainage consultants have undertaken an assessment of the site to ascertain whether there is a drainage solution to serve the scale of development proposed. For Members information the conclusions of this foul/surface water drainage strategy can be summarized as follows:-

- i. The site is underlain by dense clay with ground water encountered at a depth of 3m. Therefore disposal via infiltration techniques would not be suitable for the site.
- ii. Foul/surface water should be discharged into the sewer located in Tram Road.
- iii. Sustainable Drainage Systems (SUDS) such as rainwater harvesting will be used whenever possible with the overflow draining into an oversized pipe in the road. Run-off from the site will be restricted.
- iv. Localized ground raising will be required to achieve a gravity correction to the public. This will require the localized raising of the site levels to 153 m AOD.

7.16 Consultation on the details submitted has been undertaken with Dwr Cymru/Welsh Water. It has been confirmed that there is no objection to the development subject to the impositions of conditions. This in particular would ensure that the surface water from the site is controlled, connecting into a surface water sewer which then drains into a combined sewer into Tram Road, with the discharge rates being controlled.

**8.00 CONCLUSION**



- 8.01 In conclusion, it is my view that the proposed scale/form of development would be sympathetic to the character of the site and surroundings. There is no objection to the development from the Head of Assets & Transportation or Dwr Cymru/Welsh Water subject to the imposition of conditions. I therefore recommend accordingly.
- 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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