

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **8 OCTOBER 2014**

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

**SUBJECT:** **OUTLINE – RESIDENTIAL DEVELOPMENT OF LAND TO THE REAR OF BODOWEN SURGERY, HALKYN ROAD, HOLYWELL, FLINTSHIRE.**

**APPLICATION NUMBER:** **052349**

**APPLICANT:** **FLINTSHIRE COUNTY COUNCIL**

**SITE:** **LAND TO THE REAR OF BODOWEN SURGERY, HALKYN ROAD, HOLYWELL, FLINTSHIRE.**

**APPLICATION VALID DATE:** **3 JULY 2014**

**LOCAL MEMBERS:** **COUNCILLOR P. J. CURTIS**

**TOWN/COMMUNITY COUNCIL:** **HOLYWELL TOWN COUNCIL**

**REASON FOR COMMITTEE:** **COMMITTEE DETERMINATION HAS BEEN REQUESTED BY THE LOCAL MEMBER DUE TO CONCERNS IN RELATION TO OVER DEVELOPMENT, TRAFFIC GENERATION AND DRAINAGE CAPACITY CONCERNS.**

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

**1.00 SUMMARY**

- 1.01 This application is submitted in outline with all matters of detail Reserved for future consideration and approval. The application is accompanied by an indicative layout and parameters of the scale of the proposed development are set out in the accompanying Design and Access Statement. However, these are purely indicative and members are reminded that this application concerns itself solely with the principle of the development of this site for residential purposes.

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

- 2.01
1. Outline - Time limit
  2. Outline - Details of reserved matters
  3. In accord with approved plans
  4. Outline - Submission and approval of site levels
  5. No access formation until scheme agreed.
  6. Access to each plot to be in accordance with standard detail for single or paired residential access.
  7. Submission of siting, layout and design of means of access
  8. Submission of detailed layout, traffic calming, signing, design, surface water drainage, street lighting and construction of internal estate road.
  9. Scheme for parking and turning facilities to be submitted and agreed.
  10. Garage fronts to be set back 5.5m from rear of footway or 7.3m from edge of carriageway.
  11. Gradient of road for first 10m to be 1 in 24 and maximum of 1 in 15 thereafter.
  12. Scheme for positive means to prevent surface water run off on to Highway to be submitted and agreed.
  13. Public rights of way to be marked out and safeguarded during course of development.
  14. No development until a construction traffic management plan is submitted and agreed.
  15. Foul and surface water discharges drained separately
  16. Surface water not allowed to connect, directly or indirectly to public sewerage system
  17. Land drainage run-off shall not be permitted to discharge, directly or indirectly into public sewerage system
  18. Contaminated Land Report submitted and approved identifying any land contaminants and if found any remediation/mitigation measures prior to commencement of development.
  19. Prior to commencement, a bio-security risk assessment to be submitted and agreed.
  20. Scheme for comprehensive integrated drainage system to be submitted and agreed. Such scheme to include surface water regulation system.

## **3.00 CONSULTATIONS**

### **3.01 Local Member : Councillor P. J. Curtis**

Requests that the application is determined by the Planning and Development Control Committee in view of his concerns in relation to;

- the overdevelopment of the site;
- the extra traffic generated by the development; and

- the capacity of the existing drainage system to accommodate the proposed development.

#### Holywell Town Council

Objects on the following grounds:

- No environmental report on the site available (to assess any land contamination relating to past use) prior to consideration of the proposal;
- Traffic/highway and public safety concerns for users of the B5432 Halkyn Road and the Holywell Hospital car park in particular, also in relation to access to adjoining land;
- Compounding of drainage/flooding problems due to lack of capacity of the existing sewerage system.

#### Highways Development Control Manager

No adverse comments. Requests the imposition of conditions.

Notes that the site is crossed by Public Bridleway 25. Advises that this route must be protected during the course of development. Advises of the potential need for a Temporary Closure Order during development works.

#### Pollution Control Officer

Requests that a condition requiring a land contamination survey, and associated remediation strategy if required, is attached to any grant of planning permission.

#### Welsh Water/Dwr Cymru

No objections. Requests the imposition of conditions in relation to the design of the proposed drainage scheme.

#### Natural Resources Wales

No objections. Requests the imposition of conditions in relation to the need for a bio-security risk assessment to be undertaken and the need for a surface water regulation scheme to be agreed.

#### Public Open Spaces Manager

Requests that a commuted sum of £1100 per dwelling is sought towards to off site recreation provision.

#### Education Capital Planning Manager

Advises that the primary and secondary school within the catchment of which the site is located all have in excess of 5% surplus places. Accordingly, and in line with the guidance set out in Supplementary Planning Guidance Note 23 : Developer Contributions to Education, no sum towards educational needs is sought.

Members are reminded that the applicable schools (Ysgol Uwchradd Treffynnon, Ysgol Perth- yr-Terfyn and Ysgol-y-Fron) have been the subject of a £30M investment in a new 21<sup>st</sup> century school campus at the existing Ysgol Uwchradd Treffynnon site and therefore contributions towards those schools is catered for via this project.

Coal Authority

No objections. Standing advice applies.

**4.00 PUBLICITY**

- 4.01 The application has been publicised by way of a press notice, site notices and neighbour notification letters.
- 4.02 At the time of writing 1No. response has been received from North Wales Police Architectural Liaison Officer who advocates that the detailed design to be submitted as the Reserved Matters, should accord with Secured by Design.

**5.00 SITE HISTORY**

- 5.01 The wider site and its surroundings have extensive historical planning permission relating to the former Council depot, development of the Bodowen Surgery and the adjacent Holywell Community Hospital. The applications listed below reflect the site history in relation to residential development (and related) proposals at the application site.

**038071**

Outline – Residential Development  
Withdrawn 18.05.2005

**040220**

Outline – Residential Development  
Permitted 20.04.2007

**040213**

Construction of car park and roundabout including lighting columns.  
Permitted 27.2.2006

**045212**

Variation of condition 2 attached to 40220  
Permitted 12.12.2008

**047926**

Outline – Erection of 15 dwellings  
Permitted 19.9.2011

## **6.00 PLANNING POLICIES**

### 6.01 Flintshire Unitary Development Plan

- Policy STR1 - New Development
- Policy STR4 - Housing
- Policy GEN1 - General requirements for development
- Policy GEN2 - Development inside settlement boundaries
- Policy HSG3 - Housing on unallocated sites within settlement Boundaries.

The proposals would comply with the above policies.

## **7.00 PLANNING APPRAISAL**

### 7.01 The Site and Surroundings

The site comprises approximately 0.45 hectares of vacant, overgrown land, located adjacent to and between the public car park to Holywell Hospital and Holywell Football Club. The site is accessed via a shared point of access from Halkyn Road and lies to the south-east of Holywell Town Centre. The site is located to the rear of Bodowen Surgery and set within the wider context of an established residential area. It is bounded to the west by a newly constructed car park, to the east by the playing fields, to the north, fields and woodlands and to the south by Holywell Hospital.

### 7.02 The Proposed Development

The proposal is an outline application with all matters reserved for subsequent approval for residential development. An illustrative layout has been submitted showing the construction of 10, 4 bedroom 2 storey detached dwellings. The access has been indicated to be off the internal access road serving the hospital, car park and football club which in turn is off Halkyn Road.

### 7.03 The Main Issues

The main issues for consideration in the determination of this application are:

- the principle of the development in planning policy terms;
- the impact of the proposals upon highway safety;
- the capacity of drainage infrastructure to accommodate the development;
- the implications of any historical contamination upon the site; and
- impacts upon residential amenity.

### 7.04 Principle of Development

As the site is located within the settlement limit for Holywell, a Category A settlement within the Flintshire Unitary Development Plan, the principle of residential development upon the site is considered acceptable.

- 7.05 In addition, Members should be aware that the planning permission granted under application reference 047926 remains extant at the time of the submission of this application.
- 7.06 Highway Issues  
Access to the site will be off the existing road which runs down to the Football Club. This road also serves the hospital and public car park, all of which are served via Halkyn Road.
- 7.07 In principle, the Highways Development Control Manager has examined the proposals and, as a matter of principle, raises no objection to the proposals on highway safety grounds. Conditions are requested to be imposed in relation to matters of detail to be addressed as part of any future Reserved Matters application.
- 7.08 Drainage Impacts  
Both the Natural Resources Wales and Dwr Cymru/Welsh Water have been consulted upon the drainage aspects of the proposal. They both advise that both notes and conditions are placed upon any planning permission being granted in terms of both surface and foul water drainage of the site.
- 7.09 No objection to the proposals has been raised by Dwr Cymru/Welsh Water in relation to system capacity concerns.
- 7.10 Impacts upon Residential Amenity  
The nearest residential properties lie approximately 70m to the north of the site. Given this distance, it is considered that both the existing and proposed occupiers of the development will not be significantly detrimentally affected by the proposals.
- 7.11 Land Contamination  
The Pollution Control Officer has advised that due to historical lead mining activities within the area, a condition should be placed upon any grant of planning permission requiring a site investigation being undertaken to identify any potential contaminants from this use and indeed all previous uses and if found identify how these can be remediated against. I propose to condition accordingly.
- 7.12 Recreation and Open Space  
Members will note that the Public Open Spaces Manager is seeking a contribution of £1,100 per dwelling to be used in lieu of on site play and recreation provisions.
- 7.13 Such contributions are usually sought by way of a Section 106 or other legal agreement. However, as the applicant is the Council and with the land likely to be sold off to a potential developer, these contributions can be sought as a condition of sale of the land.

**8.00 CONCLUSION**

8.01 I consider that the proposal is acceptable in principle and the development proposed would be acceptable at this location meeting the Council's requirements. 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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