

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **9<sup>TH</sup> SEPTEMBER 2015**

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

**SUBJECT:** **FULL APPLICATION-PROPOSED CHANGE OF HOUSE TYPES ON PLOTS 146-154,157-159,162-171, 173-174 AND THE ADDITION OF 2 ADDITIONAL PLOTS AT "CROES ATTI", CHESTER ROAD, OAKENHOLT, FLINTSHIRE**

**APPLICATION NUMBER:** **053783**

**APPLICANT:** **ANWYL CONSTRUCTION COMPANY LTD**

**SITE:** **LAND AT "CROES ATTI", CHESTER ROAD, OAKENHOLT, FLINTSHIRE**

**APPLICATION VALID DATE:** **10<sup>TH</sup> JULY 2015**

**LOCAL MEMBERS:** **COUNCILLOR RITA JOHNSON**

**TOWN/COMMUNITY COUNCIL:** **FLINT TOWN COUNCIL**

**REASON FOR COMMITTEE:** **SCALE OF DEVELOPMENT AND TO FOR A SECTION 106 AGREEMENT OBLIGATION/UNILATERAL UNDERTAKING TO RE-IMPOSE ALL THE REQUIREMENTS OF THE ORIGINAL LEGAL AGREEMENT ATTACHED TO THE ORIGINAL OUTLINE APPLICATION.**

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

**1.00 SUMMARY**

- 1.01 The present full application relates to an area of land that forms part of the original site granted planning permission on land at Croes Atti, Chester Road, Oakenholt. This application site forms only part of the overall site consisting of 27 hectares which was granted outline planning permission for a mixed use development comprising

residential development, public open space, infrastructure works, landscaping and education and community facilities. The present application forms part of the third phase of development which already has reserved matters approval for 306 dwellings under planning application reference 050300. This application seeks to amend the house types and layout already agreed on certain plots with houses already used on the site, although in a slightly different layout resulting in the addition of two additional plots on this part of the site.

The issues for consideration are the principle of development, design/appearance. Visual/residential impacts, highway impacts

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

2.01 That conditional planning permission be granted subject to conditions and subject to the applicant entering into a section 106 obligation/Unilateral Undertaking to re-impose all the requirements of the original legal agreement attached to the outline planning permission i.e.

- Scheme to be in general conformity with the Revised Development Brief,
- Construct or to reimburse the Council for the reasonable cost of a footpath/cycleway linking the site with Leadbrook Drive,
- Phasing/occupation of housing,
- Setting aside of 1.5 hectares of land and its transfer for a school site and an extension to the school site of not less than 1.0 hectare,
- Setting aside of land for a shop site,
- Setting aside of a site of 0.45 hectares for a health centre,
- Setting aside of a site of 0.25 hectares for a community centre and its transfer
- Provision of 4.5 hectares of open space including an enclosed equipped children's play area, a landscape strategy, a management strategy for open space areas including establishment of a management company
- Provide for a maximum of 10% of number of dwellings for affordable

**Conditions**

1. In accordance with approved plans.
2. Time limit on commencement.
3. A schedule of materials to be submitted to and approved prior to being used, unless otherwise agreed in writing with the Local Planning Authority.
4. Submission of landscaping scheme for approval.
5. Implementation of submitted landscape plan.
6. No development to commence until road work improvements are agreed and undertaken.

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.

### **3.00 CONSULTATIONS**

3.01 Local Member  
Councillor Rita Johnson  
No response at time of writing.

Flint Town Council  
No response at time of writing.

Head of Assets and Transportation  
No objections to the application and confirm that do not intend to make a recommendation on highway grounds.

Head of Public Protection  
No adverse comments to make regarding the proposal.

Clwyd Powys Archaeological Trust  
Confirm that there are no archaeological implications for these proposed changes.

### **4.00 PUBLICITY**

4.01 Site Notices  
Three site notices have been posed in the area and at the time of writing no comments have been received.

### **5.00 SITE HISTORY**

5.01 **98/17/1308**  
Outline residential development and associated recreational, community and retail was originally reported to committee on 14.12.99 which resolved to approve subject to a Section 106 Agreement – No decision was ever issued due to changed circumstances of the applicants.

#### **035575**

Outline application for a mixed use development including residential, open space, infrastructure, landscaping, education and community facilities was reported to committee on 19.7.2004 which resolved to approve subject to a Section 106 Agreement - the agreement was signed and the permission issued on 11.7.06.

**044035**

Highway improvements, street lighting and all associated works, on land at Croes Atti, Chester Road, Oakenholt, in connection with the outline planning permission ( ref. 035575) - Granted permission on 23<sup>rd</sup> April 2008.

**044033**

Reserved matters application - residential development consisting of 189 no. dwellings, public open space, new roundabout and all associated works at Croes Atti, Oakenholt - Granted 11th July 2008.

**046562**

Substitution of house types on plots 119, 124, 128-129, 131-132, 136, 138, 139, 142-144, 146-150, 160-163, 165-166, 170-177 and 183 on land at Croes Atti, Oakenholt, granted 11th July 2008.

**046595**

Reserved matters application for residential development consisting 132 no. dwellings, new roads, open space and all associated works on land at Croes Atti, Chester Road, Oakenholt, granted on 19<sup>th</sup> January 2012.

**049312**

Application for a Lawful Development Certificate for construction of vehicular access from Prince of Wales Avenue, Flint to serve residential development at Croes Atti, Oakenholt, permitted by outline planning permission code number 035575 dated 11th July 2006 – granted 5<sup>th</sup> April 2012.

**049154**

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted granted on appeal on 10<sup>th</sup> October 2012.

**049425**

Variation of condition no.15 attached to planning permission ref: 046595 at Croes Atti, Chester Road, Oakenholt – granted on appeal on 15<sup>th</sup> March 2013.

**049426**

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – withdrawn.

**050300**

Reserved matters application for erection of 312 residential dwellings and associated works at Croes Atti – granted on 3/4/2013.

**050258**

Proposed house type substitutions and amendments to plots 62-99,105-107, 110-118 and associated works-granted on 27/8/14.

**050385**

Erection of 2 no. pole mounted housing advertisements 20/2/2013.

**050967**

Application for approval of reserved matters following outline approval. (035575) granted 21/10/13.

**050975**

Plot substitution of house types on 4 plots-granted 25/9/13.

**051002**

Application for approval of reserved matters following outline approval. (035575) - granted 4/12/13

**051136**

Erection of 2 no. V-Boards for housing advertisement-consent granted 28.8.13.

**051716**

Approval of details reserved by condition no.11 (landscape management plan) attached to planning permission ref: 35575 – approved 15/10/14.

**052062**

Approval of details reserved by condition Nos 3 (materials), 4 (programme of archaeological work), 5 (landscaping details), 7 (existing and proposed ground levels and finished floor levels), 10 (detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate roads), 11 (prevention of run-off of surface water) and 12 (wheel wash facilities) attached to planning permission ref: 50967-partly discharged 6/6/14.

**052757**

Application for the approval of details reserved by conditions 3, 4, 9 and 12 attached to planning permission ref: 050300 partially discharged 12/12/14.

**053058**

Variation of condition Nos. 5 and 15 of planning permission ref: 050300 to allow the construction of plots 175 to 198 before complying with conditions 5 & 15 - approved 2/3/15.

**053126**

Application for the approval of details reserved by condition 13 (Scheme for reasonable avoidance measures and methodology) attached to planning permission ref: 050300 12/2/15.

**053438**

Change of position of house types on plots A35, A36 & A38, change of house type on plot A37 and amended car parking arrangement to plots A39 & A40-granted 13.5.15.

**053624**

Change of house types on plots 30 & 31 and change of house type position on plot 32 - granted 4/6/15.

**053662**

Proposed residential development to consist of 20 No. semi-detached houses, 2 No. semi-detached bungalows and 1 No. special needs bungalow together with access road and parking.-still under consideration.

**053758**

Retention of existing signage and display of 2 No. totem signs-consent granted 8/7/15.

**6.00 PLANNING POLICIES****6.01 Flintshire Unitary Development Plan**

Flintshire Unitary Development Plan (FUDP) The FUDP shows the land as a housing commitment and outline planning permission has now been issued in addition to reserved matters approvals. In the context of the development as a whole a large number of the policies of the plan are relevant but the most significant policy is Policy HSG2 - Housing at Croes Atti, Flint. Other relevant policies include D1-D4 which refer to design/location/layout/landscaping and Policy GEN1 (General Requirements for Development). The proposal is considered to accord with the aims of the relevant development plan policies

**7.00 PLANNING APPRAISAL****7.01 Proposed Development**

The site forms part of an overall site of 27 hectares which was granted outline planning permission for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping and education and community facilities. The previously granted outline scheme and reserved matters applications have established the principle of residential development on this site.

7.02 In design terms the current application site forms part of the third phase of development which already has reserved matters approval for 306 no. dwellings. The previously granted outline scheme/reserved

matters applications were subject to extensive negotiations between the applicant and the Council. The current application seeks to amend the layout and house types of 27 of the previously permitted plots and in broad terms replaces these with similar house types which vary in design from terraces to semi-detached and detached dwellings resulting in the provision of two additional plots on this part of the site.

7.03 Design and appearance

The proposed scheme is designed to link into the proposed new distributor road which is to serve the overall site. The density and character of proposed properties within the site vary in design from two storey terraces, semi-detached and detached dwellings. Generally densities across the site do not vary greatly and are considered to be reflective of that previously permitted for the overall site.

7.04 Effect on adjacent/future residential amenities

The proposed development will be bordered on all sides by either existing open countryside or previously permitted parcels of land which will have either housing or open space. The proposed dwellings are considered to be located at some distance away from existing residential properties and therefore are not detrimental to their amenities by way of overlooking or physical proximity.

7.05 As regards future residential amenities, the proposed dwellings are considered to provide adequate private amenity space in addition to space about dwellings, whilst at the same time benefiting from formal and informal public open spaces.

7.06 Affordable Housing

The original outline planning permission for the overall site required that if justified, up to 10% of dwellings on the site should be social/affordable and was secured via a Section 106 legal agreement. The exact number/location of affordable units within the overall development has yet to be determined, however, the final figure will have to be in accordance with the terms of the Section 106 legal agreement.

7.07 Highways

The proposed development will have its principal access point into the previously permitted “spine” road for the site which in turn will ultimately feed into other points of access at the A548 Chester Road, Prince of Wales Avenue and Coed Onn Road.

**8.00 CONCLUSION**

8.01 The proposed development in would allow for the replacement of existing permitted dwellings with amended house styles and the provision of two additional dwellings on this part of the development and is therefore acceptable in principle and design.

- 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.

**LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

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