

FLINTSHIRE COUNTY COUNCIL

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

DATE: **9th SEPTEMBER 2015**

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

SUBJECT: **FULL APPLICATION – ERECTION OF SINGLE STOREY DWELLING AND ASSOCIATED WORKS ON LAND ADJOINING SEAVIEW, LLANASA ROAD, GRONANT**

APPLICATION NUMBER: **053789**

APPLICANT: **MR M. WEBSTER**

SITE: **LAND ADJOINING SEAVIEW, LLANASA ROAD, GRONANT**

APPLICATION VALID DATE: **28 MAY 2015**

LOCAL MEMBERS: **CLLR S. WILLIAMS**

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

REASON FOR COMMITTEE: **S106 REQUIREMENT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full planning application seeks consent for the erection of a detached single storey dwelling and associated works on land off Llanasa Road, within the defined settlement boundary for Gronant. The existing private access road requires visibility improvements over adjoining land, which need to be secured by means of a Section 106 Obligation.

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

2.01 Subject to the applicant entering in to a Section 106 Agreement or Unilateral Undertaking to secure a visibility sight line in perpetuity in a westerly direction, with no obstruction in excess of 1.00m above the level of the nearside channel and to the following conditions:

1. Time commencement.
2. In accordance with plans.
3. Land investigation methodology, contaminated land.
4. Details of foul and surface water drainage – acceptability of soakaways, prior to commencement of development.
5. No surface water to connect to public sewerage system.
6. Details of retention of existing and proposed boundary treatment
7. Land drainage run off shall not be permitted to drain in to public sewerage system.
8. No development permitted within 3 m of centreline of public sewer.
9. Parking and turning to be provided clear of highway.
10. The existing access shall be improved in construction for first 5m in to the site.

If the obligation pursuant to Section 106 of the Town & Country Planning Act 1990 is not completed within six months of the date of the committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to REFUSE the application.

3.00 CONSULTATIONS

3.01 Local Member
Councillor S. Williams
No response received at time of writing.

Llanasa Community Council

Requested site meeting to see the application site and discuss the application. This has subsequently been carried out with the case officer and the highways officer. No other response has been received from the community council following this site meeting.

Head of Assets and Transportation

No objection in principle to amended plans received 20 July 2015, however recommend that any permission shall include conditions with regards to facilities being retained for parking and turning clear of the highway and these being completed prior to the proposed development being brought in to use. The access shall be improved in construction for the first 5m into the site and shall be hard paved in bituminous macadam material.

Require a Section 106 Obligation to ensure that the sight line is safeguarded in perpetuity with no obstruction in excess of 1.00m above the nearside channel.

In addition any permission shall include the Highways Supplementary Guidance Notes with particular reference to Clauses 3 & 4.

Head of Public Protection

No objections in principle to the development, however the site is in former lead mining area, with an old mine shaft shown on historic maps within 10m of the site. As the development is for residential which could be particularly vulnerable to the presence of contamination, it is recommended that any consent be conditioned to facilitate site investigation of the nature and extent of contamination to be carried out, any remediation recommended in this report shall be implemented prior to the occupation to the dwelling.

Dwr Cymru Welsh Water

If minded to grant consent, conditions and advisory note to ensure no detriment to existing residents or the environment or Welsh Water assets

Natural Resources Wales

No response received at time of writing.

SP Energy

Plans showing Manweb equipment HSG Publications and location map showing the location of apparatus.

4.00 PUBLICITY

4.01 Site Notice

Two objections received on the following grounds

- Highway safety. – Llanasa Road busy, inadequate width of lane /access and lack of visibility and traffic generation.
- No footways on the narrow lane, which cannot be improved.
- Scale of development will compromise quality of living both for new dwelling and existing.
- Impact on amenity and inadequate separation distances and private garden area.
- Elevated position of plot in relation to existing dwelling results in inadequate privacy.
- Drainage – soakaways will cause problems due to heavy clay soils
- Ask if planning permission granted that hours of construction work are controlled.

5.00 SITE HISTORY

5.01 053383

Erection of single storey dwelling and associated works - Withdrawn 04.05.15.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 - New Development.

GEN 1 - General Requirements for Development.

GEN2 - Development Inside Settlement Boundaries.

D2 – Design.

WB1 - Species Protection.

AC18 - Parking Provision and New Development.

Local Planning Guidance Note No 2 Space Around Dwellings.

TAN 18 Transport.

The proposal is in general accordance with the above development plan policies Guidance Note and Technical Advice Note

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application seeks consent for the erection of a detached dwelling and associated works. The application site is located within the settlement boundary of Gronant, with a subsequent presumption in favour of development. Gronant is a category B settlement where the principle of sustainable development, as in this case, is acceptable.

7.02 Site Description

The application site is located to the rear of existing road frontage dwellings and adjacent three other dwellings located down a narrow access lane serving these properties. The site is presently a former garden/amenity area laid out as such at present.

7.03 The site is generally level, following the site topography which slightly slopes from the main road to the site, with a change in levels of approx. 1m over the whole area and approx. 0.5m to 1m in level in relation to the adjoining properties bounding the site. The site is enclosed by a mixture of hedges/shrubs and fence boundaries.

7.04 Proposal

The single storey dwelling is proposed to be 5.2m in height to its apex and remaining roof lines to be 4m or 3.5m in height. The foot print of the proposed building is approx. 116m². The property is proposed to be set to the middle of the development plot to enable parking and

turning provision to be provided to the frontage of the site. The rear plot depth is limited to between 7m and 5m, notwithstanding this, it is considered to be reflective of the piecemeal development of this area and still attains an amenity space provision of approx. 60m² which is considered appropriate in regard to this particular site and the proposed orientation of the property on the plot and in relation to adjoining properties. There is no predominant plot size/scale or type of development in the immediate area and the proposal is reflective of the resulting piecemeal nature of development. In this context the separation distances are also considered to be acceptable as explained below.

7.05 Access

The plot proposes to use the existing narrow unadopted access, and this aspect has been considered in depth by the highways officer. Following an earlier scheme which was withdrawn, discussions were held between the applicant and the highways officer in regard to the highways requirement of the application to enable support of the application in highway terms, to enable appropriate mitigation measures for the implementation of the scheme.

7.06 Highways officers have discussed in detail the necessary requirements to attain highway approval, prior to the submission of the current application, these measures have now been incorporated in to the submitted application. These measures allow for the hard surfacing of the access for 5m from the back edge of the highway, the re siting of the telegraph pole, removal of part of the existing leylandi hedge, (to aid visibility between the application site and Seaview). Parking and turning provision for both Seaview and the proposed plot are notated on the submitted plan and are proposed to be conditioned to be provided and retained in connection with any subsequent approval.

7.07 In addition to the above highways have recommended that visibility from the access lane to the main road is safeguarded in the critical direction, overland outside the applicant's ownership, by securing visibility over land outside the applicant's ownership (Menora) in perpetuity via a Section 106 Obligation. Although the applicant has served the relevant Cert B on the owner of the land, and included this land within the red line of the application site, I have not received any confirmation at present that the owner of Menora is to enter into a legal agreement, with the applicant this is not a material consideration. It is also noted that any permission shall have regard to Clauses 3 & 4 of the Highways Supplementary Guidance Note.

7.08 Other Matters

During the consultation procedure objections were received from adjoining residents with regard to the development of the plot, (as noted in the publicity section of this report). Concerns have been raised with regards to the development of a small plot. These

comments are noted, however each application is considered on its own merits, as each application is different. In this instance the site is within the settlement boundary and the plot is considered to be capable of accommodating the proposed property. The separation distances, enable a separation of approx. 21m to Derwent Cottage, 22m to Orchard End and approx. 18m to North Pines. The proposed development is to have a kitchen window on the side boundary facing Orchard End, as this is not defined to be a habitable room, this is acceptable, in any regard the existing boundary treatments which are to be retained and the proposals required by condition, would preclude any potential adverse impact. The location and orientation of North Pines in relation to the development means that the rear of North Pines will be adjacent to the parking and turning area and will not be overlooking the built form of the development.

- 7.09 Concerns have also been raised in regard to the difference in levels between the site and the adjoining properties, the difference in levels is at between approx. 0.5m and 1m is not detrimental to amenity, especially as the property proposed is single storey, 5.2m at its highest and the difference in the remaining roof heights from 4m to 3.5m, helping it assimilate in to the plot and the wider area.
- 7.10 Drainage for the surface water is proposed by soakaway provision, concerns have been raised with regard to the adequacy of this as there have been drainage issues previously on the site and surrounding area thought to be caused by the pond in the former garden area, exacerbated by the clay soil of the site. Notwithstanding this, drainage proposals will be considered in detail at the Building Regulations stage. Consultations with Dwr Cymru /Welsh Water have raised no concerns with regards to drainage.
- 7.11 The site is within in an area extensively mined for lead, historic maps show a lead mine shaft within 10m of the site, as such there is justification that contamination could be present in all or some of the site, as the proposal is for residential development, this could be particularly vulnerable to the presence of contamination. It is recommend that any consent be conditioned for a site investigation of the nature and extent of the contamination is carried out, and a report specifying the measures to be taken to remediate the site to render it suitable for the development. The site shall be remediated in accordance with the approved measures prior to occupation.

8.00 CONCLUSION

- 8.01 It is considered that the proposed development is compliant with the relevant adopted Flintshire Unitary Development Plan policies, Local Guidance Note and Technical Advice Note and will not lead to adverse impact upon residential amenity.

- 8.02 It is therefore considered that permission be granted, subject to the conditions referred to earlier in the report and the applicant entering in to a S106 Obligation to secure adequate visibility in the critical direction in perpetuity.
- 8.03 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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