

FLINTSHIRE COUNTY COUNCIL

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

DATE: **16TH DECEMBER 2015**

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

SUBJECT: **FULL APPLICATION – ERECTION OF 12 NO. DWELLINGS AND ASSOCIATED DEVELOPMENT WORKS AT CUSTOM HOUSE SCHOOL, MOLD ROAD, CONNAH’S QUAY.**

APPLICATION NUMBER: **054484**

APPLICANT: **WATES LIVING SPACE**

SITE: **CUSTOM HOUSE SCHOOL,
MOLD ROAD,
CONNAH’S QUAY.**

APPLICATION VALID DATE: **2ND NOVEMBER 2015**

LOCAL MEMBERS: **COUNCILLOR B. DUNN**

TOWN/COMMUNITY COUNCIL: **CONNAH’S QUAY TOWN COUNCIL**

REASON FOR COMMITTEE: **A S.106 AGREEMENT IS REQUIRED IN CONNECTION WITH MATTERS FOR WHICH POWERS ARE NOT DELEGATED TO THE CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full application for the redevelopment of part of the former Custom House School site for the purposes of residential development. The proposals provide for the erection of 12No. affordable dwellings and the creation of a new point of vehicular access.
- 1.02 Members are advised that this site is the first to be delivered as part of the Council’s Strategic Housing and Regeneration Programme (SHARP).

1.03 The issues for consideration are the principle of development, design considerations, impact on residential amenities, highways considerations and drainage.

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

2.01 That conditional planning permission be granted subject to the following:-

Conditions:

1. Time limit on commencement
2. In accordance with approved plans
3. All external materials to be submitted and approved
4. Implementation of landscaping (inc. boundary treatments).
5. Drainage scheme to be submitted and agreed.
6. Surface water discharge not to exceed 5l/s
7. Scheme of enhanced double/secondary glazing to be submitted and agreed.
8. Land contamination investigation and remediation (as required) to be submitted and agreed.
9. Construction Traffic Management Plan to be submitted and agreed.
10. Scheme for the removal of the existing zebra crossing and construction of the site entrance road to be submitted and agreed.
11. No works other site works until access works have been completed to satisfaction of Local Planning Authority.
12. Visibility splay of 2.4m x 43m in both directions with no obstruction to visibility in excess of 0.6m in height.
13. Visibility splays to be made available and unobstructed the duration of site works.
14. Layout, design, means of traffic calming and signing, surface water drainage (inc. positive means of preventing surface water run onto the highway), street lighting and construction of the internal estate roads shall be submitted to and approved before any site works.
15. The gradient of the access for a minimum distance of 10m shall be 1 in 24 and a maximum of 1 in 15 thereafter.
16. A 1.8m wide footway shall be provided along the site frontage.
17. No development shall commence unless and until a scheme has been submitted and agreed that satisfies the policy and planning guidance requirements relating to the retention of affordable housing.
18. No development shall commence unless and until a scheme has been submitted and agreed to satisfy the policy and planning guidance requirements relating to public open space and recreation.
19. Removal of Permitted Development rights for new openings.

20. Removal of Permitted Development rights for alterations to the roof and extensions.

2.02 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 B, Dunn
No response at time of writing.

Connah's Quay Town Council
No response at time of writing.

Highways DC
No objection subject to the imposition of conditions and notes.

Pollution Control Officer
Notes the site is located upon a busy road. Advises that the submitted noise report suggests that specific noise attenuation measures will be required and therefore requests that a condition requiring the submission, agreement and subsequent implementation of these measures is imposed.

In addition, given the historical industrial legacy of the area, there is the possibility that the site may contain contaminants. Accordingly I am requested to impose a condition requiring the submissions of a land contamination assessment and any remediation measures as may be identified therein.

Public Open Spaces Manager
No response at time of writing.

Education and Youth
Advises that the nearest applicable schools, Ysgol Caer Nant Primary School and Connah's Quay High School both have surplus spaces above 5% and the proposals would not give rise to pupils numbers to reduce capacity below 5%.

Accordingly, no contributions under SPG 23 are sought.

Welsh Water/Dwr Cymru
No adverse comments. Requests the imposition of conditions requiring the submissions and agreement of the proposed drainage system.

4.00 PUBLICITY

4.01 The application has been publicised by way of a press notice, site notice and neighbour notification letters.

4.02 At the time of writing, no representations have been received.

5.00 SITE HISTORY

5.01 047415

Demolition of existing school and erection of a new primary school and associated infrastructure.

Permitted 6.8.2010

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 D1 - Design Quality, Location and Layout

Policy D2 - Design

Policy D3 - Landscaping

Policy D5 - Crime prevention

Policy AC13 - Access and Traffic Impact

Policy AC18 - Parking Provision and New Development

Policy HSG3 - Housing on unallocated sites inside settlements

Policy HSG8 - Density of Development

Policy HSG10 - Affordable Housing within Settlement Boundaries

Policy SR5 - Outdoor playing space & new residential dev't.

Planning Policy Wales

TAN12 - Design

Local Planning Guidance Notes

9 - Affordable Housing

11 - Parking standards

7.00 PLANNING APPRAISAL

7.01 The Site and Surroundings

The site comprises a 0.2 hectare area of previously developed land within the settlement boundary of Connah's Quay. The site was lastly occupied by Custom House Lane Junior School, before this was demolished and the adjacent site developed to provide a combined junior and infant school building.

7.02 The site slopes downhill from south west to north with an approximate 2.5 metre fall across the site. The site is situated within an area of

residential development. The site is bounded on all sides by a mixture of brick walls, fences and combinations of the two. The site shares boundaries with existing residential development to the north east, south east and north west (albeit across Mold Road). The new school premises abuts the site to south west.

7.03 The Proposed Development

The proposals provide for the redevelopment of this vacant site to provide 12No. 2 storey dwellings, comprising 8No. 2 bed units and 4 No. 3 bed units. The dwellings are provided as 3No. pairs of semi detached dwellings and 2No. terraces, each of 3 dwellings. A new point of vehicular and pedestrian access onto Mold Road is proposed.

7.04 The Main Issues

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

- the principle of the development in planning policy terms,
- design considerations;
- the impact upon adjacent residential amenity;
- highway impacts; &
- drainage.

7.05 Principle of Development

Within the UDP, Connah's Quay is classified as a Category A settlement where most housing growth is expected to occur. The site is sustainably located with access to bus services, the nearby town centre, together with other local services and infrastructure.

7.06 Accordingly, the principle of the development of this site is established via the policy presumption in favour of development of this type in this location.

7.07 Design

The proposals seek to create a street presence along the frontage with Mold Road and create a scheme which relates well in visual terms to the forms of dwelling upon the roads opposite the site. Notwithstanding that the site provides for a central access way into the site, the recessed terrace has been positioned that views of the site from the public realm on Mold Road present both the frontage units and the rear central units as a continuous street scene in visual terms. The proposals to mark the edge of the public and private realm with a dwarf brick wall topped with wrought iron railings reflects the origins of the building originally upon this site and sits well within the street scene.

7.08 The application is accompanied by a design statement and detailed discussions have taken place with the applicant to arrive at the current design. Whilst the scheme is high in terms of density, at 60 dwellings per hectare, this is reflective of both national and local planning

guidance which seeks to make the best and most sustainable use of land.

- 7.09 A palette of materials has been suggested for the external finishes of the scheme to enhance the visual impact of the buildings and to complement the character of the area. These include details such as a contrasting brick detail to a main facing brick, natural stone heads and cills, slim profile roofing tile and windows finished in an anthracite colour. The scheme allows provides for the re-use of the date stone of the now demolished school within the elevation of one of the units fronting the road. The scheme also provides full details of the materials to be used in the formulation of the landscape within which the dwellings sit. I propose to condition the submission and agreement of samples of the same prior to their use.
- 7.10 The proposed scheme would redevelop a vacant site within the centre of Connah's Quay in accordance with development plan policies. The proposals would not be out of character with the site and its surroundings and is of a design, utilising quality materials which would enhance the overall appearance of the area.
- 7.11 Impacts upon Residential Amenity
The scheme provides for dwellings with adequate separation distances not only to those dwellings facing the site frontage across Mold Road but also within the site itself. Particular regard has been had to the relationship of proposed dwellings along the north western boundary edge with those dwellings and their respective rear gardens beyond. Accordingly, the dwellings providing a side elevation to these dwellings have no windows within the side elevation. I propose to add a condition removing the Permitted Development Rights to insert any further windows without first obtaining planning permission.
- 7.12 Whilst the proposed dwellings do not achieve 11 metres of garden depth, all provide an area of private amenity space in accordance with LPGN 2 – Space around Dwellings. I am therefore satisfied that future occupiers of these units will have an adequate degree of amenity space. In order to ensure that this is not compromised in the future, I also propose to remove rights to alter roofs and make extensions to the dwellings, thereby placing such alterations within the control of the Local Planning Authority in the interests of the safeguarding of future amenity.
- 7.13 Highway Impacts
The proposals provide for a new point of access to the site to be created. This provides access to an adoptable turning head, with pedestrian access upon the northern edge of the new road. A lesser width service margin is proposed to the south. Access to the remaining dwellings within the scheme is then proposed via 2 private drive arrangements off the turning head.

- 7.14 Car parking spaces are provided at a level in accordance with Policy AC18. This is considered to be particularly important in this case, notwithstanding the central position of the site within the town, to minimise levels of on street parking upon Mold Road, it being the principal route into Connah's Quay from the south.
- 7.15 The proposals have been the subject of consideration by the Highway Authority who do not raise any objection to the proposals, subject to the conditions outlined in Paragraph 2.01 of this report.
- 7.16 Site Drainage
The site is proposed to be drained, for both surface and foul water, via existing minas sewers in the vicinity of the site. This proposals has been considered by Dwr Cymru/Welsh Water in consultation and I am advised that there is no objection to this proposal. I am advised however that a detailed drainage scheme will be required to be submitted and agreed via condition. Furthermore, such scheme must be designed in such a fashion as to restrict the surface water run of rate to that equivalent to greenfield run rate. Accordingly, surface water flows must be restricted to a rate of no more than 5 litres per second.
- 7.17 Other matters
No public open space is proposed as part of the development. Due to the type and size of the proposed development the Authority would not be seeking on site recreation provision. However, the scheme will still be required to address the Council's policy and guidance requirements in relation to the need for the scheme to provide for the public open and recreation need of future occupiers.
- 7.18 As the Council own the application site, I propose a condition in respect of the above issue such that no development is permitted to commence until a scheme to address the public open space and recreation issue is submitted and agreed.
- 7.19 In respect of affordable housing policies, although the site is owned by the Council and is proposed to be developed on behalf of the Council as an affordable housing scheme, it must still operate in a manner consistent with the aims of the Council's planning policies in terms of the provision of affordable housing and therefore safeguards should still properly be sought to ensure the retention of the same in the future.
- 7.20 Therefore I propose to condition that no development is permitted to commence until a scheme detailing the methods via which the affordability of these units will be secured in perpetuity is submitted to and agreed in writing with the Local Planning Authority.
- 7.21 Consultations with Pollution Control Officers have revealed that, due to the proximity of the scheme to a busy road, glazing schemes which

provide acoustic attenuation will be required to be submitted and agreed prior to installation. I am also advised that due to the historical industrial legacy of the area, there is the potential for the site to be contaminated. Accordingly, a condition is sought requiring a land contamination investigation, and such remediation as may be identified to be required, undertaken prior to the commencement of development. In each case, I propose to condition accordingly.

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.

LIST OF BACKGROUND DOCUMENTS

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

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