

FLINTSHIRE COUNTY COUNCIL

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

DATE: **16TH DECEMBER 2015**

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

SUBJECT: **FULL APPLICATION – DEMOLITION OF EXISTING HEALTH CARE CENTRE AND ERECTION OF 24 NO. AFFORDABLE APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING AT BUCKLEY HEALTH CENTRE, PADESWOOD ROAD NORTH, BUCKLEY.**

APPLICATION NUMBER: **054151**

APPLICANT: **GRWP CYNEFIN**

SITE: **FORMER BUCKLEY HEALTH CENTRE, PADESWOOD ROAD NORTH, BUCKLEY.**

APPLICATION VALID DATE: **12TH AUGUST 2015**

LOCAL MEMBERS: **COUNCILLOR A. WOOLLEY**
COUNCILLOR R. JONES

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

REASON FOR COMMITTEE: **SCALE OF PROPOSALS EXCEEDS THAT FOR WHICH DETERMINATION POWERS ARE DELEGATED TO THE CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full planning application seeks permission for the demolition of the existing former (now closed) health centre building and development of the site via the erection of a 2 storey apartment building. The building is intended to provide 24No. apartments, vehicular access and parking and pedestrian access.

1.02 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 applicant entering into a Section 106 Obligation/Unilateral Undertaking to provide the following:-

- a) Ensure the payment of a contribution of £17,592 to the Council in lieu of on site play and recreation provision. Such sum to be paid to the Council prior to the occupation of any dwelling hereby approved and to be used to upgrade existing facilities within the community at Lyme Grove Play Area;
- b) The precise methods of Social Rental via which the units are to be made affordable and provisions for their continued affordability thereafter;
- c) The payment of £4000 as a contribution to the cost of amendments to existing on road parking restrictions and the provision of related signage and road markings via a new Traffic Regulation Order on Padeswood Road.

2.02 Conditions:

1. Time limit on commencement
2. In accordance with approved plans
3. All external materials to be submitted and approved
4. Boundary details to be submitted and approved
5. Landscaping scheme to be submitted and approved
6. Implementation of landscaping scheme.
7. Drainage scheme to be submitted and agreed.
8. Specified windows to be obscure glazed and non opening.
11. No development until Construction Traffic management Plan submitted and agreed.
12. Travel Plan and Implementation Strategy prior to first use.
13. Scheme of enhanced glazing to be submitted and agreed.

2.03 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 A. Wooley

In view of concerns in respect of highways and parking sufficiency concerns, considers the proposals is likely to be viewed as highly significant in the community and therefore requests a committee determination.

Councillor R.Jones

No response at time of writing.

Buckley Town Council

Objects on the following grounds:

- The proposals do not accord with the Buckley Master Plan; and
- There is a shortage of infrastructure within the town centre to support a further growth of population.

Highways DC

No Objections. Considers adequate justification for parking level has been provided. Advises of need for S.106 agreement and conditions.

Pollution Control Officer

No objection. Advises of the need for a condition to secure enhanced glazing to provide acoustic protection to bed and living rooms.

Public Open Spaces Manager

Advises that on site play, recreation or open space facilities are not required. Consider that a commuted sum of £733 per apartment (£17,592) should be sought to be utilised in the improvement of the Lyme Grove recreation facility, it being the nearest to the site.

Welsh Water/Dwr Cymru

No adverse comments. Requests the imposition of conditions requiring the submissions and agreement of the proposed drainage system.

Natural Resources Wales

No adverse comments.

Wales & West Utilities

No adverse comments. Notes presence of apparatus and requests the applicant is advised to contact them prior to works commencing.

Airbus

No adverse comments.

Coal Authority

No adverse comments.

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, 6No. letters of objection upon the following grounds have been received:

- Insufficient infrastructure;
- Adverse impacts upon adjacent residential amenity;
- Increased traffic and inadequacy of road network;
- Proposals do not accord with the Buckley Master Plan; and
- Proposals will diminish the retail and commercial offer of Buckley Town Centre.

4.03 1No. letter offering broad support has been received.

5.00 SITE HISTORY

5.01 **1361/5**
Erection of a clinic
Permitted.

73/288
Extension to clinic
Permitted.

4/0/14089
Extensions & alterations
Permitted.

4/0/13035
Extensions
Withdrawn 27.9.1985

4/0/21239
Extension
Permitted 3.3.1992

02/0/00557
Demolition and erection of a new medical centre
Permitted 24.7.2002

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
Policy STR1 - New Development
Policy STR2 - Transport and Communications
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 D4 - Outdoor Lighting
- Policy D5 - Crime prevention
- Policy AC1 - Facilities for the disabled
- Policy AC2 - Pedestrian Provision & Public Rights of Way
- Policy AC3 - Cycling Provision
- 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
- Policy CF1 - Retention of existing facilities.

Planning Policy Wales

TAN11 - Noise

TAN12 - Design

Local Planning Guidance Notes

9 - Affordable Housing

11 - Parking standards

12 - Access for All

The proposal is considered to be in accordance with the above national and local planning policies and guidance.

7.00 PLANNING APPRAISAL

7.01 The Site and Surroundings

This 0.27 hectare site occupies a prominent corner position on Padeswood Road North within Buckley town centre. It is presently occupied by the former health centre building which comprises a sizeable single storey brick building with flat roofs. Building is now vacant and is proposed to be demolished under this scheme. The building occupies an elevated position in respect of the land to the east of the site but is otherwise flat and commensurate with the levels of existing development to the north, south and west.

7.02 The site is bounded to the North by Padeswod Road North, with Buckley Cross Methodist Chapel opposite; to the south by existing 2 storey residential dwellings and their associated curtilage areas; To the east by to road again with Buckley Library and the Precinct and town centre shopping areas beyond and to the west by the road with Westwood Primary School and other 2 storey dwellings located opposite.

7.03 The Proposed Development

The proposed scheme provides for the demolition of the existing building and the re-development of the site with the erection of a 2 storey apartment building. This building will provide 14No. 2 bed units and 10No. 1 bed units.

7.04 Vehicular access to the site would be derived via the existing turning head at the end of Padeswood Road North with 24No. car parking spaces to the rear of the building with principal pedestrian access to the building being derived from the car park. There are a number of pedestrian gated entrances to the site from the north and east of the site which are provided as a pedestrian link between the site and the town centre to the north.

7.05 The Main Issues

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

- the principle of the development in planning policy terms, including having regard to the Buckley Master Plan 2011;
- design considerations;
- the impact upon adjacent residential amenity;
- highway impacts; &
- drainage.

7.06 Principle of Development

Within the UDP, Buckley is classified as a Category A settlement where most housing growth is expected to occur. The site is sustainably located with access to local public transport, the town centre and the other local services and infrastructure this affords.

7.07 The site is identified within the Buckley Master Plan 2011 as an opportunity site. The master plan identifies the potential for this site to be re-developed to provide mixed use of commercial (retail food) and residential units.

7.08 The submitted scheme does not present any commercial/retail units and would therefore not fully comply with the Master Plan.

7.09 Balanced against this the addition of more commercial/retail floor space into the town centre where there are a number of empty or underused units may simply add to an existing problem, to the detriment of the vitality of the existing main retail area as a whole. This is clearly a material consideration to weigh into the balance between the vision of the Master Plan for this site and the current proposal.

7.10 The question as to whether a 100% residential scheme unacceptably conflicts with the Buckley Master Plan must be weighed against the existing economic position within the town centre. It is based upon the information set out above, and in exercising my planning judgement,

that I conclude that this proposal is acceptable in policy terms.

7.11 Design

The proposed building seeks to create a new frontage to the three arms of Padeswood Road North which wrap around the site. The design of the building seeks to introduce residential form which creates street frontages and makes a clear distinction between the public and private realm.

7.12 The building is 2 storey in height and this height is maintained throughout the building on all elevations. Rather than introduce further vertical emphasis at the junction opposite the status building (Buckley Cross Chapel) as a means of creating a gateway feature, it is considered that the contemporary design, coupled with the angled way in which the building 'turns' the corner, serves to create a distinctive focal point on the approached from Brunswick Road. The proposals to serve the site in vehicular terms from the rear ensures that the design enables the street presence of the building to be softened by incorporating tree planting as part of the overall street scene creation.

7.13 The application was accompanied by a design statement and detailed discussions have taken place with the applicant to arrive at the current design. Whilst the building is 2 storeys in height whereas the building it is replacing was single storey, this must be viewed in the context of the surrounding development which, in a residential context, is predominantly 2 storey.

7.14 A palette of materials has been suggested for the external finishes of the building to enhance the visual impact of the building and to complement the character of the area. These include details such as a brick, render panels, and a metal cladding system for part of the roof in addition to more traditional slate or tile. Windows are proposed to be powder coated metal. The exact specification and finish colours are as yet determined and therefore I propose to condition the submission and agreement of all materials prior to their use.

7.15 The proposed scheme would redevelop a key site within Buckley town centre in accordance with development plan policies (S3 & S7 of the FUDP). The proposed apartment building would not be out of character with the site and its surroundings and is of a modern design using quality materials which would enhance the overall appearance of the area.

7.16 Impacts upon Residential Amenity

The scheme has been designed having regard to the separation standards set out in LPGN 2. In terms of relationships between principal elevations, distances in excess of the required 22 metres are achieved. I have had particular regard to the relation of 2 storey elements of the proposed building to adjacent private amenity areas

and where a degree of overlooking opportunity exists, I am to condition windows to be obscure glazed and non-opening. I am satisfied that the proposals to site the garden space adjacent to garden of Haulfryn is an appropriate way in which to ensure a separation from the building and this garden.

- 7.17 The scheme has been amended from its original submission to address an issue in terms of the relationship of the building with a bedroom window in the side elevation of Haulfryn. The scheme has been amended to draw the first floor element of the building further away from the elevation and to ensure that there are no windows in the gable elevation. Whilst the 12 metres of separation desired in LPGN2 are not achieved, I consider the separation of 8.33 metres, coupled with the absence of overlooking potential is sufficient in combination to ensure that amenity in this case is not unacceptably harmed.
- 7.18 The site is located directly adjacent to Brunswick Road car park and will, at times, be subject to elevated noise levels from traffic using the car park and approach road. Having regard to TAN 11 – Noise, the scheme will be required to provide measures to protect amenity and reduce noise levels within the proposed dwellings to accordance with BS 8233:2014 Guidance on Sound Insulation and Noise Reduction in Buildings.
- 7.19 This standard manifests itself in the requirement for the proposed dwellings being required to be installed with enhanced glazing systems to achieve a minimum of 34dB(A) sound reduction. This glazing will be required to be installed in all living rooms and bedrooms. In addition, passive acoustic ventilation will be required. I propose to make this requirement the subject of a condition.
- 7.20 Highway Impacts
The proposals, being a form of housing, fall within Use Class C3. Local Planning Guidance Note 11 – Parking, requires that proposals of this ilk make provision for 1 car parking space per units in addition to 1 space per 2 units for visitors. This equates to 36No. car parking spaces. As stated, the proposals make provision for 24No. spaces. Whilst this is below the standard set out in Policy AC18, it should however be noted that the site is located within a town centre and is within 50 metres of existing public car parks. The proposed site is also in walking distance of local bus links, leisure and education facilities and the town retail centres. Accordingly the site is considered to be sustainably located in highway terms.
- 7.21 The proposals have been the subject of consultation with the Highway Authority who have assessed the proposals in terms of impact upon highway safety and have advised that there is no objection to the proposals, subject to matters being secured via S.106 agreement and the imposition of conditions. In coming to this view, regard has been

had to the traffic generation associated with the site when the health centre was in operation.

7.22 Site Drainage

Queries have been raised in respect of the proposed drainage regime to serve the developed site. The application particulars indicate the surface water was proposed to be disposed of via a soakaway system. However, the experience of drainage systems within Buckley, given the localised high clay content within the soils, is that soakaways tend not to represent a suitable solution to this issue.

7.23 Whilst Dwr Cymru/Welsh water have not expressly objected to the proposals, it is their usual practice not to accept surface water into the adopted system unless it is proven that other methods of surface water drainage have been demonstrated to not be suitable for use.

7.24 Accordingly, and in the interests of securing a suitable drainage system to serve the development, I propose the addition of a condition prohibiting the commencement of development until this matter is satisfactorily addressed through the submission and agreement of a drainage scheme for the site.

7.25 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, a sum in lieu of on-site recreation facilities is sought of £17,592. This sum will be used to upgrade to upgrade existing facilities at Lyme Grove Play Area. Therefore I propose to make provision within the suggested S106 agreement for this contribution.

7.26 In respect of affordable housing policies the scheme should operate in a manner consistent with the aims of the Council's planning policies in terms of the provision of affordable housing. In this case the applicant is a Registered Social Landlord and is proposing a scheme of 100% affordable housing via various social rental options. Nonetheless, safeguards should still properly be sought to ensure the retention of the same in the future.

7.27 Therefore I propose to make provision within the suggested S106 agreement for affordability criteria to be set out within that document which details the methods via which the affordability of these units will be secured in perpetuity.

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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