

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **26<sup>TH</sup> JULY 2017**

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

**SUBJECT:** **FULL APPLICATION – DEMOLITION OF EXISTING OUTBUILDINGS AND ERECTION OF NEW DETACHED BUNGALOW AT COLROS, 6 ASH VIEW, ALLTAMI**

**APPLICATION NUMBER:** **056305**

**APPLICANT:** **MR. ROBERTS**

**SITE:** **COLROS, 6 ASH VIEW, ALLTAMI**

**APPLICATION VALID DATE:** **6<sup>TH</sup> DECEMBER 2016**

**LOCAL MEMBERS:** **COUNCILLOR C. ELLIS**

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

**REASON FOR COMMITTEE:** **NEED FOR SECTION 106 OBLIGATION**

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

**1.00 SUMMARY**

- 1.01 This full application proposes the demolition of existing outbuildings and the erection of a new detached bungalow on land adjacent to an existing dwelling 'Colros', 6 Ash View, Alltami, Mold.
- 1.02 For Members information the site is located within the settlement boundary of Alltami as defined in the Flintshire Unitary Development Plan.

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

- 2.01 That subject to the applicant entering into a Section 106 Obligation to ensure initial occupation of the bungalow by the applicant due to the local need case advanced, and on any subsequent resale the first opportunity is given for the Council or other Registered Social Landlord to purchase the dwelling, in order to meet the needs of persons from the specialist housing register that conditional planning permission be granted.

If the Obligation pursuant to Section 106 of the Town & Country Planning Act (as outlined above) 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.

Conditions

1. Time limit on commencement of development.
2. In accordance with approved details.
3. Materials to be submitted and approved.
4. Landscaping scheme to be submitted and approved.
5. Implementation of landscaping scheme.

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor C. Ellis

No objection subject to controls over initial and subsequent occupation of the proposed dwelling.

Buckley Town Council  
No observations.

Head of Pollution Control  
No adverse comments.

Natural Resources Wales  
No objection, although the development may require a water discharge permit in respect of foul sewerage.

Welsh Government Transport  
As highway authority for the A494 Trunk Road, does not issue a direction in respect of this application.

Highways Development Control Manager  
Access is served from the A494 (T) Trunk Road and as such the proposed development will not affect the County Road Network. Do not therefore make a recommendation on highway grounds.

Housing Strategy Manager  
Support the principle of development and the completion of a Legal

Obligation to ensure that on any future sale of the property that the first opportunity is given for the Council or other Registered Social Landlord to purchase the dwelling, in order to meet the needs of persons from the specialist housing register.

#### **4.00 PUBLICITY**

##### **4.01 Site Notice, Neighbour Notification**

One letter of objection received, the main concerns of which relates to the impact on an existing public right of way within the application site.

#### **5.00 SITE HISTORY**

##### **5.01 051312**

Change of use to operate 1 No. car and 1 No. minibus for private hire/contract business. Temporary permission granted 9<sup>th</sup> January 2014.

##### **053585**

Continuation of use of premises for private hire firm – Permitted 1<sup>st</sup> June 2015.

#### **6.00 PLANNING POLICIES**

##### **6.01 Flintshire Unitary Development Plan**

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy GEN1 – General Requirement for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design Quality, Location & Layout.

Policy D2 – Design.

Policy AC13 – Access & Traffic Impact.

Policy AC18 – Parking Provision & New Development.

Policy HSG3 – Housing on Unallocated Sites Within Settlement Boundaries.

Policy HSG10 – Affordable Housing Within Settlement Boundaries.

Policy IMP1 – Planning Conditions & Planning Obligations.

##### **Additional Guidance**

Local Planning Guidance Note 2 – Space About Dwellings.

#### **7.00 PLANNING APPRAISAL**

7.01 The site the subject of this application amounts to approximately 0.7 hectares in area. It comprises an area of land located between an existing end of terrace two-storey property 'Colros', 6 Ash View, Alltami, and an existing detached bungalow 'Woodlands' off the A494 Trunk Road.

7.02 Within the site are existing outbuildings that are proposed to be demolished to facilitate the erection of a new bungalow with associated residential curtilage and car parking.

7.03 Proposed Development

The plans submitted as part of this application propose the erection of a detached bungalow which measures approximately 10 m x 6.5 m x 5.5 m high. It is proposed that the dwelling be constructed having rendered external walls and a concrete tile roof. Although the applicant and his wife currently reside at 'Colros', 6 Ash View the agent has advised that bungalow is required due to the limited mobility and degenerative medical condition of his client who will require it to be adapted for wheelchair use.

7.04 For Members information vehicular access to serve the new development is proposed from an existing access that currently serves as parking area for 1 No mini bus operated from the existing property 'Colros', 6 Ash View. The applicant proposes that the operation of the mini bus would continue from the proposed new dwelling with the existing property being served by parking to the rear of "Colros" that is derived from a separate private driveway from the A494.

7.05 Main Planning Considerations

In consideration of this application it is considered that the main planning considerations are as follows:-

- Principle of development having regard to the established planning policy framework.
- Scale/design from a development proposed.
- Adequacy of access/highways.
- Adequacy of drainage.
- Impact on privacy/amenity.
- Impact on existing right of way within the site.

7.06 Principle of Development

The site is located within the settlement boundary of Alltami as defined in the Flintshire Unitary Development Plan. Alltami is classified as a Category C Settlement where any new dwellings must meet a proven local need.

7.07 The application has been submitted on the basis of meeting the medical needs of the applicant as the existing 2 storey property is considered unsuitable to meet current and future needs.

7.08 In accordance with Policy HSG3 of the Flintshire Unitary Development Plan, proposals for new dwellings should be in relation to the meeting a "proven local need". In terms of how the plan defines 'local need' this is in terms of either an essential workers dwelling, or to meet a need for affordable housing.

- 7.09 Whilst the need identified by the application does not conform to this definition, the proposal is nevertheless identifying an exceptional form of local need. The application is supported by sufficient evidence of this specific need for single storey adaptable living accommodation, and as has happened on a limited number of similar exceptional circumstances, I consider the principle of this proposal in these circumstances to be acceptable.
- 7.10 In order to secure the permission of this adapted dwelling for not only the present applicant, but also future potential occupants in need of an adapted dwelling, the recommendation is subject to the completion of a Section 106 Agreement where, on first resale of the property, the opportunity to purchase is given firstly to the Council or other Registered Social Landlord, in order to meet any specialist housing needs identified at this time.
- 7.11 Scale/Design  
The scale/design of the proposed dwelling including the proposed use of materials would be sympathetic to the character of the site/surroundings, particularly having regard to the relationship of the development of an existing adjacent rendered bungalow "Woodlands"
- 7.12 Adequacy of Access  
Consultation on the access/parking to serve both the existing dwelling and proposed new bungalow has been undertaken with Welsh Government Transport and the Highway Development Control Manager. No objections have been received and the application is therefore supported from a highway perspective.
- 7.13 Adequacy of Drainage  
It is proposed that foul drainage from new dwellings is dealt with by way of the installation of a Package Treatment Plant. Consultation on the means of foul disposal has been undertaken with Natural Resources Wales who has raised no objection, although they have advised that a water discharge permit may be required.
- 7.14 Impact on Privacy/ Amenity  
Having regard to the orientation of existing properties adjacent to the site in combination with the proposed erection of a single storey dwelling, no overlooking would result as part of the development proposed. The development is therefore considered to safeguard the privacy/amenity of the occupiers of existing and the proposed dwelling and can therefore be supported.
- 7.14 Impact on Right of Way  
An objection relating to the impact on an existing right of way within the site has been received which is noted. For Members information this is not a definitive 'Right of Way' which is regulated by Flintshire County Council, but a private link to facilitate access to the rear of

existing properties at 'Ash View'. Any right to use this access link is therefore a private matter between respective parties but the agent has confirmed that this right of way is to be retained as part of the development.

## **8.00 CONCLUSION**

In conclusion, it is considered that the proposed development can be supported subject to the applicant entering into a legal obligation to ensure controls over its initial occupation and its subsequent sale to the council or Registered Social Landlord to ensure that it is occupied in future by persons in similar need for specialist housing provision.

## **8.01 Other Considerations**

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

## **LIST OF BACKGROUND DOCUMENTS**

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

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