

FLINTSHIRE COUNTY COUNCIL

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

DATE: **25 JULY 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION - ERECTION OF 11 NO. DWELLINGS AT FORMER NORTH WALES POLICE STATION, 105 THE HIGHWAY, HAWARDEN, DEESIDE, FLINTSHIRE.**

APPLICATION NUMBER: **049448**

APPLICANT: **F.G. WHITLEY & SONS CO. LTD**

SITE: **FORMER NORTH WALES POLICE STATION, 105 THE HIGHWAY, HAWARDEN, DEESIDE, FLINTSHIRE.**

APPLICATION VALID DATE: **13/2/2012**

LOCAL MEMBERS: **COUNCILLOR C. CARVER**

TOWN/COMMUNITY COUNCIL: **HAWARDEN COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **DEVELOPMENT PROPOSAL IS OF SCALE FOR WHICH DELEGATED POWERS TO DETERMINE DO NOT EXIST.**

SITE VISIT: **YES, AT REQUEST OF LOCAL MEMBER TO HIGHLIGHT TO COMMITTEE CONCERNS IN RESPECT OF THE IMPACT UPON A NEARBY LISTED BUILDING AND TO ILLUSTRATE DENSITY OF EXISTING DEVELOPMENT IN THE AREA.**

Members will recall that consideration of this application was deferred at the committee meeting held on the 20th June 2012 upon the advice of the Legal Officer at committee.

Since that date, the requisite amendments to the planning application form have been made and submitted to the Local Planning Authority and the requisite Notice of Application has been served upon the Council as both landowner and Local Highway Authority.

The substance and recommendations within the report remain unaltered.

1.00 SUMMARY

- 1.01 This is a full planning application for the erection of 11 No. dwellings and associated works on land at 105 The Highway, Hawarden. The site measures 0.21 hectares in area. The proposed development provides dwellings which vary in design and make provision for 3 bed accommodation in a variety of plan forms. Vehicular access is proposed to be derived from the western side of the site, via Birch Rise. Pedestrian access is proposed to be specific to each dwelling and is derived via the frontage boundaries of properties which front The Highway, Birch Rise and a private road off Birch Rise.
- 1.02 The issues for consideration are the principle of development, design and appearance, visual/amenity impacts, recreation and educational contributions and highway impacts.

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) Payment of an educational contribution of £10,500 towards primary educational provision/improvements to local education facilities at Hawarden Infants School and £7000 towards similar secondary education level provision and Hawarden High School. The contributions shall be paid prior to occupation of the first dwelling.
- b) Ensure payment of a commuted sum payment in lieu of on site recreation/open space provision of £12,100 with such monies to be used to enhance existing play and recreation facilities within the community. Such sum payable upon sale or occupation of the 5th dwelling.

2.02 Conditions

1. 5 year time limit
2. In accordance with approved plans
3. Approval of external materials to roofs and walls, including finish colours.
4. No development to commenced until developer has proposed a scheme for comprehensive and integrated drainage of site, had been approved in writing by the Local Planning Authority.
5. No surface water drainage to discharge into the adopted drainage system.
6. Submission for approval of landscaping scheme.
7. Implementation of landscaping scheme.
8. Scheme for hours of working to be agreed.

9. Construction traffic management scheme to be agreed.
10. Code for Sustainable Homes - Code 3 "Interim Certificate" to be submitted before work commences.
11. Code for Sustainable Homes - Code 3 "Final Certificate" to be submitted before houses occupied.
12. Scheme for 10% reduction of carbon outputs.
13. Removal of Permitted Development Rights for future extensions.
14. Removal of Permitted Development Rights for future openings in walls and roofs.

3.00 CONSULTATIONS

3.01 Local Member

Councillor C. Carver

Requests Committee determination and a Committee Site Visit. Objects to the application on the following grounds;

1. Considers the proposals amount to overdevelopment by virtue of development being too dense.
2. Considers proposals will give rise to increased on street parking by residents, visitors and any visiting services with consequent impacts upon the free flow of traffic;
3. Concerned that existing grass verge will be used for parking of vehicles.
4. Access to parking court in emergencies;

Hawarden Community Council

Objects on the basis that the proposal is an overdevelopment of the site and would be out of character with the area.

Head of Assets and Transportation

No objections to the proposal. Requests the imposition of notes upon any subsequently granted permission.

Head of Public Protection

No adverse comments

Public Open Spaces Manager

Advises that on site recreation provision is not required. Requests a commuted sum equivalent to £1100 per dwelling be sought in lieu of on site provision. Sum to be paid upon 50% sale or occupation of dwellings.

Head of Lifelong Learning

Advises that contributions towards existing education provisions will be required. Details as set out in the appraisal.

Dwr Cymru/Welsh Water

Objects on basis that proposals would overload existing public sewerage system. However, in view of fact that site is a Brownfield site, advises would consider a foul only connection to the public system if surface water can be discharged by other means.

Airbus

No objection. If cranes are required during construction phase, permit will be required.

Coal Authority

No adverse comments. Standing advice applies.

4.00 PUBLICITY

4.01 The application has been publicised on 2 separate occasions by way of a press notice, site notice and neighbour notification letters, most recently in May 2012.

4.02 At the time of writing this report, the publicity exercise has resulted in the submission of 37 No. letters of objection, including letters from Mr. D. Hanson MP and Mr. C. Sargeant AM, in respect of the proposals. These representations raise objections upon the following grounds:

1. Increased traffic generation resulting in adverse impacts upon highway and pedestrian safety due to inadequate visibility at proposed point of access;
2. Proposed houses are not reflective of the character of the locality;
3. Adverse impact upon visual amenity of area;
4. Insufficient drainage capacity to accommodate further development;
5. Adverse impacts upon residential amenity arising from overbearing, over dense and overlooking development.
6. Concerns in respect of the impact upon local schools and their capacity to accommodate additional pupils.
7. Proposals will result in increased on street parking to detriment of amenity and highway safety.
8. Impacts upon setting of listed building, Stafford House, opposite the site.
9. Building should be re-used for commercial purposes.

5.00 SITE HISTORY

5.01 **4/1/2111**
Security fence to compound.
Permitted 7.1.1992

00/1/00861
Change of Use to offices.
Permitted 27.9.2000

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
Policy STR1 - New Development
Policy GEN1 - General Requirements for Development
Policy GEN2 - Development inside settlement boundaries
Policy HSG3 - Housing upon unallocated sites within settlement boundaries
Policy HSG8 - Density of Development
Policy HSG9 - Housing Type and Mix
Policy D1 - Design Quality, Location and Layout
Policy D2 - Design
Policy AC13 - Access and Traffic Impacts
Policy AC18 - Parking Provision and New Development
Policy SR5 - Outdoor Playing Space and New Residential Development
Policy EPW2 - Energy Efficiency in New Development
Policy EWP3 - Renewable Energy in New Development

7.00 PLANNING APPRAISAL

7.01 Site Description

The site comprises a former police station and its associated compound and parking areas and is located to the north of The Highway. The site is presently vacant. The site is bounded to the north, east and south by existing residential built form. To the west of the site is the Gladstone Playing Fields recreational space. The boundaries are made up of a low brick wall to the southern and western boundaries, a security style fence to the north and part of the eastern boundary, with the remainder formed by a hedgerow to the adjacent 99, The Highway.

- 7.02 The site amounts to 0.21 hectares in area and is located within the settlement boundary of Hawarden as defined in the Flintshire Unitary Development Plan. The site is flat across each axis and is reflective of the surrounding landform.

- 7.03 This full application seeks approval for the development of this site with 11No. 3 bedroomed dwellings. 5No. of the proposed dwellings are 2 storey in height with the remainder of the dwellings providing accommodation on 3 floors within the roof space providing the upper storey. All dwellings have pitched roofs and are proposed to be constructed with slate/tile roofs and a combination of brick/render external walls.

7.04 Principle of Residential Development

The principle of the development of this site for residential purposes is established via the location of the site within the settlement boundary

of Hawarden, where a presumption favour of development exists. The settlement is a category B settlement which has undergone 9.1% growth over the plan period. The UDP provides for growth of 8 – 15% in category B settlements over the plan period. Accordingly the proposal would be acceptable in principle.

7.05 Site Layout, Design and Materials

The site is prominent on the main thoroughfare to Hawarden village centre and conservation area and occupies a position opposite the listed Stafford House. The existing building upon the site offers very little to the character or enclosure of the street and is of indifferent design. The proposals have been the subject of extensive discussions and have been amended in line with the comments of the Council's Design Officer. The layout is reflective of the Queen Mary Cottages located further to the east of the site and seeks to utilise the wrap around style to create a focal point along the street scene at this point. Properties have been deliberately moved towards the adjacent road frontages to create the sense of enclosure and frontage currently lacking at this site. This ensures that the proposals are reflective of the traditional street frontage urban form of the adjacent cottages and mirrors the well defined front boundaries which enclose front gardens which reflect the opposite villas on The Highway.

7.06 The amendment of the originally submitted scheme to remove the street frontage parking and relocate the built form closer the roads has ensured that adequate separation distances between the existing/proposed dwellings are secured in the interests of safeguarding privacy and amenity. The curtilage areas are in accordance with the guidelines specified in the Council's Space About Dwellings standards and provide acceptable standards of amenity.

7.07 Concerns have been raised in respect of the relationship of the proposed dwellings with existing properties. However, I would advise that the layout has been the subject of discussion between the applicant and Officers and has been amended in response to these concerns such that separation distances accord with those required by the Council's standards. It should be noted that the design of those plots which provide for accommodation within the roof space ensures that windows or rooflights look into the site over the communal parking area. The windows in the front elevations of plots 7, 8 and 9 overlook Birch Rise and Gladstone playing fields beyond. Accordingly, I do not consider that there is adverse overlooking resulting in impacts upon amenity in this case. Where a side elevation relationship is proposed (Plots 1 and 10) there are no windows proposed within the side elevations of the dwellings. In the interests of safeguarding future amenity further, I propose to remove the Permitted Development Rights which would normally be afforded to the dwellings in order to ensure that future extensions are considered via the planning process. I also intend to remove the right to make any further window and door openings in the walls or roofs for the same reasons.

- 7.08 Whilst the scheme provides only 3 bedroomed accommodation, the mix of house design introduces an interesting mix of built form which is referenced from traditional existing cottage and house types within the locality. Despite representations in respect of the area being characterised by low density development, it is clear from an appraisal of the area that the density of existing development in the locality is varied. I do not therefore agree that that the proposals are an overdevelopment of the site. The proposals accord with the aims of both national and local planning policy which seeks to achieve the best use of land, especially where that land is previously developed land within a settlement boundary.
- 7.09 Details of the application illustrate a mix in the use of traditional materials for the proposed dwellings. It is considered that this would help the development to relate sympathetically to the character of existing development in proximity to the site and would also serve to relate the development to the wider traditional vernacular. The use of materials can be covered by way of the imposition of a condition if Members are mindful to grant permission for the proposed development.
- 7.10 Drainage
Concerns have been expressed in relation to the capacity of the existing drainage and sewerage systems to accommodate the proposed development of this site. In response to consultation, Dwr Cymru/Welsh Water have raised an objection on the basis of capacity of the existing public sewerage system. However, Dwr Cymru acknowledge that as the proposal is the development of a brownfield site, it would be possible to accommodate foul only discharges in the system. Accordingly, I propose to attach a condition to the permission prohibiting the commencement of development until such time as the drainage proposals for the site have been agreed. Such scheme shall provide for surface water to be disposed of via other means than the public system.
- 7.11 Highway Matters
Concerns have been raised in respect of the adequacy of the existing highway network to accommodate the proposals without detriment to highway safety. These concerns relate to both the adequacy of the parking provision proposed at the site, with a perceived increase in on street parking, and the increase of traffic utilising the existing highway junction between Birch Rise and The Highway.
- 7.12 The proposals provide for a single point of vehicular access to the application site to be created at the western side, off Birch Rise. Access to the site is derived via existing accesses within both the west and north boundaries of the site. These issues have been considered by the Head of Assets and Transportation who advises that there is no concern over highway safety and therefore, no objection to the

proposals.

7.13 Open and Play Space

The Council's Leisure Services department recommend that on site provision of recreational facilities is not required given the close proximity of existing provision. Accordingly, It is requested that a commuted sum for use in upgrading existing facilities within the community is sought. The sum sought equates to £1100 per dwelling, a total of £12,100. This sum will be secured via the proposed S. 106 Agreement.

7.14 Educational Contributions

It is calculated that the development of this site will give rise to 3 children of primary school age and 2 children of secondary school age. Existing primary school provision in the locality is at the nearby Hawarden Infants school, which is already exceeding its capacity by 37 pupils, with secondary provision at Hawarden High School which is similarly 20 pupils over capacity.

7.15 Accordingly, contributions of £10,500 and £7000 are sought towards providing the capacity required at the above mentioned primary and secondary schools. These sums will be secured via the S.106 agreement.

7.16 Other matters

Queries were raised in relation to the re-use of the premises for commercial uses. The site is not located within an area identified for commercial or employment uses nor is it a building which would, in itself, merit retention for architectural or historic reasons in a commercial or employment function. As stated previously, the presumption exists in favour of development of a variety of forms, subject to the details.

8.00 CONCLUSION

8.01 The site is located within the settlement boundary of Hawarden, where a presumption in favour of new development exists. The proposals have been considered having regard to the applicable planning policies and to all other material considerations and, for the reasons outlined above, is considered to be an acceptable form of development in this location.

8.02 Accordingly, my recommendation is one of approval subject to the legal agreement and conditions specified above.

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.

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