

FLINTSHIRE COUNTY COUNCIL

AGENDA ITEM NUMBER: 5.3

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**
DATE : **14 MARCH 2012**
REPORT BY: **HEAD OF PLANNING**
SUBJECT : **FULL APPLICATION - RESIDENTIAL DEVELOPMENT
CONSISTING OF 51 NO. DWELLINGS, NEW ROAD AND
CREATION OF MITIGATION LAND IN RELATION TO
ECOLOGY ON LAND BETWEEN AND BEHIND MAISON DE
REVES AND "CAE EITHIN", VILLAGE ROAD, NORTHOP
HALL.**

APPLICATION NO: **048855**
APPLICANT: **T ANWYL & SONS LTD**
SITE: **LAND BETWEEN AND BEHIND
MAISON DE REVES AND
CAE EITHIN,
VILLAGE ROAD,
NORTHOP HALL,
MOLD, FLINTSHIRE**
APPLICATION VALID DATE: **20/07/2011**
LOCAL MEMBERS: **COUNCILLOR L A SHARPS**
TOWN/COMMUNITY COUNCIL: **NORTHOP HALL COMMUNITY
COUNCIL**
REASON FOR COMMITTEE: **SCALE OF
DEVELOPMENT/MEMBER REQUEST**
SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full planning application for 51 dwellings, new road and creation of ecological mitigation land on a site to the south of Village Road, Northop Hall. The site measures 5.56ha (13.7acres) and is undeveloped, green field land fronting onto Village Road, to which there is an existing vehicular field access. The proposal comprises the following:

- 51 dwellings - 46 detached, 2 semis and 3 terraced.
- dwelling mix - 10 x 3 bedrooms; 36 x 4+ bedrooms open market; 5 x 3 bedrooms affordable.
- new access to Village Road

- new access roads through the development
- retention of protected trees

1.02 The application is accompanied by an Ecological Impact Assessment and Mitigation Plan; Ground Investigation Report; Code for Sustainable Homes Pre-Assessment Report, Car Park Survey and Tree Survey.

The issues for consideration are the principle of development when viewed against the context of the adopted Flintshire Unitary Development Plan; the new access and off site highway works; ecological mitigation measures; visual/residential impacts; affordable housing provision; educational impact/contributions and public open space provision.

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

2.01 The proposal is recommended for approval subject to the completion of a Section 106 legal agreement requiring the following:

- a) Public Open Space and Play Equipment
To provide a contribution of £1,100 per dwelling and a footpath link from the development up to the site boundary adjacent to the garages area to the rear of properties on St Marys Drive.
- b) Transport and Highway Measures
To provide payment of £10,500.00 towards the cost of implementation of off-site highway improvement works comprising a Traffic Calming Scheme.
- c) Affordable Housing
Provision of 5 affordable units.
- d) Education
Contribution of £31,500 towards Hawarden High School
- e) Ecological
Mitigation and management to cover: Reasonable Avoidance Measures; Submission and implementation of habitat creation and enhancement Scheme; Long Term Site Management Scheme; Long Term Site Wardening Plan and Long Term Monitoring Plan.

Conditions

1. 5 year time limit on commencement
2. Samples of all external materials of buildings to be submitted and agreed.
3. In accordance with approved plans
4. Intrusive site investigation works to be undertaken prior to commencement of development,

- to establish the exact situation regarding coal mining legacy issues on the site.
5. Foul water and surface water to be drained separately
 6. Foul flows to connect to the public combined sewer
 7. Surface water discharges to connect to the public surface water sewer
 8. Land drainage run-off shall not discharge in to the public sewerage system
 9. Development is not to commence until a scheme has been approved for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with.
 10. No building to be constructed within 3 metres of the existing public sewer.
 11. No building is to be occupied before 31.03.2015 unless the Waste Water Treatment Works have been improved.
 12. Prior approval of protected species mitigation scheme.
 13. Details of layout, design, traffic calming, signing, surface water drainage, street lighting, construction of internal estate roads, 2m wide footway along site frontage to be submitted for prior approval.
 14. Details of the siting, layout and design of the means of access to be submitted for prior approval.
 15. Provision of 2.4m x 43m visibility splays prior to development commencing.
 16. Access to be kerbed and have a base layer prior to site clearance.
 17. Garages to be set back behind footway line.
 18. Facilities provided for bin storage and collection and vehicle turning and parking.
 19. Details to be approved of method to prevent run-off of surface water onto the highway.
 20. A Construction Traffic Management Plan to be submitted for prior approval.
 21. No development to commence until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has received prior approval. Any contamination shall be the subject of remediation measures which shall be implemented prior to occupation of any dwelling.
 22. No work to take place during bird breeding season.
 23. Submission of scheme for protective barrier around the trees.
 24. Submission of method statements where work is proposed within the root protection areas.
 25. Hours of work limited to Mon-Fri 07.00-19.00; Sat 08.00-17.00, no working on Sundays or Bank Holidays.
 26. Requirement to apply for a great crested newt licence.
 27. Provision for wheel washing facilities for construction traffic.

3.00 CONSULTATIONS

3.01 Local Member - Councillor L A Sharps

Requests the application is referred to Planning Committee and for a Site Visit, in view of great public concern and a petition.

Northop Community Council

Object on the following grounds:

- detract from rural character of prime central location, where design and density must be a major consideration.
- the proposed size and density is unnecessary, unwarranted, unjustifiable and would have a serious detrimental environmental impact on the village in terms of traffic, noise, pollution and harm to wildlife.
- traffic generation and flow onto Village Road, which is busy with commuters going to work.
- pedestrian safety.
- no mention of a mini roundabout.
- dwellings are located on an area which was to have been a buffer zone for the protection of wildlife.
- doubt about whether re-location of badgers would be successful.
- meeting targets for new housing is questioned in a semi-rural location and alternative means should be explored.
- the site should remain open.
- the increase in dwellings requires increases in amenities and confidence in the capacity of the infrastructure. The provision of underground surface water storage is not desirable or suitable.
- hammerheads to facilitate future development are opposed.
- old mine workings cause concern.

Head of Assets and Transportation

No objection subject to conditions and a S106 agreement for replacement traffic calming features to manage traffic speeds along the site frontage. This will become part of a wider traffic calming scheme for the village.

Head of Public Protection

No objection subject to conditions.

Housing Strategy Manager

No objection subject to the provision of 5 units given to the council.

Director of Lifelong Learning

No objection subject to a S106 agreement for £31,500 to be paid by the developer for Hawarden High School.

Welsh Water

No objection subject to conditions.

Environment Agency

No objection.

Airbus

No objection.

The Clwyd-Powys Archaeological Trust

No comment.

The Coal Authority

No objection subject to a condition.

Countryside Council for Wales

No objection subject to the imposition of planning conditions/obligations in respect of safeguarding the nature conservation interest of the site. The fungi survey did not identify any especially rare or threatened species. Conservation of the fungi can most appropriately be delivered by the implementation of an appropriate long term management plan that considers the ecological requirements for these species.

4.00 PUBLICITY

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

Over 450 letters have been received opposing the development for the reasons summarised below. All but 15 of these are standard letters of identical format.

Layout and density

- out of scale with the village
- destruction of a semi-rural area in a prime location
- out of character with the surroundings
- overdevelopment

Traffic generation and highway safety

- the links between housing and employment in the village are relatively poor resulting in high levels of car commuting
- increase in traffic where roads are already used as a rat run
- local roads are not sufficiently wide to accommodate more vehicles and parked cars make it difficult to emerge from side roads
- the site entrance would be better from the south (old A55).
- increased use of poor pavements, where they exist.
- it is already dangerous to walk through the village with a pushchair

Loss of amenity

- loss of view and privacy, especially for properties on east side of St Mary's Drive

- devaluation

Housing

- there is no need or demand for more houses in Northop Hall
- no need for affordable units
- too many executive style houses and not enough smaller units

Mitigation Land and Wildlife

- due to the confined location of the proposed mitigation land it is unlikely to be more than a token gesture and will have little conservation benefit.
- loss of habitat for wildlife and birds.

General

- there is a coal seam 80-240 metres below ground. Last mined in 1914 and there are some disused capped mine shafts. The expense of making the land safe will negate the provision of affordable homes.
- fear of subsidence - the site has sunk since properties on St Mary's Drive were built
- village amenities include 2 pubs and one shop.

Local Facilities

- pressure on the schools and the local primary school is full
- will exacerbate existing low water pressure at upper end of village
- insufficient power supply
- no direct bus to Ewloe, Buckley or Flint
- local medical practices do not take in new patients
- lack of facilities for children now, this will make it worse.

Councillor K. Armstrong-Braun objects as the application would be in breach of 1979 Council Directive on the conservation of wild birds. The Directive says a large number of species of wild birds naturally occurring in Europe are declining in number, representing a serious threat to conservation of the natural environment. The preservation, maintenance or restoration of a sufficient diversity and area of habitats is essential to the conservation of all species of birds. Certain species should be the subject of special conservation measures concerning their habitats to ensure their survival.

5.00 SITE HISTORY

5.01 860/80

Outline planning permission granted in 1981 for 6-8 dwellings.

535/87

Outline planning permission granted in 1987 for 4-5 dwellings at Cae Eithen Farm

35046

Permission refused for residential development to the side of Cae Eithen in 2003.
Appeal dismissed.

36558

Outline permission granted for residential development to the side of Cae Eithen in 2004.

43413

Outline permission granted for residential development to the side of Cae Eithen in 2007. Now expired.

48373

Residential development of 72 dwellings, new road, ecological mitigation land.
Withdrawn July 2011.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan policies:

STR1 New Development

STR4 Housing

GEN1 General Development Considerations

GEN2 Development inside Settlement Boundaries

D1 Design Quality, Location and Layout

D2 Design

D3 Landscaping

TWH1 Development Affecting Trees and Woodland

WB1 Species Protection

AC13 Access and Traffic Impact

AC14 Traffic Calming

AC18 Parking Provision and New Development

HSG1 (35) New Housing Development Proposals - Northop Hall

HSG8 Density of Development

HSG 9 Housing Mix and Type

HSG10 Affordable Housing within Settlement Boundaries

SR5 Play Areas and New Housing Development

EPW2 Energy Efficiency in New Development

Planning Policy Wales

Technical Advice Note 2 - Planning & Affordable Housing

Technical Advice Note 5 - Nature Conservation

Technical Advice Note 18 - Transport

Local Planning Guidance Notes:

No.2 Space around dwellings

- No.3 Landscaping
- No.4 Trees & Development
- No.8 Nature Conservation & Development
- No. 9 Affordable Housing
- No.11 Parking Standards
- No. 12 Access for All
- No.13 Open Space Requirements
- No.22 Planning Obligations

7.00 PLANNING APPRAISAL

7.01 Site Location and Proposed Development

This is a full planning application for 51 dwellings on land south of Village Road. To the east is a dwelling called Maison de Reves and dwellings on St Mary's Drive; to the north are dwellings on the opposite side of Village Road; to the east is Cae Eithin beyond which are more dwellings facing Village Road and to the south are fields leading down to the road between Brookside, the A55 junction and the B5125 Stamford Way. Bordering the southern part of the eastern boundary are fields/paddocks. The site slopes down from north to south, towards the A55.

7.02 The development will be served by a new access to Village Road with 2.4m x 43 m visibility splays and a new 2m wide footpath across the site frontage. The road network within the site comprises 5.5m wide highways with a footway along each side. There will be a mix of detached, semi and semi/mews dwellings.

7.03 The Code for Sustainable Homes Pre-Assessment Report concludes the proposed development is capable of meeting Code Level 3 in the nine key sustainable design principles, as required by the Welsh Government.

7.04 Principle of Development/Policy Context

Approximately 50% of the site is within the settlement boundary and allocated for residential development. The remaining 50% i.e. the two roughly rectangular field parcels in the southern area are outside the settlement boundary and the UDP allocation. However, this southern area is not shown for development and is to be used for an alternative nature conservation area in lieu of the natural existing habitat.

7.05 The site forms part of a larger allocated site for housing with an indicative yield of 93 units – this figure assumes the whole of the site will be developed. Due to ownership constraints this application is for part rather than the whole of the site allocated in the UDP. However it is preferable that the site be partially delivered to provide 51 new dwellings rather than not come forward at all. Provided the layout does not prejudice the bringing forward of development on the remainder of the UDP allocation, then there is no objection in policy terms.

7.06 In seeking to bring about sustainable development the Welsh Government advises in Planning Policy Wales that Local Authorities should promote the most efficient use of land. UDP policy HSG8 seeks to make the most efficient use of land in terms of achieving a density of development which reflects the characteristics of the site and

its surroundings and ensures that the quality of the living environment and amenity is not compromised. The proposed 51 dwellings is considered to be broadly compatible in terms of making the best use of land as required by Policy HSG8. There is a mix of houses in terms of type and size which would satisfy Policy HSG9.

7.07 Usual considerations apply to this proposal as regards to open space provision and affordable housing requirements in line with UDP policies SR5 and HSG10.

7.08 The proposal is acceptable in principle and there are no policy objections.

7.09 Public Open Space

Given there are two existing play and recreation grounds near to the application site, to the west of St Mary's Drive and to the north off Llys Ben, the council is not seeking open space provision at this development.

7.10 In lieu of on site provision, a capital sum payment of £1,100 per dwelling is to be paid to the council upon 50% sale or occupation of the development. The payment would be used to enhance existing recreation provision.

7.11 As shown on the layout plan, the developers are to provide a public footpath up to the western boundary, to the existing garage block, rear of 30 - 36 St Mary's Drive. This would provide safe access to the existing recreation provision at St Mary's Drive.

7.12 The proposed mitigation area in the southern part of the site will not be adopted by the council.

7.13 Highways

The proposed development would be served by a new access to Village Road. In terms of the generation of traffic from the proposed development, the site has been assessed using the latest traffic calming policy and a traffic calming scheme has been designed by the council. The scheme proposed replaces the existing calming features and is designed to manage traffic speeds along the development site frontage. It will then become part of a wider traffic calming scheme for the village.

7.14 The proposed traffic calming scheme, to be part of the S106 agreement, comprises:

- a 65mm high, 3.4m long x 1.7m wide speed cushion on Village Road in front of the Black Lion public house to the east of the site. This will stipulate vehicle alignment whilst aiding pedestrian safety with the creation of a 0.5m 'Exclusion Zone' on either side of existing carriageway.
- a traffic calming feature on the highway immediately east of the new access
- 'Give Way' lines and associated build-out to facilitate vehicle movements whilst entering and departing from properties 'Amon' and 'Lynwood', east of the site
- 'Road Narrows' Warning Signs erected at suitable locations.

7.15 In relation to highway matters it is relevant to refer to the UDP Inspector's report for this site. It said there were many objections from local residents but evidence from

the council's highways officer indicated that a safe access could be achieved and, despite the road configuration, the capacity is available to deal with the anticipated number of trips generated by the proposed allocations (93 units). Further traffic calming can be undertaken in the village, which would improve road safety. The road network to the east and west of the village has been or will be improved.

7.16 Trees and Landscaping

There is no objection in principle. The mature sycamores to the north of Plot 51 (to the east of the site entrance), appear to be adequately safeguarded and will make an attractive entrance feature. A condition is needed regarding submission of a soft landscaping scheme.

7.17 Ecology

The site consists predominantly of horse grazed grassland with an area of mine spoil with mixed scrub in the south west corner and mixed hedgerows along the southern boundary.

7.18 The site is over 700m from Deeside and Buckley Newt Sites Special Area of Conservation (SAC) and Wepre Wood Site of Special Scientific Interest (SSSI) which are designated for great crested newts. There is no direct effect on the GCN although there is one pond adjacent to the site with a GCN record. This pond has been surveyed regularly since 2004 and since then it has been heavily poached by horses and is not considered suitable as a breeding pond for GCN. Scrub and woodland habitats within and adjacent to the site have potential as terrestrial habitat for GCN.

7.19 There is a badger sett within the scrub on mine spoil within the application site. The size of the sett was confirmed by the Clwyd Badger Group in July 2011 as 4 holes, 3 active and 1 part used plus two new holes on north side of the spoil possibly dug by yearlings.

7.20 The grassland has patches of interest with pignut, bulbous buttercup and birdsfoot trefoil in the lower fields where the site is less heavily grazed by horses. Due to local recordings of waxcap fungi, a more detailed survey was requested. The species subsequently recorded were widespread species found elsewhere in North East Wales although grassland management is critical to the existence of these fungi.

7.21 Mitigation Proposals

A similar area of land to that being developed but which is currently heavily grazed by horses south of the development site will be enhanced to mitigate for the effects of development.

7.22 Deeside and Buckley Newt SAC

Possible indirect effects caused by a potential increase in recreation within the SAC due to 51 additional dwellings can be overcome by the provision of a local recreational area. The creation of "greenways" linking into the existing PROW has subsequently been put forward. These will be separated from the management of the rest of the site.

7.23 Great Crested Newts

Currently there is no suitable breeding habitat on or adjacent to the site for GCN and there hasn't been since 2004 although GCN eggs had been previously recorded in the pond south east of the site. The presence of potential terrestrial habitat – scrub and hedgerows means that reasonable avoidance measures will need to be undertaken prior to the development of the site. The GCN population will ultimately benefit from the creation of 2 new ponds within the mitigation area approximately 150m from the existing pond. Provision of new ponds and secured terrestrial habitat, providing it is secured with long term management, will help to maintain the favourable conservation status of GCN in this locality.

7.24 Badgers

The best option for the badgers would be to leave them in situ and develop the land around them, although this would isolate the population from their foraging areas.

7.25 Due to the need to locate mine shafts within the area of scrub, the proposal is to create a new sett on land immediately to the south of the application site within 100m of the existing sett. The aim is to build the sett into a created mound using the existing free draining mining spoil, replant some of the existing scrub to create immediate cover and plant the remaining area with native species and fence from public access.

7.26 Research into the use of artificial setts by badgers concludes success rates can be high (over 90%) depending on proximity to the existing sett and proximity to an existing path or foraging area. Also while they don't need to be overly large or complex they do need to have correct thermal properties and drainage plus 6 months to "bed in". To ensure success the sett needs to be re-located as detailed in the application and undertaken in accordance with the submitted details and licence application.

7.27 Grassland mitigation

It is important to enhance the retained grassland through agreed use of topsoils appropriate re-seeding and future management. Waxcap fungi exist adjacent to the site, to the south west, which should spread if the right management is undertaken to maintain the grassland at the most appropriate length. This will be dependant on securing the site's long term management. Grassland that will be retained in situ in the southern section of the site, near the old A55, needs to be protected from associated construction works eg the sewage pipe easement.

7.28 S106 agreement/conditions need to cover Reasonable Avoidance Measures; the habitat protection where relevant; the creation and enhancement scheme; long term site security including management and monitoring with the provision of sufficient resources and a compliance audit scheme to ensure that the scheme is successful. Ultimately it is the long term management of the site that will ensure whether the mitigation is successful or not.

7.29 The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows

disturbance, or deterioration or destruction of breeding sites or resting places, in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is no satisfactory alternative and no detriment to the maintenance of the species population at favourable conservation status in their natural range.

- 7.30 The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and a licensing system administered by the Welsh Ministers. Planning Policy Wales (2002) paragraph 5.5.11 advises local Planning Authorities that “The presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its Habitat.”
- 7.31 TAN 5 (2009) paragraph 6.3.6 says Regulation 3(4) of the Habitats Regulations requires all local planning authorities to have regard to the provisions of the Habitats Directive. Consequently, the Directive’s provisions are relevant in reaching planning decisions where a European protected species may be affected and it is important that such planning decisions are reached in a manner that takes account of, and is consistent with, the Directive’s requirements. Those requirements include a system of strict protection for European protected species, with derogations from this strict protection being allowed only in certain limited circumstances and subject to certain tests being met....these requirements are transposed by the provisions of the Habitats Regulations.
- 7.32 The issues of whether development could give rise to a breach of the Regulations’ requirements, and whether there may be a potential need for a licence to avoid such a breach, are a material consideration in a relevant planning decision. Where a licence may be needed, the three licensing ‘tests’ required by the Directive should be considered by the local planning authority. The requirement for a licence and the application of the three licensing tests is equally a material consideration in planning appeals. Local planning authorities should give due weight to the presence of a European protected species on a development site to reflect these requirements and this may potentially justify a refusal of planning permission." Paragraph 6.3.7 then states:- “It is clearly essential that planning permission is not granted without the planning authority having satisfied itself that the proposed development either would not impact adversely on any European protected species on the site or that, in its opinion, all three tests for the eventual grant of a regulation 44 (of the Habitats Regulations) licence are likely to be satisfied.”
- 7.33 In this case to satisfy test 1, the social or economic nature of a development, the proposals seek to establish the use of the site for residential development. The site lies within the identified settlement boundaries of Northop Hall and is specifically allocated for residential development. The application is accompanied by survey data to indicate that the proposals would not adversely affect European Protected

Species (EPS). In considering this data, together with the intention to undertake the identified Mitigation Measures, Countryside Council for Wales and the Local Planning Authority are satisfied that there are no adverse effects upon the EPS. It is considered that this proposal will ensure that the species and habitats are brought into favourable conservation status, where, without the development, this would not be the case.

- 7.34 Test 2 is about whether there is a satisfactory alternative. This do nothing option is not satisfactory because without management the nature conservation value of the existing pond will continue to deteriorate. The land is heavily horse grazed and the pond has been poached by horses and has been dry for the last summer. The creation of new ponds will enhance the locality for GCN.
- 7.35 Test 3 is about whether the development will be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. In terms of the GCN, these are annually surveyed at Wepre Country Park and adjacent sites some 700m north of the application site and Buckley sites over 1km south of the application site. The provision of an identified protected mitigation area during all stages of construction and operation will ensure maintenance of the range & dispersal route available for GCN. The protection of this area in the long term will provide for the long term prospects. Reasonable avoidance measures will be undertaken prior to development to prevent harm to GCN if present on site. Conditions & s106 agreement proposed to cover: Reasonable Avoidance Measures; Submission and implementation of habitat creation and enhancement Scheme; Long Term Site Management Scheme; Long Term Site Wardening Plan and Long Term Monitoring Plan.
- 7.36 The proposed development and mitigation proposals have been assessed and it is considered that the development is not likely to have a significant effect on protected species. It is considered that this application satisfies the three tests required by the Habitats Directive.
- 7.37 In conclusion, providing the mitigation area is protected and managed in the long term there will be no detrimental impact on the maintenance of the favourable conservation status of the Great Crested Newt. CCW have no objection subject to the imposition of planning conditions/obligations in respect of safeguarding the nature conservation interest of the site.
- 7.38 Education
The schools affected would be Northop Hall Primary School, which has spare capacity, and Hawarden High School which does not have spare capacity. It is estimated that the proposed development would generate 12 primary school pupils and 9 secondary school pupils.
- 7.39 An education contribution figure has been identified which would allow the Local Authority to make provision for an estimated 12 primary age pupils in one school and an estimated 9 secondary age pupils in one school.

7.40 The placement of the estimated 12 primary school pupils will not have a significant impact on the local primary school because there is a current surplus of 83 places. However, the placement of the estimated 9 pupils will increase pressure on Hawarden High School, where the Numbers on Roll exceed its capacity by 2 pupils.

7.41 Affordable Housing

There will be no additional Social Housing Grant funding becoming available in the foreseeable future. Accordingly, discussions have been undertaken with the applicant and local member in respect of this application and the preferred method of affordable housing delivery is the provision of 5 gifted units (houses given to the council at no cost) constructed to Welsh Design Quality Requirements/Lifetime Homes Standards. The mix will be 5 x 2 bed 4 person houses. The gifted units will be to house local people who are registered on the council's affordable home ownership register.

7.42 Layout, Design and Appearance

The proposed development will provide 51 dwellings on approximately 2.3ha hectares, which equates to about 22 dwellings per hectare - very similar to the density of the residential development to the west, served by St Mary's Drive and Elm Drive. This is a lower density than the UDP indicative figure of 30 dwellings per hectare but is acceptable, given the constraints posed by retaining protected trees, provision greenspace and distances required to existing buildings. The dwellings will be constructed in brick and tiles to council approval. There will be 9 different house types in a mix of 3 and 4 bedrooms.

7.43 Effect on Existing/Proposed Residential Amenities

There are existing dwellings to two sides with their rear gardens backing onto the application site. It is considered that there would not be any material detrimental impact on the amenities of existing or proposed residents by way of overlooking or privacy. The scheme is broadly in line with the council's standards for space around and between dwellings. Adequate amenity space is provided for existing and proposed occupiers.

7.44 Some local residents have objected on grounds of loss of view and devaluation. These are not planning matters.

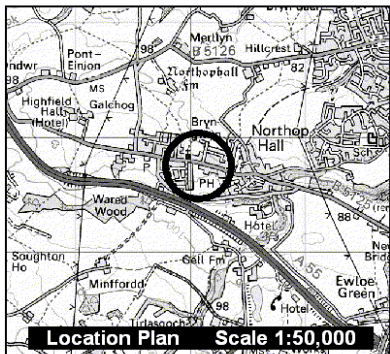
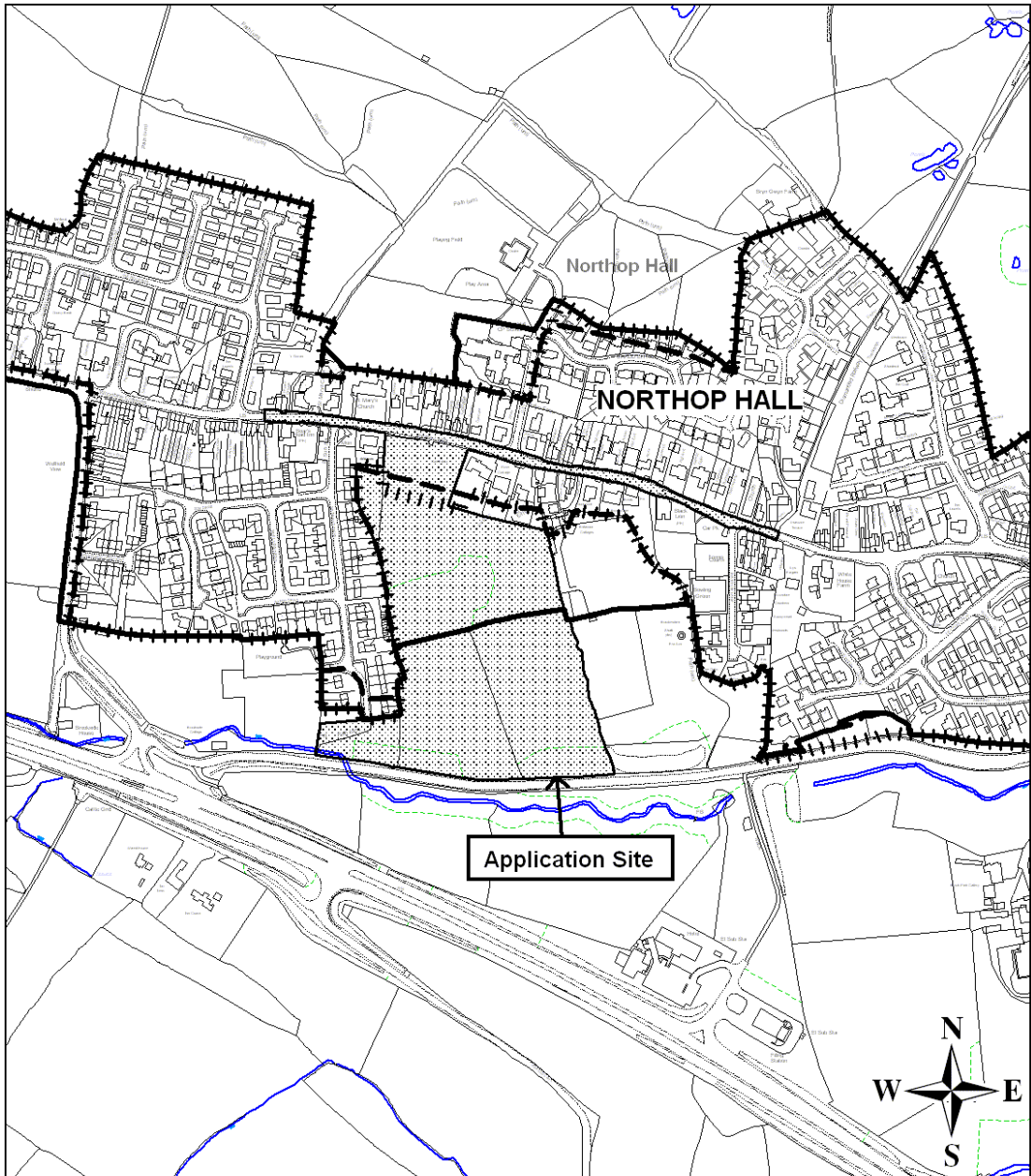
8.00 CONCLUSION

8.01 In conclusion, it is relevant to refer to the UDP Inspector's report which said Northop Hall is comparatively small (about 650 dwellings), has a reasonable level of local services/facilities and is relatively close to larger centres. It is a sustainable location and the proposed growth is not disproportionate to the size of the village and its range of facilities. The development of this greenfield site would be consistent with Planning Policy Wales.

8.02 The proposal provides for a quality residential scheme which is acceptable in principle and detail, subject to conditions and a S106 legal agreement.




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.

Contact Officer: Sally Cunliffe
Telephone: 01352 703254
E-Mail: sally_cunliffe@flintshire.gov.uk



Environment Directorate,
 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Director: Mr. Carl Longland

Key to Settlement Boundaries

-  Delyn Local Plan Settlement Boundary
-  North Flintshire Local Plan Settlement Boundary
-  Emerging Flintshire Unitary Development Plan Settlement Boundary

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Map Scale	1:5000
Ordnance Survey Sheet	SJ 2767
Planning Application	48855