

FLINTSHIRE COUNTY COUNCIL

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

DATE: **7TH NOVEMBER 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **OUTLINE – SUB-DIVISION OF EXISTING DETACHED DWELLING INTO 2 NO. SEMI-DETACHED DWELLINGS AND ERECTION OF 5 NO. DWELLINGS AT WYLFA HOUSE, 159 MOLD ROAD, MYNYDD ISA, MOLD.**

APPLICATION NUMBER: **050088**

APPLICANT: **MRS H. MCGUILL**

SITE: **WYLFA HOUSE,
159 MOLD ROAD,
MYNYDD ISA,
MOLD. CH7 6TG**

APPLICATION VALID DATE: **31ST AUGUST 2012**

LOCAL MEMBERS: **COUNCILLOR A. BRAGG**

TOWN/COMMUNITY COUNCIL: **ARGOED COMMUNITY COUNCIL**

REASON FOR COMMITTEE: Applicant is County Councillor and request for Committee determination from adjoining Ward Member as Local Member has declared an interest in the application.

SITE VISIT: Yes.

1.00 SUMMARY

1.01 This outline application proposes the sub-division of an existing detached 2 storey property 'Wylfa House' into 2 No. semi-detached dwellings and the development of part of its associated residential curtilage by the erection of 5 No. dwellings. All matters are reserved for subsequent approval.

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

2.01 That subject to the applicant entering into a Section 106 Obligation, Unilateral Undertaking or advance payment of £1,100 per dwelling in lieu of on site play provision that planning permission be granted subject to the following conditions:-

1. Outline – Reserved matters.
2. Outline – Time limit.
3. Materials to be submitted and approved.
4. Elevational treatment to Wylfa House to be submitted and approved.
5. Landscaping scheme to be submitted and approved.
6. Timescale for implementation of approved landscaping.
7. Accurate tree survey to be undertaken/protection of hedgerows/trees during development.
8. No dwelling shall be occupied until after 31st March 2014 given planned improvement works to Waste Water Treatment Works.
9. Foul water discharges only to be permitted to discharge to the public combined sewer located within Mold Road.
10. Foul and surface water to be drained separately.
11. No surface water to discharge into public sewerage system.
12. No land drainage to discharge into public sewerage system.
13. Site, layout, design of means of site access to be submitted and approved.
14. Forming and construction of means of site access shall not commence until details have been approved.
15. Site access to be kerbed and completed to carriageway base course layer up to internal tangent point of entrance radii prior to commencement of any other site building operations.
16. Access to have visibility of 2.4 m x 43 m in both directions.
17. Visibility splays to be kept free from obstructions for the duration of site construction works.
18. Detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate roads to be submitted and approved.
19. Access to have gradient from edge of carriageway for a minimum disturbance of 10 m to be 1:24 and 1:15 thereafter.
20. Existing footway along site frontage to be improved in width to 1.8 m.

3.00 CONSULTATIONS

3.01 Local Member

Councillor A. Bragg

Declares an interest in the application and does not wish to comment.

Councillor R.C. Bithell (Adjoining Ward)

Request site visit and Planning Committee determination given expressions of concern from residents regarding density, access, drainage, landscape and ecological issues.

Argoed Community Council

Only one objection received from the Council which reiterates residents concerns re: flooding. Consider that a letter from the Water Authority advising that development would not cause flooding problems would be beneficial.

Dwr Cymru/Welsh Water

Recommend that any permission be the subject of a Grampian style condition to prevent occupation of the dwellings until after April 2014 until improvements to capacity of the existing Sewerage Treatment Works have been undertaken. Also recommend conditions in respect of the discharge of foul, surface and land drainage.

Environment Agency

Have assessed the application as having a low environmental risk. Draw attention to standard advice.

Public Open Spaces Manager

Recommend a commuted sum payment of £1,100 per dwelling in lieu of on site recreational provision.

Countryside Council for Wales

No objection as the site has been subject to survey and no protected species will be affected.

Head of Assets & Transportation

Recommend that any permission includes conditions relating to access, visibility, construction of internal estate road and improvement to footway along site frontage.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

32 letters of objection including representations from the Wylfa Hill Preservation Society received, the main points of which can be summarised as follows:-

- No change in circumstances since a previous application for the erection of 7 dwellings at this location was refused in 2011.
- Proposal would represent overdevelopment.
- Inadequacy of access.
- Inadequacy of drainage system to accommodate further development.
- Impact on privacy/amenity.
- Conversion of Wylfa House into 2 dwellings will have detrimental impact on its character.

5.00 SITE HISTORY

5.01 977/91

New vehicular access – provision of hardstanding, infill and landscaping – Permitted 3rd March 1993.

427/94

Landfill and forming of garden – Granted 8th November 1994.

46327

Outline application – Demolition of existing property and the development of gardens for residential housing – File closed 21st January 2004.

047773

Outline – Demolition of existing dwelling and proposed residential development – Refused 9th September 2011.

6.00 PLANNING POLICIES

6.01

Flintshire Unitary Development Plan

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D2 – Location & Layout.

Policy D4 – Landscaping.

Policy TWH1 – Tree & Woodland Protection.

Policy TWH2 – Development Affecting Trees & Woodlands.

Policy WB1 – Protected Species.

Policy HE4 – Buildings of Local Interest.

Policy AC13 – Access & Traffic Impact.

Policy AC18 – Parking Provisions & New Development.

Policy HSG3 – Housing on Unallocated Sites.

Policy HSG8 – Density of Development.

Policy EWP16 – Flood Risk.

Policy IMP1 – Planning Conditions & Obligations.

7.00 PLANNING APPRAISAL

Introduction

7.01

This outline application proposes the sub-division of an existing detached 2 storey property 'Wylfa House' into 2 No. semi-detached dwellings and the development of part of its associated residential curtilage by the erection of 5 No. dwellings. All matters are reserved for subsequent approval.

Site/Surroundings

7.02

The site, the subject of this application amounts to approximately 0.3 hectares in area. It is located on the western side of Mold Road opposite an existing cul-de-sac at Bryn Offa. The character of the

site/surroundings is predominantly of detached/semi-detached dwellings fronting onto Mold Road, with detached dwellings at Pen y Lon adjacent to the site's western boundary.

Background History

7.03 Members may recall that there is a recent background of planning history at this location which is referred to in paragraph 5.00 of this report. In summary an outline planning application for the demolition of the existing property 'Wylfa House' and development of the site by the erection of 7 No. detached dwellings was refused under Code No. 047773 on 9th September 2011, following consideration at the Planning & Development Control Committee on 7th September 2011.

7.04 The application was refused for the reasons which are summarised as follows:-

- The scale of the development proposed would represent overdevelopment at this location.
- The proposed access to serve the scale of development would not provide for adequate visibility from and of emerging vehicles to satisfy highway safety.
- The tree survey submitted as part of the application does not provide adequate information to enable the impact of the proposed development on existing trees within the site to be assessed.

Proposed Development

7.05 This current application has been resubmitted in order to seek to address the above reasons for refusal. Although submitted in outline form, an indicative site layout proposes:-

- The retention of the existing dwelling 'Wylfa House' with its proposed sub-division into 2 No. semi-detached dwellings.
- The erection of 5 No. detached dwellings on part of its associated residential curtilage.
- The closure of the existing access serving 'Wylfa House' and erection of a new access approximately 20 m to the south of the existing access point. The new access and part of the driveway would be on part of the residential curtilage area which lies adjacent to but outside the settlement boundary at this location.

Main Planning Issues

7.06 It is considered that the main planning issues in relation to this application are as follows:-

- a. Principle of development having regard to the planning policy framework and background of planning history.
- b. Impact on the character of the existing dwelling 'Wylfa House'.
- c. Proposed scale of development.
- d. Adequacy of access to serve the development.

- e. Adequacy of drainage system.
- f. Impact on ecology.
- g. Impact on existing trees.

Planning Policy

- 7.07 The proposed dwellings are located within the settlement boundary of Mynydd Isa as defined in the adopted Flintshire Unitary Development Plan, although the proposed access/ driveway would be on a small part of the curtilage area which lies adjacent to but outside the settlement boundary at this location. This in my view would represent an acceptable form of development within this urban environment with the dwellings being contained wholly within the settlement boundary at this location. Within the UDP, Mynydd Isa is classified as a category B settlement; where in accordance with Policy HSG3 it is identified to experience growth of between 8 – 15% over the plan period and where higher levels of growth would only be justified for local needs. The current growth level of Mynydd Isa is below the growth band identified and therefore targeting the dwellings to meet local needs would not have to be satisfied. The principle of development for general purpose housing can therefore be supported subject to the safeguarding of relevant amenity considerations.

Impact on Character of “Wylfa House”

- 7.08 This current application proposes the retention of “Wylfa House” and its conversion into a pair of semi-detached dwellings within the proposed development. Although the building is not listed as being of special architectural or historic interest, it does contain a number of attractive features including an ornate timber raised entrance balcony, lending the house a colonial style.

- 7.09 The indicative site layout proposes the reorientation of the house front towards the west, which would appear to have been the main entrance into the dwelling. Whilst the principle of the sub-division of the dwelling into a pair of semi-detached dwellings is in my view acceptable and can be supported, careful design considerations will need to be introduced in order to retain the symmetry of the west façade. If Members are mindful to grant permission for the development this can be addressed and controlled at reserved matters stage.

Scale of Development

- 7.10 The plans submitted as part of this application also propose the erection of 5 No. additional detached dwellings within the associated residential curtilage area of Wylfa House. The objections received to the scale of development proposed and concerns that there has been no change in circumstances since a previous application was refused under Code No. 047773 in September 2011 for the erection of 7 No. dwellings are duly noted and addressed below.

It is considered that the character of existing development in proximity

- 7.11 to the site is defined by detached/semi-detached dwellings. A net reduction in the density of development by one unit from that previously refused under Code No. 047773 together with associated modifications to the site layout would in my view provide for a better balanced site layout at this location in comparison to that previously refused. This would not, in my view, represent overdevelopment and be comparative to the scale of existing development at Mold Road and Pen y Lon.

Adequacy of Access

- 7.12 Consultation on the application has been undertaken with the Head of Assets & Transportation in order to assess on the basis of the indicative layout submitted whether satisfactory access arrangements can be secured to serve the scale of development proposed. The Head of Assets & Transportation has advised that the proposed access would require a visibility splay of 2.4 x 43 m to be provided in both directions and that any permission includes conditions in respect of access, visibility and improvements to the footpath along the site frontage. The visibility splay would require the removal of the hedgerow along the site frontage which is in the ownership of the applicant. If Members are mindful to grant planning permission this can be covered by way of the imposition of a condition which would also require the planting of a replacement hedgerow behind the visibility splay in order to help assimilate the development into the locality.

Adequacy of Drainage

- 7.13 It is noted that the adequacy of the drainage system to serve the proposed development is highlighted by residents and the Community Council as being of particular concern, following the consultation exercise undertaken on the planning application given previous instances flooding problems within the locality.

- 7.14 Dwr Cymru Welsh Water have been consulted and clarified their position on this matter, confirming that there is no objection to the development subject to the imposition of a Grampian style condition to prevent occupation of any of the new dwellings proposed until 1st April 2014 until improvements to the Mold Waste Water Treatment Works have been undertaken. In addition it is also recommended that conditions be imposed to ensure that foul and surface water discharges separately from the site, with foul water discharges only being permitted to discharge to the public combined sewer located within Mold Road along the site frontage.

Ecology

- 7.15 The application site has been the subject of an ecological survey which has been undertaken to assess the impact of development on any protected species which may be present. The Countryside Council for Wales have confirmed that they have no objection to the proposed development as the proposal would not have a detrimental

impact on any protected species which may be present.

Impact on Existing Trees

- 7.16 The Council's Forestry Officer has no objection in principle to the development but considers that some of the trees, in particular a mature oak, need to be retained. This is an outline application and the conditions require the submission of a survey which accurately represents the spread of each tree which will allow the dwellings to be sited so as to allow the retention of the important trees. The site layout which has been submitted for indicative purposes only, will need a resiting of some of the dwellings proposed and removal of a number of associated outbuildings garages etc as shown to ensure the retention and protection of the trees on site.

8.00 CONCLUSION

- 8.01 In conclusion, it is my view that the proposed scale/form of development as currently proposed would be sympathetic to the character of the site and its surroundings. Although submitted in outline form with all matters reserved for subsequent approval, some minor modifications to the indicative site layout submitted would ensure that the privacy/amenity of occupiers of existing properties were safeguarded and the requirements of the Head of Assets & Transportation, Dwr Cymru Welsh Water are included by the imposition of conditions and implemented at the detailed planning stage. 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.

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