

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**
DATE: **20TH MARCH 2013**
REPORT BY: **HEAD OF PLANNING**
SUBJECT: **FULL APPLICATION – ERECTION OF 2 NO. TWO BEDROOM SEMI DETACHED DWELLINGS WITH PARKING TO FRONT AND REAR AT FERN LEIGH, BROOK STREET, BUCKLEY**
APPLICATION NUMBER: **050291**
APPLICANT: **MR. ANDREW CROSTON**
SITE: **LAND OFF FERN LEIGH, BROOK STREET, BUCKLEY**
APPLICATION VALID DATE: **19TH DECEMBER 2012**
LOCAL MEMBERS: **COUNCILLOR A. WOOLLEY**
COUNCILLOR R. JONES
TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**
REASON FOR COMMITTEE: **MEMBER REQUEST**
SITE VISIT: **NO.**

1.00 SUMMARY

1.01 This is a full application for the erection of 2, 2 bedroom semi-detached dwellings with parking to the front and rear at land off Fern Leigh, Brook Street, Buckley. The issues for consideration are the principle of the development in planning policy, the highway implications, the effects upon the character and appearance of the area the effects upon the amenities of the adjoining residents and public open space provision. The highway issues have now been resolved and thus the application is now considered acceptable.

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 Agreement, unilateral undertaking or advance payment of a commuted sum in lieu of on site public open space of £1,100 per dwelling.

Conditions

1. Time limit on commencement.
2. In accordance with approved plans.
3. Prior to commencement of development, samples of all external materials submitted and agreed. Agreed details implemented in full thereafter.
4. Land drainage run off not permitted to discharge, either directly or indirectly into public sewerage system.
5. No surface water to be allowed to connect, directly or indirectly, to public sewage system.
6. Foul and surface water discharges shall be drained separately from site.
7. Car parking spaces laid out as detailed on proposed plans and available for use at all times thereafter.
8. Removal of PD rights – extensions and alterations.
9. Removal of PD rights – ancillary buildings.

3.00 CONSULTATIONS

3.01 Local Member

Councillor A. Woolley

Requests that the application is reported to committee due to concerns over traffic congestion, access, over crowding and loss of amenity.

Councillor R. Jones

No response received to date.

Buckley Town Council

No observations.

Head of Assets and Transportation

Upon receipt of amended plans, no further objection to the proposal.

Head of Public Protection

No adverse comments to make.

Public Open Spaces Manager

Based upon the information received in accordance with PGN No. 13 Public Open Space Provision, a commuted sum payment of not less than £1,100 per dwelling would be required in lieu of on site POS.

Welsh Water/Dwr Cymru

Advises that suggested notes and conditions are placed upon any planning permission granted.

Wales & West Utilities

No observations, however apparatus may be at risk during construction works and should planning permission be granted required to developer to contact them to discuss their requirements.

SP Energy Networks

No response received to date.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

Five letters of objection received. The grounds of objection being:-

- Future occupiers need to be aware that a club is located next door.
- Increase in traffic will lead to a detrimental impact on pedestrian and highway safety.
- Seems a 'tight fit' for limited size of plot.
- Congestion may arise in the area whilst properties are being constructed.
- Development would change the quiet and peaceful character of the area.
- Lack of parking.
- Noise pollution.
- Unnecessary development for area.
- Could invite anti social behaviour during build.
- Overlooking of nearby properties.
- Damage to road surface.

5.00 SITE HISTORY

5.01 **44989** – Erection of a three bedroom dwelling house and improved vehicular access to No. 6 Fern Leigh – Granted 2nd December 2008.

24723 – Outline Application for the erection of a dwelling – Refused 7th November 1995.

66/199 – Proposed erection of garage – Granted 21st October 1966.

65/15 – Outline application for erection of a dwelling – Refused 21st April 1965.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design Quality, Location & Layout.

Policy D2 – Design.

Policy AC13 – Access & Traffic Impact.

Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries.

Policy tw13 – Nuisance.

Policy IMP1 – Planning Conditions & Planning Obligations.

Local Planning Guidance Note 2 ‘Space Around Dwellings’.

Local Planning Guidance Note 13 ‘Open Space Requirements’.

The site is located within the settlement boundary of Buckley which is a Category A settlement as identified in the adopted Flintshire Unitary Development Plan. Policy GEN2 specifies that development will usually be permitted in such locations. Policy HSG3 directs that on unallocated sites within settlement boundaries, new housing development will be permitted provided that it does not conflict with the Flintshire Unitary Development Plan housing provision for the county or result in tandem or overdevelopment of the site. Therefore, it is considered that in principle, in planning policy terms the developments are considered acceptable. Policies GEN1, D1, D2, AC13 and EW13 deal with detailed matters of the development which are also considered acceptable.

7.00 PLANNING APPRAISAL

7.01 Site Description & Proposal

The site comprises of a triangular plot of 400 sq. m. situated adjacent to No. 1 Rosemount, Buckley. To the west lies Buckley Workingmen’s Social Club, the east No. 1 Rosemount, the south the rear of Fernleigh and north the access track to the rear of the properties 92-70 Chester Road. Vehicular access to the plot is gained by an existing track between the Workingmen’s Club and Fern Leigh which in turn is off Brook Street. There is an existing single garage situated at the front of the site which provided parking for No. 6 Fern Leigh.

7.02 The proposals involve the creation of 2, 2 bedroom semi-detached dwellings with two parking spaces proposed at the front of the dwellings and 3 spaces proposed at the rear (1 of which will be for No. 6 Fern Leigh). Each dwelling will measure approximately 8 m x 4.5 m

x 8.5 m and will be constructed within brick and concrete roof tiles.

7.03 Issues

The main issues to consider within the determination of this application are the principle of development in planning policy, the highway implications, the effects upon nearby residential amenity and the effects upon the character and appearance of the area.

7.04 Background

Members may recall that planning permission for the erection of a three bedroom dwelling house and improved vehicular access to No. 6 Fernleigh was granted on this site on 1st December 2008. This permission, therefore, expires on 1st December 2013 and includes the provision of an off road parking space for No. 6 at the side of the property.

7.05 Due to the economic climate, the site remains undeveloped with the application proposing an additional unit on the site to improve its prospect for development in providing two new affordable homes with parking being proposed to both the front and rear now.

7.06 Principle of Development

The site is located within the settlement boundary of Buckley which is a Category A settlement as identified in the adopted Unitary Development Plan. Policy GEN2 specifies that development will usually be permitted in such locations.

7.07 Policy HSG3 directs that on unallocated sites within settlement boundaries, new housing development or the replacement of existing dwellings will be permitted provided that it does not conflict with the UDP housing provision for the County or result in tandem or overdevelopment of the site. The bringing forward of windfall sites such as this reflects the UDP Inspectors conclusions that housing development should be directed to Category A settlements in line with the Plan's spatial strategy of bringing about sustainable development in the County's larger settlements where there are a range of facilities, services and infrastructure. Therefore it is considered that the developments are acceptable in principle and therefore the main issues are matters of detail in respect of this application.

7.08 Highways

The plans show that two car parking spaces will be provided for each dwelling with an additional space being provided also for No. 6 Fern Leigh. One space will be provided at the front and the rear of each of the dwellings together with a space for No. 6 being provided at the rear of the dwellings of the rear access to the properties on Chester Road. This space is divorced from the property but is only a short distance away and linked by the existing footpath alongside the club and the site. These provisions together with the access arrangements are now considered acceptable to the Head of Assets &

Transportation.

7.09 Effects upon the Amenities of Adjoining Occupiers

The site is located immediately adjacent to the east of the blank gable elevational wall of the Workingmen's Club, 22 m away from the rear of the properties on Chester Road to the north and approximately 10 m away from the rear of No. 6 Fern Leigh. Although, it is located only a short distance away from the rear of No. 6, this property is sited at an angle. Given the above, it is considered that the proposals will not have a significant detrimental impact upon the amenities of adjoining residents in terms of loss of light, privacy etc.

7.10 In relation to the effects upon the amenities of the proposed occupiers of the dwellings due to noise disturbance from the Workingmen's Club, there are no windows presently upon this side of club so as not to cause any significant disturbance to these proposed occupiers. There have been no complaints from the existing occupiers to our Pollution Control department about any existing noise disturbance emanating from the club.

7.11 Effects upon the Character and Appearance of the Area

The proposals are to be located within an area of existing terraced properties which are tightly grouped together. They also meet the separation distances between dwellings and the guidelines for private amenity areas as stated within the Local Planning Guidance 'Space Around Dwellings'. The design, materials, scale etc will be similar to those within the immediate area. Given the above, it is considered that the proposals will not have a significant detrimental visual impact upon the character and appearance of the area.

7.12 Public Open Space

As the proposals are for two dwellings and no public open space is being provided on the site, the Public Open Spaces Manager advises that a payment of £1,100 per dwelling is required. This will be paid directly to the Council by the applicant.

8.00 CONCLUSION

8.01 For the above reasons it is considered that the proposals are acceptable in relation to the principle of the development, highways, the effects upon the amenities of adjoining occupiers together with the effects upon the character and appearance of the area and public open space requirements.

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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