

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **WEDNESDAY 17<sup>TH</sup> APRIL 2013**

**REPORT BY:** **HEAD OF PLANNING**

**SUBJECT:** **OUTLINE APPLICATION – RESIDENTIAL DEVELOPMENT CONSISTING OF 3 NO. 4 BEDROOM DETACHED HOUSES AND 1 NO. 3 BEDROOM DETACHED BUNGALOW ON LAND ADJACENT 1 TRAM ROAD, BUCKLEY.**

**APPLICATION NUMBER:** **050281**

**APPLICANT:** **MR L. MIAH**

**SITE:** **LAND ADJACENT 1 TRAM ROAD, BUCKLEY, CH7 3NH**

**APPLICATION VALID DATE:** **23<sup>RD</sup> DECEMBER 2012**

**LOCAL MEMBERS:** **COUNCILLOR M. J. PEERS**  
**COUNCILLOR D. HUTCHINSON**

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

**REASON FOR COMMITTEE:** **MEMBER REQUEST GIVEN CONCERNS ABOUT OVER-DEVELOPMENT AND ADEQUACY OF ACCESS.**

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

**1.00 SUMMARY**

1.01 This outline application proposes the erection of 3 No. detached houses and 1 No. bungalow on land adjacent to 1 Tram Road, Buckley. The proposed access, site layout and scale of development form part of this application. Matters relating to appearance and landscaping 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. Landscaping scheme to be submitted and approved.
5. Timescale for implementation of approved landscaping.
6. Siting, layout and design of means of site access to be in accordance with details submitted and approved prior to the commencement of any site work.
7. Forming and construction of means of site access not to commence until detailed design has been submitted and approved.
8. Code 3 requirement – pre and post construction.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor D. Hutchinson

Request planning committee determination, given concerns about overdevelopment and adequacy of access.

Councillor M. J. Peers

No response received at time of preparing report.

Buckley Town Council

Requests that Flintshire County Council reviews and considers the scale of the development in relation to the potential for a case of over development, the potential for traffic problems in respect of the access and egress to Tram Road from Liverpool Road and Higher Common Road with the increased traffic as the result of the development,

Head of Assets and Transportation

Recommend that any permission be subject to conditions in respect of the formation of the means of site access.

Public Open Spaces Manager

Request the payment of a commuted sum of £1100 per dwelling in lieu of on site open space provision.

Head of Public Protection

No response received at time of preparing report.

## **4.00 PUBLICITY**

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

Ten letters of objection received, the main points of which can be summarised as follows:-

- Inadequacy of access into / from Tram Road to serve the scale of development proposed.
- Tram Road is in a poor condition which is not suitable to accommodate additional vehicular movements.
- Proposed scale of development would represent overdevelopment and cul-de-sac arrangement would be out of character with existing frontage development along Tram Road.
- Detrimental impact on the privacy / amenity of the occupiers of existing properties.

## **5.00 SITE HISTORY**

### **5.01 01/00317**

Outline – Proposed demolition of existing dwelling and erection of 4 No. dwellings. Refused 11.07.2001

### **035169**

Outline – Demolition of existing dwellinghouse and replacement with a dwelling and double garage. Permitted 14.07.03

## **6.00 PLANNING POLICIES**

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

Policy STR4 – Housing

Policy GEN1 – General Requirements for Development

Policy GEN2 – Development Inside Settlement Boundaries

Policy D! – Design Quality, Location and Layout

Policy D2 – Design

Policy AC13 – Access and Traffic Impact

Policy AC18 – Parking Provision and New Development

Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries

Policy HSG8 – Density of Development

Policy HSG9 – Housing Mix and Type

Policy IMP1 – Planning Conditions and Planning Obligations

Technical Advice Note 18 – Transport ( 2007)

Local Planning Guidance Note 2 – Space Around Dwellings

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This outline application proposes the erection of 3No. 4 bedroom detached houses and 1No. 3 bed bungalow on land adjacent to 1 Tram Road, Buckley. The proposed access, site layout and scale of development form part of this application with matters relating to appearance and landscaping being reserved for subsequent approval.

7.02 Site / Surroundings

The site, the subject of this application is currently vacant and amounts to approximately 0.2 hectares in area. It previously accommodated a dwelling 3 Tram Road which was formed by the conversion of a pair of semi-detached dwellings which was demolished approximately 5 years ago by the current owner. It is located on the northern side of Tram Road some 60m from its junction with Liverpool Road. The character of site / surroundings along Tram Road, is mixed with semi-detached properties opposite the site and detached properties to the south and south west opposite where there is a cul de sac development at The Hollies.

7.03 To the south-east, adjacent to but outside the application site are a number of trees covered by a Tree Preservation Order.

7.04 Background History

The background of planning history at this location is referred to in paragraph 5.00 of this report. In summary an outline planning application for the erection of 4No. dwellings on the site was refused under Code No. 01/00317 on 11<sup>th</sup> July 2001. The application was refused on highway grounds given concerns about the adequacy of the visibility at the Liverpool Road / Tram Road junction and the Higher Common / Tram Road junction which does not provide adequate visibility in a south westerly direction.

7.05 Proposed Development

Although submitted in outline, details of the proposed access, scale of development and site layout have been submitted as part of this application. The site layout indicates the erection of 1No. 3 bedroom bungalow to the rear of an existing bungalow (1 Tram Road) and 3No. 4 bedroom houses all of which front onto a private drive and turning head arrangement.

7.06 The parameters contained within the accompanying Design and Access Statement indicate that the ridge height of the houses would be approximately 7.9m and that of the bungalow 4.2m

7.07 Main Planning Issues

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) Proposed scale of development and impact on character of

site/ surroundings.

- c) Adequacy of access to serve the development.
- d) Impact on privacy/amenity of occupiers of existing and proposed dwellings

7.08 Planning Policy

The site is located within the settlement boundary of Buckley as defined in the adopted Flintshire Unitary Development Plan. Within the UDP, Buckley is classified as a category A settlement and the proposed development does not exceed the thresholds either in terms of site area and / or number of dwelling units requiring the provision of affordable housing. The principle of development is therefore acceptable subject to the safeguarding of relevant amenity considerations.

7.09 Scale of Development / Impact on Character

The character of existing development along Tram Road is defined by a mix of detached, semi-detached and a cul de sac development at The Hollies.

- 7.10 It is considered that the scale of development proposed i.e. 4 No. dwellings on a site area of approximately 0.2 hectares would not result in overdevelopment at this location. In addition the proposed house types would be sympathetic to and reflective of the mix of house types/forms of existing development along Tram Road which is not restricted to frontage development given that there is an existing cul-de-sac arrangement at The Hollies.

7.11 Adequacy of Access

For Members information, Tram Road is a highway maintainable at public expense and serves as access to 23 dwelling units. It is acknowledged that the surface of Tram Road is in poor condition and has been such for a number of years. Consultation on the application has been undertaken with the Head of Assets and Transportation, who considers that given the combination of:- (a) the previous history of the site in that it accommodated a dwelling/s (b) the net increase in the scale of development being proposed and (c) whilst a previous application on the site was refused in 2001 on highway grounds assessment of the development has been undertaken in accordance with current standards in particular Technical Advice Note 18 – Transport; that in these circumstances although it is recognised that there will be a marginal increase in the usage of Tram Road, it will not be significant enough to be detrimental to highway safety. Development is therefore supported subject to the imposition of conditions relating to the formation of the means of site access.

7.12 Impact on Privacy/Amenity for Existing/Proposed Residents

The concerns relating to the impact of development on privacy/amenity are duly noted. For Members information the site is set at a lower level than existing properties opposite and adjacent to

the application site in particular the existing bungalow 1 Tram Road. The orientation of the proposed properties is such that they would have their gable elevations relative to Tram Road and the distances between existing/proposed dwellings would be in accord with the Council's Space Around Dwellings guidance ensuring that privacy/amenity are safeguarded as part of the proposed development.

## **8.00 CONCLUSION**

8.01 In conclusion, it is my view that the proposed scale/form of development would be sympathetic to the character of the site and surroundings. There is no objection to the development from the Head of Assets and Transportation subject to the imposition of conditions and I therefore recommend accordingly.

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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