

FLINTSHIRE COUNTY COUNCIL

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

DATE: **19TH JUNE 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – ERECTION OF 10 NO. HOUSES WITH ASSOCIATED PARKING AND ACCESS ON LAND TO THE SIDE AND REAR OF 53 BRUNSWICK ROAD, BUCKLEY**

APPLICATION NUMBER: **050804**

APPLICANT: **OVERLEA ESTATES/SANDLEA ESTATES**

SITE: **LAND TO THE SIDE OF 53 BRUNSWICK ROAD, BUCKLEY**

APPLICATION VALID DATE: **15TH MAY 2013**

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

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

REASON FOR COMMITTEE: **REQUIREMENT FOR EDUCATIONAL CONTRIBUTION AS PART OF THE PROPOSED DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This full application proposes the erection of 10 No. houses with associated parking and access on land to the side and rear of 53 Brunswick Road, Buckley. The application has been resubmitted following the withdrawal of a previous application 050497 on 15th May 2013, for the erection of 12 No. dwellings at this location. This followed particular concerns by officers, Members and the Town Council that the scale/form of development being proposed was out of character with the site/surroundings and represented overdevelopment of the site at this location.

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:- (a) £1,100 per dwelling in lieu of on-site play provision and (b) an educational contribution of £24,514 towards the provision of primary school places at Mountain Lane Primary School that planning permission be granted subject to the following conditions:-

1. Time limit on commencement.
2. In accordance with approved plans.
3. Materials to be submitted and approved.
4. No part of buildings to be permitted within safety zone of combined and foul sewers.
5. No land drainage to discharge into public sewerage system.
6. No surface water to discharge into public sewerage system
7. Foul and surface water to be drained separately from the site.
8. Hard / soft landscaping scheme to be submitted and approved.
9. Implementation of landscaping scheme.
10. Code for sustainable homes pre-commencement and post construction.
11. First floor landing window in gable elevation of plot 10 to be obscurely glazed.
12. Boundary treatment on northern boundary to be undertaken prior to the occupation of any dwellings hereby permitted.
13. Scheme for boundary treatment to the rear of existing commercial premises on Brunswick Road to be submitted and approved.
14. Full highway design details to be submitted and approved.
15. Parking / turning facilities to be provided prior to the occupation of the units to which they relate.
16. Details of management of grassed areas adjacent to site entrance to be submitted and approved.

If the obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within six months of the date of the committee resolution, the Head of Planning be given delegated authority to **REFUSE** the application.

3.00 CONSULTATIONS

3.01 Local Member

Councillor M. J. Peers

Awaiting response at time of preparing report.

Councillor D. Hutchinson

Awaiting response at time of preparing report

Buckley Town Council

The following observations are forwarded questioning whether:-(a) adequate publicity and consultation on the application has been

undertaken (b) the intention to retain existing trees within the site as these have subsequently been removed (c) the extent of the curtilage areas associated with the dwelling units (d) the parking arrangements relative to the site access are acceptable in order to prevent a conflict of vehicular movements.

Head of Assets and Transportation

No objection on the basis of amended plans subject to conditions relating to highway design and parking / turning facilities being provided.

Head of Public Protection

Awaiting response at time of preparing report.

Dwr Cymru/ Welsh Water

Recommend that any permission includes conditions in respect of foul, surface and land drainage.

Environment Directorate (Rights of Way)

No observations as there are no affected public footpaths or bridleways in the immediate vicinity.

Public Open Spaces Manager

Request the payment of a commuted sum of £1,100 per unit towards the improvement/enhancement of recreational facilities within the community.

Head of Lifelong Learning

Request the payment of an educational contribution of £24,514 towards the provision of additional school places at Mountain Lane Primary School.

Clwyd Powys Archaeological Trust

No archaeological implications for the proposed development.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

2 letters of objection received, the main points of which relate to:-

- Inadequacy of and limited parking at this location.
- Over-development and impact on the privacy/amenity of the occupiers of existing residential properties.

5.00 SITE HISTORY

5.01 **039287**

Outline – Proposed residential development. Permitted 13th September 2005.

042847

Erection of 20 No. apartments and associated car parking. Permitted

9th November 2007.

050497

Erection of 12 No. houses and associated parking. Withdrawn 15th May 2013.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy GEN1 – General Requirements for Development

Policy GEN2 – Development Inside Settlement Boundaries

Policy D1 – Design Quality

Policy D2 – Location and Layout

Policy D3 – Building Design and Access Statement

Policy AC13 – Access and Traffic Impact

Policy AC18 – Parking Provision and New Development

Policy HSG8 – Density of Development

Additional Guidance

Local Planning Guidance Note 2 – Space About Dwellings

Buckley Town Centre Masterplan April 2011

7.00 PLANNING APPRAISAL

7.01 Introduction

The site, the subject of this application which is currently vacant, amounts to approximately 0.2 hectares in area. It is located at the end of Victoria Road, to the rear of existing properties at Pemba Drive. The site has a substantial frontage onto Brunswick Road but also continues to the rear of existing commercial properties at 53 – 61 Brunswick Road.

7.02 Planning Policy/Background

The site is located within the settlement and town centre boundaries of Buckley as defined in the Flintshire Unitary Development Plan. As highlighted in paragraph 5.00 of this report, the principle of residential development on the site has been established following the grant of planning permission under Code Nos. 039287 and 042847 in 2005 and 2007 respectively.

7.03 Proposed Development

The plans, the subject of this application propose the erection of a total of 10 No. 2 storey dwellings to be constructed having facing brick/render external walls and concrete tile roofs. Seven of the dwellings form frontage development onto Brunswick Road and Victoria Road, with a terrace of 3 No units proposed at 90° to the rear of existing buildings at 57 – 61 Brunswick Road. Vehicular access to serve the development is proposed off Victoria Road.

7.04 Main Planning Issues

It is considered that the main planning issues can be summarised as follows:

- a) Principle of development having regard to the planning policy framework
- b) Scale of development
- c) Impact on character of site and surroundings
- d) Impact on privacy/amenity
- e) Adequacy of access/parking
- f) Landscaping and boundary treatment
- g) Open and play space
- h) Educational contribution requirements

7.05 Principle of Development

The site is located within the settlement boundary of Buckley as defined in the Flintshire Unitary Development Plan and has previously had the benefit of planning permission for residential development, this being permitted under Code Nos. 039287 and 042847 in 2005 and 2007 respectively. The principle of residential development on this site is therefore well established subject to ensuring a satisfactory well balanced layout and the safeguarding of residential amenity.

7.06 Scale of Development

The scale of development proposed as part of this application has been reduced to 10 No. dwellings from 12 No. dwellings initially proposed on the site under application code 050497, which was withdrawn on 15th May 2013.

7.07 It is considered that the scale of development now proposed on a site area of approximately 0.2 hectares, would not result in overdevelopment at this location. The house types proposed would help to retain a sense of enclosure onto Brunswick Road and would also be reflective of the scale/form of existing residential development at Pemba Drive.

7.08 Impact on Character of Site and Surroundings

The site is located on a prominent road frontage within the town centre of Buckley, within which there is a mix of different house types/designs. For Members information this part of the town centre is identified in the Buckley Town Centre Masterplan 2011 as a poor gateway to the town centre which requires enhancement. This revised application has been the subject of extensive discussions with officers, to ensure that any development continues the existing pattern of frontage development onto Brunswick Road and forms a key focal point where it meets Victoria Road. This it is considered will substantially enhance the appearance of this site/surroundings at this location.

7.09 Impact on Privacy/Amenity of Occupiers of Existing/Proposed Dwellings

Individual consultation on the application has been undertaken with the occupiers of existing residential properties and commercial premises which are adjacent to the application site. The concerns raised following this exercise relating to the impact of development on

the privacy/amenity of occupiers of both existing/proposed dwellings are duly noted having particular regard to (i) the separation distances between dwellings and (ii) the extent of the residential curtilage areas associated with the dwellings.

7.10 For Members information, the distances and orientation of the proposed properties at the closest point to those at Pemba Drive (No's 10/12) and residential accommodation at ground floor level in the rear wing of 61 Brunswick Road would be in accord with the Councils Space About Dwellings Guidance, ensuring that privacy/amenity are safeguarded as part of the proposed development. The applicant however proposes that the first floor landing window in the gable of the dwelling to the rear of 10/12 Pemba Drive is obscurely glazed. In addition the curtilage areas associated with the dwellings would be acceptable in this town centre location.

7.11 Access/Parking

Vehicular access to serve the development is proposed off Victoria Road. Consultation on the application has been undertaken with the Head of Assets and Transportation on the acceptability of the access and proposed parking arrangements within the site layout. Following the receipt of amended plans repositioning a number of parking spaces proposed to serve the dwellings in proximity to the site entrance, the Head of Assets and transportation confirms that there is no objection to the development subject to the imposition of conditions in respect of highway design and parking / turning facilities being provided prior to occupation of the dwelling(s) to which they relate.

7.12 Landscaping / Boundary Treatment

The concerns relating to the loss of the trees which previously existed on the site are duly noted. The redevelopment of the site as proposed will however offer opportunity for a hard / soft landscaping scheme to be undertaken which will help to soften the impact of the development in this town centre location. If Members are mindful to recommend the grant of permission this aspect of the development can be covered by the imposition of conditions.

7.13 In addition, it is proposed that a 1.8m high close boarded fence is introduced along the length of the common site boundary with existing properties at Pemba Drive. This will, it is considered, help to improve the privacy / amenity of the occupiers of existing / proposed dwellings and provide for a consistency in the use of materials and design of the boundary treatment which will enhance the visual appearance of the development.

7.14 Open & Play Space

The Public Open Spaces Manager considers that the provision of on-site recreational facilities is not required given the proximity of existing provision within the town. Accordingly, it is requested that the development is subject to a commuted sum payment of £1,100 per dwelling towards the improvement/enhancement of existing facilities within the community.

7.15 Educational Contributions

Given the scale of development proposed, consultation on the application has been undertaken with the Head of Lifelong Learning to ascertain whether the proposed development is subject to the need for an educational contribution towards primary and/or secondary school provision.

- 7.16 It has been calculated that the development will give rise to the placement of two primary age pupils and two children of secondary school age. For Members information there is no capacity issue arising at Elfed High School for Secondary age children, as the school already has more than 39% surplus places. It is considered however that the development will increase pressure on Mountain lane Primary School which is already exceeding capacity by 50 pupils. Accordingly a contribution of £24,514 is sought, which if Members are mindful to grant planning permission for the development will be secured via a Section 106 Obligation.

8.00 CONCLUSION

- 8.01 In conclusion, it is my view that the scale/form of development proposed as part of this amended application would be sympathetic to the character of the site and surroundings. The proposal will continue the pattern of existing frontage development onto Brunswick Road enhancing this important focal point within Buckley Town Centre. Whilst concerns have been expressed regarding the impact of development on the privacy/amenity of the occupiers of existing properties, the orientation/distances would be in accord with the Councils Space Around Dwellings Guidance. In addition there is no objection to the development from the Head of 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.

Contact Officer: Mark Harris
Telephone: 01352 703269
Email: robert.m.harris@flintshire.gov.uk