

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY 19TH JUNE 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – RE-ALIGNMENT OF PART OF THE INTERNAL ESTATE ROAD TO ALLOW FOR AMENDMENT TO THE LOCATION AND SITING OF ON SITE PUBLIC OPEN SPACE ON LAND AT ALLTAMI HEATH, FIELD FARM LANE, BUCKLEY**

APPLICATION NUMBER: **050661**

APPLICANT: **PERSIMMON HOMES NW LIMITED**

SITE: **LAND AT (ALLTAMI HEATH), FIELD FARM LANE, BUCKLEY**

APPLICATION VALID DATE: **28/03/2013**

LOCAL MEMBERS: **COUNCILLOR MRS. C.A. ELLIS**

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

REASON FOR COMMITTEE: **MEMBER REQUEST IN ORDER TO ASSESS IMPACT ON EXISTING RESIDENTIAL PROPERTIES**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This full application proposes the re-alignment of part of the internal estate road within the Field Farm Lane development, Buckley to allow for amendments to the location and siting of the on site public open space.

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

2.01 Conditions

1. Time limit on commencement.
2. In accordance with approved plans.
3. Estate road to be constructed to an adoptable standard, prior to completion of development, unless further agreed in writing.
4. Details of siting and provision of play equipment within open space to be submitted and approved.
5. Details of management of open space and play equipment to be submitted and approved.

3.00 **CONSULTATIONS**

3.01 Local Member

Councillor Ms. C.A. Ellis

Request planning committee determination in order to assess impact on existing residential properties.

Buckley Town Council

Object on behalf of residents as the application does not give sufficient information and reason for the alteration and movement of open space from existing site.

Head of Assets and Transportation

Subject to the highway conditions relating to the requirement for full highway design details as imposed on previous permissions being repeated, there is no objection to the proposal.

Head of Public Protection

No objections.

Public Open Spaces Manager

Consider that the proposed amendment to the positioning of the open space will offer an improvement for its use and future maintenance.

4.00 **PUBLICITY**

4.01 Site Notice, Neighbour Notification

1 letter of objection received which considers that the application does not give sufficient information and reason regarding the alteration and movement of open space from the existing site.

5.00 **SITE HISTORY**

5.01 **036776**

Outline – Residential Development. Approved 12th May 2004.

042356

Reserved Matters – Erection of 139 dwellings, roads, public open space and all associated works. Refused 31st May 2007.

043841

Reserved Matters – Residential Development of 79 No. dwellings and 24 No. apartments. Withdrawn 8th October 2007.

044085

Variation of Condition No. 2 attached to planning approval reference 036776 to extend the time for the submission of reserved matters and commencement of development. Approved 6th December 2007.

046845

Reserved Matters – Residential Development consisting of 89 No. two storey dwellings, open space, roads and associated works. Permitted 8th August 2010.

049712

Submission of 9 No. house types. Permitted 6th September 2012.

050151

Substitution of house types on 8 No. plots and erection of additional dwelling. Permitted 20th December 2012.

050382

Substitution of 9 No. house types on Plots 43 – 48 and 54 – 56. Permitted 7th March 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, Location and Layout

Policy D2 – Design

Policy D3 – Landscaping

Policy HSG3 – Housing on Unallocated Sites Within Settlement Boundaries

Policy HSG8 – Density of Development

Policy HSG9 – Housing Type and Mix

Policy HSG10 – Affordable Housing within Settlement Boundaries

Policy AC13 – Access and Traffic Impact

Policy AC18 – Parking Provision and New Development

Policy SR5 – Play Areas and New Housing Development

Policy TWH1 – Development Affecting Trees and Woodlands

Policy TWH2 – Protection of Hedgerows

Policy WB1 – Species Protection

Policy EWP17 – Flood Risk

Additional Guidance

Local Planning Guidance Note 2 – Space About Dwellings

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application proposes the re-alignment of part of the internal estate road within the Field Farm Lane development Buckley, to allow for amendments to the location and siting of the on site public open space.

7.02 Background

By way of the background of planning history at this location as referred to in paragraph 5.00 of this report, the overall site comprising approximately 4.5 hectares in area, has the benefit of planning permission for the erection of a total of 90 No. dwellings. Development has commenced in accordance with these previous permissions.

7.03 Proposed Development

This application proposes the re-alignment of part of the internal estate road within the development which delineates the western boundary of the on site public open space which amounts to approximately 0.55 hectares in area. The applicant has advised in support of the application that “this will allow for the public open space to be amended which will be better suited to its uses.”

7.04 For Members information the re-alignment of the road and re-configuration of the open space:-

- a) results in the loss of the previously approved dwellings on plots 33-36 of the development and
- b) impacts on the dwellings previously approved on plots 16-25 and 30-32 adjacent to existing properties Silverdale and Hafod Las, as the development on these plots could not be undertaken in accordance with the previously approved layout.

7.05 Principle of Development

The applicant has been afforded the opportunity to indicate/provide details as to how it is anticipated that the dwelling units will be developed around the re-aligned estate road and re-configured open space.

7.06 The applicant has however requested that this application be determined as submitted with any changes to the positions of dwellings and their associated residential curtilage areas, being considered at a later date, with the submission of a further planning application.

- 7.07 For Members information this application proposes the re-alignment of part of the estate road/open space area only and a determination has to be made as to whether this is acceptable within the context of the wider estate development. The revisions to the positions of dwellings within this part of the site layout will however require the submission of a further application and it is at that stage that the acceptability of the layout and impact on the amenity of the occupiers of existing properties Hafod Las and Silverdale will be undertaken.
- 7.08 Consultation on the application has been undertaken with the Public Open Spaces Manager. It is considered that as the proposal will result in the loss of dwelling units on plots 33-36 of the existing approved development, that this will offer an improvement for the use and maintenance of the open space area through a reduction in direct pressure from the occupiers of these units and improvements to the access to the site for machinery, thereby minimising possible conflict to the occupiers of these units during routine maintenance.

8.00 CONCLUSION

- 8.01 Whilst the revisions proposed have been advanced prior to the formulation of amendments to the dwellings and associated curtilage areas within this part of the estate layout, an assessment has to be made on whether the re-aligned road and re-configured open space area is acceptable having regard to the overall site layout and privacy/amenity of occupiers of existing properties. On the basis of the plans submitted there is no objection to the amendments to the site layout from the Head of Assets and Transportation or the Public Open Spaces Manager and the detailed layout of dwellings around the estate road/turning head will require the submission of a further planning application the acceptability of which will be assessed at that time. Whilst it is considered that it would be more beneficial if this detail were provided as a complete package at this stage, I have no objection to the principle of the changes being proposed as part of this application. 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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