

FLINTSHIRE COUNTY COUNCIL

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

DATE: **9TH OCTOBER 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPLICATION FOR APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL (035575) AT CROES ATTI, CHESTER ROAD, OAKENHOLT.**

APPLICATION NUMBER: **050967**

APPLICANT: **PERSIMMON HOMES NW LTD**

SITE: **CROES ATTI, CHESTER ROAD, OAKENHOLT**

APPLICATION VALID DATE: **03/07/2013**

LOCAL MEMBERS: **CLLR. R. JOHNSON**

TOWN/COMMUNITY COUNCIL: **FLINT TOWN COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST DUE TO IMPACT OF NEW ROUNDABOUT RELATED TO THE DEVELOPMENT AND LACK OF PARKING**

SITE VISIT: **YES – MEMBER REQUEST DUE TO ISSUES RAISED ABOVE**

1.00 SUMMARY

1.01 This full application as originally submitted proposed 55 No. dwellings (later amended to 52 No. dwellings), and associated works on land at Croes Atti, Chester Road, Oakenholt. The site forms part of an overall site of 27 hectares which was granted outline planning permission for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping and education and community facilities. The current application site forms part of the first phase of development which already has reserved matters approval for 189 no. dwellings. The previously granted outline scheme/reserved matters applications have been

subject to extensive negotiations between the applicant and the Council. The design concept for the site is that of providing modern residential neighbourhoods which have a strong local identity and encourage a sense of community. The current application amends house types on part of the site previously permitted. The proposed house types are mainly two storey although there are a number of 3 storey houses which vary in design from terraces to semi-detached and detached dwellings.

1.02 The issues for consideration are the principle of development, design/appearance, visual/residential impacts, highway impacts and flooding/drainage.

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

2.01 That conditional planning permission be granted subject to conditions.

Conditions

1. In accordance with approved plans.
2. Previous outline conditions to apply unless otherwise superseded by this permission.
3. Notwithstanding the submitted details, a schedule of materials to be submitted to and approved prior to being used, unless otherwise agreed in writing with the Local Planning Authority.
4. Archaeological watching brief
5. Landscaping details and boundary treatment to include for a 1.8 m high close boarded fence to No.7 Bennett's Row
6. Removal of permitted development rights for any additional windows at first floor level to plot 40 and obscure glazing of first floor side gable windows
7. Finished floor levels of dwellings to be submitted for approval prior to commencement of development
8. Parking for the site to be provided in accordance with details submitted for the approval of the Local Planning Authority and with particular reference to plot 48.
9. garages to be set back a minimum of 5.5 m behind the back of footway
10. Details to be submitted for approval of traffic calming, signing, surface water drainage, street lighting and construction of internal estate roads prior to commencement of development
11. Submission for approval of positive means to prevent run off of surface water from any part of the site onto the highway

3.00 CONSULTATIONS

3.01 Local Member
Councillor Rita Johnson

Requests Committee determination and committee site inspection due to impact of new roundabout related to the development and lack of parking

Flint Town Council

No objections

Head of Assets and Transportation

No objections subject to conditions

Environment Directorate (Rights of Way)

No observations to make

Clwyd Powys Archaeological Trust

No comments other than the imposition of a watching brief condition

Head of Public Protection

No adverse comments.

Ramblers Association

No comment to make.

SP Energy Networks

Note to applicant advising of plant/apparatus in the proximity of the development.

Wales & West Utilities

No objections - Note to applicant advising of plant/apparatus in the proximity of the development.

Natural Resources Wales

No objections

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

The proposed development has been the subject of a wide level of consultation. One objection has been received which is summarised as follows,

- The Croes Atti development Brief refers to 35 dwellings per hectare as does the UDP but the site will have a density of 43 per hectare which is unacceptable and could set a precedent for across the whole site which would impact on infrastructure /service provision, surface waters problems on Bennetts Row and the A548 and the town of Flint.

Another letter received raises issues of concern summarised as follows,

- Questions proximity and type of proposed landscaping adjacent to existing dwelling
- Seeks clarity on boundary treatment between existing and proposed dwellings
- Questions surface water drainage in the area in proximity to Bennett's Row and suggests the use of a soakaway
- Concerned over loss of privacy due to overlooking
- Concerned over increase in density to that previously approved
- Concerned over lack of parking for residents of Bennett's Row and Gardeners Row who cannot safely park on the highway where space is limited – requests developer to provide off road parking for those properties.
- The new roundabout serving the development has significantly reduced visibility making access unsafe for residents of Bennett's Row.

5.00 SITE HISTORY

5.01 98/17/1308

Outline residential development and associated recreational, community and retail was originally reported to committee on 14.12.99 which resolved to approve subject to a Section 106 Agreement – No decision was ever issued due to changed circumstances of the applicants.

035575

Outline application for a mixed use development including residential, open space, infrastructure, landscaping, education and community facilities was reported to committee on 19.7.2004 which resolved to approve subject to a Section 106 Agreement - the agreement was signed and the permission issued on 11.7.06.

044035

Highway improvements, street lighting and all associated works, on land at Croes Atti, Chester Road, Oakenholt, in connection with the outline planning permission (ref. 035575) - Granted permission on 23rd April 2008.

044033

Reserved matters application - residential development consisting of 189 no. dwellings, public open space, new roundabout and all associated works at Croes Atti, Oakenholt - Granted 11th July 2008.

046562

Substitution of house types on plots 119, 124, 128-129, 131-132, 136, 138, 139, 142-144, 146-150, 160-163, 165-166, 170-177 and 183 on land at Croes Atti, Oakenholt, granted 11th July 2008.

046595

Reserved matters application for residential development consisting

132 no. dwellings, new roads, open space and all associated works on land at Croes Atti, Chester Road, Oakenholt, granted on 19th January 2012.

049312

Application for a Lawful Development Certificate for construction of vehicular access from Prince of Wales Avenue, Flint to serve residential development at Croes Atti, Oakenholt, permitted by outline planning permission code number 035575 dated 11th July 2006 – granted 5th April 2012.

049154

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted granted on appeal on 10th October 2012.

049425

Variation of condition no.15 attached to planning permission ref: 046595 at Croes Atti, Chester Road, Oakenholt – granted on appeal on 15th March 2013.

049426

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – withdrawn.

050300

Reserved matters application for erection of 312 residential dwellings and associated works at Croes Atti – granted on 3/4/2013.

050258

Amendment of house types of 50 of the previously permitted plots - permitted by Planning Committee on 19th June 2013 subject to the signing of a legal agreement.

050975

Plot substitution of house types on four plots – undetermined at time of report writing

051002

Application for approval of reserved matters on plots 1-14 – undetermined at time of report writing

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan (FUDP)

The FUDP shows the land as a housing commitment and outline

planning permission has now been issued in addition to reserved matters approvals. In the context of the development as a whole a large number of the policies of the plan are relevant but the most significant policy is Policy HSG2 - Housing at Croes Atti, Flint. Other relevant policies include D1-D4 which refer to design/location/layout/landscaping and Policy GEN1 (General Requirements for Development). The proposal is considered to accord with the aims of the relevant development plan policies.

7.00 PLANNING APPRAISAL

Proposed Development/Principle of Development

7.01 The site forms part of an overall site of 27 hectares which was granted outline planning permission for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping and education and community facilities. The previously granted outline scheme and reserved matters applications have established the principle of residential development on the site. The design concept for the site is that of providing modern residential neighbourhoods which have a strong local identity and encourage a sense of community.

7.02 In design terms the current application site forms part of the first phase of development which already has reserved matters approval for 189 no. dwellings. The previously granted outline scheme/reserved matters applications have been subject to extensive negotiations between the applicant and the Council. The current application amends house types on part of the site previously permitted. The proposed house types are mainly two storey although there are a number of 3 storey houses which vary in design from terraces to semi-detached and detached dwellings.

Design and appearance

7.03 The proposed scheme is designed to link into the proposed new distributor road which is to serve the overall site. The density and character of proposed properties within the site vary in design from two storey terraces, semi-detached and detached dwellings. The density of this part of the site is marginally higher than that previously permitted (it increases by approximately 1 dwelling from 51 to 52 dwellings). The UDP Policy HSG8 refers to density of development and states that it is possible through innovative design to build higher densities without compromising the overall quality of a scheme or resulting in over development. It is not considered that the overall increase in numbers on this part of the site by 1 dwelling would be detrimental in density terms.

7.04 The road serving the site has been designed where the building blocks are relatively close to the distributor road which assists in creating a sense of enclosure and active frontage. Visually the observer's eye should be drawn to properties of interest.

- 7.05 The proposed dwellings as amended are considered sympathetic to existing development where the vernacular is Victorian but where more recent development is of modern designs dating from the 1950's onwards. The proposed designs include simple pitched roofs, detailed brick band courses, variations to head/cill treatments, contrasting ridge tiles, and a unifying palette of materials including brick and render.

Effect on adjacent/future residential amenities

- 7.06 The proposed development is generally currently bordered on all sides by either existing open countryside or previously permitted parcels of land which will have either housing or open space. To the north east of the site is Bennetts Row – a terrace of traditional two storey properties. The proposed dwellings are either considered to be located at some distance away from existing residential properties or orientated in such a way as not to be detrimental to their amenities by way of overlooking or physical proximity. Concern has been raised by a resident of Bennett's Row in regards to overlooking/privacy however the proposed dwellings have back gardens facing onto Bennett's row and there is a considerable distance between the existing garden at Bennett's row and the majority of the proposed dwellings which in regards to overlooking is considered to negate the issue. The closest new dwelling to No. 8 Bennett's Row is a side gable facing property which is off set to the front of the existing terrace. In the interests of privacy this gable wall can be conditioned to restrict any future windows at first floor level without formal planning approval and the obscure glazing of any proposed first floor gable windows. No.7 Bennett's Row has referred to the adequacy of landscaping/boundary adjacent to their property – this can be conditioned via planning condition where lower level shrubs can be planted to the boundary in addition to a close boarded 1.8 metre fence to the garden boundary with the existing property.

- 7.07 As regards future residential amenities, the proposed dwellings are considered to provide adequate private amenity space in addition to space about dwellings, whilst at the same time benefiting from formal and informal public open spaces.

Provision of Public Open Space

- 7.08 The site would benefit from the previously approved formally laid out "village green" which would include a mini soccer pitch, a junior play area, a toddlers/picnic area, a Multi Use Games Area (MUGA) which forms part of the wider open space allocation for the overall site. The proposed public open space across the site is generally well overlooked as regards passive surveillance from nearby dwellings, and also benefits from active frontages which assist in providing safer environments.

Affordable Housing

- 7.09 The original outline planning permission for the overall site required that if justified, up to 10% of dwellings on the site should be social/affordable and was secured via a Section 106 legal agreement. The exact location of affordable units within the overall development has yet to be determined, however, the final figure will have to be in accordance with the terms of the Section 106 legal agreement. In regards to this specific application the applicant has identified 5 dwellings for affordable purposes. The Council's Affordable Housing Officer confirms the mix/tenure is acceptable.

Flooding/Drainage Issues

- 7.10 Whilst the representations regarding flooding in the locality are noted, however it should be noted that approx. £2.1 million has been spent for the off-site sewer works and these works include improvements to a pumping station which in addition to catering for the Croes Atti development will also generally improve drainage in the area. Also the current application site does have the benefit of planning permission already.

Highways

- 7.11 The proposed development will have its principal access point into the previously permitted distributor road for the site which in turn will ultimately feed into other points of access at the A548 Chester Road, Prince of Wales Avenue and Coed Onn Road.
- 7.12 Over the course of the overall development, the access component of the Croes Atti development has been the subject of extensive negotiations with the applicant. Due to highway concerns raised as part of the public consultation process in a previous reserved matters application, the applicant was requested to submit an updated Transport Assessment's modelling analysis which identified that the proposed A548 Chester Road Roundabout has adequate capacity to accommodate the expected traffic flows from the 683 dwellings. Traffic flows on the existing routes (A548, Prince of Wales Avenue, Albert Avenue and Coed Onn Road) were considered to be within theoretical capacities. Public transport links will be extended into the proposed development, subject to reaching agreement with local bus companies.
- 7.13 Cllr Johnson has raised concerns regarding the level of future vehicular traffic generated by the proposed development and its detrimental impact on the A548/roundabout and parking on the A548. The points raised are noted, however, this part of the site already benefits from planning approval. The relatively recently updated TA and appeal decision have reinforced the use of the proposed accesses for the overall site whether that be via the A548, Prince of Wales Avenue or Coed Onn Road. As part of the consultation process for this application the Council's Head of Assets and Transportation raised no objections to the proposed development.

8.00 CONCLUSION

8.01 The proposed development in broad terms would allow for the replacement of existing permitted dwellings with amended house styles and is therefore acceptable in principle and design.

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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