

FLINTSHIRE COUNTY COUNCIL

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

DATE: **12TH FEBRUARY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – ERECTION OF 16 NO. DWELLINGS TO INCLUDE 6 NO. 2 BED HOUSES, 6 NO. 1 BED APARTMENTS AND 4 NO. 2 BED APARTMENTS AT STARLIGHTS SOCIAL CLUB, SEALAND AVENUE, GARDEN CITY.**

APPLICATION NUMBER: **051518**

APPLICANT: **PENNAF HOUSING GROUP**

SITE:

APPLICATION VALID DATE: **27TH NOVEMBER 2013**

LOCAL MEMBERS: **COUNCILLOR MRS. C. M. JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **SIZE OF PROPOSALS ARE SUCH THAT AUTHORITY TO DETERMINE THIS APPLICATION IS NOT DELEGATED**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 The application seeks full planning permission for the erection of 16No. dwellings in the form of 6No. semi detached dwellings and 10 apartments. Access to the site is proposed to be derived from Sealand Avenue via a new point of vehicular access. The proposals provide for a mix of 1 and 2 bed accommodation.

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

2.01 That conditional permission be granted, subject to the applicant

entering either into a Section 106 agreement, providing a unilateral undertaking or the making of an advance payment which provides for the following;

a) Ensure the payment of a commuted sum payment, in lieu of on site public open space provision, of £11728 with such sum being used to upgrade existing open space and recreation facilities within the locality. This sum shall be paid upon the occupation of the 10th units of accommodation.

1. Time limit on commencement
2. In accordance with approved plans
3. Drainage details to be submitted & agreed before commencement
4. Parking and turning facilities to be provided
5. Finished floor and external ground levels to be approved
6. Landscaping scheme before commencement.
7. Timescale for implementation of landscaping
8. Materials to be approved
9. Building to CFSH level 3 and 1 credit under ene1.
10. CFSH 'Interim Certificate' before work commences.
11. CFSH 'Final Certificate' before houses occupied.
12. No building within 3m of the centre line of identified sewer.
13. Siting layout and design of access to be submitted & agreed before commencement.
14. Forming and construction of access before any other works.
15. Visibility splays of 2.4m x 43m. No obstructions above 0.6m.
16. 1.8m wide footway across site frontage.
17. Scheme for prevention of surface water runoff to highway.
18. Any flood risk conditions required on the advice of NRW/CNC.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Mrs. C. M. Jones

Requests Committee Determination due to size and scale of proposals

Sealand Community Council

No objections.

Head of Assets and Transportation

No adverse comments. Requests the imposition of conditions.

Head of Public Protection

Final comments awaited at time of writing.

Head of Lifelong Learning

Advises that local schools all have a surplus of capacity and therefore no requirement for an educational contribution is being made.

Public Open Spaces Manager

Requests that a commuted sum of not less than £1000 per dwelling and £733 per apartment be secured in lieu of on site public open space and recreation facilities.

Welsh Water/Dwr Cymru

Requests the imposition of conditions requiring the submission and agreement of drainage proposals. Also advises of the location of a public sewer on the site boundary and advises no buildings within 3 metres of the centreline of that sewer.

Natural Resources Wales/Cyfoeth Naturiol Cymru

Final comments awaited at time of writing.

AIRBUS

No adverse comments

4.00 PUBLICITY

4.01 The application has been publicised by way of a press notice, site, notice and neighbour notification letters. At the time of writing this report 1 No. letter raising a concern in relation to the potential for the proposals to give rise to increased parking problems along Sealand Avenue.

5.00 SITE HISTORY

5.01 **043436**

Erection of 38No. apartments
Approved 16.6.2011 subject to S.106 agreement.

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 & layout
Policy D2 - Design
Policy D3 - Landscaping
Policy AC13 - Access & traffic impact
Policy AC18 – Parking & New Development
Policy HSG3 - Housing on unallocated sites within settlement boundaries
Policy HSG8 - Density of development
Policy HSG9 - Housing mix and type
Policy HSG10 - Affordable housing within settlement boundaries
Policy SR5 - Play areas and new housing development
Policy IMP1 - Planning conditions & planning obligations

7.00 PLANNING APPRAISAL

7.01 Site and Surroundings

The site is presently vacant, being lastly occupied by a former snooker hall building and its associated car parking or pathways to the building. The site is bounded to the north and west with security boarded hoarding. Boundaries to the residential properties to the east are formed by a 1.8 metre close boarded and concrete post fence. This boundary treatment wraps partly across the southern boundary where it meets existing boundary treatments to the side of 13 Sealand Avenue. Sealand Avenue and Queens Road bound the site to west and north respectively. Vehicular access to the site is presently derived from three points, two upon Sealand Avenue and one off Queens Road.

7.02 The surrounding area is characterised by 2 storey dwellings of varying ages and types. Finish external materials are either brick or pebble dash with a mixture of slate or tile roofs.

7.03 The Proposed Development

The proposed development provides for the following:

- a) the erection of 6No. 2 storey semi-detached dwellings, providing 2 bed accommodation;
- b) a 2 storey 'terrace' apartment building which provides for 4No, 1 bed apartments arranged with 2 at ground floor level and 12 at first floor level;
- c) a 2 storey apartment building providing 6no. apartments comprising 2no. 1 bed apartments and 4no. 2 bed apartments. These are arranged with 3no. apartments at ground floor and 3no. apartments at first floor; and
- d) the creation of a new centrally positioned access into the site from Sealand Avenue, together with the provision of a parking court.

7.04 The Principle of Development

The site is located within the settlement boundary of Garden City as defined in the Flintshire Unitary Development Plan. Therefore, in planning policy terms there is a presumption in favour of development.

7.05 The site is located in a C1 flood risk zone as identified in the Development Advice Map referred to in TAN15 : Development and Flood Risk. Applications for development of this nature must demonstrate to the satisfaction of the Environment Agency Wales that the development would not present an undue risk to life from flooding. Subject to agreement upon this matter, the proposals would accord with the policies in relation to development and flood risk. Detailed discussion in relation to this issue can be found in the Planning Appraisal below.

7.06 In considering the issue of housing development upon unallocated sites within Settlement Boundaries, the UDP directs that residential development proposals upon such sites in Category B settlements, such as Garden City, should seek to achieve a development density of 30 dwellings per hectare (dph). The proposals represent a development which accords with this aim, being 48 d.p.h.

7.07 Main Planning Issues

It is considered that the main issues for consideration are;

- a) Design and layout
- b) Flood risk
- c) Highways
- d) Affordable housing
- e) Recreation and education contributions

7.08 Design and Layout

Whereas with the previous building upon the site, the mass of built form was set back into the site and largely abutted the eastern boundary of the site, the built form is now proposed to be dispersed across the site. This has served to allow for the creation of a continuation of street scene along Sealand Avenue and turning the corner into Queens Road.

7.09 I am satisfied that the proposals do not give rise to any adverse overbearing impacts upon nearby residents and consider that the separation distances which the scheme provides are acceptable. I consider that the proposals actually represent an improvement in residential amenity terms for nearby residents as a result of improved relationships between built form and a reduction in the concentrated mass of built form when compared with that building previously upon the site.

7.10 I consider that the design and visual appearance of the proposed dwellings create a pleasing street scene across the site frontage and serve to continue the street presence already existing in the vicinity. Design features such as panelled surrounded windows upon the corners of buildings which are located at junctions serve to enhance the legibility of the scheme and introduce variety and interest into the external appearance of the proposed dwellings. In terms of form and mass, they are broadly consistent with that residential built form which exists in the locality and therefore I am satisfied that these proposals will not appear incongruous in the locality.

7.11 Highways

Vehicular access to the site is proposed a new point of access within the site frontage. The proposals have been the subject of consultation with the Head of Assets and Transportation who advises that subject to the imposition of conditions, no objection is raised to the proposals.

I propose to condition as requested.

7.12 Concerns have been raised in relation to the potential for increased parking to arise as a consequence of the development. I am satisfied that the proposals made adequate provision for the parking of vehicles in accordance with the Council's standards. I am proposing a condition requiring the proposed parking and turning facilities to be provided as per the approved scheme and prior to the occupation of the units to which they relate.

7.13 Flood Risk

As stated previously in this report, the site occupies a position within a C1 flood zone. As a consequence, the applicant has produced a flood consequence assessment (FCA) to demonstrate that the impacts in the event of a flood, can be acceptably managed. Natural Resources Wales have examined these assessments and their final comments are awaited at the time of writing this report. Members will however be aware that significant flood prevention works are to be undertaken in the context of the Northern Gateway mixed development proposals and once complete they will have a mitigating effect on flood risk within the wider Garden City area. Consequently, it is envisaged that a 'grampian' style condition will address this issue, delaying the commencement of this development until the embankment strengthening works have been carried out. This will allay any concerns that NRW/CNC may have and Committee will be updated in this respect once their final observations have been received.

7.14 Affordable Housing

The site and the scale of the proposed development is such that a requirement for an element of affordable housing normally arises. The scheme is proposed to be 100% affordable as the developer is the registered social landlord, Pennaf. The scheme has secured funding from Welsh Government as part of Flintshire County Council's Social Housing Grant Programme. The properties are proposed to be available via a rental tenure. However, schemes which are the subject of Welsh Government funding operate upon a tenure neutral basis. This will enable flexibility within the scheme to make properties available via shared equity provisions should the need be identified for such provision. Accordingly there no requirement for a S.106 agreement to address these matters.

7.15 Recreation and Education Contributions

The scale of the proposal requires that either play facilities are provided upon site or a commuted sum is provided by the developer towards the upgrade of existing play facilities in the community. Consultation with the Public Open Spaces Manager has established that in this case a commuted sum is considered the most appropriate way to secure play provision in the community. Consequently a sum equivalent to £1000 per dwelling and £733 per apartment is requested

to be secured via a Section 106 agreement.

- 7.16 Members will be aware that where proposals are providing for 100% affordable housing, the normal requirements in terms of commuted sums for P.O.S and play provision are relaxed. Accordingly, and notwithstanding the response to consultation received from the Public Open Spaces Manger, I propose to require a commuted sum equivalent to £733 per unit of accommodation. This provides for a total payment of £11728.
- 7.17 Consultation with the Head of Lifelong Learning has indicated that none of the local primary or secondary schools are in such a position that there is lack of surplus places such that would give rise to a requirement for any contributions to be sought.
- 7.18 Other matters
Consultation with the Head of Public Protection has revealed the need for conditions requiring a land contamination investigation be undertaken to establish that the site is not a risk from historical contaminants. I propose to condition in both respects accordingly.

8.00 CONCLUSION

- 8.01 I am satisfied that, having regard to the provisions of the applicable policies and all other material considerations, this proposal would accord with the provisions of the same and would, through the suggested conditions and Planning Obligation under Section 106, represent an appropriate and acceptable form of development in this location.
- 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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