

FLINTSHIRE COUNTY COUNCIL

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

DATE: **9 APRIL 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **DEMOLITION OF EXSITING DWELLING, ERECTION OF REPLACEMENT DWELLING AND DETACHED GARAGE AT HIGH CROFT, CILCAIN ROAD, PANTYMWYN.**

APPLICATION NUMBER: **051673**

APPLICANT: **Mr P JONES**

SITE: **HIGH CROFT, CILAIN ROAD, PANTYMWYN**

APPLICATION VALID DATE: **15 JANUARY 2014**

LOCAL MEMBERS: **CLLR A DAVIES COOKE**

COMMUNITY COUNCIL: **GWERNAFFIELD**

REASON FOR COMMITTEE: **MEMBER REQUEST**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This planning application seeks consent for the demolition of the existing dwelling and the erection of a replacement dwelling and detached garage.
- 1.02 The main issues to consider in the determination of this application are the scale and design of the dwelling, the plot size, potential impact upon amenity and the development in relation to the wider street scene.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,

SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time limit on commencement
 2. In accordance with the approved plan
 3. Finished floor levels of the dwelling and garage to be approved
 4. Details of proposed landscaping
 5. Omission of the dormer window on the garage
 6. Contamination land investigation site investigation
 7. Dwelling to be built to Code to Sustainable homes level 3
Code 3 final certificate to be submitted to local planning authority

3.00 CONSULTATIONS

3.01 Local Member

Councillor A. Davies Cooke

Requests referral of the application to committee and site visit due to following;

- Misleading details on application
- Percentage increase in relation to previous dwelling
- Ridge line height in relation to existing dwelling and adjacent homes
- Contravention of FCC Planning Guidance Notes
- The amenity area of neighbours will be affected by development
- Affects potential for right to light
- Building of gable wall over 3 times the height of the current bungalow eaves
- The street scene will be drastically altered
- Community Council are against the application
- Less than 2m from neighbouring property

Gwernaffield Community Council

- The area of proposed dwelling is far greater than the existing footprint
- The increase in footprint will increase the surface water drainage problems with in the site.
- The front garden regularly suffers from flooding and this area has a history of serious flooding
- No mention of concrete raft for the new dwelling, mining history and the former shaft located between the High Croft and the adjacent property
- Concern with regards to the excavation of rock to the rear, the safe removal of this material given the former lead mining history of the area

Head of Assets and Transportation

Have no objection to the proposal and do not intend to make a

recommendation on highway grounds.

Head of Public Protection

No objection in principle, however as the site is in an area with an extensive historical use, including lead mining, quarrying and lime kilns around the site, there is justification that contamination could be present in all or part of the site. The proposed development could be particularly vulnerable to the presence of contamination, therefore recommend that any consent be conditioned to contaminated land investigation.

4.00 PUBLICITY

4.01 Neighbour Notification

As a result of which objections have been received on the following grounds:-

- History of drainage problems
- Overdevelopment of the site
- The proximity of the development to the boundaries
- The size and massing of the proposal, affect light to property and shade rear amenity area
- Underpass access departure to rest of parking arrangements in same street
- Separation distances
- Structural integrity questioned
- Design and access statement is a token

5.00 SITE HISTORY

5.01 No previous history.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1 - General Requirements for Development

GEN2 - Development Inside Settlement Boundaries

D1 - Design Quality, Location and Layout

D2 - Design

Local Planning Guidance Note No 2 Space Around Dwellings

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application seeks consent for the demolition of the existing

detached single storey bungalow, and the replacement of the property with a two storey dormer bungalow and detached garage.

7.02 Replacement Dwelling

The proposed property is to be sited on the foot print of the existing property (approximately 72m² in its footprint). but at approximately 168m² in its footprint is significantly larger than the property it is to replace. However this is indicative of other detached two storey dormer properties in the immediate area and the wider street scene, within this established residential area. As the site lies within the settlement boundary the replacement of the dwelling is acceptable in principle and the plot is large enough to accommodate the dwelling proposed.

7.03 Since the initial submitted scheme, the application has been amended by a reduction in the scale of the roof, leading to a reduction in the overall massing of the roof design by the hipping of the roof, which gives a greater visual separation between adjacent properties. This also reflects the roof type on the existing dwelling and that adjacent to it. The area is comprised of a number of property styles, plot sizes and no one design or plot size predominating and in this context the proposal is not out of context.

7.04 Street Scene

In support of the application the applicant's agent has submitted a street scene which clearly shows the proposed ridge line in relation to the existing neighbouring properties and shows the general topography of the street. The proposed property has a ridge line approximately 1 metre lower than Kiln Lodge, it will however be higher than the adjacent single storey property Hill Green, which is a single storey property.

7.05 Sewerage

The applicant proposes connecting to the existing mains drainage sewerage. Whilst objections have been raised with regards to past problems with sewerage backing up and a history of surface water drainage problems in the area, the drainage provision for the site will be subject to Building Regulations approval and the requirements of Dwr Cymru/Welsh Water and will need to be compliant with their requirements. However, this is a replacement, not an additional dwelling.

7.06 Development Form

The siting of the property is to extend across the width of plot, rather than being centrally located at a present. This leads to a change in the visual perception of massing of the property. However the proposed property achieves a separation distance of 2m off the boundary with Hill Green and a separation of 6m to the flank wall of Hill Green. It is offset 3m off the boundary with Kiln Lodge and 8m

from the flank wall of Kiln Lodge. Whilst the garage is proposed to be located 1m. from the boundary with Kiln Lodge, the applicant has confirmed that all the development will take place on land within his ownership. The overall visual massing of the scheme has been reduced by the applicant amending the scheme to provide a hipped roof design , which breaks up the overall scale of the property on the plot and on the wider street scene. The development form proposed is similar to the adjacent property Kiln Lodge, which utilizes virtually all of the plot width and this form of development is common to other properties in the street scene, such as Dellwood and Tilston.

7.07 The existing property was built as a matching pair of detached single storey properties in the 1930's and whilst this would have been reflective of the scale and form of development in this period, there have been significant changes to individual properties and the wider street scene since this time as the area has evolved piecemeal overtime. As such the proposal is considered to be reflective of the majority of the type of development in the immediate area, and indeed the existing two small properties of High Croft and Hill Green could be considered to be out of context with the existing street scene.

7.08 Design/Separation Distances

There is a side lounge window on the flank wall of Hill Green and the proximity of the development to this has been considered in relation to this window, however the window is a secondary window to the lounge and in this context is compliant with the guidance note with regards to Space Around Dwellings. The proximity of the flank wall of the proposed dwelling at 5.5m to the flank wall of Hill Green is noted however as its not the only window serving the lounge, there is sufficient distance to allow light provision and will not lead to significant detriment to the residential amenities currently enjoyed by this property. In addition the applicant proposes two small windows on the flank wall with Hill Green to serve a kitchen area and an upper floor dressing area, both these windows are proposed to be obscure glazed and as such will not lead to overlooking.

7.09 The 2m separation from the boundary with Hill Green has raised concerns with regards to the height of the proposed dwelling at 7.6m high to the ridge affecting the amount of light available to the residents of Hill Green . Due to the route the sun travels through the day from east to west, it would appear that the light received would not lead to a significant loss and would not adversely affect amenities.

7.10 In view of a number of concerns received in relation to the massing, scale and perceived overdevelopment that the proposed dwelling is to have, the applicant has amended the scheme and has hipped the roof. This effectively enables a greater visual break between the properties to be achieved and visually leads to reduction in the mass / scale of the property.

7.11 Parking /turning Provision

The design of the dwelling proposed incorporates an open space to the lower floor which allows vehicular access to the proposed garage to the rear of the property. Whilst this feature is typical of this area, the servicing of the garage via this route is not considered to be out of context with the existing garages site to the side /rear of the existing properties in the immediate area and is not considered to adversely impact upon amenity currently enjoyed by surrounding residents. Both the highways and environmental health officers have been consulted on the proposal and neither have raised objections to the scheme on this aspect, as such it is not considered that the parking and turning arrangements will adversely affect amenity and it is noted that Kiln Lodge and Hill Green show a similar garage position.

8.00 CONCLUSION

- 8.01 The proposed scheme as a replacement dwelling of the existing property within the settlement boundary of Pantymwyn is compliant with the above policies.
- 8.02 The form, scale and design of the proposal is considered to harmonise with the site and surroundings with regards to its siting, scale, design, materials and external appearance.
- 8.03 The proposal whilst utilizing the width of the plot is not out of context with other forms of development in the same street scene and enables sufficient separation distances to be achieved, without significant detriment to amenity.
- 8.04 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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