

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 14 MAY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – ERECTION OF 23 NO. DWELLINGS AND ASSOCIATED WORKS ON LAND AT (SIDE OF FFORDD HENGOED), UPPER BRYN COCH, MOLD.**

APPLICATION NUMBER: **051105**

APPLICANT: **STEWART MILNE HOMES**

SITE: **LAND AT SIDE OF FFORDD HENGOED, UPPER BRYN COCH, MOLD.**

APPLICATION VALID DATE: **16TH AUGUST 2013.**

LOCAL MEMBERS: **COUNCILLOR R. GUEST.**

TOWN/COMMUNITY COUNCIL: **MOLD TOWN COUNCIL**

REASON FOR COMMITTEE: **SIZE & SCALE OF DEVELOPMENT.**

SITE VISIT: **UNDERTAKEN ON 7TH APRIL 2014.**

MEMBERS WILL RECALL THAT THIS APPLICATION WAS DEFERRED AT THE MEETING ON 9TH APRIL 2014 IN ORDER FOR OFFICERS TO NEGOTIATE HIGHWAY AMENDMENTS TO THE SCHEME AND AFFORD RESIDENTS ADEQUATE TIME TO COMMENT UPON ANY AMENDED PLANS RECEIVED.

AMENDED PLANS HAVE BEEN RECEIVED DETAILING BOTH ALTERATIONS TO THE PROPOSED ACCESS TO THE DEVELOPMENT, REDUCTION IN THE SIZE OF THE PROPOSED DWELLING AND ALTERED GARAGE POSITION ON PLOT 23 AND INCREASING THE SEPARATION DISTANCES BETWEEN PROPOSED AND EXISTING DWELLINGS ON FFORDD HENGOED. RESIDENTS HAVE BEEN

CONSULTED UPON THE APPLICATION AND ANY RESPONSES WILL BE REPORTED AS LATE OBSERVATIONS.

1.00 SUMMARY

- 1.01 This is a full application for the erection of 23 dwellings, creation of a new vehicular and pedestrian access etc. at land side of Ffordd Hengoed, Upper Bryn Coch Lane, Mold.
- 1.02 The main issues to consider are the principle of the development in planning policy terms, the highway implications, the effects upon the character and appearance of the area, the amenities of the adjoining residents, trees, wildlife, flood risk and drainage and the provision of open space and educational requirements. The majority of the site is allocated for residential development within the Flintshire Unitary Development Plan with the southern section designated as green space. Amended plans have now been received which shows the residential development on the allocated part of the site with the majority of the green space remaining as such. Therefore, the proposals are acceptable in principle in planning policy terms. These amended plans also now resolve all of the detailed matters which need to be considered. The Applicants are also prepared to pay the requested sums in terms of education and off site open space improvement, within the area.

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

- 2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking to provide the following:-
- a. Payment of £73,542 towards educational provision/improvements at Ysgol Glanrafon, Mold. The timing of such payment to be agreed with the Director of Lifelong Learning.
 - b. Payment of £25,300 for the enhancement of existing public open space in the nearby community.

The proposal is recommended for approval subject to the following conditions:-

Conditions

1. 5 year time limit on commencement.
2. In accord with approved detail.
3. Samples of all external materials to be submitted and approved prior to commencement.
4. Detailed scheme of hard and soft landscaping to be further

- submitted and approved in writing prior to commencement.
5. Foul water shall connect to public sewerage system.
 6. Land drainage run-off not permitted to discharge either directly or indirectly into Public Sewerage System.
 7. No surface water to connect either directly or indirectly to Public Sewerage System.
 8. Foul water and surface water discharges drained separately from the site.
 9. No development to commence until developer has prepared a scheme for the comprehensive integrated drainage of site.
 10. No buildings on site shall be brought into beneficial use earlier than 1st October 2014 unless upgrading of waste water treatment works has been completed.
 11. Mitigation measures as detailed in Section 4.10 of submitted Flood Consequences Assessment adopted as part of the development.
 12. Biosecurity Risk Assessment to identify risks and control measures to avoid spread of invasive species and diseases, within or off the site to be submitted to and agreed in writing by the Local Planning Authority prior to commencement.
 13. Details of existing and proposed site levels and proposed finished floor levels further submitted to and approved in writing by the Local Planning Authority.
 14. Details of "Design Stage" Assessment and related construction to be further submitted to and approved by the Local Planning Authority.
 15. Each dwelling to be constructed to achieve a minimum Code for Sustainable Homes Level 3 and Achieve 1 Credit under Category Ene1 in accordance with the requirements of Code for Sustainable Homes – Technical Guide April 2009.
 16. No dwelling occupied or unless otherwise agreed in writing until Code for Sustainable Homes "Post Construction Stage" Assessment has been carried out, a final Certificate has been issued certifying Code Level 3 and 1 Credit under Ene1 have been achieved in writing by the Local Planning Authority.
 17. Details of all boundary treatments to be submitted and approved.
 18. Reasonable Avoidance Scheme for bats to be further submitted and approved by the Local Planning Authority.
 19. Management plan of green space corridor to be further submitted and approved.
 20. No tree and hedgerow works during bird nesting season.
 21. Siting, layout and design of means of access to be further submitted to and agreed in writing by the Local Planning Authority.
 22. Forming and construction of means of site access to be further submitted to and agreed in writing by Local Planning Authority.

23. Access to each plot in accordance with attached detail.
24. Front of garages set back minimum of 5.5 m behind back of footway line.
25. Detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal roads to be further submitted and agreed in writing.
26. Positive means to prevent the run off of surface water onto highway to be provided in accordance with details to be further submitted and agreed.
27. Construction management plan to be further submitted and approved.
28. Arboricultural Method Statement to be further submitted and approved. Development after carried out in accordance with AMS.
29. Development not commenced until scheme for management of overland flow from surcharging of site's surface water drainage system submitted to and approved by Local Planning Authority.
30. Removal of permitted development rights for alterations, extensions etc.
31. No works to commence unless and until a detailed scheme for the rationalisation of Upper Bryn Coch/site access road junction, submitted to and approved by the Local Planning Authority. Such works shall become the subject of a Section 278 Agreement under 1980 Highways Act prior to their implementation.

If the Obligation pursuant to Section 106 of the Town & 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 R. Guest

Principle of residential development is not disputed, it is disappointing that the UDP indicative figure for density has been abandoned.

Two areas of concern over the detail, after several changes from the initial application.

- Dangerous situation created at proposed junction of new development and Upper Bryn Coch, given angle of junction, line of sight, narrowness of higher section of UBC and the pedestrian entrance to St. Mary's Park. Closing off the narrow section of UBC to vehicular traffic, the danger can be avoided and the additional traffic impact on UBC/Bryn Coch Lane junction (v. dangerous at

school run time) partly offset.

- Proximity of the units to Ffordd Hengoed, where height difference between sites and proposed positioning represents unacceptable impact on the amenities of existing dwellings and do not comply with guidelines.

Mold Town Council

Agreed amended application still does not address original concerns to those listed below. Objects on the following grounds:-

- Pond and stream should be protected in addition to the hedge. Culverting of watercourse will create a flood danger.
- Need to consider construction traffic during development. This should be through Maes Gwern.
- Will increase traffic flow considerably, especially affecting Glanrafon School. Evidence to the cul de sac should be at the other end of Ruthin Road as there is already a gate there.
- Need for a footpath access should the entrance to the cul-de-sac be amended.
- Overdevelopment of the site. UDP identifies only 15 properties.

Head of Assets & Transportation

Technical Note submitted satisfactorily appeases previous concerns. Traffic survey by the applicant at Ffordd Trem y Foel gives an indication that the development is unlikely to generate any significant additional traffic onto this section of road. Thereafter recommends approval subject to suggested conditions.

Head of Public Protection

No adverse comments to make regarding the proposal.

Director of Lifelong Learning

Development will have a significant effect on Ysgol Glanrafon, Mold where the numbers on the roll already exceed its official capacity by 11. Therefore, financial contribution requested is £73,542 for that school.

A contribution is not requested for the Alun School, which has more than 7% surplus places.

Public Open Spaces Manager

Should be seeking an off site payment of no less than £1,100 per unit in lieu of an on-site POS. The payment would be used to ensure improvement to existing POS in the community.

Natural Resources Wales

The FCA submitted in support of the application demonstrates that the risks and consequences of flooding can be acceptably managed in accordance with TAN14 Development & Flood Risk (2004). Suggests recommended conditions are placed upon any grant of planning permission.

Notes site been subject to survey and assessment of statutory species. Consider assessment completed to satisfactory standard for purposes of informing the decision making process. Concur with its conclusion and recommendations. Believe proposals unlikely to be detrimental to maintenance of favourable conservation status of any statutory protected species populations present in their natural range if recommendations are carried out in it.

Welsh Water/Dwr Cymru

If minded to grant consent, advise suggested notes and conditions are included within the consent.

Proposed development would overload the existing waste water treatment works. Improvements are provided for completion by 1st October 2014. Offers a Grampian style condition to that effect.

Wales & West Utilities

Do not have any plant or apparatus in the area. Gas pipes owned by other companies and also privately owned may be present in this area.

SP Powersystems

Has plant and apparatus in general proximity. Developer advised of need to take appropriate steps to avoid any potential danger that may arise during their works in relation to the electrical apparatus.

Airbus

Does not conflict with safeguarding criteria. No aerodrome safeguarding to the proposal required.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

82 letters of objection received in total (including amended plans). The grounds of objection are summarised below:-

- Impact upon wildlife and their habitats in terms of badgers, great crested newts and toads.
- Overdevelopment of site. Housing allocation states a total of 15 units. Will adversely affect the entire surrounding area with less privacy and higher levels of noise and traffic.

- Loss of amenity in terms of loss of light, privacy and obtrusiveness upon adjoining residents particularly those on Ffordd Hengoed as the minimum standards within LPG Note 2 'Space Around Dwellings' are not met given the change in levels. The minimum distance of 22 m between properties should be adjusted to 26 m to allow for height difference. There will also be a loss of amenity to houses opposite the site access.
- Strongly oppose loss of any hedgerows due to wildlife concerns and will change character of area. Replanting will not be acceptable as current householders would not gain any benefit.
- Development site is currently open grassland/farmland, also serves as wildlife corridor between parkland on St. Mary's Park and green belt. This loss will be another area of open countryside.
- Access to narrow section of Upper Bryn Coch be reviewed. Development will lead to an increase in traffic using this narrow lane which will result in increased danger to pedestrians, cyclists and motorists.
- Severe impact in traffic flow upon local roads including at the junction of Bryn Coch Lane and Upper Bryn Coch Lane by Glanrafon School.
- Applicants already drained nearby pond which will have a serious effect on loss of toads, badgers and great crested newts.
- Have the appropriate surveys been undertaken – ecology and transport?
- The upper part of Upper Bryn Coch Lane (from the western end of the site to Ruthin Road) is reasonably wide and could be easily improved. Junction is also safe and 30 mph limit could be moved.
- An offence may have been committed by destroying the habitat of the great crested newt. If this is the case, it is relied upon by Flintshire County Council to pursue this offence.
- The traffic survey produced by the developer has no correlation to the survey carried out by the residents. An independent survey should be commissioned.
- The educational monies should be split 80% to Bryn Coch School, 20% to Glanarafon School as the majority of children from this development will not go to the Welsh Medium School.
- Flintshire County Council should speak to Mold Town Council prior to the allocation of the public open space money. The town council

is currently attempting to obtain funds for a footpath around one of the lagoons in Maes Gwern and repairs and additions to the existing footpath round the first lagoon adjacent to the same road.

- Plan does not show drainage proposals.
- In a high risk coal mining area.
- Flintshire County Council have already met their housing targets.
- 2003 Welsh Water objected to the site on the basis of a lack of sewage treatment capacity. No work since to extend capacity.
- Infrastructure needs to be improved i.e., schools.
- The new houses would weaken the Welsh Language situation even further.
- Houses would be built too close to EDF's windmill.
- Proposed access is dangerous and hazardous.
- No need for more houses in Mold.
- Still proposals to culvert a section of the stream at south side of site. No culverting or diversion of the stream should be allowed as it will lead to an increase in flooding.
- FCA advises existing culvert under road cannot convey estimated 1 in 100 year peak flow and flooding will occur. Proposed culvert would extend flooding into site.
- Access for construction traffic should be along Maes Gwern to avoid heavy traffic passing through congested areas past schools etc.
- Some of the development is still in the green space.
- Queries left hand movement of vehicles out of site into narrow part of Upper Bryn Coch Lane and right hand turn into site will provide a safe and satisfactory solution for all users of this section of the lane.
- County lane or built up area – which would most people choose?
- Should be a greater mix of properties to include 2 & 3 bedroomed properties and to be affordable also.
- Developer not produced a sectional plan for impact of proposed dwelling (plot 22) on 4 Ffordd Hengoed. Do not know what impact there is going to be in terms of loss of amenities.

- Stream in south east corner of the site should not be altered to damage the tree roots.
- Loss of trees in the area. Woodland belt is an important landuse feature.
- The garage on plot No. 23 will also have an overbearing effect upon the occupiers of No. 2 Ffordd Hengoed. Flintshire County Council have refused previous applications on loss of amenity where building is on the boundary.
- Density figures in report are flawed.
- Plot 23 should be removed to avoid detriment upon the amenities of adjoining residents in terms of loss of light, privacy and obtrusiveness.
- North Eastern boundary of site encroaching into No. 2 Ffordd Hengoed.
- Additional traffic hazard of vehicles reversing out of Plot 23 so close to junction with limited visibility.

5.00 SITE HISTORY

- 5.01 **051610** – Erection of 28 No. dwellings and associated works – Current.

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
 STR1 – New Development.
 STR2 – Transport & Communications.
 STR4 – Housing.
 STR7 – Natural Environment.
 STR9 – Welsh Language & Culture.
 GEN1 – General Requirements for Development.
 GEN2 – Development Inside Settlement Boundaries.
 GEN6 – Welsh Language & Culture.
 D1 – Design Quality, Location & Layout.
 D2 – Design.
 D3 – Landscaping.
 TWH1 – Development Affecting Trees & Woodlands.
 TWH2 – Protection of Hedgerows.
 L1 – Landscape Character.
 L3 – Green Spaces.
 WB1 – Species Protection.
 WB6 – Enhancement of Nature Conservation Interests.
 AC13 – Access & Traffic Impact.

AC18 – Parking Provision & New Development.
HSG1(16) – New Housing Development Proposals – Upper Bryn Coch Lane, Mold.
HSG8 – Density of Development.
HSG9 – Housing Mix & Type.
HSG10 – Affordable Housing within Settlement Boundaries.
EWP2 – Energy Efficiency in New Development.
EWP13 – Nuisance.
EWP16 – Water Resources.
EWP17 – Flood Risk.
IMP1 – Planning Conditions & Planning Obligations.

Local Planning Guidance Note 2 Space Around Dwellings.
Local Planning Guidance Note 4 Trees & Development.
Local Planning Guidance Note 8 Nature Conservation & Development.
Local Planning Guidance Note 13 – Open Space Requirements.
Local Planning Guidance Note 22 – Planning Obligations.
Adopted Supplementary Planning Guidance 23 – Developer Contributions to Education.

National Planning Policies

Planning Policy Wales Edition 6, February 2014.
Technical Advice Note (TAN)2: Planning & Affordable Housing.
Technical Advice Note 5: Nature Conservation & Planning.
Technical Advice Note (TAN) 11: Noise (1997).
Technical Advice Note (TAN) 12: Design (2009).
Technical Advice Note 16: Sport, Recreation & Open Space (2009).
Technical Advice Note 15: Development & Flood Risk.

The site is located within the settlement boundary of Mold with majority of the site allocated for residential development (Policy HSG1(16)) within the Flintshire Unitary Development Plan. The southern part of the site is designated as green space (L3(171)) Maes Gwern. The majority of this area within the proposals has been retained as such. Therefore, in principle, the development for residential development is considered acceptable. What needs to be considered are the detailed matters of the application.

7.00 PLANNING APPRAISAL

7.01 Site Description & Proposals

The site comprises of approximately 1.21 ha of improved agricultural grassland which slopes downwards from its northern to southern boundary by approximately 2 m. To the south of the site lies a brook and woodland which is designated as green space in the Flintshire Unitary Development Plan (FUDP). Both the northern and western boundaries comprise of a species rich hedgerow with a hedge also located along the eastern boundary adjacent to the rear gardens of Nos 2-8 Ffordd Hengoed. These existing properties are

approximately 2 m lower than the site itself. Access to the site is gained via an existing field gate within the north eastern corner of the site, off Upper Bryn Coch Lane.

7.02 It is situated in between the southern side of the narrowest part of Upper Bryn Coch Lane and the northern side of Maes Gwern upon its western end. The rear gardens of Nos 2-8 Ffordd Hengoed lie immediately to the east. On the northern side of Upper Bryn Coch Lane lies the green space set within the modern residential properties of the St. Marys Park development. The site is located in the south west corner of Mold.

7.03 The proposals involve the erection of 23, detached dwellings being all of two storey in height. They will be a mix of four and five bedroomed and will be constructed within facing brick walls with tiled roofs.

7.04 A new vehicular access will be constructed in the location of the existing agricultural access with a cycle and pedestrian access being provided in the south western corner of the site also.

7.05 The level of car parking will be 3 spaces for the four bedroomed dwellings and 3 spaces for the five bedroomed dwellings.

7.06 The majority of the dedicated green space has been retained apart from a small section of road and the corner of a garage to a proposed dwelling to the south of the site and its long term future will be protected by the developer's proposals to instruct a management company to maintain the area.

7.07 Background

Members may be aware that the site was allocated for residential development in the preparation of the Flintshire Unitary Development Plan and was the subject of objections at deposit stage which raised a wide range of issues which were subsequently addressed by the Inspector in her report. Despite these objections, the Inspector recommended to retain the allocation for residential development.

7.08 Issues

The main issues to consider with the determination of this planning application are the principle of the development in planning policy terms, the highway implications, the effects upon the character and visual appearance of the area, the amenities of adjoining residents, trees, wildlife, flood risk and drainage and the provision of open space and educational contributions.

7.09 Principle of Development

This site is located within the settlement boundary of Mold with the majority of the site allocated for residential development by virtue of Policy HSG1 (16) within the adopted Flintshire Unitary Development Plan. The southern part of the site is designated as green space –

L3(117) Maes Gwern whereby development will only be permitted which does not unacceptably harm their function or value as a green space nor threaten their value to the community. However, amended plans have now been received which show that the majority of this part of the site allocated for green space will not be developed and will be retained and managed as green space.

7.10 Policy HSG10 requires, where there is a need, for the Council to negotiate with developers to provide 30% affordable housing in suitable schemes within settlements. The minimum size threshold being 25 dwellings or 1 ha. Although the site is less than 25 dwellings, it is over 1 ha. However, in this instance such a provision has not been requested as the nett developable area is less than 1 ha. with the developer retaining the green space area to the south.

7.11 The indicative yield for the site in Policy HSG1 is 15 units which reflects its small size, the characteristics of the site and its surroundings. However, as part of ensuring sustainable development, there is a fundamental principle embodied in both Planning Policy Wales and the UDP that the most efficient use should be made of land for development. Such principles are expressed in the form of a series of targets against which the Plans performance can be measured. Target 6 in the Housing Chapter of the written statement specifies 'Achieve a minimum of 30 houses/ha on all allocated sites' and specific policy guidance is then given in policy HSG8 'Density of development'. This policy adopts a criteria based approach to ensuring that individual development proposals make the most efficient use of land yet have regard to the character of the site and surrounding area. It is considered that the proposed density of 21 dwellings per hectare on this proposed development is in accordance with the Plans overall policy thrust as it balances the density of the development with the particular characteristics of the site and its surroundings, as explained later in the report.

7.12 Given the above, the development accords in principle in planning policy terms. What needs to be considered are the detailed matters of the development.

7.13 Highways

It is proposed to create a vehicular access into the site from Upper Bryn Coch Lane which is to be located in the north eastern corner of the site where the existing field access is presently located. Amended details indicate a revised layout to the junction of Upper Bryn Coch with the development access road. From this new vehicular access, it is proposed to have a spine road which runs down to the south west of the site with a cul de sac at the western end of the site. It is also proposed to create a pedestrian and cycle access at the south western corner of the site onto Upper Bryn Coch Lane enabling a through route within the site for pedestrians and cyclists to avoid using the unlit and narrow section of Upper Bryn Coch Road.

- 7.14 Parking provision within the site will be 3 off road spaces per property. This is in accordance with the Council's maximum standards.
- 7.15 The Applicant has submitted a technical note to support their application on highway grounds which has been assessed by the Head of Assets & Transportation. This note advises that the likely trip generation as a result of the development would result in 2 & 10 vehicular movements to the site in the morning and afternoon peak hours and 13 and 3 vehicles out of the site in the morning and afternoon peak hours respectively. Vehicle movements into the site from vehicles turning right from the narrow section of Upper Bryn Coch Lane and out of the site up this lane during peak hours have been predicated at 0-1 and 0 respectively. Given these trip generation rates it is considered that there are no capacity issues with the nearby roads including the junction of Bryn Coch Lane and Upper Bryn Coch Lane by Glanrafon School to deal with the increased traffic resulting from the development.
- 7.16 It has been suggested that a through route within the site and closing off this narrow and unlit section of Upper Bryn Coch Lane would improve vehicle, pedestrian and cycle safety. The closed part would only be used by pedestrian and cyclists. However, it is considered that this would significantly increase the volume of traffic through the site as a result of its use as a 'rat run' for vehicles between the large residential area of south west Mold and Ruthin Road. This section of road from the western corner access of the site for the remaining part of Upper Bryn Coch Lane to its junction with Ruthin Road is also unsuitable, due to its narrow width when opposing vehicles meet and lack of footways. Furthermore, at the Ruthin Road Junction, visibility to the right when emerging from Upper Bryn Coch is limited to well below the stopping sight distance on the derestricted section of Ruthin Road, where legal speeds can be up to 60 mph.
- 7.17 It is considered that the closing off of the Lane which would only be used by pedestrians and cyclists is also considered unacceptable as it is unlit, darkened by overhanging tree canopies and with no surveillance. It would be safer for both pedestrians and cyclists to travel through the development site which it is proposed.
- 7.18 The overall number of car parking spaces for the development is considered to be sufficient and will not lead to parking on nearby roads to the detriment of highway safety.
- 7.19 In relation to the amended junction arrangement it will formalise arrangements and improve the safety of operation of the junction. The visibility splay indicated to the right on exit from the junction is shown to cross the garden of plot 2, achievable visibility within the confines of the proposed highway are 2.4 x 35 m to the right and greater than 2.4 x 120 to the left. These values exceed the minimum

requirements of the 20 mph design speed associated with new residential estate roads. Details of street lighting, signage, road markings and highway drainage have not been provided but will be required by the suggested conditions and will be included within any future highway agreement.

7.20 Given the above, the Head of Assets & Transportation concludes that there are no highway safety or capacity grounds to resist the development as proposed, and that the current proposals offer an opportunity to provide improved pedestrian and cycle routes through the site and allow the existing narrow lane to be retained to accommodate the limited existing and proposed traffic flows.

7.21 Character & Appearance

The site lies on the south western edge of Mold and sits between low/medium density residential development and land to the south which is allocated for employment development as part of Mold Business Park. Land to the west is rural in character and forms part of the green barrier between Mold and Gwernymynydd. The prevailing house types in this part of Mold are large, detached and of two storey.

7.22 The development will be of 2 storey detached dwellings with pitched roofs. Their design will be a mix of one and two projecting two storey bays with hipped roofs to the front with a variety of detailing including brick bands, brick heads and cills around the other windows. The external materials will be of concrete tiled roofs with a mix of render and brick walls. The type of dwellings will match those within the locality with the differing styles and detail of those proposed adding variety and interest within the development itself.

7.23 The site layout is conventional in style and it is considered reflects the general layout of surrounding roads and properties where dwellings directly front onto the main access roads and arranged around cul de sacs. The proposed layout to the north east of the site has dwellings fronting onto both sides of the main internal road but further into the site westwards, the proposed dwellings front onto only the northern side of internal road as upon the southern side the green space corridor has been retained. To the west, lie proposed dwellings arranged around a cul de sac.

7.24 The character and design of the proposed development has been informed in part by the pattern and appearance of the existing dwellings, which are of a modern suburban appearance, and in part by the need for a development that responds not only to the physical constraints of the site (designated green space, mature trees and hedgerows together with the restricted width of the eastern part of Upper Bryn Coch Lane) but also to current housing market requirements. The latter indicates the need for the larger executive style houses within this part of Mold. The revised layout has been

devised so the majority of the retained green space becomes a focal point of the site, with proposed dwellings facing onto it wherever possible.

- 7.25 The density of development upon the developable part of the site equates to approximately 21 dwellings per hectare. HSG8 of the Flintshire Unitary Development Plan advises that on allocated sites in Category A settlements, the general minimum net housing density should aim to achieve 30 dwellings per hectare. However, the policy recognises that individual circumstances will vary according to site location and the character of the area. The density of the proposed development is lower than the minimum requirement but given the small size of the site and its constraints, the housing need and the importance of retaining as much of the character and appearance of the site and locality, this is considered acceptable in this case.
- 7.26 The properties will be a mix of 4 & 5 bedrooms. This type of property is reflective of the type in the area. Policy HSG9 only requires housing development's to provide more of an appropriate mix of dwelling sizes and types to create mixed and socially inclusive communities on sites of 1.0 hectare or 25 dwellings or more. As the developable area is less than both a hectare and 25 dwellings, a mix of 2, 3, 4 & 5 bedroomed properties is not required.
- 7.27 Amenities of Existing/Proposed Occupiers (Privacy, Loss of Light, Etc).
The rear gardens of the existing properties of Nos 2-8 Ffordd Hengoed lie immediately to the east of the site with the side elevations of Nos 62, 64, 76 Ffordd Newydd lying to the west of the site. It is proposed that four dwellings will be erected to the west of Nos 2-8 Ffordd Hengoed with seven properties to be located to the south west of Nos 62, 64, 76 Ffordd Newydd. The existing dwellings on Ffordd Hengoed are set at a lower level, by approximately 2 m, from the proposed dwellings in this location.
- 7.28 The separation distances between the rear of the proposed properties to the west of the site and the side elevations of Nos 62, 64, 76 Ffordd Newydd will be approximately 20 m with the side elevation of the proposed dwelling on Plot 10 onto the existing side elevation of No. 76 Ffordd Hengoed being 18 m. These distances accord with the minimum separation distances within the Local Planning Guidance Note 2 'Space Around Dwellings'. Thus it is considered that these proposed dwellings will not have a significant detrimental impact upon the amenities of these existing dwellings in terms of loss of light, privacy, obtrusiveness etc.
- 7.29 The separation distances between the rear of the proposed dwellings on plot Nos 20, 21 & 22 and the rear of the existing properties of Nos 8, 6 & 4 Ffordd Hengoed vary from approximately 26 m – 24 m, 24.5 m – 23 m, 27 m – 25 m respectively. Taking into account the

proposed difference in levels which vary from 0.1 m – 1.45 m and the above distances, the proposals comply with the minimum separation distances within the Local Planning Guidance Note 2 ‘Space About Dwellings’.

- 7.30 The separation distance between the proposed two storey side elevation of the dwelling on plot No. 23 and part of the rear elevation of the existing two storey property of No. 2 Ffordd Hengoed is approximately 16 m. The separation distances between the proposed two storey side elevation of plot No. 23 and the rear elevation of No. 2 Ffordd Hengoed, meets the minimum standards within the Local Planning Guidance Note 2 (even taking into consideration the difference in levels).
- 7.31 The separation distance between the two storey rear elevation of proposed Plot 23 onto part of the two storey rear elevation of No. 2 varies from 14 m to 23 m. These distances do not meet the minimum separation distances within the Local Planning Guidance Note 2 but the dwelling on proposed Plot 23 is positioned at an angle to No. 2 and only affects part of the rear of this existing property. Therefore it is considered that there will be no significant detrimental impact upon the amenities of both existing and proposed occupiers of Plot 23 & No. 2 Ffordd Hengoed in terms of loss of light, privacy and obtrusiveness etc.
- 7.32 The separation distance between the proposed rear elevation of plot No. 23 and the rear elevation of No. 4 Ffordd Hedgoed varies from 15.2 m to 23.6 m. This does not meet the minimum separation distances between properties, however, given that the proposed dwelling to plot 23 is to be positioned at an angle to No. 4 and indeed to Nos 6 & 8 also, it is considered that there will be no significant increased loss of amenity to these properties in terms of loss of light, privacy and obtrusiveness.
- 7.33 Within the site itself, the proposed layout shows that the size of the private amenity gardens and the separation distances between each proposed dwelling accord with those set out in the Local Planning Guidance Note and therefore it is considered that there will be no significant detrimental impact upon the amenities of the proposed occupiers of the dwellings.
- 7.34 Impact Upon Trees
The site contains mature trees on the northern boundary and within the green space corridor to the south along the brook.
- 7.35 Amended plans have been received which now excludes development from the majority of the green space corridor in which a number of trees are sited. In addition, the dwellings near the hedgerow and mature trees along the northern boundary have been moved further into the site. Therefore, a large proportion of the mature trees will be

retained as part of the development.

- 7.36 A BS5837:2012 Tree Report has been submitted with the application which provides an objective assessment of the trees which has been used to inform the layout. This layout proposes 3 individual trees and part of one tree group (totalling approximately 15 trees) will be removed to facilitate the development proposals. These are considered as of moderate value.
- 7.37 The successful retention of the remaining trees will be dependent on the implementation of a Tree Protection Scheme. This addresses ways in which the build-up of ground levels close to the southern boundary can be minimised or avoided. This has been recommended as a condition upon any planning permission granted.
- 7.38 Mitigation for the loss of trees, is recommended to take the form of new tree planting along the southern boundary and within the green space. Suitable species along the green space southern boundary will include those that are tolerant of wet ground conditions. This replacement tree planting is recommended within the proposed landscaping condition attached to the recommendation to grant planning permission.
- 7.39 This BS5837:12 report and the recommendations within it have been assessed by the Council's Forestry Officer who considers it acceptable subject to appropriately worded conditions which have been placed upon the recommendation to grant planning permission.
- 7.40 Wildlife
The site is predominantly improved agricultural grassland which is of limited ecological value. The key features are the hedgerows and the wooded stream which forms a natural green corridor along the southern boundary which is identified within the FUDP as part of a larger green space which also has a value as a wildlife corridor linking to the wider countryside. There are no recorded great crested newts within 500 m of the site.
- 7.41 The stream has a good flow and is partially vegetated with wetland species such as Brooklime and Flote-grass and/or lined with trees. The pond, created by damming the stream has been drained recently but the area is low lying and is still a wet hollow. Local information states that the pond is a good breeding site for toads and is regularly visited by a heron which suggests the presence of fish and/or frogs.
- 7.42 The key issues are the potential of the mature trees as bat roosts and value of the hedgerow and woodland habitats for nesting birds. There are no badger setts on the development site or in the immediate surroundings areas.
- 7.43 The mature trees offer some potential as bat roosts. The

arboricultural report lists one which is to be retained. However, it is considered that other trees have a potential for bats, one which has been hit by lighting and dead tree which has a knothole which has potential for nesting birds/bats. These will be retained.

- 7.44 The key ecological features on the site will be retained as a result of the development.
- 7.45 Amended plans have been submitted retaining the majority of the green space corridor as such, which comprises of a combination of wetland and woodland habitat with its long term future protected by the developers proposals to implement a management company to maintain the area. A condition has been placed upon the recommendation that management plan is submitted to and agreed by the Local Planning Authority prior to the commencement of development.
- 7.46 Although the pond will not be reinstated, reprofiling of the brook has the potential to benefit wetland species and details of this will be included within the landscaping proposals which are to be further submitted as a condition attached to this recommendation to grant planning permission.
- 7.47 The majority of hedgerow will be retained in particular along Bryn Coch Lane but also along the eastern boundary. To offset the losses in relation to the new accesses, these existing boundaries will be enhanced together with new planting along the green space corridor. This will be required as part of the proposed landscaping condition attached to this recommendation to grant planning permission.
- 7.48 The trees to be removed shall be first assessed to see whether they have a potential as bat and breeding bird habitat and if so mitigation measures proposed for their loss. Again this is proposed as a planning condition upon the recommendation to grant planning permission.
- 7.49 Flood Risk & Drainage
Representations have been made that the land is liable to flooding and that the existing drainage infrastructure in the locality is inadequate to serve the proposed scale of development.
- 7.50 The site is in Zone A as defined by TAN15 Development and Flood Risk (July 2004) and shown on the Welsh Government's Development Advice Map (DAM). However, Ordnance Survey mapping indicates that there are watercourses running through the site. Due to the limitations of the flood map, which does not consider catchments smaller than 3 km², the risks from these watercourses are unknown.
- 7.51 In addition, given that there is an area of marshy ground to the east of the site, indicating potential problems with site drainage, the

development is likely to increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface run-off. In accordance with Section 8 of TAN15, in all zones, development should not increase flood risk elsewhere.

- 7.52 Given the above, and given the scale and nature of the development, Natural Resources Wales advised that the developer submit a Flood Consequences Assessment, so that the flood risks to the development can be adequately considered in line with the requirements of TAN15 Development & Flood Risk (July 2004).
- 7.53 The subsequent submitted FCA states that the risk of flooding from all sources is considered low and the development is accessible for emergency access and egress during times of extreme flooding as the flood plain does not extend into the development area, and thereby the focus was on the effective management of surface water.
- 7.54 Based on the ground conditions and following soakaway testing, it was considered that infiltration drainage is likely to provide a suitable means of surface water disposal for a portion of the surface water run-off generated by the proposed development.
- 7.55 It is proposed that where an infiltration solution is determined not to be viable the discharge of surface water continue to mimic the pre-development situation by discharging to the adjacent watercourse.
- 7.56 As the surface water run-off is being increased as a result of the introduction of impermeable areas, it is necessary to restrict the post-development rate of discharge to the pre-development pre-development rates of run-off for all storm events up to and including the 100 year return period event. Storm water storage will be provided for storm events up to and including the 100 year period with a 30% allowance for climate change.
- 7.57 This FCA has been assessed by Natural Resources Wales together with the latest amended drawings showing the diversion and culverting of the existing stream who advise that it has been demonstrated that the risk and consequences of flooding can be acceptably managed.
- 7.58 The proposals have also been subject of consultation with Dwr Cymru Welsh Water who advise that in relation to foul drainage, that a programme of system improvements are planned and are expected to be completed by 1st October 2014. This together with other suggested conditions in respect of the submission, agreement and implementation of detailed drainage schemes can be placed upon any planning permission granted. There are no objections to the proposal therefore on drainage grounds also.
- 7.59 Public Open Space

The Public Open Space Manager advises that the Council in accordance with Local Planning Guidance Note 13 – Open Space Requirements and Policy SR5 of the Flintshire Unitary Development Plan should be seeking an off site commuted sum payment of no less than £1,100 per unit in lieu of an on site provision. This payment will be used by the County Council to enhance existing public open space in the community. The applicant has indicated that this will be paid in the event of planning permission being granted.

7.60 Educational Contributions

The Director of Lifelong Learning has advised that the proposed development will have a significant effect on Ysgol Glanrafon Mold, where the numbers on roll already exceed its official capacity by 11. Therefore, the financial contribution requested is £73,542 for that school. A contribution is not requested for the Alun School, which has more than 7% surplus places.

7.61 The applicant has indicated that the financial contribution for Ysgol Glanrafon Mold will be paid in the event of planning permission being granted.

7.62 The above figures quoted are based on the guidance within the SPG 'Developer Contributions To Education' which states that the contributions are allocated to the nearest primary and secondary schools to the development irrespective of their medium.

8.00 CONCLUSION

8.01 It is considered that all detailed matters are now acceptable on the part of the site which is allocated for residential development in the Flintshire Unitary Development Plan.

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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