

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **23<sup>RD</sup> JULY 2014**

**REPORT BY:** **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

**SUBJECT:** **FULL APPLICATION – ERECTION OF 22 NO. DWELLINGS AND ASSOCIATED WORKS ON LAND (SIDE OF FFORDD HENGOED) UPPER BRYN COCH, MOLD.**

**APPLICATION NUMBER:** **052208**

**APPLICANT:** **STEWART MILNE HOMES**

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

**APPLICATION VALID DATE:** **29<sup>TH</sup> MAY 2014**

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

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

**REASON FOR COMMITTEE:** **SIZE AND SCALE OF DEVELOPMENT**

**SITE VISIT:** **NO.**

**1.00 SUMMARY**

- 1.01 This is a full application for the erection of 22 dwellings, creation of a new vehicular and pedestrian access etc at land side of Ffordd Hengoed, Upper Bryn Coch Lane, Mold.
- 1.02 Members will recall that an application for the erection of 23 dwellings and creation of a new vehicular and pedestrian access on the site was reported to the Planning & Development Control Committee on 14<sup>th</sup> May 2014 whereby it was refused planning permission as it was considered that the proposed dwellings on plots 20-23 would have an overbearing effect upon the existing properties of 2-8 Ffordd

Hengoed, thus having a detrimental impact upon their amenities. This current application has been submitted to try and overcome this ground for refusal by deleting the proposed dwelling on Plot 23.

- 1.03 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.
- 1.04 As the majority of the development is located on the allocation of the land for residential development with the southern section designated as green space and remaining as such within the Flintshire Unitary Development Plan, the proposals are considered acceptable in principle in planning policy terms. The detailed matters are also considered acceptable in planning terms. The applicants are also prepared to pay the requested sums in terms of education and off site open space contributions.

**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 £61,285 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 £24,200 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 1<sup>st</sup> 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".
  17. 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.
  18. Details of all boundary treatments to be submitted and approved.
  19. Reasonable Avoidance Scheme for bats to be further submitted and approved by the Local Planning Authority.
  20. Management plan of green space corridor to be further submitted and approved.
  21. No tree and hedgerow works during bird nesting season.
  22. Siting, layout and design of means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate roads to be further submitted to and agreed in writing by the Local Planning Authority.
  23. Positive means to prevent run-off of surface water from any part of site onto highway provided in accordance with details submitted to and approved by Local Planning Authority prior to commencement of any site works.
  24. The front of the garages set back a minimum distances of 5.5 m behind the back of footway line.
  25. Construction Traffic Management Plan further submitted to and approved by Local Planning Authority prior to

- commencement of development.
26. Tree Protection Plan and Arboricultural Method Statement to be further submitted and approved. Development after carried out in accordance with TPP and AMS.
  27. 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.
  28. Removal of permitted development rights for alterations, extensions etc.
  29. No works to commence unless and until a detailed scheme for the rationalisation of Upper Bryn Coch/site access road junction (including landscaping), 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.
  30. Details of eastern boundary screening including retention of hedgerow to be further submitted and approved by Local Planning Authority prior to commencement of development.
  31. Prior to commencement of development, details of the reprofiling of the watercourse to the south of the site to be further submitted and approved in writing by the Local Planning Authority.

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**

Application is very similar to 051105, but the applicant has at last heeded the concerns over the layout to the rear of Ffordd Hengoed. New distances from the houses need to be considered very carefully.

Subject to exact specification and design, the realignment of the public highway is to be welcomed. Many competing factors and important that the detail of new layout is looked at very carefully. A continuation of the public footpath from its current termination point to the pedestrian entrance to St. Mary's Park would be an important part of this, as would space to allow a vehicle to up to allow passage of a vehicle coming down the narrow section of UBC.

Overall layout of site is still poor, too many shoehorned in. Should have been fewer units or if 22 should be smaller houses. Public confidence in relevance of UDP undermined by departure from indicative figure 15 and this will be reflected in public confidence in LDP.

Surface water drainage raised by some of the constituents needs addressing – what are the arrangements proposed?

Mold Town Council

Concerns relating to highway safety and increase traffic have not been addressed. Objection to the development remains.

Highways Development Control Manager

Application is similar in detail to 051105 to which there have been previous responses. Differences between applications appear to be limited to the deletion of one dwelling and slight re-positioning of another 2. There are no significant highway implications to these amendments. Recommends any permission include suggested conditions.

Head of Public Protection

No adverse comments to make regarding the proposal.

Chief Officer (Education & Youth)

This proposed development will have a significant effect on Ysgol Glanrafon Mold, where numbers on roll already exceed its official capacity by 26. Therefore, the financial contribution requested is £61,285 for that school.

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

Public Open Spaces Manager

Council should be seeking an off site commuted sum payment of no less than £1,100 per unit in lieu of an on site provision.

Community Safety Officer

Supports application if a condition is imposed on the development that all houses are built to Secured by Design Standard Parts 1 & 2 or Codes for Sustainable Homes Part 2.

Welsh Water/Dwr Cymru

If minded to grant consent, advise suggested notes and conditions are placed upon any planning permission granted.

Proposed development would overload the existing Waste Water Treatment Works. However, improvements are planned for completion by October 1<sup>st</sup> 2014. Offers condition to safeguard their security of service to customers and protection of the environment.

Natural Resources Wales

Confirms that both the submitted FCA and planning layout drawing demonstrate that the risks and conveyances of flooding can be acceptably managed in accordance with TAN15 Development & Flood

Risk (2004). Recommends suggested conditions be imposed on any planning permission.

Site has been subject to survey and assessment in respect of statutory protected species. Assessment carried out to a satisfactory standard for purposes of informing the decision making process. Concur with its conclusion and recommendations. Provided recommendations are made a condition of the permission, believe proposals are unlikely to be detrimental to the maintenance of the conservation status of any statutory protected species populations in their natural range.

Recommends applicant be advised or conditioned to outline measures to prevent spread/disposal of any non-native invasive species.

#### Wales & West Utilities

Have no objections to these proposals. Their apparatus may be at risk during construction works and should planning permission be granted then requires the promoter of these works to contact them directly to discuss the requirements in detail.

#### SP Energy Networks

Have plant and apparatus in general proximity. Developer advised of need to take appropriate steps to avoid 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**

38 letters of objection received. The grounds of objection being:-

- Development will increase danger to other vehicles, and pedestrians at junction of Upper Bryn Coch Lane and Bryn Coch Lane and opposite Glanrafon School. It is in an area where a lot of young children are in evidence. Danger could be alleviated if entrance were to be from Maes Gwern or at top of Upper Bryn Coch Lane.
- Will add to congestion of cars parked outside of the school thus not enabling emergency vehicles to get through.
- Revised Technical Note Highway Survey logic is unsound. Additional use is unpredictable but drivers will be influenced by extent of traffic congestion at the lower end of Upper Bryn Coch Lane.

- Increase in traffic would have a detrimental impact upon the quality of life and air quality with an increase in airborne pollutants.
- Should be good lighting at the proposed junction with clear signage and good road markings. Should also be safety railings around the play area entrance and pavement area to ensure children do not run onto the pavement and road.
- Planning department have a duty to uphold the scheme put forward in the UDP for a through route within the development of withdraw the plot from the UDP, otherwise approval for the scheme was given under a false premise.
- Pedestrian access into the playing area did not exist at time of UDP. Additional hazardous exit not taken into account by the Planning Inspector. This extra factor may have influenced decision of Inspector and inclusion of site in UDP should be reviewed.
- Development would lead to an increase in children going to Glanrafon School and increased parking by the school which will lead to increased dangers.
- Poor and insufficient visibility from proposed entrance site down the narrow and winding lane for volume of traffic from the development leading to a significant highway safety concern.
- Sensible to make the narrow lane one way up the lane away from the school. Would limit traffic going past park entrance, as well as going down to the T-junction by the school.
- Overdevelopment of the site as only allocated for 15 houses in UDP.
- Other sites in Mold which can take the number of houses provided.
- Other sites along Maes Gwern should be considered for residential rather than industrial use.
- No homes should be given permission on site. Area has already been eroded of its natural beauty.
- Part of Plot 19 and section of road are located in the greenspace. Garages at Plot 19 and Plot 20 are very near to the watercourse and concern of the upheaval during construction will cause damage to the watercourse and wildlife.
- Removal of 15 trees not necessary and would impact upon wildlife and have a detrimental visual impact.

- Alteration of watercourse and change in levels will detrimentally impact upon trees and ecology of the area.
- Root protection areas marked on the plan are the minimum required. Concerned damage will occur to one of the trees which is covered by a TPO.
- AMS should be provided as part of decision making process. Will be too late to amend plans in order to accommodate roots.
- Residents will not appreciate the full effects of replacement trees in their lifetime.
- Existing pond has been drained with its subsequent impact upon wildlife – toads, bats, moorhens etc.
- Loss of ancient hedgerows would have a detrimental impact upon visual and wildlife.
- Proposed fence in front of hedgerow will limit access for wildlife and make cutting difficult for existing properties on Ffordd Hengoed and FCC on roadside.
- Ecological report makes no mention of Wild Guilder Rose, Rosa Acicularis, wild Honeysuckle and two Quercus Robur trees in the so called 'native species poor' hedgerow. There have been sightings of water vole and there is evidence of badger activity in the area, indicating a possible sett nearby.
- Proximity and density of proposed houses to those on Ffordd Hengoed, especially due to change in levels would be detrimental to amenity in terms of loss of light, obtrusiveness, overlooking. Still do not meet separation distances.
- Loss of amenity to properties directly opposite new entrance. Overlooking and glare of headlights from cars leaving the site.
- Loss of amenity to those properties on Ffordd Newydd in terms of loss of light, privacy, obtrusiveness.
- Loss of pond and stream will increase risk of flooding.
- In the event of a blockage or storm flows exceeding design peak, overland flows will occur and could inundate the lower-lying adjacent properties.
- Extra drainage required cannot be accommodated by existing pipework for Upper Bryn Coch area.



- Culvert extension would increase the risk of flooding.
- Surface water not allowed to discharge into stream but should be dealt with on site with soakaways and/or lagoons.
- Requests that all conditions imposed previously (051105) are carried forward to this new application.

## **5.00 SITE HISTORY**

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

**051105** – Erection of 23 No. dwellings and associated works – Refused 27<sup>th</sup> May 2014.

## **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 greenspace 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 2m 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 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 22 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 the garages to the proposed dwellings on plots 19 & 20 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 will recall that planning application 051105 for the erection of 23 dwellings and associated works on the site was reported to the Committee on 14<sup>th</sup> May 2014 whereby it was refused as it was considered that the proposed dwellings on plots 20-23 would have an overbearing impact upon the existing properties of 2-8 Ffordd Hengoed and thereby detrimentally affecting their amenities. This current application has been submitted to try and overcome this ground for refusal by deleting plot 23 from the scheme.
- 7.08 Members may also 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.
- 7.09 Issues  
The main issues to consider 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.
- 7.10 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.

- 7.11 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.
- 7.12 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 7 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 20 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.
- 7.13 Given the above, the development accords in principle in planning policy terms. What needs to be considered are the detailed matters of the development.
- 7.14 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. 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.
- 7.15 Parking provision within the site will be 3 off road spaces per property. This is in accordance with the Council's maximum standards.

- 7.16 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. Vehicular 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.
- 7.17 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.
- 7.18 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.
- 7.19 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.
- 7.20 In relation to the 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 1, achievable visibility within the confines of the proposed highway are 2.4 m x 35 m to the right and more than 2.4 m x 120 m 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.

7.21 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.

7.22 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.

7.23 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.

7.24 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.

7.25 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 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.

7.26 The density of development upon the developable part of the site

equates to approximately 20 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.

7.27 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.

7.28 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 three 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.

7.29 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 Newydd being 16 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.

7.30 The separation distances between the rear of the proposed dwellings on plot Nos 20, 21 & 22 and the rear of the existing original properties on Nos 8, 6 & 4 Ffordd Hengoed vary from approximately 26 m – 24 m, 24.5 m – 23.5 m and 26.5 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'. As a result, it is considered that there will not be a significant detrimental impact upon the amenities of both the existing and proposed occupiers in this location in terms of

overlooking, loss of light and obtrusiveness.

- 7.31 Representations have been received from the occupiers living opposite the site entrance that the proposed access will have a detrimental impact upon their amenities in terms of loss of privacy and nuisance caused at night with glare and light pollution from headlights shining into their main rooms. However, the access arrangements will involve a build out area near to the pedestrian entrance to the park which will be planted with shrubs etc and thus provide a screen from the main rooms of this property to vehicles leaving the site. Thus it is considered that the development will not have a significant detrimental impact upon the amenities of these occupiers either.
- 7.32 Within the site itself, the proposed layout shows that the size of the private amenity gardens and the separation distances between each proposed dwelling generally accords with those set out in the Local Planning Guidance and therefore it is considered that there will be no significant detrimental impact upon the amenities of the proposed occupiers of the dwellings.
- 7.33 Impact Upon Trees  
The site contains mature trees on the northern boundary, along the brook to the south and on the eastern boundary to the rear of No. 8 Ffordd Hengoed. Those that are of significant amenity value are subject to a recently made Tree Preservation Order.
- 7.34 Development will be excluded from the majority of the green space corridor in which a number of trees are sited. In addition, the proposed dwellings near the hedgerow and mature trees along both the northern and eastern boundaries to the rear of No. 8 Ffordd Hengoed will be sited a good distance away from the trees. Therefore, a large proportion of the mature trees and indeed all of those covered by a Tree Preservation Order will be retained as part of the development.
- 7.35 The few trees which will be lost will be replaced by 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.
- 7.36 The applicant has submitted a British Standard Tree Report with recommendations which 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.
- 7.39 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.

- 7.40 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 obvious signs of badgers along the site boundaries and no setts recorded in the immediate vicinity.
- 7.41 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.
- 7.42 The key ecological features on the site will be retained as a result of the development.
- 7.43 The plans which have been submitted retain the majority of the green space corridor, 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.
- 7.44 Although the pond will not be reinstated, reprofiling of the brook has the potential to benefit wetland species and details of this will be further submitted and approved prior to the commencement of development. This will be required as a condition.
- 7.45 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.
- 7.46 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.
- 7.47 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.

- 7.48 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 km<sup>2</sup>, the risks from these watercourses are unknown.
- 7.49 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.
- 7.50 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).
- 7.51 The Flood Consequences Assessment (FCA) has now been submitted and been assessed by Natural Resources Wales.
- 7.52 The submitted FCA state 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 is on the effective management of surface water.
- 7.53 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 runoff generated by the proposed development.
- 7.54 It is proposed that where an infiltration solution is determined not to be viable the discharge of surface water continue to mimic the predevelopment situation by discharging to the adjacent watercourse.
- 7.55 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 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.
- 7.56 This FCA has been assessed by Natural Resources Wales who advise that it has been demonstrated that the risk and consequences of flooding can be acceptably managed.

7.57 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 October 1<sup>st</sup> 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.

7.58 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.

7.59 Educational Contributions

The Chief Officer (Education & Youth) 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 £61,285 for that school. A contribution is not requested for the Alun School, which has more than 7% surplus places.

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

7.61 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 considered acceptable on the part of the site which is allocated for residential development together also with the remaining part which is designated as green space within 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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