

FLINTSHIRE COUNTY COUNCIL

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

DATE: **12TH NOVEMBER 2014**

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

SUBJECT: **FULL APPLICATION – RE-PLAN TO 3 NO. PLOTS (235 – 237) WITHIN NORTHERN PARCEL OF FORMER BUCKLEY BRICKWORKS IN CONJUNCTION WITH PREVIOUS PERMISSIONS GRANTED UNDER CODE NOS 050333 & 050874 AT FORMER LANE END BRICKWORKS, DRURY LANE, BUCKLEY**

APPLICATION NUMBER: **052589**

APPLICANT: **REDROW HOMES NW**

SITE: **FORMER LANE END BRICKWORKS, DRURY LANE, BUCKLEY.**

APPLICATION VALID DATE: **29TH AUGUST 2014**

LOCAL MEMBERS: **COUNCILLOR M.J. PEERS**
COUNCILLOR D. HUTCHINSON

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **THE APPLICATION REQUIRES A SUPPLEMENTAL PLANNING OBLIGATION LINKING DEVELOPMENT TO THAT PREVIOUSLY PERMITTED.**

SITE VISIT: **NO.**

1.00 SUMMARY

- 1.01 This full application proposes amendments to 3 No. plots within the northern parcel of a previously approved layout for residential development on land at the former Lane End Brickworks, Drury Lane, Buckley.

1.02 The changes primarily incorporate the substitution of house types with associated modifications to curtilage areas. In accordance with the Council's delegation scheme, the application is being reported for planning committee determination as a supplemental Planning Obligation is required.

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 supplemental planning obligation, re-enforcing the provisions of the Section 106 Obligation entered into under Code Nos 050333 and 050874 in respect of highway, ecological, affordable housing and open space requirements.

Conditions

1. Time limit on commencement.
2. In accordance with approved plans.
3. Details of external materials to be submitted and approved.
4. Permission to be subject to remaining conditions imposed on 050333 and 050874.

3.00 CONSULTATIONS

3.01 Local Member

Councillor D. Hutchinson

No response received at time of preparing report.

Councillor M.J. Peers

No response received at time of preparing report.

Buckley Town Council

No observations.

Welsh Water/Dwr Cymru

Require that any permission includes conditions in respect of foul, surface and land drainage.

Highway Development Control Manager

No objection and do not intend to make a recommendation on highway grounds as the properties do not have direct access onto an adoptable road but are served from a private drive.

Natural Resources Wales

Do not consider that the proposed development will affect the Great Crested Newt habitat at this location.

4.00 PUBLICITY

4.01 Site Notice

No responses received at time of preparing report.

5.00 SITE HISTORY

5.01 037558

Outline – Restoration of former brickworks and quarry, development of up to 300 dwellings, creation of open space, woodland area of habitat creation and landscaping and formation of new and improved vehicular and pedestrian access.

An appeal to the Planning Inspectorate by way of a Public Inquiry in respect of application Code No. 037558 was allowed on 9th October 2006.

039052

Outline – Restoration of former brickworks and quarry, development of up to 300 dwellings, creation of open space, woodland and area of habitat creation and landscaping and construction of new and improved vehicular and pedestrian access – Withdrawn – 29th March 2007.

044109

Reserved Matters – Erection of 296 dwellings, creation of open space, woodland and area of habitat creation and landscaping – Permitted 8th December 2008.

046665

Reserved Matters – Re-plan to Plots 1-11, 131-136, 137-139 and 147-169 (33 plots in total) – Permitted 1st April 2010.

046778

Reserved Matters – Amendment to previously approved site layout to allow for a re-plan of plots 12-19, 22-29, 140-146, 154-162, 170-175 of the southern parcel and plots 176-178, 189-236, 249-256, 258-297 of the southern parcel to provide a total of 224 plots – Permitted 11th February 2011.

048632

Full Application – Substitution of house types on plots 112–116 – Permitted 12th July 2011.

049064

Full Application – Substitution of house types on plots 83, 90 95–103 & 170–171 approved at reserved matters stage under ref: 046778 – Permitted 28th October 2011.

049605

Full Application – Re-plan to plots 33 – 36, 41–78, 121–130, 136-145* 172 on Reserved Matter approval 046778, using house types used elsewhere on said appeal – Permitted 28th June 2012.

050333

Full Application – Re-plan to the northern parcel of former brickworks with mix of 2, 3 & 4 bedroom detached, semi-detached and terraced dwellings with associated parking and amenity spaces (partly retrospective) – Permitted 20th December 2013.

050874

Substitution of house types on plots 295 – 302 & 337 – 339 of northern parcel – Permitted 22nd May 2014.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR2 – Transport & Communications.

Policy STR4 – Housing.

Policy STR7 – Natural Environment.

Policy STR8 – Built Environment.

Policy STR10 – Resources.

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy GEN3 – Development Outside Settlement Boundaries.

Policy GEN6 – Environmental Assessment.

Policy D1 – Design Quality.

Policy D2 – Location & Layout.

Policy TWH1 – Trees & Woodland Protection.

Policy TWH2 – Development Affecting Trees & Woodlands.

Policy WB1 – Protected Species.

Policy WB2 – Sites of International Importance.

Policy WB3 – Sites of National Importance.

Policy WB4 – Local Sites of Wildlife & Geological Importance.

Policy HE6 – Scheduled Ancient Monuments.

Policy HE7 – Other Sites of Lesser Archaeological Significance.

Policy AC2 – Pedestrian Provision & Public Rights of Way.

Policy AC3 – Cycling Provision.

Policy AC4 – Major Traffic Generating Developments.

Policy AC13 – Access & Traffic impact.

Policy AC14 – Traffic Calming.

Policy AC15 – Traffic Management.

Policy AC18 – Parking Provision & New Development.

Policy HSG3 – Housing on Unallocated Sites Within Settlement Boundaries.

Policy HSG8 – Density on Development.

Policy HSG9 – Housing Mix & Type.

Policy HSG10 – Affordable Housing Within Settlement Boundaries.

Policy SR5 – Play Areas & New Housing Development.

Policy MIN4 – Mineral Restoration & Aftercare.

Policy EWP2 – Energy Efficiency in New Development.

Policy EWP11 – Pollution.

Policy EWP12 – Nuisance.
Policy EWP13 – Derelict & Contaminated Land.
Policy EWP14 – Development & Unstable Land.
Policy EWP15 – Water Resources.
Policy EWP16 – Flood Risk.

Local Planning Guidance Note 2 – Space Around Dwellings.
It is considered that the proposal general complies with the above policies.

7.00 PLANNING APPRAISAL

7.01 Introduction

This application proposes the substitution of house types on 3 No. plots within the northern parcel of a previously approved residential development currently under construction on land at the former Lane End Brickworks accessed off Church Road/Drury Lane, Buckley. There is no increase in the overall number of dwellings proposed within the site as part of this application.

7.02 Proposed Development

This application seeks the substitution of house types with associated modifications to the associated curtilage areas in respect of 3 No. plots (235 – 237) within the development. The changes are proposed in order to introduce smaller house types introduced elsewhere within the development in order to safeguard the newt protection fence that has been installed, whilst allowing improved and clear access to the respective driveways of each plot.

7.03 Principle of Development

The principle of residential development at this location has been established following the appeal decision in respect of outline application 037558 which was allowed on 9th October 2006. Subsequent reserved matters and proposals for the substitution of house types have been allowed as part of the development, as referred to in paragraph 5.00 of this report. The principle of residential development on the site is therefore well established subject to ensuring a satisfactory well balanced layout and the safeguarding of relevant amenity considerations.

7.04 Design/Appearance

The plans submitted propose the substitution of house types with associated modifications to the defined curtilage areas of the proposed dwellings, the pattern and orientation/relationship of dwellings to each other being acceptable to provide for a well balanced site layout.

7.05 The house types/designs are considered to be reflective of the character of development already permitted and would be sympathetic to the character of the site/surroundings providing for a consistency in

terms of design and use of materials.

7.06 Impact on Ecology

The fundamental reason for the substitution of house types and modifications proposed is to safeguard the newt protection fence that has been introduced within the site following the initial commencement of development. In revisiting the layout the applicants propose to retain this fence in its current position but this application will allow for improved and clear access to the respective driveways of each plot. Consultation on this aspect of the development has therefore been undertaken with Natural Resources Wales who have advised that the changes as proposed will not affect the Great Crested Newt habitat at this location.

7.07 Adequacy of Highways

For Members information, consultation on the application has been undertaken with the Highway Development Control Manager who raises no objection to the development as there is no direct access onto an adoptable highway, the properties being served from a private drive arrangement.

8.00 CONCLUSION

8.01 It is considered that the proposed modifications to the northern parcel of the site layout principally involving the substitution of house types and associated modifications to the respective curtilages of plots 235 – 237 are acceptable and are to be welcomed at this location, having regard to the character of the site and surroundings and the position relative to an existing newt fence/barrier. The house types proposed provide for a high quality scheme resulting in a well balanced layout and Natural Resources Wales advises that the changes will not impact upon and will safeguard the great crested newt habitat at this location. Subject to the imposition of a Section 106 Obligation to address highway, ecological affordable housing and open space issues and conditions I recommend that the application can be supported.

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.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: Mark Harris

Telephone:

(01352) 703269

Email:

Robert_m_harris@flintshire.gov.uk