

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **17<sup>TH</sup> DECEMBER 2014**

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

**SUBJECT:** **FULL APPLICATION – ERECTION OF 4 DWELLINGS. (I) SUBSTITUTION OF HOUSE TYPE ON PREVIOUSLY APPROVED PHASE 1 PLOT 38; (II) SUBSTITUTION OF SUB-STATION WITH ADDITIONAL DWELLINGS; (III) ERECTION OF 2 DWELLINGS (RE-PLAN OF PLOTS 19 & 20 PHASE 2) AT CAE EITHIN, VILLAGE ROAD, NORTHOP HALL.**

**APPLICATION NUMBER:** **052406**

**APPLICANT:** **MR T ANWYL & CO LTD**

**SITE:** **CAE EITHIN, VILLAGE ROAD, NORTHOP HALL.**

**APPLICATION VALID DATE:** **26.09.14**

**LOCAL MEMBERS:** **CLLR L A SHARPS**

**TOWN/COMMUNITY COUNCIL:** **NORTHOP**

**REASON FOR COMMITTEE:** **S106 REQUIREMENT**

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

**1.00 SUMMARY**

- 1.01 This is an application for the erection of 4 dwellings which involves amendments to the previously consented Phase 1 and Phase 2 of residential development at land at Cae Eithin, Village Road, Northop Hall. The 4 plots cross both parts of the site.

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

2.01 Subject to entering into a supplementary S106 agreement or unilateral undertaking to link this development with the requirement for the affordable housing provision and the open space and education contributions as required by 048855 and 052388.

1. Time commencement
2. In accordance with plans
3. Other conditions relevant on 048855 and 052388

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 L A Sharps  
No response received at time of writing.

Northop Community Council  
No response received at time of writing.

Highways Development Control  
No objections.

Environmental Protection Manager  
No response received at time of writing.

**4.00 PUBLICITY**

4.01 Site Notice and Neighbour Notification  
None.

**5.00 SITE HISTORY**

5.01 052388 Erection of 20 dwellings. Committee resolution 08.10.14 to grant permission subject to the signing of a S106 agreement.

048855 Residential development consisting of 51no. dwellings, new road and creation of mitigation land in relation to ecology. Appeal against non-determination. Allowed on appeal 31.01.13

048373 Residential development consisting of 72no. dwellings, new road and creation of mitigation land in relation to ecology. Withdrawn 28.07.11

043413 Outline residential development 15.10.07

036558 Outline residential development 30.01.04

035046 Residential development 01.05.03. Dismissed on appeal  
22.09.03

## **6.00 PLANNING POLICIES**

### **6.01 Flintshire Unitary Development Plan**

STR1 - New Development

STR 4 - Housing

GEN1 - General Requirements for Development

GEN2 - Development Inside Settlement Boundaries

D1 - Design Quality, Location and Layout

D2 - Design

D3 - Landscaping

WB1 - Species Protection

AC13 - Access and Traffic Impact

AC18 - Parking Provision and New Development

HSG1 – New Housing Development Proposals

HSG8 - Density of Development

SR5 - Outdoor Playing Space and New Residential Development

EWP14 - Derelict and Contaminated Lane

EWP17 - Flood Risk

The proposal is in accordance with the above development plan policies.

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This is an application for the erection of 4 dwellings which involves amendments to the previously consented Phase 1 and Phase 2 of residential development at land at Cae Eithin, Village Road, Northop Hall. The 4 plots cross both parts of the site and involves;

- (i) Substitution of house type on previously approved Phase 1 plot  
38
- (ii) Substation of sub-station with additional dwelling
- (iii) Erection of 2 dwellings (re-plan of plots 19 and 20 Phase 2).

### **7.02 Site description**

The plots involved are in the north of the development site. They are bounded by existing residential properties of 1-3 Britannia Cottages to the north with Village Road beyond. The plots are bounded by the residential spine road to the south and other plots in the development to the west and east.

### **7.03 Proposal**

The 4 plots cross both parts of the site and involves;

- (i) Substitution of house type on previously approved Phase 1 plot 38 from a Nefyn to a Betws
- (ii) Substitution of a sub-station with additional dwelling in the form of a Hope
- (iii) Erection of 2 dwellings which is a re-plan of plots 19 and 20 on Phase 2 from 2 Chester's to a Chester and a Hope.

7.04 The proposed house types are all four bedroom two storey dwellings. The previously proposed sub-station is no longer required. The plots are accessed from the main site access from Village road via the main spine road for the development to the south of the plots.

7.05 Issues

The application site is allocated for residential development within the Adopted Unitary Development plan for 93 dwellings. Planning permission was granted for 51 dwellings as part of phase 1 of the development on appeal in January 2013. Progress is underway to discharge the relevant conditions and the ecological mitigation has commenced to facilitate a start on site. Phase 2 of the development provides 20 dwellings. This proposal affects both phases of the development and leads to 1 additional dwelling.

7.06 Impact on residential amenity

The 4 plots bound 1-3 Britannia Cottages which have their principal elevation facing the development site. Britannia Cottages is in use as one dwelling. The proposed house types which face this elevation the 'Hope' are designed to minimise any overlooking. The separation distances would be 21 metres from the principal elevation of Britannia Cottages to the elevation of the Hope on Plot 72, however there are no windows in this part of Britannia Cottage at ground level as there is an external door and a porch to a further door. At first floor there are windows to habitable rooms however the proposed Hope house type only has one window at first floor which overlooks Britannia Cottage. It is therefore considered that the proposed separation distances are acceptable and in accordance with Local Planning Guidance Note 2: Space Around Dwellings.

7.07 In terms of Plot 71, the dwelling on this plot is set further back and is only partially in direct line with Britannia Cottages. The dwelling is 22 metres from the principal elevation and in accordance with Local Planning Guidance Note 2: Space Around Dwellings. In any event the proposed Hope house type does not have any windows at first floor overlooking the site. At ground floor habitable rooms of Britannia cottage overlook the site, however this is 22 metres away and can be mitigated by boundary treatment.

7.08 The other plots 38 and 70 do not have any direct overlooking to existing dwellings. The proposed dwellings all have the relevant parking and private amenity space.

7.09 Education and open space contributions and affordable housing provision

A supplementary S106 agreement or unilateral undertaking is required to link this development with the requirement for the affordable housing provision and the open space and education contributions.

**8.00 CONCLUSION**

8.01 It is considered that the proposed change in house types does not give rise to any adverse impacts on residential amenity. It is therefore considered that permission be granted subject to the applicant entering into a supplementary S106 agreement or unilateral undertaking to link this development with the requirement for the affordable housing provision and the open space and education contributions and relevant conditions as required by 048855 and 052388.

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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