

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **25<sup>th</sup> FEBRUARY 2015**

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

**SUBJECT:** **RESERVED MATTERS APPLICATION FOR 24 DWELLINGS WITH DETAILS OF ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING OUTLINE APPROVAL 0467624 AND VARIATION OF CONDITION APPLICATION 051481 LAND SIDE OF "DOVEDALE" ALLTAMI ROAD, BUCKLEY**

**APPLICATION NUMBER:** **052914**

**APPLICANT:** **ANWYL CONSTRUCTION LIMITED**

**SITE:** **LAND SIDE OF "DOVEDALE" ALLTAMI ROAD, BUCKLEY**

**APPLICATION VALID DATE:** **03.12.14**

**LOCAL MEMBERS:** **COUNCILLOR C ELLIS**

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

**REASON FOR COMMITTEE:** **LOCAL MEMBER REQUEST DUE TO IMPACT ON HIGHWAY AND SCALE OF DEVELOPMENT**

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

**1.00 SUMMARY**

- 1.01 This is a reserved matters application for the erection of 24 dwellings. This application provides details of the access, appearance, landscaping, layout and scale following the grant of outline planning permission 047624 and 051481 which removed condition14 attached to the outline permission.
- 1.02 The issues associated with the principle of developing this site for

residential development have been dealt with at the outline stage. It is considered that the details of the scheme do not raise any issues in relation to impact on residential amenity or the character of the area.

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

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

Conditions

1. Time commencement
2. Plans
3. Materials
4. Surface water regulation system
5. The front of the garage shall be set back a minimum distance of 5.5m behind the back edge of the footway line or 10.5m in case of tandem parking.
6. Detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of the internal estate roads
7. Positive means to prevent surface water run-off on highway
8. Construction Traffic Management Plan
9. Details of the Foul Pumping Station
10. Landscaping and boundary treatment
11. Finished floor levels
12. Removal of permitted development rights in relation to extensions and buildings in the garden

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor C Ellis

Requests Committee determination due to the impact on the highway and scale of development

Buckley Town Council

Concerns at the current traffic issues experienced at the junctions of Liverpool Road, Alltami Road and Higher Common Road. Parked vehicles on Belmont Crescent side of Alltami Road cause obstructions to free flowing traffic from both Liverpool Road and approaching Liverpool Road. The parked vehicles have nowhere else to be placed as they belong to the residents of Belmont Crescent.

Once development of the Health Centre and other developments 052914 and 053141 are completed there will be two crossroads within approximately 50 metres of each other with the commensurate increase in the volume of traffic.

An assessment of traffic flows should be considered once all the developments are completed and that consideration be given to making the main junction (i.e. Liverpool Road, Alltami Road and higher Common Road) a traffic light controlled junction.

A copy of any traffic assessment survey conducted should be provided to the Town Council.

Highways Development Control Manager

No objections subject to conditions covering;

- The front of the garage shall be set back a minimum distance of 5.5m behind the back edge of the footway line or 10.5m in case of tandem parking.  
Detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of the internal estate roads
- Positive means to prevent surface water run-off on highway
- Construction Traffic Management Plan

Public Protection Manager

No adverse comments to make.

Welsh Water/Dwr Cymru

No response received at time of writing.

Airbus

No aerodrome safeguarding objection.

The Coal Authority

The application site falls partly within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered. Specifically plots 9 to 13 fall within an area of former recorded shallow coal workings in 1928. A Coal Mining Risk Assessment was requested and undertaken.

The site investigation undertaken proved sufficient competent ground with no evidence of any voids or former coal mine workings. Whilst the report fails to identify the recorded shallow mine workings just beyond the western boundary which extend into the site, on that basis that no built development coincides with their position, the Coal Authority is satisfied that the issue of land stability has been dealt with. This has further been confirmed by the rotary boreholes advanced elsewhere on the site. There are therefore no objections to this planning application.

Natural Resources Wales

No objection to the proposed development in principle subject to the inclusion of a condition relating to a surface water regulation system.

The proposal is not likely to adversely affect Deeside and Buckley Newt Sites Special Area of Conservation (SAC) and Buckley Claypits and Commons Site of Special Scientific Interest.

The issues in relation to the impact on the in combination effects on great crested newts along with other projects has been addressed by condition 11 on the outline consent which requires details of the detailed compensation and mitigation method statement to be submitted prior to the commencement of any site works.

#### Ramblers Association

The site adjoins registered Common Land to which the public have a statutory right of access on foot, and public path Buckley 19 passes to the north of the site near to Trap Pool. The path and common area is very well used by walkers. These features are not referred to in the Design and Access Statement. Details of the pumping station are required. No landscaping scheme is submitted to show how the existing hawthorn trees on the northern boundary are to be dealt with. No details of the boundary treatment between the spare land and the common land. This should be left open to allow the new residents access to the Common.

#### Buckley Commoners and Graziers

No objections.

### **4.00 PUBLICITY**

#### **4.01 Press Notice, Site Notice and Neighbour Notification**

1 objection on the grounds of

- increase in traffic especially at the junction of Alltami Road and Liverpool Road, increase in accidents
- strain on services in Buckley due to increase in population
- contaminated site
- increase in flooding due to increased surface water run-off
- Buckley is losing its green character
- overdevelopment of site
- overlooking, detrimental impact on residential amenity, invasion of privacy, loss of light

### **5.00 SITE HISTORY**

#### **5.01 043626**

Outline residential development. Refused. Dismissed on appeal.

#### **047624**

Outline residential development. Permission granted.

#### **051481**

Removal of condition 14 to restrict development to the north of the

hammerhead. Refused 12.03.14 Allowed on appeal.

## **6.00 PLANNING POLICIES**

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

STR1 - New Development

STR4 - 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

HSG3 – Housing on Unallocated Sites within Settlement Boundaries

HSG8 - Density of Development

SR5 - Outdoor Playing Space and New Residential Development

EWP3 - Renewable energy in New Development

EWP14 - Derelict and Contaminated Land

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

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This is a reserved matters application for the erection of 24 dwellings. This application provides details of the access, appearance, landscaping, layout and scale following the grant of outline planning permission 047624 and 051481 which removed condition 14 attached to the outline permission.

### **7.02 Site Description**

The site is situated on the edge of a residential area adjacent to Alltami Road, within the settlement of Buckley. The site has the appearance of a greenfield site, however is a former landfill site. Opposite the application site is Buckley Health Centre which is under construction.

7.03 To the east of the site adjacent to the road is a terrace of houses, with further semi-detached properties to the north east. To the north east of the site is a former depot which has planning permission for residential development but this has not been implemented. To the north of the site is a public right of way which runs adjacent to the site's northern boundary, beyond that is the Trapp pool. To the west of the site is further residential development in the form of detached properties which are a mixture of bungalows and two storey properties. There is an electricity sub-station to the east of the site on

Alltami Road.

- 7.04 The site is located adjacent to the boundaries of the Buckley Claypits and Commons Site of Special Scientific Interest (SSSI) and Deeside and Buckley Newt Sites of Special Area of Conservation (SAC).

7.05 Proposal

It is proposed to erect 24 two storey detached dwellings, with 20 four bed and 4 three bed dwellings. The proposed dwellings are a mix of house types with both brick and render and finishes and tiled roofs, both with detached and integral garages. There is a central spine road from Alltami Road with houses on both side to a turning head at the north of the site. A pumping station is required for foul water drainage. There are three frontage properties on Alltami Road, two of which have driveways onto Alltami Road.

7.06 Principle of development

The application site is within the settlement boundary of Buckley within the Adopted Flintshire Unitary Development Plan. Buckley is a Category A settlement which is a focus for development

- 7.07 A resolution to grant outline planning permission (047624) for residential development on this site was made at Planning Committee on 6th October 2010 subject to a number of conditions and the completion of a S106 agreement for unilateral undertaking or earlier payment covering;

- Open space provision - £1,100 per dwelling to enhance existing recreation facilities in the community
- Education provision - £3,500 per primary school pupil generated towards Mountain Lane Primary School
- Mitigation land to overcome indirect impacts on SAC through provision of land for ecological mitigation including long term management for both areas.

The decision was not issued until 5<sup>th</sup> November 2013 following the completion of the legal agreement. The principle of residential development has therefore been established through the outline planning permission 047624.

- 7.08 A subsequent application, 051481 was submitted to remove condition 14 attached to the outline permission which prevented development on the site to take place to the north of the hammerhead as illustrated on the submitted illustrative layout. Members resolved to refuse this application due to concerns over land instability and the potential contamination of third party land. The applicants appealed this decision and the appeal was allowed and the condition removed. The submitted layout therefore utilises the whole site.

7.09 Coal Mining Risk Assessment

The application site falls partly within the defined Development High Risk Area; therefore within the application site and surrounding area

there are coal mining features and hazards which need to be considered. Specifically plots 9 to 13 fall within an area of former recorded shallow coal workings in 1928. A Coal Mining Risk Assessment was therefore requested by the Coal Authority and was subsequently undertaken. This has been submitted and assessed by the Coal Authority.

- 7.10 The site investigation undertaken proved sufficient competent ground with no evidence of any voids or former coal mine workings. Whilst the report fails to identify the recorded shallow mine workings just beyond the western boundary which extend into the site, on that basis that no built development coincides with their position, the Coal Authority is satisfied that the issue of land stability has been dealt with. This has further been confirmed by the rotary boreholes advanced elsewhere on the site. The Coal Authority therefore has no objections to this planning application and neither does the Public Protection Manager.

7.11 Access

The matter of access to the site was discussed at the previous appeal into outline residential development 043626. The Council conceded that an access to the application site and the Health Centre opposite could both be achieved with no detriment to highway safety. At the time of that appeal the exact location of the access to the health centre was unknown and access was reserved as part of the residential application on this site.

- 7.12 The current application proposes a central spine road to serve 22 dwellings with two dwellings having a paired driveway off Alltami Road. A footway will be provided along the site frontage bounding Alltami Road which extends into the site for the entire length of the access road.

- 7.13 Highways development control are satisfied with the submitted details subject to a number of conditions ensuring the implementation of the roads and access in accordance with Council Standards some of which are on the outline consent and further conditions are added to this permission.

Impact on residential amenity and the character of the area

- 7.14 The site is bounded by residential properties to the, west and east. The surrounding residential properties vary in type but are all two storey in nature.

- 7.15 The proposed development has residential development on the east and west of the site in a linear layout. The siting of the proposed dwellings is in accordance with the Council's LPN2 Space Around Dwellings in terms of both separation distances and private amenity spaces.

- 7.16 The proposed dwellings are all two storey dwellings with a mixture of brick and render finish with tiled roofs. It is considered that the proposed dwellings would be in keeping with the character of the local area. The site is just under 1 hectare therefore the density is approximately 24 dwellings to the hectare. It is therefore not considered that this is overdevelopment of the site as raised by an objector and is a suitable density for this area.
- 7.17 Other matters  
Conditions on the outline cover matters relating to foul and surface water drainage, ecological mitigation and land contamination. The outline permission was also subject to a S106 agreement covering a contribution to education and off site open space and the transfer of off-site mitigation land for ecological management.
- 7.18 The developable area of the site is less than 1 hectare and the proposal is for less than 25 dwellings therefore the requirement for affordable housing does not apply.

## **8.00 CONCLUSION**

- 8.01 The issues associated with the principle of developing this site for residential development have been dealt with at the outline stage. It is considered that the details of the scheme do not raise any issues in relation to impact on residential amenity or the character of the area.
- 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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