

FLINTSHIRE COUNTY COUNCIL

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

DATE: **20TH MAY 2015**

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

SUBJECT: **FULL APPLICATION – CONSTRUCTION OF 4 NO. 2 BEDROOMED HOUSES WITH ADJACENT CAR PARKING AT 245 HIGH STREET, CONNAH’S QUAY.**

APPLICATION NUMBER: **051926**

APPLICANT: **MR. D. O’NEILL**

SITE: **245 HIGH STREET, CONNAH’S QUAY.**

APPLICATION VALID DATE: **3RD APRIL 2014**

LOCAL MEMBERS: **COUNCILLOR J.B. ATTRIDGE**
COUNCILLOR A.P. SHOTTON

TOWN/COMMUNITY COUNCIL: **CONNAH’S QUAY TOWN COUNCIL**

REASON FOR COMMITTEE: **NO AUTHORITY FOR PAYMENT WITHOUT SECTION 106 OBLIGATION**

SITE VISIT: **NO.**

1.00 SUMMARY

- 1.01 This full application is for the erection of four, two bedroomed houses with adjacent car parking at 245 High Street, Connah’s Quay. Members may be aware that permission was granted on the site for six flats with private parking under 044877 on 7th August 2009.
- 1.02 The main issues for consideration are the principle of the development in Planning Policy terms, the highway implications, the effects upon both the character and appearance of the area and the amenities of existing occupiers together with matters of flood risk.

1.03 Given that the site is located within the settlement limit of Connah's Quay and being a 'Category A' settlement, the principle of residential development is acceptable in Planning Policy terms. It is considered that the details of the proposals are also acceptable, hence the recommendation to grant planning permission subject to an upfront payment in lieu of no on site public open space and the conditions listed below.

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 or making an upfront payment to provide the following:-

- Payment of £4,400 in lieu of on site public open space.

Conditions

1. Five year time limit on commencement of development.
2. In accordance with approved plans.
3. All external materials to be further submitted and approved.
4. Landscaping scheme to be further submitted and approved.
5. Implementation of above landscaping scheme.
6. Details of retaining wall/structure to rear of site to be further submitted and approved. Approved scheme implemented before dwellings are first occupied.
7. Scheme of sound insulation to all windows for the dwellings to be further submitted and approved.
8. Positive means to prevent run-off of surface water from any part of the site onto highway provided in accordance with details to be further submitted and approved.
9. Prior to commencement of development, detailed scheme further submitted and approved for disposal of foul sewage, surface water and land drainage. Assessment of disposal of surface water by means of SUDS and results of assessment provided to the Local Planning Authority.

If the payment is not made or 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 Chief Officer (Planning & Environment) be given delegated authority to **REFUSE** the application.

3.00 CONSULTATIONS

3.01 Local Member
Councillor J.B. Attridge
No response received to date.

Councillor A.P. Shotton
No response received to date.

Connah's Quay Town Council
No objections.

Highways Development Control Manager
No objection to the proposal and confirms does not intend to make a recommendation on highway grounds.

Head of Public Protection
Requests conditions be applied to any permission granted with regard to double glazing of windows.

Public Open Spaces Manager
Requests payment of £1,100 per dwelling in lieu of on site public open space.

Natural Resources Wales
Site lies partially within Zone C1 as defined by TAN15 Development & Flood Risk (2004). Site has current planning permission for six one-bedroom flats, so this represents no change to the highly vulnerable classification of the development. Therefore would not object to proposal provided any permission is granted subject to appropriate condition.

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

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification
Two letters of objection received. The grounds of objection being:-

- Increase in traffic and parking. Lay-by opposite is in constant use during the day and difficult to get on to High Street. What provisions are being made which works are done? After works, increase in car usage and the lay-by will be permanently busy. Council done nothing to eradicate the problem. Major accident will prompt action.
- Parking layout of one car in front of another will encourage the residents of new houses to park in the lay-by making congestion worse.
- Cars will be forced to reverse onto the Main Road due to layout of parking and will encourage the residents of the house to use the limited lay-by space.

- Proposed bin compounds are located in front of the allocated parking and will require the cars to be reversed out to release the bins for collection leading to bins being left on the roadside on a permanent basis.
- Applicant removed supporting bank. Ask this to be rectified before complete collapse takes place.

5.00 SITE HISTORY

5.01 044877

Erection of 6 flats with private parking – Granted 7th August 2009.

02/34991

Renewal of 97/5/971 – Granted 2nd October 2002.

97/5/971

4 No. dwelling – Granted 17th March 1998.

4/5/24367

Outline residential development – Withdrawn 10th April 1997.

4/5/20042

Outline – One pair of semi-detached dwellings – Withdrawn 2nd August 1995.

4/5/1552

Outline – Erection of a bungalow or a pair of semi-detached dwellings – Refused.

4/5/1551

Outline – Erection of 4 No. shops – Refused.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 – New Development.

STR4 – Housing.

STR8 – Built Environment.

GEN1 – General Requirements for Development.

GEN2 – Development Inside Settlement Boundaries.

D1 – Design Quality, Location & Layout.

D2 – Design.

WB1 – Species Protection.

AC13 – Access & Traffic Impact.

HSG3 – Housing on Unallocated Sites within Settlement Boundaries.

SR5 – Outdoor Playing Space & New Residential Development.

EWP12 – Pollution.

EWP13 – Nuisance.

EWP16 – Water Resources.

EWP17 – Flood Risk.

Local Planning Guidance Note No. 2 – Space Around Dwellings.

Local Planning Guidance Note No. 11 – Parking Standards.

Local Planning Guidance Note No. 13 – Open Space Requirements.

Local Planning Guidance Note No. 19 – Sustainable Drainage Systems.

Local Planning Guidance Notes No. 22 – Planning Obligations.

National Planning Policy

Planning Policy Wales Edition 7, July 2014.

Technical Advice Note (TAN) 11: Noise (1997).

Technical Advice Note (TAN) 12: Design (2009).

Technical Advice Note (TAN) 15: Development & Flood Risk (2004).

Technical Advice Note (TAN) 18: Transport (2007).

The site is located within the settlement boundary for Connah's Quay, with the settlement also being a 'Category A' settlement as defined by the Adopted Flintshire Unitary Development Plan. Therefore, the principle of residential development is acceptable and accords with both the Local and National policies referred to above.

7.00 PLANNING APPRAISAL

7.01 Site Description & Proposals

The site is vacant between a developed frontage of mixed use developments consisting of shops and dwellings fronting the High Street. It has been cleared in the past and is presently overgrown. The boundary to the North is formed by the adjacent highway, the High Street. The boundary walls to the premises on 239 & 247 High Street form the boundaries to the East & West. A combination of residential curtilage boundaries to properties located to the South and a chain link fence adjacent to the footpath which runs from High Street to Bryn Arnold, form the rear boundary of the site. The site is relatively flat across its East – West axis and is located upon a level commensurate with the topography to the North. There is however a marked difference in land levels between the site and the land to the South, which is elevated in relation to the site.

7.02 The proposals are for the erection of four, two bedroomed houses, arranged in a terraced row fronting High Street within the middle of the plot with car parking either side of the row. The houses will measure approximately 8 m x 4 m x 9 m (height to ridge) and constructed of rendered walls and grey concrete tile roofs. Vehicular access to the parking spaces either side of the row will be onto High Street.

7.03 Issues

The main issues to be considered within the determination of this application are the principle of the development in Planning Policy

Terms, the highway implications, the effects upon the character and appearance of the area, flood risk and the effects upon the amenities of the adjoining residents.

7.04 Background

Planning permission for the erection of six flats with private parking was granted under 044877 on 7th August 2009. The flats were arranged in a one, three storey block fronting the road with car parking to the rear.

7.05 Principle of Development

The site is located within the settlement boundary of Connah's Quay which is also a Category A Settlement as defined by the Flintshire Unitary Development Plan. As such Policy HSG3 allows residential development in this location and therefore the principle of the development is acceptable in planning policy terms.

7.06 Highway Implications

Two car parking spaces will be provided for each dwelling at each end of the row, with one in front of the other. The car parking spaces will be accessed off High Street.

7.07 The Highways Development Control Manager raises no concerns to the proposals upon highway grounds as the requisite number of car parking spaces are being provided and that the technical details of the proposed access points are also considered to be acceptable and the requisite visibility sightlines being achieved.

7.08 Character & Appearance of the Area

It is considered that as the proposed dwellings form a row, being of traditional design and there being a variety of materials upon the existing properties in the area, they will not have a significant detrimental impact upon the character and appearance of the area. The approved scheme granted under 044877 was of a more modern three storey block of six flats being also higher than the existing row of terraced dwellings to the West of the site.

7.09 Flood Risk

The site lies partially within Zone C1 as defined by TAN15 Development and Flood Risk (2004) and shown on Welsh Government's Development Advice Map (DAM).

7.10 Natural Resources Wales' Flood Map shows that the site is at risk of tidal flooding in the 0.5% (1 in 200) annual chance flood events. In addition, the site is partially at risk of surface water flooding in the 0.1% (1 in 1000) annual chance rainfall event.

7.11 However, the site has current planning permission for six, one-bedroom flats (044877), so this proposal represents no change to the 'highly vulnerable' classifications of the development. Therefore,

Natural Resources Wales raise no objection to the proposals, provided any planning permission is granted subject to an appropriately worded condition. This has been placed upon the recommendation to grant planning permission.

7.12 Amenities of Existing Occupiers

In terms of the effects of the proposals upon the amenities of the adjoining occupiers in relation to loss of light, overlooking and obtrusiveness, the only occupiers that could be significantly detrimentally affected would be those at No. 247 High Street which lies immediately west of the site. This is because of the proximity of the proposal and the presence of a ground floor window upon the eastern elevation of No. 247. However, there will be a 5 m separation distance between this existing property and the proposal. In addition, no proposed windows will be upon this side elevation of the development. Indeed, this is no different to the proposals granted planning permission under 044877. Given the above, it is considered that there will be no significant detrimental impact upon the amenities of adjoining occupiers from the proposed development.

8.00 CONCLUSION

8.01 The proposed development is considered acceptable in principle and detail subject to the signing of a Section 106 Agreement/Obligation or upfront payment of £4,400 in lieu of on site public open space and the suggested conditions.

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

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