

FLINTSHIRE COUNTY COUNCIL

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

DATE: **20TH MAY 2015**

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

SUBJECT: **FULL APPLICATION – PROPOSED CHANGE OF HOUSE TYPES ON PLOTS 19, 26 & 27 AND RE-POSITION ON PLOTS 20, 21 & 22 FROM PREVIOUSLY APPROVED RESIDENTIAL DEVELOPMENT 048855 AT CAE EITHIN, VILLAGE ROAD, NORTHOP HALL.**

APPLICATION NUMBER: **053420**

APPLICANT: **ANWYL CONSTRUCTION CO. LTD.**

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

APPLICATION VALID DATE: **1ST APRIL 2014**

LOCAL MEMBERS: **COUNCILLOR T SHARPS**

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

REASON FOR COMMITTEE: **S106 AGREEMENT**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is an application for the change of house types on plots 19, 26 & 27 and re-position of dwellings on plots 20, 21 and 22 from previously approved residential development 048855 Phase 1 of residential development at land at Cae Eithin, Village Road, Northop Hall, which is currently under construction.

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.

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

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 T Sharps
No response received at time of writing.

Northop Hall Community Council
No response received at time of writing.

Highways Development Control
No objection.

Environmental Protection Manager
No adverse comments to make.

Welsh Water/Dwr Cymru
No response received at time of writing.

The Coal Authority
No response received at time of writing.

4.00 PUBLICITY

- 4.01 Site Notice and Neighbour Notification
No responses received.

5.00 SITE HISTORY

- 5.01 **052907** Proposed change of house types on plots 5,6,33 and 35 to 37, re siting of plot 34 with additional plot 73. Committee resolution to grant permission 25.02.15 subject to the signing of a S106 agreement.

052406

Erection of 4 dwellings (i) substitution of house type on previously

approved phase 1 plot 38; (ii) substitution of sub-station with additional dwelling; (iii) erection of 2 dwellings (re-plan) of plots 19 and 20 phase 2) Committee resolution to grant permission 17.12.14 subject to the signing of a S106 agreement.

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

052406

Erection of 4 dwellings (i) substitution of house type on previously approved phase 1 plot 38; (ii) substitution of sub-station with additional dwelling; (iii) erection of 2 dwellings (re-plan) of plots 19 and 20 phase 2) Committee resolution to grant permission 17.12.14 subject to the signing of a S106 agreement.

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. 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 change of house types on plots 19, 26 & 27 and re-position of dwellings on plots 20, 21 and 22 from previously approved residential development 048855 which is Phase 1 of residential development at land at Cae Eithin, Village Road, Northop Hall, which is currently under construction.

7.02 The reason for the changes in house types is due to the location of mine shafts on the site. While it was known during the submission of the previous application that mine shafts existed on the site, further intrusive site investigation was required to determine the exact locations of the mine shafts which could not be undertaken until the badger set had been relocated to avoid disturbance to the badgers. The on-site investigation which has been carried out has shown that the positioning of some dwellings needs to be altered due to the locations of the mine shafts.

7.03 Site description

The plots involved are in the south west of the development site and bound the ecological mitigation land to the southern boundary. The plots are accessed from the main spine road which ends in a cul de sac arrangement.

7.04 Proposal

This is an application for;

- a) Plot 19 - the change of house type from the approved 2.5 storey Cricceth to a 2 storey Dolwen
- b) Plot 20 – the change of position of the Dolwen house type
- c) Plots 21 & 22 - the change of position of Porthmadog house type
- d) Plot 26 - the change of house type from the approved Dolwen to a Porthmadog
- e) Plot 27 - the change of house type from the approved

Porthmadog to a Dolwen

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 and a house type substitution was resolved to be approved by this Committee relating to four plots, which led to an additional dwelling. A previous substitution of house type application has been approved 052907 which affects phase 1 only of the development and leads to 1 additional dwelling. The total number of dwellings would therefore be 73.

7.06 Impact on residential amenity

The affected plots are internal to the site and are within the south western part of phase 1. There is therefore no impact on the adjoining existing residential properties. The main change is the slight reorientation of plots 18 – 21 and the dwellings upon them in order to accommodate for the mine shafts.

7.07 The proposed re-sited dwellings have separation distances and private garden areas in accordance with the Council's Space Around Dwellings.

7.08 Education and open space contributions and affordable housing provision

A supplementary S106 agreement or unilateral undertaking is required to link this development with the open space and education contributions required for the development as a whole.

8.00 CONCLUSION

8.01 The proposed changes to the siting of the dwellings and house types required as a result of the location of the mine shafts are acceptable. 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.

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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