

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **20<sup>TH</sup> MAY 2015**

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

**SUBJECT:** **FULL APPLICATION – PROPOSED CHANGE OF HOUSE TYPE POSITION ON PLOTS 40 TO 46 INCLUSIVE AT CAE EITHIN, VILLAGE ROAD, NORTHOP HALL.**

**APPLICATION NUMBER:** **053496**

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

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

**APPLICATION VALID DATE:** **8<sup>TH</sup> APRIL 2015**

**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 40-46 inclusive 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.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO NO OBJECTIONS BEING RECEIVED AFTER THE 22<sup>ND</sup> MAY 2015 SUBJECT TO THE FOLLOWING:-**

2.01 To enter 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
4. Dwellings with integral garages to have roller doors

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, Neighbour Notification**

1 response received on the grounds of;

- Would like to see the proposed changes, do not want to be overlooked by more houses.

### **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 40 to 46 inclusive from the previously approved residential development 048855 for Phase 1 of the residential development at land at Cae Eithin, Village Road, Northop Hall, which is currently under construction.

### **7.02 Site description**

The plots involved are in the north of the development site. They are bounded by existing residential properties of Cae Eithin, Rose Cottage and Bryn Eithin located on Village Road. To the south is the central spine road into the development.

### **7.03 Proposal**

This is an application for the change of the house type position on Plots 40-46 due to technical errors in the setting out of the properties on site. The properties have been sited 950mm further south into the development site than previously approved. This has resulted in a reduced driveway length for these 6 plots and reduced footpath widths on the northern side of the spine road from 1.8 metres to 1 metre - 1.3 metres. Plots 44 -45 are two of the affordable dwellings to be gifted to NEW Homes.

### **7.04 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.

7.05 Impact on residential amenity

The affected plots are in the north of the development site. They are bounded by existing residential properties of Cae Eithin, Rose Cottage and Bryn Eithin located on Village Road. Plots 40 - 46 have been constructed 950mm further south into the development site than previously approved. This therefore moves the dwellings 950mm further south increasing the garden depth and the separation distances between the proposed and existing dwellings.

7.06 This has resulted in a reduced driveway length for these 6 plots and reduced footpath widths on the northern side of the spine road from 1.8metres to 1.3 metres and to 1.0 metre along the frontage of plots 44 - 45. The width of the spine road and the footpath on the southern side remain as previously consented at 5.5 metres and 1.8 metres respectively. The properties with integral garages will have roller doors plots 40 - 43 and plot 46. However the pair of semi-detached houses which are affordable homes to be gifted to NEW Homes do not have integral garages so in order to achieve 5 metre driveway lengths the footway will be reduced to 1.0metre in front of these two properties. It will then widen back to 1.3 metres until plot 39 when it widens back to 1.8 metres.

7.07 The proposed re-sited dwellings have separation distances and private garden areas in accordance with the Council's Space Around Dwellings. The parking arrangements still provide the required number of spaces and the proposed roller doors will ensure the garages are useable as parking spaces. Highways raise no objections to the proposed amendments to the footpath arrangements.

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 technical setting out errors 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

**Contact Officer:** Emma Hancock  
**Telephone:** (01352) 703254  
**Email:** [emma\\_hancock@flintshire.gov.uk](mailto:emma_hancock@flintshire.gov.uk)