

FLINTSHIRE COUNTY COUNCIL

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

DATE: **24TH JUNE 2015**

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

SUBJECT: **FULL APPLICATION – ERECTION OF 4 NO. 2 BED APARTMENTS, 2 NO. 3 BED HOUSES AND 1 NO. 2 BED HOUSE TO INCLUDE ALL PARKING AND ASSOCIATED SITE WORKS AT HILLSIDE AVENUE, CONNAH’S QUAY.**

APPLICATION NUMBER: **053364**

APPLICANT: **WALES & WEST HOUSING ASSOCIATION**

SITE: **HILLSIDE AVENUE,
CONNAH’S QUAY**

APPLICATION VALID DATE: **3RD MARCH 2015**

LOCAL MEMBERS: **COUNCILLOR I. DUNBAR
COUNCILLOR A. DUNBOBBIN
COUNCILLOR P. SHOTTON
COUNCILLOR I. SMITH**

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

REASON FOR COMMITTEE: **MEMBER REQUESTS GIVEN CONCERNS ABOUT OVERDEVELOPMENT**

SITE VISIT: **YES,**

1.00 SUMMARY

1.01 This full application which has been submitted by Wales & West Housing Association Ltd, proposes the erection of a block of 4 No. apartments, and 3 No. detached dwellings on land at Hillside Avenue, Connah’s Quay, Deeside.

1.02 For Members information the site is in the ownership of Flintshire

County Council. It currently accommodates a number of pre-fabricated garages which are proposed to be demolished to facilitate redevelopment of the site for residential purposes.

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

2.01 That subject to the applicant entering into a Section 106 Obligation, Unilateral Undertaking or advance payment of £1,100 per dwelling and £733 per apartment in lieu of on site recreational provision, that planning permission be granted.

2.02 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 Chief Officer (Planning & Environment) be given delegated authority to REFUSE the application.

2.03 Conditions

1. Time limit in commencement.
2. In accordance with approved plans.
3. Materials to be submitted and approved.
4. Site/finished floor levels to be submitted and approved.
5. Siting, layout and design of means of site access to be submitted and approved.
6. Forming and construction of means of site access shall not commence until details approved.
7. Site access shall be kerbed and completed to carriageway base course layer up to the internal tangent point of the entrance radii.
8. Layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate road to be submitted and approved.
9. The boundary means of enclosure along the adoptable highway boundary (including 0.5 m strip to the rear of the boundary) shall not exceed a height of 1.0 m.
10. No development to commence (including site clearance) until a Construction Traffic Management Plan has been submitted and approved.
11. Foul/surface water discharges to be drained separately.
12. No surface water to connect to public sewerage system unless otherwise approved.
13. No land drainage to discharge into public sewerage system.
14. Details of boundary treatment to be submitted and approved.
15. Tree Protection during site construction works.

3.00 CONSULTATIONS

3.01 Local Member

Councillor I. Dunbar

Request site visit and planning committee determination given concerns about overdevelopment of the site and impact of development on existing public footpath and trees the subject of a Preservation Order.

Councillor A. Dunbobbin

Request site visit and planning committee determination given concerns about overdevelopment of the site and impact of development on existing public footpath and trees the subject of a Preservation Order.

Councillor P. Shotton

Request site visit and planning committee determination given concerns about overdevelopment of the site and impact of development on existing public footpath and trees the subject of a Preservation Order.

Councillor I. Smith

Request site visit and planning committee determination given concerns about overdevelopment of the site and impact of development on existing public footpath and trees the subject of a Preservation Order.

Connah's Quay Town Council

Express concern about the number of proposed residential units, the footpath and would request a site visit with Local Members.

Highway Development Control Manager

Recommend that any permission includes conditions in respect of access, traffic calming, highway construction and the need for a Construction Traffic Management Plan.

Natural Resources Wales

No objection as the proposal is not likely to affect any protected species.

Dwr Cymru Welsh Water

Recommend that any permission includes conditions in respect of foul, surface and land drainage.

Public Open Spaces Manager

Request the payment of a commuted sum of £733 per apartment and £1,100 per dwelling to enhance Public Open Space in the community in lieu of on site provision.

North Wales Police Community Safety

The proposed development is being submitted for secured by design accreditation.

4.00 PUBLICITY

4.01 Site Notice, Neighbour Notification

One letter of objection received the main points of which can be summarised as follows:-

- Inadequacy of car parking provision and manoeuvrability given limited site area.
- Impact on pedestrian movements and footpath link into adjacent recreational area.
- Impact on an oak tree within the site which is the subject of a Preservation Order.
- Detrimental impact on privacy/amenity.

5.00 SITE HISTORY

5.01 045591

Erection of 4 No. apartments and 4 No. semi-detached houses, relocation of existing garages and associated site works – Withdrawn 27th July 2011.

052473

Erection of 4 No. 2 bed apartments, 2 No. 3 bed apartments, 2 No. 3 bed semi-detached houses and 1 No. 2 bed detached house to include all parking and associated site works – Refused 26th January 2015.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design Quality, Location & Layout.

Policy D2 – Design.

Policy D3 – Landscaping.

Policy D5 – Crime Prevention.

Policy TWH1 – Development Affecting Trees & Woodlands.

Policy AC13 – Access & Traffic Impact.

Policy AC18 – Parking Provision & New Development.

Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries.

Policy HSG8 – Density of Development.

Policy HSG9 – Housing Mix & Type.

Policy HSG10 – Affordable Housing with Settlement Boundaries.

Additional Guidance

Local Planning Guidance Note 2 - Space Around Dwellings.

7.00 PLANNING APPRAISAL

7.01 Introduction

The site the subject of this application which amounts to approximately 0.2 hectares in area, is located at the end of Hillside Avenue, Connah's Quay, to the north of Kingston Drive and south of Lon Derwen.

7.02 The site which is in the ownership of Flintshire County Council comprises an area of open land which currently accommodates a number of pre-fabricated garages, few of which are currently used by residents who live in the area for the garaging of vehicles. It is proposed that they be demolished to facilitate redevelopment of the site for residential purposes. For Members information, there is an Oak Tree within the site and Sycamore Tree within the adjacent recreational area which are the subject of a Tree Preservation Order. A footpath also crosses the site providing a pedestrian link to the adjacent recreational area and existing properties at Lon Derwen.

7.03 Planning Policy

The site is located within the settlement boundary of Connah's Quay which is a Category A settlement as defined in the Flintshire Unitary Development Plan. In such locations, the principle of residential development is supported subject to the safeguarding of relevant amenity considerations.

7.04 Background History

For Members information, there is a recent background of planning history at this location which is referred to in paragraph 5.00 of this report. In summary a previous application for a total of 9 No. units on the site submitted under Code No. 052473, was refused on 26th January 2015, for reasons relating to overdevelopment and the adverse impact of the proposed site layout on trees the subject of a Tree Preservation Order. This current application has been resubmitted in order to seek to address the above reasons for refusal.

7.05 Proposed Development

In order to seek to address the reasons for refusal in respect of application 052473, the plans submitted as part of this application propose:-

- i. The erection of a block of 4 No. two storey apartments located in the south-western corner of the application site. The apartment block measures approximately 21.5 m x 8 m x 8 m (high) and would be sited at 90° to the form of existing development at Hillside Avenue. It is proposed that the building is constructed having facing brick/render external walls and a concrete tile roof.
- ii. The erection of a detached two storey dwelling as a continuation of the existing pattern of development on the

northern side of Hillside Avenue. The dwelling would measure approximately 9 m x 6 m x 7 m (high). It is proposed that the building is constructed having facing brick/render external walls and a concrete tile roof.

- iii. The erection of 2 No. detached two storey dwellings within the north-western corner of the site adjacent to the existing playing field at this location. The dwellings would measure approximately 19 m x 6 m x 7 m (high) and be constructed having facing brick/render external walls and a concrete tile roof.

The proposed vehicular access to serve the development would be obtained from an existing turning head at Hillside Avenue, with parking provided within the site to serve the respective elements of the proposed development.

7.06 Main Planning Considerations

It is considered that the main planning considerations to be taken into account in relation to this application, are as follows:-

- a. Principle of development having regard to the planning policy framework.
- b. Proposed scale of development and impact on the character of the site and surroundings.
- c. Adequacy of access and parking.
- d. Impact on the privacy/amenity of occupiers of existing and proposed dwellings.
- e. Impact on existing footpath which runs through the site.
- f. Impact on existing trees the subject of Tree Preservation Order (TPO).

- 7.07 In commenting in detail in response to the main planning considerations outlined above, I wish to advise as follows:-

7.08 Planning Policy

The site is located within the settlement boundary of Connah's Quay, a Category A settlement as defined in the Flintshire Unitary Development Plan; where residential development to meet general or affordable housing needs is considered acceptable subject to the safeguarding of relevant amenity considerations. In this instance the application has been submitted by Wales & West Housing Association for residential accommodation to provide much needed housing stock for rent or sale.

7.09 Scale of Development/Impact on Character of Site/Surroundings

The character/pattern of existing development along Hillside Avenue is of frontage 2 storey terraced housing, built in the 1950's/1960's.

- 7.10 It is considered that the scale of development proposed i.e., 7 units on a site area of approximately 0.2 hectares would not result in

overdevelopment at this location. The density of development at 35 units/hectare is at a slightly higher level than the 30 dwellings per hectare which developers are encouraged to achieve on allocated housing sites in order to make the most efficient use of land, in accordance with Policy HSG8 of the Flintshire Unitary Development Plan.

- 7.11 Consideration of whether the scale of development is acceptable at a specific location, is established taking into account the character of its surroundings, the site's configuration, the proposed access and its relationships to existing properties. The form/scale of the two storey units reflect that of existing development and the block of apartments which is also two storey in height forms a focal point and means of enclosure in visual terms at the head of the cul-de-sac at Hillside Avenue.
- 7.12 Adequacy of Access & Impact on Privacy/Amenity
Consultation on the acceptability of the proposed access to serve the development including the scale of proposed car parking provision, has been undertaken by the Highway Development Control Manager. It is considered that given the site's previous usage as an area for the garaging of vehicles that redevelopment on the scale proposed would be acceptable at this location.
- 7.13 The concerns/objections relating to the level of vehicular usage having a detrimental impact on the privacy/amenity of occupiers of existing properties are duly noted. It is not considered however having regard to the history of development at this location, that this would be so unacceptable in order to warrant refusal of the application. It is however recognised that the configuration of the access which is obtained past existing properties, is such that in order to minimise the impact of development during construction works on the privacy/amenity of occupiers of existing properties, that any permission is subject to the imposition of a condition requiring the submission/approval of a Construction Traffic Management Plan. This will enable the hours of work and timing of deliveries and main construction traffic arrivals to be controlled in order to seek to address the concerns highlighted.
- 7.14 In addition, the proposed parking to serve the apartment block is sited adjacent to the common site boundary with an existing property at 43 Hillside Avenue. Notwithstanding the details submitted which propose the erection of a 1.8 m close boarded fence along this boundary, it is my view that this should be replaced by a more substantial means of enclosure i.e., 1.8 m high brick wall to safeguard privacy/amenity. This can be covered by the imposition of a condition if Members are mindful to support the application.
- 7.15 Overlooking of Existing Properties & Impact on Privacy/Amenity
For Members information the distances between existing/proposed

dwellings and their associated orientation would ensure adequate separation to be provided in accordance with Local Planning Guidance Note 2 – Space Around Dwellings.

7.16 Although it is not a definitive footpath, it is acknowledged that there is a footpath which crosses the site which allows for pedestrian access into the adjacent recreational area and this also provides a link to existing residential properties at Lon Derwen.

7.17 For Members information, the proposed site layout retains and incorporates a realigned pedestrian link through the site as a continuation of the existing footpath at Hillside Avenue with a pedestrian gate into the adjoining field. It is my view that this will provide a safe and well observed link through the development which will help to meet the requirements for secure by design accreditation in accordance with North Wales Police.

7.18 Impact on Tree Preservation Order

Within the site, there is an existing Oak Tree and a Sycamore Tree on the north western fringe within the adjacent recreational area which are the subject of a Tree Preservation Order. The impact of the proposed development on these trees therefore requires particular consideration in order to ensure that these are safeguarded from a visual and amenity perspective.

7.19 Consultation has been undertaken with the Council's Tree Officer on this aspect of the development, in order to ensure that there is no impact on root protection areas and the crown spreads of the trees in question. It is considered that the site layout would ensure that the distances between the proposed dwellings and the trees would be sufficient to ensure that they are safeguarded, which will help to integrate the development into the site and surroundings. However, in recognition of Members concerns this issue will be covered by condition to ensure that the root protection areas of the trees are safeguarded through the erection of barriers during construction works.

8.00 CONCLUSION

8.01 It is my view that the proposed scale/form of development, the subject of this resubmitted application would be sympathetic to the character of the site and surroundings. There is no objection to the development from the Highway Development Control Manager and the site layout addresses previous concerns regarding the potential impact of development on trees the subject of a Tree Preservation Order and a pedestrian link through the site used by residents, in the locality. I therefore recommend that planning permission be granted subject to the imposition of 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

Contact Officer: Mark Harris
Telephone: (01352) 703269
Email: Robert_m_harris@flintshire.gov.uk