

FLINTSHIRE COUNTY COUNCIL

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

DATE: **24TH FEBRUARY 2016**

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

SUBJECT: **ERECTION OF A 3 STOREY APARTMENT BUILDING TO PROVIDE 21NO. APARTMENTS AND CREATION OF A NEW VEHICULAR ACCESS AND CAR PARKING AT LAND ADJACENT GATEWAY TO WALES HOTEL, WELSH ROAD, GARDEN CITY**

APPLICATION NUMBER: **054513**

APPLICANT: **PENNAF HOUSING GROUP**

SITE: **LAND ADJACENT TO GATEWAY TO WALES HOTEL, WELSH ROAD, GARDEN CITY, FLINTSHIRE.**

APPLICATION VALID DATE: **23RD OCTOBER 2015**

LOCAL MEMBERS: **COUNCILLOR MS. C. M. JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **THE SCALE OF THE PROPOSALS EXCEED THAT FOR WHICH POWER TO DETERMINE IS DELEGATED TO THE CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 The application seeks full planning permission for the erection of a 3 storey apartment building together with associated parking facilities. Access to the site is proposed to be derived from Welsh Road via a new point of access.
- 1.02 The apartment building provides 21No. apartments comprising a mix of 6No. 1 bed apartments and 15No. 2 bed apartments. Each apartment provides a combined living, dining and kitchen space, a bathroom and bedroom accommodation.

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

2.01 That conditional planning permission be granted subject to the following conditions:-

2.02 Conditions

1. Time limit on commencement
2. In accordance with approved plans
3. Foul and surface water drainage details to be submitted and agreed
4. Access to be laid out as approved
5. Closure of surplus access points
6. Parking and turning facilities to be provided
7. Flood escape routes to be identified
8. Landscaping scheme to be submitted and agreed
9. Timescale for implementation of landscaping
10. Contaminated land investigation
11. Noise attenuation measures
12. Materials to be approved
13. No pedestrian access to Trunk Road
14. Scheme for flood egress to be submitted and agreed.
15. Scheme for Bus Stop relocation.
16. No site works until Bus Stop scheme carried out.
17. Full highway access details agreed prior to works commencement.
18. No formation of access until works agreed.
19. Access constructed to base course prior to any other site works.
20. Scheme for prevention of water run-off from site to highway
21. Finished Floor Level of 5.58m AOD.
22. Visibility Splays of 2.4m x 43m in both directions. No obstructions.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Ms. C. M. Jones

Requests Committee determination due to the location of the site.

Sealand Community Council

No objection.

Highways DC

No objections subject the imposition of conditions.

Pollution Control Officer

No adverse comments. Requests conditions.

Public Open Spaces Manager

Advises that the requirements of Policy and Local Planning Policy Guidance in relation to open space and recreation are best addressed via contribution in lieu of on-site provision of the same. A contribution via S.106 agreement of £733 per apartment is sought (total of £15,393) with such sum to be utilised in upgrading facilities at Welsh Road Recreation Ground, Garden City.

Capital Projects and Planning Unit (CPPU)

Advises that no contributions are sought in respect of educational capacity at the applicable nearest schools as both schools have in excess of 5% surplus capacity.

Welsh Government – Transport

Directs that permission is withheld. Advises that further evidence is required which reduces façade noise within the site. Advises appropriate highways observations cannot be made until such information is submitted.

Dwr Cymru/Welsh Water

No objection subject to the imposition of conditions.

Natural Resources Wales

No objection. Requests the imposition of conditions.

Airbus

No objection on the basis of aerodrome safeguarding. Notes the need for permits if cranes are to be used during construction. This matter will be addressed via the imposition of the relevant note to the applicant.

4.00 PUBLICITY

- 4.01 The application has been publicised by way of a press notice, site notice and neighbour notification letters. At the time of writing this report 1No. letter has been received. This letter seeks to ensure that adjoining residential amenity is safeguarded through the proposal.

5.00 SITE HISTORY

5.01 **043434**

Erection of 2 No. apartment blocks to provide 38 apartments
Withdrawn 6.6.2011

046298

Erection of a two storey extension hotel and erection of a three storey
32no. apartment building
Permitted 6.6.2011

051555

Erection of 21no. apartments
Withdrawn 14.2.2014

051951

Variation of a conditions 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 17, & 19 on
Ref: 046298
Withdrawn 14.2.2014

053012

Erection of 21No. apartments.
Withdrawn 21.7.2015

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 D12 - Design quality, location & layout

Policy D2 - Design

Policy D4 - Landscaping

Policy AC13 - Access & traffic impact

Policy AC18 - Parking provision and new development

Policy HSG3 - Housing on unallocated sites in settlement boundaries

Policy HSG8 - Density of development

Policy HSG9 - Housing mix and type

Policy HSG10 - Affordable housing within settlement boundaries

Policy SR5 - Play areas and new housing development

Policy EWP17 - Flood Risk

Planning Policy Wales (Ed.7 2014)

TAN11: Noise (1997)

TAN 15: Development and Flood Risk (2004)

7.00 PLANNING APPRAISAL

7.01 The Site and Surroundings

The site is presently vacant and presently has an open frontage. Boundaries to the site are formed by a 2 metre high brick wall to the adjacent Gateway to Wales Hotel site, a mixture of brick wall, mesh fencing and established vegetation to the adjacent residential properties to the west and a 2 metre timber acoustic attenuation fence to the rear with the A494 beyond. Access to the site is presently derived from a centrally located access in the northern site boundary.

7.02 The surrounding area is difficult to characterise and consists of buildings of single, 2 and 3 storey forms. The site is bounded immediately to the east by the 2 storey Hotel. To the South west the

site abuts a site of 2 and 3 storey apartment buildings and a mixture of single and 2 storey dwellings fronting Welsh Road. External finishes to these buildings vary but brick is the predominant material with slate and tile roofs. The proposed finishes to the apartments generally accord with the locality.

7.03 The Proposed Development

The proposals provide for the erection of a single 3 storey apartment building which is proposed to be sited to the southern end of the site, abutting existing apartment blocks and the A494. The building is arranged in such a fashion that the proposed accommodation is arranged over the 3 floors with car parking areas provided in the land surrounding the building.

7.04 Main Issues

The main issues for consideration are:

- The principle of development;
- Flood risk;
- Highway and access considerations;
- Design and impact upon amenity
- Affordable housing and S.106 matters

7.05 The Principle of Development

The site is located within the settlement boundary of Garden City as defined in the Flintshire Unitary Development Plan (FUDP) where the principle of residential development is acceptable subject to meeting identified criteria relating to access and visual and residential amenity.

7.06 Garden City is defined as a Category 'B' settlement in the FUDP which states that working densities for the development of unallocated sites within category B settlements should be around 30 dwellings per hectare. The site area is 0.24 hectares and the development of 21 residential units equates to a density of approximately 84 dwellings per hectare which would accord with this policy aim. Therefore, in planning policy terms, there is a presumption in favour of the development.

7.07 Flood Risk

The site is located in a C1 flood risk zone as identified in the Development Advice Map referred to in TAN15: Development and Flood Risk. Notwithstanding the general policy presumption in favour of development within existing settlements, applications for development of this nature within C1 zones must demonstrate that the development would not present an undue risk to life from flooding. The considerations set out in Paragraph A1.14 of TAN 15 must therefore be satisfied.

7.08 In response to the submitted Flood Consequence Assessment, Natural Resources Wales (NRW) have advised that they do not raise

objection to the conclusion and proposed finished floor level of 5.58m above ordnance datum (AOD). This finished floor level includes a 300mm freeboard to the expected flood level of 5.28m AOD (which includes climate change) and therefore accords with the advice within A1.14 of TAN15.

7.09 Concern has been raised in relation to access and egress to and from the site in the event of a flood. The submitted FCA does not demonstrate that a safe access or egress route in the event of flood is achievable. However, I am mindful that the site occupies a position within an area of long established residential occupation, with this application site centrally located within the area. I am satisfied that the imposition of a condition requiring the submissions and agreement of flood egress routes/plans will serve to address this matter.

7.10 Highway and Access Considerations

Vehicular access to the site is proposed a new point of access within the site frontage, the existing access being closed off. Concerns have been raised in relation to the proximity of an existing bus stop and its restriction to visibility at the point of via access. Consultation with Highways DC has established that the bus stop can be moved to maximise visibility. It is considered that the scheme provides adequate levels of car parking for both elements of the proposals.

7.11 Design and Amenity Impacts

The mass of built form is set well back into the site, bounding the A494 and reflects the scale of development which already exists in this location. In terms of scale the proposed apartment block is reflective of the apartment blocks previously considered acceptable upon this site and accords with the existing apartment buildings to the west of the site. I am satisfied that the mass of the proposed apartment block in this location, having regard to the form of built development in the locality, would not appear incongruous upon this site.

7.12 I am satisfied that the degree of separation between the elevation of the rearmost building and the dwellings on Welsh Road (49 metres) is such that, when coupled with the significant landscaping screening which exists along this boundary, there is no significant overlooking opportunity afforded.

7.13 I am equally satisfied however that the arrangement of rooms within the buildings, together with the appropriate use of conditions in respect of obscure glazing, would mitigate any adverse impacts which may be voiced in respect of amenity. The proposals accord with the Council requirements in terms of space around dwellings.

7.14 The applicant has provided an acoustic report in support of the application which assess the impact of the noise generated from the A494 to the east of the site upon the residential amenity of future

occupiers of the apartments. The report has had regard to the guidance set out in TAN 11, BS8233:1999 and World Health Organisation Guidelines.

7.15 The above guidelines indicate that within habitable rooms during daytime hours (0700 – 2300 hours), noise levels of 35dB(A) or below should be achieved. During night time hours (2300 – 0700 hours) levels of noise in bedroom should be below 30dB(A).

7.16 The survey undertaken to inform the recommendations of the report indicates that in the installation of high performance acoustic double glazing would achieve reductions in noise levels to accord with the above. Accordingly, I propose to condition the submission, agreement and implementation of a scheme of such glazing.

7.17 Affordable Housing & S.106 Matters

The proposals in themselves are not of a quantum whereby the requirements of Policy HSG10 apply. However, given that the applicant is a Housing Association, I am advised that all of the proposed apartments would be available for affordable housing purposes via affordable rental methods.

7.18 Contributions towards education infrastructure at the nearest schools would not be required in this instance as the closest schools (Sealand C.P. School and John Summers High School) both have sufficient capacity to accommodate any pupils anticipated to be created.

7.19 Contributions in lieu of on-site play and recreation provisions would normally be sought, with such monies to be used to enhance existing facilities within Garden City. However, Members will recall that a sum was secured via S.106 Agreement via planning permission Ref: 046298. I am advised that notwithstanding the fact that this permission was not implemented in respect of this application, the requirements for play and recreation contributions was triggered by the commencement of development upon the site at Sealand Avenue, Garden City and payment has been received by the Council.

7.20 Accordingly, notwithstanding the comments of the Public Open Spaces Manager, I am not proposing to seek a further contribution in this regard as payment for the same purpose has already been received in connection with this application site.

8.00 CONCLUSION

8.01 Having regard to the proposals and the above consideration of all relevant matters, I consider that these proposals represent a scheme which is acceptable in principle and detail. I recommend that permission be granted subject to approximately worded planning conditions and the suggested legal agreement.

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, and has had due regard to its public sector equality duty under the Equality Act 2010.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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