

FLINTSHIRE COUNTY COUNCIL

REPORT TO: PLANNING AND DEVELOPMENT CONTROL
COMMITTEE

DATE: WEDNESDAY, 23 MAY 2012

REPORT BY: HEAD OF PLANNING

SUBJECT: FULL APPLICATION - ERECTION OF A DETACHED
DWELLING AT LAND SIDE OF 12 BANKS ROAD,
MANCOT, DEESIDE

**APPLICATION
NUMBER:** 049342

APPLICANT: MR. P. KEENAN

SITE: LAND ADJACENT TO 12 BANKS ROAD, MANCOT

**APPLICATION
VALID DATE:** 8TH FEBRUARY, 2012

LOCAL MEMBERS: COUNCILLOR MRS. G.D. DISKIN
COUNCILLOR A.G. DISKIN

**TOWN/COMMUNITY
COUNCIL:** HAWARDEN COMMUNITY COUNCIL

**REASON FOR
COMMITTEE:** LOCAL MEMBER REQUEST. CONCERNS
REGARDING RESTRICTED PLOT SIZE, HEIGHT OF
PROPOSED DWELLING AND CONSIDERS THAT
PROPOSAL WOULD BE OUT OF CHARACTER
WITH THE STREETSCENE

SITE VISIT: YES

1.00 SUMMARY

- 1.01 This application seeks full planning permission for the erection of a detached dwelling on land side of 12 Banks Road, Mancot. The site lies within the settlement boundary of Mancot and has the benefit of outline planning permission granted on appeal in January, 2006 with approval of reserved matters approval on 10th December, 2007. The main issues for consideration of this application are the principle of development at this location, the highway implications and whether the development would impact on the character and appearance of the streetscene.

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

2.01 Conditions:-

1. Time limit on commencement
2. In accordance with plans
3. Removal of permitted development rights
4. Materials of construction to be agreed with the LPA prior to commencement
5. Boundary treatments to be agreed with the LPA prior to commencement
6. No further openings to be created within the elevations without the approval of the LPA
7. Prior to commencement an 'Interim Certificate' for compliance with Code for Sustainable Homes shall be submitted to the LPA for approval.
8. Prior to occupation of the dwelling a 'Final Certificate' for compliance with Code for Sustainable Homes shall be submitted to LPA for approval.
9. Two parking spaces measuring 2.4m x 4.8m shall be provided and retained within the site for the perpetuity of the development.
10. Foul and surface water discharges shall be drained separately from the site.
11. No surface water to connect to the public sewerage system unless otherwise approved by the LPA
12. Land drainage run-off shall not be permitted to discharge into the public sewerage system.

3.00 CONSIDERATIONS

3.01 Local Member

Councillor Mrs. G.D. Diskin:

Requests Committee determination and site visit. Has concerns that the plot is restricted in size and the resultant development being higher than the houses on either side would be out of character with the streetscene.

Councillor A.G. Diskin:

Requests Committee determination and site visit. Has concerns that the plot is restricted in size and the resultant development being higher than the houses on either side would be out of character with the streetscene.

Hawarden Community Council:

The Council objects to the application on the grounds that the property will be overbearing on existing properties and that its style is out of character in the streetscene. Furthermore, it is an overdevelopment of a small plot.

Chief Highways and Transportation Engineer:
Request that two parking spaces measuring 2.4m x 4.8m shall be provided and retained within the site.

Chief Environment and Resources Officer:
No adverse comments to make.

Welsh Water:
Requests that conditions are imposed relating to foul and surface water drainage.

SP Energy Networks:
Advise that there may be plant and apparatus in the vicinity of the site. Applicant should be advised to undertake safe digging practices during the development.

Environment – Rights of Way:
No response received at time of writing report.

4.00 PUBLICITY

4.01 Site, Notice, Neighbour Notification

One letter of objection received relating to the following grounds:-

- i. plot is restricted in size
- ii height of proposed dwelling
- iii development will be out of character
- iv is of the opinion that the dwelling is not 'modest' as outlined in the Inspector's report
- v. the roof space will be very cramped and the small velux window will not provide an escape route in the case of a fire

5.00 SITE HISTORY

5.01 039369 – Outline – erection of a detached dwelling refused 27.4.05, allowed on Appeal 17.1.06

043638 – Reserved matters relating to 039369 – Erection of detached dwelling approved 11.1.07.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy GEN1 – General Requirements for Development
Policy GEN2 – Development Inside Settlement Boundaries

Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries

Flintshire County Council Local Planning Guidance Note 12 : Space Around Dwellings

The proposal would generally comply with the above planning policies.

7.00 PLANNING APPRAISAL

- 7.01 This application seeks full planning permission for the erection of a detached dwelling on land side of 12 Banks Road, Mancot. The site lies within the settlement boundary of Mancot and has the benefit of outline planning permission granted on appeal in January, 2006 with approval of reserved matters approval on 10th December, 2007. The main issues for consideration of this application are the principle of development at this location, the highway implications and whether the development would impact on the character and appearance of the streetscene.

Site Description and Proposed Development

The application site comprises of a plot of land located on Banks Road, Mancot and is the former garden land at the side of number 12. There is landscaping within the site typical of a garden area although this is now overgrown. The plot size is relatively small, measuring 7.77 metres wide at the front and gradually narrowing to the rear of the site. There are open fields to the rear. The area is one of mixed character, with a variety of two storey and single storey dwellings in detached, semi-detached and terraced form. The adjacent property, number 12 Banks Road is a detached two storey property with the properties on the opposite side of the plot being single storey semi-detached bungalows. The properties on the opposite side of Banks Road comprises much higher density semi-detached housing with smaller plot frontages.

Planning History

An outline application, reference 039369 for a detached dwelling was refused by the Local Planning Authority on 27th April, 2005 on the grounds that it was considered that the restricted size of the plot would result in a development that would appear cramped and out of character with the surrounding streetscene. The application was the subject of an Appeal to the Planning Inspectorate and allowed on 17th January, 2006. The Inspector took the view that although the plot width is restricted, it would just be possible to accommodate a modest detached dwelling on the site in a manner that it would maintain adequate space between the dwelling and the boundaries of the site and did not consider that the resulting development would appear

unduly cramped or overdeveloped in the streetscene, given the space remaining towards number 10 on the other side. Following the grant of this outline planning permission, a reserved matters application was submitted to the Authority on 14th August, 2007 and granted approval under reference 043638 on 10th December, 2007. The approved plans showed a four bedroom detached two storey property measuring approximately 5.7m x 11.5m with a maximum height of 7.8m with accommodation within the roofspace. The original outline application has since expired and it is on this basis that a full application has now been submitted for determination.

Principle of Development

The site is located within the settlement boundary of Mancot as defined in Flintshire Unitary Development Plan. Policy GEN2 states that new development will normally be permitted within settlements defined by a settlement boundary. Policy HSG3 provides further advice on housing proposals on land which is within settlement boundaries but not allocated. Mancot is a category B settlement there new housing would only be allowed on unallocated sites where it would not result in more than 15% growth since 2000. The current growth rate for Mancot is approximately 6%. Therefore the development of the site for general market housing is acceptable in policy terms.

The Local Planning Authority are also mindful of the planning history on this site and the Inspector's decision to grant outline planning permission in 2006, thereby strengthening the principle that residential development at this location is acceptable.

Impact on Character and Appearance of the Area

The submitted plans show a dwelling which is almost identical in scale form and design to that previously allowed under reserved matters approval under application reference 042638 in 2007. There has been an amendment to the position of the dwelling which has now been pushed back 300mm into the site to allow for the provision of parking to the front. The windows proposed have been reduced in size and the eaves amended to line through with the adjacent building at number 12. The proposal complies with the Council's Space Around Dwelling Standards and there is no adverse impact on neighbouring properties.

Having assessed the proposal and its appearance within the streetscene and having regard to the observations contained within the Inspector's report of 2006 it is considered that although the plot is relatively narrow, the resultant dwelling would maintain adequate space between that and the boundaries of the site and given the mixed variety of property styles and plot depths within Banks Road, would not appear unduly cramped or overdeveloped. As such, it is

considered that the proposal would not therefore harm the character and appearance of the area.

Highway Implications

The scheme provides for the provision of two car parking spaces within the site. It is proposed to impose a condition that will provide and maintain these spaces in perpetuity. On this basis it is considered that the development would not have an adverse impact on highway safety.

Objections Raised

One letter of objection has been received from the occupier of number 12 Banks Road. The objections raised with regard to plot size and design have been addressed in the planning appraisal above. It is considered that although these objections are material to the consideration of the application, they are considered not to carry sufficient weight to warrant refusal of the applications for the reasons stated above.

8.00 CONCLUSION

- 8.01 Having regard to the Inspector's decision on the site in 2006 and the granting of a similar proposal under the reserved matters application in 2007, it is considered that although the application site is relatively narrow, the resultant dwelling would have sufficient space between that and the adjacent properties to sit comfortably within the surrounding streetscene without being detrimental to its character. As such the proposal is considered to comply with the planning policies outlined above and is recommended for approval.

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.

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