

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **6<sup>TH</sup> DECEMBER 2017**

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

**SUBJECT:** **FULL APPLICATION – AMENDMENTS TO PREVIOUSLY APPROVED HOUSE TYPES TO ALLOW FOR 73 DWELLINGS (AN INCREASE BY 9 ON PREVIOUS APPROVAL (REF: 050300) AT CROES ATTI, CHESTER ROAD, OAKENHOLT.**

**APPLICATION NUMBER:** **057540**

**APPLICANT:** **PERSIMMON HOMES NORTH WEST**

**SITE:** **CROES ATTI, CHESTER ROAD, OAKENHOLT**

**APPLICATION VALID DATE:** **18<sup>TH</sup> SEPTEMBER 2017**

**LOCAL MEMBERS:** **COUNCILLOR MS RITA JOHNSON**

**TOWN/COMMUNITY COUNCIL:** **FLINT TOWN COUNCIL**

**REASON FOR COMMITTEE:** **SCALE OF DEVELOPMENT**

**SITE VISIT:** **NO**

This application was deferred from the last meeting in order that further information could be obtained to clarify basis for and location of affordable housing in relation to this application, and how this complies with the overall site consent and agreements.

**1.0 SUMMARY**

1.0 The application site forms part of an overall development of 27 hectares which was granted outline planning permission (035575) for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping education and community facilities. This outline approval was subject to a unilateral undertaking which committed the developer

to a number of requirements through this and future applications. The previously granted outline scheme and reserved matters applications were subject to extensive negotiations between the applicant and the Council and this was influenced by a revised Development Brief to secure a comprehensive approach to the development. The design concept for the site is that of providing modern residential neighbourhoods which have a strong local identity and encourage a sense of community.

- 1.01 The area of land now the subject of this full application relates to a 1.65 hectare section of the 27 hectare site. Previously a reserved matters application for the phase three of the development was granted for 312 dwellings under reference 050300 on this part of the site. The application before members today relates to the erection of 73 dwellings being 9 additional dwellings to that shown on the reserved matters approval (050300) for this part of the site.
- 1.02 In summary this is a new full application which increases the overall housing permitted by application 050300 from 312 houses to 321 houses. The scheme in effect results in the replacement in the house types approved previously for Anwyl Homes to those of the applicants design although these respect the previous approved house designs
- 1.03 The dwellings proposed consist of detached, semi-detached, terraced 2 storey dwellings and some 2.5 storey properties similar in design to those built under previous phases

**2.0 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-**

- 2.0
1. Time commencement
  2. As per plans
  - 3 Landscaping to be submitted and agreed
  4. Landscaping to be undertaken.
  5. Materials to be agreed.
  - 6 Parking and turning in accordance with scheme to be Submitted.
  - 7 Garages to be set back.
  - 8 Positive means to prevent run off surface water

**3.00 CONSULTATIONS**

- 3.01 Local Member  
Councillor Ms R Johnson

Object to developers shoehorning more and more houses onto the site bought from other developers. Whose layout and numbers were different from that now proposed. Feel this will become the norm and

local residents think so.

Flint Town Council

No response at time of writing.

Highways Development Control Manager

The Highways officer has no objections. Recommends that any permission shall include conditions relating to parking and turning, garages and positive means to prevent run-off from surface water. These have been included in the list of planning conditions

Head of Public Protection

No response at time of writing.

Clwyd Powys Archaeological Trust

Confirm that there are no archaeological implications for the proposed change of house types.

Welsh Water/Dwr Cymru

No objections to the proposed development, developer should contact Welsh water regarding water supply.

Natural Resources Wales

Does not object to the amended proposal is not likely to adversely affect any of the interests noted in their response.

CADW

No archaeological implications for the proposed changes of house types.

Coal Authority

The site does not fall within the defined Development High Risk Area and is located within the defined Low Risk Area. If this proposal is granted planning permission, it will be necessary to include the Coal Authority Standing Advice within the decision notice as an informative note to the applicant in the interest of public health and safety.

#### **4.0 PUBLICITY**

4.0 The application was publicised by way of the posting of a press notice and the display of a site notice. At the time of writing the report one letter of objection has been received objecting on the following grounds:-

- Pre consultation notice was flawed no reference to increase by 9 dwellings
- Density of 44 per hectare plus exceeds original density granted.
- Creates another small enclave of lumped together affordable housing. Design brief explicit in pepper potting requirement for

affordable dwellings.

- Should remember that approval was granted to Anwyl's.
- Increase in dwelling numbers above that originally granted, approved transport assessment density are 35 dwellings per hectare deviation from original document.
- Increase in numbers/density should be resisted now and in the future.
- Houses leasehold.

## **5.0 SITE HISTORY**

### **5.0 98/17/1308**

Outline residential development and associated recreational, community and retail was originally reported to committee on 14.12.99 which resolved to approve subject to a Section 106 Agreement – No decision was ever issued due to changed circumstances of the applicants.

### **035575**

Outline application for a mixed use development including residential, open space, infrastructure, landscaping, education and community facilities was reported to committee on 19.7.2004 which resolved to approve subject to a Section 106 Agreement -the agreement was signed and the permission issued on 11th July 2006.

### **044033**

Reserved matters application -residential development consisting of 189 no. dwellings, public open space, new roundabout and all associated works at Croes Atti, Oakenholt -Granted on 11<sup>th</sup> July 2008.

### **044035**

Highway improvements, street lighting and all associated works, on land at Croes Atti, Chester Road, Oakenholt, in connection with the outline planning permission ( ref. 035575) -Granted permission on 23rd April 2008.

### **046562**

Substitution of house types on plots 119, 124, 128-129, 131-132, 136, 138, 139, 142-144, 146-150, 160-163, 165-166, 170-177 and 183 on land at Croes Atti, Oakenholt, granted on 11th July 2008.

### **046595**

Reserved matters application for residential development consisting 132 no. dwellings, new roads, open space and all associated works on land at Croes Atti, Chester Road, Oakenholt, granted on 19<sup>th</sup> January 2012.

### **049154**

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of

reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – appeal submitted for non-determination, this was considered by way of a public inquiry on 21<sup>st</sup>/22<sup>nd</sup> August 2012 –the appeal was allowed and the planning permission was varied to allow 7 years for the submission of reserved matters.

**049312**

Application for a Lawful Development Certificate for construction of vehicular access from Prince of Wales Avenue, Flint to serve residential development at Croes Atti, Oakenholt, permitted by outline planning permission code number 035575 dated 11th July 2006 – granted on 5<sup>th</sup> April 2012.

**049426**

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – resolved to grant planning permission at Committee on 25th July, 2012 subject to completion of S.106 Obligation.

**050258**

Proposed house type substitutions and amendments to plots 62, 62a, 63, 65-70, 72-74, 74a, 75-93, 95-103, 106-108, 110-112, 112a, 113, 116-118 and one additional plot to that approved at Croes Atti, Chester Road, Oakenholt. – still under consideration.

**050300**

Application for approval of reserved matters for the erection of 312 residential dwellings and associated works.-granted 3<sup>rd</sup> April 2013

**050385**

Erection of 2 no. pole mounted housing advertisements 20/2/2013.

**050967**

Application for approval of reserved matters following outline approval. (035575) granted 21/10/13.

**050975**

Plot substitution of house types on 4 plots-granted 25/9/13.

**051002**

Application for approval of reserved matters following outline approval. (035575) - granted 4/12/13

**051136**

Erection of 2 no. V-Boards for housing advertisement-consent

granted 28.8.13.

**051716**

Approval of details reserved by condition no.11 (landscape management plan) attached to planning permission ref: 35575 – approved 15/10/14.

**052062**

Approval of details reserved by condition Nos 3 (materials), 4 (programme of archaeological work), 5 (landscaping details), 7 (existing and proposed ground levels and finished floor levels), 10 (detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate roads), 11 (prevention of run-off of surface water) and 12 (wheel wash facilities) attached to planning permission ref: 50967 – partly discharged 6/6/14.

**052757**

Application for the approval of details reserved by conditions 3, 4, 9 and 12 attached to planning permission ref: 050300 partially discharged 12/12/14.

**053058**

Variation of condition Nos. 5 and 15 of planning permission ref: 050300 to allow the construction of plots 175 to 198 before complying with conditions 5 & 15 - approved 2/3/15.

**053126**

Application for the approval of details reserved by condition 13 (Scheme for reasonable avoidance measures and methodology) attached to planning permission ref: 050300 12/2/15.

**053438**

Change of position of house types on plots A35, A36 & A38, change of house type on plot A37 and amended car parking arrangement to plots A39 & A40-granted 13.5.15.

**053624**

Change of house types on plots 30 & 31 and change of house type position on plot 32 - granted 4/6/15.

**053662**

Proposed residential development to consist of 20 No. semi-detached houses, 2 No. semi-detached bungalows and 1 No. special needs bungalow together with access road and parking.—approved.

**053758**

Retention of existing signage and display of 2 No. totem signs consent granted 8/7/15.

**053783**

Change of house types and the provision of two additional plots – Approved.

**053820**

Compliance with condition number 3 of permission reference 053438 – agreed.

**054267**

File Closed.

**054449**

Non material amendment to application reference 044033 - approved.

**054535**

Substitution of house type on plot 36 – approved.

**054637**

Amendment to previously approved house types and layout - approved.

**054718**

Compliance with condition 6 of planning reference 050258 – approved.

**055180**

Compliance with conditions 3, 4, 5, 6, 7, 8, 9 and 10 – approved.

**055216**

Withdrawn.

**055458**

Change of house types on plots 155 and 159 Approved.

**055852**

Application for the approval of details reserved by condition nos; 3 (materials), 4 (landscaping) and 6 (scheme for the construction of roundabout junction on A548 and improvement of Coed Onn Road) attached to planning permission ref: 053783:- Approved.

**055853**

Application for the approval of details reserved by condition nos; 3 (materials), 4 (landscaping) and 6 (scheme for the construction of roundabout junction on A548 and improvement of Coed Onn Road) attached to planning permission ref: 055458:- Approved.

**056016**

Application for the approval of details reserved by condition nos; 3, 4, 6, 7, 11, 12 & 13 attached to planning permission ref: 055209:- Approved.

**056438**

Change of position of plot 120 and creation of two blocks plots 121 - 124 and 125-127:- Approved

**056439**

Change of house type on plots 94, 96, 115, 136 to 140, change of position of plot 114 and removal of rear parking courtyard:- Approved.

**056440**

Application for a non-material amendment to planning permission ref: 050300 to revise position of house types on plots 107 - 109 and to remove garages from these plots:- Approved.

**056457**

Application for the approval of details reserved by condition 3 (Archaeological Watching Brief) attached to planning permission ref: 055209:- Approved.

**056468**

Application for the approval of details reserved by condition nos; 3 - 15 inclusive and 17-23 inclusive attached to planning permission ref: 053662:- Approved.

**056756**

Change of house types to plots 70 & 71, update of house types on plots 63 & 64, 68 & 69 and change of garage position on plot 61:- Approved.

**056811**

Substitution of house types on plots 72 to 76, 292 to 293 and plots 30:- Approved.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR4 - Housing

Policy STR8 - Built Environment

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development inside Settlement Boundaries.

Policy HSG3 – Housing upon Unallocated Sites within Settlement Boundaries.

Policy HSG2 – Housing at Croes Atti, Flint.

Policy HSG8 – Density of Development.

Policy HSG9 – Housing Type and Mix.



Policy HSG10 Affordable Housing  
Policy D1 – Design Quality, Location and Layout.  
Policy D2 – Design.  
Policy D3 – Landscaping.  
Policy AC13 – Access and Traffic Impacts.  
Policy AC18 – Parking Provision and New Development.  
Policy SR5 – Outdoor Playing Space and New Residential Development.  
Policy EWP17 - Flood Risk

#### Local/Supplementary Planning Guidance Notes

LPGN2 – Space around dwellings  
LPGN 11 – Parking Standards.  
LPGN 13 – Open Space Requirements  
SPG 23 Developer Contributions to Education.

#### National Policy Wales

Technical Advice Note 12 Design  
Technical Advice Note 18 Transport

Flintshire Unitary Development Plan (FUDP) The FUDP shows the land as a housing commitment and outline planning permission has now been issued in addition to reserved matters approvals. In the context of the development as a whole a large number of the policies of the plan are relevant but the most significant policy is Policy HSG2 - Housing at Croes Atti, Flint. Other relevant policies include D1-D4 which refer to design/location/layout/landscaping and Policy GEN1 (General Requirements for Development). The proposal is considered to accord with the aims of the relevant development plan policies.

## **7.00 PLANNING APPRAISAL**

### 7.01 Site Location

The application site consists of 1.65 hectares of land forming part of the wider Anwyl/Persimmon development known as 'The Oaks' located in Croes Atti to the south east of Flint. The overall site is subject to outline planning permission. 035575, which was granted on 11<sup>th</sup> July 2006. A permission dwellings already exists on this area of the site granted under application 050300, although the overall site had 312 units this application increases the number of dwellings on this part of the site by an additional 9 units.

Persimmon are already building on land to the south and east of this site having finished the earlier phase 1 for 52 dwellings under planning permission 050967 while completion of another phase with a combined total of 75 houses is still under construction.

### 7.02 Proposed Development/Principle of Development

The principle of residential development on this site is established by the outline and reserved matters applications which cover the site. The current application seeks to increase the number of houses while substituting various house types and change the layout which is acceptable in principle subject to design/appearance and impact on existing/proposed residential amenity.

7.03 Character and Appearance

The proposed density of the development is 44 dwellings per hectare. Policy HSG8 of the UDP seeks to ensure that housing development reflects the characteristic of the area. The amended design brief for the site seeks to ensure an overall density of 30 to 35 hectares proportionally across the whole site. Overall the site will deliver a density of 33 dwellings per hectare which meets the expectations of the design brief and in turn Policy HSG8.

7.04 The proposal includes some two storey terraces, semi-detached and detached dwellings including some 2.5 storey dwellings to add variety of design and roof heights. The proposed dwellings as amended are considered sympathetic to existing development which has been undertaken recently on the adjoining plots/phases. The proposed designs include simple pitched roofs, detailed brick band courses, variations to head/cill treatments, contrasting ridge tiles, and a unifying palette of materials including brick and render. This meets the design expectation of the brief and UDP Policy relating to design

7.05 Highways

The proposed development will have its principal access point into the previously permitted distributor road for the site which in turn will ultimately feed into other points of access at the A548 Chester Road, Prince of Wales Avenue and Coed Onn Road.

7.06 Over the course of the overall development, the access component of the Croes Atti development has been the subject of extensive negotiations as part of the original permissions in place. The Highway Development Control Manager has been consulted on the amended scheme and raises no objections although has requested additional information from the applicant in respect of parking areas. The Highway Officer has confirmed that the submitted additional information adequately addresses the earlier concerns related to parking. Other concerns raised regarding the potential use of a private drive and its use as a through route has been addressed by the submission of an amended plan.

7.07 Effect on Adjacent/Future Residential Amenities

The proposed dwellings are considered to provide adequate private amenity space in addition to space about dwellings, whilst at the same time benefiting from formal and informal public open spaces.

Affordable Housing

7.08 The original outline planning permission for the entire development was accompanied by a unilateral undertaking which committed the developer to requirements both set out in the original and subsequent full and reserved matter applications. The undertaking requires that the developer will provide for affordable housing for the number of dwellings justified by the Housing Needs Survey up to a maximum of 10% of the dwellings proposed on the applicant's parts of the site.

7.09 The Council must demonstrate through the result of a Housing Needs Survey the scale and extent of Affordable Housing need in the town of Flint and the type of such housing which is needed. Housing Strategy Officer has been consulted and confirms that there is an identified need for affordable housing provision in Flint The housing need in Flint has been identified as affordable rented property as 5 number 1 bedroom, 17 number 2 bedroom and 5 number 3 bedroom. In terms of shared equity the requirement is for 2 number 1 bedroom, 23, two bedroom and 4 no three bedroom units.

7.10 The application is for 73 houses so the maximum units which could be required on this part of the site for affordable housing is 7. The applicant has submitted a plan showing the provision of 7 affordable units on this part of the development. The affordable Housing must be developed in association with the Council, a recognised Housing Association or other social body satisfactory to the Council or such other body or company approved. Previously the Councils nominated agents, Grwp Cynefin Housing Association who have delivered a number of shared-equity properties within the development which are now occupied. The proposed affordable units on this phase will be delivered in association as previously with Grwp Cynefin Housing Association.

#### Flooding/Drainage Issues

7.11 The Flood Risk management Section have been consulted and have no adverse comments to make on the application. The NRW have also been consulted and raise no objection to the proposal

#### Provision of Public Open Space

7.12 The site would benefit from the previously approved formally laid out "village green" which would include a mini soccer pitch, a junior play area, a toddlers/picnic area, a Multi-Use Games Area (MUGA) which forms part of the wider open space allocation for the overall site which is 4.5 hectares in area. The proposed public open space across the site is generally well overlooked as regards passive surveillance from nearby dwellings, and also benefits from active frontages which assist in providing safer environments. On the previous phase undertaken by the developer an Oak tree close to a proposed dwelling not covered by a tree Preservation Order was cut down. In compensation for the loss the developer has shown on the proposed plan an area set aside for additional planting to replace the loss of the Oak tree in question.

### Education

- 7.13 As part of the original planning approval the development was required to incorporate a variety of community facilities and suitable sites were identified on the plan approved. As part of the community facilities identified an area of land of 1.5 hectares has been shown set aside for the provision of a school being the contribution from the developer for education requirements.

### Policy Context

- 7.14 Flintshire Unitary Development Plan (FUDP) The FUDP shows the land as a housing commitment and outline planning permission has been issued in addition to reserved matters approvals. In the context of the development as a whole a large number of the policies of the plan are relevant but the most significant policy is Policy HSG2 - Housing at Croes Atti, Flint. Other relevant policies include D1-D4 which refer to design/location/layout/landscaping and Policy GEN1 (General Requirements for Development). The proposal submitted is considered to accord with the aims of the relevant development plan policies.

## **8.00 CONCLUSION**

- 8.01 The proposed development in broad terms would allow for the replacement of existing permitted dwellings including additional plots and layout to that already approved with amended house styles which are in keeping with development already undertaken on the site and is therefore considered acceptable in principle and design.

### 8.02 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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.

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

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

## **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

**Contact Officer:** Karl Slater  
**Telephone:** (01352) 703259  
**Email:** [karl.slater@flintshire.gov.uk](mailto:karl.slater@flintshire.gov.uk)