

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **10TH JANUARY 2018**

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

SUBJECT: **FULL APPLICATION – 3 NO. DWELLINGS AND ASSOCIATED WORKS AT THE YEWS, SALTNEY FERRY.**

APPLICATION NUMBER: **055369**

APPLICANT: **PARRY GRIFFITHS HOMES LIMITED**

SITE: **THE YEWS, SALTNEY FERRY**

APPLICATION VALID DATE: **26TH APRIL 2016**

LOCAL MEMBERS: **COUNCILLOR R. LLOYD**

TOWN/COMMUNITY COUNCIL: **SALTNEY TOWN COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST IN ORDER TO ASSESS ADEQUACY OF DRAINAGE AND POTENTIAL FLOODING IMPACT**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This full application proposes the erection of 3 No dwellings and associated works on land adjacent to an existing residential development at “The Yews”, Saltney Ferry, Flintshire. For Members information progression of the application has been protracted given the need for a Flood Consequences Assessment (FCA) to be submitted as part of this application, in order to assess whether the potential consequences of flooding can be acceptably managed.

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

- 2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking or advance payment of £1,100 per dwelling in lieu of on-site recreational provision. The commuted sum payment would be used to enhance the toddler provision at the children's play area at Bradshaw Avenue, Saltney Ferry.
- 2.02 If the Obligation pursuant to Section 106 of the Town & Country Planning Act (as outlined above, if not completed within six months of the Committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to **REFUSE** the application.
- 2.03
1. Time limit on commencement of development
 2. In accordance with approved plans
 3. Samples of materials to be submitted and approved
 4. No development to commence until details of retaining structures within 3m of the adopted highway network have been submitted and approved
 5. Gradient of driveways not to exceed 1 in 10
 6. Finished floor levels of buildings to be no lower than 6.35 AOD
 7. Driveway levels to be set no lower than 5.9m AOD
 8. Ground levels (except dwellings, raised patio areas and driveways) should not be raised above pre-development levels.
 9. Scheme for emergency access/evacuation to be submitted and approved. Development to be carried out in accordance with approved details.
 10. No development to commence until land contamination survey has been submitted and approved. Mitigation where necessary
 11. No vehicle movements/deliveries / site construction works to take place outside of 0900 – 1700 hrs

3.00 CONSULTATIONS

3.01 Local Member

Councillor R Lloyd

Declares personal and prejudicial interest in the application and nominates Councillor D Butler to act as ward member on his behalf

Councillor D Butler

Requests site visit and planning committee determination in order to assess impact of development on existing dwellings in proximity to the site, given need to raise site levels to address flooding concerns.

Saltney Town Council

No response received.

Highway Development Control Manager

Recommend that any permission includes conditions requiring the details of any retaining structures within 3m of the adopted highway and gradients of proposed access points be submitted.

Head of Public Protection

Request that any permission includes a condition requiring the submission of a land contamination survey prior to the commencement of development

Dwr Cymru/Welsh Water

Development will require the diversion of existing sewers which cross the site for which a Section 104 Agreement will be required.

Natural Resources Wales

Following the submission of a Flood Consequences Assessment, do not object subject to the imposition of conditions to control finished floor levels of the proposed buildings, driveway levels and ground levels

Public Open Spaces Manager

Request the payment of £1,100 per dwelling in lieu of on-site recreational provision. The monies would be required to enhance the toddler play provision at the children's play area located at Bradshaw Avenue, Saltney Ferry.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

1 letter of objection received which expresses concern about increased vehicles movements within the cul de sac on the safety of existing residents and uncontrolled hours of construction works being detrimental to residential amenity.

5.00 SITE HISTORY

5.01 054917 – Erection of 3 No two storey dwellings including drainage, landscaping and all other associated works
Withdrawn 10th March 2016

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 and Layout.

Policy D2 – Design.

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 EWP17 – Flood Risk.
Policy IMP1 – Planning Conditions & Planning Obligations.

Additional Guidance

Local Planning Guidance Note 2 – Space About Dwellings.
Local Planning Guidance Note 13 – Open Space Requirements.
Local Planning Guidance Note 22 – Planning Obligations.

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application proposes the erection of 3 No dwellings and associated works on land adjacent to an existing residential development “The Yews”, Saltney Ferry, Flintshire. The site the subject of this application amounts to approximately 0.07 hectares in area and comprises vacant land which is located between The Yews and rear of properties at Leyland Drive and those properties which front onto the A5104. This existing development predominantly comprises a mix of detached / semi-detached dwellings.

7.02 Proposed Development

The plans submitted as part of this application propose the erection of a pair of semi-detached and 1 No single detached dwelling. It is proposed that the site is accessed from an existing cul-de sac at The Yews which in itself is accessed from Saltney Ferry Road. The proposed dwellings would have a ridge height of approximately 7.95m and be constructed having facing brick external walls and concrete tile roofs.

7.03 Main Planning Issues

It is considered that the main planning issues 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 character of site/surroundings.
- c. Adequacy of access to serve the development; and impact on privacy/amenity of occupiers of existing and proposed dwellings.
- d. Adequacy of drainage and potential impact of flooding.
- e. Impact on privacy/amenity.

7.04 Planning Policy

The site is located within the settlement boundary of Saltney Ferry as defined in the Flintshire Unitary Development Plan which is classified as a Category B settlement. The principle of development for general

housing market demand, is considered to be acceptable at this location subject to the safeguarding of relevant amenity considerations.

- 7.05 Scale of Development/Impact on Character of Site/Surroundings.
The character of existing development in proximity to the site as previously outlined, is defined by a mix of detached and semi-detached properties set within a range of different depths of residential curtilages. It is considered that the scale/form/design of the development proposed would be reflective of and sympathetic to this existing character and would not represent overdevelopment at this location.
- 7.06 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 existing highway pattern that this would be so unacceptable in order to warrant refusal of the application and the Highway Development Control Manager recommends that any permission be subject to conditions. 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.
- 7.07 Adequacy of Drainage / Flood Mitigation
The adequacy of the drainage system to serve the scale of development proposed has been the subject of consultation with Natural Resources Wales (NRW) Dwr Cymru/Welsh Water, and the Council's Drainage Engineer.
- 7.08 Given the site's location within Flood Zone A, a Flood Consequences Assessment (FCA) has been submitted and considered by NRW in order to ensure that the impact of development from flooding can be acceptably managed. As a result NRW have advised that they raise no objection to the development subject to the imposition of a condition to control the site and finished floor levels of the buildings proposed.
- 7.09 In addition consultations have been undertaken with Dwr Cymru/Welsh Water who raise no objections to the development in terms of the capacity of the existing system to serve the development proposed, subject to the diversion of 2 No. existing sewers which cross the site will however be required under a Section 104 Drainage Agreement and the imposition of conditions to ensure the separation of foul and surface water discharges from the site. The Council's

Drainage Engineer has also advised that on the basis of the details submitted regarding capacity for surface water storage, that the drainage scheme proposed is acceptable.

7.10 Impact on Privacy/Amenity

Of particular importance in consideration of this application is ensuring that the privacy/amenity of the occupiers of the proposed dwellings and those adjacent to the site are safeguarded as part of the development. Having regard to the layout proposed no direct overlooking of existing properties is proposed and the privacy/amenity of existing/proposed occupiers would be safeguarded in accordance with Local Planning Guidance Note 2 – Space About Dwellings.

8.00 CONCLUSION

8.01 In conclusion, it is my view that the proposed scale/form of development would be sympathetic to the character of the site and surroundings. Consultation on the application has been undertaken with the Highway Development Control Manager who raises no technical objection to the proposed development. It is however considered that due to the configuration of the cul de sac at The Yews and its relationship to existing properties from which their individual access is derived, that controls over vehicular movements to serve the development during construction works and hours of operation are required from a safety and amenity perspective.

8.02 An assessment of the drainage/flooding issues in respect of the development has also been undertaken with National Resources Wales, Dwr/Cymru/Welsh Water and the Council's Technical Drainage Department. As a result no objections to the development have been received subject to the diversion of the 2 No. existing sewers which cross the site and the imposition of conditions. I therefore recommend accordingly.

8.03 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.

8.04 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

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