

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH MARCH 2018**

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

SUBJECT: **APPLICATION FOR APPROVAL OF RESERVED MATTERS APPEARANCE, LAYOUT, SCALE, LANDSCAPING AND ACCESS FOR THE ERECTION OF 6 DWELLINGS FOLLOWING OUTLINE APPROVAL (052887) AT 31 WELSH ROAD, GARDEN CITY**

APPLICATION NUMBER: **057808**

APPLICANT: **MR RICHARD WILLIAMS**

SITE: **31 WELSH ROAD, GARDEN CITY**

APPLICATION VALID DATE: **05.12.17**

ACTING LOCAL MEMBER: **COUNCILLOR I DUNBAR**

TOWN/COMMUNITY COUNCIL: **SEALAND**

REASON FOR COMMITTEE: **REQUEST OF ACTING LOCAL MEMBER TO SEE SITING OF DWELLINGS, SEPARATION, GARDEN PROVISION, PARKING**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a reserved matters application for the appearance, layout, scale, landscaping and access for the erection of 6 dwellings following the grant of outline approval 052887. It is considered that the submitted details are acceptable and the siting of the dwellings complies with Local Planning Guidance Note Space Around Dwellings.

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

2.01 1. Materials

3.00 CONSULTATIONS

3.01 Nominated Local Member
Councillor I Dunbar

Requests a Site Visit and Determination by Planning Committee.

My reasons for determination are as follows.

1. Actual siting of dwellings.
2. Separation.
3. Garden Provision.
4. Parking.

Sealand Community Council

No response received.

Highways Development Control Manager

No objections to the proposed details however conditions 12, 14, 15 and 18 on the outline permission still apply.

Public Protection Manager

No comments to make.

Welsh Water/Dwr Cymru

The existing public sewer network has sufficient capacity to accommodate the proposed foul water and we welcome the introduction of soakaways as a means to dispose of surface water by sustainable means therefore the principle of the proposal are acceptable. We note that a few private drains are proposed to cross over the public sewer and the plan has been amended to maintain sufficient access to the public sewer.

Under the Welsh Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No operational development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer.

Natural Resources Wales

We are satisfied that the proposed plans demonstrate that all property finished floor levels will be set no lower than 5.56m above Ordnance Datum which complies with the requirements on 052887.

Condition 17 on the outline permission 052887 relates to the development not commencing until such time as the flood

strengthening works to the tidal Dee flood embankment are completed. These works are now completed.

Airbus

No aerodrome safeguarding objection.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

2 letters of objection on the grounds of;

- Overdevelopment of the site - cramped
- Direct overlooking and detrimental to surrounding properties
- Proposal is contrary to GEN1 criteria b, d and e
- Loss of privacy and light to surrounding properties
- Limited access to the site which is shared by the post office and convenience store
- Conflict with access to the properties and deliveries to the shop
- Public sewers run along the rear gardens of several properties along Sealand Avenue which would no longer be accessible in the event of a blockage
- There is no need for this housing in this area as there are large allocations of housing on RAF Sealand
- No infrastructure - John Summers High School has been closed down, GP and dental practice over subscribed
- Limited parking available in the area and this site used to be parking
- Strain on the water supply
- Previous use of the site was single storey garages the scale of the proposed development is not acceptable
- Will restrict access to property from rear gate

5.00 SITE HISTORY

5.01 052887- Outline planning permission for the erection of 6 dwellings. Approved following S106 agreement 10.02.17

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 - New Development

STR4 - Housing

GEN1 - General Requirements for Development

GEN2 - Development Inside Settlement Boundaries

D1 - Design Quality, Location and Layout

D2 - Design

D3 - Landscaping

AC13 - Access and Traffic Impact

AC18 - Parking Provision and New Development

HSG3 – Housing on Unallocated Sites within Settlement Boundaries

HSG8 - Density of Development
SR5 - Outdoor Playing Space and New Residential Development
EWP17 - Flood Risk

The proposal is in accordance with the above development plan policies.

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a reserved matters application for the appearance, layout, scale, landscaping and access for the erection of 6 dwellings following the grant of outline approval 052887. Outline planning consent was granted by Planning and Development Control Committee on 20th May 2015 and the completion of a S106 agreement on 10th February 2017.

7.02 Site Description

The application site is situated to the north of Welsh Road and is accessed via a shared access between 31 Welsh Road which is a residential property and 35 Welsh Road which is a Spar convenience store. The site was formerly a garage site owned by the Council which has been sold to a third party. The site is surrounded to its north east west and south by residential properties which are all two storey. There is a Welsh Water pumping station located directly to the east of the site.

7.03 Proposed development

It is proposed to erect 6 dwellings in the form of three pairs of 3 bedroom semi-detached dwellings. The dwellings are two storey with rear gardens and a shared parking court with 14 spaces. The dwellings are brick with tiled roofs.

7.04 Principle of development

The principle of the development of 6 houses on this site was established by permission 052887 which was an outline application for 6 houses with all matters reserved. This application deals with the details of the scheme. The outline application was accompanied by a Flood Consequences Assessment. This established that development of the site in a C1 area was acceptable and set the finished floor levels at 5.56m AOD which have been applied in this application. A further condition on the outline was for the submission of a Flood Management/Emergency Evacuation Plan. This has been submitted as part of this application.

7.05 Drainage

Residents have raised issues relating to drainage. Welsh Water have not raised any concerns with regards to the capacity of the network or treatment facilities' it would serve. Welsh Water are satisfied that

the siting of the proposed dwellings does not affect the easements of the two sewers which cross the site. Surface water drainage details have also been provided and the proposed soakaways do not affect the easements. Welsh Water therefore have no objections.

7.06 Access

Vehicular access to the site is via an un-adopted access from Welsh Road which runs between 31 and 35 Welsh Road. The access is between a residential property and a Spar Shop/post office and chemist. As part of the outline consent there is a requirement for the appropriate management and maintenance of the access.

7.07 Highways raised no objections to the principle of the development and have no objections to the proposed siting of the dwellings and the proposed parking and turning arrangements. There are therefore no highways objections. Highways conditions are imposed on the outline consent covering; details of site access; parking layout, surface water runoff, and a Construction Traffic Management Plan.

7.08 14 parking spaces are provided for 6 three bedroom dwellings. The Council's parking standards requires 2 spaces per dwelling. While the parking provided is in excess of what is required for the houses the site has been informally used for parking in association with the shop.

7.09 Residents have raised the issue of the current pedestrian access obtained through Sealand Avenue through the site as a short cut to the shops and the bus stop on Welsh Road. This is not a definitive public right of way but is a legacy from when the majority of the area was owned by the Council and was Local Authority housing with associated garages. This access path has been retained by the Council for pedestrian use only and has bollards at its entrance onto Sealand Avenue. The 'short cut' does now cross private land although the Council retains a right of access by foot and vehicles along the access way between 31 Welsh Road and 35 Welsh Road. The submitted plans show that this access is to be retained with a 1.8 metre high boundary fence around the remaining boundaries. Other rights of access are shown to be retained although this is not a planning matter.

7.10 Residents on Welsh Road have also raised concerns about retaining vehicle access to their properties at the rear. Access to properties is a civil matter but this is shown to be retained on the plans. Access to the pumping station is also maintained.

7.11 Impact on residential amenity and neighbouring properties

The submitted layout shows three pairs of semi-detached dwellings Slightly staggered running from north to south in the middle of the site with private garden areas to the west and a shared parking and turning area to the south.

- 7.12 The proposed layout accords with the separation distances set out in Local Planning Guidance Note 2: Space Around Dwellings. There are 22 metres between habitable rooms and 12 metres between blank gables and habitable rooms.
- 7.13 The finished floor levels of the dwellings are recommended to be set at 5.56m AOD following the recommendations in the FCA and the comments from NRW. The topographical survey shows the actual existing site levels to be 4.45AOD – 4.74 AOD. The finished floor levels would not be met by raising the site but by increasing the finished floor levels of the living accommodation within the dwellings by having steps up to the front doors. It also provides private garden areas with raised patio areas to account for the finished floor levels. The ridge heights of the proposed dwellings are 8.6 m and therefore are in keeping with the other properties in the area despite the stepped entrances.
- 7.14 Other Matters
The outline permission secured by S106 agreement £1,100 per unit for recreation enhancements in lieu of on-site provision; and secures the resurfacing and future maintenance of the access road to the site.

8.00 CONCLUSION

- 8.01 It is considered that the submitted details are acceptable and the siting of the dwellings complies with Local Planning Guidance Note Space Around Dwellings.

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: Emma Hancock
Telephone: 01352 703254
Email: emma.hancock@flinthshire.gov.uk