

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **3RD APRIL 2019**

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

SUBJECT: **FULL APPLICATION – DEMOLITION OF EXISTING DWELLING AND ERECTION OF 3 NO. TOWN HOUSES AND GARAGES AND CONSTRUCTION OF NEW VEHICULAR ACCESS AT PARKFIELD, LLANASA ROAD, GRONANT.**

APPLICATION NUMBER: **059124**

APPLICANT: **MR SELWYN LLOYD**

SITE: **PARKFIELD, LLANASA ROAD, GRONANT, LL19 9TH**

APPLICATION VALID DATE: **17th OCTOBER 2018**

LOCAL MEMBERS: **CLLR SIAN BRAUN**

TOWN/COMMUNITY COUNCIL: **LLANASA COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST DUE TO CONCERNS OF CHARACTER AND APPEARANCE AND HIGHWAY ISSUES**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This full application proposes the demolition of existing dwelling and erection of 3 No dwellings and associated works on land at Parkfield, Llanasa Road, Gronant.

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 onsite recreational provision. They payment would be used to enhance toddlers play provision Gronant Play Area.
- 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. A Construction Management Plan to be submitted and approved prior to commencement.
 5. The proposed bat avoidance, mitigation and compensation measure shall be implemented in full.
 6. Long term bat surveillance scheme to be submitted and approved.
 7. External lighting to be submitted and approved
 8. Ecological Compliance Audit scheme to be submitted and approved.
 9. Works associated with the development hereby approved shall not take place during the breeding bird season
 10. The work will be undertaken in accordance with the reasonable avoidance measures and mitigation submitted.
 11. The proposed access shall have a visibility splay of 2.4m x 43m in a westerly direction measured along the nearside edge of the adjoining carriageway and 2.4m x 43m in an easterly direction measured 1.0m out from the nearside edge of the adjoining carriageway and shall be over land within the control of the Applicant and/or Highway Authority and within which there shall be no significant obstruction to visibility in excess of 1.0m above the nearside channel level of the adjoining highway.
 12. Facilities shall be provided and retained within the site for the parking and turning of vehicles. Such facilities being completed prior to the proposed development being brought into use
 13. No development to commence until land contamination survey has been submitted and approved. Mitigation where necessary
 14. No development to commence until a drainage scheme has been submitted and approved.
 15. No development to commence until existing and proposed site levels, including finished floor levels and garden levels have been submitted and approved.
 16. No development to commence until details of any new or altered retaining structures have been submitted and approved.
 17. No development to commence until a landscaping scheme has been submitted and approved.

3.00 CONSULTATIONS

3.01 Local Member: Cllr Braun

Raises the following concerns:

- The houses are not in keeping with the surrounding dwellings which are mostly bungalows.
- Overdevelopment of the site
- Access to the site is from a busy road and is likely to cause accidents

Llanasa Community Council

The Community Council objects to the proposed on the grounds that this plot would be overdevelopment as it is considered to be too small for three dwellings. In addition, vehicular access at this narrow point on Llanasa Road would be considered dangerous.

Highways Development Control

Any permission includes the following conditions

1. The proposed access shall have a visibility splay of 2.4m x 43m in a westerly direction measured along the nearside edge of the adjoining carriageway and 2.4m x 43m in an easterly direction measured 1.0m out from the nearside edge of the adjoining carriageway and shall be over land within the control of the Applicant and/or Highway Authority and within which there shall be no significant obstruction to visibility in excess of 1.0m above the nearside channel level of the adjoining highway.
2. Facilities shall be provided and retained within the site for the parking and turning of vehicles. Such facilities being completed prior to the proposed development being brought into use.

Community and Business Protection

Any permission includes a condition requiring the submission of a land contamination survey prior to the commencement of development.

Aura

In accordance with Planning Guidance Note No.13 POS provision, the Council should be seeking an off-site contribution of £1,000.00 per dwelling in lieu of onsite provision. The payment would be used to enhance toddlers play provision at Gronant Play Area. Working with Planning Policy we have considered previous pooled contributions and they confirm that the pooled contributions thresholds have not been exceeded with regards to Gronant Play Area.

Welsh Water/Dwr Cymru

Request that any permission includes a condition requiring the submission of a drainage scheme prior to the commencement of development.

Natural Resources Wales

Request that any permission includes a conditions relating to both the protection of bats and the submission of an ecological compliance audit.

4.00 PUBLICITY

4.01 Site Notice and Neighbour Notification

12 letters of objection raising the following points:

- The proposal is not in keeping with the surrounding dwellings which are mostly bungalows.
- Overdevelopment of the site.
- Access to the site is from a busy road and is likely to cause accidents.
- Overlooking into the private amenity space.
- Loss of light to the neighbouring dwelling.
- Adverse noise levels due to the increased residential use.
- Potential for increase parking on Llanasa Road.
- Mining operation on the site.
- Drainage details not provided.
- Devalue existing property prices.
- Removal of existing vegetation will spoil outlook and may be disruptive to local wildlife.
- Infrastructure in the village is nor adequate for any further housing.

5.00 SITE HISTORY

5.01 There is no relevant site history.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy STR 8 – Built Environment

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development Inside Settlement Boundaries.

Policy D1 – Design Quality, Location and Layout.

Policy D2 – Design.

Policy D3 – Landscaping.

Policy TWH1 – Development Affecting Trees and Woodland

Policy WB1 – Species Protection

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 HSG9 – Housing Mix and Type
SR5 – Outdoor Playing Space and New Residential Development
Policy IMP1 – Planning Conditions & Planning Obligations.

Additional Guidance

Supplementary Planning Guidance Note 2 – Space About Dwellings.
Supplementary Planning Guidance Note 13 – Open Space Requirements.
Supplementary Planning Guidance Note 22 – Planning Obligations.
Supplementary Planning Guidance Note 11 – Parking Standards

Planning Policy Wales – Edition 10 December 2018

7.00 PLANNING APPRAISAL

7.01 Introduction

This full application proposes demolition of existing dwelling and the erection of 3 No dwellings along with associated on land at Parkfield, Llanasa Road, Gronant. The site the subject of this application amounts to approximately 0.08 hectares in area and comprises detached bungalow which is located adjacent to an allocated open space between Llanasa Road and Public Footpath No.85.

7.02 Proposed Development

The plans submitted as part of this application propose the erection of a mews of three attached dwellings which vary in levels following the existing contours of the land. It is proposed that the site is accessed from Llanasa Road with the dwelling sited perpendicular to the highways. The proposed dwellings would have a ridge height of approximately 8.2 m and be constructed having facing brick and timber external walls with a natural slate roof.

7.03 Main Planning Issues

It is considered that the main planning issues in relation to this application are as follows:-

- The principle of development having regard to the planning policy framework;
- Proposed scale of development and impact on the character of site/surroundings;
- Adequacy of access to serve the development;
- Impact on protected species;
- Impact on privacy/living conditions.

7.04 Planning Policy

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

is considered to be acceptable at this location subject to the proposal not resulting in tandem development or overdevelopment in relation to the character of the site and surrounding area.

- 7.05 The proposed site is considered to be a sustainable location within walking distance of education and community facilities provided within the village along with a number of bus-stops providing links to Prestatyn, Rhyl, Holywell, and Flint. Given the proposal will result in a net increase of 2no dwellings, it is considered that the proposed development will not have a significant adverse impact on the existing facilities within the village.
- 7.06 The scale of Development/Impact on Character of Site/Surroundings.
It is considered that the proposed development of 3 No. dwellings on 0.08 hectares would not represent an overdevelopment of the site. The proposed density of 37.5 dwellings per hectare would be in excess of 30dph which HSG8 outlines is expected to be achieved on unallocated housing sites with category B settlements. However, it is considered that this makes the most efficient use of available land within the settlement and the density proposed reflects the character of the surrounding area such as Gwel Y Mor which located close to the proposed development. It is therefore considered the proposal accords with policy HSG8.
- 7.07 The proposal allows for a shared parking area to the front of the dwelling accommodating 4 parking spaces, two garages, and areas of landscaping. Two of the proposed dwelling are afforded side and rear gardens which provide amenity space in excess of the guidelines outlined with SPGN2. Whilst the garden depths are below that recommended within SPGN2, the rear elevation will be facing allocated open space and therefore neither the existing nor proposed dwelling will be adversely affected by the reduced garden depths.
- 7.08 The character of existing development is defined by a mix of detached and semi-detached properties set within a range of different depths of residential curtilages. The site has no immediate adjoining existing dwellings as it is bounded on two sides by the highway and a footpath/access, and on the other by open countryside. The nearest residential properties are larger however there are examples of terraced properties located within the village which have a similar density of development. The proposal offers a smaller unit of accommodation than the immediate surrounding dwellings, however, this variety is considered to be reflective of the village and provides a positive housing mix. In addition, the use of high-quality materials such as slate, brick, and timber is further reflective existing character of the area. 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. It is therefore considered the proposal complies with Policies HSG3, HSG8 and HSG9

7.09 Impact on Privacy/Living Conditions

Of particular importance in consideration of this application is ensuring that both the privacy and living conditions 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 there are no facing habitable room windows between proposed and existing dwellings which breach the guidance set out in SPGN2. There is one window proposed to serve a non-habitable room on the side elevation of plot 3. A condition requiring the window to be obscurely glazed and non-opening below 1.7m from FFL will ensure that there is no adverse overlooking. It is therefore considered that no direct overlooking of existing properties will occur which would significantly adversely affect the normal enjoyment of the dwelling house and garden.

7.10 The closest existing dwelling, Glas-for is located 14m from the flank elevation of the proposed development which will be screened by an existing boundary treatment across the public footpath and access track. SPGN2 seeks to secure 12m separation in such circumstances. Whilst some of the site is at a higher level than the dwellings stepped up away from Glas-for, following the contours of the land.

7.11 Having regard to the layout and levels proposed it is considered that the proposal will not have a significant adverse impact on the outlook of the adjacent dwelling. It is concluded that the privacy and outlook of existing/proposed occupiers would be safeguarded in broadly accordance with Local Planning Guidance Note 2 – Space About Dwellings.

7.12 Highways Safety

Concern has been raised regarding the proposed access and number of parking spaces. Highways Development Control has been consulted on the application and raised no objections to the amended highways layout subject two conditions as outlined above. In terms of parking provision, SPG11 sets out guidelines the number, size, and design of parking provision for new development. Spaces should measure 4.8 m x 2.4 m with 2 parking spaces required for a 3 bedroomed dwelling. The proposed development provides 4 parking bays and 2 garages which meet the requirements of SPG11.

7.13 Impact on Protected Species and Existing Vegetation

Concern has been raised by third parties in relation to the removal of vegetation on the site along with the potential impact on wildlife. Given the proposal includes the demolition of a building and the removal vegetation, a protected species survey was submitted with the application. The report outlines that there was no evidence of bat activity within the loft space. Emergence surveys were undertaken 9th and 23rd August and dawn survey 6th September which identified up to 67 Soprano Pipistrelles and 17 Common Pipistrelles roosting under the shiplap boarding on both gable ends of the bungalow. The site is bounded by native hedges and is adjacent to an overgrown paddock

providing dark corridors and good feeding habitats. None of the trees on the site have any protection and no objection has been received from either the Counties Tree Officer or Ecologist for their removal.

7.14 Consultation has taken place with the County Ecologist and NRW who both consider that the mitigations and recommendations are acceptable which includes bat mitigation features on the proposed garages and some of this information is included on the amended layout and landscaping plan. The report includes additional information with regards to the garage construction which includes cold roof construction with the use of traditional bitumastic underfelt which should ensure there is no impact on the roosting bat population.

7.15 Conditions have been included to ensure that implementation of the bat protection and mitigation measures, along with the submission of a landscaping scheme to ensure existing vegetation is retained or replaced where possible.

7.16 Pollution

The proposed development is in an area with an extensive lead mining history and there are old shafts close to the site. I have been advised by the Contaminated Land Officer that other investigations in this area show that there is considerable justification that contamination could be present in all or part of the site. Additionally, the proposed development which includes residential accommodation could be particularly vulnerable to the presence of contamination. Therefore a condition requiring submission of a land contamination survey prior to the commencement of development will be required.

7.17 In addition, concern has been raised regarding the potential for increased noise due to the number of dwellings on the site. It is considered that whilst the proposal will lead to more vehicle movements along with domestic noise, this will not have a significant adverse impact upon the neighbouring properties. The application has been subject to consultation with Environmental health who have raised no objection to the proposal on noise impact grounds.

7.18 Drainage

Concerns have been raised in relation to the site drainage of both foul and surface water. The proposal has undergone consultations with both Welsh Water/Dwr Cymru and the Councils drainage section. No formal objection has been received subject to a condition requiring the submission of a drainage scheme prior to development.

7.19 Public Open Space

The infrastructure and monetary contributions that can be required from proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'. It is unlawful for a planning obligation to be taken into account when determining a planning

application for a development, or any part of a development, if the obligation does not meet all of the following Regulation 122 tests:

1. Be necessary to make the development acceptable in planning terms;
2. Be directly related to the development; and
3. Be fairly and reasonably related in scale and kind to the development.

7.20 An off-site commuted sum of £1,100 per unit in lieu of on-site provision to improve facilities at Gronant Play Area is required. This is in accordance with Local Planning Guidance Note 13: Open Space Requirements which requires off-site open space contributions where on site provision is not possible. There have not been 5 contributions towards this project to date.

7.21 Other Issues

Concerns have been raised regarding the proposal impact on property values. It is considered that this is not a planning matter.

8.00 CONCLUSION

In conclusion, it is my view that the proposed scale/form of development would not have an adverse impact on 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. The p[proposal is therefore considered acceptable subject to the conditions and Open Space contribution outlined section 2 above.

8.01 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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