

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **2<sup>ND</sup> OCTOBER 2019**

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

**SUBJECT:** **FULL APPLICATION - RESIDENTIAL  
DEVELOPMENT OF 20 NO. APARTMENTS AT  
PARK HOUSE, BRONCOED BUSINESS PARK,  
MOLD**

**APPLICATION  
NUMBER:** **058968**

**SITE:** **LAND TO THE REAR OF PARK HOUSE,  
BRONCOED PARK, MOLD.**

**APPLICATION  
VALID DATE:** **13<sup>TH</sup> SEPTEMBER 2018**

**LOCAL MEMBERS:** **COUNCILLOR G.H. BATEMAN**

**TOWN/COMMUNITY  
COUNCIL:** **MOLD TOWN COUNCIL**

**REASON FOR  
COMMITTEE:** **SCALE OF DEVELOPMENT RELATIVE TO  
DELEGATION SCHEME**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

1.01 This full application proposes the erection of 20 No. residential apartments, within 2 separate apartment blocks, on land to the rear of Park House, Broncoed Business Park, Mold.

## **2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION FOR THE FOLLOWING REASONS**

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation/Unilateral Undertaking or advance payment in respect of:-

- a) A sum of £733 per apartment in lieu of on-site recreational provision. The commuted sum payment would be used to enhance toddler play provision at Is y Coed, Play Area, Mold.
- b) A sum of £61,285 towards education provision at Bryn Coch C. P. School, Mold.

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.

### **Conditions**

1. Time limit on commencement of development.
2. In accordance with approved plans.
3. Materials to be submitted and approved.
4. Scheme of foul drainage to be submitted and approved.
5. Landscaping scheme to be submitted and approved.
6. Implementation of landscaping scheme. Proposals for southern boundary to be implemented in full before occupation of any apartment.
7. Windows in southern gable elevation of block 2 to be obscure glazed/non-opening.
8. Ecological management to be undertaken in accordance with submitted/approved ecological report.
9. Siting, layout & design of access to be submitted/approved.
10. Forming of access not to commence until detailed design approved.
11. Detailed construction of internal estate road to be submitted/approved.
12. Gradient of access from carriageway for a distance of 10 m to be 1:24 and 1:15 thereafter.
13. Positive means to prevent surface water run-off to be submitted/approved.
14. No development until proposed finished floor and site levels submitted and agreed

## **3.00 CONSULTATIONS**

3.01 Local Member  
Councillor G.H. Bateman

No response received at time of preparing report.

Mold Town Council

No objection but express concern of the impact of development on the highway junction.

Highways Development Control

No objection in principle, subject to conditions in respect of access, construction detail, gradients and surface water drainage

Community and Business Protection

No objection in principle.

Welsh Water/Dwr Cymru

Request that any permission includes conditions in respect of foul, drainage.

AURA – (Play Design Manager)

Request the payment of £733.00 per apartment in lieu of on-site Public Open Space, the monies being used to enhance toddler play provision at Is y Coed, Play Area, Mold.

Capital Projects & Planning

Schools Affected Primary School: Bryn Coch CP School

Current Number on Register 580 (excluding Nursery).

Capacity 599 (Excluding Nursery).

No. Surplus Places: 19.

Percentage of Surplus Places: 3.17%.

Schools Affected Secondary School: Alun High School

Current Number on Register is 1,572.

Capacity is 1,768.

No. of Surplus Places is 196.

Percentage of Surplus Places is 11.09%.

Primary School Pupils

School Capacity  $599 \times 5\% = 29.95$  (30).

$599 - 30 = 569$ . Trigger point for contributions is 569 pupils.

(No. of Units)  $20 \times 0.24$  (primary formula multiplier = 4.80 (5)).

No. of pupils created  $\times$  £12,257 per pupil (Building Let Multiple) = £61,285.

Actual pupils  $580 \times 5$  from multiplier = 585 does meet trigger.

Contribution requirement would be £61,285.

Secondary School Pupils

School capacity of  $1,768 \times 5\% = 88.40$  (88).

Capacity  $1,768 - 88 = 1,680$  Trigger point for contributions is 1,680 pupils.

1 No. of units  $20 \times 0.174$  (Secondary Formula Multiple) = 3.48 (3)

pupils generated  $\times$  £18,469 per pupil (Building Cost Multiple) = £18,469.

Actual pupils 1,572 x 3 = 1,575 does not meet trigger of 1,680 contribution requirement would be £0.

#### Council Ecologist

Consider that the site is primarily poor amenity grassland with boundary hedges and sporadic trees. The submitted ecological appraisal outlines good practice to ensure that the impact of construction works is managed on any species which may be present. Recommend the imposition of condition to address this issue.

### **4.00 PUBLICITY**

#### 4.01 Press Notice, Site Notice, Neighbour Notification

1 letter received which whilst not objecting to the principle of either commercial/residential development at this location, wishes to ensure that the development safeguards the privacy/amenity of occupiers of an existing dwelling 'Stonecroft' adjacent to the site.

### **5.00 SITE HISTORY**

#### 5.01 042134

Erection of light industrial/business units – Permitted 29<sup>th</sup> November 2006.

### **6.00 PLANNING POLICIES**

#### 6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development

Policy STR3 – Employment

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 and Traffic Impact

Policy AC18 – Parking Provision and New Development

Policy HSG3 – Housing of Unallocated Sites Within Settlement Boundaries

Policy HSG8 – Density of Development

Policy EM1 (17) – General Employment Land Allocations

Policy EM3 – Development Zones and Principal Employment Areas

Policy EM4 – Location of Other Employment Development

Policy EM6 – Protection of Employment Land

#### Additional Guidance

Planning Policy Wales (PPW) – Edition 10

Technical Advice Note 1 – Joint Housing Land Availability Studies.

Supplementary Planning Guidance Note 2 – Space Around Dwellings.

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This full application proposes the erection of 20 No. residential apartments on land to the rear of Park House an existing office building at Broncoed Business Park, Mold.

7.02 The site which amounts to approximately 0.36 hectares in area currently comprises a relatively flat area of unused/vacant grassland located on the southern side of the junction of Wrexham/Nercwys Road, Mold. It is located adjacent to an existing detached property 'Stonecroft' on the site eastern boundary which is in part defined by a higher raised embankment.

7.03 The site is located within the settlement boundary of Mold as defined in the Flintshire Unitary Development Plan. It is also within the Principal Employment Area and forms part of a larger employment allocation EM1 (17) at this location.

### **7.04 Proposed Development**

The plans submitted as part of the application propose the erection of a total of 20 No. apartments within 2 No. separate buildings on the site, interspersed by parking facilities and which includes:-

#### Block 1

This 2.5 storey building is proposed to accommodate 12 No. 4 person 2 bed apartments and would be located in the south-western part of the site. It measures approximately 25 m x 13 m x 10.5 m (high) and is to be constructed having facing brick/rendered external walls and a clay tile roof.

#### Block 2

This 2 storey building is proposed to accommodate 8 No. 4 person 2 bed apartments and is to be located on the eastern part of the site fronting onto the Wrexham/Nercwys Road junction. It measures approximately 32 m x 15 m x 8 m (high) and is to be constructed having facing brick/rendered external walls and a clay tile roof.

7.05 Vehicular access to serve the development is proposed as an extension to Ffordd Brynwr Gwair which serves the existing residential development at Broncoed and Park House office block. In addition the proposed site layout indicates the provision of 40 No. car park spaces to serve the development.

7.06 In addition to the standard forms/plans, the application comprises:-

- A Pre-Application Consultation Report.
- A Planning Statement.

- A Design & Access Statement.
- An Environmental Noise Survey.
- A Preliminary Ecological Appraisal.
- A Transport Statement.
- A Flood Consequences Assessment.
- A Commercial Viability Assessment Report.
- A Preliminary Ecological Report

7.07 Main Planning Considerations

It is considered that the main planning considerations to be taken into account in respect of this application are as follows:-

- a) Principle of development having regard to the site's location within a defined employment area and current situation regarding employment land availability within Mold.
- b) Scale/design/form of proposed buildings and impact on existing character/living conditions.
- c) Adequacy of access/parking.
- d) Impact on Privacy/Living conditions.
- e) Impact on ecology.

7.08 Principle of Development/Impact on Employment Land Availability

Whilst the site is located within the settlement boundary of Mold, it does form part of a larger employment allocation at Broncoed industrial Estate by virtue of Policy EM1(17).

7.09 In support of the application, a Commercial Viability Assessment has been submitted by the applicant which concludes that:-

- There is a surplus in the supply of commercial land within Mold.
- The site had been activity marketed for commercial development since 2008 without success.
- Commercial development is not viable.

7.10 The Local Planning Authority has commissioned an independent review of the report and its conclusions, given concerns relating to the cumulative effect over the years of a reduction in employment land supply within the town.

7.11 The independent assessment concludes as follows:-

“Within Mold there are low levels of demand for commercial space, this is compounded with an over-supply of stock currently available. Further to the market updates undertaken, this provides evidence that highlights that development on the site for industrial and office uses is financially unviable and alternative options should be considered”.

7.12 On this basis it is considered that it would be difficult to secure retention of this area of land for employment development and the

issue of employment land supply will be addressed further as part of the Local Development Plan (LDP). There is therefore no policy objection in these circumstances to the principle of residential development as an alternative land use on the site, subject to the safeguarding of relevant development management considerations.

7.13 Scale/Form & Impact on Character

It is considered that in locational terms, the site is more closely visually related to existing employment land and buildings at Broncoed Business Park than residential development nearby. The proposed scale, form and design of the proposed apartments blocks has sought to use existing office development as a reference point in this respect for the proposed apartments. The form and functionality is reflective of and sympathetic to this existing character.

7.14 Adequacy of Access/Parking

Consultation on the application has been undertaken with the Highway Development Control Manager who considers that the level of traffic movements associated with the development would be acceptable, recognising the existing highway configuration and site's initial allocation for employment development. It is however recommended that if Members are mindful to grant permission that conditions be imposed in respect of access, construction detail, gradient and surface water run-off

7.15 Impact on Privacy/Living Conditions

Of fundamental importance in consideration of this application is the relationship of both blocks of the proposed development to an existing residential property 'Stonecroft'. This existing 2 storey dwelling is sited adjacent to the sites southern boundary and there is a need to ensure that the privacy/living conditions of the occupiers of this dwelling are safeguarded as part of the proposed development.

7.16 Whilst the rear elevation of 'Stonecroft' is within approximately 2m of the common southern site boundary, it should be noted that there is levels difference between the position of 'Stonecroft' and the application site such that, in visual terms, 'Stonecroft' appears as a single storey dwelling when viewed from within the site. The existing levels difference, structural landscaping bund and existing tree and hedgerows upon the boundary, in combination, ensure that only the upper portion of the 3No. windows in the rear elevation at first floor level are viewable.

7.17 The proposed siting of Block 2 is such that it presents a flank elevation to the rear elevation of Stonecroft. Having regard to the guidance set out in SPGN2 – Space Around Dwellings, I note that normally a separation distance of 12 metres is advised. Whilst the closest part of Block 2 is located 8.36m from the rear elevation of 'Stonecroft', this portion of the building only provides one window at first floor level which is a secondary window to the lounge/dining room. A further

2No. secondary windows looks southward towards 'Stonecroft' from the lounge of the apartment further to the north. The separation distance provide from these windows is between 13m and 14m respectively.

- 7.18 Having regard to the guidance set out within the SPGN, I am content that the windows to the lounge are compliant with the same. I appreciate that the separation in relation to the lounge/dining room window falls below the guideline distance. However, I am mindful that the proposals incorporate obscure glazing with the elevations of Block 2 which face southwards towards the rear elevation to 'Stonecroft', including those to the lounge in the adjacent apartment. I am content that a condition requiring the lounge/dining room window to also be non-opening will ensure that the opportunities for adverse overlooking are addressed and consequently, no harm to the living conditions of the occupants of 'Stonecroft' is occasioned.
- 7.19 I have examined the eastward facing windows to the kitchen and bathroom within the apartment closest to the boundary and consider that the relationship of these windows to the rear elevation of Stonecroft is so oblique that there is no adverse opportunity for overlooking afforded by these proposals and consequently, these windows would not afford opportunities which would result in harm to living conditions.
- 7.20 I am mindful that Block 2 is a proposed 2 storey building upon land which is higher than the level upon which 'Stonecroft' is situated and therefore there is a need to consider whether the proposals would result in a development with an over dominant impact upon 'Stonecroft'. I note that the existing configuration of landform, boundaries and hedges/trees is such that they are all elevated in close proximity to the northern elevation of the dwelling and therefore have a significant and existing dominating effect upon the living conditions of the occupants, particularly in the northward facing rooms within the dwelling. The proposals within this application will not add to this situation. Indeed, the built form of the proposed building is such that it provides for only a 2 storey building and incorporates a hipped roof which moves the mass of the roof away from the dwelling and ensures that the impact of the buildings mass is minimised and the potential for an over dominant form of development is avoided.
- 7.21 Block 1 is proposed to be sited parallel to and between 10.6m and 11m of the residential curtilage of 'Stonecroft'. The nearest point of the building is some 25m away from the single storey extension to the side elevation of the dwelling, and some 29.5m away from the gable wall of the 2 storey main house. I note both single and storey elevations have windows, a large plate glass window at ground floor level and a small secondary window within the 2 storey component.

- 7.22 I note the SPGN advises that separation distances between principal elevations containing windows to habitable rooms should provide some 22m of separation. The proposals are compliant in this regard and, even if a further 2m of separation were sought to reflect the third storey to Block 1, these guideline distances are still met and exceeded. Furthermore, there would be no direct intervisibility between existing and proposed windows as a consequence of the land form, boundary fencing and existing landscaping that presently exists between the site and the dwelling. Accordingly, I do not consider that the proposed position of Block 1 would give rise to harm to the living conditions of the occupants of the dwelling itself.
- 7.23 I turn now to consider whether the position of Block 1, relative to the private curtilage area of 'Stonecroft', would have an over dominant impact upon this area and harm the occupants abilities to enjoy the same. I note that the topography of the area reflects the landform of the application site in that it rises steadily from its position adjacent to 'Stonecroft' in the north, towards its southern boundary. The level is comparatively flat across the east – west axis. The area is bounded to the east and south by an existing earth bund of approximately 2 m in height at its highest point and upon which is a mature landscaping scheme incorporating hedges, shrubbery and trees. The boundary is a close boarded fence of between 1.8m – 2m in height.
- 7.24 I am mindful that some 18m of the frontage of Block 1 faces the rear curtilage area of Stonecroft but I equally note that this area is some 40m in overall length. I have noted that the bund and associated landscaping is at its most effective and established along the eastern boundary, at this furthest extreme of the curtilage area from the house.
- 7.25 I consider that the in combination effect of the bund, the existing landscaping and a further scheme of landscaping to be submitted, agreed and implemented insofar as it relates to the southern boundary of the site, before any apartment is occupied, and a condition requiring all proposed finished floor and site levels to be submitted and agreed before any works commence would ensure that impacts upon the abilities of the occupants of 'Stonecroft' to enjoy this curtilage area would be minimised to the extent that harm is not occasioned.
- 7.26 Ecology  
Consultation on the application has been undertaken with the Council's Ecologist who considers that the management proposals contained within the accompanying ecological report are acceptable to ensure that there is no impact on existing species during construction works. This can be covered by way of the imposition of a condition.

## **8.00 CONCLUSION**

8.01 It is acknowledged that the proposed development would result in the loss of part of an area of allocated employment land which occupies an important key focal point at the entrance into Mold. The supporting Commercial Viability Assessment advanced by the applicant/agent has been scrutinised in depth, by way of an independent review commissioned by the Local Planning Authority. This confirms that the conclusions are a true reflection of the current market situation which exists. In this context its alternative use for residential development is in my view acceptable and the scale/form of the apartment blocks are reflective of the character/form of existing development at this location. In addition it is my view that a combination of separation distances/levels/existing & supplemental planning would help to safeguard the privacy/living conditions of the occupiers of Stonecroft in accord with Supplementary Planning Guidance.

## **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

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