

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **28<sup>TH</sup> JUNE 2017**

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

**SUBJECT:** **FULL APPLICATION – ERECTION OF 7 NO. DWELLINGS AND RETENTION /REFURBISHMENT OF EXISTING DWELLING AT IVY COTTAGE, QUEEN STREET, LEESWOOD.**

**APPLICATION NUMBER:** **056601**

**APPLICANT:** **MR. CARL HARLEY**

**SITE:** **IVY COTTAGE, QUEEN STREET, LEESWOOD**

**APPLICATION VALID DATE:** **17<sup>TH</sup> FEBRUARY 2017**

**LOCAL MEMBERS:** **COUNCILLOR R. HUGHES**

**TOWN/COMMUNITY COUNCIL:** **LEESWOOD COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **MEMBER REQUEST IN ORDER TO ASSESS IMPACT ON HIGHWAYS**

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

**1.00 SUMMARY**

1.01 This full application proposes the erection of a total of 7 (No.) new dwellings and the retention of an existing detached 17<sup>th</sup> Century 2 storey dwelling known as “Ivy Cottage”, on the northern side of Queen Street, Leeswood. The site amounts to approximately 0.25 hectares in area and forms the residential curtilage area associated with Ivy Cottage.

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

2.01 That conditional planning be granted subject to the applicant entering

into a Section 106 Obligation to:-

a) Secure the payment of £1,100 per new dwelling for the enhancement of the toddler play provision at Ffordd Sari, Recreation Ground, Leeswood and

b) Ensure the payment of an education contribution of £18,469 towards Information Technology at Castell Alun High School.

2.02 If the Obligation pursuant to Section 106 of the Town & Country Planning Act (as outlined above) is not completed within six months of the date of the committee resolution, the Chief Officer (Planning & Environment) be given delegated authority to **REFUSE** the application.

2.03 Conditions

1. Time limit on commencement.
2. In accordance with approved plans.
3. Materials to be submitted and approved.
4. Re-instatement of chimney on Ivy Cottage in accordance with agreed timescale.
5. Introduction of stone mullion within gable of Ivy Cottage in accordance with agreed timescale.
6. Landscaping scheme to be submitted and approved.
7. Timescale for implementation of approved landscaping scheme.
8. Highway conditions as necessary in respect of site/access gradients and visibility.
9. Drainage conditions as necessary in respect of foul/surface water drainage.

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor R. Hughes

Request site visit and planning committee determination in order to assess impact on highway network.

Leeswood Community Council

No response received at time of preparing report.

Highway Development Control Manager

No objection in principle, although requirement for construction details of new access road including access gradient and visibility to be submitted and approved.

Head of Pollution Control

No adverse comments.

Capital Projects & Property

Request the payment of an educational contribution of £18,469 to fund Information Technology at Castell Alun High School (See Main Report).

Public Open Spaces Manager

Request the payment of £1100 per dwelling in lieu of on-site recreational provision. The monies would be used to enhance the toddler play provision at Ffordd Pari Recreational Ground, Leeswood.

Dwr Cymru/Welsh Water

Awaiting response at time of preparing report.

**4.00 PUBLICITY**

4.01 Site Notice, Neighbour Notification

15 letters of objection received, the main points of which can be summarised as follows:-

- Increased traffic congestion.
- Further development would have a detrimental impact on highway safety.
- Displacement of existing parking associated with residential properties at Queen Street.
- Conflict with existing HGV movements serving the existing Co-op Convenience Store which is adjacent to the proposed site entrance.
- Detrimental impact on the privacy/amenity of occupiers of existing properties by way of overlooking given the difference in site levels.

**5.00 SITE HISTORY**

5.01 None relevant.

**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 D1 – Design Quality, Location & Layout.

Policy D2 – Design.

Policy HE4 – Buildings of Local Interest.

Policy AC13 – Access & Traffic Impact.

Policy AC18 – Policy Provision & New Development.

Policy HSG3 – Housing on Unallocated Sites within Settlement

Boundaries.  
Policy HSG8 – Density of Development.  
Policy HSG9 – Housing Mix & Type.

Additional Guidance

Local Planning Guidance Note 2 – Space About Dwellings.

**7.00 PLANNING APPRAISAL**

7.01 Introduction

The site, which amounts to approximately 0.25 hectares in area, is located on the north side of Queen Street Leeswood, between an existing convenience store car park to the north – west, and a pair of semi -detached properties to the south east near to the junction with County Road. The southern side of Queen Street is defined predominantly by terraced properties. The site gently slopes in a northerly direction with the difference in levels from Queen Street to the northern boundary being approximately 3m.

7.02 For Members' information the site is located within the settlement boundary of Leeswood, where the principle of residential development is supported subject to the safeguarding of relevant amenity considerations.

7.03 Proposed Development

The plans submitted as part of this application propose:-

- the retention/refurbishment of Ivy Cottage an existing 17<sup>th</sup> Century 2 storey property. Although it is not a Listed Building, it is considered to be an important building locally and worthy of retention
- the erection of a pair of semi-detached dwellings between Ivy Cottage and an existing pair of semi-detached properties Hazel Dene and Arosfa
- the erection of a detached dwelling to the south east of the existing convenience store car park and north west of the new access that is proposed to be formed into the site
- the erection of 2 No pairs of semi- detached properties focussed around a cul-de-sac head

7.04 Main Planning Issues

It is considered that the main planning issues can be summarised as follows:-

- Principle of development having regard to the planning policy framework
- Proposed scale of development / house types/site layout
- Adequacy of existing highways and access arrangements to serve the scale of development proposed
- Adequacy of foul/surface water drainage

- Impact on the privacy/amenity of occupiers of existing dwellings in proximity to the site.
- Open Space/ Education Contributions.

7.05 Principle of Development

The site is located within the settlement boundary of Leeswood a Category B settlement as defined in the Flintshire Unitary Development Plan with a growth threshold of 15% over the plan period (2000 – 2015). The monitoring of growth over a 15 year period as required by HSG3 ended on 1<sup>st</sup> April 2015, and therefore the Council no longer has the ability to apply the growth threshold part of this policy to require housing for local need. The principle of development for general market housing is therefore considered to be acceptable subject to the safeguarding of relevant amenity considerations.

7.06 Scale of Development/House Types/Site Layout

The predominant character of existing development opposite the application site frontage onto Queen Street is of terraced units. On the northern side of Queen Street it is of detached properties which are more sporadic in their form/layout.

7.07 It is considered that the proposed development of 7 No. new dwellings on 0.25 hectares would not represent overdevelopment at this location. The proposed density of 28 dwellings per hectare would be below the 30dph that is expected to be achieved on allocated housing sites but this scale provides an acceptable balance recognising the site levels, frontage form of development onto Queen Street and lower density to the rear of Ivy Cottage. It is therefore considered the proposal complies with Policy HSG8.

7.08 The frontage form of development including the introduction of a detached dwelling adjacent to the new access into the site provides a focal point along Queen Street which helps to screen the convenience store car park from wider views. The combination of frontage development including the erection of new dwellings around a central cul de sac head would be sympathetic to the character of existing development at this location.

7.09 In addition the proposed scheme secures the retention of Ivy Cottage an existing 17<sup>th</sup> Century 2 storey property which is considered to be an important building locally.

7.10 Consultation on the application has been undertaken with the Council's Conservation Officer who welcomes retention of the dwelling. It is recommended, however, that any permission be subject to conditions in order to retain key features e.g., chimneys, mullions which contribute to its historic fabric.

7.11 Highways/Access

Consultation on the application has been undertaken with the Highway Development Control Manager. Whilst the objections to the development are noted, having regard to current on-street parking situation for existing residents on Queen Street and relationship of the site to the existing convenience store, the Highway Development Control Manager raises no objection to the general principle of development at this location.

- 7.12 The applicant's agent acknowledges that the formation of the new access into the development could result in the potential loss of 2 (No.) parking spaces which currently exist on Queen Street. The agent has however advised the occupiers of Ivy Cottage currently park 2 vehicles on the highway and these would be relocated to within the site as help to retain the current level of on-street parking for existing residents at Queen Street.
- 7.13 Prior to the commencement of development details of additional information with regard to the access gradient/enhanced visibility will be required. .
- 7.14 Foul/Surface Water Drainage  
Prior to commencement of development details of drainage proposals utilising a connection to the Mains System will be required. .
- 7.15 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 existing properties in proximity to the site are safeguarded as part of the development.
- 7.16 The objections received in this respect are noted, and the impact of both frontage development onto Queen Street, and the development within the site on existing properties at County Road has been undertaken. The historic pattern of development at this location is such that the separation distances between the front elevations of existing properties onto Queen Street is approximately 15 m which is less than the 21 m specified in the Local Planning Guidance Note 2 Space About Dwellings (Adopted 2006). The proposed frontage development is reflective of the character of existing development at this location and the current separation distances between properties are therefore considered acceptable in light of this existing street pattern. In addition it is acknowledged that there are a number of existing properties at County Road adjacent to the site's northern boundary and whilst there is no direct interface relationship between the existing/proposed dwellings, this is a residential environment where given the difference in site levels/topography of the village, a certain degree of overlooking can reasonably be expected to occur. This has been borne out in the recent Bryn Llwyd yard appeal decision (055725) where the Inspector took the view that historic settlement patterns should be taken into account and even where a

proposal would increase the perception overlooking that can reasonably be expected to occur in a residential environment.

7.17 Open Space Requirements

Consultation on the application has been undertaken with the Council's Public Open Spaces Manager who in lieu of on-site recreational provision requests the payment of £1100 per dwelling. The required monies would be used to enhance toddler play provision at Ffordd Sari, Recreation Ground, Leeswood. This would need to be secured through the completion of a Section 106 Obligation.

7.18 Education Contributions

Consultation on this aspect of the development has been undertaken with Capital Projects of Property who advise that there is adequate capacity within Leeswood County Primary School to serve the development. The current shortfall of surplus places in Castell Alun High School having the scale of development proposed would generate the need for an additional contribution requirement of £18,649. For Members information this is calculated on the basis of the formula which is applied as follows:-

School capacity  $1240 \times 5\% = 62$ .

Capacity  $1240 - 62 = 1178$ .

Trigger point for contributions is 1178 pupils.

Number of units  $8 \times 0.174$  (secondary formula multiplier) = 1.39 pupils (1 pupil).

$1 \times £18,469$  per pupil (Building Cost Multiplier) = £18,469

School pupils  $1240 + 1 = 1241$  meets trigger of 1178

7.19 The Education Department have identified a specific project whereby the monies requested would be used to improve Information Technology provision within the school. The infrastructure and monetary contributions that can be required from the proposal have to be assessed under 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 the 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.

8.00 CONCLUSION

In conclusion it is my view that the proposed scale/form of development would be sympathetic to the character of the site and surroundings. The proposed scheme retains Ivy Cottage, a 17<sup>th</sup> century building which is considered important in relation to the historical development of Leeswood. Whilst concerns have been raised in relation to the impact of development on existing on street parking arrangements and the servicing by HGV vehicles of the adjacent convenience store, there is no objection from the Highway Development Control Manager. In addition the privacy/amenity of occupiers of existing/proposed dwellings can be safeguarded. I therefore recommend accordingly.

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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