

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **4TH OCTOBER 2017**

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

SUBJECT: **FULL APPLICATION – ERECTION OF 5 NO. DWELLINGS AT 120 SHOTTON LANE, SHOTTON.**

APPLICATION NUMBER: **057115**

APPLICANT: **MR. FAULKNER**

SITE: **120 SHOTTON LANE, SHOTTON.**

APPLICATION VALID DATE: **14TH JUNE 2017**

LOCAL MEMBERS: **COUNCILLOR D. EVANS**

TOWN/COMMUNITY COUNCIL: **SHOTTON TOWN COUNCIL**

REASON FOR COMMITTEE: **AT THE REQUEST OF THE LOCAL MEMBER IN ORDER THAT COMMITTEE MIGHT VIEW HIS CONCERNS ON SITE.**

SITE VISIT: **YES, AT THE REQUEST OF THE LOCAL MEMBER**

1.00 SUMMARY

1.01 This is a full application for the redevelopment of the site for residential development consisting of the erection of 5 No. dwellings, together with the creation of 4 No. driveway access points.

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

2.01 That conditional permission be granted, subject to the following conditions;

1. Time limit – 5 years
2. In accordance with the approved plans
3. Samples of the proposed external finish materials to be

- submitted and agreed.
4. Siting, layout and design of the means of site access to be submitted to and agreed. No access to be formed until details agreed.
 5. Plot 1 access visibility to north west to be 2.4m x 43m. Details to be submitted and agreed prior to commencement of any site works. No obstruction to visibility in excess of 1.0m above the nearside channel level of the adjoining highway.
 6. Plot 5 access visibility to north east to be 2.4m x 43m. Details to be submitted and agreed prior to commencement of any site works. No obstruction to visibility in excess of 1.0m above the nearside channel level of the adjoining highway.
 7. Means of highway enclosure to be submitted and agreed prior to any other site works.
 8. The gradient of the accesses from the back of the proposed footway shall not exceed 1 in 12.
 9. A 1.8m wide footway to be provided along the site frontage has been submitted and approved.
 10. Scheme to replace weight restriction sign, post and illumination to be submitted and agreed.
 11. No development to take place until a Construction Traffic Management Plan has been submitted and agreed.
 12. No development shall take place until a scheme of hard and soft landscaping for the site has been submitted and approved.
 13. Implementation of landscaping and 5 years maintenance.
 14. Scheme for foul, surface and land drainage waters from the site has been submitted and approved. Scheme to for positive means to prevent the run-off of surface water from any part of the site onto the highway.
 15. No development to commence until a Construction Traffic Management Plan submitted and approved.

3.00 CONSULTATIONS

3.01 Local Member: Councillor D. Evans

Requests committee determination and site visit. No objection to the principle of development, acknowledging that permission presently exists for 5 dwellings. However, objects to the proposals due to the following;

- Highway safety impacts due to additional traffic and the access being located at the junction of three roads;
- Inappropriate access point on a dangerous bend;
- Increased risk to pedestrians;
- Poor visibility at proposed access points;
- Inappropriate density of development having regard to the locality; and
- Proposed dwellings inappropriate in relation to the character

of the area.

Adjacent Ward Member

Councillor S. Bibby

No objection to the principle of development but objects to the proposals due to the impact upon constituents upon Killins Lane in the following manner;

- Highway safety impacts due to additional traffic and the access being located at the junction of three roads;
- Inappropriate access point on a dangerous bend;
- Increased risk to pedestrians;
- Poor visibility at proposed access points; and
- Inappropriate density of development having regard to the locality.

Shotton Town Council

No response at time of writing.

Public Protection

No response at time of writing.

Highways (DC)

No objection subject to the imposition of conditions.

Dwr Cymru/Welsh Water

No response at time of writing.

Natural Resources Wales

No response at time of writing.

CPAT

Requests a condition requiring a building record to be undertaken prior to the commencement of any other site works.

Wales and West Utilities

No objections to the proposal, however, apparatus may be at risk during construction works and the promoter of the works should be advised to contact Wales & West Utilities directly.

Public Open Spaces Manager

No on site provision is required. Commuted sum of £5500 required to be spent at Central Drive Play Area, Shotton.

4.00 PUBLICITY

- 4.01 This application has been publicised by way of the display of a Site Notice and Neighbour Notification letters. 7 No. letters have been received which, whilst no objecting to the principle of development, raise concern in respect of the following matters;

- Potential for increased parking on the roadside;
- Highway safety impacts due to additional traffic and the access being located at the junction of three roads;
- Increased risk to pedestrians;
- Poor visibility at proposed access points; and
- Inappropriate density of development having regard to the locality.

5.00 SITE HISTORY

5.01 054823

Demolition of 2no. derelict cottages and erection of 5no. dwellings
Withdrawn 1.3.2016

055144

Demolition of 2no. derelict cottages and erection of 5no. dwellings
Permitted 7.12.2016

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 D3 - Landscaping

Policy D5 - Crime prevention

Policy AC13 - Access and Traffic Impact

Policy AC18 - Parking Provision and New Development

Policy HSG3 - Housing on unallocated sites inside settlements

Policy HSG8 - Density of Development

Policy SR5 - Outdoor playing space & new residential dev't.

Local/Supplementary Planning Guidance Notes

SPGN 4 - Trees and Development

SPGN11 - Parking standards

SPGN 13 - Open Space Requirements

National Planning Policy

Planning Policy Wales Edition 9 November 2016

7.00 PLANNING APPRAISAL

7.01 The Site and Surroundings

The site comprises a 0.11 hectare area of previously developed land within the settlement boundary of Shotton. The site was latterly the site of a pair of dilapidated cottages and their associated curtilage.

7.02 The topography of the site is such that it downhill towards Shotton Lane north to south. The site is situated within an area of residential development. The northern and western boundaries of the site abut existing residential garden spaces and these boundaries are formed by a mixture of timber fences with a small number of self-seeded trees. The western and southern site boundaries are open to the adjacent highway. There is presently no vehicular access is to the site.

7.03 The Proposed Development

The proposals provide for the redevelopment of this site via the demolition of the cottages and the erection of 5No. new dwellings. These are proposed to take the form of 4No. 3 bed dwellings arranged in 2 pairs of semi-detached units and a single detached 4 bed dwelling. The proposals seek to create vehicular access in the form of 1No. shared driveway to serve one pair of semi-detached units from Killins Lane and individual driveway accesses to the remaining units from both Killins Lane and Shotton Lane.

7.04 Members should note that the principle of the development of this site for the purpose of erecting 5 dwellings has been established via permission granted under Ref: 055144.

7.05 The Main Issues

The main issues for consideration in the determination of this application are:

- the principle of the development in planning policy terms,
- design considerations and impact upon adjacent residential amenity;
- highway impacts; &
- Ecological Implications.

7.06 Principle of Development

Within the UDP, Shotton is classified as a Category A settlement where housing growth is expected to occur. The site is sustainably located with access to bus services and nearby local facilities Accordingly, the principle of the development of this site is established via the policy presumption in favour of development of this type in this location.

7.07 Design and Amenity Impacts

The proposals have taken their design influence largely from the form

of residential development which abuts the site, namely 2 storey semi-detached and detached dwellings. The application is accompanied by a design statement and detailed discussions have taken place with the applicant to arrive at the current layout and design. Whilst the scheme is high in terms of density, at 45 dwellings per hectare, this is reflective of both national and local planning guidance which seeks to make the best and most sustainable use of land and more importantly, does not look out of character with the existing adjacent built form.

- 7.08 A palette of materials has been suggested for the external finishes of the scheme to enhance the visual impact of the buildings and to complement the character of the area. I propose to condition the submission and agreement of samples to be used, albeit that the scheme proposes the use of brick and concrete roofing tiles.
- 7.09 The proposed scheme would redevelop a derelict site within the settlement in accordance with development plan policies. The proposals would not be out of character with the site and its surroundings and is of a design, utilising quality materials which would enhance the overall appearance of the area.
- 7.10 The scheme provides for dwellings with adequate separation distances not only to those dwellings abutting the site but also within the site itself. Particular regard has been had to the relationship of the proposed dwellings to the amenity areas of adjacent dwellings. The dwellings are arranged and sited such that they relate well to the adjacent dwellings and do not result in adverse overlooking. The properties achieve 11 metres of garden depth and all provide an area of private amenity space in accordance with LPGN 2 – Space around Dwellings. I am therefore satisfied that future occupiers of these units will have an adequate degree of amenity space.
- 7.11 Highway Impacts
The proposals provide for the site to be served via four new points of vehicular access. These serve each of the pairs of semis, with off road car parking bays serving one of the dwellings off Shotton Lane. Car parking spaces are provided at a level in accordance with Policy AC18.
- 7.12 Concerns have been raised in respect of the proposed proximity of the access points to the junction between Killins Lane and Shotton Lane and the impact this would have upon both the safety of future occupants of the dwellings and users of the highway. Also raised are concerns in respect of pedestrian safety and the adequacy of footpath links across the site frontage.
- 7.13 The proposals have been the subject of consideration by the Highway Authority who do not raise any objection to the proposals, subject to the imposition of conditions. Amongst these conditions are the

requirements for visibility splays of 2.4m x 43m and the provision of a 1.8m footway across the site frontage.

Ecological Impacts

- 7.14 Given the dilapidated nature of the cottages which were upon the site, the potential for these to offer suitable habitat to bats and birds had been recognised and an a previously granted planning permission upon the site was accompanied by an appropriate assessment in respect of the same. These investigations established that the buildings did not offer any habitat or roosting sites for bats.

- 7.15 Members will note from the site visit that the original cottages have been demolished. This action is permitted under the previously approved scheme (055144).

Other matters

- 7.16 No public open space is proposed as part of the development. Due to the type and size of the proposed development the Authority would not be seeking on site recreation provision. However, the scheme will still be required to address the Council's policy and guidance requirements in relation to the need for the scheme to provide for the public open and recreation need of future occupiers.

- 7.17 Accordingly the applicant would be invited to enter into a S.106 agreement, offer a Unilateral Undertaking or make advance payment of £5500, with such sum being used to enhance the facilities at the nearby Central Drive Children's Play Area. However, Members should note that a voluntary contribution of the required £5500 was paid by the applicant in respect of this matter in connection with the previously approved scheme (055144).

- 7.18 Accordingly, I do not propose to make the requirement to enter into a S.106 agreement a matter upon which permission should be conditional in this instance as the sum has already been paid to the Council for the same purpose. Members should be reassured that no situation can arise whereby both permission 055144 or any permission granted in connection with this application can both be implemented. The implementation of one prevents the implementation of the other.

- 7.19 Whilst CPAT have requested the imposition of a condition requiring a photographic recording survey to be undertaken, Members will have noted the original cottages have been demolished as part of a commencement pursuant to permission ref: 055144. Therefore such a condition cannot be imposed as such a condition cannot now be complied with under any permission which may be granted.

8.00 CONCLUSION

- 8.01 I consider that the proposal is acceptable in both principle and detail

and the development proposed would be acceptable at this location meeting the Council's requirements. I therefore recommend accordingly.

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.

8.03 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 The Council has had due regard to its public sector equality duty under the Equality Act 2010.

8.05 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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