

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **6TH JULY 2022**

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

SUBJECT: **OUTLINE APPLICATION – REDEVELOPMENT OF FORMER BUCKLEY POLICE STATION INCLUDING DEMOLITION OF EXISTING BUILDING AND ERECTION OF 9 NEW BUILDING APARTMENTS AND ASSOCIATED PARKING WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS, LAYOUT AND SCALE.**

APPLICATION NUMBER: **061388**

APPLICANT: **MR PHILIP BARLOW**

SITE: **FORMER BUCKLEY POLICE STATION, MOLD ROAD, BUCKLEY, FLINTSHIRE. CH7 2JB**

APPLICATION VALID DATE: **9TH JUNE 2020**

LOCAL MEMBERS: **COUNCILLOR Mrs. C. ELLIS**

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **AT THE REQUEST OF THE LOCAL MEMBER GIVEN LOCAL INTEREST AND POTENTIAL IMPACTS UPON THE SURROUNDING AREA**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 The application consists of an outline planning application for residential development 9 apartments (7no. 2bed and 2no. 1bed) on approximately 0.1ha of land. The matters for which approval is sought are access, layout and scale with appearance, and landscaping reserved for future consideration.

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

2.01 Conditions:

1. Details of the appearance and landscaping
2. Time limit to submit reserved matters
3. Time limit for commencement
4. Foul drainage to be submitted before any development is commenced
5. Enhanced double/secondary glazing to provide protection from noise
6. Existing access from Argoed Road to be permanently closed prior to first occupation of any apartment hereby approved.
7. Frontage boundary to Mold Road to not exceed 0.6m in height above nearside channel level.
8. Facilities for parking and turning of vehicles shall be provided and retained at all times within the site.
9. Construction Traffic Management Plan to be submitted before any development is commenced.
10. Notwithstanding submitted details, windows as indicated to be obscure glazed and fixed in accordance with a scheme to be submitted and agreed.

3.00 CONSULTATIONS

3.01 Local Member - Councillor Mrs. C. Ellis: Requests committee determination and site visit in view of level of public interest and the potential for the proposals to impact upon the surrounding areas

Buckley Town Council: Reiterates the comments of the Local Member and notes the public interest and potential impact upon Buckley Town Council Car Park.

Highways DC: Requests the imposition of conditions and supplementary notes.

Community & Business Protection: No objection in principle. Request the imposition of a condition requiring the installation of enhanced glazing to protect living conditions from noise.

Built Conservation: The overall design and massing is consistent with other buildings within its immediate environment and would not adversely affect the appearance and setting of the nearby Grade II listed Buckley Town Council Offices and Library.

Welsh Water/Dwr Cymru: Requests the imposition of conditions requiring the proposed drainage scheme to be submitted and agreed before development commences. Requests advisory notes are

included within the permission to ensure no detrimental to the existing residents or the environment and to Dwr Cymru Water's assets.

Airbus: No objection on the basis that there is no aerodrome safeguarding impact arising from the proposal.

The Coal Authority: Request that the Coal Authority Standing Advice note be attached to any permission granted.

4.00 PUBLICITY

4.01 The application was publicised via Press Notice, Site Notice and Neighbour Notifications. At the time of writing this report 6 letters have been received, 4 raising objection, 1 offering support and a final letter from The Royal Buckley Town Band seeking assurance from the developer that their use rights of nearby parking and access facilities will not be impacted as a result of the development.

4.02 Objections:

- Will afford increasing overlooking opportunities to adjacent dwellings;
- Will have an adverse overbearing impact upon adjacent living conditions;
- Will see the loss of an iconic building;
- There are insufficient amenities and local facilities to support further residential development;
- The town has seen a proliferation of apartment development; and
- Potential conflict between access and bus stop which may affect prosperity of town and reduce opportunities for local shopping.

4.03 Support:

- Will see vacant town centre site tidied up; and
- Will reduce opportunities for anti-social behaviour.

5.00 SITE HISTORY

5.01 **037955** – Upgrading access to public entrance into police station – Permitted 14.8.2004

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
Policy STR1 New Development
Policy STR4 Housing
Policy STR10 Resources

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 HE2 Development affecting Listed Buildings & their Settings
Policy AC3 Cycling Provision
Policy AC13 Access and Traffic Impact
Policy HSG3 Housing on Unallocated Sites Within Settlement Boundaries
Policy HSG8 Density of Development
Policy HSG9 Housing Mix and Type
Policy EWP13 Nuisance

Supplementary Planning Guidance

SPGN No 9. Affordable Housing
SPGN No 11. Parking Standards

National: Guidance

Future Wales Development Plan 2020-2040
Planning Policy Wales (PPW) Edition 11
Technical advice note (TAN) 11: Noise
Technical advice note (TAN) 24: The historic environment

7.00 PLANNING APPRAISAL

7.01 The Site and Surroundings

The site lies within Buckley Town Centre it is surrounded by a mix of retail, commercial, public and residential buildings and comprises approximately 0.1ha of land on the northern side of Mold Road. The natural ground levels across the site gradually fall by approximately 1.3m from the south (Mold Road) towards the northern boundary of the site.

7.02 A former Police Station occupies the site. It is a detached double fronted two storey rendered building set back from Mold Road. To the rear are a cluster of single storey extensions including a detached double garage. A 1m and 2m brick wall, together with 2m mesh fencing enclose the site.

7.03 Mold Road bounds the site to the south, whilst Argoed Road and a car parking area for the nearby Town Hall is adjacent the eastern boundary. On the opposite side of Argoed Road are 2 and 3½ storey properties. To the west of the site a row of two storey commercial properties with an external storage area for a builder's merchants behind. A car parking area, electrical substation and telecommunications mast are immediately to the north.

7.04 The Proposals

The application consists of an outline planning application for residential development (9 apartments 7no. 2bed and 2no. 1bed) on approximately 0.1ha of land. The matters for which approval is sought are access, layout and scale with appearance and landscaping reserved for future consideration.

7.05 The existing access off Mold Road would be improved to provide pedestrian and vehicular access to the residential development. Visibility splays of 89m and 85m to the east and west respectively would be provided. There would be 10 off-street car parking spaces for the 9 apartments.

7.06 The new apartment building is set back from Mold Road by approximately 23m. The car parking provision is at the front with the apartment building siting at the rear of the site behind the buildings fronting Mold Road. Amenity spaces are provided at the front and rear of the building.

7.07 The 9 apartments are arranged over two and three storeys. As the final appearance of the proposed building would have a maximum height, width and length of 10.5m, 14.8m and 29.4m respectively. The lower heights of the building are 9.35m, 8.5m and 8m.

7.08 Main Issues:

The main issues to be considered in determination of this planning application relate to:

- a) Principle of the development, having regard to the Development Plan;
- b) Impact upon the setting of the nearby Listed Building;
- c) Impacts upon the character and appearance of the area;
- d) Impact upon existing nearby living conditions; and
- e) Access and Parking.

7.09 Principle of the Development

The proposed development is located within the settlement boundary of Buckley, a category A settlement as defined in the Flintshire Unitary Development Plan. In such locations, the principle of general market housing on unallocated sites is acceptable under Policy HSG3.

7.10 In addition to Policy HSG3, Policies GEN1, D1, D2 and HE2 require residential development to harmonise with the site and surroundings; not have a significant adverse impact on townscapes, built heritage or the historic environment; and not adversely affect the living conditions of nearby residents. These requirements are consistent with the main considerations in relation to this application.

- 7.11 Given the location of the site in a Category A settlement, the application site is considered to be in an accessible and sustainable location as public transport options are directly adjacent to the site and local services and amenities are all available within reasonable walking distance.
- 7.12 Impact upon the setting of the nearby Listed Building
The site is located adjacent to the Buckley Town Council Offices and Library, which is a Grade II listed building. The proposed new building would be set back at the rear of the site with the front utilised for car parking. The set back from Mold Road opens up the entire frontage of the site resulting in the listed asset becoming more visible from Mold Road, particular when approaching from the west.
- 7.13 It is considered that the overall design and massing is consistent with other buildings within its immediate environment and it would not adversely affect the appearance and setting of the grade II listed Buckley Town Council Offices and Library. As such, I am content that the proposal satisfies policy HE2 and the guidance set out within TAN24.
- 7.14 Impacts upon the character and appearance of the area
It is considered that the overall design and massing of the proposed apartment building is consistent with other buildings within its immediate environment. The development makes the most efficient use of available land and reflects the characteristics of the site and surrounding area without compromising the quality of the living environment.
- 7.15 The proposal provides a mix of 1 and 2 bedroomed apartments to contribute to a mixed and socially inclusive community. As the site is less than 1ha and the number of dwellings is less than 25, there is no requirement for the provision of affordable housing through this scheme.
- 7.16 The proposal therefore satisfies UDP policies HSG8, HSG9 and HSG10.
- 7.17 Impact upon existing nearby living conditions
It is of fundamental importance that the living conditions of the surrounding can be safeguarded. It is noted that Community and Business Protection colleagues have advised that risk to living conditions occasioned by noise likely to arise given the location of the site within a town centre can be mitigated by a scheme of enhanced glazing. It is proposed to condition accordingly and therefore, in this regard, the requirements of policy EPW13 and the advice set out in TAN 11 are satisfied.
- 7.18 It is noted that the properties most likely to be affected by the proposals are those on Mold Road to the west of the site, and those

on Argoed Road to the east. There are 2no. apartments located within the former fire station building to the east of the site. It is noted that the west facing elevation of those apartments has windows to a living rooms at ground floor and windows to a landing, kitchen and bathroom at first floor level. Having regard to the guidance set out in SPGN2, the living room would meet the definition of a habitable room but the rooms at first floor level would not.

- 7.19 I note that a boundary wall of approx. 2.5m metres is proposed upon the northernmost part of the eastern boundary of the site which together with the high level landscaping proposed along this boundary would ensure that there is no direct visibility between the bedroom windows in the east facing elevation of the northernmost apartment. Accordingly, I consider the separation of between 13.9m and 14.6m in this area would be considered acceptable, meeting the guidance for such separation to be 12m.
- 7.20 Turning to consider the south facing elevations of the apartments at the former fire station building, I note that the apartments within this elevation provide a bedroom at ground floor level and a living room at first floor level. Both of these rooms would meet the definition of a habitable room within SPGN2. The guidance suggests that the distance in such circumstances should be 22m where there is direct overlooking possible,
- 7.21 I have noted that the proposals would provide for an apartment at ground, first and second floor levels with living room and bedroom windows within the eastward facing elevation. The second storey apartment would also provide for a bathroom window. However, considering that the relationship between the living room windows proposed in each proposed apartment, and the existing windows in the existing apartments is very oblique, I do not believe that direct overlooking is possible from these windows. Accordingly, the 13.1 m of separation is considered acceptable.
- 7.22 In consideration of the fact that the bedroom windows in each of the 3 proposed apartments would potential result in unacceptable direct overlooking of the existing apartments, the design of the proposed apartments has been amended. The design has also incorporated amendment to the proposed bathroom window at second floor level. These amendments have introduced 'oriel' style windows which provide a combination of an obscure glazed panel and a clear glazed component which is angled away from the existing apartments. As a consequence, there is no direct overlooking of the existing apartments possible.
- 7.23 Accordingly, in respect of the relationship between the proposed apartments and the existing apartments to the east, I am satisfied that no unacceptable overlooking arises and the proposals are broadly compliant with Policy GEN1.

7.24 I am also mindful that, notwithstanding that the vast majority of the land to the west of the site is in commercial use, there is a residential dwelling to the rear of the commercial premises at 16 Mold Road, adjacent to the application site. I am also mindful of concerns raised in response to consultation in this regard.

7.25 I have noted that the principal windows serving the proposed kitchen/living room in the westward facing apartments could potentially overlook habitable rooms at 16 Mold Road. I note the separation is of the order of 16m and the relationship is not direct, but is not so oblique that I would not consider there to be a potential impact. Accordingly, I am minded to condition that, notwithstanding the submitted particulars, these windows shall be obscure glazed and fixed in accordance with a scheme to be submitted and agreed. I have also noted concern raised in respect of the proposed location of the bin store. I consider this location is acceptable as the bin store is an enclosed building and the details of the boundary in this location will be provided as part of the landscaping proposals Reserved for subsequent approval.

7.26 Therefore, subject to the suggest condition, I consider the proposals are broadly compliant with Policy GEN1.

7.27 I have also considered whether adequate amenity areas are provided as part of this scheme. The amenity areas are split between the north and south of the apartment building, amounting to approximately 190m². Given that SPGN2 does not provide guidance in this regard, I consider that as areas are available at either end of the site, there is adequate provision of amenity space.

7.28 Access and Parking

The existing access off Mold Road would be improved to provide pedestrian and vehicular access to the residential development. Visibility splays of 89m and 85m to the east and west respectively would be provided. There would be 10 off-street car parking spaces for the 9 apartments. No objections have been raised by Highways DC to either the proposed access and car parking, or the positioning of the same in relation to the existing bus stop on Mold Road.

7.29 Therefore, it is considered both the access and car parking are adequate and in accordance with policy AC13 and AC18.

8.00 CONCLUSION

8.01 The application proposes the erection of 9no. apartments on the site of the former Police Station, Mold Road, Buckley. Given that the surrounding neighbourhood is made up of a variety of forms and scale of development. The provision of an apartment building of 3 storeys would accord with the character of the area. Additionally, the

proposed for residential development located within a Category A settlement boundary is considered acceptable.

- 8.02 Given the proximity of the site to a Grade II listed building, the location and design of the building should be carefully considered to protect the setting of the listed building and comply with policy and planning guidance.
- 8.03 In conclusion, as the principle of residential development is acceptable at this location, and the details of those matters for consideration as part of this Outline application are broadly compliant with the applicable policies and guidance, the application is recommended for Conditional Permission.
- 8.04 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.
- 8.05 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.
- 8.06 The Council has had due regard to its public sector equality duty under the Equality Act 2010.
- 8.07 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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