

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **6TH DECEMBER 2017**

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

SUBJECT: **FULL APPLICATION – AMENDMENT TO PREVIOUSLY APPROVED APPLICATION FOR TWO DWELLINGS REF: 055414, TO ALLOW CHANGE IN HOUSE TYPES AT RHYDDYN FARM, HAWARDEN ROAD, HOPE.**

APPLICATION NUMBER: **057633**

APPLICANT: **BETHAM LIMITED**

SITE: **RHYDDYN FARM, HAWARDEN ROAD, HOPE**

APPLICATION VALID DATE: **09.10.17**

LOCAL MEMBERS: **COUNCILLOR G HEALEY**

TOWN/COMMUNITY COUNCIL: **HOPE**

REASON FOR COMMITTEE: **DEPARTURE FROM DEVELOPMENT PLAN**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full planning application for the erection of 2 dwellings with associated parking and private gardens. This is an amendment to the previously approved planning application for two dwellings 055414 on the site. The principle of development of 2 dwellings in a location outside the defined settlement boundary adjacent to a Category B settlement was established by 055414. It is considered that the change of house types generates no significant harm to the Conservation Area, on residential amenity or raises highways issues.

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

- 2.01
1. Time Commencement 2 years
 2. Plans
 3. Removal of permitted development rights for extensions, alterations to the roof and buildings in the garden.
 4. Site levels – existing and proposed
 5. Contaminated Land Assessment
 6. Materials
 7. Landscaping and boundary treatment
 8. Foul, surface water and land drainage

3.00 CONSULTATIONS

3.01 Local Member
Councillor G Healey

I have received representations from a member of the ward who is concerned that the applicant is being allowed to use building materials that he says are inappropriate for use in a Conservation Area.

Hope Community Council

The Community Council objected to the original application due to safety concerns of the access.

Highways Development Control Manager

Await comments on visibility splay.

Head of Public Protection

The site is close to a former landfill site it is recommended that a site investigation is undertaken this can be secured by condition.

Welsh Water/Dwr Cymru

No objections subject to standard conditions requiring details of foul, surface water and land drainage.

Wales and West Utilities

No objection however there is equipment in the area and their apparatus may be at risk.

Public Rights of Way

Public Footpath 64 runs to the north of the application site but appears unaffected by the development.

CPAT

There are no archaeological implications for the proposed development. It would have no significant impact upon the setting of the scheduled dyke.

4.00 PUBLICITY

4.01 Press Notice, Site Notice and Neighbour Notification

The application was advertised as a departure from the development plan, affecting a public right of way and as affecting the character and appearance of a conservation area.

2 objections on the grounds of;

- Detrimental impact on the character and appearance of the conservation area
- Building should be of high quality design and traditionally constructed
- Concern about the size and height of the proposed dwellings adjacent to a bungalow
- Roof should be real slate not imitation
- Windows and doors should be wooden and not UPVC
- Chimneys should be a key feature
- Timber cladding is inappropriate
- Dwellings should be brick
- The garage should be a separate building and not integral
- Block paving is not appropriate
- Fencing should be specified with hedging along the roadside boundaries
- Should be cast iron guttering
- Concerns about the access and parking and road accidents, more parking should be provided
- Loss of open space and views to Watts Dyke and Rhyddyn Farm
- Dwellings are too large for the plots
- Should be traditional architecture not modern
- Parking should be at the rear to reduce the impact from the road
- Site would be more suitable for two semi-detached properties

5.00 SITE HISTORY

5.01 355/62 Outline application for erection of houses and/or bungalows.
Approved

51/64 Proposed erection of houses. Approved.

218/64 Outline application for erection of houses and bungalows
Refused

055414 - Erection of 2 dwellings. Approved 05.10.16

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
STR1 - New Development
STR4 - Housing
STR8 - Built Environment
STR10 - Resources
GEN1 - General Requirements for New Development
GEN3 - Development Outside Settlement Boundaries
D1 - Design Quality, Location and Layout
D2 - Design
D3 – Landscaping
HE1 – Development Affecting Conservation Areas
TWH1 - Development Affecting Trees and Woodlands
WB1 - Species Protection
AC13 - Access and Traffic Impact
AC18 - Parking Provision and New Development
HSG4 – New Dwellings Outside Settlement Boundaries
HSG5 – Limited Infill Development Outside Settlement Boundaries
HSG8 - Density of Development
HSG9 - Housing Mix and Type
SR5 - Outdoor Play Space and New Residential Development
EWP3 - Renewable Energy in New Development
EWP14 – Derelict and Contaminated Land
EWP16 – Water Resources
Planning Policy Wales Edition 9 November 2016
TAN 1 Joint Housing Availability Studies 2015

The compliance of the proposal with the relevant policies is set out in the planning appraisal below.

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the erection of two detached dwellings with associated parking and turning and private gardens on a 0.1 hectare site on land adjacent to Rhyddyn Farm, Caergwrle. This is an amendment to the previously approved planning application for two dwellings 055414 on the site.

7.02 Site Description

The site is located off the A550 to the north of the settlement of Hope. The site is bounded to the north by the newly constructed medical centre. To the south is an existing residential dwelling 'Wistonia' and to the east is Rhyddyn Farm house and to the north east the property of Badgers Bank. There is an access road to these properties which runs along the southern boundary of the site adjacent to 'Wistonia'. The site currently has no vehicular access points. The site is elevated above the A550 and there is a wooden post and rail fence before the land slopes down to the footway by means of a grass verge. Its eastern boundary comprises a mature conifer hedge. Along the

southern boundary is a stone wall with a hedge along the site boundary. The boundary with the medical centre to the north is demarcated with a wooden post and rail fence.

7.03 The site is located inside the Caergwrle Conservation Area and outside the settlement boundary within the adopted Flintshire Unitary Development Plan.

7.04 Proposed development

This is a full planning application for the erection of 2 detached six bedroom two storey dwellings with rooms in the roof. The proposed dwellings would be accessed via a single point of access off the A550 with parking for four cars and a turning area to serve both properties. Each property also has an integral double garage providing an additional 2 parking spaces for each dwelling. The conifer hedge on the northern boundary is located on the adjacent land but significantly overhangs the application site. It is proposed to cut back the hedge on the development side. The proposed dwellings are render with wooden cladding and an imitation slate tiled roof.

7.05 Principle of Development

The principle of development in this location outside the settlement boundary was established by planning application 055414. The previous consent for 2 houses was granted on 05.10.16 and is therefore still extant. The matters for consideration as part of this application therefore are the impact of the dwellings on the Conservation Area, impacts on residential amenity, space around dwellings and access and parking.

7.06 Design and impact on the Conservation Area

The proposal is for 2 two storey dwellings within the Conservation Area. The site is a parcel of undeveloped open land which is viewed in the context of the newly built medical centre which is a large render building and the adjacent bungalow which is brick with a concrete tiled roof. The medical centre building is higher than a domestic two storey building and has a large car park which is partially in the Conservation Area with lighting columns and fencing. There are two further two storey residential properties of Rhyddyn Farm and Badgers Bank. Rhyddyn Farm is screened from the A550 by the existing conifer hedge which is proposed to be retained. Badgers Bank is visible however this is in an elevated position from the road.

7.07 The Conservation area has the castle at its core with the surrounding pattern of red brick terraced housing which is also evident across the road from the development site. The site however is viewed in the context of the Medical Centre therefore it is considered the two storey nature of the dwellings and the choice of render finish and timber boarding is appropriate in this location. The roof covering would be similar in colour and profile to the adjacent Medical Centre and a similar tile is proposed. It is therefore considered that the proposed

development would enhance the character of the Conservation Area. The site although an open space is not an area of open space which makes any significant positive contribution to the character of the Conservation Area. An objector has stated that the proposed dwellings should be traditional in design with use of traditional materials and chimneys. However given this context of the site it is considered that the proposed design and materials would be appropriate and would enhance the Conservation Area.

- 7.08 The dwellings are two storey and would utilise the roof space with roof lights on the rear elevation only. The proposed dwellings are 9 metres in height. The proposed dwellings are to be set into the ground at +79.1 AOD to reduce the impact of the dwellings and to fit into the street scene. The consented dwellings are 7 metre in height but were set above the road level with the finished slab levels at 81.00 AOD. The proposed dwellings would therefore have the same ridge height within the street scene as the consented dwellings. At the rear the proposed dwellings would have a retaining wall with a patio area set at 79.00 AOD and the garden area at 80 AOD. This would provide useable garden areas at two levels. The previous proposal also had split level gardens.
- 7.09 The proposed dwellings are wider than the previously consented dwellings and accommodate the full width of the plot compared to the previously consented dwellings. The approved dwellings were approximately 12 metres deep and approximately 7 metres wide. The proposed dwellings are approximately 10 - 11 metres deep across the elevation and approximately 12 metres wide. The ground floor area of the approved dwellings was approximately 84m². The ground floor area of the proposed dwellings is approximately 125m². There would be views of the dwellings when approaching the site along Hawarden Road and from across the open medical centre car park. However it is considered that as the proposed dwellings are not as deep as the consented dwellings the impact of the dwellings would be reduced.
- 7.10 Impact on residential amenity and Space Around Dwellings
The site is bounded to the south by the dwelling of Wistonia which is a bungalow. There is the existing access to Rhyddyn Farm and Badgers Bank between this dwelling and the application site. There is a blank elevation on the gable end of the dwelling which faces this dwelling, therefore there is no potential for overlooking. The existing boundary treatment of the fence and hedge would remain along this boundary.
- 7.11 Rhyddyn Farm house lies to the north of the proposed dwellings however this is screened by the existing conifer hedge which is on the adjacent boundary and outside the application site. This would be trimmed back and therefore would still remain to provide screening between the existing and proposed dwellings.

7.12 The proposed dwellings have rear garden areas of 192 m² and 168 m² respectively which accord with Local Planning Guidance Note 2 Space Around Dwellings. The previous dwellings had rear gardens of 112-120m² however there were also areas to the side of the dwellings. It is therefore considered that the proposed dwellings would comply with Local Planning Guidance Note 2: Space Around Dwellings in relation to separation distances and private amenity areas.

7.13 Highways

The site has no highway access at present. It is proposed to have a single point of access with parking and turning for each dwelling. There are 2 spaces proposed for each dwelling with an additional 2 spaces in an integral double garage for each dwelling providing a total of 4 spaces for each dwelling.

7.14 Policy AC18 and LPGN11 require 3 car parking spaces for houses with 3 or more bedrooms. The proposed dwellings have 4 space each and therefore are in line with the Council's Standards.

7.15 Other matters

A contribution of £1,100 per dwelling in lieu of on-site open space provision to enhance toddler play at Queens Way Play area was paid as part of the previous application 055414 and therefore a further open space contribution is not required.

8.00 CONCLUSION

8.01 The principle of development of 2 dwellings in a location outside the defined settlement boundary adjacent to a Category B settlement was established by 055414. It is considered that the change of house types generate no significant harm to the Conservation Area, residential amenity or highways considerations.

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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