

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **1<sup>ST</sup> MAY 2019**

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

**SUBJECT:** **FULL APPLICATION – PROPOSED ERECTION OF 51 DWELLINGS INCLUDING HIGHWAYS, PUBLIC OPEN SPACE, LANDSCAPING AND ALL ASSOCIATED WORKS AT CROES ATTI, CHESTER ROAD, OAKENHOLT.**

**APPLICATION NUMBER:** **059399**

**APPLICANT:** **ANWYL HOMES LTD**

**SITE:** **"CROES ATTI", CHESTER ROAD, OAKENHOLT**

**APPLICATION VALID DATE:** **2<sup>ND</sup> JANUARY 2019**

**LOCAL MEMBERS:** **COUNCILLOR MS R. JOHNSON**

**TOWN/COMMUNITY COUNCIL:** **FLINT TOWN COUNCIL**

**REASON FOR COMMITTEE:** **SCALE OF DEVELOPMENT PROPOSED**

**SITE VISIT:** **No**

**1.00 SUMMARY**

1.01 The application site forms part of an overall development of 27 hectares which was granted outline planning permission (035575) for a mixed use development scheme comprising residential development, public open space, infrastructure works, landscaping, education and community facilities. This outline approval was subject to a unilateral undertaking which committed the developer to a number of requirements through this and future applications. The previously granted outline scheme and reserved matters applications were subject to extensive negotiations between the applicant and the Council and this was influenced by a revised Development Brief to

secure a comprehensive approach to the development. The design concept for the site is that of providing modern residential neighbourhoods which have a strong local identity and encourage a sense of community.

- 1.02 The area of land now the subject of this full application relates to a 1.24 hectare area of the 27 hectare site. Previously a reserved matters application for the phase two of the development was granted for 132 No. dwellings under reference 046595 on this part of the site. The application before members today relates to a full application for the erection of 51 dwellings on only part of the site previously approved including highways, public open space, landscaping and all associated work. This part of the site is known as phase 4B, and Members will recall phase 4A being the subject of an earlier application to amend the design of the house types and layout on phase 4A under planning reference 059055 which was approved by Planning Committee on 14<sup>th</sup> February 2019.
- 1.03 In summary this is a new full application relating to the replacement and rearrangement in the house types and layout approved previously for Anwyl Homes although due to changes the layout results in one less dwelling on this part of the site.

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

- 2.01
1. Time commencement.
  2. As per approved plan.
  3. Landscaping to be submitted and agreed.
  4. Landscaping to be undertaken.
  5. Materials to be agreed.
  6. Submission and approval of a scheme for foul and surface water and land drainage.
  7. Land drainage not permitted to public sewerage system.
  8. Surface/foul water to drain separately to the newly constructed sewers on Chester Road.
  9. The forming and construction connection with Prince of Wales Avenue to be submitted and agreed.
  10. Facilities to be provided and retained for parking and turning.
  11. Garages to be set back minimum distance.
  12. Details of traffic calming, surface water to be submitted and agreed.
  13. Positive means to prevent surface water run-off.
  14. Prior to occupation of 75% of the dwellings on the Thomas land spine road for the overall development shall be made up to base wearing course level from the main entrance on the A548 Chester Road to its junction with Coed Onn Road
  15. Windows to be fixed and obscure glazed

### **3.00 CONSULTATIONS**

3.01 Local Member  
Councillor Ms R Johnson  
No objections received to the proposal

Flint Town Council  
No response at time of writing.

Highways Development Control  
No objections based on the imposition of conditions on any permission granted.

Welsh Water/Dwr Cymru  
No response at time of writing.

Wales & West Utilities  
No response at time of writing.

Natural Resources Wales  
No response at time of writing.

CPAT  
Initially request that a pre-determination evaluation is required prior to any determination. The applicant has been contacted and investigations have now been undertaken. The Clwyd Powys Archaeological Trust have been re-consulted and have confirmed that no significant archaeology has been recorded on this part of the site and they have no objections to the proposal.

Pollution Control  
Have no objections to the application

### **4.00 PUBLICITY**

4.01 Press Notice, Site Notice, Neighbour Notification  
The proposed development has been the subject of a wide level of consultation. The application has been publicised by way of site notices, press Notice and neighbour notification letters. At the time of writing objections from the same resident has been received relating the house designs proposed on plots 42 ( Cenarth ) and 52 (Beaumaris) the site layout has been amended changing the house type on plot 42 and additional consultations have been undertaken and the following objections have been received relating to the following:-

Overlooking from first floor window.

House on plot 52 (Beaumaris would be no more than eight metres which is not in accord with accord with space about dwelling standards distance required.

Plans do not show first floor level of objectors property which have windows facing plot, as a result plans do not show the impact that dwelling will have on objectors property.

## **5.00 SITE HISTORY**

### **5.01 98/17/1308**

Outline residential development and associated recreational, community and retail was originally reported to committee on 14.12.99 which resolved to approve subject to a Section 106 Agreement – No decision was ever issued due to changed circumstances of the applicants.

### **035575**

Outline application for a mixed use development including residential, open space, infrastructure, landscaping, education and community facilities was reported to committee on 19.7.2004 which resolved to approve subject to a Section 106 Agreement - the agreement was signed and the permission issued on 11th July 2006.

### **044033**

Reserved matters application -residential development consisting of 189 no. dwellings, public open space, new roundabout and all associated works at Croes Atti, Oakenholt -Granted on 11th July 2008.

### **044035**

Highway improvements, street lighting and all associated works, on land at Croes Atti, Chester Road, Oakenholt, in connection with the outline planning permission ( ref. 035575) -Granted permission on 23<sup>rd</sup> April 2008.

### **046595**

Reserved matters application for residential development consisting 132 no. dwellings, new roads, open space and all associated works on land at Croes Atti, Chester Road, Oakenholt, granted on 19<sup>th</sup> January 2012.

### **049154**

Application for variation of condition no.3 attached to outline planning permission ref: 035575 to allow 7 years for the submission of reserved matters from the date of the outline planning permission being granted rather than the 5 years previously permitted – appeal submitted for non-determination, this was considered by way of a public inquiry on 21st/22nd August 2012 –the appeal was allowed and the planning permission was varied to allow 7 years for the

submission of reserved matters.

**050300**

Application for approval of reserved matters for the erection of 312 residential dwellings and associated works.-granted 3<sup>rd</sup> April 2013.

**050967**

Application for approval of reserved matters following outline approval. (035575) granted 21/10/13.

**051002**

Application for approval of reserved matters following outline approval. (035575) - granted 4/12/13.

**051716**

Approval of details reserved by condition no.11 (landscape management plan) attached to planning permission ref: 35575 – approved 15/10/14.

**052062**

Approval of details reserved by condition Nos 3 (materials), 4 (programme of archaeological work), 5 (landscaping details), 7 (existing and proposed ground levels and finished floor levels), 10 (detailed layout, design, means of traffic calming and signing, surface water drainage, street lighting and construction of internal estate roads), 11 (prevention of run-off of surface water) and 12 (wheel wash facilities) attached to planning permission ref: 50967 – partly discharged 6/6/14.

**052757**

Application for the approval of details reserved by conditions 3, 4, 9 and 12 attached to planning permission ref: 050300 partially discharged 12/12/14.

**053058**

Variation of condition Nos. 5 and 15 of planning permission ref: 050300 to allow the construction of plots 175 to 198 before complying with conditions 5 & 15 - Approved 2/3/15.

**053126**

Application for the approval of details reserved by condition 13 (Scheme for reasonable avoidance measures and methodology) attached to planning permission ref: 050300 12/2/15.

**053662**

Proposed residential development to consist of 20 No. semi-detached houses, 2 No. semi-detached bungalows and 1 No. special needs bungalow together with access road and parking

## **059055**

Proposed erection 78 dwellings including highways, public open space, landscaping and all associated works at Croes Atti, Chester Road, Oakenholt- Approved.

### **6.00 PLANNING POLICIES**

#### **6.01 Flintshire Unitary Development Plan**

STR1 – New Development.

Policy STR4 - Housing

Policy STR8 - Built Environment

Policy GEN1 – General Requirements for Development.

Policy GEN2 – Development inside Settlement Boundaries.

Policy HSG2 – Housing at Croes Atti, Flint.

Policy HSG8 – Density of Development.

Policy HSG9 – Housing Type and Mix.

Policy HSG10 Affordable Housing

Policy D1 – Design Quality, Location and Layout.

Policy D2 – Design.

Policy D3 – Landscaping.

Policy AC13 – Access and Traffic Impacts.

Policy AC18 – Parking Provision and New Development.

Policy SR5 – Outdoor Playing Space and New Residential Development.

Policy EWP17 - Flood Risk Local/Supplementary Planning Guidance Notes

LPGN2 – Space around dwellings

LPGN 11 – Parking Standards.

LPGN 13 – Open Space Requirements SPG 23 Developer Contributions to Education.

#### National Policy Wales

Technical Advice Note 12 Design

Technical Advice Note 18 Transport

Planning Policy Wales Edition 910

### **7.00 PLANNING APPRAISAL**

#### **7.01 Site Location**

The application site consists of 1.24 hectares of land forming part of the wider Anwyl/Persimmon development known as 'The Oaks' located in Croes Atti to the south east of Flint. The overall site is subject to outline planning permission 035575, which was granted on 11<sup>th</sup> July 2006. This full application looks to amend the house types already granted on planning application reference 046595 which allowed for 132 No. dwellings on the larger area of 3.95 hectares forming phase two of the overall development commonly known as the Thomas Land.

7.02 Proposed Development/Principle of Development

The principle of residential development on this site is established by the outline and reserved matters applications which cover the site. The current application does not seek to increase the number of houses although involves substituting various house types and changes in the layout which is acceptable in principle subject to design/appearance and impact on existing/proposed residential living conditions.

7.03 Layout, Scale, Design & Appearance

The proposed density of the development is 34 dwellings per hectare. Policy HSG8 of the UDP seeks to ensure that housing development reflects the characteristic of the area. The amended design brief for the site seeks to ensure an overall density of 30 to 35 dwellings per hectare proportionally across the whole site. This present application does not involve an increase in number of dwellings and therefore the overall the site will deliver a density of 33 dwellings per hectare which meets the expectations of the design brief and in turn Policy HSG8.

7.04 The proposal includes some two storey terraces, semi-detached and detached dwellings which add a variety of design and roof heights. The proposed dwellings as amended are considered sympathetic to existing development which has been undertaken recently on the adjoining plots/phases. The proposed designs include simple pitched roofs, detailed brick band courses, variations to head/cill treatments, contrasting ridge tiles, and a unifying palette of materials including brick and render. This meets the design expectation of the brief and UDP Policy relating to design. In terms of house types the new layout provides fourteen four bedroom dwellings and 31 three bedroom dwellings and six two bedroom dwellings

7.05 Highways

The proposed development will have its principal access point into the previously permitted distributor road of the site which in turn will ultimately feed into other points of access at the A548 Chester Road, Prince of Wales Avenue and Coed Onn Road.

7.06 Over the course of the overall development, the access component of the Croes Atti development has been the subject to negotiations as part of the original permissions in place. The Highway Development Control Manager has been consulted on the amended scheme and raises no objections subject to the imposition of conditions.

7.07 Footpath

The proposal is the same as that shown on the original approval and The route is the same as that shown on the original approval and in policy terms the proposal to retain this right of way is acceptable.

7.08 Affordable Housing

The original outline planning permission for the entire development was accompanied by a unilateral undertaking which committed the developer to requirements both set out in the original and subsequent full and reserved matter applications. The undertaking requires that the developer will provide for affordable housing for the number of dwellings justified by the Housing Needs Survey up to a maximum of 10% of the dwellings proposed on the applicant's parts of the site.

7.09 The Council must demonstrate through the result of a Housing Needs Survey the scale and extent of Affordable Housing need in the town of Flint and the type of such housing which is needed. Housing Strategy Officer has been consulted and confirms that there is an identified need for affordable housing provision in Flint. The housing need in Flint has been identified as affordable rented property as 5 number 1 bedroom, 17 number 2 bedroom and 5 number 3 bedroom. In terms of shared equity the requirement is for 2 number 1 bedroom, 23, two bedroom and 4 no three bedroom units.

7.10 The application is for 51 houses so the maximum units which could be required on this part of the site for affordable housing is 5. The affordable Housing must be developed in association with the Council, a recognised Housing Association or other social body satisfactory to the Council or such other body or company approved. Previously the Council's nominated agents, Grwp Cynefin Housing Association who have delivered a number of shared-equity properties within the development which are now occupied. As with previous phases of the development the proposed affordable units required under this phase will be delivered in association as previously with Grwp Cynefin Housing Association.

7.11 Flooding/Drainage Issues

No response at time of writing although in the original submission no objection was made.

7.12 Provision of Public Open Space

The site would benefit from the previously approved formally laid out "village green" which would include a mini soccer pitch, a junior play area, a toddlers/picnic area, a Multi-Use Games Area (MUGA) which forms part of the wider open space allocation for the overall site which is 4.5 hectares in area. The proposed public open space across the site is generally well overlooked as regards passive surveillance from nearby dwellings, and also benefits from active frontages which assist in providing safer environments.

7.13 Education

As part of the original outline planning approval the development was required to incorporate a variety of community facilities and suitable sites were identified on the plan approved. As part of the community facilities identified an area of land of 1.5 hectares has been shown set

aside for the provision of a school being the contribution from the developer for education requirements. This facility meets the required policy standards and its delivery is secured by virtue of the unilateral agreement.

- 7.14 In terms of the concerns and objections received since the submission of the original scheme amended plans have been submitted which shows a change in the house type shown on plot 42 from a Cenarth house type to a Cardigan DA house type. The change in house type overcomes the issues of overlooking and impact on the boundary with the objectors house and the loss of a tree noted.

The dwelling on plot 52 is the same as that originally approved and the proposal shows no change in the position. The dwelling is side on to the adjacent dwelling and in terms of policy the dwelling complies with the space about dwelling standards and is considered to be acceptable.

## **8.00 CONCLUSION**

The proposed development in broad terms would allow for the replacement of existing permitted dwellings that have already been approved with amended house styles/layout which are in keeping with development already undertaken on the wider site and is therefore considered acceptable in principle and design.

### **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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