

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **30th SEPTEMBER 2020**

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

**SUBJECT:** **OUTLINE ERECTION OF NEW DWELLING**

**APPLICATION  
NUMBER:** **061429**

**APPLICANT:** **Mr HAMPSON**

**SITE:** **2 WOOD GREEN , MOLD**

**APPLICATION  
VALID DATE:** **08.07.20**

**LOCAL MEMBERS:** **COUNCILLOR C BITHELL**

**TOWN/COMMUNITY  
COUNCIL:** **MOLD TOWN COUNCIL**

**REASON FOR  
COMMITTEE:** **COUNCILLOR REQUEST ,CONERN OVER SIZE  
AND ORINETATION OF DWELLING, CREATION  
OF NEW DWELLING , LOCATION OF SITE TO  
GREEN BARRIER LAND TO REAR.**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

- 1.01 This application, submitted in Outline with all matters except access Reserved for future determination, seeks permission for the erection of a new dwelling and creation of new shared access derived from Wood Green. Whilst the application provides the upper and lower parameters of scale, Members are reminded that layouts details provided are indicative only, other than in respect of the access and no weight is attached to the layout at this stage.

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

2.01 Conditions

1. Time limit for commencement
2. Submission of Reserved Matters within three years of date of permission of outline consent
3. In accordance with the approved plans
4. No surface or land drainage to connect to public sewerage system unless agreed
5. Prior to commencement details of the drainage scheme for the site shall be submitted and approved in writing
6. Existing and proposed site levels

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor C Bithell

Requested referral of the application to planning committee for determination as he has concerns over the design of the proposal. Considers that as the adjacent estate comprises of bungalows, any new development should be a bungalow. Concerns have been raised with regards to the scale and orientation of the dwelling on the plot and in relation to other dwellings. The creation of the shared access to serve the existing and proposed development is also of concern.

Councillor Bithell notes that the land to the rear of the application site is green barrier, currently outside the settlement boundary of Mold.

Mold Town Council

Objects to the proposal on the following grounds :

- Potential danger on highway grounds with poor access and egress to the site;
- The sites close proximity to an archaeological sensitive site; and
- Proposal is considered to be back land development, as its not in accordance with the building line and would set a precedent for similar applications in the vicinity.

Highways Development Control

No objection

Community and Business Protection

No adverse comments

Welsh Water/Dwr Cymru

Advises that the site is crossed by sewer. Recommends any permission is conditioned to prevent surface water / land drainage water connection to sewer. Also requires the imposition of a condition requiring a

drainage scheme to be submitted to and agreed in writing by the Local Planning Authority .

Natural Resources Wales

No objection

Airbus

Proposal does not conflict with aerodrome safeguarding criteria, and therefore they have no objection to proposal.

SP Energy

No objections to proposal.

**4.00 PUBLICITY**

4.01 The application was publicised via the issuing of Neighbour Notification letters. At the time of writing this report, 9No. letters have been received raising objections on the following grounds:

- Building not in keeping with area, as all bungalows, any development should be bungalow .
- Location of proposal inappropriate
- Adverse impact upon value of properties
- Impact upon privacy and overlooking of gardens
- Sewer already at capacity and problems with it already
- Site close to the Golden Cape find and burial area of British Prince
- Area known to flood
- Access on to narrow / tight corner dangerous to pedestrians and emergency traffic
- Additional traffic would be dangerous
- No public notification on application
- Not in accordance with a development plan
- No demand for dwelling
- 2 Mature trees on site
- Impact upon wildlife

**5.00 SITE HISTORY**

5.01 No previous planning history.

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

Policy STR1 - New Development

Policy GEN1 - General Requirements for Development

Policy GEN2 - Development Inside Settlement Boundaries

Policy D1 - Design Quality, Location and Layout

Policy HSG3 - Housing on Unallocated Sites Within Settlement

Boundaries  
Policy AC18 - Parking Provision and New Development  
Policy EWP17 – Flood Risk

Supplementary Planning Guidance Note No2 Space Around Dwellings

**7.00 PLANNING APPRAISAL**

**7.01 The site & surroundings**

The application site comprises some 0.068 hectares of garden area situated to the rear of 2 Wood Green, an existing detached single storey dwelling. The site is comparatively flat across both axis and is presently laid to grass. The site is bounded by existing hedgerows to the sides with 2 No. mature trees within the western boundary of the site. The rear boundary of the site is formed by a low picket style wooden fence. The boundary with the rear of the existing dwelling is unmarked. The land to the rear of the application site forms part of the Green Barrier designated under Policy GEN4 (11) - Mold - Mynydd Isa/Sychdyn/New Brighton. The site itself is not within the Green Barrier.

**7.02 The proposal**

The application proposes one detached dwelling, served via a new access to be created alongside the existing access which presently serves No.2 Wood Green. The application is submitted in outline with only access to be considered at this stage. The application has been supported by parameter of scale only as no floor plans or elevational details are required to be submitted at this stage. The application is accompanied by an indicative site layout plan.

**7.03 The Main Issues**

The main issues in the consideration of this proposal are;

- The principle of the development;
- Access and highway safety;
- Drainage and flood risk;
- Character and Appearance;
- Trees and ecology; and
- Archaeological impacts

**7.04 Principle of Development**

This outline application, with some matters reserved, seeks consent for the erection of one detached dwelling. The application site is set within the settlement boundary of Mold, a category A settlement. The adjoining land comprises of established residential development, predominantly of a bungalow design. Policies STR1, GEN1 and GEN2 guide development such as this to such locations.

**7.05** Policy HSG3 of the Flintshire Unitary Development Plan , is permissive of development on unallocated housing sites within settlement boundaries with in category A Settlements, providing that the proposal does not lead to significant impact upon amenity , highway safety , and

does not lead to back land or tandem development. These matters will, where relevant to the consideration of this application, be examined within the body of the appraisal.

7.06 Access and Parking Provision

Matters of access have not be reserved for subsequent determination and thus, fall to be considered in details at this stage of the application process. The proposals provide for the creation of a separate access driveway to serve the proposed dwelling, with the existing driveway access retained adjacent to this. The scheme proposes that each property will utilise the existing point of access with Wood Green.

7.07 Highways Development Control colleagues have assessed the application and, despite concerns being received with regards to these matters, there is no objection raised to the proposal in terms of either the form and position of the access nor the proposed parking arrangements at the existing premises. Accordingly, I consider that the proposals would satisfy the requirements of Policies GEN1 and AC18 in this regard.

7.08 Drainage and flood risk

The site is proposed to link in to the existing mains drainage facilities for both foul and surface water. Dwr Cymru/Welsh Water have not raised any objection to the proposals on drainage grounds. They have confirmed the presence of a public sewer crossing the site, which will be safeguarded by condition requiring the confirmation of its precise position before the commencement of any works upon site.

7.09 Reference to the Developer Advice Maps in relation to flood risk establishes that the site is not located within an area identified to be at risk from either surface or fluvial flooding. Accordingly, consultation with NRW in respect of the proposals has established that there is no objection upon flood risk grounds.

7.10 Accordingly the proposals in respect of drainage and flood risk are considered to comply with Policies GEN1 and EWP17 of the Flintshire Unitary Development Plan

7.11 Character and Appearance

As identified previously, the site is presently part of the garden area to an existing single storey dwelling upon street of dwellings of similar design and scale. The application is accompanied by an indicative layout plan, but as advised, given the fact that matters of design, appearance, layout and landscaping are all Reserved Matters, this plan has no weight other than in relation to the details it provides in respect of access.

7.12 The application has provided the required parameters of scale and these indicate proposals for a dwelling of between 14.615m and 15.065m in length; 7.64m and 7.865m in width; and 6.75m and 6.95m

in height. The design and access statement indicates that the accommodation is potentially to be arranged over 2 floors.

- 7.13 Concerns have been raised in relation to the proposed dwelling not being in character with the existing surrounding properties, being bungalows. At this stage, this assessment of acceptability cannot be undertaken as the details of the dwelling are not before us, save an indication of accommodation being across 2 floors. However, in the absence of the detailed design of the dwelling, the acceptability of this in terms of impacts upon the character of the area cannot be undertaken.
- 7.14 Concerns have also been raised in relation to whether a dwelling would give rise to adverse impacts upon adjacent living conditions and loss of privacy. At this stage, it is not possible to assess such an impact as the position of the dwelling upon site is not before us for consideration. Similarly, the internal layout and arrangement of rooms within the building and the arrangement of associated fenestration is not before us for consideration at this stage.
- 7.15 I have considered whether to condition such a dwelling to be single storey. However, such a condition pre-determines the design of the dwelling and precludes a design which may provide accommodation within the roof in such a way as safeguards existing adjacent living conditions. Given that such matters will be available for consideration upon the submission of a Reserved Matters application, I am not convinced that such a conditional limitation at this stage would be appropriate.
- 7.16 A concern has been voiced that the proposal represents backland development. Whilst the proposals would indeed be a form of backland development, that in itself is not a basis for refusal. It should be noted that the existing dwellings on Wood Green are part of a backland development to the rear of the properties fronting Chester Road. Policy HSG3 stipulates that development is acceptable provided (amongst other matters) that it does not result in tandem development. Tandem development is different to backland development in that tandem development occurs where one dwelling is situated to the rear of another and is served by the same access arrangements. These proposals are not tandem development as access driveways are separate. The proposal is backland development but I am satisfied that sufficient space is available to ensure that a suitably designed dwelling would be capable of being accommodated in compliance with the policy guidelines and the advice set out in SPGN 2 : Space Around Dwellings.
- 7.17 Accordingly, and in terms of principle of residential development within this area, I am content that the proposals would satisfy the requirements of Policy STR1 and HSG3.

7.18 Trees & Ecology

The site is enclosed on 2 sides by mature, well established hedgerows, with 2 mature trees within the western boundary. Concerns have been raised that the proposal will adversely affect these existing natural features. As mentioned previously, the site layout is not a matter for consideration. Notwithstanding this however, the trees are upon the boundary of the proposed access and I note that the layout in this regard indicates the tree and hedgerow retained. I am therefore satisfied that then proposals would satisfy the requirements of policy GEN1 in this regard.

7.19 Archaeological Implications

Comments have been received with regard to the archaeological sensitivity of the site. Members should be noted that the site is not the subject of any national or local designation as an archaeologically sensitive site. As such, the site is not required to be the subject of consultation with either Cadw or the Clwyd Powys Archaeological Trust.

8.00 **CONCLUSION**

The proposed development of the site is considered to be compliant with the provisions of the identified Flintshire Unitary Development Plan Policies. The site is located within the settlement boundary of Mold, where there is a presumption in favour of such development. I 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.

8.02 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.

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

8.04 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

**Contact Officer:** Barbara Kinnear  
**Telephone:** 01352 703260  
**Email:** [Barbara.kinnear@flintshire.gov.uk](mailto:Barbara.kinnear@flintshire.gov.uk)