

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **12TH FEBRUARY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY MULLHILL ESTATES LLP AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR OUTLINE – ERECTION OF 73 NO. HOUSES INCLUDING DETAILS OF ACCESS, APPEARANCE, LAYOUT AND SCALE (LANDSCAPING RESERVED FOR FUTURE APPROVAL) AT BYCHTON HALL FARM, MAES PENNANT ROAD, MOSTYN – ALLOWED.**

1.00 APPLICATION NUMBER

1.01 047951

2.00 APPLICANT

2.01 MULHILL ESTATES LLP

3.00 SITE

3.01 LAND AT BYCHTON HALL FARM, MAES PENNANT ROAD, MOSTYN, FLINTSHIRE.

4.00 APPLICATION VALID DATE

4.01 19TH OCTOBER 2010

5.00 PURPOSE OF REPORT

5.01 To inform Members of the appeal decision against a refusal of planning permission for the erection of 71No. dwellings and associated garages and parking, and the provision of on-site public open space on land adjacent to Bychton Hall Farm, Maes Pennant Road, Mostyn. The application was refused by Committee contrary to officer recommendation on 22nd February 2013.

5.02 The appeal was held by way of an exchange of Written Representations and was ALLOWED.

6.00 REPORT

6.01 In considering the appeal the Inspector identified the main issue in the case to be the effect of the proposed development upon the character and appearance of the area.

6.02 The Inspector noted that the site is an allocated housing site within the Flintshire Unitary Development Plan (UDP) and therefore that the principle of the development of the site was not in question. He noted members concerns in respect of the proposed development of the site at a density of 38 dwelling per hectare and noted this was in excess of the indicative yield for the site outlined in the UDP. However, he noted that the UDP sought the development of allocated sites at densities of 35 dwellings per hectare and upwards.

6.03 He noted that in this regard, the UDP was consistent with the thrust of national planning policy in seeking to make the best and most efficient use of land allocated for development. He noted that this overall aim is tempered by the need for development to secure adequate standards of privacy and space and to ensure that it reflects the characteristics of the surroundings.

6.04 In contemplation of the views expressed by Members that the proposals amounted to a cramped, incongruent and unacceptably regimented layout, the Inspector observed that the proposed layout allowed adequate privacy and amenity standards to be achieved. He also noted that the variations within the layout, street scenes and house types were such that did not contribute to a cramped layout. In coming to this view, the Inspector considered that the proposals were reflected of the regular pattern and dense layout of existing nearby dwellings. He also took the view that the linear form of the proposals complimented the historical built form of Bychton Hall Farm.

6.05 Accordingly, he concluded that the proposals would accord with the requirements of UDP policies GEN1, D1, D2 and HSG8.

6.06 The Inspector also considered a range of third party representations as part of his determination of this appeal. He considered that concerns in relation to the impacts of increased traffic had been adequately addressed through documentation submitted at the time of the application and concurred with the findings of the same that no adverse impacts upon highway safety would arise. He also noted the sustainability of the site in respect of walking, cycling and access to public transport.

6.07 The Inspector also considered representations by the appellant in relation to the housing land supply situation within the county. He

noted the current shortfall and observed that this situation would be worsened were acceptable development proposals upon allocated sites such as this not delivered within plan period.

7.00 CONCLUSION

7.01 Accordingly, the Inspector considered that the appeal should be **ALLOWED** and the deemed application for planning permission granted, subject to conditions and the provisions of a Unilateral Undertaking provided by the appellant in relation to contributions towards education, public open space and recreation, affordable housing and the formulation of a Green travel plan. The Unilateral Undertaking also provides for the provision of an area of on-site public open space.

Contact Officer: D. Glyn Jones
Telephone: (01352) 703281
Email: glyn.d.jones@flintshire.gov.uk