

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**
DATE: **WEDNESDAY, 25 JULY 2012**
REPORT BY: **HEAD OF PLANNING**
SUBJECT: **OUTLINE APPLICATION FOR ERECTION OF A DWELING ON LAND REAR OF ISLWYN, TRELOGAN, HOLYWELL**
APPLICATION NUMBER: **049665**
APPLICANT: **MR COLIN JONES**
SITE: **ISLWYN, TRELOGAN, HOLYWELL, CH8 9BY**
APPLICATION VALID DATE: **17TH APRIL 2012**
LOCAL MEMBERS: **COUNCILLOR N. STEELE-MORTIMER**
COMMUNITY COUNCIL: **LLANASA COMMUNITY COUNCIL**
REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST**
SITE VISIT: **YES**

Members may recall this application was deferred at planning committee on 20th June 2012 as the Local Member was not present.

1.00 SUMMARY

- 1.01 This outline application proposes the development on land to the rear of Islwyn, Trelogan for the purposes of a detached dwelling. Matters of detail are provided in respect of the access to the site. Matters related to scale, layout, appearance and landscaping are reserved for subsequent approval.
- 1.02 The main issue in regard to this proposal is in relation to Policy HSG3 of the Flintshire Unitary Development Plan (FUDP).

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

- 2.01 The proposed development would cumulatively result in more than 10% growth in a category C settlement since 2000. The proposed

development would consequently compromise the settlement hierarchy and spatial strategy as set out in the Flintshire Unitary Development Plan and would therefore be contrary to the provisions of the guidance set out in Planning Policy Wales at paragraph 9.3.5 and the requirements of policies HSG3 and GEN2 of the Flintshire Unitary Development Plan.

3.00 CONSULTATIONS

3.01 Local Member

Councillor N Steele-Mortimer: Requests Committee determination and site visit as he considers that this is a windfall site within the village envelope, entitling it to be considered favourably

Llanasa Community Council:

No objection

Head of Assets and Transportation:

No objection.

Recommend conditions be attached to any planning permission in regard to:

- Siting, layout and design of means of access
- Provision of parking facilities within the site
- Existing and proposed means of enclosure fronting the site
- Surface water run off

Head of Pollution Control:

No adverse comments to make regarding these proposals.

Environment Agency:

Proposal has been assessed as having a low environmental risk

Wales & West Utilities:

No response at time of writing report

SP Energy Networks:

Plant & apparatus in the area, developer to be advised of the need to take appropriate steps during development.

Dwr Cymru/Welsh Water: Conditions and advisory notes:

Foul and surface water discharge; surface water connection to public sewerage system; Land drainage run-off.

Require a note in regard to public sewerage connection to be attached to any planning permission.

4.00 PUBLICITY

- 4.01 Neighbour Notification
No representations at time of writing report.

5.00 SITE HISTORY

- 5.01 049286 - Outline - erection of a dwelling including means of access.
Planning permission refused 27th January 2012
037254 - Erection of 4 dwellings. Planning permission granted
8/11/2004
036733 - Erection of 6 dwellings. Withdrawn 04/03/2004
19/92 - O/L Residential development. Planning permission granted
05/03/2002, section 106 agreement
1146/90 - 8 No. Dwellings. Withdrawn 21/03/1991
14/90 - 6 detached bungalows and garages. Withdrawn 30/07/1990
3/LL/645/79 - O/L - demolitions of existing outbuildings and erection of
4 bungalows. Planning permission refused 01/02/1979. Appeal
dismissed 28/02/1980

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
GEN 1 - General Requirements for Development
GEN2 - Developments inside settlements
HSG3 - Housing within Settlement Boundaries
AC13 - Access and traffic impact
AC18 - Parking and New Development

7.00 PLANNING APPRAISAL

- 7.01 Introduction
The application seeks outline planning permission for one dwelling
and means of access on land to the rear of Islwyn, Trelogan.
- 7.02 Indicative plans have been submitted to show the layout and
dimensions for a potential dwelling on the site. Full details of the
means of access have been submitted as this aspect forms part of the
outline application.
- 7.03 Site Description
The plot is located to the rear of properties along Bro Dawel and to the
side of No. 4 Cwrt Gwyntog in a residential area. This site is currently
used as garden.
- 7.04 Planning History
A previous application for the same development was submitted under
reference 049286 and refused on 27th January 2012 on the grounds

that the proposal was contrary to Policy HSG3 of the FUDP.

7.05 Principle of Development

The site is situated within the settlement boundary of Trelogan as defined in the adopted Unitary Development Plan (UDP).

7.06 The main issue in regard to this proposal is in relation to Policy HSG3 of the Flintshire Unitary Development Plan (FUDP). This policy states that:

“On unallocated sites within settlement boundaries, new housing, ... will be permitted provided that:

a) in category C settlement it is the renovation or replacement of an existing dwelling or it is to meet proven local needs and cumulatively does not result in over 10% growth since 2000.

7.07 The site is located within the settlement boundary of category C settlement Trelogan & Berthengam and residential development is considered acceptable in principle. However, FUDP policy HSG3 (Housing on Unallocated Sites Within Settlement Boundaries) only allows for new build local needs housing in category C settlements where the growth rate has not exceeded 10%.

7.08 In the case of Trelogan & Berthengam (T&B) the growth rate is 16.7% based upon there having been 210 dwellings in T&B in 2000 (the base date of the FUDP) and there having been 31 completions and 4 commitments (at April 2011). The proposal is therefore contrary to policy HSG3 of the adopted FUDP. Even if the 4 commitments did not follow through to development the growth rate would be 14.8% which exceeds the 10% mark.

7.09 Highways and Access

Highways do not object to the proposal and recommend conditions in regard to siting layout and design of the means of access; retention of parking facilities; the boundary means of enclosure fronting the site and surface water run off be attached to any decision notice should planning permission be granted.

7.10 Other issues

It has been put forward that this development is on a windfall site. The site is currently used as garden for Islwyn and as such is not considered to be a windfall site, therefore cannot be considered as an exception to the requirements of Policy HSG3.

8.00 CONCLUSION

8.01 In light of the above matters the application is considered to be contrary to policy HSG3 of the Flintshire Unitary Development Plan and as such is recommended for refusal.

8.02 In considering this planning application 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.

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