

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **30th August 2023**

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

SUBJECT: **THE DEMOLITION OF PART OF A BOUNDARY WALL IN ORDER TO CREATE AN OFF-STREET PARKING SPACE WITH AN ELECTRIC VEHICLE CHARGE POINT**

APPLICATION NUMBER: **CONS/000790/22**

APPLICANT: **M HODGSON & S POOSTCHI**

SITE: **ARWEINFA, GWAENYSGOR, LL18 6EP**

APPLICATION VALID DATE: **16TH DECEMBER 2022**

LOCAL MEMBERS: **CLLR G BANKS**
CLLR G MADDISON

TOWN/COMMUNITY COUNCIL: **TRELAWNYD & GWAENYSGOR COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **Cllr G Maddison - I wish for the application to be discussed at Planning Committee. Reason, the development is unsuitable for a conservation area in AONB**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This application seeks conservation area consent for the demolition of part of a boundary wall in order to create an off-street parking space with an electric vehicle charge point. The application is to be read in association with the planning application: FUL/000621/23 - Conversion and extension of outbuilding to form a home office and gym, demolition of part of a boundary wall to create off street parking space with an electric vehicle charging point.

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

2.01 That conditional planning permission be granted subject to the following conditions:

1. Time limit on commencement.
2. Compliance with approved plans.

3.00 CONSULTATIONS

3.01 **Local Member - Cllr G Maddison** - I wish for the application to be discussed at planning committee. Reason, the development is unsuitable for a conservation area in AONB

Town/Community Council - No comments received at the time of writing the report.

Public Rights of Way - No objection. Public Bridleway 10 abuts the site but appears unaffected by the development. The path must be protected and free from interference from the construction.

Highways Development Control – 2nd June 2023 - Following revision of Block plan, no objection.

Built Conservation – Following examination the Conservation Team identified that the section of the wall subject to this application is un-historic in date, having been reconstructed within the last thirty years. Conservation thereby considers that the loss of a small section of modern wall would not be adversely detrimental to the character and appearance of the area on this basis raise no objection.

Community & Business Protection (Pollution) - No objection.

Area of Outstanding Nature Beauty (AONB) Joint Committee – It is regrettable that part of the existing roadside stone wall will be lost, a characteristic feature of the Conservation Area. However, provided it is re-placed re-using re-salvaged stone to match the existing design, the Joint Committee raise no objections. You may wish to give some consideration to imposing a condition to ensure the outbuilding is used incidental to the dwelling.

CADW - No comments received at the time of writing the report.

Clwyd Powys Archaeological Trust - No objection, recommend planning condition and archaeological watching brief (attached to full

app: FUL/000621/23).

4.00 PUBLICITY

4.01 A site notice was posted outside the site and 18 Neighbour Notifications were sent to adjoining/nearby properties.

At the time of writing a number of objections have been received. The objections are summarized as follows:

1. Personal business Use
2. Building subject to application already in use as personal training business use
3. No significant justification for the removal of the historic wall.
4. Impact on amenity, character and appearance of the village.
5. Materials
6. Highway impact.
7. Negative impact on the centre and character of Gwaenysgor and conservation area.
8. Appearance and impact on street scene
9. Increased footprint, mass and scale
10. Misleading application description

In addition, one letter of support has been received which is summarised as follows:

1. This outbuilding appears to be completely contained within the applicant's property and is hardly visible.
2. This property has been beautifully restored to allow more environmentally sustainable options.
3. Sympathetic to its historic location

5.00 SITE HISTORY

5.01 064268 - Proposed outbuilding conversion and extension to form home office with off-road parking- Refused 29.09.2022 (Householder) – For information this application proposed an extension of the existing outbuilding to form a two-storey outbuilding at the rear of the dwelling with a meeting room/break room, toilet and store on the ground floor and office above. As such much more than what is proposed currently.

064269 - Proposed demolition of stone wall within conservation area to create new access- Refused 29.09.2023 (Conservation Area Consent).

6.00 PLANNING POLICIES

- 6.01 Following the refusal of earlier applications 064269 and 064268 the planning policy context for Flintshire County Council has been updated with the adoption of Flintshire Local Development Plan (LDP), formally adopted on the 24th January 2023. The LDP replaces the Flintshire Unitary Development Plan which was the planning policy at the time of the two refused applications.

Flintshire Local Development Plan (Adopted)

PC2 - General Requirements for Development

PC3- Design

ENS- Area of Outstanding Natural Beauty

EN8 - Built Historic Environment and Listed Buildings

EN9 - Development within or Adjacent to Conservation Areas

EN10 - Buildings of Local Interest

Supplementary Planning Guidance (Adopted)

SPGN No 7 - Conservation Areas

Gwaenysgor Conservation Area Appraisal and Management Plan

Future Wales Development Plan 2020-2040 Planning Policy Wales (PPW) Edition 11

Welsh Government Technical Advice Notes (TAN) TAN12 - Design

TAN24- The Historic Environment

7.00 PLANNING APPRAISAL

7.01 Site & Surroundings

- 7.02 The application site is located in Gwaenysgor and is within the Conservation Area and Area of Outstanding Natural Beauty (AONB)

- 7.03 The site consists of a relatively large, detached dwelling - part two storey, part single storey which is located centrally within the village. The property is built in traditional stone and is surrounded by similar style dwellings.

- 7.04 The property has an area of amenity space at the rear that consists of a courtyard with a small orchard beyond. A stone wall surrounds the property with railings above the wall in front of the principal elevation.

Proposal

7.05 Conservation area consent is required under section 74 of the Listed Building & Conservation Area Act (LB&CAA) for the demolition (and alterations) of most buildings within conservation areas.

7.06 This application deals specifically with the demolition of the wall in order to create a single off road parking space but is to be read in conjunction with the full planning application - FUL/000621/23, that seeks to Convert and extend the outbuilding to form a home office and gym, demolition of part of a boundary wall to create off street parking space with an electric vehicle charging point.

The Main Issues

7.07 The main issues for consideration in this matter are;

- Impact of the demolition of the wall upon the character and appearance of the conservation area and its setting.

The principle of Development

7.08 LDP Policy EN9: Development in or adjacent to Conservation Area states: Development within or adjacent to a conservation area will only be permitted if it would preserve or enhance the character and appearance of the conservation area or its setting. New development in such locations must also be of a high standard of design, respond to the area's special characteristics be of a high standard of design, respond to the area's special characteristics, and pay particular regard to (amongst other criteria):

b. the retention of historically significant boundaries or other elements that contribute to the established form of development.

7.09 Gwaenysgor Conservation Area Appraisal and Management Plan is a guidance document produced by the village following consultation with Flintshire County Council and carries some weight in terms of character and appearance but does not supersede the adopted policies provided under the adopted Flintshire Local Development Plan, Supplementary Planning Guidance Notes and Welsh Government Technical Advice Note.

7.10 The principle of development is therefore acceptable subject to compliance with the above criteria.

Impact upon the Conservation Area

7.11 Gwaenysgor Conservation Area Appraisal and Management Plan advises for the area that the familial character for the Gwaenysgor is strengthened by the use of common building materials and building form with the north-eastern section of Arweinfia identified within the

document as a focussed building with long views into the village, from routes converging towards the village core. There is discussion within section 3 and subsequent paragraphs of the alterations and changes that have occurred over the years, with the introduction of more modern elements - such as new windows, dormers and modern materials within the village. Paragraph 3.24 states negative development include breaks in stone walls to create vehicular access ways.

7.12 The Built Conservation Team have reviewed the documents submitted within the current submission having regard to national and local planning policy and have re-examine the stone wall that is intended to be removed at a meeting on site.

7.13 Following further investigation the Built Conservation Team have identified that the section of the wall is not historic in date, having been reconstructed within the last thirty years.

7.14 The Built Conservation Team is therefore of the opinion that the loss of a small section of modern wall would not be adversely detrimental to the character and appearance of the area on this basis. It is therefore the opinion of the Local Planning Authority that given the small scale nature of the development, with only a small section of the wall being removed the overall important vistas, views and street scenes would be maintained within the village and therefore the character and appearance of the Conservation Area maintained.

7.15 Whilst the AONB Joint Advisory Committee have expressed regret that an element of the wall is being lost they have not objected to the scheme

8.00 CONCLUSION

In conclusion, given that this section of the wall to be removed is contemporary (built in the last 30 years) and not historic and given the fact the majority of wall surrounding the site will be retained the overall character and appearance of the Conservation Area will be preserved. The proposal therefore complies with Local Development Plan Policies PC2, PC3, EN8, EN9, EN10, SPGN 7, Gwaenysgor Conservation Area Appraisal and Management Plan and National Planning Policy.

Other Considerations

8.01 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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