

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **13th MARCH 2024**

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

SUBJECT: **REVISED APPLICATION FOR THE CONVERSION AND EXTENSION OF AN OUTBUILDING TO FORM A HOME OFFICE AND GYM; AND THE DEMOLITION OF PART OF A BOUNDARY WALL IN ORDER TO CREATE AN OFF-STREET PARKING SPACE WITH AN ELECTRIC VEHICLE CHARGE POINT (INCLUDING AREA OF LAND OUTSIDE APPLICANTS OWNERSHIP).**

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: **LOCAL MEMBER REQUEST**

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 Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Written notification of the date of commencement of any works on the site deemed to begin the development shall be sent to the Local Planning Authority within seven days of such commencement.

2. The development shall be carried out in accordance with the following approved plans and documents:

- Proposed Elevations 1030 PL17 (Rev D) Dated 14/03/2023
- Proposed Ground Floor Plan 1030 PL15 (Rev C) 14/03/2023
- Proposed Section 1030 PL18 (Rev D) 14/03/2023
- Proposed Roof Plan 1030 PL16 (Rev D) 14/03/2023
- Location Plan, Existing and Proposed Block Plans 1030 S15 (Rev B) 17/11/2023
- Proposed Parking Area Sketch 1030 PL19 (Rev E) 20/11/2023
- Proposed Parking Area Sketch Plan and Sections 1030 PL20 (Rev B) 20/11/2023

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

Local Member – Cllr G Banks – finds the proposal outrageous and states; I am personally totally against this taking place.

Trelawnyd and Gwaenysgor Community Council – objects to the proposal on the following grounds – materials not in keeping, will impose on skyline and take away privacy, inadequate drainage, loss of parking in village, loss of green verge and historic wall, plans don't appear correct, the parking area could impact on the safety of neighbours and could lead to a dangerous situation, contrary to policies in LDP.

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 – Subject to a condition to secure adequate visibility in perpetuity at the proposed point of access onto the highway, there are no objections to the proposal on highway safety or parking provision.

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 – No Objection

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

Clwyd Powys Archaeological Trust - No objection - recommend planning condition to secure archaeological watching brief.

4.00 PUBLICITY

4.01 A site notice was posted on the telegraph pole outside the site and 18 Neighbour Notifications were sent to adjoining/nearby properties. At the time of writing a petition of objection containing 57 signatures has been received along with a number of objections to the proposal. The objections are summarised as follows:

1. The proposal is contrary to policy EN9
2. The development is out of keeping with the character and appearance of the conservation area
3. The height and massing will unacceptably impact upon the streetscape and open skyline vista along Lon Chapel
4. The development defies the Conservation Area appraisal.
5. The plans do not appear to be drawn correctly.
6. PV Panels & scale of roof detrimental to the framing and focus of Arweinfä.
7. Too big and overbearing
8. Loss of privacy and potential for overlooking
9. The proposal represents a personal business use
10. Building subject to application already in use as personal training business use

11. No significant justification for the removal of the historic wall.
12. Impact on amenity, character and appearance of the village.
13. Highway safety concerns and loss of on street parking.
14. Negative impact on the character of Gwaenysgor conservation area.
15. Appearance and impact on street scene
16. Misleading application description
17. Safety concerns over the parking space.

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)

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

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

National Planning Policies

Future Wales Development Plan 2020-2040

Planning Policy Wales (PPW) Edition 12

Welsh Government Technical Advice Notes (TAN) TAN12 - Design

TAN24- The Historic Environment

7.00 PLANNING APPRAISAL

Site & Surroundings

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

7.02 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.

7.03 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.

7.04 Proposal

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.

7.05 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

7.06 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.

7.07 The principle of Development

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.

- 7.08 Gwaenysgor Conservation Area Appraisal and Management Plan guidance document was produced by the local Authority in consultation with the Community Council and carries limited weight. It does not supersede the adopted policies provided under the adopted Flintshire Local Development Plan, Supplementary Planning Guidance Notes and Welsh Government Technical Advice Note.
- 7.09 The principle of development is therefore acceptable subject to compliance with the above criteria.
- 7.10 Impact upon the Conservation Area
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 Arweinfaf 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.
- 7.11 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.
- 7.12 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.
- 7.13 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.
- 7.14 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.

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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