

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



CS/NG

12 December 2024

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To: Cllr Richard Lloyd (Chair)

Councillors: Mike Allport, Bernie Attridge,
Adele Davies-Cooke, Chris Dolphin,
Carol Ellis, Allan Marshall, Hilary McGuill, and
Mike Peers
+ 6 Labour Councillors
+ 1 Flintshire People's Voice Councillor
+ 1 Eagle Councillor

Dear Sir / Madam

NOTICE OF HYBRID MEETING
PLANNING COMMITTEE
WEDNESDAY, 18TH DECEMBER, 2024 at 1.00 PM

*** Please note the start time for the meeting**

Yours faithfully

Steven Goodrum
Democratic Services Manager

Please note: Attendance at this meeting is either in person in the Lord Barry Jones Council Chamber, Flintshire County Council, County Hall, Mold, Flintshire or on a virtual basis.

Public speakers have been asked if they would like to address the Committee in English or Welsh.

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire-public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

AGENDA

1 **APOLOGIES**

2 **DECLARATIONS OF INTEREST**

3 **LATE OBSERVATIONS**

4 **MINUTES** (Pages 3 - 6)

To confirm as a correct record the minutes of the meeting held on 20 November 2024.

5 **ITEMS TO BE DEFERRED**

6 **REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY)**

The reports of the Chief Officer (Planning, Environment & Economy) are enclosed.

REPORTS OF CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY) TO PLANNING COMMITTEE ON 18 DECEMBER 2024

Item No	File Reference	DESCRIPTION
<u>Applications reported for determination (A = reported for approval, R= reported for refusal)</u>		
6.1	FUL/000726/24 - A	Full application - Application for the adaptation of the existing Public House into four 2 bedroom self-contained apartments [including one duplex unit] and the erection of five new 3 bedroom dwellings and associated infrastructure including a detached bat mitigation building at Talacre Arms, New Road, Holywell (Pages 7 - 20)
6.2	FUL/000581/24 - R	Full application - Conversion of 2no. outbuildings to form 2no. bedroom annex accommodation together with demolition of a further 2no. outbuildings at Brick Kiln Isaf, Caerwys (Pages 21 - 30)

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours

PLANNING COMMITTEE **20 NOVEMBER 2024**

Minutes of the Planning Committee of Flintshire County Council held as a hybrid meeting on Wednesday, 20 November 2024

PRESENT: Councillor Richard Lloyd (Chair)

Councillors: Mike Allport, Sean Bibby, Chris Bithell, Bill Crease, Paul Cunningham, Adele Davies-Cooke, Chris Dolphin, Gladys Healey, Dave Hughes, Paul Johnson, Richard Jones, Alan Marshall, Hilary McGuill, Ted Palmer and Mike Peers

APOLOGIES: An apology was received from Councillor Carol Ellis who was due to speak as Local Member on agenda item 6.2 (FUL/000789/24)

IN ATTENDANCE: Chief Officer (Planning, Environment & Economy), Service Manager - Strategy, Service Manager - Development, Senior Engineer - Highways Development Control, Senior Planning Officers, Solicitor and Democratic Services Officers

26. OPENING COMMENTS

The Chair took the opportunity to pay tribute to the late Councillor Veronica Gay who had previously served on the Planning Committee during her term of office. He led a minute's silence which was observed by all present.

27. DECLARATIONS OF INTEREST ([Link to recording](#))

None received.

28. LATE OBSERVATIONS

The Chairman allowed Members an opportunity to read the late observations which had been circulated prior to the meeting and were appended to the agenda item on the Council's website:

<https://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=490&MId=5784&LLL=0>

29. MINUTES ([Link to recording](#))

The minutes of the meeting held on 25 September 2024 were confirmed as a correct record.

RESOLVED:

That the minutes be approved as a true and correct record.

30. ITEMS TO BE DEFERRED ([Link to recording](#))

None of the items were recommended for deferral.

31. REPORTS OF THE CHIEF OFFICER (PLANNING, ENVIRONMENT & ECONOMY) ([Link to recording](#))

RESOLVED:

That decisions be recorded as shown on the Planning Application schedule attached as an appendix.

32. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were no members of the public present.

(The meeting started at 1pm and ended at 1.40pm)

.....
Chair

Meetings of the Planning Committee are webcast and can be viewed by visiting the webcast library at: <http://flintshire.public-i.tv/core/portal/home>

PLANNING COMMITTEE ON 20 NOVEMBER 2024

ITEM NO	TOWN/ COMMUNITY COUNCIL	SITE/PROPOSAL	THIRD PARTY / LOCAL MEMBER OBSERVATIONS	RESOLUTION
FUL/000353/24	Connah's Quay Town Council	Full application - Full application for a new tissue machine facility and associated structures at Shotton Paper Mill, Weighbridge Road, Deeside Industrial Park, Deeside	-	That in accordance with the officer recommendation, planning permission be granted subject to the conditions set out in the report.
FUL/000789/24	Buckley Town Council	Full application - Proposed erection of 2 x 3 bed semi-detached dwellings at land adj. 1 Moore Cottage, Elfed Drive, Buckley	Officers agreed to ensure that the correct name for the cottages was shown on the site plan.	That in accordance with the officer recommendation, planning permission be granted subject to the conditions set out in the report. It was also resolved that a note would be added to the Decision Notice to advise the applicants that any proposed relocation of the lamppost would require contact with the Highways Authority and any costs would have to be met by the applicant/developer.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **18TH DECEMBER 2024**

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

SUBJECT: **APPLICATION OR THE ADAPTATION OF THE EXISTING TALACRE ARMS PUBLIC HOUSE BUILDING INTO FOUR 2 BEDROOM SELF-CONTAINED APARTMENTS (INCLUDING ONE DUPLEX UNIT) AND THE ERECTION OF FIVE NEW 2 BEDROOM DWELLINGS AND ASSOCIATED INFRASTRUCTURE INCLUDING BAT MITIGATION BUILDING**

APPLICATION NUMBER: **FUL/000726/24**

APPLICANT: **STEVEN SUMNER**

SITE: **THE TALACRE ARMS, NEW ROAD, HOLYWELL, CH8 7LS**

APPLICATION VALID DATE: **12TH SEPTEMBER 2024**

LOCAL MEMBERS: **COUNCILLOR T PALMER**

TOWN/COMMUNITY COUNCIL: **HOLYWELL TOWN COUNCIL**

REASON FOR COMMITTEE: **AT THE REQUEST OF THE LOCAL MEMBER TO ALLOW PLANNING COMMITTEE TO DETERMINE THE SIZE OF THE DEVELOPMENT AND THE ACCESS**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This application seeks planning permission for the proposed conversion of the former Talacre Arms, New Road, Holywell to provide four self-contained, 2 bedroom apartments and the

development of the former car park to provide a row of five terraced, 2 bedroom dwellings.

- 1.02 The proposed development has been subject to a previously withdrawn application, and pre-application advice whereby the applicant has addressed concerns relating to protected species, design and layout. The principle of the development is considered compliant with local and national planning policy.
- 1.03 The proposed development will secure the long term future of the former Talacre Arms building, which it is considered makes a significant positive contribution to the character of the Holywell Conservation Area. The Council's Conservation Officer has worked with the applicant to ensure that the proposed conversion and new built development will not adversely affect heritage assets.
- 1.04 Matters including ecological implications, highway safety and residential amenity have been fully considered and are considered acceptable. It is therefore recommended that Members endorse the recommendation and approve the application subject to the applicant entering into a S106 Agreement to secure off-site play provision and the imposition of conditions as set out at paragraph 2.01 of this report.

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

- 2.01 That conditional planning permission be granted, subject to the applicant entering into a Section 106 Obligation to provide:
- Payment of a financial contribution towards public open space of £8432

Conditions

1. The development hereby approved shall be commenced before the expiration of five years from the date of this permission.
2. The development shall be carried out in accordance with the following approved plans and documents:
 - Application Form
 - Proposed Elevations of the New Build Terrace Housing Scheme
 - Existing & Proposed Elevations
 - Sequence Photos Statue Setting
 - Existing & Proposed Streetscene
 - Existing & Proposed Site Sections

- New Bat Roost Structure
 - Proposed Site Layout Plan
 - External Space Plan
 - Proposed Planting Scheme
 - Proposed Door & Window Details
 - Proposed Floor & Roof Plans of New Build Terrace Housing Scheme
 - Proposed Floor Plans of Apartment Conversion
 - Existing Floor Plans
 - Visibility Splay Plan
 - Existing Tree Survey
 - Existing Site Survey Plan
 - Location Plan and Existing Site Plan
 - Bat Survey Report
 - Preliminary Ecological Appraisal
 - Design & Access Statement including Heritage Impact Assessment
3. The proposed access shall have a visibility splay of 2.4m x 43m in both directions measured along the nearside edge of the adjoining carriageway over land within the control of the Applicant and/or Highway Authority and within which there shall be no obstruction to visibility in excess of 0.6m above the nearside channel level of the adjoining highway
 4. The proposed access shall be a minimum of 6.0m in width at the back edge of footway with the existing vehicular footway crossing extended in accordance with the attached specification.
 5. Facilities shall be provided and retained within the site for the parking and turning of vehicles. Such facilities being completed prior to the proposed development being brought into use.
 6. No development shall take place, including site clearance works, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority
 7. No development, including site clearance, shall commence until a Great Crested Newt (GCN) plan of reasonable avoidance measures has been submitted to and approved in writing by the Local Planning Authority. The plan of reasonable avoidance measures should include, but not necessarily be limited to the submission of details and plans concerning GCN reasonable avoidance and mitigation measures including:

8. fence design, construction and maintenance (the erection of a one-way amphibian fence, prior to and throughout the duration of construction operations) proposals for the clearance of individuals from working areas, details of timing, phasing and delivery of reasonable avoidance measures

The plan of reasonable avoidance measures shall be carried out in accordance with the approved details.

9. No development, including site clearance, shall commence until a site wide Bat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority.

10. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

3.00 CONSULTATIONS

3.01 Local Member – Councillor T Palmer

Requests planning committee determination and a site visit to allow members to review the size of the development and access

Holywell Town Council

Supports the application provided that the access to and from the site is of sufficient width for two way traffic.

Community and Business Protection

No objections

Highways Development Control

The site will remain private and matters including ongoing maintenance would be the responsibility of a Management Company. On that basis, and subject to the inclusion of conditions then no objections received.

Natural Resources Wales

No objections received subject to the inclusion of conditions relating to protected species.

Heneb: Clwyd-Powys Archaeology

Advises the inclusion of a condition requiring that a Level 2 historic building survey is completed.

Conservation

No objection subject to the inclusion of conditions relating to joinery, solar array and removal of permitted development rights.

Welsh Water/Dwr Cymru

No objections received as capacity exists to accept foul flows.

Education and Youth

No contributions sought for either primary or secondary education due to existing capacity.

Gwella

Requests an offsite contribution in lieu of on-site provision.

4.00 PUBLICITY

4.01 23 Neighbour Notification letters were sent to adjoining/nearby properties. The application was also advertised by way of a Site Notice displayed at the site and a Press Notice in the local paper. Nine letters of objection have been received and are summarised as follows:

1. Destruction of habitat and disposition of protected wildlife
2. Size of development
3. Access
4. Lack of existing infrastructure
5. Construction disturbance
6. Lack of privacy for the Plas Gwenfrewi complex

5.00 SITE HISTORY

5.01 FUL/000838/23

Application for the adaptation of the existing Talacre Arms Building into four 2 bedroom self-contained apartments [including one duplex unit] and the erection of five new 3 bedroom dwellings and associated infrastructure – Withdrawn to allow for the undertaking of bat surveys and amended plans

067875

Application for Conservation Area consent to demolition - Refused
13.05.21

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan

STR2 – The Location of Development.

STR4 – Principles of Sustainable Development, Design and Placemaking

STR5 – Transport and Accessibility

STR6 - Services Facilities and Infrastructure

STR11 – Provision of Sustainable Housing Sites

STR13 – Natural and Built Environment, Green Networks, and Infrastructure
STR14 – Climate Change and Environmental Protection
PC1 – The Relationship of Development to Settlement Boundaries
PC2 – General Requirements for Development
PC3 – Design
PC4 – Sustainability and Resilience of New Development.
PC5 – Transport and Accessibility
PC10 – Community Facilities
HN2 – Density and Mix of Development
EN6 – Sites of Biodiversity and Geodiversity Importance
EN8 – Built Historic Environment and Listed Buildings
EN9 – Development in or Adjacent to Conservation Areas

Adopted Supplementary Planning Guidance Notes

SPGN 2- Space Around Dwellings
SPGN 3 – Landscaping
SPGN 4 – Trees and Development
SPGN 7- Conservation Areas
SPGN 8 – Nature Conservation & Planning
SPGN 11 - Parking Standards
SPGN 23 – Developer Contributions to Education
SPGN 24 – Retention of Local Facilities
LPGN 13 – Open Space Requirements

National Planning Policy

Planning Policy Wales Edition 12
TAN12: Design
TAN24: The Historic Environment
Future Wales: The National Plan 2040

7.00 PLANNING APPRAISAL

7.01 Introduction

This application seeks planning permission for the proposed conversion of the former Talacre Arms, New Road, Holywell into four 2 bedroom apartments and the erection of five new three bedroom dwellings on the former car park.

7.02 Site Description

The application site consists of a detached substantial three storey building accessed off New Road within the settlement boundary of Holywell as identified in the FLDP. Historically the white render building has been utilised as pub with residential accommodation above. Various alterations have been undertaken over the years including the flat roof extension erected on the front elevation.

7.03 To the north of the site are a row of 4 traditional terraced cottages, whilst to the east is a cottage and large guest house. A three storey residential apartment block and converted church are located to the

south. The site has been vacant for a number of years and the land surrounding the building is overgrown.

7.04 Proposed Development

The application proposes the conversion of the three storey former Talacre Arms to form apartments. Externally the appearance will be refurbished but there are no proposed alterations to the elevations, including no new windows or doors. The proposed conversion will provide four apartments all of which have two bedrooms.

7.05 In addition to the conversion, the application proposes a row of five terraced properties on land to the rear which formed part of the pub car park and garden. The two bedroom dwellings will be constructed with a render, timber fenestration and slate roof finish and are afforded private amenity space to the rear.

7.06 The existing access off New Road will be utilised and improved, whilst 17 car parking spaces will be provided within the site.

7.07 Principle of Development

The site is located within the settlement boundary of Holywell is defined in the LDP as a Tier1 Main Service Centre. It is considered that the site is in a sustainable location well located to local services and facilities, public transport, and employment.

7.08 It is noted that the former public house ceased trading in 2019 and in this context policy PC12 and SPGN 24 is of relevance This states that there should be similar accessible facilities in the neighbourhood otherwise a 'statement of efforts' and 'proof of marketing' should be put forward. It is acknowledged however that there are a variety of pubs not far from the site, which would provide alternative community facilities in the locality to meet / address this policy requirement.

7.09 In principle policy STR2 of the LDP allows for small scale windfall housing proposals either through conversions or new build. The principle of development is therefore acceptable, subject to the safeguarding of relevant development management considerations, as referenced in this report.

7.10 Highway Safety

The application proposes to utilise the existing vehicular access off New Road to serve the site. Some minor modifications to this access are proposed to aid manoeuvring and to improve pedestrian visibility.

7.11 A total of 17 car parking spaces are provided on the site which is in accordance with the maximum parking standards as set out in SPGN No.11.

7.12 Subject to the inclusion of condition as set out at paragraph 2.01 of this report there are no objections from Highways Officers on highway safety grounds.

7.13 Impact on Heritage Assets

The application site is located within the Holywell Conservation Area and is in close proximity to a number of listed buildings. The actual building subject of this application is not a listed building but retains some features that contribute positively to the character of this part of the area. The building is of 19th century origin and is likely to have been a public house and may have possibly been purpose built as an inn.

7.14 The application site is situated in an important position on the principal route between Holywell town centre, St Winefride's Holy Well and other properties occupying the historic Greenfield valley. Upon refusal of the earlier application for demolition the Council were of the opinion that the Talacre Arms makes a positive contribution to the streetscape of this part of the Holywell Conservation Area.

7.15 The applicant has amended previous proposals for demolition and the Conservation Officer now supports the conversion of the building into apartments and the provision of new build housing. Externally the former Talacre Arms will be retained with the character and appearance being preserved. Internally significant works will be undertaken but as the building is not the subject of any designations, and do not impact on the exterior appearance then these works are considered acceptable.

7.16 The provision of five new build properties to the side of the side has been carefully designed to ensure that they complement the buildings in the vicinity, including the row of terrace dwellings at Castle View and are set back from New Road to ensure that both the prominence of the Talacre Arms and the setting of the adjacent Grade II Listed statue of Christ are not affected.

7.17 The proposed development will not have any impact on the Conservation Area or the setting of the Listed Buildings, and accordingly the proposal is considered compliant with policies EN8 and EN9 of the FLDP.

7.18 Ecological Impacts

The site consists of the old pub building with car park, planted and semi natural woodland, scrub and neutral grassland. Trees consist of mature ash and sycamore with hazel, hawthorn and willow plus

plum trees spreading into the grassland, and non-native, snowberry, cotoneaster and laurel. Large conifers occur to the north and west of the building. The grassland is reasonably diverse with black knapweed, meadow buttercup, greater bird's foot trefoil and sorrel but unmanaged, with tall grasses and bramble encroachment.

- 7.19 There are no statutory designated sites located immediately adjacent to the site. There is a compartment of Halkyn Mountain SAC which lies 300m to the northwest but will not be impacted by the proposal. Gowdal Woodland and Grassland Wildlife Site occurs just to the north of the red line boundary. The application proposes that the broadleaved woodland is to be retained and protected during construction but it is recommended that this be demonstrated on plan showing root protection areas, which can be secured by a suitably worded condition.
- 7.20 Along with legally protected species, as well as statutory and non-statutory sites, knowledge of the presence of priority habitats and priority species is required if the impact of future development is to be avoided or mitigated and these are designated as Environment Wales Act 2016, Section 7 priority habitats.
- 7.21 Planted woodland and scrub will be removed and although not a Section 7 priority habitat, it does offer good habitat for nesting birds and cover for hedgehogs. The application confirms that the loss of these trees and shrubs will be compensated for by bird nest box and bat boxes. Neutral grassland a relatively diverse unmanaged grassland will be lost to the development.
- 7.22 With regards to bats the Preliminary Ecological Appraisal (PEA) confirms that emergence surveys have been undertaken. Small numbers (circa 3) of lesser horseshoe bats were recorded emerging from the rear of the building. Other bat species, common and soprano pipistrelles, brown long eared, noctule and Myotis were also recorded around the site, but not emerging from the building.
- 7.23 Conversion of the building to apartments means that there is no space for mitigation within the building. A purpose built bat house is proposed within the northern corner of the site which is considered acceptable by both NRW and the County Ecologist but will need to take tree canopy and root protection zones into account during construction. Lighting should be minimised for the development with the existing hedges and trees retained as dark corridors which can be secured by way of condition.
- 7.24 Concerns have been raised by third parties that protected species have been sighted near or on the application site. The County Ecologist has no evidence of these protected species were visible but dense areas of bramble could not be accessed so it is recommended that the vegetation clearance is carried out under

ecological supervision which can be secured by way of a condition. This would also provide protection for other species including hedgehogs.

- 7.25 Finally with regards to birds although not specifically surveyed, the habitats present will support nesting birds. The PEA report recommends vegetation clearance including the removal of ivy, is undertaken outside of the bird nesting season. In terms of net benefit measures including bird boxes, bat boxes and increased soft landscaping are proposed.
- 7.26 Impact on Residential Amenity
The proposed development of five new dwellings require individual private amenity space in accordance with SPGN No.2 Space Around Dwellings. Due to the constraints of the site, including protection of the heritage assets, the properties are set back into the site and accordingly the rear garden depths are limited in some cases. However, in terms of area, each of the dwellings are afforded more than the 50 square metres which is a guideline minimum for two bedroomed dwellings. Accordingly, it is considered that each property will be afforded adequate private amenity space.
- 7.27 The nearest residential dwellings to the site are those at Castle View Terrace and the apartments off New Road. The siting and orientation of the new build housing on the site means there is no direct overlooking possible from existing or new windows and there will be no impact on loss of light. Additionally, there are no privacy concerns with regards to the dwellings on Castle View Terrace.
- 7.28 The interface distance between habitable windows at No.29 New Road and the Talacre Arms falls short of the minimum separation distance as set out in the SPG. However, significant consideration needs to be given to the fact that residential accommodation at the Talacre Arms previously existed at ground and first floor level. Additionally, New Road is a busy road with high volumes of traffic which acts as a physical break between the properties. Accordingly, although the interfaces do not meet the guideline figure, the 15 metre distance is considered more than adequate in this circumstance.
- 7.29 S106 Contributions
The infrastructure and monetary contributions that can be required from the Proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'. It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following Regulation 122 tests:

1. be necessary to make the development acceptable in planning terms;
2. be directly related to the development; and
3. be fairly and reasonably related in scale and kind to the development.

7.30 The Councils Education and Youth department were consulted on the proposal and confirmed that capacity exists at both the nearest primary school (St Winefride's RC VA) and secondary school (Ysgol Treffynnon). Accordingly no contributions are sought towards education provision.

7.31 In terms of public open space due to the constraints of the site on-site provision is not feasible. Gwella (Leisure Services) would request an offsite contribution in lieu of on-site provision. The required sum would be £1,100 per house or £733.00 per apartment / affordable housing and the funds would be used to improve junior play provision at Bryn Mawr Play Area, Holywell. The project has not received more than 5 contributions towards to date.

7.32 It is considered that the contribution required meets the Regulation 122 tests.

8.00 CONCLUSION

This application seeks planning permission for the conversion of the former Talacre Arms building into four self-contained apartments, and the development of the car park to provide five terraced dwellings.

The principle of development is considered to be in compliance with both local and national planning policy. Significant analysis of matters including ecological implications and the impact on heritage assets have been undertaken but are considered acceptable.

Accordingly, it is recommended that planning permission be granted subject to the applicant entering into a S106 agreements to provide an off-site play contribution and the imposition of conditions as set out at paragraph 2.01 of this report.

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.

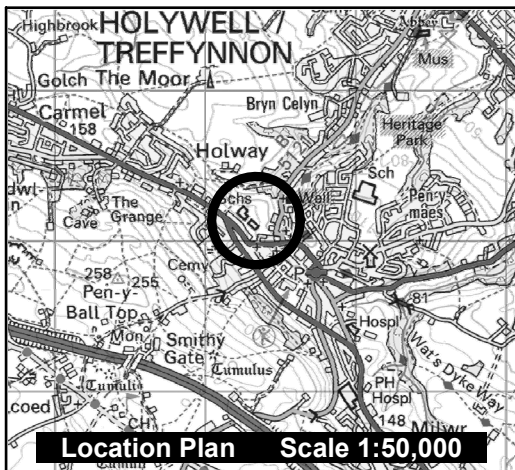
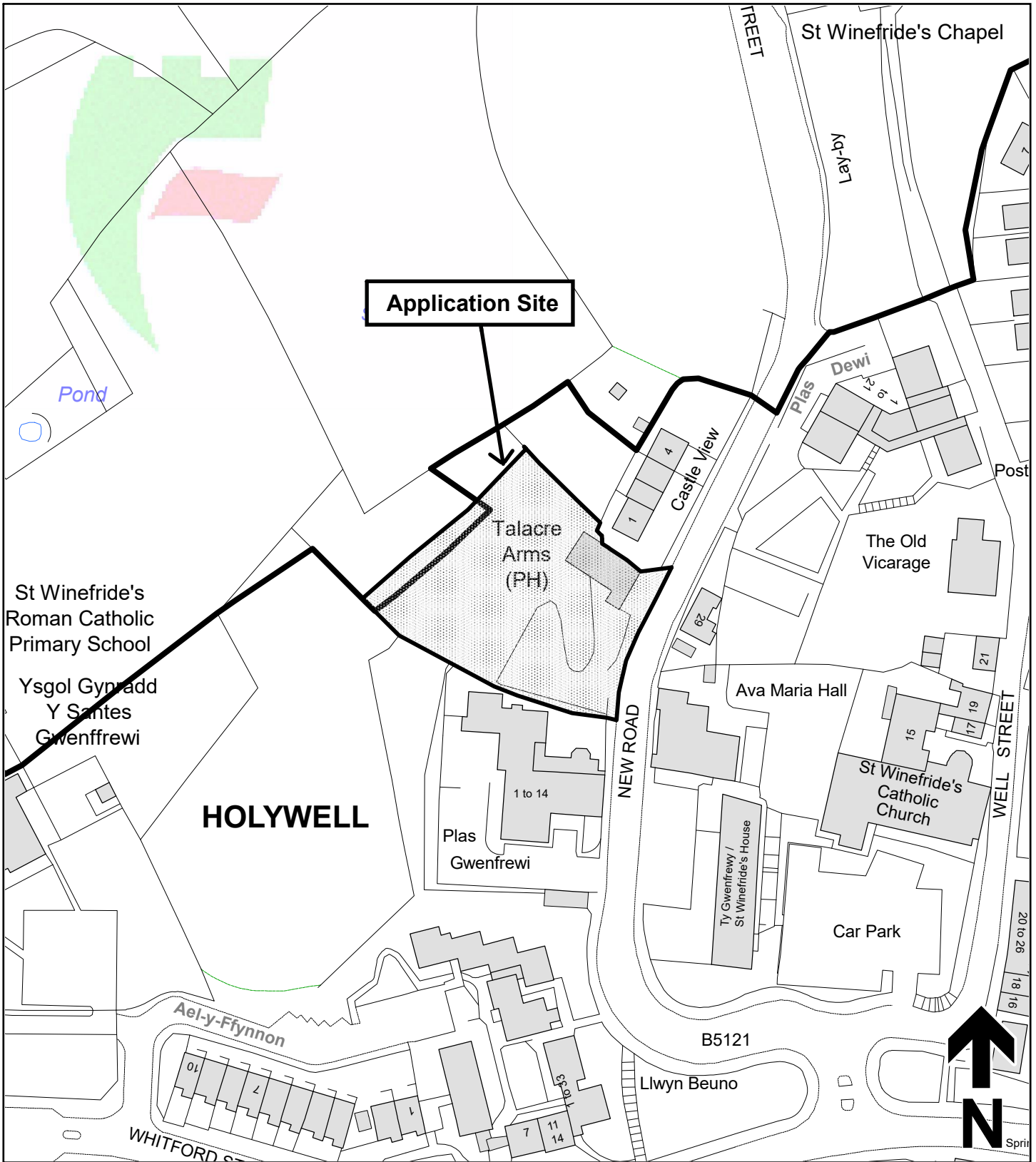
The Council has had due regard to its public sector equality duty under the Equality Act 2010.

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

Contact Officer: Claire Morter
Telephone: 01352 703299
Email: claire.e.morter@flintshire.gov.uk



Planning, Environment & Economy,
Flintshire County Council, County Hall,
Mold, Flintshire, CH7 6NF.
Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
Development Plan
Settlement Boundary

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Map Scale: 1:1250

OS Map: SJ 1876

Application: FUL/000726/24

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **WEDNESDAY, 18 DECEMBER 2024**

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

SUBJECT: **FUL/000581/24 - FULL APPLICATION - CONVERSION OF 2NO. OUTBUILDINGS TO FORM 2NO. BEDROOM ANNEX ACCOMMODATION TOGETHER WITH DEMOLITION OF A FURTHER 2NO. OUTBUILDINGS AT BRICK KILN ISAF, CAERWYS**

APPLICATION NUMBER: **FUL/000581/24**

APPLICANT: **DAVID CLARKSON**

SITE: **BRICK KILN ISAF, CAERWYS, MOLD, CH7 5BN**

APPLICATION VALID DATE: **14TH AUGUST 2024**

LOCAL MEMBERS: **COUNCILLOR S. COPPLE**

TOWN/COMMUNITY COUNCIL: **CAERWYS TOWN COUNCIL**

REASON FOR COMMITTEE: **AT THE REQUEST OF THE LOCAL MEMBER TO ALLOW FOR OBJECTIONS TO BE HEARD**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full application for the proposed conversion of two outbuildings together with link extension to provide a two bedroom annexe on land at Brick Kiln Isaf, Caerwys.
- 1.02 The scale and form of the proposal, the degree of separation and non-reliance on the services of the main dwelling results in a development that is essentially a new dwelling in the open

countryside. The proposal is considered contrary to policy HN6 of the LDP.

- 1.03 Additionally, the application as submitted fails to demonstrate that the impact of the development on protected species (including bats) can be mitigated against let alone enhanced. The proposal fails to accord with policy EN6 of the LDP.
- 1.04 The application fails to accord with both local and national planning policy and is recommended for refusal for the reasons as set out at paragraph 2.01 of this report.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

- 2.01
1. The scale and form of the proposed development and the degree of separation from the main dwelling results in a new dwelling in the open countryside contrary to policies HN6 and HN4 of the Flintshire Local Development Plan.
 2. The application as submitted fails to demonstrate that the impact of the development on protected species can be mitigated against or enhanced contrary to policy EN6 of the Flintshire Local Development Plan.

3.00 CONSULTATIONS

- 3.01 Local Member – Councillor S Copple
Requested Planning Committee determination to allow for all relevant material considerations to be reviewed.

Caerwys Town Council

No objections provided the application complies with planning policy and guidance notes.

Community and Business Protection

No objections received

Public Rights of Way

Public Bridleway 34 abuts the site but appears unaffected by the development. PROW advise that the path must be protected and free from interference from the construction.

County Ecologist

Objects to the application due to concerns over the mitigation or enhancement of protected species.

Highways Development Control

No objection subject to the inclusion of a condition relating to the parking and turning of vehicles.

4.00 PUBLICITY

4.01 No immediate neighbours. However, the application was publicised by way of a Site Notice being displayed. No responses received at time of writing.

5.00 SITE HISTORY

5.01 No relevant planning history

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan
STR2- The Location of development
STR4- Principles of sustainable development, design and placemaking
STR13- Natural and built environment, green networks and infrastructure.
PC1- The Relationship of development to settlement boundaries
PC2- General requirements for development
PC3- Design
PC4- Sustainability and resilience of development
HN4- Housing in the countryside
HN6- Annex accommodation
EN4- Landscape character
EN6 – Sites of Biodiversity and Geodiversity Importance

Supplementary Planning Guidance

SPGN 5- Conversion of rural buildings
SPGN 10- New housing in the open countryside
SPGN 11- Parking standards

National Policy

Planning Policy Wales Edition 12
TAN 6- Planning for sustainable rural communities
TAN 12- Design
Future Wales: The National Plan 2040

7.00 PLANNING APPRAISAL

7.01 Introduction

This application seeks planning permission for the proposed conversion of 2no. existing outbuildings with link extension to form a 2 no. bedroom annexe accommodation on land at Brick Kiln Isaf, Caerwys.

7.02 Site Description

The application site extends approximately 0.44 acres in size and is roughly triangular in shape. The site is currently formed of a detached two storey dwelling which is located to the rear of the site. A detached garage and two stone outbuildings are located to the front of the dwelling. Gardens associated with the dwelling are located to the side. The property has a clearly defined curtilage to both the east and west which are identifiable by mature hedges.

7.03 The site is located outside of any defined settlement boundary and is therefore in the open countryside. Any previous agricultural use has long ceased and the site is entirely residential. The property is surrounded on all sides by open countryside with the nearest dwellings located more than 135 metres away.

7.04 Proposed Development

The application proposes to convert two existing detached outbuildings and erect an extension to link both buildings to form a two bedroom annexe. The annexe is proposed with a lounge, kitchen/dining area, two bedrooms (one of which is en-suite) and bathroom. A new porch is proposed on the front elevation.

7.05 The new link building will be constructed utilising stone and slate gathered from the demolition of an existing outbuilding.

7.06 Externally works including the erection of a new storage building, footpath and patio are proposed.

7.07 Principle of Development

The site lies in an open countryside setting, outside any settlement boundary as defined by the Local Development Plan. The proposal is far more than a simple barn conversion and entails extensive redevelopment of two buildings.

7.08 The application states that it is annex accommodation, but it is clearly a single dwelling which will not need to be reliant on the main house, Brick Kiln Isaf, for any facilities. The policy most relevant to this proposal is HN6 Annex Accommodation of the LDP.

7.09 Policy HN6 confirms that annex accommodation will only be permitted subject to strict criteria. Whilst the conversion of an existing building within the curtilage of a dwelling can be supported,

the policy is clear in that its usage must be ancillary to the main dwelling for facilities. In this case, the proposed building is capable of being used completely independently as a separate dwelling. Additionally, the provision of a patio overlooking an enclosed garden provides private amenity space for the proposed annexe which reinforces the degree of separation from the main dwelling.

- 7.10 The applicant contends that the annexe accommodation will be utilised by the applicants mother in law and brother, hence the requirement for two bedrooms. However, the applicant was advised in pre-application advice and the previously withdrawn application that the scale of the proposed development was excessive and was asked for justification as to why a modest extension to the existing dwelling could not accommodate for the needs of the future occupiers. No justification of need has been provided.
- 7.11 In the absence of any form of evidenced need, the proposed development would result in the provision of a separate dwelling, in an open countryside location, contrary to policy HN6 of the LDP.
- 7.12 Additionally, as the proposed development would result in a new dwelling in the open countryside policy HN4 is also applicable. The proposal does not accord with any criteria as set out in that policy and is therefore considered contrary to policy HN4.
- 7.13 Scale and Appearance
Notwithstanding the policy concerns to the proposed development it is considered material to consider the proposed scale and appearance.
- 7.14 The proposed annexe is designed to utilise existing openings where possible with the addition of new windows and bi-fold doors. The new link and porch are proposed with stone facing and slate roof. Whilst the material palette is acceptable, the proposed number and style of openings are considered to be neither sympathetic to, nor harmonise with the existing barn and countryside location.
- 7.15 Additionally, the scale of the proposed development is excessive. The proposed extensions alone represent a 50% increase to the footprint of the existing barns and cumulatively the finished building will have a significant footprint and form a substantial detached dwelling in its own right. The proposed scheme of conversion with the solid link extensions and the addition of a porch, does not retain the simple character and appearance of two small stone outbuildings. Due to its prominent location within the site and fronting the road the proposed building will be highly visible in the location and the site will appear to have two dwellings.

- 7.16 The proposed scale of the development represents a poor design and would unacceptably harm the character of the open countryside location contrary to policies PC2 of the LDP and TAN 12.
- 7.17 Ecological Matters
There are no Statutory or Non Statutory designated sites within the immediate locality of the application site, but the property is situated on an unlit lane, in close proximity to woodland and surrounded by farmland with trees hedgerows and ponds. The woodland and pasture represents high value foraging habitat for bats and increases the likelihood of a bat roost being present. The barns also have potential for nesting birds such as barn owl and swallows.
- 7.18 In line with policy changes applied to Planning Policy Wales Edition 12 an Ecological Appraisal needs to be submitted and provide enough detail to show that Net Benefit for Biodiversity can be achieved. Where biodiversity has not been taken into account and net benefit has not been sufficiently demonstrated then permission must not be supported.
- 7.19 A Preliminary Ecological Appraisal and Preliminary Roost Assessment was undertaken in March 2023 by Arbtech, and submitted with a previous application. The bat survey confirmed the presence of bats in the barns to be demolished / converted and further activity surveys were recommended to confirm species and roost type present. However, the current submission fails to include the above ecological assessment or bat survey nor have any further activity surveys been undertaken.
- 7.20 The lack of ecological information provided means that the application fails to demonstrate that bat roosts will be mitigated, let alone enhanced. The application fails to accord with Policy EN6 of the Flintshire Local Development Plan and PPW12.
- 7.21 Highway Safety
The application proposes to widen an existing access and provide additional parking to accommodate for both the existing dwelling and proposed annexe. Highways Officers raise no objection to the proposal but do recommend that if planning permission be granted that a condition requiring details of the proposed parking and turning facilities be included.

8.00 CONCLUSION

This application proposes the conversion and extension to barns at Brick Kiln Isaf, Caerwys to provide a two bedroomed annexe.

- 8.01 The scale and form of the proposal, the degree of separation and non-reliance on the services of the main dwelling results in a development that is essentially a new dwelling in the open countryside. The proposal is considered contrary to policy HN6 of the Flintshire Local Development Plan.
- 8.02 Additionally, the application as submitted fails to demonstrate that the impact of the development on protected species (including bats) can be mitigated against let alone enhanced. The proposal fails to accord with policy EN6 of the LDP.
- 8.03 The applicant has been advised of the above objections in a previously withdrawn application and prior pre-application advice but the matters have not been resolved in this submission.
- 8.04 The application fails to accord with both local and national planning policy and is recommended for refusal for the reasons as set out at paragraph 2.01 of this report.
- 8.05 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.

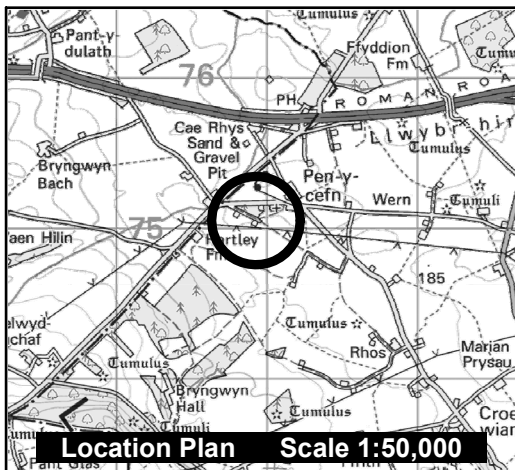
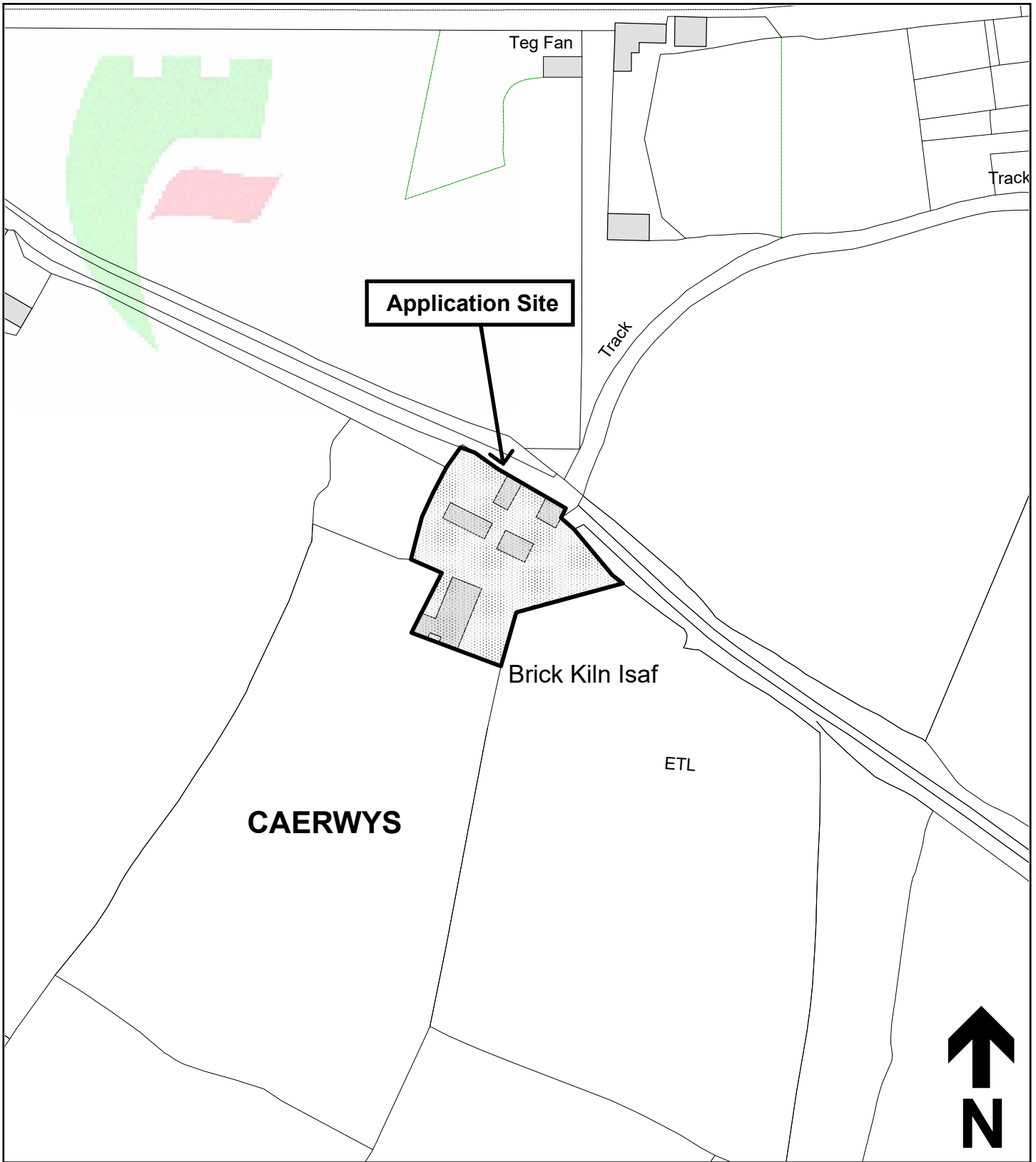
The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy

Responses to Consultation
Responses to Publicity

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 Flintshire County Council, County Hall,
 Mold, Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Legend



Planning Application Site



Adopted Flintshire Unitary
 Development Plan
 Settlement Boundary

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