

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 20TH MARCH 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **OUTLINE - ERECTION OF A DETACHED BUNGALOW AT "BELMONT", SOUTH STREET, CAERWYS, MOLD**

APPLICATION NUMBER: **050169**

APPLICANT: **MR C MAGGS**

SITE: **LAND TO THE REAR OF BELMONT, SOUTH STREET, CAERWYS, MOLD CH7 5AL**

APPLICATION VALID DATE: **28 SEPTEMBER 2012**

LOCAL MEMBERS: **COUNCILLOR J E FALSHAW**

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

REASON FOR COMMITTEE: **REQUEST BY LOCAL MEMBER**

SITE VISIT: **UNDERTAKEN PRIOR TO DECEMBER COMMITTEE**

Members will be aware that this application was reported to committee in December when its determination was deferred as the applicant had indicated that an archaeological investigation was to be undertaken. As no further information has been received the application is presented back to committee with my original recommendation of refusal.

1.00 SUMMARY

1.01 This outline application seeks planning permission for the erection of a detached bungalow on a plot of land to the rear of Belmont, fronting onto Heol y Capel (Chapel Street) in Caerwys. All matters of detail are

reserved for further approval although the submitted plans show the siting of a single storey dwelling.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

Reasons:

1. The proposed development by virtue of its scale and massing in conjunction with the limited plot depth will lead to a cramped form of development, out of character with the surrounding spacious form of plots, resulting in over development of the site which does not preserve or enhance the character and appearance of the Caerwys conservation area, contrary to policies GEN1, GEN2, D1 and HE1.
2. The UDP identifies the housing requirements for Caerwys and the applicant has not submitted sufficient information regarding local housing need to allow the proposal to be considered under Policy HSG 3.
3. The application contains insufficient information upon which to consider the impact of development upon subsurface archaeology that is anticipated to have survived on the plot and as such the proposal is considered to be contrary to policies HE7 and HE8.

3.00 CONSULTATIONS

3.01 Local Member Cllr J E Falshaw

Requests committee referral and committee site visit, as the proposal is to build a small bungalow to the rear of Belmont, size of plot and past usage. (Site visit was undertaken prior to the December Committee meeting).

Caerwys Town Council

The area of land allocated is such that it may not be able to make adequate provision for a dwelling and therefore may be contrary to policy on density of development.

The development should allow for adequate off road parking and garden as referred to in LPG Note No2 Space Around Dwellings. The site history should be investigated as there is no local knowledge of any business being given planning consent to operate at this location, as stated in the Design and Access Statement.

Head of Assets and Transportation

Raises no objection as there appear to be two points of access serving the rear of the property, one of which can serve the proposed dwelling.

Request conditions with regards to setting the building line back 2.5m back from the carriage way channel, any proposed boundaries being less than 1m in height and facilities being provided and retained within the site for the parking of vehicles with both the existing and proposed property and these being completed prior to the development being brought in to use.

Head of Public Protection

Confirm no adverse comments to make regarding this proposal.

Clwyd Powys Archaeological Trust

Information retained within the Historic Environment Record indicates that the proposal will be located within the medieval historic core of Caerwys. The plot lies within the long burgage plot of Belmont and on similar plots along North Street medieval and post medieval domestic and industrial archaeology has been found during pre- determination evaluation work and it is anticipated that sub surface archaeology will have survived on the plot to the rear of Belmont. There is insufficient information to be able to determine the application, and therefore recommend that a pre-determination archaeological evaluation be completed to supply this information and allow subsequent discussion on mitigation.

Community Services Housing Strategy

Have advised the applicant of the affordability requirements in respect to this development.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification
No response received at time of writing.

5.00 SITE HISTORY

5.01 **035964**
Outline detached dwelling Withdrawn 26.07.91

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
STR1 New Development
GEN1 General Requirements for Development
GEN2 Development Within Settlement Boundaries
HE1 Development Affecting Conservation Areas
D1 Design, Location and Layout
HSG3 Housing on Unallocated Sites Within Settlement Boundaries
HE7 Other Sites of Lesser Archaeological Significance
HE8 Recording of Historic Features

7.00 PLANNING APPRAISAL

7.01 The Application Site

The application site is located within the settlement boundary of Caerwys, set within the designated Conservation area and the medieval historic core. The plot is located to the rear of the existing dwelling Belmont and has been segregated from Belmont by a wooden fence, delineating the plot, the rear boundary also comprises of wooden fence as is the side boundary. The frontage of the plot presently has a stone wall approximately 2m high, with the vehicular access presently in situ to the side corner of the plot. There is a small ancillary detached building on the site but there is no planning history relating to any alternative use of this land.

7.02 Scheme

The outline submission includes an illustrative scheme indicating the scale of the development and its location of the plot itself. The footprint of the development is proposed to be 65 m², allowing a garden space of 87 m², with two parking spaces provided to the side of the bungalow which is to be set 2 m. back from the highway and leaves a rear garden depth of just over 4m depth.

7.03 Conservation Area

The application site lies within the conservation area and is proposed to be located to the rear of the existing house Belmont. The plot is considered to be an original medieval 'burgage' plot having a historical significance in contributing to part of the original form of the town. Whilst it is noted that the Caerwys conservation area is characterised by a mixture of plot sizes and location of properties in relation to the street, in this instance it is considered that the limited plot depth, out of character with the spacious surrounding plots which form the characteristic medieval feature of the town and its Conservation Area.

7.04 It is also considered that the proposed modern wide gabled bungalow, would be out of character with the narrow gabled steep roofed buildings of the area and the development would over dominate the frontage building, thus reversing the building hierarchy where the main street fronting building should be of greater visual prominence.

7.05 This limited depth of plot is considered to result in a development which will be cramped on the plot and lead to an overdevelopment, which is out of character with the surroundings. The set back of 2.5m from the adjoining carriageway channel which is required in Highway terms would further compound the limited rear plot depth. Highways also request that any highway boundary be limited to a height of 1m, further impacting upon the character of the Conservation Area.

7.06 Local Housing Need

Caerwys is a Category B Settlement which has reached 19.7% growth and policy HSG3 advises that where development has exceeded the 15% growth band, that the proposal can only be approved where the development is for a specified local housing need. Caerwys has exceeded its growth rate and as such any new development will be required to cater for a proven local housing need. The applicant has not forwarded any supporting information on this aspect to suggest that the development would comply with this requirement but he claims that as the application is for a small bungalow, its value will be limited and that it would not be viable if the Policy was to be complied with. It is not considered that this is sufficient justification to override the policy requirements under HSG3 in regard of local housing provision.

7.07 Archaeological Importance of the Plot

The application site lies within an important archaeological medieval area and as such it is anticipated that subsurface archaeology could survive on the plot. Without a pre-determination archaeological evaluation being carried out and submitted to the local planning authority, the Clwyd Powys Archaeological Trust consider that there is insufficient information upon which to consider and discuss mitigation on this matter and recommend that the application is refused.

7.08 As referred to above, the application had been deferred pending submission of the archaeological evaluation but, to date, this has not been submitted and neither the agent or the applicant have contacted advised that one is being prepared. It was indicated in December that this would be submitted to address reason no. 3, but the lack of this information means that this remains within my recommendation. It should, however, be noted that this is only one aspect and there are considered to be other strong reasons for resisting this development, referred to in reasons 1 and 2 of the recommendation.

8.00 CONCLUSION

8.01 Having regard of the illustrative outline scheme submitted, it is apparent that the plot has a very limited plot depth; this has direct implications upon how the plot could be developed. It is considered that the development proposed would harm the spatial hierarchy and special character of the conservation area and there is insufficient information to assess the archaeological significance of the site. In addition there is no evidence of local need to allow the proposal to be considered under Policy HSG 3 and I recommend accordingly.

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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