

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 9 OCTOBER 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **050169 - OUTLINE APPLICATION - ERECTION OF A DETACHED BUNGALOW AT BELMONT, SOUTH STREET, CAERWYS**

APPLICATION NUMBER: **050169**

APPLICANT: **MR C MAGGS**

SITE: **LAND TO THE REAR OF BELMONT, SOUTH STREET, CAERWYS**

APPLICATION VALID DATE: **28TH SEPTEMBER 2012**

LOCAL MEMBERS: **COUNCILLOR J E FALSHAW**

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

REASON FOR COMMITTEE: **REQUEST FOR REFERRAL TO COMMITTEE BY COUNCILLOR J E FALSHAW**

SITE VISIT: **PREVIOUSLY HELD**

MEMBERS MAY RECALL THAT THIS APPLICATION WAS DEFERRED AT 12 DECEMBER 2012 COMMITTEE, PENDING THE APPLICANT SUBMITTING FURTHER INFORMATION WITH REGARD TO A PRE-DETERMINATION ARCHAEOLOGICAL EVALUATION AND LOCAL / AFFORDABLE HOUSING PROVISION. NO FURTHER INFORMATION HAS BEEN FORWARDED BY THE APPLICANT AND THE REPORT IS BROUGHT BACK FOR DETERMINATION.

1.00 SUMMARY

- 1.01 The application proposes the erection of a detached bungalow on land to the rear of Belmont. The site lies within the settlement boundary of Caerwys, within a designated Conservation area and the medieval historic core of the town.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

- 2.01 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 of the adopted Flintshire Unitary Development Plan.
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 is considered to be contrary to policies HE7 and HE8 of the Unitary Development Plan.

3.00 CONSULTATIONS

3.01 Local Member

Councillor J E Falshaw

Requested referral of the application to committee and site visit on the initial application.

Caerwys Town Council

The application site may not be able to make adequate provision for a dwelling and would therefore be contrary to policy on the density of the site.

The development should allow for off road parking and garden as referred to in the LPG No 2 Space Around Dwellings.

The site history should be investigated as there is no local knowledge of any business being given consent to operate at this location.

Head of Assets and Transportation

Raise 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.

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

Head of Public Protection

Pollution

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 ear 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

No response received at time of writing.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

No responses received

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

Local Planning Guidance Note No2 Space Around Dwellings

7.00 PLANNING APPRAISAL

7.01 The main issues concern the principle of development, with particular reference to Policy HSG 3, the archaeological significance of the site

and its location within the historic setting of Caerwys. The application was reported to the 12th December, 2012 committee where Members resolved to defer the application, to enable the applicant the opportunity to submit additional information regarding local need and time to commission the required pre determination archaeological evaluation. No further information has been submitted in respect of these matters.

7.02 The application site is situated within the settlement boundary of Caerwys, within a designated Conservation Area and the medieval historic core of the town.

7.03 The plot is located to the rear of the existing property Belmont and has been segregated from Belmont by a wooden fence, delineating the plot, the rear boundary of the site also comprises of a wooden fence. The frontage of the site has 2m high stone wall, with vehicular access presently in situ to the side corner of the plot. There is a small stone/breeze block, cement corrugated sheeted roof building which appears to be a domestic garage.

7.04 There is no planning history relating to any alternative approved use of this land which is a level overgrown grassed area, with several concrete bases in situ and a domestic caravan stored on site.

7.05 Scheme

The outline scheme has not been amended since its initial submission, and comprises of an illustrative scheme of development, indicating the proposed scale of the development. The foot print of the dwelling is proposed to be 65m² within a garden space of 87m², with parking provision provided to the side of the proposed bungalow. The bungalow is proposed to be set back 2m from the back edge of the highway fronting the site and leave a rear garden depth of just over 4m depth . This limited depth of plot is considered to lead to a development which will look cramped on the plot and lead to overdevelopment of the plot and would be out of character with the surrounding spacious plots.

7.06 Highways officers have raised no objection to the proposal, but have requested that the dwelling be set further back on the site, to enable a set back of 2.5m. from the adjoining highway, this would further compound the limited plot depth . They have also requested that any highway boundary would be limited to a height of 1m, this would further detrimentally impact upon the character of the conservation area, by the loss/alteration to the stone boundary wall which is a key character of the conservation area.

7.07 Conservation Area

The application site lies within the Caerwys conservation area, the plot is located to the rear of the existing dwelling Belmont and is considered to be an original medieval burgage plot. As such it has a

historical significance in contributing to the original urban form of the town. Belmont itself has an unusual appearance and may have had a specific role in the life of the town.

- 7.08 Whilst it is noted that 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 plot has a very limited plot depth and this is out of character with the spacious surrounding plots, which predominate the immediate area and forms the characteristic medieval burgage plot feature of the pattern of development which is characteristic of the Conservation Area within which the site is set. The loss of the link between the frontage building and the burgage plot would erode the spatial character of the conservation area.
- 7.09 The indicative design of the proposed building shows a modern shallow, wide gabled bungalow, which would be out of character with the narrow gabled steep roofed buildings of the area. It is also considered that the development would over dominate the diminutive form of the frontage building (Belmont), thus reversing the building hierarchy where the main street fronting building is of greater visual prominence and importance than buildings fronting on to the narrow lane.
- 7.10 The loss of the present enclosing side wall would further impact on the historic character of the area, contributing to the erosion of the spatial hierarchy and therefore the legibility of the historic form of the town. The subdivision of the plot will lead to a form of development which is not considered to be characteristic of the form of development in the conservation area, and would harm the special character of the conservation area, contrary to policy.
- 7.11 Local Housing Need
Caerwys is a Category B Settlement which has reached 19.7% growth, were policy HSG 3 stipulates that where development has exceeded the 15% growth band, as in this case, the proposal could only be supported where the development is for a specified local housing need. As such any new development would need to cater for a proven local affordable housing need. The applicant has not forwarded any additional information since the applications initial submission, to enable the local planning authority to consider this element of the application. As such the local planning authority whilst noting the limited economic viability of the plot to the applicant, consider that this does not justify overriding the requirements of policy HSG3, in regard to local housing provision.
- 7.12 Archaeological Importance of the Plot
The application site is located within an important archaeological medieval area and as such it is anticipated that subsurface archaeology could have survived on the plot. Without a pre-determination evaluation being carried out and submitted to the local

planning authority, the Clwyd Powys Archaeological Trust consider that the local planning authority has insufficient information upon which to consider and mitigate on this matter and have recommended that the application be refused until this information has been provided.

- 7.13 The applicant is aware of this requirement and the case officer has met the applicant since submission of the application to committee, to explain the requirement of the pre-evaluation survey and documentation. It seems, however, that the applicant has not commissioned a survey and this therefore remains as a reason for refusal.

8.00 CONCLUSION

- 8.01 It is considered that the development in the manner proposed would harm the spatial hierarchy and special character of the Caerwys conservation area. There is insufficient information to assess the archaeological significance of the site. In addition there is no evidence of local housing need or provision being provided by the application to enable compliance with policy HSG3 and I recommend accordingly.
- 8.03 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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