

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 25 FEBRUARY 2015**

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

SUBJECT: **OUTLINE APPLICATION FOR THE ERECTION OF A BUNGALOW AT BRYN AWEL, TIR Y FRON, PONTYBODKIN**

APPLICATION NUMBER: **052885**

APPLICANT: **MRS HAZEL JONES**

SITE: **BRYN AWEL, TIR Y FRON, PONTYBODKIN**

APPLICATION VALID DATE: **21ST NOVEMBER 2014**

LOCAL MEMBERS: **COUNCLLOR HILARY ISHERWOOD**

TOWN/COMMUNITY COUNCIL: **LLANFYNYDD COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This is an outline application for the erection of a single storey dwelling within the open countryside, required to accommodate family members to care for the occupant of Bryn Awel, Pontbodkin. The application is a resubmission of planning application ref: 051288, which was refused

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

- 2.01 The proposal represents non-essential development in the open

countryside which will be detrimental to the character and appearance of the locality. As such, the proposal is contrary to Policies GEN1, GEN3 and HSG4 of the adopted Flintshire Unitary Development Plan. There is no justification as to why the application should be approved contrary to these policies.

3.00 CONSULTATIONS

3.01 Local Member:

Councillor H Isherwood – Wishes for the application to be referred to the Planning Committee for determination so that the applicant can put forward their medical case. A site visit will show members why the existing property cannot be extended.

Llanfynydd Community Council:

No comments received

Public Protection:

no adverse comments

Manweb:

No objection

Highways (DC):

No objection subject to conditions

Natural Resources Wales:

No objection. Standard advice applies.

Dwr Cymru/Welsh Water:

No objection subject to conditions

Airbus:

No objection.

4.00 PUBLICITY

4.01 Neighbour Notification

No comments received

5.00 SITE HISTORY

5.01 051288 - Outline - Erection of a 4 bedroom bungalow and garage (Refused)

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
STR1 – New Development
GEN1 – General Requirements for Development
HSG4 – New Dwellings Outside Settlement Boundaries

7.00 PLANNING APPRAISAL

- 7.01 This application seeks outline planning permission with all matters reserved for the erection of a 3no. bedroom bungalow on a site located within the open countryside as defined within the adopted Flintshire Unitary Development Plan (FUDP). The application is a resubmission of planning application ref: 051288, which was refused on the following grounds:
- 7.02 *“The proposal represents non-essential development in the open countryside which will be detrimental to the character and appearance of the locality. As such, the proposal is contrary to Policies GEN1, GEN3 and HSG4 of the adopted Flintshire Unitary Development Plan. There is no justification as to why the application should be approved contrary to these policies”.*
- 7.03 Whilst the application is in outline, the current application indicates that the dwelling will be considerably smaller than that which formed the basis of planning application ref: 051288.
- 7.04 The existing site forms part of the amenity land associated with Bryn Awel, a two storey detached dwelling. There is an existing access to the site which provides vehicular access off Tir Y Fron Lane. There is no objection to the proposal on highway grounds.
- 7.05 Policy HSG4 of the FUDP states that new dwellings outside settlement boundaries will only be permitted in very specific and exceptional circumstances. It is claimed that the proposed new dwelling will be for the daughter, and her family, of the occupant of Bryn Awel and she will act as his carer; however, the advice contained in the supporting letter from the doctor states that, due to his ill health, the occupant of Bryn Awel should in fact live in accommodation such as a bungalow. Notwithstanding the above, the evidence submitted does not comply with nor outweigh the strict limitations of policy HSG4.
- 7.06 The applicant claims that the application site is located close to the settlement boundary of Coed Talon and Pontybodkin as defined in the FUDP and that other dwellings outside the settlement have been approved. The settlement of Coed Talon and Pontybodkin is a category C settlement with a growth level of 58.4% since 2000, and therefore, even if the site was located within the settlement boundary, under the provisions contained within HSG3, no additional dwellings

would be acceptable. With regard to planning permission being granted for other dwellings, a search of the planning history of the area indicates that the last planning permission granted for a dwelling was in 1984, and was therefore not assessed against the current local plan. Notwithstanding this, each case is judged on its own merits.

- 7.07 Given the above, whilst the current proposal has reduced the scale of the proposed dwelling, it does not address the overall reason for refusal of the last application, which is that the proposal represents non-essential development in the open countryside which will be detrimental to the character and appearance of the locality. As such, the application is hereby recommended for refusal.

8.00 CONCLUSION

- 8.01 The proposal is considered to be contrary to the relevant policies relating to new dwellings in the open countryside. There are no other material considerations that would outweigh these policies.
- 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.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: ALEX WALKER
Telephone: 01352 703235
Email: alex.walker@flintshire.gov.uk