

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 24 FEBRUARY 2016**

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

SUBJECT: **FULL APPLICATION - PROPOSED REPLACEMENT OF GARAGE WITH NEW SINGLE STOREY DWELLING AT TOP CORNER, VILLAGE ROAD, NORTHOP HALL**

APPLICATION NUMBER: **054552**

APPLICANT: **MRS RACHEL HUGHES**

SITE: **TOP CORNER, VILLAGE ROAD, NORTHOP HALL**

APPLICATION VALID DATE: **6/11/2015**

LOCAL MEMBERS: **COUNCILLOR L A SHARPS**

TOWN/COMMUNITY COUNCIL: **NORTHOP HALL COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **REQUESTED BY LOCAL MEMBER AS HE DISAGREES WITH THE OFFICER RECOMMENDATION GIVEN THAT THE SITE ALREADY HAS CONSENT FOR 80% OF THE WORKS WITH THE PREVIOUS ANNEXE CONSENT**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 Planning permission is sought for the replacement of an existing garage with a single storey dwelling at Top Corner, Village Road, Northop Hall. The main issue for consideration is the principle of development given that the application site falls outside of any recognised settlement boundary and is, therefore, considered unacceptable in any planning policy context.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS:

- 2.01 If allowed, the proposed dwelling would be located in the open countryside in an area where there is a general presumption against development of this nature that is not intended or required to meet the essential housing needs of farm or forestry workers. The proposal represents unjustified non-essential development in the open countryside, which will be detrimental to the character and appearance of the locality. As such, the proposal would be contrary to Policies STR1, GEN3 and HSG4 of the Flintshire Unitary Development Plan. Furthermore, the existing garage building does not comply with the criteria contained within Policy HSG7 of the Flintshire Unitary Development Plan in order for this to be considered as an acceptable building for a change of use to residential outside a settlement boundary.

3.00 CONSULTATIONS

- 3.01 Local Member
Councillor L A Sharps
Requested Planning Committee determination with a site visit.

Northop Hall Community Council
No response received at time of writing.

Highways
No response received at time of writing.

Head of Public Protection
No adverse comments.

Clwyd-Powys Archaeological Trust
There are no archaeological implications for the proposed development at this location.

4.00 PUBLICITY

- 4.01 Press Notice, Site Notice and Neighbour Notifications
No responses received at time of writing.

5.00 SITE HISTORY

- 5.01 052750 - Proposed replacement of garage with ancillary accommodation – Approved 2/12/2014

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development

Policy GEN3 – Development in the Open Countryside

Policy HSG4 – New Dwellings Outside Settlement Boundaries

Policy HSG7 – Change of Use to Residential Outside Settlement Boundaries

Policy AC18 – Parking Provision and New Development

7.00 PLANNING APPRAISAL

7.01 Introduction

Planning permission is sought for the erection of a single storey dwelling, in place of an existing garage. The application site is located outside of the settlement boundary of Northop Hall as defined by the adopted Flintshire Unitary Development Plan, in an area of open countryside.

7.02 Main Issues

The main issue is the principle of development, given that the proposal conflicts with the planning policies as listed above. The application falls outside of any recognised settlement boundary where policies allow for new dwellings in exceptional circumstances only, such as a rural enterprise dwelling, a replacement dwelling or a conversion of a rural building.

7.03 Planning consent was granted in December 2014 for a replacement of the existing garage with a single storey outbuilding to provide ancillary accommodation comprising garage/workshop, store and home office. This consent has not been implemented. Nevertheless, neither the existing garage, nor the single storey outbuilding would constitute a rural building suitable for conversion in terms of Policy HSG7 of the Flintshire Unitary Development Plan. The current proposal seeks to, in effect, implement the building in the above permission, but for it to be a separate dwelling. The previous application for the replacement building identified that the existing building is a modern utilitarian building and is not a traditional rural building with features of architectural or historic merit, worthy of retention, as required by this policy. It, therefore, cannot be considered that the conversion of this simple building would qualify for a residential conversion as it could be repeated too often i.e. simple modern outbuildings etc. being converted to new dwellings. Hence, this application cannot be considered favourably in any policy context as it is not a conversion and it is not a replacement.

8.00 CONCLUSION

- 8.01 The proposal represents unjustified non-essential development in the open countryside that cannot be supported in planning policy terms. Neither does the proposal satisfy policies for a conversion to residential outside of the settlement boundary. In conclusion, the proposal is not considered to be acceptable in principle as it is contrary to planning policies contained within the adopted Flintshire Unitary Development Plan.
- 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, and has had due regard to its public sector equality duty under the Equality Act 2010.

LIST OF BACKGROUND DOCUMENTS

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

Contact Officer: Lauren Eaton-Jones
Telephone: 01352 703299
Email: Lauren_Eaton-Jones@flintshire.gov.uk