

FLINTSHIRE COUNTY COUNCIL

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

DATE: **20TH JULY 2016**

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

SUBJECT: **APPEAL BY MR. R. PIERCE AGAINST THE
DECISION OF FLINTSHIRE COUNTY COUNCIL TO
REFUSE PLANNING PERMISSION FOR THE
OUTLINE APPLICATION FOR THE ERECTION OF A
DWELLING AT MILWR FARMHOUSE, MILWR ROAD,
HOLYWELL – ALLOWED.**

1.00 APPLICATION NUMBER

1.01 054317

2.00 APPLICANT

2.01 MR. R. PIERCE

3.00 SITE

3.01 MILWR FARMHOUSE,
 MILWR ROAD, HOLYWELL

4.00 APPLICATION VALID DATE

4.01 18TH SEPTEMBER 2015

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspector's decision in respect of the refusal to grant outline planning permission for the erection of one dwelling at Milwr Farm, Milwr Road, Holywell, CH8 7SE. The application was refused under delegated powers, the appeal was considered under the Hearing procedure and was ALLOWED.

6.00 REPORT

6.01 Introduction

This appeal considered the principle of outline planning permission for the erection of one dwelling at Milwr Farmhouse, Milwr Road, Holywell.

6.02 Main Issue

The Inspector considered the main issue in this appeal to be the effect of the proposal on the character and appearance of the area having regard to the provisions of the development plan and whether there are material considerations to outweigh any conflict with local and national planning policies that seek to strictly control new residential development outside settlement boundaries.

6.03 Reasons

The Inspector considered the location of the site the edge of settlement boundary of Holywell, the site is outside the settlement boundary as defined by the Flintshire Unitary Development Plan. Policies STR1, GEN3, HSG4 and HSG5 essentially restrict development outside settlement boundaries.

6.04 The application does not make a case for essential farm/forestry worker under policy HSG4. There is no case which fulfils the infill development for proven local need, nor does it proposal comply with the requirements of policies STR1, GEN3, the proposal does not accord with the development plan.

6.05 The appellant put forward a number of material considerations to be considered in the overall planning balance. There is no dispute that the site is sustainable in terms of its location within a short distance of a frequent bus service and within a 15 min walk to the town and short distance from a convenience store. The change in the character of the built up form and the more sporadic form of development and fields to the east was recognised by the Inspector. Never the less the Inspector considered that the site was contained and the development would consolidate the built development as a logical and cohesive cluster of buildings. He considered that the development of the site in the manner proposed would not affect the wider countryside and he found no harm to the character and appearance of the area. He noted that until recently there was a house on the site and the proposal would not alter that position as a house would be built between two properties either side. Whilst it is noted that the site is outside the settlement the Inspector noted no harm would result from the development. He considered that the development would infill the void between the existing dwellings and would remove deteriorating buildings on the site.

- 6.06 The inspector noted that the Council was unable to demonstrate a 5 year housing land supply, as a result the need to increase supply should be given considerable weight, providing that the development would otherwise comply with the development plan and national planning policies. Whilst the Council indicated that it will work towards bring forward appropriate and sustainable windfall housing sites. The Inspector considered that there is a significant shortfall in housing land supply and the lack of this relates to the whole County and not to the supply in and around Holywell.

7.00 CONCLUSION

- 7.01 The Inspector concluded that there was no identifiable harm to the character and appearance of the area, the location of the site accords with the sustainable development principles of Planning Policy Wales. There is a substantial shortfall in housing land supply and this proposal would increase that supply and that these material considerations in combination, and compliance with national policies indicate a decision other than in accordance with the development plan and allowed the appeal, subject to a number conditions relating to the timing and details of the reserved matters application, the application relates to a single dwelling, land contamination, land investigation methodology, submission of an ecological survey mitigation measures for birds for the outbuildings, the extent and timing of demolition to be agreed , development shall not begin until a drainage scheme has been submitted and agreed and photographic survey of the existing buildings to be carried out in accordance with a scheme to be submitted .

LIST OF BACKGROUND DOCUMENTS

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

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