

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **7<sup>TH</sup> SEPTEMBER 2016**

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

**SUBJECT:** **APPEAL BY MR. GLYN ROBERTS AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR AN OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED DWELLING AT LOW NOOK, CORWEN ROAD, TREUDDYN – DISMISSED.**

**1.00 APPLICATION NUMBER**

1.01 054540

**2.00 APPLICANT**

2.01 Mr. Glyn Roberts

**3.00 SITE**

3.01 Low Nook,  
Corwen Road, Treuddyn

**4.00 APPLICATION VALID DATE**

4.01 11<sup>th</sup> November 2015

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of the decision of the Planning Inspectorate in respect of the refusal of an outline application for the erection of a detached dwelling under delegated powers. The appeal was considered by way of an informal hearing and was DISMISSED

**6.00 REPORT**

6.01 The appeal site, which is in a generally rural setting, is a roughly rectangular plot of land where it is proposed to build a single dwelling. Apart from a level area adjacent to the road where the proposed dwelling would be located, the land is quite overgrown and slopes steeply down.

- 6.02 The area is not within any of the settlement boundaries identified in the Flintshire Unitary Development Plan (UDP). The glossary to the UDP defines 'open countryside' as land lying outside the settlement boundary of a town or village and not affected by any other allocation or designation for development. The appeal site is within such an area. For the purposes of the UDP, therefore, it is classified as being in open countryside, even though not as remote or free from development as might be expected from this description. Planning Policy Wales (PPW) states that new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. This is for reasons including safeguarding the character and appearance of the countryside<sup>1</sup>.
- 6.03 UDP Policy HSG4 permits new dwellings essential for forestry or farm workers outside of settlement boundaries but it was not the appellant's case that the dwelling proposed here would be of this very specific type. The most appropriate UDP policy was thus HSG5 which concerns limited infill development outside of settlement boundaries. A proviso of this policy is that the proposal should meet a proven local housing need. In the absence of up-to-date housing figures, the Council had not sought this requirement and the Inspector had no reason to disagree with the Council's position in this case.
- 6.04 The appeal site is a parcel of land between Low Nook, to which it is attached, and Sefton House. Guidance on the identification of infill development is provided in the UDP at paragraph 11.61 which accompanies Policy HSG5. In the terms of that guidance, and despite not being a focus of dwellings such as a crossroads, the row of five houses opposite together with Low Nook could be seen as comprising a small group of houses. Dwellings on the Low Nook side of the road, however, are dispersed and separated by significant parcels of undeveloped land; they do not form a continuous frontage. In the Inspector's opinion the site is also somewhat larger than that necessary to accommodate a single dwelling and, given the amount of land unoccupied by buildings which would remain between Low Nook and Sefton House, it would not constitute a small gap. Although within a small group of houses, the proposed development would not be located in a small gap within a continuously developed frontage and would not comply with UDP Policy HSG5.
- 6.05 In the Inspector's view, the additional dwelling proposed would consolidate and increase the amount of residential development in the immediate area. Dwellings would be less spread out and more frequent along this part of the A road, diminishing the countryside character. The proposed dwelling would thus be contrary to the general thrust of the UDP's settlement policies, especially HSG5, and to PPW.

- 6.06 Whilst somewhat overgrown the Inspector did not consider that the site is unsightly or unattractive in its current state. Changes to the site's appearance would not, therefore, be considered particularly beneficial. Indeed, the proposed dwelling, no matter how well designed and attractive, would draw attention to the changed character of the area and the increased amount of residential development. In 2014 the Council approved plans for a garage on the site in roughly the position now proposed for the dwelling. This would be a fairly large building with a room above the garage area. Nonetheless, it seems to the Inspector that it would be recognised as a domestic garage connected to Low Nook. As such, it would not have a severely detrimental effect on the area's character.
- 6.07 The site was previously occupied by miners' cottages, a shop and café. There is little sign of these now but the appellant has provided copies of Ordnance Survey maps from 1871 and 1912 as evidence. The shop and café remained until about 1942 but Low Nook operated as a small market gardening business, producing and selling planted hanging baskets, until 2012. There is no dispute that there have previously been buildings on the site but the remains of the structures have largely blended into the landscape over time. More recently sheds and a garage have been removed from the site; a modest shed remains. On balance, therefore, I consider that the site meets the definition of previously developed land set out in Planning Policy Wales (PPW)<sup>2</sup>. Even so, although the re-use of previously developed land is strongly encouraged in PPW, the Government recognises that not all previously developed land is suitable for development.

## **7.00 CONCLUSION**

- 7.01 Although the site can be defined as previously developed land it is not necessarily suitable for development. The proposal has several benefits but these are not sufficient to outweigh the harm which would be caused to the open countryside. Having taken all the matters raised into consideration the Inspector considered that they do not amount to compelling reasons to allow the proposal. For the reasons given above the appeal was **DISMISSED**.

### **LIST OF BACKGROUND DOCUMENTS**

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

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