

FLINTSHIRE COUNTY COUNCIL

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

DATE: **7 SEPTEMBER 2016**

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

SUBJECT: **APPEAL BY MR. & MRS J. WILKINSON AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO GRANT OUTLINE PLANNING PERMISSION FOR THE ERECTION OF A DWELLING AT BRYN Y GWYNT, BABELL ROAD, PANTASAPH – DISMISSED.**

1.00 APPLICATION NUMBER

1.01 054592

2.00 APPLICANT

2.01 Mr. & Mrs J. Wilkinson

3.00 SITE

3.01 Bryn y Gwynt,
Babell Road, Pantasaph.

4.00 APPLICATION VALID DATE

4.01 30th November 2015

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspector's decision in relation to an appeal into the refusal to grant outline planning permission for a new dwelling at Bryn y Gwynt, Babell Road, Pantasaph. The application was refused under delegated powers with the appeal dealt with by way of written representations and was **DISMISSED**.

6.00 REPORT

6.01 Background

Members may recall that this application was refused under delegated powers on 20th January 2016 on the grounds that the development represented unjustified non-essential development in the open

countryside which would be detrimental to the character and appearance of the locality and thereby contrary to both Local and National planning policies.

6.02 Issue

The Inspector considered the main issue to be the effect of the proposal on the character and appearance of the area.

6.03 Character & Appearance

The site forms part of the garden of Bryn y Gwynt opposite Swyn y Bedol and adjacent to Broomwood, Babel Road, Pantasaph.

6.04 The site is outside the settlement boundary as defined by the Flintshire Unitary Development Plan. Both National and Local Planning Policies restrict development outside development boundaries. The case did not relate to an essential farm or forestry worker.

6.05 Policy HSG5 relates to infill development provided it is for a proven local need. There is no case which fulfils the particular criteria of the policy in relation to local need. Under this policy the site must be located within a clearly identifiable small group of houses. The policy refers to six or more dwellings. In this instance there are 3 houses. Beyond these three properties there is a significant gap between them and Moorfield House. To the south of Swyn y Bedol there is a significant gap before a farm. Broomwood is situated to the south and Broiler buildings associated with a farm. The Inspector considered that the collection of houses did not form a clearly identifiable small group of houses and the proposal did not meet the requirements of Policy HSG5.

6.06 The character of the countryside is protected for its intrinsic sake and whilst not in a location which is regarded as open, it would be a development which would be squeezed between properties diminishing the setting of the parent house and resulting in the removal of substantial trees. The Inspector considered that these landscaping features form part of the setting of the area, and it would as a result appear to urbanise that rural setting by shoe-horning development in between houses. The Inspector therefore concluded that the proposal would harm the character and appearance of the area.

6.07 The Inspector was aware that the UDP was outside of its plan period and the Council is unable to demonstrate a 5 year housing supply. Where the UDP is outside its plan period, the Local Planning Authority has been unable to undertake a current study of its housing supply. As a result, the need to increase supply should be given considerable weight provided that the development would otherwise comply with the Development Plan and National Planning Policies.

- 6.08 The Inspector considered that in this case, the development did not comply and therefore less weight would be attributed to the contribution this development would make to housing land supply. Policy HSG4 allows small scale housing to meet the social and economic needs of the rural area, but in this instance the development would not meet the limited circumstances for which development of this type is permitted.

7.00 CONCLUSION

- 7.01 The Inspector concluded that the individual and cumulative benefits did not outweigh the harm to the character and appearance of the area and the conflict with the development plan. The planning balance was therefore against allowing the appeal and was **DISMISSED**.

LIST OF BACKGROUND DOCUMENTS

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

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