

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **6TH SEPTEMBER 2017**

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

SUBJECT: **APPEAL BY MR. J. DAVIES AGAINST THE
DECISION OF FLINTSHIRE COUNTY COUNCIL
FOLLOWING THE REFUSAL OF OUTLINE
PLANNING FOR ERECTION OF ONE DWELLING
ON LAND SIDE OF BRYN GOLEU, RHYDYMWYN
ROAD, GWERNAFFIELD – DISMISSED.**

1.00 APPLICATION NUMBER

1.01 055866

2.00 APPLICANT

2.01 Mr. J. Davies

3.00 SITE

3.01 Land adjoining Bryn Goleu,
Rhydymwyn Road, Gwernaffield.

4.00 APPLICATION VALID DATE

4.01 12th August 2016.

5.00 PURPOSE OF REPORT

5.01 To inform Members of the decision following refusal of planning permission in outline with all matters reserved on land adjacent to Bryn Goleu, Rhydymwyn Road, Gwernaffield.

5.02 The application was refused by Officer delegated powers on the 18th October 2016. The appeal was dealt with by means of informal hearing and was DISMISSED. The Inspector was Mr. I. Lloyd.

6.00 REPORT

6.01 The Inspector considered the main issue was whether there were any

other material considerations sufficient to outweigh any conflict with National and local planning policies.

- 6.02 The site comprises of land to side of Bryn Goleu, Gwernaffield is a category C settlement. Flintshire Unitary Development Plan Policy HSG3 permits infill on unallocated sites provided that in category C settlements that it is to meet proven local need. The proposal is for an open market dwelling and the appellant made no case in relation to local housing need, affordable housing or other housing for an essential worker. Policy HSG3 applies and is consistent with Planning Policy Wales Edition 8 (PPW).
- 6.03 Lack of 5 Year Housing Land Supply.
The appellant's case was that a lack of a 5 year housing land supply outweighs any conflict with local and national planning policies in relation to the policy requirement to provide a local housing need dwelling. The appellant considered that the proposal complies with the other criteria of Policy HSG3.
- 6.04 The Inspector noted that the County Local Housing Market Assessment 2015 identified an annual shortfall of 246 affordable units, and therefore considered that there is a proven need for affordable housing.
- 6.05 Planning Policy Wales advocates that Local Planning Authorities should designate and identify the preferred locations for most new development in rural areas in particular clusters of smaller settlements where a functional linkage can be demonstrated. In line with this the Flintshire Unitary Development Plan provides strictly controlled development opportunities for housing in its spatial strategy and distribution for housing across the settlement hierarchy.
- 6.06 The Inspector noted that Policy HSG3 was revised in response to the previous deposit consideration of the Flintshire Unitary Development Plan by the Inspectorate. This revision was to introduce controls in smaller settlements, in order to promote sustainable development and communities by requiring that housing coming forward in these villages is unallocated sites is to meet a proven local housing need.
- 6.07 In this instance the Inspector considered that there is a proven local need and that the proposal would not comply with this Policy HSG3, and the national planning policy in relation to the provision of housing in rural settlements and areas. Whilst the proposal complied with some of the criteria of Policy HSG3, the main and key element must be that relating to local housing need.
- 6.08 Housing Land Supply
The Inspector noted that as the Unitary Development Plan is outside the plan period the Council is unable to demonstrate a 5 year housing land supply as set out in paragraphs 8.1, 8.2 and 6.2 of TAN1. As a

result the need to increase supply should be given considerable weight when dealing with planning applications, PROVIDED that the development would other comply with the development plan and national planning policies.

6.09 The Council produced its housing land monitoring statement April 2016, which calculates the housing supply based on past completion rates. It advocates that it has a 6.6 year housing land supply 8.1 year based on 10 year past completions.

6.10 The Inspector noted the appellant's assertion that the pressing need to increase housing land supply should be given considerable weight, the Inspector considered that the considerations of this appeal were to be based on location, settlement hierarchy and policy constraints.

6.11 Planning Balance and Overall Conclusions

The Inspector noted that whilst there is no distinguishable harm the character and appearance of the area and there are some social and economic benefits from the proposal to support local services. Another factor in favour is the substantial shortfall in housing land supply and this proposal would increase that supply by one dwelling.

6.12 However, this proposal fails to accord with the development plan and national planning policies in providing a local housing need dwelling. In this case the proposal would not provide other social benefits of sustainable development by improving access to secure affordable housing as one of the well-being objectives or provide cohesive and well connected communities.

6.13 Having considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Section 3 of the Well Being of Future Generations (Wales) Act 2015 and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by Section 8 of the WBFG Act.

7.00 CONCLUSION

7.01 The Inspector considered that the proposal balanced against these factors that the weight falls in favour of the Policy consideration and the considerable weight to the lack of housing land supply does not outweigh policy as the proposal does not accord with the development plan and national planning policies and concluded that other material considerations are insufficient to outweigh the identified conflict with local and national planning policies and that the planning balance was against allowing the appeal, 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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