

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH NOVEMBER 2018**

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

SUBJECT: **FULL APPLICATION- ERECTION OF
ACCOMODATION IN ASSOCIATION WITH GUN
DOG TRAINING CENTRE AT LAND ADJACENT
CAER GO, CEFN ROAD, CILCAIN**

**APPLICATION
NUMBER:** **058254**

APPLICANT: **MR & MRS D & A SKIDMORE**

SITE: **CAER GO, CEFN ROAD CILCAIN**

**APPLICATION
VALID DATE:** **21st MARCH 2018**

LOCAL MEMBERS: **CLLR OWEN THOMAS**

**TOWN/COMMUNITY
COUNCIL:** **CILCAIN COMMUNITY COUNCIL**

**REASON FOR
COMMITTEE:** **LOCAL MEMBER REQUEST
NON COMPLIANCE WITH HOUSING POLICY**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full application for the erection of holiday accommodation in association with a Gun Dog training centre, at Land adjacent to Caer Go, Cefn Road, Cilcain. It is considered that the main issues are the acceptability of the proposal in principle, and the impact of the development upon the character of the locality, upon the nearby AONB and upon the adjacent designated protected sites.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,

SUBJECT TO THE FOLLOWING:-

2.01 Conditions:

1. Time Limits
2. In accordance with approved details
3. Holiday occupancy
4. Lighting Scheme to be submitted and approved
5. Detailed scheme to be submitted regarding the drainage close to protected sites
6. Landscaping scheme and implementation
7. Restriction on permitted development rights

3.00 CONSULTATIONS

3.01 Local Member

Councillor Owen Thomas

Requests committee determination as his preliminary views are that the proposal is contrary to HSG4 New Dwellings in Open Countryside

Cilcain Community Council

If the proposal contravenes Flintshire's planning policy for sporadic development in the countryside, then the community council objects to the proposal.

Pollution Control

No adverse comments

Highways DC

No objection

Clwydian Range and Dee Valley AONB

The joint committee notes that the site is outside the AONB and is relatively well screened by existing mature vegetation. The development will not have a significant impact on the AONB and, subject to the planning authority being satisfied of the rural enterprise case and the need for what is effectively a new dwelling in open countryside, the AONB committee has no observations to make on the application in principle. However, the AONB committee emphasises the importance of maintaining the existing vegetation which encloses the site and screens views from the AONB to the west. In addition, this is a dark area of countryside and the AONB committee would recommend that further details of external lighting are required to ensure that the AONBs dark sky is protected.

Natural Resources Wales

Should only grant permission if condition relating to package treatment plant and soakaway is applied to permission

4.00 PUBLICITY

4.01 Site, Notice, Neighbour Notification

No responses received

5.00 SITE HISTORY

5.01 47170- Outline - Erection of a detached environmentally sustainable eco-home.
Refused 30/03/2010

47566- Outline – Erection of a detached environmentally sustainable dwelling.
Refused 22/07/2010

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1	-	New Development
Policy STR6	-	Tourism
Policy STR7	-	Natural Environment
Policy GEN1	-	General Requirements for Development
Policy GEN3	-	Development in the Open Countryside
Policy L1	-	Landscape Character
Policy L2	-	Area of Outstanding Natural Beauty
Policy AC13	-	Access and Traffic Impact
Policy RE4	-	Small Scale Rural Enterprises
Policy T1	-	Tourist Attractions
Policy T3	-	Self-Catering Tourist Accommodation

7.00 PLANNING APPRAISAL

7.01 Proposal

The proposal is for the erection of holiday accommodation in connection with an existing gun dog training centre at land adjacent to Caer Go, Cefn Road, Cilcain.

7.02 The site is located in an area of open countryside outside of the settlement boundary for Cilcain in the Flintshire Unitary Development Plan. The site lies close to the Alyn Gorge Caves Geological Conservation Review Site , Alyn Valley Woods and Alyn Gorge Caves SSSI and the Alyn Woods SAC

7.03 The proposal was subject to pre-application advice. Whilst there were some initial reservations expressed as the lawfulness of the Gun dog training use was queried, but once this was established then the general advice received was positive subject to the imposition of appropriate conditions.

7.04 Principle of development

Whilst there is no specific policy context for the dog training enterprise within the Development Plan, generally the policies in the UDP are supportive of the principle of rural diversification proposals. In this regard, Policies T1- Tourist Attractions and T3- Self Catering Tourist Accommodation appear to be those most directly relevant to the proposal.

- 7.05 Policy T1- Tourist Attractions, relates to new or existing tourist attractions. Whilst the Gun Dog training use that this holiday accommodation will be associated with is not a tourism use as such, it does have capacity to bring people to the area should this proposal be deemed to be acceptable. The introduction of holiday accommodation will allow for people outside of the area to use the dog training facility as well as take advantage of the amenities of the area.
- 7.06 With regard to Policy T3- Self Catering Tourist Accommodation. The presumption in favour of new self-catering tourist accommodation is for the extension to existing tourist accommodation facilities or the conversion of suitable existing buildings, subject to various criteria. Whilst this proposal represents the erection of a new building rather than the reuse of an existing building, as there are no suitable buildings on the site, it meets all criteria for development, being appropriate in terms of scale, type and character to the location and setting. Will not have significant adverse impacts on the amenity of nearby residents, and the community in general. The impact of the proposal upon areas of the landscape and nature conservation are discussed further in this report.
- 7.07 The adjacent site operates as a gun dog training centre. At present their clients are not able to stay on or close to the site as the only accommodation close by to the site are 2 B&B rooms at Caer Go itself. It is considered that the provision of the holiday accommodation subject to this application will enhance the use of the site in addition to offering high quality holiday accommodation for the Cilcain area.
- 7.08 Objections have been raised that the proposal represents planning by stealth to circumvent the presumption against new dwellings in the open countryside, due to previous applications made on the adjacent site. The application has been clearly made for holiday accommodation linked to an existing commercial enterprise. As such it is considered that the tourism policies of the Flintshire Unitary Development Plan applies, and not the housing policies. The retention of the dwelling as a unit of holiday accommodation can be controlled by the imposition of conditions. It is considered that the proposal would be a positive asset to local tourism as well as to the viability of the existing business.
- 7.09 Design and impact upon the character and amenity of the locality

The proposed building is single storey and arranged in a linear 'L' shape. It provides 4 bedrooms as well as self-contained facilities. The building is to be constructed of feather edged larch boarding with reclaimed natural slate roof. The building does bear characteristics of a converted barn and I consider that this design approach is suitable for the location without appearing as a pastiche. It is a bespoke design for the location that is appropriate to the locality.

7.10 The site is well screened and given the sporadic nature of development in the locality it is not considered that any adverse impacts upon neighbouring amenity will arise from the development.

7.11 To ensure the impact upon the landscape and character of the locality is acceptable I proposed that a landscaping scheme is conditioned to be approved and thereafter implemented prior to development.

7.12 AONB

The site lies outside, but close to, the boundary of the Clwydian Range and Dee Valley AONB. The site is well screened on its boundaries and it is not considered that the proposal would negatively impact upon the AONB. To ensure compliance with the AONB dark sky designation a lighting scheme will be conditioned.

7.13 Impact of proposal upon protected sites

Given the proximity of the site to the SSSI and SAC Natural Resources Wales requested further information to demonstrate that the proposed package treatment plant to deal with foul sewerage. On the receipt of this information the objection was withdrawn. Given the sensitive nature of the site further details are required prior to the application of a permit from NRW. These details will be controlled by imposition of a condition.

7.14 Other issues

Highways comments were received as part of the pre-application process. No objections have been raised with regard to the highways implications of the proposal.

8.00 CONCLUSION

The proposal represents acceptable development in the countryside and as such I recommend that the proposal is approved subject to the conditions outlined above.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

8.02 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.

8.03 The Council has had due regard to its public sector equality duty under the Equality Act 2010.

8.04 The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

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

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