

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **5<sup>TH</sup> DECEMBER 2018**

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

**SUBJECT:** **OUTLINE APPLICATION FOR THE ERECTION OF AN AFFORDABLE DWELLING AT BAYONNE, HAFOD ROAD, GWERNAFFIELD.**

**APPLICATION NUMBER:** **058124**

**APPLICANT:** **MR & MRS JONES**

**SITE:** **LAND ADJACENT BAYONNE, HAFOD ROAD, GWERNAFFIELD**

**APPLICATION VALID DATE:** **25<sup>th</sup> MAY 2018**

**LOCAL MEMBERS:** **COUNCILLOR MS A J DAVIES-COOKE**

**TOWN/COMMUNITY COUNCIL:** **GWERNAFFIELD COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **S106 REQUIREMENT OUTSIDE DELEGATED POWERS**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

1.01 This is an outline application for the erection of a single dwellinghouse on land adjacent to Bayonne, Hafod Moor, Gwernaffield. The site is located outside a recognised settlement boundary, and is within both the open countryside and the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.

The application proposes the delivery of an affordable ownership dwelling in accordance with the local need evident in Gwernaffield.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION,**

## **SUBJECT TO THE FOLLOWING:-**

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 to secure the following :-

- a) To ensure the dwelling remains as an affordable ownership unit in perpetuity, and subject to the following conditions;
1. Outline – Reserved Matters
  2. Outline – Time Limit
  3. The submission of reserved matters shall include details of existing and proposed site levels and, where appropriate, proposed finished floor levels of the building(s) and details of a minimum of two bedrooms.
  4. Drainage Scheme for the methods of disposal of foul, surface and land drainage to be submitted and approved
  5. Facilities to be provided and retained for the parking and turning of vehicles

If the Obligation pursuant to a Section 106 of the Town and Country Planning Act (as outlined above) is not completed within six months of the committee resolution, the Chief Officer (Planning, Environment and Economy) be given delegated authority to REFUSE the application.

## **3.00 CONSULTATIONS**

3.01 Local Member

Councillor Ms A J Davies-Cooke

In response to a consultation for preliminary views supports the proposal.

Gwernaffield Community Council

No response at time of writing.

Highways Development Control

Advises that the road giving access to the site is not adopted and that the access onto the adopted network is substandard. However, given that the un-adopted road serves 12 existing dwellings, it is not considered that a recommendation of refusal may be substantiated on this basis. An additional single dwelling would not result in a significant increase in the use of the access. Therefore, as the Highway Authority I can confirm that I have no objection to the proposed development.

Community and Business Protection

No adverse comments to make.

### Housing Strategy Manager

The application is for 1 market dwelling in a rural area where policy HSG11 applies. In terms of evidence of need in Gwernaffield, the Local Housing Market Assessment (LHMA) for Flintshire identifies an annual shortfall of 246 affordable units. The need for affordable housing in Gwernaffield is as follows:

Size	Social Rent	Affordable Rent	Affordable Ownership
1 Bed	19	1	-
2 Bed	36	3	1
3 Bed	23	1	3
4 Bed	12	1	-

As demonstrated above, there is a need for affordable housing in the area.

### Welsh Water/Dwr Cymru

No objections subject to standard conditions covering foul, surface water and land drainage.

### AONB Joint Advisory Committee

The Joint Committee Advises that the site is outside any recognised settlement. The committee is concerned that the dwelling is intended as open market housing without any reference to meeting local need as required by current UDP policy. In addition, the application states there are no trees or hedges on the site, which is incorrect. In this context, the Joint Committee is seriously concerned that the proposal will have a harmful impact on the character of the AONB and objects to the application.

## **4.00 PUBLICITY**

### **4.01 Press Notice, Site, Notice, Neighbour Notification**

7 no. letters of objection have been received, raising the following grounds:

- The site is a greenfield site outside the settlement boundary;
- The site is within open countryside and an Area of Outstanding Natural Beauty;
- The proposal would be out of character within its rural location;
- The proposed access is on an un-adopted track which has limited passing places and is maintainable by the existing properties along Hafod Moor;
- The proposal would lead to additional traffic on Hafod Moor and threaten pedestrian and other road users safety;
- Emergency services access could be adversely affected by the

- increased traffic generated;
- Surface water drainage problems;
- Noise impacts from the development;
- The proposal would set a precedent for other similar proposals to come forward.

## **5.00 SITE HISTORY**

5.01 No relevant planning history.

## **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

STR1 New Development

STR4 Housing

STR7 Natural Environment

GEN1 General Requirements for New Development

GEN3 Development in the Open Countryside

TWH1 Development Affecting Trees & Woodlands

L1 Landscape Character

L2 Area of Outstanding National Beauty

AC13 Access and Traffic Impact

HSG4 New Dwellings Outside Settlement Boundaries

HSG5 Limited Infill Development Outside Settlement Boundaries

HSG11 Affordable Housing in rural areas

Planning Policy Wales 9<sup>th</sup> Edition (November 2016)

Local Planning Guidance Note 2 : Space around Dwellings

Local Planning Guidance Note 11: Parking Spaces

## **7.00 PLANNING APPRAISAL**

7.01 Site Description

The application site comprises garden land located to the south of the existing bungalow of Bayonne. Accommodating a number of tall trees, the site is enclosed by low hedgerows and a mixture of stockproof and post and rail fencing. The hedgerow and public footpath to the south bounds the site, marking the boundary of the neighbouring garden and residential property of Cartref. The site is served by a private substandard un-adopted track which provides access to twelve other residential properties. The context is predominantly agricultural farmland interspersed with hedgerows and areas of woodland, whilst the application site would sit within an established cluster of residential properties.

7.02 Proposed Development

The application seeks outline permission with all matters reserved

apart from access for the erection of a detached dwelling.

The proposed development is to deliver an affordable ownership dwelling.

It is advised that the proposed dwelling will have the maximum overall dimensions of 17.3m (length), 18.4m (width) and 7.95m (height). An illustrative plan showing the siting of the proposed dwelling within the plot has been submitted.

### 7.03 Principle of Development

The site is located within open countryside and is outside a recognised settlement boundary as defined by the Flintshire Unitary Development Plan (UDP). The site also lies within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty. Policies STR1, GEN3, HSG4 and HSG5 essentially restrict the type of development permitted outside settlement boundaries. The application does not relate to an essential farm or forestry worker under Policy HSG4 or a rural enterprise dwelling as defined in Planning Policy Wales and TAN 6.

UDP policy GEN3 Development in the Open Countryside states in criterion b). that “small scale infill development comprising of one or two housing unit(s) within a clearly identified group of dwellings may be permitted where the proposal would satisfy the requirements of policy HSG5”. Policy HSG5 goes on to state that such housing should meet a “proven local housing need” and then defines the nature of such need in its reasoned justification.

For clarity, Policy HSG5 *Limited Infill Development Outside Settlement Boundaries* reads as follows:

*Outside settlement boundaries infill development for one or two housing unit(s) may be permitted, provided that the proposal is to meet a proven local need and:*

- a) Comprises a small gap within a clearly identifiable small group of houses within a continuously developed frontage;*
- b) Does not constitute, or extend existing ribbon development, and does not create fragmented development; and*
- c) Respects adjacent properties and the surrounding area in terms of its siting, form, design and scale, and does not represent overdevelopment of the site.*

The Site benefits from natural screening provided by the existing hedgerow and trees. The relatively exposed position of the site enables views of it from various nearby public viewpoints. Whilst the settlement of Gwernaffield has a strong cohesive form, Bayonne and its neighbouring dwellings are physically separated from the centre of Gwernaffield by some distance. The site thus appears as a

constituent part of an isolated cluster of dwellings and ancillary buildings situated within the open countryside. The group comprises of 12 established dwellings on Hafod Moor, circulated within a defined cluster. The proposed dwelling would be situated between two existing properties of similar form, scale and alignment, with frontage access obtained from the lane. The site would therefore appear as 'infill' development, as it would not materially extend the existing cluster of dwellings into the open countryside.

The application site is considered to be capable of accommodating a modest sized dwelling reflecting a similar scale and massing with neighbouring properties. The application is in outline form with only the access as a consideration at this stage. All other aspects relating to landscaping, scale, layout and appearance are reserved matters and would be examined in a further application to determine their acceptability. With reference to the indicative plan provided, it is considered that the proposal would respect adjacent properties and the surrounding area in terms of its siting. It is not considered that the proposal will result in the overdevelopment of the site.

7.04 Local Need

The application is in accordance with Policy HSG5 in that it would result in the provision of a dwelling for a proven local need. Consultations have been carried out with the Housing Strategy Manager who confirms that there is a need for affordable housing within the Gwernaffield area.

Despite the application only providing a single dwelling, the application is seeking to meet the demand by providing a dwelling for affordable ownership. It is anticipated that this dwelling would be a 3 bedroom property and a condition would be imposed to ensure the dwelling would have a minimum of two bedrooms to ensure it meets the specified need. The single dwelling would therefore meet the current demand and attempt to alleviate the pressure in delivering a supply of affordable housing in rural areas.

The application has demonstrated a commitment to provide a dwelling for a proven local need which is supported by the Housing Strategy Manager. As such, should the Local Authority resolve to grant planning permission, a Section 106 Legal Agreement will be necessary as this will ensure the property being delivered for a proven local need will be for affordable ownership and remain so in perpetuity.

7.05 Access and Highway Safety

There have been objections received in relation to highway safety with reference to the potential dangers as a result of the additional point of access/egress for this development and the bearing this has on emergency services gaining access in the event of an emergency. The application has been the subject of consultation with the Council

Highways Officers and given the outline nature of the application, no objections have been raised on the grounds of highway safety and the proposal complies with Policy AC13.

7.06 Character and Appearance of Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

The site is located within open countryside in the Adopted Flintshire Unitary Development Plan and within the Clwydian Range & Dee Valley Area of Outstanding Natural Beauty (AONB).

All matters are reserved apart from the access, the indicative dimension and layout plan would suggest that the majority of the existing trees would need to be removed in order to accommodate the dwelling. The height and density of the trees are considered to assist in reducing the visual prominence of the cluster of houses as a whole. However, it is considered that an appropriate landscaping scheme would mitigate the loss, and further enhance the natural screening and allow the dwelling to assimilate to the immediate area. It is considered that the proposed dwelling would materially increase the density of the built form by infilling an existing gap within the cluster. The proposal would not lead to further encroachment of new development into the open countryside beyond the existing cluster, but would be contained within the defined group of dwellings at Hafod Moor. The proposal is therefore not considered to unacceptably harm the character and appearance of the immediate area and this part of the AONB.

7.07 Other matters

Concerns have been raised in respect of the adequacy of the existing drainage infrastructure to accommodate further flows from new development. Dwr Cymru/Welsh Water have been consulted upon the drainage aspects of the proposal. They advise that a condition is imposed requiring the submissions of a surface and foul water drainage scheme for the site.

Concerns have also been raised regarding the impact of the proposal on the residential living conditions of neighbouring properties. As the proposal is in outline form it is not possible to consider issues relating to privacy and overlooking as if the application were approved these would be examined in a later reserved matters application.

Further concerns have been raised relating to the development setting a precedent for further proposals. Each planning application has to be considered on its own merits in accordance with the relevant planning policy at that time.

Also concerns were raised about the noise during development. Although it is acknowledged there may be some noise and disturbance during any development this matter alone does not attract enough weight in the matter balance to recommend a refusal.

