

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **7TH FEBRUARY 2018**

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

SUBJECT: **APPEAL BY MR. RICHARD JONES (JONES ENGINEERING & CONSTRUCTION LTD) AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE DEMOLITION OF THE EXISTING DWELLING AND CONSTRUCTION OF 3 NO. DWELLINGS AT 'CORNERWAYS' CEFN BYCHAN ROAD, PANTYMWYN, - DISMISSED.**

1.00 APPLICATION NUMBER

1.01 056215

2.00 APPLICANT

2.01 Mr. Richard Jones (Jones Engineering & Construction Ltd)

3.00 SITE

3.01 'Cornerways'
Cefn Bychan Road
Pantymwyn
Flintshire

4.00 APPLICATION VALID DATE

4.01 14th November 2016

5.00 PURPOSE OF REPORT

5.01 To inform Members of the decision following refusal of planning permission for the full application seeking permission for the demolition of 'Cornerways' and erection of 3 No. dwellings at Cornerways, Cefn Bychan Road, Pantymwyn.

5.02 The application was refused by the Chief Officer under delegated powers on the 30th May 2017. The appeal was dealt with by means of an exchange of written representations and was **DISMISSED**. The Inspector was Mr. C. Sproule.

6.00 REPORT

- 6.01 The Inspector identified the main issue for consideration in this appeal to be the extent to which the proposals amounted to a sustainable form of development.
- 6.02 The Inspector noted the location of the site within the settlement boundary of Pantymwyn and noted the policy context for residential development within Category C settlements within the UDP, such as Pantymwyn, as set out in Policies GEN2 and HSG3 of the Flintshire Unitary Development Plan. He observed the relevance of Policy HSG3 to the appeal in so far as it was consistent with Policy GEN2 in requiring new dwellings in Category C settlements to be proven to meet a specific need.
- 6.03 The Inspector noted that the UDP plan period had expired. However, he noted that the sustainability principle remains and the location of development in smaller settlements is less sustainable. Whilst noting the lack of a 5 year housing supply, the Inspector based his determination in respect of the locational sustainability of the proposal upon the policies within the UDP and the national policies within Planning Policy Wales.
- 6.04 The site is not in a sustainable location, being within a Category C settlement with poor facility provision. The proposals are not advanced upon the basis of meeting any proven local need and therefore the Inspector concluded the proposals are contrary to the local and national policies which seek to promote sustainable development.
- 6.05 The Inspector noted that the Council cannot demonstrate a 5 year housing land supply and noted the weight the appellant suggested should attach to this situation, notwithstanding the conflict with UDP policies. He noted the advice within TAN1 in this regard and acknowledged a number of recent appeal decisions where Inspectors had found in favour of such proposals because of a lack of such supply.
- 6.06 However, the Inspector noted that that in those cases, the proposals in those cases amounted to development of a scale which make a significant contribution to the housing land supply situation in Flintshire. Furthermore, he noted that there were significant differences in respect of the locational context between those sites and the appeal site.
- 6.07 The Inspector identified in this case that this proposal does not accord with development plan or national policies in respect of locational sustainability. He considered that this matter must carry substantial weight in the planning balance and whilst he noted that the lack of 5 year housing land supply carries considerable weight, he concluded

that it did not carry sufficient weight to outweigh the conflict with the development plan and national policy.

7.00 CONCLUSION

7.01 For the reasons set out above, the Inspector concluded that the appeal should be **DISMISSED**.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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