

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **5th AUGUST 2020**

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

SUBJECT: **FULL APPLICATION – EXTENSION AND ALTERATIONS TO UNITS 1 & 2 TO FORM 1 NO. UNIT OF TOURIST ACCOMMODATION AT NANT Y GAIN, PENTRE, CILCAIN**

APPLICATION NUMBER: **060961**

APPLICANT: **Mr D WOLFE**

SITE: **NANT Y GAIN,PENTRE,CILCAIN**

APPLICATION VALID DATE: **27.01.20**

LOCAL MEMBERS: **COUNCILLOR W.O. THOMAS**

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

REASON FOR COMMITTEE: **MEMBER REQUEST, CONCERN OVERNOISE AND USE**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This is a full application that seeks consent for extension and alteration of the existing two, one bed room holiday use units to create on larger 5 bed roomed holiday let unit. The development is proposed to add a first floor to the existing building, utilising the existing footprint of the building.
- 1.02 Consent has previously been granted for the conversion and alteration of existing buildings within the existing commercial fishing lake setting. This permission granted consent for the creation of two, one bedroom holiday let units at Nant Y Gain, Pentre, Cilcain.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time Commencement
 2. In accordance with Approved plans
 3. Facilities to be provided and retained within the site for the parking and turning of vehicles
 4. Full details of external lighting proposed are to be submitted and approved

3.00 CONSULTATIONS

3.01 Local Member
Councillor W.O. Thomas

Requests that the application be heard at Planning Committee and a site visit be undertaken by Committee, due to resident's concerns over potential for noise generation and intensification of the use of the site by the creation of a larger holiday let unit.

Cilcain Community Council

No response received at time of drafting report.

Highways Development Control

Recommend that any permission be conditioned with regard to facilities being provided and retained within the site for the parking and turning of vehicles and be completed prior to the proposed development being brought in to use.

Community and Business Protection

Confirm that they have no adverse comments to make regarding this proposal.

Welsh Water/Dwr Cymru

As the applicant intends utilising the a private treatment works would advise that applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

Natural Resources Wales

Confirm that they have no objection to the proposal.

The application site lies partially within Zone C2 of the Development Advice Maps (DAM) as contained in TAN 15.

Note that proposal is to convert two existing holiday units in to one holiday unit. Given the scale and/the nature of the proposal, and in the absence of a flood consequences assessment, we consider that the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and be advised to install flood proofing measures as part of the development.

The site is adjacent to the Alyn Valley Woods and Special Area of Conservation (SAC) and Alyn Valley Woods and Alyn Gorge Caves Site of Special Scientific Interest (SSSI). We consider that the proposal is not likely to have a significant effect on the SSSI or SAC.

Ecology

No response received at time of writing.

Public Rights of Way

Public Bridleway 52 abuts the site but appears unaffected by the development. The path must be protected and free from interference from the construction.

Joint Advisory Committee

The extended holiday unit has greater height and visual presence than the existing single storey building but the site is relatively well contained within the landscape.

In this context the Joint Committee has no objection to the proposal. No details of external lighting are shown but the committee would recommend a condition be attached to any consent to ensure that any proposed lighting must be designed to conserve the Area of Outstanding Natural Beauty dark sky and nocturnal wildlife.

4.00 PUBLICITY

4.01 Site, Notice, Neighbour Notification

5 No objection letters received upon the following grounds;

- Scale of development.
- Dominate the local area.
- Out of character with local area and AONB site set within.
- Concern over noise generation.
- Safety of children due to proximity of site to lakes.
- Concern over traffic generation.
- Access to site via narrow lane, no footpaths in area.
- Tourism encouraged in AONB but this must be balanced with existing uses.
- Light pollution.
- Loss of privacy/amenity by increased activity/intensification of the use of the site.
- Pollarding of trees on the boundary has left site more exposed.

Support

No concern if changed from holiday let to private residence.

5.00 SITE HISTORY

5.01 038463 Conversion of light industrial to residential no decision linked to flare records Determined 19.07.2005

041517 Conversion of light industrial buildings in to fishing lodge for permanent occupation
Refused 23.10.2006

045861 Rebuilt of existing overhead lines No objections raised
26.02.09

047735 Change of use light industrial to self catering tourist accommodation , 2 units
Permit 26.01.2011

048578 Replace equipment store and fisher mans rest room
Approved 01.06.2011

054938 Extension to existing accommodation
Approved 05.04.2016

056557 Erection of extensions to units 1 and 2
Approved 16.06.2017

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
GEN1 - General Requirements for Development.
L2 - Area of Outstanding Natural Beauty.
T3 - Self Catering Tourist Accommodation
T8 - Holiday Occupancy Conditions
D2 - Design
EWP17 - Flood Risk
AC18 - Parking Provision and New Development

7.00 PLANNING APPRAISAL

7.01 Introduction

This application seeks approval for the extension and alteration to the existing two, one bedroom holiday units approved previously on the site. The scheme now proposes extension and alteration of the existing two units to create a second floor over the main foot print of the units and the amalgamation of the accommodation to create one unit, consisting of a five bedroom unit of accommodation, rather than the existing two, one bedroom units.

7.02 Site Description

The application site is in the open countryside in an area designated as an Area of Outstanding Natural Beauty. The building is located at

the head of the existing fishing lake, which is inset in the locality and is not readily visible from the immediate area, due to the topography of the site in relation to the surrounding land levels. In addition to the low level of the site, the site is enclosed by established mature trees and landscaping. The buildings are well set back from the narrow single road which fronts the site and are not visible from this road, there is however a footpath which runs around the back of the site and set at a higher level than the accommodation.

7.03 Proposed Development

The application site is presently approved 2 units for holiday let, consisting of two, one bedroomed units of accommodation. It is now proposed to change this by extension and alteration of the existing units by the creation of a first floor to create one single unit of accommodation consisting of 5 bedrooms. The height of the unit will change from a single storey mono pitch roof design of 4.7m to a two storey apex pitched roof being 7.2m in height on the main roof, dropping down to 6.2m on the rest of the building and single storey elements being 4.5m in height. The existing footprint of the building is 21m in length and 7.5m in width at it widest. The proposed footprint is remain the same as the existing unit, so effectively the scheme only relates to the creation of a first floor, and amalgamation of the two existing units in to one unit.

7.04 Principle of Development

The existing buildings have approval of holiday let use, policy T3 Self Catering Tourist Accommodation of the Flintshire Unitary Development Plan is permissive of extension of existing tourist accommodation. The scheme proposed is considered to be compliant with this policy as although it is larger in scale, higher than the existing building it is considered to be appropriate to the scale, type and character of the building, the site, its location and setting.

7.05 Concerns have been raised with regards to the use and occupation of the larger unit leading to antisocial behaviour and increased noise however the application has been considered by community and business protection colleagues and they have raised no objection in this regard. Policy T8 Holiday Occupation Conditions is considered to be appropriate to safeguard amenity of the locality. There is no evidence to substantiate that a single larger unit would generate anti-social behaviour or increased noise and therefore very minor weight can be attributed to this concern.

7.06 The site is set within an area designated as an Area of Outstanding Natural Beauty as such policy L2 is applicable. The site is not a sky line development, it is within an enclosed site and due to the topography of the site and its levels in relation to its surroundings is not a prominent site. The Joint Advisory Committee have considered the proposal and raised no objection to the proposal. The scale materials and design of the building is considered in the context of

this site and the building, despite concerns being raised with regard to the appropriateness of the building for the site and the Area of Outstanding Natural Beauty, it is considered to be compliant with policy L2.

7.07 The site is partially within a Zone C2 flood risk, however Natural Resources Wales have assessed the proposal and confirm that even in the absence of a flood consequences assessment the proposal could be acceptable, subject to the developer being made aware of the potential flood risks and being advised to install flood proofing measures as part of the development, in compliance with policy EWP 17 Flood Risk.

7.08 Concerns have been raised with regard to adequacy of access, parking provision and traffic generation from the site. The application has been considered by the highway officer and they have raised no objection to the proposal on these ground but recommend that any permission is conditioned with regards to provision for parking and turning on the site to facilitate the use. Accordingly the application is considered to be compliant with polices GEN1 and AC18 Parking Provision and New Development.

7.09 Living Conditions

The proposed development has been carefully designed. It safeguards residential living conditions by the use of roof lights on the rear elevation, which due to their design and height, being set 1.7m from the internal floor level, prohibits overlooking of residents/amenity space compliant with policy GEN1.

7.10 The site is already used for a holiday let and the proposal changes are not considered to be significantly more detrimental to the residential living conditions currently enjoyed, by virtue of the extension and amalgamation of the two units in to one, albeit larger unit of holiday accommodation now proposed. The noise generation from the site has been considered as part of the determination of the application, there is no evidence to substantiate the volume of noise would be significantly greater than its present use.

8.00 CONCLUSION

The site is already used as holiday let accommodation and the effective change from two units of accommodation to one larger unit by extension and alteration of the existing building are not considered to be contrary to the above policies of the Flintshire Unitary Development Plan and it is recommended that the planning permission is granted subject to conditions.

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.

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.

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

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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