

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **16TH JANUARY 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY MR & MRS WILSON AGAINST THE IMPOSITION OF CONDITION NO 3 (REQUIRING THE OMISSION OF ROOF LIGHTS) ON PLANNING PERMISSION 049662 AT HILLCREST, CAERWYS.**

1.00 APPLICATION NUMBER

1.01 049662

2.00 APPLICANT

2.01 Mr & Mrs Wilson

3.00 SITE

3.01 Hillcrest, Caerwys Hill, Caerwys, Mold , CH7 5AD

4.00 APPLICATION VALID DATE

4.01 16 April 2012

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspectors decision on the above appeal following the grant of permission under delegated powers for the erection of a single storey extension to the rear of Hillcrest, Caerwys Hill, Caerwys. Condition no. 3 required the rooflights shown as part of the scheme to be deleted. The Inspector ALLOWED the appeal, with condition No 3 imposed on planning permission 049662 being deleted.

6.00 REPORT

6.01 Main Issue

The Inspector considered the main issue in this case to be the effect of the proposal on the setting of the Caerwys Conservation Area (CA), and the effect of the proposal on the character and appearance of the surrounding countryside.

- 6.02 Whilst the Inspector noted the location of the property in relation to the town of Caerwys, he noted that the property lies adjacent to the conservation area. It was considered that as the permitted extension is to be to the rear of the property, and the conservation area boundary runs to the front of the property that there would be very limited views of the site from the Conservation area, consequently it was considered that the extension and the roof lights are physically remote from the built elements of the conservation area. From this the Inspector considered that it was extremely unlikely that the roof lights would have a harmful impact on the characteristics of the conservation area or undermine its setting. It was also considered that the roof lights are screened from the surrounding countryside by the appeal building, the surrounding existing buildings and an extensive belt of mature trees.
- 6.03 The Inspector noted that the only view of the roof lights would be from the rear of Trigfa, any light pollution emanating from them would be very limited and would be subsumed within the general light pollution from the adjacent built up area. The Inspector considered that the roof lights would not be visible from the wider countryside, as such he did not consider that the Area of Outstanding Natural Beauty would be harmed by the resultant light pollution.
- 6.04 The Inspector considered that the proposal does not therefore conflict with national planning guidance and whilst the Local Planning Authority referred to the desire to minimise light pollution, he considered however there are no specific policies to support this.

7.00 CONCLUSION

- 7.01 The Inspector considered that the proposal does not conflict with the general thrust of the Unitary Development Plan, for the reasons given above and considering the limited views of the proposed development, its separation from the Conservation area. He considered that the proposal will have minimal impact on the character and appearance of the area and saw no justification for further control over such a minor aspect and concluded that the appeal should be ALLOWED.

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