

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **15 MAY 2013**

**REPORT BY:** **HEAD OF PLANNING**

**SUBJECT:** **RETROSPECTIVE APPLICATION FOR THE ERECTION OF AN ANCILLARY BUILDING AT AEL Y BRYN, BABELL, HOLYWELL.**

**1.00 APPLICATION NUMBER**

1.01 049899

**2.00 APPLICANT**

2.01 Mr B Simon

**3.00 SITE**

3.01 Ael y Bryn, Babell, Holywell, CH8 8PP

**4.00 APPLICATION VALID DATE**

4.01 13 August 2012

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of the appeal decision for the above proposal following refusal of the application under delegated powers. The appeal was dismissed as the Inspector considered that the retrospective application and the resulting building had a detrimental effect on the character and appearance of the existing dwelling and the wider surrounding area.

**6.00 REPORT**

**6.01 Main Issues**

The Inspector considered the main issue in the determination of the appeal to be the effect of the proposal on the character and appearance of the dwelling and the surrounding area.

6.02 The Inspector noted that it was proposed that the building would be

used as a snooker room and additional accommodation for the appellant's father, and would not have independent services from that of the main house.

6.03 Policy HSG13 permits annex accommodation and Policy HGS12, permits extensions provided that they are subsidiary in scale and form to the existing. The appellant conceded that the development does not comply with the Unitary Development Plan, since it is not linked or a conversion, however it does provide a functional link. The Inspector was also mindful of the Permitted Development (PD) rights the appellant had as a fall back position, leaving aside the argument that the building could be lawful, which is a separate matter for a certificate of lawful development. As the application had been submitted as planning application then the development had to be considered in this context. Were any development must be in accordance with the Unitary Development Plan. The Inspector considered that the fall back position should be given limited weight , as any building as a result would be smaller in form and height and would therefore have less of an impact.

6.04 The close position of the appeal building relative to the house competes with the appearance and spatial layout of the property. The Inspector noted that although the development is single storey, the linear and horizontal form of the building takes up most of the remaining width of the plot, which is unlike many rural houses in the area, that have greater spatial separation and degree of openness. Whilst the form of the building is subordinate in height its close proximity to the house dominates its appearance, undermining its identity.

6.05 The appeal building was also considered by the Inspector to be quite prominent, and the gable end of the building is seen on the approach from the south of the building. The brick work finish added to his concerns in that this made it more prominent and dominant in relation to the character and appearance of the dwelling. He considered that the building fails to harmonise with the site or the surroundings in relation to the siting, design and layout, use of space, materials and appearance and conflicts with Policies GEN1, D2, it also conflicts with Polices HSG12 and HSG13.

## **7.00 CONCLUSION**

7.01 The Inspector concludes that the proposal harms the character and appearance of the dwelling and the surrounding area and accordingly Dismissed the appeal.

**Contact Officer:** Barbara Kinnear  
**Telephone:** (01352) 703260  
**Email:** Barbara.kinnear@flintshire.gov.uk