

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **4<sup>th</sup> SEPTEMBER 2013**

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

**SUBJECT:** **APPEAL BY MR PAUL SCHLEISING AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF A BALCONY TO REAR OF DWELLING OFF SUNROOM AT 11 MANOR PARK, SYCHDYN, MOLD.**

**1.00 APPLICATION NUMBER**

1.01 050184

**2.00 APPLICANT**

2.01 MR & MRS PAUL SCHLEISING

**3.00 SITE**

3.01 11 MANOR PARK, SYCHDYN, MOLD.

**4.00 APPLICATION VALID DATE**

4.01 3<sup>RD</sup> OCTOBER 2012

**5.00 PURPOSE OF REPORT**

5.01 To inform members of the appeal decision, for the above development following refusal of the application under officer delegated powers. The appeal was dealt with by means of written representation under the Householders Appeals Service (HAS) pilot scheme and the appeal was dismissed

**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 living conditions of neighbouring residential occupiers with particular regard to overlooking/privacy and visual impact.

- 6.02 Having visited the site the Inspector noted that the proposed balcony would protrude 2m or so beyond the patio doors in the rear of the converted garage which are themselves a few metres further back than the rear elevation of the bungalow as originally constructed. He noted that the balcony would provide users with a direct, elevated and fairly close view of the facing elevation of Quarry Lodge which appeared to contain habitable room windows. The resultant loss of privacy would in his opinion, result in significant harm to the living conditions of the occupiers of Quarry Lodge and as such that the proposal conflicts with Flintshire Unitary Development Plan policies GEN1 and HSG12.
- 6.03 Whilst he noted that the current occupier of Quarry Lodge did not object to the erection of a small balcony to the rear of No 11. In any event, he was mindful of the need to protect the living conditions of future, as well as existing occupiers.
- 6.04 The proposal could also overlook the rear garden of No 10 next door, but a garage and shed within the curtilage of No 10 would provide some screening. This could be supplemented with a screen to the side of the balcony to ensure that any overlooking was not at a level which would result in material harm to the living conditions of the Occupier's of No 10.
- 6.05 Insofar as visual impact is concerned, He was satisfied that the proposal would not be of such a scale as to have a dominant or overbearing visual appearance when seen from neighbouring properties.
- 6.06 The inspector also noted that the Council also had pointed out that other works which have been implemented at No 11 that may have required planning permission. However, as these were not part of the appeal proposal and therefore this was a matter between the Council and the appellant.

## **7.00 CONCLUSION**

- 7.01 For the reasons given above the Inspector concluded that the appeal be dismissed.

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