

FLINTSHIRE COUNTY COUNCIL

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

DATE: **6TH NOVEMBER 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY MR. N. POPPLEWELL AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING GARAGE AND ERECTION OF A ONE BEDROOM ANNEX AT 18 VAUGHAN WAY, CONNAH'S QUAY**

1.00 APPLICATION NUMBER

1.01 050312

2.00 APPLICANT

2.01 Mr. N Popplewell

3.00 SITE

3.01 18 Vaughan Way, Connah's Quay

4.00 APPLICATION VALID DATE

4.01 12th December 2012

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspector's appeal decision on the above application, which was refused at Planning Committee contrary to the Officer's recommendation. The appeal was considered by way of an informal hearing and was allowed. A costs application was also submitted by the appellant but subsequently refused.

6.00 REPORT

6.01 The Inspector considered the main issues for consideration to be the effect of the proposal on the character and appearance of the area and the effect of the proposal on the living conditions of neighbouring properties.

6.02 The Inspector noted that the existing garage could be converted into

annexe accommodation under permitted development rights. The proposal was for the replacement of the existing garage with a new structure, which the Inspector opined would be of a better quality and would be largely on the same footprint. The scale, form and mass would not be that different than the existing garage. For these reasons, it was considered that the proposal did not conflict with the spirit and purpose of policy HSG13.

- 6.03 Whilst the proposed building would be slightly closer to the rear shared boundary, even though there will be a window and French doors on the rear elevation, the existence of the boundary fence will preclude any adverse overlooking. Furthermore, the properties on Halkyn View are set down from the boundary fence, further restricting direct views.
- 6.04 Although the roof form would be different than that of the existing garage, thus increasing the scale and mass, the Inspector considered that it would not have a significant impact on the outlook from neighbouring properties as a result.
- 6.05 The application for costs was made on the grounds that the Council acted unreasonably in refusing the application. The Inspector concluded that the Council's reasons for refusal were good reasons why the authority considered that the application should have been refused. As such, the Council did not act unreasonably in refusing planning permission and therefore an award of costs would be unjustified.

7.00 CONCLUSION

- 7.01 The Inspector concluded that the annexe would have a comparatively small impact, would not represent an overdevelopment of the site and would not, therefore, harm the character or appearance of the surrounding area. There would be little loss of privacy from actual or perceived overlooking and would not result in a poor outlook for neighbouring residents. As such the proposal did not conflict with the relevant policies and the appeal was allowed.

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