

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **3<sup>RD</sup> SEPTEMBER 2014**

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

**SUBJECT:** **APPEAL BY MRS ELIZABETH JOY-CAMACHO AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR CHANGE OF USE OF BUILDING TO B1, VEHICLE REPAIRS AND B8 STORAGE (RETROSPECTIVE) AT COW HOUSE, CHESTER ROAD, DOBSHILL – ALLOWED.**

**1.00 APPLICATION NUMBER**

1.01 051036

**2.00 APPLICANT**

2.01 Mrs Elizabeth Joy-Camacho

**3.00 SITE**

3.01 Cow House, Chester Road, Dobshill

**4.00 APPLICATION VALID DATE**

4.01 17 July 2013

**5.00 PURPOSE OF REPORT**

5.01 To inform members of the Committee of the Planning Inspectorate's decision on the appeal made against the Council's decision. The planning application was refused under delegated powers. The appeal was dealt with by way of written representations.

**6.00 REPORT**

6.01 The Inspector identified three main issues;

- Whether the development represents inappropriate development in the Green Barrier

- Whether there would be any other harm
- Whether the benefits of the development would clearly outweigh any harm to the Green Barrier together with any other harm, and thus justify the development on the basis of exceptional circumstances.

6.02 He considered that due to its small scale, the re-use of an existing building, and the minimal impact it has on the openness of the green barrier, the proposal is not inappropriate development and is therefore compliant with policies GEN4 and EM4 of the UDP.

6.03 Given the close proximity of the site to residential properties, the Inspector has imposed a condition restricting the hours of use between 0800 to 1900 Mon-Sat.

## **7.00 CONCLUSION**

7.01 For the reasons outlined above, the appeal was ALLOWED

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