

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 18 NOVEMBER 2015**

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

SUBJECT: **APPEAL BY MORRIS HOME LTD TO THE HIGH COURT AGAINST THE DECISION OF THE WELSH MINISTERS TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF 36 NO. AFFORDABLE DWELLINGS WITH ASSOCIATED PARKING ACCESS, HABITAT CREATION AND PUBLIC OPEN SPACE ON LAND AT LLYS BEN, NORTHOP HALL – DISCONTINUED**

1.00 APPLICATION NUMBER

1.01 050613

2.00 APPLICANT

2.01 Morris Homes Ltd.

3.00 SITE

3.01 Llys Ben, Northop Hall

4.00 APPLICATION VALID DATE

4.01 19 March 2013

5.00 PURPOSE OF REPORT

5.01 To update the committee on the outcome of a High Court challenge against the Welsh Ministers' decision to dismiss an appeal against the Local Planning Authority's decision to refuse planning permission for the above development.

6.00 REPORT

6.01 The applicant appealed to the High Court against a decision made by an Inspector appointed by the Welsh Ministers on the 23 April 2015 to dismiss an appeal against the Local Planning Authority's decision to refuse the application. Both the Welsh Ministers and the Local

Planning Authority indicated that they would be contesting the applicant's appeal. The matter was listed for a hearing on the 13 November 2015. However, on the 16 October 2015 the appellant discontinued (withdrew) their appeal. This means that the matter will not now be the subject of a hearing in the High Court and that the Inspector's decision of the 23 April 2015 stands and cannot now be the subject of further challenge.

7.00 CONCLUSION

- 7.01 For the reasons set out above the planning permission pursuant to the application remains refused for the reasons given by the Welsh Ministers on the 23 April 2015.

LIST OF BACKGROUND DOCUMENTS

High Court Appeal papers
Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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