

FLINTSHIRE COUNTY COUNCIL

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

DATE: **WEDNESDAY, 23 MARCH 2016**

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

SUBJECT: **CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE AND ERECTION OF FENCE AT WHITE HOUSE, SEALAND ROAD, SEALAND**

APPLICATION NUMBER: **054753**

APPLICANT: **MR RICHARD GRACE**

SITE: **WHITE HOUSE,
SEALAND ROAD, SEALAND**

APPLICATION VALID DATE: **21st DECEMBER 2015**

LOCAL MEMBERS: **CLLR CHRISTINE JONES**

TOWN/COMMUNITY COUNCIL: **SEALAND COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **FOR MEMBERS TO VIEW THE SITE AND SURROUNDING AREA**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This full application seeks planning permission for the change of use of land to residential garden area with erection of boundary fencing and conifer screening at White House, Sealand Road, Sealand.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

2.01 In the opinion of the case officer, the change of use and in particular the erection of close boarded boundary fencing with conifer screening, would be visually harmful to the openness of the designated green

barrier and open countryside and be detrimental to its character. As such, the proposal is contrary to Policy GEN1, GEN3 and GEN4 of the Flintshire Unitary Development Plan.

3.00 CONSULTATIONS

3.01 Local Member
Request Committee Determination

Town/Community Council
No Objection

Head of Public Protection
No Objection

4.00 PUBLICITY

4.01 Site Notice and Neighbour Notification.
No responses were received at the time of writing.

5.00 SITE HISTORY

5.01 050339 – Erection of triple garage with store room above and conversion of existing garage to games room – Approved 13.5.13

054110 - Change of use of waste land to garden area associated with the dwelling known as White House and erection of fence – Refused 30.07.15

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan (UDP)

GEN1 – General Requirements for Development
GEN3 – Development in the Open Countryside
GEN4 – Green Barriers

7.00 PLANNING APPRAISAL

7.01 This application seeks planning permission for the change of use of and to residential garden area with erection of boundary fencing and conifer screening at White House, Sealand Road, Sealand. On-site inspection it is evident that the fencing is already in situ and therefore retrospective. The application site is located in an area of open countryside designated as green barrier in the UDP. From a policy point of view, the main issue to be considered would be the principle of development in this location having regards to the effect on the

appearance and character of the area and green barrier.

- 7.02 UDP policy GEN1 sets out the general policy requirements to be met by new development. In this particular instance relevant Policies are GEN3 and GEN4 which deal with development in the open countryside and green barrier respectively. They are criterion based policies which outline the circumstances in which development in these locations will be permitted. Furthermore the reasons and explanation accompanying Policy GEN3 states that development in this respect includes extensions of residential gardens into the countryside which will not normally be permitted. Enlarging residential curtilages by changing plot boundaries and introducing domestic uses to land previously not used for that purpose can have a significant visual detrimental impact from associated urban paraphernalia such as sheds or other structures.
- 7.03 The area of land subject of this application is a long narrow strip which is bounded by roads along the entire northern and southern flanks. It is my view the change of use to garden land is unlikely to significantly impact upon the character of the open countryside/green barrier if it was bounded by appropriate treatment, i.e. hedgerow. It is clear from site inspection, that the additional expanse of close boarded fencing introduces a visually harmful feature which does have a significantly detrimental impact on the openness and character of the green barrier. The proposed use of conifer trees to screen the fencing would also introduce a visually harmful feature.
- 7.04 The applicant has been provided with details of an amended scheme which would be considered acceptable but no amendment has been made. It is considered that the proposed change of use would be acceptable if existing fence was reduced in height and moved back from the highway to allow for a tradition hedge mix to be planted as per the Councils Hedge Planting Guidance Note.

8.00 CONCLUSION

- 8.01 It is therefore considered that the proposal, if allowed, would be harmful to the character and openness of the designated green barrier and open countryside location. The proposal is therefore contrary to the policies stated above.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention, and has had due regard to its public sector equality duty under the Equality Act 2010.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

Contact Officer: Dan McVey
Telephone: 01352 703266
Email: Daniel.McVey@Flintshire.gov.uk