

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **14<sup>TH</sup> DECEMBER 2016**

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

**SUBJECT:** **APPEAL BY MRS MARGARET LOVELL AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE CHANGE OF USE OF LAND TO USE INCIDENTAL TO THE DWELLINGHOUSE AT 4 BROAD OAK COTTAGES, MOLD ROAD, NORTHOP – DISMISSED.**

**1.00 APPLICATION NUMBER**

1.01 055558

**2.00 APPLICANT**

2.01 Mrs Margaret Lovell

**3.00 SITE**

3.01 4 Broad Oak Cottages  
Mold Road  
Northop

**4.00 APPLICATION VALID DATE**

4.01 08 June 2016

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of an appeal decision in respect of the refusal of a change of use of land to a use incidental to the dwellinghouse at 4 Broad Oak Cottages, Mold Road, Northop.

5.02 The application the subject of the appeal was refused on the 1<sup>st</sup> August 2016. The subsequent appeal was dealt with under the written representations and site visit procedure and was DISMISSED on the 6<sup>th</sup> October 2016.

## **6.00 REPORT**

- 6.01 The Inspector considered the main issue of the case to be the effect of the proposal on the character and appearance of the area.
- 6.02 The Inspector noted that the property has an enclosed roadside garden and that the proposal sought to extend the garden along the roadside frontage to facilitate the siting of a new garage and boundary fence.
- 6.03 The Inspector noted that there were other examples of linear gardens alongside the roadside with garages flanking the carriageway edge behind fences and access gates. The adjoining property to the west has this arrangement.
- 6.04 Nevertheless, the change of use to garden area in relation to the appeal had been cleared behind the existing garage and covered in gravel. The Inspector considered that the land had an open aspect to the roadside and whilst it would be fenced off it is relatively conspicuous when seen from the roadside, and the impact would not be neutral but harmful to the character and appearance of the area.

## **7.00 CONCLUSION**

- 7.01 The Inspector concluded that the impact would be detrimental and therefore the proposal would conflict with Policy GEN3 of the Flintshire Unitary Development Plan. He further concluded that the proposal would harm the character and appearance of the area.

### **LIST OF BACKGROUND DOCUMENTS**

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

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