

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** 18.04.2012

**REPORT BY:** HEAD OF PLANNING

**SUBJECT:** Appeal by Mr. R. Hetherington against the decision of Flintshire County Council to Refuse Outline Planning Permission for the residential development of land at 29/31 Wepre Park, Connah's Quay, Flintshire, CH5 4HJ.

**1.00 APPLICATION NUMBER**

1.01 047641

**2.00 APPLICANT**

2.01 Mr. R. Hetherington

**3.00 SITE**

3.01 Land at 29/31 Wepre Park,  
Connah's Quay,  
Flintshire,  
CH5 4HJ.

**4.00 APPLICATION VALID DATE**

4.01 27.06.2010

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of the appeal decision, following the refusal of planning permission by Members of the Planning and Development Control Committee at the Committee Meeting of the 7<sup>th</sup> December 2011 for the residential development of land at 29/31 Wepre Park, Connah's Quay, Flintshire, CH5 4HJ.

The appeal was considered by way of an exchange of written representations and was **ALLOWED**.

## 6.00 REPORT

### 6.01 Issues

The Inspector considered the main issues were the effect of the proposal upon the character and appearance of the area and the impact upon any ecological assets within the area.

### 6.02 Character and Appearance

The Inspector noted that the site comprised three areas of residential curtilage and for the most part had the appearance of rough grazing land. In considering the issue of the suggested 'open character of the land', the Inspector took the view that the site was not clearly visible from the public realm and was of little value to warrant special protection in the public interest. Furthermore, he considered that as UDP policy HSG3 envisaged the development of certain unallocated sites within settlement boundaries, there was a need to make a judgement upon the satisfactory development of such sites.

He concluded that, subject to the imposition of appropriate conditions, the scheme would not have such a harmful effect upon the character or appearance of the area as would warrant the dismissal of the appeal.

### 6.03 Impact upon Ecological Assets

The Inspector noted that the site carries special designations but is located between Special Conservation Areas and a SSSI. He noted that the application had been accompanied by ecological assessment reports which demonstrated no evidence of protected species and no evidence to suggest the destruction of habitat of European Protected Species. He noted that both the Council's officers and the Countryside Council for Wales accepted the contents of the ecological assessment and, subject to appropriate mitigation measures being implemented, had no objection to the proposals. He saw no basis upon which to take a different view.

He concluded that he was satisfied that the proposals could be undertaken in such a way as would not adversely affect wildlife interests in the area.

### 6.04 Other matters

The Inspector considered the concerns raised by third parties where they amounted to material considerations. He concluded that he was satisfied that there were no issues in respect of access or site drainage which were neither satisfactory or to which suitable conditions could be directed so as to ensure the satisfaction of those concerns.

**7.00 CONCLUSION**

7.01 For the reasons given above and having regard to all matters raised, the Inspector concluded that, subject to the imposition of appropriate conditions, the appeal should be **ALLOWED**.

**Contact Officer: David Glyn Jones**  
**Telephone: 01352 703281**  
**Email: glyn\_d\_jones@flintshire.gov.uk**