

FLINTSHIRE COUNTY COUNCIL

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

DATE: **15TH JANUARY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY MR. ANDREW CROSTON AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF 2, TWO BEDROOMED SEMI-DETACHED DWELLINGS WITH PARKING TO FRONT AND REAR AT LAND OFF FERN LEIGH, BROOK STREET, BUCKLEY.**

1.00 APPLICATION NUMBER

1.01 **050291**

2.00 APPLICANT

2.01 **MR. ANDREW CROSTON**

3.00 SITE

3.01 **LAND OFF FERN LEIGH,
BROOK STREET,
BUCKLEY.**

4.00 APPLICATION VALID DATE

4.01 **19TH DECEMBER 2012**

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspector's decision in relation to an appeal into the refusal of planning permission for the erection of 2 No. two bedroom semi-detached dwellings with parking to front and rear at land off Fern Leigh, Brook Street, Buckley. The application was reported to the Planning & Development Committee on 20th March 2013 whereby it was refused contrary to officer recommendation. The appeal was determined by way of written representations and a site visit. The appeal was ALLOWED with conditions.

6.00 REPORT

6.01 Issues

The Inspector considered that the main issues were the effects upon the character and appearance of the area, the living conditions of the occupiers of the neighbouring properties and the proposed dwellings with particular regard to privacy and on highway and pedestrian safety arising from the proposed access arrangements.

6.02 Character and Appearance of Area

As the appeal site is within a densely developed part of Buckley, the Inspector considered that the scheme would not harm the character and appearance of the area.

6.03 Effects Upon Existing and Proposed Occupiers

The Council argue that the proposals failed to meet the separation distances between the dwellings in the Local Planning Guidance 'Space Around Dwellings'.

6.04 The Inspector noted that this guidance note has not been adopted by the Council, it predates the UDP and there is no indication that it has been the subject of public consultation. In such circumstances it carries limited weight. Nevertheless, the Inspector did not consider that the proposals failed to provide adequate separation distances. It was therefore concluded they would not result in an unacceptable loss of privacy to the existing and proposed occupiers.

6.05 Highways

The scheme would provide a parking space at the front and rear of each dwelling with an additional space for No. 6 Fern Leigh. The Inspector considered that the small increase in traffic movements would not be detrimental to highway safety. Drivers would have a clear view of any pedestrians using the access and did not consider pedestrian safety would be compromised.

7.00 CONCLUSION

7.01 It was considered by the Inspector that for the reasons above the proposal would not harm the character and appearance of the surrounding area, the living conditions of the occupiers of the proposed and existing dwellings and, highway and pedestrian safety. Therefore, the appeal as ALLOWED subject to conditions.

Contact Officer: Alan Wells
Telephone: (01352) 703255
Email: Alan.wells@flintshire.gov.uk