

FLINTSHIRE COUNTY COUNCIL

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

DATE: **20 MAY 2015**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY McDONALD'S RESTAURANT LTD AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR ALTERATIONS TO DRIVE THROUGH LANE AND RECONFIGURATION/EXTENSION TO CAR PARK AND ORDER POINT AT McDONALD'S, ST ASAPH ROAD, LLOC, HOLYWELL**

1.00 APPLICATION NUMBER

1.01 052233

2.00 APPLICANT

2.01 McDONALD'S

3.00 SITE

3.01 McDONALD'S RESTAURANT,
ST ASAPH ROAD, LLOC, HOLYWELL

4.00 APPLICATION VALID DATE

4.01 12 MAY 2014

5.00 PURPOSE OF REPORT

5.01 To inform Members of the appeal decision in respect of the appeal against Flintshire County Council's refusal of the planning application for the alteration to the drive through and reconfiguration /extension of the car park and side by side order point. The application was refused under Officer delegated powers on 28 July 2014, for the following reason,

5.02 The proposal represents a non-essential form of development within the open countryside which the Local Planning Authority considers would have an unacceptable and detrimental impact upon the rural character and openness of the site with the consequent detriment to the wider landscape setting. As such the proposal is contrary to the provision of National Policy and the Flintshire Unitary Development

Plan, the proposal is contrary to the provisions of policies STR1, GEN1, GEN3, and L1 of the Flintshire Unitary Development Plan and the provisions of Chapter 4 paras 4.43 and 4.7.8 of Planning Policy Wales, Edition No 6, Feb 2014. The appeal is ALLOWED.

6.00 REPORT

- 6.01 The Planning Inspector considered that the main issue when considering this appeal was the effect the proposal would have on the character and appearance of the surrounding area.
- 6.02 The Inspector considered the siting of the site adjacent to the existing McDonalds, which forms part of a larger commercial site, close to junction 31 of the A55 North Wales express way. He noted that whilst Policy STR1 generalises that new development should be located in existing settlement boundaries, brownfield sites, or allocations, development is still permitted in the open countryside where essential to open countryside, as in this case.
- 6.03 He considered that the proposed extension would be an increase of almost half of the existing McDonalds site and when seen in the context of the existing services area as a whole, it would be a relatively small extension.
- 6.04 The development would be well separated from the woodland to the east, and located within in an area strongly associated with the existing commercial site.
- 6.05 He considered that whilst finely balanced, with the site being in the open countryside, a number of other material considerations carry considerable weight in the consideration of this proposal, namely its location in relation to the existing established commercial service area.
- 6.06 The existing circulation, parking and drive thru areas are presently relatively cramped, and the proposal would allow a more efficient management of through put of cars and reduction in the potential conflict between the drive thru traffic and vehicle parking and manoeuvring.
- 6.07 The impact of the woodland feature was noted in which it was considered that it formed a significant and strong landscape feature, however the development would be associated with the existing development and would be well separated from the woodland and as such the setting would not be eroded and concluded that the proposal would not unduly harm the character and appearance of the surrounding area. The additional structures and signage would also be subsumed with the existing development.

7.00 CONCLUSION

- 7.01 The Inspector considered that the proposal forms a relatively minor

extension to the existing commercial and employment site. The proposed scheme allows for a more efficient traffic management and leads to a reduction in potential conflict between traffic and pedestrians.

- 7.02 He considered that the development would not have a significantly harmful impact on the character and appearance of the surrounding countryside and does not therefore conflict with the Flintshire Unitary Development Plan. The appeal was therefore ALLOWED subject to the imposition of appropriate conditions.

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