

FLINTSHIRE COUNTY COUNCIL

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

DATE: **20 JULY 2016**

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

SUBJECT: **APPEAL BY MR P DAVIES AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR TEMPORARY CHANGE OF USE TO ALLOW THE SITING OF HOLIDAY LODGE FOR ADVERTISING PURPOSES AT PARK VIEW GARAGE , LLOC, HOLYWELL.**

1.00 APPLICATION NUMBER

1.01 054383

2.00 APPLICANT

2.01 MR. P. DAVIES

3.00 SITE

3.01 PARK VIEW GARAGE, LLOC, HOLYWELL.

4.00 APPLICATION VALID DATE

4.01 29.09.2015

5.00 PURPOSE OF REPORT

5.01 To inform Members of a decision in respect of an appeal following refusal of planning permission by Flintshire County Council, under delegated officer procedure for the temporary change of use for the siting a holiday lodge for advertising purposes at Park View garage, Lloc, Holywell. The appeal was determined via the hearing procedure and was ALLOWED.

6.00 REPORT

6.01 Main Issue

The Inspector considered the main issue to be the effect of the proposed development on the amenity of the surrounding area.

6.02 The Inspector noted that the site was roughly a rectangular plot to the front of Park View garage and adjacent to the access road that served the garage. The site is at the edge of a small area of commercial development, including a café, caravan sales and McDonalds, at the junction of the A55. The holiday lodge has been placed at this location to advertise the availability for purchase of such accommodation at Pennant Park.

6.03 The appeal site is located within in a designated Area of Special Control for advertisements, originally approved in 1960 and amended in 1974, the Local Planning Authority should consider the status every five years as to whether it should be revoked or modified, I have no evidence that such reviews have been carried out.

6.04 The area round the appeal site has changed greatly since the order was made, the A55 has been widened and the junction has become the focus for service type development, such as café, McDonalds etc. It was the Inspectors view that these changes together with the absence of evidence regarding a review since the order was amended limited the weight that can be afforded to the Area of Special Control designation.

6.05 The Inspector noted that the lodge is located against the outer boundary of the site and thus separated from the other buildings of the area. The Inspector noted that the lodge has a pleasant appearance, being of a style frequently encountered in rural holiday locations and was not significantly out of keeping. The signs affixed to the lodge confirmed its advertising function, they were not considered to be overly large or numerous. It was noted that there were additional signs in place regarding the holiday lodge which was not covered by this appeal and that there were other signs in the immediate area which are unauthorised. In any event the Inspector did not consider that the 3 signs the subject of the appeal did not make the area any more cluttered and were not detrimental to the overall appearance of the site or the surrounding area.

6.06 During the consideration of the appeal the Inspector considered the use of the site in the past and what it could be used for in the future .As permission has been granted for an overnight lorry park and associated amenity block, and despite landscaping would have a much greater visual impact than the advertisements.

7.00 CONCLUSION

- 7.01 In conclusion the Inspector noted that the lodge acting as an advertisement would not be detrimental to the interests of amenity and having regard to all other matters raised the Inspector allowed the appeal.

8.00 Costs Application

The appellant made a costs application on the grounds that the Local Planning Authority had failed to show good reason why the application should be refused.

- 8.01 The Local Planning Authority refuted this in that, it had not acted unreasonably, but had determined the application to be contrary to the provisions of the Unitary Development Plan.
- 8.02 The Inspector considered that sufficient evidence had been provided to substantiate reasons for refusal and therefore found that unreasonable behaviour resulting in unnecessary expense, as described in Circular 23/93 has not been demonstrated and DISMISSED the award of costs.

LIST OF BACKGROUND DOCUMENTS

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

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