

FLINTSHIRE COUNTY COUNCIL

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

DATE: **12TH OCTOBER 2016**

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

SUBJECT: **APPEAL BY MR. D. BIRCHAM AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR A TRIPLE GARAGE WITH ANCILLARY ACCOMMODATION OVER AT THE OLD BARN, PADESWOOD LAKE ROAD, PADESWOOD – ALLOWED.**

1.00 APPLICATION NUMBER

1.01 054344

2.00 APPLICANT

2.01 Mr. D. Bircham.

3.00 SITE

3.01 The Old Barn,
Padeswood Lake Road, Padeswood.

4.00 APPLICATION VALID DATE

4.01 22 September 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 erection of a triple garage with ancillary accommodation over at The Old Barn, Padeswood. The appeal was determined via the written representations procedure and was **ALLOWED**.

6.00 REPORT

6.01 The inspector considered that the main issues in this case are:

- whether the proposed development is appropriate in the open countryside; and
- the effect of the proposed development on the character and appearance of the surrounding area including the existing barn conversion.

6.02 Open Countryside

The Inspector noted that the appeal site is in a rural setting almost surrounded by fields and open countryside. It is a roughly rectangular plot with the dwelling, an attractive, part timber-framed, converted barn, located immediately adjacent to the passing lane. Separate from the main house is a double garage. The proposal is to remove this, replacing it on a different part of the site with a triple garage with living accommodation above on the first floor.

6.03 Although the end date of the Flintshire Unitary Development Plan 2000-2015 (UDP), adopted 2011, has passed it remains the development plan for the County. The most appropriate policy is HSG13 which deals specifically with annex accommodation. This will only permit such accommodation where it is created by an extension to an existing dwelling, or conversion of an existing building, and its usage is ancillary to the residential use of the existing dwelling.

6.04 The Inspector noted that the Council claims that the proposed building would not be an extension whilst the appellant suggests that, in being within the curtilage of the main house, it could be considered such. There is an extant, recent planning permission for a single storey garage, on a similarly-sized footprint to that proposed, on the site of the existing garage which is also separate from the main house. In that light the fact that the proposed building would not be physically connected to the dwelling is not a critical or significant consideration.

6.05 Planning Policy Wales (PPW) states that new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. It would be essential, therefore, that the use of the proposed accommodation above the garage was tied to that of the existing house. The Inspector noted that although the proposed accommodation would be compact, the services provided in it, which would include two bedrooms, a shower room, kitchenette and living area, would be such that it would not be necessary for its occupiers to use any part of the main dwelling. In addition it would be some distance from the main dwelling and not convenient for them to be walking to and from it on a frequent basis. However, a condition of the type commonly used for annex accommodation would ensure that

the use of the proposed building would be ancillary to the existing dwelling.

6.06 The Inspector found that, as the proposed building would not be attached to an existing building, it would not be fully compliant with UDP Policy HSG13. Nonetheless through the imposition of a condition tying its use to that of the main house, the foremost purpose of Policy HSG13, namely the prevention of separate dwellings outside of settlement boundaries, would be achieved. In addition, and for the same reason, it would not be contrary to UDP Policy HSG4.

6.07 Character and appearance

The proposed building would be positioned in a corner of the site close to the passing lane and tucked behind a thick, evergreen hedge of about 2m in height. The top of the side and most of the front elevations would be clearly visible from the lane; the large area of glazing would be on the side facing away from the road and thus not widely apparent in the surrounding area. The close proximity of buildings to the lane is a characteristic of other houses nearby. Pitched roofs are also typical features and, for that reason, The Inspector did not consider that the gabled dormer proposed would be significantly out of keeping even though there are no other examples nearby.

6.08 The Inspector noted that being adjacent to the boundary of the site the proposed building would be some distance from the main dwelling and not seen in close conjunction with it. Its form and design would be fairly plain and, as such, it would not detract from the interesting and attractive half-timbered wall of the main dwelling. In my view timber cladding would be a suitable material in this location although the type used would affect the impact of the proposed building. An unstained, mid-toned wood similar to that in the structure of the existing house would be appropriate; a glossy or light coloured variety, not so. In any event it is often appropriate to control the materials of construction through a condition.

6.09 The Inspector concluded that the proposed development would harmonise with the site and surroundings in terms of its siting, scale, design, materials and external appearance and would thus comply with UDP Policy GEN1. In being of a good standard of design, form, scale and materials, and protecting the character of the locality, it would also be consistent with UDP Policy D2.

7.00 CONCLUSION

7.01 The appeal is allowed and planning permission is granted for a triple garage with ancillary accommodation at The Old Barn, Padeswood Lake Road, Padeswood, Flintshire CH7 4HZ in accordance with the terms of the application, Ref 054344, dated 22 September 2015, and the plans submitted with it, subject to the following conditions:

1) The development hereby permitted shall begin no later than five years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site location plan
- House alterations general arrangement POL08 Rev D
- Ground floor plan and elevations S15/01/PL01
- First floor plan and elevations S15/01/PL02

3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Old Barn, Padeswood Lake Road, Padeswood, Flintshire CH7 4HZ

4) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

LIST OF BACKGROUND DOCUMENTS

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

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