

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **24TH JULY 2019**

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

SUBJECT: **APPEAL BY MR. S. METCALF AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR CONVERSION OF DISUSED CHAPEL TO 2 NO. DWELLINGS AND ERECTION OF 1 NO. DETACHED DWELLING AT ROMAN CATHOLIC PRESBYTERY, BRUNSWICK ROAD, BUCKLEY – ALLOWED.**

1.00 APPLICATION NUMBER

1.01 058516

2.00 SITE

2.01 Former Roman Catholic Presbytery Church, Brunswick Road, Buckley.

3.00 APPLICATION VALID DATE

3.01 25th May 2018.

4.00 PURPOSE OF REPORT

To inform Members of the decision in respect of an appeal following the decision of the Local Planning Authority by Planning Committee to refuse permission for 2 No. dwellings and erection of 1 No. detached dwelling at Roman Catholic Presbytery, Brunswick Road, Buckley. The application was refused on the grounds that it would result in a detrimental impact upon the safety and amenity of residents in relation to increased traffic levels and parking provision.

4.02 The appointed Planning Inspector was Mr. I. Lloyd. The appeal was considered by the Written Representation procedure and was **ALLOWED.**

5.00 **REPORT**

5.01 The Inspector considered the main issues to be:-

- a) The effect of the proposal on highway safety and b) the effect of the proposal on the living conditions of nearby residents in relation to noise/disturbance.

5.02 **Highway Safety**

The Inspector recognised the council's concerns regarding the increase in traffic movements having regard to the adequacy of the highway network. However, It was noted that the basis of this concern is principally related to the prospect of a net increase in traffic when this is assessed against the lawful use of the site as a Chapel or for any such use falling within the same use class of development in terms of traffic generation without further restriction. The prospect of the lawful use resuming or for the buildings be used for any other non-residential institution within Class D1 of the Use Class Order 1987 is a material consideration in assessing any increase in traffic generation associated with the appeal development.

5.03 The Inspector in his report considered that there would be no net increase in traffic associated with the appeal development in comparison to the lawful use resuming. Whilst the lane network which has access onto Brunswick Road is narrow and has an uneven surface it served several residential properties including the appeal site and would continue to do so, and there is no compelling technical highway evidence to indicate that the residual impact of the development would be different in terms of traffic generation and safety.

5.04 The Inspector refers to the junction of Daisy Hill Road and Brunswick Road being on the brow of a hill and notes that delivery driver's park on the road adjacent to the junction near the retail shop restricting visibility. However, this situation hinders all existing drivers including traffic associated with the lawful use of the site. The Inspector advises situation is not made worse by the proposed development by virtue of the fore-going conclusion that there would be no net increase in traffic as a result of the proposal. In addition the concern about the parking provision is noted, but the parking layout and provision is considered acceptable for the intended uses of the site.

5.05 **Living Conditions**

The Inspector noted in relation to living conditions that the Council expresses concern about the increased use of the lanes by traffic associated with the proposed development which it contends would increase the frequency of disturbance to residents. Given the fore-going conclusions however, the Inspector concludes that the proposal would not increase traffic and there is no compelling evidence to demonstrate that the impact would be significant or

adverse or increase the activity or disturbance of existing residents in relation to the UDP Policy GEN1 criterion d.

6.00 CONCLUSION

In conclusion the Inspector considered that the proposal complies with the development plan and the appeal should be **ALLOWED** subject to conditions.

LIST OF BACKGROUND DOCUMENTS

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

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