

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **3<sup>RD</sup> APRIL 2019**

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

**SUBJECT:** **FULL APPLICATION – CHANGE OF USE FROM  
RESIDENTIAL INSTITUTION TO 8 NO. BEDSITS  
AT KINGDOM HALL, TUSCAN WAY, CONNAH’S  
QUAY.**

**APPLICATION  
NUMBER:** **059409**

**APPLICANT:** **MR. S. ALCOCK**

**SITE:** **KINGDOM HALL, TUSCAN WAY, CONNAH’S  
QUAY, FLINTSHIRE, CH5 4RQ**

**APPLICATION  
VALID DATE:** **7<sup>TH</sup> JANUARY 2019**

**LOCAL MEMBERS:** **COUNCILLOR J.B. ATTRIDGE  
COUNCILLOR A.P. SHOTTON**

**TOWN/COMMUNITY  
COUNCIL:** **CONNAH’S QUAY TOWN COUNCIL**

**REASON FOR  
COMMITTEE:** **REQUEST OF LOCAL MEMBER DUE TO  
CONCERNS ABOUT CHARACTER AND  
APPEARANCE**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

1.01 This is a full application for the change of use of the former religious institution into 8 no. bedsits. The application site known as Kingdom Hall is a detached building within the town of Connah’s Quay.

The former religious institution has been vacant since 2017. Planning permission was granted in 2018 for the change of use of the building into three apartments which establishes the principle of residential use.

The proposed scheme will bring about the re-use of a currently vacant building without causing any adverse impact on the existing neighbouring residential properties.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-**

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation to provide the following:

- a) Payment of £733.00 per unit in lieu of onsite public open space provision to be used to enhance Central Park, Connah's Quay.

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 6 months of the date of the Committee resolution, the Head of Planning be given delegated authority to REFUSE the application. That planning permission be granted subject to conditions:

Conditions

1. Time limit on commencement
2. Compliance with approved plans
3. Details of refuse and recycling facilities

**3.00 CONSULTATIONS**

3.01 Local Member

Councillor J.B. Attridge – Raises concerns regarding the proliferation of flats in the area and the associated crime and anti-social behaviour together with issues over parking provision. Requests that the application be referred to planning committee with a site visit

Councillor A.P. Shotton – No response at time of writing

Connah's Quay Town Council

No response received at time of writing

Highways Development Control

Given the building's existing use and the other uses that fall within the same class (such as a children's day nursery), as the Highway Authority I consider the proposed use to be less onerous in terms of parking and traffic generation. On this basis I confirm that I have no objection to the proposed development and that I do not wish to make

a recommendation on highway grounds.

Head of Public Protection

No adverse comments to make regarding the proposal.

Clwyd Powys Archaeological Trust

No archaeological implications for the proposed development at this location.

Aura

In accordance with Planning Guidance Note No.13 Public Open Space provision, the Council should be seeking an off-site contribution of £733.00 in lieu of onsite Public Open Space.

The payment would be used to enhance recreation improvements at Central Park, Connah's Quay. For clarity this could take the form of access improvements ,seating areas and improvements to the Multi use games area.

We have considered previous pooled contributions and we confirm that thresholds have not been exceeded with regard to Central Park Area.

**4.00 PUBLICITY**

4.01 Site Notice and Notification letters posted – No responses received at time of writing

**5.00 SITE HISTORY**

5.01 058862 - Change of use from non residential institution to residential with the creation of 3 No. apartments – Approved 11/10/18

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

STR1 (New Development)

STR4 (Housing)

GEN 1 (General Requirements for Development)

GEN 2 (Development Inside Settlement Boundaries)

D1 (Design Quality, Location and Layout)

D2 (Design)

AC13 (Access and Traffic Impact)

HSG3 (Housing on Unallocated Sites Within Settlement Boundaries)

HSG 8 Density of Development  
HSG 9 Housing Mix and Type

Supplementary Planning Guidance Note 2: Space Around Dwellings  
Supplementary Planning Guidance Note 11: Parking Standards

Local Planning Guidance Note 13: Open Space Requirements

Planning Policy Wales Edition 10 (December 2018)

## **7.00 PLANNING APPRAISAL**

### 7.01 Introduction

This is a full application for the proposed change of use of the former residential institution known as Kingdom Hall into 8 no. bedsits. The main issues to consider in determination of this application are impact on neighbouring amenity and highway impacts.

### 7.02 Site Description

The application site extends for 0.04ha and comprises an existing single storey brick built building with mono-pitch roof. Access to the site is via Tuscan Way.

The site is bound to the north by resident's car parking serving a three storey block of flats which fronts the High Street. To the south is a Scout building and a large area of open space. To the east of the site are a pair of semi-detached bungalows with associated rear gardens, whilst the land to west rises to an existing complex of two storey flats.

### 7.03 Proposed Development

The application proposes to convert the existing building which has been used as a religious institution and provide a total of eight bedsits. The bedsits will be suitable for single or two person occupation, with a separate bedroom, bathroom and kitchen/living area.

Currently the building has three door openings with no windows and the proposal is to add a further five door openings, fourteen windows and rooflights. Externally the applicant has included provision of a bin store and cycle storage area and a limited area of outdoor amenity space.

### 7.04 Planning history

A planning application for the change of use from non-residential institution to residential with the creation of 3 No. apartments

(reference 058862) was approved in October 2018. The principle of conversion to a residential use has been established through this consent.

#### 7.05 Principle of Development

The application site is located within Connah's Quay which is a town and Category A settlement as defined by the Flintshire Unitary Development Plan. Policy HSG3 of the Flintshire Unitary Development Plan concerns proposals for housing on unallocated sites within settlement boundaries. It details that in most cases it will be appropriate to allow residential development within towns that have identified settlement boundaries subject to additional criteria. In this case, given the mix of size and type of houses adjacent to the site, bedsits would be reflective of the character of the area.

#### 7.06 Main Issues

The main issues are the impact on existing and proposed living conditions and provision of parking.

#### 7.07 Living conditions of neighbouring occupiers

The fabric of the existing building is to be retained, with the facade altered with the provision of doors and windows. The positioning of these windows do not face any habitable rooms in the neighbouring properties and do not cause any overlooking or adverse impact. Furthermore, the design of the building will largely be unaffected and any alterations will harmonise with the surrounding dwellings. Therefore there is no unacceptable harm to the living conditions of the neighbouring occupiers in terms of privacy and overlooking

#### 7.08 Living conditions of proposed occupiers

The proposed occupiers will have an acceptable outlook from each room within the bedsit. Two conditions are imposed to require details of refuse and cycle parking to ensure these are acceptable. As the proposal is a conversion of an existing building there is limited ways in which the applicant can provide amenity space. Within the curtilage there is an area of limited open space. It is, within the planning balance considered that this provision is acceptable as the conversion of the vacant building is making the most efficient and effective use of vacant buildings to meet the housing need within the settlement boundary.

#### 7.09 Access and Parking Provision

The application proposes the provision of two car parking spaces within the site which would fall short of the maximum parking standards as set out in Supplementary Planning Guidance Note 11.

However, whilst the application site has been vacant since 2017, prior to this it was used regularly as a religious institution. Within the defined Use Classes Order a religious/cultural institution is listed as a D1 use class. At any time the building could have been converted into an alternative use such as a childrens day care nursery without the requirement of planning permission. It is considered that the proposed residential use would be less onerous in terms of parking and traffic generation than the current use class would permit.

The site is located within a town centre, recognised as being a sustainable location due to other service, amenity and various other modes of transport being available, which includes travel on foot. The site is within walking distance of shops, post office, leisure, employment and health care services. There are bus stops approximately 160m from the site on the High Street with regular services to destinations along the coast and towards Chester.

It is therefore considered that the site is well positioned and supports the key planning principles set out in PPW10, in particular the theme 'Active and Social Places' chapter 4, which states that developments should encourage a *“modal shift and be easily accessible by walking, cycling and public transport, by virtue of their location, design and provision of on and off site sustainable transport infrastructure.”* By doing so, sustainable forms of development such as this, help to reduce the reliance on travel by private car, and the adverse impacts of motorised transport on the environment and people's health, by prioritising and increasing active travel and public transport.

#### 7.10 S106 and CIL Compliance

The infrastructure and monetary contributions that can be required from proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'. It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following Regulation 122 tests:

1. Be necessary to make the development acceptable in planning terms;
2. Be directly related to the development; and
3. Be fairly and reasonably related in scale and kind to the development.

A payment of £733.00 per apartment unit in lieu of sufficient onsite provision to enhance Central Park, Connah's Quay. This is in accordance with Local Planning Guidance Note 13: Open Space Requirements which requires off-site open space contributions where the necessary on site provision is not possible. There have not been 5 contributions towards this project to date. It is considered that this meets the Regulation 122 tests.

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 6 months of the date of the Committee resolution, the Head of Planning it to be given delegated authority to REFUSE the application.

#### 7.11 Other Matters

Concerns have been raised that the provision of bedsits in an area dominated by flats will cause rise to an increase in crime and anti-social behaviour. There is no planning policy requirement which controls the type of residential development. Furthermore, there is no evidence to substantiate that bedsits will cause any greater levels of crime than any other residential use.

#### 8.00 **CONCLUSION**

The proposed scheme would bring back into use a vacant building without causing any adverse impact on the existing neighbouring residential properties.

It is therefore considered that the proposal complies with local and national policy. Accordingly, I recommend that planning permission be granted subject to conditions.

#### 8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

**LIST OF BACKGROUND DOCUMENTS**

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

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