

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **8TH NOVEMBER 2017**

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

SUBJECT: **FULL APPLICATION – ALTERATIONS AND CHANGE OF USE TO CREATE A 6-BEDROOM HOUSE IN MULTIPLE OCCUPATION AT 13 HEALTH STREET, SHOTTON**

APPLICATION NUMBER: **057588**

APPLICANT: **MRS E ILES**

SITE: **13 HEALTH STREET, SHOTTON**

APPLICATION VALID DATE: **29th SEPTEMBER 2017**

LOCAL MEMBERS: **COUNCILLOR D EVANS**

TOWN/COMMUNITY COUNCIL: **SHOTTON TOWN COUNCIL**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST - IMPACT ON RESIDENTIAL AMENITY AND HIGHWAY SAFETY.**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full application for the change of use of a 4 bedroom dwelling house to a 6 bedroom house of multiple occupation. The main issues are considered to be the impact of the proposal upon local amenity and traffic generation.

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

2.01 Conditions

1. Time limit on commencement
2. In accordance with plans and particulars
3. Maximum occupancy will not exceed 6 individuals
4. Facilities to be provided and retained within the site for the parking of cycles

3.00 **CONSULTATIONS**

3.01 Local Member: Councillor D Evans

Requests Committee determination with site visit due to concerns over residential amenity and highway safety.

Shotton Town Council

No response received at time of writing.

Head of Assets and Transportation

No objection to the proposal subject to the inclusion of a condition ensuring that facilities are provided and retained within the site for the parking of cycles.

Head of Public Protection

No adverse comments.

Natural Resources Wales

The site lies entirely in Zone C1 as defined by Welsh Government's Development Advice Map (DAM) referred to under TAN15: Development & Flood Risk. The property has and maintains a 'highly vulnerable' use so there is no flood risk objection to the development proposal.

4.00 **PUBLICITY**

4.01 Site Notice and Neighbour Notifications

Four letters of objection received from three neighbouring properties, on the following grounds:

- Traffic generation;
- Insufficient parking;
- Too many Houses of Multiple Occupation in the area;
- Anti-social behaviour associated with this form of development;
- Loss of community feeling with few houses left for families to occupy.

5.00 **SITE HISTORY**

5.01 No planning history.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR4 - Housing

Policy GEN1 – General Requirements for Development

Policy GEN2 – Development inside Settlement Boundaries

Policy D2 – Design

Policy AC3 – Cycling Provision

Policy AC8 – Buses

Policy AC18 – Parking Provision and New Development

7.00 PLANNING APPRAISAL

7.01 Site Description

The dwelling is a three storey end terrace property with private amenity space to the rear. At present, the dwelling has 4 no. bedrooms. Health Street is accessed via Rowley's Drive, the proposal would be located on the predominantly residential side of the street with the opposite side being employment uses. The application site falls within the settlement boundary of Shotton as defined by the Flintshire Unitary Development Plan.

7.02 Proposed Development

Viewed externally there are very minor alterations to the property with the only visible difference being where two additional windows are introduced. At first floor there is a new window in the front elevation to serve a new bedroom. The second new window is in the rear elevation at second floor and is in the form of a roof light. Neither of these proposed windows introduce any further overlooking than the existing arrangement and these alterations alone would not require planning permission. The main matter under consideration is the change of use of the property. A House of Multiple Occupation (HMO) is proposed with 6 no. bedrooms. The two additional bedrooms are achieved by replacing the lounge at ground floor to create one and by subdividing one of the first floor bedrooms to create the second. The existing kitchen/diner remains on the ground floor and there is a communal area. There are two bathrooms and an ensuite spread across the first and second floors. The Design and Access Statement advises that although there will be double bedrooms, the rooms will be limited to single occupancy in order to ensure that the number of residents will not exceed six. It also states that the proposed development will also include works to the rear yard to provide covered lockable storage for bicycles, drying facilities and suitable bin storage.

7.03 Principle of Development

The proposal is within the settlement boundary of Shotton and is proposing a residential use in an existing dwelling. The principle of the proposal is, therefore, acceptable as it makes the most efficient

and effective use of existing housing stock and the conversion of existing buildings within the settlement boundary is in accordance with Policies STR4 and GEN2.

- 7.04 The lawful use of the building is a large private dwelling house, of which the external appearance would be largely unaltered. There would be no material change to the appearance of the building that would harm the character of the area. Furthermore, this large dwelling could easily accommodate a family of six as existing with 4 bedrooms so I consider the proposed HMO to have a residential use that operates at a level of intensity only slightly increased to that which might reasonably be expected if it remained as a large private dwelling. This principle was set out by the Inspector in the recent appeal decision in relation to 2 The Brackens, in Buckley.
- 7.05 Local residents make reference to there being a number of HMOs in this area and the negative impact that they have as a whole. However at present there is no policy basis on which the Council could refuse a HMO on cumulative impact issue alone without significant evidence of anti-social behaviour or complaints about noise. The public protection team have confirmed there have been no complaints and do not object to the proposal.
- 7.06 Living conditions for Future Occupiers
The proposal sets out reasonably sized rooms for single person occupancy and a condition is attached to secure this level of occupancy. Each habitable room has an outlook and there is sufficient shared space on the ground floor with cooking facilities and there are two shared bathrooms to serve 5 occupiers. In the absence of any planning policy guidance to address how a HMO should be laid out, room sizes, outlook, amenity space and required facilities the Council must rely upon the licensing regime under the Housing Act to regulate the nature of provision.
- 7.07 Parking and Traffic Impact
The site is located in a sustainable location within walking distance of existing bus routes and closely located to a wide range of workplaces. The developer has proposed secure bicycle storage on site to provide an additional sustainable transport choice for the future occupiers of the HMO.
- 7.08 There is no Highways parking standard for this type of development in the Local Planning Guidance Note covering parking. Highways have not objected to the proposal. I am mindful of the recent appeal decision at 24 The Brackens, Buckley where traffic issues were raised by local residents and it was considered that this form of development does not necessarily exacerbate on-street parking issues or increase vehicular movements to the extent that highway safety or the free flow of traffic is materially harmed.

8.00 CONCLUSION

The proposal represents a residential use in a residential area. The proposed development is considered acceptable in principle for the reasons outlined above. Accordingly, the application is recommended for approval.

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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