

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **23rd MAY 2018**

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

SUBJECT: **CHANGE OF USE AND EXTENTION TO
DWELLING TO FORM HOUSE IN MULTIPLE
OCCUPATION AT 46 GLADSTONE ROAD,
BROUGHTON**

**APPLICATION
NUMBER:** **058024**

APPLICANT: **MR C WALSH**

SITE: **46 GLADSTONE ROAD, BROUGHTON**

**APPLICATION
VALID DATE:** **31ST JANUARY 2018**

LOCAL MEMBER: **CLLR B MULLIN**

**TOWN/COMMUNITY
COUNCIL:** **BROUGHTON AND BRETTON COMMUNITY
COUNCIL**

**REASON FOR
COMMITTEE:** **LOCAL MEMBER REQUEST**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This is a full application for the change of use of a 3 bedroom dwelling house to a 7 bedroom house of multiple occupation. In order to provide 4 of the proposed new bedrooms, a two storey side extension is proposed. It is considered the proposal is acceptable in policy terms and will not detrimentally affect the living conditions of neighbours in the locality or those of the future occupier.

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

- 2.01
1. Time limit on commencement
 2. In accordance with approved details

3. The scheme to extend the existing vehicular footway crossing serving the property to provide access to the additional parking facilities shall be completed prior to the property being brought into use as a HMO.

4. Maximum occupancy to be 7 individuals

5. Scheme for bin and recycling storage to be agreed

3.00 CONSULTATIONS

3.01 Local Member – Cllr B Mullins
Concerns regarding parking provision and amenity

Broughton and Bretton Community Council
Objects to the proposal on the following grounds:

- Inadequate Parking
- No access for emergency vehicles
- Limited room for recycling and water
- Limited access for recycling vehicles
- Concerns for parents with children using the access road

Highways Development Management
No objection subject to conditions

Public Protection
No Objection

Airbus
No Objection

4.00 PUBLICITY

4.01 Neighbour Notification
29 Letters of objection have been received raising the following concerns:

- Inadequate Parking
- Site is directly opposite a junction
- Proposed use is out of keeping with the area
- Impact on drainage network
- No access for emergency vehicles
- Limited room for recycling and water
- Limited access for recycling vehicles
- Concerns for parents with children using the access road
- Concerns regarding construction
- No access to the rear garden
- Unneighbourly development
- Setting a precedent

- Noise pollution
- Business use
- Potential anti-social behaviour
- Potential vermin and health hazard

5.00 SITE HISTORY

5.01 None Relevant

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
 Policy STR1 – New Development
 Policy STR 4 - Housing
 Policy STR8 – Built Environment
 Policy GEN1 – General Requirements for Development
 Policy GEN 2 – Development inside Settlement Boundaries
 Policy D1 – Design Quality, Location and Layout
 Policy D2 – Design
 Policy HSG12 – House Extension and Alternations
 Policy AC18 Parking Provision and New Development.

National Planning Policy
 Planning Policy Wales 9
 Technical Advice Note 12 Design

Supplementary Planning Guidance Notes
 SPGN No. 1 Extensions and Alterations to Dwellings
 SPGN No. 2 Space Around Dwellings
 SPGN No. 11 Parking Standards

7.00 PLANNING APPRAISAL

7.01 Proposal

This proposal seeks to change the use of an existing 3 bedroom residential property at 46 Gladstone Road, Broughton to a 7 bedroom House of Multiple Occupation. The use is facilitated by the erection a two-storey side extension to provide 4 of the new bedrooms along with en-suite bathrooms. The internal changes involve rearrangement of the rooms and use of one ground floor room, which served as a sitting room, as a bedroom.

7.02 The Principle of Development

The proposal is within the settlement boundary for Broughton and is for change of use of an existing dwelling. The principle of this type of

residential use in a residential area, which would at a higher level of intensity to the existing use, has previously been established as acceptable following a number of appeals. The principle of the proposal is therefore compliant with Policy STR4 and Policy GEN2 as it makes the most efficient and effective use of existing housing stock, by providing a new type of accommodation, and is the conversion and alteration of existing buildings within a settlement.

7.03 Main Issues

The main issues are considered to be the impact of the development upon the character, the living conditions for neighbours and future occupiers, and parking provision. The lawful use of the property is a two storey semi-detached dwelling which is typical of the area.

7.04 Design

The proposal includes a two storey side extension in the same design as the existing property. Both the front elevation and ridge line of the proposed extension have been stepped down to reduce the overall mass which results in the proposal respecting the scale of the surrounding development. Whilst this type of extension is not seen within close proximity to the site, there are numerous examples of large side extensions, in a similar scale proposed, within the surrounding streets. This mix of house types and designs is part of the definable character of Broughton

7.05 The proposal will also retain amenity space to the rear of approximately 110m² for drying clothes and external storage. In accordance with Policy D1(e) adequate provision has been made for space around the building.

7.06 In addition, planning policies D1 and D2 seek to ensure that any new development respects the character of the area, is of an appropriate scale and that adequate provision is made amenity space.

7.07 The proposed extension has been designed to appear subsidiary in scale and form to the main building. This has been achieved by reducing the ridge height and using a hipped roof design. The choice of window design and material, which match the existing, allows the proposed extension to sit comfortably both in relation to existing dwelling and the wider street scene. The surrounding area has a number of prominent house types which are located in groups around the surrounding streets. The proposal does introduce a new physical form of development into the immediate street scene but the wider area includes mixture of detached, semi and terraced properties, and this mixture of house types and designs indicative of the character of the area. It is considered that the proposal complies with both policies D1 and D2. It should be noted that if the proposal were for a householder extension, as per the existing use, or one of the

neighbouring properties proposed similar work it would be considered acceptable in terms of its scale, design and impact on living conditions in accordance with the principles of HSG12.

7.08 Living conditions for future neighbours

Concerns have been raised in relation to the distance which would be created between the existing windows in the neighbouring property and the proposed extension.

7.09 At present the windows of the adjacent dwelling look out onto the gable end of the application site and its parking/garden area and in its current form is substantially less than the interface distance of 12m recommended between blank gable walls and habitable room windows. This is an unusual arrangement which this is not a common practice with present day developments with only secondary windows usually now found on side elevation i.e. bathrooms and hallways etc. It is understood that the two windows are for kitchen on the ground floor and hallway on the first floor.

7.10 The proposed extension would still result in a flank wall being presented to the neighbouring dwelling, therefore the principle of the relationship between the two properties is unchanged. Whilst the proposed extension may reduce the outlook from the neighbouring windows, this is not considered to be materially more harmful than the current arrangement

7.12 It is considered that the proposal would have a negligible effect on the main, useable area of the garden located at the rear of the neighbouring dwelling. Overall the proposed works would not cause any greater harm to the occupier's reasonable enjoyment of the rooms in the neighbouring property than is already created by the existing arrangement

7.13 There is no change in the interface distances between the habitable rooms in the proposed HMO and the dwellings to the front and the rear. The proposal retains a rear garden of approximately 110m² with three parking spaces and an area for the storage of refuse and recycling to the front of the dwelling. It is considered that the proposal is acceptable in terms of FUDP policies D1 and D2 along with the SPG for New Housing.

Living conditions of future occupiers

7.14 The living conditions of future occupiers can be considered a material planning consideration. It is important to note that there are currently no planning guidance on the size or layout of HMO's with regard to provision of acceptable living conditions for occupiers.

The proposed use is a residential use which may operate at a higher

7.15 level of intensity to that which might reasonably be expected if it remained as a C3 dwelling house. There is a large lounge/dinner, and kitchen which provides shared amenity space. As the applicant has not advanced a limit on level of occupation in order to provide an acceptable level of living conditions for future occupiers a condition will be imposed to ensure each room is single occupancy only. Environmental Health have confirmed that all the proposed bedrooms proposed are of an appropriate size to accommodate a single occupant.

Impact on the highway

7.16 There is a concern that the increased residential use of the HMO, would lead to an increase in the parking requirements above what would reasonably expected of a private dwelling. At a recent appeal for a HMO in Buckley, the Inspector noted that :

7.18 “The appellant has, however, estimated that the HMO would generate a parking demand of 0.4 cars per flat, or less than 4 in total, based on the Residential Car Parking Research undertaken by the Department for Communities and Local Government in 2007. Whilst this research was undertaken in an English context, it provides an evidenced indication of the likely traffic generation of an HMO.”

7.19 If the same rationale is applied to this application then there would be a requirement for 2.8 car parking spaces. The proposed parking provision, submitted as an amended plan, shows the front of the property will accommodate 3 cars clear of the highway. Recommend that a condition is imposed to ensure that the parking provision is provided and maintained on site, in perpetuity.

Other Matters

7.20 Objections have raised issues regarding access by emergency vehicles and refuse vehicles. There is no alteration proposed to the highway which currently serves the dwellinghouse and therefore this is not a matter which attracts significant weight in this planning balance.

7.21 The proposal is for a residential use in a residential area. It is not a business use, the proposed use is therefore acceptable in planning terms. There is no evidence that the proposal will cause anti-social or increased issues relating to noise.

7.22 Any issues relating to construction would be temporary in nature and minor in scale due to the nature of the proposal. Disturbance caused by construction to third parties is not a matter which can be given weight in the planning balance.,

8.00 **CONCLUSION**

I consider that the proposal is in accordance with the relevant development plan policies, and having considered the objections received and all other matters it is recommended that the application is approved subject to the conditions noted.

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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