

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **18TH JULY 2018**

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

SUBJECT: **CHANGE OF USE FROM C3 (DWELLINGS) TO C4 (HOUSE OF MULTIPLE OCCUPATION) AT 15 BRIDGE STREET, SHOTTON.**

APPLICATION NUMBER: **058282**

APPLICANT: **MUSTARD SEED INVESTMENTS LIMITED**

SITE: **15 BRIDGE STREET, SHOTTON, CH5 1DU**

APPLICATION VALID DATE: **22ND APRIL 2018**

LOCAL MEMBERS: **COUNCILLOR SEAN BIBBY**

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

REASON FOR COMMITTEE: **APPLICATION REFERRED BY COUNCILLOR SEAN BIBBY DUE TO RESIDENT CONCERNS OVER IMPACT TO AMENITIES, PARKING/EFFECT ON THE HIGHWAY AND CHANGE OF CHARACTER**

SITE VISIT: **VISIT REQUESTED BY COUNCILLOR SEAN BIBBY TO LOOK AT ABOVE MENTIONED ISSUES.**

1.00 SUMMARY

- 1.01 This is a full application for the change of use from C3 dwelling house to a 6 bedroom house of multiple occupation at 15 Bridge Street, Shotton. It is considered it is acceptable in policy terms and will not detrimentally affect the living conditions of neighbours in the locality or those of the future occupiers.

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. Maximum occupation to be 6 people
 4. Scheme of bin and recycling storage to be agreed.
 5. Details for the storage of cycles shall be submitted to and approved in writing by the Local Planning Authority.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Sean Bibby

I request this application to be referred to Planning Committee due to resident concerns over impact to amenities, parking/effect on highway and change in character.

Shotton Town Council

Shotton Town Council object to this application. The Councils County Councillor Sean Bibby has referred this application to the planning committee.

Public Protection

I can confirm that I have no adverse comments to make regarding this proposal.

Highways (DC)

In consideration of the property's particularly sustainable town centre location, I do not believe that a recommendation of refusal on the basis of lack of parking facilities may be justified at appeal. However as the Highway Authority I recommend that any permission shall include a condition to ensure facilities are provided and retained within the site for the parking of cycles in accordance with a scheme to be submitted to and approved by the Council.

4.00 PUBLICITY

4.01 Neighbours

17 letters of objection received with the same concerns:

- Bridge Street has no on street parking facilities and currently there are parking restrictions with double yellow lines on both sides. It is likely that a House in Multiple Occupation will increase pressure on current parking that is available elsewhere, which is limited.

- Shotton is seeing increasing numbers of HMOs. Terraced streets are being over developed with more and more people being accommodated. Residents concerns that the town centre is now longer capable of taking more development without there being a strain and pressure on services, waste collection and parking.
- Concern over such developments rapidly changing the character of the community. Family homes and houses suitable for young local families and those looking for affordable housing are being lost to wealthy property developers.

5.00 SITE HISTORY

5.01 No recorded history although the applicant has stated the dwelling has been sub-divided and operated as three separate flats.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan
 STR1 - New Development
 STR4 - Housing
 GEN1 - General Requirements for Development
 GEN2 - Development inside Settlement Boundaries
 AC18 - Parking Provision and New Development

7.00 PLANNING APPRAISAL

7.01 Proposal
 The applicant has proposed to convert an existing C3 dwelling house to a C4 house of multiple occupation. There are no external changes proposed to the property. The internal changes involve the inclusion of an internal staircase to access the basement and re-arrangement of some internal rooms.

Site

The application site consists of a traditional terrace property with brick, render and tiled roof construction, in a row of other similar properties. The property has an area of amenity space and a detached pre-fabricated pebble dash garage at the rear. The site is within the settlement boundary for Shotton.

The Principle of Development

The proposal is within the settlement boundary for Shotton and is the residential use of an existing dwelling. The principle of the proposal is therefore acceptable as it makes the most efficient and effective use of existing housing stock in accordance with policy STR4 and

GEN2 of FUDP.

Main Issues

The main issues are considered to be the impact of the development upon the character of the area with regard to living conditions of future occupiers, neighbouring residents and parking.

The agent suggests that the building was previously used as 3 separate flats, however no permission was sought to convert the building to separate flats and there are no bathroom facilities shown at basement level or on the ground floor. Furthermore no application has been submitted for a Certificate of Lawful Use for 3 flats. The onus would be on the owner to demonstrate that the flats had become a lawful use over the passage of time. However, the applicant has described the existing use of the property as a C3 and the application to change to a C4 house of multiple occupation.

Impact on character and appearance with particular regard to the living conditions of neighbouring occupiers

As no external changes are proposed there would be no material change in the appearance of the building which would be harmful to the character of the area.

The proposed layout changes will be a kitchen/living area in the basement will be converted to a bedroom, a kitchen will be converted to a lounge and a lounge to a kitchen/dinner on the ground floor and a kitchen on the first floor will be converted to a shower room. There is only the introduction of one habitable room, a lounge where previously there was a kitchen. However, the window serving this room is on the main rear wall of the first floor at the rear of the property. The outlook is across the existing garden with a substation opposite the rear of the property. The arrangement is similar to the neighbouring room which is currently and would remain a bedroom.

The proposal will retain amenity space to the rear which will allow for drying of clothes, cycle and general storage.

The proposed use is a residential use which operates at a level of intensity only slightly increased to that which might reasonably be expected if it remained as a C3 dwelling house.

The proposal would not adversely affect the character or the area as it would physically harmonise with the site and surroundings as there will be no material change in its current appearance as a dwelling. It is therefore compliant with Policy GEN 1. Furthermore, it is not considered that overlooking of any neighbouring properties is increased. There is no reduced interface distances between windows is created and there is increased area of rear amenity space due to the demolition of the garage. There is therefore no

impact on the character of the area with regard to the living conditions of neighbours.

Living conditions of future occupiers

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 in Flintshire on the size or layout of HMO's with regard to provision of acceptable living conditions for occupiers. The proposal retains a kitchen diner and a separate lounge which provides shared amenity space. The smallest bedroom is 9.3sqm which is acceptable in terms of housing standards where there is shared amenity space.

As the applicant has not advanced a limit on the 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. All the bedrooms proposed are of a reasonable size to accommodate a single occupant.

Parking and impact on the highway

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 be expected of a private dwelling. At a recent appeal for a HMO in Saltney, the Inspector noted that:

“The appellants 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 nonetheless provides an evidenced indication of the likely traffic generation of an HMO.

Although SPG11 Parking standards contains no standard parking provision for a HMO, in another recent application for a HMO the rational of 0.4 car parking spaces has been applied. If the same rational is applied to this application a requirement for a maximum of 2.4 parking spaces would be applied.

However, the application lies within a terraced street where on street car parking is prevented by double yellow lines. The site is in a sustainable location near to the town centre, and in close proximity to transport links in Shotton. There is access to two public car parks to the rear of the dwelling which do not operate to capacity. It is therefore considered that the development would not exacerbate on street-parking or increase the vehicular movement to the extent that highway safety or the free flow of traffic would be materially harmed. It would be very difficult to demonstrate that the proposed use would have a greater impact on the highway than the lawful use as a

dwelling house or the use of the property as three separate flats. A condition will however be applied to ensure provision for cycle storage is available prior to the development being brought into use, in order to promote sustainable means of transport and reduce reliance on car usage.

Other Matters

Objections have been received from neighbours regarding the increased pressure on local services and that the proposed use will change the character of the area removing affordable homes from young families.

Both the existing and proposed use are residential in nature. The size of the existing dwelling could easily accommodate a family of 6 adults. There is no evidence to substantiate the view that 6 adult occupiers of a HMO would exert any further pressure on local services.

The existing and proposed uses are residential, falling into the same use classes order. As set out in a previous Inspectors decision, a HMO may create a slightly more intensified use caused by increased comings and goings but no evidence has been submitted to demonstrate how this proposal would materially change the character of the area. The property is privately owned and the planning system cannot control the sale of the property.

8.00 CONCLUSION

It is considered that the proposal is in accordance with the relevant development plan policies, and having considered the objections received and all other matters I recommend that the application is approved.

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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