

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY, 6 NOVEMBER 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION - CHANGE OF USE FROM POST OFFICE TO RESIDENTIAL AND ASSOCIATED WORKS AT 15 DRURY LANE, DRURY.**

APPLICATION NUMBER: **051191**

APPLICANT: **MR MICHAEL COOPER**

SITE: **15, THE OLD POST OFFICE, DRURY LANE, DRURY**

APPLICATION VALID DATE: **30TH AUGUST 2013**

LOCAL MEMBERS: **COUNCILLOR M J PEERS**
COUNCILLOR D HUTCHINSON

TOWN/COMMUNITY COUNCIL: **BUCKLEY TOWN COUNCIL**

REASON FOR COMMITTEE: **COUNCILLOR M J PEERS AND COUNCILLOR D HUTCHINSON REQUEST THAT THE APPLICATION IS REFERRED TO THE PLANNING COMMITTEE FOR DETERMINATION**

SITE VISIT: **YES**

1.00 SUMMARY

1.01 This application seeks planning permission for the change of use of the old Post Office to provide a residential garage for the existing dwelling at 15 Drury Lane, Drury.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

2.01 The proposal is recommended for REFUSAL for the following reason :

1. By virtue of the lack of adequate visibility from and of emerging vehicles and the lack of off road provision for opening the door and manoeuvring into the garage, the use of the proposed garage would be likely to obstruct the footway and the adjoining highway to the detriment of the free and safe flow of pedestrian and vehicular traffic and have an unacceptable detrimental impact on highway safety.

3.00 CONSULTATIONS

3.01 Local Member
Councillor M J Peers

Requests that the application be referred to the Planning Committee to discuss the application and local issues. A site visit is also requested to allow Members to see the local situation regarding road use, parking and visibility.

Councillor D Hutchinson

Requests that the application is referred to the Planning Committee and a site visit is carried out because he does not agree with the Officer's recommendation.

Buckley Town Council

No observations

Head of Assets and Transportation

Advises that the proposal will result in the creation of an access that does not provide adequate visibility from and of emerging vehicles to the detriment of highway safety and considers that the proposed garage will likely result in a driver turning into the site and, whilst the door is being operated, obstruct the footway and the adjoining Class III highway to the detriment of the free and safe flow of pedestrian and vehicular traffic.

Head of Public Protection

No objection.

4.00 PUBLICITY

4.01 Neighbour Notification
No representations received

5.00 SITE HISTORY

5.01 051008 - Change of use of former Post Office into residential and the erection of a new porch (withdrawn 14.08.2013)

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
GEN1 – General Requirements for Development
D2 – Design
S11 – Retention of Local Facilities
AC18 – Parking Provision and New Development
CF1 – Retention of Existing Facilities

7.00 PLANNING APPRAISAL

- 7.01 Application Site
The application site is located within the settlement boundary of Drury as defined in the adopted Flintshire Unitary Development Plan.
- 7.02 The building currently has a mixed use of residential and Post Office; however, the post office has not been in use for some time. The building fronts onto Drury Lane, a Class III highway.
- 7.03 Main Issues
The main issues to consider in the determination of this application is whether or not, in principle, the proposed loss of a local facility, i.e. the Post Office, is acceptable; and, the impact the proposal will have on highway safety.
- 7.04 Principle of Development
In principle, the change of use of the Post Office to additional residential accommodation for no.15 Drury Lane is acceptable. Policy CF1 and S11 seek to retain local facilities unless they are no longer needed to meet a local need or suitable alternative provision is available. Following the retirement of the post mistress some time ago, the post office use has now transferred to the existing convenience store at No.60 Drury Lane. There is therefore no objection to the principle of changing the use to residential.
- 7.05 Highways Impact
Like some other properties in this part of Drury there is no dedicated off road parking or garage serving the property. In seeking to address this the application proposes the creation of an integral garage within the former post office which would open out onto Drury Lane. The garage will be set back approximately 1.8m distance from the footway and the plans show that the garage door would be of a roller shutter type.
- 7.06 Members will be aware that there is normally a requirement for the front of proposed garages to be set back from the back of the footway/ highway by a distance of 5.5 metres. This is to allow a car to be pulled up outside the garage, clear of the highway, to allow the garage door to be opened. However, the distance here will not allow this

manoeuvre, meaning that the car would have to stand on the highway or across the footway until the garage door was opened, which is considered to be unacceptable in highway safety terms. Combined with this is the resultant lack of visibility, particularly for the driver of the vehicle exiting the garage and the similar lack of visibility of emerging vehicles for approaching drivers, which would result in there being an unacceptable detrimental impact on highway safety.

8.00 CONCLUSION

- 8.01 It is considered that, in principle, the change of use of the Post Office is acceptable, if for example it was to be used as additional habitable accommodation for the existing dwelling. However, given that the proposal is for a garage, the impact of the development would have an unacceptably detrimental impact on highway safety.
- 8.02 In considering this planning application 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.

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