

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **6th MARCH 2019**

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

SUBJECT: **APPEAL BY MR. C. WALSH AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE CHANGE OF USE AND EXTENSION TO DWELLING TO FORM HOUSE IN MULTIPLE OCCUPATION AT 46 GLADSTONE ROAD, BROUGHTON – ALLOWED.**

1.00 APPLICATION NUMBER

1.01 058024

2.00 SITE

2.01 46 Gladstone Road, Broughton

3.00 APPLICATION VALID DATE

3.01 31st January 2018

4.00 PURPOSE OF REPORT

4.01 To inform Members of a decision in respect of an appeal, following the decision of the Local Planning Authority, by the Planning Committee, to refuse to grant planning permission for the change of use and extension to dwelling to form house in multiple occupation at 46 Gladstone Road, Broughton.

4.02 The appointed Planning Inspector was Mr Iwan Lloyd. The appeal was determined via the Written Representations method and was ALLOWED

5.00 REPORT

The Main Issues

5.01 The Inspector considered the mains issues to be the effect of the proposal on the character and appearance of the area, and the effect of the proposal on highway safety.

Character and appearance

- 5.02 The Inspector noted that given the variety of styles and ages of properties laid out in a suburban street pattern and the examples of similar extensions in the area, the character and appearance of the area is maintained by the proposed development. The scale and size of the extension is proportionate to the existing dwelling and would therefore protect the character and amenity of the locality. Given the variety of appearances of houses in the area there is no one distinctive character trait to follow. He concluded that the proposal would not conflict with the Flintshire Unitary Development Plan (UDP) Policy D2.
- 5.03 The residents and the Council were concerned about the intensification of the use given rise by the proposed physical works to the property. However, the Inspector noted that there is no specific reason for refusal on the nature and type of proposed use. He noted there is no specific policy in the UDP dealing with HMO developments and therefore there is no measure when individual and cumulative proposals of this type would start to undermine the social cohesion and the character of the area and its community. He noted that there is no evidence that there is an over-concentration of HMO uses in the area. The absence of a specific policy on this type of development results in the development falling to be considered against housing policies in the UDP which are in favour of the development. He therefore concluded for the reasons outlined above that the proposed use would not harm the character and social cohesion of the area.

Highway safety

- 5.04 The Inspector noted that there is no local parking standard applicable to HMOs. Parking standards are required to be applied as maximum standards as set out in national guidance. In the absence of a standard, he was aware that officers' of the local planning authority have used the Residential Car Parking Research publication (Department for Communities and Local Government 2007) in preceding cases and in this appeal case. The appellant refers to other appeal decisions where the evidenced based standard has been applied to HMO developments. This indicates that an HMO would generate 0.4 cars per flat equating to 3 spaces in this case. Representations from residents' note that as there would be 7 people occupying the premises there would be 7 cars at the site with 4 parked on the road.
- 5.05 Whilst the Inspector noted the residents and the Council's concerns, the street is a suburban estate road with unrestricted parking. The available evidence from the appellant indicated that the parking demand for the development would be met by on-site provision. The inspector noted that the site is in a sustainable location, and there's no compelling evidence to indicate that the parking demands would

not be met on site. The occupants of the development would be situated near to employment, shops, services, and public transport. The evidenced based case derived from the car parking research publication indicates a low demand by HMO occupants for car ownership and this is reflected in that standard and in the provision for parking in this appeal.

- 5.06 The inspector was not persuaded by the available evidence that there is a deficiency in the proposed on-site parking provision or that highway conflicts would arise from the proposal. He considered that the proposal would not conflict with UDP Policy AC18 and he concluded that the proposal would not harm highway safety.

Other Matters

- 5.07 The inspector also considered other matters from residents and the Member of Parliament which included impact on living conditions, bin storage, drainage, local infrastructure, and potential business uses.

6.00 CONCLUSION

- 6.01 The Inspector considered the proposal accorded with the identified UDP policies and national guidance in respect of both main issues. Accordingly he ALLOWED the appeal subject to a number of conditions.

LIST OF BACKGROUND DOCUMENTS

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

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