

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **6th JULY 2022**

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

SUBJECT: **FULL APPLICATION- CONVERSION OF EXISTING RESIDENTIAL PROPERTY TO FORM 7 BEDROOM HMO**

APPLICATION NUMBER: **064316**

APPLICANT: **WALSH INVESTMENT PROPERTIES**

SITE: **"ROMAN CATHOLIC PRESBYTERY", BRUNSWICK ROAD, BUCKLEY, FLINTSHIRE**

APPLICATION VALID DATE: **23RD MARCH 2022**

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

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

REASON FOR COMMITTEE: **PUBLIC INTEREST, RESIDENTS RAISING CONCERNS, HMO PROPOSAL IN RESIDENTIAL AREA WITH ACCESS CONCERNS.**

SITE VISIT: **YES. FOR THE COMMITTEE TO SEE THE PROPOSAL IN ITS LOCATION.**

1.00 SUMMARY

1.01 This is a full application for the conversion of existing residential property to form 7 bedroom HMO at "Roman Catholic Presbytery", Brunswick Road, Buckley, Flintshire.

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

- 2.01
1. Time Limit
 2. In accordance with approved plans
 3. Single occupancy rooms only

4. Refuse management scheme to be submitted and adhered to
5. No surface water shall be allowed to drain directly or indirectly to the public sewerage system.
6. Scheme of cycle storage to be provided and installed prior to occupation

3.00 CONSULTATIONS

3.01 Local Members Cllr Peers & Cllr D Hutchinson (joint response):

- The number of occupants has not been specified. Concern over over-occupancy. 7 bedrooms could potentially house 14 persons so the occupancy level to be established.
- The bin storage area may be inadequate given the 7 no rooms at the property. Number of residual & recycling requirements not known to cover residual, recycling, and food waste.
- Comments from residents is that the bin storage area, once the number of bins / waste and recycling requirements are known, may be better being collected from a storage area at the front of the property.
- No management plan is advised for the management of the HMO
- 3 parking spaces are advised but need to consider the accumulative effect of simultaneous building both sides of the application site with vehicle spaces and impacting on existing unadopted road. Concern over displacement of a possible 4 cars or more on this application if each room occupier(s) has a vehicle with potential parking in the lane to rear of site causing obstruction. The design and access statement in determining the calculation for parking refers to the rooms as “flats”. These are “rooms” in an existing property and are not purpose-built flats in that regard.
- Drawing no. 21.EXT-012-04 has a bedroom window (upstairs Rear Right) now with restricted light due to
- adjacent development. Concern of loss of light and potentially inadequate daylight.
- On the proposed and existing floor plans it shows a “living room” to the rear of the property which residents advise has only recently been built onto the property. Could this application then in part be retrospective? And therefore, a reconsultation?
- The amenity area on drawing 21.EXT-012-01 could be considered to be inadequate. Planning officers to consider adequacy.

Buckley Town Council: No observations

Head of Assets and Transportation: I advise that there is no specific requirement in the LPGN which prescribes parking provision for HMOs. However and as you will be aware, in an Appeal Decision notice for a similar application in Flintshire the Inspector stated; “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 nonetheless provides an evidenced indication of the likely traffic generation of an HMO.”

Using the same argument, the current Application for a 7 bed HMO would require 2.8 no parking spaces where 3 spaces would be required to serve a 4 bed dwelling. On this basis, in consideration of the property’s sustainable location and proposed parking provision (4 spaces), I do not believe that a recommendation of refusal on the basis of a lack of parking facilities may be justified at appeal.

As the Highway Authority I therefore confirm that I have no objection to the proposal and that I do not wish to make a recommendation on highway grounds.

Community and Business Protection: No adverse comments

Education and Youth: As the development concerns one unit there will be no contributions sought on behalf of Education & Youth.

Welsh Water/Dwr Cymru: We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. We recommend that a drainage strategy for the site be appropriately conditioned, implemented in full and retained for the lifetime of the development.

Natural Resources Wales: We have no objection to the proposed development as submitted

CPAT: Having checked the information held within the Historic Environment Record I can confirm that there are no impacts to any recorded archaeology for Flintshire Planning Application 064316 at Roman Catholic Presbytery Brunswick Road.

4.00 PUBLICITY

4.01 Neighbour Notification

1 Letter of objection received:

- Lack of Parking
- Lack of Amenity Space
- Damage to private way from HGV vehicles involved in conversion work and adjacent building work

5.00 SITE HISTORY

5.01 None Relevant

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
Policy GEN1- General Requirements for Development

7.00 PLANNING APPRAISAL

7.01 Proposal

- 7.02 The proposal seeks to convert an existing 4 bedroom residential property in Buckley, to a 7 bedroom House of Multiple Occupation. There are no external changes proposed to the property. The internal changes include rearrangement of the internal rooms to provide the extra bedrooms at ground floor level.

- 7.03 A reference to the existing extension has been received as part of the consultation exercise. This work was completed prior to the submission of the application, although it is not clear exactly when this work was carried out. As the application is being made for the building in its extended form I am satisfied that the application is valid.

7.04 Principle of Development.

- 7.05 The site is located within the settlement boundary of Buckley in the Flintshire UDP. Buckley is a category A settlement, and is considered to be a sustainable location for development with good access to local facilities and services. The site is located on a bus route in close proximity to the town centre and with good transport links to neighbouring settlements.

- 7.06 Planning Policy Wales 11 identifies the need to facilitate a range and choice of housing to respond to the change in household need, such as the predicted increase in single person households over the next 20 years. Houses of Multiple Occupation are a burgeoning market within the housing sector that seeks to address this change in housing need.

- 7.07 The proposed use is a residential use and is located in a sustainable area that is appropriate for this type of use. There are no policy objections to the proposal

7.08 Impact upon parking

- 7.09 The existing parking provision is catered for by parking spaces to the rear of the property. The site is located close to Buckley town centre, with good transport links in close proximity.

- 7.10 The Highways Authority consider that the parking requirement for this HMO would be 2.8 parking spaces. The proposal shows that 4 spaces

can be provided to the rear of the site, which exceeds the required amount.

7.11 I do not consider that the proposal would unacceptably add to any parking need given the numbers catered for by the HMO and the existing local transport options.

7.12 Objections have been received regarding the potential impact of the proposal on the existing private access way. I consider that a material factor to weight against this objection is the lawful use of the site as a 4-bedroomed single dwelling. Given the research presented to me with this application and accepted by the Highways Authority that demonstrates that HMOs typically have far less car parking requirements than other forms of dwellings I do not consider that a great deal of weight can be given to these objections.

7.13 **Sustainable transport options**

7.14 The property is well served by local public transport options. It is noted that there is a bus stop immediately to the side of the property in front of Bargain Booze.

7.15 There is sufficient space on site to allow for secure bike storage to encourage the use of other sustainable forms of travel. The site is within easy bicycle range of major employment areas. .

7.16 **Visual Impact**

7.17 The property is a brick built dwelling typical of the area. There is an existing extension to the rear of the property, erected prior to the application being made. As no further external changes are proposed I do not consider that the development would cause any detriment to visual amenity.

7.18 The extension, which will provide a shared living room, a Utility room and shower room to the property, is single storey and brick built and is appropriate in scale and form to the dwelling itself and

7.19 **Living Conditions**

7.20 It is not considered that the development would increase any amenity issues beyond the use of the house as a private dwelling. There are no issues of adverse overlooking or a loss of privacy as a result of the proposal.

7.21 Third party concerns have been raised regarding the amount of amenity space provided by the proposal. After the external space taken up by the parking areas, bin store and cycle storage there is approximately 16 square metres of grass as well as some incidental hard landscaping. This is well short of the standard applied to a standard residential dwelling. It should be noted, however, that the

guidance allows for these standards to be relaxed depending on the particulars of the proposal. A HMO operates in a different way to a family home, for example, and in these circumstances I suggest that a lesser standard is acceptable. It is also significant that the available garden area is extremely small for the current lawful use as a four bedroom dwelling and the proposal itself does not significantly reduce the available garden area. Given the above I consider that the available amenity space is acceptable and allows for an area for residents to sit, or dry clothes etc.

- 7.22 No details have been given with regards to the Management of the site. In the submission the applicant makes the point that this is a consideration given by the Licensing authority when issuing the necessary permits for HMOs. As any condition requiring the prior submission of a management scheme would replicate other legislative controls I consider that it would be unnecessary and would therefore fail one of the tests to be applied to valid conditions in the appropriate Circular.
- 7.23 The Local Members have raised a concern regarding a loss of light to the bedroom window (upstairs Rear Right) as a result of the building currently being erected in the neighbouring plot. This room is currently a bedroom and in effect its use is unchanged as a result of the proposal. I do not consider that this is a matter that should be given a lot of weight in the consideration of the use given the existing situation. The room is served by a large window which will allow natural light into the bedroom.
- 7.24 **Other Matters**
- 7.25 Conditions are suggested to ensure that suitable provisions are made for the storage and collection of waste from the site. Also in order to ensure that a wider range of sustainable transport options are available to the residents of the HMO a scheme to require secure bicycle storage at the site is also proposed to be imposed as a condition. Areas for bin storage and cycle storage are identified in the site plan but a condition will ensure it is installed and available for use by residents upon occupation of the site.
- 7.26 The Local Members make the point that a 7 bedroom HMO could potentially house 14 adults. In order to ensure that the residency is kept at a more appropriate level given the size of the property and proximity to neighbours it is suggested that a single occupancy condition is applied to any permission. This condition has been applied on other, similar development. I consider that this condition is reasonable and enforceable.

8.00 CONCLUSION

I consider that this premises is an appropriate location for a single HMO. I find that there would be no material difference in its operation as a lawful dwelling from the point of view of its impact upon local amenity, and the character of the area. The proposal is acceptable with regard to the development plan policies and other material considerations and I recommend accordingly.

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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