

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **26th October 2022**

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

SUBJECT: **Conversion of former redundant public house to form 11no apartments**

APPLICATION NUMBER: **00358/22**

APPLICANT: **Chris Walsh**

SITE: **315, High Street, Connah's Quay, Flintshire, CH5 4DP**

APPLICATION VALID DATE: **16th August 2022**

LOCAL MEMBERS: **Councillor Attridge and Councillor Owen**

TOWN/COMMUNITY COUNCIL: **Connahs Quay Town Council**

REASON FOR COMMITTEE: **Local Councillor refer to the planning committee and a site visit for the following reasons:
Serious highway concerns and parking, concerns regarding the disposal of waste from the apartments, inappropriate development in an area with excessive flats apartments and HMOs.**

SITE VISIT: **Not required**

1.0 SUMMARY

This application seeks permission for the conversion of former redundant public house (Hare and Hounds) to form 11no self-contained apartments at 315, High Street, Connah's Quay, Flintshire, CH5 4DP.

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

2.0 Conditions

1. Time limit on commencement
2. In accordance with approved plans

3. Enhanced double glazing
4. Surface water

3.0 CONSULTATIONS

3.01 Local Member: Cllr Attridge: Serious highway concerns and parking, concerns regarding the disposal of waste from the apartments, inappropriate development in an area with excessive flats apartments and HMOs, Serious ASB in the same area including 2 murders even NWP tell me weekly that no more flats are needed in this location.

Cllr Owen: No representation received at the time of writing.

3.02

Connahs Community Council: No response at the time of writing.

3.03

Highways Development Control: No objection.

3.04

3.05 Community & Business Protection: No objections in principle to this application. One condition to be attached regarding to enhanced double glazing to the bedroom/living rooms windows with a view of the High Street.

3.06 Welsh Water/Dwr Cymru: No objection however attached conditions and Advisory Notes to any granted planning permission.

3.07 Natural Resources Wales: No objection to the proposed development as submitted and advises to provide advice on protected species.

North Wales Fire and Rescue Authority: The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

Housing and Communities: No objection. This application (11 additional homes) would assist with meeting the growing need and undersupply of housing in the Connahs Quay area for single people and couples of working age.

4.0 PUBLICITY

Press Notice, Site, Notice, and Neighbour Notification: No representations received at the time of writing.

5.0 SITE HISTORY

- 5.0 **042918** - Retrospective application for the erection of a timber pergola, decked area with balustrading and erection of new fence and gate to storage area. – **Approved 14/05/2007**

6.0 PLANNING POLICIES

6.1 Flintshire Unitary Development Plan

- STR1 New Development
- GEN1 General Requirements for Development
- GEN2 Development Inside Settlement Boundaries
- D1 Design Quality, Location and Layout
- D2 Design
- AC13 Access and Traffic Impact
- AC18 Parking Provision and New Development
- HSG3 Housing on Unallocated Sites Within Settlement Boundaries
- S11 Retention of Local Facilities

Supplementary Planning Guidance

- SPGN2 Space Around Dwellings
- SPGN11 Parking Standards
- Draft SPGN13 Outdoor plan space and New Development
- SPGN24 Retention of Local Facilities

National Planning Policies

- Planning Policy Wales – Edition 11 (Feb.2021)
- Future Wales: The National Plan 2040 (FWP 2040)

It is noted and acknowledged that the national planning framework as set out within Planning Policy Wales Edition 11 and Future Wales: The National Plan 2040 sets out the most up to date planning principles against which to consider development proposals. The Development Plan and associated supplementary planning guidance remain broadly consistent with these changes to legislation.

7.0 PLANNING APPRAISAL

- 7.01 This application seeks permission for the conversion of former redundant public house (Hare and Hounds) to form 11no self-contained apartments at 315, High Street, Connah's Quay, Flintshire, CH5 4DP.

7.02 Site Description

The application site is a redundant Public House which ceased trading as of February 2022. The building has been constructed from brick walls supporting pitched timber framed roof sections covered with slate. The application site is located on the south side of the A548 (High Street) within the settlement boundary of Connah's Quay. In addition to the pub building facing High Street, it includes land to the rear of the building to the rear of dwellings fronting Chapel Street and a block of flats at Chapel Court. The surrounding area consists of a mixture of residential and commercial units with Browns Furniture Warehouse being located

immediately to the north west of the site. Buildings to the west of the site have been demolished and redeveloped for residential purposes.

7.03 The main vehicular access to the property is directly from High Street into the car park/service area that runs along the frontage of the Hare & Hounds and the adjoining furniture store. There is a secondary access from Chapel Street to the rear of property although this has not been used for public access. The car parking area in front of the building has space for six cars.

7.04 Proposed Development

Permission is sought for the conversion of former redundant public house to form 11no self-contained apartments. The proposal seeks to provide accommodation over 4 floors (ground and three floors above) it is proposed to convert the entire building into 11 self-contained apartments with 8 of them being 1 bed and 3 apartment being 2 bedroom. The apartments are split three per floor from ground level to the second floor with two apartments on the third floor. The apartments are designed to meet the requirements of the affordable housing market.

7.05 There are no additional windows proposed on any elevations just alterations and the two windows to the front and rear fourth level are sought to be slightly enlarged. The proposal includes enhanced double glazing to the bedroom/living rooms windows with a view of the High Street shall be installed to achieve a minimum sound reduction of around 34dB(A). In double glazed windows a typical specification is e.g.10/12/6.4mm. Roof- to be fixed where necessary with materials to match existing Windows and doors- UPVC Walls- Front brickwork elevation to be repainted, rendered elevations to be repaired where necessary and painted to client's requirements.

7.06 Furthermore, Swift nesting boxes are sought to be installed to High Street elevation (high under eaves to be unobtrusive). A minimum of 4 to be installed, 2on each elevations. Boxes to be built to the following dimensions: Top 400mm x 230mm x 12mm Front 320mm x 170mm x 12mm Base 296mm x 170mm x 12mm, Back 400mm x 170mm x 12mm Sides 170mm x 170mm x 12mm Battens 170mm x 50mm x 12mm. Internal floor area = 0.050 sq m Internal volume =0.0085 cu m

7.07 A bin store is sought to be located to the rear of the property on the rear boundary which seeks to be 3.4m x 3.4m.

7.08 The Main Issues

The main issues to be considered within the determination of this planning application are:

1. the principle of the development in planning policy terms,
2. the effects upon the visual appearance and character of the area
3. the effects upon the amenities of adjoining residents
4. the effects upon the highway

7.09 Principle of Development

The site is located within the settlement boundary for Connahs Quay, a category A settlement, as identified within the Flintshire Unitary Development Plan/ The conversion does not create tandem development or overdevelopment, does not conflict with the aims of the UDP.

Policy STR1 States that new development will be:

- a) generally located within existing settlement boundaries, allocations, development zones, principal employment areas and suitable brownfield sites and will only be permitted outside these areas where it is essential to have an open countryside location;
- b) required to incorporate high standards of design which are appropriate to the building, site and locality, maximise the efficient use of resources, minimise the use of non-renewable resources and minimise the generation of waste and pollution;
- c) required to create a safe, healthy and secure environment and protect standards of residential and other amenity;
- d) required to respect community identity and social cohesion including the adequacy and accessibility of community facilities and services;
- e) required to respect physical and natural environmental considerations such as flooding and land stability;
- f) required to minimise or negate pollution to air, water and land; and
- g) assessed in terms of a precautionary approach whereby development proposals that would have a significant and uncertain environmental, social, economic or cultural impact, will be refused, in the absence of the best available information which proves that the impact can be negated or mitigated through proper risk control measures.

The proposal is considered to comply with the criteria set out in STR1.

7.10 HSG3 Housing on Unallocated Sites Within Settlement Boundaries

On unallocated sites within settlement boundaries, new housing, the change of use of non-residential buildings to dwellings, the renovation or replacement of existing dwellings, and infill development will be permitted provided that:

- a) in category C settlements it is the renovation or replacement of an existing dwelling or it is to meet proven local needs and cumulatively does not result in over 10% growth since 2000.
- b) in category B settlements it is the renovation or replacement of an existing dwelling or where it would cumulatively result in more than 15% growth since 2000 the development is justified on the grounds of housing need, and

- c) where a housing development is acceptable in principle in category A, B and C settlements:
 - i) it does not result in tandem development or overdevelopment in relation to the character of the site and surrounding area;
 - ii) it does not conflict with the UDP housing provision for the County over the Plan period; and
 - iii) the proposal complies with policy GEN1.

The site is located within Category A settlement and is considered to comply with criteria i-iii.

7.11

As the proposal will lead to the loss of a public house Policy S11 applies and states that development which will lead to the loss of a shop, post office or public house or other building which performs a social as well as an economic role will be permitted only where:

- a) similar facilities exist in the neighbourhood or village which are equally as conveniently accessible to local residents; or
- b) where this is not the case, the property has been advertised at a reasonable price for sale or lease in its existing use for a period of at least one year without success.

The proposal complies with criteria 'a'. Other public houses such as The Ship is located 0.06 miles away and Custom House which is 0.4 miles away.

7.12

With regards to access, Policy AC13 states that development proposals will be permitted only if:

- a) approach roads to the site are of an adequate standard to accommodate the traffic likely to be generated by the development without compromising public safety, health and amenity; and
- b) safe vehicular access can be provided by the developer both to and from the main highway network.

The proposal complies with criteria 'a' and 'b' set out in Policy AC13.

7.13

Similarly, Policy AC18 states that all new development, including changes of use, must provide appropriate parking in accordance with Flintshire County Council Parking Standards, which will be applied as a maximum. Reduced requirements may be applied where:

- a) it is located in a town centre;
- b) it lies within 300 metres of existing public car parks which have sufficient spare capacity and are accessible by all users;
- c) on site parking is not required by the development;
- d) the developer has entered into an agreement with the Local Planning Authority to contribute a commuted sum equivalent to the current cost of provision of non-operational parking spaces; and

- e) alternative provision is made for the use of public transport, cycling and walking, or other arrangements such as formal car sharing or private bus services;
- f) provided that surrounding residential or other areas would not suffer from an increase in on-street parking.

However, over generous parking can prevent higher density development, and may deter the use of more sustainable forms of travel. Further assessment of access and highways is discussed within a separate section below.

The proposal complies with criteria 'a, e, f'. A detailed assessment of access and highways is discussed in a separate section below.

7.14

Furthermore, with regards to design GEN1 and D1 states that development should harmonise with the site and surroundings in terms of the siting, scale, design, layout, use of space, materials, external appearance and landscaping.

7.15

In addition to the above policies consideration has been given to the guidance with regards to space around dwellings contained in Supplementary Planning Guidance Notes 2.

7.16

Moreover, PPW11 introduces the concept of placemaking whose positive implementation through good design is to ensure peoples and community well-being. PPW states that good design is fundamental to achieving sustainable places and is not simply about the architecture of a building or development but the relationship between all elements of the natural and built environment and between people and places.

7.17

Housing

Housing and Prevention Services colleagues have confirmed that there is significant demand for housing in Flintshire as evidenced through a large increase in applicants accepted onto the Councils Common Housing Register, particularly for smaller affordable accommodation. The number of eligible applicants on the Council's Common Housing Register has increased significantly (71% up) over the last few years (approx. 1400 @ March 2020 – approx. 2400 October 2022). When considering all applicants on the Common Housing Register with a 1 bed need between the age of 18yrs – 59yrs Housing colleagues advise that there are presently 997 eligible applicants in need of housing. Of those applicants aged 18yrs – 59yrs who have identified Connahs Quay as an area for rehousing, there are 397 applicants (October 2022). Connahs Quay is one of the highest demand areas for 1 bed accommodation in Flintshire.

7.18

Housing colleagues have also confirmed that within the private rented sector across the County and including Connah's Quay, local lettings agents report a huge shortage of properties and high levels of competition as soon as properties come onto the market. Pre-covid,

agents received an average of five enquiries per day for each new property. It is now commonplace for agents to receive 60 to 80 enquiries per property. Housing have confirmed that this application (11 additional homes) would assist with meeting the growing need and undersupply of housing in the Connahs Quay area for single people and couples of working age.

7.19

Access and Highways

As part of the application a highways statement was provided. There are no proposed changes to the existing access. Adequate parking provision are required and the application sets out there would be 6 spaces provided at front of the building.

7.20

For apartments, section C3 of SPGN no.11 suggests a maximum permitted parking level of one car park space per unit plus one space per two units for visitors. This would be a maximum provision of 17 spaces for the proposed development. This assessment does not however take into account the nature of tenure or location of the property which both have significant impact on parking demand.

7.21

The site is in a central location in close proximity to local community facilities including rail and bus services, retail, employment and education. There are several bus stops along the high street and the nearest train station in Shotton is 0.9 miles away. Local pedestrian and cycle facilities make Active Travel viable options. Highways were consulted as part of the application process and raise no concerns or objections to the proposal.

7.22

Ecology

As part of the application protected species survey and bat activity survey was submitted. The building was subjected to an internal and external survey on the 8th July 2022, the weather conditions were clear and dry.

7.23

The results from the survey state that no visible evidence of bats was found anywhere in or around the structure of the building that could be safely accessed, no droppings, feeding remains, staining, marking etc. There are some small roof voids probably no more than a metre high above some of the upper rooms and these have no access with sealed ceilings. Other sections that are not rooms can be accessed and these were generally full of dense hanging cobwebs.

7.24

However, due to come some exposed sections of roof to the rear a bat emergence survey was recommended to confirm any presence/absence for the building. The bat emergence survey was carried out and concludes that no bats at all were observed exiting the pub and only one or two single pipistrelle bats were observed in the area. The first bat appeared to fly in from a north-east direction possibly from the far side of the road.

7.25

With regards to birds, there was evidence of birds nesting in the chimney structures and there is also some potential access for birds at the rear where the roof felt has fallen away below the roof overhang. The high nature of the building would be attractive to swifts which are a declining species. Four woodstone swift boxes will be installed under the eaves on the east elevation as shown below, these boxes should be marked on the submitted building plans. All breeding birds are protected under Section 1(1) and 1(2) of the Wildlife and Countryside Act 1981, as amended. This makes it an offence to damage, disturb, or obstruct access to nests during the bird breeding season (generally March to September).

Natural Resources Wales have been consulted as part of the application process and raise no objections to the proposal.

7.26

Scale of Development

The proposal does not seek to extend the property but to incorporate 11 apartments over four floors with 8 apartments being 1 bed and 3 apartments being two bedrooms. The mix is consistent with the Local Housing Market Assessment which the broad level identified need indicates the greater single need is one and two bedroom properties (45.6%). The HMO and Flat Developer Advice Note advises that adequate amenity space is required and accessible to all residents and that is of a high quality, well designed and fit for purpose. There should be a minimum of 20m² of amenity space per flat. Amenity space of 20 m² of amenity space per flat would equate to 220m² for the 11 apartments, the land at the rear equates to over 330m² that can be used for quality amenity and therefore complies with policy relating to the HMO and Flat Developer Advice Note. Overall, the proposal is deemed subsidiary in scale.

7.27

Character and Appearance

In terms of appearance, the proposal is sought to utilise similar materials to the existing dwelling. There are no external alterations proposed as part of the application. Therefore the proposal is in-keeping with the character of the existing property. There is no predominant design or character within the area. The proposal has been designed to be sympathetic to the existing property and is considered to be compliant with the provision of policies GEN1, and D2 of the Flintshire Unitary Development Plan.

7.28

Living Conditions

The property is positioned between 2 No existing properties Browns Furniture and No. 22 Chapel. Properties 5-13 chapel Street are located to the North West of the side with No. 1-21 Chapel Court to the rear of the property. The impact of the living conditions of the occupiers of these properties is of fundamental importance in consideration of this application having regard to planning policy and Supplementary Planning Guidance 2 – Space Around Dwellings.

7.29

No representations have been received from the occupiers of neighbouring properties, however this does not waiver the need to assess the proposal in terms of the potential impact towards such.

7.30

There are no additional windows proposed as part of the application. With regards to No. 5-13 (odd numbers). The separation distances are 21m or more complying with the separation distances required are set out in SPGN2. With regards to the property at No. 22 Chapel Court the application site is positioned slightly forward of No. 22. Therefore, there are no concerns with regards to loss of privacy. The separation distance between the application property and the block of flats at 1-21 Chapel Court is 24m at its closest therefore, meeting the required separation distances. Overall, it is considered that the proposal will not negatively impact the living conditions of the surrounding neighbours.

7.31

Other Matters

The Local Councillor has raised objections regarding the proposal including, serious highway concerns and parking. The proposal seeks to utilise the existing six parking spaced to the front of the application site. Due to the central location of the site and the close proximity to facilities and public transport highways have not raised any concerns to the proposal. An additional concern is regarding the disposal of waste from the apartments. A bin store has been provided at the rear of the property to appropriately store all rubbish within allocated bins within the store room. A further concern relates to inappropriate development in an area with excessive flats apartments and HMOs. There is considered to be a shortage and the proposal meets the housing needs for the area. The site is considered to be an appropriate use of an existing building. Finally, a concern is raised regarding a serious ASB in the same area including 2 murders, this is not a planning matter nor relates to the development of flats.

8.0 CONCLUSION

To conclude, the proposal provide sufficient amenity space for the number of units. The proposal provides a sufficient amount of parking and is located within a central location in close proximity to public transport and active travel. The proposal has been designed sympathetically using matching materials and would not have a detrimental impact on the character of the surrounding area.

Given the location of the development, and with due regard to the relevant planning policies and to considerations of sustainability this site is considered to be an appropriate location for this form of development.

I recommend accordingly.

8.1 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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