

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **29TH MARCH 2023**

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

SUBJECT: **CONVERSION OF VACANT COMMERCIAL
PREMISES TO FORM A MIXED USE OF
COMMERCIAL A1 (SHOPS) / A2 (FINANCIAL
SERVICES) AT GROUND FLOOR WITH HMO
UNIQUE USE AT THE REAR, AND ON THE FIRST
AND SECOND FLOOR**

**APPLICATION
NUMBER:** **063778**

APPLICANT: **DR E ROSE**

SITE: **11 CHESTER ROAD WEST, SHOTTON**

**APPLICATION
VALID DATE:** **18TH NOVEMBER 2021**

LOCAL MEMBERS: **COUNCILLOR S BIBBY**

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

**REASON FOR
COMMITTEE:** **APPLICATION REFERRED BY COUNCILLOR
SEAN BIBBY DUE TO RESIDENT CONCERNS
REGARDING OVERDEVELOPMENT AND
OVERCROWDING AND THE INCREASING
NUMBERS OF HMO'S HAVING A DETRIMENTAL
IMPACT OF THE COMMUNITY OF SHOTTON.**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a full application for the change of use of a vacant former retail premises to a mixed use of A1 (shops) / A2 (financial services) on the ground floor with an 8 bedroom House in Multiple Occupation (HMO) located at the rear, and on the first and second floors at 11 Chester

Road West, Shotton. The application is considered acceptable in policy terms and will not detrimentally affect the living conditions of future occupiers and will not have an adverse effect on the character and appearance of the property or on the highway.

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 8 people
 4. Drainage strategy to be submitted to and approved in writing by the LPA

3.00 CONSULTATIONS

- 3.01 **Local Member Councillor Sean Bibby:** Requested this application to be referred to Planning Committee due to resident concerns regarding overdevelopment and overcrowding and the increasing number of HMO's having a detrimental impact on the community of Shotton.

Shotton Town Council: Following discussion at the full Town Council, members wish to maintain their objections to all HMO properties within the area, due to concerns regarding overcrowding within the property and the potential issues within the immediate vicinity. Members would prefer such properties to be Council/Housing association controlled in order to maintain standards. Cllr Bibby has requested this application is referred to the Planning Committee.

Highways: No objections to the proposal and no recommendations on highway grounds.

Community and Business Protection: No adverse comments to make regarding this proposal provided that the enhanced glazing for the first floor front bedroom overlooking Chester Road West is installed as described in the Design Statement.

Housing Strategy: The demand for single person accommodation is great across the county, particularly in the major towns, including Shotton. So there is a need for this type of property. There is a significant number of single person homeless applicants with over one hundred in temporary accommodation, the majority of which are one bedroom need. The provision of self-contained bedrooms with en-suite bathrooms and kitchen basics within the context of well managed lounge/communal facilities is supported by Welsh Government as "meanwhile" provision. This of course also presumes

that such HMO's are well managed as well and comply with the highest fire safety requirements.

Dwr Cymru/Welsh Water: 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.

4.00 PUBLICITY

4.01 56 Neighbour Notifications were sent to adjoining/nearby properties. Following receipt of amended plans a further full period of consultation with the same properties was undertaken and only one letter of objection has been received, which can be summarised as follows:

1. Too many HMO's
2. Impact on amenity – noise and anti-social behaviour
3. Effect on the character and appearance of the area

5.00 SITE HISTORY

5.01 **058615** - Proposed Conversion / Change of Use of Upper Floors from Retail Storage to Residential – Approved 06/08/2018

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan

STR2 - Location of Development
STR4 - Principle of Sustainable Development, Design and Placemaking
STR5 - Transport and Accessibility
PC1 - Relationship of Development and Settlements
PC2 - General Requirements for Development
PC3 - Design
PC4 - Sustainability and Resilience of New Development
PC5 - Transport and Accessibility
PE7 - Retail Hierarchy
PE8 - Development within Primary Shopping Areas
HN2 - Density and Mix of Development
HN7 - Houses in Multiple Occupation

National Policy

Planning Policy Wales Edition 11
Future Wales: The National Plan 2020-2040

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full application for the change of use of a vacant commercial premises to a mixed use of A1 (shops) / A2 (financial and professional services) at ground floor and a House in Multiple Occupation at the rear and on the first and second floors.

7.02 Amended plans have been received in progression of the application proposing a reduction in the number of bedrooms from nine to eight with combined utilisation of the second floor on which further consultation has been undertaken.

7.03 Application Site

The application site consists of a vacant former retail property located inside the Shotton settlement boundary and is also within the primary shopping area. The property has been vacant for some time and appears dated, requiring renovation works to bring the property back into use. The first-floor principal elevation is traditional in appearance with a dormer window and small gable above. The ground floor principal elevation has been altered over time and has no original features.

7.04 Proposal

The application which has been amended since the original submissions proposes the renovation of the vacant property to reinstate a retail unit on the ground floor at the front of the building back into use as an A1 (shops) / A2 (financial and professional services) use. An eight bedroom HMO is proposed at the rear and on the first and second floors. six bedrooms are proposed to have en-suite bathrooms and two bedrooms would share a bathroom. An open plan kitchen, dining and living area would be available for all residents. The total number of occupants would not exceed eight with only one occupant per bedroom.

7.05 Main Issues

The main issues are considered to be the impact of the development upon the living conditions of future occupiers, the effect on the character and appearance of the area and the impact on the highway.

7.06 Principle of Development

The application proposes to bring the building back into use by utilising the former retail unit for A1 / A2 on the ground floor and converting the rear of the premises and first and second floors into a HMO.

7.07 The proposals would bring a vacant retail premises back into use, revitalising this part of the town centre, and would create low-cost living accommodation for eight single occupants. Housing Strategy are in support of the proposals in this location and welcome eight

bedrooms due to the significant number of single person homeless applicants in the Flintshire area, over 100 of which are in temporary accommodation.

7.08 The application proposes to make the most efficient and effective use of a building within a highly sustainable settlement and town centre location, which is acceptable in principle in accordance with Policy PE8 and HN7 of the Flintshire Local Development Plan, subject to the safeguarding of relevant development management considerations.

7.09 Living conditions of future occupiers

The living conditions of future occupiers can be considered a material planning consideration. It is important to note however that there is currently no planning guidance in Flintshire on the size or layout of HMOs with regard to provision of acceptable living conditions for occupiers.

7.10 The Council's Community and Business Protection team have referred to the Welsh Government minimum standards during the assessment of this proposal and the proposed facilities and size of bedrooms are acceptable within these standards. The proposal intends to provide eight bedrooms. Six of the bedrooms would have en-suite bathrooms and two would utilise a shared bathroom. The proposed room sizes are fairly generous to allow sufficient space to house one person per bedroom and an open plan kitchen, dining and living area is proposed as shared living space. No adverse comments have been noted from Community and Business Protection.

7.11 For clarity, although the application states that the rooms are intended to be for single occupancy, a condition will be imposed to ensure that this level of occupancy is maintained for future occupiers.

7.12 Character and Appearance

There are minimal external changes proposed to the building. The proposals include some refurbishment works to the principal elevation, with materials to match the existing building, and the installation of some additional roof lights, which would not be visible from Chester Road West and would only be visible from certain viewpoints at the rear. The proposals would have no adverse effect on the character and appearance of the building or local area. It is considered that the reuse of the run down vacant property would positively enhance the character and appearance of the building and town centre.

7.13 Parking and Impact on the Highway

The site is located in a sustainable town centre location, is near to public parking facilities and close to key transport links and Active Travel Routes. It is therefore not an essential requirement to provide parking provision as part of the proposal, and this mirrors the approach taken when permission was granted for the conversion of

the upper floor to three flats in 2018. The use of the property for A1/A2 use and a HMO would not exacerbate on street-parking or increase vehicular movements to the extent that highway safety or the free flow of traffic would be materially harmed within the town centre location. The proposals also include bin storage and cycle storage at the rear of the property to allow sustainable modes of transport and to reduce reliance on car usage. As a result no objections have been raised by the Highway Authority and no recommendations have been made on highway grounds.

8.00 CONCLUSION

It is considered that the proposal is in accordance with the relevant Local Development Plan policies in that the principle of residential conversion is already established; there is minimal alteration to the external appearance of the building maintaining its character; a vacant retail unit will be brought back into productive use; and the amenity of future residents and neighbours will not be impacted. On this basis and having considered the objections received and all other matters, it is recommended that planning permission is granted.

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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