

FLINTSHIRE COUNTY COUNCIL

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

DATE: **12TH OCTOBER 2016**

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

SUBJECT: **FULL APPLICATION – CHANGE OF USE TO HOUSE IN MULTIPLE OCCUPATION (RETROSPECTIVE) AT 24 THE BRACKENS, BUCKLEY**

APPLICATION NUMBER: **055579**

APPLICANT: **LIMELIGHT**

SITE: **24 THE BRACKENS, BUCKLEY**

APPLICATION VALID DATE: **8th JULY 2016**

LOCAL MEMBERS: **COUNCILLOR N PHILLIPS OBE**
COUNCILLOR R HAMPSON

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

REASON FOR COMMITTEE: **THE COUNCILLORS ARE CONCERNED THAT THE MULTIPLE OCCUPATION IS OUT OF KEEPING WITH THE SURROUNDING AREA AND THAT THERE IS ADEQUATE PROVISION FOR SINGLE OCCUPATION IN THE NEARBY AREA.**

SITE VISIT: **YES. THE COUNCILLORS HAS REQUESTED IN ORDER TO EXPLAIN SOME OF THE CONCERNS OF LOCAL RESIDENTS**

1.00 SUMMARY

- 1.01 This is a full application made in retrospect for the change of use of a 6 bedroom dwellinghouse to a 7 bedroom house of multiple occupation.

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

- 2.01
1. Time Limit on Commencement
 2. In accordance with approved plans
 3. Within 3 months of permission submission of parking plan for approval.
 4. Within 3 months of permission submission of means of site access for approval.
 5. Boundary wall and planting height restriction on boundary
 6. Within 3 months a Travel Plan to be submitted including details of sustainable travel options to be promoted.
 7. Within 3 months details of secure bicycle storage to be approved and provided.

3.00 CONSULTATIONS

3.01 Local Member
Councillor Ron Hampson

- Requests that application be referred to planning committee as the multi occupation is out of keeping with the surrounding area. Also there is adequate for single occupation in the nearby area.

Buckley Town Council
No observations

Head of Assets and Transportation

- Noted that there is an issue with parked cars obstructing highway, notes no supporting information demonstrating that occupier would not be reliant on car ownership.
- Scope within application site to provide additional parking facilities.

Head of Public Protection

- This property will need to be registered with Rent Smart Wales under the Housing (Wales) Act 2014. (As of 23rd November 2015).
- The person managing this property will need to have a Licence to do so via Rent Smart Wales under the Housing (Wales) Act 2014. (As of 23rd November 2015).
- This property will need to comply with the Standards for Houses in Multiple Occupation from Flintshire County Council, The Management of Houses in Multiple Occupation Regulations 2006 and the Housing Health and Safety Rating System.

Welsh Water/Dwr Cymru

- Requests that advisory notes added to any permission.

4.00 PUBLICITY

4.01 Neighbour Notification

5 letters of objection, the objections made are as follows:

- Development not in keeping with area (residential area for families).
- Anti-social behaviour and nuisance from residents of HMO.
- Parking issues and specifically make it problematic for emergency vehicles.
- Increased traffic leading to road safety issues.
- In close vicinity to site is property used by vulnerable people with special needs.
- Concerned that restrictions on numbers has not been monitored leading to over occupancy.

5.00 SITE HISTORY

5.01 015932

Erection of a dwelling
Permitted 5/6/1990

31072

Extension to provide two bedrooms and utility room
Permitted 4/5/2000

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR4 - Housing

GEN1 - General Requirements for Development

GEN2 - Development Inside Settlement Boundaries

AC18 - Parking Provision and New Development

7.00 PLANNING APPRAISAL

7.01 Proposal

7.02 The proposal, which has been made in retrospect, is for the change of use of an existing 6 bedroom dwellinghouse into a 7 bedroom House of Multiple Occupation.

7.03 The proposed conversion changes one room at ground floor level to a bedroom. In other respects the layout of the house remains the same.

- 7.04 The site is located within the settlement boundary for Buckley as shown in the Flintshire Unitary Development Plan. It is located on a residential cul de sac characterised by large detached private dwellings.
- 7.05 Main Issues
- 7.06 The main issues are considered to be the impact of the development upon the character of the area and neighbouring amenity, and upon parking.
- 7.07 Impacts on local character and amenity
- 7.08 The lawful use of the building is a large private dwellinghouse. The proposed use is a residential use that operates at a level of intensity only slightly increased to that which might reasonably be the case if it remained a private dwelling.
- 7.09 Given that the proposed use is a residential use and the locality is a residential area it is not considered that in planning terms the proposed use would represent an unacceptable form of development in this location.
- 7.10 Unitary Development Plan Policy STR4- Housing calls for the provision of a range of housing, where there is a demonstrable need. This retrospective development has been fully occupied and it seems clear that there is a demand for this type of housing option within the local area.
- 7.11 Whilst it is acknowledged that issues may have arisen as a result of the actions of individual residents, including anti-social or criminal behaviour, these are not issues that are material to planning as these are not issues that are inevitable to this form of development.
- 7.12 The dwellinghouse is largely unaltered and retains its amenity space and separation distances from neighbouring houses. It is not considered that any unacceptable impacts upon amenity are likely to arise as a result of this development.
- 7.13 Parking
- 7.14 The dwelling has an integral garage and a large parking area to the front. Complaints have been made regarding the increase of on-street parking. I do not consider that this is a matter that can be controlled by planning means as adequate parking exists on site.
- 7.15 In order to safeguard parking within the site I suggest the imposition of a condition requiring the submission of a parking plan and the future adherence to that plan, to ensure that the parking provision that is currently available is retained in perpetuity.

8.00 CONCLUSION

8.01 The proposal represents a residential use in a residential area. The dwelling is large and detached and has sufficient amenity space around it to ensure that any impacts from the development are minimal. Parking provision is adequate within the site. As such I recommend that the proposal is acceptable and should be approved.

8.02 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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