

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **19th JUNE 2024**

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

SUBJECT: **FULL APPLICATION- CONVERSION OF VACANT/REDUNDANT PUBLIC HOUSE TO RESIDENTIAL USE.**

APPLICATION NUMBER: **COU/001028/23**

APPLICANT: **KARL FAULKNER**

SITE: **TAVERN INN, ALLTAMI, MOLD, CH7 6LG**

APPLICATION VALID DATE: **29TH NOVEMBER 2023**

LOCAL MEMBERS: **COUNCILLOR CAROL ELLIS**

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

REASON FOR COMMITTEE: **MEMBER REQUEST- PUBLIC INTEREST**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a full application for the conversion of vacant/redundant Public House to Residential use, comprising of two 2-bedroom apartments and two 1-bedroom apartments at Tavern inn, Alltami, Mold

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

- 2.01
1. Time Limit
 2. In accordance with approved details:
Application Form
Location Plan drawing no. 2023/02/SLP
Proposed Floor Plan and Elevations drawing no. 2023/02/P

Proposed Site Plan 2023/02/SPa
Existing Floor Plan and Elevations drawing no. 2023/02/E
Planning Statement

3. No development shall take place unless and until a scheme of enhanced double/secondary glazing has been submitted to and in approved in writing by the Local Planning Authority. Such scheme shall provide for:
 - i) The glazing scheme should provide protection for bedroom and living room windows to achieve a minimum of 34dB(A) sound reduction.
 - ii) Passive acoustic ventilation should be provided in all rooms with double/secondary glazing.

The approved scheme shall be implemented in full prior to the first occupation of any of the dwellings hereby approved and shall thereafter be retained in perpetuity with any future repair or replacement being undertaken in strict accordance with the approved scheme unless the prior written approval of the Local Planning Authority is obtained to any variation.

4. No plant, materials, vehicles, etc. associated with the works shall impinge or be stored on the A494 trunk road.
5. Prior to the commencement of development a scheme for biodiversity enhancement of the site shall be submitted for approval, and thereafter shall be implemented in accordance with the approved details.
6. No development shall take place unless and until a scheme detailing the Ecological Mitigation Strategy and the Reasonable Avoidance Measures, including measures to prevent or reduce the risk of incidental capture of amphibians both during and post construction, has been submitted to and approved in writing with the Local Planning Authority. The approved scheme shall be implemented in full and strict accordance with the agreed details prior to the first occupation of any of the dwellings hereby approved

3.00 CONSULTATIONS

- 3.01 **Councillor C Ellis (Local Member):** Requests Committee Determination as a result of Public interest, and the amount of ongoing development in the area.

Buckley Town Council: No observations

Welsh Govt Transport: Advises that the Welsh Government as highway authority for the A494 trunk road directs that any permission granted by your authority shall include the condition included as number 4 on the suggested conditions in paragraph 2.01

Highways Development Control: No objection to the proposal and does not make a recommendation on highways grounds.

Natural Resources Wales: Advise that planning conditions could be used to evidence consideration of and as a mechanism for addressing indirect impacts on the SAC, including those associated with potential in combination increases in recreational pressures. Consider the proposals have the potential to impact upon the Buckley Claypits and Commons SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Ecology: No objection since permission for the conversion of the pub has already been granted. Existing works on site need be undertaken in accordance with the Enfys Ecology Reasonable Avoidance Method Statement for Great Crested Newts as submitted to discharge the relevant condition on planning permission 058799

Community and Business Protection: No objection to the proposal. Considers that previously applied enhanced glazing condition is appropriate.

Airbus: Confirms that the proposed development does not conflict with safeguarding criteria and have no aerodrome safeguarding objection to the proposal

4.00 PUBLICITY

- 4.01 17 Neighbour Notifications were sent to adjoining/nearby properties and a Site Notice was also displayed adjacent to the site.

One response received which informs the Council that Welsh Water have agreed that they have a public duty to provide public sewerage under Section 101a of the Welsh Water Industry act 1991 to dwellings within the vicinity.

5.00 SITE HISTORY

- 5.01 058799- Re-development into 5no. detached 4-bed dwellings and conversion of The Tavern Inn into 2no. 2-bed apartments- Approved upon completion of a S.106 Agreement 29 Sep 2020

The S.106 covered:

- payment of a commuted sum of £2200 in lieu of on-site play and recreation provisions.
- payment of a commuted sum of £105,000 in lieu of the on-site provisions of affordable housing.

054741- Erection of 3No. dwellings- Approved upon completion of a S.106 Agreement 21 March 2017

6.00 PLANNING POLICIES

6.01 Flintshire Local Development Plan

- Policy STR2: The Location of Development
- Policy STR4: Principles of Sustainable Development, Design and Placemaking
- Policy STR5: Transport and Accessibility
- Policy STR13: Natural and Built Environment, Green Networks and Infrastructure
- Policy PC2: General Requirements for Development
- Policy PC3: Design
- Policy PC5: Transport and Accessibility

Planning Policy Wales 12 February 2024
Future Wales 2040: The National Plan

7.00 PLANNING APPRAISAL

7.01 Proposal

This application is for the conversion of a former public house into 2 two-bedroom apartments and 2 one-bedroom apartments (4 apartments in total). The site has previously been granted planning permission, under reference 058799, for the erection of 5 dwellings on land adjacent to the public house building and the conversion of the pub to 2 two-bedroom apartments.

7.02 Site

The former public house building is located at the Alltami crossroads, located at the junction of the A494 and northern section of Alltami Road.

7.03 The site surroundings are characterised as a mix of residential dwellings, comprising two storey terraced dwellings, semi-detached two storey dwellings and detached dwellings.

7.04 The application site building, by virtue of its location at the crossroads, is a local landmark and prominent building within the streetscene.

7.05 Principle of Development

The site is located within the settlement boundary for Alltami in the Flintshire Local Development Plan. Alltami is defined as a Tier 3 sustainable settlement, that is a settlement that benefits from some services and facilities and that are centrally located. Alltami is close to the settlements of Buckley and Mold and with the proximity of the A494 and A55 interchange it is well located to access other areas. Policy STR2 allows for windfall development within these areas.

7.06 The principle of the conversion of the public house has been established by the prior consent, reference 058799. Development on this permission has been started and the construction of the dwellings on the adjacent land is currently underway.

7.07 Neighbour and Residential amenity

The layout of the proposed flats provides an appropriate scale of development for these small units of accommodation, with natural light serving every room utilising existing openings, with one new opening at ground floor level on the side elevation.

7.08 Outside space is available for residents of the apartments including areas for drying clothes and general relaxation. The amenity space available is as previously approved. Whilst the current proposal allows for more units in the building I do not consider, given the nature of the proposal as the reuse of an existing building, and taking account of the level of accommodation provided in terms of occupation, that the amenity space offered is unacceptable.

7.09 In general the proposal is an appropriate reuse of the existing space within the building and allows for an acceptable level of accommodation to serve these small units.

7.10 Interface distances from the application site to adjacent dwellings accord with the relevant guidance found in SPGN2- Space around dwellings and there are no concerns over

7.11 There is a potential for the trunk roads proximity to the application site to impact upon the amenity of residents of the apartments proposed and as such a condition is suggested for enhanced glazing to ensure that potential noise from traffic is mitigated. This condition replicates one imposed on the previous planning permission .

7.12 Access and Parking

The access arrangements are unchanged from the previous approval. Welsh Government, who are the Highways Authority for the A494, have raised no objection to the proposal subject to the imposition of conditions that will safeguard the A494 from any obstruction during construction.

7.13 Flintshire County Council Highways have raised no objection to the proposal with regards to parking arrangements. Parking is available within the site for up to 6 cars, which is in compliance with the maximum standards as set out in SPGN11- Parking Standards for the four apartments the proposal would create.

7.14 It has previously been accepted that the use of the entire site for a small scale residential development would be unlikely to generate more traffic than the previous lawful use as a public house. The addition of two small one bed units to the site would not change this conclusion.

7.15 Drainage

Currently the site is served by an existing private treatment works. A third party has informed the Council that there is a commitment from Welsh Water to provide public sewerage under Section 101a of the Welsh Water Industry act 1991 for the dwellings in Alltami known as Littlewood Cottages and Davies Cottages (opposite the Tavern Pub). Whilst this useful context suggests that in future the site may be served by a connection to the public system this connection is not currently in place and as such it is considered that in accordance with the drainage hierarchy maintaining the current drainage provision is acceptable.

7.16 The site was previously a pub/restaurant and it is considered that the use of the building for 4 small apartments would not increase the foulwater flows to the existing treatment plant beyond the level the previous lawful use would have generated. In accordance with NRW guidance it is considered therefore, that the development is unlikely to be a source of additional phosphorus or pathway for impact as it does not increase the volume and phosphorus concentration of wastewater from the previous use.

7.17 Ecology

The site lies within 0.5 km of the Deeside and Buckley Newt Sites Special Area of Conservations (SAC). Furthermore, the site is located a comparable distance to the Buckley Claypits & Commons Site of Special Scientific Interest (SSSI). Therefore it is important to establish that there is no adverse effect upon these designated areas arising from the development

7.18 The extant permission has a condition requiring reasonable avoidance measures, and these has been agreed and implemented in the

implementation of the permission on the wider site. It is not considered that the current proposal introduces any greater impact on protected species than the extant permission, which have already been considered and the mitigation agreed and implemented. For the avoidance of doubt it is proposed that a condition should require confirmation of this mitigation.

7.19 In accordance with the advice contained within PPW12, as well as Local Development policy all development should provide biodiversity enhancement and a condition to this effect is proposed.

7.20 Planning Obligations

Both previous planning permissions, references 054741 & 058799, were subject to planning obligations for both Public Open Space and Affordable Housing Commitments, and the development of the dwelling houses are subject to these agreed details. Whilst the current proposal would increase the number of residential units on site by two these additional units are one- bedroom apartments which are exemptions from the calculations for commuted sums for education contributions and would not create additional demand for recreational open space to a material level.

7.21 Natural Resources Wales have commented that planning obligations could be used as an alternative to conditions for addressing indirect impacts on the SAC, including those associated with potential in combination increases in recreational pressures. It is noted that this is an issue that has previously been dealt with by conditions and as noted in the section above the reasonable avoidance measures previously agreed have been implemented. As such there is no requirement for any ecological planning obligation to be entered into.

7.22 It is not considered that the current proposal would require any further planning obligations, or alter the agreed position as per the previous permission

8.00 CONCLUSION

The principle of converting the former pub into residential accommodation has already been established. Whilst the application would increase the number of units on site it would not result in overdevelopment of the former public house building and the level of accommodation provided is appropriate for the building. As such the proposal is recommended for approval, subject to the conditions as outlines in paragraph 2.01

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

Contact Officer: James Beattie
Telephone: (01352) 7032562
Email: james.beattie@flintshire.gov.uk