

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **4<sup>th</sup> MARCH 2020**

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

**SUBJECT:** **FULL APPLICATION- CHANGE OF USE TO 3 NO.  
APARTMENTS**

**APPLICATION  
NUMBER:** **060253**

**APPLICANT:** **MR PAUL SMITH**

**SITE:** **15-17 MOLD ROAD, BUCKLEY**

**APPLICATION  
VALID DATE:** **16<sup>TH</sup> JULY 2019**

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

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

**REASON FOR  
COMMITTEE:** **MEMBERS REQUEST – IMPACT UPON  
NEIGHBOURING AMENITY**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

1.01 This is a full application for the change of use of 2 no. retail units into 3 no. residential apartments at 15-17 Mold Road, Buckley

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

- 2.01
1. Time Limit
  2. In accordance with plans
  3. Details of bin storage
  4. Materials
  5. No parking within the boundary of the application site.

**3.00 CONSULTATIONS**

- 3.01 Local Member  
Councillor N Phillips: Requests committee determination and site visit

Buckley Town Council

Object to proposal

Loss of another commercial property in or near to town centre which would detract from efforts to regenerate town centre

- Questions need for more residential properties in or near the town centre when recent developments are taken into account.

Community and Business Protection

No objection

Highways Development Control

No objection

Dwr Cymru/Welsh Water

No objection.

Aura Leisure

No response at time of writing

**4.00 PUBLICITY**

- 4.01 Site notice

7 Letters of objection received

- Highways concerns with particular regard to Orchard Close
- Impact upon viability of commercial area
- Lack of parking
- Works being undertaken without benefit of planning permission

**5.00 SITE HISTORY**

- 5.01 057559- Alterations and improvements to shop to form 2no. units and to first floor residential amenity area to form 2no. apartments- Approved 9/11/2017

**6.00 PLANNING POLICIES**

- 6.01 Flintshire Unitary Development Plan  
STR4- Housing  
GEN1- General Requirements for Development  
HSG3- Housing on Unallocated Sites within Settlement Boundaries

## **7.00 PLANNING APPRAISAL**

### **7.01 Proposal**

This application is for the conversion of units 15-17 Mold Road Buckley, which are currently retail units, to 3 no. apartments. The upper floors of the building already contains 2 no. apartments. The application is being made partly in retrospect.

#### **Principle**

The site is located within the settlement boundary and designated town centre of Buckley within the Flintshire Unitary Development Plan. The application site is outside of the core retail area for Buckley

The proposal is for a residential development, of which the policies within the Flintshire Unitary Development Plan are supportive. There is no policy basis to preclude the loss of retail units as the site is outside of the core retail area.

Paragraph 4.3.2 in Planning Policy Wales 10 states that: "Retail and commercial centres should be identified in development plans and include established city, town, district, local, village and neighbourhood centres, which provide a range of shopping, commercial and leisure opportunities as well as places of employment, education, civic identity and social interaction. Opportunities to live in these centres, combined with their good public transport links, make them the most sustainable places.." The principle of integrating residential development as part of a mixed use within settlements alongside retail and other uses

I consider that the principle of development is acceptable, and that the development is in accordance with the relevant policies within the Flintshire Unitary Development Boundary.

#### **Impact upon Streetscene**

The proposal intends to remove the existing shop frontage elevation on Mold Road and block up this entrance, in effect reversing the orientation of the building so that the front of the resulting building faces onto Orchard close and the rear elevation occupies the more prominent Mold Road position.

The site lies outside the core retail area for Buckley, which is located on Brunswick road, however part of policy STR5 requires the LPA to resist development "which would be harmful to the vitality,

attractiveness and viability of nearby centres". It has been suggested that the loss of these retail units and the creation of what is in effect a blank rear elevation erodes the character and appearance of the vicinity and that whilst outside the core retail area, the site clearly lies within the town centre and the shop units serve to strengthen this character which is typified by its mix of retail, food and entertainment and administrative uses, with residential predominantly restricted to the upper floors.

The applicant has designed the conversion so that the shop fronts could be reinstated with relative ease. It should be noted, however, that the policies within the Flintshire Unitary Development Plan have a presumption in favour of residential development within the settlement boundary and outside of the core retail area. It is a strong argument, which I give significant weight to, that a mix of smaller types of residential accommodation within a close walking distance of the core retail area helps to maintain a user base who are likely to utilise the shops and other facilities within close proximity, with aids the vitality of the town. This is particularly the case when you consider that the alternative is empty shop units which do not assist either the vitality or attractiveness of the town centre.

I do not consider that the loss of shop fronts in this location would be necessarily detrimental to the Streetscene.

## **Highways**

Third party concerns have been raised due to the site access to the rear, which is either through Orchard Close, a private way, or the narrow access to the rear of the properties on Tabernacle Street. There is concern that a greater use of this access would have an impact on highways safety. It should be noted that the application does not propose or include any parking. As such it is recommended a condition is imposed to prevent any parking to the rear of the building.

The site is located within a town centre location within close proximity of shops, schools and services, public car parks. There are good public transport links easily accessible from the site. As such it is considered that the proposal is in accordance with the guidance within SPGN11- Parking Standards and Flintshire Unitary Development Plan policy AC18 which allows for a reduction in parking provision within town centres in such locations.

Highways development control have raised no concerns over this aspect of the development. It would appear that when the premises were used as shops it is possible vehicular access, assumed by the shop owners, may have been utilised for deliveries or parking for staff. As there is no vehicular access or parking proposed then any issues

raised relating to these matters attract very minor weight in the overall planning balance.

### **Other Matters**

The application is being made partly in retrospect as building work has commenced on site, although this is not complete. Although the works have been undertaken without the benefit of planning permission this is at the developers own risk. The partial or full retrospective nature of a planning application is not a matter which significant weight should be attached.

### **Conclusion**

I consider the proposal to be in accordance with the relevant Flintshire Unitary Development Plan policies and I therefore recommend accordingly.

## **8.00 CONCLUSION**

### **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:**

**Telephone:**  
**Email:**