

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **21ST JULY 2021**

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

SUBJECT: **CHANGE OF USE FROM C3 (DWELLINGS) TO C4 (HOUSE OF MULTIPLE OCCUPATION) IN RETROSPECT AT 7 HOWARD STREET, CONNAH'S QUAY**

APPLICATION NUMBER: **061294**

APPLICANT: **MR V SRIVASTAVA**

SITE: **7 HOWARD STREET, CONNAH'S QUAY, CH5 4QQ**

APPLICATION VALID DATE: **29TH APRIL 2020**

LOCAL MEMBERS: **COUNCILLOR AARON SHOTTON**
COUNCILLOR BERNIE ATTRIDGE

TOWN/COMMUNITY COUNCIL: **CONNAH'S QUAY TOWN COUNCIL**

REASON FOR COMMITTEE: **APPLICATION REFERRED BY COUNCILLOR AARON SHOTTON AND COUNCILLOR BERNIE ATTRIDGE DUE TO CONCERNS OVER PARKING/EFFECT ON THE HIGHWAY AND DEFFICIENT ROOM SIZE STANDARDS**

SITE VISIT: **VISIT REQUESTED BY COUNCILLOR AARON SHOTTON AND COUNCILLOR BERNIE ATTRIDGE TO LOOK AT ABOVE MENTIONED ISSUES**

1.00 SUMMARY

- 1.01 This is a full retrospective application for the change of use from C3 dwelling house to a 5 bedroom house of multiple occupation at 7 Howard Street, Connah's Quay. It is considered it is acceptable in policy terms and will not detrimentally affect the living conditions of neighbours in the locality or those of the future occupiers.

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

- 2.01
1. In accordance with approved details
 2. Maximum occupation to be 5 people
 3. Scheme of bin and recycling storage to be agreed.
 4. Details for the storage of cycles shall be submitted to and approved in writing by the Local Planning Authority.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Aaran Shotton

I request this application to be referred to Planning Committee due to parking/effect on the highway and deficient room size standards.

Councillor Bernie Attridge

I strongly object to this application and request a site visit and committee determination.

Connah's QuayTown Council

No response received.

Highways DC

No specific requirement in the LPGN which prescribes parking provision for HMOs. However appeal decision referenced and using the same argument, the current Application for a 5 bed HMO would require 2.0 no parking spaces where 2 no spaces would be required to serve a 3 bed dwelling.

On this basis, and in consideration of the property's relatively sustainable location, it is not considered that a recommendation of refusal on the basis of a lack of parking facilities may be justified at appeal.

Community and Business Protection

No adverse comments to make.

The room size allowance is a minimum 6.5m² for 1 person when there is a communal living space within the property. On plan the room named as the dining room can be defined as the communal living space which allows 6.5m² as the minimum room space requirement.

4.00 PUBLICITY

4.01 Neighbour Notification

Neighbours

19 letters of objection received raising similar issues which are summarised below;

- Resident parking is all on street, except for a newly created parking area on the grassed area further down Howard Street which is always full. A HMO would bring additional vehicles into the street where there is already insufficient parking. Vehicles frequently double park causing a danger to road users and pedestrians due to reduced visibility. This is particularly dangerous near to the Junction with Mold Road. Number of road accidents on Howard Street.
- Concern over such developments rapidly changing the character of the community. The area is saturated with HMO's. Family homes and houses suitable for young local families and those looking for affordable housing are being lost to wealthy property developers.

5.00 SITE HISTORY

- 5.01 No recorded history although the agent has confirmed that the change of use has already taken place.

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
STR1 - New Development
STR2 – Transport and Communications
STR4 – Housing
STR8 – Built Environment
GEN1 - General Requirements for Development
GEN2 - Development inside Settlement Boundaries
D1 - Design Quality, Location and Layout
D2 - Design
AC3 - Cycling Provision
AC13 – Access and Traffic Impact
AC18 - Parking Provision and New Development
HSG3 – Housing on Unallocated Sites Within Settlement Boundaries
HSG8 – Density of Development
HSG9 - Housing Mix and Type

7.00 PLANNING APPRAISAL

- 7.01 The application seeks retrospective consent to convert a C3 dwelling house to a C4 5 bedroom house of multiple occupation. There are no physical internal or external changes proposed to the property. The proposals aim to change the ground floor living and

dining rooms to bedrooms with all other rooms retaining the same use.

- 7.02 The site is within the settlement boundary for Connah's Quay which is defined as a category A settlement in the Flintshire Unitary Development Plan. The application site consists of a traditional bay fronted semi-detached property with tiled pitched roof and rendered principal elevation. There is no off street parking provision and amenity space is located at the rear of the property. There are a mix of property styles varying in size and age in the locality.
- 7.03 Main Issues
The main issues are considered to be the impact of the development upon the character of the area with regard to living conditions of future occupiers, neighbouring residents and parking.
- 7.04 Principle of Development
The site is located within the Connah's Quay settlement boundary and the proposals relate to the residential use of an existing residential dwelling. The principle of the proposal is therefore acceptable as it makes the most efficient and effective use of existing housing stock in accordance with policy STR4 and GEN2 of the FUDP.
- 7.05 Impact on character and appearance with particular regard to the living conditions of neighbouring occupiers
As no external changes are proposed there would be no material change in the appearance of the building which would be harmful to the character of the area.
- 7.06 The proposed layout changes are to the ground floor living and dining rooms which will become 2 bedrooms changing the property from 3 bedroom to 5 bedroom.
- 7.07 The proposal will retain amenity space to the rear which will allow for drying of clothes, cycle and general storage.
- 7.08 The proposed use is a residential use which operates at a level of intensity only slightly increased to that which might reasonably be expected if it remained as a C3 dwelling house.
- 7.09 The proposal would not adversely affect the character or the area as it would physically harmonise with the site and surroundings as there will be no material change in its current appearance as a dwelling. It is therefore compliant with Policy GEN1. Furthermore, it is not considered that overlooking of any neighbouring properties is increased. There are no reduced interface distances between windows. There is therefore no impact on the character of the area with regard to the living conditions of neighbours.

7.10 Living conditions of future occupiers

The living conditions of future occupiers can be considered a material planning consideration. It is important to note that there is currently no planning guidance in Flintshire on the size or layout of HMO's with regard to provision of acceptable living conditions for occupiers. The proposal retains a kitchen and separate dining room which provides shared amenity space. The smallest bedroom is 8.67sqm which is acceptable in terms of housing standards where there is shared amenity space.

- 7.11 As the applicant has not advanced a limit on the level of occupation, in order to provide an acceptable level of living conditions for future occupiers a condition will be imposed to ensure each room is single occupancy only. All the bedrooms proposed are of a reasonable size to accommodate a single occupant.

Parking and Impact on the Highway

- 7.12 There is a concern that the increased residential use of the HMO, would lead to an increase in the parking requirements above what would reasonably be expected of a private dwelling. At a recent appeal for a HMO in Saltney, the Inspector noted that:

- 7.13 "The appellant has, however estimated that the HMO would generate a parking demand of 0.4 cars per flat, or less than 4 in total, based on the Residential Car Parking Research undertaken by the Department for Communities and Local Government in 2007. Whilst this research was undertaken in an English context, it nonetheless provides an evidenced indication of the likely traffic generation of an HMO.

- 7.14 Although SPG11 Parking standards contains no standard parking provision for a HMO, in another recent application for a HMO the rational of 0.4 car parking spaces has been applied. If the same rational is applied to this application a requirement for a maximum of 2.4 parking spaces would be applied.

- 7.15 The site is in a sustainable location near to the town centre and near to key transport links and active travel routes. It is therefore considered that the development would not exacerbate on street-parking or increase the vehicular movement to the extent that highway safety or the free flow of traffic would be materially harmed. It would be very difficult to demonstrate that the proposed use would have a greater impact on the highway than the lawful use as a dwelling house. A condition will however be applied to ensure provision for cycle storage is available prior to the development being brought into use, in order to promote sustainable means of transport and reduce reliance on car usage.

7.16 Other Matters

Objections have been received from neighbours regarding the increased pressure on local services and that the proposed use will change the character of the area removing affordable homes from young families.

- 7.17 Both the existing and proposed use are residential in nature. The size of the existing dwelling could easily accommodate a family of 5 adults. There is no evidence to substantiate the view that 5 adult occupiers of a HMO would exert any further pressure on local services.
- 7.18 The existing and proposed uses are residential, falling into the same use classes order. As set out in a previous Inspectors decision, a HMO may create a slightly more intensified use caused by increased comings and goings but no evidence has been submitted to demonstrate how this proposal would materially change the character of the area. The property is privately owned and the planning system cannot control the sale of the property.

8.00 CONCLUSION

It is considered that the proposal is in accordance with the relevant development plan policies, and having considered the objections received and all other matters I recommend that the application is approved.

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: Ms Alison Dean
Telephone: 01352 702012
Email: alison.dean@flintshire.gov.uk