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| APPLICATION NO: | 15/00443/FUL |
| LOCATION: | 67 Main Street, Runcorn |
| PROPOSAL: | Proposed change of use from commercial (Use Class A1) to 10 no. bed Home of Multiple Occupation (HMO) including internal alterations, amendments to external elevations and two storey rear extension |
| WARD: | Halton Castle |
| PARISH: | N/A |
| AGENT(S) / APPLICANT(S): | Mr Jamie Pugh |
| DEVELOPMENT PLAN ALLOCATION: | Neighbourhood Centre and Primarily Residential Area Halton Conservation Area |
| Halton Unitary Development Plan (2005) | |
| DEPARTURE REPRESENTATIONS: | No 35 plus 1 Councillor Objection |
| RECOMMENDATION: | Approve subject to conditions |



APPLICATION SITE

The Site and Surroundings

Site of former retail unit with associated 4 bed residential accommodation and surrounding land to side and rear. The site lies at Main Street, Halton Village, Runcorn within the Halton Conservation Area. The western flank of Town Park lies immediately to the rear of the site.

Planning History

Planning permission (ref. 12/00135/FUL) for proposed extension/ alteration and change of use from commercial (Use Class A1) to 2 no. dwellings including the provision of vehicle access and off road parking is considered to remain extant. The applicant claims to be carrying out building works associated with the implementation of that planning permission but will revert to the current scheme if approved. A previous outline planning application (with all matters reserved) (ref. 09/00263/OUT) for the proposed refurbishment/conversion of the existing property to 2 No. dwellings, construction of additional 3 No. dwellings and associated access was withdrawn.

THE APPLICATION

Proposal Description

The application seeks permission for the erection of a two storey extension to the rear of a vacant shop and associated residential accommodation together with external (including infilling of the existing shop front) and internal alterations to facilitate conversion to a 10 Bed House in Multiple Occupation. The scheme has been amended to reduce the number of roof lights and remove details to lower sandstone lintel heights to windows on the ground floor front elevation. The scheme also includes provision of vehicle access from Main Street and off road parking for up to 8 cars and cycle parking within part of the rear garden area.

POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

Halton Unitary Development Plan (UDP) (2005)

The existing building is identified as falling within a Neighbourhood Centre in the Halton Unitary Development Plan whilst the remainder of the site (land to the side and rear) lies with a Primarily Residential Area.

The following National and Council Unitary Development Plan policies and policy documents are of particular relevance: -

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| BE1 | General Requirements for Development |
| BE2 | Quality of Design |
| BE12 | General Development Criteria- Conservation Areas |
| BE19 | Disabled Access for Changes of Use, Alterations and Extensions |
| TP6 | Cycle Provision as Part of New Development |
| TP7 | Pedestrian Improvement as Part of New Development |
| TP12 | Car Parking |
| TP17 | Safe Travel for All |
| TC9 | Non-Retail Uses Within Neighbourhood Centres |

Halton Core Strategy (2012)

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| CS2 | Presumption in Favour of Sustainable Development |
| CS5 | A Neighbourhood of Centres |
| CS18 | High Quality Design |

Relevant SPDs

None of direct relevance

CONSULTATIONS

HBC Highways– No objection
HBC Open Spaces – No objection

REPRESENTATIONS

A total of 36 letters of objection (including a Councillor) have been received in relation to the application. The principle issues raised relate to the following:

- Highway congestion, capacity and safety
- Insufficient parking provision
- Parking demand would increase and exacerbate existing parking problems
- Not suited to and detrimental impact on the area/ Conservation Area, loss of original features including shop front, and chimneys, insertion of modern rooflights
- Would be better suited to family housing as previously approved and needed in the area
- Questioning need after previously approved single occupancy, student accommodation, flats, bedsits in the area and impact of such inferior housing in the area

- Use out of keeping with the area/ Conservation Area and would undermine local community
- Developer greed
- Questioning use and location as a “hostel”
- That single occupancy properties are outdated and “archaic”
- Impact on self-esteem and quality of life, families and community
- Lack of consultation
- Building noise and associated disturbances
- Questioning what type of people it will attract, how it will be maintained and how will problems be managed
- Fire safety
- That such cramped and unpleasant conditions risk creating social problems and fear and putting vulnerable people at risk.
- Risk of harm to residents in terms of quality of life and amenity in terms of parking, traffic, overcrowding, neighbour disputes, anti-social behaviour.
- The property in question would be better used as some other facility such as a tea room to complement the rest of the area, provide a meeting place for the elderly, and to build on the work that has taken place to rejuvenate Halton’s Castle's place as a cultural attraction

Councillor Howard has written to state his objection to the proposals and that:

“the proposal to create a 10 bed Home of Multiple Occupation at 67 Main St. is wholly out of keeping with the Halton Village Conservation Area and will create an extremely hazardous situation with vehicles attempting to access and egress the property. Main St. is already extremely congested and this proposed development will inevitably increase congestion. It must be remembered that Main St. is a road designed for the 18th century; not the 21st century. The traffic is far greater and of a different kind to the traffic for which Main St. was designed.”

ASSESSMENT

The application seeks permission for the erection of a two storey extension to the rear of a vacant shop and associated residential accommodation together with external (including infilling of the existing shop front) and internal alterations to facilitate conversion to a 10 Bed House in Multiple Occupation (HMO). The scheme has been amended to reduce the number of roof lights and remove details to lower sandstone lintel heights to windows on the ground floor front elevation. The scheme also includes provision of vehicle access from Main Street and off road parking for up to 8 cars and cycle parking within part of the rear garden area.

Principle of the Proposed Use

Permission is sought for the extension and redevelopment of the building and part of its environs for use as a House in Multiple Occupation. The building is designated as within a Neighbourhood Centre in the Halton Unitary Development Plan and the wider site as within a Primarily Residential Area. Conversion of the building to residential use in the form of two dwelling houses (Use Class C3) has

been previously established through the approval of planning permission (ref. 12/00135/FUL).

UDP Policy TC9 permits change of use to A2 (Financial and Professional Services) and A3 (Sale of Food and Drink) at ground floor providing the existing unit is not a viable convenience store or post office. Whilst the scheme does not propose the specified A2 or A3 use, it is not considered that the unit to be lost could reasonably be argued to be a “viable convenience store or post office” by nature of its long term vacancy and former use. An existing convenience store is also located a short distance away within Halton Village. The scheme has the potential to bring back an attractive and historical building into beneficial use and refurbish a long term vacant and derelict building. The principle of conversion to residential use has also been established by the grant of earlier planning permission. The Councils Halton Local Centres Review (2015) also identifies the removal of this unit from the local centre designation. On this basis it is not considered that an objection could be justified regarding the loss of retail floor space in this case.

It must be noted that the provisions of the Town and Country Planning (Use Classes) Order as amended allows for the permitted change of any building within Use Class C3 to a House in Multiple Occupation for up to 6 people under Use Class C4. Whilst the proposed use of the building as a 10 bed HMO within a single building would fall outside the C4 Use Class it should be noted that the applicant could arguably implement the planning permission for 2 dwellings approved by the earlier planning permission and convert both to Houses in Multiple Occupation for a total of up to 12 people (maximum of 6 within each dwelling) without any need for planning permission.

Notwithstanding that, the building as previously approved, albeit with internal and external alteration, can be demonstrated to be capable of providing the accommodation for a 10 bed HMO in accordance with the Councils HMO room size standards. It should also be noted that such a property will also be licensed by the Council’s Environmental Health Team with respect to maintaining minimum standards of accommodation, facilities provision and fire safety.

It is not considered that additional impacts associated with the additional numbers of occupants and associated comings and goings could be argued to result in significantly greater impact than the former residential and shop use or approved use as 2 dwelling houses to justify refusal of planning permission in this case. The attached semi-detached property is not currently in residential use and it is not considered that significant issues are likely to arise from transfer of noise to adjoining rooms from the proposed use.

Heritage and Conservation

The building and wider site lies within the Halton Conservation Area. The property is a semi-detached 4 bed house with shop front believed to have been constructed circa 1850 in red brick with a slate roof and sash windows. The building to date has remained largely unaltered unlike the adjoining semi and many surrounding properties which have been altered dramatically including

addition of paint/ render finishes to front elevations and modern replacement windows including UPVC. Despite its historical and attractive character the building and its location within the Halton Conservation Area, the building is not listed, offered any form of local list protection or subject to any further protection afforded by Article 4 Direction. It is considered that the buildings retention within the area is of merit and that the best way to achieve that is through securing a viable use for the building whether through re-use or sympathetic redevelopment and conversion.

It is considered that the principle of conversion to residential use, the addition of a two storey, rear extension, of removing the shop front and replacement with brick infill with a new front door and window to match the existing on the frontage and of vehicular access to the side with rear parking court has been previously established through the approval of earlier planning permission (ref. 12/00135/FUL).

In accordance with the advice of the Council's retained adviser on heritage and conservation matters the applicant has agreed to remove proposals to drop the heads of the ground floor windows within the front elevation and reduced the number of roof light windows within the roof slope. It is acknowledged that the proposed rear extensions now provide a gable detail rather than the previously approved hipped roof design, that the parking and access areas will present an increased area of hardstanding to the side and rear of the site, that windows are no longer proposed within the side elevation and that levels and rear elevation windows and doors have altered. It is however considered that the proposals, in terms of visual impact on the character of the building and conservation area are not so dissimilar from those previously approved to be considered harmful. It is not therefore considered that refusal of planning permission could not therefore be justified or sustained on such grounds.

Trees

One large Sycamore protected by Tree Preservation Order currently remains on site. This adjoins the proposed vehicular access road towards the site entrance and visible from Main Street. This is shown to be retained through the scheme. Whilst the construction of the proposed access road will require retaining structures in relatively close proximity to the protected tree it is advised that adequate protection can be provided including appropriate Root Protection Area. Some pruning is proposed to the retained tree. The Council's Open Spaces Officer has advised that permission was granted in 2012 to carry out pruning works consisting of dead wood removal, crown lift, thin and reduce (no more than 20 per cent) but never carried out. It is now advised that such a request to carry out pruning works in accordance with those previously agreed works is considered appropriate. It is considered that this, along with other appropriate tree protection measures, can be confirmed by appropriately worded planning conditions.

Highways, Parking and Accessibility

The application proposes the creation of vehicular and pedestrian access off Main Street which would then slope down along the side of the building to the land at

the rear where car parking for 8 spaces is identified. Provision for bin storage is also identified at the junction of the proposed access road with Main Street. It should be noted that the principle of vehicular access from Main Street with parking for 4 spaces has previously been accepted and approved under the earlier planning permission (ref. 12/00135/FUL).

The Council's Highways Engineer has advised that the plans as submitted show an incorrect visibility splay detail and are not as previously approved. The plans also indicate a steeper gradient entrance slope than previously approved with car parking provision copied from older plans and not relevant to this application.

Notwithstanding the errors in the plans as submitted it is considered that appropriate vehicular and pedestrian access can be provided to the rear of the building at a gradient of 1:10 as agreed by the earlier grant of planning permission. The plan indicates a pedestrian link alongside the property and proposed driveway providing pedestrian access to the rear at the same gradient. Such a gradient is not considered compliant with current standards in terms of access for people with disabilities and this issue is further compounded by the need for steps up to the rear entrance door due to significant level changes across the site. The applicant has however agreed to amended plans to include an additional frontage access direct from Main Street thereby providing level access to the building. The necessary amendments to the front elevation detail required to accommodate this change has resulted in insertion of an additional front door which results in the proposed front elevation detail more closely reflecting the previously approved scheme.

The current scheme also offers an added section of localised widening to reduce potential conflict at the driveway entrance whilst hatching to the access together with existing on street parking restrictions is considered to allow for appropriate highway and pedestrian visibility splays at the vehicular exit to Main Street. Such visibility is further maintained by existing parking restrictions in the form of double yellow lines to the front of and opposite the proposed site entrance which should prevent the access from being obstructed. The location of these existing double yellow lines also means that no reasonable argument could be made that the proposed new access would result in a significant loss of any existing on street parking.

For a HMO of this nature the Highway Authority has advised that they would recommend that a minimum of 4 spaces are required. They recommended that the applicant formally line out only 4 parking spaces instead of the 8 proposed in the submitted plans to allow more turning space within the site and improve the circulation within the parking area. Discussions are ongoing with the applicant in this regard and members will be updated accordingly. No objection is however raised by the Council's Highways Engineer to the proposed increase in parking accessing from the new driveway. Scope has also been identified to provide cycle parking within the rear parking court and this can be secured by appropriately worded planning condition.

Summary and Conclusions

Permission is sought for the extension and redevelopment of the building and part of its environs for use as a 10 bed House in Multiple Occupation. The principle of conversion to residential use together with extension, alteration and vehicle access and parking are considered to have been previously agreed by approval of earlier planning permission (ref. 12/00135/FUL).

The building is considered capable of providing the accommodation for a 10 bed HMO in accordance with the Council's HMO room size standards and legislation outside the planning process will allow future controls with respect to maintaining minimum standards of accommodation, facilities provision and fire safety.

Whilst such higher density housing may raise concerns amongst local residents over vehicle movements and parking, potential noise and disturbance and even anti-social behaviour it is not considered that additional impacts associated with the additional numbers of occupants could be argued to result in likely significant harm to justify refusal of planning permission. With respect to highways, servicing and parking it is considered that adequate provision can be made in all regards with provision made for a 200 per cent parking ratio when compared with levels advised by the Council's Highways Officers. It is not considered that the additional accommodation would add substantially to levels of traffic or such manoeuvres as to justify refusal of planning permission on highway safety grounds and the Council's Highways Engineers have confirmed that they raise no objection.

Whilst discussions are ongoing with the applicant to secure accurate and appropriate amended plans such amendments are considered to relate to detailing within the scheme and members will be updated as required. The scheme has the potential to bring back into beneficial use an attractive and historical building and refurbishing what has become a derelict building. It would also provide much needed residential accommodation in the Borough and is therefore recommended for approval.

RECOMMENDATIONS

Approve subject to conditions.

CONDITIONS

1. Standard 3 year permission (BE1)
2. Condition specifying plans/ amended plans (BE1)
3. Materials condition, requiring the submission and approval of the materials to be used (BE2)
4. Landscaping condition, requiring the submission of both hard and soft landscaping to include tree planting. (BE2)
5. Boundary treatments including retaining walls to be submitted and approved in writing. (BE2)
6. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)

7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
8. Conditions relating to the agreement and implementation of bin and cycle parking provision (BE1/ TP6)
9. Conditions relating to tree protection during construction (BE1)
10. Specifying approved TPO tree works (BE1)

SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.