

## Planning Committee

06 July 2010

**Reference:**  
**APP/10/00441**

**Area Team:**  
**North Team**

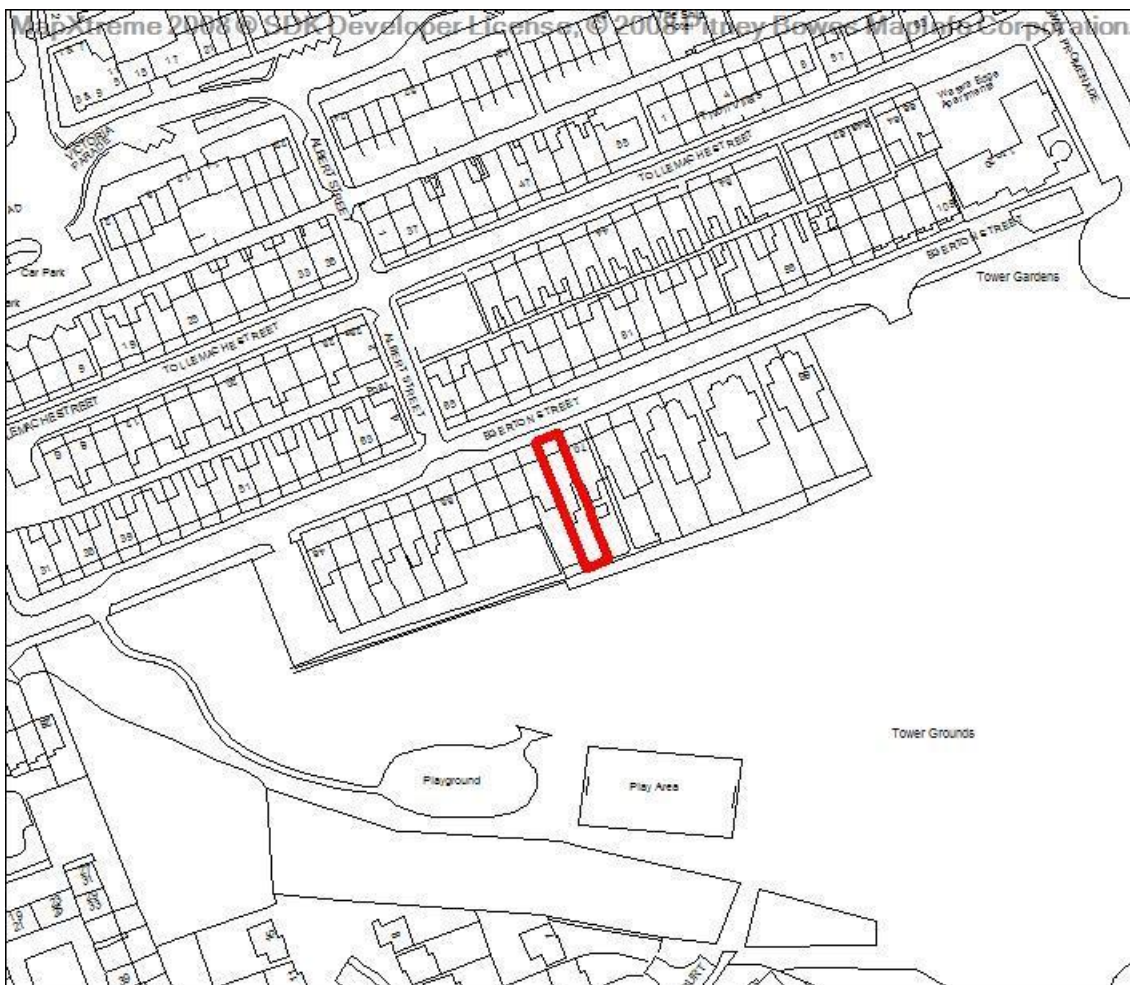
**Case Officer:**  
**Mr M Rushton**

**Ward:**  
**New Brighton**

**Location:** 68 EGERTON STREET, NEW BRIGHTON, CH45 2LT  
**Proposal:** Change of use from a single dwelling to 8 self contained flats (amended description).

**Applicant:** Mr Richard Hill  
**Agent :**

### Site Plan:



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### Development Plan allocation and policies:

Primarily Residential Area

### Planning History:

No planning history

## **Summary Of Representations and Consultations Received:**

### **REPRESENTATIONS**

A total of 7 neighbour notification letters were delivered and a Site Notice posted at the address. At the time of writing 8 individual letters of objection have been received. The objections can be summarised as follows:

- Concern at additional noise and anti-social behaviour in addition to that already generated by flats and houses in multiple occupation on the road. Currently there are well known alcoholics and addicts who cause disturbance, and the Bail Hostel brings problems to the street through transient clientele.
- Parking generated will be unacceptable – there is an existing parking problem especially given double yellows restriction to one side of the road and that few properties have off road parking. This results in pavement parking and those residents with drives have cars parked across their access. Parking close to a dwelling to unload whilst supervising children is especially problematic.
- Concern that fire escape will be necessary but has not been detailed.
- The development would require 18 bins (2 per resident), which would create an eyesore and an obstruction
- There are too many flats and bedsits already in this part of the street.
- Highway safety concerns caused by parking shortage and double parking.
- The application will not be beneficial to the community.
- The properties should be retained for family housing. Once subdivided, it is unlikely to return to such use.
- The occupant of no. 66 Egerton St has raised objections on the grounds that the proposed development, in combination with existing flats at no. 64, would lead to no. 66 being surrounded by 12 flats – an excessive amount with noise and disturbance and parking implications.
- There has been inadequate notification of the application to local residents.

A non-qualifying petition, listing signatures from 18 separate households has also been received, stating the following grounds:

- Overdevelopment of the street.
- The development will add to existing parking problems.

A qualifying petition of opposition has also been received, listing signatures from 31 separate households. The grounds of opposition can be summarised as follows:

- Existing parking problems will be exacerbated
- Noise and disturbance
- Antisocial behaviour

### **CONSULTATIONS**

Director of Regeneration (Housing and Environmental Protection) – no objection

Director of Technical Services (Traffic Management) – no objection, refer to Director's Comments

Wallasey Civic Society – objects to the application on the following grounds:

- Nine flats is excessive;
- The layouts are sub-standard as a result of cramming too many units within the building. Kitchens are sited within living rooms and bathrooms open directly off living areas without any ventilated ante-space;
- Partitions separating flats are shown built up off suspended floors and in spite of regulation sound proofing there will be noise impact transmission;
- The development would add to traffic and car parking problems; and
- The development would add to bin storage problems as the rear has extremely limited access and the front would not have room for 18 bins, even small ones, to the detriment of the street scene.

Merseyside Cycle Campaign – The plans do not appear to include any secure, covered cycle storage for long term flat use by flat residents. Although the application form refers to 9 cycle spaces and note 3 pertaining to the site plan refers to a cycle store and a bin facility in the rear garden, there is no apparent detail of these structures. The Campaign is surprised to note that the applicant has failed to make provision for people to access the new facilities by bicycle and requests that full bicycle parking and storage facilities are secured as part of the grant of permission in accordance with the council's standards (i.e. not a combined bin/cycle store).

#### **Director's Comments:**

#### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application has been taken out of delegation by Councillor Susan Taylor, stating the following grounds: concerns at parking in what is an already very congested street.

Councillor Tony Pritchard has objected to the application as Ward Councillor, on the grounds that the proposal would be an overdevelopment of the street, add to existing parking problems, and is not provided with proper access to a bin store.

A qualifying petition of opposition has also been received, listing signatures from 31 separate households. The grounds of opposition can be summarised as follows:

- Existing parking problems will be exacerbated
- Noise and disturbance
- Antisocial behaviour

#### **PROPOSAL**

The proposed development is for the change of use of no. 68 Egerton Street from a single dwelling to 8 self-contained flats. The only external alteration proposed to the building would be the replacement of a window at ground floor level on the rear elevation of the property previously serving a dining room, with two smaller windows to serve a kitchen and bathroom.

Three flats would be provided to each upper floor of the property, with two flats being provided on the ground floor. Each flat would include a small bathroom area and a kitchenette within a combined bedroom/living area - with the exception of the flat proposed to the rear of the ground floor, which has a separate bedroom and kitchen. Each flat would be self-contained, with access directly off the staircase to the property. No communal facilities are proposed, and as such the proposal cannot be considered to be a House in Multiple Occupation (HMO).

The large existing rear amenity garden space would be retained, and the proposed development has been amended to allow easy access to the garden space from an internal corridor through the dwelling itself. In addition access that can be achieved through a passageway passing under no. 70 Egerton Street - the passageway is gated and provides access to the bottom of the gardens to no.s 68 to 74, though does not appear actively used at present.

#### **POLICY CONTEXT AND PRINCIPLE OF DEVELOPMENT**

##### National Planning Policies

PPS1 - Delivering Sustainable Development

PPS1 Supplement – Planning and Climate Change

PPS3 - Housing

##### Regional Policies – North West Plan RSS 'NWRSS'

RDF1 – Spatial Priorities

LCR1 – Liverpool City Region

##### Wirral Unitary Development Plan

The site is designated as a Primarily Residential Area. The following policies are therefore relevant to this proposal:

Policy HS4 – Criteria for New Housing Development

Policy TR9 – Requirements for Off – Street Parking

Policy TR12 – Requirements for Cycle Parking  
Policy GR5 – Landscaping and New Development

Wirral Supplementary Planning Guidance/Documents.

SPD2 – Designing for Self Contained Flat Development and Conversions

SPD4 - Parking Standards.

SPG16 – Landscaping and New Development

Other

Interim Planning Policy for New Housing Development

The site is located within a Primarily Residential Area and within that part of the Borough falling within the Inner Liverpool City Region (as defined by NWRSS Policy RDF1), and identified for regeneration by Wirral's Interim Planning Policy for New Housing Development.

In principle, the residential development proposed is acceptable in this location, subject to compliance with UDP Policies HS4 and HS13. SPD2 - Designing for Self Contained Flat Development and Conversions offers further guidance to support UDP Policies HS4 and HS13.

**SITE AND SURROUNDINGS**

The property is a mid-terrace 3-storey property. There are residential dwellings in single/family occupancy either side. Egerton Street is a residential street, characterised by single/family occupancy dwellings, though a number of properties have been subdivided to provide flat or bedsit accommodation. The street is 'one way' east of Albert Street, having been bollarded at the promenade end. To the rear of the property is amenity open space (the former Tower Grounds) including playing field and children's play facilities. To the north, east and west are residential properties fronting Egerton Street.

**APPEARANCE AND AMENITY ISSUES**

The main issues for consideration are: the impact of the proposed development to surrounding residential amenity, the design of the proposed accommodation, and the density of development proposed.

SPD2 notes that in recent years there has been an increased demand from property developers for self-contained flat development. This has led to concern that the character of Wirral's established residential areas is being eroded, by the pressure for development, the loss of landscaped gardens, over-development, the impact of traffic, and the loss of local heritage. The Supplementary Planning Document was adopted, therefore, to provide additional advice on the design and location of new flat development.

Density of Development

SPD2 notes that high density development should be located in areas where residents have the choice of walking to a range of local services such as shops, schools, employment areas, health, leisure and entertainment facilities. To promote sustainable growth and social inclusion, as required by national policy in PPS1 and PPG3 Local Planning Authority will expect schemes with a density above 50 dwellings per hectare, to be located within 400 metres safe walking distance of a Key Town Centre or Traditional Suburban Centre. Sites for self contained flats should also be within 400 metres safe and convenient walking distance of a bus stop with a regular service with a frequency of 20 minutes or within 400 metres of a railway station that provides a regular service.

In this instance, the proposed development is well located – the site is located less than 300m from New Brighton Key Town Centre and the promenade provides access to coastal leisure and tourism facilities. A range of bus routes are available via stops to Rowson Street, Victoria Road and Kings Parade. New Brighton train station is approximately 800m away.

It is considered that the site is suitable for such higher density use, and that the density of development proposed does not provide sufficient grounds for refusal of the application.

Layout and Design

SPD2 notes that rooms of similar use should be stacked over each other to reduce the potential

impact from vertical sound transmission. Layouts with main living rooms, toilets or bathrooms over or under neighbours' bedrooms should be avoided. Soundproofing that exceeds Building Regulation standards may be required in cases where Environmental Health Officers identify noise sensitivity as an issue.

In this instance, the Director of Regeneration (Housing and Environmental Protection) has raised no objection to the proposed development, nor has an enhanced scheme of soundproofing been requested between floors or to adjoining properties. The layout of rooms is similar to 'bedsit' accommodation, with each flat providing habitable and non-habitable function within a small, partitioned floorspace. As such, it is not considered that the internal layout proposed provides grounds for refusal.

A number of representations have raised concern at the need for a large number of bins to service the site and, given the constrained access to the rear garden area, the impact that such bins would have to the streetscene. SPD2 advises that secure and appropriately designed bin storage segregated from cycle storage should be provided and sited with convenient access for residents and refuse collection services. The applicant has submitted a statement regarding bin storage, outlining that the issue is being considered with Biffa, and that it is proposed to use a combined bin for residents, screened by a rebuilt front garden wall and landscaping. Alternatively, scope remains for domestic bins to be stored within the rear yard of the premises. A planning condition is proposed to secure the detail of an acceptable solution for bin storage, however, it is not considered that the absence of detail at this stage presents a valid reason for refusal of the application.

In terms of outlook, each habitable room is provided with a reasonable outlook to the front or rear of the building through existing window openings. In the case of those rooms to the rear, this outlook is supplemented by windows facing towards no. 70 Egerton Street. Again, these are original windows, and would not introduce a new element of overlooking or loss of privacy to no. 70. It is considered that sufficient outlook has been provided for future occupants.

#### **SEPARATION DISTANCES**

A separation distance of approximately 12.5m is achieved to properties to the north side of Egerton Street. Whilst this falls below the required distances, no building works are proposed - the dwelling is existing, rooms to the front of the property are currently in habitable use, and the character of the street is one in which separation distances between facing properties do not achieve the Council's required standards. Consequently, it is not considered that the application could be refused on this basis. To the rear, the property overlooks open space, and separation distances in excess of 100m are achieved.

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

To comply with UDP Policy TR12, one cycle stand must be provided for each self contained flat. In this instance a cycle store has been indicated within the development at the rear of the property. A planning condition would secure the detail of this provision.

The Director of Technical Services (Traffic Management) has raised no objection to the proposed development. Whilst the proposal may lead to additional parking demand in an area where parking is already at a premium, nearby junctions and critical sections of road are protected by waiting restrictions. As a consequence, there are no grounds to refuse the application on a highway safety concern. The road is a minor residential street, with no through access beyond Albert Street, and as a result traffic congestion is not considered to be grounds for objection. Parking will remain an amenity issue to existing residents who may find it more difficult to park close to their homes; however, this would not be a sustainable reason for the refusal of planning permission. One car parking space would be retained within the front garden space of the development, in common with other properties to Egerton Street, and the application would comply with the Council's adopted parking standards, set out in SPD4.

#### **ENVIRONMENTAL/SUSTAINABILITY/HEALTH ISSUES**

There are no significant environmental/sustainability issues raised by the application.

### Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The residential development proposed is acceptable in this location and is in accordance with UDP Policies HS4, HS13 and SPD2 - Designing for Self Contained Flat Development and Conversions.

### Recommended Decision: Approve

### Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

**Reason:** In the interests of highway safety and to accord with Policy TR12 in the Wirral Unitary Development Plan

3. No part of the development shall be brought into use until space and facilities for the storage of bins of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

**Reason:** In the interests of residential amenity, having regard to Policy HS4 of the Wirral Unitary Development Plan

4. The development hereby approved shall be carried out in accordance with the details shown on the plans received 18th June 2010 and shall be retained as such thereafter.

**Reason:** For the avoidance of doubt.

5. Prior to the commencement of development full details for all entry gates, and boundary treatments shall be submitted to and approved in writing by the local planning authority. Upon receipt of written approval by the local planning authority all details must be carried out in full and retained as such thereafter.

**Reason:** In the interests of residential amenity in accordance with UDP Policy HS4

**Last Comments By:** 03/06/2010 09:53:32

**Expiry Date:** 22/06/2010