

Planning Committee

26 April 2011

Reference:
APP/11/00050

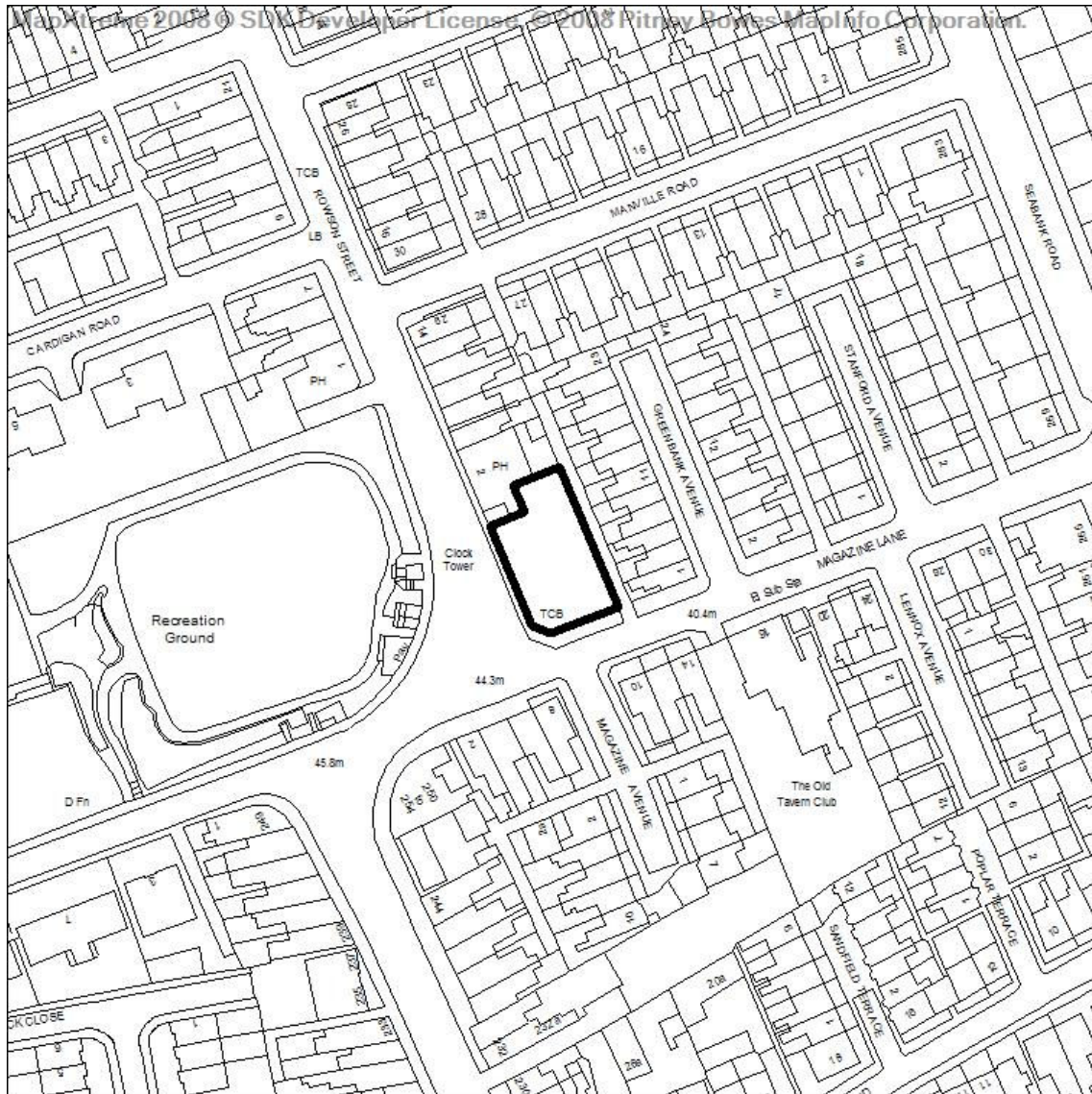
Area Team:
North Team

Case Officer:
Mrs S Lacey

Ward:
New Brighton

Location: Greenbank, 1A ROWSON STREET, NEW BRIGHTON, CH45 1LT
Proposal: Extension of time application for APP/2008/5749
Applicant: BBH Solicitors
Agent : N/A

Site Plan:



Development Plan allocation and policies:
Primarily Residential Area

Planning History:

APP/06/06632 - Demolition of existing building and garage and erection of 7 flats in a four-storey building – Approved

APP/08/05749 - Erection of a four-storey building containing 10 flats - Approved

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

A site notice was displayed. A total of 19 letters of notification have been sent to properties in the area. At the time of writing this report no objections have been received.

The New Brighton Partnership Advisory Sub-Committee requested the surrounding sandstone wall is preserved and maintained as it is a feature of this part of New Brighton

Councillor Pritchard objected to the application on the grounds of an over-development of the site and impact of the development on the light and privacy currently enjoyed by neighbouring properties. Should Planning Committee approve the application, a condition to re-instate and maintain the existing sandstone wall that surrounds the site and a condition of duty by the applicant, to keep the area clear of weeds and rubbish should be considered.

CONSULTATIONS:

Director of Law, HR and Asset Management – Housing & Environmental Protection Division: No objection

Director of Technical Services – Traffic Management Division: No objection subject to reinstatement of footway

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Pritchard objected to the application on the grounds of an over-development of the site and impact of the development on the light and privacy currently enjoyed by neighbouring properties. Should Planning Committee approve the application, a condition to re-instate and maintain the existing sandstone wall that surrounds the site and a condition of duty by the applicant, to keep the area clear of weeds and rubbish should be considered.

INTRODUCTION

The application proposes an extension of time for the implementation of approved planning application APP/08/05749 for the erection of 10no. flats in a four storey block.

PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle.

SITE AND SURROUNDINGS

The site comprises a corner plot with a sandstone wall around the perimeter. There is a pub to the north boundary, a public park to the west and a mix of residential and small retail units within the immediate area. The corner plot is a prominent location along a junction of the highway and is located 86m from a Traditional Suburban Centre.

The area of the street scene, fronting onto Rowson Street and Rake Lane contains a number of buildings that are approximately three storeys high. This is typical of a busy classified road within an urban area. There have been a number of flat developments on Rake Lane, further towards Liscard town centre and these further establish the general height and character of this road.

POLICY CONTEXT

The site is located within the housing regeneration priority area as identified in the Housing Interim Policy.

In terms of SPD2 and HS4 the empty site is acceptable to be re-used for residential development, the site is within walking distance of a traditional suburban centre, the proposed development provides

private amenity space to the rear of the building as well as 7 off street parking spaces.

The site has sufficient separation distances from the neighbouring properties to the rear, giving the distance of the rear elevation of the proposed flats a minimum of 14m from the existing dwellings on Greenbank Avenue.

The outdoor communal garden area provides an acceptable level of useable space for the proposed development and allows for approximately 1/3 of the site to be retained as useable private garden space.

APPEARANCE AND AMENITY ISSUES

The scale, appearance and impact on neighbouring properties and the streetscene were approved under planning application APP/08/05749.

The proposed building, which measures approximately, 8.7m in width, 18m in length and 11.5 metres in height, is located right along the boundary with Rowson Street and Magazine Lane. The rear elevation of the proposed building will be approximately 15 metres back from the properties of Greenbank Avenue. The distance from the properties at the rear will negate the height and ensure that it does not have an overbearing impact on neighbouring properties.

Comments were received regarding the retention of the sandstone wall to the boundary of the site. Under the approved application it was not considered necessary to condition the retention of the wall. It is considered the wall is a prominent and attractive feature of the area, and its retention would preserve the character of the area. As the wall is referred to as being retained on the plan, it is considered reasonable to add a condition requiring the retention of the wall. It is not within the remit of planning to impose a condition in order to control the appearance of the site in terms of keeping the site free of weeds and rubbish and such a condition would not be enforceable.

As no affordable housing was required on the approved application and the application is extant until 1 August 2011, it is considered unreasonable to require affordable housing.

SEPARATION DISTANCES

The proposed building will be a distance of approximately 15 metres away from the rear windows of properties on Greenbank Avenue. There will be 9 windows (three on each floor) facing the rear of the properties on Greenbank Avenue a condition will ensure that the small windows on this rear elevation will be obscurely glazed.

The staircase, located to the rear of the proposed building, will project closer to the properties on Greenbank Avenue than the main building however, this is only a narrow section and will not impact on the light of neighbouring residents.

The north facing side elevation contains windows to the side elevation facing the public house and the car park; these windows are set 10.5m away from the blank side elevation, whilst this does not meet the requirement of 14m the bedrooms are secondary bedrooms to each flat and the arrangement of the site lends itself to a fairly open aspect to the north east corner.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal. The obsolete access shall be reinstated to standard footway levels.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is for the renewal of a previously approved extant planning application and there have been no changes in circumstances that would warrant refusing the application. The proposal is acceptable in terms of scale, design and impact onto the surrounding area, the proposal is therefore

acceptable in terms of adopted Wirral Unitary Development Plan policies HS4, HS13 and SPD2.

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 proposal is for the renewal of a previously approved extant planning application and there have been no changes in circumstances that would warrant refusing the application. The proposal is acceptable in terms of scale, design and impact onto the surrounding area, the proposal is therefore acceptable in terms of adopted Wirral Unitary Development Plan policies HS4, HS13 and SPD2.

**Recommended Approve
Decision:**

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. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

3. Before first occupation of the development hereby permitted the windows to the rear elevation facing east shall be obscurely glazed and top opening, and retained as such thereafter.

Reason: In the interests of privacy having regards to Wirral's UDP Policy HS4.

4. The existing vehicular access shall be made up to Local Authority footway standards before the first occupation of the flats hereby approved.

Reason: In the interest of highway safety

5. No part of the development shall be brought into use until visibility splays of 2.4 metres x 2.4 metres measured down each side of the access and the back edge of the footway have been provided clear of obstruction to visibility at or above a height of 1 metre above the footway level of Rowson Street. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety

6. No part of the development shall be brought into use until sight lines measuring of 2.4 metres x 40 metres along Rowson Street.

Reason: In the interests of highway safety

7. 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 in the Wirral Unitary Development Plan 2000

Further Notes for Committee:

Last Comments By: 11/03/2011 10:59:18

Expiry Date: 28/03/2011