

# Planning Committee

06 September 2011

**Reference:**  
**APP/11/00561**

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

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

**Ward:**  
**Claughton**

**Location:** 98 BIDSTON ROAD, OXTON, CH43 6TW  
**Proposal:** Refurbishment & extension to existing building 98 Bidston Road Oxtton, into 21no apartments with associated hard and soft landscaping.

**Applicant:** Sirius Developments/Regenda HA  
**Agent :** CLA

## Site Plan:



© Crown copyright and database rights 2011 Ordnance Survey 100019803

**Development Plan Allocation and Policies:**

Primarily Residential Area  
Density and Design Guidelines Area

**Planning History:**

21312 - Three storey extension to existing old persons home - approved conditionally 02/11/1982

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

Having regard to the Council's Guidance on Publicity for Applications, 16 notification letters were sent to adjoining properties, and a Site Notice was displayed. As these proposals constitute Major Development a Press Notice was also displayed in the Wirral Globe. At the time of writing this report, a petition of objection has been received, listing signatures from 38 separate households, and one individual letter of objection, stating the following grounds:

1. The proposal is contrary to the Council's 'moratorium', and there is a plentiful supply of the type of accommodation/housing stock proposed - why should affordable housing be treated differently than open market housing;
2. Insufficient car parking provision will lead to overspill onto Bidston Road, resulting in traffic congestion, highway safety issues, and hampering refuse collection;
3. The property is unsuitable for the large number of occupants envisaged, and in particular for family housing, given inadequate amenity space and the busy main road location;
4. A large number of children playing will lead to noise and disturbance;
5. The development will set a precedent for other vacant plots on Bidston Road, the development of which (in combination) would severely alter the character of the area and exacerbate concerns at traffic congestion, refuse collection and road safety;
6. The bedroom, bathroom and living/dining room windows proposed to the rear elevation will lead to loss of privacy and overlooking for neighbours to the rear (Brancote Road);
7. A large number of small families would detrimentally change the demographics of the area and the character.

**CONSULTATIONS**

Director of Technical Services (Traffic Management/Highway Maintenance) – no objection subject to the imposition of a planning condition to require the reinstatement of obsolete vehicle access points prior to the first use of the development.

Director of Law, Human Resources and Asset Management (Environmental Health) – no objection.

Director of Corporate Services (Housing Strategy) – supportive of the affordable housing proposed by the application based on the need identified by the Council's Strategic Housing Market Assessment (SHMA) and the known low levels of vacant affordable housing units in the Claughton ward.

Merseyside Police Crime Reduction (Architectural Liaison Officer) – subject to the inclusion of measures to within the scheme to reduce the propensity for crime, the development is consistent with the current principles and standards of Secured By Design (SBD).

Merseyside Cycle Campaign - objection to the lack of full cycle parking provision.

**Director's Comments:**

The application was deferred from Planning Committee on 9th August 2011 for a site visit.

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is for major development. A qualifying petition of objection has been received, listing signatures from 38 separate households. Councillor George Davies has also requested that the application be removed from delegation on behalf of local residents, for the following reasons:

1. Insufficient car parking provision will lead to overspill onto Bidston Road, resulting in traffic congestion and highway safety issues;
2. The proposal will lead to a detrimental change to the character of the area;

3. The proposal would be detrimental to the amenities of adjoining residential properties.

## **INTRODUCTION**

The proposal is for the refurbishment and extension of an existing building at 98 Bidston Road, to provide 21 no. 2 bedroom apartments. The application is made by Sirius Development, but correspondence has been submitted clarifying that Regenda Housing are in the process of reaching an agreement with Sirius Development to acquire the completed refurbishment apartments and to secure funding from the Homes and Community Agency (HCA) to provide affordable rented accommodation.

The built extensions and alterations proposed would consist:

- A single storey glazed lobby extension fronting Bidston Road, to replace an existing lobby which would be demolished.
- A glazed single storey new communal entrance, and demolition of an existing two storey extension to the north west elevation.
- A glazed three storey extension to the internal courtyard of the building.
- A proposed three storey pitched roof extension to the south east elevation/internal courtyard of the building, replacing existing external fire escape staircases.
- A glazed single storey new communal entrance to the south east elevation.
- The insertion of 4 no. dormer windows to the rear elevation roof.
- The insertion of dormer windows to the internal courtyard elevations.
- Additional and enlarged windows to the north west elevation.
- External landscaping, including the closure of an vehicular access point to Bidston Road, the insertion of a new pedestrian access and provision of additional hard surfaced car parking and the alteration of levels.

## **PRINCIPLE OF DEVELOPMENT**

The site is allocated for primarily residential purposes in the adopted UDP. RSS Policy LCR3 requires plans to expand the quality and choice of housing and support significant intervention where housing market restructuring is required. This is supported by the Interim Planning Policy 'New Housing Development' which sets out criteria for considering residential schemes outside the regeneration priority areas. If this criteria is satisfied, the proposal would be acceptable in principle subject to UDP Policies HSG2 'Affordable Housing', HS13 'Self Contained Flat Conversions and Supplementary Planning Document SPD2 'Designing for Self Contained Flat Development and Conversions' .

## **SITE AND SURROUNDINGS**

The site is a former nursing home building, currently vacant. The original building, formerly residential, at the site has been extended considerably to the rear. The remainder of the site is landscaped, consisting a number of small garden/amenity open space areas, whilst mature trees are spaced within the site, particularly along the south east boundary and to the front of the building adjacent to Bidston Road. The adjoining uses are predominantly residential - no. 100 Bidston Road has previously been granted permission to subdivide to provide residential apartments, whilst there are residential dwellings to the rear, fronting Brancote Road. To the south are the Highfield School buildings, and to the west, beyond Bidston Road, there are further residential dwellings. The overall character is one of large detached buildings set within landscaped grounds.

## **POLICY CONTEXT**

The site is outside the regeneration priority areas identified for new housing development in the Interim Planning Policy 'New Housing Development'. As such residential development would only be acceptable if it satisfies the following criteria:-

- i) The proposal will not harm regeneration in adjoining areas
- ii) The proposal will not harm the character of the adjoining area
- iii) That the proposal will assist the regeneration of the site
- iv) The proposal will meet an identified local housing need

In this instance the proposal would meet an identified need - Wirral's Strategic Housing Market Assessment indicates that 47% of affordable housing needs are for 2-bedroom properties, whilst Claughton ward has an identified net annual need for 85 additional affordable housing units. The

proposal will consequently assist to balance the local housing market, avoiding harm to the regeneration of adjoining areas. The potential for harm to the character of the area is considered not to be significant given the modest alterations and extensions proposed, and the proposal would regenerate a vacant building and site.

As the applicant is not, in this instance, a Registered Social Landlord, a s106 Legal Agreement is considered necessary to ensure the delivery of the development as affordable accommodation in line with the information submitted.

UDP Policies HS4, HS5 (zone 2), HS13 and associated Supplementary Planning Guidance SPD2 are also relevant. Policy HS5 and SPG2 sets design and density guidelines for the area, establishing that the conversion of existing properties into self contained flats can be encouraged where garden areas can be retained and parking provided, subject to consideration of UDP Policy HS13. Policy HS13 sets out the criteria to be considered for applications for self-contained flats, in particular requiring consideration of the privacy of neighbours and occupants, avoidance of overlooking of adjoining properties, providing reasonable outlook and amenity open space and ensuring highway safety through the provision of good visibility at entrance and exit points and turning space for vehicles. SPD2 adds detail to this policy, outlining detailed design requirements for self contained flat development.

### **APPEARANCE AND AMENITY ISSUES**

The proposed alterations and extensions to no. 98 Bidston Road are relatively modest in scale, the larger extensions being limited to the central courtyard of the site. The overall envelope of development would not enlarge, with the exception of the entrance lobby proposed to the north west elevation. Alterations to the internal courtyard, including extensions to enclose fire escapes, are considered appropriate in design and scale.

In terms of the potential impact of the proposals to adjoining residential properties through overlooking or loss of privacy, whilst there are additional windows proposed, notably to the north western and eastern elevations, the windows would be located within existing elevations with consented use for habitable purposes. As such there is considered no increase in the potential for overlooking. There is significant boundary screening to the eastern boundary in particular, consisting trees and a wall in excess of 2m height. It is not considered that the increased use of the site by persons of a younger demographic presents a valid planning reason for refusal - the site is large in scale, and the density of residential occupation acceptable having regard to services available in the local areas and public transport links from Bidston Road.

A Design Out Crime Assessment (DOCA) has been submitted following liaison with Merseyside Police's Architectural Liaison Officer, which concludes that the development will be consistent with the principles of 'Secured by Design' (SBD).

### **SEPARATION DISTANCES**

The development utilises the existing built form at the site, and as such separation distances are not reduced from those currently achieved. 27m is achieved to the rear elevation of properties fronting Brancote Road, whilst significantly greater distances are achieved to properties to the west of Bidston Road. To the north west and south east boundary treatment limits the potential for overlooking or loss of privacy to some degree. To the north west 12.5m is achieved to the adjoining property, no. 100 Bidston Road. Whilst short of the distances normally required, it is a material consideration that the proposal utilises an existing building to which habitable rooms to this elevation are consented.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no significant highway implications relating to this proposal. The Director of Technical Services has raised no objection to the proposed development, subject to a planning condition to ensure the reinstatement of the redundant vehicular access. Car parking is provided in line with Supplementary Planning Document 4.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The proposal would result in the loss of three trees to the front of the building adjacent to Bidston Road - a Maple, Hawthorn and Beech. UDP Policy GR7 requires consideration of the health, and value of trees on development sites. A detailed arboricultural report has been submitted which

concludes that the trees are 'Category C' - i.e. of low quality and value. Soft landscaping is proposed, and it is considered that this presents opportunity to secure replacement tree planting to an appropriate quantity and quality. An acceptable proportion - approximately one third - of the site would be available as amenity open space, to the eastern and southern boundaries, and to the central courtyard area of the site.

## **CONCLUSION**

The proposed development is acceptable having regard to UDP Policies HS4, HS5, HS13, associated SPD2, SPG2 and the Interim Planning Policy for New Housing Development. The proposed built development is acceptable in form and the proposal will bring a vacant building into a beneficial end use.

## **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 proposed development is acceptable having regard to UDP Policies HS4, HS5, HS13, associated SPD2, SPG2 and the Interim Planning Policy for New Housing Development.

**Recommended Decision:            Approve Subject to S106 Legal Agreement**

## **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 facing, roofing and window 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. No part of the development shall be brought into use until the existing vehicular pedestrian access on to Bidston Road has been permanently closed off and the footway reinstated. These works shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and to accord with Policy TR9 of the Wirral Unitary Development Plan.

4. 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

5. No part of the development shall be brought into use until a means of vehicular and/or pedestrian access to the site/development has been constructed. These works shall be in

accordance with details and a specification, which shall have been submitted to and approved in writing by the Local Planning Authority

**Reason:** In the interests of highway safety and to accord with Policy TR9 of the Wirral Unitary Development Plan.

6. 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

7. No development shall be commenced until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features.

**Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development) of the Wirral Unitary Development Plan.

8. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development) of the Wirral Unitary Development Plan.

9. All hard and soft landscape works shall be carried out in accordance with the approved details as set out in Condition 7. The works shall be carried out in accordance with a programme to be agreed with the Local Planning Authority.

**Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 (Landscaping and New Development) of the Wirral Unitary Development Plan.

10. The development hereby approved shall be carried out in accordance with the details shown on the plans numbered 10-185-102 Rev B, 10-185-120, 10-185-121, 10-185-122 Rev A, 10-185-123, 10-185-124, 10-185-150, 10-185-151, 10-185-152, 10-185-160 and 10-185-165 Rev A.

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

11. 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

#### **Further Notes for Committee:**

1. Consent under the Highways Act is required for the construction or amendment of a vehicular access. Such works are undertaken at the developer's expense, including the

relocation and/or replacement of street furniture as necessary. Please contact the Council's Highway Maintenance team on 0151 606 2004 prior to the commencement of development for further information.

**Last Comments By:** 15/07/2011 17:43:26  
**Expiry Date:** 25/08/2011