

# Planning Committee

19 July 2018

Reference:  
**APP/18/00324**

Area Team:  
**South Team**

Case Officer:  
**Mr B Pratley**

Ward:  
**Birkenhead and  
Tranmere**

**Location:** 276 CLAUGHTON ROAD, BIRKENHEAD, CH41 4DX  
**Proposal:** Proposed conversion of 2 storey single dwelling into 3 no. accommodation units over 2 floors  
**Applicant:** Mr Emslie  
**Agent :** Graham Patrick

## Site Plan:



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**Development Plan designation:**

Primarily Residential Area

**Planning History:**

No planning history.

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

Having regard to the Council Guidance on Publicity for Applications 9 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 2 objections have been received, listing the following grounds:

1. The property is maintained in a poor condition.
2. The property is the site of a lot of anti-social behaviour

CONSULTATIONS:

**Engineers** - No objections received

**Environmental Health** – No objections received

**Private Sector Housing Team** - The rear studio flat would be deemed too small to be considered an appropriately and adequately sized unit of living accommodation under the 2004 Housing Act.

**DIRECTORS COMMENTS:****REASON FOR REFERRAL TO PLANNING COMMITTEE**

This application is brought to Planning Committee at the request of Councillor Cleary.

**INTRODUCTION**

The application is for the change of use of the property from a single dwelling house to three self-contained flats. The proposal is for a one-bedroom flat at ground floor level and a one bedroom flat and a studio flat at first floor level.

**PRINCIPLE OF DEVELOPMENT**

The site is within a Primarily Residential Area where residential developments are acceptable in principle subject to policy HS4 and HS13 of the adopted Wirral Unitary Development Plan, Supplementary Planning Document 2, and the National Planning Policy Framework.

**SITE AND SURROUNDINGS**

The site is an end of terrace dwelling on the corner of Claughton Road and Paterson Street. The surrounding area is predominantly residential, although the former Cole Street Primary School is located on the far side of Claughton Road.

**POLICY CONTEXT**Wirral Unitary Development Plan (UDP)

Policy HS4 - Criteria for new housing development requires that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area or to the amenity of neighbouring properties.

Policy HS13 - Self Contained Flat Conversions permits the conversion of existing buildings subject to ensuring the privacy of neighbours and occupants including the layout of car parking areas and windows to prevent overlooking. Development will be permitted where basement flats have windows with two-thirds of their height above the existing outside ground level giving sufficient daylight penetration, a reasonable outlook and not immediately adjacent to parking bays and vehicle access ways. Main living rooms should have reasonable outlook and not be lit solely by roof lights. Access to rear yards/gardens must be provided.

Policy TR9 - Sets out the requirement for off street parking provision within new development and road safety and traffic management considerations.

Supplementary Planning Document 2 (SPD2) - sets out proposals should be of a scale relative to surrounding properties, all main habitable rooms should have a reasonable outlook, and one-third of the site should remain as amenity space, to be read alongside policy HS4.

Supplementary Planning Document 4 (SPD4) - sets out maximum parking standards of 1 space per self-contained flat.

Cycle parking is required under the terms of UDP Policy TR12 and Supplementary Planning Guidance Note SPG 42.

The National Planning Policy Framework (NPPF) supports sustainable housing development which encompasses good design and widens the choice of high quality homes. Development should and make a positive contribution to an area and use opportunities to improve the character and quality of an area. It is a core principle to always seek a good standard of amenity for all existing and future occupiers.

### **APPEARANCE AND AMENITY ISSUES**

The proposal is for a one-bedroom flat at ground floor level and a one bedroom flat and a studio flat at first floor level. The studio would be to the rear of the property. As noted above, the Council's Private Sector Housing Team state that the rear studio flat would be deemed too small to be considered an appropriately and adequately sized unit of living accommodation under the 2004 Housing Act. However, the requirements of non-planning related legislation are not a material planning consideration. At present, Wirral Borough Council does not, as local planning authority, have adopted policies that regulate the size of rooms within new dwellings, including those formed through conversion. . Nonetheless, the applicant's agent has been informed of the concerns raised by the Private Sector Housing Team.

Notwithstanding the above, all three units will have good levels of light and outlook and will have direct access to the rear amenity space. The layout of the units has been arranged so that, as far as possible, similar rooms are stacked above and below each other.

The proposal does not involve the creation of any new window openings and there will be no loss of amenity to the occupants of neighbouring dwellings as a result of loss of privacy.

The objections with regard to current issues surrounding anti-social behaviour at this property are acknowledged. However, there is no evidence to suggest that such anti-social behaviour would be intensified by the proposed change of use.

### **SEPARATION DISTANCES**

Separation distances do not apply in this instance, as there are no new windows formed in this building.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The Council's adopted parking standards (SPD4) set a maximum parking requirement, which the proposal complies with.

### **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 proposed development will provide an acceptable standard of accommodation for future occupants when assessed against adopted planning policies, and will not have a detrimental impact on occupants of neighbouring properties. The proposal therefore complies with Policies HS4 and HS13 of the Wirral Unitary Development Plan, and the relevant provisions of the NPPF.

**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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed development will provide an acceptable standard of accommodation for future occupants when assessed against adopted planning policies, and will not have a detrimental impact on occupants of neighbouring properties. The proposal therefore complies with Policies HS4 and HS13 of the Wirral Unitary Development Plan, and the relevant provisions of the NPPF.

**Recommended Decision:**            **Approve**

**Recommended Conditions and Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 6 March 2018 and listed as follows: SGCR/18-B and SGCR/18-D.

**Reason:** For the avoidance of doubt and to define the permission.

3. Prior to the first occupation of the dwellings arrangements for the storage and disposal of refuse including recycling facilities, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the local planning authority. The approved details shall be implemented in full before the dwelling are occupied and shall be retained as such thereafter unless otherwise agreed in writing with the local planning authority.

**Reason:** To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM9 of the Waste Local Plan.

4. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By:** 17/04/2018  
**Expiry Date:** 01/05/2018