



Planning Sub-Committee

Date:	Tuesday, 1 October 2019
Time:	6.00 p.m.
Venue:	Wallasey Town Hall

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AGENDA

1. MINUTES (Pages 1 - 4)

The Director of Governance and Assurance submitted the minutes held on the 12th September 2019 for approval.

2. MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the committee were asked if they had any personal or prejudicial interest in connection with any application on the agenda and if so to declare them and state the nature of the interest.

3. PLANNING SUB COMMITTEE REPORT 1-10-19 (Pages 5 - 8)

4. APPENDIX 1 WORKING DRAFT HOUSING POLICIES (Pages 9 - 22)

5. HMO POLICY (Pages 23 - 24)

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PLANNING SUB-COMMITTEE

Thursday, 12 September 2019

Present:

Councillors	G Davies	S Kelly
	S Foulkes	I Lewis
	S Frost	G Watt
	S Hayes	S Whittingham

1 APPOINTMENT OF CHAIR

Members of the Sub-Committee were invited to appoint a Chair and Vice-Chair for the remainder of the municipal year.

It was moved by Councillor S Hayes and seconded by Councillor S Foulkes that –

“Councillor S Kelly be appointed Chair of the Planning Sub-Committee for the remainder of the municipal year.”

It was moved by Councillor S Foulkes and seconded by Councillor S Kelly that –

“Councillor G Davies be appointed Vice-Chair of the Planning Sub-Committee for the remainder of the municipal year.”

Resolved –

- (1) That Councillor S Kelly be appointed Chair of the Planning Sub-Committee for the remainder of the municipal year.**
- (2) That Councillor G Davies be appointed Vice-Chair of the Planning Sub-Committee for the remainder of the municipal year.**

2 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub-Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

Councillor S Foulkes declared a personal interest in agenda item 4 – HMO Policy (minute 5) by virtue of being a Board Director of Magenta Living.

3 TERMS OF REFERENCE

The Interim Director of Economic and Housing Growth submitted the Terms of Reference for Members' consideration.

The Chair advised that the Planning Sub-Committee, in consultation with the appropriate Overview and Scrutiny Committee, would implement the Terms of Reference outlined and appropriate recommendations would be made to the Cabinet Member and the Council.

Members reviewed the Terms of Reference.

Resolved – That the Terms of Reference be noted and kept under review.

4 **WORK PROGRAMME**

The Interim Director of Economic and Housing Growth submitted a proposed work programme for the remainder of the municipal year for the consideration of Planning policies.

Members discussed the possibility of changing the date or time of the meeting scheduled to be held on 5 November 2019.

Resolved – That the work programme be agreed.

5 **HMO POLICY**

Councillor S Foulkes declared a personal interest in this matter by virtue of being a Board Director of Magenta Living (minute 2 refers).

The Interim Director for Economic and Housing Growth submitted a draft Policy for Houses in Multiple Occupation.

The Principal Planning Officer outlined the Policy and advised that it had been based on past knowledge. He believed that a good standard of occupation could be achieved.

Members discussed the benefits of linking different policies together, incorporating ideas from other Authorities and cross referencing with the Housing Guidance.

Members further discussed the possibility of placing limits on the number of Houses in Multiple Occupation (HMO) in a particular area and what would constitute and define an HMO. It was believed that the Policy needed to be explicit in order that grounds for refusal could be made.

The Principal Planning Officer advised that the Policy had evolved from the Unitary Development Plan.

Resolved – That the Policy be amended by officers in respect of the points raised and be considered for approval at the next meeting of the Planning Sub-Committee scheduled to be held on 1 October 2019.

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WIRRAL COUNCIL

PLANNING SUB COMMITTEE

1 OCTOBER 2019

TITLE	EMERGING WIRRAL LOCAL PLAN – WORKING DRAFT POLICIES: CRITERIA FOR RESIDENTIAL DEVELOPMENT
REPORT OF	INTERIM COPORATE DIRECTOR FOR ECONOMIC AND HOUSING GROWTH

1.0 REPORT SUMMARY

- 1.1 The Council is in the process of preparing policies for the emerging Local Plan, which is scheduled for submission to the Secretary of State in November 2020.
- 1.2 The Planning Sub Committee was established by Planning Committee on 18th July 2019 to make recommendations, in consultation with the relevant Overview and Scrutiny Committee, to the Cabinet on the policies that will be included in the Local Plan for the Borough.
- 1.3 A series of meetings have been scheduled to consider working draft policies for the emerging Local Plan.
- 1.4 The purpose of this meeting is for Members to consider the contents of the initial working draft policies that would include criteria for assessing planning applications for residential development including new housing development, self-contained flats, houses in multiple occupation, extensions, affordable and accessible housing, which are enclosed in Appendix 1.

RECOMMENDATION

1. That Planning Sub Committee considers the content of the initial working draft policies for residential development set out in Appendix 1, and decide if there are matters that should be given further consideration by officers before reports for Cabinet are finalised.

SUPPORTING INFORMATION

2.0 REASON/S FOR RECOMMENDATION/S

2.1 To assist in the preparation of the Local Plan.

3.0 OTHER OPTIONS CONSIDERED

3.1 It was considered if full Planning Committee should do this work, but it was concluded that a smaller group would be more effective in progressing the work in the timescales required.

4.0 BACKGROUND INFORMATION

4.1 The Council is currently preparing its Local Plan for submission to the Secretary of State in November 2020. A key aspect of this work is the review and development of Development Management (DM) policies, which upon the adoption, will be used to determine planning applications.

4.2 There are a number of tasks which need to be undertaken commencing in September 2019, which include:

- 1 Reviewing existing DM policies.
- 2 Revising these policies to ensure that they are up to date and take account of current and emerging agendas, for example, climate change.
- 3 Writing new policies, in relation to such matters as Houses in Multiple Occupation and car parking standards, to ensure that the Council is able to effectively manage development in the Borough.
- 4 Regularly review policies to ensure they remain relevant, up to date and represent best practice.

4.3 These can be encompassed by the Planning Committees terms of reference under the Council's Constitution which include "in consultation with the relevant Overview and Scrutiny Committee to make appropriate recommendations to the Cabinet on the formulation of the Local Development Plan for the Borough."

4.4 These tasks are urgent and need to be completed within the timescales set out for the submission of the Local Plan as the council is still under threat of intervention by Government if it does not meet the timescales.

4.5 Discussions have taken place with the Local Plan Member Advisory Group (consisting of the Group Leaders and Chair of Planning Committee), the Cabinet Member for the Local Plan, the Cabinet Member for Housing and Planning, the Chair of Planning Committee and the Party spokespersons and it is the collective view that the Planning Committee is best placed to do this detailed work on Development Management policies, given the role of Planning Committee and the expertise it contains. The sub-committee would be supported in this work by the Council's professional planning officers and it would draw on best practice from across the country.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no financial implications from this report.

6.0 LEGAL IMPLICATIONS

6.1 The Sub-committee is comprised of members or deputy members of the Planning Committee. Deputies for the Sub-Committee will be drawn from the list of deputies for the Planning Committee.

6.2 The Sub- Committee terms of reference can be no wider than those conferred upon the Planning Committee in the Council's Constitution. The Planning Committee will agree the matters which are to be within the remit of the Planning Sub-Committee

6.3 Local plans must be positively prepared, justified, effective and based on up to date relevant evidence about the economic, social, environmental characteristics and prospects for the area consistent with national policy in accordance with the Planning and Compulsory Purchase Act 2004 (as amended). The emerging Local Plan cannot be formally adopted as part of the statutory Development Plan unless it is found to be legally compliant and sound following independent examination.

7.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

7.1 This sub-committee will be supported by the Council's existing planning staff.

8.0 RELEVANT RISKS

8.1 If the work set out in this report is delayed, the Council may not be able to meet its timetable for submission of the Local Plan, which could result in Government intervention.

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APPENDICES

1. Initial Working Draft Policies: Criteria for Residential Development

BACKGROUND DOCUMENTS

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Planning Committee	18 th July 2019

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WORKING DRAFT HOUSING POLICIES

Housing Requirement

A minimum of at least xxxxx net additional dwellings, including affordable and specialist housing, will be provided for between 2020 and 2035, equivalent to an annual average requirement of xxxx net new dwellings over the period to April 2036.

The Council will identify additional sites for development and grant planning permission for suitable sites in line with the Broad Spatial Strategy (Policy CS2) and Policy CS21 in the following order of search:

1. previously developed sites within areas of greatest need^G;
2. previously developed sites within easy walking distance^G of existing centres and along high-frequency public transport corridors^G;
3. previously developed sites elsewhere within the existing urban area;
4. previously undeveloped sites within the urban area, subject to Policy CS30.
5. previously developed sites within the Green Belt, subject to Policy CS3 and national Green Belt controls; and
6. previously undeveloped sites identified in Policy CS19A, subject to Policy CS20.

The following sites, shown on the policy map are allocated for new housing development, subject to Policy CS21, for development within the period up to April [20xx]:

1. [site name]
2. [site name]
3. [site name]

Criteria for Residential Development

Residential development, including extensions, conversions and changes of use, will be permitted where the proposals can be demonstrated to:

1. provide visually attractive development with a high standard of amenity that helps to form part of a safe sustainable residential community, well-integrated with the surrounding urban area with good sustainable access to local services including open space and recreation, shops, schools and health services by a choice of means of transport;
2. not place additional constraints on the ongoing viable and safe operation of adjoining land uses and secure an high standard of amenity for future and existing residential occupiers in terms of light, noise and other disturbance;
3. maintain a minimum separation with adjacent properties of:
 - 21 metres between habitable room windows;
 - 14 metres between habitable room windows and blank elevations for up to 2 storey dwellings;
 - plus 4 metres for each additional floor above 2 storey's; or
 - a 2 metre increase for each metre difference in roof ridge heights,
 unless it can be clearly demonstrated that a high standard of amenity for future and existing occupiers can be otherwise achieved;
4. provide adequate private amenity space including landscaped gardens, safe off street parking, integrated waste storage and complement the character of development within the surrounding area;
5. comply with the Nationally Prescribed Technical Space Standards;
6. not compromise a need for the site to be retained for an alternative designated use;
7. meet the requirements for affordable housing under Policy CS22 and for accessibility under Policy CS22A; and
8. meet the requirements of Policy CS1A.

It is a basic requirement through National policy that the planning and development process should achieve high quality buildings and places through good design in the pursuit of sustainable development. The guidance in Building for Life is also identified as an appropriate framework for assessing and improving design. This framework or any superseding guidance should be applied by applicants as early as possible in the evolution of their proposals.

Policy CS21 sets out how residential development should contribute to achieving sustainable development within the Borough of Wirral, which will need to be considered in context with other relevant parts of the Local Plan through Policy CS1A. Through good design and location, housing development will be required to protect residential amenity; prevent inappropriate

over-development, ensure the continued operation of adjoining uses is not compromised and be compatible with the character of the area. It is particularly important that attractive housing schemes blend in well and help create a safe accessible environment with a high standard of amenity to promote health and well-being and secure a high quality of life for the community.

Affordable Housing Requirements

Proposals for major new-build market housing will be required to provide tenure blind affordable housing evenly dispersed within the site at the following rates:

within viability zone 1	xxpercent
within viability zone 2	xxpercent
within viability zone 3	xxpercent
within viability zone 4	xxpercent

A reduced level of provision will only be considered if it can be demonstrated that particular circumstances justify a need to produce a publically available site-specific viability assessment by a qualified practitioner, prepared in accordance with National Planning Guidance and independently verified to demonstrate that affordable housing at the rate specified would make the site unviable for housing development.

xxx of the affordable housing shall be provided for home ownership, unless this prejudices the provision of dwelling types and tenures required to meet the needs for specific groups identified in the latest adopted Housing Market Assessment for the Borough which shall be designed to facilitate transfer to an appropriate Registered Social Landlord or equivalent affordable housing provider.

Affordable housing provided under Policy CS22 will be secured through an appropriate planning condition or legal agreement. Off-site provision or equivalent payment in lieu for affordable housing will only be considered if it can be demonstrated that on-site provision would not be practicable, the approach can be robustly justified and the proposal would be more effective for achieving a mixed and balanced community, subject to the terms of a legal agreement being in place in line with Policy CS44.

Policy CS22 sets out the requirements that will be applied to the provision of affordable housing within major new market housing developments, based on the findings of the latest Council's Strategic Housing Market Assessment 20xxx and the Council's Local Plan Economic Viability Study 20xxx.

Major housing development is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

The number of affordable units required will be calculated on the basis of the percentages stated rounded down to the nearest residential unit based on the total number of residential units proposed as part of the development as a whole. Calculations will be applied cumulatively where individual schemes form part of a single development area. Where a vacant building, which has not been abandoned, is to be brought back into use or replaced, a financial credit equivalent to the existing gross floorspace will be given when calculating the requirement for affordable housing as defined in national policy.

The only exception to this policy will be where a publically available and independently verified financial viability assessment prepared in line with national guidance demonstrates that the number of affordable units required would make the site unviable for housing development. In that instance, the number of affordable units to be provided must be the highest number achievable whilst providing a reasonable return to the developer. Independent verification will be undertaken by a consultant appointed by the Council and funded by the applicant.

Affordable housing should be provided on the site to secure mixed sustainable communities in line with national policy. Developers will need to ensure there no external visual difference between the affordable and market housing in order to promote mixed communities and minimise social exclusion. Off-site provision will only be permitted where it can be robustly justified and demonstrated that it would make a more effective contribution to achieving a mixed and balanced community.

The starting point is that xxx of the affordable housing should be in home ownership, the precise mix and tenure of affordable accommodation and the provision to be made for their future management will be based on based on the finding of the Strategic Housing Market Assessment or any superseding study and should be discussed through the Council's pre-planning application advice service when plans are being conceived to ensure the needs of specific groups are taken into account. Proposals should be accompanied by a statement setting out the number, dwelling type, floorspace and proposed tenure of each affordable unit and plans showing their proposed location and the number and floorspace of their habitable rooms and bedrooms.

Area Map

Accessible Housing Requirements

All proposals for residential development must provide high quality building and surrounding spaces to create safe, inclusive and accessible accommodation with a high standard of amenity for future users to contribute to achieving sustainable communities.

In particular where practical new dwellings must be designed to ensure that:

- provision is made in all new dwellings to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' or subsequent replacement and/or;
- at least xx% of the new dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' or subsequent replacement.

The number of wheelchair accessible dwellings should, reflect the proportion of homes to be sold on the open market and the proportion of any affordable housing required under Policy CS22.

A reduced level of provision will only be considered if it is clearly demonstrated that the requirements of Building Regulation M4 (2) and (3) could not be practically and viably achieved in full due to site specific circumstances.

Off-site provision or equivalent payment in lieu for accessible and adaptable housing will only be considered if can be demonstrated that on-site provision would not be practicable, the approach can be robustly justified and the proposal would be more effective for achieving a mixed and balanced community, subject to the terms of a legal agreement being in place in line with Policy CS44.

National policy requires the planning and development process to achieve safe, inclusive and accessible places with a high standard of amenity to promote health and well-being in the pursuit of sustainable development. As people live longer, the incidence of disability is increasing, so measures should be designed at the conception to allow for simple adaptations over the lifetime of the dwelling to give residents a choice of remaining in their own homes in the event of changing circumstances.

This is reflected in Policy xxx, which also sets out the requirements that will be applied to the provision of accessible housing within new dwellings including changes of use and conversions, taking account of the findings of the Council's Strategic Housing Market Assessment 201x, the Council's Proposed Local Plan Economic Viability Study 201x and evidence on the need for xxxxxxxxxxxx within the Borough.

The nationally described optional requirement for accessible and adaptable dwellings is intended to secure reasonable provision for people to gain access to and use the dwelling and its facilities, sufficient to meet the needs of

occupants with differing needs, including some older or disabled people and to allow adaption of the dwelling to meet the changing needs of occupants over time.

The number of dwellings for wheelchair user will be calculated based on the total number of residential units proposed as part of the development as a whole, rounded down to the nearest whole dwelling unit and should reflect the proportions of the market and affordable housing to be provided.

Building Regulation M4(3) distinguishes between 'wheelchair accessible' (a home readily usable by a wheelchair user at the point of completion) and 'wheelchair adaptable' (a home that can be easily adapted to meet the needs of a wheelchair user). In line with national guidance, wheelchair accessible homes will only be required where the Local Authority is responsible for allocating or nominating a person to live in that dwelling, otherwise M4(3) dwellings should allow for simple adaption to meet the needs of those who use wheelchairs.

The requirements of Policy xxx will be secured through a planning condition which enables Building Control Officers to check compliance with Part M4(2) and Part M4(3) of the Building Regulations.

Backland Development

Proposals for development behind existing dwellings and accessed by a dedicated private drive will not be permitted unless the proposal fulfils all the following criteria:

- (i) the retention by the existing frontage dwellings of sufficient garden space;
- (ii) the proposed development including its access, not resulting in a detrimental change in the character of an area, nor in undue noise, disturbance, loss of privacy or sense of enclosure affecting adjoining residents;
- (iii) the proposed access being of sufficient width to provide a private drive of 3.0 metres width with amenity strips to one or both sides, and adequate passing places. The access must be properly formed and hard-surfaced, with adequate sight lines and visibility splays at its junction with the existing road. It should not have a seriously detrimental effect on the street scene or on highway safety;
- (iv) the proposed dwellings having adequate private garden space and adequate vehicle turning and parking/ garaging provision;
- (v) the proposed development not prejudicing the comprehensive development of a larger area of land; and
- (vi) the proposal otherwise complying with Policy xxx and Policy xxxx.

Backland is land which lies behind existing properties which front one or more roads. It may be neglected land, land in other uses or a mixture of these. The existence of large gardens does not point to scope for development, as the size and appearance of gardens can be of great importance to the

character of a neighbourhood. In accordance with national policy inappropriate development of residential gardens will be resisted where it would cause harm to the character of the local area and to local amenity.

However, areas of backland can sometimes be developed, subject to controls over access and the relationship of the proposed dwellings to those existing. Driveways should be of sufficient width to provide a safe access onto the highway, yet not so dominant as to have a detrimental effect on the streetscape. Further guidance on backland development will be contained in a Supplementary Planning Document for residential development.

House Extensions

Proposals for house extensions requiring planning permission from the Local Planning Authority will be permitted subject to all the following criteria being complied with:

- (i) the scale of the extension being appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours' habitable rooms and not so arranged as to result in significant overlooking of neighbouring residential property.
- (ii) the materials matching or complementing those of the existing building;
- (iii) design features such as lintels, sills, eaves and roof form and line matching or complementing those of the existing building;
- (iv) dormer windows if used, being restricted to the rear of the dwelling and not projecting above the ridge, nor occupying the full width of the roof;
- (v) flat roofs being restricted to the rear or side of the dwelling and only acceptable on single storey extensions;
- (vi) where the rear extension is single storey on the party boundary and the existing dwelling semi-detached, the proposed extension projects a maximum of 3.0 metres from the main face of the existing houses unless it is demonstrated there would be no unacceptable effect on light and the outlook to and from neighbours' habitable rooms;
- (vii) where the rear extension is two storey and the existing house semi-detached, the proposed extension is set back at least 2.5 metres from the party boundary unless it is demonstrated there would be no unacceptable effect on light and the outlook to and from neighbours' habitable rooms;
- (viii) where the property forms part of a uniform row, two storey side extensions should be set back by 1 metre from the front of the building and have a lower roof ridge height to provide a visual break in the street scene;
- (ix) On corner plots, the existing build line with neighbouring properties should not normally be encroached and the width of the extension should not be more than half the width of the frontage of the original property; and the width of the extension should not normally be more than half the width of the side garden/plot; and
- (ix) an adequate area of amenity space will be retained.

House extensions should be designed in such a way as to have no significantly adverse effect on the appearance of the original property, the amenities of neighbouring properties, particularly through overlooking, or an adverse effect on the area in general.

Well-designed house extensions should be constructed of materials which match those of the original dwelling and echo its form, for example, with respect to its roof line. Single storey flat roof extensions are only appropriate where they are unobtrusive, at the side or rear of the dwelling.

In areas of semi-detached housing, the Local Planning Authority is concerned to avoid the terracing effect of two storey side extensions and wishes to see a larger set-back than would otherwise be necessary, where there is a greater separation between dwellings.

Whilst the restrictions on extensions to detached dwellings are often less onerous, in areas of terraced housing it is important to retain some private amenity space at the rear of the dwelling whilst providing often essential facilities such as kitchen and bathroom extensions. Further guidance with regard to house extensions is contained in Supplementary Planning Document SDP xxx.

Self-Contained Flats

Proposals for the new development and conversion of existing buildings into self-contained flats will be permitted subject to:

- (i) the conversion ensuring the privacy of neighbours and occupants, including from the layout of car parking areas to prevent overlooking and provide reasonable outlook at habitable room windows;
- (ii) access normally being provided to individual flats within the main structure of the building. If external staircases have to be provided they must not result in significant overlooking of neighbours' windows or private amenity space;
- (iii) any extensions required complying with Policy CS22C;
- (iv) any new windows required to serve habitable rooms, such as living rooms, kitchens or bedrooms, not overlooking adjoining properties to an unacceptable degree;
- (v) any interior vertical partitions not cutting across windows and ceiling height reductions not being visible externally;
- (vi) adequate sound proofing between flats;
- (vii) any basement flat having 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;

- (viii) main living rooms having a reasonable outlook and not lit solely by roof lights, nor in close proximity to high boundary or gable walls;
- (ix) access to rear yards/ gardens being provided from each flat;
- (x) safe unobtrusive parking arrangements, secure on-site bicycle storage and waste recycling containers will be provided; and
- (xi) the proposal otherwise complying with Policy CS1A and Policy CS1B.

In converting buildings to residential use, or in intensifying the use of existing dwellings, it is important that the character of the area is not adversely affected. Proposals should reflect and respect the general character of the area and existing features such as walls, gate posts, hedges, trees etc., should be retained. The provision of adequate off-street car parking should not involve the loss of existing front gardens, nor be over-intrusive to neighbouring properties. Further guidance on self flat development is contained in a Supplementary Planning Document for residential development.

Houses in Multiple Occupation

Proposals for houses in multiple occupation (HMO's) will not be permitted unless the proposal fulfils the following criteria:

- (i) the property is of sufficient size to provide safe and healthy living conditions with a high standard of amenity for existing and future users with a minimum of:
 - a) 10.21 square metres for a one person bedroom; or
 - b) 14 square metres for a two person bedroom; and
 - c) 18.5 square metres living room/ dining area per 6 residents;
 - d) 8 square metres for a kitchen per 6 residents; and
 - e) 1 hand wash basin in each bedroom; and
 - d) 2 bathrooms and 2 toilets per 5 - 6 persons,

with a proportionate increase for every additional resident having regard to the Council's published technical guidance for HMO's;
- (ii) if the property is not detached then adjoining properties are not in single family occupation;
- (iii) the proposal not resulting in a private dwelling having an HMO on both sides;
- (iv) the proposal not resulting in a change in the character of the surrounding area which would be detrimental;
- (v) the proposal not resulting in a concentration of HMO's in a particular area such that the character of the area is adversely affected;
- (vi) the proposal ensuring the privacy of neighbours and occupants, including the layout of car parking areas, to prevent overlooking of habitable room windows;

- (vii) safe and convenient access is available for all units with staircases being provided within the main structure of the building and rear yards/gardens can be entered from the accommodation by each occupier;
- (viii) any extensions complying with Policy CS22C;
- (ix) any interior vertical partitions not cutting across windows and ceiling height reductions not being visible externally
- (x) adequate sound proofing being provided;
- (xi) any basement accommodation having 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;
- (xii) habitable rooms, including living rooms, kitchens and bedrooms would not be lit solely by roof lights; and windows will give sufficient daylight with adequate separation distances between adjacent properties and structures to safeguard residential amenity;
- (xiii) safe unobtrusive parking arrangements, secure on-site bicycle storage and waste refuge and recycling containers being provided;
- (xiv) the premises will be adequately managed, including external maintenance for the up keep of the building and its curtilage; and
- (xiv) the proposal otherwise complying with Policy xx and Policy xxx.

Existing HMO's and valid planning permissions must not comprise more than 10% or more of the properties forming the street frontage within a street block.

Houses in Multiple Occupation (HMOs) are houses which are not occupied by a single family but by a number of unrelated people and small groups in varying combinations.

Such accommodation can bring about special problems, both in terms of the quality of the accommodation provided and the impact on adjoining properties and the character of the surrounding area. Such impact is due to the number of residents in HMOs and the consequent comings and goings, especially when compared to activity arising from settled residential areas.

Planning applications for new HMO's will need to demonstrate how the Council's guidance on room sizes, bathroom and kitchen facilities and fire safety provision has been taken into account in the evolution of their proposals.

Non-Residential Uses in Primarily Residential Areas

Within the Primarily Residential Areas as defined on the Proposals Map, proposals for small-scale built development and changes of use for non-residential uses will only be permitted where the proposal will not:

- (i) be of such scale as to be inappropriate to surrounding development;
- (ii) result in a detrimental change in the character of the area; and,
- (iii) cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on-street parking and deliveries by vehicle.

Proposals should make adequate provision for off-street car parking standards and servicing requirements.

Primarily Residential Areas already contain many small shopping parades, small businesses and community facilities such as churches, libraries and community centres. These normally cause little nuisance and can be essential for local residents who wish to shop locally or have jobs close to their homes. As well as the convenience to residents of having such facilities close-by, energy costs are reduced by the shorter journey distances involved.

In the event of planning applications for additional facilities, the Local Planning Authority will be concerned to limit environmental and amenity intrusion which may be caused by such uses in the Primarily Residential Area, particularly by large numbers of cars and delivery vehicles.

Policy CS22G – Child Minders Working From Home

Proposals for the use of existing residential buildings requiring planning permission from the Local Planning Authority for child minding will be permitted subject to:

- (i) ensuring the privacy of neighbouring residents;
- (ii) any outdoor play areas provided being assessed with regard to potential noise and disturbance and garden/play area boundaries being defined by a 2.0 metre high screen fence or wall;
- (iii) satisfactory vehicular access with provision being made within the site for the parking of non-resident staff vehicles in addition to parking provision made for the occupiers of the house;
- (iv) reasonable provision being made for the setting down and picking up of children. Where such arrangements can only take place within the highway, there should be no parking restrictions on the highway fronting the site and it should not be likely to cause a hazard to other road users; and
- (v) noise insulation being provided where appropriate.

Child minders working from home are registered through the Department of Social Services where consideration is given to the type of facilities available within the building and the persons who will be providing the care.

In planning terms, the major implications are for the amenity of adjoining residents; in terms of the number staff and the effect of children playing in and

outdoors and the effect of extra traffic as parents drop off and pick up their children.

The ideal type of property to provide for child minding is a detached dwelling, with adequate garden space to provide separation between dwellings and allow for outdoor play.

It is important to ensure that adequate provision is made for the parking needs of parents when they are dropping off or picking up their children.

Criteria for Specialist Housing

Proposals for the development of specialist housing will be permitted where it can be demonstrated that the proposal would:

1. meet an identified need, including for community housing arrangements, for leavers of institutional care or the elderly;
2. meet the requirements of Policy xxxxx;
3. where relevant, be easily accessible in terms of distance and gradient by people of different ages and abilities by foot and/or wheelchair to local shops, accessible public open space and public transport, in line with the expected needs of the prospective residents;
4. secure adequate private amenity space within the curtilage of the development;
5. not have a detrimental impact on the character of the surrounding area or lead to individual family homes being surrounded by residential institutions; and
6. access to appropriate specialist support services will be available within the locality.

The latest housing market assessment for Wirral indicates that up to a xxxx of new housing may need to be for specialist accommodation including sheltered, supported or extra care housing for people who may be unable to live independently in ordinary housing. Providing a wider range of accommodation for older people also has the potential to free up larger family accommodation to meet other housing needs.

Specialist housing often has specific requirements relating to accessibility to local services and public transport which will need to be taken into consideration in the interest of future residents, their visitors and carers and the need to providing appropriate support. Policy xxxx sets out a framework to allow specialist housing to be directed to the most appropriate locations, while preventing the over-provision of residential institutions from having a detrimental impact on the character of the surrounding area.

Gypsies and Travellers

xxxxxxx

The Council has a legal duty to consider the needs of Gypsies and Travellers and Travelling Showpeople. National policy requires local planning authorities to make their own assessment of need and to include criteria based policy in their local plans, even where no need has yet been identified. Policy CSxxxx identifies the criteria that will be applied in Wirral.

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Houses in Multiple Occupation

Proposals for houses in multiple occupation (HMO's) will not be permitted unless the proposal fulfils the following criteria:

- (i) the property of sufficient size to provide safe and healthy living conditions with a high standard of amenity for existing and future users having regard to the Council's published technical guidance for HMO's;
- (ii) if the property is not detached then the adjoining property is not in single family occupation;
- (iii) the proposal not resulting in a private dwelling having an HMO on both sides;
- (iv) the proposal not resulting in a change in the character of the surrounding area which would be detrimental;
- (v) the proposal not resulting in a concentration of HMO's in a particular area such that the character of the area is adversely affected;
- (vi) the proposal ensuring the privacy of neighbours and occupants, including the layout of car parking areas, to prevent overlooking of habitable room windows;
- (vii) staircase access normally being provided within the main structure of the building. If external staircases have to be provided they must not result in significant overlooking of neighbours' windows or private amenity space;
- (viii) any extensions complying with Policy CS22C;
- (ix) any interior vertical partitions not cutting across windows and ceiling height reductions not being visible externally
- (x) adequate sound proofing being provided;
- (xi) any basement accommodation having 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;
- (xii) habitable rooms, including living rooms, kitchens and bedrooms would not be lit solely by roof lights; and windows will give sufficient daylight with adequate separation distances between adjacent properties and structures to safeguard residential amenity;
- (xiii) access to rear yards/gardens being provided from the accommodation for each occupier;
- (xiv) adequate visibility at entrance and exit points and turning space for vehicles; and
- (xv) the proposal otherwise complying with Policy CS1A and Policy CS1B.

Existing HMO's and valid planning permissions must not comprise more than 20% or more of the properties forming the street frontage within a street block.

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