

Planning Committee

22 April 2010

Reference:
APP/09/06439

Area Team:
North Team

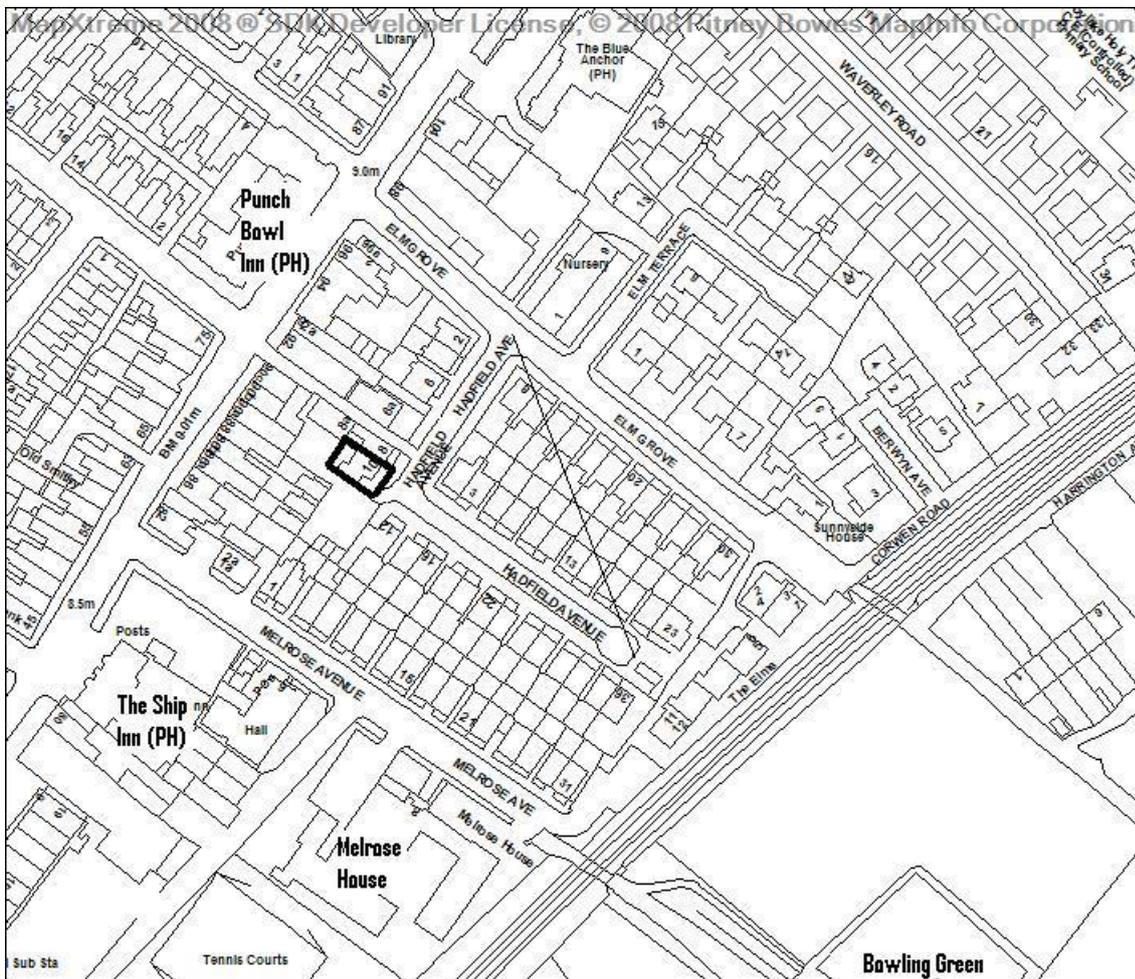
Case Officer:
Miss S Hesketh

Ward:
Hoyle and Meols

Location: 10 Hadfield Avenue, Hoyle, Wirral, CH47 3DJ
Proposal: Development of a C2 Use (Residential Institution) Satellite Unit providing close care, residential accommodation for people in need of care (for the younger patient with physical and sensory disability) specifically for people between the ages of 16-65.

Applicant: Salisbury Independent Living
Agent : Chris Jones

Site Plan:



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Development Plan allocation and policies:
Primarily Residential Area

Planning History:
APP/09/06065 - Development of a C2 use - Withdrawn

Summary Of Representations and Consultations Received:

Representations:

25 letters of notification were sent to the occupiers of neighbouring properties and a site notice was displayed by the applicant. Two objections were received citing the following concerns;

- Over-development of the site;
- Increased traffic congestion;
- Parking issues;
- The number of staff;
- There is a legal right of access leading to 8A Hadfield Avenue which is not indicated on the plans;
- The width of the legal access is 3.2m in width;
- There are two mature trees bordering the site;
- Lack of neighbour notification;
- The site is too small for residential development in terms of interface distances, open space and car parking;
- The correct Use Class for the development may be C3(b) or Sui Generis.

Councillor Gerry Ellis requested the application be removed from delegation on the grounds of over-development of the site, proximity to existing buildings and inadequate parking.

The occupier of No.8 Hadfield Avenue referred to previous emails relating to withdrawn planning application APP/09/6065 relating to the derelict condition of the site, lack of a bat survey, the suitability of the building for habitation, the site notice, separation distances, lack of car parking, the need of a C2 use in the area (and lack of evidence) and overdevelopment.

Consultations received:

Director of Regeneration (Pollution Control) – No objection

Director of Technical Services (Traffic) – No objection

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Gerry Ellis removed the application from delegation for reasons of overdevelopment, the proximity to existing buildings and inadequate parking.

INTRODUCTION

The application proposes a development for C2 use (residential institution) which involves extending an existing disused building in a residential area. The development would form a satellite unit providing close care and residential accommodation for people in the need of care with physical and sensory disability for people between the ages 16-65. The facility is to enable residents from the local area to leave home whilst remaining in close proximity

PRINCIPLE OF DEVELOPMENT

The proposal for C2 use in a residential area is acceptable in principle.

SITE AND SURROUNDINGS

The site comprises a derelict brick building tucked away on an internal corner of Hadfield Avenue. Hadfield Avenue is characterised by predominantly semi-detached properties which do not benefit from off-street parking. There are shops/flats to the rear of the property. There are shops/flats to the rear of the property.

POLICY CONTEXT

The application shall be assessed against policy HS8 Nursing Homes/Residential Care Homes of the adopted Wirral Unitary Development Plan.

APPEARANCE AND AMENITY ISSUES

As the proposed apartments are very much self contained, each with their own separate kitchen and bathroom, and the communal lounge is not essential for day to day existence, it appears the residents would be able to lead relatively independent lives and as such there were concerns the proposal may fall into Use Class C3 (dwelling house occupied by no more than six residents living together, including a household where care is provided). The Local Planning Authority sought Counsels view on the

matter. It was the barrister's view that the Council must treat an application on its own merits and, if a C2 use is applied for and is acceptable, planning permission should be granted. The four residents would be in need of such care that they cannot be described to live as a household within the definition of C3. On that basis, it is considered that the use described in the application is a C2 use.

The application would not be contrary to the Interim Planning Policy (IPP) as C2 uses are not prohibited. However the advice suggested the Council's control mechanism is to impose a condition limiting the use of the premises to a C2 use, justifying the imposition of the condition by reference to the IPP and saying that a C3 use would not be appropriate in that location.

C2 uses are considered acceptable in residential areas under policy HS8. The proposal is not considered to result in an over-concentration of residential care homes in the area. One part-time care staff is proposed, however it is not considered necessary to condition the number of carers given the use and the proximity of the site to transport links.

Concerns were raised stating the proposal represented an overdevelopment of the site. Amended plans were received reducing the scale of the proposal. The size of the extension is considered to relate well to the two-storey buildings surrounding. The number of residents is considered acceptable, and this can be conditioned. All rooms are considered to enjoy a reasonable outlook and levels of daylight/sunlight. Amenity space has been provided and the landscaping scheme is considered appropriate.

In conclusion the C2 use is considered acceptable and the development will pose an improvement on a currently neglected site. The scheme is not considered to harm the amenities of neighbouring residents.

SEPARATION DISTANCES

The habitable windows facing No.12 Hadfield Avenue are 13.3m away from a blank gable wall. SPG11 recommends a distance of 14m, however there is considered to be an open aspect from the window which would provide future occupiers' with a reasonable outlook.

The habitable rear windows of No.1 Melrose Avenue remains 13.5m away from the blank gable of the front extension, however this extension is not considered to compromise the outlook from No.1.

The rear windows in the side gable wall of No.10 Hadfield Avenue which the proposed extension are not considered to compromise due to the size and location of the existing building.

HIGHWAY/TRAFFIC IMPLICATIONS

Concerns were received regarding the number of parking spaces and traffic congestion. The proposal complies with SPD4 as it does not exceed the maximum number of parking spaces. The site is considered sustainable as occupiers would be within 90m of Hoylake town centre, and approximately 370m of a train station. Whilst residents currently experience parking congestion due to lack of off-street parking, planning policy aims to encourage sustainable modes of transport. The Director of Technical Services (Traffic) commented there is not sufficient reason to refuse the application on highway safety or congestion grounds. The plans do not indicate extensions across the access to No.8a Hadfield Avenue, and objections regarding rights of access cannot form a reason for refusal under planning remit. There are no highway implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The proposed development is situated within 90m of local amenities and as such its location is considered sustainable. Loss of trees is not considered a reason for refusing the application, and a landscaping scheme can be conditioned to enhance the character of the site. An objection to a previous application was received regarding bats in the existing building, which is being investigated at the time of writing this report. 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 considered to be of a scale and design which relates well to surrounding properties and does not result in a detrimental change in the character of the area. It is considered that the proposal will have no adverse impact on neighbouring properties. The proposal complies with Policy HS8 of the adopted Wirral Unitary Development Plan.

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 considered to be of a scale and design which relates well to surrounding properties and does not result in a detrimental change in the character of the area. It is considered that the proposal will have no adverse impact on neighbouring properties. The proposal complies with Policy HS8 of the adopted Wirral Unitary Development Plan.

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. The proposal hereby permitted is for use as a C2 Residential Institution under the Town and Country Planning Order 2008

Reason: In the interests of clarity in regards to the Interim Planning Policy

3. The proposal hereby permitted is for the limited number of 4 residents

Reason: In the interests of amenity

4. The amenity area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to occupation. The landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

5. The development hereby approved shall be carried out in accordance with the details shown on the plans received by the Local Planning Authority on 27th January 2010.

Reason: For the avoidance of doubt.

Further Notes for Committee:

Last Comments By: 10/03/2010 16:40:45

Expiry Date: 19/01/2010