

**Planning Committee**

03 January 2012

**Reference:**  
**APP/11/01279**

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

**Case Officer:**  
**Mrs S Lacey**

**Ward:**  
**Birkenhead and  
Tranmere**

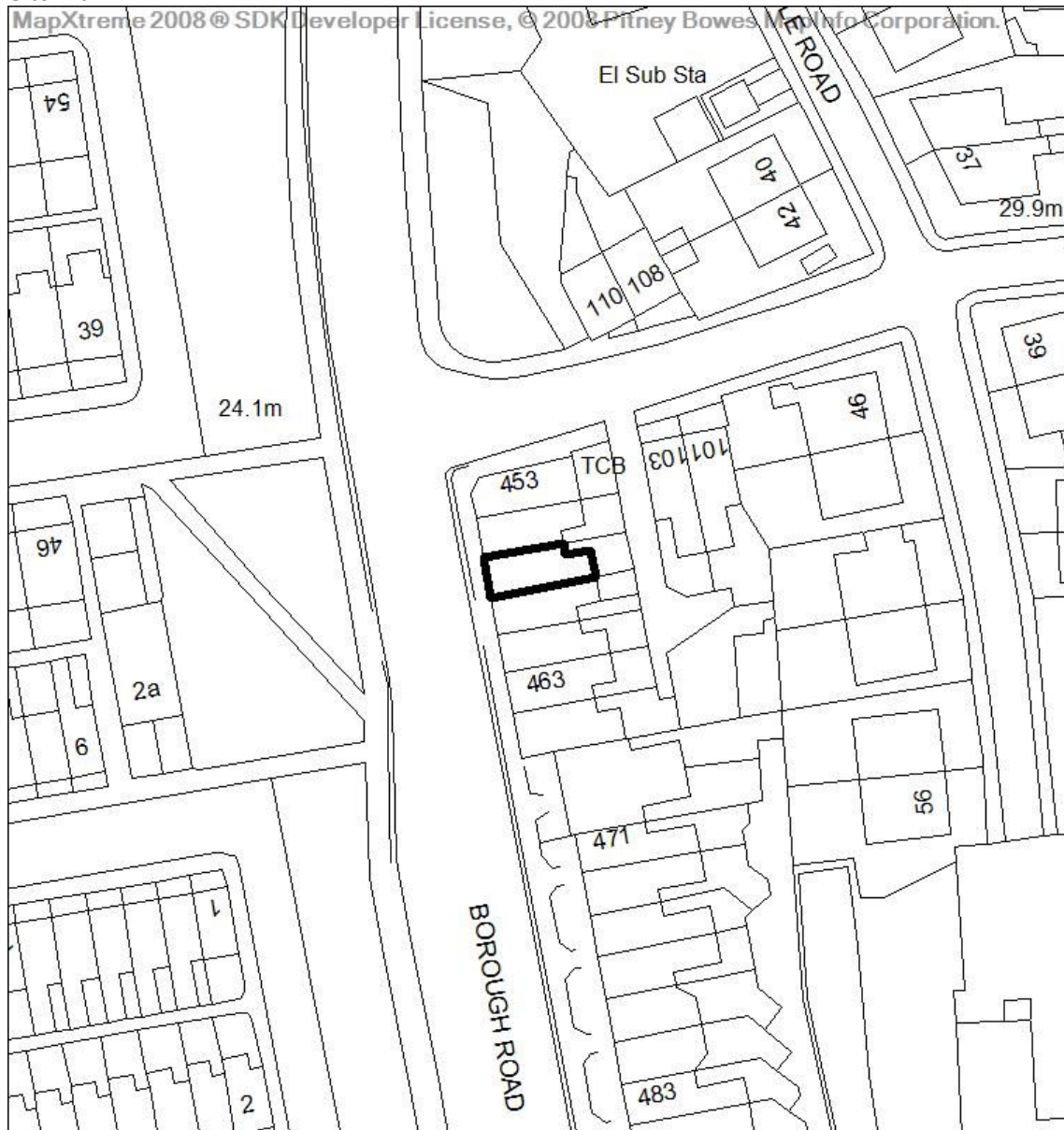
**Location:**  
**Proposal:**

457 BOROUGH ROAD, OXTON, CH42 0HB  
Change of use of the ground floor unit from A1 (retail) to C3 (dwelling houses) to convert the building into two flats with associated alterations to front and rear elevations, including an external staircase to the rear.

**Applicant:**  
**Agent :**

Mr M Traynor  
SDA Architects & Surveyors

**Site Plan:**



**Development Plan Designation:**

Primarily Residential Area

**Planning History:**

None

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

Having regard to the Council Guidance on Publicity for Applications, 8 letters of notification were sent to the occupiers of neighbouring properties and a site notice was displayed. At the time of writing this report a non-qualifying petition of 8 signatures from separate households has been received citing the following objections:

1. The flats would use the alleyway to the rear of the property, which is safeguarded by alley gates;
2. There is no provision for parking.

**CONSULTATIONS**

The Director of Technical Services (Traffic & Transportation Division) has no objections to the proposal

The Director Of Law, HR and Asset Management (Pollution Control Division) has no objection to the proposal subject to conditions

**Directors Comments:****REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council

**INTRODUCTION**

The application proposes the change of use from A1 retail to C3 dwelling house to convert the building into two flats with associated external alterations and external rear staircase.

**PRINCIPLE OF DEVELOPMENT**

The site forms part of a small shopping parade within a Primarily Residential Area, which falls within the regeneration priority areas identified by the Interim Planning Policy - New Residential Development, where residential development is acceptable in principle.

**SITE AND SURROUNDINGS**

The site comprises a brick and render two-storey property with small rear yard. The property is central within a terrace of vacant commercial units which are falling into disrepair, with the exception of No.455 which has been successfully converted into a dwelling. As such it is considered to be a parade of shops which are not in a good condition. To the front elevation of the property there is a roller shutter. The area is designated as Primarily Residential Area and all the surrounding roads are residential in nature.

**POLICY CONTEXT**

Policy HS4 of the adopted UDP requires that proposals for new residential development must take care not to have any detrimental impact on the residential amenity of the occupiers of the surrounding properties of the future occupants of the dwelling.

SPD2 sets out design issues and required separation distances for new flats, to be read alongside UDP Policy HS4 and the Council's Interim Planning Policy. UDP Policies, TR9, TR12, SPD4 and SPG42 set out the requirements cycle facilities and car parking space.

UDP Policy SH5 establishes criteria for the consideration of residential development in Small Shopping Centres and Parades in Primarily Residential Areas, outlining criteria which the Local Planning Authority must consider in weighing the benefits of the proposal against the disadvantages of loss of a commercial unit.

## **APPEARANCE AND AMENITY ISSUES**

The site is within an area designated as a regeneration priority area and complies with the Interim Planning Policy - New Housing Development adopted for development control purposes on 30 October 2005.

The proposed layout of the dwellings is considered acceptable, with all habitable rooms achieved good levels of outlook and levels of daylight and sunlight. Whilst there is limited outdoor amenity space, SPD2 allows for flexibility in conversions. The external staircase does not block habitable windows of the ground floor flat and is considered not to result in overlooking or loss of privacy to neighbouring properties. It is considered the proposal makes good use of the existing building, which is currently in disrepair, and the proposal is considered acceptable.

The alterations to the front elevation are considered to reflect the original property and the adjoining converted property, and are aesthetically sympathetic. It is not considered to harm the row of commercial properties as they appear to be vacant. The loss of the office is not considered harmful as the area is designated Primarily Residential Area, and there is no strong need to retain the use. As such the proposal outweighs the disadvantages and complies with policy SH5 in this instance.

The location is considered sustainable as it is close to bus routes and local amenities. Whilst there is no provision for off-street parking, and it is accepted on-street parking in the vicinity is limited, the proposal is within walking distance of bus links, and is therefore likely to encourage other forms of transport. In addition there amenity space with scope for cycle parking storage. The Council's adopted parking standards (SPD4) which set out maximum limits and the proposal does not exceed this limit.

Whilst the building will be within 40m of an existing hot food takeaway, it is considered this is not a reason to refuse the planning application as PPS3 encourages a variety of living accommodation in an area to provide for peoples' individual needs.

An objection was received regarding the access to the flats via the rear alley way. As there is existing access to the rear of the properties through the alleyway, this is considered not for form a valid reason for refusal.

## **SEPARATION DISTANCES**

SPD2 states habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. The proposal is considered not to result in overlooking or loss of privacy.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

An objection was received regarding lack of parking provision. The Council's adopted parking standards (SPD4) set out maximum limits that the proposal does not exceed.

The Director of Technical Services (Traffic Management Division) had no objection to the proposal. There are no significant highway implications relating to this proposal.

## **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no environmental/sustainability issues relating to these proposals.

## **HEALTH ISSUES**

There are no significant health implications relating to this application.

## **CONCLUSION**

The proposal is considered not to result in a detrimental change in the character of the area or result in an adverse impact to neighbouring properties. The proposal complies with Policy HS4 and SH5 of the adopted Wirral Unitary Development Plan 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 considered not to result in a detrimental change in the character of the area or result in an adverse impacts to neighbouring properties. The proposal complies with Policy HS4 and SH5 of the adopted Wirral Unitary Development Plan and SPD2.

**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. No part of the development hereby approved shall be commenced until full details of the space, location and type of facilities for cycle parking within the site have been submitted to and agreed in writing by the Local Planning Authority. The cycle parking facilities shall be installed in accordance with the agreed details concurrently with the works to convert premises into the flats hereby approved and shall be permanently retained thereafter.

**Reason:** In the interests of highway safety and to accord with Policy TR12 of the Wirral Unitary.

**Last Comments By:** 14/12/2011 13:30:30  
**Expiry Date:** 27/12/2011