

# Planning Committee

22 August 2013

**Reference:**  
**APP/13/00866**

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

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

**Ward:**  
**New Brighton**

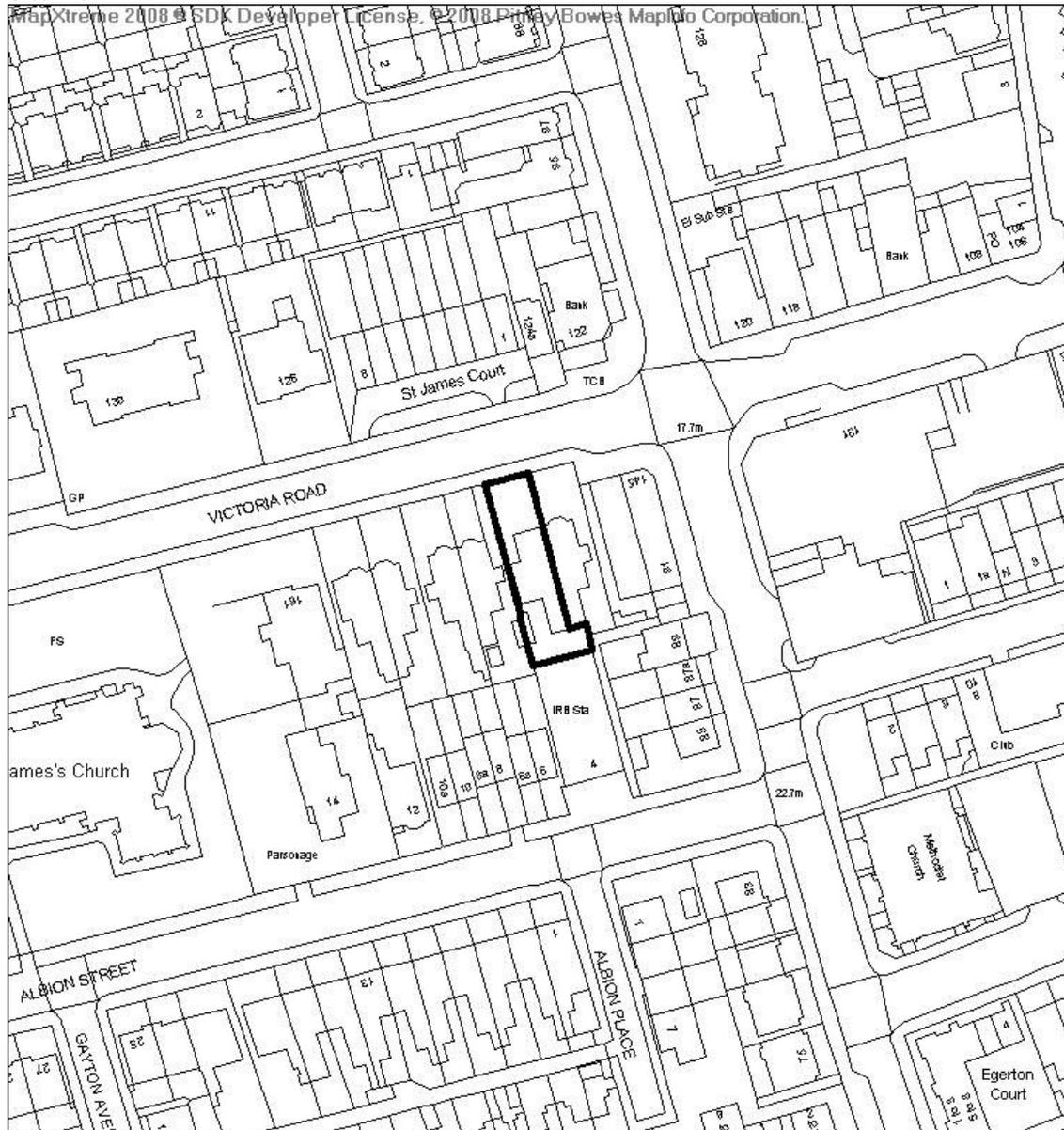
**Location:**  
**Proposal:**

151 VICTORIA ROAD, NEW BRIGHTON, CH45 9LB  
Change of use of a property from a single residence to a house of multiple occupation to provide 12 bedrooms with communal kitchen, living rooms and bathrooms. Also to include alterations to windows to the front elevation.

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

Mrs Moores  
Cheshire Planning Solutions Ltd

## Site Plan:



**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

Location: 149 Victoria Road, New Brighton  
Application Type: Full Planning Permission  
Proposal: Conversion of the premises into 4 self-contained flats and the provision of off street parking facilities.  
Application No: APP/74/00581  
Decision Date: 03/09/1974  
Decision Type: Conditional Approval

Location: 149 Victoria Road, New Brighton, L45 9LB  
Application Type: Full Planning Permission  
Proposal: Alterations and extensions at side to form new entrance stairway  
Application No: APP/82/21093  
Decision Date: 23/09/1982  
Decision Type: Conditional Approval

Location: 151, Victoria Road, New Brighton. L45 9LB  
Application Type: Full Planning Permission  
Proposal: Conversion of property into four self contained flats, provision of enclosed side staircase and car parking to front.  
Application No: APP/90/05172  
Decision Date: 20/03/1990  
Decision Type: Approve

Location: 151 Victoria Road, New Brighton, Wirral, CH45 9LB  
Application Type: Full Planning Permission  
Proposal: Change of use from self contained flats to bed and breakfast hotel.  
Application No: APP/02/05392  
Decision Date: 07/05/2002  
Decision Type: Withdrawn

Location: 151 Victoria Road, New Brighton, Wirral, CH45 9LB  
Application Type: Full Planning Permission  
Proposal: Conversion of existing building into four flats and new two storey front bay extension  
Application No: APP/07/07141  
Decision Date: 13/12/2007  
Decision Type: Approve

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

Having regard to the Council's Guidance on Publicity for Applications, 14 notifications were sent to adjoining properties. A Site Notice was also displayed.

A qualifying petition of objection from 59 separate households (signed by 64 people, including all residents in the adjoining property No.149) has been received citing concerns of the number of proposed residents, lack of communal facilities, damaging to the regeneration initiatives in New Brighton, parking issues, anti-social behavior.

10 letters of objection have been received from Flat 1 and 2 No.149 Victoria Road, 155b and 155c Victoria Road, 1, 4, 5 and 7 St James Court, 25 Albion Street and 153B Victoria Road citing the following concerns:

1. The site is in a sensitive location close to the heart of the regenerating New Brighton;
2. To create 12 bedrooms would result in a mean and basic conversion;
3. Occupants of No.149 suffer from noise disruption to their living spaces, which the conversion would exacerbate;
4. Lack of parking facilities due to double-yellow line parking restrictions on the highway. Parking is already an issue and the proposal will make the situation worse;
5. Concerns regarding who would be living in the proposed HMO;
6. Assurances the HMO will be managed efficiently;
7. Large HMOs are unmanageable and will alter the character of the area;
8. Potential increase in anti-social behaviour, social problems, and the possibility it will be turned into a bail hostel;
9. There will be 24 wheelie-bins located in the car parking area;
10. Concerns of safety and security of residents;
11. Change the character of the area.

#### **CONSULTATIONS**

Head of Environment & Regulation (Pollution Control Division) - no objections to the proposal

Head of Environment & Regulation (Highway Management Division) - no objections to the proposal

Merseyside Cycling Campaign commented the application does not include any secure internal cycle storage for long-term use by residents, or short stay facilities for visitors.

#### **Director's Comments:**

Consideration of this application was deferred from the Planning Committee on 22 August 2013 to allow for a formal site visit.

#### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Pat Hackett and Councillor Patricia Glasman requested the application be removed from delegation on the grounds multi occupancy accommodation is inappropriate in this area due to the lack of parking space, and visibility implications for other road users.

#### **INTRODUCTION**

The application proposes a change of use from a single residence to a house in multiple occupation (HMO) with 12no. bedrooms and shared kitchen and living room facilities.

Amended plans were received 8 August 2013 amending the internal layout of the dining room, to extend the kitchen space, following discussions with the HMO Housing Standards team.

The applicant submitted a supporting statement setting out the applicant has numerous properties of this type on the Wirral, and have been awarded 5 star accreditation as landlords by Wirral Council (no further details or addresses given). The property will be maintained by a team of staff who provide regular cleaning of communal areas, the garden and outdoor areas and window cleaning. The property will be regularly checked to ensure high standards. Tenants are required to provide photographic ID (passport or driving license), 3 months pay slips, references from previous landlord and current employment details. Credit checks are carried out on all applicants.

#### **PRINCIPLE OF DEVELOPMENT**

Proposals for houses in multiple occupation are acceptable in principle subject to the provisions of policy HS14 of the adopted Wirral Unitary Development Plan.

## **SITE AND SURROUNDINGS**

The site comprises a residential dwellinghouse, situated in a residential street of a mixture of semi-detached dwellings and flats. The site is designated as a Primarily Residential Area, and is adjacent to New Brighton Traditional Suburban Centre.

## **POLICY CONTEXT**

Policy HS14 Houses in Multiple Occupation permits the conversion of existing buildings to multiple occupancy subject to the property being of a sufficient size and not resulting in a detrimental change in the character of the area. No more than 20% of properties within a street block should be within multiple occupation to protect the character of the area.

## **APPEARANCE AND AMENITY ISSUES**

Concerns regarding houses of multiple occupation regard the potential of a damaging impact on residential surroundings, with concerns regarding the potential tenants, increased activity in terms of comings and goings and general noise. Inadequate space for requirements such as parking, dustbins and poor standard of maintenance can also affect the character of the residential area.

UDP policy HS14 restricts the number of converted properties in a given residential road; no more than 20% of properties within a street block should be within multiple occupation to protect the character of the area. The proposal will not result in a private dwelling having a HMO on both sides. The majority of properties are self-contained flats and residential units and it is considered the proposal will not result in a concentration of HMO's in the area, nor adversely affect the residential character of the area.

There are external alterations proposed to the window design facing Victoria Road, which are considered acceptable.

The property is semi-detached and the adjoining property No.149 is split into 4 flats. Environmental Health were consulted and had no objection to the application, and did not request any conditions. It is therefore considered sound emanating from the property would be likely not to give rise to unacceptable noise disturbance. The use is considered to generate more activity than a traditional family house, however it is considered that the level of activity would not be so significant that it would impact adversely on the living conditions of local residents.

Highly intensive multiple occupation can give rise to a level of activity out of keeping with the street and wear and tear on the fabric of the houses themselves could also occur. Transient populations were unlikely to relate to the established community. However the existing building is considered to be of a scale that can accommodate the proposed 12no. bedsits. The size of the building and the number of occupants are considered not to generate a level of activity, which could affect the privacy and quietness neighbouring residents were entitled to expect. The intervention of the Local Planning Authority into the field of matters otherwise controllable under housing or environmental health powers may only be justified when the overcrowding implied has a knock-on effect on wider amenity or land use concerns. Government policy in NPPF encourages a flexible approach to standards, and the proposed room sizes and shared facilities are considered acceptable. The existing windows are utilised and provide a good level of outlook and daylight. There is adequate amenity space for recreation, dustbin storage and cycle parking space for 12 inhabitants. The lower ground floor is to be used as communal living space. Amended plans were received indicating a new kitchen layout which would be more usable for the number of residents.

It should be noted the application is not proposing a secure residential institution. The use of a building for provision of secure residential accommodation (eg a prison, young offenders' institution, detention centre, secure training centre, custody centre etc) would require a separate planning application under the Town and Country Planning Use Class Order 2010. There is no evidence that the change of use of the property would lead to an increase in crime, in fact a wide and varied range of land uses could help to create environments that were lively and well-used, thus deterring criminal activity.

## **SEPARATION DISTANCES**

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 will utilise the existing windows. As such it is considered there are no issues regarding loss of privacy or overlooking.

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

The Council's adopted parking standards SPD4 require maximum parking standards, which the proposal complies with. Highway Engineers had no objection to the proposal and did not recommend any conditions. The site is considered a sustainable residential area as it is within walking distance of bus routes, train links and local amenities. There are residents' objections concerned that the proposal would lead to an increase of vehicles being parked in inappropriate locations, however there is no evidence that the proposal would lead to illegal or inconvenient parking. In HMO cases it may be asserted that residents would have a low level of car ownership. However, the LPA cannot control the age, occupation or lifestyle of persons occupying a property.

#### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no Environmental/Sustainability issues relating to these proposals. The proposed building is semi-detached and as such soundproofing is required. Environmental Health had no objection to the proposal and did not request planning conditions. There are no environmental or sustainability issues relating to these proposals.

#### **HEALTH ISSUES**

There are no health implications relating to this application.

#### **CONCLUSION**

The proposal is not considered detrimental to the character of the residential area, or cause nuisance to the surrounding residential areas by virtue of its scale and use. The proposal complies with Council policy HS14 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

#### **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 not considered detrimental to the character of the residential area, or cause nuisance to the surrounding residential areas by virtue of its scale and use. The proposal complies with Council policy HS14 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

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

#### **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 development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 12 July 2013 and listed as follows: drawing number CPS 006/01 01/01 (dated June 2013) and the amended drawing received 08 August 2013 drawing numbers CPS 006/04 Rev 'B' 01/01.

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

3. No part of the development shall be brought into use details of bin storage have been

submitted and approved in writing to the Local Planning Authority. The bin storage should be provided in accordance with the approved details and shall be permanently retained thereafter.

**Reason:** In the interests of residential amenity.

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 HS14 in the in the Wirral Unitary Development Plan

5. Before any building works commence on the site, a scheme providing for sound insulation between the proposed building and No.149 Victoria Road shall be submitted to and approved by the Local Planning Authority.

**Reason:** To ensure that the neighbouring occupiers are not objected to excessively high noise levels and to ensure an adequate standard of amenity.

**Last Comments By:** 19/08/2013 14:46:05  
**Expiry Date:** 06/09/2013