

## Planning Committee

21 November 2013

**Reference:**  
**APP/13/00148**

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

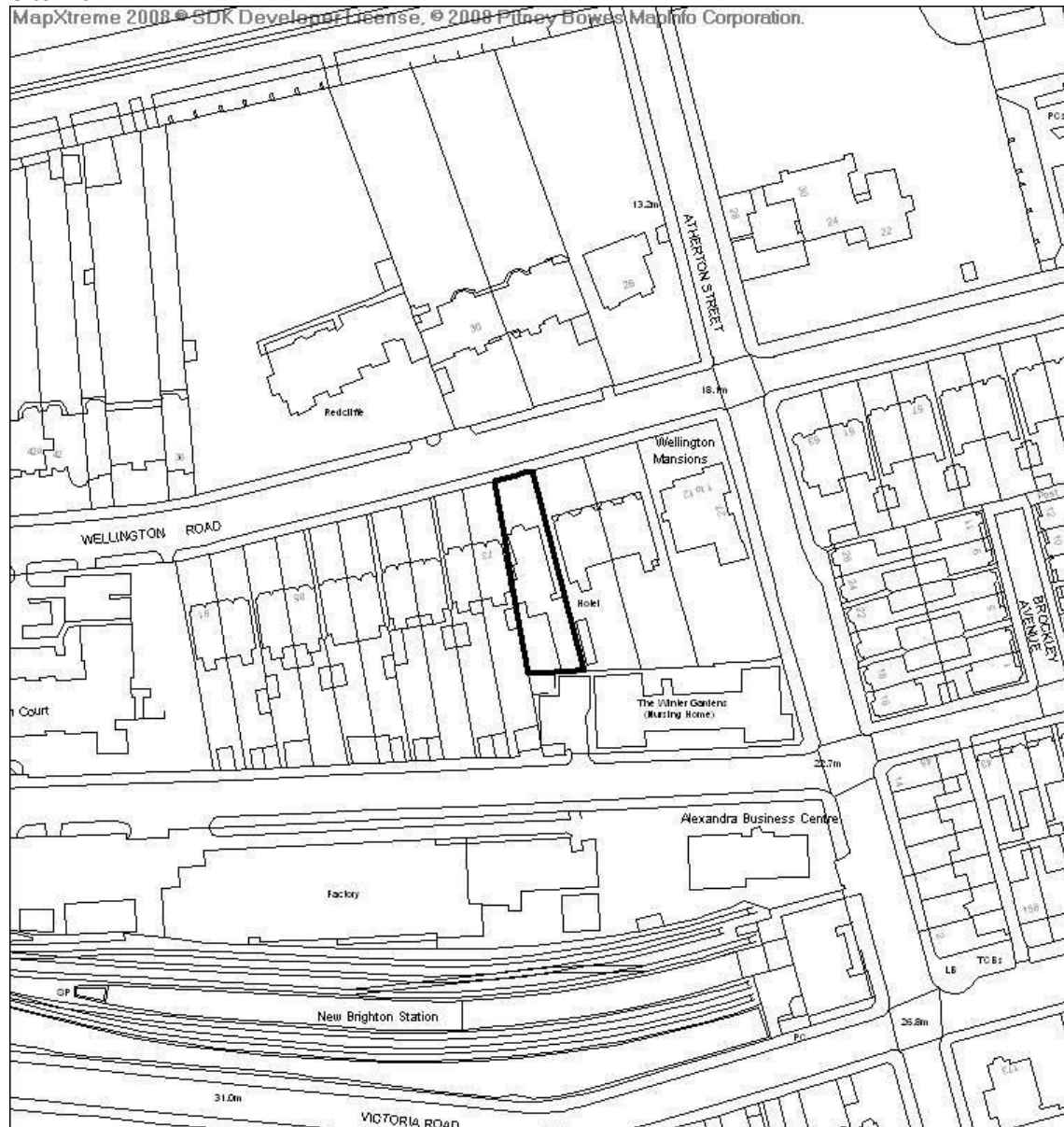
**Case Officer:**  
**Mrs S Lacey**

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

**Location:** 71 WELLINGTON ROAD, NEW BRIGHTON, CH45 2NE  
**Proposal:** Refurbishment of property including change of use to dual C2 Use (Residential Institution) and C3 Use (Dwelling house) (amended plans received)

**Applicant:** Inclusive Lifestyles Ltd  
**Agent :** IB Project Management Ltd

### Site Plan:



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**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

Location: Divonne Hotel, 71 Wellington Road, New Brighton, Wirral, CH45 2NE  
Application Type: Outline Planning Permission  
Proposal: Partial demolition and erection of nine apartments (outline)  
Application No: OUT/04/05589  
Decision Date: 06/05/2004  
Decision Type: Refuse

Location: Divonne Hotel, 71 Wellington Road, New Brighton, Wirral, CH45 2NE  
Application Type: Full Planning Permission  
Proposal: Demolition of existing building and construction of 8 flats and associated car parking.  
Application No: APP/04/06988  
Decision Date: 23/11/2004  
Decision Type: Approve

Location: Ambleside Residential, Retirement Home, 67-69 Wellington Road, New Brighton, Wirral L45 2NE  
Application Type: Full Planning Permission  
Proposal: Change of use from residential home to 16 bedsits.  
Application No: APP/98/06071  
Decision Date: 11/09/1998  
Decision Type: Refuse

Location: 71, Wellington Road, New Brighton. L45 2NE  
Application Type: Full Planning Permission  
Proposal: Conversion to old peoples home with 16 single bedrooms and facilities for the disabled, and additional fire escape.  
Application No: APP/88/05150  
Decision Date: 10/03/1988  
Decision Type: Approve

Location: 67 Wellington Road, New Brighton, Wirral, CH45 2NE  
Application Type: Full Planning Permission  
Proposal: Change of use to childrens home to accommodate six 5~8 year old children in care.  
Application No: APP/99/06913  
Decision Date: 02/12/1999  
Decision Type: Not required

Location: 69 Wellington Road, New Brighton, Wirral, L45 2NE  
Application Type: Full Planning Permission  
Proposal: Change of use from residential home to one dwelling.  
Application No: APP/99/05059  
Decision Date: 24/02/1999  
Decision Type: Approve

Location: 69, Wellington Road, New Brighton. CH45 2NE  
Application Type: Full Planning Permission  
Proposal: Change of use from Residential (C3) to Residential Institution (C2) with internal link to no. 67 Wellington at second floor. No. 67 and no. 69 to be operated as one C2 unit.  
Application No: APP/10/00080  
Decision Date: 19/03/2010  
Decision Type: Approve

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

### **REPRESENTATIONS**

Having regard to the Councils Guidance on Publicity for Applications, 43 letters were sent to adjacent properties and a site notice displayed. A qualifying petition of 25 signatures objecting to the application was received. 3 individual objections have been received from 30, 73 and 75 Wellington Road. The reasons for objection relate to:

1. There are existing problems of noise and disturbance (in the street and the communal areas), foul language, verbal abuse, aggression and intimidation at No.67-69, which has resulted in Police involvement;
2. It is not clear if the extensions to the building have planning permission;
3. Direct overlooking to No.73;
4. Security issues where external stairs would allow access onto the party wall of No.73 and into their property;
5. A condition is requested to ensure only residents with prader-willi syndrome reside at the property;
6. The application will lead to an over-concentration of institutions in a residential area;
7. Increased car parking in the street;
8. Inadequate bin storage.

The Wellington Road Conservation Area Society object to the application on the following grounds:

1. The proposal will result in an overconcentration of residential care in this area, more than 20% of the entire frontage of the block;
2. The growth of this establishment will affect the amenities of neighbours by increasing activity, and will not relate well in scale to the surrounding area;
3. There have been incidents at No.67-69, which have resulted in Police involvement;
4. Neighbouring residents are unable to use their gardens;
5. The conversion of the building to residential accommodation would be a better use;
6. There is no landscaping proposed to soften the appearance of the hard surfacing;
7. The proposal will increase car parking.

Councillor Pat Hackett removed the application from delegation on the grounds the proposal would affect the character of the residential area.

### **CONSULTATIONS**

Head of Environment & Regulation (Pollution Control Division) - No objection.

Head of Environment & Regulation (Traffic and Transportation Division) - commented the parking layout is unworkable and the proposal will likely lead to greater demand of on-street parking, but no objection in relation to highway safety.

Merseyside Fire and Rescue Service commented on the application with reference to Approved Document B5 of Building Regulations.

### **DIRECTORS COMMENTS:**

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

A qualifying petition of objection has been received. Councillor Pat Hackett removed the application from delegation on the grounds the proposal would affect the character of the residential area.

### **INTRODUCTION**

The planning application is to convert No.71 Wellington Road into a Residential Institution (Use Class C2). The adjoining properties No.67-69 currently operate as a C2 care use under the same applicant, Inclusive Lifestyles Ltd.

### **PRINCIPLE OF DEVELOPMENT**

The proposal is acceptable in principle subject to policies HS8 of the adopted Wirral Unitary Development Plan, SPG9, SPD4 and the National Planning Policy Framework.

### **SITE AND SURROUNDINGS**

The site comprises a vacant and dilapidated brick detached building, with a 1.5m high sandstone wall

to the front boundary and hard surfacing fronting the property. The last use of the property was as a hotel. There is an existing large two-storey extension to the rear of the property. It is not clear from the planning history when this was built, but if it has been in place for over 4 years it is immune from enforcement action. No.73-91 form an attractive residential terrace, and there are residential properties opposite in the Wellington Road Conservation Area.

### **POLICY CONTEXT**

The application shall be assessed against policy HS8 Nursing Homes and Residential Care Homes of the adopted Wirral Unitary Development Plan, SPG9 Sheltered Housing and Residential Care Homes, SPD4 Parking Standards and the National Planning Policy Framework.

Policy HS8 sets out proposals should not result in an over-concentration of residential care or nursing homes in an area. SPG9 specifies the number of residential homes should not exceed 20% of the total number of properties in the street frontage. SPD4 sets out maximum numbers of car parking spaces - 1 space per 3 staff plus 1 visitor space per 6 residents. The NPPF requires a wide choice of high quality homes to create sustainable, inclusive and mixed communities.

### **APPEARANCE AND AMENITY ISSUES**

The proposal is to convert a hotel to a residential institution/dwelling. The applicant has requested a flexible use in connection with planning and care guidelines. No.67 and 69 are existing residential institutions, and objections have been received citing this will result in an over concentration of residential institutions in the area. Policy HS8 sets out proposals should not result in an over-concentration of residential care or nursing homes in an area. SPG9 specifies the number of residential homes should not exceed 20% of the total number of properties in the street frontage. The site is located in a residential area of dwellings and larger buildings split into flats. In this instance it is considered the proposal is read within a street scene of 18 residential buildings, resulting in the proposal not exceeding 20% of the street frontage. The proposal results in a cluster of 3 residential institutions. However the proposal is not considered to result in a change in the character of the area given the buildings previous commercial use. The proposal is considered to be of a suitable scale within the residential area, and is not considered to result in an over-concentration of residential care in the area. It is considered investment into the vacant building and bringing it back into use may improve the character of the area.

Amended plans were received amending the room layout to ensure a reasonable outlook to all bedrooms. It is considered the amended plans are acceptable and would provide all residents with a reasonable outlook. The proposal will share the communal space and cycle storage with the adjacent care home under the same ownership.

As the frontage of the two properties is already hard-surfaced it is considered the LPA has limited control over this. The front wall is to be retained.

An objection was received concerning the existing fire escape on the boundary of No.73. The applicant has looked into repositioning the fire escape, but considers it is not feasible. As the fire escape is existing, it is not considered the proposal will increase concerns of security. It is considered reasonable to condition the fire escape and flat roof adjacent should only be used in the case of an emergency.

A neighbour requested a condition to ensure only residents with prader-willi syndrome reside at the property, however this is not considered a reasonable condition.

### **SEPARATION DISTANCES**

There are existing windows in the rear extension facing No.73, but concerns were received regarding overlooking to No.73. Amended plans were received altering the windows in the first floor facing No.73 to face into the site. The windows facing No.73 can be obscurely glazed. It is considered the amended proposal will reduce the amount of overlooking to neighbouring properties.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

Concerns were raised by neighbours regarding an increase in on-street parking. The head of Environment and Regulation (Traffic and Transportation Division) commented the parking layout is unworkable and the proposal will likely lead to greater demand of on-street parking. However they

had no objection in relation to highway safety. The proposal does not exceed the maximum allowances set out in SPD4. Whilst there are not enough spaces for staff members the proposal is within 150m of a train station and 300m of bus routes. As such this is considered a very sustainable location. In addition it is likely staff will be local and will be able to walk or cycle to work. Cycle parking facilities for staff can be conditioned. There are no highway implications relating to this proposal.

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

Concerns were raised by neighbours regarding existing noise and disturbance at the adjacent care home, and the proposal will increase the amount of nuisance. It is considered the proposal for an 8 person care home adjacent to the existing 8 person care home (No.67/69 Wellington Road) would not result in a use that would cause significant harm to surrounding residential properties. The Head of Environment and Regulation (Environmental Health) had no objection to the proposal. 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 that relates well to surrounding properties and will not result in an over-concentration of residential care homes in the area. It is acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal does not result in loss of privacy, daylight or sunlight to neighbouring properties. The proposal complies with Council 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 that relates well to surrounding properties and will not result in an over-concentration of residential care homes in the area. It is acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal does not result in loss of privacy, daylight or sunlight to neighbouring properties. The proposal complies with Council 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 development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 05 July 2013 and listed as follows: drawing numbers 71WRPE (dated Jan 2013), 71WRPP (dated Jan 2013), 71WRG GA (dated December 2012), and the amended plans received 18 October 2013 drawing numbers 71WRF GA REV D (dated Oct 2013) and 71WRS GA REV A (dated Oct 2013), and the amended plans received 09 October 2013 drawing numbers 71WREL REV B (dated Oct 2013) and 71WREL east (dated Oct 2013).

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

3. No more than eight residents shall occupy No.71 Wellington Road at any one time.

**Reason:** In the interest of amenity

4. The external staircase and flat roof structure to the rear of the property shall not be used as a balcony or sitting out area at any time. The external staircase shall only be used as a fire escape in the event of an emergency and at no other time.

**Reason:** To preserve the amenity and privacy of neighbouring residential occupiers.

**Further Notes for Committee:**

**Last Comments By:** 18/11/2013 17:05:44

**Expiry Date:** 30/08/2013